

RICHARDSON CITY COUNCIL
FEBRUARY 11, 2013
7:30 P.M.
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX

1. **INVOCATION – SCOTT DUNN**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – SCOTT DUNN**
 3. **MINUTES OF THE JANUARY 28, 2013 AND FEBRUARY 4, 2013 MEETINGS**
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4. PRESENTATION TO THE WINNERS OF RICHARDSON'S 2012 COMMUNITY REVITALIZATION AWARDS.

ACTION TAKEN:

5. VISITORS. (THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY TOPIC NOT ALREADY SCHEDULED FOR PUBLIC HEARING. PRIOR TO THE MEETING, PLEASE COMPLETE A "CITY COUNCIL APPEARANCE CARD" AND PRESENT IT TO THE CITY SECRETARY. THE TIME LIMIT IS FIVE MINUTES PER SPEAKER.)
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PUBLIC HEARING ITEMS:

6. PUBLIC HEARING, ZONING FILE 13-01: A REQUEST BY MICHAEL HAMPTON, REPRESENTING LEND LEASE, FOR A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION WITH MODIFIED DEVELOPMENT STANDARDS TO BE LOCATED AT 3601 N. JUPITER ROAD (SOUTHWEST CORNER OF PRESIDENT GEORGE BUSH TURNPIKE AND JUPITER ROAD). THE PROPERTY IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.

ACTION TAKEN:

7. PUBLIC HEARING, ZONING FILE 13-02: A REQUEST BY BRIAN WILSON, REPRESENTING TOLL BROTHERS, FOR AMENDMENTS TO THE EXISTING SPECIAL CONDITIONS TO ALLOW THE USE OF STUCCO ON THE SOUTH ELEVATIONS OF HOMES FOR THREE (3) LOTS ADJACENT TO THE RESERVE SUBDIVISION FOR THE DEVELOPMENT LOCATED AT THE SOUTHEAST CORNER OF RENNER ROAD AND SHARP LANE. THE PROPERTY IS CURRENTLY ZONED RP-1500-M PATIO HOME.

ACTION TAKEN:

8. PUBLIC HEARING, ZONING FILE 13-03: A REQUEST BY MAXWELL J. FISHER, REPRESENTING MASTERPLAN, TO REVOKE ORDINANCE 2635-A, A SPECIAL PERMIT FOR A DRIVE-THROUGH RESTAURANT, AND APPROVAL OF A SPECIAL PERMIT FOR A MOTOR VEHICLE REPAIR SHOP – MAJOR TO BE LOCATED AT 1380 W. BELT LINE ROAD (NORTHEAST CORNER OF BELT LINE ROAD AND COIT ROAD). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

ACTION TAKEN:

ALL ITEMS LISTED UNDER ITEM 9 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:

9. CONSENT AGENDA:

- A. ADOPTION OF ORDINANCE NO. 3897, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP BY GRANTING A CHANGE IN ZONING FROM I-FP(2) INDUSTRIAL TO PD PLANNED DEVELOPMENT FOR A 11.13-ACRE TRACT OF LAND, BEING A PORTION OF LOT 4, BLOCK 3, OF THE ROCKWELL SUBDIVISION, IN THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS.
- B. AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING BIDS:
 - 1. BID #32-13 – HEIGHTS PARK IRRIGATION CONVERSION. BIDS TO BE RECEIVED BY THURSDAY, FEBRUARY 28, 2013 AT 2:00 P.M.
 - 2. BID #37-13 – CITY OF RICHARDSON FIRE TRAINING CENTER LIVE FIRE PROPS AND HIGH TEMPERATURE LINING SYSTEMS. BIDS TO BE RECEIVED BY THURSDAY, MARCH 7, 2013 AT 2:00 P.M.
- C. CONSIDER AWARD OF BID #24-13 – WE RECOMMEND THE AWARD TO SUMMIT INTEGRATION SYSTEMS FOR THE UPGRADE OF THE RICHARDSON ROOM AND GRAND HALL AUDIO CONTROL SYSTEMS IN THE AMOUNT OF \$86,630.
- D. CONSIDER REJECTION OF BID #23-13 – WE RECOMMEND REJECTING ALL BIDS RECEIVED FOR THE ANNUAL CONTRACT FOR GRAFFITI REMOVAL/WALL WASHING AND PAINTING.

10. RECEIVE THE SIGN CONTROL BOARD MINUTES OF THE FEBRUARY 6, 2013 MEETING.

ACTION TAKEN:

THE RICHARDSON CITY COUNCIL WILL MEET AT 5:30 P.M. ON MONDAY, FEBRUARY 11, 2013, 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) 744-4100 OR (972) 744-4001.

WORK SESSION – 6:00 P.M.:

- Call to Order
- A. Review and Discuss Items Listed on the City Council Meeting Agenda
- B. Report on Items of Community Interest
- C. Attend Revitalization Awards Winners Reception in Alcove at 6:30 p.m. – 7:30 p.m. Adjourn to the City Council Chamber.

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, FEBRUARY 8, 2013, BY 5:00 P.M.

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND COUNCIL MEETING
JANUARY 28, 2013

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Townsend called the meeting to order at 6:00 p.m. with the following Council members present:

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

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Don Magner	Assistant City Manager Community Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Samantha Woodmancy	Management Analyst
Aimee Nemer	City Secretary
Michael Spicer	Director of Development Services
Monica Heid	Community Projects Manager
Jim Spivey	Chief of Police

The following consultants were also present:

Mark Bowers, HOK
Bill Cunningham, Ricker Cunningham
Karen Walz, Strategic Community Solutions

A. Review and Discuss Items Listed on the City Council Meeting Agenda

Item 5 ZF 12-11

Michael Spicer, Director of Development Services, reviewed ZF 12-11 and noted key changes to the proposed concept plan include: an increase in the number of proposed units from 401 to 408(36.7 units per acre); the addition of another four-story building along Collins Boulevard that conceals the northern exposure of the parking deck; essentially “wrapping” the parking deck by physically connecting it to the surrounding three buildings; reconfiguration of the buildings fronting Alma Road; and eliminating the ground floor “retail ready” space along Alma Road.

Item 6 and 7 Sign Control Board Cases

Don Magner, Assistant City Manager, reviewed the Sign Control Board Cases for Council.

13-01

Variance Request -Allow a pole sign to be located 12 feet from the private property line to the north.

Reason for the Request - If the sign is placed 30 feet from the adjoining private property it will overhang the parking lot and the support pole would be on the edge of a landscape island where it could be damaged by vehicles turning into the parking lot.

13-03

Variance Request - Allow a multi-tenant pole sign that is 40 feet in height and 112 square feet in area.

Reason for Request – 1) To make the business more visible to traffic on Central Expressway.
2) Current sign has faded and business wants to project the desired image of the business.

B. Review and Discuss Part 2 of the Final Report and Recommendation, Main Street/Central Expressway Corridor Study – Implementation

Monica, Heid, Community Projects Manager, reviewed this item for Council. Consultants from HOK and Ricker Cunningham also addressed Council. An Implementation Plan and Matrix was presented. Council was asked to provide comments back to staff within two weeks.

C. Review and Discuss the 2012 Year End Crime Statistics and Program Updates

Chief Spivey presented the 2012 Year End Report including a review of crime and arrest statistics, departmental initiatives, crime watch patrols, and programs.

D. Report on Items of Community Interest

There were no Items of Community Interest reported.

1. **INVOCATION – MARK SOLOMON**
2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – MARK SOLOMON**
3. **MINUTES OF THE JANUARY 14, 2013 MEETING**

Council Action

Councilmember Hartley moved to approve the Minutes with emailed statements from citizens to be attached. Councilmember Omar seconded the motion. A vote was taken and passed, 7-0.

4. VISITORS

There were no visitors comments submitted.

5. **CONTINUED CONSIDERATION OF ZONING FILE 12-11: A REQUEST BY JOHN S. KIRK, REPRESENTING EMBREY PARTNERS, LTD., FOR A CHANGE IN ZONING FROM I-FP(2) INDUSTRIAL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT FOR THE DEVELOPMENT OF A MULTI-FAMILY COMMUNITY TO BE LOCATED AT THE SOUTHEAST CORNER OF GREENVILLE AVENUE AND COLLINS**

BOULEVARD. (CONTINUED FROM NOVEMBER 12, 2012 CITY COUNCIL MEETING).

Council Discussion

After presentations and comments from staff and applicant representatives, Council expressed thanks and appreciation to the applicant for their patience, for listening to Council recommendations and implementing suggestions for a better product.

Council Action

Councilmember Solomon moved to approve ZF 12-11 as presented. Councilmember Mitchell requested to tie the elevations and dog park to the ordinance. Councilmember Solomon agreed to the amendment. Mayor Pro Tem Maczka seconded the motion. The motion passed, 7-0.

- 6. CONSIDER THE REQUEST OF THE WARMING HUT FOR A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE III, SECTION 18-96(23)(D)(II) TO ALLOW FOR A 18 FOOT REDUCTION OF THE 30 FOOT SETBACK REQUIREMENT TO ALLOW FOR A 59.88 SQUARE FOOT POLE SIGN, WITH AN ELECTRONIC MESSAGING CENTER TO BE 12 FEET FROM THE ADJOINING PRIVATE PROPERTY LINE AT THE PROPERTY LOCATED AT 331 N CENTRAL EXPRESSWAY; AND TAKE APPROPRIATE ACTION.**

Council Discussion

There was some Council discussion regarding the brightness/dimming requirements, the lack of ability to control sign images, and other LED sign requirements such as hold time. The applicant addressed some of these questions.

Council Action

Councilmember Omar moved to approve the variance. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

- 7. CONSIDER THE REQUEST OF GOLF CARS OF DALLAS FOR VARIANCES TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE III, SECTION 18-96(23)(B)(III)(1) AND SECTION 18-96(23)(C)(III)(1) FOR A 20 FOOT INCREASE IN HEIGHT AND 52 SQUARE FOOT INCREASE IN SIGN AREA TO ALLOW FOR A 40 FOOT IN HEIGHT, 112 SQUARE FOOT MULTI-TENANT POLE SIGN AT THE PROPERTY LOCATED AT 2100 ALAMO ROAD; AND TAKE APPROPRIATE ACTION.**

Council Action

Councilmember Mitchell moved to approve the variance. Mayor Pro Tem Maczka seconded the motion. A vote was taken and passed, 7-0.

8. CONSENT AGENDA

ALL ITEMS LISTED UNDER ITEM 8 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:

- A. ADOPTION OF ORDINANCE NO. 3896, CHANGING THE NAME OF “DATACENTER PARK BOULEVARD”, IN ITS ENTIRETY, TO “INTEGRITY DRIVE”.**
- B. CONSIDER RESOLUTION NO. 13-05, ORDERING A GENERAL ELECTION TO BE HELD ON THE 11TH DAY OF MAY 2013, FOR THE PURPOSE OF ELECTING A MAYOR AND SIX (6) MEMBERS OF THE RICHARDSON CITY COUNCIL; DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN; AND AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACT.**
- C. AUTHORIZE THE ADVERTISEMENT BID #33-13 – 2013 ANNUAL REQUIREMENTS CONTRACT FOR STREET REHABILITATION. BIDS TO BE RECEIVED BY THURSDAY, FEBRUARY 14, 2013 AT 3:00 P.M.**
- D. CONSIDER AWARD OF THE FOLLOWING BIDS:**
- 1. BID #15-13 – WE RECOMMEND THE AWARD TO QUALITY EXCAVATION FOR THE PAVEMENT/DRAINAGE REHABILITATION IN THE AMOUNT OF \$787,916.90.**
 - 2. BID #19-13 – WE RECOMMEND THE AWARD TO JESKE CONSTRUCTION CO., FOR THE COTTONWOOD HEIGHTS BRIDGE AND CULVERT RAILING IN THE AMOUNT OF \$505,222.**
 - 3. BID #30-13 – WE RECOMMEND THE AWARD TO INSITUFORM TECHNOLOGIES, INC., FOR THE 2013 TRENCHLESS SEWER REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$400,000**
 - 4. BID #34-13 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE ANNUAL CONTRACT TO TRAFFIC HIGHWAY PRODUCTS, LTD. FOR TRAFFIC SIGNAL CONTROLLER HARDWARE THROUGH THE CITY OF FORT WORTH INVITATION TO BID #12-0135 PURSUANT TO UNIT PRICES.**

Council Action

Councilmember Solomon moved to approve the Consent Agenda, Items A-D, as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

EXECUTIVE SESSION

Council Action

Council convened into Executive Session at 9:34 p.m.

- **In compliance with Section 551.087 of the Texas Government Code, Council will convene into a closed session to discuss the following:**
 - **Deliberation Regarding Economic Development Negotiations**

- **Commercial Development – Glenville Dr./Campbell Rd. Area**
- **Retail Development – U.S. 75/Arapaho Rd. Area**
- **Council will reconvene into open session, and take action, if any, on matters discussed in executive session.**

Council Action

Council reconvened into Open Session at 10:12 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 10:12 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION MEETING
FEBRUARY 4, 2013

WORK SESSION – 6:00 P.M.:

• **Call to Order**

Mayor Townsend called the meeting to order at 6:00 p.m. with the following Council members present:

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

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Don Magner	Assistant City Manager Community Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Samantha Woodmancy	Management Analyst
Aimee Nemer	City Secretary
Michael Spicer	Director of Development Services
Susan Smith	Assistant Director of Development Services
Monica Heid	Community Projects Manager

A. Visitors

There were no visitors comments submitted.

B. Receive and Discuss the 2011-2012 Comprehensive Annual Financial Report (CAFR) Presentation

Representatives from the City's independent auditing firm, KPMG, submitted the 2011-2012 CAFR to City Council noting that a clean, unqualified opinion was given with no adjustments required. Auditors also noted a clean grant report. Auditors also noted that the City is slated to earn the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada for the thirty-fifth consecutive year.

Council commended City Staff.

Audit Committee Chair, Mayor Pro Tem Laura Maczka, also commended staff and thanked the Audit Committee.

C. Review and Discuss the Baseline Market Analysis, Arapaho/Collins Enhancement/Redevelopment Study

Monica Heid, Community Projects Manager, reviewed this item for Council. Representatives from SB Friedman and HDR were also present to review this item.

Ms. Heid explained that the purpose of the study is to develop a strategy for addressing underperforming flex space within the study area of Arapaho Road and Collins Boulevard. She reviewed the boundaries, existing conditions, study approach, and tentative schedule.

Mr. Friedman and his team reviewed the existing conditions; market potential; preliminary economics for redevelopment; and redevelopment assets, challenges, and potential strategies.

Ms. Heid reviewed the consultant and staff recommendations:

- Maintain and strengthen linkage to UTD
- Improve internet service
- Further analyze opportunity sites
- Consider establishing a financial assistance program for rehab/new development
- Attract support services/amenities
- Enhance curb appeal
- Re-brand or brand the study area
- Revise study boundaries (Staff recommendation)

D. Review and Discuss Neighborhood Vitality Program Project Implementation

Don Magner, Assistant City Manager, updated Council on the 2010 Bond Program stating that \$2,000,000 was allocated for Neighborhood Vitality Program projects. He explained that \$1,000,000 of savings and interest earnings from the 2006 Neighborhood Vitality Program was made available. Mr. Magner stated that project selection was based on a “Call for Projects” in the fall of 2010 in which 25 neighborhoods submitted more than \$10.7 million in requests. He said that on January 24, 2011, City Council passed Resolution 11-01 finalizing the project selection process.

Mr. Magner reviewed the status of the following projects.

North College Park	1 bridge	Construction complete
Duck Creek	1 bridge	Construction 50% complete
Mark Twain	2 bridges	Construction will commence this week
Cottonwood Heights	4 bridges (1)	Construction will commence in March
Canyon Creek	3 bridges	Preparing to go to bid in May
The Reservation	2 bridges	Concept finalized, preliminary engineering
Greenwood Hills	3 bridges (2)	Preliminary engineering
Greenwood Hills/JJ Pearce	2 bridges (3)	March kick off meeting
Arapaho Road	3 bridges (4)	March kick off meeting
College Park	End cap enhancements	Developing construction documents

Town North Park	Entry feature	Developing construction documents
Woodhaven Townhomes	Entry feature	Developing construction documents
Canyon Creek Ridge	Entry feature	Developing construction documents
Estates of Prairie Creek	Entry feature	Developing construction documents
The Pinery	Entry feature	Finalizing concept
Yale Park	Leave out screening wall	Developing construction documents
Greenwood Hills	Leave out screening wall	Developing construction documents

E. Report on Items of Community Interest

Mayor Pro Tem Maczka commented on the Hearts for the Arts event and noted how far the City has come regarding the arts.

Councilmember Hartley noted that the Pearce High School boys and girls swim teams both won district.

City Manager Johnson commented on the recent State of the City address and noted that it is available on the website and DVD copies will also be made available for homeowners associations and other community groups.

Mr. Johnson also advised Council that the Community Revitalization Awards will be presented next week.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:09 p.m.

MAYOR

ATTEST:

CITY SECRETARY



City of Richardson
City Council Meeting
Agenda Item Summary



City Council Meeting Date: Monday, February 11, 2013

Agenda Item: 2012 Community Revitalization Awards

Staff Resource: Israel B. Roberts, Development Review Manager

Summary: On Monday night, the City Council will recognize the recipients of the 2012 Community Revitalization Awards. This year, we are recognizing eight (8) projects: Three (3) non-residential and five (5) single-family homes.

Board/Commission Action: N/A

Final Action: Recognize recipients of the 2012 community Revitalization Awards.

memorandum

City of Richardson

To: Honorable Mayor and City Council

From: Israel B. Roberts, Development Review Manager

Subject: 2012 Community Revitalization Awards Program

Date: February 11, 2013

The Judging Committee has selected eight projects to receive this year's Community Revitalization Award. The Committee consisted of Councilmen Steve Mitchell and Scott Dunn, City Plan Commissioners Marilyn Frederick and Randy Roland, and Mary Bedosky represented the Chamber of Commerce. At the February 11, 2013 City Council meeting, the following recipients will be recognized:

Govindji's Jewelry
245 N. Central Expressway

QuikTrip
522 W. Belt Line Road

Jack in the Box
510 W. Arapaho Road

Kazmann Residence
2438 Fairway Circle

Guinn Residence
422 Fall Creek Drive

Wallace Residence
404 Arborcrest Drive

Swanson Residence
2302 E. Prairie Creek Drive

Kirk Residence
444 Crestover Drive



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date: Monday, February 11, 2013

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

Staff Resource: Aimee Nemer, City Secretary

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

In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. However your concerns will be addressed by City staff, may be placed on a future agenda, or by some other course of resolution.

Board/Commission Action: N/A

Action Proposed: Receive comments by visitors.



MEMO

DATE: February 7, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services MS
SUBJECT: Zoning File 13-01 – Special Permit – 7-Eleven – 3601 N. Jupiter Rd.

REQUEST

Michael Hampton, representing Lend Lease, is requesting approval of a Special Permit for a motor vehicle service station (convenience store with gasoline sales) in an LR-M(2) Local Retail District with modified development standards. The subject site supports an existing convenience store located in a multi-tenant building on a 1.69-acre lot located at the southwest corner of President George Bush Turnpike and Jupiter Road.

BACKGROUND

The site was developed in 1996 with a 5,328-square foot convenience store, gas pumps and a canopy prior to the requirement for a Special Permit. Consequently the use is legal, nonconforming. The remainder of the 10,657-square foot shopping center was constructed between 2001 and 2003.

7-Eleven will be assuming operation of the convenience store and intends to make several site improvements. Proposed changes include the removal and replacement of the existing canopy, removal of the front vestibule area of the convenience store, re-location of fuel storage tanks, and the addition of parking spaces along the front of the building. The applicant also intends to re-orient the gas pumps and associated queuing from parallel to the building to perpendicular to the building. The modification will reduce the amount of internal stacking required at the gas pumps to the extent that a variance to the City’s Subdivision and Development Ordinance will be required. The re-orientation of the gas pumps and associated queuing triggered the requirement for a Special Permit.

The portion of the building where the vestibule is being removed will be replaced with a wall that will be brought back in line with the remainder of the shopping center. The area being replaced will be constructed of materials to match the existing shopping center. The new gas canopy columns will also utilize masonry materials to match the masonry materials on the shopping center. The canopy fascia will utilize 7-Eleven’s typical corporate logo and color scheme.

No correspondence has been received concerning this request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 5-0, recommended approval of the request as presented.

ATTACHMENTS

- | | |
|---|---|
| Special Conditions | Zoning Exhibit (Exhibit “B”) |
| CC Public Hearing Notice | Building & Canopy Elevations (Exhibit “C-1” and “C-2”) |
| City Plan Commission Minutes 01-15-2013 | Color Building & Canopy Elevations (Exhibits “D-1” and “D-2”) |
| Staff Report | Site Photos (Exhibits “E-1” and “E-2”) |
| Zoning Map | Applicant’s Statement |
| Aerial Map | Notice of Public Hearing |
| Oblique Aerial Looking South | Notification List |

ZF 13-01 Special Conditions

1. A motor vehicle service station, without motor vehicle repair services shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit "B" and made a part thereof.
2. The motor vehicle service station shall be constructed in substantial conformance with the attached concept plan (Exhibit "B").
3. A variance to allow reduced internal stacking at the gas pumps as shown on the attached concept plan (Exhibit "B") shall be allowed.
4. The canopy columns shall be constructed with masonry materials to match the type and color of materials of the existing shopping center. Bollards shall be painted dark bronze.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: January 23, 2013
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: January 25, 2013

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, February 11, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-01

A request by Michael Hampton, representing Lend Lease, for a Special Permit for a motor vehicle service station with modified development standards to be located at 3601 N. Jupiter Road (Southwest corner of President George Bush Turnpike and Jupiter Road). The property is currently zoned LR-M(2) Local Retail.

ZF 13-02

A request by Brian Wilson, representing Toll Brothers, for amendments to the existing special conditions to allow the use of stucco on the south elevations of homes for three (3) lots adjacent to The Reserve subdivision for the development located at the southeast corner of Renner Road and Sharp Lane. The property is currently zoned RP-1500-M Patio Home.

ZF 13-03

A request by Maxwell J. Fisher, representing Masterplan, to revoke Ordinance 2635-A, a Special Permit for a drive-through restaurant, and approval of a Special Permit for a motor vehicle repair shop – major to be located at 1380 W. Belt Line Road (northeast corner of Belt Line Road and Coit Road). The property is currently zoned C-M Commercial.

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

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

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – January 15, 2013**

PUBLIC HEARING

Zoning File 13-01: Consider and take necessary action on a request by Michael Hampton, representing Lend Lease, for a Special Permit for a motor vehicle service station with modified development standards located at 3601 N. Jupiter Road (Southwest corner of President George Bush Turnpike and Jupiter Road). The property is currently zoned LR-M(2) Local Retail.

Mr. Shacklett stated the applicant was requesting a Special Permit for a motor vehicle service station at the southwest corner of Jupiter Road and President George Bush Turnpike (PGBT) in an existing multi-tenant retail shopping center. He added that the applicant was also requesting various changes to the site including:

- 7-Eleven taking over existing convenience store;
- Replace existing canopy and reduce size by approximately 50 percent;
- Change elevation of canopy to match store by using masonry and CMU products;
- Removal of the vestibule and concrete island at the front of the convenience store and adding additional parking; and
- Relocate the underground fuel storage tanks.

Mr. Shacklett stated the applicant would also like to remove the parking from the corner of the lot facing the intersection of Jupiter Road and PGBT to allow for the relocation of the underground tanks, and re-orient the gas pumps changing the stacking of vehicles from perpendicular to the building to parallel to the building, which, according to the City's Subdivision and Development Ordinance (Chapters 21-59), triggered the need for a Special Permit.

Mr. Shacklett noted that the existing driveway did not meet the City's requirement for distance from a signalized intersection, or distance from another driveway along an arterial and staff requested that driveway be closed.

Mr. Shacklett pointed out some of the deficiencies of the site including: a 17-19 foot landscape buffer along PGBT, which is contrary to the PGBT Design Guidelines; however, the site was built prior to the approval of the Guidelines and, two variances would be required to the City's Subdivision and Development Ordinance (Chapter 21-59) relating to the amount of internal stacking required at gas pumps - an 11-foot variance to the 24 feet would be required along the west side of the gas pumps, and a 9.5 feet variance to the required 24 feet along the east side of the gas pumps.

Commissioner Bright asked to clarify that the raised portion in front of the vestibule would also be removed.

Mr. Shacklett replied that it would and the area would become additional parking.

Commissioner DePuy asked if the building and the pumps would be the same color.

Mr. Shacklett replied that construction on the columns would utilize the same CMU and brick that is currently on the building.

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

Mr. Michael Hampton, Lend Lease, representing 7-Eleven, 1828 Tumbleweed Circle, Rockwall, Texas, said he felt the changes they were requesting would increase the operational security and parking for customers, as well as reducing the visual impact by removing the larger canopy and replacing it with a smaller one and would be updating and adding more lights at the site.

Vice Chair Hand asked where the gasoline delivery trucks would be parked during off-loading and was that location within the standard City policies for distances and clearances.

Mr. Shacklett replied that the applicant is proposing to move their underground tanks a few feet to the southwest and closer in to the site. He added that deliveries would most likely be made late at night during the lowest traffic times.

Mr. Hampton added that the delivery of fuel and other products was demand driven and could vary from store to store, but typically deliveries are made during off hours unless there is an extreme demand.

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

Commissioner Bright asked how the QT station on Belt Line Road and the current proposal compared in regard to the stacking of vehicles.

Mr. Shacklett replied that typically from the center of the pump there should be 57 feet, and the applicant's proposed site plan is 47.5 feet on one side and 46 feet on the other side, whereas, QT is approximately 43 feet. He added that most other 7-Elevens are usually in the 40-foot (+/-) range, and the current proposal is similar to what was submitted for the Texaco at Belt Line and Plano Road.

Motion: Vice Chair Hand made a motion to recommend approval of Zoning File 13-01 as presented; second by Commissioner DePuy. Motion passed 5-0.



Staff Report

TO: City Council

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

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

DATE: February 7, 2013

RE: **Zoning File 13-01:** 7-Eleven Motor Vehicle Service Station

REQUEST:

Special Permit for a motor vehicle service station (convenience store with gasoline sales) with modified development standards in a multi-tenant building on a 1.69-acre lot located at the southwest corner of President George Bush Turnpike and Jupiter Road.

APPLICANT / PROPERTY OWNER:

Michael Hampton – Lend Lease / Lewis E. Cook, Jr. – Jupiter Center Associates c/o Sequoia Land Investments

EXISTING DEVELOPMENT:

The site is currently developed as a 10,657-square foot retail building with a convenience store, restaurant and dry cleaner. The fueling area contains four (4) double-sided gasoline pumps.

ADJACENT ROADWAYS:

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

Jupiter Road: Six-lane, divided arterial; 23,300 vehicles per day on all lanes, northbound and southbound, south of Renner Road (May 2011).

SURROUNDING LAND USE AND ZONING:

North: City of Plano

South: Retail/Commercial; LR-M(1) Local Retail

East: Office; C-M Commercial

West: Vacant & Retail/Commercial; LR-M(1) Local Retail

FUTURE LAND USE PLAN:

Neighborhood Mixed-Use

These are areas characterized by mixed of multiple land uses occurring within a single development and/or single building typically built around small, pedestrian-friendly blocks and common open space. Uses include various types of residential, retail, personal service, and neighborhood scale offices. The overall intensity of the development is generally low to medium depending upon surrounding land uses and the transportation infrastructure serving the area.

Future Land Uses of Surrounding Area:

North: City of Plano; Research/Technology Center

South: Neighborhood Mixed-Use

East: Regional Employment

West: Neighborhood Mixed-Use

EXISTING ZONING:

LR-M(2) Local Retail (Ordinance Number 3052-A).

TRAFFIC/ INFRASTRUCTURE IMPACTS:

The requested zoning amendment will not have any significant impacts on the existing utilities in the area. Staff has requested that the existing northernmost driveway on Jupiter Road be closed. The applicant has agreed to close the driveway.

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

The site was initially developed in 1996 with a 5,328-square foot convenience store and gas canopy. Between 2001 and 2003, a 1,955-square foot dry cleaner was constructed on the south side of the convenience store and 3,374 square feet of speculative retail was constructed on the north side of the convenience store. The center is currently occupied by the convenience store (Quik Way convenience store and Shell gas station), a restaurant, and a cell phone repair store. A vacant dry cleaner space is located at the south end of the shopping center. The applicant recently contacted the City stating that 7-Eleven would be taking over the convenience store and gas station and would be making several site improvements.

In July 2008, the Comprehensive Zoning Ordinance was amended to require a Special Permit for motor vehicle service stations in the LR-M(2) Local Retail District. Prior to the amendment, the use was allowed by-right in this district. Therefore, the use is considered non-conforming, and any changes require a Special Permit.

Request:

The proposed improvements include replacing the existing canopy with a smaller canopy, removing the front vestibule area of the convenience store, re-locating the fuel storage tanks, and adding parking spaces along the front of the building. Although these changes would have been allowed without a Special Permit since they would not increase the non-conformity of the use, the reorientation of the gas pumps changes the stacking of vehicles from parallel to the building to perpendicular to the building. This change will require a variance to the City's Subdivision and Development Ordinance (Chapter 21-59) relating to the amount of internal stacking required at the gas pumps. The re-orientation of the pumps triggered the requirement for a Special Permit.

Existing/Proposed Development (significant changes noted in bold):

- Building Size: 10,657-square foot retail shopping center.
The proposed building area would be reduced by approximately 550 square feet with the removal of the vestibule on the front of the building.
- Canopy Size: 4,200-square foot canopy covering fueling area. **The new canopy covering the fueling area would be approximately 2,000 square feet.**
- Building Materials: The building is constructed with brick and stone with glass storefront. The building exceeds the City's minimum masonry percentage requirements. **The existing vestibule on the front of the building will be removed and replaced with split-face CMU, brick, and storefront to match the existing façade. The new canopy will utilize brick and split-face CMU on the columns to match the existing building. The canopy fascia will utilize 7-Eleven's typical corporate logo and color scheme (See attached elevations).**
- Setbacks and Landscape Buffer:
 - Front: 40 feet along President George Bush Turnpike and Jupiter Road. Minimum 30-foot landscape buffer suggested per the President George Bush Highway Design Guidelines. The site was initially constructed prior to the implementation of the guidelines; therefore, the 30-foot landscape buffer is not provided for the entire property.
 - No side or rear building setbacks are required
- Height: 17'4".
- Floor Area Ratio: 0.14:1 / Maximum 0.50:1 allowed.
- Landscaping Percentage: 23% provided, 7% required.
- Number of Parking Spaces: 51 proposed; 48 required.

Site Related Elements:President George Bush Design Guidelines

The subject property is required to conform to the President George Bush Highway (PGBH) Design Guidelines which contains requirements for landscape buffers, trees, shrubs, ground cover, screening and maintenance. The minimum landscape buffer requirement is thirty (30) feet. The site was constructed prior to these guidelines being put in place; therefore, along Jupiter Road, the buffer is approximately seventeen (17) feet wide and along PGBT, the buffer is

approximately nineteen (19) feet. The buffer at the intersection exceeds the 30-foot minimum buffer width. The applicant has stated the site will conform to the approved landscape plan which appears to conform to the guidelines related to trees, shrubs, and parking lot screening.

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

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

The gasoline pumps in the fueling area are currently oriented parallel to the building. The proposed configuration would rotate the pumps ninety (90) degrees to allow the front and rear of vehicles to be visible from inside the building. Based on the existing conditions, an 11-foot variance to the required twenty-four (24) feet would be required along the west side of the gas pumps. Approximately thirteen (13) feet would be provided for traffic to circulate between a car waiting and the parking spaces located on the east side of the property. Also, a 9.5-foot variance to the required twenty-four (24) feet would be required along the east side of the gas pumps. Similar relief from this requirement was granted for the QT at Belt Line Road and Inge Drive and the Renner Road and North Star Road 7-Eleven.

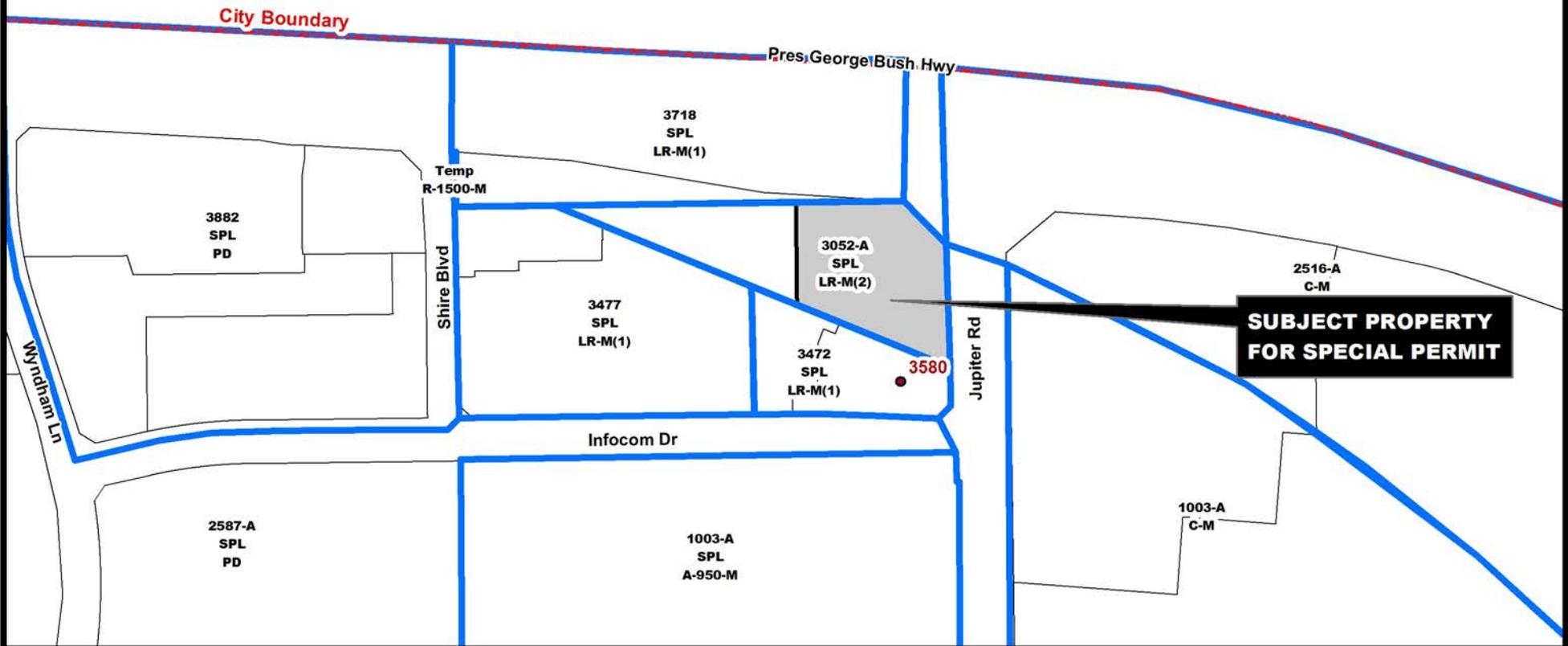
Building Elevations – The only proposed change to the existing building is the removal of the vestibule area at the front entrance of the lease space. The new wall will be brought back in line with the remainder of the shopping center. The vestibule area will be replaced with covered sidewalk area to match the remainder of the front façade of the shopping center. Additional parking spaces will also be provided in the area that was previously sidewalk area adjacent to the vestibule. The updated façade will be constructed to match the existing materials and color of the rest of the shopping center.

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

Motion: On January 15, 2013, the City Plan Commission recommended approval of the request as presented on a vote of 5-0 subject to the following conditions:

1. A motor vehicle service station, without motor vehicle repair services shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
2. The motor vehicle service station shall be constructed in substantial conformance with the attached concept plan (Exhibit “B”).
3. A variance to allow reduced internal stacking at the gas pumps as shown on the attached concept plan (Exhibit “B”) shall be allowed.
4. The canopy columns shall be constructed with masonry materials to match the type and color of materials of the existing shopping center. Bollards shall be painted dark bronze.

ZF 13-01

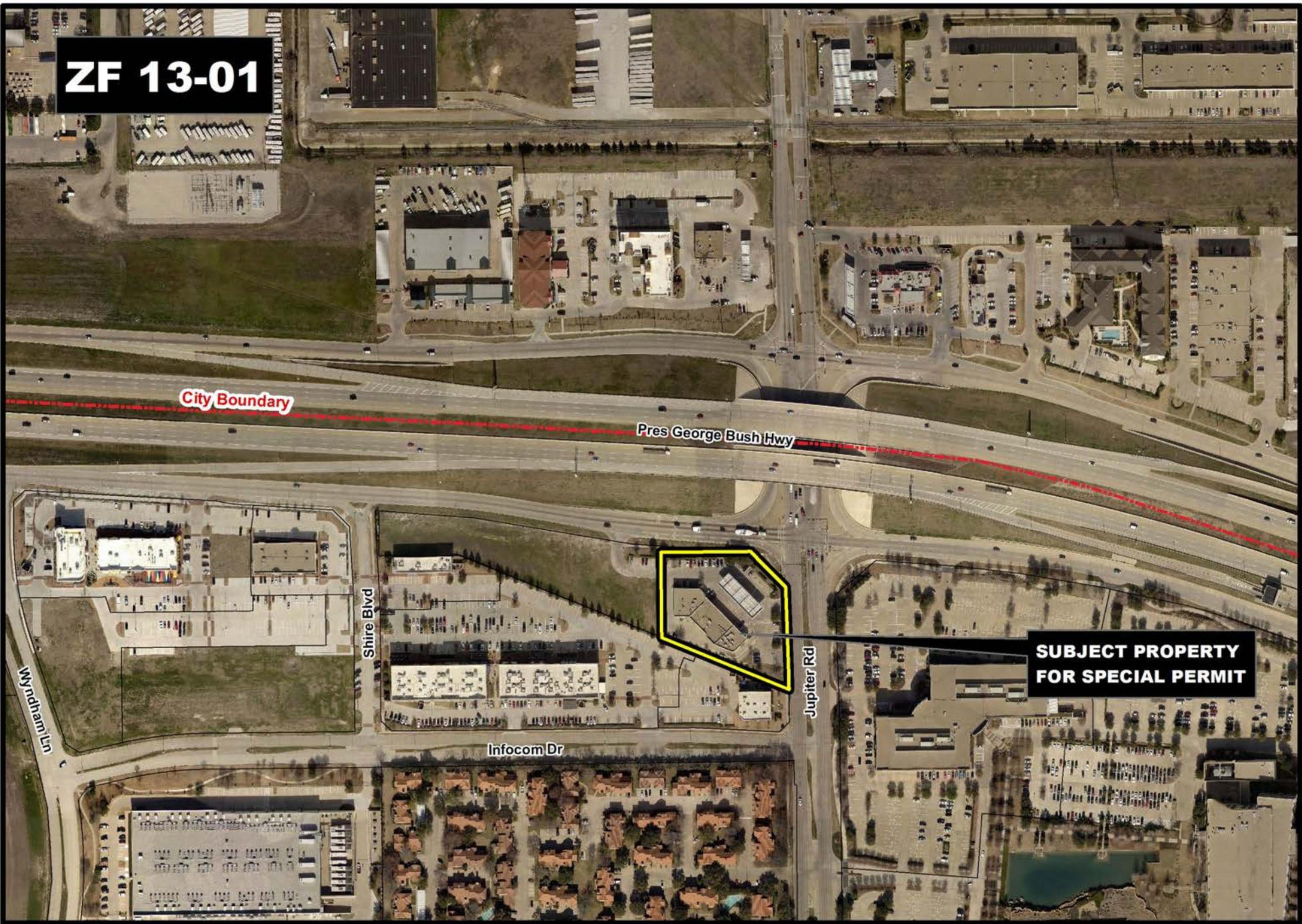


ZF 13-01 Zoning Map

Updated By: shacklett, Update Date: December 11, 2012
File: DSI\Mapping\Cases\Z\2013\ZF1301\ZF1301 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 13-01

City Boundary

Pres George Bush Hwy

Shire Blvd

Jupiter Rd

Infocom Dr

Wyndham Ln

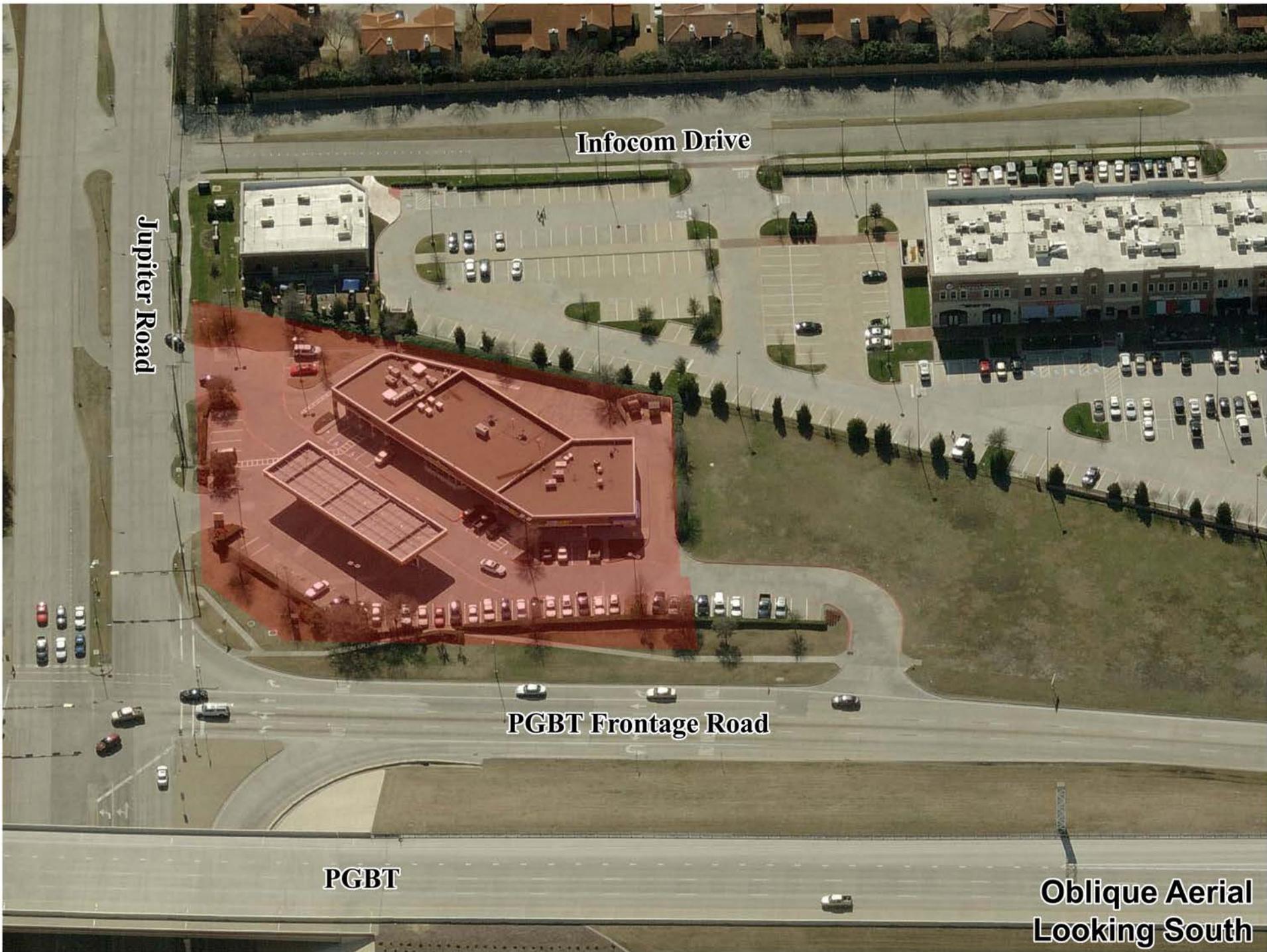
**SUBJECT PROPERTY
FOR SPECIAL PERMIT**

ZF 13-01 Aerial Map

Updated By: shacklett, Update Date: December 11, 2012
File: DSI\Mapping\Cases\Z\2013\ZF1301\ZF1301 ortho.mxd

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Infocom Drive

Jupiter Road

PGBT Frontage Road

PGBT

Oblique Aerial
Looking South



(1)

Looking Northwest at
East Elevation

3601 N. Jupiter Road - December 2012



(2)

Looking Southeast at
North Elevation

Exhibit E-1



3601 N. Jupiter Road - December 2012



Exhibit E-2



MICHAEL HAMPTON, AICP
1828 Tumbleweed Circle, Rockwall Texas 75087 | 214.507.6388 | michael.hampton@lendlease.com

Thursday, December 27, 2012

Attn: Chris Shacklett, AICP
City of Richardson
Dept of Development Services
411 W Arapaho
Richardson, TX

RE: **Land Use Statement for Proposed Special Permit Application
7-Eleven Remodel at 3601 N. Jupiter Rd.**

Dear Mr. Shacklett,

I respectfully submit the enclosed special permit application and concept plan on behalf of the property owner (Sequoia Land Investments) and 7-Eleven, Inc., who proposes to remodel the existing convenience store and motor vehicle fueling station located at 3601 North Jupiter Rd in Richardson, TX.

There are several improvements 7-Eleven will be making to the shopping center as part of its occupancy:

- 1) Complete replacement of existing fuel canopy with a smaller canopy, and no increase in the number (4) of fueling pumps that exist today. Smaller canopy will reduce the visual impact to the shopping center, and modernization of the canopy with energy-efficient LED lighting package that is fully cut-off will also reduce glare and improve the aesthetics. Masonry column wraps are proposed to match the existing materials of the shopping center.
- 2) Reduction of convenience store size and removal of vestibule in front of storefront wall. The existing Shell convenience store at this location occupies roughly half of the existing 10,668-sf multi-tenant shopping center, which was constructed in 1996. 7-Eleven is proposing to occupy only 3,000-sf of the existing space, leaving approximately 1,888-sf of vacant space for another potential tenant. In addition, the front vestibule of the convenience store is proposed to be removed with our permit, and replaced with more covered sidewalk to match the remainder of the front façade of the center. (*See enclosed concept elevation*)
- 3) Improved stacking and circulation on the site. With the proposed removal of six (6) parking spaces and the curbed/concrete area northeast of the existing fuel canopy, additional stacking space is provided for the fueling use. Seven (7) new parking spaces are added in front of the convenience store in place of the curbed concrete area in front of the existing store facade, made possible after the removal of the aforementioned vestibule area. Finally, with our revised submittal enclosed, the driveway has been removed from the NE Corner of the property and replaced with four (4) additional parking spaces to serve the site that do not exist today.
- 4) No impact to existing landscaping areas or plantings, and additional landscaping area will result from the City-required driveway closure at NE corner of the property.

The following deficiencies to the PGBT Design Guidelines are evident on the subject property, and it is 7-Eleven's request to maintain these given its scope of work:

- Minimum 30-ft landscape buffer – as shown on the concept plan, the existing buffer ranges in width from 17.5-ft along Jupiter Rd to 35-ft at the NE Corner of the site, and was approved with the original site plan in 1996. (Conversely, it should be noted that as approved in 1996 and built today there are encroachments of impervious area - parking, drive aisles, etc - that encroach into the 30-ft minimum landscape setback, and we are requesting these conditions to remain as-is)

- Plant material requirements – It is our opinion that the landscape plan most recently approved in 2002 meets the plant material requirements of the PGBT Design guidelines in terms of number and types of canopy trees, ornamental trees, and shrubs, and that the plantings on the site today adhere to that approved plan. No additional plantings are proposed at this time.
- Screening of Parking & Screening areas – The landscaping and screening mechanisms approved in 1996 and 2002 are in place today and no changes are proposed. A new tank vent location is proposed on site, and 7-Eleven is proposing to screen that with additional landscaping if necessary at the time of Development/Landscape Plan review and approval.

As discussed at our presubmittal conference, the trigger for the special permit is due to the proposed fuel canopy replacement and specifically the reorientation of the fuel pumps. Traffic currently flows “parallel” to the existing drive aisle in front of the shopping center, and 7-Eleven is proposing to rotate the traffic flow/queuing 90-degrees to 1) improve internal traffic flow on the site and 2) increase safety/security by ensuring the front/rear of vehicles are clearly visible from the convenience store.

As part of this application, we are respectively requesting approval of a variance to the internal stacking requirements of the City. It is our opinion that there will ultimately be more stacking with this change than currently exists since there will no longer be parking spaces or other obstructions between the northeast side of the proposed fuel canopy and landscape buffer.

If you have questions, please do not hesitate to contact me at 214.507.6388. I look forward to working with the City of Richardson staff, the City Planning Commission and City Council on our case.

Best Regards,

MICHAEL HAMPTON, AICP
ZONING MANAGER, MULTI-SITE GROUP
LEND LEASE (US) CONSTRUCTION, INC.

ENCLOSURES



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 13-01 Motor Vehicle Service Station
Property Owner: Lewis E. Cook, Jr. / Jupiter Center Associates Ltd. c/o Sequoia Land Investments
Applicant: Michael Hampton / Lend Lease
Location: 3601 N. Jupiter Road (See map on reverse side)
Current Zoning: LR-M(2) Local Retail
Request: A request by Michael Hampton, representing Lend Lease, for a Special Permit for a motor vehicle service station with modified development standards.

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

TUESDAY, JANUARY 15, 2013
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.

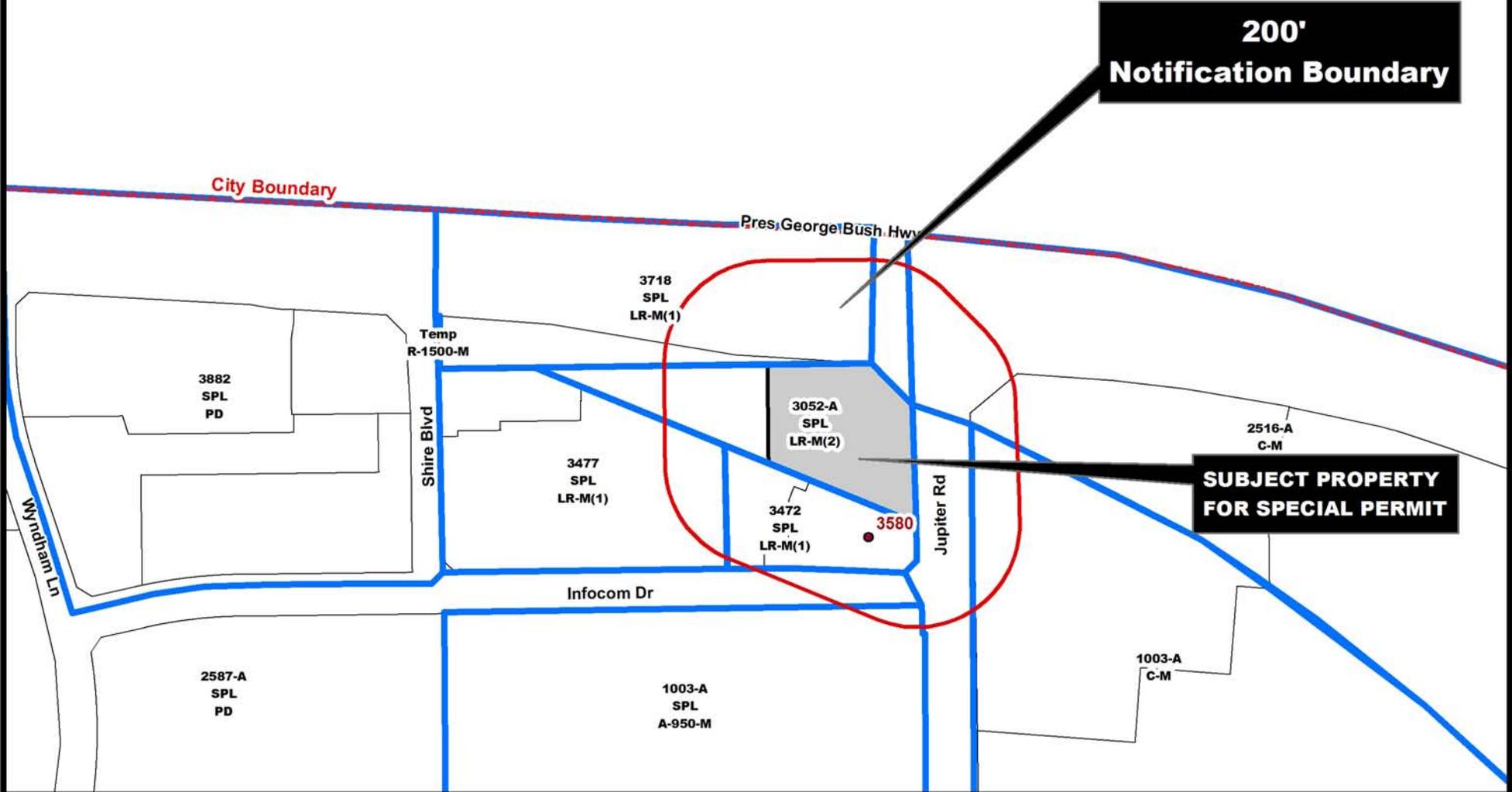
The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions or recommend denial. Final approval of this application requires action by the City Council.

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 13-01.

Date Posted and Mailed: 01/04/2013

ZF 13-01



ZF 13-01 Notification Map

Updated By: shacklett, Update Date: December 11, 2012
File: DSI\Mapping\Cases\Z\2013\ZF1301\ZF1301 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.



SPRING POINTE TIC LLC & ETAL
548 STATE HIGHWAY 155
SAINT GERMAIN, WI 5455-89754

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

FLORIDA COMPANY
3322 SHORECREST DR STE 235
DALLAS, TX 75235-2045

JUPITER CENTER ASSOCIATES LTD
C/O SEQUOIA LAND INVESTMENTS
1-C GATE 5 RD
SAUSALITO, CA 94965-1401

3650 SHIRE LLC
3600 SHIRE BLVD STE 206
RICHARDSON, TX 75082-2238

MICHAEL HAMPTON, AICP
LEND LEASE
1828 TUMBLEWEED CIRCLE
ROCKWALL, TX 75087

LEWIS E. COOK, JR.
JUPITER CENTER ASSOC LTD
c/o SEQUOIA LAND INVESTMENT
1-C GATE FIVE ROAD
SAUSALITO , CA 94965-1401

ZF13-01
Notification List



MEMO

DATE: February 7, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 13-02 – Bridgewater Crossing Amendments.

REQUEST

Brian Wilson, representing Toll Brothers Inc., is requesting amendment of Ordinance No. 3852 to allow the use of stucco instead of masonry on the south elevations of three (3) homes within the Bridgewater Crossing subdivision that are located adjacent to The Reserve subdivision. The subject lots are each approximately 5,000 square feet in area and located at the southeast corner of the subdivision.

BACKGROUND

Bridgewater Crossing is a gated, 17-acre development located at the southeast corner of Renner Road and Sharp Lane. The development is zoned RP-1500-M Patio Home with special conditions. The special conditions specifically require that the south building elevations of Lots 41, 42, and 50, which are adjacent to The Reserve, comprise 100% masonry cladding.

In 2012, Toll Brothers applied for a building permit for a stucco home on Lot 50. The permit was issued, but subsequent to substantial construction of the home, it was determined to have been issued in error. The south elevation is situated along the zero-setback side of the lot and the home had already been constructed on the property line so there is no option to add a brick ledge. A similar situation also affects Lot 41 where the foundation has been poured, but construction of the home has yet to begin. Should the requested amendment not be approved, the applicant is committed to providing masonry cladding on home's south elevation. The applicant contacted The Reserve HOA to discuss the request. The HOA's response (included in the agenda packet) expresses concerns related to roof materials, the color of stucco, and a "cookie-cutter" appearance. The applicant has expressed a willingness to require specific roofing materials and to restrict Lot 42 to 100% masonry, but stated the desire is to continue with the requested amendments as presented.

City Plan Commission discussion included consideration of the concerns expressed by the neighboring HOA and a possible compromise option to preserve the masonry requirement for Lot 42, which is presently unsold and vacant. There were no speakers present to speak regarding the request.

One letter of correspondence expressing neighborhood concerns was received from The Reserve HOA.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 3-2, recommended approval of the request as presented.

ATTACHMENTS

Special Conditions	Zoning Exhibit (Exhibit "B")
CC Public Hearing Notice	Applicant's Statement
City Plan Commission Minutes 01-15-2013	Notice of Public Hearing
Staff Report	Notification List
Zoning Map	The Reserve HOA Correspondence
Aerial Map	Ordinance 3852
Oblique Aerial Looking West	

ZF 13-02 Special Conditions

1. All conditions stated in Ordinance 3852 shall be remain in full force and effect except as otherwise stated.
2. For Lots 41, 42 and 50, Block A, east of the creek, the south elevation of the dwelling units shall be constructed of 100% masonry or cementitious stucco except that glass block shall be a permitted material. Where a second-story exterior wall is offset a minimum of three (3) feet from the plane of the first-floor exterior wall below, the wall of the offset portion shall be excluded from the wall area for purposed of the masonry calculation.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: January 23, 2013
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: January 25, 2013

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, February 11, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-01

A request by Michael Hampton, representing Lend Lease, for a Special Permit for a motor vehicle service station with modified development standards to be located at 3601 N. Jupiter Road (Southwest corner of President George Bush Turnpike and Jupiter Road). The property is currently zoned LR-M(2) Local Retail.

ZF 13-02

A request by Brian Wilson, representing Toll Brothers, for amendments to the existing special conditions to allow the use of stucco on the south elevations of homes for three (3) lots adjacent to The Reserve subdivision for the development located at the southeast corner of Renner Road and Sharp Lane. The property is currently zoned RP-1500-M Patio Home.

ZF 13-03

A request by Maxwell J. Fisher, representing Masterplan, to revoke Ordinance 2635-A, a Special Permit for a drive-through restaurant, and approval of a Special Permit for a motor vehicle repair shop – major to be located at 1380 W. Belt Line Road (northeast corner of Belt Line Road and Coit Road). The property is currently zoned C-M Commercial.

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

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

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – January 15, 2013**

PUBLIC HEARING

Zoning File 13-02: Consider and take necessary action on a request by Brian Wilson, representing Toll Brothers, for amendments to the existing special conditions to allow the use of stucco on the south elevations of homes for three (3) lots adjacent to The Reserve subdivision for the development located at the southeast corner of Renner Road and Sharp Lane. The property is currently zoned RP-1500-M Patio Home.

Mr. Shacklett advised that in 2008 the developer requested zoning for a 62 lot patio home subdivision, of which 12 could be constructed of stucco. In addition, any homes built on Lots 41, 42 and 50 would have to be constructed of 100% brick on their south facing elevations in deference to a request from the adjacent subdivision's homeowners association for The Reserve (RHOA).

In 2012, the developer received approval for an increase in the number of stucco homes from 12 to 25 along with requests to allow attached or detached cedar arbors within three (3) feet of the rear and side lot lines, and to revoke a previously approved Special Permit for a senior housing facility. Later in 2012, a permit was issued in error for a stucco home on Lot 50 and the error was not discovered until after construction had begun on the home. Since the home was built on the zero side of the lot (southern elevation) there was no room to add a brick ledge and the developer is asking that the construction be allowed to continue. The same set of circumstances has occurred on Lot 41 with only the foundation poured.

Mr. Shacklett stated that if the applicant's request was denied, they would use some type of masonry product to satisfy the City's requirements. He pointed out that the applicant contacted the RHOA to inform of them of the requested amendments and to solicit feedback. The RHOA replied they were pleased with the development, but requested the following changes as it related to the stucco homes:

- Wanted all stucco homes to be built with tile roofs similar to other homes in the development;
- Did not want the development to take on a "cookie-cutter" appearance and preferred that not all three (3) lots be constructed with stucco homes; and
- Expressed concerns that the color of the stucco could be very light and stand out more than brick, and the possible repainting of the stucco to a color that was less desirable (RHOA would have control over the color as opposed to the developer).

In closing, Mr. Shacklett noted the applicant was requesting to proceed with the amendment to allow stucco homes on all three lots with no restrictions regarding roof material; however, the applicant was willing to agree to the following conditions if their original request was not approved:

- Use of a tile roof on Lot 50, but still allow for a shingle roof on Lot 41; and
- Restrict the future home on Lot 42 to a brick elevation with no restriction on roof material.

Vice Chair Hand asked why Lots 41, 42, and 50 were in question and not Lot 51 at the end of Brookside Drive. He also wanted to know why undeveloped Lot 42 was included in the request.

Mr. Shacklett replied that Lot 51 was adjacent to Sharp Estates and that Homeowners Association may not have brought up any issues in part because of the location of the adjacent street. Regarding Lot 42, Mr. Shacklett said the applicant and staff thought the RHOA never had a problem with stucco but did not want to see siding material so the applicant was seeking flexibility with the lot.

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

Mr. Ryan Bashaw, 2557 S.W. Grapevine Parkway, Grapevine, Texas, said he remembered the discussion the last time he was before the Commission as to whether stucco was considered masonry and understood that the City did not consider it a masonry product.

Vice Chair Hand asked if the product to be used would be stucco or EFIS.

Mr. Bashaw replied that cementitious stucco would be used and they would prefer to have the middle lot, Lot 42, have the flexibility to have either stucco or brick. He added that they had sent a letter to RHOA outlining what they would like to do and never received a reply from the association.

Commissioner Frederick asked why a permit was requested when the previous special conditions excluded stucco from the lots in questions. She also wanted to know if the request was approved to allow stucco on all three lots would it be their intention not to make all three the same color stucco.

Mr. Bashaw replied that there had been a management change since the original 2008 zoning request and with the changeover in personnel they missed that those particular lots were not allowed stucco.

Regarding the color of the homes, Mr. Bashaw replied they tried to limit similar colors in close proximity to other homes and their job was to market the community and keep it from being a “cookie-cutter” community.

With no further comments in favor or opposed from the audience, Chairman Gantt called for any further comments from the Commission.

Commissioner DePuy stated she thought the neighborhood association was in favor of the proposed changes and felt there was simply a case of miscommunication and misunderstanding regarding stucco versus siding. She added that she was in favor of the item.

Commissioner Frederick said she understood the developer would try to make sure the neighborhood had continuity and appeal, but asked for the Commission to acknowledge the letter received from the RHOA expressing concern that all three lots would be constructed with stucco.

Vice Chair Hand said he concurred, somewhat, with Ms. DePuy that the neighborhood to the south had agreed, albeit a qualified agreement, and in fairness to that association, he felt the middle lot, Lot 42 should remain under the existing agreement, which would leave two stucco homes and one brick home on those lots. Also, regarding the request for tile roofs, he suggested having tile roofs on the two homes that will be built with stucco and to use shingle on the brick home.

Chairman Gantt stated he understood the buyers of the home on Lot 41 had requested a shingle roof and not a tile roof.

Commissioner DePuy did not totally disagree with Mr. Hand's statements and noted that there are neighborhoods throughout the City with nothing but brick homes and others with nothing but stucco, so the argument against having three stucco homes together did not seem to be valid. She added that she was not completely tied to having all three as stucco, but cautioned the Commission about being too specific because it could limit the viability of the lot.

Vice Chair Hand again stated that it seemed to be the best compromise to stay the course on the original agreement regarding Lot 42.

Chairman Gantt said he thought Mr. Hand's proposal was a good attempt at an equitable solution, but also reminded the Commission that the developer had the rights to build a total of 25 stucco homes and there were no other restrictions on where those homes could be built. In addition, Lots 41 and 42 would not be seen together because the properties backed up to each other and were on different streets. He added that he was in favor of the application as presented.

Commissioner Bright concurred with Mr. Gantt and said he was in support of the application as requested.

Mr. Bashaw reminded that Commission that homes need to be specially engineered to support the weight of a tile roof and therefore it would be difficult to go back and reengineer the home on Lot 50 to support a tile roof because it was already under construction.

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

Motion: Commissioner Bright made a motion to recommend approval of Zoning File 13-02 as presented; second by Commissioner DePuy. Motion passed 3-2 with Vice Chair Hand and Commissioner Frederick opposed.



Staff Report

TO: City Council

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

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

DATE: February 7, 2013

RE: **Zoning File 13-02:** Bridgewater Crossing

REQUEST:

Amend the special conditions in Ordinance 3852 to allow the use of stucco on the south elevations of homes for three (3) lots adjacent to The Reserve subdivision.

APPLICANT / PROPERTY OWNER:

Brian Wilson, representing Toll Brothers Inc.

TRACT SIZE AND LOCATION:

The three (3) subject lots, approximately 5,000 square feet each, are located within a 17-acre development, at the southeast corner of Renner Road and Sharp Lane. The lots are located at the southeast corner of the subdivision.

EXISTING DEVELOPMENT:

The site is currently being developed as a private, gated 62-lot patio home community.

ADJACENT ROADWAYS:

Renner Road: Six-lane, divided arterial; 28,100 vehicles per day on all lanes, eastbound and westbound, west of Sharp Lane (May 2011).

Sharp Lane: Two-lane, undivided neighborhood collector; no traffic counts available.

SURROUNDING LAND USE AND ZONING:

North: Multi-Family/Group Quarters & Institutional; PD Planned Development/
R-1500-M Residential

South: Single-Family; R-1500-M & R-1800-M Residential

East: Multi-Family/Group Quarters; PD Planned Development
West: Vacant & Single-Family; R-1500-M Residential

FUTURE LAND USE PLAN:

Neighborhood Residential

The most prevalent land use classification in Richardson, and includes a variety of single-family housing types available for ownership, from detached single-family homes and patio homes to duplexes and single-family attached homes (townhomes).

Future Land Uses of Surrounding Area:

North: Neighborhood Residential & Multi-Family Residential
South: Neighborhood Residential
East: Multi-Family Residential
West: Neighborhood Residential

EXISTING ZONING:

RP-1500-M Patio Home with special conditions (Ordinance No. 3852).

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

STAFF COMMENTS:

Background:

The 17-acre development, known as Bridgewater Crossing was rezoned in 2008 per Ordinance No. 3705 which included an amended concept plan, increased lot sizes, setback modifications, and a reduction in the number of lots from ninety-one (91) to sixty-two (62) lots. The western half of the development (Phase 1) was platted in late 2009 and included twenty-six (26) residential lots. The remaining thirty-six (36) residential lots on the eastern half of the development (Phase 2) were platted in 2011. In 2012, the following amendments to the special conditions were approved:

1. The maximum number of homes allowed to be constructed of cementitious stucco was increased from twelve (12) to twenty-five (25).
2. Attached or detached, stained cedar arbors were allowed to be located within three (3) feet of the rear and side lot lines when located in the required 10-foot rear yard.
3. The Special Permit for an independent living senior housing facility on the subject property was revoked.

Proposed Amendments:

The current zoning permits a maximum of twenty-five (25) homes to be constructed of cementitious stucco; however, the south elevations of Lots 41, 42, and 50 (as depicted on the concept plan in Ordinance No. 3852) are required to be 100% masonry with the exception of glass block which is permitted material. This requirement was added as part of the zoning request in 2008 to address concerns from the adjacent subdivision, The Reserve, regarding the appearance of the homes facing their subdivision. Toll Brothers states they feel the cementitious stucco being used meets the intent of the ordinance as it relates to the masonry requirement; however, Ordinance No. 3852 makes a clear distinction between masonry and stucco in Subsections 2.a. and 2.b. Therefore, the applicant's request is to amend the regulations to allow the homes on the three (3) subject lots to utilize stucco on the south elevations to allow buyers flexibility in determining the exterior finish of their home.

In 2012, Toll Brothers applied for a building permit for a stucco home on Lot 50. The permit was issued, but at a later date, it was identified by City Staff that the permit was issued in error. At that time, construction had already commenced and staff informed the applicant that the home has to use masonry materials on the south elevation. The south elevation is the zero-side of the lot and the home had already been constructed on the property line so there was not an option to add a brick ledge; furthermore, Toll Brothers states that the prospective buyer purchased the lot with the expectation of a stucco home. In an effort to alleviate any further delays, the applicant requested that construction be allowed to continue with the caveat that if the request is denied, some form of masonry materials would be utilized that would satisfy the City's requirements. A similar situation occurred on Lot 41, and the applicant has provided the same assurances regarding the use of masonry if the request is not approved. On Lot 41, the foundation has been poured, but construction of the home has yet to begin.

The applicant contacted The Reserve HOA to inform them of their requested amendments and to solicit feedback. The HOA president stated they are pleased with the Bridgewater Crossing project, but he also provided concerns and clarifications that he received from the homeowners. The email from the HOA president to the applicant is included in this packet. The following concerns/requests relating to stucco homes are outlined below:

1. The Reserve HOA would want all stucco homes to be built with tile roofs similar to other homes in the development.
2. The Reserve HOA would prefer that not all three (3) lots be stucco homes so the development would not take on a "cookie-cutter community" look since the remainder of Bridgewater Crossing does not reflect that sort of community.
3. The Reserve HOA has concerns that the color of the stucco can be very light and stand out more than brick; furthermore, there is concern with the stucco being repainted in the future to a color that is less desirable.

The applicant has stated their desire is to proceed with the amendment to allow all three (3) homes to be stucco on the south elevation, with no restrictions regarding roof material. However, the applicant would be willing to agree to the following conditions:

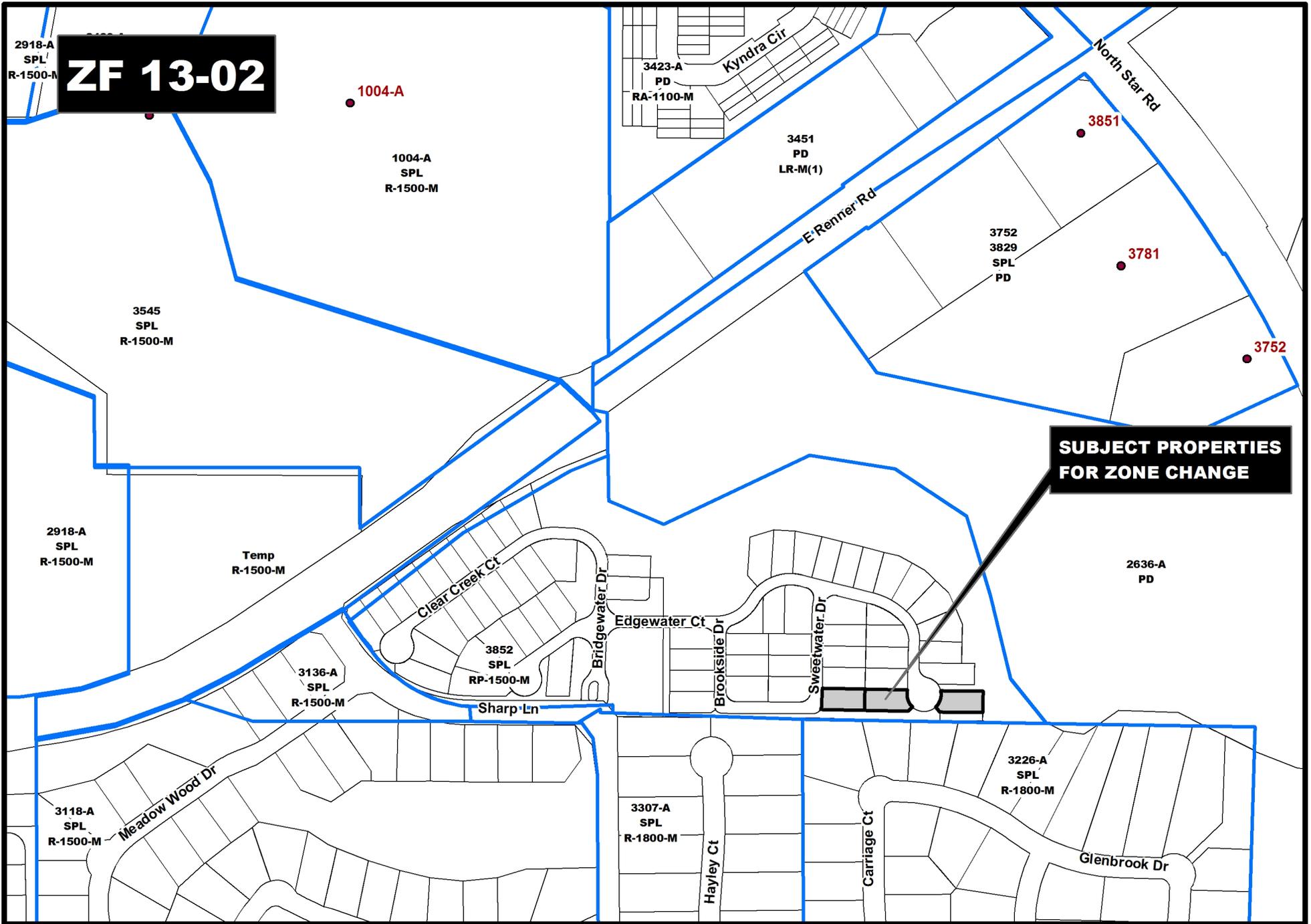
1. Use of a tile roof on Lot 50, but still allow for a shingle roof on Lot 41.

2. Restrict the future home on Lot 42 to a brick elevation with no restriction on the roof material.

Correspondence: As of this date, no correspondence in favor or opposition has been received with the exception of the email from The Reserve HOA.

Motion: On January 15, 2013, the City Plan Commission recommended approval of the request as presented on a vote of 3-2 subject to the following conditions:

1. All conditions stated in Ordinance 3852 shall be remain in full force and effect except as otherwise stated.
2. For Lots 41, 42 and 50, Block A, east of the creek, the south elevation of the dwelling units shall be constructed of 100% masonry or cementitious stucco except that glass block shall be a permitted material. Where a second-story exterior wall is offset a minimum of three (3) feet from the plane of the first-floor exterior wall below, the wall of the offset portion shall be excluded from the wall area for purposed of the masonry calculation.



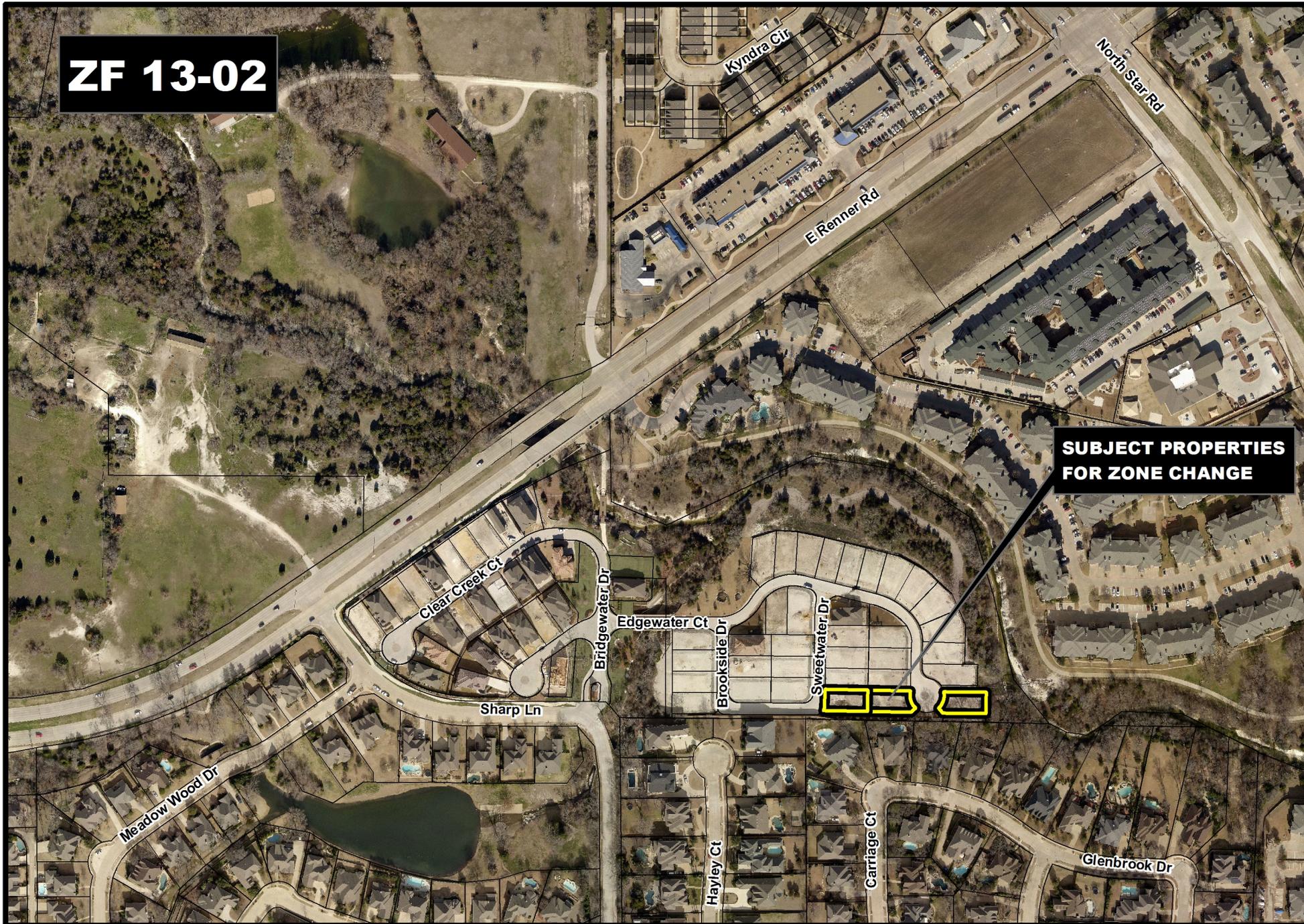
ZF 13-02 Zoning Map

Updated By: shacklett, Update Date: January 3, 2013
 File: DSI\Mapping\Cases\Z\2013\ZF1302\ZF1302 zoningLots41-42-50.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 13-02



**SUBJECT PROPERTIES
FOR ZONE CHANGE**

ZF 13-02 Aerial Map

Updated By: shacklett, Update Date: January 3, 2013
File: DSI\Mapping\Cases\Z\2013\ZF1302\ZF1302 orthoLots41-42-50.mxd

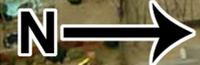
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Sharp Lane

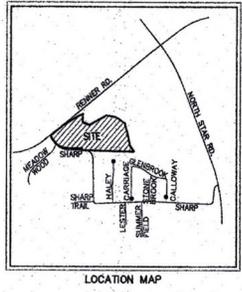
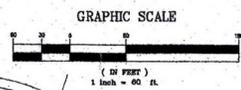
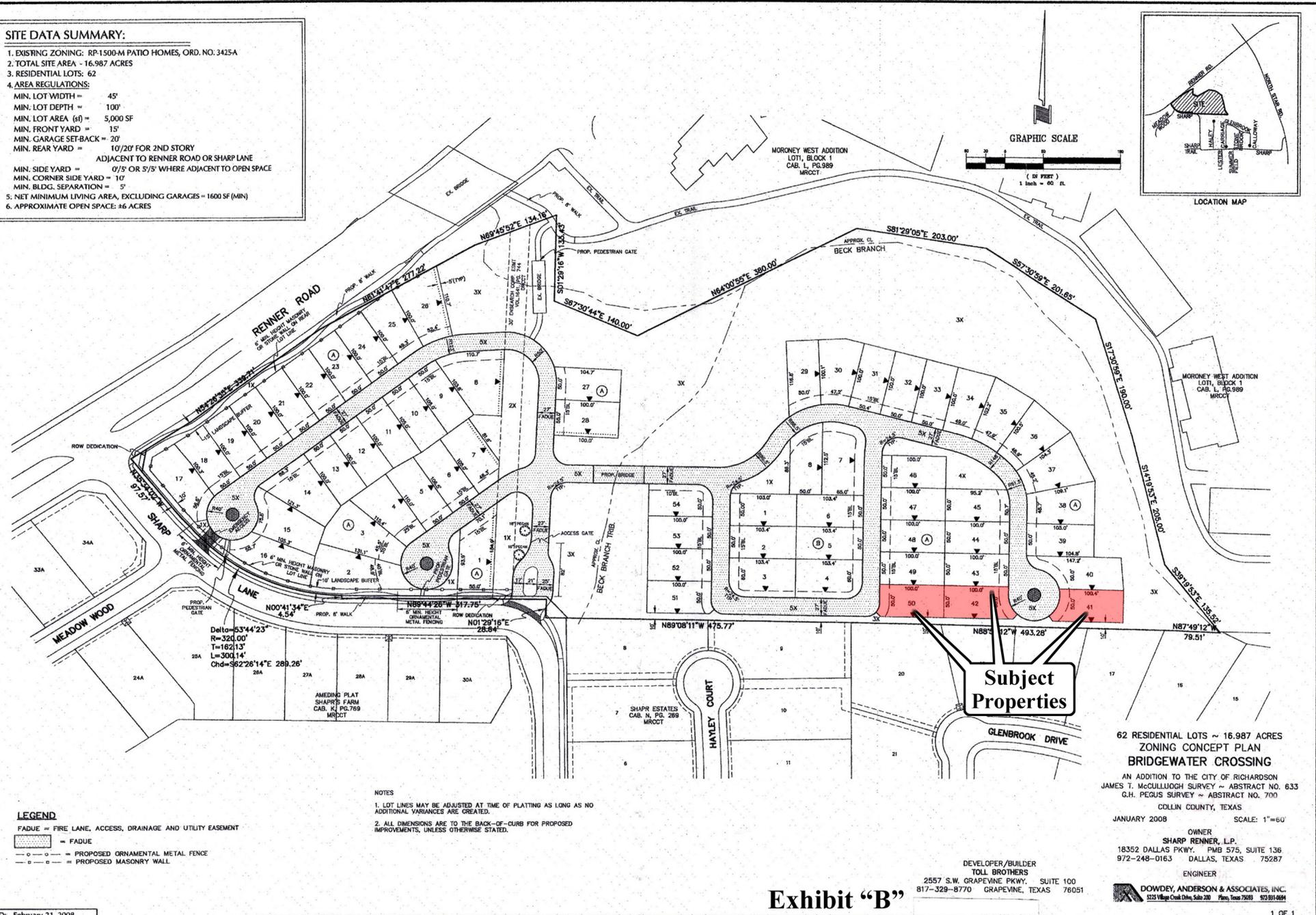
Renner Road



Oblique Aerial Looking West

SITE DATA SUMMARY:

- EXISTING ZONING: RP-1500-M PATIO HOMES, ORD. NO. 3425A
- TOTAL SITE AREA - 16.987 ACRES
- RESIDENTIAL LOTS: 62
- AREA REGULATIONS:
 - MIN. LOT WIDTH = 45'
 - MIN. LOT DEPTH = 100'
 - MIN. LOT AREA (A) = 5,000 SF
 - MIN. FRONT YARD = 15'
 - MIN. GARAGE SET-BACK = 20'
 - MIN. REAR YARD = 10/20' FOR 2ND STORY
- ADJACENT TO RENNER ROAD OR SHARP LANE
 - MIN. SIDE YARD = 0/5' OR 5/5' WHERE ADJACENT TO OPEN SPACE
 - MIN. CORNER SIDE YARD = 10'
 - MIN. BLDG. SEPARATION = 5'
- NET MINIMUM LIVING AREA, EXCLUDING GARAGES = 1600 SF (MIN)
- APPROXIMATE OPEN SPACE: 46 ACRES



Subject Properties

62 RESIDENTIAL LOTS ~ 16.987 ACRES
 ZONING CONCEPT PLAN
BRIDGEWATER CROSSING
 AN ADDITION TO THE CITY OF RICHARDSON
 JAMES T. McCULLOUGH'S SURVEY ~ ABSTRACT NO. 633
 G.H. PEGUS SURVEY ~ ABSTRACT NO. 700
 COLLIN COUNTY, TEXAS
 JANUARY 2008 SCALE: 1"=60'

OWNER
 SHARP RENNER, L.P.
 18352 DALLAS PKWY., PMB 575, SUITE 136
 972-248-0163 DALLAS, TEXAS 75287

ENGINEER
 DOWDEY, ANDERSON & ASSOCIATES, INC.
 5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0294

DEVELOPER/BUILDER
 TOLL BROTHERS
 2557 S.W. GRAPEVINE PKWY., SUITE 100
 817-329-8770 GRAPEVINE, TEXAS 76051

Exhibit "B"

- NOTES
- LOT LINES MAY BE ADJUSTED AT TIME OF PLATING AS LONG AS NO ADDITIONAL VARIANCES ARE CREATED.
 - ALL DIMENSIONS ARE TO THE BACK-OF-CURB FOR PROPOSED IMPROVEMENTS, UNLESS OTHERWISE STATED.

- LEGEND**
- FADUE = FIRE LANE, ACCESS, DRAINAGE AND UTILITY EASEMENT
 - = FADUE
 - - - - - = PROPOSED ORNAMENTAL METAL FENCE
 - - - - - = PROPOSED MASONRY WALL

Explanation and Description of Request

Toll Brothers is asking for a change to Ordinance 3852 to allow cementitious stucco material to be used as an exterior wall covering on lot 41 – Block A, Lot 42 – Block A, Lot 50 – Block A, all in phase 2 of Bridgewater Crossing, Richardson, Texas. This proposed change in the ordinance would allow Toll Brothers to fulfill current contracted obligations to buyers for these home sites and deliver each buyer's desired exterior finishes.

Toll Brothers is currently permitted in Ordinance 3852 to deliver 25 Cementitious Stucco homes in Bridgewater Crossing and would like to include these home sites in this allotment. We feel that these homes meet the requirement of the ordinance in that each home will be constructed of 100% masonry materials, cementitious stucco. Toll Brothers also feels that by building these homes of stucco materials, there will be no negative effect to any of the existing home owners or neighboring communities.

Toll Brothers received a request from The Reserve at Sharp Lane HOA for the following considerations;

1. All stucco homes have tile roofs installed.
2. That all other aspects of the agreement between communities be maintained.
3. Not all homes be built of Stucco to avoid a Cookie Cutter look.
4. Concerns with the color of the stucco homes against the landscape buffer
5. Concerns that stucco can be repainted in the future to an undesirable color.

In response to these requested consideration, Toll Brothers will agree to the following limitations;

1. Lot 50 – Block A will have a Tile roof as requested by the current buyer.
2. Lot 41 – Block A will have shingle roof as requested by the current buyer.
3. The home on Lot 42 – Block A will be restricted to a Brick Elevation for any future buyer.
4. Future stucco painting will not be controlled by Toll Brothers after the community is built out. Bridgewater Crossing HOA will have the approval control of such a change to homes in the the community.
5. The previous agreement between both communities involved will be maintained.



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

REVISED SPECIAL CONDITIONS

File No./Name: ZF 13-02 Bridgewater Crossing
Property Owner: Toll Brothers
Applicant: Brian Wilson / Toll Brothers
Location: Southeast corner of Renner Road and Sharp Lane
(See map on reverse side)
Current Zoning: RP-1500-M Patio Home
Request: A request by Brian Wilson, representing Toll Brothers, for amendments to the existing special conditions to allow the use of stucco on the south elevations of homes for three (3) lots adjacent to The Reserve subdivision.

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

TUESDAY, JANUARY 15, 2013
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.

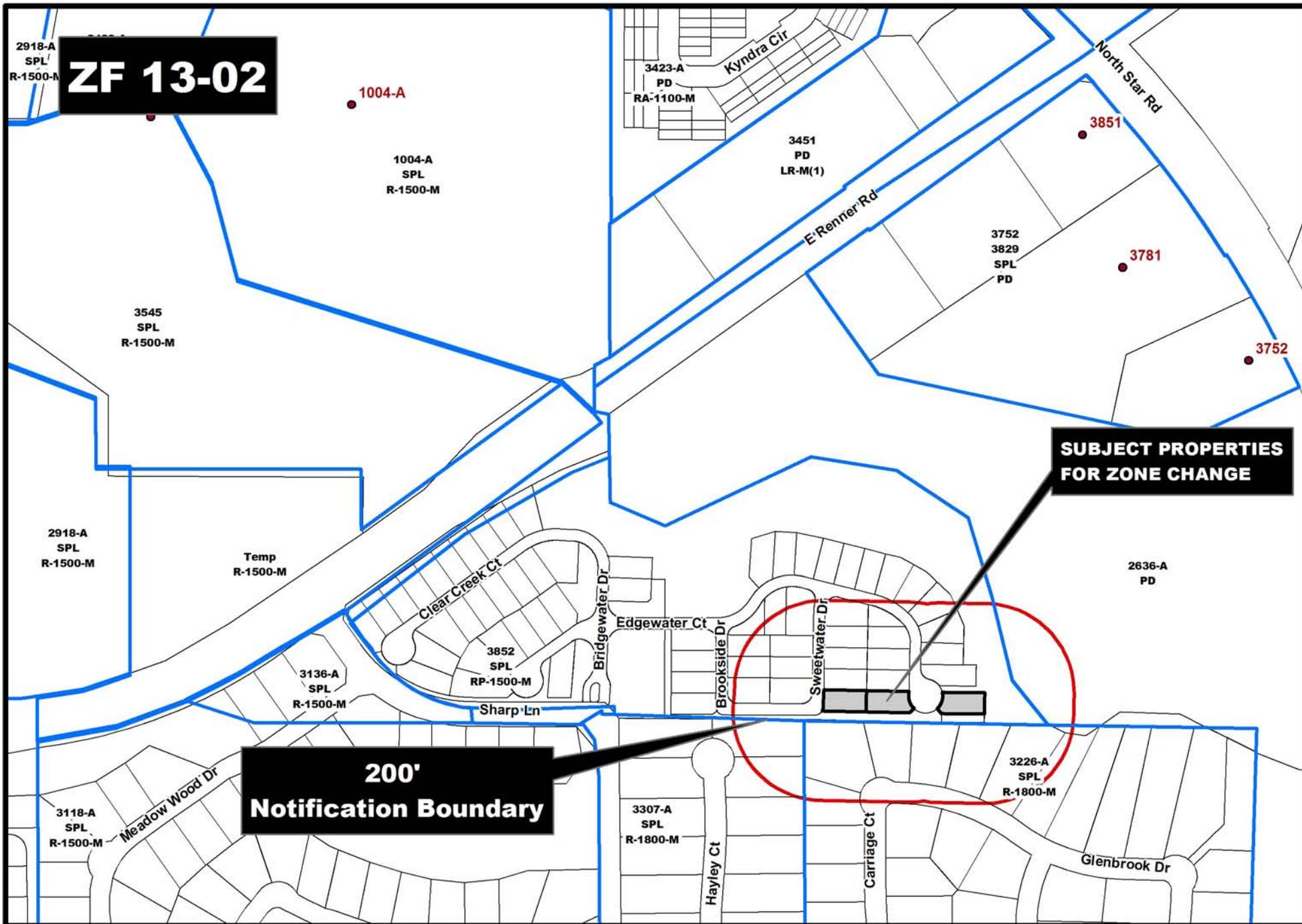
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 13-02.

Date Posted and Mailed: 01/04/2013



ZF 13-02 Notification Map

Updated By: shacklett, Update Date: January 3, 2013
 File: DSI\Mapping\Cases\Z\2013\ZF1302\ZF1302 notificationLots41-42-50.mxd

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STUART SPENCER R
3325 CARRIAGE CT
RICHARDSON, TX 75082-3663

CASH MARY M
4101 GLENBROOK DR
RICHARDSON, TX 75082-3665

WARREN WADE & LEITHIA
4105 GLENBROOK DR
RICHARDSON, TX 75082-3665

CASTILLO DANIEL A &
AMY S CASTILLO
4109 GLENBROOK DR
RICHARDSON, TX 75082-3665

CARTY EARL
4113 GLENBROOK DR
RICHARDSON, TX 75082-3665

BEALL JOHN
4117 GLENBROOK DR
RICHARDSON, TX 75082-3665

BURNETT PATRICIA G
3321 CARRIAGE CT
RICHARDSON, TX 75082-3663

SOUTHWEST CLEARWATER CREEK PAR
2100 LAKESIDE BLVD # 425
RICHARDSON, TX 75082-4350

PATEL JAYESH R & VIBHUTI J
3328 HAYLEY CT
RICHARDSON, TX 75082-2669

RUDLUFF JEFFREY S &
EDWARDS S MICHAEL
3324 HAYLEY CT
RICHARDSON, TX 75082-2669

SMITH GERALD & ANGELA
3320 HAYLEY CT
RICHARDSON, TX 75082-2669

BRIDGEWATER CROSSING #2B HOME O
C/O TOLL DALLAS TX LLC
250 GIBRALTAR RD
HORSHAM, PA 19044-2323

TOLL DALLAS TX LLC
250 GIBRALTAR RD
HORSHAM, PA 19044-2323

TAYLOR RONALD & DEBORAH JAN
3410 BROOKSIDE DR
RICHARDSON, TX 75082-5601

BRIDGEWATER CROSSING
HOMEOWNER
C/O REAL MANAGE
16200 ADDISON RD # 150
ADDISON, TX 75001-5333

THAMMASITHIBOON SANDY
3418 SWEETWATER DR
RICHARDSON, TX 75082-5607

**BRIAN WILSON
TOLL BROTHERS
2557 SW GRAPEVINE PARKWAY
GRAPEVINE, TEXAS 76051**

**ZF 13-02
Notification List**



To: Brian Wilson <bwilson@tollbrothersinc.com>, promero@downsstanford.com, Chris.Shacklett@cor.gov, david.morgan@cor.gov, Paul Voelker <prvoelker@sbcglobal.net>, jkupa@sbcglobal.net,
Cc:
Bcc:
Subject: Re: Richardson Ordinance 3852 - Bridgewater Crossing Lots 41, 42 and 50
From: PAUL VOELKER <prvoelker@sbcglobal.net> - Thursday 12/20/2012 11:10 AM

History: This message has been forwarded.

Brian,

Thanks for reaching out to the homeowners of The Reserve at Sharp Lane HOA in Richardson concerning the City of Richardson Ordinance 3852 at Bridgewater Crossing specific to lots 41, 42 and 50. I sent your information to the HOA board and adjacent neighbors to these lots. In general and as in our support of your previous request to the city to increase the total number of stucco homes in your overall development the feedback I received was positive. Below are some of the concerns or clarifications that I received:

1. That all stucco homes built would be done so with the same type of tile roofs used in the other homes built on the development.
2. That all other aspects of our agreement be maintained.
3. The adjacent homeowners would prefer that not all of the lots be stucco as this could make the development from our view look too much like a .cookie cutter. community and we all agree your development is not that.
4. We also have a concern for the color of the homes. Stucco can be very light and will stand out more than traditional brick. (This is a concern from the aspect of standing out against the trees that act as a border between our properties) We also are concerned that stucco can be repainted with a large variety of colors that may be difficult to live with.

Brian, we have enjoyed our relationship with the Toll Brothers and are very happy with your project at Bridgewater Crossing. I hope you find this feedback helpful. I have passed your contact information on to the homeowners and they may also reach out to you too.

Regards,

Paul Voelker

President

The Reserve at Sharp Lane HOA

972-234-8412

From: Brian Wilson <bwilson@tollbrothersinc.com>
To: "prvoelker@sbcglobal.net" <prvoelker@sbcglobal.net>
Sent: Fri, December 14, 2012 5:10:34 PM
Subject: Richardson Ordinance 3852 - Bridgewater Crossing Lots 41, 42 and 50

Mr. Voelker

Thanks for calling this morning to discuss the matter of Bridgewater Crossing and the City of Richardson Ordinance 3852. Toll Brothers will be applying for a change to this ordinance in order to deliver three stucco homes on the Southern border of Bridgewater Crossing (Lots 41, 42 and 50 in Block A). These lots back up to four homes in your (Lots 17-20) community along Glenbrook Drive.

Back in April, 2008, Toll Brothers and The Reserve homeowners Association agreed to certain terms to be in the Ordinance and these three lots. Landscape buffers and a retaining wall be provided by Toll Brothers, a separation was to be established between these three lots for this to be accomplished and that these three homes be constructed of 100% masonry on the South facing walls, visible by your residents. We plan to continue with this agreement between our communities.

We are have started construction on two of the three lots and plan to build Cementitious Stucco homes.. Toll Brothers is permitted by the Ordinance to deliver 25 Stucco homes in our community but the question come up as to what is allowed to be used as an exterior construction material on the Southern facing walls. The City of Richardson has placed our home's permits on hold in order to come to a resolution to this matter.

We will be requesting a change to the ordinance so that these three specific lots be allowed to have Cementitious Stucco on the Exterior facing the South. We will abide by our original agreement with The Reserve and only specifically address the materials that can face the residents of The Reserve. Also, in our community we have built several stucco homes in accordance with this Ordinance and will be continuing the same architectural design on these three specific lots.

As a courtesy to you, our neighbor, we would like to make you aware of our intent to request a change in Ordinance 3852 and welcome any feedback from your residents that are affected. If you could please provide us with feedback so we may share it with the City of Richardson Community Services and proceed with our request.

Please call me if you have any questions or would like to discuss this further.

Thank You
Brian Wilson
Toll Brothers - America's Luxury Home Builder
Assistant Project Manager - Bridgewater Crossing
Richardson, Texas
972-955-5631 (mobile)
972 918-9646 (office)
972 231-5975 (fax)
bwilson@tollbrothersinc.com

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The information provided herein is for informational purposes only. Nothing contained herein is intended to obligate or bind Toll Brothers, Inc., its affiliates, or subsidiaries unless signed by all parties in an agreement of sale.

ORDINANCE NO. 3852

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY AMENDING AND RESTATING ORDINANCE NO. 3705 BY AMENDING THE SPECIAL CONDITIONS FOR PATIO HOMES AND BY REPEALING THE SPECIAL PERMIT FOR INDEPENDENT LIVING SENIOR HOUSING FACILITY FOR THE PROPERTY DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO-THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 11-25).

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

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

SECTION 1. That Ordinance No. 3705-A, adopted on May 12, 2008, is hereby repealed.

SECTION 2. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending and restating Ordinance No. 3705 to amend the special conditions for the RP-1500-M Patio Home development and to repeal the special permit for an independent living housing facility for the property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 3. That the RP-1500-M Patio Home District previously granted by Ordinance No. 3705 is hereby amended and is subject to the following special conditions:

A. Use Restrictions

1. Development shall take place generally in accordance with the Concept Plan approved by Ordinance No. 3705 and which is attached hereto as Exhibit "B".
2. Development shall take place in accordance with the development standards established in the RP-1500-M Patio Home District, except as otherwise provided herein.

B. Building Regulations

1. *Minimum size:* The minimum area of the main building shall be 1,600 square feet, exclusive of garages, breezeways, and servants' quarters.
2. *Type of materials:* All buildings shall be constructed in accordance with Article XXII-F Exterior Construction Standards of the City of Richardson Comprehensive Zoning Ordinance except that:
 - a. A maximum of twenty-five (25) homes may be constructed of cementitious stucco material.
 - b. In no instance shall any elevation facing Renner Road or Sharp Lane be less than 100% masonry or stucco, excluding doors and windows.
 - c. For Lots 41, 42 and 50, Block A east of the creek, the south elevation of the dwelling units shall be constructed of 100% masonry except that glass block shall be a permitted material. Where a second-story exterior wall is offset a minimum of three (3) feet from the plane of the first-floor exterior wall below, the wall of the offset portion shall be excluded from the wall area for purposes of the masonry calculation.

C. Area Regulations

1. *Area of the lot:* The minimum area of the lot shall be 5,000 square feet.
2. *Width of the lot:* The minimum width of the lot at the required front building line shall be fifty (50) feet, except for Lots 2, 3, 4, 25, 30, 34, 35, 36 37, and 38 of Block A, which shall have a minimum width of forty-five (45) feet at the front building line.
3. *Depth of the lot:* The minimum depth of the lot shall be 100 feet.
4. *Lot coverage:* The lot coverage of all buildings shall not exceed 65% of the area of the lot.
5. *Front Setback:* There shall be a front setback having a minimum depth of fifteen (15) feet. In no instance, however, shall the minimum front setback for the first floor of that portion of a building where a garage door faces the street be less than

twenty (20) feet. For swing/side entry garages, a minimum driveway length of twenty (20) feet shall be provided to the garage door opening.

Where lots have double frontage running through from an internal street to Sharp Lane or Renner Road, direct access to Sharp Lane or Renner Road shall be prohibited. Said lots shall be considered to be fronting the internal street.

6. *Side setbacks:*

- a. There shall be a side setback on one side of the lot of at least five (5) feet, except that on any side yard adjacent to a street, a side setback of at least ten (10) feet must be provided. The ordinary projections of a roof eave or cornice may extend into the required five-foot side setback a maximum of two (2) feet. A fireplace, windowsill, box or bay window, or other architectural features not more than ten (10) feet in width, may extend a maximum of two (2) feet into the required five-foot side setback.
- b. Except as provided herein, all buildings shall be built on the property line on one side of the lot, hereinafter called the zero side. The side of the structure located on the zero side shall contain no openings, appendages, or overhangs. There shall be a minimum separation of five (5) feet between all buildings. No additional screening shall be required on the zero side of the lot.
- c. When lots are platted or in other ways created, adequate easements three (3) feet in width for structural overhang and structural maintenance shall be dedicated on those lots wherein a zero side yard is adjacent to the lot being platted or created.
- d. Each adjacent lot shall provide a roof eave and access easement, a minimum of three (3) feet in width, adjacent to the zero setback side to allow the property owner access for maintenance of the dwelling. The roof eave may encroach sixteen (16) inches into the easement. A gutter and down spout shall be required along the zero setback side to ensure drainage is handled on the owner's property and said gutter system is not included in the calculation of the eave encroachment.
- e. Swimming pool equipment may be located in the side setback a minimum of three (3) feet from any side lot line.
- f. No setback shall be required from an interior side lot line for air conditioning equipment or an uncovered porch or patio.
- g. The following lots shall not be required to have a zero side: Lots 1, 7, 8, 26 and 28 of Block A. For these lots, a minimum five (5) foot wide setback shall be provided adjacent to both property lines, except that a side setback of at least ten feet shall be provided on any side yard adjacent to a street.

7. *Rear setback:* There shall be a rear yard of not less than ten (10) feet.
8. *Parking regulations:* A minimum of two (2) parking spaces per dwelling unit shall be provided behind the front building line in an enclosed garage.
9. *Accessory buildings:* Attached or detached stained, cedar arbors shall be allowed on residential lots. The arbors shall be allowed in the rear yard subject to a minimum three (3) foot rear yard setback and a minimum three (3) foot side yard setback.
10. *Unusable land areas:* No pond, creek, or other unusable terrain shall be changed without the approval of such plans by the City Engineer or his designee.

D. Special Regulations

1. *Alleys:* Alleys shall not be required.
2. *Private streets:* Streets interior to the subdivision shall be privately owned and maintained and constructed in accordance with the approved City detail to a paved width of twenty-seven (27) feet. A ten-foot utility easement shall be provided in the front yard of each lot.
3. *Emergency access:* A decorative metal emergency-only access gate shall be installed as approved by the Richardson Fire Department, with a perforated concrete driving surface at the end of the northern cul-de-sac adjacent to Sharp Lane, per the concept plan.
4. *Construction traffic:* The developer and the city shall determine a construction traffic management plan, which shall be included in the construction documents for the subdivision.
5. *Sidewalks/Hike and Bike Trail:*
 - a. Sidewalks shall not be required within the development.
 - b. A hike and bike trail shall be provided that offers a link to the existing City trail as indicated on the concept plan. Controlled pedestrian access shall be provided to the trail along Sharp Lane at the end of the cul-de-sacs adjacent to Sharp Lane, per the concept plan.
6. *Landscaping and fencing:*
 - a. Along Renner Road, a minimum fifteen (15) foot wide landscape and pedestrian strip shall be provided in addition to the standard parkway. Exceptions shall be permitted in those locations, as shown on the Concept Plan (Exhibit "B"), where an ingress/egress drive from the public street

crosses this strip. This landscape strip shall be a common area owned by the Homeowners Association and shall include ornamental trees and shrubs, a minimum eight (8) foot wide meandering sidewalk, and if berms are provided, they shall be at a maximum 3:1 slope. The berms and sidewalk shall be designed to meander throughout the landscape strip and parkway so that no visual separation is apparent between the landscape zone and the parkway. The cost sharing for constructing the oversized sidewalk shall follow the City's standard over sizing procedures.

In conjunction with said landscaping, a screening wall, a minimum of six (6) feet in height, constructed of masonry, stone or a combination thereof, shall be provided adjacent to Renner Road.

In addition, a corner entry feature will be constructed at the southeast corner of Renner Road and Sharp Lane that is compatible with the existing corner feature of the Sharp's Farm Development.

- b. Along Sharp Lane, a minimum ten (10) foot wide landscape and pedestrian strip shall be provided in addition to the standard parkway. The exception to this will be in those locations, as shown on the Concept Plan (Exhibit "B"), where an ingress/egress drive from the public street crosses this strip. This landscape strip shall be a common area owned by the Homeowners Association and shall include ornamental trees and shrubs, and a minimum eight-foot meandering sidewalk. The cost sharing for constructing the oversized sidewalk shall follow the City's standard over sizing procedures.

In conjunction with said landscaping, a screening wall, a minimum of six (6) feet in height, constructed of masonry, stone, decorative metal with masonry or stone columns, or any combination thereof, shall be provided adjacent to Sharp Lane, per the concept plan.

- c. When a fence is built in the rear yard of a lot that is adjacent to a "Common Area" that is not included as a perimeter treatment adjacent to a street, the fence shall be constructed of tubular steel/wrought iron, or other comparable material.
- d. In no instance shall an individual screening fence be taller than the perimeter screening wall on Renner Road or Sharp Lane when said fence is parallel or generally parallel to said wall.
- e. Adjacent to Sharp Estates and The Reserve subdivisions, a screening and buffering plan shall be provided for Plan Commission approval at the time Development Plans are submitted. The plan shall include a ten (10) foot landscape buffer consisting of a retaining wall and evergreen shrubs and trees with a minimum three (3) inch caliper, 6 to 8 feet in height at the time of planting, to provide a visual buffer along the common property line with The

Reserve, except that adjacent to Lots 41, 42 and 50, a twenty (20) foot landscape buffer shall be required. The installation of the landscaping shall be the responsibility of the developer.

7. *Common Areas:* A Homeowners Association shall maintain all common areas, including the landscape buffer along the common property line with The Reserve subdivision.
8. *Lot Lines:* Lot lines may be non-radial where physical barriers make it impractical, such as when a side lot line is coincident with a drainage or utility easement.
9. *Drainage Plans:* The developer shall submit civil engineering plans to the City of Richardson for the purpose of ensuring that stormwater run-off does not cause the flooding of lots in The Reserve subdivision.
10. *Access Restriction:* Construction of a fence by the developer, designed to restrict access to The Reserve subdivision, shall be permitted in the southeastern corner of the property in the vicinity of Lot 40, Block A east of the creek on Exhibit "B" and Lot 17 in The Reserve, provided the location and construction of said fence is in conformance with all FEMA requirements.

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

SECTION 5. That all other provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

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

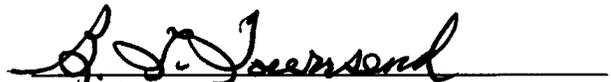
SECTION 7. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

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

APPROVED:


MAYOR

APPROVED AS TO FORM:


CITY ATTORNEY
(PGS:2-6-12:TM 53833)

CORRECTLY ENROLLED:


CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 11-25

BEING a tract of land located in the JAMES T. MCCULLOUGH SURVEY, ABSTRACT NO. 633 and the G.H. PEGUES SURVEY, ABSTRACT NO. 700, City of Richardson, Collin County, Texas and being all of a tract of land described in Deed to Renner Sharp, L.P., recorded in Volume 5778, Page 2125, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the intersection of the Southeast line of Renner Road, a variable width right-of-way, with the Northeast line of Sharp Lane, a variable width right-of-way, at the West corner of said Renner Sharp tract;

THENCE Northeasterly, along said Southeast line, the following three (3) courses and distances:

North 54 degrees 26 minutes 26 seconds East, a distance of 339.71 feet to a 1/2 inch iron rod with a red plastic cap stamped "FD" found for corner;

North 61 degrees 41 minutes 53 seconds East, a distance of 276.46 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

North 69 degrees 41 minutes 03 seconds East, a distance of 134.16 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner in the common line of said Renner Sharp tract and Lot 1, Block 1 of MORONEY WEST ADDITION, an Addition to the City of Richardson, Collin County, Texas according to the Plat thereof recorded in Cabinet L, Slide 992, Map Records, Collin County, Texas;

THENCE South 01 degrees 24 minutes 27 seconds West, along said common line, a distance of 133.43 feet to a point for corner in the approximate centerline of a creek;

THENCE Southeasterly, continuing along said common line and along said approximate centerline, the following seven (7) courses and distances:

South 67 degrees 35 minutes 33 seconds East, a distance of 140.00 feet to a point for corner;

North 63 degrees 56 minutes 06 seconds East, a distance of 380.00 feet to a point for corner;

South 81 degrees 33 minutes 54 seconds East, a distance of 203.00 feet to a point for corner;

South 57 degrees 35 minutes 48 seconds East, a distance of 201.65 feet to a point for corner;

South 17 degrees 35 minutes 48 seconds East, a distance of 190.00 feet to a point for corner;

South 14 degrees 24 minutes 42 seconds East, a distance of 205.00 feet to a point for corner;

South 39 degrees 24 minutes 42 seconds East, a distance of 133.81 feet to a point for corner in the North line of THE RESERVE, an Addition to the City of Richardson, Collin County, Texas according to the Plat thereof recorded in Cabinet L, Slide 929, Map Records, Collin County, Texas, at the Southeast corner of said Renner Sharp tract;

THENCE North 88 degrees 50 minutes 10 seconds West, leaving said approximate centerline and along the common line of said Renner Sharp tract and said THE RESERVE Addition, a distance of 78.39 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

THENCE North 88 degrees 55 minutes 01 seconds West, passing at a distance of 6.74 feet a 1/2 inch iron rod found at the Northwest corner of Lot 16, Block A and the Northeast corner of Lot 17, Block A of said THE RESERVE Addition, and continuing for a total distance of 493.28 feet to a 5/8 inch iron rod found at the Northwest corner of said THE RESERVE Addition and the Northeast corner of SHARP ESTATES, an Addition to the City of Richardson, Collin County, Texas according to the Plat thereof recorded in Cabinet N, Slide 269, Map Records, Collin County, Texas;

THENCE North 89 degrees 41 minutes 04 seconds West, along the common line of said Renner Sharp tract and said SHARP ESTATES Addition, a distance of 478.38 feet to a wood fence post found for corner in the North line of said Sharp Lane;

THENCE Westerly, along the North line of said Sharp Lane, the following five (5) courses and distances:

North 06 degrees 01 minutes 32 seconds East, a distance of 33.06 feet to a 1/2 inch iron rod with a red plastic cap stamped "FD" found for corner;

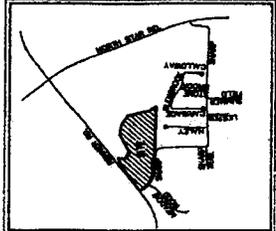
North 89 degrees 44 minutes 21 seconds West, a distance of 317.85 feet to a 1/2 inch iron rod with a red plastic cap stamped "FD" found for corner;

North 00 degrees 39 minutes 39 seconds East, a distance of 4.54 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a non-tangent curve to the right having a central angle of 53 degrees 44 minutes 24 seconds, a radius of 320.00 feet and a chord bearing and distance of North 62 degrees 28 minutes 09 seconds West, 289.26 feet;

Northwesterly, along said curve to the right, an arc distance of 300.14 feet to a 1/2 inch iron rod found for corner;

North 35 degrees 35 minutes 57 seconds West, a distance of 97.57 feet to the **POINT OF BEGINNING** and containing 17.002 acres of land, more or less.

Exhibit "B"
Concept Plan
(to be attached)



MONEY WEST ADDITION
LOT BLOCK 1
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 2
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 3
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 4
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 5
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 6
C.A. 1000

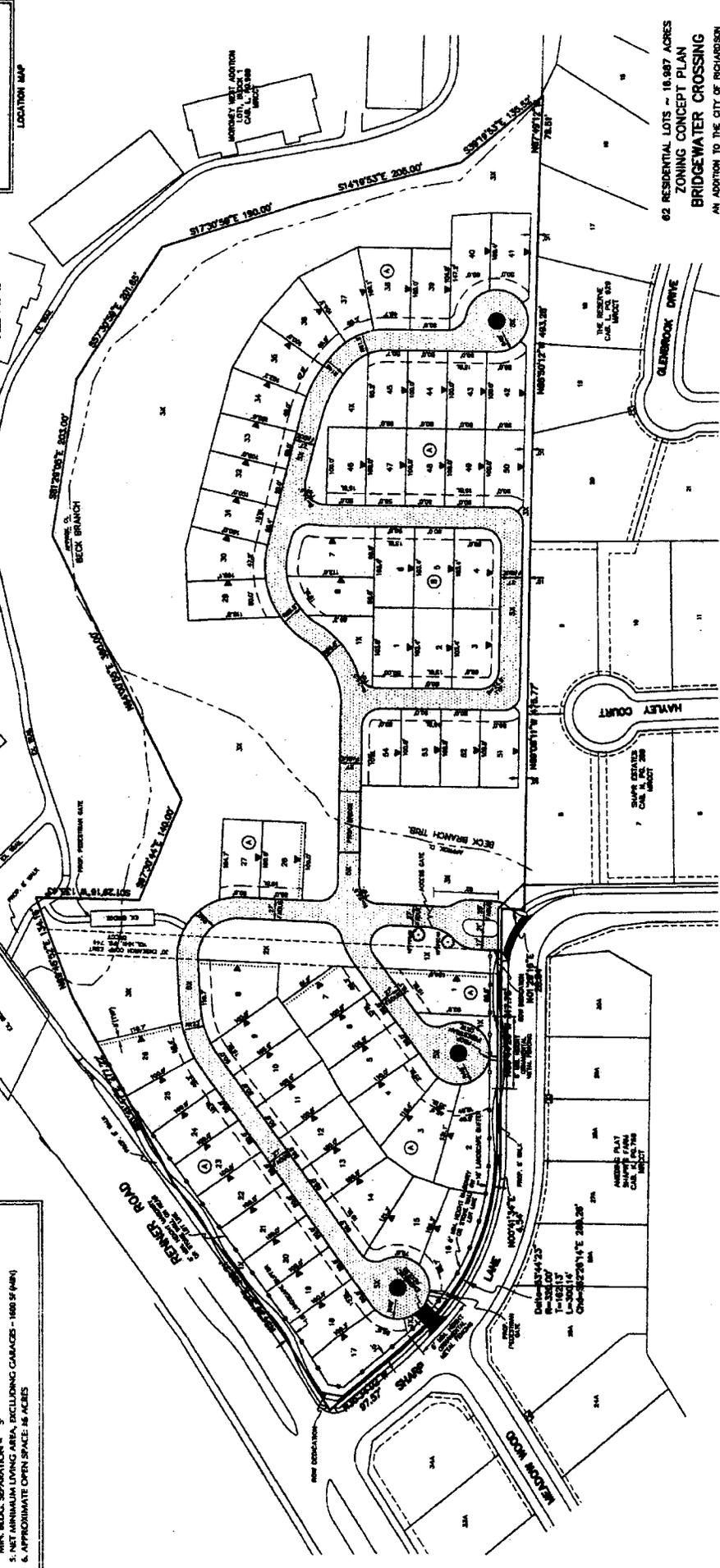
MONEY WEST ADDITION
LOT BLOCK 7
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 8
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 9
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 10
C.A. 1000

MONEY WEST ADDITION
LOT BLOCK 11
C.A. 1000



62 RESIDENTIAL LOTS - 16.987 ACRES
ZONING CONCEPT PLAN
BRIDGEWATER CROSSING
AN ADDITION TO THE CITY OF RICHARDSON
JAMES T. McJULIUGH SURVEY - ABSTRACT NO. 433
G.H. POCUS SURVEY - ABSTRACT NO. 710
COLLIN COUNTY, TEXAS
SCALE: 1"=100'

OWNER
SHARP RENNER, L.P.
18352 DALLAS PKWY. PHASE 575, SUITE 136
872-248-9163 DALLAS, TEXAS 75287
ENGINEER
POWDEY, ANDERSON & ASSOCIATES, INC.
18352 DALLAS PKWY. PHASE 575, SUITE 136
872-248-9163 DALLAS, TEXAS 75287

DEVELOPER/BUILDER
TOLL BROTHERS
2657 S.W. GRAPEVINE PKWY., SUITE 100
817-328-8770 GRAPEVINE, TEXAS 76051

Exhibit "B" Part of Ordinance

SITE DATA SUMMARY:
1. EXISTING ZONING: RFL-1500-M PATRIO HOMES, ORD. NO. 3435A
2. TOTAL SITE AREA - 16.987 ACRES
3. RESIDENTIAL LOTS: 62
4. AREA REGULATIONS:
MIN. LOT WIDTH = 45'
MIN. LOT DEPTH = 100'
MIN. LOT AREA (40) = 5,000 SF
MIN. FRONT YARD = 15'
MIN. GARAGE SET-BACK = 20'
MIN. REAR YARD = 10/20' FOR 2ND STORY
MIN. SIDE YARD = ADJACENT TO RENEER ROAD OR SHARP LAKE
MIN. CORNER SIDE YARD = 10'
MIN. SET-BACK FROM DRIVEWAY = 10'
5. NET AVAILABLE LIVING AREA, EXCLUDING GARAGES - 1600 SF (40%)
6. APPROXIMATE OPEN SPACE: 46 ACRES

NOTES
1. LOT LINES MAY BE ADJUSTED AT TIME OF PLATING AS LONG AS NO
2. ALL DIMENSIONS ARE TO THE CENTER OF CURB FOR PROPOSED
PROVIDED, UNLESS OTHERWISE STATED.

LEGEND:
FADUE = FIRE LAKE, ACCESS, DRAINAGE AND UTILITY EMBANKMENT
- - - - - = FADUE
- - - - - = PROPOSED ORNAMENTAL METAL FENCE
- - - - - = PROPOSED MASONRY WALL



MEMO

DATE: February 7, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 13-03 – Special Permit – Honest-1 Auto Care – 1380 W. Belt Line Rd.

REQUEST

Maxwell Fisher, representing Masterplan, is requesting to revoke Ordinance 2635-A, a Special Permit for a drive-through restaurant, and for approval of a Special Permit for a motor vehicle repair shop – major in a C-M Commercial District. The subject single-tenant building is located on a 1.16-acre lot located on the north side of Belt Line Road, east of Coit Road.

BACKGROUND

The Special Permit for a restaurant was granted in 1987, but was never developed. The site was developed in 1997 with a 7,635-square foot retail building for Hollywood Video and operated as such until 2008. The building has been vacant since that time. The proposed repair shop would utilize the existing building and modify the interior space of the existing building to accommodate an office/lobby area and the automobile service bays. Two (2) overhead doors will be established on the east elevation providing a dedicated entrance and exit from the facility. Maneuvering of the vehicles in the service bays (minimum 6 bays) will occur inside the building. Changes to the building facades include repainting the building, additions of awnings, relocation of the front entrance to the southwest corner of the building, and the addition of a raised patio area at the new entrance.

Modifications to the site include closing access from the southern east-west drive aisle to the driveway along the east side of the building, the addition of canopy trees within the landscape buffer to comply with the approved landscape plan, and landscape island and dumpster pad modifications. The current driveway spacing and internal storage for the western driveway do not meet the City’s minimum requirements, but no changes are planned for these site elements. The applicant requested that the policy requiring three (3) ornamental trees in the landscape buffer be waived as they will reduce visibility of the existing pole sign. The applicant will comply with all other elements of the Landscape Ordinance and Policies.

One (1) letter in favor of the request has been received. A representative of the Dal-Rich Shopping Center (located across Belt Line Road from the subject property) was present and spoke in opposition of the proposed use.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 4-1 (Commissioner Hand opposed), recommended approval of the request as presented along with the applicant’s request to waive the requirement for ornamental trees in the landscape buffer.

ATTACHMENTS

- | | |
|---|--|
| Special Conditions | Elevations (Exhibit “C”) |
| CC Public Hearing Notice | Color Elevations (Exhibit “D”) |
| City Plan Commission Minutes 01-15-2013 | Site Photos (Exhibits “E-1” and “E-2”) |
| Staff Report | Applicant’s Statement |
| Zoning Map | Notice of Public Hearing |
| Aerial Map | Notification List |
| Oblique Aerial Looking East | Correspondence |
| Zoning Exhibit (Exhibit “B”) | Ordinance 2635-A |

ZF 13-03 Special Conditions

1. Ordinance 2635-A shall be repealed.
2. A motor vehicle repair shop – major shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
3. The motor vehicle repair shop – major shall be constructed in substantial conformance with the attached concept plan (Exhibit “B”) and the building elevations (Exhibit “C”).
4. A masonry screening wall along the eastern property line shall not be required.
5. The requirement for ornamental trees within the landscape buffer along Belt Line Road shall be removed.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: January 23, 2013
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: January 25, 2013

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, February 11, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-01

A request by Michael Hampton, representing Lend Lease, for a Special Permit for a motor vehicle service station with modified development standards to be located at 3601 N. Jupiter Road (Southwest corner of President George Bush Turnpike and Jupiter Road). The property is currently zoned LR-M(2) Local Retail.

ZF 13-02

A request by Brian Wilson, representing Toll Brothers, for amendments to the existing special conditions to allow the use of stucco on the south elevations of homes for three (3) lots adjacent to The Reserve subdivision for the development located at the southeast corner of Renner Road and Sharp Lane. The property is currently zoned RP-1500-M Patio Home.

ZF 13-03

A request by Maxwell J. Fisher, representing Masterplan, to revoke Ordinance 2635-A, a Special Permit for a drive-through restaurant, and approval of a Special Permit for a motor vehicle repair shop – major to be located at 1380 W. Belt Line Road (northeast corner of Belt Line Road and Coit Road). The property is currently zoned C-M Commercial.

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

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

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – January 15, 2013**

PUBLIC HEARING

Zoning File 13-03: Consider and take necessary action on a request by Maxwell J. Fisher, representing Masterplan, to revoke Ordinance 2635-A, a Special Permit for a drive-through restaurant, and approval of a Special Permit for a motor vehicle repair shop – major to be located at 1380 W. Belt Line Road (northeast corner of Belt Line Road and Coit Road). The property is currently zoned C-M Commercial.

Mr. Shacklett stated the applicant was requesting to revoke an existing Special Permit for a drive-thru restaurant that was never constructed and to allow a motor vehicle repair shop (major) at 1380 W. Belt Line Road the site of the former Hollywood Video store. He added that the applicant was proposing the following changes to convert the building to a motor vehicle service repair shop:

- Move the front entrance of the building to the southern end of the property to accommodate six to eight service bays on the east elevation;
- Addition of a raised patio area, repaint the building and add awnings;
- Reconfigure the driveways to create a one-way ingress on the southern end of the facility and a one-way egress on the northern end;
- Reorientation of dumpster and reconfiguration of the landscape island to meet the City's requirement for back up space for the trash trucks; and
- Plant the required three canopy trees in the landscape buffer along Belt Line Road, but remove the requirement for three ornamental trees in the landscape buffer because the trees would obstruct visibility of their sign.

Mr. Shacklett reported that the driveways did not meet the City's 200-foot spacing along Belt Line Road; however, they are placed as far away as possible and both serve as access easements to other properties within the retail development, which would make it difficult to modify the driveways.

In closing his presentation, Mr. Shacklett noted that, if the request was approved, the staff was suggesting a waiver of the required masonry screening wall along the eastern property line even though the property is zoned residential because the adjoining property is a City water storage facility which is fenced and screened with large shrubs.

Commissioner Bright asked to confirm the type of fence separating the site from the City's water storage facility, and did the fence extend the length of the property under consideration.

Mr. Shacklett replied there was a chain link fence along the length of the property under consideration but did not know if the fence was chain link along the area closer to the Kroger store.

Commissioner DePuy asked if the ramp at the southern end of the building would remain.

Mr. Shacklett replied the entrance to the business will move around the corner of the building to the western elevation where the raised patio will also be located, and the ramp will remain and most likely used as handicap access.

Commissioner Frederick asked if there were too many parking spots considering 17 are required, but 39 are being proposed.

Mr. Shacklett replied that the site was originally a retail site parked at 3 spaces per 1,000 square feet and was over parked from the beginning; however, in a vehicle repair shop the ratio is different and requires 5 spaces plus 2 spaces per service bay, therefore, based on the applicant's zoning exhibit listing six service bays, 17 parking spaces would be required. If the applicant increased their service bays to eight, each additional bay would require two additional parking spaces.

Vice Chair Hand stated that retailers generally park 4 to 4-1/2 per thousand and because the building was previously used as a Hollywood Video store (retail) that was the reason the applicant has ended up with the extra parking.

Commissioner Bright asked about the quality of construction for the raised patio and if that was something the Commission should address.

Mr. Shacklett replied that the applicant was present and any questions regarding the patio construction could be answered during the public hearing.

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

Mr. Dallas Cothrum, representing Honest-1 Auto Care, 900 Jackson Street, Dallas, Texas, stated that the application represented a new franchise concept and it was important to locate the repair facility in a retail center to reach their target market – individuals keeping and driving their vehicles longer and giving those individuals the ability to do their other shopping as their cars were being repaired.

Mr. Cothrum highlighted some of the service elements offered by Honest-1 Auto Care including pick-up and delivery of vehicles, family friendly waiting areas, free drinks, free Wi-Fi, and that Honest-1 is eco-friendly and committed to recycling. In addition, the applicant was suggesting improvements to the site that would soften the appearance through repainting of the building, the addition of awnings, and the planting of canopy trees along Belt Line Road.

Regarding the construction of the patio, Mr. Cothrum said the applicant wanted an outdoor area where customers could relax and wait for their vehicles and, although a general contractor has not been secured as yet, any construction would comply with the City's building codes.

Mr. John Malone, 1408 Big Falls Drive, Flower Mound, Texas, the owner of the Honest-1 Auto Care North Texas franchise, stated the corporate office of Honest-1 was interested in adaptive reuse of buildings and he had been in site selection mode for two years. He added that in addition to providing automotive care, Honest-1's corporate concept was to get involved in the needs of the community as well as the local schools.

Mr. Malone noted that their concept was of an upscale facility and would offer customers the surety of getting the same product they would have received at a dealership, but at a lower price point.

Commissioner Bright indicated that there was mention of additional colors being added to the list of off-white and beige and wanted to know the need for the addition. He also wanted to know if the Commission would have an opportunity to review the color schemes.

Mr. Malone replied the franchisor had recommended that discussions on the type of colors used would be determined after the item had been approved; however, there is a green and blue corporate color theme and they were not opposed to replacing the existing red color around the windows.

Chairman Gantt concurred and encouraged the applicant to replace the red frames around the windows and the red awnings.

Mr. Shacklett added that since there is no additional square footage being added to the building, the approval of the colors would be done administratively by staff. He suggested that if the Commission was concerned about color choices, they could tie the elevations to the approval and at the same time craft the conditions so they offered some flexibility to the applicant.

Mr. Cothrum asked for a little flexibility, especially since a general contractor had not been secured as yet. He added that beige and off-white would be the main colors for the building.

Mr. Malone noted that this would be the first of five stores in the metroplex and the training center for all the other stores. He confirmed that the color palette would be neutral with elements of blue, green and tan.

With no other questions or comments in favor, Chairman Gantt called for anyone wishing to speak in opposition.

Mr. Joe Lee, representing Cencor Realty the management company for the retail center, 728 Sherwood Drive, Richardson, Texas, opposed the use based on bad experiences in the past. He felt that the major tenant of the retail center across the street, Whole Foods, or their replacement, would also not approve of the use.

Vice Chair Hand asked why Mr. Lee felt that proposed use would not benefit the retail centers.

Mr. Lee replied that in another city a similar business that left after only a year and one-half, left behind tires, old oil and other trash, which he felt would be the reason Whole Foods or a similar business would not approve of the use.

No other comments were made in opposition and Chairman Gantt asked the applicant for any rebuttal comments.

Mr. Cothrum stated that Honest-1 has over 30 locations where there are grocery anchors in the retail center that have been successful and pointed out that all the work on the vehicles is done inside the building as opposed to outside. He added that any business could fall on hard times and go out of business, but the applicant was an experienced business man who would be investing a lot of time and capital in making a commitment to do business in the City.

Vice Chair Hand asked staff if the request for a Special Permit was because automotive uses were not allowed in a C-M Commercial District.

Mr. Shacklett replied that in 2008 there was a request to look at all automotive related uses in the City and where they were allowed; should they continue to be allowed; and if allowed, should it be by right or by Special Permit. Automotive related uses are allowed in C-M Commercial districts, but only allowed by a Special Permit as approved by the Commission and the City Council.

Commissioner DePuy admitted at first she was not in favor because of pre-conceived notions of what it might look like; however, after seeing the presentation by the applicant and the discussion among the Commissioners she was much more comfortable with the application. She added that the business did not adjoin any residential areas, and with the fact that the location was difficult for any other type of retail, she was in favor of the request.

Vice Chair Hand asked if all automotive uses in the City are required to have Special Permits.

Mr. Shacklett replied no, that there are auto uses allowed by right (light load vehicle rental and new car dealerships) in the C-M Commercial Districts.

Commissioner Frederick concurred with Ms. DePuy that the location is not optimal location for retail uses and was impressed with the applicant's commitment to the City and was in favor of the application.

Commissioner Bright said he understood and appreciated the comments in opposition, but noted that the proposal would not be the typical type of automotive repair facility. He also wanted to know what type of controls the staff would have over the construction of the patio and the colors on the building if the application was approved.

Mr. Shacklett replied that if the application was approved as presented, the language in the application was fairly vague so they would be allowed to have a raised patio subject to the City's building codes.

Commissioner Bright stated he was in support of the request as presented.

Chairman Gantt compared the concept to an automotive repair center in the City of Plano where the cars are driven around the back of the facility so the open bays are not visible to the customers. He agreed that the location for retail was odd and with the number of years the property has been vacant, it would be a difficult location for a retailer so he was in favor of the request as presented.

Vice Chair Hand said that although the business plan and concept seemed to be a customer-oriented business, he felt the application did not respond to the Comprehensive Land Use Plan and was located in a study corridor, which indicated further study should be done before a decision was made. He added that he thought the proposal was not the right plan at the right place so he would not be voting in favor of the request.

Chairman Gantt closed the public hearing.

Mr. Shacklett asked to clarify two items prior to a motion being made. The first item was that the special conditions as written by staff did not give relief to the requirement for ornamental trees in the landscape buffer along Belt Line Road, and second, the special conditions stated the elevations would be attached to the request.

Chairman Gantt replied that as he interpreted the Special Conditions, the attachment of Exhibit "B" listed the three new trees but did not indicate the ornamental trees and that by that omission it would be acceptable.

Mr. Shacklett stated there was a note on the exhibit that indicated that the screening and landscaping listed on Exhibit "B" were for illustrative purposes only and was in compliance with the original landscape plan.

Chairman Gantt added that with regard to the issue of the paint color, Exhibit "C" only indicated "off-white" which should allow the flexibility between the color ranges requested by the applicant.

Motion: Commissioner Bright made a motion to recommend approval of Zoning File 13-03 as presented including the not requiring the ornamental trees in the landscape buffer and the screening wall along the east property line; second by Commissioner Frederick. Motion passed 4-1 with Vice Chair Hand opposed.



Staff Report

TO: City Council

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

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

DATE: February 7, 2013

RE: **Zoning File 13-03:** Honest-1 Auto Care

REQUEST:

Revoke Ordinance 2635-A, a Special Permit for a drive-through restaurant, and approve a Special Permit for a motor vehicle repair shop – major on a 1.16-acre lot located on the north side of Belt Line Road, east of Coit Road.

APPLICANT / PROPERTY OWNER:

Maxwell J. Fisher – Masterplan / David S. Rosen – Pacific Video Beltline, LP

EXISTING DEVELOPMENT:

The site supports a 7,685-square foot retail building, previously occupied by Hollywood Video. The building has been vacant for several years.

ADJACENT ROADWAYS:

Belt Line Road: Six-lane divided arterial; 24,800 vehicles per day on all lanes, eastbound and westbound, east of Coit Road (May 2011).

Coit Road: Six-lane, divided arterial; 41,900 vehicles per day on all lanes, northbound and southbound, north of Belt Line Road (May 2011).

SURROUNDING LAND USE AND ZONING:

North: Retail Commercial; C-M Commercial

South: Retail/Commercial; C-M Commercial

East: Industrial (City of Richardson Water Storage); R-1500-M Temp

West: Retail/Commercial; C-M Commercial

FUTURE LAND USE PLAN:

Enhancement/Redevelopment

These are areas where reinvestment and redevelopment is encouraged. Further study may be necessary to understand the full potential for redevelopment. This property is located in the Coit enhancement/redevelopment area. Enhancement/redevelopment should include development of a similar type as the existing development with more modern building formats and site design that respects adjacent neighborhoods.

Future Land Uses of Surrounding Area:

North: Enhancement/Redevelopment

South: Enhancement/Redevelopment

East: Public/Semi-Public/School

West: Enhancement/Redevelopment

EXISTING ZONING:

C-M Commercial with a Special Permit for a drive-thru restaurant (Ordinance Number 2635-A).

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

In 1987, a Special Permit (Ordinance Number 2635-A) was granted to permit a restaurant with drive-through service; however, the site was never developed as such. The site was developed in 1997 with the 7,685-square foot retail building for Hollywood Video and operated as such until 2008. The building has been vacant since that time.

The proposed user, Honest-1 Auto Care, has over thirty (30) locations throughout the United States, but no locations in Texas. The proposed use requires a Special Permit in a C-M Commercial Zoning District.

Request:

The proposed repair shop would utilize the existing building and modify the interior space to provide an office/lobby area on the southwest end of the building with service bays occupying the remainder of the building. Two (2) overhead doors will be added to the east elevation to provide an entrance and exit into the service bays to serve six (6) to eight (8) service bays, with maneuvering of the vehicles into each of the bays occurring inside the building. Other changes to the building facades include repainting the building, additions of awnings, relocating the front

door from the south elevation to southwest corner of the building, and the addition of a raised patio and trellis at the new entrance. Minor site modifications include the closure of access to southern driving aisle from the eastern driveway and the addition of dedicated one-way entry/exit drives into the service bays located at the north and south ends of the building on the east elevation.

Proposed Development:

- Building Size: 7,685-square foot building.
- Building Materials: The building is appears to be constructed of 100% masonry with a combination of painted (white) split-face CMU and concrete block with glass storefront along the south and west elevation. The applicant's proposed changes include painting the building a combination of beige and off-white (see attached Elevations) and the possible addition of awnings on the south and west elevations. The applicant has stated they desire flexibility to paint the building colors other than beige and off-white at a later date; however, at this time, those specific colors have not been identified.
- Setbacks and Landscape Buffer:
 - Front: 40 feet along Belt Line Road.
 - East Side: A 60-foot screening and open space area is also required along the east property line since the property to the east is zoned residential.
- Height: 18'4".
- Floor Area Ratio: 0.15:1 / Maximum 0.60:1 allowed.
- Landscaping Percentage: 23% provided, 7% required.
- Number of Parking Spaces: 39 proposed; 17 required (5 spaces plus 2 per service bay for 6 service bays). Each additional service bay would require 2 additional spaces.

Site Related Elements:

Building Elevations – As stated above, the applicant has requested flexibility to adjust the paint color of the building at a later date. Staff informed the applicant that if there are additional colors the applicant desires to use, those colors should be identified on the proposed elevations. They have not identified paint colors other than beige and off-white and have stated they will address this issue at the public hearing. Although the alternate colors have not been identified, the Honest-1 Auto Care color scheme appears to be a combination of white, blue, and green.

Screening – The City's Subdivision and Development Code requires a masonry screening wall along the eastern property line due to a non-residential building backing upon a residential zoning district. However, the residential zoned property is developed as a City water storage facility, and will likely never be developed as residential. Furthermore, the current approved site plan contains a note stating the masonry wall is not required due to the nature of the adjacent use, and Ordinance 2635-A also granted relief for the drive-through restaurant use from this requirement. Staff recommends that the same relief be granted as part of this Special Permit. An existing chain link fence and shrubs are located on the City's property and provide a visual screen between the two (2) properties.

Internal Storage and Driveway Spacing – The existing western driveway does not meet the City’s minimum internal storage requirement. The driveway is considered a major driveway since it is served by a median opening on Belt Line Road and provides access to over fifty (50) parking spaces. The minimum requirement, which is measured from the curb line to the end of the landscape island on the site, is seventy-eight (78) feet. Approximately forty-five (45) feet is currently provided, and the proposed would not change the current internal storage at this driveway. Staff suggested that the existing drive aisle on the south side of the building be removed and be replaced with a larger landscape buffer to alleviate the issue. Although the applicant has closed access to the drive aisle from the eastern driveway; they have chosen to leave the drive aisle in place to allow movement of vehicles from the front portion of the building into the service facility.

The distance between the two (2) existing driveways, measured from the center line of each driveway is approximately 150 feet; the minimum requirement for driveway spacing along an arterial is 200 feet. Each driveway provides access to other properties within the larger shopping center so removing either driveway would greatly reduce access to the banks at the hard corner of Belt Line Road and Coit Road and to the Kroger shopping center to the north. Also, the western driveway is located on both the subject property as well as the bank property to the west.

Landscaping Policies (Street Trees) – The proposed site conforms to the City’s Landscape Ordinance which includes a minimum landscape area for the site and for the parking areas. The City’s landscaping policy includes a minimum 10-foot landscape buffer along streets, street trees, landscape island trees, and parking lot screening. Although the applicant has stated they will comply with the approved landscape plan; staff noted the subject site and approved landscape plan do not meet the street tree requirement of one (1) canopy tree and one (1) ornamental tree for each fifty (50) feet of street frontage. Currently, no trees are located in the landscape buffer although the landscape plan requires three (3) canopy trees.

The applicant has agreed to place three (3) canopy trees in the landscape buffer as shown on Exhibit “B” to comply with the approved landscape plan; however, they are requesting relief from the three (3) ornamental trees requirement within the buffer. The buffer, which exceeds the minimum 10-foot width, is encumbered with a 10-foot utility easement as well as additional underground utilities. Based on the configuration, they feel the location of three (3) ornamental trees within the buffer would also reduce the visibility of their existing sign. The applicant states they plan to comply with the remaining portions of the City’s Landscaping Policies.

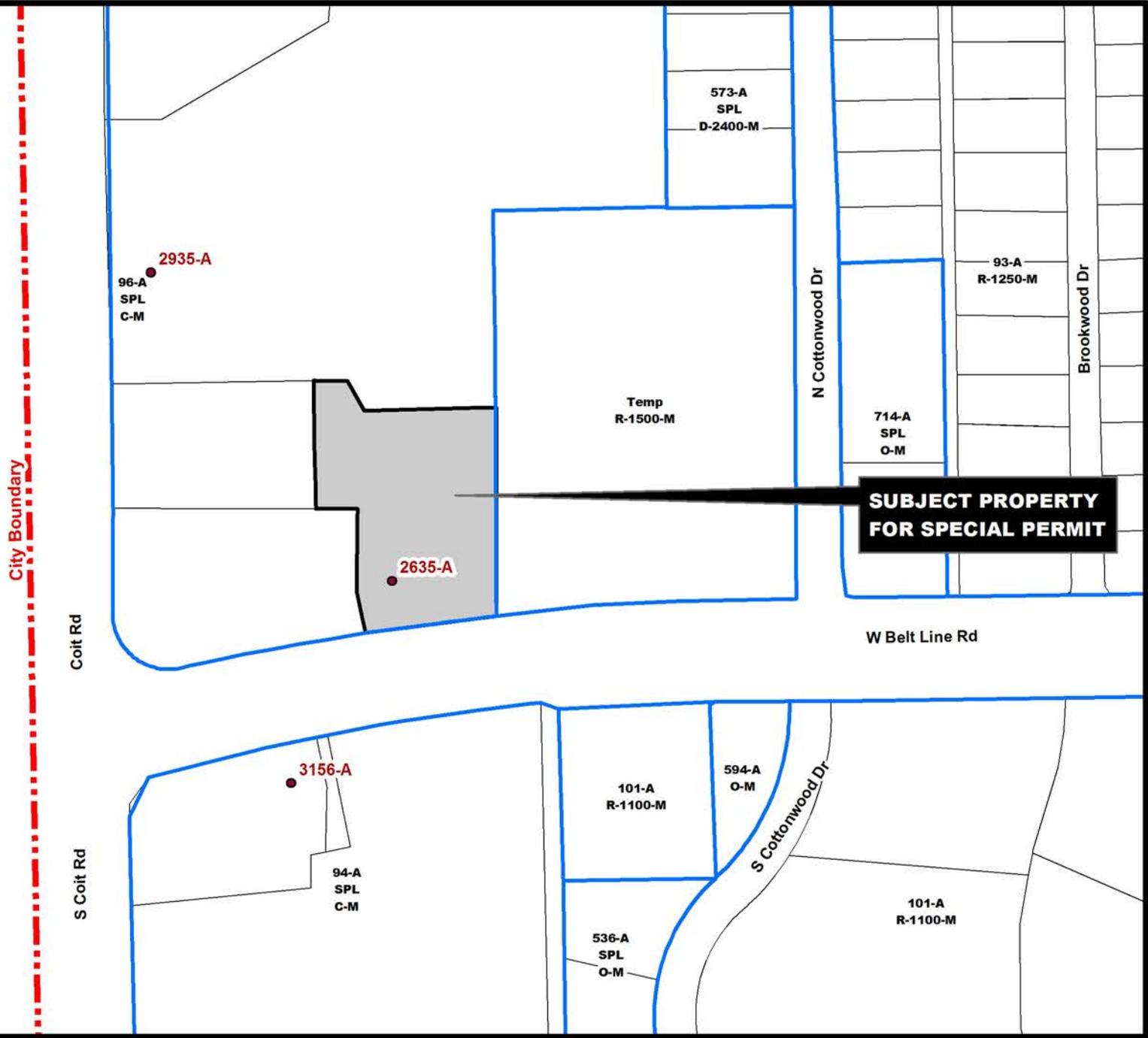
Correspondence: As of this date, one (1) letter of correspondence in favor has been received. A representative of the Dal-Rich Shopping Center (located across Belt Line Road from the subject property) was present and spoke in opposition to the proposed use.

Motion: On January 15, 2013, the City Plan Commission recommended approval of the request as presented on a vote of 4-1 subject to the following conditions, as presented, as well as an additional condition noted in bold text:

1. Ordinance 2635-A shall be repealed.

2. A motor vehicle repair shop – major shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
3. The motor vehicle repair shop – major shall be constructed in substantial conformance with the attached concept plan (Exhibit “B”) and the building elevations (Exhibit “C”).
4. A masonry screening wall along the eastern property line shall not be required.
5. **The requirement for ornamental trees within the landscape buffer along Belt Line Road shall be removed.**

ZF 13-03



ZF 13-03 Zoning Map

Updated By: shacklett, Update Date: December 18, 2012
File: DSIMapping\Cases\Z\2013\ZF1303\ZF1303 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 13-03 Aerial Map

Updated By: shacklett, Update Date: December 18, 2012
File: DSI\Mapping\Cases\Z\2013\ZF1303\ZF1303 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.



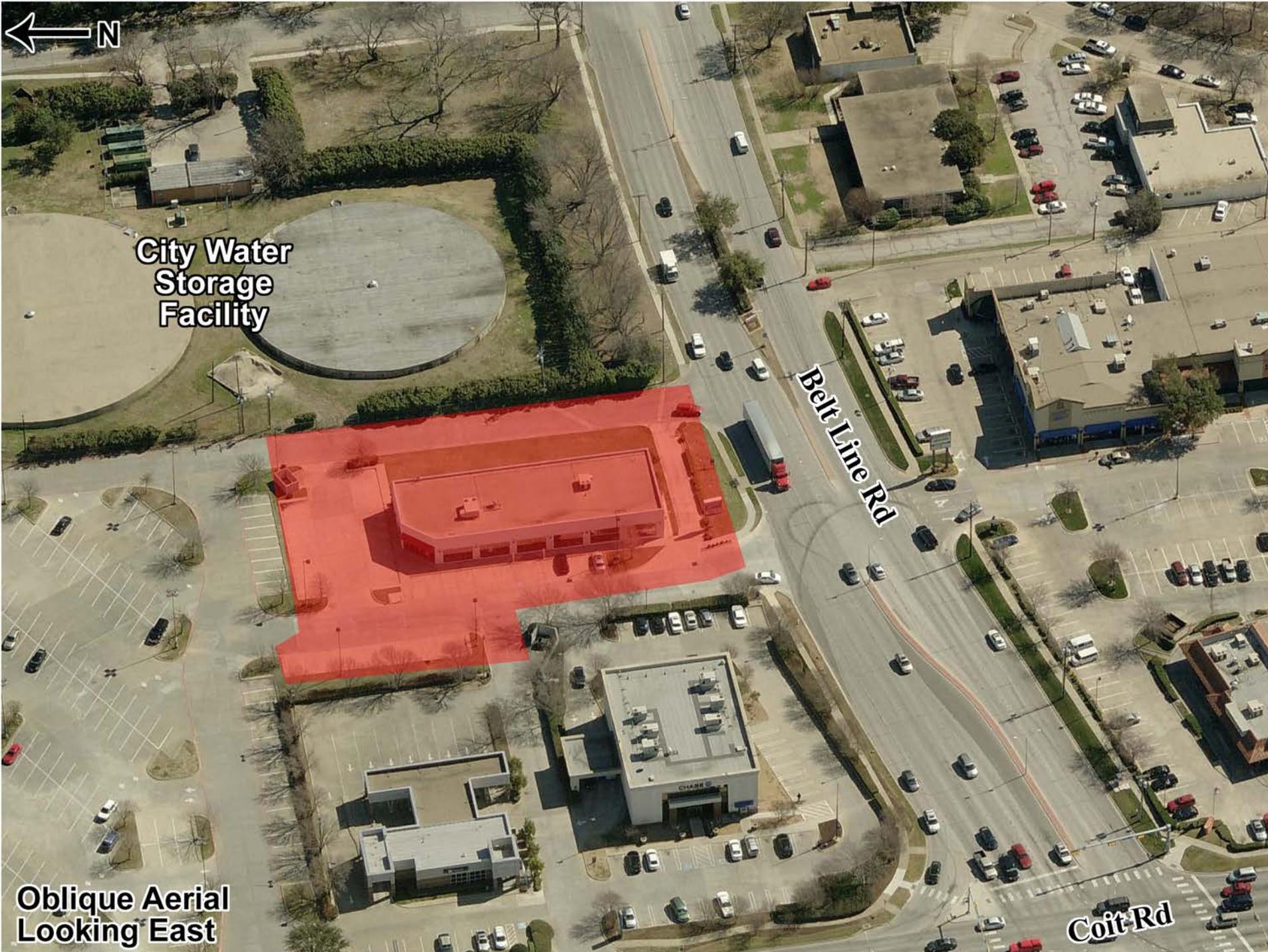


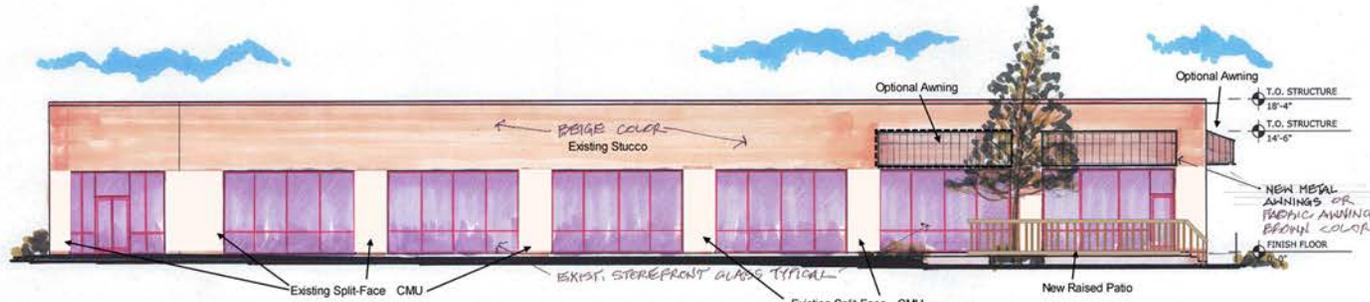
**City Water
Storage
Facility**

Belt Line Rd

**Oblique Aerial
Looking East**

Coit Rd





A1 WEST ELEVATION
SCALE: 1/8"=1'-0"



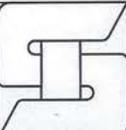
B1 NORTH ELEVATION
SCALE: 1/8"=1'-0"



B3 SOUTH ELEVATION
SCALE: 1/8"=1'-0"



C1 EAST ELEVATION
SCALE: 1/8"=1'-0"



TLS ARCHITECT

1615 BARCLAY
CARROLLTON, TX 75007
P: 214-533-9899
E: TLSARCH@AOL.COM

Professional Seal



Texas License # 9478

Terry L. Sullivan, AIA
1615 BARCLAY DRIVE
CARROLLTON, TEXAS 75007
t.sullivan@tlsarch.com

project name and address
HONEST-1 AUTO CARE
1380 West Belt Line Road
Richardson, Texas 75080

Job Code 12050

Job Phase SD

Date 2012.12.17

Revisions

No. Date

1 1/27/13 1/1/13

Sheet

A-4.00

ELEVATIONS

Richardson, Texas

Exhibit D



(1)

Looking West along
Belt Line Road

1380 W. Belt Line Road - January 2013



(2)

Looking Northwest
at East Elevation



(3)

**Looking South along
West Elevation**

1380 W. Belt Line Road - January 2013



(4)

**Looking Northeast at
West Elevation**

GENERAL REQUEST:

Honest-1 Automotive Care requests approval of a special use permit to operate a motor vehicle repair shop, major within the 7,685-square foot building located at 1380 W. Belt Line Road. The building is vacant but was previously occupied with a video leasing store.

FIRST-CLASS OPERATION:

Honest-1 Auto Care is an upscale, full service automotive maintenance and repair organization with a national presence that will enter this market for the first time. The proposed facility would be the first to the region with a prospective plan to expand to five area locations in the next several years.

Honest-1 focuses on providing a high level of service in a retail setting. This level of service is most valued by drivers that span the spectrum from young singles to soccer moms through those in their baby boomer years. As a car owner, the ability to feel comfortable in making repair decisions rests with effective communications with the service writer. Honest-1 is built on being consumer and environmentally friendly, which in fact sets the business apart from the dealerships, chain stores and small independent shops. Honest-1 requires all franchisees to be "eco-friendly" certified. One requirement is that all used materials will be conveyed to certified recyclers.

In addition to our commitment to providing effective communication during vehicle diagnosis, Honest-1 facilities provide upscale family friendly lobbies. The lobbies are clean and comfortable, and equipped with a children's play area, leather chairs, and TV's, a DVD player, and gourmet coffee. Also, valet, or pick-up and drop-off service will be available for customers.

SUBJECT LOCATION

As mentioned above, a large contingent of our clients are mothers with children. As such, as opposed to locating in a relatively secluded heavy commercial or industrial area, it is important that we locate where our customers feel safe, which is in highly visible, well populated retail and service complexes. Locating in this type of setting also allows patrons to cross shop at the other retail and service uses.

At the same time, we understand the importance of providing a compatible operation amid retailers. Accordingly, we contend the proposed site, although is located amid a complex of other retail and personal services, is well-suited to this operation and will be compatible with neighboring users. The overall view of the building is located an appreciable distance from the intersection and is visually buffered by the bank buildings and their associated screening and landscaping immediately west of the site. The building's perpendicular orientation with respect to Belt Line Road will further minimize visibility of the service bays. Also, visual and sonance impacts would be minimized by providing the service bays on the east side, facing a city water facility to the east, as opposed to banks to the west and retailers to the north.

SITE IMPROVEMENTS

Honest-1 Automotive Care would provide repair and service of automobiles including oil changes, brake changes, fluid replacement and other services and inspections. A vast majority of services rendered will involve minor service or repair with the occasional engine or transmission repair. As such, the majority of Honest-1's business is same-day service with few vehicles remaining overnight.

Since the site has been used for retail purposes, the interior will be remodeled to accommodate the proposed facility. The customer service area would be located at the south end of the building adjacent to Belt Line Road while the service area would make up the balance of the building. Also, two service doors would be added to the eastern elevation along with corresponding access drives as shown on the zoning exhibit.

The hours of operation would be Monday through Saturday 7:00 AM to 7:00 PM. The existing sign on the freestanding pole or pylon located along Belt Line Road would be re-faced. There is also intention to install attached signage on at least the southern elevation facing Belt Line Road, per the City of Richardson sign regulations.



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 13-03 Honest-1 Automotive Care
Property Owner: David S. Rosen / Pacific Video Beltline, LP
Applicant: Maxwell J. Fisher / Masterplan
Location: 1380 W. Belt Line Road (See map on reverse side)
Current Zoning: C-M Commerical
Request: A request by Maxwell J. Fisher, representing Masterplan, to revoke Ordinance 2635-A, a Special Permit for a drive-through restaurant, and approval of a Special Permit for a motor vehicle repair shop – major.

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

TUESDAY, JANUARY 15, 2013
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 13-03.

Date Posted and Mailed: 01/04/2013

ZF 13-03

**200'
Notification Boundary**

City Boundary

Coit Rd

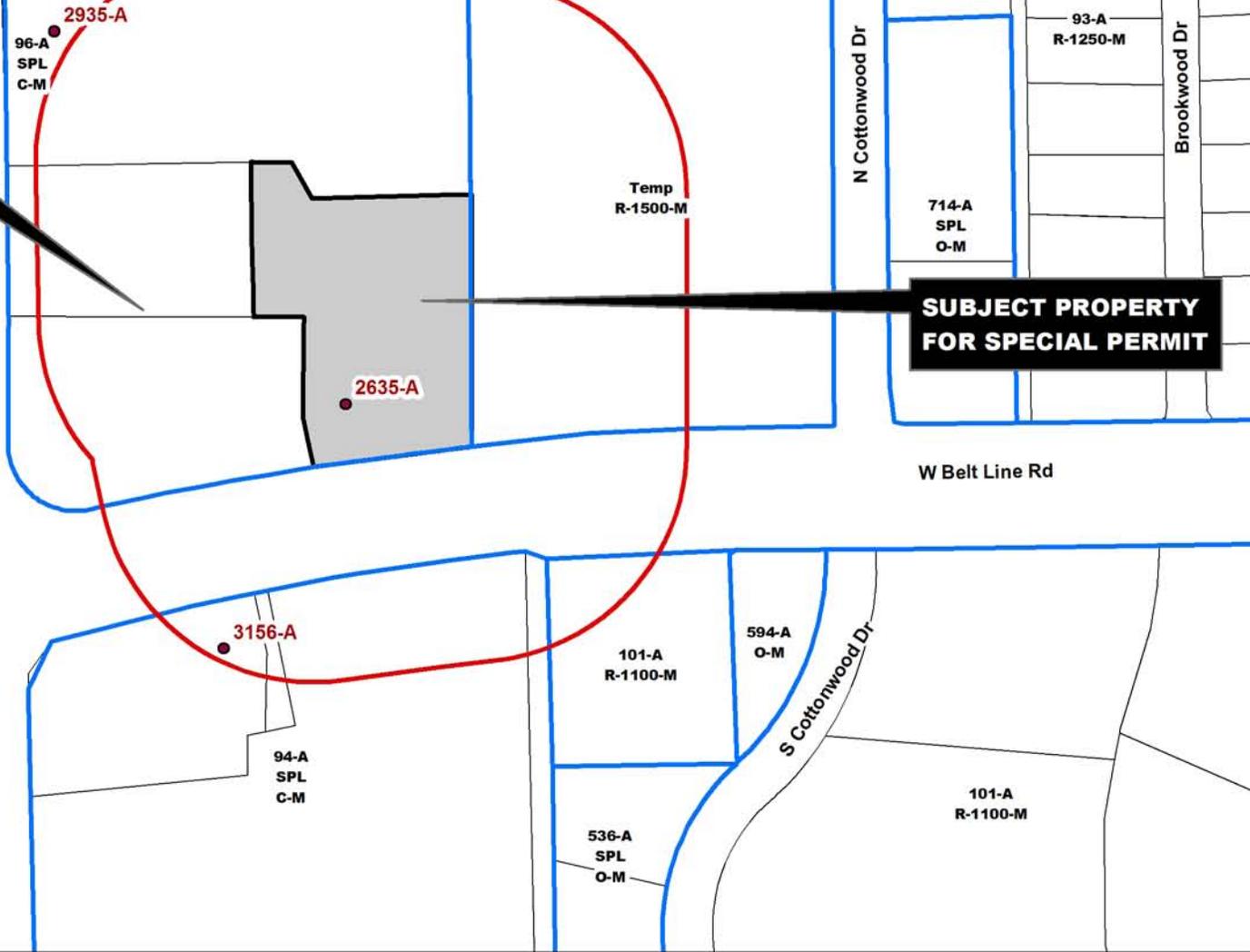
S Coit Rd

N Cottonwood Dr

Brookwood Dr

W Belt Line Rd

S Cottonwood Dr



ZF 13-03 Notification Map

Updated By: shacklett, Update Date: December 18, 2012
File: DSI\mapping\Cases\Z\2013\ZF1303\ZF1303 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.



KROGER TEXAS LP
PROP TAX 7TH FLOOR
1014 VINE ST
CINCINNATI, OH 45202-1141

WASHINGTON MUTUAL BANK FA
PO BOX 810490
DALLAS, TX 75381-0490

DAL RICH OUTPARCEL LTD PS
CENCOR REATLY
3102 MAPLE AVE # 500
DALLAS, TX 75201-1262

DAVID S. ROSEN
PACIFIC VIDEO BELTLINE LP
1640 S. SEPULVEDA BLVD. #308
LOS ANGELES, CA 90025

COMPASS BANK
C/O DIANE SEALE
15 20TH ST S # 501
BIRMINGHAM, AL 35233-2000

DALLAS COUNTY CLERK
RECORDS BLDG 2ND FLOOR
509 MAIN ST, # 200
DALLAS, TX 75202-3551

DAL RICH VILLAGE LTD
%CENCOR REALTY SVC INC
3102 MAPLE AVE # 500
DALLAS, TX 75201-1262

PACIFIC VIDEO BELTLINE LP
1640 S SEPULVEDA BLVD # 308
LOS ANGELES, CA 90025-7536

WEITZMAN HERBERT D &
WEITZMAN CHILDRENS TRUST
3102 MAPLE AVE # 500
DALLAS, TX 75201-1262

MAXWELL J. FISHER,
MASTERPLAN
900 JACKSON STREET, STE 640
DALLAS, TX 75202

ZF 13-03
Notification List

January 14, 2013

Dear Plan Commissioners,

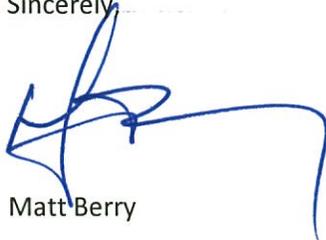
My name is Matt Berry and my family and I are 22 year residents of Richardson. I understand there is a request to operate an automotive repair facility near the intersection of Belt Line Road and Coit Road. When I first heard about this proposal for some type of automotive repair, with their significant range in types and quality, I had several questions and was concerned about the impact such facility might have in an established retail shopping center.

However, after talking with the representative for Honest-1 and learning more about the operation plan absent of automotive body work, my concerns have been abated. In fact, I fully expect this will be a first-rate business. Their business model includes a high class facility with amenities for guests and a customer centric open and honest approach. Moreover, after learning more about their particular service to families and particularly females, I completely understand the importance of locating in a safe and visible retail center.

I am in the real estate and construction industry, and I find that many times issues of land use incompatibility have less to do with the land use or business type and much more to do with the level of quality and operational practices of the owner or tenant. I have no reservations that this will be a first-class operation.

This is an excellent opportunity to re-occupy a vacant retail building with a valuable service provider while improving the aesthetics of the property. I am in full support of this proposal and encourage the Commission and Council to approve the request.

Sincerely,

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

Matt Berry

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS

ORDINANCE NO. 2635-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL PERMIT, WITH SPECIAL CONDITIONS, TO ALLOW A DRIVE-THROUGH WINDOW NEAR THE NORTHEAST CORNER OF BELT LINE ROAD AND COIT ROAD IN THE PROMENADE SHOPPING CENTER, AS DESCRIBED IN THE ATTACHED EXHIBIT "A", ON THE FOLLOWING DESCRIBED PROPERTY, TO-WIT:

BEING a part of WESTWOOD SHOPPING CENTER ADDITION, an Addition to the City of Richardson, Texas, according to the Plat recorded in Volume 324, Page 1367, Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner in the North right-of-way line of Belt Line Road (a 110.0 foot right-of-way, 60.0 feet from centerline) at the Southeast corner of WESTWOOD SHOPPING CENTER ADDITION;

THENCE in a Southwesterly direction along a non-tangent curve to the left having a radius of 2924.23 feet, a central angle of 02 degrees 49 minutes 18 seconds, and a tangent distance of 72.02 feet from a distance of 144.01 feet to a point for corner;

THENCE North 17 degrees 01 minutes 31 seconds West for a distance of 60.00 feet to a point for corner;

THENCE North 00 degrees 30 minutes 16 seconds West for a distance of 154.93 feet to a point for corner;

THENCE North 89 degrees 29 minutes 44 seconds East for a distance of 125.00 feet to a point for corner;

THENCE North 00 degrees 30 minutes 16 seconds West for a distance of 25.00 feet to a point for corner;

THENCE North 89 degrees 29 minutes 44 seconds East for a distance of 35.00 feet to a point for corner;

THENCE South 00 degrees 30 minutes 16 seconds East for a distance of 220.00 feet to the POINT OF BEGINNING;

CONTAINING 33,044.46 square feet or 0.758 acres of land;

PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND (\$1,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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, Dallas County, 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, with special conditions, to allow a drive-through window near the northeast corner of Belt Line Road and Coit Road in the Promenade Shopping Center, as described in the attached Exhibit "A", on the following described property, to-wit:

BEING a part of WESTWOOD SHOPPING CENTER ADDITION, an Addition to the City of Richardson, Texas, according to the Plat recorded in Volume 324, Page 1367, Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner in the North right-of-way line of Belt Line Road (a 110.0 foot right-of-way, 60.0 feet from centerline) at the Southeast corner of WESTWOOD SHOPPING CENTER ADDITION;

THENCE in a Southwesterly direction along a non-tangent curve to the left having a radius of 2924.23 feet, a central angle of 02 degrees 49 minutes 18 seconds, and a tangent distance of 72.02 feet from a distance of 144.01 feet to a point for corner;

THENCE North 17 degrees 01 minutes 31 seconds West for a distance of 60.00 feet to a point for corner;

THENCE North 00 degrees 30 minutes 16 seconds West for a distance of 154.93 feet to a point for corner;

THENCE North 89 degrees 29 minutes 44 seconds East for a distance of 125.00 feet to a point for corner;

THENCE North 00 degrees 30 minutes 16 seconds West for a distance of 25.00 feet to a point for corner;

THENCE North 89 degrees 29 minutes 44 seconds East for a distance of 35.00 feet to a point for corner;

THENCE South 00 degrees 30 minutes 16 seconds East for a distance of 220.00 feet to the POINT OF BEGINNING;

CONTAINING 33,044.46 square feet or 0.758 acres of land.

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

1. No screening wall will be required along the eastern edge of the property adjacent to a City of Richardson water storage site.
2. Development on the site shall be in substantial compliance with attached concept plan, marked as Exhibit "A".

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 the above described tracts shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and subject to the afore-mentioned special conditions.

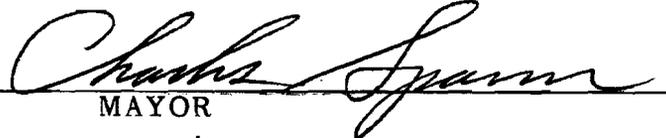
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided 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 One Thousand (\$1,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. Whereas, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare of the City of Richardson, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage, and the publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED by the City Council of the City of Richardson, Texas, on the
23rd day of November, 1987.

APPROVED:


MAYOR

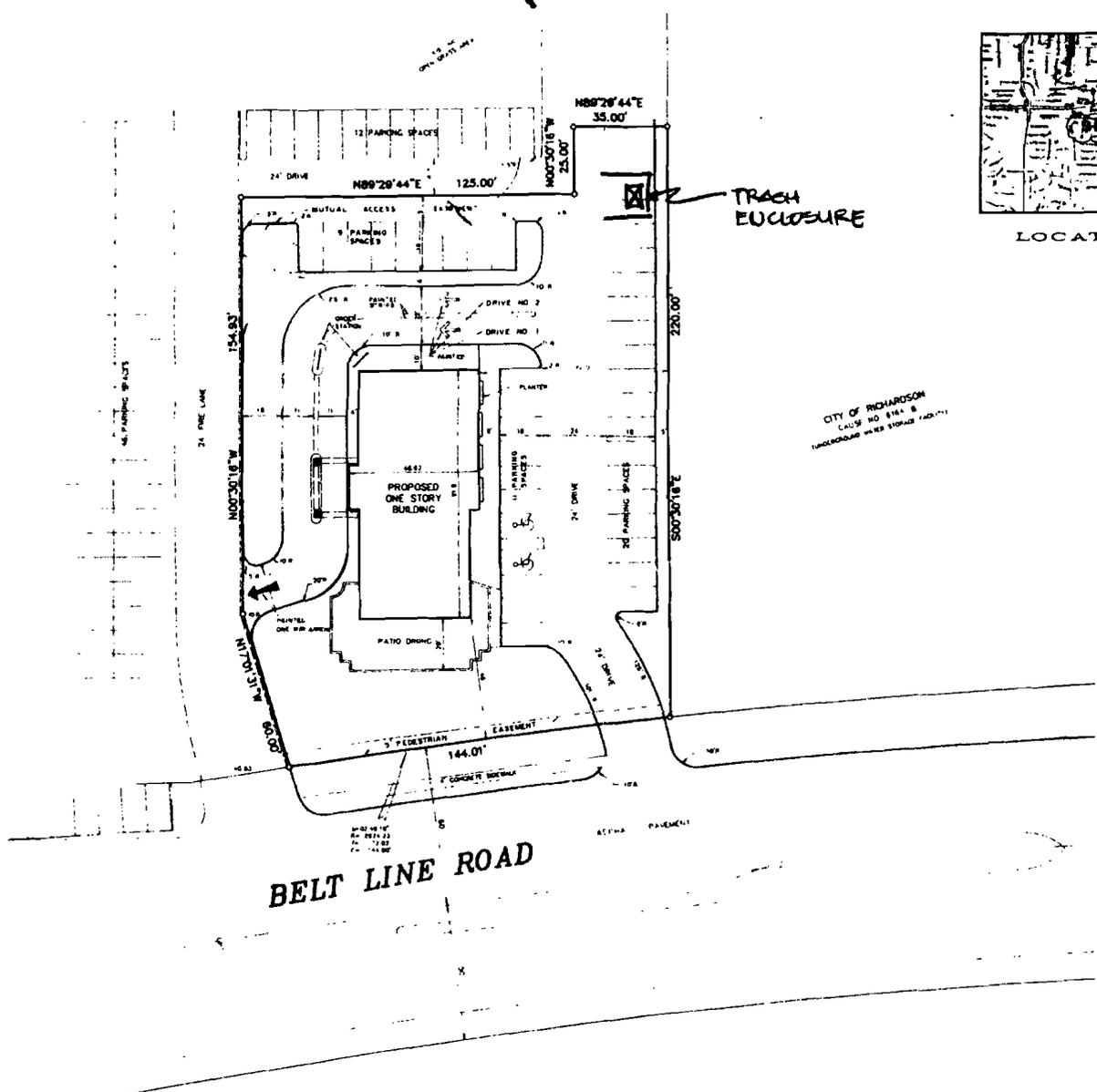
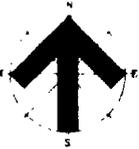
DULY RECORDED:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY

2635



LOCATION MAP

CITY OF RICHARDSON
CASE NO. 1164-B
UNDERGROUND WATER STORAGE FACILITY

BUILDING SUMMARY.

LAND AREA	32169.46 SQ. FT.
BUILDING AREA	4068.261 SQ. FT.
PARKING REQUIRED	40
PARKING PROVIDED	40
LANDSCAPE PROVIDED	8289 SQ. FT. (25.6%)

BELT LINE ROAD

* REVISED AS PER CITY COUNCIL
11/23/87 JH.

REVISIONS
SEPTEMBER 22, 1987



PROJECT: TWO PESOS SITE
LOCATED SOUTHEAST CORNER
OF WESTWOOD SHOPPING CENTER
RICHARDSON - TEXAS

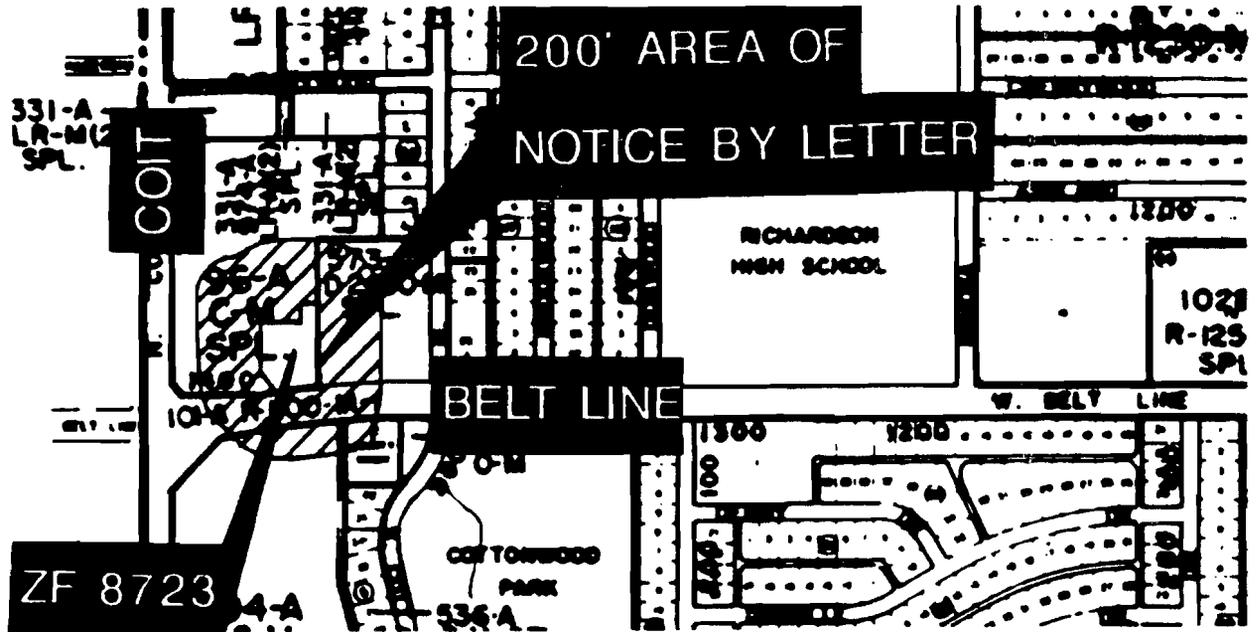
ZF 8723
EMMETT SACREY
PROJECT

DEWEY & ASSOCIATES
LIGHTING, SURVEYING
LAND PLANNING, CAD DESIGN

SHEET TITLE
SITE PLAN
DATE: SEPTEMBER 15, 1987
SCALE: 1" = 20'
DRAWN BY: J.A. (ACAD)
CHECKED BY: R.W./J.O./E.S.
SHEET NO.
OF

NOTICE OF PUBLIC HEARING

The City Council will hold a public hearing at 7:30 p. m., November 9, 1987, at the City Hall, 411 W. Arapaho Road, Richardson, Texas, to consider a request by Jim Dewey, Two Pesos Restaurant, for a special permit to allow a drive-through window on a proposed restaurant to be located east of the northeast corner of Belt Line and Coit Roads. Current zoning is C-M Commercial. The property is shown on the map below.



The City Council may approve the request, approve a more restrictive classification, or deny the request. The City Plan Commission recommends approval with special conditions.

Testimony will be limited to 20 minutes for proponents and 20 minutes for opponents. The applicant may reserve any portion of the allotted time for closing remarks following the opposition. Time required to respond to questions by the City Council is excluded from the 20 minute limitation.

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

THE CITY OF RICHARDSON

Virginia Gruben

 Mrs. Virginia Gruben, CMC
 City Secretary

ORDINANCE NO. 3897

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM I-FP(2) INDUSTRIAL TO PD PLANNED DEVELOPMENT FOR A 11.13-ACRE TRACT OF LAND, BEING A PORTION OF LOT 4, BLOCK 3, OF THE ROCKWELL SUBDIVISION, IN THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT “A”; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 12-11).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended to grant a change in zoning from I-FP(2) Industrial to PD Planned Development for a 11.13-acre tract of land, being a portion of Lot 4, Block 3, of the Rockwell Subdivision, in the City of Richardson, Dallas County, Texas and being described in Exhibit “A,” attached hereto and incorporated herein by reference.

SECTION 2. That in addition to the applicable provisions of the City of Richardson Comprehensive Zoning Ordinance, as amended, the Property shall be used and developed in accordance with the following development regulations:

GREENVUE PLANNED DEVELOPMENT DISTRICT

Sec. 1. Intent.

The purpose of the **GREENVUE PLANNED DEVELOPMENT DISTRICT** is to facilitate the development of a high-quality, transit-oriented multifamily residential community on a fairly difficult development tract. The physical attributes of the proposed development will demonstrate excellence in site planning and design. The proposed development will provide exceptional circulation from within the development to Alma Road and Greenville Avenue, while maintaining a high level of architectural design. Aesthetics from the streets and main driveway present a friendly and inviting perspective for pedestrians and motorists alike. The buildings will be enhanced with vertical and horizontal articulation and will contain a combination of high-quality materials and a monochromatic color palette with selective accent colors.

Sec. 2. Concept Plan and other Plans.

The Property shall be used and developed in substantial conformance with the concept plan attached as Exhibit “B” (“Concept Plan”), the trash compactor elevations attached as Exhibit “C-1” (“Trash Compactor Elevations”), the building elevations attached as Exhibit “C-2” (“Building Elevations”), and the retail ready plan attached as Exhibit “D” (“Retail Ready Exhibit”) and made a part hereof for all purposes.

Sec. 3. Permitted Uses.

Apartments shall be permitted in Buildings “A” through “E”. The uses listed below shall only be allowed within the area noted as “Retail Ready Unit on 1st” floor in Building “A” as shown on the Concept Plan:

- a. Antique shop.
- b. Art gallery.
- c. Bakery.
- d. Bank or financial institution.
- e. Barber or beauty salon.
- f. Book, card, or stationery store.
- g. Camera and photographic supply shop.
- h. Church
- i. Clothing or apparel store.
- j. Convenience store.
- k. Drugstore or pharmacy.
- l. Fabric store.
- m. Florist.

- n. Hardware store.
- o. Jewelry store.
- p. Laundry pick-up station.
- q. Mailing service.
- r. Office.
- s. Office furniture, equipment, and supply store.
- t. Photography or art studio.
- u. Repair shop, personal items.
- v. Restaurant without drive-through or curb service.
- w. Sporting goods store.
- x. Tailor shop.
- y. Toy or hobby shop.
- z. Video rental store

Sec. 4. Building regulations.

The following building regulations shall apply:

- a. *Minimum floor area per dwelling unit.* 600 square feet.
- b. *Type of Materials.*

(1) *Building A.*

- a) *Front and Side Facades.* Shall substantially conform to the architectural design and material mix set forth on “Building A West Elevation Greenville Ave.” in Exhibit “C-1.
- b) *Rear Façade.* Shall substantially conform to the architectural design and material mix set forth on “Building B South Elevation” in Exhibit “C-1”.

(2) *Building B*

- a) *Front and Side Facades.* Shall substantially conform to the architectural design and material mix set forth on “Building B North Elevation” in Exhibit “C-1”.
- b) *Rear Façade.* Shall substantially conform to the architectural design and material mix set forth on “Building B South Elevation” in Exhibit “C-1”.

(3) *Buildings C and D*

- a) *Front and Side Facade.* Shall substantially conform to the architectural design and material mix set forth on “Building D West and South Elevation, Building C South Elevation” in Exhibit “C-2”.

- b) *Rear Façade.* Shall substantially conform to the architectural design and material mix set forth on “Building B South Elevation” in Exhibit “C-1”.
- (4) *Building E*
 - a) *Front Side Façade.* Shall substantially conform to the architectural design and material mix set forth on “Building E North Elevation” in Exhibit “C-2”.
 - b) *Rear Façade.* Shall substantially conform to the architectural design and material mix set forth on “Building B South Elevation” in Exhibit “C-1”.
- (5) *Trash Enclosure.*
 - a) *Front, Side and Rear Facades.* Shall substantially conform to the architectural design and material mix set forth on “Trash Enclosure North, South and West Elevation” in Exhibit “C-1”.
- (6) The non-masonry exterior walls may be constructed of materials such as metal, 3-coat stucco system, and cementitious siding.
- (7) For purposes of this planned development only, “masonry” includes brick, manmade or natural stone, cast stone, rock, marble, granite, curtain glass, glass block or any other similar materials approved by the building official.
- (8) The area noted as “Retail Ready Units on 1st” on the Concept Plan shall be constructed in substantial conformance with Exhibit “D” (GreenVUE Schematic Building Section).

Sec. 5. Height regulations.

- (1) *Maximum height.* Except as otherwise provided herein, the maximum building height shall be limited to four (4) stories not to exceed 60 feet in height.
- (2) *Architectural features.* Features that may exceed the maximum height include turrets, towers, and lighting features, in addition to other features set forth in the definition of “height” in the Zoning Ordinance, provided that such features respect the scale of the building, subject to Development Plan approval.

Sec. 6. Area regulations.

- (1) *Maximum Density:* Thirty-seven (37) dwelling units per acre.
- (2) *Maximum Lot Coverage:* The principal building(s) and any accessory buildings (inclusive of parking structures) shall not exceed 40 percent of the total area of the lot.
- (3) *Perimeter Setbacks.*
 - (a) Front.

- i. The minimum building setback from Greenville Avenue and from Collins Boulevard shall be forty (40) feet.
 - ii. The minimum building setback from Alma Road shall be twenty-five (25) feet.
 - iii. Balconies above first floors may encroach up to three (3) feet into the building setback and ten-foot landscape strip.
 - (b) Rear. The rear property line shall be defined as the southern property line and property line adjacent to the KCS Railroad. Except as otherwise provided herein, the minimum rear yard setback shall be twenty-five (25) feet. The minimum rear yard setback for amenities and accessory structures within the “Pool Court and Amenities” as identified on the Concept Plan, shall be five (5) feet.
 - (c) Parking. Driveways and surface parking will be allowed in any setback area.
 - (d) Overhangs and fireplaces. The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof outside stairways may extend to a maximum of 3 1/2 feet into the required front, side or rear yards.
- (4) *Landscaping.*
- (a) Landscaping shall be provided at a minimum ratio of thirty percent (30%) of the gross land area of the Property.
 - (b) Landscaping shall include enhanced paving areas, landscape islands, and open space areas including plaza areas as shown on the Concept Plan.
 - (c) Entry features and signage may be provided as shown on the Concept Plan.
 - (d) Within the front yard area, a landscape strip shall be provided as follows: (i) 30 feet along Greenville Avenue, except as provided herein, (ii) 20 feet along Alma Road, and (iii) 6 feet along Collins Boulevard. Within the 30-foot landscape strip along Greenville Avenue, driveways and driving aisles are permitted as shown on the Concept Plan. The Bike Trail may be located within the landscape strip as identified on the Concept Plan.
 - (e) Within the required landscape strip, the developer shall install, and all subsequent owners shall maintain, plant materials as follows: One canopy tree for every 50 lineal feet of street frontage and one ornamental tree shall be required for every 50 lineal feet of street frontage; provided, however, that canopy and ornamental trees may be grouped. In addition, three evergreen shrubs, which shall reach a minimum height of 30 inches, shall be installed for each head-in parking space facing Collins Boulevard except as otherwise provided herein. No trees shall be required to be planted within the landscape strip along the retaining wall along Collins Boulevard

- (f) Berms measuring 30” in height with 3:1 slopes may be used in lieu of evergreen shrubs for a minimum of 1/3 of the lineal frontage of a perimeter street.
- (g) A minimum five-foot landscape strip with evergreen and live oak trees planted on alternating 40-foot centers shall be provided along the southern property line.
- (h) Along the “East-West Drive”, from the entrance at Greenville Avenue to the entrance at Alma Road, canopy trees shall be in tree wells in accordance with the Concept Plan.
- (i) Trees that are planted within tree wells shall be planted within 8-foot tree wells which are constructed in accordance with City details. The tree well opening shall be covered with a 6-foot x –6-foot tree grate, also in accordance with City details.
- (j) Underground bubbler irrigation is required and shall be installed on a zone separate from other landscape areas. Irrigation must be designed to deliver the appropriate amount of water to each tree with minimum waste.
- (k) Drainage for the tree well must be provided in accordance with City details.
- (l) Parking is permitted within setbacks and landscape buffer areas as shown on the Concept Plan.

Sec. 7. Parking.

- (a) *Minimum Parking requirements for multifamily uses* 1.50 parking spaces per unit.
- (b) *Carports.* Surface parking spaces serving multifamily residential uses are not required to have a covered carport.

Sec. 8. Special requirements.

- (a) *Recreational areas.*
 - (1) Indoor or outdoor recreational amenities shall be required pursuant to this ordinance to meet the requirements of the residents in apartment units on the Property.
 - (2) For purposes of this ordinance, all apartments constructed on the Property are considered to be one community. The amenities listed below shall accrue points based on the values assigned. A minimum of 100 recreational amenity points must be accumulated for the PD.
 - a. Clubhouse/game room/multi-purpose room a minimum of 400 square feet in area. (Ten points.)
 - b. Equipment, such as pool tables, ping-pong tables, foosball tables, etc., in the clubhouse/game room/multi-purpose room; electronic videogames or pinball games shall not be eligible for points. The appropriateness of the equipment shall be determined by the

- city's director of parks and recreation. (One point for each piece of approved equipment.)
- c. Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points/court.)
 - d. Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points/court.)
 - e. Indoor fitness center at least 400 square feet in area. (Ten points.)
 - f. Swimming pool, including wading area. Pools shall be fenced and secured according to the requirements of the City of Richardson. (Ten points)
 - g. Reinforced concrete jogging trail, bike path, sidewalks or combination thereof looping through or around the Property, a minimum of ten (10) feet in width to be constructed solely by the developer. (Twenty points.)
 - h. Sidewalks, hiking, jogging, and/or bike trail connecting the development to public trail systems. (Five points)
 - i. Usable open space, at least 1,000 square feet in area, to include at least three of the following: cluster of trees, water features, seating areas, picnic tables, barbecue grills, gazebos or other elements as approved by the city's director of parks and recreation. The plaza areas shown on the Concept Plan shall qualify as usable open space for purposes of this planned development. (Ten points; maximum 30 points for the PD.)
 - j. Other recreational amenities as approved by the city's director of parks and recreation. (One through ten points, to be determined by the director of parks and recreation.)
 - k. Fenced dog park minimum 1,200 square feet (15 points).
- (3) It shall be the responsibility of the director of parks and recreation of the city to review the proposed recreational amenities.
 - (4) Open space shall be disposed in such a manner as to ensure the safety and welfare of residents
- (b) *Signage.* Signage identifying the proposed development may be provided as set forth on the Concept Plan and Elevations. Signage for the “retail ready” spaces shown on the Concept Plan may be provided for each separate space as such spaces are used for nonresidential uses. A signage package shall be approved prior the issuance of a certificate of occupancy for the first “retail ready” space converted to a nonresidential use.

Sec. 9. General Miscellaneous Regulations.

- (a) Enhanced street paving. Enhanced street paving shall be provided at appropriate locations throughout the development to emphasize pedestrian crossings, key intersections, and driveways entrances.
 - (1) For purposes of this planned development district, the multifamily development shown on the Concept Plan shall be considered as one “apartment community” in accordance with Chapter 21 of the Code of Ordinances, as amended and no physical separation shall be required.
 - (2) Loading docks, refuse storage containers, and utility accessories shall be screened to reduce their visual impact by screening these sites from adjoining properties and shall be located as set forth on the Concept Plan.
- (b) Minor modifications. The City Manager or designee shall have the authority to approve minor modifications to concept plans and development plans approved within or required by this Ordinance. For purposes of this planned development, a minor modification shall be defined as (i) a change to a footprint of a building in which the proposed footprint remains within the building envelope shown on the Concept Plan, and (ii) except as otherwise provided in (i), a change which does not increase the building coverage, floor area ratio or residential density of the planned development, does not decrease any of the specified area regulations or enumerated parking ratios, nor substantially changes the access or circulation on or adjacent to the site.
- (c) For purposes of this planned development district and the development and performance standards in the City's Comprehensive Zoning Ordinance, this planned development district shall not be considered a residential or apartment zoning district.

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

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

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

than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 11th day of February, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:2-7-13:TM 59348)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 12-11

BEING A 11.126 ACRE TRACT OF LAND SITUATED IN THE LEMUEL BESS SURVEY, ABSTRACT NO. 87, CITY OF RICHARDSON, DALLAS COUNTY, TEXAS AND BEING OUT OF AND A PORTION OF LOT 4, BLOCK 3, OF ROCKWELL SUBDIVISION, AN ADDITION TO THE CITY OF RICHARDSON ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 87079, PAGE 1107, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, (DRDCT), AND DESCRIBED IN THE SPECIAL WARRANTY DEED TO SAF COLLINS TECHNOLOGY PARK, LLC RECORDED IN INSTRUMENT NUMBER 200600389033, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, (OPRDCT), SAID 11.126 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2-INCH IRON ROD FOUND FOR THE SOUTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF ALMA ROAD, (A CALLED 80-FOOT PUBLIC RIGHT-OF-WAY) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF E. COLLINS BOULEVARD, (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) AND BEING THE MOST EASTERLY NORTHEAST CORNER OF SAID LOT 4;

THENCE SOUTH 00°02'37" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 305.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 00°02'37" WEST CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 363.70 FEET TO A POINT FOR CORNER AND FROM WHICH A 1/2-INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 4 SAME BEING THE NORTHEAST CORNER OF LOT 3, BLOCK 3 OF SAID ROCKWELL SUBDIVISION BEARS SOUTH 00°02'37" WEST, A DISTANCE OF 35.00 FEET;

THENCE NORTH 89°57'23" WEST DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, 35.00 FEET NORTHERLY FROM AND PARALLEL WITH THE COMMON LINE OF SAID LOT 4 AND LOT 3, A DISTANCE OF 977.47 FEET TO A POINT FOR CORNER IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE KANSAS CITY SOUTHERN RAILROAD, (F.K.A. GULF COLORADO & SANTA FE RAILROAD, A VARIABLE WIDTH RIGHT-OF-WAY, 150-FEET WIDE AT THIS POINT) AND FROM WHICH A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY + PARTNERS" SET FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT 4 SAME BEING THE NORTHWEST CORNER OF SAID LOT 3 BEARS SOUTH 38°05'05" EAST, A DISTANCE OF 44.49 FEET;

THENCE NORTH 38°05'05" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 135.00 FEET TO A CUT "X" FOUND FOR THE MOST WESTERLY CORNER OF SAID LOT 4 AND BEING IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF GREENVILLE AVENUE, (A CALLED 100-FOOT PUBLIC RIGHT-OF-WAY);

THENCE NORTH 27°31'08" EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 408.61 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 4 AND BEING IN THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF E. COLLINS BOULEVARD AND BEING THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS POINT WHICH BEARS NORTH 08°16'36" EAST, A DISTANCE OF 717.12 FEET;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING:

NORTHEASTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 23°50'30" FOR AN ARC LENGTH OF 298.40 FEET, A CHORD BEARING OF NORTH 86°21'21" EAST AND A CHORD DISTANCE OF 296.26 FEET TO A CUT "X" FOUND FOR THE POINT OF TANGENCY;

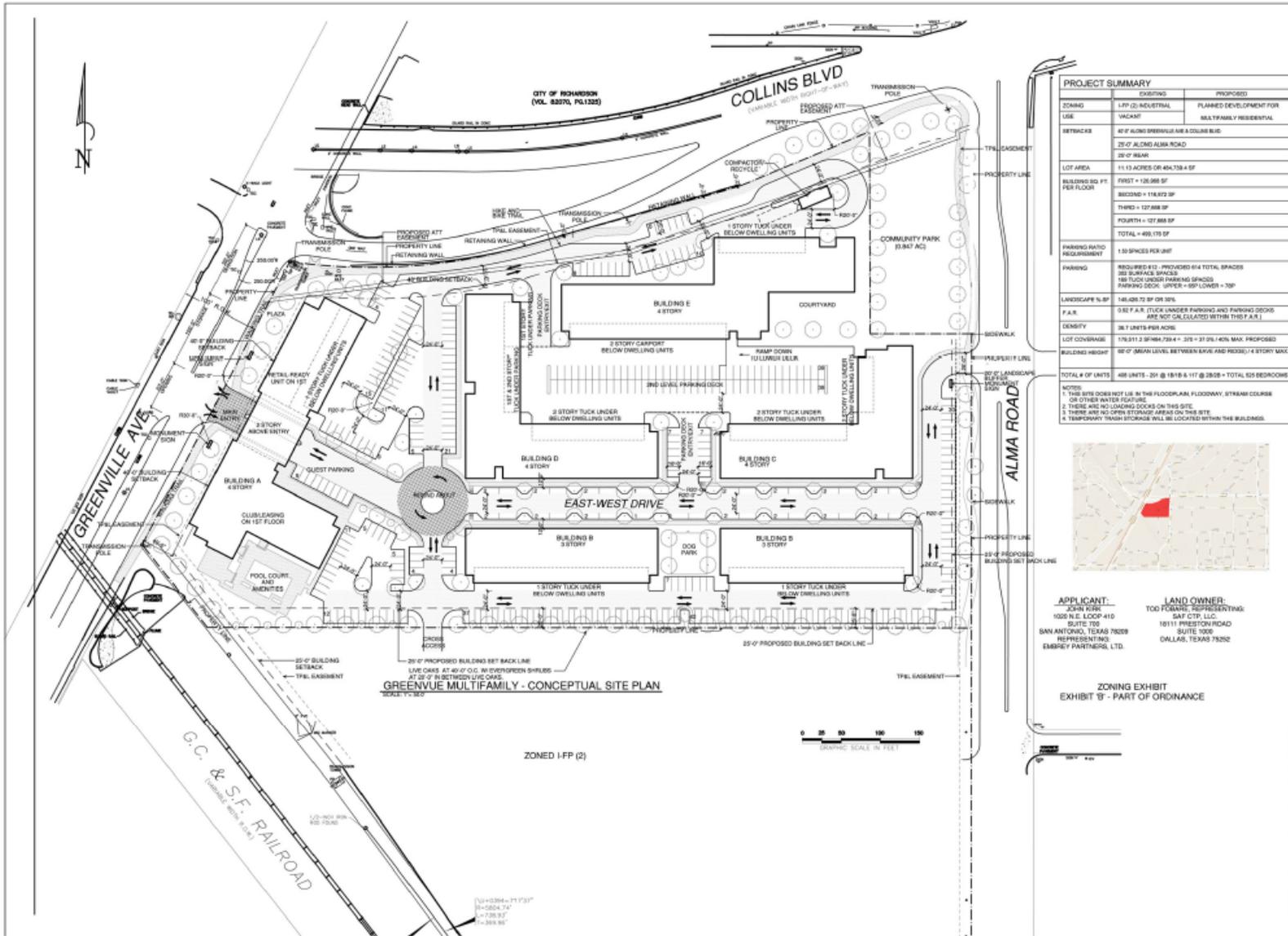
NORTH 74°26'06" EAST, A DISTANCE OF 292.44 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER;

NORTH 67°09'40" EAST, A DISTANCE OF 185.42 FEET TO A POINT FOR CORNER AND FROM WHICH A 1/2-INCH IRON ROD FOUND FOR CORNER IN SAID SOUTHERLY RIGHT-OF-WAY BEARS NORTH 67°09'40" EAST, A DISTANCE OF 53.42 FEET;

THENCE SOUTH 00°02'37" WEST DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 274.87 TO A POINT FOR CORNER;

THENCE SOUTH 89°57'45" EAST, A DISTANCE OF 124.18 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 484,645 SQUARE FEET OR 11.126 ACRES OF LAND.



PROJECT SUMMARY	
ZONING	LFP (2) INDUSTRIAL (CURRENT) / PLANNED DEVELOPMENT FOR (WARRANT) MULTIFAMILY RESIDENTIAL (PROPOSED)
SETBACKS	45'-0" ALONG GREENVILLE AVE & COLLINS BLVD 25'-0" ALONG ALMA ROAD 25'-0" REAR
LOT AREA	11.13 ACRES OR 484,758.4 SF
BUILDING SQ FT PER FLOOR	FIRST = 126,968 SF SECOND = 114,872 SF THIRD = 127,488 SF FOURTH = 127,868 SF TOTAL = 497,196 SF
PARKING RATIO REQUIREMENT	1.33 SPACES PER UNIT
PARKING	REQUIRED # IS PROVIDED #14 TOTAL SPACES 200 SURFACE SPACES 180 TUCK UNDER PARKING SPACES PARKING DECK: 100'S = 100' LOWER = 70P
LANDSCAPE SQ FT	148,428.72 SF ON SITE
F.A.S.	0.82 F.A.S. (TUCK UNDER PARKING AND PARKING DECKS ARE NOT CALCULATED WITHIN THIS F.A.S.)
DENSITY	38.7 UNITS PER ACRE
LOT COVERAGE	176,211.2 SF (36% 724' x 276' = 31.2% 40% MAX. PROPOSED)
BUILDING HEIGHT	95'-0" MAX. LEVEL BETWEEN EAVE AND PROPOSED 4 STORY MAX.
TOTAL # OF UNITS	488 UNITS: 204 @ 1816 & 117 @ 2808 = TOTAL 625 BEDROOMS



APPLICANT:
JOHN RICE
1028 N.E. LOOP 410
SUITE 702
SAN ANTONIO, TEXAS 78209
REPRESENTING
EMBRY PARTNERS, LTD.

LAND OWNER:
TOO FOGARE, REPRESENTING:
SAF CTP, LLC
18111 PINECROW ROAD
SUITE 1006
DALLAS, TEXAS 75252

ZONING EXHIBIT
EXHIBIT 'B' - PART OF ORDINANCE

REVISIONS
01-23-2013

GREENVUE
ROCKWALL SUBDIVISION LOT 4, BLOCK 3
RICHARDSON, TEXAS
EMBRY

BGO
architects
4144 N. Central Exp.
SUITE 800
DALLAS, TX 75204
P: 214.500.8879
bgoarchitects.com

DATE
01-18-2013

PROJECT
12130

SHEET NUMBER



12130
 01.18.2013
 EMBREY



GREENVUE DEVELOPMENT CONCEPTUAL ELEVATIONS
 RICHARDSON, TEXAS

Exhibit C-2 - Part of Ordinance



12130
 01-21-2013
 EMBREY

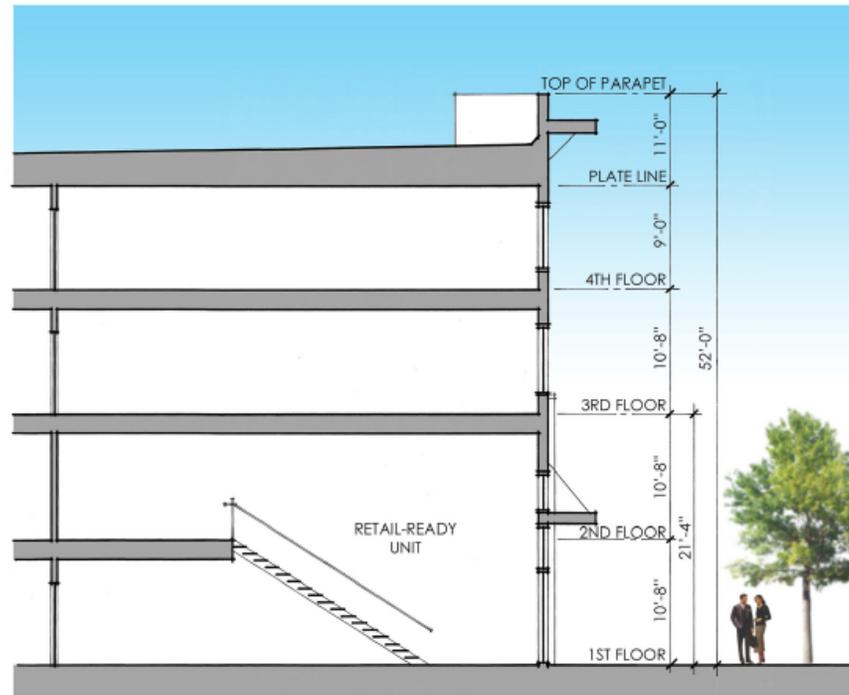


Exhibit D - Part of Ordinance

GREENVUE SCHEMATIC BUILDING SECTION
RICHARDSON, TEXAS



12130
 01.18.2013
 Embrey



CITY OF RICHARDSON

TO: Dan Johnson - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 32-13
DATE: February 5, 2013

Request Council approval to initiate bids for the following:

HEIGHTS PARK IRRIGATION CONVERSION

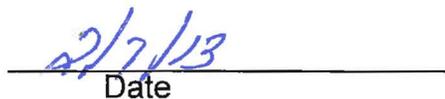
Proposed Council approval date: February 11, 2013
Proposed advertising dates: February 13, 2013 & February 20, 2013
Proposed bid due date: Thursday, February 28, 2013 – 2:00 p.m.
Proposed bid opening date: Thursday, February 28, 2013 – 2:30 p.m.
Engineer's estimated total cost: 150,000.00
Account: 232-3061-581-7102 project #PM1202
011-3061-541-4359
233-3061-581-7102 project #PM1309



Pam Kirkland, CPPO, CPPB
Purchasing Manager



Kent Pfeil
Director of Finance



2/7/13
Date

Approved: _____
Dan Johnson
City Manager

Date



MEMO

TO: Dan Johnson, City Manager

THRU: Shanna Sims-Bradish, Assistant City Manager *MSB*

FROM: Roger K. Scott, Asst. Director of Parks and Recreation *RS*

SUBJECT: Permission to Advertise Bid # 32-13
Heights Park Irrigation Conversion

DATE: February 1, 2013

BACKGROUND INFORMATION:

The Heights Park Irrigation Conversion includes the replacement of an antiquated hydraulic system with a new, more efficient electric system. This project will consist of trenching, piping new mainline and lateral lines, installing new valves, heads, wire and irrigation controllers along with grading and re-establishing of damaged turf areas with sod and other miscellaneous appurtenances as shown on the construction documents. The City of Richardson will be supplying the general controller.

Heights Park will be the last park within the City of Richardson park system to convert to this electric irrigation system.

FUNDING:

Funding is provided from the following sources:

1. C.O. Capital Equipment Fund for Fiscal Year 2012
2. C.O. Capital Equipment Fund for Fiscal Year 2013
3. City of Richardson General Operating Fund

SCHEDULE:

Capital Projects plans to begin construction for this project the beginning of April and completion will by mid-June, 2013.

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**HEIGHTS PARK IRRIGATION CONVERSION
BID # 32-13**

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 **Thursday, February 28, 2013 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:

The Heights Park Irrigation Conversion includes the replacement of an antiquated hydraulic system with a new, more efficient electric system. This project will consist of trenching, piping new mainline and lateral lines, installing new valves, heads, wire and irrigation controllers along with grading and re-establishing of damaged turf areas with sod and other miscellaneous appurtenances as shown on the construction documents. NOTE: The City of Richardson will be supplying the general controller.

Proposals shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The notice of award of contract shall be given to the successful bidder within ninety (90) days following the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

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

A maximum of SIXTY (60) calendar days will be allowed for Base Bid construction; an additional FIFTEEN (15) calendar days will be allowed for Alternate Bid construction. A maximum total of SEVENTY FIVE (75) calendar days will be allowed if Alternate is awarded.

One set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, February 12, 2013** upon a **NON-REFUNDABLE FEE of Fifty Dollars (\$50.00)** per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number. Maximum of two sets of plans per contractor, please.

A mandatory pre-bid conference will be held Thursday, February 21, 2013 at 10:00 a.m. in the Heights Room (downstairs), Richardson Civic Center/City Hall.

By:/s/Bob Townsend, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

PROPOSED PROJECT SCHEDULE
HEIGHTS PARK IRRIGATION CONVERSION

Bid Number: 32-13

Prepare Agenda Paperwork to Advertise	Friday, February 01, 2013
City Council Authorization to Advertise	Monday, February 11, 2013
Plans/Specifications Available for Contractors	Tuesday, February 12, 2013
Advertise in Dallas Morning News	Wednesday, February 13, 2013
Advertise in Dallas Morning News	Wednesday, February 20, 2013
Mandatory Pre-Bid Meeting (10:00 / Heights Room)	Thursday, February 21, 2013
Receive Bids/Open Bids (2:00/2:30 / Room 206)	Thursday, February 28, 2013
Prepare Agenda Paperwork to Award Contract	Friday, March 01, 2013
City Council Awards Contract	Monday, March 11, 2013
Pre-Construction Meeting	Monday, March 25, 2013
Project Start	Monday, April 01, 2013
Project Complete in 60 Calendar Days (+ 15 CALENDAR DAYS FOR ALTERNATE = 75 TOTAL)	Monday, June 03, 2013 (TUESDAY, JUNE 18, 2013)

Project Manager:	Bobby Kinser
Construction Cost Estimate:	\$ 150,000.00

\$ ACCOUNT INFORMATION \$

Funding Source: 2012 Irrigation Fund
Account #: 222-3061-581-7102 Project #: PM1202

Funding Source: 2013 Base Irrigation Fund
Account #: 233-3061-581-7102 Project #: PM1309

Funding Source: Parks Operating Fund
Account #: 011-3061-541-4359 Project #: n/a

Funding Source: n/a
Account #: n/a Project #: n/a



February 2013

Heights Park
711 W. Arapaho Rd
Richardson, TX 75080



0 135 270 540 Feet



CITY OF RICHARDSON

TO: Dan Johnson - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 37-13
DATE: February 6, 2013

Request Council approval to initiate bids for the following:

CITY OF RICHARDSON FIRE TRAINING CENTER
LIVE FIRE PROPS & HIGH TEMPERATURE LINING SYSTEMS

Proposed Council approval date: February 11, 2013
Proposed advertising dates: February 13, 2013 & February 20, 2013
Proposed bid due date: Thursday, March 7, 2013 – 2:00 p.m.
Proposed bid opening date: Thursday, March 7, 2013 – 2:30 p.m.
Engineer's estimated total cost: \$600,000
Account: 224-1410-581-7401, Project FD1207
229-1410-581-7401, Project FD1207
230-1410-581-7401, Project FD1207
231-1410-581-7401, Project FD1207
233-0245-581-7431, Project EM1304
378-8701-585-7524, Project PB1003



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 City of Richardson Fire Training Center Live Fire Props and High Temperature Lining Systems – Bid No. 37-13

DATE: February 1, 2013

BACKGROUND INFORMATION:

This contract will provide for the turnkey procurement and installation of high temperature lining systems and live fire training props including bedroom fire, flashover/rollover effect fire, office fire and a portable car fire within the burn tower currently under construction at the Fire Training Center. The fire training props and high temperature lining systems are specialized equipment provided by only a select few vendors. This work was intentionally excluded from the base construction contract currently underway to allow us to contract more directly with one of those vendors.

FUNDING:

Funding is provided from 2010 G.O. Bonds, Prior Year CO's and Capital Equipment CO's.

SCHEDULE:

Capital Projects plans for this project to begin construction late April 2013 and be completed by August 2013.

Cc: Jim Dulac, P.E., Assistant City Engineer
CP/Office/AR/AI -Feb2013/FTC _Props-Executive.doc

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

***Fire Training Center
Live Fire Props & High Temperature Lining Systems***

BID # 37-13

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 **2:00 pm on Thursday, March 7, 2013** and will be opened and read aloud in the **Capital Projects Conference Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

The turnkey procurement and installation of high temperature lining systems and live fire training props including bedroom fire, flashover/rollover effect fire, office fire and a portable car fire within a burn tower that is currently under construction at the Fire Training Center.

Proposals shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The notice of award of contract shall be given to the successful bidder within ninety (90) days following the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

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

A maximum of One Hundred Twenty (120) calendar days will be allowed for construction.

One set of plans, specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, February 12, 2013** upon a **NON-REFUNDABLE FEE OF FIFTY Dollars (\$50.00)** per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number.

A voluntary pre-bid conference will be held **Tuesday, February 26, 2012 at 2:00 p.m., 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

CITY OF RICHARDSON FIRE TRAINING CENTER LIVE FIRE PROPS AND HIGH TEMPERATURE LINING SYSTEMS

Bid Number: 37-13

Prepare Agenda Paperwork to Advertise	Friday, February 01, 2013
City Council Authorization to Advertise	Monday, February 11, 2013
Plans/Specifications Available for Contractors	Tuesday, February 12, 2013
Advertise in Dallas Morning News	Wednesday, February 13, 2013
Advertise in Dallas Morning News	Wednesday, February 20, 2013
Pre-Bid Meeting (Room 206 – 2:00 P.M.)	Tuesday, February 26, 2013
Receive Bids/Open Bids (Room 206 – 2:00/2:30 P.M.)	Thursday, March 07, 2013
Prepare Agenda Paperwork to Award Contract	Friday, March 15, 2013
City Council Awards Contract	Monday, March 25, 2013
Pre-Construction Meeting	~Monday, April 08, 2013
Project Start	~Monday, April 22, 2013
Project Complete in 120 Calendar Days	~Tuesday, August 20, 2013

Engineer: Jim Dulac, P.E., Assistant City Engineer
Construction Estimate: \$600,000

ACCOUNT INFORMATION

Funding Source: EOC Supplement
Account #: 224-1410-581-7401 Project #: FD1207

Funding Source: EOC Supplement
Account #: 230-1410-581-7401 Project #: FD1207

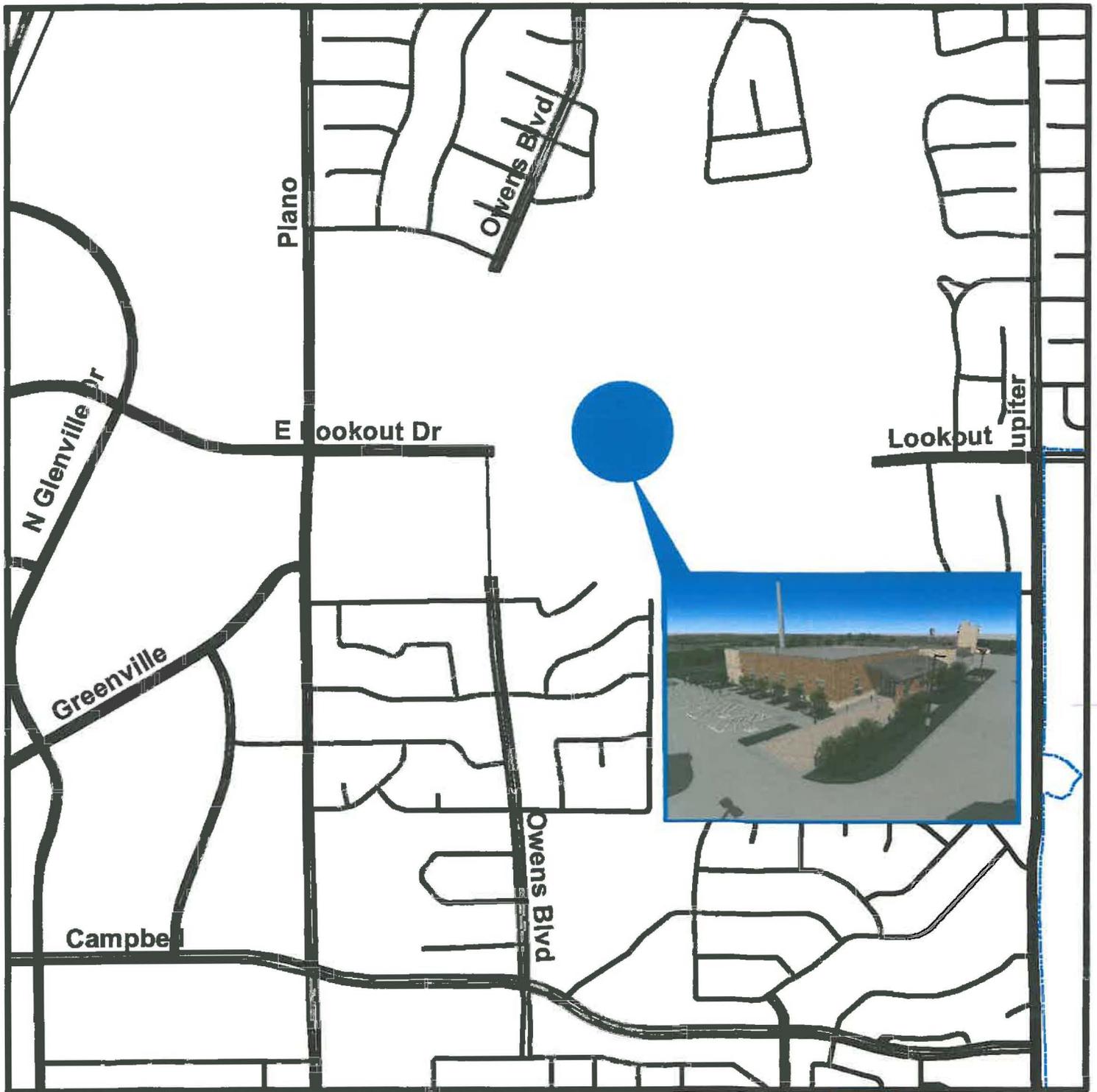
Funding Source: EOC Supplement
Account #: 229-1410-581-7401 Project #: FD1207

Funding Source: Fire Training Supplement
Account #: 233-0245-581-7431 Project #: EM1304

Funding Source: EOC Supplement
Account #: 231-1410-581-7401 Project #: FD1207

Funding Source: 2010 G.O. Bonds
Account #: 378-8701-585-7524 Project #: PB1003

Fire Training Center Live Fire Props & High Temperature Lining Systems





MEMO

DATE: February 5, 2013
TO: Kent Pfeil – Director of Finance
FROM: Pam Kirkland – Purchasing Manager *Pam*
SUBJECT: Award of Bid #24-13 for the upgrade of the Richardson Room and Grand Hall Audio Control Systems to Summit Integration Systems in the amount of \$86,630

Proposed Date of Award: February 11, 2013

I concur with the recommendation of Greg Sowell – Director of Communications, and request permission to issue a purchase order for the above referenced project to Summit Integration Systems in the amount of \$86,630.

The award of this contract was based on best value criteria as provided in the Texas Local Government Code, Chapter 252.043, which allows consideration of other factors besides price alone when awarding a contract for goods and services. The selection committee was comprised of Geoff Wright – Director of Convention and Visitors Bureau, Joshua Beltran of Wrightson, Johnson, Haddon & Williams, Inc., the consultant on the project, and myself. The bids were evaluated on four criteria specified in the bid:

- 1) total bid amount;
- 2) experience and qualifications of the bidder's personnel;
- 3) responses to a questionnaire;
- 4) ability of the bidder to meet the installation requirements.

Seven bids were received from Ford Audio/Video, FSG Group, George McKenna Electric, Infinity Sound, Lantek Communications, Schoolhouse Audio/Video and Summit Integration Systems. Summit Integration Systems was the unanimous decision of the committee, scored the highest on the award criteria, and best fits the needs of the project, as outlined in Mr. Sowell's attached memo.

Funding is provided in accounts 163-4110-517-7431 and 233-0811-581-7499, Project CC1301.

A prebid conference was held on January 3, 2013 and nine bidders and four staff members were in attendance. The bid was advertised in *The Dallas Morning News* on December 20 & 27, 2011 and was posted on Bidsync.com.

Concur:

Kent Pfeil
Kent Pfeil

Attachments

XC: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish



MEMO

DATE: February 5, 2013
TO: Pam Kirkland – Purchasing Manager
FROM: Greg Sowell – Director of Communications *GTS*
SUBJECT: Award of Bid #24-13 for the upgrade of the Richardson Room and Grand Hall Audio Control Systems to Summit Integration Systems in the amount of \$86,630

It is the recommendation of the selection committee that we approve the best value bid for the Richardson Room and Grand Hall audio control system upgrades to Summit Integration Systems in the amount of \$86,630.

We received a total of seven proposals, and each was scored based on several factors with the most notable being:

- total bid amount;
- experience and qualifications of the bidder's personnel;
- responses to a questionnaire;
- and ability of the bidder to meet the installation requirements.

As indicated on the attached evaluation result forms, Summit received the highest score of 74.52 out of 100 possible points. Summit was selected based on the above criteria. However, the ranking was close between Summit and the low bid vendor represented by Infinity Sound. Both vendors had proven ability in installing the project, but Summit gained an edge since it is the entity that also installed the original equipment in the facilities and is familiar with current operations. Summit was also the entity recommended by our consultant which designed the upgrades.

With the difference in the low bid amount being a small percentage of the total work to be done, we feel the best alternative is to approve the bid by Summit in order to ensure the highest available quality possible in installation.

Funding is provided in accounts 163-4110-517-7431 and 233-0811-581-7499; with the Civic Center (233-0811-581-7499) paying for all Grand Hall improvements and PEG funds (163-4110-517-7431) paying for improvements to the Richardson Room.

Project Number – CC1301



MEMO

DATE: February 5, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager 

SUBJECT: Rejection of Bid #23-13 for the annual contract for graffiti removal/wall washing and painting

Proposed Date of Rejection: February 11, 2013

I concur with the recommendation of Don Magner – Assistant City Manager and Lindsay Turman – Community Services Manager to reject all bids received on the above referenced project, as outlined in the attached memorandum. The bid specifications will be revised and rebid as soon as possible.

A prebid conference was held on December 19, 2012 and two vendors and two staff members were in attendance. The bid was advertised in *The Dallas Morning News* on December 11 & 18, 2012 and was posted on Bidsync.com where seven hundred thirteen notices were solicited; thirty-four bidders viewed the bid; and five bids were received.

Concur:


Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish



MEMO

Date: February 6, 2013

To: Pam Kirkland, Purchasing Manager

From: Don Magner, Assistant City Manager 

CC: Lindsay Turman, Community Services Manager

Subject: Annual Contract for Graffiti Removal / Wall Washing and Painting

On January 9, 2013, bids were received for Bid No. 23-13 - Annual Contract for Graffiti Removal / Wall Washing and Painting. The bid included 17 line items for various methods of graffiti removal and wall washing. Three of these 17 items; painting screening walls, painting entry features/signs, and painting bridges; were bid as one individual job. Each job allowed the bidder to bid three options: contractor providing paint, contractor providing ECO paint, and paint being provided by other entities.

During a review of the bids received, it was determined that bid prices should have been requested on a unit cost basis rather than a per job basis. It is estimated that there may be up to 50,000 square feet of wall washing and painting required.

Staff has determined that these bids should be rejected and rebid with the appropriate square footage estimates to better reflect the work to be performed under the contract.

Please let me know if you have any questions or require any additional information.

CITY OF RICHARDSON
SIGN CONTROL BOARD MINUTES – FEBRUARY 6, 2013

Ms. Dorthy McKearin, Chair, called a regular meeting of the Sign Control Board to order at 6:30 p.m. on Wednesday, February 6, 2013, at the Civic Center Council Chamber, 411 W. Arapaho Road, Richardson, Texas.

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

CITY STAFF PRESENT DON MAGNER, ASSISTANT CITY MANAGER
 PATRICIA GUERRA, ASST. DIR. OF COM. SERVICES
 JENNA HITE, COM. SVCS. ADMIN SECRETARY

Ms. McKearin stated there is a quorum present.

Mr. Izard made a motion to approve the minutes of the January 9, 2013 meeting. The motion was seconded by Mr. Warner and carried unanimously.

SCB CASE #13-04: TO CONSIDER THE REQUEST OF JUPITER BINGO FOR A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE III, SECTION 18-96(23)(c)(iii)(1) TO ALLOW FOR A MULTI-TENANT POLE SIGN AT A SITE UNDER TEN ACRES ZONED LOCAL RETAIL AT THE PROPERTY LOCATED AT 2120 E. BELT LINE ROAD; AND TAKE APPROPRIATE ACTION.

Ms. McKearin opened the Public Hearing and Mr. Magner introduced the request of Jupiter Bingo for a variance to the City of Richardson Code of Ordinances, Chapter 18, Article III, Section 18-96(23)(c)(iii)(1) to allow for a multi-tenant pole sign at a site under ten acres zoned local retail at the property located at 2120 E. Belt Line Road. A power point presentation was shown for review.

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

Larry Whittington, 2120 E. Belt Line Road, Richardson, TX, CEO and manager for Jupiter Bingo, stated they have been at this location for 20 years, which supports five charities. Mr. Whittington stated Jupiter Bingo has never advertised on this particular pole sign because, the owner of Jupiter Bingo allowed the adjoining tenant, The Bedroom Shop, to use the sign. Mr. Whittington stated that business has gone down because of the smoking ban ordinance. He stated that they are losing their customers to nearby cities which do not have the smoking ban ordinance. Mr. Whittington stated the Bedroom Shop moved out summer of 2012 and The Resale Shop, which is operated by a charity, was a good client to move in. Mr. Whittington stated because they have loss approximately \$700,000 over the last five years they felt

advertising Jupiter Bingo along with the Resale Shop could potentially help increase their business and start bringing money back in to help the charities. Mr. Whittington stated they need the advertisement so people will come to the bingo hall help the charities.

Mr. Ikram asked if Jupiter Bingo was exploring other ways to bring in customers. Mr. Whittington stated they did have a game room but the State Commission stopped allowing it and that there was competition with the Oklahoma casinos. Mr. Whittington stated there is currently a bill in Austin to see if bingo halls could be exempted from the smoking ban ordinances. Mr. Whittington stated they are not retail; they are strictly charity and feel the advertising will really help them out. Mr. Whittington said Jupiter Bingo is run by charities and he is just trying to help by buying electronics to help bring business in as a giveaway to encourage people to come to the bingo hall.

Ms. McKearin asked what charities are being represented. Mr. Whittington stated Low Birth Weight, Truth Inc., School of Faith and Physical Impaired. Ms. McKearin stated she was not aware of the bingo hall having to be 5013C and asked if Jupiter Bingo was a 5013C. Mr. Whittington stated all charities are a 5013C and that bingo halls had to be supported by charities. Mr. Whittington stated when bingo was formed in Texas the cities could not support the charities and came up with a way that only bingo could be operated in Texas thru charities. Mr. Whittington stated that 65-80% of the money is donated to the charities and you have a license fee per year and a charity has to be invited into the bingo hall and only allowed five charities for every bingo hall.

Mr. Warner asked how long Jupiter Bingo has been at this location. Mr. Whittington stated it will be 20 years this year and the Arapaho Road location has been there 19 years.

Ms. Moudy asked if they wanted the sign to show they were a charity. Mr. Whittington stated they wanted the sign to show there was a bingo hall to help the charities. Mr. Whittington stated when people come to play bingo they are helping the charities. Ms. Moudy asked if the person who owns the sign also owns the property. Mr. Whittington stated the same person owns both the sign and the property. Mr. Whittington stated the Resale Shop agreed to split the sign and we could get some advertisement. Ms. Moudy asked if there were signs on the building. Mr. Whittington stated there are signs located on the building for both tenants but the building sets approximately 150-200 yards from Belt Line Road. Ms. Moudy asked how long the sign has been a multi-tenant sign. Mr. Whittington stated two months. Ms. Moudy asked if their business has increased since the sign has been up. Mr. Whittington stated their business has slightly increased.

Ms. McKearin closed the Public Hearing and asked for remarks from the Board.

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

Mr. Warner moved to approve the SCB Case #13-04. Mr. Izard seconded the motion and it carried unanimously.

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

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

There being no other business before the Board, the meeting was adjourned at 7:43 p.m.

DORTHY MCKEARIN, CHAIR



City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, February 11, 2013

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 Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, February 11, 2013

Agenda Item: Items of Community Interest

Staff Resource: Dan Johnson, City Manager

Summary: The City Council will have an opportunity to address items of community interest, including:

Expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of Richardson; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of Richardson that was attended or is scheduled to be attended by a member of the City of Richardson or an official or employee of the City of Richardson; and announcements involving an imminent threat to the public health and safety of people in the City of Richardson that has arisen after the posting of the agenda.

Board/Commission Action: NA

Action Proposed: No action will be taken.



City of Richardson
City Council Meeting
Agenda Item Summary



City Council Meeting Date: Monday, February 11, 2013

Agenda Item: Attend Revitalization Awards Program Reception

Staff Resource: Dan Johnson, City Manager

Summary: The Work Session will be recessed to allow the Council to opportunity to attend a reception, to be held in the Richardson Civic Center/City Hall Alcove, in honor of the recipients of the 2012 Community Revitalization Awards.

Board/Commission Action: N/A

Final Action: None