

**RICHARDSON CITY COUNCIL
MONDAY, AUGUST 12, 2013
WORK SESSION AT 6:00 PM; COUNCIL MEETING AT 7:30 PM
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX**

The Richardson City Council will conduct a Work Session at 6:00 p.m. on Monday, August 12, 2013 in the Richardson Room of the Civic Center, 411, W. Arapaho Road, Richardson, Texas. The Work Session will be followed by a Council Meeting at 7:30 p.m. in the Council Chambers. Council will reconvene the Work Session following the Council Meeting if necessary.

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.

WORK SESSION – 6:00 PM, RICHARDSON ROOM

• **CALL TO ORDER**

A. PRESENTATION OF PROCLAMATION FOR TECH TITANS FINALISTS

B. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA

The City Council will have an opportunity to preview items listed on the Council Meeting agenda for action and discuss with City Staff.

C. REVIEW AND DISCUSS THE 2013 CORPORATE CHALLENGE PROGRAM

D. REVIEW AND DISCUSS THE NEIGHBORHOOD VITALITY PROGRAM PROJECT IMPLEMENTATION

E. REPORT ON ITEMS OF COMMUNITY INTEREST

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 Council 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 posting the agenda.

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

1. INVOCATION – SCOTT DUNN

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

3. MINUTES OF THE JULY 22, 2013, JULY 29, 2013, AND AUGUST 5, 2013 MEETINGS

4. VISITORS

The City Council invites citizens to address the Council on any topic not already scheduled for Public Hearing. Citizens wishing to speak should complete a "City Council Appearance Card" and present it to the City Secretary prior to the meeting. Speakers are limited to 5 minutes and should conduct themselves in a civil manner. 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 response.

PUBLIC HEARING ITEMS:

5. PUBLIC HEARING, ZONING FILE 13-09: A REQUEST BY EYAL AVNON, REPRESENTING WEEKLEY HOMES, LLC, FOR A CHANGE IN ZONING FROM TO-M TECHNICAL OFFICE TO PD PLANNED DEVELOPMENT FOR THE DEVELOPMENT OF A PATIO HOME COMMUNITY TO BE LOCATED ON APPROXIMATELY 8.6 ACRES AT THE NORTHWEST CORNER OF WATERVIEW PARKWAY AND TATUM STREET. THE PROPERTY IS CURRENTLY ZONED TO-M TECHNICAL OFFICE.
6. PUBLIC HEARING, ZONING FILE 13-10 AND CONSIDER ADOPTION OF ORDINANCE NO. 4014, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM I-M(1) INDUSTRIAL, LR-M(1) LOCAL RETAIL AND O-M OFFICE TO PD PLANNED DEVELOPMENT FOR C-M COMMERCIAL DISTRICT USES FOR 7.06 ACRES LOCATED ON LOT 1B, BLOCK 1, AND LOT 1C, BLOCK 6, OF THE NORTH RICHARDSON ADDITION.

ACTION ITEMS:

7. VARIANCE 13-09: A REQUEST BY REID WARD, REPRESENTING ADVOCARE, INC. FOR APPROVAL OF A VARIANCE FROM CHAPTER 21, THE SUBDIVISION AND DEVELOPMENT CODE, TO ALLOW A 197-SPACE REDUCTION TO THE REQUIRED PARKING FOR A PROPOSED 258,000-SQUARE FOOT OFFICE/DISTRIBUTION BUILDING. THE SITE IS LOCATED AT 2800 TELECOM PARKWAY AND IS ZONED I-M(1) INDUSTRIAL.

8. CONSENT AGENDA:

All items listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be removed from the Consent Agenda and discussed separately.

A. ADOPTION OF THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 4015, ABANDONING A PORTION OF STREET RIGHT-OF-WAY KNOW AS CULLUM STREET, TOTALING 0.4073 ACRES, AS DESCRIBED IN EXHIBITS "A" AND "B"; RESERVING ALL EXISTING EASEMENT RIGHTS OF OTHERS, IF ANY WHETHER APPARENT OR NON-APPARENT, AERIAL, SURFACE, UNDERGROUND OR OTHERWISE; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE REAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS, AS A QUITCLAIM DEED.
2. ORDINANCE NO. 4016, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS" ARTICLE XI, "RENTAL REGISTRATION", BY AMENDING THE REGULATIONS FOR RENTAL REGISTRATION.

B. CONSIDER THE FOLLOWING RESOLUTIONS:

1. RESOLUTION NO. 13-16, APPROVING THE TERMS AND CONDITIONS OF THE 2013 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDS SHARING AND FISCAL AGENCY AGREEMENT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT.
2. RESOLUTION NO. 13-17, ADOPTING THE TEXAS DEPARTMENT OF TRANSPORTATION'S FEDERALLY-APPROVED BUSINESS ENTERPRISE PROGRAM FOR THE SAFE ROUTES TO SCHOOL SIDEWALK PROJECTS, AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE PROGRAM AND TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RICHARDSON AND THE TEXAS DEPARTMENT OF TRANSPORTATION.

C. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #57-13 – WE RECOMMEND THE AWARD TO SOUND PRODUCTIONS, INC., FOR THE DIGITAL AUDIO CONSOLE FOR THE CHARLES W. EISEMANN CENTER IN THE AMOUNT OF \$60,154.50.
 2. BID #63-13 – WE REQUEST AUTHORIZATION TO ISSUE CO-OP PURCHASE ORDERS TO SAM PACK'S FIVE STAR FORD THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD CONTRACT #358-10 AND HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS CONTRACT #VE11-11 FOR VARIOUS TRUCKS FOR THE PARKS DEPARTMENT (75,215.60) AND THE WATER UTILITIES DEPARTMENT (\$29,091.74) FOR A TOTAL EXPENDITURE OF \$104,307.34.
9. RECEIVE THE AUGUST 7, 2013 SIGN CONTROL BOARD MINUTES AND CONSIDER FINAL APPROVAL OF SCB CASE 13-08, HEIGHTS BAPTIST CHURCH.
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• **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, AUGUST 9, 2013, BY 5:00 P.M.

AIMEE NEMER, CITY SECRETARY

THIS BUILDING IS WHEELCHAIR ACCESSIBLE. ANY REQUESTS FOR SIGN INTERPRETIVE SERVICES MUST BE MADE 48 HOURS IN ADVANCE OF THE MEETING BY CALLING 972-744-4100 OR 972-744-4001.



City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: Monday, August 12, 2013

Agenda Item: Presentation of Proclamation for Tech Titans Finalists

Staff Resource: David Morgan, Deputy City Manager

Summary: The Tech Titans Awards Gala is a celebration of the achievements of cutting-edge leaders whose ideas have elevated technology in North Texas. The annual contest recognizes outstanding information technology companies and individuals who have made significant contributions during the past year. The Tech Titans Gala is hosted by the Metroplex Technology Business Council (MTBC), which is the largest technology trade association in Texas. The finalists from Richardson for the Tech Titans Awards will be presented during the City Council Work Session.

Board/Commission Action: N/A

Action Proposed: N/A



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, August 12, 2013

Agenda Item: Review and Discuss the 2013 Corporate Challenge Program

Staff Resource: Robbie Hazelbaker, Asst. Director of Parks & Recreation

Summary: The Corporate Challenge is an Olympics style competition involving as many as 24 athletic and non-athletic events held in late August through October. City staff will provide a preview of the program, which kicks off with an Opening Ceremony on August 16th.

Board/Commission Action: N/A

Action Proposed: None



City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: August 12, 2013

Agenda Item: Review and Discuss Neighborhood Vitality Program Project Implementation

Staff Resource: Don Magner, Assistant City Manager

Summary: City staff will provide a status report on the 2010 Neighborhood Vitality Program. The Neighborhood Vitality Program is a neighborhood improvement program funded through bond programs to address enhancements to bridges, screening walls, landscaping and entry features.

Board/Commission Action: N/A

Action Proposed: N/A

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND COUNCIL MEETING
JULY 22, 2013

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Maczka called the meeting to order at 6:01 p.m. with the following Council members present:

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

A. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA

Staff reviewed the Public Hearing item, Canyon Creek Bridge project, and the Sign Control Board Minutes.

B. REVIEW AND DISCUSS A RECAP OF THE STATE FARM GROUNDBREAKING

David Morgan, Deputy City Manager, reviewed the State Farm Groundbreaking events for Council.

C. REVIEW AND DISCUSS A RECAP OF THE 2013 TEXAS LEGISLATIVE SESSION

David Morgan, Deputy City Manager, reviewed city-related bills that have been signed and those pending in the Special Session.

D. REVIEW AND DISCUSS THE CITY COUNCIL COMMITTEE AND BOARD LIAISON APPOINTMENTS

Mayor Maczka announced the following City Council Committees, Council Board Liaisons, Regional Representatives, and Mayor's Committees.

City Council Committees:

Audit Committee

Paul Voelker (Chair)
Laura Maczka
Bob Townsend

Education Committee

Mark Solomon (Chair)
Kendal Hartley
Paul Voelker

Retail Committee

Steve Mitchell (Chair)
Scott Dunn
Bob Townsend

Liaisons to Advisory Boards and Commissions:

Animal Services Advisory Board	Scott Dunn
Arts Commission	Steve Mitchell
Environmental Commission	Mark Solomon
Library Board	Paul Voelker
Parks Commission	Kendal Hartley

Regional Committees:

Collin County Bond Committee	Mark Solomon
Dallas Regional Mobility Coalition	Steve Mitchell
Regional Transportation Council	Laura Maczka

Mayoral Committees/Roles:

Metroplex Mayors Association	Laura Maczka
Chamber of Commerce Board (Ex-Officio)	Laura Maczka
Leadership Richardson Advisory Board (Ex-Officio)	Laura Maczka
Mayor's Office of International Business	Laura Maczka Bob Townsend

E. REPORT ON ITEMS OF COMMUNITY INTEREST

Mayor Maczka announced that she would be participating in the Metroplex Mayors Drag Race at the Texas Motor Speedway on Friday evening and invited everyone to attend.

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

- 1. INVOCATION – MARK SOLOMON**
- 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – MARK SOLOMON**

- 3. MINUTES OF THE JULY 8, 2013, JULY 15, 2013 (ADVISORY BOARDS AND COMMISSIONS MEETING), JULY 15, 2013, AND JULY 16-17 BUDGET RETREAT MEETINGS.**

Council Action

Mayor Pro Tem Townsend moved to approve the Minutes as presented. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

- 4. VISITORS**

There were no visitors comments submitted.

- 5. CONSIDER APPOINTMENTS AND/OR REAPPOINTMENTS TO THE CITY PLAN COMMISSION, CIVIL SERVICE BOARD, ENVIRONMENTAL ADVISORY COMMISSION AND PARKS AND RECREATION COMMISSION.**

Council Action

Councilmember Mitchell moved to appoint the following, seconded by Councilmember Hartley, and approved unanimously.

City Plan Commission

Randy Roland as a full member for a term to expire 08/01/2015
Bill Ferrell as an Alternate for a term to expire 08/01/2015
Marilyn Frederick and Thomas Maxwell Jr. for a term to expire 08/01/2015
Stephen Springs as an Alternate for an unexpired term to end 08/01/2014
Barry Hand as Chair and Gerald Bright as Vice-Chair

Civil Service Board

Mary Bedosky as Chair for a term to expire 08/31/2015
Keith Hileman as Vice Chair for a term to expire 08/31/2015
Nancy Viamonte for a term to expire 08/31/2015

Environmental Advisory Commission

Melanie Brown for an unexpired term to end 09/22/2014

Parks and Recreation Commission

Kevin Williams for an unexpired term to end 12/01/2013

PUBLIC HEARING ITEMS:

- 6. PUBLIC HEARING, ZONING FILE 13-12 AND CONSIDER ADOPTION OF ORDINANCE NO. 4013, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY AMENDING THE COMPREHENSIVE ZONING ORDINANCE (APPENDIX A), ARTICLE I, SECTION 2, DEFINITIONS, BY ADDING THE DEFINITION OF LARGE SCALE RETAIL STORE AND BY AMENDING ARTICLE XXII-A, SECTION 2, SPECIAL PERMITS, TO ALLOW LARGE**

**SCALE RETAIL STORES UPON APPROVAL OF A SPECIAL PERMIT IN
NON-RESIDENTIAL ZONING DISTRICTS.**

Council Action

Mayor Maczka opened the Public Hearing at 7:48 p.m. With no public comments submitted, Councilmember Dunn moved to close the Public Hearing at 7:48 p.m., seconded by Councilmember Solomon, and approved unanimously. Mayor Pro Tem Townsend moved to approve Ordinance No. 4013 as presented. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

7. CONSENT AGENDA:

A. AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING BIDS:

- 1. BID #58-13 – CANYON CREEK BRIDGE ENHANCEMENT PROJECT. BIDS TO BE RECEIVED BY THURSDAY, AUGUST 8, 2013 AT 2:00 P.M.**
- 2. BID #59-13 – SAFE ROUTES TO SCHOOL PROJECT. BIDS TO BE RECEIVED BY THURSDAY, AUGUST 15, 2013 AT 2:00 P.M.**
- 3. BID #60-13 – 2010 SIDEWALK REPLACEMENT PROJECT REGIONS 9 & 11. BIDS TO BE RECEIVED BY FRIDAY, AUGUST 9, 2013 AT 2:00 P.M.**

B. CONSIDER AWARD OF THE FOLLOWING BIDS:

- 1. BID #61-13 – WE REQUEST AUTHORIZATION TO ISSUE A CO-OP ANNUAL REQUIREMENTS CONTRACT TO LOWE'S FOR MAINTENANCE, REPAIR & OPERATIONS EQUIPMENT, SUPPLIES AND RELATED ITEMS PURSUANT TO A MINIMUM DISCOUNT OF 5% ON ALL PRODUCTS THROUGH THE COOPERATIVE PURCHASING NETWORK (TCPN) CONTRACT #R4954 IN AN ESTIMATED ANNUAL AMOUNT OF \$100,000.**
- 2. BID #704-13 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO AMH & RFID SOLUTIONS FOR THE BEST VALUE AWARD OF THE CITY OF RICHARDSON PUBLIC LIBRARY RFID TAGGING SERVICES IN THE AMOUNT OF \$71,685.**

Council Action

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

- 8. RECEIVE THE JULY 10, 2013 SIGN CONTROL BOARD MINUTES AND CONSIDER FINAL APPROVAL OF SCB CASE 13-07, STEINER INSTITUTE OF ESTHETICS.**

Council Action

Councilmember Mitchell moved to approve the Sign Control Board Minutes and SCB Case # 13.07. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

EXECUTIVE SESSION

In compliance with Section 551.071(2) of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Consultation with City Attorney Regarding Rental Registration Ordinance

Council Action

Council convened into Executive Session at 8:00 p.m.

RECONVENE INTO REGULAR SESSION

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

Council Action

Council reconvened into Regular Session at 10:03 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 10:03 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND SPECIAL CALLED MEETING
JULY 29, 2013

WORK SESSION – 6:00 P.M.:

- **Call to Order**

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

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	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
Kent Pfeil	Director of Finance

A. VISITORS

There were no visitors comments submitted.

B. PRESENTATION OF PROCLAMATION TO MAESTRO CLAY COUTURIAUX, MUSIC DIRECTOR AND CONDUCTOR FOR THE RICHARDSON SYMPHONY ORCHESTRA

Mayor Maczka and the City Council presented the proclamation to Maestro Clay Couturiaux.

C. REVIEW AND DISCUSS THE RENTAL REGISTRATION PROGRAM

Assistant City Manager, Don Magner, reviewed this item for Council discussing the current registration requirements, inspection process, fees, potential enhancement opportunities, and next steps based on input from Council. Mr. Magner explained two enhancement considerations:

#1 Amend the current ordinance to clarify existing language with no substantive changes to regulations

#2 Revise the current ordinance to modify existing regulations

Registration:

- Require a rental unit be registered within 30 days of the first tenant occupying the dwelling

- Require registration to be renewed annually
- Require registration form to be updated within 30 days of a change in occupancy

Inspection:

- Require an exterior inspection annually
- The owner and tenant will be provided written notice of the inspection date and time
- Notice will also offer interior inspection
- The owner and/or tenant will be encouraged to be present for the exterior inspection, but not required
- If the tenant does not consent to the exterior inspection, staff may seek an administrative search warrant to enter onto the property to conduct the inspection

Conduct an interior inspection when...

- A tenant requests an inspection in conjunction with their exterior inspection
- Based on observations made during the exterior inspection, staff requests and the tenant consents to the inspection
- Staff obtains an administrative search warrant to conduct the inspection if a tenant does not consent to said inspection

An exterior and/or interior inspection could also be conducted at any other time if:

- Requested by an owner if the home is vacant
- Requested by a tenant if the home is occupied
- The City has other probable cause and...
 - ✦ The owner or tenant, as appropriate, consents to the inspection
 - ✦ An administrative search warrant is obtained to conduct the inspection

Council Discussion

Council was strongly in favor of option 2 and gave direction to staff to amend the ordinance accordingly. Mayor Pro Tem Townsend suggested using the word “encourages” instead of “offers” relating to the offering of the interior inspection. Councilmember Voelker requested that educational materials be developed and handed out to owners and tenants during the exterior inspection and any other opportunities. Mayor Maczka commented that the educational materials would be helpful to all residents advising them of safety precautions.

D. REVIEW AND DISCUSS THE ALAMO DRAFTHOUSE OPENING ACTIVITIES

Deputy City Manager, David Morgan, gave a presentation on the Alamo Drafthouse opening activities and other scheduled events. He reported that the official opening will be Friday, August 9th with a ribbon cutting at 10:30 a.m. and doors opening at 7:30 p.m.

E. DISCUSS THE PROPOSED TAX RATE OF \$0.63516 AND CONSIDER SETTING PUBLIC HEARINGS ON AUGUST 19 AND AUGUST 26, 2013 ON THE PROPOSED TAX RATE OF \$0.63516 PER \$100 VALUATION FOR FISCAL YEAR 2013-2014.

Council Action

After comments from City Manager Dan Johnson regarding the upcoming budget and proposed tax rate which remains the same, Councilmember Solomon moved to set public hearings on August 19, 2013 and August 26, 2013 for the proposed tax rate of \$0.63516 per \$100 valuation for Fiscal Year 2013-2014. Councilmember Dunn seconded the motion. A record vote was taken

with the following: Mayor Maczka, Mayor Pro Tem Townsend, Councilmember Solomon, Councilmember Dunn, Councilmember Hartley, Councilmember Voelker, and Councilmember Mitchell voting in favor and no members voting against.

F. CONSIDER SETTING A PUBLIC HEARING ON AUGUST 19, 2013 ON THE PROPOSED FISCAL YEAR 2013-2014 CITY OF RICHARDSON MUNICIPAL BUDGET.

Council Action

Councilmember Mitchell moved to set a public hearing date of August 19, 2013 for the proposed budget for Fiscal Year 2013-2014. Councilmember Voelker seconded the motion. A record vote was taken with the following: Mayor Maczka, Mayor Pro Tem Townsend, Councilmember Solomon, Councilmember Dunn, Councilmember Hartley, Councilmember Voelker, and Councilmember Mitchell voting in favor and no members voting against.

G. REPORT ON ITEMS OF COMMUNITY INTEREST

Mayor Pro Tem Bob Townsend announced that Bob Dubey was recently inducted into the Texas High School Athletics Directors Hall of Honor and commended him on this achievement.

EXECUTIVE SESSION

In compliance with Section 551.087(1) and (2) of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Deliberation Regarding Economic Development Negotiations
 - Commercial Development – Alma Rd./Renner Rd. Area

Council Action

Council convened into Executive Session at 7:30 p.m. Mayor Pro Tem Townsend recused himself from the Executive Session due to a conflict of interest on file with the City Secretary.

RECONVENE INTO REGULAR SESSION

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

Council Action

Council reconvened into Regular Session at 8:11 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:11 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION MEETING
AUGUST 5, 2013

WORK SESSION – 6:00 P.M.:

- **Call to Order**

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

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Paul Voelker	Councilmember

Absent:

Kendal Hartley	Councilmember
Steve Mitchell	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
Kent Pfeil	Director of Finance
Gary Beane	Budget Officer
Taylor Paton	Management Intern

A. Visitors

There were no visitor comments submitted.

B. PRESENT AND DISCUSS THE CITY MANAGER’S PROPOSED BUDGET AND THE PROPOSED TAX RATE OF \$0.63516 PER \$100 VALUATION (SAME AS THE CURRENT 2012-2013 RATE) FOR FISCAL YEAR 2013-2014

Dan Johnson, City Manager, presented the proposed Fiscal Year 2013-2014 Budget to Council. Mr. Johnson stated that the budget theme is “Maintaining a Solid Foundation” and explained that this theme reflects the Council direction of maintaining and reinvesting in the City’s key infrastructure and also references the impactful commercial developments underway that are key building blocks for the City’s ongoing economic success. Mr. Johnson reviewed the budget development objectives, key elements as listed below, fund summaries including an overview of expenditures and revenues, 2013 analysis of property and sales tax, and next steps in the budget process.

Key Elements:

- Property Tax – remains the current \$0.63515 tax rate

- Sales Tax – estimated to continue modest upward trend
- Rates & Fees – 10.9% rate adjustment for water and sewer is proposed due to increased costs from the North Texas Municipal Water District that must be passed through. Solid Waste rates will remain stable as Staff and Council continue to review these operations. Drainage Utility fee will continue.
- Debt & Capital Program – Continue completion of the 2010 G.O. Bond program
- Focus on Maintenance
- Staffing & Compensation – Restructuring medical benefits, proposed compensation adjustment plan based on market studies to remain competitive, proposed adjustment to Step Plan

Mr. Johnson stated that the next steps are to conduct two public hearings on the tax rate and one public hearing on the budget as listed below, followed by adoption of the budget on September 9, 2013.

August 19 – 6 p.m. – Tax and Budget Public Hearing

August 26 – 7:30 p.m. – 2nd Tax Public Hearing

Council Comments

Council gave very supportive comments regarding the proposed budget with emphasis on focusing on maintenance, the compensation package, increase in fund balances, stable tax rate, and the details and transparency of the budget. Council also commended staff for their work on the budget and recognized the Budget Office staff, Finance staff, and City Manager’s Office.

Mr. Johnson also recognized the budget and finance team as well as the management team.

C. Report on Items of Community Interest

There were no items of community interest reported.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:02 p.m.

MAYOR

ATTEST:

CITY SECRETARY



MEMO

DATE: August 8, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 13-09 – Savoy Landing

REQUEST

Eyal Avnon, representing Weekley Homes LLC, is requesting to rezone 8.6 acres located at the northwest corner of Waterview Parkway and Tatum Street (including Cullum Street right-of-way) from TO-M Technical Office to PD Planned Development with modified development standards for the development of a patio home subdivision.

BACKGROUND

The proposed development standards provide for modified setbacks, increased lot coverage, increased density, building and garage location/orientation, and increased landscaping standards as compared to the RP-1500-M Patio Home District. The proposed development is similar to Weekley's Savoy Trace, a 42-lot development under construction at Lake Park Way and Jonsson Boulevard. The applicant states Savoy Trace homes have been selling quickly, and that they expect proposed Savoy Landing to follow with similar success.

The request also includes abandoning a portion of Cullum Street; the dead-end segment located along the north side of the subject site from Waterview Parkway west to the back of the Lennox office building, which is only accessed by the subject site and the office building at the northwest corner of Cullum Street and Waterview Parkway. As proposed, existing street right-of-way would remain to provide access to the office building and to serve as the development's emergency access point, a portion of the abandoned right-of-way would be incorporated into the adjacent lots (Lots 12-19 of Exhibit "B") and the HOA would assume maintenance responsibilities of the abandoned right-of-way not included within the lots. To allow for the option, the proposed development standards include language to address the requested right-of-way abandonment.

At their July 2, 2013, the City Plan Commission stated that they were pleased with the progress of Savoy Trace and that the proposed development provided housing types that were needed in the local market. Discussion included whether single-family detached housing was appropriate at the proposed location, with Commissioners Hand and Maxwell stating they felt the development was "walled off" from the surrounding areas and that the applicant should consider facing some of the lots outward and removing portions of the screening wall. The applicant stated the market for a gated community was more favorable than the market for non-gated communities.

No correspondence in favor or in opposition has been received on this request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 5-2 (Commissioners Hand and Maxwell opposed), recommended approval of the request as presented. If the City Council approves the zoning request and desires to abandon the portion of Cullum Street as shown on Exhibit "B", the proposed abandonment ordinance is attached for your reference and is included on tonight's Consent Agenda for consideration and action.

ATTACHMENTS

PD Conditions	Site Photos
CC Public Hearing Notice	Existing Savoy Trace Photos
City Plan Commission Minutes 07-16-2013	Applicant's Statement
Staff Report	Trip Generation Memo
Zoning Map	Notice of Public Hearing
Aerial Map	Notification List
Oblique Aerial Looking West	Proposed Cullum Street Abandonment Ordinance
Zoning Exhibit (Exhibit "B")	

ZF 13-09 PD Conditions

1. The subject site shall be zoned PD Planned Development for the RP-1500-M Patio Home District, shall be developed in substantial conformance with the concept plan attached hereto as Exhibit “B” (the “Concept Plan”) and in accordance with all applicable regulations of the RP-1500-M Patio Home District, subject to the following modified development standards:.

A. Building Regulations

1. Minimum dwelling unit size: 1,600 square feet (exclusive of garage floor area).

B. Height Regulations

1. Maximum building height: Forty (40) feet.

C. Density

1. Maximum density per gross acre: 7.5 dwelling units, not to include the Cullum Street right-of-way acreage.

D. Area Regulations

1. Minimum lot area: 3,600 square feet.
2. Minimum lot width: Forty-five (45) feet at the garage build line, except for irregularly shaped lots, which may have a minimum width of thirty-five (35) feet.
3. Minimum lot depth: Eighty (80) feet.
4. Maximum lot coverage: Sixty-five (65%) percent.
5. Minimum front setback: Twenty (20) feet for garages (measured to the face of garage door) and ten (10) feet for the remainder of the structure, including porches. The face of the garage shall be required to be recessed a minimum of five (5) feet from the remainder of the structure (18-inch overhang encroachment allowed for all of the above).
6. Minimum interior side setback: To be determined at the time of development plan approval with a minimum required ten (10) foot building separation (18-inch overhang encroachment allowed).
7. Minimum corner lot side setback: Ten (10) feet (18-inch overhang encroachment allowed).
8. Minimum rear setback: Five (5) feet (18-inch overhang encroachment allowed).

E. Alleys

1. No alleys shall be required.

F. Sidewalks

1. Within the development, no interior sidewalks shall be required.

G. Lot Orientation

1. Lots shall be allowed to back upon Cullum Street, Waterview Parkway, and Tatum Street and shall provide screening and landscaping in accordance with the conditions listed herein and the attached concept plan (Exhibit "B").

H. Lot Lines

1. Non-radial lots shall be allowed as indicated on the attached concept plan (Exhibit "B").

I. Accessory Structures

1. No accessory structures shall be allowed within public view except for arbors. Arbors may be attached or detached and shall be constructed of stained cedar materials or other approved similar material.

J. Garage Doors

1. Garage doors shall be metal carriage-style (wooden look) doors or wooden doors.

K. Driveways

1. Non-perpendicular maneuverability shall be allowed for irregularly shaped lots, with a required minimum pavement area of eighteen (18) feet in width and twenty-four (24) feet in length and may include adjacent private street paving.

L. Fencing and Screening Walls

1. Fences shall be stained, board on board or standard vertical tubular steel.
2. Fences constructed generally perpendicular to a perimeter masonry screening wall:
 - (a) No fence shall exceed six (6) feet in height within the required rear yard or side yard setback or the height of the masonry screening wall, whichever is greater.
3. No fence shall be permitted parallel to the perimeter screening wall.
4. A minimum six (6) foot tall masonry screening wall shall be constructed along the perimeter of the site.

M. Buffering and Landscaping

1. A minimum 15-foot deep landscape buffer shall be provided along the exterior side of the masonry screening wall along Waterview Parkway in a common area lot, which shall include but not be limited to, canopy trees, ornamental trees, shrubs and groundcover.
2. Along Tatum Street, trees and shrubs shall be allowed within the right-of-way and maintained by the homeowner's association.
3. An equivalent of one tree per forty (40) linear feet of public street frontage shall be installed along Waterview Parkway and Tatum Street.
4. The centrally located open space lot shall be landscaped and maintained by the HOA. A minimum 8 canopy trees and 8 ornamental trees shall be provided. A walking trail and benches shall also be provided.

N. Development Option

At the time that the portion of Cullum Street shown on the attached concept plan (Exhibit "B") is abandoned, a revised concept plan shall be submitted with the submittal of a preliminary plat application, which shall serve as the approved concept plan for the (PD) Planned Development and the following shall be required:

1. The eastern most portion of Cullum Street and its right-of-way shall be maintained to provide access to the office development located at the northwest corner of Cullum Street and Waterview Parkway and the proposed emergency access point for the proposed development.
2. All of the existing paving for Cullum Street with the exception of the portion described in item N.1., above, shall be removed and the site shall be graded appropriately.
3. The entire width of the abandoned right-of-way for Cullum Street shall be designated as a common area lot which shall include a utility easement sufficient to accommodate all existing utilities, except for portions of the abandoned right-of-way that may be incorporated into the adjacent patio home lots. The common area lot shall be maintained by the Homeowner's Association (HOA).



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: July 24, 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: **JULY 26, 2013**

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, August 12, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-09

A request by Eyal Avnon, representing Weekley Homes, LLC, for a change in zoning from TO-M Technical Office to PD Planned Development for the development of a patio home community to be located on approximately 8.6 acres at the northwest corner of Waterview Parkway and Tatum Street. The property is currently zoned TO-M Technical Office.

ZF 13-10

A request by Jonathan G. Vinson, Jackson Walker, L.L.P., representing 300 North Central, Ltd., for a change in zoning from I-M(1) Industrial, LR-M(1) Local Retail and O-M Office to a PD Planned Development District to accommodate the reconstruction of an existing "motor vehicle sales/leasing – new" use on approximately 7.1 acres located at 300 N. Central Expressway and 165 Jackson Street (east side of Central Expressway, bounded by Greer Street to the south, Jackson Street to the north, and Interurban Street to the east). The property is currently zoned I-M(1) Industrial, LR-M(1) Local Retail and O-M Office.

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

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

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – JULY 16, 2013**

PUBLIC HEARING

Zoning File 13-09: Consider and take necessary action on a request to rezone 8.6 acres from TO-M Technical Office to PD Planned Development for the development of a patio home community. The site is located at 2201 Waterview Parkway, the northeast corner of Tatum Street and Waterview Parkway.

Mr. Shacklett advised the applicant was requesting to rezone approximately 8-acres of private property and 0.6 acres of Cullum Street right-of-way for the development of a 56-lot patio home subdivision. He added that the property was located on the west side of Waterview Parkway between Tatum Street and Cullum Street, north of Campbell Road.

Mr. Shacklett noted that as part of the applicant's Planned Development (PD) request they were required to submit a trip generation study to provide information on the change in traffic based on the proposed development compared to a full build-out under the TO-M Technical Office District. The study showed an 80 percent reduction in trips with the proposed development.

Mr. Shacklett described some of the similarities between the proposed development and the previously approved Savoy Trace including development standards, setback requirements, lot coverage, and non-radial lot lines. He also indicated the applicant was requesting a minimum 15-foot landscape buffer along Waterview Parkway and along Tatum Street with the stipulation they be allowed to plant within the City's right-of-way due to the lack of space on the southern end of the property.

Mr. Shacklett concluded his presentation noting that north of the entrance there are a large number of trees and the applicant proposes building a 24,000 square foot central open space that will have a required number of canopy and ornamental trees, as well as a requirement for benches and a walking trail. He added that at the end of the staff report there was a list of special development standards for consideration.

Commissioner Maxwell asked if the number of lots could be increased and how would that affect the central open space.

Mr. Shacklett replied that there is a possibility if the open space along Waterview Parkway was reduced there was the possibility of adding another row of lots; however, the central space is required and would not change.

Commissioner Frederick asked if the "No Parking" sign in one of the photographs was located at the southwest corner of the property.

Mr. Shacklett replied the sign was located in front of the nearby office development and was there to prevent people from parking in front of their service gates.

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

Mr. Eyal Avnon, David Weekley Homes, 3301 N. Interstate Highway 35, Carrollton, Texas, reminded the Commission of their approval for the Savoy Trace project a little over a year ago and that the new project would be similar in nature.

Vice Chair Hand asked why the development would be gated.

Mr. Avnon replied that in order to meet the requirements for the setbacks and street configuration, and the additional parkway on either side of the pavement, the best way was to privatize the streets, which would make the upkeep the responsibility of the homeowners association. In keeping with that premise, consumer perception seems to favor gated communities.

Commissioner DePuy asked if the master bedrooms would be downstairs on the proposed project. She also wanted to know if there is adequate space for guest parking in the driveways.

Mr. Avnon replied that approximately 50 percent of the plans in Savoy Trace offer a downstairs master bedroom and it would be the same in the proposed project.

Regarding guest parking, Mr. Avnon stated that there is enough room for off-street parking in front of the garages and their experience has shown that what is proposed has not been a problem. He added that the only time there might be some concerns would be during construction, but David Weekley Homes now uses a “phased” type of construction to alleviate any problems.

Chairman Gantt asked if there were plans for the open space or would there be four more lots added in that area.

Mr. Avnon replied that the central open space was voluntarily included in the concept plan and even though there would be ample space along Waterview Parkway, the central open space would provide a focal point for the community. He added that there had been other versions of the concept plan, but they felt the proposed plan was the best.

Chairman Gantt asked what the applicant’s plans were for the existing trees on the property.

Mr. Avnon acknowledged that trees add value to any site and David Weekley Homes was focusing on saving most of the existing heritage trees, particularly those along the southeast corner, eastern border, and those visible to the public. He added that they would also be providing a very lush planting plan along Waterview Parkway.

Commissioner DePuy commented that saving many of the trees, especially in the open space, would add value to the property, and she commended the applicant for bringing the proposed type of product to the City.

Commissioner Frederick concurred with Ms. DePuy's comment regarding the demand for the proposed type of product in the City.

Chairman Gantt asked if the right-of-way along Cullum Street was abandoned, would the applicant anticipate a change to the Concept Plan that would take some of that area and use it to increase the size of the lots along the perimeter.

Mr. Avnon replied that they were working on an alternate plan that would include some of the right-of-way and that was one of the reasons they were asking for flexibility on the lot count.

Mr. Shacklett pointed out that the last condition in the staff report was there to provide the applicant the option to add the additional land into the perimeter lots without having to come back through a zoning process.

Vice Chair Hand said he did not have any doubt that the proposed product would be in demand, but he had some concerns about the community being gated and surrounded by walls, which he felt isolated the community. He also wanted to know if there was some way to reconfigure the project, either private road "B" or "C", so one side would open up to Cullum Street or Tatum street.

Mr. Avnon replied that reconfiguring the project would present challenges both from an economic and feasibility standpoint. He also felt that the majority of home buyers would prefer a product that faced inward towards the community as opposed to outward towards Tatum Street.

Vice Chair Hand said he was trying to "open up" the proposed plan and asked if Lots 1, 30, 31, 32, 33, and 34 could be reduced by one-half to one-third and add a green space with a wrought iron fence; pull private road "B" down making all the lots north of that location larger. If so, he felt that would allow Lots 35, 36, 37 and 38 to look across at the green space and not be behind a brick wall.

Mr. Avnon replied he understood Mr. Hand's concerns, but pointed out that Lennox International, the owner of the property, saw Savoy Trace as well as the proposed project as a compatible use for their environment.

Chairman Gantt acknowledged that the proximity to the University of Texas at Dallas (UTD), as well as some corporate offices, might make it successful. He somewhat agreed with Mr. Hand's assessment there were a few subdivisions in the area that were gated and blocked off and he had some concerns, but overall he was in favor of the proposal.

Commissioner Bouvier said he would be supporting, albeit with some concerns. He noted that the proposed products were good and were obviously selling; however, the struggle he had was whether rezoning the property from Technical Office fit with the long term plans and vision for UTD.

Commissioner Maxwell agreed with Mr. Hand and thought his idea of reconfiguring the plan to open up along Tatum Street would help to better engage the surrounding areas.

Vice Chair Hand asked if the property located on the south side of Tatum Street would be developed as residential and felt if that happened it would make the proposed property more compatible.

Mr. Avnon noted that Lennox International owns that property and it is up for sale, but the property was too small for single family products, therefore David Weekley Homes was not currently pursuing the property.

In regards to the earlier comments about more open space on Waterview Parkway, Mr. Avnon pointed out that there is a flood plain in the area and the current design took that into consideration.

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

Commissioner DePuy said she liked some of the comments regarding more open space, and rezoning the property made sense and was thinking outside the box, but thought the proposed type of product was more desirable and would be welcomed by adjoining neighborhoods than another type of product such as multi-family.

Chairman Gantt asked to confirm that Exhibit B would be attached to the ordinance and asked if the western portion of Cullum Street was abandoned, would the City approve the adjusted Concept Plan administratively.

Mr. Shacklett replied that if the western portion of Cullum Street was abandoned, the item would come back before the Commission during the development plan process.

Mr. Chavez added that the special conditions covering the abandonment provide the flexibility for the right-of-way to become either a common area lot, or the majority would be incorporated into the adjacent lots. He noted that when the applicant submits the development application, the applicant will submit a revised Concept Plan and, if the development application is approved, the revised plan will become the approved plan for the PD.

Commissioner Bright said he understood some of the concerns raised, but felt it was an appropriate use of the land. In addition, the close proximity to the commercial area may make a gated community more desirable.

Motion: Commissioner Bright made a motion to approve Item 8 as presented including the special development standards; second by Commissioner DePuy. Motion approved 5-2 with Vice Chair Hand and Commissioner Maxwell opposed.



Staff Report

TO: City Council

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

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

DATE: August 8, 2013

RE: **Zoning File 13-09:** Savoy Landing

REQUEST:

Rezone approximately 8.6 acres (including Cullum Street right-of-way) from TO-M Technical Office to PD Planned Development to accommodate the development of a patio home subdivision located at the northwest corner of Waterview Parkway and Tatum Street.

APPLICANT / PROPERTY OWNER:

Eyal Avnon, Weekley Homes LLC / Laura Harvey – Lennox Int., Inc.

EXISTING DEVELOPMENT:

The subject property was previously an office building occupied by UTD staff; however the building was demolished several years ago and all that remains is the building foundation, surface parking area, and an asphalt sports court.

ADJACENT ROADWAYS:

Waterview Parkway: Six-lane arterial; 15,700 vehicles per day on all lanes, northbound and southbound, between Campbell Road and Tatum Street (2011).

Tatum Street: Four-lane, divided minor collector; no traffic counts available

Cullum Street: Two-lane dead-end street, no traffic counts available (no longer shown on Transportation Plan).

SURROUNDING LAND USE AND ZONING:

North: Office & Public/Institutional/School; City of Dallas

South: Office; O-M Office

East: Public/Institutional/School (UTD Campus); R-1500-M Residential

West: Office; O-M Office

FUTURE LAND USE PLAN:

Community Commercial

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

Future Land Uses of Surrounding Area:

North: Commercial Center or Corridor; City of Dallas

South: Community Commercial

East: Public/Semi-Public/School

West: Community Commercial

EXISTING ZONING:

TO-M Technical Office per Ordinance 3128-A (1997)

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

The applicant submitted a trip generation study to compare the potential traffic generated by the proposed development and the site's current TO-M Technical Office zoning designation.

Based on the information provided, the proposed zoning request reduces the daily trips by approximately 77%, while the AM peak hour and PM peak hour trip generation are reduced by approximately 77% and 83%, respectively.

According to the attached study, fifty-eight (58) single family lots would generate approximately 636 daily trips with a maximum AM peak hour trip generation of fifty (50) trips and a maximum PM peak hour trip generation of sixty-four (64) trips. Under the site's current zoning designation, the site would generate approximately 2,722 trips per day with a maximum AM peak hour trip generation of 412 trips and a maximum PM peak hour trip generation of 371 trips.

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

The site is located on the west side of Waterview Parkway approximately 1,000 feet north of Campbell Road. Existing office development is located to the west and south of the subject site. The UTD campus is located to the east, across Waterview Parkway and the Texas A&M Urban Living Center is located to the north, across Cullum Street. The subject site is located just over a ¼ mile from retail, restaurants, and other personal services located to the west at the Lennox Shopping Center.

Request:

The proposed development is similar to the applicant’s current project Savoy Trace; a 42-lot patio home subdivision at the northwest corner of Lake Park Way and Jonsson Boulevard. The applicant states Savoy Trace has been very well received and the homes have been selling quickly; they expect the proposed Savoy Landing to follow Savoy Trace with similar success.

It is the applicant’s view the subject site’s location within a larger mixed use neighborhood that includes retail, employment, and a variety of housing types makes it an ideal site for this type of residential development. Their target market is similar to that of Savoy Trace, which includes empty nesters, young professionals purchasing for proximity to employment, and young families seeking housing within Richardson ISD.

Proposed Development Standards

The table below compares the proposed development standards with those of the RP-1500-M Residential District, the Savoy Trace development, and includes justifications for the modified development standards. In addition, there are several proposed regulations that are more restrictive than the RP-1500-M Patio Home including minimum dwelling unit size, garage location and orientation, and landscaping standards (Highlighted in **bold** text).

	RP-1500-M Residential District Development Regulations	Savoy Trace Development Regulations	Proposed Development Regulations
Dwelling Unit Size	Minimum: 1,500 square feet	Minimum: 1,800 square feet	Minimum: 1,600 square feet
Building Height	Minimum 1-story / Maximum 2-story	All structures shall be 2 stories	Maximum 40-foot height
Area Regulations	Lot Area: Minimum 5,000 square feet. Lot Width: Minimum 50 feet. Lot Depth: Minimum 100 feet.	Lot Area: Minimum 3,600 square feet. Lot Width: Minimum 45 feet. Lot Depth: Minimum 80 feet.	Lot Area: Minimum 3,600 square feet. Lot Width: Minimum 45 feet, except for irregularly shaped lots may be minimum 35 feet. Lot Depth: Minimum 80 feet.
	<ul style="list-style-type: none"> Reduced Minimum Lot Width and Area – The applicant request is to reduce the minimum lot width from fifty (50) feet to forty-five (45) feet and the minimum lot size from 5,000 square feet to 3,600 square feet. However, the average lot size is 4,320 square feet as there are several lots that will be significantly larger than 3,600 square feet. The meandering lot lines along Waterview Parkway coincide with the existing flood plain to keep all of the subject lots out of the flood plain. <p>The applicant desires to maximize the number of lots on the property to strengthen the financial feasibility of the project as well as appealing to buyers seeking a low maintenance lifestyle.</p>		
Lot Coverage	Maximum Lot Coverage: 50%	Maximum Lot Coverage: 65%	Maximum Lot Coverage: 65%
	<ul style="list-style-type: none"> Increased Lot Coverage – The applicant is requesting an increase in lot coverage from 50% to 65%. <p>This would allow the developer to fully utilize the smaller lots. As proposed, this will be a more compact neighborhood; therefore, lot coverage is typically higher than in a traditional patio home subdivision.</p>		

	RP-1500-M Residential District Development Regulations	Savoy Trace Development Regulations	Proposed Development Regulations
Setbacks	<p>Front: Minimum 15 feet.</p> <p>Side: 0 feet and 10 feet/15 feet for side property line adjacent to a street.</p> <p>Rear: Minimum 20 feet.</p>	<p>Front: Minimum 20 feet to garage door.</p> <p>Required front setback of 10 feet for remainder of structure, including porches. (18-inch overhang encroachment allowed for all of the above.) (Face of garage shall be recessed minimum 5 feet from remainder of structure).</p> <p>Side: TBD at time of development plans. Minimum 10-foot building separation required. 10 feet for side property line adjacent to a street. (18-inch overhang encroachment allowed).</p> <p>Rear: Minimum 5 feet. (18-inch overhang shall be allowed).</p>	<p>Front: Minimum 20 feet to garage door.</p> <p>Required front setback of 10 feet for remainder of structure, including porches. (18-inch overhang encroachment allowed for all of the above.) (Face of garage shall be recessed minimum 5 feet from remainder of structure).</p> <p>Side: TBD at time of development plans. Minimum 10-foot building separation required. 10 feet for side property line adjacent to a street. (18-inch overhang encroachment allowed).</p> <p>Rear: Minimum 5 feet. (18-inch overhang shall be allowed).</p>
	<ul style="list-style-type: none"> • <u>Modified Setbacks</u> <ul style="list-style-type: none"> ○ <u>Front</u> – Required front setback in the RP-1500-M Patio Home District is 15 feet. <p>The applicant is proposing a 20-foot setback to the garage door and a front setback of ten (10) feet for the remainder of the structure to allow for greater variations in the front elevation of the home. However, the face of the garage door will be required to be recessed a minimum of five (5) feet from the remainder of the structure to reduce its visual impact (See attached Savoy Trace photos)</p> ○ <u>Side</u> – The side setback in the RP-1500-M Patio Home District is zero (0) feet on one side and ten (10) feet on the other side. <p>A minimum 10-foot separation between the homes is met since the adjacent home would be set back ten (10) feet from the common side lot line. The applicant is requesting to defer the side setback until development plans are processed to allow them the option of the typical RP-1500-M zero lot line requirements or some other setback such as a 5-foot setback on either side. The minimum 10-foot building separation would be required regardless of which setback is chosen.</p> <ul style="list-style-type: none"> ○ <u>Rear</u> – The rear setback in the RP-1500-M Patio Home District is twenty (20) feet. <p>The applicant is requesting a 5-foot rear yard to accommodate a deeper building pad since the minimum lot depth is shallower than a typical patio home lot. The applicant does not anticipate the entire rear elevation being built to the 5-foot rear setback; rather, the applicant is requesting the 5-foot setback to allow for an L-shaped rear elevation of the home, where a covered patio area could be located.</p>		

	RP-1500-M Residential District Development Regulations	Savoy Trace Development Regulations	Proposed Development Regulations
Density	Maximum 5.5 dwelling units / acre.	Maximum 7.2 dwelling units / acre.	Maximum 7.5 dwelling units / acre.
	<ul style="list-style-type: none"> <u>Increased Density</u> – The applicant has requested an increase in density from 5.5 dwelling units per acre to 7.5 dwelling units per acre. <p>Based on the proposed concept plan, the density would be approximately 7.1 dwelling units per acre thereby reflecting the proposed nature of a compact neighborhood. Although only fifty-six (56) lots are shown, the applicant wants the flexibility to develop up to sixty (60) lots if they are able to reconfigure the site without substantially changing the character of the concept plan.</p>		

The applicant has also requested additional modified standards with regard to Chapter 21-Subdivision and Development Code. The following modified standards were granted as part of the approval for the Savoy Trace development. Below is a list of the proposed standards:

- Alley Waiver – The RP-1500-M Patio Home District requires alleys to be provided.

The applicant states if alleys were required, they would not be able to create enough lots for the project to be financially viable. They are proposing front entry garages that will be governed by the front setback regulations stated in the table above. The garages will be required to be set back farther than the rest of the house to mitigate the visual effect of the garage doors along the street. Other patio home subdivisions in Richardson that are private, gated communities have been approved without alleys, such as Savoy Trace.

- Sidewalk Waiver - The applicant has requested that interior sidewalks not be required.

Since the community will be gated and the streets will be private, the applicant does not believe sidewalks will be necessary. Other patio home subdivisions in Richardson that are private, gated communities have been approved with this same exception, such as Savoy Trace.

- Lots to Back upon Streets with Less Than 100 Feet of Right-Of-Way - The applicant has requested that lots be allowed to back upon Waterview Parkway, Tatum Street, and Cullum Street.

Chapter 21 prohibits lots backing upon streets that are less than one-hundred (100) feet in width. Waterview Parkway is greater than one-hundred (100) feet in width, but Tatum Street and Cullum Street are not. It also requires that where lots back upon a right-of-way, alleys shall be required and a 20-foot wide landscape buffer with a living screen or masonry wall be required. Due to the size and shape of the tract, and the widths of the adjacent rights-of-way, the lots lay out in a manner where they back to these streets. A masonry wall will be provided around the entire perimeter of the site.

- Non-Radial Lot Lines - The applicant has requested that non-radial lot lines be allowed for the development.

This requirement applies to the lots located along the outside curve of the interior loop street. This exception is typically granted at the time of preliminary platting; however, since the applicant knows there will be lots with non-radial lot lines, they are requesting the exception at the time of zoning.

The following are a list of additional development standards that the applicant has proposed as part of the Planned Development application. These are similar to conditions that were approved as part of the Savoy Trace development:

- No accessory structures shall be allowed within public view except for arbors. Arbors may be attached or detached and shall be constructed of stained cedar materials or other approved material.
- Garage doors shall be custom, metal carriage-style (wooden look) or wooden garage doors.
- Fences shall be stained, board-on-board or standard vertical tubular steel. No fence shall exceed six (6) feet in height or the exterior wall height behind the lot, whichever is greater. No fence shall be permitted parallel to the perimeter screen wall. All fencing shall match the exterior screening wall height at the tie-in point.
- A landscape buffer no less than fifteen (15) feet deep shall be provided outside the wall along Waterview Parkway in a common area lot, planted with but not limited to, canopy trees, ornamental trees, shrubs, and groundcover.
- Along Tatum Street trees and shrubs shall be allowed within the right-of-way and maintained by the homeowner's association.
- The open space lot shall be landscaped and maintained by the HOA. A minimum 8 canopy trees and 8 ornamental trees shall be provided including a walking trail and benches.

The proposed subdivision will be required to establish a Homeowners' Association (HOA) which will be responsible for maintenance of the private streets within the subdivision; all of the landscaping within the subdivision including individual front yard lawn care; and maintenance of the open space areas and landscaping along the perimeter of the site.

Other Elements Related to the Request:

Future Land Use Plan: The subject property is designated as "Community Commercial" on the City's 2009 Future Land Use Plan. This designation includes uses such as retail centers with multiple anchors, mid-rise office, entertainment and hospitality uses. The applicant states that since the site is located within an area that contains a mix of uses (office, retail, university, and single-family), it is an ideal location for this type of development even though the Future Land Use Plan does not designate the site for single-family residential uses.

Cullum Street Right-of-way: The Cullum Street right-of-way, west of its current terminus, was abandoned by plat in 1998 and by ordinance in 1999 as property west of the subject site was developed. Staff and the applicant have discussed abandoning a portion Cullum Street shown on Exhibit "B" since the right-of-way would not provide access to any other properties if this development were approved.

The dead-end street segment runs along the north side of the subject site from Waterview Parkway west to where it terminates into the back of the office development to the west. The office development does not have access to Cullum Street and a barricade is located between the

property and the right-of-way. The 40-foot right-of-way, with approximately 25 feet of paving, is approximately six-hundred (600) feet long and is encumbered with a 12.5 foot wide utility easement for a City of Dallas waterline adjacent to the city limit line. Other than the subject site, the office building at the northwest corner of Cullum Street and Waterview Parkway is the only other property that currently accesses Cullum Street. The Texas A&M Urban Living Center to the north extends west to Coit Road where it has an access point, but does not access Cullum Street.

As proposed, the eastern 190 feet of the right-of-way would remain intact to provide access to the office building at the northwest corner of Waterview Parkway and Cullum Street and would serve as an emergency access point for the proposed development. If the right-of-way is abandoned, the applicant's plan would be to incorporate a portion of the abandoned right-of-way (minus a utility easement to accommodate all existing utilities) into Lots 12-19 as shown on Exhibit "B". The HOA would then be responsible for the maintenance of the abandoned right-of-way not included within the lots.

The actual abandonment process of Cullum Street right-of-way is not under the purview of the Commission, but could be considered as a viable design option should the right-of-way be abandoned. *The applicant has a concern related to the timing of the abandonment of the right-of-way and the development's design and construction. In summary their desire is not to be under construction after the right-of-way is abandoned.* To allow for the option, staff has included proposed development standards for the Planned Development with regard to the inclusion of the abandoned right-of-way for consideration.

45-foot Wide Lots/Front Entry Garages: As with the Savoy Trace development, the applicant is proposing to develop 45-foot wide lots and require garage doors to be set back 5-10 feet from the façade. Attached are photos of existing front elevations from Savoy Trace. The photos depict the design of the proposed homes and show the juxtaposition of the garage door with the rest of the home.

Perimeter Screening and Landscaping: The proposed development includes a perimeter masonry screening wall having a minimum height of six (6) feet. Along Waterview Parkway, a minimum 15-foot wide open space area on the outside of the screen wall is provided and will contain trees, shrubs, and groundcover. Along Tatum Street, there is less area between the back of curb and screen wall; therefore, the applicant has requested that trees and shrubs be allowed within the parkway area that would be maintained by the HOA. There is no proposed landscape area along Cullum Street due to the uncertainty regarding its abandonment. If the right-of-way remains, the applicant would place the screening wall along the property line and groundcover would be located between the wall and pavement. No other landscaping would be provided. If the abandonment occurs, and the land is merged with the proposed Lots 12-19, the wall would be moved north accordingly, and the same groundcover would be located on the outside of the wall. The HOA would be responsible for maintenance of the area on the outside of the wall in either situation.

Central Open Space – Located to the north of the Tatum Street entrance, the applicant has proposed a 24,115-square foot open space area. This location was chosen because there are several existing mature trees that the applicant desires to incorporate into the open space. The

design of the open space is yet to be determined; however the applicant has agreed to provide, at a minimum, eight (8) canopy trees (some or all will be existing trees), eight (8) ornamental trees, a walking trail, and benches within the open space. The required design is similar to what was provided for the Savoy Trace open space lot.

Vehicle Maneuverability – The RP-1500-M Patio Home District requires an 18-foot wide by 24-foot deep paved area (includes street/alley) perpendicular to the entry opening of a garage for vehicle maneuverability. The applicant has requested that non-perpendicular maneuverability be allowed for irregularly shaped lots. These lots would be lots located on the outside of the curves of the interior loop street. Due to these lots’ reduced widths at the street frontage, non-perpendicular maneuverability may be more suitable to provide adequate driveway location on the property. These driveways would still be required to provide the minimum 18-foot width by 24-foot deep pavement area; however, the driveways may be slightly curved to more appropriately locate the driveway on the property.

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

Motion: On July 16, 2013, the City Plan Commission recommended approval of the request as presented on a vote of 5-2 (Commissioners Hand and Maxwell opposed) subject to the following conditions:

1. The subject site shall be zoned PD Planned Development for the RP-1500-M Patio Home District, shall be developed in substantial conformance with the concept plan attached hereto as Exhibit “B” (the “Concept Plan”) and in accordance with all applicable regulations of the RP-1500-M Patio Home District, subject to the following modified development standards:
 - A. Building Regulations
 1. Minimum dwelling unit size: 1,600 square feet (exclusive of garage floor area).
 - B. Height Regulations
 1. Maximum building height: Forty (40) feet.
 - C. Density
 1. Maximum density per gross acre: 7.5 dwelling units, not to include the Cullum Street right-of-way acreage.
 - D. Area Regulations
 1. Minimum lot area: 3,600 square feet.
 2. Minimum lot width: Forty-five (45) feet at the garage build line, except for irregularly shaped lots, which may have a minimum width of thirty-five (35) feet.

3. Minimum lot depth: Eighty (80) feet.
4. Maximum lot coverage: Sixty-five (65%) percent.
5. Minimum front setback: Twenty (20) feet for garages (measured to the face of garage door) and ten (10) feet for the remainder of the structure, including porches. The face of the garage shall be required to be recessed a minimum of five (5) feet from the remainder of the structure (18-inch overhang encroachment allowed for all of the above).
6. Minimum interior side setback: To be determined at the time of development plan approval with a minimum required ten (10) foot building separation (18-inch overhang encroachment allowed).
7. Minimum corner lot side setback: Ten (10) feet (18-inch overhang encroachment allowed).
8. Minimum rear setback: Five (5) feet (18-inch overhang encroachment allowed).

E. Alleys

1. No alleys shall be required.

F. Sidewalks

1. Within the development, no interior sidewalks shall be required.

G. Lot Orientation

1. Lots shall be allowed to back upon Cullum Street, Waterview Parkway, and Tatum Street and shall provide screening and landscaping in accordance with the conditions listed herein and the attached concept plan (Exhibit "B").

H. Lot Lines

1. Non-radial lots shall be allowed as indicated on the attached concept plan (Exhibit "B").

I. Accessory Structures

1. No accessory structures shall be allowed within public view except for arbors. Arbors may be attached or detached and shall be constructed of stained cedar materials or other approved similar material.

J. Garage Doors

1. Garage doors shall be metal carriage-style (wooden look) doors or wooden doors.

K. Driveways

1. Non-perpendicular maneuverability shall be allowed for irregularly shaped lots, with a required minimum pavement area of eighteen (18) feet in width and twenty-four (24) feet in length and may include adjacent private street paving.

L. Fencing and Screening Walls

1. Fences shall be stained, board on board or standard vertical tubular steel.
2. Fences constructed generally perpendicular to a perimeter masonry screening wall:
 - (a) No fence shall exceed six (6) feet in height within the required rear yard or side yard setback or the height of the masonry screening wall, whichever is greater.
3. No fence shall be permitted parallel to the perimeter screening wall.
4. A minimum six (6) foot tall masonry screening wall shall be constructed along the perimeter of the site.

M. Buffering and Landscaping

1. A minimum 15-foot deep landscape buffer shall be provided along the exterior side of the masonry screening wall along Waterview Parkway in a common area lot, which shall include but not be limited to, canopy trees, ornamental trees, shrubs and groundcover.
2. Along Tatum Street, trees and shrubs shall be allowed within the right-of-way and maintained by the homeowner's association.
3. An equivalent of one tree per forty (40) linear feet of public street frontage shall be installed along Waterview Parkway and Tatum Street.
4. The centrally located open space lot shall be landscaped and maintained by the HOA. A minimum 8 canopy trees and 8 ornamental trees shall be provided. A walking trail and benches shall also be provided.

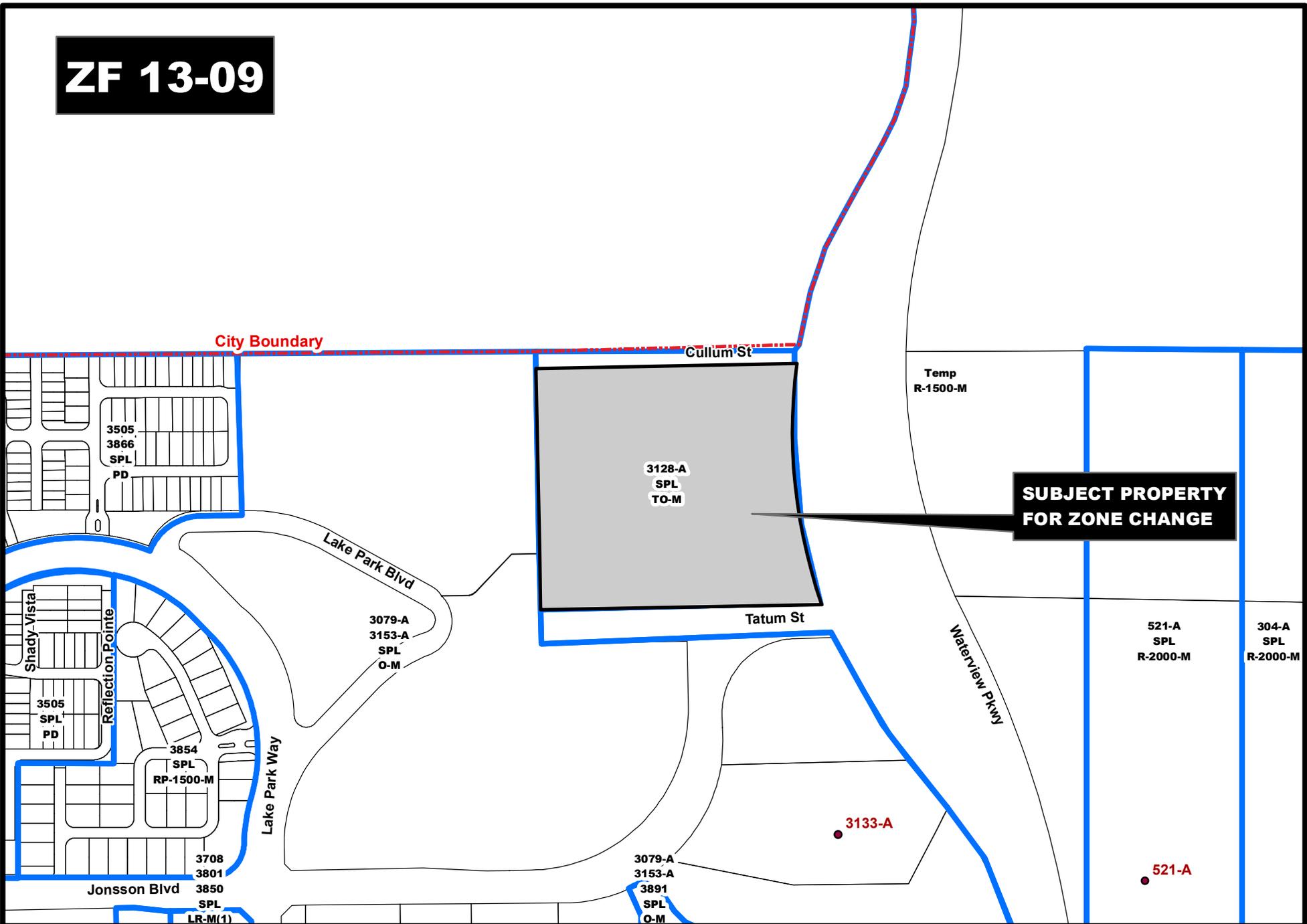
N. Development Option

At the time that the portion of Cullum Street shown on the attached concept plan (Exhibit "B") is abandoned, a revised concept plan shall be submitted with the submittal of a preliminary plat application, which shall serve as the approved concept plan for the (PD) Planned Development and the following shall be required:

1. The eastern most portion of Cullum Street and its right-of-way shall be maintained to provide access to the office development located at the northwest corner of Cullum Street and Waterview Parkway and the proposed emergency access point for the proposed development.

2. All of the existing paving for Cullum Street with the exception of the portion described in item N.1., above, shall be removed and the site shall be graded appropriately.
3. The entire width of the abandoned right-of-way for Cullum Street shall be designated as a common area lot which shall include a utility easement sufficient to accommodate all existing utilities, except for portions of the abandoned right-of-way that may be incorporated into the adjacent patio home lots. The common area lot shall be maintained by the Homeowner's Association (HOA).

ZF 13-09



ZF 13-09 Zoning Map

Updated By: shacklett, Update Date: April 26, 2013
File: DSI\Mapping\Cases\Z\2013\ZF1309\ZF1309 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 13-09



City Boundary

Cullum St

SUBJECT PROPERTY FOR ZONE CHANGE

Tatum St

Lake Park Blvd

Shady Vista

Reflection Pointe

Lake Park Way

Jonsson Blvd

Waterview Pkwy

ZF 13-09 Aerial Map

Updated By: shacklett, Update Date: April 26, 2013
File: DSI\Mapping\Cases\Z\2013\ZF1309\ZF1309 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.





Tatum St

Subject Site

Waterview Pkwy

**Cullum
R.O.W.**

**Oblique Aerial
Looking West**



(1)

**Looking West along
Tatum Street**



(2)

**Looking North along
West Property Line**



**Office Building &
Loading Area -
West of Property**

(3)



(4)

**Looking South along
West Property Line**



(5)

**Looking West along
Cullum Street**



(6)

**Looking South along
Waterview Parkway**



(1)

**Savoy Trace
(Existing Home)**



**Savoy Trace
(Existing Home)**



(3)

**Savoy Trace
(Existing Home)**



**Savoy Trace
(Open Space along
Lake Park Way)**

(4)

June 20, 2013

RE: APPLICANT's STATEMENT for Zoning Change concerning a 8.002 +/- acre tract of real property located at the northwest corner of Waterview Parkway and Tatum Boulevard in Richardson, Texas.

To Whom It May Concern:

The purpose of this zoning change is to convert the above described property from its current designation (SPL TO-M) and to create a Planned Development District under single family residential (RP-1500-M). The site lies on the edge of a mixed use area with adjacency to employment and retail with proximity to a variety of housing types, conditions which make it ideal for the type of residential development being contemplated. Formerly, the site was home to a permanent structure which was being used by UTD as an office building for staff. The building has since been removed and all that exists today is the structure's foundation. There also exists concrete surface parking and an aged asphalt sport court across a large portion of the property; none of which is being maintained and today is in rather poor condition. It is the vision of the applicant, David Weekley Homes, to entitle and develop the site to allow for a gated, private subdivision containing up to sixty (60) single family dwellings. David Weekley Homes is currently under contract to acquire the property from its current owner, contingent upon a successful rezoning.

During late 2011 and early 2012, David Weekley Homes worked with the City of Richardson to repurpose a nearby 5.8 AC parcel from office use to single family residential. DWH completed the development of the site (Savoy Trace – 42 homesites) at the end of 2012 and started construction of its first residences in February. The David Weekley product in Savoy Trace has thus far been incredibly well received and we expect to have 42 delighted homeowners living in the community by this time next year. The 8AC site which is subject of our zoning request is intended to be a follow-on to Savoy Trace. Accordingly, the PD conditions which accompany the zoning request are similar to those which were established for that community.

After careful market research, including interaction with the Richardson brokerage community we believe that just as we've seen during the early months of Savoy Trace, the primary target market for the contemplated project is (a) the empty nester population, (b) young professionals purchasing for location and proximity to employment, and (c) young families seeking housing within the highly sought after Richardson school district. The neighborhood will have a great deal of appeal to prospective buyers seeking a low maintenance, "lock and leave" lifestyle; currently there is little of this product available in Richardson, particularly in west Richardson. This parcel has great visibility, is well located relative to major transportation corridors (190, 75 & DNT) and is within walking distance to many neighborhood conveniences.

With the re-development of this 8 acre tract, David Weekley Homes is looking forward to bringing a great Addition into the City of Richardson, and we desire this to be one of many more to come.

Respectfully,



Eyal Avnon
David Weekley Homes



May 29, 2013

Mr. Eyal Avnon
Land Manager
David Weekly Homes
3301 Interstate 35 East
Carrollton, TX 75007

Re.: Savoy Landing Trip Generation

Dear Mr. Avnon:

This letter summarizes the results of a trip generation study for Savoy Landing, which is a proposed single-family development on the southwest corner of Waterview Parkway and Cullum Street in Richardson, Texas. This study compared the potential traffic generated by proposed development under current zoning and development intensity and under proposed zoning and development intensity. Figure 1 shows the location of the proposed development.

Figure 1 – Site Location

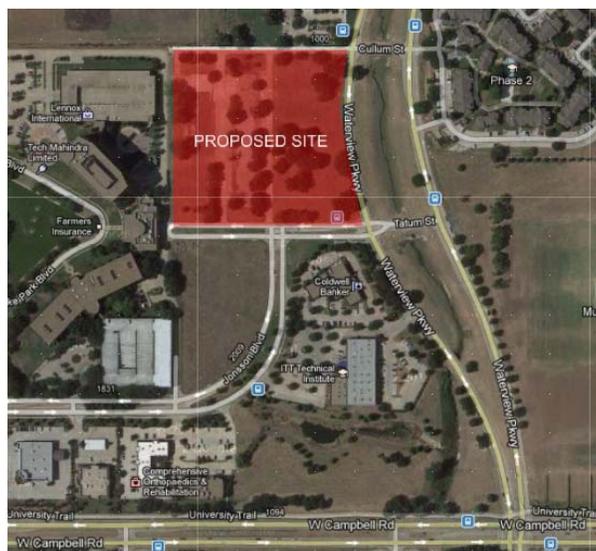


Image Source: <http://maps.google.com>

Trip Generation

Trip generation for proposed development is typically based on information in the *Trip Generation Handbook, 9th Edition* developed by the Institute of Transportation Engineers (ITE). The rates and equations in this report were applied to the proposed development to determine the anticipated trips generated. Rates and equations from the *Trip Generation Handbook, 9th Edition* were also applied to determine the traffic generated by the Savoy Landing for current zoning. These projections are shown in Table 1.

Table 1 – Site Trip Generation

ITE Code	Land Use	Intensity	Daily Trips		AM Peak Hour		PM Peak Hour	
			In	Out	In	Out	In	Out
210	Single-Family Detached Housing	58 Dwelling Units	318	318	13	37	40	24
710	General Office Building	261,000 Square Feet	1,361	1,361	363	49	63	308

As seen from Table 1, the proposed development will result in a reduction of daily trips by approximately 77% over existing zoning and a reduction of approximately 88% and 83% for the AM and PM peak hours, respectively, over existing zoning.

Please let me know if you have any questions.

Sincerely,



Tejas Mehta, P.E., P.T.O.E
 Senior Traffic Engineer




05/29/2013
 SAVANT GROUP INC.
 TBPE FIRM # 10286



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

ZONING CHANGE – PD PLANNED DEVELOPMENT

File No./Name: ZF 13-09 / Savoy Landing
Property Owner: Philip C. Seetin / Lennox Int., Inc.
Applicant: Eyal Avnon / Weekley Homes, LLC
Location: 2201 Waterview Parkway (See map on reverse side)
Current Zoning: TO-M Technical Office
Request: A request by Eyal Avnon, representing Weekley Homes, LLC, for a change in zoning from TO-M Technical Office to PD Planned Development for the development of a patio home community on approximately 8.6 acres.

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

TUESDAY, JULY 16, 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.

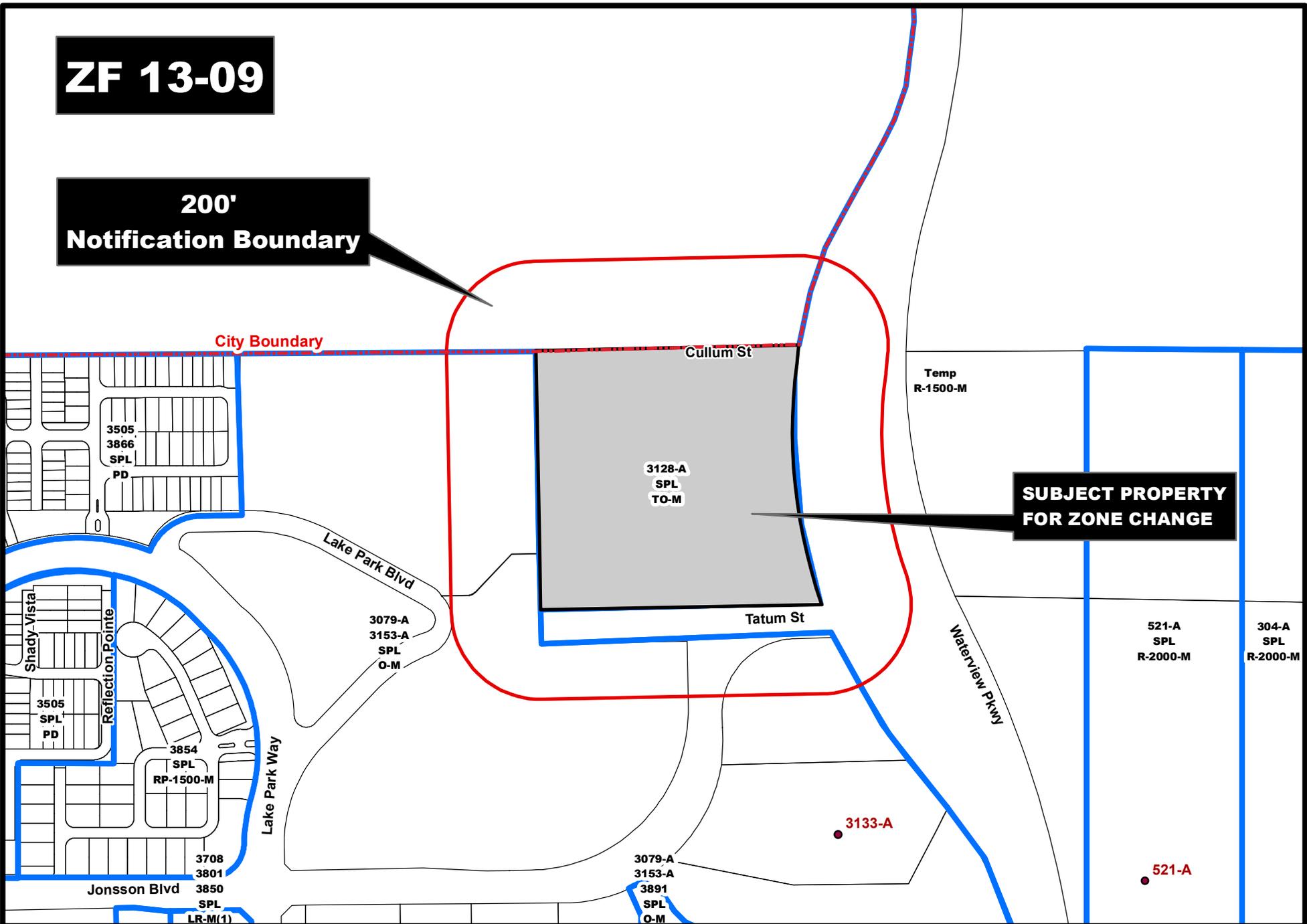
Agenda: The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1331>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 13-09.

Date Posted and Mailed: 07/05/2013

ZF 13-09

200'
Notification Boundary



**SUBJECT PROPERTY
FOR ZONE CHANGE**

ZF 13-09 Notification Map

Updated By: shacklett, Update Date: July 2, 2013
File: DSI\Mapping\Cases\Z\2013\ZF1309\ZF1309 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.



**BTMU CAPITAL LEASING & FI
111 HUNTINGTON AVE
BOSTON, MA 02199-7610**

**SFMC REAL EST CO LP
2105 WATERVIEW PKWY
RICHARDSON, TX 75080-2293**

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

**EYAL AVNON
WEEKLEY HOMES, INC
3301 NORTH I-35
CARROLLTON, TX 75007**

**PHILIP C. SEETIN
LENNOX INT., INC.
2140 LAKE PARK BLVD
RICHARDSON, TX 75080**

**CITY OF DALLAS PLANNING
1509 MARILLA STREET
DALLAS, TX 75201**

**ZF 13-09
Notification List**

ORDINANCE NO. 4015

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, ABANDONING A PORTION OF STREET RIGHT-OF-WAY KNOWN AS CULLUM STREET, TOTALING 0.4073 ACRES, AS DESCRIBED IN EXHIBITS “A” AND “B”; RESERVING ALL EXISTING EASEMENT RIGHTS OF OTHERS, IF ANY WHETHER APPARENT OR NON-APPARENT, AERIAL, SURFACE, UNDERGROUND OR OTHERWISE; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE REAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS, AS A QUITCLAIM DEED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Richardson, desires to abandon a portion of Cullum Street, totaling 0.4073 acres; and **NOW THEREFORE**,

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

SECTION 1. The City of Richardson hereby abandons and quitclaims in favor of Lennox Commercial Realty, Inc., the abutting property owner, the portion of street right-of-way known as Cullum Street totaling 0.4073 acres described in Exhibits “A” and “B” attached hereto and made a part hereof for all purposes, the same as if fully copied herein, subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and the City reserves unto itself at any time to lay, construct, maintain water, storm and sanitary sewer lines and appurtenances in an upon real property described in Exhibits “A” and “B”.

SECTION 2. That said street right-of-way is abandoned, vacated and closed insofar as the right, title and interest of the public to such are concerned. That the City of Richardson does not abandon any other interest other than that described in Exhibit “A” and “B”, but does hereby abandon all of its right, title and interest in and to that certain tract of land described in Exhibit “A” and “B”, either in fee simple or by easement or otherwise, together with any and all improvements thereon, subject to the limitations and reservations stated herein.

SECTION 3. This Ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 12th day of August, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS/08-05-13/61677)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
PORTION OF CULLUM STREET R.O.W.

BEING 17,740.40 square feet of Cullum Street, a 40' R.O.W. created by FIRST INSTALLMENT OF TECHNOLOGY PARK an addition to the City of Richardson, Dallas County, Texas, recorded in Volume 67123, Page 1285 of the Map Records of Dallas County, Texas, and said tract being more particularly described as follows:

BEGINNING at a 3/4" iron rod set in the south R.O.W. line of Cullum Street (a 40' R.O.W.) and being N 89°57'00" W, 169.51' from the present intersection of the west R.O.W. line of Waterview Parkway {a variable width R.O.W.} with the south line of Cullum Street;

THENCE N 89°57'00" W, 443.51' along the south line of Cullum Street to a 1/2" iron rod found at the southwest corner of Cullum Street;

THENCE N 00°03'00" E, 40.00' along the west line of Cullum Street to a 1/2" iron rod found at the northwest corner of Cullum Street;

THENCE S 89°57'00"E, 443.51' along the north line of Cullum Street to 3/4" iron rod set for corner;

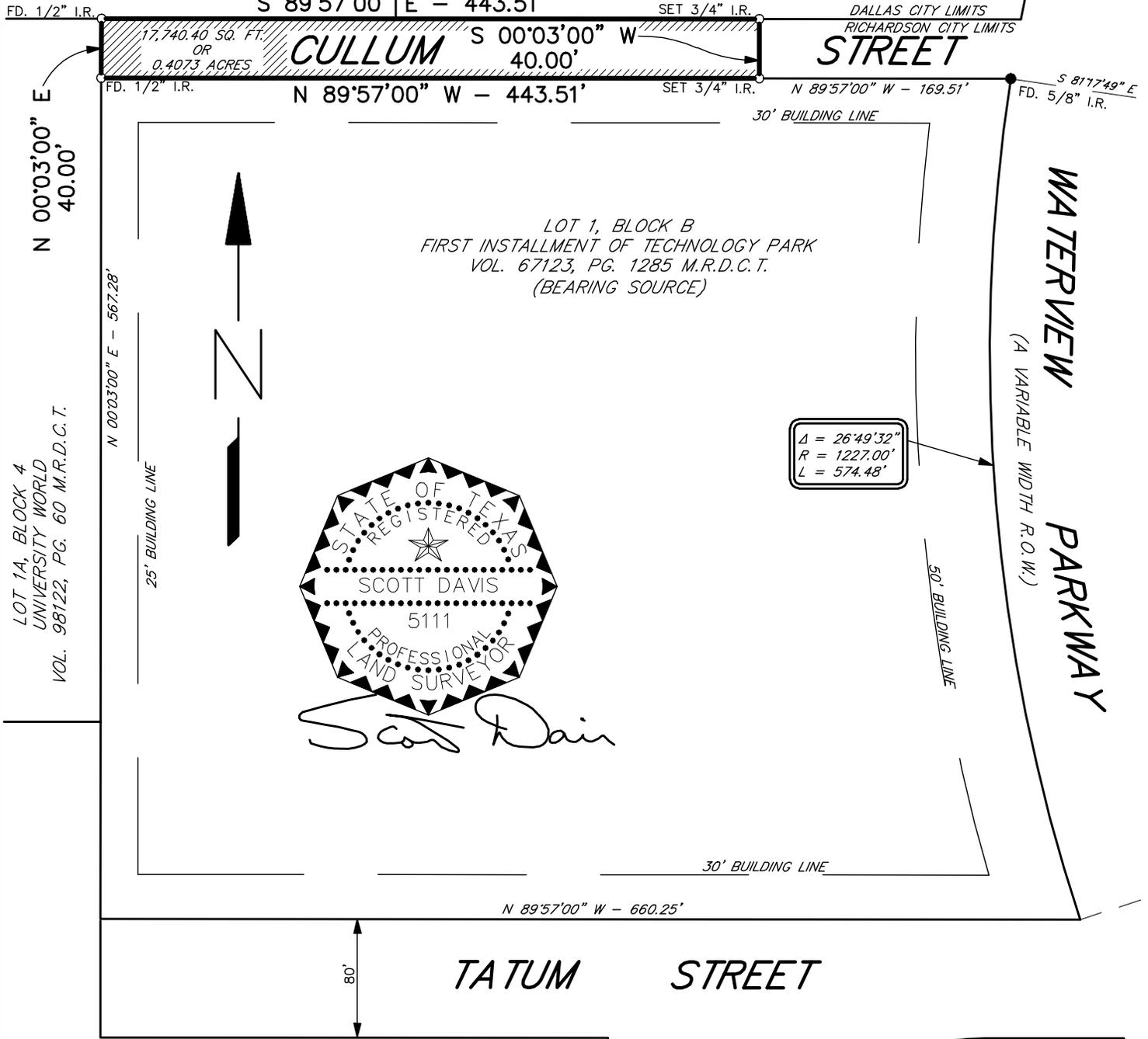
THENCE S 00°03'00"W, 40.00' over and across Cullum Street to the Point of Beginning and containing 17,740.40 square feet or 0.4073 acres of land.

EXHIBIT "B"

CULLUM STREET PARTIAL ABANDONMENT
RICHARDSON, DALLAS COUNTY, TEXAS

TEXAS A & M UNIVERSITY
VOL. 72221, PG. 2873 D.R.D.C.T.

LOT 2, BLOCK A/8735
U.T.D. SYNERGY PARK ADDITION - PHASE II
VOL. 86051, PG. 3744 M.R.D.C.T.



LOT 1A, BLOCK 4
UNIVERSITY WORLD
VOL. 98122, PG. 60 M.R.D.C.T.

SCALE: 1" = 100'
DATE: 7/26/13
JOB NO. 13036B

DAVIS LAND SURVEYING CO., INC.
9777 FERGUSON ROAD, SUITE 105
DALLAS, TEXAS 75228 214-321-0569



MEMO

DATE: August 8, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 13-10 – AutoNation Volkswagen (Former Boardwalk Volkswagen)

REQUEST

Jonathan Vinson, Jackson Walker, L.L.P., representing 300 North Central, Ltd, is requesting to rezone 7.06 acres from I-M(1) Industrial, LR-M(1) Local Retail and O-M Office to PD Planned Development to accommodate the reconstruction of an existing “motor vehicle sales/leasing – new” use. The subject property is located on the east side of Central Expressway, bounded by Greer Street to the south, Jackson Street to the north, and Interurban Street to the east.

BACKGROUND

The subject site, two (2) separately platted lots, was recently acquired by AutoNation and is the site of the former Boardwalk Volkswagen dealership and service facility. The applicant intends to demolish the three (3) existing buildings (sales, showroom, and office facilities) along Central Expressway to provide additional parking and display area for their vehicles. The existing service facility located east of these buildings would be expanded by 9,840 square feet to accommodate the new sales and showroom area and would also be remodeled to accommodate AutoNation’s updated look for the property. The existing service and detail buildings along Interurban Street would remain unchanged.

The applicant’s PD Planned Development District with a base C-M Commercial designation allows for greater flexibility in design and layout, specifically related to building materials and setbacks. Also, the use of the PD allows for greater legislative discretion by the City Council over the proposed development. As part of the request, the applicant has proposed increased landscape requirements along Central Expressway including implementation of the US-75 Design Guidelines, upgraded fencing, and stricter standards than required by City Ordinances regarding site lighting and signage.

At the July 2, 2013 City Plan Commission meeting, the Commission discussed their positive thoughts related to the upgrade of the site; however, some Commissioners voiced concern regarding the site’s location in the Central Redevelopment/Enhancement District. The applicant stated that AutoNation is already occupying the site and plans to be a long-term tenant. Many Commissioners stated that the upgrade to the site would not necessarily prohibit future redevelopment.

No correspondence in favor or opposition has been received.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-1 (Commissioner Hand opposed), recommended approval of the request as presented. If the request is approved, staff has included the ordinance for Council’s consideration.

ATTACHMENTS

- | | |
|---|--|
| PD Conditions | Building Elevations (Exhibits “C-1” and “C-2”) |
| CC Public Hearing Notice | Site Photos |
| City Plan Commission Minutes 07-02-2013 | Proposed 3-D Demo/Construction Plans |
| Staff Report | Main Street/Central Study Report – Interurban District |
| Zoning Map | Applicant’s Statement |
| Aerial Map | Notice of Public Hearing |
| Oblique Aerial Looking East | Notification List |
| Zoning Exhibit (Exhibit “B”) | Proposed Ordinance No. 4014 |

ZF 13-10 PD Conditions

1. The subject site shall be zoned PD Planned Development for the C-M Commercial District, and shall be developed in accordance with all applicable regulations of the C-M Commercial District except as otherwise noted for a “motor vehicle sales/leasing – new” use.
2. Development of the property for a “motor vehicle sales/leasing – new” must substantially comply with the concept plan attached hereto as Exhibit “B” (the “Concept Plan”) and with the conceptual building elevations attached hereto as Exhibits “C-1” and “C-2” (the “Conceptual Elevations”) subject to the following special conditions, restrictions and regulations:
 - a. All building facades for Building “A” shall be constructed of a minimum of 65% masonry materials and a maximum of 35% approved non-combustible materials as listed below. For purposes of the minimum masonry percentage calculation, glass shall be counted as masonry.
 1. Aluminum composite material (A.C.M.).
 2. 3-stage stucco.
 3. Metal. May be used for coping, building trim, and canopies as indicated on the Conceptual Elevations.
 - b. No building shall exceed twenty-five (25) feet in height and shall be in conformance with the attached “Conceptual Elevations”.
 - c. The following minimum setbacks for the development in conformance with the “Concept Plan” shall be:
 1. Central Expressway: forty (40) feet
 2. Jackson Street: thirty (30) feet
 3. Interurban Street: twenty-eight (28) feet
 4. Greer Street: forty (40) feet
 - d. No outside storage shall be permitted except as shown on the “Concept Plan”. Such areas shall be screened as shown on the “Concept Plan”. Motor vehicles shall not be considered outdoor storage.
 - e. Landscaping areas as depicted on the “Concept Plan” shall be provided; with the exception of the striped islands indicated on the “Concept Plan”.
 - f. The US-75 Design Guidelines shall apply to the property as noted on the “Concept Plan”.

- g. Tubular metal perimeter fencing shall be allowed with perimeter landscape buffers.
- h. The following exterior lighting standards shall apply:
 - 1. All exterior lighting shall be focused downward or narrowly focused on its intended target, such as signs, parking, and pedestrian walkways. All light sources (i.e. bulb/lamp) shall be shielded so as not to be visible from public view.
 - 2. Lighting elements shall be LED, incandescent, metal Halide, or halogen only.
 - 3. All luminaires shall have a total cut-off angle equal to or less than ninety (90) degrees.
 - 4. Parking lot light standards shall not exceed a height of twenty-three (23) feet.
- i. Signage shall be in accordance with Chapter 18 of the Code of Ordinances except as otherwise noted herein:
 - 1. A maximum of eighty (80) square feet of signage shall be allowed on the West facing facades of Building “A”, and an additional one-hundred (100) square feet of signage shall be allowed to be shared among the North, South, and East Elevations. No other attached signs shall be allowed on any other facades or on Buildings “B” and “C”.
 - 2. A maximum of one (1) pole sign shall be allowed on the subject site, located along Central Expressway subject to all other requirements of Chapter 18 of the Code of Ordinances.
 - 3. A maximum of three (3) monument signs shall be allowed on the subject site, one (1) each along Central Expressway, Greer Street, and Jackson Street, subject to all other requirements of Chapter 18 of the Code of Ordinances.
 - 4. Electronic messaging shall be prohibited.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: July 24, 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: **JULY 26, 2013**

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, August 12, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-09

A request by Eyal Avnon, representing Weekley Homes, LLC, for a change in zoning from TO-M Technical Office to PD Planned Development for the development of a patio home community to be located on approximately 8.6 acres at the northwest corner of Waterview Parkway and Tatum Street. The property is currently zoned TO-M Technical Office.

ZF 13-10

A request by Jonathan G. Vinson, Jackson Walker, L.L.P., representing 300 North Central, Ltd., for a change in zoning from I-M(1) Industrial, LR-M(1) Local Retail and O-M Office to a PD Planned Development District to accommodate the reconstruction of an existing "motor vehicle sales/leasing – new" use on approximately 7.1 acres located at 300 N. Central Expressway and 165 Jackson Street (east side of Central Expressway, bounded by Greer Street to the south, Jackson Street to the north, and Interurban Street to the east). The property is currently zoned I-M(1) Industrial, LR-M(1) Local Retail and O-M Office.

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

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

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – JULY 2, 2013**

PUBLIC HEARING

Zoning File 13-10: Consider and take necessary action on a request by Jonathan G. Vinson, representing 300 North Central Ltd., for a change in zoning from I-M(1) Industrial, LR-M(1) Local Retail, and O-M Office to PD Planned Development to accommodate the reconstruction of an existing “motor vehicle sales/leasing – new” use on approximately 7.1 acres located on the east side of Central Expressway, bounded by Greer Street to the south, Jackson Street to the north, and Interurban Street to the east. *Staff: Chris Shacklett.*

Mr. Shacklett advised the applicant was requesting the rezoning to accommodate the reconstruction of a new car dealership. He added that the property was currently platted as two separate lots at 300 N . Central Expressway (three buildings housing office and showrooms), and 165 Jackson Street (three buildings housing service and detail facilities).

Mr. Shacklett stated the applicant was proposing to demolish the three existing buildings along Central Expressway and construct a 9,800 square foot addition on the west side of the current service building that would become the future showroom and office area. In addition, as part of the request, the applicant is proposing several site upgrades including increasing the landscape buffer along Central Expressway from 5 feet to 20 feet, meeting the Central Expressway Guidelines; landscape islands within the parking area; the addition of a screened area for outdoor storage of disposable liquid tanks; and tubular steel fencing along Greer Street to replace the existing chain link fence.

Mr. Shacklett pointed out that in addition to the items in the Commission’s packet; staff was proposing additional conditions (Exhibit “D”) that covered exterior lighting standards. He added that proposed building, pole, and monument sign conditions were also contained within the same exhibit, but the applicant was not asking for approval of any electronic signage.

In closing his presentation, Mr. Shacklett stated that by requesting a PD Planned Development as opposed to a straight CM zoning, the applicant would be tying the elevations and site plan to the ordinance if approved.

Chairman Gantt asked if the proposed fire lane and easement in front of the proposed expansion would be in alignment with the current access points. He also wanted to know if the item was approved, should the location of the proposed signs be indicated on the exhibits.

Mr. Shacklett replied that the easements would move slightly and the access points would relocate to Greer and Jackson Streets.

Regarding the location of the signs, Mr. Shacklett replied that the Commission could make the location of the signs a part of the motion to recommend approval. In addition, based on

the language in the exhibit the applicant is proposing, the placement of the signs would be substantially in conformance with the exhibits and requirements of Chapter 18.

Chairman Gantt stated he understood there would be metal gates covering storage areas and noted the gates were not depicted on the south elevation of Exhibit "C2", but felt they should be added since the elevations would be part of the ordinance.

Mr. Shacklett replied that the elevation was provided to give the Commission an idea of what the proposed building would look like, but the Commission could require that the gates be added to elevations.

Commissioner Linn asked if the PD was approved and the property was sold, could the property be used for anything other than a new car dealership. He also wanted to know if there would be an impact on the Central Expressway Corridor Study if the item was approved.

Mr. Shacklett replied that it could be developed for any other use listed in C-M Commercial district as long as it met the district's requirements.

Regarding the impact of the PD, if approved, on the Central Corridor Study (CCS), the property in question is 7 acres within a 25-acre site known as the Interurban District and if the zoning was changed, there could be two possible outcomes: 1) the property could be rezoned and if the new zoning did not allow the current use, the property would become legally nonconforming, which would allow the dealership to exist and operate the business, but could not be expanded; or, 2) the current property could be separated from the Interurban District and carry a different zoning description altogether.

Commissioner DePuy asked if there was a sample or picture available of the proposed tubular fencing.

Mr. Shacklett replied there was a detail of the proposed fencing on Exhibit "B" and noted that it would be similar to a wrought iron fence.

Vice Chair Hand asked if the Comprehensive Land Use Plan envisioned automotive uses in this area

Mr. Shacklett replied that the Comprehensive Land Use Plan calls for redevelopment and enhancement through further studies, which is currently underway through the CCS, but did not specifically outline the type of businesses that would be in the area.

Vice Chair Hand noted that in the Main Street/Central Study there is mention of the psychographics for the area and there did not appear to be anything mentioned about automotive uses.

Mr. Chavez pointed out that the Main Street/Central Study did mention commercial uses, which could be retail sales, auto sales, and industrial uses; however, the study did not

specifically mention the types of businesses. He added that the second phase of the study would have a more in-depth analysis of the sub-area and where the basic development standards would be determined.

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

Mr. Jonathan Vincent, 901 Main Street, Dallas, Texas, representing Auto Nation and the property owner, stated that Auto Nation felt the property and dealership in question would be greatly enhanced and the value maximized for both the owners and the surrounding community. He added that the proposed changes – demolition of the three buildings along Central Expressway, the addition to existing building for a showroom, and more landscaping would add to the attractiveness of the site.

Mr. Vincent noted that there are some non-confirming issues on the site and Auto Nation is not able to move forward on the redevelopment without passage of the PD, which would clean up the zoning classifications. In addition, the PD will allow flexibility as to materials, fencing and upgrading the area that will be compatible with the long term vision for the area.

Commissioner DePuy concurred and felt the developed dealership would enhance the look of the area compared to the current layout, but asked the applicant if he thought the economic climate was better now than in the past.

Mr. Vincent said that although he was not in the automobile business, Auto Nation was the largest nationwide owner/operator of retail automobile dealerships, and they have other dealerships in the general area, so they most likely feel this area will have a lot of success.

Commissioner Linn thanked the applicant for their proposed development and the changes made to the lighting and signs. He asked how many employees were currently at the dealership and felt the proposed redevelopment would be very beneficial for the City.

Mr. Vincent replied that he did not know how many employees were currently at the dealership.

Vice Chair Hand concurred with Mr. Linn's comments and complimented the applicant on the architectural design of the proposed buildings. However, he expressed concerns about attempts to eliminate auto dealerships from the Comprehensive Plan, and although the suburban design of the dealership would fit just about anywhere, he had concerns that it did not apply to the redevelopment district.

Chairman Gantt also complimented the applicant on their design and felt Auto Nation would be a good corporate neighbor in the City; however, he also had concerns similar to Mr. Hand's regarding the property being in a redevelopment district and whether an automotive use was applicable. Conversely, he pointed out that new car dealerships are different from the used car and auto leasing businesses that are currently established along Central Expressway.

Chairman Gantt noted the proposed dealership would be located at the southern end of the redevelopment district and there would be a lot opportunity to develop properties to the north that would fit within the vision of the Comprehensive Plan.

Commissioner Maxwell added that the redeveloped new car dealership would act as a buffer between the Interurban District and the multi-story office building to the south.

Commissioners Bouvier, Bright and DePuy said they thought the proposed design would be a quality development, would fit well within the space provided, and was a big improvement over the existing facility.

Vice Chair Hand asked the applicant if they had prepared for any expansion of Central Expressway and the possibility of losing frontage.

Mr. Vincent said he was not aware if the applicant had considered that, but noted that all of the businesses along Central Expressway would have to deal with any changes.

No further questions or comments were made and Chairman Gantt closed the public hearing.

Motion: Commissioner Linn made a motion to recommend approval of Zoning File 13-10 as presented with the additional conditions listed in Exhibit "D"; second by Commissioner Bouvier.

Vice Chair Hand said he felt that the comments about the dealership being at the southern end of the redevelopment district did not take into consideration the overall district, and the placement of the dealership would be in the middle of the Interurban District.

Chairman Gantt asked if staff knew what type of redevelopment or study was planned for the area to the south of the Interurban District.

Mr. Chavez replied that area was part of the Central Place sub-area and the vision for the Interurban District was similar to that of the Bishop Arts District in Dallas which appeared to contain multiple property owners, similar to the property ownership pattern north of the subject site.

Motion approved 6-1 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: August 8, 2013

RE: **Zoning File 13-10:** AutoNation Volkswagen (Former Boardwalk Volkswagen)

REQUEST:

Rezone 7.06 acres from I-M(1) Industrial, LR-M(1) Local Retail and O-M Office to PD Planned Development to accommodate the reconstruction of an existing “motor vehicle sales/leasing – new” use for the property located on the east side of Central Expressway, bounded by Greer Street to the south, Jackson Street to the north, and Interurban Street to the east.

APPLICANT / PROPERTY OWNER:

Jonathan G. Vinson, Jackson Walker, L.L.P. / 300 North Central, Ltd.

EXISTING DEVELOPMENT:

The 7.06-acre site is currently two (2) separately platted lots. The site is the former Boardwalk Volkswagen dealership and service facilities, which, was recently acquired by AutoNation, but the facility is still a Volkswagen dealership.

The western lot (300 N Central Expressway), a 2.05-acre lot, supports three (3) buildings totaling 30,390 square feet which are the current auto sales/display showrooms and offices. The eastern lot (165 Jackson Street), a 5.01-acre lot, supports three (3) buildings totaling 48,335 square feet which are the current service facilities for the dealership.

ADJACENT ROADWAYS:

US Highway 75: Freeway/Turnpike; 250,000 vehicles per day on all lanes, northbound and southbound, south of Campbell Road (2010).

Interurban Street: Two-lane, undivided minor collector; no traffic counts available

SURROUNDING LAND USE AND ZONING:

North: Retail/Commercial; C-M Commercial & I-M(1) Industrial
South: Office; I-M(1) Industrial, LR-M(1) Local Retail, O-M Office & PD Planned Development
East: Retail/Commercial; I-M(1) Industrial & I-M(2) Industrial
West: Retail/Commercial; C-M Commercial

FUTURE LAND USE PLAN:

Enhancement/Redevelopment

These are areas where reinvestment and redevelopment is encouraged. This property is located in the Central Enhancement/Redevelopment area and is part of the City’s Tax Increment Finance (TIF) district. The City recently completed the study for the Central and Main Street/Old Town Enhancement/Redevelopment districts. Implementation is expected to commence later this year and is likely to occur in several phases.

The subject property is located within a 25-acre sub-area depicted in the Main Street/Central Expressway Study as the Interurban District. The vision for the district is a vibrant, mixed-use district that builds upon the existing block structure. The area may transform into a live/work neighborhood utilizing existing building stock for industrial, retail, restaurant, and residential uses.

Future Land Uses of Surrounding Area:

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

EXISTING ZONING:

300 N Central Expressway: I-M(1) Industrial with a Special Permit for automobile sales and display (Ordinance Number 2568-A).

165 Jackson Street: I-M(1) Industrial, LR-M(1) Local Retail and O-M Office with a Special Permit for additional uses (Ordinance Number 355-A) and a Special Permit for automobile sales and service uses on a 0.62-acre tract of land along Interurban Street.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT’S STATEMENT

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

STAFF COMMENTS:

Background:

The three (3) buildings along Central Expressway appear to have been originally constructed around 1970 for office/industrial uses. In 1986, a Special Permit was approved to allow automobile sales and display to accommodate Classic BMW. In 1988, an additional Special Permit for automobile sales and service uses was approved for multiple properties along Interurban Street, including a 0.62-acre portion of the subject property along Interurban Street.

Originally, the eastern 5-acre portion of the subject site was subdivided into multiple, smaller lots. However, in 2003, the five (5) acres were replatted into one (1) lot. In 2007, Boardwalk Volkswagen renovated and occupied both properties, including the three (3) buildings along Central Expressway for showroom and sales area and the three (3) buildings located on the eastern portion of the subject property for offices and service facilities.

AutoNation announced their agreement to purchase the Boardwalk Volkswagen site in 2012. Their plans to upgrade and improve the site include removing the three (3) buildings along Central Expressway to provide increased area for inventory display along the frontage road and the addition of a 9,840-square foot office, showroom, and customer lounge on the west side of the existing office/service facility building. The existing service building and detail center located along Interurban Street are proposed to remain unchanged.

Request:

The applicant is requesting to rezone the two (2) properties from a combination of I-M(1) Industrial, LR-M(1) Local Retail, and O-M Office zoning to a PD Planned Development District based on the C-M Commercial District regulations to accommodate a “motor vehicle sales/leasing – new”, otherwise known as a new car dealership. The current zoning only allows automobile sales on the western 2-acre portion of the property as well as a small portion of the property along Interurban Street. The C-M Commercial zoning designation allows a new car dealership use by right, which includes accessory uses on the same lot such as service and repair facilities, used car sales, and storage of motor vehicles. The applicant elected to request a PD Planned Development zoning designation rather than the base C-M Commercial designation so they could present a concept plan and elevations that would be included in an ordinance, if approved. The PD Planned Development request allows for greater legislative discretion over the proposed development, including site layout, building orientation, and building design, as compared to a base C-M Commercial designation.

Proposed Development:

- Building Size & Use:
 - Building “A” – 41,258 square feet (includes 9,840 square foot expansion) / Sales/showroom, parts sales/storage, service write-up and service center
 - Building “B” – 6,760 square feet (no change to existing building / Detail center)
 - Building “C” – 10,157 square feet (no change to existing building / Service building)

- Building Materials:
 - Building “A” – The proposed building facades will be comprised of a minimum 65% masonry materials, which includes CMU, concrete tilt wall panels and glass. The proposed non-masonry materials include aluminum composite material (A.C.M.), 3-stage stucco, and other metal materials to be used for metal coping, canopies and scuppers).
 - Buildings “B” and “C” – There are no proposed changes to the existing concrete tilt wall buildings.
- Setbacks: The following are the proposed setbacks along each street frontage:
 - Central Expressway (west): 40 feet (same as C-M Commercial)
 - Interurban Street (east): 28 feet (existing Building “C” is located 28’4” from property line)
 - Jackson Street (north): 30 feet (existing Building “A” is located 30’7” from property line)
 - Greer Street (west): 40 feet (same as C-M Commercial)
- Height: All buildings will be limited to a maximum height of twenty-five (25) feet and Building “A” will be in conformance with the attached building elevations (Exhibits “C-1” and “C-2”).
- Floor Area Ratio: 0.19:1 / Maximum 0.60:1 allowed.
- Landscaping Percentage: 20% provided / Minimum 7% required.
- US-75 Design Guidelines Requirements: Since the property is located along US Highway 75, the site is required to implement the US-75 Design Guidelines, which require a minimum 10-foot landscape buffer along US Highway 75 and intersecting streets going back from US-75 a distance of 300 feet. The guidelines include canopy and ornamental tree requirements, shrub and groundcover requirements, a pedestrian easement for meandering sidewalk, and parking lot/storage screening requirements.
- Parking Spaces:
 - 423 provided
 - 162 required
 - Showroom, sales, and office ratio: 30 spaces for first 10,000 square feet, then 1 space per 200 square feet thereafter (30% of required parking shall be designated as customer parking).
 - Service facilities: 5 spaces plus 2 spaces per bay.
 - It appears there is an overabundance of parking, but there is no parking requirement for motor vehicles for sale; however, these vehicles constitute a large portion of the parking area.

Site Related Elements:

Central Redevelopment/Enhancement District – The subject site is located within the Central Enhancement/Redevelopment Study area. As part of the Study, staff has conducted an open house meeting, stakeholder interviews and meetings, focus group meeting, community charrette, and a final community involvement session. In early 2013, the final draft report, including focus area plans and implementation strategies, was presented to the City Council which described general visions for several sub-districts within the District. The presentation concluded with a projected implementation schedule for the district. It is projected that a consultant team will be chosen to create the zoning ordinance and design guidelines during the 1st Quarter of 2014. It is expected that the proposed guidelines will move forward for presentation to and approval by the City Plan Commission and City Council later that year.

The subject property is located within the Interurban District sub-district as described in the final report (See attached Interurban District section). The area encompasses approximately twenty-five (25) acres on the east side of Central Expressway from Greer Street, north to Rayflex Drive. The district is bounded by the DART Red Line on the east. The report describes the vision for the area as an edgy, mixed-use district that builds upon the existing bones of the district and focuses on adaptive reuse for targeted infill redevelopment.

Building Demolition and Updated Elevations – The applicant has stated that AutoNation’s desire is to significantly upgrade and improve the site. They state the request is likely to be compatible with the long-term vision for the area. This includes the enhanced appearance of the new showroom building and an increased landscape area along Central Expressway. The applicant has indicated that they prefer to remove the three (3) buildings along Central Expressway to increase the area available for display of their automobiles as well as create an enlarged showroom and upgraded customer lounge facilities to better serve their customers. However, since only portions of the property allow the sale of motor vehicles, the applicant is requesting to change the zoning to accommodate the reconfigured layout of the site.

The proposed expansion of Building “A” as noted on Exhibit “B” includes an updated façade along the west facing facades. The applicant intends to use a mix of storefront glass and aluminum composite panels to provide an updated appearance for the new showroom area. The applicant feels the upgraded façade may be compatible with the City’s future vision for the Central Enhancement/Redevelopment District. Along with the addition proposed on the west side of Building “A”, the applicant proposes to wrap the north and south elevations of the building addition with similar materials to complete the appearance of the addition. Also, the applicant proposes to utilize a new stucco veneer on the north and east elevation of the existing service write-up area located along Jackson Street. No changes are proposed to the two (2) existing buildings along Interurban Street, and the buildings will be required to meet the minimum 85% masonry construction requirement as required in the C-M Commercial District.

Building and Parking along Greer, Interurban, and Jackson – Reduced setbacks are being requested along Jackson Street (30 feet) and Interurban Street (28 feet) in lieu of the typical C-M Commercial District 40-foot front setback requirement. The reduced setbacks accommodate the existing buildings on the site. The current zoning on the eastern portion of the property allows a 30-foot landscaped setback; however, building and parking encroachments currently exist. The proposed setbacks would allow the existing buildings to be brought into conformance.

Storage Tank Screening – The area for the outdoor service center liquid storage tanks (located on the south side of Building “A”) is proposed to be screened. The current approved site plan allows a gas tank in this area as well as an oil recovery tank and air compressor on the east side of Building “A”. Bollards were approved for protection of the gas tank area, but no screening was provided. The proposed storage area would be screened with an 8-foot masonry wall with three (3) gates for access. The air compressor is currently located on the west side of Building “B”; however the applicant proposes to screen the air compressor with an 8-foot masonry screening wall or to relocate it within the building.

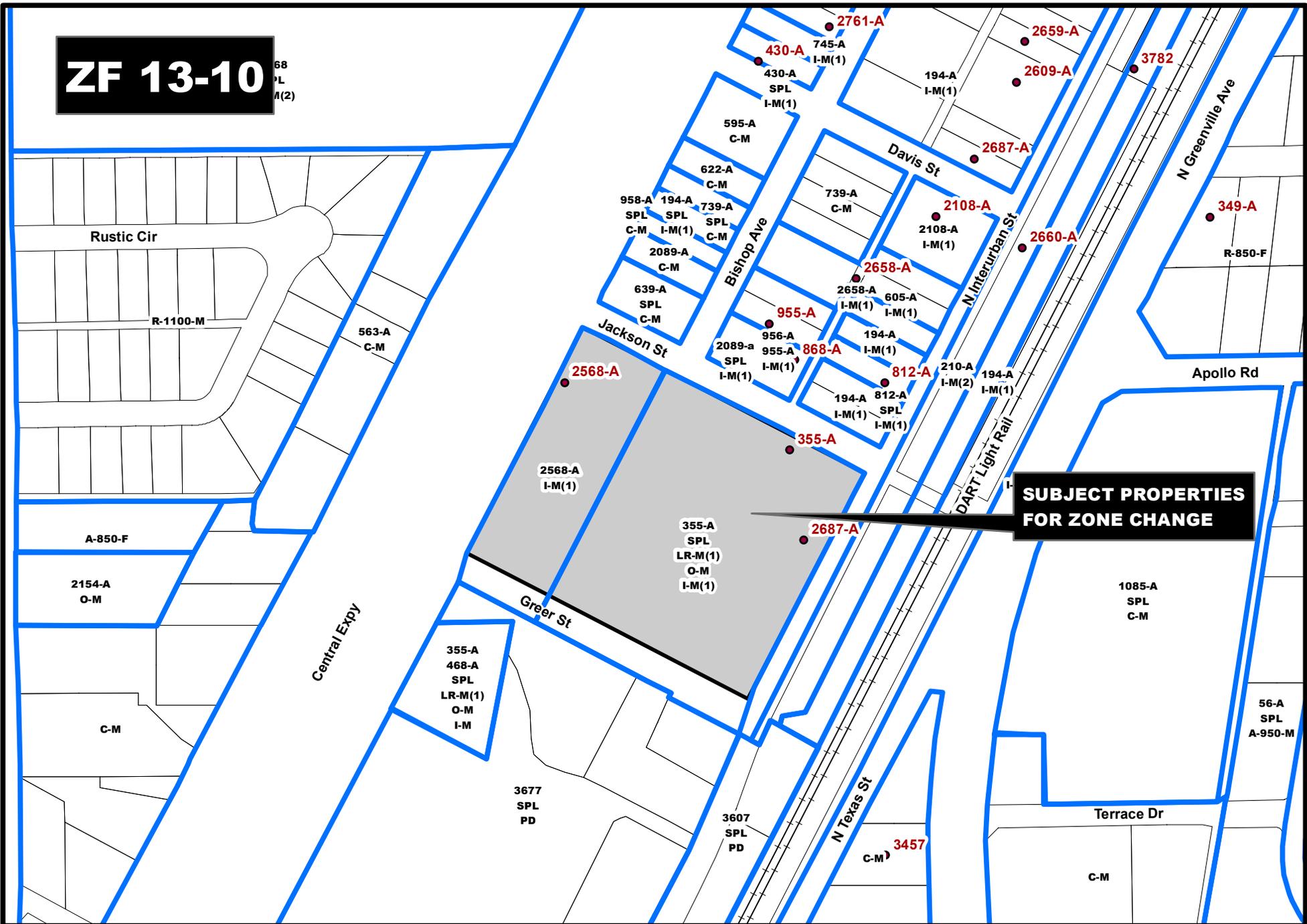
Correspondence: As of this date, no correspondence has been received.

Motion: On July 2, 2013, the City Plan Commission recommended approval of the request as presented on a vote of 6-1 (Commissioner Hand opposed) subject to the following conditions:

1. The subject site shall be zoned PD Planned Development for the C-M Commercial District, and shall be developed in accordance with all applicable regulations of the C-M Commercial District except as otherwise noted for a “motor vehicle sales/leasing – new” use.
2. Development of the property for a “motor vehicle sales/leasing – new” must substantially comply with the concept plan attached hereto as Exhibit “B” (the “Concept Plan”) and with the conceptual building elevations attached hereto as Exhibits “C-1” and “C-2” (the “Conceptual Elevations”) subject to the following special conditions, restrictions and regulations:
 - a. All building facades for Building “A” shall be constructed of a minimum of 65% masonry materials and a maximum of 35% approved non-combustible materials as listed below. For purposes of the minimum masonry percentage calculation, glass shall be counted as masonry.
 1. Aluminum composite material (A.C.M.).
 2. 3-stage stucco.
 3. Metal. May be used for coping, building trim, and canopies as indicated on the Conceptual Elevations.
 - b. No building shall exceed twenty-five (25) feet in height and shall be in conformance with the attached “Conceptual Elevations”.
 - c. The following minimum setbacks for the development in conformance with the “Concept Plan” shall be:
 1. Central Expressway: forty (40) feet
 2. Jackson Street: thirty (30) feet
 3. Interurban Street: twenty-eight (28) feet
 4. Greer Street: forty (40) feet

- d. No outside storage shall be permitted except as shown on the “Concept Plan”. Such areas shall be screened as shown on the “Concept Plan”. Motor vehicles shall not be considered outdoor storage.
- e. Landscaping areas as depicted on the “Concept Plan” shall be provided; with the exception of the striped islands indicated on the “Concept Plan”.
- f. The US-75 Design Guidelines shall apply to the property as noted on the “Concept Plan”.
- g. Tubular metal perimeter fencing shall be allowed with perimeter landscape buffers.
- h. The following exterior lighting standards shall apply:
 - 1. All exterior lighting shall be focused downward or narrowly focused on its intended target, such as signs, parking, and pedestrian walkways. All light sources (i.e. bulb/lamp) shall be shielded so as not to be visible from public view.
 - 2. Lighting elements shall be LED, incandescent, metal Halide, or halogen only.
 - 3. All luminaires shall have a total cut-off angle equal to or less than ninety (90) degrees.
 - 4. Parking lot light standards shall not exceed a height of twenty-three (23) feet.
- i. Signage shall be in accordance with Chapter 18 of the Code of Ordinances except as otherwise noted herein:
 - 1. A maximum of eighty (80) square feet of signage shall be allowed on the West facing facades of Building “A”, and an additional one-hundred (100) square feet of signage shall be allowed to be shared among the North, South, and East Elevations. No other attached signs shall be allowed on any other facades or on Buildings “B” and “C”.
 - 2. A maximum of one (1) pole sign shall be allowed on the subject site, located along Central Expressway subject to all other requirements of Chapter 18 of the Code of Ordinances.
 - 3. A maximum of three (3) monument signs shall be allowed on the subject site, one (1) each along Central Expressway, Greer Street, and Jackson Street, subject to all other requirements of Chapter 18 of the Code of Ordinances.
 - 4. Electronic messaging shall be prohibited.

ZF 13-10



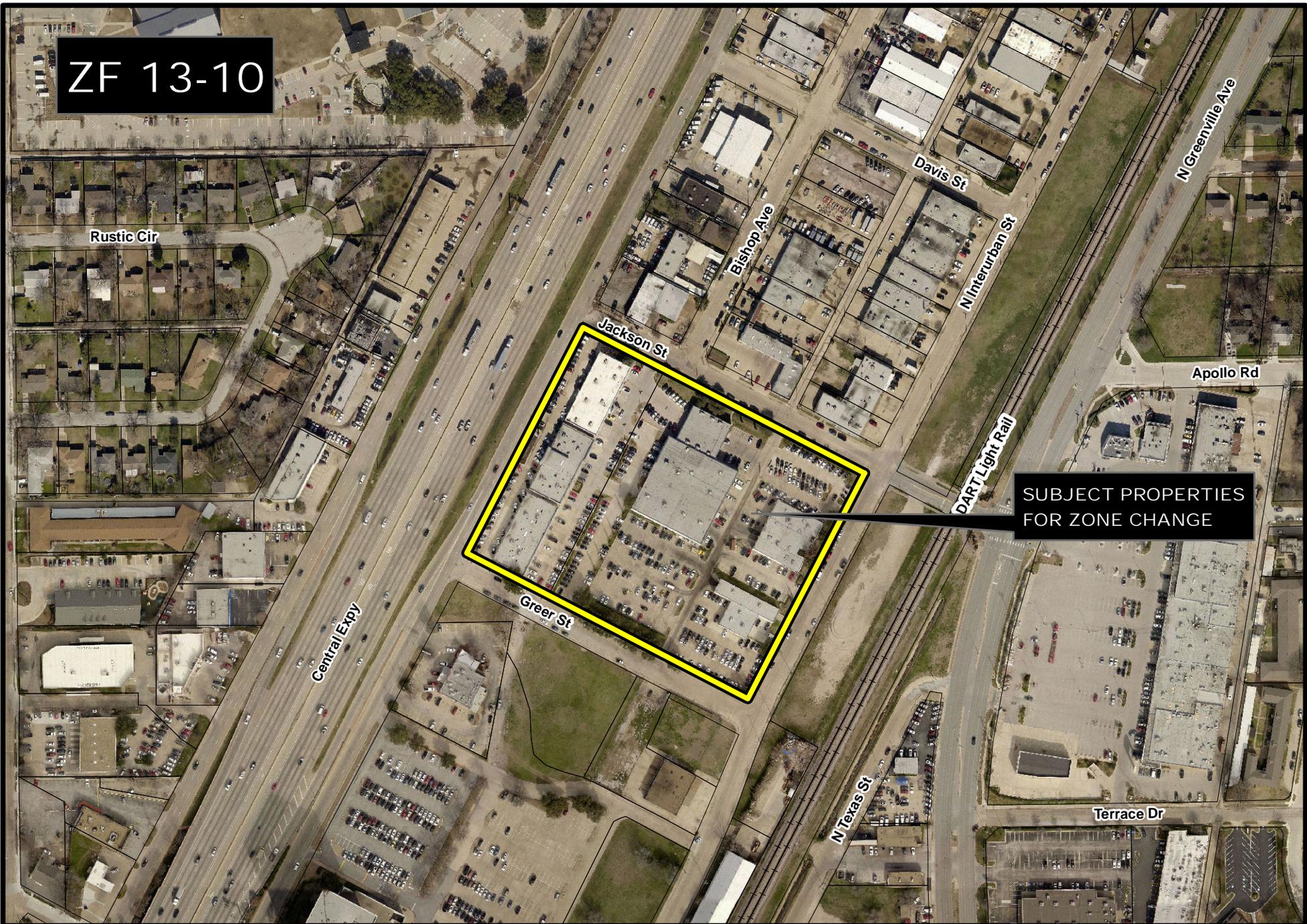
ZF 13-10 Zoning Map

Updated By: shacklett, Update Date: June 12, 2013
 File: D:\Mapping\Cases\Z\2013\ZF1310\ZF1310 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 13-10



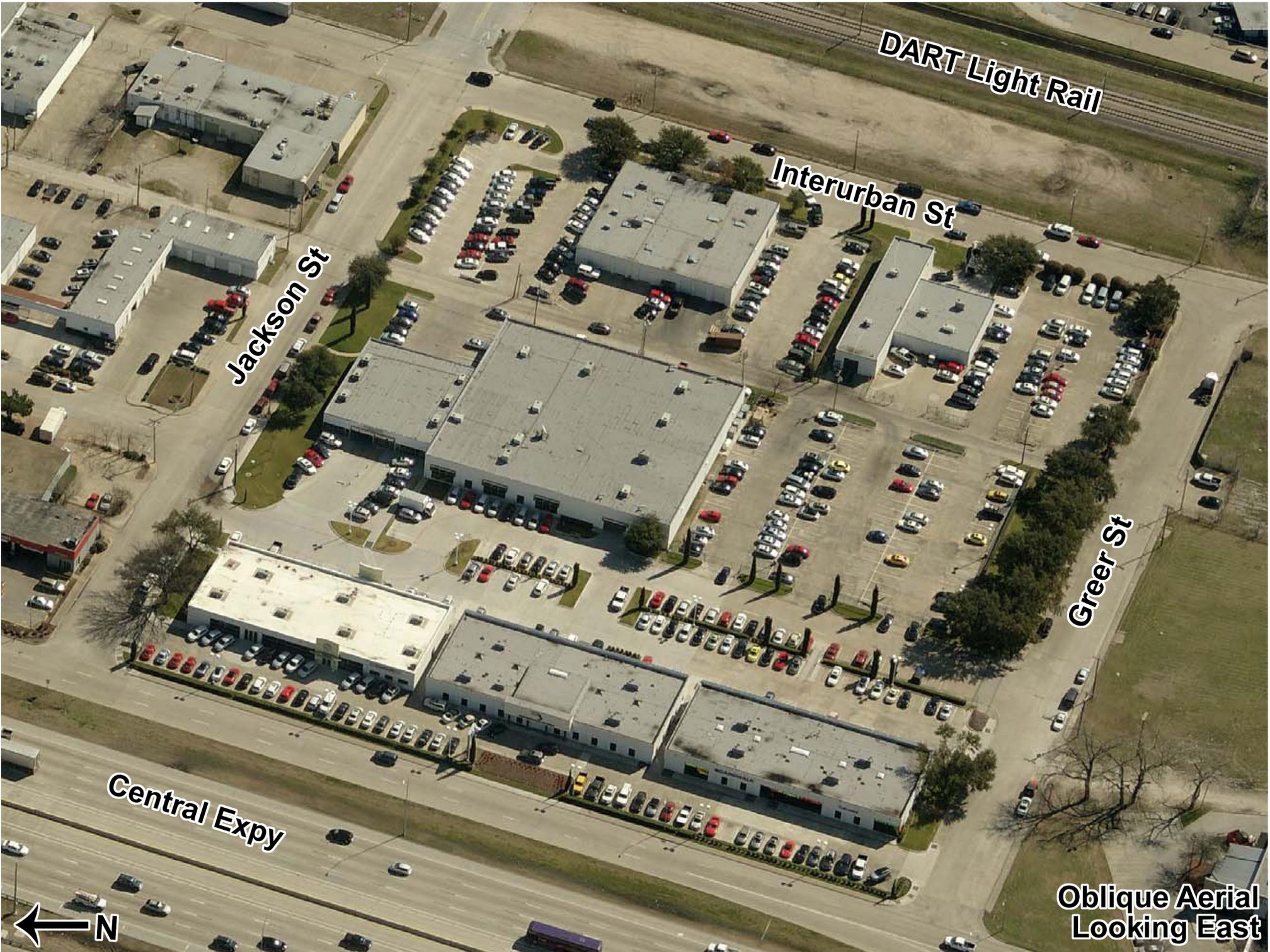
SUBJECT PROPERTIES
FOR ZONE CHANGE

ZF 13-10 Aerial Map

Updated By: shacklett, Update Date: June 12, 2013
File: D:\Mapping\Cases\Z\2013\ZF1310\ZF1310 ortho.mxd

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DART Light Rail

Interurban St

Jackson St

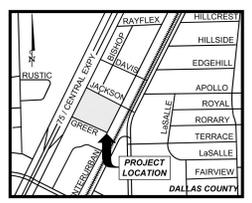
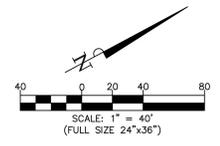
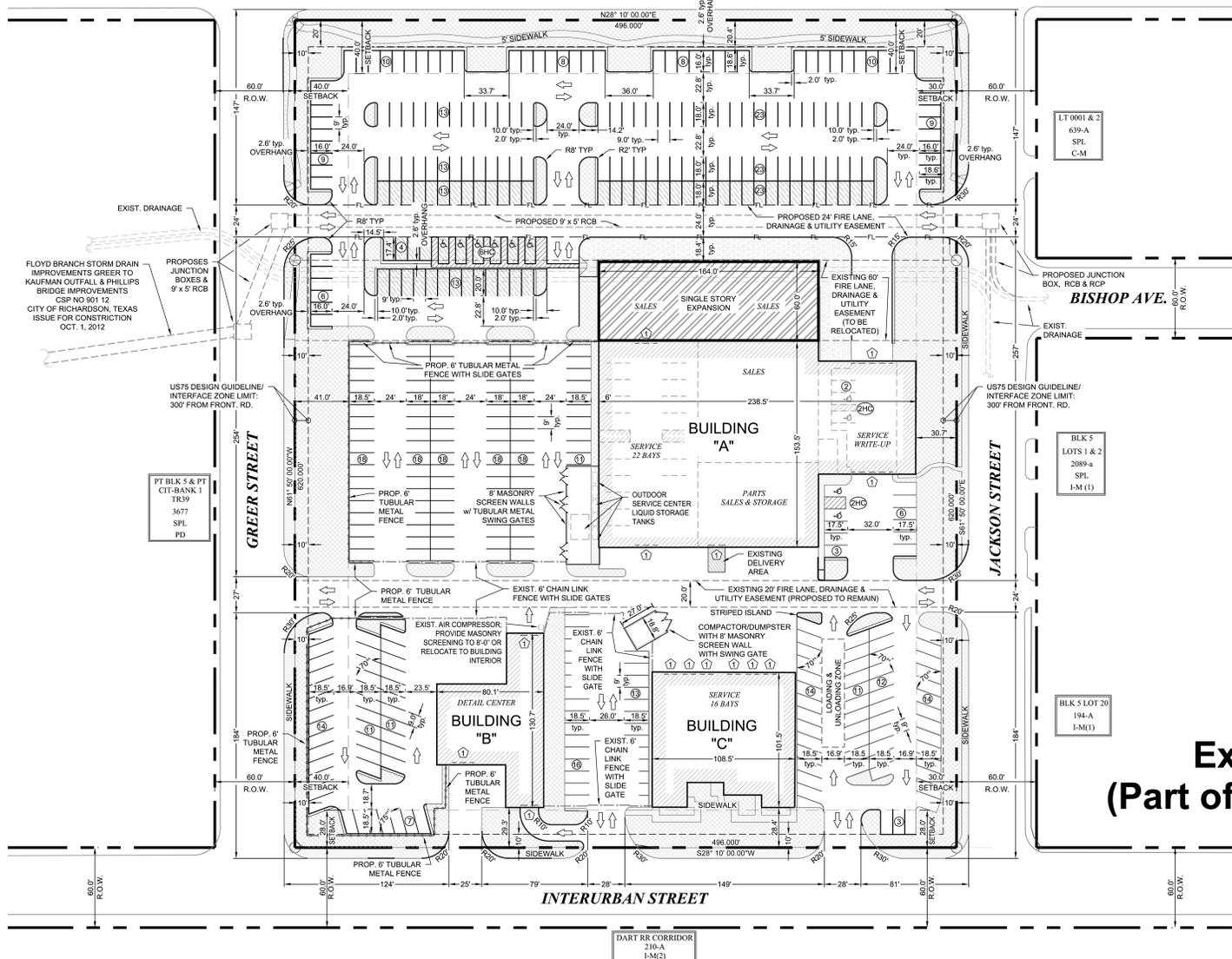
Greer St

Central Expy



Oblique Aerial
Looking East

CENTRAL EXPRESSWAY SERVICE ROAD



PROJECT SUMMARY
 EXISTING ZONING: LR-M(1)O-M(1)
 PROPOSED ZONING: PD - BASE ZONING: CM

SETBACKS:
 CENTRAL EXPRESSWAY: 40'
 JACKSON STREET: 30'
 INTERURBAN STREET: 28'
 GREER STREET: 30'

LOT AREA: 7.06 AC / 307,520 sq. ft.
F.A.R.: 0.19:1

BUILDING SUMMARY: 58,175 total sq. ft.
 • BUILDING "A" - TOTAL - 41,258 sq. ft.
 SALES/SHOWROOM - 18,105 sq. ft.
 PARTS SALES COUNTER & STORAGE - 5,737 sq. ft.
 SERVICE WRITE-UP - 6,023 sq. ft.
 SERVICE CENTER - 11,393 sq. ft.
 (22) SERVICE BAYS
 • BUILDING "B" - TOTAL - 6,760 sq. ft.
 (16) SERVICE BAYS
 • BUILDING "C" - TOTAL - 10,157 sq. ft.
 (16) SERVICE BAYS

BUILDING HEIGHT: STORIES / FT. - IN.
 • BUILDING "A" - SINGLE STORY / 24'-0"
 • BUILDING "B" - SINGLE STORY / 20'-0"
 • BUILDING "C" - SINGLE STORY / 20'-0"

LANDSCAPE SUMMARY:
 • TOTAL LANDSCAPE REQUIRED - 7% OF TOTAL PROPERTY = 21,526.4 sq. ft.
 • TOTAL LANDSCAPE PROVIDED = 62,543.6 sq. ft. (29%)

PARKING RATIOS:
 • SALES/SHOWROOM & OFFICES - 30 FOR THE FIRST 10,000 sq. ft. THEN 1/200 THEREAFTER.
 • SERVICE FACILITY - 5 + 2BAY
 • 30% OF REQUIRED PARKING SHALL BE CUSTOMER PARKING
 • TAS (Texas Accessibility Standards) PER 151-200 SPACES PROVIDED.

PARKING SUMMARY:
 • BUILDING "A" SALES/SHOWROOM & OFFICES (18,105 sq. ft.) 30 + 41 = 71 SERVICE FACILITY (22 service bays) 5 + 4 + 49
 • BUILDING "B" SERVICE FACILITY (0 service bays) 5 + 0 = 5
 • BUILDING "C" SERVICE FACILITY (16 service bays) 5 + 32 = 37

TOTAL PARKING REQUIRED: 162
CUSTOMER PARKING: 49
ACCESSIBLE PARKING: 6
TOTAL PARKING PROVIDED: 423
CUSTOMER PARKING - 53
ACCESSIBLE PARKING - 10

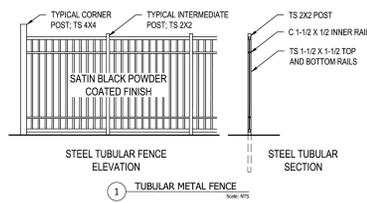


Exhibit B
(Part of Ordinance)

AutoNation
 ZONING EXHIBIT

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF:
 Paul J. Padilla
 PROFESSIONAL ENGINEER 83698
 25 June 2013
 PRELIMINARY NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

RICHARDSON, TEXAS

BOARDWALK VW, RICHARDSON
 300 N. CENTRAL PARKWAY
 7.06 ACRES - LOT 18 BLOCK 1, NORTH RICHARDSON ADDITION & LOT 1C, BLOCK 6 NORTH RICHARDSON ADDITION
 CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

OWNER INFORMATION:
 ADDRESS:
 300 N. CENTRAL, L16
 5900 WEST PLANO PARKWAY
 PLANO, TX 75093

APPLICANT INFORMATION:
 ADDRESS:
 701 MAIN STREET, SUITE 600
 DALLAS, TX 75202

CONTACT:
 KATHY SMITH
 PHONE: 214-578-1985
 FAX: 214-578-1927

CONTACT:
 JACKSON WALKER, LLP
 JONATHAN VINSON
 PHONE: 214-770-4636
 FAX: 214-961-6899

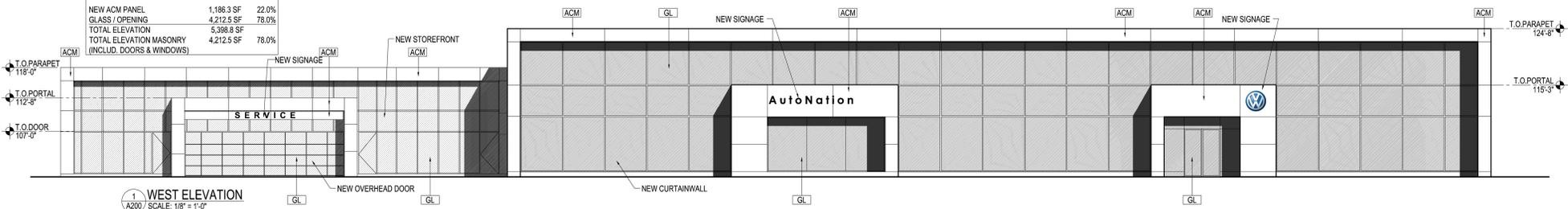
ZONING EXHIBIT

TPBE REG. # F351
 2821 WEST 7th STREET
 SUITE 400
 FORT WORTH, TX 76107
 817-299-1871 DIRECT
 817-545-1553 FAX

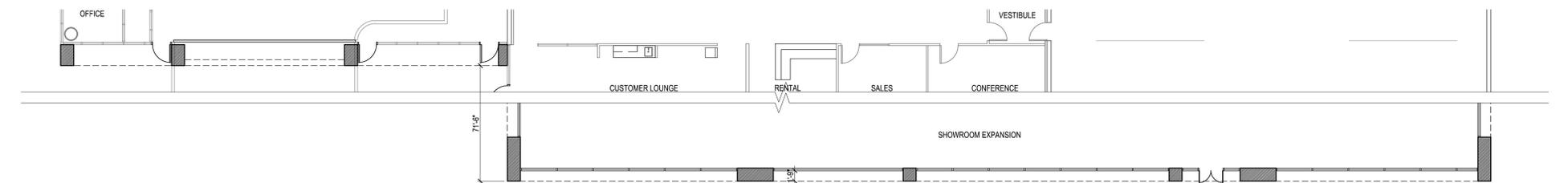
DESIGNED BY: PAUL PADILLA, PE FILE DATE SHEET NO.
 CHECKED BY: JDP FILE DATE SHEET NO.
 DRAWN BY: MDP 13009.00 06/20/2013 ZF-13-10

WEST ELEVATION MATERIAL COVERAGE CALCULATION

NEW ACM PANEL	1,186.3 SF	22.0%
GLASS / OPENING	4,212.5 SF	78.0%
TOTAL ELEVATION	5,398.8 SF	
TOTAL ELEVATION MASONRY (INCL. DOORS & WINDOWS)	4,212.5 SF	78.0%



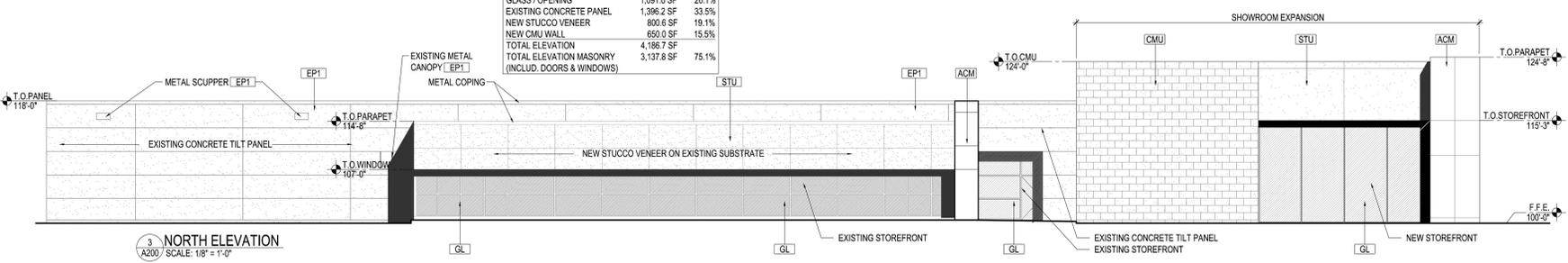
1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 PARTIAL FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH ELEVATION MATERIAL COVERAGE CALCULATION

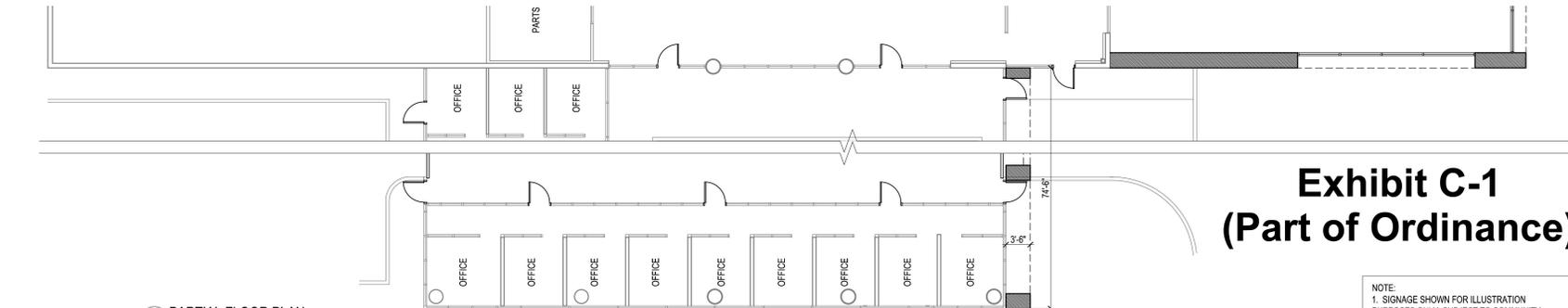
NEW ACM PANEL	242.7 SF	5.8%
GLASS / OPENING	1,091.6 SF	28.1%
EXISTING CONCRETE PANEL	1,386.2 SF	33.5%
NEW STUCCO VENEER	800.6 SF	19.1%
NEW CMU WALL	650.0 SF	15.5%
TOTAL ELEVATION	4,186.7 SF	
TOTAL ELEVATION MASONRY (INCL. DOORS & WINDOWS)	3,137.8 SF	75.1%



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

MATERIAL LEGEND		
KEY	MATERIAL DESCRIPTION	COLOR
ACM	ALUMINUM COMPOSITE PANEL	WHITE
STU	STUCCO	WHITE
CMU	CONCRETE MASONRY UNIT	WHITE
EP1	EXTERIOR PAINT ON EXISTING CONSTRUCTION	WHITE
GL	CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM	CLEAR ANODIZED

TOTAL MASONRY COVERAGE ON ALL ELEVATIONS (INCLUDING DOORS AND WINDOWS)
14,931.8 SF 77.5%



4 PARTIAL FLOOR PLAN
SCALE: 1/8" = 1'-0"

RICHARDSON, TEXAS

BOARDWALK VW, RICHARDSON

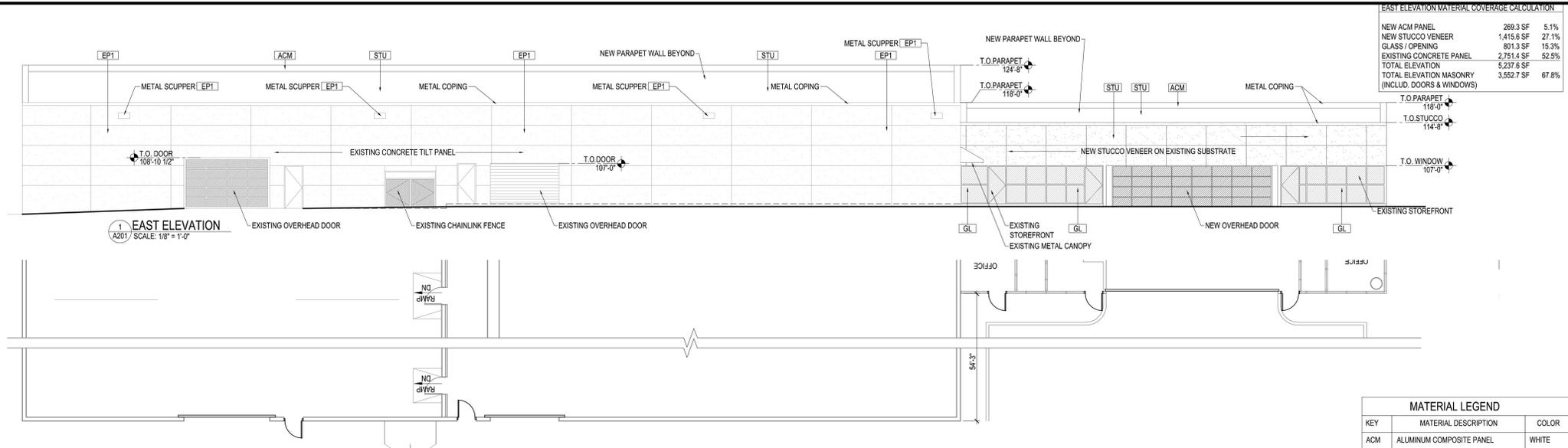
7.06 ACRES - LOT 18 BLOCK 1 NORTH RICHARDSON ADDITION & LOT 1C, BLOCK 6 NORTH RICHARDSON ADDITION
CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

OWNER INFORMATION: ADDRESS: 300 N. CENTRAL, L16 5930 WEST PLANO PARKWAY PLANO, TX 75093	APPLICANT INFORMATION: ADDRESS: 701 MAIN STREET, SUITE 600 DALLAS, TX 75202
CONTACT: KATHY SMITH PHONE: 214-576-1985 FAX: 214-576-1927	CONTACT: JACKSON WALKER, LLP. JONATHAN VINSON PHONE: 214-770-4836 FAX: 214-691-6809

Exhibit C-1 (Part of Ordinance)

NOTE:
1. SIGNAGE SHOWN FOR ILLUSTRATION PURPOSES ONLY; SUBJECT TO COMMUNITY SERVICES APPROVAL.
2. FLOOR PLAN SHOWN FOR INFORMATIONAL PURPOSES ONLY.

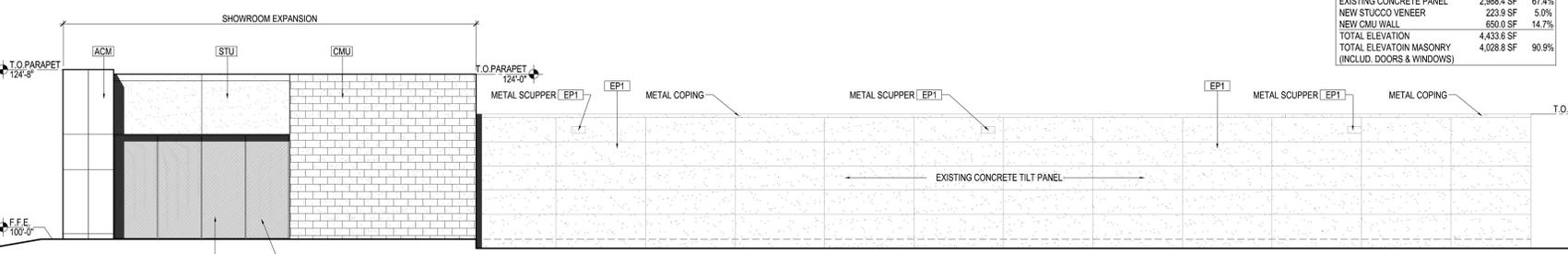
	TBPE REG. # F351 2821 WEST 7th STREET SUITE 400 FORT WORTH, TX 76107 817-288-1871 DIRECT 817-545-1503 FAX	FILE	DATE	SHEET NO.
				A200



EAST ELEVATION MATERIAL COVERAGE CALCULATION

NEW ACM PANEL	269.3 SF	5.1%
NEW STUCCO VENEER	1,415.6 SF	27.1%
GLASS / OPENING	801.3 SF	15.3%
EXISTING CONCRETE PANEL	2,751.4 SF	52.5%
TOTAL ELEVATION MASONRY (INCL. DOORS & WINDOWS)	5,237.6 SF	67.8%

2 PARTIAL FLOOR PLAN
A201 / SCALE: 1/8" = 1'-0"



SOUTH ELEVATION MATERIAL COVERAGE CALCULATION

NEW ACM PANEL	180.9 SF	4.1%
GLASS / OPENING	390.4 SF	8.8%
EXISTING CONCRETE PANEL	2,888.4 SF	67.4%
NEW STUCCO VENEER	223.9 SF	5.0%
NEW CMU WALL	650.0 SF	14.7%
TOTAL ELEVATION MASONRY (INCL. DOORS & WINDOWS)	4,028.8 SF	90.9%

MATERIAL LEGEND

KEY	MATERIAL DESCRIPTION	COLOR
ACM	ALUMINUM COMPOSITE PANEL	WHITE
STU	STUCCO	WHITE
CMU	CONCRETE MASONRY UNIT	WHITE
EPI	EXTERIOR PAINT ON EXISTING CONSTRUCTION	WHITE
GL	CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM	CLEAR ANODIZED

TOTAL MASONRY COVERAGE ON ALL ELEVATIONS (INCLUDING DOORS AND WINDOWS)

14,931.8 SF	77.5%
--------------------	--------------

3 SOUTH ELEVATION
A201 / SCALE: 1/8" = 1'-0"

4 PARTIAL FLOOR PLAN
A201 / SCALE: 1/8" = 1'-0"



Exhibit C-2 (Part of Ordinance)

NOTE:
1. SIGNAGE SHOWN FOR ILLUSTRATION PURPOSES ONLY. SUBJECT TO COMMUNITY SERVICES APPROVAL
2. FLOOR PLAN SHOWN FOR INFORMATIONAL PURPOSES ONLY.

RICHARDSON, TEXAS

BOARDWALK VW, RICHARDSON
300 N. CENTRAL PARKWAY
7.06 ACRES - LOT 1B BLOCK 1, NORTH RICHARDSON ADDITION & LOT 1C, BLOCK 6 NORTH RICHARDSON ADDITION
CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

OWNER INFORMATION: ADDRESS: 300 N. CENTRAL, L14 9303 WEST PLANO PARKWAY PLANO, TX. 75093	APPLICANT INFORMATION: ADDRESS: 701 MAIN STREET, SUITE 600 DALLAS, TX. 75202
CONTACT: KATHY SMITH PHONE: 214-578-1985 FAX: 214-578-1927	CONTACT: JACKSON WALKER, LLP. JONATHAN VINSON PHONE: 214-770-4636 FAX: 214-681-6809

ME MULTITECH	1BPE REG. # F351 2621 WEST 7th STREET SUITE 400 FORT WORTH, TX. 76107 817-259-1871 DIRECT 817-545-1503 FAX	FILE	DATE	SHEET NO.
				A201



PreLoved

AutoNation



Worry Free Zone!

- 60 Day Unlimited Mile Warranty
- 3 Day 150 Mile Money-Back Guarantee*
- Vehicle History Report
- Market Pricing

Looking North along Existing Sales/Showroom

(11)





**Service
Entrance**

FIRE LANE NO PARKING

Service

Enter

Enter

Part

(3)

**Looking Southeast at
Existing Building "A" Front**



ZONING
CHANGE
REQUEST
972.744.6248



Looking West along
Jackson Street

(5)



Looking South along
Interurban Street



(6)

Looking West at
Building "C"



"B"

"C"

NO PARKING
CHANGE ORANGE
BELOVED

Looking North along
Interurban Street at
Buildings "B" & "C"

(8)

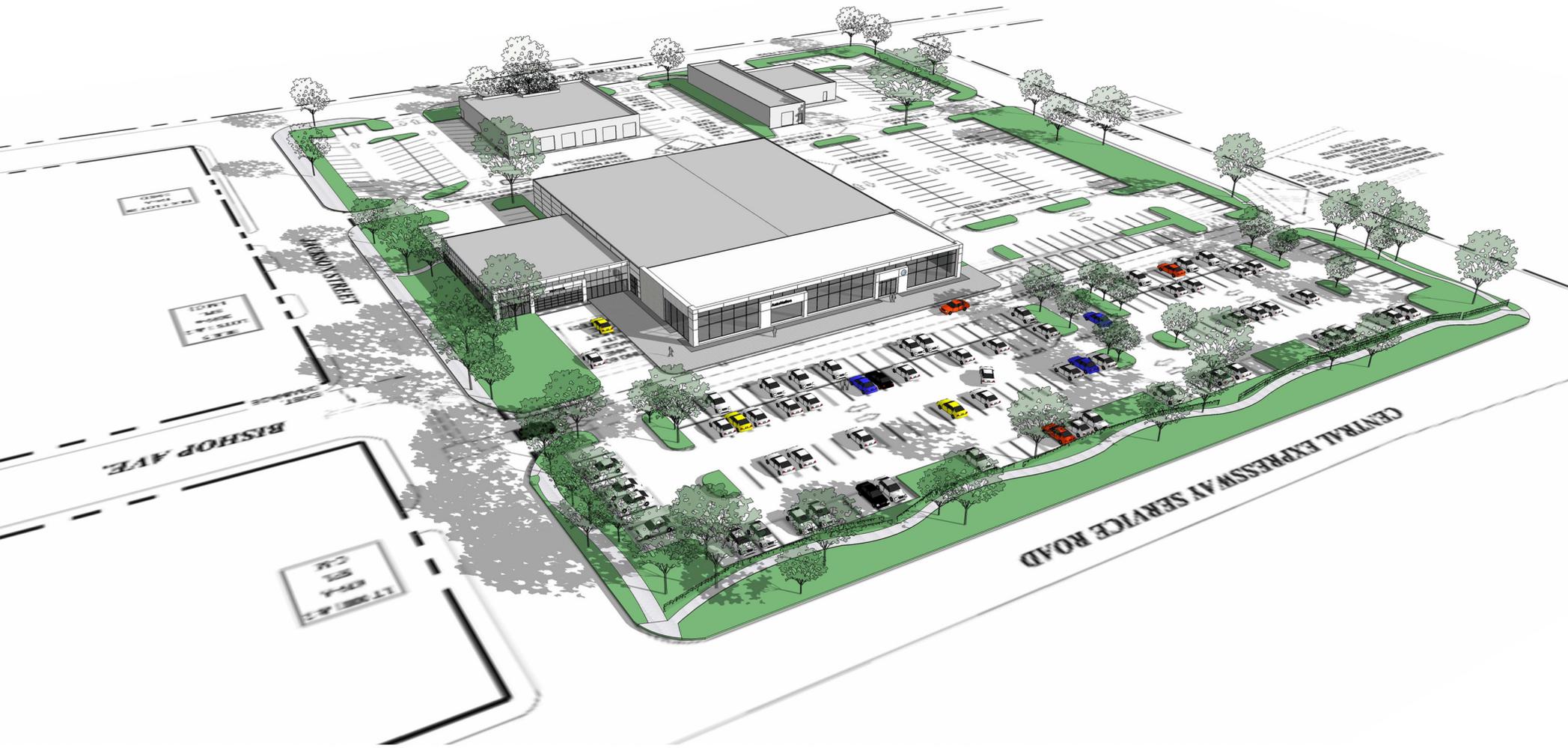
Looking West along
Greer Street

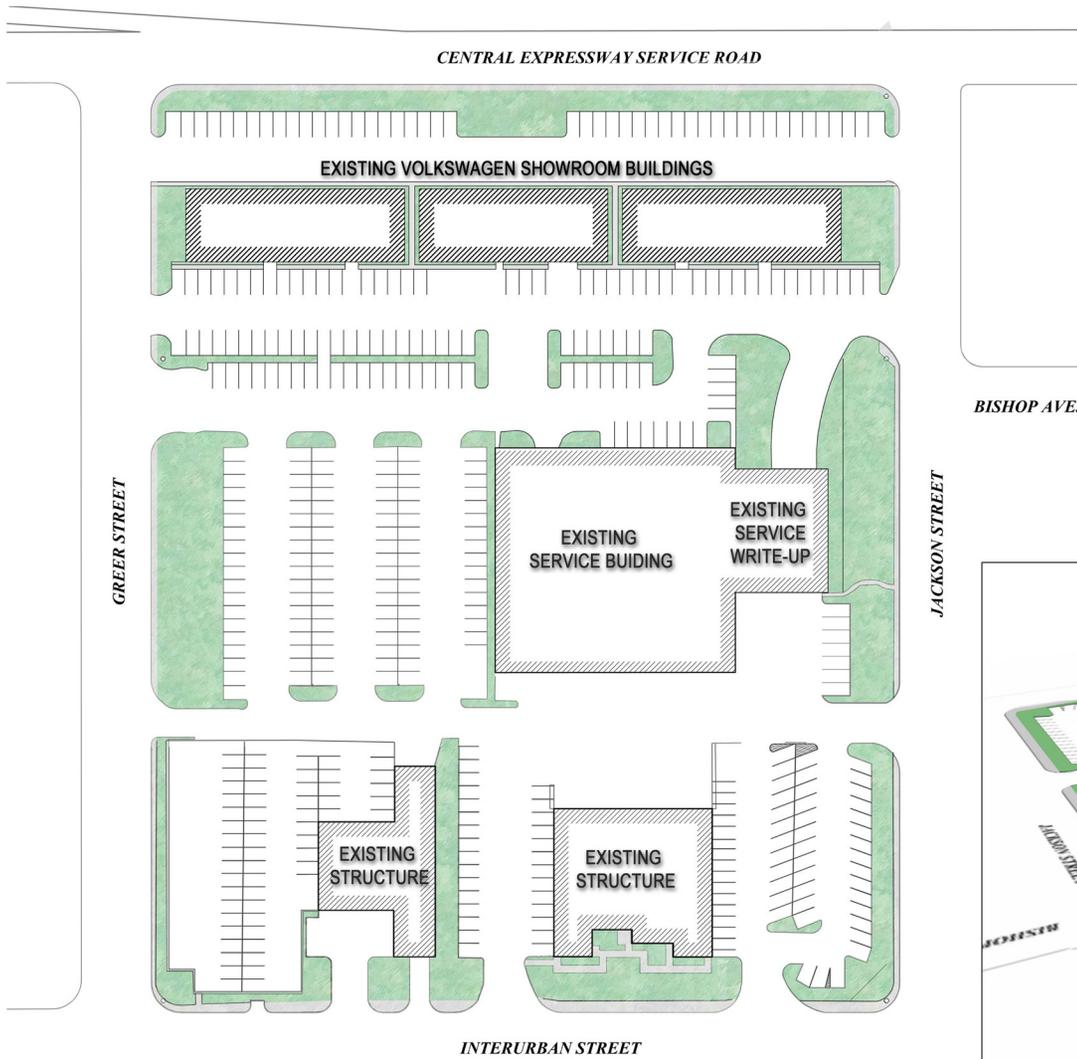




AutoNation  SM

ME **MULTATECH**
ARCHITECTS • ENGINEERS



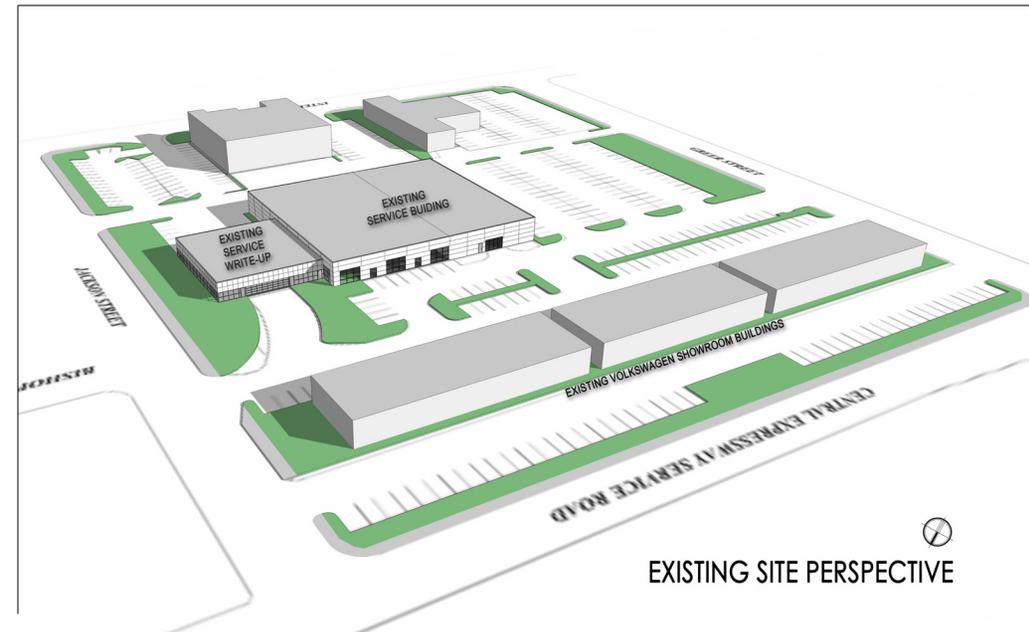


EXISTING SITE PLAN

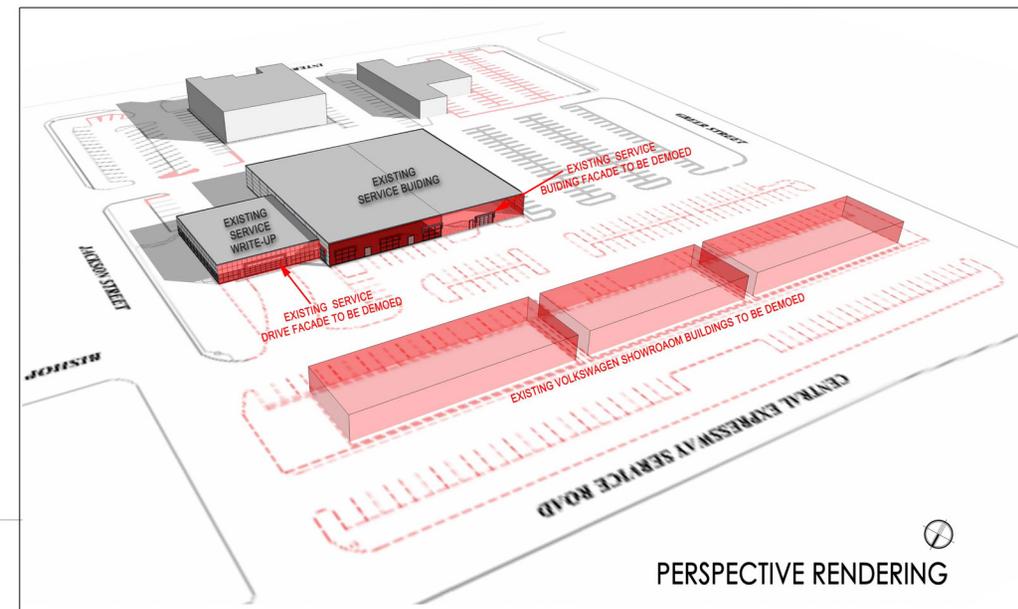
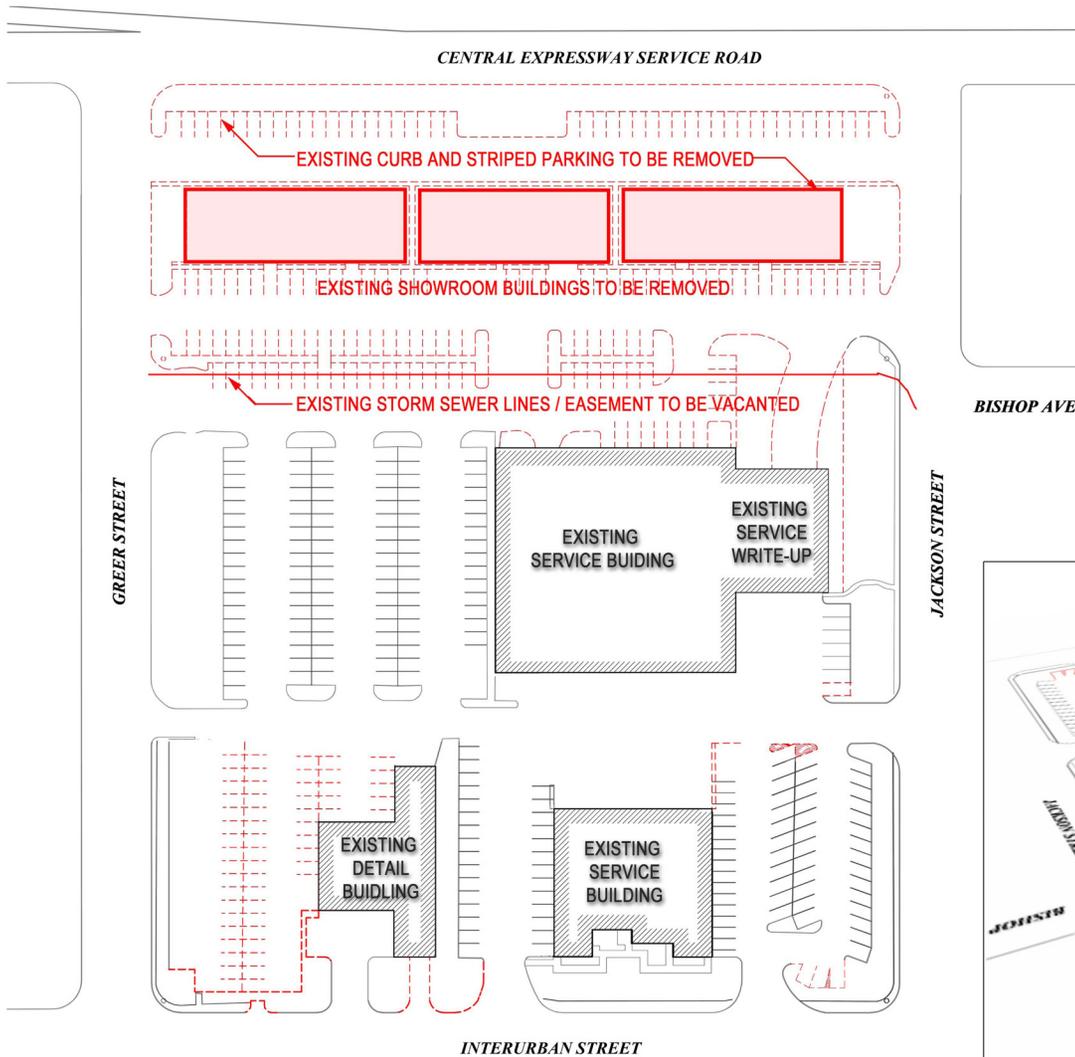
1" = 40'-0"



BISHOP AVE.



EXISTING SITE PERSPECTIVE

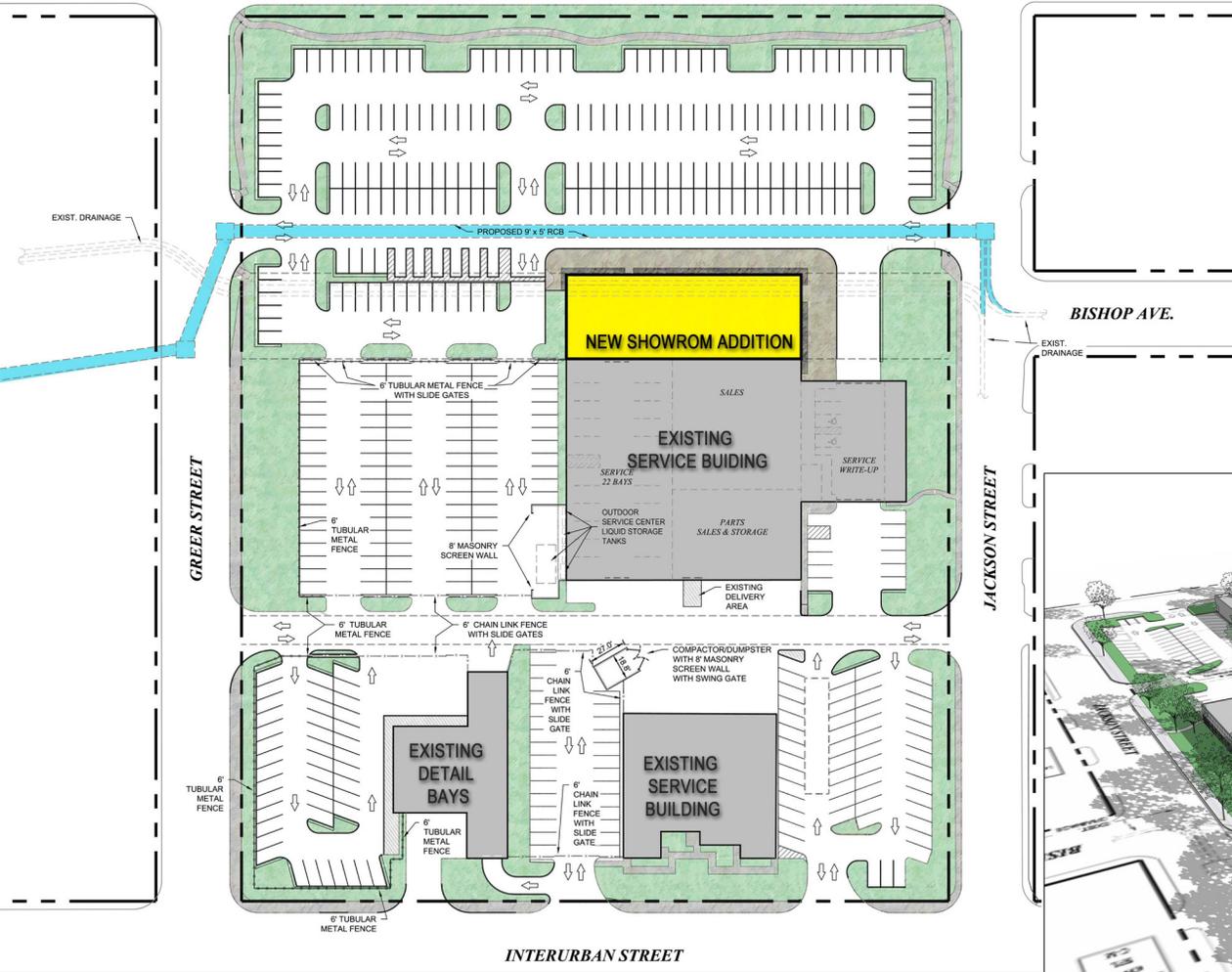


SITE PLAN

1" = 40'-0"

PERSPECTIVE RENDERING

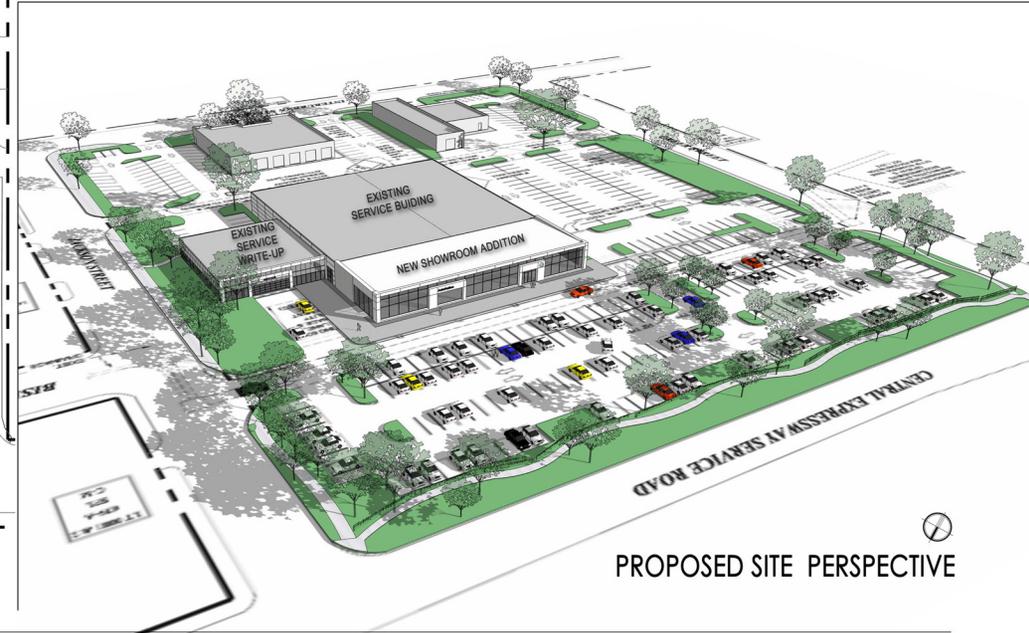
CENTRAL EXPRESSWAY SERVICE ROAD



PROPOSED SITE PLAN

1" = 40'-0"

BISHOP AVE.



PROPOSED SITE PERSPECTIVE

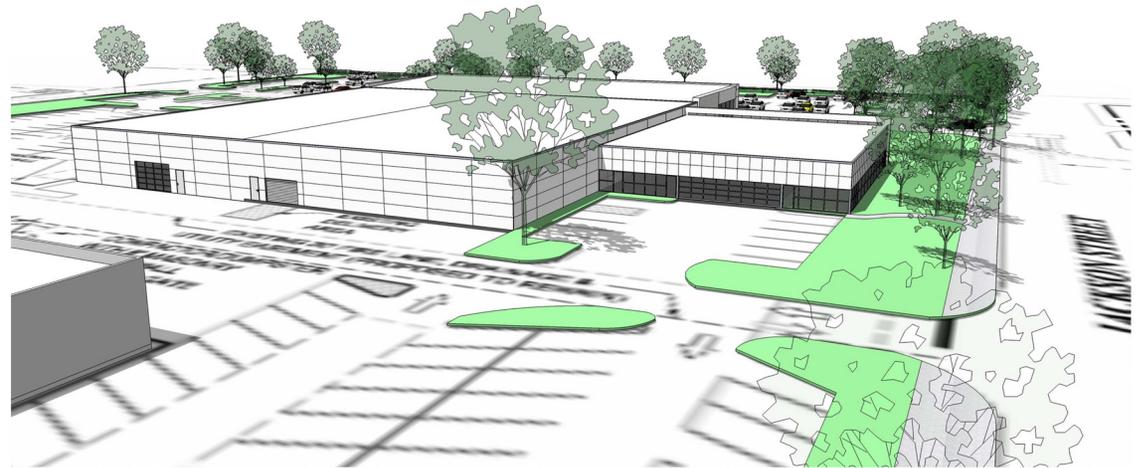


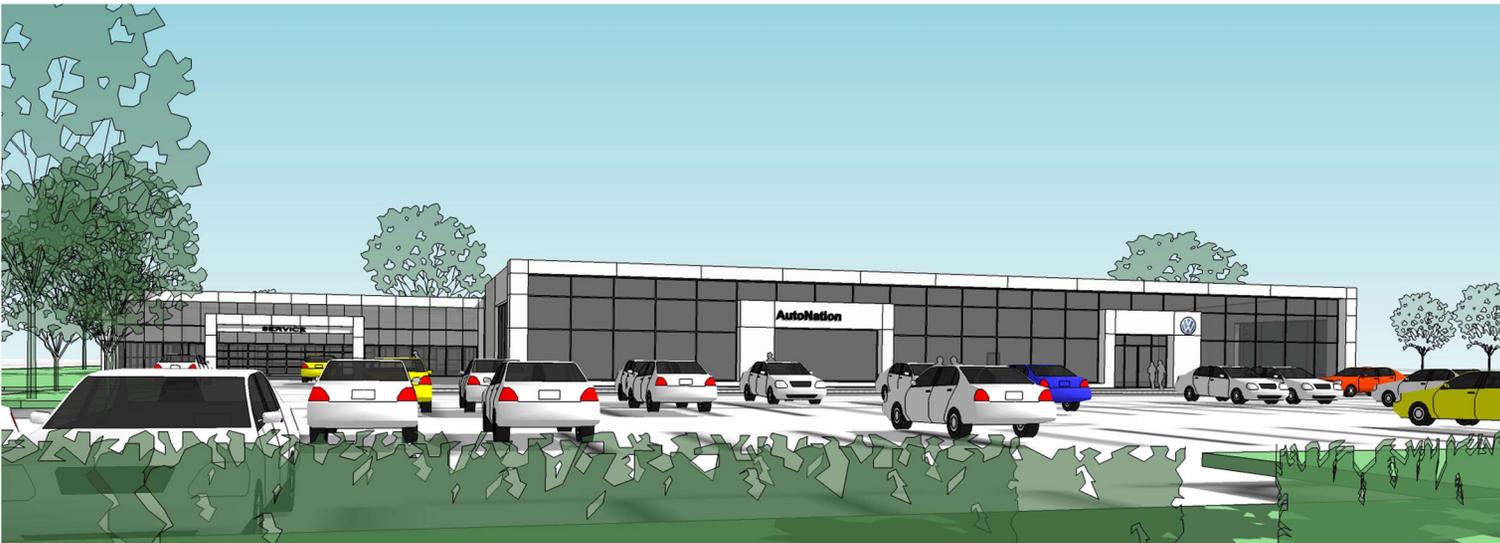
VOLKSWAGEN RICHARDSON
SCHEMATIC DESIGN PACKAGE

PROPOSED SITE PLAN

06.20.2013







INTERURBAN DISTRICT

VISION

The Interurban District could become a vibrant, mixed-use district that builds upon the existing block structure and buildings in the area. Today's industrial/commercial district, made up of tilt wall and block masonry buildings dating from the 1960's to the 1980's, could transform into an eclectic live/work neighborhood through reuse of the existing building stock for specialty industrial, commercial, retail/restaurant and residential uses. Vacant and underutilized parcels could be redeveloped into urban housing in the form of loft apartments and live-work units.

Parking to support the vision could be provided in shared lots with landscaped pedestrian portals between buildings and connections to new sidewalks along existing streets. Rayflex, Davis, Jackson, Bishop and Interurban Streets could be recreated using a unique, eclectic urban design palette incorporating strong pedestrian connectivity to the Central Trail.



DEVELOPABLE ACRES: 25

KEY WORDS:

- Edgy
- Eclectic
- Repurposed

PRODUCT TYPES:

- Adaptive reuse of existing buildings (Industrial, Commercial, Retail/Restaurant, Residential/Studio Space)
- Mixed Residential
- Live-Work

PUBLIC INPUT:

- This is one of several districts that takes advantage of the Central Trail and offers the desired pedestrian and bike connections to neighborhoods, jobs, shopping and DART.
- The live-work development type included here was considered 'very compatible' or 'somewhat compatible' with the Corridor's future by 64% of the participants in keypad polling at the September Community Workshop.



Adaptive Reuse of Existing Buildings



Adaptive Reuse of Existing Buildings



Infill Mixed Residential

MARKET (IN THE TRADE AREA)

- From a market demand perspective, the adaptive reuse of commercial/industrial buildings and live/work uses is largely organic in nature. That is, demand tends to be generated from within the immediate area as uses and businesses evolve over time. Support uses such as retail/service and restaurant space attract both businesses and residents in the district, as well as visitors from outside.

SUPPORTING PSYCHOGRAPHICS (IN THE TRADE AREA)

- Similar to the Trailside District, the surrounding Trade Area includes a relatively significant concentration of “mobile urbanites”. These people represent an ethnically diverse, progressive mix of young singles, couples and families, ranging from students to professionals. They are more attracted to alternative housing products (e.g., lofts, townhomes, etc.) and are the early adopters who are quick to check out the latest movie, nightclub, laptop and microbrew.

IMPLEMENTATION

- Rezone to broaden the range of uses and intensities allowed here, including residential.
- Invest in trail and sidewalk connections to the Central Trail.
- Work with property owners to develop a simple and effective system for locating, building and operating shared parking areas.
- Communicate with property owners in the district to understand their interests and identify any barriers to revitalization that may need to be addressed.



Adaptive Reuse of Existing Buildings



Adaptive Reuse of Existing Buildings

AutoNation/Richardson/Application Narrative

The purpose of this request is to change the zoning on the entire existing Boardwalk Volkswagen site from several outdated zoning classifications to a Planned Development district, based on the C-M Commercial regulations with some minor modifications. This will, in turn, permit a significant improvement and upgrade of the site, which will allow for the continued success of the dealership in a very competitive new car sales environment in North Texas, and thus benefit the City of Richardson as well as the operator of the dealership.

The current zoning on the Boardwalk Volkswagen site includes I-M(1) zoning on the front portion of the site, adjacent to the U.S. 75 frontage road, and, on the rear portion of the site, a variety of zoning classifications including SPL, LR-M(1), O-M, and I-M(1). Apparently, the existing new car dealership is a legal nonconforming use under one or more of these classifications, which does not permit expansion of the existing structures.

In December of 2012, it was announced that AutoNation, Inc., the nation's largest operator of new vehicle dealerships, had entered into an agreement with the Boardwalk Auto Group for the purchase of a number of Boardwalk's dealerships in the North Texas area, including the Boardwalk Volkswagen in Richardson. AutoNation believes that the existing dealership facilities can be significantly upgraded and improved, for the purposes of enhancing the customer experience, and ensuring that the dealership maintains its competitive position in the marketplace. This also benefits the City of Richardson.

Specifically, the current proposed site plan for improvements to the dealership calls for demolition of the existing buildings closest to the U.S. 75 frontage road and their replacement with increased inventory display closest to the frontage road, where the visibility for potential customers is best. In addition, there will be approximately 10,000 square feet of new construction for an enlarged showroom and enhanced customer lounge and facilities, as well as administrative offices. Also, the existing service drive will be upgraded for customer convenience. The existing service department facilities and existing parts department facilities will remain in their current footprint. There will be a net *removal* of about 20,000 square feet of structure.

The specific modifications from the C-M Commercial base would include setback adjustments primarily to facilitate a planned service porte-cochere; certain design standard modifications; and adoption of a conceptual site plan and conceptual elevations.

We are requesting this change in zoning to a new Planned Development district based largely on C-M Commercial District regulations so that the zoning is updated to render this use conforming and to allow the proposed improvements to be permitted and built. We understand and recognize that the City of Richardson will, later this year, engage in an area planning effort for a large area of the city, including the area of our site, pursuant to the Main Street/Central Expressway Study.

Our request is compatible with the long-term vision which will likely result from that planning effort, in that it will enhance the appearance and functionality of a long-standing and positive business which is one of a number of auto dealerships and auto-related uses in this area.

In addition to the significant net reduction in density, the site will be visually and qualitatively much improved with upgraded landscaping and materials. These significant enhancements to the site will be made possible by the requested Planned Development District, and will benefit nearby properties and the areas as a whole.

For example, the Main Street/Central Expressway Study dated January 28, 2013, as briefed to Council, identifies “Central Place” as Focus Area B, which includes property on the east side of Central Expressway between Main and Greer. The conceptual drawing of that area indicates a primarily retail orientation with some office, served by surface parking. The Boardwalk Volkswagen dealership, especially with the proposed upgrades, will in no way impede that redevelopment vision, and in fact would even support it.

The Interurban District, in which the Boardwalk property is located, calls for eventual development with a mix of uses “built upon the existing bones of the district”, focused on adaptive reuse and targeted infill development, which, by their nature, are longer-term, market-driven redevelopment objectives. Allowing the proposed improvements through the requested P.D. will not have any adverse impact at all on the eventual achievement of this vision, and by upgrading and enhancing the property, both physically and from a valuation perspective, will actually support that long-term vision.

We look forward to continuing to discuss this request with the City Staff and City officials and we will respectfully be asking for its approval so that the Boardwalk Volkswagen dealership, and the City, will benefit from these proposed improvements.



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

ZONING CHANGE – PD PLANNED DEVELOPMENT

File No./Name: ZF 13-10 / AutoNation
Property Owner: John David McFerrin / 300 North Central, Ltd.
Applicant: Jonathan G. Vinson / Jackson Walker, L.L.P.
Location: 300 N. Central Expressway & 165 Jackson Street (east side of Central Expressway, bounded by Greer Street to the south, Jackson Street to the north and Interurban Street to the east)
(See map on reverse side)
Current Zoning: I-M(1) Industrial, LR-M(1) Local Retail, and O-M Office
Request: A request by Jonathan G. Vinson, Jackson Walker, L.L.P., representing 300 North Central, Ltd., to rezone the subject site from I-M(1) Industrial, LR-M(1) Local Retail, and O-M Office to a PD Planned Development District to accommodate the reconstruction of an existing “motor vehicle sales/leasing – new” use.

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

TUESDAY, JULY 2, 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 13-10.

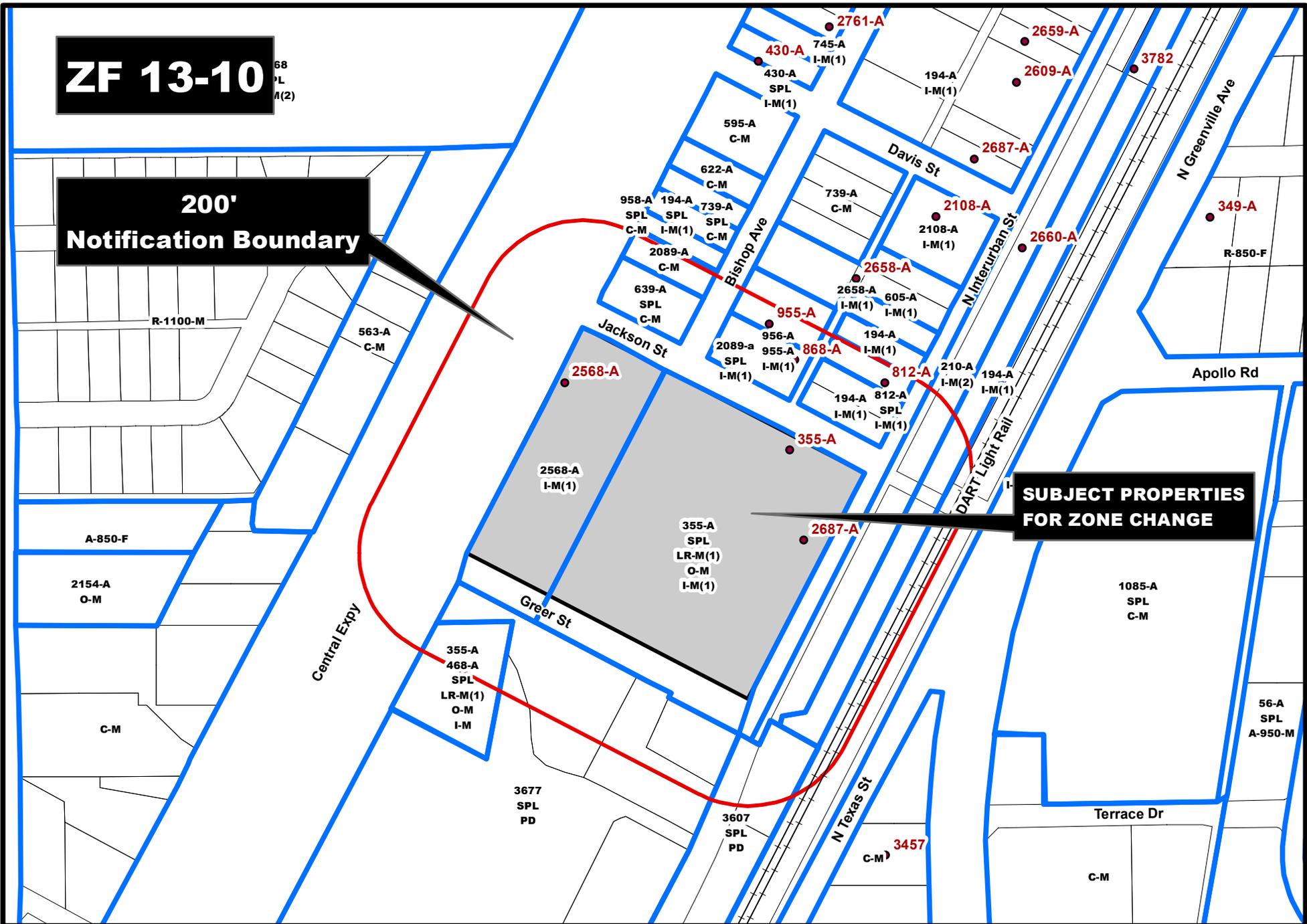
Date Posted and Mailed: 06/21/2013

ZF 13-10

68
PL
M(2)

200'
Notification Boundary

**SUBJECT PROPERTIES
FOR ZONE CHANGE**



ZF 13-10 Notification Map

Updated By: shacklett, Update Date: June 12, 2013
File: D:\Mapping\Cases\ZF2013\ZF1310\ZF1310 notification.mxd

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



DART
PO BOX 660163
DALLAS, TX 75266-0163

MAAS LEE S
PO BOX 515264
DALLAS, TX 75251

HAFEZAMINI BAHMAN &
BEHMAN KHOBAHY
825 K AVE
PLANO, TX 75074-8503

LORD MELVIN
6530 CHURCHILL WAY
DALLAS, TX 75230-1936

LSM REAL EST INV LTD PS &
DMM REAL EST INV LTD PS
PO BOX 515264
DALLAS, TX 75251

TRUONG HY T & LEHOA T
405 N INTERURBAN ST
RICHARDSON, TX 75081-3314

300 NORTH CENTRAL LTD
% BROADWALK AUTO GROUP
5930 W PLANO PKWY
PLANO, TX 75093-4638

PARKER PROPERTY INVESTMENTS
3600 POTOMAC AVE
DALLAS, TX 75205-2111

HOWARD MARTA ELSON &
CHRIS ELSON JR
12428 BEVERLY ST
LEAWOOD, KS 66209-2765

SAF 100 N CENTRAL LTD
% TODD PETTY
2808 FAIRMOUNT ST# 100
DALLAS, TX 75201-7622

TOWNE CENTRAL INVEST LTD
% TODD PETTY
2808 FAIRMOUNT ST # 100
DALLAS, TX 75201-7622

SAF
18111 PRESTON RD STE 1000
DALLAS, TX 75252-6099

WOODMARK INTERNATIONAL
INCORPORATED
216 N INTERURBAN ST
RICHARDSON, TX 75081-3309

**JONATHAN G. VINSON
JACKSON WLAKER, LLP
901 MAIN ST, STE 600
DALLAS, TX 75202**

**JOHN DAVID MCFERRIN
300 NORTH CENTRAL, LTD
6300 INTERNATIONAL PARKWAY
PLANO, TX 75093**

**ZF 13-10
Notification List**

ORDINANCE NO. 4014

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING FROM I-M(1) INDUSTRIAL, LR-M(1) LOCAL RETAIL AND O-M OFFICE TO PD PLANNED DEVELOPMENT FOR C-M COMMERCIAL DISTRICT USES FOR 7.06 ACRES LOCATED ON LOT 1B, BLOCK 1, AND LOT 1C, BLOCK 6, OF THE NORTH RICHARDSON ADDITION, 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 13-10).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning from I-M(1) Industrial, LR-M(1) Local Retail and O-M Office to PD Planned Development for C-M Commercial District uses for 7.06 acres located on Lot 1B, Block 1, and Lot 1C, Block 6, and being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2. That the Property shall be used and developed in accordance with the C-M Commercial District regulations as set forth in the Comprehensive Zoning Ordinance, as amended, except as follows for a “motor vehicle sales/leasing – new” use:

1. Base Zoning District: C-M Commercial District.

2. Permitted Uses: C-M Commercial District Uses.
3. Concept Plan: The development and use of the Property for “motor vehicle sales/leasing – new” shall be in general conformance with the Concept Plan attached hereto as Exhibit “B” and incorporated herein by reference. The use of the Property for any other permitted use shall require the approval of a concept plan for such use.
4. Building Elevations: The development and use of the Property for “motor vehicle sales/leasing – new” shall be developed in general conformance with the Building Elevations attached hereto as Exhibits “C-1” and “C-2” incorporated herein by reference.
5. Development Regulations: The development and use of the Property for “motor vehicle sales/leasing – new” shall be subject to the following conditions and standards:
 - a. All building facades for Building “A” shall be constructed of a minimum of 65% masonry materials and a maximum of 35% approved non-combustible materials as listed below. For purposes of the minimum masonry percentage calculation, glass shall be counted as masonry.
 1. Aluminum composite material (A.C.M.).
 2. 3-stage stucco.
 3. Metal. May be used for coping, building trim, and canopies as indicated on the Conceptual Elevations.
 - b. No building shall exceed twenty-five (25) feet in height and shall be in conformance with the Building Elevations.
 - c. The following minimum setbacks for the development in conformance with the Concept Plan shall be:
 1. Central Expressway: Forty (40) feet
 2. Jackson Street: Thirty (30) feet
 3. Interurban Street: Twenty-eight (28) feet
 4. Greer Street: Forty (40) feet
 - d. No outside storage shall be permitted except as shown on the Concept Plan. Such areas shall be screened as shown on the Concept Plan. Motor vehicles shall not be considered outdoor storage.
 - e. Landscaping areas as depicted on the Concept Plan shall be provided except for the striped islands indicated on the Concept Plan.

- f. The US-75 Design Guidelines shall apply to the Property as noted on the Concept Plan.
- g. Tubular metal perimeter fencing shall be allowed with perimeter landscape buffers.
- h. The following exterior lighting standards shall apply:
 - 1. All exterior lighting shall be focused downward or narrowly focused on its intended target, such as signs, parking, and pedestrian walkways. All light sources (i.e. bulb/lamp) shall be shielded so as not to be visible from public view.
 - 2. Lighting elements shall be LED, incandescent, metal Halide, or halogen only.
 - 3. All luminaires shall have a total cut-off angle equal to or less than ninety (90) degrees.
 - 4. Parking lot light standards shall not exceed a height of twenty-three (23) feet.
- i. Signage shall be in accordance with Chapter 18 of the Code of Ordinances, as amended, except as otherwise provided herein:
 - 1. A maximum of eighty (80) square feet of signage shall be allowed on the West facing facades of Building “A”, and an additional one-hundred (100) square feet of signage shall be allowed to be shared among the North, South, and East Elevations. No other attached signs shall be allowed on any other facades or on Buildings “B” and “C”.
 - 2. A maximum of one (1) pole sign shall be allowed on the subject site, located along Central Expressway subject to all other requirements of Chapter 18 of the Code of Ordinances.
 - 3. A maximum of three (3) monument signs shall be allowed on the subject site, one (1) each along Central Expressway, Greer Street, and Jackson Street, subject to all other requirements of Chapter 18 of the Code of Ordinances.
 - 4. Electronic messaging shall be prohibited.

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 12th day of August, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY

(PGS:08-05-13:TM 61679)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 13-10

BEGINNING at a 5/8-inch iron rod set for corner at the southwesterly corner of said Lot 1B, Block 1, said corner being at the intersection of the easterly right of way line of U.S. Highway 75 (N. Central Expressway), a (300-foot right of way) and the northerly right of way of Greer Street, a (56-foot width right of way at this point);

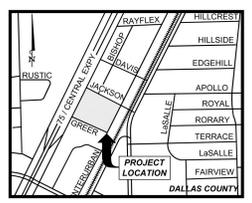
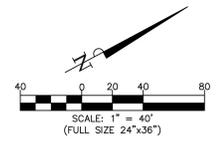
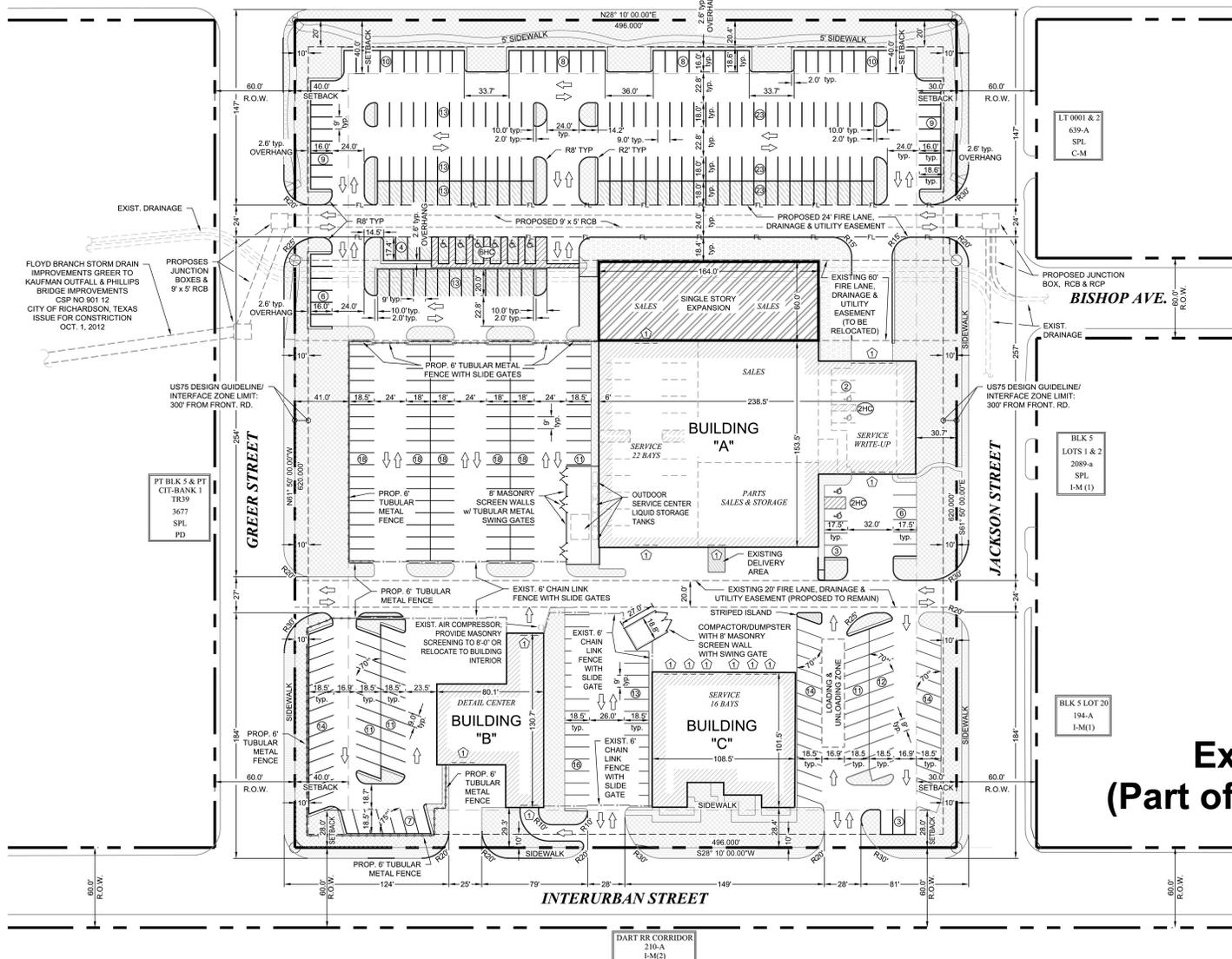
THENCE N28°10'00"E, along the easterly right of way line of said U.S. highway 75, a distance of 496.00 feet to a 5/8-inch iron rod set for corner at the intersection of said U.S. Highway 75 and the southerly right of way line of Jackson Street, a (50-foot right of way), said corner also being the northern most corner of said Lot 1B, Block 1;

THENCE S61°50'00"E, along the southerly right of way line of said Jackson Street, passing a 1/2-inch iron rod found at the easterly most corner of said Lot 1B, Block 1 and the northwesterly corner of said Lot 1C, Block 6, at a distance of 180.00 feet, continuing for a total distance of 620.00 feet to an "X" set for the intersection of said Jackson street and the westerly right of way line of Interurban Street, a (50-foot right of way);

THENCE S28°10'10"W, along the westerly right of way line of said Interurban Street, a distance of 496.00 feet to an "X" set for the intersection of said Interurban Street and said Greer Street;

THENCE N60°50'00"W, along the northerly right of way line of said Greer Street, passing a 5/8-inch iron rod at the southwest corner of said Lot 1C, Block 6 and the southernmost corner of said Lot 1B, Block 1, at a distance of 440.00 feet, continuing for a total distance of 620.00 feet to the POINT OF BEGINNING and containing 307,520 square feet or 7.060 acres of land more or less.

CENTRAL EXPRESSWAY SERVICE ROAD



PROJECT SUMMARY
 EXISTING ZONING: LR-M(1)O-M(1)
 PROPOSED ZONING: PD - BASE ZONING: CM

SETBACKS:
 CENTRAL EXPRESSWAY: 40'
 JACKSON STREET: 30'
 INTERURBAN STREET: 28'
 GREER STREET: 30'

LOT AREA: 7.06 AC / 307,520 sq. ft.
F.A.R.: 0.19:1

BUILDING SUMMARY: 58,175 total sq. ft.
 • BUILDING "A" - TOTAL - 41,258 sq. ft.
 SALES/SHOWROOM - 18,105 sq. ft.
 PARTS SALES COUNTER & STORAGE - 5,737 sq. ft.
 SERVICE WRITE-UP - 6,023 sq. ft.
 SERVICE CENTER - 11,393 sq. ft.
 (22) SERVICE BAYS
 • BUILDING "B" - TOTAL - 6,760 sq. ft.
 (16) SERVICE BAYS
 • BUILDING "C" - TOTAL - 10,157 sq. ft.
 (18) SERVICE BAYS

BUILDING HEIGHT: STORIES / FT. - IN.
 • BUILDING "A" - SINGLE STORY / 24'-0"
 • BUILDING "B" - SINGLE STORY / 20'-0"
 • BUILDING "C" - SINGLE STORY / 20'-0"

LANDSCAPE SUMMARY:
 • TOTAL LANDSCAPE REQUIRED - 7% OF TOTAL PROPERTY = 21,526.4 sq. ft.
 • TOTAL LANDSCAPE PROVIDED = 62,543.6 sq. ft. (29%)

PARKING RATIOS:
 • SALES/SHOWROOM & OFFICES - 30 FOR THE FIRST 10,000 sq. ft. THEN 1/200 THEREAFTER.
 • SERVICE FACILITY - 5 + 2BAY
 • 30% OF REQUIRED PARKING SHALL BE CUSTOMER PARKING
 • TAS (Texas Accessibility Standards) 6 PER 151-200 SPACES PROVIDED.

PARKING SUMMARY:
 • BUILDING "A" SALES/SHOWROOM & OFFICES (18,105 sq. ft.) 30 + 41 = 71 SERVICE FACILITY (22 service bays) 5 + 4 + 49
 • BUILDING "B" SERVICE FACILITY (6 service bays) 5 + 0 = 5
 • BUILDING "C" SERVICE FACILITY (16 service bays) 5 + 32 = 37

TOTAL PARKING REQUIRED: 162
CUSTOMER PARKING: 49
ACCESSIBLE PARKING: 6
TOTAL PARKING PROVIDED: 423
CUSTOMER PARKING - 53
ACCESSIBLE PARKING - 10

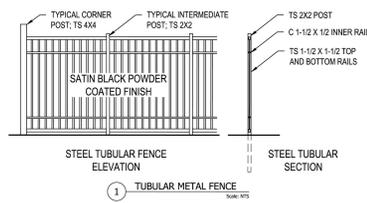


Exhibit B
(Part of Ordinance)

AutoNation
 ZONING EXHIBIT

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF:
 Paul J. Padilla
 PROFESSIONAL ENGINEER 83698
 25 June 2013
 PRELIMINARY NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

RICHARDSON, TEXAS

BOARDWALK VW, RICHARDSON
 300 N. CENTRAL PARKWAY
 7.06 ACRES - LOT 18 BLOCK 1, NORTH RICHARDSON ADDITION & LOT 1C, BLOCK 6 NORTH RICHARDSON ADDITION
 CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

OWNER INFORMATION:
 ADDRESS: 300 N. CENTRAL, L16
 5900 WEST PLANO PARKWAY
 PLANO, TX 75093

APPLICANT INFORMATION:
 ADDRESS: 701 MAIN STREET, SUITE 600
 DALLAS, TX 75202

CONTACT:
 KATHY SMITH
 PHONE: 214-578-1985
 FAX: 214-578-1927

CONTACT:
 JACKSON WALKER, LLP
 JONATHAN VINSON
 PHONE: 214-770-4636
 FAX: 214-961-6899

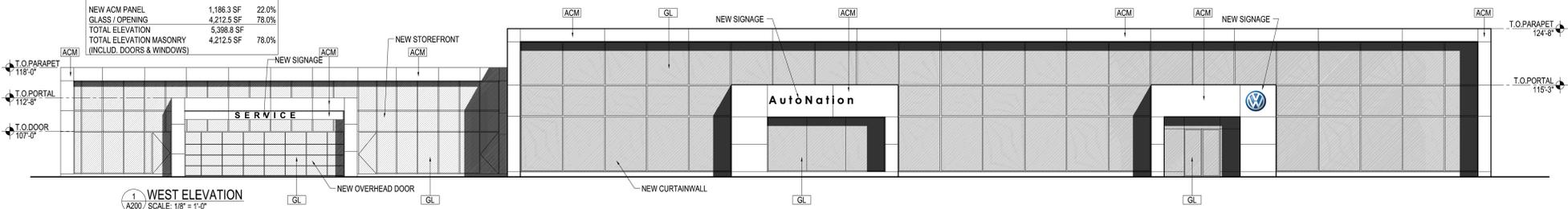
ZONING EXHIBIT

TPBE REG. # F351
 2821 WEST 7th STREET
 SUITE 600
 FORT WORTH, TX 76107
 817-299-1871 DIRECT
 817-545-1553 FAX

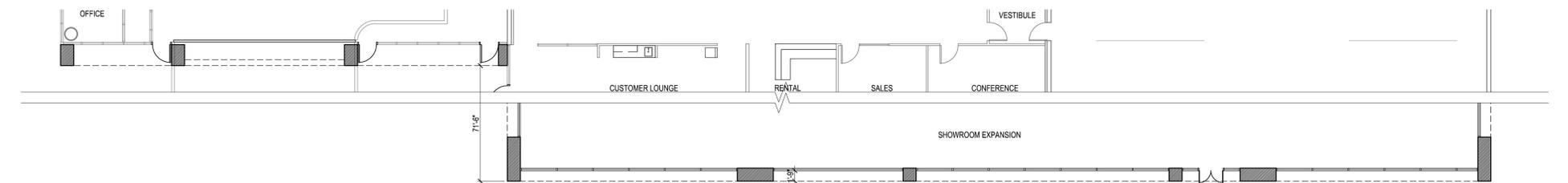
DESIGNED BY: PAUL PADILLA, PE FILE DATE SHEET NO.
 CHECKED BY: JDP FILE DATE SHEET NO.
 DRAWN BY: MDP 13009.00 06/20/2013 ZF-13-10

WEST ELEVATION MATERIAL COVERAGE CALCULATION

NEW ACM PANEL	1,186.3 SF	22.0%
GLASS / OPENING	4,212.5 SF	78.0%
TOTAL ELEVATION	5,398.8 SF	
TOTAL ELEVATION MASONRY (INCL. DOORS & WINDOWS)	4,212.5 SF	78.0%



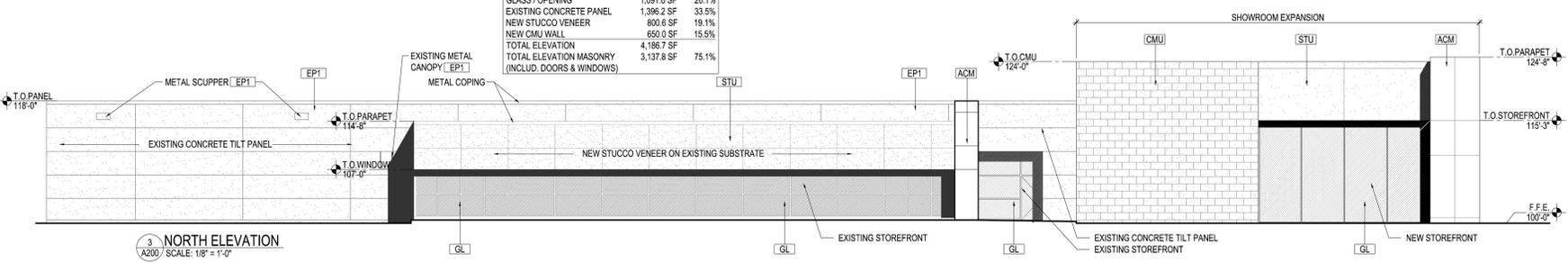
1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 PARTIAL FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH ELEVATION MATERIAL COVERAGE CALCULATION

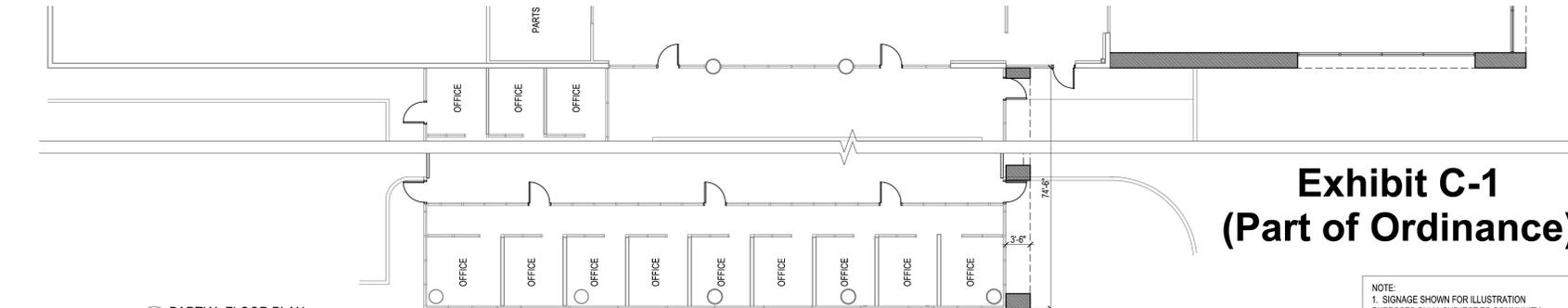
NEW ACM PANEL	242.7 SF	5.8%
GLASS / OPENING	1,091.6 SF	28.1%
EXISTING CONCRETE PANEL	1,386.2 SF	33.5%
NEW STUCCO VENEER	800.6 SF	19.1%
NEW CMU WALL	650.0 SF	15.5%
TOTAL ELEVATION	4,186.7 SF	
TOTAL ELEVATION MASONRY (INCL. DOORS & WINDOWS)	3,137.8 SF	75.1%



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

MATERIAL LEGEND		
KEY	MATERIAL DESCRIPTION	COLOR
ACM	ALUMINUM COMPOSITE PANEL	WHITE
STU	STUCCO	WHITE
CMU	CONCRETE MASONRY UNIT	WHITE
EPT	EXTERIOR PAINT ON EXISTING CONSTRUCTION	WHITE
GL	CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM	CLEAR ANODIZED

TOTAL MASONRY COVERAGE ON ALL ELEVATIONS (INCLUDING DOORS AND WINDOWS)
14,931.8 SF 77.5%



4 PARTIAL FLOOR PLAN
SCALE: 1/8" = 1'-0"

Exhibit C-1 (Part of Ordinance)

NOTE:
1. SIGNAGE SHOWN FOR ILLUSTRATION PURPOSES ONLY; SUBJECT TO COMMUNITY SERVICES APPROVAL.
2. FLOOR PLAN SHOWN FOR INFORMATIONAL PURPOSES ONLY.

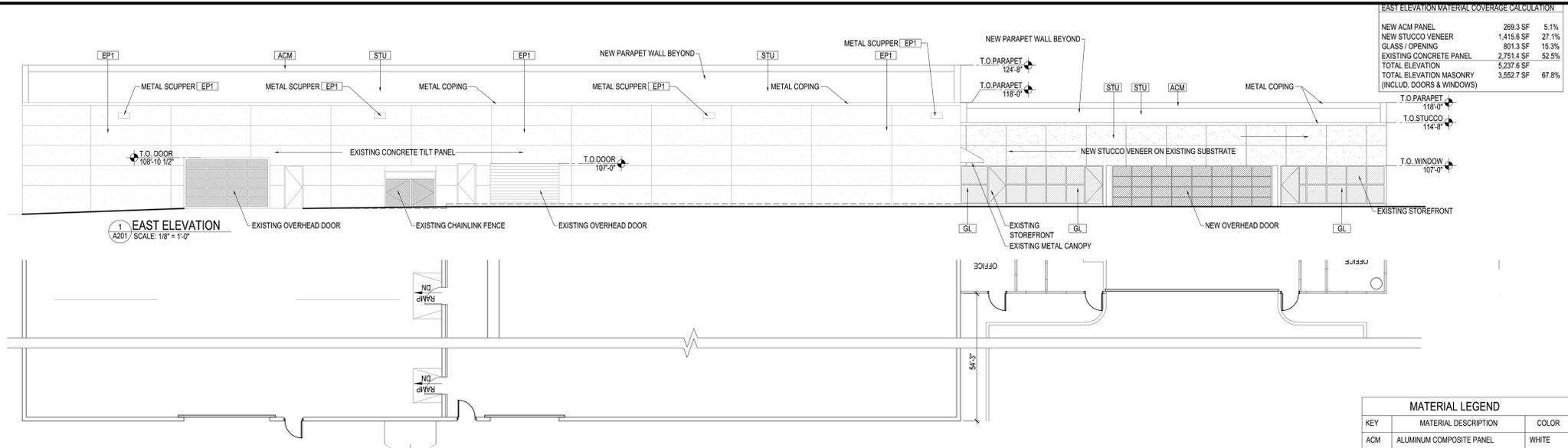
RICHARDSON, TEXAS

BOARDWALK VW, RICHARDSON
7.06 ACRES - LOT 18 BLOCK 1 NORTH RICHARDSON ADDITION & LOT 1C, BLOCK 6 NORTH RICHARDSON ADDITION
CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

OWNER INFORMATION: 300 N. CENTRAL, L16 5930 WEST PLANO PARKWAY PLANO, TX 75093	APPLICANT INFORMATION: 701 MAIN STREET, SUITE 600 DALLAS, TX 75202
CONTACT: KATHY SMITH PHONE: 214-576-1985 FAX: 214-576-1927	CONTACT: JACKSON WALKER, LLP. JONATHAN VINSON PHONE: 214-770-4636 FAX: 214-691-6809

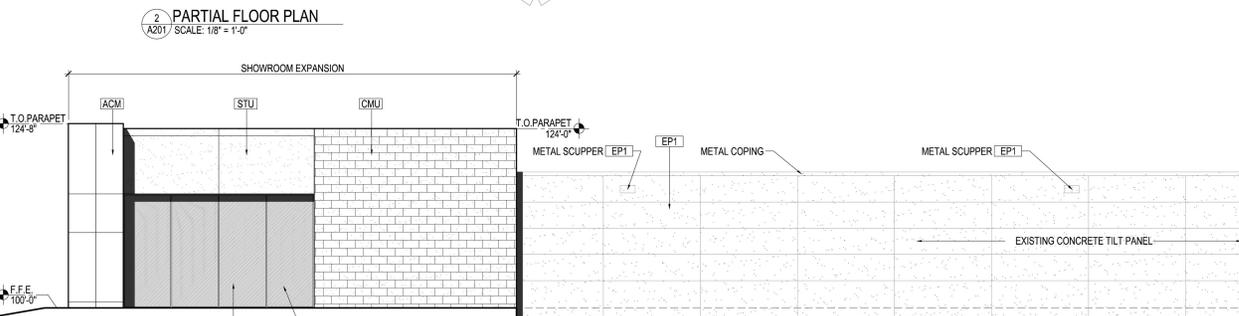
ME MULTITECH TBPE REG. # F351
2621 WEST 7th STREET
SUITE 400
FORT WORTH, TX 76107
817-288-1871 DIRECT
817-545-1503 FAX

FILE	DATE	SHEET NO.
		A200



EAST ELEVATION MATERIAL COVERAGE CALCULATION

NEW ACM PANEL	269.3 SF	5.1%
NEW STUCCO VENEER	1,415.6 SF	27.1%
GLASS / OPENING	801.3 SF	15.3%
EXISTING CONCRETE PANEL	2,751.4 SF	52.5%
TOTAL ELEVATION MASONRY (INCL. DOORS & WINDOWS)	5,237.6 SF	67.8%



SOUTH ELEVATION MATERIAL COVERAGE CALCULATION

NEW ACM PANEL	180.9 SF	4.1%
GLASS / OPENING	390.4 SF	8.8%
EXISTING CONCRETE PANEL	2,988.4 SF	67.4%
NEW STUCCO VENEER	223.9 SF	5.0%
NEW CMU WALL	650.0 SF	14.7%
TOTAL ELEVATION MASONRY (INCL. DOORS & WINDOWS)	4,028.8 SF	90.9%

MATERIAL LEGEND

KEY	MATERIAL DESCRIPTION	COLOR
ACM	ALUMINUM COMPOSITE PANEL	WHITE
STU	STUCCO	WHITE
CMU	CONCRETE MASONRY UNIT	WHITE
EPI	EXTERIOR PAINT ON EXISTING CONSTRUCTION	WHITE
GL	CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM	CLEAR ANODIZED



TOTAL MASONRY COVERAGE ON ALL ELEVATIONS (INCLUDING DOORS AND WINDOWS)

14,931.8 SF	77.5%
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Exhibit C-2 (Part of Ordinance)

NOTE:
 1. SIGNAGE SHOWN FOR ILLUSTRATION PURPOSES ONLY. SUBJECT TO COMMUNITY SERVICES APPROVAL
 2. FLOOR PLAN SHOWN FOR INFORMATIONAL PURPOSES ONLY.

RICHARDSON, TEXAS

BOARDWALK VW, RICHARDSON
 300 N. CENTRAL PARKWAY
 7.06 ACRES - LOT 1B BLOCK 1, NORTH RICHARDSON ADDITION & LOT 1C, BLOCK 6 NORTH RICHARDSON ADDITION
 CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

OWNER INFORMATION: ADDRESS: 300 N. CENTRAL, L14 5935 WEST PLANO PARKWAY PLANO, TX. 75093	APPLICANT INFORMATION: ADDRESS: 701 MAIN STREET, SUITE 600 DALLAS, TX. 75202
CONTACT: KATHY SMITH PHONE: 214-578-1985 FAX: 214-578-1927	CONTACT: JACKSON WALKER, LLP. JONATHAN VINSON PHONE: 214-770-4636 FAX: 214-681-6809

MULTITECH 178PE REG. # F351
 2821 WEST 7th STREET
 SUITE 400
 FORT WORTH, TX. 76107
 817-259-1871 DIRECT
 817-545-1503 FAX

FILE	DATE	SHEET NO.
		A201



MEMO

DATE: August 8, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services MS
SUBJECT: VAR 13-09 – Advocare (Parking Space Variance)

REQUEST

Reid Ward, Advocare International, Inc. is requesting approval of a variance to the City of Richardson Subdivision and Development code, Chapter 21, Article III, Section 21-52(i), *Off-Street Parking*, to allow a 197 (57%) space reduction to the minimum number of required parking spaces for a proposed 258,280 square foot distribution facility located on 35.1 acres of undeveloped property at the southeast of the intersection of Telecom Parkway and Research Drive.

BACKGROUND

Advocare, Inc. is a direct sales distributor of nutritional supplements. The proposed 258,280 square foot building includes two story office and a single story distribution center area with 16 truck docks. Based on the breakdown of uses within the proposed facility, a minimum of 347 parking spaces are required. The applicant is requesting to provide 150 parking spaces in lieu of the required 347, which represents a 197 space reduction (57%).

The proposed facility will have a total of 102 employees, generally distributed over two work shifts, with an occasional bi-monthly third shift. Approximately 76 employees are present during a typical daytime work shift and 26 during a second shift. As shown, even during a shift change, the proposed 150 parking spaces would be more than adequate to accommodate the proposed parking demand. The variance exhibit (Exhibit "A") reflects the development of the proposed 258,280 square foot office and distribution facility, 150 parking spaces, with adequate area (labeled as "Future Spaces") to meet the minimum required number of spaces.

Written notification of the variance request is not required by state law. Typically, the City provides written notification, as a courtesy, to surrounding property owners; however, in this case, there is no impact to adjacent properties; therefore, notification was not provided.

PLAN COMMISSION RECOMMENDATION

On July 16, 2013 the City Plan Commission unanimously recommended approval of the request with conditions.

ATTACHMENTS

Location Map
City Plan Commission Minutes 07-16-2013
Staff Report
Variance Exhibit (Exhibit "A")
Applicant's Statement



Advocare
VAR 13-09



CPC minutes from July 16, 2013:

Variance 13-09: Consider and take necessary action on a request for a variance to Chapter 21, Article III, of the City of Richardson's Subdivision and Development Code, Section 21-52(i), for a reduction in required parking. The property is located at 2800 Telecom Parkway, east side of Telecom Parkway, south of Breckinridge Boulevard.

Mr. Roberts advised the applicant was requesting a reduction in the minimum number of parking spaces for a proposed 258,000 square foot office and distribution center. He added that based on the building square footage, there should be 347 parking spaces; however, based on information provided by the applicant, there are no more than 76 employees in the facility during any one given shift.

Mr. Roberts concluded his presentation noting that based on staff recommendations, two conditions would be appropriate: 1) the variance would be limited to the applicant; and 2) if vehicles are observed to be parked on unapproved surfaces, the variance would be void and the applicant would be required to build additional parking in accordance with City design standards.

Vice Chair Hand asked if the future parking spaces depicted on the exhibit would remain open and would the exhibit become part of the variance.

Mr. Roberts replied the exhibit was conceptual, and property has approximately 20 acres of area where employees could park if needed, but the exhibit was simply a way of showing that if needed, there was property available for parking.

Vice Chair Hand expressed concerns that the land involved in the variance might be used in the future to build additional buildings as opposed to additional parking.

Mr. Roberts said that if the variance was approved by the Commission and Council, the site would have a 197 parking variance and the exhibit was provided to show there was adequate space for additional parking if needed.

Chairman Gantt asked if the use for the building changed, would there be enough property to accommodate the appropriate number of parking spaces should the use change to office.

Mr. Roberts replied that if the use changed to office, and based on 258,000 square feet, the site would require approximately 1,000 parking spaces and he felt that would be a possibility based on the property available.

Mr. Chavez pointed out that if the variance was approved with the conditions recommended by staff, and the use changed, the new applicant would have to come back before the Commission for approval. He added that the applicant did not want to pave over property they did not intend to use and noted that most of the traffic to the site would be employees as opposed to the general public.

Vice Chair Hand asked about the shipping schedule for the business.

Mr. Reed Ward, Chief Operating Officer, Advocare, 1904 Savannah Drive, McKinney, Texas, replied they anticipated 10 to 14 trucks per day moving in and out of the facility, four of which will be outgoing trucks with the last two trucks leaving the facility around 7:00 to 8:00 p.m. He added that the employees will be working through the night preparing the next day's items and those packages would go out around 9:00 or 10:00 a.m.

Mr. Ward said there would be eight to 10 vendor trucks coming into the facility per day and those trucks usually arrived between 8:00 a.m. to 5:00 p.m.

Motion: Commissioner Bouvier made a motion to approve Variance 13-09 as presented including the special conditions; second by Commissioner Frederick. Motion approved 7-0.

**CITY COUNCIL
BACKGROUND INFORMATION
August 12, 2013**

Variance 13-09

SUMMARY

Owner: Fujitsu Network Communications Inc.

Applicant: Reid Ward, Advocare International, Inc.

Project Name: VAR 13-09 Advocare

Location: 2800 Telecom Parkway
East side of Telecom Parkway, south of Breckinridge
Boulevard.

Request: This is a request for approval of a variance to the City of Richardson Subdivision and Development code, Chapter 21, Article III, Section 21-52(i), *Off-Street Parking*, to allow a 197 (57%) space reduction in the minimum number of required parking spaces for a 258,280 square foot distribution facility.

CPC Action: On July 16, 2013 the City Planning Commission unanimously recommended approval of the request with conditions.

Notification: Written notification of the variance request is not required by state law. Typically, the City provides written notification, as a courtesy, to surrounding property owners; however, in this case, there is no impact to adjacent properties; therefore, notification was not provided.

Correspondence: None

DEVELOPMENT SUMMARY

Land Area: 35.1-acres (1,530,497 sq. ft)

Zoning: I-M(1) SPL Industrial District

Existing Development:	Vacant
Adjacent Land Use/ Zoning:	
<i>North (across Telecom Pkwy)</i>	Office, research and manufacturing/I-M(1) Industrial District
<i>East</i>	Vacant/ I-M(1) Industrial District
<i>South</i>	Vacant/City of Garland
<i>West</i>	Office and research/ I-M(1) Industrial District

BACKGROUND INFORMATION

Background: Advocare, Inc. is a direct sales distributor of nutritional supplements that desires to construct a new distribution facility to meet expanding and future product demand. The proposed development includes the construction of a one and two story, 258,280 square foot office and distribution center with 16 truck docks.

Based on the breakdown of uses within the proposed facility, a minimum of 347 parking spaces are required. This includes 25,000 square feet of office space (1/300); 20,000 square feet of assembly (1/400); and 213,280 square feet of warehouse (1/1000). The applicant is requesting to provide 150 parking spaces in lieu of the required 347, which represents a 197 space reduction (57%).

The variance exhibit (Exhibit A) reflects the development of the proposed 258,280 square foot office and distribution facility, 150 parking spaces, and adequate area available to meet the minimum required number of spaces per City regulations. As shown on the variance exhibit, additional spaces are labeled as “Future Spaces.”

According to the applicant, this facility has a total of 102 employees, generally distributed over two work shifts, with an occasional bi-monthly third work shift. Approximately 76 employees are present during a typical daytime work shift, and 26 during a second shift. As shown, even during a shift change, the proposed 150 parking spaces would be more than

adequate to accommodate the proposed parking demand.

Special Condition:

The following special conditions are recommended:

1. The reduction in parking shall be limited to Advocare, Inc. Any other user, shall provide the minimum number of parking spaces per the City of Richardson regulations.
2. Should it be determined that the number of parking spaces provided is inadequate (ie: building expansion, vehicles parking on unapproved areas), additional parking spaces shall be added to the site in conformance with the City of Richardson regulations.

For historical reference, in the table below, staff has provided a list of parking variances approved for office/warehouse developments.

OFFICE/INDUSTRIAL			
PROJECT	LOCATION	REDUCTION GRANTED	DATE
General Packaging Corp.	200 E. Arapaho	Modified ratios: 1/250 – office; 1/1400 – warehouse (30% reduction in parking requirement for warehouse area only)	12-1986
Go Industries (office/whse)	NEC Grove/Apollo	6-space (14%) variance (43 required, 37 provided)	8-1984
Office/warehouse	1399 Executive Dr. West	Modified ratio: 1/415 for print shop use (60 required at 1/333, 54 provided), equals 10% reduction	4-1990
Office/warehouse	401 N. Grove	Modified ratios: 1/25,000 for cold storage; 2,500 for warehouse; office parked per code (no percentage established)	7-1984
Office/warehouse	1360-1420 Presidential	Modified ratio: 1 space/500 s.f. overall – office/warehouse use (no percentage established)	12-1986
T.I. Wafer Fab (parking reduction granted by zoning special condition)	300 W. Renner Road	Modified ratios: 1/375 office; 1/2500 mfg.; Results in 20% reduction in office parking and 84% reduction in mfg.; (66% reduction overall). Also deferred construction of 150 spaces required with Ph. I until construction of Ph. II. In addition, received a deferral of 230 spaces (additional 23%) in Ph. I until finish-out of additional office space. Additional spaces to be provided as needed with additional finish-out. Overall deferral of 37% of spaces required with modified ratios.	01-2004 (Ord. 3447) 12-2004
Collins Technology Park	1232 Alma Road	Reduced parking ratio: 1 space/3,000 s.f. for data center. The City typically parks data center as warehouse at 1 space/1,000 s.f. (no percentage established).	07-2007

ADVOCARE
Office and Distribution Center
2800 Telecom Parkway
Richardson, Texas 75082

JOB #: 19006

1	07.11.13	Parking Variance
2		
3		
4		
5		
6		
7		
8		
9		

SHEET CONTENTS:
**PRELIMINARY
SITE PLAN**

DATE: July 11, 2013

SHEET:

A1.10

PARKING VARIANCE DATA

REQUIRED PARKING CALCULATION

OFFICE AREA: 25,000 sf x $\frac{1}{300}$ =	100	83
PACKAGING LINES (ASSEMBLY): 20,000 sf x $\frac{1}{400}$ =		50
WAREHOUSE: 213,280 sf x $\frac{1}{1000}$ =		214
TOTAL REQUIRED PARKING		347
PARKING COUNT PROVIDED =		150
PARKING COUNT FUTURE =		215
TOTAL FUTURE AND PROVIDED =		365

BUILDING INFORMATION

SITE AREA:	35.135 AC.
OFFICE AREA:	25,000 S.F.
WAREHOUSE/DISTRIBUTION:	233,280 S.F.
TOTAL BUILDING AREA:	258,280 S.F.
BUILDING COVERAGE:	16.06%
DOCK POSITIONS:	16

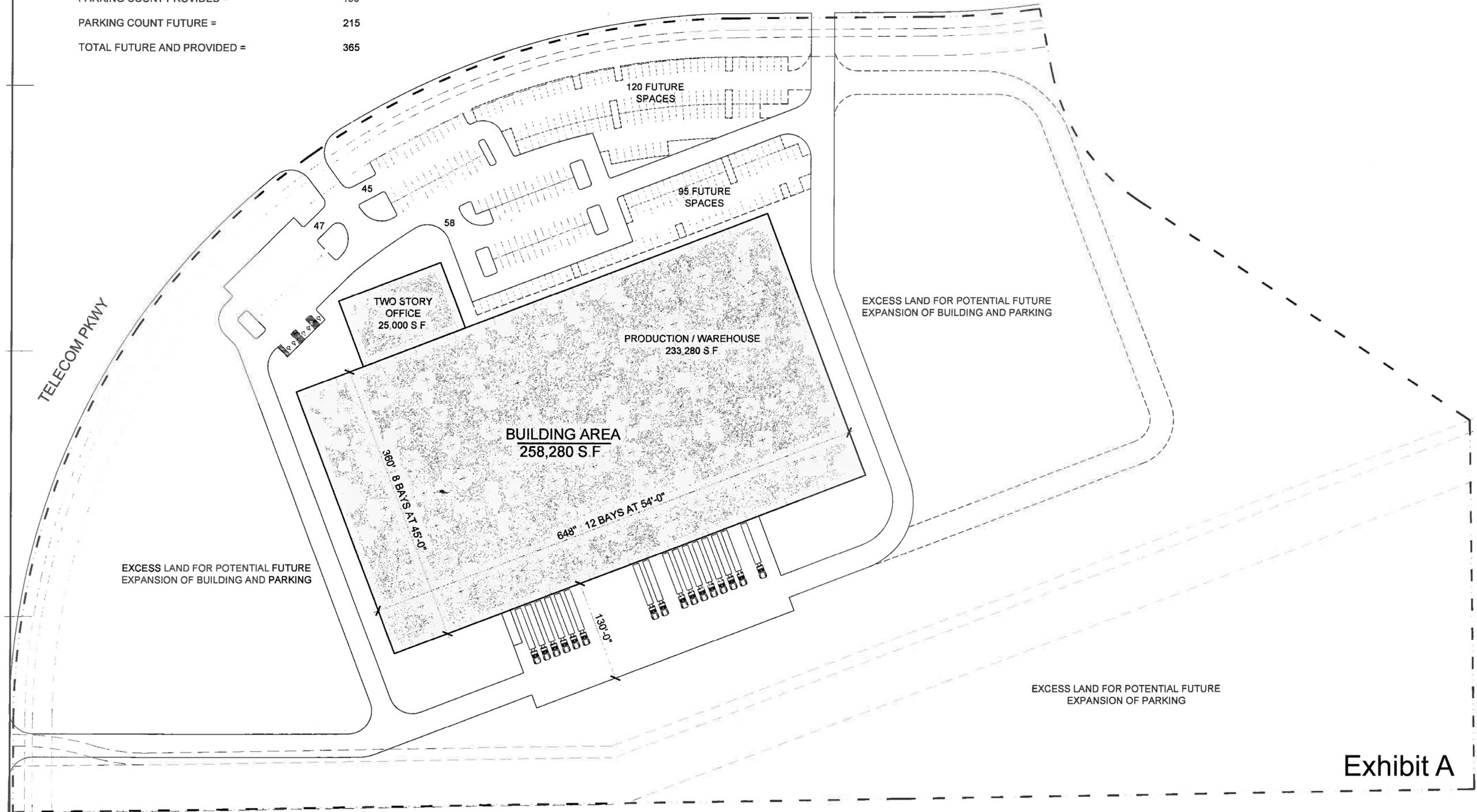


Exhibit A





July 2, 2013

Michael Spicer
Director, Development Services
City of Richardson
411 W. Arapaho Road
Richardson, Texas 75080

Re: Advocare International, LP - Telecom Parkway Property

As discussed during our June 25 meeting, Advocare is considering the purchase of property along Telecom Parkway (refer to attached survey) to construct a new 258,000 sf building for our warehousing and order fulfillment operations. The size and use of our facility is detailed on the attached drawing prepared by Azimuth Architects. According to their calculations, 364 parking spaces are required to comply with the City's applicable zoning ordinance. However, Advocare is hereby requesting the City defer this requirement and allow us to construct only 150 parking spaces which more than adequately meet our needs. We can justify this request based on the fact that we will have 102 employees on our payroll and receive only about 10 visitors per day. In addition, those 102 employees will be divided between 2 shifts with 76 on the 1st shift and 26 on 2nd. This operation will be an exact duplication of our existing distribution operation and the relocation of our customer service department. Therefore, we feel that 150 spaces would be more than sufficient to meet our parking needs for the foreseeable future. If parking needs increase beyond 150 spaces, Advocare will provide additional parking to meet the requirements of the City of Richardson and the Shiloh Business Park Development Review Board.

Further, from a "green" perspective, attractive lawn views as opposed to empty parking lots should be more appealing to the City and general public. Please note that we have adequate land to meet the required parking count should it be needed in the future; the attached site plan clearly illustrates this point.

Reid Ward
Chief Operating Officer
Advocare International, LP

ORDINANCE NO. 4015

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, ABANDONING A PORTION OF STREET RIGHT-OF-WAY KNOWN AS CULLUM STREET, TOTALING 0.4073 ACRES, AS DESCRIBED IN EXHIBITS “A” AND “B”; RESERVING ALL EXISTING EASEMENT RIGHTS OF OTHERS, IF ANY WHETHER APPARENT OR NON-APPARENT, AERIAL, SURFACE, UNDERGROUND OR OTHERWISE; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE REAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS, AS A QUITCLAIM DEED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Richardson, desires to abandon a portion of Cullum Street, totaling 0.4073 acres; and **NOW THEREFORE**,

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

SECTION 1. The City of Richardson hereby abandons and quitclaims in favor of Lennox Commercial Realty, Inc., the abutting property owner, the portion of street right-of-way known as Cullum Street totaling 0.4073 acres described in Exhibits “A” and “B” attached hereto and made a part hereof for all purposes, the same as if fully copied herein, subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and the City reserves unto itself at any time to lay, construct, maintain water, storm and sanitary sewer lines and appurtenances in an upon real property described in Exhibits “A” and “B”.

SECTION 2. That said street right-of-way is abandoned, vacated and closed insofar as the right, title and interest of the public to such are concerned. That the City of Richardson does not abandon any other interest other than that described in Exhibit “A” and “B”, but does hereby abandon all of its right, title and interest in and to that certain tract of land described in Exhibit “A” and “B”, either in fee simple or by easement or otherwise, together with any and all improvements thereon, subject to the limitations and reservations stated herein.

SECTION 3. This Ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 12th day of August, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY

(PGS/08-05-13/61677)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
PORTION OF CULLUM STREET R.O.W.

BEING 17,740.40 square feet of Cullum Street, a 40' R.O.W. created by FIRST INSTALLMENT OF TECHNOLOGY PARK an addition to the City of Richardson, Dallas County, Texas, recorded in Volume 67123, Page 1285 of the Map Records of Dallas County, Texas, and said tract being more particularly described as follows:

BEGINNING at a 3/4" iron rod set in the south R.O.W. line of Cullum Street (a 40' R.O.W.) and being N 89°57'00" W, 169.51' from the present intersection of the west R.O.W. line of Waterview Parkway {a variable width R.O.W.} with the south line of Cullum Street;

THENCE N 89°57'00" W, 443.51' along the south line of Cullum Street to a 1/2" iron rod found at the southwest corner of Cullum Street;

THENCE N 00°03'00" E, 40.00' along the west line of Cullum Street to a 1/2" iron rod found at the northwest corner of Cullum Street;

THENCE S 89°57'00"E, 443.51' along the north line of Cullum Street to 3/4" iron rod set for corner;

THENCE S 00°03'00"W, 40.00' over and across Cullum Street to the Point of Beginning and containing 17,740.40 square feet or 0.4073 acres of land.

ORDINANCE NO. 4016

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS" ARTICLE XI, "RENTAL REGISTRATION", BY AMENDING THE REGULATIONS FOR RENTAL REGISTRATION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The Code of Ordinances of the City of Richardson be amended by amending Chapter 6 "Buildings and Building Regulations" Article XI "Rental Registration", to read as follows:

"ARTICLE XI. RENTAL REGISTRATION

...

Sec. 6-471. Rental registration.

(a) Each owner of a rental unit within the city shall register each such rental unit with the building official within 30 days of the first tenant occupying the rental unit and shall renew such registration annually on the date prescribed by the building official pursuant to subsection 6-472(a). Separate registration shall be required for each rental unit.

(b) Each new owner of a rental unit within the city shall make application for registration with the building official and schedule an exterior inspection of said rental unit within 30 days after the date of the first tenant occupying the rental unit.

(c) Application for rental registration shall be made upon a form provided by the city for such purpose, and shall include at least the following information:

- (1) Owner's name, address, and work and home telephone number, driver's license number, or identification card number and state of issuance of the owner;
- (2) If owner is a partnership, the name of all partners, the principal business address, and telephone number of each partner;
- (3) If owner is a corporation, the person registering must state whether it is organized under the laws of this state or is a foreign corporation, and must show the mailing address, business location, telephone number, name of the main individual in

charge of the local office of such corporation, if any, and the names of all officers and directors or trustees of such corporation, and, if a foreign corporation, the place of incorporation;

- (4) Name, address and telephone number of the property manager;
 - (5) Street address of the rental unit;
 - (6) Name, driver's license number or identification number and state of issuance for each primary or principal tenant;
 - (7) Number of persons occupying the rental unit;
 - (8) Whether there has been a change of occupancy or an additional tenant of the rental unit since the date of last registration; and
 - (9) Signed by the owner or owner's agent.
- (d) A nonrefundable fee of \$75.00 shall be charged for the registration of a rental unit.
- (e) The building official shall within 30 days after receipt of the registration application either issue a certificate of registration or notify the owner that the application does not comply with the requirements of this article.
- (f) A certificate of registration shall be valid for a period of 12 calendar months following issuance thereof; provided, however, the initial certificate of registration for a rental unit shall not expire until the date of renewal of registration established by the building official pursuant to subsection 6-472(a).
- (g) It is an offense for an owner to fail to register the owner's rental units within the city, and each and every day that the owner continues to fail to register the owner's rental units within the city shall constitute a separate offense.
- (h) It shall be unlawful for any person to file a false registration application with the building official.

Sec. 6-472. - Renewal of registration.

- (a) The building official shall establish an annual registration date for rental units
- (b) A registered owner of a rental unit within the city, or the owner's agent, shall renew the registration for each rental unit on or before the date prescribed by subsection (a) and shall pay to the city a nonrefundable renewal fee of \$75.00 at the time of application for renewal.

(c) The building official shall send each registered owner of a rental unit within the city a renewal notice for registration.

(d) A registered owner of a rental property or the owner's agent shall, upon receipt of the renewal notice, complete the registration process for each rental unit within 30 days after receipt of the renewal notice. If an owner does not receive a renewal notice, it is the owner's responsibility to nonetheless renew the registration for each rental unit within the city. It is an offense for an owner to fail to file a completed annual registration application for each rental unit on or before the dates specified in the renewal notice.

(e) It is an offense for an owner to fail to renew the registration of the owner's rental units within the city, and each and every day that the owner continues to fail to renew the registration of the owner's rental units within the city shall constitute a separate offense.

Sec. 6-473. Notification of change in occupancy.

The owner shall notify the building official within 30 days of a change in occupancy by completing a change in occupancy form and delivering said form to the Community Services office. A change in occupancy shall mean any change in tenant(s) or additional tenant(s) that are occupying the rental unit. It is an offense for the owner to fail to notify the building official within 30 days of a change in occupancy.

Sec. 6-474. Inspection.

(a) The building official shall annually inspect the exterior of a rental unit to determine compliance with applicable state and local laws. The building official shall provide written notice of the date and time that the exterior inspection will be conducted. Upon request of the owner if the rental unit is vacant or tenant if the rental unit is occupied, the building official may conduct an inspection of the interior of a rental unit.

(b) If the owner or occupant fails to make the exterior of the rental unit available for inspection, the building official may conduct the inspection from the public right of way. If the owner or tenant does not provide consent for the inspection and the building official must enter onto the property to conduct the inspection, the building official shall be required to obtain a warrant pursuant to sub-section(c) prior to entry on the property.

(c) The building official or his agent shall enforce the provisions of this article upon presentation of proper identification to the owner or tenant in charge of any rental unit and with the owner or tenant's permission, may inspect the exterior of a rental unit between the hours of 8:00 a.m. and 6:00 p.m. The authority to conduct both exterior and interior inspections by the building official is subject to all limitations provided in state and federal law. If entry is refused by the owner or occupant or could not be obtained, the building official is authorized to seek a warrant pursuant to Article 18.05 of the Texas Code of Criminal Procedure as the same may be amended from time to time. Any warrants issued will constitute authority for the building official to enter upon and inspect the rental unit described therein.

Secs. 6-475- 6-499. – Reserved.”

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

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

SECTION 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Ordinances of the City of Richardson, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That any person, firm, or corporation violating any provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson, as heretofore amended and upon conviction shall be punished by a fine not exceeding \$2,000 for each offense.

SECTION 6. This Ordinance shall take effect immediately from and after its passage and publication of caption, as the law and charter in such case provide.

DULY PASSED AND APPROVED by the City Council of the City of Richardson, Texas, on the 12th day of August, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(08-07-13/61680)

CITY SECRETARY

RESOLUTION NO. 13-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE 2013 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDS SHARING AND FISCAL AGENCY AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Part E of Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Edward Bryne Memorial Justice Assistance Grant Program (the “JAG Program”) authorize the Department of Justice’s Bureau of Justice Assistance (the “BJA”) to make funds (the “JAG Funds”) available to units of local government in order to support a broad range of activities to prevent and control crime and to improve the criminal justice system; and

WHEREAS, Dallas County, the City of Richardson, and other cities located in Dallas County are eligible for 2013 JAG Program Funds and have been certified by the BJA as a disparate jurisdiction; and

WHEREAS, for the purposes of simplifying the application process, the JAG Program permits the chief executive officer of one of the eligible units of local government in the disparate jurisdiction to submit a joint application for JAG Funds on behalf of the other eligible units of local governments within that jurisdiction and to act as the fiscal agent for those local governments in administering the JAG Funds; and

WHEREAS, certified disparate jurisdictions must reach an agreement regarding the sharing of JAG Funds prior to submission of the JAG Program application; and

WHEREAS, the City Council of the City of Richardson agrees and acknowledges that as a certified disparate jurisdiction, the City of Richardson must reach an agreement with Dallas County and the other cities joining in the JAG application regarding the sharing of JAG Funds prior to submitting a JAG application to the BJA; and

WHEREAS, the City Council wishes to join with Dallas County and the other participating cities in naming the City of Dallas as fiscal agent to administer and distribute the JAG Funds and to designate a share of its JAG Funds for administrative costs to be paid to the City of Dallas, prior to submission of the joint application for JAG Funds to the BJA; and

WHEREAS, the City Council agrees to transfer seven percent (7%) of its allocation of JAG funds for costs associated with administering the JAG Funds to the City of Dallas pursuant to the Fiscal Agency Agreement (“the Agreement”) attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, the City Council of the City of Richardson finds that the execution and performance of this Agreement is in the best interests of the City of Richardson, that the undertaking will benefit the public, and that the shares of the JAG Funds to the City of Richardson

and the other parties will fairly compensate the parties to the Agreement for their respective functions under the Agreement;

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

SECTION 1. That the terms, provisions, and conditions of the 2013 Byrne Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement (GMS Application #2013-H3945-TX-DJ), a copy of which is attached hereto as Exhibit "A", be, and the same are, hereby approved.

SECTION 2. That the City Manager is hereby authorized to execute the appropriate documents for entering into said agreement for the purposes recited therein, and any further amendments necessary to the agreement on behalf of the City of Richardson, Texas.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 12th day of August, 2013.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY
(PGS:6-18-13:TM 61100)

AGENDA REPORT
City of Richardson, City Council Meeting

Work Session Date _____	City Council Meeting Date August 12, 2013	
REQUESTED ACTION/MOTION		
<p>Council to consider approval of Resolution No. 13-17 adopting the TxDOT's Federally-Approved Disadvantaged Business Enterprise Program required for the Safe Routes to School Sidewalk Projects, and Authorizing the City Manager to Implement the Program and to execute the Memorandum of Understanding (MOU) between the City of Richardson and TxDOT.</p>		
SUMMARY EXPLANATION AND BACKGROUND		
<p>The City was awarded federal funding of up to \$850,000 for two Safe Routes to School (SRTS) projects to construct sidewalks, barrier-free ramps, crosswalks, bike lanes, and bike route signage in the Yale Elementary and Richland Elementary areas.</p> <p>Federal law mandates that "all local governments or entities that receive US Department of Transportation funds from non-conventionally let projects must execute a Memorandum of Understanding (MOU) with TxDOT allowing them to adopt TxDOT's federally approved Disadvantaged Business Enterprise (DBE) Program and comply with the Federal Regulations 49 CFR Part 26". The City's two SRTS projects fall under this requirement.</p> <p>TxDOT's DBE Program and the Federal Regulations encourage the use of small minority- and women-owned businesses and establish requirements to ensure non-discrimination in the award and administration of federally-financed contracts. TxDOT has set a 4% DBE goal for funds expended on the SRTS projects.</p>		
Recommended By:	 _____ Assistant City Manager	<u>972-744-4206</u> Phone
Cliff Miller		
Source of Additional Information:	 _____ Transportation Engineer Manager	<u>972-744-4323</u> Phone
Mark Titus, P.E.		
EXHIBITS ATTACHED FOR CITY COUNCIL MEETING		
<ul style="list-style-type: none"> • Resolution Attachment for Council Meeting 		
DOCUMENTS FOR CITY SECRETARY/PERMANENT RECORDS		
<p>Documents must be submitted to the City Secretary in their final form with City Attorney approval no later than the Monday prior to the Work Session.</p> <p style="text-align: center;"> <input checked="" type="checkbox"/> Resolution ___ Public Hearing ___ None <input type="checkbox"/> Ordinance ___ Other </p>		



MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager *CM*

FROM: Mark Titus, P.E., Transportation Engineer Manager *mt*

SUBJECT: Resolution No. 13-17 Disadvantaged Business Enterprise (DBE) Program by and between TxDOT and the City of Richardson

DATE: August 2, 2013

ACTION REQUESTED:

Council to consider approval of Resolution No. 13-17 adopting the TxDOT's Federally-Approved Disadvantaged Business Enterprise Program required for the Safe Routes to School Sidewalk Projects, and Authorizing the City Manager to Implement the Program and to execute the Memorandum of Understanding (MOU) between the City of Richardson and TxDOT.

BACKGROUND INFORMATION:

The City was awarded federal funding of up to \$850,000 for two Safe Routes to School (SRTS) projects to construct sidewalks, barrier-free ramps, crosswalks, bike lanes, and bike route signage in the Yale Elementary and Richland Elementary areas.

Federal law mandates that "all local governments or entities that receive US Department of Transportation funds from non-conventionally let projects must execute a Memorandum of Understanding (MOU) with TxDOT allowing them to adopt TxDOT's federally approved Disadvantaged Business Enterprise (DBE) Program and comply with the Federal Regulations 49 CFR Part 26". The City's two SRTS projects fall under this requirement.

TxDOT's DBE Program and the Federal Regulations encourage the use of small minority- and women-owned businesses and establish requirements to ensure non-discrimination in the award and administration of federally-financed contracts. TxDOT has set a 4% DBE goal for funds expended on the SRTS projects

Attachment

Cc: Dave Carter, P.E., Asst. Director of Dev. Svcs.
Jessica Shutt, P.E., Transportation Engineer



Fw: Required MOU with TxDOT for DBE Program
Mark Titus to: Mark Titus

08/05/2013 11:35 AM

From: Mark Titus/CH/Cor
To: Mark Titus/CH/Cor@Cor,

Mark Titus	Fw: Required MOU with TxDOT for DBE Program
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From: Gloria Brown <Gloria.Brown@txdot.gov>
To: "Mark.Titus@cor.gov" <Mark.Titus@cor.gov>,
Date: 08/01/2013 09:56 AM
Subject: RE: Required MOU with TxDOT for DBE Program

Mark,
Yes, you may change it to City Manager.

Thank you,

Gloria Brown
Program Specialist
Texas Dept of Transportation
Office of Civil Rights
200 E Riverside
Austin, TX 78704
Phone: 512-486-5500
Fax: 512-486-5509
email: gloria.brown@txdot.gov

From: Mark.Titus@cor.gov [mailto:Mark.Titus@cor.gov]
Sent: Thursday, July 18, 2013 3:48 PM
To: Gloria Brown
Cc: pam.kirkland@cor.gov; PSmith@njdhs.com
Subject: RE: Required MOU with TxDOT for DBE Program

Ms. Brown,

In the MOU, can "Executive Director" in 5(l) be changed to "City Manager"? Since we don't have an Executive Director, there could be confusion as to whom this refers.

Thank you,
Mark

Mark Titus, P.E.
Transportation Engineering Manager
Development Services, Transportation, and Traffic
City of Richardson
411 W. Arapaho Road
Richardson, TX 75080
(972) 744-4323 office
(214) 957-3348 mobile
mark.titus@cor.gov

RESOLUTION NO. 13-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ADOPTING THE TEXAS DEPARTMENT OF TRANSPORTATION'S FEDERALLY-APPROVED DISADVANTAGED BUSINESS ENTERPRISE PROGRAM; AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, from time to time the City of Richardson receives federal funds from the Federal Highway Administration ("FHWA") through TxDOT to assist the City with the construction and design of projects partially or wholly funded through FHWA; and

WHEREAS, the City of Richardson, as a sub-recipient of federal funds, is required by 49 CFR 26.21, to implement a program for disadvantaged business enterprises ("DBEs"), as defined by 49 CFR 26 ("DBE Program"); and

WHEREAS, TxDOT has implemented a Disadvantaged Business Enterprise Program ("DBE Program") that is approved by the FHWA pursuant to 49 CFR part 26; and

WHEREAS, certain aspects of the City of Richardson's procurement of construction and design services are subject to review and/or concurrence by TxDOT as a condition of receiving federal funds from FHWA through TxDOT; and

WHEREAS, the City of Richardson and TxDOT undertake substantially similar roadway construction projects and design projects and construct and design their respective projects using substantially the same pool of contractors; and

WHEREAS, the City of Richardson desires to implement a federally compliant DBE Program by adopting the TxDOT approved program, as recommended by FHWA when the City receives federal funds from the Federal Highway Administration ("FHWA") through TxDOT; and

WHEREAS, the City Council has reviewed TxDOT's DBE Program, and finds that it is in the best interests of the citizens of Richardson; and

WHEREAS, the City Manager is authorized to take the necessary action to implement the DBE Program;

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

SECTION 1. That the City Council of Richardson, Texas, hereby adopts the TxDOT DBE Program which shall only apply when the City is a sub-recipient of federal funds from the Federal Highway Administration ("FHWA") through TxDOT. The City Manager is hereby authorized to take the necessary action to implement the Program.

SECTION 2. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 12th day of August, 2013.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY
(PGS:8-7-13:TM 61649)

CITY SECRETARY

Exhibit "A"
TxDOT DBE Program
(to be attached)



**MEMORANDUM OF UNDERSTANDING
REGARDING THE ADOPTION OF THE TEXAS DEPARTMENT OF
TRANSPORTATION'S FEDERALLY-APPROVED DISADVANTAGED BUSINESS
ENTERPRISE PROGRAM BY CITY OF RICHARDSON**

This Memorandum of Understanding (MOU) is by and between the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)**, an agency of the State of Texas; and CITY OF RICHARDSON, a political subdivision of the State of Texas.

Whereas, from time to time CITY OF RICHARDSON receives federal funds from the Federal Highway Administration (FHWA) through TxDOT to assist CITY OF RICHARDSON with the construction and design of projects partially or wholly funded through FHWA; and

Whereas, CITY OF RICHARDSON, as a sub-recipient of federal funds, is required by 49 CFR 26, to implement a program for disadvantaged business enterprises (DBEs), as defined by 49 CFR 26 (DBE Program); and

Whereas, TxDOT has implemented a Disadvantaged Business Enterprise Program (DBE Program) that is approved by the FHWA pursuant to 49 CFR part 26; and

Whereas, certain aspects of CITY OF RICHARDSON's procurement of construction and design services are subject to review and/or concurrence by TxDOT as a condition of receiving federal funds from FHWA through TxDOT; and

Whereas, CITY OF RICHARDSON and TxDOT undertake substantially similar roadway construction projects and design projects and construct and design their respective projects using substantially the same pool of contractors; and

Whereas, CITY OF RICHARDSON desires to implement a federally compliant DBE Program by adopting the TxDOT approved program, as recommended by FHWA; and

Whereas, TxDOT and CITY OF RICHARDSON find it appropriate to enter into this MOU to memorialize the obligations, expectations and rights each has as related to CITY OF RICHARDSON's adoption of the TxDOT DBE's Program to meet the federal requirements;

Now, therefore, TxDOT and CITY OF RICHARDSON, in consideration of the mutual promises, covenants and conditions made herein, agree to and acknowledge the following:

- (1) TxDOT has developed a DBE Program and annually establishes a DBE goal for Texas that is federally approved and compliant with 49 CFR 26 and other applicable laws and regulations.
- (2) CITY OF RICHARDSON is a sub-recipient of federal assistance for construction projects and design projects and, in accordance with 49 CFR § 26.21, must comply with a federally approved DBE Program. The CITY OF RICHARDSON receives its federal assistance through TxDOT. As a sub-recipient, CITY OF RICHARDSON has the option of developing its own program or adopting and operating under TxDOT's federally approved DBE Program. The FHWA recommends that sub-recipients, such as CITY OF RICHARDSON, adopt the DBE program, administered through TxDOT, and CITY OF RICHARDSON by its prescribed protocol adopted the TxDOT DBE Program as of the date when adoption occurred.

(3) This MOU evidences FHWA's and TxDOT's consent to the adoption of the TxDOT DBE Program by CITY OF RICHARDSON to achieve its DBE participation in federally assisted Construction and Design Projects.

(4) The parties will work together in good faith to assure effective and efficient implementation of the DBE Program for CITY OF RICHARDSON and for TxDOT.

(5) CITY OF RICHARDSON and TxDOT have agreed upon the following delegation of responsibilities and obligations in the administration of the DBE Program adopted by CITY OF RICHARDSON :

(a) CITY OF RICHARDSON will be responsible for project monitoring and data reporting to TxDOT. CITY OF RICHARDSON will furnish to TxDOT any required DBE contractor compliance reports, documents or other information as may be required from time to time to comply with federal regulations. TxDOT will provide the necessary and appropriate reporting forms, to CITY OF RICHARDSON.

(b) CITY OF RICHARDSON will recommend contract-specific DBE goals consistent with TxDOT's DBE guidelines and in consideration of the local market, project size, and nature of the good(s) or service(s) to be acquired. CITY OF RICHARDSON's recommendation may be that no DBE goals are set on any particular project or portion of a project or that proposed DBE goals be modified. CITY OF RICHARDSON and TxDOT will work together to achieve a mutually acceptable goal, however, TxDOT will retain final decision-making authority regarding DBE goals.

(c) TxDOT will cooperate with CITY OF RICHARDSON in an effort to meet the timing and other requirements of CITY OF RICHARDSON projects.

(d) CITY OF RICHARDSON will be solely responsible for the solicitation and structuring of bids and bid documents to procure goods and services for its projects that use federal funds and will be responsible for all costs and expenses incurred in its procurements.

(e) The DBEs eligible to participate on TxDOT construction projects or design projects also will be eligible to participate on CITY OF RICHARDSON construction projects or design projects subject to the DBE Program. The DBEs will be listed on TxDOT's website under the Texas Unified Certification Program (TUCP).

(f) CITY OF RICHARDSON will conduct reviews and provide reports with recommendations to TxDOT concerning any DBE Program compliance issues that may arise due to project specific requirements such as Good Faith Effort (GFE), Commercially Useful Function (CUF), etc. CITY OF RICHARDSON and TxDOT will work together to achieve a mutually acceptable goal, however, TxDOT will retain final decision-making authority on those issues and reserves the right to perform compliance reviews. CITY OF RICHARDSON shall provide TxDOT with a listing of sanctions that will be assessed against contractors for violation of federal DBE regulations and its procedures for investigation of violations and assessment of sanctions for documented violations. CITY OF RICHARDSON will require contractors for its FHWA federally assisted projects to use the attached forms as follows:

Attachment 1 – Disadvantaged Business Enterprise (DBE) Program Commitment Agreement
Form SMS 4901

Attachment 2 – DBE Monthly Progress Report Form SMS 4903

Attachment 3 – DBE Final Report Form SMS 4904

Attachment 4 – Prompt Payment Certification Form (Federal-air Projects) 2177

(g) CITY OF RICHARDSON will designate a liaison officer to coordinate efforts with TxDOT's DBE Program administrators and to respond to questions from the public and private sector regarding CITY OF RICHARDSON's administration of the DBE Program through TxDOT.

(h) CITY OF RICHARDSON will be responsible for providing TxDOT with DBE project awards and DBE Commitments, monthly DBE reports, DBE Final Reports, DBE shortfall reports, and annual and updated goal analysis and reports.

(i) TxDOT will be responsible for maintaining a directory of firms eligible to participate in the DBE Program, and providing business development and outreach programs.

CITY OF RICHARDSON and TxDOT will work cooperatively to provide supportive services and outreach to DBE firms in CITY OF RICHARDSON area.

(j) CITY OF RICHARDSON will submit DBE semi-annual progress reports to TxDOT.

(k) CITY OF RICHARDSON will participate in TxDOT sponsored training classes to include topics on Title VI of the Civil Rights Act of 1964, DBE Annual Goals, DBE Goal Setting for Construction Projects and Design Projects, DBE Contract Provisions, and DBE Contract Compliance, which may include issues such as DBE Commitments, DBE Substitution, and Final DBE Clearance. TxDOT will include DBE contractors performing work on CITY OF RICHARDSON projects in the DBE Education and Outreach Programs.

(l) The **City Manager** of CITY OF RICHARDSON will implement all federal requirements, including those stated in Attachments A through F, which are incorporated as though fully set out herein for all purposes.

(m) In accordance with 23 CFR 200.1, CITY OF RICHARDSON shall develop procedures for the collection of statistical data (race, color, religion, sex, and national origin) of participants in, and beneficiaries of State highway programs, i.e., relocatees, impacted citizens and affected communities; develop a program to conduct Title VI review of program areas; and conduct annual reviews of special emphasis program areas to determine the effectiveness of program area activities at all levels. TxDOT, in accordance with federal law, may conduct compliance reviews by TxDOT's Office of Civil Rights (OCR).

(n) CITY OF RICHARDSON will comply with 49 CFR 26.29 as stated in Attachment F.

(6) In the event there is a disagreement between TxDOT and CITY OF RICHARDSON about the implementation of the TxDOT DBE Program by CITY OF RICHARDSON the parties agree to meet within ten (10) days of receiving a written request from the other party of a desire to meet to resolve any disagreement. The parties will make good faith efforts to resolve any disagreement as efficiently as is reasonably possible in consultation with FHWA. Non-compliance by CITY OF RICHARDSON can result in restitution of federal funds to TxDOT and withholding of further federal funds upon consultation with FHWA.

(7) This MOU becomes effective upon execution by all parties and automatically renews each year unless a party notifies the other parties of its intent to terminate the agreement.

(8) If this MOU is terminated for any reason, CITY OF RICHARDSON will be allowed reasonable time in which to seek approval from FHWA for an alternative DBE Program, without being deemed non-compliant with 49 CFR Part 26.

(9) This MOU applies only to projects for which CITY OF RICHARDSON is a sub-recipient of federal funds through TxDOT. CITY OF RICHARDSON may also implement a Minority and Women-Owned Small Business Enterprise (M/W/SBE) policy and program that applies to projects for which it is not a sub-recipient of federal funds through TxDOT and which are not subject to the TxDOT DBE Program. CITY OF RICHARDSON may, at its option, use some aspects of the TxDOT DBE Program and other similar programs in implementing its other policies and programs for its non-federally funded projects.

(10) The following attachments to this MOU are also incorporated as if fully set out herein for all purposes:

Attachment A – FHWA Memorandum HCR-1/HIF-1 (relating to access required by the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973);

Attachment B – SPECIAL PROVISION – LOCAL GOVERNMENT / RMA / NON-STANDARD CONTRACTS

Attachment C – 49 CFR §26.13 (contractual assurances)

Attachment D – DBE Program Compliance Guidance for Local Government Agencies

Attachment E – FHWA Form 1273

Attachment F – Texas Department of Transportation (TxDOT) Disadvantaged Business Enterprise (DBE) Program with attachments as follows:

Attachment F1 – DBE Regulations: 49 CFR Part 26

Attachment F2 – DBE Special Provisions 000-1966

Attachment F3 – TxDOT's Organizational Chart

Attachment F4 – Measurement and Payment Special Provision 009-007

Attachment F5 – Texas Unified Certification Program (TUCP) DBE directory example and website address to the directory

Attachment F6 – DBE Goal Methodology

Attachment F7 – DBE Bidder Certification

Attachment F8 – DBE Joint Check Approval Form

Attachment F9 – TUCP Standard Operating Procedures (SOP)

Attachment F10 – TUCP Memorandum of Agreement (MOA)

Attachment F11 – Forms list

(11) The following procedure shall be observed by the parties in regard to any notifications:

(a) Any notice required or permitted to be given under this MOU shall be in writing and may be effected by personal delivery, by hand delivery through a courier or a delivery service, or by

registered or certified mail, postage prepaid, return receipt requested, addressed to the proper party, at the following address:

CITY OF RICHARDSON

Dan Johnson
City Manager

Hand Delivery:

411 W. Arapaho Rd., Room 201, Richardson, TX 75080

Registered or Certified Mail (Return receipt requested):

411 W. Arapaho Rd., Room 201, Richardson, TX 75080

TEXAS DEPARTMENT OF TRANSPORTATION

DBE Liaison
Office of Civil Rights
Address: 125 E. 11th Street
Austin, Texas 78701

(b) Notice by personal delivery or hand delivery shall be deemed effective immediately upon delivery, provided notice is given as required by Paragraph (a) hereof. Notice by registered or certified mail shall be deemed effective three (3) days after deposit in a U.S. mailbox or U.S. Post Office, provided notice is given as required by Paragraph (a) hereof.

(c) Either party hereto may change its address by giving notice as provided herein.

(12) This MOU may be modified or amended only by written instrument, signed by both

CITY OF RICHARDSON and the TxDOT and dated subsequent to the effective date(s) of this MOU. Except as authorized by the respective parties, no official, employee, agent, or representative of the parties has any authority, either express or implied, to modify or amend this MOU.

(13) The provisions of this MOU are severable. If any clause, sentence, provision, paragraph, or article of this MOU, or the application of this MOU to any person or circumstance is held by any court of competent jurisdiction to be invalid, illegal, or unenforceable for any reason, such invalidity, illegality, or unenforceability shall not impair, invalidate, nullify, or otherwise affect the remainder of this MOU, but the effect thereof shall be limited to the clause, sentence, provision, paragraph, or article so held to be invalid, illegal, or unenforceable, and the application of such clause, sentence, provision, paragraph, or article to other persons or circumstances shall not be affected; provided, however,

CITY OF RICHARDSON and TxDOT may mutually agree to terminate this MOU.

(14) The following provisions apply in regard to construction of this MOU:

(a) Words of any gender in this MOU shall be construed to include the other, and words in either number shall be construed to include the other, unless the context in this MOU clearly requires otherwise.

(b) When any period of time is stated in this MOU, the time shall be computed to exclude the first day and include the last day of the period. If the last day of any period falls on a Saturday, Sunday, or national holiday, or state or county holiday, these days shall be omitted from the computation. All hours stated in this MOU are stated in Central Standard Time or in Central Daylight Savings Time, as applicable.

(15) This MOU shall not be construed in any way as a waiver by the parties of any immunity from suit or liability that parties may have by operation of law, and the parties hereby retain all of their respective affirmative defenses.

EXECUTED in duplicate originals by TxDOT and CITY OF RICHARDSON, acting through each duly authorized official and effective on the latest date signed.

The signatories below confirm that they have the authority to execute this MOU and bind their principles.

TEXAS DEPARTMENT OF TRANSPORTATION

CITY OF RICHARDSON

By: _____
Phil Wilson
Executive Director

By: _____
Dan Johnson
City Manager

Date: _____

Date: _____



MEMO

DATE: August 5, 2013
TO: Kent Pfeil – Director of Finance
FROM: Pam Kirkland – Purchasing Manager 
SUBJECT: Award of Bid #57-13 for the digital audio console for the Charles W. Eisemann Center to Sound Productions, Inc. in the amount of \$60,154.50

Proposed Date of Award: August 12, 2013

I concur with the recommendation of Virgil Justice – Assistant Technical & Operations Manager, and request permission to issue a purchase order for the above referenced project to the low bidder meeting specifications, Sound Productions, Inc., in the amount of \$60,154.50, as outlined in Mr. Justice's attached memo.

Funding is provided in account 151-0252-512-7401.

The bid was advertised in *The Dallas Morning News* on July 16 & 23, 2013 and was posted on Bidsync.com. Bidsync.com electronically notified eight hundred and seventy-five prospective bidders; fifty-nine bidders viewed the bid; and ten responsive bids were received. A prebid conference was held on July 24, 2013 and four bidders and three staff members were in attendance.

Concur:


Kent Pfeil

Attachments

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

MEMO

DATE: August 6, 2013

TO: Bruce MacPherson

FROM: Virgil Justice, Assistant Technical & Operations Manager

SUBJ: Hill Performance Hall – Sound Console replacement

Recommendation

On July 31, 2013 at 2:00 PM sealed bids were opened for bid #57-13, digital sound console for the Hill Performance Hall. The console will be used for audio mixing and control in the Eisemann Center Hill Performance Hall. There were ten bidders. As listed below.

ProAudio.com	Does not meet bid spec. Non-responsive Incorrect console model	Total price: \$14,999.36
Crossroads Audio	Does not meet bid spec. Partial bid Does not include road cases	Total price: \$55,285.00
Sweetwater Sound	Does not meet bid spec. Not licensed to do business in the state of Texas	Total price: \$59,481.98
Sound Productions	Meets bid spec.	Total price: \$60,154.50
Schoolhouse Audio-Visual	Meets bid spec.	Total price: \$61,445.25
Washington Professional Systems	Meets bid spec.	Total price: \$61,628.00
Pro Sound, Inc.	Meets bid spec.	Total price: \$64,101.10
Parsons Audio LLC	Meets bid spec.	Total price: \$65,343.00
Videotex Systems Inc.	Meets bid spec.	Total price: \$69,800.00
32 Degree Audio	Meets bid spec.	Total price: \$69,000.00

Upon reviewing all submissions it is our recommendation that we accept the low and complete bid from Sound Productions in the amount of \$60,154.50.

Funding for this console will come from account: 151-0252-512-7401

BID TABULATION - DIGITAL AUDIO CONSOLE

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	*Crossroads Audio, Inc.		Parsons Audio, LLC		**Proaudio.com		Pro Sound, Inc.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Digital audio console	1	ea	55,285.00	\$55,285.00	65,343.00	\$65,343.00	14,999.36	\$14,999.36	64,101.10	\$64,101.10
*	Partial Bid-Bidder did not bid all equipment listed in the specifications. Bidder Requires \$46,992.75 down payment.										
**	Bidder did not bid on equipment specified.										
***	Bidder is not registered with the State to do business										
TOTAL PRICE					\$55,285.00		\$65,343.00		\$14,999.36		\$64,101.10

BID TABULATION - DIGITAL AUDIO CONSOLE

				Schoolhouse Audio-Visual		Sound Production		***Sweetwater Sound, Inc.		Videotex Systems, Inc.	
ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Digital audio console	1	ea	61,445.25	\$61,445.25	60,154.50	\$60,154.50	59,481.98	\$59,481.98	69,800.00	\$69,800.00
TOTAL PRICE					\$61,445.25	\$60,154.50	\$59,481.98	\$69,800.00			

BID TABULATION - DIGITAL AUDIO CONSOLE

				Washington Professional		32 Degree Audio, LLC					
ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Digital audio console	1	ea	61,628.00	\$61,628.00	69,000.00	\$69,000.00				
TOTAL PRICE					\$61,628.00		\$69,000.00				

BID TABULATION - DIGITAL AUDIO CONSOLE

				*Crossroads Audio, Inc.		Parsons Audio, LLC		**Proaudio.com		Pro Sound, Inc.	
ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Digital audio console	1	ea	55,285.00	\$55,285.00	65,343.00	\$65,343.00	14,999.36	\$14,999.36	64,101.10	\$64,101.10
*	Partial Bid-Bidder did not bid all equipment listed in the specifications. Bidder Requires \$46,992.75 down payment.										
**	Bidder did not bid on equipment specified.										
***	Bidder is not authorized to do business in Texas										
	TOTAL PRICE				\$55,285.00		\$65,343.00		\$14,999.36		\$64,101.10

BID TABULATION - DIGITAL AUDIO CONSOLE

				Schoolhouse Audio-Visual		Sound Production		***Sweetwater Sound, Inc.		Videotex Systems, Inc.	
ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Digital audio console	1	ea	61,445.25	\$61,445.25	60,154.50	\$60,154.50	59,481.98	\$59,481.98	69,800.00	\$69,800.00
TOTAL PRICE					\$61,445.25		\$60,154.50		\$59,481.98		\$69,800.00

BID TABULATION - DIGITAL AUDIO CONSOLE

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	Washington Professional		32 Degree Audio, LLC		UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT				
1	Digital audio console	1	ea	61,628.00	\$61,628.00	69,000.00	\$69,000.00				
TOTAL PRICE					\$61,628.00		\$69,000.00				



MEMO

DATE: August 6, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #63-13 for the co-op purchase of various trucks for the Parks Department (75,215.60) and the Water Utilities Department (\$29,091.74) for a total expenditure of \$104,307.34 to Sam Pack's Five Star Ford through the Local Government Purchasing Cooperative Buyboard Contract #358-10 and Houston-Galveston Area Council of Governments Contract #VE11-11

Proposed Date of Award: August 12, 2013

I concur with the recommendations of Ernest Ramos - Fleet & Materials Manager, Dan Baker – Superintendent of Parks, and Richard Boston – Utility System Manager/Engineer and request permission to issue purchase orders to Sam Pack's Five Star Ford for the following equipment, as per the attached quotations:

Item	Contract	Amount
Crew Cab w/Platform Body – Parks	Buyboard #358-10	\$38,891.80
Ext. Cab w/Dump Body – Parks	Buyboard #358-10	36,323.80
Ext. Cab/Chassis w/Service Body-Water	HGAC #VE11-11	<u>29,091.74</u>
Total Award		\$104,307.34

The above referenced equipment has been bid through the Local Government Purchasing Cooperative (Buyboard) Contract #358-10 and Houston-Galveston Area Council of Governments (HGAC) Contract #VE1-11, as per the attached quotations. The City of Richardson participates in the Buyboard and HGAC programs through our existing interlocal agreements with both entities for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. Both agreements automatically renew annually unless either party gives prior notice of termination.

Funding is available as follows:

233-3061-581-7421, Project PM1364	\$40,000
233-3061-581-7421, Project PM 1365	\$40,000
511-5610-503-7421	\$30,000

Concur:

Kent Pfeil

 Kent Pfeil

ATTACHMENTS

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



MEMO

DATE: July 17, 2013

TO: Pam Kirkland, Purchasing Manager

FROM: Ernie Ramos, Fleet & Materials Manager

RE: Capital Purchase Recommendation, TASB Buyboard Contract 358-10, contract effective thru 11/30/2013

I have reviewed the contract listed above and received a quote for various truck configurations for the Parks Department. I recommend purchasing the follow trucks listed below from Sam Pack's Five Star Ford via the contract listed above. The contact for this purchase is Alan Rosner, and he can be reached at (888) 835-3389, Fax (972) 245-5278, or via E-mail at alanrosner@spford.com.

The contract total of \$75,215.60 includes the cost for trucks specified and one administrative of \$400. (fee has been split between the two units.)

Bid Series F450, One (1) 1-1/2 -ton Crewcab Chassis, w/12' Platform Body, w/Hydraulic Hoist, \$38,891.80 as specified in the attached quote, Project # PM1364, Account # 233-3061-581-7421, Budget: \$40,000

Bid Series F450, One (1) 1-1/2 -ton Extended Cab Chassis w/2-yard Contractor Dump Body \$36,323.80, as specified in the attached quote, Project # PM1365, Account # 233-3061-581-7421, Budget \$40,000

Attachment/s: Pricing Worksheet (2-pages)

CC: Ben Hill, Assistant Superintendent of Parks Maintenance
Bobby Kinser, Assistant Superintendent of Parks Maintenance
Dan Baker, Superintendent of Parks Maintenance
Michael Massey, Director of Parks and Recreation
Kent Pfeil, Director of Finance

: ER



MEMO

DATE: July 17, 2013

TO: Pam Kirkland, Purchasing Manager

FROM: Dan Baker, Superintendent of Parks

RE: Capital Purchase Recommendation, TASB Buyboard Contract
358-10, contract effective thru 11/30/2013

I agree with Ernie Ramos and Fleet Department's recommendation to purchase the following equipment from Sam Pack's Five Star Ford via the contract listed above.

Bid Series F450, One (1) 1-1/2 -ton Extended Cab Chassis, w/12' Platform Body, w/Hydraulic Hoist, \$38,891.80 as specified in the attached quote, Project # PM1364, Account # 233-3061-581-7421, Budget: \$40,000

Bid Series F450, One (1) 1-1/2 -ton Crewcab Chassis w/2-yard Contractor Dump Body \$36,323.80, as specified in the attached quote, Project # PM1365, Account # 233-3061-581-7421, Budget \$40,000



MEMO

DATE: July 19, 2013
TO: Pam Kirkland, Purchasing Manager
FROM: Ernie Ramos, Fleet & Materials Manager
RE: Capital Purchase Recommendation, ¾-ton Truck for Water Utilities via the HGAC Contract VE11-11

I have reviewed the existing contract listed above and received a quote for a ¾-ton Extended Cab/Chassis with Service body, for the Construction Rehab Division. I recommend purchasing the unit with options from Sam Pack's Five Star Ford for \$29,091.74 via the contract listed above. The contact for these purchases is Mr. Alan Rosner, and he can be reached at (888) 835-3389, ext. 6, or E-mail: alanrosner@spford.com, or fax (972) 245-5278.

Bid Series: D22, Extended Cab/Chassis w/Knapheide Service Body Truck
Account # 511-5610-503-7421, Budget: \$30,000

Attachment/s: Copy of Quote (1-page)

CC: Richard Boston, P.E., Water Utility Systems Manager
Jerry Ortega, Director of Public Services
Kent Pfeil, Director of Finance

: ER



MEMO

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

TO: Pam Kirkland, Purchasing Manager
FROM: Richard Boston, P.E., Utility System Manager/Engineer
DATE : July 22, 2013
SUBJECT : Capital Purchase Recommendation, ¾ ton Truck for Water Utilities
Via the HGAC Contract VE11-11

I recommend purchase of the following ¾ Ton Extended Cab/Chassis Truck w/ Knapheide Service Body for the C&R Div. of Water Utilities at a cost of \$29,091.74 from Sam Pack's Five Star Ford via the HGAC Contract , VE11-11.

Funds were budgeted and are available in account number 511-5610-503-7421 in the amount of \$30,000. A requisition will be processed for this item. Let me know if anything else is needed. Thanks!

Xc: Jerry Ortega, Director of Public Services
Donnie Davis, Supervisor of C&R
Ernie Ramos, Fleet & Materials Mgr.

Sam Pack's Five Star Ford
 1635 S. Jh 35E Carrollton Texas, 75006
 (888) 8 FLEET 9 (888-836-3389) - FAX 972-246-6278

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT
 Cars and Light Trucks
 Team Members - Don McCormick - Bill Harkins - Grace Torres - Bill Dutton - Alan Rosner
 Contract Name: HGAC - VE11-11

End User: City of Richardson Sam Pack's Rep: Alan Rosner
 Contact: Ernie Ramos Date: 7/19/2013
 Contact TN/Email: Ernest.Ramos@COR.GOV Phone #: 972 744 4421

Product Description: 2013 Ford F-250 Super Cab with Equipment Interior and Exterior Color Code: YZ AS
 A. Bid Series: D22 Base Price: \$ 19,499.28

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
	Automatic Transmission	Included			
	Air Conditioning	Included			
	XL	Included			
	Vinyl interior	Included			
	White	Included			
	Spare Tire & Wheel	Included			
	Trailer Brake Controller	\$ 230.00			
	Long Bed	\$ 175.00			
Total of B. - Published Options					\$ 405.00

C. Dealer Installed Published Options

Code	Description	Bid Price	Code	Description	Bid Price
	Knapheide 698FJ1	\$ 6,299.46			
Total of C. - Dealer Installed Published Options					\$ 6,299.46

D. Off Menu Options

Code	Description	Bid Price	Code	Description	Bid Price
	Additional equipment to meet spec	\$2,549.20			
	Window Tint	\$75.00			
	Pickup Body Credit	-\$350.00			

Off Menu Options limited to 25% of Published Price Current % 8.68% Total of D. - Off Menu Options \$ 2,274.20

F.	Delivery Charges	<u>12.245</u> Miles @ \$2.45/mile	\$ 30.00
G.	Option Discounts		\$ (16.20)
H.	Total of A + B + C + D + E + F		\$ 28,491.74
I.	Floor Plan Assistance		\$0.00
J.	Lot Insurance Coverages		\$0.00
K.	Quantity Ordered <u>1</u> X F =		\$ 28,491.74
L.	Administrative Fee		\$ 600.00
M.	Non-Equip Charges & Credits		
N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE		\$29,091.74

**CITY OF RICHARDSON
SIGN CONTROL BOARD MINUTES – AUGUST 7, 2013**

Ms. Dorothy McKearin, Chair, called a regular meeting of the Sign Control Board to order at 6:30 p.m. on Wednesday, August 7, 2013, at the Civic Center Council Chamber, 411 W. Arapaho Road, Richardson, Texas.

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

MEMBERS ABSENT: SANDRA MOUDY, VICE CHAIR
 CHIP IZARD, MEMBER
 SCOTT PETTY, ALTERNATE

CITY STAFF PRESENT PATRICIA GUERRA, ASST. DIR. OF COM. SVCS.
 STEPHANIE JACKSON, CODE ENFORCEMENT MGR.
 JENNA HITE, COM. SVCS. ADMIN. ASST.

Ms. McKearin stated there is a quorum present.

Mr. Charles Warner made a motion to approve the minutes of the July 10, 2013 meeting. The motion was seconded by Mr. Muhammad Z. Ikram and carried unanimously.

SCB CASE #13-08: TO CONSIDER THE REQUEST OF THE HEIGHTS BAPTIST CHURCH FOR A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE III, SECTION 18-96(23)(b)(2)(ii) AND CHAPTER 18, ARTICLE I, SECTION 18-5(4) TO ALLOW FOR A 48 FOOT INCREASE IN SIGN AREA TO ALLOW FOR A 108 SQ. FT. POLE SIGN WITH A DIGITAL DISPLAY DEVICE TO SHOW TIME AND TEMPERATURE IN A TECHNICAL OFFICE ZONED DISTRICT ON THE PROPERTY LOCATED AT 201 WEST RENNER ROAD; AND TAKE APPROPRIATE ACTION.

Ms. McKearin opened the Public Hearing and Ms. Guerra introduced the request of The Heights Baptist Church for a variance to the City of Richardson Code of Ordinances, Chapter 18, Article III, Section 18-96(23)(b)(2)(ii) and Chapter 18, Article I, Section 18-5(4) to allow for a 48 foot increase in a sign area to allow for a 108 sq. ft. pole sign with a digital display device to show time and temperature in a technical office zoned district on the property located at 201 West Renner Road. A power point presentation was shown for review.

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

Mr. Bill Ferrell, 3305 Canyon Creek Drive, Richardson, TX, Administrative Pastor for Heights Baptist Church, stated the church became interested in installing an LED board at their location once they learned the ordinance changed to permit such signs. Mr. Ferrell stated in the past the church does most of their advertisements with large temporary banners either placing them on the building or next to the road. Mr. Ferrell stated the church felt this to be a better long term option

to advertise various events held at the church. Mr. Ferrell stated the placement of the sign will be visible by the southbound traffic on Central Expressway and the location of the sign will maximize the visibility of the LED portion of the sign.

Mr. Ikram asked if the sign will be visible from both the north and southbound traffic. Mr. Ferrell stated they will have a digital display on both sides of the sign and its visibility will depend on the speed of traffic. For the most part the sign would be seen without a problem. Mr. Warner asked if the time and temperature will be at the top or the bottom of the sign. Mr. Ferrell stated their intention is to have time and temperature at one of the bottom quadrants.

Ms. McKearin asked if the church understands the message is only allowed to change once every 10 minutes. Mr. Ferrell stated they are aware the message is required to stay static for 10 minutes. Mr. Ikram inquired if the architectural design around the message board is for aesthetic purposes. Mr. Ferrell stated it was because just an LED board on a pole would not look good, even though it would not have required a variance. Mr. Ferrell stated an architect from the church designed this sign to be more aesthetically pleasing and will keep with the character of the church.

Mr. Ikram asked if there was a sign similar to this located in the city. Mr. Ferrell stated he was aware of some similar in the Metroplex but was not aware of any in Richardson. Ms. McKearin asked Ms. Jackson if she was aware of any sign of this type in Richardson. Ms. Jackson stated in June 2013 the SCB heard a case for the Pampillonia Jewelers and for Appletree Court. The signs were similar in height, area, material and they too had an LED board in the center. Ms. Jackson stated because the LED has just recently been approved in the ordinance, over the past 12 months, we have not had anything that was recently constructed.

Ms. Marshall asked if the brick would match the church. Mr. Ferrell stated it will match. Ms. McKearin stated she understood the necessity for increased visibility and felt the sign to be very nice. Ms. McKearin also stated she was concerned about the aluminum material on the sign but said Advantage Signs has assured the Board it meets the architectural designs and code.

Ms. Marshall asked if the aluminum was going to be a brush type affect and not cause a glare. Mr. Mark Bullock, 1424 N Samitou Pkwy, Houston, TX, Advantage Sign Company stated it would not have a glare. Mr. Warner asked if the Sign Control Board and the City Council approve this case how soon would the construction start. Mr. Ferrell stated in approximately 60 days.

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

The Board did not have any comments.

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

Mr. Ikram Moved to approve the SCB Case #13-08. Ms. Marshall seconded the motion and it carried unanimously.

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

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

There being no other business before the Board, the meeting was adjourned at 6:43 p.m.

DORTHY MCKEARIN, CHAIR
