City Council Work Session Handouts

August 27, 2012

I. Discussion of Zoning File 12-12

II. Discussion of Variance 12-06

III. 2nd Public Hearing for Proposed Tax Rate for Fiscal Year 2012-2013

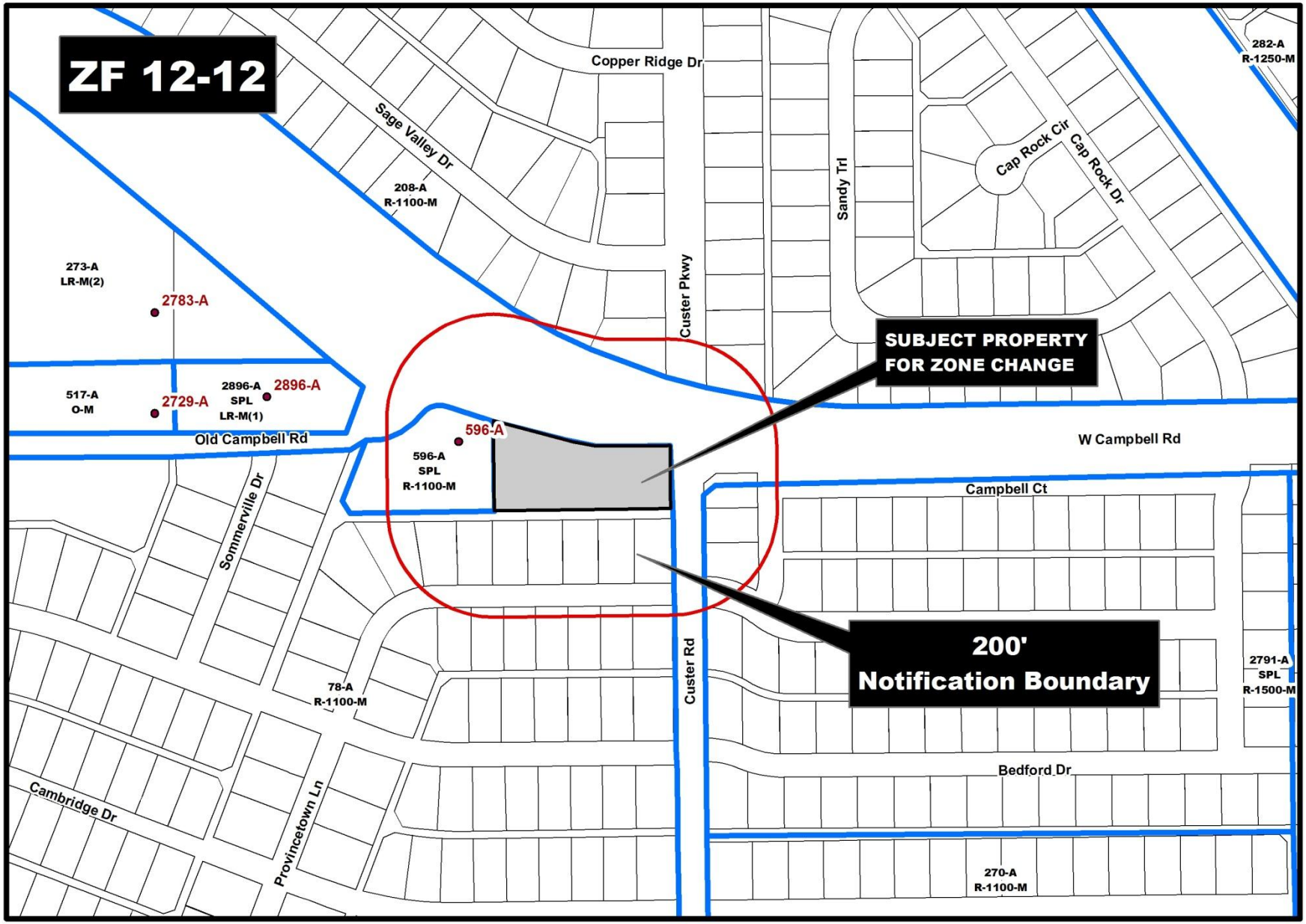
IV. Review and Discuss the Regulation of Community and Group Homes

V. Review and Discuss the Feasibility Study for a Multi-Agency Recreation Center in Breckinridge Park

City Council Worksession

August 27, 2012

Meeting Begins at 6:00 P.M.



ZF 12-12 Notification Map

Updated By: shacklettc, Update Date: July 13, 2012
File: DS\Mapping\Cases\Z\2012\ZF1212\ZF1212 notification.mxd

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

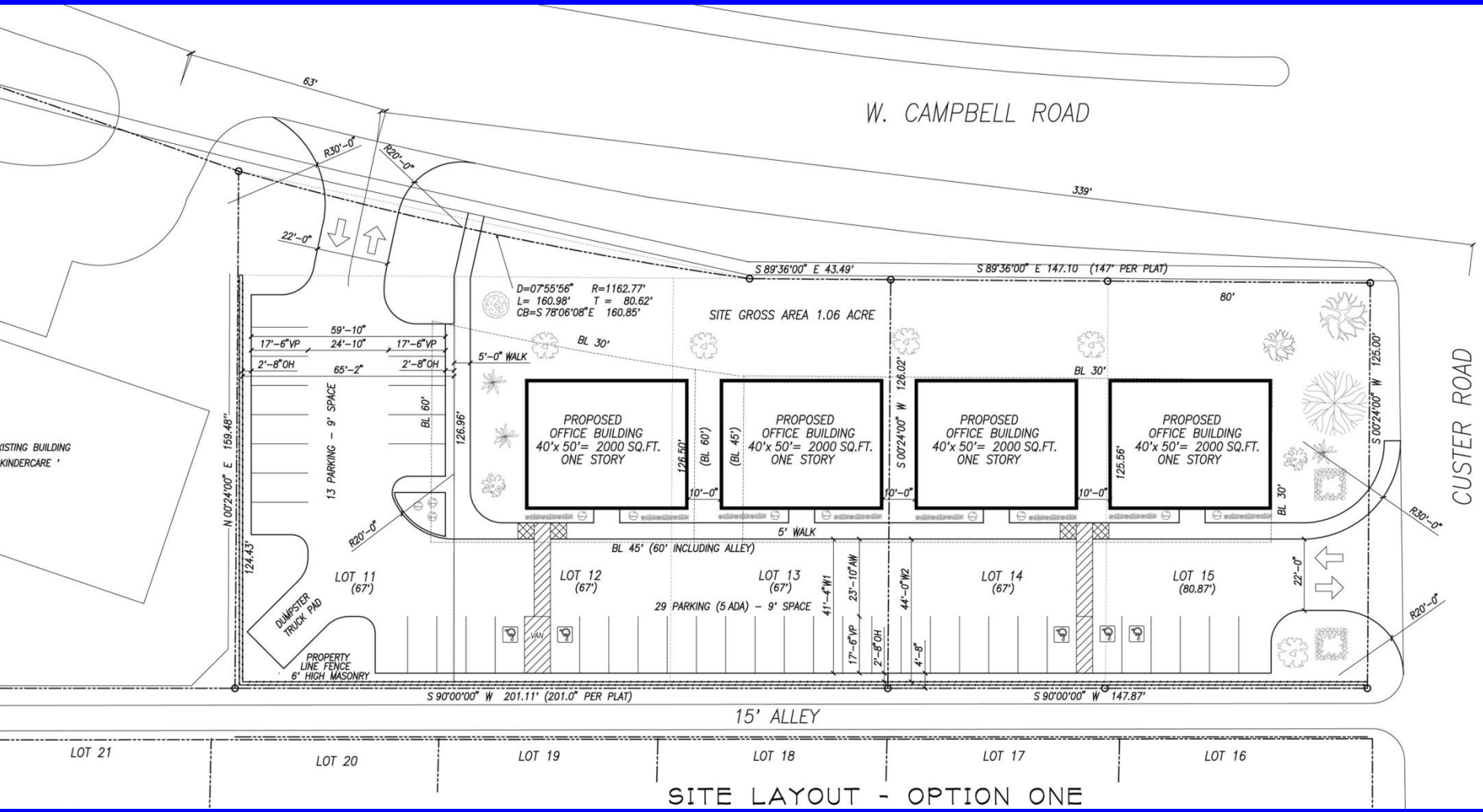
N W E S

ZF 12-12 Aerial Map

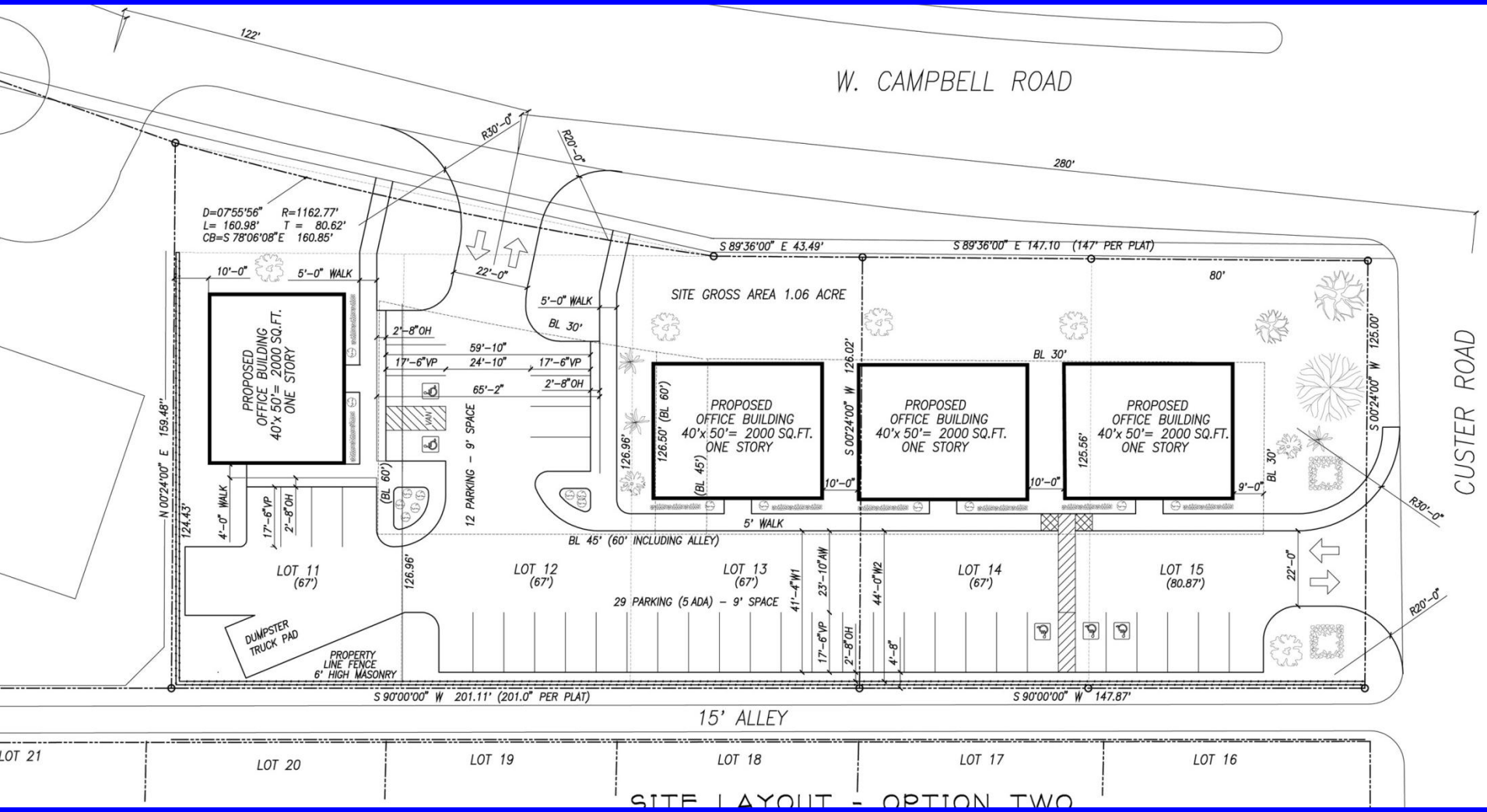
Updated By: shacklettc, Update Date: July 13, 2012
File: DS\Mapping\Cases\Z\2012\ZF1212\ZF1212 ortho.mxd

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.

Custer Road
Campbell Road
Kindercare
N
Oblique Aerial
Looking South



Concept Plan #1



Concept Plan #2

1 – Looking Southwest at Subject Property

2 – Looking Southeast at Subject Property

3 – Looking East along Southern Property Line

4 – Looking South along Western Property Line

VAR 12-06
Breckinridge Point Apartments

Subject Fence
4250 E RENNER RD
226 UNITS
11.92 AC
3500 NORTH STAR RD
214 UNITS
15.12 AC
E Renner Rd
North Star Rd
Denise Dr
Laney Ct
Tanner Ln
Lartan Trl
Mackenzie Ln
Taylor Ln
Courtney Ln
Kelly Dr
Beck Dr

Variance Exhibit

View of the Fence along the Property Line

View of the Fence along the Property Line

City of Richardson, Texas

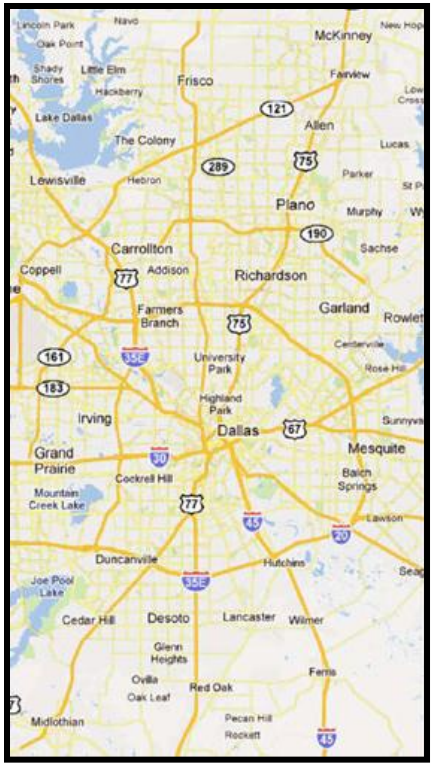
2012-2013 Tax Rate Overview

Charting the Course

City Council Tax Rate Public Hearing

August 27, 2012

FY 2012-2013
Budget Development Objectives



- Continue an active implementation of the City Council's Goals & Near-Term Action Items
- Develop a 2012-2013 Budget and Work Plan that requires <u>no new property tax rate</u> change.
- Continue the strong alignment of municipal resources around the key themes of the Council's goals: strong comprehensive planning, quality public safety services, neighborhood integrity and renewal, sustained infrastructure enhancements, active economic development, and strong fiscal management.
- Sustain the many initiatives begun with the current 2011-2012 work plan, including key studies and capital project initiations.

FY 2012-2013 Combined Budget

Combined Budget				
	2011-2012 Estimated	**2012-2013 Budget**	**Est./Bud.**	**%**
Beginning Fund Balances	$39,057,158	$38,086,813	($970,345)	-2.5%
Revenues	$190,439,584	$198,370,281	$7,930,697	4.2%
Expenditures	$191,409,929	$198,235,950	$6,826,021	3.6%
Ending Fund Balances	$38,086,813	$38,221,144	$134,331	0.4%

Key Budget Elements for 2012-2013: Property Tax

- Certified Tax Rolls from both Dallas and Collin Central Appraisal Districts grew 3.4% for the 2012-2013 Budget.
- **No tax rate change is proposed.** The current $0.63516 rate has been applied in budget development.
- 1 penny equals $1,000,000
- 1% of Tax Roll equals $638,000 impact
- With no upward pressure in residential property values, the Senior Exemption's current $55,000 value amount will maintain the 30% protection objective for 2012-2013.
- Property Taxes provide about 37% of the entire General Fund resources.

2012 Certified Tax Roll Comparison

2012 Certified Tax Roll Comparisons	
August 2012	
Entity	**% Change**
Richardson (CCAD)	**8.40%**
Allen	4.90%
Frisco	4.70%
Irving	3.90%
Richardson (Total)	**3.40%**
Collin County	2.90%
Fort Worth	2.50%
Plano	2.50%
Arlington	2.40%
Carrollton	2.30%
Dallas	2.10%
McKinney	1.70%
Dallas County	1.40%
Richardson (DCAD)	**0.70%**
Grand Prairie	-0.70%
Garland	-1.50%
Mesquite	-2.50%

Assessed Valuation

- Total assessed valuation assumes a 3.4% increase in certified assessed valuation plus $87.9 Million of "Values in Dispute", that could be added to the certified roll once the cases have been finalized and allows for deduction of the Tax Increment Finance District values of $120.7 million

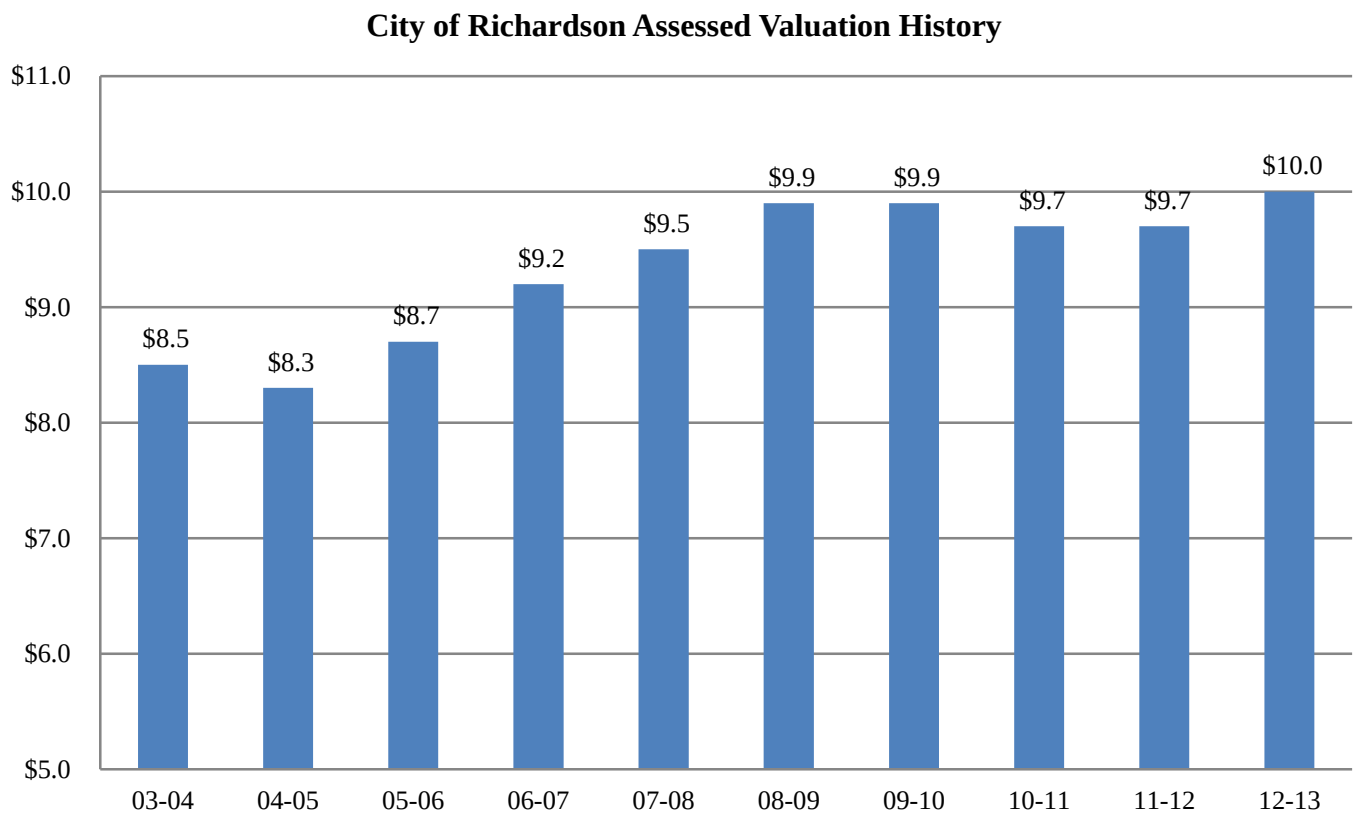
	2011	2012	% Difference
Certified	$9,746,482,430	$10,079,565,561	3.4%
Values In Dispute	$81,652,836	$87,897,941	7.6%
TIF	($65,654,139)	($120,753,668)	83.9%
Taxable Value for General Fund Debt and O/M	**$9,762,481,127**	**$10,046,709,834**	**2.9%**

Property Tax Rate		
	2011-2012	**2012-2013**
Operations & Maintenance (O & M)	$0.36281	$0.36281
Debt Service	$0.27235	$0.27235
Total	$0.63516	$0.63516

Tax Rate Calculations

2012-2013 Tax Rate Calculations			
	Rate	**Difference**	**Revenue**
2012-2013 Rate	$0.63516	-	-
Rollback Rate	$0.66280	$0.02764	$2,776,911
Effective Rate	$0.63291	($0.00225)	($226,051)

FY 2012-2013 Assessed Valuation



Percent of Total Assessed Valuation

Percent of Total Value				
Tax Year	**Residential**	**Commercial**	**BPP**	**Total**
2000	42%	35%	23%	100%
2001	40%	36%	24%	100%
2002	44%	36%	20%	100%
2003	49%	34%	17%	100%
2004	52%	32%	16%	100%
2005	52%	32%	16%	100%
2006	50%	35%	15%	100%
2007	49%	36%	15%	100%
2008	48%	36%	16%	100%
2009	47%	36%	17%	100%
2010	49%	34%	17%	100%
2011	48%	34%	18%	100%
2012	46%	36%	18%	100%

Change In Residential Valuations

Number Residential Properties Affected by Valuation				
	2011-2012		2012-2013	
Impact	**# Properties**	**% of Total Res. Properties**	**# Properties**	**% of Total Res. Properties**
No Change	13,632	48.8%	19,087	68.3%
Decrease	8,813	31.6%	6,908	24.7%
Up 1-10%	4,692	16.8%	1,603	5.7%
Up>10%	791	2.8%	365	1.3%
Total Res. Properties	**27,928**	**100.0%**	**27,963**	**100.0%**

Average Senior Home Value

Average Senior Home Value Statistics				
Tax Year	**Senior Exempt.**	**Avg. Sr. Home Mkt. Value**	**% Change From Year to Year**	**% of Total Val**
2002	$30,000	$146,315	9.54%	20.50%
2003	$30,000	$151,997	3.88%	19.74%
2004	$30,000	$155,650	2.40%	19.27%
2005	$30,000	$163,726	5.19%	18.32%
2006	$50,000	$168,609	2.98%	29.65%
2007	$50,000	$173,581	2.95%	28.80%
2008	$55,000	$178,094	2.60%	30.88%
2009	$55,000	$178,961	0.49%	30.73%
2010	$55,000	$178,079	-0.49%	30.89%
2011	$55,000	$178,788	0.40%	30.76%
2012	$55,000	$178,609	-0.10%	30.79%

Summary Comments

- We appreciate the extensive commentary and guidance provided by the City Council for the development of this 2012-2013 budget:
    - Ongoing Council and Community interactions
    - City Council Retreat on July 17 & 18
    - Council Work Session Follow-up Items – July 30
    - Council Budget Work Session – August 6
    - Public Hearing on Budget and Tax Rate – August 20
- Budget documentation as well as video coverage of the above meetings are online at the City's website www.cor.gov

Summary Comments (more)

- As before, this budget will take a year-long effort of close monitoring and verification of assumptions as we guide this fiscal plan through the next year.
- Calendared actions for tonight:
  - Required hearings on tax rate – August. 27
- Adoption action on budget set for Monday, September 10
- Thank You.

Group and Community Homes

Peter G. Smith

Nichols, Jackson, Dillard, Hager & Smith

OVERVIEW

- What is a Community Home?
- Texas Community Home Act
- What is a group home?
- Federal Fair Housing Act.

OVERVIEW

- Reasonable accommodation
  - By ordinance or administrative process
  - Deed restrictions superseded by law
- Other Cities
  - Garland, Plano, Frisco, and Dallas.
- Recommendation

OVERVIEW

- Group homes are protected under state and/or federal law.

- No single definition under state or federal law.

- Variety of facilities that may qualify under state and/or federal law.

Texas Community Homes

(group homes under state law)

Nichols, Jackson, Dillard
Hager & Smith L.L.P.

a registered limited liability partnership

Texas Community Home
Chapter 123 Human Resource Code

- **Entity that provides food and shelter, personal guidance, care, habitation services and supervision to persons with disabilities who reside in the home.**

- **Limited to not more than 6 persons with disabilities and two supervisors.**

- **Must be licensed by the State.**

What is a Texas Community home?

Must operated by one of the following:

- **TX Dept of Mental Health Mental Retardation;**
- **community center that provides services to persons with disabilities;**
- **non-profit corporation;**
- **entity certified by the TX Dept. of Human Resources as serving persons with mental retardation in intermediate care facilities; or**
- **assisted living facility licensed under Chapter 247, Health & Safety Code.**

Texas Community Home Restrictions

- May not be established within ½ mile of an existing community home.

- Limits number of motor vehicles kept (for the residents) on the premises or adjacent right-of-way to a number not to exceed number of bedrooms in the home.

Texas Community Homes

- **Allowed by right in any residential district.**

- **State agencies that regulate community homes do not enforce the restrictions (e.g. parking, spacing,)**

- **Cities are responsible for adopting and enforcing the Act – COR must adopt the Act to enforce the restrictions.**

Group Homes
(federal law)

Nichols, Jackson, Dillard
Hager & Smith L.L.P.

a registered limited liability partnership

What is a group home?

- **No set definition.**

- **Residential facilities that provide temporary or permanent room/board to a group of persons with a qualified handicap (or disability).**

- **May include Halfway Houses, Assisted Living Facilities, Rehabilitation Care Facilities, and others.**

Federal Fair Housing Act & Fair Housing Act amendments of 1988

- **Prohibits discrimination based upon handicap or familial status.**

- **Prohibits city ordinance, development or zoning regulation, official control, policy, or administrative practice that discriminates against group homes for the handicapped.**

Federal Fair Housing Act & Fair Housing Act amendments of 1988

In summary it prohibits city ordinance, zoning, rule, policy or administrative practice that treats a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated persons.

Federal Fair Housing Act & Fair Housing Act amendments of 1988

Requires Cities to provide reasonable accommodation for the handicapped if necessary to afford reasonable opportunity with regard to housing.

Discrimination under the Act includes: "a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling".

Who is considered handicapped?

A person:

- **with a physical or mental impairment which substantially limits one or more of a person's major life activities;**
- **who has a record of having such an impairment; or**
- **is regarded as having such an impairment.**

Who is considered Handicapped?

- **A person <u>is not</u> considered handicapped if such person is <u>currently</u> illegally using controlled substances or if addicted to a controlled substance.**

- **A person <u>is</u> considered handicapped if they are <u>recovering</u> drug addict or alcoholic.**

Disabilities include:

Orthopedic, visual, speech or hearing impairment; Alzheimer's disease; pre-senile dementia; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; mental retardation; ADD; autism; drug or alcohol treatment; and emotional illness.

Case Law

City of Cleburne v. Cleburne Living Center **(prior to Texas and Federal Acts)**

- **US Supreme Court holds requirement for an specific use permit for group homes for the mentally retarded, but not for any other type of commercial living arrangement, such as nursing homes and boarding houses, violated equal protection because there was no rational basis for the separate requirement.**

Federal Law

Congress passed the Federal Act 3 years after Cleburne case and broadened the protection of the handicapped individuals in addition to prohibiting intentional discrimination.

Legislative history of the Federal Act indicates that Congress intended to prohibit the application of special requirements through land use regulations and deed restrictions that have the effect of limiting ability of such individuals to live in a residence of their choice in the community.

Deed Restrictions

- **Deed restrictions imposed by HOA are prohibited by Federal and State law from discriminating against group homes and community homes.**

Case Law

***City of Edmonds v. Oxford House, Inc.*, (1995).**

- **FHHA prohibits city from enforcing zoning ordinance limiting the number of unrelated persons who may live in a dwelling located in an area zoned for single family use, if no similar restrictions are imposed on all residents of all dwellings.**

Case Law

Courts hold that city zoning that limits the number of occupants of a residence based on definition of family (which is usually number of unrelated and related persons) may not be used to prohibit a qualified group home.

City may adopt maximum number of occupants for a dwelling but such maximum number must apply to all and will require reasonable accommodation on a case by case basis.

CASES

COR zoning limits number of occupants for a residence to related persons and not more than 2 renters.

Family means one or more persons related by blood, adoption or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, but not exceeding two, living and cooking together as a single housekeeping unit, though not related by blood, adoption or marriage, shall be deemed to constitute a family.

AND Residential Zoning District allows Servants quarters.

Case Law

Thus COR zoning definition of family will not limit group homes to not more than two persons.

Reasonable accommodation is required on case by case basis.

What does all this mean?

- Cities must be flexible when applying zoning restrictions to handicapped persons living in group homes.
- Cities are required to tailor zoning to the needs of the handicapped and the establishment of group homes.
- A group home owner or a handicapped individual may request a "reasonable accommodation".
- City refusal to make "reasonable accommodations" may lead to a finding of illegal discrimination.

Reasonable Accommodations

FFHAA
Reasonable Accommodations

- City must provide a "reasonable accommodation" for the handicapped if necessary to afford an equal opportunity with regard to housing.

- Case by case basis.

Providing Reasonable Accommodations

- **Provided by ordinance requiring a hearing before the Board of Adjustments or other board; or**

- **Provided by administrative hearing before the Director of Community Services or other official.**

- **Reasonable accommodation for an increase for occupants may terminate if the property ceases to be operated as housing for disabled persons.**

- **COR is curently providing reasonable accommodations administratively.**

Staff Recommendation

Staff Recommendation

1. Adopt the Texas Community Homes for Disabled Persons Location Act

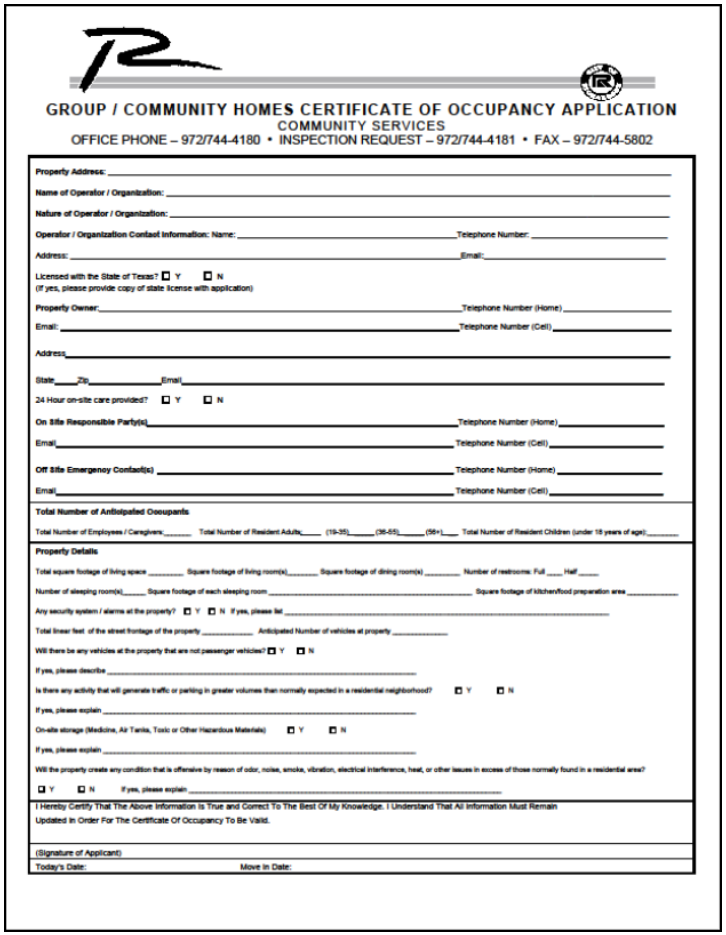
2. Require all group homes to obtain a certificate of occupancy prior to operating / occupying a residence
   a. Conduct an administrative reasonable accommodations hearing prior to approving any certificate of occupancy
   b. Conduct an interior and exterior inspection of the property prior to approving any certificate of occupancy
   c. Require an annual inspection as a condition of the certificate of occupancy

Community Homes for Disabled Persons Location Act

- Amend Chapter 12 of the Code of Ordinances by adding:
  - The Community Homes for Disabled Persons Location Act, Chapter 123, Texas Human Resources Code, as amended (the "Act"), is hereby adopted and incorporated herein in its entirety for all purposes.
  - The provisions of the Act shall be fully implemented and enforced as provided by the Act and by the City of Richardson.

Certificate of Occupancy Required

- An owner or operator shall not use, occupy, or cause to be used or occupied any building in any zoning district located within the City as a Group Home or Community Home without first securing a certificate of occupancy and compliance from the Director of Community Services.



GROUP / COMMUNITY HOMES CERTIFICATE OF OCCUPANCY APPLICATION
COMMUNITY SERVICES
OFFICE PHONE – 972/744-4180 • INSPECTION REQUEST – 972/744-4181 • FAX – 972/744-5802

Property Address: _____

Name of Operator / Organization: _____

Nature of Operator / Organization: _____

Operator / Organization Contact Information: Name: _____ Telephone Number: _____

Address: _____ Email: _____

Licensed with the State of Texas? ☐ Y ☐ N
(If yes, please provide copy of state license with application)

Property Owner: _____ Telephone Number (Home) _____

Email: _____ Telephone Number (Cell) _____

Address _____

State ____ Zip _____ Email _____

24 Hour on-site care provided? ☐ Y ☐ N

On Site Responsible Party(s) _____ Telephone Number (Home) _____

Email _____ Telephone Number (Cell) _____

Off Site Emergency Contact(s) _____ Telephone Number (Home) _____

Email _____ Telephone Number (Cell) _____

Total Number of Anticipated Occupants

Total Number of Employees / Caregivers: _____ Total Number of Resident Adults ____ (19-35) _____ (36-55) _____ (56+) ____ Total Number of Resident Children (under 18 years of age): _____

Property Details

Total square footage of living space _____ Square footage of living room(s) _____ Square footage of dining room(s) _____ Number of restrooms: Full ____ Half ____

Number of sleeping room(s) _____ Square footage of each sleeping room _____ Square footage of kitchen/food preparation area _____

Any security system / alarms at the property? ☐ Y ☐ N If yes, please list _____

Total linear feet of the street frontage of the property _____ Anticipated Number of vehicles at property _____

Will there be any vehicles at the property that are not passenger vehicles? ☐ Y ☐ N

If yes, please describe _____

Is there any activity that will generate traffic or parking in greater volumes than normally expected in a residential neighborhood? ☐ Y ☐ N

If yes, please explain _____

On-site storage (Medicine, Air Tanks, Toxic or Other Hazardous Materials) ☐ Y ☐ N

If yes, please explain _____

Will the property create any condition that is offensive by reason of odor, noise, smoke, vibration, electrical interference, heat, or other issues in excess of those normally found in a residential area?

☐ Y ☐ N If yes, please explain _____

I Hereby Certify That The Above Information Is True and Correct To The Best Of My Knowledge. I Understand That All Information Must Remain Updated In Order For The Certificate Of Occupancy To Be Valid.

(Signature of Applicant)

Today's Date: Move In Date:

Example of Required Information

- Property owner
- Onsite responsible party
- Offsite emergency contacts
- Total number of residents
- Age of residents
- Total number of employees / caregivers
- Licensed with State of Texas
- Storage or flammable or other potentially hazardous materials
- Total square feet
  - Sleeping area
  - Living area
  - Dining area
  - Kitchen
- Number of restrooms
- Total linear feet of street frontage
- Number of vehicles

Reasonable Accommodation Hearing Required

- **Purpose**
  - Provides guidelines for the requirements of a certificate of occupancy for any group or community home located within the City.
  - Provides guidelines for the City's compliance to the requirements of the "Federal Fair Housing Act"
    - Requires governments provide a "reasonable accommodation" for the handicapped if necessary to afford an equal opportunity with regard to the use and enjoyment of a dwelling.

Reasonable Accommodation Hearing Required

- **Procedure for Consideration**
  - The Director of Community Services shall hear and decide requests for reasonable accommodations to the City's zoning and development regulations when needed to provide an individual with a disability an equal opportunity to use and enjoy a dwelling in accordance with the procedures herein.

Reasonable Accommodation Hearing Required

- **Procedure for Consideration**
  - A request for reasonable accommodation may be made to the Director of Community Services by any person with a disability, the person's representative, a developer, or a provider of housing for individuals with disabilities.
  - The request shall state the reason for the accommodation from the zoning and development regulations and the basis for the request.
  - The Director of Community Services shall conduct a hearing to determine whether the request for reasonable accommodation should be granted.

Reasonable Accommodation Hearing Required

- **Procedure for Consideration**
  - The applicant or applicant's representative shall have the burden to demonstrate that:
    - The applicant (or the person on whose behalf the applicant is requesting the accommodation) suffers from a disability as defined by the Fair Housing Act and
    - The applicant demonstrates that the accommodation is both reasonable and necessary.
      - An accommodation under this section is "necessary" if, without the accommodation, the applicant will be denied an equal opportunity to obtain the housing of his or her choice.

Reasonable Accommodation Hearing Required

- **Procedure for Consideration**
  - The matter set out in the request for reasonable accommodations shall be granted unless the accommodation would fundamentally alter the City's land use and zoning patterns or if the impact of the use on its surroundings is greater than that of other uses permitted in the zoning district.
    - A reasonable accommodation for an increase in the number of residents use terminates if the property ceases to be operated as housing for disabled persons as defined by the Federal Fair Housing Act.

Inspection Required

- **Inspection Elements**
  - Occupancy standards
  - Parking standards
  - Minimum property standards
  - Electrical
  - Plumbing
  - Mechanical
  - Fire
  - Nuisance issues: noise, trash, etc.

Occupancy Standards

- Section 6-367 (44) states:
  - Each bedroom in a dwelling unit occupied by one person shall contain 70 square feet of floor area, and that each bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof.

Occupancy Standards

- A bedroom must comply with all applicable provisions of the International Residential Code and Code of Ordinances including:
  - Minimum lighting requirements
  - Minimum ventilation requirements
  - Minimum room width
  - Minimum ceiling height
  - Required emergency escape windows and doors
  - Required smoke detectors in the vicinity

Occupancy Standards

Table A - Minimum Area Requirements

	1-2 Occupants	3-5 Occupants	6 or more Occupants
Living Room	No Requirement	120	150
Dining Room	No Requirement	90	100

a. See Section 6-367 (50) for limitations on determining the minimum occupancy area for sleeping purposes.

b. See Section 6-367 (51) for combined living room/dining room spaces.

Occupancy Standards

Minimum Area Requirements Living/Sleeping Room

	1-2 Occupants	3-5 Occupants	6 or more Occupants
1 person using for sleeping	No Requirement	190 (120+70)	220 (150+70)
2 people using for sleeping	No Requirement	220 (120+100)	250 (150+100)
3 people using for sleeping	NA	270 (120+150)	300 (150+150)

Occupancy Standards

Minimum Area Requirements Dining/Sleeping Room

	1-2 Occupants	3-5 Occupants	6 or more Occupants
1 person using for sleeping	No Requirement	160 (90+70)	170 (100+70)
2 people using for sleeping	No Requirement	190 (90+100)	200 (100+100)
3 people using for sleeping	NA	240 (90+150)	250 (100+150)

Occupancy Standards

Minimum Area Requirements Combined Living/Dining/Sleeping Room

	1-2 Occupants	3-5 Occupants	6 or more Occupants
1 person using for sleeping	No Requirement	280 (120+90+70)	320 (150+100+70)
2 people using for sleeping	No Requirement	310 (120+90+100)	350 (150+100+100)
3 people using for sleeping	NA	360 (120+90+150)	400 (150+100+150)

Maximum Occupancy Allowed

- Occupancy is limited to the maximum permitted by the least area provided.
  - Occupancy in bedrooms is limited by one set of standards.
  - Occupancy in living / dining rooms is limited by another set of standards.
  - The standard that permits the least number of occupants is the standard that is applied and enforced.

Occupancy Standards

- Section 6-367 (47)
  - Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces, expect units that contain less than two bedrooms.

Occupancy Standards

- Section 6-367 (48)
  - Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom.

Occupancy Standards

- Section 6-367 (53)
  - All spaces to be occupied for food preparation shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner.
  - There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

Parking Standards

- It is an offense for a person lawfully in the possession of a motor vehicle to park such motor vehicle between the hours of 2:00 a.m. and 8:00 a.m. on a public street contiguous to or adjacent to a residential lot or tract unless such person is a resident or occupant of such residential lot.

Group & Community Homes in Richardson

The Oxford House

- The first Oxford House was established in 1975 in Silver Spring, Maryland.
- In 1997, the Oxford House, Inc., the national 501(c)(3) nonprofit umbrella organization, was formed.
- As of August 2011, there were 1,497 Oxford Houses, including locations in 44 states.
  - 84 in Texas
  - 11 in Richardson
- At any given time there are more than 10,000 individual living in an Oxford House.

The Oxford House

- Oxford House provides housing and rehabilitative support for recovering alcohol and drug addicts.
- Oxford House provides housing for men, women and women with children.
- There is an average of about 6 to 15 residents per house.

The Oxford House

- Each local Oxford House receives a charter from Oxford House, Inc., the umbrella organization for all Oxford Houses.
- The group must be democratically self-run following the procedures outlined by the Oxford House Manual.
- The group must be financially independent, paying the landlord and all other household bills on time.
- Finally, the group must immediately expel any resident who abuses drugs or alcohol in or outside the house to insure the safety of other recovering residents.

Examples of Other Homes

- Chadwick House (306 Forest Grove) – Geriatrics and aging
- Dignified Living (2206 Blue Cypress Drive) – Geriatrics and aging
- Ability Connection Texas (4 locations) – Intellectual and development disabilities
- River of Life – (2 locations) – Battered women
- Mosaic – (2 locations) Intellectual disabilities

What Other Cities Require

	Requires Group Homes to Register / Obtain Certificate of Occupancy
Arlington	Yes – If 6 or more occupants
Carrollton	No
Dallas	Yes - But not homes licensed by the Texas
Farmers Branch	Yes - C/O is required on all new purchases
Frisco	No
Garland	Yes – If 4 or more occupants
Grand Prairie	Yes
Mesquite	Yes – If 4 or more occupants
McKinney	No
Plano	Yes

Summary of Approaches

	Currently	Proposed
Group homes must obtain a certificate of occupancy prior to operating	No	Yes
Community Services staff conducts a reasonable accommodations hearing prior to issuing any group home a certificate of occupancy	No	Yes
A multi-department team of inspectors conducts an interior and exterior inspection of the property prior to issuing any group home a certificate of occupancy	No	Yes
A multi-department team of inspectors conducts annual interior inspections as a condition of the certificate of occupancy	No	Yes

Summary of Approaches

	Currently	Proposed
Community Services staff conducts regular exterior inspections to confirm compliance with all applicable property maintenance codes	Yes	Yes
Community Services staff may require an interior inspection as a result of a citizen complaint or other	Yes	Yes
The City's occupancy standards apply	Yes	Yes
The City's parking standards apply	Yes	Yes
The City's property standards apply	Yes	Yes
The City can enforce the home's rules and regulations	No	No

Next Steps

- Place ordinance adopting the Texas Community Homes for Disabled Persons Location Act on future City Council Consent Agenda

- Begin requiring all group and community homes to obtain a certificate of occupancy immediately
  - Send notice to all existing group and community homes directing them to apply for certificate of occupancy / schedule inspection

BRECKINRIDGE PARK

MULTI AGENCY RECREATION CENTER FEASIBILITY STUDY

City Council Presentation

August 27, 2012

City of Richardson

City of Murphy

BALLARD*KING

BARKER RINKER SEACAT ARCHITECTURE

CITY OF MURPHY

BRECKINRIDGE PARK

Presentation Overview

- Background
  - Study Overview
- Feedback from the City of Murphy
- Conclusion of Phase I study
- Next Steps

BRECKINRIDGE PARK

Background

- Joint study initiated in October 2011 with the cities of Richardson and Murphy based on the aligned goals and plans for the development of a future recreation center.

BRECKINRIDGE PARK

Project Goals and Common Interests

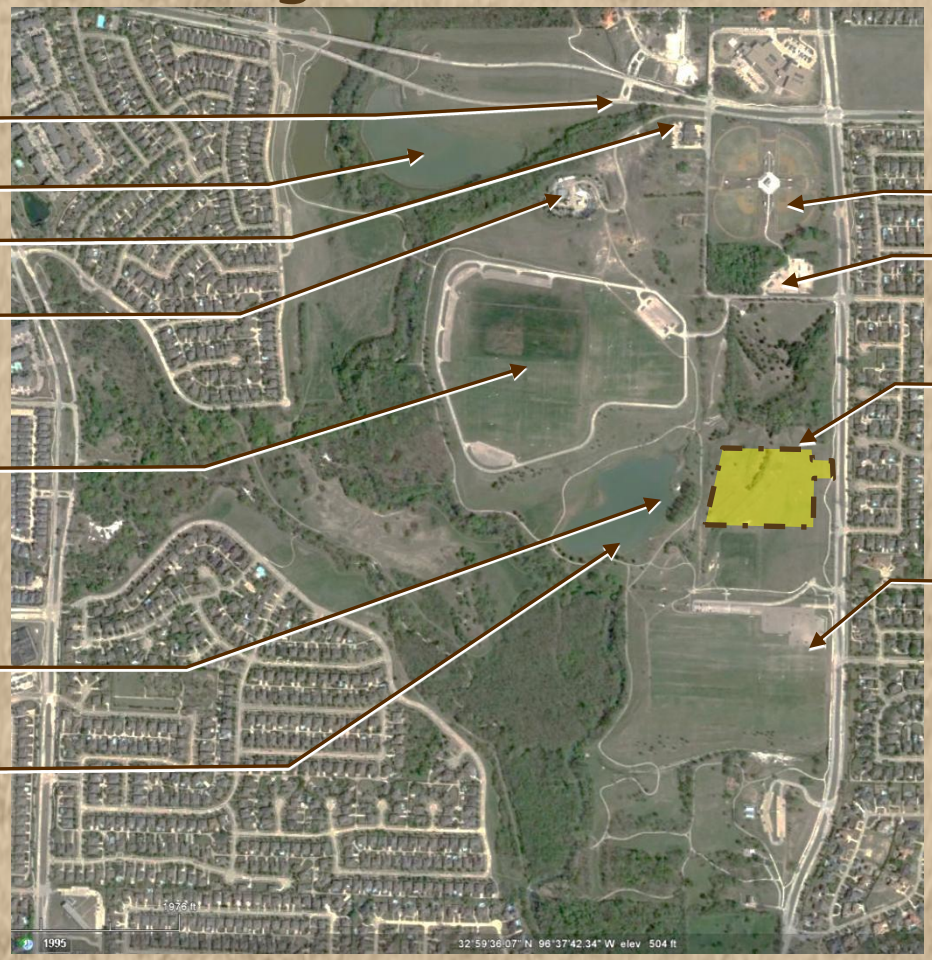
- Identify recreational opportunities to members of both communities at Breckinridge Park
- Share in planning the facility between the communities
- Explore opportunities for shared capital costs
- Explore opportunities for shared operations
- Explore funding opportunities
- Planning for a permanent relationship between the communities

BARKER RINKER SEACAT ARCHITECTURE

CITY OF MURPHY

BRECKINRIDGE PARK

Master Plan Background



Site Aerial View

N

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BRECKINRIDGE PARK

Public Meeting & Dot Voting

January 26, 2012

259 Attended Meeting - 129 Voting Participants

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- **Market Opportunities**
  - The Immediate and Primary Service Areas are underserved by recreation opportunities.
  - The Breckinridge Park site is outstanding.
  - There is not a public, active use facility in the area.
  - There is a strong market for a public facility despite the presence of other providers.
  - The demographic characteristics are positive.
  - A partnership between Richardson and Murphy would enhance the project.

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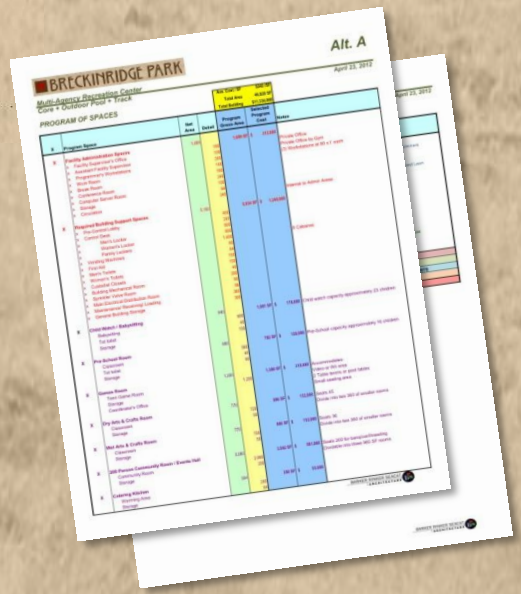
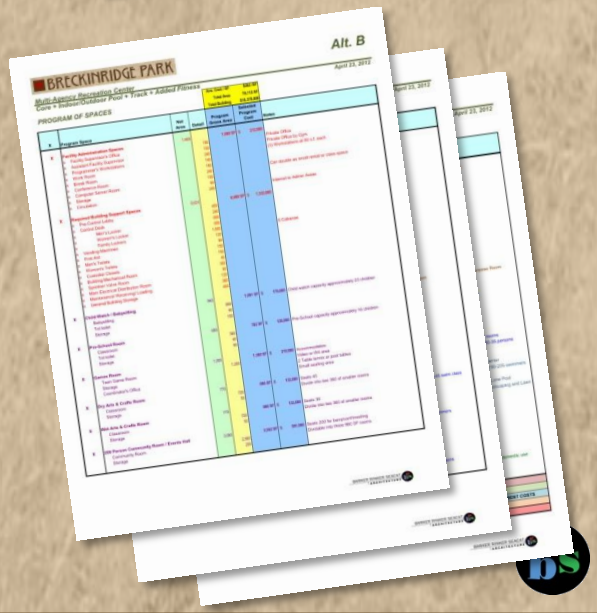
Facility Alternatives Exploration





Alternative A (40,000 Sq.Ft.)

- Core Recreation Center
- Track & Fitness Rooms
- Outdoor Family Aquatics Center

Alternative B (60,000 Sq.Ft.)

- Alternative A
- Fitness Program Increases
- Climbing Wall
- Indoor Leisure Pool

Option 1 – Nature Center Addition

Option 2 – Outdoor Tennis Complex

Option 3 – Competitive Pool Addition

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Summary of Alternatives & Options

Alternative Description		BUILDING AREA	SITE AREA	TOTAL PROJECT BUDGET
Alt. A	Core + Outdoor Pool + Track	*46,820 SF*	*9.1 Acres*	$20,573,270
Alt. B	Core + Indoor/Outdoor Pool + Track + Added Fitness	*70,112 SF*	*11.3 Acres*	$30,699,737
Option 1	Nature Center Addition	*3,128 SF*	*0.6 Acres*	$1,569,729
Option 2	Outdoor Tennis and Pavilion	*1,320 SF*	*1.8 Acres*	$1,871,934
Option 3	8 Lane Competitive Pool Addition	*13,858 SF*	*1.9 Acres*	$6,082,024

Cost estimated based on similar recently constructed community centers around the US and indexed to Dallas region based on 2012 dollars.

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BRECKINRIDGE PARK

Operations & Revenues

- **Expenditures**
  - Personnel
  - Commodities
  - Contractual
  - Insurance & Capital Replacement
- **Revenues**
  - Fees
  - Programs
  - Contracts
  - Other (Babysitting, Vending...)

BRECKINRIDGE PARK

Partnership Options

Reasons to Partner

- **Larger facility** with more amenities to serve the immediate service area.
- **Capital costs are shared** resulting in a lower direct cost for each city with a greater benefit.
- **Operational costs are shared** resulting in a lower cost to each city for a comparable facility.
- The **primary users** will be from the City of Richardson's Panhandle and the City of Murphy.
- With a larger and more comprehensive center there are more opportunities to **attract additional partners**.
- If each community builds their own center then they will both be smaller and **will compete with each other** for users thereby reducing the cost effectiveness of both.
- Building separate facilities will be more costly from a capital perspective.

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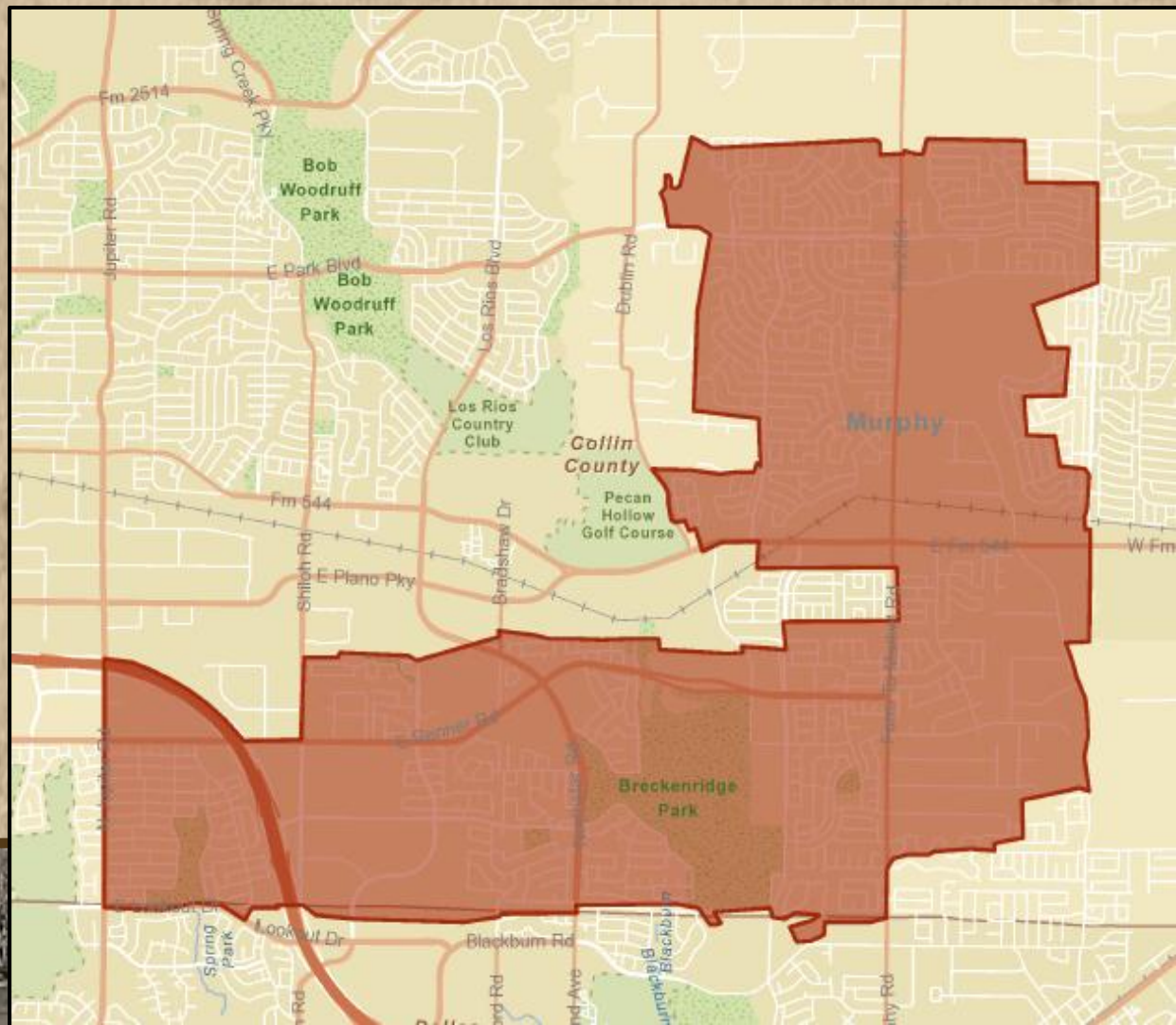
Immediate Market Area

City of Murphy

City of Richardson-Panhandle

2010 Census

- Richardson Panhandle 16,316
- Murphy 17,708



BRECKINRIDGE PARK

City of Richardson/Murphy Partnership Recommendation

Foundation for a 50/50 partnership

- The **population bases** from each community that will use the center are actually close to the same.
- The **indoor aquatics amenity that is a high priority for Murphy** is a more costly element in the facility.
- The level of **capital cost contribution** has a direct relationship to the operational input and control for each partner. A 50/50 capital cost sharing ensures a 50/50 operational role.

BRECKINRIDGE PARK

City of Richardson Partnership Recommendation

Special Meeting June 5, 2012

- At a special meeting of the Park & Recreation Commission focusing on the Breckinridge Multi Agency Recreation Center Study, the following was agreed as their position:
  - Richardson and Murphy would benefit greatly by a partnership on a recreation center and aquatics to be shared by both communities.
  - The majority of the PARC agreed that Option “B” <u>in a partnership arrangement</u> is preferred and recommended.
    - The PARC sees the opportunity to increase the size recreation center and indoor leisure water is very attractive. Without each community participating the individual communities can not afford the same amount on their own.
  - The majority of the PARC recommended 50/50 split on capital investment to realize a true equity partnership.

CITY OF MURPHY

BRECKINRIDGE PARK

City of Richardson Partnership Recommendation

City Council Recommendation to City of Murphy

- At the regular City Council work session July 9, 2012, City Council directed Richardson staff to communicate the following to the City of Murphy:
  - The City of Richardson desires to partner with Murphy on a Multi Agency Recreation Center
  - The partnership should be equitable with buy in from both parties
  - A 50/50 partnership based on the demographics was recommended.
  - Richardson has 2 full recreation centers supporting the existing population, the Breckinridge Recreation Center can support the undeserved area of Richardson and could serve Murphy and the region with the right size facility and the right partner.
  - Final recommendation for partnership was Option B

BRECKINRIDGE PARK

City of Murphy Partnership Recommendation

City of Murphy decided not to move forward

- City of Murphy City Manager, James Fisher, communicated Murphy City Council decided to decline the offer to partner with Richardson as presented on a Multi Agency Recreation Center (MARC).
- Murphy City Council was grateful for having the opportunity to explore the partnership through the MARC study and cited the following reasons for declining the offer:
  - **Murphy does not feel such a large investment should be outside their city limits.**
  - **The MARC capital investment is a large commitment for a City their size.**
  - **Murphy is seeking partners within their city limit for a City of Murphy Recreation Center.**

BRECKINRIDGE PARK

Multi Agency Recreation Center Phase I Study- Complete

Phase I - conclusion

- Phase I is a good preliminary study and achieved its purpose:
  - The two Cities sought to understand if aligned goals and plans for the development of a future recreation center could be found and a potential partnership form.
    - **Result: although the site is a valuable commodity and resident interest in the project is high, common ground could not be found.**
  - The study highlights tremendous value, confirming the Breckinridge Area as a destination for indoor recreation needs.
    - **Result: Future bond development and timing yet to be determined making the Breckinridge Recreation Center undetermined at this time.**
  - The Breckinridge area is fertile ground for supporting and financial sustaining a recreation center in the region.
  - Other partnership opportunities could exist and need to be explored.

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BRECKINRIDGE PARK

Next Steps

- Examine Richardson plans for developing a full service Breckinridge recreation center.
  - **Same size as the existing Huffhines and the New Heights Recreation Centers including an outdoor family aquatics center**
- Continue to seek any private or public partners for a Multi Agency Recreation Center that might exist.

CITY OF
MURPHY