RICHARDSON CITY COUNCIL
MONDAY, OCTOBER 10, 2016
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 10, 2016 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 AN UPDATE ON THE 2016 CORPORATE CHALLENGE PROGRAM

C. REVIEW AND DISCUSS FALL 2016 NEIGHBORHOOD LEADERSHIP WORKSHOP

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

COUNCIL MEETING – 7:00 PM, COUNCIL CHAMBERS

1. INVOCATION – MARK SOLOMON

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – MARK SOLOMON

3. MINUTES OF THE SEPTEMBER 26, 2016 AND OCTOBER 3, 2016 MEETINGS

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

PUBLIC HEARING ITEMS:

5. PUBLIC HEARING, ZONING FILE 16-21, A REQUEST BY WILLIAM S. DAHLSTROM, REPRESENTING JACKSON WALKER, L.L.P., TO AMEND AN EXISTING PD PLANNED DEVELOPMENT DISTRICT, PRESERVING THE EXISTING RETAIL AND OFFICE USES AND CONCEPT PLAN AND ESTABLISHING AN ALTERNATE CONCEPT PLAN AND ASSOCIATED DEVELOPMENT STANDARDS TO ALLOW AN INCREASE IN THE NUMBER OF APARTMENT UNITS FOR PROPERTY LOCATED AT 1705-1735 N. GREENVILLE AVENUE (WEST SIDE OF GREENVILLE AVENUE, BETWEEN ALMA ROAD AND CAMPBELL ROAD).

6. PUBLIC HEARING, ZONING FILE 16-22, A REQUEST BY GEORGE OWEN, REPRESENTING THE GIFT OF TOUCH MASSAGE THERAPY, FOR APPROVAL OF A SPECIAL PERMIT FOR A MASSAGE ESTABLISHMENT TO BE LOCATED AT 1411 E. CAMPBELL ROAD (NORTH SIDE OF CAMPBELL ROAD, EAST OF PLANO ROAD). THE PROPERTY IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.

ACTION ITEM:

7. VARIANCE NO. 16-05: A REQUEST BY TOM CHAWANA, GOING FORWARD, INC. / OWNER: JESSE C. WALLACE JR. FOR A VARIANCE FROM CHAPTER 21, THE SUBDIVISION AND DEVELOPMENT CODE, TO ALLOW SIDE LOT LINES THAT ARE NOT PERPENDICULAR OR RADIAL TO THE FRONT PROPERTY LINES IN A RESIDENTIAL DISTRICT. THE PROPERTIES ARE LOCATED AT 1016 AND 1018 N. LINDALE LANE.

8. CONSENT AGENDA:

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

A. CONSIDER ADOPTION OF THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 4182, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM R-1800-M RESIDENTIAL DISTRICT TO PD PLANNED DEVELOPMENT FOR 2.68 ACRES OF LAND LOCATED AT 700 N. PLANO ROAD, ON THE EAST SIDE OF PLANO ROAD, SOUTH OF ARAPAHO ROAD.

2. ORDINANCE NO. 4183, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM R-1800-M RESIDENTIAL DISTRICT TO PD PLANNED DEVELOPMENT FOR 2.00 ACRES OF LAND LOCATED AT 700 N. PLANO ROAD, ON THE EAST SIDE OF PLANO ROAD, SOUTH OF ARAPAHO ROAD.

3. ORDINANCE NO. 4184, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR AN AMUSEMENT ARCADE ON A 7.90-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED ON THE SOUTH SIDE OF BELT LINE ROAD, WEST OF YALE BOULEVARD, RICHARDSON, TEXAS, AND REPEALING ORDINANCE NO. 4125.

4. ORDINANCE NO. 4185, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 6, ARTICLE III, RICHARDSON ELECTRICAL CODE, BY AMENDING SECTIONS 6.111(A) AND 6 132(1) ADOPTING NATIONAL ELECTRICAL CODE, 2014 EDITION, NFPA 70, RELATING TO ELECTRICAL CONTRACTOR REQUIREMENTS AND STANDARDS FOR ELECTRICAL INSTALLATIONS.

5. ORDINANCE NO. 4186, AMENDING THE CODE OF ORDINANCES BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, INCLUDING APPENDICES A, AND D THROUGH G, AND AMENDMENTS THERETO BY AMENDING CHAPTER 8, ARTICLE II, SECTIONS 8-27, 8-28, AND 8-29(b).

6. ORDINANCE NO. 4187, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 6, ARTICLE II, BY AMENDING SECTIONS 6-27 AND 6-28, TO ADOPT THE INTERNATIONAL BUILDING CODE, 2015 EDITION, TOGETHER WITH APPENDIX D AND AMENDMENTS THERETO; BY AMENDING SECTIONS 6-30 AND 6-31, TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2015 EDITION AND AMENDMENTS THERETO; BY AMENDING SECTIONS 6-33 AND 6-34, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION; BY AMENDING SECTIONS 6-237 AND 6-238, TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2015 EDITION, WITH APPENDIX A AND AMENDMENTS THERETO; BY AMENDING SECTIONS 6-262 AND 6-263, TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION AND AMENDMENTS THERETO; BY AMENDING SECTIONS 6-287 AND 6-288, TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2015 EDITION, TOGETHER WITH APPENDICES C AND E AND AMENDMENTS THERETO; BY AMENDING CHAPTER 6 BY ADDING ARTICLE IIA, SECTIONS 6-45 AND 6-46 TO ADOPT THE INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION, AND AMENDMENTS.

B. CONSIDER THE FOLLOWING RESOLUTIONS:

1. RESOLUTION NO. 16-30, REGARDING THE REVIEW OF THE CODE OF ETHICS, CHAPTER 2, ARTICLE I OF THE CITY OF RICHARDSON CODE OF ORDINANCES.

2. RESOLUTION NO. 16-31, AMENDING THE DESIGNATED AUTHORIZED REPRESENTATIVES FOR TEXPOOL INVESTMENTS.

C. CONSIDER APPOINTMENT OF HEALTH OFFICER FOR THE CITY OF RICHARDSON.

D. CONSIDER AMENDMENTS TO THE RULES AND REGULATIONS OF THE CITY OF RICHARDSON'S MUNICIPAL CIVIL SERVICE SYSTEM.

E. AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING BIDS:

1. BID #10-17 – BERKNER PARK HOA ENTRY FEATURES. BIDS TO BE RECEIVED BY THURSDAY, OCTOBER 27, 2016 AT 3:00 P.M.

2. BID #11-17 – EISEMANN CENTER OFFICE SPACE ADDITION. BIDS TO BE RECEIVED BY TUESDAY, NOVEMBER 1, 2016 AT 2:00 P.M.

F. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #08-17 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MAC HAIK DODGE CHRYSLER JEEP FOR THE COOPERATIVE PURCHASE OF A 14' TYPE I MOBILE INTENSIVE CARE UNIT ("MICU") FOR THE FIRE DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS ("HGAC") CONTRACT #AM10-16 IN THE AMOUNT OF $194,175.

2. BID #13-17 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO PROFESSIONAL TURF PRODUCTS, L.P. FOR THE COOPERATIVE PURCHASE OF TWO (2) TORO HI-SPEED TURF MOWERS FOR THE PARKS MAINTENANCE DEPARTMENT THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #447-14 IN THE AMOUNT OF $209,999.68.

3. BID #14-17 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO ASSOCIATED SUPPLY COMPANY, INC. DBA ASCO EQUIPMENT CO. FOR THE COOPERATIVE PURCHASE OF ONE (1) CASE LOADER/BACKHOE WITH ONE (1) CONCRETE HYDRAULIC HAMMER FOR THE FLEET MOTOR POOL THROUGH THE HGAC CONTRACT #EM06-15 IN THE AMOUNT OF $121,500.

- **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, OCTOBER 7, 2016, BY 5:00 P.M.

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AIMEE NEMER, CITY SECRETARY

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING TAYLOR LOUGH, ADA COORDINATOR, VIA PHONE AT 972 744-4208, VIA EMAIL AT ADACOORDINATOR@COR.GOV, OR BY APPOINTMENT AT 411 W. ARAPAHO ROAD, RICHARDSON, TEXAS 75080.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

FOR THE PURPOSE OF THIS NOTICE “PROPERTY” SHALL MEAN THE RICHARDSON ROOM AND COUNCIL CHAMBERS.

City of Richardson
City Council Worksession
Agenda Item Summary

Worksession Meeting Date:	Monday, October 10, 2016
Agenda Item:	Review and Discuss an Update on the 2016 Corporate Challenge Program
Staff Resource:	Kyle McClure, Corporate Recreation Manager
Summary:	The Corporate Challenge is an Olympics style competition involving as many as 23 athletic and non-athletic events held from late August through mid-October. City staff will provide a recap of this year's activities and will provide an overview of Closing Ceremonies planned for October 13th.
Board/Commission Action:	N/A
Action Proposed:	None

City of Richardson
City Council Worksession
Agenda Item Summary

Worksession Meeting Date:	Monday, October 10, 2016
Agenda Item:	Review and Discuss Fall 2016 Neighborhood Leadership Workshop
Staff Resource:	Taylor Lough, Assistant to the City Manager
Summary:	Staff will provide an overview of the Fall 2016 Neighborhood Leadership Workshop, which is scheduled for October 18, 2016 from 5:30 – 8:15 pm in the Grand Hall at City Hall.
Board/Commission Action:	N/A
Action Proposed:	N/A

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND COUNCIL MEETING
SEPTEMBER 26, 2016

- **Call to Order**
  Mayor Voelker called the meeting to order at 6:02 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:

Dan Johnson	City Manager
Don Magner	First Assistant City Manager
Kent Pfeil	Chief Financial Officer
Cliff Miller	Assistant City Manager Development Services
Taylor Lough	Assistant to the City Manager
Vickie Schmid	Deputy City Secretary
Darryl Fourte	Director of Public Services
Hunter Stephens	Assistant Director of Public Services
Michelle Mann	Utility System Coordinator
Michael Spicer	Director of Development Services
Brent Tignor	Building Official

Guests:

Gary Slagel	DART Board of Directors

WORK SESSION – 6:00 PM, RICHARDSON ROOM

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

Michael Spicer, Director of Development Services, reviewed Zoning File 16-19.
Brent Tignor, Building Official, reviewed Sign Control Board case 16-07.

B. REVIEW AND DISCUSS THE COTTON BELT COMMUTER RAIL LINE

Cliff Miller, Assistant City Manager, reported on progress made relative to the Cotton Belt Commuter Rail Line and noted the importance of the upcoming DART financial meetings. Mr. Slagel thanked Council for their continued support and noted that he would continue pressing forward relative to the Cotton Belt Line.

C. REVIEW AND DISCUSS THE WATERWISE LANDSCAPE TOUR PREVIEW

Michelle Mann, Utility Systems Coordinator, reviewed the new landscape tour program and provided a list of homes on the tour.

D. REPORT ON ITEMS OF COMMUNITY INTEREST
Councilmember Dunn noted the passing of Leonard Dhaene, father of Parks-Community Events employee Suzanne Etman, and acknowledged his life of service to the St. Paul community and the City.

Mayor Voelker noted the passing of Don Magner's father and offered sincere condolences.

Mayor Voelker encouraged everyone to attend the Cottonwood Arts Festival this weekend.

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 12, 2016 AND SEPTEMBER 19, 2016 MEETINGS

Council Action
Mayor Pro Tem Solomon moved to approve the Minutes as presented. Councilmember Frey seconded the motion. A vote was taken and passed, 7-0.

4. VISITORS
There were no visitors comments submitted.

PUBLIC HEARING ITEM:

5. PUBLIC HEARING, ZONING FILE 16-19, A REQUEST BY COREY HYDEN, REPRESENTING FREE PLAY, INCORPORATED, FOR APPROVAL OF A REVISED SPECIAL PERMIT FOR AN AMUSEMENT ARCADE TO ALLOW THE SALES OF LIQUOR AND TO EXTEND THE HOURS OF OPERATION FOR THE EXISTING AMUSEMENT ARCADE LOCATED AT 1730 E. BELT LINE ROAD (SOUTH SIDE OF BELT LINE ROAD, WEST OF YALE BOULEVARD). THE PROPERTY IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.

Public Hearing
Following the staff presentation by Development Services Director Michael Spicer; the applicant, Corey Hyden, presented information to Council. He stated that the requested changes to the Special Use Permit for extended hours and the ability to sell mixed beverages were in direct response to repeated requests from his regular clientele. Mr. Hyden felt he had proven himself to be a responsible business owner and that his business brought added value to the shopping center.

In Favor – Speaking
1. Ms. Olivia Smith, 1308 Summerwood Lane, Richardson, TX
2. Robert D. Gault, Fate, TX

3. Daniel Fulton, Garland, TX
4. Chris Delp, 1909 Vassar Drive, Richardson, TX
5. Octavio Ventouras, 1106 Richland Oaks Drive, Richardson, TX

In Favor – Not Speaking

1. Gayle Wood, Garland, TX
2. Julie Marshall, Rowlett, TX
3. Lauren Featherstone, Denton, TX
4. Josh Willi, Plano, TX

With no other public comments, Councilmember Dunn moved to close the Public Hearing, seconded by Councilmember Mitchell, and approved unanimously.

Council Action

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

ACTION ITEMS:

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

EPIPHANY DANCEARTS	$1,500
PLANO CIVIC CHORUS	$1,500
COLLIN COUNTY BALLET THEATRE	$2,000
CORE THEATRE	$2,000
LUNATIC THEATRE COMPANY	$2,000
PLANO COMMUNITY BAND	$2,000
READ PLAY LOVE	$2,000
VIDEO ASSOCIATION OF DALLAS	$2,300
SPECTACULAR SENIOR FOLLIES	$2,600
ARTS INCUBATOR OF RICHARDSON (AIR)	$3,500
TEXAS CHINESE PERFORMING ARTS ASSOCIATION	$4,000
FRIENDS OF THE RICHARDSON PUBLIC LIBRARY, INC.	$4,500
DALLAS CHINESE COMMUNITY CENTER	$5,000
CONTEMPORARY CHORALE	$5,500
RICHARDSON READS ONE BOOK	$6,500
DALLAS REPERTOIRE BALLET	$6,800
CHAMBERLAIN PERFORMING ARTS (CHAMBERLAIN BALLET)	$7,000
DALLAS ASIAN AMERICAN YOUTH ORCHESTRA	$7,500
PEGASUS THEATRE INCORPORATED	$8,000

PLANO SYMPHONY ORCHESTRA	$8,000
TEXAS WINDS MUSICAL OUTREACH, INC.	$10,400
RCHARDSON CIVIC ART SOCIETY (RCAS)	$11,900
TUZER BALLET	$12,000
LONE STAR WIND ORCHESTRA	$12,500
RICH-TONE CHORUS	$14,500
RICHARDSON COMMUNITY BAND	$16,000
CHAMBER MUSIC INTERNATIONAL	$24,500
RICHARDSON THEATRE CENTRE, INC.	$36,000
REPERTORY COMPANY THEATRE, INC. (RCT)	$60,000
RICHARDSON SYMPHONY, INC.	$78,000

Council Action
Councilmember Dunn moved to approve the recommendations from the Cultural Arts Commission. Councilmember Townsend seconded the motion. A vote was taken and passed, 7-0.

7. RECEIVE THE SEPTEMBER 14, 2016 SIGN CONTROL BOARD MINUTES AND CONSIDER FINAL APPROVAL OF SCB CASE #16-07, FIRST BAPTIST CHURCH OF RICHARDSON.

Council Action
Councilmember Frey moved to accept the Sign Control Board Minutes and approval of Sign Control Board Case 16-07. Mayor Pro Tem Solomon seconded the motion. A vote was taken and passed, 7-0.

8. CONSENT AGENDA:

A. CONSIDER ADOPTION ORDINANCE NO. 4181, ELIMINATING THE ENVIRONMENTAL ADVISORY COMMISSION; REPEALING SECTIONS 2-102 THROUGH 2-107 OF THE CODE OF ORDINANCES.

B. CONSIDER THE FOLLOWING RESOLUTIONS:

1. RESOLUTION NO. 16-27, AMENDING THE CITY OF RICHARDSON COMMUNITY GARDEN PARTNERSHIP PROGRAM.

2. RESOLUTION NO. 16-28, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACTS AND ASSIGNMENTS OF CONTRACTS FOR THE PURCHASE OF PROPERTIES WITHIN TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1 FOR ZONE PROJECTS; AND AUTHORIZING NEGOTIATION AND EXECUTION OF OTHER AGREEMENTS AND DOCUMENTS AND OTHER ACTIONS NECESSARY TO PURCHASE SAID PROPERTIES, INCLUDING THE EXPENDITURE OF AVAILABLE FUNDS.

3. RESOLUTION NO. 16-29, SUPPORTING FINANCING THE COTTON BELT RAIL LINE AND RESETTING DELIVERY DATE.

C. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #67-16 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO LOGOTOLOGY FOR SCREEN-PRINTED AND EMBROIDERED ITEMS PURSUANT TO UNIT PRICES.

2. BID #68-16 – WE RECOMMEND THE AWARD TO SOUTHERN ROAD AND BRIDGE, LLC, FOR THE 2016 BRIDGE RAIL MAINTENANCE PROJECT AT KCS RAILROAD AND ALMA DRIVE AND KCS RAILROAD AND RICHARDSON DRIVE IN THE AMOUNT OF $315,500.

3. BID #70-16 – WE RECOMMEND THE AWARD TO TNT FARMS AND LANDSCAPING, INC. FOR THE FLOYD BRANCH CHANNEL MAINTENANCE AT BUCKINGHAM ROAD IN THE AMOUNT OF $80,000.

4. BID #72-16 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO ROSTAN SOLUTIONS, LLC FOR DEBRIS MONITORING AND CONSULTING SERVICES PURSUANT TO UNIT PRICES.

5. BID #74-16 – WE REQUEST AUTHORIZATION TO ISSUE ANNUAL REQUIREMENTS CONTRACTS TO CROWDERGULF (PRIMARY), CERES ENVIRONMENTAL SERVICES, INC. (SECONDARY), AND TAG GRINDING SERVICES, INC. (TERTIARY) FOR DEBRIS REMOVAL AND DISPOSAL SERVICES PURSUANT TO UNIT PRICES.

6. BID #75-16 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO LILLARD LAWN AND LANDSCAPING FOR TREE WATERING PURSUANT TO UNIT PRICES.

7. BID #03-17 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO EST GROUP FOR THE FY 2016-17 FILE SERVER AND DELL/EMC NETWORK DISK STORAGE PURCHASE THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-TSO-2634 IN THE AMOUNT OF $130,912.27.

8. BID #04-17 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO SYNETRA, INC. FOR THE FY 2016-17 CISCO DATA ROUTERS, WIRELESS ACCESS POINTS, AND DATA SWITCHES PURCHASE THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-TSO-2542 IN THE AMOUNT OF $164,619.20.

9. BID #05-17 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO CLEAR TECHNOLOGIES, INC. FOR THE FY 2016-17 i5/AS400

SYSTEM REPLACEMENT THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-SDD-2108 IN THE AMOUNT OF $59,205.92.

10. BID #06-17 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO ARC GOVERNMENT SOLUTIONS, INC. FOR THE FY 2016-17 POLICE DEPARTMENT MOBILE DATA COMPUTER REFRESH THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-TSO-2520 IN THE AMOUNT OF $345,613.24.

11. BID #07-17 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO DELL MARKETING, L.P. FOR THE FY 2016-17 PERSONAL COMPUTER REPLACEMENT THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-SDD-1951 IN THE AMOUNT OF $306,125.52.

D. CONSIDER AWARD OF REQUEST FOR QUALIFICATIONS ("RFQ") #2016-1 – WE RECOMMEND THE AWARD TO LEE LEWIS CONSTRUCTION, INC. FOR CONSTRUCTION MANAGER AT RISK ("CMAR") PRECONSTRUCTION SERVICES FOR THE PUBLIC SAFETY CAMPUS IMPROVEMENTS PROJECT IN THE AMOUNT OF $35,000

Council Action

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

ADJOURNMENT

With no further business, the meeting was adjourned at 8:08 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION MEETING
OCTOBER 3, 2016

- **Call to Order**
  Mayor Voelker called the meeting to order at 6:01 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
Steve Mitchell	Councilmember *(arrived at 6:07)*

Absent:

Marta Gomez Frey	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	First Assistant City Manager
Kent Pfeil	Chief Financial Officer
Cliff Miller	Assistant City Manager Development Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Taylor Lough	Assistant to the City Manager
Jim Spivey	Chief of Police
Jose Moreno	Director of Human Resources

WORK SESSION – 6:00 PM WORK SESSION

A. VISITORS
There were no visitors comments submitted.

C. REVIEW AND DISCUSS OVERVIEW OF NATIONAL ASSOCIATION OF TOWN WATCH'S NATIONAL NIGHT OUT AGAINST CRIME ON TUESDAY, OCTOBER 4, 2016
Chief Spivey reviewed National Night Out activities and schedule.

D. REVIEW AND DISCUSS THE CODE OF ETHICS ORDINANCE RENEWAL
Don Magner, First Assistant City Manager, reviewed the Code of Ethics standards and complaints process as adopted September 27, 2010.

E. REVIEW AND DISCUSS PROPOSED CIVIL SERVICE RULE CHANGES
Jose Moreno, Director of Human Resources, reviewed the proposed Civil Service rule changes:

- Updates due to changes in newly adopted City Charter (November, 2015)
  - Various language clean up/updates
    - (e.g. replaced the word "officer" with "department head")

- General administrative updates
    - How often board meets
    - Changes made to reflect current board practices

- Updates due to Department Head input:
  - Changes to allow administrative flexibility through…
    - **Changes in City recruitment processes/activities** (e.g. allow for expanded applicant pools, elimination of lengthy applicant bans, change the length of time an "entry eligibility list" is live for Fire Department)
    - **Changes in promotional procedure updates** (e.g. acknowledge seniority among sworn ranks in Police Dept., clarification of when promotional eligibility lists become live, allow management flexibility to conduct promotional testing when anticipated vacancies will occur, etc.)
  - Changes to allow administrative flexibility through…
    - **Administrative clarification of what employee leave category cannot be included in initial and promotional probationary periods**
    - **Eliminated administrative repetitiveness** (e.g. FMLA verbiage eliminated, pre-employment drug screen verbiage eliminated, etc.)

F. REVIEW AND DISCUSS THE MULTICULTURALISM PARTNERSHIP INITIATIVE

Taylor Lough, Assistant to the City Manager, reviewed City Council goals related to multiculturalism, current City programs and events that meet Council goals, community partnerships that focus on multiculturalism, and proposed enhancements to current programs as listed below:

- Calendar
  - Ongoing efforts in variety of forums so celebration of multiculturalism remains at the forefront of the community experience
- Communication
  - Organized efforts to inform residents of offerings that celebrate multiculturalism
- Community
  - Enhance community offerings through partnership

G. REPORT ON ITEMS OF COMMUNITY INTEREST

Mayor Pro Tem Solomon reported on the Double Tenth Celebrations with softball and tennis games over the weekend.

Councilmember Mitchell commended the City for the success of the Cottonwood Art Festival.

Mayor Voelker reported on the Isha Foundation discussion at the Eisemann Center and his lunch meeting with UK Consul General Karen Bell.

ADJOURNMENT

With no further business, the meeting was adjourned at 6:55 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

MEMO

DATE: **October 6, 2016**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 16-21 – Eastside Phase Two**

REQUEST
Bill Dahlstrom, Jackson Walker, L.L.P, representing Tod Fobare, AGF Greenville II, Ltd. and James Dobbie, Richardson Alma, LLP, is requesting to amend an existing 13.3 acre PD Planned Development for property located at 1705-1735 N. Greenville Avenue (west side of Greenville Avenue south of Campbell Road). The proposed amendment would preserve the existing entitlements and Concept Plan (Exhibit "C"), but also establish an alternate Concept Plan (Exhibit "C-1") and associated development standards (Exhibit "B") to provide for an increase in the number of apartment units allowed.

BACKGROUND
The subject property comprises two (2) lots, a 4.82-acre lot currently under development with a 280 unit apartment project, and adjacent to the north, an 8.48-acre lot currently occupied by seven (7), single-story office buildings totaling approximately 108,500 square feet.

The applicant proposes to establish an alternate Concept Plan (Exhibit "C-1") and amend associated development standards (Exhibit "B") to allow an increase in the total number of apartment units entitled from 558 to 800, a net increase of 242 units. The added units could only be built if the proposed alternate Concept Plan were implemented. The alternate Concept Plan (Exhibit "C-1") <u>does not</u> replace the existing Concept Plan (Exhibit "C") but provides an alternative development option. Once development plans are filed for one of the two Concept Plans the remaining option would then be voided. A similar method was utilized in 2012 for the Bush Central Station Code with the approval of an alternative Regulating Plan.

The alternate Concept Plan depicts three (3), 4-story apartment communities with "wrapped" parking garages, comprising a grand total of 788 apartment units. This configuration yields a density of 59.25 units per acre for the entire 13.3 acres. Other features include driveways configured like streets (i.e., flanked with parallel parking spaces and sidewalks), access to the Central Trail (and, therefore, DART rail stations), pool court areas, and landscaped courtyards. The applicant is also proposing a minimum parking ratio of 1.3 spaces per unit. Eastside Phase I and Phase II (under construction) have required parking ratios of 1.5 spaces and 1.4 spaces per unit, respectively.

The subject property (as well as Eastside Phase I) is designated as a "Neighborhood Mixed-Use" area in the City's Comprehensive Plan. This designation encourages a mix of uses including various types of residential (single-family and multi-family), retail, personal service, and office.

No correspondence in favor or opposition has been received.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-0, recommends approval of the request as presented.

ATTACHMENTS

Special Conditions	Eastside Master Plan
CC Public Hearing Notice	Proposed PD Standards (Exhibit “B”)
City Plan Commission Minutes 2016-09-20	Zoning Exhibits (Exhibit “C” and “C-1”)
Staff Report	Proposed Architectural Images (Exhibit “D”)
Zoning Map	Notice of Public Hearing
Aerial Map	Notification List
Oblique Aerial Looking West	Eastside Phase Two (Ordinance No. 4052, adopted June 2014)

ZF 16-21 Special Condition

1. The subject site shall be zoned PD Planned Development District and shall be developed in accordance with the PD Development Regulations attached hereto as Exhibit “B”, the Concept Plans attached hereto as Exhibits “C” or “C-1”, and Architectural Images attached hereto as Exhibit “D”.

DMNmedia

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APPROVED

By Aimee Nemer at 3:14 pm, Sep 21, 2016

Ad Content

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:00p.m. on Monday, October 10, 2016, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 16-21
A request by William S. Dahlstrom, representing Jackson Walker, L.L.P., to amend the PD Planned Development District for a mixed-use project by increasing the number of allowable apartment units for the property located at 1705-1735 N. Greenville Avenue (west side of Greenville Avenue, between Alma Road and Campbell Road). The property is currently zoned PD Planned Development.

ZF 16-22
A request by George Owen, representing The Gift of Touch Massage Therapy, for approval of a Special Permit for a massage establishment to be located at 1411 E. Campbell Road (north side of Campbell Road, east of Plano Road). The property is currently zoned LR-M(2) Local Retail.

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

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

CPN 6088 Pub. 09/23/2016

Run Dates				Product	Placement/Classification - Position
Publish Date:	09/23/2016	Stop Date:	09/23/2016	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	09/23/2016	Stop Date:	09/29/2016	DallasNews.com	Legals Bids Notices - LN Legal Notices

EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES –SEPTEMBER 20, 2016

PUBLIC HEARING

Zoning File 16-21 – Eastside Phase II: Consider and take the necessary action on a request for an amendment to an existing PD Planned Development District to establish an alternate Concept Plan and associated development standards to allow for an increase in the number of apartment units. The Property is located at 1705-1735 N. Greenville Avenue on the west side of Greenville Avenue between Alma Road and Campbell Road.

Mr. Chavez advised the original PD Planned Development district was approved in June 2014 and the applicant was requesting to amend the PD to establish an alternate concept plan and associated development standards that would allow for an increase to the number of apartment units for the property.

Mr. Chavez explained the current zoning request contained three elements:

- Development Regulations (uses, density, setbacks, parking, exterior fascade materials and maximum building heights);
- Concept Plans – original concept plan ("C") would not be replaced, but an alternative ("C1") would be available; and
- Architectural Images - for illustrative purposes only to indicate the general character of the buildings and gives staff the ability to look at submitted elevations to confirm the new buildings would be cohesive with existing structures.

Mr. Chavez noted that as part of the submittal, a revised Traffic Impact Analysis (TIA) was submitted and stated that as a result of the proposed elimination of the office use (decrease in land use intensity), the total number of daily automobile trips would be reduced by approximately 21%, with greater reductions in the AM inbound and PM outbound trips compared to the current zoning entitlements for the subject site.

After thoroughly reviewing the TIA, Mr. Chavez said staff was able to conclude the proposed development could be successfully incorporated into the existing roadway network and would actually reduce the potential impact that this site would have on peak hour traffic conditions.

Chairman Bright asked if the traffic mitigation elements should be included in the motion should the item be approved.

Mr. Chavez replied the elements were contained in the exhibits and would be covered if a motion was made to "approve as presented".

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

Mr. James Dobbie, 3221 Calle Estella, Albuquerque, New Mexico, stated that Phase I was well underway, and there had been good progress in removing the existing office buildings and constructing the previously approved multi-family units. He asked the Commission to approve their request for an alternate concept plan that would allow them the flexibility to move forward with either mixed-use or multi-family, depending on the market, and not have to stop and start the project, which could disrupt the businesses and tenants coming into the community.

Mr. Dobbie concluded his presentation by presenting graphics of the proposed buildings and landscaping along Greenville Avenue, the hike and bike trail, as well as the Art Park at the south end of the property.

Commissioner DePuy asked if there would be green space in the center of the complex.

Mr. Dobbie replied that there would be an Art Park on the south side of the property that would include a grass area as well as an art piece. In addition, there would be access to the City's trail system along the west side of the property.

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

Commissioner Ferrell asked staff what the area was listed as on the future land use plan and, if approved, would the request still fall within the future land use plan designation.

Mr. Chavez stated the area was designated as neighborhood mixed use and the proposal would comply with the plan.

Commissioner DePuy asked if amenities zones would be required at the new complex.

Mr. Chavez replied the PD was not a form based code, but the project would have to meet the required amenity points.

Commissioner Roland asked if Exhibit C and C1 were available to the developer from the beginning of the project.

Mr. Chavez said that the only option currently available to the developer was Exhibit C, which had been previously approved by the Commission. He added that Exhibit C1 was an alternate option the developer was requesting and whichever one they implemented, that option would be the standard for the development and they could not move back and forth between the two.

Motion: Commissioner Roland made a motion to recommend approval of Zoning File 16-21 as presented; second by Commissioner Southard. Motion approved 6-0.

Staff Report

TO: City Council

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

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

DATE: October 6, 2016

RE: **Zoning File 16-21**: Eastside Phase Two

REQUEST:

Approval of an amendment of an existing 13.3 acre PD Planned Development District to establish an alternate Concept Plan and associated development standards which allows for an increase in the number of apartment units for property located on the west side of Greenville Avenue, south of Campbell Road.

APPLICANT / PROPERTY OWNER:

William S. Dahlstrom, Jackson Walker, L.L.P. / Tod Fobare, AGF Greenville II, Ltd. and James Dobbie, Richardson Alma, LLP.

TRACT SIZE AND LOCATION:

Approximately 13.3 acres, on the west side of Greenville Avenue, south of Campbell Road.

EXISTING DEVELOPMENT:

The subject property consists to two (2) lots. The southern 4.82-acre lot is currently under development for a 280 unit apartment. The northern 8.48-acre lot is developed with seven (7), single-story office buildings totaling approximately 108,500 square feet.

ADJACENT ROADWAYS:

US-75: Freeway/Turnpike; 338,000 vehicles per day on all lanes, northbound and southbound, south of Campbell Road (2015).

Greenville Avenue: Six-lane, divided arterial; 11,220 vehicles per day on all lanes, northbound and southbound, between Alma Road and Campbell Road (2016).

Campbell Road: Six-lane, divided arterial; 41,650 vehicles per day on all lanes, eastbound and westbound, between US-75 and Greenville Avenue (2016).

SURROUNDING LAND USE AND ZONING:

North: Office & Mixed-use; PD Planned Development
South: Vacant & Industrial; IP-M(1) Industrial Park, LR-M(2) Local Retail and PD Planned Development
East: Industrial; IP-M(1) Industrial Park
West: DART Light Rail and US-75

FUTURE LAND USE PLAN:

Neighborhood Mixed-Use

Mixed or multiple land uses occurring within a single development and/or single building. These areas are typically built around small, pedestrian-friendly blocks and common open space. Uses include various types of residential (single-family and multi-family), retail, personal service, and neighborhood-scale offices.

Future Land Uses of Surrounding Area:

North: Neighborhood Mixed-Use
South: Office/Industry
East: Office/Industry
West: DART Light Rail & US-75

EXISTING ZONING:

PD Planned Development (Ordinance Number 4052).

TRAFFIC IMPACTS:

A revised Traffic Impact Analysis (TIA) was submitted by DeShazo Group, Inc., the applicant's traffic engineering consultant. Existing AM and PM Peak Hour traffic volumes were collected in March of 2014 at the signalized intersection of Campbell Road and Greenville Avenue, and for all surrounding arterial roadways and frontage roads to evaluate the combined impact of the development on the roadway system. An annual average growth factor was then applied to obtain background traffic for 2016 and 2025.

The following scenarios were analyzed per the City TIA guidelines:

- Projected Existing Traffic Volumes (2016)
- Projected Existing Traffic Volumes (2016) plus Site Traffic (2016)
- Future Traffic Volume plus growth rate (2025)
- Future Traffic Volume plus Site Build-Out Traffic (2025)

To assess traffic impacts associated with the proposed development, basic land use assumptions were established by the applicant. The table below depicts land use intensity assumptions utilized in the TIA and new automobile trip generations associated with the proposed.

Trip Generation Table

Land Use	Amount	Units	Ite Code	Daily Total	Am Peak Hour			Pm Peak Hour		
					In	Out	Total	In	Out	Total
Current Zoning										
Office	300,000	SF	710	3,026	406	55	461	70	344	414
Apartments	508	DU	220	3,202	51	202	253	193	104	297
Net Trip Generation				**6,228**	**457**	**257**	**714**	**263**	**448**	**711**
Proposed										
Apartments	788	SF	220	**4,899**	**78**	**312**	**390**	**293**	**158**	**451**
Resulting Net Trip Generation Change										
				-1,329	**-379**	**55**	**-414**	**30**	**-290**	**-260**

As a result of the proposed elimination of the office use (decrease in land use intensity), the total number of daily automobile trips is reduced by approximately 21%, with greater reductions in the AM inbound and PM outbound trips compared to the current zoning entitlements for the subject site.

The TIA also studied the intersection of Greenville Avenue and Alma Road for the possibility of installing a traffic control signal. The traffic warrant study shows that, even in 2025 with site traffic added, the intersection does not satisfy peak hour traffic volume warrants, therefore, the installation of a traffic control signal is not recommended at this time. There is not a northbound left-turn bay on Greenville at Alma so left-turns into the site will be prohibited.

Based on the findings of the TIA, the following traffic mitigation elements are recommended by staff:

Greenville Avenue:

1. Provide deceleration and right turn lanes for the centrally located main driveway and for the driveway into parking garage along Greenville Avenue. (These are included with the construction for Phase 1 of the development.)

On-Site Driveways:

2. Provide two (2) exit (outbound) lanes for all driveways where left-turns are permitted. These are included with the construction for the Phase 1 of the development.)

After a thorough review of the TIA and its findings staff was able to conclude the proposed development can be successfully incorporated into the existing roadway network with the improvements described above. The elimination of the office land use and the subsequent small increase in multifamily land use will actually reduce the potential impact that this site has on peak hour traffic conditions.

STAFF COMMENTS:

Background:
In December of 2005, City Council adopted the PD Planned Development for Eastside (Ordinance Number 3535) rezoning approximately fifteen (15) acres of land located at the southeast corner of Campbell Road and US 75 to allow for a master-planned mixed-use complex. The mixed-use development would consist of approximately 90,000 square feet of retail and restaurant uses, 225,000 square feet of office uses (approximately 191,104 square feet was existing), and 450 apartment units. The uses would be linked together by pedestrian access, vehicular ways, and at-grade and below-grade parking. A large central green area was designed to serve the recreational needs of the residents, workers and visitors to Eastside.

At that time, a conceptual master plan (attached) of the area included the subject site to show continued interconnectivity between Eastside and the subject property. The conceptual master plan also indicated additional office and mixed-use development in the future on the subject site.

The current and proposed Planned Development (PD) and concept plans continue in that fashion with zoning entitlements for office and apartments or apartments, including connectivity through aligned drives, a meandering sidewalk along Greenville Avenue, trail connections to the City's trail system along the DART rail line and internal sidewalks to help support the existing mixed use development of Eastside

Applicant's Request
The applicant's request is to amend the existing 13.3 acre PD Planned Development District to establish an alternate Concept Plan (Exhibit "C-1") and to amend the associated development standards (Exhibit "B") which allows for an increase in the number of apartment units for the subject property. The net increase in the total number of currently entitled apartment units would be 242 units and would only come to fruition if the alternate Concept Plan were to be implemented.

The architectural styling will build upon Eastside Phase One, incorporating a variety of materials including, but not limited to complementary colors of brick, cast stone, natural stone, stucco and glass facades to provide interest and variety. The apartment community will accommodate the pedestrian nature of Eastside Phase Two through connecting streets, generous sidewalks, and landscape areas at the building face. The community open space on the south side of the development will serve as a gathering place for residents, employees and visitors to the property.

The proposed Planned Development includes Development Regulations (Exhibit "B") Concept Plans (Exhibits "C" – adopted with Ordinance Number 4052 and "C-1"- proposed), and Architectural Images (Exhibit "D" – adopted with Ordinance Number 4052).

The alternate Concept Plan (Exhibit "C-1") <u>will not</u> replace the existing Concept Plan (Exhibit "C") but will serve as an option that will be applied should the developer chose the option. Upon its selection, the original Concept Plan will no longer be applicable to the subject site. A similar method was utilized in 2012 for Bush Central Station.

Development Regulations (Exhibit "B")

The proposed development regulations are generally outlined below (see Exhibit "B" for a detailed list of the development regulations):

Sec. 4. Permitted Uses

- Non-Residential and Apartments (Concept Plan Exhibit "C")
- Apartments (Concept Plan Exhibit "C-1")

Sec. 5. Building Regulations

- Non-Residential – Minimum 85% masonry (Concept Plan Exhibit "C")
- Apartment Uses - Maximum 50% non-masonry material (Concept Plan Exhibits "C" and "C-1") such as:
  - Stucco utilizing a three-step process
  - Exterior insulating finishing systems (E.I.F.S.). Facades facing public streets, E.I.F.S. above 8 feet only, except for accent or architectural features
  - Cementitious siding
  - Metal - a high-performance façade solution that consists of a rain screen and decorative façade (specifically defined in Sec. 9 (a) (2) b) of Exhibit "D", or
  - Other materials approved by the building official
- Exterior chimneys originating at grade shall be constructed of masonry materials.
- Exterior walls facing face interior courtyards or surrounded by parking structures, which are not seen by the public may be constructed of masonry or non-masonry materials.

Sec. 6. Height Regulations -Maximums

- Non-Residential: 250 feet (Concept Plan Exhibit "C")
- Apartment Use: 80 feet (Concept Plan Exhibits "C" and "C-1")
  - Additional 4 feet for parapet walls and a 12 foot allowance for chimneys, cooling towers, elevator penthouses, mechanical equipment rooms, ornamental cupolas, standpipes, elevator bulkheads, domes, spires, turrets, towers, and lighting features.

Sec. 7. Area Regulations - *For purposes of determining area regulations, the entire site shall be considered one lot.*

- Perimeter Setbacks
  - Front (Greenville Avenue) - 25 feet. Stoops and patios may encroach up to five (5) feet into the front yard setback.
  - Side (north property line) - 15 feet.
  - Rear (west property line) - 25 feet.
  - Interior Setbacks – None, except as required by the Building Code.
  - Balconies above first floors – maximum 3 feet into building setback.

- Maximum Building Area
  - Non-Residential (combined): 306,000 square feet (Concept Plan Exhibit "C")
  - Apartment Use: 600,000 square feet (Concept Plan Exhibits "C" and "C-
    Apartment Use: 900,000 square feet (Concept Plan Exhibit "C-1")

- Maximum Lot Coverage 85% (inclusive of parking structures)

- <u>Landscaping</u>
  - Within the Greenville Avenue front yard, minimum of one (1) canopy tree and one (1) ornamental tree for every fifty (50) lineal feet of street frontage, and evergreen shrubs adjacent to any parking.
  - 15% of the gross land area of the Property. Landscaping shall include enhanced paving areas, landscape islands, and open space areas shown on the Concept Plan.

Sec. 8. Parking - *For purposes of applying the parking regulations the entire site shall be considered one lot.*

- Apartment Use: 1.3 spaces/unit (Concept Plans Exhibits "C" and "C-1")
  - Surface parking spaces for apartment uses exempt from covered carport.

Sec. 9. Special Regulations for Apartment Uses

- Building Regulations
  - Minimum floor area of dwelling unit - 525 square feet (Concept Plans Exhibits "C" and "C-1")
  - Minimum average apartment unit floor area per building - 775 square feet (Concept Plans Exhibit "C" and "C-1")

- Area Regulations - For purposes of determining area regulations for apartment uses, regardless of how site is subdivided they shall be considered one lot. An "Apartment community" shall be defined as a multifamily development with a maximum of 300 dwelling units.
  - Maximum Number of Units - 558 units (Concept Plan Exhibit "C")
    800 units (Concept Plan Exhibit "C-1")
  - Overhang and fireplaces - fireplaces, eaves, bays, balconies and fireproof outside stairways above the first floor may extend a maximum of 3 feet into the required front, side or rear yards.
  - Recreational Areas - one indoor or outdoor recreation area (minimum 900 square feet) required in each apartment community.
    - Additional miscellaneous recreational amenities required based on a point system (minimum 70 points for each apartment community).

Sec. 10. General Miscellaneous Regulations

- Enhanced Street Paving – At appropriate locations.

- Masonry Defined - Includes brick, stone, stucco utilizing a three-step process, vertically and/or horizontally articulated architectural pre-cast concrete panels, cast stone, rock, marble, granite, curtain glass, or glass block.

- Design of Parking Garage Facades along US-75/DART and the north property line - Precast concrete spandrels or some other architectural treatment approved by the CPC at the time of site plan approval designed with both vertical (façade rhythm of 20 to 30 feet or multiples thereof) and horizontal (aligning adjacent with horizontal elements) articulation.

- Modifications to Chapter 21, Subdivision and Development Requirements
  - Apartment communities shall not be required to be enclosed by a perimeter fence.
  - No setbacks or screening shall be required for non-residential uses adjacent to non-residential uses.
  - Loading docks, refuse storage containers, and utility accessories shall be screened to reduce their visual impact by screening these sites from adjoining properties and public rights-of-way and shall be located in the rear or side of the buildings where possible.
  - Flag Lot Configuration. With the subdivision of the property for development purposes, one lot with a flagpole configuration shall be permitted on the west side of the property.

- Minor Modifications - The City Manager or designee would have authority to approve minor modifications to concept plans and development plans. A minor modification shall be defined as (i) a change to a footprint of a building in which the proposed footprint remains within the building envelope shown on the Concept Plan, and (ii) except as otherwise provided in (i), a change which does not increase the building coverage or floor area ratio or residential density of the planned development by more than 10% of the concept plan, does not decrease any of the specified area regulations or enumerated parking ratios, nor substantially changes the access or circulation on or adjacent to the site.

- Signage - Signage to comply with Chapter 18 (Sign Code), except that in lieu of compliance with Chapter 18, a “Sign Package” may be submitted to establish unique sign standards including size, color, type, design and location for review and approval by the City Plan Commission. In evaluating a Sign Package, CPC shall consider the extent to which the application (1) Promotes consistency among signs thus creating visual harmony between signs, buildings, and other components of the property; (2) Enhances the compatibility of signs with the architectural and site design features, and (3) Encourages signage that is in character with planned uses thus creating a unique sense of place.

The table below provides a comparison of some of the fundamental components of the proposed zoning with those of two (2) similar developments approved in Richardson.

Regulation	Proposed Development (ZF 14-21)	GreenVue	Eastside
Min. Floor Area per Unit	Exhibit "C" and "C-1" 525 s.f.	600 s.f.	625 s.f., except up to 8 units may be 500 s.f. Overall average 850 s.f.
Max Number of Units	Exhibit "C" 558 units Exhibit "C-1" 800 units	408	436
Building Materials	Exhibit "C" and "C-1" Min. 50% masonry (Masonry includes brick, stone, 3-step stucco, architectural pre-cast concrete panels, cast stone, rock, marble, granite, curtain glass, or glass block) (Exterior walls facing interior courtyards or parking structures) masonry or non-masonry.	Min. 70% masonry (per approved elevations)	Min. 50% masonry
Parking Ratio	Exhibits "C" and "C-1" 1.3 spaces/unit Exhibit "C" 30 structured parking, 31 tuck under and 34 surface parking spaces Total - 895 Exhibit "C-1" 1,47 structured parking, 14 tuck under, 43 surface parking spaces. Total – 1,204	1.5 spaces per unit	1.5 spaces/ unit
Max. Height	Exhibit "C" Apartments- Max. 80 feet Non-Residential –Max 250 feet Exhibit "C-1" Apartments-Max. 80 feet	60 feet	Max. 80 feet
Max. Density	Exhibit "C" 54.28 units/acre Exhibit "C-1" 59.25 units /acres	37 units/acre	Max 450 units allowed (Allows max. 30.4 units/acre). Developed at 29.5 units/acre

Concept Plan - Exhibit "C"
There are no proposed amendments to Exhibit “C” which is the concept plan that was adopted under Ordinance Number 4052.

Concept Plan – Exhibit “C-1”)
The alternate Concept Plan depicts three (3), 4-story apartment communities with 5 level structured parking garages for a combined total of 788 apartment units (proposed density 59.25 units/acre) linked together by pedestrian access, vehicular ways, and at-grade and above-grade parking. The applicant is requesting an approximate 35% reduction from the standard parking rate for apartments; but reflects the trend for recent apartment development. The standard parking rate for an apartment use is two (2) spaces per unit, while the approved parking rate for Eastside Phase 1 and GreenVue was 1.5 spaces per unit, which represent a 13% reduction from the afore mentioned developments.

Open Space includes 0.80 acres of pool court areas and 0.88 acres of landscaped courtyards which are designed to serve residents. Pedestrian connections to the existing trail along the west property line will be provided to facilitate access to the DART system.

The proposed development has four (4) drives on Greenville Avenue to serve the site. With the exception of the drive into the parking garage, dual egress turn lanes are provided at each drive and deceleration lanes will serve the centrally located drive and drive into the parking garage. The northern, centrally located and southern most drives align with existing median openings on Greenville Avenue. The drive into the parking garage is restricted to right-turn ingress and right-turn egress due to the inability to construct an appropriate deceleration lane for the existing median opening directly in front of the drive into the parking garage. The subject median opening will be modified with a traffic diverter to prohibit ingress into the parking garage for northbound vehicular traffic on Greenville Avenue.

Architectural Image Studies (Exhibit "D")
The applicant has provided a series of architectural images for illustrative purposes only to indicate the general character of the buildings.

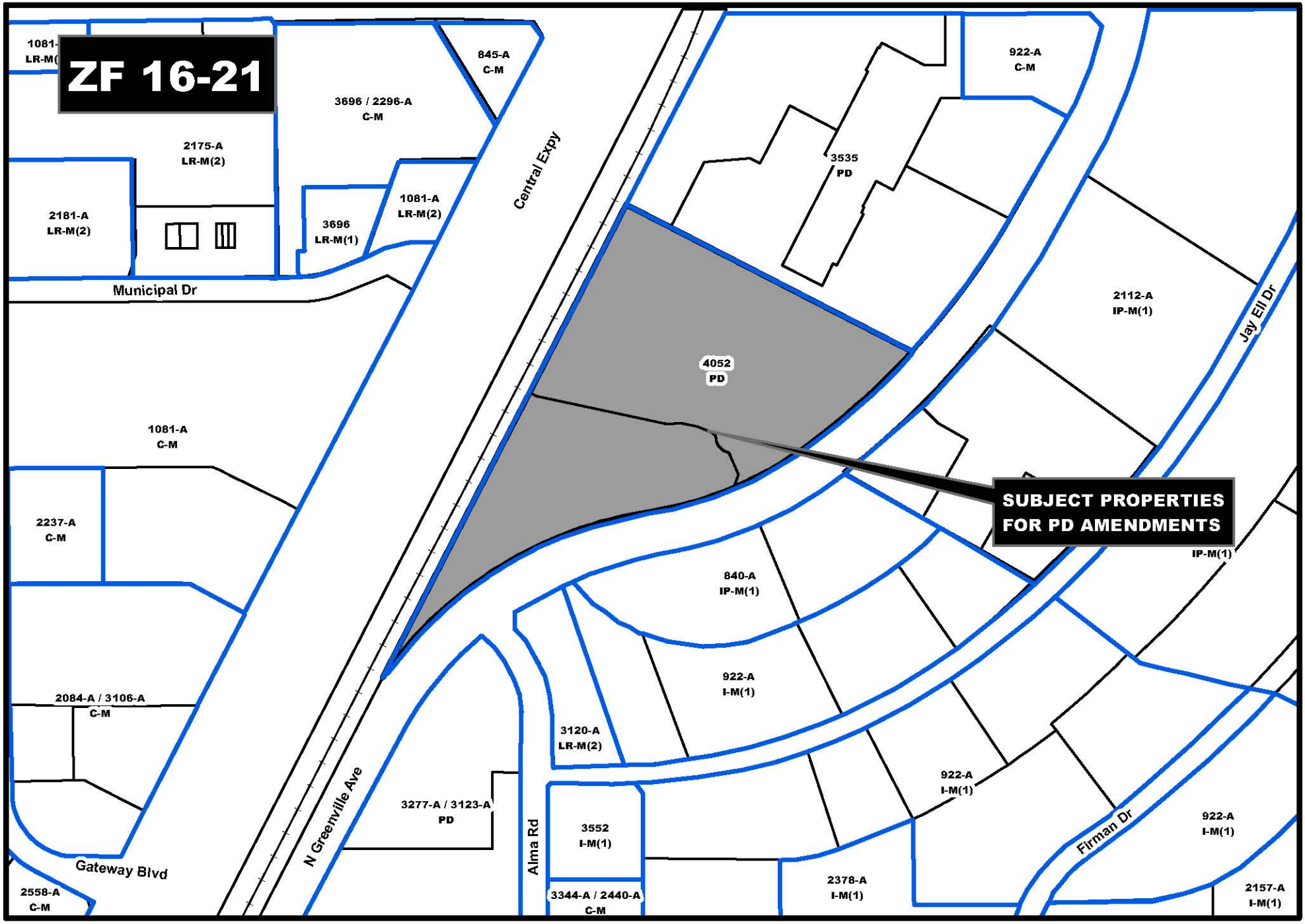
> *A similar technique was utilized for the adjoining Phase I of Eastside and Phase 1 of Phase Two which is currently under construction in that building elevations were reviewed for general conformance with the Architectural images at the time development plans were submitted for review by the Commission.*

Conclusion
Based on staff’s review of the applicant’s request, the proposed Planned Development District represents a continuation of the Eastside Phase One development through its similar development standards, and its continued vehicular and pedestrian connectivity.

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

Motion: On September 20, 2016, the Commission recommended approval of the applicant’s request on a vote of 6-0, subject to the following conditions:

1. The subject site shall be zoned PD Planned Development District and shall be developed in accordance with the PD Development Regulations attached hereto as Exhibit “B”, the Concept Plans attached hereto as Exhibits “C” or “C-1”, and Architectural Images attached hereto as Exhibit “D”.



ZF 16-21 Zoning Map

Updated By: shacklettc, Update Date: August 23, 2016
File: DS\Mapping\Cases\Z\2016\ZF1621\ZF1621 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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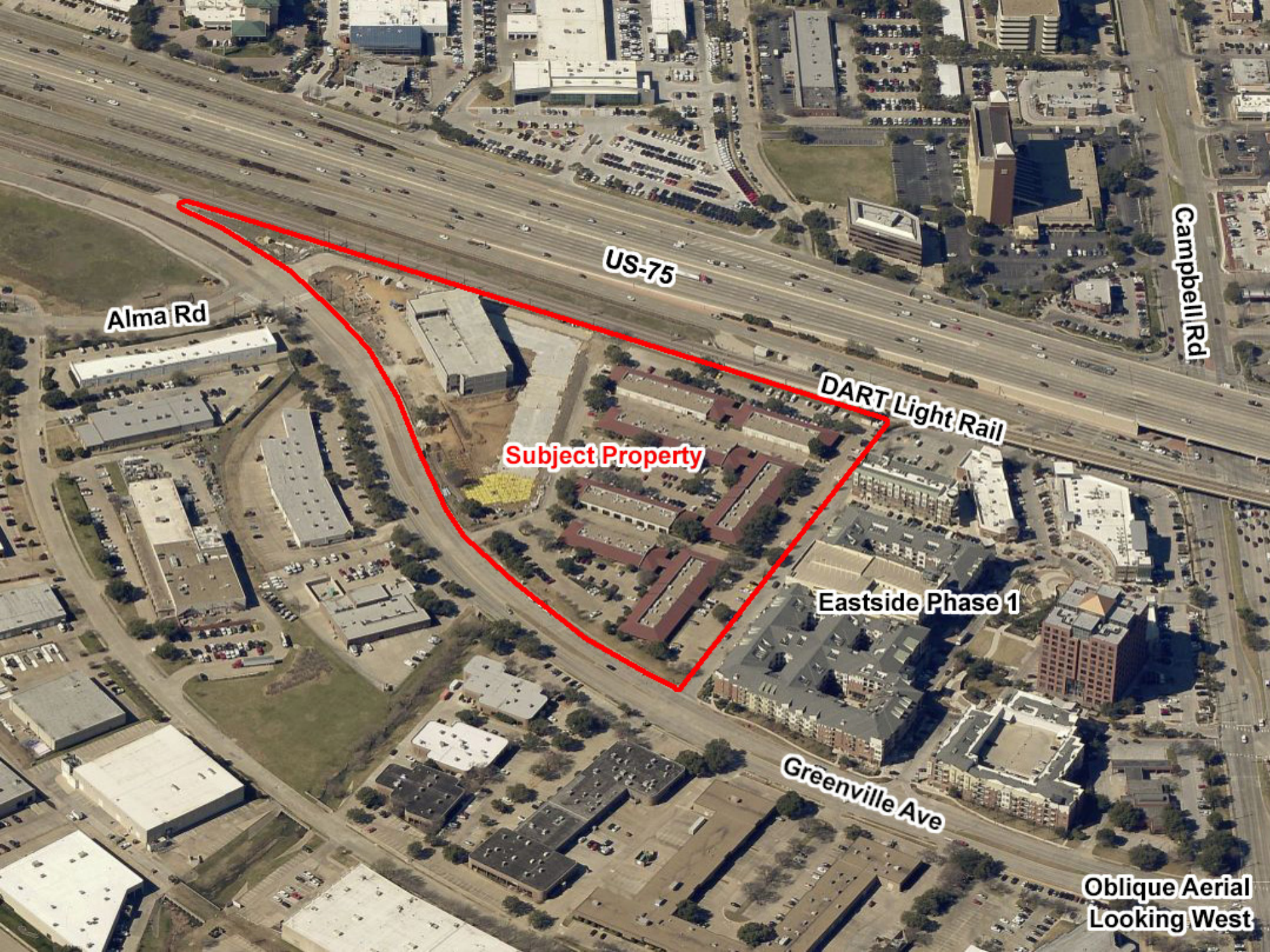
ZF 16-21 Aerial Map

Updated By: shacklettc, Update Date: August 23, 2016
File: DS\Mapping\Cases\Z\2016\ZF1621\ZF1621 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.


US-75
Alma Rd
Campbell Rd
DART Light Rail
Subject Property
Eastside Phase 1
Greenville Ave
Oblique Aerial
Looking West

2005 Eastside Conceptual Master Plan

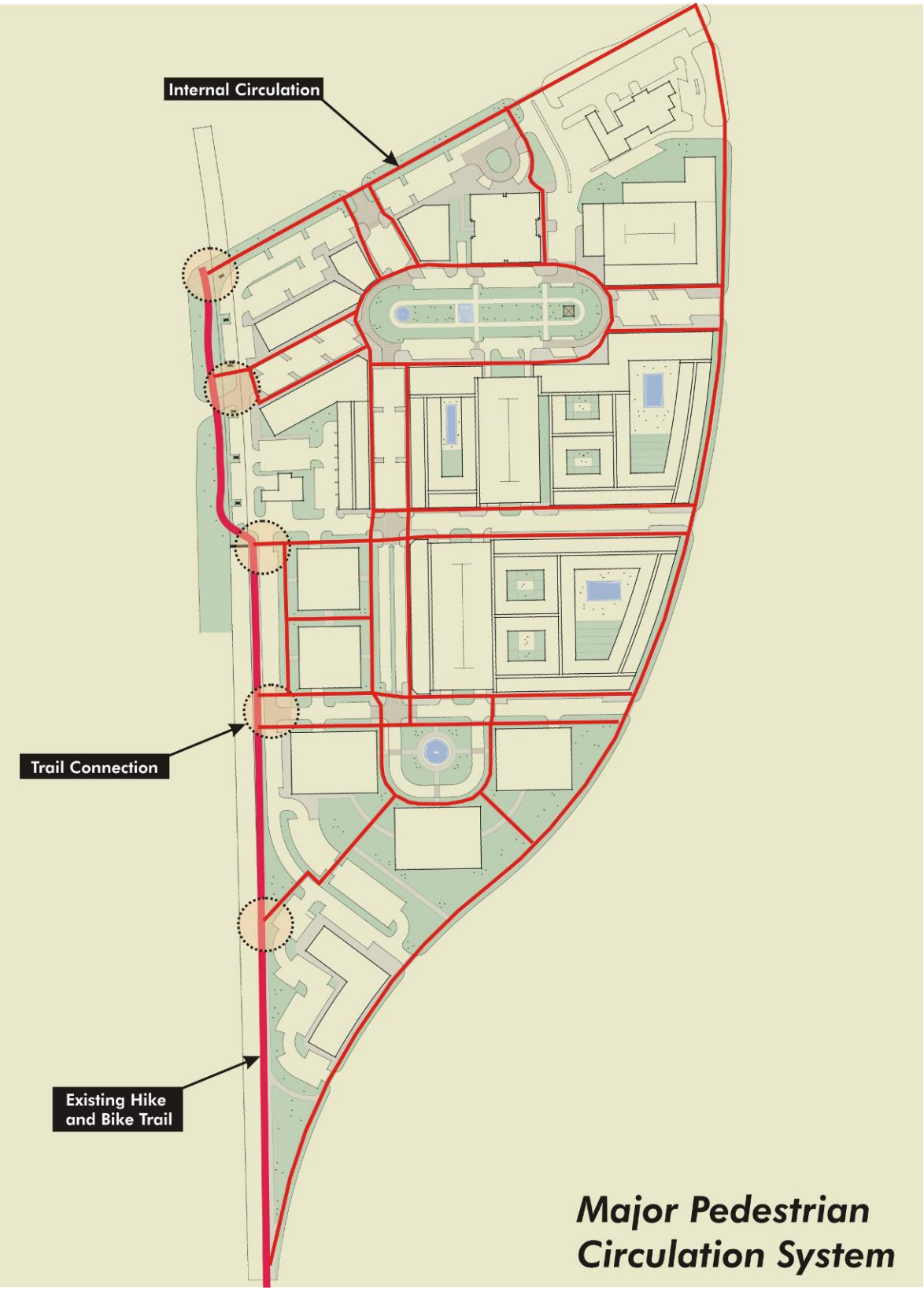


Exhibit "B"

EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT

Sec. 1. Intent.

The purpose of the **EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT** is to encourage a pedestrian-oriented community center providing living, shopping, dining and employment environments that work together to provide interesting and efficient combinations of land uses that minimize vehicular trips while offering a fully active live-work-play experience. The architectural styling will build upon Eastside Phase One, incorporating a variety of materials including, but not limited to complementary colors of brick, cast stone, natural stone, stucco and glass facades to provide interest and variety. The multi-family and commercial buildings will accommodate the pedestrian nature of EASTSIDE PHASE TWO through connecting streets, generous sidewalks, and landscape areas at the building face. The open space in the center and on the south side of the development will serve as a gathering place for residents, employees and visitors to the property.

Sec. 2. Concept Plan.

Development of the Property must generally comply with either concept plan attached hereto for all purposes as Exhibits "C" and "C -1" (the "Concept Plan").

Sec. 3. Architectural Image Studies.

For illustrative purposes only, Exhibit "D", which is attached hereto for all purposes, provides a series of architectural images which indicates the general character of EASTSIDE PHASE TWO. Development of the buildings in EASTSIDE PHASE TWO is not required to duplicate the architecture of the buildings in Exhibit "D".

Sec. 4. Permitted Uses.

In the EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT, no land shall be used and no building shall be erected for or converted to any use other than the following:

(a) Retail and Office Uses (Tract 3-Exhibit "C")

(1) Antenna, accessory, subject to the supplemental regulations of article XXII-E.
(2) Antique shop.
(3) Art gallery.
(4) Bakery.
(5) Bank or financial institution.
(6) Barber or beauty salon.
(7) Book, card, or stationery store.
(8) Camera and photographic supply shop.
(9) Catering service.
(10) Clothing or apparel store.
(11) Construction field office (temporary use).
(12) Convenience store.
(13) Drugstore or pharmacy.

(14) Florist.
(15) Grocery store (under 7,000 square feet).
(16) Health club
(17) Hotel
(18) Jewelry store.
(19) Laundry pick-up station.
(20) Mailing service.
(21) Office.
(22) Personal service uses
(23) Photography or art studio.
(24) Restaurant without drive-through or curb service.
(25) Tailor shop.

(b) *Residential Uses* (Tracts 1 and 2-Exhibit "C" or Tracts 1, 2 and 3-Exhibit "C-1")

(1) Apartments

Sec. 5. Building Regulations.

(a) *Building materials for nonresidential buildings* (Tract 3-Exhbits "C"). All nonresidential buildings shall have at least eight-five percent (85%) of the exterior walls constructed of masonry construction. The remainder of the exterior may be of other noncombustible construction.

(b) *Apartment uses* (Tracts 1 and 2-Exhibit "C" or Tracts 1, 2 and 3-Exhibit "C-1"). All multifamily buildings shall comply with the standards set forth in Section 9 herein, otherwise the building regulations of the A950-M district shall apply.

Sec. 6. Height Regulations.

(a) M*aximum height.*

Tract 3-Exhibit "C":

(1) Office and hotel uses: 250 feet.
(2) Retail/ Restaurant uses: 35 feet

Tracts 1and 2-Exhibit "C" or Tracts 1, 2 and 3-Exhibit "C-1":

(3) Apartment and mixed uses with residential uses: 80 feet.

(b) *Architectural features* (Tracts 1, 2 and 3-Exhibits "C" and "C-1"). Maximum height shall exclude (i) parapet walls not exceeding four (4) feet in height, and (ii) chimneys, cooling towers, elevator penthouses, mechanical equipment rooms, ornamental cupolas, standpipes, elevator bulkheads, domes, spires, turrets, towers, and lighting features not exceeding twelve (12) feet in additional height.

Sec. 7. Area Regulations.

General. For purposes of determining area regulations within the EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT the entire Property, Tracts 1, 2 and 3-Exhibits "C" and "C-1", shall be considered one lot.

(a) *Perimeter Setbacks.*

(1) Front. The minimum building setback from Greenville Avenue shall be twenty-five (25) feet. Entry features, stoops and patios shall be excluded from required setbacks subject to site plan approval and visibility requirements

a) Within the Greenville Avenue front yard, the developer shall install, and all subsequent owners shall maintain, plant materials as follows:

i. A minimum of one canopy tree and one ornamental tree shall be required for every fifty (50) lineal feet of street frontage, provided, however, that canopy and ornamental trees may be grouped.

ii. Evergreen shrubs, which shall reach a minimum height of thirty (30) inches, shall be installed to buffer any parking areas adjacent to a street.

b) Balconies above first floors may encroach up to three (3) feet into the building setback.

(2) Side. Minimum setback from the north property line shall be fifteen (15) feet.

(3) Rear. Minimum setback from the west property line shall be twenty-five (25) feet.

(4) Parking. Surface parking shall not be allowed in any setback area.

(b) *Interior Setbacks.* No setback shall be required from interior lot lines except as may be required by the City of Richardson Building Code.

(c) *Maximum Building Area.* The maximum building area for allowable uses per gross square foot shall be as follows:

USE	BUILDING AREA
Retail and restaurant (Exhibit "C")	6,000 sq. ft.
Office (Exhibit "C")	300,000 sq. ft.
Apartment (Exhibit "C")	600,000sq. ft.
Apartment (Exhibit "C-1")	900,00 sq. ft.

(d) *Lot Coverage.* The principal building(s) and any accessory buildings (inclusive of parking structures) shall not cover more than eighty-five percent (85%) of the total area of the Property.

(e) *Landscaping.* Landscaping shall be provided at a minimum ratio of fifteen percent (15%) of the gross land area of the Property. Landscaping shall include enhanced paving areas, landscape islands, and open space areas including the central open space as shown on the Concept Plan.

Sec. 8. Parking.

General. For purposes of applying the parking regulations within the EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT the entire Property, Tracts 1, 2 and 3-Exhibits "C" and "C-1", shall be considered one lot.

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

USE	PARKING REQUIREMENT
Retail/Restaurant	1 / 250 sq. ft.
Office	1 / 300 sq. ft.
Apartment	1.30 spaces/unit

(b) *Surface parking*. Parking spaces serving apartment uses are not required to have a covered carport.

Sec. 9 Special Regulations for Apartment Uses (Tracts 1 and 2-Exhibit "C" or Tracts 1, 2 and 3-Exhibit "C-1").

The following regulations shall apply:

(a) Building Regulations.

(1) *Minimum floor area of dwelling unit.* The minimum floor area per apartment unit shall be five hundred and twenty-five (525) square feet. The minimum average apartment unit floor area per building shall be seven hundred and seventy-five (775) square feet.

(2) *Building materials.*

a) A maximum of fifty percent (50%) of the exterior may be of a non-masonry material as defined in the comprehensive zoning ordinance.

b) The non-masonry exterior walls may be constructed of masonry-type materials, such as exterior stucco utilizing a three-step process, exterior insulating finishing systems (E.I.F.S.), cementitious siding, metal, or other materials approved by the building official. For purposes of this planned development, "metal" shall mean a high-performance façade solution that consists of a rain screen and decorative façade (manufactured of type 304, 316 or 430 architectural grade stainless steel, zinc alloy, titanium or other metal material of comparable or greater quality that is approved by the City Manager), cavity depth and ventilation, insulation and sub-frame. Systems may include colorized, patterned and textured stainless steel sheet cladding systems; insulated core metal wall panel systems; metal composite wall panel systems, rear ventilated phenolic rain screen wall panel systems; titanium zinc alloy sheet metal roofing façade cladding and roof drainage components systems. For facades facing public streets, E.I.F.S. may not be located below eight (8) feet above grade except for accent or architectural features.

c) All exterior chimneys that originate at grade level shall be constructed of masonry materials.

d) For "chateau," "mansard" or any other design where the roof serves as an exterior wall, the above percentages shall apply.

e) All materials shall be installed in accordance with manufacturer's specifications.

f) Exterior walls that face interior courtyards or surrounded by Parking Structures, which are not seen by the public may be constructed of masonry or non-masonry materials.

(b) Area regulations.

General. For purposes of determining area regulations for apartment uses within the **EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT,** regardless of how Tracts 1, 2 and 3 may be subdivided they shall be considered one lot. An "Apartment Community" shall be defined as an apartment development with a maximum of three hundred (300) dwelling units.

(1) *Density.* The maximum number of apartment units permitted shall be five hundred and fifty-eight (558) units in accordance with Exhibit "C" and eight hundred (800) units in accordance with Exhibit "C-1'.

(2) *Overhang and fireplaces.* The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof outside stairways above the first floor may extend a maximum of three (3) feet into the required front, side or rear yards.

(3) *Recreational areas.*

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

b) At least one indoor or outdoor recreation area shall be provided for residents in each apartment community. Said recreational area shall be a minimum of nine hundred (900) square feet in area and shall be designed for use by residents within the Property. Recreation equipment, if provided, must meet the guidelines of the Consumer Product Safety Commission for recreation equipment and safety surface. Playground access and equipment must be in compliance with A.D.A. requirements. The central and south open space shown on the Concept Plan shall qualify as outdoor recreational area for purposes of this planned development.

c) In addition, additional recreational amenities must be provided for each the apartment community. These amenities, listed below, shall accrue points based on the values assigned. A minimum of seventy (70) recreational amenity points must be accumulated in each apartment community.

i. Playgrounds designed for children ten years of age or younger meeting the specifications listed above. (Ten points; maximum ten points for the PD.)

ii. Clubhouse/game room/multi-purpose room a minimum of four hundred (400) square feet in area for each apartment community. (Ten points.)

iii. Equipment, such as ping-pong tables, foosball tables, etc., in the clubhouse/game room/multi-purpose room; electronic videogames or pinball games shall not be eligible for points. The appropriateness of the equipment shall be determined by the City's Director of Parks and Recreation. (One point for each piece of approved equipment.)

iv. Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points/court.)

v. Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points/court.)

vi. Indoor fitness center at least four hundred (400) square feet in area for each apartment community. (Ten points.)

vii. Swimming pool/hot tub, including wading area. Pools shall be fenced and secured according to the requirements of the City of Richardson. (Ten points; 20 points maximum for each apartment community.)

viii. Reinforced concrete jogging trail, bike path, sidewalks or combination thereof looping through or around the Property, a minimum of six feet in width. (Ten points.)

ix. Sidewalks, hiking, jogging, and/or bike trail connecting the development to public trail systems. (Five points.)

x. Usable open space, at least one thousand (1,000) square feet in area, to include at least three of the following: cluster of trees, outdoor fireplace, water features, seating areas, picnic tables, barbecue grills, gazebos or other elements as approved by the city's director of parks and recreation. The community open space or central open space shown on the Concept Plans shall qualify as usable open space for purposes of this planned development and may include art display or a dog park. (Ten points; maximum 30 points for the PD.)

xi. Roof-top amenities (10 points)

xii. Walking distance to community open space/dog park (10 points)

xiii. Other recreational amenities as approved by the City's director of parks and recreation. (One through ten points, to be determined by the Director of Parks and Recreation.)

(4) It shall be the responsibility of the director of parks and recreation of the city to review the proposed recreational amenities and provide a written assessment of their adequacy to the city plan commission prior to consideration of the site plan.

(5) Open space shall be disposed in such a manner as to ensure the safety and welfare of residents.

Sec. 10. General Miscellaneous Regulations

(a) *Enhanced street paving.* Enhanced street paving shall be provided at appropriate locations throughout the development to emphasize pedestrian crossings, key intersections, and driveways entrances.

(b) *Masonry defined.* For purposes of this planned development, “masonry” shall include brick, stone, stucco utilizing a three-step process, vertically and/or horizontally articulated architectural pre-cast concrete panels, cast stone, rock, marble, granite, curtain glass, or glass block.

(c) *Design of Parking Garage Facades*. Parking garage facades along U.S. 75/D.A.R.T. right-of-way and the north property line shall be precast concrete spandrels or some other architectural treatment approved by the City Plan Commission at the time of site plan approval designed with both vertical (façade rhythm of 20 to 30 feet or multiples thereof) and horizontal (aligning adjacent with horizontal elements) articulation.

(d) *Chapter 16 of the City Code amendments*.

(1) Driving aisles shall be a minimum of twenty-four (24) feet for two-way and fifteen (15) feet for one- way traffic and shall be designed to accommodate garbage and trash collection services, and fire and emergency vehicles.

(2) Apartment communities shall not be required to be enclosed by a perimeter fence.

(3) No setbacks or screening shall be required for residential uses adjacent to non-residential uses.

(4) Loading docks, refuse storage containers, and utility accessories shall be screened to reduce their visual impact from adjoining properties and public rights-of-way and shall be located in the rear or side of the buildings where possible.

(e) *Flag lot configuration.* With the subdivision of the property for development purposes, one lot with a flagpole configuration shall be permitted in the west side of the property.

(f) *Minor modifications*. The City Manager or designee shall have the authority to approve minor modifications to concept plans and development plans approved within or required by this Ordinance. For purposes of this planned development, a minor modification shall be defined as (i) a change to a footprint of a building in which the proposed footprint remains within the building envelope shown on the Concept Plan, and (ii) except as otherwise provided in (i), a change which does not increase the building coverage, floor area ratio or residential density of the planned development by more than ten percent (10%) of the concept plan, does not decrease any of the specified area regulations or enumerated parking ratios, nor substantially changes the access or circulation on or adjacent to the site.

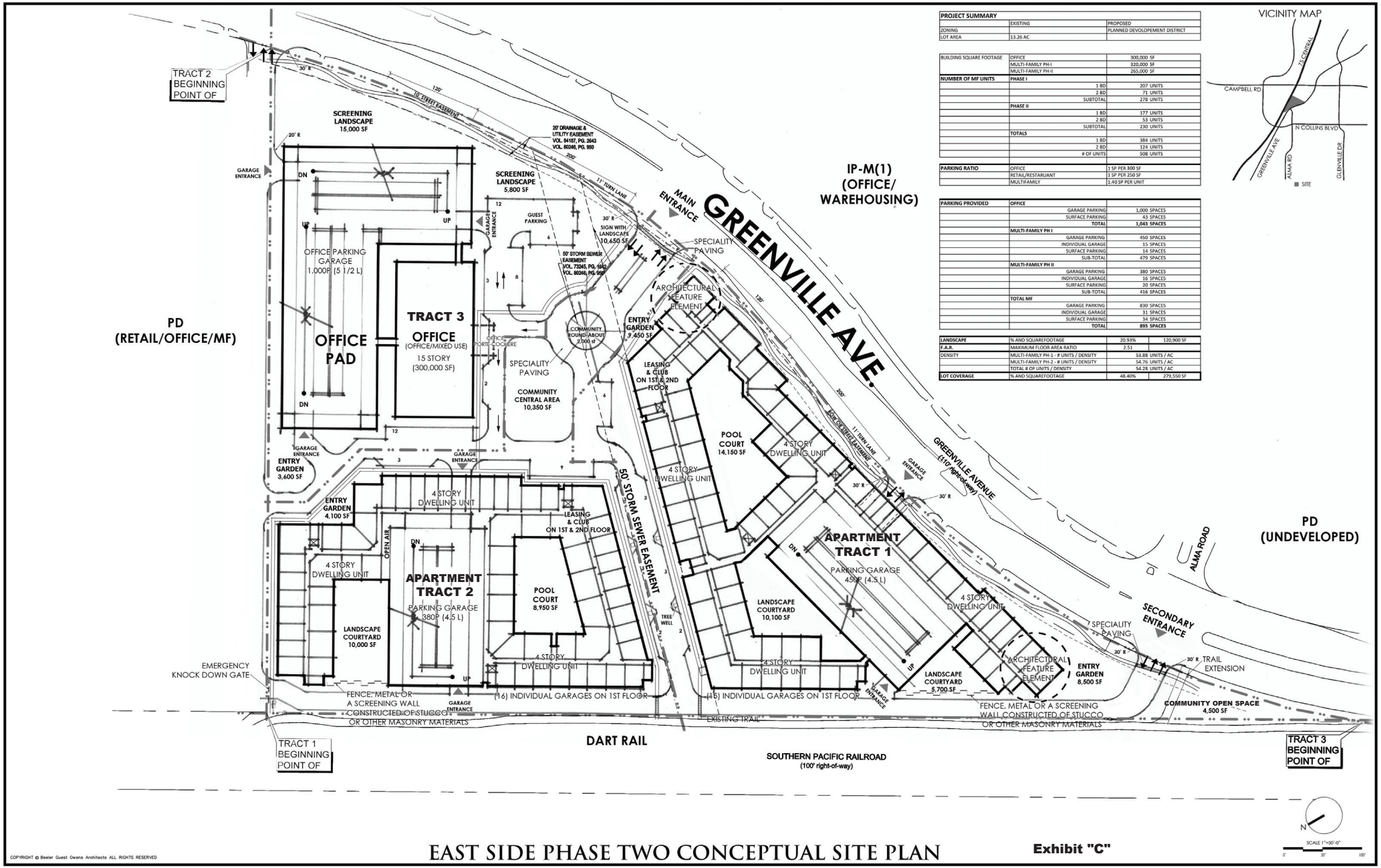
(g) *Signage.* All signage shall comply with Chapter 18 (Sign Code) of the City of Richardson Code of Ordinances, as amended, except that in lieu of compliance with Chapter 18, a "Sign Package" may be submitted to establish unique sign standards including size, color, type, design and location for review and approval by the City Plan Commission. In evaluating a Sign Package, the City Plan Commission shall consider the extent to which the application:

(1) Promotes consistency among signs within a development thus creating visual harmony between signs, buildings, and other components of the property;

(2) Enhances the compatibility of signs with the architectural and site design features with the development;

(3) Encourages signage that is in character with planned uses thus creating a unique sense of place, and

(4) Encourages multi-tenant commercial uses to develop a unique set of sign regulations in conjunction with development standards.



PROJECT SUMMARY		
	EXISTING	PROPOSED
ZONING		PLANNED DEVOLOPEMENT DISTRICT
LOT AREA	13.26 AC	

BUILDING SQUARE FOOTAGE	OFFICE	300,000 SF
	MULTI-FAMILY PH-I	320,000 SF
	MULTI-FAMILY PH-II	265,000 SF
NUMBER OF MF UNITS	**PHASE I**	
	1 BD	207 UNITS
	2 BD	71 UNITS
	SUBTOTAL	278 UNITS
	PHASE II	
	1 BD	177 UNITS
	2 BD	53 UNITS
	SUBTOTAL	230 UNITS
	TOTALS	
	1 BD	384 UNITS
	2 BD	124 UNITS
	# OF UNITS	508 UNITS
PARKING RATIO	OFFICE	1 SP PER 300 SF
	RETAIL/RESTARUANT	1 SP PER 250 SF
	MULTIFAMILY	1.40 SP PER UNIT

PARKING PROVIDED	**OFFICE**	
	GARAGE PARKING	1,000 SPACES
	SURFACE PARKING	43 SPACES
	TOTAL	**1,043 SPACES**
	MULTI-FAMILY PH I	
	GARAGE PARKING	450 SPACES
	INDIVIDUAL GARAGE	15 SPACES
	SURFACE PARKING	14 SPACES
	SUB-TOTAL	479 SPACES
	MULTI-FAMILY PH II	
	GARAGE PARKING	380 SPACES
	INDIVIDUAL GARAGE	16 SPACES
	SURFACE PARKING	20 SPACES
	SUB-TOTAL	416 SPACES
	TOTAL MF	
	GARAGE PARKING	830 SPACES
	INDIVIDUAL GARAGE	31 SPACES
	SURFACE PARKING	34 SPACES
	TOTAL	**895 SPACES**

LANDSCAPE	% AND SQUAREFOOTAGE	20.93%	120,900 SF
F.A.R.	MAXIMUM FLOOR AREA RATIO	2.51	
DENSITY	MULTI-FAMILY PH-1 - # UNITS / DENSITY	53.88 UNITS / AC	
	MULTI-FAMILY PH-2 - # UNITS / DENSITY	54.76 UNITS / AC	
	TOTAL # OF UNITS / DENSITY	54.28 UNITS / AC	
LOT COVERAGE	% AND SQUAREFOOTAGE	48.40%	279,550 SF

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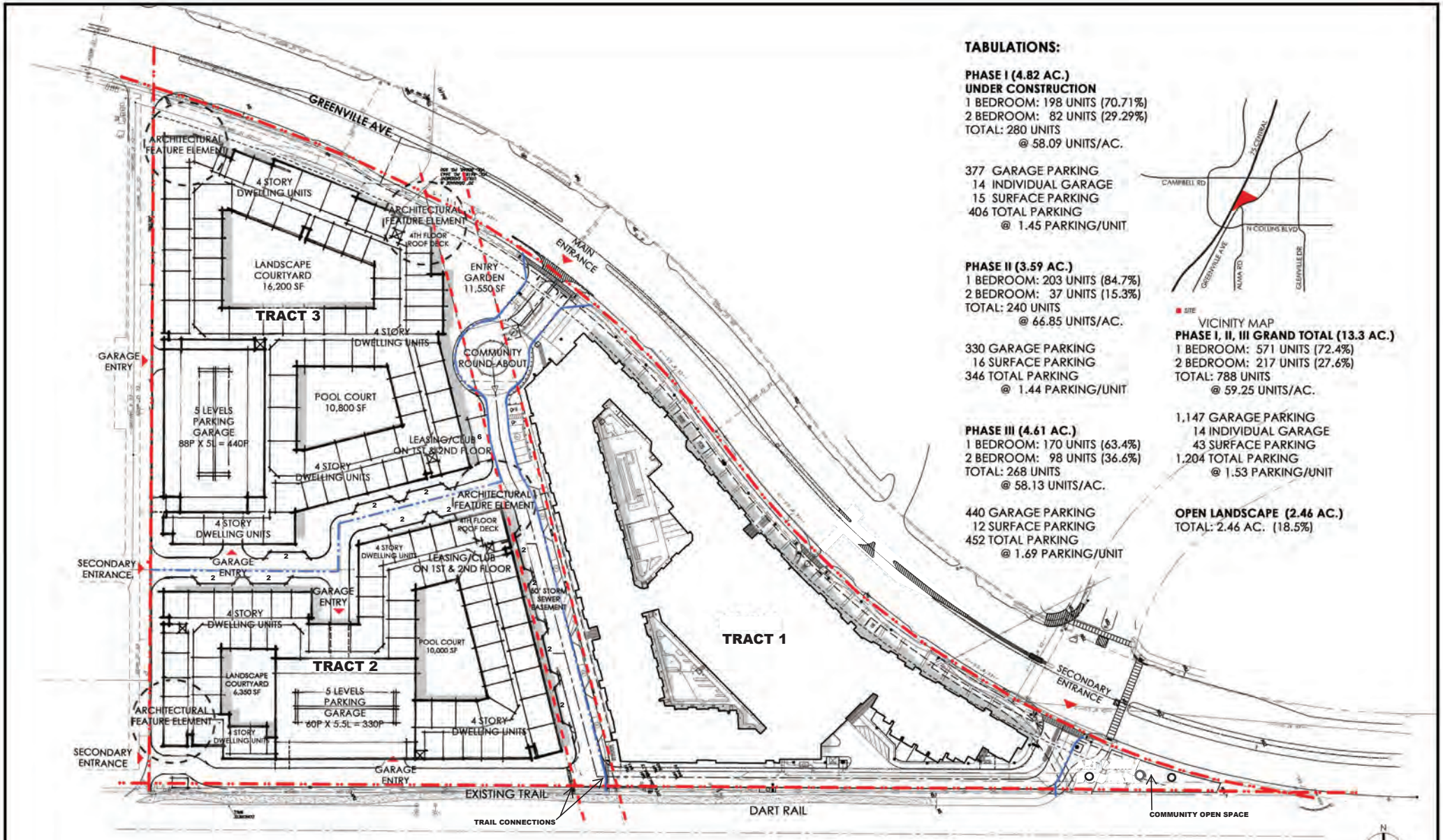
EAST SIDE PHASE TWO CONCEPTUAL SITE PLAN

Exhibit "C"

RICHARDSON, TEXAS

BGO architects

13212
03.20.2014
HUNT COMPANIES



TABULATIONS:

PHASE I (4.82 AC.)
UNDER CONSTRUCTION
1 BEDROOM: 198 UNITS (70.71%)
2 BEDROOM: 82 UNITS (29.29%)
TOTAL: 280 UNITS
@ 58.09 UNITS/AC.

377 GARAGE PARKING
14 INDIVIDUAL GARAGE
15 SURFACE PARKING
406 TOTAL PARKING
@ 1.45 PARKING/UNIT

PHASE II (3.59 AC.)
1 BEDROOM: 203 UNITS (84.7%)
2 BEDROOM: 37 UNITS (15.3%)
TOTAL: 240 UNITS
@ 66.85 UNITS/AC.

330 GARAGE PARKING
16 SURFACE PARKING
346 TOTAL PARKING
@ 1.44 PARKING/UNIT

PHASE III (4.61 AC.)
1 BEDROOM: 170 UNITS (63.4%)
2 BEDROOM: 98 UNITS (36.6%)
TOTAL: 268 UNITS
@ 58.13 UNITS/AC.

440 GARAGE PARKING
12 SURFACE PARKING
452 TOTAL PARKING
@ 1.69 PARKING/UNIT

VICINITY MAP

PHASE I, II, III GRAND TOTAL (13.3 AC.)
1 BEDROOM: 571 UNITS (72.4%)
2 BEDROOM: 217 UNITS (27.6%)
TOTAL: 788 UNITS
@ 59.25 UNITS/AC.

1,147 GARAGE PARKING
14 INDIVIDUAL GARAGE
43 SURFACE PARKING
1,204 TOTAL PARKING
@ 1.53 PARKING/UNIT

OPEN LANDSCAPE (2.46 AC.)
TOTAL: 2.46 AC. (18.5%)

EASTSIDE II PHASE TWO AND THREE CONCEPTUAL SITE PLAN

RICHARDSON, TEXAS

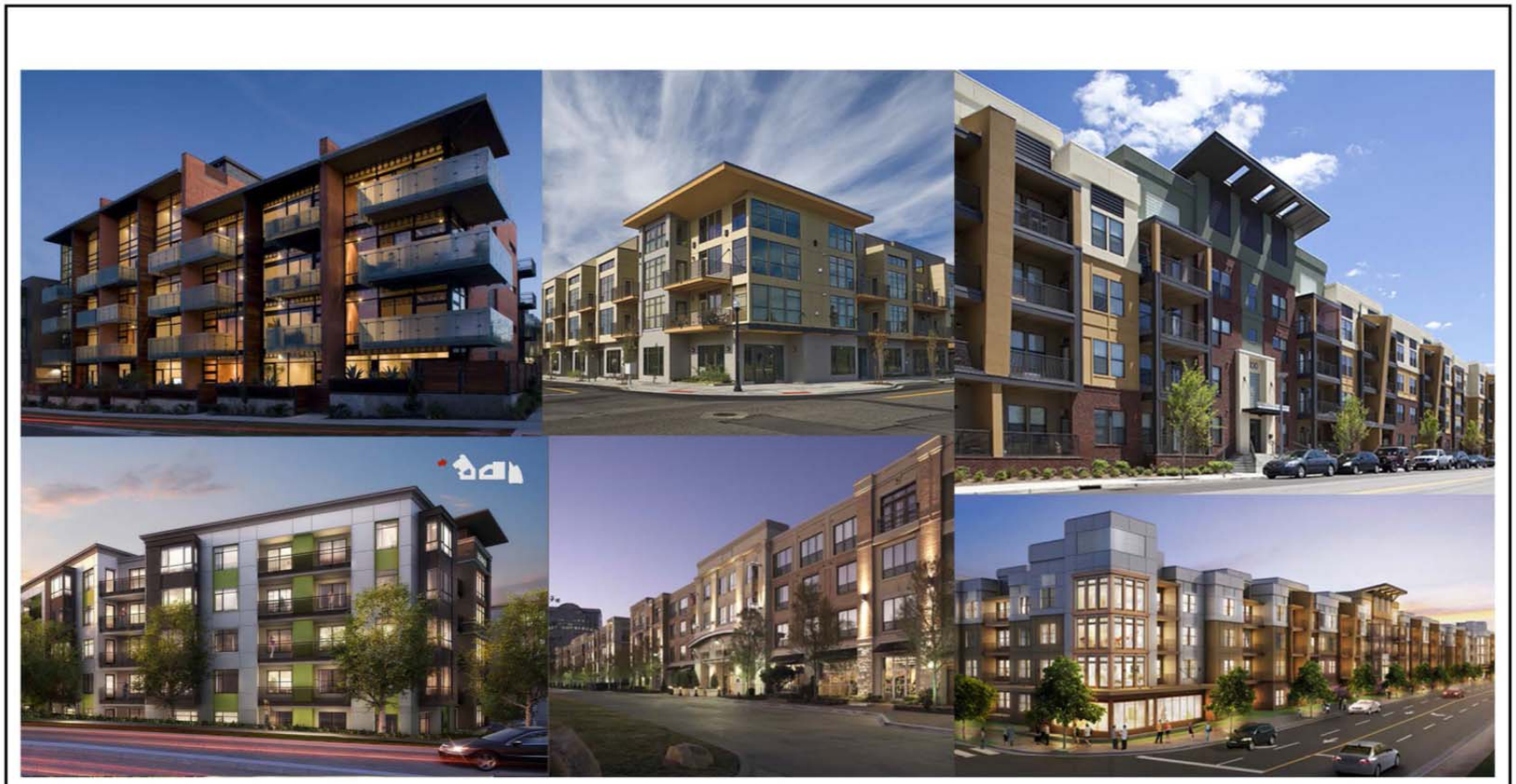
Exhibit "C-1"

BGO architects

16137
09.01.2016
HUNT

EXHIBIT "D"

ARCHITECTURAL IMAGES



EAST SIDE PHASE TWO ELEVATION SAMPLES

RICHARDSON, TEXAS

BGO architects

13212
03.18.2014
HUNT COMPANIES

Notice of Public Hearing

City Plan Commission ▪ Richardson, Texas

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

PD AMENDMENT

File No./Name:	**ZF 16-21 / Eastside Phase II**
Property Owner:	Tod Fobare / AGF Greenville II, Ltd. and James Dobbie / Richardson Alma LLC
Applicant:	William S. Dahlstrom / Jackson Walker, L.L.P.
Location:	West side of Greenville Avenue, south of Campbell Road (See map on reverse side)
Current Zoning:	PD Planned Development
Request:	A request to amend the existing PD Planned Development to establish an alternate Concept Plan and associated development standards to allow for an increase in the number of multi-family units.

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

TUESDAY, SEPTEMBER 20, 2016
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.

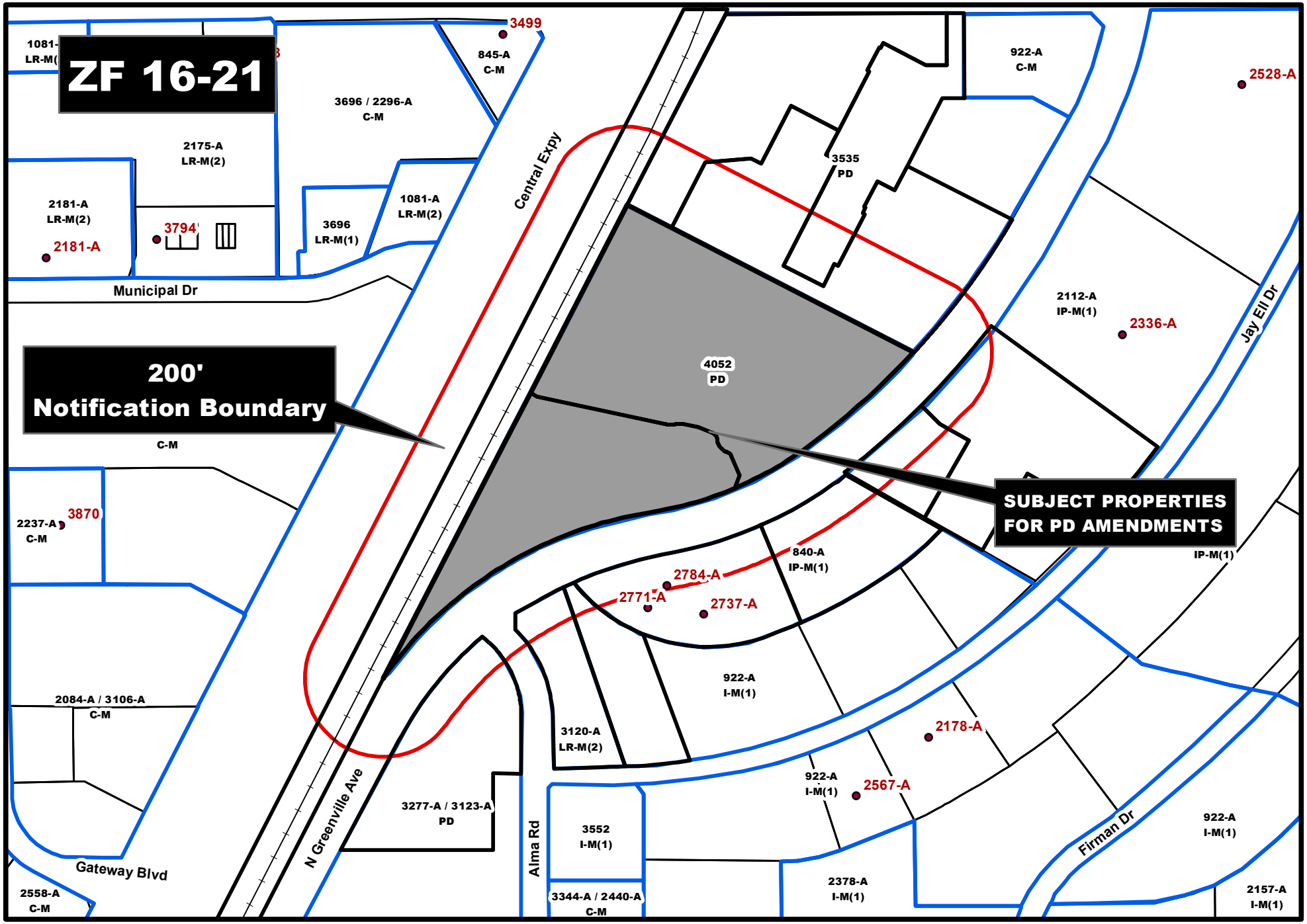
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 16-21.

Date Posted and Mailed: 09/09/2016



ZF 16-21 Notification Map

Updated By: shacklettc, Update Date: August 23, 2016
File: DS\Mapping\Cases\Z\2016\ZF1621\ZF1621 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

FSP COLLINS CROSSING LTD
C/O FRANKLIN ST PPTIES CO
401 EDGEWATER PL STE 200
WAKEFIELD, MA 018806207

GABRILLA BATAVIA REV TRUST
419 MAIN ST UNIT 335
HUNTINGTON BEACH, CA 926485199

PSI-GREENVILLE PARTNERS LTD
2812 TRINITY SQUARE DR, STE 110
CARROLLTON, TX 750062465

AGF SPRINGCREEK COIT II TD
18111 PRESTON RD STE 1000
DALLAS, TX 752526099

RICHARDSON ALMA LLC
ATTN JAMES DOBBIE
4401 N MESA ST
EL PASO, TX 799021150

MICHAEL LONGANECKER
MAINTENANCE & OPERATIONS
RICHARDSON ISD
400 S GREENVILLE AVE
RICHARDSON TX 75081

DART
PO BOX 660163
DALLAS, TX 752660163

TELECABLE OF RICHARDSON
TAX DEPT
PO BOX 7467
CHARLOTTE, NC 282417467

NICOSO INVESTMENTS LLC
1810 N GREENVILLE AVE
RICHARDSON, TX 750811810

POST EASTSIDE LTD PS
4401 NORTHSIDE PKWY NW STE 800
ATLANTA, GA 303273093

WILLIAM S DAHLSTROM
JACKSON WALKER LLP
2323 ROSS AVENUE
6TH FLOOR
DALLAS TEXAS 75201

PROCTOR FAMILY LTD PS
2927 MOSS CREEK CT
MCKINNEY, TX 750704748

1720 GREENVILLE LTD
PO BOX 794005
DALLAS, TX 753794005

SG RETAIL DEVELOP PS LTD
2808 FAIRMOUNT ST STE 100
DALLAS, TX 752017622

AGF GREENVILLE II LTD
C/O SKYRISE PPTIES LLC
18111 PRESTON RD STE 1000
DALLAS, TX 752526099

SUPTERINTENDENT OF SCHOOLS
ADD RISD SUPERINTENDENT AND
FACILITIES
400 S GREENVILLE AVE
RICHARDSON TX 75081

ZF 16-21
NOTIFICATION LIST

ORDINANCE NO. 4052

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 IP-M(1) INDUSTRIAL PARK AND LR-M(1) LOCAL RETAIL TO PD PLANNED DEVELOPMENT FOR EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT FOR 13.3 ACRES LOCATED ON THE WEST SIDE OF GREENVILLE AVENUE, SOUTH OF CAMPBELL ROAD, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 14-07).

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 IP-M(1) Industrial Park and LR-M(1) Local Retail to PD Planned Development for Eastside Phase Two Planned Development District for 13.3 acres located on the west side of Greenville Avenue, south of Campbell Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes as follows:

Sec. 1. Intent

The purpose of the **EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT** is to encourage a pedestrian-oriented community center providing living, shopping, dining and employment environments that work together to provide interesting and efficient combinations of land uses that minimize vehicular trips while offering a fully active live-work-play experience. The architectural styling will build upon Eastside Phase

One, incorporating a variety of materials including, but not limited to complementary colors of brick, cast stone, natural stone, stucco and glass facades to provide interest and variety. The multi-family and commercial buildings will accommodate the pedestrian nature of EASTSIDE PHASE TWO through connecting streets, generous sidewalks, and landscape areas at the building face. The open space in the center and on the south side of the development will serve as a gathering place for residents, employees and visitors to the property.

Sec. 2. Concept Plan.

Development of the Property shall conform with the concept plan attached hereto as Exhibit "B", and incorporated for all purposes (the "Conceptual Plan").

Sec. 3. Architectural Image Studies.

For illustrative purposes only, Exhibit "C", which is attached hereto for all purposes, provides a series of architectural images which indicates the general character of EASTSIDE PHASE TWO. Development of the buildings are not required to duplicate the architecture of the buildings in Exhibit "C".

Sec. 4. Permitted Uses.

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

(a) *Retail and Office Uses*

(1) Antenna, accessory, subject to the supplemental regulations of article XXII-E.
(2) Antique shop
(3) Art gallery
(4) Bakery
(5) Bank or financial institution
(6) Barber or beauty salon
(7) Book, card, or stationery store
(8) Camera and photographic supply shop
(9) Catering service
(10) Clothing or apparel store
(11) Construction field office (temporary use)
(12) Convenience store
(13) Drugstore or pharmacy
(14) Florist
(15) Grocery store (under 7,000 square feet)
(16) Health club
(17) Hotel
(18) Jewelry store
(19) Laundry pick-up station
(20) Mailing service
(21) Office
(22) Personal service uses

(23) Photography or art studio
(24) Restaurant without drive-through or curb service
(25) Tailor shop

(b) *Residential Uses*

(1) Apartments

Sec. 5. Building Regulations.

(a) *Building Materials for Nonresidential Buildings* (Tract 2). All nonresidential buildings shall have at least eight-five (85%) percent of the exterior walls constructed of masonry construction. The remainder of the exterior may be of other noncombustible construction.

(b) *Multifamily Uses* (Tracts 1 and 3). All multifamily buildings shall comply with the standards set forth in Section 9 herein, otherwise the building regulations of the A-950-M district shall apply.

Sec. 6. Height Regulations.

(a) *Maximum Height.*

Tract 2:

(1) Office and hotel uses: 250 feet.
(2) Retail/ Restaurant uses: 35 feet

Tracts 1 and 3:

(1) Residential and mixed uses with residential uses: 80 feet.

(b) *Architectural Features* (Tracts 1, 2 and 3). Maximum height shall exclude (i) parapet walls not exceeding four (4) feet in height, and (ii) chimneys, cooling towers, elevator penthouses, mechanical equipment rooms, ornamental cupolas, standpipes, elevator bulkheads, domes, spires, turrets, towers, and lighting features not exceeding twelve (12) feet in additional height.

Sec. 7. Area Regulations.

General. For purposes of determining area regulations within the EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT the entire Property; Tracts 1, 2 and 3, shall be considered one lot.

(a) *Perimeter Setbacks.*

(1) Front. The minimum building setback from Greenville Avenue shall be twenty-five (25) feet. Entry features shall be excluded from required setbacks subject to site plan approval and visibility requirements. Stoops and patios may encroach up to five (5) feet into the front yard setback.

a) Within the Greenville Avenue front yard, the developer shall install, and all subsequent owners shall maintain, plant materials as follows:

i. A minimum of one canopy tree and one ornamental tree shall be required for every fifty (50) lineal feet of street frontage, provided, however, that canopy and ornamental trees may be grouped.

ii. Evergreen shrubs, which shall reach a minimum height of 30 inches, shall be installed to buffer any parking areas adjacent to a street.

b) Balconies above first floors may encroach up to three (3) feet into the building setback.

(2) Side. The minimum setback from the north property line shall be fifteen (15) feet.

(3) Rear. The minimum setback from the west property line shall be twenty-five (25) feet.

(4) Parking. Surface parking shall not be allowed in any setback area.

(b) *Interior Setbacks.* No setback shall be required from interior lot lines except as may be required by the City of Richardson Building Code.

(c) *Maximum Building Area.* The maximum building area allowable uses per gross square foot shall be as follows:

USE	BUILDING AREA
Retail and restaurant	6,000 sq. ft.
Office	300,000 sq. ft.
Multi-Family	600,000 sq. ft.

(d) *Lot Coverage.* The principal building(s) and any accessory buildings (inclusive of parking structures) shall not cover more than eighty (80%) percent of the total area of the Property.

(e) *Landscaping.* Landscaping shall be provided at a minimum ratio of twenty (20%) percent of the gross land area of the Property. Landscaping shall include enhanced paving areas, landscape islands, and open space areas including the central open space as shown on the Concept Plan.

Sec. 8. Parking.

General. For purposes of applying the parking regulations within the EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT the entire Property, Tracts 1, 2 and 3, shall be considered one lot.

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

USE	PARKING REQUIREMENT
Retail/Restaurant	1 / 250 sq. ft.

Office	1/300 sq. ft.
Multifamily	1.40 spaces/unit

(b) *Covered Parking:* Surface parking spaces serving apartment uses are not required to have a covered carport.

Sec. 9 Special Regulations for Multifamily Uses (Tracts 1 and 3).

The following regulations shall apply:

(a) *Building Regulations.*

(1) Minimum floor area of dwelling unit. The minimum floor area per multifamily unit shall be 525 square feet. The minimum average multifamily unit floor area per building shall be 850 square feet.

(2) Building materials.

a) A maximum of fifty (50%) percent of the exterior may be of a nonmasonry material as defined in the comprehensive zoning ordinance.

b) The non-masonry exterior walls may be constructed of masonry-type materials, such as exterior stucco utilizing a three-step process, exterior insulating finishing systems (E.I.F.S.), cementitious siding, metal, or other materials approved by the building official. For purposes of this planned development, "metal" shall mean a high-performance façade solution that consists of a rain screen and decorative façade (manufactured of type 304, 316 or 430 architectural grade stainless steel, zinc alloy, titanium or other metal material of comparable or greater quality that is approved by the City Manager), cavity depth and ventilation, insulation and sub-frame. Systems may include colorized, patterned and textured stainless steel sheet cladding systems; insulated core metal wall panel systems; metal composite wall panel systems, rear ventilated phenolic rain screen wall panel systems; titanium zinc alloy sheet metal roofing façade cladding and roof drainage components systems. For facades facing public streets, E.I.F.S. may not be located below eight (8) feet above grade except for accent or architectural features.

c) All exterior chimneys that originate at grade level shall be constructed of masonry materials.

d) For "chateau," "mansard" or any other design where the roof serves as an exterior wall, the above percentages shall apply.

e) All materials shall be installed in accordance with manufacturer's specifications.

f) Exterior walls that face interior courtyards or surrounded by Parking Structures, which are not seen by the public may be constructed of masonry or non-masonry materials.

(b) *Area Regulations.*

General. For purposes of determining area regulations for multifamily uses within the **EASTSIDE PHASE TWO PLANNED DEVELOPMENT DISTRICT,** regardless of how Tracts 1 and 3 may be subdivided they shall be considered one lot. An "Apartment community" shall be defined as a multifamily development with a maximum of three-hundred (300) dwelling units.

(1) Density. The maximum number of multifamily units permitted shall be five hundred, fifty-eight (558) units.

(2) Overhang and fireplaces. The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof outside stairways above the first floor may extend to a maximum of three (3) feet into the required front, side or rear yards.

(3) Recreational Areas.

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

b) At least one indoor or outdoor recreation area shall be provided for residents in each apartment community. Said recreational area shall be a minimum of nine-hundred (900) square feet in area and shall be designed for use by residents within the Property. Recreation equipment, if provided, must meet the guidelines of the Consumer Product Safety Commission for recreation equipment and safety surface. Playground access and equipment must be in compliance with A.D.A. requirements. The central and south open space shown on the Concept Plan shall qualify as outdoor recreational area for purposes of this planned development.

c) In addition, additional recreational amenities must be provided for each the apartment community. These amenities, listed below, shall accrue points based on the values assigned. A minimum of seventy (70) recreational amenity points must be accumulated in each apartment community.

i. Playgrounds designed for children ten years of age or younger meeting the specifications listed above. (Ten points; maximum ten points for the PD.)

ii. Clubhouse/game room/multi-purpose room a minimum of 400 square feet in area for each apartment community. (Ten points.)

iii. Equipment, such as ping-pong tables, foosball tables, etc., in the clubhouse/game room/multi-purpose room; electronic videogames or pinball games shall not be eligible for points. The appropriateness of the equipment shall be determined by the City's Director of Parks and Recreation. (One point for each piece of approved equipment.)

iv. Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points/court.)

v. Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points/court.)
vi. Indoor fitness center at least 400 square feet in area for each apartment community. (Ten points.)
vii. Swimming pool/Hot Tub, including wading area. Pools shall be fenced and secured according to the requirements of the City of Richardson. (Ten points; 20 points maximum for each apartment community.)
viii. Reinforced concrete jogging trail, bike path, sidewalks or combination thereof looping through or around the Property, a minimum of six feet in width. (Ten points.)
ix. Sidewalks, hiking, jogging, and/or bike trail connecting the development to public trail systems. (Five points.)
x. Usable open space, at least 1,000 square feet in area, to include at least three of the following: cluster of trees, outdoor fireplace, water features, seating areas, picnic tables, barbecue grills, gazebos or other elements as approved by the city's director of parks and recreation. The central open space shown on the Concept Plan shall qualify as usable open space for purposes of this planned development. (Ten points; maximum 30 points for the PD.)
xi. Roof-top amenities (10 points)
xii. Dog park (10 points)
xii. Other recreational amenities as approved by the City's director of parks and recreation. (One through ten points, to be determined by the Director of Parks and Recreation.)

(4) It shall be the responsibility of the Director of Parks and Recreation to review the proposed recreational amenities and provide a written assessment of their adequacy to the city plan commission prior to consideration of the site plan.

(5) Open space shall be disposed in such a manner as to ensure the safety and welfare of residents.

Sec. 10. General Miscellaneous Regulations

(a) *Enhanced Street Paving.* Enhanced street paving shall be provided at appropriate locations throughout the development to emphasize pedestrian crossings, key intersections, and driveways entrances.

(b) *Masonry.* For purposes of this planned development, "masonry" shall include brick, stone, stucco utilizing a three-step process, vertically and/or horizontally articulated architectural pre-cast concrete panels, cast stone, rock, marble, granite, curtain glass, or glass block.

(c) *Design of Parking Garage Facades along U.S. 75/D.A.R.T. and Greenville Avenue rights-of-way, and the north property line.* Parking Garage Facades shall be precast concrete spandrels or some other architectural treatment approved by the City Plan Commission at the time of site plan approval designed with both vertical (façade rhythm of 20 to 30 feet or multiples thereof) and horizontal (aligning adjacent with horizontal elements) articulation.

(d) The City Council in its judgment finds that the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, and having received a recommendation by the city plan commission, the council authorizes variances to the regulations in Chapter 21 of the Code of Ordinances in order to permit reasonable development and improvement of property because the literal enforcement of those regulations would result in an unnecessary hardship. Chapter 21 of the Code of Ordinances, as amended is modified as follows:

(1) Driving aisles shall be a minimum of 24-feet for two-way and 15-feet for one-way traffic and shall be designed to accommodate garbage and trash collection services, and fire and emergency vehicles.

(2) Apartment communities shall not be required to be enclosed by a perimeter fence.

(3) No setbacks or screening shall be required for residential uses adjacent to non-residential uses.

(4) Loading docks, refuse storage containers, and utility accessories shall be screened to reduce their visual impact by screening these sites from adjoining properties and public rights-of-way and shall be located in the rear or side of the buildings where possible.

(e) *Flag Lot Configuration.* With the subdivision of the property for development purposes, one lot with a flagpole configuration shall be permitted in the west side of the property.

(f) *Minor Modifications.* The City Manager or designee shall have the authority to approve minor modifications to concept plans and development plans approved within or required by this Ordinance. For purposes of this planned development, a minor modification shall be defined as (i) a change to a footprint of a building in which the proposed footprint remains within the building envelope shown on the Concept Plan, and (ii) except as otherwise provided in (i), a change which does not increase the building coverage, floor area ratio or residential density of the planned development by more than 10% of the concept plan, does not decrease any of the specified area regulations or enumerated parking ratios, nor substantially changes the access or circulation on or adjacent to the site.

(g) *Signage.* All signage shall comply with Chapter 18 (Sign Code) of the City of Richardson Code of Ordinances, as amended, except that in lieu of compliance with Chapter 18, a "Sign Package" may be submitted to establish unique sign standards including size, color, type, design and location for review and approval by the City Plan Commission. In evaluating a Sign Package, the City Plan Commission shall consider the extent to which the application:

(1) Promotes consistency among signs within a development thus creating visual harmony between signs, buildings, and other components of the property;

(2) Enhances the compatibility of signs with the architectural and site design features with the development;

(3) Encourages signage that is in character with planned uses thus creating a unique sense of place, and

(4) Encourages multi-tenant commercial uses to develop a unique set of sign regulations in conjunction with development standards.

SECTION 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 9th day of June, 2014.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:6-4-14:TM 66493)

CORRECTLY ENROLLED:

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 14-07

NORTHERN TRACT

BEING a tract of land situated in the JESSE N. EVERETT Survey, Abstract No. 440 and the WM. HUGHES Survey, Abstract No.573, CITY OF RICHARDSON, DALLAS COUNTY, TEXAS and being all of the same tract of land as described in deed to AGF Greenville II, Ltd., recorded in Volume 2000064, Page 2425, D.R.D.C.T. and all of R&B Corporate Park-Richardson Addition, an addition to the City of Richardson, Dallas County, Texas according to the plat thereof recorded in Volume 80246, Page 950, P.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap stamped "Gramham" found for corner, said iron rod being the most northerly corner of said R&B Corporate Park-Richardson Addition and being situated in the southeast right-of-way line of Southern Pacific Railroad (100' right-of-way);

THENCE South 62 deg 48 min 12 sec East, departing the southeast right-of-way line of said Railroad, a distance of 846.04 feet to an "X" cut in concrete set for corner and being situated in the northwest right-of-way line of Greenville Avenue (110' right-of-way), said "X" cut being the beginning of a non-tangent curve to the right having a radius of 1,965.00 feet, a central angle of 10 deg 51 min 08 sec, a chord bearing of South 48 deg 09 min 51 sec West and a chord length of 371.63 feet;

THENCE along the northwest right-of-way line of said Greenville Avenue the following:

Along said non-tangent curve to the right, an arc distance of 372.18 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" set for corner and the beginning of a curve to the right-having a radius of 945.00 feet, a central angle of 27 deg 30 min 17 sec, a chord bearing of South 67 deg 20 min 34 sec West and a chord length of 449.30 feet;

Along said curve to the right, an arc distance of 453.65 feet to an "X" cut in concrete set for corner and the beginning of a curve to the left having a radius of 1,055.00 feet, a central angle of 17 deg 13 min 57 sec, a chord bearing of South 72 deg 28 min 44 sec West and a chord length of 316.11 feet;

Along said curve to the left, an arc distance of 317.31 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" set for corner;

THENCE North 18 deg 54 min 29 sec West, departing the northwest right-of-way line of said Greenville Avenue, a distance of 137.04 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" set for corner from which a 1/2 inch iron rod found bears North 04 deg 00 min 04 sec West, a distance of 0.86 feet, said 1/2 inch capped iron rod set being the beginning of a curve to the right having a radius of 589.30 feet, a central angle of 15 deg 45 min 48 sec, a chord bearing of North 11 deg 01 min 35 sec West and a chord length of 161.62 feet;

THENCE along said curve to the right, an arc distance of 162.13 feet to a 1/2 inch iron rod found for corner and being situated in the southeast right-of-way line of aforementioned Railroad;

THENCE North 27 deg 11 min 48 sec East, along the southeast right-of-way line of said Railroad, a distance of 690.90 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 12.000 acres or 522,726 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 24th day of January, 2014, utilizing the City of Richardson Geodetic Control Monuments I-8 and H-7 (NAD 83 values).

SOUTHERN TRACT

BEING a tract of land situated in the WM. HUGHES Survey, Abstract No.573, CITY OF RICHARDSON, DALLAS COUNTY, TEXAS and being all of the same tract of land as described in deed to AGF Bowen II, Ltd., recorded in Volume 2004058, Page 5544, Deed Records, Dallas County, Texas (D.R.D.C.T.) and all of Lot 3, Block A, Central Park Addition, an addition to the City of Richardson, Dallas County, Texas according to the plat thereof recorded in Volume 84205, Page 2054, Plat Records, Dallas County, Texas (P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with red plastic cap stamped "WAI" set for corner, from which a 1/2 inch iron rod found bears North 33 deg 48 min 33 sec West, a distance of 1.17 feet, said 1/2 inch capped iron rod set being the most southerly corner of said AGF Bowen Branch II, Ltd. tract and said Lot 3, Block A and being at the intersection of the northwest right-of-way line of Greenville Avenue (110' right-of-way) and the southeast right-of-way line of Southern Pacific Railroad (100' right-of-way);

THENCE North 27 deg 11 min 48 sec East, departing the northwest right-of-way line of said Greenville Avenue and along the southeast right-of-way line of said Railroad, a distance of 707.09 feet to a 1/2 inch iron rod found for corner and the beginning of a non-tangent curve to the left having a radius of 589.30 feet, a central angle of 15 deg 45 min 48 sec, a chord bearing of South 11 deg 01 min 35 sec East and a chord length of 161.62 feet;

THENCE departing the southeast right-of-way line of said Railroad and along said non-tangent curve to the left, an arc distance of 162.13 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" set for corner from which a 1/2 inch iron rod found bears North 04 deg 00 min 04 sec West, a distance of 0.86 feet;

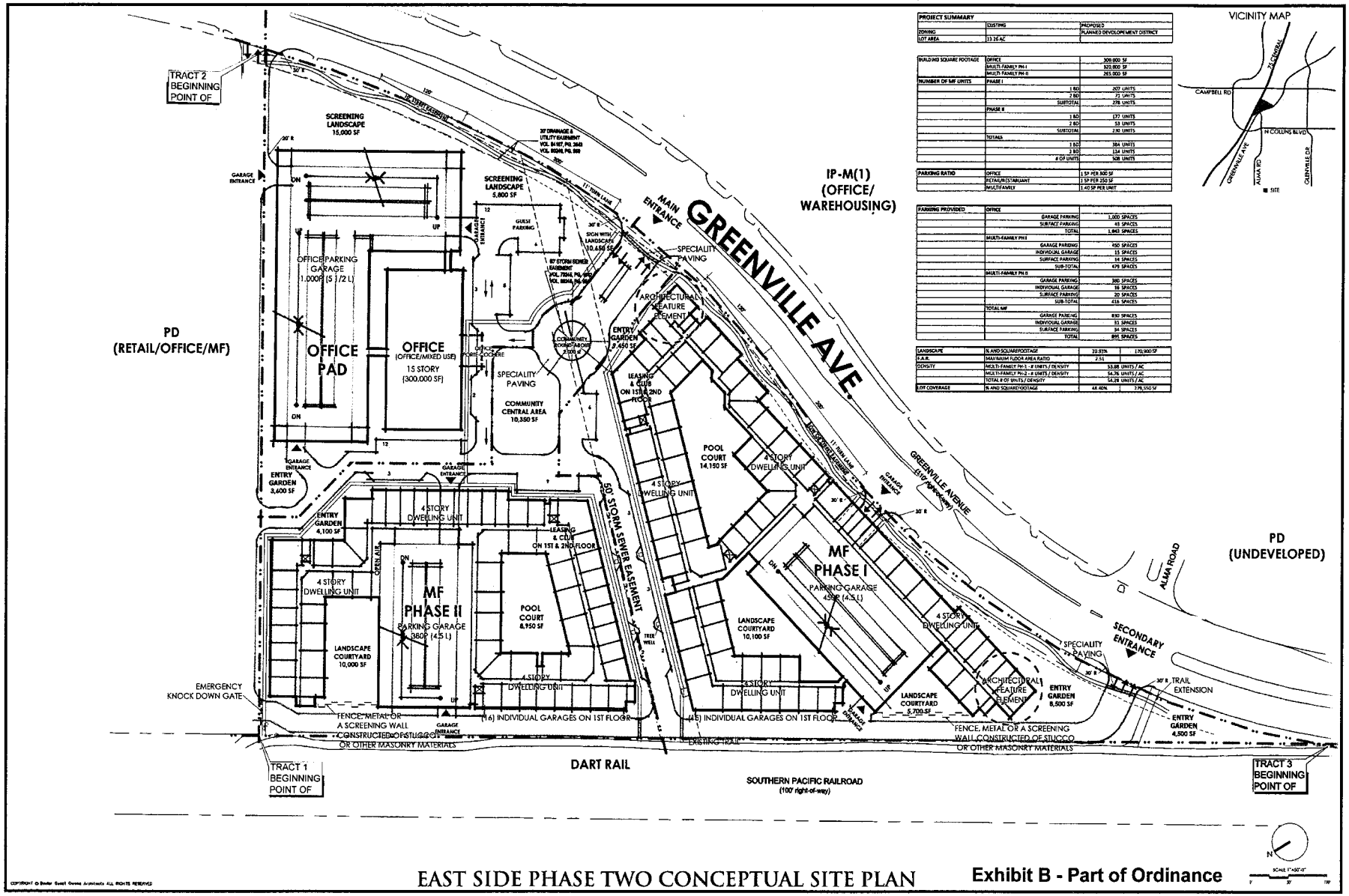
THENCE South 18 deg 54 min 36 sec East, a distance of 74.07 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" set for corner;

THENCE South 00 deg 37 min 05 sec East, a distance of 69.50 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" set for corner, being situated in the northwest right-of-way line of aforementioned Greenville Avenue and being the beginning of a non-tangent curve to the left having a radius of 1,055.00, a central angle of 27 deg 34 min 33 sec, a chord bearing of South 48 deg 52 min 49 sec West and a chord length of 502.87 feet;

THENCE along said non-tangent curve to the left, an arc distance of 507.76 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 1.283 acres or 55,872 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 24th day of January, 2014, utilizing the City of Richardson Geodetic Control Monuments I-8 and H-7 (NAD 83 values).


TRACT 2 BEGINNING POINT OF
SCREENING LANDSCAPE 15,000 SF
SCREENING LANDSCAPE 5,800 SF
GARAGE ENTRANCE
OFFICE PARKING GARAGE 1,000P (5 1/2 L)
OFFICE PAD
OFFICE (OFFICE/MIXED USE) 15 STORY (300,000 SF)
GUEST PARKING
SIGN WITH LANDSCAPE 10,650 SF
MAIN ENTRANCE
SPECIALITY PAVING
ARCHITECTURAL FEATURE ELEMENT
ENTRY GARDEN 3,450 SF
COMMUNITY CENTRAL AREA 10,350 SF
LEASING & CLUB ON 1ST & 2ND FLOOR
POOL COURT 14,150 SF
4 STORY DWELLING UNIT
GREENVILLE AVE
IP-M(1) (OFFICE/ WAREHOUSING)
PD (RETAIL/OFFICE/MF)
ENTRY GARDEN 3,600 SF
ENTRY GARDEN 4,100 SF
MF PHASE II PARKING GARAGE 380P (4.5 L)
POOL COURT 8,950 SF
LANDSCAPE COURTYARD 10,000 SF
LANDSCAPE COURTYARD 10,100 SF
MF PHASE I PARKING GARAGE 450P (4.5 L)
LANDSCAPE COURTYARD 5,700 SF
ENTRY GARDEN 8,500 SF
ENTRY GARDEN 4,500 SF
50' STORM SEWER EASEMENT
GREEN AIR
TREE WELL
(16) INDIVIDUAL GARAGES ON 1ST FLOOR
(45) INDIVIDUAL GARAGES ON 1ST FLOOR
EMERGENCY KNOCK DOWN GATE
FENCE, METAL OR A SCREENING WALL CONSTRUCTED OF STUCCO OR OTHER MASONRY MATERIALS
TRACT 1 BEGINNING POINT OF
DART RAIL
SOUTHERN PACIFIC RAILROAD (100' right-of-way)
GREENVILLE AVENUE (STATE HIGHWAY 69)
ALMA ROAD
PD (UNDEVELOPED)
SECONDARY ENTRANCE
TRAIL EXTENSION
TRACT 3 BEGINNING POINT OF
VICINITY MAP
CAMPBELL RD
N COLLINS BLVD
GREENVILLE AVE
ALMA RD
GREENVILLE DR
SITE
PROJECT SUMMARY
ZONING: PLANNED DEVELOPEMENT DISTRICT
LOT AREA: 13.26 AC
BUILDING SQUARE FOOTAGE: OFFICE 309,000 SF; MULTI-FAMILY PH I 320,000 SF; MULTI-FAMILY PH II 265,000 SF
NUMBER OF MF UNITS: PHASE I 1 BD 207 UNITS; 2 BD 71 UNITS; SUBTOTAL 278 UNITS; PHASE II 1 BD 177 UNITS; 2 BD 53 UNITS; SUBTOTAL 230 UNITS; TOTALS 1 BD 384 UNITS; 2 BD 124 UNITS; # OF UNITS 508 UNITS
PARKING RATIO: OFFICE 1 SP PER 300 SF; RETAIL/RESTAURANT 1 SP PER 250 SF; MULTI-FAMILY 1.40 SP PER UNIT
PARKING PROVIDED: OFFICE GARAGE PARKING 1,000 SPACES; SURFACE PARKING 43 SPACES; TOTAL 1,043 SPACES; MULTI-FAMILY PH I GARAGE PARKING 550 SPACES; INDIVIDUAL GARAGE 15 SPACES; SURFACE PARKING 14 SPACES; SUB-TOTAL 579 SPACES; MULTI-FAMILY PH II GARAGE PARKING 380 SPACES; INDIVIDUAL GARAGE 16 SPACES; SURFACE PARKING 20 SPACES; SUB-TOTAL 416 SPACES; TOTAL MF GARAGE PARKING 930 SPACES; INDIVIDUAL GARAGE 31 SPACES; SURFACE PARKING 34 SPACES; TOTAL 995 SPACES
LANDSCAPE: % AND SQUAREFOOTAGE 22.93% 170,900 SF
F.A.R.: MAXIMUM FLOOR AREA RATIO 2.51
DENSITY: MULTI-FAMILY PH-1 # UNITS / DENSITY 53.88 UNITS / AC; MULTI-FAMILY PH-2 # UNITS / DENSITY 54.76 UNITS / AC; TOTAL # OF UNITS / DENSITY 54.28 UNITS / AC
B.OF COVERAGE: % AND SQUAREFOOTAGE 44.40% 298,550 SF
EAST SIDE PHASE TWO CONCEPTUAL SITE PLAN
RICHARDSON, TEXAS
Exhibit B - Part of Ordinance
BGO architects
13212
03.20.2014
HUNT COMPANIES

EAST SIDE PHASE TWO ELEVATION SAMPLES

RICHARDSON, TEXAS

Exhibit C - Part of Ordinance

BGO architects

13212
03.18.2014
HUNT COMPANIES

MEMO

DATE: **October 6, 2016**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 16-22**: **Massage Establishment – The Gift of Touch Massage Therapy – 1411 E Campbell Road**

REQUEST

George Owens of The Gift of Touch Massage Therapy is requesting approval of a Special Permit for a massage establishment that would occupy a lease space approximately 1,000 square feet in area within an existing multi-tenant building located at 1411 E. Campbell Road, the northeast quadrant of Campbell Road and Plano Road.

The applicant has provided massage services in the 24-Hour Fitness facility located at the northwest corner of N. Plano Road and E. Campbell Road for more than a decade, but is being displaced as a result of the facility's remodeling. The applicant is now looking to relocate to the subject site to remain in proximity to his client base.

BACKGROUND

In February 2016, the Comprehensive Zoning Ordinance (CZO) was amended to require approval of a Special Permit for massage and reflexology/foot spa establishments in all non-residential and non-apartment zoning districts. Prior to amendment of the CZO these uses were regulated as office uses similar to other medical and wellness related uses. City Council last approved a Special Permit for a massage establishment in July 2016 (i.e., Hawaii Thai Massage located in a multi-tenant retail shopping center on the south side of PGBT, between Custer Parkway and Alma Road).

The subject property is developed with two, one-story multi-tenant buildings comprising 72,000 square feet. Two existing tenants, a restaurant/bar and an office use together occupy about 6,650 square feet. The remainder of the buildings is vacant. A total of 299 parking spaces are provided on-site with only 283 spaces required. The proposed massage establishment would require four (4) parking spaces. Other than signage, which must comply with Chapter 18 (Sign Code) of the Code of Ordinances, no exterior modifications are proposed.

Surrounding development includes single family residential to the east (separated by masonry screening wall) and commercial development to the north, south and west.

Staff has received 68 letters in support of the request.

PLAN COMMISSION RECOMMENDATION

By a vote of 6-0, the Commission recommended approval of the request as described.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 2016-09-20
Staff Report
Zoning Map
Aerial Map
Zoning Exhibit (Exhibit "B")
Site Photo
Applicant's Statement
Notice of Public Hearing
Notification List
Correspondence

ZF 16-22 Special Conditions

1. A massage establishment shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the zoning exhibit attached as Exhibit "B" ("Zoning Exhibit") and made a part thereof.
2. The hours of operation shall be limited to 10:00 a.m. – 8:00 p.m. Monday-Thursday; and 10:00 a.m. - 6:00 p.m. Friday-Sunday.

DMNmedia

Remit Payments (with Acct Number) to: **The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040**

Order Confirmation

Customer:	CITY OF RICHARDSON	**Customer Account:**	100010162
Ad Order #:	0001558860	**PO Number:**	CPN 6088
Sales Rep:	Lynda Black	**Order Taker:**	Lynda Black

Net Amount:	$150.50	**Tax Amount:**	$0.00	**Total Amount:**	$150.50
Payment Method:	Check/Money Order	**Payment Amount:**	$0.00	**Amount Due:**	**$150.50**

Ad Order #: 0001558860

Ad Number: 0001558860-01

Color:

Ad Size: 1 X 65 li

APPROVED

By Aimee Nemer at 3:14 pm, Sep 21, 2016

Ad Content

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:00p.m. on Monday, October 10, 2016, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 16-21
A request by William S. Dahlstrom, representing Jackson Walker, L.L.P., to amend the PD Planned Development District for a mixed-use project by increasing the number of allowable apartment units for the property located at 1705-1735 N. Greenville Avenue (west side of Greenville Avenue, between Alma Road and Campbell Road). The property is currently zoned PD Planned Development.

ZF 16-22
A request by George Owen, representing The Gift of Touch Massage Therapy, for approval of a Special Permit for a massage establishment to be located at 1411 E. Campbell Road (north side of Campbell Road, east of Plano Road). The property is currently zoned LR-M(2) Local Retail.

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

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

CPN 6088 Pub. 09/23/2016

Run Dates				Product	Placement/Classification - Position
Publish Date:	09/23/2016	Stop Date:	09/23/2016	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date:	09/23/2016	Stop Date:	09/29/2016	DallasNews.com	Legals Bids Notices - LN Legal Notices

EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES –SEPTEMBER 20, 2016

PUBLIC HEARING

Zoning File 16-22 – Massage Establishment: Consider and take the necessary action on a request for approval of a Special Permit for a massage establishment. The property is zoned LR-M(2) Local Retail and located at 1411 E. Campbell Road on the north side of Campbell Road east of Plano Road.

Mr. Chavez noted that in February 2016 the City's Comprehensive Zoning Ordinance (CZO) was amended to require a Special Permit for all massage establishments, and since the applicant was being displaced by the remodeling of the 24 Hour Fitness facility, a Special Permit would be required for a new location.

Mr. Chavez stated the new location would occupy approximately 1,000 square feet located within the existing buildings at 1411 E. Campbell Road. He added that notices were sent to property owners within 200 feet of the site and staff had received 63 letters of support for the application.

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

Mr. George Owens and Ms. Ellen Horn, co-owners of The Gift of Touch Massage Therapy, 1375 E. Campbell Road, Richardson, Texas, stated they were being displaced because of the remodeling of the fitness facility and were trying to relocate their 20-year old business in a site that would be close to the majority of their clientele.

Mr. Owens explained that both he and Ms. Horn were licensed by the State of Texas as massage therapist as well as instructors in the art of massage therapy. He added that in addition to their business, they donate time to charitable events throughout the Richardson community.

Ms. Horn added they maintained the state requirements as set down by the Texas Department of Health Services and were certified members of the Associated Body and Massage Professionals organization.

Commissioner DePuy asked if there were plans to have signs along Campbell and Plano Roads. She also wanted to know if the space would be larger than what they currently have.

Mr. Owens replied the lease did call for a sign on the existing monument sign, but was not sure if there would be a sign above the business suite. He added they currently have 240 square feet and would be moving into approximately 1,000 square feet.

Commissioner Southard stated the Commission was interested in business succeeding and asked if closing their business for the transition would have an adverse affect and how long would they be closed.

Mr. Owens replied they should only be closed about 10 days if everything goes well.

Vice Chair Taylor asked about the days and hours of operation for the new location.

Mr. Owens said the new location would be open seven days per week from 10:00 a.m. to 8:00 p.m. to make themselves available to their clients who use the fitness facility and then like to have a massage after working out.

Mr. Chavez clarified the staff report had two special conditions and one pertained to the proposed hours for the massage business – Monday through Thursday 10:00 a.m. to 8:00 p.m. and 10:00 a.m. to 6:00 p.m. Friday through Sunday.

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

Commissioner Ferrell asked if the Special Permit would be specific to the business or the location.

Mr. Chavez replied that as currently written, the Special Permit was for the location or lease space.

Chairman Bright asked that if Mr. Owens' business left the location could another business come in and run the same type of business without asking for a Special Permit.

Mr. Chavez replied that was correct and noted that in the past the Commission had tied a Special Permit to an applicant.

Commissioner DePuy asked if there would be any adverse affect on the proposed business if the Special Permit was tied to the applicants.

Mr. Ownes replied their business and business name was registered with the State of Texas.

Mr. Chavez suggested the Commission could tie the Special Permit to Mr. Owens and if he were to sell his business, the new owner would have to come in and apply for a Special Permit.

Mr. Owens said he would not have a problem with tying the Special Permit to his name.

Commissioner Ferrell said he was alright with having the Special Permit associated with the location and if the City Council wanted to change that they could when the item was before them.

Motion: Commissioner Ferrell made a motion to recommend approval of Zoning File 16-22 as presented; second by Vice Chair Taylor. Motion approved 6-0.

Staff Report

TO: City Council

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

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

DATE: October 6, 2016

RE: **Zoning File 16-22**: Massage Establishment – The Gift of Touch Massage Therapy – 1411 E. Campbell Road

REQUEST:

Special Permit for a massage establishment which will occupy an approximate 1,000-square foot lease space within a 34,303 square foot multi-tenant building located at 1411 E. Campbell Road, the northeast quadrant of Campbell Road and Plano Road. (See applicant's statement for further explanation.)

APPLICANT / PROPERTY OWNER:

George Owen – The Gift of Touch Massage Therapy / Amanda Coupe – WC Campbell Business Center, LP Bob Reid – 190 @ Central LP

EXISTING DEVELOPMENT:

The site is developed with two (2) multi-tenant buildings totaling approximately 72,000 square feet.

ADJACENT ROADWAYS:

Plano Road: Six-lane divided arterial; 31,900 vehicles per day on all lanes, northbound and southbound, south of Campbell Road (2016).

Campbell Road: Six-lane, divided arterial; 29,550 vehicles per day on all lanes, eastbound and westbound, west of Plano Road (2016).

SURROUNDING LAND USE AND ZONING:

North: Retail/Commercial; R-1800-M Residential
South: Retail/Commercial; LR-M(2) Local Retail
East: Single Family; R-1500-M Residential
West: Retail/Commercial; I-M(1) Industrial

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 Residential
West: Neighborhood Service

EXISTING ZONING:

LR-M(2) Local Retail with special conditions per Ordinance Number 1010-A. The special conditions are related to screening and site plan approval, which are already in place.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

No significant impacts are expected on surrounding roadways or the existing utilities in the area.

STAFF COMMENTS:

Background:
The subject property was rezoned from R-1800-M Residential to LR-M(2) Local Retail in 1976 and was subsequently developed in 1985 with two (2) buildings for office and retail uses, and the 3-building shopping center located in front of the subject property was also developed. In 1993, a Special Permit was granted to allow a high-tech manufacturing facility (J.N.C. Enterprises and Mactronix) to locate on the subject property.

The subject property has experienced difficulty leasing and marketing the property due to its poor visibility. The current occupancy rate as of September of 2016 is approximately 10%. Previous multiple marketing efforts and cosmetic improvements have done nothing to increase leasing interest; furthermore, the buildings are obsolete for the existing retail zoning, but they are adaptable for other uses.

In 2013, the owner submitted a Special Permit request for a self-storage facility on the subject site which was ultimately withdrawn by the applicant in 2014. In 2015, the owner resubmitted a Special Permit request for a self-storage facility, which was ultimately denied by City Council.

In February of 2016, the Comprehensive Zoning Ordinance (CZO) was amended to require approval of a Special Permit for massage establishments in all non-residential and non-apartment Zoning Districts, including the addition of the following definitions to the CZO:

> *"Massage establishment" means a massage establishment as defined by Chapter 455, Texas Occupations Code of the State of Texas, as amended and shall include, but not be limited to, establishments known variously as massage parlors, foot spas, reflexology establishments, and salon suites, offering massage, massage therapy or other massage services.*

"Massage services, other" means other massage services as defined by Chapter 455, Texas Occupations Code of the State of Texas as amended.

"Massage therapy" means massage therapy as defined by Chapter 455, Texas Occupations Code of the State of Texas as amended.

To date, staff has identified at least forty-four (44) massage and/or reflexology/foot spa establishments operating in the City of Richardson. The newest massage establishment; Hawaii Thai Massage, located in a multi-tenant retail shopping center (south side of PGBT, between Custer Parkway and Alma Road), received approval of a Special Permit in July of 2016.

Request:
The applicant is requesting approval of a Special Permit for a massage establishment. The proposed establishment will occupy an approximate 1,000 square foot lease space within a 34,303 square foot multi-tenant building (Building 2). A detail description of the services provided by the massage establishment is attached. The proposed tenant currently provides services in the 24-Hour Fitness facility located at the northwest corner of N. Plano Road and E. Campbell Road. The applicant is being displaced as a result of 24-Hour Fitness' re-modeling; therefore, the applicant's need to relocate and desires to remain within close proximity of his client base.

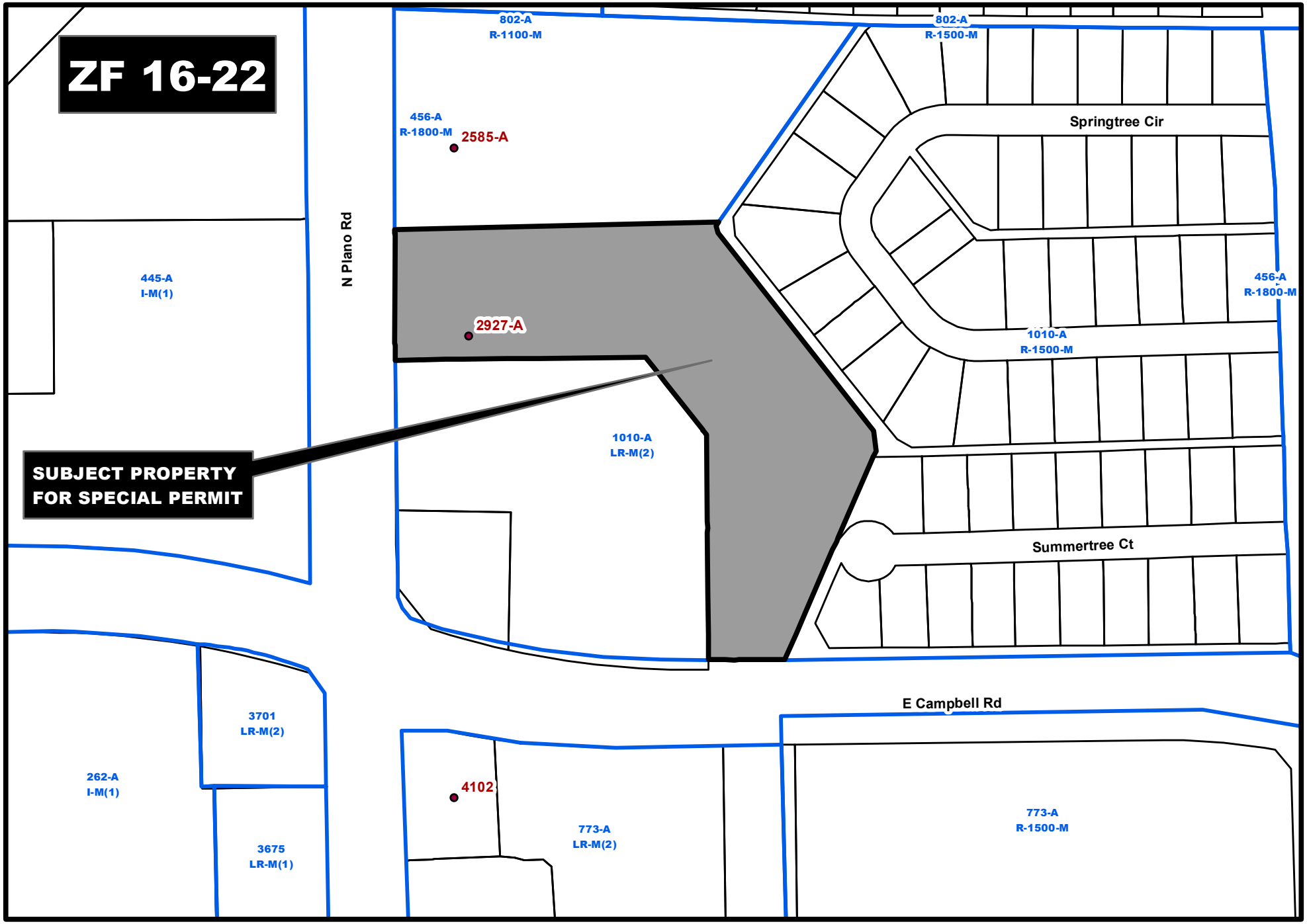
The area east of the subject site is predominately developed as residential, but screened by a minimum 6-foot high masonry screening wall. Property to the north, south and west are developed as non-residential. The subject property is developed as multi-use center and is only occupied by a 5,000 square foot restaurant/bar and 1,650 square feet of office. Access to the subject site is restricted to N. Plano Road and E. Campbell Road.

A total of 299 parking spaces are provided, while only 283 parking spaces are required, while the proposed use would require four (4) parking spaces. No exterior modifications are proposed, with the exception of signage which will be required to adhere to Chapter 18 (Sign Code) of the Code of Ordinances.

Correspondence: As of this date, numerous letters in support of the request have been received.

Motion: On September 20, 2016, the Commission recommended approval of the applicant's request on a vote of 6-0, subject to the following conditions:

1. A massage establishment shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the zoning exhibit attached as Exhibit "B" ("Zoning Exhibit") and made a part thereof.
2. The hours of operation shall be limited to 10:00 a.m. – 8:00 p.m. Monday-Thursday; and 10:00 a.m. - 6:00 p.m. Friday-Sunday.



ZF 16-22 Zoning Map

Updated By: shacklettc, Update Date: September 6, 2016
File: DS\Mapping\Cases\Z\2016\ZF1622\ZF1622 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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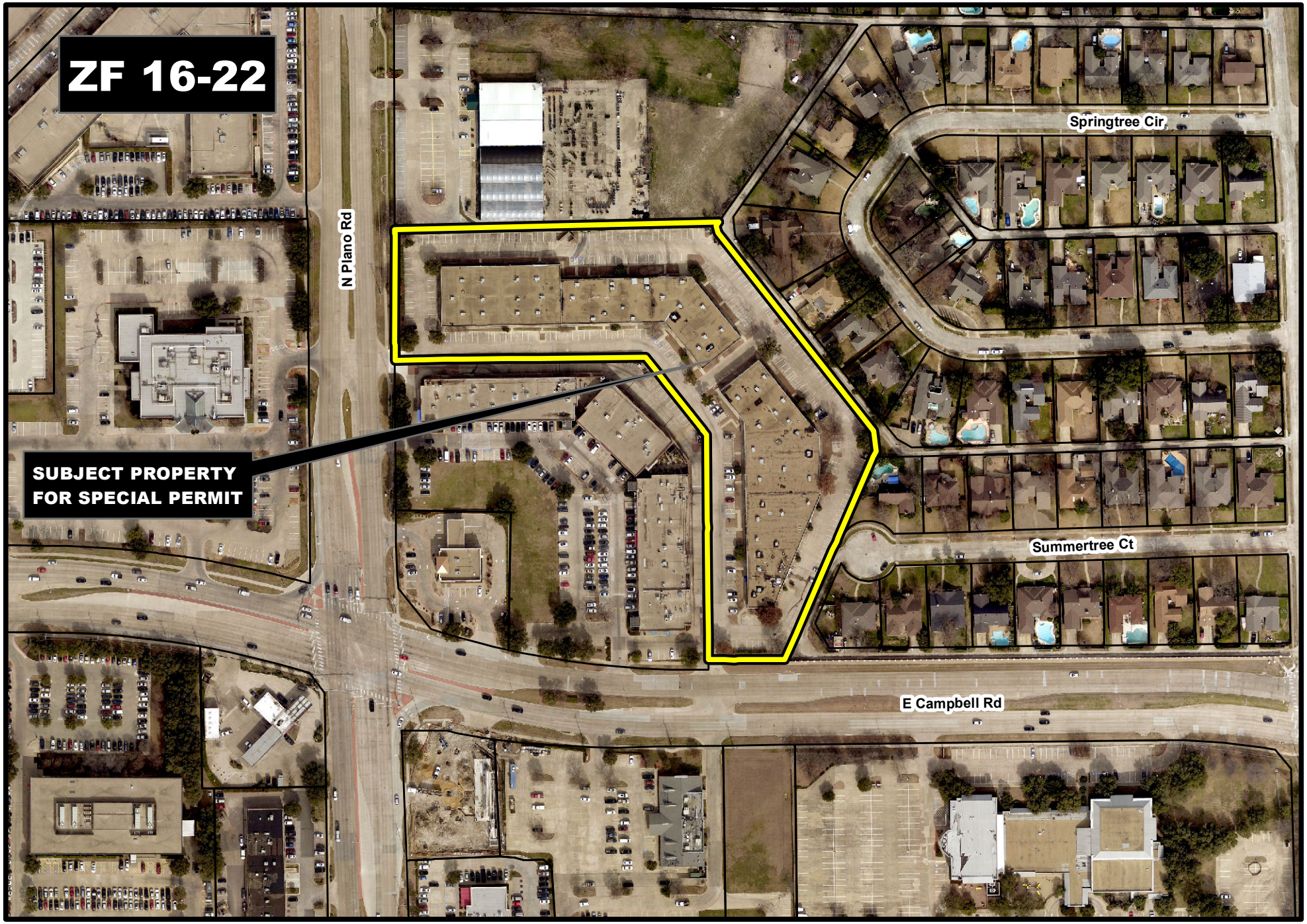

ZF 16-22 Aerial Map

Updated By: shacklettc, Update Date: September 6, 2016
File: DS\Mapping\Cases\Z\2016\ZF1622\ZF1622 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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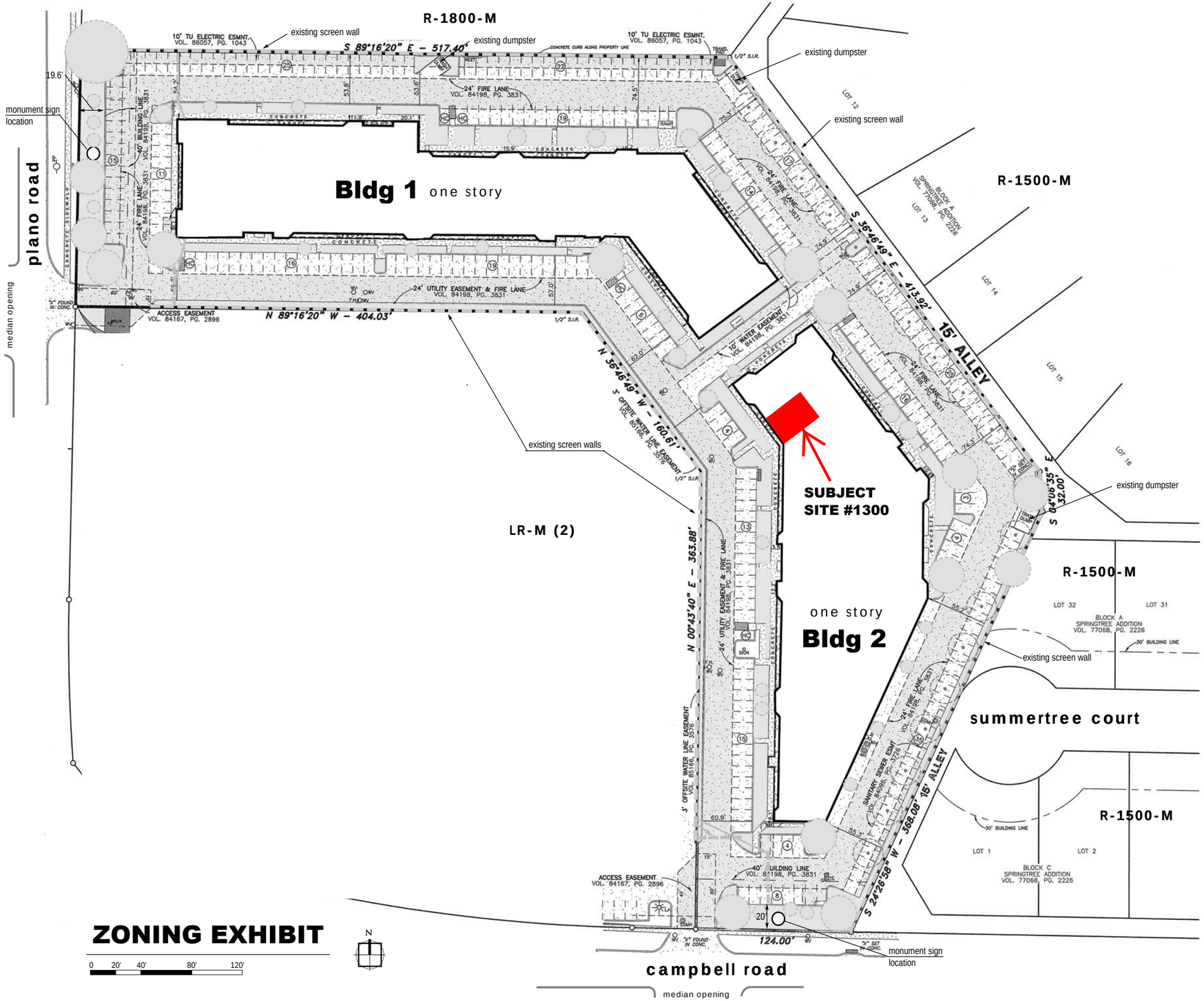
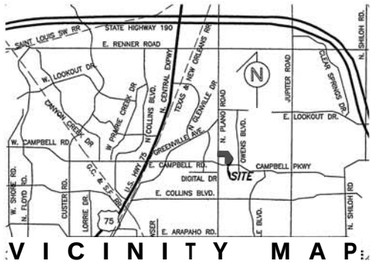


ZONING EXHIBIT

0 20' 40' 80' 120'



V I C I N I T Y M A P

SITE DATA

Existing Zoning: LR-M(2)
Proposed Zoning: LR-M(2) with Special Permit
Proposed Use: Massage Establishment

Lot Area: 5.31 acres / 231,304 s.f.
Building Area: Building 1 - 37,626 s.f.
Building 2 - 34,303 s.f.
Total - 71,929 s.f.

Allowed FAR: 0.5:1
Existing FAR: 0.31:1

Parking Required: 283
parking Provided: 299

Landscape Required: 7%
Landscape Provided: 12.4%

Exhibit "B"

Looking North across
Campbell Road

(7)

The Gift of Touch Massage Therapy
Ellen Horn and George Owen

To Members of the Zoning and Development and City Council Members

We are here to present our case for the zoning and city council to get the permits and required documents to be able to continue our business within the city of Richardson. We would like to thank you for allowing us to have this opportunity. The reason for the relocation is that the fitness club at 1375 E. Campbell Rd. will be remodeling and the new plans do not include rooms for massage therapy. We are trying to remain within close proximity of 1375 E. Campbell for the convenience of our existing clients.

We would like to introduce ourselves and what we do in our profession.
Ellen Horn has been a Licensed Massage Therapist since 1994 and a Licensed Massage Therapy Instructor since 2008 all in one location.

George Owen has been a Licensed Massage Therapist since 1996 and a Licensed Massage Therapist Instructor since 2008 all in one location. Both of us are certified members of the professional organization Associated Body and Massage Professionals and have certifications in many modalities of therapeutic massage which include:
Arthritis Massage, Chair Massage, Cranio- Sacral, Deep Tissue, Manual Lymph Drainage, Myofascial Release, Pre-Natal, Reflexology, Trigger Point, Somatic Emotional Release Therapy, and Swedish as well as other techniques.

With training and education of these techniques we have helped provide stress management ,and pain management as well as many other benefits. Throughout the 20 years at 1375 East Campbell Rd., we have provided therapeutic massage for thousands of clients also providing on-site chair massages for corporate offices and businesses in Richardson. Providing working opportunities for several other new massage therapists has been part of our business plan to better serve the community. The benefits of a therapeutic massage are as listed:

BENEFITS OF MASSAGE: SEE PAMPHLETE

HOURS OF OPERATION
MONDAY -THURSDAY 10 A.M. - 8 P.M.
FRIDAY-SUNDAY 10 A.M. - 6 P.M.

PHYSICAL ADDRESS
1411 E. CAMPBELL RD., SUITE 1300
RICHARDSON, TX 75081
Approx. sq. ft (806)

CONTACT INFORMATION
ELLEN HORN 469-231-3112
GEORGE OWEN 972-841-7494
E-MAIL: gowen4it@verizon.net

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 16-22 / Massage Establishment – The Gift of Touch Massage Therapy**
Property Owner:	**Amanda Coupe, WC Campbell Business Center, LP**
Applicant:	**George Owen, The Gift of Touch Massage Therapy**
Location:	1411 E Campbell Road, Suite 1300
Current Zoning:	LR-M(2) Local Retail
Request:	A request for approval of a Special Permit for a massage establishment in Suite 1300, an approximate 1,000 square foot lease space.

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

TUESDAY, SEPTEMBER 20, 2016
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.

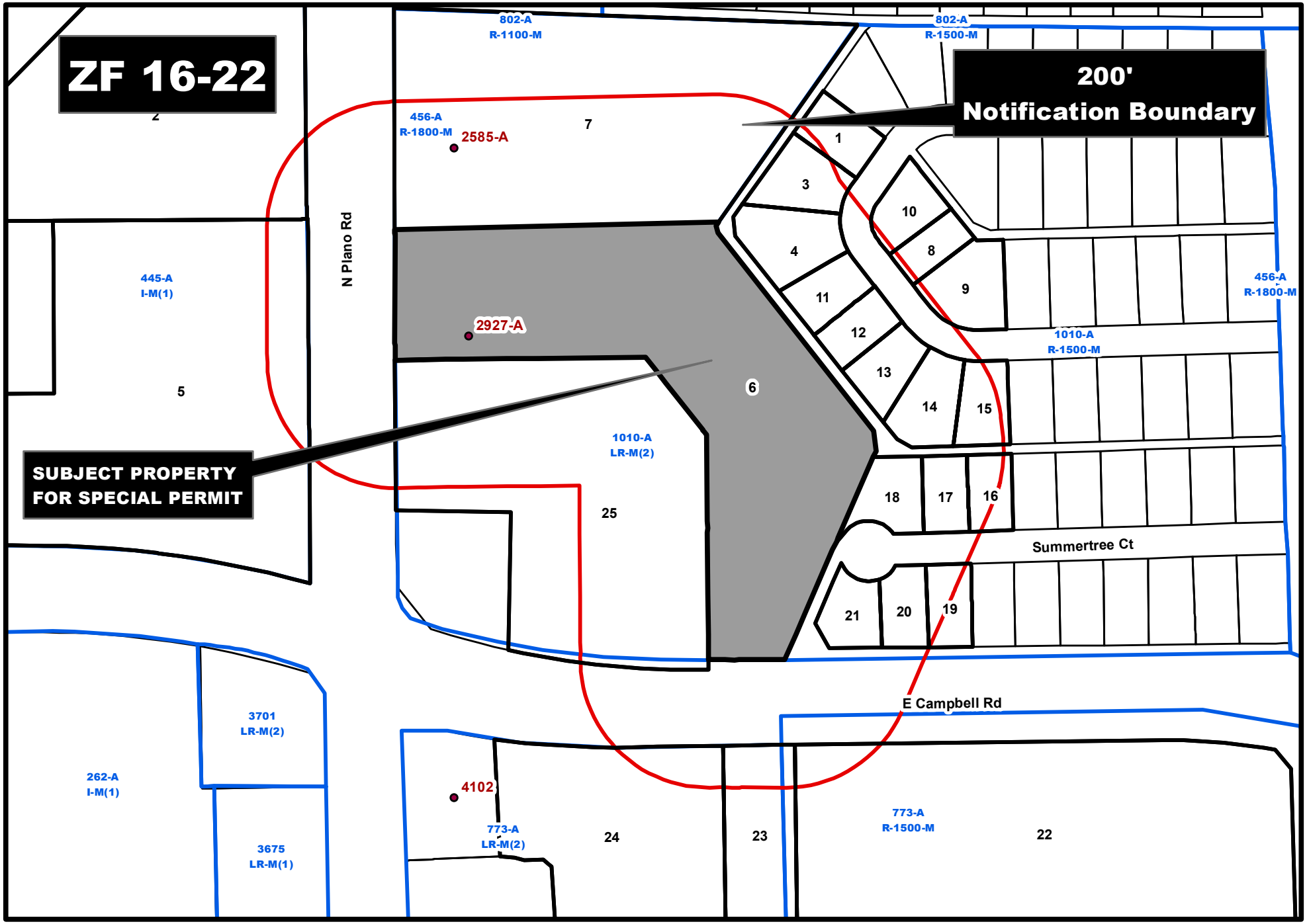
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 16-22

Date Posted and Mailed: 09/09/2016



ZF 16-22 Notification Map

Updated By: shacklettc, Update Date: September 6, 2016
File: DS\Mapping\Cases\Z\2016\ZF1622\ZF1622 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 MEDINA GENARO M & IRMA
1527 SPRINGTREE CIR
RICHARDSON, TX 750824723

2 FOUNDRY CAMPBELL LP
% FOUNDRY COMMERCIAL LLC
420 S ORANGE AVE STE 950
ORLANDO, FL 328014904

3 TURCIOS BERNARDO
2014 OAKWOOD DR
RICHARDSON, TX 750824614

4 MEULMAN JOHN MARK &
WINDSOR MARY G
1523 SPRINGTREE CIR
RICHARDSON, TX 750824723

5 CRICQ RICHARDSON TRUST
DBA CRICQ RICHARDSON LLC
29 COMMONWEALTH AVE STE 801
BOSTON, MA 021162396

6 WC CAMPBELL BUSINESS CENTER
401 CONGRESS AVE FL 33
AUSTIN, TX 787013792

7 CALLOWAYS NURSERY INC
PO BOX 1688
COLLEYVILLE, TX 760341688

8 BELL BRUCE
1514 SPRINGTREE CIR
RICHARDSON, TX 750824724

9 LACLETTE FERNANDO
1512 SPRINGTREE CIR
RICHARDSON, TX 750824724

10 DEAN RICHARD J &
SONJA S HILL
1516 SPRINGTREE CIR
RICHARDSON, TX 750824724

11 SCHAER ROLAND
1521 SPRINGTREE CIR
RICHARDSON, TX 750824723

12 SNUGGS EDGAR EUGENE III &
KRISTA A
1519 SPRINGTREE CIR
RICHARDSON, TX 750824723

13 LINCON JOSE &
LINCON RAQUEL M
1517 SPRINGTREE CIR
RICHARDSON, TX 750824723

14 HEGG TERRY
1515 SPRINGTREE CIR
RICHARDSON, TX 750824723

15 SNOOK DANA L & DANIEL R
1513 SPRINGTREE CIR
RICHARDSON, TX 750824723

16 BRYANT LUCIA CHILDRESS
1505 SUMMERTREE CT
RICHARDSON, TX 750824721

17 SHAW GERALDINE
1503 SUMMERTREE CT
RICHARDSON, TX 750824721

18 EDMONSON ERIK N &
SHERRIE F SPANGLER
PO BOX 850033
RICHARDSON, TX 750850033

19 BERNAL ANNABELLE
1504 SUMMERTREE CT
RICHARDSON, TX 750824722

20 THOMPSON HANNAH S
1502 SUMMERTREE CT
RICHARDSON, TX 750824722

21 HERRERA MARINA LISETH &
AMILCAR BLADIMIR JR
1500 SUMMERTREE CT
RICHARDSON, TX 750824722

22 RICHARDSON EAST CHURCH OF CHRIST
1504 E CAMPBELL RD
RICHARDSON, TX 750811941

23 ST PHILOPATEER COPTIC
ORTHODOX CHURCH OF DALLAS
1450 E CAMPBELL RD
RICHARDSON, TX 750811939

24 NOCERA GERALDINE C REVOCABLE LIVING TRUST
2275 RABBIT HOLLOWE CIR
DELRAY BEACH, FL 334456693

25 LUCKY PLAZA LP
CORNER REAL ESTATE SERVICES
4300 N CENTRAL EXPY
DALLAS, TX 752066532

THE GIFT OF TOUCH MASSAGE THERAPY
GEORGE OWEN
2081 SHERWOOD DR
GARLAND, TX 75041

68 Letters IN SUPPORT

September 11, 2016

Mr. Chavez and Mr. Solomon,

At the 24Hr. Fitness Campbell & Plano Rd. location where I have had massage for many years now (dating back to the days when it was the Q), my therapy has been superb treatment every time. Some accidents and injuries beyond good maintenance (promoting circulation that my body needs with diabetes and rheumatoid arthritis) have been tailored to each situation.

Now I heard THE GIFT OF TOUCH spot will not be included in the re-model of our 24Hr. fitness, but that there is a location just across Plano Rd. that will be available for a move. Please approve the zoning request that is required for them.

Thank you.
Lelia Lauderdale
2807 Foxcreek Drive
Richardson, TX 75082
972-690-0542
972-333-1482
ljhlauderdale@yahoo.com

To the Richardson city council and zoning commission,

My husband, Brett Puccio and myself have lived in Richardson since 1998. In this time we have lived at 7 Insight Place and raised two sons. Brett Jr. And Julian. In this time we have all come to know and love using George as a resource for all of our sports therapy and therapeutic needs. His business within the gym(24 hour fitness) has been of great convenience to us. I have suffered from knee injury which later required surgery and also with plantar faciitis. My sons and husband with multiple sports injuries have also utilized his abilities with rehab. I have also solicited his business to many others with positive results.
I am not happy with the way the 24 hour fitness handed him a 30 day notice of having to move. This business had been a great asset to the community.
This letter is in support of keeping George and business within this community. Many residents trust in him and is very reputable business.
We wish to keep him within this community. Please make this a convenient and quick as possible as to keep his company in business within this area.
I understand the ordinances policies are set to keep Richardson a safe place to live but it shouldn't take so long as to put them out of business.
Thank you.
Sincerely,

Jelena Puccio

Hello-
I am writing on behalf of George and Ellen who own The Gift of Touch Massage. Please approve their special use permit so that they can open their new location on Campbell Rd.

I have known them both for several years and they are skilled professionals and excellent members of the Richardson business community. I met them through 24 Hour Fitness and liked George and Ellen so much they I have had them provide chair massages at my company several times per year. Our employees love it!

We are lucky that they want to keep their business in our city and I hope that you will do what you can to support them.
Thank you for your time and consideration,
Lindsey Murphy
516 Salem
Richardson, TX 75080

Good Morning,
I would like to take this opportunity to recommend "The Gift of Touch" Massage Therapy to receive a City of Richardson Permit to operate a business at 1411 E. Campbell Rd. Suite 1300 Richardson, TX. 75081. I have been a customer of George since 2010 and have a great deal of respect for him as a business owner. We need more small business owners such as this, and his business will be an excellent addition to the city of Richardson!

Respectfully,

Robert Wade
972-854-2777

Bobwade@johnpauliihs.org

9/16

To whom it may concern

I highly recommend George Owen as not only an excellent massage therapist but a warm and kind soul. A professional business man with integrity. !

See you soon.

Carol Rasheta

Rasheta
3114 Robin Hill Ln.
Garland, TX 75044

Cell # 214-926-6620

From: dave sorrell <frann910@att.net>
To: gowen4it <gowen4it@verizon.net>
Subject: The Gift of Touch Massage Therapy
Date: Tue, Sep 13, 2016 10:38 am

> On Sep 13, 2016, at 10:06 AM, MAILER-DAEMON@yahoo.com wrote:
>
>
> To whom it may concern:
>
> I would like to request the zoning change for The Gift of Touch Massage =
> Therapy. This place has been in this area for=20
> the past 20 years and is frequented by many. it is needed as there is =
> no other place like it anywhere around. They do great work here and =
> it=E2=80=99s all about helping
> people.
> Thanks,
> Francene Sorrell=

JOHN PEREZ
Graphics & Design LLC

September 12, 2016

City of Richardson City Council & Zoning Committee
1702 N. Collins Blvd., #207
Richardson, TX 75080

RE: The Gift of Touch Massage

Dear Sirs and Madams,

As 20+ year Richardson residents and business owners, it is with great pleasure that we provide this letter of recommendation for George Owens, Ellen Horn and their business, The Gift of Touch Massage.

For over four years, their business has provided professional massage treatment for our company and employees for the aches and pains that come with long days of computer related work. We are very fortunate to have this beneficial resource to improve the quality of life for ourselves and employees.

In addition to their high standard of business operations, personally, they are two of the most honest and ethical people you'll meet and would be a great asset as a City of Richardson business owners.

Very truly yours,

John Perez Melissa Perez

John & Melissa Perez

JP/ms

1723 Analog Drive ◆ Richardson, TX 75081 ◆ Ph. 972.231.7776 ◆ Fx. 972.479.1905 ◆ www.geoart.com

September 12, 2016

To Whom It May Concern:

This is a letter of support for The Gift of Touch Massage Therapy. I am a Personal Trainer employed by 24 Hour Fitness. I have known George and Ellen since I started work at this location in November of 2012.

They both have an amazing talent and gift of relaxation, pain relief and knowledge of the muscles and how to improve on the daily functions of the body. They have a wide variety of clientele who are loyal and consistent. I can speak from experience as to my own massage appointments I have had with them.

George and Ellen are extremely professional, organized and skilled in their expertise. I gladly support and recommend them for the new location they are seeking to do business. I wish them well and much continued success.

Please feel free to contact me either by cell phone (214) 476-9627 or email at amylrichardson@hotmail.com if you have questions.

Thank you,

Amy Richardson

Amy Richardson
Personal Trainer 24 Hour Fitness

Achievement Center of Texas

2950 North Shiloh Road, Garland, Texas, 75044

Special Needs... Our Specialty!

September 12, 2016

The Honorable Paul Voelker, Mayor
& City Council
City of Richardson
411 West Arapaho Road
Richardson, Texas 75080

Dear Mayor Voelker and City Council,

I have been using the services of The Gift of Touch Massage Therapy, for many years. I am the Executive Director of the Achievement Center of Texas, a training center for children and adults with special needs. While my job is very rewarding, and I am still loving what I do after 29 and a half years, it can be very stressful on this aging 71 year old body and so I am writing to express the importance of having this wonderful place to come to monthly, if not more, to help ease the pain or stretch out tight muscles so that I can continue providing the services for 130 very special people who range in age from 3 years old to 74 years old Monday through Friday year round. I have known George Owen for 15 plus years, and it is important to me to be confident that the person who does my massages is qualified and familiar with my body, my stress areas and my painful aging bones and muscles.

I understand that The Gift of Touch therapists are needing to move their business to a new location due to the renovation of the 24 Hour Fitness Center to add a basketball court or expand their services. I am writing to you to request that you approve the Special Use Permit for George Owen and The Gift of Touch therapists so that they can relocate the business to a new building in the same vicinity as the previous one.

While my home address is 5822 Jester Drive Garland, Texas, I am in the Richardson School District and pay Richardson ISD taxes. I hope that qualifies me to make this request. I know that The Gift of Touch serves people from all over North Texas. My daughter from Denton, my daughter-in-law from McKinney, my son from McKinney, and quite a few of my friends from all over the metroplex use them as well. I sincerely hope that you will see fit to grant the SUP for George Owen and his therapists to continue to serve people needing these services. I would deeply appreciate your kind consideration of this request.

Respectfully,

Marilynne Serie

Marilynne Serie
Executive Director

972 414 7700 ph. www.achievementcenteroftexas.org 972 414 5500 fax

Facebook.com/achieve1977 mserie@act77.org Twitter.com/acoftx

Ora Ellis
5826 Jester Drive
Garland, Texas 75044

September 10, 2016

Richardson City Council,

Please allow George Owen to move his business to a new location near the old one. I have used George and the therapists there for well over 12 years. I have heard they need to move the business out of 24-Hour Fitness and that they have found a location close by, but need your approval to relocate. It is important to me to have them close to me as I do not drive and have to take Uber or ride with my friend. Please allow them to move to the new location near to where the old one is currently located, so that I can continue to use their services. George and Helen are excellent therapists and their service is greatly needed.

I trust you will vote favorably so that my friend and I can continue to use the services of The Gift of Touch massage therapy.

Sincerely,

Ora Ellis

I worked
George Owen for a
number of years at his
office place at
24 Hour Fitness.
I think I can
vouch for his
professional ethics
as a massage
therapist from
what I have seen
at those studio
place of his place of
work at that office.

My name is
Joan Pask
822 Loganwood Ave.
Richardson, Texas
75080
I am retired and my
phone number is
972-235-9956 *
and I am a current
member of 24 Hours
Fitness.
* if you call, please
leave a message

9/12/16

City Council,

I have used the massage business, "Gift of touch" for several years.

And I have several arthritic issues that need to be addressed and a "Gift of touch" is medically necessary for me.

Laurie Johnsrud
714 403-1666 - cell
LaurieJohnsrud@gmail.com

JUNO Message Center

From: Ruthie Matthews <ruthietx@me.com>

To: Ellen Horn <evp-horn@juno.com>

Sent: Sat, Sep 10, 2016 07:58 PM

Subject: Campbell Business Center

To Richardson Zoning Commission and Richardson City Counsel,

My husband and I moved to Richardson in 1984 and raised our children here. We like to do business in Richardson and eat at Richardson restaurants to support our city. I have been a customer of Gift of Touch Massage Therapy for many years. I have been helped greatly through regular therapy. The employees are professional and friendly. They have a good reputation and are an asset to Richardson. I hope and recommend that you approve their request for a zoning change for the suite at Campbell Business Center. It would be very helpful to them to be so close to their former location. It would also be a good business for the Campbell Business Center to have in that location. Hopefully they will draw more businesses to that location. Gift of Touch will definitely bring more traffic to the center.

Thank you for considering my request,
Ruth Matthews
2664 Aster Dr.
Richardson, TX 75082
214-212-6015

9.12.16.

To whom it may Concern

please allow Gift of touch..

To operate at new location of
1411 E. Campbell Rd. Suite 1300
Richardson, tx 75081

I've been receiving

massages with them for
10 years and would sorely
miss them Elaine Fischman

DESIGN'S ETC@yahoo 972-679-3606

To: City of Richardson, TX

From: Susan Thompson

Re: George Owen
The Gift of Touch Massage Therapy

Date: September 12, 2016

I belong to 24-Hour Fitness on Campbell Road, where George and Ellen currently have an office. I've gone to George for massages for years, and occasionally used Ellen. They are both credentialed in different types of massage, and are very professional in their business and their professional demeanor. George continues to take classes and stays updated on different techniques and health matters.

I wholehearted support their business. I'm sad to see them leave 24-Hour Fitness but know they will be successful in their new location.

There are many "Reflexology and Massage" offices opening in Richardson, Plano, and other suburbs. I've been to three different ones for a one-time visit each. There were no personal certifications for the technicians in these locations that I could see -- just a license to operate. Reflexology was simply foot rubbing, as was the "massage" (obviously why these places are so inexpensive). I don't go to these places anymore and I advise my friends to save their money and go to a professional like George and Ellen.

I would be happy to answer any questions regarding my experience with The Gift of Touch. My number is 972-530-6729.

Susan Thompson

September, 1, 2016

Richardson City Council

RE: Gift of Touch Massage

I would encourage the council to accept the application submitted by George Owen for the Gift of Touch Massage office in Richardson.

I have been a customer of George for many years. He runs a good business and has been a tenant of that building since it was the Q Sports Club.

Gift of Touch is an asset to the community and is supported by the community.

If you have any questions, please let me know.

Regards,

Peter Gong
221 Sheila Ave
Murphy, TX 75094
972-898-2166

September 11, 2016

To: City Council of Richardson, TX
Zoning Board of Richardson, TX

To Whom it Might Concern:

I wish to ask you to grant approval for a special use permit for The Gift of Touch to relocate to 1411 E Campbell Road, Suite 1300, Richardson TX 75081 from its present location in the 24 Hour Fitness, 1375 E Campbell Road, Richardson TX 75081. Mr. George Owen and associates have been at the 24 Hour Fitness location for 20 years and have proven to conduct a reputable and important service during this time. I personally have been a client all this time and can testify how much their services have helped me over the years with my aches and pains!

Please consider keeping their business in this neighborhood.

Thank you.

Bettye Haynes

Bettye Haynes
213 Kingsbridge Drive
Garland TX 75040
972-414-4811
bhaynes6@verizon.net

From: LeliaL <ljhlauderdale@yahoo.com>
To: mark.solomon <mark.solomon@cor.gov>; sam.chavez <sam.chavez@cor.gov>
Cc: gowen4it <gowen4it@verizon.net>
Subject: THE GIFT OF TOUCH MASSAGE THERAPY
Date: Sun, Sep 11, 2016 8:44 pm

September 11, 2016

Mr. Chavez and Mr. Solomon,

At the 24Hr. Fitness Campbell & Plano Rd. location where I have had massage for many years now (dating back to the days when it was the Q), my therapy has been superb treatment every time. Some accidents and injuries beyond good maintenance (promoting circulation that my body needs with diabetes and rheumatoid arthritis) have been tailored to each situation.

Now I heard THE GIFT OF TOUCH spot will not be included in the re-model of our 24Hr. fitness, but that there is a location just across Plano Rd. that will be available for a move. Please approve the zoning request that is required for them.

Thank you.
Lelia Lauderdale
2807 Foxcreek Drive
Richardson, TX 75082
972-690-0542
972-333-1482
ljhlauderdale@yahoo.com

From: stephstew11 <stephstew11@yahoo.com>
To: gowen4it <gowen4it@verizon.net>
Subject: City Council of Richardson, Texas
Date: Sun, Sep 11, 2016 1:16 pm

I'm writing this letter in response to The Gift of Touch Massage currently located inside the 24 hr fitness at Campbell and Plano. Ellen Horn and George Owen are losing the massage space at the end of the month and are being forced to find a suitable location to continue providing massage to their clients . I know these two massage therapist do fantastic work . I'm asking the council to please approve the zoning and permit for this business to move to location 1411 E. Campbell Rd.

Sincerely, Stephanie Stewart

972-816-2743
Sent via the Samsung GALAXY S®4, an AT&T 4G LTE smartphone

From: Pam Deahl <pamdeahl@hotmail.com>
To: steve.mitchell <steve.mitchell@cor.gov>
Cc: mark.solomon <mark.solomon@cor.gov>; gowen4it <gowen4it@verizon.net>
Subject: The Gift of Touch Massage Therapy
Date: Sat, Sep 10, 2016 4:07 pm

Hello Steve,
Hope you and Karen are well! Haven't run into you at the gym lately. Too busy to run these days? ☺

I am writing to request a favor of you to pass on a good word to the zoning committee regarding a small business in Richardson. George Owen is the owner of The Gift of Touch Massage Therapy which has leased space within the 24 Hour Fitness at Plano Road for many years. Due to an upcoming remodel by 24 Hour, George is relocating his business across the street to 1411 E. Campbell Road, Suite 1300. He shared with me today that he is waiting on official approval and such from the zoning committee before he can move in and begin operating in this new space. He is scheduled to go before the board within the next week or two.

I have been a client of George's for at least three years and Charles has seen one of his other therapists on occasion. I simply wanted to vouch for their professionally run massage therapy business. George and his staff offer quality services to the community and would be a great asset to have in Richardson as a small business owner.

I'm sure this is outside your scope of responsibilities and I also understand this business will reside in Mark Solomon's district. I just knew I could count on you to pass this along to the appropriate parties. Thanks in advance for your time and consideration of this matter.

And thank you for ALL your years of service to the city. You rock!

Sincerely,
Pam Deahl
1314 Comanche Dr.
Richardson

September 1, 2016

RICHARDSON CITY COUNCIL

MARK SOLOMON|PO BOX 830309|RICHARDSON, TX|
75083-0309 C/O GEORGE OWEN, BS, LMT, LMTI

DEAR COUNCIL MEMBERS:

DUE TO THE RENOVATION THAT IS TO ENSUE AT 24 HOUR FITNESS AT THE CAMPBELL ROAD/PLANO ROAD LOCATION, THE GIFT OF TOUCH'S SPACE FOR MASSAGE THERAPY, OPERATED BY GEORGE WADE AND ELLEN HORN, WILL BE ELIMINATED.

I HAVE BEEN A MEMBER OF THIS GYM/CLUB SINCE IT OPENED IN THE LATE 1990S. ONE REASON I JOINED THIS CLUB IS BECAUSE IT HAD A MASSAGE THERAPY DEPARTMENT WITH LISCENCED THERAPISTS.

I BELIEVE MASSAGE HAS A SYNERGISTIC EFFECT WITH BODY AND MIND WELLNESS AND I HAVE BENEFITTED FROM ELLEN'S THERAPY FOR NEARLY 20 YEARS. I HAVE MADE MANY REFERRALS TO ELLEN AND GEORGE OVER THE YEARS. LIKE ME, MY REFERRALS HAVE BEEN VERY HAPPY WITH THE CARE THEY RECEIVED. I AM HAPPY TO HEAR ELLEN IS NOT LEAVING THE PROFESSION DUE TO THE NEW CIRCUMSTANCES.

GEORGE AND ELLEN HAVE FOUND AN OFFICE SPACE VERY NEAR THE GYM ON THE NORTHEAST CORNER OF CAMPBELL AND PLANO ROADS; IT IS THAT SPACE YOU ARE CONSIDERING FOR REZONING. PLEASE DO SO. THE LOCATION IS CONVENIENT TO GYM MEMBERS AND WILL ALLOW US ALL TO CONTINUE OUR FITNESS PLANS.

THANK YOU AND PLEASE GRANT THE CHANGE FOR THE GIFT OF TOUCH

SINCERELY,

Ann E Goar

ANN GOAR

2668 PRIMROSE DRIVE | RICHARDSON, TX | 75082-3406 | 972-699-1752

September 1, 2016

510 Thunderbrook Rd.

Garland, Texas 75044

To Whom It May Concern:

The Gift of Touch Massage Therapy has provided quality health care service for my husband and I for many years at its current location at 24 Hour Fitness. We were saddened to hear that they needed to find a new business location but were thrilled that they have found a new location so close by.

Nick and I know that George and Ellen will be asset to the business mix on Campbell Rd. and we look forward to continued professional and therapeutic health care at their new location.

Sincerely,

Debbie Lightner

Debbie Lightner

Hello-
I am writing on behalf of George and Ellen who own The Gift of Touch Massage. Please approve their special use permit so that they can open their new location on Campbell Rd.

I have known them both for several years and they are skilled professionals and excellent members of the Richardson business community. I met them through 24 Hour Fitness and liked George and Ellen so much they I have had them provide chair massages at my company several times per year. Our employees love it!

We are lucky that they want to keep their business in our city and I hope that you will do what you can to support them.
Thank you for your time and consideration,

Lindsey Murphy

Lindsey Murphy

September 10, 2016

Sam Chavez
Richardson Zoning Board of Adjustment

RE: File No./Name: ZF16-22 / Massage Establishment – The Gift of Touch Massage Therapy
Property Owner: Amanda Coupe, WC Campbell Business Center, LP
Applicant: George Owen, The Gift of Touch Massage Therapy
Location: 1411 E. Campbell Road, Suite 1300

Dear Mr. Chavez:

My husband and I have been members of the 24 Hour Fitness Club at 1375 E. Campbell Road in Richardson, TX, for more than 15 years. We have known George Owen and Ellen Horn for most of that time. Both Dick and I have enjoyed massage therapy given by these fine therapists.

Their work is completed in a clean, serene environment in a very competent, professional manner. We have recommended massages by George and Ellen to many of our friends. We have given Christmas and birthday massage therapy gift cards so that friends and family can enjoy the peaceful effects of George and Ellen's licensed therapeutic care.

Dick and I support a change in the zoning of the property at 1411 E. Campbell Road so that The Gift of Touch Massage Therapy business can be established there. We plan to continue to avail ourselves of the varied massage therapies offered by these talented individuals.

Sincerely,

Barbara M. Taylor

and

Richard E. Taylor

2015 Brandeis Drive
(University Estates North)
Richardson, TX 75082

August 30, 2016

To: City Council of Richardson, Texas

This letter is in support of The Gift of Touch. George Owen and Ellen Horn

I have worked with these folks for the last few years. Presently, their location is in the 24 Hour Fitness Facility at 1375 E Campbell Road in Richardson. They are trying to sign a contract and move to 1411 E Campbell Road, Suite 1300 in Richardson. They have many clients from 24 Hour Fitness and are trying to stay close to previous location to make it easier for their clients.

The Gift of Touch may do relaxing massages or therapeutic massages. I've been on the receiving end of both. I believe they do wonderful work. I am sure they will be an asset to the community.

I hope you will grant the necessary special permit for massage therapy so they may move their office.

Sincerely,

Dorothy McKearin

Dorthy McKearin

August 30, 2016

City Council of Richardson

Richardson, Texas 75080

It would be of great benefit to the city if George and Ellen could open their business in Richardson on East Campbell Road. I have known George for many years as a member of 24 Hour Fitness. George would be an asset to our East Richardson community as he has always remained professional, positive, friendly, reliable, trustworthy and respectful. These qualities make for an exceptional business for our community.

I strongly support this business venture.

Thank you,

Rita Parrish

1606 Aurora Dr.

Richardson, Texas 75081

Aug. 31, 2016

The Richardson City Council:

I have been a resident of Richardson, Tx for over 20 years and a client of the Gift of Touch Massage Therapy run by Ellen Horn and George Owen for at least 15 years.

They have always run an ethical business and they absolutely should be granted this special use permit for the 75081 zip code. I hope to be able to have massage therapy at their new location. Please grant this permit as soon as possible.

Sincerely,

Mary C. Totaro
3414 Mapleleaf Lane
Richardson, Tx 75082
(972) 699-7244

September 1, 2016

Mark Solomon
City Council, Place 2
P.O. Box 830309
Richardson, Texas 75083-0309

Dear Mr. Solomon,

My husband, Ed, and I have been clients of The Gift of Touch for many years. We have had massages from both Ellen Horn and George Owen and have been exceptionally pleased with their services. They are very responsive to requests for appointments and seem to find time whenever we need their assistance. We started using The Gift of Touch because Ellen and George were available after we got home from work. It was convenient and we found that we really liked their work. Massages have helped us with back and leg pain and it feels good. We like this much better than taking pills that make us feel tired.

We think that George and Ellen have a valuable service to offer through their business, "The Gift of Touch". It is too bad they have to move their business because their current location within the 24 Hour Center is very convenient for both them and their clientele. We think that their moving just across the street is a move that will enable them to continue to keep their existing customers as well as attract new clients.

We approve of their business being moved from their current location at the 24-Hour Fitness on Campbell and Plano Roads across the street and look forward to continuing our relationship with them. It would be our desire that this move be approved by the city as soon as possible.

Sincerely,

Ed Murray & Kay Murray

Ed and Kay Murray
1111 Eton Drive
Richardson, Texas 75080

GEORGE S. McKEARIN

Attorney • Mediator

1901 N. Central Expwy., Ste. 200
Richardson, TX 75080

(972) 889-3825
FAX (972) 889-3827
gsmmed1@airmail.net

September 1, 2016

Richardson City Council
Richardson, Texas

RE: George Owen and Ellen Horn, The Gift of Touch

Dear Councilmembers:

I have known George Owen and Ellen Horn for several years where they've been working at the 24 Hour Fitness facility at 1375 E. Campbell Road in Richardson, Texas. It is my understanding that the facility is undergoing renovation and they will not be included in the newly renovated facility. Because of this they are wanting to sign a lease and move their practice to 1411 E. Campbell Road, Suite 1300 in Richardson.

Many of their current clients at 24 Hour Fitness are wanting to continue to use them and the closeness of the new location to 24 Hour Fitness is attractive to them.

It is my understanding that is necessary for the Richardson City Council to grant them a special permit so that they may practice massage at this new location. I am in hopes that you will do so.

Very truly yours,

George S. McKearin

September 1, 2016

Dear Council Members,

I am writing in reference to the zoning change request submitted by The Gift of Touch.

I have been a member of 24 Hour Fitness at Campbell and Plano Roads almost since its grand opening as The Q about 20 years ago. Massage services by licensed professionals have always been offered at that location but an upcoming renovation will terminate that arrangement. That comes as quite a surprise given the nature of a fitness business and the steady stream of customers that visit the massage department daily.

I have been a regular client of Ellen Horn and George Owen, both licensed massage therapists, for about 20 years. As a golfer, snow skier and regular exerciser I have used massage therapy as part of my wellness/fitness plan. As a Medical Technologist I have worked 35 years in a clinical laboratory either on my feet or with my head bent over a microscope for 10 hour shifts. Repetitive trauma issues are just part of the game and I have used massage therapy as an adjunct to chiropractic care and physical therapy to aid in the healing of inflamed joints and soft tissue traumas.

I have referred several friends to The Gift of Touch and they have become regular clients as well. Ellen Horn and George Owen have established a large, thriving and growing practice. Thousands of individuals have received care from them over the many years they operated out of 24 Hour Fitness. They have been given very short notice to move out and it is imperative that they re-establish their practice in an area very close to the gym so as to best accommodate their large clientele.

I am strongly in favor of the zoning change required for them to lease their new space and urge the Council to approve their application without delay.

Sincerely,

Lauren T Hames

Lauren T. Hames
2668 Primrose Dr.
Richardson, TX 75082

972-699-1752
LTH@tx.rr.com

Dell Services

Dell Inc.
2300 W Plano Parkway
Plano, TX 75075
www.dell.com

September 2, 2016

Sandra Laird
2712 Edge View Court
Richardson, Texas 75082

Mark Solomon
Council Member
City of Richardson
411 W. Arapaho Road
Richardson, TX 75080

Dear Mr. Solomon,

I am writing this letter in support of The Gift of Touch Massage Therapy's relocation to 1411 E. Campbell Road, Suite 1300, Richardson, Texas, 75081.

I have been a client of George Owen, massage therapist for this business, for almost eight years. I live in Richardson and regularly visit this practice for massage therapy sessions after my fitness classes at the 24 Hour Fitness Club on Campbell Road. I fully advocate this move to a location close to the 24 Hour facility, so that I can continue to benefit from these wellness sessions.

Please do not hesitate to contact me directly should you wish to discuss this matter with me personally. I can be reached at 214 680 9320.

Regards,

Sandra Laird

Sandra Laird

6 September 2016

City of Richardson
Planning Committee

Dear Committee Members

My name is Caren Taylor. My husband Ken and I have lived lived and raised our family in Richardson since 1966. I was disappointed to learn that The Gift of Touch will no longer be part of 24 Hour Fitness located on Campbell Rd. I urge the committee to quickly approve their new proposed location at the North East corner of Plano and Campbell Rds.

I have used The Gift of Touch facility for many years. I suffer from severe arthritis in my neck and shoulders and headaches. Without frequent therapeutic massages my quality of life would be diminished.

Some of the benefits I get from a therapeutic massage twice monthly include relief from shoulder and neck pain, headaches and general stiffness. As we get older our bodies need lots of TLC to keep us healthy and active.

Thank you for your time and consideration on this very important issue.

Regards,
Caren Taylor
1415 Creekside Dr.
Richardson 75081
469-323-8685
caren9tyl@aol.com

September 4, 2016

To whom it may concern:

The Gift of Touch, a massage-based therapeutic service, is a legitimate business operating in Richardson, TX. This letter is written in response to a request by city council to verify the legitimate operation of this business. I personally verify its legitimacy. My info for credibility is denoted below.

Thank you for your consideration of permitting this operation in Richardson, TX.

Sincerely,

Traci D. Dunn TDDunn
713.232.9688
8519 Arborside
Dallas, TX 75243

August 30, 2016

Samuel D. Chavez, AICP
Assistant Director of Development
Services (Planning)
City of Richardson

Dear Mr. Chavez,

We are writing asking you to approve the zoning for Gift of Touch Massage. We are longtime clients of Gift of Touch as it is part of our Wellness program. The new location is convenient to our home and workout locations.

Thank you for considering our request.

Peggy Mayhew
3507 Willowbrook Dr
Richardson, TX 75082

[illegible]
3507 Willowbrook Dr.
Richardson TX 75082

September 6, 2016

To whom it may concern:

This letter is to inform you of my strong support for Ellen Horn and George Owen to open a Massage Therapy studio in the 75081 Zip Code area.

I have been seeing Ellen for over the past 10 years. She provides a weekly Deep Tissue Massage Therapy to my Scoliosis. These weekly sessions keep my back and neck from tightening up due to painful knots. If these knots are left unattended I lose mobility in my neck and shoulders, which restricts my quality of life.

Both Ellen and George continue to seek out the latest research in Massage Therapy and offer a much needed service to the community's health needs.

They are both very conscious of the privacy of their clients. Their therapy rooms are very clean. They treat their clients with the utmost respect.

Please recognize this letter as Evidence of Support for them to continue offering Massage Therapy to their clients.

Sincerely yours,

Sheryl Walser
616 Downing Dr.
Richardson, TX 75080

Support for Business

2 messages

jJerry Wilson <jerry0712wilson@gmail.com> Fri, Sep 9, 2016 at 11:19 AM
To: gowen41T@verizon.net

We are writing this letter in support of George Owen and massage business at 24 Hour Fitness in Richrdson. We have used his services for several years and have always been impressed with his professional work and friendly approach to his clients.

We understand they are relocating their business and we wish to support his relocation to another building near the present site at Plano Road and Campbell Road. This will enable us to continue massage tretments with George in a convenient location.

We have been in Richardson for 47 years, working in human resources and public school teaching. Please contact us if you would like further information supporting this relocation of a positive, long term business in our community.

Regards,

Jerry and Anne Wilson
2203 Flat Creek Dr.
Richardson, TX 75080

9/5/16

To Whom It May Concern,

I have known George Owen and Ellen Horn of "The Gift of Touch" for over 10 years. Their massage location has been in first, the gym known as The Q, and then later, 24hr Fitness. They provide massage techniques that help to heal, relax and sooth our over worked bodies.

From personal experience as a Personal Trainer, Aerobics Instructor and a Para Educator in Garland, I have often recieved their services gratefully. I know when I leave after a session with Ellen, my neck, shoulders and upper back are often much lighter of the stress carried from my work.

The clients they have now have been so mostly for years. We grow in number because of how much we appreciate the care and concern George and Ellen give to our hurts and pain. Word of mouth advertising I believe is their success in staying in this location for so long. We only wish it could be forever.

Sincerely,

Elizabeth Dalton

September 1, 2016

Richardson City Council

RE: Gift of Touch Massage

I would encourage the council to accept the application submitted by George Owen for the Gift of Touch Massage office in Richardson.

I have known George for many years and his business has been a constant in the building that was originally the Q Sports Club.

Gift of Touch is an asset to the community and is supported by the community.

If you have any questions, please let me know.

Thank you,

Kimberly Zech
221 Sheila Ave
Murphy, TX 75094
214-460-4706

1707 Chelsey Lane
Richardson, TX 75082 (homeowner 40 yrs)

September 8, 2016

City of Richardson
Richardson, Texas 75080

To whom it may concern:

It has come to my attention that The Gift of Touch, located in the 24hour Fitness Center (northwest corner of Campbell and Plano Road),
will be closing under the Clubs remodel plan.

I have been a member of this gym for over 20 years. During this time, I have relied on George Owen and Ellen Horn for professional massage therapy for such this things as knots in neck to arthritis in shoulder to general message for workout pains in arms, back, sciatica and whatever else hurts. This has been for most of those 20 years.

They are petitioning the City of Richardson for a new space in the office complex located in close proximity to the gym (northeast corner of Plano Rd and Campbell).

I implore the City to approve their request.

Thank you for your consideration.

Sincerely,

Pat M. Jansky

/pj

1707 Chelsey Lane
Richardson, TX 75082 (resident 15 years)

September 8, 2016

City of Richardson
Richardson, Texas 75080

To whom it may concern:

It has come to my attention that The Gift of Touch, located in the 24hour Fitness Center (northwest corner of Campbell and Plano Road), will be closing under the Clubs remodel plan.

I have been a member of this gym for over 20 years. During this time, I have relied on George Owen and Ellen Horn for professional physical and massage therapy on many occasions over the years.

They are petitioning the City of Richardson for a new space in the office complex located in close proximity to the gym (northeast corner of Plano Rd and Campbell).

I implore the City to approve their request.

Thank you for your consideration.

Sincerely,

Fred C. Huffman

/fch

Hello-
I am writing on behalf of George and Ellen who own The Gift of Touch Massage. Please approve their special use permit so that they can open their new location on Campbell Rd.

I have known them both for several years and they are skilled professionals and excellent members of the Richardson business community.

We are lucky that they want to keep their business in our city and I hope that you will do what you can to support them.
Thank you for your time and consideration,

Caitlin Giauque

9/10/2016

To Mark Solomon

Richardson City Mayor Pro Tem

We would appreciate your support for George Owen and Ellen Horn's application for The Gift of Touch. We have enjoyed their services many times over the last more than ten years. We would be very disappointed if they needed to move their business out of Richardson.

They provide a needed service at a reasonable cost. Thank you for your consideration of this matter.

Sincerely

Gene + Ruth Hunt

Gene and Ruth Hunt--- 44 year resident of Richardson Tx.

3209 Tam O Shanter Lane

Richardson Texas 75080

Hello-
I am writing on behalf of George and Ellen who own The Gift of Touch Massage. Please approve their special use permit so that they can open their new location on Campbell Rd.

I have known them both for several years and they are skilled professionals and excellent members of the Richardson business community.

We are lucky that they want to keep their business in our city and I hope that you will do what you can to support them.
Thank you for your time and consideration,

Danielle Phillips

Hello-
I am writing on behalf of George and Ellen who own The Gift of Touch Massage. Please approve their special use permit so that they can open their new location on Campbell Rd.

I have known them both for several years and they are skilled professionals and excellent members of the Richardson business community.

We are lucky that they want to keep their business in our city and I hope that you will do what you can to support them.
Thank you for your time and consideration,

Anne-Marie Moo Young

From: Hertha Hughes <hertha_hughes@yahoo.com>
To: gowen4it <gowen4it@verizon.net>
Subject: Support for Approval for a New Location in Richardson for The Gift of Touch
Date: Sun, Sep 4, 2016 5:46 pm

To the appropriate City of Richardson Organization:

I regularly utilize the massage services of the Gift of Touch, delivered by George Owen. It is critical treatment for my arthritic hips and enables better mobility for me and reduces my pain. So, it's critical treatment to keep me functioning well at this time so I can continue to do my master gardener activities as a volunteer.

I wholeheartedly support the approvals required by the City of Richardson so that Gift of Touch can move into its new Richardson facility.

Thank you very much for your consideration in approving the move of The gift of Touch to its new location in Richardson.

Sincerely yours,

Hertha Hughes
16216 Dalmalley Lane
Dallas TX 75248

September 6, 2016

Planning Commission.
City of Richardson

To whom it may concern,

This letter is to express our support for the granting of a special use permit to "The Gift of Touch" and its owner George Owen for the purpose of opening a massage therapy storefront in the City of Richardson.

We have used the services provided by George at his current location in the 24 Fitness Center located at 1375 E. Campbell Rd. in Richardson. At all times we have found George and the other employees to be honest and respectful.

Sincerely

Steven C. Hull

Carolyn Hull

2510 Morning Glory Dr.
Richardson, TX 75082

Sept. 3, 2016

To: The Richardson City Council.

We am in support of your allowing the Gift of Touch Massage Therapy to relocate to 1411 E. Campbell Rd, Suite 1300. Richardson TX.

We have been a client of theirs for over 10 years and they run a quality professional business.

Thank You,
Diane Bizzard
606 Jeffrey
Richardson, TX
75081

From: Jelena Puccio <jelenapuccio@yahoo.com>
To: gowen4it <gowen4it@verizon.net>
Subject: Fwd: The gift of touch massage therapy
Date: Sat, Sep 3, 2016 10:39 am

Begin forwarded message:

From: Jelena Puccio <jelenapuccio@yahoo.com>
Date: September 3, 2016 at 10:36:09 AM CDT
To: sam.chavez@cor.gov, mark.solomon@cor.gov, gowen4it@cerizon.net
Subject: The gift of touch massage therapy

To the Richardson city council and zoning commission,

My husband, Brett Puccio and myself have lived in Richardson since 1998. In this time we have lived at 7 Insight Place and raised two sons. Brett Jr. And Julian. In this time we have all come to know and love using George as a resource for all of our sports therapy and therapeutic needs. His business within the gym(24 hour fitness) has been of great convenience to us. I have suffered from knee injury which later required surgery and also with plantar faciitis. My sons and husband with multiple sports injuries have also utilized his abilities with rehab. I have also solicited his business to many others with positive results.
I am not happy with the way the 24 hour fitness handed him a 30 day notice of having to move. This business had been a great asset to the community.
This letter is in support of keeping George and business within this community. Many residents trust in him and is very reputable business.
We wish to keep him within this community. Please make this a convenient and quick as possible as to keep his company in business within this area.
I understand the ordinances policies are set to keep Richardson a safe place to live but it shouldn't take so long as to put them out of business.
Thank you.
Sincerely,

Jelena Puccio

From: Carol Fairbairn <alkaent@msn.com>
To: George Owen <gowen4it@verizon.net>
Subject: Letter of support information
Date: Thu, Sep 1, 2016 1:02 pm

Richardson City Counsil
Sept.1,2006

Carol Fairbairn
2310 Golden Willow Lane
Richardson,Texas 75082

To whom it may concern;

I have been a client of George Owen at 24 Hr. Fitness in Richardson for about the last 10 years. Due to an accident I had a few years ago, his massages and careful treatments have helped me cope with quite a bit of discomfort and pain. He is the most dedicated and thorough masseuse that I have ever gone to, thru the years. I am a senior citizen, and have gone to several in the past.

I would be greatly disappointed if this business were to leave 24 Hr. Fitness, which is so conveniently located here in Richardson, and near to my home. Please give this your careful consideration, before taking such a drastic measure, and forcing them to move to a different location.

To: whom it may concern

Subject: ***George Owen***- "Gift of Touch "-1375 E Campbell Rd, Richardson, TX 75081

My name is Adi or and I am a member of 24 hours fitness gym since 2000.

I get a regular sport massages from George Owen for many years.

George is very friendly and incredibly knowledgeable professional guy. Other than just a sport massage he offers advice on exercises to help resolve the issue, as well as an explanation of what can cause pain, alongside anything else anyone wants to know about a specific postural, muscular or related issue. With a consistent tight muscles and left hip/lower back pain, I'm able to run on daily basis, thanks to his help.

I trust George completely; he certainly knows what he is doing and I highly recommend his services.

Our family- my husband "Noam" and my Son "Rom"-14 years old (professional soccer player) using his services as well and we are very happy with the outcome of treatment.

Overall Excellent friendly service from all staff and very professional. Would recommend to anyone.

Sincerely,

Adi Or

214-636-5735- (feel free to contact me)

From: Carol Fairbairn <alkaent@msn.com>
To: George Owen <gowen4it@verizon.net>
Subject: Letter of support information
Date: Thu, Sep 1, 2016 1:02 pm

Richardson City Counsil
Sept.1,2006

Carol Fairbairn
2310 Golden Willow Lane
Richardson,Texas 75082

To whom it may concern;

I have been a client of George Owen at 24 Hr. Fitness in Richardson for about the last 10 years. Due to an accident I had a few years ago, his massages and careful treatments have helped me cope with quite a bit of discomfort and pain. He is the most dedicated and thorough masseuse that I have ever gone to, thru the years. I am a senior citizen, and have gone to several in the past.

I would be greatly disappointed if this business were to leave 24 Hr. Fitness, which is so conveniently located here in Richardson, and near to my home. Please give this your careful consideration, before taking such a drastic measure, and forcing them to move to a different location.

Sincerely,
Carol Fairbairn

To whom it may concern,

George Owen has been running his massage therapy business inside of 24 Hour Fitness since 1995. His business has been very beneficial to our members and guests. He has many long term clients that rely on his services for their health and wellness. I believe his business is worthy of approval to remain in City of Richardson. He has been a good tenant at our 24 Hour Fitness location and our building is going through a refresh which is why George's business needs to relocate.

I personally have been a client of George and can attest to the benefits of massage therapy. His expertise and technique is valuable to me personally. He is able to help me relieve pains and reduce stress that I have from work and life. Not only did George help me with my muscle aches he is able to help his countless clients with similar issues. Many of our members and guests praise George for his skill and professionalism and come back to see him over and over again. I believe that George is able to provide a beneficial health service with the personal touch and care that can't be received elsewhere.

I hope you will consider accepting his application for Special Use Permit for massage establishment in the City of Richardson.

Sincerely,

Stephanie Sorensen
Operations Manager

August 29, 2016

My name is Allan Fackler.
I am in support of Keeping
the Gift of Touch Massage therapy
in this Richardson area 75081.
We've been pleased with
George Owen & Ellen Hom and
would like to still have them
in this area.

Thank You!

Blessings!!

Allan Fackler
2334 Lancecrest Drive (Camelot)
Garland, TX 75044-6044
972-998-8768
allanc fackler@msn.com

September 1, 2016

To: Richardson City Council and Richardson Zoning Board

From: Gregory C. Crown – 2307 Silver Holly Lane, Richardson, TX

Re: Zoning Approval for Gift of Touch Massage Therapy

To Whom It May Concern:

I am writing to voice my wholehearted support for the granting of zoning approval that will allow The Gift of Touch to occupy space in the NEQ of Plano Road and Campbell Road in Richardson. I am a long-time resident of Richardson (36 years) and have been using the massage therapy services of George Owen and his associates for many years at the current location at 24 Hour Fitness. Due to a remodel of that facility, they are forced to seek an alternative location to serve their many area clients. George and his associates have, on MANY occasions, provided me with massage therapy to relieve back and other pain and have always done so in a highly professional manner. I believe that they provide a needed service to area residents and encourage your approval of their zoning.

If I may provide any further input on this question, do not hesitate to contact me at 214-649-5032.

Sincerely,

Gregory C. Crown

Hello-

I am writing on behalf of George and Ellen who own The Gift of Touch Massage. Please approve their special use permit so that they can open their new location on Campbell Rd.

I have known George Owen for four years and he an Ellen are skilled professionals and excellent members of the Richardson business community.

We are lucky that they want to keep their business in our city and I hope that you will do what you can to support them.

Thank you for your time and consideration,

Trish Johnson
tjohnson@awardsolutions.com
Richardson Chamber of Commerce HR Committee Member
Human Resources at Award Solutions, Inc.
972-664-0727 ext. 355

Hello-
I am writing on behalf of George and Ellen who own The Gift of Touch Massage. Please approve their special use permit so that they can open their new location on Campbell Rd.

I have known them both for several years and they are skilled professionals and excellent members of the Richardson business community.

We are lucky that they want to keep their business in our city and I hope that you will do what you can to support them.
Thank you for your time and consideration,

Tonya Mulhall

Tonya Mulhall

September 9, 2016

Re: Ellen Horn & George Owen

To Whom This May Concern:

It has come to my attention that these two massage therapists have been displaced by 24 Hour Fitness and are looking to set up a business outside of the facility. I've known both of these people for many years and had massages from both of them. They are both good people and good massage therapists. I am sure they would enrich the City of Richardson if they are allowed to practice in Richardson. I support them in all that they want and need.

Sincerely,

Alice Oswald

972-661-3078 Karloswald@sbcglobal.net

From: Amanda Elliott <taxi_awe@yahoo.com>
To: gowen4it <gowen4it@verizon.net>
Subject: Gift of Touch
Date: Fri, Sep 9, 2016 11:42 am

I have been a client of The Gift of Touch Massage Therapy for the past few years. I have really enjoyed & needed their service. They have always been professional, caring and the rooms have always immaculate. Due to the gym's remodel they are being forced to move to another location. I am hoping that the City of Richardson will grant the zoning change and permits to continue their business. I will continue to be a client and recommend others to George & Ellen.

Should you have any questions, please feel free to call me. Leave a message as during the day I may not be able to answer quickly as I work in a school.

Thank you,
Amanda Elliott
5006 Glen Vista Dr.
Garland Texas 75044
469-261-4656

September 6, 2016

City of Richardson
411 W. Arapaho Road
Richardson, TX 75080

Attn: Zoning Department

I am writing in response to the relocation of Horn Massage Therapy. I have been receiving deep tissue massage from Ellen Horn for more than 10 years. These regular massages significantly help my physical well being due to a stressful job. Please consider the rezoning request made by Ellen so that her work can continue without disruption. Her clients thank you in advance!

Thank you,

Colleen O'Hara
214-343-6937
colleen.ohara@me.com

JUNO Message Center

From: JANET AVERY <jbills@swbell.net>

To: Ellen Horn <evp-horn@juno.com>

Sent: Wed, Sep 07, 2016 01:42 PM

Subject: Gift of Touch Massage Therapy

To: Richardson City Council
Richardson Zoning Commission

Re; Gift of Touch Massage Therapy

I would like to add my voice to the chorus of clients who support and depend upon Gift of Touch Massage Therapy. Both Ellen Horn and George Owen are excellent and compassionate therapists who I and many other clients rely on to help us grapple with difficult, persistent, health conditions, or overcoming injuries.

As proof of the above statement, you need only note the 20 years they have been in business, leasing from The Q and 24 Hour Fitness, serving both members of the clubs and residents of the community.

As a club member, I believe it is making a huge error in judgment, not taking into account the needs of members and what influences their choice in clubs. I personally come from Dallas to the Richardson club because they offered the full package of health and fitness needs, from working out to massage therapy. In doing so, I have become more familiar with Richardson and have frequented and enjoyed other businesses.

I do hope you will allow this wonderful business the necessary license to continue providing the therapy we as clients have come to depend on in Richardson.

Sincerely,

Janet Avery
Dallas, Texas

On ..... I received 30 day notice of termination of my lease with 24 Hour Fitness in Richardson, Texas, due to construction and repair work. I sub-leased to George Owen.

George Owen and I found a new location in the City of Richardson. We started the process for re-location. One of the permits we are in the process of obtaining is the Special Use Permit through the Richardson City Council. Which takes time. Until we have the vote from the Richardson City Council we cannot sign the leasing paper and get the Inspection from the Fire Marshall which we need for the application for Establishment License.

We both George Owen and Ellen Horn need to be able to open up our new location asap.
We are asking the Department to process our application for the Establishment License for the Gift of Touch Massage Therapy, LLC and to allow us to hand in the Fire Marshall Inspection at a later date.

From: Vardit Gesund <vgesund@gmail.com>
To: gowen4it <gowen4it@verizon.net>
Subject: City Council Richardson
Date: Thu, Sep 8, 2016 8:00 pm

Dear City Council of Richardson,

My name is Vardit Gesund and I have been a weekly client of George Owen for 2 years. I first came to George because I was having pain in my shoulder blade that would radiate down my arms. George listened to my concerns, applied his skills and knowledge base, and was able to help my muscles relax. Through weekly visits with George, I have been able to keep my shoulder pain to a minimum.

Sincerely,

Vardit Gesund

Sent from my iPhone

September 8, 2016

Dear City Council Members:

It is with great pleasure that I write to all of you in order to highly recommend Ellen Horn, George Owen and their business, The Gift of Touch.

I have known Ellen and George for years through this business. Ellen has helped my family and I tremendously with all of our aches and pains. Ellen is a professional, skilled and caring Licensed Massage Therapist. George has the same excellent reputation with his clientele.

Their business, The Gift of Touch, is a gift to the residents of Richardson, and their new location should be readily approved.

Thank you for your time and attention.

Jadrine Marie Jones

From: Dawn Bar <dawn@wnpmedia.com>
To: gowen4it <gowen4it@verizon.net>
Subject: Letter for City Council
Date: Thu, Sep 8, 2016 5:12 pm

Dear City of Richardson Zoning & City Council:

I have been seeing both George and Ellen at The Gift of Touch Massage Therapy for going on 10+ years. I see them on a regular basis, at least once a month and when I'm in need of additional theraputic work, they're the first I turn to. They are definitely a team of experts in their field and well respected. I am a long time resident of the City of Richardson, 35+ years and would find it incredibly disappointing if their services were no longer available to me. Please feel free to reach out directly if you would like to ask any additional questions. I can be reached at 214-384-9800.

Sincerely,

DAWN BAR

From: Sherry Sumerlin <shersummath@gmail.com>
To: gowen4it <gowen4it@verizon.net>
Subject: Recommendation
Date: Thu, Sep 8, 2016 4:34 pm

To whom it may concern:

George Owens has been my massage therapist for several years. I started going to him at the recommendation of our fitness trainer. At first I had misgivings about going to a male therapist. However, after the first visit, I realized my misgivings were totally unfounded. George is an absolute professional!

I have frequent back pain, and George is very knowledgeable and able to provide proper therapy to relieve the pain.

I highly recommend him as a business owner in your community!

Sherry Sumerlin

Sent from my iPhone

From: Terry Sumerlin <terry.sumerlin@lavonweb.net>
To: gowen4it <gowen4it@verizon.net>
Subject: George Owens.
Date: Thu, Sep 8, 2016 10:11 am

To whom it may concern:

For approximately two years George Owens has been my massage therapist. He was highly recommended by my fitness trainer, as being someone who is well qualified and very professional. For years I have had problems with back pain, and George is amazing in what he is able to do to alleviate the pain.

As one who is in the public eye as part of my profession, perception is very important. So I guard my image carefully. I cannot be associated with anyone or any business that is not of high standing in the community. George is tops. A true professional in every way.

I highly recommend him as a business owner in your community!

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Terry L Sumerlin
Conference Speaker
Author of *Leadership: It Takes More Than a Great Haircut!*

P.O. Box 383, Lavon, TX 755166
(972) 853-2130—Office

www.terrysumerlin.com
terry.sumerlin@lavonweb.net

MEMBER NSA

Support for Business

2 messages

jJerry Wilson <jerry0712wilson@gmail.com> Fri, Sep 9, 2016 at 11:19 AM
To: gowen41T@verizon.net

We are writing this letter in support of George Owen and massage business at 24 Hour Fitness in Richrdson. We have used his services for several years and have always been impressed with his professional work and friendly approach to his clients.

We understand they are relocating their business and we wish to support his relocation to another building near the present site at Plano Road and Campbell Road. This will enable us to continue massage tretments with George in a convenient location.

We have been in Richardson for 47 years, working in human resources and public school teaching. Please contact us if you would like further information supporting this relocation of a positive, long term business in our community.

Regards,

Jerry and Anne Wilson
2203 Flat Creek Dr.
Richardson, TX 75080

From: Bill Ferron <BillF@peekscarpet.com>
To: gowen4it <gowen4it@verizon.net>
Subject: The Gift of Touch / NEW LOCATION
Date: Sat, Sep 10, 2016 12:16 pm

To the City Of Richardson Zoning Committee:
My wife Beth and I have been clients of The Gift of Touch for over 15 years. We hope that you will rezone their new location because the 24 Hour Fitness center is remodeling and they are not including The Gift Of Touch as an entity in their center going forward. We are completely satisfied clients and wish them the best with your help.
Regards,

Bill Ferron

Design Consultant
Peek"s Floor Co.
1002 N. Cental Exp. Ste 601
Richardson,Tx. 75080
972-479-9100
billf@peekscarpet.com

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City of Richardson
City Council Meeting
Agenda Item Summary

City Council Meeting Date:	Monday, October 10, 2016
Agenda Item:	VAR 16-05 1016 & 1018 N. Lindale Lane Southeast corner of Lindale Lane and Arapaho Road
Staff Resource:	Michael Spicer, Director of Development Services
Summary	This is a request for approval of a variance to the City of Richardson Subdivision and Development Code, Chapter 21, Article III, Section 21-46(e), *Lots and Blocks,* to allow side lot lines that are not perpendicular or radial to the front property line in a residential district in order to subdivide the existing two (2) lots into four (4) lots.
Board/Commission Action:	On September 20, 2016 the City Plan Commission unanimously recommended approval of the request as presented.
Action Proposed	The City Council may approve the request as presented, approve with conditions, or deny.

Variance 16-05
1016 & 1018 N. Lindale Lane

Attachments:

1. Locator
2. Staff Report
3. Applicant's Statement
4. Variance Exhibit
5. Notice of Variance Request
6. Notification Map
7. Notification List

VAR 16-05

1016-1018 N. Lindale Drive

CITY COUNCIL
STAFF REPORT
October 10, 2016

Variance 16-05

SUMMARY

Project Name:	VAR 16-05 – 1016 & 1018 N. Lindale Lane
Owner/Applicant:	Tom Chawana, Going Forward, Inc. / Jesse C. Wallace
Location:	1016 & 1018 N. Lindale Lane Southeast corner of Lindale Lane and Arapaho Road.
Request:	This is a request for approval of a variance from Chapter 21, Subdivision and Development Code, Article III, Section 21-46(e) *[Lots and Blocks]* to allow side lot lines that are not perpendicular or radial to the front property line in a residential district in order to subdivide the existing two (2) lots into four (4) lots. **Notification:** This request is not a public hearing and specific notification is not required by State Law. As a courtesy, adjacent property owners received written notification. To date, no correspondence has been received.
CPC Action:	On September 20, 2016, the City Plan Commission unanimously recommended approval of the request as presented.

DEVELOPMENT SUMMARY

Land Area: 1.10-acres (47,914 square feet)

Zoning: R-1100 M Residential District

Development:

Existing: 1016 N. Lindale Lane: Vacant
1018 N. Lindale Lane: 2,302-square foot single-family home with detached garage

Proposed: Four (4) single-family residential lots.

BACKGROUND INFORMATION

Ordinance: Section 21-46(e) of the Subdivision and Development Code requires all side lot lines for single-family developments to be perpendicular or radial to the front property line.

Request: The variance exhibit reflects the proposed subdivision of two (2) existing single-family lots into four (4) single-family lots. The applicant states the existing dwelling on the northern lot is in disrepair and needs to be demolished; the southern lot is vacant.

As shown, the proposed lot lines are not perpendicular or radial from the front property line. The alignment of this portion Lindale Lane is curvilinear, thus requiring side lot lines to run from southwest to northeast creating undesirable lot configurations. The applicant proposes the revised side lot lines to run east-west, which is consistent with the lots to the south.

History: There have been four (4) previous approved requests for side lot lines that are not perpendicular or radial to the front property line within a residential district.

VAR 16-05 Statement

09/06/2016
Project Addresses:
1016 and 1018 N. Lindale Drive,
Richardson, Texas 75080

To whom it may concern,

We would like to request the variance from city of Richardson in regards to the properties located at 1016 and 1018 N. Lindale Drive, Richardson, Texas. The requested variance is to waive the requirement for side lot lines to be configured at right angles to tangent street lines or radial to curved street lines.
The existing property is situated on 2 lots approximately 285 LF x 200 LF under R 1100-M zoning.

The current condition of existing dwelling located on 1018 N Lindale Drive is beyond repair and would need to be demolished. We are proposing to divide the property into 4 individual lots under the R-1100-M zoning. The lot sizes would range from 21,000 S.F. to 8,081S.F. Our plans are to build single-family dwellings, approximately 2500 square feet, on each of the 4 lots.

N. Lindale Drive primarily runs straight north from Belt Line Road towards Arapaho Road, however as it approaches Arapaho Road, the street begins to curve towards the west just south of the property line. To develop these lots properly, it is necessary that the lots follow the street line. Please see the attached drawing of our proposal.

We firmly believe by dividing the lots and developing this property, we will bring a new dimension to the City of Richardson and substantially improve the neighborhood. This being said, we request the city to grant us the variance as mentioned above.

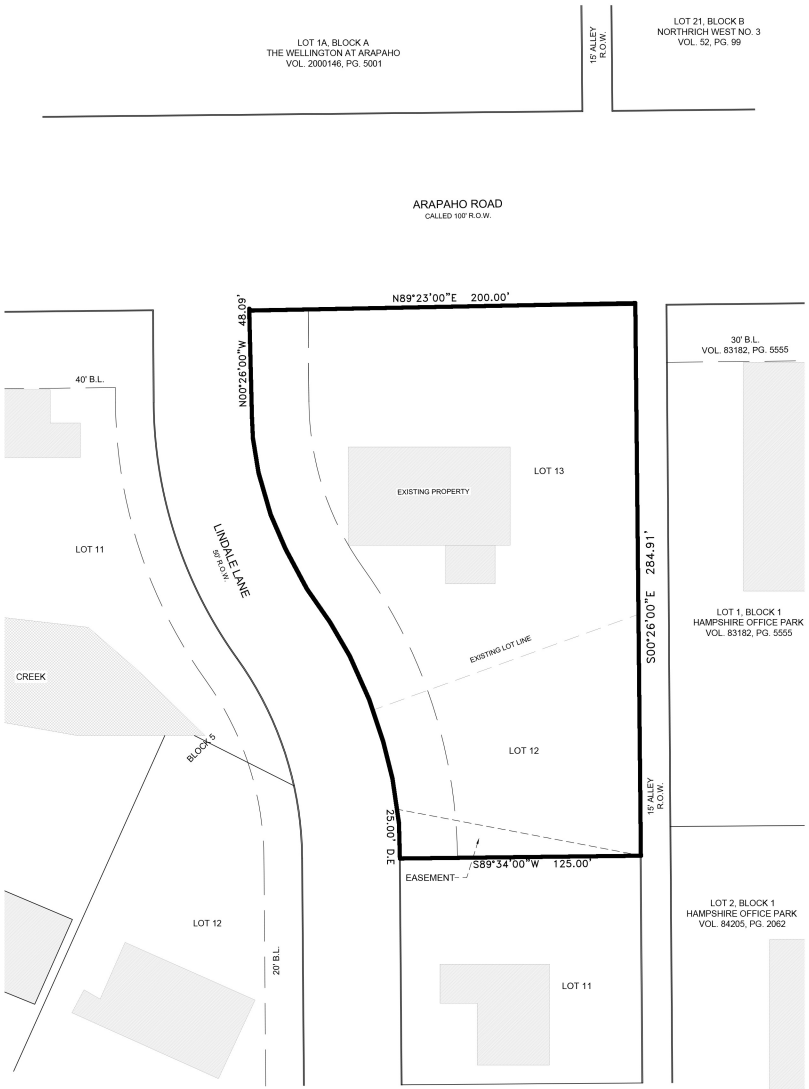
Your kind consideration to this request would be greatly appreciated.

Thank you

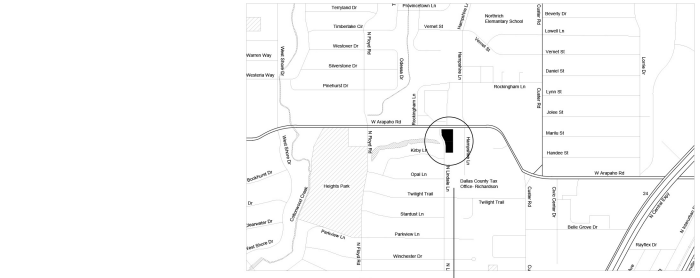
Tom Chawana

Tom Chawana

Note:
Driveways located on Lindale Lane shall not be allowed within 85' of Arapaho Road. Driveways located on the alley shall not be allowed within 25' of Arapaho Road.



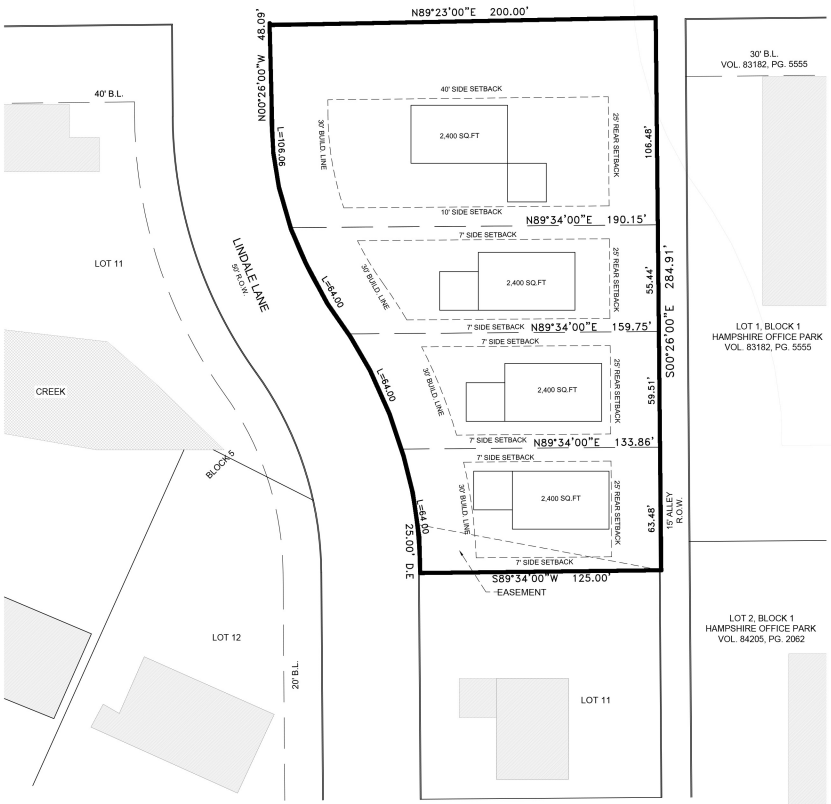
EXISTING SITE PLAN
SCALE: 1/32" = 1'-0"



SITE PLAN
NOT TO SCALE

N

PROJECT SITE



PROPOSED SITE PLAN
SCALE: 1/32" = 1'-0"

GFI

GOING FORWARD, INC

DEVELOPING, FINANCING, PLANNING DESIGN AND CONSTRUCTION MANAGEMENT

100 N CENTRAL EXPRESSWAY, SUITE 1310
RICHARDSON, TEXAS 75080
OFFICE: (972) 907-8110 FAX: (866) 853-0675
EMAIL: RWCCHA@AOL.COM

1016 & 1018 N LINDALE LN
RICHARDSON, TEXAS

REV No:	ISSUE DATE:

ISSUE DATE:
08/12/2016

SHEET TITLE:
SITE PLAN

SHEET No:
VAR 16-05

Notice of Variance Request

City Plan Commission ▪ Richardson, Texas

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

File No./Name:	**VAR 16-05 / 1016 & 1018 N. Lindale Lane**
Owner/Applicant:	Jesse C. Wallace / Tom Chawana, Going Forward, Inc.
Location:	1016 & 1018 N. Lindale Lane Southeast corner of Lindale Lane and Arapaho Road
Request:	Approval of a request for a variance from the City of Richardson Subdivision and Development Code, Article III, Section 21-46(e) to allow side lot lines that are not perpendicular to tangent street lines or radial to curved street lines within a residential district.

The City Plan Commission will consider this request on:

TUESDAY, SEPTEMBER 20, 2016
7:00 p.m.
City Council Chambers
Richardson City Hall, 411 W. Arapaho Road
Richardson, Texas

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

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

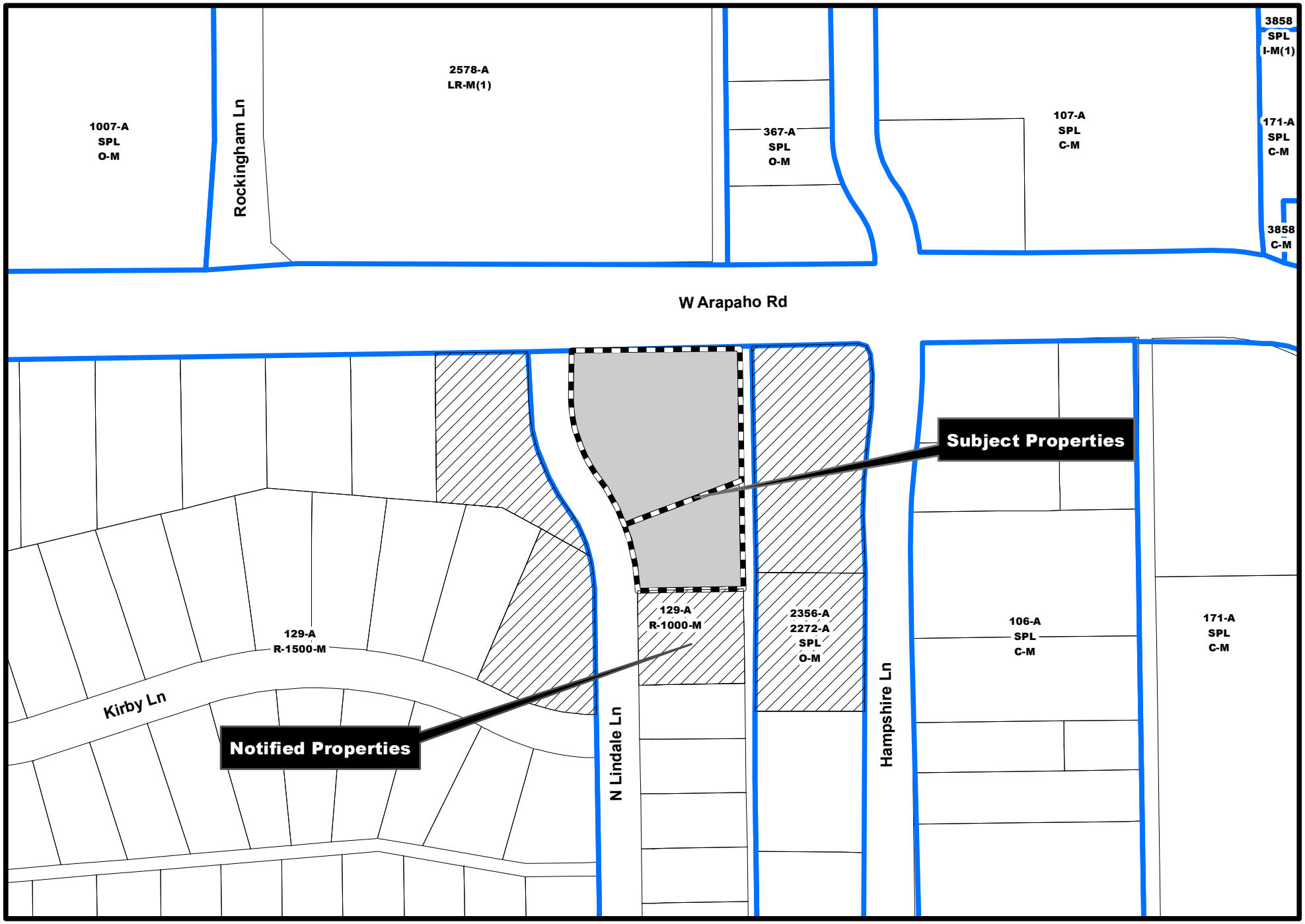
While all interested persons are invited to attend the meeting, those wanting their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Development Services Department, P.O. Box 830309, Richardson, TX 75083.

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

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

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

Date Posted and Mailed: September 9, 2016



VAR 16-05

1016 & 1018 N. Lindale Drive

EKBLAD SCOTT R & MELANIE J EKBLAD
601 W. ARAPAHO ROAD
RICHARDSON, TX 75080-4212

SPECTOR JEFFREY DANIEL
1012 N LINDALE LN
RICHARDSON TX 75080-5109

PREMIER DIAMONDS INC
DBA RAM HAMPSHIRE PPTIES
LBL FAMILY INVESTMENTS INC
101 HAMPSHIRE LN STE 100
RICHARDSON, TX 75080-8106

BARRON MARK V & ROXANN K
BARRON
600 KIRBY LN
RICHARDSON TX 75080-5105

GRACE CHRISTIAN ASSEMBLY
575 W. ARAPAHO RD
RICHARDSON, TX 75080-4341

VAR 16-05

ORDINANCE NO. 4182

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-1800-M RESIDENTIAL DISTRICT TO PD PLANNED DEVELOPMENT FOR 2.68 ACRES OF LAND LOCATED AT 700 N. PLANO ROAD, ON THE EAST SIDE OF PLANO ROAD, SOUTH OF ARAPAHO ROAD, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 16-13).

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-1800-M Residential District to PD Planned Development for 2.68 acres of land located at 100 N. Plano Road, on the east side of Plano Road, south of Arapaho Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the Property shall be used and developed in accordance with the following development regulations:

Sec. 1. Intent.
The purpose of the **Residences on Duck Creek Trail Planned Development District** is to provide a needed and complementary land use plan for 700 N. Plano Road. This planned

development will feature a unique combination of condominium FLATS and townhomes, specifically designed to fill a need within the City and address neighbor concerns. The site layout will allow for a private loop around the development, 2 secured garage parking spaces for every home, ample surface parking, and will also a leave room for a courtyard, beautiful landscaping, and community amenities. Façade products will include a stone, brick, and other high-quality materials creating an elegant traditional look.

Sec. 2. Concept Plan, Elevations, and Net Development Area

The Property shall be used and developed in substantial conformance with the Concept Plan attached as Exhibit "B" ("Concept Plan") and the elevations attached as Exhibits "C-1 through C-5" ("Building Elevations") which are incorporated herein.

Any and all area regulations and development calculations shall be based upon the Net Development Area, which excludes a City Right of Way dedication on the western side.

Sec. 3. Permitted Uses.

(1) Permitted Uses shall include:

a. Apartments

b. Townhomes, defined as a single-family dwelling in a row of at least 3 attached units, each having access to the outside. Units are required to be separately platted. No unit shall be located over another unit and each unit shall be separated from other units by one or more common firewalls.

c. No more than one accessory building, no larger than 1,200 square feet, necessary to store equipment for several dwelling units or provide a service function for several dwelling units;

i. The location of any such accessory building shall be limited to the space to the east of Building C; and no such accessory building shall be occupied as a place of abode;

d. Amenities such as swimming pools, clubhouses, tennis courts or similar amenities located in a private recreational area established to serve the residents of the subdivision. (See Sect. 6(6)).

Sec. 4. Building Regulations.

(1) Minimum Unit Size:

a. Apartments:

i. Dwelling units shall be a minimum of 1,600 square feet;

b. Townhomes:

i. Dwelling units shall be a minimum of 1,600 square feet, exclusive of garages and breezeways;

(2) Maximum Building Size:

a. Buildings A-C:

i. A maximum of nine (9) apartment units shall be contained in a single building.

b. Buildings D-G:

i. A maximum of four (4) townhome units shall be attached in a single building.

(3) Building Separation:

a. Buildings containing dwelling units shall be separated from other buildings on the same lot by twenty (20) feet.
b. Buildings A & B may share a common stairwell and elevator located in an exterior adjoining stairwell/elevator shaft.

(4) Building Amenities:

a. Buildings A-C:

i. Elevator access to each floor of the building shall be provided;
ii. Secure parking shall be provided in accordance with the parking regulations stated in Sec. 6(4).
iii. The minimum ceiling height of each unit shall be ten (10) feet.

(5) Type of Exterior Materials:

a. Buildings A-C:

i. A maximum of 36% of each building facade, excluding the stairwell/elevator shafts/lobby, doors, and windows, may be constructed of non-masonry materials.

1. The stairwell/elevator shafts may include the exterior materials in the manner and proportions detailed in Exhibit “C-1” through “C-4”.
2. Buildings A through C shall be developed in substantial conformance with Exhibits “C-1” through “C-4”; however, minor deviations to the color and location of approved building materials shall be allowed.

b. Buildings D-G:

i. Front Elevations:

1. Front facing elevations shall be a maximum of 19% non-masonry materials, and shall be in substantial conformance with exhibit C-5.

ii. Side Elevations:

1. All side elevations shall be of compatible design in terms of architectural style, materials, and detailing with the front elevation, and shall consist of 0% non-masonry materials, and shall be in substantial conformance with exhibit C-5.

iii. Rear / Alleyway Elevations:

1. Rear elevations shall have a minimum of 24 percent of the exterior walls constructed of masonry materials, and shall be in substantial conformance with exhibit C-5.

iv. Townhome Building D:

1. Townhome Building D may be designed so that a Back Door may be incorporated into the Rear / Alleyway Elevations.
2. Townhome Building D may also be permitted to incorporate a wrought iron fence, up to 4 feet in height, as well as a living green screening wall not to exceed nine (9) feet, along the western property line.

c. Accessory Building or Other Permitted Buildings:

i. A minimum of 50% masonry material utilizing the same general color and materials used on the dwelling unit buildings.

(6) Building Size:

a. Buildings A-C:

i. Any Apartment building containing dwelling units shall have a building footprint of no less than 65’ x 85’ and no greater than 72’ x 92’.

b. Buildings D-G:

i. Any townhome building containing dwelling units shall have a length of no greater than 106 feet, and shall have a depth of no greater than forty-two (42) feet.

(7) Windows:

a. Buildings D-G:

i. Third floor windows on the southern side of the townhome buildings, facing south, shall utilize non-transparent glass.

Sec. 5. Height Regulations.

(1) Maximum Height:

a. Buildings A-C:

i. The maximum building height shall be limited to four (4) stories not to exceed 49’ 6’’.

1. Architectural features and Elevator Shafts shall not exceed fifty-one (51) feet.

b. Buildings D-G:

i. No principal building shall exceed three (3) stories or thirty-six (36) feet in height.

c. Accessory Building:

i. No accessory building shall exceed one (1) story or fifteen (15) feet in height.

Sec. 6. Area Regulations.

(1) Maximum lot coverage for all buildings, excluding structures in the outdoor amenity area or courtyard shall not exceed 40% subject property.

(2) Perimeter Setbacks:

a. North:

i. The minimum building setback from the northern property line shall be ten (10) feet.

b. South:

i. The minimum building setback from the southern property line shall be ten (10) feet.

c. East:

i. The minimum building setback from the east property line shall be zero (0) feet.

d. West:

i. The minimum building setback from the west property line shall be zero (0) feet.

e. Balconies:

i. Balconies above the first floors may encroach up to four (4) feet into the required setbacks except along the west property line or into the floodplain.

f. Overhangs and fireplaces:

i. The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, and balconies may extend to a maximum of four (4) feet into the required setbacks, except along the west property line or into the floodplain.

(3) Townhome Setbacks:

a. Rear:

i. The minimum building setback from the rear property lines of townhome lots shall be four (4) feet. The maximum building setback from the rear property line of townhome lots shall be five (5) feet.

(4) Landscaping:

a. A minimum of 20% landscaping shall be provided in areas substantially conforming to Exhibit B. These areas may include:

i. Enhanced paving areas;

ii. Landscaping islands; and

iii. Open space areas.

b. Along the southern and northern property line, a minimum 10-foot wide landscape buffer shall be provided. At least one live oak (or similar canopy tree) or magnolia (or similar evergreen tree) for every 35 lineal feet, shall be provided in the southern landscape buffer. The minimum caliper size at the time of planting shall be five (5) inches.

c. No street trees shall be required along Plano Road, however trees shall be allowed behind the sidewalk within the City's Right of Way.

(5) Parking:

a. Minimum Parking Requirement:

i. A minimum of (2.4) Parking Spaces shall be provided per dwelling unit;

1. Of the (2.4) parking spaces provided, a minimum of (2) shall be secured garage parking on the on the first floor of each building containing dwelling units.

(6) Amenities:

a. The outdoor/courtyard area between buildings E and F shall be the Designated Community Area 1, and shall include the following:

i. Usable Open Space at least 3,000 square feet to include at least two (2) of the following: cluster of trees, water feature, seating areas, picnic tables, barbeque grills, gazebos, or other elements approved by the city's director of parks and recreation.

b. In addition to the Designated Community Amenity Area 1, a minimum of 4,000 Square feet shall be designated and reserved for community amenities to be located to the East of building G (Community Amenity Area 2);

i. Community Amenities shall include at least two (2) of the following:

1. Swimming Pool;

2. Outdoor Bocce Ball Court and/or Outdoor Horse Shoe Court

3. Clubhouse/Game Room/Multipurpose Room of at least 350 sq. ft.

4. Usable Open Space, at least 1,000 square feet to include at least three (3) of the following: cluster of trees, water feature, seating areas, picnic tables, barbeque grills, gazebos, or other elements approved by the city's director of parks and recreation.

c. The Planned Development shall also include a sidewalk, hiking, jogging, and /or bike trail connecting the development to public trail system (Duck Creek Trail) as shown on Exhibit "B".

Sec. 7. Miscellaneous Regulations.
(1) All townhome lots platted individually for dwelling units shall have frontage on a minimum 20-foot access easement within a common area lot, and shall be serviced individually by water, sewer, electric, gas, and other utility services. Additionally, a 24-foot wide access easement located within a common area lot shall be provided as shown on Exhibit "B".
(2) Additional Surface Parking:

a. It is understood that up to two (2) additional surface parking spaces may be added to the development site, so long as those additional parking spaces are located to the east of Building G adjacent to the surface parking currently reflected in the Concept Plan.

(3) Staff Approval:

a. Site plans, landscape plans, and building elevations in conformance with the Concept Plan and Exhibits "C-1" through "C-5" may be approved administratively by the Director of Development Services or designee.

(4) Fencing:

a. Fencing shall be constructed in substantial conformance with the location, height, and appearance reflected in the Concept Plan.

(5) Before a Certificate of Occupancy may be issued for any building, the following improvements shall be constructed:

a. Fire Lane (24-foot access easement within a common area lot),
b. Surface Parking,
c. Fencing,
d. Sidewalk adjacent to Plano Road,
e. Landscape Buffer and Trees,
f. Dumpster and Screening Wall
g. Outdoor Amenity Area 2,
h. Trail / Sidewalk Connection along Plano Road to the South,
i. Left Turn Lane / Median Modifications.

(6) Before a Certificate of Occupancy may be issued for Building E or Building F, Amenity Area 1 shall be completed.

Sec. 8. Property Owners Association
Prior to development of the Property a property owner association declaration of covenants and restrictions to provide for the maintenance of the commons areas and private streets shall be submitted to and approved by the City.

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 other provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other

provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

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

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

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) 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 10th day of October, 2016.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:10-6-16:TM78445)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 16-13

BEING A PORTION OF THAT TRACT OF LAND CONVEYED BY WARRANTY DEED TO BURTON W. HOUSLEY AND JEANNE B. OWNSBY HOUSLEY AS RECORDED IN VOLUME 91053 ON PAGE 0406, DEED RECORDS, DALLAS COUNTY, TEXAS, CITY OF RICHARDSON, TEXAS, SAID TRACT BEING OUT OF THE LEVI KORN SURVEY, ABSTRACT NO. 730 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN "X" CUT IN CONCRETE IN THE CENTERLINE OF NORTH PLANO ROAD (140' R.O.W.), SAID "X" BEING AT THE APPROXIMATE CENTERLINE OF THE DISTANCE BETWEEN TWO EXISTING PAVING BULLETS AT A MEDIAN CUT;

THENCE NORTH 00°34'57" WEST, A DISTANCE OF 276.47', TRAVERSING THE APPROXIMATE CENTERLINE OF NORTH PLANO ROAD (140' R.O.W.) TO A SET YELLOW CAPPED IRON ROD INSCRIPTED "RPLS 3752" FOR CORNER;

THENCE NORTH 89° 49' 33" EAST, A DISTANCE OF 350.74' DEPARTING SAID FUTURE EAST RIGHT-OF-WAY LINE OF NORTH PLANO ROAD (140' R.O.W.) AND TRAVERSING THE COMMON LINE OF SAID HOUSLEY TRACT WITH THE SOUTH LINE OF TWO UNDEVELOPED, UNPLATTED TRACTS OF LAND BELONGING RESPECTIVELY TO CRAWFORD AND LUONG AS WELL AS THE SOUTH LINE OF LOT 16, BLOCK 4 IN WILLOW CREST ESTATES ADDITION, A PLATTED ADDITION IN THE CITY OF RICHARDSON, TEXAS, AS RECORDED IN VOLUME 73211, COMMENCING ON PAGE 0606, PLAT RECORDS, DALLAS COUNTY, TEXAS TO A POINT FOR CORNER, SAID CORNER BEING IN THE PROPOSED EAST MEANDER LIMIT OF 100-YEAR FREQUENCY STORM FLOOD PLAIN;

THENCE ALONG SAID MEANDER AS FOLLOWS:

SOUTH 44° 34' 39" EAST, 32.19'

SOUTH 11° 56' 20" EAST, 52.49'

SOUTH 26° 42' 48" EAST, 105.90'

SOUTH 36° 21' 51" EAST, A DISTANCE OF 133.02' TO A POINT FOR CORNER, SAID CORNER BEING IN THE NORTH LINE OF SAID HIDDEN CREEK ESTATES ADDITION;

THENCE SOUTH 89° 49' 38" WEST, A DISTANCE OF 507.86' TRAVERSING THE COMMON LINE OF SAID HOUSLEY TRACT WITH THE NORTH LINE OF SAID HIDDEN CREEK ESTATES ADDITION BACK TO THE PLACE OF BEGINNING AND CONTAINING 2.678 ACRES (116,640 SQ.FT.).

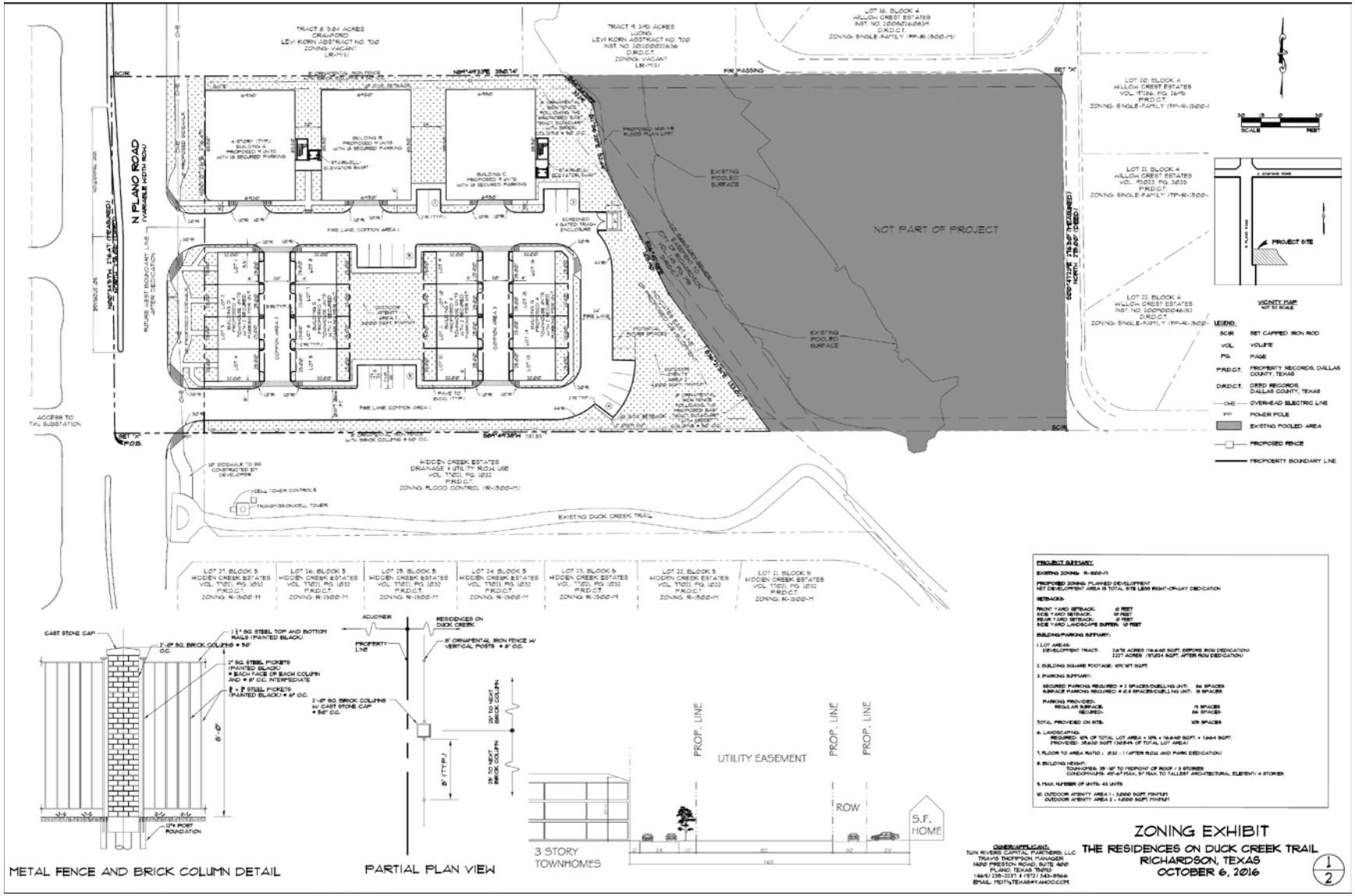

N PLANO ROAD
NOT PART OF PROJECT
EXISTING POOLED SURFACE
PROJECT SITE
VICINITY MAP
ZONING EXHIBIT
THE RESIDENCES ON DUCK CREEK TRAIL
RICHARDSON, TEXAS
OCTOBER 6, 2016
METAL FENCE AND BRICK COLUMN DETAIL
PARTIAL PLAN VIEW
3 STORY TOWNHOMES
UTILITY EASEMENT
PROP. LINE
ROW
S.F. HOME

Exhibit C-1 - Part of Ordinance

Exhibit C-2 - Part of Ordinance

Exhibit C-3 - Part of Ordinance

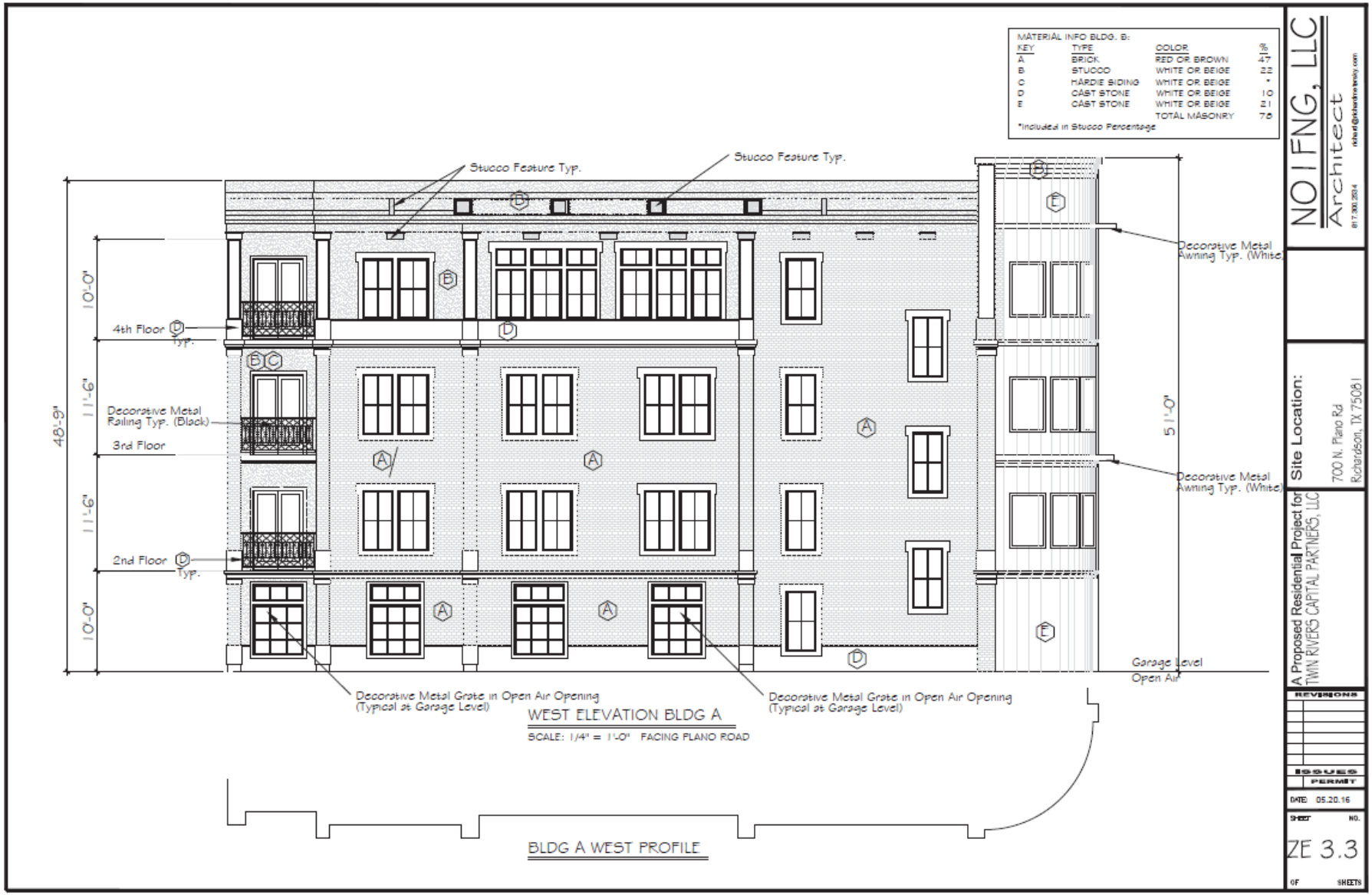


Exhibit C-4 - Part of Ordinance

Exhibit C-5 - Part of Ordinance

ORDINANCE NO. 4183

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-1800-M RESIDENTIAL DISTRICT TO PD PLANNED DEVELOPMENT FOR 2.00 ACRES OF LAND LOCATED AT 700 N. PLANO ROAD, ON THE EAST SIDE OF PLANO ROAD, SOUTH OF ARAPAHO ROAD, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 16-14).

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-1800-M Residential District to PD Planned Development for 2.68 acres of land located at 100 N. Plano Road, on the east side of Plano Road, south of Arapaho Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the Property shall be used and developed in accordance with the following development regulations:

Sec. 1. Intent.

The purpose of the **East Lot – Open Space Tract Planned Development District** is to provide the Property Owner the ability to set aside this tract of land for open space, independent of any adjacent development.

Sec. 2. Concept Plan
The Property shall be used and developed in substantial conformance with the Concept Plan attached as Exhibit "B" ("Concept Plan") which is incorporated herein.

Sec. 3. Base Zoning.
The base zoning of the Property shall be R-1800-M Residential, but use of the Property shall be limited to open space; no buildings shall be constructed, except for development customary for open space areas, including a trail and trail-like amenities.

Sec. 4. Additional Provisions.
The subject property shall be allowed to be platted without frontage on a public street or an approved private street.

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

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

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

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) 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 10th day of October, 2016.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:10-6-16:TM 78462)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 16-14

BEING A PORTION OF THAT TRACT OF LAND CONVEYED BY WARRANTY DEED TO BURTON W. HOUSLEY AND JEANNE B. OWNSBY HOUSLEY AS RECORDED IN VOLUME 91053 ON PAGE 0406, DEED RECORDS, DALLAS COUNTY, TEXAS, CITY OF RICHARDSON, TEXAS, SAID TRACT BEING OUT OF THE LEVI KORN SURVEY, ABSTRACT NO. 730 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET "X" CUT FOR CORNER, SAID CORNER BEING IN THE COMMON LINE OF SAID HOUSLEY TRACT WITH THE SOUTH LINE OF LOT 16, BLOCK 4 IN WILLOW CREST ESTATES ADDITION, AN ADDITION IN THE CITY OF RICHARDSON, TEXAS, AS RECORDED IN VOLUME 73211, COMMENCING ON PAGE 0606, PLAT RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 00° 41' 23" EAST, A DISTANCE OF 276.50', TRAVERSING THE COMMON LINE OF SAID HOUSLEY TRACT WITH THE WEST LINE OF SAID WILLOW CREST ESTATES ADDITION TO A SET IRON ROD FOR CORNER;

THENCE SOUTH 89° 49' 38" WEST, A DISTANCE OF 230.14' TRAVERSING THE COMMON LINE OF SAID HOUSLEY TRACT WITH THE NORTH LINE OF HIDDEN CREEK ESTATES ADDITION, A PLATTED ADDITION IN THE CITY OF RICHARDSON, TEXAS, AS RECORDED IN VOLUME 77021 COMMENCING ON PAGE 1033, PLAT RECORDS, DALLAS COUNTY TEXAS TO A POINT FOR CORNER, SAID CORNER BEING IN THE PROPOSED EAST MEANDER LIMIT OF 100-YEAR FREQUENCY STORM FLOOD PLAIN;

THENCE ALONG SAID MEANDER AS FOLLOWS:

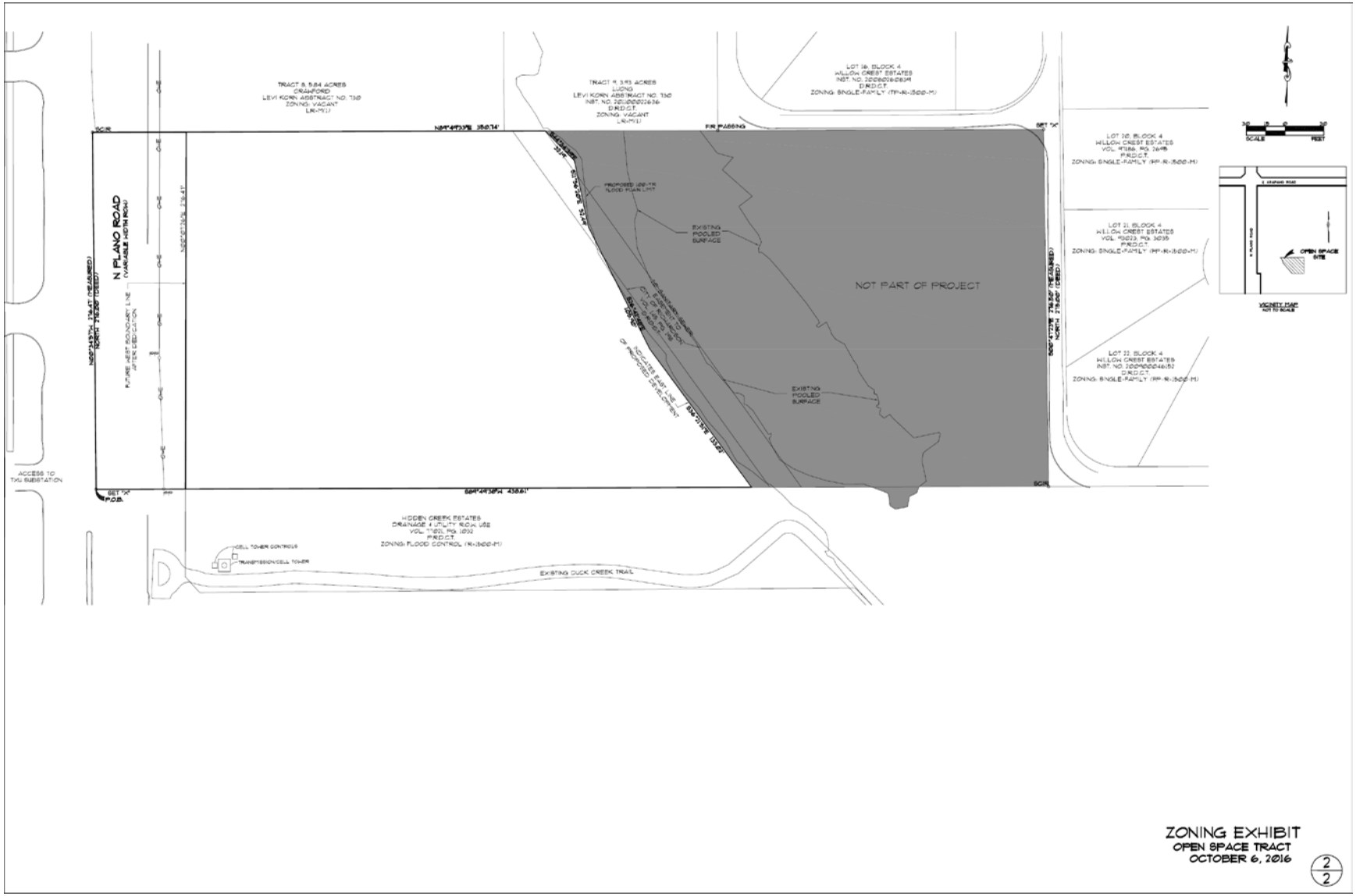
NORTH 36° 21' 51" WEST, 133.02'

NORTH 26° 42' 48" WEST, 105.90'

NORTH 11° 56' 20" WEST, 52.49'

NORTH 44° 34' 39" WEST, A DISTANCE OF 32.19' TO A POINT FOR CORNER, SAID CORNER BEING IN THE COMMON LINE OF SAID HOUSLEY TRACT WITH THE SOUTH LINE OF AN UNDEVELOPED, UNPLATTED TRACT OF LAND BELONGING TO LUONG AS DESCRIBED IN COUNTY CLERK INSTRUMENT NO. 201100022636, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 89° 49' 33" EAST, A DISTANCE OF 386.26' DEPARTING SAID PROPOSED EAST MEANDER LIMIT OF 100-YEAR FREQUENCY STORM FLOOD PLAIN, TRAVERSING THE COMMON LINE OF SAID HOUSLEY TRACT WITH SAID UNPLATTED TRACT BELONGING TO LUONG AS WELL AS THE SOUTH LINE OF SAID LOT 16, BLOCK 4 IN WILLOW CREST ESTATES ADDITION BACK TO THE POINT OF BEGINNING AND CONTAINING 2.003 ACRES (87,261 SQ.FT.)


N PLANO ROAD
NOT PART OF PROJECT
EXISTING POOLED SURFACE
EXISTING POOLED SURFACE
EXISTING DUCK CREEK TRAIL
ACCESS TO TXU SUBSTATION
ZONING EXHIBIT
OPEN SPACE TRACT
OCTOBER 6, 2016
2
2

ORDINANCE NO. 4184

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR AN AMUSEMENT ARCADE ON A 7.90-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED ON THE SOUTH SIDE OF BELT LINE ROAD, WEST OF YALE BOULEVARD, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; REPEALING ORDINANCE NO. 4125; 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 16-19).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, to grant a change in zoning to grant a Special Permit for an amusement arcade on a 7.90-acre lot tract of land zoned LR-M(2) Local Retail located on the south side of Belt Line Road, west of Yale Boulevard, 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 amusement arcade is hereby conditionally granted subject to the following special conditions:

1. A Special Permit shall be granted to allow an amusement arcade which shall be limited to the area shown on the concept plan attached as Exhibit "B" and made a part thereof.

2. The use of the property for an amusement arcade shall require parking at a ratio of one (1) parking space per 333 square feet.

3. Persons 13 years of age or younger shall only be permitted on the property while accompanied by a parent or legal guardian. Persons 17 years of age or younger shall be prohibited on the property after 9:00 p.m.

4. The sale or service of alcoholic beverages in conjunction with an amusement arcade shall be permitted.

5. The Special Permit for an amusement arcade shall be limited to Corey Shane Hyden and/or Richard Tregilgas. No other person, company, business or legal entity may operate an amusement arcade on the property other than Corey Shane Hyden and/or Richard Tregilgas. The special permit automatically terminates upon the change in ownership or operator, in accordance with Article XXII-A, Section 7 of the Comprehensive Zoning Ordinance, as amended.

6. The use of "8-liners" or similar gaming devices shall be prohibited.

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

SECTION 4. That Ordinance No. 4125 is hereby repealed and all other provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

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

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

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) 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 10th day of October, 2016.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:10-6-16:TM 80124))

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 16-19

BEING a 7.90-acre tract of land situated in the Mary Hargroeder Survey, Abstract No. 574, Dallas County, Texas; said tract being Lot 1 of Richardson Center, an addition to the City of Richardson, Texas according to the plat recorded in Volume 90122, Page 673 of the Map Records of Dallas County, Texas.

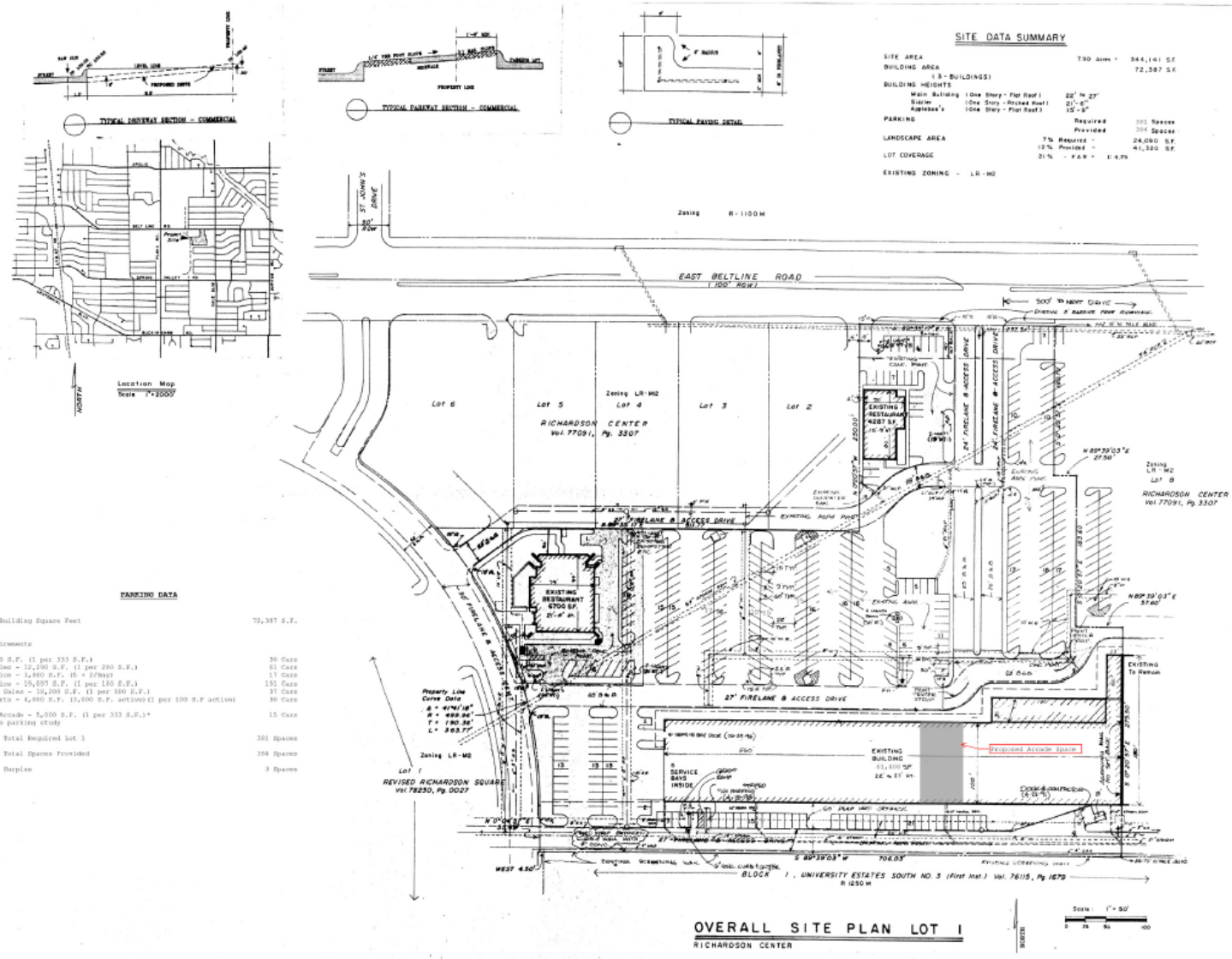


Exhibit B - Part of Ordinance

ORDINANCE NO. 4185

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING CHAPTER 6, ARTICLE III, RICHARDSON ELECTRICAL CODE, BY AMENDING SECTIONS 6.111(a) AND 6-132(1) ADOPTING NATIONAL ELECTRICAL CODE, 2014 EDITION, NFPA 70, RELATING TO ELECTRICAL CONTRACTOR REQUIREMENTS AND STANDARDS FOR ELECTRICAL INSTALLATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended by amending Chapter 6, Article III, Section 6-111(a), in part, to read as follows:

"**Sec. 6-111. Required.**

(a) It shall be unlawful for any person to engage in the business of being an electrical contractor or electrical sign contractor without being registered with the city in the manner set forth in this subdivision, licensed by the State of Texas as an electrical contractor or electrical sign contractor, and without indicating the name by which the business shall be known."

SECTION 2. That the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended by amending Chapter 6, Article III, Section 6-132(1), in part, to read as follows:

"**Sec. 6-132. Standards for electrical installations.**

Conformity of electrical installations with the following standards shall be prima facie evidence that such installations are reasonably safe to persons and property:

(1) The National Electrical Code, 2014 edition, NFPA 70 is incorporated herein by reference and made a part of this article for all purposes, the same as if copied in full herein.

(2) Types NM, NMC, and NMS cables shall be permitted only in one- and two-family dwellings and multi-family dwellings."

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

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

SECTION 5. That should any word, phrase, section, or portion of this Ordinance or of the Code of Ordinances, as amended hereby, be held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

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

SECTION 7. That this Ordinance shall become effective from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 10th day of October, 2016.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:10-5-16:TM 79894)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

ORDINANCE NO. 4186

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, INCLUDING APPENDICES A, AND D THROUGH G, AND AMENDMENTS THERETO BY AMENDING CHAPTER 8, ARTICLE II, SECTIONS 8-27, 8-28, AND 8-29(b); PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 8, Article II, Sections 8-27, 8-28, and 8-29(b) of the Code of Ordinances adopting the 2015 Edition of the International Fire Code, including Appendices A, and D through G of the 2015 Edition of the International Fire Code, published by the International Fire Code Institute and the International Conference of Building Officials, and amendments thereto to read as follows:

"ARTICLE II. – FIRE CODE

Sec. 8-26. – Short title.

This article shall be known as the "Richardson Fire Code" and is to be cited as such.

Sec. 8.27. – Adopted.

There is hereby adopted by the city the 2015 Edition of the International Fire Code, including Appendices A, and D through G of the 2015 Edition of the International Fire Code, published by the International Fire Code Institute and the International Conference of Building Officials, being particularly the 2015 Edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which code and standard copies are filed in the office of the city secretary.

Sec. 8-28. – Amendments.

The following sections of the International Fire Code, 2015 Edition, are hereby amended to read as follows:

(1) The following subsection of Section 102.1 is amended to read as follows:

3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code.

(2) The following subsection of Section102.7 is amended to read as follows:

102.7 Referenced codes and standards.
The codes and standards referenced in this code shall be those that are listed in Chapter 80, except that the referenced NFPA standards shall be the latest effective editions, superseding all previous editions, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

102.7.1 Conflicts.
Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.7.2 Provisions in referenced codes and standards.
Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

(3) The following subsection of Section 105.3.3 is amended to read as follows:

105.3.3 Occupancy Prohibited before Approval.
The building or structure shall not be occupied prior to the *fire code official* issuing a permit, when required, and/or conducting associated inspections indicating the applicable provisions of this code have been met.

(4) The following Section 105.7.19 is added to read as follows:

105.7.19 Security Gates Across Fire Lanes.
A construction permit is required for the installation of security gates across a fire apparatus access road.

(5) The following Section 109.4 is amended to read as follows:

109.4 Violation penalties.
Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than Two Thousand Dollars ($2,000.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(6) The following definitions in Section 202, General Definitions, are amended or added to read as follows:

ADDRESSABLE FIRE DETECTION SYSTEM. Any system capable of providing identification of each individual alarm-initiating device. The identification shall be in plain English and as descriptive as possible to specifically identify the location of the device in alarm. The system shall have the capability of alarm verification.

ANALOG INTELLIGENT ADDRESSABLE FIRE DETECTION SYSTEM. Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be capable of compensating for long-term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.

DEFEND IN PLACE. A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the *fire code official*, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, *detonation*, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

> **Fireworks, 1.4G.** Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks which comply with the construction, chemical composition and labeling regulations of the DOTn for Fireworks, UN 0336, and the U.S. Consumer Product Safety Commission as set forth in CPSC 16 CFR Parts 1500 and 1507, are not explosive materials for the purpose of this code.
>
> **Fireworks, 1.3G.** Large fireworks devices, which are explosive materials, intended for use in fireworks displays and designed to produce audible or visible effects by combustion, deflagration or detonation. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition and other display pieces which exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks are also described as Fireworks, UN 0335 by the DOTn.

HIGH-PILED COMBUSTIBLE STORAGE: add a second paragraph to read as follows:

Any building classified as a group S Occupancy or Speculative Building exceeding 6,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

STANDBY PERSONNEL. Qualified fire service personnel, *approved* by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

UPGRADED OR REPLACED FIRE ALARM SYSTEM. A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model;
- Installing a new fire alarm control unit in addition to or in place of an existing one;
- Conversion from a horn system to an emergency voice/alarm communication system;
- Conversion from a conventional system to one that utilizes addressable or analog devices.

The following are not considered an upgrade or replacement:

- Firmware updates;
- Software updates;
- Replacing boards of the same model with chips utilizing the same or newer firmware.

(7) The following Section 307.1.1 is amended to read as follows:

307.1.1 Prohibited Open Burning. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

> **Exception:** Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the *fire code official*.

(8) The following Section 307.3 is amended to read as follows:

307.3 Extinguishment Authority. The *fire code official* is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

(9) The following Section 307.4 is amended to read as follows:

307.4 Location. The location for open burning shall not be less than 300 feet (91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91 440 mm) of any structure.

Exceptions:

1. Fires in *approved* containers that are not less than 15 feet (4572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

(10) The following Section 307.4 is amended by adding Section 307.4.4:

307.4.4 Permanent Outdoor Firepit. Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the International Building Code.

(11) The following Section 308.1.4 is amended to read as follows:

308.1.4 Open-flame Cooking Devices. Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 lbs (5 containers).

2. Where buildings, balconies and decks are protected by an *approved automatic sprinkler system*, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs (2 containers).

(12) The following Section 308.1.6.2 is amended to read as follows:

308.1.6.2 Portable fueled open-flame devices. Portable open-flame devices fueled by flammable or combustible gases or liquids shall be enclosed or installed in such a manner as to prevent the flame from contacting combustible material.

Exceptions:

1. LP-gas-fueled devices used for sweating pipe joints or removing paint in accordance with Chapter 61.
2. Cutting and welding operations in accordance with Chapter 35.
3. Torches or flame-producing devices in accordance with Section 308.1.3.
4. Candles and open-flame decorative devices in accordance with Section 308.3.

(13) The following Section 308.1.6.3 is amended to read as follows:

308.1.6.3 Sky Lanterns. A person shall not release or cause to be released an unmanned free-floating devices containing an open flame or other heat source, such as but not limited to a sky lantern.

(14) The following Section 311.5 is amended to read as follows:

311.5 Placards. The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

(15) The following Section 403.5 is amended to read as follows:

403.5 Group E Occupancies. An *approved* fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.5.1 through 403.5.3.

(16) The following Section 404.2.2 is amended by adding Number 4.10 to read as follows:

404.2.2 Fire safety plans. Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.

2. The life safety strategy including the following:
   - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
   - 2.2. Procedures for occupants under a defend-in-place response.
   - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.

3. Site plans indicating the following:

3.1. The occupancy assembly point.
3.2. The locations of fire hydrants.
3.3. The normal routes of fire department vehicle access.

4. Floor plans identifying the locations of the following:
4.1. Exits.
4.2. Primary evacuation routes.
4.3. Secondary evacuation routes.
4.4. Accessible egress routes.
4.4.1. Areas of refuge.
4.4.2. Exterior areas for assisted rescue.
4.5. Refuge areas associated with smoke barriers and horizontal exits.
4.6. Manual fire alarm boxes.
4.7. Portable fire extinguishers.
4.8. Occupant-use hose stations.
4.9. Fire alarm annunciators and controls.
4.10. Fire extinguishing system controls.

5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.

6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.

7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

(17) The following Section 405.4 is amended to read as follows:

405.4 Time. The *fire code official* may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

(18) The following Section 501.4 is amended to read as follows:

501.4 Timing of Installation. When fire apparatus access roads, or a water supply for fire protection, are required to be installed for any structure or development they shall be installed, tested, and *approved* prior to the time of which construction has progressed beyond completion of the foundation of any structure.

(19) The following Section 503.1.1 is amended to read as follows:

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of

the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility. Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway around the external walls of the structure.

Exceptions Remain

(20) The following Section 503.2.1 is amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267 mm).

(21) The following Section 503.2.2 is amended to read as follows:

503.2.2 Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

(22) The following Section 503.2.3 is amended to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support imposed loads of 80,000 lbs. for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

(23) The following Section 503.3 is amended to read as follows:

503.3 Marking. Striping, signs, or other markings, when *approved* by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four inch (4") white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) Signs – Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12" wide and 18" high. Signs shall be painted on a white background with letters and borders in red, using not less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as *approved* by the Fire Chief.

(24) The following Section 503.4 is amended to read as follows:

503.4 Obstruction of Fire Apparatus Access Roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

(25) The following Section 505.1 is amended to read as follows:

505.1 Address Identification. New and existing buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the *fire code official*, address numbers shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with *approved* 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other *approved* means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background on border. Address identification shall be maintained.

> **Exception:** R-3 Single Family occupancies shall have *approved* numerals of a minimum 3 ½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

(26) The following Section 507.4 is amended to read as follows:

507.4 Water Supply Test Date and Information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 "Recommended Practice for Fire Flow Testing and Marking of Hydrants" and within one year of sprinkler plan submittal. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. On new systems, or whenever hydraulic calculations are necessary, plan submittals shall be accompanied by a copy of the original, City of Richardson waterflow test report, or as *approved* by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The designer must design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. See Section 903.3.5 for additional design requirements.

(27) The following Section 507.5.4 is amended to read as follows:

507.5.4 Obstruction. A five (5) foot, unobstructed access to and around fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or

objects shall not be placed or kept near fire hydrants, fire department connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

(28) The following Section 509.1 is amended by adding Section 509.1.2 to read as follows:

509.1.2 Sign Requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as *approved* by the *fire code official*. The letters shall be of a color that contrasts with the background.

(29) The following Section 603.3.2.1 is amended to read as follows:

603.3.2.1 Quantity limits. One or more fuel oil storage tanks containing Class II or III combustible liquid shall be permitted in a building. The aggregate capacity of all such tanks shall not exceed 660 gallons (2498 L).

> **Exception:** The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356 L) in accordance with all requirements of Chapter 57.

(30) The following Section 603.3.2.2 is amended to read as follows:

603.3.2.2 Restricted Use and Connection. Tanks installed in accordance with Section 603.3.2 shall be used only to supply fuel oil to fuel-burning equipment installed in accordance with Section 603.3.2.4. Connections between tanks and equipment supplied by such tanks shall be made using closed piping systems.

(31) The following Section 605.5 is amended to read as follows:

605.5 Extension Cords. Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances. Multi-plug extension cords with lamp-type cords are not *approved* for any commercial application, including holiday decorations.

> **605.5.1 Power supply.** Extension cords shall be plugged directly into an *approved* receptacle, power tap or multiplug adapter and, except for *approved* multiplug extension cords, shall serve only one portable appliance.
>
> **605.5.2 Ampacity.** The ampacity of the extension cords shall be not less than the rated capacity of the portable appliance supplied by the cord.
>
> **605.5.3 Maintenance.** Extension cords shall be maintained in good condition without splices, deterioration or damage.

605.5.4 Grounding. Extension cords shall be grounded where serving grounded portable appliances.

(32) The following Sections 807.5.2.2 and 807.5.2.3 are amended to read as follows:

807.5.2.2 Artwork in Corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or shall be noncombustible.

Exception: Artwork and materials in corridors protected by an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

807.5.2.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or shall be noncombustible.

(33) The following Sections 807.5.5.2 and 807.5.5.3 are amended to read as follows:

807.5.5.2 Artwork in Corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or shall be noncombustible.

Exception: Artwork and materials in corridors protected by an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

807.5.5.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or shall be noncombustible.

(34) The following Section 901.6.1 is amended by adding Section 901.6.1.1 to read as follows:

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed when foreign material is present and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as *approved* by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criterion at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.

3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.

4. If the FDC is not already provided with *approved* caps, the contractor shall install such caps for all FDC's as required by the *fire code official*.

5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.

6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.

7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.

8. Standpipe system tests where water will be discharged outside the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an *approved* cap and chain when approval is given to remove hose by the *fire code official*.

(35) The following Section 901.6.3 is amended by adding Section 901.6.3 to read as follows:

901.6.3 False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

(36) The following Section 901.7 is amended to read as follows:

901.7 Systems Out of Service. Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service.

Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

901.7.1 through 901.7.6 remain unchanged.

(37) The following Section 901.8.2 is amended to read as follows:

901.8.2 Removal of Occupant-use Hose Lines. The *fire code official* is authorized to permit the removal of occupant-use hose lines and hose valves where all of the following conditions exist:

1. The hose line(s) would not be utilized by trained personnel or the fire department;
2. If the occupant-use hose lines are removed, but the hose valves are required to remain per the *fire code official*, such shall be compatible with local fire department fittings.

(38) The following Section 903.1.1 is amended to read as follows:

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard or as *approved* by the *fire code official*.

(39) The following Section 903.2 is amended to read as follows:

903.2 Where required. Approved *automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine

room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

Sections 903.2.1 thorough 903.2.8 remain unchanged.

(40) The following Section 903.2.9 is amended by adding Section 9032.9.3 to read as follows:

903.2.9.3 Self-Service Storage Facility. An *automatic sprinkler system* shall be installed throughout all self-service storage facilities.

903.2.11.9 Buildings Over 5,000 sq. ft. An *automatic sprinkler system* shall be installed throughout all buildings with a building area 5,000 sq. ft. or greater and in all existing buildings that are enlarged to be 5,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the *International Building Code*.

(41) The following Section 903.3.1.1.1 is amended to read as follows:

903.3.1.1.1 Exempt Locations. When *approved* by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such ...*{text unchanged}*… because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when *approved* by the code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
5. {Delete.}
6. {Delete.}

(42) The following Section 903.3.1.2.3 is added to read as follows:

Section 903.3.1.2.3 Attics and Attached Garages. Sprinkler protection is required in attic spaces of buildings two or more stories in height, in accordance with NFPA 13 and/or NFPA 13R requirements, and attached garages.

(43) The following Section 903.3.1.4 is added to read as follows:

903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

(44) The following Section 903.3.5 is amended to read as follows:

903.3.5 Water Supplies. Water supplies for *automatic sprinkler systems* shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section, TCEQ Rules, and the *International Plumbing Code*. For connections to public waterworks systems, the water supply test used for design of fire protection systems shall be adjusted to account for seasonal and daily pressure fluctuations based on information from the water supply authority and as *approved* by the *fire code official*.

Water supplies for such systems shall be provided in conformance with the respective standards; however, every water-based fire protection system shall be designed with a minimum 10 psi safety factor. See Section 507.4 for additional design requirements.

(45) The following Section 903.4 is amended to read as follows:

903.4 Sprinkler system supervision and alarms. Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.

2. Limited area sprinkler systems in accordance with Section 903.3.8.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of constant water flow between 45-60 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(46) The following Section 903.4.2 is amended by adding second paragraph to read as follows:

903.4.2 Alarms. An approved audible device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by waterflow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating. The device shall be located on the exterior of the building, in an *approved* location, to identify the primary emergency access to the fire sprinkler riser room, or as otherwise *approved*.

(47) The following Section 903.4.4 is added to read as follows:

903.4.4 Group R-2 Riser Security. Fire sprinkler riser room access doors of group R-2 buildings shall be secured to prevent unauthorized access.

(48) The following Section 903.4.5 is added to read as follows:

903.4.5 Dedicated Function Fire Alarm System [“Sprinkler Waterflow and Supervisory System”] Control Panel Location. In fire sprinklered buildings, the dedicated function fire alarm system [“sprinkler waterflow and supervisory system”] control panel shall be located at the main fire sprinkler riser room, unless otherwise *approved*. A remote annunciator may also be required to facilitate Fire Department response.

(49) The following Section 904.3.5 is amended to read as follows:

904.3.5 Monitoring. Where a building fire alarm system, or a "sprinkler waterflow and supervisory system", is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system, or "sprinkler waterflow and supervisory system".

(50) The following Section 905.2 is amended to read as follows:

905.2 Installation Standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

(51) The following Section 905.3 is amended by adding Section 905.3.9 and exception to read as follows:

905.3.9 Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.

(52) The following Section 905.4 is amended to read as follows:

905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise *approved* by the *fire code official*.
2. On each side of the wall adjacent to the exit opening of a horizontal exit.

   Exception: Where floor areas adjacent to a horizontal exit are reachable from an interior exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480mm) of hose, a hose connection shall not be required at the horizontal exit.

3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

Exception: Where floor areas adjacent to a horizontal exit are reachable from an interior exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the horizontal exit.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe, unless otherwise *approved*, shall be provided with a two-way hose connection located on the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. Where the most remote portion of a nonsprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise *approved* by the *fire code official*.

905.4.3 Identification and clearance. A minimum 36-inch clear width shall be provided in front of standpipe hose connections, and shall extend from the centered connection to the aisle or driveway from which it can be accessed. The clear width shall be permanently marked in an approved manner, by red chevron on contrasting background on the finished floor surface. An approved method to prevent obstruction of the marked area shall be provided. Vehicle impact protection complying with Section 312 shall be provided in garages and other locations where vehicles are operated.

Standpipe hose valve connection locations shall be clearly identified in the following manner:

1. When the connection is on or adjacent to a column, an 18-inch red band shall mark all visible sides of the column. The band shall be as high as practical, but no more than 10-feet above the finished floor; or,
2. When the connection is on a wall the pipe shall be painted red from floor to ceiling, or minimum 10-feet high, whichever is less; or,
3. Where the fire code official determines that additional or substitute markings are necessary to clearly indicate standpipe hose valve connection locations, the fire code official may require additional signs and/or markings.

Exception: Standpipe hose valve connections in stairs and in interior corridors of commercial and residential occupancies, when approved by the fire code official.

(53) The following Section 905.9 is amended by adding a second paragraph after the exceptions to read as follows:

905.9 Valve supervision. Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall be transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.
2. Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of constant water flow between 45-60 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(54) The following Section 907.1.4 is added to read as follows:

907.1.4 Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

(55) The following Section 907.1.5 is added to read as follows:

907.1.5 Fire Alarm Control Panel Location. In fire sprinklered buildings, the fire alarm control panel shall be located at the main fire sprinkler riser room, unless otherwise *approved*. A remote annunciator may also be required to facilitate Fire Department response.

(56) The following Section 907.2.1 is amended to read as follows:

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section

903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

Activation of fire alarm notification appliances shall stop any conflicting or confusing sounds and visual distractions.

(57) The following Section 907.2.3 is amended to read as follows:

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An *approved* smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 30 when provided with an *approved automatic sprinkler system*.

   1.1. Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2½ or less years of age, see Section 907.2.6.)

2. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the manual fire alarm system initiates an approved occupant notification signal in accordance with Section 907.5.

3. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
   3.1. Interior corridors are protected by smoke detectors.
   3.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved detection devices.
   3.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.

4. Manual fire alarm boxes shall not be required in Group E occupancies where all of the following apply:
   - 4.1 The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.
   - 4.2 The emergency voice/alarm communication system will activate on sprinkler water flow.
   - 4.3 Manual activation is provided from a normally occupied location.

(58) The following Section 907.4.2 is amended by adding Section 907.4.2.7 to read as follows:

907.4.2.7 Type. Manual alarm initiating devices shall be an *approved* double action type.

(59) The following Section 907.5.2.3 is amended to read as follows:

907.5.2.3 Visible alarms. Visible alarm notification appliances shall be provided in accordance with Sections 907.5.2.3.1 through 907.5.2.3.3.

Exceptions:

1. When approved by the fire code official, visible alarm notification appliances are not required in alterations, except where an existing fire alarm system is upgraded or replaced, or a new fire alarm system is installed.

2. Visible alarm notification appliances shall not be required in exits as defined in Chapter 2.

3. Visible alarm notification appliances shall not be required in elevator cars.

4. Visual alarm notification appliances are not required in critical care areas of Group I-2 Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.

(60) The following Section 907.6.1 is amended by adding Section 907.6.1.1 to read as follows:

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may

be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(61) The following Section 907.6.3 is amended by deleting all four Exceptions.

(62) The following Section 907.6.6 is amended by adding sentence at end of first paragraph to read as follows:

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the International Building Code shall be monitored by an approved supervising station in accordance with NFPA 72. See 907.6.3 for the required information transmitted to the supervising station.

Exception: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

907.6.6.1 Automatic telephone-dialing devices. Automatic telephone-dialing devices used to transmit an emergency alarm shall not be connected to any fire department telephone number unless approved by the fire chief.

907.6.6.2 Termination of monitoring service. Termination of fire alarm monitoring services shall be in accordance with Section 901.9.

(63) The following Section 910.3 is amended by adding Section 910.3.4 to read as follows:

910.3 Smoke and heat vents. The design and installation of smoke and heat vents shall be in accordance with Sections 910.3.1 through 910.3.3.

910.3.1 Listing and labeling. Smoke and heat vents shall be listed and labeled to indicate compliance with UL 793 or FM 4430.

910.3.2 Smoke and heat vent locations. Smoke and heat vents shall be located 20 feet (6096 mm) or more from adjacent lot lines and fire walls and 10 feet (3048 mm) or more from fire barriers. Vents shall be uniformly located within the roof in the areas of the building where the vents are required to be installed by Section 910.2, with consideration given to roof pitch, sprinkler location and structural members.

910.3.3 Smoke and heat vents area. The required aggregate area of smoke and heat vents shall be calculated as follows:

For buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1:

$A_{VR} = V/9000$

where:

A_{VR} = *The required aggregate vent area (ft2).*

V = Volume (ft3) of the area that requires smoke removal.

For unsprinklered buildings:

$A_{VR} = A_{FA}/50$ **(Equation 9-4)**

where:

A_{VR} = *The required aggregate vent area* (ft^2).

A_{FA} = *The area of the floor in the area that requires smoke removal.*

910.3.4 Vent Operation. Smoke and heat vents shall be capable of being operated by *approved* automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an *approved automatic sprinkler system*, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only systems per Section 910.2.

910.3.4.2 Nonsprinklered Buildings. Where installed in buildings not equipped with an *approved automatic sprinkler system*, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents.

(64) The following Section 910.4.3.1 is amended to read as follows:

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m^2 per 0.4719 m^3/s) of smoke exhaust.

(65) The following Section 912.2 is amended by adding Section 912.2.3 to read as follows:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be approved by the fire chief.

912.2.1 Visible location. Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the fire chief.

912.2.2 Existing buildings. On existing buildings, wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

912.2.3 Hydrant Distance. An *approved* fire hydrant shall be located between 35 and 135 feet of the fire department connection, measured along an *approved* route [as the fire hose is laid] along an unobstructed path.

(66) The following Section 913.2, subsection 913.2.1 is amended by adding second paragraph and exception to read as follows:

913.2 Protection against interruption of service. The fire pump, driver and controller shall be protected in accordance with NFPA 20 against possible interruption of service through damage caused by explosion, fire, flood, earthquake, rodents, insects, windstorm, freezing, vandalism and other adverse conditions.

913.2.1 Protection of fire pump rooms. Rooms where fire pumps are located shall be separated from all other areas of the building in accordance with Section 913.2.1 of the International Building Code.

When located on the ground level, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as *approved* by the *fire code official*. Access keys shall be provided in the key box as required by Section 506.1.

913.2.2 Circuits supplying fire pumps. Cables used for survivability of circuits supplying fire pumps shall be listed in accordance with UL 2196. Electrical circuit protective systems shall be installed in accordance with their listing requirements.

(67) The following Section 914.3.1.2 is amended to read as follows:

914.3.1.2 Water Supply to required Fire Pumps. In buildings that are more than 420 feet (128 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located along different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

> **Exception:** Two connections to the same main shall be permitted provided the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through no fewer than one of the connections.

(68) The following Section 1103.5 is amended by adding Section 1103.5.1 to read as follows:

1103.5.1 Spray Booths and Rooms. Existing spray booths and spray rooms shall be protected by an *approved* automatic fire-extinguishing system in accordance with Section 2404.

(69) The following Section 1103.7 is amended by adding Section 1103.7.8 and 1103.7.8.1 to read as follows:

1103.7.8 Fire Alarm System Design Standards. Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

> **Exception:** Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

> **1103.7.8.1 Communication requirements.** Refer to Section 907.6.6 for applicable requirements.

(70) The following Section 2304.1 is amended to read as follows:

2304.1 Supervision of Dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant; and/or,

2. Shall be under the supervision of a qualified attendant; and/or

3. Shall be an unattended self-service facility in accordance with Section 2304.3.

At any time the qualified attendant of item Number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2304.3.

(71) Section 2401.2 is deleted.

(72) The following Section 5601.1.3 is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions:

1. Only when *approved* for fireworks displays, storage, and handling of fireworks as allowed in Section 5604 and 5608.

2. The use of fireworks for approved fireworks displays as allowed in Section 5608.

{Delete remainder of text.}

(73) The following Section 5601.1.4 is amended to read as follows:

5601.1.4 Rocketry. The use of model and high-power rockets shall not be allowed within the jurisdiction of the City of Richardson. The storage and handling of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125 and NFPA 1127.

(74) The following Section 5703.6 is amended by adding a sentence to read as follows:

5703.6 Piping Systems. Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with Sections 5703.6.1 through 5703.6.11. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

{Subsections unchanged}

(75) The following Section 5704.2.9.5 is amended by amending Section 5704.2.9.5 and by adding Section 5704.2.9.5.3 to read as follows:

5704.2.9.5 Above-ground Tanks Inside of Buildings. Above-ground tanks inside of buildings shall comply with Section 5704.2.9.5.1 through 5704.2.9.5.3.

5704.2.9.5.1 Overfill prevention. Above-ground tanks storing Class I, II and IIIA liquids inside buildings shall be equipped with a device or other means to prevent overflow into the building including, but not limited to: a float valve; a preset meter on the fill line; a valve actuated by the weight of the tank's contents; a low-head pump that is incapable of producing overflow; or a liquid-tight overflow pipe not less than one pipe size larger than the fill pipe and discharging by gravity back to the outside source of liquid or to an approved location. Tanks containing Class IIIB liquids and connected to fuel-burning

equipment shall be provided with a means to prevent overflow into buildings in accordance with Section 5704.2.7.5.8.

5704.2.9.5.2 Fill pipe connections. Fill pipe connections for tanks storing Class I, II and IIIA liquids and Class IIIB liquids connected to fuel-burning equipment shall be in accordance with Section 5704.2.9.7.6.

5704.2.9.5.3 Combustible Liquid Storage Tanks Inside of Buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;

2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;

3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1; and

4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an *approved* closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

(76) The following Section 5704.2.11.4 is amended by adding a sentence to read as follows:

5704.2.11.4 Leak Prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(77) The following Section 5704.2.11.4.2 is amended to read as follows:

5704.2.11.4.2 Leak Detection. Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

(78) The following Section 6103.2.1 is amended by adding Section 6103.2.1.8 to read as follows:

6103.2.1.8 Jewelry Repair, Dental Labs and Similar Occupancies. Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply *approved* torch

assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each container shall be separated from other containers by a distance of not less than 20 feet.

(79) The following Section 6107.4 is amended to read as follows:

6107.4 Protecting Containers from Vehicles. Where exposed to vehicular damage due to proximity to alleys, driveways, or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312.

(80) Section 6109.13 is amended to read as follows:

6109.13 Protection of Containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

Table B105.2 , footnote a. is amended to read as follows:

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

Sec. 8-29. – Administration.

(a) The Richardson Fire Code shall be enforced by the fire prevention division in the fire department of the city, which is hereby established and which shall be operated within the supervision of the chief of the fire department.

(b) The chief (or fire official) in charge of the fire prevention division shall be appointed by the chief of the fire department under such terms and conditions as may be prescribed by the city manager. The term of office shall be for such time as determined by the chief of the fire department.

SECTION 2. That all provisions of the ordinances of the City of Richardson, Texas, 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, Texa, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudicated or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof

other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

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

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. That this ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide.

DULY PASSED AND APPROVED by the City Council of the City of Richardson, Texas, on the 10th day of October, 2016.

APPROVED:

_____
MAYOR

CORRECTLY ENROLLED:

_____
CITY SECRETARY

APPROVED AS TO FORM:

_____
CITY ATTORNEY
(PGS:10-3-16:TM 79401)

ORDINANCE NO. 4187

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING CHAPTER 6, ARTICLE II, BY AMENDING SECTIONS 6-27 AND 6-28, TO ADOPT THE INTERNATIONAL BUILDING CODE, 2015 EDITION, TOGETHER WITH APPENDIX D AND AMENDMENTS THERETO; BY AMENDING SECTIONS 6-30 AND 6-31, TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2015 EDITION AND AMENDMENTS THERETO; BY AMENDING SECTIONS 6-33 AND 6-34, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION; BY AMENDING SECTIONS 6-237 AND 6-238, TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2015 EDITION, WITH APPENDIX A AND AMENDMENTS THERETO; BY AMENDING SECTIONS 6-262 AND 6-263, TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION AND AMENDMENTS THERETO; BY AMENDING SECTIONS 6-287 AND 6-288, TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2015 EDITION, TOGETHER WITH APPENDICES C AND E AND AMENDMENTS THERETO; BY AMENDING CHAPTER 6 BY ADDING ARTICLE IIA, SECTIONS 6-45 AND 6-46 TO ADOPT THE INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION, AND AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended by amending Chapter 6, Article II, Sections 6-27 and 6-28, in part, to read as follows:

"Sec. 6-27. - Adopted.

There is hereby adopted by the City of Richardson, Texas, the International Building Code, 2015 Edition, together with appendix D and amendments, a copy of which is on file in the City Secretary's Office and made a part of this Article for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended."

"Sec. 6-28. - Amendments.

The following sections of the International Building Code, 2015 Edition, together with appendix D and amendments, are hereby amended to read as follows:

Section [A] 101.1 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[A] 101.1 Title.** These regulations shall be known as the Building Code of Richardson, Texas, hereinafter referred to as "this code"."

Section [A] 101.4 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[A] 101.4 Referenced Codes.** The other codes listed in Sections [A] 101.4.1 through [A] 101.4.8 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted."

Section [A] 101.4.4 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[A] 101.4.4 Property Maintenance.** The provisions of the City of Richardson Code of Ordinances, Chapter 6, Article VIII, Property Maintenance, shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety, hazards; responsibilities of owners, operators and occupant; and occupancy of existing premises and structures. All references to the International Property Maintenance Code shall hereafter read the City of Richardson Code of Ordinances, Chapter 6, Article VIII, Property Maintenance."

Section [A] 101.4 of the International Building Code, 2015 Edition, is amended by adding subsection [A] 101.4.8 to read as follows:

"**[A] 101.4.8 Electrical.** The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto."

Section [A] 103 of the International Building Code, 2015 Edition, is amended to read as follows:

"City of Richardson Building Inspection"

Section [A] 103.1 of the International Building Code, 2015 Edition, is amended to read as follows:

[A] 103.1 Creation of enforcement agency. The City of Richardson Building Inspection Department is hereby created and the official in charge thereof shall be known as the building official.

Section [A] 104.2.1 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section [A] 104.10.1 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section [A] 105.2 of the International Building Code, 2015 Edition, is amended by amending Building, item 1 and deleting Building, items 2 through 6, to read as follows:

> "Building: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the roof area does not exceed 40 square feet."

Section [A] 110.3.5 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section [A] 110.6 of the International Building Code, 2015 Edition, is amended by adding subsections [A] 110.6.1 and [A] 110.6.2 to read as follows:

> "**[A] 110.6.1 Reinspection.** Where any work or installation does not pass any initial inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for reinspection."

> "**[A] 110.6.2 Subsequent reinspection.** Where any work or installation does not pass a reinspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for a subsequent reinspection. A fee shall be paid to the Building Inspection Department prior to each subsequent reinspection."

Section [A] 113 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section [A] 116 of the International Building Code, 2015 Edition, is amended by deleting sections [A] 116.2 through [A] 116.5 and by amending section [A] 116.1 to read as follows:

> "**[A] 116.1 Conditions.** Structures or existing equipment which are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, or which are an urban nuisance, shall be deemed an unsafe condition. Unsafe structures are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the City of Richardson Code of Ordinances, Chapter 6, Article VIII, Property Maintenance, as amended."

Section 202 of the International Building Code, 2015 Edition, is amended by adding the following definition to read as follows:

"**ASSISTED LIVING FACILITIES.** A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff."

Section [F] 403.3; exception 2 of the International Building Code, 2015 Edition, is hereby deleted and is of no force or effect.

Section [F] 403.3.2 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 403.3.2 Water supply to required fire pumps.** In buildings that are more than 120 feet in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate. "

Exception: {No change to exception.}

Section [F] 901.6.1 of the International Building Code, 2015 Edition, is amended by adding subsection 901.6.1.1 to read as follows:

"**901.6.1.1 Standpipe Testing.** Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed when foreign material is present, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.

3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.

4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the fire code official.

5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.

6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (fire code official) shall be followed.

7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.

8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

9. Contact the fire code official for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the fire code official."

Section [F] 903.1.1 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 903.1.1 Alternative Protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard or as approved by the fire code official."

Section [F] 903.2 of the International Building Code, 2015 Edition, is amended to delete the exception and add the following paragraph to read as follows:

"Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

Section [F] 903.2.9 of the International Building Code, 2015 Edition, is amended to add subsection [F] 903.2.9.3 to read as follows:

"**[F] 903.2.9.3 Self-Service Storage Facility.** An automatic sprinkler system shall be installed throughout all self-service storage facilities."

Section [F] 903.2.11 of the International Building Code, 2015 Edition, is amended to add subsection [F] 903.2.11.7 to read as follows:

"**903.2.11.7 Buildings Over 5,000 sq. ft.** An automatic sprinkler system shall be installed throughout all buildings with a building area 5,000 sq. ft. or greater and in all existing buildings that are enlarged to be 5,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the International Building Code."

Section [F] 903.3.1.1.1 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 903.3.1.1.1 Exempt Locations.** When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such ...{text unchanged}… because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
5. {Delete.}
6. {Delete.}"

Section [F] 903.3.1.2 of the International Building Code, 2015 Edition, is amended to add subsection [F] 903.3.1.2.3 to read as follows:

"**Section [F] 903.3.1.2.3 Attics and Attached Garages.** Sprinkler protection is required in attic spaces of buildings two or more stories in height, in accordance with NFPA 13 and/or NFPA 13R requirements, and attached garages."

Section [F] 903.3.1.3 of the International Building Code, 2015 Edition, is amended to read as follows:

"Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4 Condition 1 and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law."

Section [F] 903.3.1 of the International Building Code, 2015 Edition, is amended to add subsection [F] 903.3.1.4 to read as follows:

"**903.3.1.4 Freeze protection.** Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe."

Section [F] 903.3.5 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 903.3.5 Water Supplies.** Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section, TCEQ Rules, and the International Plumbing Code. For connections to public waterworks systems, the water supply test used for design of fire protection systems shall be adjusted to account for seasonal and daily pressure fluctuations based on information from the water supply authority and as approved by the fire code official. Water supplies for such systems shall be provided in conformance with the respective standards; however, every water-based fire protection system shall be designed with a minimum 10 psi safety factor. Reference the International Fire Code, Section 507.4 for additional design requirements."

Section [F] 903.4 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 903.4 Sprinkler system supervision and alarms.** Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area sprinkler systems in accordance with Section 903.3.8.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of constant water flow between 45-60 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering."

Section [F] 903.4.2 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 903.4.2 Alarms.** An approved audible device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by waterflow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating. The device shall be located on the exterior of the building, in an approved location, to identify the primary emergency access to the fire sprinkler riser room, or as otherwise approved."

Section [F] 903.4 of the International Building Code, 2015 Edition, is amended to add subsection [F] 903.4.4 as follows:

"**[F] 903.4.4 Group R-2 Riser Security.** Fire sprinkler riser room access doors of group R-2 buildings shall be secured to prevent unauthorized access."

Section [F] 903.4 of the International Building Code, 2015 Edition, is amended to add subsection [F] 903.4.5 as follows:

"**[F] 903.4.5 Dedicated Function Fire Alarm System ["Sprinkler Waterflow and Supervisory System"] Control Panel Location.** In fire sprinklered buildings, the dedicated function fire alarm system ["sprinkler waterflow and supervisory system"] control panel shall be located at the main fire sprinkler riser room, unless otherwise approved. A remote annunciator may also be required to facilitate Fire Department response."

Section [F] 904.3.5 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 904.3.5 Monitoring.** Where a building fire alarm system, or a "sprinkler waterflow and supervisory system", is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system, or "sprinkler waterflow and supervisory system."

Section [F] 905.2 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 905.2 Installation Standard.** Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm."

Section [F] 905.3 of the International Building Code, 2015 Edition, is amended to add subsection [F] 905.3.9 to read as follows:

"**[F] 905.3.9 Buildings Exceeding 10,000 sq. ft.** In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors."

Section [F] 905.4 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 905.4 Location of Class I standpipe hose connections.** Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.
2. On each side of the wall adjacent to the exit opening of a horizontal exit.
   Exception: Where floor areas adjacent to a horizontal exit are reachable from an interior exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480mm) of hose, a hose connection shall not be required at the horizontal exit.
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.
   Exception: Where floor areas adjacent to a horizontal exit are reachable from an interior exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the horizontal exit.
4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe, unless otherwise approved, shall be provided with a two-way hose connection located on the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. Where the most remote portion of a nonsprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official."

Section [F] 905.4 of the International Building Code, 2015 Edition, is amended to add subsection [F] 905.4.3 to read as follows:

"**[F] 905.4.3 Identification and clearance.** A minimum 36-inch clear width shall be provided in front of standpipe hose connections, and shall extend from the centered

connection to the aisle or driveway from which it can be accessed. The clear width shall be permanently marked in an approved manner, by red chevron on contrasting background on the finished floor surface. An approved method to prevent obstruction of the marked area shall be provided. Vehicle impact protection complying with The International Fire Code, Section 312 shall be provided in garages and other locations where vehicles are operated.

Standpipe hose valve connection locations shall be clearly identified in the following manner:

1. When the connection is on or adjacent to a column, an 18-inch red band shall mark all visible sides of the column. The band shall be as high as practical, but no more than 10-feet above the finished floor; or,
2. When the connection is on a wall the pipe shall be painted red from floor to ceiling, or minimum 10-feet high, whichever is less; or,
3. Where the fire code official determines that additional or substitute markings are necessary to clearly indicate standpipe hose valve connection locations, the fire code official may require additional signs and/or markings.

Exception: Standpipe hose valve connections in stairs and in interior corridors of commercial and residential occupancies, when approved by the fire code official."

Section [F] 905.9 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 905.9 Valve supervision.** Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section [F] 903.4. Where a fire alarm system is provided, a signal shall be transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.
2. Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of constant water flow between 45-60 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering."

Section [F] 907.1 of the International Building Code, 2015 Edition, is amended to add Subsections [F] 907.1.4 and [F] 907.1.5 to read as follows:

"**[F] 907.1.4 Design Standards.** Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices."

"**[F] 907.1.5 Fire Alarm Control Panel Location.** In fire sprinklered buildings, the fire alarm control panel shall be located at the main fire sprinkler riser room, unless otherwise approved. A remote annunciator may also be required to facilitate Fire Department response."

Section [F] 907.2.1 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 907.2.1 Group A.** A manual fire alarm system that activates the occupant notification system in accordance with Section [F] 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section [F] 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

Activation of fire alarm notification appliances shall stop any conflicting or confusing sounds and visual distractions."

Section [F] 907.2.3 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 907.2.3 Group E.** A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section [F] 907.5.2.2 and installed in accordance with Section [F] 907.6 shall be installed in Group E educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 30 when provided with an approved automatic sprinkler system.

   1.1. Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2½ or less years of age, see Section [F] 907.2.6.)

2. Emergency voice/alarm communication systems meeting the requirements of Section [F] 907.5.2.2 and installed in accordance with Section [F] 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the manual fire alarm system initiates an approved occupant notification signal in accordance with Section [F] 907.5.

3. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:

   3.1. Interior corridors are protected by smoke detectors.
   3.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved detection devices.
   3.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.

4. Manual fire alarm boxes shall not be required in Group E occupancies where all of the following apply:

   4.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section [F] 903.3.1.1.
   4.2. The emergency voice/alarm communication system will activate on sprinkler water flow.
   4.3. Manual activation is provided from a normally occupied location."

Section [F] 907.4.2 of the International Building Code, 2015 Edition, is amended to add Subsection [F] 907.4.2.7 to read as follows:

"**[F] 907.4.2.7 Type.** Manual alarm initiating devices shall be an approved double action type."

Section [F] 907.5.2.3 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 907.5.2.3 Visible alarms.** Visible alarm notification appliances shall be provided in accordance with Sections [F] 907.5.2.3.1 through [F] 907.5.2.3.3.

Exceptions:

1. When approved by the fire code official, visible alarm notification appliances are not required in alterations, except where an existing fire alarm system is upgraded or replaced, or a new fire alarm system is installed.

2. Visible alarm notification appliances shall not be required in exits as defined in Chapter 2.

3. Visible alarm notification appliances shall not be required in elevator cars.

4. Visual alarm notification appliances are not required in critical care areas of Group I-2 Condition 2 occupancies that are in compliance with Section [F] 907.2.6, Exception 2."

Section [F] 907.6.1 of the International Building Code, 2015 Edition, is amended to add Subsection [F] 907.6.1.1 to read as follows:

"**[F] 907.6.1.1 Wiring Installation.** All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less."

Section [F] 907.6.3 of the International Building Code, 2015 Edition, is amended to delete Exceptions 1, 2, 3 and 4.

Section [F] 907.6.6 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 907.6.6 Monitoring.** Fire alarm systems required by this chapter or by the International Fire Code shall be monitored by an approved supervising station in accordance with NFPA 72. See [F] 907.6.3 for the required information transmitted to the supervising station."

Exception: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section [F] 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

Section [F] 910.3 of the International Building Code, 2015 Edition, is amended add Subsection [F] 910.3.4 to read as follows:

"**[F] 910.3.4 Vent Operation.** Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections [F] 910.3.2.1 through [F] 910.3.2.3."

Section [F] 910.3.4 of the International Building Code, 2015 Edition, is amended add Subsections [F] 910.3.4.1 and [F] 910.3.4.2 to read as follows:

"**[F] 910.3.4.1 Sprinklered buildings.** Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only systems per Section [F] 910.2."

[F] 910.3.4.2 Nonsprinklered Buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents."

Section [F] 910.4.3.1 of the International Building Code, 2015 Edition, is amended to read as follows:

"**[F] 910.4.3.1 Makeup Air.** Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m2 per 0.4719 m3/s) of smoke exhaust."

Section [F] 912.2 of the International Building Code, 2015 Edition, is amended to add subsection [F] 912.2.3 to read as follows:

"**[F] 912.2.3 Hydrant Distance.** An approved fire hydrant shall be located between 35 to 135 feet of the fire department connection, measured along an approved route [as the fire hose is laid] along an unobstructed path."

Section [F] 913.2.1 of the International Building Code, 2015 Edition, is amended to add subsection [F] 913.2.1.1 to read as follows:

"**[F] 913.2.1.1 Fire Pump Room Access.** When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door

that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by The International Fire Code, Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by The International Fire Code, Section 506.1."

Section 1006.2.2 of the International Building Code, 2015 Edition, is amended to add subsection 1006.2.2.6 to read as follows:

"**1006.2.2.6 Electrical Rooms.** For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted."

Section 1009.1 of the International Building Code, 2015 Edition, is amended to add Exception 4 to read as follows:

"**Exceptions:**

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009."

Section 1010.1.9 of the International Building Code, 2015 Edition, is amended to add Exceptions 3 and 4 to read as follows:

"**Exceptions:**

3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy {Remainder unchanged}.

4. Where a pair of doors serves a Group A, B, F, M or S occupancy {Remainder unchanged}."

Section 1029.1.1.1 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 1101.1 of the International Building Code, 2015 Edition, is amended to add an Exception to read as follows:

"**Exception:** Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be incompliance with the requirements of this chapter."

Section 1203.1 of the International Building Code, 2015 Edition, is amended to read as follows:

"**1203.1 General.** Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with the International Mechanical Code.

Where air infiltration rate in a dwelling unit is less than 5 air changes or less per hour when tested with a blower door at a pressure 0.2 inch w.c. (50 Pa) in accordance with Section 402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403 of the International Mechanical Code."

Table 1505.1; of the International Building Code, 2015 Edition, is amended by deleting footnotes b and c.

Section 1505.7 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 1907.1 of the International Building Code, 2015 Edition, is amended by amending the first sentence to read as follows:

"**1907.1 General.** The thickness of concrete floor slabs supported directly on the ground shall not be less than 4 inches unless designed by a registered professional engineer."

Section 3005.4 of the International Building Code, 2015 Edition, is amended to read as follows:

"Elevator machine rooms, control rooms, control spaces and machinery spaces shall be enclosed with firebarriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. [Remainder unchanged]"

Section 3005 of the International Building Code, 2015 Edition, is amended by adding Section 3005.7 and subsections 3005.7.1 through 3005.7.4 to read as follows:

"**3005.7 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.**

3005.7.1 Automatic sprinkler system. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.7.2.1.

3005.7.2.1 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoist-ways.

3005.7.2.2 Sprinkler system monitoring. The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

3005.7.3 Water protection. An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

3005.7.4 Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed."

Section 3106 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 3107 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 3109 of the International Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

SECTION 2. That the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended by amending Chapter 6, Article II, Sections 6-30 and 6-31, in part, to read as follows:

"**Sec. 6-30. - Adopted.**

There is hereby adopted by the City of Richardson, Texas, the International Residential Code for One- and Two-Family Dwellings, 2015 Edition and amendments, a copy of which is on file in the City Secretary's Office and made a part of this Article for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended."

"**Sec. 6-31. - Amendments.**

The following sections of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition and amendments, are hereby amended to read as follows:

Section R101.1 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

"**R101.1 Title.** These provisions shall be known as the Richardson One- and Two-Family Dwelling Building Code, and shall be cited as such and will be referred to herein as "this code".

Section R102.4 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

"**R102.4 Referenced codes and standards.** The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted."

Section Rl02.7 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

"**Rl02.7 Existing Structures.** The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as in specifically covered in this code, the City of Richardson Code of Ordinances, Chapter 6, Article VIII Property Maintenance or the International Fire Code, or as deemed necessary by the building official for the general safety and welfare of the occupants and the public."

Section R104.10.1 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is hereby deleted and is of no force and effect.

Section R105.1 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

"**R105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure; or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system; the installation of which is regulated by this code, or to install concrete pavement, or to cause any such work to be done, shall first make application to the building official for a permit, shall comply with applicable state and local rules and regulations concerning licensing and registration, and obtain the required permit."

Section R105.2 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by amending Building, items 1 and 10, and deleting Building, items 2 through 5, to read as follows:

"**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 40 square feet (3.71 mm).

10. Decks not more than 30 inches above grade.

Section R105.3.1.1 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is hereby deleted and is of no force and effect.

Section R105.5 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

"**R105.5 Expiration.** Every permit issued shall become invalid unless the work authorized by such permit is commenced within 90 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 90 days after the time the work is commenced. For work commenced under a building permit for fire repair/reconstruction, the addition of square footage to a residence, or similar type construction which involves the potential for a building being left open to the elements, the exterior building envelope shall be completed within 90 days of the start of construction. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 60 days each. The extension shall be requested in writing and justifiable cause demonstrated."

Section Rl05.5 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by adding subsection R105.5.1 to read as follows:

"**Rl05.5.1 New permits required.** A new permit must be obtained for any construction which is not completed in the allowable time period or extended as provided above. A new fee shall be required in connection with issuance of a new permit. The new fee shall be one-half the amount required for the original permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work. A new permit must be obtained for any construction which has been suspended or abandoned for a period of more than 60 days. The permittee shall make a new application, resubmit plans for review, and pay a new full permit fee to resume work."

Section R106.1.4 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is hereby deleted and is of no force and effect.

Section R109.4 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by adding subsections R109.4.1 and R109.4.2 to read as follows:

"**R109.4.1 Reinspection.** Where any work or installation does not pass any initial inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for reinspection.

R109.4.2 Subsequent reinspection. Where any work or installation does not pass a reinspection, the necessary corrections shall be made so as to achieve compliance with

this code. The work or installation shall then be resubmitted to the code officer for a subsequent reinspection. A fee shall be paid to the Building Inspection Department prior to each subsequent reinspection."

Section R110 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is hereby deleted and is of no force and effect.

Section Rl12 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is hereby deleted and is of no force and effect.

Section R202 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by adding the following definition:

"**Exterior Building Envelope.** The exterior boundaries of a building, including walls, foundation and basement walls, roof, fascia, and soffit area, and any fenestration."

Table R301.2 of Section R301 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY[f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP[e]	ICE BARRIER UNDER-LAYMENT[h]	FLOOD HAZARDS[g]	AIR FREEZING INDEX[i]	MEAN ANNUAL TEMP[j]
	SPEED[d] (MPH)	Topographic Effects[k]	Special Wind Region[L]	Windborne Debris Zone[m]		Weathering[a]	Frost Line Depth[b]	Termite[c]					
5 lb/ft	115 (3 sec-gust)/ 76 fastest mile	No	No	No	A	Moderate	6"	Very Heavy	22^0 F	No	Local Code	150	64.9^0 F

Section R302.5.1 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

"**R302.5.1 Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors."

Section R309.2 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by deleting the exception.

Section R313 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by deleting subsections R313.1, R313.1, R313.2, and R313.2.1.

Section R322 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is hereby deleted and is of no force and effect.

Section R326 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is hereby deleted and is of no force and effect

Section R403.1 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by adding a sentence to read as follows:

> "Support of one story detached accessory structures on pressure preservatively treated wood shall be permitted, provided the floor area does not exceed 150 square feet (13.9 m) and the structure is properly anchored to accommodate all loads according to Section R301."

Section R602.6.1 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

> "**R602.6.1 Drilling and notching of top plate.** When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1 {remainder unchanged}."

Section R703.8.4.1of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by adding a second paragraph to read as follows:

> "In stud framed exterior walls, all ties shall be anchored to studs as follows:
>
> 1. When studs are 16 in (407 mm) o.c., stud ties shall be spaced no further apart than 24 in (737 mm) vertically starting approximately 12 in (381 mm) from the foundation; or
>
> 2. When studs are 24 in (610 mm) o.c., stud ties shall be spaced no further apart than 16 in (483 mm) vertically starting approximately 8 in (254 mm) from the foundation."

Section R902.1 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended to read as follows:

> "**R902.1 Roofing covering materials.** Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed. Class A, B and C roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108. {remainder unchanged}"

Section R904 of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is amended by adding subsection R904.5 to read as follows:

"**R904.5 Fire Classification.** The minimum roof coverings installed on buildings shall be Class C. Unclassified wood shingles or shakes shall be permitted for repairs on existing unclassified wood shingle or shake roof coverings, if not more than 25 percent of the roof covering is replaced in any 12-month period."

Chapter 11 – Energy Efficiency of the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, is hereby deleted and replaced with the following:

"**N1101.1 Scope.** This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

N1101.2 Compliance. Compliance shall be demonstrated by meeting the requirements of the residential provisions of 2015 International Energy Conservation Code."

SECTION 3. That Chapter 6, Article II of the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended in part by amending Sections 6-33 and 6-34 to read as follows:

"Sec. 6-33. - Adopted.

There is hereby adopted by the City of Richardson, Texas, the International Energy Conservation Code, 2015 Edition and amendments, a copy of which is on file in the City Secretary's Office and made a part of this article for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended."

"Sec. 6-34. - Amendments.

The following sections of the International Energy Conservation Code, 2015 Edition and amendments, are hereby amended to read as follows:

Section C101.1 of the International Energy Conservation Code, 2015 Edition, is amended to read as follows:

"**C101.1 Title.** These provisions shall be known as the Richardson Energy Conservation Code, and shall be cited as such and will be referred to herein as "this code".

Section R101.1 of the International Energy Conservation Code, 2015 Edition, is amended to read as follows:

"**R101.1 Title.** These provisions shall be known as the Richardson Energy Conservation Code, and shall be cited as such and will be referred to herein as "this code"."

Section C102.1 of the International Energy Conservation Code, 2015 Edition, is amended by adding subsection C102.1.2 to read as follows:

"**C102.1.2 Alternative compliance.** A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance."

Section R102.1 of the International Energy Conservation Code, 2015 Edition, is amended by adding subsection R102.1.2 to read as follows:

"**R102.1.2 Alternative compliance.** A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4 and R403.3.3 respectively."

Section C202 of the International Energy Conservation Code, 2015 Edition, is amended by adding the following definition:

"**PROJECTION FACTOR.** The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device."

Section R202 of the International Energy Conservation Code, 2015 Edition, is amended by adding the following definition:

"**PROJECTION FACTOR.** The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device."

Section R202 of the International Energy Conservation Code, 2015 Edition, is amended by adding the following definition:

"**DYNAMIC GLAZING.** Any fenestration product that has the fully reversible ability to change it performance properties, including U-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT)."

Section C402.2 of the International Energy Conservation Code, 2015 Edition, is amended by adding subsection C402.2.7 to read as follows:

"**Insulation installed in walls.** To insure that insulation remains in place, insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the building official."

Section R402.2 of the International Energy Conservation Code, 2015 Edition, is amended by adding subsection R402.2.14 to read as follows:

"**Insulation installed in walls.** To insure that insulation remains in place, insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the building official."

Section R402.3.2 of the International Energy Conservation Code, 2015 Edition, is amended by adding a paragraph and table following the exception to read as follows:

"Where vertical fenestration is shaded by an overhang, eave, or permanently attached shading device, the SHGC required in Table R402.1.2 shall be reduced by using the multipliers in Table R402.3.2 SHGC Multipliers for Permanent Projections."

Table R402.3.2 SHGC Multipliers for Permanent Projections [a]

Projection Factor	SHGC Multiplier (all Other Orientation)	SHGC Multiplier (North Oriented)
0 - 0.10	1.00	1.00
>0.10 – 0.20	0.91	0.95
>0.20 – 0.30	0.82	0.91
>0.30 – 0.40	0.74	0.87
>0.40 – 0.50	0.67	0.84
>0.50 – 0.60	0.61	0.81
>0.60 – 0.70	0.56	0.78
>0.70 – 0.80	0.51	0.76
>0.80 – 0.90	0.47	0.75
>0.90 – 1.00	0.44	0.73

[a] North oriented means within 45 degrees of true north.

Section R402.4.1.2 of the International Energy Conservation Code, 2015 Edition, is amended by adding a final paragraph to read as follows:

"Mandatory testing shall only be performed by individuals that are certified to perform air infiltration testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and

may not be employed; or have any financial interest in the company that constructs the structure."

Section R403.3.3 of the International Energy Conservation Code, 2015 Edition, is amended by adding a final paragraph to read as follows:

"Mandatory testing shall only be performed by individuals that are certified to perform duct testing leakage testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure."

Section R405.6.2 of the International Energy Conservation Code, 2015 Edition, is amended by adding the following sentence to the end of the paragraph to read as follows:

"Acceptable performance software simulation tools may include, but are not limited to, REM Rate™, Energy Gauge and IC3. Other performance software programs accredited by RESNET and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official."

Section R406.4 of the International Energy Conversation Code, 2015 Edition, is amended to read as follows:

TABLE R406.4[1]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	65

[1] This table is effective until August 31, 2019.

TABLE R406.4[2]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	63

[2] The table is effective from September 1, 2019 to August 31, 2022.

TABLE R406.4[3]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	59

[3] This table is effective on or after September 1, 2022.

SECTION 4. That the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended by amending Chapter 6, Article V, Sections 6-237 and 6-238 in part to read as follows:

"**Sec. 6-237. - Adopted.**

There is hereby adopted by the City of Richardson, Texas, the International Fuel Gas Code, 2015 Edition, together with Appendix A, and amendments, a copy of which is on file in the City Secretary's Office and made a part of this Article for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended."

"**Sec. 6-238. - Amendments.**

The following sections of the International Fuel Gas Code, 2015 Edition, are hereby amended to read as follows:

Section 102.5 of the International Fuel Gas Code, 2015 Edition, is amended by adding subsection 102.5.1 to read as follows:

> "**102.5.1 Change in tenancy or ownership.** It shall be unlawful to make a change in tenancy or ownership of any existing building or lease space without first making application for and obtaining approval for a certificate of occupancy."

Section 107.3 of the International Fuel Gas Code, 2015 Edition, is amended by adding subsection 107.3.4 to read as follows:

> "**107.3.4 Subsequent reinspection and testing.** Where any work or installation does not pass a retest or reinspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for a subsequent reinspection. A fee shall be paid to the Building Inspection Department prior to each subsequent reinspection.""

SECTION 5. That the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended by amending Chapter 6, Article VI, Sections 6-262 and 6-263 in part to read as follows:

"**Sec. 6-262. - Adopted.**

There is hereby adopted by the City of Richardson, Texas, the International Mechanical Code, 2015 Edition, a copy of which is on file in the City Secretary's Office and made a part of

this Article for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended."

"**Sec. 6-263. - Amendments.**

The following sections of the International Mechanical Code, 2015 Edition, are hereby amended to read as follows:

Section 102.5 of the International Mechanical Code, 2015 Edition, is amended by adding subsection 102.5.1 to read as follows:

> "**102.5.1 Change in tenancy or ownership.** It shall be unlawful to make a change in tenancy or ownership of any existing building or lease space without first making application for and obtaining approval for a certificate of occupancy."

Section 107.3 of the International Mechanical Code, 2015 Edition, is amended by adding subsection 107.3.4 to read as follows:

> "**107.3.4 Subsequent reinspection and testing.** Where any work or installation does not pass a retest or reinspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for a subsequent reinspection. A fee shall be paid to the Building Inspection Department prior to each subsequent reinspection.""

SECTION 6. That the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended by amending Chapter 6, Article VII, Sections 6-287 and 6-288 in part to read as follows:

"**Sec. 6-287. - Adopted.**

There is hereby adopted by the City of Richardson, Texas, the International Plumbing Code, 2015 Edition, together with Appendices C and E and amendments, a copy of which is on file in the City Secretary's Office and made a part of this Article for all purposes, the same as if copied in full herein, with the exception of such sections thereof, as are hereinafter deleted, modified or amended."

"**Sec. 6-288. - Amendments.**

The following sections of the International Plumbing Code, 2015 Edition, together with Appendices C and E, and amendments, are hereby amended to read as follows:

Section 102.5 of the International Plumbing Code, 2015 Edition, is amended by adding subsection 102.5.1 to read as follows:

"**102.5.1 Change in tenancy or ownership**. It shall be unlawful to make a change in tenancy or ownership of any existing building or lease space without first making application for and obtaining approval for a certificate of occupancy."

Section 107.4 of the International Plumbing Code, 2015 Edition, is amended by adding subsection 107.4.4 to read as·follows:

"**107.4.4 Subsequent reinspection and testing.** Where any work or installation does not pass a retest or reinspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for a subsequent reinspection. A fee shall be paid to the Building Inspection Department prior to each subsequent reinspection."

Section 305.4.1 of the International Plumbing Code, 2015 Edition, is amended to read as follows:

"**305.4.1 Sewer depth.** Building sewers shall be a minimum of 12 inches (305 mm) below grade."

Section 312.10 of the International Plumbing Code, 2015 Edition, is amended by deleting subsections 312.10.1 and 312.10.2 and amending 312.10 to read as follows:.

"**312.10 Inspection and testing of backflow prevention assemblies.** Inspection and testing shall comply with the requirements set forth by the Texas Commission on Environmental Quality."

Section 502 of the International Plumbing Code, 2015 Edition, is amended by adding subsection 502.6 to read as follows:

"**502.6 Water heaters above ground or floor.** When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, access shall be provided by a stairway or permanent ladder fastened to the building."

Section 606.1 of the International Plumbing Code, 2015 Edition, is amended by deleting items 4 and 5 and renumbering the remaining items.

Section 714 of the International Plumbing Code, 2015 Edition, is amended by amending section 714 and 714.1 to read as follows:

"**SECTION 714**
ENGINEERED DRAINAGE DESIGN

"714.1 Design of drainage system. The sizing requirements for plumbing drainage systems shall be determined by approved design methods."

Section 903.1 of the International Plumbing Code, 2015 Edition, is amended to read as follows:

"**903.1 Roof extension.** All open vent pipes that extend through a roof shall be terminated at least 6 inches (152 mm) above the roof (remainder of section unchanged)."

Section 1106.1 of the International Plumbing Code, 2015 Edition, is amended to read as follows:

"**1106.1 General.** The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on the 100-year hourly rainfall rate of 5 inches.""

SECTION 7. That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 6 in part to add Article IIA, Sections 6-45 and 6-46, to read as follows:

"**ARTICLE II.A. – INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION**

Sec. 6-45. - Adopted.

There is hereby adopted by the City of Richardson, Texas, the International Existing Building Code, 2015 Edition and amendments, a copy of which is on file in the City Secretary's Office and made a part of this article for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 6-46. - Amendments.

The following sections of the International Existing Building Code, 2015 Edition and amendments, are hereby amended to read as follows:

Section [A] 102.4 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

"**[A] 102.4 Referenced codes and standards.** The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2."

Section 202 definition of Existing Building of the International Existing Building Code, 2015 Edition, is amended to read as follows:

"**Existing Building** - A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; or a change of occupancy."

Section 405.1.3 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 406.2 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

"**406.2 Replacement window opening control devices.** In Group R-2 or R-3 buildings containing dwelling units, window opening control devices complying with ASTM F 2090 shall be installed where an existing window is replaced and where all of the following apply to the replacement window . . . {Remainder Unchanged}

The window opening control device, after operation to release the control device allowing the window to fully open, shall not reduce the minimum net clear opening area of the window unit to less than the area required by Section 1030.2 of the International Building Code."

Section 407.1 of the International Existing Building Code, 2015 Edition, is amended by adding subsection 407.1.2 to read as follows:

"**407.1.2 Change in tenancy or ownership.** It shall be unlawful to make a change in tenancy or ownership of an existing building or lease space without first making application for and obtaining approval for a certificate of occupancy."

Section 408.3 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 410.1 of the International Existing Building Code, 2015 Edition, is amended to add an exception as follows:

"**Exception:** Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be incompliance with the requirements of this chapter."

Section 410.4.2 the International Existing Building Code, 2015 Edition, is amended to add number 7 as follows:

"7. At least one accessible family or assisted use toilet room shall be provided in accordance with Chapter 11 of the International Building Code."

Section 601.3 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 606.2.4 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 607.1 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

> "**607.1 Material.** Existing electrical wiring and equipment undergoing repair shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70."

Section 701.3 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 702.6 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

> "**702.6 Materials and methods.** All new work shall comply with the materials and methods requirements in the International Building Code, International Energy Conservation Code, International Mechanical Code, National Electrical Code, and International Plumbing Code, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building."

Section 803.5.1 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

> "**803.5.1 Minimum requirement.** Every portion of open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards."

Section 804.1 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

> "**804.1** For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level."

Section 804.2.5 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

> "**804.2.5 Exception**: Supervision is not required where the Fire Code does not require such for new construction."

Section 804.3 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

"**804.3 Standpipes.** Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements."

Section 805.2; Exception 1 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 805.3.1.2 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

"**805.3.1.2 Fire Escapes required.** For other than Group I-2, where more than one exit is required an existing constructed fire escape complying with section 805.3.1.2.1 shall be accepted as providing one of the required means of egress."

Section 805.3.1.2.1 of the International Existing Building Code, 2015 Edition, is amended and Exception 3 is deleted to read as follows:

"**805.3.1.2.1 Fire Escape access and details.**

2. Access to a fire escape shall be through a door {remainder unchanged}
3. [Deleted]
5. In all building of Group E occupancy up to and including the 12th grade, building of Group I occupancy, boarding houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress."

Section 805.3.1.2.2 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 805.3.1.2.3 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 806.2 of the International Existing Building Code, 2015 Edition, is amended to add the Exception to read as follows:

"**Exception:** Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be incompliance with the requirements of this chapter."

Section 904.1 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

"**904.1.1 High-rise buildings.** An automatic sprinkler system shall be provided in work areas of high-rise buildings."

Section 1103.5 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 1201.4 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 1302.7 of the International Existing Building Code, 2015 Edition, is hereby deleted and is of no force and effect.

Section 1401.2 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

> "**1401.2 Applicability.** Structures existing prior to the date of an approved final inspection issued under a code edition which is at least two published code editions preceding the currently adopted building code; or a change of occupancy, {rest of section un-changed}."

Section 1401.3.2 of the International Existing Building Code, 2015 Edition, is amended to read as follows:

> "**1401.3.2 Compliance with other codes.** Buildings that are evaluated in accordance with this section shall comply with the International Fire Code."

Chapter 16 – Referenced Standards of the International Existing Building Code, 2015 Edition, is amended to read as follows:

"**IECC -** Edition as adopted by the State of Texas International Energy Conservation Code ®…….301.2, 702.6, 708.1, 811.1, 908.1"

SECTION 8. That all provisions of the Code of Ordinances of the City of Richardson, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 9. That an offense committed before the effective date of this ordinance is governed by the prior law and provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 10. That should any word, phrase, section, or portion of this Ordinance or of the Code of Ordinances, as amended hereby, be held to be void or unconstitutional, the same

shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 11. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 12. That this Ordinance shall become effective from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 10th day of October, 2016.

APPROVED:

_____
MAYOR

APPROVED AS TO FORM:

_____
CITY ATTORNEY
(PGS:10-4-16:TM 79891)

CORRECTLY ENROLLED:

_____
CITY SECRETARY

RESOLUTION NO. 16-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, REGARDING THE REVIEW OF THE CODE OF ETHICS, CHAPTER 2, ARTICLE I OF THE CITY OF RICHARDSON CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richardson Code of Ordinances Section 2-10 provides that the City Council of the City of Richardson shall review Code of Ethics codified at Chapter 2, Article I of the City of Richardson Code of Ordinances once every two years following the adoption of said article; and

WHEREAS, the City Council of the City of Richardson has conducted such review;

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

SECTION 1. That the City Council having conducted a review, finds and declares there is no need or desire at this time to amend the Code of Ethics, Chapter 2, Article I of the City of Richardson Code of Ordinances.

SECTION 2. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution which shall remain in full force and effect.

SECTION 3. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 10th day of October, 2016.

CITY OF RICHARDSON, TEXAS

_____
MAYOR

ATTEST:

_____
CITY SECRETARY

APPROVED AS TO FORM:

_____
PETER G. SMITH, CITY ATTORNEY
(PGS:9-22-16:TM 79478)

RESOLUTION NO. 16-31

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, the 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: Michael Spanos Title: Treasury Accountant

Signature _____ Direct Phone Number: 972-744-4064

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 10th day of October, 2016.

CITY OF RICHARDSON, TEXAS

_____

MAYOR

ATTEST

_____

CITY SECRETARY

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:9-22-16:TM 79452)

City of Richardson
City Council Worksession
Agenda Item Summary

Worksession Meeting Date:	Monday, October 10, 2016
Agenda Item:	Consider Reappointment of the City Health Officer
Staff Resource:	Dan Johnson, City Manager
Summary:	<u>City Health Officer</u> Dr. Dave Bonnet – two year term; 10/13/2016 – 10/13/2018
Board/Commission Action:	N/A
Action Proposed:	Consider motion approving the reappointment as listed above.

MINUTES OF THE MEETING OF THE CIVIL SERVICE BOARD
CITY OF RICHARDSON

A meeting of the Richardson Civil Service Board was held in the Heights Room of the Civic Center on Thursday, September 8, 2016. Chairman Mary Bedosky called the meeting to order at 4:06 p.m. The following members were present:

Mary Bedosky
Keith Hileman
Jennifer Justice
Bill Harper

Mary Bedosky, Chairman of the Civil Service Board, presented agenda items to the Board. Jose Moreno, Director of Human Resources and Cheree Bontrager, Assistant Director of Human Resources were also present. There were 3 visitors present in the audience, Shanna Sims-Bradish from the City Manager's Office, Chief Jimmy Spivey from the Police Department, and Yolanda Medina from the Library.

1. The minutes of the June 28, 2016 meeting were approved as submitted.

2. The Board heard the proposed changes to the Civil Service Rules by Jose Moreno. After hearing the recommendations, the motion was made and the board unanimously recommended approval of the proposed Civil Service rule changes to the City Council.

3. Two Disciplinary Orders were reviewed by the Board:

   Police Department – 1 Day Suspension
   Police Department – 5 Days Suspension

The meeting was adjourned at 5:00 p.m.

_____ _____
Secretary Chairman

PREFACE

In 1956, immediately after the population of Richardson reached 5,000, the City Council appointed a Charter Commission to promulgate a Home Rule Charter. This Charter was approved by the people of Richardson on June 23, 1956. Article XVII of the Charter contemplated a Civil Service Program in the future as the City; the municipal functions and the personnel of the City grew. Thirteen years later as the population of Richardson reached 50,000, the City Council determined that Civil Service had become practical and appropriate, and on March 10, 1969, the City Council appointed a Civil Service Board to promulgate rules and procedures to effect the Civil Service Program.

The purpose of these rules is to set forth the principles and procedures that are to be followed by the City Administration in its personnel program, and they are an augmentation and clarification of Article 9 and Article 10 of the new charter (1989) of the City Charter to establish a merit system of personnel administration. It is intended that these rules not only provide a working guide for City officials, but that they shall acquaint the City employees with the chief personnel objectives and practices of the City.

These rules are not intended to be inflexible; therefore, it is expected that amendments and revisions will be made in the manner provided by the rules whenever they are necessary to insure effective administration of the Civil Service Program. These rules and amendments when approved by the City Council shall be applicable to all departments of the City, except said Department Heads and officers excluded in the City Charter, and these rules shall have the force and effect of the law in all departments of City Administration.

The Civil Service Board of the City of Richardson, Texas, hereby certifies that in accordance with Articles 9 and 10, of the Home Rule Charter of the City of Richardson, Texas, the following personnel rules were originally approved by the City Council of Richardson, Texas, on August 26, 1969, with subsequent amendments approved by both the Civil Service Board and the City Council.

RULE I

GENERAL PROVISIONS

SECTION 1. USING OFFICIAL AUTHORITY IN POLITICAL MATTERS

No employee of the City of Richardson shall use their official authority or influence to coerce, endorse, solicit, or persuade the political action of any person or body. No person shall dismiss, or cause to be dismissed, or threaten to dismiss, or make any attempt to procure the dismissal of, or in any manner change the official rank or compensation of any person in such service, because of their political opinions or affiliations. An employee of the City shall neither engage in any political activity while such employee is wearing an official uniform of the City nor shall such employee engage in the management affairs of a political campaign of any person while on active duty other than to exercise their right as a citizen to express their opinion and cast their vote.

SECTION 2. RESIGNATION TO SEEK PUBLIC OFFICE

No employee of the City shall continue in such position after becoming a candidate for nomination or election for any public office in the City of Richardson.

SECTION 3. NO DISCRIMINATION OR HARASSMENT

No discrimination or harassment shall be exercised, threatened, or promised against or in favor of any applicant, competitor, candidate, eligible, or employee because of age, citizenship, color, disability, national origin, political opinion, pregnancy, race, religion, sex, veteran status, or any other legally protected classification.

SECTION 4. NO POLITICAL INFLUENCE

No political influence on the behalf of any applicant or competitor involving a disclosure of their political opinions or affiliations from any source shall be accepted by the Board or the Director of Human Resources.

SECTION 5. WAIVING OF RIGHTS

No applicant for employment by the City shall sign or be permitted to sign any document, or instrument, nor give their consent verbally, orally or otherwise, whereby they shall waive, relinquish or release any right or rights accruing to them under the City Charter or these rules. No public officer shall require an employee to waive any rights accruing to such employee under the law and rules. This rule shall not be applicable to employees who have, previous to the adoption of these rules, signed instruments or documents whereby they have relinquished sick leave benefits or other benefits accruing to them under these rules in order to remain in the employ of the City.

RULE II

COOPERATION OF MUNICIPAL EMPLOYEES

SECTION 6. COOPERATION OF MUNICIPAL EMPLOYEES

All municipal employees shall provide the Board with all reasonable facilities in conducting any of its business and the inquiries specified in these Rules and the Civil Service Charter provision. The Board shall be permitted to inspect all books, papers, and documents belonging, or in any way appertaining to their respective offices, and they shall also produce said books and papers and shall attend and testify when required to do so by the Board.

The workplace is owned by the City of Richardson. All facilities, vehicles, fixtures, and devices owned, leased or rented, or provided by the City may be inspected or reviewed at any time by the City Manager or ~~his~~a designee. City employees shall have no expectation of privacy when using City owned property or systems (including but not limited to computers, e-mail and voice mail systems and other communication devices, desks, cabinets and/or lockers).

Comment [JM1]: Changed to reflect gender neutrality.

SECTION 7. ALL EMPLOYEES ABIDE BY PROVISIONS OF RULES

It shall be the duty of all employees of the City to conform to and comply with and to aid in all proper ways in carrying into effect the provisions of these Rules and any modification thereof. No employee or employees having the power of appointment shall select or appoint any person for employment, promotion, or reinstatement except in accordance with these Rules and Charter provision.

SECTION 7.1 NEPOTISM

Comment [JM2]: Reformatting for ease of locating section

No person may be employed in, transferred to, or promoted to a position where that person is in the same line of supervision of/as another employee who is related to the person within two degrees of affinity (marriage) or three degrees of consanguinity (blood) or where the two employees cohabitate. An employee related to or cohabiting with another employee may be employed in, promoted or transferred to a department where the other employee within the prohibited degrees of relationship is employed so long as the two employees are not in the same line of supervision or where their respective positions do not create a conflict of interest. As used herein, “cohabitate” and “cohabiting” shall mean residing together in the same household involving a mutual assumption of rights, duties, and obligations common in a marital relationship. As used herein, "line of supervision" refers to an organizational unit within a department where one employee has discretion over another employee's employment, salary, wages, discipline, promotion, administration, or work duties.

RULE III

CIVIL SERVICE BOARD ORGANIZATION AND MEETINGS

SECTION 8. PURPOSE

The primary purpose of the Civil Service Board is to oversee the Civil Service System of the City of Richardson.

SECTION 9. POWERS

The Civil Service Board, subject to the approval of the City Council, shall adopt, amend, and enforce a Code of Rules and Regulations providing for appointment and employment in all positions in the Classified Service which shall have the force and effect of law; also rules regulating reduction of forces of employees and in what order they shall be dismissed and reinstated; shall make investigation concerning the enforcement and effect of the Civil Service sections of the Charter and of the rules adopted under the powers herein granted.

SECTION 10. MEMBERSHIP AND TERMS

The City Council shall appoint a Civil Service Board, composed of five (5) citizens who reside in the City of Richardson, for two (2) year terms and until their successors have been appointed and qualified. Three members shall be appointed in August of odd-numbered years, and two members shall be appointed in August of even-numbered years. At least one member shall live in each of Districts 1-4 of the City.

SECTION 11. PROCEDURES

The City Council shall appoint a Chairperson and a Vice-Chairperson. The Board may appoint such other officers ~~and subordinates~~ as it may deem necessary from time to time. In the absence of one or more of the permanent officers, temporary officers may be appointed by the Board for the conduct of business. The Board shall meet monthly, or as needed. ~~The Civil Service Board shall make an annual report to the City Council at the end of each fiscal year, giving a complete itemized statement of all expenditures paid or incurred by it, and containing such recommendations for improving the efficiency of the Civil Service System as it may deem advisable.~~ The judgment or decision of a majority of the Civil Service Board or Civil Service Appeals Board present at any disciplinary appeal/show cause hearing shall be final and non-appealable.

SECTION 12. OFFICIAL SIGNATURES

The minutes, orders and other official acts of the Board shall be signed by the Chairperson, or in their absence or incapacity, by the Vice-Chairperson, together with ~~the Secretary~~another present board member.

SECTION 13. MINUTES

The Board shall maintain minutes of all its meetings and of all hearings of employee appeals.

SECTION 14. REGULAR MEETINGS

The Board shall meet ~~regularly each month~~ at such time and place to be designated by the Board. An agenda for each meeting ~~Notice of monthly meetings with agenda~~ will be posted ~~in all City departments~~ at least 72 hours prior to the meeting.

SECTION 15. SPECIAL MEETINGS

Special meetings of the Board may be called by the ~~Secretary~~ Human Resources Director (board liaison) at the request of the Chairperson~~man~~, or at the written request of any two members of the Board, or by request of the City Manager.

SECTION 16. OPEN MEETINGS

All meetings will be conducted in accordance with provisions of the Charter of the City of Richardson and the Texas Open Meetings Act.

Comment [JM3]: Change made to reflect newly revised City Charter language adopted in 11/2015. (per City Charter Sect 9.11 (d))

Comment [JM4]: Change made to reflect newly revised City Charter language adopted in 11/2015. (Per City Charter Sect 9.11 (d))

Comment [JM5]: There is not been a designated/appointed secretary for the board. Signing of minutes by other present board member has been the practice. (This change still reflects what is in Section 9.11 (d) of City Charter)

Comment [JM6]: Change made to reflect newly revised City Charter adopted in 11/2015. (Per City Charter in Sect 9.11 (d). Also reflects current practices

Comment [JM7]: Change made due to past and current practice.

Comment [JM8]: Change made to display gender neutrality.

SECTION 17. ORDER OF BUSINESS

The regular order of business shall be the approval of the minutes of the prior meeting and agenda items of new and/or unfinished business.

RULE IV

JOB DESCRIPTIONS AND COMPENSATION PLAN

SECTION 18. JOB DESCRIPTIONS AND COMPENSATION PLAN

The Director of Human Resources and/or her/his designee will approve new and/or revised job descriptions in coordination with appropriate Department Heads and/or their designees, and/or the City Manager's Office.

Comment [JM9]: Changed to reflect gender neutrality.

All provisions of the City's compensation plan are governed by the financial condition of the City of Richardson, subject to annual review and authorization by the City Manager and City Council. The compensation plan may be revised when necessary.

RULE V

APPLICANTS FOR EMPLOYMENT

SECTION 19. FILING APPLICATIONS

(a) Any person may be considered for employment to a vacancy in the classified service who has filed an application with the City in the manner specified in these Rules and whose application has not been rejected for cause in accordance with the provisions of these Rules.

(b) The applicant shall be required to certify to the correctness of the facts of their application by their signature.

(c) Members of the classified service will be eligible for consideration for all other openings in the classified service before consideration is extended to applicants outside the classified service.

(d) Temporary and part time employees of the City may be considered for employment to classified positions at such time that applicants from outside the City are considered.

SECTION 20. AGE

Eighteen years shall be the minimum age to take any entrance examination for positions in all departments of the City of Richardson coming within the jurisdiction of the Municipal Civil Service System, except Fire and

Police Departments wherein departmental policies regarding minimum age shall prevail even where no examination is required. There shall be no maximum age limit to take any entrance examination for positions in all departments for the City of Richardson coming within the jurisdiction of the Municipal Civil Service System.

SECTION 21. CHARACTER AND FITNESS OF APPLICANT

Applicants must be of good character and possess the physical and mental ability to perform the essential functions of the position, either with or without reasonable accommodations. ~~A Medical History Questionnaire must be completed by each full-time appointee to any position coming under these rules and each appointee must be found to be physically and mentally capable of performing the essential functions of the position to which he or she will be assigned, either with or without reasonable accommodations. No applicant shall be appointed who has not completed and signed the Medical History Questionnaire and been found physically and mentally capable of performing the essential functions of the position, either with or without reasonable accommodations.~~

Comment [JM10]: Only Public Safety departments perform medical and/or psychological assessments to determine if candidate performs essential functions. General employee departments do not perform such assessments. Change does not preclude from public safety departments conducting assessments to determine if the employee can perform the essential functions of the job.

SECTION 22. APPLICANT BACKGROUND INVESTIGATIONS

Background ~~I~~investigations may be ~~made~~conducted of any or all applicants for any position. ~~final candidates recruited for any position all applicants for all entrance positions.~~

Comment [JM11]: Change made to reflect City process of performing background investigation (criminal history checks) on all recruited positions, not just entrance positions.

SECTION 23. CAUSE FOR REJECTION

The following are declared to be cause for rejection of any applicant:

(a) If found to lack any of the minimum qualifications set forth in the notice inviting applications and established as minimum qualifications in the classification plan.

(b) If physically or mentally unable to perform the essential functions of the job with or without reasonable accommodation.

(c) Has made any false statement of any material fact, or practiced, or attempted to practice any deception or fraud in their application, physical examination form, written examination or appointment.

~~(d) Any applicant who tests positive to illegal drugs, or refuses to submit to a pre-employment drug screening will not be hired and will be barred from employment for a period of one year.~~

Comment [JM12]: This paragraph is deleted due to repetitiveness of current interdepartmental policy on pre-employment screenings.

RULE VI

ENTRANCE EXAMINATIONS

SECTION 24. ENTRANCE EXAMINATIONS

Where deemed applicable ~~by the Board~~, all persons shall be required to take an entrance examination for the specific position applied for before being employed by the City. Entrance examinations may be given at any time and from time to time to any number of applicants in response to published notices of examinations.

Comment [JM13]: Minor change due to intuitive understanding that the Civil Service Rules are already approved by the Board and subsequently, the departments follow these rules.

Applicants failing ~~the written~~ any portion of the pre-employment process~~entrance examination~~ must wait six (6) months before taking another pre-employment examination to be considered for that position. ~~Applicants who fail the oral review examination or the training and/or performance tests, other than the written entrance examination, shall not be eligible for a period of not less than twenty-four (24) months to reapply for that specific position for which the application was made. Applicants failing any entrance examination twice will not be considered for that position.~~

Comment [JM14]: This change prevents the narrowing of the applicant pool when candidates are disqualified within the pre-employment process for up to 24 months. In addition, it lessens the administrative burden of tracking/ banning specific candidates that fail entrance exams for 24 months.

SECTION 25. CHARACTER OF ENTRANCE EXAMINATIONS

All entrance examinations shall be of such nature that they will fairly test the general knowledge and fitness of the persons examined to discharge the duties of the particular position to which they seek appointment.

Examinations need not be required for positions which require exceptional qualifications of a scientific, managerial, or professional character, or in those positions deemed critical due to market shortage, where recommended by the City Manager and approved by the Board. Such positions will be classed as non-competitive.

SECTION 26. CONTENT OF ENTRANCE EXAMINATIONS

Examinations for entrance into the Municipal Civil Service System shall consist of one or more of the following parts as considered appropriate for the various classifications of positions:

(a) WRITTEN TEST. This part when required shall include an examination designed to ascertain the familiarity of applicants with the knowledge needed in the class of positions to which they seek appointment, and the range of their general information. No applicant will be allowed to take a written examination who has not confirmed their intent to do so within the time limit established prior to the exam date by the Director of Human Resources.

(b) ORAL INTERVIEW. This part when required shall include a personal interview with applicants for positions where ability to deal with others, to meet the public or other personal qualifications are to be determined.

(c) PERFORMANCE TESTS. This part when required shall include such test of performance as will determine the ability and skill of applicants to perform the work involved.

(d) PHYSICAL AND HEALTH TESTS. This part when required shall consist of the furnishing of information by the applicant regarding their health and physical condition. It shall also consist of a physical examination of the applicant by a physician or other qualified person designated by the City whose findings shall be final. Failure of the physical examination shall not be considered a reason to prohibit re-examination of an applicant. An applicant may reapply for examination so long as the physical condition or deficiency causing the failure is corrected and the applicant otherwise complies with the physical requirements.

(e) TRAINING AND EXPERIENCE. This part shall be required and shall consist of questions on education and experience contained in the application form, and of such supplementary data as may be furnished for certification and proof of statements made in the application, or it may consist of questions on training and experience asked at the time the written tests are given. The Director of Human Resources may, at his discretion, investigate the truth of the applicant's statements as to training and experience and take appropriate action.

SECTION 27. CONDUCT OF ENTRANCE EXAMINATIONS

(a) The actual conduct of every entrance examination shall be under the direction of the Director of Human Resources or ~~his~~ designee, free from the participation or influence of any other person.

(b) Where the needs of the City so dictate, the Director of Human Resources or designee, may hold entrance examinations progressively for a given period of time, and in such cases, shall refer the applicants ~~in their order of grade attained~~ to the head of the department under whom the applicant is to work.

(c) An applicant who in any examination uses or attempts to use any unfair or deceitful means to pass such examination shall be informed by the Director of Human Resources that the applicant's actions have disqualified him/her from further consideration.

SECTION 28. PASSING SCORE

Weighing on a basis of one hundred per cent (100%) for perfection, seventy per cent (70%) shall be the score for passing any test, and no person shall be eligible for appointment whose score on the complete examination is less than seventy per cent (70%) unless a substitute system is provided by the Board. However, the director of a department may, with notice to the Director of Human Resources, determine that a different minimum passing score, or a pass/~~:~~fail testing methodology, will be used.

SECTION 29. POSTPONEMENT OR CANCELLATION OF ENTRANCE EXAMINATIONS

(a) The Director of Human Resources or designee may, because of the small number of applicants for any position, or because of any other good and sufficient reason, postpone an examination to a later date.

(b) Any examination may be cancelled by the Director of Human Resources should its holding become unnecessary because of a change in the personnel requirements of the classified service.

SECTION 30. CORRECTION OF ERROR

~~On formal written appeal setting out the specific reasons for the appeal, submitted by the competitor within ten (10) days after date of notice of their standing,~~T~~t~~he Board may correct any manifest error or mistake of marking or rating appearing in such paper or record, such correction in any case to be without prejudice to the status of any person previously appointed as a result of such examination. Corrections ~~Such appeal~~ shall be considered as opening all of the competitors' papers for review, whether resulting on a higher or lower average standing. No change in rating shall be made ~~as the result of an appeal~~ unless it would affect the competitors' relative position on an~~the~~ eligibility list. This provision shall not be held to prevent the Board from correcting at any time during the life of any eligibility list an obvious clerical error.

Sec.s 31 – 32. Reserved.

~~**SECTION 31. EXAMINATION PAPERS TO BE SHOWN**~~

~~The examination papers of an applicant will be exhibited only to the applicant or their duly authorized representative, or to the City Manager to whom their name is certified, or to the Department Head under whom the applicant is to be employed.~~

~~**SECTION 33. BOARD MAY PUBLISH PAMPHLET**~~

Comment [JM15]: Change to reflect gender neutrality

Comment [JM16]: "Designee" added to coincide with previous paragraph and applies gender neutrality and allows for flexibility for Dept Heads to hold entrance examinations when needed.

Comment [JM17]: Change made to allow for pass/fail entrance exams.

Comment [JM18]: Change made to allow for management flexibility to select pass/fail methodologies for entrance exams.

Comment [JM19]: Change made to coincide with Section 27 b above.

Comment [JM20]: Section 30 refers to entrance applicants only. Applicants are not civil service and cannot make appeal. This paragraph and its changes represents current practice when such error occurs.

Comment [JM21]: This paragraph is deleted to reflect current practice that applicants cannot review their exam after an exam due to test security purposes.

Comment [JM22]: This paragraph is deleted due to being intuitive to departments to explain to applicants the method of recruitment, etc.

~~The Board or its designated examiner may publish a pamphlet containing papers to illustrate to candidates the methods of examination, and containing such other information as in the opinion of the Board will be useful to candidates in making application and preparing for the competition.~~

RULE VII

ABUSES AND FRAUDS

~~SECTION 34.~~SECTION 33. **ABUSES AND FRAUDS**

No person shall deceive or obstruct any person in respect to their right or examination under the provisions of these Rules, or falsely mark, grade, estimate or report upon the examination or standing of any person examined hereunder, or aid in so doing, or furnish to any person, except in answer to inquiries of the Board, any special information for the purpose of either improving or injuring the rating of any such person for employment. No applicant shall deceive the Board for the purpose of improving their chances for appointment.

RULE VIII

FIRE DEPARTMENT NEW EMPLOYEE ELIGIBILITY LISTS

Comment [JM23]: Change made due to Rule VIII applying only for new employee eligibility lists for Apprentice Fire Fighters in Fire Dept. All changes in Rule VII are made for this reason (or applicable formatting) or unless otherwise specified.

~~SECTION 35.~~SECTION 34. **LIST OF ELIGIBLES**

(a) The provisions of this Rule shall apply to new appointments to the Fire Department. The provisions of this Rule shall supersede any directly conflicting provision in another Rule as applied to the Fire Department.

~~(b)~~ (b) The Board shall provide for examination in accordance with the regulations of the Board, and maintain lists of eligibles to the Fire Department ~~each class of the Service~~ of those meeting the requirements of said regulations. Positions in the Fire Department's Classified Service shall be filled from such eligible lists upon requisition of the City Manager, or designee. ~~As positions are filled, the Board shall certify the fact to the City Manager.~~

Comment [JM24]: This change reflects the change made in the newly adopted City Charter as of 11-2015. (see Charter, Sect 10.03)

~~SECTION 36.~~SECTION 35. **PREPARATION OF NEW EMPLOYEE ELIGIBILITY LISTS WHERE APPLICANTS EXCEED NUMBER OF POSITIONS**

After a reasonable length of time, the Director of Human Resources shall prepare a list of names of all applicants who have successfully passed the examination, listed in order from the highest score to the minimum passing score with veteran's credit added where applicable. This list shall then become the official eligibility list for the position for which the examination was given. All appointments to said position shall be made from this eligibility list for a period of twelve~~six three~~ (~~3~~6~~12~~) months, expiring on the same date of the twelfths~~sixth~~~~third~~ (~~3~~6~~12~~th~~rd~~) month from the date of the examination. ~~(This three (3) month period shall be six (6) months for the Fire Department and Police only.)~~ A new examination may be given before a current eligibility list expires; however, no appointments may be made from any eligibility list until all prior eligibility lists have expired or no eligible names remain. It shall not be necessary, but it shall be permitted, to give an

Comment [JM25]: Changes reflect desires of the departments to allow for more flexibility in recruitment.

examination to create an eligibility list for a position before a vacancy occurs, when the vacancy is reasonably anticipated.

~~SECTION 37.~~SECTION 36. NO ELIGIBILITY LIST REQUIRED WHERE VACANT POSITIONS EQUAL OR EXCEED NUMBER OF APPLICANTS

Comment [JM26]: Change made to provide a more clarifying descriptive section title.

Where the number of vacant positions equal or exceed number of applicants, it shall not be necessary to prepare an official eligibility list, but a record of the applicants, examination and grades shall otherwise be made and maintained. As soon as possible after the examination the applicants shall be notified whether they passed or failed the examination, and those who passed may be immediately further processed for the position. No exam is required if only one competitor signs to take the exam.

~~SECTION 38.~~SECTION 37. PLACEMENT ON LIST

(a) Every person who received a minimum passing grade on any required written examination shall be placed on the eligibility list for the specified position. Placement on the eligibility list shall be according to scores on the written examination, with the highest score being ranked first. After placement on the eligibility list as provided herein, an applicant will be required to undertake any additional testing, if needed, for further consideration for appointment to the position. Entrance examination testing, subsequent to the written examination, will be administered according to the ranking of the applicants on the eligibility list.

(b) Following any required written entrance examinations and subsequent required additional testing, the appointment shall be of the person with the highest composite ranking. Any name may be passed over for valid reasons, and in such event, the person with the next lower ranking may be appointed. Whenever an applicant is passed over, such reasons shall be reduced to writing, and a copy shall be filed with the Director of Human Resources.

Comment [JM27]: This paragraph was moved from the old Section 46 because it still applies in this newly formatted section.

~~SECTION 39.~~SECTION 38. VETERAN'S PREFERENCE

An applicant who has served on active duty at least one (1) year in the armed services of the United States and who received an honorable discharge shall receive on their competitive grade an additional (5) ~~percentage~~ points, provided such competitive grade is at least the minimum passing score. A copy of the discharge paper or form DD-214 must be presented for verification purposes on the date specified by the Director of Human Resources.

Comment [JM28]: Deleted because only 5 points may be given for veteran status, not 5 percentage points (which can be higher than 5 points if giving an exam with more than 100 points.

~~SECTION 40.~~SECTION 39. IDENTICAL SCORES

Whenever two (2) applicants shall attain the same total grade, the applicants filing their application on the earliest date, or at the earliest time if on the same date, shall be listed first.

~~SECTION 41.~~SECTION 40. NOTICE OF PLACEMENT ON ELIGIBILITY LIST

Competitors will be personally responsible for checking the eligibility list posted in the City Hall regarding their grade and relative position on such list.

~~SECTION 42.~~SECTION 41. REMOVAL FROM LIST

An applicant's name may be removed from a list of eligibles whenever they become dispossessed of any qualifications required of and possessed by them at the time their name was placed on the list, and it may also be removed for any of the causes stated in Section 23 of Rule V. If a person's name appears on two or more lists and they are appointed to a position in the service, their name shall be removed from the remaining lists on which it appears, or the applicant's name may be removed at their request.

~~SECTION 43.~~SECTION 42. CHANGE OF ADDRESS

Each person on an eligibility list shall file with the Director of Human Resources written notice of any change of address, and failure to do so may cause their name to be removed from the list. Notices sent to a person's last known address shall be considered sufficient notification.

~~SECTION 44.~~SECTION 43. ABOLISHMENT OF ELIGIBILITY LIST

The Board may abolish an eligibility list when there are three (3) or less names on such list, and may order a new examination and the preparation of a new eligibility list. Any names of persons left on the eligibility list to be abolished shall be transferred to the new eligibility list with the same grade they attained previously. Such persons as are transferred to the new eligibility list may, however, take the new examination announced, and in each case of re-examination, the grade received on the latest examination shall determine such person's ranking on the new eligibility list.

RULE IX

CERTIFICATION OF APPOINTMENT

SECTION 44. ~~(A).~~ REQUISITION FROM ELIGIBILITY LIST

Comment [JM29]: Title of this section was changed to encompass the formatting changes to include Section 44 (B) and Section 44 (C) into one section.

(a) Whenever a vacancy is to be filled in the classified service, the Department Head shall make requisition to the Board upon the form prescribed by it for the certification of eligibles to the City Manager.

(b) The Board shall provide for examination in accordance with the regulations of the Board, and maintain lists of eligibles to each class of the Service of those meeting the requirements of said regulations. Positions in the Classified Service shall be filled from such eligible lists upon requisition of the City Manager, or designee.

Comment [JM30]: This change reflects the change made in the newly adopted City Charter as of 11-2015. (see Sect 10.03)

~~(a)~~(c) The non-competitive class shall consist of all positions requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character, as may be determined by rules of the Board. Applicants for non-competitive positions may be selected on the basis of professional qualifications.

~~SECTION 44 (B). LIST OF ELIGIBLES~~

~~The Board shall provide for examination in accordance with the regulations of the Board, and maintain lists of eligibles to each class of the Service of those meeting the requirements of said regulations. Positions in the Classified Service shall be filled from such eligible lists upon requisition of the City Manager, or designee. As positions are filled, the Board shall certify the fact to the City Manager.~~

~~SECTION 44 (C). NON-COMPETITIVE CLASS~~

~~The non-competitive class shall consist of all positions requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character, as may be determined by rules of the Board. Applicants for non-competitive positions may be selected on the basis of professional qualifications.~~

SECTION 45. CERTIFICATION

Upon receipt of a request for certification, the Director of Human Resources shall certify to the City Manager from the reinstatement list for the class of position in question, one name for each vacancy to be filled. If there is no reinstatement list or if those on the reinstatement list decline appointment, the Director of Human Resources shall certify the names, addresses and grades of the persons, standing highest on the appropriate eligibility list.

SECTION 46. APPOINTMENT OF PERSONS FROM ELIGIBILITY LIST ~~WITH HIGHEST GRADE~~

Following any required written entrance examinations and subsequent required additional testing, the requisition shall be made by appointments of persons on the eligibility list. ~~shall be of the person with the highest composite ranking.~~ Any name may be passed over for valid reasons~~, and in such event, the person with the next lower ranking may be appointed. Whenever an applicant is passed over, such reasons shall be reduced to writing, and a copy shall be filed with the Director of Human Resources.~~

Comment [JM31]: Changes in this section are due to allow for department heads the flexibility to use pass/fail methodologies when creating qualified candidate pools.

SECTION 47. FAILURE TO RESPOND TO OFFER OF APPOINTMENT

The failure of an eligible person to report to the Department Head within three (3) business days after notice of certification shall be considered sufficient cause for removal of their name from the list of eligibles. Upon receipt of written notice from a Department Head that a certified person has failed to report or has declined appointment or upon receipt of a written declination of appointment from an eligible person~~, certification shall be made of the name of the person next in order~~ on the list. The name of the person refusing appointment shall be stricken from the eligibility list.

Comment [JM32]: This change is due to the same reason stated in comment above.

SECTION 48. EMPLOYEE APPOINTMENTS

(a) TEMPORARY APPOINTMENTS. Temporary appointments may be made by the City Manager of persons not on an eligibility list in the event that no eligibility list has been prepared for the position, or that those on the eligibility list are not immediately available, or during the suspension of an employee or pending final action or proceedings to review a suspension, or demotion or dismissal of an employee. No person shall be eligible to serve as a temporary appointee in any one or more positions for more than an aggregate period of three (3) months in any one fiscal year; provided that the limitation above shall not apply if final action or proceedings to review a suspension, demotion or dismissal shall remain pending at the end of the three (3) month period, or if such temporary appointee is serving in the place of an employee who has been granted leave of absence in the excess of three (3) months. No credit shall be allowed in the giving of examinations for service rendered under a temporary appointment.

(b) PROVISIONAL APPOINTMENTS. In all municipal departments, the City Manager may authorize a provisional appointment to a regular full-time position. No provisional appointment shall continue for more than sixty (60) days and shall not be renewed. Provisional appointments may be authorized by the City Manager to an extra position established by the City Council, but the appointment shall not continue longer than thirty (30) days and shall not be renewed.

(c) PART-TIME APPOINTMENTS. Part-time employees are those employees hired by the City on a part-time basis to fill positions where the needs of the City do not warrant a full-time employee. Part-time employees do not come within the Classified Civil Service of the City, and these employees are not entitled to any Civil Service benefits.

(d) SEASONAL APPOINTMENTS. Seasonal employees are those employees appointed to fill vacancies by the heavy work load placed on the City during the summer months, or other seasons of the year at which time additional facilities are made available to the public, such as operating swimming pools, recreational facilities and park facilities, etc. Seasonal employees do not come within the Classified Civil Service of the City, and these employees are not entitled to any Civil Service benefits.

SECTION 49. EMPLOYMENT OUT OF CLASSIFICATION

Nothing in these rules shall prevent the City Manager from designating some person from the next lower classification to fill a position in a higher classification temporarily. The temporary performance of the duties of any such position by a person, who has not been promoted in accordance with the provisions of these rules, shall never be construed to promote such person.

SECTION 50. SPECIAL ASSIGNMENTS

None of the provisions of the civil service law or these rules shall bar the City from making appointments of personnel or contracts for technical and/or specialized personnel to carry out work of a special nature. Such special assignments shall be for work which is not a regular part of the administration of City affairs.

SECTION 51. TRANSFER.

The City Manager may authorize the transfer of any employee in any department without further competitive tests from a position in a given class to another position in the same class or to a position in a different class for which they are qualified and for which no higher maximum rate of pay has been established.

RULE X

NEW EMPLOYEE PROBATION

SECTION 52. NEW EMPLOYEE PROBATIONARY PERIOD

Appointment or promotion in the Classified Service shall not be deemed complete until a probationary period has been completed. A probationary period not to exceed six (6) months shall be determined by the Civil Service Board for each employee classification. No appointment shall be deemed finally made until the appointee has satisfactorily served their probationary period, provided that this provision shall not apply to reinstatements made under provisions pertaining to suspensions as set out in these rules. Days charged to absent without leave (A/O), suspensions, sickness, injury leave, ~~/~~worker's compensation leave~~s~~, military leave, or bereavement leaves will not be included in computing the full six (6) month probationary period.

Comment [JM33]: Added to clarify worker's comp designated leave should not be included when computing the full 6 month initial probationary period.

SECTION 53. DISCHARGE OF PROBATIONARY EMPLOYEE ~~AFTER PROBATION PERIOD~~

~~Any employee in the Classified Service may be removed, suspended, laid off or reduced in grade by the City Manager, or the head of the department in which employed, after the probationary period has expired. If demanded by such employee, it shall be the duty of the officer, discharging such employee to furnish a written~~

~~statement of the reasons therefore. The discharged, suspended or reduced employee shall have the right to demand a public hearing upon said charges within a reasonable time thereafter before the Civil Service Appeals Board.~~ All probationary employees may be dismissed without cause.

Comment [JM34]: Change made to title and section to describe what happens when a probationary employee is dismissed, which can be without cause.

SECTION 54. REPORT ON PROBATIONARY EMPLOYEES

During the final month of an employee's probationary period, the immediate supervisor shall prepare an efficiency report on a prescribed form, rating the employee's job performance and efficiency during the probationary period. After it has been reviewed with the employee and approved by the Department Head, the report (clearly marked as "Probationary") shall then be forwarded to the Director of Human Resources. In the absence of any report from the Department Head that a probationary employee is unsatisfactory, such employee automatically becomes a regular full-time employee at the end of the probationary period. At the conclusion ~~termination~~ of the six-month period, such employee shall have full civil service rights and privileges, which shall date back to their first date of employment; provided, however, that a late-filed unsatisfactory report shall be deemed to have been filed prior to the end of the six-month probationary period of the late-filed report is submitted within ten (10) days after the end of the six-month period.

Comment [JM35]: Allows department head flexibility to be up to 10 days late on probationary employee performance appraisal reports

RULE XI

PROMOTIONAL EXAMINATION AND ELIGIBILITY LISTS

SECTION 55. VACANCIES TO BE FILLED BY PROMOTIONAL EXAMINATION

Comment [JM36]: Many of the changes in Rule XI were made due to formatting, unless otherwise stipulated

The Board shall provide for promotion to all positions in the Classified Service Competitive Class. "Promotion" is defined as a move to a position, which has a range-ending step which is higher than that of the employee's present position range.

SECTION 56. LIST OF ELIGIBLES

The Board shall provide for promotional examination in accordance with the regulations of the Board, and maintain lists of eligibles to each class of the Service of those meeting the requirements of said regulations. Promotional positions in the Classified Service shall be filled from such eligible lists upon requisition of the City Manager, or designee, in accordance with these Rules.

Comment [JM37]: Changes reflect the newly adopted City Charter. (see Section 10.03

The Department Head shall notify the Director of Human Resources of a need to recruit for ~~ny vacancy in~~ a position in their department to be filled by promotion. The Director of Human Resources will prepare a list of all vacant positions which will be posted on the employee Intranet and on an employee bulletin board in each department immediately following its printing. For competitive positions, this announcement will be posted a minimum of five (5) working days before outside applicants may be considered. With approval of the Director of Human Resources, a competitive position need not be re-posted for internal applicant consideration, if the posting is for the same classification with the same minimum requirements.

Comment [JM38]: Change made for clarification purposes.

Comment [JM39]: Change made to reduce administrative burden of reposting the same position for internal candidates once a posting has closed too soon when the announcement was recruiting to outside candidates.

SECTION 57. PROMOTIONAL EXAMINATIONS

A new promotional examination may be given before a current promotional eligibility list expires; however, no appointments may be made from any eligibility list until all prior eligibility lists have expired or no eligible names remain. It shall not be necessary, but it shall be permitted, to give a promotional examination to create

an eligibility list for a promotional position before a vacancy occurs, when the vacancy is reasonably anticipated.

No competitor will be allowed to take a promotional examination who has failed to sign the examination register ~~in the Human Resources Office,~~ at least seven (7) days prior to ~~a twenty-four (24) hour period before~~ the examination time, not including Saturdays, Sundays or City Holidays. Upon the last day to sign a promotional examination register. ~~C~~candidates for promotions must meet the requirements outlined in the position classification unless waived by the Department Head. All requests for waivers must be in writing and submitted before the job announcement for the position is posted. Structured oral interviews may be used to determine whether position classification requirements have been met and to determine the most qualified candidate. Employees will be allowed time from work to sign the examination register and to take such examinations. All employees will be required to complete a period of six months in their present classification prior to being eligible for transfer or promotion to any other position~~classification~~, unless a longer period is specified in the position classification or this requirement is waived by the City Manager.

The Director of Human Resources shall conduct a competitive promotional examination of those entitled to enter the examination under the provisions of these rules, and shall see that notice of examination is given in accordance with these rules; provided, however, ~~, except~~ that ~~where~~ if the Department Head has determined that only one employee is qualified for the promotion, no competitive examination shall be necessary if approved by the City Manager.

~~**SECTION 56. LIST OF ELIGIBLES**~~

~~The Board shall provide for examination in accordance with the regulations of the Board, and maintain lists of eligibles to each class of the Service of those meeting the requirements of said regulations. Positions in the Classified Service shall be filled from such eligible lists upon requisition of the City Manager, or designee. As positions are filled, the Board shall certify the fact to the City Manager.~~

~~**SECTION 57.**~~

~~The Board shall provide for promotion to all positions in the Classified Service Competitive Class. "Promotion" is defined as a move to a position, which has a range ending step which is higher than that of the employee's present position range.~~

SECTION 58. PROMOTIONS TO BE BASED ON MERIT, EFFICIENCY, SENIORITY AND EXAMINATION

~~All p~~Promotions, except as provided in Sections A, B, C, and D, shall be made on the basis of competitive examination grade and/or structured oral interview, efficiency, and seniority of the candidate for promotion. The total points earned by a candidate for promotion shall be the sum of sixty-five percent (65%) of his/her promotional examination grade and thirty percent (30%) of his/her last efficiency report grade, plus one-half point for each full year of service with the department (as shown on job descriptions) in which the promotion is sought, up to a maximum of five (5) points, which could be accumulated with ten (10) years of service with said department/division.

Seventy (70%) percent shall be the minimum score for passing any promotional examination except as provided in Section A, B, C, and D. In case of a tie on the exam score, and after all applicable factors have been considered, the person first employed (for sworn Police promotional exams, seniority as a sworn officer with the police department) will be ranked above the other. If a tie still exists, the application form filed earliest will receive priority.

SECTION A. PROMOTIONS FOR SERGEANT AND LIEUTENANT WITHIN THE POLICE

Comment [JM40]: This paragraph added to allow flexibility for department heads to conduct promotional exams and create promotional eligibility lists even if one already exists. FYI - This language was taken from new Sect 35 (which was also in current CS rules, Sect-32) when referring to entrance exams.

Comment [JM41]: Added to coincide with current practice to allow sign-ups in Police & Fire Admin offices for Sworn promo exams. Also a longer period than 24 hours needed to order correct number of promo exams from test vendors.

Comment [JM42]: This change added to clarify WHEN a candidate must be qualified in order to apply/sign up for a promotional exam.

Comment [JM43]: Change made for clarification

Comment [JM44]: Change made for clarification.

Comment [JM45]: These 2 sections were moved to the beginning of Rule XI (for reformatting purposes).

Comment [JM46]: Seniority as a sworn law enforcement officer within the department is highly valued by the dept for sworn promotional positions.

DEPARTMENT

Promotions for the positions of Sergeant and Lieutenant of Police in the Police Department or such other department hereinafter authorized by the Civil Service Board shall be made on the basis of competitive examination grade, efficiency and seniority of the candidate for promotion. The total points earned by a candidate for a promotion shall be the sum of seventy percent (70%) of his/her promotional examination grade (forty percent [40%] written, thirty percent [30%] oral) and twenty-five percent (25%) of his/her last efficiency report grade, plus seniority points~~one-half point for each full year of service with the department, up to a maximum of five (5) points, which could be accumulated with ten (10) years of service with the department~~. Seniority points for the rank of sergeant will be one-half point for each full year of consecutive service with the department as a police officer. Seniority points for the position of lieutenant will be one-half point for each full year of consecutive service with the department as a sergeant. The maximum number of seniority points ~~which could~~that can be accumulated is five (5) points for both positions, which ~~could~~can be accumulated with ten (10) years of service within the specified rank.

Comment [JM47]: Change made due to seniority / experience within the previous sworn rank is valued more in Police for sworn promotional ranks.

Promotional candidates for the position of Sergeant of Police must achieve a seventy-five percent (75%) average for all written tests given during the promotional examination. The minimum passing score of seventy-five percent (75%) will apply only to the written portion of the examination. The minimum passing score for the oral portion of the promotional examination will be eighty percent (80%).

Promotional candidates for the position of Lieutenant of Police must achieve a minimum passing score of eighty percent (80%) in each phase of the promotional examination.

SECTION B. PROMOTIONS FOR DRIVER/ENGINEER WITHIN THE FIRE DEPARTMENT

All written exams shall be weighed on the basis of 100% being the total maximum score. Promotions for the position of Driver/Engineer in the Fire Department or such other departments hereinafter authorized by the Civil Service Board shall be made on the basis of competitive examination grade, efficiency and seniority of the candidate for promotion. The total points earned by a candidate for a promotion shall be the sum of seventy-five percent (75%) of his/her written promotional examination grade and twenty percent (20%) of his/her last efficiency report grade, plus one-half point for each full year of service with the department, up to a maximum of five (5) points, which could be accumulated with ten (10) years of service with the department.

Seventy percent (70%) shall be the minimum score for passing a Driver/Engineer promotional exam.

SECTION C. PROMOTIONS FOR EMS LIEUTENANT WITHIN THE FIRE DEPARTMENT

All written exams and assessment center scores shall be weighed on the basis of 100% being the total maximum score. Promotions for EMS Lieutenant within the Fire Department shall be made on the basis of competitive examination grade, efficiency and the seniority of the candidate for promotion. The total points earned by a candidate for a promotion shall be the sum of seventy-five percent (75%) of his/her promotional examination grade [forty percent (40%) written examination, thirty-five percent (35%) assessment center] and twenty percent (20%) of his/her last efficiency report grade, plus one-half point for each full year of service with the department, up to a maximum of five (5) points, which could be accumulated with ten (10) years of service with the department.

Promotional candidates for the position of EMS Lieutenant must achieve a minimum passing score of eighty percent (80%) on all written tests and on the assessment center portion of the examination.

SECTION D. PROMOTIONS FOR CAPTAIN WITHIN THE FIRE DEPARTMENT TO BE BASED ON MERIT, EFFICIENCY, SENIORITY, EXAMINATION, AND EDUCATION

All written exams and assessment center scores shall be weighed on the basis of 100% being the total maximum score. Promotions for Captain within the Fire Department shall be made on the basis of competitive examination grade, efficiency, education, and the seniority of the candidate for promotion. The total points earned by a candidate for a promotion shall be the sum of seventy-five percent (75%) of his/her promotional examination grade [forty percent (40%) written examination, thirty-five percent (35%) assessment center]; eighteen percent (18%) of his/her last efficiency report grade; plus one-half point for each full year of service with the department, up to a maximum of five (5) points (which could be accumulated with ten (10) years of service with the department); plus a maximum of 2.0 points granted for attaining specified levels of education: Master Degree (any field) – 2.0 points; Bachelor Degree (any field) – 1.5 points; Associate Degree (Fire Protection, EMS, or Fire Emergency Management) – 1.0 point; Associate Degree (any other field) - 0.75 point; some college (without Associate Degree) or Fire Fighter Certification (Basic Fire Fighter Certification School, equivalent to 13 hours college credit; EMT Certification School, equivalent to 8 hours college credit; Paramedic Certification School, equivalent to 30 hours college credit) - .0125 point per college hour, with 0.5 point as maximum possible. All education shall be verified in writing by the appropriate educational institution and submitted by promotional candidates to the Fire Department Training Section at least 48 hours prior to the promotional written test date. Points for education will be granted based on the highest level of education attained and are not cumulative.

Promotional candidates for the position of Captain must achieve a minimum passing score of eighty percent (80%) on all written tests and on the assessment center portion of the examination.

SECTION 59. CONTENT OF EXAMINATION

(a) In any promotional examination, candidates shall be examined either in writing, orally or by practical tests in such matters as will fairly test their knowledge of the actual duties, responsibilities and requirements of the position to be filled, and their fitness and qualification to discharge such duties and meet such requirements. If two competitors tie on their examination grade, seniority and efficiency grades, the competitor who first filed their application for employment will be placed in the higher position on the eligibility list.

~~**SECTION A. CORRECTION OF ERROR**~~

(b) Correction of Error. On formal written appeal setting out the specific reasons for the appeal, submitted by the competitor within ten (10) days after date of notice of their standing, the Board may correct any manifest error or mistake of marking or rating appearing in such paper or record, such correction in any case to be without prejudice to the status of any person previously appointed as a result of such examination. Such appeal shall be considered as opening all of the competitors' papers for review, whether resulting on a higher or lower average standing. No change in rating shall be made as the result of an appeal unless it would affect the competitors' relative position on the eligibility list. This provision shall not be held to prevent the Board from correcting at any time during the life of any eligibility list an obvious clerical error.

Comment [JM48]: Change made due to reformatting of Section 59.

SECTION 60. PROMOTIONAL ELIGIBILITY LIST

~~The Board shall provide for promotion to all positions in the Classified Service Competitive Class.~~ Candidates for promotion must make the minimum passing grade as established by the Civil Service Board on each examination to be eligible for placement on the promotional eligibility list. A promotional eligibility list shall thus be established, with names listed in order from the highest total score to the lowest allowed total score. Promotions shall be made by the City Manager from this list. When the number of vacant positions equal or exceed the number of promotional candidates who passed any required test(s), it shall not be necessary to prepare an official eligibility list, but a record of the promotional candidate(s), examination and grade(s) shall otherwise be made and maintained.

Promotional transfers from one department to another must be made effective within and not to exceed ten working days following the posting of the eligibility list.

All promotional eligibility lists expire on the same date of the sixth month from the date Human Resources certifies the scoring of all candidate exams which includes finalization of test question appeals and/or other designated assessment exams. ~~of the examination~~. (For the Fire Department only, the promotional eligibility list shall expire on the same date of the twelfth month from the date of the examination.)

SECTION 61. PROMOTIONAL PROBATIONARY PERIOD

Promotion in the Classified Service shall not be deemed complete until a probationary period has been completed. A promotional probationary period of six (6) months applies to each employee classification in the Classified Service. During the final month of an employee's promotional probationary period, the immediate supervisor shall prepare an efficiency report on a prescribed form, rating the employee's job performance and efficiency during the probationary period. After it has been reviewed with the employee and approved by the Department Head, the report (clearly marked as "Probationary") shall then be forwarded to the Director of Human Resources. In the event a promotional appointee's employment is not satisfactory, or they are found incompetent or unqualified to perform the duties of the position in which they were appointed, it shall be the duty of the Department Head to demote them to the rank they were holding prior to the promotional ~~at the time of~~ appointment. Days charged to absent without leave (A/O), suspensions, sickness, injury leave, ~~/~~workers compensation leave~~s~~, military leave, or bereavement leaves will not be included in computing the full six (6) month probationary period.

RULE XII

CERTIFICATION OF PAYROLLS

SECTION 62. PAYROLL CERTIFIED BY THE BOARD

The City shall not make payment of any salary or compensation for service to any persons holding a position in the Classified Service unless the payroll or account of such salary or compensation shall show that the persons named therein have been appointed or employed and are performing service in accordance with the provisions of the Charter and of the rules established thereunder.

Comment [JM49]: Minor change due to intuitive understanding that the Civil Service Rules are already approved by the Board and subsequently, the departments follow these rules for promotions. This statement is also stated in Charter (see Charter Sect 10.04)

Comment [JM50]: Police preference for eligibility list to be live after all appeals and additional assessment exams have concluded.

Comment [JM51]: Minor change made for clarification.

Comment [JM52]: Added to clarify that WC time is also not included in computing probationary period. (just as same as initial probationary period)

RULE XIII

DISCIPLINARY ACTIONS

SECTION 63. PURPOSE

The Civil Service Appeals Board is hereby created for the purpose of hearing and determining any charges made against any ~~officer or~~ employee of the City in the Classified Service.

Comment [JM53]: Change is made to reflect the change in the newly adopted City Charter (11-2015). See Section 9.12 (a)

SECTION 64. POWERS

The Civil Service Appeals Board shall have final jurisdiction to hear and decide all appeals made to it by any suspended, reduced, demoted or discharged employee in the Classified Service, and the judgement or decision of a majority of the members of the Appeals Board at a hearing shall be final. Any aggrieved employee who desires to appeal to the Appeals Board must do so promptly and within ten (10) days, not including Sundays and legal holidays, from the date that the aggrieved employee received notification of the suspension, demotion, reduction or dismissal action by giving written notice to the Civil Service Board of the appeal. The Civil Service Board shall, within twenty (20) days after receipt of such notice of appeal, fix a place and time for holding a hearing and an Appeals Board shall be convened to hear the appeal. The aggrieved employee may be represented by Counsel and shall have the right to an open hearing and to compel the attendance of witnesses to testify in behalf of the aggrieved employee. The appeal to the Appeals Board shall not suspend the execution of the order of suspension, reduction, demotion or discharge pending final decision of the Appeals Board. The Appeals Board may: (1) either sustain or reverse a termination, or reduce it to a disciplinary suspension; (2) either sustain or reverse a demotion imposed against the officer or employee or reduce it to a disciplinary suspension; and (3) either sustain, reverse, increase, or reduce a disciplinary suspension action taken against the officer or employee, as it may deem justified, appropriate and equitable in light of all the facts and circumstances of the particular case. The authority to recommend or authorize placement into any specific position, to demote or promote officers or employees, or to reduce in pay or class is reserved to the City Manager or his designated representative(s).

SECTION 65. MEMBERSHIP

The Civil Service Appeals Board shall be constituted by the Civil Service Board or any three of its members.

SECTION 66. APPEALS PROCEEDINGS

In any appeals proceeding conducted by the Board, it shall have the power to subpoena and require the attendance of witnesses and the production thereby of books and papers pertinent to the proceeding and to administer oaths to such witnesses.

SECTION 67. NOTICE OF DISCIPLINARY ACTION

When a Department Head suspends, demotes, or terminates an employee in the classified service, the Department Head shall within 5 days after the suspension/demotion/termination begins, file a written statement with said employee stating reasons therefore and when the action is effective, and such statement shall be given to the employee or sent by registered mail to their place of residence with a return receipt requested. The employee shall have the right of answer and appeal as provided by these rules.

SECTION 68. SUSPENSIONS, DEMOTIONS AND DISMISSAL ACTIONS

All persons holding positions in the classified service, who are non-exempt employees according to the Fair Labor Standards Act (FLSA), are subject to disciplinary suspension for cause, without pay, for a period not exceeding fifteen (15) days by order of the Department Head.

Employees who are exempt under FLSA are not subject to disciplinary actions without pay for increments of less than one full day. For violations of departmental safety rules of major significance or for violations of workplace conduct rules, exempt employees are subject to disciplinary suspensions without pay in full day increments (not to exceed a total of 15 days), and/or disciplinary suspensions (reductions) of accrued vacation days in full day increments, by order of the Department Head.

All persons holding positions in the classified services charged with the commission of a felony, a misdemeanor involving moral turpitude, or an offense against public administration, are subject to temporary suspensions for cause, with or without pay, by order of the City Manager, for a period of time not to exceed forty-five (45) days after the date of the final disposition of the specified charge. All other disciplinary actions must be for violation of items listed under Section 69, GROUNDS FOR SUSPENSION, DEMOTION OR DISMISSAL.

~~Any person in a position under a provisional or temporary appointment and who has not completed the probationary period may be suspended, demoted and reduced in pay or class or dismissed at any time by the City Manager, or head of the department in which employed or other officers having authority to appoint by giving the person written notice of such action stating the reasons therefore.~~

Any newly hired employee ~~person~~ who has been appointed following certification from an eligibility list and who has not successfully completed the probationary period may be suspended, demoted and reduced in pay or class or dismissed with or without cause by the City Manager or head of the department in which employed~~other officers~~ having the authority to appoint by giving the person written notice of such action stating the reasons therefore.

Any person who has successfully completed the probationary period may be suspended, demoted and reduced in pay or class or dismissed by the City Manager or head of the department in which employed~~other officers~~ having authority to appoint. A written notice of the suspension, demotion or dismissal, stating the reason therefore and when it is effective~~,~~ shall be given to such person or sent by registered or certified mail to his place of residence.

(a) APPEAL OF DEMOTION OR DISMISSAL. Any non-probationary employee in the classified service who has been dismissed or demoted may, within ten (10) days, not including Sundays and legal holidays, after the delivery of a notice of demotion or dismissal, appeal in writing to the Appeals Board for hearing. The Appeals Board shall, within twenty (20) days after receipt of such notice of appeal, fix a place and time for holding a hearing, at which hearing the appellant shall have the right to appear and be heard in person or by counsel. The Appeals Board shall, at the request of the appellant or of the City Manager or other officer ordering the demotion or dismissal, compel other persons to attend the hearing as witnesses. All testimony shall be given under oath. The members of the Appeals Board shall have the power and authority to administer oaths and affirmations and to compel the attendance of witnesses by subpoena and other processes provided by law, and to compel the production of all pertinent records. The Appeals Board may make further investigations, which it might deem proper.

Within twenty-four (24) hours after the completion of the public hearing, or as soon thereafter as practical, the Appeals Board shall report its findings to the City Manager. In its report to the City Manager, the Appeals Board shall state whether the employee should be terminated, restored to his/her former position, temporarily suspended, or, in the case of an appeal of a

Comment [JM54]: Paragraph deleted because there is currently no probationary period for provisional or temporary appointments.

Comment [JM55]: Deleted the word "officer" in exchange for Dept Head, which has been reflected in newly adopted charter. Paragraph also has added/changed language to provide more clarification that this paragraph refers to new employees who have **not** successfully completed probation.

Comment [JM56]: Added language to clarify the subject of this paragraph refers to employees who have successfully passed probation.

Comment [JM57]: Deleted the word "officer" in exchange for Dept Head. This change also reflects similarly in newly adopted charter 11/2015.

Comment [JM58]: Clarifies that this section applies only to employees **not** on initial probationary period.

demotion action only, whether the demotion is sustained. The Appeals Board may find that a termination should be sustained, reversed, or reduced to a disciplinary suspension. The Appeals Board may also find that the period of a disciplinary suspension may be sustained, reversed, increased, or reduced from the original action. The Appeals Board may sustain or reverse a demotion action or convert a demotion to a disciplinary suspension, but may not recommend or authorize demotion or promotion, placement into any specific position, or reduction in pay or class, except to the extent of sustaining or reversing such original action initiated by the City Manager or his designated representative(s).

A copy of the written statement given to the employee against whom the action is taken, any written reply, and a copy of the findings and recommendations of the Appeals Board shall be filed as a public record in the office of the Director of Human Resources. When an employee under a demotion or dismissal order requests a hearing and is notified by the Appeals Board of a specific date, time and place for the hearing and the Appeals Board meets at the designated time and place, if the employee does not attend the hearing or notifies the Appeals Board of his inability to attend, the action which was the subject of the hearing shall become final.

(b) APPEAL OF DISCIPLINARY SUSPENSION. Any person who has been suspended for a definite period of time, within ten (10) days, not including Sundays and legal holidays, after the delivery of such notice, may appeal in writing to the Civil Service Board for a hearing. These rules, which apply to the appeal procedures and authority to amend action, shall apply to the Civil Service Board when sitting as an appeal board except that the hearing for definite suspensions will be scheduled for the next ~~following regular monthly~~ Civil Service Board meeting and as an agenda item. The Board shall, within twenty (20) days after receipt of such notice of appeal, fix a place and time for holding this hearing. The Civil Service Board may not increase a disciplinary suspension in excess of fifteen (15) days.

Comment [JM59]: Deleted per newly adopted charter (11-2015) See Sect 9.11 (d)

(c) BASIS FOR APPEAL. In order for an employee to appeal a disciplinary action to the Civil Service Appeals Board, the appeal must be in writing, include the basis for the appeal and a request for a Civil Service Appeals Board Hearing. The appeal must also contain a statement which:

- denies the truth of the charge as made; or
- challenges the facts as stated; or
- alleges that the recommended action does not fit the offense; or
- a combination of any of these statements.

SECTION 69. GROUNDS FOR SUSPENSION, DEMOTION OR DISMISSAL

The following are declared to be grounds for suspension, demotion or dismissal of an employee from the classified service of the City:

(a) Conviction, probation, or deferred adjudication for a felony, a misdemeanor involving an offense against public administration (bribery, corrupt influence, perjury and other falsification, obstructing governmental operations, abuse of office), or an offense involving moral turpitude;

(b) Violations of the provisions of the Charter of the City of Richardson;

(c) Acts of incompetency;

(d) Neglect of duty or loitering while on duty;

(e) Discourtesy by said employee to the public or to fellow employees while said employee is in line of duty;

(f) Acts or conduct, whether on or off duty, that reflect unfavorably upon the City or department for which the employee works, or which have the effect of placing the City or any particular department in disrepute;

(g) The unlawful use, possession, distribution, dispensation, provision, sale, or manufacture of any controlled substance, dangerous drug, alcohol, inhalant, or performance altering substance (or having such illicit substances in his/her system, or the smell of such on his/her breath) while on duty, on call or standby, while wearing a City uniform, in a City vehicle, or on City owned property;

(h) Conduct prejudicial to good order;

(i) Failure to pay just debts, if such failure has an adverse effect on job performance;

(j) Absence without leave;

(k) Acts of insubordination;

(l) Failure or refusal to carry out instructions;

(m) Misappropriation, destruction, theft, or conversion of City property, whether on or off duty;

(n) Acts of misconduct or dishonesty while on duty;

(o) Willful disregard of orders or other misconduct;

(p) Violation of any of the rules, regulations, policies, and/or procedures of the city or department, or of special orders, as applicable;

(q) Habitual tardiness and/or absenteeism;

(r) Has made any false statement or omission of any material fact, or practiced or attempted to practice any deception or fraud in the application for employment, physical examination, written examination or appointment;

(s) Abuse of FMLA leave, sick leave, or workers compensation leave, or providing false or misleading information connected with FMLA leave, sick leave, or workers compensation leave;

(t) Possession while on duty, in City buildings (or any portion thereof), or in City vehicles (while on or off duty), of a handgun or any other firearm (whether or not the employee is licensed to carry such handgun or firearm), other weapons or explosives, unless legitimately required in the line of duty;

(u) Failure or refusal to comply with the terms of any subpoena issued by the Board or Appeals Board;

(v) Has knowingly falsified or altered any time sheets, reports or other official records of the City;

(w) Acts or conduct of discrimination or harassment toward the members of the public or

city employee(s) on the basis of age, citizenship, color, disability, national origin, political opinion, pregnancy, race, religion, sex, veteran status, or any other legally protected classification;

(x) Failure to promptly report any Class A or Class B misdemeanor, misdemeanor with a penalty range which includes confinement in jail, and/or felony, with which the employee has been charged, following arrest, indictment, or arraignment;

(y) Failure to obtain and/or maintain certification(s) and/or license(s) required for the position, or an inability or disqualification to effectively perform the duties of the position.

(z) Refusal to cooperate with inspection of electronic systems, work space, lockers, or materials when directed to do so by the City Manager or ~~his~~a designee.

SECTION 70. GENERAL PROVISIONS

An employee, after completion of probation, shall be demoted or dismissed only by the Appeals Board or City Manager, except in situations of a violation of the Civil Service Rules. For such violations, finding shall be presented to the Appeals Board or City Manager and an investigation shall take place regarding the truth of specific charges against such employee. The Appeals Board may, however, find the employee guilty of a lesser offense than that charge in the written notice of demotion or dismissal and may recommend accordingly. The Appeals Board is the final authority on such rulings.

RULE XIV

RESIGNATION

SECTION 71. RESIGNATION

Any employee wishing to leave the service in good standing shall file with their Department Head and the Civil Service Board at least two (2) weeks before leaving a written resignation stating the date the resignation shall become effective and reason for leaving the City service. Failure to comply with the procedure ~~will~~ may be entered on the service record of the employee and shall be considered grounds of denying them future employment with the City. Unauthorized absence from work for a period of two (2) consecutive working days ~~shall~~ may be considered by the Department Head and the Civil Service Board as a resignation. Employees leaving the City employment twice may not be re-employed again without permission of the City Manager.

RULE XV

REINSTATEMENT LIST

SECTION 72. DEMOTION

Comment [JM60]: Added to provide more clarification when an employee's effectiveness to perform essential job functions do not rely strictly on certifications or licenses, but may also rely on outside authoritative or regulatory sources that dictate if an employee's performance will not be effective.

Comment [JM61]: Change made to reflect gender neutrality.

Comment [JM62]: Changed to allow for circumstances not in control of the departing employee.

Comment [JM63]: Changed to allow time for Department to check for possible employee medical incapacitation.

In the event that any position in the classified service is vacated or abolished by the City Manager (or designee), the employee holding such position shall be demoted to the position next below the rank of the position so vacated or abolished, only within the demoted employee's respective department; provided, that when any position or positions of equal rank may be abolished or vacated, employee or employees of that respective department with the least seniority in the said rank shall be the one or ones who are demoted. If individuals have the same seniority in the said rank, then the one with the lowest efficiency rating as determined under the rule governing efficiency ratings shall be demoted, except that when there is no position lower than that vacated or abolished, the employee shall be dismissed from the service. If the employee has never served in the next lower position and/or is not considered qualified to serve in the next lower position by the Department Head and the City Manager, the employee shall be dismissed from the service.

SECTION 73. LAY-OFF

In the event positions of the lowest classifications are abolished or vacated, and it thereby becomes necessary to dismiss employees from the department, the employee with the least seniority shall be dismissed. If the individuals have the same seniority in the lowest rank, then the one with the lowest efficiency rating shall be dismissed. Those employees as are involuntarily separated from the classified service without charges having been filed against them for violation of civil service rules, shall be placed on the reinstatement list in order of their seniority. The reinstatement list shall be exhausted before appointments are made from the eligibility list. Appointments from the reinstatement list shall be in order of seniority, i.e., inverse order of lay-offs.

SECTION 74. TRANSFER IN LIEU OF DISMISSAL

Every possible effort shall be made first to transfer and retain employees in the service of the City prior to dismissal under either Section 72 or Section 73 above.

SECTION 75. APPLICATION TO REINSTATEMENT LIST

It shall be necessary for the employee to request to be placed on a reinstatement list; otherwise it will be presumed that they do not seek reinstatement. An employee who is transferred under Section 72 hereof may also be on the reinstatement list for their original position at the same time they are holding the position to which they were transferred.

RULE XVI

INCAPACITY TO WORK

(a) If an employee fails to or is unable to report for duty in his/her job and/or is unable to perform the Essential Functions of his/her job (with or without reasonable accommodation) for a period of twelve (12) months because of the employee's physical or mental condition, or a question arises as to whether the employee has become physically or mentally incapacitated to continue in his/her job with the City, that employee shall be called before the Board to show cause why such employee should not be removed from the payroll of the City. Written notification of the necessity to appear before the Board shall be given to the employee or sent by registered or certified mail to the employee's residence with a return receipt requested. The foregoing 12-month period need not be continuous but may be an aggregate 12-month period of inability over a consecutive two-year period.

Comment [JM64]: Added to allow clarification that time for incapacity does not need to be consecutive within a consecutive 2-year period.

(b) The Board shall have the power to subpoena and require attendance of witnesses and the production thereby of books, papers, and medical reports and records pertinent to the proceeding and to administer oaths to such witnesses. The Board shall also have the power to send the employee to a City designated physician, psychologist or psychiatrist (as applicable) for additional evaluation.

(c) The failure of any employee to attend the proceedings, produce medical reports and records pertinent to the proceeding or to be evaluated and/or examined by a City designated physician, psychologist or psychiatrist (as applicable) at the request of the Board shall be grounds for removal by the Board or disciplinary action by the Department Head.

(d) Any determination of incapacity made by the Board, which prevents continued employment in his/her job with the City shall constitute reason for removal from the payroll of the City. This shall in no way affect the rights of the employee to receive any applicable benefits under the Texas Workers' Compensation Act or the Texas Municipal Retirement System.

(e) Prior to the exercise of this rule to remove a Civil Service employee from the payroll of the City, that employee shall have been given opportunity to apply for any posted, vacant position for which that employee is fully qualified to perform the essential functions, with or without reasonable accommodation. The authority to recommend or authorize placement into any specific position is reserved to the City Manager or his designated representative(s).

RULE XVII

EFFICIENCY REPORTS AND RATINGS

SECTION 76. EFFICIENCY REPORTS

The Civil Service Board shall fix a minimum standard of conduct and efficiency for each grade in the Service, and whenever it shall appear from the reports of efficiency made to the said Board that the conduct and efficiency of any employee has fallen below this minimum, that employee may be called before the Board to show cause why such employee should not be removed, terminating his/her employment with the City. During the final month of an employee's probationary period (new appointments and/or promotions only), the immediate supervisor shall prepare an efficiency report on a prescribed form, rating the employee's job performance and efficiency during the probationary period. The report shall be submitted to the appropriate Department Head for review, comments, and signature. The probationary efficiency report shall be signed and dated by the employee, following a personal review with his/her supervisor. The report (clearly marked as "Probationary") shall then be forwarded to the Director of Human Resources.

(a) On September 1st of each year, the immediate supervisor shall prepare an efficiency report on employees on a prescribed form rating thereon the employee's manner of job performance during the period covered by the report. The report shall be submitted to the appropriate Department Head for review, comments, and signature. The report shall be signed and dated by the employee, following a personal review with his/her supervisor. The report will then be forwarded to the Director of Human Resources. Efficiency reports of supervisors shall reflect their overall job performance, including supervision and evaluation of the performance of their subordinates.

(b) Minimum standard of efficiency for all grades in the classified service shall be 70%. The highest achievable standard of efficiency shall be 100%. If an employee's efficiency report is below 70%, the City Manager's designated representative(s) may demote the employee into a posted, vacant lower position within the same department, which the employee has served in previously, and for which the employee is fully qualified to perform the essential functions, with or without reasonable accommodation. The Civil Service Board shall have final jurisdiction to hear and decide all appeals made to it by any demoted employee in the Classified Service, and the judgement or decision of a majority of the members of the Appeals Board at a hearing shall be final. If such demotion is deemed not appropriate by the Department Head; or if no such lower position in that department is posted and vacant; or if the employee lacks the necessary qualifications, the employee shall be called before the Board to show cause why he/she should not be removed. If upon hearing, no reason is shown satisfactory to the Board; he/she shall be removed, terminating his/her employment with the City. NOTE: This subsection does not apply to probationary employees (new and promotional probation).

(c) All Department Heads and their administrative subordinates having employees subject to these rules shall make reports to the Board on the efficiency of said employees on the form or forms prescribed for such purposes only when requested to do so by the Board, except that a Department Head may submit an efficiency report to the Board on an employee he/she wishes to dismiss because of inefficiency.

Human Resources shall review the efficiency ratings of the various employees of the departments as determined by the reports submitted by the Department Heads and shall keep a record of such ratings. Human Resources shall make a report to the Board annually that all efficiency reports have been completed as required. Efficiency reports on all Civil Service employees will be submitted no later than September 30th of each year to the Director of Human Resources, unless a special or probationary efficiency report has been submitted within one (1) month prior thereto.

Department Heads shall submit a special efficiency report to the Director of Human Resources, with their recommendations, when an employee has completed his/her probationary period, or when any employee's performance of duty is of such a nature as to warrant action by the City Manager.

(d) In determining the efficiency rating, the Board shall take into consideration those pertinent factors determined by the Department Head.

RULE XVIII

VACATIONS

SECTION 77. VACATION LEAVE

Only employees in regular full-time positions in the service will be eligible for vacation leave benefits. All vacation leave will be exclusive of official holidays.

(a) Monthly accrual is effective January 1, 1994 for all Civil Service employees. Vacation leave will be earned at the following rates on or after January 1, 1994. (Exception: Employees hired prior to January 1, 1994 will be "grandfathered" to earn vacation for their first year at the rate quoted when hired.)

SERVICE OF	ACCRUAL RATE
0 – 6 Months	None
7 – 12 Months	6 2/3 hours per month (40 work hours by end of 1 yr)
13 months – 14 years	10 hours per month (120 work hours per year)
14th service anniversary (begins the 15th year of service) and forward	13 1/3 hours per month (160 work hours per year)

As of January 1, 1994, a maximum of 160 hours (20 days) of vacation will be allowed to accrue at any time for each employee. Any exception to this limitation must have prior approval from both the appropriate Department Head and the City Manager.

Department Heads will develop vacation schedules for their departments, which will make it unnecessary to employ extra personnel, and which will not disrupt the normal operations of department or the City.

(b) Upon termination or retirement, employees will receive compensation for earned but unused vacation leave at the following rates, effective January 1, 1994:

CONTINUOUS SERVICE OF	MAXIMUM OF
2 - 4 years	80 hours
5 - 14 years	120 hours
15 or more years	160 hours

Vacation termination pay shall not be paid to an employee who has less than two years of continuous service. Vacation leave may not be taken beyond a termination or retirement date.

RULE XIX

SICK LEAVE

SECTION 78. SICK LEAVE

(a) ACCUMULATION, VERIFICATION AND REPORTING OF SICK LEAVE. All regular full-time City employees shall accumulate ten (10) hours of sick leave for each full calendar

month. Sick leave may be accumulated from year to year. Prior to October 1, 1992, a maximum of nine hundred and sixty (960) hours of sick leave may be accrued. Effective October 1, 1992, there is no limit on total accrual of sick leave.

Employees who are absent from work because of illness must report their intended absenteeism to the appropriate supervisor/manager in accordance with departmental rules. If absenteeism is reported to the appropriate supervisor/manager within one (1) hour of the employee's designated reporting time on the day of absence, such absence shall be charged against the employee's accrued paid sick leave.

Following any absence due to sickness, sufficient medical evidence that the employee was actually ill may be requested by the appropriate supervisor/manager when it is deemed necessary. The employee shall be charged with absence without pay if: absence is reported later than one (1) hour after the designated reporting time on the day of absence; if the employee has no accrued paid sick leave; and/or if required evidence of actual illness is not presented when requested.

A break in service permanently cancels all sick leaves accrued. In the event of rehire, an employee's sick leave shall be computed from rehire date. Absences charged to sick leave shall be made on the basis of five days per week, without regard to the total hours of an employee's work week. If an employee is sick (not at work) on the day a holiday occurs, the employee will not be paid extra for that day.

Sick leave for an employee may only be used for his or her own personal illness. A maximum of eighty (80) sick leave hours per calendar year may also be used for the illness of an employee's family member. "Family member" is defined as an employee's: husband, wife, child, step-child, son/daughter-in-law, parent, step-parent, current mother/father-in-law, grandparent/grandparent-in-law, grandchild, brother, sister, step-brother/sister, or brother/sister-in-law.

(b) ABUSE OF SICK LEAVE. Frequent claiming of benefits under this rule may~~will~~ constitute grounds for the assumption that the physical condition of the employee is below the standard necessary for the proper performance of their duties. Evidence of malingering, or the abuse of this benefit, will constitute grounds for dismissal or other disciplinary action.

Comment [JM65]: Changed due to possibility of leave event being FMLA related.

(c) Only employees in regular full-time positions in the service will be eligible for sick leave benefits.

(d) TERMINATION PAY FOR ACCRUED SICK LEAVE. Upon termination or retirement, employees with twelve (12) months continuous service will receive compensation for accumulated but unused sick leave equivalent to a maximum of one hundred and seventy-six (176) work hours. Effective January 1, 2000, upon retirement from the City, employees will receive compensation for accumulated but unused sick leave equivalent to a maximum of seven hundred and twenty (720) work hours. ("Retirement from the City" is defined as applying for retirement with the Texas Municipal Retirement System upon termination of employment with the City.) The estate of an employee who dies while in active employee status will receive compensation for the deceased employee's accumulated but unused sick leave, for a maximum of seven hundred and twenty (720) work hours. No sick leave termination pay shall be payable to any employee with less than twelve (12) months continuous service.

Sick leave may not be taken beyond a retirement or termination date.

RULE XX

OTHER LEAVE OF ABSENCES

SECTION 79. OFFICIAL HOLIDAYS, OFFICIAL LEAVES, AND JURY LEAVES

(a) The following days will be observed as legal holidays for all City employees: **New Year's Day** - January 1; **Martin Luther King Day –** third Monday in January; **Memorial Day** - last Monday in May; **Independence Day** - July 4; **Labor Day** - first Monday in September; **Thanksgiving Day** - fourth Thursday in November; **Day after Thanksgiving Day** - fourth Friday in November; **Christmas** - December 25. All holidays are accrued and used as eight (8) hours each.

If a holiday falls on a Saturday, the preceding Friday will be observed as a holiday. If a holiday falls on a Sunday, the following Monday will be observed as a holiday.

The City Manager will also designate one floating holiday each calendar year.

To be eligible for the paid holiday, employees must not be absent without leave (AO) on the work day immediately prior to or after an official holiday, except in cases of suspensions.

Other holidays may be observed from time to time and all of those listed herein may not be observed by all departments at the same time.

Because of the nature of operations of some of the departments it is not considered feasible to establish a definite rule on compensating employees who work on holidays. Accordingly, Department Heads will provide for one of the following:

(1) Compensatory time off.

(2) Payment at the rate of time and one-half.

(3) Readjustment of work schedule.

(b) Attendance of regular full-time employees at conventions, conferences, short training courses and meetings of like nature, or to serve on jury duty only when approved by the City Manager in advance, shall be considered leaves of absence with pay.

SECTION 79A. FAMILY AND MEDICAL LEAVES

Full-time employees within the classified service shall be entitled to Family and Medical Leave in accordance with federal laws and regulations and city-adopted Interdepartmental Policy.

~~(a) A full time employee within the classified service who has been employed by the City for at least 12 months, and who has worked for at least 1250 hours during the 12 month period immediately before the beginning of a leave, shall be entitled to a total of 12 work weeks of unpaid leave during a calendar year for any of the following reasons:~~

Comment [JM66]: Deleted majority of section due to more robust FMLA Interdepartmental Policy already exists as an interdepartmental policy. It is an administrative burden to have 2 policies on the same topic in two different documents.

(1) birth of a child of the employee, in order to care for such child (eligibility for leave expires 12 months after the date of birth of the child);

(2) placement of a child with the employee for adoption or foster care (eligibility for leave expires 12 months after the date of placement of the child);

(3) to care for the spouse, child, or parent of the employee, if the spouse, child, or parent has a serious health condition;

(4) the employee has a serious health condition that makes the employee unable to perform the essential functions of his/her position.

(5) due to an urgent need or requirement ("qualifying exigency") arising out of a covered family member's (limited to a spouse, son/daughter, or parent of the employee) active duty or call to active duty in the Armed Forces, National Guard, or Reserves, involving deployment to a foreign country. For an activity to qualify as an exigency, it must fall within one of seven categories of activities **or** be mutually agreed upon by the department and the employee. The seven categories are: (1) short-notice deployment; (2) military events and related activities; (3) certain temporary childcare arrangements and school activities (but not ongoing childcare); (4) financial and legal arrangements; (5) counseling by a non-medical counselor (e.g., a member of the clergy); (6) rest and recuperation (leave permitted when the military member is on temporary rest and recuperation leave); and (7) post-deployment activities.

(6) for an eligible employee (limited to a spouse, son/daughter, parent or next of kin of a covered servicemember) to care for a covered servicemember in the Armed Forces, National Guard, or Reserves who has incurred an injury or illness in the line of duty while on active duty (or because active duty aggravated an existing or preexisting injury or illness), provided that such injury or illness renders the servicemember medically unfit to perform the duties of his/her office, grade, rank, or rating. This includes veterans undergoing medical treatment, recuperation, or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment. This leave may be up to 26 work weeks of unpaid leave during a single 12-month period. When combined with other FMLA-qualifying leave, total leave may not exceed 26 weeks in a single 12-month period. This is the only instance in which a leave of up to 26 work weeks may be taken.

The term "serious health condition" means an illness, injury, impairment, or physical or mental condition (including those resulting from on-job injury) that involves inpatient care (i.e., overnight stay) in a hospital, hospice, or residential care facility; or continuing treatment by a health care provider.

The term "child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person acting in place of a parent (with all of the parental responsibilities), who is under 18 years of age, or who is 18 years of age and older and incapable of self-care because of a mental or physical disability.

The term "parent" means a biological parent or a person who acted in place of a parent when the employee was a child (as child is defined above).

~~The term "active duty" means duty under a call or order to active duty in the Armed Forces, National Guard, or Reserves.~~

~~The term "covered servicemember" means a member of the Armed Forces, National Guard, or Reserves who, for a serious injury or illness, is undergoing medical treatment, recuperation, or therapy, or is otherwise in outpatient status, or is on a temporary disability retired list. This includes serious injury or illness of veterans who were members of the Armed Forces, National Guard, or Reserves at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.~~

~~(b) Leave shall not be taken by an employee on an intermittent basis unless it has been determined to be medically necessary or is due to an urgent need or requirement (qualifying exigency) arising out of a covered family member's active duty or call to active duty. If leave is deemed medically necessary, the employee may be required by the City Manager (or designee) to transfer temporarily to an available alternative position for which the employee is qualified, with equivalent pay and benefits, to avoid disruption of City operations. Intermittent leave due to an urgent need or requirement (qualifying exigency) arising out of a call to active duty is subject to the employee providing reasonable and practicable notice of the active duty status and timely certification of the serious health condition.~~

~~(c) In any case in which a husband and wife are both employed by the City and eligible for leave due to the birth or placement of a child under subparts (a)(1) and (2), or to care for a parent under subpart (a)(3), or due to a qualifying exigency arising out of a covered family member's active duty or call to active duty under subpart (a)(5) of this section, such leave will be limited to a total of 12 work weeks a calendar year, e.g. 12 work weeks for both, NOT 12 work weeks each. (This limitation to 12 weeks for both City employees does not apply when family and medical leave is taken for self-care or to care for a sick spouse or child.)~~

~~(d) The employee must substitute any accrued paid vacation leave, or sick leave when appropriate, for a part of the 12 work week period of unpaid family and medical leave. (This does not apply when an employee is on paid workers' compensation leave which is also eligible for, and coded as, family and medical leave). When paid vacation and/or sick leave is substituted, the procedural requirements for taking that kind of leave will be imposed until it is exhausted. (Appropriate uses of accrued paid sick leave are described under the heading ACCUMULATION, VERIFICATION AND REPORTING OF SICK LEAVE in Civil Service Rule XIX.)~~

~~(e) In any case where the need for family and medical leave is foreseeable, the employee shall provide written or verbal notice to his/her supervisor with not less than 30 days' notice before the leave is to begin. If birth or placement of a child requires leave to begin in less than 30 days, the employee shall provide the maximum amount of notice possible.~~

~~In any event in which the necessity for leave under (a) 3, (a) 4, or (a) 6 is foreseeable based on planned medical treatment, the employee shall make a reasonable effort not to disrupt unduly the operations of the City, and shall provide a written or verbal request to his/her supervisor with not less than 30 days' notice. If medical treatment requires leave to begin in less than 30 days, the employee shall provide the maximum amount of notice possible.~~

~~(f) The City Manager or Department Head may require that a request for leave under subsection (a) 3, (a) 4, or (a) 6 be supported by certification from the appropriate health care provider. The City may require second and third opinions for requests under (a) 3 or (a) 4, at the expense of the City, if there is reason to doubt the validity of the certification. Subsequent recertifications and status reports may be required by the City Manager or Department Head~~

~~on a reasonable basis. Certification from the health care provider may also be required when the employee is able to return to work following a leave under subsection (a) 4.~~

~~(g) An eligible employee who takes family and medical leave for the purposes intended shall, on return from such leave, be restored to the position held when the leave began OR to an equivalent position, with equivalent pay, benefits, and conditions of employment. EXCEPTION: Full time salaried employees who are among the highest paid 10 percent of the City's employees may be denied restoration to the position from which leave is granted, if such denial is necessary to prevent substantial and grievous economic injury to the operations of the City, and such employee is notified of the intent to deny restoration at the time the City determines such injury would occur.~~

~~The department shall designate leave (paid or unpaid) as family and medical leave when an employee requests it for an eligible reason under the Family and Medical Leave Act. The department must notify the employee of such designation and that any substituted paid leave is designated (and will be counted) as family and medical leave, orally or in writing. If notice to an employee is verbal, it must be confirmed in writing within two business days.~~

~~Leave may not be designated as family and medical leave after the employee has returned to work, with two exceptions:~~

~~(1) If the employee was absent for a family and medical leave eligible reason and that was unknown until the employee's return, and the retroactive designation is made within two business days of the return with written notice to the employee;~~

~~(2) Where the reason for leave is known, but required certifications are still being obtained, the leave may be preliminarily designated as family and medical leave. Upon receipt of the required information, the designation will be finalized, if appropriate.~~

SECTION 80. BEREAVEMENT LEAVES

In case of death in the immediate family, the Department Head may grant as much as 40 hours of bereavement leave per occurrence. Immediate family shall include an employee's husband, wife, child, step-child, son/daughter-in-law, parent, step-parent, current mother/father-in-law, grandparent/grandparent-in-law, grandchild, brother, sister, step-brother/sister, and brother/sister-in-law.

SECTION 81. MILITARY LEAVES

(a) A person who is or applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service shall not be denied employment, reemployment, retention, promotion, or any benefit of employment on the basis of that membership, application, performance, or obligation; provided that the person:

1) Has given advance notice (written or oral) to that person's supervisor, unless providing such advance notice is precluded due to military necessity, impossibility, or unreasonableness;

2) Does not incur a cumulative length of absence of more than five (5) years; and,

3) Reports to work or submits an application for reemployment as provided for hereinafter.

(b) A person's entitlement to the benefits of this Section terminates upon the occurrence of a separation from the uniformed service with a dishonorable or bad conduct discharge, or under other than honorable conditions.

(c) Employees who are absent from an employment position by reason of service in the uniformed services will be paid regular pay for a period not to exceed fifteen (15) working days per year. However, as a condition to the receipt thereof, a copy of that person's duty orders or other documentation satisfactory to the City must be presented showing the dates of such service.

(d) After a period of service in the uniformed services, an employee must notify the City of his/her intent to return by reporting to work or applying for reemployment as follows:

If the absence from employment due to the service is less than 31 days, the employee must report back to work immediately on the next work day following the employee's return home, after allowing for an eight hour period following the return home, or as soon as possible thereafter if reporting to work within this time is impossible or unreasonable through no fault of the employee.

If the absence from employment due to the service is more than 30 days, the employee must submit an application for reemployment within 14 days from the completion of the period of service if the period of service was less than 181 days, or within 90 days if the period of service was more than 180 days. For purposes of the foregoing, periods of hospitalization or convalescence (not to exceed 2 years) for illness or injury incurred or aggravated during the service shall be included in determining the period of service.

A failure to report to work or apply for reemployment as provided hereinabove shall be grounds for suspension, demotion or dismissal.

(e) Upon return to work following a period of service in the uniformed services, the employee shall be reemployed as follows:

The employee shall be reemployed promptly either:

1) In the position of employment in which he/she would have been employed if the period of employment with the City had not been interrupted by such service, with all the promotions and pay increases the employee would have received if he/she had been continuously employed, if the employee is qualified to perform those duties, or;

2) In the position held when uniformed service commenced, only if the person is not qualified to perform the duties of the position described in subsection 1) after reasonable efforts by the City to qualify the person.

If the period of service is more than 90 days, the employee may be reemployed in a position of like seniority, status and pay if the employee is qualified to perform the duties of that position with or without reasonable efforts by the City to qualify the person.

If the employee has a disability incurred in, or aggravated during, such service, the department shall make reasonable efforts to accommodate the disability, and the person shall be reemployed in a position which is equivalent to or the nearest approximation in seniority, status and pay, the duties of which the employee is qualified to perform after reasonable efforts by the City.

If, after a period of service, the person is not and cannot become qualified to be employed in any of the foregoing positions after reasonable efforts by the City, he/she will be placed in any other position of lesser status and pay which he/she is qualified to perform, with full seniority.

(f) If the employee must submit an application for reemployment as required hereinabove, the employee shall provide the City with documentation to establish the dates of the commencement and termination of service in the uniformed services and that the employee has not been discharged under other than honorable conditions. The failure to provide such documentation shall not be a basis for denying reemployment if the failure occurs because the documentation does not exist or is not readily available at the time of the application. If not, the employee shall furnish the documentation as soon as possible.

(g) In this Section, the term "service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in the United States Armed Forces, the Army National Guard and the Air National Guard, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or emergency, including active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, and a period of absence from employment for the purpose of an examination to determine fitness to perform such duty.

RULE XXI

WORK HOURS

SECTION 82. WORK HOURS

Department Heads will establish work hours for all employees based on approval of the City Manager and in accordance with the Charter. All employees within the City service will work beyond stipulated hours whenever the City Manager determines that necessity demands additional service of an occasional and/or emergency nature.

RULE XXII

LONGEVITY

SECTION 83. LONGEVITY

(a) After the end of their first year of service all members of the classified service will be eligible to thereafter earn longevity pay in addition to all other compensation paid for their services. Longevity pay shall be earned by all eligible members of the classified service in an amount equal to four dollars ($4.00) per month for each full year of service up to and including a

maximum of twenty-five (25) years of service. (Example: At the end of the thirteenth (13th) month of service, the first longevity pay of $4.00 per month will have been earned based on the first full year of service just completed.)

(b) Longevity pay shall be payable during the months of November or December each year to the members of the classified service entitled thereto; except, however, earned longevity pay shall be payable together with other termination pay upon termination of employment of a member of the classified service.

RULE XXIII

RETIREMENT

SECTION 84. RETIREMENT

The City Council of Richardson adopted the Texas Municipal Retirement System for all eligible employees of the City by Ordinance, as noted in the City's Administrative Code. All eligible members of the classified service are and shall be covered by and subject to the provisions of the Texas Municipal Retirement System. Employment with the City of Richardson is terminated on the effective date of an active employee's TMRS retirement. ("Retirement from the City" is defined as applying for retirement with the Texas Municipal Retirement System upon termination of employment with the City.)

Under circumstances where a reduction of forces of employees is necessitated, the City Manager may implement an early exit retirement incentive program to authorize the payment of an amount equivalent to an employee's accrued but unused sick leave in excess of seven hundred and twenty (720) work hours to employees who are eligible to participate in such early exit retirement incentive program.

RULE XXIV

RECORDS AND REPORTS

SECTION 85. RECORDS

All records are subject to the provisions of the Texas Public Information Act.

SECTION 86. REPORTS BY THE BOARD

The Board may investigate and report to the City Manager of the City concerning the administrative needs of the service, the personnel, positions in the service, the examinations held by the Board, the appointments made, service ratings and removals in the classified service, the operation of the rules of the Board, recommendations for promoting efficiency and economy in the service, and any other matters deemed appropriate by the Board.

RULE XXV

RESTRICTIONS REGARDING OUTSIDE COMPENSATION FOR SERVICES

SECTION 87. RESTRICTION REGARDING OUTSIDE COMPENSATION FOR SERVICES

No reward, gift, or other form of remuneration in addition to regular compensation shall be received from any source by employees for the performance of their official duties. If a reward, gift, or other form of remuneration is made available to any employee, it shall be credited to a designated employee fund with the approval of the City Manager.

RULE XXVI

AMENDMENTS

SECTION 88. EXCEPTIONS, INTERPRETATIONS AND AMENDMENTS

Comment [JM67]: Title changed to allow for reformatting of Section 88A-Exceptions and Section 88B-Amendments and addition of new paragraph on Interpretations to be placed in same section.

(a) Exceptions. When requested by the City Manager, Department Head or Director of Human Resources, an exception to these rules may be reviewed as an item of business ~~during the monthly meeting~~. If the requested exception is deemed appropriate and approved by the majority of the members present, the exception may be granted.

(b) Interpretations. -If and to the extent that a provision of these Rules may be vague or ambiguous in its wording or application, the Director of Human Resources shall have the authority to interpret the Rules to clarify the ambiguity.

(c) Amendments. Any changes or amendments to these rules and procedures may be proposed and tentatively adopted by the Board at any regular or special meeting of the Board; however, no change or amendment shall become a permanent part of these rules and procedures until it has been approved by the City Council. Within ten (10) days after a change or amendment is tentatively adopted by the Board, the Board shall submit it to the City Council for its consideration and final approval.

~~**SECTION 88B. AMENDMENTS**~~

~~Any changes or amendments to these rules and procedures may be proposed and tentatively adopted by the Board at any regular or special meeting of the Board; however, no change or amendment shall become a permanent part of these rules and procedures until it has been approved by the City Council. Within ten (10) days after a change or amendment is tentatively adopted by the Board, the Board shall submit it to the City Council for its consideration and final approval.~~

RULE XXVII

SAVING CLAUSE

SECTION 89. SAVING CLAUSE

The provisions of these rules are declared to be severable, and if any rule, section, sentence, clause, phrase or word of these rules shall for any reason by held to be invalid or unconstitutional such decision shall not affect the validity of the remaining rules, section, sentences, clauses, phrases and words of these rules, but they shall remain in effect, it being the intent that these rules shall stand notwithstanding the invalidity of any part.

- end -

CITY OF RICHARDSON

TO: Dan Johnson – City Manager

THRU: Keith Dagen – Director of Finance

FROM: Todd Gastorf – Purchasing Manager

SUBJECT: Bid Initiation Request 10-17

DATE: October 4, 2016

Request Council approval to initiate bid for the following:

Berkner Park HOA Entry Features

Proposed Council approval date:	October 10, 2016
Proposed advertising dates:	October 12 & 19, 2016
Proposed bid due date:	October 27, 2016 – 3:00 p.m.
Proposed bid opening date:	October 27, 2016 – 3:30 p.m.
Engineer's estimated total cost:	$53,000.00
Account:	232-0250-581-7102, Project #NS1206

Todd Gastorf
Purchasing Manager

Keith Dagen
Director of Finance

10/5/16
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 Berkner Park HOA Entry Features Bid# 10-17

DATE: September 30, 2016

ACTION REQUESTED:

Authorization to advertise Bid #10-17 and approval of plans and contract documents for the Berkner Park HOA Entry Features. Bids to be received until Thursday, October 27, 2016 at 3:00 p.m. and read aloud 30 minutes later.

BACKGROUND INFORMATION:

This project will construct new masonry entry signs in median areas of the neighborhood entrances in Berkner Park - Yale Blvd. at Serenade Ln. and Spring Valley Rd. at Rollingwood Rd. - including landscaping & irrigation adjustments.

FUNDING:

Funding is provided from 2012 C.O.'s.

SCHEDULE:

The Capital Projects Department plans for this project to begin construction December 2016 and be completed by February 2017.

cc: Brad Bernhard, P.E., Project Engineer

NOTICE TO CONTRACTORS
CITY OF RICHARDSON

BERKNER PARK HOA ENTRY FEATURES
Bid #10-17

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 27, 2016 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:

This project will construct new masonry entry signs in median areas of the neighborhood entrances in Berkner Park - Yale Blvd. at Serenade Ln. and Spring Valley Rd. at Rollingwood Rd. - including landscaping & irrigation adjustments.

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 in the interest of the Owner may require, rejection of 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 Sixty (60) calendar days will be allowed for construction.

A set of plans, specifications and bid documents will be available **beginning at 12:00 p.m. on Tuesday, October 11, 2016,** through BidSync.Com at no charge, or 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, upon a **NON-REFUNDABLE FEE OF 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 19, 2016 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 Taylor Lough, ADA Coordinator, via phone at 972-744-4208, via email at adacoordinator@cor.gov, or by appointment at 411 W. Arapaho Road, Richardson, TX 75080.

Project Schedule

BERKNER PARK HOA ENTRY FEATURES

Bid No. 10-17

Agenda Paperwork to Advertise	Friday, September 30, 2016
Council Authorization to Advertise	Monday, October 10, 2016
Plans/Specs Available for Contractors	Tuesday, October 11, 2016
Advertise in Dallas Morning News 1	Wednesday, October 12, 2016
Advertise in Dallas Morning News 2	Wednesday, October 19, 2016
Pre-Bid Meeting (10:00 am Rm 206)	Wednesday, October 19, 2016
Bids Received & Opened (due by 3:00 open @ 3:30 Rm 206)	Thursday, October 27, 2016
Agenda Paperwork to Award Contract	Friday, November 4, 2016
Council to Award Contract	Monday, November 14, 2016
Pre-Construction Meeting	~November 2016
Anticipated Project Start	~December 2016
Anticipated Project Completion (60 Calendar Days)	~February 2017

Project Manager: Brad Bernhard
Estimate: $53,000.00
Funding: 232-0250-581-7102 NS1206

ID# 451

BERKNER PARK
ENTRY FEATURES
OCTOBER 2016

0 75 150 300 450 600 Feet

CITY OF RICHARDSON TEXAS

CITY OF RICHARDSON

TO: Dan Johnson – City Manager

THRU: Keith Dagen – Director of Finance

FROM: Todd Gastorf – Purchasing Manager

SUBJECT: Bid Initiation Request 11-17

DATE: October 4, 2016

Request Council approval to initiate bid for the following:

Eisemann Center Office Space Addition

Proposed Council approval date:	October 10, 2016
Proposed advertising dates:	October 12 & 19, 2016
Proposed bid due date:	November 1, 2016 – 2:00 p.m.
Proposed bid opening date:	November 1, 2016 – 2:30 p.m.
Engineer's estimated total cost:	$70,000.00
Account:	151-0258-512-7401

Todd Gastorf
Purchasing Manager

Keith Dagen
Director of Finance

10/5/16
Date

Approved: _____
Dan Johnson
City Manager

_____
Date

MEMO

TO: Dan Johnson, City Manager

THROUGH: Shanna Sims-Bradish, Assistant City Manager

FROM: Steve Spanos, P.E., Director of Engineering

SUBJECT: Permission to Advertise Eisemann Center Office Space Addition - Bid #11-17

DATE: September 30, 2016

ACTION REQUESTED:

Authorization to advertise Bid #11-17 and approval of plans and contract documents for the Eisemann Center Office Space Addition. Bids to be received until Tuesday, November 1, 2016 at 2:00 p.m. and read aloud 30 minutes later.

BACKGROUND INFORMATION:

Eisemann Center staffing is pushing the limits of available office space. Since opening, a portion of theater aisle 7 routinely stays closed off and is not utilized by patrons due to more convenient paths of ingress and egress to the balcony seating area. This project will convert the under-utilized portion of aisle 7 to office space and accommodate workstations for up to four staff members. The space conversion will include the installation of a glass storefront to allow light into the office area as well as upgrades to the HVAC and lighting systems.

FUNDING:

Funding is provided from the Hotel/Motel Tax Fund.

SCHEDULE:

The Eisemann Center plans for this project to begin construction December 2016 and be completed by February 2017.

cc: Bill Fox, Project Manager
Bruce MacPherson, Managing Director

NOTICE TO CONTRACTORS
CITY OF RICHARDSON

EISEMANN CENTER OFFICE SPACE ADDITION
BID #11-17

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 **Tuesday, November 1, 2016 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:

Convert approximately 350 square feet of existing, under-utilized theater aisle 7 to office space including demolition of existing doors, walls and lighting and installation of new lighting, mechanical systems, walls and glass storefront.

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 Sixty (60) calendar days will be allowed for construction.

A set of plans, specifications and bid documents will be available **beginning at 12:00 p.m. on Tuesday, October 11, 2016,** through BidSync.Com at no charge, or 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, 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 20, 2016 at 10:00 am at the Eisemann Center lobby, 2351 Performance Dr, Richardson, TX 75082.**

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 Taylor Lough, ADA Coordinator, via phone at 972-744-4208, via email at adacoordinator@cor.gov, or by appointment at 411 W. Arapaho Road, Richardson, TX 75080.

Project Schedule

Eisemann Center Office Space Addition

Bid No. 11-17

Agenda Paperwork to Advertise	Friday, September 30, 2016
Council Authorization to Advertise	Monday, October 10, 2016
Plans/Specs Available for Contractors	Tuesday, October 11, 2016
Advertise in Dallas Morning News 1	Wednesday, October 12, 2016
Advertise in Dallas Morning News 2	Wednesday, October 19, 2016
Pre-bid Meeting (Eisemann Center @ 10 AM)	Thursday, October 20, 2016
Bids Received & Opened (due by 2:00 open @ 2:30 Rm 206)	Tuesday, November 1, 2016
Agenda Paperwork to Award Contract	Friday, November 4, 2016
Council to Award Contract	Monday, November 14, 2016
Pre-Construction Meeting	November 2016
Anticipated Project Start	December 2016
Anticipated Project Completion (60 Calendar Days)	February 2017

Project Manager: Bill Fox
Estimate: $70,000
Funding: 151-0258-512-7401

MEMO

DATE: **October 4, 2016**

TO: **Keith Dagen – Director of Finance**

FROM: **Todd Gastorf – Purchasing Manager** TDG

SUBJECT: **Award of Bid #08-17 for the cooperative purchase of a 14' Type I Mobile Intensive Care Unit ("MICU") for the Fire Department to Mac Haik Dodge Chrysler Jeep in the amount of $194,175 through the Houston-Galveston Area Council of Governments ("HGAC") Contract #AM10-16**

Proposed Date of Award: October 10, 2016

I concur with the recommendations of Ernest Ramos – Fleet and Materials Manager and Ed Hotz – Interim Fire Chief, and request permission to issue a purchase order for the above referenced MICU ambulance on a Dodge 4500 Regular Cab Chassis to Mac Haik Dodge Chrysler Jeep in the amount of $194,175, as per the attached quote.

The above referenced equipment has been bid through the HGAC Contract #AM10-16. As specified in the contract, the chassis and invoicing for the complete unit is provided from Mac Haik Dodge Chrysler Jeep and the MICU conversions are completed through Frazer, LTD. The City of Richardson participates in the HGAC program through its existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code Chapter 791.025 and Texas Local Government Code Chapter 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Funding is available in account 237-1410-581-7421, Project #FD1705.

Concur:

Keith Dagen

ATTACHMENTS

MEMO

DATE: October 1, 2016

TO: Todd Gastorf, Purchasing Manager

FROM: Ernie Ramos, Fleet & Materials Manager E.R

RE: Capital Equipment Purchase, FD1705, via HGAC Contract # AM10-16, Product Code: HD11, contract expires 9/30/2018

I have reviewed the existing contract referenced above and recommend purchasing Product Code HD11, one (1) Dodge 4500 Regular Cab Chassis with Frazer 14' Type 1 Mobile Intensive Care Unit (MICU) module for an amount totaling $194,175. I received and approved the quote with options listed from Mac Haik Dodge Chrysler Jeep.

The funding for the purchase is funded from account # 237-1410-581-7421, Project # FD1705. The contact at Mac Haik Dodge Chrysler Jeep is Mr. David Sheehy, and he can be reached at (281) 310-9520, or E-mail: dsheehy@machaikdcj.com, or Fax: (281) 820-7435. Please order the MICU as specified on the attached quote provided.

Attachment/s:
HGAC Quote (1-page)
HGAC Contract, AM10-14 (28-pages)
Frazer Quote (6-pages)

CC: Allan Journey, Battalion Chief-EMS
Curtis Poovey, Assistant Chief-Operations
Robert Younger, Assistant Chief-Administration
Ed Hotz, Fire Chief

MEMO

DATE: October 1, 2016

TO: Todd Gastorf, Purchasing Manager

FROM: Ed Hotz, Interim Fire Chief EH

RE: Capital Equipment Purchase, FD1705, via HGAC Contract # AM10-16, Product Code: HD11

I have reviewed the existing contract referenced above and recommend purchasing Product Code HD11, one (1) Dodge 4500 Regular Cab Chassis with Frazer 14' Type 1 Mobile Intensive Care Unit (MICU) module for an amount totaling $194,175. I received and approved the quote with options listed from Mac Haik Dodge Chrysler Jeep.

The funding for the purchase is funded from account # 237-1410-581-7421, Project # FD1705. The contact at Mac Haik Dodge Chrysler Jeep is Mr. David Sheehy, and he can be reached at (281) 310-9520, or E-mail: dsheehy@machaikdcj.com, or Fax: (281) 820-7435.

CC: Allan Journey, Battalion Chief-EMS
Curtis Poovey, Assistant Chief-Operations
Robert Younger, Assistant Chief-Support Services
Ernie Ramos, Fleet & Materials Manager
Keith Dagen, Director of Finance

HGACBuy	CONTRACT PRICING WORKSHEET For MOTOR VEHICLES Only	Contract No.:	AM10-16	Date Prepared:	09/23/16

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both the PO and the Worksheet MUSTTherefore please type or print legibly.Therefore please type or print legibly.

Buying Agency:	Richhardson Fire Department	Contractor:	Mac Haik Dodge	11050A	HGAC
Contact Person:	Ernest Ramos	Prepared By:	David Sheehy		
Phone:	972-744-4421	Phone:	281-768-1881		
Fax:	972-744-5812	Fax:	281-820-7435		
Email:	ernest.ramos@cor.gov	Email:	dsheehy@machaikdcj.com		

Product Code:	HD11	Description:	Type I 14' on Ram 4500 Gas DRW Cab/Chassis, Gen Pwrd Mod

A. Product Item Base Unit Price Per Contractor's H-GAC Contract:	$178,000.00

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

	Description	Cost	Description	Cost
1085	Chassis // Suspension // LiquidSpring suspension syst	$10,000.00		
1059	Chassis // Grille Guard // Black Ranch Hand grille gu	$1,300.00		
1075	Chassis // Running Boards // ArcRite running boards	$850.00		
1076	Chassis // Running Boards // Bedliner spray on runnin	$450.00		
1045	Chassis // Cameras // Replacement rearview mirror wi	$1,050.00		
1236	Module // Paint // 14' Module paint scheme // Module	$1,750.00		
			Subtotal From Additional Sheet(s):	$0.00
			Subtotal B:	$15,400.00

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
		Subtotal From Additional Sheet(s):	$0.00
		Subtotal C:	$0.00

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).	For this transaction the percentage is:	0%

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)					
Quantity Ordered:	1	X Subtotal of A + B + C:	$193,400.00	=	Subtotal D: $193,400.00
E. H-GAC Order Processing Charge (Amount Per Current Policy)					Subtotal E: $1,000.00

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
Downgrade to lower level chassis trim package	-$225.00		
		Subtotal F:	-$225.00

Delivery Date:		G. Total Purchase Price (D+E+F):	$194,175.00

September 23, 2016

Ernie Ramos
Fleet Manager
Richardson Fire Department
Email: ernest.ramos@cor.gov

Quote # 11050A

Mr. Ramos,

Per your request we are quoting (1) Frazer Type I 14' Generator Powered Module on a 2016/2017 Dodge Ram 4500 6.4L gasoline chassis w/ Aisin transmission with a LiquidSpring suspension. For your convenience all pricing has been itemized below.

Frazer Type I 14' Generator Powered Module	$ 104,000.00
2016/2017 Dodge Ram 4500 6.4L gasoline chassis w/ Aisin transmission	$ 37,000.00
Note: *Order Red, Downgrade the 29G package to ST level truck with chrome appearance package & power accessory group & instead of the cloth seating, OEM vinyl - see chassis quote for ordering*	
LiquidSpring suspension	$ 10,000.00
Chassis Exterior	$ 9,000.00
Chassis Interior	$ 2,575.00
Module Exterior	$ 20,775.00
Module Interior	$ 9,100.00
Provide Frazer MSO at delivery	$ N/C
Delivery of completed unit from Frazer to Richardson Fire	$ 725.00
Subtotal	$ 193,175.00
HGAC fee	$ 1,000.00
Total	**$ 194,175.00**

Items included in above total:

Chassis Exterior:

1 . Stainless steel wheel covers **(discuss)**	$	incl.
2 . Black Ranch Hand grille guard/full replacement bumper with wrap-arounds	$	1,300.00
3 . ArcRite running boards	$	850.00
4 . Bedliner coating on running boards	$	450.00
5 . (2) Federal Signal AS124 speakers on grille guard	$	incl.
6 . (2) additional Federal Signal AS124 speakers on grille guard	$	650.00

7 .	(4) Whelen M6 series split grille & intersect LEDs w/ clear lenses (R/B-R/B-B/R-B/R)	$	300.00
8 .	(2) extra Whelen M4 series red LEDs mounted on front fenders	$	500.00
9 .	Frazer aluminum rear window pass through plate	$	incl.
10 .	Buell 10" air horn behind the full replacement front bumper w/ compressor below the shelf in the elctrical compartment, foot switch on driver's side floor and ON/OFF switch for foot switch on console	$	1,600.00
11 .	OnSpot tire chain system w/ compresor below the shelf in the electrical compartment next to the air horn compressor	$	3,350.00
12 .	Route chassis exhaust under generator compartment	$	incl.
13 .	Provide weight slip with delivery book	$	incl.
14 .	(2) Mega fuses on chassis frame rail	$	incl.
	Total	**$**	**9,000.00**

Chassis Interior:

15 .	Custom powder coated 6-slot aluminum center console w/ Dodge ram USB interface on side of console:	$	incl.
	Slot 1: Single blank plate w/ (1) switch on driver's side of plate to control driver's & passenger's side front wall scene lights	$	incl.
	Slot 2: Single thicker MDT plate w/ customer provided swivel in center	$	50.00
	Slot 3: Radio plate #22667 w/ OnSpot switch on driver's side	$	incl.
	Slot 4: Whelen 295HFSC9 siren in lieu of standard (Tap-2) w/ mic zip tied & EQ2B/BRAKE switch	$	250.00
	Slot 5: Single switch panel	$	incl.
	Layout: PRIMARY – SECONDARY – OPTICOM – SIDE SCENE (1 way switch – controls one side) – SIDE SCENE (1 way switch – controls one side) – AIR HORN FOOT SWITCH - REAR LOAD – INTERIOR LIGHT – START STOP (Genset)	$	incl.
	Slot 6: Traffic advisor control head	$	incl.
16 .	Arm rests on the console	$	200.00
17 .	Install your docking station and swivel on single thicker MDT with Lind power supply for docking station inside the console (wired battery hot)	$	300.00
18 .	(2) large aluminum map holders on rear of console	$	350.00
19 .	Dual aluminum cup holder on rear of map holders **(discuss)**	$	100.00
20 .	3 high glove box holder on rear wall of chassis	$	150.00
21 .	Spotlight sent loose	$	incl.
22 .	Exhaust warning buzzer inside the console w/ Genset shutdown circuit	$	incl.
23 .	Install your Knox KeySecure behind driver's seat attached to cup holders on rear of console with keypad facing driver's side	$	75.00
24 .	Extra hole behind driver's seat in truck cab for wire run	$	N/C
25 .	Rearview mirror w/ built-in monitor for 3rd eye back-up camera	$	1,100.00
	Total	**$**	**2,575.00**

Module Exterior:

26 .	Paint module Dodge red to match chassis	$	1,750.00
27 .	*Striping and lettering to match your fleet	$	2,750.00
28 .	All clear lenses on emergency LEDs	$	N/C
29 .	(8) Whelen M6 series red LED box lights	$	incl.

30 .	(5) Whelen M6 series LEDs on front wall (R-B-C-B-R)	$	incl.
31 .	(3) Whelen M6 series LEDs on rear wall (A-A-A)	$	incl.
32 .	(2) Whelen M6 series LED load lights with flanges on rear of module (come ON w/ reverse)	$	incl.
33 .	(2) Whelen M6 series brake/tail/turn LEDs	$	incl.
34 .	(2) Whelen M6 series blue wheel well LEDs	$	incl.
35 .	Whelen Pioneer Plus dual panel scene lights (floodlight PFP2) on two switches in lieu of standard	$	2,700.00
36 .	(2) Whelen Pioneer Plus dual panel scene lights (floodlight PFP2) on front wall with one switch on the console	$	3,600.00
37 .	ICC clearance lights above corner/box lights	$	incl.
38 .	(2) Grote 4” round BTT red LEDS in the rear bumper panel on each side	$	incl.
39 .	(2) Grote 4” round back-up clear LEDS in the rear bumper panel on each side	$	incl.
40 .	Opticom (latching) on front wall (turns OFF when chassis doors open) & switch on console	$	1,850.00
41 .	Whelen TAM85 on the rear wall above the rear entry doors	$	1,400.00
42 .	Cummins Onan 5.5kW commercial generator system	$	incl.
43 .	Dual 20 amp Kussmaul auto-eject shore power outlets in lieu of standard on driver's side wall w/ red covers	$	550.00
44 .	Diamond plate on front corners, wheel wells, and rear (passenger's side front corner and passenger's side wheel well are 4” taller to accommodate body drop)	$	incl.
45 .	Rear outside only storage compartment w/ angles in back corners & 1x2 angle on roof of compartment at midline	$	200.00
46 .	Gas hold open on rear storage compartment door	$	150.00
47 .	Ship (8) coat hooks on VHB plates loose (discuss)	$	400.00
48 .	O2 compartment with a laydown “H” cylinder, full height vertical divider just behind O2 rollers & shelf 20” from floor of compartment	$	200.00
49 .	Delete long lower storage compartment	$	incl.
50 .	Taller intermediate storage compartment forward of the D/S wheel well w/ angles in back corners & 1x2 angle on roof of compartment at midline	$	200.00
51 .	Electrical system decal applied to interior of compartment access door	$	incl.
52 .	Taller electrical compartment w/ 30 amp On-board chassis battery charger	$	incl.
53 .	Federal Signal EQ2B siren w/ control head & amplifier mounted in electrical compartment	$	1,900.00
54 .	Install your Placer GPS system in the electrical compartment	$	125.00
55 .	Install your 800Mhz radio base in the electrical compartment, remote head in console, speaker on chassis floor and antenna on module roof #2	$	400.00
56 .	Install your whip antenna on module roof #3 w/ coax ran to electrical compartment	$	100.00
57 .	Install your tri-band antenna on module roof #1 (GPS terminates at GPS base, 800 MHz cable & 2.4Ghz cable terminates at docking station)	$	100.00
58 .	Standard rear backboard compartment	$	incl.
59 .	Front backboard compartment w/ (2) adjustable shelves	$	500.00
60 .	4” body drop on passenger's side forward of the rear wheels w/ accompanying taller diamond plating in lieu of electric step at side entry door	$	incl.
61 .	4” taller side entry and front I/O doors to accommodate body drop	$	incl.
62 .	Spare tire – loose	$	incl.
63 .	Eberhard “automotive style” latches w/ J236 keys and J102 keys	$	incl.

64 .	Double 6061-T6 structural members welded at all vertical and horizontal wall intersections	$	incl.
65 .	Furnish & install electric lock on side, rear entry & front I/O doors w/ hidden weatherproof switch behind D/S of grille guard (work off chassis locks)	$	1,500.00
66 .	Install your 3rd eye back-up camera in rear bumper treadbrite & connect to monitor in chassis	$	400.00
67 .	LED flex strip lighting in applicable compartments	$	incl.
	Total	**$**	**20,775.00**

Module Interior:

68 .	120VAC Dometic filtered air conditioning and heat w/ thermostat at the action wall	$	incl.
69 .	Exhaust ventilation fan with switch at the action wall	$	500.00
70 .	Aluminum powder coated interior cabinets	$	incl.
71 .	Furnish & install J-channel on all Lexan cabinet doors in lieu of finger holes	$	300.00
72 .	Powder coated aluminum countertops	$	incl.
73 .	SpecTape-Insulfab insulation and sound deadening material in ceiling, walls and doors	$	incl.
74 .	Double-pane entry door windows	$	incl.
75 .	Stainless steel grab handles	$	incl.
76 .	SSCOR brand suction at action wall – Location 9	$	incl.
77 .	4 place switch panel (Interior lights, Front interior light, EXHAUST, BLANK) – Location 1	$	incl.
78 .	(2) Dual USB receptacles with a medical diode isolator - wired battery hot (Location 4)	$	400.00
79 .	3 receptacle 12VDC outlet with a medical diode isolator at action wall - location 3	$	200.00
80 .	Standard dump bypass/rear load switch plate	$	incl.
81 .	Remote genset START/STOP switch at rear entry doors	$	100.00
82 .	Sharps container and bracket at the action wall in standard location	$	incl.
83 .	Extra sharps container & bracket above squad bench under O2 outlet	$	150.00
84 .	Small acrylic holder at the end of the action wall	$	incl.
85 .	Large acrylic holder aft of the CPR seat	$	incl.
86 .	Stainless steel squad bench and action wall wrappers	$	incl.
87 .	(10) Grote LED interior ceiling lights	$	incl.
88 .	Standard overhead grab rails	$	incl.
89 .	Extra overhead grab rails	$	200.00
90 .	(2) IV hangers in ceiling	$	incl.
91 .	Double step at the side entry door with black and yellow caution tape on the top threshold	$	incl.
92 .	Lonseal “Loncoin” vinyl flooring-sapphire	$	100.00
93 .	Alucabond aluminum & polyethylene plastic sub-floor	$	incl.
94 .	Install your PowerLoad system	$	2,100.00
95 .	(3) single O2 outlets w/ integrated flow meters & DISS connections at action wall (location 2), in ceiling and above squad bench in lieu of standard	$	1,000.00
96 .	Oxygen regulator	$	150.00
97 .	5 lb. ABC fire extinguisher - shipped loose	$	N/C

98 .	Extra 5 lb. ABC fire extinguisher - shipped loose	$	100.00
99 .	Magnetically attached seamless cushions	$	incl.
100 .	120VAC duplex outlet in the cabinet above the front I/O (14' unit)	$	incl.
101 .	120VAC duplex at the laydown O2 box in standard location	$	incl.
102 .	120 VAC quad outlet at the action wall – Location 8	$	incl.
103 .	Extra 120VAC duplex outlet in the front corner area above shelf on the D/S wall	$	150.00
104 .	Single depth laydown O2 box w/ Lexan lid & (1) trash can	$	incl.
105 .	Engel 15 qt. refrigerator w/ 120VAC adapter and locking hasp **(discuss)**	$	900.00
106 .	2 high "D" cylinder holder between laydown O2 and action wall	$	150.00
107 .	Standard front wall cabinet and cabinet above the Front I/O to accommodate the taller Front I/O	$	incl.
108 .	Standard front corner area	$	incl.
109 .	Install your Knox MedVault w/ WiFi on shelf in front corner, includes running DC	$	450.00
110 .	Grey trash can in the top opening at the head of the squad bench	$	incl.
111 .	3 high glove box/end rail combination at end of squad bench	$	250.00
112 .	Squad bench cabinet w/ padded trim	$	600.00
113 .	22 pocket acrylic organizer above the squad bench (Part A to the front)	$	600.00
114 .	Taller Front I/O w/two shelves w/ compartment below on a unit with a 4" drop	$	incl.
115 .	Ribbed rubber on front I/O shelf/shelves	$	incl.
116 .	Captain's chair w/ built-in child safety seat (move 4" forward)	$	700.00
117 .	Cushion color including double CPR seat w/ non-locking lid, squad bench & cushion above the rear entry door - RED	$	N/C
	Total	**$**	**9,100.00**

Additional items for your consideration (not included in above total):

Factory aluminum wheels	$	1,000.00
3M diamond grade conspicuity with overlay in a chevron pattern on entire rear of module - Fluorescent Lime Green w/ Red Overlay	$	1,500.00

Terms and Conditions

1. This quote is valid for 90 days.
2. All pricing is F.O.B. Houston.
3. Per TMVCC we are quoting this through our licensed franchise dealer Mac Haik Dodge.
4. Please make your purchase order out to Mac Haik Dodge Chrysler Jeep (11000 North Freeway Houston, TX 77037). Please email a copy of your purchase order and this quote to David Sheehy with Mac Haik Dodge Chrysler Jeep at dsheehy@machaikdcj.com and to Adam Fischer at sales@frazerbilt.com.
5. Please note, payment for the entire purchase is due upon receipt and acceptance of completed unit.
6. To minimize delays, customer provided items should be present prior to unit production start.

7. Frazer will provide a weight slip with accompanying scale calibration certification. Your local vehicle registration office may require a state certified weight slip for registration. Should that be the case, you will need to weigh the vehicle at a local weigh station that provides a weight slip with the department of agriculture seal prior to registration.

8. *Striping and lettering pricing may be adjusted based on the company's scheme. Striping and lettering pricing includes two hours' design time in the base price. Additional design time for more extensive graphics and/or multiple changes is quoted at $100/hour.

Thank you for the opportunity to quote this job. If you have any questions please call me at 888-372-9371.

Best Regards,

Kasey Gillum

Kasey Gillum
Sales Team Leader
Frazer, Ltd.

LGR:KVG

MEMO

DATE: **October 4, 2016**

TO: **Keith Dagen – Director of Finance**

FROM: **Todd Gastorf – Purchasing Manager** TG

SUBJECT: **Award of Bid #13-17 for the cooperative purchase of two (2) Toro hi-speed turf mowers for the Parks Maintenance Department to Professional Turf Products, L.P. in the amount of $209,999.68 through The Local Government Purchasing Cooperative ("BuyBoard") Contract #447-14**

Proposed Date of Award: October 10, 2016

I concur with the recommendations of Ernest Ramos – Fleet and Materials Manager and Dan Baker – Assistant Director of Parks and Planning, and request permission to issue a purchase order for two (2) Toro hi-speed turf mowers to Professional Turf Products, L.P. in the amount of $209,999.68, as per the attached quote.

The above referenced equipment has been competitively bid through BuyBoard Contract #447-14. The City of Richardson is a member of BuyBoard through its existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code Chapter 791.025 and Texas Local Government Code Chapter 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Funding is available in account 237-3061-581-7401, Project #PM1728.

Concur:

Keith Dagen

ATTACHMENTS

MEMO

DATE: October 3, 2016

TO: Todd Gastorf., Purchasing Manager

FROM: Ernie Ramos, Fleet & Materials Manager E.R.

RE: Capital Equipment Purchase, (2) Hi-speed Turf Mowers for the Parks Maintenance Department via Buyboard Contract, 447-14, contract expires on 5/31/2017

I have reviewed the existing contract referenced above and recommend purchasing truck configurations from the Buyboard Contract, 447-14 via Professional Turf Products for an amount of $209,999.68. The contact at Professional Turf Products is Mr. Will Dutton, and he can be reached at (888) 776-8873, or E-mail: duttonw@proturf.com, or fax: (817) 785-1901.

The funding for this purchase is allocated in Project # PM1728, account # 237-3061-581-7401. Please order the (2) units as specified on the attached quote.

Attachment/s:
- Copy Buyboard Contract, (3-pages)
- Copy of Buyboard Quote, (2-pages)
- Copy of Vendor Contact Information (2-pages)
- Copy of Vendor Pricelist (8-pages)

CC:

Ben Hill, Assistant Parks Superintendent
Bobby Kinser, Assistant Parks Superintendent
Dan Baker, Assistant Director of Parks & Planning
Lori Smeby, Director of Parks and Recreation

: ER

MEMO

DATE: October 4, 2016

TO: Todd Gastorf, Purchasing Manager

FROM: Dan Baker, Assistant Director – Parks and Planning Dan Baker 10/4/16

RE: Capital Equipment Purchase, (2) Hi-speed Turf Mowers for the Parks Maintenance Department via Buyboard Contract, 447-14, contract expires on 5/31/2017

Parks Department concurs with Ernie Ramos' recommendation of purchasing the vehicles listed below and recommends configurations from the Buyboard Contract, 447-14 via Professional Turf Products for an amount of $209,999.68. The contact at Professional Turf Products is Mr. Will Dutton, and he can be reached at (888) 776-8873, or E-mail: duttonw@proturf.com, or fax: (817) 785-1901.

The funding for this purchase is allocated in Project # PM1728, account # 237-3061-581-7401. Please order the (2) units as specified on the quote provided by Fleet Department.

Professional Turf Products, L.P.
1010 North Industrial Blvd.
Euless, Texas 76039
Will Dutton
(888) 776-8873 ext. 5410
duttonw@proturf.com

Count on it.

Ship To	**City Of Richardson - Parks & Rec.**		**Date**	**10/4/2016**
Bill To	**BUYBOARD (CONTRACT # 447-14)**		**Tax Rate**	
Contact	**Earnie Ramos**		**Destination**	**2.00%**
Address	**7700 Cypresswood Drive**		**Trade-In**	
City	**Richardson, TX**		**Finance**	
State	**TX**	***Comments:***	**Account Type**	**STD**
Postal Code	**75083-0309**	**2083784**		
Phone				
Fax				

#H50F

Proposal

Qty	*Model #*	*Description*	*Unit*	*Extended*
2	31699	Toro GM5910 Tier 4 Compliant, All Season Safety Cab Standard, Road Lights Optional		
2	30706	Cab-Light Kit (GM5910/GM4010/4110) Road Lights are no longer standard on F15 and newer models		
2	31609	500 Hour Filter Maintenance Kit		
2		**Toro GM5910**	**$**	**209,999.68**

SubTotal	**$**	**209,999.68**
Destination		**Included**
Tax (Estimated)		**Exempt**
TOTAL	**$**	**209,999.68**

Comments:

For all New Equipment, Demo units may be available for up to 20% savings.
For all New Equipment, Refurbished units may be available for up to 40% savings.

Terms & Conditions:
1. Orders are considered contractual. Order cancellations are subject to fees up to 10% of the original order value.
2. New equipment delivery time is estimated at six weeks from the time credit is approved & documents are executed.
3. Pricing, including finance options, valid for 30 days from time of quotation.
4. After 30 days all prices are subject to change without notice.
5. Used and Demo equipment is in high demand and availability is subject to change.
A. Upon firm customer commitment to purchase, said equipment availability will be determined and "locked".
B. In the event equipment is unavailable at time of order, PTP will employ every resource to secure an acceptable substitute.
C. PTP strongly advises the customer to issue a firm PO as quickly as possible after acceptance of quotation.
6. "Trade In Allowances" will be treated as a credit for future parts purchases on PTP account unless other arrangements have been made.

Returns Policy:
1. All returns are subject to restocking, refurbishing, usage, and shipping fees.

2. All returns must be able to be sold as new.
3. Items missing parts are non returnable.
4. Professional Turf Products will have sole discretion as to the resalable condition of the product.
5. This policy does not apply to items that are defective, or shipped incorrectly by PTP or one of its vendors.

Payment:
1. Terms are net 10 unless prior arrangements have been made.
2. Quoted prices are subject to credit approval.
  A. PTP will work with third party financial institutions to secure leases when requested to do so.
  B. When using third party financiers, documentation fees & advance payments may be required.
  C. For convenience, monthly payments are estimated based on third party rate factors in effect at time of the quotation.
  D. PTP assumes no liability in the event credit becomes unavailable or rates change during the approval process.
3. There will be a service charge equal to 1.5% per month (18% per annum) on all past due invoices.
4. By Law we are required to file a "Notice to Owner" of our intent to file lien in the event of payment default.
This notice must be sent within 60 days of the date the original invoice and will happen automatically regardless of any special payment arrangements that may have been made.

Authorized Signature: _____ **Date:** _____

MEMO

DATE: **October 4, 2016**

TO: **Keith Dagen – Director of Finance**

FROM: **Todd Gastorf – Purchasing Manager** TGG

SUBJECT: **Award of Bid #14-17 for the cooperative purchase of one (1) Case loader/backhoe with one (1) concrete hydraulic hammer for the Fleet Motor Pool to Associated Supply Company, Inc. dba ASCO Equipment Co. in the amount of $121,500 through the Houston-Galveston Area Council of Governments ("HGAC") Contract #EM06-15**

Proposed Date of Award: October 10, 2016

I concur with the recommendations of Ernest Ramos – Fleet and Materials Manager and Bryant Boardman – Utility Systems Superintendent with concurrence from Darryl Fourte – Director of Public Services and Hunter Stephens – Assistant Director of Public Services Streets/Utilities, and request permission to issue a purchase order for one (1) Case loader/backhoe with one (1) concrete hydraulic hammer to Associated Supply Company, Inc. dba ASCO Equipment Co. in the amount of $121,500, as per the attached quote.

The above referenced equipment has been bid through the HGAC Contract #EM06-15. The City of Richardson participates in the HGAC program through its existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code Chapter 791.025 and Texas Local Government Code Chapter 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Funding is available in account 511-5211-503-7401.

Concur:

Keith Dagen

ATTACHMENTS

MEMO

DATE: October 3, 2016

TO: Todd Gastorf, Purchasing Manager

FROM: Ernie Ramos, Fleet & Materials Manager E.R.

RE: Capital Purchase Recommendation, Loader/Backhoe with/Concrete Hydraulic Hammer for Motor Pool via the HGAC Contract # EM06-15

I have reviewed the existing contract listed above and received a quote for a Case Loader/Backhoe w/ (1) Concrete Hydraulic Hammer for the Fleet Motorpool, I recommend purchasing the unit with options listed on the quote provided by Associated Supply Company for $121,500.00 via the contract listed above.

This purchase is funded in the account listed below. The contact for this purchase is Ms. Sharon Reeves, and he can be reached at (817) 313-8129, or E-mail: sreeves@ascoeq.com, or Fax: (817) 283-7836.

One (1) 590 Super N Loader/Backhoe w/Options listed on quote/ One (1) Hydraulic Hammer
No Project #, Account # 511-5211-503-7401 $128,000.00

Attachment/s: Copy of Quote (1-page)
Copy of HGAC Contract, (18-pages)

CC: Bryant Boardman, Utility Systems Superintendent
Hunter Stephens, Water Utility Systems Superintendent
Darryl Fourte, Director of Public Services

: ER

MEMO

DATE: October 4, 2016

TO: Todd Gastorf, Purchasing Manager

FROM: Bryant F. Boardman, Utility Systems Superintendent

RE: Capital Purchase Recommendation, Loader/Backhoe with/Concrete Hydraulic Hammer for Motor Pool via the HGAC Contract # EM06-15

I concur with the recommendation made by Ernie Ramos on October 3, 2016, relative to the purchase of One (1) 590 Super N Loader/Backhoe w/Options listed on quote/ One (1) Hydraulic Hammer, No Project #, Account # 511-5211-503-7401 in the amount of $121,500.00.

Respectfully,

Bryant F. Boardman
Utility Systems Superintendent

CC: Ernie Ramos, Fleet & Materials Manager
Hunter Stephens, Assistant Director of Public Services Streets/Utilities
Darryl Fourte, Director of Public Services DEF
Keith Dagen, Director of Finance

HGACBuy	CONTRACT PRICING WORKSHEET For Standard Equipment Purchases	Contract No.:	EM06-15	Date Prepared:	10/3/2016

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	City of Richardson	Contractor:	Associated Supply Company
Contact Person:	Ernie Ramos	Prepared By:	Sharon Reeves
Phone:	972-744-4421	Phone:	817-313-8129
Fax:		Fax:	817-283-7836
Email:	ernest.ramos@cor.gov	Email:	sreeves@ascoeq.com

Product Code:	07J	Description:	Case 590SN 4WD T4 Final - CAB UNIT

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: $87,990.83

B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
Loader Hydraulic Quick Coupler w/ Aux. Hyd.	$3,587.79	4WD Powershift S-Type Transmission	Included
Flip-Style Stabilizer Pads	$555.78	Auto Ride Control	$923.94
ROPS Cab w/ Heat, A.C. & L.H. Door	$5,905.90	21Lx24 Rear Tires & 14x17.5 Front Tires	Included
Cloth Suspension Seat	$501.50	Extendahoe	$4,409.07
Radio	$158.12	1100 lb. CTWT	$287.33
Tool Box	$116.82	Pilot Controls w/ Powerlift	$1,620.14
Engine ECO Mode	$206.50	Backhoe Auxiliary Hydraulics-Uni Direct w/ Pilot	$1,856.73
Auto Protection Shutdown	$59.00	24" Backhoe Bucket	$852.55
Battery Disconnect/Jump Start	$104.43	4WD Shaft Guard	Included
93" 4 x 1 Bucket w/ cutting edge	$7,426.00	**Subtotal From Additional Sheet(s):**	
		Subtotal B:	$28,571.60

C. Unpublished Options - Itemize below - Attach additional sheet if necessary
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
3YR/3000HR Warranty	Included	Manuals in Digital Format	N/C
		Stabilizer Guards	$475.00
		(QTY 1)- F6QT Hydraulic Hammer	$12,454.00
		Subtotal From Additional Sheet(s):	
		Subtotal C:	$12,929.00

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). **For this transaction the percentage is:**

D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	$129,491.43	=	Subtotal D:	$129,491.43

E. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
Special Discount	-$9,641.43	Factory Freight(s)	$1,300.00
		Delivery to City	$350.00
		Subtotal E:	-$7,991.43

Delivery Date:	90 Days		**$121,500.00**

PRICE QUOTE GOOD FOR 90 DAYS

HGACBuy THE SMART PURCHASING SOLUTION