

RICHARDSON CITY COUNCIL
AUGUST 13, 2012
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 JULY 16, 2012 WORK SESSION, JULY 23, 2012 REGULAR MEETING, AND JULY 30, 2012 WORK SESSION**
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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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PUBLIC HEARING ITEMS:

5. PUBLIC HEARING, ZONING FILE 12-10: A REQUEST BY KENNETH D. BACA, REPRESENTING VICTRON STORES, LP, FOR A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION WITH MODIFIED DEVELOPMENT STANDARDS TO BE LOCATED AT 2750 E. PRESIDENT GEORGE BUSH TURNPIKE (NORTHWEST CORNER OF PRESIDENT GEORGE BUSH TURNPIKE AND RENNER ROAD). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

ACTION TAKEN:

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:
 - A. ADOPTION OF THE FOLLOWING ORDINANCES:
 1. ORDINANCE NO. 3873, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE WITH MODIFIED DEVELOPMENT STANDARDS ON A 0.83-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED AT 177 WEST CAMPBELL ROAD, AND BY REPEALING ORDINANCE NO. 2471-A.
 2. ORDINANCE NO. 3874, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 18, SIGN REGULATIONS, BY AMENDING DEFINITIONS, AREA REGULATIONS, SIGN CLASSIFICATIONS AND OTHER STANDARDS.
 - B. AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING BIDS:
 1. BID #55-12 – 2010 SIDEWALK REPAIR PROGRAM PHASE IV (REGIONS 7 & 8). BIDS TO BE RECEIVED BY THURSDAY, AUGUST 30, 2012 AT 2:00 P.M.

2. BID #56-12 – 2010 NEIGHBORHOOD VITALITY BOND PROJECT BRIDGE ENHANCEMENTS AT DUCK CREEK, MARK TWAIN AND N. COLLEGE PARK NEIGHBORHOODS. BIDS TO BE RECEIVED BY THURSDAY, AUGUST 30, 2012 AT 3:00 P.M.
- C. CONSIDER AWARD OF COMPETITIVE SEALED PROPOSAL CSP #903-12 – WE RECOMMEND THE AWARD TO CORE CONSTRUCTION FOR THE FIRE TRAINING CENTER, EMERGENCY OPERATIONS CENTER AND BACKUP DISPATCH FACILITY IN THE AMOUNT OF \$7,073,190.
- D. AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER TO DECREASE AND CLOSE OUT PURCHASE ORDER 111033 TO JRJ PAVING, LP FOR HILLSIDE AVENUE STREET PAVEMENT REHABILITATION IN THE AMOUNT OF \$56,988.42.

7. RECEIVE THE SIGN CONTROL BOARD MINUTES OF THE AUGUST 8, 2012 MEETING.

ACTION TAKEN:

THE RICHARDSON CITY COUNCIL WILL MEET AT 5:30 P.M. ON MONDAY, AUGUST 13, 2012, 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 West Spring Valley Road Rehab Project
- C. Review and Discuss the Neighborhood Vitality Program Project Implementation
- D. Review and Discuss Screening Wall Maintenance
- E. Report on Items of Community Interest

EXECUTIVE SESSION

- In compliance with Section 551.071(2) and Section 551.074 of the Texas Government Code, Council will convene into a closed session to discuss the following:
 - Consultation with City Attorney
 - Briefing Regarding the Regulation of Community and Group Homes
 - Deliberation of Personnel
 - Boards and Commissions
 - Consideration of Appointment of City Plan Commission Alternate

- 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, AUGUST 10, 2012, BY 5:00 P.M.

CITY SECRETARY

MINUTES OF A MEETING OF THE CITY COUNCIL
July 16, 2012
City of Richardson, Texas

A Meeting of the City Council was convened at 6:00 p.m., Monday, July 16, 2012 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:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Vickie Schmid	Deputy City Secretary
Jerry Ortega	Director of Public Services
Travis Switzer	Assistant Director of Public Services
Steve Spanos	Director of Capital Projects
Jim Lockart	Assistant Director of Capital Projects
Michael Spicer	Director of Development Services
Monica Heid	Community Projects Manager

Call to order – Mayor Townsend called the meeting to order at 6:04 p.m.

Visitors

Robert Dobrott, 1429 Lamp Post Lane, stated that he lives across the street from the Oxford House and that the boarding house had been remodeled to accommodate thirteen residents. Mr. Dobrott noted that the Texas Human Resource Code limits the number of residents to six and sets a one-half mile distance requirement between community homes. He felt it was time the code regarding these homes was enforced.

Anthony Torres, 1421 Lamp Post Lane, questioned why the City of Richardson had twelve Oxford House locations when the City of Garland only had one. He expressed concern for his children because a pedophile had lived in their neighborhood for three months before the neighborhood was alerted. Mr. Torres stated that the Oxford House in his neighborhood was designated for males only and advised that women and children had been seen there. Mr. Torres suggested that the Police Department conduct surprise visits of the facility to insure compliance with all regulations. He asked the Council to take steps to help his neighborhood.

Patti Stone, 1428 Lamp Post Lane, stated that she had witnessed females spending the weekend at the male designated home. She also noted that the Oxford House on Lamp Post

Lane consistently has more than six residents. Ms. Stone expressed her frustration while seeking help at City Hall and asked Council to take charge of the situation. She stated she would like the Oxford House in her neighborhood closed.

Mr. Johnson confirmed that staff had met with the City Attorney and all applicable case law, federal and state regulations, and City Code are being reviewed regarding group homes. He advised that once the review is complete Council would receive a briefing regarding suggested Code changes or enforcement measures available to the City under the law. Mr. Johnson assured Council he was aware of Ms. Stone's concerns and that the situation was being addressed.

Review and Discuss the Street Maintenance Program Review

Mr. Johnson stated that the City designed one cent of the property tax to be devoted annually to street repair and maintenance several years ago and that sustaining the Penny Tax Program is included in the 2012-2013 proposed budget. He advised that Richardson is one of the few cities to make such a formal designation, establishing a specific street maintenance fund to help achieve the annual work plan. Mr. Johnson asked Cliff Miller to review the Work Plan and methodology of the Street Maintenance Program.

Mr. Miller stated that components of the Street Maintenance Program are provided through various funding sources including the General Fund, Utility Repair Fund, Bond Program Funding, and Penny Tax Program. He reported that the City infrastructure consists of 1,063 lane miles of streets, 330 miles of storm sewers, 9,498 storm inlets, and 221 miles of alleys and that 80% of all residential City streets were over 20 years of age. Mr. Miller reviewed the criteria considered when determining the method of street repair (asphalt or concrete) including days to install, longevity of repair, logistics, and application (incremental repair or long term repair). He explained that asphalt repairs are sometimes made to concrete streets if additional projects were planned in that same area in the next year, consolidating projects as a cost saving measure.

Mr. Miller identified areas related to Street Maintenance that are the responsibility of the Public Services Department as follows:

- Storm Maintenance (Concrete Repairs, Asphalt Repairs and Patches, Crack Sealing, "Street Leveling" or Grade Restoration, and Smaller Reconstruction/ Neighborhood Rehabilitation)
- Storm Sewer Cleaning/Repair
- Inclement Weather Response
- Other Repairs (Sidewalks, Wheelchair Ramps, and Screening Walls)

Mr. Miller noted that the Capital Projects Department was responsible for Periodic Infrastructure Condition Assessment, Street and Alley Rehabilitation, Underground Utility Replacement, and Sidewalk Repair Programs. He noted that Public Services and Capital Projects work together on Construction/Rehabilitation projects such as water line and wastewater line replacement and extensive street maintenance needs.

Mr. Miller stated that, upon notification of a problem area in need of repair, the Streets Supervisor investigates the area to determine if the need is immediate or non-immediate. If immediate action is required, the site is barricaded (if needed), asphalt is ordered and a patch

made that day, and research begins to coordinate and schedule the permanent repair. If non-immediate action is required, the site is barricaded (if needed) and research begins to coordinate and scheduled permanent repair. He noted that three factors determine the type of repair: (1) street rating, (2) other projects planned in the repair area, and (3) other unique considerations (i.e. repair location and extensiveness of repair). Higher Pavement Condition Index projects are typically planned for concrete repair, while Lower Pavement Condition Index projects are sustained with asphalt until some future reconstruction project may occur in the same area. Mr. Miller noted that if a project is planned to begin in less than a year, repairs in the same area would typically be sustained with asphalt; if the project is planned further out than a year, repairs are done with concrete.

Mr. Miller stated that historically, Penny Tax projects are street/alley/sidewalk repairs, crack sealing, street leveling/grade restoration, asphalt overlays, intersection improvements, turn lanes, bridge repair, railroad crossing repair/replacement, and screening wall repair. Mr. Miller reviewed the various Penny Tax projects undertaken in the past five years and noted that upcoming projects would be prioritized for the 2012-2013 budget year.

Mr. Dunn advised staff of poor asphalt conditions along Mimosa and asked that staff evaluate the area for repair. Mr. Mitchell stated that although the asphalt patches are being made, some streets have had asphalt patches for years and were not on any project list for permanent concrete repair. Mr. Mitchell questioned the cost effectiveness of repeatedly repairing streets with asphalt patches instead of making a concrete patch. Mr. Johnson noted that many times patching with concrete required removing/replacing an entire street section and that type of repair is often consolidated with other street, water line, or bond project repairs. Mayor Townsend concurred with Mr. Mitchell, stating that concrete repairs were not being done in several areas and asked if there was a tracking mechanism in place for scheduling the concrete repairs. In response to Mr. Omar's question regarding pothole repair, Mr. Miller noted that potholes were often considered an immediate repair and were typically repaired with asphalt to maintain safe street conditions until a permanent concrete fix could be scheduled. Ms. Maczka stated that some of her neighborhood streets had been repeatedly repaired, but had not been permanently repaired for the past 15 years. Mr. Solomon suggested using the Streets Database to track when changes are being made and when permanent repairs should be occurring. Mr. Miller stated that he would address the issues identified by Council and come back with a recommendation regarding changes to the street repair policy.

Review and Discuss the Drainage Utility Fund Summary and Work Plan

Mr. Johnson stated that State law provides for establishing a Drainage Utility Fee which was ratified by Council last fall and implemented mid-year 2012. He noted that the 2012-2013 Fiscal Year would be the first full year the Drainage Utility Fee had been collected. Mr. Johnson said the Drainage Utility Fee fund summary would be reviewed during budget discussions to determine which improvement projects can be funded by the Drainage Utility Fee. He asked Jim Lockart to brief the Council.

Mr. Lockart stated that the City has an extensive system of drainage channels, open channels, pipes and inlets designed to effectively move water toward fourteen drainage basins throughout the City and the purpose of the Drainage Utility Fund is to provide funding for repairs to this aging system. In 2007, the City was required by the EPA and TCEQ to develop a Storm Water Management Plan and advised that the City's 5-year Permit period was about to expire. He said renewal of the permit would require repairs and upgrades that may result in additional costs to the City in order to qualify for a new TCEQ permit. The old permit will remain in effect until

the new permit is approved. Mr. Lockart stated that the tasks identified by TCEQ necessary to issue a new permit would be phased in over the 5-year period covered by the new permit. Requirements of the current permit include public outreach, public involvement, illicit drainage detection, pollution prevention, construction site runoff, post construction improvements, and authorization for municipal construction activities. He stated that staff implements and documents best management practices outlined in the Storm Water Management Plan which are reported annually to TCEQ.

Mr. Lockart stated that the Drainage Utility Fee was adopted by ordinance in November 2011, establishing a base rate of \$3.75 per household/per month and 10.5 cents per 100 square feet of impervious area for commercial customers. Public outreach information regarding adoption of the fee and the anticipated start date for collection of the fee was made available on the City's website, through bill stuffers, as well as letters to key water customers. Billing of the Drainage Utility Fee began in February 2012.

Mr. Lockart stated that the residential fee of \$3.75 per household generated from 27,040 active utility accounts generated \$101,000 per month for the Drainage Utility Fund and the tiered commercial fee for 1,149 commercial accounts generated \$123,000 per month (churches, schools, and State properties are exempt from the fee). The total amount for the partial year was approximately \$1.67 million. Mr. Lockart detailed the breakdown of the 2011-2012 Start Up Year Work funded from partial year revenues as follows:

\$845,000	Department Expenses
\$ 65,000	City Sweeping Operations
\$240,000	Street Sweeping Contract
\$350,000	PayGo Capital
\$160,000	Contract Services

He said the first full year is estimated to generate \$2.7 million, allowing the City to move forward with more drainage projects and freeing up funds for projects in other areas. Drainage Utility Funds have been identified for Operating Expenditures in the amount of \$390,000; Capital Projects - \$1,385,000; and G&A Transfer - \$910,000 for Fiscal Year 2012-2013.

Mr. Lockart stated that the first projects funded through the Drainage Utility Fee would be the West Fork Debris Removal and Vegetation Management Project and the Dumont Culvert Construction at Hunt Branch. He noted that a meeting with homeowners would take place on Thursday, July 19, detailing the tree removal and debris clean-up plan. He said cooperation from residents is imperative to allow contractors access to the channel.

Mr. Lockart indicated that PayGo projects in the half-million dollar range would be considered for funding from the Draining Utility Fee. He noted that water quality assessments and management activities required under new TCEQ permit regulations could be funded from the Drainage Utility Fee as well. Mr. Lockart stated that the Work Plan would be reviewed and updated with Council on an annual basis.

In response to Mr. Solomon's question, Mr. Lockart stated that medium to small projects would best fit the funding parameters of the Drainage Utility Fee, which would free up money in other funds that could be utilized for larger projects. Mr. Johnson stated that project coordination and creative thinking would allow for the proper sequencing and grouping of projects. Mr. Johnson advised that the Drainage Fee would also allow the City to undertake projects that did not make the 2010 Bond Project list, but could be easily managed by the Drainage Fee.

Review and Discuss the First Community Meeting of the Main Street/Central Expressway Enhancement/Redevelopment Study

Mr. Johnson stated that last week the public input session for the Main Street/Central Study got underway, identifying a vision for the area and economic development planning processes for the future. He stated that the information was well received and the meeting was well attended. Mr. Johnson asked Monica Heid to summarize the findings.

Ms. Heid stated that the Main Street/Central Expressway Study combined two of six areas identified by Council for potential reinvestment/redevelopment. She stated that staff and the consultant team had worked together on tasks designed to create a vision for the area and an implementation plan. Ms. Heid stated that the Open House was the first in a series of public meetings, which would culminate in a final report to be presented to Council in December.

Ms. Heid stated that redevelopment in the Main/Central area would likely take 20+ years to implement due to the number of individual property owners and the amount of work involved in acquiring a meaningful amount of land. She noted that redevelopment would take place at the initiative of private property owners.

Ms. Heid stated that the marketing consultant focused on various conditions in the Main/Central area, including property valuations, ownership issues, flood plain issues, and property utilization issues, which allows for the identification of properties with short term potential for redevelopment. She explained that property utilization issues indicate that an area is ripe for development when the value of improvements is substantially lower than that of the property, indicating that the property is underutilized.

Ms. Heid stated that three additional major public meetings are planning for the Main/Central Study area in September and November and the final report and recommendations will be presented to Council in December 2012. She said there are multiple outreach efforts calling for citizen input in addition to the public meetings, including a Main/Central email address, web page, Facebook page, Richardson Today article, Week In Review articles, and Dallas Morning News article; all encouraging the public to share their thoughts, ideas, and dreams for the area. People invited to the Open House included property owners, business owners, residents, Homeowners/Neighborhood Associations, stakeholders, churches, schools and financial institutions. Ms. Heid stated that the Open House featured time for receiving input, a presentation, followed by a second input session and keypad polling exercise. Input generated by the discussions, presentation, and polling exercise revealed that citizens felt it was important to keep Richardson's downtown area as a focal point. She noted that some of the features identified as important to the Open House participants were establishing a mix of uses, creating a gateway, attracting pedestrians, attracting new businesses – especially new restaurants, parks/plazas, sustainable development, access to DART, and the need for private investors.

In response to questions from Council, Ms. Heid confirmed that staff had always thought of the Main Street/Central Study as two separate study areas with two unique sets of regulations – one for each area. Ms. Heid stated that the next step in the study process was a Charrette planned for September 19, as well as more detailed public input meetings. In response to Council's concern regarding the possible need for more time, Ms. Heid confirmed that the consultant was confident the final report could be done by December; she advised that the market study and visioning exercises were being done simultaneously with this study, shortening the time needed for completion. Ms. Heid advised that a two-year plan was initially

considered for the Main/Central Study; however, the consultant felt one year was sufficient. She confirmed that the deliverables would be the same (i.e. three private property catalyst projects, marketing element, implementation plan, and gap analysis). Ms. Heid also advised that the zoning ordinance was not included in the process, but would most likely take six or more months to complete after the final report is received and evaluated.

Report on Items of Community Interest

Mr. Omar stated that he had made a presentation at the Stephanie Carter Future Leadership Program over the weekend and was highly impressed with the high-school and college-age young men and women who attended the program; he noted that Richardson has an incredibly talented group of young individuals in the City.

Mr. Solomon commended Fire Chief Palomba for the excellent Open House held at the new Station No. 4 facility Thursday evening. He felt the opening of this Station was a great accomplishment for the Fire Department, the City, and the community.

Ms. Maczka reported that the Regional Transportation Council (RTC) recently met and she expressed her excitement for the progress made on the Cotton Belt rail line; she stated that last Thursday RTC voted unanimously to approve an independent finance company to fund the implementation of the Cotton Belt. She stated that Council would review the proposal in the near future and that the Cotton Belt rail line was closer to being a reality than ever before.

In response to a question from Council, Mr. Johnson noted that the old Station No. 4 facility could possibly be utilized as a creative solution for storage of equipment as construction of the new Fire Training Center gets underway.

Mayor Townsend adjourned the Work Session at 8:34 p.m. and announced that Council would convene in Executive Session after a short break.

EXECUTIVE SESSION

- In compliance with Section 551.072 of the Texas Government Code, Council convened into a closed session at 8:45 p.m. to discuss the following:
 - Deliberation Regarding Real Property
 - Property Considerations in the Arapaho Road/Custer Road 75 Area
- Council reconvened into open session at 9:17 p.m. to take action, if any, on matters discussed in executive session.

ACTION TAKEN: Mr. Solomon made a motion to accept staff's recommendation after review of multiple options to continue to hold the City property along Arapaho and Lorie and continue to conduct periodic tests of the market as development occurs in this area and authorize staff to install a simple landscape buffer for the homes on the north side of the alley; second by Mr. Dunn and the motion was approved with a unanimous vote.

There being no further business, Mayor Townsend adjourned the meeting at 9:18 p.m.

ATTEST:

MAYOR

DEPUTY CITY SECRETARY

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
July 23, 2012
City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, July 23, 2012 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 (Absent)	Council member
Steve Mitchell	Council member
Amir Omar	Council member

City staff present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Zeni Demissi	Management Intern
Vickie Schmid	Deputy City Secretary
Michael Spicer	Director of Development Services
Don Magner	Director of Community Services

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1. **INVOCATION – SCOTT DUNN**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – SCOTT DUNN**
 3. **MINUTES OF THE JULY 9, 2012 MEETING**

ACTION TAKEN: Mr. Omar moved approval of the minutes as presented; second by Mr. Mitchell and the motion was approved with a 6-0 vote (Hartley absent).

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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.)

Christina Edgar, c/o Tom Meyer, 7401 Brentfield Drive, Dallas, expressed concern regarding Richardson’s police reporting system which she felt was inadequate because it allowed editing without a tracking mechanism for the changes. Ms. Edgar asked Council to provide for a better police reporting system in this year’s budget.

Andrew Laska, 502 Hyde Park, representing Richardson Heights HOA, stated he was surprised by the designs presented to Council during the Work Session regarding the West Spring Valley bridges. He stated that City staff had promised to present design plans for the bridges to the Richardson Heights HOA to allow resident input before plans were approved. He asked if staff still planned on meeting with the neighborhood as promised.

Patti Stone, 1428 Lamp Post Lane, stated that she understood the reason for staff's delay in reporting back to Council on enforcement measures regarding the Oxford House. She acknowledged it would be a monumental task and said she would be impatiently awaiting the findings.

5. PUBLIC HEARING, ZONING FILE 12-08: A REQUEST BY JOHN B. WATSON, REPRESENTING FIREBRAND PROPERTIES, LP, TO REVOKE A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE AND APPROVAL OF A NEW SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE WITH MODIFIED DEVELOPMENT STANDARDS TO BE LOCATED AT 177 W. CAMPBELL ROAD (SOUTH SIDE OF CAMPBELL ROAD, WEST OF CENTRAL EXPRESSWAY). THE PROPERTY IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.

Mr. Johnson stated that the existing Special Permit and associated Concept Plan for a restaurant with drive-thru service for 177 W. Campbell Road was originally approved in 1985. He said the applicant intends to demolish the existing structure and build a new more compact restaurant with drive-thru service. Because the proposed development would not conform to the original Concept Plan, approval of a new Concept Plan and Special Permit is required. He noted that revocation of the prior Special Permit is also requested at this time. Mr. Johnson stated that the proposed Concept Plan complies with all development requirements except the policy to provide a ten foot landscape buffer along Campbell Road. Although twelve feet of landscaping exists between the sidewalk and parking along Campbell Road, only eighteen inches is provided on-site; the remaining ten and one-half feet is provided in the street right-of-way. He noted that this condition exists for the majority of the block. He advised that the City Plan Commission approved the request with a 4-2 vote on July 3, 2012, providing for a three foot landscape buffer along Campbell Road. Mr. Johnson asked Michael Spicer to brief the Council.

Mr. Spicer stated that the subject property was a 0.83-acre site located 700 feet west of Central Expressway. He said the existing structure was a 5,100 square foot Burger King restaurant. Mr. Spicer stated that approximately 90% of the landscaped area was within the Campbell Road right-of-way, which is a condition that exists along Campbell Road from Gateway to the corner at US/75. Mr. Spicer advised that the proposed Concept Plan, if approved, would replace the existing development with a new 3,100 square foot restaurant. He advised that 41 parking spaces are proposed for the site and 31 spaces are required. Mr. Spicer noted that the Concept Plan, as proposed, does not comply with the minimum ten foot landscape buffer along Campbell Road. The three foot depth shown on the plan reflects the recommendation of the Plan Commission and adequately provides for vehicles to overhang the curb and not extend beyond the property line. He stated that the City Plan Commission recommended approval with a 4-2 vote, providing for a three foot landscape buffer along Campbell Road.

Mr. John Watson, Sun Holdings, 7420 Bradford Pear, Irving, TX, representing Firebrand Properties, LP, thanked staff for an excellent presentation and noted that the proposed building

was much more architecturally appealing than the existing structure and asked Council to approve the request. He said construction would begin as soon as the Special Permit process was complete.

Mr. Omar made a motion to close the public hearing; second by Ms. Maczka and the motion was approved with a 6-0 vote (Hartley absent).

Ms. Maczka said the neighborhood was thrilled about the proposed change; and she stated that she agreed with allowing a three foot landscape buffer to provide for additional parking spaces.

ACTION TAKEN: Ms. Maczka made a motion to approve Zoning File 12-08; second by Mr. Dunn and the motion was approved with a 6-0 vote (Hartley absent).

ACTION TAKEN: Mr. Mitchell made a motion to approve the Consent Agenda as presented; second by Mr. Omar and the motion was approved with a 6-0 vote (Hartley absent).

6. CONSENT AGENDA:

A. Consider Resolution No. 12-14, appointing Bruce Arfsten as Alternate to the aggregated position of Representative to the Regional Transportation Council of the North Central Texas Council of Governments, which fractional allocation membership is shared with the Town of Addison, and the Cities of Murphy, Sachse, and Wylie.

B. Consider Advertisement of the following bids:

1. Bid #50-12 – Pedestrian Bridge at Breckinridge Park (Beck Branch). Bids to be received by Friday, August 10, 2012 at 2:00 p.m.
2. Bid #52-12 – 2010 Alley Reconstruction Phase IV (Shannon Lane, Arvada Drive, and Merrie Circle. Bids to be received by Wednesday, August 15, 2012 at 2:00 p.m.
3. Bid #54-12 – Debris Removal and Vegetation Management-West Fork of Cottonwood Creek. Bids to be received by Thursday, August 9, 2012 at 2:00 p.m.

C. Consider Award of the following bids:

1. Bid #38-12 – Authorization to issue an annual requirements contract to Helena Chemical Company (primary contractor) and Winfield Solutions (secondary contractor) for herbicides, insecticides, and chemicals pursuant to unit prices stipulated in the bid.
2. Bid #51-12 – Authorization to issue a Co-op Purchase Order to Austin Turf & Tractor for a heavy duty utility vehicle and a turf sweeper in the amount of \$29,891.56 and to Professional Turf Products, L.P. for a greensmower in the amount of \$27,235.51 through the Texas Local Government Statewide

Purchasing Cooperative Buyboard Contract #373-11 for the Sherrill Park Golf Course for a total expenditure of \$57,127.07.

7. RECEIVE THE SIGN CONTROL BOARD MINUTES OF THE JULY 11, 2012, MEETING.

Mr. Johnson advised that three Sign Control Board cases were brought forward from the July 11 meeting for Council's consideration. He advised that Council could call up any one or all three cases for separate consideration. Mr. Omar commended the Sign Control Board for listening to Council's prior discussions regarding sign regulations.

ACTION TAKEN: Mr. Omar made a motion to approve the Consent Agenda as presented; second by Mr. Solomon and the motion was approved with a 6-0 vote (Hartley absent).

Mayor Townsend announced that Council would reconvene in Work Session in the Richardson Room and adjourned the business meeting at 7:52 p.m.

MAYOR

ATTEST:

DEPUTY CITY SECRETARY

**MINUTES OF A MEETING OF THE CITY COUNCIL
July 30, 2012
City of Richardson, Texas**

A Meeting of the City Council was convened at 6:00 p.m., Monday, July 30, 2012 with a quorum of said Council present, to-wit:

Bob Townsend	Mayor
Laura Maczka (Absent)	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:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Vickie Schmid	Deputy City Secretary
Gary Beane	Budget Officer
Don Magner	Director of Community Services
Pete Smith	City Attorney

Call to order – Mayor Townsend called the meeting to order at 6:02 p.m.

Visitors

Richard Tanner, 401 Ridgehaven Place, stated that the Texas Constitution provides for the direct election of the mayor, as well as Council. He felt the City Charter was in conflict with State law and that the Charter should give way.

Administer the Oath of Office to City Secretary Aimee Nemer

Mr. Johnson stated that Council took action in June to appoint Aimee Nemer to serve as Richardson's City Secretary. He noted that she had 15 years of progressive municipal experience, with her most recent experience as City Secretary for the City of Murphy. Mayor Townsend administered the Oath of Office and welcomed Ms. Nemer to Richardson. He said he looked forward to working with her.

Mayor Townsend thanked Vickie Schmid for filling the gap until the new City Secretary joined the staff.

Consider Ordinance No. 3872, ordering a special election on proposed amendments to the Home Rule City Charter of the City of Richardson to be held on November 6, 2012; providing for the publication and posting of notice; proposing amendments to the Home Rule City Charter of the City of Richardson; and authorizing the City Manager to execute

an Election Agreement and Election Services Contract with Dallas County and Collin County Elections Departments.

Mr. Johnson stated that the City received a petition on July 5, 2012, calling for the direct election of the mayor and in accordance with State law, the City Secretary's Office verified 2499 qualified voter signatures in a timely manner. At Council's direction, an ordinance was prepared to call a Special Election and authorize the City to contract with Dallas and Collin Counties for election services for the November 6, 2012 general election.

Mr. Dunn questioned how the direct election of the mayor would change the City for the better; he stated that Solid Waste services, Police services, and Fire services were already highly regarded.

Mr. Omar and Mr. Mitchell felt that the wording of the proposition should be amended to list the Articles and Sections last in an effort to make the proposition clearer for voters. In response, City Attorney Pete Smith suggested the following amended proposition wording:

“Shall the Home Rule Charter of the City of Richardson, Texas be amended to provide for the direct election of the Mayor by amending Article 3, Section 3.01(a), Section 3.02, Section 3.03, Section 3.07, Article 4, Section 4.02, Section 4.05, Section 4.06, Section 4.08 and Article 5, Section 5.01, Section 5.02, and Section 5.03 of the Home Rule Charter?”

Mr. Solomon felt that “of the City of Richardson, Texas” should be added after the word “Mayor” for further clarification.

In response to a question from Mr. Mitchell, Mr. Johnson stated that, should the proposition pass in November, the City Charter could not be changed again for 730 days (2 x 365 days); which could result in a two or a two and one-half year time span before any additional Charter changes could be considered.

Mr. Solomon made a motion to approve Ordinance 3872 as revised to change the wording on Section 11 for the proposition to call a November 6, 2012 election; second by Mr. Omar and the motion was approved with a 6-0 vote (Maczka absent).

Joint Meeting with the Sign Control Board to Review and Discuss the Enhancements to Chapter 18 of the City's Code of Ordinances Concerning Sign Regulations

Mayor Townsend welcomed the Sign Control Board and acknowledged that Dorothy McKearin – Chair, Sandra Moudy – Vice Chair, Alicia Marshall, Charlie Warner, and Muhammad Ikram were in attendance. He asked the board members to introduce themselves.

Mr. Johnson acknowledged the detailed work of the Sign Control Board and Community Services staff over the past several months and advised that Don Magner would be providing a summation of the recommended changes. He felt that the expectations, goals, and desires for user-friendly sign regulations were captured in the new ordinance. Mr. Johnson asked Mr. Magner to brief the Council.

Mr. Magner stated he was happy to present the final ordinance which was a culmination of eight months of hard work for the Sign Control Board and Council. He stated that the goal of the new ordinance was to present sign regulations in a clear and concise manner, to address new sign

types, to establish a guide for sign measurement, to establish a minor modification approval process, and to adopt a new Appendix to include supporting material (pictures, diagrams, etc.). He advised that the new ordinance was organized strictly by sign type and offered all pertinent information for each sign type in one location, making the Code more user-friendly and understandable. Mr. Magner detailed revisions made to the Code as requested by Council, including a layered approach to parking vehicles with signage attached, a requirement to remove or replace abandoned signs within 180 days, establishing a time limit of 180 days for variances plus another six months once the permit is issued (1 year total), and requiring signs to be in "good repair" or maintained in the same condition as when it was initially installed. He noted that Article III and IV had been combined, eliminating Article IV. New sign types including digital displays, LED signs, business identification signs/business district signs, community garden signs and banners were added to the Code, while regulations regarding pole signs and monument signs were modified to standardize the regulations where possible. Mr. Magner stated that, with Council's approval, the proposed ordinance would be placed on the August 13 agenda for review and consideration. He stated that, once the ordinance is approved, Community Services staff would include a promotional piece in the Certificate of Occupancy packet, promote education among contractors, meet with the Chamber of Commerce/commercial community to review the changes.

In response to a question by Mayor Townsend, Mr. Magner stated that after the new ordinance is adopted, he would work with Homeowners Associations/Neighborhood Associations to find a better solution than posting on utility poles for the posting of informational signs. In response to Mr. Dunn's question, Mr. Magner stated that enforcement of the new regulations regarding vehicles with attached signage could begin immediately after the ordinance is adopted. Mr. Magner suggested providing a handout explaining the new regulations that would include a deadline for compliance.

In response to Ms. McKearin's request for clarification regarding variance allowances, Mr. Omar and Mr. Mitchell suggested that signs should be timeless and tasteful and that signs should be in keeping with other signs in the area, deciding the merits of each request on a case by case basis. Mr. Dunn felt that the Sign Control Board had done an excellent job and that the Board should be empowered to do the job they were charged to do. Mr. Solomon felt that the Sign Control Board should also be given the authority to review new sign types as technology changes and make recommendations to Council in the future.

Mayor Townsend thanked the Sign Control Board members for their excellent work and stated that the proposed changes to the Code would accomplish the task given the Board of making the Code concise and understandable going forward.

Mayor Townsend announced that Council would take a brief recess at 7:17 pm; he reconvened the Work Session at 7:27 p.m.

Review and Discuss the Budget Retreat Follow-Up Items

Mr. Johnson noted that the Budget Retreat held on July 17 and 18 presented Council with departmental budgets and revenue fund summaries proposed for the 2012-2013 budget. He noted that the budget would be filed with the City Secretary's Office on Friday, August 3. Mr. Johnson reviewed changes anticipated for the 2012-2013 budget year for revenue and expense funds, including employee compensation, employee/retiree health insurance, water/sewer

proposed rate increase, and the final certified tax values. He advised that the proposed budget included a 3% employee compensation rate increase to maintain the City's market position as compared to other cities and that Police and Fire pay plans would be adjusted to reflect a seven step plan, rather than nine steps, in order to remain competitive. He noted that no significant changes were planned for CORPlan premiums in order to maintain the "grandfathering" provision in connection with the federally mandated health insurance regulations. He also noted that the "grandfathering" provision would no longer be in effect for the 2013-2014 budget year and CORPlan changes are anticipated at that time.

Mr. Johnson stated that, as discussed during the Budget Retreat, North Texas Municipal Water District (NTMWD) had indicated significant rate increases are planned for each of the next five to seven years, with each year resulting in as much as a 19% to 22% rate increase to member cities. He noted that although a 14% increase was discussed during the Retreat, a 13% rate change was recommended to restore the 90-Day Fund Balance back to 90 days due to the City's ability to diffuse some utility debt and reduce the total debt service. Gary Beane advised that a 13% rate increase would translate to approximately \$8-\$10 per month increase to customers. Mr. Johnson noted that all NTMWD member cities face the same rate increase challenges; he advised that NTMWD indicated the increases were necessary to restore Texoma as a water source and secure a secondary water reserve in case of extreme drought conditions as experienced in previous years.

Council engaged in discussions of the following two scenarios, considering the merits of each, relative to restoring the 90-Day Fund Balance to a full 90 days:

- (1) Pass-through a rate increase of 13% to restore the 90-Day Fund Balance to 90 days, without tapping into the Rate Stabilization Fund; or
- (2) Pass-through a rate increase of 8% and use from \$1.2 Million to \$1.8 Million of the Rate Stabilization Fund to restore the 90-Day Fund Balance to 90 days or more.

Council agreed on the importance of restoring and maintaining the 90-Day Fund Balance which they felt was vital to maintaining the City's AAA Bond Rating, but differed on how that should be achieved. Council also discussed the need to make citizens aware that the increase passed on to water users was necessary to offset the substantial rate increase to the City by NTMWD. Some Council members felt it would be prudent to make citizens aware of the potential for even greater increases in the coming years.

In response to questions by Council, Mr. Johnson advised that the Rate Stabilization Fund allows the City to be reactive to emergency situations or revenue shortfall experienced throughout the year. Mr. Johnson recommended the 13% increase and no use of Rate Stabilization Fund monies to restore the Fund Balance to a full 90 days; he advised that the situation could be monitored throughout August and refinements made if necessary. Council concurred and directed Mr. Johnson to move forward with the 13% rate increase as proposed by staff.

Mr. Johnson noted that the final certified tax rolls had been received and indicated a strong 3.4% tax value change above last year's rate. He said appraisal challenges were still pending and would likely lower the final overall values. Mr. Johnson stated that the budget would move forward with a conservative 0.5% value increase, as presented at the Budget Retreat; any reserve realized over the anticipated 0.5% would be placed in a non-departmental account which could be used for additional street maintenance projects.

In response to Mr. Omar's question regarding employee compensation, Mr. Johnson stated that pay plans would be adjusted and anniversary dates refined to cause a separation to remain between positions. He noted that Human Resources was sensitive to structure and pay scales for all departments and positions. Mr. Johnson confirmed that positions are evaluated every year to preserve and maintain our position in the top one-third of surrounding cities.

Mr. Johnson advised that the next step in the Budget process was to file the Budget with the City Secretary's Office on Friday, conduct a Public Hearing on the Budget, and work toward adoption of the final 2012-2013 Budget on September 10.

Report on Items of Community Interest

Mr. Solomon extended congratulations to Mayor Townsend on the occasion of his 60th Wedding Anniversary.

There being no further business, Mayor Townsend adjourned the meeting at 9:00 p.m.

MAYOR

ATTEST:

DEPUTY CITY SECRETARY



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date:

Monday, August 13, 2012

Agenda Item:

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

Staff Resource:

Aimee Nemer, 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.



MEMO

DATE: August 9, 2012
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 12-10 – Motor Vehicle Service Station – 2750 E. PGBT

REQUEST

Kenneth D. Baca, Victron Stores LP, is requesting approval of a Special Permit for a motor vehicle service station with modified development standards. The 1.25-acre site is located at the northwest corner of President George Bush Turnpike and Renner Road and is zoned C-M Commercial.

BACKGROUND

The subject property was developed in 2001 with a motor vehicle service station 5,350 square feet in area. At that time motor vehicle service stations were permitted by right in Commercial zoning districts. In 2008 the Comprehensive Zoning Ordinance was amended to require a Special Permit for motor vehicle service stations, making all then existing stations, including the subject property, legal, non-conforming uses.

In 2011 the subject property went into foreclosure and business operations ceased. In April 2012 the property was purchased with the intent to re-open the service station, however, because the site had been vacant for more than six months, non-conforming rights had been forfeited and approval of a Special Permit is now required.

Other than signage, no changes to the site or existing structures are proposed. The applicant has expressed interest in adding a restaurant within the existing convenience store. Based on the amount of existing parking, approximately 2,000 square feet of the building could be used as a restaurant.

Access to the property from Renner Road is presently limited to westbound traffic only. The applicant is proposing to construct a hooded left turn that would provide access to the site from eastbound Renner Road, but preclude vehicles leaving the site to make a left turn back onto eastbound Renner Road.

The applicant is also requesting two variances: (1) to allow reduced internal stacking at the gas pumps and (2) to allow a maximum building height of 31'7" to the top of parapet rather than the maximum 29 feet. Both variances are being requested to allow the site and building to remain as presently configured.

No correspondence has been received concerning this request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 7-0, recommends approval of the Special Permit as presented, subject to the attached conditions.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 07-17-2012
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking West

Zoning Exhibit (Exhibit "B")
Building Elevations (Exhibit "C")
Site Photos (Exhibits "D-1" through "D-2")
Applicant's Statement
Notice of Public Hearing
Notification List

ZF 12-10 Special Conditions

1. A motor vehicle service station, without motor vehicle repair services shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit "B" and made a part thereof.
2. The motor vehicle service station shall be constructed in substantial conformance with the attached concept plan (Exhibit "B") and building elevation (Exhibit "C").
3. A variance to allow reduced internal stacking at the gas pumps as shown on the attached concept plan (Exhibit "B") shall be allowed.
4. The building parapet wall shall be allowed the maximum building height for a 1-story building as depicted on the attached building elevations (Exhibit "C").

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, August 13, 2012, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

Zoning File 12-10

A request by Kenneth D. Baca, representing Victron Stores, LP, for a Special Permit for a motor vehicle service station with modified development standards to be located at 2750 E. President George Bush Turnpike (NWC of President George Bush Turnpike/Renner Road). The property is currently zoned C-M Commercial.

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
Vickie Schmid, Deputy City Secretary

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – July 17, 2012**

Zoning File 12-10 Motor Vehicle Service Station: Consider and take necessary action on a request by Kenneth D. Baca, representing Victron Stores, LP, for a Special Permit for a motor vehicle service station with modified development standards. The 1.25-acre site is located at the northwest corner of President George Bush Turnpike and Renner Road, and is zoned C-M Commercial and supports a vacant motor vehicle service station.

Mr. Shacklett stated the applicant was requesting a Special Permit for a motor vehicle service station and convenience store with five, double-sided gas pumps located at the northwest corner of Renner Road and President George Bush Turnpike (PGBT). The site was developed in 2001, prior to the 2008 amendment of the Comprehensive Zoning Ordinance requiring Special Permits for motor vehicle service stations. The station has been vacant for more than six months; therefore, the applicant is required to obtain a Special Permit as the site no longer has nonconforming rights to a motor vehicle service station.

Mr. Shacklett pointed out the plan indicated a proposed hooded left turn lane that is under review by the City's Traffic Department to allow east bound Renner Road traffic to enter the site, but vehicles exiting the station would not be able to make a left back out across Renner Road.

In addition to the Special Permit request, Mr. Shacklett stated the applicant was requesting two variances to validate some existing nonconforming issues: 1) allow a reduction in the internal stacking at the gas pumps; and 2) allow a building with a maximum height of 31' 7" (to the top of parapet), whereas the City's code allows a maximum height of 29 feet.

Mr. Shacklett concluded his presentation stating the site complied with the PGBT design guidelines, and the applicant was planning to replace any missing or dying landscape material. He added that if the request was recommended for approval, the motion should include the conditions of attaching the zoning exhibit and elevations, as well as the variances previously mentioned.

Commissioner Bright asked if the applicant would be required to do something with the barren landscaping at the corner of west bound Renner Road and southbound PGBT. He also wanted to know where the hooded left turn lane would be located.

Mr. Shacklett replied that even though the hard corner has a very large right-of-way area and is not part of the applicant's property, the applicant would most likely re-sod the area given that it had not been maintained since the site was vacated last year.

Regarding the hooded left turn lane, Mr. Shacklett replied that it would be located on the eastbound side of Renner Road, west of the intersection of Renner Road and PGBT.

Commissioner DePuy asked if the right-of-way in question was irrigated.

Mr. Shacklett replied that he was not sure if it was irrigated or not.

Vice Chair Hand expressed concern about forcing retailers to place trees in front of their stores and referenced photos of the site to demonstrate how, if trimmed improperly, the trees can detract from the site. In addition, Mr. Hand stated he thought the hooded left turn lane was a great idea, but wanted to know why it had not been included in the drawings.

Mr. Shacklett replied the applicant was working with the City's Traffic Department on the design of the turn lane, but that it would align with the existing driveway on Renner Road.

Chairman Gantt asked if the turn lane was within the purview of the Commission.

Mr. Chavez replied that all median openings are under the jurisdiction of the City and reviewed by the Traffic Department.

Vice Chair Hand asked how the current proposal compared to a previous case on Plano and Belt Line Roads regarding the queuing of vehicles at the gas pump.

Mr. Shacklett replied that the ordinance, as written, required 57 feet from the center of the pump to the back of a parking space. The current proposal has 43 feet from the center of the pump to the back of the parking spaces and was similar to the new QT gas station on Belt Line Road.

Mr. Chavez added the Plano Road site was increasing the number of pumps as well as adding a convenience store, which caused customers to drive around the pumps to get to the store. At the current location, the site provides efficient access to the convenience store.

Vice Chair Hand asked if the current site was built as nonconforming, or had the City's policy changed since 2001.

Mr. Shacklett replied that he was not sure if the site was built as nonconforming, but staff is now putting all similar sites through the Special Permit process to validate existing site conditions.

Chairman Gantt asked if staff thought there would be an issue on the current site if 10 cars were fueling at the same time.

Mr. Shacklett replied he did not think there would be a problem and the design was a typical layout for these types of businesses. He added that many applicants who

approach the City are surprised at the 57-foot requirement and refer to it as a “sea of concrete”.

Commissioner Bright asked what the stacking distance was to the west at the service station on Plano and Belt Line Roads.

Mr. Shacklett replied that he thought it was either 41 or 43 feet, which was comparable to the proposed site; however, that site had other issues including no landscaping, problems with the placement of the canopy, and the fact that if a right turn lane was installed on Belt Line Road, the turn lane would be within 25 feet of the gas pumps.

Commissioner Maxwell asked if there was a mutual access agreement between the current site and the adjacent site and, if not, should it be removed from the site plan.

Mr. Shacklett replied that in 2001, the Comprehensive Plan showed Clear Springs Drive extending north across Renner Road, behind the service station, and connecting to the PGBT frontage road, but that segment was removed from the Plan. He added that if the Commission recommended approval, the motion could state the removal of the connection at the southwest portion of the property from the site plan.

Commissioner Bouvier asked about a possible contradiction between comments in the packet stating the site conformed to the PGBT guidelines, but in another paragraph it stated “that it will need to be replanted as approved on the landscape plan”. He also wanted to know how the landscaping on the property would be monitored.

Mr. Shacklett replied there was a previously approved landscape plan showing where all the trees and shrubs were located and that is what conformed to the guidelines. As it exists today, the site has dead and missing plant material and the applicant would be required to replant that material to conform to the guidelines.

Regarding the monitoring of the landscaping, Mr. Shacklett stated the City’s Community Services Department would inspect the property prior to the site receiving a Certificate of Occupancy (CO).

Commissioner Bouvier asked if the station would be rebranded as a Shell service station.

Mr. Shacklett replied that the applicant could speak to exactly what they would be doing with the canopy and signage as part of the rebranding.

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

Mr. Ken Baca, representing Victron Energy, 105 YMCA Drive, Waxahachie, Texas, stated his company was a large Shell distributor and the Shell brand would be retained. He added there will not be any changes to the building façade, but they would be cleaning up the site, signage, and landscaping.

Regarding the request for a hooded left turn lane, Mr. Baca stated their in-house architect submitted a design to the City that was well received, and they were waiting on an engineering survey of the median to identify where all of the improvements/modifications would be made. He added that any trees disturbed by the construction would either be replanted on the median while respecting visibility sight lines, or planted on their site with the permission of the City.

Chairman Gantt stated he appreciated the applicant's commitment to replant any trees if the turn lane was approved.

Commissioner Bouvier asked if approval of the hooded left turn lane was a condition of approval from Shell.

Mr. Baca replied Shell was not holding his company captive to the approval of the hooded left turn lane, and they had purchased the store without it, but felt it was an essential part of making the store a success. He added that they would most likely be adding a quick serve restaurant to the convenience store.

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

Commissioner DePuy commented that she thought the proposal was a good plan for the site and did not have any concerns about a left turn lane.

Chairman Gantt stated that he thought the proposal would be a nice improvement to the site and for the City.

Motion: Commissioner Bright made a motion to recommend approval of Item 3 as presented; second by Commissioner Bouvier.

Vice Chair Hand asked for clarification on the egress and ingress of the hooded left turn lane.

Mr. Shacklett replied it would be a "left in" only turn lane and any vehicle wishing to continue eastbound on Renner Road would have to exit onto the PGBT frontage road and make a left turn at the signal light.

Motion passed 7-0.



Staff Report

TO: City Council

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

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

DATE: August 9, 2012

RE: **Zoning File 12-10:** Motor Vehicle Service Station

REQUEST:

Special Permit for a motor vehicle service station (convenience store with gasoline sales) with modified development standards for a 1.25-acre lot located at the northwest corner of President George Bush Turnpike and Renner Road.

APPLICANT / PROPERTY OWNER:

Kenneth D. Baca – Victron Stores, LP / Ali Sharaf – Victron Stores, LP

EXISTING DEVELOPMENT:

The site is currently developed as a 5,350-square foot convenience store with five (5) double-sided gasoline pumps. It has been closed for approximately one (1) year.

ADJACENT ROADWAYS:

President George Bush Turnpike: Freeway/Turnpike; 49,600 vehicles per day on all lanes, eastbound and westbound, east of Central Expy (May 2011).

Renner Road: Six-lane, divided arterial; 20,400 vehicles per day on all lanes, eastbound and westbound, west of Jupiter Road (May 2011).

SURROUNDING LAND USE AND ZONING:

North: Vacant; City of Plano
South: Multi-Family; A-950-M Apartment
East: Vacant; City of Plano
West: Office; C-M Commercial

FUTURE LAND USE PLAN:

Regional Employment

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

Future Land Uses of Surrounding Area:

North: City of Plano; Research/Technology Center (future mixed-use development)

South: Multi-Family Residential

East: City of Plano; Research/Technology Center (future mixed-use development)

West: Regional Employment

EXISTING ZONING:

C-M Commercial (Ordinance Number 2516-A).

TRAFFIC/ INFRASTRUCTURE IMPACTS:

The requested zoning amendment will not have any significant impacts on the existing utilities in the area. A hooded left turn lane for vehicles on eastbound Renner Road to enter the site is proposed.

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

The site was developed in 2001 and supports a 5,350-square foot convenience store, an attached canopy and five (5) double-sided gasoline pumps. In 2011, the property was foreclosed on and the convenience store and gas station were closed.

The property was purchased in April 2012 with the intent of re-opening the convenience store and gas station; however, staff informed the owner that the use; a motor vehicle service station, now required a Special Permit. In July 2008, the Comprehensive Zoning Ordinance was amended to require a Special Permit for motor vehicle service stations in the C-M Commercial District. Prior to the amendment, the use was allowed by-right in C-M Commercial zoning districts. Since the property was abandoned for more than six (6) months, the property lost its non-conforming use rights; therefore a Special Permit to re-open the business is required.

Request:

With the exception of signage, no site, building or canopy elevations changes are proposed. The applicant has also stated there is a possibility of the addition of a restaurant within the existing convenience store. Based on the amount of existing parking, approximately 2,000 square feet could be utilized for a restaurant.

Existing Development:

- Building Size: 5,350-square foot convenience store with five (5) double-sided gasoline pumps.
- Canopy Size: 5,700-square foot, t-shaped canopy attached to convenience store covering fueling area and walkway to fueling area.
- Building Materials: The building is constructed with brick and stone with an EIFS cornice and standing seam metal roof. The building exceeds the City's minimum masonry percentage requirements.
- Setbacks and Landscape Buffer:
 - Front: 40 feet along President George Bush Turnpike and Renner Road. Minimum 30-foot landscape buffer required per the President George Bush Highway Design Guidelines.
 - No side or rear building setbacks are required
- Height: 31'7" (top of parapet).
- Floor Area Ratio: 0.10:1 / Maximum 0.60:1 allowed.
- Landscaping Percentage: 29% provided, 7% required.
- Number of Parking Spaces: 33 proposed; 16 required.

Site Related Issues:

Left Turn Lane – Although no changes are proposed to the site or building, the applicant is proposing to construct a hooded left turn lane on Renner Road to allow access to the site from eastbound Renner Road.

The applicant is working with staff to design a hooded left turn that would only allow a left to be made from eastbound Renner Road, but would prevent a left from the site out to eastbound Renner Road. Exhibit "B" depicts the general location of the left turn lane that would be reviewed and approved by the City Transportation Department prior to construction. The applicant has stated the site was negatively impacted in the past because it can only capture west bound Renner Road traffic.

President George Bush Design Guidelines

The subject property is required to conform to the President George Bush Highway (PGBH) Design Guidelines which contains requirements for landscape buffers, trees, shrubs, ground cover, screening and maintenance. The site was constructed in conformance with the (PGBH) Design Guidelines with the exception of two (2) areas near the entrances that do not provide a full 30-foot landscape setback. These areas were approved to provide adequate circulation around the fueling area.

Required landscape screening of the loading area on the rear of the building was approved as part of the landscape plan; however, it appears that some of the landscaping has been removed. The applicant is aware that the landscape screen and landscape material throughout the remainder of the site will need to be replanted as approved on the landscape plan.

Internal Stacking at Gas Pumps – The proposed motor vehicle service station will require a variance to the City's Subdivision and Development Ordinance (Chapter 21-59) relating to the amount of internal stacking required at the gas pumps.

Chapter 21-59 requires gas pumps to provide adequate parking spaces for one (1) vehicle at each pump and one (1) vehicle waiting behind those using the pumps (waiting space), with a minimum of three (3) feet between each spaces. The Ordinance also requires that a minimum of twenty-four (24) feet shall be provided behind the waiting space to allow for two-way traffic.

The internal stacking exists as approved for the original development of the site, and the applicant is proposing no changes to the design of the fueling area. Based on the existing conditions, a 14-foot variance to the required twenty-four (24) feet would be required along the east side of the gas pumps. Approximately ten (10) feet would be provided for traffic to circulate between a car waiting and the parking spaces located on the east side of the property. Also, a 12-foot variance to the required twenty-four (24) feet would be required along the west side of the gas pumps. Similar relief from this requirement was granted for the QT at Belt Line Road and Inge Drive and the Renner Road and North Star Road 7-Eleven.

Building Height – The existing building is approximately 17-18 feet tall to the roof deck. The building also has a parapet that stair steps in height to the center of the front elevation. At its highest point, the top of the parapet at the front of the building is 31’7” (approximately a 30-foot length of the building elevation is at a height of 31’7”).

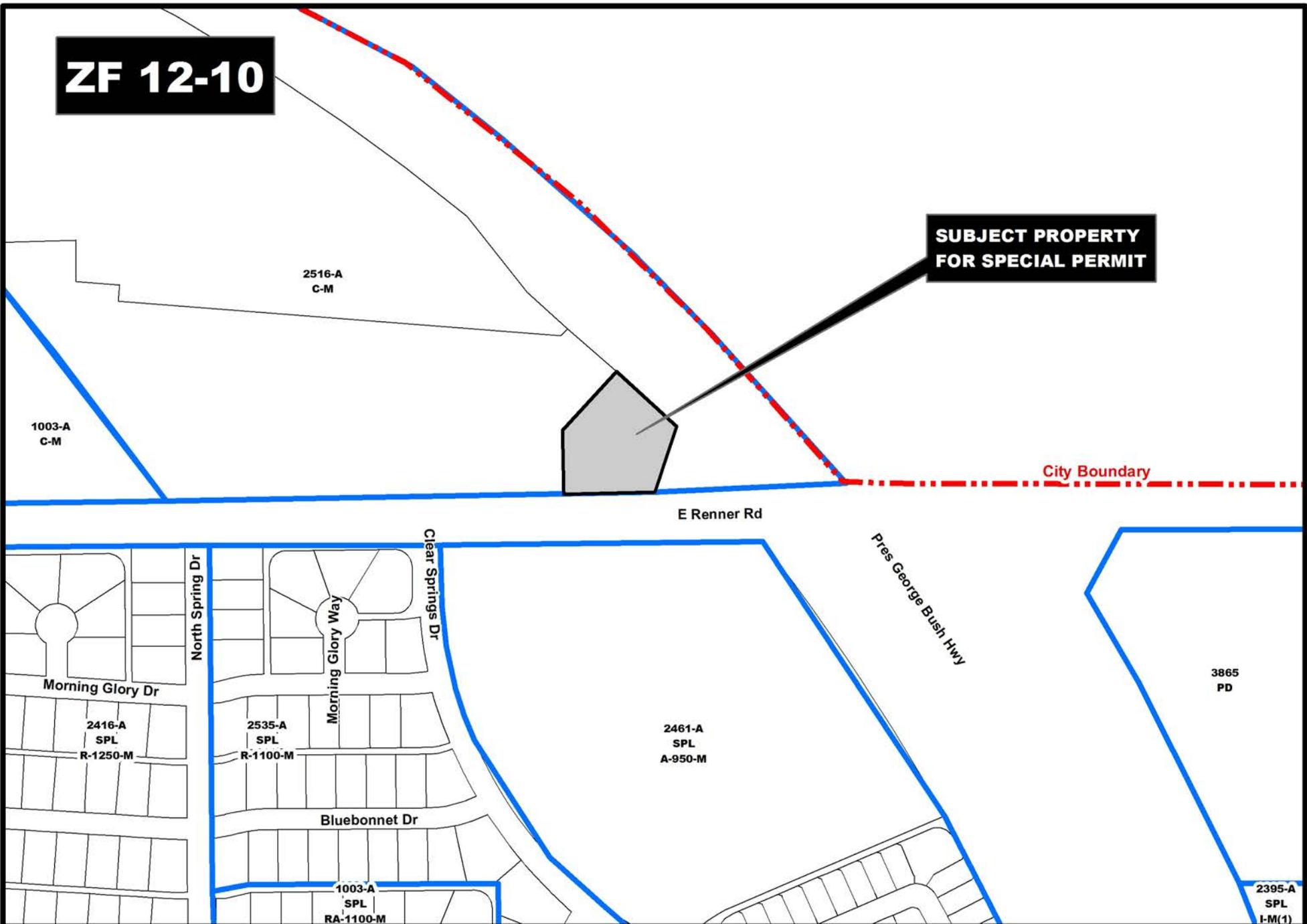
The maximum height allowed for a one-story building is twenty-five (25) feet with an additional 4-foot parapet allowed for a maximum height of twenty-nine (29) feet. It appears the existing height was provided to increase visibility for the building above the top of the 23-foot tall canopy. Similar to the internal stacking, the building exists at this height, and the applicant is proposing no changes to the building height.

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

Motion: On July 17, 2012, the City Plan Commission recommended approval of the request as presented on a vote of 7-0 subject to the following special conditions:

1. A motor vehicle service station, without motor vehicle repair services shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
2. The motor vehicle service station shall be constructed in substantial conformance with the attached concept plan (Exhibit “B”) and building elevation (Exhibit “C”).
3. A variance to allow reduced internal stacking at the gas pumps as shown on the attached concept plan (Exhibit “B”) shall be allowed.
4. The building parapet wall shall be allowed the maximum building height for a 1-story building as depicted on the attached building elevations (Exhibit “C”).

ZF 12-10



ZF 12-10 Zoning Map

Updated By: shacklett, Update Date: June 25, 2012
File: DSI\Mapping\Cases\Z\2012\ZF1210\ZF1210 zoning.mxd

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



ZF 12-10

**SUBJECT PROPERTY
FOR SPECIAL PERMIT**

City Boundary

E Renner Rd

Pres George Bush Hwy

North Spring Dr

Morning Glory Way

Clear Springs Dr

Morning Glory Dr

Bluebonnet Dr

ZF 12-10 Aerial Map

Updated By: shacklett, Update Date: June 25, 2012
File: DSI\Mapping\Cases\Z\2012\ZF1210\ZF1210 ortho.mxd

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





Renner Road

PG&T Frontage Road

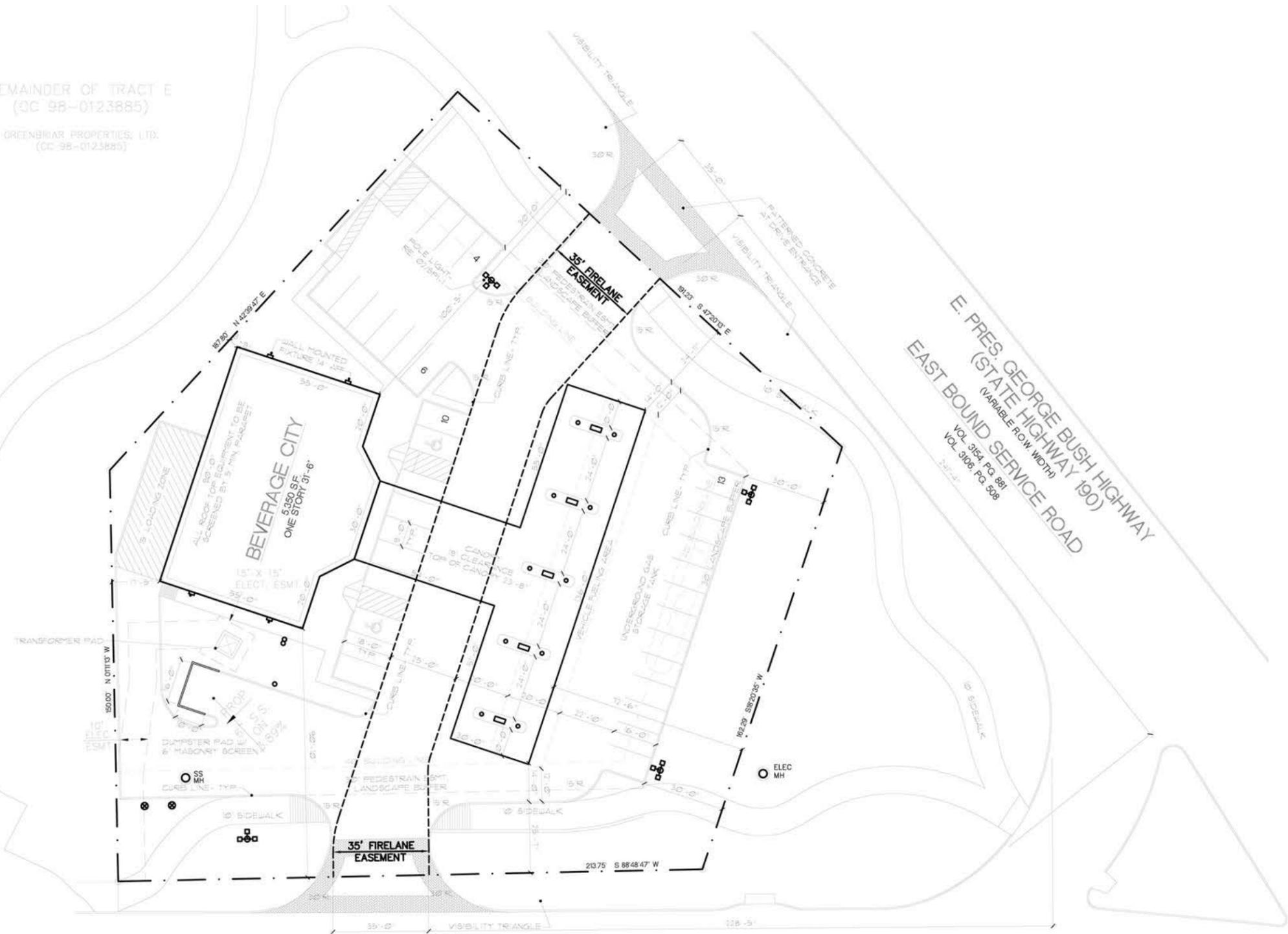
PG&T



**Oblique Aerial
Looking West**

REMAINDER OF TRACT E
(CC 98-0123885)

GREENBRIAR PROPERTIES, LTD.
(CC 98-0123885)



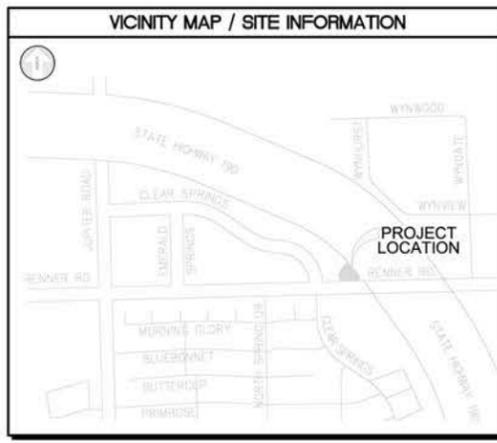
PROPOSED HOODED LEFT TURN LANE
TO BE REVIEWED/APPROVED
PER CITY TRANSPORTATION
DEPARTMENT

01 SITE PLAN
SCALE: 1" = 10'

CONTACTS	
OWNER	VICTRON STORES, L.P. P.O. BOX 2599 WAXAHACHIE, TEXAS 75168 PH: 469-517-2050 FAX: 469-517-0137
ARCHITECT	MICHAEL F. TWICHELL, L.P. 3624 OAK LAWN AVE., SUITE 320 DALLAS, TEXAS 75229 P: 214.521.3066 F: 214.599.0583 MRE TWICHELL

GENERAL NOTES	
1.	CONTRACTOR TO VERIFY ALL LOCATIONS OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.
2.	OUTDOOR LIGHTING MUST BE ORIENTED SO THAT LIGHTING LEVELS AT ALL PROPERTY LINES ARE ONE FOOT-CANDLE OF LESS.

PROJECT SUMMARY	
ZONING	C-M COMMERCIAL
ORDINANCE	2518A
SPL. CONDITIONS	NONE
MIN. SETBACK	40' BUILDING
PGBH GUIDELINES	30' LANDSCAPE
LOT AREA	1.25 ACRES (54,404 SF)
BUILDING AREA	5,350 SF
PARKING RATIO	1/333 (RETAIL)
PARKING REQ.	16 SPACES
PARKING PRO.	33 SPACES
LANDSCAPE %	
REQUIRED	7% (3,808 SF)
PROVIDED	29% (15,814 SF)
FAR	
ALLOWED	6:1 (32,642 SF)
PROPOSED	1:1 (5,350 SF)
BUILDING HEIGHT	40'11" W / IN 180'-300'
ALLOWED OF RESIDENTIAL DISTRICT	
PROPOSED	1 STORY/36' 4.0" T.O. PARADE



MICHAEL F. TWICHELL, L.P.
3624 OAK LAWN AVE.
SUITE 320
DALLAS, TEXAS 75229
214.521.3066
FAX: 214.599.0583

A PROJECT FOR:

VICTRON STORES, L.P.

P.O. BOX 2599
WAXAHACHIE, TEXAS 75168
PH: 469-517-2050
FAX: 469-517-0137

GATEWAY
#39
2750 E. PRES. GEORGE BUSH HWY
TURNPIKE COMMONS
LOT 3, BLOCK 1

ZONING EXHIBIT
(ZF 12-10)
SCALE: 1" = 20'

RETAIL PACKAGE
PROJECT: 99190
SHEET

SP1-1





ARCHITECTURE
PLANNING
CONSTRUCTION
INTERIORS

MICHAEL F. TWICHELL, L.P.
3624 OAK LAWN AVE.
SUITE 320
DALLAS, TEXAS 75219
214.521.3066
FAX: 214.599.0583

A
PROJECT
FOR:

**VICTRON
STORES, L.P.**

P.O. BOX 2599
WAXAHACHIE, TEXAS
75168
PH: 469-517-2050
FAX: 469-517-0137

**GATEWAY
#39**

2750 E. PRES. GEORGE BUSH HWY
TURNPIKE COMMONS
LOT 3, BLOCK 1

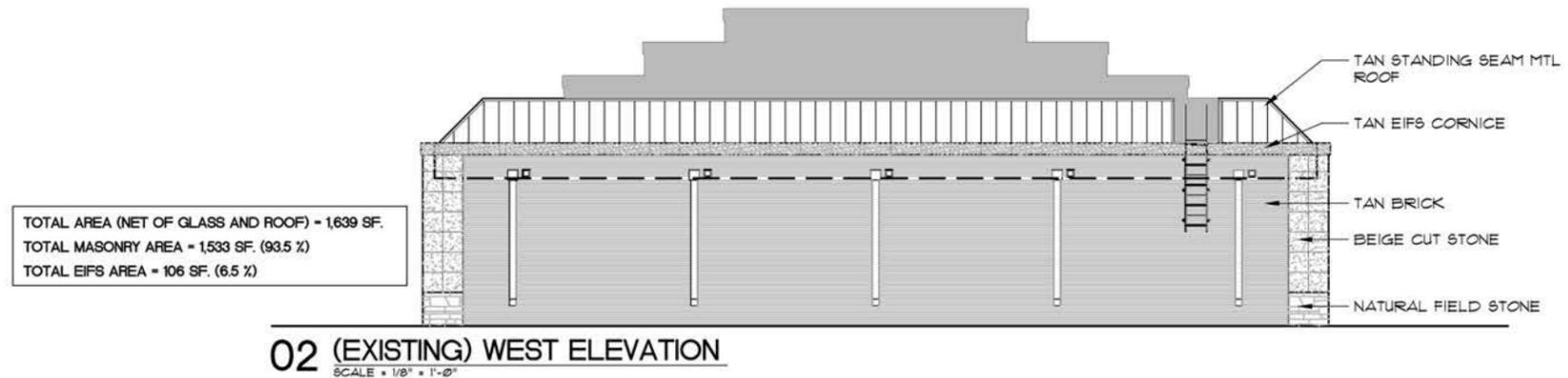
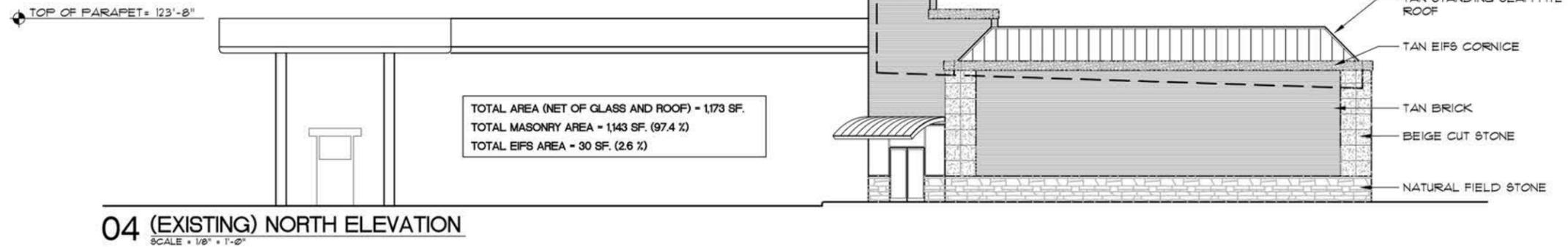
ZONING EXHIBIT
(ZF 12-10)

SCALE: 1" = 20'

RETAIL PACKAGE

PROJECT: 99190
SHEET

A2-2



GENERAL NOTES:

- SMOOTH CUT CREAM LIMESTONE VENEER AS SUPPLIED BY CUSTOM CUT STONE SUPPLY, DALLAS TX. (214.357.3614).
- ROUGH-CUT LIMESTONE EQUAL TO CREAM LIMESTONE VENEER.
- FIELD BRICK - ACME BLEND 600
- SYNTHETIC PLASTER - COLOR TO BE OYSTER BY TEIFS WALL SYSTEM
- STANDING SEAM METAL ROOFING PANELS AS MANUFACTURED BY MBCI BERRIDGE OR AEP SPAN COLOR SIMILAR TO BERIDGE (PRE-WEATHERED GALVALUME OR MBCI TUNDRA)
- ANODIZED ALUM. STOREFRONT TO BE CLEAR COLOR.

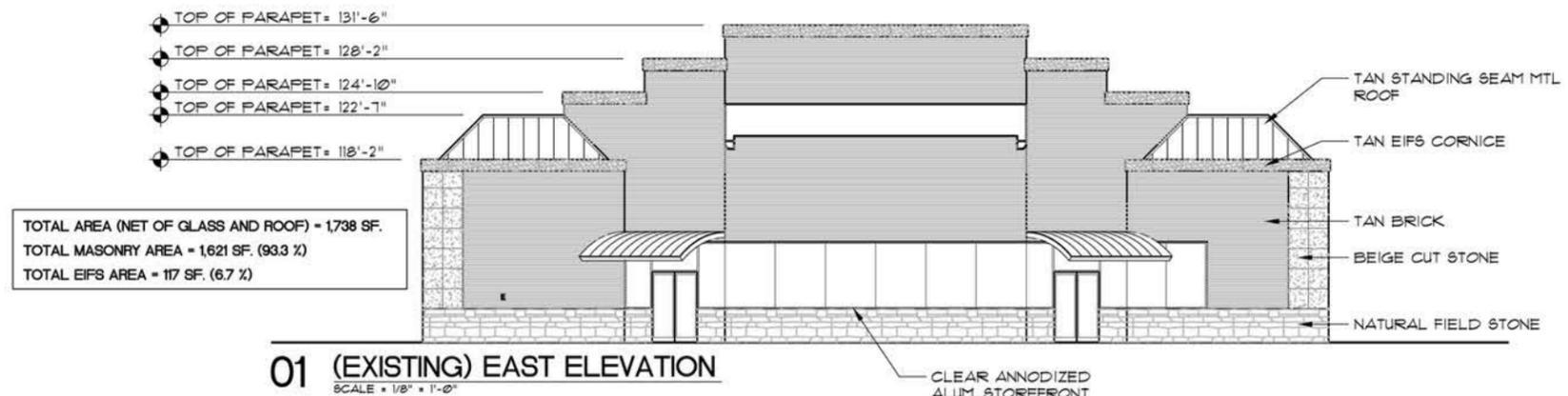


Exhibit C - Part of Ordinance



(1)

Looking West at
Subject Property

NWC PGBT & Renner - July 2012



(2)

Looking Southwest at
Subject Property



(3)

Looking South along
Rear of Property

NWC PGBT & Renner - July 2012



(4)

Renner Road - Proposed
Left Turn Location

Exhibit D-2

Explanation and Description of Request

The SUP request is to put the gasoline sales function back into operation at the facility. The store has been closed for over 6 months. The fuel equipment and operations will meet all local, state and federal guidelines. The fuel sales will compliment the re-opening of the convenience store with merchandise sales, along with the possible addition of a national fast food franchise.

We are further requesting the following variances:

1. Allow for a maximum building height of 31'7", instead of the maximum of 25 feet for a one story building.
2. Reduce the internal stacking requirement at the pumps of 57' from the center of the pump to end. This requirement is defined as a 3' waiting space, car distance, 24' drive aisle. Currently, at the facility, we have approximately 45' on the west side and 41' on the east side.

Depicted on the site plan submittal is the following comment: "Proposed hooded left turn lane to be reviewed/approved per city transportation department". Site plans have been submitted to the City Engineering/Transportation Department, to request a hooded left in. A hooded left in allows for left turns from Renner Road into the property, but does not allow for left outs, or a full motion turn. If approved, the median would be modified by the developer to allow this turning motion, as well as the receptor curb cut on Renner Rd. as well. Traffic information and drawings are presently being evaluated. A specific survey of the median has been submitted to the City as well.



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 12-10 / Motor Vehicle Service Station
Property Owner: Ali Sharaf / Victron Stores, LP
Applicant: Kenneth D. Baca / Victron Stores, LP
Location: 2750 E President George Bush Turnpike (See map on reverse side)
Current Zoning: C-M Commercial
Request: A request by Kenneth D. Baca, representing Victron Stores, LP, for a Special Permit for a motor vehicle service station with modified development standards.

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

TUESDAY, JULY 17, 2012
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.

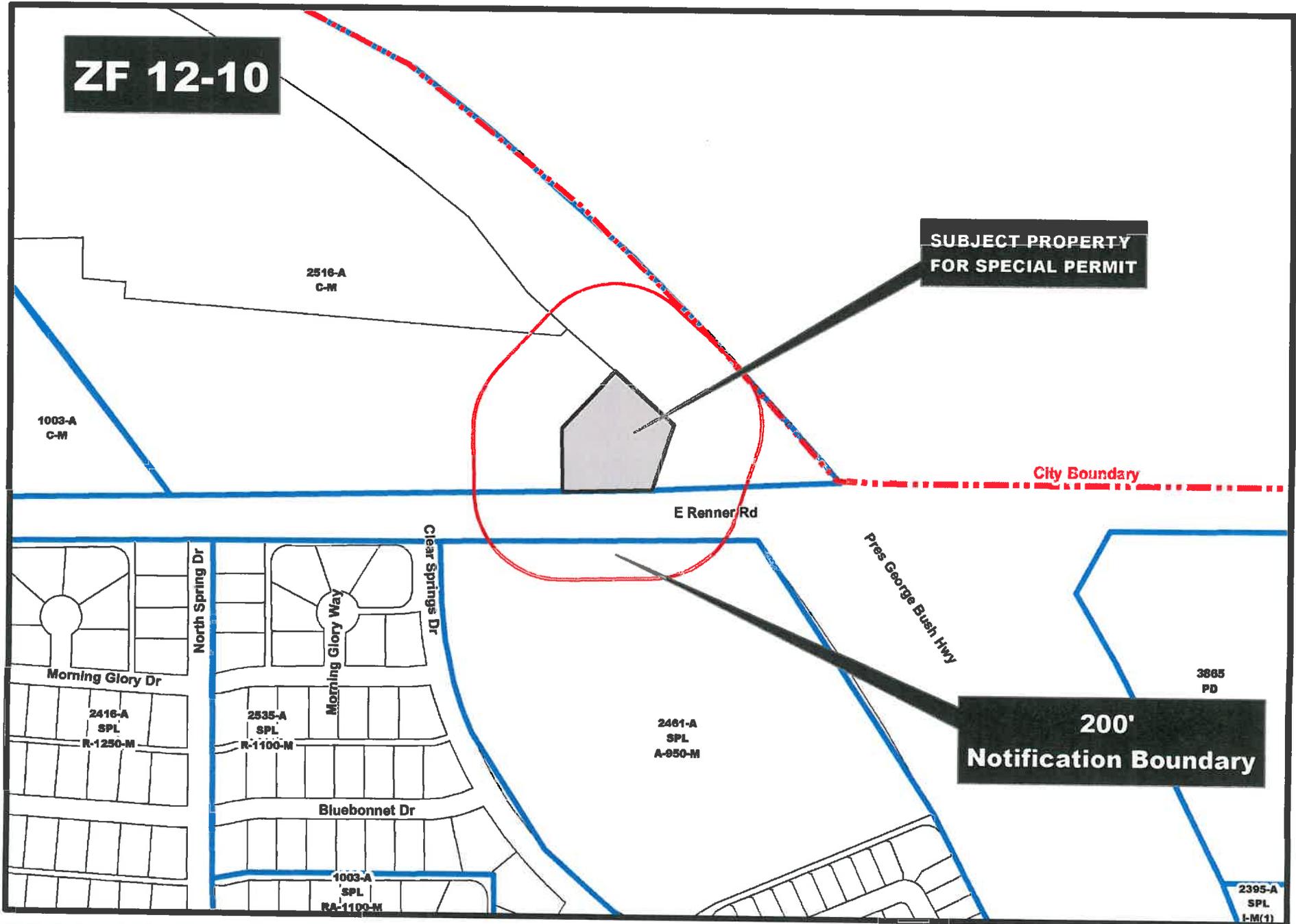
The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions or recommend denial. Final approval of this application requires action by the City Council.

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 12-10.

Date Posted and Mailed: 07/06/12

ZF 12-10



**SUBJECT PROPERTY
FOR SPECIAL PERMIT**

**200'
Notification Boundary**

ZF 12-10 Notification Map

Updated By: shacklett, Update Date: June 25, 2012
File: DSWMapping\Cases\Z\2012\ZF1210\ZF1210 notification.mxd

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UNITED CENTRAL BANK
SPECIAL ASSETS GROUP
4555 W WALNUT ST
GARLAND, TX 75042-5143

CISCO SYSTEMS INC
ATTN PROPERTY TAX DEPT
PO BOX 640580
SAN JOSE, CA 95164-0580

D CANTERBURY COURT LP
4582 S ULSTER ST STE 1200
DENVER, CO 80237-2639

KENNETH D. BACA
VICTRON STORES, LP
PO BOX 2599
WAXAHACHIE, TX 75168

CISCO SYSTEMS SALES & SERVICE
170 W TASMAN DR
SAN JOSE, CA 95134-1700

ALI SHARAF
VICTRON STORES, LP
PO BOX 2599
WAXAHACHIE, TX 75168

ZF 12-10
Notification List

ORDINANCE NO. 3873

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE WITH MODIFIED DEVELOPMENT STANDARDS ON A 0.83-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED AT 177 WEST CAMPBELL ROAD, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; BY REPEALING ORDINANCE NO. 2471-A; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 12-08).

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

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

SECTION 1. That Ordinance No. 2471-A, adopted on February 18, 1985, is hereby repealed.

SECTION 2. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning to grant a Special Permit for a restaurant with drive-through service subject to modified development standards on a 0.83-acre tract of land zoned LR-M(2) Local Retail located at 177 West Campbell Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 3. That the Special Permit for a restaurant with drive-through service is hereby granted subject to the following modified development standards:

1. The Special Permit for a restaurant with drive-through service shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on attached concept plan, marked as Exhibit "B" and made a part thereof.
2. The restaurant with drive-through service shall be constructed in substantial conformance with the concept plan (Exhibit "B") and building elevations attached as Exhibits "C-1" and "C-2".
3. A minimum 3-foot landscape buffer, located on the subject property, shall be provided along Campbell Road.

SECTION 4. That the above-described tract of land shall be used in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, as heretofore amended, and subject to the aforementioned special conditions.

SECTION 5. That all 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 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon

conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 13th day of August, 2012.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:tlo:07-27-12)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 12-08

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND OUT OF THE WILLIAMS HUGHES SURVEY, ABSTRACT NO. 573, DALLAS COUNTY, TEXAS AND BEING ALL OF LOT 2, BLOCK A OF UNIVERSITY BUSINESS CENTER, AN ADDITION TO THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 81064, PAGE 506, DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING THE SAME TRACT OF LAND CONVEYED TO BURGER KING CORPORATION, A FLORIDA CORPORATION BY DEED AND RECORDED IN VOLUME 85025, PAGE 1041 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF WEST CAMPBELL ROAD (140' RIGHT-OF-WAY), SAME BEING THE NORTHEAST CORNER OF SAID LOT 2;

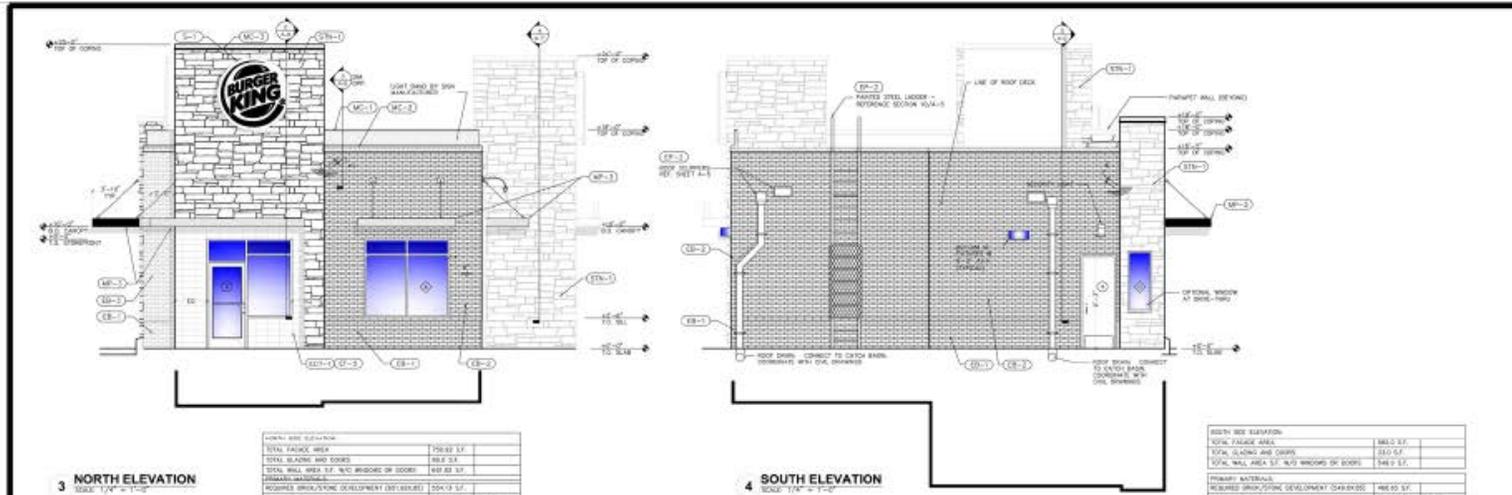
THENCE SOUTH 00° 24' 20" EAST, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID WEST CAMPBELL ROAD AND ALONG THE EAST LINE OF SAID LOT 2 AND COMMON TO THE WEST LINE OF TRANSCONTINENTAL HILTON INN ADDITION, AN ADDITION TO THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 80070, PAGE 2146 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS FOR A DISTANCE OF 195.00 FEET TO A 5/8" IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID LOT 2, SAME BEING THE COMMON CORNER OF LOT 3 OF BLOCK A OF UNIVERSITY BUSINESS CENTER, AN ADDITION TO THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 81121, PAGE 362, DEED RECORDS OF DALLAS COUNTY, TEXAS ;

THENCE SOUTH 89° 35' 40" WEST, ALONG THE SOUTH LINE OF SAID LOT 2 AND THE COMMON NORTH LINE OF SAID LOT 3, FOR A DISTANCE OF 185.00 FEET TO A 5/8" IRON ROD SET FOR THE COMMON CORNER OF SAID LOTS 2 AND 3;

THENCE NORTH 00° 24' 12" WEST, ALONG THE COMMON LINE OF SAID LOTS 2 AND 3, FOR A DISTANCE OF 195.84 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID WEST CAMPBELL ROAD, SAME BEING THE COMMON CORNER OF SAID LOTS 2 AND 3;

THENCE SOUTH 89° 20' 32" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID WEST CAMPBELL ROAD, FOR A DISTANCE OF 45.12 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 89° 35' 40" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID WEST CAMPBELL ROAD, FOR A DISTANCE OF 139.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.8286 ACRES (36,093 SQUARE FEET) OF LAND, MORE OR LESS.



3 NORTH ELEVATION
Scale: 1/4" = 1'-0"

4 SOUTH ELEVATION
Scale: 1/4" = 1'-0"

TOTAL AREA SUMMARY	
TOTAL FAÇADE AREA	750.00 S.F.
TOTAL GLAZING AND DOORS	480.00 S.F.
TOTAL WALL AREA S.F. AND WINDOWS OF DOORS	480.00 S.F.
PERMANENT MATERIALS	
REQUIRED SIGN/COPY DEVELOPMENT (S&P) (S&P)	104.00 S.F.
SB-1 & SB-2 BRICK	204.00 S.F. @ 2.00
SB-1 - STONE	388.00 S.F. @ 2.00
TOTAL PERMANENT MATERIALS	700.00 S.F. @ 2.00
SECONDARY MATERIALS	
MAX ALLOWED (S&P) (S&P)	107.76 S.F.
TO CITY (S&P) WALL (S&P)	12.00 S.F. @ 2.00
SB-1 - STONE (S&P)	12.00 S.F. @ 2.00
TOTAL SECONDARY MATERIALS PROVIDED	24.00 S.F. @ 2.00

SOUTH SIDE ELEVATION	
TOTAL FAÇADE AREA	540.00 S.F.
TOTAL GLAZING AND DOORS	210.00 S.F.
TOTAL WALL AREA S.F. AND WINDOWS OF DOORS	330.00 S.F.
PERMANENT MATERIALS	
REQUIRED SIGN/COPY DEVELOPMENT (S&P) (S&P)	104.00 S.F.
SB-1 & SB-2 BRICK	48.00 S.F. @ 2.00
SB-1 - STONE	56.00 S.F. @ 2.00
TOTAL PERMANENT MATERIALS	104.00 S.F. @ 2.00
SECONDARY MATERIALS	
MAX ALLOWED (S&P) (S&P)	80.00 S.F.
TO CITY (S&P) WALL (S&P)	8.00 S.F. @ 2.00
SB-1 - STONE (S&P)	8.00 S.F. @ 2.00
TOTAL SECONDARY MATERIALS PROVIDED	16.00 S.F. @ 2.00

CODE	MATERIAL	LOCATION	MANUFACTURER	PRODUCT	RESPONSIBILITY	DATE	REVISIONS
SB-1	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	TOP OF ROOF TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-2	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-3	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-4	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-5	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-6	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-7	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-8	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-9	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
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SB-6	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-7	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-8	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-9	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1
SB-10	EXTERIOR BRICK	GENERAL	DEWBRIDGE BRICK	2000-10-10-0000	10' BELOW TOP OF SIGN TO 10' BELOW TOP OF SIGN	08/12/12	1

GENERAL NOTES:
 1. SIGNAGE FOR ILLUSTRATIVE PURPOSES ONLY.
 SUBJECT TO COMMUNITY SERVICES APPROVAL.
 2. ILLUMINATED BAND TO BE PART OF CPC/CC APPROVAL AND NOT TO BE CALCULATED AS PART SIGNAGE.

Exhibit C-2 - Part of Ordinance
 CITY COMMENTS 6-28-12

BURGER KING RESTAURANT
 177 W. CAMPBELL
 RICHARDSON, TEXAS 75080

BURGER KING
 FRESHMAN PROPERTIES
 2008 FOREST LN. SUITE 200
 DALLAS, TEXAS 75201

zstudio design
 www.zstudio.com
 DALLAS - HOUSTON - SAN ANTONIO

A-2.1

ORDINANCE NO. 3874

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 18, SIGN REGULATIONS, BY AMENDING DEFINITIONS, AREA REGULATIONS, SIGN CLASSIFICATIONS AND OTHER STANDARDS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 18, Sign Regulations, in part by amending definitions, area regulations, sign classifications and other standards, to read as follows:

“ARTICLE I. IN GENERAL

Sec.18-1. Short title.

This chapter shall hereafter be known and cited as the “Sign Regulations.”

Sec. 18-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned Sign means a sign that depicts or refers to a product, business, service, activity, condition or occupation which has changed in such a manner that the sign no longer properly or appropriately identifies or describes said product, business, service, activity, condition or occupation, which no longer exists at the location referred to in the sign, or no longer exists or operates at any location.

Alter means to change the size, shape or outline, copy, nature of message, intent or type of sign.

Board means the Sign Control Board.

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.

Copy means logos, characters, symbols or any other portion of a sign which conveys a message or information.

Director of Community Services means the officer or person within the city charged with the administration and enforcement of this chapter.

Erect means to build, construct, attach, hang, place suspend or affix, and shall also include the painting of signs on the exterior surface of a building or structure, and also includes the painting or affixing of signs to the exterior or interior surface of windows, and includes signs located interior to a building but readily visible from the exterior.

Facing or *surface* means the surface or surfaces of the sign upon, against or through which the message is displayed or illustrated on the sign.

Freeway means any major thoroughfare where right-of-way is 250 feet or greater and so designated by the city master street plan.

Illuminated sign means any sign which has characters, letters, figures, designs or outline illuminated directly or indirectly by electric lights, luminous tubes or other means.

Landscaping means any plant materials including, but not limited to, live trees, shrubs, groundcovers, grass, flowers, and native landscape materials; also including, but not limited to, inorganic features such as planters, stone, brick, and aggregate forms, water, or other landscape elements approved by the Director of Community Services.

Logo means any design, insignia or other marking of a company, business or product, which is used in advertising to identify the company, business or product.

Monument sign means any sign that is contiguous to the ground and not elevated above grade by use of poles, struts, or wires and 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, sign structure, a sign base and sign cap.

Noncombustible material means any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit and will not continue to burn or glow at that temperature or shall have a flame spread of 25 or less.

Outdoor Structure means anything constructed or erected which requires a permanent location on the ground or which is attached to something having a fixed location on the ground, designed and intended to provide identity, decoration or protection from the elements, including, but not limited to, supporting walls, canopies, awnings, porte-cocheres, appurtenances or other permitted structures as determined by the Director of Community Services.

Projecting structures means covered structures of a permanent nature which are constructed of approved building material, specifically excluding canvas or fabric material, and

where such structures are an integral part of the main building or permanently attached to a main building and do not extend over public property. “Projecting structures” includes marquee, canopy and fixed-awning-type of structures.

Roof line means the height which is defined by the intersection of the roof of the building and the wall of the building; except, for mansard-type roofs, the “roof line” means the top of the lower slope of the roof. Roofs with parapet walls completely around the building and not exceeding four feet in height may be considered as the “roof line” for the purposes of this chapter.

Sign means an outdoor structure, display, light device, figure, painting, drawing, message, plaque, poster, billboard, name, announcement, insignia, banner, mural, description, logo, illustration, neon tube or other thing that is designed, intended or used to advertise or inform about an activity, place, product, person, organization, business or other legally-permitted service.

Sign, on-premises, means a sign identifying or advertising a business, person, organization, activity, event, place, service or product on the same premises as the business, person, organization, activity, event, place, service or product that is principally located or primarily sold or manufactured.

Sign, off-premises, means a sign identifying or advertising a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

Structural trim means the molding, battens, cappings, nailing strips, latticing and platforms which are attached to the sign structure.

Vehicle means any automobile, truck, camper, tractor, van, trailer or any device capable of being transported and shall be considered a “vehicle” in both moving and stationary modes, irrespective of state of repair or condition.

Sec. 18-3. Responsibility for violation.

The owner of the sign, the owner of the land or structure, or the person in charge of erecting, altering, replacing, relocating or repairing the sign or structure are all subject to the provisions of this chapter and, therefore, subject to the penalty provided for the violation of this chapter.

Sec. 18-4. Penalties.

Any person violating any provision of this chapter shall be punished as provided in section 1-8.

Sec. 18-5. Prohibited signs.

It shall be unlawful for any person to erect, cause to have erected, or allow to remain erected any sign or condition prohibited in this section and shall remove such sign or correct such condition immediately upon notice by the building official:

- (1) It shall be unlawful for any person to display or advertise upon any sign any obscene, indecent or immoral matter.
- (2) No person shall erect, maintain or permit the erection of any balloon or other floating device anchored to the ground or to any structure, except as allowed by other provisions of this chapter.
- (3) No person shall attach any sign, paper or other material or paint, stencil or write any name, number (except house numbers) or otherwise mark on any sidewalk, curb, gutter, street, tree, tower, utility pole, public building, public fence or public structure for advertising purposes, except such signs as are permitted by this chapter to be placed in the public right-of-way. Any sign placed on public property, or public right-of-way may be removed without prior notice.
- (4) No sign located internal or external to a building or vehicle shall be illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance. Moving, flashing, animated, intermittently lighted, changing color, beacons, revolving or similarly constructed signs shall not be allowed except where permissible in this chapter. Jump clocks or digital display devices showing time or temperature may be allowed only by a special permit of the sign control board.
- (5) No person shall place on or suspend from the exterior of any building, pole, structure, projecting structure, parkway, driveway or parking area any goods, wares, merchandise or other advertising object or structure for the purpose of advertising such items, other than a sign as defined, regulated and prescribed by this chapter except as otherwise allowed by ordinance controlling the outside storage and display of goods, wares or merchandise.
- (6) No cloth, paper, banner, flag, device or other similar advertising matter shall be permitted to be attached, suspended from or allowed to hang loose from any sign, building or structure, except as allowed by other provisions of this chapter.
- (7) No lighted sign shall be erected within 150 feet of a residential property line unless lighting is shielded from view in the direction of the residential district. Signs erected at a public school that are regulated by an automated timer that limits the period of illumination from 6 a.m. to 10 p.m. shall be permitted to be erected 50 feet or more from a residential property line.
- (8) No signs attached to a trailer, skid or similar mobile structure, where the primary use of such structure is for sign purposes, will be permitted. This provision does

not restrict the identification signage on vehicles used for delivery service, interstate commerce or any bona fide transportation activity.

- (9) Vehicles to which signs are affixed shall be parked behind the rear building wall in which the business is legally operating unless the vehicle is actively being used for loading, unloading, or delivering goods, merchandise or services. Vehicles to which signs are affixed that cannot be physically parked behind the rear building wall in which a business is legally operating shall be parked in a single, marked parking space behind said building's front building wall. Vehicles to which signs are affixed that cannot be parked behind said building's front building wall shall be parked in a single, designated parking space a maximum of 100 feet from said business' primary entrance. Vehicles to which signs are affixed must be parked a minimum of 20 feet from any street right of way. Vehicles to which signs are affixed shall be parked completely and wholly in a single designated parking space. Signs attached to a vehicle shall be incidental to the bona fide use for transportation purposes of the vehicle to which the sign is attached. If a vehicle displaying a sign is not a bona fide use for transportation purposes, the vehicle shall be deemed to be a sign and subject to all provisions of this chapter pertaining to freestanding signs. It shall be a rebuttable presumption that a vehicular sign is not a bona fide use for transportation if the vehicle is stopped, parked, or allowed to remain at the same location within the site for any period exceeding 24 hours or contains arrows, directional information or promotional advertising relating to the business.
- (10) A-frame signs and sandwich-board signs are prohibited. Similar types of portable signs are prohibited except where specifically permitted in article III of this chapter.
- (11) No person shall erect, maintain or permit the erection of portable lighting displays including, but not limited to, laser lights and displays and searchlights.
- (12) A canopy may not be illuminated in a manner to allow the transmission of light through the canopy material unless allowed by a special permit of the sign control board.
- (13) Signs that are held by or attached to a human being, with the exception of political signs, are prohibited. A human sign includes a person dressed in costume for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product.

Sec. 18-6. General regulations.

All sign types, where permitted, shall conform to the general regulations listed in this chapter:

- (1) No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape except signs relating directly to such.
- (2) Traffic or other municipal signs, legal notices, railroad crossing signs, danger and such emergency, temporary signs are not subject to the provisions of this chapter.
- (3) In order to obtain and secure reasonable traffic safety, it shall be unlawful for any person to erect or maintain any fluttering, undulating, swinging, rotating or otherwise moving sign or any flashing sign. No sign shall be erected or maintained in such a manner as to obstruct free and clear vision; or at any location where, by reason of position, shape, color, degree, manner or intensity of illumination, it may interfere with vehicular or pedestrian traffic. Pursuant to the foregoing, no sign shall be erected or maintained in such manner as to be likely to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. Accordingly, no sign shall make use of the words "stop," "go," "look," "slow," "danger" or any other similar word, phrase, symbol or character, or employ any red, yellow, orange, green or other colored lamp or light in such a manner as to interfere with, mislead or confuse traffic, whether located exterior or interior to a building or structure.
- (4) All signs which are constructed on street lines, or within five feet thereof, shall have a smooth surface and no nails, tacks or wires shall be permitted to protrude therefrom, except electrical reflectors and devices which may extend over the top and in front of the advertising structures, where subject to reach of pedestrian traffic.
- (5) Gooseneck reflectors and lights shall be permitted on ground signs, roof signs and wall signs; providing, however, the reflectors shall be provided with proper glass lenses when necessary to concentrate the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.
- (6) The permittee or owner of any sign shall maintain all parts and supports of such sign in good condition to prevent deterioration, oxidation, rust, paint peeling and other unsightly conditions.
- (7) All illuminated signs shall be subject to the provisions of the electric code of the city as may be amended. In addition, all internally illuminated signs shall be listed by an accredited listing agency and shall be installed in accordance with chapter 600 of the National Electric Code, unless otherwise approved by special permission.
- (8) Signs for locations granted a special use permit under article XXII-A of the zoning ordinance of the city [appendix A to this Code] shall be based on the applicable zoning classification of the use in lieu of the base zoning. Example: A tract of land has a zoning of O-M and has been rezoned as O-M with a special permit for an industrial use. Signing shall be based on I-M(1) zoning unless

otherwise specified in the special use ordinance. The Sign Regulations in Article III of this Chapter pertaining to signs in local retail and commercial zoning districts shall be applicable in any zoning district if more than 50 percent of the building or buildings are used for retail or commercial use.

Secs. 18-7 -- 18-25. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

DIVISION 1. GENERALLY

Sec. 18-26. Nonconforming existing signs.

A sign that, having been permitted to remain in place as a nonconforming use under the provisions of this chapter, is blown down or otherwise destroyed or dismantled for any purpose, other than maintenance operations or for changing the letters, symbols or other matter on the sign, shall not be repaired, rebuilt or reconstructed. For purposes of this section, a sign or a substantial part of a sign is considered to have been destroyed only if the cost of repairing the sign is more than 60 percent of the cost of erecting a new sign of the same type at the same location.

Sec. 18-27. Variance fees and notification.

An application for a variation to the conditions of this chapter shall be accompanied by a variance application fee set in accordance with a resolution of the city council enacted from time to time for this purpose. Such application for a variance may cover more than one sign, but shall apply to one applicant and one location. The notification for a variance application must appear in the official newspaper of the city at least seven days prior to the date on which the request is heard by the sign control board. The variation application must contain the following information:

- (1) Name, address and telephone number of the applicant.
- (2) Location of building, structure or lot to which or upon which the sign is to be attached or erected.
- (3) Position of the sign in relation to nearby buildings or structures, including other signs.
- (4) The specific variation requested and the reasons and justification for such requests.
- (5) An electronic copy of sign specifications and site plans or eleven paper copies of the sign specifications and site plans shall be required.

Sec. 18-28. Inspection.

The Director of Community Services or designee shall inspect annually, or at such other times as he deems necessary, each sign regulated by this chapter for the purpose of ascertaining whether the same is secure or insecure, whether it still serves a useful purpose and whether it is in need of removal or repair. Signs shall be maintained by the owner and/or person in control of the property in a good state of repair, and in the same condition when such sign was installed, save and except reasonable wear and tear.

Sec. 18-29. Exempt signs.

A political sign that has an effective area of 36 square feet or less, is not more than eight feet in height and which is not illuminated, or have any moving parts, other than a sign including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political, is exempt from the provisions of Chapter 18.

Sec. 18-30. Abandoned signs.

Within 180 days after any business has abandoned its location or tenant space, the owner, agent, or person having beneficial use of the building, structure, or the lot or tract where such business was located shall remove all signs relating to such business or have the face replaced with a non-transparent, weatherproof, blank face.

Secs. 18-31 -- 18-45. Reserved.

DIVISION 2. SIGN CONTROL BOARD

Sec. 18-46. Creation, composition.

There is hereby established a sign control board consisting of five members and two alternate members appointed by the city council. Members and alternates may participate, except that only members will vote. In the event of a member's absence, the alternate will fulfill those duties.

Sec. 18-47. Qualification of members.

Members of the sign control board shall be owners of record of real property in the city.

Sec. 18-48. Terms of members.

Members of the sign control board shall be appointed for a period of two years. In the event of a vacancy, the city council shall appoint a member to serve the unexpired term. In the event a replacement or reappointment has not been made at the end of a member's designated term, such member will continue to serve until reappointed or replaced.

Sec. 18-49. Compensation.

Members of the sign control board shall serve without compensation.

Sec. 18-50. Officers.

The city council shall designate the following sign control board officers and their respective term of office shall run concurrent with their respective term of appointment.

- (1) *Chairman.* The chairman shall preside at all meetings where he is present. The chairman shall implement or cause to have implemented any practice or procedure in the calling of meetings, conduct of meetings or reporting of activities that he considers in the best interest of the board and shall so inform the city council or consult with the city council when requested and at such times when it appears necessary or desirable.
- (2) *Vice-chairman.* The vice-chairman shall assist the chairman in directing the total affairs of the board. In the absence of the chairman, the vice-chairman shall assume all duties of the chairman.

Sec. 18-51. Temporary chairman; quorum.

In the event of the absence of the chairman and vice-chairman of the sign control board, the three members constituting the quorum shall elect, for that meeting, a member to preside as acting chairman and assume all duties of the chairman. All motions shall be decided by a simple majority of the members present. A tie vote shall constitute failure of the motion.

Sec. 18-52. Meetings.

The sign control board shall establish one stated meeting per month and shall call special meetings as required to conduct its duties. All stated meetings shall be open to the public. The board shall establish the date, time and place of the meetings.

Sec. 18-53. Records.

All proceedings of the sign control board shall be recorded in minutes of meeting approved by the board and made a matter of public record.

Sec. 18-54. Powers, duties.

The sign control board shall have the following powers and perform the following duties:

- (1) The city council authorizes the sign control board to sit as a board of appeals in public hearings for purposes of this chapter. In considering the requests for variation to requirements of this chapter, the sign control board shall consider, but not be limited to, the degree of variance, the reasons for variance requested, the

location of variance request, the duration of the requested variance, the effect on public safety, protection of neighborhood property, the degree of hardship or injustice involved, and the effect of the variance on the general plan for signing within the city. The sign control board shall grant the variance requested, grant a variance of a greater or lesser nature than requested, or deny a variance request.

- (2) All action on variance requests shall be submitted to the city council for review and such decisions of the board shall become final unless reversed or modified by the city council no later than at the second city council meeting following the sign control board meeting at which formal action was taken by the board. In reviewing the action of the board, or variance requests, the council shall consider the records made at the hearing before the sign control board.
- (3) The sign control board shall conduct continuing studies of sign ordinances in neighboring municipalities as well as other cities where such study will assist in upgrading the function of signing within the city and make recommendations to the city council where appropriate.
- (4) The sign control board will conduct a continual review of all nonconforming signs and all variances granted and determine their desirability and effects upon the neighborhood and city and make recommendations to the city council where appropriate.
- (5) The sign control board will evaluate new signing techniques as such are developed and recommend to the city council their benefits or disadvantages in the city.
- (6) The sign control board may discuss the planning of signing in new or existing developments upon request of the developer.
- (7) The sign control board shall conduct studies, prepare opinions and general plans as requested by the city council.
- (8) The sign control board shall perform any duties specified elsewhere in this chapter.
- (9) The sign control board may, from time to time, recommend to the city council amendments or changes to this chapter.

Secs. 18-55 -- 18-75. Reserved.

DIVISION 3. SIGN PERMIT

Sec. 18-76. Required.

- (1) *Erect, alter, replace or relocate.* For those signs that require a permit, it shall be unlawful for any person to erect, alter or relocate within the city any permissible sign, without first obtaining a sign permit from the Director of Community Services or designee and

making payment of the fee required. The permit may cover more than one sign, but shall apply to only one applicant and one location.

- (2) *Repair.* It shall be unlawful for any person to repair any sign requiring a permit when the value of such work exceeds \$200.00 without first obtaining a repair permit from the Director of Community Services or designee and making payment of the fee required.

Sec. 18-77. Application.

- (1) *Erect, alter, replace or relocate.* Applications for permits to erect, alter, replace or relocate a sign shall contain or have attached thereto the following information:
 - a. Name, address and telephone number of the applicant.
 - b. Location of building, structure or lot to which or upon which the sign is to be attached or erected.
 - c. Position of the sign in relation to nearby buildings or structures, including other signs.
 - d. Two blueprint or ink drawings of the plans and specifications are required, including electrical wiring, construction, type of materials, method of attachment to building or structure and foundation for freestanding signs.
 - e. Copy of stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and ordinances of the city. The designing engineer for a pole or monument sign shall seal his design calculations and stress sheets.
 - f. Name and address of the person erecting the sign.
 - g. Such other information as the Director of Community Services or designee shall require to show full compliance with this and all other laws and ordinances of the city.
- (2) *Repair.* Application for sign repair permits shall contain or have attached thereto the following information:
 - a. Name, address, and telephone number of the sign owner.
 - b. Name, address and telephone number of the person providing the repair service.
 - c. Location of building, structure or lot upon which sign is located.
 - d. Description of the repair activity to be performed.

- e. Such other information as the Director of Community Services or designee shall require to show full compliance with this and all other laws and ordinances of the city.
- (3) Internally illuminated signs. Electric signs, sign sections, and outline lighting shall be listed by an accredited listing agency and shall be installed in accordance with chapter 600 of the National Electric Code, unless otherwise approved by special permission. The electrical inspector may examine the plans and specifications submitted with the sign application and disapprove the application if it does not comply with the electrical code of the city.

Sec. 18-78. Issuance and term.

- (1) It shall be the duty of the Director of Community Services or designee, upon the filing of an application for a sign permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect or repair the sign, and if it shall appear that the proposed structure is in compliance with all the requirements of this chapter, the building code and all other laws and ordinances of the city, he shall then issue the sign permit. If the work authorized under a sign permit has not been completed within six months after date of issuance, the permit shall become null and void.
- (2) No variance shall be valid for a period longer than 180 days from the date of the variance approval unless a permit is obtained within such period and the erection or alteration of the sign is started within such period.

Sec. 18-79. Fees.

Fees for the issuance of a sign permit shall be determined from time to time by appropriate resolution of the city council.

DIVISION 4: MINOR MODIFICATION

Sec.18-80. Generally.

In order to provide a method to allow for minor numerical adjustments or consider alternatives for a particular standard of this code, minor modifications may be permitted. Requests for a minor modification pursuant to this chapter do not constitute a request for a variance and shall not be subject to review by the sign control board.

Sec. 18-81. Applicability.

The following minor modification may be approved administratively by the Director of Community Services: to consider and authorize an adjustment of up to 10% of a square foot or height standard set forth in the sign code.

Sec. 18-82. Approval Criteria.

To approve a minor modification, the Director of Community Services must determine that the modification meets the following criteria:

- (1) Is an obvious and needed modification;
- (2) Meets the general goals of the City and is consistent with the purposes and intent of this Chapter; and
- (3) Will not materially or adversely affect adjacent land uses or uses in the immediate vicinity of the proposed sign.

Secs. 18-83 -- 18-95. Reserved.

ARTICLE III. SIGN TYPES

Sec. 18-96. Sign Types described.

This article concerns some of the types of permanent and temporary signs under the provisions of this chapter. This article further includes the purpose of each sign type, maximum size, number, location, landscaping requirements, design, and permit provisions for each type of sign. The criteria set forth in this article shall be in addition to all other criteria as applicable and provided in this chapter.

- (1) **ADDRESS NUMBERS**
 - a. **Definition/Purpose:** Signs containing street address numbers.
 - b. **Size:** 12 inches in height.
 - c. **Number:** Two sets per building.
 - d. **Location:** N/A
 - e. **Landscaping:** N/A
 - f. **Design:** N/A
 - g. **Permit Required:** No.

- (2) **ATTACHED SIGNS**
 - a. **Definition/Purpose:**
 - i. Any sign not defined as a window sign and affixed directly or indirectly to the exterior of any surface of any building, to a projecting structure of a building, or to any outdoor structure.
 - ii. Any sign painted or attached directly on the roof surface of a building intended to be visible from the air where such roof surface, when projected to ground level, forms an angle with the ground plane of less than 25 degrees, providing such signs shall contain only the identification of an establishment, directional information of value to air transportation, and services available and of interest to air transportation users.

b. Size:

- i. Apartment zoning districts: 40 square feet in area.
- ii. Office, technical office, and industrial zoning districts:
 - 1. For single story buildings intended for multiple occupancy and where the integral architectural design provides for separate features for attaching signs: 15 square feet in area for each tenant.
 - 2. All other buildings: Five percent of the wall area on which it is erected or lease space frontage.
- iii. Retail, commercial zoning districts:
 - 1. An attached sign may have an area not exceeding that calculated by multiplying the length of the building front or lease space frontage by two feet. This calculation shall be termed base allowable area. An attached sign may not exceed a maximum allowable area of 200 square feet except where permissible in 2(a), 2(b), or 2(c) below.
 - 2. A permissible sign located at a height above 20 feet is allowed an increase in allowable sign area added to the base allowable area. Such increases shall not exceed:
 - a. Two square feet in area for each one foot in height above 20 feet if the sign is located between 20 and 50 feet;
 - b. Three square feet in area for each one foot in height above 50 feet if the sign is located between 50 and 100 feet, plus 60 square feet;
 - c. Four square feet in area for each one foot in height above 100 feet if the sign is located higher than 100 feet, plus 210 square feet.
 - 3. Attached signs may be located on building walls or other outdoor structures other than the building frontage. The sum of the base allowable area of all attached signs combined on these elevations cannot exceed two times the length of the building frontage up to 200 square feet.

c. Number:

- i. Apartment zoning districts: No more than one attached sign per adjacent public street shall be permitted.
- ii. Office, technical office, and industrial zoning districts:
 - 1. Buildings with single street frontage: two attached signs.
 - 2. Buildings with frontage on more than one street: One sign per street frontage with a maximum of two signs on any given elevation.
 - 3. Buildings with separate entrances for individual lease spaces: N/A
- iii. Retail, commercial zoning districts: Buildings three stories or greater; maximum of three attached signs on any elevation with

street frontage; one attached sign on elevations without street frontage.

d. Location:

- i. Apartment zoning districts: Signs shall not extend above the roofline.
- ii. Office, technical office, and industrial zoning districts: Signs shall only be attached entirely below the roofline.
- iii. Retail, commercial zoning districts:
 1. Signs shall not extend above the roofline of a mansard-type roof.
 2. Signs extending more than four feet above the roofline on buildings with non-mansard roof structures shall be directly affixed to and not extending above or beyond an integral part of the structure of the building other than the roof.

e. Landscaping: N/A

f. Design:

- i. Attached signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces.
- ii. Combustible materials may be used, providing the sign is attached to a wall with a minimum of two-hour fire resistive rating.
- iii. Attached signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated.
- iv. Signs extending more than four feet above the roofline shall be attached without the use of supporting poles, towers, guys or braces of any type. Such signs shall be designed, constructed and attached to withstand a wind pressure of not less than 30 pounds per square foot.

g. Permit Required: Yes.

(3) BUSINESS DISTRICT IDENTIFICATION SIGNS

- a. Definition/Purpose:** Signs used to identify a center, complex, occupants, services, products, occupation, district, or institution.
- b. Size:** N/A
- c. Number:** N/A
- d. Location:** On-premise, or off-premise, or public right-of-way.
- e. Landscaping:** N/A
- f. Design:** N/A
- g. Permit:** May be allowed only by a special permit of the sign control board.

(4) COMMUNITY GARDEN SIGNS

- a. Definition/Purpose:** Signs advertising the location of a community garden.
- b. Size:** 40 square feet; 6 feet in height.

- c. **Number:** One. Does not count towards allowable number of monument or other freestanding signs on premises.
- d. **Location:**
 - i. Signs must be located on-premise.
 - ii. Signs must be located a minimum of 30 feet from an adjoining property line.
- e. **Landscaping:** N/A
- f. **Design:**
 - i. Signs taller than 4 feet shall meet the design standards for pole or monument signs.
 - ii. Wood or non-painted steel supports are permissible, if approved by the Director of Community Services.
 - iii. No sign shall obstruct the vision of traffic on any public street or be constructed so as to interfere with sight lines at elevations between 2 ½ feet and 8 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.
- g. **Permit Required:** Yes.

(5) CONTRACTOR SIGNS (RESIDENTIAL ZONING DISTRICTS)

- a. **Definition/Purpose:** To denote the owner, architect, general contractor, or subcontractor conducting approved work at a residential property; excludes subdivision, home builder, construction, or development signs.
- b. **Size:** 4 square feet; 4 feet in height.
- c. **Number:** One.
- d. **Location:** On-premise.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No. Sign must be removed within 14 days after project completion.

(6) CONSTRUCTION SIGNS

- a. **Definition/Purpose:**
 - i. Temporary signs denoting the architect, engineer, contractor, subcontractor, and/or financier.
 - ii. Temporary signs denoting the future location of a particular business, retail center or institution.
- b. **Size:** 32 square feet in area, 15 feet in height.
- c. **Number:** One construction sign and one future location sign per adjacent street.
- d. **Location:** Signs must be located on the premises where construction or location being advertised is or will be occurring.
- e. **Landscaping:** N/A
- f. **Design:** N/A

- g. Permit Required:** No. Signs shall be removed upon issuance of any occupancy permit.

(7) EDUCATIONAL INSTITUTION SIGNS

- a. Definition/Purpose:** Signs that identify educational, public or charitable institutions.
- b. Size:**
 - i. Pole or Monument Signs: 60 square feet in area, 6 feet in height.
 - ii. Attached Signs: 40 square feet in area, letters not to exceed 12 inches in height.
 - iii. Bulletin Boards: 25 square feet in area.
- c. Number:** One pole or monument sign, one attached sign, and one attached bulletin board.
- d. Location:**
 - i. Attached signs must be located entirely below the roof line of the building.
 - ii. Pole or Monument Signs:
 - 1. Signs must be located a minimum of 30 feet from adjoining private property lines.
 - 2. No sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at elevations between 2 ½ feet and 8 feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.
- e. Landscaping:** Landscaping is required around the base of the sign in an area equal to 4 square feet for each square foot of sign and base area.
- f. Design:** Signs must be an integral part of the site architecture or landscaping.
- g. Permit Required:** Yes.

(8) ELECTRONIC MESSAGING

- a. Definition/Purpose:** Provide identification or advertisement of a specific business, service, product, activity, person, organization, place or building.
- b. Size:**
 - i. Pole Sign: 100% of total allowable sign area, as specified in 18-96(23)(b), or only up to 50% of the total allowable sign area if mixed with a non-electronic messaging element.
 - ii. Monument Sign: 100% of total allowable sign area, as specified in 18-96(19)(b), or only up to 50% of the total allowable sign area if mixed with a non-electronic messaging element.
- c. Number:** One per street frontage.

- d. **Location:**
 - i. May be an attached, monument or pole sign.
 - ii. In apartment, office, technical office, industrial, retail and commercial zoning districts. May be located in residential zoning district as provided as permitted elsewhere in this chapter.
- e. **Landscaping:** Required for monument or pole signs. See provisions under appropriate sign type.
- f. **Design:**
 - i. Moving, flashing, animated, intermittently-lighted, changing color, beacons, revolving, scrolling, dissolving, or similarly constructed signs shall not be allowed.
 - ii. Each message shall be displayed for at least 10 minutes and a change of message shall be accomplished within 2 seconds or less.
 - iii. Electronic component of a sign:
 - 1. May be encased in the same sign cabinet as the non-electronic sign component or;
 - 2. If located to the side of a non-electronic sign component must be the same height as the non-electronic sign component or;
 - 3. If located above or below a non-electronic sign component must be the same width as the non-electronic sign component.
 - iv. Intensity of display brightness will automatically adjust to natural light conditions. Brightness cannot interfere with the vision of traffic on an adjacent road.
 - v. A programmable sign shall be equipped with a properly functioning default mechanism that will cause the sign to revert immediately to a single, fixed, non-transitory image or to a black-screen if the sign malfunctions.
 - vi. The illumination intensity of the display of a digital display shall not exceed one foot candle measured at the property line.
 - vii. Signs erected at a public school (except scoreboards), religious institution, or other lawful nonresidential use in a residential zoned district must be regulated by an automated timer that limits the period of illumination from 6 a.m. to 10 p.m. Signs must be erected a minimum of 50 feet from an adjacent residential property line.
 - viii. Signs located in a non-residential zoned district must be located a minimum of 150 feet from a residential zoned property.
 - ix. May not be used to display commercial messages relating to products/services that are not offered on the premises.
 - x. See additional provisions under the appropriate sign type.
- g. **Permit Required:** Yes.

(9) EMPLOYMENT SIGNS

- a. **Definition/Purpose:** Signs in any zoning district advertising available employment.

- b. **Size:** 3 square feet in area.
- c. **Number:** N/A
- d. **Location:** On premise.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(10) FLAGS

- a. **Definition/Purpose:**
 - i. Flags, emblems and insignia of the United States, federal agencies and any state or local governmental body including corporate and logo flags.
 - ii. Decorative displays for holidays or legal public demonstrations which do not contain advertising and are not used as such.
- b. **Size:** Corporate Logo Flags only.
 - i. Sites less than one acre: 40 square feet.
 - ii. Sites more than one acre but less than five acres: 60 square feet in area.
 - iii. Sites more than five acres: 96 square feet in area.
 - iv. Residential zoned districts regardless of acreage: 40 square feet in area.
- c. **Number:** One corporate flag per site when accompanied by a U.S. and/or state flag of equal size or larger.
- d. **Location:** N/A (Site Plan approval is required)
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(11) FUEL SALES SIGNS

- a. **Definition/Purpose:** Signs which advertise prices for fuel.
- b. **Size:** 16 square feet in area, 6 feet in height.
- c. **Number:** One fuel sales sign per street frontage.
- d. **Location:** Signs must be located on premise.
- e. **Landscaping:** N/A
- f. **Design:** Sign shall be permanently attached to a structure.
- g. **Permit Required:** No.

(12) GARAGE/OCCASIONAL SALE

- a. **Definition/Purpose:** Identify the location of a permitted garage/occasional sale at a residential property or multi-family complex.
- b. **Size:** 4 square feet; 4 feet in height.
- c. **Number:**
- d. **Location:** Signs may be located off-premises on private residential property, provided the approval of the owner of such off-premises location is first obtained. Signs may not be placed in any street right-of-way,

median, highway interchange, public park or at other publicly owned facilities, or obstruct vision of traffic or pedestrians.

- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(13) HANGING SIGNS

- a. **Definition/Purpose:** Signs suspended from the underside of a project structure.
- b. **Size:** 3 square feet in area.
- c. **Number:** N/A
- d. **Location:** Attached to the underside of a projecting structure.
- e. **Landscaping:** N/A
- f. **Design:** Signs must provide 8 feet of clearance above any walkways.
- g. **Permit Required:** No.

(14) INFORMATION SIGNS:

- a. **Definition/Purpose:** Signs identifying emergency telephone numbers, hours and security information.
- b. **Size:** 1 square foot in area.
- c. **Number:** N/A
- d. **Location:** Signs shall be affixed to windows or doors.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(15) MEMORIAL SIGNS

- a. **Definition/Purpose:** Signs or tablets denoting the name of a building and date of erection.
- b. **Size:** 4 square feet in area for each wall facing a street.
- c. **Number:** N/A
- d. **Location:** N/A
- e. **Landscaping:** N/A
- f. **Design:** Sign copy shall be cut into a masonry surface, bronze, or other noncombustible materials.
- g. **Permit Required:** No.

(16) MENU BOARDS

- a. **Definition/Purpose:** Signs providing outdoor menu visibility at eating establishment with drive-thru service, including preview menu boards.
- b. **Size:** 45 square feet in area, 8 feet in height.
- c. **Number:** Two menu boards shall be permitted per service/drive thru lane.
- d. **Location:**
 - i. All menu boards must be placed on site.
 - ii. Menu boards shall be located a minimum of 30 feet from adjoining private property lines.

- e. **Landscaping:** N/A
- f. **Design:**
 - i. Menu boards must comply with the design standards for all Pole Signs.
 - ii. May include an electronic digital display.
- g. **Permit Required:** Yes.

(17) MODEL HOME SIGNS

- a. **Definition/Purpose:** Signs which identify a new home in a single family, duplex, or apartment district as being a builder's or contractor's model open to the public for inspection.
- b. **Size:** 24 square feet in area, 6 feet in height.
- c. **Number:** Each building in a subdivision may have one model home sign.
- d. **Location:** N/A
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No. Signs must be removed prior to the home being occupied.

(18) MONUMENT SIGNS

- a. **Definition/Purpose:**
 - i. Single-use Monument Signs: Monument signs that provide identification or advertisement of a specific business, service, product, person, organization, place or building.
 - ii. Multiple-use Monument Signs: Monument signs that provide identification or advertisement of multiple businesses, services, products, persons, organizations, places or buildings.
- b. **Size:**
 - i. Single-use Monument Signs: 40 square feet in area, 6 feet in height.
 - ii. Multiple-use Monument Signs: 80 square feet in area, 6 feet in height.
- c. **Number:**
- d. **Location:**
 - i. Monument signs may be located in apartment, office, technical office, industrial, retail and commercial zoning districts. May be located in residential zoning district as provided as permitted elsewhere in this chapter.
 - ii. Monument signs must be located a minimum of 30 feet from adjoining private property lines.
 - iii. Monument signs must not be located within 100 feet of any residential zoned property, except where permissible in this section.
 - iv. If in a residential district, the sign must be on a property that contains and operates as a lawful nonresidential use as allowed by

the zoning classification for that site and must be located a minimum of 50 feet from any other residential zoned property.

- v. Monument signs must be located a minimum of 200 feet from any on premise single-use monument or pole sign and 250 feet from any on premise multiple-use monument or pole sign. Signs located along two abutting streets may be closer than the provisions above if approved by the Director of Community Services.
 - vi. 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 8 feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.
- e. **Landscaping:** Landscaping is required around the base of the sign in an area equal to four square feet for each square foot of sign and base area.
- f. **Design:**
- i. 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 building code or other ordinances of the city.
 - ii. All monument signs shall be placed in concrete bases or footings.
 - iii. Monument signs may be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces. Signs may be supported by noncombustible material only and finished in a presentable manner.
 - iv. Wood or non-painted steel supports are specifically prohibited.
 - v. Heavy timber and other materials may be used if approved by Director of Community Services.
 - vi. All monument signs throughout a center or complex on the site shall be constructed of the same material and design.
- g. **Permit Required:** Yes. Letter from property owner is also required.

(19) **NAMEPLATES**

- a. **Definition/Purpose:** To identify and display the name of a person or business.
- b. **Size:** One square foot in area or less.
- c. **Number:** N/A
- d. **Location:** N/A
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(20) NEIGHBORHOOD ASSOCIATION EVENT SIGNAGE

- a. **Definition/Purpose:** To identify seasonal, occasional or special community, social, civic, or educational events sponsored by a recognized homeowners or neighborhood association.
- b. **Size:** 4 square feet; 4 feet in height.
- c. **Number:** N/A
- d. **Location:**
 - i. May be located on private property and medians within the subdivision or in homeowners or neighborhood Association maintained areas.
 - ii. Cannot obstruct vision of traffic or pedestrians.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(21) OCCUPATIONAL SIGNS

- a. **Definition/Purpose:** Signs denoting only the name and profession of an occupant in a commercial, public, office or institutional building.
- b. **Size:** Three square feet in area.
- c. **Number:** N/A
- d. **Location:** N/A
- e. **Landscaping:** N/A
- f. **Design:** Signs may not extend above the roofline.
- g. **Permit Required:** No.

(22) POLE BANNERS

- a. **Definition/Purpose:** Signs used to identify a center, complex, occupants, or district.
- b. **Size:** The size of a banner shall be limited to a maximum of 3 feet x 7 feet per banner.
- c. **Number:** N/A
- d. **Location:** Can only be located on light poles on the interior of the property.
- e. **Landscaping:** N/A
- f. **Design:**
 - i. Banners must provide 9 foot clearance over any driveway, parking space, sidewalk or other public or private right-of-way for the passage of vehicles or pedestrians.
 - ii. No more than two signs on any given light pole.
 - iii. Signs must be maintained in good condition to prevent deterioration, tearing, tattering, or other unsightly condition.
- g. **Permit Required:** No.
 - i. Banners that are used to advertise promotions are addressed under temporary promotional signs.
 - ii. Banners that contain seasonal decorations are not considered signs.

(23) **POLE SIGNS**

- a. **Definition/Purpose:** Signs used to identify a center, complex, occupants, services, products, occupation, district, or institution.
- b. **Size:**
 - i. Apartment zoning district: 25 square feet in area, 8 feet in height and can only identify the complex, center, establishment or institution.
 - ii. Office, technical office, and industrial zoning districts:
 - 1. Sites less than 10 acres: 25 square feet in area, 6 feet in height.
 - 2. Sites ten acres or more: 60 square feet in area, 20 feet in height.
 - iii. Retail, commercial zoning districts:
 - 1. Single-use signs: 60 square feet in area, 20 feet in height.
 - 2. Multiple-use signs: 80 square feet in area, 20 feet in height.
- c. **Number:**
 - i. Apartment zoning district: No more than one pole (or attached) sign per adjacent public street shall be permitted.
 - ii. Office, technical office, and industrial zoning districts:
 - 1. Sites less than 20 acres: one pole sign.
 - 2. Each additional 10 acres over 20: one additional pole sign.
 - 3. No more than one pole sign shall be permitted per industrial building per each adjacent public street.
 - iii. Retail, commercial zoning districts:
 - 1. Sites less than 10 acres: one single-use pole sign.
 - 2. Sites 10 acres but less than 15 acres: two single-use pole signs or one single-use and one multiple-use pole sign.
 - 3. Sites more than 15 acres: three single-use pole signs, one multiple-use and 2 single-use pole, or two multiple-use pole. Only one multiple use pole may be located per public street frontage.
- d. **Location:**
 - i. All Pole Signs must be located on site.
 - ii. Pole Signs must be located a minimum of 30 feet from an adjoining private property line.
 - iii. Pole Signs must be located a minimum of 60 feet from any attached building sign.
 - iv. Pole Signs must be located a minimum of 200 feet from any on premise single-use pole or monument sign and 250 feet from any on premise multiple-use pole or monument sign.
 - v. Pole Signs must be located a minimum of 100 feet from any single-family residential zoned property.
- e. **Landscaping:**
 - i. Signs over 8 feet in height: N/A

- ii. Signs 8 feet or less from ground level: landscaping is required around the base of the sign in an area equal to four square feet for each square foot of sign and base area.

f. Design:

- i. Pole 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 building code or other ordinances of the city.
- ii. All Pole Signs shall be placed in concrete bases or footings.
- iii. Pole Signs may be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces and may be supported by noncombustible material only and finished in a presentable manner; wood or non-painted steel supports are specifically prohibited.
- iv. Heavy timber and other materials may be used if approved by the Director of Community Services.
- v. Newly installed support poles must be covered by cladding, brick, masonry, stone or other building material approved by the Director of Community Services, so as to completely cover the supporting poles and be architecturally similar or harmonious with the facade on the building or buildings on the site.
- vi. Pole Signs shall be protected by wheel or bumper guards when required by the Director of Community Services.
- vii. Pole Signs shall not have attached any guys or braces.
- viii. No pole sign shall be constructed so that the minimum clearance thereof is less than nine feet if any portion thereof overhangs a driveway, parking space, sidewalk, or other public or private right-of-way for the passage of vehicles or pedestrians.
- ix. No pole 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 8 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.

- g. Permit Required:** Yes. Letter from property owner is also required.

(24) POLITICAL SIGNS (Temporary)

- a. Definition/Purpose:** Signs which are political in nature.
- b. Size:** 36 square feet, 8 feet in height.
- c. Number:** N/A
- d. Location:**
 - i. Must be located on real private property with the consent of the property owner.
 - ii. No signs may be placed in any location that obstructs vision for traffic.
- e. Landscaping:** N/A

- f. **Design:** No political sign may be illuminated or have moving parts.
- g. **Permit Required:** No. Any sign, on private property, in violation of the provision of this section may be removed by the Community Services Department 10 days after written notice to the property owner. Any sign placed on public property or in public right-of-way may be removed without prior notice. The owner of the property and/or sign may be held responsible for any expenses incurred for the removal of any sign.

(25) REAL ESTATE SIGNS (Non-residential)

- a. **Definition/Purpose:** Signs advertising the sale, rental or lease of properties in all zoning districts except single-family, duplex, and apartment properties.
- b. **Size:** 32 square feet in area, 8 feet in height (if freestanding)
- c. **Number:**
 - i. Tracts, sites or complexes having less than 200 feet abutting public or internal circulation streets: one real estate sign.
 - ii. Tracts, sites or complexes having 200 feet abutting public or internal circulation streets: two real estate signs.
 - iii. Each additional 100 feet of abutment over 200 feet: one additional real estate sign.
 - iv. In no event may the number of such signs exceed four for a given tract.
- d. **Location:** All signs must be placed on the site that is being advertised.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No. Signs shall be removed upon issuance of any occupancy permit.

(26) REAL ESTATE SIGNS (Residential)

- a. **Definition/Purpose:** Signs advertising the sale, rental or lease of single-family, duplex, and apartment properties.
- b. **Size:** 8 square feet in area, 4 feet in height.
- c. **Number:** One per lot per complex per adjacent public street.
- d. **Location:** All signs must be placed on the site that is being advertised.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(27) REAL ESTATE SIGNS (Temporary Directional Signs)

- a. **Definition/Purpose:** Signs advertising the sale of real estate.
- b. **Size:** 4 square feet in area.
- c. **Number:** N/A
- d. **Location:**
 - i. Signs may be located off-premise.
 - ii. Signs may not be located in street medians or obstruct vision of traffic or pedestrians.

- e. **Landscaping:** N/A
- f. **Design:**
 - i. Signs may contain the word “open” and may contain a directional indicator.
 - ii. Signs may not be constructed of cardboard.
 - iii. Signs must be kept well painted and in good condition.
- g. **Permit Required:** No. Signs may be utilized only from Friday at 12:00 noon until the following Monday at 12:00 noon.

(28) REAL ESTATE SIGNS (Temporary Home Builder Directional Signs)

- a. **Definition/Purpose:** Signs that provide direction to a home builder site.
- b. **Size:** 4 square feet in area.
- c. **Number:** No more than one sign per block for each builder.
- d. **Location:**
 - i. Signs may be located off-premise.
 - ii. Signs may not be located in street medians or obstruct vision of traffic or pedestrians.
- e. **Landscaping:** N/A
- f. **Design:**
 - i. Signs must contain the name of the subdivision, the name of the builder or the name of the building corporation.
 - ii. Signs may contain the corporation logo.
 - iii. Signs may contain a directional indicator.
 - iv. Signs may not be constructed of cardboard.
 - v. Signs must be kept well painted and in good condition.
- g. **Permit Required:** No. Signs may be utilized only from Friday at 12:00 noon until the following Monday at 12:00 noon.

(29) RELIGIOUS INSTITUTION SIGNS (Residential District)

- a. **Definition/Purpose:** Signs that identify religious institutions in a residential district.
- b. **Size:**
 - i. Attached Signs: 40 square feet in area
 - ii. Monument Signs: 60 square feet in area, 6 feet in height.
 - iii. Pole Signs: 60 square feet in area, 6 feet in height.
 - iv. Bulletin Boards: 25 square feet in area.
- c. **Number:** One pole or monument sign, one attached sign, and one attached bulletin board.
- d. **Location:**
 - i. Attached signs must be located entirely below the roof line of the building.
 - ii. Pole and Monument signs:
 - 1. Signs must be located a minimum of 30 feet from adjoining private property lines.
 - 2. No sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at

elevations between 2 ½ feet and 8 feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.

- e. **Landscaping:** Landscaping is required around the base of the sign in an area equal to 4 square feet for each square foot of sign and base area.
- f. **Design:** Sign must be an integral part of the site architecture or landscaping.
- g. **Permit Required:** Yes.

(30) RESIDENTIAL SUBDIVISION IDENTIFICATION SIGNS

- a. **Definition/Purpose:** Signs that identify residential subdivision.
- b. **Size:** 40 square feet in area, 6 feet in height.
- c. **Number:** Two per adjacent public street.
- d. **Location:** The signs shall be attached to a screening wall or landscape planter.
- e. **Landscaping:** N/A
- f. **Design:** Signs must be an integral part of the site architecture or landscaping.
- g. **Permit Required:** No.

(31) SUBDIVISION, HOME BUILDER, DEVELOPER SIGNS

- a. **Definition/Purpose:** Freestanding signs identifying the location of or direction to a subdivision, home builders' and developers' sites.
- b. **Size:**
 - i. Onsite: 96 square feet in area, 15 feet in height.
 - ii. Offsite: 32 square feet in area, 15 feet in height.
- c. **Number:**
 - i. Sites 30 acres or less: one sign.
 - ii. Each additional 30 acres, or any part there of: one additional sign.
- d. **Location:** Signs may be placed onsite or offsite.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** Yes.
 - i. Permits shall be granted for a maximum period of six-month intervals.
 - ii. Nonresidential signs shall be removed upon issuance of an occupancy permit for the nonresidential structure.

(32) TEMPORARY PROMOTIONAL SIGNS

- a. **Definition/Purpose:** Signs, banners, flags, balloons or pennants designed, intended or used to advertise or inform about an activity, place, product, person, organization, business, service, merchandise program, opening of a retail or commercial establishment, special program of a public institution, or the opening of a single-family subdivision or multifamily complex.

- b. **Size:** The size of a banner shall be limited to one square foot per length of lease space up to a maximum of 200 square feet.
- c. **Number:** N/A
- d. **Location:** On premise.
- e. **Landscaping:** N/A
- f. **Design:** Temporary promotional signs are limited to permissive signs in this chapter.
- g. **Permit Required:** Yes.
 - i. Subsequent to a building permit being issued, a permit may be obtained for a “coming soon” sign for a maximum single use period of 30 days.
 - ii. Subsequent to a certificate of occupancy being issued, a permit may be obtained for a “grand opening” sign for a maximum single use period of 30 days. The use of balloons shall be restricted to the grand opening permit.
 - iii. Signs shall have a minimum period between permits of seven days.
 - iv. Excluding signs permitted under subsections (a) and (b), a maximum of four temporary permits may be issued per year for a maximum single use period of 30 days. The Director of Community Services may approve an additional 30 day permit for a Grand Reopening.
 - v. Permit application shall include, but not be limited to, a drawing or sketch showing the type, size, height and location of the temporary promotional sign (including banners, flags and pennants) along with a description of the means of attachment or support, and the stated purposes of the promotion.
 - vi. A promotion for a site, center, complex or subdivision shall not be interpreted as a promotion for each and every establishment within such site, center, complex or subdivision.
 - vii. Banners attached to private light poles must have a minimum 9 foot clearance over any driveway, parking space, sidewalk or other public or private right-of-way for the passage of vehicles or pedestrians. Each banner cannot exceed 3 feet by 7 feet and there cannot be more than two signs per light pole. A Written letter from the property owner or manager, granting permission, required.

(33) TRAFFIC-RELATED SIGNS

- a. **Definition/Purpose:**
 - i. Onsite Directional Signs: Signs containing directional information that do not contain advertising and are not used as such. Signs may include business name and arrows.
 - ii. Ingress/Egress Signs: Signs denoting locations for ingress or egress or prohibiting ingress or egress that do not contain advertising and are not used as such. Signs may or may not include directional information.

- b. Size:**
 - i. Onsite Directional Signs: 8 square feet in area.
 - ii. Ingress/Egress Signs: 8 square feet in area, 4 feet in height.
- c. Number:** N/A
- d. Location:** Signs may be placed on properties in all districts.
- e. Landscaping:** N/A
- f. Design:** N/A
- g. Permit Required:** No. Plans for proposed signs must be submitted to the Director of Community Services and approved by the traffic engineer. Submission to the Director of Community Services shall include, but not be limited to, a site drawing showing the location of the proposed sign, a dimensional drawing showing size of signs and content of signs, a designation of the material or materials to be used, and the proposed method of erection.

(34) WINDOW SIGNS:

- a. Definition/Purpose:** Signs located on the internal or external surface of a window.
- b. Size:** Signs may not obscure more than 25 percent of the total visible window area of each façade.
- c. Number:** N/A
- d. Location:** Retail, commercial, office, technical office, and industrial zoning districts.
- e. Landscaping:** N/A
- f. Design:**
 - i. Signs painted on the external or internal surface of the window of an establishment in commercial or retail districts with water-durable paint on external surfaces.
 - ii. Signs (except posters), banners, perforated window screens or displays located on the internal surface of the window of an establishment in commercial or retail zoning districts only.
 - 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 external surface of the window and a 25 percent visibility requirement is maintained.
 - v. Signs attached to the external surface of a window of a retail or commercial establishment made of a noncombustible material.
 - vi. Signs attached to the internal surface of a window which define the name, proprietor, telephone number or address of such retail or commercial establishment.
 - vii. Signs identifying emergency telephone numbers, hours and security information that do not exceed 1 square foot in area.

viii. Signs advertising the sale of alcohol must comply with Texas Alcoholic Beverage Code requirements in addition to provisions of this chapter.

g. **Permit Required:** No.

ARTICLE IV. RULES OF INTERPRETATION

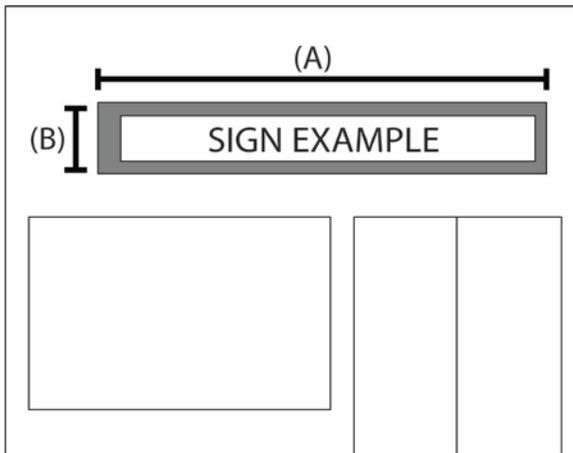
Sec. 18-121. Generally.

Principles for computing sign area and sign height as required by this Chapter are provided in this Article. Section headings or captions are for reference purposes only. Illustrations and principles of interpretation included in the code shall be used in interpreting the relevant provision, but where the text conflicts with an illustration or stated principle, the text shall control.

Sec. 18-123. Sign Calculations.

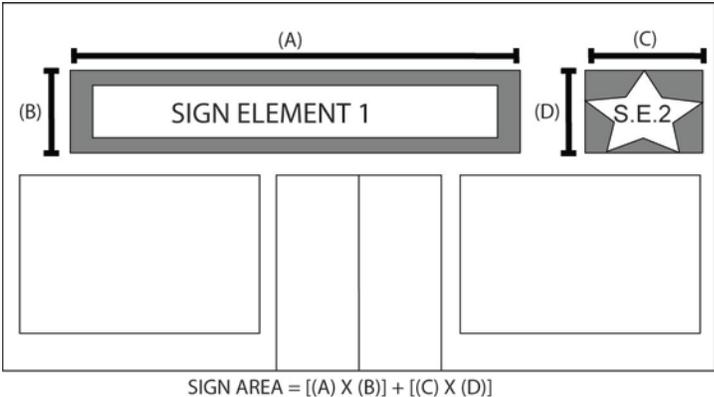
(1) **Attached Signs:** The information therein are provisions for calculating signage for attached, window, or any other attached sign contained in this chapter.

a. **Sign Area, Attached Sign (Single Element):** Shall include the entire area within a single perimeter composed of squares or rectangles. Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as the area enclosed by the smallest single rectangle that will enclose the outside dimensions of the background panel or surface, including sign trim or frame.

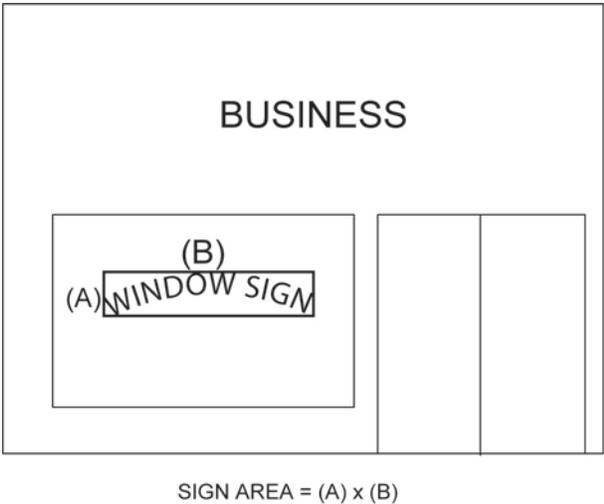


b. **Sign Area, Attached Sign (Multiple Elements):** When signs are constructed of individual elements, the area of all sign elements, which together convey a single, complete message, shall be considered as a single sign. The sign area is

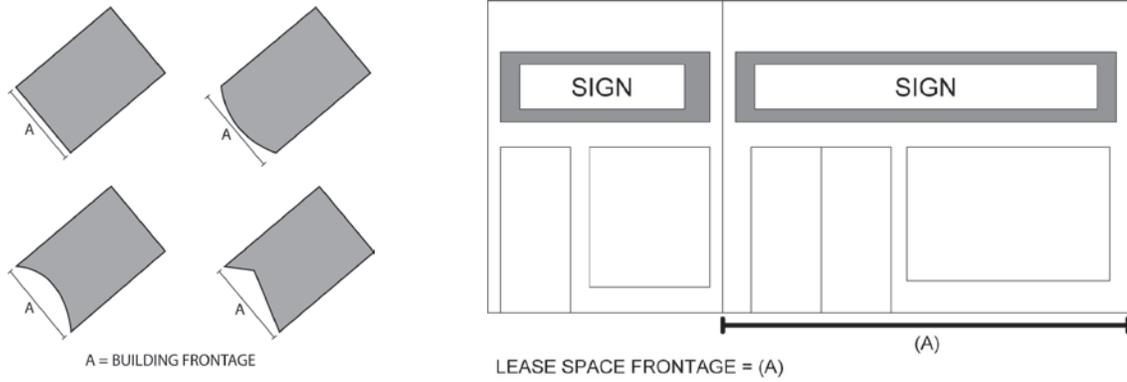
determined by calculating the area enclosed by the smallest single rectangle that will enclose the outside dimensions of the background panel or surface, including sign trim or frame.



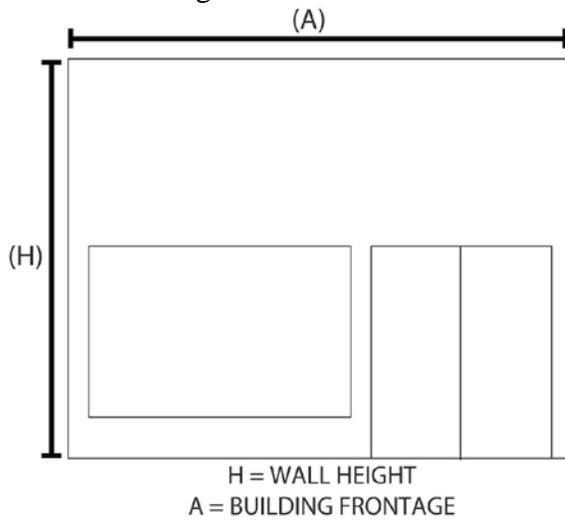
- c. **Measurement of Signage on the Window:** The sign area is determined by calculating the area enclosed by the smallest single rectangle that will enclose the outside dimensions of the sign display.



- d. **Measurement of Building Frontage:** The building frontage shall be calculated using the width of the first story exterior wall. Exterior wall dimensions shall be measured at the base of the ground floor, excluding screened walls, fences, and other similar structures.



- e. **Wall Area:** The wall area shall be calculated by the width of the exterior wall and height of the wall.



- f. **Attached Sign above 20 feet:** The sign area is determined by the calculation listed below for an attached sign located at a height above 20 feet within a Commercial or Local Retail Zoned District.

- i. Increase in sign area for signs located between 20' and 50'.

Sign Height - Attached Buildings
 (A SIGN LOCATED BETWEEN 20 & 50 FEET)



X=Sign height on building from grade
 Y=2 times linear store front; maximum 200 ft

- ii. Increase in sign area for signs located between 50' and 100'.

Sign Height - Attached Buildings
 (A SIGN LOCATED BETWEEN 50 & 100 FEET)

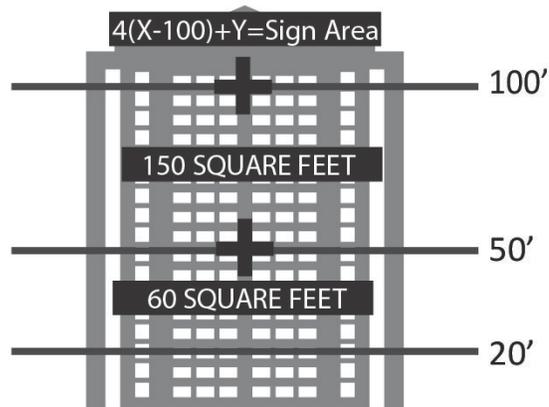


X=Sign height on building from grade
 Y=2 times linear store front; maximum 200 ft

- iii. Increase in sign area for signs located above 100'.

Sign Height - Attached Buildings

(A SIGN LOCATED ABOVE 100 FEET)

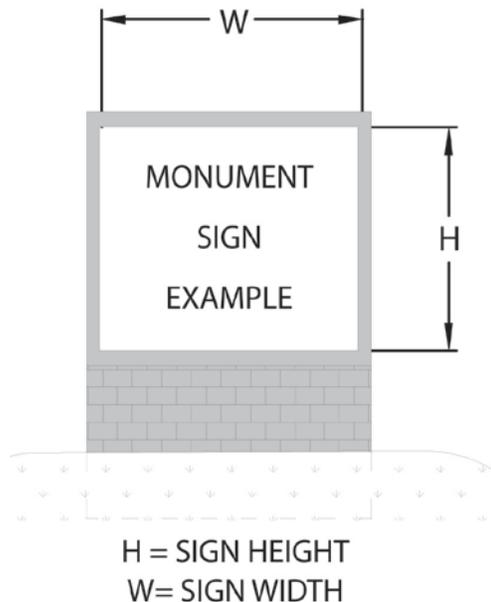


X=Sign height on building from grade

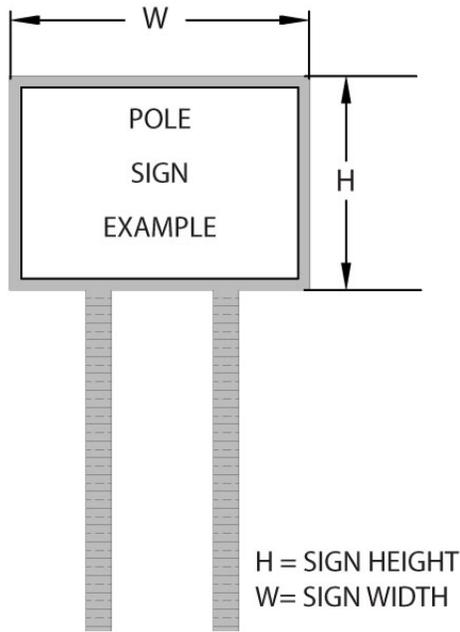
Y=2 times linear store front; maximum 200 ft

(2) **Freestanding Signs:** The information therein are provisions for calculating signage for monument, pole, construction or any other freestanding sign contained in this chapter.

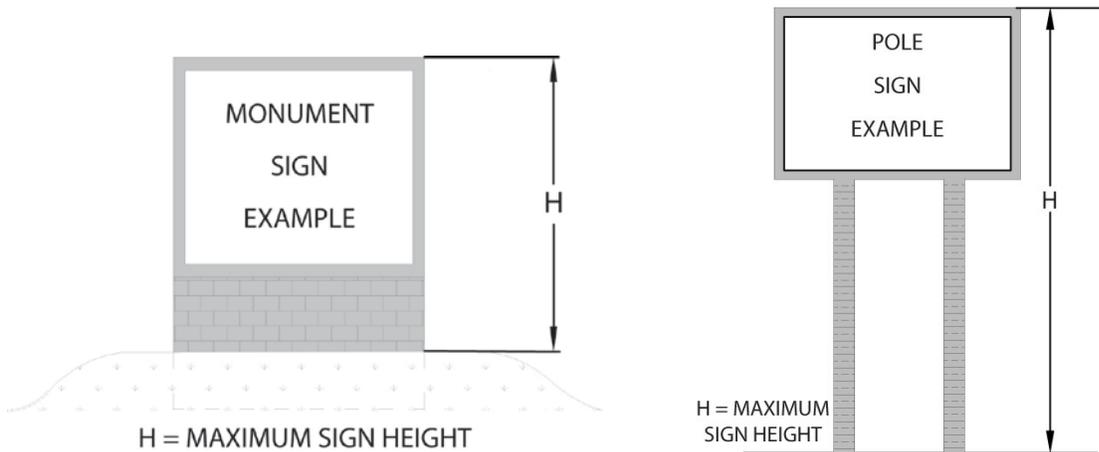
- a. **Sign Area, Monument:** The sign area shall be the extreme outer dimensions of the freestanding structure, excluding the support structure and architectural features.



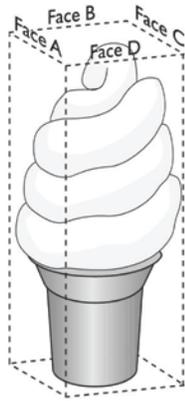
- b. **Sign Area, Pole:** The sign area shall be measured as the area enclosed by the smallest single rectangle that will enclose the structure exclusive of the poles.



- c. **Sign Height:** Height shall be the distance from the top of the sign structure to the lowest grade level of the base of the sign. The height of any monument base or other structure erected to support or ornament the sign shall be measured as a part of the sign height.

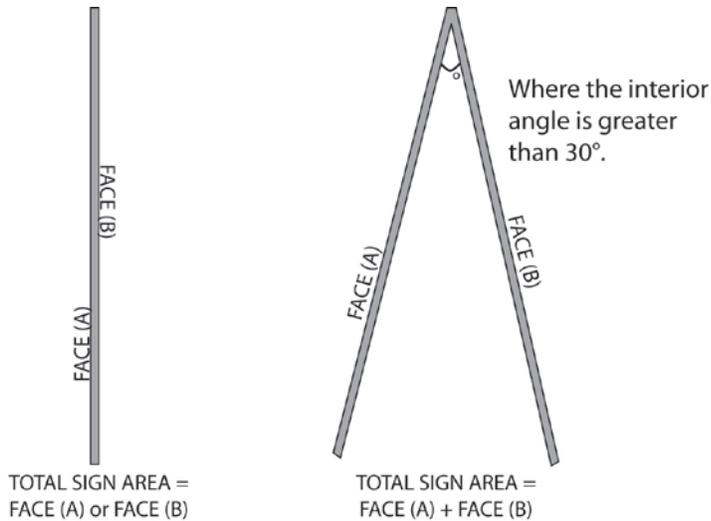


- d. **Three-Dimensional Signs:** Signs that consists of, or have attached to them, one or more three-dimensional objects, shall have a sign area of the sum of all areas using the four vertical sides of the smallest cube that will encompass the sign.

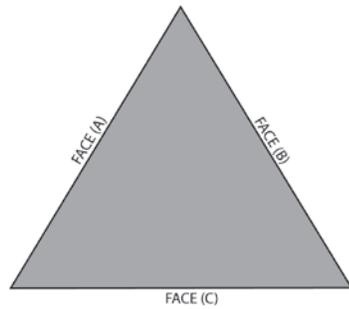


TOTAL SIGN AREA = SUM OF ALL VERTICAL SIGN FACES OF SMALLEST CUBE ENCOMPASSING THE SIGN.

- e. **Double-Faced Signs:** On a sign where the information is located back to back or located at an interior angle equal to or less than 30 degrees, the sign area shall be computed as the area of one sign face. Where the two faces of a double-faced sign are not equal in size, the larger sign face shall be used. Where two faces of a double-faced sign are located at an interior angle more than 30 degrees from one another, both sign faces shall be counted toward sign area.



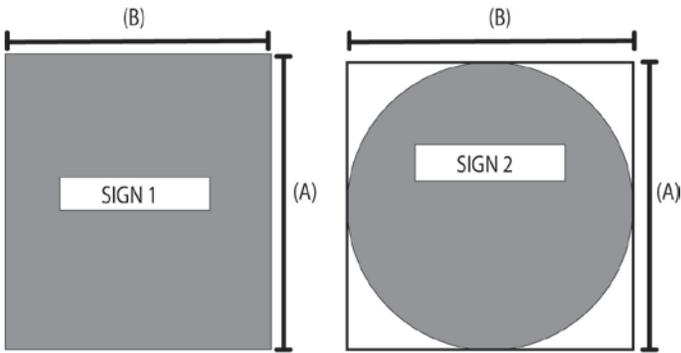
- f. **Multi-Faced Signs:** On a three or more faced sign, sign area shall be calculated as the sum of all faces.



TOTAL SIGN AREA =
FACE (A) + FACE (B) + FACE (C)

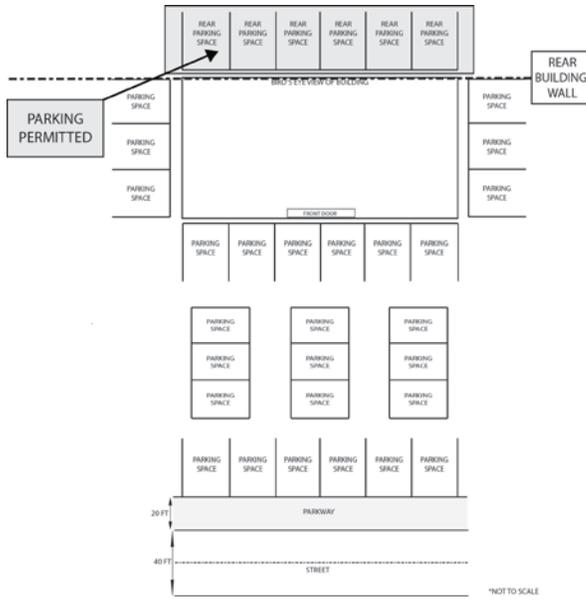
- g. Landscape Requirement:** The landscape requirement is determined by calculating the area of the landscaped area located around the base of the monument sign.

BIRD'S EYE VIEW

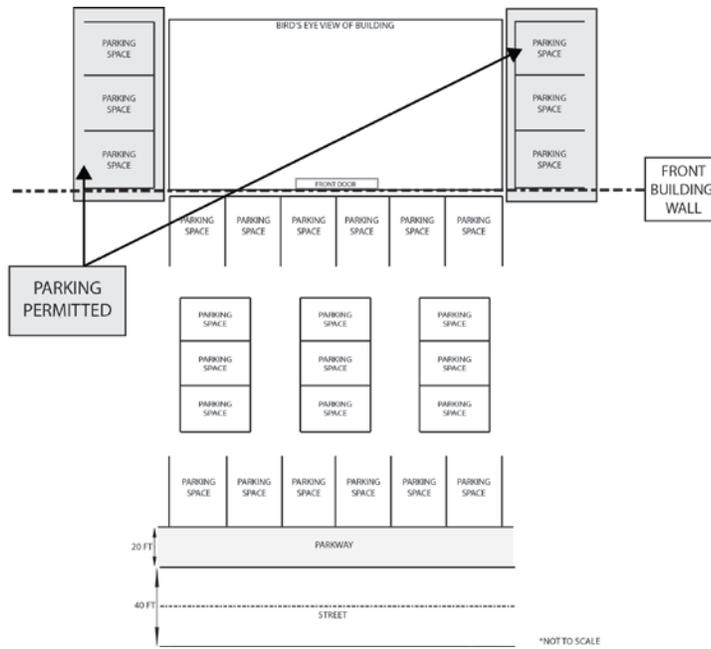


SIGN 1: Total Required Landscaped Area = (A) x (B)
SIGN 2: Total Required Landscaped Area = (A) x (B)

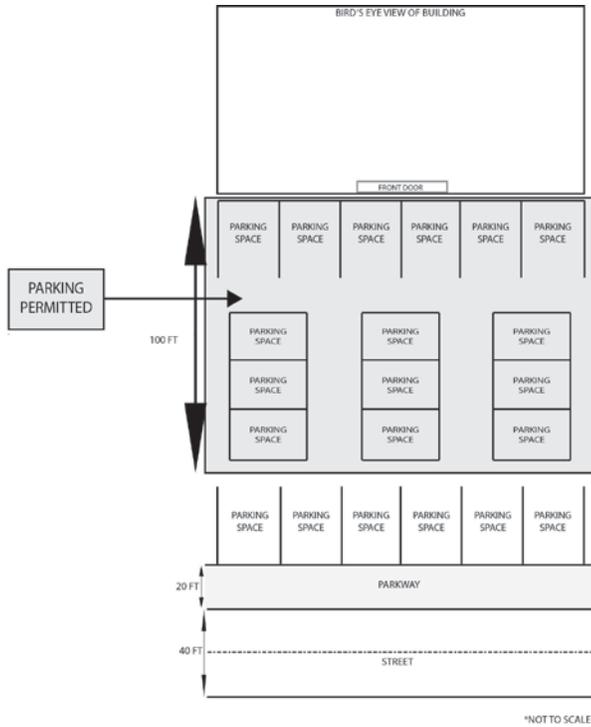
- (3) Vehicle Signage:** Signage attached to a vehicle for bona fide use on the premise.
a. Vehicles that can park behind the rear building wall:



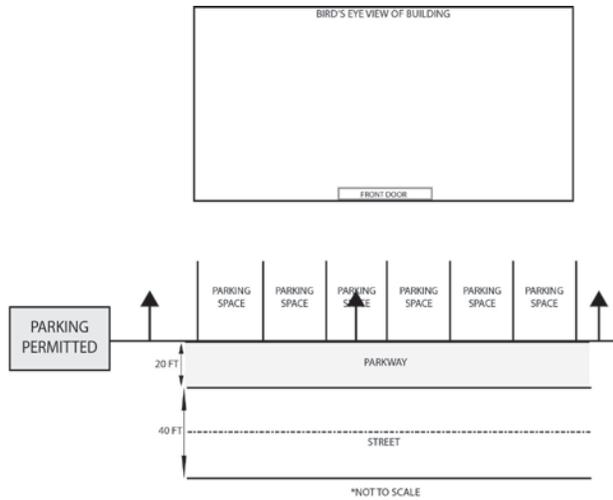
b. **Vehicles that cannot park behind the rear building wall but can park behind the front building wall.**



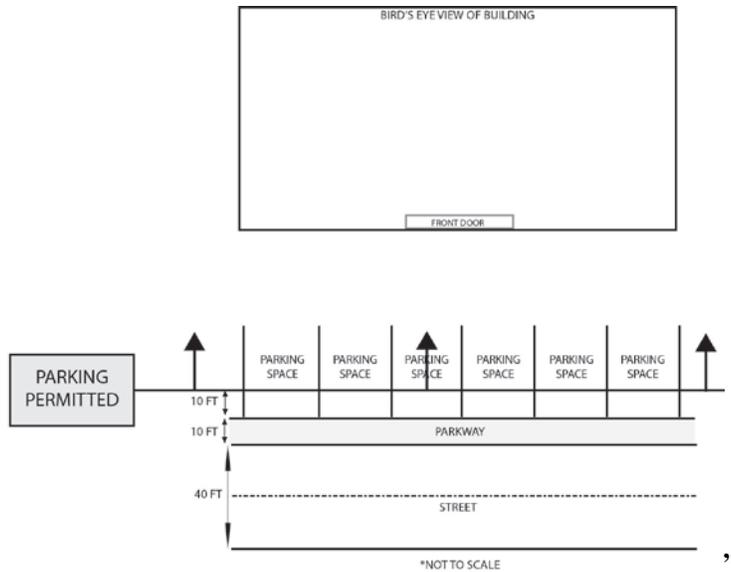
c. **Vehicles that cannot park behind the rear building wall or front building wall.**



- d. **Vehicles that cannot park behind the rear building wall, front building wall, or within 100' of business' primary entrance must be parked a minimum of 20' from any public right-of-way.**



- e. **Vehicles that cannot park behind the rear building wall, front building wall, within 100' of business' primary entrance, or within 20' from any public right-of-way are not permitted.**



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

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

SECTION 4. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson as heretofore amended and upon conviction shall be

punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

SECTION 6. 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 cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 13th day of August, 2012.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:tl:7-19-12)

CITY SECRETARY

CITY OF RICHARDSON

TO: Dan Johnson - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request #55-12
DATE: August 6, 2012

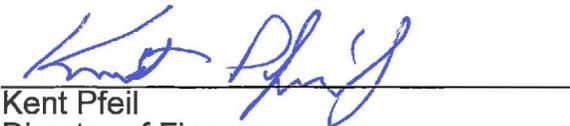
Request Council approval to initiate bids for the following:

2010 Sidewalk Repair Program Phase IV
(Regions 7 & 8)

Proposed Council approval date: August 13, 2012
Proposed advertising dates: August 15, 2012 & August 22, 2012
Proposed bid due date: August 30, 2012 – 2:00 p.m.
Proposed bid opening date: August 30, 2012 – 2:30 p.m.
Engineer's estimated total cost: \$1,100,000
Account: 378-8703-585-7524, Project #NV1005



Pam Kirkland, CPPO, CPPB
Purchasing Manager



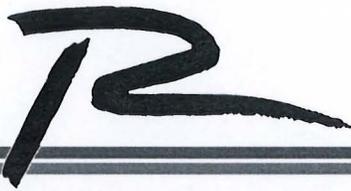
Kent Pfeil
Director of Finance



Date

Approved: _____
Dan Johnson
City Manager

_____ Date



MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager *cm*

FROM: Steve Spanos, P.E., Director of Engineering *SS*

SUBJECT: Permission to Advertise 2010 Sidewalk Repair Program Phase IV
(Regions 7 & 8) – Bid No. 55-12

DATE: August 3, 2012

BACKGROUND INFORMATION:

The 2010 Sidewalk Repair Program Phase IV Project in Region -7 bound by Belt Line, Waterview, Arapaho and Floyd and Region – 8 bound by Custer, Campbell, US/75 and Arapaho that includes removal and replacement of existing residential 4' sidewalk and driveway approach pavement. Sidewalk repairs will vary in size at any particular location. The work will also include the construction of barrier free ramps and other appurtenances related to sidewalk and driveway approach repairs including 6" concrete curb, sod, water meter adjustments and sidewalk grinding and or cutting.

FUNDING:

Funding is provided from Neighborhood Vitality G.O Bonds.

SCHEDULE:

Capital Projects plans for this project to begin construction September 2012 and be completed by March 2013.

Cc: Henry Drexel, P.E., Senior Project Engineer *HD*

CP/Office/Agenda Reports/Agenda Items -August/SidewalkPhase4-Executive.doc

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

2010 SIDEWALK REPAIR PROGRAM PHASE IV

**Region 7 – Bound by Belt Line, Waterview, Arapaho and Floyd
Region 8– Bound by Custer, Campbell, US/75 and Arapaho**

BID #55-12

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 **Thursday at 2:00 p.m. on August 30, 2012**, and will be opened and read aloud in the **Capital Projects Conference Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

The Phase III Sidewalk Repair Project is estimated to remove and replace approximately 150,000 SF of existing residential 4' sidewalk and 23,000 SF of driveway approach pavement. Sidewalk repairs will vary in size from as small as twenty square feet to hundreds of square feet at any particular location. The work will also include the construction of approximately 204 barrier free ramps and other appurtenances related to sidewalk and driveway approach repairs including 6" concrete curb, sod, water meter adjustments and sidewalk grinding and or cutting.

Proposals shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The 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.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

A maximum of One Hundred and Fifty Five (155) 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, August 14, 2012** upon a **NON-REFUNDABLE FEE OF Fifty Dollars (\$50.00) per set**, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. Maximum of two sets of plans per contractor.

A voluntary Pre-Bid Meeting will be held Thursday at 9:00 a.m., August 23, 2012 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

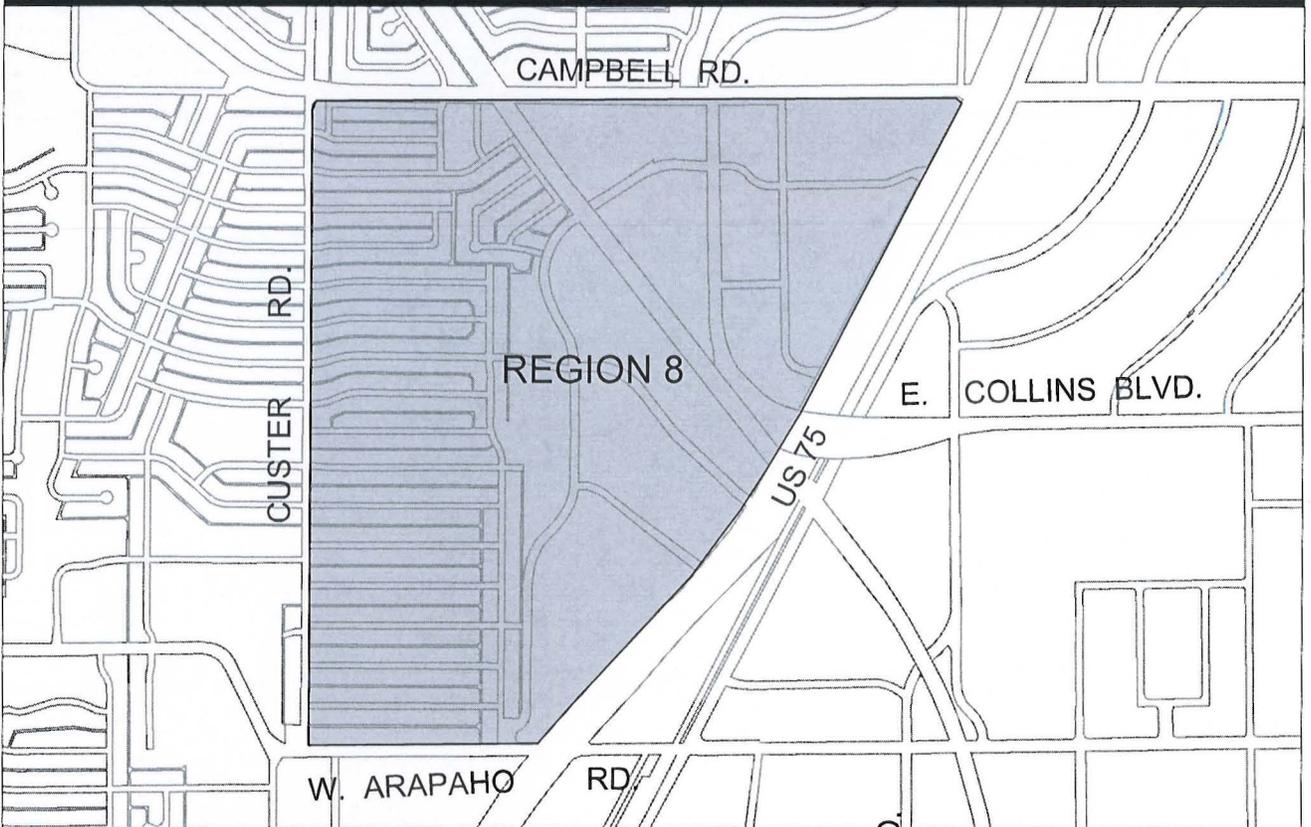
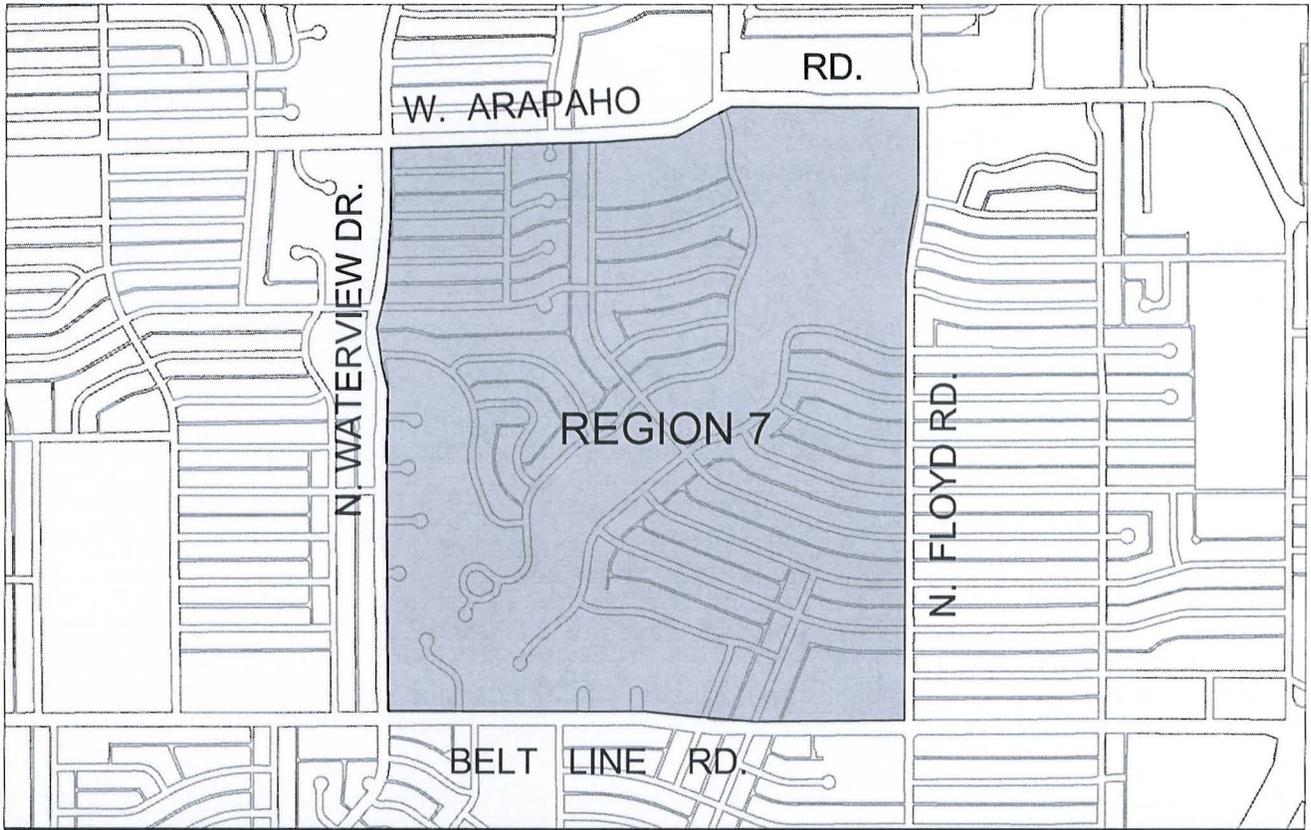
PROJECT SCHEDULE

2010 SIDEWALK REPAIR PROGRAM PHASE IV Region 7 – Bound by Belt Line, Waterview, Arapaho & Floyd Region 8 – Bound by Custer, Campbell, US/75 & Arapaho

BID #55-12

Agenda Paperwork to Advertise	Friday, August 3, 2012
Council Authorization to Advertise	Monday, August 13, 2012
Plans/Specs Available for Contractors	Tuesday, August 14, 2012
Advertise in Dallas Morning News	Wednesday, August 15, 2012
Advertise in Dallas Morning News	Wednesday, August 22, 2012
Pre Bid Meeting (9:00 am Room 206)	Thursday, August 23, 2012
Bids Received & Opened (by 2:00 open 2:30 pm Room 206)	Thursday, August 30, 2012
Agenda Paperwork to Award Contract	Friday, August 31, 2012
Council to Award Contract	Monday, September 10, 2012
Pre-Construction Meeting	~ September 2012
Project Start	~ September 2012
Project Completed 155 Calendar Days	~ March 2013

*Project Manager: Henry Drexel
Engineers Estimate: \$1,100,000
Funding from Neighborhood Vitality GO Bonds
Account #378-8703-585-7524 Project #NV1005*



SIDEWALK REPAIR PROGRAM
PHASE IV - REGIONS 7 & 8
JULY 2012



CITY OF
 RICHARDSON
 TEXAS



CITY OF RICHARDSON

TO: Dan Johnson - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request #56-12
DATE: August 6, 2012

Request Council approval to initiate bids for the following:

2010 Neighborhood Vitality Bond Project
Bridge Enhancements @ Duck Creek, Mark Twain
& N. College Park Neighborhoods

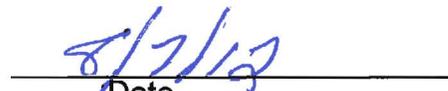
Proposed Council approval date: August 13, 2012
Proposed advertising dates: August 15, 2012 & August 22, 2012
Proposed bid due date: August 30, 2012 – 3:00 p.m.
Proposed bid opening date: August 30, 2012 – 3:30 p.m.
Engineer's estimated total cost: Neighborhood Vitality 2010 Bonds

Account:



Pam Kirkland, CPPO, CPPB
Purchasing Manager



Kent Pfeil
Director of Finance

Date

Approved: _____
Dan Johnson
City Manager

_____ Date



MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager *CM*

FROM: Steve Spanos, P.E., Director of Engineering *SS*

SUBJECT: Permission to Advertise 2010 Neighborhood Vitality Bond Project Bridge Enhancements at Duck Creek, Mark Twain and N. College Park Neighborhoods Bid No. 56-12

DATE: August 3, 2012

BACKGROUND INFORMATION:

The 2010 Neighborhood Vitality Bond Project Bridge Enhancements Project consists of bridge enhancements at three locations in Duck Creek and Mark Twain Neighborhoods. The scope includes railing, installing stone facia and constructing end columns at these bridge locations along Plano Road at Huffhines Creek and on Glenville Road between Arapaho Road and Belt Line Road. The scope for the bridge in N. College Park includes installing two end columns and two intermediate columns to the existing railing located on Glenville Road near Windsong Trail.

FUNDING:

Funding is provided from Neighborhood Vitality G.O Bonds.

SCHEDULE:

Capital Projects plans for this project to begin construction October 2012 and be completed by early 2013.

Cc: Padma Patla, P.E., Project Engineer

CP/Office/Agenda Reports/Agenda Items -August/ Bridge Enhancements at Duck Creek, Mark Twain and N. College Park Neighborhoods

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**2010 NEIGHBORHOOD VITALITY BOND PROJECT
BRIDGE ENHANCEMENTS AT DUCK CREEK, MARK TWAIN
AND N. COLLEGE PARK NEIGHBORHOODS**

BID #56-12

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 **Thursday at 3:00 p.m. on August 30, 2012**, and will be opened and read aloud in the **Capital Projects Conference Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

The 2010 Neighborhood Vitality Bond Project Bridge Enhancements Project consists of bridge enhancements at three locations in Duck Creek and Mark Twain Neighborhoods. The scope includes railing, installing stone facia and constructing end columns at these bridge locations along Plano Road at Huffhines Creek and on Glenville Road between Arapaho Road and Belt Line Road. The scope for the bridge in N. College Park includes installing two end columns and two intermediate columns to the existing railing located on Glenville Road near Windsong Trail.

Proposals shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The 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.

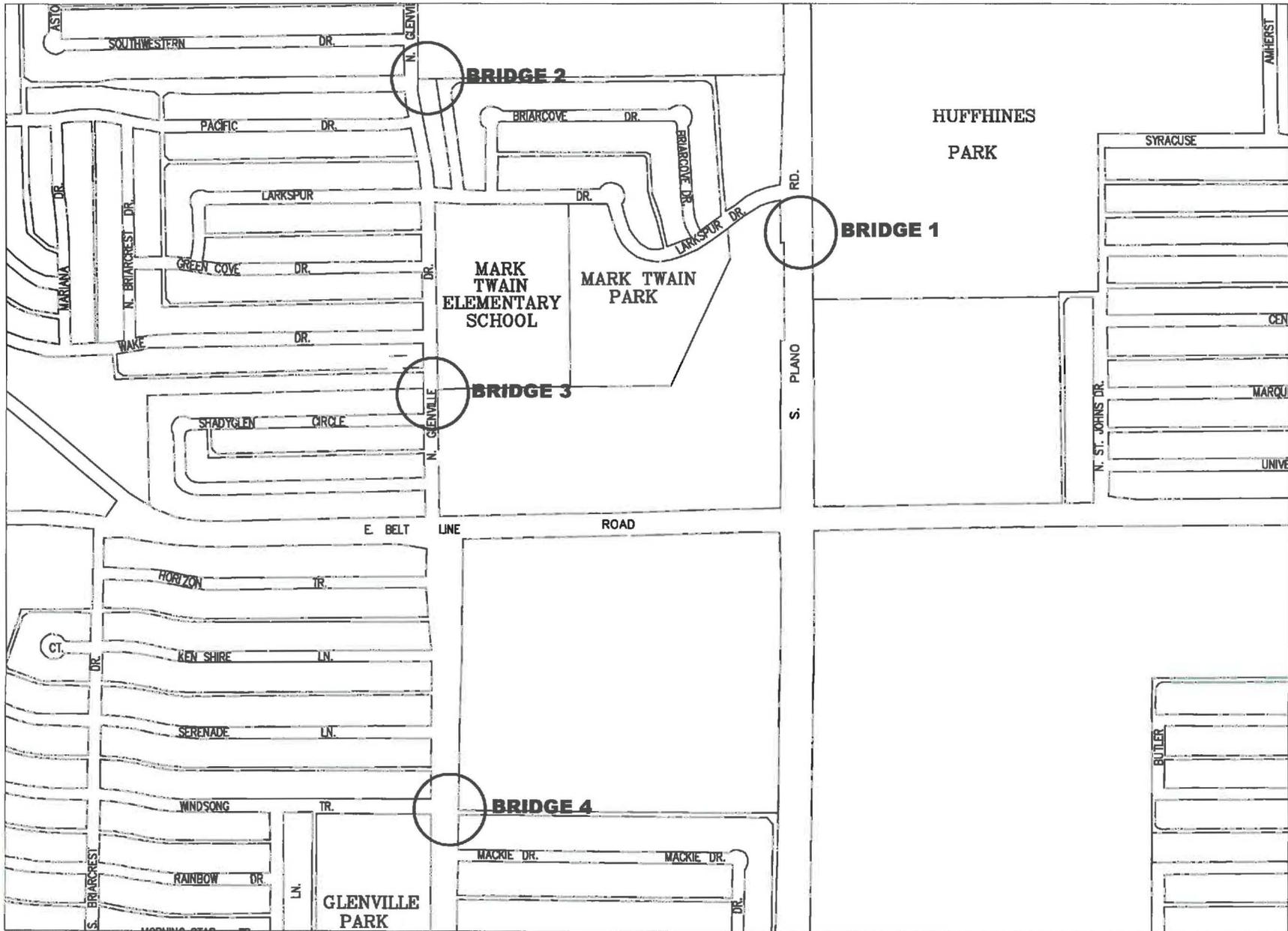
The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed a minimum of three similar projects within the last five years.

A maximum of One Hundred and thirty (130) 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, August 14, 2012** upon a **NON-REFUNDABLE FEE OF Fifty Dollars (\$50.00) per set**, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. Maximum of two sets of plans per contractor.

A voluntary Pre-Bid Meeting will be held Tuesday at 10:00 a.m., August 21, 2012 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



2010 NEIGHBORHOOD VITALITY BOND PROJECT
BRIDGE ENHANCEMENTS FOR DUCK CREEK, MARK TWAIN,
AND N. COLLEGE PARK NEIGHBORHOODS
AUGUST 2012



CITY OF
RICHARDSON
TEXAS



PROPOSED PROJECT SCHEDULE
2010 NEIGHBORHOOD VITALITY BOND PROJECT
BRIDGE ENHANCEMENTS AT DUCK CREEK, MARK TWAIN
AND N. COLLEGE PARK NEIGHBORHOODS

BID# 56 -12

Agenda Paperwork to Advertise	Friday, August 3, 2012
Council Authorization to Advertise	Monday, August 13, 2012
Plans/Specs Available for Contractors	Tuesday, August 14, 2012
Advertise in Dallas Morning News	Wednesday, August 15, 2012
Advertise in Dallas Morning News	Wednesday, August 22, 2012
Pre Bid Meeting (10:00 am Room 206)	Tuesday, August 21, 2012
Bids Received & Opened (by 3:00 open 3:30 pm Room 206)	Thursday, August 30, 2012
Agenda Paperwork to Award Contract	Friday, August 31, 2012
Council to Award Contract	Monday, September 10, 2012
Pre-Construction Meeting	~ September 2012
Project Start	~ October 2012
Project Completed 130 Calendar Days	~ February 2013

Project Engineer: Padma Patla
Consulting Engineers Estimate: \$365,000
Fund: NV 2010 Bonds
Account # NV 378-1101



MEMO

DATE: August 6, 2012

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Competitive Sealed Proposal #903-12 for the Fire Training Center, Emergency Operations Center and Backup Dispatch Facility to CORE Construction, in the amount of \$7,073,190

Proposed Date of Award: August 13, 2012

I concur with the recommendation of Steve Spanos – Director of Engineering, and request permission to issue a contract to CORE Construction for the above referenced project for a total award of \$7,073,190, as outlined in Mr. Spanos attached memo.

Ten competitive sealed proposals were received. The proposals were evaluated by a committee of City staff from various departments on criteria related to cost, schedule, company and personnel experience. As per the attached evaluation form, it is our recommendation to award to the highest ranking firm, CORE Construction, with 86.03 out of 100 points.

Funding is provided from G.O. Bonds, Emergency Communication System C.O.'s, Water & Sewer, General Special Projects and Solid Waste Funds. The project was advertised in the Dallas Morning News on June 27, 2012 and July 4, 2012 and was posted on Bidsync.com. Twenty-five proposals were solicited and ten proposals were received. A pre-proposal conference was held on July 10, 2012.

Concur:


Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
Michelle Thames
David Morgan
Cliff Miller



MEMO

TO: Dan Johnson, City Manager
THROUGH: Cliff Miller, Assistant City Manager *cm*
FROM: Steve Spanos, P.E., Director of Engineering *3*
SUBJECT: Award CSP #903-12 to CORE Construction
Fire Training Center, Emergency Operations Center and Backup Dispatch
DATE: August 1, 2012

ACTION REQUESTED:

Council to consider award of CSP #903-12 to CORE Construction, for the Fire Training Center, Emergency Operations Center And Backup Dispatch Facility for a total amount of \$7,073,190.

BACKGROUND INFORMATION:

On July 19, 2012, Capital Projects Department received and opened 10 proposals to construct an 11,000 SF administration and class room facility, a 4400 SF equipment storage and training building with covered outdoor space and a 4 story masonry fire training tower. The construction will also include the relocation of 1300LF of 16" Water Line and 450LF of 27" Sanitary Sewer Line, ornamental fencing with a motorized gate, site lighting, landscaping, irrigation and other necessary appurtenances.

A Competitive Sealed Proposal (CSP) Committee of City Staff from various departments reviewed all qualifying proposals and scored each one in accordance with the proposal scoring criteria. The scoring criteria included proposal cost, schedule, company and personnel experience. The committees' average scores are included on the attached score sheet. CORE Construction scored the highest and staff has interviewed their team and recommends awarding the contract to them. CORE Construction recently completed Fire Station No. 4 and the Huffhines Recreation Center. At the CSP Committee's request, CORE Construction also identified various cost saving measures and developed a plan to help reduce their proposal from \$7,341,349 to the recommended award amount of \$7,073,190. The cost saving measures include minor scope and material modifications that do not compromise project value or aesthetics.

FUNDING:

Funding is provided from G.O. Bonds, Emergency Communication System C.O.'s, Water & Sewer, General Special Projects and Solid Waste Funds.

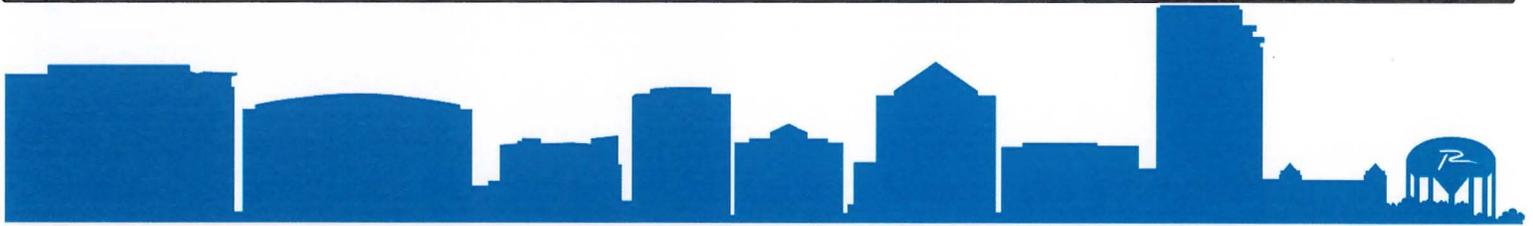
SCHEDULE:

Construction is expected to begin in September and last approximately 12 months. The new Fire Training Center should be operational in the Summer 2013, weather permitting.

Fire Training Center Emergency Operations Center and Backup Dispatch Competitive Sealed Proposal 903-12 Scoring Sheet

Contractor Name:	Total Proposal Amount and preliminary Schedule of Values (Max 50 pts)	Previous Related Project Experience (Max 20 pts)	Experience and Qualifications of Staff (Max 20 pts)	Proposed Time of Completion & Project Schedule (Max 10 pts)	Total Points (Max 100 pts)	Rank	Comments
Crossland Construction Co., Inc.	41.20	12.17	13.67	7.33	74.36	6	
Adolfson & Peterson Construction	46.27	16.00	15.83	6.00	84.11	3	
Core Construction	45.70	18.17	16.83	5.33	86.03	1	
Ratcliff Contractors	41.85	9.67	10.17	7.83	69.52	9	
Lee Lewis Construction	44.12	16.00	13.00	5.00	78.12	4	
REEDER Construction	50.00	7.00	9.00	7.33	73.33	7	
DENCO Construction Specialties Corp	48.28	4.00	8.00	4.33	64.61	10	
CF Jordan Construction, LLC	44.53	4.83	11.67	9.33	70.36	8	
AUI Contractors	48.79	13.83	14.67	7.83	85.12	2	
Big Sky Construction Co., Inc.	44.21	14.17	12.50	4.33	75.21	5	

Fire Training Center, Emergency Operation Center and Backup Dispatch Facility



2010 RICHARDSON CITY BOND PROGRAM



MEMO

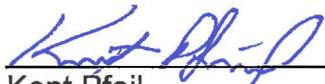
DATE: August 6, 2012
TO: Kent Pfeil – Director of Finance
FROM: Pam Kirkland – Purchasing Manager 
SUBJECT: Change Order to decrease and close out purchase order 111033 to JRJ Paving, LP for Hillside Avenue Street Pavement Rehabilitation in the amount of \$56,988.42

Proposed Date of Award: August 13, 2012

I concur with the recommendation of Steve Spanos – Director of Engineering, and request permission to decrease and close out the above referenced purchase order in the amount of \$56,988.42, as outlined in Mr. Spanos attached memo.

Texas Local Government Code Chapter 252.048 allows for change orders to contracts if plans or specifications are necessary after or during the performance of the contract to decrease or increase the quantity of work to be performed or of materials, equipment or supplies to be furnished. The contract may not be increased by more than 25% of the original contract amount or decreased more than 25% without the consent of the contractor. Per state law, all change orders over \$50,000 must be approved by the governing body of the municipality.

Concur:



Kent Pfeil

Approved:

Dan Johnson

ATTACHMENTS

Xc: Dan Johnson
Michelle Thames
David Morgan
Cliff Miller



MEMO

TO: Pam Kirkland, Purchasing Manager

FROM: Steve Spanos, P.E., Director of Engineering 

SUBJECT: Change Order to Close Out Purchase Order #111033
Hillside Avenue Street Pavement Rehabilitation - JRJ Paving, LP

DATE: 07/26/2012

ACTION REQUESTED

Process close out for Purchase Order #111033.

ACCOUNT SUMMARY

Original Purchase Order	\$458,756.74
Change Order #1	(\$56,988.42)
Total Authorized Contract Amount	\$401,768.32

BACKGROUND INFORMATION

The Hillside Avenue Street Pavement Rehabilitation Project is 100% complete and no additional charges are expected, closing out this Purchase Order #111033 with an underrun of \$56,988.42.

FUNDING INFORMATION

Funding was provided from account #377-8702-585-7524 project #SD0639.

CC: Henry Drexel P.E. Senior Engineer
Gary Fitton Construction Inspector
Carolyn Kaplan Capital Projects Accountant

**CITY OF RICHARDSON
SIGN CONTROL BOARD MINUTES – AUGUST 8, 2012**

Ms. Dorthy McKearin, Chair, called a regular meeting of the Sign Control Board to order at 6:36 p.m. on Wednesday, August 8, 2012, at the Civic Center Council Chamber, 411 W. Arapaho Road, Richardson, Texas.

MEMBERS PRESENT: DORTHY MCKEARIN, CHAIR
 SANDRA MOUDY, VICE CHAIR
 CHARLES WARNER, MEMBER
 MUHAMMAD Z. IKRAM, MEMBER
 ALICIA MARSHALL, ALTERNATE

MEMBERS ABSENT: CHIP IZARD, MEMBER
 SCOTT PETTY, ALTERNATE

CITY STAFF PRESENT DON MAGNER, DIRECTOR OF COMMUNITY SERVICES
 E.A. HOPPE, ASST. DIR. OF COMMUNITY SERVICES
 STEPHANIE JACKSON, COMMUNITY SERVICES MGR.
 JENNA HITE, COM. SVCS. ADMIN. SECRETARY

Ms. Dorthy McKearin stated there is a quorum present and Ms. Alicia Marshall will act as a voting member in Mr. Chip Izard's absence. Ms. McKearin stated Mr. Scott Petty to be absent.

Mr. Charles Warner made a motion to approve the minutes of the July 11, 2012 meeting. The motion was seconded by Mr. Muhammad Z. Ikram and carried unanimously.

SCB CASE #12-10: TO CONSIDER THE REQUEST OF VANTAGE DEVELOPMENT #34 REPRESENTING THE RENNER PROFESSIONAL PLAZA FOR A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE IV, SECTION 18-124 TO ALLOW FOR A MONUMENT SIGN IN AN INDUSTRIAL ZONED DISTRICT ON THE PROPERTY LOCATED AT TECHNOLOGY BUSINESS CAMPUS BLOCK C LOT 1A AT THE NORTHWEST CORNER OF E. RENNER RD. AND SPECTRUM BLVD.; AND TAKE APPROPRIATE ACTION.

Ms. McKearin opened the Public Hearing and Mr. Magner introduced the request of Vantage Development #34 representing the Renner Professional Plaza for a variance to the City of Richardson Code of Ordinances, Chapter 18, Article IV, Section 18-124 to allow for a monument sign in an industrial zoned district on the property located at Technology Business Campus Block C Lot 1A at the northwest corner of E. Renner Rd and Spectrum Blvd. A power point presentation was shown for review.

Ms. McKearin asked if the Board had any questions for City staff. There were no questions.

Mr. Brett McMillan, 12377 Winding Hollow, Frisco TX 75033, with Vantage Developers Company, stated the Renner Professional Plaza has 11 buildings with approximately 65,000

square feet of total space at Renner Road and Shiloh Road and the buildings are available for individual sale. Mr. McMillan stated the project is about 68-70% occupied by individual owners and the remaining balance is still owned by Vantage Developers. Mr. McMillan stated that the development is not very visible from Renner Road because of the unique lot layout and consequently Vantage Developers and the owners of the condos would like to have a monument sign so customers can better locate their property.

Ms. McKearin asked if the Board had any questions for Mr. McMillan. Mr. Warner asked how long the property has been at this location. Mr. McMillan stated Vantage Developers purchased the business park in 1999/2000 and the project was completed in late 2005/early 2006. Mr. Warner asked what the proposed sign copy would be. Mr. McMillan stated the content would be unit owner names to provide visibility and recognition for the clinics within the business park. Ms. McKearin asked if this was strictly a medical complex. Mr. McMillan stated a majority of the owners are medical related, but it is not exclusively medical offices.

Ms. Moudy asked how many unit owners are currently located there. Mr. McMillan stated there are 11 owners currently. Ms. Moudy asked how many more owners are expected. Mr. McMillan stated he expected to have five more. Ms. Moudy asked if they anticipated all of the business names to eventually be placed on the monument sign. Mr. McMillan stated it would likely not be possible to place all owner names on the monument sign and space would be provided on a first come, first serve basis.

Ms. Moudy asked if the proposed monument would be consistent in appearance with the two signs currently located on the property. Mr. McMillan stated the proposed monument sign would be more complementary to the buildings and have an architectural roof cap similar to the standing seam roof of the buildings.

Mr. Ikram inquired about the names on the sign changing, since the complex is currently at 70% capacity and the signage being available on a first come, first serve basis. Mr. McMillan stated the unit owner names would be the same until the owners decided to sell their unit.

Ms. McKearin asked if Vantage Developers was aware of the new Sign Ordinance being up for approval at the upcoming City Council meeting, and the new regulations regarding a maximum height for monument signs. Mr. McMillan stated he was aware but felt the additional height was necessary to include the roof cap architectural feature and still provide enough surface area for adequate signage. Ms. McKearin stated she did not agree with the additional one foot and 4 inches in height on the monument sign.

Ms. Moudy asked the applicant if the variance is not approved with the additional one foot 4 inches if they would still utilize the roof cap architectural feature or if they would maximize surface area for signage. Mr. McMillan stated it was more important for unit owner names to be visible rather than the metal architectural feature. Mr. McMillan stated the primary reason for the proposed sign is for the unit owners to get more visibility for their business, not to market the remaining available units. Ms. Moudy stated she felt a monument sign was necessary for this location and liked the current signage at the location, but was not in favor of the additional height of the requested sign.

Ms. Marshall stated she did not necessarily tie a monument sign to a building based on the design of the sign matching the buildings. Mr. McMillan stated their idea is to distinguish their complex from the neighboring industrial/technology signs in the area and felt adding the metal roof would provide this distinction and provide a more of an office type environment.

Mr. Ikram asked if the unit owners were requesting the monument sign or the developer. Mr. McMillan stated the owners purchased their condos with no guarantee of additional signage. However, they strongly desire additional signage and Vantage Developers is their primary representative in asking for the monument sign and will be purchasing the sign.

There were no further questions. There being no further questions, Ms. McKearin closed the Public Hearing and asked for remarks from the Board. Ms. McKearin stated she is not in favor of the seven foot 4 inches in height but felt a sign was necessary.

There being no further comments from the Board, Ms. McKearin moved to approve the SCB Case #12-10, the request of Vantage Development representing Renner Professional Plaza for a variance to the City of Richardson Code of Ordinances, Section 18-124 to allow a six foot tall monument sign in an industrial zoned district located 11 feet from the property line to the west and 17 feet from the property line to the south on the property located at Technology Business Campus Block C Lot 1A at the northwest corner of E. Renner Road. Mr. Ikram seconded the motion and it carried unanimously.

Ms. McKearin noted the action of the Sign Control Board is subject to review by the City Council for a period of two weeks.

SCB CASE #12-11: TO CONSIDER THE REQUEST OF THE BOYS AND GIRLS CLUB OF RICHARDSON FOR A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE III, SECTION 18-97(14) TO ALLOW FOR A SECOND FREESTANDING SIGN IN A RESIDENTIAL ZONED DISTRICT ON THE PROPERTY LOCATED AT 1210 W. BELT LINE ROAD; AND TAKE APPROPRIATE ACTION.

Ms. McKearin opened the Public Hearing and Mr. Magner introduced the request of the Boys and Girls Club of Richardson for a variance to the City of Richardson Code of Ordinances, Chapter 18, Article III, Section 18-97(14) to allow for a second freestanding sign in a residential zoned district on the property located at 1210 W. Belt Line Road. A power point presentation was shown for review.

Ms. McKearin asked if the Board had any questions for City staff. There were no questions.

Mr. George Human, 1510 Amesbury Drive, Richardson, TX 75082, serving on the Boys and Girls Club as a member stated the club was located for many years on Coit Road south of Spring Valley Road on RISD property. When the school district was given a grant to start their own after school program, the Boys and Girls club was asked to find another location. Mr. Human stated the Boys and Girls club has been located at the St Lukes Lutheran church for two years and recently signed an additional two year lease contract. They are requesting a monument sign to provide the organization greater visibility and recognition.

Ms. McKearin asked if the Board had any questions for Mr. Human. Mr. Warner asked what the membership of the club was. Mr. Human stated that during the school year attendance drops to approximately 60-70 members, but during the summer program there are approximately 114 members. Mr. Warner asked if the club has provisions for low income families. Mr. Human stated they do primarily serve low income families.

Mr. Ikram asked staff what would happen to the sign if the two year lease agreement expires and the club does not want to continue at this location. Mr. Magner stated that approval of the variance is not associated just with the Boys and Girls club; if another sub-lease occurs or if St Luke's church wants to use the sign, it can be refaced and reused. Mr. Magner stated anytime a sign is approved by variance, that sign is considered to be legal unless taken down. Mr. Human interjected that the sign is being paid for by the Boys and Girls Club and if they change locations the sign would be removed and taken with them to the new location.

Mr. Warner asked about the type of programs provided by the club. Mr. Human stated educational and recreational programs are provided for the children.

Ms. Moudy asked if the sign was going to be two-sided. Mr. Human stated it to be a two-sided sign. Ms. Moudy asked if the club's membership lowered or increased when the club relocated from the previously lower income area. Mr. Human stated the club has had to work harder to maintain membership because of relocation, but they do utilize two vans for transportation and getting the children from various schools to their new facility. Ms. Moudy felt the two-sided sign would provide better exposure for the club. Mr. Human stated there is a temporary banner located on the fence at the entrance but it is difficult to see from the street and will be removed when the permanent sign is put in place.

Mr. Ikram asked if the club had considered placing signage on the current church monument sign. Mr. Human stated the Boys and Girls club could not afford to build a sign to match the quality of sign that the church currently has. In addition, the church's sign is located on the eastern portion of the property and the Boys and Girls club is located on the west side, where the new sign is being proposed. Mr. Human stated he felt putting their sign by the driveway closest to their facility would provide better motorist direction on where children should be dropped off and picked up.

There were no further questions. There being no further questions, Ms. McKearin closed the Public Hearing and asked for remarks from the Board.

There being no further comments from the Board, Ms. McKearin asked for a motion.

Ms. Moudy moved to approve the SCB Case #12-11. Ms. Marshall seconded the motion and it carried unanimously.

Ms. McKearin noted the action of the Sign Control Board is subject to review by the City Council for a period of two weeks.

Ms. McKearin asked for a motion to adjourn the Public Hearing. Ms. Marshall moved to adjourn the Hearing. The motion was seconded by Ms. Moudy and carried unanimously.

There being no other business before the Board, the meeting was adjourned at 7:11 p.m.

DORTHY MCKEARIN, CHAIR



City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, August 13, 2012

Agenda Item: Review and Discuss Item Listed on the City Council Meeting Agenda

Staff Resource: Dan Johnson, 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: August 13, 2012

Agenda Item: Review and Discuss the West Spring Valley Road Rehab Project

Staff Resource: Don Magner, Director of Community Services

Summary: Staff will provide an overview of the W. Spring Valley Road rehab project, including reviewing planned bridge enhancements and infrastructure improvements such as light pole and traffic signal replacement.

Board/Commission Action: NA

Action Proposed: NA



City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: August 13, 2012

Agenda Item: Review and Discuss Neighborhood Vitality Program Project Implementation

Staff Resource: Don Magner, Director of Community Services

Summary: City staff will provide a status report on the 2010 Neighborhood Vitality Program, focusing in particular on bridge enhancement projects in Mark Twain, Duck Creek and North College Park. 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: August 13, 2012

Agenda Item: Review and Discuss Screening Wall Maintenance

Staff Resource: Don Magner, Director of Community Services

Summary: Staff will provide a presentation regarding current and future maintenance practices for screening walls primarily located along arterial roadways. City staff will also discuss a screening wall inventory that is currently underway to evaluate future capital project needs.

Board/Commission Action: NA

Action Proposed: NA



City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, August 13, 2012

Agenda Item: Items of Community Interest

Staff Resource: Dan Johnson, 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, August 13, 2012

Agenda Item: Executive Session

Staff Resource: Dan Johnson, City Manager

Summary: The Council will convene into a closed session in compliance with Texas Government Code Section 551.071(2) – Consultation with City Attorney – Briefing regarding the regulation of community and group homes and Section 551.074 – Deliberation of Personnel – Boards and Commissions, consideration of appointment of City Plan Commission Alternate.

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.
