RICHARDSON CITY COUNCIL
MONDAY, OCTOBER 12, 2015
WORK SESSION AT 6:00 PM; COUNCIL MEETING AT 7:00 PM
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX

The Richardson City Council will conduct a Work Session at 6:00 p.m. on Monday, October 12, 2015 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 7:00 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 STATE CONSTITUTIONAL PROPOSITIONS

C. 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 – 7:00 PM, COUNCIL CHAMBERS

1. INVOCATION – STEVE MITCHELL

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

3. MINUTES OF THE SEPTEMBER 28, 2015 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 15-14, A REQUEST BY AHMED HELALUZZAMAN, REPRESENTING RICHARDSON CRYSTAL CREEK HOA, TO AMEND THE CRYSTAL CREEK PD PLANNED DEVELOPMENT, ORDINANCE 3796, TO MODIFY DEVELOPMENT STANDARDS RELATED TO THE DEVELOPMENT OF AN 11.3-ACRE SINGLE-FAMILY SUBDIVISION LOCATED ON THE WEST SIDE OF HOLFORD ROAD, NORTH OF THE RICHARDSON/GARLAND CITY LIMIT LINE AND SOUTH OF CHAINHURST DRIVE. THE PROPERTY IS CURRENTLY ZONED PD PLANNED DEVELOPMENT.

6. PUBLIC HEARING, ZONING FILE 15-21 AND CONSIDER ADOPTION OF ORDINANCE NO. 4138, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR AN INDOOR RADIO CONTROL RACE TRACK WITH SPECIAL CONDITIONS ON A 3.17-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED AT 521 W. CAMPBELL ROAD, RICHARDSON, TEXAS.

7. PUBLIC HEARING, ZONING FILE 15-22 AND CONSIDER ADOPTION OF ORDINANCE NO. 4139, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A CHILDCARE CENTER WITH SPECIAL CONDITIONS ON A 2.00-ACRE TRACT OF LAND ZONED O-M OFFICE LOCATED AT 132 N. GLENVILLE DRIVE, RICHARDSON, TEXAS.

8. PUBLIC HEARING, ZONING FILE 15-24 AND CONSIDER ADOPTION OF ORDINANCE NO. 4140, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING BY AMENDING ORDINANCE NUMBER 2586-A, ADOPTED ON FEBRUARY 16, 1987, TO AUTHORIZE THE ADDITIONAL USE OF "HOTEL, LIMITED SERVICE" FOR TRACT R-5 WITH SPECIAL CONDITIONS ON A PORTION OF A 4.75-ACRE TRACT OF LAND ZONED PD PLANNED DEVELOPMENT LOCATED AT 455 W. PRESIDENT GEORGE BUSH HIGHWAY, RICHARDSON, TEXAS.

9. CONSENT AGENDA:

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

A. CONSIDER ADOPTION OF ORDINANCE NO. 4141, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM R-850-M RESIDENTIAL, O-M OFFICE AND R-1500-M RESIDENTIAL TO PD PLANNED DEVELOPMENT FOR 42.99 ACRES LOCATED ON THE NORTH SIDE OF WALNUT STREET, BETWEEN GREENVILLE AVENUE AND ABRAMS ROAD.

B. CONSIDER THE FOLLLOWING RESOLUTIONS:

1. RESOLUTION NO. 15-32, ADOPTING THE CITY OF RICHARDSON INVESTMENT POLICY, DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE CITY AND THAT THE POLICY RECORDS ANY CHANGES TO EITHER THE INVESTMENT POLICY OR INVESTMENT STRATEGIES.

2. RESOLUTION NO. 15-33, AMENDING THE DESIGNATED AUTHORIZED REPRESENTATIVES FOR TEXPOOL INVESTMENTS.

C. AUTHORIZE THE CITY MANAGER TO EXECUTE AN EASEMENT AND RIGHT-OF-WAY AGREEMENT AND ASSOCIATED DOCUMENTS WITH ONCOR ELECTRIC DELIVERY COMPANY LLC TO ACCOMMODATE PLACEMENT OF ELECTRIC SUPPLY AND COMMUNICATIONS FACILITIES WITHIN AN APPROXIMATE 851 SQUARE FOOT AREA TO SERVE AN EXISTING NORTH TEXAS MUNICIPAL WATER DISTRICT LIFT STATION LOCATED ON THE EAST SIDE N. JUPITER ROAD WITHIN THE 2100 BLOCK OF N. JUPITER ROAD.

D. AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING BIDS:

1. BID #05-16 – 2010 ALLEY REHABILITATION PHASE IX (ARAPAHO RD./MARILU ST./LORRIE DR./HANBEE ST.). BIDS TO BE RECEIVED BY THURSDAY, OCTOBER 29, 2015 AT 3:00 P.M.

2. BID #06-16 – 2010 ALLEY REHABILITATION PHASE VIII (WORCESTER WAY/PROVINCETOWN LANE/JOLEE ST./LORRIE DRIVE). BIDS TO BE RECEIVED BY THURSDAY, OCTOBER 29, 2015 AT 2:00 P.M.

3. BID #07-16 – GRANT DRIVE AND MERRIE CIRCLE WATERLINE. BIDS TO BE RECEIVED BY FRIDAY, OCTOBER 30 AT 2:00 P.M.

4. BID #09-16 – RE-BID OF ARAPAHO ROAD CULVERTS RAILING REPLACEMENTS. BIDS TO BE RECEIVED BY MONDAY, NOVEMBER 23, 2015 AT 2:00 P.M.

E. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #10-16 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO SUNGARD PUBLIC SECTOR FOR THE FY 2015-16 ANNUAL MAINTENANCE OF THE EXISTING HTE OPERATING FINANCIAL SOFTWARE IN THE AMOUNT OF $133,846.

2. BID #11-16 – WE WISH TO CONTRACT WITH AT&T FOR THE FY2015-2017 TELEPHONE SMART TRUNKS/POTS COMMUNICATION LINES THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-TEX-AN-NG-CTSA-005 FOR AN ANNUAL AMOUNT OF $170,000.

3. BID #12-16 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE PURCHASE ORDER TO CHILD'S PLAY, INC. FOR PARK PLAYGROUND EQUIPMENT AND INSTALLATION FOR LOOKOUT PARK PURSUANT TO THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) CONTRACT #423-13 IN THE AMOUNT OF $171,258.

- **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, OCTOBER 9, 2015, BY 5:00 P.M.

_____
AIMEE NEMER, CITY SECRETARY

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

City of Richardson
City Council Worksession
Agenda Item Summary

Worksession Meeting Date:	Monday, October 12, 2015
Agenda Item:	Review and Discuss Upcoming Election Ballot: State of Texas Constitutional Propositions
Staff Resource:	Taylor Lough, Management Analyst
Summary:	Richardson residents will be asked to consider seven State of Texas Constitutional propositions in addition to the City of Richardson bond and charter propositions. City staff will provide an overview of the State propositions and an update of communication initiatives implemented to provide public information regarding the election to be held November 3, 2015.
Board/Commission Action:	N/A
Action Proposed:	N/A

MINUTES
RICHARDSON CITY COUNCIL WORK SESSION AND COUNCIL MEETING
SEPTEMBER 28, 2015

WORK SESSION- 6:00 P.M.:

- **Call to Order**
  Mayor Voelker called the meeting to order at 6:00 p.m. with the following Council members present:

Paul Voelker	Mayor
Mark Solomon	Mayor Pro Tem
Bob Townsend	Councilmember
Scott Dunn	Councilmember
Mabel Simpson	Councilmember
Marta Gomez Frey	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Don Magner	First Assistant City Manager
Kent Pfeil	Chief Financial Officer
Cliff Miller	Assistant City Manager
Shanna Sims-Bradish	Assistant City Manager
Aimee Nemer	City Secretary
Bill Alsup	Director of Health
Brent Tignor	Building Official
Mistie Gardner	Emergency Management Coordinator
Serri Ayers	Superintendent of Community Events

Dan Johnson, City Manager, and Taylor Lough, Management Analyst, were absent due to a business conference.

Guests:
Edith Martin, North Central Texas Council of Governments

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

Brent Tignor, Building Official reviewed Sign Control Board Case # 15-08, Winfield Jewelry.

B. REVIEW AND DISCUSS A DONATION FROM RICHARDSON ANIMALUV TO THE ANIMAL SHELTER

Bill Alsup, Director of Health, reviewed the donation from Animaluv in the amount of $10,515. He recognized Jean Felsted, Chair of the Animal Services Advisory Commission, Peggy Thorburn, founder of Animaluv, Raymon De Guzman, Animaluv, and Dennis Wooten, Assistant Director of Health. Mr. Alsup explained that the donation would be used to build an outdoor visitation area at the Animal Shelter for prospective pet owners.

C. REVIEW AND DISCUSS THE CELEBRATING LEADERSHIP IN DEVELOPMENT EXCELLENCE (CLIDE) AWARD PRESENTATION

Ms. Edith Martin, representing the North Central Texas Council of Governments, presented the CLIDE award to the City for the Spring Creek Nature Area expansion in the category of Special Development.

D. REVIEW AND DISCUSS THE FALL 2015 COTTONWOOD ART FESTIVAL

Serri Ayers, Superintendent of Community Events, reviewed the 2015 Cottonwood Art Festival and a history of the event.

E. REVIEW AND DISCUSS NATIONAL PREPAREDNESS MONTH

Mistie Gardner, Emergency Management Coordinator, reviewed the National Preparedness Month campaign and Emergency Management Office activities.

F. REPORT ON ITEMS OF COMMUNITY INTEREST

There were no items of community interest reported.

COUNCIL MEETING-7:00PM.COUNCIL CHAMBERS

1. INVOCATION- MABEL SIMPSON

2.PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS- MABEL SIMPSON

3. MINUTES OF THE SEPTEMBER 14, 2015 MEETING, SEPTEMBER 21, 2015 (ADVISORY BOARDS & COMMISSIONS), AND SEPTEMBER 21, 2015 MEETING.

Council Action

Councilmember Dunn moved to approve the Minutes as presented. Councilmember Frey seconded the motion. A vote was taken and passed unanimously.

4.VISITORS

Sharon Overall, 3108 Mason Drive, Plano, addressed Council with concerns about cigarette smoke in public places.

5. CONSIDER APPOINTMENTS TO THE ANIMAL SERVICES ADVISORY BOARD, CIVIL SERVICE BOARD, CITY PLAN COMMISSION, ENVIRONMENTAL ADVISORY COMMISSION, LIBRARY BOARD, AND SIGN CONTROL BOARD.

Council Action

Approved 7-0, Solomon/Frey

•Move to appoint Dana Huffman as Vice Chair of the Animal Services Advisory Commission.

Approved 7-0, Simpson/Mitchell

•Move to appoint Pat Maher as Vice Chair of the Library Board.

Approved 7-0, Townsend/Solomon

•Move to reappoint Marilyn Frederick, Thomas Maxwell, and Randy Roland for a term to

expire August 1, 2017.
•Move to appoint Ron Taylor as odd-year alternate for a term to expire August 1, 2017.

Approved 7-0, Mitchell/Simpson
•Move to reappoint Mary Bedosky as Chair, Keith Hileman as Vice Chair, and Jennifer Justice for a term to expire August 31, 2017.

Approved 7-0, Frey/Dunn
•Move to reappoint Chuck Riehm as Chair, Joe Elliot, Matthew Fulgham, Christine Halicki, and Sam Watkins for a term to expire September 22, 2017.

Approved 7-0, Dunn/Townsend
•Move to appoint Chip Izard as Vice Chair to the Sign Control Board.
•Move to appoint Alicia Marshall to full member for a term to expire August 1, 2017
•Move to appoint Sebrena Bohnsack as odd-year alternate for a term to expire August 1, 2017.

ACTION ITEMS:

6. CONSIDER RECOMMENDATIONS FROM THE ARTS COMMISSION FOR FINANCIAL ASSISTANCE FROM THE HOTEL/MOTEL TAX FUND FOR THE FOLLOWING ORGANIZATIONS:

TEXAS BALLET THEATER	$1,000
SPECTACULAR SENIOR FOLLIES	$1,000
VIDEO ASSOCIATION OF DALLAS	$1,500
AVANT CHAMBER BALLET	$2,000
PLANO COMMUNITY BAND	$2,000
ARTS INCUBATOR OF RICHARDSON (AIR)	$2,500
TEXAS PERFORMING CHINESE ARTS ASSN.	$3,800
DALLAS CHINESE COMMUNITY CENTER	$4,000
FRIENDS OF THE RICHARDSON PUBLIC LIBRARY, INC.	$4,000
CONTEMPORARY CHORALE	$5,000
ISLAMIC ART REVIVAL SERIES	$5,000
RICHARDSON READS ONE BOOK	$6,000
CHAMBERLAIN PERFORMING ARTS (CHAMBERLAIN BALLET)	$6,500
PEGASUS THEATRE INCORPORATED	$7,000
DALLAS ASIAN AMERICAN YOUTH ORCHESTRA	$7,000
DALLAS REPERTOIRE BALLET	$8,000
TEXAS WINDS MUSICAL OUTREACH, INC.	$9,500
PLANO SYMPHONY ORCHESTRA	$10,000
TUZER BALLET	$11,500
RICHARDSON CIVIC ART SOCIETY (RCAS)	$11,700
LONE STAR WIND ORCHESTRA	$12,000
RICH-TONE CHORUS	$13,700
RICHARDSON COMMUNITY BAND	$16,800
CHAMBER MUSIC INTERNATIONAL	$22,000
RICHARDSON THEATRE CENTRE, INC.	$34,500
REPERTORY COMPANY THEATRE, INC. (RCT)	$50,000
RICHARDSON SYMPHONY, INC.	$77,000

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

7. RECEIVE THE SEPTEMBER 16, 2015 SIGN CONTROL BOARD MINUTES AND CONSIDER FINAL APPROVAL OF SCB CASE #15-08, WINFIELD JEWELERS.

Council Action
Councilmember Townsend moved to approve the Minutes as presented and the final approval of SCB Case # 15-08 as presented. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

8. CONSENT AGENDA:

A. CONSIDER THE FOLLOWING RESOLUTIONS:

1. **RESOLUTION NO. 15-29, PROVIDING AN AMENDED FEE SCHEDULE FOR BUILDING INSPECTION FEES AND PERMITS; REPEALING RESOLUTION NO. 15-28.**

2. **RESOLUTION NO. 15-30, NOMINATING WAYNE MAYO AS A CANDIDATE FOR ELECTION TO THE BOARD OF DIRECTORS OF COLLIN CENTRAL APPRAISAL DISTRICT.**

3. **RESOLUTION NO. 15-31, NOMINATING MICHAEL HURTT AS A CANDIDATE FOR ELECTION TO THE BOARD OF DIRECTORS OF DALLAS CENTRAL APPRAISAL DISTRICT.**

B. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. **BID #75-15- WE REQUEST AUTHORIZATION TO ISSUE ANNUAL REQUIREMENTS CONTRACTS FOR BULK FERTILIZER TO JUSTIN SEED AND HELENA CHEMICAL COMPANY PURSUANT TO UNIT PRICES.**

2. **BID #83-15 – WE REQUEST AUTHORIZATION TO ISSUE A 36- MONTH LEASE AGREEMENT WITH C & M AIR COOLED ENGINE, LNC., AN E-Z GO/TEXTRON COMPANY AUTHORIZED DEALER FOR FORTY (40) ELECTRIC E-Z GO GOLF CARTS FOR THE SHERRILL PARK GOLF COURSE #1 THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) CONTRACT #447-14 FOR A TOTAL COST OF $128,548.80.**

3. **BID #04-16 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO ASSOCIATED SUPPLY COMPANY FOR THE COOPERATIVE PURCHASE OF A LOADER/BACKHOE AND THREE (3) CONCRETE HYDRAULIC HAMMERS FOR FLEET, STREET AND WATER UTILITY DEPARTMENTS THROUGH**

THE HOUSTON- GALVESTON AREA COUNCIL OF GOVERNMENTS CONTRACT #EM06-15 IN THE AMOUNT OF $145,500.

Council Action

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

ADJOURNMENT

With no further business, the meeting was adjourned at 7:21p.m.

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MAYOR

ATTEST:

_____

CITY SECRETARY

MEMO

DATE: **October 8, 2015**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 15-14 ï PD Amendments ï Crystal Creek**

REQUEST

Ahmed Helaluzzaman, representing Richardson Crystal Creek HOA, is requesting amendments to the development standards established under Ordinance No. 3796 as part of a Planned Development for the 35-lot single-family Crystal Creek subdivision located on the south side of Chainhurst Drive and the west side of Holford Road.

BACKGROUND

The 11.3-acre subject property was rezoned in 2010 from I-M(1) Industrial to PD Planned Development referencing the R-1100-M Residential District to provide for development of the 35 lot subdivision. The property was platted in 2011. Earlier this year, lot owners interested in starting construction of homes began meeting with City staff to discuss desired house designs. Because multiple lot owners wanted to build homes that would not comply with existing zoning requirements they were advised that amendments to the existing PD regulations would be necessary, including those related to maximum lot coverage, garage orientation, and cladding and roofing materials. Additionally, lot owners were advised that Exhibit "C" (provisions attached to the PD, but <u>not a part of the PD</u>, intended to serve as guidelines for review of Home Owner Association documents) should be deleted as well.

The request was initially presented to the City Plan Commission on August 4, 2015. At that meeting the applicant indicated that representatives of Crystal Creek had previously met with homeowners from the neighboring Creek Hollow Estates and Oaks at Stoney Creek (located in Garland) subdivisions to discuss the proposal. However, several residents from the adjacent neighborhoods spoke in opposition to the proposed PD amendments. Specifically, stated concerns included the allowance of up to twenty (20) stucco homes; an increase in the potential size of the homes; availability of adequate parking, and the prospect that home designs in the Crystal Creek subdivision might not be compatible with existing homes in the neighboring subdivisions. In response to these concerns the applicant offered to reduce the number of stucco homes and consider requiring additional garage parking spaces. The City Plan Commission voted to continue the meeting to September 1, 2015 to allow additional time for Crystal Creek representatives and those from adjacent neighborhoods to further discuss the proposed regulations.

Representatives of Crystal Creek met with adjacent neighborhood representatives two additional times during August 2015, resulting in agreement on several proposed amendments. However, some neighbors still harbored concerns that too many stucco homes could be built in the subdivision; that stucco homes along the northern boundary of the Crystal Creek subdivision would not be compatible with existing homes along Chainhurst Drive; and that more garage parking was needed. At the September 1, 2015 City Plan Commission meeting, the applicant presented a revised proposal that reduced the number of 100% stucco homes from twenty (20) to thirteen (13) and added the requirement for a third enclosed parking space for any home exceeding 5,000 square feet in area. However, the applicant did not agree to limit the percentage of stucco cladding on homes located along the northern property line.

As of September 1, 2015, twenty (20) letters in support and twenty-five (25) letters in opposition had been received and were provided to the Commission. At the September 1, 2015 City Plan Commission public hearing, several residents spoke in favor and opposition to the revised request. The Commission stated the concessions made by the applicant were significant, but the neighbors' concerns regarding the number of stucco homes and a desired transition in cladding materials between the existing neighborhoods and Crystal Creek had merit as well.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 4-2 (Vice Chairman Bright and Commissioner DePuy opposed), recommends approval of the request as presented with conditions further revised as stated below:

- Condition #2 shall be revised to reduce the number of homes that may use stucco as an exterior cladding material for up to 100% of the total exterior from thirteen (13) homes to ten (10) homes and to increase the number of homes that may use stucco as an exterior cladding material for up to 50% of the total exterior from five (5) homes to eight (8) homes. Additionally, the Commission recommends homes on Lots 1, 12-15, 22, and 23 (homes located along the northern property line) be limited to 50% stucco on the entire home with the north elevation also being limited to 50% stucco.

- Condition #4 shall be revised to clarify the intent of the condition. The condition is revised to state "no more than two (2) garage spaces shall face the front property line" in lieu of "no more than two (2) garage doors shall face the front property line".

The "Special Conditions" attachment has been revised to reflect the Commission's final recommendation.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 08-04-2015 & 09-01-2015
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking West
Zoning Exhibit (Exhibit "B")
Ordinance Number 3796 – Existing PD Regulations
Applicant's Statement
Site Photos
Notice of Public Hearing
Notification List
Correspondence in Support
Correspondence in Opposition

ZF 15-14 Special Conditions

All conditions stated in Ordinance Number 3796 shall remain in full force in effect except as otherwise noted below. The conditions below show the proposed revisions recommended by the Commission:

1. The maximum lot coverage shall be 40%, except for combined lots as defined in Condition #3 shall be limited to a maximum lot coverage of 35%.

2. Up to ten (10) homes may use stucco as an exterior cladding material for up to 100% of the total exterior. Up to eight (8) homes may use stucco as an exterior cladding material for up to 50% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.

    a. Lots 1, 12-15, 22 and 23 as shown on Exhibit "B" may use stucco as an exterior cladding material for up to 50% of the total exterior. The north elevation of the homes on these lots may use stucco as an exterior cladding material for up to 50% of the total exterior.

3. No more than two (2) originally platted residential lots as shown on replat as Crystal Creek filed with Collin County on June 29, 2011, may be combined into a single lot. A maximum of ten (10) lots may be combined. In no instance shall lots be combined to create a lot with double frontage.

4. For front facing garages, garage doors shall be set back a minimum of twenty (20) feet from the front façade of the home. Front facing garages shall be prohibited on Lots 1-4 and Lots 12-15. No more than two (2) garage spaces shall face the front property line. For homes exceeding 5,000 square feet in area (excluding garage, porch, or patio area), a minimum of three (3) enclosed parking spaces shall be provided.

5. Roof materials shall be limited to asphalt shingles or tile and shall be in accordance with Chapter 6-31 of the City of Richardson Code of Ordinances.

6. Remove Exhibit "C" from the PD and add the following condition from Exhibit "C" to the PD;

    a. All residential lots within Crystal Creek shall contain a minimum of three (3) trees that are a minimum three (3) inches in diameter, either existing or new.

Attn. Lynda Black
Publication for Dallas Morning News ï Legals
Submitted on: <u>September 23, 2015</u>
Submitted by: City Secretary, City of Richardson

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

City Secretaryôs Office
P.O. Box 830309
Richardson, TX 75083-0309

FOR PUBLICATION ON: <u>September 25, 2015</u>

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:00p.m. on Monday, October 12, 2015, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 15-14

A request by Ahmed Helaluzzaman, representing Richardson Crystal Creek HOA, to amend the Crystal Creek PD Planned Development, Ordinance 3796, to modify development standards related to the development of an 11.3-acre single-family subdivision located on the west side of Holford Road, north of the Richardson/Garland city limit line and south of Chainhurst Drive. The property is currently zoned PD Planned Development.

ZF 15-21

A request by Randy Novak, representing Banana RC Raceway, for approval of a Special Permit for an indoor radio control race track to be located at 521 W. Campbell Road (south side of Campbell Road, east of Nantucket Drive). The property is currently zoned LR-M(2) Local Retail.

ZF 15-22

A request by Alisa White-Burton, representing Wee Care Day and Night Childcare Learning Center, for approval of a Special Permit for a childcare center to be located at 132 N. Glenville Drive (east side of Glenville Drive, north of Belt Line Road. The property is currently zoned O-M Office.

ZF 15-24

A request by Mike Patel, representing 4th Dimension Builders, to amend the existing PD Planned Development, to allow a limited service hotel and to modify the associated development standards, including a request to allow less than 85% masonry construction, for a portion of a property located at 455 W. President George Bush Highway (south side of PGBH, between Custer Parkway and Alma Road). 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 ï AUGUST 4, 2015

PUBLIC HEARING

Zoning File 15-14 ï Crystal Creek PD Amendments: Consider and take necessary action on a request for approval to amend the Crystal Creek PD Planned Development, Ordinance Number 3796, to modify development standards related to the development of an 11.3-acre single-family subdivision located on the west side of Holford Road, south of Chainhurst Drive

Mr. Shacklett gave a brief history of the development of the site and advised that the applicant, at the request of some of the lot owners, was requesting PD amendments to the following specific areas:

- Lot Coverage – increase from 30 to 40 percent
- Combing Lots – although not prohibited in Conditions, Covenants and Restrictions (CC&Rs), the concept plan was attached to the PD showing thirty-five (35) individual lots. There would also be a prohibition on certain lots that could not be combined.
- Garage Access – Change from swing entry garage doors to front entry for some of the lots and requiring them to have a minimum setback of 20 feet from the front of the garage façade to the front of the home.
- Building and Roof Materials – a request to allow the use of stucco as an exterior cladding material on up to twenty (20) homes and limit roofing material to tiles or asphalt shingles.
- Removal of Exhibit C (requested by staff) - Exhibit C provides guidelines for the review of the CC&Rs. The conditions contained in Exhibit C are codified in the PD and/or in the approved CC&R's; furthermore, the final two (2) conditions in Exhibit C related to architectural character of the homes are in conflict with the proposed changes to the building and roof materials that homeowners are proposing to utilize.

Mr. Shacklett stated staff had received twenty (20) letters in support of the proposed changes and 10 letters in opposition. He added that the adjacent Creek Hollow homeowners association held a meeting on July 29, 2015 at which Crystal Creek was discussed and the applicant was in attendance.

Mr. Shacklett concluded his presentation by noting staff was recommending a regulation from Exhibit C concerning three trees for each lot to be moved into the PD if the exhibit was removed.

Commissioner DePuy asked if staff knew how old the homes were in Creek Hollow.

Mr. Shacklett replied he thought the homes were built in the late 1990's to early 2000's.

Commissioner Maxwell asked if stylistic conformance to the photographs in Exhibit C was determined by the City's Chief Building Official (CBO).

Mr. Shacklett replied that was correct and read from Exhibit C: *"So that the architectural character of the dwellings in this development are equal to or better than the quality of design and materials of those existing in Creek Hollow Estates, and exhibit of photographs that set these minimum standards are included herein. At the time any building permit is applied for on any lot within this development, an "architectural" front elevation shall be submitted to the Chief Building Official for conformance to this endeavor. The photos referenced in these deed restrictions are attached below:"*

Mr. Shacklett further explained the decisions would be made on a case-by-case basis and if a design for a one hundred percent stucco home with a tile roof was submitted, it would be up to the CBO to determine if the proposed home was "equal to or better than," from a quality standpoint, the homes in Creek Hollow Estates.

Vice Chair Bright asked if that "equal to or better than" requirement was found anywhere else in the City.

Mr. Shacklett replied that "equal to or better than" was not found anywhere else in the City from a zoning standpoint, but in areas where there are mandatory homeowners associations there are usually Architectural Control Committees (ACC) to control the minimum standards. He added that in areas without mandatory associations, the individuals would bring their plans to the City Building Department for approval to insure City building standards were maintained.

Commissioner Maxwell asked if there was any other type of situations where the CBO had to make a similar type of call or determination.

Mr. Shacklett said there was not and the CBO usually only determines if the proposed building met the City's masonry requirements; however, in the current PD the CBO must determine if the proposed building would be "equal to or better than" the homes in Creek Hollow.

Commissioner Ferrell asked if the requested increase in coverage to 40 percent pertained to the total lot size or just the buildable area.

Mr. Shacklett said it would be 40 percent of the total lot size.

Commissioner DePuy asked if number of garages would be determined based on the size of the home (square feet), especially as it pertained to lots that were combined where a 40 percent footprint would translate to a larger home.

Mr. Shacklett replied the City requires two enclosed parking spaces per single family home.

Commissioner Springs asked if the proposed changes to the PD were approved, would the CBO still be the approving authority.

Mr. Shacklett stated the CBO would still be the approving authority if the proposed item was accepted, but he would be looking at conformance to the City's masonry requirements or how many homes were being built with over twenty-five percent stucco cladding as an exterior finish.

Commissioner Springs asked to confirm that items from Exhibit C were located in other sections of the PD, and to what extent was the architectural requirement in another section of the PD. He also wanted to know if there was a dispute about architectural style would the City become involved or would it be a civil matter.

Mr. Shacklett replied the architectural requirements are listed in the deed restrictions and if a homeowner violated those requirements it would be considered a civil matter.

Commissioner Springs asked if staff knew the percentage of lot coverage for the adjacent neighborhood.

Mr. Shacklett stated that Creek Hollow was limited to 30 percent lot coverage.

Vice Chair Bright asked if the CBO was the only reviewing authority for Crystal Creek under the current PD.

Mr. Shacklett replied the CBO and the Architectural Control Committee (ACC) had to approve any proposed building designs.

Commissioner Maxwell asked if Exhibit C, including the photographs, was negotiated between the developer and the adjacent homeowners association.

Mr. Shacklett replied that was correct.

Mr. Chavez added that the photographs were included in Exhibit C as a guide for developing and reviewing the CC&Rs and not part of the PD. He added that exterior building materials were usually based on the zoning ordinance and did not impose restrictions on the architectural character of the buildings.

Commissioner Maxwell asked if the Exhibit C was simply a guide, why the CBO was reviewing the elevations when a building was submitted for a permit. He also wanted to know if Exhibit C went away would the CBO still review the plans for architectural style.

Mr. Chavez replied the language in the CC&Rs mimics the language in Exhibit C requiring a review by the CBO, but if Exhibit C was eliminated the CBO would not review the plans for architectural style.

Commissioner Frederick asked, hypothetically, if the 40 percent lot coverage was approved and Exhibit C was eliminated, plus Lots 14 and 15 were combined, would a 6,000+ square foot contemporary house be allowed facing Chainhurst Drive.

Mr. Shacklett replied that was correct. He added that Exhibit C did state the architectural character of the homes would have to be equal to or better than the quality of design and materials used in the adjacent neighborhood, which could be subjective.

Commissioner DePuy asked to clarify which lots could be combined.

Mr. Shacklett stated two side-by-side lots could be combined, but double frontage lots – lots where they were back-to-back and both had street frontage could not be combined. However, combining lots could only happen five (5) times for the entire subdivision.

With no other questions for staff Vice Chair Bright opened the public hearing.

Mr. Ahmed Helaluzzaman, representing Crystal Creek Homeowners Association, 545 Coventry Drive, Grapevine, Texas, stated some of the individual lot owners were requesting to have their homes built with insulted concrete block (ICF), which is an expensive building material and better than brick. He added the stucco would be used as a cladding material only.

Regarding increasing the lot coverage, Mr. Helaluzzaman said that 30 percent lot coverage would only allow a 2,700 square foot home if the home was single story. He added that some of the other developments in Richardson, specifically Cantera and Hills of Breckinridge, allowed 45 percent coverage.

Mr. Helaluzzaman stated that although the combining of lots was allowed in other areas of the City, it was not spelled out in the PD and that was the reason behind the request. This also applied to the request to limit the roofing materials to asphalt shingles or tiles, both of which were allowed throughout the City.

Mr. Helaluzzaman addressed his last few points – front facing garages, number of trees and Exhibit C, by stating the request to move the garages further back would enhance the appearance of the homes as would the increase in the number of trees, but Exhibit C was simply a guideline that was created by the City and should not be part of the PD.

Commissioner DePuy asked how many of the lot owners were requesting to combine lots so they could increase the square footage of the homes.

Mr. Helaluzzaman said he thought it was five or six lot owners.

Mr. Riaz Uddin, 2245 Amy Lane, Plano, Texas, stated he was a lot owner and board member of the homeowners association and said there were currently two lots owners who had made a request to combine lots, but the requested number was to allow for any future requests.

Commissioner Springs asked the applicant if a 2,700 square foot, single story home was the largest that could be built on the current lots and what would prevent someone from building a two story home and increasing the square footage by going vertical.

Mr. Helaluzzaman replied that although two story homes are allowed, that would not necessarily mean the square footage would double. He reminded the Commission that the City usually only sets minimum levels of home sizes and not maximums.

Commissioner Maxwell asked the applicant if the meeting between the two homeowner associations resulted in any concessions or changes as a result of the meeting.

Mr. Helaluzzaman stated that based on his notes from the meeting he came away with four concerns: possible decrease in home values; two-third of the homes with stucco was too large a percentage; vague wording on types of building materials, which was changed prior to being presented to the Commission; and who would review and control the design and style if Exhibit C was removed.

Vice Chair Bright asked if lot owners were aware of the PD when the lots were originally purchased.

Mr. Helaluzzaman said the lot owners were aware of the PD when the purchases were made.

The following individuals also spoke in favor of Zoning File 15-14:

Mr. Habeeb Mohamed, 6805 Clear Springs Parkway, Garland, Texas, lot owner, stated he was in favor of the proposed changes and felt the quality of homes would enhance the elegance and value of the neighborhood.

Mr. Abra Ansari, 2904 Saihaan Drive, Richardson, Texas, lot owner and board member, felt the proposed amendments would allow better quality materials to build custom homes.

Mr. Riaz Uddin, 2245 Amy Lane, Plano, Texas, lot owner and board member, felt the new home would better fit his growing family and reflected the desire to build homes the same as, or better than, homes in Cantera.

Commissioner Maxwell asked if brick would be an option as a veneer over the ICF.

Mr. Uddin said he was not qualified to answer that question and suggested the builder might be better suited to provide the answer.

Vice Chair Bright noted two speaker cards had been submitted in favor of Zoning File 15-14, but did not wish to speak. He added there were no further comments in favor and called for comments in opposition.

Ms. Jerri Strong, 3905 Chainhurst Drive, Richardson, Texas, briefly reviewed the history of the project including previous zoning, concerns over original residential plat and a novice

developer, consistency of design, and the previous negotiations between the developer and Creek Hollow homeowners association. She closed her comments by stating their homeowners association was willing to discuss/negotiate changes but no one had contacted them.

Commissioner Maxwell asked if there had been any negotiations at the June 29th meeting, and wanted to know what the downside was to eliminating Exhibit C since all the requirements were addressed in the CC&Rs.

Ms. Strong replied there were a lot of questions asked at the meeting, but the developer seemed to be selling their agenda more than trying to communicate or negotiate.

Regarding eliminating Exhibit C, Ms. Strong said removing the exhibit would remove the oversight from the CBO.

Mr. Perry Hescock, 3506 Fairlands Drive, Richardson, Texas, reminded the Commission the PD was approved five years ago and if those who spoke in favor wanted larger lots to build bigger homes, the property should have been platted that way in the beginning. He also cited a communication in opposition from the architect who helped with the original negotiations, Richard Ferrara.

Mr. Tony Hall, 4005 Chainhurst Drive, Richardson, Texas, said he had been involved with the developer and others from Crystal Creek since May 2010 and expressed concerns over the slow pace of the development, the lower quality of fence materials being indicative of future materials, and the fact that the original negotiations were done in good faith and the applicant was now coming back trying to change things.

Mr. Scott Roberts, 1026 Creekwood Drive, Garland, Texas, stated he was speaking on behalf of the Oaks of Stoney Creek Board of Directors, and expressed concerns over the lack of discussions with the Creek Hollow homeowners association, the potential for a larger percentage of stucco homes, and the possibility of no oversight if Exhibit C was removed. He presented pictures of what stucco homes could look like and reminded the Commission of the letter in opposition from Richard Ferrara who helped to negotiate the original agreement between the two parties.

Ms. Robyn Smith, 3226 Parkhurst Lane, Richardson, Texas, said she thought the property owners of Crystal Creek had good intentions, but was concerned about consistency especially with different builders working in the subdivision and no City oversight. She also noted that the Creek Hollow homeowners association had expended funds for landscape screening because the land had been barren for so long.

Vice Chair Bright stated there were no further speakers in opposition, but the Commission had received 15 visitor cards in opposition. He asked the applicant if he wanted to make any rebuttal comments.

Mr. Helaluzzaman asked to have the builder respond to the comments made in opposition.

Mr. Tag Gilkeson, Symbiosis Homes, 1601 Blackstone Drive, Carrollton, Texas, stated that restricting lot cover to 30 percent would not meet the needs of the clients with growing and generational families. He added that if a two-story home was built, it would most likely look like a box to enable the owner to gain the square footage they need.

Regarding the original platting and the foresight to have larger lots, Mr. Gilkeson asked the Commission to remember the uncertain economic times in 2010 and the platting was an attempt to make the land more affordable.

Mr. Gilkeson noted that an ACC and homeowners association was already in place to control what was built, and confirmed ICF would be used as a building material with stucco being the product of choice for cladding.

Commissioner Fredericks asked where his company had previously built homes and the price point of their homes.

Mr. Gilkeson replied the price point was usually in the $500,000 to $1,000,000 range and they had built homes in Cantera and Cotton Valley.

Mr. Helaluzzaman concluded the rebuttal comments by addressing the question of delay in developing the property by reviewing the timeline of the project, and thought the use of the more expensive ICF as a building material would enhance the quality of the homes. He also felt there was always room to improve the guidelines to make a better end product.

Vice Chair Bright stated the public hearing would be left open and asked staff for clarification on the number and percentage of stucco homes that would be allowed if the item was approved. He also wanted to know if there were any restrictions on what color of stucco could be used.

Mr. Shacklett replied the only control over the color of the stucco in the CC&Rs was given to the ACC and twenty out of thirty-five lots could be stucco, which would be 67 percent.

Commissioner DePuy asked to confirm what the average size of the proposed homes would be at the current 30 percent lot coverage.

Mr. Shacklett stated the PD required a minimum lot size of 9,350 square feet, which would allow a 2,800 square foot home at 30 percent coverage. He added that the 2,800 square feet could be the first floor with additional square footage on a second story.

Commissioner DePuy expressed concerns that a 2,800 square foot home would not fit the needs of a family especially if multiple generations were living there.

Mr. Shacklett replied the majority of the lots were between 8,000 and 10,000 square feet with two others at 12,000 and 14,000 respectively.

Commissioner Springs noted that the images of stucco homes in the staff report were provided by the applicant and pointed out that almost all were two stories.

Vice Chair Bright asked if there were currently any restrictions prohibiting the combining of lots.

Mr. Shacklett replied there was nothing in the City's zoning ordinances, other than minimum lot sizes and dimensions that would prevent combing lots. In addition, the current PD states the property shall be developed in substantial conformance with the concept plan so staff suggested the applicant make it clear how many lots could be allowed to combine to avoid any confusion over that point.

Vice Chair Bright noted there was a comparison chart in the staff report for Cantera and the Hills of Breckinridge regarding lot coverage that showed only 45 percent lot coverage, but the lots were much larger.

Commissioner Frederick asked if staff was trying to compare Crystal Creek lots to the lots in Cantera. She also wanted to know if the removal of Exhibit C was suggested because it was what the applicant wanted or did it put too many restrictions on the developer.

Mr. Shacklett said that staff was comparing information from single family neighborhoods in the area recently approved in a PD that addressed the same type of issues (i.e., garages, building materials, lot coverage, etc.).

Regarding removing Exhibit C, Mr. Shacklett stated that removing the exhibit in concert with the proposed amendments would eliminate contradictions as it pertained to the photos and garage doors facing a side or interior lot line. He also reminded the Commission that the remainder of Exhibit C was already addressed in the CC&Rs.

Vice Chair Bright asked if staff knew the rational for suggesting the CBO approval on design and materials being "equal or better than".

Mr. Shacklett replied it was part of the negotiations and comprises between the developer and the Creek Hollow homeowners to give a level of comfort regarding the quality of the development.

Commissioner Maxwell stated he had concerns over the lack of communication/negotiation between the developer and the adjacent homeowners association; that 30 percent coverage could result in a "box" style home; the proposed cladding material versus the photographs attached to Exhibit C; and who would have control over what was eventually built.

Commissioner DePuy said she had no concerns with 40 percent lot coverage, but suggested a compromise might be achieved over the number of stucco homes. However, she did have a concern over street parking if the homes were larger in size and there were not enough garage spaces.

Commissioner Springs thought it would be very difficult to legislate style and felt that was what the original PD was trying to do through the wording and attached pictures. He suggested the two sides could negotiate some compromises so the new development was more "compatible" with the adjacent subdivision and thought the CBO should not be the arbiter of style.

Vice Chair Bright asked if there was an issue with the proposed roofing materials.

Mr. Shacklett replied the issue was the photographs in Exhibit C and if the exhibit was removed the applicant wanted to make sure the type of allowable material was clearly defined.

Commissioner Frederick said she did not have a problem with the new neighborhood looking different than the adjacent neighborhood and did not perceive that to be a negative. She did, however, have a problem with allowing 40 percent coverage on the lots, which in turn could create a problem with the parking and that would adversely affect property values.

Vice Chair Bright said he did not have an issue with combining lots, the roofing materials or the changes to the garage access, but did have concerns with the cladding material if lots were combined because that could increase the percentage of stucco homes and that would not be in line with the character of the neighborhood. He also agreed with Mr. Springs that the CBO should not make the call on what was "equal to or better than".

Commissioner Ferrell thought the Commission might be leaning towards a postponement and suggested the two sides get together and negotiate changes that would be acceptable to all and begin building the homes.

Mr. Shacklett offered some changes that might appeal to the Commission: allowing 40 percent lot coverage for certain lots; reducing the number of stucco homes and/or the location of those homes; and require additional enclosed parking spaces for certain sized homes/lots.

Vice Chair Bright asked if additional enclosed parking spaces were required anywhere else in the city.

Mr. Shacklett said Cantera had larger minimum home sizes and a requirement for a minimum of three enclosed parking spaces.

Mr. Helaluzzaman said they were flexible and thought a reduced number of stucco homes were possible and the minimum garage space acceptable, but did not want to go below the 40 percent lot coverage.

Commissioner Maxwell thought the Commission should let the developers and homeowners negotiate any changes as opposed to the Commission becoming involved. He asked staff if it would be better to set a date for postponement.

Mr. Shacklett replied that a set date, especially if only two weeks, would not be optimal and thought four weeks would be better. He also suggested the Commission give direction as to what they would like to see addressed by the developer and homeowners.

Mr. Chavez stated he thought the applicant had attempted to address the concerns over lot coverage, number of stucco homes and number of garages, therefore, what the Commission was being asked to consider was the amendment to the PD from a zoning standpoint.

Commissioner Springs said he did not think the Commission was trying to control or dictate the deliberations, but had presented enough ideas to allow the concerned parties to negotiate again towards a conclusion. He also raised the question of whether the requirement for CBO review should stay in the PD.

Vice Chair Bright stated he would defer to the Commission on whether a motion should be made to continue, but was concerned with the exterior cladding material being consistent with the character of the neighborhood. He thought further deliberation between the two parties would be possible and profitable.

Commissioner Maxwell said he agreed that the Commission should not legislate style, but pointed out the difference in the current situation versus the previous submission was that style was part of the negotiations between the two parties and not directed by the Commission.

Motion: Commissioner Maxwell made a motion to keep the public hearing open and continue Zoning File 15-14 to the September 1, 2015, City Plan Commission meeting; second by Commissioner Springs.

Commissioner DePuy suggested the Commission should give some direction to the applicant by restating requests from adjacent homeowners to limit the number of stucco homes and leave the lot coverage at 30%. She also encouraged both groups to continue discussions about the property.

Motion approved 6-0.

EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES ï September 1, 2015

PUBLIC HEARING

Zoning File 15-14 ï Crystal Creek PD Amendments (continued from August 4, 2015): Consider and take necessary action on a request for approval to amend the Crystal Creek PD Planned Development, Ordinance Number 3796, to modify development standards related to the development of an 11.3-acre single-family subdivision located on the west side of Holford Road, south of Chainhurst Drive.

Mr. Shacklett reviewed information shared at the previous meeting including the history, location, and the current zoning request. He explained that the current lot owners were requesting modifications to the existing PD conditions to accommodate the homes they proposed to build. The modifications include:

- Increasing maximum lot coverage;
- Allowing the use of stucco as an exterior cladding material on twenty percent (20%) of the homes;
- Allowing the combining of no more than two (2) lots with a total of ten (10) combined lots for the entire subdivision;
- Front facing garages with minimum 20 foot setback from front of home;
- Limiting roof material to asphalt shingles or tile (allowed throughout the City); and
- Removal of Exhibit C

Mr. Shacklett explained that Exhibit C contained guidelines for review of the homeowners association documents that were not part of the PD, but were referenced in the PD, and stated the City's Chief Building Official (CBO) would be responsible for determining if the architectural style and design was "equal to, or better than" the homes in the adjoining neighborhoods, Creek Hollow Estates and the Oaks at Stoney Creek.

Mr. Shacklett stated that at the August 4, 2015 meeting, the item was tabled to allow the lot owners to meet with the adjacent homeowners and, as a result of those meetings, the three groups came up with the following changes:

- Maximum lot coverage – Lot coverage would remain at 40% except for combined lots and those would be reduced to 35%.
- Number of stucco homes and location – Allow up to 13 homes with 100% stucco cladding; 5 homes with 50% stucco cladding; and, remaining homes to meet the City's standard masonry requirement and be limited to 25% stucco cladding.
    - Adjacent homeowners would like to have a maximum of 10 homes at 100% stucco cladding and in agreement with remaining number of homes and stucco cladding.
    - Adjacent homeowners would like lots along the northern boundary of Crystal Creek to be prohibited from using 100% stucco, specifically Lots 1, 12-15,

22-23, and the seven single family lots adjacent to Chainhurst Drive. Applicant did not agree to the limitation or location.
    - Adjacent homeowners wanted restrictions on home colors and applicant responded that color would be regulated by the Architectural Control Committee.
- Combining lots – remains the same as the numbers proposed at the August 4th meeting.
- Roof materials – remains the same as the material proposed at the August 4th meeting.
- Remove Exhibit C from the PD, but take the requirement for three (3) trees on each lot and include that in the PD.
- Front facing garages – prohibited on Lots 1-4 and 12-15
    - Applicant agreed that no more than two garage doors shall face the front property line.
    - Any home exceeding 5,000 square feet (excluding the porches, patio and garage) must provide three (3) enclosed parking spaces.

Mr. Shacklett concluded his presentation by noting that 20 pieces of correspondence in favor had been received, and 25 opposed.

Chairman Hand asked staff to summarize the items that had not been agreed upon by the concerned parties.

Mr. Shacklett said the number of stucco homes, the location of stucco homes, the number of required enclosed parking spaces, and some concerns regarding on-street parking.

Chairman Hand asked if Exhibit C was removed, would that affect the roofing materials.

Mr. Shacklett replied that staff had asked to have Exhibit C removed because of the contradiction regarding materials that could be used, and remove the requirement for the CBO to determine if a home was "equal to or greater than".

Regarding the number of stucco homes, Commissioner Springs asked if the statement *"remaining homes would have to meet the City's standard masonry requirement and be limited to 25% stucco*" would cause confusion if the standards allow stucco over brick.

Mr. Shacklett replied that staff wrote the statement to remove as much confusion as possible; therefore, the requirement was written as "exterior wall cladding material" as opposed to exterior wall construction.

Vice Chair Bright asked to confirm that after the 100% and 50% stucco requirements were met, the remaining homes could have 25% stucco exteriors.

Mr. Shacklett said that was correct and noted that most homes used the 25% stucco on siding on the upper floors.

Chairman Hand asked if there was a maximum home size.

Mr. Shacklett replied a maximum was not listed and the size of the home would be based on the maximum lot coverage.

Chairman Hand reminded the audience the public hearing was still open from the August 4, 2015 meeting and asked the applicant if he wanted to make a statement.

Mr. Ahmed Helaluzzaman, representing Crystal Creek Homeowners Association (CCHOA), 545 Coventry Drive, Grapevine, Texas, confirmed that CCHOA had met two times with the adjacent homeowner associations and said another member of the CCHOA board would be discussing in detail the results of those meetings.

Mr. Riaz Uddin, 2245 Amy Lane, Plano, Texas, stated he was a lot owner and board member for CCHOA. He thanked all who participated in the meetings and noted that although compromises had been made on both sides, there were still some items where an agreement could not be reached. Those items included number and location of stucco homes, number of enclosed garage spaces, number of front facing garage spaces, and on-street parking.

Mr. Uddin stated he felt stucco homes were high end homes and gave as an example the homes in Cantera and the Hills of Breckinridge. In addition, the CCHOA felt that stucco homes in Cantera and Hills of Breckinridge did not detract from the brick homes in the neighborhood, nor did they need any type of transition area between the two.

Regarding the exterior color of the stucco homes, Mr. Uddin stated the Covenants, Conditions and Restrictions (CCRs) gave control over the color to the ACC and the individual lots owners had purchased their property to build custom homes and would not be spending their money to build ugly homes.

In closing his comments, Mr. Uddin said they were willing to work with the neighbors, and had come to terms on many items, but asked the Commission to pass the zoning request as currently presented.

Mr. Abedellatif Bellaouar, 3908 Harlington Lane, Richardson, Texas, concurred with Mr. Uddin comments and said he was available for any questions.

Commissioner Maxwell asked if the speaker knew of the design restrictions when he purchased the lot.

Mr. Bellaouar replied yes, but under the current limitation the design of his home was proving to be very difficult and that was why he was requesting the amendments.

Mr. Muhammad Isa, 146 Juniper Court, Coppell, Texas, said he was a medical doctor and a lot owner, and asked the Commission to base their decision on the fact that most of the requested changes were logical and allowed elsewhere in the City.

Mr. Abrar Ansari, 2909 Saihan Drive, Richardson, Texas, stated he wanted to address the concerns over the parking and the pictures that had been submitted by those in opposition. He noted that those pictures were not representative of how Crystal Creek would be and pointed out that in the adjacent subdivision there were many vehicles parked on the streets in front of homes at all hours of the day and night.

Mr. Ansari asked the Commission to remember that homes in Crystal Creek with front facing garages would be required to set those garages 20 feet back of the front façade giving enough room to park vehicles in both the garage bays and the driveway. He also stated that most of the homeowners will be constructing circular drives in front of their homes which will allow for more off-street parking.

Mr. Sadak Shaik, 148 Wrenwood Drive, Coppell, Texas, said he was one of the lot owners and asked the Commission to make their decision based on the facts of the case and having a transition area along Chainhurst Drive, where his lot was located, was not fair and not called for.

Chairman Hand asked if the speaker knew the requirements of the CCRs when the lot was purchased and did the restrictions seem unfair at that time.

Mr. Shaik replied yes, but he was under the impression that any homes in the subdivision could have stucco cladding as long as it was one of the 13 homes where stucco was allowed.

Chairman Hand asked if the original PD contained any restrictions on Lots 12-15 preventing the use of stucco as a building material.

Mr. Shacklett replied the only restrictions in place for Lots 12-15 was in regard to minimum lot sizes and placement of garages but not for building materials. However, those lots, along with all the other lots in the subdivision, would fall under the conditions set in Exhibit C that addressed the CCRs and the required approval by the CBO.

Mr. Syed Ansari, 10209 Savoy Drive, Plano, Texas, stated he was representing one of the builders from Crystal Creek and concurred that stucco homes were beautiful. He also added that each custom home was designed for an individual home owner and their likes and dislikes.

Chairman Hand stated there were two other appearance cards submitted in favor, but the individuals did not wish to speak so he called for comments in opposition.

Mr. Craig Newman, 3066 Blackfield Drive, Richardson, Texas, reviewed some of the history of the case, and acknowledged the remarks from those in favor about making an investment, but pointed out that all the homeowners in Creek Hollow Estates had also made the same type of investment in time and money. He expressed concerns that if those in favor were concerned about their investment, the fence and empty lots in the subdivision should be better maintained.

Mr. Scott Roberts, 1026 Creekwood Drive, Garland, Texas, stated he was speaking on behalf of the Oaks of Stoney Creek Board of Directors and acknowledged the cooperation of both sides of the issue in the previous meetings, but stated they could not come to an agreement over the question of stucco homes. He added that their proposal agreed to ten (10) homes at 100% stucco and the remainder at 25%.

Mr. Roberts pointed out that the subdivisions of Cantera and Hills of Breckinridge did have stucco homes; however, their percentages of stucco homes were lower than what was being proposed for Crystal Creek. He said if the percentage of stucco homes were to be increased it would present a stark contrast to the surrounding homes.

Mr. Roberts asked if there was a request to change the CCRs would the request have to come back before the Commission.

Mr. Shacklett replied CCRs are not reviewed by City Council or Commission; however, the City Attorney reviews and approves CCRs for legal form as opposed to substance.

Mr. Roberts pointed out that based on the amount of correspondence in support, the applicants had enough votes to change the CCRs and urged the Commission to make it clear in the PD that stucco was for cladding only, the number of garages should be limited to no more than three, and the colors should be limited to earth tones. He also said he did not think the CCRs could be relied upon to govern the quality of construction.

Chairman Hand asked if the speaker felt additional meetings would be useful.

Mr. Roberts said the past meetings were very productive, but thought they had gone as far as they could.

Commissioner Maxwell asked for clarification on the amount of stucco homes that was agreed upon in the citizen meetings.

Mr. Roberts replied that ten (10) homes could be 100% stucco and the remainder would have 25% stucco. He added they had discussed having another five (5) homes with 50% stucco but nothing had been settled.

Chairman Hand asked if ten (10) homes at 100%, five (5) at 50% and the remainder at 25% was acceptable.

Mr. Shacklett replied the correspondence from the two groups - Creek Hollow Estates and the Oaks of Stoney Creek, seemed to indicate those levels were acceptable. He also said several of the regulations and concerns addressed by Mr. Roberts were already in the PD, but there may be room to tighten up some of the verbiage on garages or other items.

Commissioner DePuy pointed out that earlier comments stated there should be “two covered garages spaces” and felt that was sufficient.

Mr. David Goulet, 3917 Marchwood Drive, Richardson, Texas, noted that speakers in favor had used Cantera as an example of a subdivision where stucco homes were built, but he asked the Commission to note that Cantera was not situated next to an existing subdivision. He added that a transition area in Crystal Creek would prevent a glaring difference between the two adjacent subdivisions.

Chairman Hand noted there were eight other speaker cards in opposition who did not wish to speak and called for any rebuttal comments from those in favor.

Mr. Helaluzzaman thanked everyone for their comments, both in favor and opposed, and said the CCHOA that was already in place would control the design and color of the homes. He also felt the many regulations placed on the CCHOA had added to some of the construction delays.
Mr. Helaluzzman asked the Commission to approve their requests so the item could be presented to the City Council.

Mr. Uddin stated that although the residents from Creek Hollow had purchased their homes with the knowledge the adjacent land was zoned industrial and did not seem to have a problem with that, the Crystal Creek subdivision was a better option and would be a beautiful community. He also addressed the comments that the Crystal Creek property was purchased with full knowledge of the restrictions; however, the lot owners were also aware that the City allowed amendments to PDs and that was what they were attempting to do.

Mr. Uddin concluded his comments by stating that the Crystal Creek CCRs were very strict, more so than other CCRs in the city, and would control the construction standards of the new homes. Also, he noted that when the original agreement was made, it was made by the developer and the current changes were being requested by the lot owners and to ask the lots owners to conform to a subdivision that was built 20 years ago was unfair.

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

Chairman Hand thanked everyone for their comments and shared his thoughts on the following:

- PD Amendments - the City's regulations allow for PD amendments and to be fair, those amendments are brought forward to allow comments and questions, but the regulations do not guarantee approval.
- Design based on facts or evidence – when talking color or style there is not a lot of evidence that those items would raise or lower property values, but there is evidence regarding front entry garages and crowded parking.
- Stucco cladding – the use of stucco was not the problem, it was more the quality of the design. The Commission does not discuss style, but rather quality of design having to do with proportions, the way roofs meet buildings, etc.
- Conforming to older subdivision – Exhibit C was a way to give a visual encyclopedia and how the new development could blend into the adjacent neighborhood, and by improving the quality of design everyone would benefit.

Chairman Hand asked staff if there were any City requirements that would control the appearance of a construction site.

Mr. Shacklett replied the site had received high-grass and construction debris notices that needed to be taken care of, but as far as a deadline for constructing buildings on the lots there did not seem to be anything in the City codes to cover that concern.

Chairman Hand asked for clarification on how and when the CCRs could be changed.

Mr. Shacklett said the CCRs could be changed and read the process from the City's Subdivision and Development code. He added that when CCRs are submitted they are reviewed by staff then the City Attorney as to the common areas and conformance with the Fair Housing Act, and these sections cannot be changed without City approval. However, the remaining restrictions of the CCRs can be amended by a majority of the owners and/or the ACC.

Commissioner Springs said he applauded the effort by both sides to try and work out their differences, and still did not like asking a city staff member to be the arbiter of style, but did think stucco was an acceptable building material. He added that a buffer zone might be something that could work to smooth the transition between the two subdivisions.

Vice Chair Bright asked if the CBO would be making a determination on any of the issues being discussed.

Mr. Shacklett replied that if Exhibit C was removed, the CBO would no longer be involved.

Vice Chair Bright said he appreciated the effort of all involved and shared his thoughts on the issues: on-street parking – he did not think Crystal Creek would have more on-street parking than any other neighborhood in the City; buffer zone – did not think it should be required; and asked staff if the language regarding garage doors needed to be changed.

Mr. Shacklett said the sentence could be revised to read "no more than two front facing garage spaces shall be allowed".

Commissioner DePuy concurred with Mr. Bright's statement and added the "equal to or better than" was an unfair criteria; was not in favor of a transition area; previous industrial zoning decreased the value of the adjacent homes, whereas the new subdivision when done carefully and with care will increase the value; three car garage was a good compromise for larger homes; and the CCRs should be allowed to do their job and take the CBO out of the equation. She added that she would be voting in favor of the item as presented.

Commissioner Maxwell asked for clarification on what the Commission should be reviewing before a motion was made.

Mr. Shacklett replied that the special conditions on pages 3 and 4 of the staff report listed both the original and revised language (red) and what the Commission should base their decision on:

1. *The maximum lot coverage shall be 40%, except for combined lots as defined in Condition #3 shall be limited to a maximum lot coverage of 35%.* ***(Agreed)***

2. ~~*Up to twenty (20) homes may use stucco as an exterior cladding material for up to 100% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.*~~ *Up to thirteen (13) homes may use stucco as an exterior cladding material for up to 100% of the total exterior. Up to five (5) homes may use stucco as an exterior cladding material for up to 50% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.*

3. *No more than two (2) originally platted residential lots as shown on replat as Crystal Creek filed with Collin County on June 29, 2011, may be combined into a single lot. A maximum of ten (10) lots may be combined. In no instance shall lots be combined to create a lot with double frontage.* ***(No Change/Agreed)***

4. *For front facing garages, garage doors shall be set back a minimum of twenty (20) feet from the front façade of the home. Front facing garages shall be prohibited on Lots 1-4 and Lots 12-15. No more than two (2) garage doors shall face the front property line. For homes exceeding 5,000 square feet in area (excluding garage, porch, or patio area), a minimum of three (3) enclosed parking spaces shall be provided.*

5. *Roof materials shall be limited to asphalt shingles or tile and shall be in accordance with Chapter 6-31 of the City of Richardson Code of Ordinances.* ***(No Change/Agreed)***

6. *Remove Exhibit "C" from the PD and add the following condition from Exhibit "C" to the PD;*
    a. *All residential lots within Crystal Creek shall contain a minimum of three (3) trees that are a minimum three (3) inches in diameter, either existing or new.* ***(No change/Agreed)***

Chairman Hand asked if the color of the stucco was addressed and if the CBO would still review the designs.

Mr. Shacklett replied that the CBO would still review the plans for conformance to the masonry requirements, but not for the "equal or better than" architectural character of the design.

Commissioner Springs asked if there was already a transition zone listed in the PD for the lots facing Chainhurst Drive.

Mr. Shacklett replied there was a requirement for those homes to be larger in size.

Commissioner Maxwell said he thought it was unfair to make the changes because the PD had been approved based on good-faith efforts between the Creek Hollow homeowners and the developer to blend the new development in with the adjacent subdivisions. He added that if the owners purchased the lots with the thought that the PD could be changed, that was a gamble they were willing to take.

Mr. Maxwell said that based on the original negotiations, the neighborhoods should try and blend in with each other and thought a transition area was a good idea.

Commissioner Springs asked if it would be possible to stucco over Insulated Concrete Forms (ICF).

Mr. Shacklett replied that from a masonry standpoint, adjacent neighborhoods could build a home of brick or ICF and do the exterior cladding in stucco, but under the current PD the plans would have to be submitted to the CBO and he/she would determine if the architectural character of that home was "equal to or better than" the homes in surrounding neighborhoods.

Commissioner Maxwell said it made sense to amend the PD to remove the CBO from the equation, but was concerned there might be some other problems arise because of that.

Mr. Shacklett said that was why staff suggested making it clear in the PD that the stucco was only an exterior cladding material and the CBO would only review whether the underlying building material met the City's masonry requirement.

Commissioner Springs suggested a transition zone could pertain to the lots on the periphery of those facing Chainhurst Drive.

Mr. Shacklett replied that a Creek Hollow resident had proposed that Lots 1, 12-15, and 22-23 would not have 100% stucco since they would face the Creek Hollow neighborhood. He thought those homes might then fall within the 50% group.

Commissioner Springs stated that 50% would provide quite a bit of latitude in designing the homes facing Chainhurst Drive.

Mr. Chavez asked the Commission to consider, before recommending a transition area, that Crystal Creek was a stand-alone neighborhood and separated from Creek Hollow by Chainhurst Drive, a wall, landscape buffer and screening, as well as a 4 to 8-foot grade change.

Commissioner Maxwell said he was still concerned about the expectations based on the original negotiations and did not think a transition area could be created with just screening.

Mr. Chavez replied the majority of the transition items (screening, grade change) were already in place prior to Crystal Creek being developed.

Commissioner DePuy acknowledged the negotiations from 2010, but felt the current compromises had also been negotiated in good faith and the Commission should move forward on those changes. She also thought the Commission should be opened minded about new building materials and techniques.

Commissioner Ferrell said he thought a lot of the concerns were based on fear of the unknown and suggested moving the item forward to the City Council.

Motion: Commissioner Maxwell made a motion to recommend approval of Zoning File 15-14 with the following changes to the conditions:

- Allow ten (10) homes to be 100 percent stucco in-lieu-of thirteen (13) homes; five (5) homes to be up to 50 percent stucco; and remainder of the homes to be limited to 25 percent stucco.
- Limit Lots 1, 12-15, 22, and 23 to a maximum of 50 percent stucco with the north elevations limited to 50 percent as well.
- Revise "Garage Access" to allow no more than two front-facing garage bays.

second by Commissioner Springs.

Commissioner Springs asked if Mr. Maxwell would increase the number of 50% stucco homes to eight (8).

Commissioner Maxwell declined to amend his motion.

Motion failed 3 to 3 with Vice Chair Bright and Commissioners DePuy and Springs opposed.

Motion: Commissioner Maxwell made a motion to recommend approval of Zoning File 15-14 with the following changes to the conditions:

- Allow ten (10) homes to be 100 percent stucco in-lieu-of thirteen (13) homes; eight (8) homes to be up to 50 percent stucco in-lieu-of five (5); and remainder of the homes to be limited to 25 percent stucco.
- Limit Lots 1, 12-15, 22, and 23 to a maximum of 50 percent stucco with the north elevations limited to 50 percent as well.
- Revise "Garage Access" to allow no more than two front-facing garage bays.

second by Commissioner Springs.

Motion approved 4-2 with Vice Chair Bright and Commissioner DePuy opposed.

Staff Report

TO: City Council

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

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

DATE: October 8, 2015

RE: **Zoning File 15-14**: Crystal Creek PD Amendments

REQUEST:

Request for approval of amendments to the development standards related to the development of a 35-lot single-family subdivision located south of Chainhurst Drive, on the west side of Holford Road. The 11.3-acre subdivision is zoned PD Planned Development (Ordinance Number 3796) for the R-1100-M Residential District.

APPLICANT & PROPERTY OWNER:

Ahmed Helaluzzaman – Richardson Crystal Creek HOA / Multiple homeowners and HOA

EXISTING DEVELOPMENT:

The site development, including streets, utilities and screening walls were recently completed. The subdivision was approved and released earlier this year; however, no residential construction has commenced to date.

ADJACENT ROADWAYS:

Holford Road: Two-lane, undivided neighborhood collector; No traffic counts available. Neighborhood collectors typically carry between 1,000 and 4,000 vehicles per day.

Chainhurst Drive: Two-lane, undivided local street; No traffic counts available.

SURROUNDING LAND USE AND ZONING:

North: Single-Family; R-1100-M Residential
South: Assisted Living Facility; City of Garland
East: Single-Family; R-1100-M Residential

West: Vacant; I-M(1) Industrial

FUTURE LAND USE PLAN:

Office/Industry

Low and medium-density office, as well as manufacturing and distribution facilities. Redevelopment anticipated in low-performing areas in response to changes in building format and market demand. Higher intensity office uses may be appropriate in certain locations. Manufacturing and distribution facilities should be carefully located and designed to minimize their impact on nearby residential uses.

Future Land Uses of Surrounding Area:

North: Neighborhood Residential
South: City of Garland, Employment Center Building Block – Business
East: Neighborhood Residential
West: Office/Industry

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANTôS STATEMENT

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

STAFF COMMENTS:

Background:
The subject property was rezoned in 2010 from I-M(1) Industrial to PD Planned Development for the R-1100-M Residential District for a 35-lot single-family subdivision. A 120-foot monopole antenna tower is located on Lot 35, but it is still the intent for it to be removed in the future to allow for the development of a single-family home on Lot 35. The property was platted in 2011.

Request:
Earlier this year, the developer informed staff that several homeowners were ready to submit building permits; however, amendments to the PD would be necessary to accommodate homeowner's desire for larger homes and different building materials. In addition to the PD amendments discussed below, the applicant's request includes; at the request of staff, the removal of Exhibit "C" of Ordinance Number 3796.

Exhibit "C" provides guidelines for the review of the HOA covenants, conditions, and restrictions (CC&R's). Those documents were reviewed and approved in July 2011. The conditions contained in Exhibit "C" are codified in the PD and/or in the approved CC&R's; furthermore, the final two (2) conditions in Exhibit "C" related to architectural character of the homes are in conflict with the proposed changes to the building and roof materials that

homeowners are proposing to utilize. Therefore, staff recommends that Exhibit "C" be removed from the PD.

Update since August 4, 2015 CPC Meeting:
The City Plan Commission continued the public hearing to September 1, 2015 to allow additional time for the applicant and the adjacent homeowners to further discuss concerns that were addressed during the meeting. Specifically, the Commission suggested lot coverage and maximum number of allowable stucco homes be discussed. Since that time, the applicant and other Crystal Creek homeowners have met with residents from the Creek Hollow and The Oaks at Stoney Creek neighborhoods to discuss the proposed conditions.

The president of the Oaks at Stoney Creek HOA (located in Garland) submitted a letter in opposition on August 24, 2015 stating opposition to more than ten (10) stucco homes and opposition to more than two (2) garage doors facing the front property line. Staff also received an updated statement from a representative from Creek Hollow on August 27, 2015 stating opposition to the request related to the number and location of stucco homes and the potential for parking issues. The applicant forwarded minutes of their meeting with adjacent residents which stated conditions they agreed upon and those where they do not agree.

The following are the proposed conditions as revised by the applicant (changes noted in red). Additionally, staff has noted whether the adjacent residents are in agreement, and if not, their requested changes (noted in bold) that were presented to the Commission on September 1, 2015:

1. The maximum lot coverage shall be 40%, except for combined lots as defined in Condition #3 shall be limited to a maximum lot coverage of 35%. **(Agreed)**

2. ~~Up to twenty (20) homes may use stucco as an exterior cladding material for up to 100% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.~~ Up to thirteen (13) homes may use stucco as an exterior cladding material for up to 100% of the total exterior. Up to five (5) homes may use stucco as an exterior cladding material for up to 50% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.

   The minutes of the meeting with the adjacent neighborhoods states that no agreement has been reached; however, the letter in opposition from the representative from Creek Hollow states they have agreed on up to ten (10) homes being allowed to be up to 100% stucco, five (5) homes being allowed to be up to 50% stucco, and the remainder to comply with Article XXII-F of the CZO. Residents from Creek Hollow have also requested that the lots along the northern boundary of Crystal Creek be prohibited from using 100% stucco; the applicant does not agree to restrict specific lots. The adjacent residents also discussed concern regarding color and suggested the CC&Rôs possibly be updated to address color. The applicant responded the color would be regulated by Architectural Control Committee.

3. No more than two (2) originally platted residential lots as shown on replat as Crystal Creek filed with Collin County on June 29, 2011, may be combined into a single lot. A maximum of ten (10) lots may be combined. In no instance shall lots be combined to create a lot with double frontage. **(No Change/Agreed)**

4. For front facing garages, garage doors shall be set back a minimum of twenty (20) feet from the front façade of the home. Front facing garages shall be prohibited on Lots 1-4 and Lots 12-15. No more than two (2) garage doors shall face the front property line. For homes exceeding 5,000 square feet in area (excluding garage, porch, or patio area), a minimum of three (3) enclosed parking spaces shall be provided.

   The minutes of the meeting with the adjacent neighborhoods states there was discussion regarding the minimum size of home where additional garage spaces should be provided. The letter in opposition from The Oaks at Stoney Creek states they requested only two (2) garage doors face the front property line, and the applicant has revised their condition to reflect this request. The applicant also added a requirement for three (3) enclosed spaces for homes over 5,000 square feet to address concerns regarding inadequate number of enclosed parking spaces. The representative from Creek Hollow has also stated their concern for the potential for on-street parking issues.

5. Roof materials shall be limited to asphalt shingles or tile and shall be in accordance with Chapter 6-31 of the City of Richardson Code of Ordinances. **(No Change/Agreed)**

6. Remove Exhibit "C" from the PD and add the following condition from Exhibit "C" to the PD;

   a. All residential lots within Crystal Creek shall contain a minimum of three (3) trees that are a minimum three (3) inches in diameter, either existing or new. **(No change/Agreed)**

Proposed Development Regulations (reflects original request):
The table below reflects the base R-1100-M Residential District regulations, the approved regulations contained in Ordinance Number 3796, and the applicant's proposed amendments.

	R-1100-M Residential District Development Regulations	**Ordinance No. 3796 Development Regulations**	**Proposed Amendments**
Dwelling Unit Size	Minimum 1,100 square feet	Minimum: 2,250 square feet / 3,250 square feet for Lots 12-15 & Lots 22-23	No change requested.
Area Regulations	Lot Area: Minimum 8,000 square feet.	Lot Area: Minimum 8,175 square feet. Minimum average lot area of 9,350 square feet.	No change requested.

	Lot Width: Minimum 64 feet. Lot Depth: Minimum 125 feet. Lot Coverage: Maximum 30%	Lot Width: No change proposed. Lot Depth: Minimum lot depth for Lots 7, 18-19 and 31-34 less than 125 feet as depicted on Concept Plan, Exhibit "B". Lot Coverage: Maximum 30%	No change requested. No change requested. **Lot Coverage: Maximum 40%**
Setbacks	Front: Minimum 30 feet. Side: 7, 10 or 15 feet depending on lot width for interior setbacks. Rear: Minimum 25 feet.	Front: Minimum 20 feet, with the following exceptions: 25 feet for Lots 12-15 Side: 7 feet for interior setbacks. Rear: Minimum 25 feet, with the following exceptions: 20 feet for Lots 12-15	No change requested. No change requested. No change requested.
Combining Lots	No restriction regarding combination of lots.	No restriction regarding combination of lots; however, a concept plan is attached showing thirty-five (35) lots, but combining lots is not prohibited	**Allow no more than two (2) lots to be combined into a single lot, maximum ten (10) lots may be combined. Double frontage is prohibited.**
Garage Access	Garages may be accessed from the front/side (street) or rear (alley)	Garages for Lots 1-4 were required to have rear entry garages with alley access. All other lots were required to have swing entry garages with garage doors facing an interior or rear lot line	**Allow front facing garages except on Lots 1-4 and 12-15. Front facing garages to be set back a minimum of 20 feet from the front fa- ade of the home.**
Exterior Cladding Material	Building facades regulated per Article XXII-F of CZO which requires 75% of the total exterior wall constructed of masonry construction.	No changes were approved; however Exhibit "C" contained photographs depicting minimum quality of design requirements.	**Allow up to twenty (20) homes (57% of lots) to use stucco as an exterior cladding material. The remaining homes shall comply with Article XXII-F and stucco shall not be used for more than 25% of the total exterior cladding material.**
Roof Materials	Materials as allowed by the International Residential Code (IRC) and amended by Code of Ordinances which allows a minimum Class C roof covering (includes shingles, tile, standing	No changes were approved; however Exhibit "C" contained photographs depicting minimum quality of design requirements.	**Allow homes to utilize asphalt shingles and tile materials as allowed by the IRC and amended by the Code of Ordinances.**

	seam metal, slate, and copper)		**The photographs in Exhibit ñCò showed asphalt shingles as a roof covering.**

A comparison of the proposed PD amendments and similar single-family subdivisions (Cantera and The Hills of Breckinridge) are provided below following the description of the Proposed PD Amendments.

Proposed PD Amendments (reflects original request):

Lot Coverage – The applicant proposes to increase the maximum allowable lot coverage from 30% to 40% to allow for larger homes. He states that since the initial zoning request in 2010, homeowners have purchased lots and have expressed interest in building homes that exceed 30% lot coverage. Lot coverage is defined as the area or percentage of the lot that may be covered by the principal building and all accessory buildings or structures (excluding breezeways or covered patios). Lot coverage does not include area on the second story of a home. The maximum ground floor area allowed on the smallest lot in Crystal Creek would be limited to approximately 2,460 square feet at 30% lot coverage; whereas, approximately 3,280 square feet of ground floor area would be allowed at 40% lot coverage. The existing single-family neighborhoods to the north and east are allowed a maximum lot coverage of 30%.

Combining Lots – The applicant states homeowners in Crystal Creek have inquired about combining lots to create larger lots. Although there is no prohibition in the Comprehensive Zoning Ordinance (CZO) or Crystal Creek PD regarding the combination of lots, staff suggested the applicant make this part of the request since there is a concept plan attached to the PD showing thirty-five (35) residential lots. As proposed, no more than two (2) residential lots as shown on the originally filed Crystal Creek plat from 2011 would be allowed to be combined into a single lot; furthermore double frontage lots (lots running through from one street to another) would be prohibited. Lots 9 and 18 would be an example of two (2) lots that could not be combined. Additionally, the proposed amendment would allow no more than ten (10) lots to be combined into (5) larger lots. The existing single-family neighborhoods to the north and east are allowed to combine lots.

Garage Access – The applicant states some homeowners desire to design homes that utilize garages that face the front property line, rather than swing entry garages. At the time of the approved rezoning, Lots 1-4 were required to provide alley access; however, alleys were not provided elsewhere on the property; therefore, staff suggested the applicant utilize swing entry garages to minimize the impact of the garage door on the front elevation.

The applicant does not propose to modify the requirement for alley access to the garage for Lots 1-4, and Lots 12-15 (lots facing Chainhurst Drive) would still be required to provide swing entry garages. The proposed amendment would allow garage doors to face the front property line for the balance of the lots on the condition that the garage doors be set back a minimum of twenty (20) feet from the front façade of the home to further lessen the visual impact of the garage door on the front elevation. In contrast, the neighborhood to the north is also required to face the garage door to the side lot line for front entry garages; however, most homes were constructed with alley access. In addition, this requirement does not apply to the homes on the east side of

Holford Road; however, the garage doors for front entry homes appear to face a side lot line and not the front property line.

Building and Roof Materials – At the time of rezoning, the applicant stated he did not know what the design of the homes would be and what types of exterior cladding materials would be utilized. As part of the zoning approval, the PD contained Exhibit "C" which was a set of guidelines to be used in the review of the HOA CC&R's mentioned above; however, Exhibit "C" specifically stated the guidelines were not to be included in the PD regulations. The final two (2) conditions in Exhibit "C" state:

- *So that the architectural character of the dwellings in this development are equal to or better than the quality of design and materials of those existing in Creek Hollow Estates, and exhibit of photographs that set these minimum standards are included herein. At the time any building permit is applied for on any lot within this development, an "architectural" front elevation shall be submitted to the Chief Building Official for conformance to this endeavor.*
- *The photos referenced in these deed restrictions are attached below:*

The photos mentioned in the second bullet point are attached as part of Ordinance Number 3796, which is attached. The photos contained in Exhibit "C" were photos of single-family homes in the surrounding neighborhoods. The photos depicted 1-story and 2-story homes with predominantly brick exteriors along with siding used on the second story portions of the homes. All of the homes had composition shingle roofs. The Chief Building Official is tasked with reviewing "architectural" front elevations to confirm the architectural character of the dwellings are equal to or "better than" the quality of design and materials of those homes in the photos contained in Exhibit "C" (Creek Hollow neighborhood), which is subjective at best.

The applicant inquired about the use of exterior cladding materials other than standard masonry materials as shown in the photographs such as stucco. Stucco is not considered a masonry material and the City's Residential Exterior Construction Standards (Article XXII-F of the CZO) require 75% of the total exterior wall to be constructed of masonry construction. However, a home could be constructed of masonry construction with stucco applied on top of the masonry, and the 75% threshold would still be met. The existing single-family neighborhoods to the north and east are required to meet the requirements of Article XXII-F; however, it appears all of the homes in the neighborhood utilize predominantly brick and/or stone.

The applicant is requesting to allow up to twenty (20) of the homes the ability to use stucco as an exterior cladding material for up to 100% of the total exterior. The remaining homes would comply with Article XXII-F except that stucco would be limited to 25% of the total exterior cladding material; even it is applied on top of masonry construction.

The applicant is also requesting that asphalt shingles and tile be allowable roof materials. The International Residential Code (IRC) as amended by Chapter 6 of the Code of Ordinances would control the minimum quality of said materials. The applicant has stated homeowners have specifically discussed using composition shingles and tile (concrete or clay). Since the photographs in Exhibit "C" only show shingle roofs, the amendment is being requested to explicitly address alternate roof materials desired by the homeowners. The proposed roof

materials would be more restrictive compared to those allowed in the adjacent neighborhoods as well.

Comparison with Similar Developments (reflects original request):
The following table provides a comparison with the zoning regulations for two (2) similar single-family subdivisions; Cantera, located at the northwest quadrant of Renner Road and Brand Road, and The Hills of Breckinridge, located on the east side of Brand, bisecting the City of Richardson/Garland city limit line:

	Crystal Creek	Cantera	The Hills of Breckinridge
Lot Coverage	Maximum 40% proposed	Maximum 45% allowed	Maximum 45% allowed
Combining Lots	Allow no more than 2 lots to be combined into a single lot, maximum 10 lots may be combined. Double frontage prohibited.	No restriction on combining lots.	No restriction on combining lots.
Garage Access	Allow front facing garages except on Lots 1-4 and Lots 12-15. Front facing garages required to be set back a minimum of 20 feet from the front façade of the home.	Garage doors facing the front street shall be set back a minimum of 80 feet from the front lot line and garage doors facing a side street shall be set back a minimum of 40 feet from the side lot line.	For interior lots, garage doors facing the street shall be set back a minimum of 80 feet from the front lot line. For corner lots, the above applies, except for garage doors facing the side street shall be setback 40 feet from the side lot line.
Exterior Cladding Material	Allow up to 20 homes (57% of homes) to use stucco as an exterior cladding material. The remaining homes shall comply with Article XXII-F and stucco shall not be used for more than 25% of the total exterior cladding material.	Up to 10 homes (22% of homes) may have stucco exceeding 50% of the total exterior. The remaining homes shall have less than 50% of the total exterior as stucco material.	Up to 15 homes (25% of homes) may use EIFS or cementitious stucco in lieu of standard masonry construction.
Roof Materials	Allow homes to utilize asphalt shingles and tile only and be in accordance with the IRC which allows a minimum Class C roof covering	Materials as allowed by the IRC which allows a minimum Class C roof covering (includes shingles, tile, standing seam metal, slate, and copper)	Materials as allowed by the IRC which allows a minimum Class C roof covering (includes shingles, tile, standing seam metal, slate, and copper)

Correspondence: As of this date, twenty (20) letters in support and twenty-five (25) letters in opposition have been received.

Motion: On September 1, 2015, the City Plan Commission recommended approval of the applicant's request with revised conditions, as listed below:

All conditions stated in Ordinance Number 3796 shall remain in full force in effect except as otherwise noted below. The conditions below show the proposed revisions recommended by the Commission:

1. The maximum lot coverage shall be 40%, except for combined lots as defined in Condition #3 shall be limited to a maximum lot coverage of 35%.

2. Up to ten (10) homes may use stucco as an exterior cladding material for up to 100% of the total exterior. Up to eight (8) homes may use stucco as an exterior cladding material for up to 50% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.

    a. Lots 1, 12-15, 22 and 23 as shown on Exhibit "B" may use stucco as an exterior cladding material for up to 50% of the total exterior. The north elevation of the homes on these lots may use stucco as an exterior cladding material for up to 50% of the total exterior.

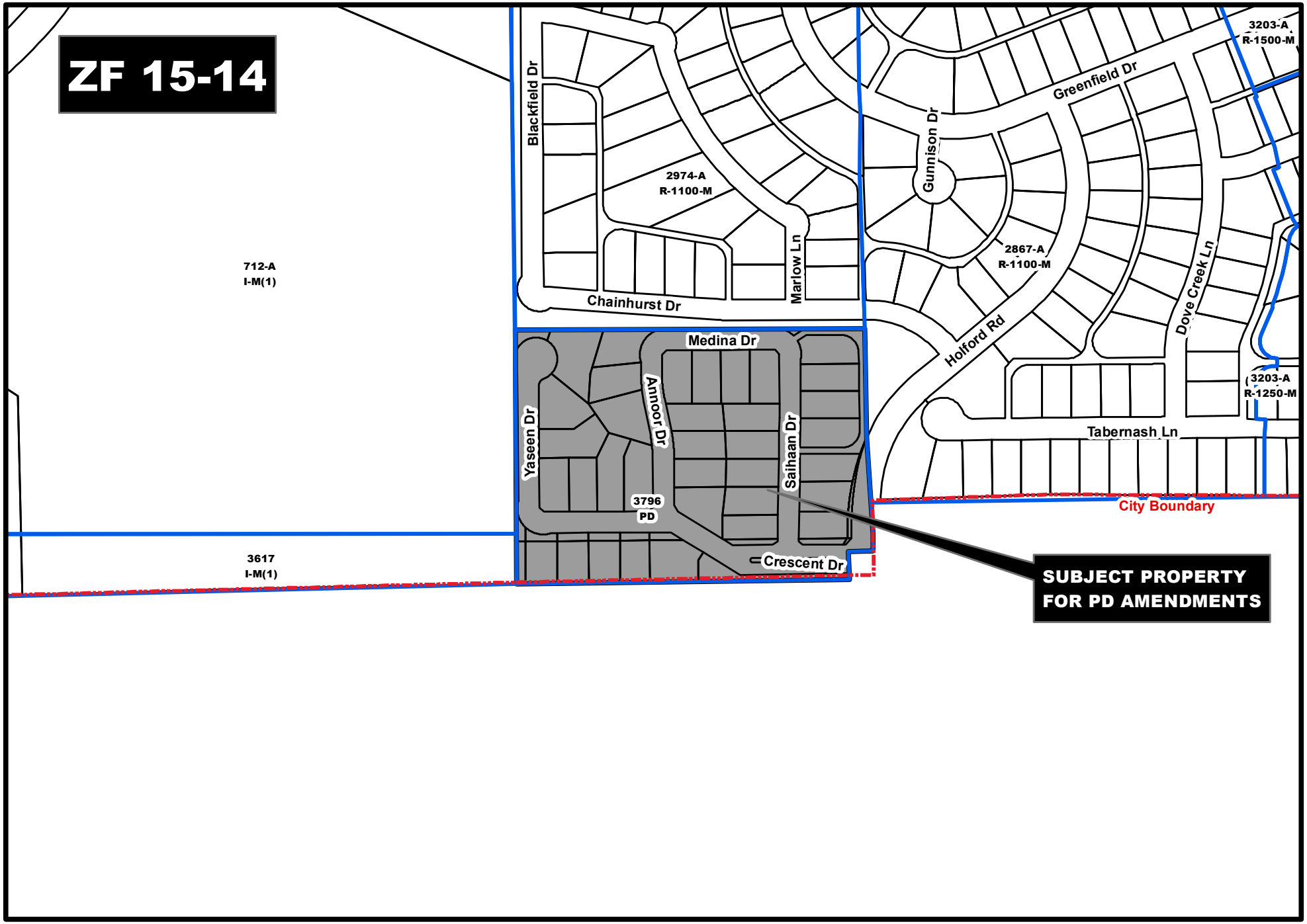
3. No more than two (2) originally platted residential lots as shown on replat as Crystal Creek filed with Collin County on June 29, 2011, may be combined into a single lot. A maximum of ten (10) lots may be combined. In no instance shall lots be combined to create a lot with double frontage.

4. For front facing garages, garage doors shall be set back a minimum of twenty (20) feet from the front façade of the home. Front facing garages shall be prohibited on Lots 1-4 and Lots 12-15. No more than two (2) garage spaces shall face the front property line. For homes exceeding 5,000 square feet in area (excluding garage, porch, or patio area), a minimum of three (3) enclosed parking spaces shall be provided.

5. Roof materials shall be limited to asphalt shingles or tile and shall be in accordance with Chapter 6-31 of the City of Richardson Code of Ordinances.

6. Remove Exhibit "C" from the PD and add the following condition from Exhibit "C" to the PD;

    a. All residential lots within Crystal Creek shall contain a minimum of three (3) trees that are a minimum three (3) inches in diameter, either existing or new.



ZF 15-14 Zoning Map

Updated By: shacklettc, Update Date: June 25, 2015
File: DS\Mapping\Cases\Z\2015\ZF1514\ZF1514 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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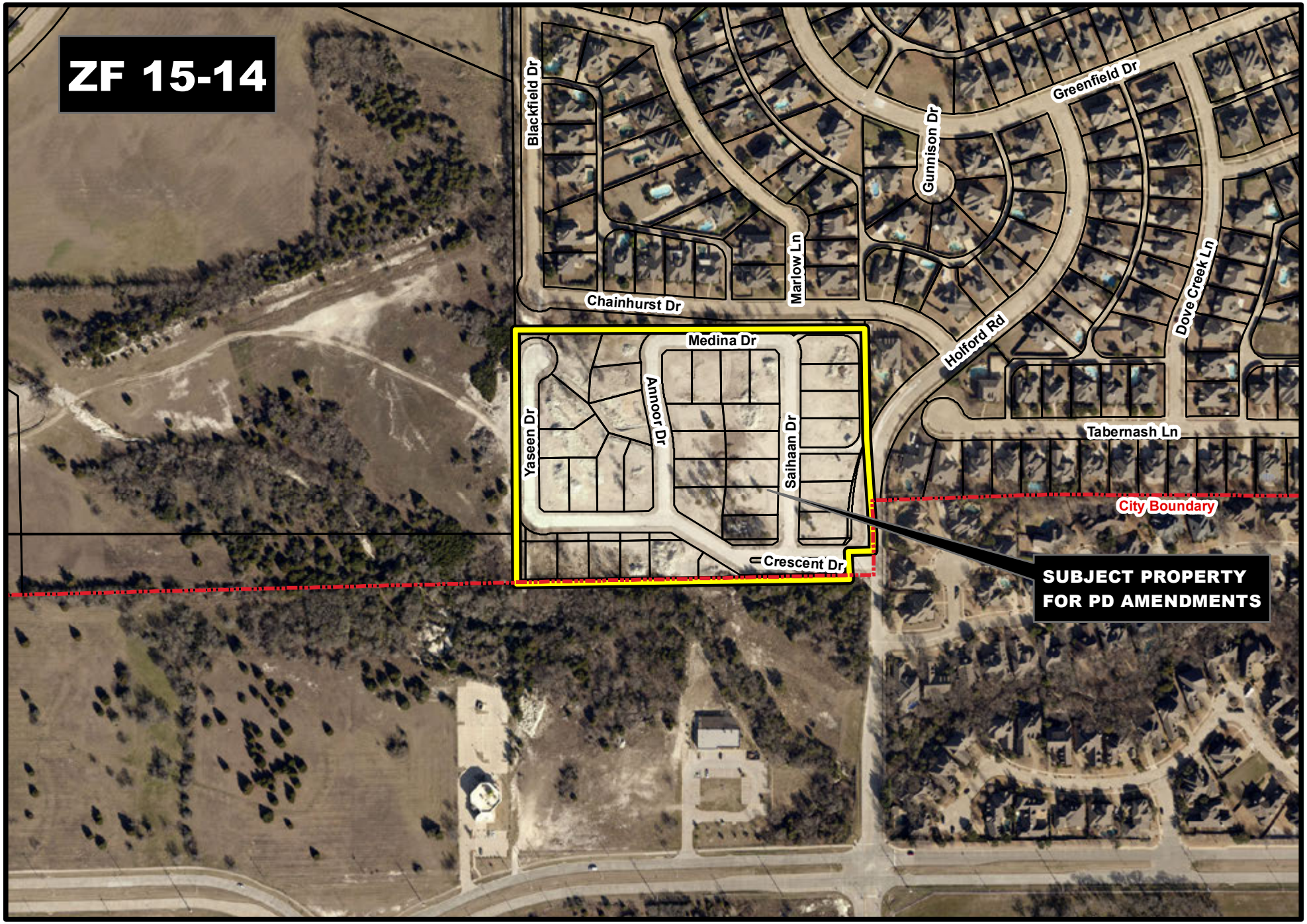

ZF 15-14 Aerial Map

Updated By: shacklettc, Update Date: June 25, 2015
File: DS\Mapping\Cases\Z\2015\ZF1514\ZF1514 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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Annoor Dr
Saihaan Dr
City of Garland
Crescent Dr
Medina Dr
Chainhurst Dr
Holford Rd
Oblique Aerial Looking West

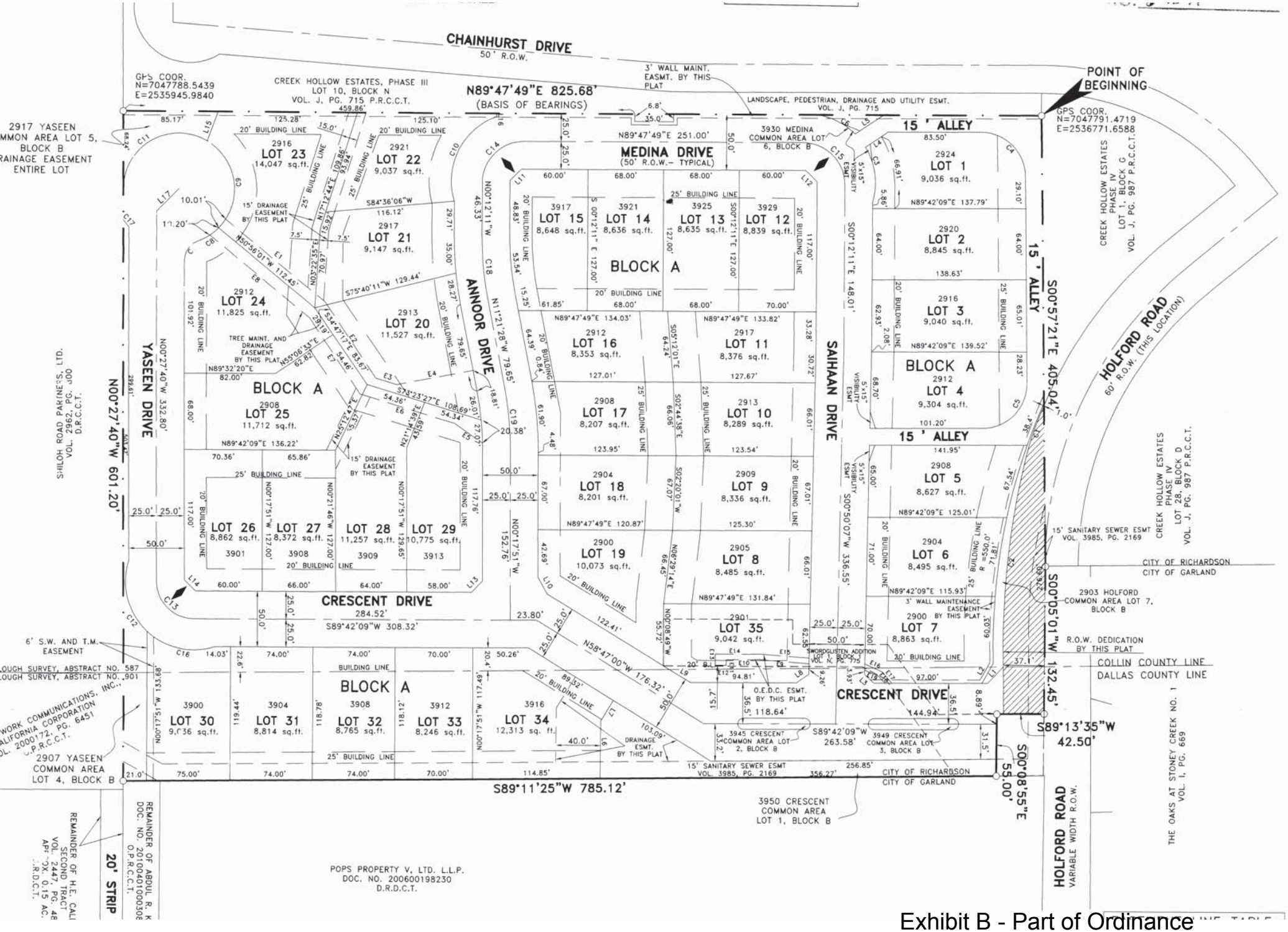


Exhibit B - Part of Ordinance

ORDINANCE NO. 3796

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FOR AN 11.3-ACRE TRACT OF LAND FROM I-M(1) INDUSTRIAL DISTRICT WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT DISTRICT FOR THE R-1100-M RESIDENTIAL DISTRICT USES, SAID TRACT BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING FOR THE APPROVAL OF A CONCEPT PLAN AND DETAILED CONCEPT PLAN ATTACHED AS EXHIBITS "B-1" AND "B-2" RESPECTIVELY; 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 10-10).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956 as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning for an 11.3-acre tract of land from I-M(1) Industrial District with special conditions to PD Planned Development District for the R-1100-M Residential District uses, said tract being further described in described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. The change in zoning from I-M(1) Industrial District to PD Planned Development District for the R-1100-M Residential District uses is hereby granted subject to the following development regulations:

Base Zoning District. The property shall be developed and used in accordance with the R-1100-M Residential District zoning regulations except as otherwise provided herein. The single-family development for the property shall be developed and used in substantial conformance with the Concept Plan, attached as Exhibit "B-1" and the Detailed Concept Plan, attached as Exhibit "B-2", and which are hereby approved.

1. **Antennae Tower**. The existing 120-foot monopole antenna tower with a maximum of four (4) antennas shall be allowed to remain in the location as shown on the Concept Plan.

2. **Building Regulations.**
   a. The minimum area of the principal building for Lots 1, 12-15 and 22-23 as shown on the Concept Plan shall be a minimum 3,250 square feet, exclusive of breezeways, garages and servants' quarters.
   b. The minimum area of the principal building for the lots as shown on the Concept Plan other than Lots 1, 12-15 and 22-23, shall be 2,250 square feet, exclusive of breezeways, garages and servants' quarters.

3. **Lot Area Regulations.**
   a. The minimum lot area shall be 8,175 square feet and the average lot size shall be at least 9,350 square feet.

4. **Lot Dimensions.**
   a. The minimum depth of a lot shall be 125 feet.
   b. 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 provided the lot meets width and area requirements.
   c. The minimum depth for lots 7, 18-19 and 31-34 shall be allowed to be less than 125 feet as shown on the Concept Plan.

5. **Setbacks.**

   a. The front setback shall be a minimum of twenty-five (25) feet for Lots 12-15 as shown on the Concept Plan.

   b. The front setback for the lots shown on the Concept Plan other than Lots 12-15 shall be a minimum of twenty (20) feet

   c. The interior side setback for all lots shown on the Concept Plan shall be seven (7) feet.

   d. The rear setback shall be a minimum of twenty (20) feet for lots 12-15 as shown on the Concept Plan.

6. **Garage Access.**

   a. All garages shall be swing entry garages, and all garage door openings shall face an interior or rear lot line.

   b. Lots 1-4 as shown on the Concept Plan shall have rear entry garages with alley access. No other lots may have alley access.

   c. All garage door exterior façade finishes shall be constructed of a treated wood product.

7. **Screening Wall.**

   a. A 6-foot decorative iron fence shall be located along a portion of the northern property line as shown on the Concept Plan. The placement of the decorative iron fence shall be coordinated with the location of the existing trees along the boundary so as to minimize the removal of any tree over three (3) inches in diameter. The fence shall be permitted to start and stop where such tree is within the fence line. In the event that existing canopy trees located in the parkway adjacent to the northern boundary line are greater than seventy (70) feet apart, new canopy trees shall be added so that canopy trees are at a maximum spacing of thirty-five (35) feet. Said decorative iron fence shall be located within a three (3) foot maintenance easement dedicated to the Home Owners' Association.

   b. An eight (8) foot masonry wall shall be located along a portion of the northern property line as depicted on the Concept Plan. Said masonry screening wall shall

be located within a three (3) foot maintenance easement dedicated to the Home Owners' Association.

c. An 8-foot masonry wall shall be located along the eastern boundary of the property in a common area lot as depicted on the Concept Plan. The wall shall be constructed of brick with stone columns similar to the existing wall located on the east side of Holford Road that forms the western border of the Oaks at Stoney Creek (City of Garland). There shall be a landscaped area that varies in width adjacent to this wall. A detailed plan shall be submitted as part of the development plan process. Canopy trees along this wall shall be planted at a maximum spacing of thirty-five (35) feet along the east side of the wall.

d. The required screening walls and decorative iron fence referenced above shall be maintained by the Home Owners' Association.

8. **Tree Survey.**

A detailed tree survey of the entire property shall be submitted at the time of the submittal of the preliminary plat.

9. **Tree Maintenance Easement.**

A tree maintenance easement shall be provided as shown on the Concept Plan. All attempts shall be made to preserve and maintain any healthy tree located within the easement. **The tree maintenance easement shall be required to reference the previously designated flood plain.**

10. **Lot 35.** Lot 35 as shown on the Concept Plan shall be maintained by the owner of the lot as long as the lot is occupied by the existing freestanding antenna tower.

11. **Accessory Buildings.**

All stand alone accessory buildings; excluding greenhouses and playground equipment, shall be constructed of the same palette of materials as the primary exterior materials of the dwelling.

12. <u>Home Owners' Association.</u>

A mandatory Home Owners' Association (HOA) shall be established in accordance with Chapter 21, Subdivision of Development Code, Section 21-57 of the City of Richardson Code of Ordinances. Said Association documents shall be submitted to the City for review and approval prior to approval of the preliminary plat for the property. Attached as Exhibit "C" are development guidelines for the Association.

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 22nd day of November, 2010.

APPROVED:

MAYOR

APPROVED AS TO FORM:

Peter G. Smith

CITY ATTORNEY
(PGS:11-16-10:46494)

CORRECTLY ENROLLED:

Pamela Schmidt

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 10-10

BEING all that certain parcel, tract or lot of land situated in the Henry McCullough Survey, Abstract No. 901, Dallas County and Abstract No. 587, Collin County, Texas, and being a portion of Lot 1, Block 1, Swordglisten Addition, an Addition to the City of Richardson, Dallas and Collin Counties, Texas, according to the amended plats thereof recorded in Volume N, Page 775, Map Records, Collin County and Volume 2002029, Page 30, Map Records, Dallas County, Texas, and being a portion of a tract of land conveyed to Swordglisten Ltd. Partnership by warranty deed recorded in Volume 95088, Page 00296, Deed Records, Dallas, County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod set with yellow cap for corner, and being the Southeast corner of Lot 10, Block N, CREEK HOLLOW ESTATES, PHASE III, an addition to the City of Richardson, Collin County, Texas according to the plat thereof recorded in Volume J, Page 715, Plat Records, Collin County, Texas, and being in the West line of Lot 1, Block G, CREEK HOLLOW ESTATES, PHASE IV, an addition to the City of Richardson, Collin County, Texas according to the plat thereof recorded in Volume J, Page 987, Plat Records, Collin County, Texas

Thence South 00 degrees 57 minutes 21 seconds East, along the West line of said Lot 1, and along the current West line of Holford Road (a variable width right-of-way), a distance of 405.04 feet to a 1/2 inch iron rod set with yellow cap for corner, and being an angle point in the current West line of said Holford Road;

Thence South 00 degrees 05 minutes 01 seconds West, continuing along the current West line of said Holford Road, a distance of 132.45 feet to a 1/2 inch iron rod found for corner;

Thence South 89 degrees 13 minutes 35 seconds West, a distance of 42.50 feet to a 1/2 inch iron rod set with yellow cap for corner;

Thence South 00 degrees 08 minutes 55 seconds East, a distance of 55.00 feet to a 1/2 inch iron rod set with yellow cap for corner, and being in the North line of a tract of land conveyed to Pops Property V, Ltd., L.L.P. by deed recorded in Document No. 200600198230, Official Public Records, Dallas County, Texas;

Thence South 89 degrees 11 minutes 25 seconds West, along the North line of said Pops Property V, Ltd., L.L.P. tract, a distance of 785.12 feet to a point for corner in the East line of a tract of land conveyed to Fujitsu Network Communications, Inc., a California Corporation by deed recorded in Volume 2000172, Page 06451, Deed Records, Dallas County, Texas;

Thence North 00 degrees 27 minutes 40 seconds West, along the East line of said Fujitsu Network Communications, Inc. tract, and along the East line of a tract of land conveyed to Shiloh Road Partners, Ltd. by deed recorded in Volume 2962, Page 800, Deed Records, Dallas County, Texas, a distance of 601.20 feet to a 1/2 inch iron rod set with yellow cap for corner, and being the Southwest corner of said Lot 10;

Thence North 89 degrees 47 minutes 49 seconds East, along the South line of said Lot 10, a distance of 825.68 feet to the POINT OF BEGINNING and containing 491,648.66 square feet or 11.28 acres of land.

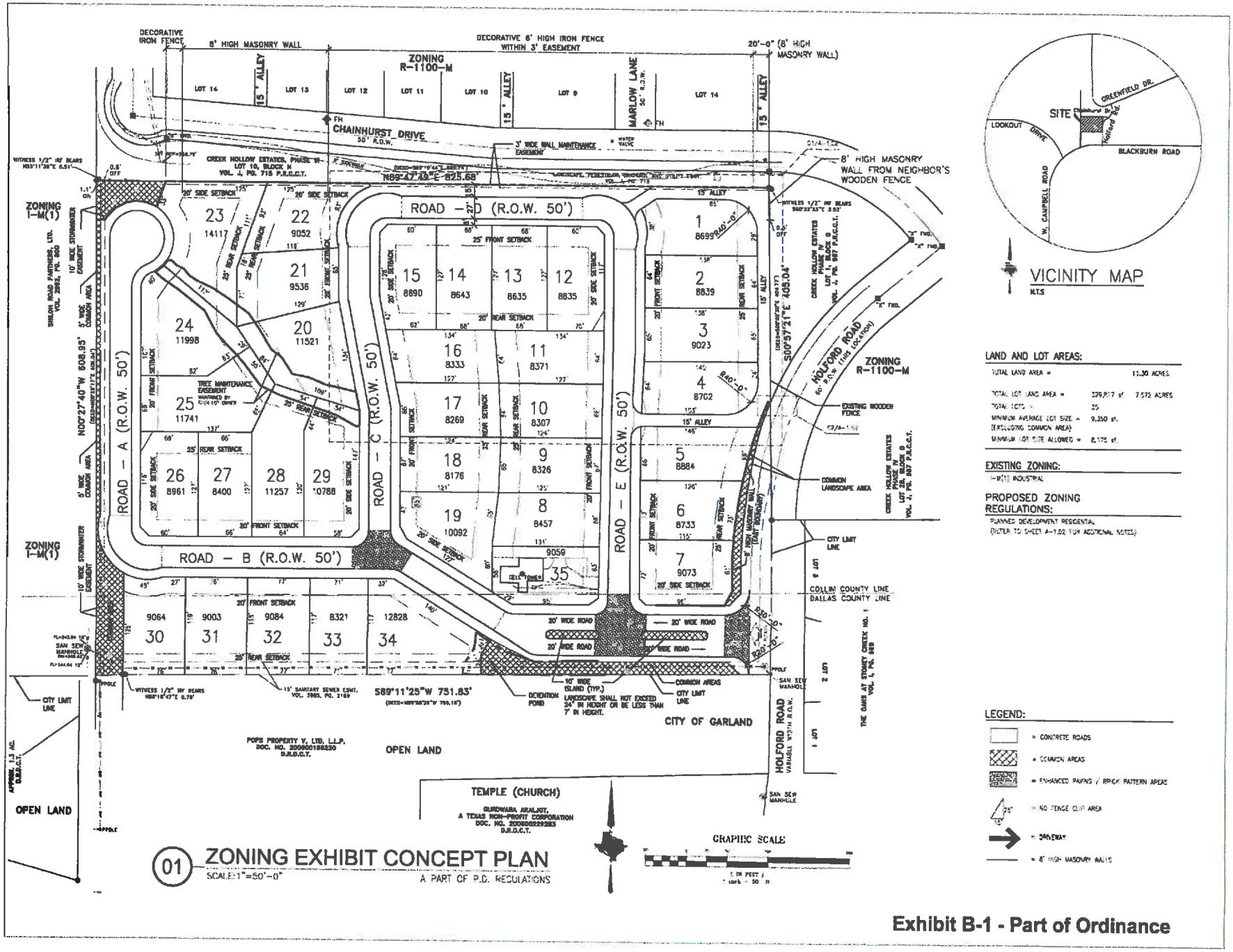


Exhibit B-1 - Part of Ordinance

CRYSTAL CREEK RESIDENTIAL NEIGHBORHOOD
RICHARDSON, TEXAS
SOUTH-WEST QUADRANT OF HOLFORD RD. & CHAINHURST DR.

OWNER: ARDEN R. DUNN, 2000 NORTH PINE STREET, BATON ROUGE, LA 70802, PH: 504 344 3600

APPLICANT: RICHARD A. FERRARA, 805 N. WATERVIEW DRIVE, RICHARDSON, TX 75080, PH: 972 836 7511

REVISIONS:

No.	Date	Item
1	12.25.10	PER CITY MTNG
2	29.27.10	REVISED PER OWNER

Issued Drawing Log

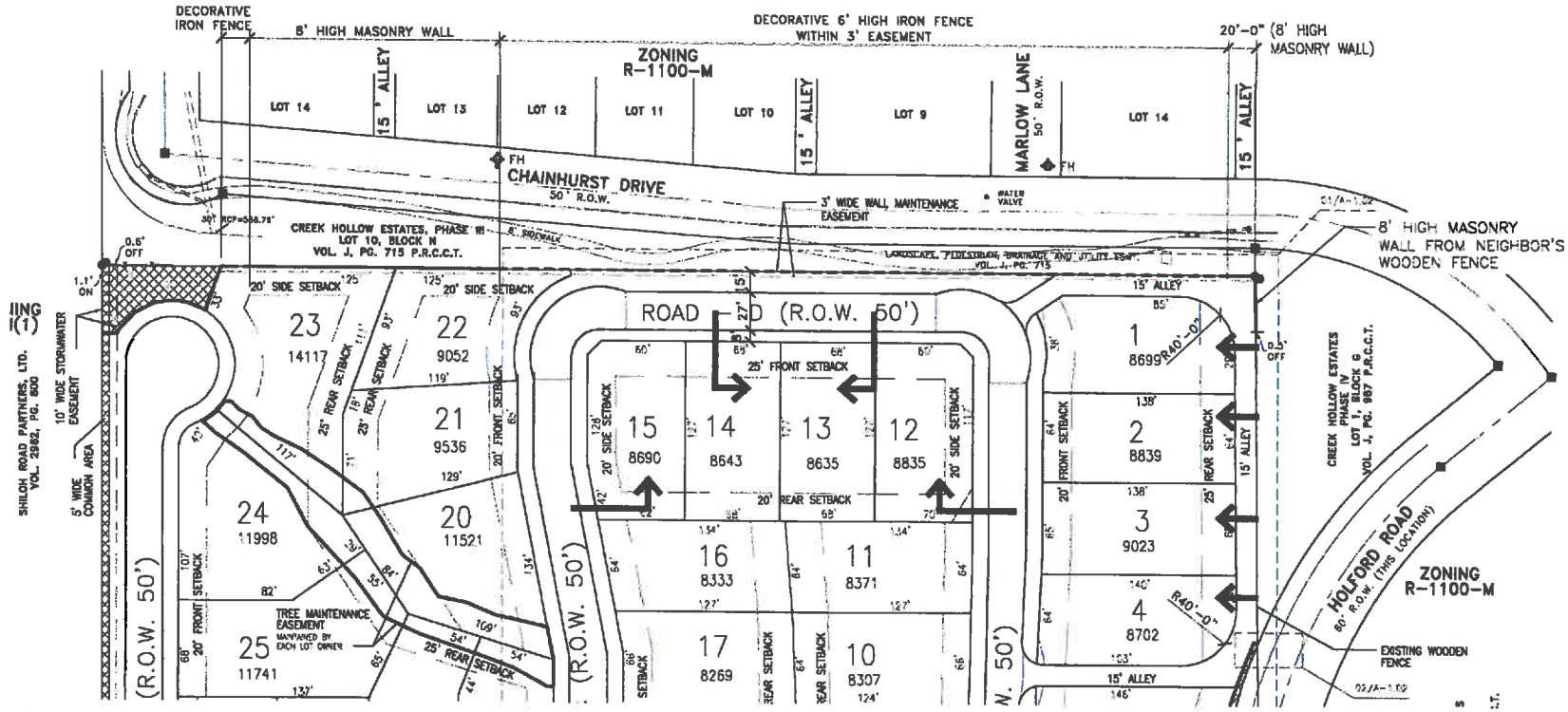
JAL Architect Group
2695 Villa Creek Dr. Suite 200
DALLAS, TEXAS 75234
Phone: 972.620.7177
E-Mail: jalarch@sbcglobal.net
© JAL ARCHITECT GROUP INC. 2002

Drawn	
Checked	AHMED ELMUZAMMAN
Project No.	2010001
Issue Date	07.27.2010

SHEET

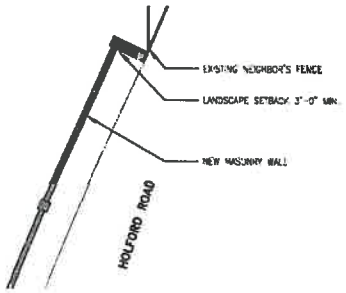
ZONING EXHIBIT

A-1.01



01 ENLARGED AREA PLAN

SCALE: 1"=40'-0"



02 ENLARGED AREA PLAN

SCALE: NOT TO SCALE (REFER TO SHEET A-1.01)

LEGEND:

- CONCRETE ROADS
- COMMON AREAS
- ENHANCED PAVING / BRICK PATTERN AREAS
- NO FENCE CLIP AREA
- DRIVEWAY
- 8' HIGH MASONRY WALLS

NOTES:

1. MAINTENANCE RESPONSIBILITY OF THE LOT #25 WOULD BE UNDER CRYSTAL CREEK HOA, THE CURRENT OWNER OR THE TENANTS.
2. MAINTENANCE RESPONSIBILITY OF THE RIGHT OF WAYS ALONG THE WEST AND NORTH BOUNDARY COMMON AREAS SHALL BE THE RESPONSIBILITY OF THE CRYSTAL CREEK HOA.
3. LOTS 1, 2, 3 & 4 SHALL HAVE REAR ENTRY GARAGES.
4. PRIOR TO THE ISSUANCE OF A PLAT AND A CONST. PERMIT FOR THIS SUB-DIVISION A DETAILED TREE SURVEY SHALL BE MADE AND COORDINATED WITH THE PLACEMENT OF THE DECORATIVE FENCE SO TO MINIMIZE THE REMOVAL OF ANY TREE OVER 3" DIA. AND TO ENSURE THAT, IF NEEDED, SUPPLEMENTAL TREES SHALL BE PLANTED SO THAT ALL EXISTING & NEW TREES ARE A MAXIMUM OF 35' O.C.

Exhibit B-2 - Part of Ordinance

CRYSTAL CREEK RESIDENTIAL NEIGHBORHOOD

RICHARDSON, TEXAS

SOUTH-WEST QUADRANT OF HOLFORD RD. & CHAINHURST DR.

OWNER: ABDUL R. HAMA, 2222 S. BRIDGE DRIVE, BATON ROUGE, LA 70810, PH: 504 554-9800

APPLICANT: RICHARD A. FERRARA, 420 N. WATERVIEW DRIVE, RICHARDSON, TEXAS 75080, PH: 972 609-1567

REVISIONS:

No.	Date	Item
2	10.25.10	PER CITY MEMO
1	09.27.10	REVISED PER OWNER

Issued Drawing Log

JAL Architect Group

2660 Villa Creek Dr. Suite 200, DALLAS, TEXAS 75234

Phone: 972 620-7777

EMAIL: jalarch@sbcglobal.net

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Drawn	
Checked	DONALD P. LALUZZA, AIA, CSI, CCS
Project No.	2010001
Issue Date	07.27.2010

SHEET

ENLARGE PLANS

A-1.02

Development Guidelines Exhibit C

Note: The following elements are not to be included in the PD regulations, but are intended to be a guide in the review of the Association's documents:

- Accessory structures of any type or use, except for greenhouses & children's playground equipment, fabricated of any material such as metal or various wood products and that are not constructed with materials of the same quality & design of the dwelling are prohibited.
- Garage doors shall remain closed at all times that activities of the home owner & family members do not require said doors to be open. Unattended open garage doors are prohibited.
- All garage doors for dwellings on lots that do not have alley access shall face a side yard lot line whether interior to another lot or on a corner. Driveways on corner lots should access the garage from the side street. Garage doors for dwellings on Lots 22 & 23 shall face southward or to their respective rear lot line.
- Garages of dwellings with access to an alley shall utilize that alley for driveway access.
- All home owners within this subdivision shall retain active, dues paid membership in the Home Owners Association. This HOA is primarily established to maintain the various open spaces, landscaped common areas, trees and shrubs in those areas, as well as irrigation systems, screening walls, decorative fencing and similar components that contribute to the common good of all residents.
- The storage, on site, of any type of recreational vehicle or watercraft must comply with the City of Richardson Code of Ordinances & Regulations, and in no case shall a motor home or trailer be utilized for occupancy of any sort.
- Home office uses are allowed.
- Outdoor "clothes lines" shall be allowed only in a side or rear yard that is screened with a solid fence that is a minimum of six feet (6') tall.
- Each homeowner shall be responsible for the proper maintenance of all surfaces of all structures as well as all landscape materials and paving on the lot. An automatic

sprinkler system must also be installed when the landscaping is installed to properly water the front, side and rear yards.

- Mailboxes shall be constructed of the same brick or masonry materials as the main dwelling.
- All lots within Crystal Creek shall contain a minimum of three (3) trees that are a minimum of three (3") inches in diameter, either existing or new.
- A detailed tree survey shall be submitted to the city staff for review in this regard. It should be noted that in no way shall a homeowner be denied the right to remove any tree that is a distance greater than seventy-five feet from the northern boundary of Crystal Creek, that he or she desires upon the purchase of said lot.
- With the exception of trees that fall within street rights-of-way, building areas of each lot, driveways, alleys, sidewalks and utility easements, every step shall be taken to preserve all existing, healthy trees over three inches (3") in diameter that fall within the original, but now eliminated, floodplain and within seventy-five feet of the northern boundary of Crystal Creek.
- So that the architectural character of the dwellings in this development are equal to or better than the quality of design and materials of those existing in Creek Hollow Estates, an exhibit of photographs that set these minimum standards are included herein. At the time any building permit is applied for on any lot within this development, an "architectural" front elevation shall be submitted to the Chief Building Official for conformance to this endeavor.
- The photos referenced in the deed restrictions are attached below:

ZF 15-14 Applicantôs Updated Statement

As per the instructions from CPC on August 4th 2015, Crystal Creek lot owners represented by HOA board members worked with the concerned individuals & surrounding neighborhoods. Our HOA members had two meetings, one on August 8th 2015 and other one was on August 22nd 2015. Both the meetings were productive and we have accomplished many items in a positive manner. Crystal Creek board forwarded the meeting minutes to the City Staff. Please take a look at the below columns which describes the agreed items, discussion between the parties and also what we are proposing with the planned development amendments.
We have many lot owners anxiously waiting to start the construction of high quality custom homes. We request the City Plan Commission & City Council to approve the proposed PD amendments.

Original PD Amendments	Discussion & agreement between Crystal Creek HOA, concerned Creek Hollow & Oaks at Stoney Creek members.	Proposed PD Amendments
The maximum lot coverage shall be 40%	Agreed by all the parties.	The maximum lot coverage shall be 40%
Roof materials shall be limited to asphalt shingles or tile and shall be in accordance with Chapter 6-31 of the City of Richardson Code of Ordinances.	Agreed by all the parties.	Roof materials shall be limited to asphalt shingles or tile and shall be in accordance with Chapter 6-31 of the City of Richardson Code of Ordinances.
Remove Exhibit "C" from the PD and add the following condition from Exhibit "C" to the PD; a. All residential lots within Crystal Creek shall contain a minimum of three (3) trees that are a minimum three (3) inches in diameter, either existing or new.	Agreed by all the parties.	Remove Exhibit "C" from the PD and add the following condition from Exhibit "C" to the PD; a. All residential lots within Crystal Creek shall contain a minimum of three (3) trees that are a minimum three (3) inches in diameter, either existing or new.

Original PD Amendments	Discussion & agreement between Crystal Creek HOA, concerned Creek Hollow & Oaks at Stoney Creek members.	Proposed PD Amendments
No more than two (2) originally platted residential lots as shown on replat as Crystal Creek filed with Collin County on June 29, 2011, may be combined into a single lot. A maximum of ten (10) lots may be combined. In no instance shall lots be combined to create a lot with double frontage.	Agreed by all the parties. Crystal Creek compromised to reduce the combined lot coverage from 40% to 35%. The maximum lot coverage for combined lots shall be 35%.	No more than two (2) originally platted residential lots as shown on replat as Crystal Creek filed with Collin County on June 29, 2011, may be combined into a single lot. A maximum of ten (10) lots may be combined. In no instance shall lots be combined to create a lot with double frontage. The maximum lot coverage for combined lots shall be 35%.
For front facing garages, garage doors shall be set back a minimum of twenty (20) feet from the front façade of the home. Front facing garages shall be prohibited on Lots 1-4 and Lots 12-15.	Agreed by all the parties for front facing garages. Crystal Creek compromised and agreed with the neighbors that no more than two (2) garage doors shall face the front property line for front facing garages only. Creek Hollow neighbors suggested to restrict the 3 car garages with certain square feet restrictions. **Crystal Creek Comments:** Presently there is no restrictions as per the ordinance & CC&R's for allowing minimum car garages tied to the square feet of the dwelling. The biggest lot size at crystal creek is 14,047 square feet and the average lot size is 9350 square feet. We can presently construct the dwelling with 6,000+ square feet with a minimum of 2 car garages. We are doing another compromise to put certain restrictions for 3 car garages. For homes exceeding 5,000 square feet in area (excluding garage area, porch & patio), a minimum of three (3) enclosed parking spaces shall be provided.	For front facing garages, garage doors shall be set back a minimum of twenty (20) feet from the front façade of the home. Front facing garages shall be prohibited on Lots 1-4 and Lots 12-15. No more than two (2) garage doors shall face the front property line. For homes exceeding 5,000 square feet in area (excluding garage area, porch, patio & servants quarter), a minimum of three (3) enclosed parking spaces shall be provided.

Original PD Amendments	Discussion & agreement between Crystal Creek HOA, concerned Creek Hollow & Oaks at Stoney Creek members.	Proposed PD Amendments
Up to twenty (20) homes may use stucco as an exterior cladding material for up to 100% of total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.	**Neighbors Suggestion:** Creek Hollow and Oaks of Stoney Creek neighbors agreed for 10 homes with up to 100% stucco. They are even fine with the combination of 10 homes of up to 100% stucco, 5 could be up to 50% stucco and the remaining with 25%. Creek Hollow neighbors suggested to have a transition barrier whereby the homes that border Creek Hollow (Lots 1, 12-15, 22-23) are not to be in the 100% stucco homes. **Crystal Creek Comments:** We have already compromised from 20 homes of up to 100% stucco to 13 homes of up to 100% stucco. We don't want to have any transition barrier and do not want to categorize certain homes within our sub-division due to many un-avoidable reasons. Now, we are compromising again and proposing 13 homes of up to 100% stucco, 5 homes of up to 50% stucco and the remaining 25% stucco.	Up to thirteen (13) homes may use stucco as an exterior cladding material for up to 100% of the total exterior. Up to five (5) homes may use stucco as an exterior cladding material for up to 50% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.

ZF 15-14 Applicantôs Statement

Richardson Crystal Creek HOA is the applicant for the following PD amendments discussed below. Crystal Creek is a premier 35-lot, single family residential community located at the southwest of Holford Road & Chainhurst Drive on 11.3 acres of land in the City of Richardson. The beautiful subdivision has natural elements including mature trees, scenic greenery on the south boundary, ponds, and a tranquil creek.

Crystal Creek lot owners and the HOA Board unanimously agreed to build larger homes and upgrade the development to a custom neighborhood similar to the existing subdivisions, such as Cantera & Hills of Breckenridge in the City of Richardson and existing custom homes at Oaks at Stoney Creek, across Holford Road in the City of Garland.

The proposed amendments to the existing PD #3796 of Crystal Creek include the following:

- Increase the lot coverage area from 30% to 40%. This would accommodate lot owners who desire single-story homes or larger first floors. Currently, an owner of a 9,000-square foot lot can only construct 2,700 square feet on the first floor, which includes the garage area.
- Providing requirements related to the combination of lots so it is clear how many and in what configuration lots may be combined. No more than two (2) lots may be combined to create a single lot. A maximum of ten (10) lots may be combined and in no instance shall lots be combined to create a lot with double frontage.
- Allow the homeowners to construct up to twenty (20) homes with stucco as the exterior cladding material for up to 100% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material. The amended PD regulations are written to avoid any ambiguity in the usage of materials and design by lot owners. City staff also recommended clearly stating which materials are desired by the homeowners.
- Roofing materials shall be limited to asphalt shingles or tile and shall be in accordance with Chapter 6-31 of the City's Code of Ordinances.
- Allow front facing garage configurations with a requirement that the garage be set back a minimum of twenty (20) feet from the front façade of the home with front facing garages restricted on Lots 1-4 and Lots 12-15.
- At the request of City staff, removal of Exhibit "C" to remove contradiction with requested amendments (all other regulations within Exhibit "C" are already included in the CC&R's and/or are stated within the existing PD). The requirement for a minimum number of trees on each lot will be added to the new PD.

These PD amendments are requested to provide a high quality neighborhood that allows for custom homes desired by the lot owners.

Enclosed are a few sample pictures from surrounding subdivisions, such as Cantera and Oaks at Stoney Creek in Garland, as well other similar style homes, that shows usage of materials & design reflected in our requested PD amendments.

We request the City Plan Commission and City Council approve the PD amendments so that the lot owners can start constructing beautiful custom homes at Crystal Creek.

5300

3801

5308

STOP

(1)

Looking West across Holford at
Crystal Creek Entrance

(2)
Looking South along
Holford Road

(3)
Looking North across
Medina Drive

(4)
Looking West along
Medina Drive

(5)
Looking Southeast from
Chainhurst Drive

(6)
Looking Southwest from
Chainhurst Drive

(7)
Looking South at Crystal Creek
from Chainhurst & Blackfield

Notice of Public Hearing

City Plan Commission ▪ Richardson, Texas

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

PD PLANNED DEVELOPMENT AMENDMENTS

File No./Name:	**ZF 15-14 / Crystal Creek Addition**
Property Owner:	Multiple Owners
Applicant:	Ahmed Helaluzzaman / Richardson Crystal Creek HOA
Location:	West side of Holford Road, north of the Richardson/Garland city limit line and south of Chainhurst Drive (See map on reverse side)
Current Zoning:	PD Planned Development
Request:	A request to amend the Crystal Creek PD, Ordinance 3796, to modify development standards related to the development of an 11.3-acre single-family subdivision.

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

TUESDAY, AUGUST 4, 2015
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.

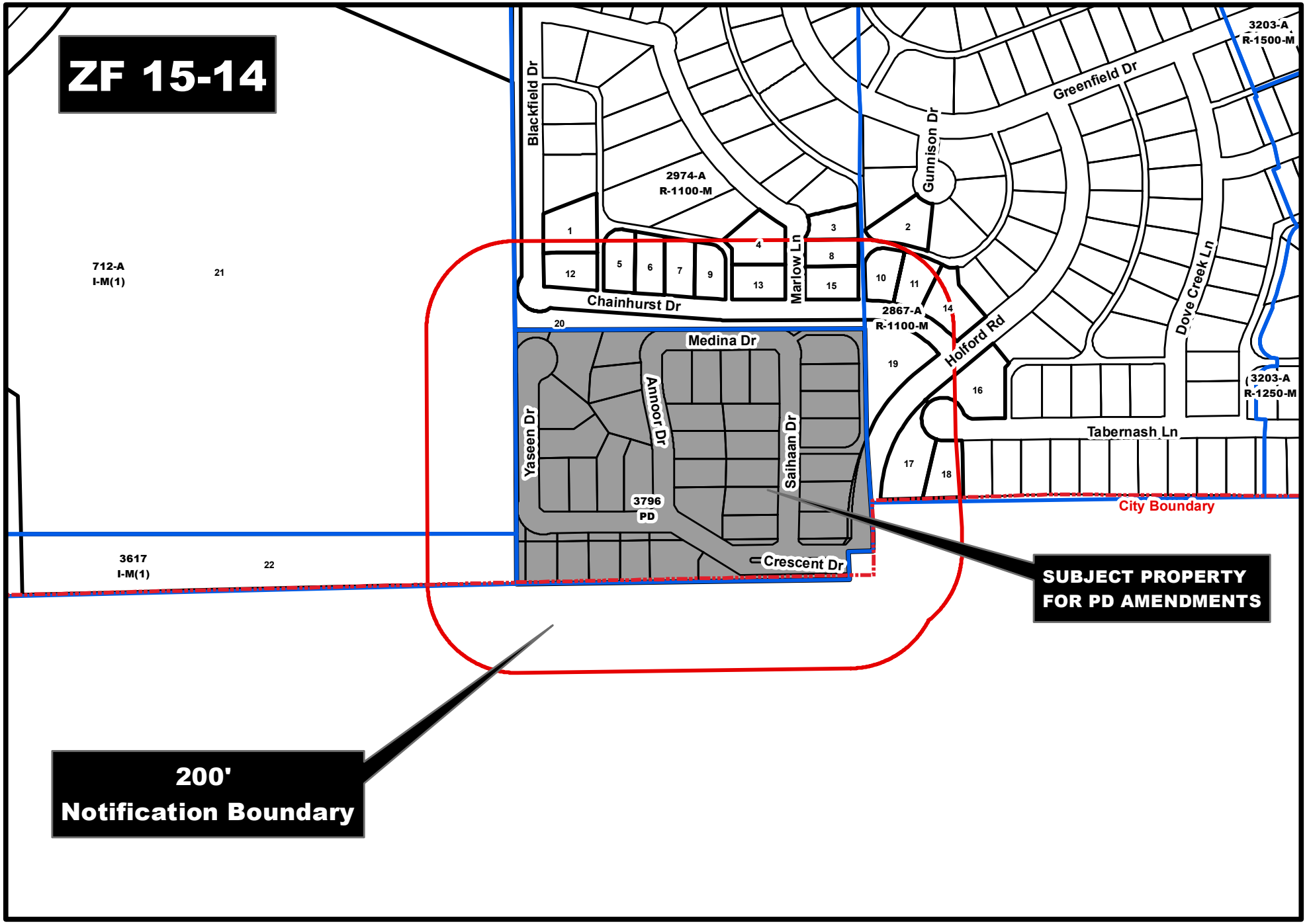
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 15-14.

Date Posted and Mailed: 07/24/2015



ZF 15-14 Notification Map

Updated By: shacklettc, Update Date: June 25, 2015
File: DS\Mapping\Cases\Z\2015\ZF1514\ZF1514 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

1-ELGUEA ANTONIO &
VERONICA BERNAL
3060 BLACKFIELD DR
RICHARDSON, TX 75082-3639

2-JONES BRIAN KEITH
3001 GUNNISON DR
RICHARDSON, TX 75082-3734

3-WYMAN CAMERON
2980 MARLOW LN
RICHARDSON, TX 75082-3641

4-BOPANA SHRINIVAS & SITA
2985 MARLOW LN
RICHARDSON, TX 75082-3646

5-COZART STEVEN A
STRONG JERRI L
PO BOX 830058
RICHARDSON, TX 75083-0058

6-CLEMMONS SCOTT S & KAREN L
3907 CHAINHURST DR
RICHARDSON, TX 75082-3634

7-RUDE DAVID W &
HANNAH M RUDE
3909 CHAINHURST DR
RICHARDSON, TX 75082-3634

8-MULKEY CHARLES W JR
MULKEY JONI W
2978 MARLOW LN
RICHARDSON, TX 75082-3641

9-SERRIOZ MARK A &
SHIRRIE L SERRIOZ
3911 CHAINHURST DR
RICHARDSON, TX 75082-3634

10-HALL TONY G & VIRGINIA L
4005 CHAINHURST DR
RICHARDSON, TX 75082-3661

11-HARRIS NIKKI N & RUFUS D
HARRIS
4009 CHAINHURST DR
RICHARDSON, TX 75082-3661

12-KOUNG CHING CHUN &
YANG SHU MING
3058 BLACKFIELD DR
RICHARDSON, TX 75082-3639

13-FRIELING VICTORIA D &
KURT F FRIELING
2983 MARLOW LN
RICHARDSON, TX 75082-3646

14-ABUARJA KHALIL &
HUDA AKEL ABUARJA
3001 HOLFORD RD
RICHARDSON, TX 75082-3738

15-NAG ASISH & NILIMA NAG
2976 MARLOW LN
RICHARDSON, TX 75082-3641

16-KANSO LISA R
4013 TABERNASH
RICHARDSON, TX 75082-3745

17-RAY STANLEY F & EDONA S
4000 TABERNASH
RICHARDSON, TX 75082-3742

18-CONFIDENTIAL OWNER
4004 TABERNASH
RICHARDSON, TX 75082-3742

19-BUI TUONG N & THU D LUU
4010 CHAINHURST DR
RICHARDSON, TX 75082-3660

HUSSAIN IQBAL
1802 DOUBLE BARREL DR
EULESS, TX 76040-5727

BHA LLC
520 SUMMIT DR
RICHARDSON, TX 75081-5120

SHA AHAMED
1920 NATCHEZ TRCE
ALLEN, TX 75013-4874

SYED AHMED M &
BUSHRA BINTORY
203 AMANDA CT
WHITEHOUSE, TX 75791-3848

LAKHANI SALMAN A &
SHEHNEELA S LAKHANI
3316 SAN PATRICIO DR
PLANO, TX 75025-4549

ANSARI ABRAR MOHAMMED
428 RED RIVER TRL. #1902
IRVING, TX 75063

BELLAOUAR ABDELLATIF &
GHANIA DJEMAI-ZOUGHLACHE
3908 HARLINGTON LN
RICHARDSON, TX 75082-3654

WAHEED AISHA FATIMA
6 LOCHLEVEN
RICHARDSON, TX 75082-2672

SHAIK SADAK &
BADRUNNISA PULLALI
148 WRENWOOD DR
COPPELL, TX 75019-3281

ISA MUHAMMAD HAMID &
SHAHEENA JABEEN
146 JUNIPER CT
COPPELL, TX 75019-7968

AZAM MOHAMMAD &
NAZIA MOHAMADI
6110 N SHILOH APT 616
RICHARDSON, TX 75044-3779

ANSARI ABRAR MOHAMMED
2514 YOUNGER CT
GARLAND, TX 75044-5595

FRIDI AHMED REDA &
MALIKA FRIDI
3803 FARMINGTON DR
RICHARDSON, TX 75082-2879

EVEREST PROJECT MGMT LLC
1402 HEATHER BROOK DR
ALLEN, TX 75002-2777

MOHAMMED AZHAR
803 FLEMING TRL
RICHARDSON, TX 75081-5229

20-CREEK HOLLOW(RICHARDSON)HOA
% PREMIER COMMUNITIES MGMT
3102 OAK LAWN AVE STE 2020
DALLAS, TX 75219-6419

ONCOR ELECTRIC DELIVERY C LLC
1616 WOODALL RODGERS FWY
DALLAS, TX 75202-1234

LANDEVELOP LLC
8920 PALACIOS CV
PLANO, TX 75025-4753

MEMON SAIMA BANO
2600 E RENNER RD APT 255
RICHARDSON, TX 75082-3463

UDDIN RIAZ &
SUMAYIAH MAQSOOD
2245 AMY LN
PLANO, TX 75074-3579

DIV - FACILITIES & MAINTENANCE
ATTN: JOEL FALCON
GARLAND ISD
501 S JUPITER ROAD
GARLAND, TEXAS 75042

MOHAMMAD HABEEB &
JELEELA HABEEB
6805 CLEAR SPRINGS PKWY
GARLAND, TX 75044-2829

ALSMADI TARIQ &
DESIREE NACHAWATI
5710 MAIDSTONE DR
RICHARDSON, TX 75082-4972

ELERAPATTY NAWAZ &
RASHEEDA RASHEED
2524 KENT DR
IRVING, TX 75062-1737

AHMED SHAKEEL &
SHAHIDA S AHMED
2962 BENCHMARK DR
PLANO, TX 75023

HUSSAIN SYED OSMAN &
SARA KHATOON
3009 GUNNISON DR
RICHARDSON, TX 75082-3734

AMANULLAH NASIR IQBAL &
SYEDA ROOHA
4320 JEKER DR
PLANO, TX 75074-3570

21 & 22-BANK OF AMERICA NA
NC1-001-03-81
101 N. TRYON STREET
CHARLOTTE, NC 28255-0001

FIRST CRESCENT ENTERPRISES LLC
3009 GUNNISON DR
RICHARDSON, TX 75082-3734

ABUAFEEFEH AMEED
1901 BAYLOR DR
RICHARDSON, TX 75081-5413

SUPERINTENDENT OF SCHOOLS
GARLAND ISD
501 S JUPITER ROAD
GARLAND, TEXAS 75042

KHAN ABDUL R
3008 DOVE CREEK LN
RICHARDSON, TX 75082-3725

MOHIUDDIN AMER
1301 GUNNISON DR
WACO, TX 76712-8910

KHAN ABDUL R
2213 SAINT REGIS DR
BATON ROUGE, LA 70816-8178

RAZZACK MOHAMMED ABDUL &
NIKHAT SULTANA
1255 LINCOLN ST APT 3
SANTA CLARA, CA 95050-5241

HUSSAIN SYED O
3009 GUNNISON DR
RICHARDSON, TX 75082-3734

JHANDIYA SADAF F
4505 DALROCK DR
PLANO, TX 75024-7726

AHMED HELALUZZAMAN
RICHARDSON CRYSTAL CREEK HOA
545 COVENTRY DR
GRAPEVINE, TX 76051

UDDIN RIAZ
2245 AMY LN
PLANO, TX 75074-3579

SYED O HUSSAIN, PRESIDENT
CRYSTAL CREEK ADDITION HOA
% FIRST CRESCENT ENTERPRISES LLC
3009 GUNNISON DR
RICHARDSON, TX 75082-3734

PLANNING & COMMUN. DEV DEPT.
P.O. BOX 469002
GARLAND, TX 75046-9002

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

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

MAHMUD PERVEZ T
12480 ABRAMS RD APT 304
DALLAS, TX 75243-1604

ZF 15-14
Notification List

ZF 15-14

Correspondence

in

Support

To: <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: PD Amendments Support for Crystal Creek
From: "bellaouar2" <abellaouar@gmail.com> - Thursday 07/30/2015 12:30 PM

Hi Chris

I, Abdellatif Bellaouar, 3908 Harlington Lane, and a home owner of Creek Hollow community, I fully support the PD amendments provided by Crystal Creek community and mainly :

- Increase the lot coverage area from 30% to 40%.
- Allow the homeowners to construct custom homes with a variety of materials, specifically stucco and tile roofs
- Allow front facing garage configurations with additional setbacks.

Best Regards,

Abdellatif Bellaouar
Creek Hollow Homeowner
3908 Harlington Lane
Richardson TX 75082

To: <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Crystal Creek PD Amendments
From: Abrar A <emailabrar@gmail.com> - Thursday 07/30/2015 05:16 PM

Hello Chris,

I Abrar M. Ansari a lot owner of Crystal Creek sub division and I support in favor of the PD Amendments by the City as is.

My Address:
2904 Saihaan Dr., Richardson, TX 75082

Regards,
Abrar Ansari

To: "Chris.shacklett@cor.gov" <Chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Crystal Creek ZF-15-14
From: Ahmad Muhanna <asmuhanna@yahoo.com> - Thursday 07/30/2015 01:11 PM

Dear Chris,

My Name is: Ahmad Muhanna
Address: 3904 Compton Dr.
Richardson, TX 75082
Creek Hollow Estates.

I have been informed by our HoA of the public hearing on August 4th, 2015 at 7:00 PM.
Unfortunately, I will be out of town that day until Friday and will not be able to attend the public hearing and thus I am providing my feedback via email.

I strongly believe that allowing Crystal Creek to have the opportunity to have big homes with specific details like stucco tile roofing, etc. is a good thing for our neighborhood and will most probably increase the value of Creek Hollow Estates homeowners.

My family and I strongly support their request.

Many thanks for your considerations from a long time activist who have actively been involved in promoting best projects which bring value to our neighborhood.

For example: I was very instrumental in objecting to FedEx freight center that was proposed few years back.

Best Regards,
Ahmad Muhanna, Ph.D.

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: Support for Crystal Creek PD Amendement ZF 15-14
From: Ahmed Fridi <arfridi@gmail.com> - Thursday 07/30/2015 01:09 PM

To Mr. Chris Shaklett and all Richardson City Councel Members,

My name is Ahmed R Fridi and I'm the owner of lot 4 in Crystal Creek Sub Division.

I would like with this email to show my support to all the amendments included in the Crystal Creek PD amendment ZF 15-14.

Best Regards,

Ahmed R Fridi

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: PD Planned Development Amendment File No./Name:ZF 15-14 Crystal Creek Addition
From: habeeb mohamad <habeebmohamad@yahoo.com> - Thursday 07/30/2015 03:03 PM

Dear Sir,

As owners of one of the lots in the Crystal Creek Development, we support and are in favor of this amendment, ZF 15-14 Crystal Creek Addition, which is coming up for Public Hearing on Tuesday, Aug 4, 2015.

Yours sincerely,

Habeeb Mohamad
Jeleela Habeeb

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: Crystal Creek custom homes
From: Kamel Benaissa <kbenaissa1@gmail.com> - Thursday 07/30/2015 02:28 PM

Dear Sir/Madam,

My name is Kamel Benaissa. I live at 4156 Greenfield Dr, Richardson, TX 75082.
I am writing this e-mail in support of the custom homes at Crystal Creek.
Two of my friends are planning to have their houses built (mediterranean style with tile roof..etc.
) in that sub-division.

Best Regards
Kamel Benaissa

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: crystal creek amndmnet
From: khalil abuarja <kabuarja2000@yahoo.com> - Thursday 07/30/2015 11:47 AM

hello ,my name is khalil abuarja 3001 holford rd Richardson tx 75082 and im within 200 feet of this development.

and im Favor of PD amendments at Crystal Creek

thank you
khalil abuarja

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Re zoning 15-14 Crystal Creek
From: Mark Serrioz <mserrioz@msn.com> - Thursday 07/30/2015 07:11 PM

Chris,
We are IN FAVOR of this rezoning request.
Mark & Shirrie Serrioz
3911 Chainhurst Dr.

Mark Serrioz
972.679.1775

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: ZF 15-14 Crystal Creek Addition
From: Nasir Iqbal <ia.nasir@gmail.com> - Thursday 07/30/2015 02:38 PM

Hello Chris

As a lot owner in the above subdivision, I'm writing to express my support for the proposed amendments.

Thanks

Nasir Iqbal Amanullah

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Support for Z14-15/Crystal Creek Amendment.
From: Riaz Uddin <uddin_riaz@yahoo.com> - Thursday 07/30/2015 02:09 PM

Hi,
This is Riaz Uddin and I am one of the lot owners in Crystal Creek and I wanted to express my support for the amendment proposed in file Z 15-14/Crystal Creek Amendment. As a lot owner I believe these amendments are necessary not only for me to construct the kind of upgraded home that I desire but also to improve the overall value of the real estate in Crystal Creek and neighboring community.
I personally believe that the beauty of the neighborhood will be greatly enhanced by the custom homes which the Crystal Creek community members hope to build and these amendments are vital to these plans.
Thanks for your help and co-operation in this matter.
Thanks and Best Regards,
Riaz Uddin.
3900 Crescent Drive,
Richardson TX, 75082
ph: 214-228-4361.

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Regarding PD amendments
From: Salman Lakhani <salmandds@yahoo.com> - Thursday 07/30/2015 12:35 PM

Hello Chris,
I would like to let you know that I favor PD amendments at the crystal creek sub-division. Please feel free to contact me if you any questions.

Thanks and best regards,

Dr. Salman Lakhani
Soft Touch Dental P.A.
2865 McDermott Road
Suite, 220
Plano, TX 75025
(214) 644-0010
(214) 644-0013 Fax
softtouchdentist.net

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: PD Amendment
From: Bushra <bushrabintory@yahoo.com> - Friday 07/31/2015 12:01 PM

Hello ,

We support the PD amendment and we favor it.

Regards,

Ahmed Syed & Bushra Bintory

Sent from my iPhone

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: PD ammendment for crystal creek
From: Muhammad Isa <mhamidisa@yahoo.com> - Friday 07/31/2015 08:23 AM

Drer Mr. Shacklett,
I am one of the home owner at the above housing division at Crystal Creek and will like to have PD ammended and am in favour of this ammendment.
Thanks
Dr. Muhammad Isa
972-746-9554

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Crystal creek pd amendment
From: Amer <amermohiuddin787@gmail.com> - Monday 08/03/2015 03:53 PM

Hi sir
my name is Amer Mohiuddin I am the owner of one of the lot and I support crystal creek planned development amendments
I want to build big custom home with stucco and tile roof please accept my request to modify these changes thanks for your support

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: Crystal Creek
From: A z A m <azam@ummahnet.com> - Monday 08/03/2015 10:41 AM

hi Chris,
I'm in favor of this Crystal Creek PD Amendment (Zoning File 15-14)
Thanks,
azam

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: PD Planned Development Amendment File No./Name:ZF 15-14 Crystal Creek Addition
From: Azhar Mohammed <azharmd1@gmail.com> - Monday 08/03/2015 09:57 AM

Hello Chris
As a lot owner in the above subdivision, I'm writing to express my support for the proposed amendments.

Thanks

Azhar Mohammed
803 Fleming Trl
Richardson TX 75081

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: Support for proposed changes in ZF 15-14
From: Saqib Malik <sqmalik@gmail.com> - Monday 08/03/2015 09:43 PM

Hi Chris,
I am the owner and resident of 4145 Greenfield Dr which is part of the Creek Hollow neighborhood. I went through the agenda packet for 8/4/2015 and would like to let you know of my support for the proposed changes in ZF 15-14. I believe these changes will be beneficial to the general neighborhood by bringing in well-designed houses with distinctive exteriors.

Best regards,
Dr. Saqib Q. Malik
4145 Greenfield Dr.
Richardson 75082
sqmalik@gmail.com

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: Crystal Creeks PD ZF15-14 Amendments
From: M R <mohammed.razzack@gmail.com> - Monday 08/03/2015 07:58 PM

Hi Chris,

I (Mohammed Abdul Razzack) am a lot owner at Crystal Creek sub division and I support in approving PD amendments as they have been outlined.

Thanks,
Mohammed Abdul Razzack
1255 Linconln Street, #3,
Santa Clara, CA - 95050

To: Chris Shacklett <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: In support of Crystal Creek PD amendments ZF-15-14
From: syed hussain <syed_soh@yahoo.com> - Monday 08/03/2015 05:43 PM

Hello Mr Schacklett and City Staff,
As a Creek Hollow community member and a developer of Crystal Creek, I strongly support the PD amendments.
I strongly believe that allowing Crystal Creek to have the opportunity to have bigger homes similar to Cantera, Hills of Breckenridge, few custom homes in Bridge water crossing and other custom homes in the City of Richardson with specific details like stucco & tile roofing, combination of Stucco & Stones with tile roof, etc. is a fantastic thing for our neighborhood and its surrounding. Also, it will increase the value of Creek Hollow Estates homeowners and other neighborhood in the vicinity.

Thanks,
Syed

To: chris.shacklett@cor.gov,
Cc:
Bcc:
Subject: Custom Home Development at Crystal Creek
From: Sadak Shaik <sadak.shaik@gmail.com> - Tuesday 08/04/2015 03:33 PM

Dear Chris,

My name is Sadak Shaik. I am a lot owner at the Crystal Creek subdivision. I received a notification from the city regarding the Amendment Request for the Crystal Creek subdivision. I am in favor of the amendment. This will enable us to build good custom homes in the neighborhood. This will help us as lot owners and will also help increasing the values of other properties surrounding the neighborhood. Our lot sizes are pretty big compared to the newer communities and enabling us to use that land to build bigger houses will give our houses a better look and also increase the overall value of the houses in the Crystal Creek subdivision.

Thanks you for your consideration.

Regards,
Sadak

ZF 15-14

Correspondence

in

Opposition

To: <chris.shacklett@cor.gov>, '"Sam Chavez"' <Sam.Chavez@cor.gov>,
Cc: <Board@creekhollow.net>,
Bcc:
Subject: ZF 15-14 / Crystal Creek Addition
From: "Jerri Strong" <jstrong14@tx.rr.com> - Thursday 07/30/2015 01:02 AM

History: This message has been forwarded.

Hi Chris and Sam,
My husband, Steve Cozart, and I currently reside at 3905 Chainhurst Dr. and received the "Notice of Public Hearing" from the Richardson City Plan Commission as our home is within the 200' notification boundary of the zoning change request with file number ZF 15-14. We do plan on attending the public hearing on August 4 along with several neighbors but wanted to also express our views/concerns via email prior to that meeting so they can be passed on to the City Plan Commission.

As a member of the HOA Board I received several documents from the Crystal Creek Board and also spoke with one of the Board members and the contract Architect used by the Crystal Creek Developer at our Board meeting today. I also spoke with Chris prior to the Board meeting. I appreciate the time Chris took to explain the amendments and the rationale behind some of what would have been the more contentious items. He was very helpful in passing on the scope of what was being proposed. However, another document was passed on to us by the Crystal Creek Board prior to the meeting tonight. That document and the contents of the discussion in the meeting has raised a number of issues. I am speaking as an individual homeowner and not as a representative of the HOA in this email. However, I do also believe that several of the neighbors that were present have concerns now as well and may also be contacting you.

The additional document passed to us was titled "ZF 15-14 Applicant's Statement" and had the file title of "Final Applicant PD Amendments". The contents of this document were Marketing facing, vague, and incomplete. In other words, there was no substantive material presented in the document. When asked which document would be presented to the City Plan Commission, the answer was this new document would be presented. We also asked if the more substantive document previously shared with us and also addressed via the conversation with Chris would be presented and the answer was non-conclusive. So for our initial concern, we request that the more substantive document be presented as the one shared with us today has too many issue to begin to address in a single email.

Many of the changes being proposed in the more substantive document look positive and will both benefit Crystal Creek and the surrounding neighborhoods. For example changing the maximum lot coverage from 30% to 40% and combining lots will allow larger homes overall keeping everyone's home values up.

Our basic concerns with what is being presented are as follows:

- The proposal of 20 homes being of stucco material means that up to 2/3 of the neighborhood can be stucco homes. Having 2/3 of the neighborhood be stucco homes far exceeds any of the other neighborhoods in the area. That proposed percentage is likely too high and should be consistent with the other custom neighborhoods in the immediate area.
- Without fully knowing what Article XXII-F of the Comprehensive Zoning Ordinance states, we aren't really sure what the materials could possibly be for the remaining homes. The Creek Hollow neighborhood is made of up brick homes. We wouldn't want to see lesser quality materials being used on the remaining homes.

- We have been assured that the building materials will be equal to or superior to those used in Creek Hollow and the Oaks at Stoney Creek. However, we have already discovered that lesser quality is being implemented as can be seen by the wall and fence already constructed as part of the infrastructure development.
- The allowed roofing materials statement is too vague. It states "Roofing materials such as shingles and tiles as defined by chapter 6 of the city's code of ordinance shall be allowed." The city's code of ordinance allows shingles, tile, slate, metal roofs. Therefore, this statement actually allows all types of roofs. The intent behind the original Exhibit C terms was to not cause too much of a disruption in consistency by having too large of a variety of roofing materials. I think the general consensus was have shingle and tile was fine but extending it to all materials allowed by the city would cause too much of a disruption to the bordering neighborhoods.
- A total removal of Exhibit "C" without due diligence of those who helped craft Exhibit "C" should be questioned until time can be taken to review the CC&Rs. A very brief look at the CC&Rs (which were just received a short time ago) do appear to address the items from Exhibit "C", but we have seen cases of lack of due diligence allow items in the past processes we do not want to repeat. Therefore until the key folks involved in crafting Exhibit C have reviewed everything, this will remain an issue.
- There is no constraint to the number of builders that can come in and construct homes. This means there can be 29-34 different builders with 29-34 different quality standards and design approaches. This could result in a a neighborhood with a very dysfunctional appearance. We were told the number of builders would be small. However, there are no constraints documented.

This development has gone on for 5 years already without a single home being built, so how long will it continue? There are no assurances that we are not looking at construction noise, dust, and continued damage to our neighborhood for yet another 5 years or even more. On Chainhurst alone, more than half of the neighbors have moved mostly due to this ongoing construction. NextDoor is lit up regularly with questions and complaints about how much longer this is going to go on with nothing to look at but a rock quarry. Creek Hollow has spent in excess of $20,000 to plant shrubs to begin to hide the continued eyesore this perpetual construction has brought to us. Over 5 years ago we were promised a beautiful custom neighborhood in under two years. Time has passed and not one single home exists.

This neighborhood was released to start home construction in May. We are now at the end of July and they have just now "discovered" they need to amend the PD. The majority of the lots have been sold for years allowing time for the future homeowners to develop their plans well in advance. When asked why this amendment happened at the last minute it seems that the plans were drawn up without considering the restrictions from the original zoning change. This raises a red flag that CC&Rs and zoning restrictions are not being considered at all by the future homeowners until forced to adhere to them. We understand that city ordinances and zoning restrictions must be adhered to or housing plans cannot continue. We appreciate the City's due diligence in this area. However adherence to CC&Rs are not enforceable by the City and so can be disregarded by the neighborhood. I guess there is not much the City can do about that, but it is a concern especially from those that border this new neighborhood. We have already seen instances of the landscaping not being cared for where Code Enforcement had to get involved. This can adversely impact our home values.

Regards,
Jerri Strong

31 July 2015

Addressed to the City of Richardson Planning Commission & City Council:

My wife and I are the homeowners at 4005 Chainhurst Dr. and have received the “Notice of Public Hearing” from the Richardson City Plan Commission. Our home is within the 200’ notification boundary of the zoning change request with file number ZF 15-14.

I will be attending the public hearing on 04 August 2015, however my wife and would like to formally submit our concerns prior to the hearing for review Richardson City Planning Commission.

While I am not a board member of the Creek Hollow HOA, I attended an informational meeting with Crystal Creek representatives on 29 July 2015 in conjunction with the Creek Hollow HOA board meeting. While my expectations were to be educated on the proposed zoning changes, I left the meeting with little to no confidence that the proposed changes are well defined and documented. At this writing, I have not seen the official submitted ZF 15-14 since the City of Richardson (COR) will not officially post the agenda and related documents until 01 August 2015. The spokesperson for the Crystal Creek development spoke loosely in terms that lacked definition in presenting the proposed zoning changes and provided no substantive material that would gain the confidence of Creek Hollow homeowners. Facets of the material presented erroneously represented example homes from the Oaks of Stoney Creek subdivision.

The Crystal Creek representative who claimed to be the development architect revealed that lot owners have submitted architectural plans for approval by the City of Richardson. This knowledge is unnerving as the Crystal Creek developers of this property continue to have a disregard for city ordinances, regulations and a blatant disregard for the commitment to the PD Amendments previously coordinated with Richard Ferrara who was hired as the Crystal Creek representative to coordinate with the Creek Hollow homeowners. The Crystal Creek lot owners purchased the lots with the knowledge of the city ordinances, regulations, codes, etc and the agreements/commitments coordinated with the Creek Hollow community especially those coordinated as Exhibit “C” in which the Crystal Creek representative indicated that the ZF 15-14 zoning proposal recommends deletion of the Exhibit “C” from the PD amendments.

Our basic concerns with the ZF 15-14 zoning proposal as known as 29 July 2015 are:

Removal of Exhibit “C” - My wife and I strongly object to the removal of Exhibit “C” from the ordinances. These items were specifically coordinated with Richard Ferrara as the representative of the Crystal Creek development. An extensive amount of time was spent by Creek Hollow homeowners to coordinate the PD Amendments with Richard Ferrara representing the Crystal Creek development. The removal of the Exhibit “C” from the PD amendments to allow for the regulation of the Exhibit “C” items to be incorporated into the Crystal Creek ‘Declaration of Covenants, Conditions and Restrictions’ (CC/CCR) would allow the Crystal Creek HOA to further refine or delete the items from CC/CCR in the future without coordination with the Creek Hollow homeowners. Adherence to CC/CCRs are not enforceable by the COR and so can be disregarded by Crystal Creek homeowners. This proposal is indicative that the zoning restrictions are not being considered at all by the future homeowners until forced to adhere.

Stucco/Variety of Materials - The proposal of twenty (20) homes utilizing stucco material or a ‘variety of material’ would provide the potential for Crystal Creek development to consist of approximately 65% of the homes to be covered with stucco or ‘variety of materials’ and provides the remaining 35% (15 homes) of the homes to utilize brick materials. That proposed percentage is likely too high and should be consistent with the other custom neighborhoods in the immediate area. Pictures of homes provided by the Crystal Creek spokesperson as representative examples were misrepresented as homes in the Oaks of Stoney Creek. The Crystal Creek spokesperson assured the meeting attendees that the building materials will be equal to or superior to those utilized in the Creek Hollow and the Oaks at

Stoney Creek subdivisions. The Crystal Creek developer agreed to an 'equal to' or better constructed walls utilizing the Oaks of Stoney Creek walling/fence as the baseline, however, the Crystal Creek walls and fencing are of significantly lesser quality. Stucco material allows for a variety of color options and no definitive restrictions have been proposed for coloring. For example, the reconstructed stucco home at 7114 Woodsprings Drive in Garland across from the Kroger on Shiloh and Campbell where the final appearance is a modular building painted light yellow and blue. The exterior consist of a minim mum of five (5) materials. Is a ship-lapped wooden material with a shiny tin roof acceptable in the Crystal Creek development? I have attached a Power Point file consisting of pictures of 7114 Woodsprings Drive in Garland as examples of a potential resulting scenario due to the proposed rezoning.

Roofing Material - The proposal of a variety of roofing materials is too vague. It states "Roofing materials such as shingles and tiles as defined by chapter 6 of the city's code of ordinance shall be allowed." The city's code of ordinance allows shingles, tile, slate, metal roofs. Therefore, this statement actually allows all types of roofs. The intent behind the original Exhibit C terms was to minimize or prevent disruption in consistency by having too large of a variety of roofing materials. I prefer not to view a shiny tin roof nor a red tiled roof from my home. I recommend the roofing proposal to be more defined or restrictive.

Lot Coverage / Combination of Lots - The proposal for the combination of lots and the proposal for up to 40% lot coverage provides the potential for larger and more modular homes. However, a combined lot (example 16000-2000 square foot lot by combining two lots) could consist of an 8000 square foot foundation. However, current Crystal Creel PD Amendments allow for a 2350 square foot. The proposed lot combination and lot utilization increase would allow a 2400 sq ft home to be built next to a home three times (8000 sq. ft. first floor) the square footage or even more if the 8000 square foot foundation is for a two-story home. I have attached a Power Point file consisting of pictures of 7114 Woodsprings Drive in Garland as examples of a potential resulting scenario due to the proposed rezoning.

Builder Selection - There is no constraint to the number of builders for the homes in the Crystal Creek development allowing for 35 different builders with different quality standards and design approaches. The variety of builders could result in a neighborhood with a very dysfunctional appearance such as the home at 7114 Woodsprings Drive in Garland versus surrounding darker brick homes.

Lack of Construction – The Crystal Creek development has been in progress for more than five (5) years without a single constructed home approved for construction by the COR. The CityLine development consisting of the State Farm Insurance, dwellings and retail markets was conceived with much construction during these five (5) years. State Farm is already inhabiting a 13 story building in the CityLine development. Over five (5) years ago, Creek Hollow homeowners were promised a beautiful custom neighborhood in under two years. Instead of a well planned neighborhood, Creek Hollow homeowners have endured years of excessive dust, excessive noise, construction materials and construction debris in addition to the loss of a natural environment replaced by a white rock eyesore.

My wife and I strongly recommend that ZF15-14 zoning change be further defined or rejected. At minimum, the removal of the Exhibit "C" from the PD Amendments should be denied as Creek Hollow homeowners patiently coordinated the PD Amendments with Richard Ferrara representing the Crystal Creek development in 2010.

If any portion of the ZF 15-14 be considered, we request that the more substantive documentation be provided for incorporation into the PD amendments.

Tony & Virginia (Ginny) Hall
4005 Chainhurst Drive
Richardson, Tx 75082

7114 Woodsprings Drive
Garland Tx

Example of house with a ‘Variety of Materials’ Utilized:

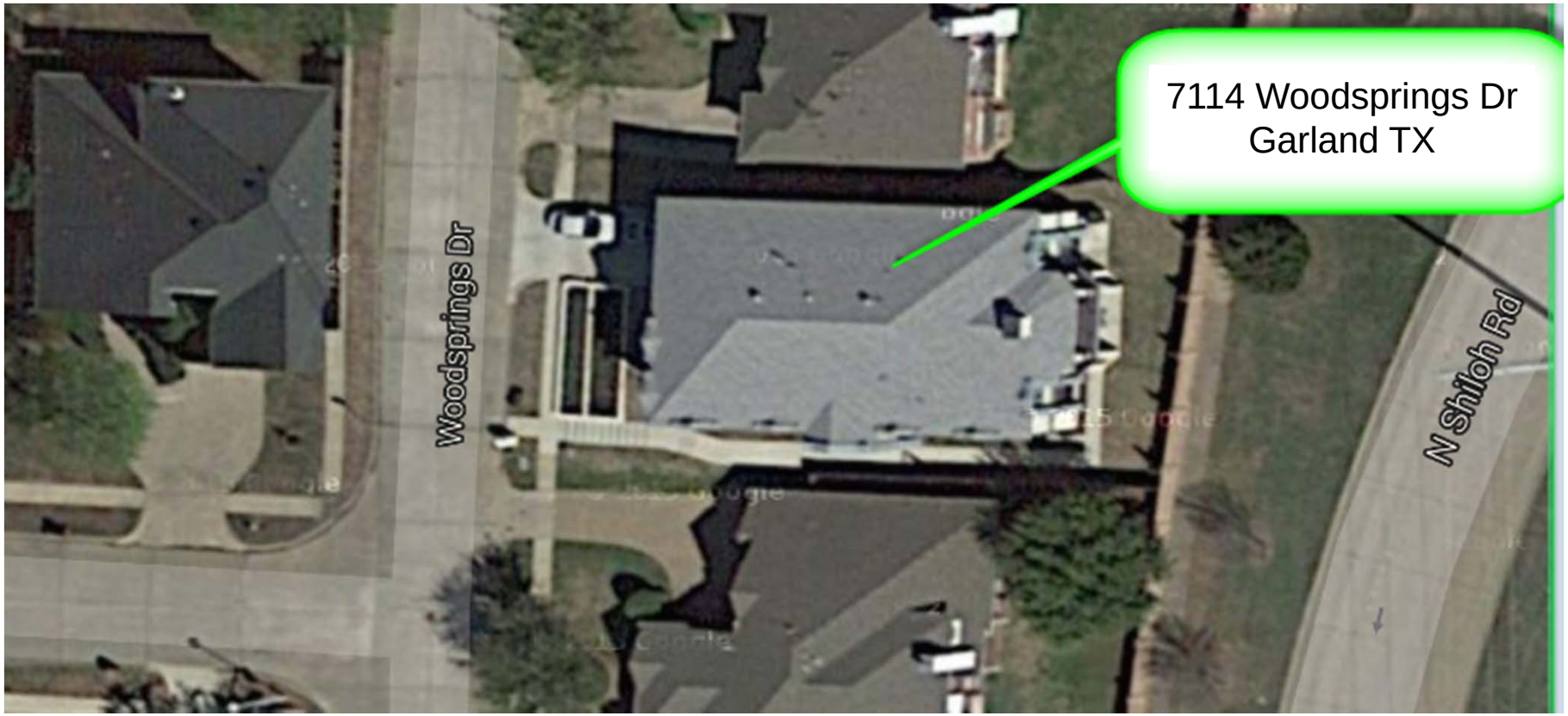
1) Min of four (4) exterior materials utilized
2) Strongly contrast with existing dark brick homes
3) Roofing shingle color is different than existing homes
4) Home maximizes lot space for a 5000 square foot house
   a) Neighboring homes less than 3000 (?) square feet

7114 Woodsprings Drive
Garland Tx

7114 Woodsprings Drive
Garland Tx

7114 Woodsprings Drive
Garland Tx

7114 Woodsprings Drive
Garland Tx



7114 Woodsprings Drive
Garland Tx

Minimum of Four (4) Types of Exterior Material Utilized

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Zoning Change Request File Number: #ZF15-14
From: Corey Pitts <corey.pitts@sbcglobal.net> - Monday 08/03/2015 10:51 PM

Mr. Chris Shacklett,

I wanted to reach out to you tonight prior to the meeting tomorrow evening's zoning hearing change. I too share the concerns Jerri Strong outlined in her e-mail to you dated July 29th (copy below). The progress and quality of work with this development has been a particular issue for many years now and it is understandable for the Creek Hollow neighborhood to be cautious. I ask you to deny this request all together but at a minimum delay the vote until specific details to questions are satisfactorily answered.

Thank you,
Corey Pitts
3509 Newhaven
Richardson
214-695-7653 (C)
972-205-7561 (W)

Hi Chris and Sam,
My husband, Steve Cozart, and I currently reside at 3905 Chainhurst Dr. and received the “Notice of Public Hearing” from the Richardson City Plan Commission as our home is within the 200’ notification boundary of the zoning change request with file number ZF 15-14. We do plan on attending the public hearing on August 4 along with several neighbors but wanted to also express our views/concerns via email prior to that meeting so they can be passed on to the City Plan Commission.

As a member of the HOA Board I received several documents from the Crystal Creek Board and also spoke with one of the Board members and the contract Architect used by the Crystal Creek Developer at our Board meeting today. I also spoke with Chris prior to the Board meeting. I appreciate the time Chris took to explain the amendments and the rationale behind some of what would have been the more contentious items. He was very helpful in passing on the scope of what was being proposed. However, another document was passed on to us by the Crystal Creek Board prior to the meeting tonight. That document and the contents of the discussion in the meeting has raised a number of issues. I am speaking as an individual homeowner and not as a representative of the HOA in this email. However, I do also believe that several of the neighbors that were present have concerns now as well and may also be contacting you.

The additional document passed to us was titled “ZF 15-14 Applicant’s Statement” and had the file title of “Final Applicant PD Amendments”. The contents of this document were Marketing facing, vague, and incomplete. In other words, there was no substantive material presented in the document. When asked which document would be presented to the City Plan Commission, the answer was this new document would be presented.

We also asked if the more substantive document previously shared with us and also addressed via the conversation with Chris would be presented and the answer was non-conclusive. So for our initial concern, we request that the more substantive document be presented as the one shared with us today has too many issue to begin to address in a single email.

Many of the changes being proposed in the more substantive document look positive and will both benefit Crystal Creek and the surrounding neighborhoods. For example changing the maximum lot coverage from 30% to 40% and combining lots will allow larger homes overall keeping everyone's home values up.

Our basic concerns with what is being presented are as follows:

- The proposal of 20 homes being of stucco material means that up to 2/3 of the neighborhood can be stucco homes. Having 2/3 of the neighborhood be stucco homes far exceeds any of the other neighborhoods in the area. That proposed percentage is likely too high and should be consistent with the other custom neighborhoods in the immediate area.
- Without fully knowing what Article XXII-F of the Comprehensive Zoning Ordinance states, we aren't really sure what the materials could possibly be for the remaining homes. The Creek Hollow neighborhood is made of up brick homes. We wouldn't want to see lesser quality materials being used on the remaining homes.
- We have been assured that the building materials will be equal to or superior to those used in Creek Hollow and the Oaks at Stoney Creek. However, we have already discovered that lesser quality is being implemented as can be seen by the wall and fence already constructed as part of the infrastructure development.
- The allowed roofing materials statement is too vague. It states "Roofing materials such as shingles and tiles as defined by chapter 6 of the city's code of ordinance shall be allowed." The city's code of ordinance allows shingles, tile, slate, metal roofs. Therefore, this statement actually allows all types of roofs. The intent behind the original Exhibit C terms was to not cause too much of a disruption in consistency by having too large of a variety of roofing materials. I think the general consensus was have shingle and tile was fine but extending it to all materials allowed by the city would cause too much of a disruption to the bordering neighborhoods.
- A total removal of Exhibit "C" without due diligence of those who helped craft Exhibit "C" should be questioned until time can be taken to review the CC&Rs. A very brief look at the CC&Rs (which were just received a short time ago) do appear to address the items from Exhibit "C", but we have seen cases of lack of due diligence allow items in the past processes we do not want to repeat. Therefore until the key folks involved in crafting Exhibit C have reviewed everything, this will remain an issue.
- There is no constraint to the number of builders that can come in and construct homes. This means there can be 29-34 different builders with 29-34 different quality standards and design approaches. This could result in a a neighborhood with a very dysfunctional appearance. We were told the number of builders would be small. However, there are no constraints documented.

This development has gone on for 5 years already without a single home being built, so

how long will it continue? There are no assurances that we are not looking at construction noise, dust, and continued damage to our neighborhood for yet another 5 years or even more. On Chainhurst alone, more than half of the neighbors have moved mostly due to this ongoing construction. NextDoor is lit up regularly with questions and complaints about how much longer this is going to go on with nothing to look at but a rock quarry. Creek Hollow has spent in excess of $20,000 to plant shrubs to begin to hide the continued eyesore this perpetual construction has brought to us. Over 5 years ago we were promised a beautiful custom neighborhood in under two years. Time has passed and not one single home exists.

This neighborhood was released to start home construction in May. We are now at the end of July and they have just now “discovered” they need to amend the PD. The majority of the lots have been sold for years allowing time for the future homeowners to develop their plans well in advance. When asked why this amendment happened at the last minute it seems that the plans were drawn up without considering the restrictions from the original zoning change. This raises a red flag that CC&Rs and zoning restrictions are not being considered at all by the future homeowners until forced to adhere to them. We understand that city ordinances and zoning restrictions must be adhered to or housing plans cannot continue. We appreciate the City’s due diligence in this area. However adherence to CC&Rs are not enforceable by the City and so can be disregarded by the neighborhood. I guess there is not much the City can do about that, but it is a concern especially from those that border this new neighborhood. We have already seen instances of the landscaping not being cared for where Code Enforcement had to get involved. This can adversely impact our home values.

Regards,
Jerri Strong

July 31, 2015

Dear City Plan Commission,

I (David Rude) and my wife Hannah Rude reside at 3909 Chainhurst Dr. We received notice of the City Plan Commission meeting set for August 4th while on an extended vacation out of state. We felt it necessary to take the time, even during vacation, to address these proposed changes.

We plan to submit this letter in addition to contacting Chris Shacklett via email prior to the meeting. However since we found out relatively late in the process it is likely this letter will arrive on or after August 4th.

We believe that some of the proposed PD Amendments for Crystal Creek, Richardson, TX 75082 to be addressed at the aforementioned meeting will have negative impacts on property values and are incongruous with the Creek Hollow neighborhood.

Based on the following proposed changes:

1) The maximum lot coverage shall be 40%.

– This makes sense since it will hopefully allow for larger homes on the existing lots.

2) Up to twenty (20) homes may use stucco as an exterior cladding material for up to 100% of the total exterior. The remaining homes shall comply with Article XXII-F of the Comprehensive Zoning Ordinance and stucco shall not exceed 25% of the total exterior cladding material.

–This does not make sense. Given that Creek Hollow and other nearby neighborhoods are almost exclusively brick facades, allowing any façade other than brick will disrupt the consistency of the area. Allowing more than 25% of the total exterior to be stucco will not allow for a homogenous construction even within the Crystal Creek neighborhood since the new rules only apply to some of the houses.

3) No more than two (2) originally platted residential lots as shown on replat as Crystal Creek filed with Collin County on June 29, 2011, may be combined to create a single lot. Up to 10 lots may be combine to create large lots. In no instance shall lots be combined to create a lot with double frontage.

–Agreed – From our perspective as homeowners, the fewer houses the better, especially given requests to increasingly relax standards which could lead to each house being a different design with substantially different and clashing exterior materials.

4) For front facing garages, garage doors shall be setback a minimum of twenty (20) feet from the front façade of the home. Front facing garages shall be prohibited on Lots 12-15.

– No comment

5) Remove Exhibit "C" from the PD and add the following conditions from Exhibit "C" to the PD:

a. All residential lots within Crystal Creek shall contain a minimum of three (3) trees that are a minimum of three (3) inches in diameter, either existing or new.

Note: With the exception of the above proposed PD amendments, most of the items from Exhibit "C" are covered in the ordinance 3796 and all the items from Exhibit "C" are incorporated in the CC&R's as well.

> – Agree with the tree requirement. However, we are very concerned that all provisions in the original Exhibit C be met.

6) Roofing materials such as shingles & Tiles as defined by chapter 6 of the city's code of ordinance shall be allowed.

> – Having read additional information about this item it appears that Crystal Creek is applying to have 'other' materials allowed beside composite shingles and tile. We are concerned that this relaxing of the regulation is far too lax and could lead to any material: metal roofing, etc. that is completely incongruous with area housing. Considering that our house looks out on this development, we strongly encourage the commission to keep the regulations consistent with existing neighborhoods that border Crystal Creek.

Given that the 'construction' of this development has taken place for years and that we have experienced noise, repeated blowing trash/construction debris onto our property, and the uncertainty of what our view will become once construction completes (if ever), we highly encourage the commission to please uphold stringent regulations for Crystal Creek so that the City can ensure a well thought out and complimentary development.

Had we known the full details of this development we would not have purchased our current house. Based on a recent private appraisal which included pictures of the view from our house toward Crystal Creek, the Collin County Appraisal Review Board agreed that the Collin County 2015 assessed value for our property was to be reduced based upon the state of the Crystal Creek development. The board agreed that Crystal Creek alone diminished our property's value by up to $7,000 below other similar homes in Creek Hollow simply based on our property's proximity to Crystal Creek.

Given the developer's inclination to make decisions based on reducing costs (screening fence that is weak, dead landscaping, and numerous years of slow to non-existent development) allowing further relaxation of existing codes will undoubtedly have additional negative impacts on both aesthetics and surrounding property values.

For these reasons, please consider leaving the existing more stringent regulations in place as noted above. We are truly concerned about the further impact to our view, property value, and future ability to sell our house should new regulations allow Crystal Creek to create a hodge-podge of mismatched and aesthetically unpleasing residences of lower quality.

David and Hannah Rude
3909 Chainhurst Dr

To: Chris Shacklett <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Cryatal Creek Development
From: Perry Hescock <perryhes@yahoo.com> - Monday 08/03/2015 09:06 AM

Hello Chris,
Having lived for 19 years in Creek Hollow (37 years total in Richardson), we have a vested interest in the Crystal Creek subdivision.
We are very concerned and dismayed at file #ZF 15-14 and will be attending the public hearing tomorrow night. We **do not** want applicant Ahmed Helaluzzaman to be allowed variances.
Creek Hollow is adjacent to Crystal Falls, which has not been the best of neighbors to us thus far. We do not want a hodge-podge of exterior materials used, for instance, right next to our all-brick subdivision with strict HOA standards.
Please refer to Ms. Jerri Strong's letter to you of July 29, 2015. Her views are ours as well.
We urge the City Plan Commission to continue to uphold Richardson's high standards by requiring a "blending in" look for Crystal Falls.
Perry and Enid Hescock
3506 Fairlands Drive
Richardson, TX 75082
(214) 668-1003

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Oppose variances on file #ZF15-14.
From: Robin Smith <robinsclee@yahoo.com> - Monday 08/03/2015 10:22 PM

Chris,

We have been residents of the Creek Hollow development for 19 years and over the last few years have had several questions regarding the Crystal Creek subdivision. We believe it has been in planning stages for approximately 5 years. It appears that variances are now being requested that are of concern. We refer you to Gerri Strong's detailed email dated 7/29/15. We believe some additional due diligence may be needed as it relates to specific building plans for this community. Therefore we ask that you wait to approve the variances as written pending further review.

Thank you
Robin and Dale Smith
3226 Parkhurst Ln
Richardson

Sent from my iPhone

To: <chris.shacklett@cor.gov>, "'Sam Chavez'" <Sam.Chavez@cor.gov>,
Cc: "'Jerri Strong'" <jstrong14@tx.rr.com>,
Bcc:
Subject: ZF 15-14 / Crystal Creek Addition
From: "Steven Cozart" <scozart99@tx.rr.com> - Monday 08/03/2015 05:26 PM

Hello Chris & Sam,

I currently reside at 3905 Chainhurst Dr. and I am in the 200 foot notification boundary of the zoning change request "ZF 15-14". I do plan on attending the meeting Tuesday night but would like to register my opposition to the request as it pertains to the quantity of homes (20) that would be allowed to use Stucco as the exterior cladding material for up to 100% of the total exterior.

With the combination of lots being allowed, there is the possibility that the total number of buildable lots will be reduced from 34 to 29 (excluding the lot the cell site sits on). So 20 out of 29 lots could be built with 100% stucco as the exterior material. That is 68%, which far EXCEEDS the amount allowed in Canterra and the Hills of Breckenridge.

I would like to request that the lots that border Creek Hollow be required to use brick or stone, and that stucco not be used at all on lots 1, 12, 13, 14, 15, and 22. Lot 23 sits low enough in grade, that it will not be visible from Creek Hollow.
This would at least provide us with a style that we had agreed with five years ago when this was re-zoned. The agreed upon construction style was to be that of Creek Hollow. Brick and Stone is in all of the example photographs.

Beyond these border lots, I do not object to the use of Stucco, but do ask the Planning Commission to keep the percentages in line with those of other Richardson Neighborhoods.

Respectfully yours,

Steven Cozart
3905 Chainhurst Drive

To: Chris Shacklett <chris.shacklett@cor.gov>, Michael Spicer <michael.spicer@cor.gov>, Cliff Miller <cliff.miller@cor.gov>,
Cc: Marilyn Frederick <mfrederick@ebby.com>, Janet DePuy <jdepuy@voyagerlearning.com>,
Bcc:
Subject: Zoning File 15 - 14
From: Andrew Laska <planning@andrewlaska.net> - Tuesday 08/04/2015 03:19 PM
Sent by: andrew@andrewlaska.net

Dear CPC and Staff:
Note: Please forward this to members of the CPC.

I am writing to oppose zoning file 15-14.

This zoning request seeks to overturn a PD that was crafted in good faith with the surrounding neighbors.

As some of you might recall, I was president of the Richardson Heights Neighborhood Association for five years and still serve on its board. During that time we were involved in numerous cases wherein we encouraged and occasionally opposed certain zoning changes. Part of that attitude is working within the system of procedures as outlined in State Law, our Charter, and Ordinances with what we call a "positive, solutions oriented approach" to zoning cases.

One example was working with Hermansen Land development after its unsuccessful attempt before the CPC on the restaurant park.

I mention this because this approach provides for good faith agreements which allows land users and neighbors to resolve differences, improve projects, and create orderly and valuable development. In essence, it was this kind of approach that was taken in order to get the current PD in place.

It is my opinion that the zoning file seeks to overturn a PD which was arrived at through good faith discussions and agreement. It does not serve the interests in the surrounding neighbors.

The current PD in place was crafted with good architectural guidelines that allow for attractive development that harmonizes with the surrounding neighborhood. There is no guarantee of that in the new proposal. Keep in mind the zoning PREVIOUS to the current PD that is now in place was NOT residential. That change from non-residential to residential took place in the context of negotiated good faith agreements. The CPC should not view the change as requested in zoning file 15-14 as a mere technical change but it should be viewed as an abandonment of the common ground which allowed the current PD to be adopted in the first place. The owner should have to abide by the agreements made which are codified into the current PD.

I respectfully ask for the rejection of zoning file 15-14.

--
Andrew Laska
502 Hyde Park
75080

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Crystal Creek
From: David Goulet <d_goulet@sbcglobal.net> - Tuesday 08/04/2015 07:06 PM

Hello, I live next door to C.C. and was just made aware, tonight, of the zoning changes. I do not agree to it and would like to talk you about about it. I agreed to what was originally proposed period. I am a former Creek Hollow HOA President and need to look out for my neighbors.

David J. Goulet
Goulet Insurance Services

To: Chris Shacklette <chris.shacklett@cor.gov>, "Sam.Chavez@cor.gov" <Sam.Chavez@cor.gov>,
Cc: Chuck Mulkey <chuckmulkey@gmail.com>,
Bcc:
Subject: ZF 15-14 / Crystal Creek Addition
From: Joni Mulkey <jonimulkey@yahoo.com> - Tuesday 08/04/2015 02:02 PM

Gentlemen,

As homeowners in the Creekhollow subdivision who live adjacent to the Crystal Creek addition, we have been extremely frustrated and disappointed by the activities of the developer. What little progress that has been made over the past several years includes poor quality of work and the use of substandard materials.

During the numerous meetings that our HOA board had with the developer's representative prior to final approval of the PD agreement, the importance that Crystal Creek be developed quickly and with homes designed to be homogenous with the neighboring communities was repeatedly stressed. The developer's current request to allow modification of the home construction and materials to be used conflicts with the original PD requirements, and such modifications should not be allowed.

We strongly urge the city council to deny the developer's request to modify the PD agreement currently in place.

Joni and Chuck Mulkey

To: Chris Shacklett/CH/Cor@Cor,
Cc:
Bcc:
Subject: Fw: Crystal Creek Subdivision
From: Cindy Wilson/CH/Cor - Tuesday 08/04/2015 11:28 AM

Ladies and Gentlemen :
Were it not for a very recent medical procedure I would be attending tonight's CPC hearing to voice my strong opposition to the changes being requested. It has been called to my attention that Crystal Creek (is there still a creek??) is asking for extensive zoning changes.
Some of you may remember that I represented the original land owner's zoning request & worked diligently with the developer & adjacent homeowners to develop a suitable set of PD regulations agreeable to all parties. Now it appears the developer is chipping away at those regulations by asking for variants to the standards.
I strongly suggest that architectural design & construction materials are NOT the issue here. The issue is simply that the existing PD represents negotiations in good faith with adjacent homeowner groups & that trust in the our system of zoning is being asked to be abolished, unilaterally. Had these regulations not been agreed to in the initial zoning this development, due to the 20% rule, would probably not exist as the neighboring land owners would have opposed it in large numbers.
Personally I feel that any major changes to the PD standards sends a message that Richardson does not support or stand by the efforts so many people put into drafting the ordinance in question. Yes the regulations are tedious in detail but that is part of the agreement reached by all parties. Please honor that agreement & vote to deny the request.
Richard Ferrara,
Planning & Zoning Consultant

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,
Cc:
Bcc:
Subject: Crystal Creek ZF 15-14
From: Oaks at Stoney Creek HOA <oaksatstoneycreekhoa@yahoo.com> - Monday 08/24/2015 12:37 PM

History: This message has been forwarded.

To Chairman Barry Hand and Commissioners

Re: Zoning Case 15-14

We are in opposition to the zoning request. Back in 2011 an agreement was worked out with the developer and the adjacent neighborhoods including The Oaks at Stoney Creek. This request would change many of the conditions of the original agreement.

We have agreed to many of the applicant's requests including Lot Coverage, Combining of Lots, Roofing Materials and allowing Front Facing Garages.

In recent negotiations we requested that the number of front facing garages be limited to 2 bays per lot. They still want 3 or more. The original agreement did not allow for any front facing garages. We cannot agree to their request.

The original PD did not allow for stucco homes and their CC&Rs, which all the lot buyers received, also had that restriction. In the recent negotiations we agreed for up to 10 homes (33%) being 100% stucco cladding with the other homes being allowed up to 25% stucco.

If more than 10 homes are stucco the neighborhood would stand in stark contrast to the existing neighborhoods. Creek Hollow has no stucco homes and the Oak at Stoney Creek has only 3 (3%). This along with the front facing garages has the potential to lower home values.

We feel we have negotiated in good faith and have made many concessions to the original agreement. I appreciate your thoughtful consideration of our position.

Thank You

The Oaks at Stoney Creek HOA
Debra Roberts, President
1026 Creekwood Drive
972 495 5413
dar@cr-ar.com

To: <chris.shacklett@cor.gov>, '"Sam Chavez"' <Sam.Chavez@cor.gov>,
Cc: <Board@creekhollow.net>,
Bcc:
Subject: ZF 15-14 / Crystal Creek PD Amendments
From: "Jerri Strong" <jstrong14@tx.rr.com> - Thursday 08/27/2015 11:34 PM

Hi Chris and Sam,
My husband, Steve Cozart, and I currently reside at 3905 Chainhurst Dr. We received the "Notice of Public Hearing" from the Richardson City Plan Commission as our home is within the 200' notification boundary of the zoning change request with file number ZF 15-14. We did attend the public hearing on August 4 along with several neighbors and plan to attend the September 1 hearing as well. I also participated in the negotiations with the Crystal Creek neighbors. In those negotiations we were able to come to agreement on many of the applicants requests including lot coverage, combining of lots, roofing materials, and allowing front facing garages. However, we were unable to come to agreement on the following items:

- The number and location of the stucco homes
- The potential parking issue

Because of these outstanding issues, we are **opposed to the zoning change**. I also want to clarify a misconception that keeps being communicated. I keep hearing about the impact to the homeowners on Chainhurst. Yes, the homeowners on Chainhurst are impacted. However, the impact is much larger as a public Hike and Bike trail runs along the fence that separates the neighborhoods. This Hike and Bike trail is utilized by all the neighborhoods both in Garland and in Richardson. Therefore, the impact is to the entire area, Creek Hollow and other nearby neighborhoods. Therefore, when you review this request keep in mind the full impact and not just to the homeowners in the notification boundary.

The original Crystal Creek PD did not allow for stucco homes. The Crystal Creek CC&Rs, which all the lot buyers received, also have that restriction documented. This is documented as follows:

> 4.14.1 All buildings shall be of standard masonry construction, which shall be limited to native stone and brick only, and shall be required to have a minimum of seventy-five percent (75%) of the total exterior wall constructed of masonry construction.

The largest concern we and many of our neighbors have are in the potential harsh discontinuity from a traditional brick home neighborhood immediately to a contemporary stucco neighborhood with no transition. See attached photo for an example of a home in Richardson that could easily be one type of home built here. Tony Hall had submitted photos of a home in Garland that shows another example of a home style in stark contrast to all the surrounding neighborhoods.

In our negotiations we originally proposed that 25% of the homes be 100% stucco and that there be a transition where the homes directly next to Creek Hollow not be stucco or have more brick to transition easily. The compromise we finally proposed was to lower the number of homes to 10 with 100% stucco and 5 with 50% stucco and have a transition barrier whereby the homes that border Creek Hollow (Lots 1, 12-15, 22-23) are not in the 100% stucco group and do not have full stucco facing the Creek Hollow neighborhood. This is being requested for both the Chainhurst residents and the users of the public Hike and Bike trail. This compromise, even though it allowed for almost 50% of the homes (when considering combined lots) to have 50-100% stucco, was not acceptable to the Crystal Creek representatives.

Another concern is around the possible colors of stucco. In the negotiations we suggested they limit to earth tones as there are no color restrictions currently in the CC&Rs. This was not seen to be needed by the Crystal Creek representatives so not included.

The other area of major concern is the potential parking issue. With multi-generation-family homes and larger homes due to the 40% building area and combining of lots, there is no consideration in the PD for sufficient garage space for all the additional residents. The Crystal Creek CC&Rs only allow a maximum of 3-car garages. This is documented as follows:

> 4.02.1 Only one single-family residence is permitted on any given Lot which shall not exceed two (2) stories in height, with a private enclosed garage(s) for at least two (2) and not more than three (3) automobiles.

There was also a request to add a provision to the PD Amendment to allow up to 4 car garages due to the size of the planned homes along with the number of family members sharing the home. This suggestion was turned down as Crystal Creek does not currently have anyone desiring a 4 car garage. With front facing garages and insufficient garage space, we feel the neighborhood will be overrun with cars parked everywhere. Attached is another photo of a neighborhood in Richardson that has these same characteristics of front facing 2-car garages and large homes on small lots. This photo was taken during the middle of the day in the middle of the week so was not an example of a weekend gathering but a typical day. In one of the photos it shows that many of the cars are even parking on the sidewalk. This type of parking issue will be viewable from the public Hike and Bike trail seen by all that use it.

To further show the impact this neighborhood has, I thought I would share just a few excerpts from NextDoor. None of the folks who made these comments reside on Chainhurst or even in the notification area. Several are neighborhoods outside of Creek Hollow. So the frustration is pretty widespread.
"Does anyone have the scoop on the new, very slow moving development near the Holford entrance?"

> "It seems to have some odd drainage issues going on and I don't know if construction is still underway or if that is the cause of the delay, but it seems to be at a standstill."
>
> "I've become concerned with the Crystal Creed subdivision being built at the corner of Holford and Chainhurst. To me it's an eyesore and has made minimal progress since 2011. I made a written complaint to Richardson today but I'm not sure if it was the right category or will have an impact. If you share my frustration with this undeveloped property please let Richardson know and comment if you have any thoughts of what we can do as a community."
>
> "If the subdivision is sold out, and the rest of us are frustrated, then the folks who bought those houses-to-be must surely be frustrated."
>
> "I am also concerned about Crystal Creek Subdivision on hold for more than three years. There is no activity of construction at all."
>
> "Hopefully development and construction or selection of builders for these lots will be channeled through a competent general contractor and not left to each individual owner of record."

Regards,
Jerri Strong

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "sam.chavez@cor.gov" <sam.chavez@cor.gov>,
Cc:
Bcc:
Subject: ZF15-14 / Crystal Creek PD
From: Coy Chisum <bethchisum@sbcglobal.net> - Friday 08/28/2015 02:06 PM

Dear Chris and Sam,

My husband and I live at 3705 Calstone Court in the Creek Hollow Estate neighborhood. We are concerned about the Zoning Changes requested for the new Crystal Creek PD. The main reason we moved into the Creek Hollow estates is because of the look of the neighborhood. We are certainly concerned about the request for the Stucco style houses to be built. We understand there are many other issues to be addressed, so we wanted to make sure we let the city know of our concerns. We first became concerned when we saw the "metal" fence that was installed along Chainhurst. I would have expected it to me a bit more substantial. As a longtime Richardson resident, we have always been very proud of how the city has handled growth.

We are opposed to the zoning change. I hope you will consider the concerns of the entire neighborhood in your decision.

Coy and Beth Chisum

To: <chris.shacklett@cor.gov>, <Sam.Chavez@cor.gov>,
Cc: <Board@creekhollow.net>, <celia.poole@sbcglobal.net>,
Bcc:
Subject: ZF 15-14 / Crystal Creek PD Amendments
From: "Ollie Hensley" <ow.hensley@sbcglobal.net> - Friday 08/28/2015 12:11 PM

Hi Chris and Sam,

My daughter, Celia Poole, and I currently reside at 3028 Holford Road. We received the "Notice of Public Hearing" from the Richardson City Plan Commission as our home is within the 200' notification boundary of the zoning change request with file number ZF 15-14. We did attend the public hearing on August 4 along with several neighbors and plan to attend the September 1 hearing as well.

Because of several outstanding issues, we are **opposed to the zoning change**. The impact is much larger than just to residents on Chainhurst. The public Hike and Bike trail runs along the fence that separates the neighborhoods. This Hike and Bike trail is utilized by all the neighborhoods both in Garland and in Richardson. Therefore, the impact is to the entire area, Creek Hollow and other nearby neighborhoods. When you review this request, keep in mind the full impact is not just to the homeowners in the notification boundary.

The original Crystal Creek PD did not allow for stucco homes. The Crystal Creek CC&Rs, which all the lot buyers received, also have that restriction documented. This is documented as follows:

> 4.14.1 All buildings shall be of standard masonry construction, which shall be limited to native stone and brick only, and shall be required to have a minimum of seventy-five percent (75%) of the total exterior wall constructed of masonry construction.

The largest concern we and many of our neighbors have are in the potential harsh discontinuity from a traditional brick home neighborhood immediately to a contemporary stucco neighborhood with no transition. See attached photo for an example of a home in Richardson that could easily be one type of home built here. Tony Hall had submitted photos of a home in Garland that shows another example of a home style in stark contrast to all the surrounding neighborhoods.

In our negotiations we originally proposed that 25% of the homes be 100% stucco and that there be a transition where the homes directly next to Creek Hollow not be stucco or have more brick to transition easily. The compromise we finally proposed was to lower the number of homes to 10 with 100% stucco and 5 with 50% stucco and have a transition barrier whereby the homes that border Creek Hollow (Lots 1, 12-15, 22-23) are not in the 100% stucco group and do not have full stucco facing the Creek Hollow neighborhood. This is being requested for both the Chainhurst residents and the users of the public Hike and Bike trail. This compromise, even though it allowed for almost 50% of the homes (when considering combined lots) to have 50-100% stucco, was not acceptable to the Crystal Creek representatives.

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The other area of major concern is the potential parking issue. With multi-generation-family homes and larger homes due to the 40% building area and combining of lots, there is no consideration in the PD for sufficient garage space for all the additional residents. The Crystal Creek CC&Rs only allow a maximum of 3-car garages. This is documented as follows:

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There was also a request to add a provision to the PD Amendment to allow up to 4 car garages due to the size of the planned homes along with the number of family members sharing the home. This suggestion was turned down as Crystal Creek does not currently have anyone desiring a 4 car garage. With front facing garages and insufficient garage space, we feel the neighborhood will be overrun with cars parked everywhere. Attached is another photo of a neighborhood in Richardson that has these same characteristics of front facing 2-car garages and large homes on small lots. This photo was taken during the middle of the day in the middle of the week so was not an example of a weekend gathering but a typical day. In one of the photos it shows that many of the cars are even parking on the sidewalk. This type of parking issue will be viewable from the public Hike and Bike trail seen by all that use it.

To further show the impact this neighborhood has, I thought I would share just a few excerpts from NextDoor. None of the folks who made these comments reside on Chainhurst or even in the notification area. Several are neighborhoods outside of Creek Hollow. So the frustration is pretty widespread.

> "Does anyone have the scoop on the new, very slow moving development near the Holford entrance?"
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>
> "There is concern with the Crystal Creek subdivision being built at the corner of Holford and Chainhurst. To me it's an eyesore and has made minimal progress since 2011. I know Jerri Strong made a written complaint to Richardson today but I'm not sure if it was the right category or will have an impact. If you share Jerri's frustration with this undeveloped property, please let Richardson know and comment if you have any thoughts of what we can do as a community."
>
> "If the subdivision is sold out, and the rest of us are frustrated, then the folks who bought those houses-to-be must surely be frustrated."
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> "I am also concerned about Crystal Creek Subdivision on hold for more than three years. There is no activity of construction at all."
>
> "Hopefully development and construction or selection of builders for these lots will be channeled through a competent general contractor and not left to each individual owner of record."

Regards,
Ollie W. Hensley

To: <chris.shacklett@cor.gov>, <sam.chavez@cor.gov>,
Cc: <board@creekhollow.net>,
Bcc:
Subject: ZF 15-14 / Crystal Creek PD Amendments
From: Scott Clemmons <scott_clemmons@hotmail.com> - Friday 08/28/2015 08:43 AM

Hi Chris and Sam,

My wife and I live across the street from the Crystal Creek development, at 3907 Chainhurst in Richardson. We received the “Notice of Public Hearing” from the Richardson City Plan Commission. Although I have not been able to attend the meetings because of my current workload, I have been kept informed by my neighbors through detailed meeting notes.

I am opposed to the zoning change.

The following items in the proposal concern me the most: 1) the proposal for stucco exteriors 2) parking concerns.

Further, I am disturbed that the development has been halted, stalled, restarted and has been plodding along for the past 3 years. Living across from this development we have a full view of the general mess for these years and people that visit annually joke about it each year. We have lived in our house for 16 years and have remained through this period despite other neighbors leaving because of this development project. Let me be clear: We are in full support of this neighborhood and will welcome our new neighbors, but we are disgusted with the extended development and apparent attempts to downgrade the quality of construction wherever possible.

Why is this even on the table after having coming to an agreement three years ago? What has changed in our neighborhood to have to compromise on standards that the other surrounding neighborhoods have had to abide by?

I will not be able to attend the September 1 hearing, but I am in complete support of my neighbors who have the same concerns, particularly Jerri Strong and Steve Cozart who have been kind enough to keep me informed.

Regards,

Scott and Karen Clemmons
214-934-8309
469-865-4080

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, Sam Chavez <Sam.Chavez@cor.gov>,
Cc: Veronica Bernal <veronica.j.bernal@gmail.com>, "Board@creekhollow.net" <Board@creekhollow.net>,
Bcc:
Subject: ZF 15-14 / Crystal Creek PD Amendments
From: Tony Elguea <telguea@gmail.com> - Friday 08/28/2015 09:58 AM

Chris and Sam,

My wife and I live in and own the property at 3060 Blackfield in Richardson and we are **opposed** to the zoning change request for the Crystal Creek development. Specifically, we are opposed to having stucco homes built in this neighborhood adjacent to our own brick and mortar neighborhood. We feel the contrast will not be aesthetically pleasing and will impact our property values. Our home is very close in proximity to the proposed Crystal Creek neighborhood and we often use the trails adjacent to the new development along Chainhurst.

Please feel free to contact us if further info is required from us.

Thanks,

Tony Elguea and Veronica Bernal
469-231-1705

To: <chris.shacklett@cor.gov>, '"Sam Chavez"' <Sam.Chavez@cor.gov>,
Cc: '"Jerri Strong"' <jstrong14@tx.rr.com>, '"Carolyn Munzing"' <cmunzing@att.net>,
Bcc:
Subject: ZF 15-14 Crystal Creek
From: "Craig Newman" <Craig.Newman@att.net> - Saturday 08/29/2015 11:02 AM

Craig Newman
3066 Blackfield Dr.
Richardson, TX 75082
214-755-7769

I'm writing to voice my strong opposition to ZF 15-14. I oppose any amendment to the original PD.

Crystal Creek has not been a good neighbor since they started developing the property in 2011. The area has been a blight dust bowl for years. The area has not been properly maintained and there have been weeds out of control for years. Their fence is horrid built over many months with different brick and other poor building materials.

The board of directors of my neighborhood has tried in good faith to negotiate a solution, but the representatives from Crystal Creek do not seem to recognize the impacts to neighboring communities. In the time since Crystal Creek started development, I seen many other properties in the Plano and Richardson area be fully developed. For example the new Richardson Data Center has gone up and yet all Crystal Creek has is empty lots.

People are free to make investments but very few offer any guarantees. Certainly real estate development is a risky just like stocks. When the developers of Crystal Creek received the original approval they needed to have a good business plan to ensure their success. Based on the lack of development on this property, my conclusion is that they did not have a good business plan and they now want to revise the PD to make their investment feasible. My answer to that is NO.

I strongly disagree with the City taking a side on individual's business decisions. They should complete the development per the original PD. If they're unable to do that then they should return the property to a natural state.

Regards,
Craig

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, Sam Chavez <sam.chavez@cor.gov>,

Cc: Craig Newman <craig.newman@att.net>, Jerri Strong <jstrong14@tx.rr.com>,

Bcc:

Subject: ZF 15-14 Crystal Creek

From: Carolyn Munzing <cmunzing@att.net> - Sunday 08/30/2015 09:38 AM

I would like to voice my opinion of ZF 15-14 Crystal Creek proposed amendment and why I oppose making any allowances for change in the Crystal Creeks zoning after 4 years.

The board of directors from Creek Hollow tried to work with Crystal Creek but with could not come up with an agreeable solution for both areas. Crystal Creek does not want to negotiate in the fairness of what is best for the surrounding communities.

My dealing with Crystal Creek came when they wanted to have the Chainhurst and Blackfield Drive opened up for access to their development. I asked why they would need it and was told it was necessary for firetrucks to go in and out. I asked further would it be open so residence could come and go. I was told yes but not to worry because Crystal Creek was going to have just a few million dollar homes so the car traffic would be minimal and my home value would go up. When I would not sign the petition I was asked if the man of the house was home so he could talk to him.

I tried to get information about homes when they had first put up the sign but I was told the development was sold out when someone finally called me back. Then sign was then taken down.

Now we know there are not going to be million dollar homes on the Crystal Creek property and they are trying to amend the zoning so that they can build cheaper homes. The property has been an eyesore since they started "developing" the land. For months it was a horrific monstosity with a pile of rocks that when friends would come to visit used to call it White Rock Mountain. Finally they started putting in the roads and that made it look like some progress was going to happen.

The brick fence they built took forever and they used about 3-4 different color white brick because they did buy enough each time. They left holes in the brick wall in random spots which finally they fixed but if you look at the wall you can see the different color bricks.

The landscaping is minimal and not kept up since nothing has been done in this development for months. The weeds are overgrown and there is still trash left in the area from the construction. Someone does come in every once in a while to cut the weeds down but it is not very often and for those of us that live near this site it really looks abandon.

If they are allowed to amend the zoning what will it look like? They might get one house done and then we wait a few more years and they will want more zoning changes.

How did they get this far without a development plan that showed what the house sizes were going to be and what materials they were going to be made of and the design of the houses they wanted to build? Why would Richardson let them change anything to a lesser standard then what Creek Hollow and the surrounding developments had to follow? They had to realize that if they were having front entry house that Richardson does not have garage doors facing the street?

August 30, 2015

City of Richardson
Zoning and Planning Commission
411 W. Arapaho Road
Richardson, TX 75080
Sent VIA EMAIL

RE: Zoning Request Change ZF-15-14

To The Board:

As residents of the Creek Hollow neighborhood, my husband and I both ***OPPOSE*** the zoning request put forth by the Crystal Creek neighborhood. We have resided at 2980 Marlow Lane, across from the development, for 6 years and have received the "Notice of Public Hearing" being within the 200' zone. The development progress has been ongoing for most of the duration that we have lived in this neighborhood.

We, like many in Creek Hollow, have been increasingly frustrated by the continual lack of progress of the Crystal Creek development. Listed below are several concerns that we would like to express in regards to our opposition to this zoning change request:

- The complete lack of progress – we have dealt with this eyesore and continual rock and dust for 5 years, and construction has not even begun. This rock dust gets into our homes and layers onto our backyard. If homes were not ready to be built, the entire landscape should not have been excavated to stay in its unchanged state for YEARS.
- Our Creek Hollow HOA has already spent countless hours working with the Crystal Creek Board to "meet in the middle" and already came to an agreement several YEARS ago in 2010-2011. This agreement was then voted on and approved by the City of Richardson. At one point early on, these homes and lots were considerably smaller and of lower-quality materials. Our HOA met with Crystal Creek to form "Exhibit C" to increase their lots and be closer in building quality of adjacent homes to not negatively affect home values.
- Did the Crystal Creek board not disclose the full set of regulations that needed to be followed to their own potential residents? One would assume the land-owners were fully aware of the current regulations when they purchased the land. If they could not build the home they ultimately wanted, the voted-on and approved rules should not be changed simply to accommodate this.
- The home developers are also fully aware of the current regulations, yet are openly designing homes that are not in accordance to the current regulations. They are doing a disservice to their own clients if they are designing against the regulations only in the hopes they can change the city rules

- There seems to be a complete disregard of the current agreement, which was voted on and approved. How many more changes will be requested, revisited and changed in the future before anything is built? How many variances will each potential home-owner hope to achieve?
- Parking and an over-abundance of cars parked at the front of the homes is surely to become a new issue due to the potential request of larger homes on the zoning request, and therefore additional residents within one home. Safety concerns then evolve with over-parking on the residential streets, minimizing sight lines with children playing outside or cars coming into too-close proximity of each other while driving
- There should be regulations of some sort within Crystal Creek to limit the amount of colors, and amount of multiple materials being used on one home. In most neighborhoods with new, custom homes, there is a limit to possible colors on the homes to help prevent unattractive materials and colors. Clearly, this design aspect is subjective, but there is currently nothing written in Crystal Creek's regulations stating this.
- Our own HOA has paid for additional landscaping in an effort to shield this undeveloped area
- The root of frustration from the beginning – no progress, constant changes, not giving full disclosure as to building intent, and empty promises of building homes period. We don't understand why there are continual changes and the need to constantly revisit these matters.
- Our HOA has been flexible in meeting with Crystal Creek in a timely manner to discuss new and continual issues with the request. The zoning request sign had been posted on Friday, July 31, with the City Council meeting being held 4 days later on Wednesday, August 4. Both groups met over that weekend together in an effort to discuss the issues and hopefully compromise prior to the meeting. A consensus did not occur and have since met multiple times over the month. We know everyone would like this issue to be resolved, yet again, once and for all

We would love nothing more than to finally see beautiful homes across the street. These homes should have already been started, and in accordance to the agreement voted on and already set in place.

Sincerely,
Cameron & Lesley Wyman
Creek Hollow Residents

August 31, 2015

Dear Mr. Shacklett and Mr. Chavez,

My wife, Hannah Rude, and I currently reside at 3909 Chainhurst Dr and we received the "Notice of Public Hearing" from the Richardson City Plan Commission as our home is within the 200' notification boundary of the zoning change request with file number ZF 15-14. Unfortunately we were on vacation and were unable to attend the initial hearing on this proposed change, but did submit our concerns via email and US Postal mail from out of state.

I do plan to attend the September 1 hearing. We are thankful to our neighbors who have participated in the negotiations with the Crystal Creek representatives. We understand that in those negotiations we were able to come to agreement on many of the applicant's requests including lot coverage, combining of lots, roofing materials, and allowing front facing garages. However, we were unable to come to agreement on the following items:

- The number and location of the stucco homes
- The potential parking issue

Because of the outstanding issue related to the number and location of stucco homes, we are **opposed to the zoning change**. As residents on Chainhurst we are directly impacted especially since the division between our two neighborhoods is a wrought iron fence mostly landscaped on the Creek Hollow side. Since there is no solid wall across from our house we will directly overlook the Crystal Creek development. The existing dead trees and proposed uncertain stucco construction don't bode well for our future view and are very concerning. I also agree with our neighbors that the Crystal Creek development impacts everyone entering from Campbell Rd or using the adjacent hike and bike trail. Since the neighborhood is directly visible it will impact home values and the overall look and feel of everyone coming from Campbell or viewing the development from the north.

Having done real estate research in the Phoenix AZ area, I am familiar with stucco home designs. I agree with my neighbors that any stucco permitted in the new development needs to be limited to earth tones to be complimentary in design to existing structures. Vibrant pinks and greens, used in southwestern style stucco housing, if used will drive down property values nearby and impact the ability sell our home and others in the neighborhood, not to mention lowering city tax revenue. The possibility also exists that the stucco, if done in a mismatched style or if done cheaply, will become a detriment to the surrounding areas.

I am concerned about the potential for a harsh discontinuity from the existing traditional brick home neighborhood immediately to a stucco style neighborhood with no transition. Stucco homes can take any shape from geodesic dome to pueblo style with exposed beams, to a more complementary looking contemporary home. I have not seen any proposal for what style of homes are being proposed and am greatly concerned that the stucco request is an attempt to open the door to build homes of varying and incongruent styles. I believe the existing neighbors have met with and been willing to negotiate solutions in good faith, but for some reason, Crystal Creek is unwilling to compromise on the stucco issue. Per comments from those able to attend the negotiations,

"We originally proposed that 25% of the homes be 100% stucco and that there be a transition where the homes directly next to Creek Hollow not be stucco or have more brick to transition easily.

The compromise we finally proposed was to lower the number of homes to 10 with 100% stucco and 5 with 50% stucco and have a transition barrier whereby the homes that border Creek Hollow (Lots 1, 12-15, 22-23) are not in the 100% stucco group and do not have full stucco facing the Creek Hollow neighborhood. This is being requested for both the Chainhurst residents and the users of the public Hike and Bike trail.

This compromise, even though it allowed for almost 50% of the homes (when considering combined lots) to have 50-100% stucco, was not acceptable to the Crystal Creek representatives. Crystal Creek also did not include a provision to limit the colors to earth tones as requested."

As I understand it the original Crystal Creek PD did not allow for stucco homes at all. The Crystal Creek CC&Rs, which all the lot buyers received, also have that restriction documented.

We appreciate you taking the time to hear our concerns and those from others in the neighborhood.

David Rude

To: Chris Shacklette <chris.shacklett@cor.gov>, Sam.Chavez@cor.gov,
Cc: Chuck Mulkey <chuckmulkey@gmail.com>,
Bcc:
Subject: ZF 15-14 / Crystal Creek PD Amendments
From: Joni Mulkey <jonimulkey@yahoo.com> - Monday 08/31/2015 03:52 PM

Gentlemen,

We are homeowners in the Creekhollow subdivision residing within the 200' notification area relating to the Crystal Creek development. We were involved in 2010-2011 with negotiating the original PD agreement, which was approved by the Crystal Creek developer and the City of Richardson. While we were not entirely satisfied with the PD agreement at that time, we believed that our negotiations had created a fair resolution and compromise for all parties. All lots sold to the current owners in Crystal Creek were subject to the PD agreement, a fact of which they should have been aware.

We have since been involved with the meetings to renegotiate the PD amendment. Although we in Creekhollow as a group conceded on several portions of the proposed PD amendment during these negotiations, we could not reach agreement with the Crystal Creek owners as to the percentage of stucco homes to be built or the number of 3+ car garages to be required in homes that exceed a specific square footage. During the course of these negotiations, both in 2010 and currently, it appears to us that the Crystal Creek owners have no intention of agreeing to any compromise to the proposed PD amendments, nor did they ever have any intent to abide by the original PD agreement. Therefore, we **strongly oppose** the PD amendments and **urge the Planning and Zoning board to vote against passing** the PD amendments.

Thank you.

Joni and Chuck Mulkey
2978 Marlow Lane

Sent from my iPad

30 August 2015

Tony & Virginia Hall
4005 Chainhurst Drive
Richardson, Texas 75082

My wife and I are the homeowners at 4005 Chainhurst Dr. and received the "Notice of Public Hearing" from the Richardson City Plan Commission. Our home is within the 200-foot notification boundary of the zoning change request with file number ZF 15-14. I have met three times with the Crystal Creek HOA for the ZF 15-14 zoning requests.

I will be attending the public hearing on 01 September 2015 however my wife and would like to formally submit our concerns prior to the hearing for review Richardson City Planning Commission.

While I am not a board member of the Creek Hollow HOA, I attended an informational meeting with Crystal Creek representatives on 29 July 2015 in conjunction with the Creek Hollow HOA board meeting and have attended two meetings with the Crystal Creek HOA after the initial ZF15-14 hearing with the COR Planning Commission on 04 August 2015. Additional meetings with the Crystal Creek HOA were held on 08 August and 22 August.

The Crystal Creek lot owners purchased the lots with the knowledge of the Crystal Creek CCRs, city ordinances, regulations, codes, and the agreements/commitments coordinated with the Creek Hollow community especially those coordinated as Exhibit "C" in which the Crystal Creek representative indicated that the ZF 15-14 zoning proposal recommends deletion of the Exhibit "C" from the PD amendments. The Crystal Creek CCR in paragraph 4.14.1 which indicates *'All buildings shall be of standard masonry construction, which shall be limited to native stone and brick only, and shall be required to have a minimum of seventy-five percent (75%) of the total exterior wall constructed of masonry construction.'* The paragraph also indicates that *'In no case shall the front wall of the structure facing the street be less than one hundred percent (100%) masonry. Fireplace chimneys shall be of 100% masonry construction.* Paragraph 4.14.3 indicates *'Mailboxes shall be constructed of the same brick or masonry as the main dwelling.'*

Concerns with Zoning File 15-14: Crystal Creek PD Amendments

Our basic concerns with the ZF 15-14 zoning proposal as known as 30 August 2015 are:

Removal of Exhibit "C" - My wife and I strongly object to the removal of Exhibit "C" from the ordinances. These items were specifically coordinated with Richard Ferrara as the representative of the Crystal Creek development. An extensive amount of time was spent by Creek Hollow homeowners to coordinate the PD Amendments with Richard Ferrara representing the Crystal Creek development. The removal of the Exhibit "C" from the PD amendments to allow for the regulation of the Exhibit "C" items to be incorporated into the Crystal Creek 'Declaration of Covenants, Conditions and Restrictions' (CC/CCR) would allow the Crystal Creek HOA to further refine or delete the items from CC/CCR in the future without coordination with the Creek Hollow homeowners. Adherence to CC/CCRs are not enforceable by the COR and so can be disregarded by Crystal Creek homeowners. This proposal is indicative that the zoning restrictions are not being considered at all by the future homeowners until forced to adhere.

Stucco/Variety of Materials - The proposal of twenty (20) homes utilizing stucco material or a 'variety of material' would provide the potential for Crystal Creek development to consist of approximately 65% of the homes to be covered with stucco or 'variety of materials' and provides the remaining 35% (15 homes) of the homes to utilize brick materials. That proposed percentage is likely too high and should be consistent with the other custom neighborhoods (22%) in the immediate area.

Upon recommendation of that the Crystal Creek HOA meet with the surrounding HOAs, the Crystal Creek's final recommendation is now 13 homes with 100% stucco which allows 43% of the homes to be stucco based on 30 homes when allowing for the potential of 10 combined lots. Crystal Creek homeowners purchased lots which allow no (0%) stucco homes as the CCR paragraph 4.14.1 & 4.14.3 states that exterior building materials shall be of standard masonry construction.

Stucco material allows for a variety of color options and no definitive restrictions have been proposed by the Crystal Creek development even though the issue was discussed in the meetings since the initial COR Planning Commission hearing. For example, white and pastel colors yellow, green, blue, & pink would be allowed as a final exterior material coverage while stone and masonry colors are consistent with existing subdivisions.

My wife and I strongly oppose the ZF 15-14 zoning request allowance for stucco as proposed. Any resolution allowing for exterior stucco material should include a transition zone to include lots 1, 12-15, & 22-23. Any exterior stucco material should also include a restriction for final exterior colors.

Roofing Materials- The proposal of a variety of roofing materials is too vague as proposed in the ZF 15-14 zoning request. The intent behind the original Exhibit C terms was to minimize or prevent disruption in consistency by having too large of a variety of roofing materials. Crystal Creek HOA has agreed in the two meetings to limit roofing materials to laminated, composition shingle of equal to or greater than 240 lbs as stated in he Crystal Creek CCR in paragraph 4.14.2. Surrounding HOAs and Crystal Creek HOA have agreed to allowing tile roofing if an agreement allowing stucco homes is instituted. However, defined colors still need to be implemented in any tile roofing agreements.

I prefer not to view a red or blue tiled roof from my home. I recommend the roofing proposal to be more defined or restrictive that the proposal as defined in the ZF 15-14 zoning request.

Lot Coverage / **Combination of Lots** – The Crystal Creek HOA and the surrounding HOAs have agreed to 40% lot coverage. The combination and the proposal for up to 40% lot coverage provides the potential for larger and more expensive homes. However, a combined lot (example 16000-2000 square foot lot by combining two lots) could consist of an 8000 square foot foundation. However, current regulations allows for a 2350 square foot home to be built next to a home three times the square footage or even more if the 8000 square foot foundation is for a two-story home.

My wife and I prefer no more than a 35% coverage, but we are willing to accept the agreement between the HOAs. We agree with the combining of lots as agreed to between the three HOAs.

Builder Selection - There is no constraint to the number of builders for the homes in the Cyrstal Creek development allowing for 35 different builders with different quality standards and design approaches. The variety of builders could result in a neighborhood with a very dysfunctional appearance such as the home at 7201 Woodsprings Drive in Garland versus surrounding darker brick homes.

Garage Access – My wife agree with the resolution to garage access between the three HOAs. However, we also recommend that homes of designated square footages require a minimum of garage bays as a resolution to prevent street parking. Example, 3500 square foot homes require at least a 3-bay garage while homes greater than 5000 square foot require a 4-bay garage.

Additional Concern

An additional concern beyond the ZF 15-14 zoning request is the delay subdivision development and the lack of construction:

Lack of Construction – The Crystal Creek development has been in progress for more than five (5) years without a single constructed home approved for construction by the COR. The CityLine development consisting of the State Farm Insurance, dwellings and retail markets was conceived with much construction during these five (5) years. State Farm is already inhabiting a 13 story building in the CityLine development. Over five (5) years ago, Creek Hollow homeowners were promised a beautiful custom neighborhood in under two years. Instead of a well planned neighborhood, Creek Hollow homeowners have endured years of excessive dust, excessive noise, construction materials and construction debris in addition to the loss of natural environment replaced by a white rock eyesore.

Construction Time Limitation - Crystal Creek CCR paragraph 4.14.6 indicates that exterior and interior construction be completed no later than two (2) years following commencement of construction which is defined as time in which foundations forms are set. How can the City of Richardson monitor and enforce this CCR as history indicates that construction could linger extensively?

Conclusion

Zoning File 15-14 Crystal Creek PD Amendments - As residents within the 200-foot notification area, my wife and I strongly oppose the ZF 15-14 zoning as proposed.

While we are residents of the Creek Hollow HOA, many residents from neighboring subdivisions in Richardson and Garland utilize the greenbelt which parallels the Northern border of the Crystal Creek development.

7114 Woodsprings Drive
Garland Tx

Example of house with a ‘Variety of Materials’ Utilized:

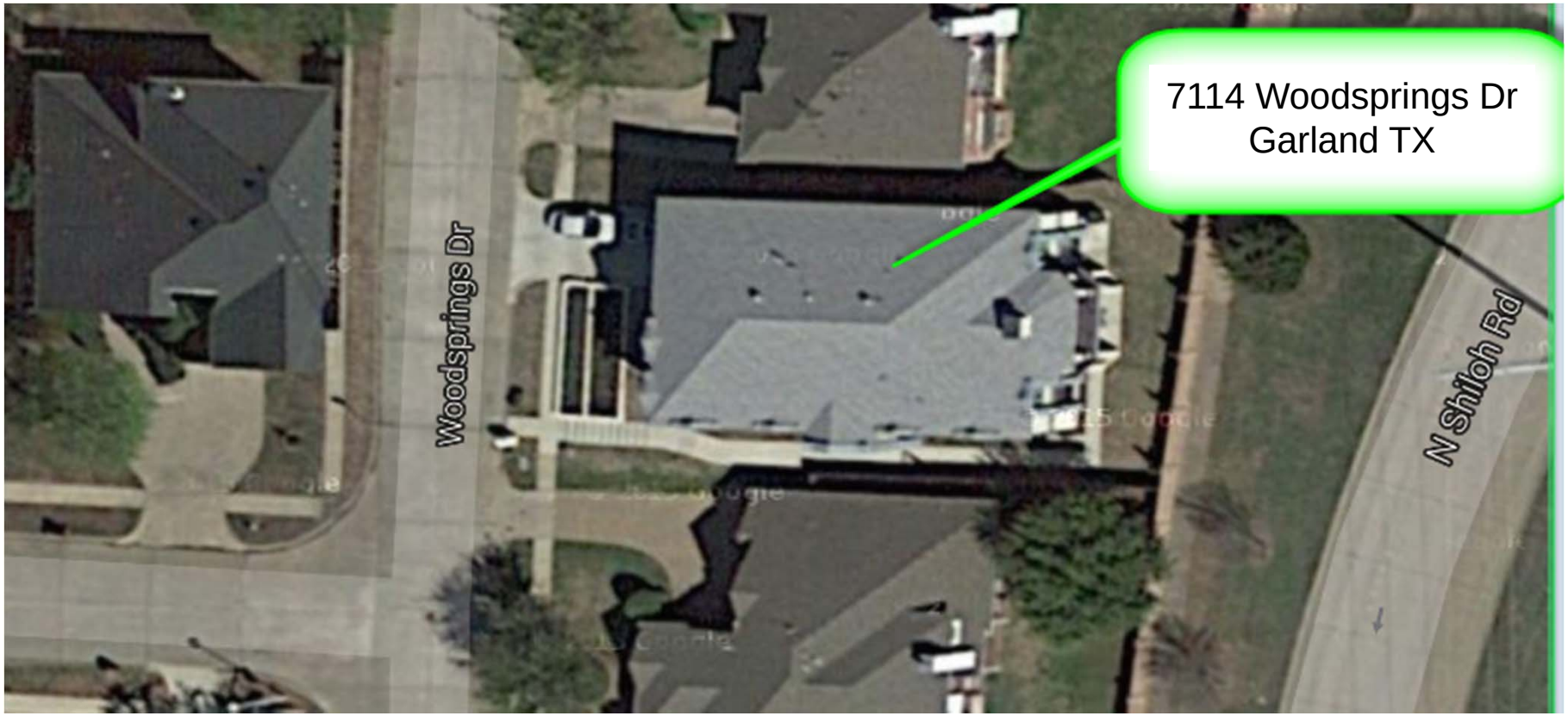
1) Min of four (4) exterior materials utilized
2) Strongly contrast with existing dark brick homes
3) Roofing shingle color is different than existing homes
4) Home maximizes lot space for a 5000 square foot house
   a) Neighboring homes less than 3000 (?) square feet

7114 Woodsprings Drive
Garland Tx

7114 Woodsprings Drive
Garland Tx

7114 Woodsprings Drive
Garland Tx

7114 Woodsprings Drive
Garland Tx



7114 Woodsprings Drive
Garland Tx

Minimum of Four (4) Types of Exterior Material Utilized

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "Sam.Chavez@cor.gov" <Sam.Chavez@cor.gov>,
Cc: "jstrong14@tx.rr.com" <jstrong14@tx.rr.com>, "tony.hall@L-3com.com" <tony.hall@L-3com.com>, "dluu@farmersagent.com" <dluu@farmersagent.com>,
Bcc:
Subject: RE ZF 15-14 / Crystal Creed PD Amendments
From: "Bui, Tuong N." <Tuong.Bui@dcma.mil> - Monday 08/31/2015 10:21 AM

Dear Chris and Sam,
My wife, Thu Luu, and I currently reside at 4010 Chainhurst Dr. We received the “Notice of Public Hearing” from the Richardson City Plan Commission as our home is within the 200’ notification boundary of the zoning change request with file number ZF 15-14. I participated in the Creek Hollow HOA discuss about the zoning change request and we are unable to agree on the items below:

· The number and location of the stucco homes. This is the main concern for us and our neighbors since the original plan did not allow for stucco homes. However, we request to have the transition between the traditional brick home to stucco neighborhood and we are unable to come to agreement with Crystal Creek.

· Parking issue. Due to the larger homes with multi generation family, parking space will be an issue. The proposal did not including the solution for it.
With these outstanding issues, we are opposed to the zoning change.
Regards,
Tuong Bui & Thu Luu

To: "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "Sam.Chavez@cor.gov" <Sam.Chavez@cor.gov>,
Cc:
Bcc:
Subject: ZF 15-14/crystal pd amendments
From: Karen Kuketz <karku47@yahoo.com> - Tuesday 09/01/2015 03:40 PM

Karen and George Kuketz at 3106 Hanbury Ct Richardson do not support a zoning change for this development. We are particularly displeased with the stucco building proposals and parking problems. We believe it will also reduce the property value for home directly adjacent to the development. Sincerely George and Karen Kuketz

MEMO

DATE: **October 8, 2015**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 15-21**: **Special Permit ï Banana RC Raceway**

REQUEST

Randy Novak, representing Banana RC Raceway, is requesting approval of a Special Permit for an indoor radio control (RC) race track within a multi-tenant retail building located at 521 W. Campbell Road (on the south side of Campbell Road, east of Nantucket Drive). The subject property is zoned LR-M(2) Local Retail. The proposed use is not listed in the Comprehensive Zoning Ordinance; therefore, a Special Permit is required.

BACKGROUND

The applicant currently operates a toy and hobby shop in a 5,000 square foot lease space. The proposed indoor RC (i.e., radio controlled) race track would be operated in conjunction with the hobby shop, initially within the existing space, but expanding into an adjoining 6,250 square foot lease space soon thereafter, for a total store area of 11,250 square feet. In addition to retail sales and indoor racing, there would be an area set up for racers to work on their cars between races. The proposed expansion area would provide additional race track areas in which additional types of racing would be provided.

The applicant states the race events are for 1/10 scale, battery powered RC cars. The applicant proposes to hold racing events on Tuesdays and Fridays from 7 p.m. to midnight and on Saturdays from noon to 6 p.m. In addition to race events, the applicant proposes to offer practice times seven (7) days a week. The applicant states most of the racers are eighteen (18) years of age and older; however, children are also allowed to race, and children twelve (12) years of age and under are required to be accompanied by a supervising adult.

The 11,250-square foot lease space would require approximately fifty (50) parking spaces based on a retail parking ratio, and proportionally, fifty-three (53) spaces would be provided for the use. The applicant has stated the combined occupancy of the both lease spaces will be limited to forty-nine (49) occupants. Therefore, the applicant is requesting a retail parking ratio be applied to the proposed use. This parking ratio is appropriate based on the occupancy restriction.

No correspondence has been received regarding this subject request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-0, recommends approval of the request as presented, subject to the attached special conditions. **Should the City Council approve the request, Ordinance No. 4138 is attached and may be approved with the same motion.**

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 09-01-2015
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking South
Zoning Exhibit (Exhibit "B")
Floor Plan (Exhibit "C")
Applicant's Statement
Site Photos
Notice of Public Hearing
Notification List
Ordinance No. 4138

ZF 15-21 Special Conditions

1. An indoor radio control race track shall be allowed in conjunction with a toy or hobby shop and shall be limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
2. The indoor radio control race track use in conjunction with a toy or hobby shop shall be parked at the City’s requirement for “retail sales and service facilities”.

Attn. Lynda Black
Publication for Dallas Morning News ï Legals
Submitted on: <u>September 23, 2015</u>
Submitted by: City Secretary, City of Richardson

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

City Secretaryôs Office
P.O. Box 830309
Richardson, TX 75083-0309

FOR PUBLICATION ON: <u>September 25, 2015</u>

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:00p.m. on Monday, October 12, 2015, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 15-14

A request by Ahmed Helaluzzaman, representing Richardson Crystal Creek HOA, to amend the Crystal Creek PD Planned Development, Ordinance 3796, to modify development standards related to the development of an 11.3-acre single-family subdivision located on the west side of Holford Road, north of the Richardson/Garland city limit line and south of Chainhurst Drive. The property is currently zoned PD Planned Development.

ZF 15-21

A request by Randy Novak, representing Banana RC Raceway, for approval of a Special Permit for an indoor radio control race track to be located at 521 W. Campbell Road (south side of Campbell Road, east of Nantucket Drive). The property is currently zoned LR-M(2) Local Retail.

ZF 15-22

A request by Alisa White-Burton, representing Wee Care Day and Night Childcare Learning Center, for approval of a Special Permit for a childcare center to be located at 132 N. Glenville Drive (east side of Glenville Drive, north of Belt Line Road. The property is currently zoned O-M Office.

ZF 15-24

A request by Mike Patel, representing 4th Dimension Builders, to amend the existing PD Planned Development, to allow a limited service hotel and to modify the associated development standards, including a request to allow less than 85% masonry construction, for a portion of a property located at 455 W. President George Bush Highway (south side of PGBH, between Custer Parkway and Alma Road). 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 –September 1, 2015

PUBLIC HEARING

Zoning File 15-21 ï Banana RC Raceway: Consider and take the necessary action on a request for a Special Permit for an indoor radio controlled race track to be located at 521 W. Campbell Road, south side of Campbell Road, east of Nantucket Drive The property is currently zoned LR-M(2) Local Retail.

Mr. Shacklett stated the applicant was requesting a Special Permit for a radio controlled race track in conjunction with a newly opened toy and hobby shop. He added the occupant's hobby shop currently occupies 5,000 square feet of an 11,250 square foot space and if the Special Permit was approved, the race track would expand into the remaining space.

Mr. Shacklett noted that in addition to the race track for the radio controlled race cars, the space would also include work areas for racers to work on their 1/10th scale cars. In addition, race events would be held and could run until 12 midnight, but no food or drink service would be associated with the use.

Mr. Shacklett concluded his presentation by stating no correspondence had been received and suggested that if the Commission approved the request, it would be limited to the area marked on Exhibit B.

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

Mr. Randy Novak, 1406 Timber Lake Circle, Richardson, Texas, said he was the proprietor of the hobby shop and was available to answer any questions.

Commission Ferrell asked if the hobby shop was open for business.

Mr. Novak replied the hobby was currently open.

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

Motion: Commissioner Ferrell made a motion to recommend approval of Zoning File 15-21 as presented; second by Commissioner DePuy. Motion approved 6-0.

Staff Report

TO: City Council

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

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

DATE: October 8, 2015

RE: **Zoning File 15-21**: Special Permit – Indoor Radio Control Race Track

REQUEST:

Special Permit for an indoor radio control (RC) race track located in an 11,250-square foot lease space within an existing 38,310-square foot retail building located at 521 W. Campbell Road, on the south side of Campbell Road, east of Nantucket Drive. The use is an unlisted use and therefore requires approval of a Special Permit.

APPLICANT / PROPERTY OWNER:

Randy Novak – Banana RC Raceway / Harvey Hunke, representing Prosperity Assets, LTD.

EXISTING DEVELOPMENT:

The 3.17-acre site is developed a 38,310-square foot, multi-tenant retail shopping center. The proposed use would be located in an 11,250-square foot space that is currently set up as two (2) lease spaces.

ADJACENT ROADWAYS:

Campbell Road: Six-lane, divided arterial; 40,300 vehicles per day on all lanes, eastbound and westbound, west of Nantucket Drive (April 2014).

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

SURROUNDING LAND USE AND ZONING:

North: Single Family; R-1100-M Residential
South: Retail/Commercial; O-M Office
East: Retail/Commercial; LR-M(2) Local Retail

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

FUTURE LAND USE PLAN:

Neighborhood Service

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

Future Land Uses of Surrounding Area:
North: Neighborhood Residential
South: Neighborhood Service
East: Neighborhood Service
West: Neighborhood Service

EXISTING ZONING:

LR-M(2) Local Retail per Ordinance Number 273-A.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANTôS STATEMENT

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

STAFF COMMENTS:

Background:
The subject property is developed with a 38,310-square retail building that is part of a larger retail shopping center development located on multiple lots. The shopping center, excluding the subject lease spaces is currently occupied by two (2) retail stores. The applicant has recently obtained a certificate of occupancy for a hobby shop that sells radio control cars and accessories in a 5,000-square foot lease space.

Request:
The applicant is requesting a Special Permit for an indoor RC race track that would initially occupy a portion of a 5,000-square foot hobby shop. In the future, he plans to expand into the adjacent 6,250-square foot lease space if the Special Permit to allow indoor RC race tracks is approved. In addition to retail sales and indoor racing, there would be an area set up for racers to work on their cars between races. The proposed expansion area would provide additional race track areas in which additional types of racing would be provided.

The applicant states the race events are for 1/10 scale, battery powered RC cars. The applicant proposes to hold racing events on Tuesdays and Fridays from 7 p.m. to midnight and on Saturdays from noon to 6 p.m. In addition to race events, the applicant proposes to offer practice times seven (7) days a week.

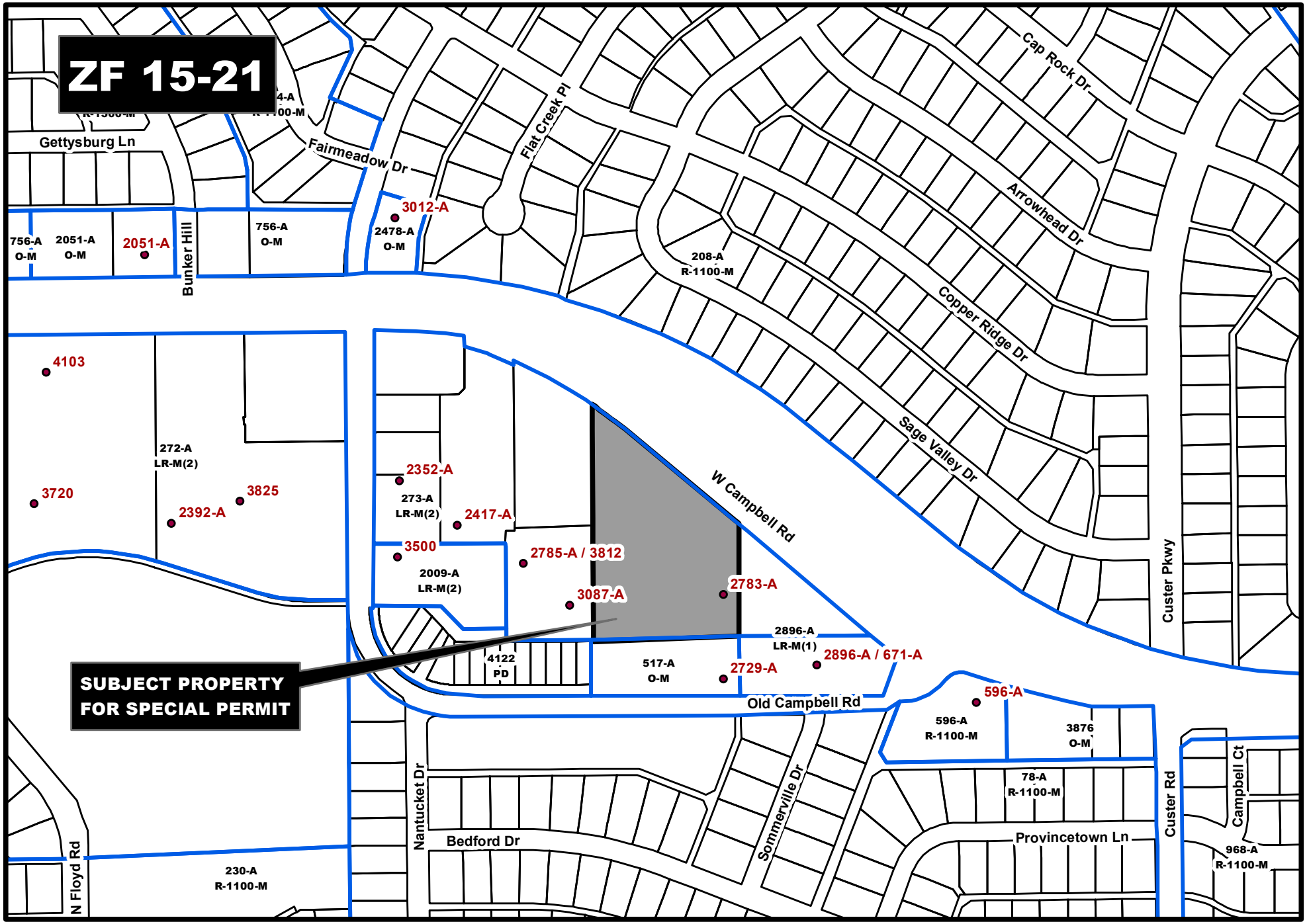
The applicant states most of the racers are eighteen (18) years and older; however, kids are also allowed to race, and kids twelve (12) and under are required to be accompanied by a supervising adult. Racers will be required to pay a fee to enter races; however, there is no cash prize for winners. The applicant states that winners may be awarded a trophy or similar acknowledgements on occasion. The applicant will not provide any food or drink at the facility.

The subject property provides 179 parking spaces (entire site parked at the City's retail ratio). The 11,250-square foot lease spaces would require approximately fifty (50) parking spaces based on a retail parking ratio, and proportionally, fifty-three (53) spaces would be provided for the use. The applicant has stated the combined occupancy of the both lease spaces will be limited to forty-nine (49) occupants. Therefore, the applicant is requesting a retail parking ratio be applied to the proposed use. This parking ratio is appropriate based on the occupancy restriction.

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

Motion: On September 1, 2015, the City Plan Commission recommended approval of the applicant's request as presented, subject to the following conditions:

1. An indoor radio control race track shall be allowed in conjunction with a toy or hobby shop and shall be limited to the area shown on the attached concept plan, marked as Exhibit "B" and made a part thereof.
2. The indoor radio control race track use in conjunction with a toy or hobby shop shall be parked at the City's requirement for "retail sales and service facilities".



ZF 15-21 Zoning Map

Updated By: shacklettc, Update Date: August 17, 2015
File: DS\Mapping\Cases\Z\2015\ZF1521\ZF1521 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
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ZF 15-21 Aerial Map

Updated By: shacklettc, Update Date: August 17, 2015
File: DS\Mapping\Cases\Z\2015\ZF1521\ZF1521 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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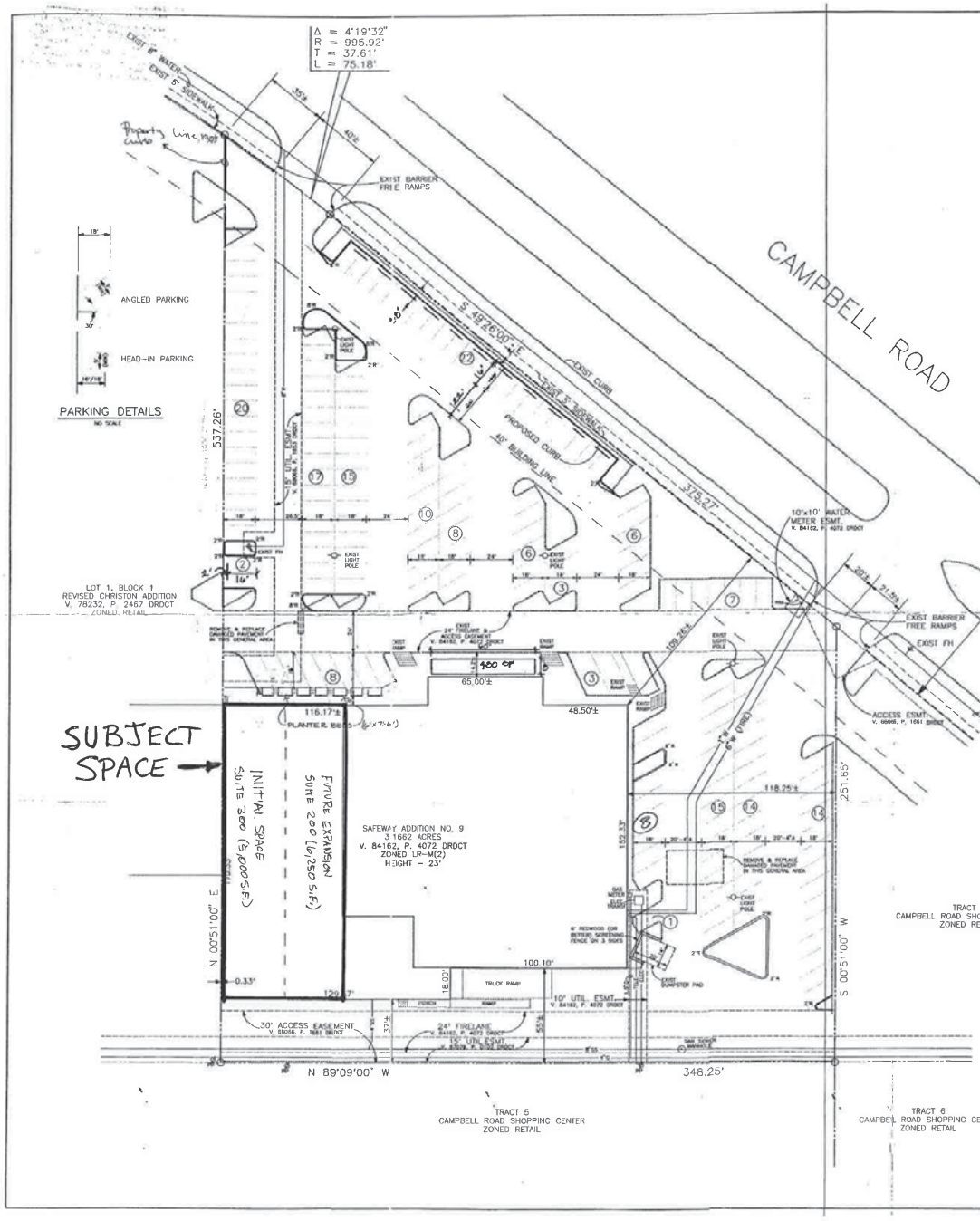
Old Campbell Road
Subject
Lease
Space
Campbell Road
Oblique Aerial
Looking South



LOCATION MAP
NO SCALE

NOTES:
1. THIS SITE RECEIVED APPROVAL ON APRIL 9, 1990, FROM THE CITY COUNCIL OF RICHARDSON TO PERMIT AN AMUSEMENT PARK UNDER ORDINANCE 2783-A.
2. BOUNDARY AND EXISTING TOPOGRAPHY INFORMATION WAS OBTAINED FROM SURVEYS PREPARED BY SOUTHWEST SURVEYING INC. DATED 7-16-84 (REPLAT) AND 2-6-89 (TOPO).
3. SPECIAL CONDITIONS OF ZONING:
   (a). AMUSEMENT PARKING - 1 SPACE PER 190 S.F. BLDG.
   (b). SPECIAL PERMIT FOR INDOOR CHILDREN'S AMUSEMENT CENTER.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF RICHARDSON STANDARD DETAILS, REQUIREMENTS, SPECIFICATIONS & ORDINANACES.
5. ALL NEW PAVING SHALL BE 6" - 3000 PSI WITH #3 BARS AT 24" O.C.E.W. AND WITH SUBGRADE COMPACTED TO 95% STD. PROCTOR.
6. ALL PAVEMENT MARKINGS (PARKING STALL STRIPES AND FIRELANE STRIPES) SHALL BE REPAINTED (4" STRIPES - RED/WHITE).
7. ALL CURB RADII ARE 2' OR 8' UNLESS SHOWN OTHERWISE.
8. ALL DIMENSIONS ARE TO THE FACE OF CURB.
9. LIGHT POLES ARE 15'± IN HEIGHT AND THE DIRECTION OF ILLUMINATION IS INDICATED BY THE "ARMS" SHOWN ON THE PLAN.

SITE SUMMARY

TOTAL LAND AREA :	3.1662 ACREs or 137,935 SQUARE FEET
TOTAL BUILDING AREA : RETAIL	38,310 SQUARE FEET
ZONING :	LR-M(2)
PARKING RATIO :	30 SPACES FOR 1st 10,000 S.F. 1 / 200 S.F. THEREAFTER
PARKING REQUIRED :	171 SPACES
PARKING PROVIDED :	179 SPACES
LANDSCAPE REQUIRED :	7% = 9,656 SQUARE FEET
LANDSCAPE PROVIDED :	7.5% = 10,395 SQUARE FEET
F.A.R.	0.28:1 MAX 0.5:1 ALLOWED
BUILDING HEIGHT	MAX 25'

DRAWN BY: JMK CHECKED BY: B.D.S. SCALE: 1" = 30' DATE: FEB. 13, 1990 REVISED 6/1/90 JOB NO. 11220	SAFEWAY ADDITION NO. 9 3.1662 ACRES CITY OF RICHARDSON DALLAS COUNTY, TEXAS VOL. 84162, PG. 4072 DRDCT JOHN EDMONDS SURVEY ABSTRACT NO. 429	OWNER: LAMSE ENTERPRISES, INC. 2508 NATURE BEND LANE CARROLLTON, TEXAS 75006 (214)418-4327	Trinity Surveys Incorporated 903 N. Bowser, Suite 240 Richardson, Texas 75081 214/480-0233

Exhibit B - Part of Ordinance

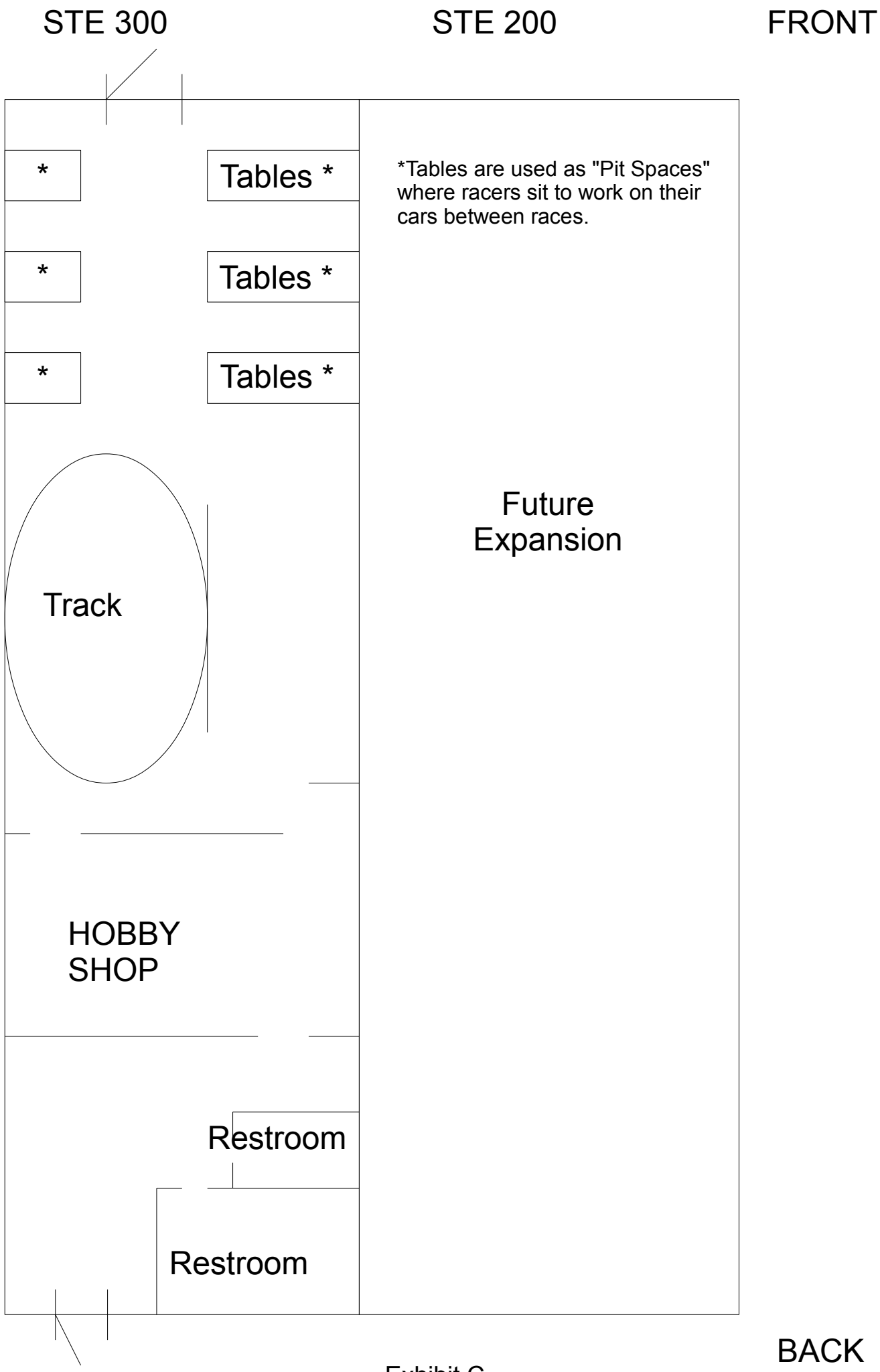

STE 300
STE 200
FRONT
*
Tables *
*Tables are used as "Pit Spaces" where racers sit to work on their cars between races.
*
Tables *
*
Tables *
Future Expansion
Track
HOBBY SHOP
Restroom
Restroom
BACK

Exhibit C

ZF 15-21 Explanation and Description of Request

Banana RC Raceway is currently a Hobby Shop, which already has a Certificate of Occupancy, operating at 521 W. Campbell Rd, Suite 300 which is 5,000 square feet. We are looking to include RC (Radio Control) Car Racing Events which the city considers an unlisted use which requires a Special Permit. These are 1/10 scale and smaller electric (battery) RC Cars.

Proposed Race schedule would be...
Tuesday's from 7pm to midnight
Friday's from 7pm to midnight
Saturday's from noon to 6pm

We will also offer practice times during business hours which will extend from 6am to midnight 7 days a week.

Our plans are to run Oval track in the Suite 300 space and soon expand into the suite 200 space which is 6,250 square feet. Our plans for suite 300 are to run other race categories such as on-road carpet racing, drift racing, and other popular indoor RC styles and classes.

Our parking space requirements are expected to not exceed 49 spaces, based on occupancy, on race days once we are in both spaces (suite 200 and suite 300) and 20 spaces maximum while operating in the initial 5,000 square feet suite 300 only.

The parking provided is 179 spaces. Based on our percentage of lease space within the building, our percentage of spaces allocated to our space is approximately 53 (at a standard Retail Ratio) spaces which is adequate for our expected number of customers. Therefore our requested ratio is retail.

There will be no food and no drink service at our facility.

Our hobby typical customers range from 3 yrs and up. Approximately 90% of our racers are 18 years old or above with approximately 10% being kid's under the age of 18. We require kids 12 and under to be accompanied by a supervising adult.

All of our racing vehicles are BATTERY operated, absolutely no nitro or gas power vehicles are allowed in the facility.

We will limit occupancy to no more than 49 at any given time.

Racing Entry fees are $13.84 per race class. A single racer may enter one or more classes on any given race day. This race fee is purely income to support the business. We do NOT provide "purses" or cash back to any winners. On occasion, winners or top 3 finishers may be awarded Trophies or similar acknowledgments.

R GENERAL
Raceway
Banana RC
521
BANANA
RC
Raceway
OPEN
(1)
Looking South at
Subject Lease Space

DOLLAR GENERAL
(2)
Looking East from
Subject Lease Space

(3)
Looking West from
Subject Lease Space

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 15-21 / Banana RC Raceway**
Property Owner:	Harvey Hunke, representing Prosperity Assets, LTD.
Applicant:	Randy Novak / Banana RC Raceway
Location:	521 W. Campbell Road (See map on reverse side)
Current Zoning:	LR-M(2) Local Retail
Request:	A request for approval of a Special Permit for an indoor radio control race track.

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

TUESDAY, SEPTEMBER 1, 2015
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.

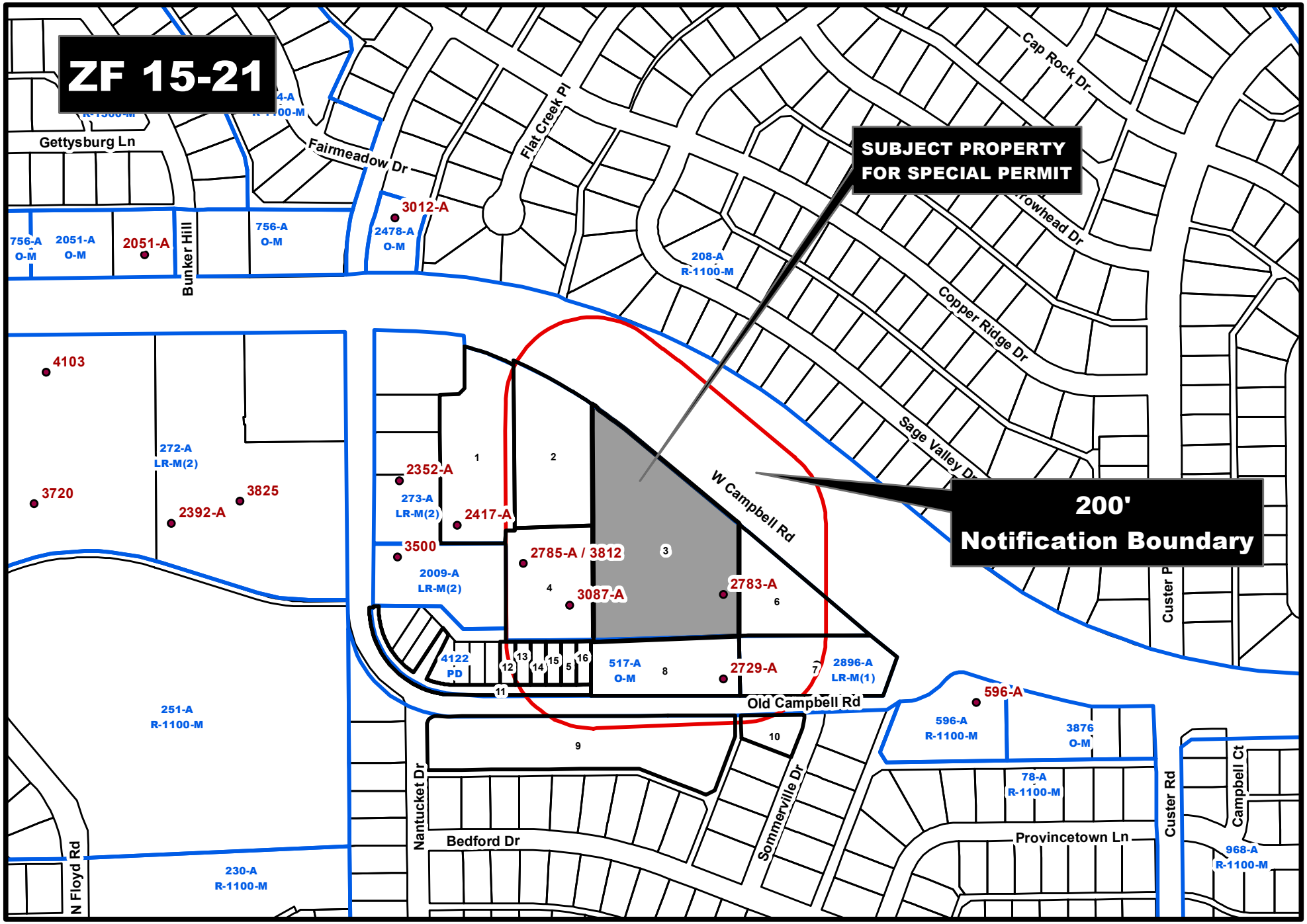
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 15-21.

Date Posted and Mailed: 08/21/2015



ZF 15-21 Notification Map

Updated By: shacklettc, Update Date: August 17, 2015
File: DS\Mapping\Cases\Z\2015\ZF1521\ZF1521 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.

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W E
S

1-CAMPBELL PLAZA LTD
7005 CHASE OAKS BLVD # 200
PLANO, TX 75025-5943

2 &4-WARD LARRY J
4647 FM 1768
OLNEY, TX 76374-6308

3-PROSPERITY ASSETS LTD
% TY EQUITY GROUP INC
5930 LBJ FWY STE 400
DALLAS, TX 75240-6372

6-LAKE JUNE LP
5737 YEARY RD
PLANO, TX 75093-8514

7-DAYCHA CAMPBELL LLC
5806 W LOVERS LN
DALLAS, TX 75225-6927

9-FAITH UNITED METHODIST CHURCH
615 OLD CAMPBELL RD
RICHARDSON, TX 75080-3338

10-DEWELL DAVID J
1911 SOMERVILLE DR
RICHARDSON, TX 75080-3343

5 & 11 thru 16-HPGC VENTURES LLC
701 N CENTRAL EXPY BLDG 3-400
RICHARDSON, TX 75080-5319

8-ACCUPUNCTURE & SPORTS INJURY CLINIC LLC
610 OLD CAMPBELL RD #100
RICHARDSON, TX 75080-3379

8-VAJRA CHIH MIN & HWEI HWA MASTERS FOUNDATION
610 OLD CAMPBELL RD #104
RICHARDSON, TX 75080-3379

8-MIAW DANIEL
610 OLD CAMPBELL RD STE 108A
RICHARDSON, TX 75080-3379

8-RGY INTERESTSLLC
9401 S JAMESTOWN AVE
TULSA, OK 74137-4850

8-NHANAI LLC
6800 ALMA DR #101
PLANO, TX 75023-0033

RANDY NOVAK
BANANA RC RACEWAAY
521 W CAMPBELL RD
RICHARDSON, TX 75080

HARVEY HUNKE, PROJ MGR
PROSPERITY ASSETS, LTD.
5930 LBJ FWY, STE 400
DALLAS, TX 75240

ZF 15-21
Notification List

ORDINANCE NO. 4138

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR AN INDOOR RADIO CONTROL RACE TRACK WITH SPECIAL CONDITIONS ON A 3.17-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED AT 521 W. CAMPBELL ROAD, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT ñAò; 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 15-21).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, so as to grant a change in zoning to grant a Special Permit for an indoor radio control race track on a 3.17-acre lot tract of land zoned LR-M(2) Local Retail located at 521 W. Campbell 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 an indoor radio control race track is hereby conditionally granted subject to the following special conditions:

1. The development and use of the property for an indoor radio control race track shall be allowed in conjunction with a toy or hobby shop and in substantial conformance with the concept plan attached as Exhibit "B" and incorporated

herein for all purposes. The development and use of the property for an indoor radio control race track shall be limited to the area shown on the concept plan.

2. The indoor radio control race track use in conjunction with a toy or hobby shop shall be parked at the City's requirement for "retail sales and service facilities".

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 12th day of October, 2015.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:10-6-15:TM 73613)

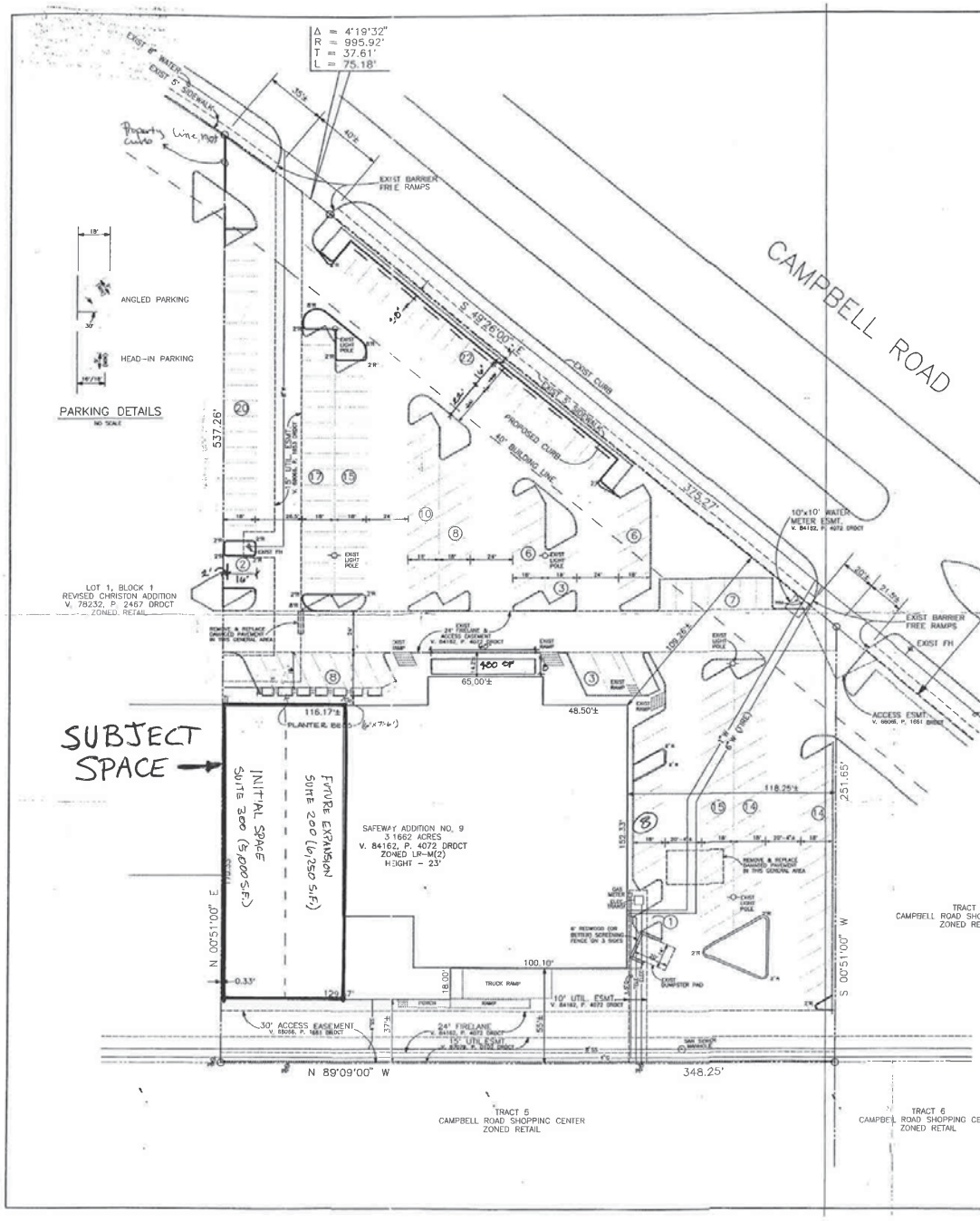
CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT ñAò
LEGAL DESCRIPTION
ZF 15-21

BEING a 3.17-acre tract of land situated in the John Edmonds Survey, Abstract No. 429, Dallas County, Texas; said tract being Lot 2, of Campbell Road Shopping Center II Addition (a.k.a. Safeway Addition No. 9), an addition to the City of Richardson, Texas according to the plat recorded in Volume 84162, Page 4072 of the Map Records of Dallas County, Texas.



LOCATION MAP
NO SCALE

NOTES:
1. THIS SITE RECEIVED APPROVAL ON APRIL 9, 1990, FROM THE CITY COUNCIL OF RICHARDSON TO PERMIT AN AMUSEMENT PARK UNDER ORDINANCE 2783-A.
2. BOUNDARY AND EXISTING TOPOGRAPHY INFORMATION WAS OBTAINED FROM SURVEYS PREPARED BY SOUTHWEST SURVEYING INC. DATED 7-16-84 (REPLAT) AND 2-6-89 (TOPO).
3. SPECIAL CONDITIONS OF ZONING:
   (a). AMUSEMENT PARKING - 1 SPACE PER 190 S.F. BLDG.
   (b). SPECIAL PERMIT FOR INDOOR CHILDREN'S AMUSEMENT CENTER.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF RICHARDSON STANDARD DETAILS, REQUIREMENTS, SPECIFICATIONS & ORDINANACES.
5. ALL NEW PAVING SHALL BE 6" - 3000 PSI WITH #3 BARS AT 24" O.C.E.W. AND WITH SUBGRADE COMPACTED TO 95% STD. PROCTOR.
6. ALL PAVEMENT MARKINGS (PARKING STALL STRIPES AND FIRELANE STRIPES) SHALL BE REPAINTED (4" STRIPES - RED/WHITE).
7. ALL CURB RADII ARE 2' OR 8' UNLESS SHOWN OTHERWISE.
8. ALL DIMENSIONS ARE TO THE FACE OF CURB.
9. LIGHT POLES ARE 15'± IN HEIGHT AND THE DIRECTION OF ILLUMINATION IS INDICATED BY THE "ARMS" SHOWN ON THE PLAN.

SITE SUMMARY

TOTAL LAND AREA :	3.1662 ACREs or 137,935 SQUARE FEET
TOTAL BUILDING AREA : RETAIL	38,310 SQUARE FEET
ZONING :	LR-M(2)
PARKING RATIO :	30 SPACES FOR 1st 10,000 S.F. 1 / 200 S.F. THEREAFTER
PARKING REQUIRED :	171 SPACES
PARKING PROVIDED :	179 SPACES
LANDSCAPE REQUIRED :	7% = 9,656 SQUARE FEET
LANDSCAPE PROVIDED :	7.5% = 10,395 SQUARE FEET
F.A.R.	0.28:1 MAX 0.5:1 ALLOWED
BUILDING HEIGHT	MAX 25'

DRAWN BY: JMK CHECKED BY: B.D.S. SCALE: 1" = 30' DATE: FEB. 13, 1990 REVISED 6/1/90 JOB NO. 11220	SAFEWAY ADDITION NO. 9 3.1662 ACRES CITY OF RICHARDSON DALLAS COUNTY, TEXAS VOL. 84162, PG. 4072 DRDCT JOHN EDMONDS SURVEY ABSTRACT NO. 429	OWNER: LAMSE ENTERPRISES, INC. 2508 NATURE BEND LANE CARROLLTON, TEXAS 75006 (214)418-4327	Trinity Surveys Incorporated 903 N. Bowser, Suite 240 Richardson, Texas 75081 214/480-0233

Exhibit B - Part of Ordinance

MEMO

DATE: **October 8, 2015**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 15-22**: **Special Permit ï Wee Day and Night Childcare Learning Center**

REQUEST

Alisa White-Burton, representing Wee Day and Night Childcare Learning Center, is requesting approval of a Special Permit for a childcare center to be located at 132 N. Glenville Drive (on the east side of Glenville Drive, north of Belt Line Road). The subject property is zoned O-M Office. The proposed use is allowed in any zoning district upon approval of a Special Permit.

BACKGROUND

The subject property is developed with a one-story office building approximately 3,900 square feet in area. The applicant is proposing to convert the building to a childcare center that would operate between the hours of 6:00 a.m. and midnight and provide care for children ages six (6) weeks through twelve (12) years. She expects to serve the surrounding neighborhoods and schools while also providing evening and night care for families needing childcare services beyond the typical daytime hours. The applicant states the facility has the capacity to serve over 120 children (most of which are pre-school age) and would be regulated by the State's Department of Family and Protective Services. Additionally, the City's Health Department oversees inspections related to food service and food handling practices.

The applicant proposes the following modifications to the site:

- Add a 6-foot chain link fence to create an outdoor play area as shown on Exhibit "B";
- Re-stripe the fire lane per Fire Department regulations;
- Relocate the dumpster to the east side of the building to improve maneuverability for the sanitation truck as shown on Exhibit "B" and construct a masonry screening wall to enclose the dumpster; and
- Ensure landscaping conforms to the approved landscape plan (except where not allowed within the TP&L easement along Glenville and where removal is necessary within the fenced play area).

No correspondence has been received regarding this request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-0, recommends approval of the request as presented, subject to the attached special conditions. **Should the City Council approve the request, Ordinance No. 4139 is attached and may be approved with the same motion.**

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 09-01-2015
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking East
Zoning Exhibit (Exhibit "B")
Floor Plan (Exhibit "C")
Applicant's Statement
Site Photos
Notice of Public Hearing
Notification List
Ordinance No. 4139

ZF 15-22 Special Conditions

1. A childcare center shall be allowed and shall be limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.

2. The childcare center shall be allowed to operate between the hours 6:00 a.m. and 11:59 p.m.

Attn. Lynda Black
Publication for Dallas Morning News ï Legals
Submitted on: <u>September 23, 2015</u>
Submitted by: City Secretary, City of Richardson

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

City Secretaryôs Office
P.O. Box 830309
Richardson, TX 75083-0309

FOR PUBLICATION ON: <u>September 25, 2015</u>

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:00p.m. on Monday, October 12, 2015, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 15-14

A request by Ahmed Helaluzzaman, representing Richardson Crystal Creek HOA, to amend the Crystal Creek PD Planned Development, Ordinance 3796, to modify development standards related to the development of an 11.3-acre single-family subdivision located on the west side of Holford Road, north of the Richardson/Garland city limit line and south of Chainhurst Drive. The property is currently zoned PD Planned Development.

ZF 15-21

A request by Randy Novak, representing Banana RC Raceway, for approval of a Special Permit for an indoor radio control race track to be located at 521 W. Campbell Road (south side of Campbell Road, east of Nantucket Drive). The property is currently zoned LR-M(2) Local Retail.

ZF 15-22

A request by Alisa White-Burton, representing Wee Care Day and Night Childcare Learning Center, for approval of a Special Permit for a childcare center to be located at 132 N. Glenville Drive (east side of Glenville Drive, north of Belt Line Road. The property is currently zoned O-M Office.

ZF 15-24

A request by Mike Patel, representing 4th Dimension Builders, to amend the existing PD Planned Development, to allow a limited service hotel and to modify the associated development standards, including a request to allow less than 85% masonry construction, for a portion of a property located at 455 W. President George Bush Highway (south side of PGBH, between Custer Parkway and Alma Road). 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 –September 1, 2015

PUBLIC HEARING

Zoning File 15-22 ï Wee Care Day and Night Childcare Learning Center: Consider and take the necessary action on a request for a Special Permit for a childcare center to be located at 132 N. Glenville Drive, east side of Glenville Drive, north of Belt Line Road. The property is currently zoned O-M Office.

Mr. Shacklett stated the applicant was requesting a Special Permit for a child daycare center with extended hours (6:00 a.m. to 12:00 a.m.) in a former office building. He added there would be an outdoor play area and that area along with the number of workers, number of children, and food handling were all regulated by the State of Texas.

Mr. Shacklett concluded his presentation by reviewing the floor plan and noting there would be no exterior expansions to the building, but changes would be made to the fire lane, driveway radius, dumpster location, landscaping and exterior painting.

Commissioner DePuy asked if there would be vans for child transport on the site.

Mr. Shacklett replied they would eventually have three vans and would park them towards the back of the property.

Chairman Hand opened the public hearing.

Ms. Alisa White-Burton, 2907 Nova Drive, Garland, Texas, said that in her professional life as an instructor and corporate trainer for Allied Health Programs she noticed a need for a daycare with extended hours for the children of health care workers who work non-traditional shifts.

Ms. White-Burton explained that establishing an extended hour daycare would help relieve the stress of trying to find care for the children of parents working times other than the first shift of the day.

Commissioner DePuy asked if there would be the possibility of a parent dropping their child off at the beginning of the day and not picking them up until late at night. She also wanted to know if a playground would be a part of the day care.

Ms. White-Burton replied that under the guidelines from the State of Texas Department of Family Protective Services, a parent could leave their child at the daycare less than 24 hours before the situation came under a separate set of regulations.

Regarding a playground, Ms. White-Burton stated they are required by the State of Texas to have a fenced, outdoor play area, but with the scheduled opening date in December or January, they did not anticipate having playground equipment until the spring.

Chairman Hand said the Commission had received three speaker cards supporting the proposal daycare and thought the proposal would be a growth industry and beneficial for the City.

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

Motion: Vice Chair Bright made a motion to recommend approval of Zoning File 15-22 as presented; second by Commissioner Springs. Motion approved 6-0.

Staff Report

TO: City Council

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

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

DATE: October 8, 2015

RE: **Zoning File 15-22**: Special Permit – Childcare Center

REQUEST:

Special Permit for 3,939-square foot childcare center located at 132 N. Glenville Drive, on the east side of Glenville Drive, north of Belt Line Road. The use requires approval of a Special Permit in all zoning districts.

APPLICANT / PROPERTY OWNER:

Alisa White-Burton – Whitermark Care LLC dba Wee Day and Night Childcare Learning Center / Abraham Yu, representing Glenville Property Management, LLC.

EXISTING DEVELOPMENT:

The 2-acre site is developed with a 3,939-square foot, single tenant building. The majority of the property is undeveloped (south and east sides).

ADJACENT ROADWAYS:

Glenville Drive: Two-lane, undivided major collector; 2,700 vehicles per day on all lanes, northbound and southbound, south of Belt Line Road (March 2014).

Belt Line Road: Six-lane, divided arterial; 28,100 vehicles per day on all lanes, eastbound and westbound, west of Glenville Drive (March 2014).

SURROUNDING LAND USE AND ZONING:

North: School; R-1100-M Residential
South: Office; O-M Office
East: Institutional; O-M Office
West: Single Family; R-1100-M Residential

FUTURE LAND USE PLAN:

Community Commercial

Retail centers with multiple anchors, mid-rise office, entertainment, and hospitality uses.

Future Land Uses of Surrounding Area:
North: School
South: Community Commercial
East: Community Commercial
West: Neighborhood Residential

EXISTING ZONING:

O-M Office per Ordinance Numbers 398-A & 431-A.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANTôS STATEMENT

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

STAFF COMMENTS:

Background:
The subject property was developed in 1967 with a 3,939-square foot office building. The building is currently vacant. The applicant contacted the City stating her intent to open a childcare center on the subject property. Staff informed her that a Special Permit was required to allow a childcare center in any zoning district.

Request:
The applicant is requesting to open a childcare center that would operate between the hours of 6:00 a.m. and midnight and provide care for children ages six (6) weeks to twelve (12) years of age. She expects to serve the surrounding neighborhoods and schools while also providing evening/night care for parents who need childcare beyond the traditional daytime hours. The applicant states the facility has the ability to serve over 120 children (most of which are pre-school age), which would be regulated and overseen by the State's Department of Family and Protective Services. Additionally, the City's Health Department oversees inspections related to food service/handling practices.

Proposed Site Modifications:
The applicant is proposing to make the following modifications to the site:

- Add a 6-foot chain link fence to create an outdoor play area as shown on Exhibit "B"
- Re-stripe the fire lane per Fire Department regulations
- Relocate the dumpster to the east of the building and construct a masonry screening wall to enhance maneuverability for the sanitation truck as shown on Exhibit "B"
- Ensure landscaping conforms to the approved landscape plan (except where not allowed within the TP&L easement along Glenville and where removal is necessary within the fenced play area).

Extended Care:
In addition to providing care during typical childcare center hours, the applicant is also proposing to provide care that extends later to accommodate those who need evening care. The applicant has stated that any child who would stay for extended care would be required to be dropped off no later than 8:00 p.m. and that bedtime would be at 9:00 p.m. There would be minimal activity and interior lighting provided after 9:00 p.m. The applicant states sleeping arrangements would be identical to naptime sleeping arrangements where children would sleep on cots or nap mats in the childcare area as shown on Exhibit "C".

Fenced Play Area:
The applicant proposes to fence approximately 10,000 square feet of outdoor play area on the east and south sides of the building. The area would be secured by a 6-foot tall chain link fence that will be required to have a means of egress for emergency purposes. At this time, the applicant is not proposing specific equipment or designated play areas within outdoor area; however, the outdoor area, including elements such as size, fencing, and equipment, will be regulated and overseen by the State. Staff suggested utilizing a different fence material or using vinyl coated chain link fence for aesthetic purposes. The applicant states her preference is to utilize standard chain link fencing.

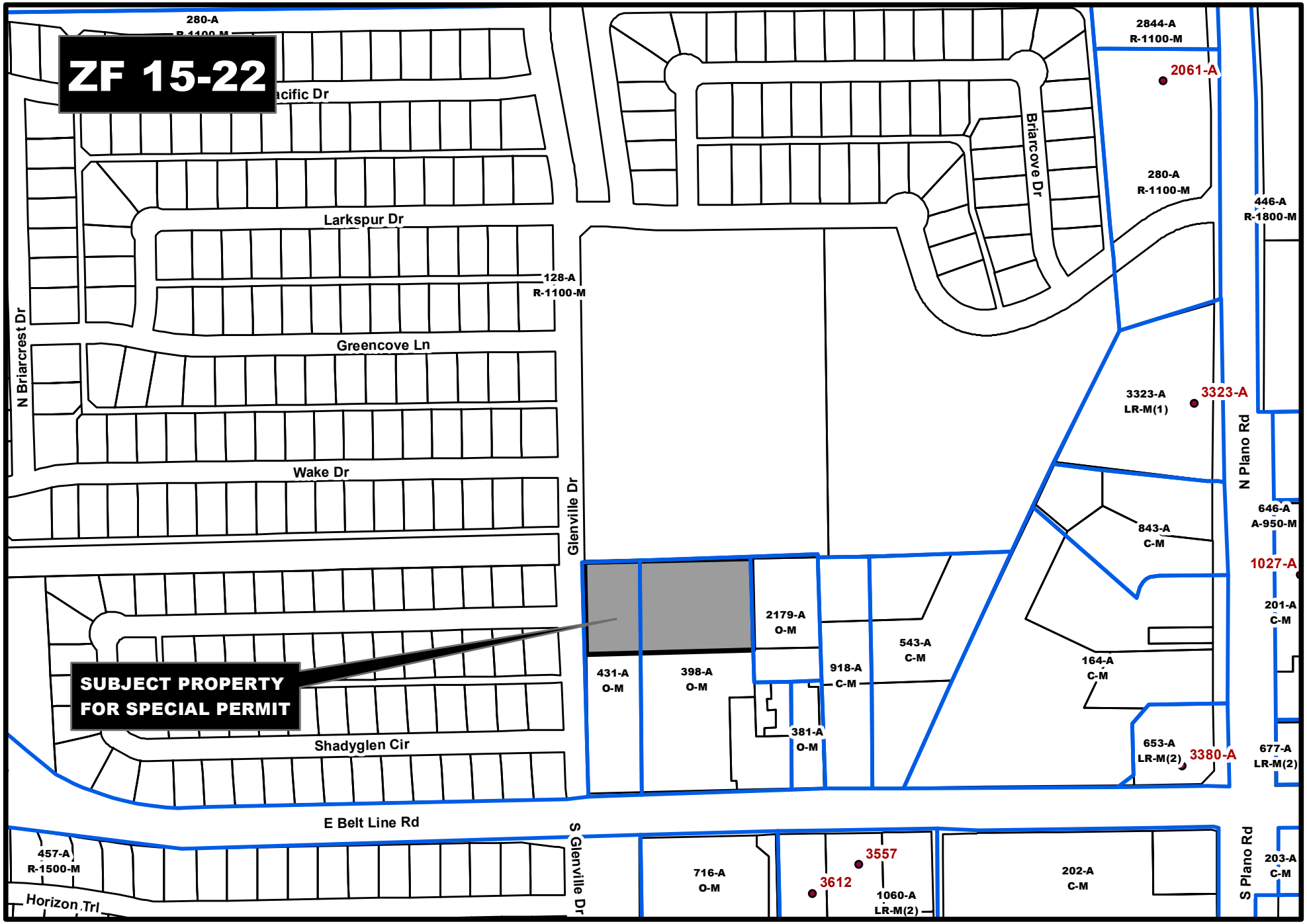
Dumpster Relocation:
The current dumpster is located at the east end of the east-west driveway along the north side of the building. This location was approved in 1991, with the expectation that the remainder of the lot would be developed requiring the dumpster to be relocated again. Since that time, no additional development has taken place, and the dumpster location has remained unchanged. Staff has requested the dumpster and screen wall be relocated since the sanitation truck has to back out the length of the driving aisle after servicing the dumpster. This is a concern with the proposed use since there will be children entering and exiting the property near the driving aisle. The dumpster is being relocated to the east side of the building to allow the truck to service the dumpster, back into the area where the current dumpster is located, and turn around and exit the property without backing out to Glenville Drive (See Exhibit "B").

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

Motion: On September 1, 2015, the City Plan Commission recommended approval of the applicant's request as presented, subject to the following conditions:

1. A childcare center shall be allowed and shall be limited to the area shown on the attached concept plan, marked as Exhibit "B" and made a part thereof.

2. The childcare center shall be allowed to operate between the hours 6:00 a.m. and 11:59 p.m.



ZF 15-22 Zoning Map

Updated By: shacklettc, Update Date: August 17, 2015
File: DS\Mapping\Cases\Z\2015\ZF1522\ZF1522 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

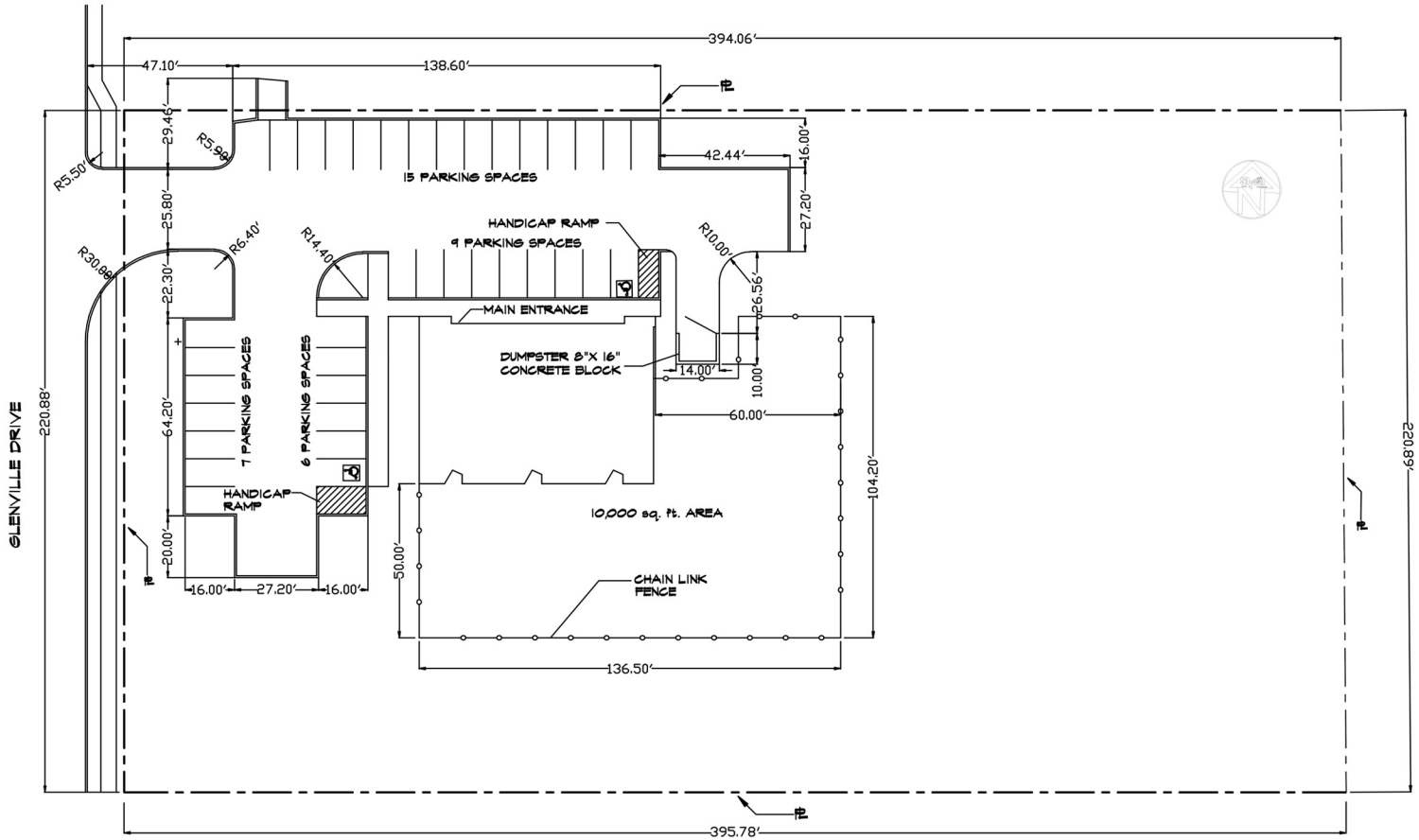
ZF 15-22 Aerial Map

Updated By: shacklettc, Update Date: August 17, 2015
File: DS\Mapping\Cases\Z\2015\ZF1522\ZF1522 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.

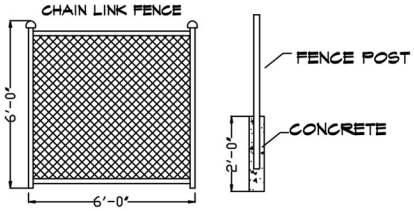
N
W E
S

Glenville Drive
Oblique Aerial
Looking East



SITE PLAN

SCALE: 1" = 40'

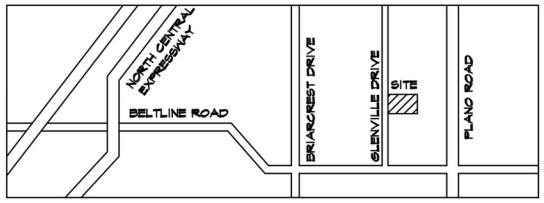


LOT 1 - BELT LINE / GLENVILLE ADDITION

SITE DATA:

SITE AREA	TOTAL AREA:	87,226 SQ.FT. 2,002 ACRES
ZONING:	LOT ZONING:	"O-M"
	ADJACENT ZONING NORTH:	"R-1100-M
	ADJACENT ZONING EAST:	"O-M"
	ADJACENT ZONING SOUTH:	"O-M"
	ADJACENT ZONING WEST:	"R-1100-M
BUILDING AREA	BUILDING SQ. FOOTAGE:	3,939 SQ.FT.
	FLOOR AREA RATIO:	0.05 : 1
	BUILGING HEIGHT:	11'6"
PARKING DATA:	NUMBER OF SPACES	37 SPACES
	9' X 18'	35 SPACES
	12' X 18' (HANDICAP)	2 SPACES
	REQUIRED PARKING SPACES	13
	REQUIRED PARKING RATIO	1:300 SQ. FT.

LANDSCAPE AREA:	TOTAL SITE AREA:	87,226 SQ. FT.
	UNDEVELOPED AREA:	58,189 SQ. FT
	REMAINING DEVELOPED AREA:	29,037 SQ. FT.
	LANDSCAPE AREA:	9,058 SQ. FT.
	LANDSCAPE PERCENTAGE:	31 %
	REQUIRED LANDSCAPE:	7 %



SHEA DESIGN & CONSTRUCTION
2926 IDAHO AVENUE
Dallas, Texas 75216
CELL(214) 616-7067

JOB NO. 132GLENVILLSITE
DRAWN BY: L.O.JOHNSON
DATE:
SCALE:

S1
OF

PROJECT:
WEE CARE DAY CARE
132 GLENVILLE DRIVE
RICHARDSON, TEXAS
LOT: 1

ZONING EXHIBIT

REV.	DATE
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2	
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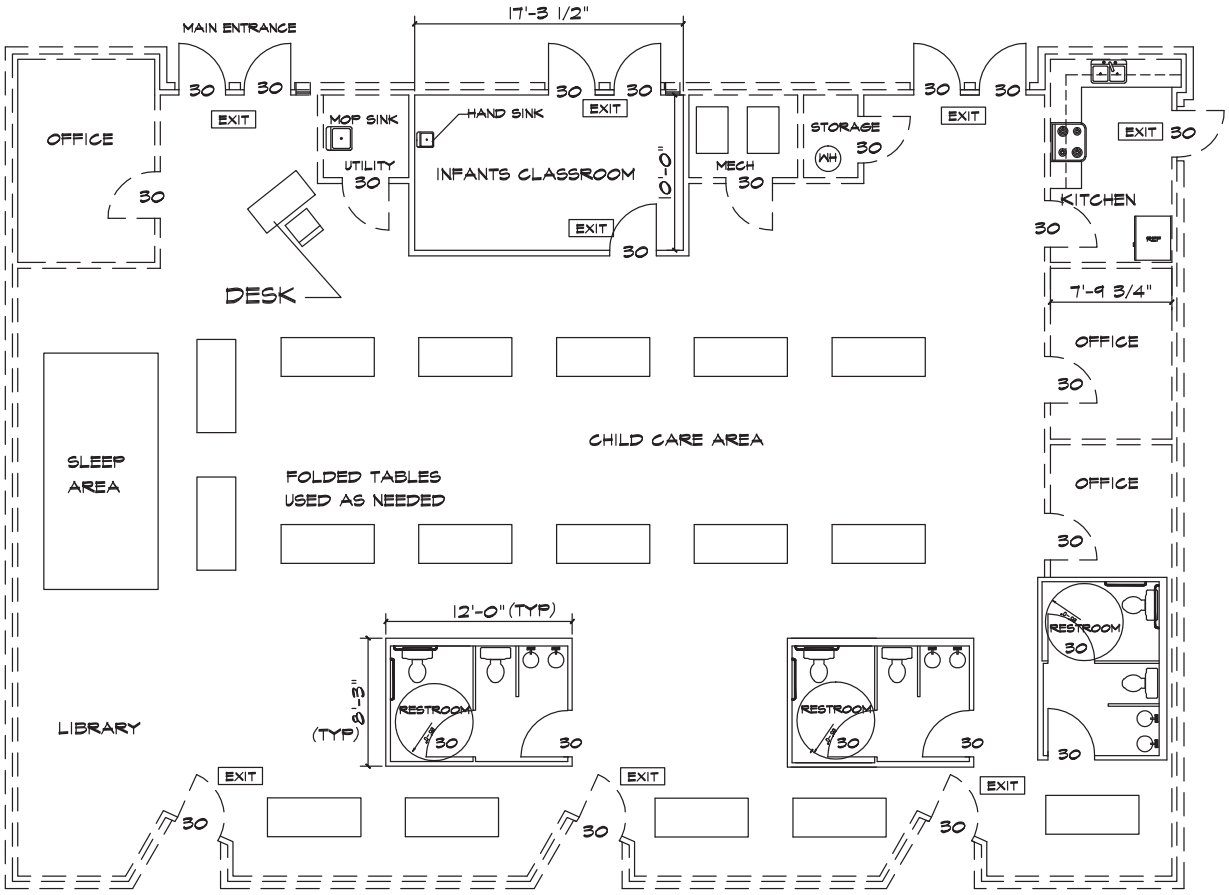
5	
6	

THIS DRAWING IS THE PROPERTY OF SHEA DESIGN & CONSTRUCTION (SDC). THE USE OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN PERMISSION OF SDC IS PROHIBITED.

Exhibit B - Part of Ordinance



FLOOR PLAN
SCALE: 1/8" = 1'

— — — INDICATE EXISTING STRUCTURE
——— INDICATE NEW CONSTRUCTION

DOOR SCHEDULE		
30	1	3'0" INTERIOR DOOR ,PRE HUNG RH
30	3	3'0" INTERIOR DOOR ,PRE HUNG LH

SHEA DESIGN & CONSTRUCTION

SHEA DESIGN & CONSTRUCTION
2928 IDAHO AVENUE
Dallas, Texas 75216
CELL:(214) 616-7067

JOB NO. 132GLENVILLEDR
DRAWN BY: L.O. JOHNSON SR.
DATE:
SCALE:

A3
OF

PROJECT:
WEE CARE DAY AND NIGHT CHILD CARE AND LEARNING CENTER

REV.	DATE
1	
2	
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6	

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Exhibit C

ZF 15-22 APPLICANT'S STATEMENT

The proposed use of 132 N. Glenville Drive, Richardson, Texas 75081 is as Whitermark Care, LLC, DBA Wee Care Day and Night Child Care and Learning Center (hereinafter "Wee Care Day and Night"). Wee Care Day and Night will provide curriculum-guided care for children ages 6 weeks to 12 years. In an effort to increase flexibility in employment options for parents, especially hours of availability, hours of operation will extend beyond the traditional hours of daycare. Wee Care Day and Night will open Monday through Saturday from 6:00 a.m. to 12:00 a.m. Age-appropriate learning activities will begin from the first day of service. Curriculum is derived from local Independent School Districts (ISDs) and tailored to meet the needs of each child. Wee Care Day and Night will serve local and neighboring communities by supporting ISD learning standards, especially servicing the following schools:

1. Mark Twain Elementary
2. Jess Harben Elementary
3. Dartmouth Elementary
4. Richardson Terrace Elementary

Wee Care Day and Night will conduct childcare and learning services primarily within the interior of the premises, with the exception of:

1. Travel loading/unloading
2. When exterior activities enhance learning potential
3. At least 2 recess periods between 9:00 a.m. and 5:00 p.m.

All exterior activities, with the exception of travel loading/unloading, will take place within a fenced outdoor area.

Wee Care Day and Night will operate under the standard that children are to be dropped off no later than 8:00 p.m., extended-care bedtime is at 9:00 p.m., and minimal interior lighting and activity is required from 9:00 p.m. until closing. Sleeping arrangements during this time will be identical to nap-time arrangements as children will sleep on cots or nap mats in Childcare Area (boys west; girls east).

Wee Care Day and Night has the building capacity to serve more than 120 children. It is expected that the vast majority of children will be between 6 weeks and 5 years of age. Wee Care Day and Night will employ one center Director, as well as, as many Early Learning Teachers as delineated by the Texas Department of Family and Protective Services; requirements are as follows:

Child Age Group	Maximum Number of Children	Number of Caregivers
0-11 months	4	1
12-17 months	5	1
18-23 months	9	1
2 years	11	1
3 years	15	1
4 years	18	1
5 years	22	1
6-8 years	26	1
9-13 years	23	1

Wee Care Day and Night will make the following immediate adjustments to the exterior of the premises:

1. Signage (as is delineated by city ordinance)
2. Fencing material
   a. Location: South x West
   b. HT: 6 ft Chain Link Fence as shown on zoning exhibit
3. Parking lot construction:
   a. 30° entrance turning radius
   b. Handicap parking x 3
      i. Ramp x 1
   c. Fire lane striping
   d. Dumpster relocation

Wee Care Day and Night will make the following future adjustments to the exterior of the premises:

1. Playground within fenced area (East exterior, as delineated by the Texas Department of Family and Protective Services, and city ordinance)
2. As applicable, landscape will be added in accordance with approved landscaping plan, except where not allowed in TPL easement or where removal is necessary for play area.

(1)

Looking Southeast at Subject Property

(2)
Looking South at
Existing Building

(3)
Looking South at
Proposed Dumpster Location

(4)
Looking West
across Glenville

(5)
Looking North from
Subject Property

(6)
Looking South
along Glenville

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 15-22 / Wee Care Day & Night Childcare Learning Center**
Property Owner:	Abraham Yu / Glenville Property Management, LLC
Applicant:	Alisa White-Burton / Whitermark Care LLC
Location:	132 N. Glenville Drive (See map on reverse side)
Current Zoning:	O-M Office
Request:	A request for approval of a Special Permit for a childcare center.

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

TUESDAY, SEPTEMBER 1, 2015
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.

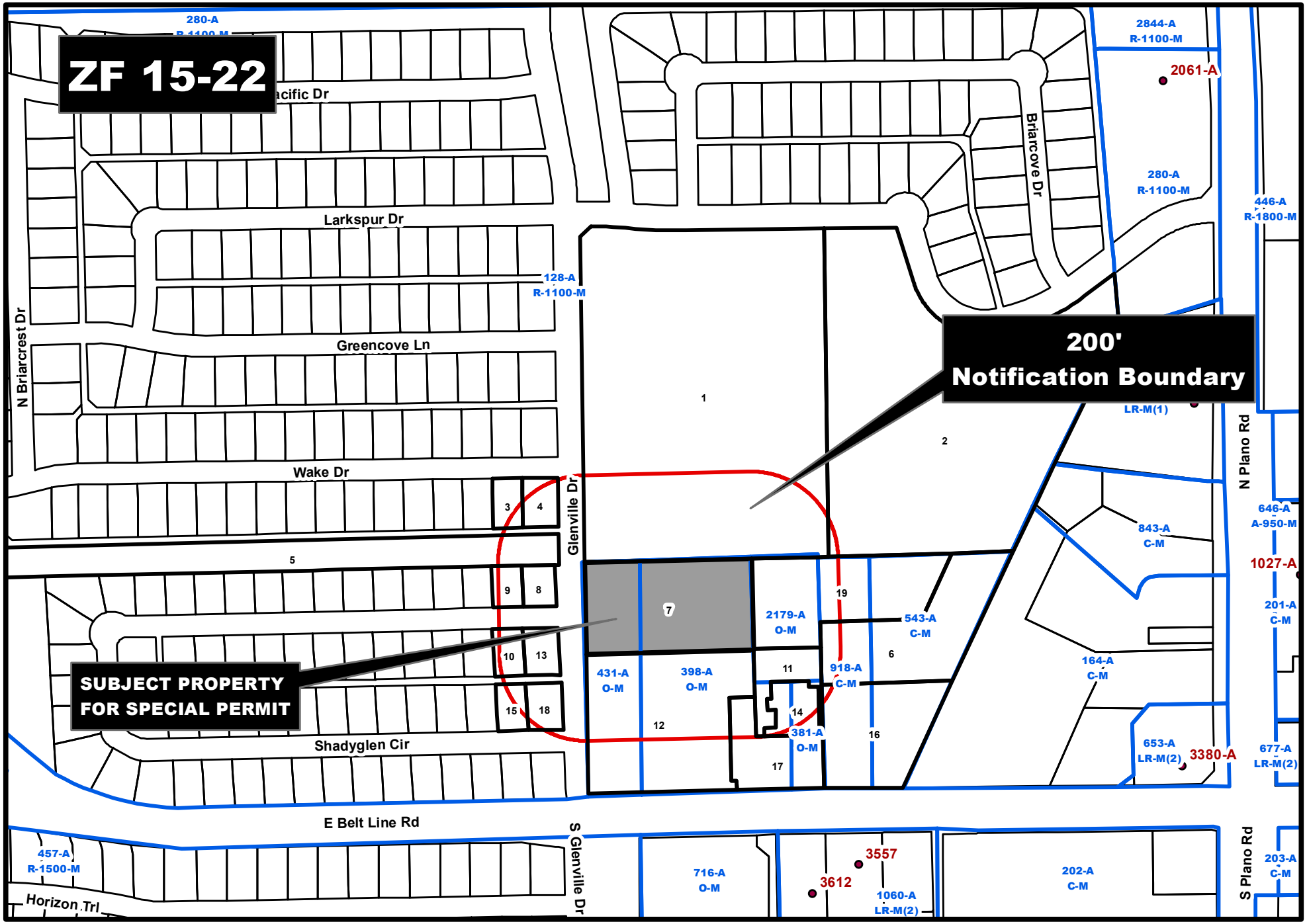
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 15-22.

Date Posted and Mailed: 08/21/2015



ZF 15-22 Notification Map

Updated By: shacklettc, Update Date: August 17, 2015
File: DS\Mapping\Cases\Z\2015\ZF1522\ZF1522 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.

1-RICHARDSON ISD
970 SECURITY ROW
RICHARDSON, TX 75081-2234

2 & 5-RICHARDSON CITY OF
TAX DEPT SUITE 101
411 W ARAPAHO RD # 101
RICHARDSON, TX 75080-4543

3-SLATER MATTHEW & HEATHER
1132 WAKE DR
RICHARDSON, TX 75081-3723

4-SOSEBEE ALLEN RAY
1016 WAKE DR
RICHARDSON, TX 75081-3721

6-YUN MGMT CO LLC
5114 FAIRWAY LAKES CT
GARLAND, TX 75044-5050

7-AMERICAN EVERGREEN INV
132 N GLENVILLE DR
RICHARDSON, TX 75081-3713

8-BROWN ANDREW L
1100 SHADYGLEN CIR
RICHARDSON, TX 75081-3719

9-WILLIAMS LEMUEL R EST OF
% MABLE WILLIAMS
1102 SHADYGLEN CIR
RICHARDSON, TX 75081-3719

10-SMITH CARL B
1103 SHADYGLEN CIR
RICHARDSON, TX 75081-3720

11-COHLMIA GREG
1231 E BELT LINE RD STE 101
RICHARDSON, TX 75081-3747

12-COMERICA BANK TEXAS
% RYAN LLC
2800 POST OAK BLVD FL 42
HOUSTON, TX 77056-6139

13-KINCHELOE MARY F
1101 SHADYGLEN CIR
RICHARDSON, TX 75081-3720

14-JNFP INC
1231 E BELT LINE RD STE 103
RICHARDSON, TX 75081-3746

15-CARDOSO CLAUDIA E & REYNALD
1153 SHADYGLEN CIR
RICHARDSON, TX 75081-3700

16-MCDONALDS CORP 42 137
% WN ENTERPRISES
PO BOX 182571
COLUMBUS, OH 43218-2571

17-MNK KNK NORTH TEXAS LLC
1508 COTTONWOOD VALLEY CIR N
IRVING, TX 75038-5930

18-TAN JINI YET HAR LEE
17803 BENCHMARK DR
DALLAS, TX 75252-6442

19-FIRST INTERNATIONAL BIBLE CHURCH
301 COMMERCE ST 131
FORT WORTH, TX 76102-4140

ALISA WHITE-BURTON
WHITERMARK CARELLC
PO BOX 852231
RICHARDSON, TX 75085

ABRAHAM YU
GLENVILLE PROPERTY MGMT, LLC
1101 EXECUTIVE DRIVE
RICHARDSON, TX 75081

12-FLEMING BRENT
1231 E BELT LINE RD STE 103
RICHARDSON, TX 75081-3748

12-GUIRGUIS JAMES
1231 E BELT LINE RD STE 103
RICHARSON, TX 75081-3748

ZF 15-22
Notification List

ORDINANCE NO. 4139

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A CHILDCARE CENTER WITH SPECIAL CONDITIONS ON A 2.00-ACRE TRACT OF LAND ZONED O-M OFFICE LOCATED AT 132 N. GLENVILLE DRIVE, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT ñAò; 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 15-22).

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, so as to grant a change in zoning to grant a Special Permit for a childcare center on a 2.00-acre lot tract of land zoned O-M Office located at 132 N. Glenville Drive, 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 childcare center is hereby conditionally granted subject to the following special conditions:

1. The development and use of the property for a childcare center shall be limited to the area shown on the concept plan attached as Exhibit "B" and incorporated herein for all purposes. The development and use of the property for a childcare center shall be limited to the area shown on the concept plan.

2. The childcare center shall be allowed to operate between the hours of 6:00 a.m. and 11:59 p.m.

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 12th day of October, 2015.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:10-6-15:TM 73615)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT ñAò
LEGAL DESCRIPTION
ZF 15-22

BEING a 2.00-acre tract of land situated in the E. Barroux Survey, Abstract No. 162, Dallas County, Texas; said tract being Lot 1, of Belt Line/Glenville Addition, an addition to the City of Richardson, Texas according to the plat recorded in Volume 91199, Page 0001 of the Map Records of Dallas County, Texas.

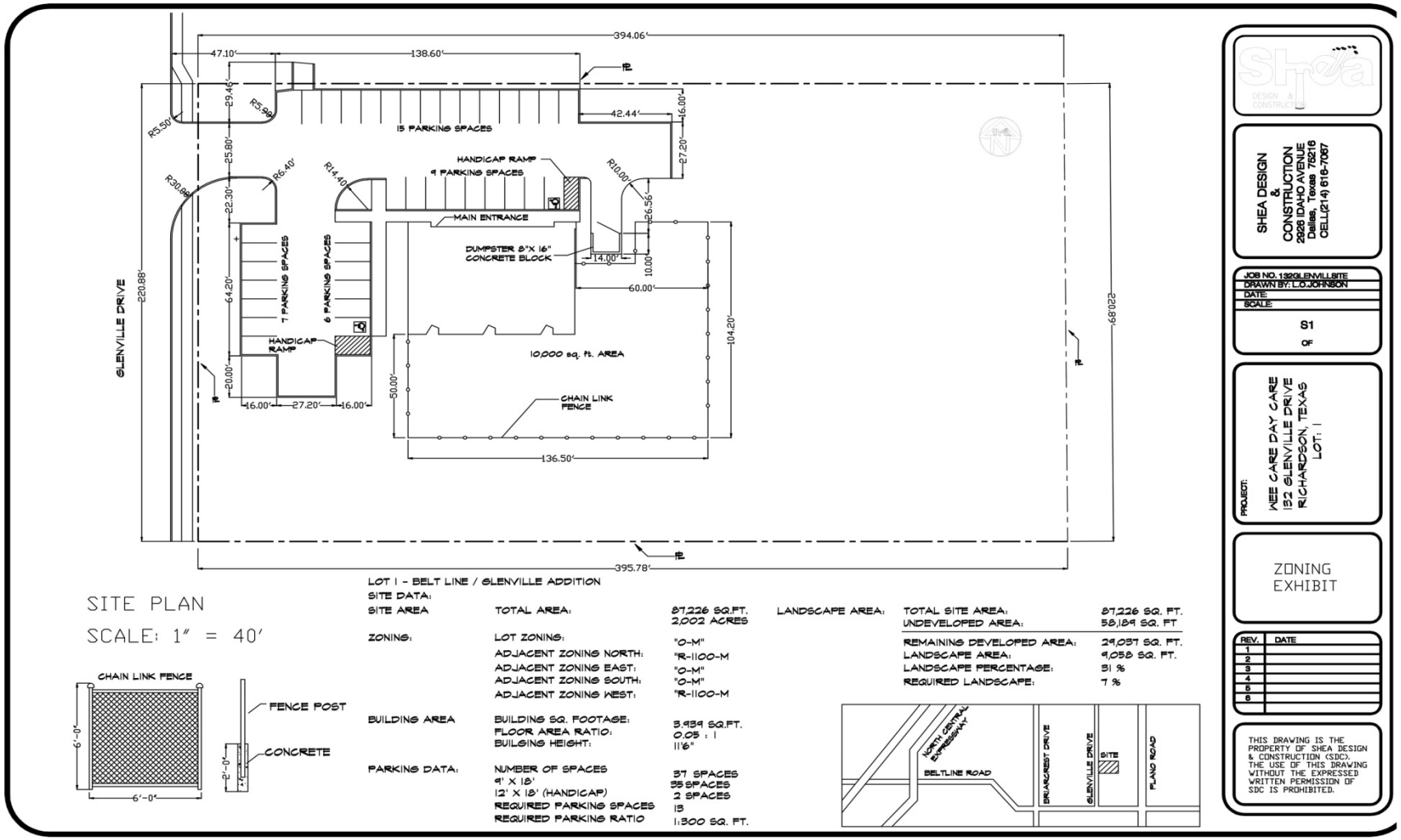


Exhibit B - Part of Ordinance

MEMO

DATE: **October 8, 2015**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 15-24: PD Amendment - La Quinta Inn & Suites**

REQUEST

Mike Patel, representing 4th Dimension Builders, is requesting an amendment to the development standards established under Ordinance No. 2586-A, a Planned Development, and to allow a limited service hotel at 455 W. President George Bush Highway (south side of PGBH, between Custer Parkway and Alma Road).

BACKGROUND

The applicant is proposing to construct a 4-story, 104-room limited service hotel on a 2.1-acre portion of a 4.75-acre lot currently developed with three (3) office buildings. The applicant states the proposed hotel will be a new prototype for the La Quinta brand. The hotel will provide amenities including, but not limited to, the following:

- Conference and meeting facility
- Fitness center
- Full hot breakfast (daily) and bar area with food service
- Outdoor pool
- Laundry facilities
- On-site market

The proposed hotel would not comply with the Planned Development requirement that buildings be constructed of 85% masonry material. Although a Special Permit for a limited service hotel can be requested in a PD Planned Development zoning district, relief from the zoning requirements cannot be granted with a Special Permit. Consequently, the applicant is requesting to amend the PD regulations to allow a limited service hotel with less than 85% exterior cladding in conformance with the attached zoning exhibit and building elevations (Exhibits "B" and "C," respectively). The applicant is also requesting to waive the requirement for concept plan approval and the requirement for any additional traffic analysis. Approval of the proposed zoning exhibit would preclude the need for concept plan approval and staff has determined the potential traffic generated by a limited service hotel is not a significant increase compared to the office space previously studied for the subject property. The proposed amendments would apply exclusively to the 2.1-acre site as shown in the zoning exhibit and would not affect any other property within the PD.

No correspondence has been received regarding this request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 4-0, recommends approval of the request as presented, subject to the attached special conditions. **Should the City Council approve the request, Ordinance No. 4140 is attached and may be approved with the same motion.**

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 09-15-2015
Staff Report
Zoning Map
Aerial Map
Zoning Exhibit (Exhibit "B")
Building Elevations (Exhibit "C")
Color Building Elevations (Exhibit "D")
Applicant's Statement
Site Photos
Notice of Public Hearing
Notification List
Ordinance No. 4140

ZF 15-24 Special Conditions

1. A “hotel, limited service”, as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit “B” shall be allowed and made a part thereof.

2. The “hotel, limited service” shall be constructed in substantial conformance with the attached concept plan (Exhibit “B”) and building elevations (Exhibit “C”). The “hotel, limited service” shall be a minimum 50% masonry construction as depicted on Exhibit “C”.

3. The requirement for approval of a concept plan as stated in Ordinance Number 2586-A shall be waived.

4. There shall be no traffic analysis required prior to the approval of development plans for a “hotel, limited service” on the subject property.

Attn. Lynda Black
Publication for Dallas Morning News ï Legals
Submitted on: <u>September 23, 2015</u>
Submitted by: City Secretary, City of Richardson

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

City Secretaryôs Office
P.O. Box 830309
Richardson, TX 75083-0309

FOR PUBLICATION ON: <u>September 25, 2015</u>

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:00p.m. on Monday, October 12, 2015, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 15-14

A request by Ahmed Helaluzzaman, representing Richardson Crystal Creek HOA, to amend the Crystal Creek PD Planned Development, Ordinance 3796, to modify development standards related to the development of an 11.3-acre single-family subdivision located on the west side of Holford Road, north of the Richardson/Garland city limit line and south of Chainhurst Drive. The property is currently zoned PD Planned Development.

ZF 15-21

A request by Randy Novak, representing Banana RC Raceway, for approval of a Special Permit for an indoor radio control race track to be located at 521 W. Campbell Road (south side of Campbell Road, east of Nantucket Drive). The property is currently zoned LR-M(2) Local Retail.

ZF 15-22

A request by Alisa White-Burton, representing Wee Care Day and Night Childcare Learning Center, for approval of a Special Permit for a childcare center to be located at 132 N. Glenville Drive (east side of Glenville Drive, north of Belt Line Road. The property is currently zoned O-M Office.

ZF 15-24

A request by Mike Patel, representing 4th Dimension Builders, to amend the existing PD Planned Development, to allow a limited service hotel and to modify the associated development standards, including a request to allow less than 85% masonry construction, for a portion of a property located at 455 W. President George Bush Highway (south side of PGBH, between Custer Parkway and Alma Road). 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

DRAFT - EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES –September 15, 2015

PUBLIC HEARING

Zoning File 15-24 ï La Quinta Inn & Suites: Consider and take necessary action on a request to amend a PD Planned Development to allow a limited service hotel and to modify the associated development standards, including a request to allow less than 85% masonry construction. The property is located at 455 W. President George Bush Highway, south side of President George Bush Highway between Custer Parkway and Alma Road.

Mr. Shacklett stated the applicant was requesting approval of amendments to the existing PD to permit a limited service hotel, modify associated development standards, allow less than 85% masonry construction, and remove the requirement for some additional approvals.

Regarding the additional approvals, Mr. Shacklett explained that the existing PD, approved prior to the construction of President George Bush Turnpike/Highway (PGBT), allowed a mix of uses, therefore, due to this uncertainty, the PD required approval of a concept plan prior to any site plan approval for any lot within the PD. For each development within the PD, the concept plan had been revised and updated prior to the review and approval of the development plans for the individual projects. Staff suggests the concept plan approval process be waived for this project if the PD amendment was approved.

Mr. Shacklett stated the applicant was also requesting to remove the need for another Traffic Impact Analysis (TIA) based on the City's Traffic Department comments that a 4-story, limited service hotel would generate more traffic than an office building; however, the peak hour trips would be at different times so the impact on the highway frontage road would not be the same.
Concerning the request for less than 85% masonry, Mr. Shacklett said the building would be slightly over 50% masonry with individual elevations as low as 14% on the north and south where the ceramic panels would be located to a high of 57% and 62% on the east and west elevations. He added that the original elevations contained mostly Exterior Insulation and Finishing System (EIFS), which staff informed the applicant was not allowed below eight (8) feet and only used as accent material so changes were made to the building materials to add more brick and stucco.

Mr. Shacklett concluded his presentation by showing photographs from the site and surrounding area along with a photo of a similar style hotel in College Station, Texas.

Commissioner DePuy asked for clarification on how a limited service hotel would generate more traffic than an office building.

Mr. Shacklett replied the overall daily trips generated by a hotel might be more than an office building because of customers coming and going during the day, whereas an office would only generate trips during the peak morning and evening hours.

Commissioner Ferrell asked if there were other buildings in the City with approximately 50% masonry. He also wanted to know why EIFS was not allowed below 8 feet.

Mr. Shacklett said there were buildings at CityLine where the definition of masonry includes other materials and if the proposed building were to be located in CityLine the percentage of masonry would be around 70%. He added there were also some PD Districts where the proposed building design would be considered 100% masonry.

In addressing the question of using EIFS, Mr. Shacklett stated that if the material was installed below eight (8) feet where it could be impacted by a vehicle or person, it tended to be a material where any impact could easily penetrate the surface.

Vice Chair Bright asked to confirm if the proposed building with the stucco and ceramic panels was located in CityLine would it be considered 100% masonry?

Mr. Shacklett confirmed the building would be considered 100% if located in CityLine.

With no further questions for staff, Vice Chair Bright opened the public hearing.

Mr. Jay Bhatt, 2004 Tennyson Drive, Flower Mound, Texas, said that when they first looked at the site and the possibility of constructing a full service hotel, it was quickly determined that the parking would not be sufficient and plans were changed to a select service hotel product from La Quinta. He added that the building would have many modern amenities and would serve the surrounding business community.

Commissioner DePuy asked how the proposed elevation compared to the photo of the hotel in College Station, Texas.

Mr. Bhatt replied that in keeping with the contemporary look of the hotel in the photo, and to meet the City's masonry requirements, the elevations were changed to include brick and ceramic stucco.

Commissioner Ferrell asked if there would be conference space in the hotel. He also wanted to know how the ceramic panels were attached.

Mr. Bhatt said the ceramic panels would be attached to a metal lath and there would be meeting space for up to 700 people.

Vice Chair Bright asked if there were other properties that used the ceramic tiles as part of their building materials.

Mr. Bhatt replied there is another building in the planning stages that will use the ceramic panels, but the College Station property is the only one that is finished.

Ms. Sebrina Bala, Studio Red Dot Architects, 4416 Kelly Drive, Richardson, Texas, stated the proposed building would be very similar in color and style to the building in College Station.

Commissioner DePuy asked how durable the ceramic tiles would be.

Ms. Bala replied the tiles were very durable, met all building codes and were used on many high-rise buildings – the W hotel in Dallas being one.

No other comments were received in favor or opposed and Vice Chair Bright asked if the applicant would like to make any closing comments.

Mr. Bhatt thanked the Commission for the opportunity to present their requests and felt the business would be very beneficial for the city.

Vice Chair Bright closed the public hearing.

Motion: Commissioner DePuy made a motion to recommend approval of Zoning File 15-24 as presented; second by Commissioner Ferrell. Motion approved 4-0.

Staff Report

TO: City Council

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

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

DATE: October 8, 2015

RE: **Zoning File 15-24**: PD amendments – Limited Service Hotel

REQUEST:

Request for approval of amendments to the existing PD (Ordinance Number 2586-A) to allow a limited service hotel and modify associated development standards, including a request to allow less than 85% masonry construction, for a 2.1-acre portion of a 4.75-acre lot located at 455 W. President George Bush Highway (south side of PGBH, between Custer Parkway and Alma Road).

APPLICANT & PROPERTY OWNER:

Mike Patel – 4th Dimension Builders / Sohrab Charna – Custer Commons, LLC

EXISTING DEVELOPMENT:

The eastern portion of the 4.75-acre lot is developed with three (3), 2-story office buildings totaling 40,371 square feet. The western portion of the lot is undeveloped except for a driving aisle and row of parking adjacent to President George Bush Highway.

ADJACENT ROADWAYS:

PGBT: Freeway/Turnpike; 152,000 vehicles per day on all lanes, eastbound and westbound, west of Central Expressway (2014).

Custer Parkway: Six-lane, divided arterial; 14,500 vehicles per day on all lanes, northbound and southbound, north of Renner Road (April 2014).

Alma Road: Four-lane, divided arterial; 10,100 vehicles per day on all lanes, northbound and southbound, north of Renner Road (April 2014).

SURROUNDING LAND USE AND ZONING:

North: City of Plano
South: Industrial; I-M(1) Industrial
East: Office; PD Planned Development
West: Office; PD Planned Development

FUTURE LAND USE PLAN:

Community Commercial

Retail centers with multiple anchors, mid-rise office, entertainment and hospitality uses.

Future Land Uses of Surrounding Area:
North: City of Plano
South: Office/Industry
East: Community Commercial
West: Community Commercial

EXISTING ZONING:

PD Planned Development per Ordinance Number 2586-A which allows a variety of uses including retail, office, restaurant, and residential uses.

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.

APPLICANTôS STATEMENT

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

STAFF COMMENTS:

Background:
The subject property was rezoned from R-1500-M Temp to PD Planned Development in 1987 per Ordinance Number 2586-A and was part of a request to rezone property on the south side of PGBH, generally between Custer Parkway and Jupiter Road. This tract (Tract R-5) allows several uses including, retail, restaurant, office, and residential uses. Although a full-service hotel is an allowed use; a limited service hotel requires a Special Permit. A full-service hotel is defined as a hotel that provides full food and beverage service for three (3) meals per day and contains at least 2,000 square feet of meeting space. The proposed hotel will not provide these amenities; therefore, it is defined as a limited service hotel.

Request:
The applicant is proposing to construct a 4-story, 104-room limited service hotel on a 2.1-acre portion of a 4.75-acre lot currently developed with three (3) office buildings. The applicant

states the proposed hotel will be a new prototype for the La Quinta brand. The hotel will provide amenities including, but not limited to, the following:

- Conference and meeting facility
- Fitness center
- Full hot breakfast (daily)
- Bar area with food service
- Outdoor pool
- Laundry facilities
- On-site market

Although a Special Permit can be requested in a PD Planned Development District for a limited service hotel, the proposed hotel does not comply with the minimum 85% masonry requirement of the PD Planned Development District; therefore, the applicant seeks to amend the PD Planned Development District regulations for the subject property to allow a limited service hotel with modified development standards since a Special Permit cannot grant relief to base zoning requirements. The proposed amendments would allow the limited service hotel use with a reduced masonry percentage in conformance with the attached zoning exhibit and elevations (Exhibits "B" and "C").

Proposed Development:

- Building Area: 56,914 square feet.
- Building Materials:
  Approximately 50% masonry, - constructed of grey and black brick, beige stucco, and brown ceramic panels, accented with yellow stucco and silver tower parapet caps, with white aluminum panels for the covered drop-off area. **The applicantôs proposed amendment would reduce the minimum percentage of masonry construction from 85% to a minimum of 50% overall (as shown on Exhibit ñCò).**
- Setbacks and Landscape Buffer **(no change requested):**
  - Front: 100 feet along PGBH.
  - Side: 25 feet.
  - Rear: 40 feet.
  - Landscape Buffers: 40-foot buffer along PGBH.
- Building Height **(no change requested):** 4 stories / 64'2" (top of entry tower) – maximum twenty (20) stories allowed in this portion of Tract R-5.
- Floor Area Ratio **(no change requested):** 0.62:1 proposed / Maximum 1.5:1 allowed
- Lot Coverage **(no change requested):** 16% proposed / Maximum 50% allowed
- Landscaping Percentage **(no change requested):** 19% proposed, 15% required
- Number of Parking Spaces: 109 proposed; 104 required (1 space per guest room).

Elements Related to the Request:

Existing PD Requirements – The existing PD, approved prior to the construction of President George Turnpike, allows a mix of uses, therefore, due to this uncertainty, the PD required approval of a concept plan prior to any site plan approval for any lot within the PD. For each development within the PD, the concept plan has been revised and updated prior to the review and approval of the development plans for the individual projects. Staff suggests the concept plan approval process be waived for this project if the PD amendment to allow a limited service hotel is approved. The zoning exhibit provides the same information the concept plan provides; furthermore, it is subject to additional scrutiny since public hearings are required before the City Plan Commission and City Council prior to approval.

The existing PD also required a traffic analysis to be conducted to forecast the amount of traffic to be generated by the proposed development. The most recent analysis conducted for Tract R-5 proposed a 40,000-square foot office development on the subject property. The City's Traffic Engineer has compared trip generation numbers for each use and has come to the following conclusions:

- 104-room hotel has potential to generate twice the number of daily trips compared to a 40,000-square foot office building.
- The peak trip generation hours for a hotel occur during off-peak hours of the adjacent roadway, whereas the peak hour of an office is typically the same as for the peak roadway volumes.
- The peak hour traffic volumes for both land uses are similar during the AM and PM peak period of the adjacent roadways.
- Based on the following conclusions, the City's Traffic Engineer has stated no additional traffic analysis is necessary.

Building Materials – The PD Planned Development District requires all buildings to be a minimum of 85% masonry construction. Masonry materials include brick, stone, and concrete block. The proposed hotel utilizes a combination of brick, stucco and ceramic panels; therefore, stucco and ceramic panels are not considered masonry materials. The proposed hotel is approximately 50% masonry; the east and west elevations are 57% and 62% masonry respectively, while the north and south elevations and 32% and 14% masonry respectively. The applicant is proposing to utilize stucco and ceramic panels to be consistent with the new prototype of La Quinta Hotels.

The initial design utilized exterior insulation and finish system (EIFS) in lieu of stucco and brick. Staff informed the applicant EIFS was prohibited below a height of eight (8) feet. Furthermore staff suggested utilizing stucco in lieu of EIFS and that masonry be added to the building to be more consistent with the surrounding development which meets the 85% masonry requirements. The elevations, attached as Exhibits "C" and "D" reflect the revised design proposed by the applicant. Photos of an existing La Quinta Hotel in College Station utilizing the new prototype design are also attached. Although the materials are different, it reflects the building design and color palette proposed for the subject property.

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

Motion: On September 15, 2015, the City Plan Commission recommended approval of the applicant's request as presented, subject to the following conditions:

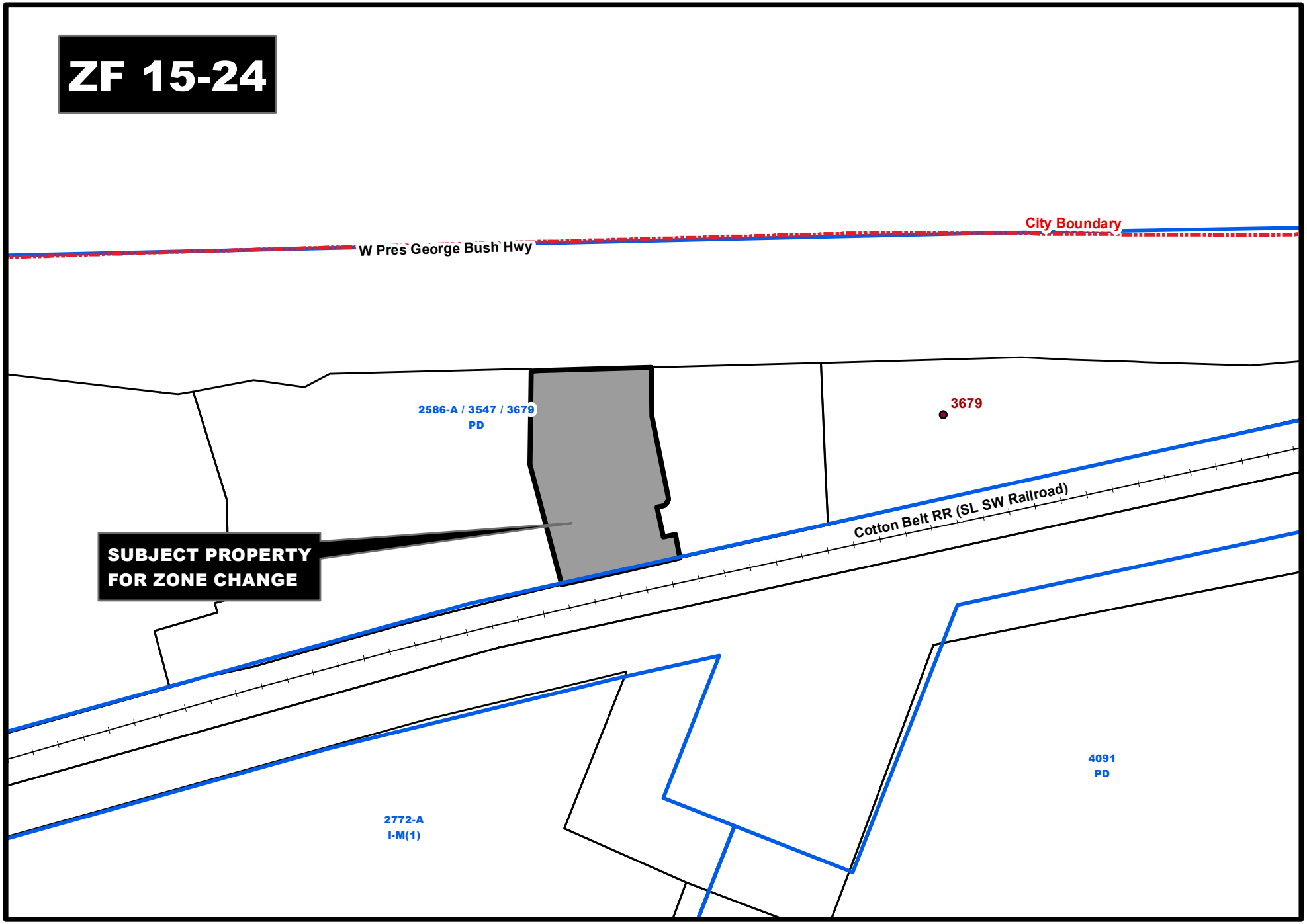
All conditions stated in Ordinance Number 2586-A shall remain in full force and effect except as otherwise noted below:

1. A "hotel, limited service", as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit "B" shall be allowed and made a part thereof.

2. The "hotel, limited service" shall be constructed in substantial conformance with the attached concept plan (Exhibit "B") and building elevations (Exhibit "C"). The "hotel, limited service" shall be a minimum 50% masonry construction as depicted on Exhibit "C".

3. The requirement for approval of a concept plan as stated in Ordinance Number 2586-A shall be waived.

4. There shall be no traffic analysis required prior to the approval of development plans for a "hotel, limited service" on the subject property.



ZF 15-24 Zoning Map

Updated By: shacklettc, Update Date: September 1, 2015
File: DS\Mapping\Cases\Z\2015\ZF1524\ZF1524 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 15-24 Aerial Map

Updated By: shacklettc, Update Date: September 1, 2015
File: DS\Mapping\Cases\Z\2015\ZF1524\ZF1524 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
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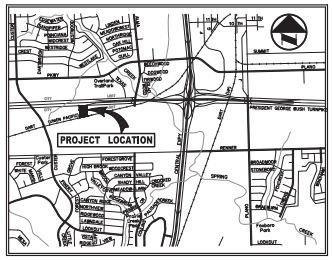
Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L1	47.00	N12° 34' 54.90"W	
L2	24.70	S78° 11' 44.00"W	
L3	59.99	N11° 48' 16.00"W	
L4	12.04	N78° 11' 44.00"E	
C1	23.54	89.91	15.00

TOTAL SITE: 265 SPACES REQUIRED & 274 SPACES PROVIDED
OFFICE SITE: 161 SPACES REQUIRED & 165 SPACES PROVIDED
HOTEL SITE: 104 SPACES REQUIRED & 109 SPACES PROVIDED



VICINITY MAP
(NOT TO SCALE)

0 15 30 60 90
GRAPHIC SCALE IN FEET

LEGEND

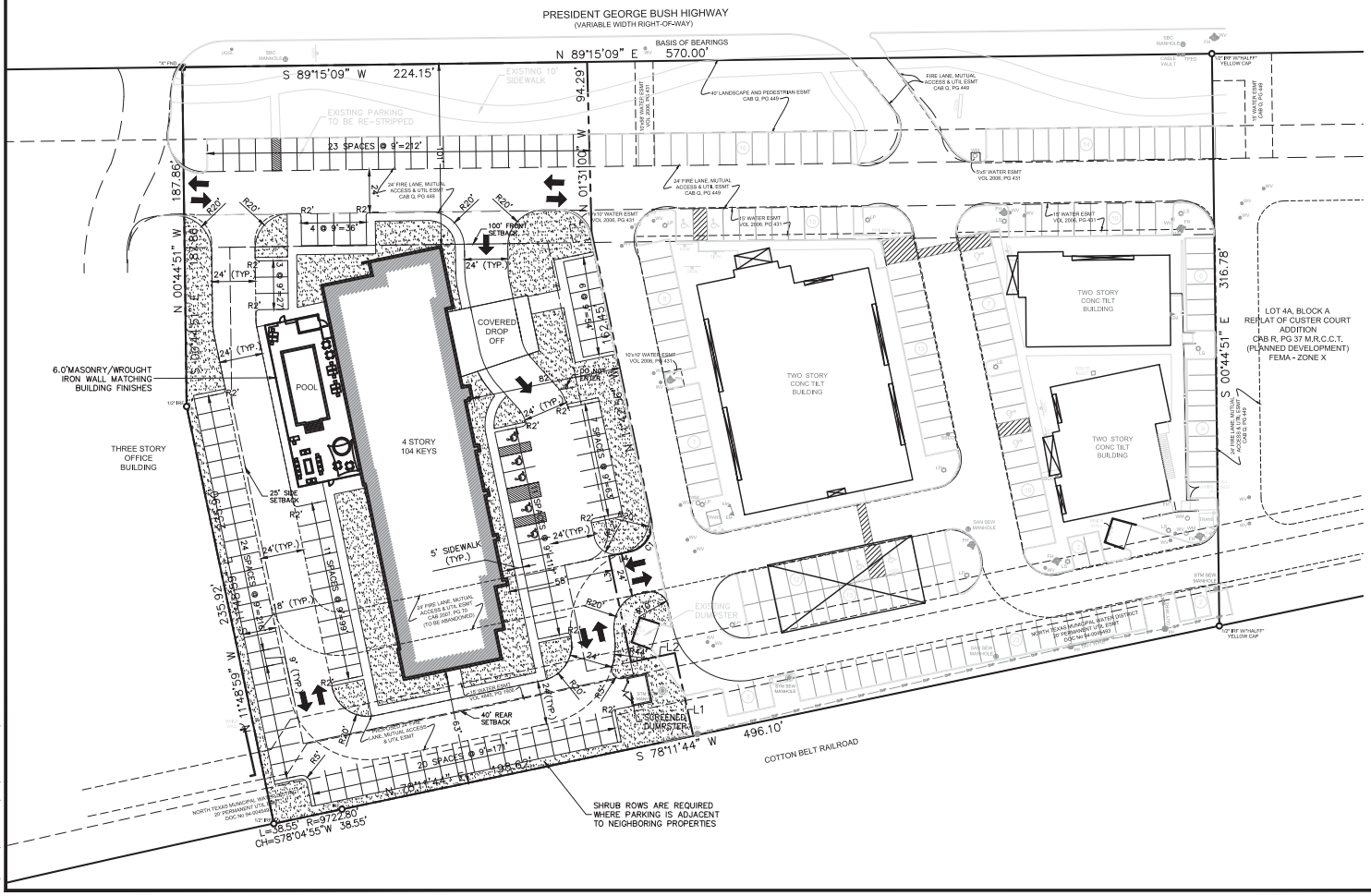
	BOLLARD	(C.M.)	CONTROLLING MONUMENT
EM	ELECTRIC METER		PROPERTY LINE
PP	POWER POLE	x	FENCE
LS	LIGHT STANDARD	OHL	OVERHEAD UTILITY LINE
WM	WATER METER	E	UNDERGROUND ELECTRIC LINE
WV	WATER VALVE	T	UNDERGROUND TELEPHONE LINE
ICV	IRRIGATION CONTROL VALVE	C	UNDERGROUND CABLE LINE
FH	FIRE HYDRANT	6"W	UNDERGROUND WATER LINE
CO	CLEANOUT	6"SS	UNDERGROUND CABLE LINE
MH	MANHOLE	613	EXIST CONTOUR
TSC	TRAFFIC SIGNAL CONTROL	612.39	EXIST SPOT ELEVATION
TSP	TRAFFIC SIGNAL POLE	TC 619.39 G 617.89	EXIST TOP OF CURB ELEVATION / EXIST GUTTER ELEVATION
TELE	TELEPHONE BOX		
	FLOOD LIGHT		LANDSCAPED AREA
FP	FLAG POLE		
SIGN	TRAFFIC SIGN		
IRS	1/2-INCH IRON ROD W/"PACHECH KOCH" CAP SET		

SITE INFORMATION

1. EXISTING ZONING: PLANNED DEVELOPMENT PER ORD. 2586/PROPOSED ZONING AMENDED PD TO ACCOMMODATE LIMITED SERVICE HOTEL
2. SETBACKS
   - 2.1. FRONT: 100'
   - 2.2. SIDE: 25'
   - 2.3. REAR: 40'
3. BUILDING/PARKING SUMMARY
   - 3.1. LOT AREA : 2.16 ACRES (92,146 s.f.)
   - 3.2. BUILDING TOTAL: 56,914 s.f./104 ROOMS
     - 3.2.1. 1st FLOOR: 14,560 s.f.
     - 3.2.2. 2nd FLOOR: 14,421 s.f.
     - 3.2.3. 3rd FLOOR: 14,421 s.f.
     - 3.2.4. 4th FLOOR: 13,512 s.f.
4. PARKING RATIO: 1.0 SPACE / GUEST ROOM (LIMITED SERVICE HOTEL)
5. REQUIRED PARKING: 104 SPACES
6. PROVIDED PARKING: 109 SPACES (4 ADA)
7. LANDSCAPE: 17,400 s.f. (19%)/ MIN 15% REQUIRED
8. FLOOR AREA RATIO: 0.62:1/MAX 1.5:1 ALLOWED FOR ENTIRE TRACT
9. BUILDING HEIGHT: 4 STORIES 64 FEET 2 INCHES

APPLICANT INFORMATION:

MEHUL (MIKE) PATEL
NILKANTHVARNI HOSPITALITY LLC
683 WATERBROOK DR
IRVING, TX 75039
(P) 866-272-3232



Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
DALLAS ▪ FORT WORTH ▪ HOUSTON
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-00

ZONING EXHIBIT
LA QUINTA HOTEL
445 W.PRESIDENT GEORGE BUSH HWY.

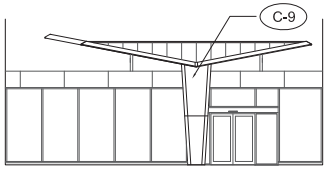
CITY OF RICHARDSON, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
AGU	AGU	SEPTEMBER 2015	1"=30'			C1.0

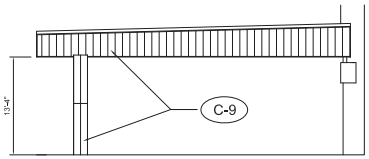
LA QUINTA

A:\ANDERWOOD
8/26/2015 8:11 AM
M:\DWG-16\1639-15.268\DWG\CIVIL C3D 2015\PK EX.DWG

Exhibit B - Part of Ordinance



EAST ELEVATION



SOUTH ELEVATION
NORTH ELEVATION - SIMILAR

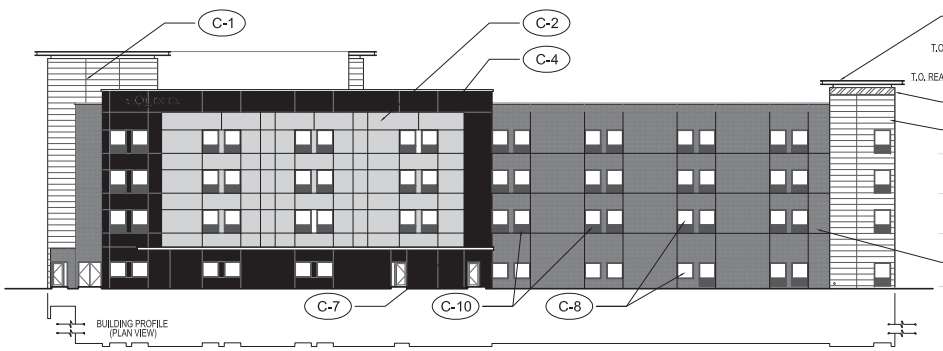
5 CANOPY ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL SCHEDULE

C-1	CERAMIC PANELS MANUF: NEOLITH COLOR: IRON CORTEN (RUST BROWN)	C-6	DOOR & FRAME PAINT (AS NOTED) GREY
C-2	STUCCO COLOR: BEIGE	C-7	ALUMINUM (TOWER PARAPET EXTENSIONS) PAC-CLAD - SILVER
C-3	BRICK VENEER, MODULAR - COLOR 1 COLOR: GREY	C-8	ALUMINUM (WINDOWS, STOREFRONT, & PTAC GRILLS) CLEAR ANODIZED
C-4	BRICK VENEER, MODULAR - COLOR 2 COLOR: DARK GREY (BLACK)	C-9	ALUMINUM FLUSH PANELS (PORTE-COCHERE) PAC-CLAD - STONE WHITE FINISH
C-5	STUCCO COLOR: YELLOW	C-10	PTAC MECHANICAL UNIT COLOR: GREY

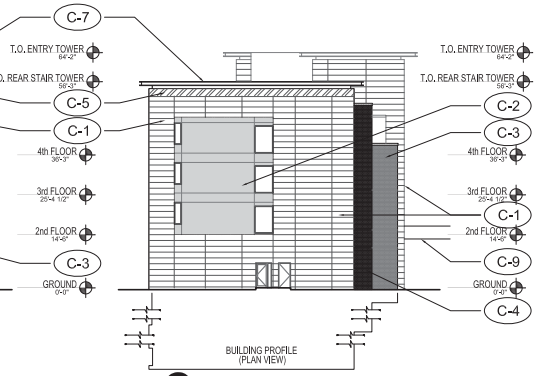
OVERALL BUILDING MATERIAL (%)

BRICK VENEER (MODULAR) -	50.5%
CERAMIC PANELS -	31.2%
STUCCO -	18.3%



4 WEST ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 62%
CERAMIC - 13%
STUCCO - 25%

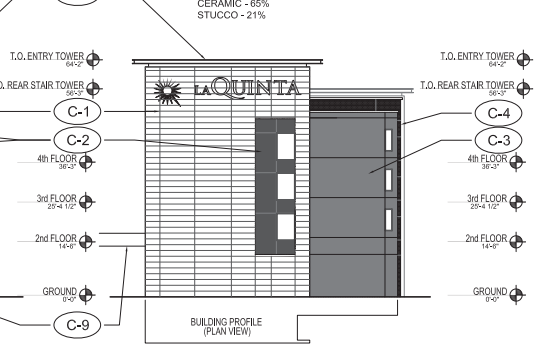


3 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 14%
CERAMIC - 65%
STUCCO - 21%

2 EAST ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 57%
CERAMIC - 30%
STUCCO - 13%



1 NORTH ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 32%
CERAMIC - 58%
STUCCO - 10%

NOTE:
ALL BUILDING SIGNAGE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. SUBJECT TO BUILDING INSPECTION APPROVAL.

Project Manager:
Build Amazing
281-850-2062 Ph.
2004 Tennyson Dr.
Flower Mound, Texas 75028
www.buildamazing.com

Design Consultant:
Division Space
940 - 367 - 2066 Ph.
www.dlvspacearchitects.com

Project Architect:
studioreddot
5307 E. Mockingbird Lane, Suite 509
Dallas, Texas 75206
O: 214.379.7427
F: 214.291.5777
www.studio-reddot.com

MEP/Civil/Structure :

Seal Of Consultant :

LaQuinta Del Sol
Owner:
Mehul (Mike) Patel
Nilkanthvarni Hospitality LLC
683 Waterbrook Dr. | Irving, TX 75039
886.272.3232
Franchice TBD
TAS:TBD

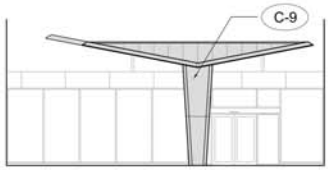
MARK	DATE	DESCRIPTION

SHEET TITLE

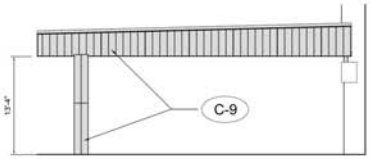
EXTERIOR ELEVATIONS

A2.01

Exhibit C - Part of Ordinance



EAST ELEVATION



SOUTH ELEVATION
NORTH ELEVATION - SIMILAR

5 CANOPY ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL SCHEDULE

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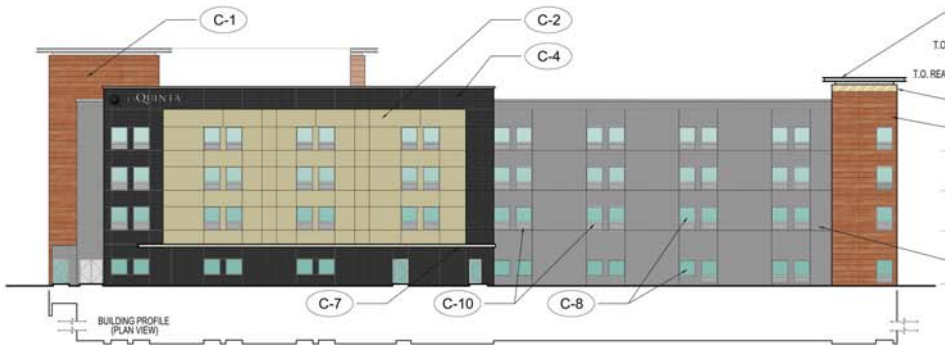
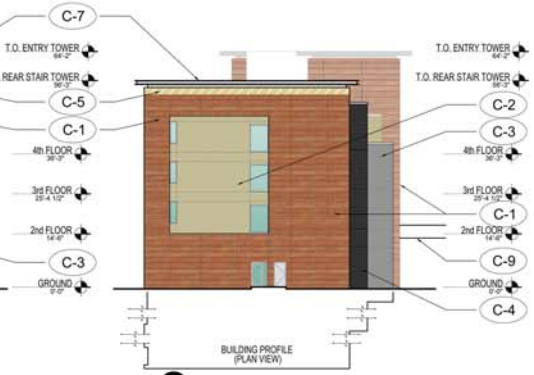
C-5	STUCCO COLOR: YELLOW		



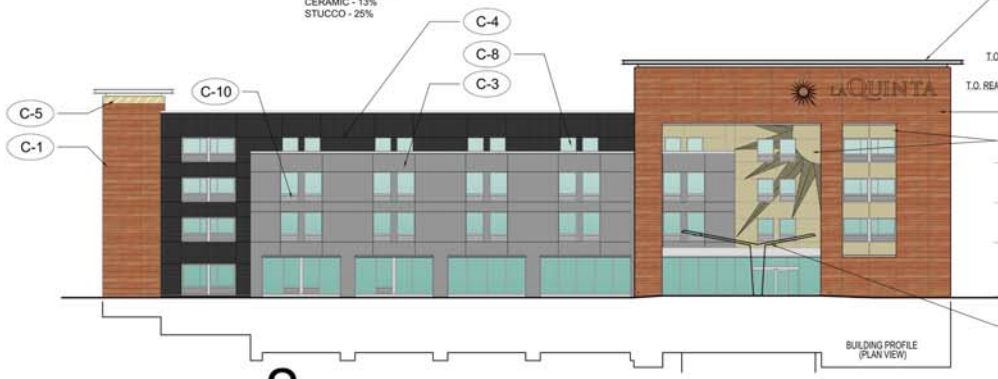
4 WEST ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 62%
CERAMIC - 13%
STUCCO - 25%



3 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 14%
CERAMIC - 65%
STUCCO - 21%



2 EAST ELEVATION
SCALE: 1/16" = 1'-0"

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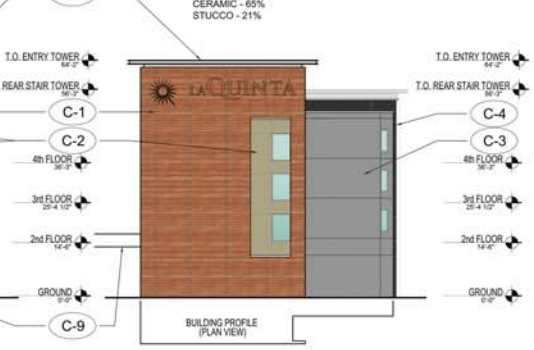
CERAMIC - 30%
STUCCO - 13%



1 NORTH ELEVATION
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FACADE MATERIAL
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CERAMIC - 58%
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NOTE:
ALL BUILDING SIGNAGE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. SUBJECT TO BUILDING INSPECTION APPROVAL.

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2004 Tennyson Dr.
Flower Mound, Texas 75028
www.buildamazing.com

Design Consultant:
Division Space ARCHITECTURE + INTERIORS 940 - 367 - 2066 Ph.
www.divspacearchitects.com

Project Architect:
studioreddot architecture+design+connect
5307 E. Mockingbird Lane, Suite 509
Dallas, Texas 75206
O: 214.379.7427
F: 214.291.5777
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MEP/Civil/Structure :

Seal Of Consultant :

LaQuinta Del Sol
Owner:
Mehul (Mike) Patel
Nilkanthvarni Hospitality LLC
683 Waterbrook Dr. | Irving, TX 75039
886.272.3232
Franchice TBD
TAS:TBD

MARK	DATE	DESCRIPTION

SHEET TITLE
EXTERIOR ELEVATIONS

A2.01

Exhibit D

Explanation and Description of Request

We request the following zoning changes, which will allow for the building of an exciting new prototype of the La Quinta Hotel, to serve the City of Richardson.
We request to remove the attached site from the existing PD zoning and install a new PD zoning. We request that the requirements of the original PD be maintained with the exception of the following:

1. Removal of the 85% masonry requirement.
2. Inclusion of this La Quinta hotel with the following amenities:

i. Great room concept that aligns with guest trends & large community seating
ii. Conference/Meeting facility
iii. Enhanced Fitness Center with rubber flooring, free weights & towel station
iv. Bar with light tapas
v. Full hot Breakfast served daily
vi. Variety of seating in the breakfast area that can be used throughout the day
vii. On-site Bright Side Market with necessities for any type of traveller
viii. Sparkling outdoor swimming pool
ix. Two pairs of automatic doors on each side of entry vestibule
x. Guest laundry with full-size washers & dryers
xi. Decorative paving at port-cochere
xii. Nighttime identity from building \wash lighting & accent LED lighting
xiii. Uniform & continuous flooring at entry, closet and bathroom.
xiv. 42” LED TV with HD Channels
xv. Pillow-top Mattress
xvi. Upscale soft-goods package
xvii. Digitally controlled wall-mounted A/C unit thermostat with Energy Management System
xviii. Mixture of bath-tubs and walk-in showers

(1)

Looking Southeast at
Adjacent Office Buildings

(2)
Looking East
along PGBH

Looking South along
East Property Line
of Proposed Development
(3)

(4)

Looking Southwest at
Adjacent Office Building

(5)

LaQuinta Prototype in
College Station Location

Notice of Public Hearing

City Plan Commission ▪ Richardson, Texas

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

AMEND PD PLANNED DEVELOPMENT

File No./Name:	**ZF 15-24 / La Quinta Inn and Suites**
Property Owner:	Sohrab Charna / Custer Commons LLC
Applicant:	Mike Patel / 4th Dimension Builders
Location:	455 W. President George Bush Highway (See map on reverse side)
Current Zoning:	PD Planned Development
Request:	A request to amend PD Planned Development to allow a limited service hotel and to modify the associated development standards, including a request to allow less than 85% masonry construction, for a portion of the property located at 455 W. President George Bush Highway.

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

TUESDAY, SEPTEMBER 15, 2015
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.

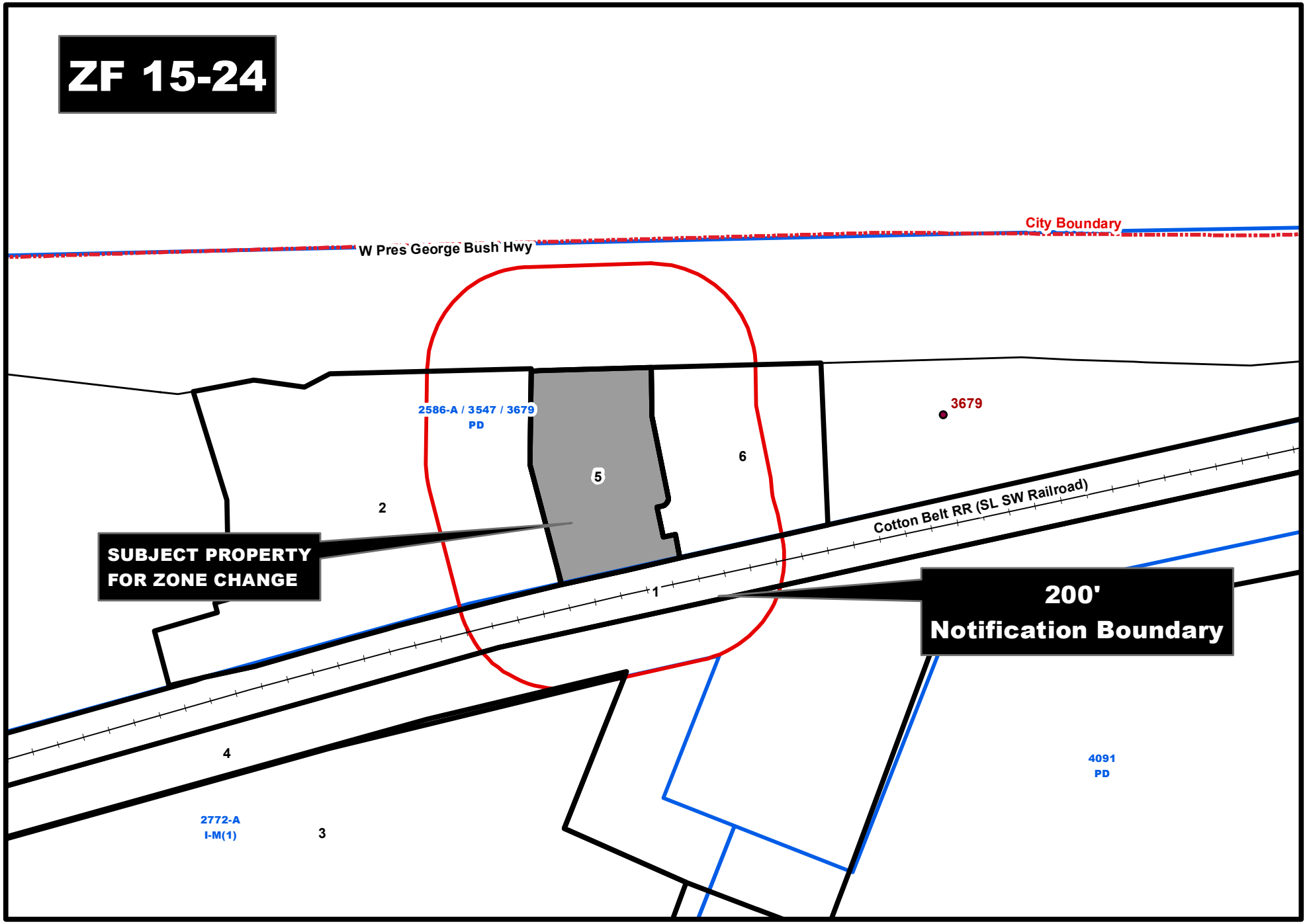
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 15-24.

Date Posted and Mailed: 09/04/2015



ZF 15-24 Notification Map

Updated By: shacklettc, Update Date: September 1, 2015
File: DS\Mapping\Cases\Z\2015\ZF1524\ZF1524 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.

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1-DALLAS AREA RAPID TRANSIT
1401 PACIFIC AVE
DALLAS, TX 75202-2732

2-CUSTER PROPERTY LLC &
501WPGB LLC
350 N LA SALLE DR STE 1000
CHICAGO, IL 60654-5122

3-TRIQUINT SEMICONDUCTOR TEXAS LP
2300 NE BROOKWOOD PKWY
HILLSBORO, OR 97124-5300

4-ONCOR ELECTRIC DELIVERY COMPAN
PO BOX 219071
DALLAS, TX 75221-9071

5-CUSTER COMMONS LP
ATTEN SOHRAB CHARNA
47 PETERS CANYON RD
IRVINE, CA 92606-1402

6-CBAX PROPERTIES IV LLC
157 SHEPHERDS GLEN RD
ROCKWALL, TX 75032-7613

6-EES REAL ESTATE MANAGEMENT LLC
225 SHEILA AVE
MURPHY, TX 75094-3798

6-MOBILECOMM VENTURES LLC
465 W PRES GEO BUSH HWY STE 20
RICHARDSON, TX 75080-1190

6-RETFORD INVESTMENTS LLC
3050 SOUTHCROSS BLVD
ROCK HILL, SC 29730-9055

CITY OF PLANO - PLANNING DEPT
1520 K AVENUE
PO BOX 860358
PLANO, TX 75086-0358

MIKE PATEL
4TH DIMENSION BUILDERS
1220 BLALOCK RD, STE 150
HOUSTON, TX 77055

SOHRAB CHARNA
CUSTER COMMONS LLC
47 PETERS CANYON RD
IRVINE, CA 92606

ZF 15-24
Notification List

ORDINANCE NO. 4140

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 BY AMENDING ORDINANCE NUMBER 2586-A, ADOPTED ON FEBRUARY 16, 1987, TO AUTHORIZE THE ADDITIONAL USE OF ñHOTEL, LIMITED SERVICEò FOR TRACT R-5 WITH SPECIAL CONDITIONS ON A PORTION OF A 4.75-ACRE TRACT OF LAND ZONED PD PLANNED DEVELOPMENT LOCATED AT 455 W. PRESIDENT GEORGE BUSH HIGHWAY, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT ñAò; 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 15-24).

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, so as to grant a change in zoning by amending Ordinance Number 2586-A, adopted on February 16, 1987, as heretofore amended to authorize the additional use of "hotel, limited service" for Tract R-5 with special conditions on a portion of a 4.75-acre tract of land zoned PD Planned Development located at 455 W. President George Bush Highway, Richardson, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That Ordinance No. 2586-A, as heretofore amended, is hereby amended with respect to Tract 5 to provide the following:

1. A "hotel, limited service", as defined by the Comprehensive Zoning Ordinance shall be allowed in Tract R-5 and limited to the area shown on the concept plan attached as Exhibit "B" and made a part thereof.

2. The "hotel, limited service" shall be constructed in substantial conformance with Exhibit "B" and building elevations attached as "Exhibit "C". The exterior construction of a "hotel, limited service" shall be a minimum 50% masonry construction as depicted on Exhibit "C".

3. The requirement for approval of a concept plan as stated in Ordinance Number 2586-A shall be waived.

4. There shall be no traffic analysis required prior to the approval of development plans for a "hotel, limited service" on the subject property.

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 Ordinance No. 2586-A, as heretofore amended, shall remain in full force except as amended herein, and 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 12th day of October, 2015.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:10-6-15:TM 73617)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT ñAò
LEGAL DESCRIPTION
ZF 15-24

DESCRIPTION, of a 2.115 acre tract of land situated in the William Beverly Survey, Abstract No. 75, Collin County, Texas; said tract being part of Lot 3C, Block A, Custer Court Addition, an addition to the City of Richardson, Texas according to the plat recorded in Instrument No. 20070216010000450 of the Official Public Records of Collin County, Texas; said 2.115 acre tract being more particularly described as follows (bearing system is based on a bearing of South 78 degrees, 11 minutes, 44 seconds West for the south line of Lot 3C, Block A of said Custer Court Addition):

BEGINNING, at a point in the north right-of-way line of Dallas Area Rapid Transit (a 100-foot wide right-of-way); said point being the southwest corner of said Lot 3C and the southeast corner of Lot 1B, Block A, Custer Court Addition, an addition to the City of Richardson, Texas according to the plat recorded in Instrument No. 20141285810004898 of said Official Public Records;

THENCE, in a northwesterly direction, along the west line of said Lot 3C and the east line of said Lot 1B, the following two (2) calls:

> North 11 degrees, 48 minutes, 59 seconds West, a distance of 235.92 feet to a point for corner;
>
> North 00 degrees, 44 minutes, 51 seconds West, a distance of 187.86 feet to a point for corner in the south right-of-way line of President George Bush Turnpike (State Highway 190) (a variable width right-of-way); said point being the northwest corner of said Lot 3C and the northeast corner of said Lot 1B;

THENCE, North 89 degrees, 15 minutes, 09 seconds East, along the said south line of President George Bush Turnpike and the north line of said Lot 3C, a distance of 224.15 feet to a point for corner;

THENCE, South 01 degrees, 31 minutes, 00 seconds East, departing the said south line of President George Bush Turnpike and the said north line of Lot 3C, a distance of 94.31 feet to a point for corner;

THENCE, South 11 degrees, 42 minutes, 56 seconds East, a distance of 162.45 feet to a point at the beginning of a tangent curve to the right;

THENCE, in a southwesterly direction, along said curve to the right, having a central angle of 89 degrees, 54 minutes, 40 seconds, a radius of 15.00 feet, a chord bearing and distance of South 33 degrees, 14 minutes, 24 seconds West, 21.19 feet, an arc distance of 23.54 feet to a point at the end of said curve;

THENCE, South 78 degrees, 11 minutes, 44 seconds West, a distance of 12.04 feet to a point for corner;

THENCE, South 11 degrees, 48 minutes, 16 seconds East, a distance of 59.99 feet to a point for corner;

THENCE, North 78 degrees, 11 minutes, 44 seconds East, a distance of 24.70 feet to a point for corner;

THENCE, South 12 degrees, 34 minutes, 55 seconds East, a distance of 47.02 feet to a point for corner in the said north line of Dallas Area Rapid Transit and the south line of said Lot 3C;

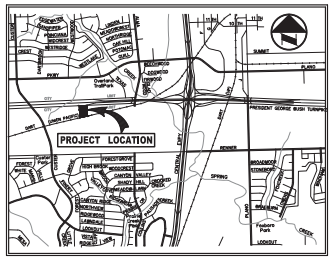
THENCE, in a southwesterly direction, along the said north line of Dallas Area Rapid Transit and the said south line of Lot 3C, the following two (2) calls:

> South 78 degrees, 11 minutes, 44 seconds West, a distance of 198.62 feet to a point at the beginning of a tangent curve to the left;
>
> Along said curve to the left, having a central angle of 00 degrees, 13 minutes, 38 seconds, a radius of 9,722.80 feet, a chord bearing and distance of South 78 degrees, 04 minutes, 55 seconds West, 38.55 feet, an arc distance of 38.55 feet to the **POINT OF BEGINNING**;

CONTAINING: 92,138 square feet or 2.115 acres of land, more or less.

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L1	47.00	N12° 34' 54.90"W	
L2	24.70	S78° 11' 44.00"W	
L3	59.99	N11° 48' 16.00"W	
L4	12.04	N78° 11' 44.00"E	
C1	23.54	89.91	15.00

TOTAL SITE: 265 SPACES REQUIRED & 274 SPACES PROVIDED
OFFICE SITE: 161 SPACES REQUIRED & 165 SPACES PROVIDED
HOTEL SITE: 104 SPACES REQUIRED & 109 SPACES PROVIDED



VICINITY MAP
(NOT TO SCALE)

0 15 30 60 90
GRAPHIC SCALE IN FEET

LEGEND

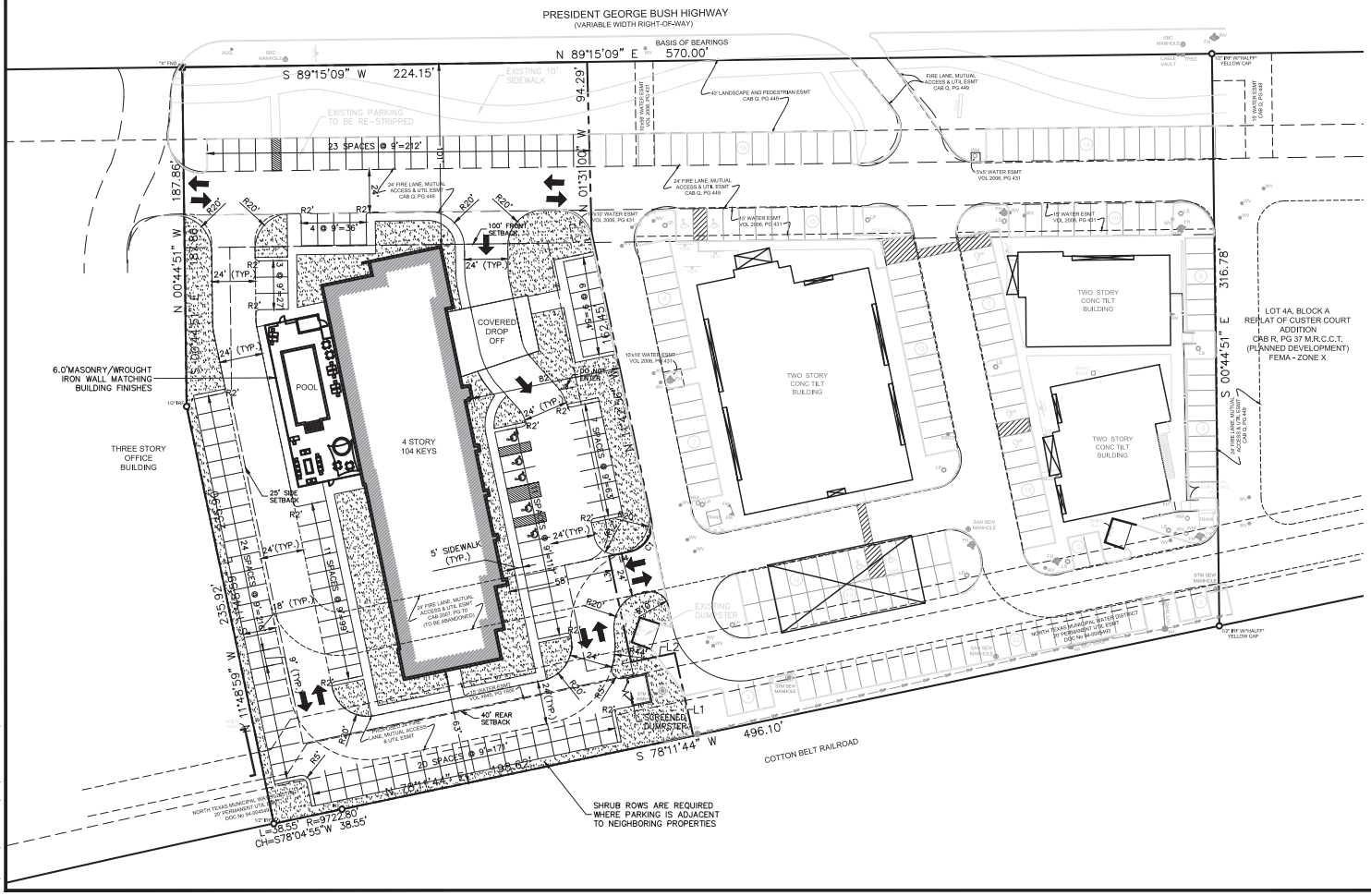
	BOLLARD	(C.M.)	CONTROLLING MONUMENT
EM	ELECTRIC METER		PROPERTY LINE
PP	POWER POLE	x	FENCE
LS	LIGHT STANDARD	OHL	OVERHEAD UTILITY LINE
WM	WATER METER	E	UNDERGROUND ELECTRIC LINE
WV	WATER VALVE	T	UNDERGROUND TELEPHONE LINE
ICV	IRRIGATION CONTROL VALVE	C	UNDERGROUND CABLE LINE
FH	FIRE HYDRANT	6"W	UNDERGROUND WATER LINE
CO	CLEANOUT	6"SS	UNDERGROUND CABLE LINE
MH	MANHOLE	613	EXIST CONTOUR
TSC	TRAFFIC SIGNAL CONTROL	612.39	EXIST SPOT ELEVATION
TSP	TRAFFIC SIGNAL POLE	TC 619.39 G 617.89	EXIST TOP OF CURB ELEVATION / EXIST GUTTER ELEVATION
TELE	TELEPHONE BOX		
	FLOOD LIGHT		LANDSCAPED AREA
FP	FLAG POLE		
SIGN	TRAFFIC SIGN		
IRS	1/2-INCH IRON ROD W/"PACHECH KOCH" CAP SET		

SITE INFORMATION

1. EXISTING ZONING: PLANNED DEVELOPMENT PER ORD. 2586/PROPOSED ZONING AMENDED PD TO ACCOMMODATE LIMITED SERVICE HOTEL
2. SETBACKS
   - 2.1. FRONT: 100'
   - 2.2. SIDE: 25'
   - 2.3. REAR: 40'
3. BUILDING/PARKING SUMMARY
   - 3.1. LOT AREA : 2.16 ACRES (92,146 s.f.)
   - 3.2. BUILDING TOTAL: 56,914 s.f./104 ROOMS
     - 3.2.1. 1st FLOOR: 14,560 s.f.
     - 3.2.2. 2nd FLOOR: 14,421 s.f.
     - 3.2.3. 3rd FLOOR: 14,421 s.f.
     - 3.2.4. 4th FLOOR: 13,512 s.f.
4. PARKING RATIO: 1.0 SPACE / GUEST ROOM (LIMITED SERVICE HOTEL)
5. REQUIRED PARKING: 104 SPACES
6. PROVIDED PARKING: 109 SPACES (4 ADA)
7. LANDSCAPE: 17,400 s.f. (19%)/ MIN 15% REQUIRED
8. FLOOR AREA RATIO: 0.62:1/MAX 1.5:1 ALLOWED FOR ENTIRE TRACT
9. BUILDING HEIGHT: 4 STORIES 64 FEET 2 INCHES

APPLICANT INFORMATION:

MEHUL (MIKE) PATEL
NILKANTHVARNI HOSPITALITY LLC
683 WATERBROOK DR
IRVING, TX 75039
(P) 866-272-3232



Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
DALLAS ▪ FORT WORTH ▪ HOUSTON
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-00

ZONING EXHIBIT
LA QUINTA HOTEL
445 W.PRESIDENT GEORGE BUSH HWY.

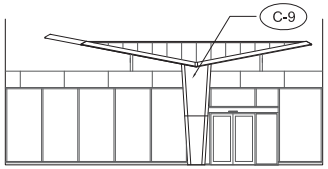
CITY OF RICHARDSON, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
AGU	AGU	SEPTEMBER 2015	1"=30'			C1.0

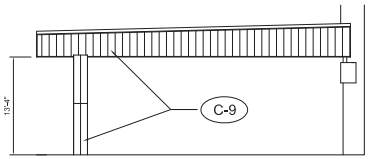
LA QUINTA

A:\ANDERWOOD
8/26/2015 8:11 AM
M:\DWG-16\1639-15.268\DWG\CIVIL C3D 2015\PK EX.DWG

Exhibit B - Part of Ordinance



EAST ELEVATION



SOUTH ELEVATION
NORTH ELEVATION - SIMILAR

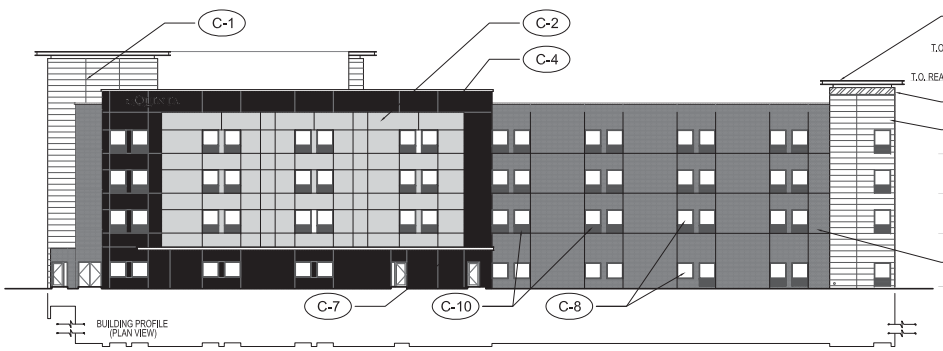
5 CANOPY ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL SCHEDULE

C-1	CERAMIC PANELS MANUF: NEOLITH COLOR: IRON CORTEN (RUST BROWN)	C-6	DOOR & FRAME PAINT (AS NOTED) GREY
C-2	STUCCO COLOR: BEIGE	C-7	ALUMINUM (TOWER PARAPET EXTENSIONS) PAC-CLAD - SILVER
C-3	BRICK VENEER, MODULAR - COLOR 1 COLOR: GREY	C-8	ALUMINUM (WINDOWS, STOREFRONT, & PTAC GRILLS) CLEAR ANODIZED
C-4	BRICK VENEER, MODULAR - COLOR 2 COLOR: DARK GREY (BLACK)	C-9	ALUMINUM FLUSH PANELS (PORTE-COCHERE) PAC-CLAD - STONE WHITE FINISH
C-5	STUCCO COLOR: YELLOW	C-10	PTAC MECHANICAL UNIT COLOR: GREY

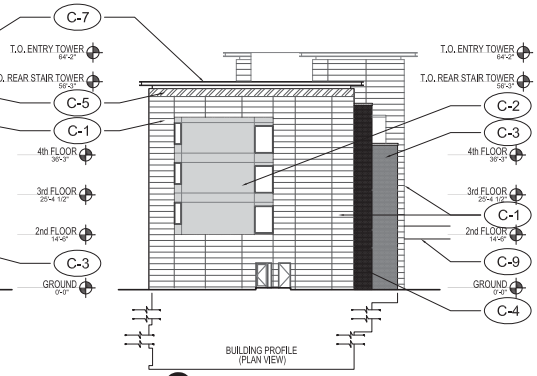
OVERALL BUILDING MATERIAL (%)

BRICK VENEER (MODULAR) -	50.5%
CERAMIC PANELS -	31.2%
STUCCO -	18.3%



4 WEST ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 62%
CERAMIC - 13%
STUCCO - 25%

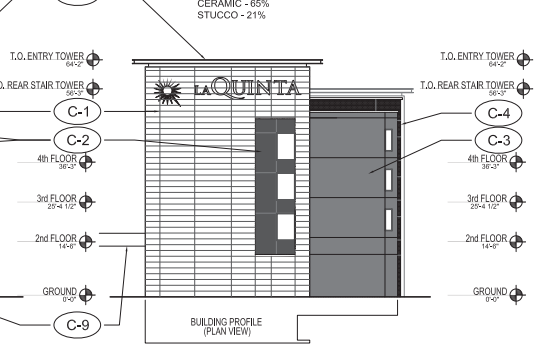


3 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 14%
CERAMIC - 65%
STUCCO - 21%

2 EAST ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 57%
CERAMIC - 30%
STUCCO - 13%



1 NORTH ELEVATION
SCALE: 1/16" = 1'-0"

FACADE MATERIAL
BRICK VENEER - 32%
CERAMIC - 58%
STUCCO - 10%

NOTE:
ALL BUILDING SIGNAGE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. SUBJECT TO BUILDING INSPECTION APPROVAL.

Project Manager:
Build Amazing
281-850-2062 Ph.
2004 Tennyson Dr.
Flower Mound, Texas 75028
www.buildamazing.com

Design Consultant:
Division Space
940 - 367 - 2066 Ph.
www.dlvspacearchitects.com

Project Architect:
studioreddot
5307 E. Mockingbird Lane, Suite 509
Dallas, Texas 75206
O: 214.379.7427
F: 214.291.5777
www.studio-reddot.com

MEP/Civil/Structure :

Seal Of Consultant :

LaQuinta Del Sol
Owner:
Mehul (Mike) Patel
Nilkanthvarni Hospitality LLC
683 Waterbrook Dr. | Irving, TX 75039
886.272.3232
Franchice TBD
TAS:TBD

MARK	DATE	DESCRIPTION

SHEET TITLE

EXTERIOR ELEVATIONS

A2.01

Exhibit C - Part of Ordinance

ORDINANCE NO. 4141

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FROM R-850-M RESIDENTIAL, O-M OFFICE AND R-1500-M RESIDENTIAL TO PD PLANNED DEVELOPMENT FOR 42.99 ACRES LOCATED ON THE NORTH SIDE OF WALNUT STREET, BETWEEN GREENVILLE AVENUE AND ABRAMS ROAD, AND BEING FURTHER DESCRIBED IN EXHIBIT ñAò; 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 15-23).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning from R-850-M Residential, O-M Office and R-1500-M Residential to PD Planned Development for 42.99 acres located on the north side of Walnut Street, between Greenville Avenue and Abrams Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes as follows:

Sec. 1. Intent.

This planned development ordinance ("PD Ordinance") creates a framework for the design of a new operations service center campus for the Richardson Independent School District (RISD). This campus will provide for the infrastructure necessary to RISD to accommodate the rapid population growth of the City of Richardson and modernize its maintenance of public school buildings. The campus integrates offices, building component and vehicular maintenance services, industrial trades education, building component and vehicular storage,

and warehouse storage. The PD Ordinance also allows for flexibility and collaboration between building uses, as well as defined public interface locations and securely screened areas. Activity centers, loading docks, and storage areas are located to be sensitive to the adjacent properties. The PD Ordinance combines the intent of existing ordinances with the necessary functional needs of RISD both today and in the future.

Sec. 2. Concept Plan.

The Property shall be developed and used in conformance with the concept plan attached hereto as Exhibit "B", and incorporated for all purposes (the "Conceptual Plan").

Sec. 3. Use Regulations.

In the PD Planned Development District, no land shall be used and no building shall be erected for or converted to any use other than for the service of RISD other than:

(a) Office.

(b) Parking lot, Accessory.

(c) Motor vehicle service yard (i.e., area enclosed and screened from public view by perimeter screening walls and principal buildings).

(1) The following are authorized accessory uses and or structures within the designated motor vehicle service area:

i. Commercial Vehicle Storage (Class 8; up to 16 ton capacity), Trailer, Equipment, Machinery.
ii. Collection for recyclable plant material when conducted by RISD, provided no money or other valuable consideration is paid for the recyclable material delivered to or distributed from the collection site.
iii. Carport, where adjacent to a masonry screen wall.
iv. Building Materials or Products storage.
v. Motor vehicle service station – above-ground, outside, fuel tank storage, covered or uncovered.
vi. Masonry storage buildings.
vii. Storage containers shall be allowed in the motor vehicle service area only. Said storage containers shall not exceed the height of the screening wall.

(2) All above authorized accessory uses shall be set back from all dedicated street rights-of-way a distance of not less than twenty (20) feet.

(3) No accessory use of a parking lot shall utilize nor encumber more than ten (10%) percent of the parking lot.

(4) No fire lane, fire hydrant, access easement, or other area necessary for proper traffic circulation within the parking lot may be obstructed by such accessory use.

(5) Any structure, sign or electrical device used in conjunction with an accessory use of a parking lot shall be subject to all provisions of the building codes of the city and all required permits for same shall be obtained prior to construction or installation.

(d) Motor Vehicle Repair Shop, Major.

(1) Motor vehicle and building component repair uses to include, but are not limited to: mechanical, electrical, plumbing, sheet metal, and glass.

(2) All work shall be conducted inside a building or within the motor vehicle service area only.

(e) Technical training school.

(f) Warehouse.

(1) Storage of pesticides and fertilizer are permitted, where set back from all rights- of- way and other building uses by not less than forty (40) feet within the motor vehicle service area only.

(g) Print Shop, Minor.

(h) Greenhouse, accessory use.

(i) Residential mulch collection/distribution, accessory use.

Sec. 4. Outdoor Regulations.

Refuse and recyclable material enclosures shall be screened by a minimum eight (8) foot tall masonry wall. Said refuse and recyclable material shall not exceed the height of the perimeter screening wall.

Sec. 5. Building Regulations.

Type of materials. All building exterior facades shall be of masonry material. Masonry materials shall include precast or site cast concrete panels. A maximum of twenty (20%) percent of the building facade area may be finished of noncombustible material other than masonry material.

In determining the percentage allowance, the total of all sides of the building shall be utilized in the calculation and a maximum of twenty-five (25%) percent of the facade per elevation shall be constructed of noncombustible material.

Sec. 6. Height Regulations.

No building or structure shall exceed fifty (50) feet in height.

Sec. 7. Area Regulations.

(a) Minimum front setback (Greenville Avenue and Walnut Street):

(1) One-hundred (100) feet.

(b) Minimum front setback (Abrams Road):

(1) Sixty (60) feet.

(c) Minimum side setback (north property line):

(1) Principal Structure(s): Seventy (70) feet.

(2) Accessory Structures: Twenty (20) feet, with the exception of carports when adjacent to a masonry screening wall.

(d) Minimum side setback (South property line as depicted on Exhibit "B"):

(1) Principal and Accessory Structure(s): Twenty (20) feet.

(e) Maximum floor area ratio: 0.75:1.

Sec. 8. Parking Ratios.

(a) Warehouse: Minimum one (1) per 1,000 square feet.

(b) All other uses: Minimum one (1) space per 400 square feet.

Sec. 9. Landscape and Buffering.

With the exception of the following, the site shall be landscaped in accordance with City ordinances and policies:

(a) The minimum required landscape area shall be fifteen (15%) percent.

(b) A minimum twenty (20) foot landscape buffer shall be provided along Greenville Avenue and Abrams Road. No parking shall be allowed within the twenty (20) foot landscape buffer.

(c) The parking lot landscape islands located outside of the motor vehicle service area may be landscaped with brick pavers in lieu of ground cover as depicted on Exhibit "B".

(d) The Motor Vehicle Service Area shall be exempt from landscape islands and tree requirements.

(e) A minimum of one (1) canopy tree shall be provided for each fifty (50) lineal feet along the north and west property line adjacent to the future CTE parking lot as shown on Exhibit "B".

Sec. 10. Screening.

(a) A masonry wall, not less than ten (10) feet in height, shall be constructed as depicted on Exhibit "B". Said perimeter screening wall shall be constructed and completed with the certificate of occupancy for the office building and/or warehouse/RISD shop building.

(b) The required minimum six (6) foot masonry screening wall for the construction dumpsters shall not be required where the construction dumpster area is screened with the ten (10) foot tall perimeter screening wall as depicted on Exhibit "B".

SECTION 2. 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 3. 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 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. 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 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 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 7. 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 12th day of October, 2015.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:9-30-15:TM 73531)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT ñAò
LEGAL DESCRIPTION
ZF 15-23

WHEREAS, Restland of Dallas, Inc. is the owner of a tract of and lying and Situated in City of Richardson, Dallas County, Texas and being out of A.B Danks Survey, Abstract No.399, J.D. Hamilton Survey, Abstract No. 647, and John R. Reid Survey, Abstract No.1196 and being all of Lot 1 in Lot 1 in Block A of RESTLAND MEMORIAL PARK ADDITION, an addition to the City of Richardson, Dallas County, Texas, according to the Plat thereof recorded in Volume 80176, Page 187, of the Map Records of Dallas County, Texas, and being all of the same property called 17.25 acres in deed to Restland of Dallas, Inc., as described in deed recorded in Volume 80186 at Page 1850 of the Deed Records of Dallas County, Texas, and also being all of a 60' right-of-way dedication tract as shown on said Plat of Restland Memorial Park Addition and recorded in Volume 80176, Page 187, of the Map Records of Dallas County, Texas, now abandoned by the City of Richardson, Texas by Ordinance Number 3338-A, and being part of a called 18.625 acre property conveyed to Restland of Dallas, Inc. by deed recorded in Volume 89245 at Page 1261 of the Deed Records of Dallas County, Texas, and part of a called 2.578 acre tract conveyed to Restland of Dallas, Inc., by deed recorded in Volume 92149 at Page 3548 of the Deed Records of Dallas County, Texas, and all of a called 0.7419 acre tract conveyed to Restland of Dallas, Inc., by deed recorded in Volume 92149 at Page 3588 of the Deed Records of Dallas County, Texas, and also all of a called 1.4859 acre tract of land conveyed to Restland of Dallas, Inc., by deed recorded in Volume 92130 at Page 4597 of the Deed Records of Dallas County and being more particularly described in composite by metes and bounds as follows:

BEGINNING at a 5/8" iron rod set for corner at the intersection of North line of Walnut Street (a 100' right-of-way), and the East line of Greenville Avenue (a 100' right-of-way), said corner being the Southwest corner of aforementioned Lot 1 in Block A of RESTLAND MEMORIAL PARK ADDITION, an addition to the City of Richardson, Dallas County, Texas, according to the Plat thereof recorded in Volume 80176, Page 187, of the Map Records of Dallas County, Texas

THENCE North 19° 46' 00" East, along the said East right of way line of Greenville Avenue and the West line of said Lot 1, Block A, and passing at 1107.24 feet the Northwest corner of said Lot 1, Block A and the common southwest corner of a 60' right-of-way dedication tract, and continuing in all for a total distance of 2583.02 feet to a 5/8" iron rod set for the North corner of the aforementioned called 1.4859 acre tract conveyed to Restland of Dallas, Inc.;

THENCE South 69° 48' 34" East along the North line of said called 1.4859 acre tract and being common to a called 0.7442 acre tract of land conveyed to Elsie Bazar by deed recorded in Volume 88050 at Page 1227 of the Deed Records of Dallas County, Texas, for a distance of 400.40 feet to a 3/4" iron pipe found for the Northeast corner of said 1.4859 acre tract, same being the Northwest corner of the Norvell's Place Addition, on addition to the City of Richardson, Texas, according to the plat thereof recorded in Volume 77250 at Page 1804 of the Map Records of Dallas County, Texas;

THENCE South 20° 12' 48" West along the West line of said Norvell's Place Addition for a distance of 150.49 feet to a 3/4" iron pipe for the Southwest corner of same;

THENCE South 69° 19' 14" East along the South line of said Norvell's Place Addition and being common to the North line of the aforementioned called 2.578 acre tract of land conveyed to Restland of Dallas, Inc., for a distance of 412.69 feet to a 5/8" iron rod set in the West right of way line of Abrams Road as established by deed to conveyed to the City of Richardson, Texas, as recorded in Volume 2001097 at Page 5575 of the Deed Records of Dallas County, Texas;

THENCE South 20° 54' 24" West along the West right of way line of Abrams Road as established by said deed to the City of Richardson established by deed recorded in Volume 2001097 at Page 5575 of the Deed Records of Dallas County, Texas, for a distance of 163.02 feet to a 5/8" iron rod set for corner;

THENCE South 20° 39' 21" West and continuing along the West right of way line of Abrams Road as established by said deed to the City of Richardson established by deeds recorded in Volume 2001097 at Page 5575 and 5568 of the Records of Dallas County, Texas, for a distance of 1092.89 feet to a 5/8" iron rod set for corner;

THENCE South 70° 09' 46" East along the line created by deed to .the City of Richardson established by deed recorded in Volume 2001097 at Page 5568 of the Deed Records of Dallas County, Texas, for a distance of 7.46 feet to a 5/8" iron rod set for comer;

THENCE North 64° 30' 32" East along the line created by deed to the City of Richardson established by deed recorded in Volume 2001097 at Page 5568 of the Deed Records of Dallas County, Texas, for a distance of 12.71 feet to a 5/8" iron rod set for corner in the old line of Abrams Road (60 foot wide at this point; THENCE South 20' 39' 10" West along the old right of way line of Abrams Road for a distance of 69.03 feet to a 5/8" iron rod set for corner, said point .being on the North line of a tract created by deed to the City of Richardson for widening of Abrams Road established by deed recorded in Volume 2001066 at Page 1211 of the Deed Records of Dallas County, Texas;

THENCE North 70° 10' 21" West along said line created by deed to the City of Richardson for widening of Abrams road established by deed recorded in Volume 2001097 at Page 5562 of the Deed Records of Dallas County, Texas, for a distance of 14.29 feet to 5/8" iron rod set for corner, said point being in a curve to the left having a central angle of 8' 15' 42" and a radius of 662.66 feet whose center bears South 73' 49' 37" East and a chord bearing of South 12' 02' 32" West at 95.47 feet;

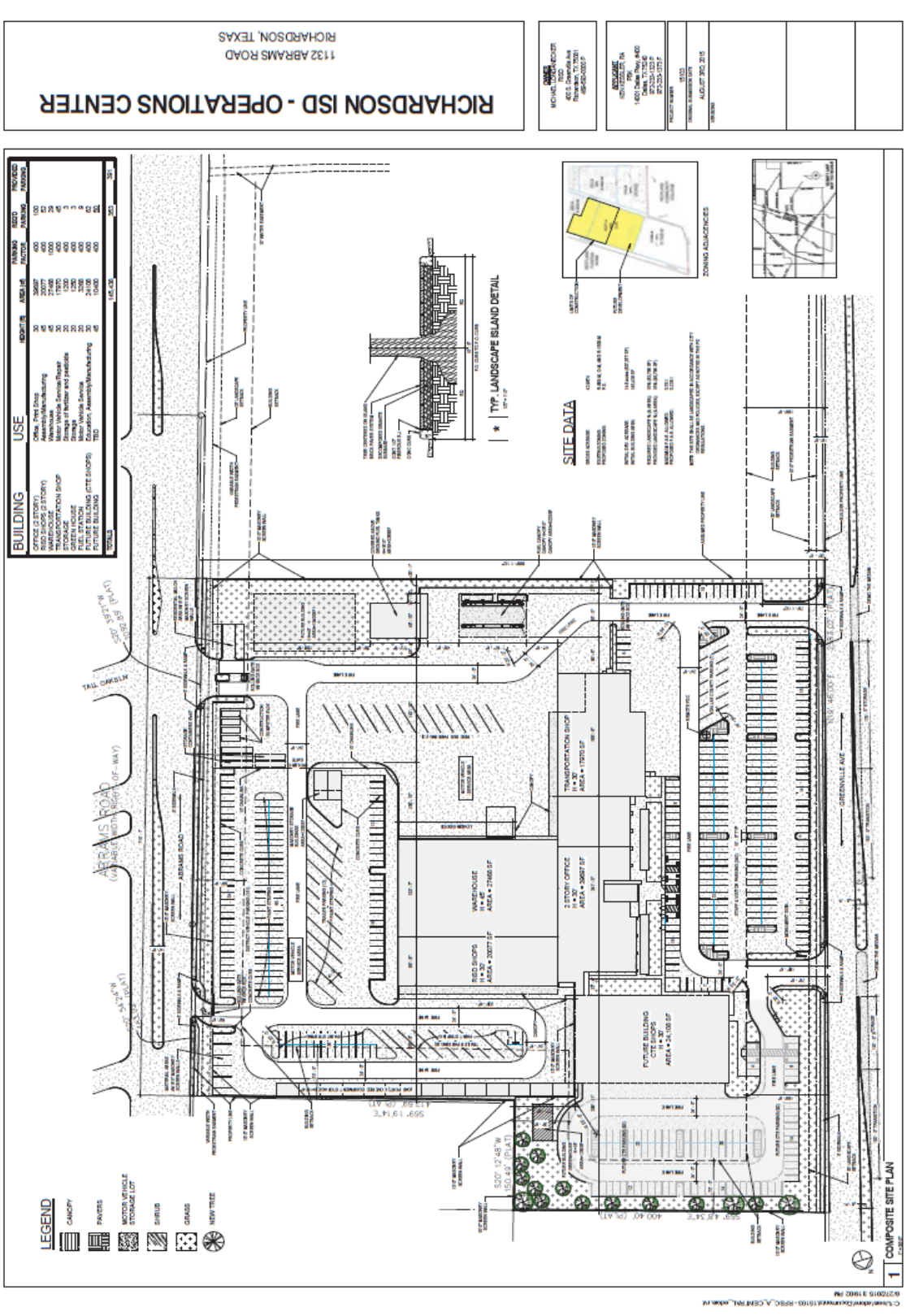
THENCE Southwesterly along said curve to the left and following the West line created by deed to the City of Richardson for Widening of Abrams Road established by deed recorded in Volume 2001097 at Page 5562 of the Deed Records of Dallas County, Texas, for an arc distance of 95.55 feet to 5/8" iron rod set for corner in the old right of way line of Abrams Road, said point being in the East line of the aforementioned Lot 1 in Block A of Restland Memorial Addition;

THENCE South 20° 39' 10" West along the East line of said Lot 1 in Block A for a distance of 623.04 feet to a 5/8" iron rod set for corner in the aforementioned North line of Walnut Street and the common Southeast corner of said Lot 1, Block A; said point being in a curve to the left having a central angle of 17' 00' 43' and a radius of 1382.40 feet whose chord bears South 78' 02' 12" West, 408.95 feet;

THENCE Westerly along said curve to the left and the North line of Walnut Street, and being the South line of said Lot 1,an arc distance of 410.46' feet to a 5/8" iron rod set for corner; said point being the end of said curve to the left;

THENCE South 86° 32’ 00" West, and continuing along said South line of Lot 1, Block A and said North line of Walnut Street, a distance of 205.08 feet to a 5/8" iron rod set for corner.;

THENCE South 89° 55' 00" West, a distance of 276.02 feet to a **PLACE OF BEGINNING** and CONTAINING 42.9900ACRES OF LAND, more or less.



Concept Plan - Exhibit "B"

RESOLUTION NO. 15-32

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

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

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

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

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

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

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

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution which shall remain in full force and effect.

SECTION 5. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 12th day of October, 2015.

CITY OF RICHARDSON, TEXAS

_____
MAYOR

ATTEST:

_____
CITY SECRETARY

APPROVED AS TO FORM:

_____
PETER G. SMITH, CITY ATTORNEY
(PGS:10-6-15:TM 73606)

Exhibit ñAò

City of Richardson
Investment Policy

ARTICLE I
PURPOSE AND NEED FOR POLICY

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

ARTICLE II
SCOPE

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

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

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

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

C. Review and Amendment

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

ARTICLE III
PRUDENCE

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

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

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

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

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

ARTICLE IV
OBJECTIVES

A. Preservation and Safety of Principal

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

B. Liquidity

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

C. Yield

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

ARTICLE V
RESPONSIBILITY AND CONTROL

A. Delegation

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

B. Subordinates

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

C. Internal Controls

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

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

D. Ethics and Conflicts of Interest

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

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

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

E. Investment Training Requirements

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

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

ARTICLE VI
AUTHORIZED INVESTMENTS

A. Obligations, including letters of credit, of the United States or its agencies and instrumentalities.

B. Direct obligations of the State of Texas or its agencies and instrumentalities.

C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, the State of Texas, or the United States or its instrumentalities.

D. Obligations of states, agencies, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than "A" or its equivalent.

E. Joint Investment Pools of political subdivisions in the State of Texas which invest in instruments and follow practices allowed by current law. A pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

F. Certificates of Deposit issued by a depository institution that has its main office or branch office in Texas:
   (1) and such Certificates of Deposit are:
      a. Guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund or their successors; or
      b. Secured by obligations described in Article VI, sections A through D above.

   (2) or such depository institution contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Government Code (Public Funds Investment Act) as amended.

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

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

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

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

H. No-load money market mutual funds if the mutual fund:
   (1) Is registered with and regulated by the Securities and Exchange Commission;
   (2) Has a dollar-weighted average stated maturity of 90 days or fewer; and
   (3) Includes in its investment objectives the maintenance of a stable net asset value of one dollar for each share.
   (4) Provides the City with a prospectus and other information required by the SEC Act of 1934.

I. Investment instruments <u>not</u> authorized for purchase by the City of Richardson include the following:
   (1) Banker's Acceptances;
   (2) "Bond" Mutual Funds;
   (3) Collateralized Mortgage Obligations of any type; and
   (4) Commercial Paper, except that the City can invest in local government investment pools and money market mutual funds that have commercial paper as authorized investments. A local government investment pool or money market mutual fund that invests in commercial paper must meet the requirements of Article VI, Sections E and H above.

J. If an investment in the City's portfolio becomes an unauthorized investment due to changes in the Investment Policy or the Public Funds Investment Act, or an authorized investment is rated in a way that causes it to become an unauthorized investment, the investment officials of the City shall review the investment and determine whether it would be more prudent to hold the investment until its maturity, or to redeem the investment. Officials shall consider the time remaining until maturity of the investment, the quality of the investment, and the quality and amounts of any collateral which may be securing the investment in determining

the appropriate steps to take. Investment officials shall monitor financial news resources to confirm ratings for each investment that is required to maintain a minimum rating, and document the current rating on a monthly basis.

ARTICLE VII
PORTFOLIO AND INVESTMENT ASSET PARAMETERS

A. Bidding Process for Investments

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

(1) transactions with money market mutual funds and local government investment pools (which are deemed to be made at prevailing market rates); and

(2) treasury and agency securities purchased at issue through an approved broker/dealer.

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

B. Maximum Maturities

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

C. Maximum Dollar-Weighted Average Maturity

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

D. Diversification

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

(1) Portfolio maturities and call dates shall be staggered in a way that avoids undue concentration of assets in a specific sector. Maturities shall be selected which provide for stability of income and reasonable liquidity.

(2) To attain sufficient liquidity, the City shall schedule the maturity of its investments to coincide with known disbursements. Risk of market price volatility shall be controlled through maturity diversification such that aggregate realized price losses on instruments with maturities exceeding one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.

(3) The following maximum limits, by instrument, are established for the City's total portfolio:

- U.S Treasury Notes/Bills 100%
- U.S. Government Agencies & Instrumentalities..... 100%
- U.S. Treasury & U.S. Agency Callables..... 25%
- Certificates of Deposit 50%
- Repurchase Agreements *(See D. (4) below)*..... 50%
- Money Market Mutual Funds *(See D.(5) below)*..... 100%
- Local Government Investment Pools *(See D.(5) below)*..... 100%
- State of Texas Obligations & Agencies 25%
- Obligations of states, agencies, cities and other political subdivisions of any state 25%

(4) The City shall not invest more than 50% of the investment portfolio in repurchase agreements, excluding bond proceeds and reserves.

(5) The City shall not invest more than 25% of the investment portfolio in any individual money market mutual fund or government investment pool.

(6) The investment committee shall review diversification strategies and establish or confirm guidelines on at least an annual basis regarding the percentages of the total portfolio that may be invested in securities other than U.S. Government Obligations. The investment committee shall review quarterly investment reports and evaluate the probability of market and default risk in various investment sectors as part of its consideration.

ARTICLE VIII
AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS

A. Investment officials will maintain a list of financial institutions and broker/dealers selected by credit worthiness, who are authorized to provide investment services to the City. These firms may include:

(1) all primary government securities dealers; and

(2) those regional broker/dealers who qualify under Securities and Exchange Commission Rule 15C3-1(uniform net capital rule), and who meet other financial credit criteria standards in the industry.

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

B. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the investment officials with the following:

(1) Audited financial statements;

(2) Proof of National Association of Securities Dealers (N.A.S.D.) certification, unless it is a bank;

(3) Resumes of all sales representatives who will represent the financial institution or broker/dealer firm in dealings with the City; and
(4) An executed written instrument, by the qualified representative, in a form acceptable to the City and the business organization substantially to the effect that the business organization has received and reviewed the investment policy of the City and acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

ARTICLE IX
SAFEKEEPING AND CUSTODY OF INVESTMENT ASSETS

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

ARTICLE X
COLLATERAL

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

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

B Collateral Substitution

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

C Collateral Reduction

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

D Letters of Credit

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

ARTICLE XI
INVESTMENT REPORTS

A. Reporting Requirements

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

B. Investment Records

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

C. Auditor Review

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

ARTICLE XII
INVESTMENT COMMITTEE

A. Members

An Investment Committee, consisting of the City Manager or his designee, the Director of Finance, the Treasurer & Revenue Manager, the Controller, and an appointed investment

official, shall review the City's investment strategies and monitor the results of the investment program at least quarterly. This review can be done by reviewing the quarterly written reports and by holding committee meetings as necessary. The committee will be authorized to invite other advisors to attend meetings as needed.

B. Scope

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

C. Procedures

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

ARTICLE XIII
INVESTMENT STRATEGY STATEMENTS

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

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

A. Operating Funds

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

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

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

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

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

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

B. Reserve and Deposit Funds

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

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

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

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

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

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

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

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

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

Liquidity - Investment strategies for bond and certificate capital project funds, special projects and special purpose funds portfolios will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The stated final maturity dates of investments held should not exceed the estimated project completion date or a maturity of no greater than five years. The dollar-weighted average maturity of bond and certificate capital project funds and special purpose funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

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

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

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

D. Debt Service Funds

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

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

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

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

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

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

RESOLUTION NO. 15-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE DESIGNATED AUTHORIZED REPRESENTATIVES FOR TEXPOOL INVESTMENTS; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City of Richardson, Texas ("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool"), a public funds investment pool, was created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

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

SECTION 1: That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

SECTION 2. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool account, or (2) is no longer employed by the Participant.

SECTION 3. That the Participant may, by Amending Resolution signed by the Participant, add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant.

List the Authorized Representatives of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Name: Keith Dagen Title: Director of Finance

Signature _____ Direct Phone Number: 972-744-4144

2. Name: Vicki McCarthy Title: Controller

Signature _____ Direct Phone Number: 972-744-4062

3. Name: Eddie Mueller Title: Treasury Accountant

Signature _____ Direct Phone Number: 972-744-4063

4. Name: Cara Copley Title: Treasurer & Revenue Manager

Signature _____ Direct Phone Number: 972-744-4145

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name: Cara Copley

In addition, and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

5. Name: N/A Title: N/A

SECTION 4. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant and until TexPool receives a copy of any such amendment or revocation.

SECTION 5. That all resolutions of the City of Richardson, Texas, or portions thereof in conflict with this Resolution are hereby repealed.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the _____ day of _____, 2015.

CITY OF RICHARDSON, TEXAS

_____

MAYOR

ATTEST

_____

CITY SECRETARY

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:10-8-15:TM 73679)

District: McKinney
WR #: 3273313
ER #_____

EASEMENT AND RIGHT OF WAY

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Richardson, Texas**, hereinafter called "Grantor", whether one or more, for and in consideration of Ten Dollars ($10.00) and other valuable consideration to Grantor in hand paid by **Oncor Electric Delivery Company LLC, a Delaware limited liability company**, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202-1234, hereinafter referred to as "Grantee", has granted, sold and conveyed and by these presents does grant, sell and convey unto said Grantee, its successors and assigns, an easement and right-of-way for overhead and/or underground electric supply and communications facilities, consisting of a variable number of wires and cables, supporting structures, surface mounted equipment, conduits and all necessary or desirable appurtenances over, under, through, across and upon Grantor's land described as follows:

SEE EXHIBIT "A" (ATTACHED)

Grantor recognizes that the general course of said lines, or the metes and bounds as described above, is based on preliminary surveys only, and Grantor hereby agrees that the easement and right-of-way and its general dimensions hereby granted shall apply to the actual location of said lines when constructed.

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, maintain, operate, repair, remove, replace, reconstruct, abandon in place, and to change the size and capacity of said facilities; the right to relocate said facilities in the same relative direction of said facilities; the right to relocate said facilities in the same relative position to any adjacent road if and as such is widened in the future; the right to lease wire space for the purpose of permitting others to string or lay wire or cable along said facilities; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, in the sole judgment of Grantee, may endanger or interfere with the efficiency, safety, and/or convenient operation of said facilities and their appurtenances and the right to trim or remove trees or shrubbery within, but not limited to, said easement area, including by use of herbicides or other similar chemicals approved by the U.S. Environmental Protection Agency, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the operation of said facilities or to remove possible hazard thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement area as described above without prior written consent of Grantee.

Grantor reserves the right to use the land within the above described easement area for purposes not inconsistent with Grantee's use of such property, provided such use shall not, in the reasonable judgment of Grantee, interfere with the exercise by Grantee of the rights hereby granted.

TO HAVE AND TO HOLD the above described easement and right-of-way unto the said Grantee, its successors and assigns, until all of said electric lines and facilities shall be abandoned, and in that event said easement and right-of-way shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's heirs, successors or assigns, and legal representatives, to warrant and forever defend the above described easement and right-of-way unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, 2015.

City of Richardson, Texas

By:_____

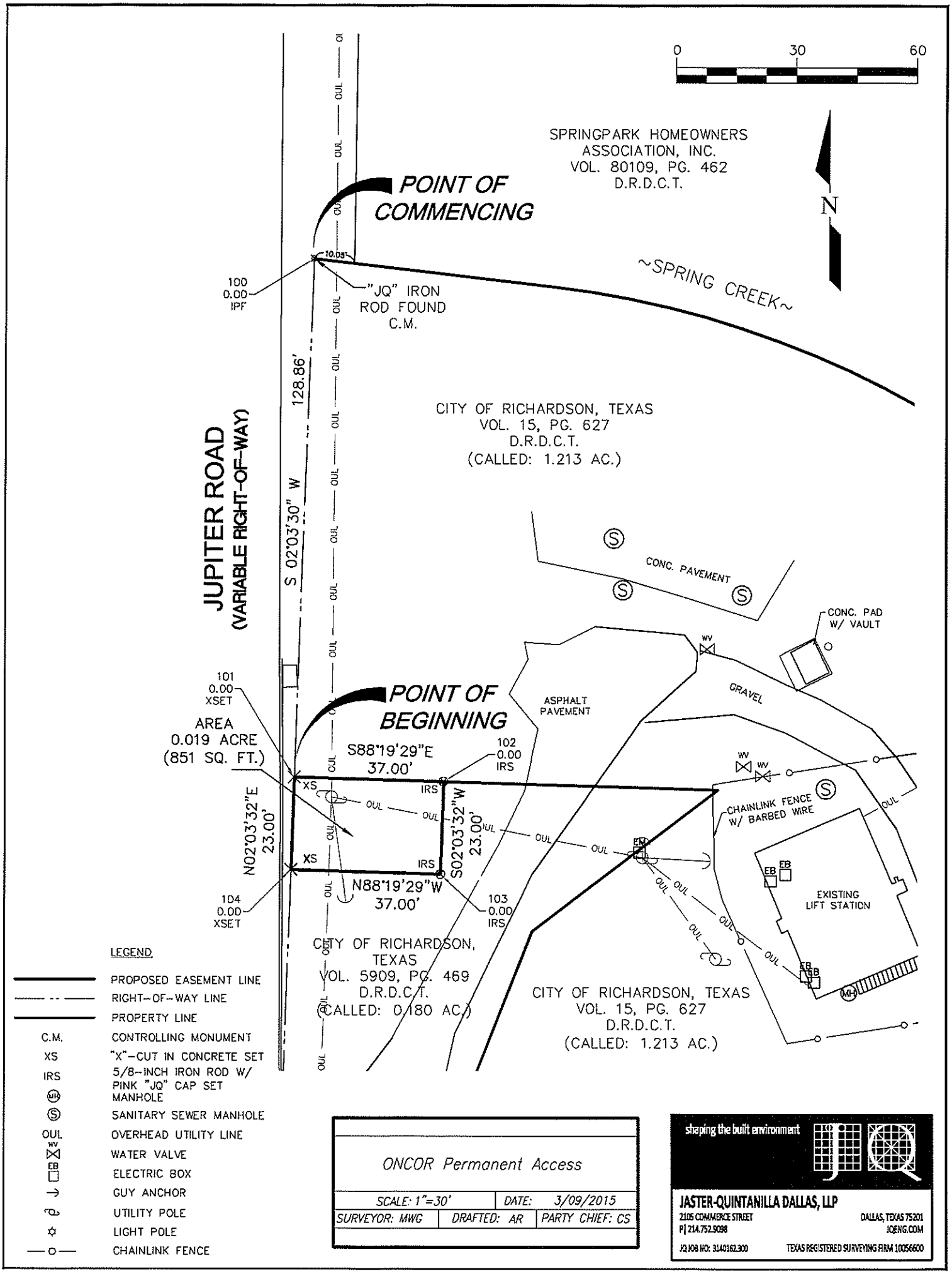
Title:_____

STATE OF TEXAS §
§
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same as the act and deed of the **City of Richardson, Texas**, as the _____ thereof, for the purposes and consideration therein expressed, in the capacity therein stated and that he/she is authorized to do so.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, A.D. 2015.

_____
Notary Public in and for the State of Texas


0
30
60
N
SPRINGPARK HOMEOWNERS
ASSOCIATION, INC.
VOL. 80109, PG. 462
D.R.D.C.T.
POINT OF
COMMENCING
10.05'
100
0.00
IPF
"JQ" IRON
ROD FOUND
C.M.
~SPRING CREEK~
128.86'
S 02°03'30" W
JUPITER ROAD
(VARIABLE RIGHT-OF-WAY)
CITY OF RICHARDSON, TEXAS
VOL. 15, PG. 627
D.R.D.C.T.
(CALLED: 1.213 AC.)
CONC. PAVEMENT
CONC. PAD
W/ VAULT
101
0.00
XSET
AREA
0.019 ACRE
(851 SQ. FT.)
POINT OF
BEGINNING
S88°19'29"E
37.00'
102
0.00
IRS
ASPHALT
PAVEMENT
GRAVEL
N02°03'32"E
23.00'
S02°03'32"W
23.00'
N88°19'29"W
37.00'
104
0.00
XSET
103
0.00
IRS
CHAINLINK FENCE
W/ BARBED WIRE
EXISTING
LIFT STATION
CITY OF RICHARDSON,
TEXAS
VOL. 5909, PG. 469
D.R.D.C.T.
(CALLED: 0.180 AC.)
CITY OF RICHARDSON, TEXAS
VOL. 15, PG. 627
D.R.D.C.T.
(CALLED: 1.213 AC.)
LEGEND
PROPOSED EASEMENT LINE
RIGHT-OF-WAY LINE
PROPERTY LINE
C.M. CONTROLLING MONUMENT
XS "X"-CUT IN CONCRETE SET
IRS 5/8-INCH IRON ROD W/ PINK "JQ" CAP SET
MANHOLE
SANITARY SEWER MANHOLE
OUL OVERHEAD UTILITY LINE
WATER VALVE
ELECTRIC BOX
GUY ANCHOR
UTILITY POLE
LIGHT POLE
CHAINLINK FENCE
ONCOR Permanent Access
SCALE: 1"=30'
DATE: 3/09/2015
SURVEYOR: MWG
DRAFTED: AR
PARTY CHIEF: CS
shaping the built environment
JASTER-QUINTANILLA DALLAS, LLP
2105 COMMERCE STREET
DALLAS, TEXAS 75201
P | 214.752.9098
JQENG.COM
JQ JOB NO: 3140162.300
TEXAS REGISTERED SURVEYING FIRM 10056600

FIELD NOTES DESCRIBING A 851 SQUARE FOOT (0.019 ACRE)
A PERMANENT ACCESS EASEMENT FROM THE CITY OF RICHARDSON TO ONCOR

BEING a 0.019 acre tract of land situated in the D. Crumpacker Survey, Abstract Number 258, City of Richardson, Dallas County, Texas, and being a part of a called 0.18 acre tract of land described in a Warranty Deed to City of Richardson, Texas recorded in Volume 5909, Page 469 of the Deed Records Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with pink "JQ" cap found in the East line of Jupiter Road (variable width right-of-way) said point being the Northwest corner of a called 1.213 acre tract of land as described in a Warranty Deed to City of Richardson, Texas recorded in Volume 15, Page 627 (D.R.D.C.T.), said point being 10.05 feet from the Southwest corner of a tract of land as described in a Special Warranty Deed to Springpark Homeowners Association, Inc. recorded in Volume 80109, Page 462 (D.R.D.C.T.);

THENCE S 02°03 feet30" W with said East line of Jupiter Road and the West line of said City of Richardson 1.213 acre tract, a distance of 128.86 feet to an "X" set at the Northwest corner of said City of Richardson 0.18 acre tract, said point being **THE POINT OF BEGINNING**;

THENCE departing said East line of Jupiter Road and over and across said City of Richardson 0.18 acre tract, the following courses and distances:

> S 88°19 feet29" E, with the common line of said City of Richardson 1.213 acre and 0.18 acre tracts, a distance of 37.00 feet to a 5/8-inch iron rod with pink "JQ" cap set for corner;
>
> S 02°03 feet32" W, leaving said common line of City of Richardson 1.213 acre and 0.18 acre tracts, a distance of 23.00 feet to a 5/8-inch iron rod with pink "JQ" cap set for corner;
>
> N 88°19 feet29" W, a distance of 37.00 feet to an "X" set at said East line of Jupiter Road, said point being the Southwest corner of the herein described tract;

THENCE N 02°03 feet30" E with said East line of Jupiter Road and the West line of said City of Richardson 0.18 acre tract, a distance of 23.00 feet to **THE POINT OF BEGINNING,** and containing 0.019 acre or 851 square feet of land, more or less.

BASIS OF BEARINGS: Bearings are based on GPS observations using the State Plane Coordinate System, Texas North Central Zone (4202), NAD 83.

STATE OF TEXAS
REGISTERED
MATTHEW W. GOULD
5763
PROFESSIONAL
LAND SURVEYOR

3/9/2015

CITYOFRICHARDSON

TO: Dan Johnson - City Manager

THRU: Keith Dagen - Director of Finance

FROM: Pam Kirkland - Purchasing Manager

SUBJECT: Bid Initiation Request #05-16

DATE: October 7, 2015

Request Council approval to initiate bids for the following:

2010 Alley Rehabilitation Phase IX
(Arapaho/Marilu/Lorrie/Hanbee)

Proposed Council Approval Date:	October 12, 2015
Proposed Advertising Dates:	October 14 & 21, 2015
Proposed Bid Due Date:	October 29, 2015 @ 3:00 p.m.
Proposed Bid Opening Date:	October 29, 2015 @ 3:30 p.m.
Engineer's Estimated Total Cost:	$415,000
Account:	378-8702-585-7524, Project #SD1019 313-9755-583-7524, Project #SD1009

Pam Kirkland

Pam Kirkland, CPPO, CPPB
Purchasing Manager

Keith Dagen

Keith Dagen
Director of Finance

10/8/15
Date

Approved: _____
Dan Johnson
City Manager

_____
Date

MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager

FROM: Steve Spanos, P.E., Director of Engineering

SUBJECT: Permission to Advertise 2010 Alley Rehabilitation Phase IX (Arapaho/Marilu/Lorrie/Hanbee) Bid No. 05-15

DATE: October 2, 2015

ACTION REQUESTED:
Authorization to advertise Bid No.05-16 and approval of plans and contract documents for the 2010 Alley Rehabilitation Phase IX (Arapaho/Marilu/Lorrie/Hanbee). Bids to be received until Thursday, October 29, 2015 at 3:00 p.m. and read aloud 30 minutes later.

BACKGROUND INFORMATION:
Base Bid:
Reconstruction of the following alleys:

- North of Hanbee Street between Custer Road and Lorrie Drive
- North of Marilu Street between Custer Road and Lorrie Drive
- West of Lorrie Drive from Jolee Street to Hanbee Street

Alternate Bid:
Reconstruction of the following alleys:

- North of Arapaho Road between Custer Road and Lorrie Drive
- West of Lorrie Drive from Hanbee Street to Arapaho Road

FUNDING:
Funding is provided from 2010 G.O. Bonds and General Special Projects.

SCHEDULE:
The Capital Projects Department plans for this project to begin construction January 2016 and be completed by March 2016.

Cc: Brad Bernhard, P.E., Project Engineer

NOTICE TO CONTRACTORS
CITY OF RICHARDSON

2010 ALLEY REHABILITATION PHASE IX
(Arapaho/Marilu/Lorrie/Hanbee)
Bid No. 05-16

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **Thursday, October 29, 2015 at 3:00 pm** and will be opened and read aloud in the **Capital Projects Conference Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

Removal and disposal of existing concrete alley paving, construction of 3960 SY of new 6" concrete pavement, installation of 31 LF of 21" and 142 LF of 24" reinforced concrete storm drain pipe and associated appurtenances. Bid also includes an additive alternate for removal and disposal of 1470 SY of existing concrete alley paving, construction of 1850 SY of new 6" alley paving, installation of 19 LF of 15", 178 LF of 18", and 30 LF of 21" reinforced concrete storm drain pipe and associated appurtenances.

Bids shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The City will attempt to award the Contract within 90 days after the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

A maximum of Ninety (90) calendar days will be allowed for construction.

A set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, October 13, 2015** upon a **NON-REFUNDABLE FEE OF Twenty five Dollars** ($25.00) per CD or **Fifty Dollars** ($50.00) per hard set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. Maximum of two sets or CD per contractor.

A voluntary pre-bid conference will be held **Wednesday, October 21, 2015 at 10:00 am in the Capital Projects Conference Room 206, Richardson Civic Center/City Hall.**

By:/s/Paul Voelker, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

Accommodation requests for persons with disabilities should be made by contacting Susan Mattison, ADA Coordinator, via phone at 972-744-0908, via email at adacoordinator@cor.gov, or by appointment at 1621 E. Lookout Drive, Richardson, TX 75082.

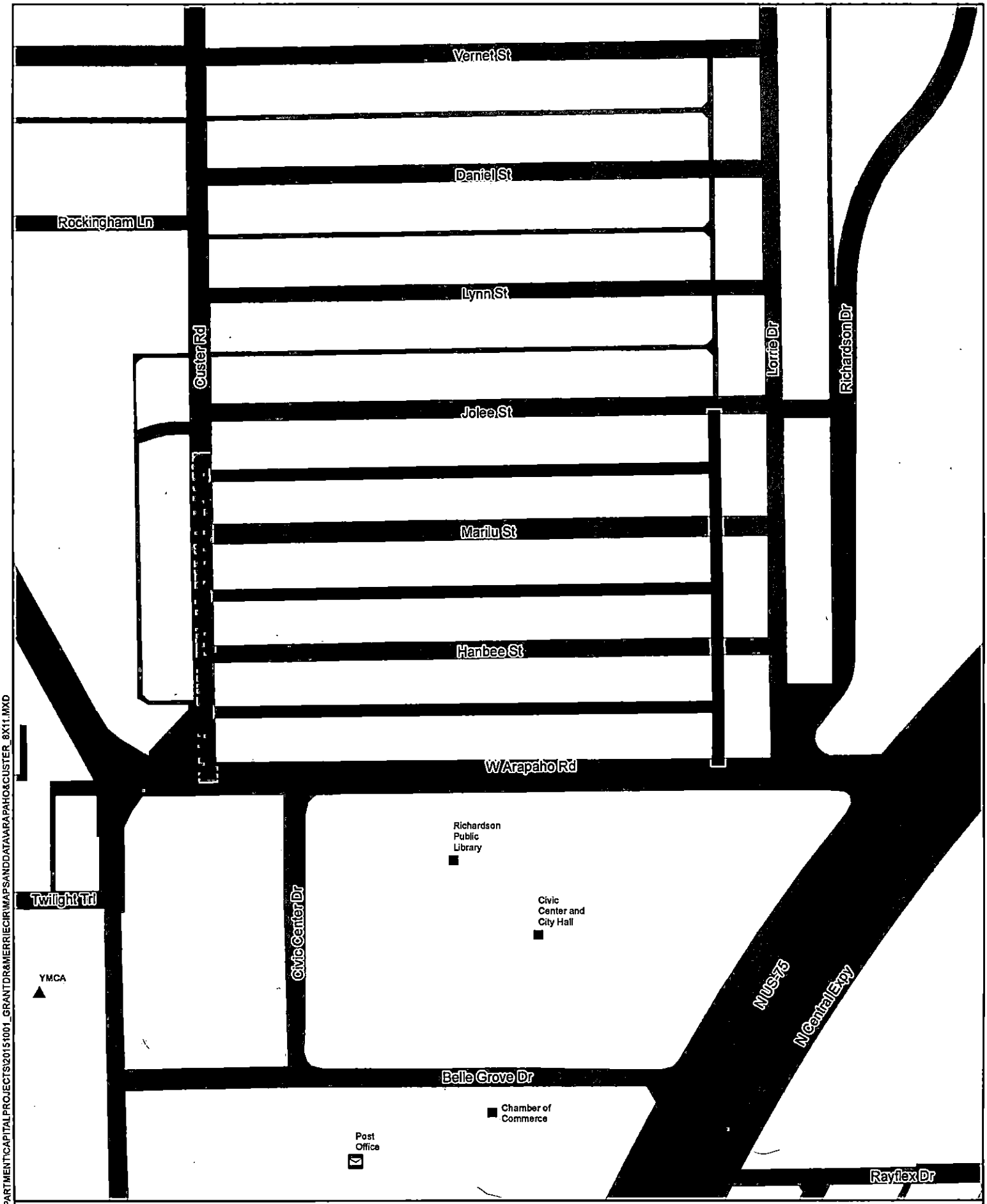
Project Schedule

2010 ALLEY REHABILITATION PHASE IX
(Arapaho/Marilu/Lorrie/Hanbee)

Bid No. 05-16

Agenda Paperwork to Advertise	Friday, October 2, 2015
Council Authorization to Advertise	Monday, October 12, 2015
Plans/Specs Available for Contractors	Tuesday, October 13, 2015
Advertise in Dallas Morning News 1	Wednesday, October 14, 2015
Advertise in Dallas Morning News 2	Wednesday, October 21, 2015
Pre-Proposal Meeting (10:00 am Room 206)	Wednesday, October 21, 2015
Bids Received & Opened (Bids due by 3:00 pm opening at 3:30 pm Room 206)	Thursday, October 29, 2015
Agenda Paperwork to Award Contract	Friday, November 6, 2015
Council to Award Contract	Monday, November 16, 2015
Pre-Construction Meeting	Tuesday, December 1, 2015
Anticipated Project Start	January 2016
Anticipated Project Completion (90 Calendar Days)	March 2016

Project Manager: Brad Bernhard
Engineer's Estimate: $415,000
Funding: Account #378-8702-585-7524 Project #SD1019
Account #313-9755-583-7524 Project #SD1009



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W Arapaho Rd, Hanbee St, Marilu St, Lorrie St - Phase IX
October 2015

CITY OF RICHARDSON TEXAS

CITYOFRICHARDSON

TO: Dan Johnson - City Manager

THRU: Keith Dagen - Director of Finance

FROM: Pam Kirkland - Purchasing Manager

SUBJECT: Bid Initiation Request #06-16

DATE: October 7, 2015

Request Council approval to initiate bids for the following:

2010 Alley Rehabilitation Phase VII
(Worcester/Provincetown/Jolee/Lorrie)

Proposed Council Approval Date:	October 12, 2015
Proposed Advertising Dates:	October 14 & 21, 2015
Proposed Bid Due Date:	October 29, 2015 @ 2:00 p.m.
Proposed Bid Opening Date:	October 29, 2015 @ 2:30 p.m.
Engineer's Estimated Total Cost:	$424,000
Account:	378-8702-585-7524, Project #SD1008 235-2011-581-7524, Project #CP1504 164-8702-513-7524, Project #DR1508

Pam Kirkland

Pam Kirkland, CPPO, CPPB
Purchasing Manager

Keith Dagen

Keith Dagen
Director of Finance

10/8/15
Date

Approved: _____
Dan Johnson
City Manager

_____
Date

MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager

FROM: Steve Spanos, P.E., Director of Engineering

SUBJECT: Permission to Advertise 2010 Alley Rehabilitation Phase VIII (Worcester/Provincetown/Jolee/Lorrie) Bid# 06-16

DATE: October 2, 2015

ACTION REQUESTED:

Authorization to advertise Bid No.06-16 and approval of plans and contract documents for the 2010 Alley Rehabilitation Phase VIII (Worcester/Provincetown/Jolee/Lorrie). Bids to be received until Thursday, October 29, 2015 at 2:00 p.m. and read aloud 30 minutes later.

BACKGROUND INFORMATION:

Base Bid:

Reconstruction of the following alleys:

- North of Jolee Street and south of Lynn Street between Custer Road and Lorrie Drive, including installation of triple grate inlet and approximately 32 LF of 18" RCP.
- West of Lorrie Drive between Jolee Street and Lynn Street
- South of Worcester Way between Salem Drive and the Provincetown Lane alley
- West of Provincetown Lane between Salem Drive and Worcester Way

Alternate 1 Bid:

Reconstruction of the following alleys:

- North of Lynn Street and south of Daniel Street between Custer Road and Lorrie Drive, including installation of triple grate inlet and approximately 32 LF of 18" RCP
- West of Lorrie Drive between Lynn Street and Daniel Street

Alternate 2 Bid:

Also included is the Shady Hill Drive Alley Drainage Project which includes installation of 415 LF of 6" drain pipe, and replacement of 310 SY of deteriorated concrete alley pavement.

FUNDING:

Funding is provided from 2010 G.O. Bonds, 2015 C.O.'s and Drainage Utility.

SCHEDULE:

The Capital Projects Department plans for this project to begin construction January 2016 and be completed by March 2016.

Cc: Brad Bernhard, P.E., Project Engineer
Moses Ogolla, P.E., Project Engineer

NOTICE TO CONTRACTORS
CITY OF RICHARDSON

2010 ALLEY REHABILITATION PHASE VIII (Worcester/Provincetown/Jolee/Lorrie)

BID #06-16

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **Thursday, October 29, 2015 at 2:00 pm** and will be opened and read aloud in the **Capital Projects Conference Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

Base Bid:
Reconstruction of the following alleys:

- North of Jolee Street and south of Lynn Street between Custer Road and Lorrie Drive, including installation of triple grate inlet and approximately 32 LF of 18" RCP.
- West of Lorrie Drive between Jolee Street and Lynn Street
- South of Worcester Way between Salem Drive and the Provincetown Lane alley
- West of Provincetown Lane between Salem Drive and Worcester Way

Alternate 1 Bid:
Reconstruction of the following alleys:

- North of Lynn Street and south of Daniel Street between Custer Road and Lorrie Drive, including installation of triple grate inlet and approximately 32 LF of 18" RCP
- West of Lorrie Drive between Lynn Street and Daniel Street

Alternate 2 Bid:

- Shady Hill Drive Alley Drainage Project which includes installation of 415 LF of 6" drain pipe, and replacement of 310 SY of deteriorated concrete alley pavement.

Bids shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The City will attempt to award the Contract within 90 days after the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of

one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

A maximum of Ninety (90) calendar days will be allowed for construction.

A set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, October 13, 2015** upon a **NON-REFUNDABLE FEE OF Twenty five Dollars** ($25.00) per CD or **Fifty Dollars** ($50.00) per hard set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. Maximum of two sets or CD per contractor.

A voluntary pre-bid conference will be held **Wednesday, October 21, 2015 at 9:00 am in the Capital Projects Conference Room 206, Richardson Civic Center/City Hall.**

By:/s/Paul Voelker, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

Accommodation requests for persons with disabilities should be made by contacting Susan Mattison, ADA Coordinator, via phone at 972-744-0908, via email at adacoordinator@cor.gov, or by appointment at 1621 E. Lookout Drive, Richardson, TX 75082.

Project Schedule

2010 ALLEY REHABILITATION PHASE VIII
(Worcester/Provincetown/Jolee/Lorrie)

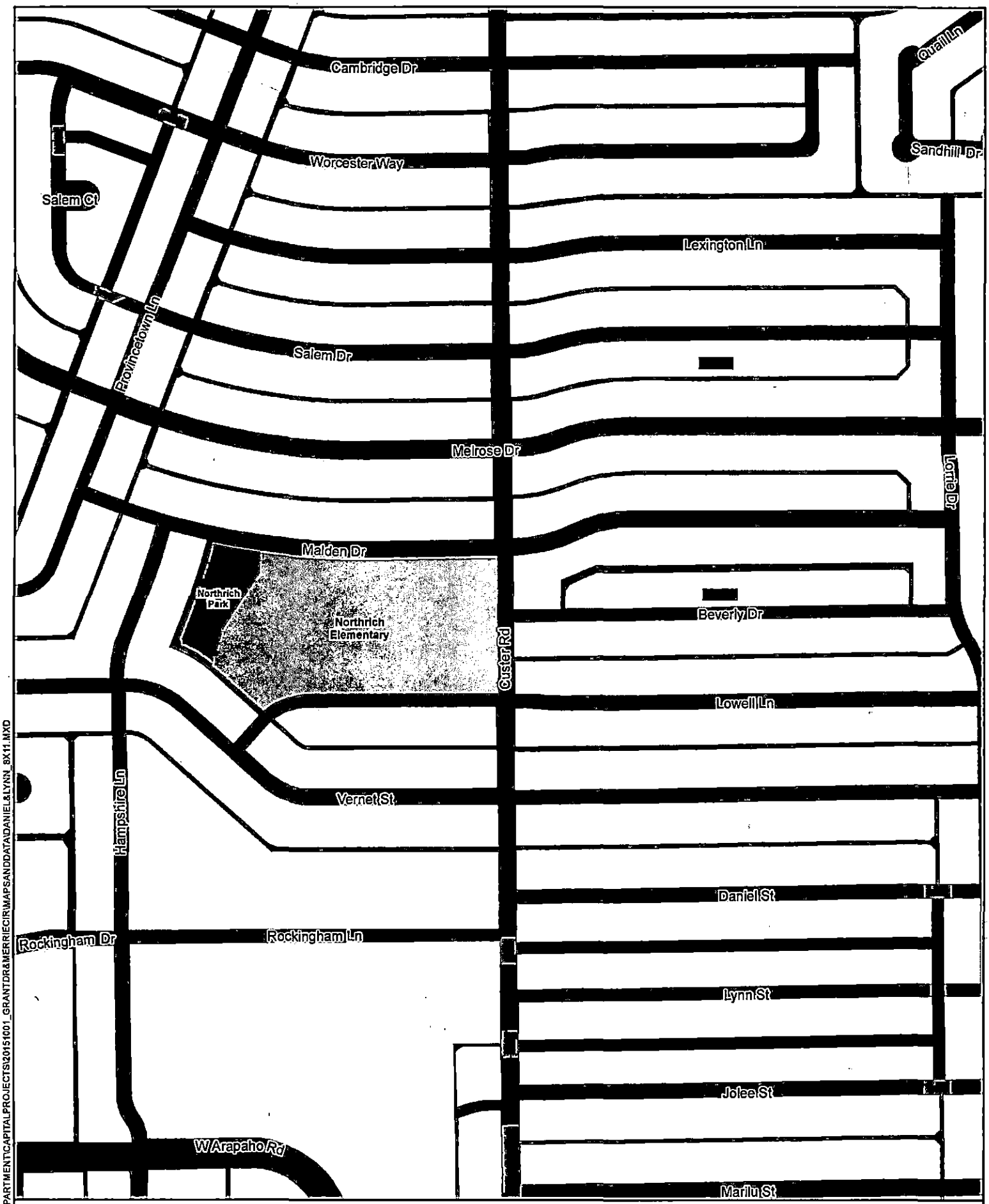
BID NO. 06-16

Agenda Paperwork to Advertise	Friday, October 2, 2015
Council Authorization to Advertise	Monday, October 12, 2015
Plans/Specs Available for Contractors	Tuesday, October 13, 2015
Advertise in Dallas Morning News 1	Wednesday, October 14, 2015
Advertise in Dallas Morning News 2	Wednesday, October 21, 2015
Pre-bid Meeting (9:00 am Room 206)	Wednesday, October 21, 2015
Bids Received & Opened (Bids due by 2:00 pm opening 2:30 pm Room 206)	Thursday, October 29, 2015
Agenda Paperwork to Award Contract	Friday, November 6, 2015
Council to Award Contract	Monday, November 16, 2015
Pre-Construction Meeting	Tuesday, December 1, 2015
Anticipated Project Start	January 2016
Anticipated Project Completion for Base Bid and Alternate 1 Bid (90 Calendar Days)	March 2016
Alternate 2 Bid (60 Calendar Days)	February 2016

Project Manager: Brad Bernhard

Engineer's Estimate Base Bid and Alternate 1 Bid: $338,000.00
Funding: Account #378-8702-585-7524 Project #SD1008
Funding: Account #235-2011-581-7524 Project #CP1504

Engineer's Estimate Alternate 2 Bid: $86,000
Funding: Account #164-8702-513-7524 Project #DR1508



Daniel St, Lynn St, Salem Ct - Phase VIII
October 2015

CITY OF RICHARDSON TEXAS

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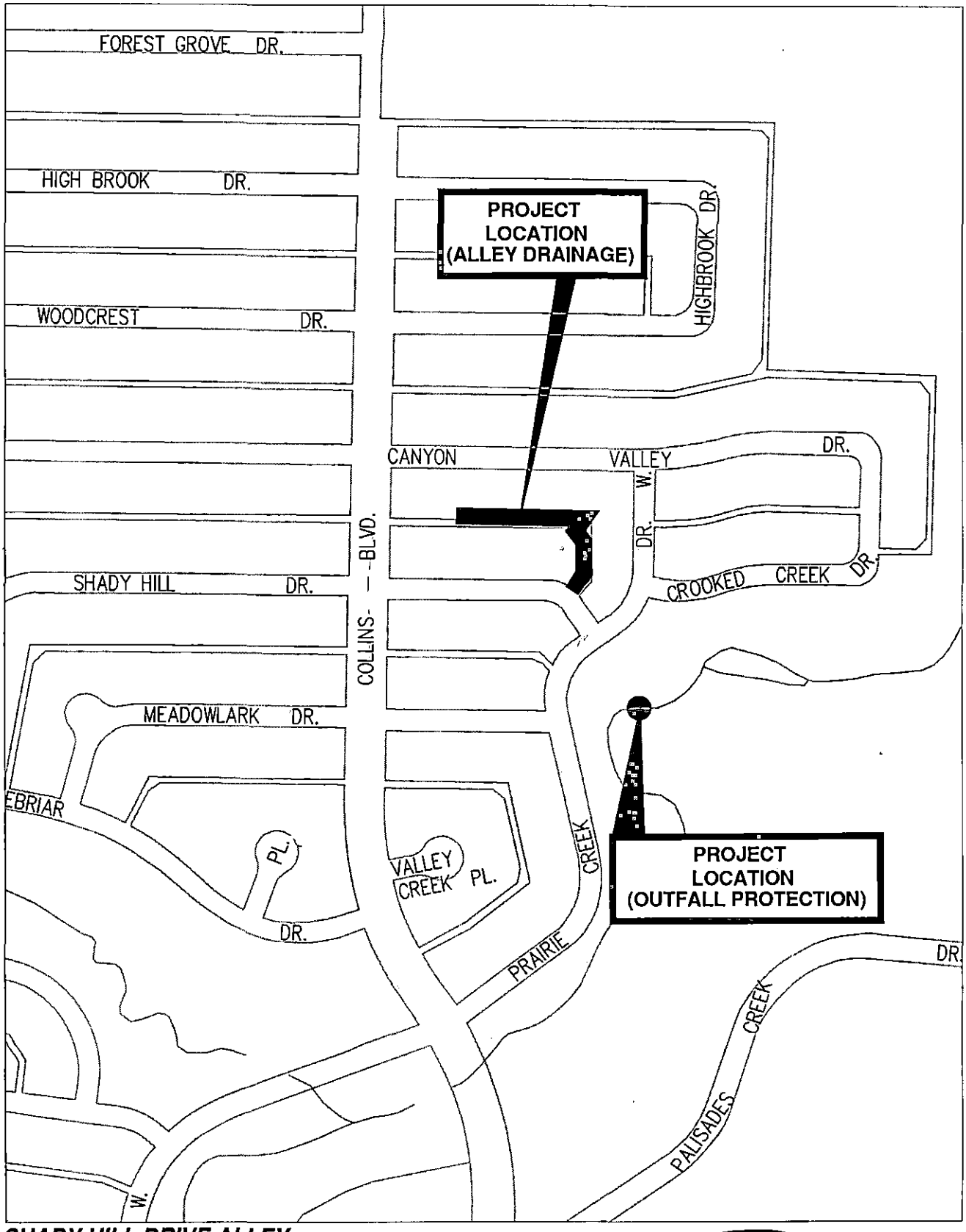


SHADY HILL DRIVE ALLEY DRAINAGE PROJECT
OCT 2015

NORTH

CITY OF RICHARDSON TEXAS

CITYOFRICHARDSON

TO: Dan Johnson - City Manager

THRU: Keith Dagen - Director of Finance

FROM: Pam Kirkland - Purchasing Manager

SUBJECT: Bid Initiation Request #07-16

DATE: October 6, 2015

Request Council approval to initiate bid for the following:

Grant Drive and Merrie Circle Waterline

Proposed Council approval date:	October 12, 2015
Proposed advertising dates:	October 14, 2015 & October 21, 2015
Proposed bid due date:	October 30, 2015 – 2:00 p.m.
Proposed bid opening date:	October 30, 2015 – 2:30 p.m.
Engineer's estimated total cost:	$660,000.00
Account:	549-5710-585-7524 Project #WS1502 235-2011-581-7524 Project #CP1501

Pam Kirkland

Pam Kirkland, CPPO, CPPB
Purchasing Manager

Keith Dagen

Keith Dagen
Director of Finance

10/8/15
Date

Approved: _____
Dan Johnson
City Manager

_____
Date

MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager

FROM: Steve Spanos, P.E., Director of Engineering

SUBJECT: Permission to Advertise Grant Drive and Merrie Circle Waterline Bid# 07-16

DATE: October 2, 2015

ACTION REQUESTED:

Authorization to advertise Bid No.07-16 and approval of plans and contract documents for the Grant Drive and Merrie Circle Waterline. Bids to be received until Friday, October 30, 2015 at 2:00 p.m. and read aloud 30 minutes later.

BACKGROUND INFORMATION:

The Grant Drive and Merrie Circle Water Line project will replace the 8-inch water line in Grant Drive from Arapaho Road to Blake Drive and in Merrie Circle. The project will also include full-width street improvements in Grant Drive from Arapaho Road to Stacey Court. The project includes the removal and replacement of 4,532 SY of 6-inch concrete street paving, 3,040 LF of concrete curb, 2,750 LF of 8-inch PVC water line and all appurtenances in the 1000-1300 block of Grant Drive and Merrie Circle.

FUNDING:

Funding is provided from 2015 C.O. Supplement and Water and Sewer C.O.

SCHEDULE:

The Capital Projects Department plans for this project to begin construction January 2016 and be completed by May 2016.

Cc: Brad Bernhard, P.E., Project Engineer

NOTICE TO CONTRACTORS
CITY OF RICHARDSON

GRANT DRIVE AND MERRIE CIRCLE WATERLINE
BID #07-16

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **Friday, October 30, 2015 at 2:00 pm** and will be opened and read aloud in the **Capital Projects Conference Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

The Grant Drive and Merrie Circle Water Line project will replace the 8-inch water line in Grant Drive from Arapaho Road to Blake Drive and in Merrie Circle. The project will also include full-width street improvements in Grant Drive from Arapaho Road to Stacey Court. The project includes the removal and replacement of 4,532 SY of 6-inch concrete street paving, 3,040 LF of concrete curb, 2,750 LF of 8-inch PVC water line and all appurtenances in the 1000-1300 block of Grant Drive and Merrie Circle.

Bids shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The City will attempt to award the Contract within 90 days after the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

A maximum of One Hundred Twenty(150) calendar days will be allowed for construction.

A set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, October 13, 2015** upon a **NON-REFUNDABLE FEE OF Twenty five Dollars** ($25.00) per CD or **Fifty Dollars** ($50.00) per hard set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. Maximum of two sets or CD per contractor.

A voluntary pre-bid conference will be held **Thursday, October 22, 2015 at 10:00 am in the Capital Projects Conference Room 206, Richardson Civic Center/City Hall.**

By:/s/Paul Voelker, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

Accommodation requests for persons with disabilities should be made by contacting Susan Mattison, ADA Coordinator, via phone at 972-744-0908, via email at adacoordinator@cor.gov, or by appointment at 1621 E. Lookout Drive, Richardson, TX 75082.

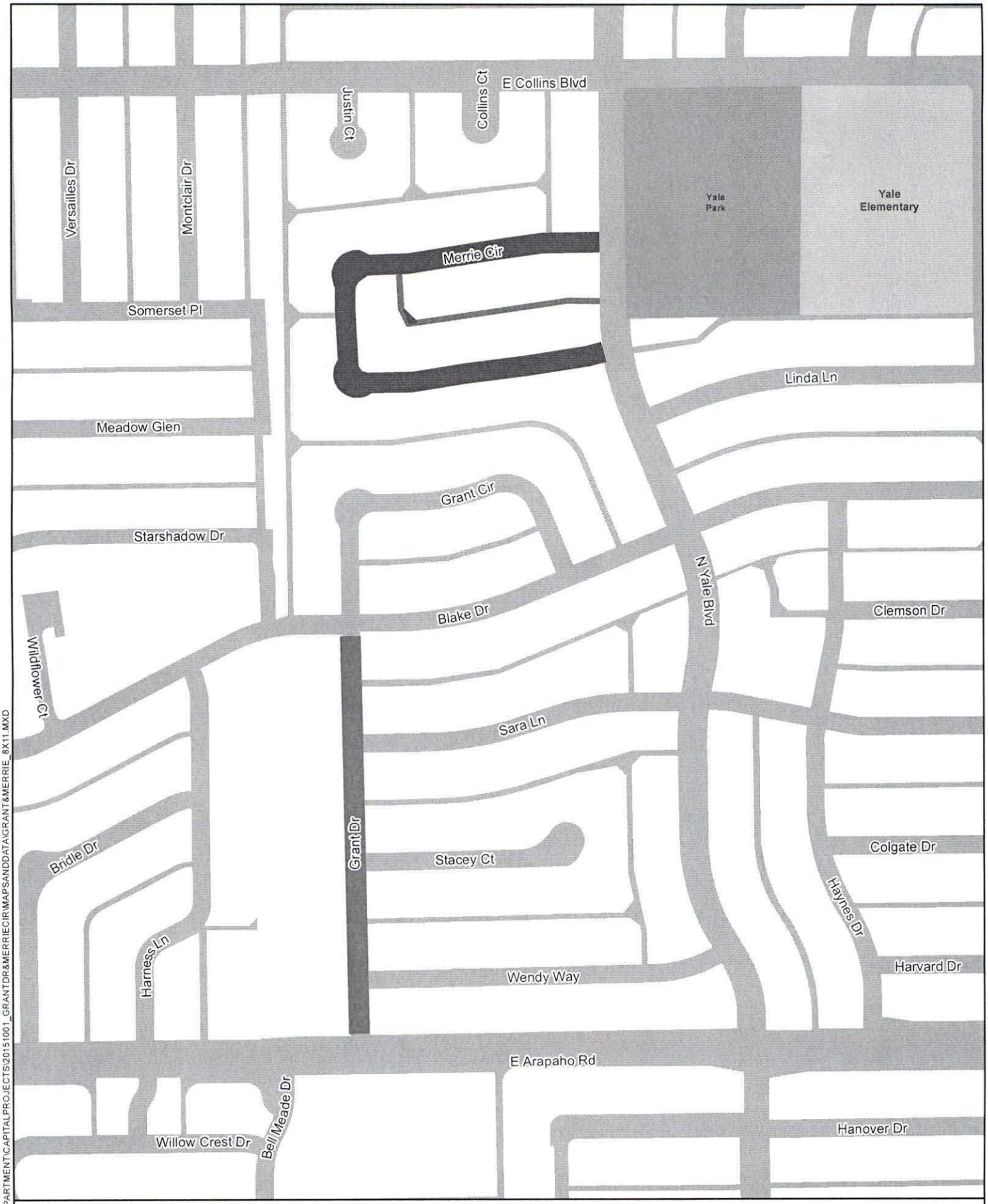
Project Schedule

GRANT DRIVE AND MERRIE CIRCLE WATERLINE

BID NO. 07-16

Agenda Paperwork to Advertise	Friday, October 2, 2015
Council Authorization to Advertise	Monday, October 12, 2015
Plans/Specs Available for Contractors	Tuesday, October 13, 2015
Advertise in Dallas Morning News 1	Wednesday, October 14, 2015
Advertise in Dallas Morning News 2	Wednesday, October 21, 2015
Pre-bid Meeting (10:00 am Room 206)	Thursday, October 22, 2015
Bids Received & Opened (Bids due by 2:00 pm opening 2:30 pm Room 206)	Friday, October 30, 2015
Agenda Paperwork to Award Contract	Friday, November 6, 2015
Council to Award Contract	Monday, November 16, 2015
Pre-Construction Meeting	Wednesday, December 2, 2015
Anticipated Project Start	January 2016
Anticipated Project Completion (150 Calendar Days)	May 2016

Project Manager: Brad Bernhard
Engineer's Estimate: $660,000.00
Funding: Account #549-5710-585-7524 Project #WS1502
Account #235-2011-581-7524 Project #CP1501



Grant Dr & Merrie Cir Waterline
October 2015

CITY OF RICHARDSON TEXAS

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CITYOFRICHARDSON

TO: Dan Johnson - City Manager

THRU: Keith Dagen - Director of Finance

FROM: Pam Kirkland - Purchasing Manager

SUBJECT: Bid Initiation Request #09-16

DATE: October 6, 2015

Request Council approval to initiate bid for the following:

Re-Bid of Arapaho Road Culvert Railing Replacements

Proposed Council approval date:	October 12, 2015
Proposed advertising dates:	November 2, 2015 & November 9, 2015
Proposed bid due date:	November 23, 2015 – 2:00 p.m.
Proposed bid opening date:	November 23, 2015 – 2:30 p.m.
Engineer's estimated total cost:	$380,000
Account:	Neighborhood Vitality GO Bonds 378-8703, NV1106 2012 CO 232, NS1205 2014 CO 234, CP1401

Pam Kirkland

Pam Kirkland, CPPO, CPPB
Purchasing Manager

Keith Dagen

Keith Dagen
Director of Finance

10/8/15
Date

Approved: _____
Dan Johnson
City Manager

_____
Date

MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager CGM

FROM: Steve Spanos, P.E., Director of Engineering SS

SUBJECT: Permission to Advertise Re-bid of Arapaho Road Culverts Railing Replacements Bid #09-16

DATE: October 2, 2015

BACKGROUND INFORMATION:

This project consists of a new decorative bridge railing on Arapaho Road at West Fork, Cottonwood Creek and Nantucket Branch west of Floyd Road. Additional work includes removal of existing metal handrail, sidewalk paving, street paving, riprap, culvert headwall, wingwall, retaining wall, and debris/sediment removal from inside the culverts and creek channels.

Earlier this year, bids were received for the subject project as bid# 36-15. Award of the bid was delayed by several months to addressing two outstanding issues: the bids received exceeded the project budget and the final easement needed for the project had not been acquired. The budget issue was able to be addressed through value engineering with the contractor. However, the easement issue required additional time and ultimately required modification of the plans to eliminate the need for the easement. The bid was then awarded to GHB Equipment Co. LLC on August 24, 2015. However, after the award of the bid, the contractor reviewed their current work capacity and the time requirements for this project. The contractor then notified the City they had taken on other projects recently and could not take on this additional work and would not execute the contract. Therefore, staff recommends this project be re-bid with the scope modifications.

FUNDING:

Funding is provided from Neighborhood Vitality GO Bonds 378-8703, NV1106; 2012 C.O. 232, NS1205; 2014 C.O. 234, CP1401

SCHEDULE:

The Capital Projects Department plans for this project to begin construction February 2016 and be completed by May 2016.

Cc: Henry Drexel, P.E., Senior Project Engineer HD

NOTICE TO CONTRACTORS
CITY OF RICHARDSON

RE-BID OF ARAPAHO ROAD CULVERTS RAILING REPLACEMENTS
BID No. 09-16

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until 2:00 p.m. on **Monday, November 23, 2015**, and will be opened and read aloud in the **Capital Projects Conference Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

The project includes construction of new decorative railings on the Arapaho Road Culverts over West Fork (Site 11), Cottonwood Creek (Site 12) and Unnamed Stream (Site 13). The estimated quantities for the project include removal of 360 LF of existing metal handrail, removal of 2,286 SF of concrete sidewalk paving, removal of 57 SY of street paving, removal of 119 SY of riprap, breakback and removal of 722 SF of existing culvert headwall, wingwall and retaining wall, 0.1 acres of debris and sediment removal from creek channels, 3,064 SF of new 4" thick concrete sidewalk, 52 SY of new street paving with 1" overlay, removal and reconstruction of one storm sewer inlet and two storm sewer inlet tops, 396 LF of new ornamental steel railing (base plate and direct embedment), 337 LF of concrete rail cap (doweled to existing headwalls/wingwalls), 19 reinforced concrete pilasters with stone/brick cladding, cast stone caps, and cast stone signage; 21.1 cubic yards of reinforced concrete rail support/retaining wall, 39 linear feet of 24-inch drilled shaft, 136 SY of concrete riprap and other miscellaneous appurtenances.

Bids shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The City will attempt to award the Contract within 90 days after the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

A maximum of One Hundred (100) calendar days will be allowed for construction of the project.

One set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Monday, November 2, 2015** upon a **NON-REFUNDABLE FEE OF Fifty Dollars** ($50.00) per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. Maximum of two sets of plans per contractor.

A voluntary Pre-Bid conference will be held **Tuesday, November 10, 2015** at 10:00 a.m., in the **Capital Projects Conference Room 206**, Richardson Civic Center/City Hall.

By:/s/Paul Voelker, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

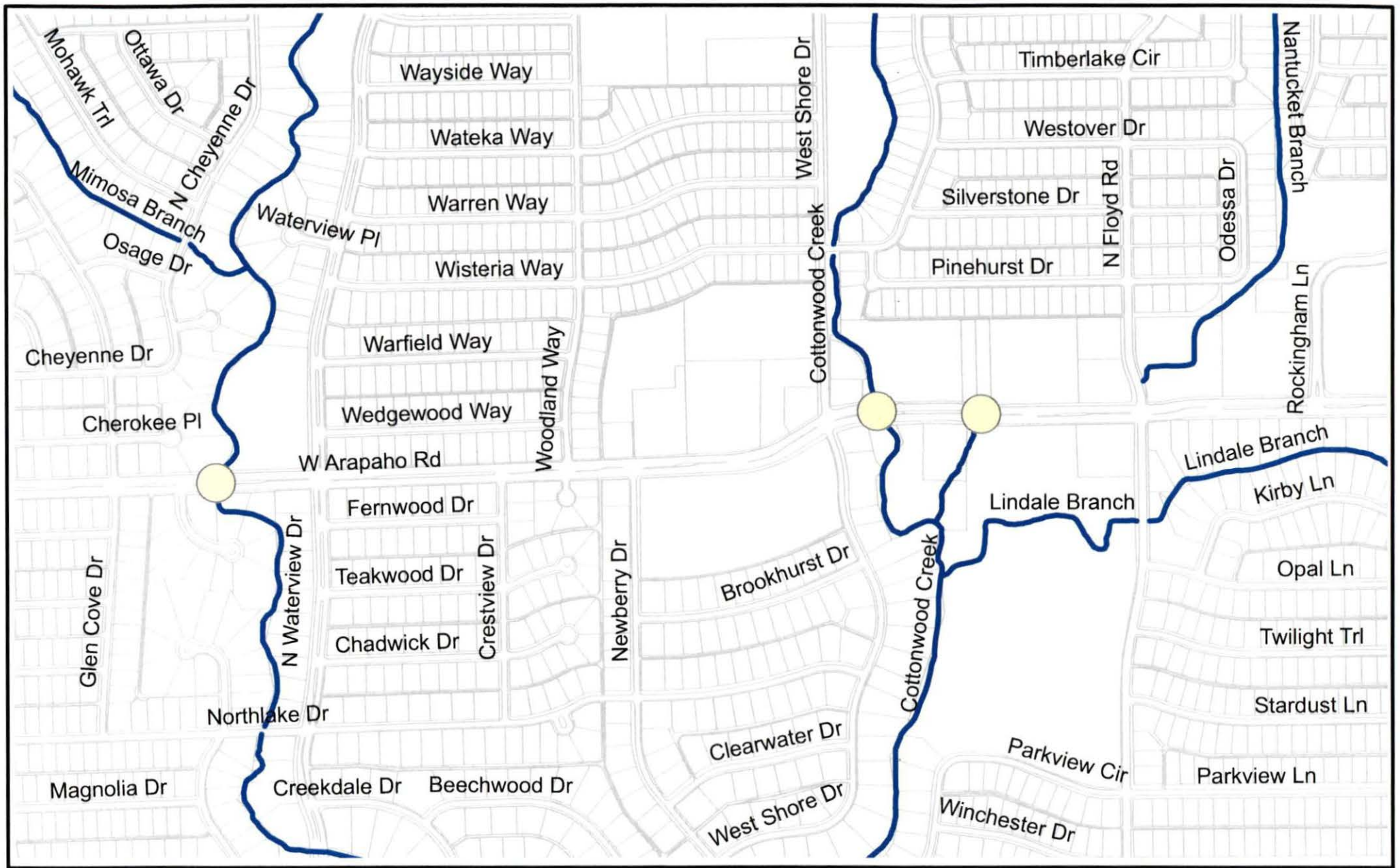
PROJECT SCHEDULE

RE-BID OF ARAPAHO ROAD CULVERT RAILING REPLACEMENTS

BID No. 09-16

Agenda Paperwork to Advertise	Friday, October 2, 2015
Council Authorization to Advertise	Monday, October 12, 2015
Plans/Specs Available for Contractors	Monday, November 2, 2015
Advertise in Dallas Morning News 1	Monday, November 2, 2015
Advertise in Dallas Morning News 2	Monday, November 9, 2015
Pre-Bid Meeting (10:00 am Room 206)	Tuesday, November 10, 2015
Bids Received & Opened (Due 2:00 Open 2:30 Rm 206)	Monday, November 23, 2015
Agenda Paperwork to Award Contract	Friday, December 4, 2015
Council to Award Contract	Monday, December 14, 2015
Pre-Construction Meeting	January 2016
Anticipated Project Start	February 2016
Anticipated Project Completion (100 Calendar Days)	May 2016

Project Manager: Henry Drexel
Engineers Estimate: $380,000
Funding:
Neighborhood Vitality GO Bond 378-8703, NV1106
2012 C.O. 232, NS1205
2014 C.O. 234, CP1401



Re-bid of Arapaho Road Culverts Railing Replacements

N

October 2015

MEMO

DATE: **October 1, 2015**

TO: **Keith Dagen – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #10-16 for the FY2015-16 Sungard Public Sector Software Maintenance Renewal in the amount of $133,846**

Proposed Date of Award: October 12, 2015

I concur with the recommendation of Steve Graves, Chief Information Officer, and request permission to issue a purchase order to Sungard Public Sector for the annual maintenance of our existing HTE operating financial software in the amount of $133,846, as per the attached.

Sungard Public Sector is the sole source provider for the maintenance of their software. Sole source procurements are exempt from competitive bidding as per Texas Local Government Code, Chapter 252.022(7).

Funding is available in account 011-0540-514-4323 for this expenditure.

Concur:

Keith Dagen

Keith Dagen

Attachments

Xc: Dan Johnson
Don Magner
Cliff Miller
Shanna Sims-Bradish
Kent Pfeil

DATE: September 1, 2015
TO: Pam Kirkland, Purchasing Manager
FROM: Steve Graves, Chief Information Officer SGraves
SUBJECT: Sungard Public Sector Software Maintenance Renewal

I recommend renewing our Sungard Public Sector Software (formerly Sungard/HTE) maintenance agreement and extending it for three years. Sungard is adding a new GUI interface for our internal customers and gradually reducing our maintenance over the next three years starting 2015/16 ($133,846), 2016/17 ($121,535) and 2017/18 ($98,203). Sungard provides Financial, Municipal Court, Water Utilities, HR and Work Management software for the City. This is a sole source maintenance agreement. The total cost for 2015/16 is $133,846. This is budgeted in the 2015/2016 budget using account number 011-0540-514-43.23.

		Richardson TX		Current GreenScreen Maintenance	Naviline Edge Maintenance 10/1/15-9/30/16	Estimated Naviline Edge Maintenance and costs 10/1/16-9/30/17	Estimated Naviline Edge Maintenance and costs 10/1/17-9/30/18
2206LG	NaviLine PSJ	Case Management	1	$15,231.00	$5,340.00	$5,500.20	$5,665.21
2206LG	NaviLine PSJ	Mobile Citation to Case Managment Interface	1	$1,300.00	$1,300.00	$1,339.00	$1,379.17
2206LG	NaviLine PSJ	Parking Tickets (Citations Management)	1	$0.00	$2,090.00	$2,152.70	$2,217.28
2206LG	NaviLine PSJ	Session Scheduler -	1	$743.00	$743.00	$765.29	$788.25
2206LG	NaviLine PA	CIS	1	$16,979.00	$10,790.00	$11,113.70	$11,447.11
2206LG	NaviLine PA	Work Orders/Facilites Management	1	$11,052.00	$5,740.00	$5,912.20	$6,089.57
2206LG	NaviLine PA	Accounts Receivable	1	$5,316.00	$3,380.00	$3,481.40	$3,585.84
2206LG	NaviLine PA	Asset Management I	1	$3,638.00	$1,950.00	$2,008.50	$2,068.76
2206LG	NaviLine PA	Cash Reciepts - AS400	1	$3,835.00	$2,430.00	$2,502.90	$2,577.99
2206LG	NaviLine PA	Fleet Management	1	$11,522.00	$5,840.00	$6,015.20	$6,195.66
2206LG	NaviLine PA	GMBA with Extended Reporting	1	$15,089.00	$9,570.00	$9,857.10	$10,152.81
2206LG	NaviLine PA	Payroll/Personnel	1	$11,855.00	$7,910.00	$8,147.30	$8,391.72
2206LG	NaviLine PA	Purchasing/Inventory	1	$8,288.00	$5,260.00	$5,417.80	$5,580.33

2206LG	NaviLine PA	BUILDING PERMITS	1	$6,660.00	$3,220.00	$3,316.60	$3,416.10
2206LG	NaviLine PA	LAND/PARCEL MANAGEMENT	1	$5,261.00	$3,600.00	$3,708.00	$3,819.24
2206LG	NaviLine PA	IVR - Selectron I/F - BP	1	$1,344.00	$1,344.00	$1,384.32	$1,425.85
2206LG	NaviLine PA	TAX BILLING & COLLECTIONS	1	$10,112.00	$10,260.00	$10,567.80	$10,884.83
2206LG	NaviLine	DMS - Document Management Services	1	$1,109.00	$1,109.00	$1,142.27	$1,176.54
2206LG	Other	Retrofit Modification Option	79	$7,900.00	$7,900.00	$8,137.00	$8,381.11
		EDGE Interface		0	$560.00	$576.80	$594.10
		Edge Lansa		0	$2,230.00	$2,296.90	$2,365.81
				$ 137,234.00	**$92,566.00**	**$95,342.98**	**$98,203.27**
Naviline Edge Purchase Due at Execution					**$41,280.00**		
Navilien EDGE Purchase due 10/1/16						**$26,192.50**	
		Total Due by Year		$ 137,234	**$133,846.00**	**$121,535.48**	**$98,203.27**

MEMO

DATE: **October 1, 2015**

TO: **Keith Dagen – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #11-16 for cooperative contract pricing for the FY2015-2017 Telephone Smart Trunks/POTS Communication lines to AT&T through the State of Texas Department of Information Services Contract #DIR-TEX-AN-NG-CTSA-005 for an annual amount of $170,000**

Proposed Date of Award: October 12, 2015

I concur with the recommendation of Steve Graves, Chief Information Officer, and request permission to issue a purchase order to AT&T for the telephone Smart Trunks/POTS Communication lines for an annual amount of $170,000 annually.

The City will be signing a two year agreement for the 2015-2017 services. AT&T has been awarded a Tex-AN Next Generation Contract #DIR-TEX-AN-NG-CTSA-005 through the State of Texas Department of Information Resources cooperative purchasing program. The City of Richardson participates in 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 provided in accounts 011-0310-513-5301 and 511-5910-504-5301.

Concur:

Keith Dagen

Keith Dagen

Xc: Dan Johnson
Don Magner
Cliff Miller
Shanna Sims-Bradish
Kent Pfeil

DATE: September 28, 2015
TO: Pam Kirkland, Purchasing Manager
FROM: Steve Graves, Chief Information Officer SGraves
SUBJECT: 2015-2017 Telephone Smart Trunks/POTS Communication Recommendation

I recommend using AT&T for our Smart Trunks and POTS communication lines. This is a two year modification to our current DIR Tex-AN agreement for all telephone communications for City Departments including NexGen 911 and Public Safety. AT&T is a State of Texas DIR Tex-AN vendor, Contract Number DIR-TEX-AN-NG-CTSA-005. The total cost per year is $170,000.00 and this amount was budgeted in the 2015/2016 budget using account numbers 011-0310-513-53.01, and 511-5910-504-53.01.

MEMO

DATE: **October 6, 2015**

TO: **Keith Dagen – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #12-16 for the cooperative purchase of park playground equipment and installation for Lookout Park to Child's Play, Inc. pursuant to The Local Government Purchasing Cooperative (Buyboard) Contract #423-13 in the amount of $171,258**

Proposed Date of Award: October 12, 2015

I concur with the recommendation of Kurt Beilharz – Superintendent of Park Planning, and request permission to issue a purchase order to Child's Play, Inc. for the referenced playground equipment and installation, as per the attached quotation, pursuant to Buyboard Contract #423-13 in the amount of $171,258.

Child's Play, Inc. has been awarded a contract for park playground equipment and installation through the Local Government Purchasing Cooperative Buyboard Contract #423-13. The City of Richardson is a member of the Local Government 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 provided in accounts 235-3061-581-7102 ($15,000) and 236-3061-581-7102, PM1611 ($157,000).

Concur:

Keith Dagen

Keith Dagen

Attachments

Xc: Dan Johnson
Don Magner
Cliff Miller
Shanna Sims-Bradish
Kent Pfeil

MEMO

TO: Pam Kirkland, Purchasing Manager

THROUGH: Shanna Sims-Bradish, Assistant City Manager

FROM: Kurt Beilharz, Superintendent of Park Planning KB

SUBJECT: Award of Bid #12-16 for Playground Equipment for Lookout Park to Child's Play, Inc. via Buyboard Contract #423-13, in the total amount of $171,258.

DATE: October 6, 2015

ACTION REQUSTED:
Council to consider authorization to purchase playground equipment and installation, and related concrete construction work for Lookout Park Playground, through Buyboard purchasing agreement #423-13 in the total amount of $171,258.

BACKGROUND INFORMATION:
This purchase agreement for Lookout Park Playground will provide separate playground equipment for 2-5 year old and 5-12 year old children in designated areas within the playground. All playground equipment and related concrete construction work will be installed and performed turn-key by the vendor during late autumn and early winter of 2016.

FUNDING:

Funding is provided in the following accounts and amounts:
235-3061-581-7102 - $15,000
236-3061-581-7102, PM1611 - $157,000

SCHEDULE:
All playground equipment is expected to be delivered and installed by the end of February 2016.

Cc: Kurt Beilharz, Superintendent of Park Planning

Child's Play, Inc.
10661 Shady Trail
Dallas, TX 75220
(P) 972-484-0600 (F) 972-484-0333

ADDRESS
Kurt Beilharz City of Richardson Accounts Payable P.O. Box 830309 Richardson, TX 75083-0309

SHIP TO
Kurt Beilharz Lookout Park 1600 E. Lookout Drive Richardson, TX 75082

QUOTE #	DATE	EXPIRATION DATE
2015-560	09/25/2015	10/30/2015

PROJECT	SALES REP
Lookout Park	KR

DESCRIPTION	QTY	PRICE EACH	AMOUNT
BCISNUIN Custom Nucleus/Intensity Series Playground Structure with Spinner & Age Sign - Ages 5-12	1	54,266.00	54,266.00
BCISNucleus Custom Nucleus Series Playground Structure with (2) Kidforce Spinners & Age Sign - Ages 2-5	1	40,805.00	40,805.00
BCI550-0135 Two Bay 5" Arch Swing with (2) Belt Seats & (2) Tot Seats	1	3,670.00	3,670.00
BCI580-0172 6' Traditional Series Bench - In-Ground	2	465.00	930.00
Freight Freight	1	4,958.00	4,958.00
Geo Textile Fabric Geo Textile Fabric	2.50	400.00	1,000.00
Wood Fiber Engineered Wood Fiber for 6"	150	22.00	3,300.00
Installation Professional Turn-Key Installation of Playground Equipment, Geo-Textile Fabric, Old Wood Fiber & New Wood Fiber	1	29,895.00	29,895.00

DESCRIPTION	QTY	PRICE EACH	AMOUNT
Site Work Removal of existing concrete, removal & stock pile of existing wood fiber, excavation of new play area & spreading excessive soil on site, new 4" thick concrete border and sidewalks, removal & re-installation of (2) existing benches	1	29,780.00	29,780.00
Bond Payment & Performance Bond This is a Buyboard Purchasing Cooperative Quote. Pricing reflects Buyboard discounts as listed on the website www.buyboard.com under the Contract #423-13.	1	2,654.00	2,654.00

TOTAL $171,258.00

Accepted By

Accepted Date