

RICHARDSON CITY COUNCIL
OCTOBER 10, 2011
7:30 P.M.
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX

1. **INVOCATION – LAURA MACZKA**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – LAURA MACZKA**
 3. **MINUTES OF THE SEPTEMBER 19, 2011 AND SEPTEMBER 26, 2011 MEETINGS**
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4. VISITORS. (THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY TOPIC NOT ALREADY SCHEDULED FOR PUBLIC HEARING. PRIOR TO THE MEETING, PLEASE COMPLETE A "CITY COUNCIL APPEARANCE CARD" AND PRESENT IT TO THE CITY SECRETARY. THE TIME LIMIT IS FIVE MINUTES PER SPEAKER.)
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5. CONSIDER APPOINTMENTS TO THE CIVIL SERVICE BOARD.

ACTION TAKEN:

PUBLIC HEARING ITEMS:

6. PUBLIC HEARING, ZONING FILE 11-16: A REQUEST BY JIM LAMPASSI, REPRESENTING PETCO ANIMAL SUPPLY STORES, INC, TO REVOKE ORDINANCE 2937-A, A SPECIAL PERMIT FOR AN EDUCATIONAL AMUSEMENT CENTER; AND TO REQUEST A SPECIAL PERMIT FOR A BOARDING KENNEL AT 751 S. CENTRAL EXPRESSWAY (EAST SIDE OF CENTRAL EXPY, BETWEEN BELT LINE RD AND SPRING VALLEY RD). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

ACTION TAKEN:

7. PUBLIC HEARING, ZONING FILE 11-17: A REQUEST BY MANI BHUSHAN, REPRESENTING TACO OCHO, FOR A SPECIAL PERMIT FOR A PRIVATE CLUB AT 930 E. CAMPBELL ROAD (SOUTHWEST CORNER OF CAMPBELL ROAD AND FIRMAN DRIVE). THE PROPERTY IS CURRENTLY ZONED IP-M(1) INDUSTRIAL PARK.

ACTION TAKEN:

8. PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE NO. 3840, PROVIDING FOR THE TAXATION OF GOODS-IN-TRANSIT.

ACTION TAKEN:

ACTION ITEMS:

9. CONSIDER RESOLUTION NO. 11-32, ACCEPTING THE RESIGNATION OF RAYMOND D. NOAH AND MAKING AN APPOINTMENT TO THE AGGREGATED POSITION OF REPRESENTATIVE TO THE DALLAS AREA RAPID TRANSIT AUTHORITY ("DART") BOARD OF DIRECTORS, WHICH FRACTIONAL ALLOCATION MEMBERSHIP IS SHARED WITH THE CITY OF UNIVERSITY PARK AND THE TOWNS OF ADDISON AND HIGHLAND PARK.

ACTION TAKEN:

ALL ITEMS LISTED UNDER ITEM 10 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

10. CONSENT AGENDA:

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

1. AL-KHITAB COMPASSION, INC.	\$500
2. CONTEMPORARY BALLET DALLAS	\$500
3. SPECTACULAR SENIOR FOLLIES	\$500
4. GREATER DALLAS YOUTH ORCHESTRA	\$1,000
5. NATIONAL ASSOCIATION OF COMPOSERS/USA-TEXAS CHAPTER	\$1,500
6. PLANO COMMUNITY BAND	\$2,000
7. DALLAS CHINESE COMMUNITY CENTER	\$3,500
8. CONTEMPORARY CHORALE	\$3,800
9. TEXAS PERFORMING CHINESE ARTS ASSOCIATION	\$3,800
10. FRIENDS OF THE RICHARDSON PUBLIC LIBRARY, INC.	\$4,000
11. PEGASUS THEATRE INCORPORATED	\$4,000
12. RICHARDSON READS ONE BOOK	\$5,000
13. CHAMBERLAIN PERFORMING ARTS	\$6,000
14. DALLAS ASIAN AMERICAN YOUTH ORCHESTRA	\$6,500
15. TEXAS WINDS MUSICAL OUTREACH, INC.	\$7,500
16. DALLAS REPERTOIRE BALLET	\$8,000
17. LONE STAR WIND ORCHESTRA	\$8,500
18. PLANO SYMPHONY ORCHESTRA	\$9,000
19. TUZER BALLET	\$10,500
20. RICHARDSON CIVIC ART SOCIETY	\$11,000
21. RICH-TONE CHORUS	\$12,500
22. RICHARDSON COMMUNITY BAND	\$15,500

23. CHAMBER MUSIC INTERNATIONAL	\$20,000
24. RICHARDSON THEATRE CENTRE, INC.	\$36,200
25. REPERTORY COMPANY THEATRE, INC.	\$43,700
26. RICHARDSON SYMPHONY, INC.	\$75,000

B. CONSIDER ORDINANCE NO. 3839, OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, BY AMENDING ORDINANCE NO. 3818 AND 3822 AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO THE WEST SPRING VALLEY CORRIDOR PLANNED DEVELOPMENT DISTRICT REGULATIONS AND APPENDICES, BY REVISING FORMAT, REORGANIZING CERTAIN SECTIONS, ADDING OR REVISING GRAPHICS AND IMAGES, CORRECTING TYPOGRAPHICAL AND GRAMMATICAL ERRORS AND AMENDING VARIOUS SECTIONS PERTAINING TO LANDSCAPING, PARKING, STORAGE, SETBACKS, AND SIGNS.

C. CONSIDER ADVERTISEMENT OF BID #02-12 – HUNT BRANCH EROSION REPAIR AT REGAL DRIVE. BIDS TO BE RECEIVED BY TUESDAY, NOVEMBER 1, 2011 AT 2:00 P.M.

D. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #57-11 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL CONTRACT TO DURABLE SPECIALTIES, INC., FOR THE INSTALLATION OF LOOP DETECTORS IN THE AMOUNT OF \$81,375.
2. BID #03-12 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO CLEAR TECHNOLOGIES, INC., FOR THE 2011-12 i5/AS400 SYSTEM REPLACEMENT THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-SDD-953 IN THE AMOUNT OF \$124,918.31.
3. BID #04-12 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO SUNGARD PUBLIC SECTOR FOR THE ANNUAL MAINTENANCE OF THE EXISTING HTE OPERATING FINANCIAL SOFTWARE IN THE AMOUNT OF \$143,916.
4. BID #05-12 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO AT&T FOR CELLULAR COMMUNICATION SERVICES THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-SDD-597 IN THE AMOUNT OF \$126,500 AND TO VERIZON WIRELESS FOR CELLULAR DATA THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION SERVICES CONTRACT #DIR-SDD-604 IN THE AMOUNT OF \$63,250 FOR AN ESTIMATED TOTAL AMOUNT OF \$189,750.

THE RICHARDSON CITY COUNCIL WILL MEET AT 5:30 P.M. ON MONDAY, OCTOBER 10, 2011, IN THE RICHARDSON ROOM OF THE CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TEXAS. 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. THIS BUILDING IS WHEELCHAIR ACCESSIBLE. ANY REQUESTS FOR SIGN INTERPRETIVE SERVICES MUST BE MADE 48 HOURS AHEAD OF THE MEETING. TO MAKE ARRANGEMENTS, CALL 972-744-4000 VIA TDD OR CALL 1-800-735-2989 TO REACH 972-744-4000.

WORK SESSION – 6:00 P.M.:

- Call to Order

- A. Review and Discuss Items Listed on the City Council Meeting Agenda
- B. Review and Discuss the Neighborhood Vitality Program Project Implementation
- C. Review and Discuss the North Texas Municipal Water District Stage 3 Water Conservation Implementation, Communication, and Enforcement Plan
- D. Report on Items of Community Interest

EXECUTIVE SESSION

- In compliance with Section 551.072, Section 551.087, and Section 551.074 of the Texas Government Code, Council will convene into a closed session to discuss the following:
 - Deliberation Regarding Real Property
 - Property Considerations in the Belt Line Rd./Floyd Rd./Hyde Park Dr. Area
 - Deliberation Regarding Economic Development Negotiations
 - Commercial Development – Coit Rd./Belt Line Rd. Area
 - Commercial Development – U.S. 75/Glenville Dr. Area
 - Personnel
 - Evaluation of the City Manager
- Council will reconvene into open session, and take action, if any, on matters discussed in executive session.

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, OCTOBER 7, 2011, BY 5:00 P.M.

CITY SECRETARY

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL
September 19, 2011
City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, September 19, 2011 with a quorum of said Council present, to-wit:

Bob Townsend	Mayor
Laura Maczka	Mayor Pro Tem
Mark Solomon	Council member
Scott Dunn	Council member
Kendal Hartley	Council member
Steve Mitchell	Council member
Amir Omar	Council member

City staff present:

Bill Keffler	City Manager
Dan Johnson	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
David Morgan	Assistant City Manager Community Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Pamela Schmidt	City Secretary
Monica Heid	Community Projects Manager

1. INVOCATION – SCOTT DUNN

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

3. VISITORS. *(THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY TOPIC NOT ALREADY SCHEDULED FOR PUBLIC HEARING. PRIOR TO THE MEETING, PLEASE COMPLETE A “CITY COUNCIL APPEARANCE CARD” AND PRESENT IT TO THE CITY SECRETARY. THE TIME LIMIT IS FIVE MINUTES PER SPEAKER.)* **None**

4. PUBLIC HEARING, ZONING FILE 11-14: A REQUEST BY THE CITY OF RICHARDSON FOR REFINEMENTS TO THE PD ORDINANCE FOR THE WEST SPRING VALLEY CORRIDOR, WHICH ENCOMPASSES APPROXIMATELY 197 ACRES NORTH OF WEST SPRING VALLEY ROAD, BETWEEN COIT ROAD AND CENTRAL EXPRESSWAY, EXTENDING NORTHWARD TO THE SOUTH LINE OF 600 SOUTH CENTRAL EXPRESSWAY, AND IS BOUNDED ON THE NORTH BY SINGLE-FAMILY NEIGHBORHOODS. THE PROPOSED AMENDMENTS INCLUDE CLARIFICATION AND STANDARDIZATION OF LANGUAGE, REORGANIZATION OF CERTAIN SECTIONS, EDITS TO TABLES AND GRAPHICS AND OTHER MINOR CHANGES.

Mr. Mitchell advised that he would abstain from discussion and voting on the item due a conflict of interest because his home is located within 200 feet of the subject site.

Mr. Keffler stated the item was a continued refinement of the West Spring Valley Ordinance adopted earlier in the year. The City Plan Commission reviewed the matter on September 6, 2011 and recommended approval with additional items with a unanimous vote. He asked Monica Heid, Community Projects Manager, to brief the Council.

Ms. Heid began the presentation with a description of the boundary of the subject site, notification map as well as an aerial map, and noted that the initial ordinance was adopted in May 2011 followed by an ordinance correcting scrivener's errors on June 13, 2011. She stated that the purpose of the West Spring Valley study was to encourage reinvestment and redevelopment in the Corridor. She talked about the various discussions and training that has taken place with the staff and members of the community such as local realtors and also noted the Clean and Safe program initiated by the Police Department. She further noted that there is a committee of staff members that meets weekly to discuss pending projects and issues. The ultimate goal is to create a sustainable mixed use district. The recommendations brought forward for Council's consideration were characterized as minor amendments that seek to clarify standardized language, reorganize certain sections for better usability, edit tables, improve and add graphics. The changes include amendments to definitions, standards for porches, general district standards regarding storage, buildings, landscape, sign standards, review and approval of plans, nonconforming properties, and changes to the appendices, and she provided detail about the various recommendations. Ms. Heid explained that the City Plan Commission recommended the following additional changes:

- Add glass as a permitted material for balcony railings; (Section III. General Standards)
- Substitute "City Manager" for "Building Official" throughout the document; (definition of City Manager includes "or designee")
- Delete reference to awnings as "triangular in section" (Design Guidelines), and
- Allow awning-like structures that function as sunscreens above the base of a building (Design Guidelines).

She underscored that all minor modifications must meet the goals and intent of the District and cannot change circulation or relationship between the building and the street. She also noted that reduction of a landscape strip adjacent to a street-facing parking lot can be allowed due to site constraints or for improved design with a minor modification. She concluded the presentation stating that an ordinance could be ready for approval in late September or early October depending on Council feedback.

Mr. Omar voiced a concern with the minor modification regarding a 25% of landscape area as well as several minor modifications that could occur at the same time at the same location. Ms. Heid stated there is a requirement that 75% of the front building wall be at the build-to line. She explained that landscape architects on staff advised that trees could survive in a 6 ft wide strip, which is what 25% of an 8 ft width strip would be.

Mr. Solomon asked about a couple of items such the difference between outside storage and display items and adding screens to porches. Ms. Heid explained that the definition of porches refers to an unenclosed structure so if it is enclosed, it would not be a porch any longer. Mr. Keffler stated there are current regulations regarding outdoor storage and Ms. Heid stated the language proposed is already provided in another area; however, maximum height and/or width could be set. Mr. Keffler felt the staff understands the intent and would develop the ordinance to address the concerns.

Mayor Townsend opened the public hearing and asked if there were any speakers.

Harold Gibson, 3528 Darian Lane, Plano, part owner of a condo at Centre Square, stated he didn't know what effect of the revisions on the condominiums and asked if it would have any benefits. Ms. Heid explained that any existing property can remain as it is and that everything can stay in place until and unless the property redevelops and she stated it was her expectation that the condominiums would not redevelop any time soon because it would require all of the owners to come to an agreement. The changes this evening have no effect on the condominiums unless the condos redevelop.

Gary Ray, 881 Dublin, asked about impacts due to acts of God and Ms. Heid explained that if the damage is less than 50%, it could be repaired but if it were more than 50%, it would need to meet the terms of the new ordinance. She stated the ordinance could be set that it is based on the unit or the building.

Ms. Maczka moved to close the public hearing; second by Mr. Solomon and the motion was approved with a unanimous vote.

Mr. Solomon stated his feeling is that it should be based on the entire section of the building. Mr. Keffler felt that 50% of the building prevailed. Mr. Solomon stated it would not be 50% of the development, but 50% of the building. Ms. Heid stated the current provisions reads "if a nonconforming structure is partially damaged by fire, explosion, etc., to an extent not exceeding 50% of its market value, such structure or use may be rebuilt, restored, re-established or reoccupied to the extent it existed prior to the damage or destruction. Mr. Omar asked if it meant that if it were 1/20 of the entire condo complex, then they would not be able to build that one building that received more than 50% damage and Ms. Heid replied affirmatively. She further explained that the owner could request a major modification in order to rebuild the building and the process would take approximately 90 days.

ACTION TAKEN: Mr. Solomon moved approval of ZF 11-14 with the recommendations of the Council; second by Mr. Dunn and the motion was approved with a 6-0 vote, Mr. Mitchell abstained.

Mayor Townsend adjourned the meeting at 8:39 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
September 26, 2011
City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, September 26, 2011 with a quorum of said Council present, to-wit:

Bob Townsend	Mayor
Laura Maczka	Mayor Pro Tem
Mark Solomon	Council member
Scott Dunn	Council member
Kendal Hartley	Council member
Steve Mitchell	Council member
Amir Omar	Council member

City staff present:

Bill Keffler	City Manager
Dan Johnson	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
David Morgan	Assistant City Manager Community Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Pamela Schmidt	City Secretary
Sam Chavez	Asst. Director of Development Services - Planning

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1. **INVOCATION – SCOTT DUNN**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – DALLAS JUNIOR LEAGUE**
 3. **MINUTES OF THE SEPTEMBER 12, 2011 MEETING**

ACTION TAKEN: Mr. Omar moved approval of the minutes as submitted; second by Mr. Mitchell and the motion was approved with a unanimous vote.

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4. **VISITORS.** *(THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY TOPIC NOT ALREADY SCHEDULED FOR PUBLIC HEARING. PRIOR TO THE MEETING, PLEASE COMPLETE A "CITY COUNCIL APPEARANCE CARD" AND PRESENT IT TO THE CITY SECRETARY. THE TIME LIMIT IS FIVE MINUTES PER SPEAKER.)* **None**

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5. **VARIANCES 11-09, 11-10 AND 11-11 FOR CORPORATE SQUARE: A REQUEST FOR APPROVAL OF THREE (3) VARIANCES FROM THE SUBDIVISION AND DEVELOPMENT CODE LOCATED AT 1100 EXECUTIVE DRIVE, 1200 W. EXECUTIVE DRIVE, AND 1201 E. EXECUTIVE DRIVE:**

A. Article III, Section 21-30(a.1), Approval standards for non-residential district landscape plans, to permit a reduced landscape percentage for proposed Lot 1A;

B. Article III, Section 21-30(a.1), Approval standards for non-residential district landscape plans, to permit a reduced landscape percentage for proposed Lot 3; and

C. Article III, Section 21-52(i), Off-street Parking, to allow a reduction in required parking for an existing office/warehouse building on proposed Lot 1A.

Mr. Keffler noted that this item did not require a public hearing and that written notification to the property owners within 200 ft was not required. As a courtesy, notification was provided to adjacent property owners. He stated the tract involves buildings constructed in the mid 1970's and the owners are in the process of refitting the tracts for future purchase and lease options. He advised that the City Plan Commission reviewed the matter on September 6, 2011 and unanimously recommended approval of the request as presented. He asked Sam Chavez, Asst. Director of Development Services – Planning, to brief the Council.

Mr. Chavez stated the property is located on the north side of Arapaho Road at Executive Drive and is zoned I-M Industrial. He stated the intent of the request is to subdivide the property into two lots and the requests are for two variances; reduction in landscape areas which applies to Lots 1A and Lot 3; and the reduction in parking relates to Lot 1A. The existing lot percentage is 4.4%, which exceeded the minimum landscape area requirement at the time of construction. He explained that the landscape ordinance was amended in 1984 to require 7%, therefore placing that property into legal nonconformance. He stated that the property owner does not intend to make any improvements on the site and intend to subdivide the property for future ownership. As proposed, Lot 1A would have 4.3% landscaped area and Lot 3 would have 4.6% landscaped area. With regard to the parking variance request for Lot 1A, the code requires 119 parking spaces and the site would have 102 parking spaces.

Mr. Omar stated his interested in the opportunity to increase the landscaping and green area. Mr. Hartley asked about the parking requirements as currently platted and Mr. Chavez replied that as currently platted, the property is over parked and they do not lose any spaces with the subdivision of the tract. Mr. Mitchell asked for clarification and Mr. Chavez stated that the landscaping requirements have changed since the building were constructed in 1974, and with the subdivision, there would be a surplus of parking spaces on Lot 3.

Mayor Townsend noted that this was not a public hearing, but invited the applicant to the podium to respond to questions from the Council.

Mark Aston, President of the Corporation. Mr. Omar noted the desire to beautify Richardson whenever there is an opportunity and asked about the four quadrants of landscaping. Mr. Aston advised that there is a live oak in each corner and the site has over 30 live oak trees. Mr. Solomon noted the activity in the area. Mr. Omar asked about the occupancy level and Mr. Aston replied that it is below 50% and noted that Lot 1A has been vacant for 12 years. Mr. Solomon noted that the landscaping has continually been maintained and maintained very well. Mr. Mitchell asked about improvements and Mr. Aston stated they repainted the building on Lot 1A about 12 months ago and with regard to landscaping, he said there is no way to increase it without losing parking spaces. Mr. Mitchell noted that the property looks very well maintained and encouraged increased improvements.

ACTION TAKEN: Mr. Solomon moved approval of VAR 11-09, 11-10 and 11-11 for Corporate Square; second by Mr. Dunn and the motion was approved with a unanimous vote.

ALL ITEMS LISTED UNDER ITEM 6 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

6. CONSENT AGENDA:

ACTION TAKEN: Mr. Mitchell moved approval of Agenda Item 6; second by Mr. Hartley and the motion was approved with a unanimous vote.

A. Approve the following Ordinances:

1. Ordinance No. 3837 amending the Code of Ordinances by amending Chapter 2 Administration, Article III Administrative Code; by amending Section 2-51(b) to add Community Services and remove Building Inspection and Neighborhood Services; by amending Sections 2-54, 2-58, 2-60, 2-62, 2-65 and 2-68 by amending the duties of the Chief Building Official, the Fire Chief, Director of Library Services, Director of Human Resources, Chief Information Officer and Director of Communications; by combining Section 2-54, Chief Building Official and Section 2-67, Director of Neighborhood Services, into the new Section 2-54, Director of Community Services, and deleting Section 2.67, by updating the Organizational Chart.
2. Ordinance No. 3838, approving a negotiated Resolution between the Atmos Cities Steering Committee (“ACSC” or “Steering Committee”) and Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”) regarding the Company’s Fourth Annual Rate Review Mechanism (“RRM”) Filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; requiring the Company to reimburse cities’ reasonable ratemaking expenses; repealing conflicting resolutions or ordinances; requiring delivery of this ordinance to the Company and the Steering Committee’s Legal Counsel.

B. Approve the following Resolutions:

1. Resolution No. 11-29 nominating Wayne Mayo as a candidate for election to the Board of Directors of Collin Central Appraisal District.
2. Resolution No. 11-30 nominating Michael Hurtt as a candidate for election to the Board of Directors of Dallas Central Appraisal District.
3. Resolution No. 11-31 adopting the City of Richardson 2011-2013 City Council Near Term Action Items.

- C. Authorize the City Manager to execute Change Order to increase Purchase Order 110170 to Estrada Concrete Company for additional work performed due to high number of concrete failures resulting from extreme heat in the amount of \$410,000 pursuant to unit prices awarded in Bid #56-10.
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There being no further business, Mayor Townsend adjourned the meeting at 7:56 p.m.

MAYOR

ATTEST:

CITY SECRETARY



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date: Monday, October 10, 2011

Agenda Item: Visitors *(The City Council invites citizens to address the Council on any topic not already scheduled for public hearing.)*

Staff Resource: Pamela Schmidt, City Secretary

Summary: Members of the public are welcome to address the City Council on any topic not already scheduled for public hearing. Speaker Appearance Cards should be submitted to the City Secretary prior to the meeting. Speakers are limited to 5 minutes and should avoid personal attacks, accusations, and characterizations.

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 resolution.

Board/Commission Action: N/A

Action Proposed: Receive comments by visitors.



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date: Monday, October 10, 2011

Agenda Item: Consider appointments to the Civil Service Commission

Staff Resource: Bill Keffler, City Manager

Summary: Make appointments to the Civil Service Commission.

Board/Commission Action: N/A

Action Proposed: Consider motion making appointments to the above noted boards and commissions.



MEMO

DATE: October 6, 2011
TO: Honorable Mayor and City Council
FROM: Sam Chavez, Assistant Director of Development Services SC
SUBJECT: Zoning File 11-16 – PETCO POOCH Hotel

REQUEST

Jim Lampassi, representing PETCO Animal Supply Stores, Inc., is requesting to revoke Ordinance 2937-A, a Special Permit for an educational amusement center, and approval of a Special Permit for a boarding kennel in a C-M Commercial District located at 751 S. Central Expressway (east side of Central Expressway, between Belt Line Road and Spring Valley Road).

BACKGROUND

The proposed kennel would be located in a 20,240-square foot building consisting of a boarding area, three (3) play areas, grooming area, and offices. No outdoor play areas are proposed and an internal waste disposal system will be provided, which removes the need for the dogs to be taken outdoors. The request also includes a proposed parking ratio of one (1) space per 500 square feet for the boarding and play areas while parking the remainder of the facility at the City's office ratio of one (1) space per 250 square feet. The applicant and owner addressed questions regarding noise stating that sound attenuation measures will be placed along the north and south walls adjacent to the neighboring properties. An acoustics report was provided stating the building and use will comply with the City of Richardson noise performance standards.

The property owner and a tenant from 777 S. Central Expressway (property to the south) spoke in opposition stating they had concerns with possible odor issues and noise created when the dogs were being transported from the car to the facility.

To date, staff has received written opposition from two (2) property owners within the notification area. The attached correspondence from the owner of 777 S. Central Expressway includes specific conditions they would like attached to the Special Permit if the request is approved.

PLAN COMMISSION RECOMMENDATION

On September 20, 2011, the Commission voted 7-0 to recommend approval of the request as presented. Written opposition has been received from more than 20% of the property owners within the notification area; therefore, requiring an affirmative vote of 6 of 7 Council members to approve the request. The ownership of approximately 29.7% of the area within the notification area has provided written opposition to the request.

ATTACHMENTS

Special Conditions	Floor Plan (Exhibit "C")
CC Public Hearing Notice	Site Photos (Exhibit "D")
City Plan Commission Minutes 9-20-2011	Applicant's Statement
Staff Report	Notice of Public Hearing
Zoning Map	Notification List
Aerial Map	Correspondence in Opposition
Notification & Opposition Map	Owner/Applicant Responses and Acoustic Report
Zoning Exhibit (Exhibit "B")	Ordinance 2937-A

SPECIAL CONDITIONS ZF 11-16

1. Ordinance 2937-A shall be repealed.
2. The Special Permit for a boarding kennel is limited to the area shown on the attached concept plan, attached as Exhibit "B" and made a part thereof and which is hereby approved.
3. The Special Permit shall be limited to PETCO POOCH Hotel.
4. A parking ratio of 1 space per 500 square feet shall be required for the boarding and play areas. A parking ratio of 1 space per 250 square feet shall be required for the remainder of the building.

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, October 10, 2011, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

Zoning File 11-16

A request by Jim Lampassi, representing PETCO Animal Supply Stores, Inc, to revoke Ordinance 2937-A, a Special Permit for an educational amusement center; and to request a Special Permit for a boarding kennel at 751 S. Central Expressway (east side of Central Expy, between Belt Line Rd and Spring Valley Rd). The property is currently zoned C-M Commercial.

Zoning File 11-17

A request by Mani Bhushan, representing Taco Ocho, for a Special Permit for a private club at 930 E. Campbell Road (southwest corner of Campbell Road and Firman Drive). The property is currently zoned IP-M(1) Industrial Park.

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.

CITY OF RICHARDSON
Pamela Schmidt, City Secretary

**DRAFT EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – SEPTEMBER 20, 2011**

Zoning File 11-16: A request by Jim Lampassi, representing PETCO Animal Supply Stores, Inc., to revoke Ordinance 2937-A, a Special Permit for an educational amusement center; and to request a Special Permit for a boarding kennel at 751 S. Central Expressway, east side of Central Expressway, between Belt Line Rd and Spring Valley Road. The property is currently zoned C-M.

Mr. Shacklett advised the Commission that the applicant was requesting a Special Permit for an indoor boarding kennel and the revocation of Ordinance 2937-A which was granted in 1993 for an educational amusement center. He added that the property was located on the east side of Central Expressway, north of Spring Valley, and had many other uses in the past including the educational center, a furniture store, and the Mattel seasonal toy store.

Mr. Shacklett indicated the applicant was proposing to utilize the building for a business called Pooch Hotel that would be operated by PETCO and would provide boarding as well as a grooming facility. He said the inside of the building would be divided in the following manner: three play areas for small, medium and large dogs; boarding suites; grooming area; and break-room, office and kitchen areas. Also, the applicant was anticipating approximately 100 dogs to be in the facility each day with an even split between animals that would be there for multiple day boarding and those there for grooming.

Mr. Shacklett explained the applicant was requesting a parking ratio of 1:500 square feet for the boarding and grooming areas, and 1:250 square feet for the office areas, which is the typical parking ratio for office use. He added that currently there are 59 parking spaces and, based on the requested ratios, 52 spaces would be required.

In concluding his presentation, Shacklett noted that liquid waste would be cleaned with water and sanitary solutions then vacuumed up and disposed of through the sewer system, and solid waste would be bagged and picked up by a commercial provider. He added that if the item was approved, staff was suggesting the following four special conditions should be attached:

- Ordinance 2937-A shall be repealed.
- The Special Permit for a boarding kennel is limited to the area shown on the attached concept plan, attached as Exhibit “B” and made a part thereof and which is hereby approved.
- The Special Permit shall be limited to PETCO Pooch Hotel.
- A parking ratio of 1 space per 500 square feet shall be required for the boarding and play areas. A parking ratio of 1 space per 250 square feet shall be required for the remainder of the building.

Commissioner Maxwell asked if the facility would be monitored by any departments within the City such as the Health Department for compliance regarding disposal of animal waste. He also wanted to know if there was a dumpster on the site.

Mr. Shacklett replied the facility would have to get all the necessary health permits, but he suggested that the applicant might be better able to answer the question about waste disposal. He noted that a dumpster would be shared with the property to the north.

With no further questions, Chairman Gantt opened the public hearing.

Mr. Mark Collins, Cushman & Wakefield, 2102 Cedar Springs, Dallas, Texas, stated his company had been engaged to represent PETCO throughout the nation, of which 4 to 7 facilities would be located in the Dallas/Fort Worth area. He added that PETCO would be investing approximately \$1-1.5 million in improvements in the facility.

Ms. Louisa Cook, representing Aberfeldy Limited Partnership, 9519 Hilldale, Dallas, Texas, said that with the construction of the building (concrete tilt-wall) and sound dampening measures PETCO would be adding, they felt there would not be any problems with noise outside the building. She added that the company they hired to measure the acoustics within the building used information from their databases and that, with the construction of the building, was the basis for their belief that the surrounding businesses would not hear any of the dogs inside the building.

Ms. Cook pointed out that the entrance and exit would be on the east side of the building, and the landscape plan had been approved by the City and complied with the U.S. Hwy 75 Guidelines. Also, the only change to the south side of the building would be the removal of the roll-up door and covering of the opening with EIFS material.

Ms. Margaret Fuldhum 2241 N. Clybourn, Chicago, Illinois, advised that she ran a Pooch Hotel in Chicago and lived across the street from the facility and was not able to hear any of the dogs. She added that the Richardson facility would have 8 x 8 and 16 x 16 suites for the animals with webcams for the owners to view their pets.

Regarding waste removal, Ms. Fuldhum noted that the vacuum system would clean up any liquid material that would then go into the sewer system. For solid waste, the material would be picked up and put in biodegradable bags, stored in a containment room, and a waste company would pick up the bags on a daily basis for disposal.

Commissioner DePuy asked if any pets would be sold or adopted at the facility.

Ms. Fuldhum replied that they did not sell pets, but they had worked with adoption agencies to give them extra space to house their pets until the agency could adopt them out.

Vice Chair Hammond stated that his concern mentioned in the briefing session was that the building was empty at the time the acoustic measurements were taken and would not provide an accurate measurement of the sound emanating from the building when occupied.

Ms. Cook replied that the acoustical engineers had a database of different sounds and that, in addition to the construction of the building, led them to conclude that the dogs would not be heard outside the building, especially with the close proximity of Central Expressway.

Commissioner Linn asked if there was a limit on the size of a dog.

Ms. Fuldhum replied that there was no weight limit, but the animals had to be current on their vaccinations and they would only take dogs that were 8 weeks and older in age. She added that there would be approximately 10-20 employees working throughout the day.

Ms. Cook pointed out that the lease was for 10 years, which would bring stability to the property and that other Pooch Hotels were planned for the metroplex, but the Richardson hotel would be the first.

Mr. Shacklett noted that in previous discussions with the applicant no mention had been made of any exterior changes and he asked that if the item was approved, the motion would include that their plan would represent the change to the roll up door.

Chairman Gantt said he believed that change was outlined in the material received just prior to the meeting regarding interior and exterior construction. He asked if staff was requesting another special condition.

Mr. Shacklett confirmed that the change had been received just prior to the meeting, but wanted to have it mentioned in the motion. He also noted that the suggested material for the exterior change, EFIS, would not be allowed below 8 feet.

Mr. William Stewart, President, WB and G7, Inc, owner of Wizards Sports Café, 5001 Village Circle, Dallas, stated he was in favor of the proposed application and that it would be nice to have the building occupied by a long-term, quality tenant.

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

Ms. Sushma Shah, 4707 Royal Lane, Dallas, Texas, representing 777 S. Central Expressway, Richardson, stated she was opposed to the item because of the following concerns:

- The possibility of noise from the dogs as they would come and go to the building;
- Separate entrance and exits for the dogs that would bring the dogs closer to her building;
- How the waste would be removed and would it be on the side of the building adjacent to her property;
- Suggested that the fence should be changed from wood to a masonry material and increased in height to help with noise control;
- Suggested there might be a problem with rodent control because of food on the premises for the animals and how would that be handled; and

- During renovation will there be additional windows added on the south side of the building to allow for ventilation in case of a power outage, and if those windows had to be opened the sound of the dogs would carry over to the adjacent property.

Mr. Tai Kundawala, 10230 Sunridge Trail, Dallas, Texas, stated he was a tenant at 777 S. Central Expressway and expressed concern about the noise from dogs barking, the odor from their waste, and the fact that the parking spaces closest to his business had been closed off by the installation of a curb on the applicant's property.

Commissioner Maxwell asked to clarify if the parking spaces for his business were currently blocked or will be blocked.

Mr. Kundawala replied that he has been a tenant for 15 years at 777 and had access to the four parking spaces until just recently when they were closed off by the installation of a curb by the owner of 751 S. Central Expressway.

With no further comments in opposition, Chairman Gantt asked the applicant if they would like to reply to any of the comments.

Ms. Cook stated that in the early 1980's the property at 777 S. Central Expressway had their own driveway that ran parallel to the driveway on her property; however, that driveway was removed when Central Expressway was widened and a drainage inlet was put in its place. She added that during the process of marketing the building at 751, three separate entities who were interested in the building all said that traffic from the parking spaces on 777's property would pose a problem for their business and declined to lease the property. After working through a legal process, and getting approval from the City, a curb was installed along 751's property line; however, the tenant at 777 still had access to parking spaces south of his office.

As far as the concerns regarding the collection and disposal of the animal waste, the waste will be bagged and contained inside the building in a separate room that will be accessed through a door on the east side of the building. Cook also noted that the animals would enter and exit through a door on the northeast corner of the building, and there would be no windows added during the renovation of the building.

Ms. Fuldhum added that the animals would only be brought in through the main lobby (northeast corner) and the morning and evening hours would be the times for the highest volume of animals coming in and going out of the building. She added that the food would be brought in by the clients and kept in sealed bins in a food prep room, and if there was any problem with a power outage they would have a generator on site.

Ms. Cook stated that the animal hotel was a unique concept within a controlled environment and everything would be biodegradable and easily cleaned and disinfected. She said it would be a top rate boarding facility for the animals.

Chairman Gantt asked Ms. Fuldhum based on her experience and living across the street from a Pooch Hotel in Chicago, how frequently the dogs would bark on their way to and from the facility, and the peak times for their arrivals and departures.

Ms. Fuldhum replied that the Pooch Hotel she lives across from in Chicago has an outdoor area with 12-foot high brick walls that help contain the sound, and peak hours were usually early morning until 10:00 a.m. and then again in the afternoon from 5:00 p.m. to 7:00 p.m.

Vice Chair Hammond asked about a dumpster on the property, and wanted to confirm that when the animals come to a new setting they are relatively quiet until they become accustomed to the new area.

Ms. Cook replied that since Aberfeldy, L.P. owns both 751 S. Central Expressway and the property to the north, a site plan had been approved to add double dumpsters with masonry walls and landscaping that will be shared by both properties. The dumpster will not be located on 751's property, but at the southeast corner of the property to the north.

Regarding the animal's behavior, Ms. Cook said Mr. Hammond was correct and that when the animal hotel was first brought to her attention, she spoke with the staff at the City's animal shelter and was told when new dogs come to the shelter they are usually very quiet until they had been there for approximately five days, and the dogs that will be boarding at the hotel will only be there for a short time while their owners are away.

Commissioner Maxwell asked about the emergency generator that was mentioned earlier and would it be installed at the Richardson location. He also wanted to know if it should be part of the submittal.

Ms. Fuldhum replied that she assumed there would be a generator installed because there were generators at the other hotels throughout the country.

Mr. Shacklett replied that staff had not been told about an emergency generator, but information would have to be listed on the site plan.

Commissioner Maxwell asked if the applicant should resubmit their application with the updated information.

Mr. Shacklett asked the applicant if there was a proposed space for the generator.

Ms. Fuldhum said she assumed a generator would be installed because the other facilities had them, but Ms. Cook said when she met with the construction manager there was no mention of an emergency generator.

Commissioner Bright asked for clarification on the door that would be covered over on the south side of the building. He also wanted to know from what area the waste would be removed.

Ms. Cook replied that it would be the large roll-top door just east of the emergency exit on the south side of the building, and waste would be removed from a door on the east side of the building.

Mr. Shacklett noted that if the item was approved, the site plan could be revised before going to City Council to show the removal of that door.

Commissioner Bright asked to confirm that the property owner of 777 changed the driveway giving access to the four parking spaces between 751 and 777.

Ms. Cook replied that the change occurred when TxDOT widened Central Expressway and the entry for those spaces was removed and a drainage inlet was installed. She added that the curb Aberfeldy, L.P. installed did block those spaces, but there was adequate access and parking on the south side of 777.

With no further questions or comments, Chairman Gantt closed the public hearing.

Chairman Gantt reminded the commission that if a motion was made to approve, another condition would need to be added stating that Exhibit B would need to be updated.

Mr. Shacklett replied that he felt he could work with the applicant to make the changes before the item went before the Council and another special condition would not be needed.

Commissioner Linn asked if the item was approved, would the staff be able to work with the applicant to get an emergency generator on the site if needed.

Mr. Shacklett replied that staff would work with the applicant through the site plan approval process if and when it was determined an emergency generator was needed.

Chairman Gantt said he thought the application was an interesting concept and felt it would be good for the area to have the space occupied. He added that the materials provided by the applicant seemed to indicate the questions of noise and odor would not be an issue.

Commissioner Bright agreed and said that the support from Wizard's Café spoke volumes and felt the questions of noise and odor had been adequately addressed.

Commissioner DePuy made a motion to recommend approval as presented; second by Vice Chair Hammond. Motion passed 7-0.



Staff Report

TO: City Council

THROUGH: Sam Chavez, AICP, Assistant Director – Development Services

FROM: Chris Shacklett, Planner **CS**

DATE: October 6, 2011

RE: **Zoning File 11-16:** PETCO POOCH Hotel – Special Permit for Boarding Kennel

REQUEST:

Revoke Ordinance 2937-A and approval of a Special Permit for a boarding kennel in a C-M Commercial District at 751 S. Central Expressway (east side of Central Expressway, between Spring Valley Rd and Belt Line Rd).

APPLICANT:

Jim Lampassi – PETCO Animal Supply Stores, Inc.

PROPERTY OWNERS:

Aberfeldy Limited Partnership / Louisa A. Cook

TRACT SIZE AND LOCATION:

1.36-acre site, east side of Central Expressway, between Spring Valley Rd and Belt Line Rd.

EXISTING DEVELOPMENT:

The site contains a 20,240-square foot building which has previously been used for an educational amusement center, retail sales, and most recently, a seasonal retail toy store.

ADJACENT ROADWAYS:

Central Expressway: Freeway/Turnpike; 278,000 vehicles per day on all lanes, northbound and southbound, south of Campbell Road (December 2009).

SURROUNDING LAND USE AND ZONING:

North: Retail/Commercial; C-M Commercial
South: Retail/Commercial; C-M Commercial
East: Industrial; PD Planned Development
West: Retail/Commercial; C-M Commercial

FUTURE LAND USE PLAN:

Enhancement/Redevelopment

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

Future Land Uses of Surrounding Area:

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

EXISTING ZONING:

C-M Commercial with special conditions per Ordinance 2815-A with a Special Permit for an educational amusement center per Ordinance 2937-A.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT’S STATEMENT

(Please refer to the complete Applicant’s Statement)

STAFF COMMENTS:

Background:

The following is a brief summary of the history of the subject property:

- The property was developed in the early 1960’s.

- In 1991, the property was rezoned to C-M Commercial per Ordinance 2815-A.
- In 1993, a Special Permit was issued for an educational amusement center for Kidstown, which included a parking variance for the use. The facility operated at the site for approximately two (2) years. **As part of this Special Permit request, the applicant and owner have requested to revoke Ordinance 2937-A, which was the Special Permit granted in 1993 for an educational amusement center.**
- In 1995, a computer sales and service center occupied the building and a parking variance/shared parking agreement was granted for retail sales uses.
- Since the late 1990's, various retailers have occupied the building. Most recently, Mattel has occupied the building for a seasonal sales business.

The proposed request is for a Special Permit for an indoor boarding kennel. With the exception of the removal of a roll-up door located on the south side of the building which will be filled in with masonry block, textured and painted to match the existing exterior façade, no other changes or improvements are being proposed to the building's exterior. The proposed concept is for POOCH Hotel which has been in business since 2004 with three (3) locations in the Chicago and San Francisco Bay Area. Recently, PETCO purchased POOCH Hotel and plans on opening 25-30 locations in the next year. The City of Richardson Comprehensive Zoning Ordinance (CZO) requires a boarding kennel to acquire a Special Permit before locating in a C-M Commercial District. A boarding kennel is defined as follows:

"an establishment in which five or more domestic animals more than four months of age are housed, groomed, bred, boarded, trained or sold for commercial purposes."

The applicant has provided a description of the services and amenities offered by POOCH Hotels which explains how their business is different from a typical boarding kennel. The typical boarding areas are 8'x8' areas and are surrounded by glass rather than a typical cage setup. The boarding area will be approximately 40% of the facility. Within each boarding unit, there is a designated bedding area for the dog. The applicant expects approximately 100 dogs per day, of which, half will be at the facility for boarding and the other half for grooming. The facility is open 24 hours a day to allow for convenient drop off and pick times.

The applicant has also provided a proposed parking ratio for the facility which includes parking at 1 space per 500 square feet for the boarding and play area and 1 space per 250 square feet for the remainder of the facility, which is the City's parking regulation for office uses. The proposed ratio would require fifty-two (52) parking spaces for the facility. The 1:500 ratio is used by other cities in the surrounding area for boarding kennels. Based on the applicant's anticipated customer breakdown throughout the day combined with their employees, it appears that the existing fifty-nine (59) parking spaces will be adequate.

The facility will also provide an area for grooming and pampering services for the dogs including bathing, tooth brushing, nail services, massages, and an on-call veterinarian service will also be provided. The facility will include three (3) play areas totaling 6,400 square feet that are designated for small, medium, and large sized dogs. Within the play areas, there will be several toys including balls, chew toys as well as treadmills, stairs, and bridges.

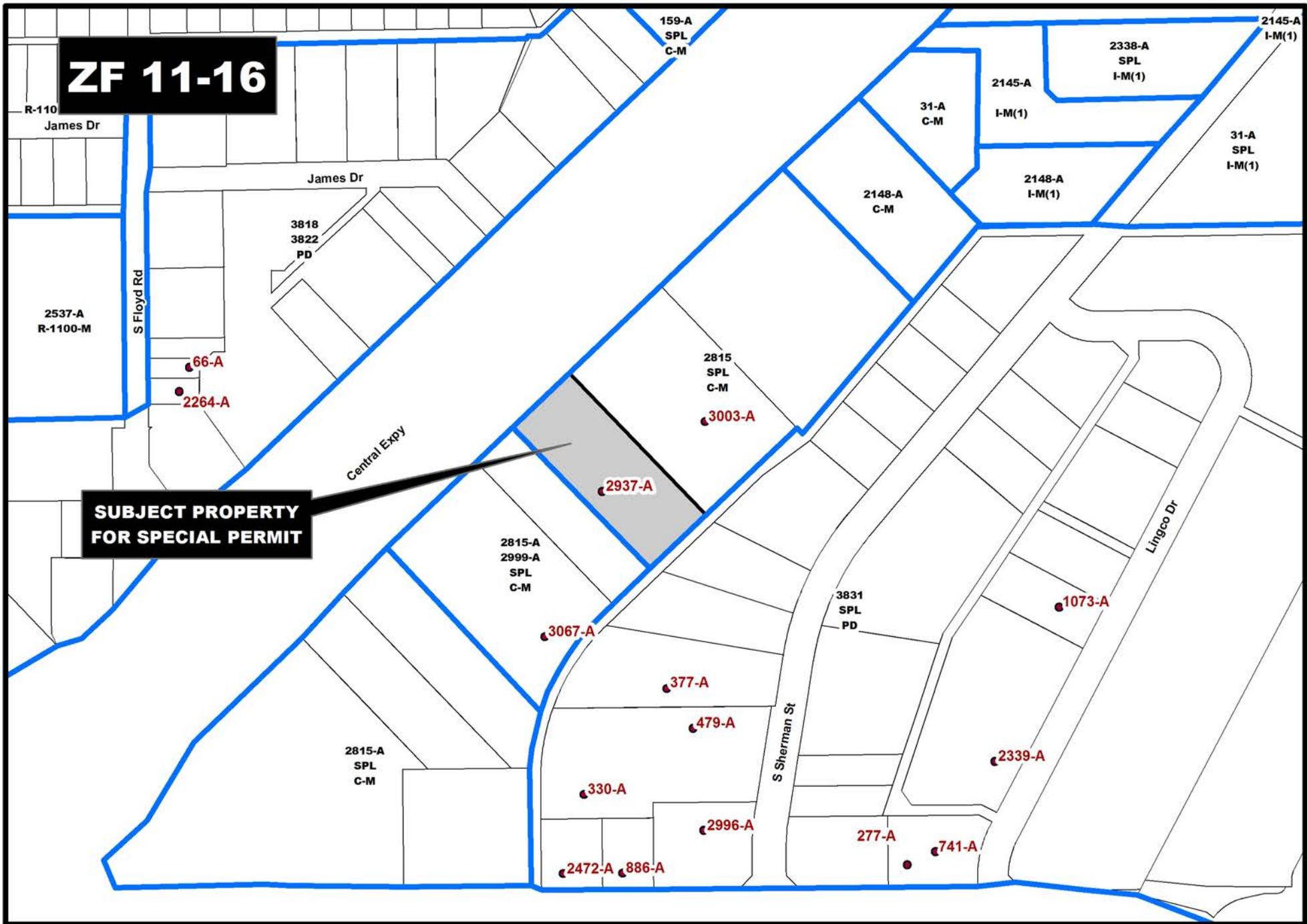
Typically, a boarding kennel provides outdoor areas where the dogs can play as well as go to the bathroom. Staff questioned how this issue would be handled. POOCH Hotels does not provide outdoor play and restroom areas; however, they utilize indoor surfaces in the boarding areas and the play areas that allow for easy waste cleanup and disposal. A system of bagging and vacuuming of the waste is utilized and the waste is picked up by a commercial waste provider on a daily basis. This is the same process that is used at other existing POOCH Hotel locations. At the CPC meeting, the applicant explained the liquid waste is collected with a vacuum system which is connected to the sanitary sewer system. The solid waste is collected in biodegradable bags and placed in a sealed container, which is located inside the building and picked up by the commercial waste provider.

Correspondence: To date, opposition has been received from two (2) property owners within the notification area. The property owner and a tenant from 777 S. Central Expressway (property to the south) spoke in opposition stating they had concerns with possible odor issues and noise created when the dogs were being transported from the car to the facility. Since the CPC meeting, additional correspondence has been received from the owner of 777 S. Central Expressway which includes specific conditions they would like attached to the Special Permit if it is approved.

Written opposition has been received from more than 20% of the property owners within the notification area; therefore, requiring an affirmative vote of 6 of 7 Council members to approve the request. The ownership of approximately 29.7% of the area within the notification area has provided written opposition to the request.

Motion: On September 20, 2011, the City Plan Commission recommended approval of the request subject to the following conditions:

1. Ordinance 2937-A shall be repealed.
2. The Special Permit for a boarding kennel is limited to the area shown on the attached concept plan, attached as Exhibit "B" and made a part thereof and which is hereby approved.
3. The Special Permit shall be limited to PETCO POOCH Hotel.
4. A parking ratio of 1 space per 500 square feet shall be required for the boarding and play areas. A parking ratio of 1 space per 250 square feet shall be required for the remainder of the building.



ZF 11-16 Zoning Map

Updated By: shacklett, Update Date: September 1, 2011
 File: DSI\Mapping\Cases\Z\2011\ZF 1116\ZF 1116 zoning.mxd



ZF 11-16

James Dr

James Dr

S Floyd Rd

Central Expy

**SUBJECT PROPERTY
FOR SPECIAL PERMIT**

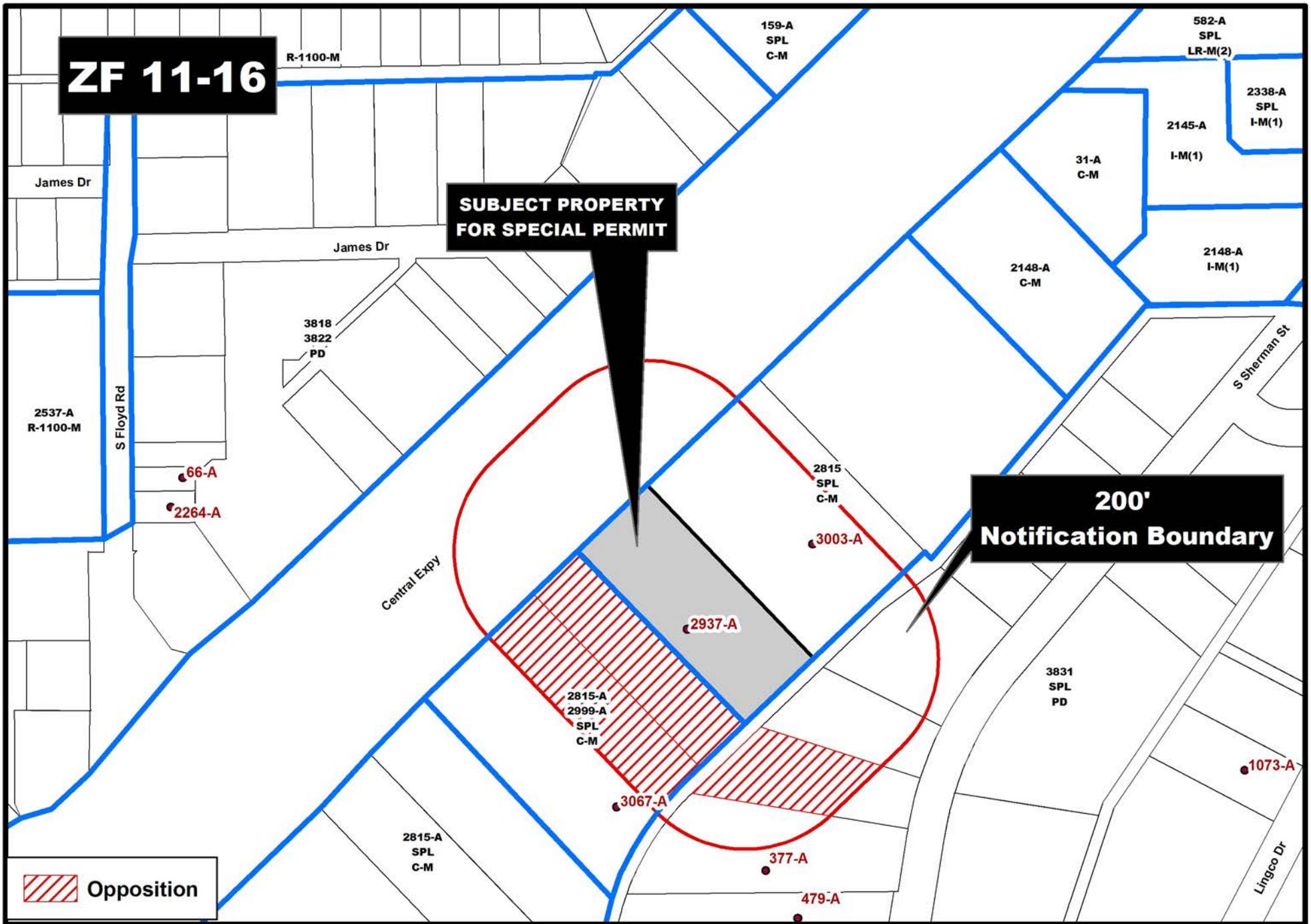
S Sherman St

Lingo Dr

ZF 11-16 Aerial Map

Updated By: shacklett, Update Date: September 1, 2011
File: DSI\Mapping\Cases\Z\2011\ZF 1116\ZF 1116 ortho.mxd

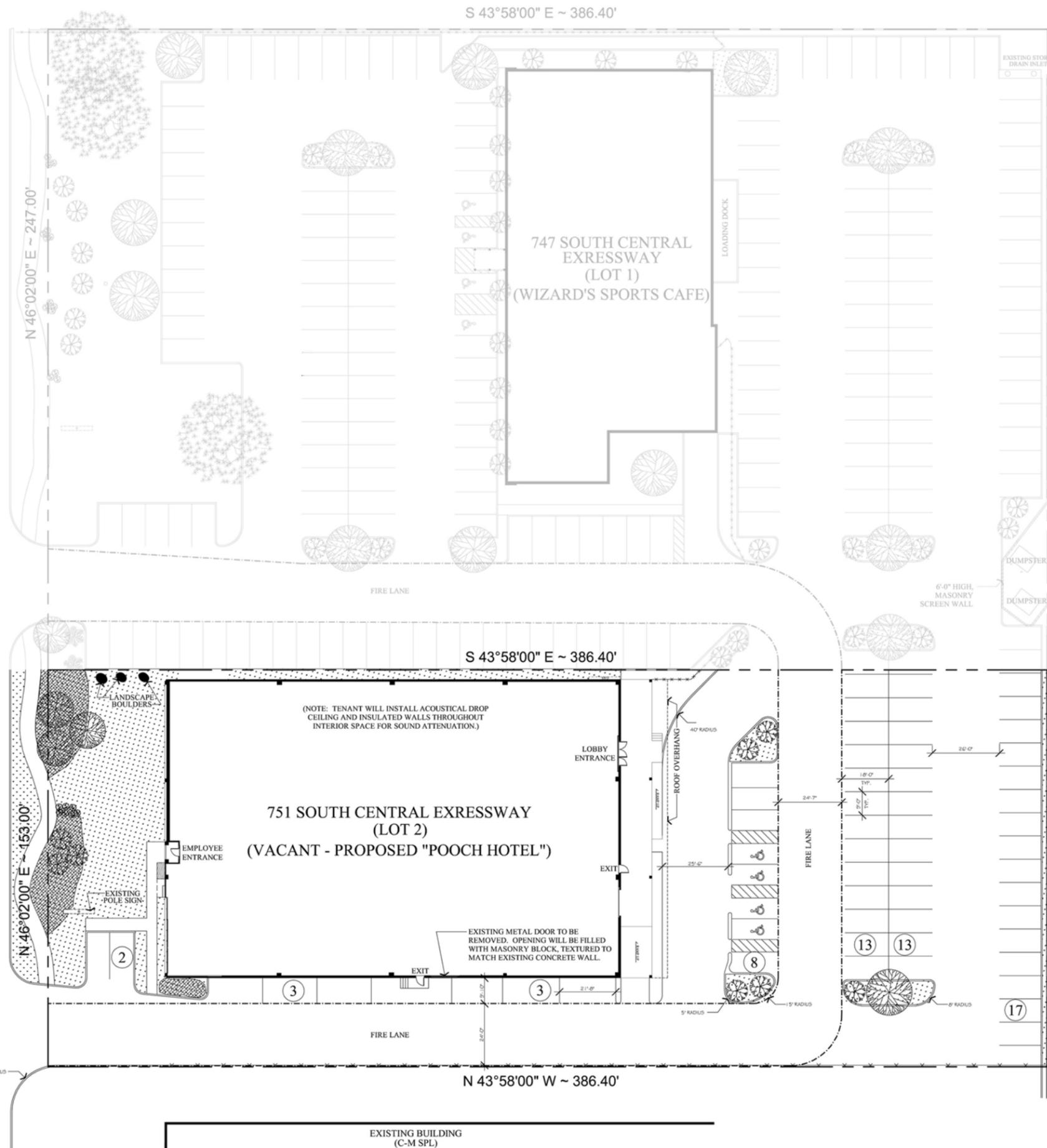




ZF 11-16 Notification & Opposition Map



S. CENTRAL EXPRESSWAY - U.S. HIGHWAY 75
(VARIABLE WIDTH R.O.W.)



CITY OF RICHARDSON DEDICATED ALLEY

S 46°02'00" W ~ 247.00'

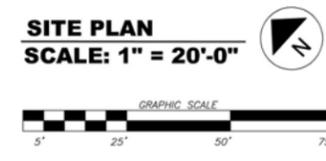
S 46°02'00" W ~ 153.00'



LOCATOR MAP
NOT TO SCALE

SITE INFORMATION
751 S. CENTRAL EXPRESSWAY
RICHARDSON, TEXAS

Legal:	Ling Expressway Center, 1st Installment, Volume 93162, Page 172
Zoning:	CM Under Ord. 2815-A
Lot Area (Lot 2):	59,119 S.F. or 1.36 Acres
Building Area:	Lot 2 (751 S. Central Expressway) 20,240 S.F.
Setbacks:	Front - 40'-0" Side - 0'-0" Back - 0'-0"
Parking Ratio Kennel Areas:	1/500 - 14,794 S.F. (30 Spaces)
Parking Ratio Office Areas:	1/250 - 5,446 S.F. (22 Spaces)
Parking Required:	30 Spaces + 22 Spaces
Total Parking Required:	52 Spaces
Parking Provided:	59 Spaces
Landscape Required:	7% of 59,119 S.F. = 4,138 S.F.
Landscape Provided:	10% of 59,119 S.F. = 6,076 S.F.
Parking Landscape Required:	20% of 4,138 S.F. = 828 S.F.
Parking Landscape Provided:	31% of 4,138 S.F. = 1,293 S.F.
Floor Area Ratio:	Lot 2 (751 S. Central Expressway) 20,240 S.F./59,119 S.F. = 0.34:1
Building Height:	23'-0"



SITE PLAN
SCALE: 1" = 20'-0"



THOMPSON CONSULTING SERVICES, INC.
12024 Golden Meadow Lane
Forney, Texas 75126
(972) 564-5252

PROPOSED PROJECT:
**SPECIAL PERMIT -
PETCO
POOCH
HOTEL**

ADDRESS:
**751 S. CENTRAL
EXPRESSWAY
RICHARDSON, TEXAS**

GROSS ACREAGE:
1.36 ACRES

APPLICANT:
Petco Animal Supply Stores, Inc.
9125 Reahco Road
San Diego, CA 92121

Contact: Jim Lampassi, Vice President
(858) 677-3008

OWNER:
Aberfeldy Limited Partnership
1221 Abrams Road, Suite 340
Richardson, TX 75081

Contact: Louisa Cook, Vice President
(972) 994-0165

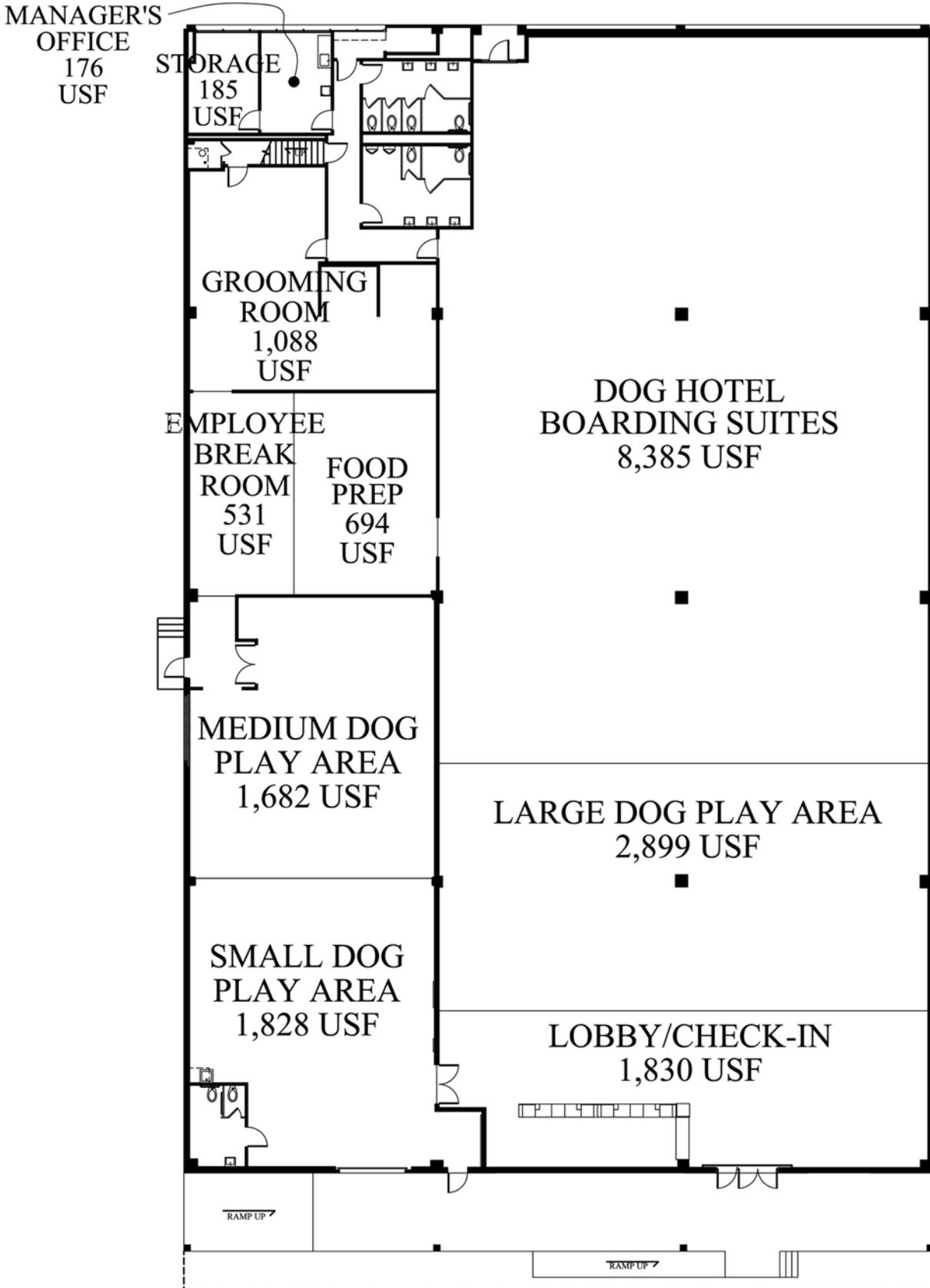
DATE: **8-3-11**
SCALE: **1" = 20'-0"**
DRAWN BY: **KH**
CHECKED BY: **DS**
PROJECT #: **5713**

REVISION	DATE
REVISION #1	8-15-11
REVISION #2	9-6-11
REVISION #3	9-22-11
REVISION #4	9-26-11

SHEET TITLE:
**ZONING
EXHIBIT**

DRAWING NUMBER:
ZE-1

Exhibit B - Part of Ordinance



751 SOUTH CENTRAL EXPRESSWAY
751 SOUTH CENTRAL EXPRESSWAY, RICHARDSON, TEXAS
FIRST FLOOR

September 22, 2011

Exhibit C



(1)

**Looking Northeast at
Front of Building along US-75**

751 S Central Expy - September 2011



(2)

**Looking Northwest at
Rear of Building
(Main Entrance to Facility)**

Exhibit D

Explanation and Description of Request

PETCO Animal Supply Stores Company/POOCH Hotels

*PETCO Animal Supply Stores/Company/POOCH Hotels is requesting a **special permit** to allow for the boarding, daycare and grooming of pets.*

Parking: *Our parking requirement is as follows:*

1:500 for Boarding/Play areas. (14,794 sf)

1:250 for the balance of the Building. (5,446 sf)

Total Building Area is 20,240 sf

Therefore, a total of 52 parking spaces are required for our use, for both our employees and visitors.

Background:

Pooch Hotels is a distinct division of the PETCO Animal Supply Stores Company. In business since 2004, we purchased POOCH Hotel in late 2010/early 2011. PETCO had been interested in this concept for a long time, but waited to purchase a company that had made this type of operation work, successfully. PETCO's business plan anticipates the opening of 25 – 30 locations within the next year. Currently, POOCH Hotel has locations in Lincoln Park, Chicago, West Loop Chicago and Sunnyvale, California.

Philosophy:

POOCH Hotels places a premium on professional care, exquisitely appointed facilities and unique services. Five-star amenities, attention to detail and tender-loving care await all dogs that pass through our doors. We place a premium on customer service and are open for arrival and departure 24/7. Our philosophy is that luxury does not need to compromise the environment. We strive to indulge our clients while minimizing our impact on the earth. We have gone to great lengths to ensure that we utilize resources efficiently and to minimize waste. Our upscale facilities provide our clients with multiple play areas and spacious hotel suites.

Operations:

Pets will be picked up and dropped off on the “east” side of the building; at the entry closest to the main parking lot. Pet owners will park their cars and walk their pets in. The circulation would be typically, as follows:

Hours of 7:00 a.m. to 10:00 a.m. ~ 10 – 15 drop offs/pick-ups per hour

Hours of 5:00 p.m. to 7:00 p.m. ~ 10 – 15 drop offs/pick-ups per hour

****All other hours ~ 1 – 5 drop offs/pick-ups per hour****

We are anticipating approximately 100 dogs per day. Of this number, the ratio of boarding and grooming is generally 50/50. The “typical” length of time that a dog will board is three (3) days. The dimensions of the boarding suites are normally 8’ X 8’ with no cages or bars. Our glass partitioning provides for a relaxing, open environment for our clients.

We provide spacious play areas for our pets. Our play areas will feature bouncy balls, doggy toys, treadmills, and doggy jungle gyms featuring plastic stairs and bridges. The boarding areas feature bedding. (There is no pool area, whatsoever).

Our “Spaw” offers the following services to our clients:

- Aromatherapy Bath
- Pawdicures
- Aromatherapy Massages
- Poochberry facials
- Tooth brushing
- Fur coloring for graying muzzles

Waste Disposal:

Waste removal, (feces), is bagged and picked up by a commercial waste provider, daily. A vacuum is used to extract urine in the play and suite areas.

Additionally, we will have a Vet on call, at all times.



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 11-16 / PETCO Pooch Hotel
Property Owners: Aberfeldy Limited Partnership / Louisa A. Cook
Applicant: Jim Lampassi, VP / PETCO Animal Supply Stores, Inc.
Location: 751 S. Central Expressway (See map on reverse side)
Current Zoning: C-M Commercial
Request: Revoke Ordinance 2937-A and approval of a Special Permit for a boarding kennel.

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

TUESDAY, SEPTEMBER 20, 2011
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.

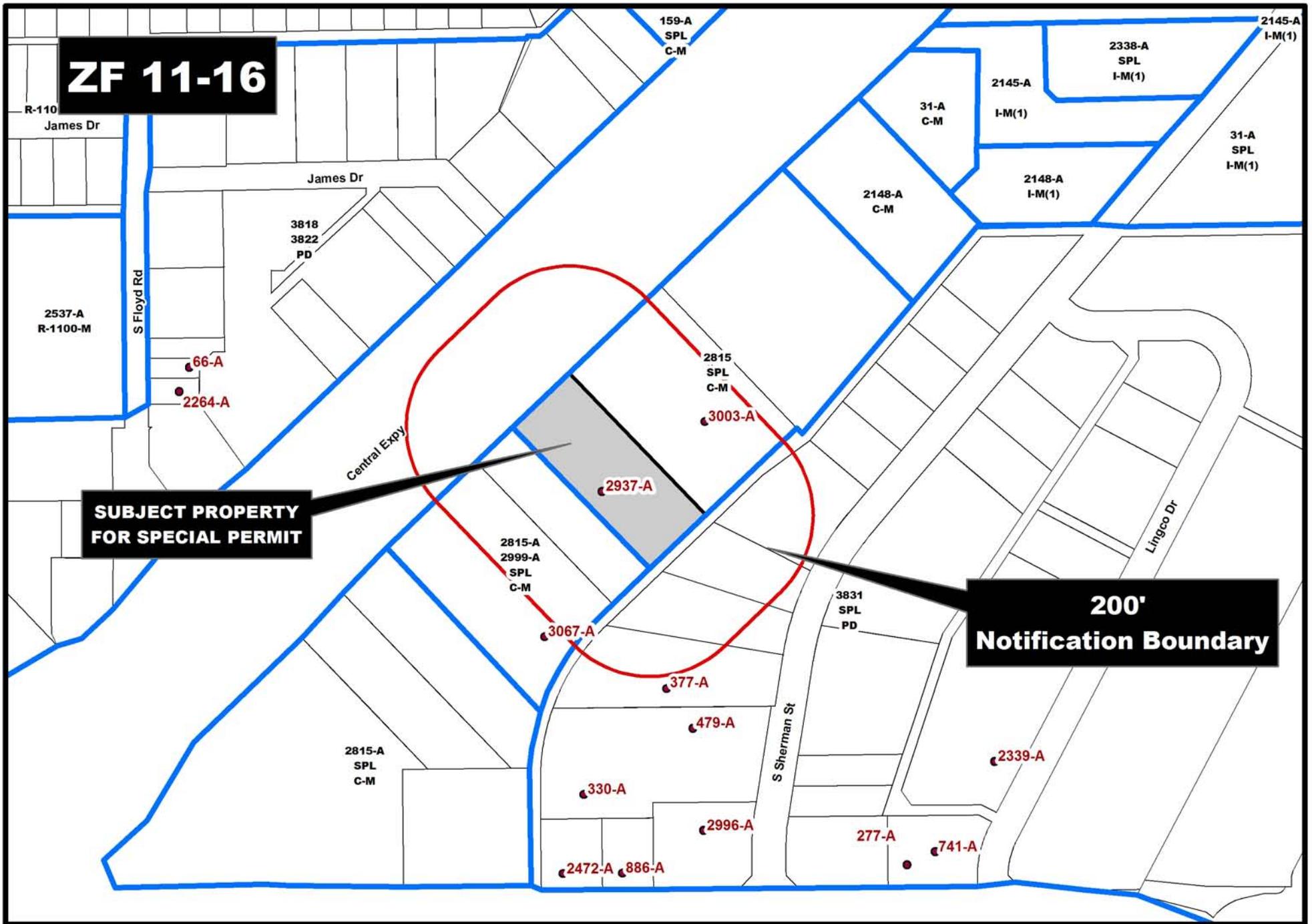
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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/DevelopmentServices.aspx?id=13682>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 11-16.

Date Posted and Mailed: 09/09/11



ZF 11-16 Notification Map

Updated By: shacklett, Update Date: September 1, 2011
 File: DSI\Mapping\Cases\Z\2011\ZF 1116\ZF 1116 notification.mxd



ABERFELDY I LIMITED PS
1221 ABRAMS RD STE 340
RICHARDSON, TX 75081-5581

PERTH UNITED LIMITED PS
1221 ABRAMS RD STE 340
RICHARDSON, TX 75081-5581

DLS PROPERTIES L C
4707 ROYAL LN
DALLAS, TX 75229-4206

IMAD INC
2518 SPRING HILL LN
GARLAND, TX 75044-2840

LOUISA A. COOK
ABERFELDY LIMITED PARTNERSHIP
1221 ABRAMS ROAD, SUITE 340
RICHARDSON, TX 75081

CLARK C PAUL III &
JAMES T CLARK
808 S SHERMAN ST
RICHARDSON, TX 75081-4030

JESUS FISHHOOK CO LLC
PO BOX 850417
RICHARDSON, TX 75085-0417

HLN ENTERPRISES INC
11511 ROSSER RD
DALLAS, TX 75229-2745

JIM LAMPASSI, VP
PETCO ANIMAL SUPPLY STORES, INC.
9125 REAHCO ROAD
SAN DIEGO, CA 92121

ZF 11-16
Notification List

Correspondence in Opposition



RECEIVED
SEP 14 2011
DEVELOPMENT SERVICES

September 13, 2011

Department of Development Services
PO Box 830309
Richardson, Texas 75083

✓ Hand Delivered on 9/14/11
Mailed Certified Return Receipt
On 9/14/11 #7001 0320 0000 9767 4350

RE: ZF 11-16 / PETCO Pooch Hotel

Dear City Planning Commission:

I represent the Landlord with regards to the above referenced zoning request change, we are in receipt of the Special Permit being requested by our neighbor to the north located at 751 S. Central Expressway, Richardson, Texas 75080. At this time, I believe we will regrettably be unable to attend the public hearing on September 20, 2011 at 7:00pm; therefore we want to take this time to state our concerns as they relate to this particular proposed pooch hotel use. Our biggest concern is the unprofessional atmosphere created when dogs bark. People have offices away from home so their business day is not sprinkled with unprofessional interruptions caused by the sounds of barking dogs, therefore we are against the proposed use if the sound of dogs barking cannot be totally eliminated as clients bring their dogs in and out of the facility, and as the dogs are exercised and/ or taken outside to go to the bathroom by employees.

We are very much interested in the measures to be implemented to prevent this noise but do have specific questions that may help in determining what type of noise interference this particular use may cause to our office building tenants.

1. What is the maximum number of dogs allowed in the facility at one time?
2. Will there be an outdoor play area created on the roof top or anywhere on the grounds of the property?
3. Where will the dog owners be allowed to bring their dogs into and out of the facility?
4. What specific sound barrier measures will be taken to prevent the noise created by barking dogs not to be heard outside of the building?
5. Will there be 24-hour access to the facility for dog pick-ups and drop-offs?
6. Where will the dogs go to the restroom and where do they exercise?
7. How is the urine and fecal matter disposed of?

I'm a dog lover and owner but I run an office building. I do not want to be negatively impacted by any nuisance sounds of barking as my tenants or their clients come in and out of the building or as they sit at their desks to work. If the dogs are to be outside being walked, going to the bathroom then we are apposed to the proposed use. If all dog activities are inside and the only permitted entrance and exit for

Page 2 of 2
September 14, 2011
RE: ZF 11-16 / PETCO Pooch Hotel

all dogs is located on the north side of the building then it is a use we are willing to explore with more specifics given on the layout of the site plan and space plan layout.

In the past we have always received official notifications at the property address as well as at the address of record, I respectfully request the property management office located at 777 S. Central Expressway, Suite 3-E, Richardson, Texas 75080 receive copies of all future notifications regarding this issue.

I appreciate the City's understanding of our concerns. We look forward to hearing more specifics about the proposed use. Do not hesitate to call if you need additional information from me.

Sincerely,

A handwritten signature in black ink, appearing to read "Nobie Bremond Hendricks". The signature is written in a cursive, flowing style.

Nobie Bremond Hendricks, CPM RPA
Property Manager

CC: DLS Properties, L.P.

JesusFishhook Co.

PO BOX 850147
Richardson, TX 75085

TO: City of Richardson, City Plan Commission

Re: Rezoning case 11-16 Petco Animal Supply Stores Inc.

As the property owners of 812 S Sherman, we would like to voice our opposition to the zoning case as presented.

While the property in question is zoned C-M, the property right across the alley is zoned PD. We question if a pet hotel is a proper use of a property so close to a PD.

We are concerned about the possibility of animals escaping from owners while being transported to and from the facility. The alley located east of 751. S Central is a very busy alley.

If Petco would build a six to eight foot screening wall/fence around 751. S Central, we would remove our opposition to the zoning case.

Noise and odor is a concern, but we feel those can be addressed by current noise and nuisance ordinances.

David Brandon

A handwritten signature in blue ink, appearing to read 'D. Brandon', with a long horizontal flourish extending to the right.

Dir - Facilities



RECEIVED
SEP 27 2011
DEVELOPMENT SERVICES

September 21, 2011

Hand Delivered on 9/23/2011

Department of Development Services
PO Box 830309
Richardson, Texas 78053

Re: 777 S. Central Expressway, Richardson, Texas 75080
Loss of access to northwest parking lot

Dear Department of Development Services:

This letter is to serve as additional information regarding the above reference due to the surprise expressed by the council members on September 20, 2011 while our tenant, in Suite 1-G, Tai Kundawala spoke in concerned opposition to the installation of the Petco Pooch Hotel. Even though this topic was not part of the agenda that evening it was brought up and several council men asked several questions regarding the issue of the blocking off our access to our northwestern parking. The first attempt to block off the lot occurred in December 2009 when Louisa Cook had bollards installed without a city permit.

After that first encounter, there were many continued attempts by 751 S. Central Expressway to falsely accuse our tenant of monopolizing the shared curb cut entry and the drive lane. After many months of discovery, speaking with various City of Richardson officials and TxDot employees we reached an impasse and were forced to seek legal counsel. During our legal representation, we discovered that numerous errors had been committed by the City of Richardson and TxDot, as well. At some point around the time of the widening of Central Expressway in the early 1990's, TxDot removed our private curb cut and installed a curb drain at that location thus cutting us off from our parking lot. But clearly the intent was to set our lot up to be accessed through the reinstallation of 751's curb cut. No where in the City or TxDot records is there any stated statement that acknowledges or gives permission by the owner's of 777 allowing TxDot to remove our private curb cut. Furthermore, the property was never notified of such alterations or compensated for the loss.

Page 2

September 22, 2011

777 S. Central Expressway -Loss of access to northwest parking lot

Contrary to what Louisa Cook has stated, our northwest parking lot has existed and was actively being used since the development of this building in 1969. This can be confirmed in our original site plan and archived aerial views of the property. Both properties were purchased by the current respective owners in 1992 and each respective property owner was aware of the existence of the parking lot and the common curb cut access.

Our property incurred a considerable amount of legal expenses while fighting the unfair closure of our lot and we had to accept that the expensive legal pursuit, to right this wrong, had to be finally withdrawn since the property could not sustain the financial burden of fighting something that the City and TxDot would not cooperate towards a fair and amenable outcome for both properties.

Another unreasonable accusation which Louisa Cook stated at the hearing was that she was losing prospective tenants because of the customer activity and deliveries that Tai Kundawala had. We contend this is not true since he typically has no more than 3 to 4 visitors through out the entire day, and deliveries are no more than 2 times per week. And since he had 4 of his own parking spaces directly in front of his office there was never a reason for any of his visitors or delivery trucks to be on the 751 property for longer than it took to drive over the common access curb cut. In fact, interestingly, one of Louisa's prospective tenants (a lawnmower equipment company) came to us requesting he be allowed to let his wife park in one of Tai Kundawala's private parking spaces, to which he agreed. Also, it was not until the access to our lot was blocked did the delivery trucks ever have to park in the common drive way. All of Tai's customers now come in to the main building parking lot and are greatly inconvenienced by lugging TV and other equipment across the long, narrow walkway to get to his space. Therefore, we bore the expense to widen the walkway so as to help our tenant.

We would like to see the City of Richardson readdress this issue during this time of reassessment of special provisions being granted to 751. The City's intention of enhancement and redevelopment of the area as it strives to create a cohesive community is commendable and we all agree with it. In the spirit of cooperation and good will and the harmonious coexistence of neighbors we pray the City will work with Aberfeldy to come to an agreement which will allow us to access our northwestern parking lot again as was originally intended before we were forced to accept the unfair treatment due to the numerous technicalities and oversights. We are not trying to blame or point fingers at any particular entity but are seeking to find a favorable resolution that will allow us to drive over the common access curb cut once again gaining access into our own parking lot that has been there since 1969.

Sincerely,



Nobie Bremond Hendricks, CPM, RPA
Property Manager

CC: DLS Properties, LP



RECEIVED
SEP 27 2011
DEVELOPMENT SERVICES

September 27, 2011

Department of Development Services
PO Box 830309
Richardson, Texas 75083

Hand Delivered on 9/27/11
Mailed Certified Return Receipt
On 9/27/11 #7001 0320 0000 9767 4336

RE: ZF 11-16 / PETCO Pooch Hotel

Dear City Planning Commission:

I represent the Landlord with regards to the above referenced zoning request change and subsequent City Plan Commission meeting held on September 20, 2011 in the City Council Chambers at 7:00pm. As we understand what occurred, the City Plan Commission will pass this special permit that was requested on to the City Council for their review and decision on October 10, 2011. There are several items we require from the City for us to give our approval of this use and we did not receive any confirmation that they would be initiated. Therefore we respectfully request the City of Richardson to include the following "special conditions" as part of the Special Permit Motion.

Special Conditions

1. City stipulate that Aberfeldy is required to enforce upon Petco:
 - a. that during the entire Petco occupancy a 10 foot high concrete fence along the common property line between our two buildings will be installed and maintained,
 - b. that at no time, during the entire Petco occupancy will they be allowed to have an outdoor play or restroom area created on the roof top or anywhere on the grounds of the property,
 - c. that at no time, during the entire Petco occupancy will the dog owners be allowed to bring their dogs into and/or out of the facility through any other door except the one on the northeast corner of the building,
 - d. that at no time during the entire Petco occupancy will the facility be allowed to retain any excrement/waste product(s) on the exterior portion of the building, and
 - e. that throughout the entire Petco occupancy the exterior dumpsters will be positioned at all times on the northeastern most corner of the 751's property.
 - f. that the emergency generator will not be installed on the south side of 751's property.

Page 2

September 27, 2011

ZF 11-16 / PETCO Pooch Hotel

Attached you will find a petition signed by each of our tenants in Building One, which is the building on the north side of our property, showing they are in agreement with each of the Special Conditions stated above, so as to protect their right to quiet enjoyment of their suite, free from the sounds of barking dogs.

Two more questions which are pertinent to all concerned;

1. Has Petco addressed how often their parking lot will be cleaned since there will be a dog going to the bathroom on the property more than 100 times a day?
2. When the pet waste is being removed from inside of the building through the eastern side roll-up door what type of vehicle is used, how long does it take and will it be a loud unit similar to City trash pickup? We would like to request that this be done during the non-business hours before 9am or after 5pm.

Attached you will find a copy of the letter we submitted directly to the City Plan Commissioner who seemed surprised and interested in why Aberfeldy would have restricted our use of our own northwestern parking lot through our common curb cut due to several technicalities over the years. We welcome the interest, discussion and review on this matter since this could be a perfect time to "right the wrong" as the City is cleaning up 751's property's outdated permit(s) and inappropriately applied restrictions that currently exist.

We await a response to our requirements. If these are not met we will oppose the use when it goes before the City Council.

Sincerely,



Nobie Bremond Hendricks, CPM RPA

Property Manager

CC: DLS Properties, L.P.

Notice to City of Richardson - September 23, 2011

777 S. Central Expressway Tenant Petition for the Inclusion of Specific "Special Conditions" as noted below for the proposed 751 S. Central Expressway Special Permit Motion for Petco Pooch Hotel (ZF11-16)

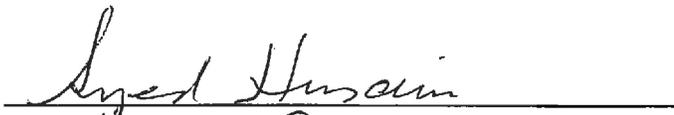
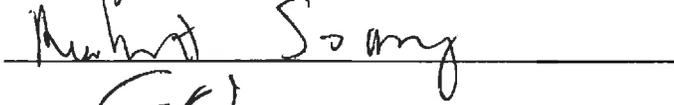
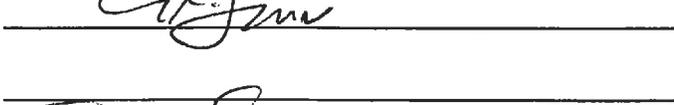
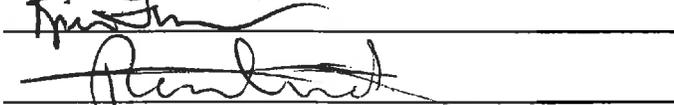
Unless the required special conditions listed below are met, owners of 777 S. Central Expressway do not accept the proposed use of the installation of a pooch hotel into the building located at 751 S. Central Expressway.

Required Special Conditions for Petco Pooch Hotel

1. City stipulate that Aberfeldy is required to enforce upon Petco:
 - a. that during the entire Petco occupancy a 10 foot high concrete fence along the common property line between our two buildings will be installed and maintained,
 - b. that at no time, during the entire Petco occupancy will they be allowed to have an outdoor play or restroom area created on the roof top or anywhere on the grounds of the property,
 - c. that at no time, during the entire Petco occupancy will the dog owners be allowed to bring their dogs into and/or out of the facility through any other door except the one on the northeast corner of the building,
 - d. that at no time during the entire Petco occupancy will the facility be allowed to retain any excrement/waste product(s) on the exterior portion of the building, and
 - e. that throughout the entire Petco occupancy the exterior dumpsters will be positioned at all times on the northeastern most corner of the 751's property.
 - f. that the emergency generator will not be installed on the south side of 751's property.

1. Sushma Shah	3-E	<u>Sushma D. Shah 9-22-2011</u>
2. Nobie Hendricks	3-E	<u>Nobie Hendricks 9-22-11</u>
3. Sheikh Alam	1-B	_____
4. Daniel Bobst	1-C	<u>Daniel Bobst</u>
5. Beth Rumph	1-E	_____
6. Tai Kundawala	1-G	<u>Tai Kundawala</u>
7. Dallas Window Cleaning	1-J	<u>[Signature]</u>
8. Patricia Simon	1-K	_____
9. Telezone, Inc.	1-L	_____
10. Leonard Trimble	1-M	<u>Leonard Trimble</u>
11. Isabel Cho	1-N	_____

Page 2
September 23, 2011
777 S. Central Expressway Petition
Notice to City of Richardson
Petco Pooch Hotel (ZF11-16)

12. Syed Hussain	1-O	
13. Robert Soang	1-Q	
14. Jain Financial	1-R	
15. Twist Braid	1-S	
16. Steve Storey	1-V	
17. Automated Integration	1-W	
18. Ammon Spine Center	1-Y	



September 21, 2011

Department of Development Services
PO Box 830309
Richardson, Texas 75083

Hand Delivered on 9/21/11
Mailed Certified Return Receipt
On 9/21/11 #7001 0320 0000 9767 4350

RE: ZF 11-16 / PETCO Pooch Hotel

Dear City Planning Commission:

I represent the Landlord with regards to the above referenced zoning request change and subsequent City Plan Commission meeting held on September 20, 2011 in the City Council Chambers at 7:00pm. As we understand what occurred, the City Plan Commission will pass this special permit that was requested on to the City Council for their review and decision on October 10, 2011. There are several items we require from the City for us to give our approval of this use and we did not receive any confirmation that they would be initiated. Therefore we respectfully request the City of Richardson to include the following "special conditions" as part of the Special Permit Motion.

Special Conditions

1. City stipulate that Aberfeldy is required to enforce upon Petco:
 - a. that during the entire Petco occupancy a 10 foot high concrete fence along the common property line between our two buildings will be installed and maintained,
 - b. that at no time, during the entire Petco occupancy will they be allowed to have an outdoor play or restroom area created on the roof top or anywhere on the grounds of the property,
 - c. that at no time, during the entire Petco occupancy will the dog owners be allowed to bring their dogs into and/or out of the facility through any other door except the one on the northeast corner of the building,
 - d. that at no time during the entire Petco occupancy will the facility be allowed to retain any excrement/waste product(s) on the exterior portion of the building, and
 - e. that throughout the entire Petco occupancy the exterior dumpsters will be positioned at all times on the northeastern most corner of the 751's property.
 - f. that the emergency generator will not be installed on the south side of 751's property.

Page 2
September 21, 2011
ZF 11-16 / PETCO Pooch Hotel

Attached you will find a petition signed by each of our tenants in Building One, which is the building on the north side of our property, showing they are in agreement with each of the Special Conditions stated above, so as to protect their right to quiet enjoyment of their suite, free from the sounds of barking dogs.

Two more questions which are pertinent to all concerned;

1. Has Petco addressed how often their parking lot will be cleaned since there will be a dog going to the bathroom on the property more than 100 times a day?
2. When the pet waste is being removed from inside of the building through the eastern side roll-up door, what type of vehicle is used, how long does it take and will it be a loud unit similar to City trash pickup? We would like to request that this be done during the non-business hours before 9am or after 5pm.

Attached you will find a copy of the letter we submitted directly to the City Plan Commissioner who seemed surprised and interested in why Aberfeldy would have restricted our use of our own northwestern parking lot through our common curb cut due to several technicalities over the years. We welcome the interest, discussion and review on this matter since this could be a perfect time to "right the wrong" as the City is cleaning up 751's property's outdated permit(s) and inappropriately applied restrictions that currently exist.

We await a response to our requirements. If these are not met we will oppose the use when it goes before the City Council.

Sincerely,



Nobie Bremond Hendricks, CPM RPA
Property Manager

CC: DLS Properties, L.P.

Owner/Applicant Responses and Acoustic Report

October 4, 2011

**VIA EMAIL (Chris.Shacklett@cor.gov)
AND
VIA HAND DELIVERY**

Department of Development Services
City of Richardson
411 West Arapaho Road – Suite 204
Richardson, Texas 75080-4551
Attention: Chris Shacklett

Re: ZF 11-16 Petco Pooch Hotel

Ladies and Gentlemen:

I represent Aberfeldy Limited Partnership ("Aberfeldy"), the owner of the property located at 751 South Central Expressway, Richardson, Texas 75080 (the "751 Property").

This letter is provided on behalf of Aberfeldy in response to a September 27, 2011 letter and a September 21, 2011 letter submitted to the Department of Developmental Services of the City of Richardson (the "City") on behalf of the owner of the property located at 777 South Central Expressway, Richardson, Texas 75080 (the "777 Property").

Aberfeldy would respectfully respond to the September 27 letter and the September 21 letter as follows.

September 27 Letter

Aberfeldy as the owner of the 751 Property proposes to lease the 751 Property in its entirety to Petco for a "Pooch Hotel". Petco has made application to the City for the special use permit required in connection with its use and operation of the 751 Property. The September 27 letter relates to the special use permit application by Petco, and the owner of the 777 Property proposes that as a condition of granting the special use permit, the City impose certain requirements on Aberfeldy and Petco (listed as proposed requirements "a." through "f." in the September 27 letter).

Aberfeldy would note that except for proposed requirement "a." (which is addressed in more detail below), all of the requirements proposed by the owner of the 777 Property have already been satisfactorily addressed by Petco either in connection with the special use permit application or in testimony before the Planning and Zoning Committee of the City. So, in the interest of brevity,

Aberfeldy will not respond to those proposed requirements in this letter. However, Aberfeldy will respond to proposed requirement "a." as follows:

The owner of the 777 Property proposes:

"a. that during the entire Petco occupancy a 10 foot high concrete fence along the common property line between our two buildings will be installed and maintained."

RESPONSE: Although the 777 Property does not provide the reason or rationale for its request that a 10-foot wall be constructed on the property line between the 751 Property and the 777 Property, the 777 Property apparently has drawn the erroneous conclusion that such 10-foot wall would be necessary to reduce the "noise" that would be generated by the activities of Petco in operating the "Pooch Hotel". This proposed requirement is unnecessary, unreasonable and impractical for the following reasons:

1. First and foremost, the existing fire lane for the 751 Property is immediately adjacent to the 777 Property. A concrete or masonry wall would require a minimum footing of 12 inches, and accordingly would encroach into the fire lane, which is impermissible.

2. The City does not require screening walls between properties, and in any case, a 10-foot wall would not be consistent with the City's height limitations on fences/walls. (Aberfeldy would note (i) that the height of the building located on the 777 Property is only 12 feet, and (ii) there already exists a wooden fence between the 751 Property and the 777 Property which Aberfeldy previously installed to screen the 751 Property from the existing chain link fence which the 777 Property installed along part of the common property line with the 751 Building, and which often has grass and weeds growing in it.)

3. There are no other similar walls between any of the properties that are located on South Central Expressway in the immediate vicinity of the 751 Property and the 777 Property.

4. The construction of the existing building to be occupied by Petco on the 751 Property will itself attenuate any noise inasmuch as:

- a. The building has 6-inch thick concrete tilt walls;
- b. The only glass in the building that is in close proximity to the 777 Property is in the southwest corner of the building, and Petco intends to use that area as an office;
- c. The roof of the building is insulated tar and gravel roof membrane and surface;
- d. The interior walls of the building are covered with 1 ½ inch sheetrock;

- e. The ceiling grid contains acoustical tile.
 - f. The main (and primary) entrance to the building is on the northeast corner of the building, which is far away from the property line of the 777 Property; and
 - g. The primary parking for the building is at the rear of the building and facing east, and that parking area is separated from the 777 Property by a six (6) foot wooden privacy fence.
5. In addition to the noise attenuation resulting from the existing structure of the building, Petco intends to make the following alterations to the interior of the building that will also serve to reduce and eliminate any noise:
- a. Installation of attenuation panels in both the dog play area and the dog boarding area; and
 - b. Installation of attenuation blankets in the inside walls of the building.
6. Aberfeldy will be eliminating the existing roll-up door in the south wall of the building on the 751 Property (which is the nearest wall to the 777 Property) and will be filling in that space with masonry. The only remaining door in the south wall will be a fully-insulated door for emergency ingress and egress only. So, as a practical matter, the south wall of the building will constitute a masonry or concrete barrier, and the south wall of the building is twenty four (24) feet high.
7. As noted in the acoustical report which was prepared for Aberfeldy in connection with the proposed lease transaction with Petco, the highway noise from South Central Expressway will mask any potential sounds which might emanate from the building.

Aberfeldy would note that in the September 27 letter, the 777 Property raised two additional questions. Those questions (and Aberfeldy's responses) are as follows:

(i) "Has Petco addressed how often their parking lot will be cleaned since there will be a dog going to the bathroom on the property more than 100 times a day." **RESPONSE:** As Petco informed the City in the hearing before the Planning and Zoning Commission, there will not be any outside dog-run or exercise area. Accordingly, there will not be "a dog going to the bathroom on the property more than 100 times a day." To the extent that any dog defecates on the property while being taken from a vehicle into the building or from the building to a vehicle, Aberfeldy understands that Petco will as a matter of good practice walk the property periodically and pick up any waste.

(ii) "When the pet waste is being removed from inside the building through the eastern side roll-up door what type of vehicle is used, how long does it take and will it be a

loud unit similar to City trash pickup? We would like to request that this be done during non-business hours before 9am or after 5pm." **RESPONSE:** Aberfeldy believes that the solid waste will be placed in an air-tight container and will be periodically picked up by the driver of the waste disposal vehicle, who will deliver an empty container to the building on a dolly, and who will then remove via the dolly the container containing the waste and put it on the waste disposal vehicle, where it will be delivered to a solid waste disposal site. The vehicle used to remove the solid waste from the building will be a commercial vehicle, but will not be similar to a City trash truck and should be no noisier or any more intrusive than the trucks (such as UPS trucks or Federal Express trucks) that currently service the 777 Property and its tenants. For that reason, there is no need to limit the hours during which the solid waste may be picked up from the building. Aberfeldy would note that over two recent Christmas seasons, Aberfeldy leased the 751 Property on a temporary basis to Mattel for the purpose of operating a sales outlet for Mattel toys and other products. The Mattel merchandise was periodically delivered to the 751 Building by large semi-tractor/trailers, and Aberfeldy never received any complaints from anyone (including the owner of the 777 Property) regarding those deliveries or any noise associated with those deliveries.

September 21 Letter

The September 21 letter addresses a complaint by the 777 Property and one of its tenants in regard to the alleged "blocking off" by Aberfeldy of ingress to and egress from a certain limited portion of the 777 Property. I would note initially that this **issue is irrelevant to and has no bearing whatsoever** on the Petco application for a special use permit in regard to the 751 Property. However, since the owner of the 777 Property has raised this issue, Aberfeldy provides the following response in order to set the record straight. The bottom line on this matter is that in 2010, the owner of the 777 Property filed a lawsuit against Aberfeldy as the owner of the 751 Property in an attempt to establish that the 777 Property had some sort of legal and/or equitable right to have access over a portion of the 751 Property in order to access a small portion of the 777 Property consisting of approximately five (5) parking spaces on the northwest corner of the 777 Property. The owner of the 777 Property also named the City as a defendant in that lawsuit. In the lawsuit, the owner of the 777 Property asserted various theories regarding its alleged right to use Aberfeldy's property for purposes of accessing the five (5) parking spaces. Aberfeldy rebutted each and every one of those theories. The owner of the 777 Building subsequently dismissed the lawsuit against Aberfeldy **with prejudice**, and that dismissal with prejudice means that the owner of the 777 Property cannot ever again contest any of the matters that were raised in, or that could have been raised in, the lawsuit filed against Aberfeldy regarding the access issue. A copy of the Agreed Order Dismissing All Claims With Prejudice is enclosed herewith. The owner of the 777 Property could have proceeded with its lawsuit, and Aberfeldy was fully prepared to defend and win that lawsuit, but the owner of the 777 Property simply chose to give up on all of its claims regarding its alleged right to access the 777 Property over and through the 751 Property. So, having given up at the courthouse, the owner of the 777 Property **lost** on the access issue. That matter is now res judicata, and the owner of the 777 Building is precluded from litigating this issue again. The owner of the 777 Property is simply trying to get the

City to open up this matter on some administrative basis when in fact the matter has already been fully resolved through the Texas court system.

Aberfeldy believes that the foregoing explanation should satisfactorily dispose of the "access" issue raised by the owner of the 777 Property, and that no further discussion or consideration of that issue is warranted. However, in order that you will have the full record before you, the underlying facts relating to the "access" issue are as follows:

1. There are approximately five (5) parking spaces located on the northwest corner of the 777 Property.

2. Prior to the redesign and expansion of South Central Expressway, there was a curb cut on the northbound South Central Expressway service road that allowed direct access over the 777 Property to the five (5) parking spaces. In connection with the widening of South Central Expressway (which was done by the State of Texas and not by the City or by Aberfeldy), the curb cut that provided access to the five (5) parking spaces was eliminated. As a result, the five (5) parking spaces were landlocked. (Aberfeldy would note that to the extent the elimination of the curb cut and the isolation of the five (5) parking spaces resulted from the South Central Expressway expansion, the then-owner of the 777 Property should have made a claim for condemnation damages against the State of Texas.)

3. There should have been a strip of dirt/grass between the south edge of the pavement on the 751 Property and the north edge of the pavement on the 777 Property. However, it appears that when the State of Texas conducted its repairs and repaving following the widening of South Central Expressway, the State of Texas paved over the area that should have remained a grassy area, with the result that there was solid pavement between the 751 Property and the 777 Property.

4. Following the elimination of the curb cut that allowed direct access to the five (5) parking spaces on the 777 Property, individuals would thereafter drive their vehicles onto the 751 Property driveway, and would then utilize the solidly paved area to turn right across the common property line between the 751 Property and the 777 Property.

5. There is no written easement or any other written document that would allow the owner of the 777 Property to have access to the five (5) parking spaces by driving over the 751 Property.

6. Under Texas law, the owner of the 777 Property could not establish any type of "equitable" easement (e.g., easement of necessity, prescriptive easement, easement by estoppel), and the most that the owner of the 777 Property could claim was that it had a revocable license to use the 751 Property (and Aberfeldy would not concede that the owner of the 777 Property had even a revocable license).

7. In connection with a revised site plan that Aberfeldy filed with the City in regard to the 751 Property, improvements made by Aberfeldy had the effect of closing off the access to the five

(5) parking spaces from the 751 Property. That action by Aberfeldy led to complaints and the lawsuit by the owner of the 777 Property discussed above.

8. The 751 Property has only one (1) curb cut access from the South Central Expressway service road, and there is no access from the alley behind the 751 Property. On the other hand, the owner of the 777 Property has ample access to the 777 Property by way of four curb cuts (two (2) from the South Central Expressway service road, and two (2) from the alley behind the 777 Property). Currently, the 751 Property can also be accessed via a fire lane that is directly to the north of the building located on the 751 Property, but that fire lane is not on the 751 Property.

9. In addition to the five (5) parking spaces that the owner of the 777 Property wanted to access by burdening the 751 Property, there is ample parking elsewhere on the 777 Property, including several parking spaces that are located less than thirty (30) feet from the five (5) parking spaces.

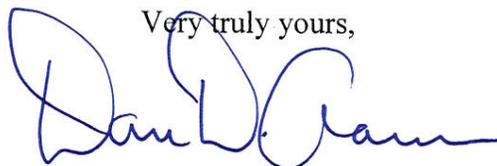
10. Prior to filing its lawsuit against Aberfeldy, the owner of the 777 Property complained to the City regarding the "access" issue, and, at that time, legal counsel for the City (Kevin B. Laughlin, Esq. with the firm of Nichols, Jackson, Dillard, Hager & Smith, L.L.P.) became involved in the matter. Mr. Laughlin is aware of the relevant facts and circumstances of the "access" issue should you desire to contact him for his input.

11. In connection with the lawsuit regarding the access to the five (5) parking spaces, the judge hearing the case suggested that the owner of the 777 Property contact the City to determine if the City would allow the owner of the 777 Property to construct a driveway to access the five (5) parking spaces. In that regard, the City went over and above what it had to do, and the City staff took the unusual step of putting together a rough concept plan showing how the parking area in question located on the 777 Property might be reconfigured so that there would be access to the five (5) parking spaces. However, the owner of the 777 Property declined to pursue that option, and the lawsuit against Aberfeldy was subsequently dismissed with prejudice.

Should you have any questions about any of the foregoing or if you need any additional information or explanation, please call me directly at 214-855-7549

Thank you very much for your assistance in this matter.

Very truly yours,



Dan D. Aaron

Enclosure

CAUSE NO. DC-10-08538-K

DLS PROPERTIES, L.P.,

Plaintiff,

VS.

CITY OF RICHARDSON, PERTH UNITED
LIMITED PARTNERSHIP and ABERFELDY
LIMITED PARTNERSHIP,

Defendants.

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IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

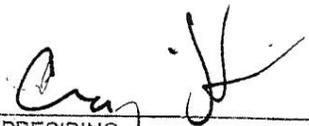
192ND JUDICIAL DISTRICT

AGREED ORDER DISMISSING ALL CLAIMS WITH PREJUDICE

By agreement of the parties, as evidenced by the signatures affixed below, it is hereby ORDERED, ADJUDGED AND DECREED that all claims in this case, including those of Plaintiff and those of Defendants, are hereby DISMISSED WITH PREJUDICE, with each party to pay its own cost and expenses; and, it is further

ORDERED, ADJUDGED AND DECREED that the bond posted by Plaintiff be returned to Plaintiff's attorney, at the address below.

Signed this 28 day of September, 2010.



JUDGE PRESIDING

AGREED: 

Mark D. Cronenwett
Texas Bar No. 00787303
mcronenwett@higierallen.com
HIGIER, ALLEN & LAUTIN, PC
5057 Keller Springs Road, Suite 600
Addison, Texas 75001
(972) 716-1888
(972) 716-1899 (fax)

ATTORNEYS FOR PLAINTIFF



Michael G. Foster
Texas Bar No. 07293950
mfoster@munsch.com
MUNSCH HARDT KOPF & HARR, P.C.
3800 Lincoln Plaza
500 North Akard Street
Dallas, Texas 75201-6659
(214) 855-7500
(214) 855-7584 (fax)

ATTORNEYS FOR DEFENDANTS

September 19, 2011

Mr. Chris Shacklett
City of Richardson
Sent via Email

Re: PETCO POOCH HOTEL – 751 S. Central Expressway

Dear Chris:

Regarding the PETCO relocation, we were able to glean additional information from Jeff Duensing with PETCO related to the building; and the anticipated construction.

I have summarized those items below.

1. Building construction:

Exterior:

- 6 inch concrete tilt wall exterior with sound transmission class of STC 54/joints recently caulked and sealed.
- Original Roof has precast double tee units spanning 44 feet between concrete beams and columns with roof insulation. 3 ply membrane/asphalt/gravel built up roof with second roofing project included additional retro-fit board with 3-ply/asphalt/gravel which was an overlay of the original roof.
- New construction plans include covering the south roll up door with concrete efface since it will not be used and a new insulated emergency exit door, will be used in lieu of.
- Access to the facility will be on the northeast corner of the building.

Interior:

- Double sheet rock layers for a total of 1 ½ inches of material.
- Acoustical drop in ceiling.
- New construction consists of rubber flooring in the play areas and resinous flooring in the boarding area.
- Hanging sound attenuation baffles will be place in numerous places of the play and boarding areas.
- Demising walls will have attenuation blanket material built into wall systems to minimize sound.

2. Acoustical Report:

An acoustical report was prepared by Acoustonica, (attached), states the use of 751 S. Central for a dog boarding kennel will be below the City of Richardson's noise level requirements. It was determined that the noise level created by Central Expressway is above the City of Richardson's noise levels and will mask any potential noise at the 751 S. Central.

3. Waste removal:

Both the boarding kennels and the play areas will have vacuum hose ports with hoses that produce a combination of water and an environmental friendly solution for disinfection and sanitation. The waste is collected and pumped to a collection room and hard piped directly into the sanitary sewer system. Any solid material is collected in biodegradable bags and held in the collection container for disposal pick up.

Should you have any questions, please feel free to call me at 214.507.6060. I will be out of the office tomorrow morning, but available by phone tomorrow afternoon.

Sincerely,

BRADFORD COMMERCIAL REAL ESTATE SERVICES, INC.



Melanie Hughes
Senior Vice President, Marketing

MH/ky



October 4, 2011

Mr. Chris Shacklett
Planner
Department of Development Services
City of Richardson
411 W. Arapaho Rd.
Richardson, TX 75080-4551

Dear Chris:

As you know, Bradford Commercial Realty Corporation is the listing agent for 751 S. Central Expressway in Richardson, and I have been marketing that property on behalf of Aberfeldy Limited Partnership since June of 2008.

Since that time, we have leased the building on three different occasions as a temporary seasonal store to Mattel. However, we have been unable to secure a long-term lease at this property, due in part, to the driveway configuration on the south side of the building.

During lease negotiations, two primary concerns have arisen with three distinct, prospective tenants, regarding this entry point.

First, there has been a concern about the 'angle' a large vehicle would need to overcome when entering the south driveway from the northbound access road. All three prospects were expecting deliveries, (many times on an 18-wheeler ranging from 70' – 80' in length with a large turning radius), whose drivers would find it difficult, (if not impossible), to make in just one attempt. Each tenant anticipated multiple attempts which would not only block traffic on the access road, but also temporarily prohibit other cars from entering or exiting the site. The revised and approved site plan by the city of Richardson, allowed the owner to modify the curb and expand the width of the entry.

The second concern has been the "visitor" parking on the south side of the building, immediately off the access road. Only 2 spaces exist at 751 S. Central. Without exception, prospects assumed that the four (4) spaces belonging to 777 S. Central, (our neighbor to the south), were available for use by a tenant occupying 751 S. Central Expressway. This became a concern to me, because I anticipated that one-time visitors of 751 S. Central might ignore the parking allocations, even if the spaces belonging to 777 S. Central were clearly marked, for their exclusive use. This problem could cause a parking 'monitoring' problem for both ownerships that could be both costly and time consuming. Additionally, we felt that employees or invitees utilizing the four aforementioned parking spaces, (for either short term deliveries or for all-day use), would conflict with the ongoing operation of a 751 S. Central occupant, and the use of the south drive way.

As a third-party representative of Aberfeldy Limited Partnership, I have a fiduciary responsibility to make them aware of any hindrances we encounter in our leasing efforts. After discussing this issue at length, it was decided that it was in the best interest to the partnership to create a 'separation' which would conform to the property line adjacent to the four parking spaces belonging to 777 S. Central.

As the leasing agent for 751 S. Central, I believe that the PETCO Pooch Hotel concept will not only provide a stable tenant for the ownership, I believe that the facility will be operated in a first-class manner, creating a positive environment to the Richardson community, at large, and especially to the immediate neighborhood.

Should you have any questions, or if you would like to discuss further, please feel free to call me at 972.776.7046.



Melanie Hughes
Senior Vice President
Marketing Services



September 19, 2011

Ms. Louisa Cook

Aberfeldy Limited Partnership
1221 Abrams Road
Suite 340
Richardson, TX 75081

RE: PETCO Hotel Noise Assessment,
751 S. Central Expressway, Richardson, Texas

Dear Ms. Cook,

Acoustonica, LLC performed acoustics evaluation for the proposed PETCO store at 751 S. Central Expressway in Richardson, Texas.

The purpose of the evaluation is to assess the noise impact, if any, from the dog barking noise inside the hotel and if that noise is within the acceptable limits at the property line. Acoustonica, LLC conducted ambient noise measurement and examined the building from the inside and outside and investigated the sound transmission class of the building façade. The measurements took place on Friday, September 16, 2011.

Sound Measurement Instrumentation

A description of the equipment used in the field measurements is as follows:

- A type 1 Bruel & Kjaer type 2250 decibel-based broadband sound Level Meter (serial # 2600505) was used for all noise monitoring activities. The meter was deployed at approximately 11:00 a.m. on Friday September 16, 2011.

- The dynamic range of model 2250 analyzer is in excess of 120 dB with a 3 Hz to 20,000 Hz broadband linear frequency range.
- The instrument meets the International Electrotechnical Committee and American National Standards Institute (IEC/ANSI) Sound Level meter (SLM) standards Class I (IEC61672-1) and provides real-time frequency analysis in 1/1 or 1/3 octave bands. Data is logged onto compact flash cards for field retrieval and analysis of data using computer based software for analysis.
- The analyzer was field calibrated prior to and after the measurements using a Bruel & Kjaer calibrator type 4231(serial # 2637238).

Acoustonica Noise Level Measurements

Acoustonica was able to measure the traffic noise level at different locations around the property lines. Multiple noise readings were conducted along the property line; each measurement was approximately five (5) minute in duration. Please refer to the attached site map for the location of the sound level measurements.

Noise levels presented throughout this report are presented in terms of LAeq. The LAeq is the "A" weighted noise level that would represent the amount of energy present in the measured, fluctuating sound pressure level had it been a steady level during the measurement period. LAeq is the measure of the averaged energy in the varying sound level. The measured noise levels were automatically corrected in the instrument using "A weighting" to obtain a standardized correction to the frequency spectrum of a sound to mimic the human ear at most normal noise levels. Additional statistical information was calculated and recorded by the instrument including LApeak, LAmx and LAmin.

Measurement Conditions:

1. Throughout the measurements, traffic on central expressway was constant. Acoustonica selected different measurement locations along the adjoining property line.

Measured traffic noise levels at the property

Single event	88 dBL _{Amax}
15 Minute Time Averaged	68 dBL _{Aeq}

Data Discussion

1. The City of Richardson noise requirement is 63 dBA at the property line or 56 dBA at the property line if night time penalty of 7dB is applied (according to "Permissible noise level, retail and commercial districts" section 2.B.6.b)
2. The building construction is a 6-inch solid concrete tilt wall with ½ inch sheet rock on the interior side. Refer to photos 1-3. The estimated Sound Transmission Class is STC55. Please refer to graph 1 for STC reference.
3. Roof deck is believed to be precast 'double-tee' roof framing, roof-insulation and 3-ply built-up membrane, asphalt and additional gravel. Refer to photo 4 and 5. The estimated Sound Transmission Class is STC 54. Please refer to graph 2 for STC reference.
4. From our experience with projects involving dogs, noise level inside the building is estimated to reach 85-90 dBA depending on the level of activity. With the type of this building construction referenced in items 2 and 3 above, the building will meet the city noise levels referenced in item 1 above.
5. Background noise levels obtained from the measurements at the property line characterized by the constant background noise from central expressway traffic. During the course of measurements, average traffic noise levels varied from the 72 to 88 dBA range.

Conclusions

In our judgment the building complies with the noise requirements set by the city of Richardson section 2.B.5 "Permissible noise level, retail and commercial districts".

This concludes our report. Acoustonica, LLC have been pleased to be of service. If you have any questions or need additional information, please feel free to contact us.

Sincerely,



Walid Tikriti
Principal



Photo 1 – View of South West corner from street



Photo 2 – Outside view from East Building (Lobby Check-in at glass door on right)



Photo 3 – Outside view of building north side



Photo 4 – Roof deck interior photo



Photo 5 – interior view of tilt wall

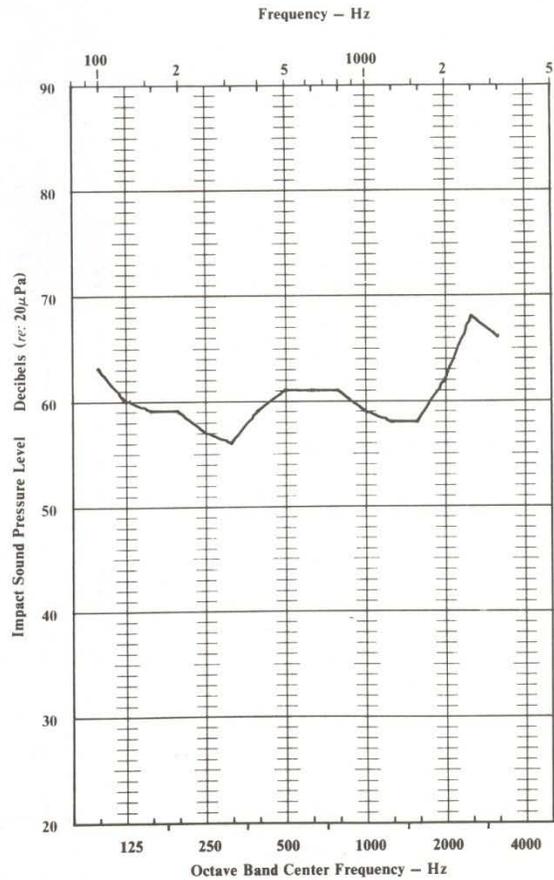


Photo 6 – Interior view of 751 S. Central Expy

California Office of Noise Control

Sketch	Brief Description	D_n	Laboratory Test Number Year Frequencies Tested Source of Data	STC IIC	Section Number
	1. 6" thick concrete slab, 75 psf.	52	Riverbank Acoustical Labs. NA NA 16f Prestressed Concrete Inst.	55 34	2.3.2.1.1.1

1000	HZ	63
1250	HZ	60
1600	HZ	59
2000	HZ	59
2500	HZ	57
3150	HZ	56
4000	HZ	59
5000	HZ	61
6300	HZ	61
8000	HZ	61
10000	HZ	59
12500	HZ	58
16000	HZ	58
20000	HZ	62
25000	HZ	60
31500	HZ	66



Graph 1

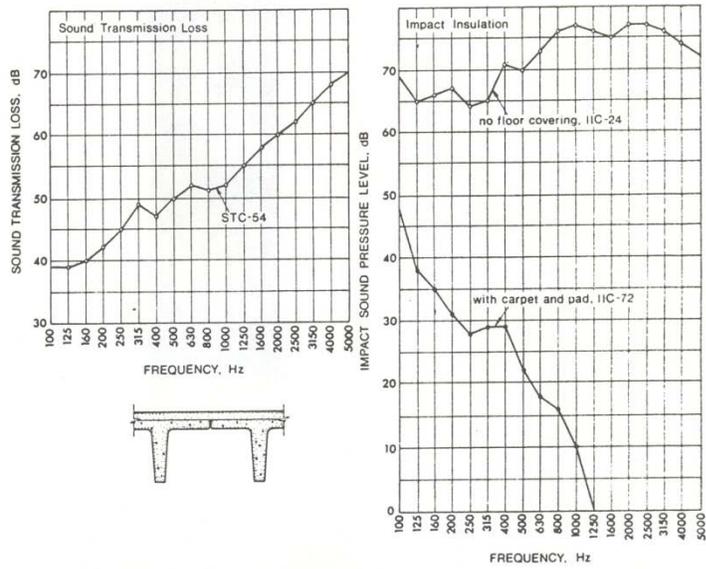


Fig. 3. Acoustical test data of 14-in. precast double tee system with 2-in. concrete topping. Total weight = 75 psf.

PCI JOURNAL/March-April 1978

47

Graph 2

ORDINANCE NO. 2937-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL PERMIT TO ALLOW AN EDUCATIONAL AMUSEMENT CENTER FOR CHILDREN AT 751 S. CENTRAL EXPRESSWAY AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning Commission of the City of Richardson and the governing body of the City of Richardson, in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and 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 of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby, amended so as to amend the zoning map to grant a special permit to allow an educational amusement center for children at 751 S. Central Expressway as described in Exhibit "A" attached hereto. More particularly described in Exhibit "A" attached hereto and made a part hereof, for all purposes.

SECTION 2. That the above change in zoning classification is hereby granted subject to the following special conditions:

1. That there be a parking ratio of 1 per 162 square feet.
2. That parking is allowed on the adjacent tract to the north.
3. That the permit be issued applicable to Robert Siegel and/or KIDSTOWN, u.s.a. and to any successors, assigns, or operators from Robert Siegel and/or KIDSTOWN, u.s.a.

SECTION 3. That the above described tract shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and subject to the aforementioned special conditions.

SECTION 4. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this ordinance shall remain in full force and effect.

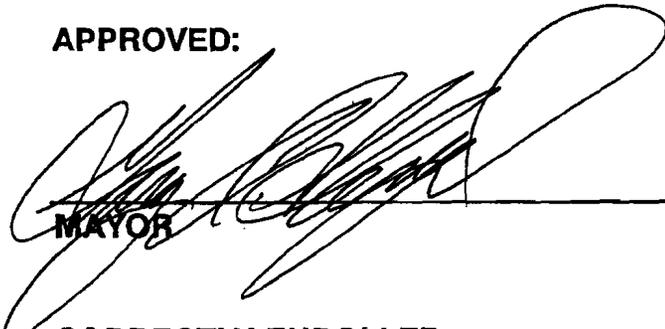
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

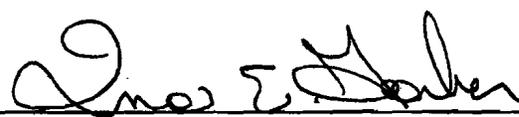
DULY PASSED by the City Council of the City of Richardson, Texas, on the 28th day of June, 1993.

APPROVED:



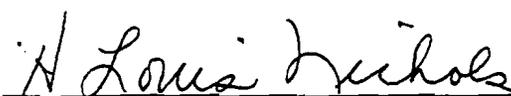
MAYOR

CORRECTLY ENROLLED:



CITY SECRETARY

APPROVED AS TO FORM:



CITY ATTORNEY

PROPERTY DESCRIPTION

Being a lot, tract or parcel of land, situated in the LAVINIA McCOMMAS SURVEY, ABSTRACT No. 927, and being a part of Lot 2 of LING EXPRESSWAY CENTER, FIRST INSTALLMENT, an addition to the City of Richardson, Dallas County, Texas, as recorded in Volume 36, Page 43 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the most Northerly Northwest corner of Lot 2 and the most Westerly Northwest corner of Lot 1 of said addition and the Southeast R.O.W. line of Central Expressway (a 300' R.O.W.);

THENCE: South 43 deg. 58 min. 00 sec. East along the common lines of Lots 1 and 2 of said addition, a distance of 386.40 feet to a point for corner in the Northwest R.O.W. line of a 20 foot alley;

THENCE: South 46 deg. 02 min. 00 sec. West along said Northwest R.O.W. line of a 20 foot alley, a distance of 150.00 feet to a point for corner;

THENCE: North 43 deg. 58 min. 00 sec. West, parallel to the common lines of Lots 1 and 2, a distance of 386.40 feet to a point for corner in the Southeast R.O.W. line of Central Expressway; .

THENCE: North 46 deg. 02 min. 00 sec. East along the Southeast R.O.W. line of Central Expressway, a distance of 150.00 feet to the POINT OF BEGINNING and continuing 57,959.9982 square feet or 1.3806 acres of land.

EXHIBIT "A"



MEMO

DATE: October 6, 2011
TO: Honorable Mayor and City Council
FROM: Sam Chavez, Assistant Director of Development Services SC
SUBJECT: Zoning File 11-17 – Taco Ocho Private Club

REQUEST

Mani Bhushan, representing Taco Ocho, is requesting approval of a Special Permit for a private club in an IP-M(1) Industrial Park District located at 930 E. Campbell Road (south side of Campbell Road between Firman Drive and Jay Ell Drive).

BACKGROUND

In September 2010, the applicant applied for a mixed beverage permit but was denied since the property was zoned IP-M(1) Industrial Park. A mixed beverage permit can only be granted in a Local Retail, Commercial or Planned Development zoning district. The applicant opened for business shortly thereafter, and has now realized the sale of alcohol will increase their sales, especially in the evening. The Comprehensive Zoning Ordinance allows a private club to be located in an industrial district with approval of a Special Permit.

No letters in favor or in opposition have been received.

PLAN COMMISSION RECOMMENDATION

On September 20, 2011, the Commission voted 7-0 to recommend approval of the request as presented.

ATTACHMENTS

Special Conditions	Zoning Exhibit (Exhibit "B")
CC Public Hearing Notice	Site Photos (Exhibit "C")
City Plan Commission Minutes 9-20-2011	Applicant's Statement
Staff Report	Notice of Public Hearing
Zoning Map	Notification List
Aerial Map	

SPECIAL CONDITIONS ZF 11-17

1. The Special Permit for a private club is limited to the area shown on the attached concept plan, attached as Exhibit "B" and made a part thereof and which is hereby approved.
2. The Special Permit shall be limited to Taco Ocho.

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, October 10, 2011, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

Zoning File 11-16

A request by Jim Lampassi, representing PETCO Animal Supply Stores, Inc, to revoke Ordinance 2937-A, a Special Permit for an educational amusement center; and to request a Special Permit for a boarding kennel at 751 S. Central Expressway (east side of Central Expy, between Belt Line Rd and Spring Valley Rd). The property is currently zoned C-M Commercial.

Zoning File 11-17

A request by Mani Bhushan, representing Taco Ocho, for a Special Permit for a private club at 930 E. Campbell Road (southwest corner of Campbell Road and Firman Drive). The property is currently zoned IP-M(1) Industrial Park.

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.

CITY OF RICHARDSON
Pamela Schmidt, City Secretary

**DRAFT EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – SEPTEMBER 20, 2011**

Zoning File 11-17: A request by Mani Bhushan, representing Taco Ocho, for a Special Permit for a private club at 930 E. Campbell Road (southwest corner of Campbell Road and Firman Drive). The property is currently zoned IP-M(1) Industrial Park.

Mr. Shacklett stated the proposed request was for a Special Permit for a private club in an Industrial District and the property was recently rezoned to provide additional retail uses along Campbell Road. He noted that the applicant had applied for a mixed-beverage permit through the Texas Alcohol and Beverage Commission and then the City, but the application was denied because the property was not located in a local retail, commercial or PD zoning district, which left them with the only other option of applying for a Special Permit for a private club.

Mr. Shacklett stated the applicant was reporting a successful lunch time business; however, there was a steep decline for the evening business because of the inability to serve alcoholic beverages.

Commissioner Bright asked if staff knew the name of the restaurant just east of the applicant's business.

Mr. Shacklett replied that the name of the business is the Bop House.

With no further questions, Chairman Gantt opened the public hearing.

Mr. Mani Bhashan, 5104 Clear Creek Drive, Flower Mound, Texas, stated that after looking at several sites in the Dallas/Fort Worth area he choose the City of Richardson for his business. He added that his concept of full flavored food at a reasonable price had been well received by the community and garnered good reviews in local newspapers and magazines. However, even with the great reviews the restaurant was not meeting its monetary goals and, through feedback from their patrons, the problem seems to be the inability to serve alcoholic beverages with the meals.

Mr. Bhashan pointed out that the east side of Richardson was in need of retail establishments that would keep tax dollars in the city and asked the Commission to approve his request for a Special Permit for a private club.

Mr. Graham Irvine, JAH Realty, 1601 Elm Street, Dallas, Texas, representing the company that owns the building, reviewed the history of the building noting that it had been vacant for many years and with the rezoning request to allow additional retail along Campbell Road they have seen a positive change. He noted that although they had been approached by

many brand name businesses, they were very selective about the quality of the tenants and felt Mr. Bhashan and his restaurant concept were a good fit for the space and the area.

Mr. Irvine reiterated Mr. Bhashan's request for a Special Permit for a private club so they could sell alcoholic beverages that would compliment the Mexican food on their menu.

Commissioner Frederick asked about the hours of operations for both of the restaurants in the center.

Mr. Bhashan replied that his restaurant was open 363 days a year from 11:00 a.m. to 9:00 p.m., and the Bop House was open from 11:00 a.m. to 8:00 p.m. and closed on Sundays.

No further comments were made in favor or opposed and Chairman Gantt closed the public hearing.

Chairman Gantt noted that during the briefing session he asked if there was a way to issue a Special Permit for the whole retail area of the center, but seeing as that was not possible, he was in favor of the current application.

Vice Chair Hammond thanked the applicant for establishing his business in the City even though he lives in Flower Mound.

Commissioner DePuy said she felt very strongly that the request should be approved to help ensure the restaurant stays open and viable.

Commissioner Bright made a motion to recommend approval as presented; second by Commissioner Maxwell. Motion passed 7-0.



Staff Report

TO: City Council

THROUGH: Sam Chavez, AICP, Assistant Director – Development Services

FROM: Chris Shacklett, Planner **CS**

DATE: October 6, 2011

RE: **Zoning File 11-17:** Taco Ocho – Special Permit for a Private Club

REQUEST:

Approval of a Special Permit for a private club in an Industrial Park District located at 930 E. Campbell Road (south side of Campbell Road between Firman Drive and Jay Ell Drive).

APPLICANT:

Mani Bhushan – Taco Ocho

PROPERTY OWNERS:

John A. Henry, IV – JAHCO 930 E. Campbell Rd., LP

TRACT SIZE AND LOCATION:

6.64-acre site, south of Campbell Road, between Firman Drive and Jay Ell Drive.

EXISTING DEVELOPMENT:

The site currently consists of a 72,594-square foot office building with two (2) restaurants along the north side of the building and a 3,000-square foot warehouse building located along the southern property line.

ADJACENT ROADWAYS:

Campbell Road: Six-lane, divided arterial; 39,900 vehicles per day on all lanes, eastbound and westbound east of US-75 (March 2009).

Jay Ell Drive: Four-lane, undivided local street; no traffic counts available.
Firman Drive: Four-lane, undivided local street; no traffic counts available.

SURROUNDING LAND USE AND ZONING:

North: Retail/Commercial, Office & Industrial; C-M Commercial & I-M(1) Industrial
South: Industrial; IP-M(1) Industrial Park
East: Industrial; IP-M(1) Industrial Park
West: Office & Industrial; IP-M(1) Industrial Park

FUTURE LAND USE PLAN:

Office/Industry

Areas of low- and medium-density office, as well as manufacturing and distribution facilities.

Future Land Uses of Surrounding Area:

North: Regional Employment
South: Office/Industry
East: Office/Industry
West: Office/Industry

EXISTING ZONING:

IP-M(1) Industrial Park with special conditions per Ordinance 3827.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT'S STATEMENT

(Please refer to the complete Applicant's Statement)

STAFF COMMENTS:

Background:

In June 2011, a zoning request was approved for the subject property to allow an increase in the percentage of incidental retail, restaurant, and personal service activities from 10% to 20% of the overall gross building area per Ordinance 3827. The IP-M(1) Industrial Park District allows a variety of uses, such as industrial, office, and commercial uses. Commercial uses that are allowed include a variety of retail/service uses, including barber/beauty salons, book stores, convenience stores, florists, hardware stores, and office supply stores. Along with the commercial uses listed above, the IP-M(1) Industrial Park District allows incidental retail,

restaurant, and personal service activities in an office or industrial building if the building is at least 30,000 square feet and the incidental activities do not exceed 10% of the gross floor area of the building.

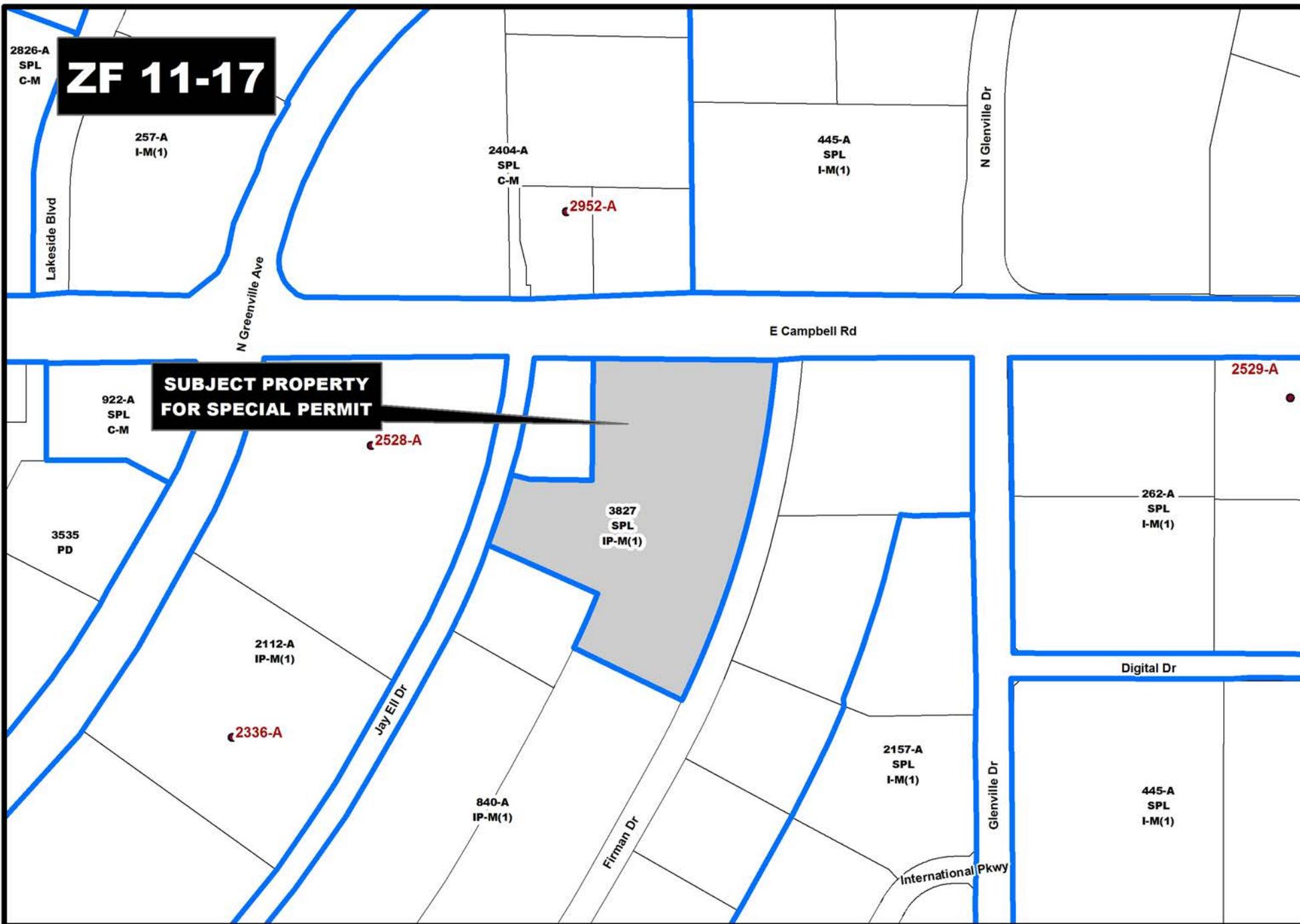
Taco Ocho is located in a lease space at the northwest corner of the building along Campbell Road. The applicant states this location was ideal for his business to provide a vibrant Mexican/Latin food restaurant for the east side of Richardson. He has stated that Taco Ocho has been well received by the business community located in the area, but they are still lacking evening business, and according to the applicant, daytime customers have said they would be more likely to go to Taco Ocho for dinner if they were able to purchase beer or margaritas. The applicant is requesting a Special Permit which would allow Taco Ocho to operate as a private club, allowing them to serve alcoholic beverages. The Comprehensive Zoning Ordinance allows private clubs in any industrial zoning district, but requires approval of a Special Permit.

In 2006, the City of Richardson voted to allow the sale of mixed beverages in restaurants by food and beverage certificate holders. However, Chapter 4, Alcoholic Beverage Code, of the City's Code of Ordinances, only allows these types of permits to be granted in Local Retail, Commercial, and Planned Development zoning districts. Prior to 2006, the sale of alcohol in a restaurant or bar would only be allowed if the establishment held a private club permit. In September 2010, Taco Ocho applied for a mixed beverage permit but was denied since their zoning was IP-M(1) Industrial Park. After their permit was denied, the restaurant opened and operated without alcohol sales. They are now realizing that the sale of alcohol will increase their sales, especially in the evening.

Correspondence: No correspondence in favor or opposition has been received.

Motion: On September 20, 2011, the City Plan Commission recommended approval of the request subject to the following conditions:

1. The Special Permit for a private club is limited to the area shown on the attached concept plan, attached as Exhibit "B" and made a part thereof and which is hereby approved.
2. The Special Permit shall be limited to Taco Ocho.



ZF 11-17 Zoning Map

Updated By: shacklett, Update Date: September 1, 2011
 File: DSIMapping\Cases\Z\2011\ZF1117\ZF1117 zoning.mxd



ZF 11-17

**SUBJECT PROPERTY
FOR SPECIAL PERMIT**



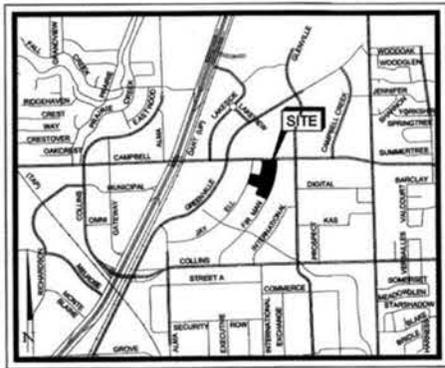
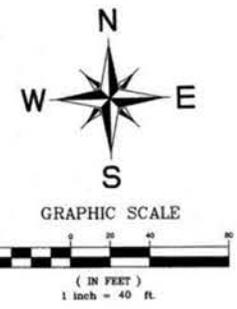
ZF 11-17 Aerial Map

Updated By: shacklett, Update Date: September 1, 2011
File: DSI\Mapping\Cases\Z\2011\ZF 1117\ZF 1117 ortho.mxd

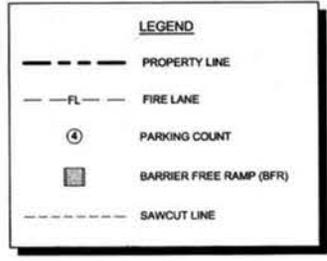


Subject Property

E. CAMPBELL ROAD
(95' WIDTH R.O.W.)



VICINITY MAP
N.T.S. Administrative Approval Granted
Date: 12/14/08 By: [Signature]



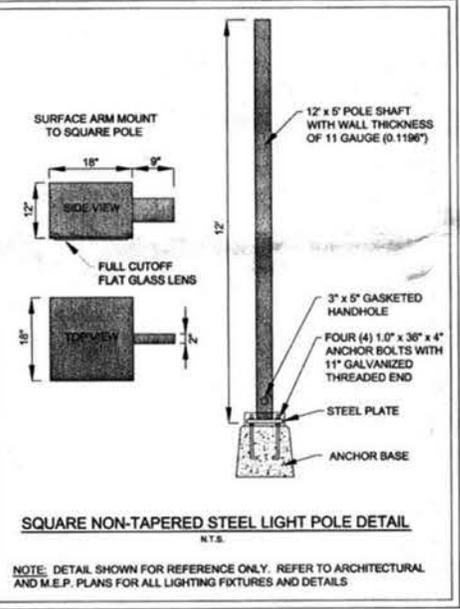
SITE DATA TABLE	
GENERAL SITE DATA	
USE	Ofc/Ret/Rest/WH
ZONED	IP-M(1)
LANDSCAPING REQUIRED	28,923 SF (10% LOT AREA)
LANDSCAPING PROVIDED	55,215 SF
PERCENTAGE LANDSCAPED	19.1%
TOTAL LOT AREA	289,230 SF / 6.64 AC
BUILDING	
BUILDING 1 HEIGHT	SINGLE STORY / 25' MAX
BUILDING 1 AREA	72,594 SF
BUILDING 2 HEIGHT	SINGLE STORY / 25' MAX
BUILDING 2 AREA	3,000 SF
FLOOR AREA RATIO	0.26:1
FLOOR AREA RATIO MAX	0.75:1
PARKING	
HANDICAP REQUIRED	8
HANDICAP PROVIDED	8
PARKING RATIO REQUIRED	4,562/100 = 46 - Rest
58,146/250 sf = 233 - Ofc	9,886/333 = 30 - Ret
3,000/1,000 sf = 3 - WH	
TOTAL REQUIRED	312
TOTAL PROVIDED	328

Proposed Incidental Retail/Rest = 14,448 sf or 20% 72,594 sf

OWNER
930 E. CAMPBELL RD, L.P.
1601 ELM STREET
SUITE 350
DALLAS, TEXAS 75201
PH. (214) 220-2274
CONTACT: GRAHAM IRVINE

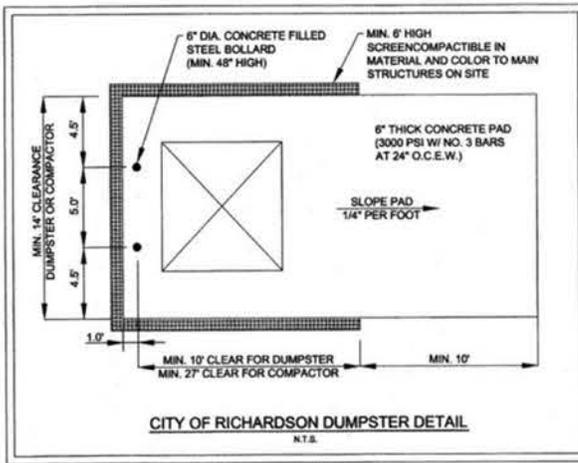
DEVELOPER
JAH REALTY, L.P.
1601 ELM STREET
SUITE 350
DALLAS, TEXAS 75201
PH. (214) 220-2274
CONTACT: GRAHAM IRVINE

ENGINEER
 Kimley-Horn and Associates, Inc.
12700 PARK CENTRAL DRIVE
SUITE 1800
DALLAS, TEXAS 75251
PH. (972) 770-1300
CONTACT: MICHAEL RUELLE, P.E.

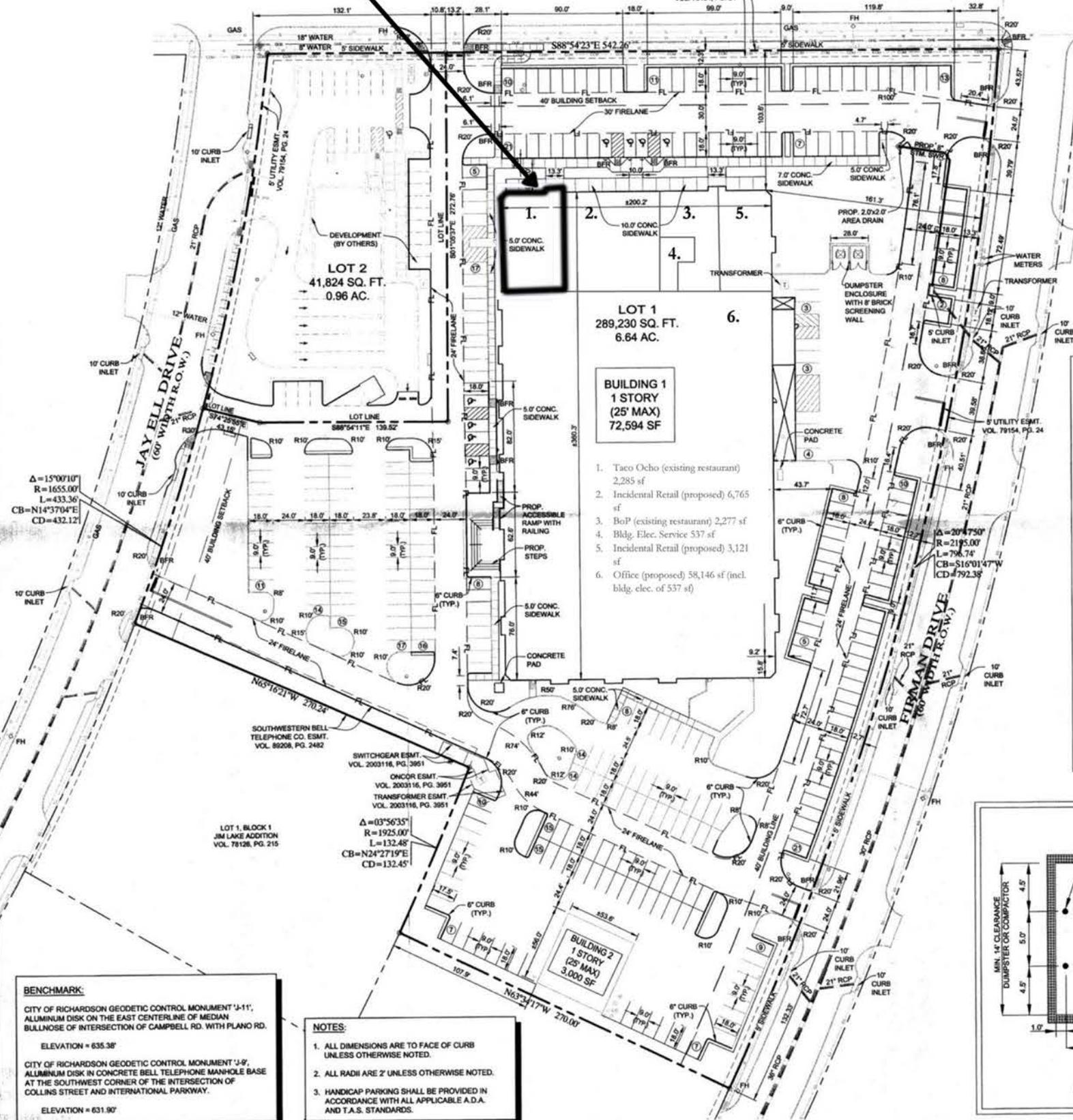


SQUARE NON-TAPERED STEEL LIGHT POLE DETAIL
N.T.S.

NOTE: DETAIL SHOWN FOR REFERENCE ONLY. REFER TO ARCHITECTURAL AND M.E.P. PLANS FOR ALL LIGHTING FIXTURES AND DETAILS



CITY OF RICHARDSON DUMPSTER DETAIL
N.T.S.



LOT 1
289,230 SQ. FT.
6.64 AC.

BUILDING 1
1 STORY
(25' MAX)
72,594 SF

1. Taco Ocho (existing restaurant) 2,285 sf
2. Incidental Retail (proposed) 6,765 sf
3. BoP (existing restaurant) 2,277 sf
4. Bldg. Elec. Service 537 sf
5. Incidental Retail (proposed) 3,121 sf
6. Office (proposed) 58,146 sf (incl. bldg. elec. of 537 sf)

LOT 2
41,824 SQ. FT.
0.96 AC.

BUILDING 2
1 STORY
(25' MAX)
3,000 SF

BENCHMARK:
CITY OF RICHARDSON GEODETIC CONTROL MONUMENT 'J-11', ALUMINUM DISK ON THE EAST CENTERLINE OF MEDIAN BULLNOSE OF INTERSECTION OF CAMPBELL RD. WITH PLANO RD.
ELEVATION = 635.38'
CITY OF RICHARDSON GEODETIC CONTROL MONUMENT 'J-9', ALUMINUM DISK IN CONCRETE BELL TELEPHONE MANHOLE BASE AT THE SOUTHWEST CORNER OF THE INTERSECTION OF COLLINS STREET AND INTERNATIONAL PARKWAY.
ELEVATION = 631.90'

- NOTES:**
1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 2. ALL RADII ARE 2' UNLESS OTHERWISE NOTED.
 3. HANDICAP PARKING SHALL BE PROVIDED IN ACCORDANCE WITH ALL APPLICABLE A.D.A. AND T.A.S. STANDARDS.

LOT 1, BLOCK C J.L. WILLIAMS
930 EAST CAMPBELL ROAD
PARKING IMPROVEMENTS
RICHARDSON, TEXAS

930 E. Campbell Rd.
ZF 11-17 Special Permit
for Private Club

Kimley-Horn and Associates, Inc.
12700 Park Central Drive, Suite 1800
Dallas, Texas 75251
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Exhibit B - Part of Ordinance
SITE PLAN
J. L. WILLIAMS ADDITION
LOT 1, BLOCK C, 6.64 AC.
SITUATED IN THE
JESSE N. EVERETT SURVEY, ABSTRACT NO. 440
CITY OF RICHARDSON, DALLAS COUNTY, TEXAS
PREPARED DECEMBER 19, 2008
930 CAMPBELL ROAD

SCALE:	AS SHOWN
DESIGNED BY:	MUR, MDT
DRAWN BY:	MUR
CHECKED BY:	MUR
DATE:	DECEMBER 19, 2008
PROJECT NO.:	06469500

SHEET
C-03



(1)

Looking South at
Front of Taco Ocho

930 E Campbell Road - September 2011



(2)

Looking Southeast at
Taco Ocho

Exhibit C

TACO OCHO RESTAURANT: APPLICANT'S STATEMENT

My name is Mani Bhushan and I am the owner of Taco Ocho restaurant located at 930 E. Campbell Road. After researching several trade areas in the DFW area, I chose this location as I saw a clear need for fresh affordable Mexican/Latin food on the East side of the Central Expressway along Campbell which lacked the vibrancy of the West side and forced the residents to spend their dining dollars in Dallas or Plano. I thought the Eastside as well as the 930 E. Campbell Center, where we are currently located, could reverse this trend and we could benefit during the day from the businesses and position ourselves as the neighborhood restaurant and cater to the residents during nights and weekends.

While we have been very well received by the business community and garnered some great reviews from the media, we severely lack night business. We have talked to customers who reside in the trade area as well as the customers who frequent us during lunch. Their feedback has been consistent. While our food is very good, they would like to have dinner at a place where they could unwind and have a margarita or a glass of beer with their meal. We strongly believe that serving alcoholic beverages would help us in building our dinner day- part sales and help us attain our projections to sustain our business model over the long run. Thanks in advance for your support.



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 11-17 / Taco Ocho – Private Club
Property Owners: JAHCO 930 E. Campbell Rd., L.P. / John A. Henry, IV, Manager
Applicant: Mani Bhushan / Restaurant Reset, LLC dba Taco Ocho
Location: 930 E. Campbell Road (See map on reverse side)
Current Zoning: IP-M(1) Industrial Park
Request: Special Permit for a private club.

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

TUESDAY, SEPTEMBER 20, 2011
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.

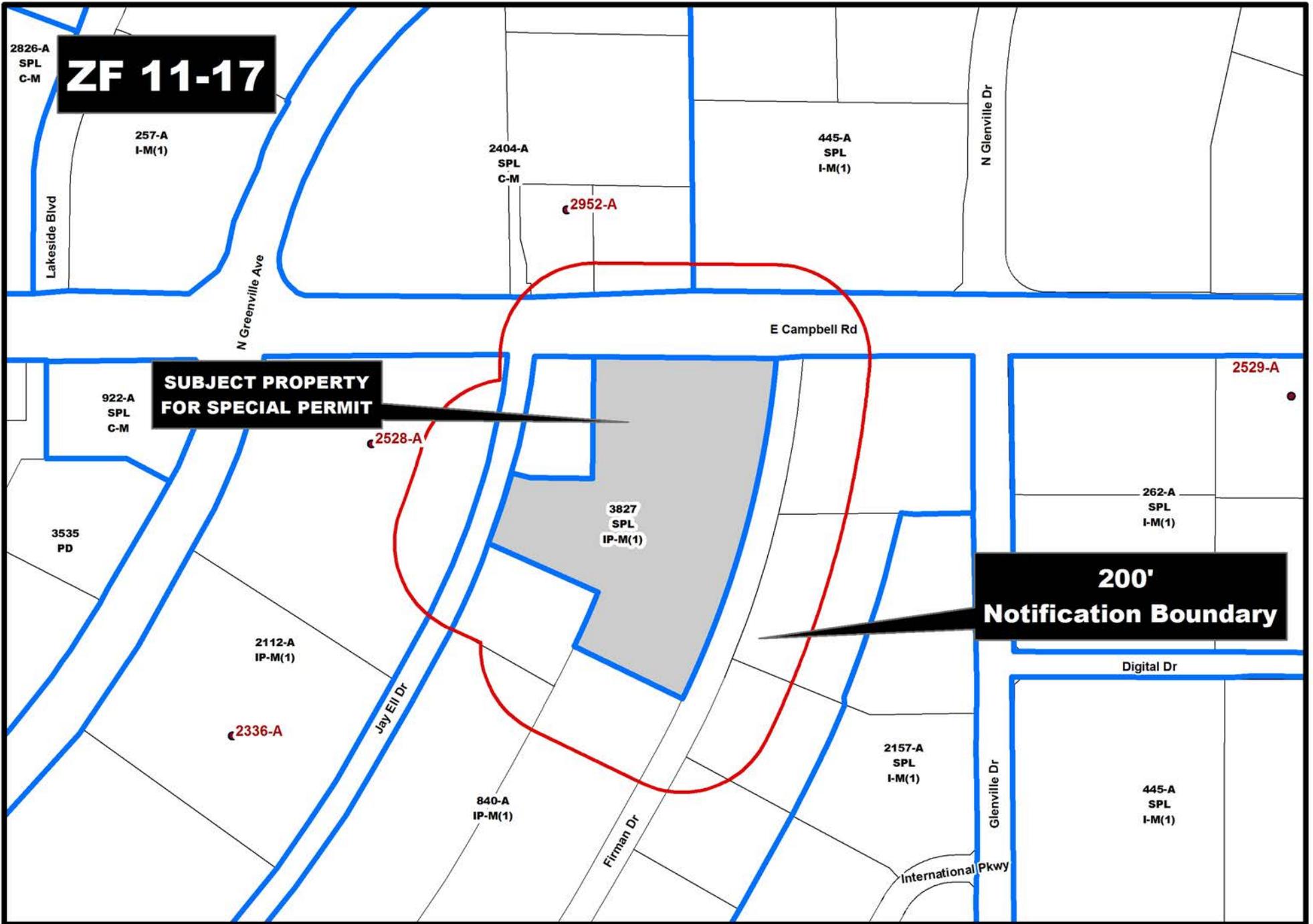
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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/DevelopmentServices.aspx?id=13682>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 11-17.

Date Posted and Mailed: 09/09/11



ZF 11-17 Notification Map

Updated By: shacklett, Update Date: September 1, 2011
 File: DSIMapping\Cases\Z\2011\ZF1117\ZF1117 notification.mxd



BRE TX PROPERTIES LP
% FRANCES PARKER
100 DUNBAR ST
SPARTANBURG, SC 29306-5186

EYDE GEORGE & LOUIS LTD P
% EYDE COMPANY STE 660
4660 S HAGADORN RD STE 660
EAST LANSING, MI 48823-6804

EF PROPERTIES ONE LP
5950 BERKSHIRE LN STE 800
DALLAS, TX 75225-5836

WENDYS INTERNATIONAL INC
TAX DEPARTMENT 412
1155 PERIMETER CTR W
ATLANTA, GA 30338-5463

HICKS & ABLON LTD
% BEN ABLON # 1400
10000 N CENTRAL EXPY STE 14
DALLAS, TX 75231-4177

HARTMAN INCOME PPTIES
XVIII LTD
2909 HILLCROFT ST
HOUSTON, TX 77057-5847

FAULCONER GERALD L &
KAREN P
1900 JAY ELL DR
RICHARDSON, TX 75081-1838

AFS EASTSIDE ATRIUM LTD
18111 PRESTON RD STE 1000
DALLAS, TX 75252-6099

PARKVIEW JOINT VENTURE
903 N BOWSER RD STE 170
RICHARDSON, TX 75081-2877

MCO MGMT LLC
7082 COUNTY ROAD 166
MCKINNEY, TX 75071-6635

DELTA V INSTRUMENTS INC
1870 FIRMAN DR
RICHARDSON, TX 75081-1825

SOUTHWESTERN BELL
SBC COMM INC PPTY TAX DEPT
ONE SBC CENTER RM 36-M-01
SAINT LOUIS, MO 63101

JAHCO 930 E CAMPBELL RD L
PO BOX 14586
OKLAHOMA CITY, OK 73113-0586

JOHN A. HENRY, IV, MANAGER
JAHCO 930 E CAMPBELL RD L
PO BOX 14586
OKLAHOMA CITY, OK 73113-0586

MANI BHUSHAN
RESTAURANT RESET, LLC dba
TACO OCHO
PO BOX 851312
RICHARDSON, TX 75085

ZF 11-17
Notification List



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, October 10, 2011

Agenda Item: Public Hearing and consider approval of Ordinance No. 3840 providing for the taxation of Goods In Transit

Staff Resource: Kent Pfeil, Director of Finance

Summary: During the 2011 Special Legislative Session, the Texas Legislature made changes to the Goods-in-Transit (GIT) exemption that is granted by the Tax Code. The GIT exemption applies to inventory that is shipped inside or outside the State within 175 days if the goods are held in a warehouse not owned by the owner of the goods. The GIT exemption is automatic unless the governing body holds a public hearing and adopts an ordinance that specifically taxes the property on or after October 1, 2011 and before January 1, 2012. If no action is taken the exemption is automatic.

Board/Commission Action: N/A

Action Proposed: Conduct Public hearing and adopt Ordinance No. 3840.

ORDINANCE NO. 3840

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, PROVIDING FOR THE TAXATION OF GOODS-IN-TRANSIT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Senate Bill 1 passed by the 82nd Texas Legislature, First Called Special Session, *inter alia*, amended Section 11.253 of the Tax Code regarding the exemption for “Goods-in-Transit”; and

WHEREAS, Section 11.253, Tax Code, was amended to prohibit a taxing unit from taxing Goods-in-Transit in a tax year that begins on or after January 1, 2012, unless the governing body of the taxing unit takes action on or after October 1, 2011, to provide for the taxation of the Goods-in-Transit; and

WHEREAS, the governing body is required by the new legislation to take action to tax Goods-in-Transit after public hearing even if the governing body previously took action to tax Goods-in-Transit; and

WHEREAS, previously the City Council took action to tax Goods-in-Transit; and

WHEREAS, the City may choose to opt out of the local exemption for Goods-in-Transit by holding a public hearing and taking action to continue tax such goods on or after October 1, 2011, but prior to January 1, 2012; otherwise, such property will be exempt from taxation; and

WHEREAS, the City desires to continue to tax Goods-in-Transit beginning tax year 2012; and

WHEREAS, the City Council has conducted a public hearing as required by Section 1-n (d), Article VIII, Texas Constitution, at which citizens were provided an opportunity to speak;
NOW, THEREFORE,

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

SECTION 1. That beginning tax year 2012, and continuing thereafter until further action is taken by the City Council, “Goods-in-Transit”, as defined by Tax Code, Section 11.253, shall be subject to property taxation by the City.

SECTION 2. That all ordinances of the City of Richardson, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby, repealed; provided, however that all

other provisions of said ordinances not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal or invalid.

SECTION 4. That this Ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the _____ day of _____, 2011.

APPROVED:

MAYOR

DULY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

Peter H Smith

CITY ATTORNEY

(PGS:08-22-11:TM 50766)



City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: Monday, October 10, 2011

Agenda Item: Resolution accepting the resignation of Raymond D. Noah and appointing Gary A. Slagel to the aggregated position of representative to the DART Board of Directors

Staff Resource: Bill Keffler, City Manager

Summary On August 23, 2011, the DART Board of Directors approved a resolution selecting a reapportionment of the DART Board of Directors based on the 2010 census. Municipalities within the DART service area must reaffirm the appointment of the member designated in the DART Reapportionment Plan, or appoint a new member for the designated group of municipalities on or before October 31, 2011.

On September 27, 2011, Raymond D. Noah notified the DART Board that he was requesting his appointing member cities not reappoint him for another term. He indicated he would remain on the Board through the end of October.

Attached is a resolution providing for an appointment to serve on the DART Board in the aggregated position to complete the unexpired term of Raymond D. Noah ending July 1, 2012.

Board/Commission Action: N/A

Action Proposed Approve Resolution

RESOLUTION NO. 11-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ACCEPTING THE RESIGNATION OF RAYMOND D. NOAH AND APPOINTING _____ TO THE AGGREGATED POSITION OF REPRESENTATIVE TO THE DALLAS AREA RAPID TRANSIT AUTHORITY (“DART”) BOARD OF DIRECTORS, WHICH FRACTIONAL ALLOCATION MEMBERSHIP IS SHARED WITH THE CITY OF UNIVERSITY PARK AND THE TOWNS OF ADDISON AND HIGHLAND PARK; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Transportation Code, Section 452.573, authorizes cities having a fractional allocation for board membership to aggregate their populations in order to appoint a member of the board of the rapid transit authority; and

WHEREAS, the City of Richardson, the City of University Park, and the Towns of Addison and Highland Park have mutually agreed to aggregate population for the selection of a Dallas Area Rapid Transit Authority Board Member; and

WHEREAS, Raymond D. Noah has tendered his resignation for the term ending July 1, 2012.

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

SECTION 1. That the resignation of Raymond D. Noah is hereby accepted.

SECTION 2. That the City of Richardson hereby appoints _____ as a member of the DART Board of Directors to complete the term of Raymond D. Noah ending July 1, 2012.

SECTION 3. That the City of University Park and the Towns of Addison and Highland Park having concurred, the City of Richardson, Texas, hereby appoints _____ to serve on the DART Board of Directors in the aggregated position for the term ending July 1, 2012.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson,
Texas, on this the 10th day of October, 2011.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY
(PGS:09-29-11:51572)

CITY SECRETARY

ORDINANCE NO. 3839

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING BY AMENDING ORDINANCE NO. 3818 AND 3822, AS HERETOFORE AMENDED, THE WEST SPRING VALLEY CORRIDOR PLANNED DEVELOPMENT DISTRICT FOR APPROXIMATELY 198 ACRES BOUNDED ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF COIT ROAD; ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF WEST SPRING VALLEY ROAD; ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF US 75/CENTRAL EXPRESSWAY; AND ON THE NORTH BY: THE SOUTH BOUNDARY OF THE HUMAN ENGINEERING ADDITION TO ITS INTERSECTION WITH THE ALLEY EAST OF NOTTINGHAM DRIVE; THE SOUTH BOUNDARY OF RICHARDSON HEIGHTS #2; A PORTION OF THE EAST AND SOUTH BOUNDARIES OF RICHARDSON HEIGHTS #5; THE SOUTH BOUNDARIES OF CENTRE COURT PLACE, RICHARDSON HEIGHTS #11 AND RICHARDSON HEIGHTS #7, SECTION 5; THE SOUTH AND WEST EDGES OF TRACT 23, TOR SHEET 14; THE SOUTH AND WEST BOUNDARIES OF RICHARDSON HEIGHTS #7, SECTION 4; A PORTION OF THE WEST BOUNDARY OF RICHARDSON HEIGHTS #7, SECTION 3, TO ITS INTERSECTION WITH COLFAX DRIVE; THE SOUTH BOUNDARY OF SHADOW OAKS; THE SOUTH BOUNDARY OF AN UNPLATTED PARCEL ON THE WEST SIDE OF DUBLIN DRIVE WEST OF SHADOW OAKS; AND THE SOUTH BOUNDARY OF NORTHWOOD ESTATES, AND BEING FURTHER DESCRIBED IN EXHIBIT "A", BY AMENDING THE WEST SPRING VALLEY CORRIDOR PLANNED DEVELOPMENT DISTRICT REGULATIONS AND APPENDICES, BY REVISING FORMAT, REORGANIZING CERTAIN SECTIONS, ADDING OR REVISING GRAPHICS AND IMAGES, CORRECTING TYPOGRAPHICAL AND GRAMMATICAL ERRORS, REMOVING REFERENCES TO THE BUILDING OFFICIAL AND SUBSTITUTING CITY MANAGER; BY AMENDING SECTION II. TO ADD AND REVISE DEFINITIONS; BY AMENDING SECTION III. GENERAL DISTRICT STANDARDS, B.1. BY SPECIFYING THE PROCESS FOR AMENDING PERMITTED USES, B.8.D. CLARIFYING THAT THE IMPROVEMENT OF BLUE LAKE IS NOT REQUIRED, C.4.A. ADDING PROVISIONS FOR VARIATIONS TO THE SETBACK AND BUILD-TO LINES, C.4.B. SPECIFYING THAT BUILD-TO LINES ARE MEASURED FROM THE PREDOMINANT CURB LINE, C.4.C. PROHIBITING OUTDOOR STORAGE; BY AMENDING TABLE 1, STREET AND BUILD-TO ZONE STANDARDS, BY REVISING THE TABLE AND NOTES TO CLARIFY STANDARDS AND ADDING AND REVISING GRAPHICS THAT FOLLOW, E.3.C. CLARIFYING REQUIREMENTS FOR GARAGE PARKING FOR A TOWNHOME, E.3.G. ADDING STANDARDS FOR A PRIVATE AMENITY CENTER FOR A TOWNHOME DEVELOPMENT, F.2.F.II. STANDARDIZING LANGUAGE RELATIVE TO BUILDING PROJECTIONS AND ARCHITECTURAL ENCROACHMENTS, F.2.F.III. ADDING STANDARDS FOR PORCHES ON A PATIO HOME, F.2.G.III.B. PERMITTING OPENINGS ON THE SECOND FLOOR ON THE ZERO SETBACK SIDE OF A PATIO HOME, F.3.A. ADDING STANDARDS FOR A PRIVATE AMENITY CENTER FOR A PATIO HOME

DEVELOPMENT, F.3.D. CLARIFYING REQUIREMENTS FOR GARAGE PARKING FOR A PATIO HOME, G.2.F.III. ADDING STANDARDS FOR PORCHES ON A DUPLEX, G.3.A. ADDING STANDARDS FOR A PRIVATE AMENITY CENTER FOR A DUPLEX DEVELOPMENT, G.3.D. CLARIFYING REQUIREMENTS FOR GARAGE PARKING FOR A DUPLEX; BY AMENDING SECTION IV. BUILDINGS, B.1.C. CLARIFYING THAT THE REQUIREMENTS APPLY TO RESIDENTIAL AT-GRADE UNITS, C.1. CLARIFYING THAT THE REQUIREMENTS APPLY TO MIXED RESIDENTIAL AND TOWNHOME BUILDINGS, C.2. CLARIFYING THAT CERTAIN REQUIREMENTS APPLY TO MIXED RESIDENTIAL, MIXED USE, TOWNHOME AND/OR LIVE/WORK BUILDINGS, C.2.B. ADDING GLASS AS A PERMITTED MATERIAL FOR BALCONY AND PATIO RAILINGS ON CERTAIN BUILDING TYPES; BY AMENDING SECTION V. PARKING AND ACCESSIBILITY, A.1. ADDING THE REDUCTION OF PAVEMENT IN THE DISTRICT AS PART OF THE INTENT OF THE REGULATIONS, A.2.B. ALLOWING HANDICAP PARKING, A.2.C. ALLOWING A REDUCTION IN THE WIDTH OF THE LANDSCAPE SETBACK FOR A SURFACE PARKING LOT ADJACENT TO A SIDEWALK BY MINOR MODIFICATION; BY AMENDING SECTION VI. LIGHTING, MECHANICAL, SERVICE AREAS AND UTILITIES, C.1.D. CLARIFYING THAT THE REQUIREMENTS APPLY TO GROUND-MOUNTED UTILITY EQUIPMENT AND ALLOWING SAID UTILITY EQUIPMENT TO BE LOCATED TO THE SIDE OF THE STRUCTURE OR IN A UTILITY YARD, C.1.D.IV. AND C.1.E.IV. ALLOWING OTHER APPROVED MATERIALS TO SCREEN UTILITY EQUIPMENT; BY AMENDING SECTION VII. LANDSCAPE, A. SPECIFYING THAT CITY OF RICHARDSON POLICIES REGARDING LANDSCAPE DESIGN SHALL APPLY WHEN NOT IN CONFLICT WITH THIS ORDINANCE, B.1.A. AND C. ALLOWING TREES AND PLANT MATERIALS OTHER THAN THOSE ON THE LIST OF APPROVED MATERIALS TO BE USED IN COMBINATION WITH APPROVED MATERIALS, B.2. REVISING THE TITLE OF THE SECTION TO APPLY TO STREET TREES IN THE AMENITY ZONE, B.2.A, REFERRING TO A NEW DETAIL FOR TREE PLANTING AND SOIL MIX, E.1. REFERRING TO THE WIDTH OF THE LANDSCAPE SETBACK, THE SOIL MIX DETAIL, ALLOWING A REDUCTION IN THE WIDTH OF THE LANDSCAPE SETBACK BY MINOR MODIFICATION AND CLARIFYING THAT OPENINGS IN THE REQUIRED FENCE AND LANDSCAPING SHALL PROVIDE PEDESTRIAN ACCESS FROM THE PARKING LOT TO THE SIDEWALK, E.2. ADDING A REQUIREMENT FOR A PARKING ISLAND, F. REVISING THE TITLE, F.2. ADDING REQUIREMENTS FOR A LANDSCAPE SETBACK, F.3. SPECIFYING REQUIREMENTS FOR TREES ADJACENT TO RETAIL-READY OR NON-RESIDENTIAL SPACE AT-GRADE FOR LIVE/WORK, MIXED USE OR COMMERCIAL BUILDINGS; BY AMENDING SECTION VIII. SIGN STANDARDS, B.1.B.III. CLARIFYING THAT THE REQUIREMENTS APPLY TO MIXED USE AND COMMERCIAL BUILDINGS, C.1.A. ALLOWING DISTRICT IDENTITY SIGNS OFF-PREMISES BY MINOR MODIFICATION; BY AMENDING TABLE 4. PERMITTED SIGNS, REVISING THE SIGN TYPE AND STANDARDS FOR AWNING/CANOPY SIGNS, ADDING BUILDING BLADE SIGN AND DISTRICT IDENTITY SIGN, INCLUDING STANDARDS, ADDING OR REVISING STANDARDS FOR BUILDING DIRECTORY SIGNS, BUILDING IDENTIFICATION SIGNS, MONUMENT SIGNS

AND PROJECTING AND HANGING SIGNS; BY AMENDING SECTION IX. REVIEW AND APPROVAL OF WSVC DEVELOPMENT PLANS TITLE, C.1.B. ADDING EXCLUSIONS FROM WSVC DEVELOPMENT PLAN APPROVAL, C.6. ADDING PROCEDURES FOR DEVELOPMENT APPLICATION FOLLOWING A DENIAL; TABLE 5. MINOR MODIFICATIONS, BY ADDING TABLE 5. MINOR MODIFICATIONS; SECTION X. NONCONFORMING PROPERTIES, CREATING A NEW SECTION FOR NONCONFORMING PROPERTIES, B.1.C. ADDING A DEFINITION FOR NONCONFORMING SITE ELEMENT, C.1.B.I. CLARIFYING THAT THE REGULATIONS APPLY TO LEGAL NONCONFORMING USES IN NONCONFORMING STRUCTURES, C.1.B.III. AND C.1.C.I. ADDING PROVISIONS REGARDING THE DEMOLITION OF NONCONFORMING STRUCTURES AND SIGNS, C.1.D. ADDING REQUIREMENTS FOR NONCONFORMING SITE ELEMENTS, D.1. AND D.2. SPECIFYING MARKET VALUE AS THE MEASURE OF THE EXTENT OF DAMAGE OR DESTRUCTION, D.3. AND D.4. ADDING PROVISIONS REGARDING THE DAMAGE AND DESTRUCTION OF NONCONFORMING SITE ELEMENTS, D.5. ADDING NONCONFORMING SITE ELEMENT, F. ADDING A SECTION REGARDING PLAN APPROVAL FOR MINOR REVISIONS TO NONCONFORMING PROPERTIES; BY AMENDING APPENDIX 1. WSVC DISTRICT USES, RETAIL/COMMERCIAL, REVISING A FORMER USE INCLUDING BARBER AND BEAUTY SHOP BY DELETING DAY SPA AND ADDING PROVISIONS FOR NAIL AND SKIN CARE AS INCIDENTAL USES, ADDING CELLULAR TELEPHONE AND ACCESSORY SALES AND OPTICAL GOODS SALES; BY AMENDING APPENDIX 2. STREET TREES AND LANDSCAPE MATERIAL, REVISING THE GRAPHICS AND ADDING A DETAIL SHEET FOR TREE PLANTING AND SOIL MIX; BY AMENDING APPENDIX 5. DESIGN GUIDELINES, REVISING CERTAIN REQUIREMENTS AND IMAGES RELATIVE TO AWNINGS AND CANOPIES; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO-THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 11-14).

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 by amending Ordinance No. 3818 and 3822, as heretofore amended, the West Spring Valley Corridor Planned Development District for approximately 198 acres bounded on the west by the east right-of-way line of Coit Road; on the south by the north right-of-way line of West Spring Valley Road; on the east by the west right-of-way line of US 75/Central Expressway; and on the north by: the south boundary of the Human Engineering Addition to its intersection with the alley east of Nottingham Drive; the south boundary of Richardson Heights #2; a portion of the east and south boundaries of Richardson Heights #5; the south boundaries of Centre Court Place, Richardson Heights #11 and Richardson Heights #7, Section 5; the south and west edges of Tract 23, TOR Sheet 14; the south and west boundaries of Richardson Heights #7, Section 4; a portion of the west boundary of Richardson Heights #7, Section 3, to its intersection with Colfax Drive; the south boundary of Shadow Oaks; the south boundary of an unplatted parcel on the west side of Dublin Drive west of Shadow Oaks; and the south boundary of Northwood Estates, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes, by amending the West Spring Valley Corridor Planned Development District Regulations and Appendices, by revising format, reorganizing certain sections, adding or revising graphics and images, correcting typographical and grammatical errors, removing references to the Building Official and substituting City Manager; by amending Section II. to add and revise definitions; by amending Section III. General District Standards. B.1. by specifying the process for amending permitted uses, B.8.d. clarifying that the improvement of Blue Lake is not required, C.4.a. adding provisions for variations to the setback

and build-to lines, C.4.b. specifying that build-to lines are measured from the predominant curb line, C.4.c. prohibiting outdoor storage; by amending Table 1, Street and Build-To Zone Standards, by revising the table and notes to clarify standards and adding and revising graphics that follow, E.3.c. clarifying requirements for garage parking for a townhome, E.3.g. adding standards for a private amenity center for a townhome development, F.2.f.ii. standardizing language relative to building projections and architectural encroachments, F.2.f.iii. adding standards for porches on a patio home, F.2.g.iii.b. permitting openings on the second floor on the zero setback side of a patio home, F.3.a. adding standards for a private amenity center for a patio home development, F.3.d. clarifying requirements for garage parking for a patio home, G.2.f.iii. adding standards for porches on a duplex, G.3.a. adding standards for a private amenity center for a duplex development, G.3.d. clarifying requirements for garage parking for a duplex; by amending Section IV. Buildings, B.1.c. clarifying that the requirements apply to residential at-grade units, C.1. clarifying that the requirements apply to mixed residential and townhome buildings, C.2. clarifying that certain requirements apply to mixed residential, mixed use, townhome and/or live/work buildings, C.2.b. adding glass as a permitted material for balcony and patio railings on certain building types; by amending Section V. Parking and Accessibility, A.1. adding the reduction of pavement in the district as part of the intent of the regulations, A.2.b. allowing handicap parking, A.2.c. allowing a reduction in the width of the landscape setback for a surface parking lot adjacent to a sidewalk by minor modification; by amending Section VI. Lighting, Mechanical, Service Areas and Utilities, C.1.d. clarifying that the requirements apply to ground-mounted utility equipment and allowing said utility equipment to be located to the side of the structure or in a utility yard, C.1.d.iv. and C.1.e.iv. allowing other approved materials to screen utility equipment; by amending Section VII. Landscape,

A. specifying that City of Richardson policies regarding landscape design shall apply when not in conflict with this ordinance, B.1.a. and C. allowing trees and plant materials other than those on the list of approved materials to be used in combination with approved materials, B.2. revising the title of the section to apply to street trees in the amenity zone, B.2.a, referring to a new detail for tree planting and soil mix, E.1. referring to the width of the landscape setback, the soil mix detail, allowing a reduction in the width of the landscape setback by minor modification and clarifying that openings in the required fence and landscaping shall provide pedestrian access from the parking lot to the sidewalk, E.2. adding a requirement for a parking island, F. revising the title, F.2. adding requirements for a landscape setback, F.3. specifying requirements for trees adjacent to retail-ready or non-residential space at-grade for live/work, mixed use or commercial buildings; by amending Section VIII. Sign Standards, B.1.b.iii. clarifying that the requirements apply to mixed use and commercial buildings, C.1.a. allowing district identity signs off-premises by minor modification; by amending Table 4. Permitted Signs, revising the sign type and standards for awning/canopy signs, adding building blade sign and district identity sign, including standards, adding or revising standards for building directory signs, building identification signs, monument signs and projecting and hanging signs; by amending Section IX. Review and Approval of WSVC Development Plans Title, C.1.b. adding exclusions from WSVC Development Plan approval, C.6. adding procedures for development application following a denial; Table 5. Minor Modifications, by adding Table 5. Minor Modifications; Section X. Nonconforming Properties, creating a new section for nonconforming properties, B.1.c. adding a definition for nonconforming site element, C.1.b.i. clarifying that the regulations apply to legal nonconforming uses in nonconforming structures, C.1.b.iii. and C.1.c.i. adding provisions regarding the demolition of nonconforming structures and signs, C.1.d. adding requirements for

nonconforming site elements, D.1. and D.2. specifying market value as the measure of the extent of damage or destruction, D.3. and D.4. adding provisions regarding the damage and destruction of nonconforming site elements, D.5. adding nonconforming site element, F. adding a section regarding plan approval for minor revisions to nonconforming properties; by amending Appendix 1. WSVC District Uses, Retail/Commercial, revising a former use including barber and beauty shop by deleting day spa and adding provisions for nail and skin care as incidental uses, adding cellular telephone and accessory sales and optical goods sales; by amending Appendix 2. Street Trees and Landscape Material, revising the graphics and adding a detail sheet for tree planting and soil mix; by amending Appendix 5. Design Guidelines, revising certain requirements and images relative to awnings and canopies.

SECTION 2. That the Planned Development shall be developed and used in conformance with the West Spring Valley Corridor Planned Development District Regulations attached hereto as Exhibit “B” and made a part hereof for all purposes.

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) 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 _____ day of _____, 2011.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:10-03-11:TM 51449 & TM 51542)

CITY SECRETARY

Exhibit “A”
Legal Description
West Spring Valley Corridor Legal Description
City of Richardson, Dallas County, Texas

BEING land situated in the W.W. Wallace Survey, Abstract No. 1601 and the Lavinia McCommas Survey, Abstract No. 927, within the City of Richardson, Dallas County, Texas and being more particularly described as follows:

BEGINNING at the northwest corner of the Spring Valley Coit Addition, said point being in the east line of Coit Road;

THENCE in a southerly direction, along the east line of Coit Road, an approximate distance of 1,875 feet to the intersection of the east line of Coit Road and the north line of Spring Valley Road;

THENCE in an easterly direction, along the north line of Spring Valley Road, an approximate distance of 6,890 feet to the intersection of the north line of Spring Valley Road and the west line of US Highway 75;

THENCE in a northeasterly direction, along the west line of US Highway 75, an approximate distance of 2,675 feet to the intersection of the west line of US Highway 75 and the south line of Tract 1, Block G, of the Human Engineering Addition;

THENCE in a northwesterly direction, along the south line of Tract 1, Block G, of the Human Engineering Addition, an approximate distance of 210 feet to the northwest corner of said Tract 1, also being a point in the south line of Dumont Drive (a 50-foot R.O.W.) and in the southeast line of a 15-foot alley;

THENCE in a southwesterly direction, along the southeast line of said 15-foot alley, an approximate distance of 391 feet to an angle point located in the north line of Tract 2, Original Town of Richardson Sheet 13-A, also being a point in the southeast line of said 15-foot alley;

THENCE in a westerly direction, along the south line of said 15-foot alley, an approximate distance of 766 feet to the intersection of the south line of said 15-foot alley and the east line of Floyd Road (a 60-foot R.O.W.);

THENCE in a southerly direction, along the east line of Floyd Road, an approximate distance of 702 feet to a point in the east line of Floyd Road (a 60-foot R.O.W.), said point being the southwest corner of Tract 7, Original Town of Richardson, Sheet 13-A;

THENCE in a southwesterly direction, across Floyd Road (a 60-foot R.O.W.), an approximate distance of 64 feet to a point in the west line of Floyd Road, said point being the southeast corner of Lot 31, Block 45, Richardson Heights #5;

THENCE in a westerly direction, along the south line of said Lot 31, an approximate distance of 1,199 feet to the east line of St. Paul Drive (a 60-foot R.O.W.), said point being the southwest corner of said Lot 31;

THENCE continuing in a westerly direction, along across St. Paul Drive (a 60-foot R.O.W.) and along the south line of Lots 1-12, Centre Court Place, an approximate distance of 593 feet to the east line a 15-foot alley, said point being the most northerly northwest corner of Centre Square Apartments;

THENCE in a southerly direction, along the most northerly west line of Centre Square Apartments, an approximate distance of 68 feet, said point being the most northerly northwest corner of Centre Square Apartments;

THENCE in a westerly direction, along the most southerly north line of Centre Square Apartments, an approximate distance of 170 feet, said point being the most westerly northwest corner of Centre Square Apartments;

THENCE in a southwesterly direction, in a line across Weatherred Drive (a 50-foot R.O.W.), an approximate distance of 138 feet, to a point being the most southerly southeast corner of Lot 47, Block 125, Richardson Heights #11, said point also being in the north line of Lot 4, Block A, Spring Valley Lakes;

THENCE in a northwesterly direction, along the northeast line of said Lot 4, an approximate distance of 218 feet, to an angle point, said point being the most northerly point in the north line of said Lot 4;

THENCE in a southwesterly direction, along the northwest line of said Lot 4, an approximate distance of 186 feet, said point being the most westerly northwest corner of said Lot 4 and the northeast corner of Townhouse Apartments;

THENCE in a southwesterly direction, along the west line of said Townhouse Apartments, an approximate distance of 764 feet, said point being the northwest corner of said Townhouse Apartments and the northeast corner of Louis White Subdivision Installment #1;

THENCE in a southwesterly direction, along the north line of said Louis White Subdivision Installment #1, an approximate distance of 44 feet;

THENCE continuing generally in a westerly direction, along the north line of said Louis White Subdivision Installment #1 the following distances:

An approximate distance of 118 feet to an angle point;

An approximate distance of 154 feet to an angle point;

THENCE in a southwesterly direction, along the north line of said Louis White Subdivision Installment #1, an approximate distance of 67 feet, said point being the northeast corner of Louis White Subdivision Installment #2;

THENCE in a westerly direction, along the north line of said Louis White Subdivision Installment #2, an approximate distance of 337 feet, to the northwest corner of said Louis White Subdivision Installment #2, said point being in the east line of Tract 1A, Original Town of Richardson Sheet 14;

THENCE in a northerly direction, along the east line of said Tract 1A, an approximate distance of 214 feet, to the northeast corner of said Tract 1A, said point also being the southeast corner of Lot 3, Block 124, Richardson Heights #7, 5th Section;

THENCE in an westerly direction, along the north line of said Tract 1A, an approximate distance of 330 feet, to the northwest corner of said Tract 1A, said point also being in the east line of Waterview Drive (a variable width R.O.W.);

THENCE in a southerly direction, along the west line of said Tract 1A, an approximate distance of 70 feet, to the a point in the west line of said Tract 1A, said point also being in the east line of Waterview Drive (a variable width R.O.W.);

THENCE in a westerly direction, across Waterview Drive (a variable width R.O.W.) and continuing along the north line of Lots 1-6, Block A, Spring Valley Plaza Duplex Addition Phase 2, an approximate distance of 272 feet, to the a point in the east line of said Lot 7, Spring Valley Plaza, said point also being the northwest corner of Lot 6, Block A, Spring Valley Plaza Duplex Addition Phase 2;

THENCE in a northerly direction, along the east line of Lot 7, Spring Valley Plaza, an approximate distance of 65 feet, to the northeast corner of said Lot 7;

THENCE in a westerly direction, along the north line of Lots 1-7, Spring Valley Plaza, an approximate distance of 535 feet, to the northwest corner of said Lot 1, continuing in a westerly direction an additional 325 feet to the most northerly northwest corner of Lot 1, Block 1, The Leaves Addition, said point being in the east line of Ridgeway Drive;

THENCE in a southerly direction, along the east line of Ridgeway Drive (a 50-foot R.O.W.), an approximate distance of 41 feet to the beginning of a curve to the right;

THENCE along a curve to the right having a radius of 50 feet, along the south right-of-way of Ridgeway (a 50-foot R.O.W.) Drive, an approximate distance of 155 feet, to a point being in the west line of Ridgeway Drive;

THENCE in a westerly direction, along a north line of said Lot 1, Block 1, The Leaves Addition, an approximate distance of 148 feet, to the most westerly northwest corner of said Lot 1, said point being in the east line of Waterfall Crossing;

THENCE in a northerly direction, along the east line of Waterfall Crossing, an approximate distance of 15 feet, to a point being in the east line of Waterfall Crossing;

THENCE in an easterly direction, along the most easterly south line of Waterfall Crossing, an approximate distance of 81 feet, to a point being in the easternmost east line of Waterfall Crossing;

THENCE in a northerly direction, along the most easterly east line of Waterfall Crossing, an approximate distance of 620 feet, to a point being the northeast corner of Waterfall Crossing, and the southeast corner of Lot 1, Block A, Villa Estates, and continuing in a northerly direction an additional 408 feet to the northeast corner of said Lot 1, said point also being in the south line of Colfax Drive (a 60-foot R.O.W.);

THENCE generally in a westerly direction, along the north line of Lot 1, Block A, Villa Estates the following distances:

An approximate distance of 9 feet to the start of a curve to the right;

An approximate distance of 61 feet along a curve to the right to the start of a curve to the left;

An approximate distance of 36 feet along a curve to the left;

An approximate distance of 500 feet to the northwest corner of said Lot 1, said point being in the east line of Dublin Drive;

THENCE in a northwesterly direction across Dublin Drive (a 60-foot R.O.W.), an approximate distance of 85 feet to the northeast corner of Spring Valley Coit Addition, said point being in the west line of Dublin Drive;

THENCE in a westerly direction, along the north line of Spring Valley Coit Addition, an approximate distance of 1,561 feet to the POINT OF BEGINNING and containing approximately 198 acres of land more or less.

Exhibit "B"
West Spring Valley Corridor Planned Development
District Regulations

BACKGROUND

This Planned Development Ordinance (“PD Ordinance” or “Ordinance”) embodies the goals and objectives adopted by the City Council in the *West Spring Valley Corridor Reinvestment Strategy* (“the Strategy”) and represents one of the first major near-term action items identified in the “Implementation” section of the *Strategy*.

This PD Ordinance focuses on creating a series of unique, but compatible, pedestrian-oriented areas designed to coordinate with and enhance existing neighborhoods to the north. The development regulations and standards set forth in the Ordinance are designed to achieve a more positive and sustainable outcome for development, to improve the quality of life both within and surrounding the Corridor, to enhance property values, and to improve the overall appearance and perception of the West Spring Valley Corridor (“the Corridor” or “WSVC”). The PD Ordinance combines minimum and maximum specifications with standards for site layout, building design and streetscaping. The Ordinance also provides for flexibility among compatible uses to allow developers and the City to respond to changing market demands and further provides for more rational parking ratios that increase land use efficiency and minimize disruption of public use areas.

The development standards in this PD Ordinance reflect the timeless principles upon which great urban districts are based and are aimed at creating a comfortable and attractive place for people to meet, live, conduct business and find recreation. These regulations build upon accessibility to the Spring Valley DART rail station as a means of enhancing the attractiveness of the area for young professionals, retirees and others seeking to reduce their reliance on the automobile.

Another important element of this Ordinance is the procedure for approval of development proposals. This Ordinance compensates for very high standards by providing for administrative review of plans and requests for modifications to certain requirements if it is determined that such modifications would achieve a better result for the development.

Richardson West Spring Valley Corridor
PLANNED DEVELOPMENT DISTRICT

Contents

- I. PURPOSE, GOALS AND INTENT.....1**
 - A. Purpose 1
 - B. Goals 1
 - C. Intent..... 1

- II. DEFINITIONS3**

- III. GENERAL DISTRICT STANDARDS.....9**
 - A. General..... 9
 - B. Land and Building Use..... 9
 - C. Block Face 12
 - D. Streets..... 19
 - E. Townhome Development Standards 19
 - F. Patio Home Development Standards 22
 - G. Duplex Development Standards 26

- IV. BUILDINGS31**
 - A. Intent..... 31
 - B. Building Standards 31
 - C. Buildings Containing Residential Units 37
 - D. Buildings Containing Nonresidential Uses 40

- V. PARKING AND ACCESSIBILITY42**
 - A. Motor Vehicle Parking 42
 - B. Bicycle Parking 43

- VI. LIGHTING, MECHANICAL, SERVICE AREAS AND UTILITIES45**
 - A. Intent..... 45
 - B. Exterior Lighting Standards..... 45
 - C. Mechanical and Service Areas 45
 - D. Utilities 46

- VII. LANDSCAPE48**
 - A. Intent..... 48
 - B. Streetscaping 48
 - C. Plant Material 49
 - D. Paving Material 49
 - E. Parking Lot Landscaping 49
 - F. Other Site Landscaping 50

VIII. SIGN STANDARDS	52
A. Intent.....	52
B. Signs , General	53
C. Prohibited Signs	54
D. Permitted Signs.....	54
IX. REVIEW AND APPROVAL OF WSVC DEVELOPMENT PLANS	65
A. Intent.....	65
B. Review Process	65
C. WSVC Development Plan.....	65
D. Modifications of Design Standards	66
E. Amendments.....	69
F. Lapse of Approval	69
G. Special Exceptions and Variances.....	69
X. NONCONFORMING PROPERTIES	70
A. Intent.....	70
B. Nonconforming Uses, Structures, Signs and Site Elements.....	70
C. Continuation of Nonconforming Use, Structure Site Element or Sign	70
D. Restoration of Nonconforming Structure, Use, Site Element or Sign after Damage or Destruction	72
E. Expansion of a Nonconforming Structure.....	73
F. Plan Approval for Nonconforming Properties	73
G. Relationship to Code of Ordinances and Comprehensive Zoning Ordinance.....	73

APPENDICES

1. WSVC District Uses
2. Street Trees and Landscape Materials
3. District Plan
4. Height Zones
5. Design Guidelines

STREET AND BUILD-TO ILLUSTRATIONS

1. Patio Home and Duplex.....	15
2. Townhome and Mixed Residential Buildings	16
3. Live/Work and Mixed Use Buildings.....	17
4. Commercial Buildings	18

TABLES

1. Street and Build-to Zone Standards (in feet).....	14
2. Subdistrict Building Types	33
3. Parking Calculations	44
4. Permitted Signs.....	55
5. Minor Modifications.....	67

I. PURPOSE, GOALS AND INTENT

A. PURPOSE

The purpose of the West Spring Valley (WSV) Planned Development District (“the District”) is to implement the adopted recommendations of the West Spring Valley Corridor Reinvestment Strategy by establishing a pedestrian-oriented district with an infrastructure of streets and buildings that are flexible in terms of use and which will attract ongoing reinvestment.

B. GOALS

The goals of this District are:

1. To make WSV sustainable through:
 - a. Providing for the integration of mixed uses;
 - b. Embodying LEED-ND (Leadership in Energy and Environmental Design – Neighborhood Development) and LEED Building principles;
 - c. Providing focal open space amenities;
 - d. Assuring pedestrian and bicycle friendliness; and
 - e. Minimizing the “heat island” effect of large expanses of pavement.
2. To provide development and land use flexibility within the framework of a Planned Development District;
3. To provide a mix of residential, retail, entertainment and office uses;
4. To encourage trade-offs between increased density and larger amounts of open space, where appropriate and in the best interest of the District;
5. To encourage excellence in development through the balanced use of high-quality development standards and materials, creative design and expedited administrative approvals for projects which meet the intent of this District;
6. To design development that is oriented appropriately to public open space and private amenities; and
7. To create standards that better ensure appropriate transitions between existing neighborhoods and new development.

C. INTENT

The intent of this District is:

1. To provide a comfortable and attractive environment for pedestrians which includes such elements as buildings that frame public space, interesting street walls, street trees, lighting and street furniture;
2. To construct a continuous street frontage of buildings along block faces except where it is desirable to provide outdoor public plazas, courtyards or pocket parks;
3. To require the construction of buildings close to the sidewalk and street so as to create a comfortable pedestrian environment;

4. To require parking at ratios that will adequately serve the variety of activities within the District, allow for fluctuations in market demand for a variety of uses and reduce the overall amount of pavement within the District;
5. To encourage the use of public parks and plazas as focal points to improve the quality of residential and mixed-use developments;
6. To create buildings that can accommodate a range of uses over time; and
7. To develop a multi-modal, mixed-use district.

II. DEFINITIONS

The words and phrases used in this Ordinance shall have the meaning provided to them in the *Code of Ordinances*, the 1956 Amendment to the *Richardson Zoning Ordinance*, as amended (sometimes called the "*Comprehensive Zoning Ordinance*") unless a different definition of the same word or phrase is provided in this Ordinance. In addition, the following words and phrases shall have the following meanings:

Access Drive means any drive or lane located on the interior of the property designed to accommodate motor vehicles, bicycles or pedestrians.

Amenity Zone means a portion of the public right-of-way, typically adjacent to the sidewalk but outside the pedestrian walking area, that includes streetscape elements, landscaping, and street trees.

Apartment means a multifamily structure containing three or more dwelling units, located on a single lot and designed to be occupied by three or more families living independently of one another, excluding hotels or motels.

Awning means an architectural projection composed of a lightweight frame and a cover of canvas, metal or other material approved by the City Manager, supported from the exterior wall of a building designed and intended to provide identity, decoration or protection from the weather.

Balcony means a platform that projects from the wall of a building above the first floor and is surrounded by a railing, balustrade, parapet, or other protective barrier approved by the City Manager.

Block Face means the side of a street between two consecutive intersections.

Build-to Line means the line corresponding to the minimum required Setback line, with which a certain percentage of the exterior wall of a building in a development is required to coincide as provided herein.

Build-to Zone means the area between the Build-to Line and a parallel line inside the Build-to Line within which the wall of a building must be located, but within which the building wall may step in and out in accordance with the standards and limitations herein.

Building Façade, Primary means any façade that faces a public street or open space.

Canopy means a permanent architectural projection or structure composed of a lightweight frame and a cover of canvas, metal or other material approved by the City Manager, designed and intended to provide identity, decoration or protection from the elements, and which is supported by one or more vertical elements and may be free-standing or attached to the building on one end.

City Manager means the City Manager of the City of Richardson or designee.

Commercial Building means a building that may be used only for nonresidential uses.

Condominium, Residential means a development with one or more buildings in which the space within the exterior walls of each dwelling unit is designated for separate ownership and occupancy and the remainder of the property is designated for common ownership and

occupancy (i.e. the common areas, such as grounds and the building structures are directly owned in undivided interests by the owners of the dwelling units).

Development Plan – see *WSVC Development Plan*

District or **WSVC District** means the area within the City of Richardson, approximately 197 acres in size, bounded on the west by the east right-of-way line of Coit Road; on the south by the north right-of-way line of West Spring Valley Road; on the east by the west right-of-way line of US 75/Central Expressway; and on the north by the south boundary of the Human Engineering Addition to its intersection with the alley east of Nottingham Drive; the south boundary of Richardson Heights #2; a portion of the east and south boundaries of Richardson Heights #5; the south boundaries of Centre Court Place, Richardson Heights #11 and Richardson Heights #7, Section 5; the south and west edges of Tract 23, TOR Sheet 14; the south and west boundaries of Richardson Heights #7, Section 4; a portion of the west boundary of Richardson Heights #7, Section 3, to its intersection with Colfax Drive; the south boundary of Shadow Oaks; the south boundary of an unplatted parcel on the west side of Dublin Drive west of Shadow Oaks; and the south boundary of Northwood Estates.

District Plan means the depiction of the District set forth in *Appendix 3* of this ordinance dividing the District into various areas that are referenced throughout this Ordinance when indicating which use and development regulations are to be applied to the various portions of the District.

Flag, corporate and logo means a flag displaying the name, insignia, emblem, or logo of a commercial organization.

Green roof means the roof of a building that is partially or completely covered with vegetation to help prevent stormwater runoff, filter air pollution, enhance building performance and increase the appeal of the building.

Greenhouse means an accessory building with translucent walls and roof for the cultivation of plants under controlled environmental conditions.

Landmark Building means a building so designated on an approved Development Plan which is located on axis with the termination of a street or public access drive or at the intersection of two or more streets, said building to incorporate architectural features that address height and articulation which emphasize the importance of such location.

Liner Building means a narrow building, generally 30 to 60 feet deep, which lines the exterior of a parking garage structure adjacent to a street and sidewalk and is occupied by any allowed use other than parking.

Live/Work Unit means a building or portion of a building integrating both living quarters and a commercial space, such as retail, artist space or gallery, business, or other professional office activities, in a single unit, where the living and working areas shall each have a separate entry from a public walkway, the commercial use (work) is located on the ground floor and the residential component (live) is located above the commercial use.

Loft means a flexible residential or commercial space characterized by higher-than-normal ceilings, open floor plans and, often, exposed structural elements and duct work.

Maintain means to keep in a state of repair to preserve from failure or decline, but excludes replacement.

Major Access Drive means a driveway that provides access to a development and aligns with a median opening in the adjacent street,

Masonry Material means brick a minimum of three inches in thickness, natural or cast stone, heavily textured split-face concrete block, but excluding site-cast or tilt-wall concrete panels or similar materials.

Mixed Residential means a building which may contain a variety of residential unit sizes or types, such as studio, 1-, 2- or 3-bedroom apartments, condominiums or lofts.

Mixed-Use Building means a structure which combines residential and nonresidential uses in a single building.

Mullion means the vertical or horizontal divisions or joints between single windows in a multiple window unit.

Parking Lot, Accessory means an approved parking surface, a building or a structure where motor vehicles may be stored for the purpose of temporary, daily or overnight off-street parking. An accessory parking lot supports the principal activity on the tract, lot or parcel of land on which the parking lot is located and is not a principal activity itself.

Patio Home means a single-family detached dwelling on a separate lot with open space on only three sides, with one side wall of the dwelling placed coincident with the side property line, typically situated on a reduced-size lot that orients outdoor activity within side or rear yard patio areas for better use of the outdoor living space on the site.

Porch means an unenclosed structure, constructed of the same material as the principal building, facing the street at the ground floor level of a residential building and providing a covered approach to a doorway.

Primary Entry means the main entry to a building facing the block face or facing a plaza or courtyard with direct access to a street.

Private Amenity Center means a private recreation facility, including a swimming pool, clubhouse, tennis court or similar amenities located in a private recreational area for the exclusive use of residents or neighborhood groups of a particular patio home, duplex or townhome development and their guests.

Repair means to restore to the condition that existed prior to damage, decay or injury.

Retail tobacco store means a retail store which derives 90% or more of its gross revenue from the sale of tobacco products and accessories.

Retail-ready Space means leasable space on the ground floor of a Commercial Building, Mixed Use Building or Live/Work Unit which has the necessary ceiling height and fire separation to accommodate retail and restaurant uses.

Secondhand Goods Store means an establishment offering for trade or sale, as its principle inventory, used or previously-owned personal property and shall include establishments that offer for trade or sale personal property owned by third-parties who have consigned their personal property to the owner or operator of the establishment for purpose of conducting such trade or sale, but excluding a pawn shop as defined in the *Comprehensive Zoning Ordinance*.

Setback means the minimum required distance between the structure and the lot lines on the lot on which it is located.

Sign means an outdoor structure, display, light, device, figure, painting, drawing, message, plaque, poster, billboard or other thing that is designed, intended or used to advertise or inform.

Sign, address means a sign that lists the number or other location designation assigned to a building or tenant suite.

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

Sign, awning/canopy means any awning containing signage used to identify a business, profession, service, product, or activity conducted, sold or offered on the premises where such sign is located.

Sign, building blade means a pedestrian-oriented sign affixed perpendicular to the corner or to the front façade of a building and located above the ground floor as a means of providing identity to the entire building.

Sign, building directory means a sign located at a building entrance listing the names, uses, or locations of the various businesses or activities conducted within a building, but containing no advertising.

Sign, building identification means a sign which identifies the name and/or address of a building or the name or logo of the building tenant if a single tenant or major tenant occupies the building,

Sign, bulletin board means a sign containing information where a portion of such information may be periodically changed, providing that such change shall be effected by the replacement or interchange of letters, numbers, or other graphic symbols by insertion, attachment or similar means. The use of slate, chalkboard, cardboard or similar material with pencil, chalk, crayon or similar types of marking is prohibited on a bulletin board sign.

Sign, directional means any sign for a development which provides onsite directions, denotes locations for ingress and egress or prohibits ingress and egress, and may contain logo information to help direct patrons to their destination but shall contain no other advertising and shall not be used for advertising purposes.

Sign, district identity means a sign that identifies a district or neighborhood by symbol and/or name and is typically located at a district entrance or gateway.

Sign, marquee means a sign structure placed over the entrance to a theatre or other public gathering venue with signage stating the name of the establishment and/or the name of the event, artist, and other details of the event appearing at that venue. A marquee sign is often identifiable by a surrounding cache of light bulbs, usually yellow or white.

Sign, memorial means a sign, tablet, or plaque typically mounted on a building memorializing a person, event, structure, or site.

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

Sign, nameplate means a sign, located on the premises, giving the name and/or address of the owner or occupant of a building or premises, usually a single-family dwelling.

Sign, political means a sign identifying and urging voter support for a particular election issue, political party, or candidate for public office.

Sign, projecting means any sign, except an awning, which projects perpendicularly from a building and which has one end attached to a building, awning, or permanent structure.

Sign, promotional means an advertising display that is temporary in nature, not permanently attached to the ground or sign surface, and is used for special events, such as, but not limited to, grand openings, seasonal sales, and promotions.

Sign, real estate means a temporary sign that relates to the sale, lease, or rental of property and/or buildings.

Sign, sandwich board—see *Sign, A-frame*.

Sign, temporary construction means a temporary sign providing information about future development or current construction on a site and the parties involved in the project.

Sign, wall means any sign erected flush against an exterior wall, supported by the wall, and having the sign face parallel to the wall or painted directly onto a wall, including neon tubing or other material attached directly to a wall surface when forming a border for the subject matter, or when directing attention to the subject matter or when forming letters, logos, or pictorial designs.

Sign, wayfinding means any pedestrian-scaled sign which provides a map and listing of the names, uses, or locations of the various businesses or activities conducted within a district or development and which contains no advertising and is not used for advertising.

Sign, window means any sign, banner, poster, or display located on the internal surface of the window of any establishment for the purpose of advertising services, products or sales available within such establishment or which announces the operating hours of such establishment.

Stoop means a porch with steps that is located approximately at the level of the first floor of the structure and intended to provide access to a dwelling unit.

Story means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling above. An attic space shall not be counted as a story for height measurement unless improved to a habitable status.

Streetscape means the urban design element that establishes the character for the major part of the public realm composed of thoroughfares (travel lanes for motor vehicles and bicycles, parking lanes for motor vehicles, sidewalks for pedestrians) as well as the visible private frontages (building facades and elevations, porches, setbacks, fences, awnings, etc.) and the amenities within the public frontages (street trees and plantings, benches, street lights, bike facilities, other furnishings).

Studio Apartment means a small apartment usually consisting of one main area that combines the living and bedroom space, as well as a small kitchen/kitchenette and a bathroom.

Subdistrict means, collectively, the portions of the District outlined and designated as Area A through Area G, respectively, in *Appendix 3. District Plan* of this Ordinance.

Sustainable Accessory Uses means equipment such as rainwater harvesting systems, wind energy systems, solar photovoltaic systems, geothermal systems and similar technology and systems aimed at utilizing renewable natural resources for the purpose of power generation, water conservation, etc. to support the primary activity on a lot or tract of land and subject to the requirements for such systems and technology as contained in the Richardson *Code of Ordinances*. A sustainable accessory use shall not occupy the site as a principal activity.

Swing Entry Garage means an attached garage entered from the street in the front of the home where the garage door opening does not face onto said street and the driveway is generally configured with a right-angle turn from the street to the garage door opening.

Townhome means a single-family dwelling, typically in a row of at least three attached units, each on its own platted lot and having its own front and rear access to the outside, where no such unit is located over another unit, there is no visible separation between walls or roofs of adjoining units and each unit is separated from other units by one or more vertical common firewalls.

Ventilated facade system means a high-performance facade solution that consists of a rainscreen and decorative facade (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.

West Spring Valley Corridor (WSVC) Development Plan or Development Plan means a plan that must be approved by the City prior to any improvements to a property within the District, and which may include, but is not limited to, a plat, site plan, civil engineering plans, landscape plan, lighting plan, building elevations, traffic impact analysis and any other plans required for adequate review of an application, including any Modifications being requested.

To the extent of any irreconcilable conflict in the definitions in the *Code of Ordinances* or the *Comprehensive Zoning Ordinance* and this Ordinance, the definitions in this Ordinance shall prevail.

III. GENERAL DISTRICT STANDARDS

A. GENERAL

The standards in this Ordinance shall apply only to the WSVC District. Other standards in the Richardson *Comprehensive Zoning Ordinance* and *Subdivision and Development Regulations* shall govern when not in direct conflict with this Ordinance.

The WSVC *Design Guidelines* in *Appendix 5* shall provide guidance in interpreting and implementing this Ordinance.

B. LAND AND BUILDING USE

Intent. It is intended that the uses permitted within the District will encourage pedestrian-oriented developments that integrate retail, residential, employment and recreation uses and provide access to public transportation.

1. **Uses.** Retail/Commercial, Residential, Institutional, Office and Other/Accessory uses of property within the respective Subdistricts shall be in accordance with the schedule set forth in *Appendix 1* of this Ordinance. Uses which are not specifically authorized in *Appendix 1* are prohibited within the District, including uses authorized by Special Permit in the Richardson *Comprehensive Zoning Ordinance*. Any change to the uses allowed in the District shall require an amendment to *Appendix 1. WSVC Permitted Uses* or a Major Modification as described in *Section IX. Review and Approval of WSVC Development Plans*.
2. **Required Retail-ready At-grade.** Where required Retail-ready space is required at-grade as designated on the District Plan, ground floor space adjacent to the street shall be constructed to Retail-ready standards as specified in *Section IV.D.* and may be occupied by any allowed nonresidential use, but must be able to accommodate retail and restaurant uses in response to market demand.
3. **Drive-in/Drive-through Facilities.** No drive-in or drive-through facilities shall be allowed without approval of a Major Modification.
4. **Access Drives.** In order to minimize the number of curb cuts along a block face, where there is alley access to a building or series of buildings, no additional access drives shall be allowed without approval of a Minor Modification.
5. **Property Owners Association.** All new developments shall make provisions for the operation, maintenance and supervision of any private recreation areas and publicly-accessible open space, including the landscaping, irrigation and improvements therein, in order to ensure a consistent level of maintenance of public areas throughout the District by establishment of a property owners association in compliance with *Code of Ordinances, Chapter 21, Article III, Section 21-57*, as amended or succeeded.

6. Required Recreation and Open Space for Apartments and Condominiums in Mixed Residential and Mixed Use Buildings

- a. Each development that includes apartment or residential condominium units in a Mixed Residential or Mixed Use building shall provide an indoor or outdoor recreational or playground area to meet the requirements of the residents in such development, including facilities for children, adolescents and adults as appropriate.
- b. Each development that includes apartment or residential condominium units in a Mixed Residential or Mixed Use building shall provide at least one indoor or outdoor play area for the first 250 dwelling units or portion thereof. Said play area shall be a minimum of 900 square feet in area and shall be designed for use by children under ten years of age. Safe, weather-resistant play equipment suitable for children of this age shall be provided. All play equipment must meet the guidelines of the Consumer Product Safety Commission for play equipment and safety surface. Playground access and equipment must be in compliance with ADA requirements.

One additional playground meeting the specifications described above shall be provided for each additional 250 dwelling units within the development or portion thereof. Playground areas may be combined to meet this requirement as long as they are provided in increments of at least 900 square feet.

- c. **Recreational Amenity Points Required.** Additional recreational amenities must be provided on-property with each development that includes apartment or residential condominium units in a Mixed Residential or Mixed Use building. The additional recreational amenities to be provided may be a combination of any of the amenities listed below, provided that the points assigned to each type of amenity listed below totals not less than 70 points for each 250 dwellings units or portion thereof within the development:
 - i. Additional playgrounds (in addition to the minimum requirement in *Section III.B.6.b.*) designed for children ten years of age or younger meeting the specifications listed in *Section III.B.6.b.* (Ten points; maximum ten points per development that includes apartment or residential condominium units in a Mixed Residential or Mixed Use building.)
 - ii. Clubhouse/game room/multi-purpose room a minimum of 400 square feet in area for each 250 units. (Ten points.)
 - iii. Equipment, such as pool tables, 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 250 units. (Ten points.)

- vii. Swimming pool, including wading area. (Ten points; 20 points maximum per 250 unit development that includes apartment or residential condominium units in a Mixed Residential or Mixed Use building.)
 - viii. Reinforced concrete jogging trail, bike path or combination thereof, a minimum of eight feet in width. (Ten points.)
 - ix. Usable open space, at least 1,000 square feet in area, to include at least three of the following: cluster of trees, water features, seating areas, picnic tables, barbecue grills, gazebos or other similar elements (Ten points; maximum 30 points per 250 unit apartment complex.)
 - x. Creeks and drainageways, which would otherwise be required to remain in an open state, shall not be eligible for the accumulation of points toward the total requirement, nor shall improvements in any required front or side setback areas.
- d. The director of parks and recreation shall review the proposed recreational amenities and provide a written assessment of their adequacy to the City Plan Commission prior to consideration of the Development Plan.
 - e. At the discretion of the City Manager or designee, and with the approval of the director of parks and recreation, a developer may achieve recreation and open space amenity points by making improvements of the type described in the list in *Section III.B.6.c.* in a public park or open space area that would serve the residents of the development, said park or open space to be within 1,000 feet of the property line of the tract upon which the development is located in accordance with *Section III.B.8.b.*
7. **Special Live/Work Building Regulations.** The business operated within the live/work unit may engage employees in the conduct of the business within the unit; however, if the owner of the business is not residing in the dwelling unit portion of the live/work unit, at least one full-time employee of the business must reside in the live/work unit. In no case shall the dwelling unit within the live/work unit be sold or rented separately from the nonresidential area of the live/work unit.
8. **Publicly Accessible Open Space**
- a. The development of squares, plazas and pocket parks is strongly encouraged in association with retail and restaurant uses to provide for community gathering spaces that will support socialization in the neighborhood.
 - b. Land indicated as Parks/Open Space in *Appendix 3. District Plan* shall be dedicated to the City or placed in a public access easement. Where such land is dedicated by the developer of a Mixed Residential Building on the adjacent property, a portion of the development's Required Recreation and Open Space for Apartments and Condominiums amenities points may be achieved through improvements in the public/publicly accessible park/open space area with the approval of a Minor Modification.
 - c. Public open space should be developed in such a manner as to ensure the safety and welfare of residents. See *Appendix 5. Design Guidelines.*

- d. Within Area D, the improvement of Blue Lake as an amenity, although not required, may be eligible for financial or other incentives (see *Appendix 5. Design Guidelines*).



C. BLOCK FACE

1. Intent.

- a. Building walls should be continuous along block faces to create a strong edge to the street, define the pedestrian environment and contribute to an attractive and active district, with allowance for some limited architectural variation, and opportunities for outdoor dining, plazas, pocket parks and special building entry features.
- b. Parking should be located behind buildings and not interrupt the “building wall” streetscape.

- 2. **Continuous building frontage** will be considered to be met if 75% or more of the primary building façade for each structure is located within the Build-to Zone identified in Table 1 below; however, with administrative approval of a Minor Modification, the requirement may be reduced to 60%, provided that the reduction is for the purpose of accommodating an attractive outdoor dining area, plaza, building entry feature or other amenity which contributes to the streetscape. A greater reduction shall require approval of a Major Modification.

On-site parking should be located entirely behind buildings, except where it is determined that on-site surface parking must be located adjacent to the street due to extenuating circumstances. In this situation, such parking area shall be landscaped with a double row of trees as set out in *VII.E Parking Lot Landscaping* and may count as part of the continuous frontage so long as the length of the parking lot adjacent to the street is minimized and the location and landscaping are approved by Minor Modification.



- 3. **Facades** shall generally be built parallel to the street frontage, except at street intersections, where a façade containing a primary building entrance may be curved or angled toward an intersection with adequate public right-of-way clearance.
- 4. **Build-to Lines and Setback**
 - a. Build-to Lines are established in *Table 1. Street and Build-to Zone Standards* below. Variations to the Setback and Build-to Lines established in Table 1 shall be permitted

by Minor Modification when not in direct conflict with the goals and intent of the WSVL District and provided as follows:

- i. A maximum 10% variation to the Setback line shall be permitted; and
 - ii. A maximum 20% variation to the Build-to Zone shall be permitted.
- b. Build-to Lines shall be measured from the predominant street back-of-curb as established on the street sections set forth in this Ordinance for the respective Subdistricts. The entire area between the back-of-curb and the primary nonresidential building façade shall be dedicated as part of the public right-of-way or as a public access easement. The Setback adjacent to residential uses need not be dedicated except as deemed necessary during WSVL Development Plan review.
 - c. Exterior steps, stoops, chimneys and bay windows may encroach beyond the Build-to Line by up to two feet, but shall not encroach into the public right-of-way or obstruct the minimum required sidewalk width. Streetscape elements described in *Appendix 5. Design Guidelines*, including street trees, may be located within the Setback area or Build-to Zone, if approved on the WSVL Development Plan. Outdoor dining shall be permitted in the Setback area or Build-to Zone adjacent to nonresidential/Retail-ready space at-grade. The outdoor storage of goods, wares and merchandise shall be prohibited.
 - d. Awnings and building entry canopies may overhang the public sidewalk and right-of-way, but shall not extend beyond the back of the curb of any roadway, interfere with the healthy growth of street trees or with above-grade public utilities, obstruct the minimum required sidewalk width or provide a clearance of less than 8 feet from the elevation of the sidewalk. The design of awnings encroaching above the sidewalks and in the Amenity Zone shall be signed and sealed by a licensed structural engineer and meet the requirements of the Fire Code. Entry canopies extending more than 6 feet from the building shall be subject to the approval of a Minor Modification.
 - e. Balconies may overhang a public sidewalk right-of-way or easement provided they encroach no more than 7 feet and a minimum clearance of 8 feet is maintained above the sidewalk elevation. In no case shall the edge of a balcony extend beyond the back of the curb of any roadway. The design of balconies encroaching above the sidewalks and in the Amenity Zone shall be signed and sealed by a licensed structural engineer.
 - f. Any encroachment into a public right-of-way must be approved by Minor Modification on a Development Plan.

TABLE 1. STREET AND BUILD-TO ZONE STANDARDS (IN FEET)

STREETS / BUILDING TYPE	AMENITY ZONE	SIDEWALK ZONE	SETBACK	BUILD-TO ZONE ¹	TOTAL DIMENSION
West Spring Valley and Coit Roads					
Patio Home, Duplex	10	12	14 ²	0-10	36-46
Townhome, Mixed Residential	10	12	14 ²	0-10	36-46
Live/Work, Mixed Use, Commercial	10	12	8	0-10 ³	30-40
Central Expressway Service Road					
Commercial	10	10	8	0-12 ³	28-40
Internal Streets					
Patio Home, Duplex	6	6	14 ²	0-10	26-36
Townhome, Mixed Residential	6	6	14 ²	0-10	26-36
Live/Work, Mixed Use, Commercial	6	8	8	0-10 ³	22-32

Notes:

¹ The location of the Build-to Line is established by the sum of the widths of the Amenity Zone + Sidewalk Zone + Setback measured from the predominant back of curb of the street. For example, in Table 1., for a Commercial Building adjacent to Central Expressway, the Build-to Line is 28 feet from the back of curb (10 foot Amenity Zone + 10 foot Sidewalk Zone + 8 foot Setback).

The Build-to Zone is the area between the Build-to Line and a parallel line behind the Build-to Line (not in the Setback area) within which the building wall may move in and out. For example, the Build-to Zone for a Commercial Building adjacent to Central Expressway is between 28 feet and 40 feet from the back of curb (a minimum of 0' and a maximum of 12 feet from the 28 feet Build-to Line).

² Street trees may be planted in the residential Setback; patios, stoops and stairs may encroach up to 8 feet into the Setback.

³ If trees are planted outside of the Amenity Zone adjacent to nonresidential or Retail At-grade space, the provisions of *Section VII.F.3.* shall apply.

Figure 1: *Patio Home and Duplex – Street and Build-to Zone*

Figure 2: *Townhome and Mixed Residential Buildings – Street and Build-to Zone*

Figure 3: *Live/Work and Mixed Use Buildings – Street and Build-to Zone*

Figure 4: *Commercial Buildings – Street and Build-to Zone*

D. STREETS

1. **Intent.** It is the intent of these regulations that public and private streets provide a framework grid that will facilitate the movement of pedestrians, bicycles and motor vehicles in an attractive and comfortable environment, and provide for incremental long-term revitalization and redevelopment of parcels to meet changing market sector needs.
2. All streets and blocks in the WSVC District shall conform to the provisions of this Ordinance, including the Street Typologies and Street Sections in *Appendix 5. Design Guidelines*.
3. Median openings shall be allowed by Minor Modification in accordance with City of Richardson standards and the goals and intent of this District as stated in *Section I., Section III.D.1.*, and throughout this ordinance.

E. TOWNHOME DEVELOPMENT STANDARDS

1. Building regulations

a. Exterior building materials

i. Principal buildings

- a. All building façades for townhomes, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least 75% of the total exterior wall area of each elevation constructed of masonry material. Chimneys for newly constructed townhomes shall be of 100% masonry material. The remaining exterior wall area may be constructed of non-masonry materials that meet the Building Code, except that Exterior Insulating Finishing Systems (EIFS) shall be permitted only as a material for trim and moldings and only when installed above a height of eight feet and shall be impact-resistant. Where non-masonry material is permitted, hardboard siding is prohibited; however, cementitious plank siding shall be allowed if installed in overlapping horizontal rows or courses.
- b. Where a second- or third-story exterior wall is offset a minimum of three feet from the vertical plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the vertical plane of the first-floor exterior wall below, the wall of the offset portion or dormer shall be excluded from the exterior wall area calculation.
- c. For “chateau,” “mansard,” or any other design where the roof serves as an exterior wall, the above percentages shall apply.
- d. Unpainted metal, galvanized metal, or metal subject to ordinary rusting shall not be used as a building material. Factory finished metal elements as well as metals that develop an “attractive” oxidized finish, such as copper or weathering steel, may be used subject to Development Plan approval.
- e. The architectural style, materials and detailing of the side of a townhome facing a public or private street shall be compatible with the design of the front elevation of the townhome.

b. **Building height**

Principal buildings. Townhomes shall be a minimum height of two stories not to exceed 40 feet and a maximum height of three stories not to exceed 55 feet; provided, however, townhomes shall be limited to two stories if located within 200 feet of property located outside of the District that is zoned for single-family residential use.

c. **Building size**

Principal buildings. The minimum townhome dwelling unit size shall be 1,500 square feet, exclusive of garages and breezeways.

d. **Maximum number of units per building**

The maximum number of contiguous townhome dwelling units in a single structure shall be six.

2. **Area regulations**

a. **Area of the lot.** The minimum area of an individual townhome lot shall be 1,750 square feet.

b. **Width of the lot.** The minimum width for a townhome lot shall be 25 feet.

c. **Depth of the lot.** The minimum depth of a townhome lot shall be 70 feet.

d. **Lot coverage.** On lots containing dwelling units, the principal building shall cover no more than 75% of the lot.

e. **Common areas**

i. For each lot platted for a townhome, a minimum area of 800 square feet outside the limits of the platted lot shall be provided for public or common private open space, recreational, and service areas, exclusive of dedications for streets and alleys, which space shall be designated on the Development Plan.

ii. Evidence of satisfactory provisions for the improvement and ongoing maintenance of all common areas, such as a property owners association, shall be submitted to the City Attorney, and to the City Plan Commission if a plat or replat is required, for approval as part of the review of a WSVC Development Plan.

f. **Front setback**

i. The Amenity Zone, Sidewalk and Setback shall be located in the area between the street curb and the Build-to Line in accordance with the standards for Residential At-grade set forth in *Section IV.C.1.* of this Ordinance.

ii. The ordinary projections of a roof eave or cornice may extend into the required front setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than 10 feet in width may extend a maximum of two feet into the required front setback.

iii. The property owner shall be responsible for the construction and maintenance of the area between the back of curb and the building wall, whether privately-owned, right-of-way or easement.

g. Side setback

- i. On lots containing dwelling units, no side setback is required, except:
 - a. The minimum separation between buildings shall be 10 feet, unless one of the exposed walls is constructed as a firewall in accordance with the Richardson Building Code;
 - b. A 10-foot side setback shall be provided where a building is adjacent to a patio home, duplex or property zoned single-family residential located outside the District, or adjacent to a public or private street;
 - c. In no case shall the separation between buildings be less than required by applicable provisions of the City's Building and Fire Codes; and
 - d. The ordinary projections of a roof eave or cornice may extend into the required side setback a maximum of two feet. A fireplace, windowsill, box or bay window or other architectural feature not more than 10 feet in width may extend a maximum of two feet into any required side yard.

h. Rear setback

- i. A minimum 5-foot setback shall be provided between garage doors and the rear property line.
- ii. A minimum 10-foot rear setback shall be required where a building is adjacent to a patio home, duplex or property zoned single-family residential located outside the District.
- iii. The ordinary projections of a roof eave or cornice may extend into the required rear setback a maximum of two feet. A fireplace, windowsill, box or bay window, fireproof outside stairway or other architectural feature not more than 10 feet in width may extend a maximum of two feet into any required rear yard.

3. Special requirements

- a. All lots planned for dwelling units shall be platted into individual lots with frontage on a public or private street, or public open space. Each lot shall be served individually by water, sewer, electric, gas, and other utility services.
- b. Accessory structures shall be prohibited on lots containing townhomes.
- c. Required parking for each dwelling unit shall be provided in an enclosed garage structure accessible from a driveway constructed of an approved parking surface. All garages shall be rear entry and shall be accessed from an alley with a minimum right-of-way width and paving width of 20 feet.
- d. Guest parking shall be provided at a minimum ratio of 0.5 spaces per dwelling unit. Guest parking may be located on the street or in designated off-street parking areas and is intended to be located conveniently and dispersed throughout the project so as to best serve residents and their guests.
- e. Additional off-street parking spaces shall be provided adjacent to all recreational areas and service buildings as set forth in the Development Plan.
- f. The areas for recreational, open space, and service uses may be platted into one or more lots.

- g. A building approved by Minor Modification and constructed as part of a private amenity center, such as a clubhouse for the common use of residents in a townhome development, shall meet the following standards:
 - i. Shall be constructed in accordance with the exterior building material requirements of a townhome structure;
 - ii. Shall be limited to two stories in height, not to exceed 40 feet;
 - iii. Shall cover no more than 50% of the lot;
 - iv. Shall be located behind the Build-to Line and a minimum of 10 feet from any other property line;
 - v. Shall be subject to Development Plan approval;
 - vi. Shall not be located on the same lot as a townhome; and
 - vii. Shall not be occupied as a residence.
- h. Swimming pools, spas, and related equipment may be located on common area lots anywhere behind the Build-to Line and a minimum distance of three feet from any other property line; provided, however, in a rear setback adjacent to an alley, the swimming pool equipment shall be located no closer than 18 inches from the rear property line. Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city's fence regulations. Additional requirements relative to the location of swimming pools and pool equipment are stated in the *Comprehensive Zoning Ordinance, Article I, Section 5*. Any structure built for the enclosure of pool or spa equipment shall be a maximum of 12 feet in height, a maximum of 150 square feet in area, shall be constructed of a minimum of 35% masonry materials and shall meet the setbacks for the swimming pool or spa.

F. PATIO HOME DEVELOPMENT STANDARDS

1. Building regulations

a. Exterior building materials

i. Principal buildings

- a. All building façades for patio homes, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least 75% of the total exterior wall area of each elevation constructed of masonry material. Chimneys for newly constructed patio homes or additions to patio homes shall be of 100% masonry material. The remaining exterior wall area may be constructed of non-masonry materials that meet the Building Code, except that Exterior Insulating and Finishing Systems (EIFS) shall be permitted only as a material for trim and moldings and only when installed above a height of eight feet and shall be impact-resistant. Where non-masonry material is permitted, hardboard siding material is prohibited; however, cementitious plank siding shall be allowed if installed in overlapping horizontal rows or courses.
- b. Where a second-story exterior wall of a patio home is offset a minimum of three feet from the vertical plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the vertical plane of the first-floor exterior wall below, the exterior wall of the offset portion or dormer shall be

excluded from the exterior wall area calculation for purposes of these regulations.

c. Where not in conflict with the provisions contained herein, the requirements of the *Comprehensive Zoning Ordinance, Article XXII-F, Residential Exterior Construction Standards*, shall apply.

ii. **Accessory buildings.** Accessory buildings 150 square feet or less in size on a lot containing a patio home may be constructed of masonry material, non-masonry material or all metal with baked-on or pre-painted surface.

b. **Building height**

i. **Principal buildings.** Patio homes shall be a minimum of two stories in height, with a total height not to exceed 40 feet. Furthermore, in no case shall the first story exceed 25 feet in height. Single-story buildings may be approved by Minor Modification if proposed as part of a senior housing development or ADA accessible living.

ii. **Accessory buildings.** Accessory buildings shall be a maximum of one story and shall not exceed 12 feet in height.

c. **Building size**

i. **Principal buildings.** The minimum area of the patio home shall be 1,500 square feet, exclusive of garages and breezeways.

ii. **Accessory buildings.** The total floor area of accessory buildings constructed with a patio home shall not exceed 150 square feet.

2. **Area regulations**

a. **Area of the lot.** The minimum area of a patio home lot shall be 5,000 square feet.

b. **Width of the lot.** The minimum width of a patio home lot shall be 50 feet.

c. **Depth of the lot.** The minimum depth of a patio home lot shall be 100 feet. Patio home lots located on a cul-de-sac may be less than 100 feet in depth, provided one side of the lot is at least 100 feet in depth and provided the lot meets all other width and area requirements.

d. **Lot coverage.** The lot coverage of all buildings on a lot developed with a patio home shall not exceed 50% of the area of the lot, estate, or other land on which the same is situated.

e. **Common areas**

i. Common areas, if provided for private open space, recreational area or private streets, shall be designated on the Development Plan.

ii. Evidence of satisfactory provisions for the improvement and ongoing maintenance of all common areas, such as a property owners association, shall be submitted to the City Attorney, and to the City Plan Commission if a plat or replat is required, for approval as part of the review of a WSVC Development Plan.

f. **Front setback**

- i. The Amenity Zone, Sidewalk and Setback shall be located in the area between the street curb and the Build-to Line in accordance with the standards for Residential At-grade set forth in *Section IV.C.1.* of this Ordinance.
- ii. The ordinary projections of a roof eave or cornice may extend into the required front setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than 10 feet in width may extend a maximum of two feet into the required front setback.
- iii. A porch may encroach into the front setback provided it meets the following requirements:
 - a. The porch shall have a minimum depth of six feet and a minimum width at least two times the depth.
 - b. The maximum encroachment of the porch into the setback shall be eight feet.
 - c. A minimum six foot landscape strip, planted with materials from the approved list in *Appendix 2. Street Trees and Landscape Materials*, shall be provided on the patio home lot adjacent to the back of the sidewalk.
 - d. The eave of a porch may extend two feet beyond the maximum porch encroachment
- iv. The property owner shall be responsible for the construction and maintenance of the area between the back of curb and the building wall, whether privately-owned, right-of-way or easement.

g. Side setback

- i. A side setback shall be provided on one side of the patio home lot of at least ten feet, except the side setback on a corner lot adjacent to a side street shall be 15 feet. A seven-foot setback shall be required on the side of a patio home adjacent to an alley. The ordinary projections of a roof eave or cornice may extend into the required side setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than 10 feet in width may extend a maximum of two feet into the required side setback.
- ii. A patio home shall be built on the property line on one side of the lot (the zero setback side). A minimum separation of 10 feet shall be provided between all buildings.
- iii. The side of the structure located on the zero setback side shall contain no openings, appendages or overhangs, except that:
 - a. If a portion of the building is recessed to create a side porch or patio on the zero setback side, doors or other openings providing access to said porch or patio shall be permitted in compliance with all of the provisions of the Richardson Building Code;
 - b. Openings shall be permitted on the second floor of a patio home in compliance with all of the provisions of the Richardson Building Code.
- ii. Each adjacent patio home lot shall provide a roof eave and access easement, a minimum of three feet in width, adjacent to the zero setback side to allow the

property owner access for maintenance of the dwelling. The roof eave may encroach 16 inches into the easement. A gutter and down spout shall be required along the zero setback side to ensure drainage is handled on the dwelling owner's property. The gutter system is not included in the calculation of the eave encroachment.

- iii. No setback shall be required from an interior side lot line for air conditioning equipment or an uncovered porch or patio.
- h. **Rear setback.** A rear setback with a depth of not less than 20 feet is required for a patio home lot, except:
 - i. The ordinary projections of a roof eave or cornice may extend into the required rear setback a maximum of two feet. A fireplace, windowsill, box or bay window, and other architectural features not more than 10 feet in width may extend into the required rear setback a maximum of two feet;
 - ii. Where a detached garage, detached carport, attached carport or any other accessory building extends into the rear setback area, a minimum setback of three feet shall be provided from the side lot line and a minimum setback of three feet shall be provided from the rear lot line or 18 inches if the rear lot line is adjacent to an alley;
 - iii. A rear setback is not required for air conditioning equipment or an uncovered porch or patio.

3. Special requirements

- a. A building approved by Minor Modification and constructed as part of a private amenity center, such as a clubhouse for the common use of residents in a patio home development, shall meet the following standards:
 - i. Shall be constructed in accordance with the exterior building material requirements of a patio home structure;
 - ii. Shall be limited to two stories in height, not to exceed 40 feet;
 - iii. Shall cover no more than 50% of the lot;
 - iv. Shall be located behind the Build-to Line and a minimum of 10 feet from any other property line;
 - v. Shall be subject to Development Plan approval;
 - vi. Shall not be located on the same lot as a patio home; and
 - vii. Shall not be occupied as a residence.
- b. Swimming pools, spas, and related equipment constructed in association with a patio home or on a common area lot may be located anywhere behind the required Build-to Line and a minimum distance of three feet from any other property line, provided, however, in a rear setback adjacent to an alley, swimming pool equipment may be located a minimum distance of 18 inches from the rear property line. Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city fence regulations. Additional requirements relative to the location of swimming pools and pool equipment are stated in the *Comprehensive Zoning Ordinance, Article I, Section 5*. Any structure built for the enclosure of pool or spa equipment shall be a maximum of 12 feet in height, a maximum of 150

square feet in area, shall be constructed of a minimum of 35% masonry building materials and shall meet the setbacks for the swimming pool or spa.

- c. In Area F, if patio homes are constructed along the north property line adjacent to the alley, the existing screening wall may be removed and the alley may be used to access rear-entry garages and parking for these buildings.
- d. Required parking for each dwelling unit shall be provided in an enclosed garage structure accessible from a driveway constructed of an approved parking surface. Unless prohibited due to development site constraints, all garages shall be rear entry and shall be accessed from an alley with a minimum right-of-way width of 15 feet and a minimum paving width of 10 feet.
- e. Garage doors shall not face directly onto a public or private street or open space unless approved as a Major Modification. Swing-entry garages may be permitted by Minor Modification due to site constraints, provided a minimum driveway length of 20 feet shall be provided to the garage door opening and provided the cumulative area of any driveway plus any impermeable surface area located between the front property line and any front building wall shall not exceed 50% of the area between the front property line and any front building wall.

G. DUPLEX DEVELOPMENT STANDARDS

1. Building regulations

a. Exterior building materials

i. Principal buildings

- a. All building façades for duplexes, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least 75% of the total exterior wall of each elevation constructed of masonry material. Chimneys for newly constructed duplexes or additions to existing duplexes shall be of 100% masonry material. The remaining exterior wall area may be constructed of non-masonry materials that meet the Building Code, except that Exterior Insulating and Finishing Systems (EIFS) shall be permitted only as a material for trim and moldings and only when installed above a height of eight feet and shall be impact-resistant. Where non-masonry material is permitted, hardboard siding is prohibited; however, cementitious plank siding shall be allowed if installed in overlapping horizontal rows or courses.
- b. Where a second-story exterior wall of a duplex is offset a minimum of three feet from the vertical plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the vertical plane of the first-floor exterior wall below, the exterior wall of the offset portion or dormer shall be excluded from the exterior wall area calculation for purposes of these regulations.
- c. Where not in conflict with the provisions contained herein, the requirements of the *Comprehensive Zoning Ordinance, Article XXII-F, Residential Exterior Construction Standards*, shall apply.

- ii. **Accessory buildings.** Accessory buildings of 150 square feet or less may be constructed of masonry material, non-masonry material or all metal with baked-on or pre-painted surface.

b. Building height

- i. **Principal buildings.** Duplexes shall be a minimum height of two stories, with a total height not to exceed 40 feet. Furthermore, in no case shall the first story exceed 25 feet in height. Single-story buildings may be approved by Minor Modification if proposed as part of a senior housing development or ADA accessible living.
- ii. **Accessory buildings.** Accessory buildings with a floor area of 150 square feet or less built in association with a duplex shall not exceed 12 feet in height.

c. Building size

- i. **Principal buildings.** The minimum floor area per principal duplex building shall be 3,000 square feet, exclusive of breezeways, garages and servants' quarters. The minimum floor area per duplex dwelling unit shall be 1,500 square feet, exclusive of breezeways, garages and servants' quarters.
- ii. **Accessory buildings.** The total area of detached structures shall not exceed 150 square feet per duplex dwelling unit.

2. Area regulations.

- a. **Area of the lot.** The minimum area of a duplex lot shall be 10,000 square feet or, if each dwelling unit of the duplex building is platted on a separate lot, each lot shall be a minimum 5,000 square feet.
- b. **Width of the lot.** The minimum width of a duplex lot shall be 100 feet or, if each dwelling unit of the duplex building is platted on a separate lot, each lot shall be a minimum of 50 feet wide.
- c. **Depth of the lot.** The minimum depth of a duplex lot shall be 100 feet. Lots located on a cul-de-sac may be less than 100 feet in depth, provided one side of the lot is at least 100 feet in depth and provided the lot meets all other width and area requirements.
- d. **Lot coverage.** The lot coverage of all buildings constructed in association with a duplex shall not exceed 50% of the area of the lot, estate, or other land on which the same is located.
- e. **Common areas**
 - i. Common areas, if provided for private open space, recreational area or private streets, shall be designated on the Development Plan.
 - ii. Evidence of satisfactory provisions for the improvement and ongoing maintenance of all common areas, such as a property owners association, shall be submitted to the City Attorney, and to the City Plan Commission if a plat or replat is required, for approval as part of the review of a WSVC Development Plan.

f. Front setback

- i. The Amenity Zone, Sidewalk and Setback shall be located in the area between the street curb and the Build-to Line in accordance with the standards for Residential At-grade set forth in *Section IV.C.1.* of this Ordinance.
- ii. The ordinary projections of a roof eave or cornice may extend into the required front setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than 10 feet in width may extend a maximum of two feet into the required front setback.
- iii. A porch may encroach into the front setback provided it meets the following requirements:
 - a. The porch shall have a minimum depth of six feet and a minimum width at least two times the depth.
 - b. The maximum encroachment of the porch into the setback shall be eight feet.
 - c. A minimum six foot landscape strip, planted with materials from the approved list in *Appendix 2. Street Trees and Landscape Materials*, shall be provided on the duplex lot adjacent to the back of the sidewalk.
 - d. The eave of a porch may extend two feet beyond the maximum porch encroachment
- iv. The property owner shall be responsible for the construction and maintenance of the area between the back of curb and the building wall, whether privately-owned, right-of-way or easement.

g. Side setback.

- i. There shall be a side setback of seven feet on each side of the duplex lot, or on the side of the lot where the dwelling units do not share a common property line if each dwelling unit of the duplex building is platted on a separate lot, without projections or appendages except as allowed herein, except the side setback on a corner lot adjacent to a side street shall be 15 feet.
- ii. The ordinary projections of a roof eave or cornice may extend into the required side setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than 10 feet in width may extend into the required side setback a maximum of two feet.
- iii. An accessory building shall meet the side setback required for the duplex, except when the required rear setback is adjacent to an interior lot line, a minimum three-foot side setback shall be provided. Notwithstanding the requirements of *Section G.2.g.i.*, if each dwelling unit of the duplex building is platted on a separate lot, the accessory structure shall provide a minimum setback of three feet along the common property line. No portion of the accessory structure shall extend into the required side setback when located within the required rear setback area.
- iv. No setback shall be required from an interior side lot line for air conditioning equipment or an uncovered porch or patio.

- h. **Rear setback.** There shall be a rear setback having a depth of not less than 20 feet, except:
 - i. The ordinary projections of a roof eave or cornice may extend into the required rear setback a maximum of two feet. A fireplace, windowsill, box or bay window, and other architectural features not more than 10 feet in width may extend into the required rear setback a maximum of two feet.
 - ii. Where an accessory building extends into the rear setback area, a minimum setback of three feet shall be provided from the side lot line and a minimum setback of three feet shall be provided from the rear lot line or 18 inches if the rear lot line is adjacent to an alley.
 - iii. No rear setback shall be required for air conditioning equipment or an uncovered porch or patio.

3. Special requirements

- a. A building approved by Minor Modification and constructed as part of a private amenity center, such as a clubhouse for the common use of residents in a duplex development, shall meet the following standards:
 - i. Shall be constructed in accordance with the exterior building material requirements of a duplex structure;
 - ii. Shall be limited to two stories in height, not to exceed 40 feet;
 - iii. Shall cover no more than 50% of the lot;
 - iv. Shall be located behind the Build-to Line and a minimum of 10 feet from any other property line of 10 feet;
 - v. Shall be subject to Development Plan approval;
 - vi. Shall not be located on the same lot as a patio home; and
 - vii. Shall not be occupied as a residence.
- b. Swimming pools, spas, and related equipment constructed in association with a patio home or on a common area lot may be located anywhere behind the required Build-to Line and a minimum distance of three feet from any other property line, provided, however, in a rear setback adjacent to an alley, swimming pool equipment may be located a minimum distance of 18 inches from the rear property line. Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city fence regulations. Additional requirements relative to the location of swimming pools and pool equipment are stated in the *Comprehensive Zoning Ordinance, Article I, Section 5*. Any structure built for the enclosure of pool or spa equipment shall be a maximum of 12 feet in height, a maximum of 150 square feet in area, shall be constructed of a minimum of 35% masonry materials and shall meet the setbacks for the swimming pool or spa.
- c. In Area F, if duplexes are constructed along the north property line adjacent to the alley, the existing screening wall may be removed and the alley may be used to access rear-entry garages and parking for these buildings.
- d. Required parking for each dwelling unit shall be provided in an enclosed garage structure accessible from a driveway constructed of an approved parking surface.

Unless prohibited due to site constraints, all garages shall be rear entry and shall be accessed from an alley with a minimum right-of-way width of 15 feet and a minimum paving width of 10 feet.

- e. Garage doors shall not face directly onto a public or private street or open space unless approved as a Major Modification. Swing-entry garages may be permitted by Minor Modification due to site constraints, provided a minimum driveway length of 20 feet shall be provided to the garage door opening and provided the cumulative area of any driveway plus any impermeable surface area located between the front property line and any front building wall shall not exceed 50% of the area between the front property line and any front building wall.
- f. Where duplex buildings are constructed, the front façade shall be designed so that the two halves of the structure do not appear as a mirror image and the Primary Entry for at least one of the duplex dwellings shall not face the front street unless approved as a Minor Modification.

IV. BUILDINGS

A. INTENT

The intent of *Section IV* is to create an attractive and active WSVC District and to encourage a variety of creative building and design solutions in response to the standards and regulations outlined herein. The size, disposition, function and design of buildings all play an important role in achieving that goal.

It is also intended that commercial spaces be designed and constructed in a manner that allows flexibility to accommodate a range of uses over time in order to avoid the need to demolish and rebuild for successive uses.

More specifically,

1. Buildings should make a direct and positive contribution to the image, attractiveness, safety and function of the street and public areas;
2. Buildings that include retail at-grade should feature the retail activity prominently;
3. Buildings should be constructed in a manner and with materials that are highly durable, sustainable and will continue to be attractive over a long period of time, especially adjacent to public and pedestrian areas; and
4. Buildings should have articulated facades to provide visual interest.



Retail space should be emphasized by the building architecture

B. BUILDING STANDARDS

1. General Building Disposition

- a. Facades shall be built generally parallel or tangent to the principal street frontage line. For lots having two frontages, both shall be considered as principal street frontage.
- b. Loading docks and service areas may be permitted on street frontages on an approved WSVC Development Plan only by Minor Modification. Such loading and service areas are discouraged except in very special circumstances, such as grocery stores or other uses requiring delivery of large volumes of merchandise. Alley-oriented loading, on-street loading zones and off-peak delivery times should serve the needs for almost all uses in this District.
- c. Residential At-grade units adjacent to US 75/Central Expressway shall not face directly onto the highway service road.
- d. All buildings which are adjacent to or across a street from a public open space shall contain windows and a primary building entry facing the open space feature. In addition, there shall be no on-site parking allowed between any neighboring or facing building and such open space. Open space shall include public parks, greens, squares, plazas or trails.

2. **Building Height.** Building height shall be limited as described herein and in accordance with *Appendix 4. Height Zones*.
 - a. All buildings within the District shall be a minimum of two stories in height except as provided here in.
 - b. A nonresidential building may be one story only with approval of a Major Modification.
 - c. Patio homes and duplexes may be one story only as stipulated in *Section 3. General District Standards* as part of a senior housing development or ADA accessible living. Mixed Residential buildings shall be limited to one story when within 150 feet of the alley north of Area F west of Dublin Drive inclusive of the alley right-of-way.
 - d. Except where otherwise specified in this Ordinance, buildings shall be limited to a maximum of two stories if located within 200 feet of property located outside the District which is zoned for single-family residential use.
 - e. Except as provided in *Section IV.B.2.c., Section IV.B.2.d., or Appendix 4. Height Zones*, buildings shall not exceed four stories in height.
3. **Building Types**
 - a. The following Building Types are allowed in the following Subdistricts:

TABLE 2. SUBDISTRICT BUILDING TYPES

SUBDISTRICT BUILDING TYPE	SUBDISTRICT						
	AREA A	AREA B ¹	AREA C	AREA D	AREA E	AREA F	AREA G
Patio Home				X	X	X	
Duplex				X	X	X	
Townhome	X	X		X	X	X	
Mixed Residential		X, MjM ²		X, MjM ²		X, MjM ²	
Live-Work	X	X	X				X
Mixed Use	X ³	X	X				X
Commercial	X	X	X				X

Notes:

¹ No nonresidential uses in buildings in Area B west of St. Paul Drive within 200 feet of property outside the District zoned for single-family uses

² Major Modification required for Mixed Residential Buildings in Areas B, D and F within 150 feet of property outside the District zoned for single-family uses

³ Mixed Use Buildings prohibited north of James Drive in Area A

4. Architectural Articulation

Where clearly visible from a public street or open space:

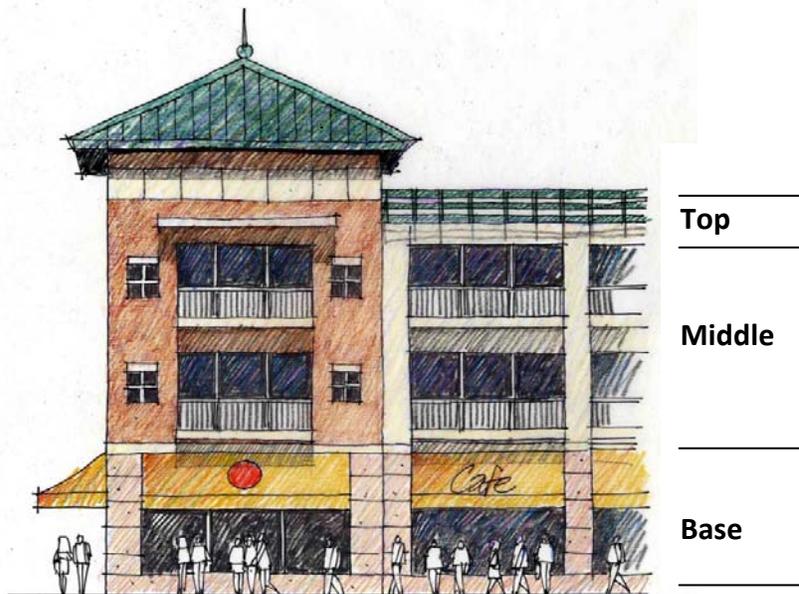
- a. **Building Articulation.** Buildings must demonstrate both horizontal and vertical articulation. Building articulation shall be approved as part of the review of Building Elevations and Site Sections in the WSV Development Plan (examples below).





Building Articulation

- i. Buildings shall generally maintain a façade rhythm of 20 to 30 feet. This rhythm may be expressed by a change in building plane, stepping portions of façades in and out, utilizing columns or pilasters that are distinctly set out from the façade or changing types or colors of materials in combination with other techniques.
- ii. All Commercial, Mixed Use, Live/Work and Mixed Residential buildings shall be designed and constructed in tri-partite architecture, with a distinct base, middle and top. An expression line, setback or other architectural element shall delineate the base and top.



Tri-Partite Architecture

- iii. Landmark Buildings which are located on axis with the terminus of a street or major access drive, or at the intersection of streets and/or major access drives, shall be designed with landmark features which take advantage of the location, such as an accentuated entry and/or a unique building articulation which is offset from the front wall planes and extends above the main building eave or parapet line.



Landmark Building

5. Building Entries

Each Mixed Residential, Live/Work, Mixed Use and Commercial building, and each separate leasable space at-grade along the street edge within these building types, shall have a functioning Primary Entry from the sidewalk. Such entries must be inset from the front building plane by at least 3 feet. Functioning entries should generally be located no more than 60 feet apart. Corner entries may count as a Primary Entry for both intersecting street frontages. Entries to leasable spaces from a courtyard or plaza may be flush with the building façade provided there is an awning or other weather protective cover over the entrance.

Where parking lots are located behind a building, a secondary rear entry is strongly encouraged to provide convenient access from the parking lot to the building.

6. Roofs

- a. Flat roofs and green roofs are permitted except on Patio Home and Duplex buildings.
- b. For buildings with hip, gable or mansard roofs, the allowed roof materials include slate, concrete or clay roofing tile, copper, factory-finished standing seam metal or laminated asphalt shingles of at least 300 pounds per square. Wood shingles are expressly prohibited.

7. Exterior Façade Materials

The use of durable, high-quality, high-performance materials is encouraged as a means of creating visual interest and building articulation. Except where otherwise specified in this Ordinance, the following shall apply to all exterior walls of buildings and parking structures for Mixed Use, Live/Work, Mixed Residential or Commercial buildings:

- a. **Exterior walls at the ground floor level.** Exterior walls facing a street, walkway, private courtyard or public open space (excluding windows, doors and other openings) at the ground floor level shall be constructed of a minimum of 50% masonry material.
 - i. In addition to masonry, the following materials or combinations thereof shall also be permitted on the remainder of the façade at the ground floor level:

1. 3-stage exterior stucco;
 2. Glass block;
 3. Ventilated facade systems as defined in *Section 2. Definitions*, said systems to be installed per the manufacturer's specifications by a qualified applicator certified by the system manufacturer.
- ii. Notwithstanding anything to the contrary in this *Section IV.B.7.a.*, a maximum of 15% of the building façade at the ground floor level may be constructed of other durable accent and trim materials approved by the City Manager, including wood. EIFS shall be permitted only as a material for trim and moldings and only when installed at a height above 8 feet above grade and shall be impact-resistant. In determining the percentage allowance, the total of all sides of the building at the ground floor level shall be utilized in the calculation, and a maximum of 20% of the façade per elevation at ground floor level shall be constructed of durable trim and accent materials approved by the City Manager.
- iii. Concrete tilt wall, site-cast concrete panels or other similar materials are prohibited, except as provided in *Section IV.B.7.c.*
- b. **Exterior walls above the ground floor level.** Exterior walls (excluding windows, doors and other openings) above the ground floor level shall be constructed of the following materials or combinations thereof:
- i. Masonry;
 - ii. 3-stage exterior stucco;
 - iii. Glass block;
 - iv. Ventilated facade systems as defined in *Section 2, Definitions*, said systems to be installed per the manufacturer's specifications by a qualified applicator certified by the system manufacturer; or
 - v. Concrete tilt wall, site-cast concrete panels or other similar materials are prohibited, except as provided in *Section IV.B.7.c.*

Notwithstanding anything to the contrary in this *Section IV.B.7.b.*, a maximum of 15% of the building façade area above the ground floor not required to be constructed of the materials in *Section IV.B.7.b.* may be constructed of other durable accent and trim materials approved by the City Manager, including wood. EIFS shall be permitted only as a material for trim and moldings and only when installed at a height above 8 feet and shall be impact-resistant. In determining the percentage allowance, the total of all facades of the building above the ground floor shall be utilized in the calculation and a maximum of 20% of the façade per elevation above the ground floor level shall be constructed of durable trim and accent materials approved by the City Manager.

- c. **Glass curtain wall.** Notwithstanding *Section IV.B.7.a.* and *Section IV.B.7.b.*, up to 100% glass curtain wall shall be permitted as a building material:
- i. On exterior walls above the ground floor level on a Commercial Building of six stories or more where allowed in Area B. Exterior walls at ground floor level shall be constructed of 50% masonry as required in *Section IV.B.7.a.* Concrete

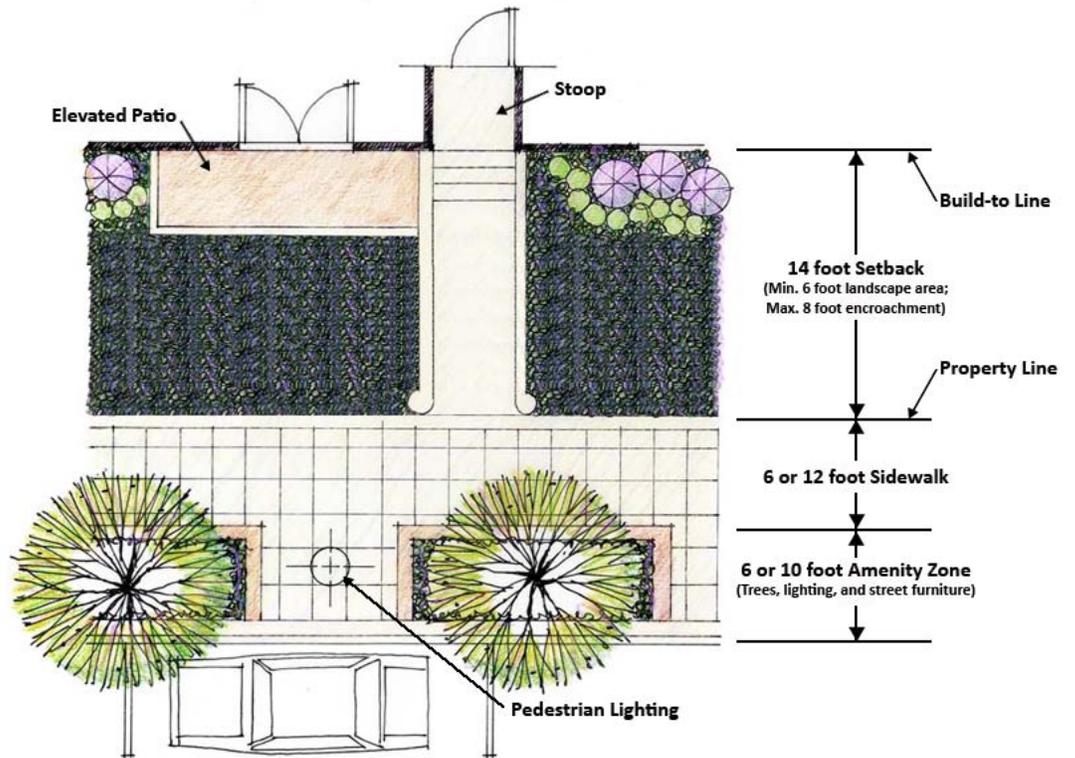
spandrels or other concrete wall sections may be permitted in combination with glass curtain wall; and

- ii. On the “Middle” portion of a Mixed Use, Live/Work, Mixed Residential or Commercial building as defined under “tripartite architecture” in *Section IV.B.4.a.ii.*

C. BUILDINGS CONTAINING RESIDENTIAL UNITS

1. Residential At-grade Units in Mixed Residential and Townhome Buildings

- a. All Mixed Residential and Townhome Buildings which have dwelling unit floor plates within 6 feet of grade shall include a functioning Primary Entry from the sidewalk which provides access into the at-grade dwelling unit.
- b. Entries for Residential At-grade units in Mixed Residential and Townhome Buildings shall be located a minimum of two feet above the sidewalk elevation and include a minimum 24 square foot stoop; however, units for handicapped accessibility (or handicapped adaptable units) may be located at grade provided that a fence with a height of not less than 30 inches and not greater than 4 feet, and with at least 50% through vision, is constructed to enclose a small setback and the front door. Any change to this standard shall be considered a Major Modification.
- c. Minimum floor to ceiling height for Residential At-grade units in Mixed Residential and Townhome Buildings shall be 10 feet excluding furr down areas. A reduction of up to 10% may be approved by Minor Modification.
- d. Residential At-grade units in Mixed Residential and Townhome Buildings shall have a minimum landscaped setback depth of 14 feet from the back of the sidewalk to the building face. Stoops, stairs, bay windows, chimneys and patios may encroach up to 8 feet into the setback. A minimum 6 foot landscape strip must be provided adjacent to the Sidewalk.
- e. All Mixed Residential and Townhome dwelling units must include windows which provide residents a view of the street or public access easement and sidewalk area.
- f. Balcony and patio railings and fences for a Mixed Residential or Townhome Building shall be largely transparent and constructed of wrought iron, metal or other material approved by the City Manager or a combination thereof. Masonry columns may be used on patios and fences provided they are used only as accents. Wood fences and railings, chain-link fencing and vinyl fencing materials are prohibited.



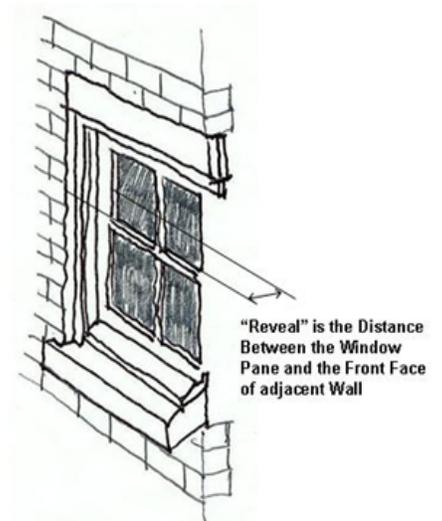
Residential At-grade



Residential At-grade

2. Residential Above-grade Units in Mixed Residential, Mixed Use, Townhome and Live/Work Buildings

- a. Minimum floor to ceiling height for residential units in Mixed Residential, Mixed Use, Townhome and Live/Work Buildings shall be 10 feet excluding furr downs. A reduction of up to 10% may be approved by Minor Modification.
- b. A minimum of 50% of the dwelling units above-grade in Mixed Residential, Mixed Use and Townhome Buildings shall be constructed with balconies at least 4 feet in depth. Balcony and patio railings for a Mixed Residential, Mixed Use, Townhome or



Live/Work Building shall be largely transparent and constructed of wrought iron, metal, glass or other material approved by the City Manager or a combination thereof. Wood railings are prohibited.

- c. Lobbies to upper stories in a Mixed Residential or Mixed Use Building may be located at the sidewalk level.

3. Windows in Residential Units

- a. Windows in residential units shall generally be clear. Residential units in Live/Work, Mixed Residential and Mixed Use Buildings may utilize windows with a light tint.
- b. Windows in Live/Work, Mixed Residential and Mixed Use Buildings shall represent a minimum of 30% and a maximum of 60% of each Building Elevation above the ground floor; however, because loft units generally contain large amounts of window area, an increase of up to 15% may be approved for building elevations containing lofts by Minor Modification. Increases greater than 15% shall require a Major Modification except glass curtain wall shall be permitted in accordance with *Section IV.B.7.c.*

*Loft units
characterized by
a high percentage of
window area*



4. Residential Unit Size

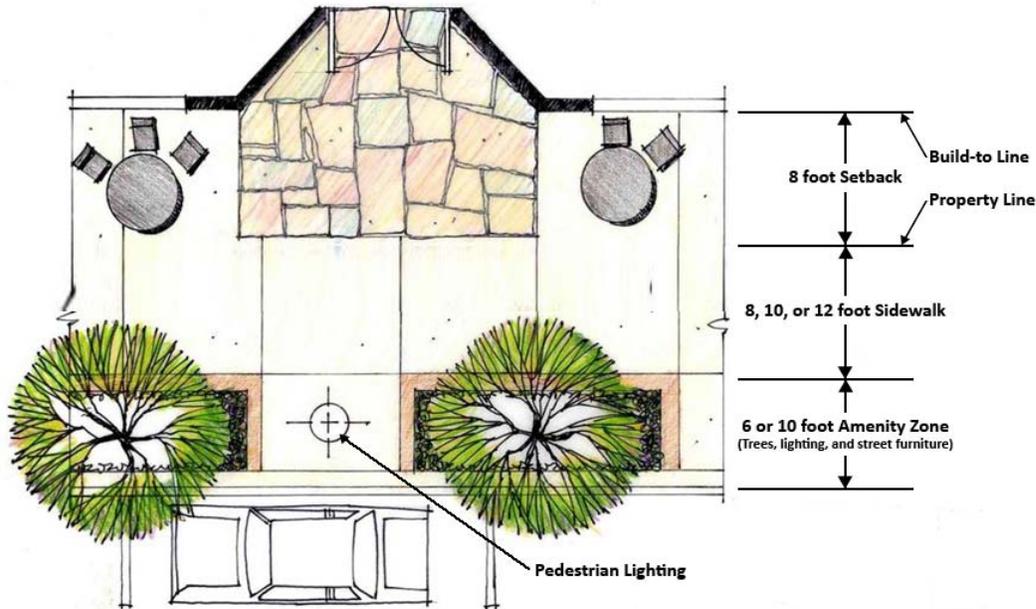
- a. The minimum residential unit size for Mixed Residential, Live/Work, and Mixed Use, units, shall be:
 - i. Studio – 500 SF
 - ii. 1-Bedroom – 750 SF
 - iii. 2-Bedroom – 900 SF
 - iv. 3-Bedroom – 1,000 SF

5% of each unit type in each building, except Studio units, may be constructed with a square footage of up to 25% less than the minimum required area for better design.

D. BUILDINGS CONTAINING NONRESIDENTIAL USES

1. Retail-ready At-grade

- a. The ground floor entry for Retail-ready At-grade spaces must be located at the approximate elevation of the adjacent sidewalk.
- b. Retail-ready spaces adjacent to the sidewalk at grade shall:
 - i. Be constructed to meet Fire Code separation requirements from any other uses constructed on the floors above;
 - ii. Have a minimum floor to ceiling height of 15 feet except for furr down areas for at least 30 feet from the front of the building;
 - iii. Have an awning or canopy which extends at least 6 feet from the building over the sidewalk for at least 75% of the frontage of the building.
 - iv. When desired, use planters and wrought iron fencing to provide separation of business patrons from the general public on the adjacent sidewalk unless other means of separation are approved by Minor Modification.



Nonresidential/Retail-ready At-grade



Nonresidential/Retail-ready At-grade

2. Windows in Nonresidential Spaces

- a. Windows in a nonresidential space at grade shall be highly transparent and shall comprise a minimum of 60% and a maximum of 80% of the ground floor façade.
- b. Windows in a nonresidential space above grade shall represent a minimum of 30% and a maximum of 60% of each Building Elevation above the ground floor. An increase of up to 15% of the maximum may be approved for building elevations by Minor Modification. Increases greater than 15% shall require a Major Modification unless using glass curtain wall construction in conformance with *Section IV.B.7.c.*

V. PARKING AND ACCESSIBILITY

A. MOTOR VEHICLE PARKING

1. **Intent.** The intent of *Section V* is to:
 - a. Provide for flexibility in the leasing of allowed uses;
 - b. Manage parking so that it is convenient, efficient and supports an active and vibrant mixed-use retail, office and residential environment;
 - c. Ensure ease of access to parking;
 - d. Provide flexibility for changes in land uses which have different parking requirements;
 - e. Reduce the overall amount of pavement in the District;
 - f. Avoid adverse parking impacts on residential neighborhoods; and
 - g. Ensure that parking structures do not dominate the public environment by encouraging the lining of the edges of such structures with residential or commercial uses where the structure would otherwise be visible from public streets and public open space.

2. Parking Requirements

- a. The construction of any new building or the expansion of the gross leasable square footage of an existing building shall require the construction of parking for that additional square footage in accordance with *Table 3. Parking Calculations* unless subject to a comprehensive parking plan or shared parking agreement approved by the City Manager or designee.
- b. Parking spaces shall be dimensioned and designed in accordance with the City of Richardson *Parking Design Manual*. Handicap parking spaces may be installed in accordance with State of Texas requirements.
- c. **On-site at-grade parking.** In general, off-street surface parking should be located behind the building; however, when it is necessary to locate parking adjacent to the sidewalk, such parking shall be located at least eight feet behind the Build-to Line on a street or public open space, except that a reduction of up to 25% of the eight foot parking setback may be approved by Minor Modification. The setback and surface parking lot shall be landscaped and screened as set out in *Section VII. Landscape* of this Ordinance.
- d. Parking shall be accessed by an alley or driveway between buildings. Every effort shall be made to minimize the number of driveways along block faces, including the use of shared drives between developments.
- e. **Parking Garages**
 - i. Where approved, parking garages which are adjacent to a street shall be separated from the roadway and Build-to Line by a Liner Building which is a minimum of 30 feet in depth and contains permitted uses other



than parking. The entry to the parking garage shall be architecturally integrated into the design of the building it serves.

ii. Where a parking garage must be located adjacent to a street:

a. The parking structure facades shall be designed with both vertical (changes in planes, columns, pilasters, etc.) and horizontal (aligning with horizontal elements along the block) articulation and the building materials shall be compatible with the materials of the building the parking structure serves.



b. The parking structure shall also be designed and screened in such a way that motor vehicles on all parking levels are hidden from view from all adjacent public streets. Parking garage ramps shall not be visible from any public street. Ideally, ramps should not be located along the perimeter of the parking structure. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield the lighting inside the structure.

c. Parking structures and adjacent sidewalks shall be designed so pedestrians are clearly visible to entering and exiting motor vehicles.

iii. Off-street below-grade parking may be built to the lot lines, but must be designed to allow landscape planting at grade as defined in *Section VII. Landscape*. No below-grade parking beneath a building shall be visible from the sidewalk

B. BICYCLE PARKING

1. **Intent.** The intent of this section is to encourage the use of bicycles by requiring safe and convenient bicycle parking.

2. **Required Bicycle Parking**

Bicycle parking shall be provided at a rate of at least one space for each 25 motor vehicle parking spaces required, or portion thereof, as part of the base parking requirement in *Table 3. Parking Calculations*. A reduction in required bicycle parking of up to 10% may be approved by Minor Modification.

3. **Bicycle Parking Standards**

a. **Location**

i. Required bicycle parking must be located within 50 feet of an entrance to the building. With the approval of a Minor Modification, some bicycle parking may be located in the public right-of-way within the Amenity Zone and, if approved, must be placed in a manner that avoids conflicts with pedestrian and vehicular paths.

ii. Bicycle parking may also be provided within a building, but the location must be easily accessible to bicycles and not be in violation of applicable Fire Code provisions.

b. Covered Spaces

If covered spaces for motor vehicles are provided on-site, at least 50% of the bicycle parking shall also be covered, except that the number of required spaces may be reduced by a maximum of 10% if approved by Minor Modification.

c. Signs

If bicycle parking is not visible from the building entry area, a sign must be posted indicating the location and availability of the bicycle parking facilities.

4. Standards for Bicycle Rack Types and Dimensions

a. Rack Type

Bicycle rack types and dimensions shall be approved by the City.

b. Parking Space Dimensions

- i. Bicycle parking spaces must be at least 6 feet long and 2 feet wide. Bicycle racks shall be spaced 30 inches apart. If the bicycle parking is covered, the overhead clearance must be at least 7 feet.
- ii. A minimum 4-foot wide aisle for bicycle maneuvering must be provided and maintained beside or between each row of bicycle parking.
- iii. Each bicycle parking space must be accessible without requiring another bicycle to be moved.

TABLE 3. PARKING CALCULATIONS

REQUIRED PARKING	
RESIDENTIAL	Mixed Residential/Mixed Use – 1 space/studio unit; 1.5 spaces/1- bedroom unit; 2 spaces/unit for all other unit types Townhome, Duplex, Patio Home – 2 spaces/unit in an enclosed garage accessed from the alley
INSTITUTIONAL	Consistent with the parking requirements established in the Comprehensive Zoning Ordinance or determined by Minor Modification supported by a parking study
HOTEL (full-service hotel)	1.25 space/guest room
HOTEL (limited service or suite hotel)	1 space/guest room
OFFICE	1 space/250 sq. ft. for office area in buildings of up to 75,000 sq. ft.; 1 space/300 sq. ft. for office area in buildings over 75,000 sq. ft.
RETAIL / RESTAURANT	1/250 sq. ft.
BICYCLES	1 space/25 minimum required motor vehicle spaces
OTHER	To be determined by Minor Modification; consistent with the parking requirements established in the City's Development Regulations or supported by a parking study

VI. LIGHTING, MECHANICAL, SERVICE AREAS AND UTILITIES

A. INTENT

It is the intent of *Section VI* to:

1. Provide lighting that supports pedestrian activity and promotes safety but does not impinge on adjacent properties;
2. Reduce the visual impact of mechanical equipment and service areas on public areas; and
3. Reduce the number of overhead utility lines in the District.

B. EXTERIOR LIGHTING STANDARDS

1. Lighting levels shall comply with City of Richardson standards for glare set forth in the *Comprehensive Zoning Ordinance*, as amended or succeeded.
2. Lighting elements shall be LED, incandescent, metal Halide or halogen only. No HID or fluorescent lights (except fluorescent bulbs that screw into standard socket fixtures) may be used on the exterior of buildings. Neon may be permitted as a lighting source only with a Minor Modification.
3. All lighting exterior to the building shall be focused downward or narrowly focused on its intended target, such as signs, parking, and pedestrian walkways. Any light source greater than 60 watts shall be shielded so as not to be visible from public view or from a residential unit.

C. MECHANICAL AND SERVICE AREAS

1. Site features such as loading and outdoor storage areas, mechanical and rooftop equipment, refuse storage containers and utility accessories shall be screened to reduce the visual impact of these elements on adjoining properties and public rights-of-way.
 - a. Loading and outdoor storage areas should not be located on the street side of a building and should be screened from view of streets and adjacent properties. The screen may consist of a permanent architectural feature such as a wall, landscape elements such as trees and shrubs, or a combination thereof as described herein.
 - b. All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, should be screened to eliminate the view from the ground level of adjacent properties. In addition, roof-mounted equipment should be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings.
 - i. The overall screening height shall be the height of the tallest element of roof-mounted equipment.
 - ii. The outside of the screening device should be painted or finished in a similar color to the building facade, trim or roof surface to minimize the visibility of the equipment and screen the view from ground level.

- iii. Roof-mounted equipment and the inside of the screening device should be painted similar to the color of the roof surface in order to minimize the visibility of the equipment and screening device from overhead views.
 - c. Refuse storage containers shall be screened from public streets and adjacent properties by a minimum 6 foot high masonry wall.
 - d. Ground-mounted utility meters and other utility apparatus, including transformers, should be located to the rear of the structure, or to the side of the structure in a designated utility or service yard, and screened from the view of public streets and adjoining properties. Screening should not interfere with the safe operation and maintenance of the equipment. Acceptable screening methods include:
 - i. Landscaping, including trees or an evergreen hedge;
 - ii. A fence constructed of masonry and/or native stone;
 - iii. Wrought iron in conjunction with an evergreen hedge;
 - iv. Other material approved by the City; or
 - iii. Placement of the equipment underground or interior to the building.
 - e. Wall-mounted equipment, including meters (such as banks of electric meters) should be screened from public streets and adjacent properties. All suggested screening shall meet clearances required by affected utility companies. Acceptable screening methods include:
 - i. Landscaping, including trees or an evergreen hedge;
 - ii. A fence constructed of masonry, native stone,
 - iii. Wrought iron in conjunction with an evergreen hedge;
 - iv. Other material approved by the City; or
 - iii. Wall-mounted screening devices, such as cabinets, which are architecturally compatible with the building facade.
2. Visibility triangles shall be maintained in accordance with the City's sight guidelines. Nothing in the screening requirements herein shall be construed as permitting any obstruction to visibility, and no person shall locate a structure or plant material in a manner which will obstruct a view and create a traffic hazard. Within the visibility triangle, no obstruction shall exceed 30" in height, measured from the top of the curb; however, trees are permitted within the visibility triangle provided that the lowest limbs are trimmed to a minimum height of 7 feet, measured from the top of curb. This restriction shall not apply to structures authorized by the *Comprehensive Zoning Ordinance* or to traffic control signs, traffic control equipment, street signs or any utility-related equipment.

D. UTILITIES

1. Overhead utility lines.

- a. All electrical, telecommunication and street lighting (lateral and/or service distribution) lines and wires, whether existing or new, must be placed underground as part of the redevelopment of a property.

- b. All electrical and telecommunication support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad-mounted or placed underground and screened as required herein, but shall not obstruct the vision of motorists at alley, street or drive intersections.

VII. LANDSCAPE

A. INTENT

Landscaping within the WSVC District shall comply with the provisions in this *Section VII*, and with *Appendix 2. Street Trees and Landscape Materials*. City of Richardson policies regarding landscape design shall apply when not in direct conflict with this Ordinance and the goals and intent of the WSVC District.

It is the intent of this Section VII to contribute to pedestrian safety and comfort by:

1. Supporting the *West Spring Valley Corridor Reinvestment Strategy* goals for a pedestrian-oriented, urban-style environment;
2. Buffering on-site surface parking from public areas;
3. Minimizing stormwater runoff, filtering air pollution and reducing the heat island effect caused by solar heat gain in paved and hard surface areas;
4. Increasing the appeal of the adjacent buildings.

B. STREETSCAPING

1. Street trees shall constitute the primary landscaping for the WSVC District and shall be planted in accordance with City details as well as the following:
 - a. Trees shall be selected from the approved Street Tree list contained in *Appendix 2. Street Trees and Landscape Material*; where appropriate, trees other than those in the approved Street Tree list in *Appendix 2. Street Trees and Landscape Material* may be used in combination with the approved materials, subject to approval of a Minor Modification.
 - b. Street trees shall be:
 - i. At least 3-inch caliper at the time of planting;
 - ii. Single trunk; and
 - iii. "Limbed" up to at least seven feet and pruned to leave a minimum eight feet of clearance over pedestrian walkways and 12 feet of clearance over on-street parking spaces and travel lanes.
2. **Street trees in the Amenity Zone**
 - a. Street trees in the Amenity Zone shall be planted within an 8-foot x 8-foot tree well, constructed in accordance with the Tree Planting Detail and Soil Mix Detail in *Appendix 2. Street Trees and Landscape Material*. The tree well opening shall be covered with a 6-foot x 6-foot tree grate, also in accordance with City details.
 - b. Underground bubbler irrigation is required for street trees in the Amenity Zone and shall be installed on a zone separate from other landscape areas. Irrigation must be designed to deliver the appropriate amount of water to each tree with minimum waste.
 - c. Drainage for the tree well must be provided in accordance with City details.
 - d. Tree wells may also include electrical outlets for up-lighting and special events.

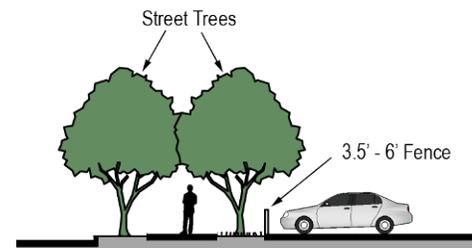
3. **District-wide Furnishings.** The entire District shall utilize basic fixtures and furnishings, such as street and pedestrian lighting, benches, trash cans, newspaper dispensers and bicycle parking equipment, that are approved by the City for public areas within the District. Street furnishings may be located within the Amenity Zone a minimum of three feet from the curb or within the Setback area.

C. PLANT MATERIAL

Plant materials shall consist of street trees, ornamental trees, evergreen shrubs, ground covers and vines and turf/grass, which are native or drought tolerant as set forth in *Appendix 2. Street Trees and Landscape Material*. Seasonal-color plants shall also be allowed. Where appropriate, plant materials other than those in the approved list in *Appendix 2. Street Trees and Landscape Material* may be used in combination with the approved materials subject to approval of a Minor Modification.

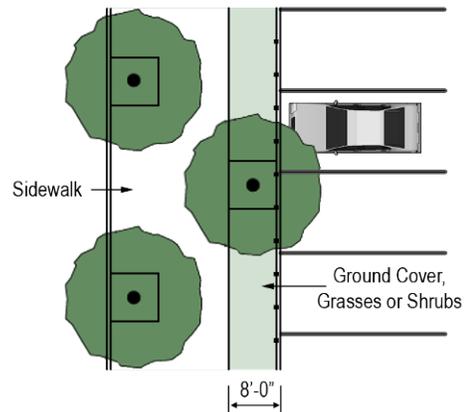
D. PAVING MATERIAL

1. Paving material in front setbacks and on sidewalks shall be warm toned materials such as brick, natural or manufactured stone, and/or concrete.
2. Gravel as a paving material is prohibited.
3. A stamped version of brick, stone or cobbles may be approved in certain locations by Minor Modification.



E. PARKING LOT LANDSCAPING

1. **Parking Lots Adjacent to Sidewalks.** Where parking is adjacent to the sidewalk, a second row of trees and a fence between 3.5 feet and 6 feet in height shall be provided in place of a building wall. The trees shall be located in a landscape setback a minimum of 8 feet in width in soil prepared in accordance with the Soil Mix Detail in *Appendix 2. Street Trees and Landscape Material*. A reduction of up to 25% in the width of the landscape setback shall be permitted due to site constraints or for improved design, if approved by Minor Modification.



The fence treatment may be wrought iron or a combination of wrought iron and brick or stone; the installation of shrubs adjacent to the wrought iron fence is optional. Except for brick or stone columns, any fence greater than 3.5 feet in height shall provide at least 50% through vision above the height of 3.5 feet. Openings in the fence and landscaping shall be provided and a hard surface shall be installed to accommodate pedestrian access from the parking lot to the public sidewalk.

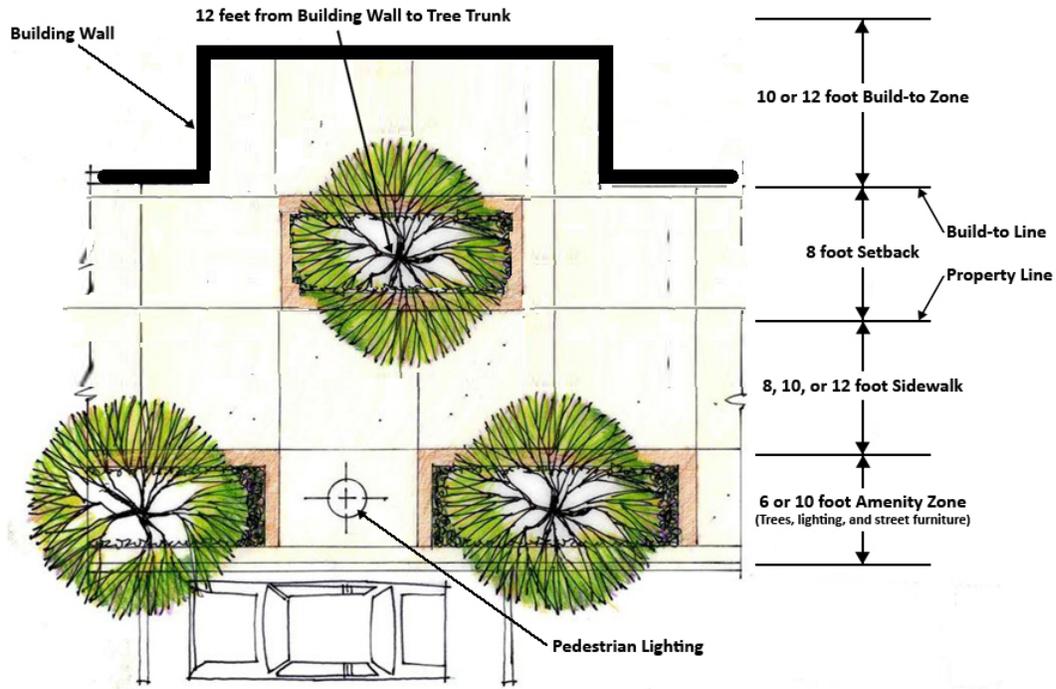
2. **Interior parking lot landscaping.** Landscaping internal to the parking lot shall include the planting of trees from the street tree list in *Appendix 2. Street Trees and Landscape Material* to reduce heat buildup. Each row of parking shall be configured so that there is a minimum 10-foot wide landscape island with each run of eight parking spaces. A

parking island shall be required on the end of each row of parking. Parking lot landscaping shall contain a quantity of trees calculated at a minimum of one street tree for every six motor vehicle parking spaces.

A concrete, paver or mulch strip the width of the vehicle overhang shall be provided for parking spaces adjacent to a landscape area. This strip shall be measured from the face of curb to the edge of the landscape bed adjacent to the parking space. In addition, a 1-foot dismount strip shall be provided in each parking island, parallel and adjacent to the length of the parking space.

F. OTHER SITE LANDSCAPING

1. Plant material shall include native or drought tolerant trees, shrubs and ground cover suitable for this area as set forth in *Appendix 2. Street Trees and Landscape Material*.
2. Mixed Residential and Townhome Buildings with Residential At-grade units shall be required to have a minimum 6-foot landscaped setback between the edge of the sidewalk and the elevated patio, or between the edge of the sidewalk and the fence for handicap accessible/handicap adaptable units, within the 14-foot setback as required in *Section IV.C.1.d*. Landscaping shall include any of the materials listed in *Appendix 2. Street Trees and Landscape Material* as well as seasonal-color plants.
3. If trees are planted outside of the Amenity Zone adjacent to nonresidential or Retail At-grade space, the wall of the adjacent Live/Work, Mixed Use or Commercial building must be set back at least 8 feet from the front Build-to Line for at least 25 feet to create a planting area that will accommodate the tree canopy. The trunk of the tree must be located a minimum of 12 feet from the building wall at installation, and the tree must be installed in an 8 foot by 8 foot tree well and maintained in accordance with *Section VII.B.1* and *Section VII.B.2* herein. Notwithstanding *Section VII.B.2.a.*, as an alternative to the use of a tree grate, a tree planted outside of the Amenity Zone adjacent to nonresidential or Retail At-grade space may be installed in a landscape bed. Whether utilizing a tree grate or a landscape bed, the tree must be installed in soil prepared in accordance with the Soil Mix Detail in *Appendix 2. Street Trees and Landscape Material*.



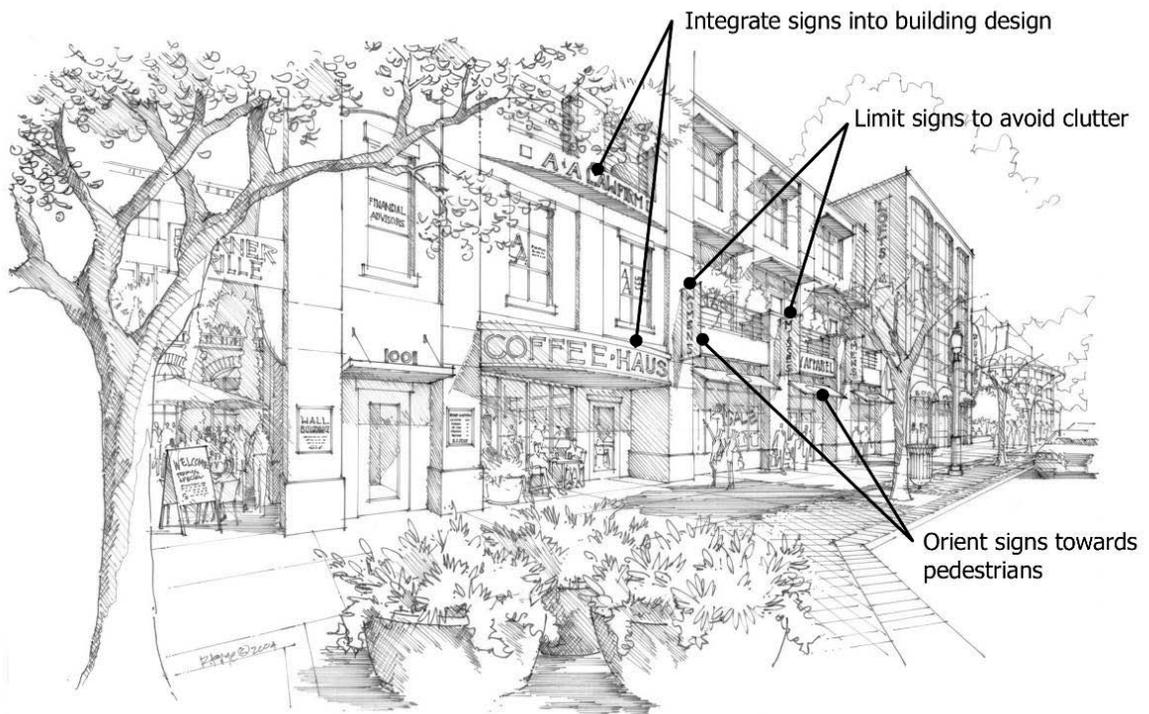
Tree planting adjacent to non-residential or Retail-ready At-grade space

VIII. SIGN STANDARDS

A. INTENT.

Signs are important to the success of most commercial activities, identifying the business to both pedestrian and occupants of passing vehicles. The intent of *Section VIII* is to help enliven retail, restaurant and mixed-use areas by limiting clutter and regulating commercial and locational signage.

These standards should not be interpreted to prevent District-oriented signs such as seasonal banners and wayfinding signs. Commercial and directional signage within the District shall be limited, regulated and controlled as provided in these District regulations. All other signage shall be subject to the applicable requirements of City ordinances, rules and regulations in effect at the time.



More specifically:

1. The location, size, color, materials, and design of signs should be in keeping with the character of the WSVC District;
2. Signage should be oriented primarily towards the pedestrian in terms of scale and legibility in order to reinforce the pedestrian character of the District;
3. The number of signs should be limited to avoid clutter;
4. Signs should be integrated into the overall building design in terms of placement, materials, colors, scale, proportions, etc.;
5. Signs attached flush to the building should not obscure any significant architectural details;

6. Sign shapes should be simple and straightforward to communicate well;
7. Sign materials should be durable and easy to maintain;
8. Sign lettering should be simple, legible and appropriately proportioned for clear communication;
9. Signs may be lit by external light sources as long as such sources are not visually intrusive to the pedestrian environment; and
10. Identification signs within a single development should be similar in design to enhance consistency and project identity.

B. SIGNS, GENERAL

1. Regulation by Use

- a. **Address Signs.** Address Signs are required for all buildings and shall be in conformance with the applicable regulations in the Code of Ordinances, as amended.

- b. **Mixed Use, Commercial and Live/Work Building Types**

- i. The ground floor of the building (maximum 25 feet in height) may have a maximum combined effective area for all signs requiring a permit not exceeding 20% of the total area of the ground floor façade. For multi-tenant buildings, the effective area for all signs for each tenant shall not exceed 20% of the total area for the tenant's portion of the façade.

Signs may be placed on each exterior façade, subject to the 20% limit per façade.

The total sign area may be divided into any combination of individual signs.

- ii. The area above the ground floor may have a maximum combined effective area for all signs requiring a permit not exceeding 5% of the total area of each façade above the ground floor.

Signs may be placed on each exterior façade, subject to the 5% limit per façade.

The total sign area above the ground floor may be divided into any combination of individual signs.

If a ground floor use occupies one or more floors above the ground floor, that section of the façade above the ground floor is eligible for signage not to exceed 5% of the total area of the tenant's portion of the façade above the ground floor.

- iii. Monument Signs shall be limited to one per lot street frontage, subject to the limits and restrictions herein (Mixed Use and Commercial Buildings only).
- vi. Restaurant and retail areas may have neon or specially designed exterior signs, if approved by the City Manager.

- c. **Mixed Residential Building Types**

- i. The maximum combined effective area of all signs requiring a permit may not exceed 5% of the total area of each façade.

The total sign area may be divided into any combination of individual signs.

Signs may be placed on each exterior façade, subject to the 5% limit per façade.

- ii. Monument Signs shall be limited to one per lot street frontage, subject to the limits and restrictions herein.

d. Patio Home, Duplex and Townhouse Building Types

In addition to any required address number signs, only a nameplate is permitted.

- e. Signage may only be externally lit with a full-spectrum source, unless otherwise approved by Minor Modification. This includes direct lighting, back lighting, halo lighting, internally lit letters and neon.

C. PROHIBITED SIGNS

- 1. The following signs shall not be allowed:
 - a. Off-premise signs, except that District Identity Signs may be located off premises by Minor Modification;
 - b. Internally-lit sign boxes;
 - c. Flashing, animated or running light signs;
 - d. Any digital sign in which each image is not static for 6 seconds or longer; and
 - e. Pole signs.
- 2. Signs shall not be roof-mounted or project above the roof line except with the approval of a Minor Modification, where such a sign is determined to make a positive contribution to the District as a whole.

D. PERMITTED SIGNS

Signage is allowed as set out in *Table 4. Permitted Signs* below.

TABLE 4. PERMITTED SIGNS

Sign Type	Bldg. Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
Address Sign		P	P	P	P	P	P	<ul style="list-style-type: none"> a. Address signs meeting the requirements outlined below shall not require a sign permit prior to erection. b. Address sign text shall be no larger than 12 inches in height. c. Address signs, including suite numbers, shall be limited to one per entrance. d. Address signs shall be in conformance with the regulations in the Code of Ordinances. 	No
A-Frame/Sandwich Board Sign					P	P	P	<ul style="list-style-type: none"> a. A-Frame/Sandwich board signs shall be limited to one per business and may only advertise retail/commercial activities and shall not be used to advertise real estate sales or leasing opportunities. b. Signs shall not interfere with the required unobstructed sidewalk path; and shall not be located within the Amenity Zone. c. Signs shall be within 20 feet of the primary entrance to the business. d. Signs shall not exceed eight square feet in area per face and four feet in height. The entire sign structure shall be included in the calculation of the sign area. e. Signs shall be professionally manufactured with the frame of the sign made from wood or finished metal. PVC and Coroplast shall not be allowed as sign materials. f. Attachments to the sign shall not be permitted. g. Signs may include a chalkboard or bulletin board. h. Signs shall be weighed down with weights integrated into the sign but shall not be weighted with sand bags or similar methods or chained or bolted to the building, sidewalk, street signs, light poles or other street furnishings. i. A-frame/Sandwich board signs shall be used during business hours only and shall not be left outside the building overnight. 	No

Sign Type	Bldg. Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
Awning/Canopy Sign				P	P	P	P	<ul style="list-style-type: none"> a. Awning /Canopy signs shall be permitted for ground floor uses only. b. Signs on awnings/canopies shall be printed, painted or applied directly on the surface of the awning. c. Backlighting of awning /canopy signs shall be prohibited. d. Awnings/Canopies shall be made of metal or heavyweight canvas or laminated material (minimum 14 oz. woven acrylic, 16 oz. opaque or translucent vinyl, or 20 oz. eradicable vinyl). e. A minimum of eight feet of vertical clearance shall be maintained between the lowest element of the sign and the sidewalk level. 	Yes
Building Blade Sign				P		P	P	<ul style="list-style-type: none"> a. A maximum of one building blade sign shall be allowed per building. b. The sign may be attached to the building at the corner or along any street frontage above the first floor façade. c. The sign may encroach into the required setback area but shall not overhang the required sidewalk, amenity zone or any parking or travel lane. d. The maximum area of the sign shall be 30 square feet per face. 	Yes
Building Directory Sign				P	P	P	P	<ul style="list-style-type: none"> a. Exterior building directory signs shall be allowed on multi-tenant buildings where there are two or more tenants without direct outside access to a public street. One exterior directory sign per entrance shall be permitted. b. The exterior directory sign shall include only building information (name, address and logo) and building tenant information (name and suite). The sign shall not contain advertising. c. Text size is limited to three inches for building name and logo, and one inch for all other information. All tenant information should utilize a single text font. d. Building directory signs may be illuminated. e. The sign shall project a maximum of four inches from the wall to which it is attached. f. A building directory sign shall not extend above the parapet, eave or building façade. g. Maximum size shall be 10 square feet. 	No

Sign Type	Bldg. Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
Building Identification Sign				P		P	P	<ul style="list-style-type: none"> a. Building identification signs shall be limited to one per building face. b. Each sign must be 12 feet or more above sidewalk level. c. Applied letters shall be constructed of painted cast metal, bronze, brass, or anodized aluminum. Applied plastic letters are prohibited. d. Individual letters and/or a logo on a building identification sign may be internally lit with the approval of a Minor Modification and shall be subject to the approval of the City Manager and in conformance with other applicable codes. 	Yes
Bulletin Board Sign					P	P	P	<ul style="list-style-type: none"> a. Bulletin board signs are signs which may include restaurant menus, community notices, real estate offerings and or other notices. b. Signs must have a glass cover and be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except as noted herein. c. Combustible materials may be used, providing the sign is attached to a wall with a minimum two-hour fire resistive rating. d. Bulletin board signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated. e. A bulletin board sign shall be designed, constructed and attached so as to withstand a wind pressure of not less than 30 pounds per square foot. f. The display case shall be attached to the building wall, next to the main entrance, at a height of approximately five feet and may be lighted. g. The total area of the sign shall not exceed ten square feet. 	Yes
Directional Sign				P	P	P	P	<ul style="list-style-type: none"> a. Directional signs shall not require a sign permit but must be submitted to the City Manager for review and approval prior to erection of the sign. b. Submission to the City Manager shall include, but not be limited to, a site drawing showing the location of the proposed sign(s), a dimensional drawing showing size and content, a designation of the material or materials to be used, and the proposed method of erection. 	No

Sign Type	Bldg. Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
District Identity Sign								<ul style="list-style-type: none"> a. District identity signs may display the name and/or symbol for a district or neighborhood. b. District identity signs may be mounted on a wall or freestanding. c. District identity signs may be located within a street right-of-way, including within a median, as long as the sign does not restrict visibility and, if not ground-mounted, shall maintain a minimum 8 foot clearance between the lowest element of the sign and the grade below. d. If located within the right-of-way, approval of the Transportation Engineer shall be required in addition to any other approvals and the application for approval shall include, but not be limited to, a site drawing showing the location of the proposed sign(s), a dimensional drawing showing size and content, a designation of the material or materials to be used, and the proposed method of erection. e. District identity signs shall be securely anchored and may not be located in the mandatory sidewalk zone. f. The standard setback from a property line may be reduced to respond to site conditions if approved by Minor Modification. 	Yes
Flag, Corporate and Logo			P			P	P	<ul style="list-style-type: none"> a. Corporate and logo flags shall be limited to one per site when accompanied by a U.S. and/or state flag of equal size or larger. b. Corporate and logo flags on nonresidential, multi-residential and mixed-use sites shall not exceed 40 square feet for sites of less than one acre, 60 square feet for sites of more than one acre but less than five acres, and 96 square feet for sites of five or more acres. 	No
Marquee Sign						P	P	<ul style="list-style-type: none"> a. A maximum of one marquee sign shall be permitted for theaters, auditoriums and other public gathering venues accommodating 100 persons or more subject to the approval of a Minor Modification. b. The area of the sign shall be limited to 100 sq. ft.. and may include changeable copy (electronic and non-electronic). c. A marquee sign must be attached to the building may extend over the sidewalk but must not intrude on the street tree 	Yes

Sign Type	Bldg. Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
								planting zone and shall maintain a minimum 8 foot clearance between the lowest element of the sign and the sidewalk level.	
Memorial Sign or Tablet		P	P	P	P	P	P	<ul style="list-style-type: none"> a. Memorial signs may be constructed of bronze or other noncombustible materials attached to the building or may be cut into any masonry surface. b. Memorial signs shall not exceed four square feet in area, with one sign permitted for each building wall facing a street. 	No
Monument Sign				P		P	P	<ul style="list-style-type: none"> a. Monument signs shall be limited to an area of 35 square feet per face. b. Monument signs must be located a minimum of 30 feet from adjoining platted property lines. c. No monument sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at elevations between 2 1/2 feet and eight feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection. d. Monument signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area, and shall be constructed to receive dead load as required in the Richardson Building Code. e. All monument signs shall be placed on a concrete base or footing. Monument signs shall include materials selected from the exterior building materials used on the associated structure. f. Applied letters and logos shall be constructed of painted cast metal, brass, bronze or anodized aluminum. Applied plastic letters are prohibited. g. Individual letters and/or a logo on a monument sign may be internally lit with the approval of a Minor Modification and shall be subject to the approval of the City Manager and in conformance with other applicable codes. h. A maximum of one monument sign shall be allowed per lot street frontage. i. The standard setback from a property line may be reduced to respond to site conditions if approved by Minor Modification. 	Yes

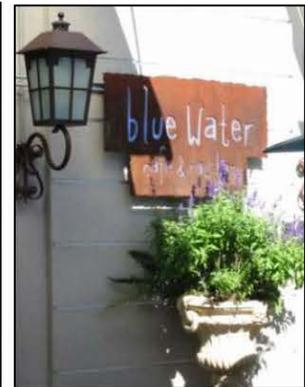
Sign Type	Bldg. Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
Name Plate		P	P	P	P	P	P	a. Nameplate signs shall not exceed one square foot in area, with one sign permitted for each residential unit.	No
Political Sign, Temporary		P	P	P	P	P	P	a. Temporary political signs shall be permitted as authorized under state law and the Code of Ordinances, as amended.	No
Projecting and Hanging Sign					P	P	P	<p>a. Projecting signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except:</p> <ul style="list-style-type: none"> i. Combustible materials may be used, provided the sign is attached to a wall with a minimum two-hour fire resistive rating. ii. Projecting signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated. <p>b. Projecting signs shall specifically include any sign oriented perpendicular to the building façade, affixed to a projecting structure of a building and hung under an awning or the soffit of an arcade, Such sign shall not extend above the façade of the structure or building to which it is attached without approval of a Minor Modification.</p> <p>c. Such sign shall be designed, constructed, and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.</p> <p>d. Projecting signs may overhang the sidewalk by four feet and shall maintain a minimum clearance of eight feet between the lowest element of the sign and the sidewalk, unless a landscape area or other feature is located below the sign.</p> <p>e. A maximum of one projecting sign shall be allowed per ground floor occupancy per building face.</p> <p>f. The area of the sign shall be limited to 16 square feet per sign face.</p>	Yes
Promotional Sign, Temporary				P	P	P	P	<p>a. Temporary promotional signs shall be submitted to the City Manager for approval and shall include, but not be limited to, a drawing or sketch showing the type, size, height and location of the temporary promotional sign (including banners, flags and pennants), along with a description of the means of attachment or support and the stated purpose of the promotion.</p> <p>b. A promotion for a site, center,</p>	Yes

Bldg. Type Sign Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
							<p>development or subdivision shall be considered separately from promotional signs for individual establishments within such site, center, development or subdivision.</p> <p>c.. Specifically, temporary promotional signs shall include signs, banners, flags, balloons or pennants promoting a merchandise program, opening of a retail or commercial establishment or center, special program of a public institution or the opening of a single-family subdivision or multifamily development, providing that such sign shall have a maximum single use period of 30 days for the initial permit for a new business and a 21-day permit thereafter.</p> <p>d. Such sign shall have a minimum period between permits of seven days and a maximum number of four permits per year. The use of balloons shall be restricted to the initial 30-day permit. The size of a banner shall be limited to one square foot per lineal foot of lease space frontage up to a maximum of 200 square feet.</p>	
Real Estate Sign	P	P	P	P	P	P	<p>a. Real estate signs shall not exceed eight square feet in area and four feet in height for single-family uses which advertise the sale, rental or lease of the premises upon which such signs are located. The number of such signs shall be limited to one per lot or development, except where such lot or development abuts more than one dedicated public street, one additional sign shall be allowed for each public street.</p> <p>b. Signs not exceeding 24 square feet in area and not exceeding eight feet in height for all uses, except single-family (attached and detached), which advertise the sale, rental or lease of the premises upon which such signs are located. The number of such allowable signs shall be limited to one for lots having less than 200 feet of street frontage. For lots having at least 200 feet of street frontage, two such signs shall be allowed plus one additional sign for each additional 100 feet of street frontage. In no event may the number of such signs exceed four for a given lot. Such signs shall be removed upon issuance of any occupancy permit.</p>	No; Yes, if standard is not met

Sign Type	Bldg. Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
Temporary Construction Sign		P	P	P	P	P	P	<p>a. Temporary construction signs denoting the architect, engineer, contractor, subcontractor, and/or financier and temporary signs denoting the future location of a particular business, retail center or institution shall be limited to one construction sign and one future location sign per street adjacent to the construction site or future location site. Each sign shall be limited to 32 square feet in area and shall not extend above 15 feet in height measured from ground level.</p> <p>b. Such signs must be located on the premises where the construction or the location being advertised is or will be occurring and shall be removed upon issuance of the certificate of occupancy.</p>	No
Wall Sign					P	P	P	<p>a. Wall signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except:</p> <ol style="list-style-type: none"> i. Combustible materials may be used, providing the sign is attached to a wall with a minimum two-hour fire resistive rating. ii. Wall signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated. <p>b. A wall sign shall not extend above the façade of the structure or building to which it is attached. Such sign shall be designed, constructed and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.</p> <p>c. Wall signs shall be limited to one per occupancy, per street frontage in a Mixed-Use building. A Minor Modification may be approved for a single-occupancy building to allow additional signage.</p> <p>d. A minimum separation of 10 feet shall be provided between Wall Signs (excluding Building Identification Signs or Directory Signs).</p>	Yes
Wayfinding Sign				P	P	P	P	<p>a. Wayfinding signs may display premise or non-premise messages.</p> <p>b. Wayfinding signs may be mounted on a wall or freestanding.</p> <p>c. All wayfinding signs must be spaced at least 300 feet apart</p> <p>d. Submission to the City Manager shall include, but not be limited to, a site</p>	Yes

Bldg. Type Sign Type	Patio/ Duplex	Town home	Mixed Res	Live/ Work	Mixed Use	Comm.	Standards	Require Permit
							<p>drawing showing the location of the proposed sign(s), a dimensional drawing showing size and content, a designation of the material or materials to be used, and the proposed method of erection.</p> <p>e. Freestanding wayfinding signs:</p> <ul style="list-style-type: none"> i. Must be securely anchored; ii. May not be located in the mandatory sidewalk zone; and iii. May not exceed 8 feet in height <p>f. The message area identifying a district activity or containing an area wayfinding map must be oriented to be visible from a sidewalk within the public right-of-way.</p> <p>g. Wayfinding signs with area maps must have the word "information" or an information symbol above the message.</p>	
Window Sign				P	P	P	<p>a. Window signs, whether located on the internal or external window surface, shall in no manner obscure more than 25% of the visible window area available in the absence of any signs. Where multiple windows exist fronting on a single street or sidewalk, the 25% visibility shall be maintained for each window on such street or sidewalk. Window signs shall include:</p> <ul style="list-style-type: none"> i. Signs painted on the internal surface of the window of a retail/commercial or office establishment. ii. Signs (except posters, below), banners or displays located on the internal surface of the window of a commercial or retail establishment. iii. Posters, providing such posters are not located on the external surface of the window. iv. Decorations intended to direct attention to and stimulate citizens' interest in public events, providing such signs are painted on the internal surface of the window and no more than 25% of the window is obscured by said decorations. v. Signs attached to the internal surface of a window that defines the name, proprietor, telephone number or address of such retail or commercial establishment. 	Yes

SIGN EXAMPLES



IX. REVIEW AND APPROVAL OF WSVC DEVELOPMENT PLANS

A. INTENT

It is the intent of *Section IX* to offset the high level of detailed standards in these regulations with an expeditious approval process for WSVC Development Plan projects which meet the general goals of the District and to ensure consistency and quality of design.

B. REVIEW PROCESS

1. The City Manager or designee shall have staff administrative jurisdiction over any processes authorized under these District regulations. The City Manager shall review and advance the permitting process by undertaking any action consistent with the regulations herein, State law and the City Charter to facilitate the permitting process.

C. WSVC DEVELOPMENT PLAN

1. Plan Approval

- a. Prior to obtaining a building permit for a new project or an amendment to an approved WSVC Development Plan, a WSVC Development Plan must be approved by the City Manager or designee (or City Council if a Major Modification was requested or a denial is being appealed) demonstrating that the proposal meets the goals, intent and general standards contained in these District regulations.
 - b. Approval of a WSVC Development Plan is not required for a permit for the demolition of a nonconforming structure or portion thereof, a permit for demolition of a nonconforming sign, a permit for maintenance or repair of an existing building, or the substitution of plant material species on an approved landscape plan, subject to the approval of a revised site plan or landscape plan in accordance with *Section X.F.* of this Ordinance, if applicable.
2. In general, a WSVC Development Plan application must include the following information and documents that demonstrate compliance with the WSVC District Ordinance and other applicable ordinances and shall be filed using standard application procedures under City requirements as provided in the City of Richardson Developer's Checklist, as amended:
 - a. Plat or preliminary plat, if required;
 - b. Site plan, including proposed uses, unit mix for residential, parking required and provided, and all other information required for a site plan application;
 - c. Landscape and streetscape plans per this Ordinance and *Appendix 5. Design Guidelines*;
 - d. Building elevations, including but not limited to materials, colors, dimensions, articulation, and percentage of exterior building materials, including window area;
 - e. Lighting plan;
 - f. Site sections;
 - g. Civil engineering plans;
 - h. Minor or Major Modifications being requested, if applicable; and

- i. Traffic Impact Analysis, if required.

Notwithstanding the above, the City Manager or designee may determine which of the WSVC Development Plan information and documents must be submitted for adequate review of individual applications based on the mandatory pre-submittal conference described in *Section IX.C.3*.

3. An application for a WSVC Development Plan shall be processed in accordance with the City's procedures for determining whether an application is complete, including a mandatory pre-submittal conference with the Director of Development Services or designee, under established procedures and schedules. Following a determination of completeness, and unless the application is accompanied by a request for a Major Modification, the City Manager or designee shall approve, approve with conditions or deny the application for a WSVC Development Plan and shall provide written notification of the decision to the applicant.
4. The City Manager or designee, in making an initial decision on a WSVC Development Plan application, shall determine whether the Plan meets the goals, intent and standards of the WSVC District and other applicable ordinances.
5. Denial of a WSVC Development Plan by the City Manager may be appealed to the City Council. The appeal shall be filed in writing with the Development Services Department within 30 days of the date of the City Manager's action on the application for approval of a WSVC Development Plan.
6. If an application for a WSVC Development Plan, including a request for a Major or Minor Modification, is denied, the application may be resubmitted with appropriate revisions in the same manner as the original application.

D. MODIFICATIONS OF DESIGN STANDARDS

1. For the purposes of this District, there shall be two types of Modifications of Design Standards—Minor and Major. Requests for Modifications pursuant to this Ordinance do not constitute a request for a special exception or variance and, therefore, shall not be subject to review or decision by the Zoning Board of Adjustment. A Modification request may only be made in conjunction with an application for a WSVC Development Plan or subsequent to approval of a WSVC Development Plan but prior to implementing the Modification.
2. **Minor Modifications** are those changes to design standards set forth in this Ordinance or the *Comprehensive Zoning Ordinance*, whichever is applicable, that are determined to meet the goals and intent of the District as stated in *Section I, Section IX* and throughout these District regulations.
 - a. A Minor Modification may be approved administratively by the City Manager if, and only if, the Minor Modification does not materially change the circulation and building location in the Subdistrict in which the affected property is located or the relationship between buildings and the street through the alteration of minimum setback requirements except as provided herein; does not allow a use not otherwise authorized by this Ordinance unless indicated as a Minor Modification in *Appendix 1. WSVC District Uses*; does not increase the allowable intensity or density of any land use under this Ordinance or otherwise effectively result in an amendment to

the *Comprehensive Zoning Ordinance* or any other applicable ordinance or standard to an extent beyond the amendments established by this Ordinance.

- b. Minor Modifications include those changes expressly identified in this Ordinance as a Minor Modification as well as modifications to the following standards:

TABLE 5. MINOR MODIFICATIONS

	MODIFICATION	REFERENCE
i.	Vehicular access drives from a street where alley access is available	<i>III.B.4.</i>
ii.	Achievement of amenity points for Required Recreation and Open Space for Apartments and Condominiums with improvements on public or publicly accessible park/open space land	<i>III.B.8.b.</i>
iii.	Continuous building frontage of less than 75%, but not less than 60%	<i>III.C.2.</i>
iv.	Parking lot frontage adjacent to a street	<i>III.C.2.</i>
v.	Maximum 10% deviation from the required Setback	<i>III.C.4.a.i.</i>
vi.	Maximum 20% deviation from the required Build-to Zone	<i>III.C.4.a.ii.</i>
vii.	An entry canopy extending more than 6 feet from the building	<i>III.C.4.d.</i>
viii.	Any encroachment into a public right-of-way	<i>III.C.4.f.</i>
ix.	Location of median openings	<i>III.D.3.</i>
x.	Private amenity center in a townhome, patio home or duplex development.	<i>III.E.3.g, III.F.3.a. and III.G.3.a.</i>
xi.	Single-story building height for a patio home or duplex dwelling unit if proposed as part of a senior housing development or ADA accessible living	<i>III.F.1.b.i. and III.G.1.b.i.</i>
xii.	Swing-entry garage orientation for a patio home or duplex dwelling unit due to site constraints	<i>III.F.3.e. and III.G.3.e.</i>
xiii.	Mirror-image duplex design with both Primary Entries facing the front street	<i>III.G.3.f.</i>
xiv.	Locating loading docks and service areas on frontages	<i>IV.B.1.b.</i>
xv.	Reduction of up to 10% in the minimum floor to ceiling height for all units in Mixed Residential and Townhome Buildings and for above-grade units in Mixed Residential and Live/Work Buildings	<i>IV.C.1.c. and IV.C.2.a</i>
xvi.	Increase of up to 15% of the maximum amount of window area for building facades containing loft residential units or nonresidential space above grade	<i>IV.C.3.b. and IV.D.2.b.</i>
xvii.	Separation of business patrons from the public sidewalk using a means	<i>IV.D.1.b.iv.</i>

	MODIFICATION	REFERENCE
	other than planters or wrought iron fencing	
xviii.	Reduction of up to 25% in the width of the landscape setback separating a parking lot from an adjacent sidewalk or open space due to site constraints	<i>V.A.2.c. and VII.E.1.</i>
xix.	Reduction of up to 10% in the number of required bicycle parking spaces	<i>V.B.2.</i>
xx.	Location of required bicycle parking spaces in the public right-of-way	<i>V.B.3.a.i.</i>
xxi.	Reduction of up to 10% of the required covered parking spaces for bicycles	<i>V.B.3.b.</i>
xxii.	Use of neon as an exterior lighting source	<i>VI.B.2.</i>
xxiii.	The use of native or drought-tolerant street trees or other plant material not on the approved Street Tree list in <i>Appendix 1</i> in combination with the approved materials on a WSVL Development Plan	<i>VII.B.1.a. and VII.C.</i>
xxiv.	The use of a stamped version of brick, stone or cobbles as a paving material in certain locations	<i>VII.D.3.</i>
xxv.	External lighting for signage other than as specified herein	<i>VIII.B.1.e.</i>
xxvi.	Location of an off-premise District Identity Sign	<i>VIII.C.1.a.</i>
xxvii.	Signage which is roof mounted or projects above the roof line	<i>VIII.C.2.</i>
xxviii.	Internal lighting of individual letters and/or a logo on a Monument Sign or Building Identification Sign, subject also to approval of the City Manager and compliance with other applicable codes	<i>VIII. Table 4</i>
xxix.	Reduction of setback from property line for a District Identity Sign or Monument Sign in response to site conditions	<i>VIII. Table 4</i>
xxx.	Approval of a Marquee Sign	<i>VIII. Table 4</i>
xxxi.	Approval of a Projecting Sign that extends above the building facade	<i>VIII. Table 4</i>
xxxii.	Approval of more than one Wall Sign for a single occupancy building	<i>VIII. Table 4</i>
xxxiii.	Approval of a use by Minor Modification as indicated in <i>Appendix 1. WSVL District Uses</i>	<i>Appendix 1</i>

3. **Major Modifications** are major changes to the design standards in the WSVL District or changes which may initially appear to be in conflict with the goals and intent of this District. Major Modifications may only be approved by the City Council, following a recommendation by the City Manager and the City Plan Commission in conjunction with a decision on an application for approval of a WSVL Development Plan. In order to approve a Major Modification, the City Council must find that the Modification meets the general intent of this District and will result in an improved project which will be an attractive contribution to the WSVL District.

- a. Major Modifications include changes to those standards expressly identified in this Ordinance as a Major Modification and any other modification from the provisions of this Ordinance that is not otherwise identified as a Minor Modification.
- b. If the application includes a request for a Major Modification, the City Manager shall schedule the application for hearing before the City Plan Commission with a recommendation on the application. The City Plan Commission, following a public hearing, shall forward its recommendation to the City Council for hearing on the application and Major Modification request. The City Council, following a public hearing, shall approve, approve with conditions or deny the application for a WSVC Development Plan and the Major Modification request.
- c. The notice and hearing procedures for approval of a zoning change under the *Comprehensive Zoning Ordinance* and applicable state law shall be used to process the request for a Major Modification.
- d. The application fee for a Major Modification shall be waived until November 9, 2011.
- e. The City may impose conditions in the granting of any Major Modification in order to implement the *West Spring Valley Corridor Reinvestment Strategy* and to mitigate negative impacts to neighboring properties or public streets or open space.

E. AMENDMENTS

1. Amendments to an approved WSVC Development Plan may be accomplished in the same manner as approval of the original WSVC Development Plan and may be accompanied by a request for a Major or Minor Modification.
2. An amendment to an approved WSVC Development Plan must be made prior to the time for lapse of approval as provided in *Section IX.F*. In the event an amended Development Plan is approved, the approving authority amending the Development Plan shall specify the time for lapse of such approval, not to exceed two years consistent with *Section IX.F*.

F. LAPSE OF APPROVAL

The approval of any component of a WSV Development Plan shall lapse in accordance with provisions of the Richardson *Code of Ordinances*, as amended or succeeded, relating to the expiration of development plans, including requests for extensions.

G. SPECIAL EXCEPTIONS AND VARIANCES.

Notwithstanding anything to the contrary set forth in the *Code of Ordinances* and/or the *Comprehensive Zoning Ordinance*, as those ordinances may be amended or succeeded, the Zoning Board of Adjustment shall have no authority to grant special exceptions or variances to the provisions of this Ordinance.

X. NONCONFORMING PROPERTIES

A. INTENT

It is the intent of this Ordinance that, except as otherwise allowed in this *Section X.*, nonconforming uses, structures, signs and site elements shall not be enlarged upon, expanded or extended. Nonconforming uses, structures, signs and site elements are hereby declared to be incompatible with the District.

B. NONCONFORMING USES, STRUCTURES, SIGNS AND SITE ELEMENTS

1. For purposes of this Ordinance, a nonconforming property is any land use, structure, lot of record, sign or other site element or improvement related to the use or development of land within the District, that was legally established prior to the effective date of this Ordinance or subsequent amendment hereto, and that does not fully conform to the requirements of this Ordinance, as amended, on the effective date of such amendment.
 - a. For purposes of this Ordinance, a “nonconforming use” is a use of land, building, or other structure or combination thereof that is legally nonconforming as a result of the circumstances described in this *Section X.B.1.*
 - b. For purposes of this Ordinance, a “nonconforming structure” is any building or structure which does not fully conform to the development standards and regulations set forth in this Ordinance, but which is legally nonconforming as a result of the circumstances described in this *Section X.B.1.*
 - c. For purposes of this Ordinance, a “nonconforming site element” is a site element or improvement other than a use, structure or sign that does not fully conform to the development standards and regulations set forth in this Ordinance and the *Code of Ordinances*, but which is legally nonconforming as a result of the circumstances described in this *Section X.B.1.*
 - d. For purposes of this Ordinance, a “nonconforming sign” is a sign that does not fully conform to the standards of the sign regulations of this Ordinance and/or the Code of Ordinances and that is legally nonconforming as a result of the circumstances described in this *Section X.B.1.*

C. CONTINUATION OF NONCONFORMING USE, STRUCTURE SITE ELEMENT OR SIGN

1. A nonconforming use, structure, sign or site element occurring or existing on property within the District may continue, although such do not conform to the provisions of this Ordinance, subject to the following:
 - a. Nonconforming Use**
 - i. A nonconforming use shall be changed only to a use conforming to the requirements of the Subdistrict in which it is located and not to another nonconforming use;
 - ii. A nonconforming use shall not be expanded within an existing building, nor may the building be expanded or structurally altered to accommodate the nonconforming use;

- iii. A nonconforming use of land or building shall not be enlarged, increased, or extended to occupy a greater area of land than was occupied at the time the use of the land or building became a nonconforming use;
- iv. A nonconforming use within a building shall not be expanded to occupy any land outside the building;
- v. A nonconforming use, if changed to a conforming use, shall not thereafter be changed back to any nonconforming use;
- vi. A nonconforming use of property within the District, if abandoned or discontinued for a period exceeding six months, shall be deemed to be an abandonment of such use, regardless of intent. Such use shall not thereafter be reestablished, and any subsequent use shall conform to the requirements of the Subdistrict in which it is located. Discontinuance of a nonconforming use shall commence on the actual date of discontinuance as determined by the City.

b. Nonconforming Structure

- i. A nonconforming structure may be used for any permitted use in the applicable Subdistrict or for any legal nonconforming use using the nonconforming structure prior to the date the use or the structure became nonconforming;
- ii. Maintenance and repair of a nonconforming structure is expressly permitted to the extent necessary to comply with applicable health and safety regulations or minimum building standards or to otherwise prevent injury to person or property.
- iii. A nonconforming structure or portion thereof may be demolished and once demolished shall not thereafter be reconstructed.
- iv. Interior remodeling of a nonconforming structure within the existing building footprint is permitted, provided the applicable building, fire, health and safety codes are met.

c. Nonconforming Sign

- i. A nonconforming sign may be refaced, repaired or demolished but shall not otherwise be modified. A nonconforming sign, once demolished, may not thereafter be reconstructed.

d. Nonconforming Site Element

- i. Nonconforming site elements, such as landscaping, site lighting, parking lot improvements, or other nonconforming site elements or improvements, or portions thereof, typically reflected on an approved development plan, may be repaired, maintained or demolished, and once demolished, may not thereafter be reconstructed.
- ii. The City Manager or designee may administratively approve an amendment to an approved landscape plan for a nonconforming property to allow a change in landscape materials.

D. RESTORATION OF NONCONFORMING STRUCTURE, USE, SITE ELEMENT OR SIGN AFTER DAMAGE OR DESTRUCTION

1. In the event a nonconforming structure is partially destroyed or damaged by fire, explosion, windstorm, flood or other casualty or act of God or public enemy to an extent exceeding 50% of its market value, said structure or use shall not be rebuilt, restored, reestablished or reoccupied except in conformance with the applicable requirements of this Ordinance, including those of the zoning district and Subdistrict in which it is located.
2. If a nonconforming structure is partially damaged or destroyed by fire, explosion, windstorm, flood or other casualty or act of God or public enemy to an extent not exceeding 50% of its market value, such structure or use may be rebuilt, restored, reestablished or reoccupied to the extent it existed prior to the damage or destruction, provided that in no case shall the size or function of a nonconforming use located in the structure prior to damage or destruction be expanded beyond its size or function prior to the date of the damage or destruction, and further provided that an application for a building permit for the reconstruction is made within six months of the destruction (with one extension of six months at the discretion of the City Manager) and the reconstruction is completed within 18 months after the date of issuance of the building permit (with one extension of six months at the discretion of the City Manager).
3. In the event a nonconforming site element is partially destroyed or damaged by fire, explosion, windstorm, flood or other casualty or act of God or public enemy to an extent exceeding 50% of its market value, said site element shall not be rebuilt, restored, reestablished or reoccupied except in conformance with the applicable requirements of this Ordinance, including those of the zoning district and Subdistrict in which it is located.
4. If a nonconforming site element is partially damaged or destroyed by fire, explosion, windstorm, flood or other casualty or act of God or public enemy to an extent not exceeding 50% of its market value, such site element may be rebuilt, restored, reestablished or reoccupied to the extent it existed prior to the damage or destruction, provided that in no case shall the size or function of a nonconforming site element be expanded beyond its size or function prior to the date of the damage or destruction, and further provided that the application for any permit required for the reconstruction is made within six months of the destruction (with one extension of six months at the discretion of the City Manager) and the reconstruction is completed within 18 months after the date of issuance of the permit (with one extension of six months at the discretion of the City Manager).
5. Notwithstanding *Section X.D.1., Section X.D.2., Section X.D.3., and Section X.D.4.*, regardless of the extent of the damage or destruction, a nonconforming structure, use or site element that is damaged or destroyed by the intentional acts or omissions of the owner or owner's agent may not be rebuilt, restored, replaced or repaired except in conformance with the applicable requirements of this Ordinance, including those of the zoning district and Subdistrict in which it is located.
6. The repair, restoration, or replacement of a nonconforming sign damaged or destroyed by fire, flood, windstorm, or other cause beyond the control of the owner of the nonconforming sign shall be subject to the provisions of the City's sign regulations set

forth in *Chapter 18* of the *Richardson Code of Ordinances*, as amended. Regardless of the extent of the damage or destruction, a nonconforming sign that is damaged or destroyed by the intentional acts or omissions of the owner or owner's agent may not be rebuilt, restored, replaced or repaired except in conformance with the applicable requirements of this Ordinance, including those of the zoning district and Subdistrict in which it is located.

E. EXPANSION OF A NONCONFORMING STRUCTURE

1. Notwithstanding the above, a nonconforming structure, which is nonconforming as to height and setback only, may be expanded provided:
 - a. The new building footprint does not cumulatively increase the footprint of the original building area by more than 15%;
 - b. Such building addition is architecturally compatible with the requirements of the Subdistrict in which the building is located;
 - c. The new building area extends the existing building wall to a location between the existing building wall and the Build-to Line required in the Subdistrict;
 - d. The parking requirements for the proposed use are met;
 - e. The height of the nonconforming structure does not exceed the maximum height allowed by the Subdistrict; and
 - f. The City Manager or designee may determine which plan information and documents must be submitted for adequate review of individual applications based on the mandatory pre-submittal conference described in *Section IX.C.3*.

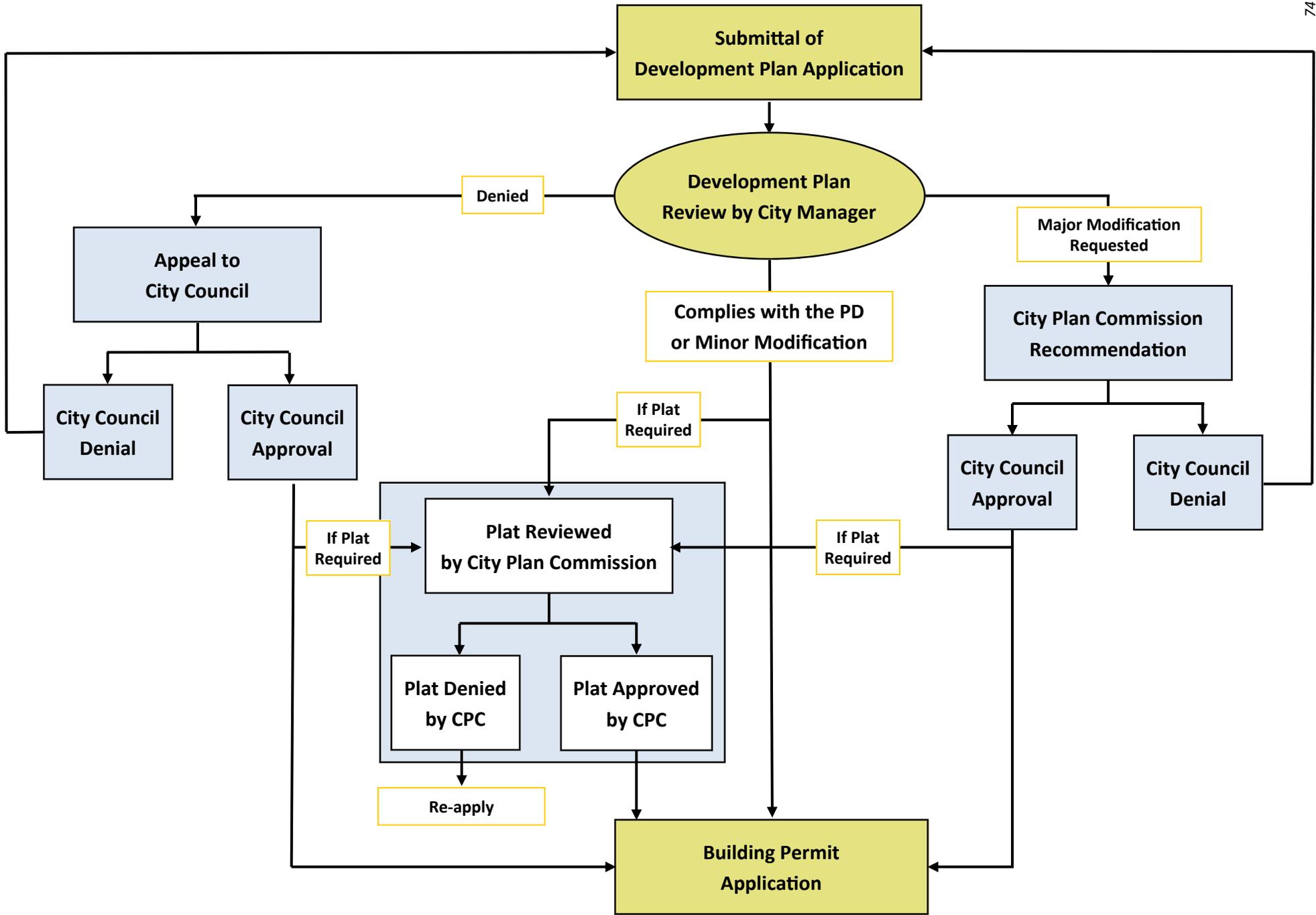
F. PLAN APPROVAL FOR NONCONFORMING PROPERTIES

1. The City Manager or designee shall be authorized to approve minor revisions to an approved site plan or landscape plan for a nonconforming property, or for the expansion of an existing nonconforming structure, where the proposed revisions:
 - a. Meet the criteria in:
 - i. *Section X.C.b.iii.* for the demolition of an existing structure or portion thereof;
 - ii, *Section X.C.1.d.i.,* or *Section X.C.1.d.ii.* for demolition of an existing site element or portion thereof; or
 - iii. *Section X.E.* for the expansion of a nonconforming structure.

G. RELATIONSHIP TO CODE OF ORDINANCES AND COMPREHENSIVE ZONING ORDINANCE

This *Section X* regarding nonconforming uses, structures, site elements and signs is applicable only to property located within the District. The provisions regarding nonconforming uses, structures, site elements and signs contained in the *Code of Ordinances* and the *Comprehensive Zoning Ordinance* are not amended hereby and continue to control property located outside of the District.

West Spring Valley Corridor District Approval Process



Appendix 1
WSVC District Uses

APPENDIX 1. WSVL DISTRICT USES

Permitted Uses

Land Use	Area						
	A	B	C	D	E	F	G
Residential							
Apartments	P*	P*, MjM****	P*	P, MjM****		P, MjM****	
Condominiums, residential	P*	P*, MjM****	P*	P, MjM****		P, MjM****	
Duplexes, residential				P	P	P	
Live-work unit (in a live-work building)	P	P	P				P
Patio homes				P	P	P	
Private amenity center				MnM	MnM	MnM	
Townhomes	P	P		P	P	P	
Institutional							
Assisted living facility	P	P	P	P	MjM	P	
Childcare center**	MjM	MjM	MjM	MjM	MjM	MjM	MjM
Church	P	P	P	P	P	P	P
Independent living facility				P	MjM	P	
Nursing/convalescent home				MjM	MjM	MjM	
Public building	P	P	P				P
Retail/Commercial							
Art gallery	P	P	P				P
Bakery, retail sales only	P	P	P				P
Barber, beauty salon; skin and nail care as incidental uses only	P	P	P				P
Book, card, or stationery store	P	P	P				P
Camera and photographic supply shop	P	P	P				P
Catering service	P	P	P				P
Cellular telephone and accessory sales	P	P	P				P
Clothing or apparel store	P	P	P				P

P = PERMITTED BY RIGHT

MnM = MINOR MODIFICATION REQUIRED

MjM = MAJOR MODIFICATION REQUIRED

(BLANK) = PROHIBITED

NO NON-RESIDENTIAL USES IN AREA B WEST OF ST.
PAUL DRIVE WITHIN THE 200 FOOT BUFFER ZONE

* IN A MIXED USE BUILDING ONLY

** SUBJECT TO THE SUPPLEMENTAL REGULATIONS IN
ARTICLE XXII-E OF THE COMPREHENSIVE ZONING
ORDINANCE

*** SUBJECT TO THE STANDARDS CONTAINED FOR
THESE USES IN THE CODE OF ORDINANCES

**** SUBJECT TO MJM WITHIN THE 150' BUFFER ZONE
IN AREA B, D, AND F

Land Use	Area						
	A	B	C	D	E	F	G
Convenience store, no gas pumps, 5,000 SF or less	P	P	P				P
Convenience store, no gas pumps, greater than 5,000 SF	MjM	MjM	MjM				MjM
Drugstore or pharmacy, no drive-through service	P	P	P				P
Fabric store	P	P	P				P
Fine arts studio	P	P	P				P
Florist	P	P	P				P
Furniture, home furnishings or décor store, no major appliance sales, 10,000 SF or less per building	P	P	P				P
Grocery store, 30,000 SF or less							P
Hardware store, 10,000 SF or less per building	P	P	P				P
Health club	P	P	P				P
Hotel, full service	P	MjM	MjM				
Hotel, limited service	MjM	MjM					
Hotel, suite	MjM	MjM					
Jewelry store	MjM	MjM	MjM				MjM
Laundry pick-up station, no drive-through service	P	P	P				P
Mailing service	P	P	P				P
Movie theater with lobby at grade, theaters above grade	P	P	P				MjM
Musical instrument sales and repair	P	P	P				P
Office furniture, equipment, or supply store, 10,000 SF or less per building	P	P	P				P
Optical goods sales	P	P	P				P
Pet sales and grooming, 10,000 SF or less per building	P	P	P				P

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**** SUBJECT TO MjM WITHIN THE 150' BUFFER ZONE IN AREA B, D, AND F

Land Use	Area						
	A	B	C	D	E	F	G
Photography or art studio	P	P	P				P
Print shop, minor	P	P	P				P
Repair shop, personal items	P	P	P				P
Restaurant, no drive-through or curbside service	P	P	P				P
Restaurant, with drive-through service	MjM	MjM					MjM
Secondhand goods store	MjM	MjM	MjM				MjM
Retail tobacco store	MjM	MjM	MjM				MjM
Sporting goods store, 10,000 SF or less per building	P	P	P				P
Tailor shop	P	P	P				P
Theater for performing arts	P	P	P				P
Toy or hobby shop, 10,000 SF or less per building	P	P	P				P
Video and music sales and rental store, 10,000 SF or less per building	P	P	P				P
Office							
Bank or financial institution	P	P	P				P
Office	P	P	P				P
Veterinary office, no boarding of animals**	P	P	P				P
Other/Accessory							
Antenna, accessory**	P	P	P				P
Antenna, mounted**	P	P	P				P
Construction field office, temporary	P	P	P	P	P	P	P
Parking lot, accessory	P	P	P	P		P	P
Sustainable accessory uses and equipment***	P	P	P	P	P	P	P

P = PERMITTED BY RIGHT
MnM = MINOR MODIFICATION REQUIRED
MjM = MAJOR MODIFICATION REQUIRED
(BLANK) = PROHIBITED

NO NON-RESIDENTIAL USES IN AREA B WEST OF ST. PAUL DRIVE WITHIN THE 200 FOOT BUFFER ZONE

* IN A MIXED USE BUILDING ONLY
** SUBJECT TO THE SUPPLEMENTAL REGULATIONS IN ARTICLE XXII-E OF THE COMPREHENSIVE ZONING ORDINANCE
*** SUBJECT TO THE STANDARDS CONTAINED FOR THESE USES IN THE CODE OF ORDINANCES
**** SUBJECT TO MjM WITHIN THE 150' BUFFER ZONE IN AREA B, D, AND F

Appendix 2

Street Trees and Landscape Material

APPENDIX 2. STREET TREES AND LANDSCAPE MATERIAL

MATERIAL	
<u>STREET TREES</u>	
(Minimum 8' in height/3" caliper at installation)	
Allee Elm, <i>Ulmus parvifolia</i> 'Emer II'	
Aristocrat Pear, <i>Pyrus calleryana</i> 'Aristocrat' ¹	
Autumn Blaze Maple, <i>Acer freemanii</i> ¹	
Cathedral Live Oak, <i>Quercus virginiana</i>	
Cedar Elm, <i>Ulmus crassifolia</i>	
Chinese Pistache (male), <i>Pistacia chinensis</i>	
Green Ash, <i>Fraxinus pennsylvanica</i>	
Homestead Elm, <i>Ulmus</i> 'Homestead'	
Locust / Shademaster Locust, <i>Gleditsia triacanthos</i> ^{1, 3}	
October Glory Maple, <i>Acer rubrum</i> 'October Glory' ¹	
Red Maple, <i>Acer rubrum</i> ¹	
Shantung Maple, <i>Acer truncatum</i> ¹	
Shumard Red Oak, <i>Quercus shumardii</i> ²	
Urbanite Ash, <i>Fraxinus pennsylvanica</i> 'Urbanite'	
<u>ORNAMENTAL TREES</u>	
(Minimum caliper/size at installation per list below)	
Roughleaf Dogwood, <i>Cornus drummondii</i>	2" Caliper
Yaupon Holly, <i>ilex vomitoria</i> (female only such as 'Pride of Houston' or 'Will Fleming')	3-5 canes (3" total caliper)
Deciduous Holly, Warren's Red, <i>ilex decidua</i>	3-5 canes (3" total caliper)
Crape Myrtle, <i>Lagerstromia indica</i>	3-5 canes (3" total caliper)
Mexican Plum, <i>Prunus mexicana</i>	2.5" caliper
Mexican Redbud, <i>Cersis canadensis var. mexicana</i>	2.5" caliper
Oklahoma Redbud, <i>Cersis reniformis</i> 'Oklahoma'	2.5" caliper
Texas Redbud, <i>Cersis canadensis var. texensis</i>	2.5" caliper
American Smoke Tree, <i>Cotinus obovatus</i>	2.5" caliper
Vitex, <i>Vitex negundo</i> 'Heterophylla'	3-5 canes (2" total caliper)
Desert Willow, <i>Chilopsis linearis</i>	3-5 canes (2" total caliper)

EVERGREEN SHRUBS

(Minimum size at installation per list below)

Dwarf Nandina, <i>Nandina domestica nana</i>	3 gallon container
Dwarf Burford Holly, <i>Ilex cornuta 'burfordi nana'</i>	3 gallon container
Abelia Grandiflora, <i>Abelia grandiflora</i>	3 gallon container
Barberry, <i>Barberry spp.</i>	3 gallon container
Red Yucca, <i>Hesperaloe parviflora</i>	5 gallon container
Texas Sage, <i>Leucophyllum frutescans</i>	5 gallon container
Indian Hawthorn, <i>Raphiolepis indica</i>	5 gallon container
Native Sumac, <i>Rhus typhina</i>	10 gallon container
Dwarf Crape Myrtle, <i>Lagerstromia indica 'nana'</i>	5 gallon container
Photinia, <i>Photinia fraseri</i>	5 gallon container
Dwarf Yaupon Holly, <i>Ilex vomitorria 'nana'</i>	3 gallon container
Pampas Grass, <i>Cortaderia selloana</i>	5 gallon container

GROUND COVERS/VINES

(Minimum size at installation per list below)

Asian Jasmine, <i>Trachelosperum Asiaticum coloratus</i>	4" pot, heavily rooted, full
Purple Winter Creeper, <i>Euonymus</i>	4" pot, heavily rooted, full
Santolina, <i>Santolina virens</i>	1 gallon container
Trumpet Vine, <i>Campsis radicans</i>	1 gallon container
Coral Honeysuckle, <i>Lonicera sempervirens</i>	1 gallon container
Purple Honeysuckle, <i>Lonicera japonica 'purperia'</i>	1 gallon container
Virginia Creeper, <i>Parthenocissus quinquefolia</i>	1 gallon container
Lady Banks Rose, <i>Rosa banksiaw lutea</i>	1 gallon container
Wisteria, <i>Wisteria sinensis</i>	5 gallon container
Vinca (major), <i>Vinca major</i>	4" pot, heavily rooted, full

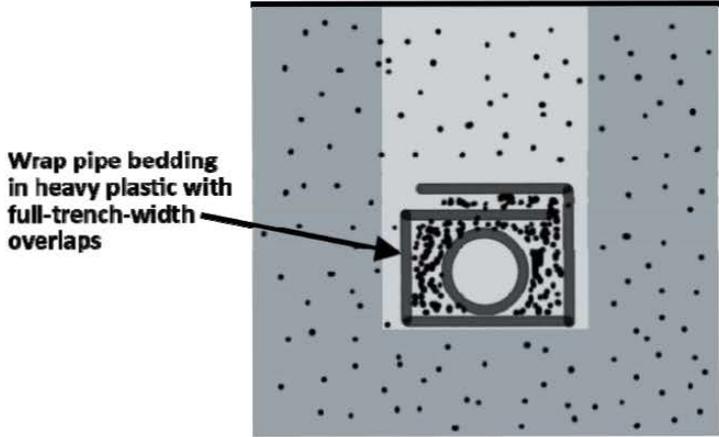
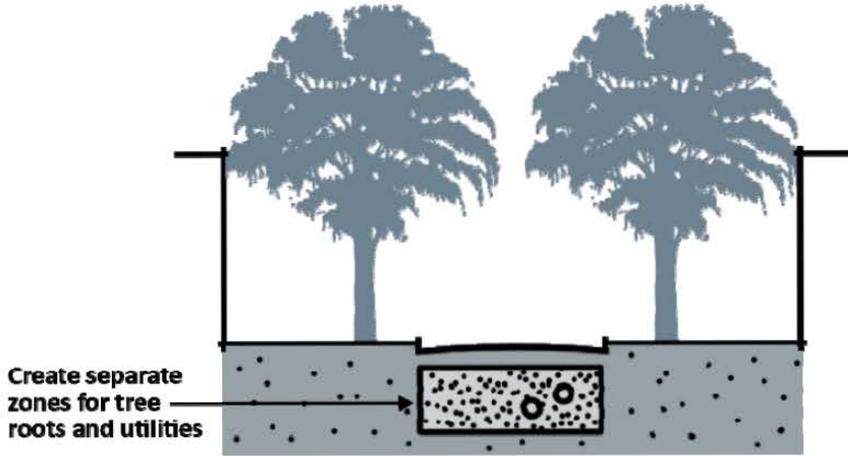
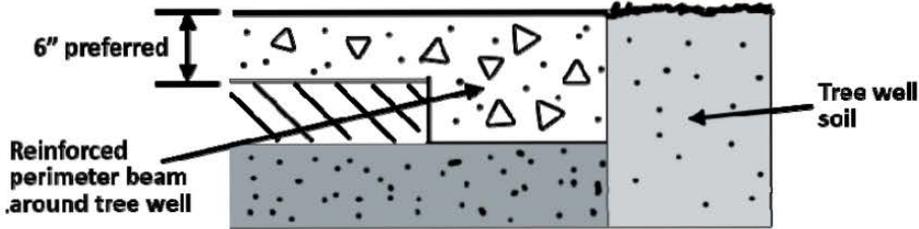
TURF/GRASS

(Seed or hydromulch)

Common Bermuda, <i>Cynodon dactylon</i>
Fescues, <i>Festuca rubra</i>
Buffalo Grass, <i>Buchloe dactyloides</i>

Notes:

- 1. Trees suitable for location beneath normal height power lines
- 2. Should provide a limited root barrier to direct spreading roots downward.
- 3. Locust trees have a problem with reflected heat when young; trunk should be wrapped during early stages.

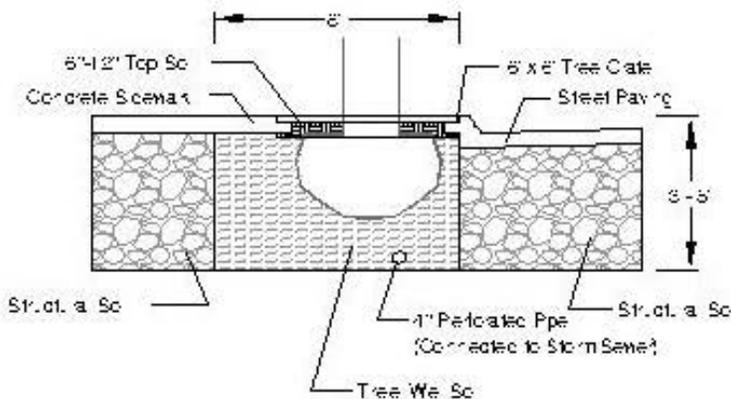
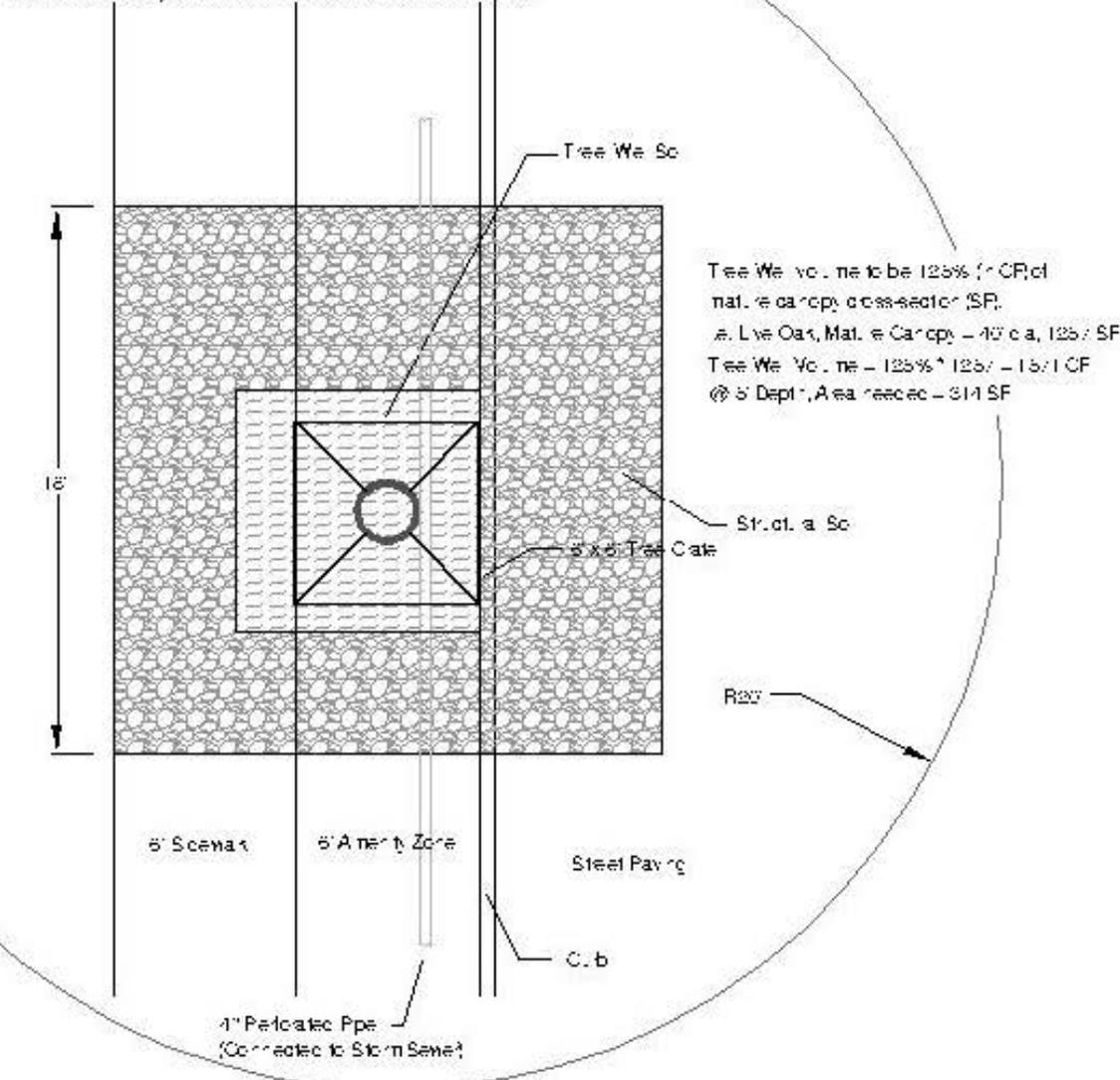


Street Tree/Utility Techniques to Minimize Conflict

Source: *Up By Roots*, by James Urban

Tree Planting Detail

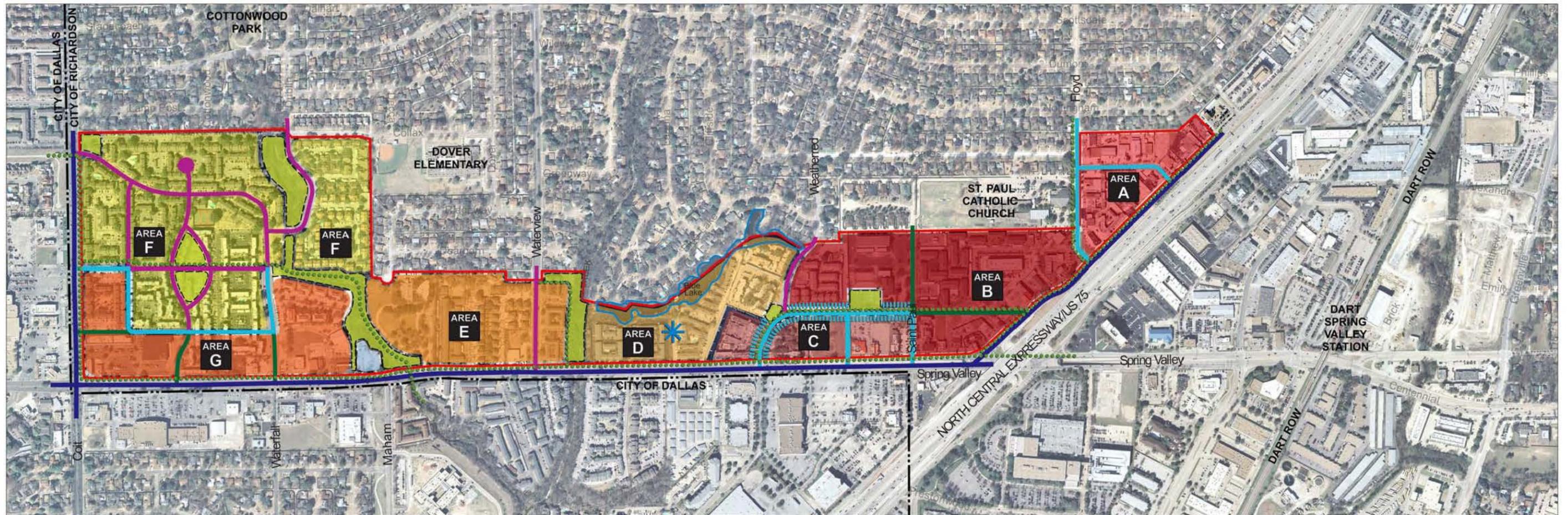
West Spring Valley Corridor Planned Development
Internal Street
Townhome, Mixed Residential Example



Soil Mix Detail

- Tree We So Mix:
50% Sandy Loam Top So
20% Organic Material (Peat)
20% Expanded Shale
10% Zeolite
- Struct. a So Mix:
50% Native Seed So
50% Expanded Shale

Appendix 3
District Plan



West Spring Valley Corridor



Appendix 4

Height Zones

APPENDIX 4. HEIGHT ZONES



West Spring Valley Corridor



APPENDIX 4. SUBDISTRICT HEIGHT STANDARDS

STANDARD	AREA A	AREA B	AREA C	AREA D	AREA E	AREA F	AREA G
Building Height ¹	Min. 2 stories Max. 2-4 stories	Min. 2 stories Max. 2-8 stories ¹	Min. 2 stories Max. 2-4 stories	Min. 2 stories Max. 2-4 stories	Min. 2 stories Max. 2-3 stories	Min. 2 stories Max. 2-5 stories ^{2,3,4}	Min. 2 stories Max. 2-4 stories

Notes:

In addition to the provisions of Section 4. B. 2., Building Height, the following shall apply:

¹ In Area B:

^aBuildings located on property with frontage on Central Expressway may be constructed up to eight stories in height, but in no case closer than 300 feet from property located outside the District which is zoned for single-family residential use.

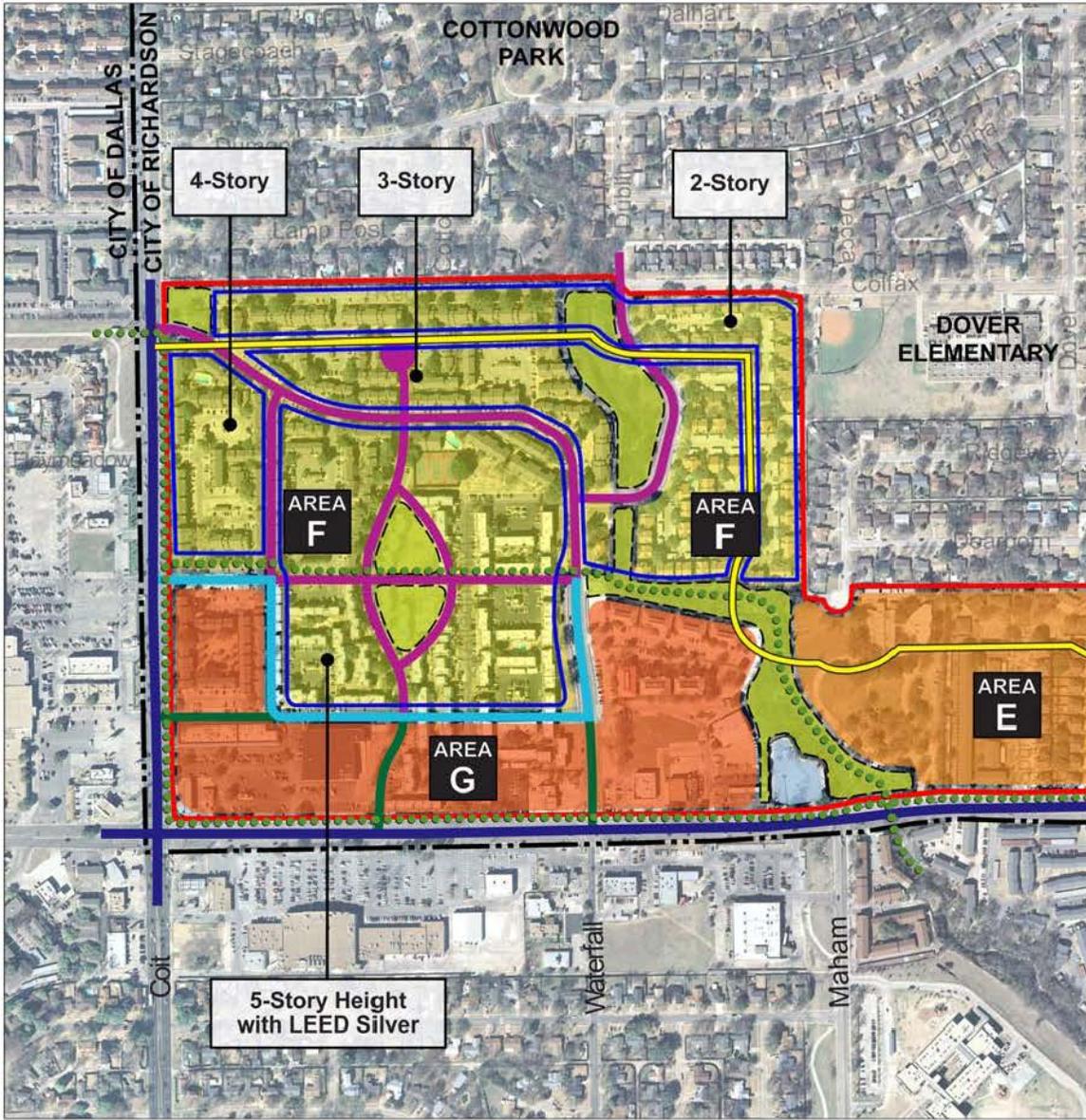
^bThe two-story height limit shall not apply to buildings within 200 feet of the southern and eastern property lines of the St. Paul Church tract east of St. Paul Drive as indicated on the *Height Zones. Appendix 4* exhibit.

² In the portion of Area F west of Waterfall Way/Dublin Drive and north of the northern-most east/west street, buildings shall be limited to two stories within 200 feet of property located outside the District which is zoned for single-family residential use. Buildings in the remainder of this portion of Area F shall be limited to three stories in height.

³ In the portion of Area F generally east of Waterfall Way/Dublin Drive, buildings shall be limited to two stories within 200 feet of property located outside of the District which is zoned for single-family residential use, and shall be limited to three stories between the two-story zone and Waterfall Way/Dublin Drive.

⁴ The maximum height in the remainder of Area F west of Waterfall Way shall be four stories, except that if LEED Silver buildings are constructed, a maximum of five stories shall be allowed in Mixed Residential buildings within the internal loop road as designated in this *Appendix 4. Height Zones.*

APPENDIX 4. AREA F DETAIL



Appendix 5

Design Guidelines

DESIGN GUIDELINES

WEST SPRING VALLEY CORRIDOR

Appendix 5: WSVC PD Ordinance

City of Richardson, Texas

OCTOBER 10, 2011

TABLE OF CONTENTS

1. URBAN CONTEXT GUIDELINES

- DISTRICT PLAN
- PERMITTED BUILDINGS BY SUBDISTRICT
- BUILDING TYPES
- STREET TYPOLOGIES

2. ARCHITECTURAL GUIDELINES

- PATIO HOME, DUPLEX + TOWNHOME
Building Walls
Roofs
Windows + Doors
- LIVE/WORK, MIXED RESIDENTIAL,
MIXED USE + COMMERCIAL
Building Walls
Roofs
Windows + Doors
Storefronts
Signage
Awnings + Canopies

3. STREETScape GUIDELINES

- OPEN SPACE + COMMUNITY
GATHERING SPACE
- LAKE OPPORTUNITY
- STREETScape ELEMENTS
Bench
Tree Grate
Pedestrian Light
Trash Receptacle
Planter
Bike Rack
Bollard

4. SUSTAINABILITY

- OVERVIEW
- *NORTH TEXAS 2050*
- *WSVC + NORTH TEXAS 2050*
- SUSTAINABLE DESIGN ISSUES

INTRODUCTION

INTENT

These Development Guidelines are intended to guide the built environment for the West Spring Valley Corridor by positively shaping the public and private realm through the use of good planning principles that have been addressed through the PD Ordinance

Overall, principles of good urbanism should be employed at all levels to create a place that respects the natural environment, capitalizes on economic opportunities, and establishes a physical form that engages and nurtures visitors, employees and residents. The primary principles guiding development include:

- Streets and thoroughfares should be designed in such a way that automobiles and alternative transportation modes may successfully coexist on the roadways and establish a network that connects the West Spring Valley Corridor to the larger community.
- Buildings should engage the street and define the public realm through careful building placement, thoughtful assignment of parking and service functions, and to define terminated vistas.
- Building form and character should be appropriate in scale and massing with clearly articulated features that engage the public realm and contribute to the visual interest of the area.
- Landscape and streetscape should provide visual continuity throughout the Corridor.

INTRODUCTION

AUTHORITY

The Design Guidelines are to be used as a companion piece to the PD Ordinance as they support and reinforce the form and pattern of development delineated in the pages prior. While the guidelines are intended to guide the built form, the PD Ordinance adopted by the City of Richardson will be the ultimate set of criteria used to judge proposed development in the study area. Should any discrepancy exist between these Development Guidelines and the PD Ordinance, the PD Ordinance shall supersede and take priority over the content on the following pages.

PLAN ELEMENTS

The Design Guidelines use graphics and imagery to convey the intended built form for the study area. Generally, the recommendations are divided into four primary categories:

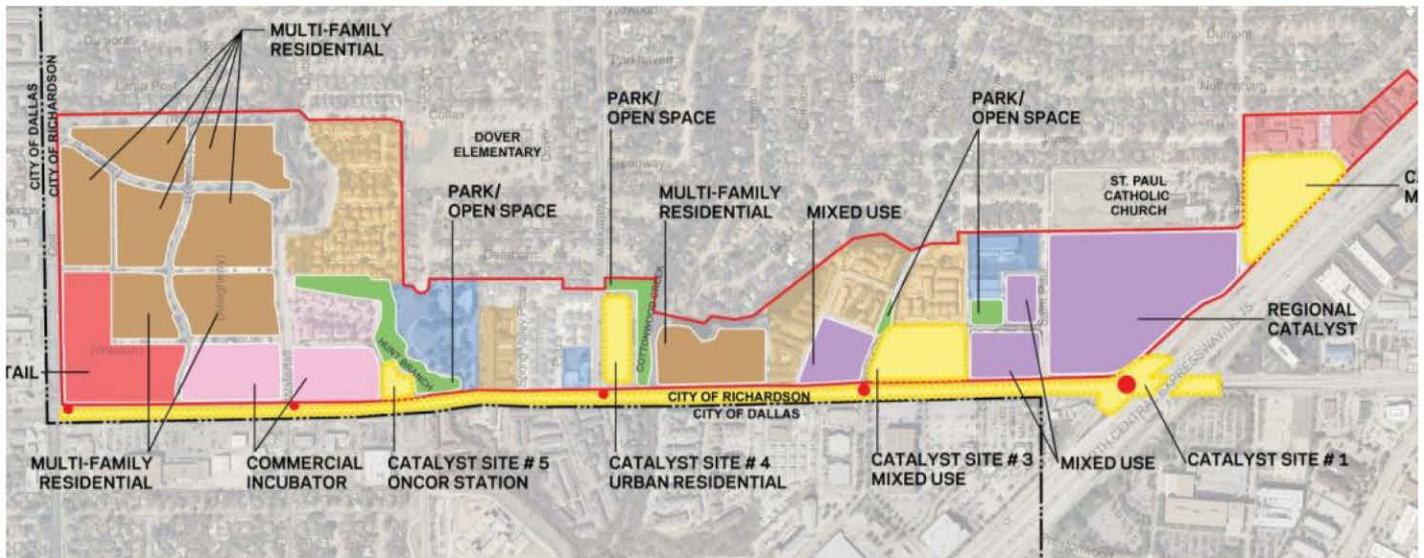
- Urban Context Guidelines
- Architectural Guidelines
- Streetscape Guidelines
- Sustainability

URBAN CONTEXT GUIDELINES



- DISTRICT PLAN
- PERMITTED BUILDINGS BY SUBDISTRICT
- BUILDING TYPES
- STREET TYPOLOGIES

DISTRICT PLAN



Land Use Framework Plan

In January 2009, the Richardson City Council adopted a new Comprehensive Plan which highlighted six different enhancement/redevelopment areas within the community that warranted additional study. The 2010 West Spring Valley Corridor Reinvestment Strategy focused upon one of the six highlighted areas in Richardson and provided recommendations for investment and policy reform that could be implemented in the near to long term.

One component of the Reinvestment Strategy was the Land Use Framework Plan. This plan communicated the overall future development vision for the West Spring Valley Corridor, as expressed by corridor stakeholders in a series of public meetings held from March through June of 2010. The plan presented to Richardson City Council in November 2010 summarizes the particular land uses, development types, and catalyst projects supported by stakeholders in the visioning process.

PERMITTED BUILDINGS

The matrix below outlines the appropriate building types for each of the seven unique subdistricts indicated on the District Plan.

PERMITTED BUILDINGS BY SUBDISTRICT						
A	B	C	D	E	F	G
			PATIO HOME	PATIO HOME	PATIO HOME	
			DUPLEX	DUPLEX	DUPLEX	
TOWNHOME	TOWNHOME		TOWNHOME	TOWNHOME	TOWNHOME	
	MIXED RESIDENTIAL		MIXED RESIDENTIAL		MIXED RESIDENTIAL	
LIVE/WORK	LIVE/WORK	LIVE/WORK				LIVE/WORK
MIXED USE	MIXED USE	MIXED USE				MIXED USE
COMMERCIAL	COMMERCIAL	COMMERCIAL				COMMERCIAL



SUBDISTRICT A

Intent. To encourage a variety of uses, developed at a low- to mid-rise intensity and providing an appropriate transition between nearby single-family neighborhoods and Central Expressway.

A
TOWNHOME
LIVE/WORK
MIXED USE
COMMERCIAL



Opportunities

- This tract appears to have good potential for a boutique hotel, which could spur interest and activity in support retail and restaurant uses
- Live/Work units or offices facing Floyd Road could be an effective transition between the more commercial-oriented frontage of Area A along US 75/Central Expressway and the residential development to the west

SUBDISTRICT B

Intent. To create a gateway to the City and the Corridor by providing for a broad array of commercial and residential uses, including the opportunity for a landmark building near the high-profile intersection of Spring Valley Road and

B
TOWNHOME
MIXED RESIDENTIAL
LIVE/WORK
MIXED USE
COMMERCIAL



Central Expressway. Neighborhoods to the north, while older, are established and stable. St. Paul church/school, which forms the northern boundary of this Subdistrict, makes for a less complicated transition between land uses and adds to the potential customer base for nearby retail, restaurant, and service uses.

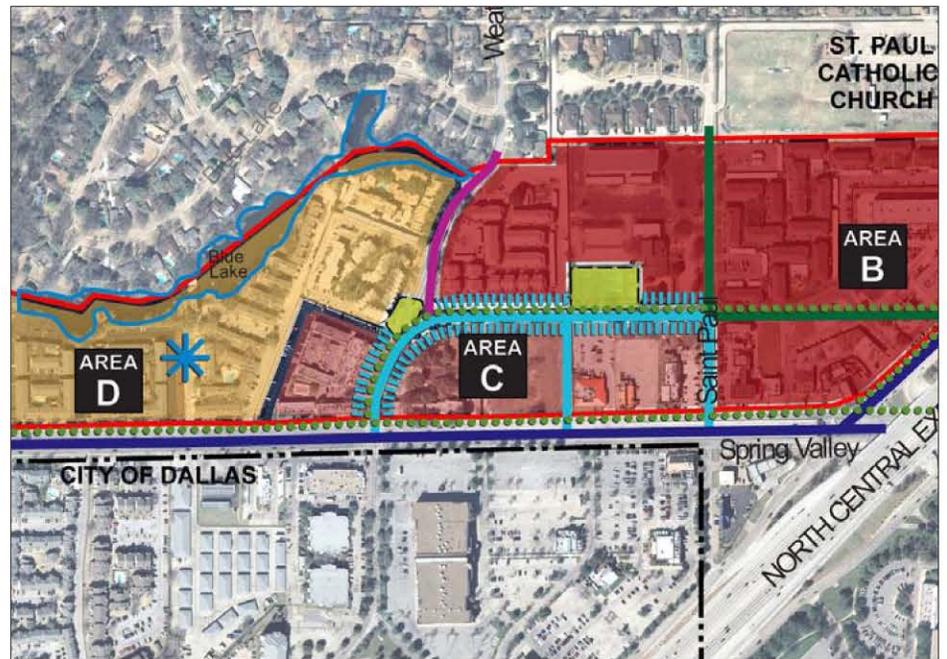
Opportunities

- High traffic counts reflect good potential for new retail businesses and employers
- Adjacency to Central Expressway, a regional highway, makes access to the Subdistrict convenient
- The new roadway between Weatherred and Central Expressway will improve access in the area and increase the potential for successful redevelopment.
- Depth of the tract presents potential for a landmark building
- Location offers close proximity to the Spring Valley light rail station

SUBDISTRICT C

Intent. To create a pedestrian-scale, mixed used development focused on a unique new street and an urban park for area residents, visitors, and employees

C
LIVE/WORK
MIXED USE
COMMERCIAL



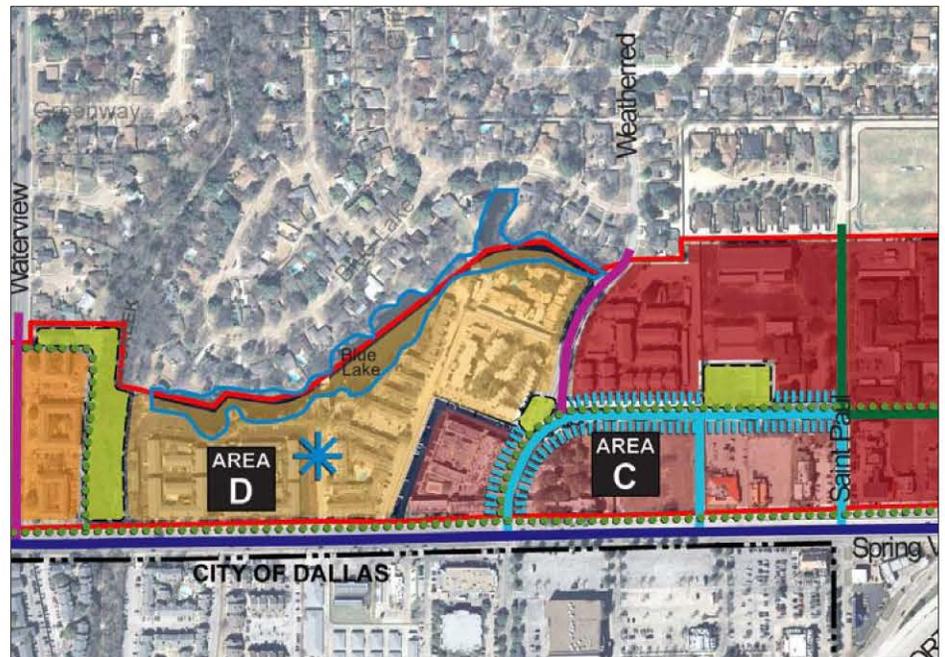
Opportunities

- The relatively small number of owners and parcels in Area C probably presents the best opportunity for a mixed use project and an early-stage development
- The new pedestrian-oriented street and urban park will be key ingredients in the planning for a “great place” and providing much needed access in this portion of the corridor

SUBDISTRICT D

Intent. To attract a variety of quality housing in buildings that respect the proximity of the single-family neighborhood to the north and to encourage the expansion of Blue Lake as a major new open space.

D
PATIO HOME
DUPLEX
TOWNHOME
MIXED RESIDENTIAL



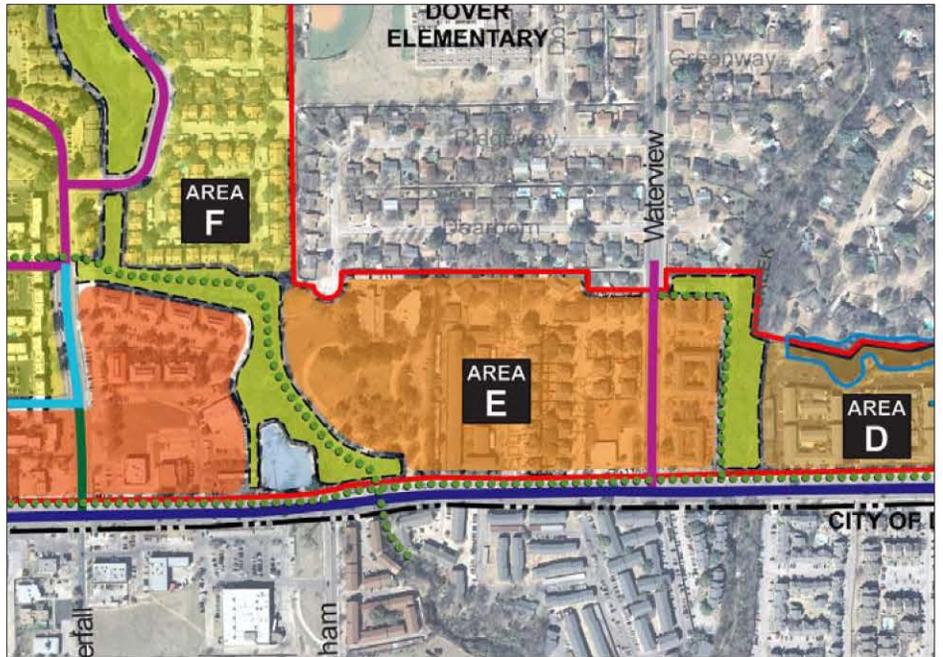
Opportunities

- The expansion and enhancement of Blue Lake will add value to the adjacent land and increase storm water storage capacity
- Redevelopment can be accomplished without disruption to the existing condominium properties; however, should the condominium owners agree to sell to a development entity, the tract sizes are appropriate for redevelopment
- The western portion of Area D is adjacent to a proposed trail connection along Cottonwood Creek

SUBDISTRICT E

Intent. To create opportunities for high-quality housing in a variety of styles and types, including the possibility of senior-oriented housing and additional options for ownership product.

E
PATIO HOME
DUPLEX
TOWNHOME



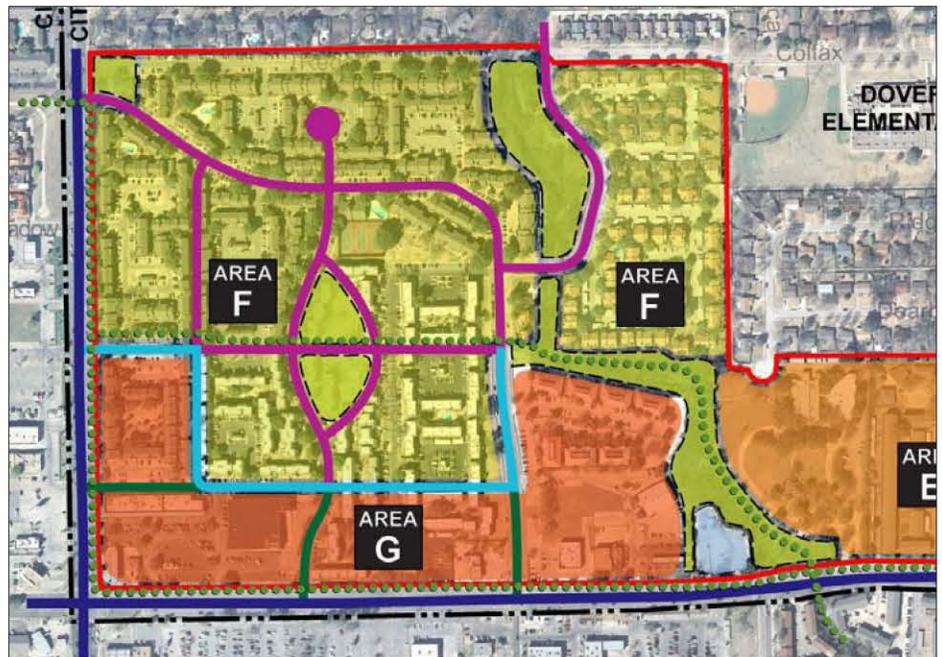
Opportunities

- Recent duplex development has been well-received and has provided additional ownership opportunities within the Corridor
- The number of owners outside the new duplexes is relatively small
- Both the eastern and western boundaries of Area E are adjacent to proposed trail connections

SUBDISTRICT F

Intent. To provide for a mix of residential unit types built around a network of interior streets and taking advantage of existing creeks, potential trail connections, and a proposed central open space.

F
PATIO HOME
DUPLEX
TOWNHOME
MIXED RESIDENTIAL



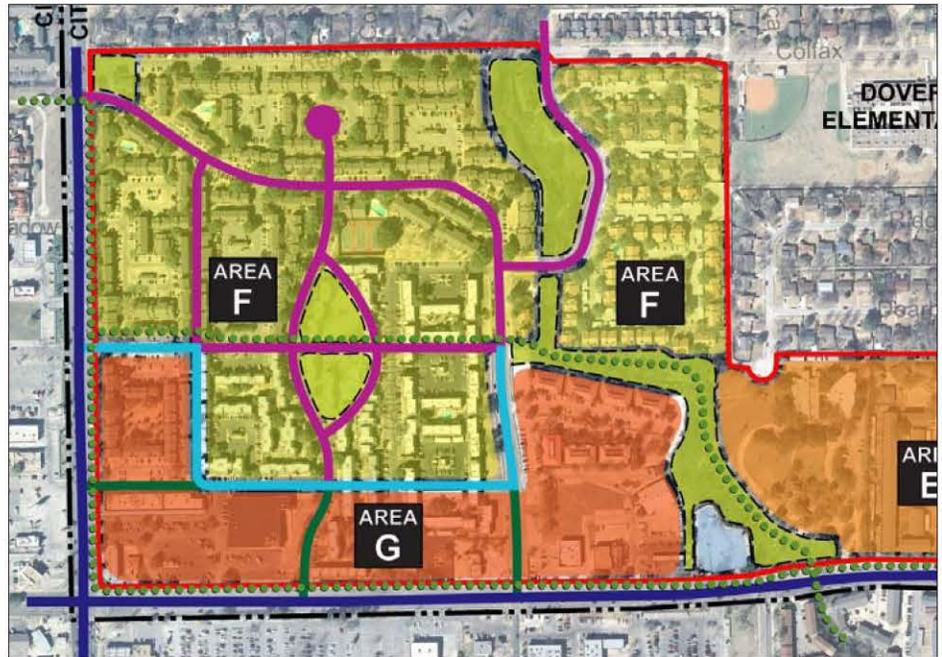
Opportunities

- With sensitive transitioning from the neighborhood to the north and sustainable construction practices, additional building height can be achieved
- The majority of the proposed roadway network follows the alignment of existing private streets to minimize the need for costly relocation of existing utilities
- The roadway network presents an opportunity to extend an east/west trail connection through the heart of Area F
- The site may have potential as a senior housing project offering a variety of unit types and levels of service (a continuum of care)
- The creation of a major “green” will provide a valuable neighborhood focus
- Improved pedestrian access to retail and restaurant activity in area G can be a significant amenity for residents

SUBDISTRICT G

Intent. To create a commercial-oriented corner with the potential to present a unique offering of retail, restaurant and service uses to attract residents within the Corridor and the surrounding neighborhoods, as well as visitors from a wider market area.

G
LIVE/WORK
MIXED USE
COMMERCIAL



Opportunities

- Cottonwood Trail, which has regional connections beyond Richardson, will lie adjacent to the Spring Valley and Coit Road frontages of the subdistrict, increasing the potential for hike and bike traffic adjacent to the site and the demand for retail and restaurant businesses
- The configuration of Area G provides more retail/restaurant frontage and exposure on Coit Road than the existing development
- This is the only portion of the Corridor that has a vacant parcel of a reasonable size
- The open space opportunity within Area F offers the potential for a significant community gathering spot that will add value to the commercial development in Area G

BUILDING TYPE	FRONTAGE	HEIGHT	USE: GROUND FLOOR	USE: UPPER FLOORS
PATIO HOME	Patios, porches and lawns permitted; Vehicular access from rear alley required except for allowances for swing facing garage doors due to site constraints	Min. 2 stories ⁽¹⁾ Max. 2 stories	Residential required	Residential required
DUPLEX	Patios, porches and lawns permitted; Vehicular access from rear alley required except for allowances for swing facing garage doors due to site constraints	Min. 2 stories ⁽¹⁾ Max. 2 stories	Residential required	Residential required
TOWNHOME	Stoops, patios, porches and lawns permitted; Vehicular access from rear alley required	Min. 2 stories Max. 3 stories	Residential required	Residential required

Notes:

(1) Minimum 1 Story for ADA accessible and senior housing.

(2) Architectural Features include, but not limited to: box or bay windows, fireplace, windowsill, etc.

(3) Resident Amenities include, but not limited to: fitness center, business center, club house, resident common rooms, mail facilities.

BUILDING TYPES

Urban Context Guidelines

FINISH FLOOR ELEVATION	PERMITTED PROJECTIONS	MIN. FLOOR-TO-CEILING HEIGHTS (AT GRADE)	REFERENCE IMAGES
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Architectural Features⁽²⁾



Architectural Features⁽²⁾



Minimum 24" above sidewalk grade

Architectural Features⁽²⁾
Balcony
Stoop



BUILDING TYPE	FRONTAGE	HEIGHT	USE: GROUND FLOOR	USE: UPPER FLOORS
LIVE/WORK	Shopfront/awning required; Frontage required to engage sidewalk	Min. 2 stories Max. 4 stories	Retail or office only	Residential required
MIXED RESIDENTIAL	Stoops, patios, porches and lawns permitted	Min. 2 stories Max. 4 stories Area F: Max. 5 Stories [Area F: See Detail Map, Appendix 4]	Residential or resident amenity ⁽¹⁾ only	Residential required
MIXED USE	Shopfront/awning permitted; Clear, articulated entries for lobby access required	Min. 2 stories Max. 5 stories	Retail or office only	Residential required
COMMERCIAL	Shopfront/awning permitted; Clear, articulated entries for lobby access required	Min. 2 stories Max. 4 stories [Area B: Max. 8 Stories]	Retail, office or hotel only	Office or hotel only

Notes:

(1) Minimum 1 Story for ADA accessible and senior housing.

(2) Architectural Features include, but not limited to: box or bay windows, fireplace, windowsill, etc.

(3) Resident Amenities include, but not limited to: fitness center, business center, club house, resident common rooms, mail facilities.

BUILDING TYPES

Urban Context Guidelines

FINISH FLOOR ELEVATION	PERMITTED PROJECTIONS	MIN. FLOOR-TO-CEILING HEIGHTS (AT GRADE)	REFERENCE IMAGES	
Match sidewalk grade	Bay Windows Balcony Blade signs Awning/canopy	15' for Retail-ready		
Min. 24" above sidewalk grade; Lobby access at grade	Balcony Stoop	10'		
Match sidewalk grade	Blade signs Awning/canopy	15' for Retail-ready		
Match sidewalk grade	Blade signs Awning/canopy	15' for Retail-ready		

BUILDING TYPES

Seven building types are permitted within the West Spring Valley Corridor - Patio Home, Duplex, Townhome, Live/Work, Mixed Residential, Mixed Use and Commercial buildings. This selection of structures provides the corridor with a mix of building types to fit a variety of development conditions as well as provide transitions from one subdistrict to another. As such, the Permitted Buildings by Subdistrict matrix [found on Page 8] should be referenced to determine which building types are permitted in each subdistrict.

The four previous pages give a snapshot of the seven building types including reference images to provide an overview of the permitted building types. The following pages are intended to offer additional information and guidance for each unique building type.

The WSVC PD Ordinance should be referenced to determine exact specifications for minimum lot sizes, required setbacks, lot coverage, and other information.

PATIO HOME

Patio home means a single-family detached dwelling on a separate lot with open space on only three sides, with one side wall of the dwelling placed coincident with the side property line. It is typically situated on a reduced-size lot that orients outdoor activity within rear or side yard areas for better use of the outdoor living space.



DUPLEX

A duplex is a residential structure where two living units, each with its own entrance and designed to accommodate a single family, share a common wall. The property may be platted so that the individual units and the portion of the lot upon which they are located can be sold separately.



TOWNHOME

Townhomes are an attached form of single-family residential building, typically built in a row of three or more, where individually owned homes share common walls. They provide an excellent transition from lower-density single-family residential homes to denser, more urbanized forms of housing. Townhome lots are typically narrow and platted for individual sale.

Townhomes may be 2 or 3 stories in height with entries set above the sidewalk to provide some privacy and to mark the transition between public and private property. Each townhome will typically have a small front yard and a modest rear yard or courtyard area. Garages are typically attached and must be accessed from the rear of the lot.



LIVE/WORK

Live/Work buildings are the smallest form of vertically-integrated mixed-use building. The units are owned individually or as condominiums and provide an excellent transition from townhomes to mixed residential, commercial or other mixed-use types of development. Many configurations of Live/Work buildings exist, and they are adaptable to a wide variety of architectural styles.

Live/Work buildings may be two to four stories in height with at-grade entries to allow the ground floor commercial access to function properly. A separate entrance, designed to appear more private, must be provided to permit access to the residential quarters above.

Live/Work buildings rarely have private yards, instead focusing on bringing the public up to or inside the ground floor space. Live/Work buildings may include garages. Parking for both the commercial activity and the residential uses is often provided in a shared lot configuration behind the building. Direct entrances from the rear parking area to the Live/Work building are permitted and encouraged.



MIXED RESIDENTIAL

Mixed Residential buildings are single structures divided into multiple apartment, condominium or loft-style units. They may be up to five stories in height, if located appropriately relative to surrounding uses and conditions. Ground floor units must have direct access to the street with entries set above the sidewalk to provide clear separation between public and private property.

Private outdoor open space is generally provided in a courtyard or rear yard configuration. Common outdoor open space should be designed to serve multiple units.

Parking may be located below-grade, in a structured garage or in a well-designed surface lot behind the building.



MIXED USE

Mixed-Use buildings provide space for multiple activities and multiple tenants in a single structure. The building may be under single or multiple tenant ownership. Their bulk makes Mixed-Use buildings appropriate for more urbanized areas that are conducive to commercial activities at the ground floor and residential uses above. Because they contain an assortment of uses, they lend themselves to a variety of architectural styles.

Most Mixed-Use buildings are two to four stories in height, but taller structures may be appropriate at key locations. The ground floor space is built with at-grade entryways to allow the commercial space to function properly, but access to the upper floors may be provided via one or more lobbies. Attention must be paid to accommodating service entrances, utility equipment, and refuse collection, particularly for larger buildings.

Mixed-Use buildings have outside spaces that focus on the public realm at the ground level. These outdoor spaces may be outfitted with tables and chairs for outdoor dining and cafes or hardscape plazas or other features for passive recreation. Parking is located in a shared lot behind the building or in a parking structure which is screened from view. Direct entrances from the rear parking area or the garage to the Mixed-Use buildings are not only permitted, but also encouraged.



COMMERCIAL

Commercial buildings are single structures that may be occupied by one tenant or divided for multiple tenant occupancy or ownership. They may be designed for office uses, retail uses or a combination of the two. Hotel is another potential use; however, a hotel building may not be used for residential occupancy. Buildings that are designed primarily for office uses may also include limited space, usually at the ground level, for support services such as restaurants, health clubs, barber or beauty shops or a mailing service, open to patrons outside the building. Commercial buildings that are designed primarily for retail uses often attract office users as well, particularly in multi-tenant environments.

Commercial buildings may be relatively low in height (two to four stories) or may be taller on larger tracts at high-profile locations, such as the West Spring Valley Road/Central Expressway intersection. Upper floor uses may be accessed via a common lobby and at-grade spaces will often have individual entryways to attract patrons from outside the building. Depending on the size of the building, parking may be provided below grade, in a structured garage or in a well-designed surface lot located at the rear of the property and screened from the street. Outdoor common space may be provided in a courtyard configuration or, for larger developments, in a plaza or green.



STREET TYPOLOGIES

The following pages detail seven street typologies present within the West Spring Valley Corridor study area. These street types cover a variety of conditions ranging from residential streets to frontage roads along North Central Expressway. All roadway cross-sections are designed in a manner that focuses on defining the public realm by pulling buildings up to the street. Flexibility is built in by offering a build-to zone which encourages building articulation. Median openings can be accommodated according to standard City of Richardson policies.

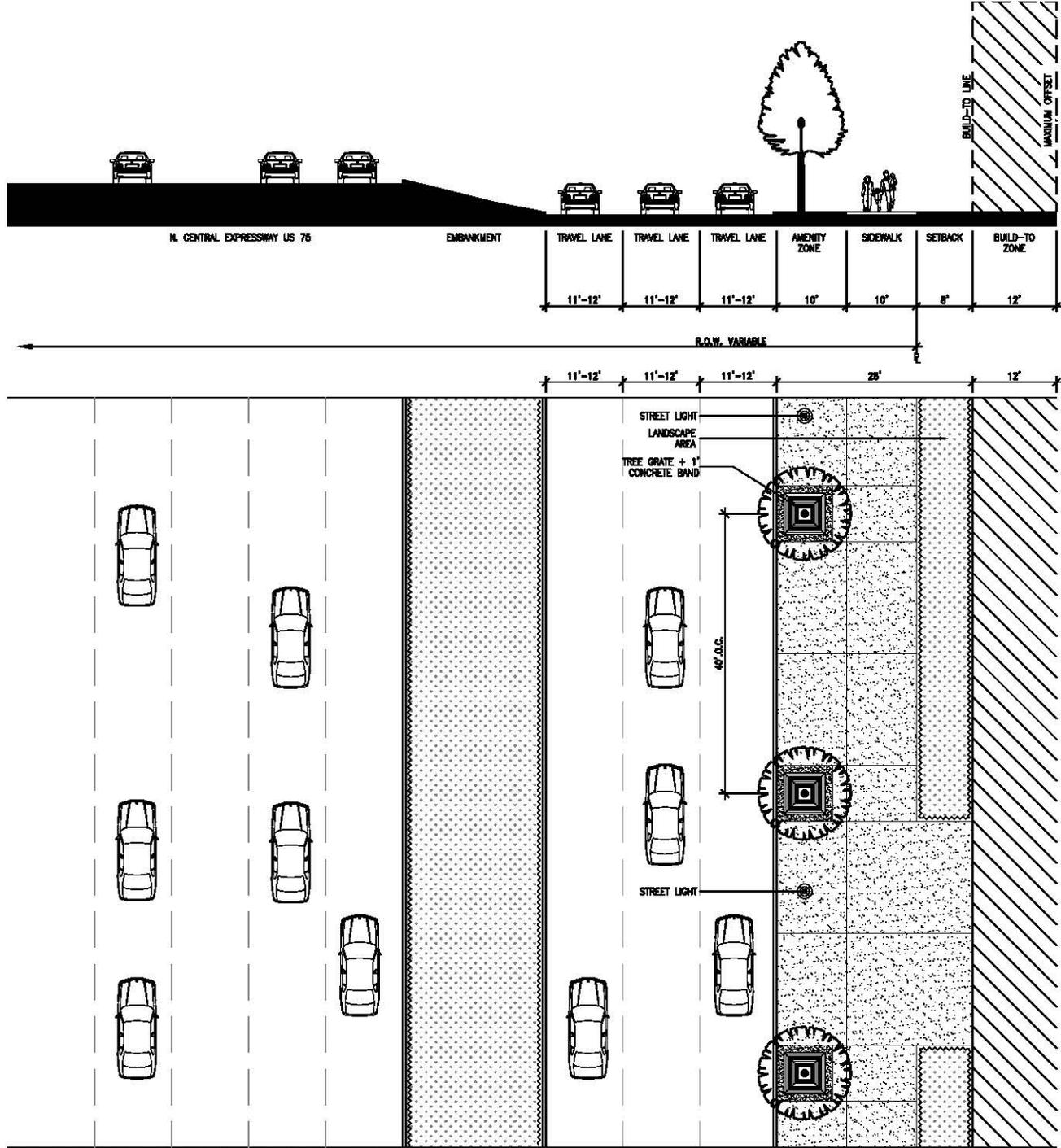
Each street typology is designed to encourage a variety of users, including automobiles, trucks, bicyclists and pedestrians. Streets, and associated public realm between building facades, are a place for people as well as a means to move vehicular traffic.

The following zones and/or elements are illustrated, as applicable, for each street typology:

- Travel Lanes
- Medians
- Bike Zone
- On-Street Parking
- Amenity Zone
- Sidewalk
- Setback
- Build-to Line
- Build-to Zone
- Street Tree Spacing
- Streetscape Element Placement (optional benches, lights, etc)

MAJOR THOROUGHFARE I

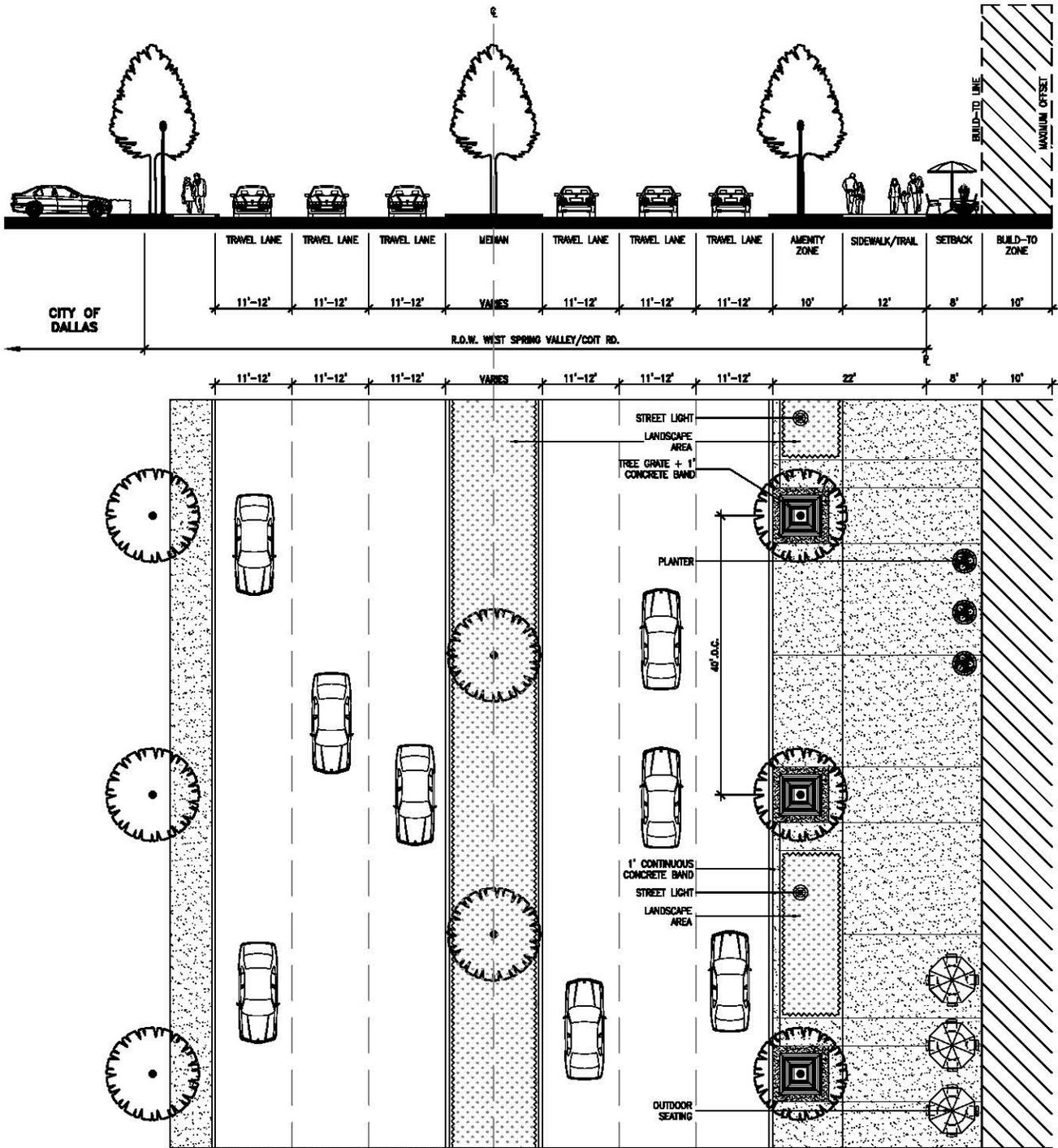
North Central Expressway Frontage



NOTE: BENCHES, LIGHTS, PLANTERS, ETC., SHOWN ABOVE ARE SAMPLE STREETSCAPE ELEMENTS FOR THE AMENITY ZONE AND SETBACK AREAS. THEY ARE NOT REQUIRED.

MAJOR THOROUGHFARE II-A

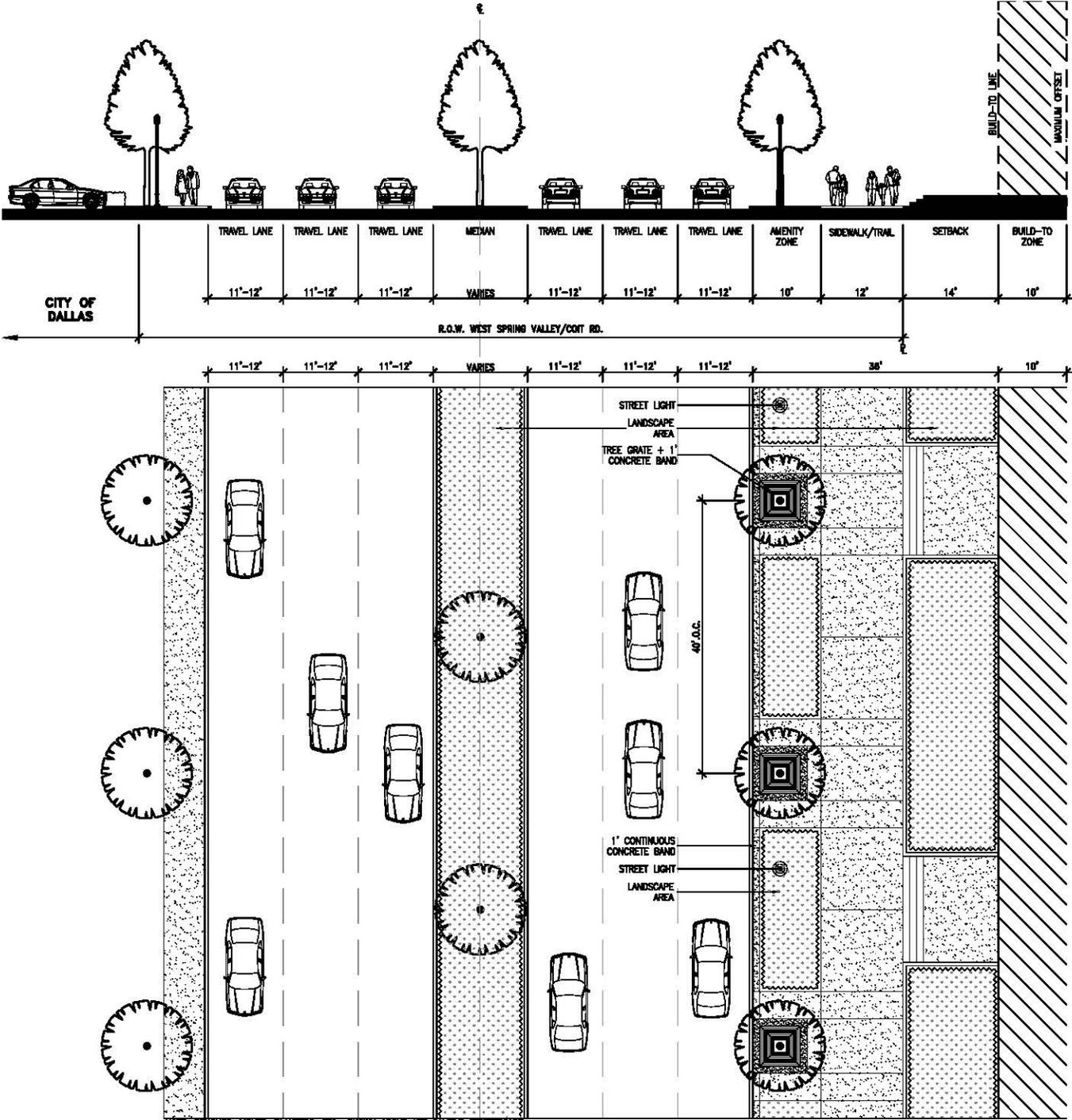
Coit and West Spring Valley (Commercial Zone)



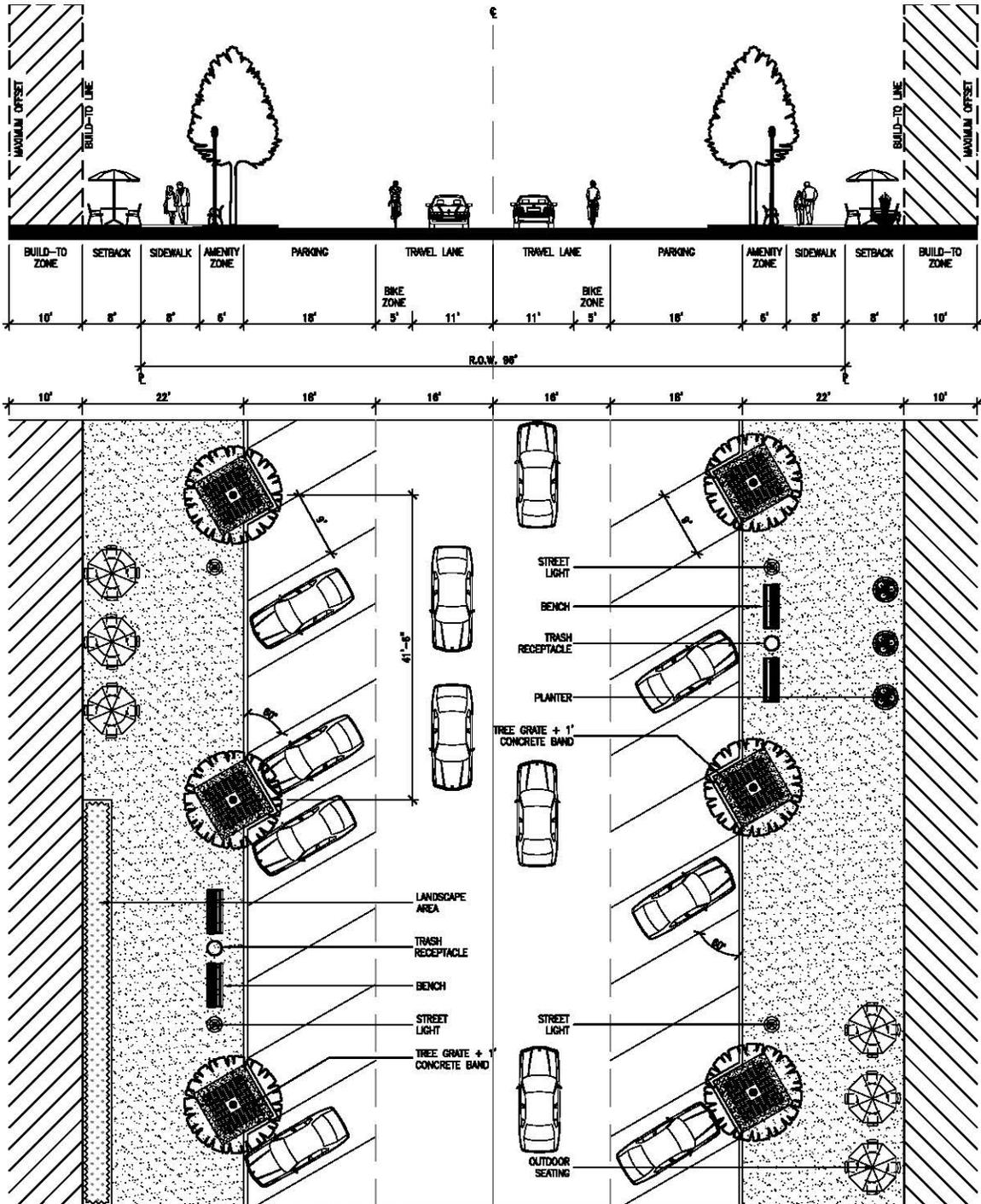
NOTE: BENCHES, LIGHTS, PLANTERS, ETC., SHOWN ABOVE ARE SIMPLE STREETSCAPE ELEMENTS FOR THE AMENITY ZONE AND SETBACK AREAS. THEY ARE NOT REQUIRED.

MAJOR THOROUGHFARE II-B

Coit and West Spring Valley (Residential Zone)

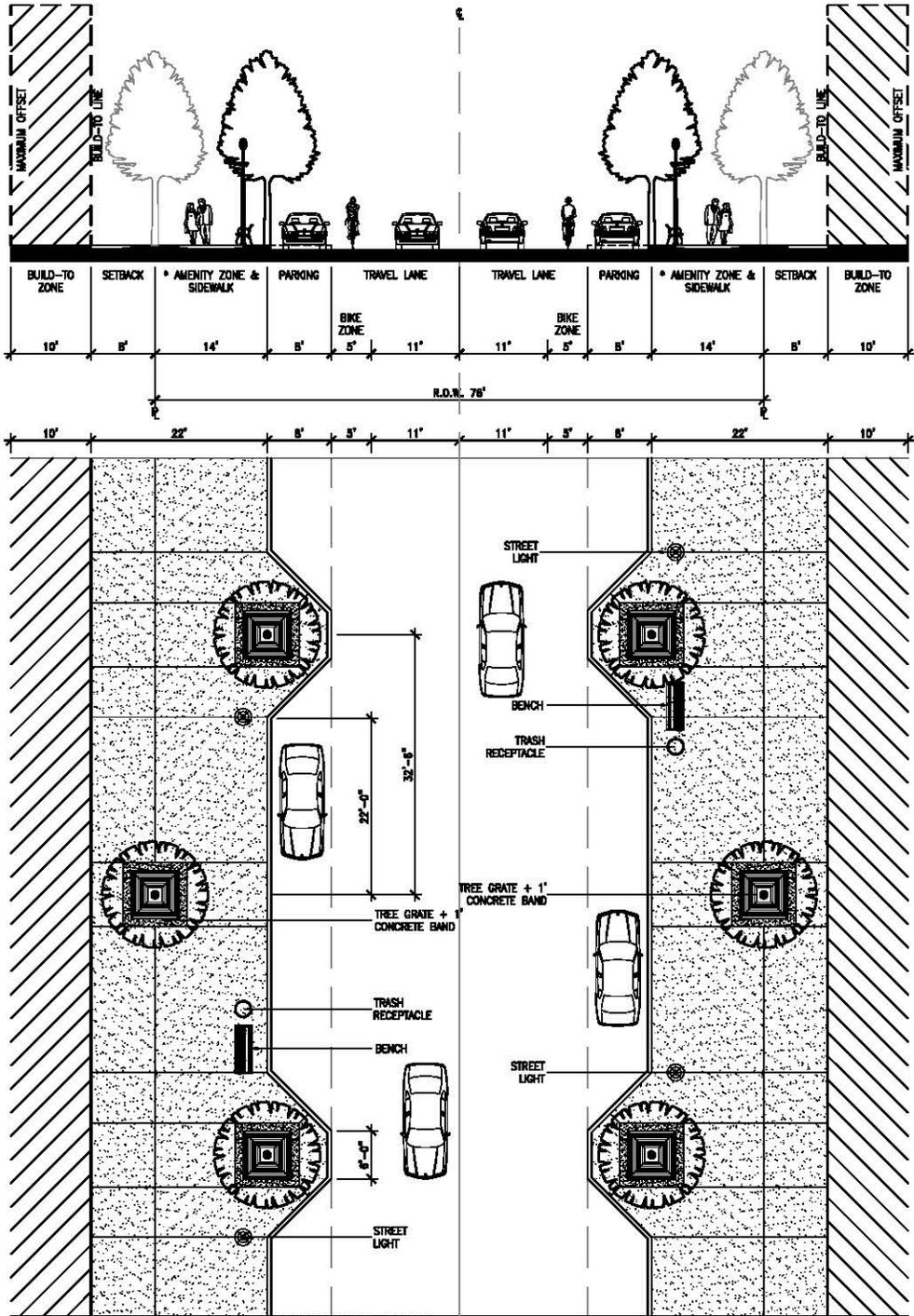


COMMERCIAL-MIXED USE STREET



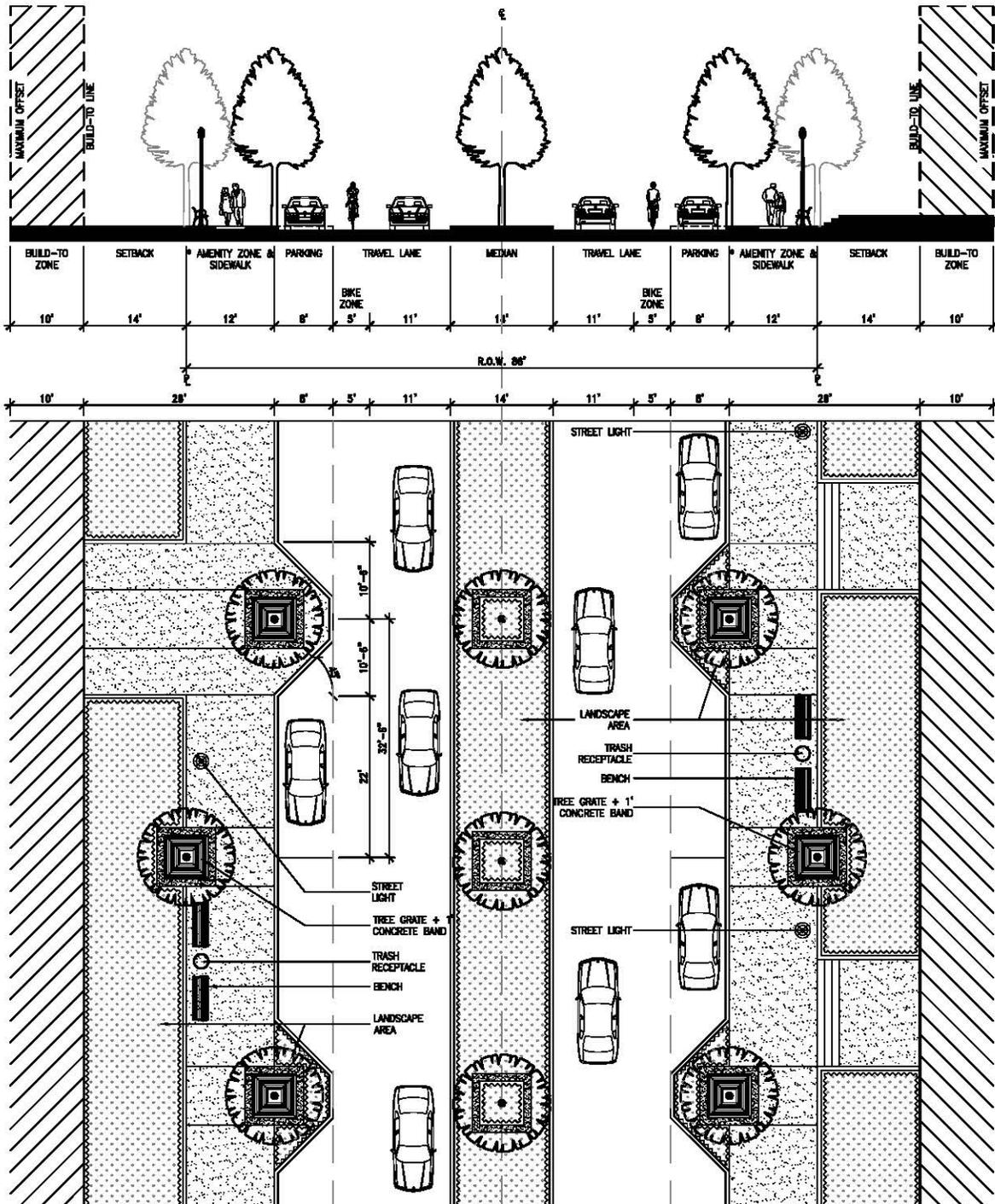
NOTE: BENCHES, LIGHTS, PLANTERS, ETC., SHOWN ABOVE ARE SAMPLE STREETSCAPE ELEMENTS FOR THE AMENITY ZONE AND SETBACK AREAS. THEY ARE NOT REQUIRED.

MIXED USE STREET



NOTE: BENCHES, LIGHTS, PLANTERS, ETC., SHOWN ABOVE ARE SAMPLE STREETSCAPE ELEMENTS FOR THE AMENITY ZONE AND SETBACK AREAS. THEY ARE NOT REQUIRED. * A CONTINUOUS 8' MINIMUM SIDEWALK WIDTH MUST REMAIN CLEAR.

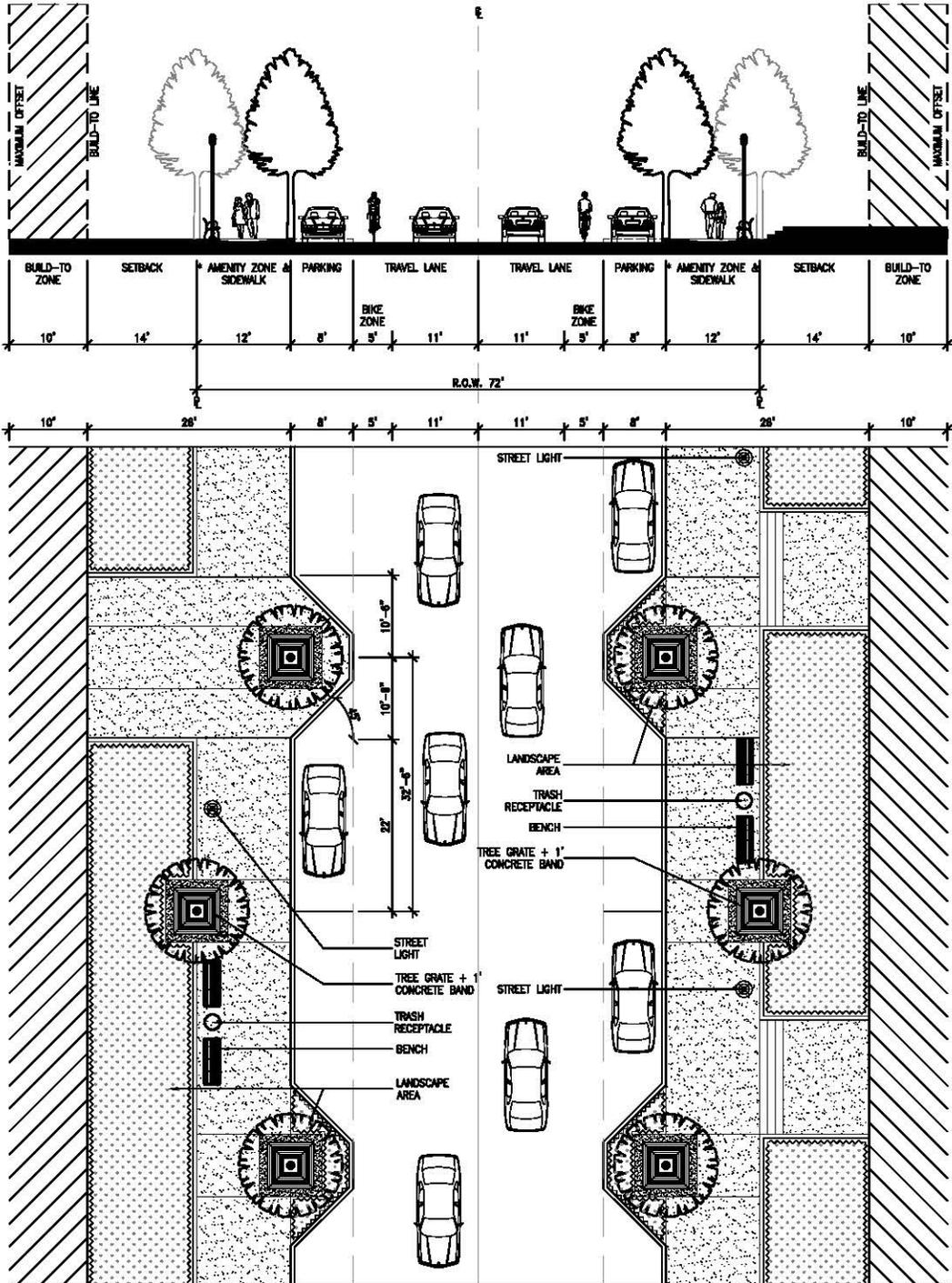
RESIDENTIAL STREET I



NOTE: BENCHES, LIGHTS, PLANTERS, ETC., SHOWN ABOVE ARE SAMPLE STREETSCAPE ELEMENTS FOR THE AMENITY ZONE AND SETBACK AREAS. THEY ARE NOT REQUIRED.

* A CONTINUOUS 6' MINIMUM SIDEWALK WIDTH MUST REMAIN CLEAR.

RESIDENTIAL STREET II



NOTE: BENCHES, LIGHTS, PLANTERS, ETC., SHOWN ABOVE ARE SAMPLE STREETSCAPE ELEMENTS FOR THE AMENITY ZONE AND SETBACK AREAS. THEY ARE NOT REQUIRED. * A CONTINUOUS 6" MINIMUM SIDEWALK WIDTH MUST REMAIN CLEAR.

ARCHITECTURAL GUIDELINES

37



- PATIO HOME, DUPLEX + TOWNHOME
- LIVE/WORK, MIXED RESIDENTIAL, MIXED USE + COMMERCIAL

BUILDING WALLS

Patio Home, Duplex, Townhome

MATERIALS

- + Walls of buildings must be finished in masonry material—natural or cast stone, brick, heavily textured split faced concrete block—3-stage exterior stucco, glass block or architectural metal panels.
- + Accent materials of fiberboard or other approved materials are permitted in limited amounts.
- + EIFS shall not be permitted except for trim and moldings above 8 feet from grade.
- + More than one material may be used in a single building; however, transitions from one wall material to another must occur along all visible sides of a building and should always follow a horizontal and level line.

CONFIGURATIONS

- + Blank facades are prohibited.
- + All Townhome elevations visible from the public realm shall be designed as “fronts”. Buildings occupying corner lots have two frontages and each facade should be treated with equal design attention.
- + For Townhomes, transitions from base to middle or middle to top should be made in one of two ways:
 - (1) Horizontally, through a shift in vertical plane toward the interior, or
 - (2) Vertically, through a change in building materials or the use of trim along a level line.
- + In buildings which have more than one material, the “heavier” material should go below the “lighter” material [a building with a masonry foundation and cementitious plank siding above, e.g.]



- + SIMPLE DETAILING
A group of townhouses with a limited palette of wall materials helps focus attention on the public realm rather than the private buildings.



- + ENTRANCES
Clear demarcation of the building entrance, limited articulation and excellent proportions.

TECHNIQUES

- + Building walls of masonry materials shall be left unpainted. All other wall materials must be painted or stained.
- + Vents, air conditioners and other utility elements should not be placed on any building wall facing a street. If placing these on a street-facing elevation is unavoidable, then particular care must be taken to render these elements invisible from public view - by painting them, screening them or placing them on walls perpendicular to the frontage.



- + **MULTIPLE WALL MATERIALS**
Walls should be articulated with multiple materials to highlight building details.

BUILDING WALLS

INTENT

Building walls of smaller buildings in the study area should reflect permanence - primarily through the use of masonry or metal.

A combination of traditional and more modern materials will contribute to the creation of a memorable and unique streetscape - one that reflects a diverse community.



- + **ARTICULATION**
Building walls should be articulated both horizontally and vertically to provide visual interest.

ROOFS

Patio Home, Duplex, Townhome

MATERIALS

- + Pitched Roofs shall be finished in slate, concrete or clay roofing tile, copper, asphalt shingles, or commercial-grade metal roofing.
- + Wood shingles are expressly prohibited.
- + Flat Roofs may be constructed of any material that is permitted by applicable building codes.

CONFIGURATIONS

- + Building roofs may be in the shape of simple, symmetrical gables and hips, with a slope between 6:12 and 12:12
- + Building roofs may be flat or nearly flat, permitting proper drainage, but must be outfitted with a parapet and must be provided with access from the interior of the building for maintenance.
- + Other roof shapes (domes, turrets, etc.) may be used on a single portion of a building, not to exceed 500 square feet in plan.
- + Secondary roofs may be in the form of simple sheds with a slope of no less than 4:12 and must be attached to an adjacent building wall.
- + Skylights that are flat in profile may be used on pitched roofs, but may not face a principal or secondary frontage.

40

ARCHITECTURAL GUIDELINES



+ SIMPLE ROOF FORMS

Simple roofs help keep the focus on the public realm near streets and plazas, rather than at the tops of buildings.



+ OTHER ROOF SHAPES

Turrets, domes, and other roof shapes may be permitted, provided they are sized correctly, and used at appropriate locations.

TECHNIQUES

- + Roof penetrations (fans, exhausts, vents, etc.) must be finished to match the color of the roof.
- + Skylights, vents, air conditioners and other utility elements should not be placed on any building wall facing a public street or open space. If placing these on a street-facing elevation is unavoidable, then particular care must be taken to render these elements invisible from public view - by painting them, screening them or placing them on walls perpendicular to the frontage.

ROOFS

INTENT

For smaller scaled buildings, these Guidelines promote simple roof forms over other roof forms. Buildings at this scale provide the study area with a consistency of simple roof lines. Special roof forms such as domes and turrets are permitted in limited instances, and are controlled by size.

41

ARCHITECTURAL GUIDELINES



- + VARIETY
A variety of roof forms may be used for townhome building types to reinforce individual units within a single group of townhomes.



- + ROOF FORM DIVERSITY
Both flat and sloped roofs are encouraged to promote roof form diversity which should be expressed in a simple, uncomplicated manner.

WINDOWS + DOORS

Patio Home, Duplex, Townhome

MATERIALS

- + Doors may be glass, wood, clad wood or steel.
- + Doors may include fixed glass lites.
- + Window frames may be anodized aluminum, metal-clad or vinyl-clad wood, or steel.

CONFIGURATIONS

- + In general, window and door openings should be rectangular in shape. Other window shapes will be considered for approval based on architectural merit.
- + All arcade openings and other building voids should be vertically-oriented rectangles.
- + Service, security or garage doors may not be placed at frontages.
- + Windows may be double-hung, single-hung, case-ment or awning configurations.
- + Doors may be overhead (in appropriate locations) or swing doors. Sliding patio doors are not permitted at frontages.

42

ARCHITECTURAL GUIDELINES



+ WINDOW PROPORTIONS

Vertical or square proportions for openings relate better to human proportions and feel more familiar and comfortable.



+ RESIDENTIAL PATTERNS

Solid doors reflect privacy. Grouped and “ganged” windows help bring maximum light into the building while reflecting a traditional style.

TECHNIQUES

- + Windows and window lites should be clear glass. Black glass, “spandrel glass” and other “false window” techniques are prohibited.
- + Window and door frames may be finished in any color that is complementary to the color palette of the building, or white.

WINDOWS + DOORS

INTENT

Windows and doors will provide most of the articulation and detail of buildings in the study area. It is important that all of the buildings follow some general standards regarding proportion and placement, and then are given the freedom to explore other design elements to infuse the street with variety and vitality. Windows and doors (and other openings or building voids) should generally be in the proportion of rectangles and squares. Windows should be set deep enough into window openings to provide a shadow line and express the depth of the building structure. Doors and other entrances are intended to be located appropriately to their use.



- + WINDOW AND DOOR MATERIALS
Grouped windows can also create larger expanses of glass. Secondary materials may be used to detail these window groupings.



- + WINDOW DETAILING
The color of the window frames and the clean lines of the lintels and sills provide a very plain building with high design elements.

BUILDING WALLS

Live/Work, Mixed Residential, Mixed Use, Commercial

MATERIALS

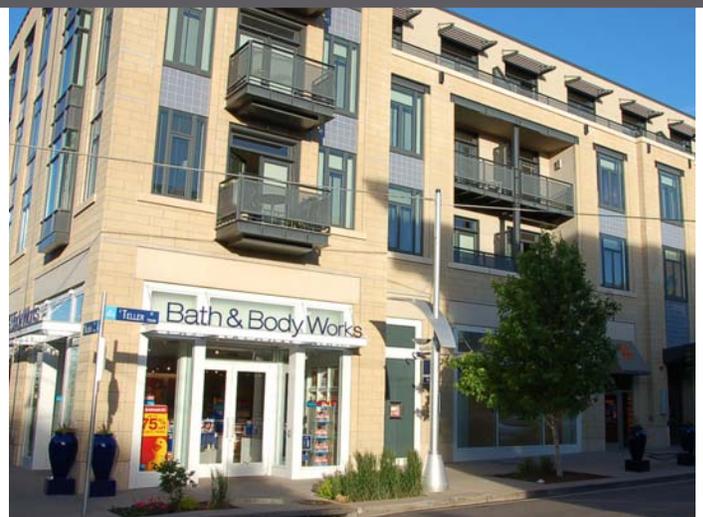
- + The use of durable, high-quality, high-performance materials is encouraged as a means of creating visual interest and building articulation.
- + All buildings will include a masonry element at the ground floor level.
- + Additional materials permitted include 3-stage exterior stucco; glass block; ventilated facade systems such as colorized, patterned + textured stainless steel sheet cladding systems; insulated core metal wall panel systems; metal composite wall panel; titanium zinc alloy sheet metal roofing facade cladding + roof drainage components system; rear ventilated phenolic rain screen wall panel systems.
- + Additional durable accent and trim materials are permitted as approved by the City. Refer to the PD Ordinance for more detail on minimum and maximum percentages of materials.
- + Curtain walls are limited to buildings of 6+ stories in Area B and/or the Middle Section of tri-partite buildings.

CONFIGURATIONS

- + Blank facades are prohibited.
- + All elevations visible from the public realm shall be designed as “fronts”. Buildings occupying corner lots have two frontages and each facade should be treated with equal design attention.
- + Every Live/Work, Mixed Residential, Mixed Use and Commercial building shall clearly express a base, a middle and a top. Transitions from base to middle or middle to top should be made in one of two ways:
 - (1) Horizontally, through a shift in vertical plane toward the interior, or
 - (2) Vertically, through a change in building materials or the use of trim along a level line.
- + In buildings which have more than one material, the “heavier” material should go below the “lighter” material. [a curtain wall upper stories with a stone base, e.g.]
- + Buildings shall generally maintain a facade rhythm of 20-30 feet. This rhythm may be expressed by stepping portions of the facade in and out, using



- + BUILDING WALL MATERIALS
Larger buildings may be clad in a variety of materials including curtain wall.



- + BASE, MIDDLE AND TOP ARTICULATION
The base of the building is one story tall and is clearly expressed through a change in the vertical plane toward the interior.

TECHNIQUES

- + Building walls of masonry materials shall be left unpainted. All other wall materials must be finished in a manner consistent with the highest quality standard(s).
- + Vents, air conditioners and other utility elements should not be placed on any building wall facing a street. If placing these on a street-facing elevation is unavoidable, then particular care must be taken to render these elements invisible from public view - by painting them, screening them or placing them on walls perpendicular to the frontage.
- + More than one material may be used in a single building; however, transitions from one wall material to another must occur along all visible sides of a building.



- + **LIGHTER MATERIALS ABOVE HEAVIER**
This building has a base (the lower two floors) rendered in brick with a variety of materials above. This illustrates proper materials configuration.

BUILDING WALLS

INTENT

Building walls of larger buildings in the study area should reflect permanence as well as high design - primarily through the use of masonry or metal.

Larger buildings in the study area should reflect their position in higher density areas with appropriately modern and urban styles.



- + **MATERIALS VARIETY**
Metal, glass and stone combine with lighting to provide a modern eclectic streetscape that transcends a specific architectural style.

ROOFS

Live/Work, Mixed Residential, Mixed Use, Commercial

MATERIALS

- + Flat Roofs may be constructed of any material that is permitted by applicable building codes.
- + "Green Roofs" are strongly encouraged and may be used in lieu of any other roofing material with appropriate review.

CONFIGURATIONS

- + Building roofs shall be flat.
- + In general, flat-roofed buildings require a parapet and other appropriate screening of rooftop equipment.
- + Green roofs (over principal or secondary roofs) are encouraged and assist in the creation of a sustainable future for West Spring Valley Corridor



- + **FLAT ROOF SHAPES**
Larger buildings should have flat roofs. Other roof shapes may be permitted for limited areas in special locations



- + **GREEN ROOFS**
Upper story terraced areas include plants and small trees outdoors. These plant materials add visual interest and greenery along the building facade.

TECHNIQUES

- + Roof penetrations (fans, exhausts, vents, etc.) must be finished to match the color of the roof.
- + Because taller buildings are more visible from below (at the street) than above (in the air), elaborated cornices, eave overhangs and other expressions should be used to provide additional architectural interest.

ROOFS

INTENT

For larger scaled buildings, these Guidelines promote flat roofs only. The design elements of these roofs should be enhanced by expressions of the eaves and cornices - both highly visible from the sidewalk.

47

ARCHITECTURAL GUIDELINES



- + **ROOFTOP TERRACES AND OUTDOOR SPACES**
In more dense areas, as opportunities for private ground-level open space are scarce, rooftops become great places for social interaction.



- + **OPPORTUNITIES FOR SPECIAL EXPRESSION**
Larger buildings may reflect corners, entries and other important plan locations with towers, rounded corners or other architectural expressions.

WINDOWS + DOORS

Live/Work, Mixed Residential, Mixed Use, Commercial

MATERIALS

- + Doors may be metal or metal and glass only.
- + Doors should include fixed glass lites.
- + Doors along frontages should include glass and full operating hardware on the outside of the door.
- + Window frames must be architectural-grade metal with high quality finishes and hardware.

CONFIGURATIONS

- + In general, window and door openings should be rectangular in shape. Other window shapes will be considered for approval based on architectural merit.
- + All other building openings or voids should be rectangular in shape - either vertically- or horizontally-oriented.
- + Service, security or garage doors may not be placed at primary frontages.
- + Windows may be operable to achieve proper fresh air requirements.
- + Entry doors may be swing or revolving doors. Sliding doors are not permitted.

48

ARCHITECTURAL GUIDELINES



+ RESIDENTIAL ENTRANCE TO LARGE BUILDINGS
A common lobby entrance with a more private feel.



+ GRAND LOBBY ENTRANCE
Large building with a more elaborate, publicly-oriented entrance.

TECHNIQUES

- + Windows and window lites should be clear or lightly tinted glass. Black glass, “spandrel glass” and other “false window” techniques are prohibited. Highly reflective glass is prohibited.
- + Window and door frames should be finished in the same material as the storefront. Dark bronze, black or stainless steel are preferred.
- + In general, windows shall represent 60-80% of the building facade at grade and 30-60% of the building facade above grade; however, glass curtain wall shall be permitted in any percentage on the “Middle” portion of a building (as defined under tri-partite construction) and on any portion of a Commercial Building of six stories or more where allowed in Area B.



- + **PARKING STRUCTURES**
Doors at the ground floor may access the garage functions or lead directly to commercial spaces.

WINDOWS + DOORS

INTENT

For larger buildings, windows and doors offer transparency and lightness. Because the buildings are larger, they may explore more modern techniques - curtain wall over “punched windows”, for example. Windows may be flush with walls, or may even replace walls in more contemporary buildings. Windows and doors of larger buildings should assist in expressing a more modern and more urban condition in appropriate sectors of the study area.



- + **WINDOWS OF LARGER BUILDINGS**
Windows in a wall of fixed lites permit modern facades and natural ventilation.

STOREFRONTS

Live/Work, Mixed Residential, Mixed Use, Commercial

MATERIALS

- + Storefronts should be made of brick, stone, metal or glass, or a combination of these materials.
- + Windows and doors of commercial enterprises should be made of wood or aluminum. Anodized and electrostatic paint finishes are permitted. Glass must be clear (not frosted, textured or otherwise affected) to provide an unobstructed view into the establishment of no less than 12 feet.
- + Doors which are part of the storefront shall be more than 50% clear glass.

CONFIGURATIONS

- + Windows and doors of commercial establishments should occupy 60-80% of the building facade, at grade.
- + Ground floor windows should be set between 18 inches above the ground and within 12 inches of the finished ceiling.
- + Transom windows are encouraged above doors and storefronts.
- + Doors with no opacity (security, service and access doors) should not be located on primary frontages.
- + Roll-up security grilles on the outside of storefronts are prohibited.

50

ARCHITECTURAL GUIDELINES



- + **STOREFRONT DESIGN**
Large windows, high ceilings, and simple, unified design are elements of a successful urban storefront.



- + **PARKING STRUCTURE FENESTRATION**
Entrances to parking garages should be incorporated into the building facade to provide a seamless frontage along the street.

TECHNIQUES

- + Storefront glass should be left unpainted.
- + Black glass, opaque glass and other “false window” techniques are prohibited.
- + Highly reflective glass is prohibited.

STOREFRONTS

INTENT

Storefronts are one of the most important physical elements of a commercial enterprise and should reflect that importance with careful design. Storefronts must be designed as a unified combination of windows and doors, signage, colors and awnings or canopies. Storefronts should utilize durable, low-maintenance materials and finishes and should permit unobstructed views into the space - increasing visibility and promoting the success of the business within.

The storefronts of larger buildings need not be designed in the same way as the middle of the building - assisting in the establishment of the retail level as the “base” of the building.



- + **STOREFRONT DESIGN**
Outdoor seating, unique entry treatment and large windows properly focus design attention to elements closest to the sidewalk.



- + **OPPORTUNITIES FOR SPECIAL EXPRESSION**
Larger buildings may reflect corners, entries and other important plan locations with towers or other architectural expressions.

SIGNAGE

Live/Work, Mixed Residential, Mixed Use, Commercial

MATERIALS

- + Signs shall be constructed of durable materials such as wood, high-quality plastics and/or metal.
- + Structures used to support signage (brackets and other elements) shall be painted black to be less noticeable.

CONFIGURATIONS

- + Signage may be attached directly to buildings in appropriate locations - above storefronts, or professionally applied to the storefront glass.
- + Signage may be placed flat on the face of the building, or may be placed at a 90 degree angle to the street, provided that the sign does not obstruct safe passage along the sidewalk.
- + Signage not at a 90 degree angle can help add character to the District, but should be reviewed on a case by case basis.
- + Signs should not be roof-mounted or project above the roof line unless specifically approved.

52

ARCHITECTURAL GUIDELINES



- + CLARITY FOR DIRECTIONAL SIGNS
Simple, colorful signage can assist with circulation management.



- + MULTIPLE SIGNS
Less traditional but still following the guidelines - a simple channel sign above the storefront and a blade sign perpendicular to the frontage.

TECHNIQUES

- + Multiple tenants in a single building should follow a consistent and single design intent - color, or font or lighting technique, e.g., should be the same whether the tenant is “national” or local.
- + For single-tenant buildings, signs may not exceed 20% of the total area of the ground floor facade. For multi-tenant buildings, signs may not exceed 20% of the total area for the tenant’s portion of the facade. [Signage for Mixed Residential buildings may not exceed 5% of the total area of the facade.]
- + Signage advertising sales and special events must follow the City Ordinance.
- + Sandwich boards and other temporary signage may be permitted.

SIGNAGE

INTENT

Awnings and canopies provide visual identification and signage opportunities for commercial establishments located at grade. A variety of configuration techniques and materials contributes to the visual interest of the District and overall vitality of the corridor.

Signage design may be unique and reflect the businesses it advertises with the understanding that care should be taken to prevent distracting configurations, materials and colors.

Signage should be composed of high quality, durable materials and demonstrate permanence.



- + SIGN PLACEMENT
Signs may be placed in a designated “channel” in the canopy, as well as on storefront glass.



- + SIMPLE
Signs should be simple and scaled appropriately to the building’s proportions.

AWNINGS + CANOPIES

Live/Work, Mixed Residential, Mixed Use, Commercial

MATERIALS

- + Internal awning structures should be metal, and awnings themselves should be made of canvas, metal or other approved material.
- + Canopies may be made of canvas, metal, or a combination of these materials and are supported by one or more vertical elements.

CONFIGURATIONS

- + Awnings and canopies are permitted to encroach over the sidewalk.
- + Awnings may be mounted inside window frames, above window openings and/or below transoms.
- + The installation of the awnings and canopies should be consistent in color, shape and pattern for the entirety of the building.
- + Awnings and canopies are permitted at the base of a building only, beginning at a height of 8 feet above the sidewalk and should not drop below a height of 7 feet above the sidewalk, except that awning-like structures that function as sunscreens may be installed above the base of a building.
- + Canopies may be free-standing or attached to the building on one end.

54

ARCHITECTURAL GUIDELINES



- + MODERN EXPRESSION
Metal arbors - not traditional awnings - can help add ornamentation to buildings as banal as parking garages.



- + AWNING SIGNAGE
Simple lettering on the leading edge of the awning provides the opportunity of advertising without compromising the design integrity.

TECHNIQUES

- + Awnings may have lettering/icons on the valance or the slope.
- + Canopies may include lettering on the leading edge.
- + Awnings and canopies may be lighted from above by shrouded fixtures mounted to the building wall.

AWNINGS + CANOPIES

INTENT

Awnings and canopies may be used if their purpose is functional - to afford protection from the elements. Awnings and canopies traditionally provided shade to the storefront or entry and shelter from the elements. New awnings and canopies are to be incorporated into building design for the same purpose as their historical precedent - and their design must reflect their utility.

While awnings and canopies may incorporate lettering and icons, they are not meant to be used primarily as a location for commercial graphics.

Awnings and Canopies should be reserved for the lower stories of buildings and should not be used on residential buildings.



- + **AWNING STRUCTURE AND MATERIALS**
Cantilevered from a heavy stone base, this awning provides a simple and strong solution to inclement weather for this entry.



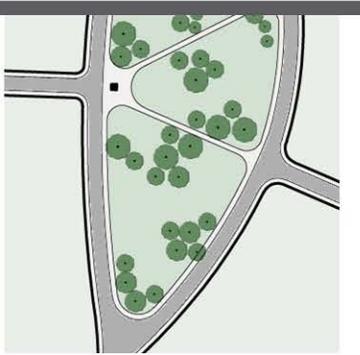
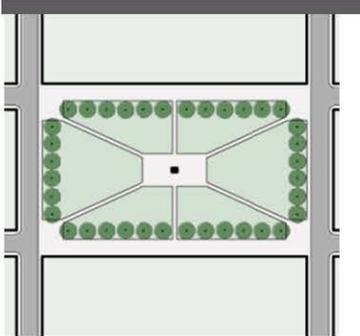
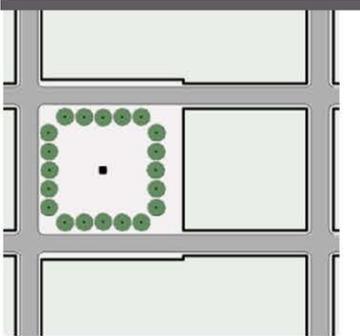
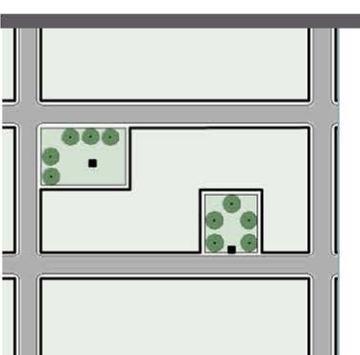
- + **CANOPIE**
A canopy can add distinction and identity to the entryway of a building or business.

STREETSCAPE GUIDELINES

57



- OPEN SPACE / COMMUNITY GATHERING SPACE
- LAKE OPPORTUNITY
- STREETSCAPE ELEMENTS

OPEN SPACE/ COMMUNITY GATHERING SPACE	DIAGRAM	DESCRIPTION
GREEN		<p>An Open Space, available for unstructured recreation. A Green may be spatially defined by streets, landscaping and/or building frontages. Its landscape shall consist of lawn and trees. The minimum size shall be 10,000 square feet (approximately .25 acres).</p>
SQUARE		<p>An Open Space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages or streets. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size shall be 10,000 square feet (approximately .25 acres) and the maximum shall be 5 acres.</p>
PLAZA		<p>An Open Space available for civic purposes and commercial activities. A Plaza shall be spatially defined by building frontages or streets. Its landscape shall consist primarily of pavement but include shade in the form of trees or a shade structure. Plazas should be located at the intersection of important streets. The minimum size should be 3,000 square feet (approximately .65 acres).</p>
POCKET PARK/ PLAZA		<p>An Open Space available for civic purposes and commercial activities. They shall be spatially defined by building frontages and streets. Its landscape shall consist primarily of pavement but include shade in the form of trees or a shade structure. The minimum size should be at least 400 square feet (approximately .1 acres).</p>

OPEN SPACE / COMMUNITY GATHERING SPACE

Streetscape Guidelines

REFERENCE IMAGES



LAKE OPPORTUNITY



Within Area D, there is an opportunity to expand existing Blue Lake to provide a view of this water feature from West Spring Valley and to create an amenity for the West Spring Valley Corridor. This improvement of Blue Lake may be eligible for financial or other incentives based on the proposed improvements and the resulting value to the overall District.



The schemes to the right represent two potential redevelopment scenarios based on one possible reconfiguration of Blue Lake. Additional detailed study will be required and the necessary approvals, likely involving agencies other than the City, must be secured before the optimal configuration of the lake can be determined and the expansion of the lake can take place.



Properly configured, the expansion of Blue Lake could provide benefit not only to the public, by opening up a view to this natural amenity, currently hidden by development on both the north and south edges, but also to the adjacent property, which will benefit from lakeside views. Residential uses, offices and restaurants,



in particular, could capitalize on these views, which will translate into premium selling prices and rental rates for developers and property owners and attract high-quality development and occupancies. A project such as this could be an important component of the desire to improve the perception of West Spring Valley.

STREETSCAPE ELEMENT	DESIGN / MATERIALS	DIMENSIONS
BENCH	ALL METAL (STEEL OR ALUMINUM) W/ POLYESTER POWDER COAT FINISH GROUND MOUNTED COLOR:DARK GREY OR BLACK	6' LONG W/ BACK AND ARM REST VERTICAL OR HORIZONTAL 1 1/2" WIDE SLATS
TREE GRATE	CAST IRON BAKED OIL FINISH	6'X6' SQUARE MAXIMUM 1/2" VERTICAL & HORIZONTAL SLOTS
PEDESTRIAN LIGHT	ROUND 4" DIAMETER POLE ROUND BASE COVER POWDER COAT FINISH COLOR:DARK GREY OR BLACK	12' HIGH POLE
TRASH RECEPTACLE	ALL METAL STEEL OR ALUMINUM W/ POLYESTER POWDER COAT FINISH SWING-OUT SIDE OPENING HINGED DOOR COLOR:DARK GREY OR BLACK	24" DIAMETER 40" HIGH MIN. 36 GALLON CAPACITY VERTICAL 1 1/2" SLATS

SPACING / PLACEMENT

REFERENCE IMAGES

AS REQUIRED



AS REQUIRED



50' TO 70' O.C.



AS REQUIRED



STREETSCAPE ELEMENT	DESIGN / MATERIALS	DIMENSIONS
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PLANTER

ROUND TAPERED PRECAST
CONCRETE/CAST STONE PLANTERS
COLOR:NATURAL GRAY CONCRETE

40" DIAMETER
APROX. 18" OR 30" HIGH

BIKE RACK

ROUND STEEL POWDER
COAT FINISH
EMBEDDED
COLOR: DARK GREY
OR BLACK

APROX. 25"-28" WIDE
APROX 27"-32" HIGH

BOLLARD

ROUND PRECAST CONCRETE
COLOR:NATURAL GRAY CONCRETE
FINISH OR POWDER COAT STEEL
DARK GREY OR BLACK

12" DIAMETER
33" HIGH

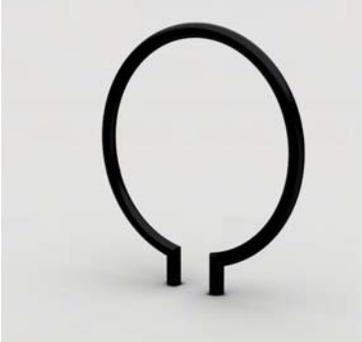
SPACING / PLACEMENT

REFERENCE IMAGES

GROUPS OF THREE MINIMUM,
SPACE PERMITTING



AS REQUIRED



AS REQUIRED



SUSTAINABILITY



- OVERVIEW
- NORTH TEXAS 2050
- SUSTAINABLE DESIGN ISSUES

OVERVIEW

Sustainability means that limited or non-renewable resources are used in a way that leaves resources for the use of future generations. For communities or neighborhoods, sustainability also means that concerns about environment, economy and social equity are addressed so the community remains desirable and functional over many generations.

North Texas, like many metropolitan regions in the U.S., reflects a pattern of development dominated by the automobile. With very rapid growth after World War II, many communities in North Texas are characterized by relatively low development intensity, emphasis on a hierarchical system of roads designed to facilitate automobile travel and a separation of residential and non-residential uses from one another. During the past decades of growth, North Texas has seen this pattern extend further and further from the region's central cores in the Dallas and Fort Worth downtowns. Among the results of this growth pattern have been: increasing investment in major roadways, higher levels of congestion on major roads despite this investment, and a focus on investment and growth in the newest outlying areas while older developed areas become less desirable. Richardson's West Spring Valley corridor is an area that was developed during this postwar automobile era.

Nationally and locally, research and the experience of the recent past have shown that this development pattern is not sustainable. It is based on the consumption of resources, such as land, fossil fuels and public and private funds for construction, operation and maintenance. It assumes that there will always be more of these resources available. The outward migration of people, jobs and investments means that developed areas - with the land they have consumed and the investments in buildings, streets, sewers and other infrastructure that they represent - are no longer able to maintain themselves. In recent years, public reluctance to fund new transportation infrastructure has made this pattern even less sustainable.

NORTH TEXAS 2050

Beginning with a workshop in April 2005, leaders and stakeholders from the North Texas region have worked together to create a vision of a more sustainable way to accommodate the growth expected here in the future. Vision North Texas is a private-public-academic partnership that had led these efforts. The City of Richardson is a funding partner and participant in this nationally-recognized initiative.

The 16-county North Texas region is the fourth-largest metropolitan area in the nation, with 5.3 million residents in 2000. It is projected to grow to 9.5 million residents in 2030 and almost 12 million residents in 2050. Research by experts in many fields documented the implications of growth according to the trends of the past – the ‘business as usual’ approach. Among other concerns, continued outward growth by 2030 consumed over 900,000 acres of agricultural land and major investments in transportation were unable to prevent an increase in regional traffic congestion.

Stakeholder involvement in Vision North Texas workshops and meetings showed that ‘business as usual’ does not reflect the vision residents have for the region’s future. Stakeholders supported a more sustainable future, with communities that have mixed use areas, offer mobility options in addition to travel by car, and provide housing choices for people at all stages of their lives.

This initiative resulted in the creation of North Texas 2050, a vision and action package for the region through the year 2050 that was released in March of 2010. This document, which has now been recognized with local, state and national awards, describes a future for North Texas that is preferable to ‘business as usual’. It also contains an action package of steps to be taken by decision-makers to make this preferred future a reality. North Texas 2050 includes a general vision statement, a set of 12 guiding principles and a description of this preferred future. A set of five Policy Areas and two types of Centers are defined, and recommendations in eight areas of investment (economy, natural assets, mobility, health, etc.) are made for the region and for each policy area. Sustainability is a key ingredient in this vision and these recommended actions.

WSVC + NORTH TEXAS 2050

Relationship to the West Spring Valley Corridor

For North Texas 2050, Richardson is part of the Inner Tier Community policy area; recommendations related to Mixed Use Centers are also relevant for the West Spring Valley Corridor. Inner Tier communities are those that are largely developed and are now facing the demands of aging infrastructure and the challenge of revitalizing areas that no longer meet the needs of the market. The West Spring Valley Corridor vision plan, design guidelines and planned development ordinance support the sustainable future envisioned for the region in North Texas 2050.

The comparison below considers the Guiding Principles of North Texas 2050 and shows how this West Spring Valley Corridor project relates to them:

NORTH TEXAS 2050 GUIDING PRINCIPLE	WEST SPRING VALLEY CORRIDOR
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<p>1. Development Diversity - Meet the needs of changing markets by providing a mix of development options and land use types in communities throughout the region.</p>	<p>The District Plan includes mixed use development opportunities and a range of residential building types.</p>
<p>2. Efficient Growth - Promote reinvestment and redevelopment in areas with existing infrastructure, ensure that new infrastructure supports orderly and sustainable growth, and provide coordinated regional systems of natural and built infrastructure.</p>	<p>The West Spring Valley corridor is such an area. The Vision Plan and design guidelines redevelop this area in a way that will take advantage of existing infrastructure investments. The market analysis on which the vision is based indicates that it will promote private reinvestment in this corridor.</p>
<p>3. Pedestrian Design - Create and connect pedestrian-(and bicyclist) oriented neighborhoods, centers and places throughout the region.</p>	<p>The street typologies contained in the design guidelines include bicycle and pedestrian routes as well as auto travel lanes. A trail system connects areas within the corridor to other regional trails. These systems also connect to the Spring Valley DART light rail station east of Central Expressway.</p>
<p>4. Housing Choice - Sustain and facilitate a range of housing opportunities and choices that meet the needs of residents of all economic levels and at all stages of life.</p>	<p>This plan is based on a market study that identifies markets that can be served here. It provides for a range of housing opportunities - housing in mixed use buildings, condos, lofts, apartments, duplexes, patio homes, independent living and assisted care facilities - that meet the needs of many market segments and life stages.</p>

WSVC + NORTH TEXAS 2050

NORTH TEXAS 2050 GUIDING PRINCIPLE	WEST SPRING VALLEY CORRIDOR
<p>5. Activity Centers - Create mixed use developments that are centers of neighborhoods and community activities and serve as hubs of non-automobile transportation systems.</p>	<p>The District Plan provides opportunities for mixed use developments in areas A, B, C and G. The catalyst project concept that was created for area C in the Vision Plan provides an excellent example of this development concept. The design concepts described in the design guidelines and implemented through the PD requirements create people-oriented places.</p>
<p>6. Environmental Stewardship - Protect, retain or enhance the region's important natural assets (including its air, water, land and forests) and integrate these natural features and systems into the character of the region's communities and the experiences of its residents.</p>	<p>Cottonwood Creek and Hunt Branch have not been prominent in the past development pattern. In this District Plan, they are defined as important components of the region's character. New opportunities are identified to orient future development around lakes.</p>
<p>7. Quality Places - Strengthen the identities of the region's diverse communities through preservation of significant historic structures and natural assets, creation of new landmarks and gathering spaces, use of compatible architectural and landscape design, and support for the activities and institutions that make each community unique.</p>	<p>The District Plan's area B provides for creation of a signature commercial building, up to 8 stories in height, at the intersection of Central Expressway and Spring Valley. A gateway design is also included at this intersection. These components will create a new landmark to identify the entrance into Richardson. The design concepts suggested in the Vision Plan celebrate Richardson's historic role in technology and telecommunications.</p> <p>Throughout the corridor, design standards emphasize the creation of gathering places, the use of building designs that create visual interest, and other details that create distinctive, long-lasting places for people.</p>

NORTH TEXAS 2050 GUIDING PRINCIPLE	WEST SPRING VALLEY CORRIDOR
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<p>8. Efficient Mobility Options - Invest in transportation systems, facilities and operations that provide multi-modal choices for the efficient and sustainable movement of people, goods, and services.</p>	<p>This plan meets the needs of auto, bike and pedestrian travel within the corridor. It creates new non-auto connections to the DART station to the east.</p>
<p>9. Resource Efficiency - Design buildings, sites, communities and regional systems to use water, energy, and renewable resources responsibly, effectively and efficiently, and to retain non-renewable resources for the use of future generations.</p>	<p>Design guidelines provide for shading of streets, sidewalks and other paved areas. Shading reduces the build-up of heat that in turn causes higher air conditioning demand in adjacent buildings. This energy-efficient design reduces demand on limited fossil fuel resources.</p> <p>Incentives provide higher development intensity for projects with LEED Silver construction. Green roofs and sustainable accessory uses and equipment are permitted in all parts of the corridor. Drought tolerant vegetation is specified.</p>
<p>10. Educational Opportunity - Provide opportunities for all North Texans to have access to the schools, people and technology they need for success in learning throughout their lives.</p>	<p>This guiding principle is not specifically addressed.</p>

WSVC + NORTH TEXAS 2050

NORTH TEXAS 2050 GUIDING PRINCIPLE	WEST SPRING VALLEY CORRIDOR
<p>11. Healthy Communities - Identify and support functional, sustainable infrastructure and institutions that offer North Texans access to affordable, nutritious foods, opportunities for physical activity, and access to wellness and primary care services.</p>	<p>The pedestrian and bicycle routes within the corridor will give West Spring Valley residents and people living in nearby single family neighborhoods new opportunities for exercise close to home. These residents will be able to reach the businesses in mixed use areas of the corridor by walking or biking. These businesses could include health clubs, medical offices, pharmacies and grocery stores. Residential developments within the corridor are required to provide open spaces and bicycle parking.</p>
<p>12. Implementation - Achieve the region's vision by adoption of compatible comprehensive plans and ordinances for cities and consistent investment plans for regional systems; involve citizens and stakeholders in all aspects of these planning processes.</p>	<p>The West Spring Valley Corridor's new planned development zoning ordinance will guide private investment that achieves this vision. Public investment in infrastructure, such as improvements along Spring Valley itself and the creation of a new street in areas B and C will support this mixed use, walkable community design.</p> <p>Residents, property owners and other stakeholders have been involved throughout the process to evaluation the West Spring Valley market, create a vision and establish design guidelines and ordinances for implementation.</p>

SUSTAINABLE DESIGN ISSUES

This plan addresses sustainability in the design of buildings and places within the corridor. The design guidelines and planned development ordinance provide a framework for development based on sustainable principles of good design. This framework should guide revitalization that will be long-lasting because of its people-oriented, adaptable design. In particular:

- The mix of uses and the variety of residential options create a community that offers a wide range of choices for people and businesses.
- The quality of the buildings, parks, streets, and trails should make them long-lasting assets for Richardson.
- Building designs provide flexibility and adaptability so the uses in this area can respond to changing markets over time. For example, the requirement that ground-floor commercial spaces be ‘retail-ready’ means that other uses can occupy these spaces now but the space will not need to be restructured when the demand for retail increases. The common parking requirements also support this adaptability.
- The plan provides multi-modal travel choices for people living, working or visiting in the Corridor. The destinations within this corridor are connected by walkways and trails. These connections extend to the DART station east of Central Expressway.
- The landscaping requirements include shading of paved areas. This design encourages walking during warm weather. It also reduces the urban heat island effect, reducing stress on people with asthma and other health issues and conserving energy by lowering the air conditioning load on adjacent buildings.

CITY OF RICHARDSON

TO: Bill Keffler - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 02-12
DATE: October 4, 2011

Request Council approval to initiate bids for the following:

Hunt Branch Erosion Repair at Regal Drive

Proposed Council approval date: October 10, 2011
Proposed advertising dates: October 12, 2011 & October 19, 2011
Proposed bid due date: Tuesday, November 1, 2011 – 2:00 p.m.
Proposed bid opening date: Tuesday, November 1, 2011 – 2:30 p.m.
Engineer's estimated total cost: \$329,600

Account: 50% Property Owner Participation - Account #313-9755-583-7524, Project #313112
50% 2006 G.O. Bonds – Account #377-8702-585-7524, Project #SD0662



Pam Kirkland, CPPO, CPPB
Purchasing Manager



Kent Pfeil
Director of Finance

10-5-11
Date

Approved: _____
Bill Keffler
City Manager

Date



MEMO

TO: Bill Keffler, City Manager
THROUGH: Cliff Miller, Assistant City Manager 
FROM: Steve Spanos, P.E., Director of Engineering
SUBJECT: Permission to Advertise Bid #02-12
Hunt Branch Erosion Repair at Regal Drive
DATE: September 29, 2011

BACKGROUND INFORMATION:

This project will repair the eroded Hunt Branch stream channel on the downstream side of the culvert crossing at Regal Drive. Tieback gabion retaining walls about 9 to 18 feet high will be constructed to repair the banks and protect the culvert. The gabion walls and mattress will extend downstream from the existing culvert approximately 120-feet to protect the channel banks and bottom. Minor pavement and sidewalk repairs at the culvert crossing are also included. As Regal Drive is a private street, and the channel is privately owned and maintained, the property owner has agreed to fund 50% of the project costs pursuant to Resolution No. 96-05.

FUNDING:

50% funding is provided from the property owner, La Mirada Apartments, and 50% from 2006 G.O. Bonds.

SCHEDULE:

Capital Projects plans to begin construction for this project December 2011 and be completed by February 2012.

Cc: Edward F. Witkowski Jr., P.E., Project Engineer
Office\Agenda\Executive\Adv\Hunt_branch_erosion_0212_ex.doc

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

HUNT BRANCH EROSION REPAIR AT REGAL DRIVE

BID # 02-12

Sealed Bids addressed to the Purchasing Manager of the City of Richardson, Texas, will be received at the Office of the Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **Tuesday at 2:00 p.m. on November 1, 2011**, 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 repair the eroded Hunt Branch stream channel on the downstream side of the culvert crossing at Regal Drive. Tieback gabion retaining walls about 9 to 18 feet high will be constructed to repair the banks and protect the culvert. The gabion walls and mattress will extend downstream from the existing culvert approximately 120-feet to protect the channel banks and bottom. Minor pavement and sidewalk repairs at the culvert crossing are also included.

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 Surety Bond for the same amount from a reliable surety company as a guarantee that the Bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The notice of award of contract shall be given to the successful Bidder within ninety (90) days following the opening of Bids.

The successful Bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

City intends to award this project to the bidder that provides the best value to the City utilizing the funding available to construct this project. 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.

One set of plans, specifications and Bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, October 11, 2011** upon receipt of a **NON-REFUNDABLE FEE OF Fifty Dollars (\$50.00)** per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number.

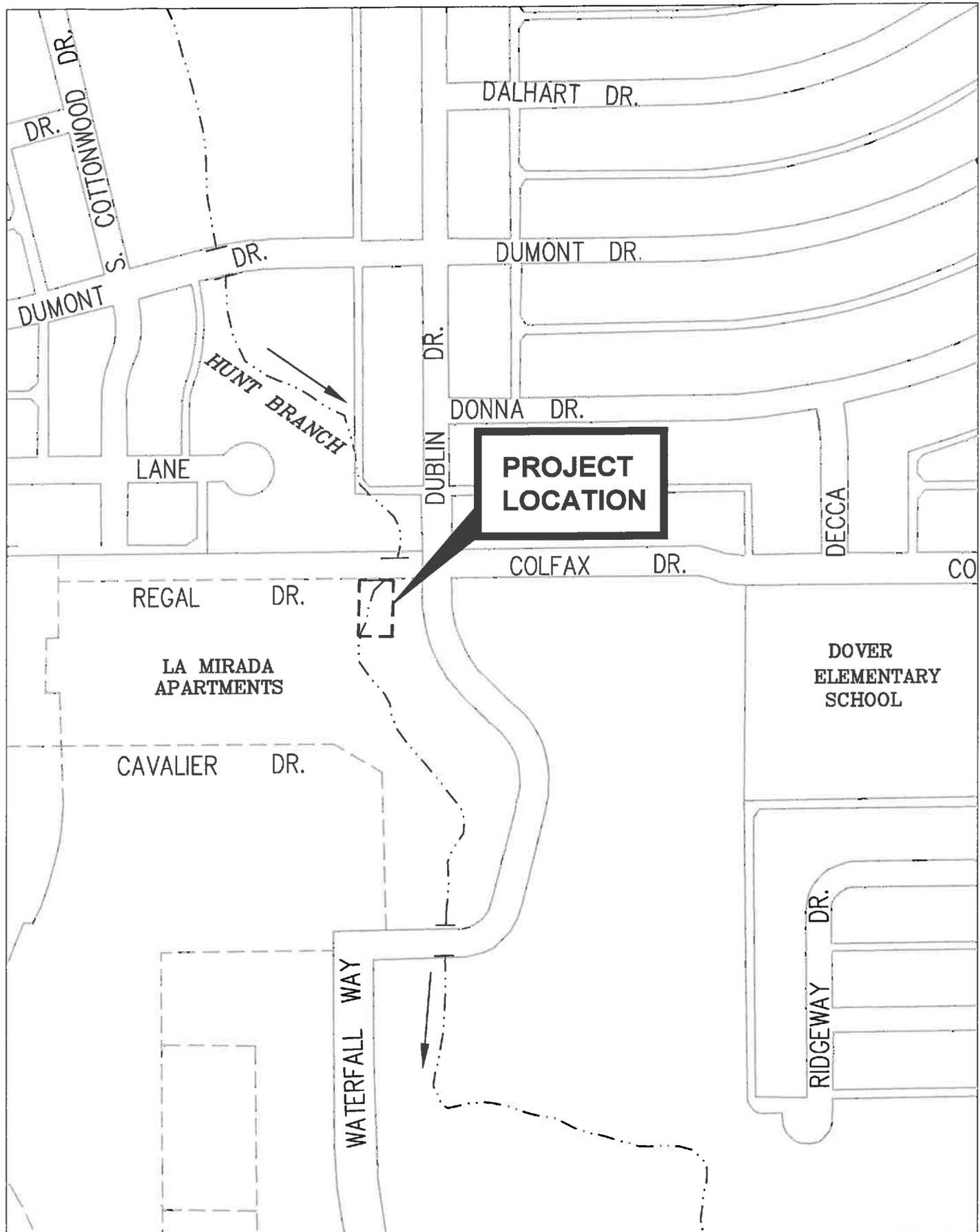
A Pre-bid meeting will be held **Thursday at 10:00 a.m., October 20, 2011** in the **Capital Projects Conference Room 206**, Richardson Civic Center/City Hall.

By: /s/ Bob Townsend, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

PROPOSED PROJECT SCHEDULE
HUNT BRANCH EROSION REPAIR AT REGAL DRIVE
BID #02-12

Agenda Paperwork to Advertise	Friday, September 30, 2011
Council Authorization to Advertise	Monday, October 10, 2011
Plans/Specs Available for Contractors	Tuesday, October 11, 2011
Advertise in Dallas Morning News	Wednesday, October 12, 2011
Advertise in Dallas Morning News	Wednesday, October 19, 2011
Pre Bid Meeting (10:00 am Room 206)	Thursday, October 20, 2011
Bids Received/Opened (@ 2:00 open @ 2:30 Room 206)	Tuesday, November 1, 2011
Agenda Paperwork to Award Contract	Friday, November 4, 2011
Council to Award Contract	Monday, November 14, 2011
Pre-Construction Meeting	~ November 28, 2011
Project Start	~ December 5, 2011
Project 60 Calendar Days	~ February, 2012

*Project Engineer: Edward F. Witkowski, P.E.
Engineers Estimate: \$329,600
50% Property Owner Participation - Account #313-9755-583-7524 Project #313112
50% 2006 G.O. Bonds - Account #377-8702-585-7524 Project #SD0662*



**PROJECT
LOCATION**

**HUNT BRANCH EROSION REPAIR
AT REGAL DRIVE
FALL 2011**

1" = 250'



CITY OF
RICHARDSON
TEXAS





MEMO

DATE: October 3, 2011

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager

SUBJECT: Award of Bid #57-11 for an annual contract for the installation of loop detectors to Durable Specialties, Inc. in the amount of \$81,375

Proposed Date of Award: October 10, 2011

I concur with the recommendation of Robert Saylor, P.E. – Traffic Engineering and Operations Manager, and request permission to issue an annual contract for the installation of loop detectors to the sole bidder, Durable Specialties, Inc. in the amount of \$81,375.

The term of the contract is for twelve (12) months with options to renew for four (4) additional twelve (12) month periods. Only one bid was received by Durable Specialties, Inc.; however, they are our current contractor and have provided excellent service at competitive prices.

Expenditures will be funded from several General Fund and Capital Projects Bond accounts with the majority paid from account 011-2071-531-4331. The bid was advertised in *The Dallas Morning News* on September 7 & 14, 2011 and posted on Bidsync.com. A prebid conference was held on September 14, 2011 and no vendors chose to attend. Three hundred fifty-nine bidders were electronically notified of the bid; fourteen bidders viewed the bid; and one responsive bid was received.

Concur:

Kent Pfeil

Attachments

Xc: Bill Keffler
Dan Johnson
Michelle Thames
David Morgan
Cliff Miller



MEMO

TO: Pam Kirkland, Director of Purchasing
FROM: Robert Saylor, P.E., PTOE – Traffic Engineering and Operations Manager
DATE: September 29, 2011

SUBJECT: Annual Contract for Installation of Loop Detectors

I recommend that the City award the contract for the Installation of Loop Detectors to Durable Specialties, Inc. I recommend that this be awarded as an annual contract with options to renew for four (4) additional years.

Expenditures are estimate to be \$81,375 annually and will come from a number of General Fund and Capital Projects Bond accounts, however, most of the activity will be paid from account 011-20-71-531-43-31.

Thanks,
Robert Saylor, P.E., PTOE
Traffic Engineering and Operations Manager
City of Richardson
(972) 744-4324

Durable Specialties, Inc

Bid Contact **Melissa Hedgepeth**
melissa@durablespecialties.com
Ph 972-296-6324

Address **1211 S. Alexander Ave.**
Duncanville, TX 75137

Item #	Line Item	Notes	Unit Price	Qty/Unit	Total Price	Atch. Docs
57-11--01-01	1. 5'x5'x1" loop detectors.	Supplier Product Code:	First Offer - \$140.00	50 / each	\$7,000.00	Y
57-11--01-02	2. 5'x30'x1" loop detectors.	Supplier Product Code:	First Offer - \$490.00	20 / each	\$9,800.00	Y
57-11--01-03	3. 5'x5'x3" loop detectors.	Supplier Product Code:	First Offer - \$150.00	20 / each	\$3,000.00	Y
57-11--01-04	4. 5'x30'x3" loop detectors.	Supplier Product Code:	First Offer - \$525.00	20 / each	\$10,500.00	Y
57-11--01-05	5. 5'x40'x1" loop detectors.	Supplier Product Code:	First Offer - \$630.00	50 / each	\$31,500.00	Y
57-11--01-06	6. 5'x40'x3" loop detectors.	Supplier Product Code:	First Offer - \$675.00	20 / each	\$13,500.00	Y
57-11--01-07	7. Type I Pull Box.	Supplier Product Code:	First Offer - \$450.00	5 / each	\$2,250.00	Y
57-11--01-08	8. Type II Pull Box.	Supplier Product Code:	First Offer - \$550.00	5 / each	\$2,750.00	Y
57-11--01-09	9. Extraordinary long, sawed & sealed loop lead > 45 feet, 1" deep.	Supplier Product Code:	First Offer - \$7.00	100 / linear foot	\$700.00	Y
57-11--01-10	10. Extraordinary long, sawed & sealed loop lead in > 45', 3" deep.	Supplier Product Code:	First Offer - \$7.50	50 / linear foot	\$375.00	Y
Supplier Total					\$81,375.00	



MEMO

DATE: October 3, 2011

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager

SUBJECT: Award of Bid #03-12 for the 2011-12 IBM i5/AS400 System Replacement to Clear Technologies, Inc. through the State of Texas Department of Information Services Contract #DIR-SDD-953 in the amount of \$124,918.31

Proposed Date of Award: October 10, 2011

I concur with the recommendation of Steve Graves, Chief Information Officer, and formally request permission to issue a purchase order to Clear Technologies, Inc. for the 2011-12 IBM i5/AS400 System Replacement in the amount of \$124,918.31.

Clear Technologies, Inc. has been awarded Contract DIR-SDD-953 through the State of Texas Department of Information Resources cooperative purchasing program. The City of Richardson participates in this program through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

A total of \$150,000 was budgeted in account 232-0540-581-7451, Project #IT1202 for this expenditure.

Concur:

Kent Pfeil

Attachments

Xc: Bill Keffler
Dan Johnson
Michelle Thames
David Morgan
Cliff Miller



DATE: October 3, 2011
TO: Pam Kirkland, Purchasing Manager
FROM: Steve Graves, Chief Information Officer *SGraves*
SUBJECT: 2011-12 i5/AS400 System Replacement

The City of Richardson currently uses an IBM i5/AS400 mainframe system to process all of our GMBA, Payroll, Municipal Court, HR, Building Inspection, Tax and others. This system is over five years old and near end-of-life. In the 2011/2012 budget we were approved to purchase a replacement system.

I recommend purchasing the new IBM i5/AS/400 mainframe computer from Clear Technologies using the State of Texas DIR contract number DIR-SDD-953. The purchase amount, \$124,918.31, is included in the 2011/12 budget using account number 232-0540-581-74.51 project number IT1202.



CITY OF RICHARDSON

I Series 720
with 48 months maintenance



NEW HARDWARE

<u>Part Number</u>	<u>Description</u>	<u>Quantity</u>	<u>Richardson Price</u>
8202-E4B	SERVER 1:8202 MODEL E4B	1	\$263.64
	DEVICE PARITY PROTECTION-ALL, SPECIFY CODE	1	
	IBM I OPERATING SYSTEM PARTITION SPECIFY	1	
	IBM I 7.1 SPECIFY CODE	1	
	SPECIFY #5886 LOAD SOURCE PLACEMENT	1	
	POWER 720 6-, 8-CORE EXPRESS EDITION FOR IBM I	1	
	#3677 LOAD SOURCE SPECIFY	1	
8202-E4B-1824	QUAD-PORT 1 GB HEA DAUGHTER CARD	1	\$234.78
8202-E4B-1865	3.0 METER 12X DDR CABLE	2	\$741.00
	PRIMARY OS - IBM I	1	\$0.00
8202-E4B-3656	SAS SFF CABLE	1	\$31.20
8202-E4B-3662	SAS CABLE (X) ADAPTER TO SAS ENCLOSURE, DUAL CONTROLLER/DUAL PATH 6M:	1	
8202-E4B-3677	139.5GB 15K RPM SAS DISK DRIVE	24	\$234.78
8202-E4B-3692	SAS CABLE (YO) ADAPTER TO SAS ENCLOSURE, SINGLE CONTROLLER/DUAL PATH 3 M	1	\$9,322.56
8202-E4B-4526	8GB (2X4GB) MEMORY DIMMS, 1066 MHZ, 2GB DDR3 DRAM	2	\$85.80
	RACK INDICATOR, RACK #1	1	\$1,661.40
	SOFTWARE PRELOAD REQUIRED	1	\$0.00
	SYS CONSOLE-ETHERNET NO IOP	1	\$0.00
8202-E4B-5603	SYSTEM AC POWER SUPPLY, 1725 W	2	\$624.00
8202-E4B-5615	GX++ DUAL-PORT 12X CHANNEL ATTACH	1	\$1,365.00
8202-E4B-5630	STORAGE BACKPLANE -- 8 SFF BAYS/175MB RAID/DUAL IOA	1	\$1,404.00
8202-E4B-5706	IBM 2-PORT 10/100/1000 BASE-TX ETHERNET PCI-X ADAPTER	2	\$1,177.80
8202-E4B-5746	HALF HIGH 800GB/1.6TB LTO4 SAS TAPE DRIVE	1	\$3,120.00

8202-E4B-5762	SATA SLIMLINE DVD-RAM DRIVE	1	\$233.22
8202-E4B-5767	2-PORT 10/100/1000 BASE-TX ETHERNET PCI EXPRESS ADAPTER	1	\$411.84
8202-E4B-5774	4 GIGABIT PCI EXPRESS DUAL PORT FIBRE CHANNEL ADAPTER	1	\$1,949.22
8202-E4B-5796	PCI-DDR 12X EXPANSION DRAWER	1	\$4,243.20
8202-E4B-5805	PCIE 380MB CACHE DUAL - X4 3GB SAS RAID ADAPTER	2	\$3,430.44
8202-E4B-5886	EXP 12S EXPANSION DRAWER	2	\$7,722.00
8202-E4B-5908	PCI-X DDR 1.5GB CACHE SAS RAID ADAPTER (BSC)	1	\$6,630.00
8202-E4B-6006	POWER CONTROL CABLE (SPCN) - 3 METER	2	\$62.40
8202-E4B-6446	DUAL-PORT 12X CHANNEL INTERFACE ATTACH - SHORT RUN	1	\$449.28
8202-E4B-6577	POWER CABLE - DRAWER TO IBM PDU, 200-240V/10A	8	\$87.36
8202-E4B-7134	IBM RACK-MOUNT DRAWER BEZEL AND HARDWARE	1	\$78.00
8202-E4B-7145	IBM/OEM RACK-MOUNT DRAWER RAIL KIT	1	\$155.22
8202-E4B-7314	I/O DRAWER MOUNTING ENCLOSURE	1	\$409.50
8202-E4B-8351	6-CORE 3.0 GHZ POWER7 PROCESSOR MODULE	1	\$936.00
8202-E4B-8361	ONE PROCESSOR ACTIVATION FOR PROCESSOR FEATURE #8351	3	\$2,187.90
	ZERO-PRICED PROCESSOR ACTIVATION FOR #8351	3	
	LANGUAGE GROUP SPECIFY - US ENGLISH	1	
	NEW IBM I LICENSE CORE COUNTER	2	
	OTHER IBM I LICENSE CORE COUNTER	4	
5372-IS5	SYSTEM I HIPO	1	
	MODEL E4B ROUTING	1	
	IBM I (57XX-SS1)	1	
	PERFORMANCE TOOLS (57XX-PT1)	1	
	QUERY (57XX-QU1)	1	
	DB2 QUERY (57XX-ST1)	1	
	CLIENT ACCESS - PROCESSOR BASED (57XX-XW1)	1	
	WEBSPHERE DEV STUDIO (57XX-WDS/5799-GPB)	1	
	PSF/400 1-55 PPM (57XX-SS1)	1	
	PERFORMANCE TOOLS MANAGER (57XX-PT1)	1	
	ILE COMPILERS (57XX-WDS)	1	
	HERITAGE COMPILERS (57XX-WDS)	1	
	APPLICATION DEVELOPMENT TOOLSET (57XX-WDS)	1	
	ENGLISH PRIMARY LANGUAGE U/L SBCS	1	
	VERSION 7 RELEASE 1	1	
	PRELOAD	1	
	ACTIVE PROCESSOR QUANTITY	6	
	IBM I UNLIMITED USERS MFG KEY	1	
	DB2 WEB QUERY FOR SYSTEM I (5733-QU2)	1	
	RACK INTEGRATED IN MFG SPECIFY	1	

POWER DISTRIB UNIT SPECIFY - BASE/SIDE MOUNT, UNIVERSAL UTG0247 1
CONNECTOR
LANGUAGE GROUP SPECIFY - US ENGLISH 1

Hardware Subtotal: \$49,251.54

NEW SOFTWARE

<u>Part Number</u>	<u>Description</u>	<u>Quantity</u>	<u>Richardson Price</u>
5639-ZC1	ZEND SERVER COMMUNITY EDITION FOR I	1	
	BOTC PER SERVER W/ 1-YEAR SWMA	1	
	SUPPLY	1	
5722-WE2	WEB ENABLEMENT FOR I5/OS	1	
	BOTC Websphere Express V7	1	
	ENGLISH U/L SBCS PRIMARY	1	
	WEBSHERE EXPRESS V7.0	1	
5733-NKY	DEACTIVATE SOFTWARE KEY AND EPOE	1	
	Query (57xx-QU1)	1	
	Websphere Dev. Studio	1	
	DB2 QUERY (57XX-ST1)	1	
	Performance Tools (57xx-p)	1	
	IBM i-per Processor	1	
	DB2 Web Query for System	1	
	Performance Tools Manager	1	
	ILE Compilers - PB (57xx-	1	
	Heritage Compilers - PB	1	
	Application Dev ToolSet -	1	
	ILE Compilers - UB (5770-	1	
	Heritage Compilers - UB (1	
	Application Dev ToolSet -	1	
	PSF/400 1-55 PPM (57XX-SS1)	1	
	ENGLISH U/L SBCS PRIMARY	1	
	SW KEY 1ST MT DIGIT V5	9	
	SW KEY 2ND MT DIGIT V5	4	
	SW KEY 3RD MT DIGIT V5	10	
	SW KEY 4TH MT DIGIT V5	6	
	SW KEY 1ST CPU DIGIT V5	1	
	SW KEY 2ND CPU DIGIT V5	10	
	SW KEY 3RD CPU DIGIT V5	5	
	SW KEY 4TH CPU DIGIT V5	3	
	SW KEY 5TH CPU DIGIT V5	33	

SW KEY 6TH CPU DIGIT V5	26	
SW KEY 7TH CPU DIGIT V5	23	
5733 ITL Info Letter	1	
5733-QU2 IBM WEB QUERY FOR SYSTEM I	1	
ePoE Registration -Web	1	
P30 UPG OTC WEB QUERY (FROM 5769/22-QU1)	1	
ENGLISH U/L SBCS PRIMARY	1	
SUPPLY WEB QUERY (V1.1.2)	1	
WEB QUERY USER REGISTRATION	8	
5733-SPP IBM SOFTWARE MAINTENANCE FOR IBM I AND SELECTED PRODUCTS, 1-YEA	1	
MULTILINGUAL LANGUAGE	1	
P10 0PRICE PER PROC 1YR REG	2	
Supply Media	1	
SWMA Renewal Registration	1	
5770-PT1 IBM PERFORMANCE TOOLS FOR I	1	
P30 OTC UPG PERFORMANCE TOOLS (FROM 5722-PT1)	1	
P30 OTC UPG MANAGER FEATURE (FROM 5722-PT1)	1	
SUPPLY PERFORMANCE TOOLS LANG GROUP 1 (I7.1)	1	
SUPPLY MANAGER FEATURE LANG GROUP 1 (I7.1)	1	
5770-QU1 IBM QUERY FOR I	1	
P30 OTC	1	
SUPPLY LANG GROUP 1 (I7.1)	1	
5770-SS1 IBM I V7	1	
BOTC UPG PSF 1-55 PPM (FROM 5722-SS1)	1	\$92.04
IBM I PER CORE (E4B)	2	\$0.00
SUPPLY IBM I LANG GROUP 1 (I7.1)	1	\$0.00
V7R1M0 MACHINE CODE - RS 710-C (05/13/2011)	1	\$0.00
SUPPLY PSF/400 1-55 PPM (I7.1)	1	\$0.00
IBM I PER CORE REGISTRATION	2	\$0.00
EPOE REGISTRATION	1	\$0.00
IBM I UNLIMITED USERS REGISTRATION	1	\$0.00
SETUP AND OPERATION CD I7.1	1	\$0.00
IBM I INITIATIVE REGISTRATION	1	\$0.00
5770-SS1 IBM i V7	1	
OTC per IBM i license tra	1	\$3,600.00
IBM i per Core (E4B)	1	
Supply IBM i Lang Group 1	1	
V7R1M0 Machine Code - RS	1	

IBM i License Transfer Do	1	
Supply PSF/400 1-55 PPM (1	
IBM i per Core Registrati	1	
ePoE Registration	1	
IBM i per Proc Transfer R	1	
IBM i Unlimited Users Reg	1	
Setup and Operation CD i7	1	
SUPPLY MEDIA	1	
5770-SSA IBM I PER PROCESSOR LICENSE BILLING	1	\$11,246.25
1550 OTC PER CORE W/ 1-YEAR SWMA (E4B 6/8-CORE)	1	\$0.00
5770-SSC IBM I PER USER BILLING	1	\$30,000.00
1569 BOTC UNLIMITED USERS (E4B 6/8-CORE)	1	
5770-ST1 IBM DB2 QUERY MANAGER AND SQL DEVELOPMENT KIT FOR I	1	
P30 OTC UPG (FROM 5722-ST1)	1	
SUPPLY LANG GROUP 1 (I7.1)	1	
5770-WDS IBM RATIONAL DEVELOPMENT STUDIO FOR I	1	
P30 OTC UPG ILE COMPILERS (FROM 5722-WDS)	1	
P30 OTC UPG HERITAGE COMPILERS (FROM 5722-WDS)	1	
P30 OTC UPG APPL DEV TOOLSET (FROM 5722-WDS)	1	
ePoE Registration Rational	1	
ePoE Registration ILE	1	
ePoE Registration Heritage	1	
SUPPLY RATIONAL DEV LANG GROUP 1 (I7.1)	1	
SUPPLY ILE COMPILERS LANG GROUP 1 (I7.1)	1	
SUPPLY HERITAGE COMPILERS LANG GROUP 1 (I7.1)	1	
SUPPLY APPL DEV TOOLSET LANG GROUP 1 (I7.1)	1	
ILE COMPILER LICENSE REGISTRATION	40	
HERITAGE COMPILER LICENSE REGISTRATION	40	
APPL DEV TOOLSET LICENSE REGISTRATION	40	
5770 XW1 I ACCESS FAMILY	1	
P10 OTC CHARGED WITH HW	1	
SUPPLY PB LANG GROUP 1 (I7.1)	1	
Software Subtotal:		\$44,938.29

Hardware Total: \$49,251.54
Software Total: \$44,938.29
Hardware and Software Maintenance for 48 Months 24x7& one time charge \$27,648.48
Installation Services*: \$6,080.00

Trade in 520	-	\$3,000.00
720 Production GRAND TOTAL:		\$124,918.31
IGF-Payment for 48 months 1.8% hardware, 3.25% Software, Services	\$	2,734.66



MEMO

DATE: October 3, 2011

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #04-12 for the 2011-12 Sungard Public Sector Software Maintenance Renewal in the amount of \$143,916

Proposed Date of Award: October 10, 2011

I concur with the recommendation of Steve Graves, Chief Information Officer, and request permission to issue a purchase order to Sungard Public Sector for the annual maintenance of our existing HTE operating financial software in the amount of \$143,916, as per the attached invoice. Sungard Public Sector is the sole source provider for the maintenance of their software.

Funding is available in account 011-0540-514-4323 for this expenditure.

Concur:

Kent Pfeil

Attachments

Xc: Bill Keffler
Dan Johnson
Michelle Thames
David Morgan
Cliff Miller



DATE: October 4, 2011
TO: Pam Kirkland, Purchasing Manager
FROM: Steve Graves, Chief Information Officer *SGraves*
SUBJECT: 2011/12 Sungard Public Sector Software Maintenance Renewal

I recommend renewing our 2011/12 Sungard Public Sector Software (formerly Sungard/HTE) maintenance agreement. Sungard provides Financial, Municipal Court, Water Utilities, HR and Work Management software for the City. This is a sole source maintenance agreement. The total cost for a one year is \$143,916.00. This was budgeted in the 2011/2012 budget using account number 011-0540-514-43.23.

Requisition # 18990



SUNGARD PUBLIC SECTOR

1000 Business Center Drive
Lake Mary, FL 32746
800-727-8088
www.sungardps.com

Invoice 12310

Company	Document No	Date	Page
LG	40713	31/Aug/2011	1 of 3

RECEIVED

SEP 06 2011

ACCOUNTS

Bill To: City of Richardson
P.O. Box 830309
RICHARDSON, TX 75080
United States
Attn: Accounts Payable 972-744-4070

Ship To: City of Richardson
P.O. Box 830309
RICHARDSON, TX 75080
United States
Attn: Accounts Payable 972-744-4070

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 2206LG	City of Richardson		USD	NET30	30/Sep/2011

No	SKU Code/Description/Comments	Units	Rate	Extended
Contract No. 20011186				
20	DMS - Document Management Services Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	1,055.60	1,055.60
Contract No. 20011403				
21	IVR - Selectron I/F - BP Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	1,279.20	1,279.20
Contract No. 20020311				
22	Session Scheduler - Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	707.20	707.20
Contract No. 20041034				
23	Mobile Citation to Case Management Interface Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	1,237.60	1,237.60
Contract No. 9703037				
1	Case Management Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	14,497.60	14,497.60
2	Cash Receipts - AS400 Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	3,650.40	3,650.40
3	Fleet Management Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	10,966.80	10,966.80
4	GMBA with Extended Reporting Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	14,362.40	14,362.40
5	Payroll/Personnel Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	11,284.00	11,284.00
6	Purchasing/Inventory Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	7,888.40	7,888.40
7	BUILDING PERMITS Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	6,338.80	6,338.80

Page Total 73,268.00

SUNGARD PUBLIC SECTOR

1000 Business Center Drive
 Lake Mary, FL 32746
 800-727-8088
 www.sungardps.com

Invoice

Company LG	Document No 40713	Date 31/Aug/2011	Page 2 of 3
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Bill To: City of Richardson
 P.O. Box 830309
 RICHARDSON, TX 75080
 United States
 Attn: Accounts Payable 972-744-4070

Ship To: City of Richardson
 P.O. Box 830309
 RICHARDSON, TX 75080
 United States
 Attn: Accounts Payable 972-744-4070

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 2206LG	City of Richardson		USD	NET30	30/Sep/2011

No	SKU Code/Description/Comments	Units	Rate	Extended
8	LAND/PARCEL MANAGEMENT Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	5,007.60	5,007.60
9	CIS Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	16,161.60	16,161.60
10	Work Orders/Facilities Management Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	10,519.60	10,519.60
11	Accounts Receivable Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	5,059.60	5,059.60
12	Asset Management I Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	3,463.20	3,463.20
13	TAX BILLING & COLLECTIONS Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	9,625.20	9,625.20
14	QRep Administrator - Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	312.00	312.00
15	QRep End User Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	20.00	312.00	6,240.00
16	Retrofit Modification Option Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	83.00	100.00	8,300.00
17	HGE Client Licenses - Financials Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	10.00	176.80	1,768.00
18	QRep Catalogs for GM,MR,CR,PI,PR,FM,AT,FA,LX,TX,BP,CX,WF Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	13.00	322.40	4,191.20
19	Parking Tickets (Citations Management) Maintenance Start: 01/Oct/2011, End: 30/Sep/2012	1.00	0.00	0.00

Page Total **70,648.00**

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Invoice

Company	Document No	Date	Page
LG	40713	31/Aug/2011	3 of 3

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 RICHARDSON, TX 75080
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Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 2206LG	City of Richardson		USD	NET30	30/Sep/2011

No	SKU Code/Description/Comments	Units	Rate	Extended
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Remit Payment To: SunGard Public Sector Inc.
 Bank of America
 12709 Collection Center Drive
 Chicago, IL 60693

Subtotal	143,916.00
Sales Tax	0.00
Invoice Total	143,916.00
Payment Received	0.00
Balance Due	143,916.00

PSA Reference Number:



MEMO

DATE: October 3, 2011

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #05-12 for the 2011-12 Cellular Communication Services to AT&T (\$126,500) through the State of Texas Department of Information Services Contract #DIR-SDD-597 and to Verizon Wireless (\$63,250) Contract #DIR-SDD-604 for an estimated total amount of \$189,750

Proposed Date of Award: October 10, 2011

I concur with the recommendation of Steve Graves, Chief Information Officer, and request permission to issue contract purchase orders to the following vendors:

AT&T	Cell Phone Service Provider	\$126,500
Verizon Wireless	Cellular Data (EVDO Provider)	<u>\$ 63,250</u>
	Estimated Total Award	\$189,750

AT&T has been awarded Contract #DIR-SDD-597 for cellular service through the State of Texas Department of Information Resources cooperative purchasing program. The City of Richardson participates in this program through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Verizon Wireless has been awarded Contract #DIR-SDD-604 for cellular data service also through the State of Texas Department of Information Resources cooperative purchasing program.

Funding is provided in accounts 011-0310-51-5399, 511-5910-504-5399 for the cell service and in account 011-0310-513-5303 for the data service.

Concur:

Kent Pfeil

Xc: Bill Keffler
Dan Johnson
Michelle Thames
David Morgan
Cliff Miller



DATE: October 1, 2011
TO: Pam Kirkland, Purchasing Manager
FROM: Steve Graves, Chief Information Officer *SGraves*
SUBJECT: 2011/12 Cell Communication Recommendation

I recommend using AT&T for our Cell Phone provider. This service is used for all BlackBerry's, standard cell phone usage and text messaging for all City Departments including Public Safety. AT&T is a State of Texas DIR vendor, Contract Number DIR-SDD-597. The total cost per year is \$126,500.00 and this amount was budgeted in the 2011/2012 budget using account numbers 011-0310-513-53.99, and 511-5910-504-53.99.

I also recommend using Verizon Wireless for our Cell Data (EVDO) provider. This service is used to provide cellular data communications for all of our Public Safety vehicles. Verizon Wireless is a State of Texas DIR vendor, Contract Number DIR-SDD-604. Total cost per year is \$63,250.00 and this amount was budgeted in the 2011/2012 budget using account number 011-0310-513-53.03.



City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, October 10, 2011

Agenda Item: Review and Discuss Item Listed on the City Council Meeting Agenda

Staff Resource: Bill Keffler, City Manager

Summary: The City Council will have an opportunity to preview and discuss with City Staff the agenda items that will be voted on at the City Council Meeting immediately following the Work Session.

Board/Commission Action: Various, if applicable.

Action Proposed: No action will be taken.



City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: October 10, 2011

Agenda Item: Review and Discuss Neighborhood Vitality Program
Project Implementation

Staff Resource: Don Magner, Director of Community Services

Summary: City staff will review the progress on projects in the Neighborhood Vitality Program approved in the 2010 Bond Program. The Neighborhood Vitality Program is a neighborhood improvement program funded through bond programs to address enhancements to bridges, screening walls, landscaping and entry features.

Board/Commission Action: N/A

Action Proposed: N/A





City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: Monday, October 10, 2011

Agenda Item: Review and discuss NTMWD Stage 3 Water Conservation Implementation, Communication and Enforcement Plan

Staff Resource: Cliff Miller, Assistant City Manager
David Morgan, Assistant City Manager

Summary: The North Texas Municipal Water District officials have asked member and customer cities to implement their Water Conservation Plan Stage 3 effective November 1, 2011. On Monday night, following last week's briefing on Stage 3 implementation strategies and water supply status, staff will update Council on Communication and Enforcement enhancements. Staff will explain how education initiatives and enforcement will be used to raise awareness about the new restrictions. Discussion will also outline a new staffing pro-active inspection element to the current enforcement program. Staff will conclude with recommendations on how to deal with continued non-compliance, including the issuance of citations and court action.

Board/Commission Action: N/A

Action Proposed: No action will be taken



City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, October 10, 2011

Agenda Item: Items of Community Interest

Staff Resource: Bill Keffler, City Manager

Summary: 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 of Richardson 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 the posting of the agenda.

Board/Commission Action: NA

Action Proposed: No action will be taken.



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date: Monday, October 10, 2011

Agenda Item: Executive Session

Staff Resource: Bill Keffler, City Manager

Summary: The Council will convene into a closed session in compliance with Texas Government Code Section 551.072 – Real Property to discuss property considerations in the Belt Line Road/Floyd Road/Hyde Park Drive area; Section 551.087 – Deliberation regarding Economic Development negotiations for Commercial Development in the Coit Road/Belt Line road area, and the US 75/Glenville Drive area; and Section 551.074 – Personnel for evaluation of the City Manager.

Board/Commission Action: N/A

Action Proposed: Council will reconvene into open session to take any action, if any, on matters discussed in executive session.