

RICHARDSON CITY COUNCIL
NOVEMBER 26, 2012
7:30 P.M.
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX

- 1. INVOCATION – KENDAL HARTLEY**
 - 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – KENDAL HARTLEY**
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3. VISITORS. (THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY TOPIC NOT ALREADY SCHEDULED FOR PUBLIC HEARING. PRIOR TO THE MEETING, PLEASE COMPLETE A "CITY COUNCIL APPEARANCE CARD" AND PRESENT IT TO THE CITY SECRETARY. THE TIME LIMIT IS FIVE MINUTES PER SPEAKER.)
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4. CONSIDER APPOINTMENTS TO THE ENVIRONMENTAL ADVISORY COMMISSION, PARKS AND RECREATION COMMISSION, AND THE SIGN CONTROL BOARD.

ACTION TAKEN:

PUBLIC HEARING ITEMS:

5. PUBLIC HEARING, ZONING FILE 12-17: A REQUEST BY JOHN T. EVANS, REPRESENTING SWC BELTLINE G.P. INC., TO REVOKE ORDINANCE 2903-A, A SPECIAL PERMIT FOR RETAIL SALES IN CONJUNCTION WITH A WHOLESALE AND DISTRIBUTION CENTER FOR MEN'S CLOTHING AND APPROVAL OF A SPECIAL PERMIT FOR A RESTAURANT WITH MODIFIED DEVELOPMENT STANDARDS IN AN I-M(1) INDUSTRIAL DISTRICT AND A PRIVATE CLUB WITH MODIFIED DEVELOPMENT STANDARDS IN AN I-M(1) INDUSTRIAL DISTRICT TO BE LOCATED AT 1050 N. CENTRAL EXPRESSWAY (EAST SIDE OF CENTRAL EXPRESSWAY, NORTH OF ARAPAHO ROAD). THE PROPERTY IS CURRENTLY ZONED I-M(1) INDUSTRIAL.

ACTION TAKEN:

6. PUBLIC HEARING, ZONING FILE 12-18: A REQUEST BY MICHAEL J. WRIGHT, REPRESENTING M.J. WRIGHT & ASSOCIATES, INC., TO AMEND THE O-M OFFICE SPECIAL CONDITIONS TO ACCOMMODATE THE DEVELOPMENT OF MULTIPLE 1-STORY OFFICE BUILDINGS ON A PROPERTY LOCATED ON THE NORTH SIDE OF CAMPBELL ROAD, WEST OF WATERVIEW PARKWAY. THE PROPERTY IS CURRENTLY ZONED O-M OFFICE.

ACTION TAKEN:

ALL ITEMS LISTED UNDER ITEM 7 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:

7. CONSENT AGENDA:
 - A. CONSIDER THE FOLLOWING RESOLUTIONS:

1. RESOLUTION NO. 12-22, AUTHORIZING EXECUTION OF AN AGREEMENT REQUESTING NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (“NCTCOG”) TO PURSUE DEVELOPMENT OF THE COTTON BELT RAIL PROJECT UTILIZING SENATE BILL 1048 (“PUBLIC AND PRIVATE FACILITIES AND INFRASTRUCTURE ACT”); AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.
 2. RESOLUTION NO. 12-23, ADOPTING THE CITY OF RICHARDSON INVESTMENT POLICY, DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE CITY AND THAT THE POLICY RECORDS ANY CHANGES TO EITHER THE INVESTMENT POLICY OR INVESTMENT STRATEGIES.
 3. RESOLUTION NO. 12-24, APPROVING THE TERMS AND CONDITIONS OF AN INTER LOCAL COOPERATION AGREEMENT BY AND BETWEEN THE COUNTY OF DALLAS, TEXAS, AND THE CITY OF RICHARDSON, TEXAS, FOR A DALLAS COUNTY CAPITAL IMPROVEMENT PROGRAM FUNDING AGREEMENT FOR THE CONSTRUCTION AND FUNDING FOR IMPROVEMENTS TO SPRING VALLEY ROAD AND BRIDGE RECONSTRUCTION FOR COTTONWOOD CREEK AND HUNT BRANCH, AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.
- B. AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING BIDS:
1. BID #15-13 – APPROVAL OF PLANS AND CONTRACT DOCUMENTS FOR THE PAVEMENT/DRAINAGE REHABILITATION (300 BLOCK OF PITTMAN, WISTA VISTA AND HUFFHINES). BIDS TO BE RECEIVED BY THURSDAY, JANUARY 3, 2013 AT 2:00 P.M.
 2. BID #16-13 – APPROVAL OF PLANS AND CONTRACT DOCUMENTS FOR THE COMMUNICATIONS HVAC PHASE 2 AND LIBRARY COOLING TOWER. BIDS TO BE RECEIVED BY THURSDAY, DECEMBER 18, 2012 AT 2:00 P.M.
- C. CONSIDER AWARD OF THE FOLLOWING BIDS:
1. BID #02-13 – WE RECOMMEND THE AWARD TO CARRUTHERS LANDSCAPE MANAGEMENT, INC. FOR THE REBID OF DEBRIS REMOVAL AND VEGETATION MANAGEMENT – WEST FORK OF COTTONWOOD CREEK PROJECT IN THE AMOUNT OF \$107,799.43.
 2. BID #13-13 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO HD SUPPLY WATERWORKS FOR NEPTUNE WATER METERS AND PARTS PURSUANT TO UNIT PRICES.
- D. AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 TO PURCHASE ORDER NO. 121369 TO HILL & WILKINSON CONSTRUCTION FOR THE HEIGHTS PARK RECREATION CENTER, AQUATICS AND GYMNASTICS CENTER IN THE AMOUNT OF \$366,000.

THE RICHARDSON CITY COUNCIL WILL MEET AT 5:30 P.M. ON MONDAY, NOVEMBER 26, 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. Briefing by the City Attorney on the City Charter Changes
- C. Review and Discuss the 2013 City Council Election Calendar
- D. Review and Discuss the Year-End Financial Report for the FY 2011-2012 Operating Budget
- E. Report on Items of Community Interest

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON WEDNESDAY, NOVEMBER 21, 2012, BY 5:00 P.M.

CITY SECRETARY



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date: Monday, November 26, 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.



City of Richardson
City Council Meeting
Agenda Item Summary



Work Session Meeting Date: Monday, November 26, 2012

Agenda Item: Consider appointments to the Environmental Advisory Commission, Parks and Recreation Commission, and the Sign Control Board.

Staff Resource: Dan Johnson, City Manager

Summary: The City Council met on November 19th to discuss appointments to various boards and commissions. This item is set to provide Council the opportunity to take action regarding appointments.

Board/Commission Action: NA

Action Proposed: Take action making appointments to the Environmental Advisory Commission, Parks and Recreation Commission, and the Sign Control Board.



MEMO

DATE: November 21, 2012

TO: Honorable Mayor and City Council

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

SUBJECT: Zoning File 12-17 – Special Permit – Central BBQ – 1050 N. Central Expy.

REQUEST

John T. Evans, representing SWC Beltline G.P. Inc., is requesting revocation of an existing Special Permit for a retail sales establishment associated with a men’s clothing wholesale and distribution center and approval of a Special Permit for a restaurant and private club in an I-M(1) Industrial District with modified development standards. The subject property is a 2.35-acre lot located on the east side of Central Expressway, north of Arapaho Road (the former K&G Fashion Superstore).

BACKGROUND

The proposed renovation of the existing building requires minor changes to the site to create better circulation throughout the property and modifications to landscape islands to accommodate fire lanes. Although the building’s exterior walls are to remain, a portion of the roof structure on the east side of the building would be removed to create open areas for a driveway and walkway parallel to the east property line and to accommodate open smoker pits on the south side of the building.

The building facades will be renovated to reflect the architectural character of a 1930’s brick industrial building. Altogether, the exterior building facades would comprise 84% masonry cladding. The proposed restaurant features a functioning smokestack, open air wood burning fire pits and smoker pits located within the customer queuing area where customers select entrées before proceeding into the restaurant where sides and drinks are offered. Seating areas are provided in a main dining area, private party room and at the bar within the restaurant.

As part of the request, the applicant is requesting to allow the existing building encroachment and attached awnings within the front setback. The applicant is also requesting to remove the requirement for a pedestrian easement for a sidewalk along Central Expressway since the extension of the existing sidewalk would not connect to a sidewalk to the north. All other requirements of the US-75 Design Guidelines would be met.

No correspondence has been received concerning this request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 7-0, recommended approval of the request as presented.

ATTACHMENTS

- | | |
|---|--|
| Special Conditions | Elevations (Exhibit “C”) |
| CC Public Hearing Notice | Color Elevations (Exhibit “D”) |
| City Plan Commission Minutes 11-06-2012 | Site Photos (Exhibits “E-1” through “E-3”) |
| Staff Report | Applicant’s Statement |
| Zoning Map | Notice of Public Hearing |
| Aerial Map | Notification List |
| Oblique Aerial Looking East | Ordinance 2903-A |
| Zoning Exhibit (Exhibit “B”) | |

ZF 12-17 Special Conditions

1. Ordinance 2903-A shall be repealed.
2. The Special Permit for a restaurant and/or private club is limited to the area shown on the Concept Plan, attached as Exhibit "B" and made a part thereof and which is hereby approved.
3. The development shall be constructed in conformance with the attached Concept Plan (Exhibit "B") and Elevations (Exhibit "C").
4. No pedestrian easement shall be required along Central Expressway.
5. Encroachment of the building and awnings into the 40-foot front setback shall be allowed as shown on Exhibit "B".



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: November 7, 2012
Submitted by: City Secretary, City of Richardson

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

City Secretary's Office
P.O. Box 830309
Richardson, TX 75083-0309

FOR PUBLICATION ON: November 9, 2012

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday November 26, 2012, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following request.

Zoning File 12-17

A request by John T. Evans, representing SWC Beltline G.P. Inc., to revoke Ordinance 2903-A, a Special Permit for retail sales in conjunction with a wholesale and distribution center for men's clothing and approval of a Special Permit for a restaurant with modified development standards in an I-M(1) Industrial District and a private club with modified development standards in an I-M(1) Industrial District to be located at 1050 N. Central Expressway (east side of Central Expressway, north of Arapaho Road). The property is currently zoned I-M(1) Industrial.

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

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

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – November 6, 2012**

PUBLIC HEARING

Zoning File 12-17: Consider and take necessary action on a request by John T. Evans, representing SWC Beltline G.P. Inc., to revoke Ordinance 2903-A, a Special Permit for retail sales in conjunction with a wholesale distribution center for men’s clothing and approval of a Special Permit for a restaurant and/or private club with modified development standards in an I-M(1) Industrial District. The site is located at 1050 N. Central Expressway, approximately 1,000 feet north of Arapaho Road, on the east side of Central Expressway, and is zoned I-M(1) Industrial.

Mr. Shacklett advised that the applicant was requesting revocation of an existing Special Permit for the former K & G retail/wholesale establishment, and approval of a new Special Permit for a restaurant and/or private club in an Industrial District. He added that the Special Permit, for the restaurant and private club, had to do with possible changes to Chapter 4 of the City’s alcoholic beverage code.

Mr. Shacklett stated the proposal was to convert the 20,000 square foot building into a 13,000 square foot central Texas barbeque restaurant. To achieve the change, the applicant proposed to remove approximately 1/3 of the roof structure on the east side to provide a covered walkway and a driveway connecting the northern and southern parking lots.

Mr. Shacklett stated the northwest corner of the building encroached into the 40-foot front setback. The applicant was not proposing to expand the building, but with the expansion of Central Expressway over the years the property line has moved back into the property and the applicant is requesting the area be made conforming as part of the Special Permit.

In addition, Mr. Shacklett said the applicant was asking to forgo the 10-foot meandering sidewalk required under the U.S. 75 design guidelines and leave the existing sidewalk in place along their property. He added that north of the applicant’s property there were no other sidewalks and most of the property was DART right-of-way.

Mr. Shacklett concluded his presentation by noting that the building would be built in a 1930’s industrial design with over 80 percent masonry, and although the City’s Master Transportation Plan calls for the extension of the east/west Woodall Drive, which would run directly south of the property in question to U.S. 75, there are no plans in the near future to complete that extension.

Chairman Gantt asked if recommended special condition, item 3, was correct in the staff report or were there some elevations missing from the Commission’s packet.

Mr. Shacklett replied there was a typographical error and the item should read “...and Elevations (Exhibit C)”.

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

Mr. John Evans, 9030 Briarwood Lane, Dallas, Texas, SWC Beltline, representing the future property owner, stated they felt the proposed restaurant would be an excellent use of the property and good for the City.

Mr. Robert Tabak, Tabak Design Group, 7607 Currin Drive, Dallas, Texas, stated the architecture for building was derived from the future owner's desire to create a barbeque restaurant in the style of Texas cooking that dates back over 100 years. He added that the two-story component represented an old municipal building that could have been built in the 1930's using authentic type materials seen in buildings from that era.

Mr. Tabak explained the changes that will be made to the building highlighting the driveway connecting the north and south parking lots, the pedestrian walkway, the smoking pit, the internal floor plan, and other components of the proposed redesign.

Chairman Gantt asked if the smoke stack would be decorative or a working smoke stack.

Mr. Tabak replied that the enclosed smokers would feed the smoke stack, but the pit areas would not.

Commissioner DePuy asked the purpose of the driveway, whether it would be difficult for patrons to find the entrance since it was located at the back of the building, and was there another restaurant similar in nature to the proposed design.

Mr. Tabak replied that because the north parking lot was much smaller than the south lot, and the fact that the service road was one-way, it seemed best to have some type of internal means to funnel traffic to the south lot. He added that there will be signage directing patrons to the entrance of the building.

Regarding a similar type restaurant, Mr. Tabak said there is a restaurant with a similar serving style in the City of Coppell, but the proposed restaurant was not part of a chain. Also, to indicate the quality of the operation and food to be served, Tabak noted that the operator of the proposed restaurant would be Larry Levine, the founder of Chili's restaurants,

Commissioner Bright asked if the company was affiliated with the Central Barbeque in Memphis.

Mr. Tabak replied that it was not.

Commissioner Bouvier asked what would be the total indoor area after removing the portion of the building for the driveway.

Mr. Tabak replied the total square footage would be 12,600 with 2,000 square feet of that on the second floor (600 square feet for mechanical equipment, and 1,400 square feet for storage and office space). He added the upstairs will not be used for serving food.

Mr. Erdinc Filiz, 430 Buckingham Road, Richardson, Texas, stated he was a student at the University of Texas at Dallas and was in attendance as a requirement for one of his classes. He felt the addition of a restaurant would add to the economic growth of the City; was

responsive to the Comp Plan designation of transit oriented growth/mixed land use; and would generate additional sales tax revenue.

Vice Chair Hand and Commissioner Linn complimented the applicant for their design, interest, and investment in a site that had the potential to be very difficult to redevelop.

Commissioner Bouvier added that the Commission has spent many hours discussing the redevelopment of property along U.S. 75 and felt the proposed project was an example of what he would like to see on some of the other properties along that corridor.

Commissioner Maxwell asked why Ordinance 2903A was being repealed.

Mr. Shacklett replied that K&G was a wholesale business and since retail sales were not allowed by right in an Industrial District, a Special Permit was granted to add retail to their business. The condition to revoke that special permit will remove those rights from the site.

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

Motion: Vice Chair Hand made a motion to recommend approval of Zoning File 12-17 as presented; second by Commissioner Bouvier.

Chairman Gantt asked if his prior recommendation to change special condition 3 to read "Exhibit C" instead of Exhibits C1-C3 should be a part of the motion.

Vice Chair Hand said it should and Commissioner Bouvier concurred.

Motion passed 7-0.



Staff Report

TO: City Council

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

FROM: Sam Chavez, AICP, Asst. Dir. Development Services (Planning) *SC*

DATE: November 21, 2012

RE: **Zoning File 12-17:** Central BBQ

REQUEST:

Revoke an existing Special Permit for a retail sales establishment in conjunction with a men's clothing wholesale and distribution center (former K&G Fashion Superstore) and request a Special Permit for a restaurant and/or private club in an I-M(1) Industrial District with modified development standards on a 2.35-acre tract located at 1050 North Central Expressway.

APPLICANT / PROPERTY OWNER:

John T. Evans – SWC Beltline G.P. Inc. / Deborah Muse – Long Bass JV

TRACT SIZE AND LOCATION:

2.35-acre site, east side of Central Expressway, north of Arapaho Road.

EXISTING DEVELOPMENT:

A 20,120-square foot, office/warehouse building which is currently vacant.

ADJACENT ROADWAYS:

Central Expressway: Freeway/Turnpike; 250,000 vehicles per day on all lanes, northbound and southbound, south of Campbell Road (2010).

Arapaho Road: Six-lane, divided arterial; 35,700 vehicles per day on all lanes, eastbound and westbound, east of Central Expressway (May 2011).

SURROUNDING LAND USE AND ZONING:

North: Industrial; I-M(1) Industrial

South: Industrial and Retail/Commercial; I-M(1) Industrial

East: DART Light Rail, Public and Industrial; I-M(1) Industrial

West: Institutional and Retail/Commercial; O-M Office & C-M Commercial

FUTURE LAND USE PLAN:

Transit Village

Mixed or multiple land uses built around small-scale pedestrian blocks located at the City's rail stations. Uses include medium- to high-density residential, retail, entertainment, hospitality and offices.

Future Land Uses of Surrounding Area:

North/South/East: Transit Village

West: Community Commercial

EXISTING ZONING:

The subject property is zoned I-M(1) Industrial with a Special Permit for retail sales in conjunction with a wholesale/distribution center for men's clothing.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

The proposed zoning change request will not have a significant impact on the surrounding roadway system nor impact existing utilities in the area.

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

The existing building was constructed in 1960 and has been used as an office/warehouse facility and more recently as the K&G Fashion Superstore. In 2011, the K&G facility closed, and the building has been vacant since that time.

Earlier this year, the applicant contacted staff to discuss the possibility of placing a barbeque restaurant at this location and was informed that a restaurant was only allowed in an industrial district by Special Permit. The applicant, proposed restaurant operator and architect have been working on designing a concept for a barbeque restaurant. Prior to their application submittal, the applicant met with City staff to discuss issues related to development plans, building code and fire protection which have been addressed.

Request:

The Comprehensive Zoning Ordinance (CZO) allows a restaurant in an industrial district by Special Permit as long as a minimum of ten (10) contiguous acres of industrial, office, or technical office zoning is provided. This site meets that requirement. The applicant intends to sell alcohol at this location; however, the City's Alcoholic Beverages Code (Chapter 4 of the Code of Ordinances) does not allow alcohol sales in a restaurant in an industrial district; therefore, for alcohol sales to be allowed an amendment to Chapter 4 is required or the facility

would have to operate as a private club which is allowed in an industrial district by a Special Permit. Although the applicant does not desire to be a private club, they are requesting the Special Permit as well, in case a Chapter 4 amendment is not approved.

The project includes renovating/remodeling the building to accommodate a restaurant use, minor site modifications to create better circulation throughout the property and modifications to landscape islands to accommodate fire lanes to meet current City standards.

The applicant's intends to remove a portion of the roofed structure on the east side of the building to create open air areas for a driveway/walkway area and for open smoker pit areas on the south side of the building (this area would be roofed but there would be no walls). The roof modification provides for vehicular connection between the north and south sides of the site via a drive aisle through the east side of the building. Along the 12-foot one-way driveway, a 10-foot sidewalk adjacent to the building provides access to the restaurant entrance.

The building facades will be renovated to reflect the architectural character of a 1930's brick industrial building. The proposed restaurant features a smokestack, open air wood burning fire pits and smoker pits located within the customer queuing area where customers choose from a variety entrée items before proceeding into the Texas-themed restaurant, where they can choose from a variety of sides and drinks. Large seating areas are provide in a main dining area, private party room or at the bar located in the restaurant.

The table below provides a comparison between the existing building/site elements and the proposed building/site elements:

	Existing Building	Proposed Restaurant
Use	Currently vacant; previously wholesale/distribution center and retail sales of men's clothing.	BBQ restaurant
Building Materials	Brick and CMU with painted plaster bands on the north and west elevations.	Combination of brick, stone, and concrete block with wood and metal accents. The exterior building facades will be approximately 84% masonry overall.
Building Height	Two (2) stories, 28 feet (maximum height 40 feet allowed)	33 feet to top of chimney / 28 feet to top of two story portion of building
Setbacks	Front: 40 feet required along Central Expressway. Existing building encroaches approximately 30 feet into the setback. No side or rear setbacks required.	Front: 40 feet required along Central Expressway. Existing building encroaches approximately 30 feet into the setback. The applicant is requesting that awnings on the west elevation be allowed to extend an additional four (4) feet from the wall. No side or rear setbacks required
Parking Requirements	Previous ratio was split between warehouse, office and retail. Required: 56 Provided: 152	Parking shall be provided at 1 space per 100 square feet for enclosed building area. Required: 129 Provided: 143

Building Elevations: The proposed building facades will be revised to reflect the architectural character of a 1930's brick industrial building. The west facade, fronting Central Expressway is approximately 84% masonry. On the west elevation, awnings will be added over the windows on the north side of the building and over faux overhead doors near the south end of the building. The 2-story portion of the building will utilize red/brown brick with plaster trim and metal louvers as accents. On the east elevation, the existing wall, located on the property line will remain, but an interior elevation along the elevation listed in Exhibit "C" as west elevation at interior drive will be constructed utilizing brick and concrete block along with cement board siding, recycled metal panels and metal siding used as accents.

Front Setback: The existing building encroaches up to thirty (30) feet into the front setback along Central Expressway. The largest amount of encroachment occurs at the northwest corner of the building. The property is approximately 285 feet wide at the south end of the property, but tapers down to a point at the north end of the property. It appears that the building may have been conforming years ago, but as Central Expressway was widened, additional right-of-way was needed, and as the property line was moved back so was the 40-foot setback line. The applicant is not requesting to expand the building any further into the setback; however, they are requesting that awnings be allowed to extend up to an additional four (4) feet from the west elevation as shown on Exhibits "B" through "D".

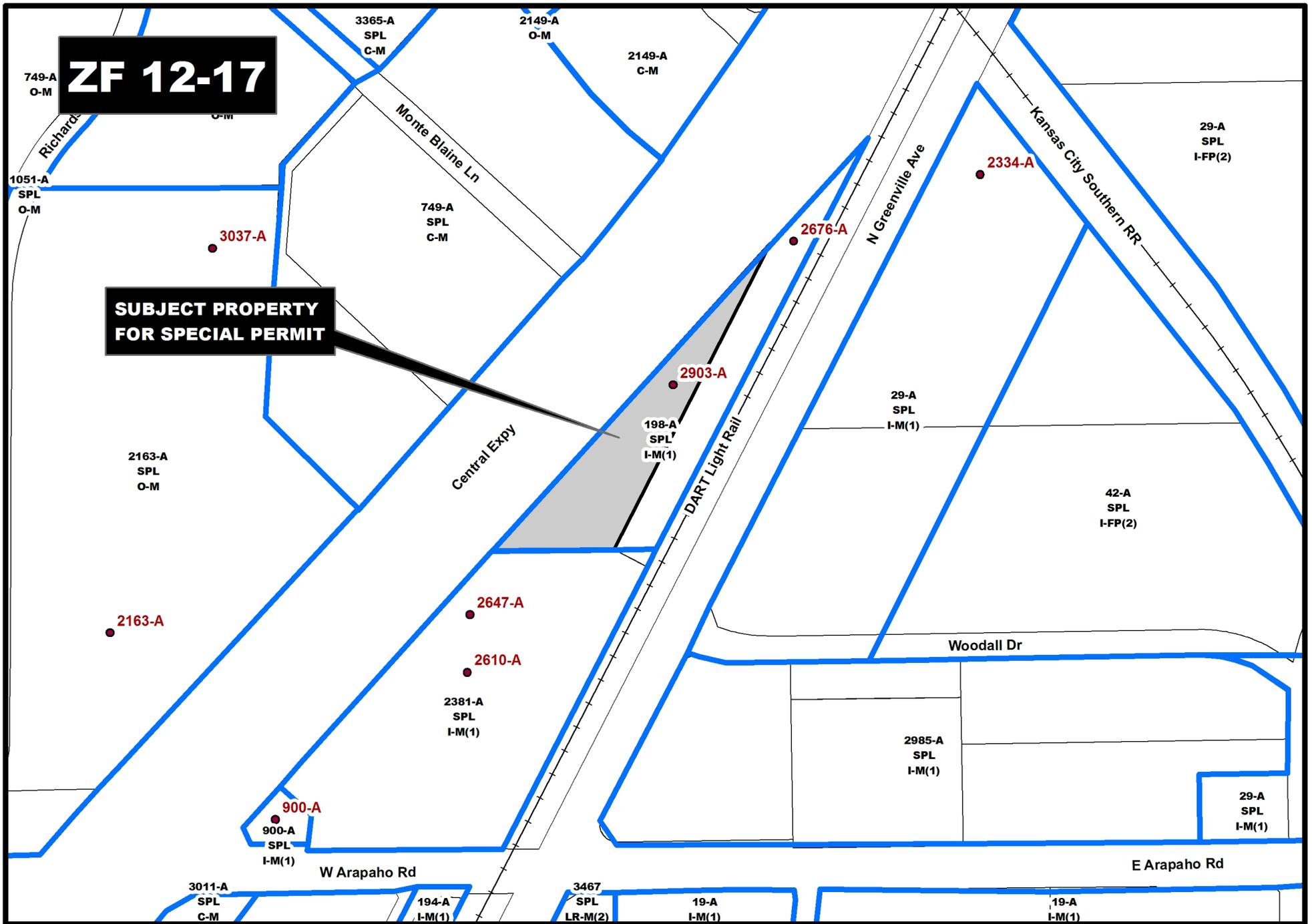
Landscaping: Along Central Expressway, US-75 Design Guidelines were implemented to ensure a reasonable degree of uniformity and aesthetic character for properties along US-75 through Richardson, Plano and Allen. The guidelines include number and type of trees, shrubs, and ground cover, parking lot screening, pedestrian easements and pedestrian crosswalks. The current approved landscape plan complies with the landscaping requirement of the US-75 Design Guidelines and the applicant states the proposed development will comply with the guidelines except for the requirement for a 10-foot pedestrian easement along US-75. A 5 foot wide sidewalk is currently constructed along US-75 from the southern end of the property up to the southern end of the building. The applicant does not plan to extend the sidewalk any further north because there is no sidewalk to the north to connect in to. Moving northward from the subject property, the US-75 right-of-way and DART right-of-way come together and there is no sidewalk until just south of Campbell Road. There is no sidewalk to the south of the subject property as well. The existing sidewalk will tie into a walkway that goes along the south end of the building and allows access to the entrance on the south side of the building.

FLUP/MTP: The future land use plan, approved in 2009 as part of the City's Comprehensive Plan, denotes this property as a Transit Village as described in the "Future Land Use" section above. This land use envisions a mix of uses around smaller pedestrian scale blocks near transit stations. The Master Transportation Plan, also approved in 2009, shows Woodall Drive from the east across the southern property line of the subject site and connecting into the Central Expressway frontage road. This proposed extension allows the properties located west of the DART Light Rail to be connected to the transit station and be part of the overall "transit village". The City has no current plans for the extension at this time and the exact location of the extension is unknown.

Correspondence: As of this date, no correspondence in favor or opposition has been received.

Motion: On November 6, 2012, the City Plan Commission recommended approval of the request as presented on a vote of 7-0 subject to the following conditions:

1. Ordinance 2903-A shall be repealed.
2. The Special Permit for a restaurant and/or private club is limited to the area shown on the Concept Plan, attached as Exhibit “B” and made a part thereof and which is hereby approved.
3. The development shall be constructed in conformance with the attached Concept Plan (Exhibit “B”) and Elevations (Exhibit “C”).
4. No pedestrian easement shall be required along Central Expressway.
5. Encroachment of the building and awnings into the 40-foot front setback shall be allowed as shown on Exhibit “B”.



ZF 12-17 Zoning Map

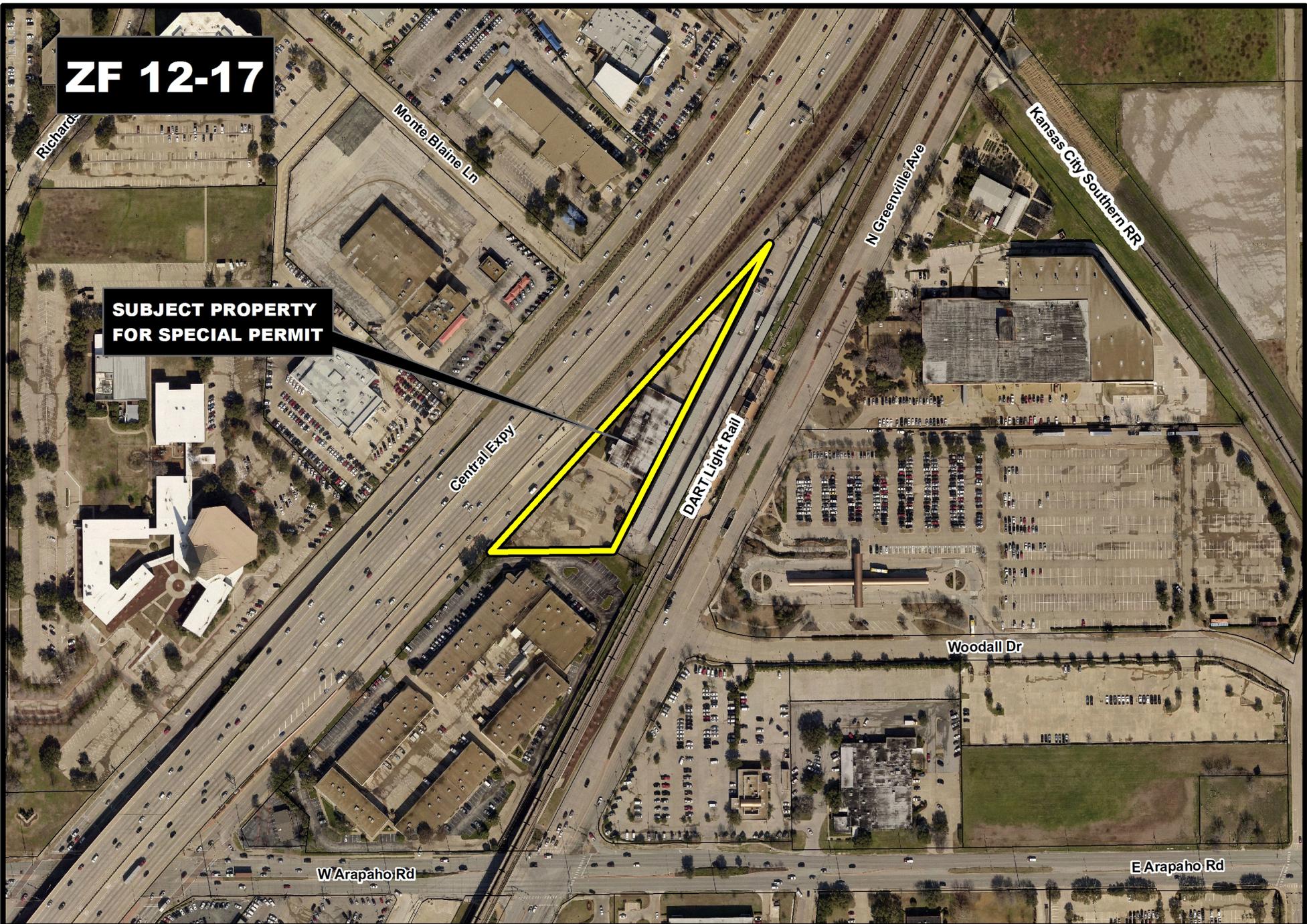
Updated By: shacklett, Update Date: October 16, 2012
 File: DSI\Mapping\Cases\Z\2012\ZF1217\ZF1217 zoning.mxd

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 12-17

**SUBJECT PROPERTY
FOR SPECIAL PERMIT**



ZF 12-17 Aerial Map

Updated By: shacklett, Update Date: October 16, 2012
File: DSI\Mapping\Cases\Z\2012\ZF1217\ZF1217 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.



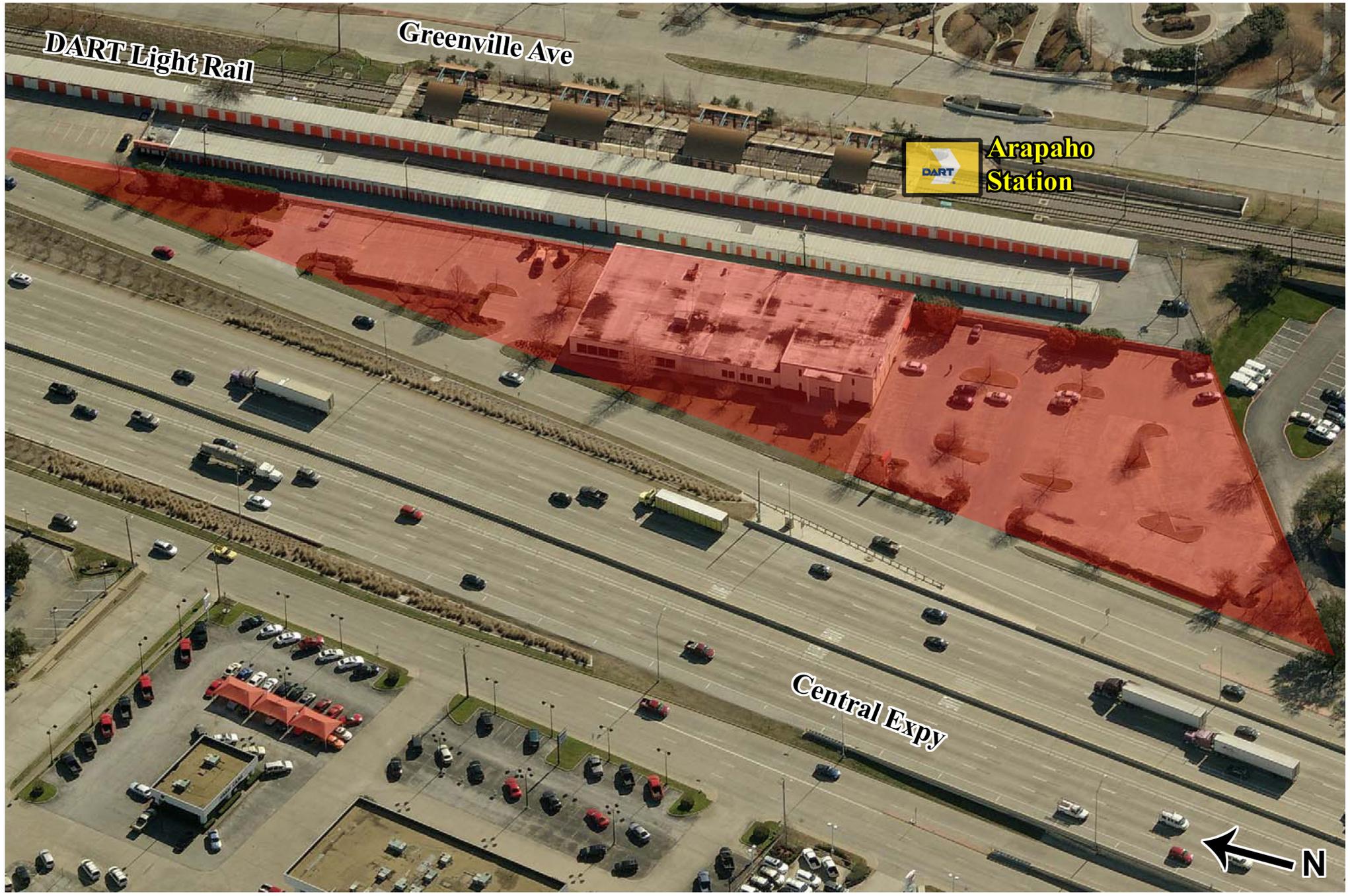
DART Light Rail

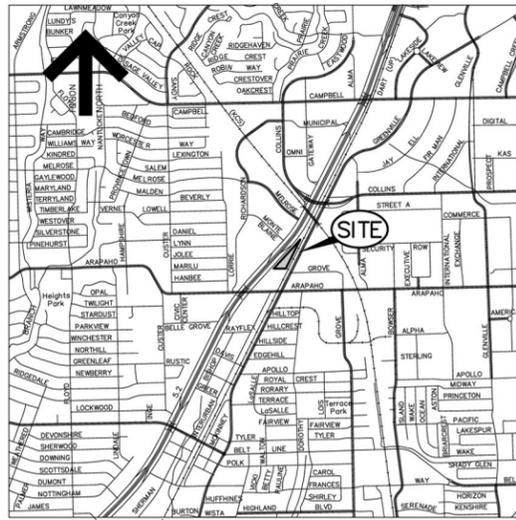
Greenville Ave



Arapaho Station

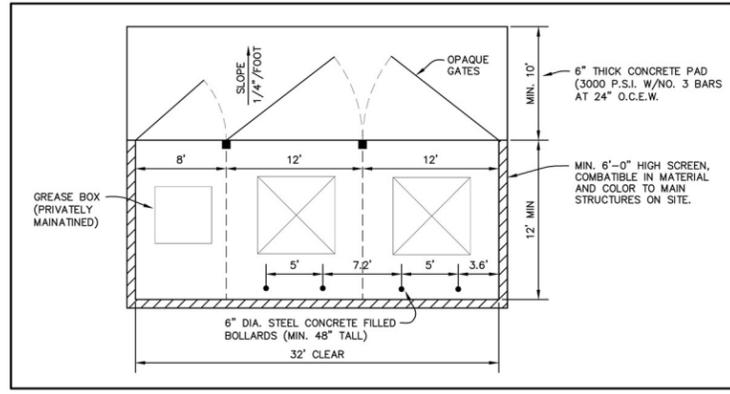
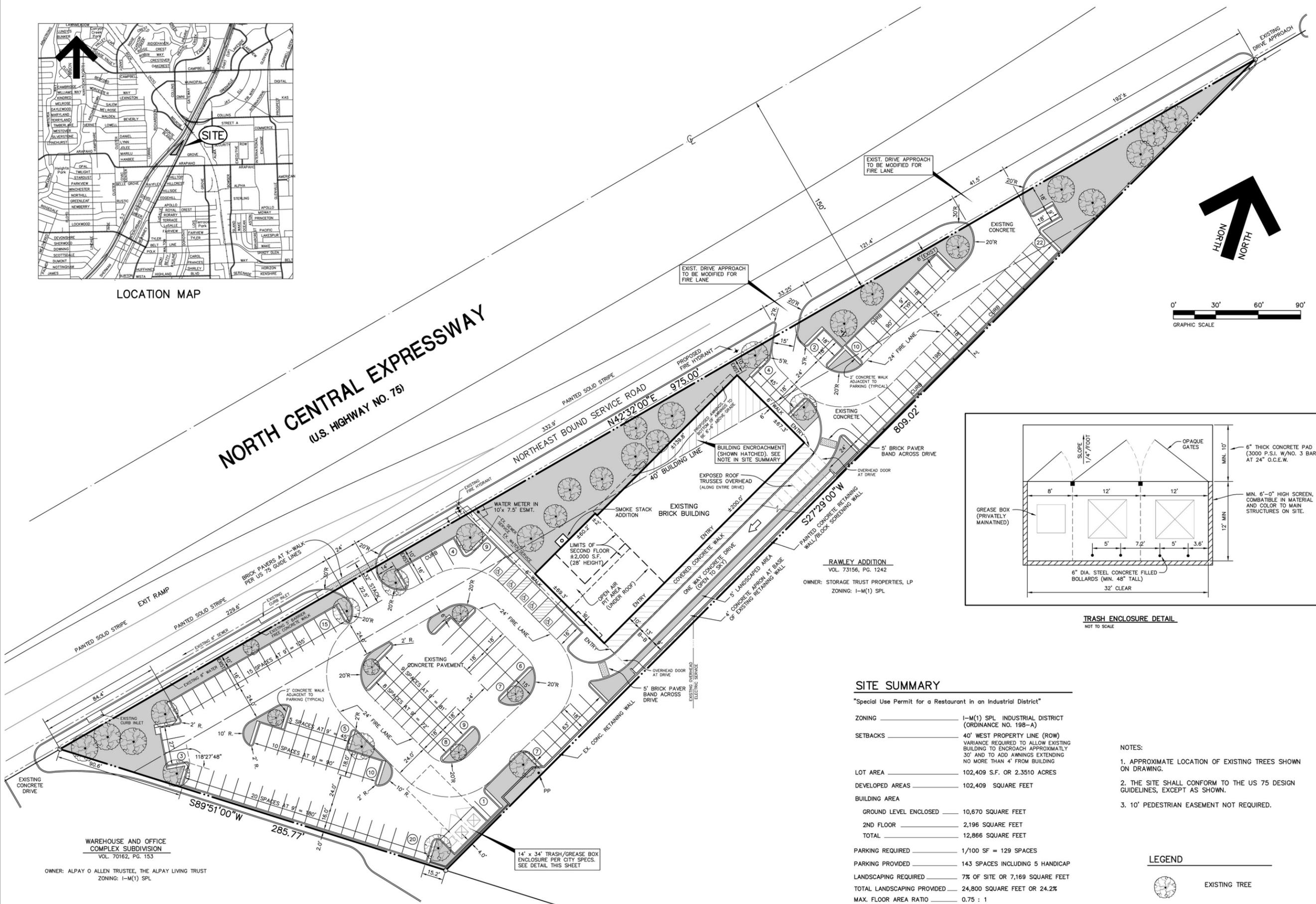
Central Expy





LOCATION MAP

NORTH CENTRAL EXPRESSWAY (U.S. HIGHWAY NO. 75)



TRASH ENCLOSURE DETAIL
NOT TO SCALE

SITE SUMMARY

"Special Use Permit for a Restaurant in an Industrial District"
(ORDINANCE NO. 198-A)

ZONING	I-M(1) SPL INDUSTRIAL DISTRICT (ORDINANCE NO. 198-A)
SETBACKS	40' WEST PROPERTY LINE (ROW) VARIANCE REQUIRED TO ALLOW EXISTING BUILDING TO ENCRoACH APPROXIMATELY 30' AND TO ADD AWNINGS EXTENDING NO MORE THAN 4' FROM BUILDING
LOT AREA	102,409 S.F. OR 2.3510 ACRES
DEVELOPED AREAS	102,409 SQUARE FEET
BUILDING AREA	
GROUND LEVEL ENCLOSED	10,670 SQUARE FEET
2ND FLOOR	2,196 SQUARE FEET
TOTAL	12,866 SQUARE FEET
PARKING REQUIRED	1/100 SF = 129 SPACES
PARKING PROVIDED	143 SPACES INCLUDING 5 HANDICAP
LANDSCAPING REQUIRED	7% OF SITE OR 7,169 SQUARE FEET
TOTAL LANDSCAPING PROVIDED	24,800 SQUARE FEET OR 24.2%
MAX. FLOOR AREA RATIO	0.75 : 1
FLOOR AREA RATIO PROVIDED	0.137 : 1
BUILDING HEIGHT ALLOWED	75 FEET (AT THE SETBACK LINE)
BUILDING HEIGHT PROVIDED	2 STORY (28' HEIGHT)

- NOTES:
- APPROXIMATE LOCATION OF EXISTING TREES SHOWN ON DRAWING.
 - THE SITE SHALL CONFORM TO THE US 75 DESIGN GUIDELINES, EXCEPT AS SHOWN.
 - 10' PEDESTRIAN EASEMENT NOT REQUIRED.

LEGEND

- EXISTING TREE
- LANDSCAPED AREAS

JDJR ENGINEERS & CONSULTANTS, INC.
 TSPE REGISTRATION NUMBER F-8627
 ENGINEERS • SURVEYORS • LAND PLANNERS
 2500 Texas Drive Suite 100 Irving, Texas 75062
 Tel. 972-252-JDJR (6357) Fax 972-252-8668

STATE OF TEXAS
 JAMES DEWEY, JR.
 6149
 10/30/12

PROJECT: **CENTRAL BARBEQUE**
 NORTH CENTRAL EXPRESSWAY ADDITION
 1050 NORTH CENTRAL EXPRESSWAY
 RICHARDSON, TEXAS

REVISIONS:

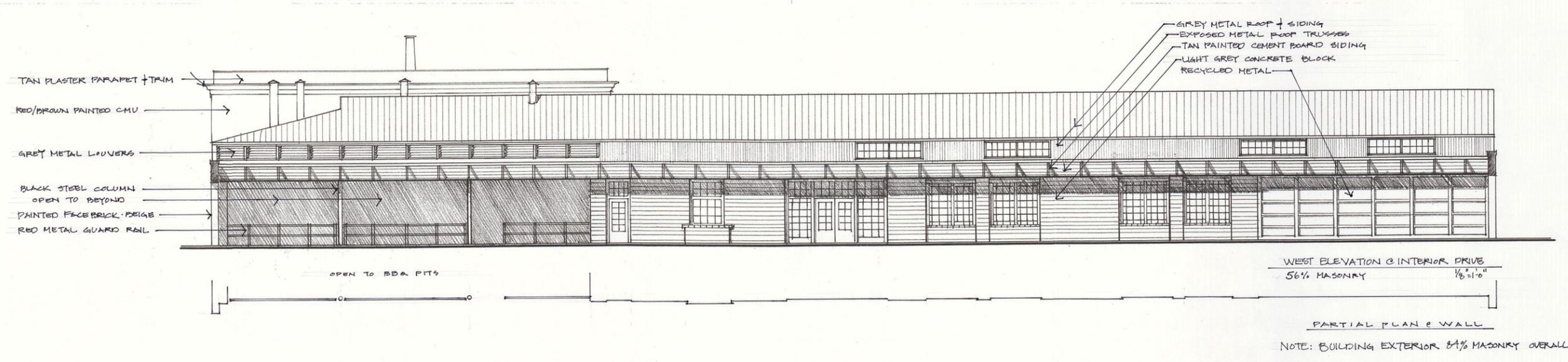
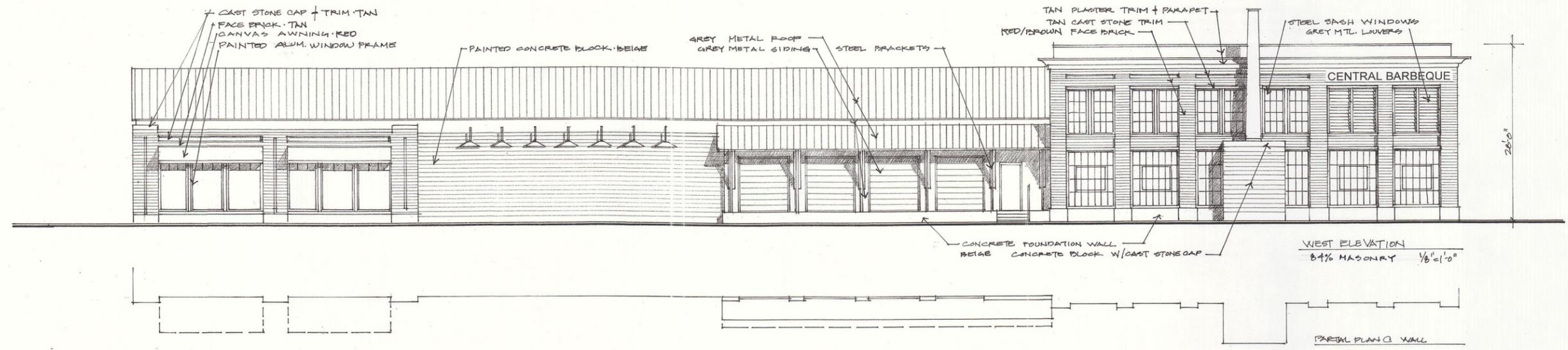
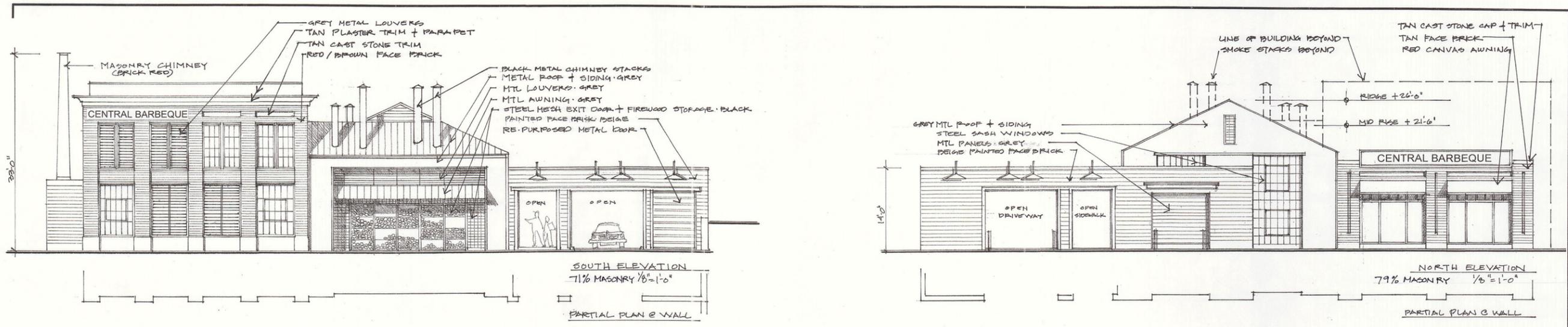
DATE	REVISION
10/30/12	PER CITY REVIEW

SHEET TITLE
ZONING EXHIBIT

DATE: 10-8-12
 SCALE: 1" = 30'
 DRAWN BY: JDJR
 CHECKED BY: JDJR
 SHEET NO.
1 OF 1
 JDJR FILE NO. 105-15-12

Exhibit B - Part of Ordinance

H:\JDJR\proj\2012\10\15\105-15-12_1050 N Central Expwy - Richardson\C\CENTRAL_BBD_RICHARDSON_SITE_PLAN.DWG, 10/30/2012 5:03:15 PM, JDJR ENGINEERS & CONSULTANTS, INC.



Tabak Design Group LLC
 Architecture Design Consulting
 7807 Currin Drive
 Dallas, Texas 75230
 214.704.5522

PROJECT: CENTRAL BARBEQUE
 NORTH CENTRAL EXPRESSWAY ADDITION
 1050 NORTH CENTRAL EXPRESSWAY
 RICHARDSON, TEXAS

REVISIONS:

DATE	REVISION
11/23	

SHEET TITLE
CONCEPT ELEVATIONS

DATE: 10-8-12
 SCALE: 1/8"=1'-0"
 DRAWN BY:
 CHECKED BY:
 SHEET NO.

Exhibit C - Part of Ordinance



SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



ELEVATION OF INTERIOR DRIVE

Tabak Design Group LLC
 Architecture Design Consulting
 7607 Currin Drive
 Dallas, Texas 75230
 214.704.5522

PROJECT: **CENTRAL BARBEQUE**
 NORTH CENTRAL EXPRESSWAY ADDITION
 1060 NORTH CENTRAL EXPRESSWAY
 RICHARDSON, TEXAS

REVISIONS:	
DATE	REVISION
10/20	

SHEET TITLE
CONCEPT ELEVATIONS

DATE: 10-8-12
 SCALE: 1/8"=1'-0"
 DRAWN BY:
 CHECKED BY:
 SHEET NO.

Exhibit D

OF



(1)

Looking South at
North Elevation

1050 N Central Expy - Former K&G Building



(2)

Looking North at
North Parking Lot

Exhibit E-1



(3)

**Looking South along
West Elevation**

1050 N Central Expy - Former K&G Building



(4)

**Looking North along
West Elevation**



(5)

**Looking Northeast at
West Elevation**

1050 N Central Expy - Former K&G Building



(6)

**Looking North at
South Elevation**

Exhibit E-3

Concept

- BBQ restaurants have a lot of positive attributes. They have a long track record of providing a dining choice that people enjoy. The menu falls in the category of comfort food that guests can eat on a regular basis. It fits today's lifestyle and offers foods that are not processed in a factory and are made from scratch with fresh products and in a time proven, natural cooking process using wood. BBQ is casual, relaxed, provides fast service, is low cost and offers the added benefit of seeing and smelling your meal cooked in a wood- fired pit. It was a fast casual concept before the term fast casual was coined.

Restaurant Operation

- The existing building will be re-designed to have the architecture of a 1930's brick industrial building that has undergone additions, giving it the feel of an old smokehouse in Central or West Texas. The renovation is intended to provide a sense of authenticity and historicism that we feel our food and our concept represents. The guests will see smokestacks, wood burning fire pits and displays of cooked meats. The show starts before guests enter the building; they will see and smell smoke and hear the crackling sound of wood burning to charcoal. They select their meats and then move into the restaurant to choose their choice of side dishes that range from German potato salad with house smoked bacon, twice baked potato casserole or fresh vegetables to 6 hour South Texas pinto beans. The atmosphere will consist of Texas memorabilia with flags, saddles, boots and hats.

- The menu includes BBQ ribs, brisket, chicken, smoked turkey and sausage plus flash fried fries, fresh vegetable platters, homemade pickles and complimentary fresh baked cornbread. Ice cold beer, wine, shakes with house-made ice cream, soft drinks and fresh mint lemonade are also available.

- Seating is available in the main dining hall, party rooms or at the Longbranch Bar. Stations are present throughout the restaurant for soft drink refills and bar service is provided for beer or wine.

- Private dining areas are also available and are an important part of the concept. BBQ offers an inexpensive and casual, fun way to entertain large groups and provide a real Texas experience.



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 12-17 Central BBQ – Restaurant in an Industrial District
Property Owners: Deborah Long Muse / Long Bass JV
Applicant: John Evans / SWC Beltline G.P., Inc.
Location: 1050 N. Central Expy. (See map on reverse side)
Current Zoning: I-M(1) Industrial District
Request: A request by John T. Evans, representing SWC Beltline G.P. Inc., to revoke Ordinance 2903-A, a Special Permit for retail sales in conjunction with a wholesale and distribution center for men's clothing and approval of a Special Permit for a restaurant and private club with modified development standards in an I-M(1) Industrial District.

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

TUESDAY, NOVEMBER 6, 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.

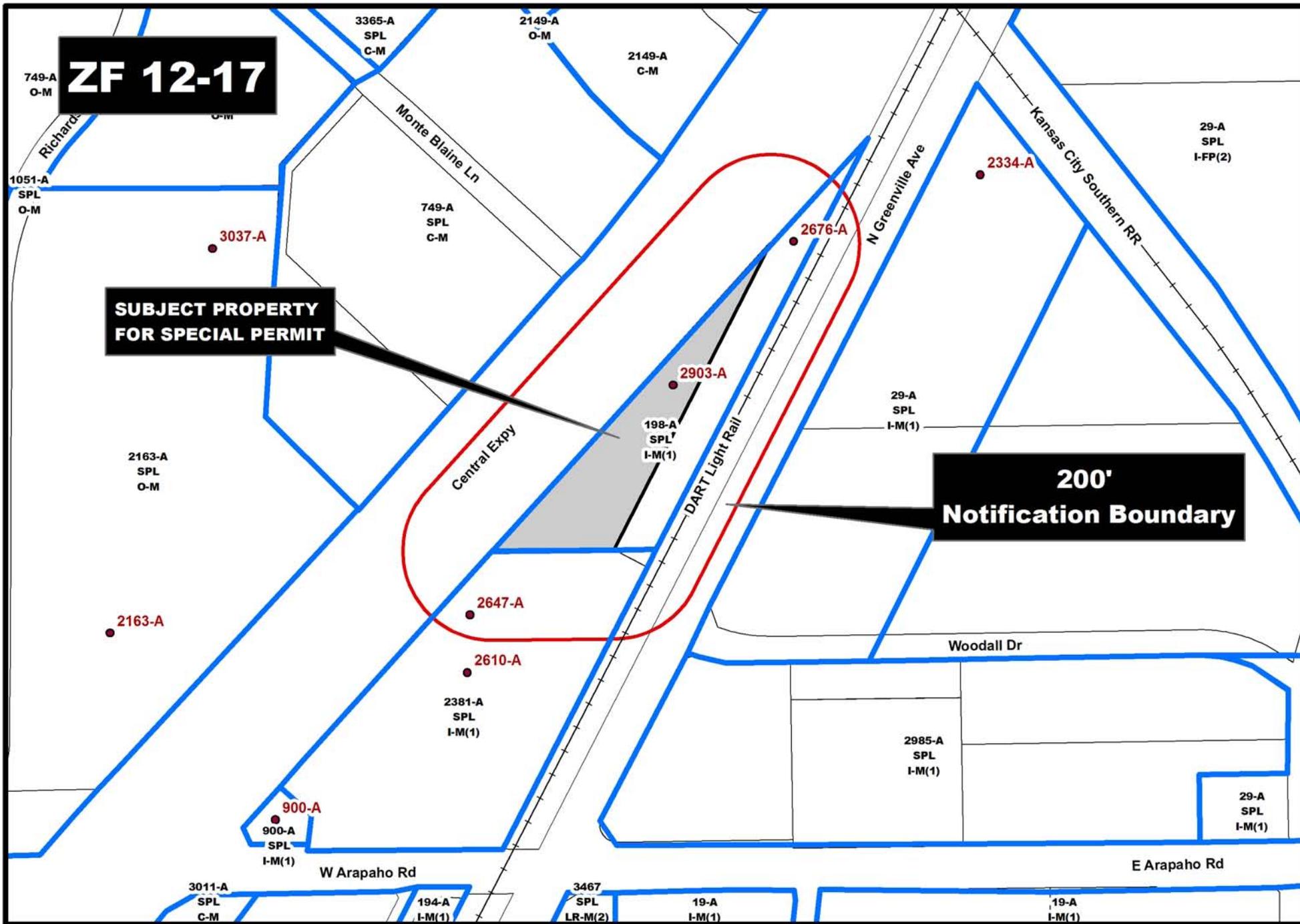
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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/index.aspx?page=1331>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 12-17.

Date Posted and Mailed: 10/26/12



ZF 12-17 Notification Map

Updated By: shacklett, Update Date: October 16, 2012
 File: DSI\Mapping\Cases\Z\2012\ZF1217\ZF1217 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.



DART
PO BOX 660163
DALLAS, TX 75266-0163

STORAGE TRUST PPTIES LP
DEPT PT TX 28121
PO BOX 25025
GLENDALE, CA 91221-5025

ALPAY O ALLEN TRUSTEE
THE ALPAY LIVING TRUST
PO BOX 830761
RICHARDSON, TX 75083-0761

LONG MACK JR ET AL
PO BOX 38666
DALLAS, TX 75238-0666

JOHN EVANS
SWC BELTLINE G.P., INC.
8350 N. CENTRAL EXPWY, #1300
DALLAS, TEXAS 75206

DEBORAH LONG MUSE
LONG BASS JV
4601 BROOK MEADOW LANE
PLANO, TEXAS 75093

ZF 12-17
Notification List

ZF9215

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS

ORDINANCE NO. 2903-A

AN ORDINANCE FOR THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL PERMIT TO ALLOW RETAIL SALES SEVEN DAYS PER WEEK IN CONJUNCTION WITH THE WHOLESALE AND DISTRIBUTION CENTER FOR MEN'S CLOTHING AT 1050 N. CENTRAL EXPRESSWAY, ON A TRACT OF LAND CONSISTING OF 2.351 ACRES AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, WITH SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby, amended so as to grant a special permit to allow retail sales seven days per week in conjunction with the wholesale and distribution center for men's clothing at 1050 N. Central Expressway, on a tract of land consisting of 2.351 acres of land, as described in Exhibit "A" attached hereto and made a party hereof for all purposes, with special conditions.

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

- (1) The parking area on the north side of the building will be removed and replaced with suitable ground cover, and if not replaced with another parking lot within twelve months of occupancy of the building, the area must be brought up to U. S. Highway 75 Amenities Guidelines as endorsed by Resolution 89-02;

(2) The parking area on the south side of the building shall be paved in concrete.

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

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

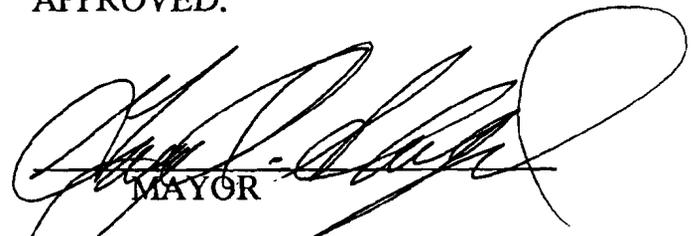
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided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

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

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 14th day of September, 1992.

APPROVED:


MAYOR

CORRECTLY ENROLLED:


CITY SECRETARY

DATE OF ENROLLMENT:

9-15-92

APPROVED AS TO FORM:

H Louis Nichols
CITY ATTORNEY

LEGAL DESCRIPTION

BEING a tract of land situated in the LEMUEL BESS SURVEY, ABSTRACT NO. 87, in the City of Richardson, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" found in concrete in the Southeast right-of-way line of North Central Expressway (U. S. Highway No. 75), same being South 42 degrees 32 minutes 00 seconds West, 346.29 feet from the intersection of Northwest right-of-way line of the T. & N.O. Railroad with said Southeast right-of-way line of North Central Expressway, same point also being the Northwest corner of RAWLEY ADDITION, an Addition to the City of Richardson, Texas according to the Revised Plat recorded in Volume 73156, Page 1242, in the Map Records of Dallas County, Texas;

THENCE South 27 degrees 29 minutes 00 seconds West along the Northwest line of said RAWLEY ADDITION, for a distance of 809.02 feet to an iron rod found for corner, same being the North line of WAREHOUSE AND OFFICE COMPLEX SUBDIVISION, an Addition to the City of Richardson, Texas, according to the Plat recorded in Volume 70162, Page 0153, of the Map Records of Dallas County, Texas;

THENCE South 89 degrees 51 minutes 00 seconds West along said North line for a distance of 285.77 feet to an iron rod found for corner in the Southeast right-of-way line of North Central Expressway;

THENCE North 42 degrees 32 minutes 00 seconds East along said Southeast right-of-way line of North Central Expressway for a distance of 975.00 feet to the POINT OF BEGINNING.

CONTAINING 102,408.66 square feet of 2.351 acres of land.

DATE: July 7, 1992

TIME: 7:00 p.m.

PLACE: Council Chambers, City Hall, 411 W. Arapaho Road, Richardson, Texas

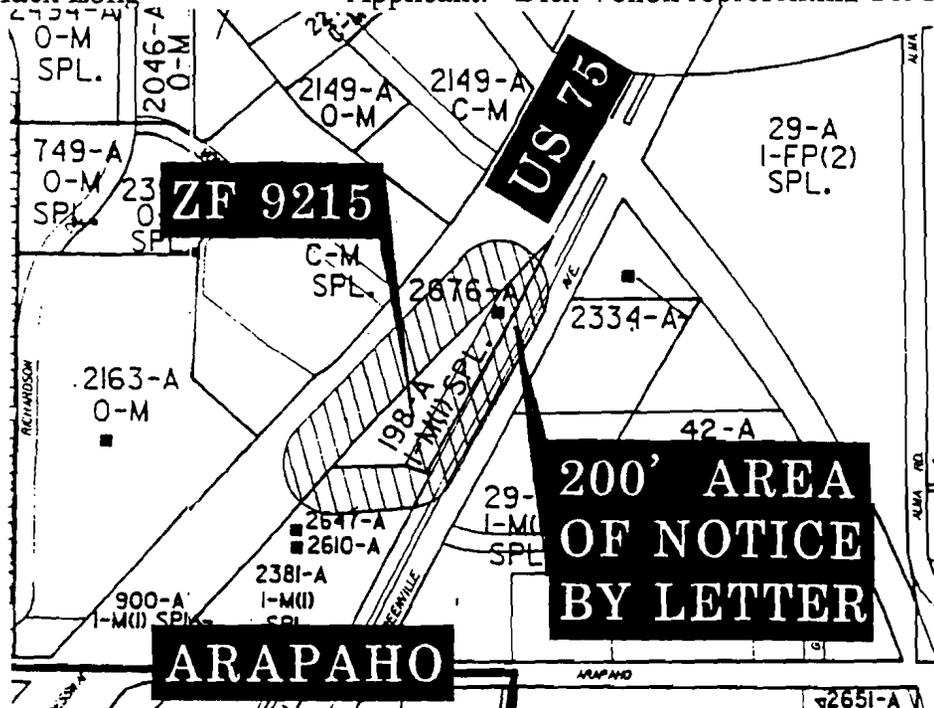
PURPOSE OF THE HEARING: The City Plan Commission will consider a request to revise the existing special permit to allow additional days of retail sales at the subject property.

AREA OF REQUEST: 1060 N. Central Expressway

EXISTING ZONING: I-M(1) Industrial with special conditions

Owner: Mack Long

Applicant: Dick Vehon representing T&C Liquidators



PROCEDURE: A maximum of 15 minutes will be allocated to the applicant and those favoring the issue of the public hearing. The applicant may reserve any portion of the allotted 15 minutes for a rebuttal presentation following the opposition. Time required to respond to questions from the City Plan Commission is excluded from the 15 minutes.

A maximum of 15 minutes will also be allocated to those in opposition to the issue of the public hearing. Time required to respond to questions by the City Plan Commission is excluded from the 15 minutes.

The City Plan Commission may recommend approval as requested, approval of a more restrictive classification, or denial.

TO SURROUNDING LANDOWNERS: Property owners within 200' of the tract receive written notification of the request to rezone. All interested property owners are encouraged to attend this hearing. Persons wishing their opinion to be part of the record who are unable to attend may send a written reply prior to the date of the hearing to:

City Plan Commission, P.O. Box 830309, Richardson, TX 75083

FOR FURTHER INFORMATION: Dial the Information Line any time at 238-4241, or contact a planner, 238-4248, during business hours.

Billy C. Butler
Billy C. Butler, Chairman, City Plan Commission



MEMO

DATE: November 21, 2012
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services MS
SUBJECT: Zoning File 12-18 – Amend Special Conditions – Campbell Office Park

REQUEST

Michael J. Wright, representing M.J. Wright & Associates Inc., is requesting amendments to the special conditions associated with the O-M Office zoning of a 3.18-acre tract located on the north side of Campbell Road, west of Waterview Parkway. The requested amendments relate to reductions in rear and side yard setbacks and allowing driveway access to Campbell Road, which is currently prohibited between Waterview Parkway and Lake Park Way. The amendments are being requested to facilitate development of five (5), one-story office buildings comprising 29,500 square feet. In conjunction with the requested driveway access, the applicant proposes to construct a hooded left-turn lane on Campbell Road to allow eastbound traffic access to the site without having to make U-turns at Edith Circle.

BACKGROUND

The subject property was zoned O-M Office in 1996 as part of the larger rezoning of the area generally known as the Lennox Center area. Existing zoning allows approximately 48,500 square feet of development, building heights of two stories (or 40 feet), and setbacks of fifty feet (50') from Campbell Road and 25 feet from side and rear lot lines. Access to Campbell Road is currently prohibited.

In 2010 a similar amendment was requested by a different applicant that received a recommendation for denial by the City Plan Commission. City Council tabled consideration of the request indefinitely, pending the outcome of drainage studies related to the West Fork of Cottonwood Creek and the University World detention ponds. The application was eventually withdrawn. In August 2011, the results of the drainage study were presented to the Council, concluding that the detention ponds were functioning properly. The study also included recommended improvements to be made to the West Fork of Cottonwood Creek which are to begin in 2013.

Relative to the current request, the City Plan Commission supported the reduced setbacks and the addition of a driveway on Campbell Road, but expressed concerns about the residential character of the proposed office buildings, which are one-story, brick and stone-clad buildings having pitched, composition shingle roofs. The applicant has submitted revised elevations attached as Exhibits "F-1" through "F-4" in response to the Commission concerns. The revised elevations make use of slate shingles in lieu of composition shingles and "full lite" windows in lieu of "divided lite windows". The applicant's preference, however, is to design the buildings consistent with the elevations originally presented to the City Plan Commission.

One (1) resident spoke in opposition to the request stating concerns regarding traffic on Campbell Road.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-1 (Commissioner Bright opposed), recommended approval of the requested amendments as presented, exclusive of the building elevations, and deferring approval of the building elevations until development plan approval.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 11-06-2012
Staff Report
Zoning Map
Aerial Map
Zoning Exhibit (Exhibit "B")
Elevations presented to CPC (Exh. "C-1" – "C-4")
Color Elevations presented to CPC (Exhibit "D")

Site Photos (Exhibits "E-1" – "E-4")
Revised Elevations (Exhibits "F-1" – "F-4")
Previous and Revised Watercolor Elevations (Exhibits "G-1" – "G-2")
Applicant's Statement
Notice of Public Hearing
Notification List
JJ Pearce HOA Correspondence
Ordinance 3079-A & 3153-A

ZF 12-18 Special Conditions

1. The development shall be constructed in conformance with the attached Concept Plan (Exhibit "B").
2. Elevations shall be reviewed and approved by the City Plan Commission at the time of development plan approval.
3. The maximum height for any building shall be one (1) story not to exceed twenty-five (25) feet.
4. The side setback along the east property line shall be ten (10) feet.
5. The rear setback shall be ten (10) feet.
6. A driveway shall be allowed on Campbell Road as depicted in Exhibit "B". In addition, a hooded left turn lane and its median opening, as depicted on Exhibit "B", shall be constructed in conjunction with the first building permit for the site.
7. The parking ratio for the development as depicted in Exhibit "B" shall be one (1) parking space per 250 square feet.
8. All other regulations stated in Ordinance 3079-A not in conflict with the conditions stated above shall remain in effect.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: November 7, 2012
Submitted by: City Secretary, City of Richardson

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

City Secretary's Office
P.O. Box 830309
Richardson, TX 75083-0309

FOR PUBLICATION ON: November 9, 2012

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday November 26, 2012, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following request.

Zoning File 12-18

A request by Michael J. Wright, representing M.J. Wright & Associates, Inc., to amend the O-M Office special conditions to accommodate the development of multiple 1-story office buildings on a property located on the north side of Campbell Road, west of Waterview Parkway. The property is currently zoned O-M Office.

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

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

EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – November 6, 2012

PUBLIC HEARING

Zoning File 12-18: Consider and take necessary action on a request by Michael J. Wright, representing M. J. Wright & Associates, Inc., to amend the O-M Office special conditions to accommodate the development of five (5) 1-story office buildings on a property located on the north side of Campbell Road, west of Waterview Parkway. The property is zoned O-M Office.

Mr. Shacklett advised that the applicant was requesting to amend the special conditions of the property's Office zoning to allow reduced setbacks along the rear and east property line, and to allow a driveway on Campbell Road.

Mr. Shacklett noted that in 2010 a similar case came before the Commissioner; however, residents from Edith Circle objected to the development due to drainage problems from the property into their street. The Commission denied the request and the applicant appealed to the City Council, but the item was tabled indefinitely pending a drainage study for the west fork of Cottonwood Creek and the property in question. He added that Jim Lockart, Assistant Director of Engineering for the City, was present and could speak to the types of mitigation that have and will take place.

Regarding the driveway on Campbell Road, Mr. Shacklett indicated that when Ordinance 3079 was approved for the Lennox development, it stated that no driveway cuts would be allowed between Waterview Parkway and Lark Park Way. In addition, the applicant feels a driveway into their property would be beneficial for west bound traffic, as well as a hooded left turn lane to allow east bound traffic into the property.

Mr. Shacklett concluded his presentation by stating staff was requesting a special condition of a parking ratio of 1:250 as part of the zoning change, which would provide the development a set parking ratio as opposed to a parking ratio that could be established as a result of a future code amendment. In addition, the JJ Pearce Homeowners Association did not have any objections and felt the proposal would provide a positive impact to the community.

Commissioner Maxwell asked if there would be a requirement for screening the mechanical equipment. He also wanted to know if the dumpster location could be moved from the east side of the property to the north side.

Mr. Shacklett replied there would be requirements to screen the mechanical equipment and the details will be shown during the development plan approval process. He added that the dumpster location had been approved by the City's Sanitation Department.

Regarding relocating the dumpster, Mr. Shacklett stated the location of the dumpster could be changed, but the City's Sanitation Department said the current location would work for them, plus if the location was facing south the dumpster gates would open facing Campbell Road.

Commissioner Maxwell asked if a condition could be added to the motion to have brick and stone incorporated into the dumpster screen to match the building elevations.

Mr. Shacklett replied the dumpster screen was required to be masonry, but if the Commission wanted to require matching brick and stone it could be part of the motion.

Vice Chair Hand asked about comments on page 2 whether that reflected the total lot coverage available or the maximum floor to area ratio allowed.

Mr. Shacklett replied the total floor area was 35% because they are allowed two stories and at 29,500 square feet they are at the maximum amount of building space for the number of parking spaces required.

Commissioner DePuy asked if there would be access to the properties to the west if a driveway cut was made onto Campbell Road.

Mr. Shacklett replied there is a curb cut onto Jonsson through a mutual access easement.

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

Mr. Michael Wright, M.J. Wright Architects, 8233 Mid Cities Boulevard, North Richland Hills, Texas, stated he was available for any questions.

Commissioner Bouvier asked if there was ever any consideration of upgrading the quality of the roof material.

Mr. Wright replied that the composition shingles would provide a nice buffer between the businesses to the north and the residential area to the south. He added that they could go from the 240 pound shingle to a 300 pound shingle, plus the proposed shingle is designed with an articulation.

Commissioner Linn asked what type of businesses would be located in this type of a business park.

Mr. Kevin Afkami, 7203 Bellmeade Drive, Colleyville, Texas, stated he was a dentist by trade and the primary target for tenants would be dental and medical specialists. He added they were already in discussion with a physical therapy group and a surgical group.

Commissioner DePuy asked if any of the buildings would be spec buildings. She also wanted to echo Mr. Bouvier's comments about the roof shingles.

Mr. Afkami replied that the plan was to construct the driveway, utilities and then build one or two of building east of the entry, but wait for the market to dictate how many more would be built.

No other comments were made in favor.

Mr. Bob Hutsler, 1092 Edith Circle, Richardson, Texas, expressed concern about a curb cut or driveway on Campbell Road. He stated that the traffic on Campbell Road during the morning and evening rush hours between Waterview Parkway and Edith Circle already a problem for residents and felt this could cause problems for emergency vehicles trying to enter Edith Circle. In addition, the University of Texas at Dallas is anticipating an increase in their student population from 20,000 to 30,000 and he suggested it was time for a traffic study.

No other comments were made in opposition and Chairman Gantt called for any other comments from the Commission.

Vice Chair Hand stated he did not have an issue with the quality of the design, but felt the location was not the right place for single-family residential/suburban design. His other concern was that the Commission was being asked to consider a “down zoning” to a one-story design and felt a two-story, office-looking construction would be more appropriate.

Commissioner Maxwell asked if the buildings west of the proposed development were one or two story buildings.

Mr. Shacklett replied that directly west there is a two-story building, but the remainder of the buildings in the immediate area appeared to be one story.

Commissioner Linn asked if the piece of land on the northwest corner of Waterview Parkway and Campbell Road was part of the land in question. He also felt that because of the close proximity to the University, whatever was built on that corner needed to be iconic.

Mr. Shacklett replied it was part of an undevelopable drainage easement that was owned by the Lennox Center.

Commissioner DePuy stated she was not opposed to a one-story building on the site, and felt the hooded left turn would help the residents of Edith Circle.

Commissioner Bright concurred that he had no problem with the elevations and the fact the buildings would be one-story, but wanted to hear more comments from the Commission on what they would like to see as an alternative to the material proposed for the roof.

Chairman Gantt stated the property was going to be a challenge to develop because of the unusual shape and the fact that two sides of the property border undevelopable flood plain land, and thought a one-story development was acceptable because of the adjacent one-story buildings and the residential area across the street.

Commissioner Bouvier asked if the Commission was locked into composite shingles, or could the applicant return at another time and propose a shingle that has more depth, which he felt, would improve the look of the building.

Mr. Shacklett replied that as part of a motion, the Commission could specify the weight of a shingle or a different type of material.

Mr. Shacklett said that if the Commission still had questions about the quality of the roofing material, the applicant should return to the podium to have a discussion about the materials (i.e., residential versus commercial).

Mr. Wright stated that the typical shingle on a residential home is 240 pounds and offered to go to a 300 pound “Z” line or articulated shingle.

Commissioner Maxwell said he thought some on the Commission might be looking for something other than shingles for the roofing material and asked what other material they would like to see.

Commissioner Bouvier proposed clay tile as an alternative material, but, again, stated that the location called for a more commercial looking building and suggested that tabling the item might be appropriate as opposed to getting buildings that would not stand the test of time.

Commissioner Maxwell asked staff to clarify why elevations were included in this zoning case when they are not in other cases.

Mr. Chavez replied that because of the unique nature of the proposed development – a single story building in-lieu-of a two-story building, and the addition of a curb cut, the staff thought the inclusion of the elevation would be appropriate. He added that the Commission could detach the elevations from the zoning case if they so desired.

Commissioner Maxwell asked if two-story buildings were a requirement of the PD.

Mr. Chavez replied that two stories were allowed by right in the PD and the single story, residential design was thought to be a concession for the proposed curb cut. He asked that if the Commission did not like the proposed residential design of the buildings, would they want a design that was similar to the flat-roofed commercial buildings to the west.

Commissioner Bouvier replied he was okay with the residential design, but the roof is what was causing him concern.

Chairman Gantt stated it sounded as if Mr. Bouvier was alright with the one-story, residential look, but asked if he wanted a more commercial looking pitched roof such as a standing-seam metal roof.

Commissioner Bouvier replied that he wanted roof material that was higher quality in terms of the look and style of the building, and was not opposed to a pitched roof or a standing-seam metal roof, but wanted to see what it looked like prior to approving the request.

Mr. Afkami said the market (medical/dental) is more favorable for a one-story building and suggested that he would be open to changing the elevations to meet the preferences of the Commission. He added that with the setback from Campbell Road and the proposed landscaping, the development would blend in with the surrounding open land.

Mr. Afkami pointed out that he had been working with the JJ Pearce Homeowners Association, as well as the management from the Lennox Center, and they both had approved the proposed elevations and development.

Mr. Shacklett added that the Lennox Center also had approval rights over any development in the area.

Chairman Gantt indicated the applicant was willing to revisit the elevations and asked the Commission if they wanted to approve the zoning case, but remove the elevations, or should the item be tabled and the applicant asked to revise the elevations before coming back at another time.

Commissioner Linn asked to clarify what would remain if the elevations were removed from the request.

Chairman Gantt asked staff if item 1 of the proposed special conditions could be altered to remove any mention of the elevations.

Mr. Shacklett replied the section stating “*the buildings shall be generally constructed in conformance with the attached Elevations (Exhibits “C-1” through “C-4)”* could be removed and then a new special condition deferring elevation approval to the development plan process would be added.

Chairman Gantt asked the applicant if that was acceptable.

Mr. Afkami stated he would rather have the elevations removed and proceed with the zoning case, but asked the Commission to provide him with more specific direction on what they would like to see in the new elevations.

Mr. Shacklett also asked the Commission to give detailed direction (i.e., pitched roof versus flat roof, roofing materials, etc.) on what they would like to see and reminded them that City Council will also review the case and may weigh in on what they would like to see as well.

Chairman Gantt asked if the Commission had any concerns about the height, the parking, or anything else besides the architectural style and the materials for the roof.

Commissioner DePuy stated she had no problems with the one-story, residential design and thought a two-story medical building would be a mistake. She did express concern about the stone accents and thought it could be dated, but felt with the amount of roof visible on the building it needed to be upgraded in quality; possibly a metal roof that looks like a shingle.

Commissioner Bright said he could approve the elevations as presented, but out of deference to the other members of the Commission, and the point made about the amount of roof visible, he would like a higher quality shingle roof, but would prefer to see it prior to approval.

Commissioner Maxwell indicated that he would prefer a more modern design.

Commissioner Linn concurred with Ms. DePuy that the style could be dated and preferred to see a more classical or contemporary design. However, he did like the Spanish tile roof at the shopping center at the corner of Coit and Campbell Roads.

Vice Chair Hand concurred with Mr. Linn's earlier statement about the property being a gateway to the University and felt the issue should be whether the form was appropriate as opposed to what type of shingles should be used. He sensed the applicant was open to build the right form and reminded the Commission that whatever develops will remain there for many years to come.

Chairman Gantt stated he did not have an issue with the material presented, but if the applicant chose to come back with similar elevations he would like to see a high-grade commercial shingle or possibly standing-seam metal roof similar to those at Renner Road and North Star Road.

Commissioner Maxwell asked if Mr. Hand had any problems with the site plan as presented.

Vice Chair Hand replied that he did not have problems with the site plan, and understood the finances behind one-story buildings, but still felt a more significant construction on this property was warranted.

Commissioner Roland summarized the suggestions by Commission and pointed out that the Comp Plan was a suggestion as to what the City would like to see develop, but felt the approval from the JJ Pearce Homeowners Association and Lennox Center carried more weight.

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

Motion: Commissioner Linn made a motion to recommend approval of Zoning File 12-18 with the exception of removing any reference to elevations, and that the elevations would be approved during the development plan process; second by Commissioner DePuy.

Commissioner Maxwell asked for clarification on the motion.

Commissioner Linn replied that any verbiage in Special Condition 1 after "*The development shall be constructed in conformance with the attached Concept Plan (Exhibit B)*" shall be removed, and add "*the elevations will be approved during the development plan process*". Ms. DePuy concurred with the explanation.

Motion passed 6-1 with Commissioner Bright opposed.



Staff Report

TO: City Council

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

FROM: Sam Chavez, AICP, Asst. Dir. Development Services (Planning) *SC*

DATE: November 21, 2012

RE: **Zoning File 12-18:** Campbell Office Park – Amend Special Conditions

REQUEST:

Amend the special conditions of the O-M Office zoning related to reduce rear and side yard setbacks, and to allow an additional driveway along Campbell Road for a proposed one-story office development totaling 29,500 square feet.

APPLICANT / PROPERTY OWNER:

Michael J. Wright – M.J. Wright & Associates, Inc. / Dora Mulford – Bootstrap Properties, Ltd.

TRACT SIZE AND LOCATION:

3.18-acre site, north side of Campbell Road, west of Waterview Parkway.

EXISTING DEVELOPMENT:

The site is undeveloped.

ADJACENT ROADWAYS:

Campbell Road: Six-lane, divided arterial; 32,500 vehicles per day on all lanes, eastbound and westbound between Coit Rd & Mimosa Dr (May 2011).

Waterview Parkway: Six-lane, divided arterial; 15,700 vehicles per day on all lanes, northbound and southbound between Campbell Rd & Tatum St (May 2011).

SURROUNDING LAND USE AND ZONING:

North: Parks/Open Space; O-M Office
South: Single-Family; R-1500-M Residential
East: Parks/Open Space; O-M Office
West: Office; O-M Office

FUTURE LAND USE PLAN:

Community Commercial

Retail centers with multiple anchors, mid-rise office, entertainment and hospitality uses.

Future Land Uses of Surrounding Area:

- North: Community Commercial
- South: Neighborhood Residential
- East: Community Commercial
- West: Community Commercial

EXISTING ZONING:

Tract B (approximately 73 acres)

The subject property is zoned O-M Office (Ordinance No. 3079-A & 3153-A) with special conditions. The existing zoning allows 1,045,000 square feet of development; exclusive of the Lennox Headquarters and the credit union building at Campbell and Mimosa, within Tract B as shown in Ordinance 3079-A.

Currently, approximately 33.6% of the allowable 1,045,000 square feet of development within Tract B has been developed. The proposed development would increase that percentage to 36.4%.

Subject Site (3.18 acres)

Below is a table comparing the current development allowed on the property (within Tract B-1) with the proposed development allowed for the subject tract:

	Allowed Development	Proposed Development
Max. Lot Coverage	34,630 s.f. / 25%	29,500 s.f. / 21%
Max. Floor Area Ratio (F.A.R.)	0.35:1	0.21:1
Min. Landscaping %	25%	28%
Max. Height	Two (2) stories / 40 feet	One (1) story / 25 feet

TRAFFIC/ INFRASTRUCTURE IMPACTS:

The proposed zoning change request will not have a significant impact on the surrounding roadway system nor impact existing utilities in the area. Staff has recommended that a hooded left turn lane be added to allow eastbound Campbell Road traffic the ability to make a left turn into the site. Left-turn exits would be prohibited onto eastbound Campbell however.

APPLICANT’S STATEMENT

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

STAFF COMMENTS:

Background:

This is the area known as the Lennox Center area, which is generally bounded by Coit Road to the west, Campbell Road to the south, Waterview Parkway to the east and Cullum Street to the north.

In 1996, the site was rezoned to LR-M(2) Local Retail (Tract A) and O-M Office (Tract B) with special conditions (Ordinance No. 3079-A). The current zoning for the subject site (Tract B-1) allows for the development of two-story office buildings subject to increased setbacks and landscape requirements, reduced floor area ratios (FAR), and limited access to Campbell Road.

In 2010, an applicant requested a similar amendment to the zoning to accommodate the development of multiple one-story office buildings (totaling 25,780 square feet). The request included amending the zoning to allow the addition of a driveway along Campbell Road and for reduced setbacks from twenty-five (25) feet to ten (10) feet along the northern (rear) and eastern (side) property lines. On June 1, 2010, the City Plan Commission recommended denial of the request based on testimony from the residential property owners on the south side of Campbell Road stating their properties were experiencing drainage and flooding issues. The residents stated they did not support any more development to the north until such time further drainage studies were conducted to determine the adequacy of the University World (Lennox area) detention ponds and further study related to the West Fork of Cottonwood Creek. Staff informed the Commission that at the time of development plans, detailed drainage study and plans would be required to be submitted, and adequate drainage for the development would be required for construction to begin.

The applicant appealed the Commission's denial to the City Council. The case was scheduled for the July 12, 2010 City Council meeting; however, the applicant requested an indefinite continuation to allow for further study of the drainage issues. The case was ultimately heard by the City Council on February 14, 2011. At that meeting, the City Council tabled the request indefinitely pending the outcome of the West Fork of Cottonwood Creek drainage study which was to be completed later in 2011. Subsequently, the applicant requested a withdrawal of his zoning application, as he chose to develop his project elsewhere.

On August 29, 2011 the results of the West Fork of Cottonwood Creek Drainage Study were presented to the City Council. With regard to the assessment of existing detention ponds, the study concluded the detention ponds within the Lennox Center were constructed as planned and function as intended. These ponds were intended to regulate the runoff rate for the one percent annual chance storm such that complete build-out of the Lennox Center development would not increase peak flow rates in the West Fork of Cottonwood Creek.

The requested zoning change is consistent with the land use assumptions used for design of the detention ponds. The existing detention ponds can provide the intended flow controls if the subject site is developed under the proposed zoning.

The West Fork of Cottonwood Creek Drainage Study also evaluated several options to reduce the existing flood risk for homes along the creek. Council directed staff to implement a near term phase and future capital improvement phase of flood risk reduction. The near term phase,

consisting of removing debris, underbrush and selective trees from the creek, is scheduled to begin in January 2013. The future capital improvement phase will include bridge improvements at Arapaho Road and Melrose Drive and construction of a detention basin northeast of Campbell and Waterview.

Request:

The applicant’s concept plan (Exhibit B) depicts the proposed layout. The proposed development consists of five (5), one-story office buildings. The applicant is proposing to develop the property as office condos, where each building or unit would be separately owned. The proposed concept plan shows the possible layout of the buildings, but also proposes that the buildings could be reconfigured or re-sized based on the buyer’s particular needs. However, they would still be limited to a maximum 29,500 of building area based on the proposed concept plan and would still be required to meet all other requirements including, but not limited to, driveway location, landscaping, and parking. The development would have direct access from Campbell Road, in addition to access from Jonsson Boulevard at the northwest corner of the property internal to the site.

The applicant is requesting to amend specific special conditions of the site’s zoning related to side and rear setbacks, building height, access and parking requirements. Below is a table comparing the specific current special conditions and the applicant’s proposed amendments:

	Current Zoning (per Ordinance No. 3079-A)	Proposed Amendments
Building Height	Two (2) stories (maximum height 40 feet)	One (1) story, not to exceed twenty-five (25) feet.
Setbacks	Front: 50 feet along Campbell Road and 30 feet from all other streets. Side: Twenty-five (25) feet. Rear: Twenty-five (25) feet.	Front: No change proposed. Side: Ten (10) feet from the east property line. Rear: Ten (10) feet from the rear property line.
Ingress and Egress	Limited to the extension of Lake Park Boulevard to Campbell Road for Tract B.	An additional driveway opening along Campbell Road as shown on Exhibit B. A hooded left turn lane to allow eastbound traffic is also being requested at the suggestion of City staff. A hooded left turn lane was not part of the previous request from 2010 and would eliminate the need for eastbound traffic to make U-turns at the Edith Circle intersection.
Parking Requirements	Parking for each use shall be provided at the ratio that is in effect as of the date such use is developed.	Parking provided at a ratio of one (1) space per 250 square feet for all office uses. <i>(The City is currently reviewing parking requirements for office uses which could change the office parking ratio.)</i>

Building Height/Elevations: The proposed buildings are all one-story, 100% masonry (combination brick and stone) with composition shingle roofs; thus designed to be compatible with the residential neighborhood to the south, across Campbell Road. The building located along Campbell Road has the entrance located on the north side of the building with the rear of the building facing Campbell Road (See Exhibits C-1 through C-4).

Side and Rear Setbacks: The applicant's request is to reduce the side setback to ten (10) feet for the eastern property line and reduce the rear setback to ten (10) feet for the northern property line to increase the buildable area on the lot. Since the land to the north and east of the property is located in the flood plain, it will likely remain undeveloped. The property will adhere to the 25-foot side setback along the western property line adjacent to the existing office building.

Ingress/Egress: The applicant is proposing to construct a driveway, with a deceleration lane, 200 feet from the centerline of the easternmost median opening at Campbell Road and Edith Circle for direct access to the site (See Exhibit B). The proposed driveway represents the 2nd driveway opening, with the 1st driveway being the extension of Lake Park Boulevard. The proposed driveway's 200-foot off-set conforms to city's driveway standards. Per staff's suggestion, the applicant is also requesting a median opening directly in front of the proposed driveway which shall be limited to a hooded left. This would provide access into the site for eastbound Campbell Road traffic. By providing the hooded left turn, the need for traffic to make U-turns at the Campbell and Edith Circle intersection would be alleviated. However, vehicles exiting the site onto Campbell Road would only be able to make a right turn out of the site.

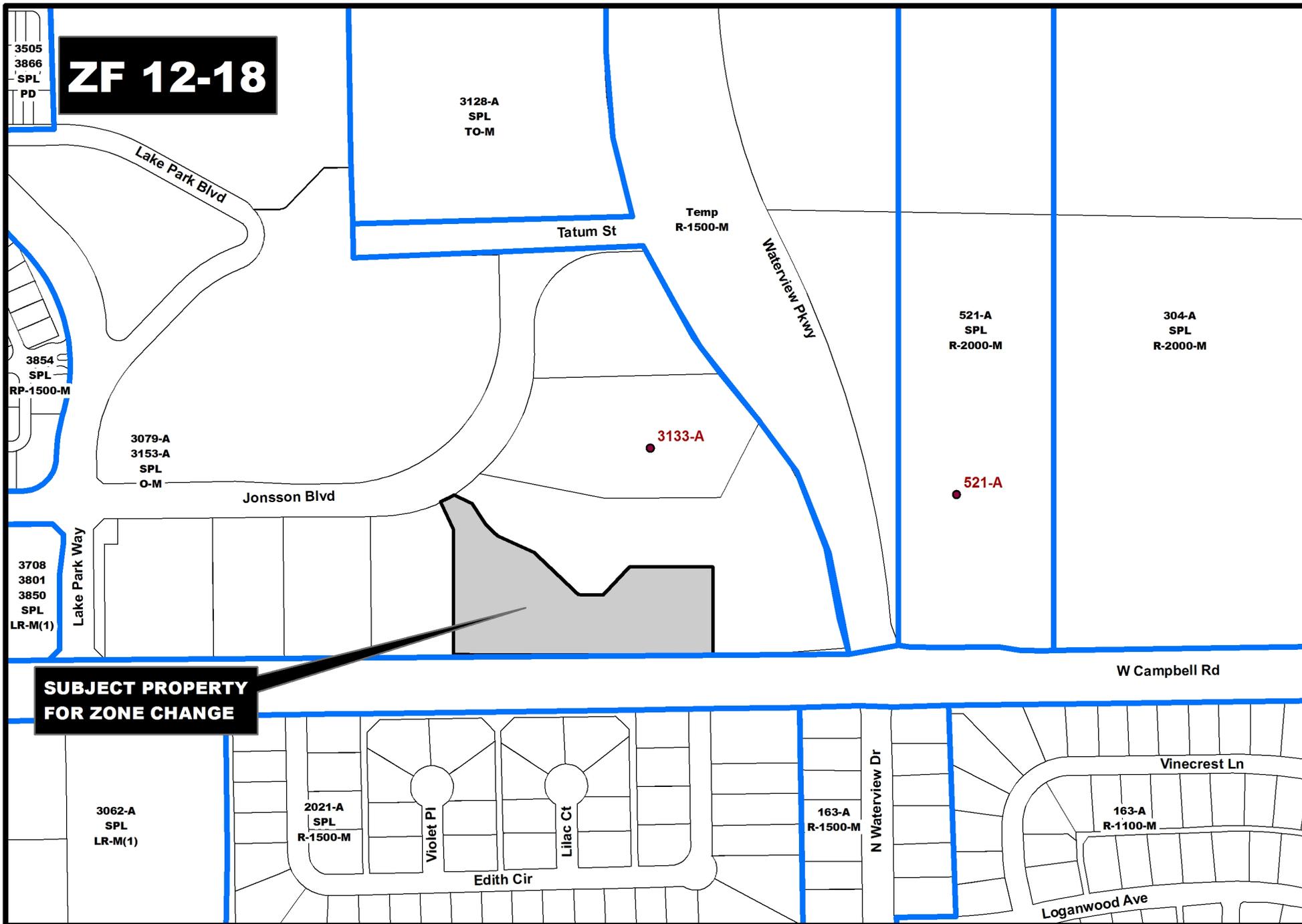
Parking: As proposed, the parking ratio would be fixed at one (1) space per 250 square feet for the subject site, which corresponds with the current required parking ratio for office buildings under 75,000 square feet. This element is being requested as a result of staff's comprehensive review of the City's parking standards, which could result in increased parking ratios for specific types of office uses (medical, dental as opposed to general office uses). If not addressed at this time and the site develops as proposed by the applicant, the site could be deficient in parking if the new parking ratios are approved in the future. As shown, the site conforms with the current parking standards for an office development.

Correspondence: As of this date, no correspondence in favor and opposition has been received. An email from the President of the JJ Pearce Homeowners Association stated the HOA Board has no objection to the project. One (1) resident spoke in opposition to the request at the CPC meeting stating concerns regarding traffic along Campbell Road.

Some members of the City Plan Commission expressed concern regarding the residential nature of the office buildings. They stated that the pitched roofs, composition shingles, and architecture of the building did not match the traditional office character of other office buildings in the area. Rather than continue the request, they recommended approval with a condition that deferred elevation approval until the time of development plan approval.

Motion: On November 6, 2012, the City Plan Commission recommended approval of the request as presented on a vote of 6-1 (Commissioner Bright opposed) subject to the following revised conditions (strike-through text was removed and bold text added):

1. The development shall be constructed in conformance with the attached Concept Plan (Exhibit “B”) ~~and the buildings shall be generally constructed in conformance with the attached Elevations (Exhibits “C-1” through “C-4”).~~
2. **Elevations shall be reviewed and approved by the City Plan Commission at the time of development plan approval.**
3. The maximum height for any building shall be one (1) story not to exceed twenty-five (25) feet.
4. The side setback along the east property line shall be ten (10) feet.
5. The rear setback shall be ten (10) feet.
6. A driveway shall be allowed on Campbell Road as depicted in Exhibit “B”. In addition, a hooded left turn lane and its median opening, as depicted on Exhibit “B”, shall be constructed in conjunction with the first building permit for the site.
7. The parking ratio for the development as depicted in Exhibit “B” shall be one (1) parking space per 250 square feet.
8. All other regulations stated in Ordinance 3079-A not in conflict with the conditions stated above shall remain in effect.



ZF 12-18 Zoning Map

Updated By: shacklett, Update Date: October 16, 2012
File: DSI\Mapping\Cases\Z\2012\ZF1218\ZF1218 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 12-18

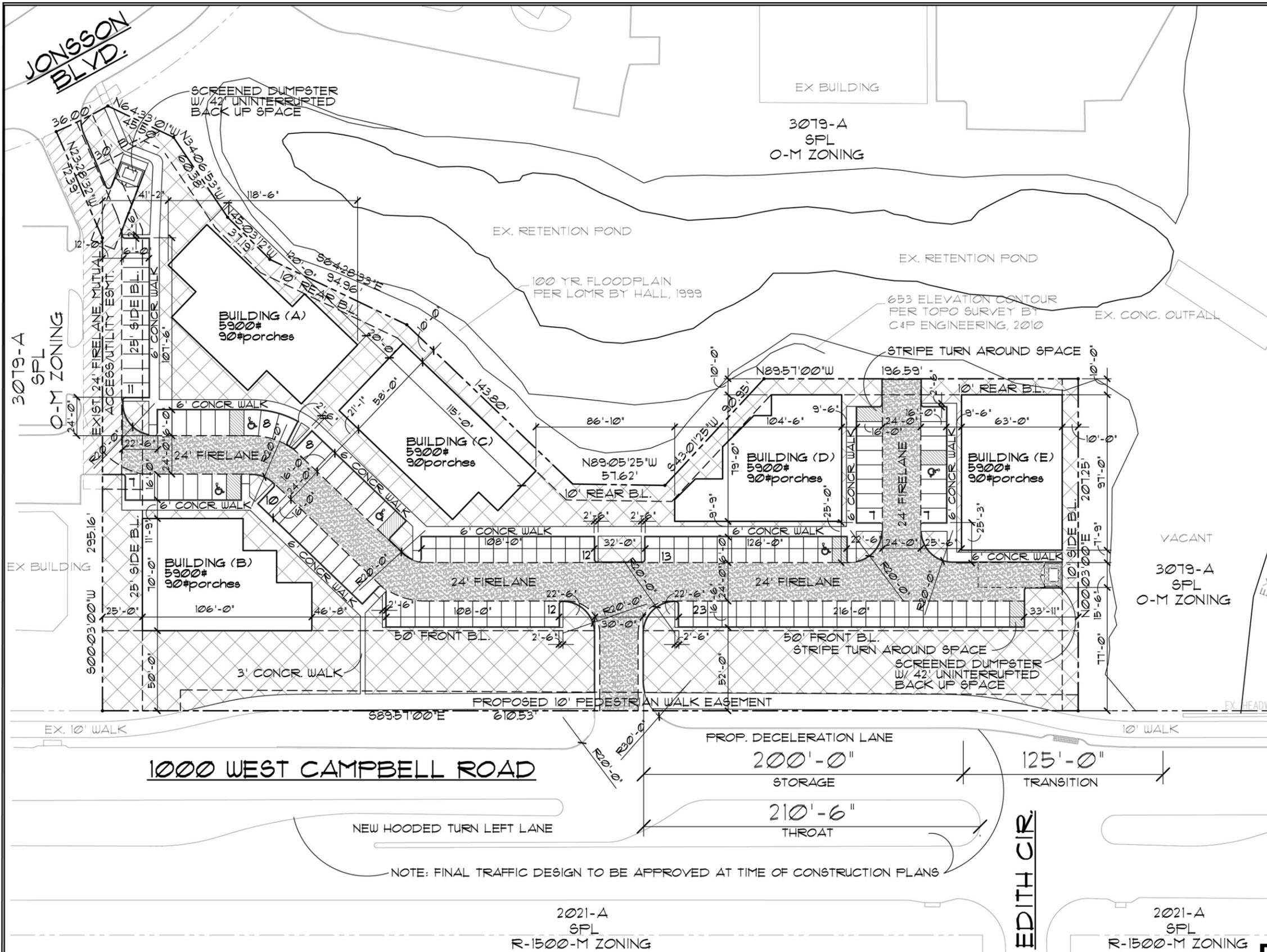
**SUBJECT PROPERTY
FOR ZONE CHANGE**

ZF 12-18 Aerial Map

Updated By: shacklett, Update Date: October 16, 2012
File: DSI\mapping\Cases\Z\2012\ZF1218\ZF1218 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.





SITE DATA SUMMARY CHART

(A) CURRENT ZONING	O-M (OFFICE)
-GENERAL NOTES:	
1. MAXIMUM DEVELOPED SITE WILL BE FIVE BUILDINGS WITH TOTAL BUILDING (A/C) SQ.FT. AREA OF 29,500 SQ.FT.	
2. BUILDING AREAS DEPICTED ARE APPROXIMATE SIZES AND ARE ALL SINGLE-STORY.	
3. EXACT BUILDING FOOTPRINTS AND SIZES WILL BE DETERMINED PRIOR CONSTRUCTION AND PERMIT OF EACH BUILDING.	
4. ALL BUILDINGS WILL BE DESIGNED AND PERMITTED ON AN INDIVIDUAL BASIS.	
5. ALL BUILDINGS WILL BE OF SINGLE STORY DESIGN AND WILL BE OF SAME CHARACTER AND COLOR AS PER THE ACCOMPANIED TYPICAL BUILDING ELEVATIONS.	
6. ALL BUILDINGS WILL UTILIZE THE SAME MATERIALS AND COLORS AS PER THE ACCOMPANIED SAMPLE BOARD.	
7. FINAL TRAFFIC DESIGN TO BE APPROVED AT TIME OF CONSTRUCTION PLANS.	
(PROPOSED ZONING- AMEND O-M ZONING TO ALLOW DRIVEWAY ON W. CAMPBELL ROAD AND REDUCED SIDE/ REAR SETBACKS)	
-LIST OF SPECIAL CONDITIONS AND EXCEPTIONS ORD. 3079-A/ 3153-A	
1. MAX BUILDING HT. FOR THIS LOT WILL BE REDUCED FROM 2 STRUCTURES TO 1 STORY (SECT. 2, TRACT B-1)	
2. SIDE SETBACK ALONG EAST PROPERTY LINE SHALL BE REDUCED FROM 25' TO 10' (SECT.4.2)	
3. REAR SETBACK ALONG NORTH PROPERTY LINE SHALL BE REDUCED FROM 25' TO 10' (SECT.4.3)	
4. ALLOW ADDITIONAL INGRESS/ EGRESS TO TRACT B AS SHOWN ON THIS EXHIBIT (SECT.5)	
(B) SETBACK REQUIRED BY ZONING	
-FRONT BUILDING LINE	50' FRONT B.L.
-SIDE BLDG. LINES (REQ. EXCEPTIONS)	25'/ 10' SIDE B.L.
-REAR BLDG. LINES (REQ. EXCEPTIONS)	25'/ 10' REAR B.L.
(C) BUILDING/ PARKING SUMMARY	ENTIRE SITE
1. LOT AREA	138,536 S.F./3.18 AC
2. TOTAL BUILDING (A/C) FOR SITE	29,500 S.F. / 21%
-BUILDING (A) (A/C) 1-STORY	5,900 S.F. / 4.2%
-BUILDING (B) (A/C) 1-STORY	5,900 S.F. / 4.2%
-BUILDING (C) (A/C) 1-STORY	5,900 S.F. / 4.2%
-BUILDING (D) (A/C) 1-STORY	5,900 S.F. / 4.2%
-BUILDING (E) (A/C) 1-STORY	5,900 S.F. / 4.2%
TOTAL BUILDING COVERAGE:	
TOTAL (A/C) + 90 SQ.FT. (PORCHES) FOR EACH BLDG.=	29,950 TOTAL COVERAGE / 22%
3. PARKING RATIO	1/250
4. REQUIRED PARKING	118 SPACES
5. PARKING PROVIDED	118 SPACES
6. MINIMUM OPEN SPACE REQUIRED LANDSCAPED AREA PER ORD. 3079-A (25%)	34,635 S.F. / 28%
7. FLOOR AREA RATIO (FAR)	0.22:1
8. BUILDING HEIGHT (TYP. 1-STORY)	16'-7" (MIDPOINT)

OWNER: BOOTSTRAP PROPERTIES
932 CRESTMOOR DRIVE
ALLEN, TX 75013
214-668-5644

GENERAL CONTRACTOR: BRAMATA COMPANY,LLC.
FRAY WEBSTER
4709 COLLEYVILLE BLVD, SUITE 580
COLLEYVILLE, TX 76034
(817) 427-2748

ARCHITECT: M. J. WRIGHT & ASSOCIATES, INC.
MICHAEL J. WRIGHT
8233 MID CITIES BLVD., SUITE A
NORTH RICHLAND HILLS, TX 76182
(817) 268-5555

Date 10/24/12
Drawn By MJW
Checked By MJW
Revisions 11/01/12

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CAMPBELL OFFICE PARK
1000 W. CAMPBELL ROAD
RICHARDSON, TEXAS



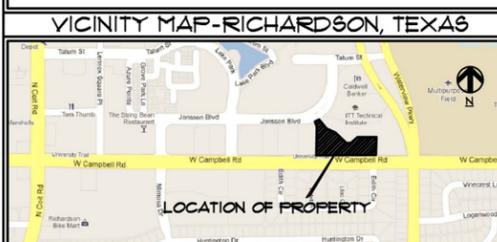
M. J. WRIGHT & ASSOCIATES, INC.
8233 MID-CITIES BOULEVARD STE. A, NRH TX 76180
TEL: 817/268-5555 FAX: 817/268-5558 WWW.MJWRIGHT.COM

FOR REVIEW ONLY, NOT FOR BIDDING, PERMIT, OR CONSTRUCTION
MICHAEL J. WRIGHT, ARCHITECT TEXAS REG. # 1130

Exhibit B - Part of Ordinance

ZONING EXHIBIT
CAMPBELL OFFICE PARK
ENTIRE DEVELOPMENT EXHIBIT

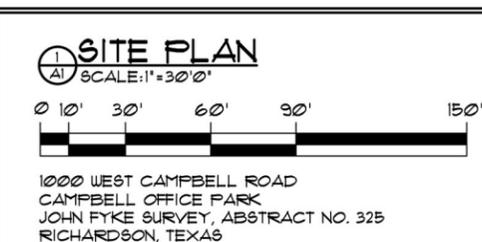
CASE NAME: CAMPBELL OFFICE PARK
CASE ADDRESS: 1000 W. CAMPBELL ROAD
RICHARDSON, TEXAS



HATCHING LEGEND

PARKING AND WALKWAYS	[Hatched pattern]
LANDSCAPE	[Cross-hatched pattern]
24' EXISTING FIRELANE	[Diagonal hatched pattern]
24' NEW FIRELANE	[Stippled pattern]

NORTH



Date 10/24/12
 Drawn By MJW
 Checked By MJW
 Revisions

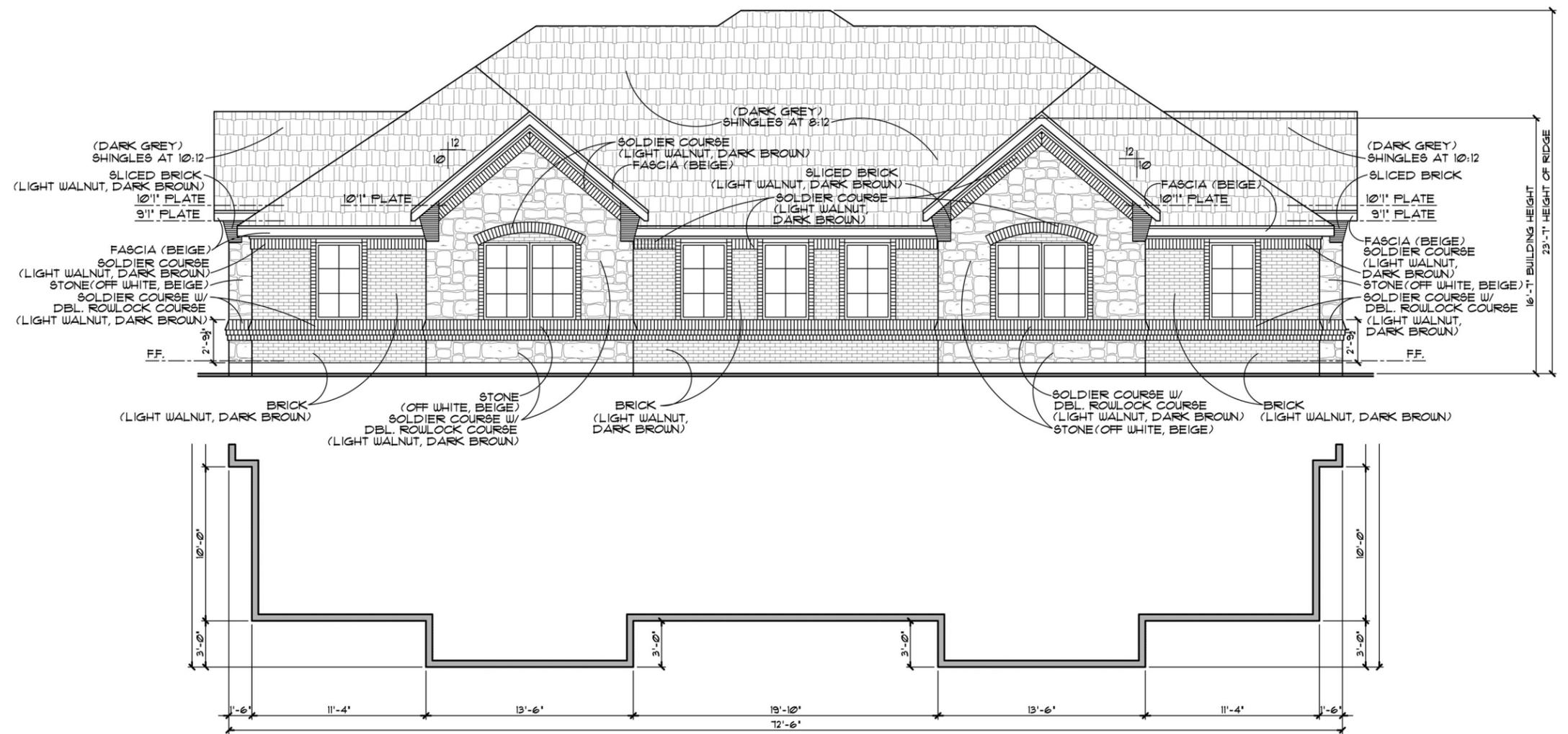
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CAMPBELL OFFICE PARK
 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS



M.J. WRIGHT & ASSOCIATES, INC.
 6030 MID-CITIES BOULEVARD
 STE. A, DUSH TX 75040
 OFFICE: 817/268-5555
 FAX: 817/268-5558
 WWW.MJWRIGHT.COM

NOTE: SIGNAGE FOR ILLUSTRATIVE PURPOSES ONLY. SUBJECT TO APPROVAL BY COMMUNITY SERVICES.



1 TYP. REAR ELEVATION/ ARTICULATION
 A4.3 100% MASONRY 1/4"=1'-0"

Exhibit C-4 - Part of Ordinance

ELEVATIONS
 CAMPBELL OFFICE PARK
 TYPICAL, GENERAL BLDG. ELEVATIONS

CASE NAME: CAMPBELL OFFICE PARK
 CASE ADDRESS: 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS

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Sheet No.
A4.3
 Project No.
 12107AFK



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

Exhibit D

CAMPBELL OFFICE PARK
1000 W. CAMPBELL RD.
RICHARDSON, TEXAS



(1)

**Proposed Site
Looking North across Jonsson**

Northwest Quadrant of Campbell & Waterview



(2)

**Proposed Site
Looking West**



Northwest Quadrant of Campbell & Waterview





(5)

**Proposed Site
Looking West along Campbell**

Northwest Quadrant of Campbell & Waterview



(6)

**Proposed Site
Looking East along Campbell**



(7)

**Proposed Site
Looking South at Edith Circle**

Northwest Quadrant of Campbell & Waterview



(8)

**Proposed Site
Looking South across Campbell**

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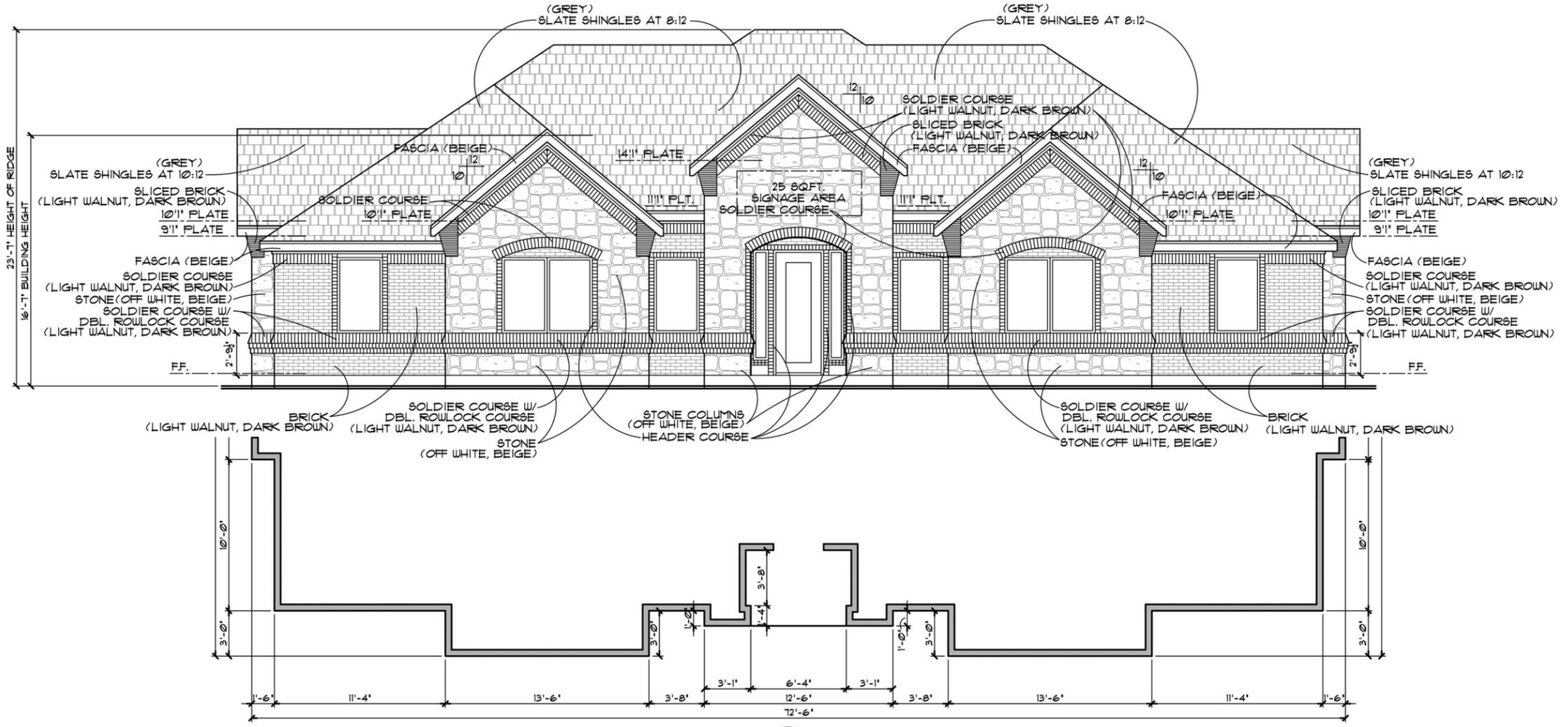
CAMPBELL OFFICE PARK
 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS



M.J. WRIGHT & ASSOCIATES, INC.
 9020 MID-CITIES BOULEVARD
 STE. A, NW, TX 75118
 OFFICE: 817/268-5558 WWW.MJWRIGHT.COM
 FAX: 817/268-5558

FOR REVIEW ONLY. NOT FOR BIDDING, PERMIT, OR CONSTRUCTION. MICHAEL J. WRIGHT, ARCHITECT TEXAS REG. # 11300

NOTE: SIGNAGE FOR ILLUSTRATIVE PURPOSES ONLY. SUBJECT TO APPROVAL BY COMMUNITY SERVICES.



1 ALTERNATE FRONT ELEVATION/ ARTICULATION
 A5.1 100% MASONRY 1/4" = 1'0"

Exhibit F-1

ALTERNATE ELEVATIONS
 CAMPBELL OFFICE PARK
 TYPICAL, GENERAL BLDG. ELEVATIONS

CASE NAME: CAMPBELL OFFICE PARK
 CASE ADDRESS: 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS

Date 11/15/12
 Drawn By MJW
 Checked By MJW
 Revisions

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CAMPBELL OFFICE PARK
 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS

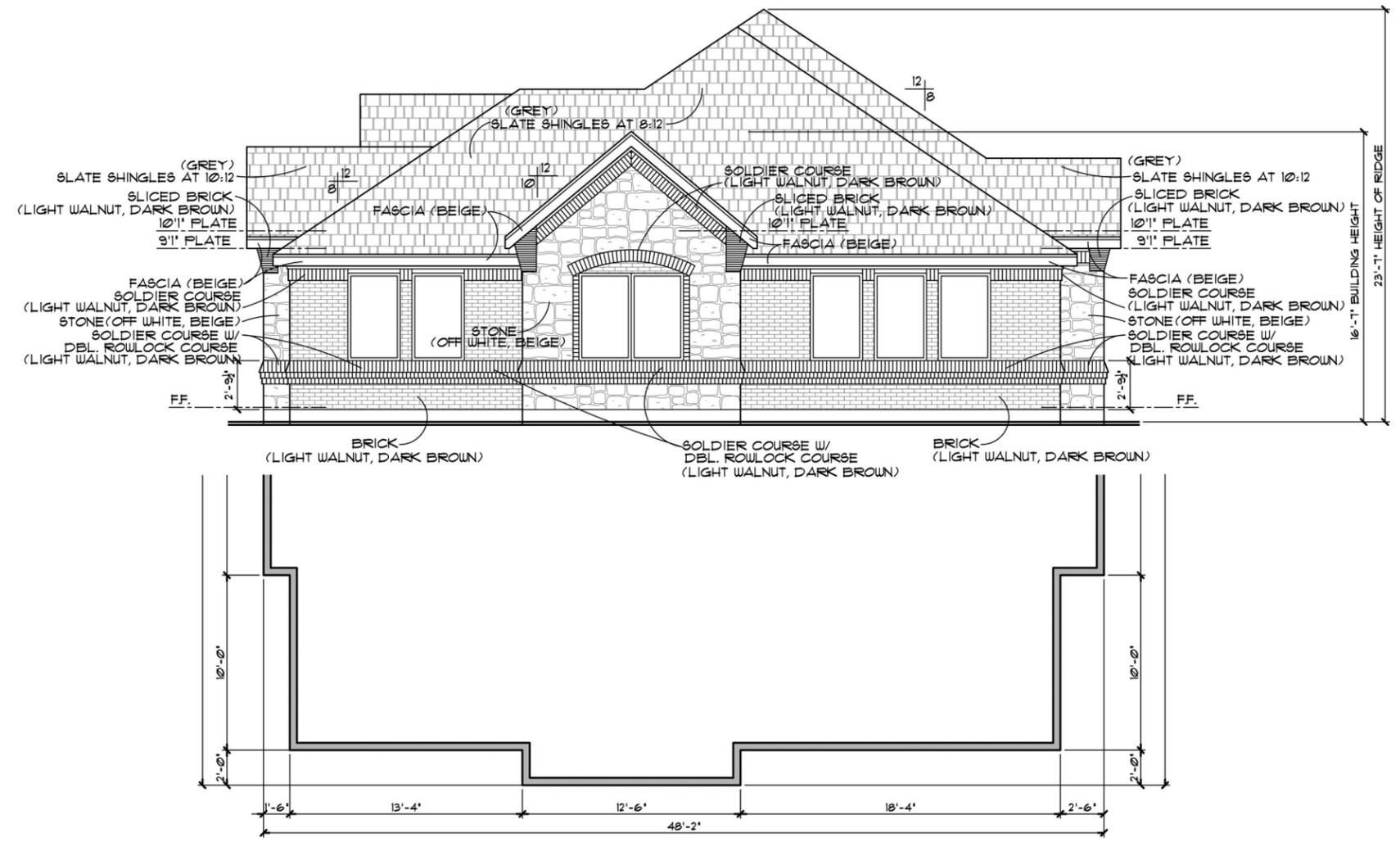


M.J. WRIGHT & ASSOCIATES, INC.
 8233 MID-CITIES BOULEVARD STE. A, NRH TX, 76180
 OFFICE: 817/288-5558 WWW.MJWRIGHT.COM
 FAX: 817/288-5558



Sheet No.
A5.4
 Project No.
 12107AFK

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1 ALTERNATE ELEVATION/ ARTICULATION
 A5.4 100% MASONRY 1/4" = 1'0"

Exhibit F-2

ALTERNATE ELEVATIONS
 CAMPBELL OFFICE PARK

TYPICAL, GENERAL BLDG. ELEVATIONS

CASE NAME: CAMPBELL OFFICE PARK
 CASE ADDRESS: 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS

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Date 11/15/12
 Drawn By MJW
 Checked By MJW
 Revisions

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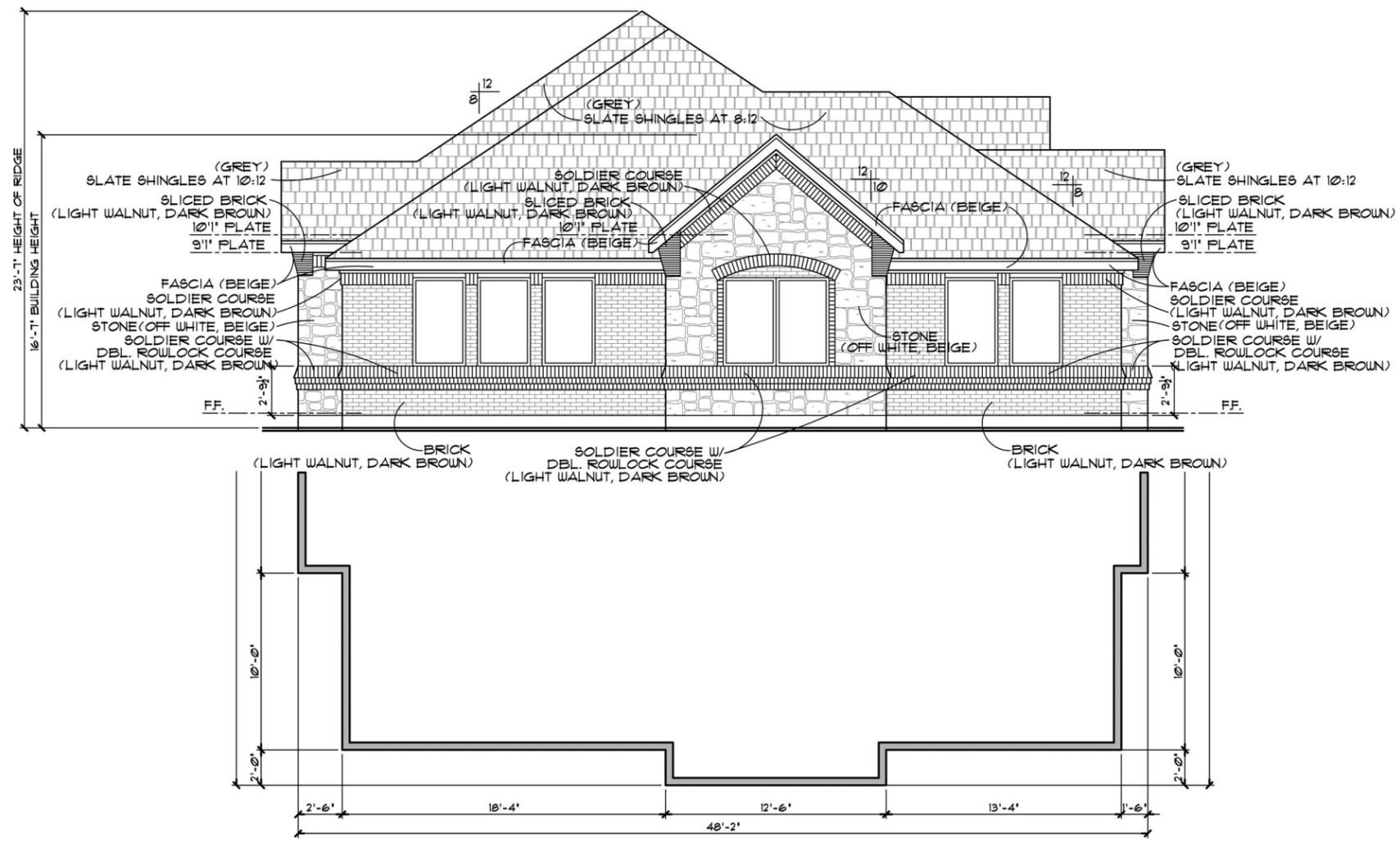
CAMPBELL OFFICE PARK
 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS



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 817-288-3588 WWW.MJWRIGHT.COM
 FAX:

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1 ALTERNATE LEFT ELEVATION/ ARTICULATION
 A5.2 100% MASONRY 1/4"=1'0"

Exhibit F-3

ALTERNATE ELEVATIONS
 CAMPBELL OFFICE PARK
 TYPICAL, GENERAL BLDG. ELEVATIONS

CASE NAME: CAMPBELL OFFICE PARK
 CASE ADDRESS: 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS

Sheet No.
A5.2
 Project No.
 12101AFK

Date 11/15/12
 Drawn By M.J.W.
 Checked By M.J.W.
 Revisions

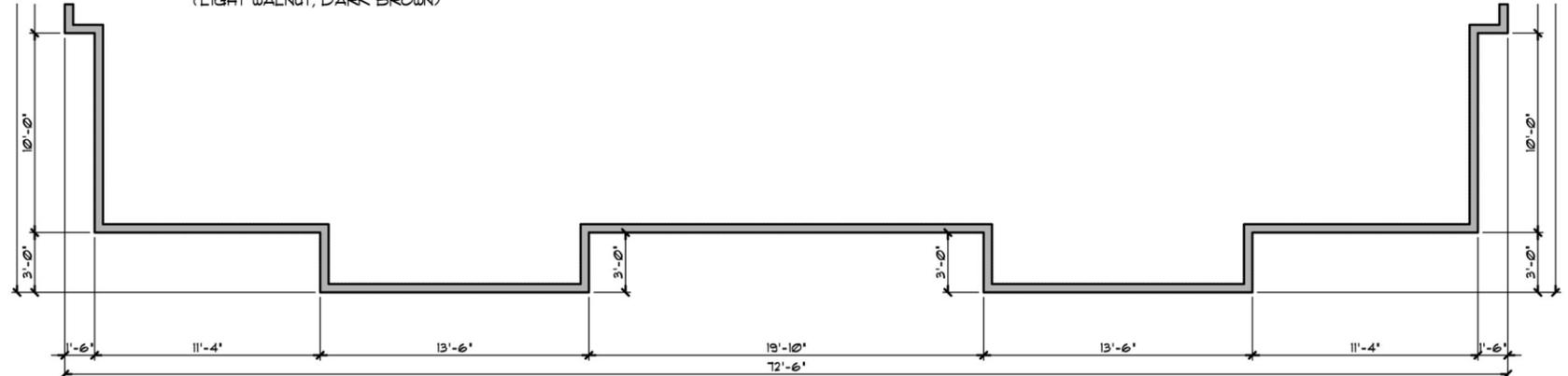
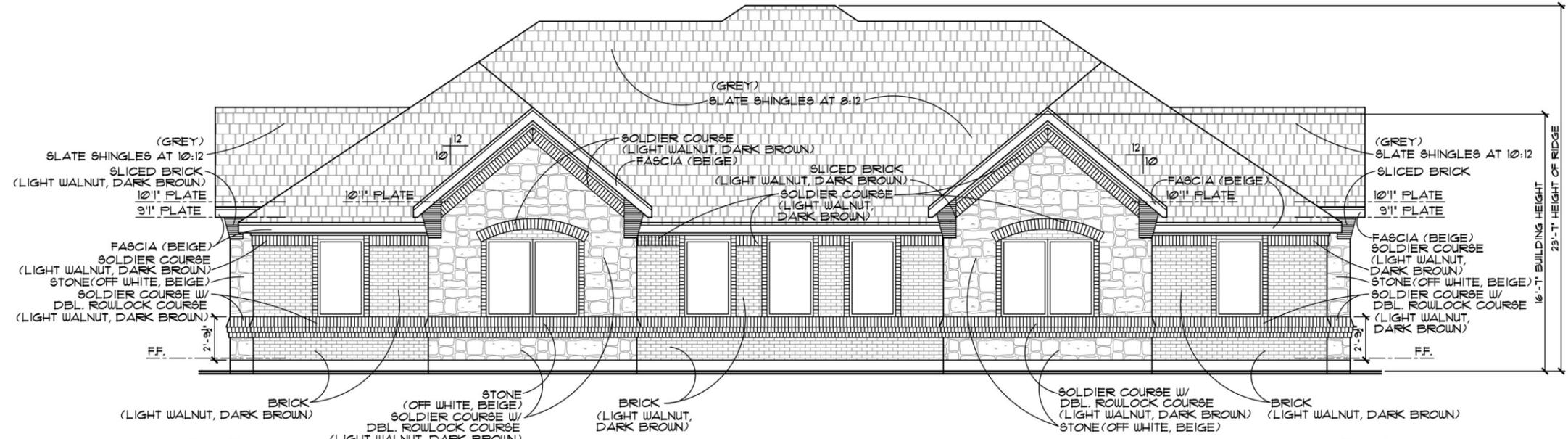
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CAMPBELL OFFICE PARK
 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS



M. J. WRIGHT & ASSOCIATES, INC.
 8233 MIDCITIES BOULEVARD STE. A, N.R.H. TX 75180
 OFFICE: 817.268.5555 M.J.WRIGHT.COM
 FAX: 817.268.5556 WWW.MJWRIGHT.COM
MJW
 ARCHITECTS

NOTE: SIGNAGE FOR ILLUSTRATIVE PURPOSES ONLY. SUBJECT TO APPROVAL BY COMMUNITY SERVICES.



1 ALTERNATE REAR ELEVATION/ ARTICULATION
 A5.3 100% MASONRY 1/4" = 1'0"

Exhibit F-4

ALTERNATE ELEVATIONS
 CAMPBELL OFFICE PARK

TYPICAL, GENERAL BLDG. ELEVATIONS

CASE NAME: CAMPBELL OFFICE PARK
 CASE ADDRESS: 1000 W. CAMPBELL ROAD
 RICHARDSON, TEXAS

FOR REVIEW ONLY, NOT FOR BIDDING, PERMIT, OR CONSTRUCTION MICHAEL J. WRIGHT, ARCHITECT TEXAS REG.# 11130

Sheet No.
A5.3
 Project No.
 12107APK



**Exhibit G-1 - Watercolor
Rendering of Elevations
presented to CPC**



**Exhibit G-2 - Watercolor
Rendering of Revised
Elevations**

APPLICANT STATEMENT

WE PROPOSE TO DEVELOP A PROFESSIONAL / MEDICAL OFFICE PARK WITH THE FOLLOWING CONDITIONS:

- MAXIMUM DEVELOPED SITE WILL BE FIVE BUILDINGS WITH TOTAL BUILDING (A/C) SQ. FT. AREA OF 29,500 SQ. FT.
- BUILDING AREAS DEPICTED ARE APPROXIMATE SIZES AND ARE ALL SINGLE-STORY.
- EXACT BUILDING FOOTPRINTS AND SIZES WILL BE DETERMINED PRIOR CONSTRUCTION AND PERMIT OF EACH BUILDING.
- ALL BUILDINGS WILL BE DESIGNED AND PERMITTED ON AN INDIVIDUAL BASIS.
- ALL BUILDINGS WILL BE OF SINGLE STORY DESIGN AND WILL BE OF SAME CHARACTER AND COLOR AS PER THE ACCOMPANIED TYPICAL BUILDING ELEVATIONS.
- ALL BUILDINGS WILL UTILIZE THE SAME MATERIALS AND COLORS AS PER THE ACCOMPANIED SAMPLE BOARD.



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

ZONING CHANGE

File No./Name: ZF 12-18 – Campbell Office Park
Property Owner: Dora Mulford / Bootstrap Properties
Applicant: Michael J. Wright / M.J. Wright & Associates, Inc.
Location: North side of Campbell Road, west of Waterview Parkway (See map on reverse side)
Current Zoning: O-M Office District
Request: A request by Michael J. Wright, representing M.J. Wright & Associates, Inc., to amend the O-M Office special conditions to accommodate the development of multiple 1-story office buildings.

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

TUESDAY, NOVEMBER 6, 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.

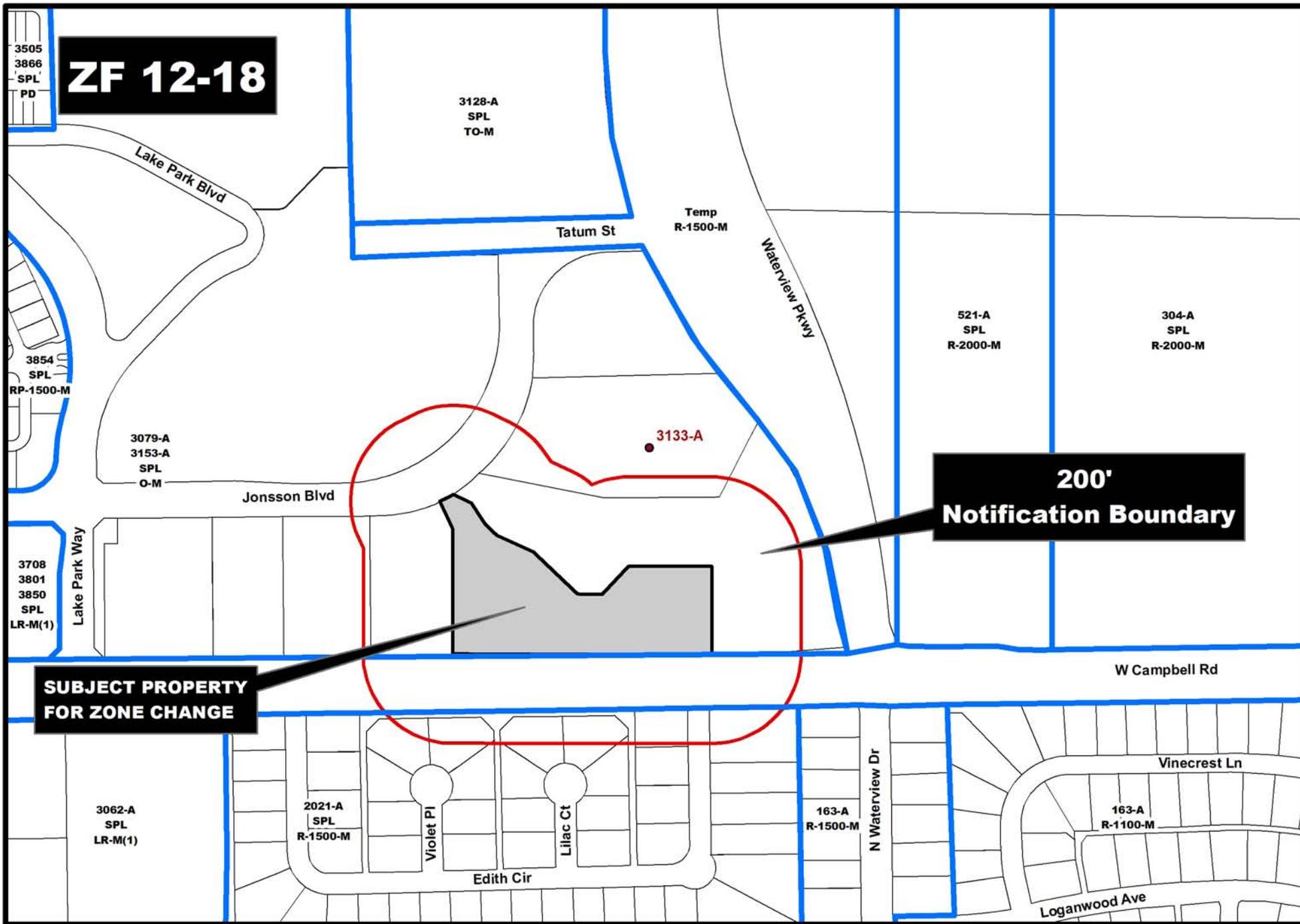
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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/index.aspx?page=1331>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 12-18.

Date Posted and Mailed: 10/26/12



ZF 12-18 Notification Map

Updated By: shacklett, Update Date: October 16, 2012
 File: DSI\Mapping\Cases\Z\2012\ZF1218\ZF1218 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.



NIX CLAYTON A & MARTHA V
1908 LILAC CT
RICHARDSON, TX 75080-2931

WILSON WILLIAM M & NATALIE M
1089 EDITH CIR
RICHARDSON, TX 75080-2924

ROSHAN SUSAN &
PEJMAN A PIRMORADI
1908 VIOLET CIR
RICHARDSON, TX 75080-2933

REED DANIEL S
1909 LILAC CT
RICHARDSON, TX 75080-2931

HUTSLER ROBERT J & HELEN R
1092 EDITH CIR
RICHARDSON, TX 75080-2923

HOFFMEISTER STEPHEN L & BECKY E
1909 VIOLET CIR
RICHARDSON, TX 75080-2933

TERRY MARTIN G & MARY D
1906 LILAC CT
RICHARDSON, TX 75080-2931

KUWITZKY BARBARA BURT
1907 LILAC CT
RICHARDSON, TX 75080-2931

DARTEZ VICTORIA J
1906 VIOLET CIR
RICHARDSON, TX 75080-2933

RUDOLPH TECHNOLOGIES INC
PO BOX 1000
FLANDERS, NJ 07836-1000

CRJ ADVISORS LLC
1120 W CAMPBELL RD # 101
RICHARDSON, TX 75080-2977

FORRECCO INC
1120 W CAMPBELL RD # 103
RICHARDSON, TX 75080-2976

JLS CAMPBELL HOLDINGS LLC
1120 W CAMPBELL RD # 105
RICHARDSON, TX 75080-2977

MEHTEX PROPERTIES LLC
1120 W CAMPBELL RD # 109
RICHARDSON, TX 75080-2978

SANDY WATER INVESTMENTS INC
4500 SANDY WATER LN
PLANO, TX 75024-7715

LENNOX COMMERCIAL REALTY INC
2100 LAKE PARK BLVD
RICHARDSON, TX 75080-2254

ITT EDUCATIONAL SVC INC
ATTN: DIR OF REAL ESTATE
13000 N MERIDIAN ST
CARMEL, IN 46032-1404

UNIVERSITY WORLD OWNERS OC
% SUNWEST REAL ESTATE GP
PO BOX 803289
DALLAS, TX 75380-3289

BOOTSTRAP PROPERTIES LTD
PO BOX 450296
GARLAND, TX 75045-0296

**DR KEVIN AFKAMI
WISE VENTURES LLC
701 W. PIPELINE ROAD
HURST, TX 76053**

**MICHAEL J. WRIGHT
M.J. WRIGHT & ASSOCIATES, INC.
8233 MID-CITIES BLVD., SUITE A
N. RICHLAND HILLS, TX 76182-4761**

**ZF 12-18
Notification List**



To: "chris shacklett" <chris.shacklett@cor.gov>, "kevin afkami" <kevinafkami@yahoo.com>,
Cc:
Bcc:
Subject: Fw:
From: "Ben Wallace" <benwallace@tx.rr.com> - Thursday 09/27/2012 01:48 PM

History: This message has been replied to.

Chris – FYI

Please let me know if you need anything else. Thanks.

Ben

From: [Place #3](#)
Sent: Wednesday, September 26, 2012 1:19 PM
To: <mailto:gsw@gswc-inc.com>
Cc: Ben Wallace ; <mailto:editor@jjphoa.com> ; <mailto:jjphoa@gmail.com> ; <mailto:treasurer@jjphoa.com> ;
<mailto:secretary@jjphoa.com> ; <mailto:social@jjphoa.com> ; <mailto:membership@jjphoa.com> ;
<mailto:beautification@jjphoa.com> ; <mailto:safety@jjphoa.com> ; <mailto:development@jjphoa.com> ;
<mailto:president@jjphoa.com>
Subject: Re:

Thank you G Scott. It helps makes the decision easier when I know the homeowners are behind a development project.

Sent from my iPad

On Sep 26, 2012, at 12:10, "G. Scott Waddell" <gsw@gswc-inc.com> wrote:

Mr. Mayor and City Council:

As representative of the JJ Pearce Home Owners Association I would like it to be known that the JJP HOA Board has no objection to the 3.18 acre project at the NW corner of Campbell and Waterview being developed by Ben Wallace. We believe this will be a positive addition to the community.

Thank you,

G. Scott

G. Scott Waddell

JJP HOA President

972-644-2053 wk

972-644-1412 hm

www.jjphoa.com

G. Scott Waddell Company

1701 N. Greenville Ave.

Suite 705

Richardson, TX 75081

Phone: 972-644-2053

Toll Free: 866-644-2053

eFax: 214-736-7374

www.gswc-inc.com

Note: Also refer to Ord.
#3153-A, 3403-A.

ORDINANCE NO. 3079-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, SO AS GRANT A CHANGE OF ZONING FROM O-M OFFICE DISTRICT ZONING, WITH SPECIAL CONDITIONS TO LR-M(2) LOCAL RETAIL DISTRICT ZONING, WITH SPECIAL CONDITIONS, ON A 45.146 ACRE TRACT OF LAND DESCRIBED AS TRACT "A" IN EXHIBIT "D" ATTACHED HERETO; TO REVISE THE SPECIAL CONDITIONS ON A 72.896 ACRE TRACT OF LAND DESCRIBED AS TRACT "B" IN EXHIBIT "D", ATTACHED HERETO, WHICH IS ZONED O-M OFFICE DISTRICT ZONING, WITH SPECIAL CONDITIONS. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF CAMPBELL ROAD BETWEEN COIT ROAD AND WATERVIEW PARKWAY AND IS DESCRIBED AS TRACTS "A" AND "B" IN EXHIBIT "D", ATTACHED HERETO; PROVIDING SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended, so as to grant a change of zoning from O- M Office District Zoning, with special conditions, to LR-M(2) Local Retail District Zoning, with special conditions, on a 45.146 acre tract of land described as tract "A" in Exhibit "D" attached hereto and made a part hereof; and to revise the special conditions on a 72.896 acre tract of land described as tract "B" in Exhibit "D", attached hereto and made a part hereof, which is zoned O-M Office District Zoning, with special conditions. The property is located on the north side of Campbell Road between Coit Road and Water-view Parkway and is described as tracts "A" and "B" in Exhibit "D", attached hereto and made a part hereof for all purposes.

SECTION 2. That the above change in zoning is hereby approved subject to the following conditions, on tract "A", and subject to the revised conditions on tract "B", and subject to conditions on both tracts "A" and "B" as follows, to wit:

TRACT A: LR-M(2) Local Retail with the following special conditions:

1. Uses. Tract A may be developed for any of the following uses:

1.1 Retail as authorized in Sec. 1, Article XVI-B (LR-M(2) Local Retail District) except that the following uses shall be prohibited:

Motor vehicle repair shop	Motor vehicle upholstery shop
Bowling alley	Exterminating company, retail
Frozen food lockers	Laundry, automatic
Motor vehicle service station	Car wash
Plumbing shop	Rug cleaning shop

1.2 Full service hotel. Limited service hotel or suite hotel, subject to the approval of a special permit. No more than one hotel of any type shall be permitted on the LR-M(2) tract.

2. Building Heights. No building shall exceed thirty-two (32) feet in height, except that architectural features, such as embellishments, decorative motifs, and bell towers may exceed thirty-two (32) feet in height, but in no event will they exceed fifty (50) feet in height. A hotel may be constructed with a height of up to 130 feet when within 550' feet of the north property line of Tract A.

3. Building Coverage/Intensity. The maximum building coverage, including parking structures, shall be twenty-five percent (25%), and the maximum Floor Area Ratio (FAR) shall be 0.35:1, excluding parking structures.

4. Setback Requirements.

4.1 Front Yard: All buildings fronting on Coit Road or Campbell Road shall have a front yard setback and landscape easement of not less than 50 feet. The setback from all other streets shall be 30 feet.

~~4.2~~ Side Yard: All buildings shall be set back 25 feet from the side property line. In the case of a lot which has a side yard abutting a dedicated street, the front yard setback shall be observed along the side yard abutting the street.

~~4.3~~ Rear Yard: All buildings shall set back 25 feet from the rear property line.

INTERIOR SIDE & REAR SETBACKS DELETED BY ORD.
#3403-A.

The following improvements are excluded from the above referenced setback requirements: (1) structures below and covered by the ground where such structures will not interfere with provisions for underground utilities; (2) steps, walks, driveways and curbing; and (3) planters, walls, fences or hedges, not to exceed four (4) feet in height, and landscaping, including earthen berms, except that within any visibility easement, a maximum height of 2.5 feet shall apply.

5. Ingress and Egress. Ingress and egress from Tract A shall be limited to the extension of Cullum Street to Coit Road, one (1) driveway on Coit Road and one (1) driveway on Campbell Road. The driveway on Campbell Road is to be aligned with the existing driveway and median opening serving Pavilion One Center located on the south side of Campbell Road. The intersection of Campbell Road and Mimosa Drive is to be controlled by traffic signals and median diverter so as to prohibit direct north/south access across Campbell Road. Access to the extension of Mimosa Drive (north of Campbell) and Cullum Street shall not be limited

6. Building Area Limits. Not more than 400,000 square feet of gross building area, in the aggregate, exclusive of parking structures, may be constructed.

ref. Ord. # 3153-A for Revised Concept Plan

7. Development Requirements. The street and open areas within this property shall be developed essentially in accordance with the conceptual plan in a retail "village" style on Tract A. A retail village may consist of one or more structures of a size or sizes as deemed appropriate by the applicable owner, and may include landscaped walkways, seating areas, and other outdoor common areas for pedestrian use.

8. Landscape Requirements. Not less than fifteen percent (15%) of the retail sites shall be provided as landscaped areas, said landscaped area to include street medians, parkways and required setbacks in addition to other landscaped areas.

9. Parking Requirements. Parking for each use in a development shall be provided at the ratio for office, hotel, retail and related uses that is in effect as of the date such use is developed.

10. Exhibits. The following exhibits will be attached to and become a part of the Ordinance zoning the herein described property:

10.1 Tract Map (Exhibit A) defining the limits of Tract A.

10.2 Conceptual Plan (Exhibit B) for purposes of showing circulation, major landscape features and the general character of development, as described above in Item No.

7, Development Requirements. ← ref. Ord. # 3153-A for Revised Concept Plan

- 10.3 Architectural Image Studies (Exhibit C) indicating the general character of development to be expected within Tract A.
11. Deed Restrictions. Amended and Restated Deed Restrictions reflecting the matters set forth herein shall be submitted to the City Secretary of the City of Richardson, Texas.
12. Thoroughfare Improvements:
 - 12.1 A street easement will be granted within the required 50' landscape buffer area, to allow for a minimum of 10 feet of pavement for the construction of a continuous right turn lane (auxiliary lane) along the north side of Campbell Road between Mimosa and Coit within the existing right-of-way. This auxiliary lane will be constructed by the landowners prior to the issuance of a building permit for more than 200,000 square feet of retail development. This right turn lane will be the extension of the existing right turn lane on Mimosa Drive.

TRACT B: O-M Office with the following special conditions:

1. Uses.

- 1.1 Tract B may be used for any of the following uses:
 - (a) Business and professional offices.
 - (b) Banks and financial institutions.
 - (c) Radio and television studio, but not including transmittal stations or broadcasting towers.
 - (d) Public buildings erected or used by city government.
 - (e) Full service hotel. Limited service hotel or suite hotel, subject to the approval of a special permit. No more than one hotel of any type shall be permitted on the O-M tract.
 - (f) Incidental retail and service activities including specialty shops such as florists, men's and women's clothing stores, cleaners, card and camera shops, gift shops and jewelry stores, but such incidental retail and services may not exceed five percent (5%) of the total gross square footage allowed on Tract B.
2. Building Heights. On Tract B-1, no building shall exceed two (2) standard stories. On Tract B-2, no building shall exceed four (4) standard stories; however, a hotel, with a maximum height of up to 70 feet may be constructed. On Tract B-3 no building shall exceed eight (8) standard stories,; however, a hotel, with a maximum height of up to 130 feet may be constructed when within 550 feet of the north property line of Tract B-3.

3. Building Coverage/Intensity. On Tract B-1, the maximum building coverage, including parking structures, shall be twenty-five percent (25%), and the maximum Floor Area Ratio (FAR) shall be 0.35:1, excluding parking structures. On Tracts B-2 and B-3, the maximum building coverage, including parking structures, shall be forty percent (40%). The maximum FAR on Tract B-2 shall be 0.55:1, excluding parking structures, and the maximum FAR on Tract B-3 shall be 0.60:1, excluding parking structures.
4. Setback Requirements.
 - 4.1 Front Yard: All buildings fronting on Campbell Road or Waterview Drive shall have a front yard setback and landscape easement of not less than 50 feet. The setback from all other streets shall be 30 feet.
 - 4.2 Side Yard: All buildings shall be set back 25 feet from the side property line. In the case of a lot which has a side yard abutting a dedicated street, the front yard setback shall be observed along the side yard abutting the street.
 - 4.3 Rear Yard: All buildings shall set back 25 feet from the rear property line.

The following improvements are excluded from the above referenced setback requirements: (1) structures below and covered by the ground where such structures will not interfere with provisions for underground utilities; (2) steps, walks, driveways and curbing; and (3) planters, walls, fences or hedges, not to exceed four (4) feet in height, and landscaping, including earthen berms, except that within any visibility easement, a maximum height of 2.5 feet shall apply.

5. Ingress and Egress. Ingress and egress from Tract B, shall be limited to the extension of Lake Park Blvd. to Campbell Road and to one (1) driveway on Waterview Drive. The intersection of Campbell Road and Mimosa Drive is to be retained and is to be controlled by traffic signals and median diverters so as to prohibit direct north/south access across Campbell Road. Access to Cullum Street, Jonsson Street, Lake Park Blvd. and Tatum Street shall not be limited.

6. Building Area Limits. Not more than 1,045,000 square feet of gross building area, in the aggregate, exclusive of parking structures, the existing Lennox headquarters (132,000 square feet) building and the existing Credit Union building (5,500 square feet), may be constructed.
7. Development Requirements. The street and open areas within this property shall be developed essentially in accordance with the conceptual plan, in a campus fashion over the entire Tract B.
↖ ref. Ord. #3153-A for revised Concept Plan
8. Landscape Requirements. Not less than twenty-five percent (25%) of the office sites shall be provided as landscaped areas, said landscaped area to include street medians, parkways and required setbacks in addition to other landscaped areas.
9. Parking Requirements. Parking for each use in the development shall be provided at the ratio for office, hotel, retail and related uses that is in effect as of the date such use is developed.
10. Exhibits. The following exhibits will be attached to and become a part of the Ordinance zoning the herein described property:
 - 10.1 The Tract Map (Exhibit A) defining the limits of Tract B-1, B-2 and B-3 as referenced in this Ordinance.
 - 10.2 Conceptual Plan (Exhibit B) for purposes of showing circulation, major landscape features and the general character of development, as described above in Item No. 7, Development Requirements. ← ref. Ord. # 3153-A for revised Concept Plan
11. Deed Restrictions. Amended and Restated Deed Restrictions reflecting the matters set forth herein shall be submitted to the City Secretary of the City of Richardson, Texas.

OVERALL (Tracts A and B)

- I. Thoroughfare Improvements. Development of this property will include the abandonment of portions of the existing rights-of-way in exchange for the dedication of rights-of-way necessary to support changes to the Master Thoroughfare Plan relative to Cullum, Tatum and Mimosa Drive. These thoroughfare changes will occur as the adjacent property develops; however, east/west access through the site shall be maintained at all times from Coit Road to Waterview.
2. Drainage. The development of the entire 119 acre site shall comply with the City's Storm Drainage Design Manual and the retention pond in the southeast corner of the property shall be sized accordingly.

3. Amendments to Concept Plan. Minor amendments to the Concept Plan as determined by the Planning Director or his/her designee (no substantial change in building location, lot coverage, floor area ratio, no decrease in building setback or parking ratios, no substantial changes to access or site circulation) are subject to approval by the City Plan Commission only, without additional public hearings. Major amendments shall be subject to further public hearings in the same manner as a zoning change. Staff shall not be authorized to vary from the conditions of the ordinance governing this property in the determination of a minor amendment to the concept plan. ← ref. Ord. #3153-A for Revised Concept Plan

SECTION 3. 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.

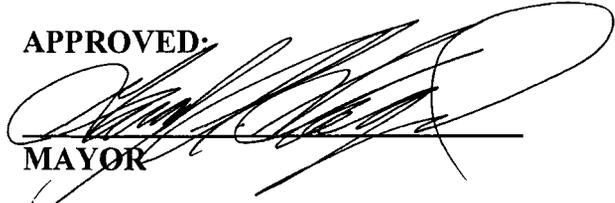
SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. 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
8th day of July, 1996.

APPROVED:



A large, stylized handwritten signature in black ink, written over a horizontal line.

MAYOR

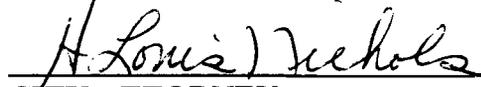
CORRECTLY ENROLLED:



A handwritten signature in black ink, written over a horizontal line.

CITY SECRETARY

APPROVED AS TO FORM:



A handwritten signature in black ink, written over a horizontal line.

CITY ATTORNEY
(HLN/sb 6-26-96)

* POTENTIAL HOTEL SITE
 MAXIMUM HEIGHT = TO
 8 STORY OFFICE BLDG.

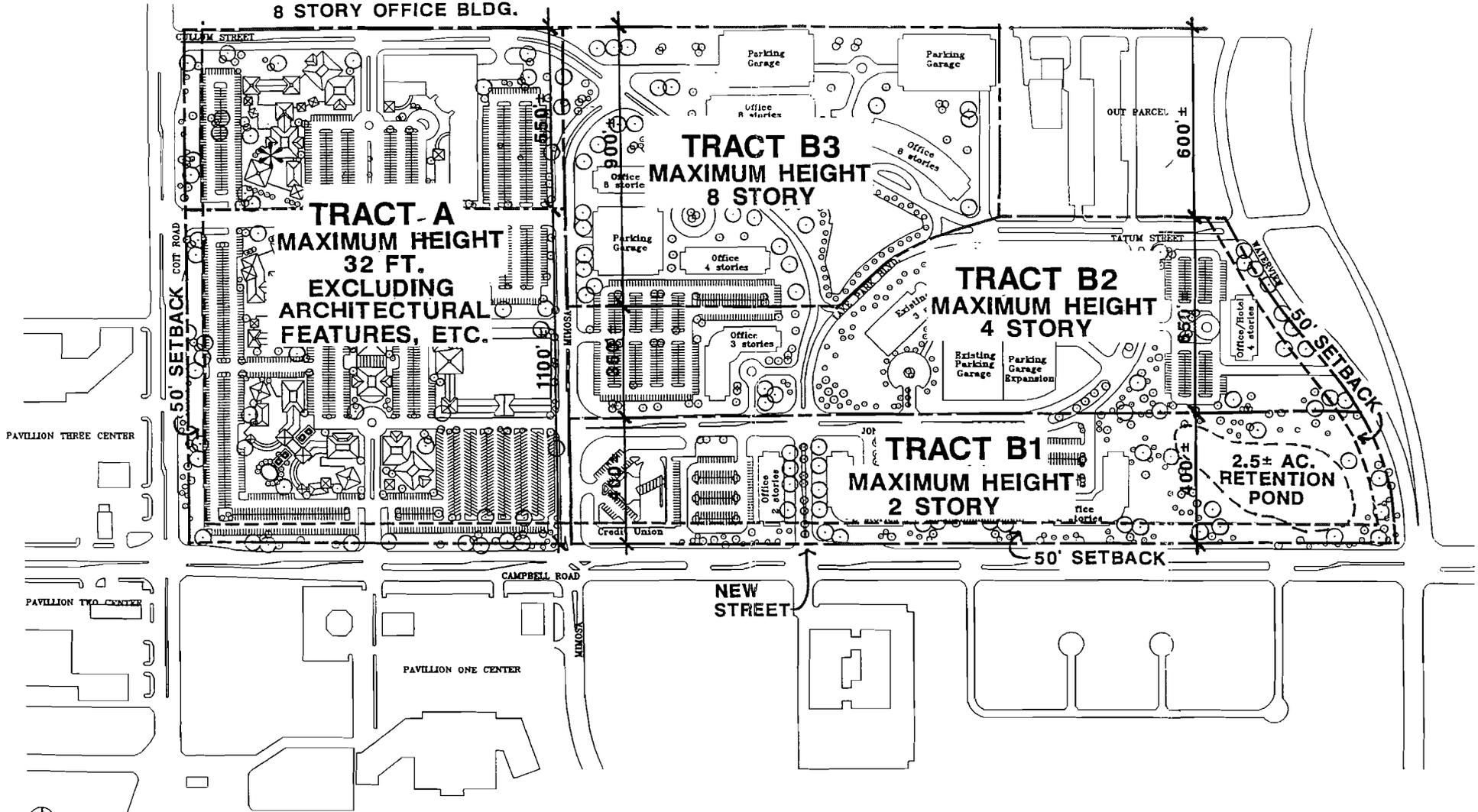


EXHIBIT A - HEIGHT LIMITATIONS

EXHIBIT A

LENOX CENTER
 Richardson, Texas

Henson-Williams Realty, Inc.
 URBAN DESIGN GROUP, INC.

22 APRIL 1996

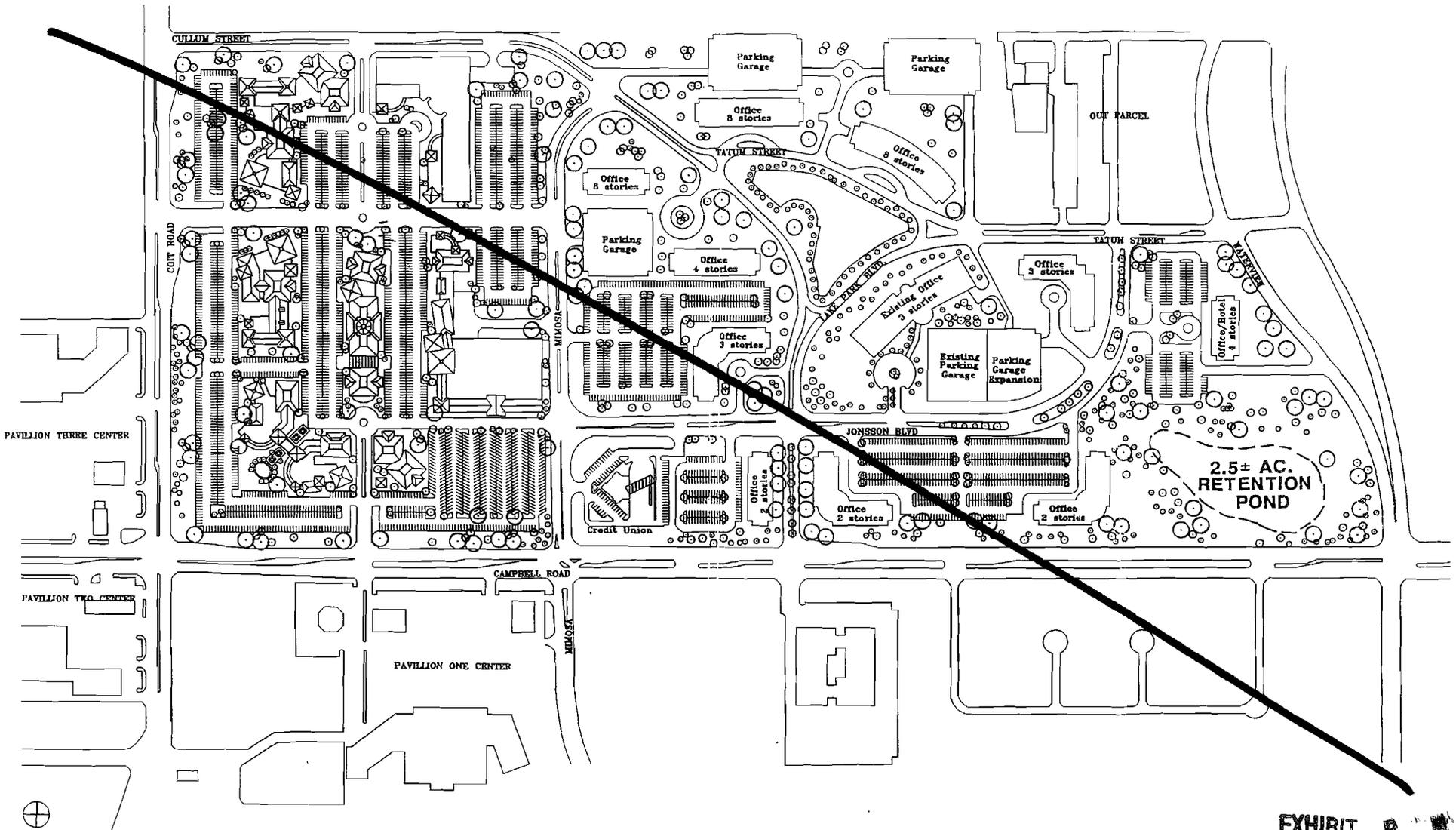
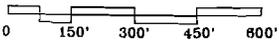


EXHIBIT B - CONCEPTUAL PLAN

LENNOX CENTER
Richardson, Texas

EXHIBIT B

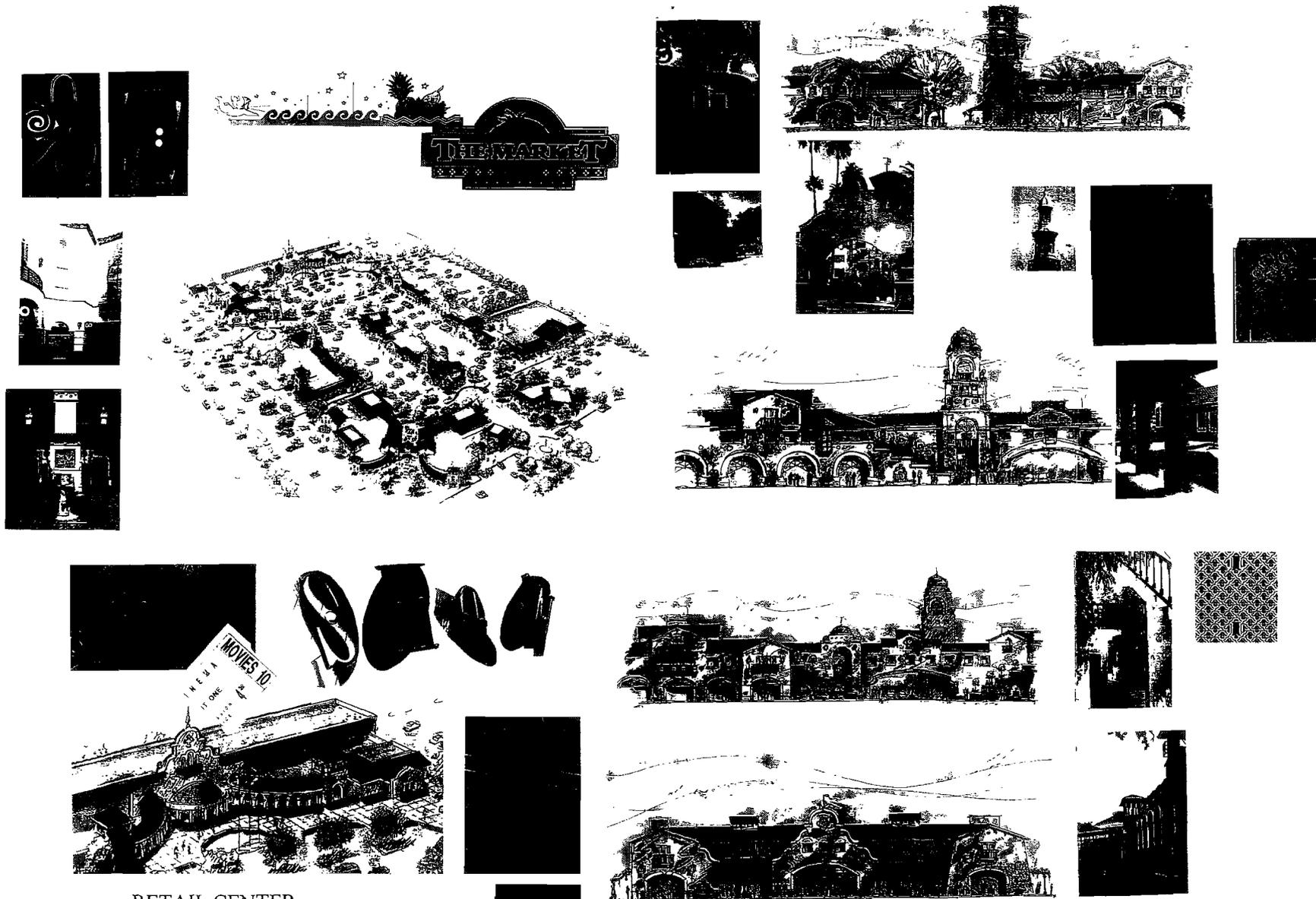


22 APRIL 1996

Henson-Williams Realty, Inc.
URBAN DESIGN GROUP, INC.

3019

REF. ORD. #3153-A FOR REVISED CONCEPT PLAN.



RETAIL CENTER
 RICHARDSON, TEXAS
 HENSON-WILLIAMS REALTY, INC.

EXHIBIT C – ARCHITECTURAL IMAGE STUDY

TRACT A

Being a tract of land situated in the J. W. Curtis Survey, Abstract No. 345, Dallas County, Texas, and being located in the City of Richardson, Texas, and being more particularly described as follows:

BEGINNING at the most northerly corner of a corner-clip at the intersection of the north line of Campbell Road (variable width A.O.W.) and the east line of Coit Road (100 foot width A.O.W.);

TNENCE N00°24'00"E along said east line, 1597.46 feet to a point for corner;

THENCE S89°57'00"E, 1203.81 feet to a point for corner;

THENCE S00°03'00"W, 1627.28 feet to a point for corner in the north line of Campbell Road;

THENCE N89°57'00"W along said north line, 1183.75 feet to a point for corner;

THENCE N44°55'18"W continuing along the street right-of-way, 42.19 feet to a point for corner and the place of beginning and containing 45.146 acres (1,966,574 square feet) of land.

EXHIBIT D

3019

TRACT B

Being a tract of land situated in the J. W. Curtis Survey, Abstract No. 345, Dallas County, Texas, and being located in the City of Richardson, Texas, and being more particularly described as follows:

BEGINNING at a point in the north line of Campbell Road (variable width R.O.W.), said point being $S89^{\circ}57'00''E$ along said north line, 1183.78 feet from its intersection with the most easterly corner of a corner-clip at the east line of Coit Road (100 foot width R.O.W.);

THENCE $N00^{\circ}03'00''E$, 1627.28 feet to a point for corner;

THENCE $S89^{\circ}57'00''E$, 1378.67 feet to a point for corner;

THENCE $S00^{\circ}03'00''W$, 647.28 feet to a point for corner in the centerline of Tatum Street (80 foot width R.O.W.);

THENCE $S89^{\circ}57'00''E$ along said centerline, 674.15 feet to a point for corner in west line of Waterview Parkway (variable width R.O.W.);

THENCE in a southeasterly direction along said west line with a curve to the left, Chord Bearing $S30^{\circ}01'29''E$, said curve having a central angle of $19^{\circ}50'57''$ and a radius of 1227.00 feet, an arc distance of 425.07 feet to a point for corner;

THENCE in a southeasterly direction continuing along said west line with a curve to the right, Chord Bearing $S36^{\circ}39'37''E$, said curve having a central angle of $06^{\circ}34'41''$ and a radius of 1173.00 feet, an arc distance of 134.67 feet to a point for corner;

THENCE $S45^{\circ}45'18''E$ continuing along said west line, 17.13 feet to a point for corner;

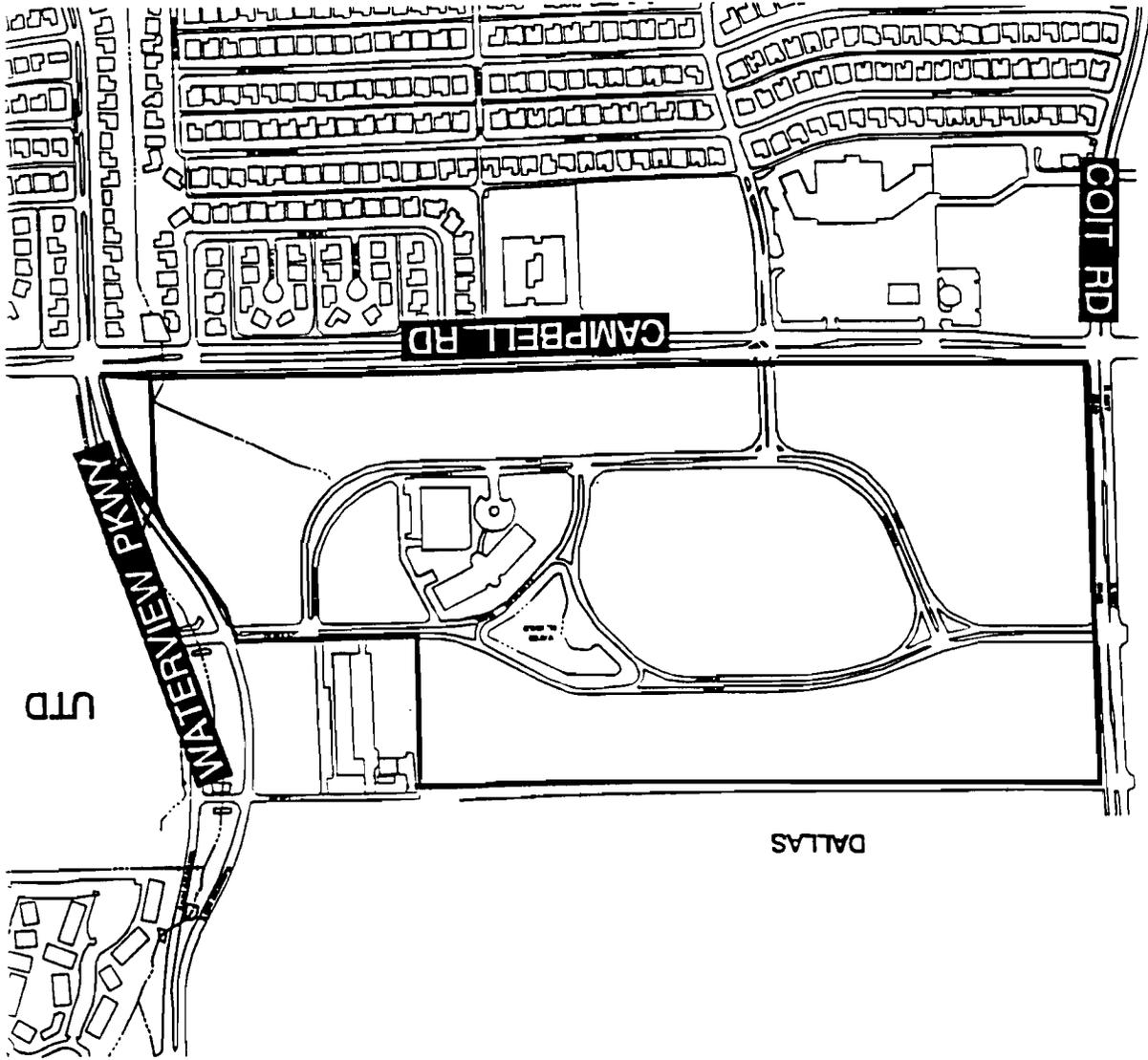
THENCE in a southeasterly direction continuing along said east line with a curve to the right, Chord Bearing $S20^{\circ}22'54''E$, said curve having a central angle of $25^{\circ}58'45''$ and a radius of 1173.00 feet, an arc distance of 531.86 feet to a point for corner in the north line of Campbell Road;

THENCE $N89^{\circ}57'00''W$ along said north line, 2541.60 feet to a point for corner and the place of beginning and containing 72.896 acres (3,175,328 square feet) of land.

EXHIBIT D

3079

ZF 9617



FOR INFORMATION ONLY

* POTENTIAL HOTEL SITE
 MAXIMUM HEIGHT = TO
 8 STORY OFFICE BLDG.

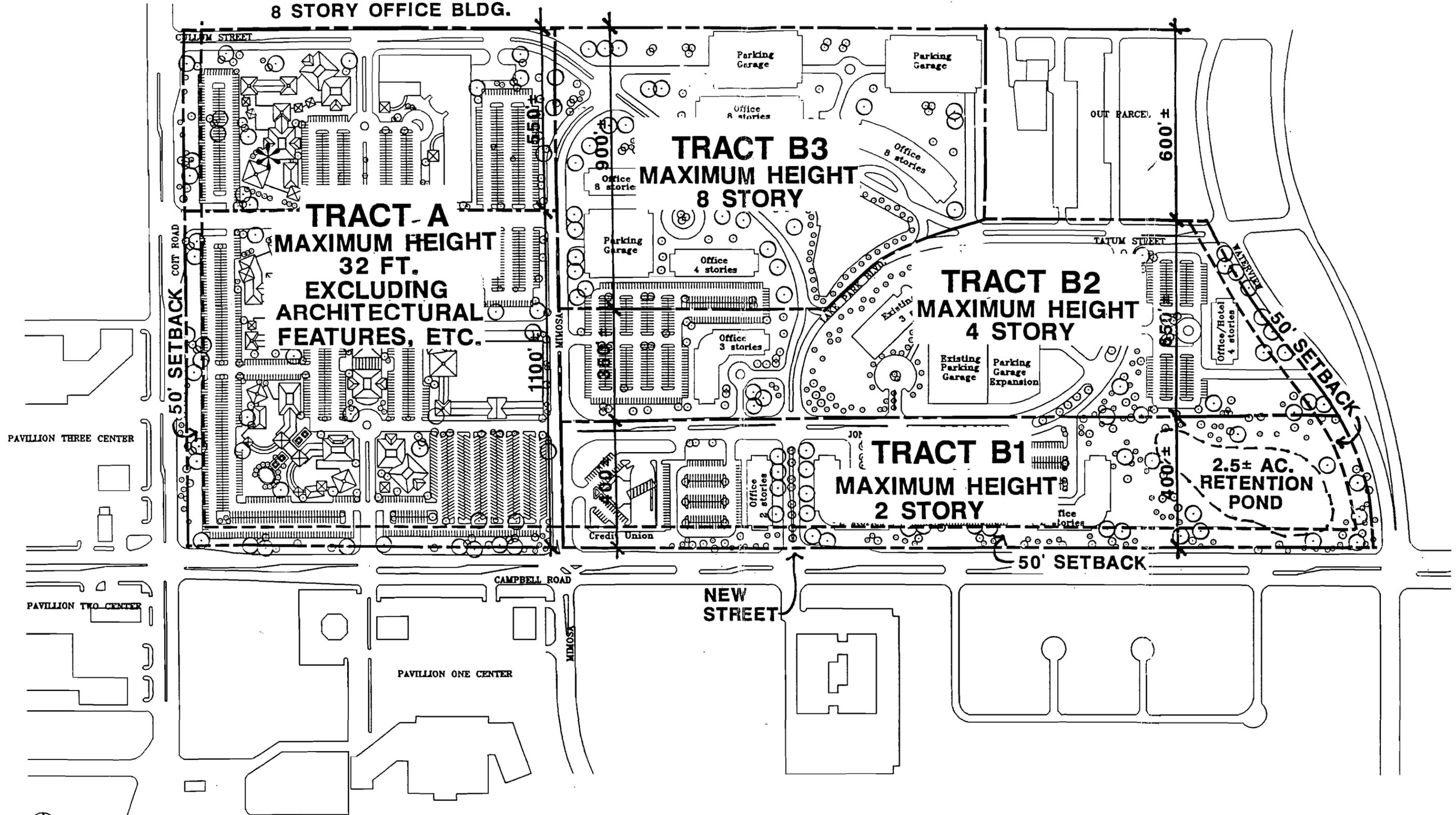


EXHIBIT A - HEIGHT LIMITATIONS

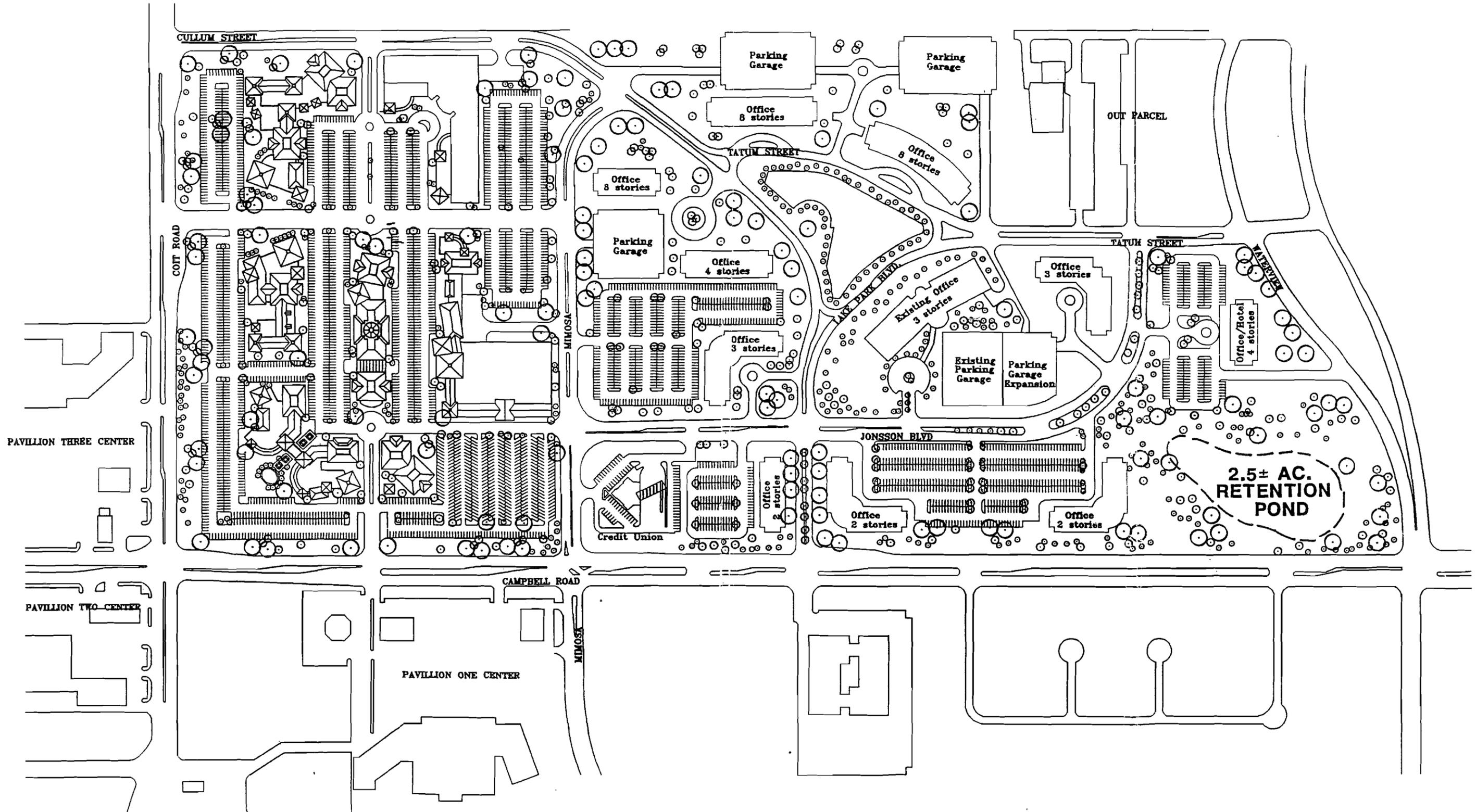
EXHIBIT A

LENNOX CENTER
 Richardson, Texas

Henson-Williams Realty, Inc.
 URBAN DESIGN GROUP, INC.

0 150' 300' 450' 600'

22 APRIL 1996



PAVILLION THREE CENTER

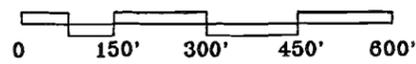
PAVILLION TWO CENTER

PAVILLION ONE CENTER

EXHIBIT B - CONCEPTUAL PLAN

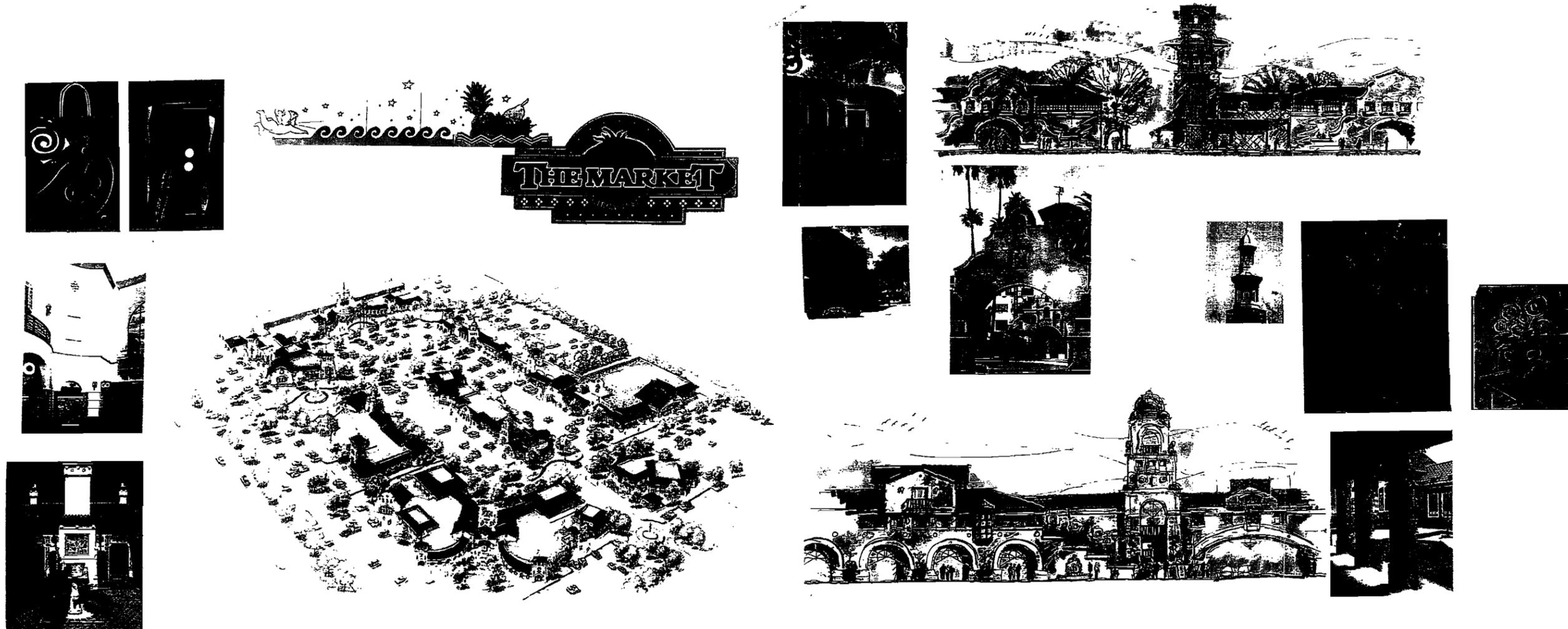
LENNOX CENTER
Richardson, Texas

EXHIBIT B



22 APRIL 1996

Henson-Williams Realty, Inc.
URBAN DESIGN GROUP, INC



RETAIL CENTER
 RICHARDSON, TEXAS
 HENSON-WILLIAMS REALTY, INC.

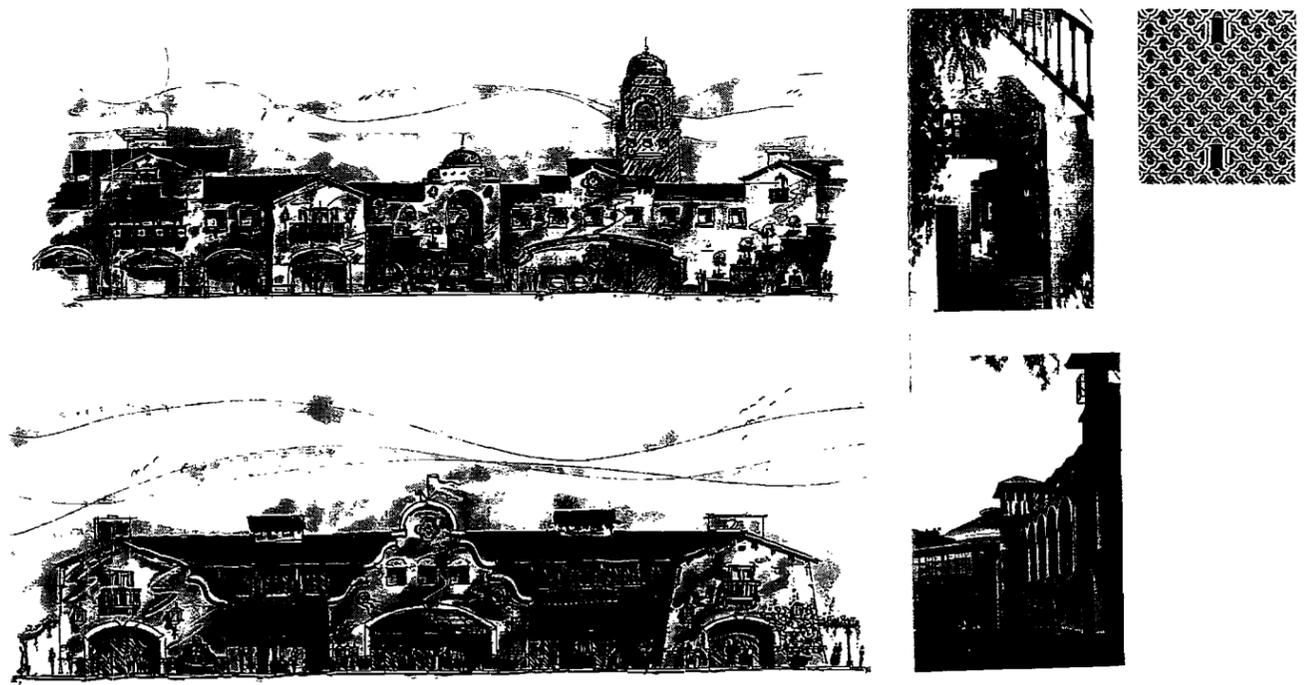


EXHIBIT C – ARCHITECTUAL IMAGE STUDY

ZF9734

ORDINANCE NO. 3153-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING ORDINANCE NO. 3079-A, ADOPTED ON JULY 8, 1996, APPROVING A REVISED CONCEPTUAL PLAN FOR THE AREA BOUNDED ON THE NORTH BY ~~FATUM STREET~~, ON THE EAST BY WATERVIEW DRIVE, ON THE SOUTH BY CAMPBELL ROAD, AND ON THE WEST BY COIT ROAD, SUCH CONCEPTUAL PLAN BEING ATTACHED AS EXHIBIT "A"; PROVIDING SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

NORTH CITY LIMIT

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

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Ordinance No. 3079-A, adopted on July 8, 1996 to approve a revised conceptual plan for the area bounded on the north by ~~Fatum Street~~ ^{the City Limit Line}, on the east by Waterview Drive, on the south by Campbell Road, and on the west by Coit Road, such conceptual plan being attached hereto and marked Exhibit "A" and made a part hereof. The property is presently zoned O-M Office and LR-M(2) Local Retail District, with special conditions.

SECTION 2. That in addition to the special conditions contained in Ordinance No. 3079-A, applicable to such property, the revised conceptual plan is approved subject to the following condition, to wit:

Building elevation drawings shall be presented as part of the review and approval of any site plan for a building on the LR-M(2) tract.

SECTION 3. 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; specifically, Ordinance No. 3079-A, adopted on July 8, 1996, except as modified herein, shall remain in full force and effect.

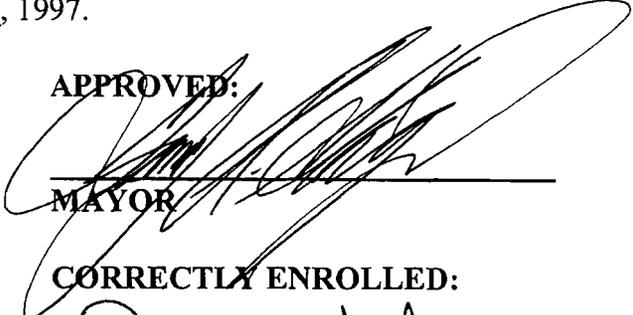
SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That 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 as amended hereby and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. 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.

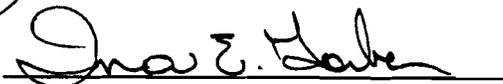
DULY PASSED by the City Council of the City of Richardson, Texas, on the 22nd day of December, 1997.

APPROVED:



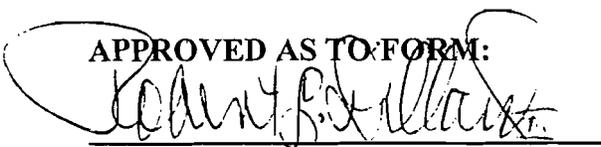
MAYOR

CORRECTLY ENROLLED:



CITY SECRETARY

APPROVED AS TO FORM:



CITY ATTORNEY
(HLN/sb 12-12-97)

CERTIFIED COPY OF RECORD

STATE OF TEXAS §

COUNTIES OF COLLIN AND DALLAS §

CITY OF RICHARDSON §

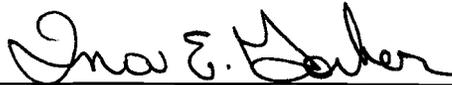
I, the undersigned, City Secretary of the City of Richardson, Texas, a governmental subdivision of the State of Texas, in the performance of the functions of my office, hereby certify that the Caption and Section 1 of the attached Ordinance 3153-A should read as follows:

"...approving a revised Conceptual Plan for the area bounded on the north by the City Limit Line, on the east by Waterview Drive, on the south by Campbell Road, and on the west by Coit Road, such Conceptual Plan being attached..."

Boundaries indicated on the said Conceptual Plan are correct and reference to Tatum Street in Ordinance 3153-A is attributed to "Scrivener's Error", and it shall be noted henceforth that the boundary to the north is the City Limit Line.

I am the lawful possessor and have legal custody of said record, and the same appears in my office.

WITNESS my hand and Seal of said City of Richardson, Texas at my office in said City, this the 21st day of January, 1998.



Ina E. Garber
City Secretary
City of Richardson, Texas

CITY SEAL

RESOLUTION NO. 12-22

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT REQUESTING NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (“NCTCOG”) TO PURSUE DEVELOPMENT OF THE COTTON BELT RAIL PROJECT UTILIZING SENATE BILL 1048 (“PUBLIC AND PRIVATE FACILITIES AND INFRASTRUCTURE ACT”); AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the NCTCOG is a Regional Planning Commission operating under Local Government Code Chapter 391; and

WHEREAS, NCTCOG has been approached by a private-sector developer which has formally communicated interest in developing the Cotton Belt Passenger Rail Project; and

WHEREAS, Senate Bill 1048 (“Public and Private Facilities and Infrastructure Act”) authorizes public-private partnerships by eligible governmental entities in the State of Texas, including Regional Planning Commissions, and establishes the framework and processes required to enter into such arrangements; and

WHEREAS, Senate Bill 1048 enables a Responsible Governmental Entity to receive solicited or unsolicited proposals, encourages competition by requiring posting of and acceptance of competing proposals for a qualifying project, calls for collaboration with affected jurisdictions in which all or part of a project is located, and permits award of interim and/or comprehensive project development agreements; and

WHEREAS, in order for NCTCOG to qualify as the Responsible Governmental Entity and assist the region in advancing development of the Cotton Belt Passenger Rail Project agreements with member governments along the corridor statutorily authorized to develop passenger rail projects is necessary; and

WHEREAS, the City of Richardson, Texas, supports innovative approaches to infrastructure delivery and desires to contract NCTCOG to utilize Senate Bill 1048 to procure a public-private partnership to develop the Cotton Belt Passenger Rail Project, in whole or in part, on its behalf; and

WHEREAS, this innovative public-private partnership approach to develop the Cotton Belt Passenger Rail Project, if proven successful, could provide a model for development of future high-priority passenger rail corridors in the region; and

WHEREAS, NCTCOG, Dallas Area Rapid Transit (“DART”), Fort Worth Transportation Authority (“The T”), and Denton County Transportation Authority (“DCTA”) have developed a joint procurement process under Senate Bill 1048 and Texas Transportation Code Chapter 452 to develop the Cotton Belt Passenger Rail Project which involves city representation in the evaluation process.

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

SECTION 1. That the City of Richardson requests and authorizes NCTCOG to develop the Cotton Belt Passenger Rail Project on its behalf as the Responsible Governmental Entity utilizing Senate Bill 1048 to procure a public-private partnership jointly with DART, The T and DCTA.

SECTION 2. That this Resolution shall be transmitted to NCTCOG and all affected jurisdictions along the corridor.

SECTION 3. That the City Manager or designee is authorized to execute agreements to effectuate this Resolution in the name of the City of Richardson, Texas.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 26th day of November, 2012.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY
(PGS:11-14-12:58238)

RESOLUTION NO. 12-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ADOPTING THE CITY OF RICHARDSON INVESTMENT POLICY ATTACHED HERETO AS EXHIBIT “A”; DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE CITY AND THAT EXHIBIT “A” RECORDS ANY CHANGES TO EITHER THE INVESTMENT POLICY OR INVESTMENT STRATEGIES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the Public Funds Investment Act, Chapter 2256, TEX. GOV'T CODE, the City Council of the City of Richardson, Texas by resolution adopted an investment policy; and

WHEREAS, Section 2256.005, Tex. Gov't Code requires the City Council to review the investment policies and investment strategies not less than annually and to adopt a resolution or order stating the review has been completed and recording any changes made to either the investment policies or investment strategies.

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

SECTION 1. That the City of Richardson Investment Policy attached hereto as Exhibit “A” be and the same is hereby adopted and shall govern the investment policies and investment strategies for the City, and shall define the authority of the investment official of the City from and after the effective date of this Resolution.

SECTION 2. That the City Council of the City of Richardson has completed its review of the investment policies and investment strategies and any changes made to either the investment policies or investment strategies are recorded in Exhibit “A” hereto.

SECTION 3. That all provisions of the resolutions of the City of Richardson, Texas, in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution which shall remain in full force and effect.

SECTION 5. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 26th day of November, 2012.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY
(PGS:10-17-12:57771)

Exhibit “A”

City of Richardson Investment Policy

ARTICLE I PURPOSE AND NEED FOR POLICY

Chapter 2256 of the Government Code, as amended from time to time by the Texas State Legislature (“Public Funds Investment Act”) requires each city to adopt rules governing its investment practices and to define the authority of the investment official. The Investment Policy addresses the methods, procedures and practices which must be exercised to ensure effective and prudent fiscal management of the City of Richardson funds.

ARTICLE II SCOPE

The Investment Policy applies to the investment and management of all funds under direct authority of the City of Richardson.

- A. These funds are accounted for in the City’s Annual Financial Report and include the following:
- (1) the General Fund;
 - (2) Special Revenue Funds;
 - (3) Capital Project Funds;
 - (4) Enterprise Funds;
 - (5) Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately;
 - (6) Debt Service Funds, including reserves and sinking funds to the extent not required by law or existing contract to be kept segregated and managed separately; and
 - (7) Any new fund created by the City unless specifically exempted from this policy by the City or by law.

This investment policy shall apply to all transactions involving the financial assets and related activity of all the foregoing funds.

- B. This policy excludes:
- 1) Employee Retirement and Pension Funds administered or sponsored by the City.
 - 2) Defeased bond funds held in trust escrow accounts.

C. Review and Amendment

The City Council is required by state statute and by this investment policy to review this investment policy and investment strategies not less than annually and to adopt a resolution or an ordinance stating the review has been completed and recording any changes made to either the policy or strategy statements.

**ARTICLE III
PRUDENCE**

Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

In determining whether an investment official has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- (1) the investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
- (2) whether the investment decision was consistent with the written investment policy of the City.

All participants in the investment program will seek to act responsibly as custodians of the public trust. Investment officials will avoid any transaction that might impair public confidence in the City's ability to govern effectively. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism which is worthy of the public trust. Nevertheless, the City recognizes that in a marketable, diversified portfolio, occasional measured losses are inevitable and must be considered within the context of the overall portfolio's investment rate of return.

Investment officials, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for market price changes, provided that these deviations from expectations are reported immediately to the Director of Finance, the City Manager and the City Council of the City of Richardson, and that appropriate action is taken by the investment officials and their oversight managers to control adverse developments.

**ARTICLE IV
OBJECTIVES**

A. Preservation and Safety of Principal

Preservation of capital is the foremost objective of the City. Each investment transaction shall seek first to ensure that capital losses are avoided, whether the loss occurs from the default of a security or from erosion of market value.

B. Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which can be reasonably anticipated. Liquidity will be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

C. Yield

The investment portfolio of the City shall be designed to meet or exceed the average rate of return on 91-day U.S. treasury bills throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio. Legal constraints on debt proceeds that are not exempt from federal arbitrage regulations are limited to the arbitrage yield of the debt obligation. Investment officials will seek to maximize the yield of these funds in the same manner as all other City funds. However, if the yield achieved by the City is higher than the arbitrage yield, positive arbitrage income will be averaged over a five year period, netted against any negative arbitrage income and the net amount shall be rebated to the federal government as required by federal regulations.

**ARTICLE V
RESPONSIBILITY AND CONTROL**

A. Delegation

Management responsibility to establish written procedures for the operation of the investment program consistent with this investment policy has been assigned to the Director of Finance by the City Manager. The Director of Finance has delegated this responsibility to the Assistant Director of Finance. Such procedures shall include explicit delegation of authority to persons responsible for the daily cash management operation, the execution of investment transactions, overall portfolio management and investment reporting. The Assistant Director of Finance may delegate the daily investment responsibilities to either an internal investment official or an external investment advisor in combination with an internal investment official. The Assistant Director of Finance and/or his representative(s) will be limited by conformance with all federal regulations, ordinances, and the statements of investment strategy.

B. Subordinates

All persons involved in investment activities shall be referred to as "Investment Officials." No person shall engage in an investment transaction except as provided under the terms of this policy, the procedures established by the Assistant Director of Finance and the explicit authorization by the City Manager to withdraw, transfer, deposit and invest the City's funds. The City Council, by resolution, has authorized the City Manager to appoint these individuals. The Director of Finance and the Assistant Director of Finance shall be responsible for all transactions undertaken, and shall establish a system of controls to regulate the activities of subordinate Investment Officials.

C. Internal Controls

Internal controls shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by investment officials. Controls deemed most important would include: control of collusion, separation of duties, third-party custodial safekeeping, avoidance of bearer-form securities, clear delegation of authority, specific limitations regarding securities losses and remedial action, written confirmation of telephone transactions, minimizing the number of authorized investment officials, and documentation of and rationale for investment transactions.

In conjunction with the annual independent audit, a compliance audit of management controls on investments and adherence to the Investment Policy and the Investment Strategy shall be performed by the City's independent auditor.

D. Ethics and Conflicts of Interest

An investment officer of the City who has a personal business relationship with a business organization offering to engage in an investment transaction with the City shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree of affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship with the Texas Ethics Commission and the City Council. For purposes of this section, an investment officer has a personal business relationship with a business organization if:

- (1) the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
- (2) funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or
- (3) the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

Investment officials of the City shall refrain from personal and business activities involving any of the City's custodians, depositories, broker/dealers or investment advisors which may influence the officer's ability to conduct his duties in an unbiased manner. Investment officials will not utilize investment advice concerning specific securities or classes of securities obtained in the transaction of the City's business for personal investment decisions, will in all respects subordinate their personal investment transactions to those of the City, particularly with regard to the timing of purchase and sales and will keep all investment advice obtained on behalf of the City and all transactions contemplated and completed by the City confidential, except when disclosure is required by law.

E. Investment Training Requirements

The Director of Finance, the Assistant Director of Finance, and the Investment officials shall attend at least one ten hour training session relating to their investment responsibilities within 12 months after assuming their duties. In addition to this ten hour requirement, each

investment officer shall receive not less than ten hours of instruction in their investment responsibilities at least once during each two year period that begins on October 1st and consists of the two consecutive fiscal years after that date. The investment training session shall be provided by an independent source approved by the investment committee. For purposes of this policy, an “independent source” from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a Business Organization with whom the City of Richardson may engage in an investment transaction. Such training shall include education in investment controls, credit risk, market risk, investment strategies, and compliance with investment laws, including the Texas State Public Funds Investment Act. A list will be maintained of the number of hours and conferences attended for each investment official and a report of such information will be provided to the Investment Committee.

ARTICLE VI AUTHORIZED INVESTMENTS

- A. Obligations, including letters of credit, of the United States or its agencies and instrumentalities.
- B. Direct obligations of the State of Texas or its agencies and instrumentalities.
- C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, the State of Texas, or the United States or its instrumentalities.
- D. Obligations of states, agencies, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than “A” or its equivalent.
- E. Joint Investment Pools of political subdivisions in the State of Texas which invest in instruments and follow practices allowed by current law. A pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.
- F. Certificates of Deposit issued by a depository institution that has its main office or branch office in Texas:
 - (1) and such Certificates of Deposit are:
 - a. Guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund or their successors; or
 - b. Secured by obligations described in Article VI, sections A through D above.
 - (2) or such depository institution contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Government Code (Public Funds Investment Act) as amended.

Certificates of Deposit brokered by an authorized broker/dealer that has its main office or a branch office in Texas who contractually agrees to place the funds in federally insured

depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Government Code (Public Funds Investment Act) as amended.

- G. Fully collateralized repurchase or reverse repurchase agreements, including flexible repurchase agreements (flex repo), with a defined termination date secured by a combination of cash and obligations of the United States or its agencies and instrumentalities pledged to the City held in the City's name by a third party selected by the City. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. The securities received for repurchase agreements must have a market value greater than or equal to 103 percent at the time funds are disbursed. All transactions shall be governed by a Master Repurchase Agreement between the City and the primary government securities dealer or financial institution initiating Repurchase Agreement transactions.

The term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered. Money received under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.

- H. No-load money market mutual funds if the mutual fund:
- (1) Is registered with and regulated by the Securities and Exchange Commission;
 - (2) Has a dollar-weighted average stated maturity of 90 days or fewer; and
 - (3) Includes in its investment objectives the maintenance of a stable net asset value of one dollar for each share.
- I. Investment instruments not authorized for purchase by the City of Richardson include the following:
- (1) Banker's Acceptances;
 - (2) "Bond" Mutual Funds;
 - (3) Collateralized Mortgage Obligations of any type; and
 - (4) Commercial Paper, except that the City can invest in local government investment pools and money market mutual funds that have commercial paper as authorized investments. A local government investment pool or money market mutual fund that invests in commercial paper must meet the requirements of Article VI, Sections E and H above.
- J. If an investment in the City's portfolio becomes an unauthorized investment due to changes in the Investment Policy or the Public Funds Investment Act, or an authorized investment is rated in a way that causes it to become an unauthorized investment, the investment officials of the City shall review the investment and determine whether it would be more prudent to hold the investment until its maturity, or to redeem the investment. Officials shall consider the time remaining until maturity of the investment, the quality of the investment, and the quality and amounts of any collateral which may be securing the investment in determining the appropriate steps to take.

**ARTICLE VII
PORTFOLIO AND INVESTMENT ASSET PARAMETERS**

A. Bidding Process for Investments

It is the policy of the City to require competitive bidding for all investment transactions (securities and bank C.D.'s) except for:

- (1) transactions with money market mutual funds and local government investment pools (which are deemed to be made at prevailing market rates); and
- (2) treasury and agency securities purchased at issue through an approved broker/dealer.

At least three bids or offers must be solicited for all other investment transactions. In a situation where the exact security being offered is not offered by other dealers, offers on the closest comparable investment may be used to establish a fair market price of the security. Security swaps are allowed as long as maturity extensions, credit quality changes and profits or losses taken are within the other guidelines set forth in this policy.

B. Maximum Maturities

The City of Richardson will manage its investments to meet anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five years from the date of purchase.

C. Maximum Dollar-Weighted Average Maturity

Under most market conditions, the composite portfolio will be managed to achieve a one-year or less dollar-weighted average maturity. However, under certain market conditions investment officials may need to shorten or lengthen the average life or duration of the portfolio to protect the City. The maximum dollar-weighted average maturity based on the stated final maturity, authorized by this investment policy for the composite portfolio of the City shall be three years.

D. Diversification

The allocation of assets in the portfolios should be flexible depending upon the outlook for the economy and the securities markets. In establishing specific diversification strategies, the following general policies and constraints shall apply.

- (1) Portfolio maturities and call dates shall be staggered in a way that avoids undue concentration of assets in a specific sector. Maturities shall be selected which provide for stability of income and reasonable liquidity.
- (2) To attain sufficient liquidity, the City shall schedule the maturity of its investments to coincide with known disbursements. Risk of market price volatility shall be controlled through maturity diversification such that aggregate realized price losses on instruments with maturities exceeding one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.
- (3) The following maximum limits, by instrument, are established for the City's total portfolio:
 - U.S Treasury Notes/Bills 100%
 - U.S. Government Agencies & Instrumentalities..... 100%
 - U.S. Treasury & U.S. Agency Callables..... 25%

- Certificates of Deposit 25%
 - Repurchase Agreements (*See D. (4) below*)..... 50%
 - Money Market Mutual Funds (*See D.(5) below*)..... 100%
 - Local Government Investment Pools (*See D.(5) below*)..... 100%
 - State of Texas Obligations & Agencies 25%
 - Obligations of states, agencies, cities and other political subdivisions of any state 25%
- (4) The City shall not invest more than 50% of the investment portfolio in repurchase agreements, excluding bond proceeds and reserves.
- (5) The City shall not invest more than 20% of the investment portfolio in any individual money market mutual fund or government investment pool.
- (6) The investment committee shall review diversification strategies and establish or confirm guidelines on at least an annual basis regarding the percentages of the total portfolio that may be invested in securities other than U.S. Government Obligations. The investment committee shall review quarterly investment reports and evaluate the probability of market and default risk in various investment sectors as part of its consideration.

**ARTICLE VIII
AUTHORIZED BROKER/DEALERS
AND FINANCIAL INSTITUTIONS**

- A. Investment officials will maintain a list of financial institutions and broker/dealers selected by credit worthiness, who are authorized to provide investment services to the City. These firms may include:
- (1) all primary government securities dealers; and
 - (2) those regional broker/dealers who qualify under Securities and Exchange Commission Rule 15C3-1(uniform net capital rule), and who meet other financial credit criteria standards in the industry.

The investment officials may select up to six firms from the approved list to conduct a portion of the daily City investment business. These firms will be selected based on their competitiveness, participation in agency selling groups and the experience and background of the salesperson handling the account. The approved broker/dealer list will be reviewed and approved along with this investment policy at least annually by the investment committee.

- B. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the investment officials with the following:
- (1) Audited financial statements;
 - (2) Proof of National Association of Securities Dealers (N.A.S.D.) certification, unless it is a bank;
 - (3) Resumes of all sales representatives who will represent the financial institution or broker/dealer firm in dealings with the City; and
 - (4) An executed written instrument, by the qualified representative, in a form acceptable to the City and the business organization substantially to the effect that the business organization has received and reviewed the investment policy of the City and

acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

**ARTICLE IX
SAFEKEEPING AND CUSTODY OF
INVESTMENT ASSETS**

All security transactions, including collateral for repurchase agreements entered into by the City shall be conducted using the delivery vs. payment (DVP) basis. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the safekeeping bank. The only exceptions to DVP settlement shall be wire transactions for money market funds and government investment pools. The safekeeping or custody bank is responsible for matching up instructions from the City's investment officials on an investment settlement with what is wired from the broker/dealer, prior to releasing the City's designated funds for a given purchase. The security shall be held in the name of the City or held on behalf of the City in a bank nominee name. Securities will be held by a third party custodian designated by the investment officials and evidenced by safekeeping receipts or statements. The safekeeping bank's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City. A safekeeping agreement must be in place which clearly defines the responsibilities of the safekeeping bank.

**ARTICLE X
COLLATERAL**

The City's depository bank shall comply with Chapter 2257 of the Government Code, Collateral for Public Funds, as required in the City's bank depository contract.

A Market Value

The Market Value of pledged Collateral must be equal to or greater than 102% of the principal and accrued interest for cash balances in excess of the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Share Insurance Fund (NCUSIF) insurance coverage. The Federal Reserve Bank and the Federal Home Loan Bank are designated as custodial agents for collateral. An authorized City representative will approve and release all pledged collateral. The securities comprising the collateral will be marked to market on a monthly basis using quotes by a recognized market pricing service quoted on the valuation date, and the City will be sent reports monthly.

B Collateral Substitution

Collateralized investments often require substitution of collateral. The Safekeeping bank must contact the City for approval and settlement. The substitution will be approved if its value is equal to or greater than the required collateral value.

C Collateral Reduction

Should the collateral's market value exceed the required amount, the Safekeeping bank may request approval from the City to reduce Collateral. Collateral reductions may be permitted only if the collateral's market value exceeds the required amount.

D Letters of Credit

Letters of Credit, as defined in Article VI (A), are acceptable collateral for Certificates of Deposit. Upon the discretion of the City, a Letter of Credit can be acceptable collateral for City funds held by the City's bank depository.

**ARTICLE XI
INVESTMENT REPORTS**

A. Reporting Requirements

The investment officials shall prepare a quarterly investment report in compliance with section 2256.023 of the Public Funds Investment Act of the State of Texas. The report shall be submitted to the City Council and the Investment Committee within 45 days following the end of the quarter.

B. Investment Records

An investment official designated by the Assistant Director of Finance shall be responsible for the recording of investment transactions and the maintenance of the investment records with reconciliation of the accounting records and of investments carried out by an accountant. Information to maintain the investment program and the reporting requirements, including pricing or marking to market the portfolio, may be derived from various sources such as: broker/dealer research reports, newspapers, financial on-line market quotes, direct communication with broker/dealers, market pricing services, investment software for maintenance of portfolio records, spreadsheet software, or external financial consulting services relating to investments.

C. Auditor Review

The City's independent external auditor must formally review the quarterly investment reports annually to insure compliance with the State of Texas Public Funds Investment Act and any other applicable State Statutes.

**ARTICLE XII
INVESTMENT COMMITTEE**

A. Members

An Investment Committee, consisting of the City Manager or his designee, the Director of Finance, the Assistant Director of Finance, the Controller, and an appointed investment official, shall review the City's investment strategies and monitor the results of the investment program at least quarterly. This review can be done by reviewing the quarterly written reports and by holding committee meetings as necessary. The committee will be authorized to invite other advisors to attend meetings as needed.

B. Scope

The Investment Committee shall include in its deliberations such topics as economic outlook, investment strategies, portfolio diversification, maturity structure, potential risk to the City's funds, evaluation and authorization of broker/dealers, rate of return on the investment portfolio, review and approval of training providers and compliance with the investment policy. The Investment Committee will also advise the City Council of any future amendments to the investment policy that are deemed necessary or recommended.

C. Procedures

The investment policy shall require the Investment Committee to provide minutes of investment information discussed at any meetings held. The committee should meet at least annually to discuss the investment program and policies.

**ARTICLE XIII
INVESTMENT STRATEGY STATEMENTS**

The City of Richardson portfolio will be structured to benefit from anticipated market conditions and to achieve a reasonable return. Relative value among asset groups shall be analyzed and pursued as part of the investment program within the restrictions set forth by the investment policy.

The City of Richardson maintains portfolios which utilize four specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolios.

A. Operating Funds

Suitability - All investments authorized in the Investment Policy are suitable for Operating Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for the pooled operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The dollar-weighted average maturity of operating funds, based on the stated final maturity date of each security, will be calculated and limited to one year or less. Constant \$1 NAV investment pools and money market mutual funds shall be an integral component in maintaining daily liquidity. Investments for these funds shall not exceed an 18-month period from date of purchase.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Operating Funds shall be the 91 day Treasury bill.

B. Reserve and Deposit Funds

Suitability - All investments authorized in the Investment Policy are suitable for Reserve and Deposit Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for reserve and deposit funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate reserve fund from investments with a low degree of volatility. Except as may be required by the bond ordinance specific to an individual issue, investments should be of high quality, with short-to-intermediate-term maturities. The dollar-weighted average maturity of reserve and deposit funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Reserve and Deposit Funds shall be the 91 day Treasury bill.

C. Bond and Certificate Capital Project Funds and Special Purpose Funds

Suitability - All investments authorized in the Investment Policy are suitable for Bond and Certificate Capital Project Funds and Special Purpose Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for bond and certificate capital project funds, special projects and special purpose funds portfolios will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The stated final

maturity dates of investments held should not exceed the estimated project completion date or a maturity of no greater than five years. The dollar-weighted average maturity of bond and certificate capital project funds and special purpose funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Bond and Certificate Capital Project Funds and Special Purpose Funds shall be the 91 day Treasury bill. A secondary objective of these funds is to achieve a yield equal to or greater than the arbitrage yield of the applicable bond or certificate.

D. Debt Service Funds

Suitability - All investments authorized in the Investment Policy are suitable for Debt Service Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date which exceeds the debt service payment date. The dollar-weighted average maturity of debt service funds, based on the stated final maturity date of each security, will be calculated and limited to one year or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Debt Service Funds shall be the 91 day Treasury bill.

RESOLUTION NO. 12-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTER LOCAL COOPERATION AGREEMENT BY AND BETWEEN THE COUNTY OF DALLAS, TEXAS, AND THE CITY OF RICHARDSON, TEXAS, FOR A DALLAS COUNTY CAPITAL IMPROVEMENT PROGRAM FUNDING AGREEMENT FOR THE CONSTRUCTION AND FUNDING FOR IMPROVEMENTS TO SPRING VALLEY ROAD AND BRIDGE RECONSTRUCTION FOR COTTONWOOD CREEK AND HUNT BRANCH, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented with a Dallas County Capital Improvement Program Funding Agreement by and between the County of Dallas, Texas, and the City of Richardson, Texas, for the implementation of the Major Capital Improvement Project authorized by Court Order 2011-1203, dated July 5, 2011, which approved specified projects, including improvements to the intersection of Weatherred and Spring Valley Road, as well as improvements to Spring Valley Road from Coit Road to Weatherred Drive, and the bridge reconstruction at Cottonwood Creek and Hunt Branch; and

WHEREAS, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the City Manager should be authorized to execute the Agreement on behalf of the City of Richardson, Texas.

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

SECTION 1. That the terms, provisions, and conditions of the Dallas County Capital Improvement Program Funding Agreement, a copy of which is attached hereto as Exhibit "A", be, and the same are, hereby approved.

SECTION 2. That the City Manager is hereby authorized to execute the Dallas County Capital Improvement Program Funding Agreement on behalf of the City, and any amendments or other instruments related thereto.

SECTION 3. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson,
Texas, on this the 26th day of November, 2012.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY
(PGS:11-14-12:58193)

Exhibit “A”

**Dallas County Capital Improvement
Funding Agreement**

(to be attached)

CITY OF RICHARDSON

TO: Dan Johnson - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 15-13
DATE: November 20, 2012

Request Council approval to initiate bids for the following:

Pavement/Drainage Rehabilitation - 300 Block of Pittman, Wista Vista & Huffhines

Proposed Council approval date: November 26, 2012
Proposed advertising dates: November 28, 2012 & December 5, 2012
Proposed bid due date: Thursday, January 3, 2013 – 2:00 p.m.
Proposed bid opening date: Thursday, January 3, 2013 – 2:30 p.m.
Engineer's estimated total cost: \$549,000
Account: 378-8702-585-7524 Project #SD1016



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 Bid #15-13
Pavement/Drainage Rehabilitation (300 Block of Pittman,
Wista Vista and Huffhines)

DATE: November 16, 2012

BACKGROUND INFORMATION:

The asphalt pavement, along Pittman, Wista Vista and Huffhines between Greenville and Abrams will be rehabilitated. This project consists of recycling the existing asphalt roadway, re-grading the ditches, installing storm sewer pipe and replacing the driveway approaches. Recycling the roadway includes removing the top 2" of asphalt, remixing and compacting the remaining asphalt and base, and then overlaying the entire roadway with 2" of new asphalt.

FUNDING:

Funding is provided from the Streets and Drainage GO Bonds.

SCHEDULE:

Construction is expected to begin February 2013 and be completed by June 2013.

PROJECT SCHEDULE

Pavement/Drainage Rehabilitation 300 Block of Pittman, Wista Vista and Huffhines

BID #15-13

Agenda Paperwork to Advertise	Friday, November 16, 2012
Council Authorization to Advertise	Monday, November 26, 2012
Plans/Specs Available for Contractors	Tuesday, November 27, 2012
Advertise in Dallas Morning News	Wednesday, November 28, 2012
Advertise in Dallas Morning News	Wednesday, December 5, 2012
Pre Bid Meeting (10:00 am Room 206)	Thursday, December 19, 2012
Bids Received & Opened (by 2:00 open 2:30 pm Room 206)	Thursday, January 3, 2013
Agenda Paperwork to Award Contract	Friday, January 4, 2013
Council to Award Contract	Monday, January 14, 2013
Pre-Construction Meeting	~ Late January 2013
Project Start	~ February 2013
Project Completed 150 Calendar Days	~ June 2013

*Project Manager: Henry Drexel
Engineers Estimate: \$549,000
Funding from Street and Drainage GO Bonds
Account # 378-8702-585-75204 Project # SD1016*



**HUFFHINES, WISTA VISTA, & PITTMAN
FALL 2011**



CITY OF RICHARDSON

TO: Dan Johnson - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 16-13
DATE: November 20, 2012

Request Council approval to initiate bids for the following:

Communications HVAC Phase 2 & Library Cooling Tower

Proposed Council approval date: November 26, 2012
Proposed advertising dates: November 28, 2012 & December 5, 2012
Proposed bid due date: December 18, 2012 – 2:00 p.m.
Proposed bid opening date: December 18, 2012 – 2:30 p.m.
Engineer's estimated total cost: \$290,000
Account: 233-2080-581-7499 – Project #FS1304
233-2080-581-7499 – Project #FS1302
229-2080-581-7499 – Project #FS1206



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: Don Magner, Assistant City Manager 

FROM: Jerry Ortega, Director of Public Services 
Joe Travers, Assistant Director of Public Services 

SUBJECT: Permission to Advertise Bid #16-13
Communications HVAC Phase 2 and Library Cooling Tower

DATE: November 16, 2012

BACKGROUND INFORMATION:

Replacement of split system air conditioning units at the Richardson Communications (911) Building and replacement of the cooling tower at the Richardson Public Library. These projects will target use of energy efficient equipment as older equipment is replaced, furthering the City's sustainability efforts.

FUNDING:

Funding is provided from Certificate of Obligation Funds.

SCHEDULE:

Construction is expected to begin January 2013 and be completed by May 2013.

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

COMMUNICATIONS HVAC PHASE 2 AND LIBRARY COOLING TOWER

BID No. 16-13

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **Tuesday, December 18, 2012 at 2:00 pm** and will be opened and read aloud in the **Capital Projects Department, 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:

Replacement of split system air conditioning units at the Richardson Communications (911) Building and replacement of the cooling tower at the Richardson Public Library.

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, and a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price. A Maintenance Bond is not required for this project.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest. The Contractor, to be successful in bidding this project, must have completed at least three projects of similar size and scope within the past three (3) years.

A maximum of 120 calendar days will be allowed for construction, with anticipated start date in January 2013.

A compact disc (CD) containing digital copies of the plans, specifications and bid documents may be obtained 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, November 27, 2012** upon a **NON-REFUNDABLE FEE OF TWENTY FIVE DOLLARS (\$25.00) per CD**, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. A printed copy of the documents can be also be obtained upon a **NON-REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) per set**. A maximum of two CDs or hard copies of plans per contractor.

A voluntary pre-bid conference will be held at **10:00 am on Wednesday, December 5, 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

PROPOSED PROJECT SCHEDULE

COMMUNICATIONS HVAC PHASE 2 AND LIBRARY COOLING TOWER

Bid #16-13

Agenda Paperwork to Advertise	Friday, November 16, 2012
Council Authorization to Advertise	Monday, November 26, 2012
Plans/Specs Available for Contractors	Tuesday, November 27, 2012
Advertise in Dallas Morning News	Wednesday, November 28, 2012
Advertise in Dallas Morning News	Wednesday, December 5, 2012
Pre Bid Meeting (10:00 am Room 206)	Wednesday, December 5, 2012
Bids Received/Opened (@ 2:00 open @ 2:30 Room 206)	Tuesday, December 18, 2012
Agenda Paperwork to Award Contract	Friday, January 4, 2013
Council to Award Contract	Monday, January 14, 2013
Pre-Construction Meeting	~ January 2013
Project Start	~ January 2013
Project 120 Calendar Days	~ May 2013

*Project Manager: Joe Travers
Engineers Estimate: \$290,000
Account #233-2080-581-7499 Project #FS1304
Account #233-2080-581-7499 Project #FS1302
Account#229-2080-581-7499 Project #FS1206*



MEMO

DATE: November 19, 2012

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager 

SUBJECT: Award of Bid #02-13 for the Rebid of the Debris Removal & Vegetation Management West Fork of Cottonwood Creek to Carruthers Landscape Management, Inc. in the amount of \$107,799.43

Proposed Date of Award: November 26, 2012

I concur with the recommendation of Steve Spanos – Director of Engineering, and request permission to award a contract to the second low bidder, Carruthers Landscape Management, Inc. for the above referenced construction in the amount of \$107,799.43, as outlined in Mr. Spanos attached memo.

Funding is provided from Storm Drainage Utility Fund account 164-8702-583-3300, Project #DR1201.

The bid was advertised in *The Dallas Morning News* on October 17 & 24, 2012 and was posted on Bidsync.com. A prebid conference was held on October 25, 2012 and twenty-three bids were solicited and fourteen bids were received.

Concur:


Kent Pfeil

Attachments

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner



MEMO

TO: Dan Johnson, City Manager
THROUGH: Cliff Miller, Assistant City Manager *CM*
FROM: Steve Spanos, P.E., Director of Engineering *3*
SUBJECT: Award of Bid No. 02-13 for Rebid: Debris Removal and Vegetation Management-West Fork of Cottonwood Creek Project
DATE: November 16, 2012

ACTION REQUESTED:

Council to consider award of Bid No. 02-13 to Carruthers Landscape Management, Inc., for the Rebid: Debris Removal and Vegetation Management-West Fork of Cottonwood Creek Project in the amount of \$107,799.43.

BACKGROUND INFORMATION:

On November 8, 2012, the Capital Projects Department opened bids for the subject project. The low bidder M.C.R. Environmental Services, Inc., submitted an incomplete bid with no bid listed for several items, and was disqualified. The Carruthers Landscape Management, Inc., bid was second lowest and a complete bid.

Considering the scope of past and present contracts being performed by Carruthers, they have the experience and financial resources required for this project.

The Rebid: Debris Removal and Vegetation Management-West Fork of Cottonwood Creek is a maintenance project to remove vegetation, underbrush, trash and debris, dead trees and branches, and carefully selected live trees that are debris catchers or are blocking flow in the main channel. Sediment will be removed from the Melrose Drive culvert.

FUNDING:

Funding is provided from Storm Drainage Utility.

SCHEDULE:

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

Cc: Edward Witkowski, P.E., Project Engineer
CP/Office/Agenda Reports/Agenda Items – November/Rebid/Debris Removal Award

Rebid: Debris Removal and Vegetation Management West Fork Cottonwood Creek
 Bid # 02-13
 Bid Date: Nov. 8, 2012

Bidder Name Rank				M.C.R. Environmental Services, Inc. Rank 1		Carruthers Landscape Management, Inc. Rank 2		Omega General Construction, LLC Rank 3		Good Earth Landscaping & Management, LTD Rank 4		ESSI Rank 5	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	Mobilization and Demobilization, including Access and Restoration of Property, Complete	1	LS	\$10,938.00	\$10,938.00	\$10,000.00	\$10,000.00	\$9,083.00	\$9,083.00	\$6,925.00	\$6,925.00	\$23,000.00	\$23,000.00
2	Vegetation and Debris Removal from Work Area, Including Haul off and Disposal	4.59	Acre	No bid	\$0.00	\$13,397.34	\$61,493.79	\$6,013.50	\$27,601.97	\$6,000.00	\$27,540.00	\$5,500.00	\$25,245.00
3	Tree Removal: 4 to 8 Inch Diameter, Including Clean Up Haul Off and Disposal	60	EA	No bid	\$0.00	\$56.17	\$3,490.20	\$120.28	\$7,216.80	\$150.00	\$9,000.00	\$125.00	\$7,500.00
4	Tree Removal: over 8 to 12 Inch Diameter, Including Clean Up Haul Off and Disposal	36	EA	No bid	\$0.00	\$100.28	\$3,610.08	\$209.64	\$7,547.04	\$225.00	\$8,100.00	\$175.00	\$6,300.00
5	Tree Removal: over 12 to 18 Inch Diameter, Including Clean Up Haul Off and Disposal	41	EA	No bid	\$0.00	\$143.54	\$5,885.14	\$307.51	\$12,607.91	\$300.00	\$12,300.00	\$230.00	\$9,430.00
6	Tree Removal: over 18 to 24 Inch Diameter, Including Clean Up Haul Off and Disposal	24	EA	No bid	\$0.00	\$199.24	\$4,781.76	\$440.16	\$10,563.84	\$375.00	\$9,000.00	\$320.00	\$7,680.00
7	Tree Removal: over 24 Inch Diameter, Including Clean Up Haul Off and Disposal	13	EA	No bid	\$0.00	\$441.42	\$5,738.46	\$579.69	\$7,535.97	\$450.00	\$5,850.00	\$425.00	\$5,525.00
8	Remove Sediment from Melrose Drive Culvert Including Access Route, Grading, Haul Off and Disposal	1	LS	\$50,094.00	\$50,094.00	\$800.00	\$800.00	\$6,707.00	\$6,707.00	\$13,440.00	\$13,440.00	\$30,000.00	\$30,000.00
9	Slope Stabilization: Furnish and Install 4" Topsoil, Grass Seed or Potted Ground Cover Plants, and Turf	200	SY	-----	\$14,222.00	\$5.00	\$1,000.00	\$59.40	\$11,880.00	\$115.00	\$23,000.00	\$65.00	\$13,000.00
10	Erosion and Sediment Controls, including Installation, Maintenance, and Removal, Complete	1	LS	\$8,750.00	\$8,750.00	\$1,000.00	\$1,000.00	\$9,083.00	\$9,083.00	\$8,025.00	\$8,025.00	\$6,000.00	\$6,000.00
11	Provide and Install Project Sign, Complete	2	EA	\$525.00	\$1,050.00	Included	\$0.00	\$337.00	\$674.00	\$250.00	\$500.00	\$800.00	\$1,600.00
12	Construction Contingency	1	LS	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
	TOTAL BID AMOUNT				\$95,054.00		\$107,799.43		\$120,500.53		\$133,680.00		\$145,280.00
	Bid Opening				same		\$107,843.00		\$120,500.00		same		same

Rebid: Debris Removal and Vegetation Management West Fork Cottonwood Creek
 Bid # 02-13
 Bid Date: Nov. 8, 2012

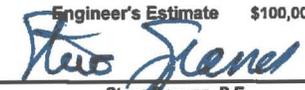
Bidder Name Rank				ERS of MS, Inc. Rank 6		Lander Construction Rank 7		Lillard Lawn & Landscaping Rank 8		DCI Contracting, Inc. Rank 9		JEA-CMAC Rank 10	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	Mobilization and Demobilization, including Access and Restoration of Property, Complete	1	LS	\$9,000.00	\$9,000.00	\$30,000.00	\$30,000.00	\$28,845.00	\$28,845.00	\$40,000.00	\$40,000.00	\$10,000.00	\$10,000.00
2	Vegetation and Debris Removal from Work Area, Including Haul off and Disposal	4.59	Acre	\$8,000.00	\$36,720.00	\$2,000.00	\$9,180.00	\$2,500.00	\$11,475.00	\$4,000.00	\$18,360.00	\$15,000.00	\$68,850.00
3	Tree Removal: 4 to 8 Inch Diameter, Including Clean Up Haul Off and Disposal	60	EA	\$200.00	\$12,000.00	\$190.00	\$11,400.00	\$200.00	\$12,000.00	\$250.00	\$15,000.00	\$480.00	\$28,800.00
4	Tree Removal: over 8 to 12 Inch Diameter, Including Clean Up Haul Off and Disposal	36	EA	\$300.00	\$10,800.00	\$280.00	\$10,080.00	\$350.00	\$12,600.00	\$270.00	\$9,720.00	\$540.00	\$19,440.00
5	Tree Removal: over 12 to 18 Inch Diameter, Including Clean Up Haul Off and Disposal	41	EA	\$400.00	\$16,400.00	\$400.00	\$16,400.00	\$550.00	\$22,550.00	\$300.00	\$12,300.00	\$630.00	\$25,830.00
6	Tree Removal: over 18 to 24 Inch Diameter, Including Clean Up Haul Off and Disposal	24	EA	\$500.00	\$12,000.00	\$600.00	\$14,400.00	\$800.00	\$19,200.00	\$320.00	\$7,680.00	\$650.00	\$15,600.00
7	Tree Removal: over 24 Inch Diameter, Including Clean Up Haul Off and Disposal	13	EA	\$700.00	\$9,100.00	\$1,000.00	\$13,000.00	\$1,050.00	\$13,650.00	\$400.00	\$5,200.00	\$850.00	\$11,050.00
8	Remove Sediment from Melrose Drive Culvert Including Access Route, Grading, Haul Off and Disposal	1	LS	\$11,000.00	\$11,000.00	\$3,400.00	\$3,400.00	\$8,000.00	\$8,000.00	\$18,000.00	\$18,000.00	\$5,000.00	\$5,000.00
9	Slope Stabilization: Furnish and Install 4" Topsoil, Grass Seed or Potted Ground Cover Plants, and Turf	200	SY	\$20.00	\$4,000.00	\$30.00	\$6,000.00	\$50.00	\$10,000.00	\$20.00	\$4,000.00	\$30.00	\$6,000.00
10	Erosion and Sediment Controls, including Installation, Maintenance, and Removal, Complete	1	LS	\$15,000.00	\$15,000.00	\$26,000.00	\$26,000.00	\$3,000.00	\$3,000.00	\$12,000.00	\$12,000.00	\$4,000.00	\$4,000.00
11	Provide and Install Project Sign, Complete	2	EA	\$500.00	\$1,000.00	\$200.00	\$400.00	\$250.00	\$500.00	\$400.00	\$800.00	\$300.00	\$600.00
12	Construction Contingency	1	LS	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
	TOTAL BID AMOUNT				\$147,020.00		\$150,260.00		\$151,820.00		\$153,060.00		\$205,170.00
	Bid Opening				same		same		\$156,270.00		same		same

Rebid: Debris Removal and Vegetation Management West Fork Cottonwood Creek
 Bid # 02-13
 Bid Date: Nov. 8, 2012

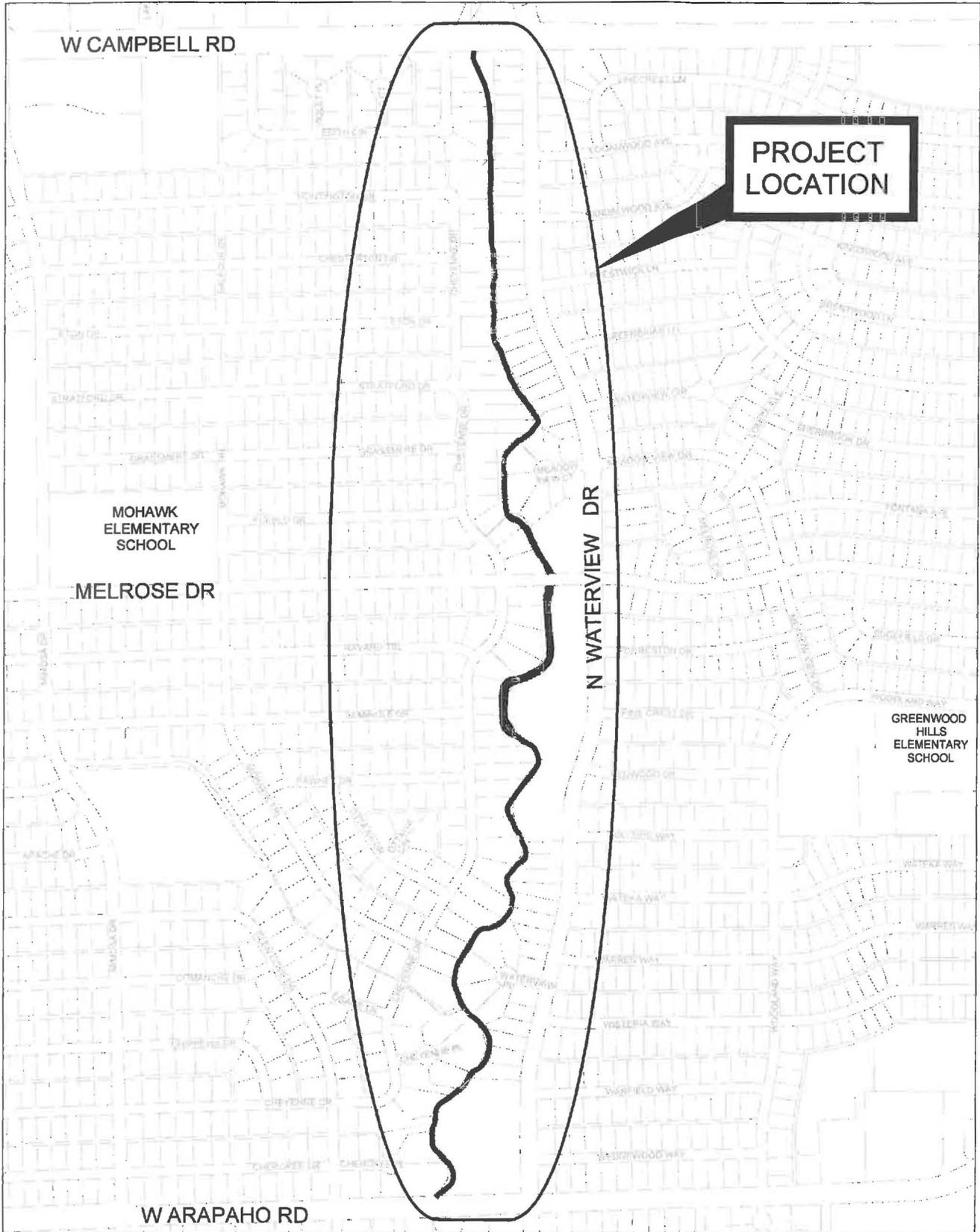
Bidder Name Rank				Cole Construction, Inc. Rank 11		Texas Standard Construction Rank 12		C. Green Scaping, LP Rank 13		ATCI Contracting Rank 14		AVERAGE of Bids Received	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	Mobilization and Demobilization, including Access and Restoration of Property, Complete	1	LS	\$38,000.00	\$38,000.00	\$30,000.00	\$30,000.00	\$16,000.00	\$16,000.00	\$47,500.00	\$47,500.00	\$22,950.23	\$22,950.23
2	Vegetation and Debris Removal from Work Area, Including Haul off and Disposal	4.59	Acre	\$6,640.00	\$30,477.60	\$10,000.00	\$45,900.00	\$9,200.00	\$42,228.00	\$54,500.00	\$250,155.00	\$10,980.83	\$50,402.01
3	Tree Removal: 4 to 8 Inch Diameter, Including Clean Up Haul Off and Disposal	60	EA	\$440.00	\$26,400.00	\$390.00	\$23,400.00	\$900.00	\$54,000.00	\$200.00	\$12,000.00	\$284.88	\$17,092.80
4	Tree Removal: over 8 to 12 Inch Diameter, Including Clean Up Haul Off and Disposal	36	EA	\$560.00	\$20,160.00	\$470.00	\$16,920.00	\$1,300.00	\$46,800.00	\$300.00	\$10,800.00	\$390.76	\$14,067.36
5	Tree Removal: over 12 to 18 Inch Diameter, Including Clean Up Haul Off and Disposal	41	EA	\$830.00	\$34,030.00	\$600.00	\$24,600.00	\$1,700.00	\$69,700.00	\$450.00	\$18,450.00	\$526.23	\$21,575.43
6	Tree Removal: over 18 to 24 Inch Diameter, Including Clean Up Haul Off and Disposal	24	EA	\$950.00	\$22,800.00	\$700.00	\$16,800.00	\$1,900.00	\$45,600.00	\$575.00	\$13,800.00	\$640.72	\$15,377.28
7	Tree Removal: over 24 Inch Diameter, Including Clean Up Haul Off and Disposal	13	EA	\$1,460.00	\$18,980.00	\$900.00	\$11,700.00	\$2,300.00	\$29,900.00	\$3,500.00	\$45,500.00	\$1,081.24	\$14,056.12
8	Remove Sediment from Melrose Drive Culvert Including Access Route, Grading, Haul Off and Disposal	1	LS	\$16,800.00	\$16,800.00	\$25,000.00	\$25,000.00	\$5,800.00	\$5,800.00	\$35,000.00	\$35,000.00	\$13,765.15	\$13,765.15
9	Slope Stabilization: Furnish and Install 4" Topsoil, Grass Seed or Potted Ground Cover Plants, and Turf	200	SY	\$30.00	\$6,000.00	\$100.00	\$20,000.00	\$18.00	\$3,600.00	\$45.00	\$9,000.00	\$45.18	\$9,036.00
10	Erosion and Sediment Controls, including Installation, Maintenance, and Removal, Complete	1	LS	\$1,200.00	\$1,200.00	\$10,000.00	\$10,000.00	\$4,200.00	\$4,200.00	\$5,000.00	\$5,000.00	\$8,039.08	\$8,039.08
11	Provide and Install Project Sign, Complete	2	EA	\$800.00	\$1,600.00	\$500.00	\$1,000.00	\$1,200.00	\$2,400.00	\$350.00	\$700.00	\$490.58	\$981.16
12	Construction Contingency	1	LS	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
TOTAL BID AMOUNT						\$226,447.60		\$235,320.00		\$330,228.00		\$457,905.00	\$197,342.62
Bid Opening						same		same		same		same	

Engineer's Estimate \$100,000

Certified By:



Steve Spanos, P.E.
 Director of Engineering



**REBID DEBRIS REMOVAL AND VEGETATION MANAGEMENT
 WEST FORK OF COTTONWOOD CREEK
 JANUARY 2013**

BID# 02-13



**CITY OF
 RICHARDSON
 TEXAS**





MEMO

DATE: November 5, 2012

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager 

SUBJECT: Award of Bid #13-13 for an annual requirements contract to HD Supply Waterworks for Neptune water meters and parts pursuant to unit prices

Proposed Date of Award: November 12, 2012

I concur with the recommendation of Richard Boston – Utility Systems Manager Engineer and request permission to issue an annual requirements contract for various sizes of Neptune water meters and parts to HD Supply Waterworks pursuant to the attached unit prices.

HD Supply Waterworks is the sole supplier for Neptune water meters in the Texas area; therefore, this a sole source procurement as allowed by Texas Local Government Code Chapter 252.022 (a)(7)(A). It is our recommendation to establish an annual requirements contract based on the unit prices listed in the attached memo to stock a larger supply of meters thus realizing a savings on shipping costs and downtime in the field. The award of this contract allows the city to purchase the water meters and parts as the requirements and needs of the city arise on an annual basis and during any subsequent renewal period(s). Since the City is not obligated to pay for or use a minimum or maximum amount of products, payment will be rendered pursuant to the unit prices specified.

Funding is available in accounts 511-5211-503-7702 and 511-5230-503-4351.

Concur:


Kent Pfeil

ATTACHMENTS

XC: Dan Johnson
David Morgan
Cliff Miller
Don Magner



MEMO

fax 972 744-5814 ; ph 972 744-4411
richard.boston@cor.gov

TO: Pam Kirkland, Purchasing Manager
FROM: Richard Boston, P.E., Utility System Manager/Engineer
DATE : November 8, 2012
SUBJECT : Request for an annual contract for Neptune water meters & parts to HD Supply

Please secure an annual contract for our Neptune water meters & parts (sole source) from our supplier, HD Supply Waterworks, pursuant to the unit prices furnished. A total of \$183,000 is available in accounts 511-5211-503-7702 (\$18,000) and 511- 5230-503-4351(165,000). Let me know if anything else is needed. Thanks!



4333 Irving Blvd
Dallas, TX 75247

t 214.631.9410
f 214.905.0768

November 5, 2012

Richard Boston
City of Richardson
1260 Columbia Dr.
Richardson, Texas 75081

Re: Meter Contract

Richard,

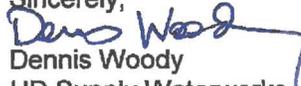
Here is a listing of the current meter prices that went in to effect October 1, 2011:

3/4" SL T10 ProRead	\$128.69
1" T10 ProRead	\$162.08
1-1/2" T10 ProRead	\$325.26
2" T10 ProRead	\$427.72
3" Tru/Flo compound	\$1897.37
4" Tru/Flo compound	\$2575.00
6" Tru/Flo compound	\$4336.84
2" HPT turbine	\$460.79
3" HPT turbine	\$859.51
4" HPT turbine	\$1219.74
6" HPT turbine	\$2303.95
2" strainer	\$358.82
3" strainer	\$509.58
4" strainer	\$683.05
6" strainer	\$1306.47
ProRead registers	\$61.80
ProRead register w/pit pad	\$64.96
Fire Hydrant meter	\$806.65
R900 Radio MIU	\$113.30

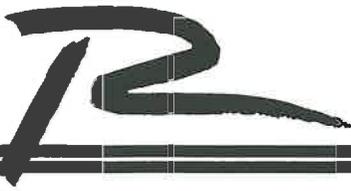
This pricing is firm until changed by a price increase, which is possible in 2013..

Please call with any questions.

Sincerely,


Dennis Woody
HD Supply Waterworks
972-877-3994

Local Service, Nationwide



MEMO

DATE: November 20, 2012

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager

SUBJECT: Change Order to increase purchase order 121369 to Hill & Wilkinson Construction for the Heights Park Recreation Center, Aquatics and Gymnastics Center in the amount of \$366,000

Proposed Date of Award: November 26, 2012

I concur with the recommendation of Michael Massey – Director of Parks and Recreation, and request permission to increase the above referenced purchase order in the amount of \$366,000, for the waterslides for the Aquatics Center, as outlined in Mr. Massey's 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 and any change order over \$50,000 must be approved by the governing body of the municipality.

This change order is within the 25% maximum change order limit but requires approval by the governing body because it is over \$50,000.

Concur:


Kent Pfeil

Approved:

Dan Johnson

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller



MEMO

TO: Pam Kirkland, Purchasing Manager

FROM: Micheal Massey, Director of Parks & Recreation *Mick*

SUBJECT: Change Order No. 1 to Increase Purchase Order No. 121369
to Hill and Wilkinson Construction for the Heights Park Recreation Center

DATE: 11/20/2012

ACTION REQUESTED

Process change order #1 to increase Purchase Order #121369.

ACCOUNT SUMMARY

Original Purchase Order	\$9,773,893.00
Change Order #1	\$366,000.00
Total Authorized Contract Amount	\$10,139,893.00

BACKGROUND INFORMATION

Change Order No. 1 is requested to include waterslides as specified in Alternates "A" and Alternates "B". See attachments

FUNDING INFORMATION

Funding is provided from account #378-8704-585-7524 project #PK1011 and account #313-9755-583-7524 project #313170.

Line Item #2 - \$116,000 to account #378-8704-585-7524 project #PK1011

Line Item #3 - \$250,000 to account #313-9755-583-7524 project #313170

CC: Roger Scott Asst. Dir. Parks & Planning
Cliff Goff Tin Star
Steve Spanos P.E. Director of Engineering
Carolyn Kaplan Capital Projects Accountant

CHANGE ORDER

BRINKLEY SARGENT ARCHITECTS

Distribution: OWNER ARCHITECT CONTRACTOR FIELD OTHER

PROJECT: Richardson Gymnastics Center
Heights Recreation and Aquatics Centers CHANGE ORDER NUMBER: 1

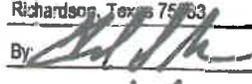
TO: Hill & Wilkinson
2703 Telecom Parkway, Suite 120
Richardson, Texas 75082 INITIATION DATE: November 6, 2012

CONTRACT FOR: General Construction PROJECT NO: 21008
CONTRACT DATE: September 23, 2011

You are directed to make the following changes in this Contract:

Item 1. Provide waterslides as described by Alternates A & B in the Contract Documents. \$366,000

Not valid until signed by both the Owner and Architect.	
Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Sum or Contract Time.	
The original Contract Sum was	\$ 13,575,343.00
Net change by previously authorized Change Orders	\$.00
The Contract Sum prior to this Change Order was	\$ 13,575,343.00
The Contract Sum will be increased by this Change Order	\$ 366,000.00
The new Contract Sum including this Change Order will be	\$ 13,941,343.00
The Contract Time will be unchanged.	

Brinkley Sargent Architects ARCHITECT 5000 Cypress Grove, Suite 600 Dallas, Texas 75254	Hill & Wilkinson Construction Group, Ltd. CONTRACTOR 2703 Telecom Parkway Richardson, Texas 75082	City of Richardson OWNER P.O. Box 830309 Richardson, Texas 75083
By: 	By: 	By: 
Date: 11/6/12	Date: 11-6-12	Date: 11/19/12



HILL & WILKINSON CONSTRUCTION GROUP, LTD.

RICHARDSON RECREATION AND AQUATICS CENTER
 709 & 711 W. ARAPAHO ROAD
 RICHARDSON, TX 75081

ALTERNATES A AND B

DATE: 10/15/12

PROPOSED CHANGE NO.: PC-001

DESCRIPTION OF WORK	QUANTITY	UM	ITEMIZED COST BREAKDOWN
Alternate A	0.0		\$250,000
Alternate B	0.0		\$116,000
SUBTOTAL			\$366,000

NOTES: The above proposed change includes the cost to provide alternates "A" and "B" per specification 01 03 00.

Alternate "A":

Furnish all labor, material, equipment and services for complete installation of waterslide tower, awning, the open fiberglass flume & pumps, VFD's and filtration system. Base bid shall include completed shop drawings for tower and both flumes, installed surge tank, foundations, and all necessary rough-ins for entire waterslida (both flumes). Refer to pool drawings and specifications for further information.

Alternate "B":

Furnish all labor, material, equipment and services for installation of the fiberglass enclosed waterslide, including the slide pump, VFD's, all anchor bolts and flume support structure. Refer to pool drawings and specifications.

Owner Signature _____

Date _____

G/C Signature _____

Date _____

[Handwritten Signature]
 10/26/12

[Handwritten Signature]
 10-15-12

Alternate A

DESCRIPTION	QUAN.	UNIT	SUBC. TOTAL	TOTAL
Benchmark Signs				
Add "slide rules" sign allowance	1	EA	1,622	1,622
Sunbelt Pools				
Add slide tower & open flume slide, etc.	1	LS	237,580	237,580
SUBTOTAL			\$ 239,202	\$ 239,202
GENERAL CONDITIONS				\$ 944
PAYROLL / TAX / BURDEN				\$ -
BUILDERS RISK				\$ 168
LIABILITY / UMBRELLA				w/ GC's
SUBGUARD				\$ 3,588
BUILDING PERMIT				Excluded
P & P BOND				w/ GC's
CONTINGENCY				N/A
FEE				\$ 6,098
TOTAL				\$ 250,000

Alternate B

DESCRIPTION	QUAN.	UNIT	SUBC. TOTAL	TOTAL
Sunbelt Pools				
Add enclosed flume, etc.	1	LS	110,630	110,630
SUBTOTAL			\$ 110,630	\$ 110,630
GENERAL CONDITIONS				\$ 804
PAYROLL / TAX / BURDEN				\$ -
BUILDERS RISK				\$ 78
LIABILITY / UMBRELLA				w/ GC's
SUBGUARD				\$ 1,659
BUILDING PERMIT				Excluded
P & P BOND				w/ GC's
CONTINGENCY				N/A
FEE				\$ 2,829
TOTAL				\$ 116,000

COMBINED TOTAL FOR ALTERNATES A & B **\$ 366,000**



City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, November 26, 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



Worksession Meeting Date: Monday, November 26, 2012

Agenda Item: Briefing by the City Attorney on the City Charter Changes

Staff Resource: Pete Smith, City Attorney

Summary: The City Attorney will provide the City Council with interpretation and instruction on the updated features of the City Charter with the recent inclusion of language concerning the direct election of the Mayor.

Board/Commission Action: N/A

Action Proposed: N/A





City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, November 26, 2012

Agenda Item: Review and discuss the 2013 City Council Election Calendar

Staff Resource: Aimee Nemer, City Secretary

Summary: The City Secretary will provide the City Council with an overview of the May 11, 2013 Election Calendar with specific regard to required Council action and important dates for candidates.

Board/Commission Action: N/A

Action Proposed: N/A





City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, November 26, 2012

Agenda Item: Year-End Financial Report for the FY 2011-2012
Operating Budget.

Staff Resource: Gary Beane, Budget Officer

Summary: Staff will discuss the year-end revenue and expenditure performance of the five major operating funds. This discussion will focus on the "un-audited" actuals for the General, Utility, Solid Waste, Hotel/Motel and Golf Funds. The audited actuals for all funds will be presented later in the year with acceptance of the audit and CAFR.

Board/Commission Action: N/A

Action Proposed: N/A





City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, November 26, 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.