

**RICHARDSON CITY COUNCIL
MONDAY, NOVEMBER 25, 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, November 25, 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. 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.

B. REVIEW AND DISCUSS THE YEAR-END FINANCIAL REPORT FOR THE FY 2012-2013 OPERATING BUDGET

C. REVIEW AND DISCUSS THE “GATHERING SOLES FOR NETWORK” SHOE DRIVE CAMPAIGN RECAP

D. 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 – PAUL VOELKER

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – PAUL VOELKER

3. MINUTES OF THE NOVEMBER 11, 2013, NOVEMBER 18, 2013 (ADVISORY BOARDS AND COMMISSIONS MEETING), AND NOVEMBER 18, 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.

5. CONSIDER APPOINTMENTS TO THE ARTS COMMISSION, ENVIRONMENTAL ADVISORY COMMISSION, LIBRARY BOARD, PARKS AND RECREATION COMMISSION, SIGN CONTROL BOARD, & TAX INCREMENT FINANCE ZONE #2 AND #3 BOARD OF DIRECTORS.

PUBLIC HEARING ITEMS:

6. PUBLIC HEARING, ZONING FILE 13-20 AND CONSIDER ADOPTION OF ORDINANCE NO. 4032, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP BY AMENDING THE SPRING VALLEY STATION DISTRICT, ORDINANCE 3831, AS HERETOFORE AMENDED AND RESTATING THE PLANNED DEVELOPMENT FOR TRANSIT-ORIENTED DEVELOPMENT BY AMENDING THE SPRING VALLEY STATION DISTRICT DEVELOPMENT REGULATIONS BY AMENDING TABLE 4.1 BY AMENDING THE DEVELOPMENT RIGHTS TO ALLOW A MAXIMUM OF 170 SINGLE-FAMILY RESIDENCES WITHIN THE PD; AND BY ALLOWING A MAXIMUM OF THIRTY (30) SINGLE-FAMILY RESIDENCES AND BY AMENDING SECTION 3 LAND USE PLAN SUBSECTION b(1) PROHIBITING MULTI-FAMILY RESIDENTIAL CONSTRUCTION ON LOT 1B, BLOCK A AND LOT 1B, BLOCK B OF THE MCKAMY PARK ADDITION.
7. PUBLIC HEARING, ZONING FILE 13-21: A REQUEST BY WILLIAM S. DAHLSTROM, JACKSON WALKER, L.L.P., REPRESENTING WC CAMPBELL BUSINESS CENTER LP, FOR A CHANGE IN ZONING FROM LR-M(2) LOCAL RETAIL TO PD PLANNED DEVELOPMENT TO ACCOMMODATE A SELF-SERVICE WAREHOUSE TO BE LOCATED ON APPROXIMATELY 5.3 ACRES OF LAND LOCATED AT THE NORTHEAST QUADRANT OF CAMPBELL ROAD AND PLANO ROAD. THE PROPERTY IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.
8. PUBLIC HEARING, ZONING FILE 13-23 AND CONSIDER ADOPTION OF ORDINANCE NO. 4033, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING ARTICLE I, SECTION 2, "DEFINITIONS", BY ADDING THE DEFINITION OF AN "ELECTRONIC-CIGARETTE" AND AN "ELECTRONIC-CIGARETTE ESTABLISHMENT"; BY AMENDING ARTICLE XXII-A, "SPECIAL PERMITS", BY AMENDING SECTION 2(b) TO ALLOW ELECTRONIC-CIGARETTE ESTABLISHMENTS BY SPECIAL PERMIT.

ACTION ITEMS:

9. VARIANCE 13-10: A REQUEST BY JEFF GROTH, REPRESENTING RISD FOR APPROVAL OF A VARIANCE FROM CHAPTER 21, THE SUBDIVISION AND DEVELOPMENT CODE, TO WAIVE THE REQUIRED SCREENING WALL ALONG THE NORTHERN PROPERTY LINE. THE SITE IS LOCATED AT 1500 MIMOSA DR. AND IS ZONED R-1500-M RESIDENTIAL.
10. VARIANCE 13-11: A REQUEST BY PATRICK GLENN, REPRESENTING RISD FOR APPROVAL OF A VARIANCE FROM CHAPTER 21, THE SUBDIVISION AND DEVELOPMENT CODE, TO WAIVE THE REQUIRED SCREENING WALL ALONG THE SOUTHERN AND EASTERN PROPERTY LINES. THE SITE IS LOCATED AT 550 PARK BEND DR. AND IS ZONED R-1500-M RESIDENTIAL.

11. 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 ORDINANCE NO. 4034, PROHIBITING THE USE OF DESIGNED GROUNDWATER FROM BENEATH CERTAIN PROPERTY LOCATED IN AND AROUND THE NORTHEAST QUADRANT OF CENTRAL EXPRESSWAY AND RENNER ROAD IN RICHARDSON, TEXAS, AND SUPPORTING CERTIFICATION OF A MUNICIPAL SETTING DESIGNATION BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.

B. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #12-14 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO WASTEQUIP, LLC, FOR THE COOPERATIVE PURCHASE OF REFUSE CONTAINERS THROUGH THE TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE BUYBOARD CONTRACT #357-10 IN AN AMOUNT NOT TO EXCEED \$117,000.
2. BID #15-14 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO KNAPP CHEVROLET FOR THE COOPERATIVE PURCHASE OF A MICU AMBULANCE FOR THE FIRE DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS CONTRACT #AM10-12 IN THE AMOUNT OF \$145,400.
3. BID #17-14 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO AT&T TELECOMMUNICATIONS FOR THE COOPERATIVE PURCHASE OF A NEXT GENERATION 9-1-1 SYSTEM THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS CONTRACT #EC07-11 IN THE AMOUNT OF \$548,517.21.
4. BID #18-14 – WE RECOMMEND THE AWARD TO TEXAS INDEPENDENT ELEVATOR FOR THE EMERGENCY REPAIR OF ELEVATOR #6 AT THE CHARLES W. EISEMANN CENTER PURSUANT TO LOCAL GOVERNMENT CODE, CHAPTER 252.022(a)(3) TO REPAIR THE UNFORESEEN DAMAGE OF PUBLIC EQUIPMENT FOR A TOTAL AMOUNT OF \$79,923.
5. BID #19-14 – WE RECOMMEND THE AWARD TO TRI-CON SERVICES, INC., FOR THE EMERGENCY WATER MAIN REPAIR AT JUPITER ROAD AND BELTLINE ROAD PURSUANT TO LOCAL GOVERNMENT CODE, CHAPTER 252.022(a)(2)(3) DUE TO A PUBLIC CALAMITY THAT REQUIRES IMMEDIATE ACTION TO PROTECT THE PUBLIC HEALTH AND SAFETY OF OUR CITIZENS AND TO REPAIR THE UNFORESEEN DAMAGE OF PUBLIC PROPERTY IN THE AMOUNT OF \$80,864.19.

• **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, NOVEMBER 22, 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



Worksession Meeting Date: Monday, November 25, 2013

Agenda Item: Review and Discuss the Year-End Financial Report for the FY 2012-2013 Operating Budget.

Staff Resource: Gary Beane, Budget Officer

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

Board/Commission Action: N/A

Action Proposed: N/A



City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: Monday, November 25, 2013

Agenda Item: Review and Discuss the "Gathering Soles for Network"
Shoe Drive Campaign Recap

Staff Resource: Greg Sowell, Director of Communications

Summary: In recognition of the 50th anniversary of President John F. Kennedy's assassination in Dallas, Dallas County Judge Clay Jenkins is encouraging cities to participate in the "Ask Not...Dallas County Day of Service." The City partnered with the Network of Community Ministries on a shoe donation drive to participate in the Dallas County Day of Service. The campaign ended November 21st.

Board/Commission Action: N/A

Action Proposed: N/A

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND REGULAR MEETING
NOVEMBER 11, 2013

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Maczka called the meeting to order at 6:01p.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
Aimee Nemer	City Secretary

DART representatives and Rick Robinson, SDi were also present for the Work Session.

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

Mr. Johnson, City Manager, gave a brief review of the agenda items listed on the Consent Agenda.

B. REVIEW AND DISCUSS DART TOPICS OF INTEREST

DART representatives reviewed the following:

- HOV Transition
- New Member City Policy and Contract Service
- The Cotton Belt Corridor
- The 2040 Transit System Plan
- Paid Parking
- Galatyn Shuttle Service
- TAPS
- Paratransit
- GoPass
- The North Texas Regional Passenger Rail Summit

C. REVIEW AND DISCUSS THE COUNCIL GOALS FOR THE 2013-2015 COUNCIL TERM

Rick Robinson, SDi, reviewed the Council Goals process including the role and rules of Council, the value proposition, vision, goals, and strategies. David Morgan, Deputy City Manager, reviewed the next steps including preparing a draft implementation plan, Council approval, the implementation of

strategies by Staff to achieve Council goals, and the process of monitoring and refining for effectiveness. The Council Goals are attached to these Minutes as *Exhibit A*.

D. REPORT ON ITEMS OF COMMUNITY INTEREST

Councilmember Solomon thanked the City and Staff for their support of the successful Excellence in Education Run which had 600 runners this year.

The Work Session was recessed at 7:30 for the Regular Meeting and reconvened following the Regular Meeting at 7:49 p.m.

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

1. INVOCATION – KENDAL HARTLEY

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – KENDAL HARTLEY

3. MINUTES OF THE OCTOBER 26, 2013, OCTOBER 28, 2013, AND NOVEMBER 4, 2013 MEETINGS

Council Action

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

4. VISITORS

Ms. Diane Lauder addressed Council regarding the planting of trees in medians on Renner Road between Plano Road and Jupiter Road. She also thanked Council for the quick response to getting the fence painted at the Fairways of Sherrill Park.

5. CONSENT AGENDA:

A. ADOPTION OF THE FOLLOWING ORDINANCES:

- 1. ORDINANCE NO. 4030, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM LR-M (1) LOCAL RETAIL WITH SPECIAL CONDITIONS TO LR-M (1) LOCAL RETAIL WITH AMENDED SPECIAL CONDITIONS AND TO GRANT A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE ON A 2.1-ACRE TRACT ZONED LR-M(1) LOCAL RETAIL, LOCATED AT 350 S. PLANO ROAD, RICHARDSON, TEXAS.**
- 2. ORDINANCE NO. 4031, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A BASKETBALL SKILLS GYM WITH SPECIAL CONDITIONS ON AN 8.3-ACRE TRACT ZONED I-M(1) INDUSTRIAL AND I-FP(2) INDUSTRIAL, LOCATED AT 850 N. DOROTHY DRIVE, RICHARDSON, TEXAS.**

B. CONSIDER THE FOLLOWING RESOLUTIONS:

1. **RESOLUTION NO. 13-22, CASTING ITS VOTE FOR A MEMBER OF THE BOARD OF DIRECTORS OF THE CENTRAL APPRAISAL DISTRICT OF COLLIN COUNTY.**
2. **RESOLUTION NO. 13-23, CASTING ITS VOTE FOR THE FOURTH MEMBER OF THE BOARD OF DIRECTORS OF THE DALLAS CENTRAL APPRAISAL DISTRICT.**
3. **RESOLUTION NO. 13-24, ADOPTING THE CITY OF RICHARDSON INVESTMENT POLICY, DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE CITY AND THAT THE POLICY RECORDS ANY CHANGES TO EITHER THE INVESTMENT POLICY OR INVESTMENT STRATEGIES.**
4. **RESOLUTION NO. 13-25, APPROVING AND AUTHORIZING EXECUTION OF AN INVESTMENT AGREEMENT FOR PARTICIPATION IN THE LONE STAR INVESTMENT POOL, DESIGNATING THE POOL AS AN AGENCY AND INSTRUMENTALITY, APPROVING INVESTMENT POLICIES OF THE POOL, APPOINTING AUTHORIZED REPRESENTATIVES, AND DESIGNATING INVESTMENT OFFICERS.**
5. **RESOLUTION NO. 13-26, AMENDING THE DESIGNATED AUTHORIZED REPRESENTATIVES FOR TEXPOOL INVESTMENTS.**
6. **RESOLUTION NO. 13-27, AUTHORIZING THE CITY OF RICHARDSON TO PARTICIPATE IN THE TEXAS TERM LOCAL GOVERNMENT INVESTMENT POOL.**
7. **RESOLUTION NO. 13-28, ADOPTING THE CITY OF RICHARDSON CITY COUNCIL STATEMENT OF GOALS.**

C. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. **BID #70-13 – WE RECOMMEND THE AWARD TO ESTRADA CONCRETE COMPANY, LLC, FOR THE 2010 ALLEY REHABILITATION PHASE X (HARNESS/BLAKE/SUTTON) IN THE AMOUNT OF \$310,949.50.**
2. **BID #08-14 – WE REQUEST AUTHORIZATION TO ISSUE PURCHASE ORDER TO RELIABLE CHEVROLET FOR THE CO-OP PURCHASE OF NINE (9) 2014 CHEVROLET PURSUIT RATED POLICE TAHOE'S FOR THE POLICE DEPARTMENT THROUGH THE STATE OF TEXAS CONTRACT #071-072-A1 IN THE AMOUNT OF \$235,423.08.**
3. **BID #09-14 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO DALLAS DODGE FOR THE CO-OP PURCHASE OF TWO (2) 2014 DODGE CHARGER POLICE PURSUIT VEHICLES FOR THE POLICE DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS CONTRACT #VE11-11A IN THE AMOUNT OF \$47,970.**

4. **BID #10-14 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO BOND EQUIPMENT COMPANY, INC., FOR THE CO-OP PURCHASE OF TWO (2) CAB/CHASSIS' FOR THE SOLID WASTE REARLOADER VEHICLES THROUGH THE TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE BUYBOARD CONTRACT #358-10 IN THE AMOUNT OF \$307,306.**

5. **BID #11-14 – WE REQUEST AUTHORIZATION TO ISSUE PURCHASE ORDERS TO EAST TEXAS MACK SALES, LLC, (\$124,846) FOR THE CO-OP PURCHASE OF THE SOLID WASTE DEPARTMENT BABIC ROLL OFF CAB/CHASSIS AND TO B & C BODY COMPANY (\$38,786) FOR THE ROLL OFF BODY THROUGH THE TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE BUYBOARD CONTRACTS #358-10 AND #425-13 FOR A TOTAL EXPENDITURE OF \$163,632.**

Council Action

Councilmember Mitchell requested to remove Item 5B7 from the Consent Agenda to be considered separately. Mr. Mitchell moved to approve the remaining Consent Agenda Items as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

Item 5B7

Council Action

After Council comments on the success of the goal process, Councilmember Mitchell moved to approve Item 5B7 as presented. Mayor Pro Tem Townsend seconded the motion. A vote was taken and passed, 7-0.

The Regular Meeting was adjourned at 7:41 and Council reconvened back into Work Session at 7:49 p.m.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:25 p.m.

MAYOR

ATTEST:

CITY SECRETARY

2013-2015 City Council Statement of Goals

Vision

City of Richardson is a clean, safe, vibrant, and inclusive community in which residents and businesses enjoy a high quality of life and are proud to call “home”

All of our stakeholders enjoy superior, responsive city services. Our accessibility, and the quality and variety of our amenities, recreation opportunities, green spaces, housing options, education opportunities, retail choices, and transportation options are locally and nationally recognized

We have a thriving, diverse business community whose success is supported by a superior infrastructure, access to a talented, well-educated, and engaged workforce, a business-friendly environment, and easy access to the North Texas region

Goals

For Richardson to be a place where people are proud to live, work, and engage in the community

To have stakeholders choose Richardson as the best place to invest

To increase City revenues without raising the tax rate, and to reduce costs while maintaining and enhancing city services

To have clear, easy to understand processes and policies that make it easy to do business with the City

City Council



Laura Maczka
Mayor



Bob Townsend
Mayor Pro Tem



Mark Solomon
Place 2



Scott Dunn
Place 3



Kendal Hartley
Place 4



Paul Voelker
Place 5



Steve Mitchell
Place 6

Strategies

- Enhance the quality of life of our stakeholders
- Attract and retain targeted businesses
- Strengthen property values
- Implement cost reduction strategies
- Increase the sense of community
- Increase private participation and contributions
- Increase the number, quality, and variety of job opportunities throughout the City
- Increase our “Wow Factor”
- Clearly articulate, enhance, and effectively communicate our Brand
- Improve communications
- Attract, develop, and retain quality City employees
- Improve customer experience in interactions with the City
- Enhance Governance
- Appropriate use of technology
- Improve accessibility to the City
- Optimize the use of fees
- Improve documentation, processes, structure, and services



Role of Council



The role of the Council is to develop a long-term vision for the City, to develop policies necessary to achieve the Vision, and to communicate with, seek input from, and be the advocate for, residents, businesses, and other stakeholders.

The Council will provide the direction, trust, and support necessary for the City Manager to implement the operational aspects of our Vision and be positive and resourceful advocates of the City.

Rules of Engagement



At all times, and in all interactions, the Council will work to find common ground in the best interest of the stakeholders. While executing our duties, we will be:

- Respectful – Of differing ideas and opinions, and other people’s time
- Thoughtful – We will listen thoroughly and evaluate on merit
- Professional – Punctual, Focused, Present, and Prepared
- Supportive – Of each other, our City, our decisions, and our staff
- Efficient – With City resources, our time, and the time of others

MINUTES
RICHARDSON CITY COUNCIL
MEETING
NOVEMBER 18, 2013 AT 4:00 PM

1. Call to Order

Mayor Maczka called the meeting to order at 4:08 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
Vickie Schmid	Deputy City Secretary

2. Consider appointments and/or reappointments to the Arts Commission, Environmental Advisory Commission, Library Board, Parks and Recreation Commission, Sign Control Board, TIF Zone #2 Board, and the TIF Zone #3 Board.

Council discussed the reappointments for each board and requested that an action item be placed on the next agenda. No action was taken.

3. ADJOURNMENT

With no further business, the meeting was adjourned at 5:07 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION MEETING
NOVEMBER 18, 2013
CITY HALL

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
Vickie Schmid	Deputy City Secretary
Bill Alsup	Director of Health

WORK SESSION – 6:00 PM, RICHARDSON ROOM

A. VISITORS

There were no visitors comments submitted. Members of Girl Scout Troop 8958 were present as visitors to observe how City business is conducted.

B. REVIEW AND DISCUSS THE MUNICIPAL SETTINGS DESIGNATION FOR CARUTH PROERTY

Cliff Miller, Assistant City Manager, reviewed the Municipal Settings Designation process established by the Texas Legislature to recover brownfields for redevelopment. He advised that an ordinance from the City of Richardson and a subsequent resolution from the City of Plano supporting the application for the 54.5 acre Caruth tract are required to finalize the application to TCEQ. Council consensus was to move forward with the ordinance at the next meeting.

B. REVIEW AND DISCUSS ELECTION SIGN REGULATIONS

Don Magner, Assistant City Manager, gave an overview of the new state laws affecting election signage, outlined suggested changes to Code of Ordinance Chapter 13 – Miscellaneous Offenses and Provisions and Chapter 18 – Sign Regulations, and noted that a pro-active ordinance to address new State regulations would allow the City to better address potential issues as they relate to Richardson polling locations before the next uniform election date. It was the consensus of Council that additional information was needed before proceeding with an ordinance.

D. REVIEW AND DISCUSS THE 2013 MOSQUITO CONTROL PROGRAM REVIEW

Bill Alsup, Director of Health, presented a review of the Mosquito Control Program and noted that the following mitigation efforts were undertaken in 2013:

- Increase in public information and outreach
- Increase abatement of areas of standing water
- Surveillance and treatment of storm drain system
- Pesticide resistance testing
- Increase in seasonal surveillance for larvae
- Use of mosquito fish where practical to control larvae
- Fixed trapping sites with weekly trapping
- Spraying targeted areas on consecutive nights when surveillance dictates
- Coordinated efforts with region, DCHHS and partner cities

Mr. Alsup reported that these mitigation efforts had proven successful, citing that the number of West Nile cases in Richardson dropped from 14 human cases (zero deaths) in 2012 to 1 human case (zero deaths) in 2013. He suggested implementing a \$250 administrative fee for stagnant pool abatement. Council directed staff to move forward with an ordinance implementing the \$250 administrative fee.

E. REPORT ON ITEMS OF COMMUNITY INTEREST

Councilmember Solomon noted that Richardson Medical had a successful, sell-out gala and expressed his appreciation for the incredible amount of support shown the hospital.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:38 p.m.

MAYOR

ATTEST:

CITY SECRETARY



City of Richardson
City Council Regular Meeting
Agenda Item Summary



Meeting Date: Monday, November 25, 2013

Agenda Item: Consider appointments to the Arts Commission, Environmental Advisory Commission, Library Board, Parks and Recreation Commission, Sign Control Board, and Tax Increment Finance Zone #2 and #3 Board of Directors.

Staff Resource: Dan Johnson, City Manager

Summary: The City Council met on November 18th to discuss appointments to various boards and commissions. This item is set to provide Council the opportunity to take action regarding appointments.

Board/Commission Action: NA

Action Proposed: Take action making appointments to the Arts Commission, Environmental Advisory Commission, Library Board, Parks and Recreation Commission, Sign Control Board, and Tax Increment Finance Zone #2 and #3 Board of Directors.



MEMO

DATE: November 21, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 13-20 – Brick Row - Townhomes

REQUEST

David Gleeson, L&B Realty Advisors, LLP, representing Centennial Park Richardson, Ltd., is requesting to amend the development rights of the Spring Valley Station District PD on two (2) lots totaling 3.8 acres to increase the number of single-family units and to remove the development rights for multi-family uses from the entirety of the subject properties. The subject property is located on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek.

BACKGROUND

The subject tracts are part of the Spring Valley Station Planned Development District which was adopted in 2004. The majority of the development between Greenville Avenue and Floyd Branch Creek has been developed as townhomes. In 2010, a request was submitted to allow additional apartments on the east side of the creek, but it was denied. The applicant had originally discussed the possibility of requesting additional apartment development rights on the subject properties as part of this request; however, after discussions with existing townhome owners and City staff, the applicant decided to propose the construction of additional single-family units in lieu of multi-family units.

The current PD development rights allow for 150 single-family units in the PD, of which 140 lots are built, under construction, or recently platted. If all thirty (30) units are built on the subject properties, a total of 170 single-family residences would be constructed within the PD, and all of the units would be located east of the creek. Furthermore, the request would remove any future development rights for multi-family uses on the subject properties. The attached maps and land use plan depict the location of these lots.

If the request is approved, all existing and planned residential units on the east side of the creek would be single-family units, with the exception of the portion of the property along Spring Valley Road which would retain development rights to retail/commercial and office uses. If City Council should approve the proposed request, the amending ordinance, Ordinance Number 4032, may also be approved with the same motion.

No written correspondence has been received.

PLAN COMMISSION RECOMMENDATION

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

ATTACHMENTS

CC Public Hearing Notice
City Plan Commission Minutes 11-05-2013
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking West

Brick Row Land Use Plan
Applicant's Statement
Notice of Public Hearing
Notification List
Proposed Ordinance No. 4032 (including amended PD standards)



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: Wednesday, November 6, 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: Friday, November 8, 2013

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, November 25, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-20

A request by David Gleeson, L&B Realty Advisors, LLP, representing Centennial Park Richardson, Ltd., to revise the Spring Valley Station District PD, Ordinance No. 3831, to allow up to 30 single-family residences and remove rights for multi-family units on approximately 3.8 acres of land located on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek. The property is currently zoned PD Planned Development.

ZF 13-21

A request by William S. Dahlstrom, Jackson Walker, L.L.P., representing WC Campbell Business Center LP, for a change in zoning from LR-M(2) Local Retail to PD Planned Development to accommodate a self-service warehouse to be located on approximately 5.3 acres of land located at the northeast quadrant of Campbell Road and Plano Road. The property is currently zoned LR-M(2) Local Retail.

ZF 13-23

A City-initiated amendment to the Comprehensive Zoning Ordinance (Appendix A), Article I, Section 2 (Definitions), by adding the definition of E-Cigarette establishments and by amending Article XXII-A, Section 2 (Special Permits – Use Regulations) to allow E-Cigarette establishments upon approval of a Special Permit in the LR-M(1) and LR-M(2) Local Retail Districts and the C-M Commercial District.

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

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

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – November 5, 2013**

Zoning File 13-20: Consider and take necessary action on a request to revise the Spring Valley Station District Planned Development (PD), Ordinance 3831, to allow up to 30 single family residences and remove the rights for multi-family units on approximately 3.8-acres of land located at the on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek. The property is currently zoned PD Planned Development.

Mr. Shacklett advised the applicant was requesting to allow up to thirty (30) townhomes to be constructed on approximately 3.8 acres located on the north side of Spring Valley Road between Greenville Avenue and the Floyd Branch Creek. He added that the two tracts are currently undeveloped and within the existing Brick Row townhome development.

Mr. Shacklett stated the applicant was also requesting to remove any existing multi-family rights from the subject lots, which would mean that the property on the east side of the creek would be developed a single family townhomes, excluding the portion along Spring Valley which would retain its rights for retail, office, and commercial buildings.

Mr. Shacklett closed his presentation listing the different land use categories allowed within the PD. He added that currently within the PD there are 140 platted townhome lots, 10 shy of the allowed 150 single family residences; however, if the item was approved, there would be a net increase of 20 bringing the total to 170 townhome lots.

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

Mr. David Gleeson, L & B Realty Advisors, 8750 N. Central Expressway, Dallas, Texas, representing Centennial Park Richardson Ltd, stated that at the beginning of the year and just recently, L & B met with the townhome owners and learned they were against any multifamily or condominium units on the east side of the creek, which was why the current application was structured to remove those rights and allow the additional townhome lots. He added that the future of the area zoned for retail along the frontage of Spring Valley Road was in question because of the slow pace of leasing for the retail on the west side of the creek.

Commissioner DePuy stated she liked the proposed plan and asked about the sale activity of the townhomes.

Mr. Gleeson replied that of the current 127 platted lots, there are only nine (9) lots that have not been taken down, but of those that have been taken down, the townhomes are selling at a very quick pace.

Mr. David Conte, 631 Alexandra Avenue, Richardson, Texas, stated he is an owner of one of the existing townhomes in Brick Row and was very much in favor of the proposal and felt the request was much more preferable than apartments or condominiums.

Mr. Kevin Williams, 748 Matthew Place, Richardson, Texas, said he too was a townhome owner and was very happy with the proposed request.

No other comments in favor or opposed were received and Chairman Hand closed the public hearing.

Motion: Commissioner Roland made a motion to recommend approval of Zoning File 13-20 as presented; second by Commissioner Linn.

Chairman Hand commented that over the term of the Brick Row project, there were lessons learned about mixed-use developments and he felt that experience would prove helpful in reviewing future mixed-use zoning cases.

Motion approved 7-0.



Staff Report

TO: City Council

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

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

DATE: November 21, 2013

RE: **Zoning File 13-20:** Brick Row – Townhomes

REQUEST:

Amend the existing development rights of the Spring Valley Station District PD on two lots totaling approximately 3.8 acres (Lot 1B, Block A & Lot 1B, Block B) to increase the number of single-family units and to remove development rights for multi-family uses from the entirety of the 3.8 acres.

APPLICANT / PROPERTY OWNER:

David Gleeson–L&B Realty Advisors, LLP / William L. Fulton–Centennial Park Richardson, Ltd.

EXISTING DEVELOPMENT:

The subject tracts are undeveloped, but located within the mixed-use Brick Row development consisting of townhomes, apartments and retail.

ADJACENT ROADWAYS:

Spring Valley Road: Two-lane, undivided collector with on-street parking; No current traffic counts available.

Greenville Avenue: Four-lane, divided arterial; 14,600 vehicles per day on all lanes, northbound and southbound between Belt Line Road and Spring Valley Road (February 2013).

SURROUNDING LAND USE AND ZONING:

North: Single Family; PD Planned Development

South: Retail/Commercial; PD Planned Development

East: Single Family; PD Planned Development

West: Multi-Family; PD Planned Development

FUTURE LAND USE PLAN:

Transit Village

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

Future Land Uses of Surrounding Area:

North: Transit Village

South: Transit Village

East: Neighborhood Residential & Transit Village

West: Transit Village

EXISTING ZONING:

The subject property is zoned PD Planned Development (Ord. 3831).

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 subject tracts are part of the Spring Valley Station District Planned Development District, which was adopted in 2004. The PD is bisected by the DART Light Rail, and the eastern half (approximately 32 acres) is being developed as a transit-oriented development known as Brick Row. The current PD allows a total of 950 residential units (150 townhomes and 800 multi-family units). The existing apartment buildings include ground floor retail along Spring Valley Road. The portion of the subject properties along Spring Valley Road received concept plan approval in 2008 for a 2-story retail/office building and a 1-story retail building; however, development plans were never submitted, and the property remains undeveloped.

In September 2010, the City Plan Commission considered a request to allow 300 apartments or condominium units rather than just 300 condominium units on the west side of the creek and the subject 3.8 acres located on the east side of the creek, adjacent to the townhomes. Residents who recently purchased townhomes were opposed to apartments located directly to the west of their lots since they were told the proposed development in that location would be condominiums and expressed concern regarding apartments on the east side of the creek. On a vote of 5-2, the

Commission recommended approval of the request subject to the condition that the apartment/condominium unit option only be allowed on the west side of the creek.

In October 2010, the request was considered by the City Council. At that meeting, the applicant stated they were still requesting to allow the 300 apartments or condominiums rather than just 300 condominiums to be allowed on the lots on west side of the creek as well as the east side of the creek. The Council voted unanimously to deny the request without prejudice.

In December 2010, the City Plan Commission considered a revised request for ninety (90) apartment units in lieu of condominium units limited to the west side of the creek. The Commission recommended approval of the request.

In January 2011, the request was considered by the City Council. At that meeting, the Council again denied the request without prejudice. The Council stated they wanted to see several issues addressed before considering granting additional apartment units. The issues included construction delays on Mixed-Use Building A, approval of the park by the City's Parks Department, and leasing of the retail space along Spring Valley in Buildings A and B.

In July 2011, the applicant resubmitted a similar plan to allow up to ninety-five (95) apartments to be constructed on the west side of the creek. They stated that they had addressed the Council's concerns stated in January 2011. During the process, the request was reduced from ninety-five (95) units to seventy-seven (77) units, and the Commission and Council approved the request. Since that time, the seventy-seven (77) units and associated pool/cabana have been constructed.

Request:

The applicant's request is to amend the development rights of the PD to:

- Allow up to thirty (30) single-family units on the subject properties excluding the portion of the property located along Spring Valley Road, and to
- Remove development rights for multi-family uses from the entirety of the 3.8 acres.

The subject properties are located within Mixed Residential Area and Mixed Use Area of the PD. The Mixed Residential Area allows for multi-family uses and single family uses, while the Mixed Use Area allows multi-family uses with ground floor retail/commercial and office uses.

The current PD development rights allow for 150 single-family units in the PD, of which 140 lots are built, under construction or recently platted. If all thirty (30) units are built on the subject properties, a total of 170 single-family residences would be constructed within the PD, and all of the units would be located east of the creek. Furthermore, the request would remove any future development rights for multi-family uses on the subject properties. The attached maps and land use plan depict the location of these lots.

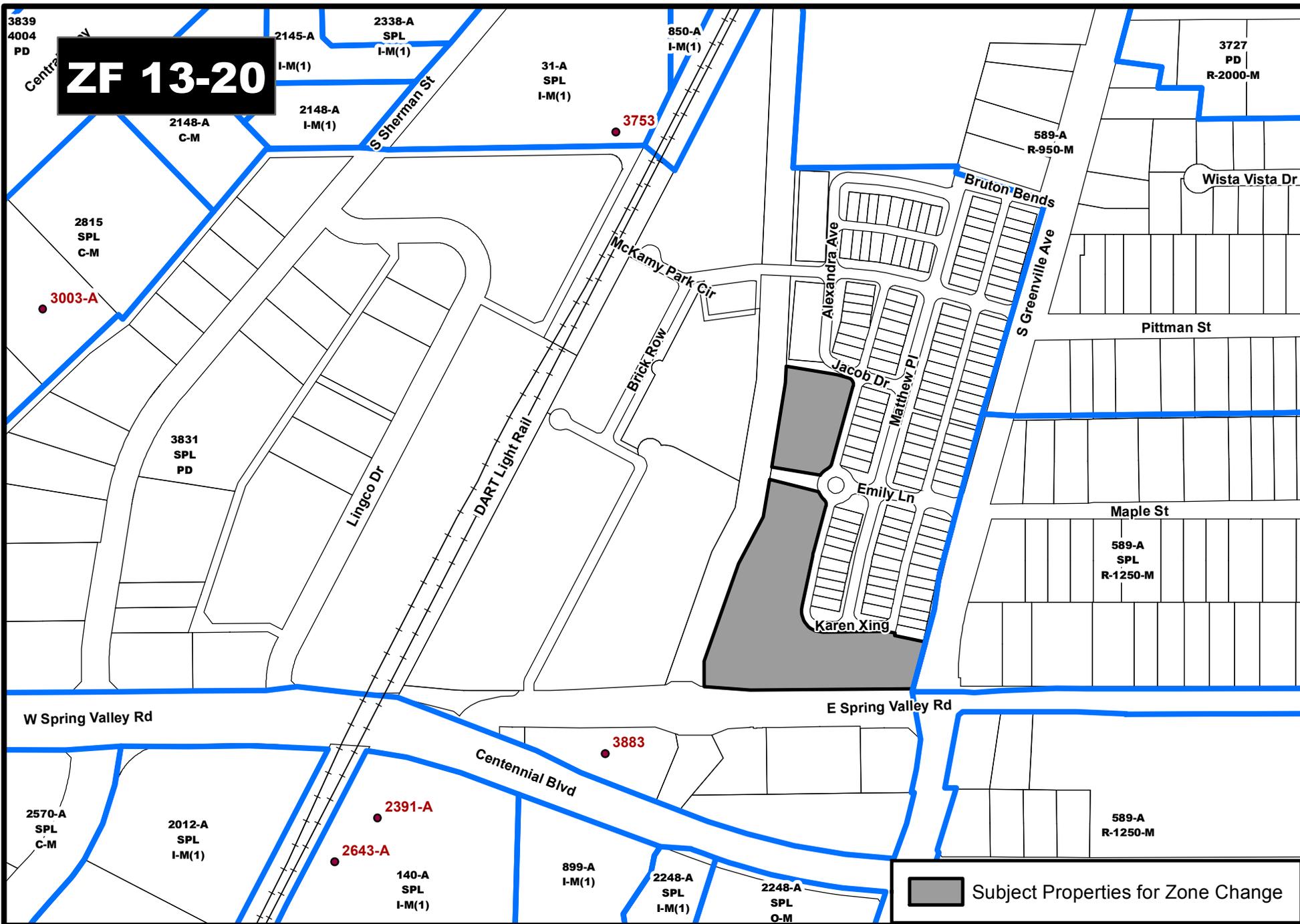
The applicant had originally discussed the possibility of increasing the development rights for apartments to allow for additional apartment construction on the subject properties. However, after discussions with the townhome owners and City staff, the applicant decided to propose the construction of additional single-family residences in lieu of multi-family units.

If the request is approved, all existing and planned residential units on the east side of the creek would be single-family units, with the exception of the portion of the property along Spring Valley Road which would retain development rights to retail/commercial and office uses.

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

Motion: On November 5, 2013, the City Plan Commission recommended approval of the request as presented on a vote of 7-0 subject to the following special conditions:

1. A maximum of thirty (30) single-family residences shall be allowed to be constructed on the subject properties, excluding the portion of the property located within the “Mixed-Use Area” in Ordinance Number 3831, Section 3 – Land Use Plan.
2. Any multi-family residential construction after date of passage of this ordinance shall be prohibited on the subject properties.
3. The total allowable development rights for single-family residences in the Spring Valley Station District shall not exceed 170 units.



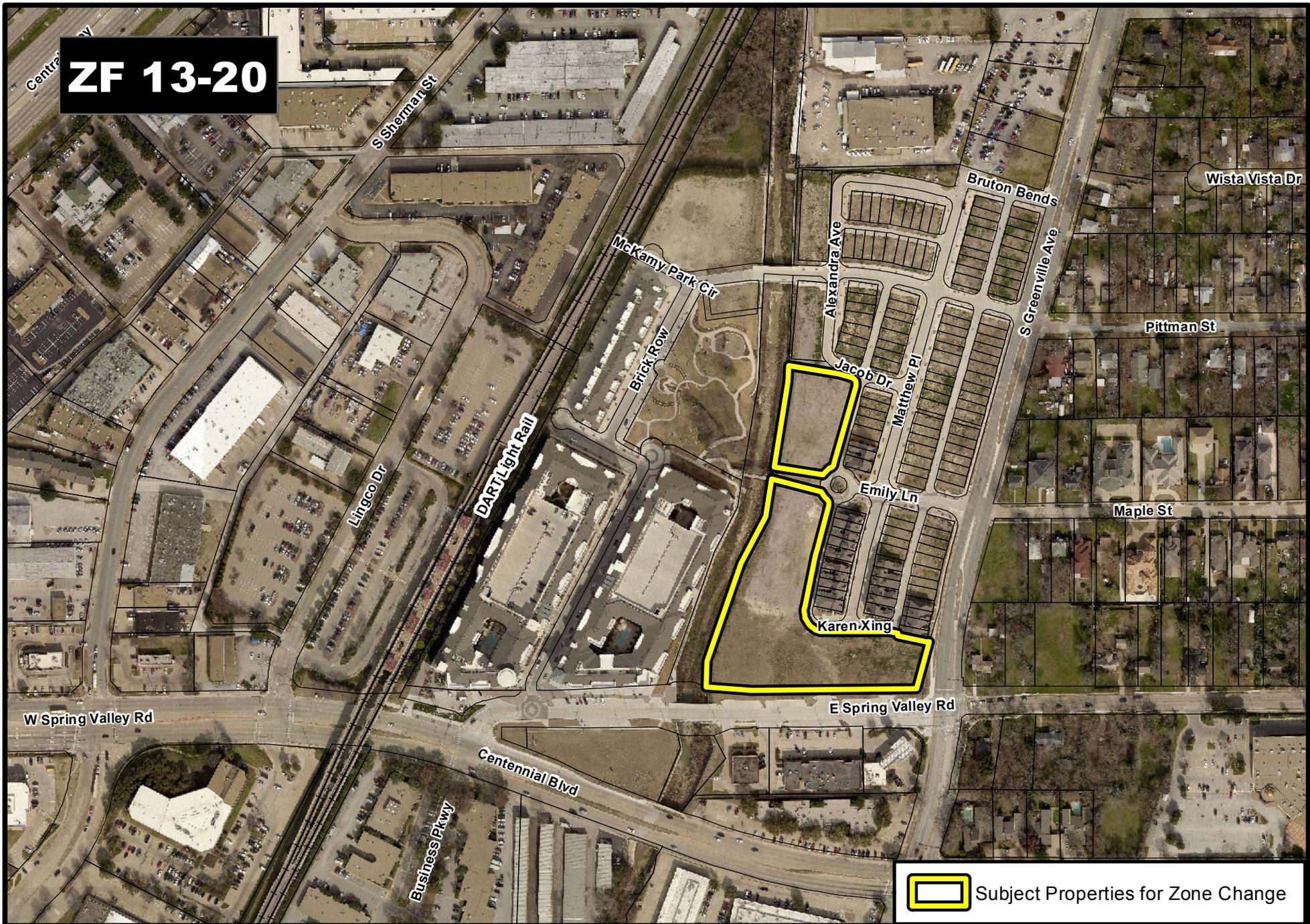
ZF 13-20 Zoning Map

Updated By: shacklett, Update Date: October 21, 2013
 File: DSI\Mapping\Cases\Z\2013\ZF1320\ZF1320 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 13-20



ZF 13-20 Aerial Map

Updated By: shacklett, Update Date: October 21, 2013
File: DSI\Mapping\Cases\Z\2013\ZF1320\ZF1320_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.





**Subject
Properties**



L&B Realty Advisors, LLP.

Brick Row

Oblique Aerial Looking West

Print #130430649

Date: 04/30/13

Lat/Lon: 32.94111 -96.736009



Aerial Photography, Inc. 954-568-0484

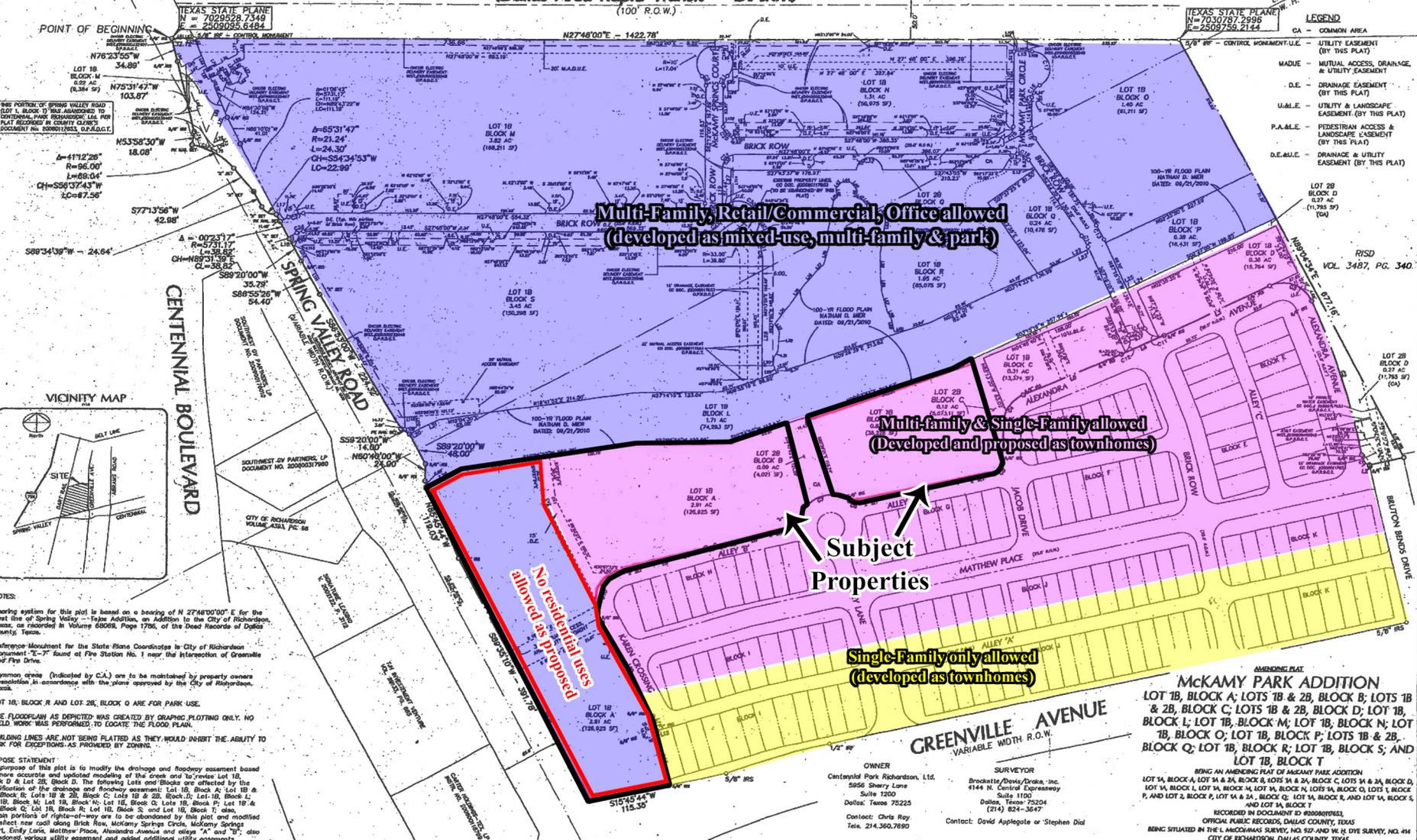
LOT 1, BLOCK "C"
LING EXPRESSWAY
CENTER
VOL. 41, PG. 139

ALL EASEMENTS SHOWN ARE TO BE DEDICATED WITH THE
PLANS OF THIS PLAT UNLESS OTHERWISE DENOTED WITH
COUNTY CLERK'S RECORDING INFORMATION

LOT 2, BLOCK "C"
LING EXPRESSWAY
CENTER
VOL. 41, PG. 139

McCOMMAS SURVEY ABSTRACT NO. 1
L. McCOMMAS SURVEY ABSTRACT NO. 1
W. H. DYE SURVEY

(Dallas Area Rapid Transit ~ DART.)
(100' R.O.W.)



**Multi-Family, Retail/Commercial, Office allowed
(developed as mixed-use, multi-family & park)**

**Multi-family & Single-Family allowed
(Developed and proposed as townhomes)**

**Subject
Properties**

**No residential uses
allowed as proposed**

**Single-Family only allowed
(developed as townhomes)**

McKAMY PARK ADDITION
LOT 1B, BLOCK A; LOTS 1B & 2B, BLOCK B; LOTS 1B & 2B, BLOCK C; LOTS 1B & 2B, BLOCK D; LOT 1B, BLOCK E; LOT 1B, BLOCK M; LOT 1B, BLOCK N; LOT 1B, BLOCK O; LOT 1B, BLOCK P; LOT 1B, BLOCK Q; LOT 1B, BLOCK R; LOT 1B, BLOCK S; AND LOT 1B, BLOCK T

Graphic Scale 1"=80'

POINT OF BEGINNING
TEXAS STATE PLANE
N=7029528.7349
E=2509285.8484

LOT 1B BLOCK M
6.29 AC
(8,34 SF)

LOT 1B BLOCK N
1.83 AC
(2,579 SF)

LOT 1B BLOCK O
1.49 AC
(2,111 SF)

LOT 1B BLOCK P
6.28 AC
(8,631 SF)

LOT 1B BLOCK Q
1.49 AC
(2,111 SF)

LOT 1B BLOCK R
1.95 AC
(2,700 SF)

LOT 1B BLOCK S
3.45 AC
(4,786 SF)

LOT 1B BLOCK T
1.21 AC
(1,653 SF)

LOT 1B BLOCK U
4.01 AC
(5,431 SF)

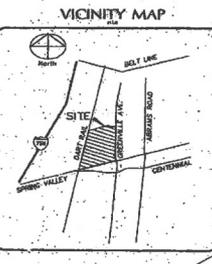
LOT 1B BLOCK V
2.91 AC
(3,983 SF)

LOT 1B BLOCK W
2.91 AC
(3,983 SF)

LOT 1B BLOCK X
2.91 AC
(3,983 SF)

LOT 1B BLOCK Y
2.91 AC
(3,983 SF)

LOT 1B BLOCK Z
2.91 AC
(3,983 SF)



NOTES:
Bearing system for this plat is based on a bearing of N 27°48'00" E for the west line of Spring Valley - Twp Addition, an Addition to the City of Richardson, Texas, as recorded in Volume 6568, Page 1706, of the Deed Records of Dallas County, Texas.

Reference Monument for the State Plane Coordinates is City of Richardson Monument "E-7" found at Fire Station No. 1 near the intersection of Greenville and Fire Drive.

Common covenants (indicated by C.A.) are to be maintained by property owners association in accordance with the plans approved by the City of Richardson, Texas.

*LOT 1B, BLOCK R AND LOT 2B, BLOCK O ARE FOR PARK USE.

THE FLOORPLAN AS DEPICTED WAS CREATED BY GRAPHIC PLATING ONLY. NO FIELD WORK WAS PERFORMED TO LOCATE THE FLOOD PLAN.

BUILDING LINES ARE NOT BEING PLATTED AS THEY WOULD INHIBIT THE ABILITY TO ASK FOR EXCEPTIONS AS PROVIDED BY ZONING.

PURPOSE STATEMENT
The purpose of this plat is to modify the drainage and floodway assessment based on more accurate and updated modeling of the creek and to revise Lot 1B, Block D & Lot 2B, Block D. The following Lots and Blocks are affected by the modification of the drainage and floodway assessment: Lot 1B, Block A; Lot 1B & 2B, Block B; Lot 1B & 2B, Block C; Lot 1B & 2B, Block D; Lot 1B, Block E; Lot 1B, Block M; Lot 1B, Block N; Lot 1B, Block O; Lot 1B, Block P; Lot 1B & 2B, Block Q; Lot 1B, Block R; Lot 1B, Block S; and Lot 1B, Block T. Also certain portions of rights-of-way are to be abandoned by this plat and modified to reflect new road along Brick Row, McKamy Springs Circle, McKamy Springs Court, Emily Lane, Matthew Place, Alexandra Avenue and alleys "A" and "B", also abandoned various utility easement and added additional utility easements.

OWNER
Centennial Park Richardson, Ltd.
5858 Sherry Lane
Suite 1200
Dallas, Texas 75225
Contact: Chris Roy
Tele. 214.360.7890

SURVEYOR
Brockett/Davis/Drake, Inc.
4144 N. Central Expressway
Suite 1100
Dallas, Texas 75204
(214) 824-3647
Contact: David Applegate or Stephen Dial

RECORDING INFORMATION
RECORDING IN DOCUMENT ID #2008090553,
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
BEING SITUATED IN THE L. McCOMMAS SURVEY, NO. 92 AND W. H. DYE SURVEY, NO. 14
CITY OF RICHARDSON, DALLAS COUNTY, TEXAS
Date: JUNE, 2011 Job No. C07181

ZF 13-20 Applicant's Statement

The land that is the subject of this application has been zoned for multifamily use since November, 2006. However, this use had various restrictions placed on it, two of which were (1) the multifamily units had to be "condominiums" and (2) all parking had to be "concealed."

Almost three years ago, the Owner submitted an application to remove the two above restrictions that would have thereby allowed for (1) rental apartments to be built and (2) an open-air parking lot. That request was denied.

An application to once again make those same requests was prepared and submitted to the City in October, 2013. Prior to and since that filing, the Applicant held two meetings with groups of Brick Row townhouse owners and also had exchanges with various City Council members on this topic. Having received considerable negative feedback, the Applicant had discussions with the Owner and it was decided to revise the application to the current version—which simply requests amending the PD Ordinance to increase the housing unit allocation for "single family," which includes townhouses and patio homes, from 150 units to 170 units so that the two subject parcels can be platted into townhouse and/or patio home lots.



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

PD REVISIONS

File No./Name: ZF 13-20 / Brick Row
Property Owner: William L. Fulton / Centennial Park Richardson, Ltd.
Applicant: David Gleeson / L&B Realty Advisors, LLP
Location: North side of Spring Valley Road, bounded by Greenville Avenue on the east and Floyd Branch Creek on the west (See map on reverse side)
Current Zoning: PD Planned Development
Request: A request by David Gleeson, L&B Realty Advisors, LLP, representing Centennial Park Richardson, Ltd., to revise the Spring Valley Station District PD, Ordinance No. 3831, to allow up to 30 single-family residences and remove the rights for multi-family units on approximately 3.8 acres of land located on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek. The property is currently zoned PD Planned Development.

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

TUESDAY, NOVEMBER 5, 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 13-20.

Date Posted and Mailed: 10/25/2013

ABDUL RAHMAN FAMILY TRUST
752 MATTHEW PL
RICHARDSON, TX 75081-5076

ALAMGIR NUSRAT T
606 OLYMPIC
RICHARDSON, TX 75081-5158

BAYAN WALID
18 DUNROBIN
GARLAND, TX 75044-2722

BRADLEY MICHAEL
756 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

BRICK ROW APARTMENTS LLC
ATTN: DAVID W GLEESON
8750 N CENTRAL EXPWY STE 80
DALLAS, TX 75231

BROWN FREDDIE & REGINA
627 MATTHEW PL
RICHARDSON, TX 75081-5074

CB JENI BRICK ROW TOWNHOMES LLC
2805 N DALLAS PKY STE 690
PLANO, TX 75093

CB JENI BROCK ROW TOWNHOMES LLC
2805 N DALLAS PKWY STE 690
PLANO, TX 75093-8709

CENTENNIAL PK RICHARDSON
5956 SHERRY LN STE 1200
DALLAS, TX 75225-8023

CENTENNIAL PK RICHARDSON
2828 ROUTH ST STE 500
DALLAS, TX 75201-1438

EINBINDER JASMINE M & ELLIOTT
672 MATTHEW PL
RICHARDSON, TX 75081-5075

CONTE DAVID ANDREW
631 ALEXANDRA AVE
RICHARDSON, TX 75081-4999

DEBLASI RAYMOND PAUL &
YULING D
736 GREENVILLE AVE
RICHARDSON, TX 75081-4112

FUNAHARA MOMOKO
740 MATTHEW PL
RICHARDSON, TX 75081-5076

ELALAOUI LAHCEN M & NEZHA L
744 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

FARABAUGH CHRIS & MARIE D
640 MATTHEW PL
RICHARDSON, TX 75081-5075

HIGGINS PATRICE DIANE
728 MATTHEW PL
RICHARDSON, TX 75081-5076

HAHN DAVID
7212 THAMES TRL
COLLEYVILLE, TX 76034-7314

HAWKINS SHALAUN J
744 MATTHEW PL
RICHARDSON, TX 75081-5076

KC ARJUN K & MINA
715 MATTHEW PL
RICHARDSON, TX 75081-5077

ISLAMIC ASSOCIATION OF
NORTH TEXAS
PO BOX 833010
RICHARDSON, TX 75083-3010

JARODIYA & SONS LLC
1597 BRADFORD TRACE DR
ALLEN, TX 75002-0960

KUPKA ANDREW PATRICK
639 MATTHEW PL
RICHARDSON, TX 75081-5074

KHAN FAIZAN UMAR &
2805 DALLAS PKWY STE 690
PLANO, TX 75093-8709

KHAN MUZAFFAR MAHMUD &
KHAN NAHEED MUZAFFAR
631 MATTHEW PLACE
RICHARDSON, TX 75081-5074

MALHOLTRA REEMA
636 MATTHEW PL
RICHARDSON, TX 75081-5075

LU NANCY
739 MATTHEW PL
RICHARDSON, TX 75081-5077

MAA YANN JIUN
736 MATTHEW PL
RICHARDSON, TX 75081-5076

NATARAJAN BALA
7284 LOWELL WAY
GOLETA, CA 931172845

MOORE JOHN C & AMANDA W &
BILL FRY TRUSTEE ET AL
732 MATTHEW PL
RICHARDSON, TX 75081-5076

NASIR SHARMEEN & MUHAMMAD A
800 RAYEED AVE
RICHARDSON, TX 75081-5194

OWUSU JOVANNA A
735 MATTHEW PL
RICHARDSON, TX 75081-5077

NELSON ROBERT W & MARY H
751 MATTHEW PLACE
RICHARDSON, TX 75081-5077

ODELLL LARRY L & BARBARA J
743 MATTHEW PL
RICHARDSON, TX 75081-5077

SHEKHA SAQIB A & SAMINA S
680 MATTHEW PL
RICHARDSON, TX 75081-5075

RASMUSSEN CARLIE J & SETH
651 MATTHEW PL
RICHARDSON, TX 75081-5074

SANTONICOLA ESPEDITO
747 MATTHEW PL
RICHARDSON, TX 75081-5077

SUAREZ CHERYL KAY
748 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

SIGNATURE LEASING &
MANAGEMENT INC
200 E SPRING VALLEY RD
RICHARDSON, TX 75081-5032

SIMPKINS MICHELLE L
731 MATTHEW PL
RICHARDSON, TX 75081-5077

TJH INVESTMENT VENTURE
PO BOX 260039
PLANO, TX 75026-0039

SYED YASSER & ROMANA
3000 HONOLULU AVE APT 12
LA CRESCENTA, CA 91214-3768

TCG BRICK ROW TRIANGLE LP
15051 PRESTON RD STE 210
DALLAS, TX 75248

TSAI HSIAO CHUN
727 MATTHEW PL
RICHARDSON, TX 75081-5077

TRAN MARTIN NHAT & ANN BUI
676 MATTHEW PL
RICHARDSON, TX 75081-5075

TRUONG SHELLY L
724 MATTHEW PL
RICHARDSON, TX 75081-5076

WILSON JOHN P &
WILSON HSIAO LAN
635 MATTHEW PLACE
RICHARDSON, TX 75081-5074

WASHINGTON ENRIQUE
647 MATTHEW PLACE
RICHARDSON, TX 75081-5074

WILLIAMS KEVIN DUANE
748 MATTHEW PL
RICHARDSON, TX 75081-5076

YOUNG LYNDSLEY M
716 MATTHEW PL
RICHARDSON, TX 75081-5076

WORTHY JEFFREY T & MONICA M
752 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

YEE GARY & PAMELA
15611 OYSTER COVE DR
SUGAR LAND, TX 77478-3364

**DAVID GLEESON
L & B REALTY ADVISORS, LLP
8750 N. CENTRAL EXPWY, STE 800
DALLAS, TX 75231**

**CENTENNIAL PARK RICHARDSON, LTD
ATTN: WILLIAM FULTON
8750 N. CENTRAL EXPWY, STE 800
DALLAS, TX 75231**

MAINTENANCE & OPERATIONS
ATTN: MICHAEL LONGANECKER
RICHARDSON ISD
400 S. GREENVILLE AVE
RICHARDSON, TX 75081

SUPERINTENDENT OF SCHOOLS
RICHARDSON ISD
400 S. GREENVILLE AVE
RICHARDSON, TX 75081

**ZF 13-20
Notification List**

ORDINANCE NO. 4032

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY AMENDING THE SPRING VALLEY STATION DISTRICT, ORDINANCE 3831, AS HERETOFORE AMENDED AND RESTATING THE PLANNED DEVELOPMENT FOR TRANSIT-ORIENTED DEVELOPMENT BY AMENDING THE SPRING VALLEY STATION DISTRICT DEVELOPMENT REGULATIONS BY AMENDING TABLE 4.1 BY AMENDING THE DEVELOPMENT RIGHTS TO ALLOW A MAXIMUM OF 170 SINGLE-FAMILY RESIDENCES WITHIN THE PD; AND BY ALLOWING A MAXIMUM OF THIRTY (30) SINGLE-FAMILY RESIDENCES AND BY AMENDING SECTION 3 LAND USE PLAN SUBSECTION b(1) PROHIBITING MULTI-FAMILY RESIDENTIAL CONSTRUCTION ON LOT 1B, BLOCK A AND LOT 1B, BLOCK B OF THE MCKAMY PARK ADDITION AS DESCRIBED IN EXHIBITS “A-1” AND “A-2”; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO-THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 13-20).

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 amend the Spring Valley Station District, Ordinance 3831, as heretofore amended and restating the Planned Development and the Spring Valley Station District Development Regulations by amending table 4.1 by amending the development rights to allow a maximum of 170 single-family residences within the PD and by allowing a maximum of thirty (30) single-family residences, and by amending section 3 Land Use Plan subsection (b)(1) prohibiting multi-family residential

construction on Lot 1B, Block A and Lot 1B, Block B of the McKamy Park Addition as described in Exhibits “A-1” and Exhibit “A-2” and made a part hereof for all purposes.

SECTION 2. That the Spring Valley Station District shall be used and developed in accordance with the revised Spring Valley Station District Development Regulations attached hereto as Exhibit “B” and incorporated herein for all purposes.

SECTION 3. That the above-described tract of land shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, as heretofore amended, and 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) 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 25th day of November 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:11-14-13:TM 64590)

CITY SECRETARY

EXHIBIT A-1
LEGAL DESCRIPTION
ZF 13-20

Being a 2.91-acre lot platted as Lot 1B, Block A, McKamy Park Addition, an addition to the City of Richardson, Dallas County, Texas, as recorded in Document No. 201100175003, Official Public Records of Dallas County, Texas.

EXHIBIT A-2
LEGAL DESCRIPTION
ZF 13-20

Being a 0.83-acre lot platted as Lot 1B, Block B, McKamy Park Addition, an addition to the City of Richardson, Dallas County, Texas, as recorded in Document No. 201100175003, Official Public Records of Dallas County, Texas.

Spring Valley Station District Development Regulations

(Exhibit C)



Adopted:

August 18, 2004 (Ordinance No. 3478)

Amended:

November 13, 2006 (Ordinance No. 3575)

January 8, 2007 (Ordinance No. 3588)

August 8, 2011 (Ordinance No. 3831)

November 25, 2013 (Ordinance No. 4032)

Table of Contents

1.	General Provisions.....	1
2.	Definitions	5
3.	Use Regulations	11
4.	Development Rights	17
5.	Non-residential, multi-family, and mixed-use buildings.....	19
6.	Townhome residential	32
7.	Patio home residential.....	37
8.	Single-family home residential.....	42
9.	Open space.....	47
10.	Access and Parking.....	49
11.	Signs.....	55
12.	Exceptions, Special Permits, and Amendments	64
13.	Development Review.....	65

1. General Provisions

Purpose and Intent

The Spring Valley Station District

Light rail transit has brought a new dimension to city planning, transit-oriented development, where all elements of development—uses, development rights, building regulations, area regulations, open space, parking, and signs—are regulated with the goal of supporting light rail ridership and creating a cohesive mixed-use district. The Spring Valley Station District (the District) surrounds the City of Richardson’s Spring Valley DART Light Rail Station and is comprised of the Core Area and the Interface Areas. The Core Area includes the parcels closest to the Spring Valley Station whose development potential is affected by their proximity to the station. The Interface Areas are transition areas between the Core Area and the surrounding City.

New development within the Core Area is governed by this Planned Development (PD) ordinance and the Spring Valley Station District Core Area Design Guidelines. Interface Area standards are detailed in the Spring Valley Station District Interface Area Design Guidelines.

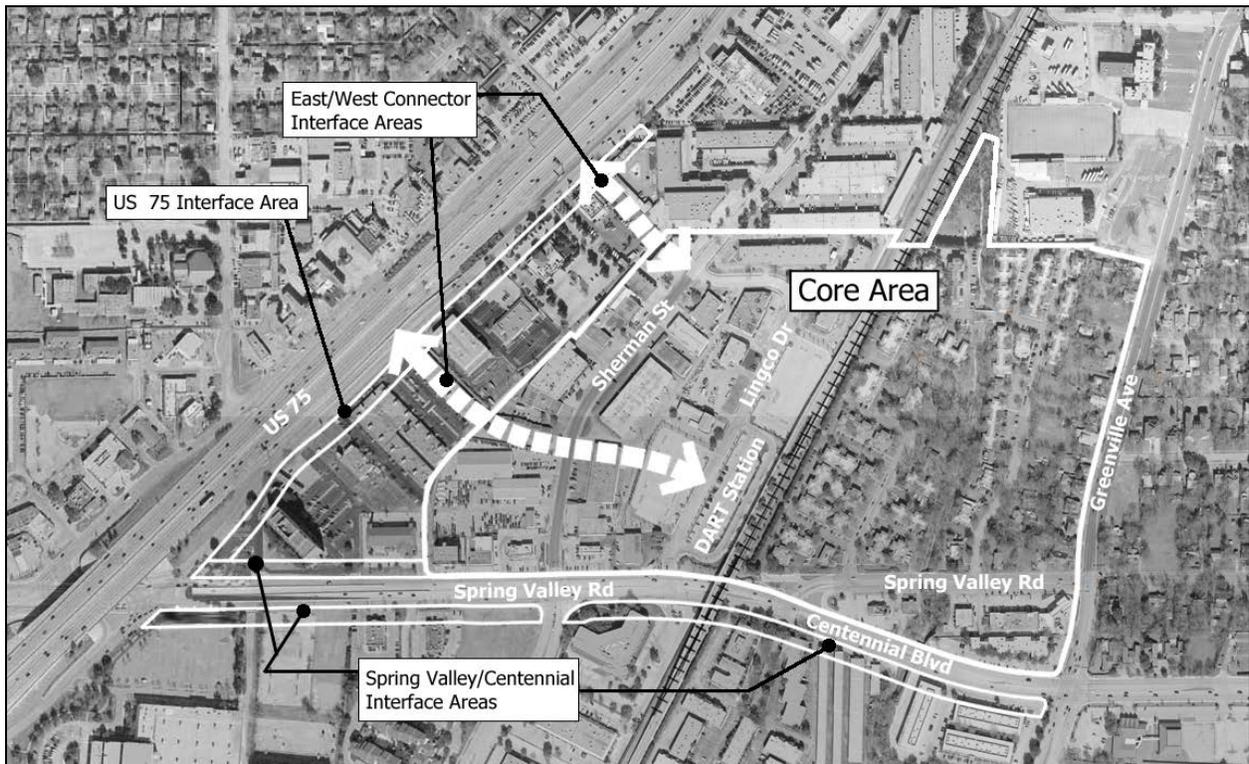


Illustration 1.1: Spring Valley Station District Application Plan

The Core Area PD Ordinance

The purpose of these regulations is to encourage an appropriate mixture and density of uses in the Core Area of the District. Development within the Core Area should promote pedestrian-, bicycle-, and transit-supportive modes of transportation, thereby decreasing automobile dependency and mitigating the effects of traffic congestion and air pollution. The specific objectives of this ordinance are to:

Spring Valley Station District: Development Regulations

- Allow for a mix of uses within the Core Area of the District;
- Achieve a compact pattern of development more conducive to walking and bicycling;
- Encourage uses that promote round-the-clock activity near the station;
- Encourage people to walk, bicycle, or use transit to reach and/or travel within the Spring Valley Station District;
- Provide amenities and design standards that create a comfortable environment for pedestrians; and
- Maintain an adequate level of parking and access for automobiles.

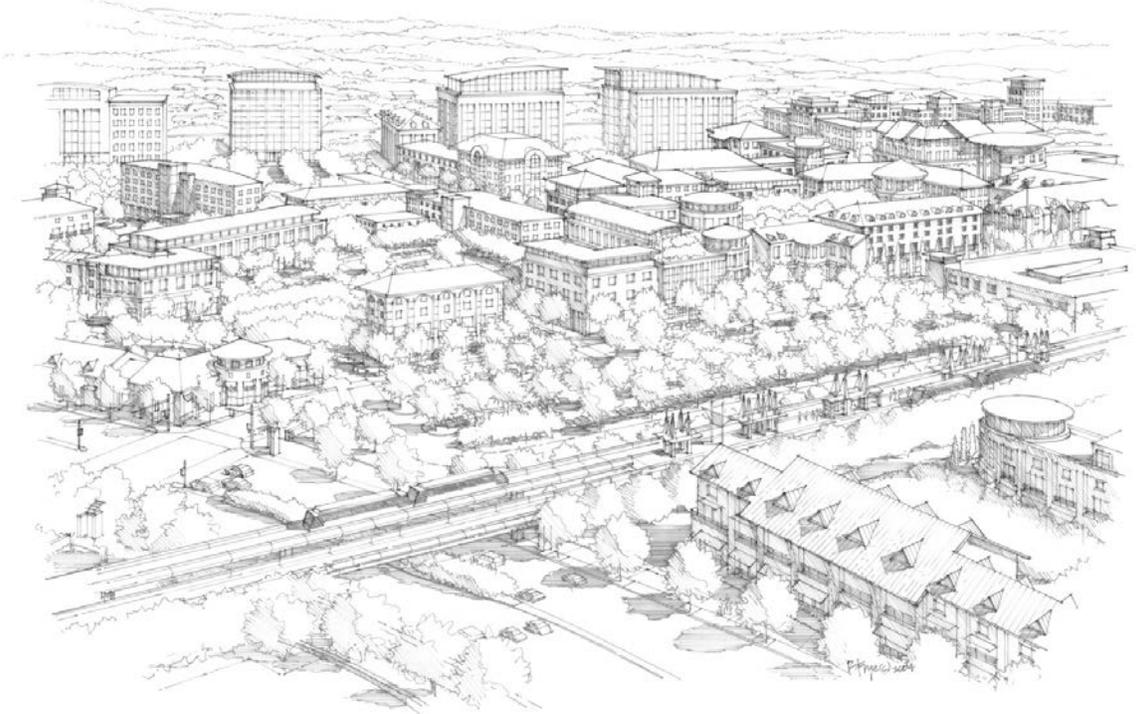


Illustration 1.2: Aerial sketch of the Spring Valley Station District

Boundaries and Application

This ordinance applies to all properties within the Core Area of the Spring Valley Station District. The Core Area boundaries, shown in the Core Area Master Plan, are generally defined by Greenville Avenue on the east; Centennial Boulevard and Spring Valley Road on the south; the alley between US75 and Sherman Street on the west; and the alley located north of the intersection of Sherman Street and Lingco Drive extending to the southern edge of the Richardson Independent School District Administration parcel on the north.

The regulations contained herein apply to property that develops or redevelops through the construction of new buildings or additions to existing buildings. Uses and development lawfully in existence prior to the adoption of this ordinance will be considered legally non-conforming, subject to the provisions of Article XXII of the Comprehensive Zoning Ordinance.

Design Guidelines

Development and redevelopment within the Core Area shall be in general conformance with the *Spring Valley Station District Core Area Design Guidelines*, adopted by City Council Resolution.

In addition, development and redevelopment within the Core Area is encouraged to follow US Green Building Council principles and to seek LEED (Leadership in Energy and Environmental Design) certification.

Core Area Master Plan

The Core Area Master Plan as prepared by the Development Services Department and approved by the City Council upon the recommendation of the City Plan Commission is incorporated herein. The Core Area Master Plan shall include the following elements:

- (a) Existing Development Map
 - (1) Map of the Core Area, including parcel lines, building footprints, parking areas, landscape and open space areas, and notation of approvals and expiration dates for Concept Plans and Development Plans for each parcel within the Core Area.
- (b) Table of Allowable Development Rights as defined herein.
- (c) Land Use Map
 - (1) Map of the Core Area noting where permitted uses are allowed.
- (d) Existing Infrastructure Map
 - (1) Map of existing infrastructure, including but not limited to the location of streets, on-street and off-street parking, open space, water, sewer, and drainage.

The Core Area Master Plan shall be continuously updated by the Development Services Department to show Concept Plan and Development Plan approvals.

Centennial Park

A draft concept plan for the Centennial Park development in the eastern portion of the District is included in this ordinance as Appendix A. Final concept plan approval for the development will follow the procedures outlined in Section 13 herein.

Demolition of existing buildings to clear the Centennial Park site for new development should be done as soon as feasible. All existing buildings shall be demolished at one time, regardless of the construction phasing schedule.

Conformity required

No Concept Plan or Development Plans shall be approved nor building permits issued for development or redevelopment within the Core Area that does not conform to this ordinance, and the City Subdivision Regulations.

In the event of a conflict between any provision of this ordinance and any other ordinance of the City, the provisions of this ordinance shall govern.

Penalty for Violation

- (a) Any person violating any provision of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue to exist shall be deemed to constitute a separate offense.
- (b) Any owner, occupant, tenant, or property manager who fails to maintain property in compliance with this ordinance and the Comprehensive Zoning Ordinance, as amended, shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue to exist shall be deemed to constitute a separate offense.

2. Definitions

For purposes of this ordinance, the definitions listed below shall apply unless the context clearly indicates otherwise. Terms not defined herein may be defined in the Comprehensive Zoning Ordinance.

Aesthetic—elements in the natural or built environment that are pleasing to the eye.

Amendment—a revision, change, addition, or deletion in the text of this ordinance.

Amenity—a natural or man-made feature that enhances the aesthetic quality or visual appearance, or makes more attractive or satisfying, a particular property, place, or area.

Amenity zone—the area between the back of the curblines and the sidewalk where street trees and street furnishings are located.

Apartment—a multi-family structure containing three or more dwelling units located on a single lot designed to be occupied by three or more families living independently of one another, excluding hotels or motels, with units being rented or leased by the occupants.

Architectural appendages—eaves, cornices, platforms, porches, or any types of structure attached to and extending from the main building.

Architectural feature—a prominent or significant part or element of a building, structure, or site.

Architectural images—a set of drawings, renderings, and/or photographs that indicate general architectural concepts, treatments, intentions, and character of a project.

Articulation—features that provide architectural detail, differentiation, openings, and characteristics which give variety to a building façade.

Awning—a rooflike cover that is not a permanent, integral element of the building to which it is attached, projecting from the façade of a building for the purpose of shielding a doorway or window from the elements.

Blank façade—a façade devoid of architectural detail, features, differentiation, openings, and lacking characteristics which give variety.

Branching height—the height of the lowest branch of a tree where it overhangs the sidewalk, curb, on-street parking, or street.

Build-to line—the required distance between the back of the predominant curblines and the building façade.

Building code—the building code adopted by the City of Richardson, Texas including any amendments thereto.

Building elevations—scaled two-dimensional drawings of the front, rear, and side of a building showing features, including architectural details, building materials, and relationship of surrounding grade to floor level.

Building height—The overall height of a building as measured from mean level of the ground surrounding the building to (1) the highest point of the roof surface for flat roofs, (2) the deck lines for mansard roofs, and (3) the mean level between eaves and ridge for gable, hip, shed, and gambrel roofs.

Spring Valley Station District: Development Regulations

Bulb-out—a design that increases width of the amenity zone or sidewalk, reducing the street pavement width at street or driveway intersections, or in other areas where on-street parking cannot be or is not provided on a street where on-street parking is generally required.

Canopy—a roof-like structure that is an integral element of a building and extends horizontally more than one foot from the face of a building façade.

Canopy tree—a tree that normally achieves an overall height at maturity of 30 feet or more.

City—the City of Richardson, Texas

Copy—text, logos, characters, symbols or any other portion of a sign that conveys a message or other information.

Combustible material—any material that does not meet the definition of noncombustible materials as set forth in the City building code.

Concept plan—a set of plans, further described herein, showing the general layout of a development, building area, circulation, parking, open space, landscape areas, relationship to adjacent properties, and supporting images, submitted for approval by the City.

Condominium—a building, or group of buildings, in which dwelling units, offices or floor area are owned individually, and the structure, common areas and facilities are held in common ownership by all the owners on a proportional basis.

Core Area—the defined area of transit-oriented development adjacent to the light rail station delineated as such on the Core Area Master Plan and further described herein.

Core Area Master Plan—a series of maps, including but not limited to the delineation of the current conditions, regulations, and development approvals within the Core Area as further defined herein.

Curb cut—an opening along the curb line at which point vehicles may enter or leave the roadway.

Curbline—the predominant back edge of a roadway or paved area, excluding driveways, curb cuts, bulb-outs, and indentations.

Day spa—a facility which provides an integrated combination of fitness, beauty, rejuvenation, and relaxation programs.

Design guidelines—recommendations intended to guide the design of buildings, streets, landscaping, and other elements of the built environment in the city.

Development—the construction, reconstruction, expansion, structural alteration, or relocation of any structure. Minor modifications to an existing property or structure, including routine maintenance, aesthetic enhancements, parking and/or circulation changes, and landscaping enhancements shall be excluded from this definition.

Development plans—a set of detailed plans (plat, site plan, landscape plan, civil engineering plans, etc.), further described herein, that are submitted for approval by the City following approval of the Concept Plan.

Development Rights, Allowable—the sum total of the Available Development Rights and the Existing Development Rights as defined herein.

Development Rights, Available—the sum total of the additional square footage for office and retail/commercial uses, number of screens for movie theaters, number of rooms for hotels, and number of units for multi-family or condominium development allowed to be built within the

Core Area based on a market analysis prepared for the city plus any square footage categorized as Existing Development Rights as defined herein that is demolished and not rebuilt. Available Development Rights shall be accounted for in the table of Allowable Development Rights in the Core Area Master Plan and the total may be amended as prescribed under this ordinance.

Development Rights, Existing—the total square footage for retail/commercial, office and institutional uses, number of screens for movie theaters, number of rooms for hotels, and number of units for multi-family or condominium development approved and/or constructed within the Core Area as of the effective date of this ordinance or as may be amended based on future building demolition, construction, reconstruction, etc.

Drive-through—facilities allowing transactions for goods or services without leaving a motor vehicle.

Easement—a grant of one or more of the property rights by the property to and/or for use by the public, a corporation, or another person or entity.

Effective area—the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines around the graphic elements of a sign.

Erect, building—to construct, place, relocate, enlarge, substantially alter, attach, or suspend, but excluding normal maintenance and refinishing.

Erect, sign—to build, construct, hang, place, relocate, enlarge, substantially alter, attach, suspend, paint, post or display signs on the exterior surface of a building or structure, or interior surface of a window, including signs located interior to a building but readily visible from the exterior but excluding normal maintenance and refinishing.

Exception—an adjustment in the application of specific regulations to an individual parcel, noted on a Concept Plan or Development Plans.

Façade—that portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation but excluding the roof. Where separate faces are oriented in the same direction or in directions within 45 degrees of one another, they are to be considered as part of a single façade. Multiple buildings on the same lot will each be deemed to have separate façades.

Face—the surface or surfaces of a sign upon, against, or through which the message is displayed or illustrated on the sign.

Flags—emblems and insignia of the United States, federal agencies and any state or local governmental body as well as corporate and logo flags, and decorative seasonal displays for holidays which do not contain advertising and are not used as such.

Frontage—the linear edge of a property adjacent to a street.

Home occupation—an occupation that is incidental and secondary to the primary use of the premises as a residence and customarily conducted in a residential dwelling unit by a member of the occupant's family and entirely within the main structure, provided such use is not detrimental or injurious to adjoining property and meets the additional requirements herein.

Indentation—a design that reduces sidewalk width or curb line, extending street pavement width.

Live/work—a building or unit within a building that incorporates both residential and non-residential uses with a stronger emphasis on work activities other than a Home Occupation and meets the additional requirements herein.

Spring Valley Station District: Development Regulations

Masonry construction—exterior walls constructed of brick, concrete, or concrete block in accordance with the Richardson building code, but in no case shall brick be less than three inches in thickness when applied as a veneer, nor shall it be less than the thickness required by the Richardson building code when serving as a structural masonry wall; and in no case shall concrete or concrete block be less than 3-5/8 inches in thickness when serving as a structural masonry wall. As an alternative to the masonry materials described herein, other materials which do not meet the thickness requirements when applied as a veneer, including natural and cast stone, may be utilized so long as the thickness satisfies the structural requirements of the Richardson building code.

Mixed-use—the development of a tract of land, building, or structure that includes multiple uses, including, but not limited to, residential, office, retail, public, or entertainment.

Multi-family residential—a multi-family structure containing three or more dwelling units located on a single lot designed to be occupied by three or more families living independently of one another, excluding hotels or motels. See also *Apartment* and *Condominium*.

Noncombustible material—any material that meets the definition of noncombustible materials as set forth in the City building code.

Nonmasonry construction—exterior walls constructed of materials other than masonry construction that meet the requirements for exterior walls as defined by the Richardson building code.

Open space—an area of land set aside, dedicated, designated, or reserved for public or private use for recreational or amenity activities, including parks, plazas, patios, etc.

Owner—a person claiming, or in whom is vested, the ownership, dominion, or title of real property, including, but not limited to: the holder of fee simple title; the holder of a life estate; the holder of a leasehold estate for an initial term of five years or more; the buyer in a contract for deed; a mortgagee, receiver, executor, or trustee in control of real property; but not including the holder of a leasehold estate or tenancy for an initial term of less than five years.

Parapet—that portion of a building wall or façade that extends above the roof line of the building.

Parking Design Manual—the guidelines for parking lot design adopted by the City.

Parking, off-street—parking located within a development parcel and outside a public right-of-way or street easement.

Parking, on-street—parking located completely or partially within a public right-of-way or street easement.

Parking structure—a parking garage located above ground and/or underground consisting of one or more levels but excluding a parking lot with all spaces at grade level.

Patio home—a single-family detached dwelling on a separate lot with open space on only three sides, with one side wall of the dwelling placed coincident with the side property line.

Person—any individual, corporation, organization, partnership, association, or any other legal entity.

Private open space—an area of land set aside, dedicated, designated, or reserved for private use for recreational activities or other amenities, including parks, plazas, patios, etc. and maintained by the property owner.

Private drive—a means of access and/or routes from a dedicated street to parking spaces, building locations, and other dedicated streets; such means of access and/or routes may include driveways, aisles of parking lots and non-dedicated streets.

Projecting structures—covered structures of a permanent nature which are constructed of approved building material, specifically excluding canvas or fabric material, and where such structures are an integral part of the main building or permanently attached to a main building and do not extend into the amenity zone, such as signs and canopies.

Property manager means a person who, for compensation, has managing control of real property including improvements.

Public open space—an area of land set aside, dedicated, designated, or reserved for public use for recreational activities or other amenities, including parks, plazas, patios, etc. and maintained by the City.

Redevelopment—see *Development*.

Right-of-way—the boundary of public ownership of a street or alley.

Shared parking—parking that is utilized by buildings or tenants on two or more parcels.

Sidewalk—a paved surface intended for pedestrians.

Sign—an outdoor structure, display, light, device, figure, painting, drawing, message, plaque, poster, billboard or other thing that is designed, intended or used to advertise or inform.

Sign, A-frame/sandwich board—a self-supporting “A”-shaped sign with two visible sides.

Sign, address—a sign that lists the number or other location designation assigned to a building or tenant suite.

Sign, awning—any awning containing signage used to identify a business, profession, service, product, or activity conducted, sold or offered on the premises where such sign is located.

Sign, bulletin board—a sign containing information where a portion of such information may be periodically changed, providing that such change shall be effected by the replacement or interchange of letters, numbers, or other graphic symbols by insertion, attachment or similar means. The use of slate, chalkboard, cardboard or similar material with pencil, chalk, crayon or similar types of marking is prohibited on a bulletin board sign.

Sign, construction—a temporary sign providing information about future development or current construction on a site and the parties involved in the project.

Sign, directional—any on-site sign to direct the public to entrances, exits and services relating to the property within the Core Area.

Sign, directory—a sign located at a building entrance listing the names, uses, or locations of the various business or activities conducted within a building, but containing no advertising.

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

Sign, memorial—a sign, tablet, or plaque typically mounted on a building memorializing a person, event, structure, or site.

Sign, monument—any sign mounted to a solid base support at ground level.

Sign, nameplate—a sign, located on the premises, giving the name and/or address of the owner or occupant of a building or premises, usually a single-family dwelling.

Spring Valley Station District: Development Regulations

Sign, political—a sign identifying and urging voter support for a particular election issue, political party, or candidate for public office.

Sign, projecting—any sign, except an awning, that projects perpendicularly from a building and which has one end attached to a building, awning, or permanent structure.

Sign, promotional—an advertising display that is temporary in nature, not permanently attached to the ground or sign surface, and is used for special events, such as, but not limited to, grand openings, seasonal sales, and promotions.

Sign, real estate—a temporary sign that relates to the sale, lease, or rental of property or buildings.

Sign, sandwich board—see *Sign, A-frame*.

Sign, wall—any sign erected flush against an exterior wall, supported by the wall, and having the sign face parallel to the wall or painted directly onto a wall, including neon tubing or other material attached directly to a wall surface when forming a border for the subject matter, or when directing attention to the subject matter or when forming letters, logos, or pictorial designs.

Sign, wayfinding—any sign for a development which provides onsite directions, denotes locations for ingress and egress or prohibits ingress and egress, providing such directional signs do not contain advertising and are not used as such.

Sign, window—any sign, banner, poster, or display located on the internal surface of the window of any establishment for the purpose of advertising services, products or sales available within such establishment or which announces the opening of such establishment.

Single-family residential—see *Patio home*, *Single-family home*, and *Townhome*.

Single-family detached home—a structure containing one dwelling unit, not attached to any other dwelling, entirely surrounded by open space on the same lot and designed exclusively for the use and occupancy of one family.

Slow-burning materials—fire-resistant materials that reduce destruction in the event of a fire.

Street furnishings—elements useful for pedestrian convenience and comfort. Examples are pedestrian lights, benches, newspaper racks, trash receptacles, bollards, planters, tree grates, fences, railings, bicycle racks, mailboxes, fountains, kiosks, and phones.

Street trees—trees that line the street within the required Amenity Zone, typically planted in a linear fashion.

Townhome—a single-family dwelling in a row of at least two attached units, each on its own platted lot and having its own front and rear access to the outside. No unit shall be located over another unit and there shall be no visible separation between walls or roofs of adjoining units. Each unit shall be separated from other units by one or more vertical common firewalls.

Transit-oriented development—development or redevelopment within close proximity to a transit facility (such as a light rail station) and characterized by higher densities than traditional suburban development, a pedestrian orientation, and a mix of uses, which may include retail, office, residential, and/or entertainment.

Unobstructed sidewalk—a paved area parallel to and usually separated from the street, used as a pedestrian walkway and clear of objects, such as signs, furniture, outdoor seating, etc.

Yard—the area located between the required Amenity Zone and any adjacent building, structure, or surface parking lot.

3. Use Regulations

Permitted uses

In the Spring Valley Station District Core Area, no land shall be used and no buildings shall be erected for or converted to any use other than the uses set forth below. The Core Area Master Plan shall designate where each use type is allowed within the Core Area.

(a) Retail/commercial uses.

The following retail/commercial uses shall be permitted in mixed-use buildings or free-standing buildings subject to the limitations noted herein. No drive-through facilities shall be permitted, except by Special Permit within the portion of the Centennial Triangle Area west of the creek. No outside storage of goods shall be allowed.

- (1) Antique shop
- (2) Art gallery
- (3) Bakery, retail sales only
- (4) Barber, beauty salon, or day spa
- (5) Book, card, music, or stationery store
- (6) Camera and photographic supply shop
- (7) Clothing or apparel store
- (8) Convenience store
- (9) Department store
- (10) Drugstore or pharmacy
- (11) Fabric store
- (12) Fine arts studio
- (13) Florist
- (14) Furniture, home furnishings, and appliance store
- (15) Grocery store
- (16) Hardware store
- (17) Health club or studio
- (18) Hotel—full service
- (19) Jewelry store
- (20) Laundry/dry cleaning pick-up station, no on-site cleaning permitted
- (21) Mailing service
- (22) Martial arts school
- (24) Musical instrument sales and repair
- (25) Office furniture, equipment, and supply store
- (26) Pet sales and grooming subject to the supplemental regulations contained in Article XXII-E of the Comprehensive Zoning Ordinance

Spring Valley Station District: Development Regulations

- (27) Photography or art studio
- (28) Print shop—minor
- (29) Repair shop—household items
- (30) Repair shop—personal items
- (31) Restaurant
- (32) Sporting goods store
- (33) Tailor shop
- (23) Theater, movie
- (34) Theater, performing arts
- (35) Toy or hobby shop
- (36) Video rental store
- (b) Office uses:
 - (1) Bank or financial institution
 - (2) Office
 - (3) Veterinary office subject to the supplemental regulations contained in Article XXII-E of the Comprehensive Zoning Ordinance, except boarding shall be permitted for recovery purposes only
- (c) Live/work uses:
 - (1) Home occupation within any residential structure or unit, subject to the regulations herein
 - (2) Live/work entirely or partially located on the ground floor of mixed-use buildings in non-residential areas, subject to the regulations herein
- (d) Public uses:
 - (1) Public buildings
 - (2) Transit facilities, including light rail stations, bus stops, and transfer facilities
- (e) Other uses:
 - (1) Antenna—mounted, subject to the supplemental regulations of Article XXII-E of the Comprehensive Zoning Ordinance
 - (2) Construction field office
 - (3) Parking lot—accessory
 - (4) Parking lot or garage—commercial off-street
 - (5) Community pool and cabana on Lot 1B, Block Q, McKamy Park Addition only (to be constructed and completed by March 1, 2012).
- (f) Multi-family residential uses:
 - (1) Apartments
 - (2) Condominiums
- (g) Single-family residential uses:

- (1) Townhomes
- (2) Patio homes
- (3) Single-family detached homes

Land Use Plan

The Core Area shall be further divided for the purpose of designating the type and location of the land uses in the Core Area under the categories more fully described above. The Core Area Master Plan, attached hereto and made a part hereof, shall designate the boundaries of each portion of the district as generally described below.

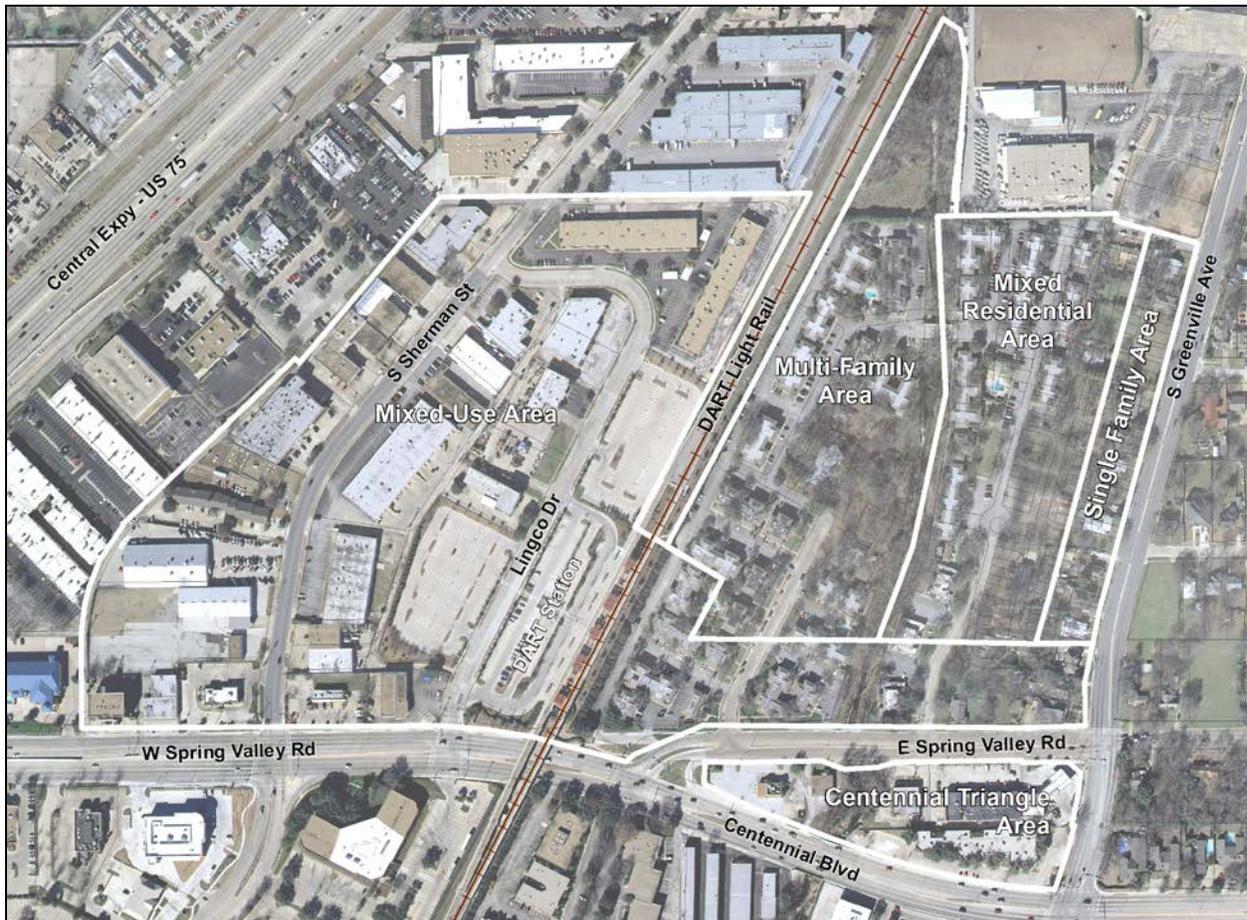


Illustration 3.1: Core Area Land Use Plan

- (a) Single-Family Area
 - (1) In the easternmost portion of the Core Area adjacent to Greenville Avenue, only single-family residential uses as defined herein shall be allowed.
 - (2) The boundaries of the Single-Family Area are generally defined by Greenville Avenue on the east; a line generally parallel to and 200 feet north of the north curblines of Spring Valley Road on the south; a line generally parallel to and 125 feet west of the west curblines of Greenville Avenue on the west; and the southern boundary of the Richardson Independent School District property on the north.

Spring Valley Station District: Development Regulations

- (b) Mixed Residential Area
 - (1) In the portion of the Core Area west of the Single-Family Area, a mix of residential uses shall be allowed, including multi-family and single-family residential uses. However, multi-family residential uses shall be prohibited on Lot 1B, Block A and Lot 1B, Block B of the McKamy Park Addition.
 - (2) The boundaries of the Mixed Residential Area are generally defined by a line parallel to and 125 feet west of the west curblineline of Greenville Avenue on the east; a line generally parallel to and approximately 200 feet north of the north curblineline of Spring Valley Road on the south; Floyd Branch Creek on the west; and the southern boundary of the Richardson Independent School District property on the north.
- (c) Multi-Family Area
 - (1) Between the Mixed Residential Area and the DART right-of-way, multi-family residential uses and a community pool and cabana use (Lot 1B, Block Q, McKamy Park Addition) shall be allowed.
 - (2) The boundaries of the Multi-Family Area are generally defined by a line generally parallel to and 200 feet north of the north curblineline of Spring Valley Road on the south; the DART light rail right-of-way on the west, except within 150 feet of the DART station platform; the southern boundary of the Richardson Independent School District property on the north; and Floyd Branch Creek on the east.
- (d) Centennial Triangle Area
 - (1) In the area south of the Single-Family Area, Mixed Residential Area, and the Multi-Family Area, a mix of uses shall be allowed, including retail/commercial uses, office uses, multi-family residential uses, live/work uses, public uses, and other uses as listed herein. Single-family uses shall not be permitted.
 - (2) The boundaries of the Centennial Triangle Area are Greenville Avenue on the east; Spring Valley Road on the north; and Centennial Boulevard on the south.
- (e) Mixed-Use Area
 - (1) West of the DART right-of-way, a mix of uses shall be allowed, including retail/commercial uses, office uses, multi-family residential uses, live/work uses, public uses and other uses as listed herein. Single-family uses shall not be permitted.
 - (2) East of the DART right-of-way, multi-family residential uses shall be allowed with ground floor retail/commercial and office allowed along the frontage of Spring Valley Road and adjacent to the DART station platform.
 - (3) The boundaries of the Mixed-Use Area west of the DART right-of-way are generally defined by the DART light rail right-of-way on the east; Spring Valley Road on the south; the alley between US75 and Sherman Street on the west; and the alley just north of the intersection of Lingco Drive/Sherman Street intersection on the north. East of the DART right-of-way, the boundaries of the Mixed-Use Area are generally defined as a line parallel to and 125 feet west of the west curblineline of Greenville Avenue on the east; Spring Valley Road on the south; the DART light rail right-of-way on the west, and the edge of the DART station platform on the north. In addition, the Mixed-Use Area east of the DART right-of-way shall have a depth of 150 feet

from the DART station platform and 200 feet from the north curblines of Spring Valley Road.

(f) Abandonment of Spring Valley Road

- (1) The City will consider the abandonment of the right-of-way for Spring Valley Road between Centennial Boulevard and Greenville Avenue if a development proposal is submitted which consolidates the properties north and south of the roadway.
- (2) If the City indicates a willingness to proceed, the abandonment process shall not be initiated until a Concept Plan detailing how the properties will be consolidated, and indicating the proposed land uses for the abandoned right-of-way, has been approved by the City Plan Commission and City Council.
- (3) If the Spring Valley Road right-of-way is not abandoned, the segment of Spring Valley Road between Centennial Boulevard and Greenville Avenue shall be downgraded to one lane in each direction with on-street parking on both sides of the street.

(g) Special permits

Notwithstanding the above, special permit uses allowed in the PD Planned Development district may be requested and approved in accordance with the provisions of Article XXII-A of the Comprehensive Zoning Ordinance.

Home occupation regulations/restrictions

Home occupations shall be permitted subject to the regulations within the CZO.

Live/work regulations/restrictions

Live/work units shall be permitted subject to the following regulations:

- (a) The business portion of the unit shall be located on the ground floor of mixed-use buildings. The living portion of the unit may be located on and/or above the ground floor.
- (b) Shall be conducted entirely within a completely enclosed structure.
- (c) Shall have no outside storage, including on a temporary or overnight basis.
- (d) Not more than one motor vehicle, which indicates, by signage or other means, that it is used in a business may be parked on an adjacent public street, parking lot, or alley.
- (e) Shall not create any condition which is offensive by reason of odor, noise, or manner of operation.
- (f) Shall not create a fire or explosion hazard, or accumulation of pests, rodents, flies or vermin.
- (g) Shall not be detrimental or injurious to adjoining property.
- (h) May have exterior advertisement, sign or display, subject to the sign regulations contained herein.
- (i) May have modification of the structure or activity which indicates from the exterior of the structure that the premises are being used for purposes other than a dwelling unit.
- (j) May employ persons other than members of the immediate family or lawful occupants residing on the premises.

Spring Valley Station District: Development Regulations

- (k) May exhibit or display goods, wares, or merchandise.
- (l) Must include at least one full kitchen, one full bath, and one sleeping area.

Non-conforming structures and uses

Structures and uses that do not conform to the regulations within this ordinance shall be subject to the standard regulations within the CZO.

4. Development Rights

Development Rights

Additional development of various uses within the Core Area shall be limited based on the findings of a market analysis prepared for the City of Richardson. Additional development beyond the existing development within the Core Area upon the effective date of this ordinance shall be limited to the following:

Table 4.1 District Total Development Rights

<i>Land Use</i>	<i>Existing Development</i>	<i>Additional Development</i>	<i>Total Development</i>
(a) Retail/Commercial uses	36,493 SF	120,000 SF	156,493 SF*
(b) Office uses	29,546	350,000 SF	379,546 SF*
(c) Industrial uses (<i>non-conforming</i>)	289,566 SF	0 SF	289,566 SF*
(d) Movie theaters	0 screens	6 screens	6 screens
(e) Institutional	0 SF	No limit	No limit
(f) Hotels	0 rooms	200 rooms	200 rooms
(g) Apartments	337 units	163/240 units	500/577 units
(h) Condominiums	0 units	300/223 units	300/223 units
(i) Single-family residences (includes townhomes, patio homes, and single-family homes)	18 units	152 units	170 units

** Non-conforming Industrial square footage can be redeveloped as Retail/Commercial or Office uses without affecting additional development rights for those uses.*

Table of Development Rights

- (a) The Development Services Department shall prepare a Table of Development Rights.
 - (1) Total Development within the District shall be equal to the sum of Existing Development plus Additional Development Rights, initially based on Table 4.1.
 - (2) The table shall be an element of the Core Area Master Plan as required in Section 1, General Provisions, of this ordinance, and shall be updated as new development projects are approved and/or as existing buildings are demolished.
 - (3) No Concept Plan or Development Plans shall be approved for any development or redevelopment that exceeds the Available Development Rights for the proposed use categories at the time of submittal.
 - (4) The Table shall also track vehicle trips generated by each development, as detailed in the Traffic Impact Analysis required during Concept Plan review.
- (b) As new developments are approved, the total building square footage for retail/commercial, office and institutional uses, and/or the number of movie theater screens, hotel rooms, or

apartment or condominium units shall be added to the Existing Development total and subtracted from the Additional Development total so that there is no net change to the Total Development in the table.

- (c) Because the limits established under the market study govern additional development only, the square footage of retail/commercial, office or institutional buildings and/or the number of movie screens, hotel rooms or apartment or condominium units eliminated through the demolition of existing structures within the Core Area shall be added to the Available Development Rights total as follows.
- (1) The square footage of retail/commercial uses demolished shall be added to the additional retail/commercial development rights.
 - (2) The square footage of office uses demolished shall be added to the additional office development rights.
 - (3) The square footage of institutional uses demolished shall be added to the additional office development rights or retail/commercial development rights or divided between the two.
 - (4) The number of screens in existing movie theaters demolished shall be added to the additional movie theater development rights.
 - (5) The number of rooms in existing hotel/motel buildings demolished shall be added to the additional hotel development rights.
 - (6) The number of units of existing multi-family (apartment or condominium) buildings demolished shall be added to the appropriate additional multi-family (apartment or condominium) development rights.
 - (7) The square footage of industrial uses demolished shall be tracked in a separate category, and the square footage shall be available for any retail/commercial or office use permitted by this ordinance.
- (d) In the event all or any portion of the square footage, movie screens, hotel rooms, or multi-family units of existing buildings or uses demolished are not “recaptured” by a proposed redevelopment, the square footage, movie screens, hotel rooms, or multi-family units shall be added to the Additional Development Rights total in the appropriate category, and shall be available for allocation to development projects within the Core Area.

Amendments to Development Limits

Any increase in the Total Development Rights established herein shall require the amendment of this ordinance, following the procedure outlined in Sec. 13 herein. An application to amend this ordinance to increase the development limits shall include a market analysis prepared by the applicant supporting the proposed increase. Said analysis shall be subject to review by the Development Services Department and/or, at the applicant’s expense, a third-party consultant selected by the City, prior to presentation of the application to the City Plan Commission. The zoning amendment increasing the development limits must be approved by the City Council prior to approval of a Concept Plan for any proposed development that would exceed the limits established herein.

5. Non-residential, multi-family, and mixed-use buildings

Building regulations

Exterior design

- (a) Structures shall have clear or slightly tinted windows. Mirrored or heavily tinted glass is prohibited.
- (b) The primary entry for all buildings and ground floor tenant spaces shall be oriented towards the street. Secondary entrances are encouraged for access to parking facilities and pedestrian walkways.
- (c) When ground floor commercial space is provided in a multi-story mixed-use building, a clear delineation between the ground floor and upper floors shall be made through change of plane, changes in materials, and/or architectural detail.
- (d) Blank façades are prohibited. All exterior walls shall be articulated through the use of architectural design features including but not limited to windows, changes in plane, and in materials.

Exterior building materials

- (a) Exterior walls of buildings and parking structures.
 - (1) The ground floor exterior walls, excluding windows, doors, and other openings, shall be constructed of one hundred percent (100%) masonry construction.
 - (2) Overall, a minimum of eighty-five percent (85%) of said exterior walls, excluding windows, doors, and other openings, shall be of masonry construction.
 - (3) The remainder may be constructed of noncombustible materials including exterior stucco, Class PB Exterior Insulating and Finishing Systems (EIFS), cementitious fiberboard, or other materials approved by the Building Official. EIFS shall be used only for walls, architectural features, and embellishments not subject to pedestrian contact.
 - (4) Windows and glazing shall be limited to a maximum of sixty percent (60%) of each building elevation.
- (b) Exterior walls of courtyards not visible from the street or adjacent properties.
 - (1) The ground floor exterior walls of courtyards, excluding windows, doors, and other openings, shall be constructed of one hundred percent (100%) masonry construction.
 - (2) Exterior walls of courtyards above the ground floor, excluding windows, doors, and other openings, shall be constructed of a minimum of thirty-five percent (35%) masonry construction.
 - (3) The remainder of these courtyard walls may be constructed of noncombustible materials including exterior stucco, Class PB Exterior Insulating and Finishing Systems (EIFS), cementitious fiberboard, or other materials approved by the Building Official. EIFS shall be used only for walls, architectural features, and embellishments not subject to pedestrian contact.

Spring Valley Station District: Development Regulations

- (c) For “chateau,” “mansard,” or other design where the roof serves as an exterior wall, the portion of the roof below the deck line shall be included in the calculation of building materials.
- (d) Unpainted metal, galvanized metal, or metal subject to ordinary rusting shall not be used as a building material. Factory finished metal elements as well as metals that develop an attractive oxidized finish, such as copper or weathering steel, may be used subject to Concept Plan and Development Plans approvals.

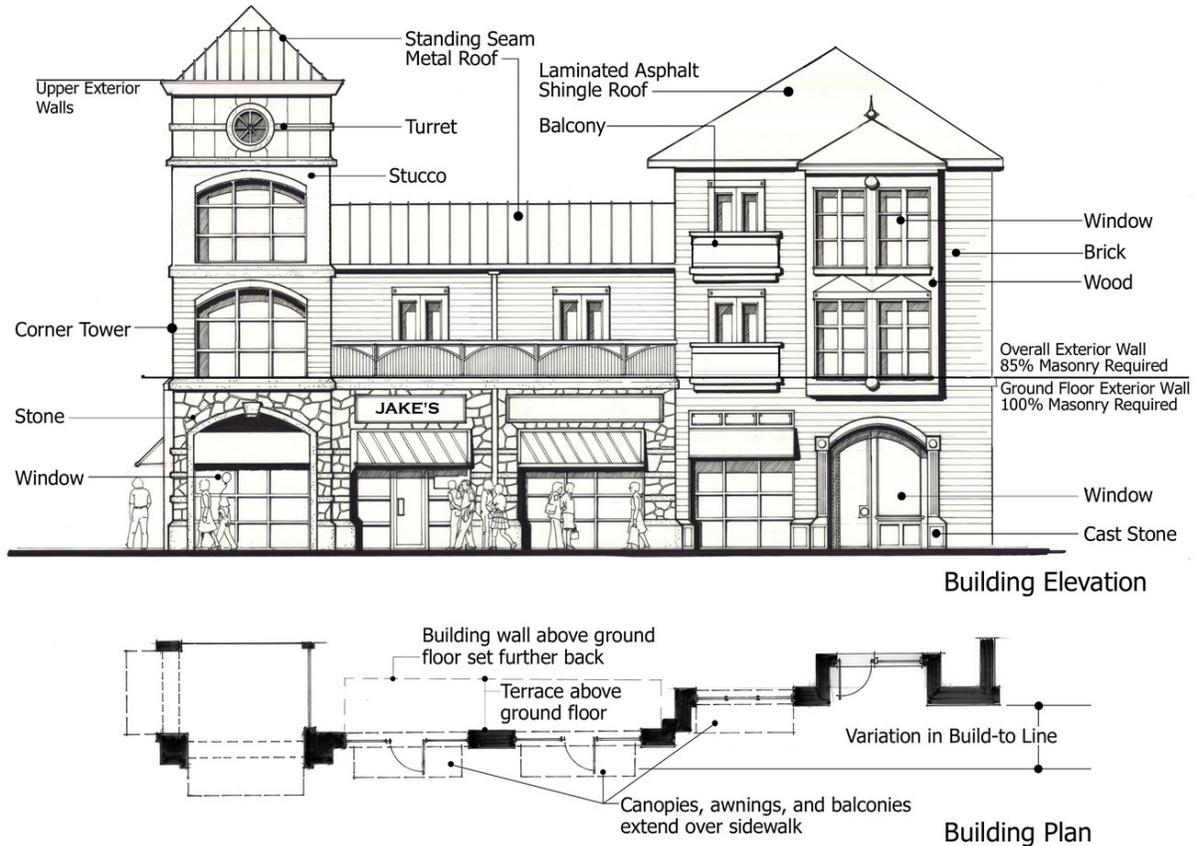


Illustration 5.1: Examples of building materials and architectural articulation

Roof materials

All buildings shall have roof coverings applied in accordance with City building code and the manufacturer’s specifications. The following materials shall be permitted for pitched roofs: slate, concrete or clay roofing tile, copper, factory finished standing-seam metal, laminated asphalt shingles of at least 300 pounds per 100 square feet, or other material approved by the Building Official. Wood shingles are prohibited.

Building height

- (a) Buildings shall be limited to a maximum height of 100 feet and may not exceed six stories in height, with the following exceptions:
 - (1) Buildings located within 250 feet of the west curblines of Greenville Avenue shall be limited to a maximum height of 50 feet and not to exceed three stories in height.

- (2) Buildings located more than 250 feet from the west curblineline of Greenville Avenue and east of Floyd Branch Creek shall be limited to a maximum height of 70 feet and not to exceed five stories in height.
- (b) A parapet wall, turret, spire, dome, chimney, elevator, bulkhead or penthouse, mechanical equipment room, cooling tower, ornamental cupola, standpipe, or similar feature may exceed the maximum height of the building provided that any such feature respects the scale of the building, subject to Concept Plan and Development Plans approvals.

Service areas

- (a) All service areas (loading, ground-mounted mechanical equipment, etc.) shall be screened from the view of adjacent streets or properties by a screening wall equal to the tallest equipment or utility structure being screened, with a minimum height of six (6) feet. The screening wall shall be compatible in material and design to the primary building associated with the service area.
- (b) Wall-mounted equipment, including utility meters, shall be screened from public view with screening walls, cabinets, partitions, or other means, designed to be architecturally compatible with the structure, and painted, finished, or constructed of materials to complement the wall surface.

Roof-mounted equipment

- (a) All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, shall be screened on all sides by use of parapet walls or architecturally compatible rooftop screening elements constructed of materials approved by the building official.
- (b) Roof-mounted equipment shall also be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings, elevated thoroughfare sections, and elevated DART rail sections, and meet the following requirements:
 - (1) The overall screening height shall be at least the height of the tallest element of roof-mounted equipment.
 - (2) The outside of the screening device shall be painted or finished in a similar color to the building façade, trim or roof surface.
 - (3) Roof-mounted equipment and the inside of the screening device shall be painted a color similar to the roof surface in order to minimize the visibility of the equipment and screening device from overhead views.

Residential adjacency

- (a) In the event a building in a non-residential, multi-family, or mixed-use development backs or sides upon a lot designated for single-family detached or patio home residential use, a screening wall not less than six feet in height of clay-fired brick, architectural concrete masonry unit block, stone, or any combination thereof, shall be constructed upon the non-residential, multi-family, or mixed-use property, at a location to be determined upon the approved Concept Plan and Development Plans, to screen the view from the adjacent single-family detached or patio home residential use and to impede vehicular traffic.
- (b) Pedestrian access may be provided at appropriate locations in said screening wall subject to Concept Plan approval.

Spring Valley Station District: Development Regulations

- (c) The screening wall shall be designed and constructed in accordance with plans and specifications approved by the Development Engineer.
- (d) The aesthetic characteristics of the wall, to include color, pattern and texture, shall be reviewed as an element of Development Plans approval.
- (e) Required screening walls shall be completed prior to the issuance of a building permit for the principal structure on the non-residential, multi-family, or mixed-use property.
- (f) No screening wall shall be erected so as to obstruct the vision of motorists at alley, street or drive intersections.

Trash receptacles

In non-residential, multi-family, or mixed-use developments, all trash receptacles shall meet the following criteria:

- (a) A concrete pad of six-inch thick concrete, 3,000 p.s.i. with Number 3 rebar, 24 inches on center, shall be provided for each trash receptacle.
 - (1) Dumpster pads shall be 14 feet in width by 20 feet in length.
 - (2) Compactors shall be 14 feet in width and 37 feet in length.
- (b) All trash receptacles shall be screened from view on three sides by an enclosure not less than six feet in height compatible in material and color to the main structure on the property.
- (c) All trash receptacles oriented perpendicular to the principal means of access to such receptacle shall be located in such a manner as to provide a minimum outside turning radius of 40 feet for the collection vehicle.
- (d) Any trash receptacle not perpendicular to the principal means of access to such receptacle shall be oriented at a 30-degree angle from the fire lane, alley or other means of access.
- (e) Trash receptacles shall conform to City details. Alternative design standards shall be subject to Development Plans approval.

Area regulations

Front build-to line

Non-residential, multi-family, and mixed-use buildings and the elements required between the street and any building, structure, or surface parking lot shall be located within the build-to line in accordance with Table 5-1. Build-to lines shall be measured from the back of the curblines of the lot. On lots with frontage on more than one street, the build-to lines below shall be provided on all street frontages, except for buildings located in the Centennial Triangle Area west of the creek. Said buildings shall be constructed so that the build-to requirements apply along the Spring Valley frontage of the tract.

Street furnishings, where installed, shall be approved by the City prior to installation and shall be maintained by the adjacent property owner.

Spring Valley Station District: Development Regulations

Table 5-1: Front build-to requirements for non-residential, multi-family, and mixed-use buildings.

	On-Street Parking Lane	Amenity Zone	Yard	Min. Build-to Line	Max. Build-to Line
Arterial streets and Greenville Avenue	n/a	10'	20'-24'	30'	34'
All other streets					
with on-street parking	10'	6'	8'-12'	14'	18'
without on-street parking	n/a	16'	8'-12'	24'	28'

(a) On-street parking

- (1) Where feasible, on-street parallel parking shall be provided on all streets except along the arterial sections of Spring Valley and Centennial, and along Greenville Avenue. Angle parking may be requested along Spring Valley Road east of the DART line during Concept Plan and Development Plan review, subject to the approval of the city traffic engineer. Franchised utilities (electric, gas, cable, telephone, etc.) may be located in the area under the on-street parking.

(b) Amenity zone

- (1) An Amenity Zone shall be provided along all street frontages for placement of required street trees and optional street furnishings. Except for street tree wells, the Amenity Zone shall be paved with specialty paving per City details. Nothing shall be placed within the Amenity Zone that obstructs visibility for motorists.
- (2) On sections of non-arterial streets where on-street parking cannot be provided (i.e. at bulb-outs), the Amenity Zone shall increase in depth by 10 feet, and franchised utilities may be located in the area under the expanded Amenity Zone.
- (3) Street trees shall constitute the primary landscaping for the Core Area and shall be planted within the Amenity Zone in accordance with City details and meet the following requirements:
 - (i) Trees shall be selected from the approved Street Tree list contained in the Spring Valley Station Core Area Design Guidelines. Where appropriate, trees other than those in the approved Street Tree list may be used, subject to approval of the Concept Plan and Development Plans;
 - (ii) Trees shall be planted 40 feet on center, except that the spacing may be adjusted as necessary to accommodate access drives, lights, property lines, or other conditions which make it impractical to maintain the required spacing;
 - (iii) Trees shall be placed a minimum of 20 feet from the back of intersecting curbs at street intersections;
 - (iv) Where on-street parking is provided on non-arterial streets and along the arterial sections of Spring Valley Road and Centennial Boulevard, trees shall be planted in the center of the Amenity Zone;
 - (v) In bulb-out areas, trees shall be planted to align with those trees in the Amenity Zone where on-street parking is provided.

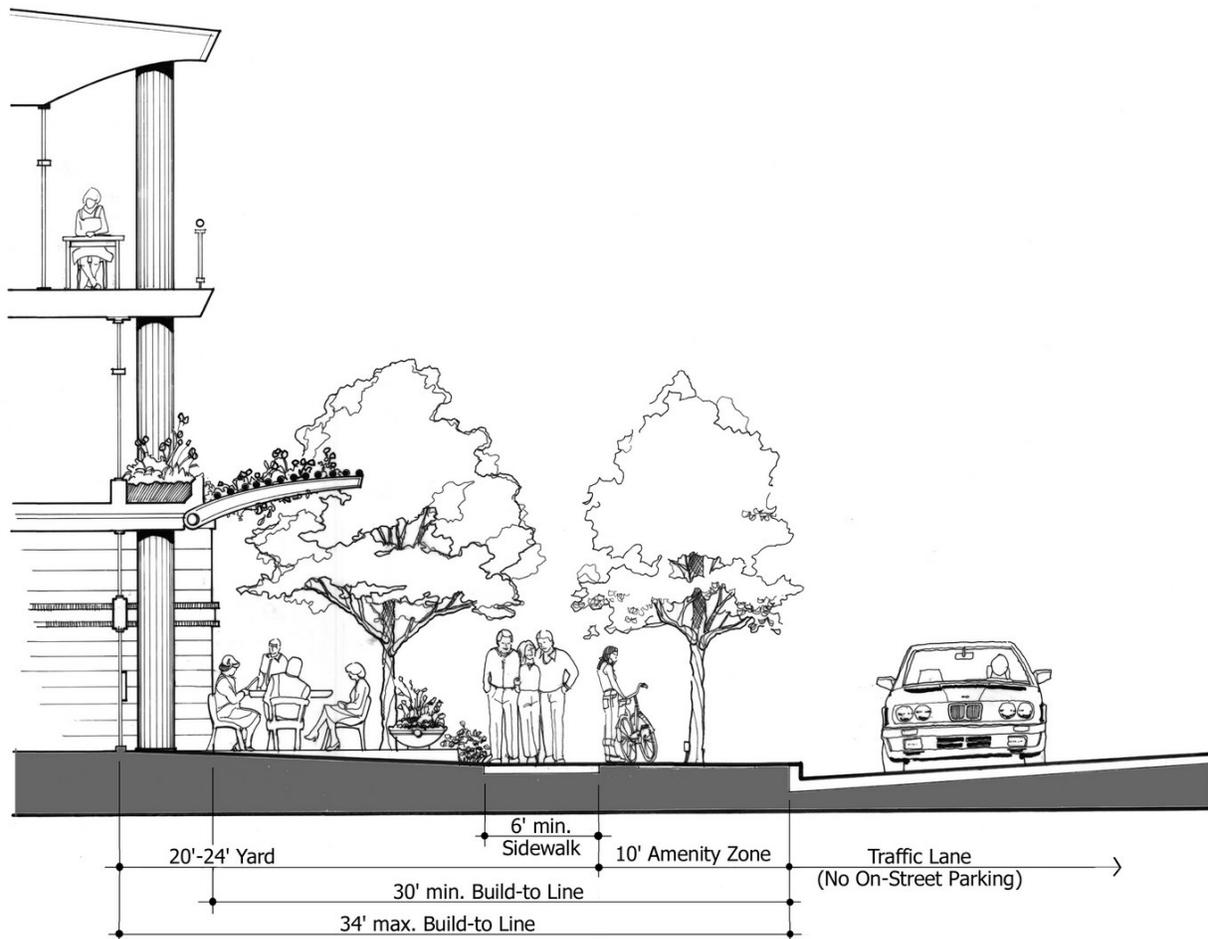


Illustration 5.2: Street section, arterial streets and Greenville Avenue

- (vi) Trees shall be planted within 8-foot x 8-foot tree wells, constructed in accordance with City details. The tree well opening shall be covered with a 6-foot x 6-foot tree grate, also in accordance with City details;
- (vii) Underground bubbler irrigation is required and shall be installed on a zone separate from other landscape areas. Irrigation must be designed to deliver the appropriate amount of water to each tree with minimum waste;
- (viii) Drainage for the tree well must be provided in accordance with City details;
- (ix) Up-lighting and electrical outlets shall be incorporated within the tree well in accordance with City details; and
- (x) Tree branches shall be maintained at no less than 8 feet above the sidewalk and Amenity Zone, and no less than 14 feet above on-street parking spaces or traffic lanes.

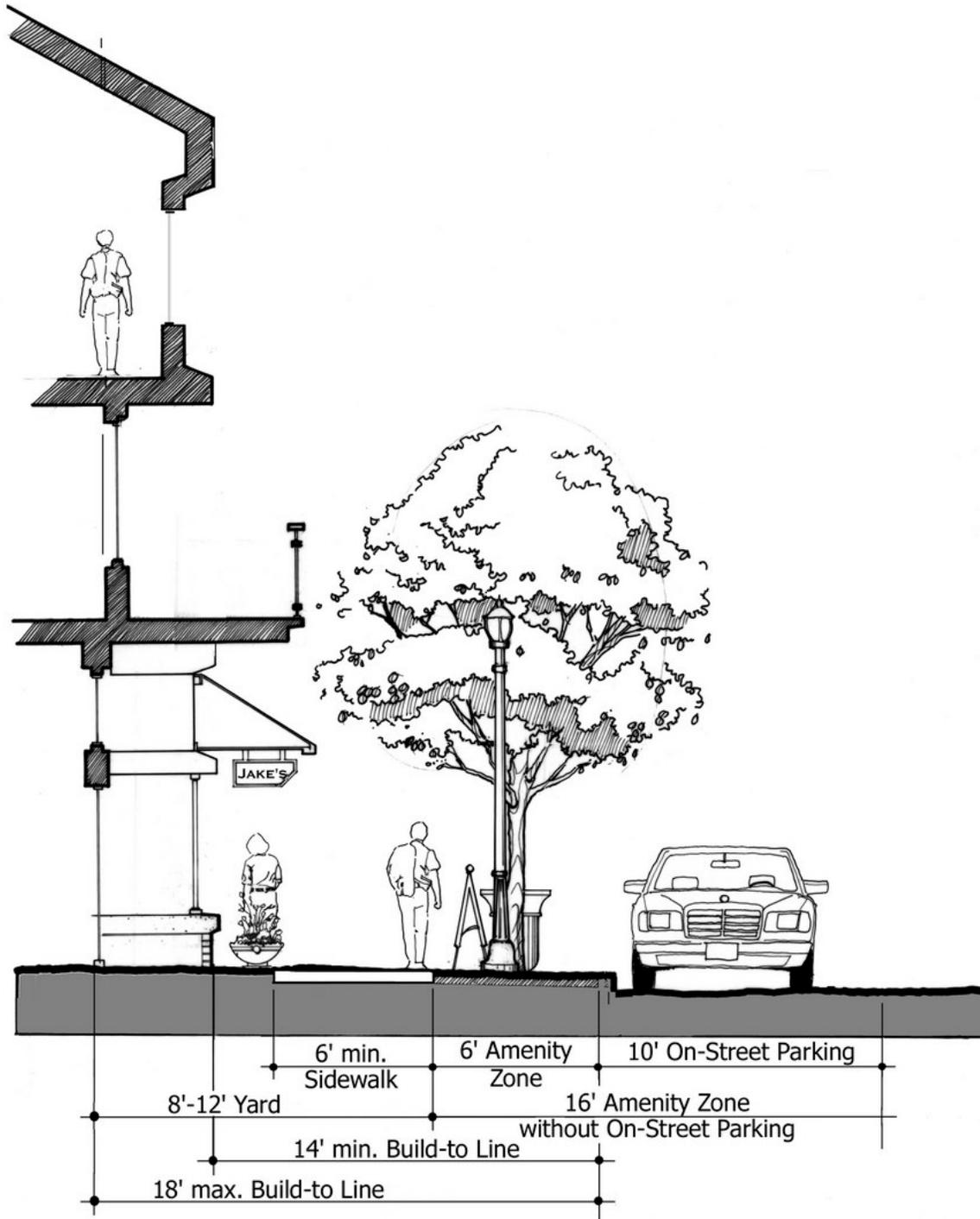


Illustration 5.3: Street section, non-arterial streets

- (4) The City shall maintain the required improvements within the Amenity Zone west of the DART right-of-way and along the arterial portions Spring Valley Road and Centennial Boulevard once the improvements have been accepted by the City.

(c) Yard and sidewalk

A yard shall be provided between the Amenity Zone and the nearest face of any building, structure, or surface parking lot.

- (1) The property owner shall be responsible for the construction and maintenance of the yard.
- (2) A minimum 6-foot wide unobstructed continuous sidewalk constructed of scored concrete shall be provided within the yard.
- (3) Along arterial streets, the sidewalk must be continuous but may have offsets within the yard area. On all other streets, the sidewalk shall be placed adjacent to the Amenity Zone.
- (4) Additional area within the yard may be used for additional sidewalk width, landscaping, outdoor dining areas, plazas, or other features, subject to Concept Plan and Development Plans approval.

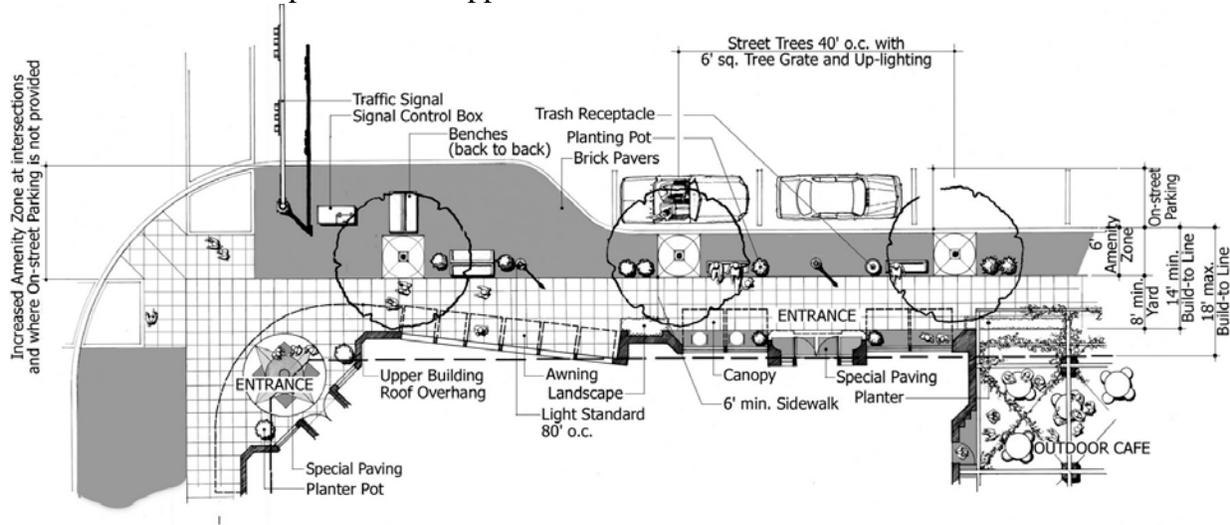


Illustration 5.4: Building frontage features and articulation

(d) Building

- (1) For lots containing a building or buildings, a minimum of fifty percent (50%) of the total frontage of the lot shall be occupied by buildings constructed within the required build-to line range.

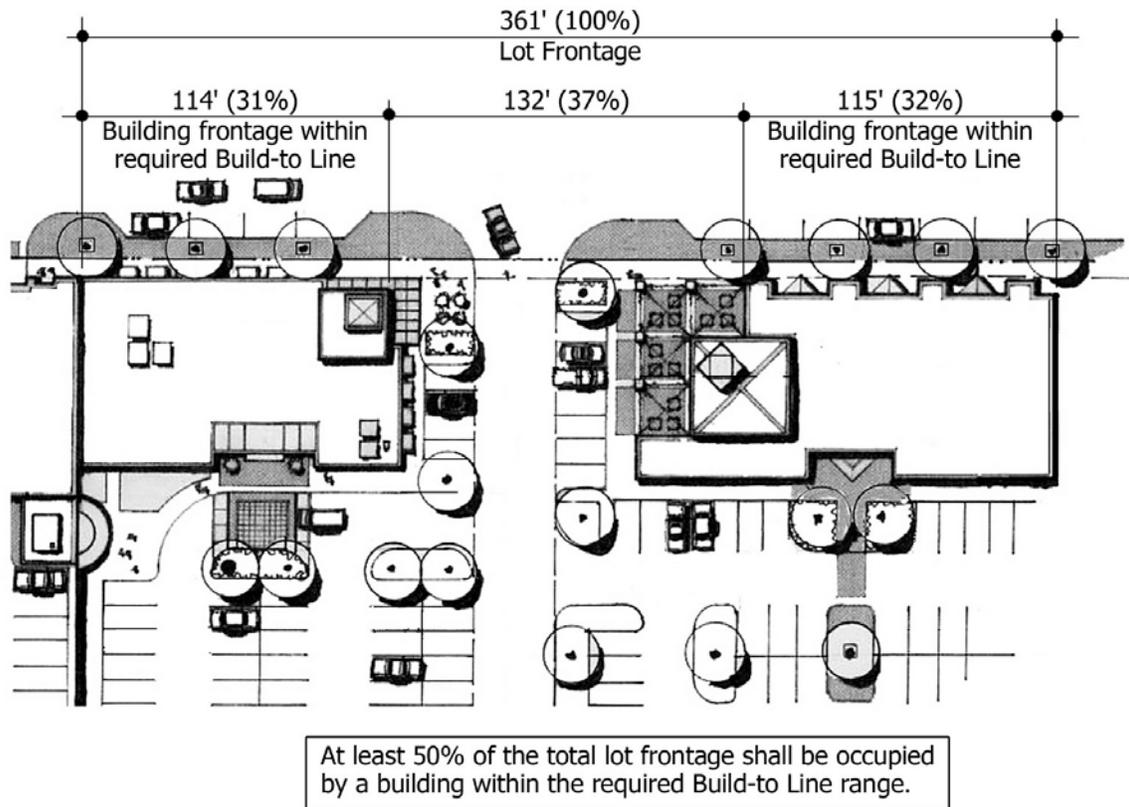


Illustration 5.5: Building frontage requirements

- (2) Canopies, awnings, balconies, and/or upper story architectural appendages may extend beyond the minimum front build-to line, but shall not encroach into the required Amenity Zone. Such features shall provide a minimum clearance above the sidewalk of eight feet, and must comply with the City building code.
- (3) At street intersections, the corner of the building closest to the intersection shall be set back a minimum of 10 additional feet from the corner, subject to the following:
 - (i) Setbacks for the building corner may be increased to accommodate the placement of elements such as plazas, outdoor dining areas, or other open space.
 - (ii) The proposed build-to line must be clearly dimensioned and any of the elements described above shall be clearly identified in the approved Concept Plan and Development Plans.

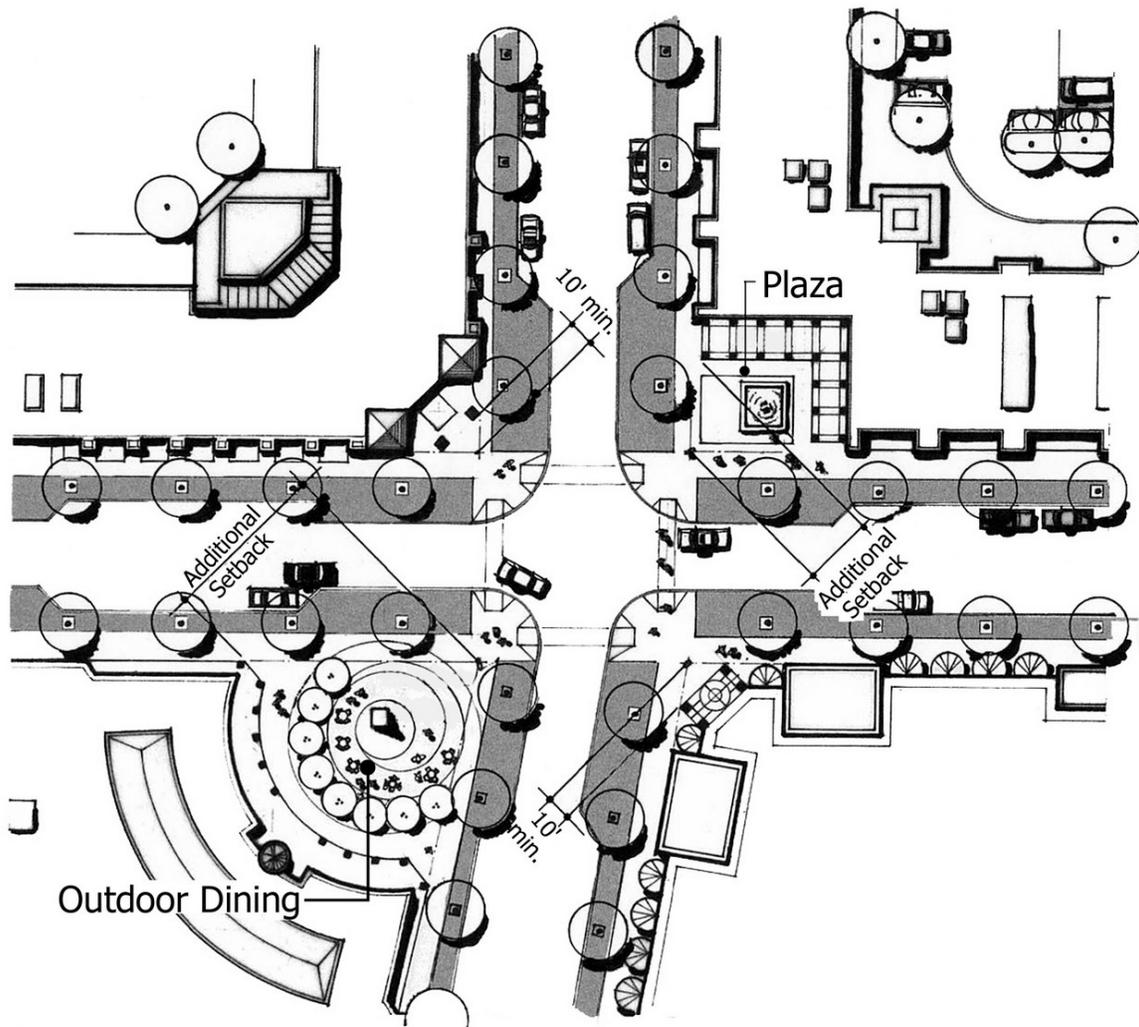


Illustration 5.6: Examples of additional setback requirements at street intersections.

Additional setbacks

- (a) *Side setback.* A side setback shall not be required, except:
 - (1) A minimum 10-foot setback shall be provided where a building is adjacent to a single-family detached, patio home, or townhome lot;
 - (2) As necessary to comply with the City building code; and
 - (3) Fireplaces and eaves may extend a maximum of 3 feet into any required side setback
- (b) *Rear setback.* A rear setback shall not be required, except:
 - (1) A minimum 25-foot setback shall be provided where a building is adjacent to a single-family detached, patio home, or townhome lot;
 - (2) As necessary to comply with the City building code; and
 - (3) Fireplaces, eaves, bay windows, balconies, and fireproof outside stairways may extend a maximum of 3 feet into any required rear setback

Additional requirements for multi-family buildings or mixed-use buildings with multi-family units

Residential unit size

The minimum multi-family residential dwelling unit size, exclusive of garages and breezeways, shall be:

<i>Unit Type</i>	<i>Minimum Area per Dwelling Unit (square feet)</i>
(a) 1 bedroom	750
(b) 2 bedroom	900
(c) 3 bedroom	1,000

The average residential unit floor area per building shall be at least 800 square feet.

To provide design flexibility, the minimum floor area per dwelling unit may be reduced up to 25 percent for five percent of each dwelling unit type per building, provided that the overall average floor area per dwelling units per multi-family building is 800 square feet.

Exterior doors

Exterior front doors on all multi-family units shall be constructed of metal a minimum of 20 gauge in thickness with an insulated core or fiberglass with an insulated core. Glass inserts to allow light shall be permitted. Patio doors may be of a French or sliding glass type with metal or solid wood frames. Garage doors shall be constructed of metal a minimum of 24 gauge thickness.

Balconies and stairways

All balcony and stairway surfaces shall be constructed of noncombustible materials. The structural elements may be constructed of noncombustible materials or decay-resistant wood or as required by the City building code. All handrails and guardrails shall be constructed of noncombustible materials. Trim on balconies and stairways may be constructed of noncombustible or combustible materials.

Screening

All service and recreational areas shall be screened from the view of adjacent streets and properties by a screening wall not less than six feet in height of clay-fired brick, architectural concrete masonry unit block, stone or other material approved by the Development Services Department to be constructed on the multi-family property at a location to be determined at Concept Plan review. The screening wall shall be designed and constructed in accordance with plans and specifications approved by the city engineer. The City shall approve the aesthetic characteristics of the screening wall, to include color, pattern and texture, at the time of Development Plans approval. A required screening wall shall be completed prior to the issuance of a building permit for the principal structure on the multi-family property. The screening wall shall impede vehicular traffic, but may not be erected so as to obstruct the vision of motorists at alley, street, or drive intersections. Pedestrian access may be provided, where appropriate, and shall be noted on the approved Concept Plan and Development Plans.

Recreational amenities

Each multi-family or mixed-use development that includes multi-family shall provide recreational amenities for the residents of the property as required herein. The recreational amenities shall be noted on the approved Concept Plan with detailed descriptions of all recreational amenities, both indoor and outdoor, required as part of the approval of the Development Plans. An assessment report on the adequacy of the proposed recreational amenities shall be submitted to the City Plan Commission from the Director of Development Services or designee.

- (a) Each development that includes multi-family units shall provide indoor or outdoor recreational amenities or play areas to meet the requirements of the residents in such development, including facilities for children and adults.
- (b) Each development that includes multi-family units shall provide at least one indoor or outdoor play area for the first 350 residential units, or portion thereof, designed for use by children under twelve years of age. The play area equipment and apparatus shall be safe, weather-resistant, suitable for children of such age, and shall meet the guidelines of the Consumer Product Safety Commission for play equipment and safety surface. Playground access and equipment shall be in compliance with the Americans with Disabilities Act.

Playgrounds may be provided in public open space and parks, and may be combined to provide larger community facilities. At least one playground shall be provided on-site of each apartment development.

One additional play area meeting the above requirements shall be provided for each 350 additional multi-family units or portion thereof within the development or portion thereof.

- (c) Within each development that includes multi-family units, additional recreational amenities shall be provided. These amenities shall accrue points based on values assigned below. A minimum of 70 recreational amenity points must be accumulated for each 350 residential units or portion thereof. A minimum of 40 points shall be provided on-site. The remainder may be achieved with improvements to the public open space.
 - (1) Additional playgrounds designed for children ten years of age or younger meeting the requirements above. (Ten points per 500 square feet.)
 - (2) Clubhouse/gameroom/multi-purpose room of at least a minimum of 400 square feet in area. (Ten points per 400 square feet.)
 - (3) Equipment, such as pool tables, ping-pong tables, foosball tables, and similar equipment, in the clubhouse/gameroom/multi-purpose room are eligible for amenity points, except that electronic videogames and pinball games are not eligible for points. The appropriateness of the equipment shall be determined by the Director of Parks and Recreation. (One point for each piece of approved equipment.)
 - (4) Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points per court.)
 - (5) Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points per court.)
 - (6) Indoor fitness center at least 400 square feet in area. (Ten points per 400 square feet.)

- (7) Swimming pool, including wading area, fenced and secured according to the requirements of the City building code. (Ten points.)
- (8) Reinforced concrete jogging trail, bike path or combination thereof, a minimum of eight feet in width, or connection to an existing trail system. (Ten points.)
- (9) Usable open space at least 1,000 square feet in area that includes at least three of the following: cluster of trees, water feature, seating area, picnic tables, barbecue grills, gazebos, or other elements as approved by the Director of Parks and Recreation. (Ten points per 1,000 square feet.)
- (10) Other recreational amenities as approved by the Director of Parks and Recreation. (Up to ten points, as determined by the Director of Parks and Recreation.)

Creeks and drainageways required to remain in an open state are not eligible for the accumulation of points toward the total recreational amenity requirement, except that the placement of reinforced concrete jogging trails, bike paths, or combination thereof, shall be eligible to accrue points above.

Improvements in the area between the curbline and the building façade shall not be eligible for the accumulation of points towards the total recreational amenity requirement.

- (d) The Director of Parks and Recreation shall review proposed recreational amenities and provide a written assessment of adequacy to the City Plan Commission prior to consideration and approval of the Development Plans.
- (e) Open space shall be located and designed in such a manner as to ensure the safety and welfare of residents.

6. Townhome residential

Building regulations

Exterior building materials

- (a) All building façades of townhome structures, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least seventy-five percent (75%) of the total exterior wall constructed of masonry construction. Chimneys for newly constructed structures or additions to existing structures shall be of one hundred percent (100%) masonry construction or stucco. Where non-masonry construction is permitted, hardboard siding material is prohibited.
- (b) Where a second- or third-story exterior wall is offset a minimum of three feet from the plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the plane of the first-floor exterior wall below, the wall of the offset portion or dormer shall be excluded from the exterior area calculation.
- (c) For “chateau,” “mansard,” or any other design where the roof serves as an exterior wall, the above percentages shall apply.
- (d) Unpainted metal, galvanized metal, or metal subject to ordinary rusting shall not be used as a building material. Factory finished metal elements as well as metals that develop an “attractive” oxidized finish, such as copper or weathering steel, may be used subject to Concept Plan and Development Plans approval.
- (e) *Nonresidential structures.* Structures other than dwelling units shall comply with the building regulations in Section 5 (Non-residential, multi-family, and mixed use buildings) of this ordinance.

Building height

- (a) Principal buildings shall be limited to a maximum height of 55 feet not to exceed three stories, except:
 - (1) Buildings that front on Greenville Avenue are limited to a front façade of two stories and a rear façade of three stories, not to exceed 40 feet in height.
 - (2) Buildings located west of buildings adjacent to Greenville Avenue and within 250 feet of the west curblineline of Greenville Avenue, shall be limited to a maximum height of three stories, not to exceed 40 feet in height.

Dwelling unit size

- (a) *Minimum size.* The minimum townhome dwelling unit size is 1,500 square feet, exclusive of garages and breezeways.
- (b) *Maximum size.* The maximum size of the principal structure shall be as specified in the Richardson building code.

Number of units per building

The maximum number of contiguous townhome dwelling units is six, except that:

- (a) Along Greenville Avenue the maximum number of dwelling units in a building is five.

Area regulations

Area of the lot

The minimum area of an individual townhome lot is 1,540 square feet.

Width of the lot

The minimum width of the lot is 22 feet.

Depth of the lot

The minimum depth of the lot is 65 feet.

Density

- (a) In no event shall the number of dwelling units exceed ten units per acre exclusive of all streets, alleys, and sidewalks but inclusive of open space, recreational, and service areas.

Common areas

- (a) For each lot platted for a townhome, a minimum area of 800 square feet outside the limits of the platted lot shall be provided for public or common private open space, recreational, and service areas, exclusive of dedications for streets and alleys, and which shall be designated on the Concept Plan and Development Plans.
- (b) Evidence of satisfactory provisions for the improvement and ongoing maintenance of all common areas, such as a property owner association, shall be submitted to the City Attorney and to the City Plan Commission for approval as part of the review of Development Plans.

Front build-to line

All townhome buildings shall be built so that they are oriented towards the adjacent street, except:

- (a) A developer may request an exception for buildings to front on common area or public open space during Concept Plan review.

Townhome buildings and the elements required between the street curb and any building, structure, or surface parking lot shall be located within the front build-to line in accordance with Table 6-1. On lots with more than one street frontage, the build-to lines shall be provided on each street frontage.

The property owner shall be responsible for maintenance of the area between the back of curb and the building façade.

Table 6-1: Front build-to requirements for townhomes.

	On-Street Parking Lane	Amenity Zone	Yard	Min. Build-to Line	Max. Build-to Line
Arterial streets and Greenville Avenue	n/a	10'	11'-21'	21'	31'
Minor streets					
with on-street parking	10'	6'	11'-21'	17'	27'
without on-street parking	n/a	16'	11'-21'	27'	37'

Spring Valley Station District: Development Regulations

- (a) On-street parking
 - (1) Where feasible, on-street parallel parking shall be provided on all streets, except for the arterial sections of Spring Valley Road and Centennial Boulevard and Greenville Avenue. Franchised utilities (electric, gas, cable, telephone, etc.) may be located in the area under the on-street parking.
- (b) Amenity zone
 - (1) An Amenity Zone shall be provided along all street frontages for placement of street trees, utilities, landscaping, and street furnishings. The Amenity Zone shall be improved with landscaping, specialty paving, or a combination thereof.
 - (2) At intersections, curb cuts, and where on-street parking is not provided, the Amenity Zone shall increase in depth by 10 feet, and franchised utilities may be located in the area under the expanded Amenity Zone.
 - (3) Street trees shall constitute the primary landscaping for the Core Area and shall be planted within the Amenity Zone in accordance with the following requirements.
 - (i) Trees shall be selected from the Approved Street Tree list contained within the Spring Valley Station Core Area Design Guidelines.
 - (ii) Trees shall be planted 40 feet on center, except that the spacing may be adjusted as necessary to accommodate access, lights, property lines, or other conditions which make it impractical to maintain the required spacing.
 - (iii) Trees shall be placed a minimum of 20 feet from the back of intersecting curbs at street corners.
 - (iv) Where on-street parking is provided and along Greenville Avenue, trees shall be planted in the center of the Amenity Zone.
 - (v) In bulb-out areas, trees shall be planted to align with those trees in the Amenity Zone where on-street parking is provided.
 - (vi) Trees shall be planted within 8-foot x 8-foot tree wells, constructed in accordance with City details. The tree well opening shall be covered with a 6-foot x 6-foot tree grate, in accordance with City details, or planted with landscaping.
 - (vii) Tree branches shall be maintained at no less than 8 feet above the sidewalk and Amenity Zone, and no less than 14 feet above on-street parking spaces or traffic lanes.
- (c) Yard and sidewalk

A yard shall be provided between the Amenity Zone and the nearest face of any building, structure, or surface parking lot.

 - (1) The property owner shall be responsible for the construction and maintenance of the yard.
 - (2) A minimum 6-foot wide unobstructed continuous sidewalk constructed of scored concrete per City detail shall be provided within the yard.

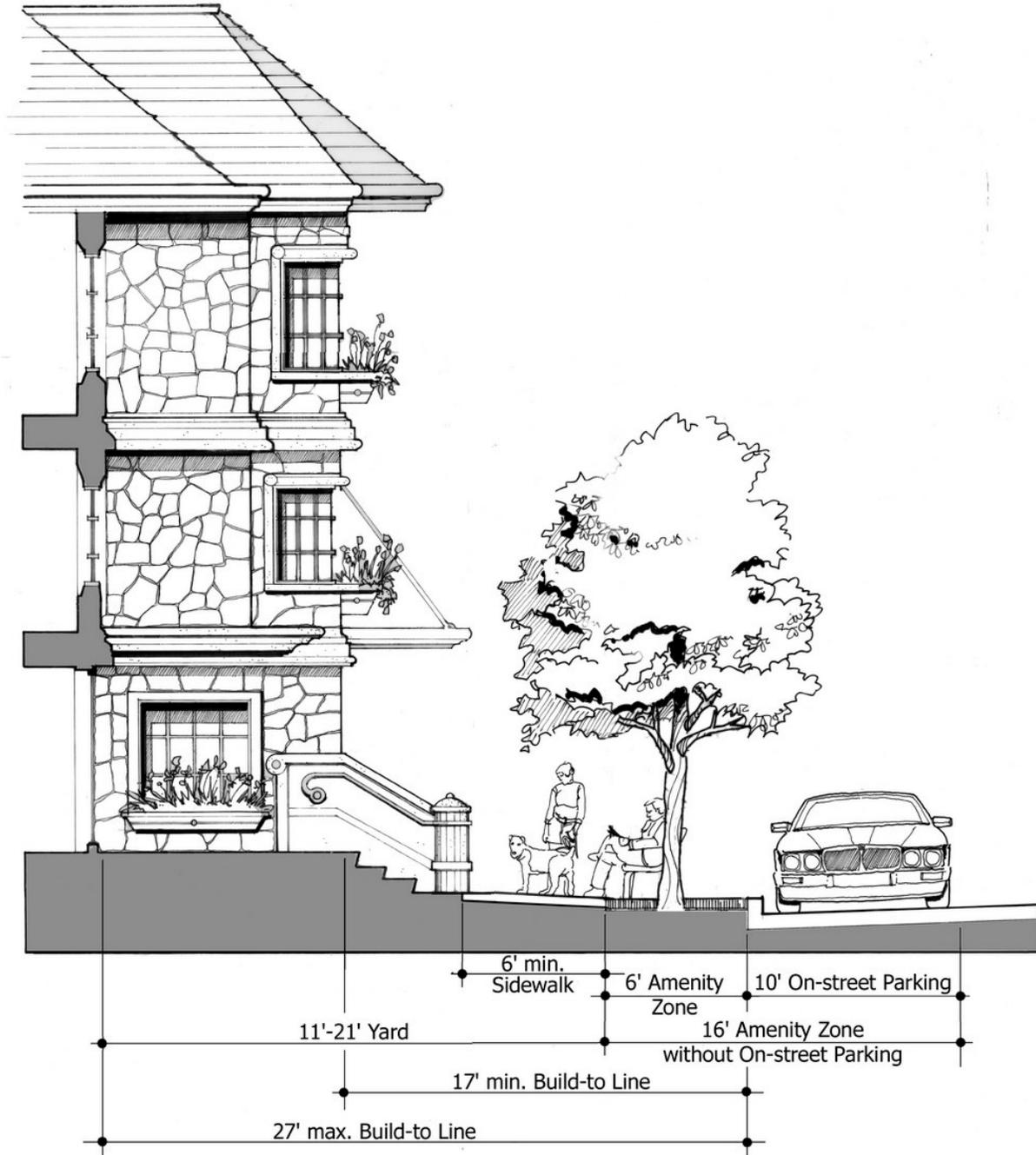


Illustration 6.1: Street section, non-arterial streets (except Greenville Avenue)

- (3) Additional area within the yard may be used for additional sidewalk width, landscaping, lawn, patio, steps, stoops or other features, subject to City approval at the time of Concept Plan review.
- (d) Building
 - (1) Canopies, awnings, balconies, and/or upper story architectural appendages may extend beyond the minimum front build-to line, but shall not encroach into the

Spring Valley Station District: Development Regulations

Amenity Zone. Such features shall provide a minimum clearance above the sidewalk of eight feet, and shall comply with the City building code.

Additional setbacks

- (a) *Side setback.* A side setback is not required, except:
 - (1) The minimum separation between buildings shall be 10 feet, unless one of the exposed walls is constructed as a firewall in accordance with the Richardson building code;
 - (2) A 10-foot setback shall be provided where a building is adjacent to a single-family detached or patio home lot;
 - (3) As necessary to comply with City building code;
 - (4) Fireplaces and eaves may extend to a maximum of 3 feet into any required side yard.
- (b) *Rear yard setback.* A rear yard setback is not required, except:
 - (1) A minimum 5-foot setback shall be provided between garage doors and the adjacent alley;
 - (2) A minimum 20-foot setback shall be required where a building is adjacent to a single-family detached or patio home lot;
 - (3) As necessary to comply with City building code;
 - (4) Fireplaces, eaves, bay windows, balconies, and fireproof outside stairways may extend to a maximum of 3 feet into any required rear yard.

Swimming pools, spas and related buildings and equipment

- (a) Swimming pools, spas, and related equipment may be located anywhere behind the front building line and a minimum distance of three feet from any other property line, except in a rear setback adjacent to an alley, the swimming pool equipment may be located a minimum distance of 18 inches from the rear property line.
- (b) Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city fence regulations.
- (c) Any accessory building to the pool or spa shall be regulated as prescribed herein for non-residential structures.

Special requirements

- (a) All areas for locating dwelling units shall be platted into individual lots and located on dedicated streets or access easements; and each of said lots shall be served individually by water, sewer, electric, and gas utility service.
- (b) The areas for recreational, open space, and service use may be platted into one or more lots.
- (c) Accessory buildings for common use of residents in a townhome development shall be permitted, subject to Concept Plan and Development Plans approval. Accessory buildings on individual residential lots shall be prohibited, unless specifically approved during Concept Plan and Development Plans review.

7. Patio home residential

Building regulations

Exterior building materials

(a) *Principal building.*

- (1) All building façades for single-family residential structures, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least seventy-five percent (75%) of the total exterior wall constructed of masonry construction. Chimneys for newly constructed single-family structures or additions to existing dwellings shall be of one hundred percent (100%) masonry construction. Where non-masonry construction is permitted, hardboard siding material is prohibited, except as provided below.
- (2) Where a second-story exterior wall of a single-family residential structure is offset a minimum of three feet from the plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the plane of the first-floor exterior wall below, the exterior wall of the offset portion or dormer shall be excluded from the wall area calculation for purposes of these regulations.
- (3) An existing single-family residential structure with exterior construction of hardboard siding materials destroyed by fire, the elements, or other cause may not be rebuilt except to conform to these provisions. In the case of partial destruction not to exceed sixty percent (60%) of its total appraised value, reconstruction will be permitted, provided, however, the previously existing percentage or area of the structure covered by such material may not be expanded or increased.
- (4) An existing single-family residential structure with exterior construction of hardboard siding materials may be repaired with hardboard siding materials when required by law to preserve such structure in a sound condition provided the repairs do not exceed sixty percent (60%) of the previous existing total exterior wall area of the structure covered by such material.
- (5) An existing single-family residential structure with exterior construction of hardboard siding may be enlarged, increased or extended with hardboard siding materials when necessary for a continuation of such materials, provided the extension or addition does not exceed twenty-five percent (25%) of the previous existing total wall area of the structure covered by such materials.

- (b) *Accessory buildings.* For accessory buildings in excess of 150 square feet, including, but not limited to, detached garages or servants' quarters, each exterior wall shall be constructed of a minimum of 35 percent masonry construction. Accessory buildings of 150 square feet or less may be of non-masonry construction or may be of all metal with baked-on or pre-painted surface. Detached garages built to replace garages which are enclosed or converted to living space shall be constructed of brick, stone, cementitious materials or a combination thereof in proportions similar to those on a principal building and the detached garage shall be architecturally compatible with the principal building as determined by the Chief Building Official or designee.

Spring Valley Station District: Development Regulations

- (c) *Greenhouses.* A detached greenhouse may be constructed of material approved by the Building Official provided the structure is used exclusively as a greenhouse and maintained as such. A greenhouse converted to another use must be made to comply with the requirements for accessory buildings.
- (d) *Nonresidential structures.* Structures other than dwelling units and associated accessory structures shall comply with the building regulations in Section 5 (Non-residential, multi-family, and mixed use buildings) of this ordinance.

Building height

- (a) *Principal building.* No principal building shall exceed 40 feet in height and may not exceed two stories in height.
- (b) *Accessory buildings.* Accessory buildings shall be a maximum of one story and may not exceed 15 feet in height.

Building size

- (a) *Principal building.* The minimum area of the principal building shall be 1,500 square feet, exclusive of garages and breezeways.
- (b) *Accessory buildings.* The total area of detached structures, including garages and accessory buildings, shall not occupy more than eight percent (8%) of the lot area and aggregate ground floor area may not exceed 600 square feet.

Area regulations

Area of the lot

The minimum area of the lot is 5,000 square feet.

Width of the lot

The minimum width of the lot is 50 feet.

Depth of the lot

The minimum depth of the lot is 100 feet. Lots located on cul-de-sac circles may be less than 100 feet in depth, provided one side of the lot is at least 100 feet in depth and provided the lot meets width and area requirements.

Lot coverage

The lot coverage of all buildings shall not exceed fifty percent (50%) of the area of the lot, estate, or other land on which the same is situated.

Front build-to line

Patio home buildings and the elements required between the street curb and any building, structure, or surface parking lot shall be located within the front build-to line in accordance with Table 7-1. On lots with more than one street frontage, the build-to lines below shall be provided on each street frontage.

The property owner shall be responsible for maintenance of the area between the back of curb and the building façade.

Spring Valley Station District: Development Regulations

Table 7-1: Front build-to requirements for patio homes.

	On-Street Parking Lane	Amenity Zone	Yard	Min. Build-to Line	Max. Build-to Line
Arterial streets and Greenville Avenue	n/a	10'	11'-21'	21'	31'
Minor streets					
with on-street parking	10'	6'	11'-21'	17'	27'
without on-street parking	n/a	16'	11'-21'	27'	37'

(a) On-street parking

- (1) Where feasible, on-street parallel parking shall be provided on all streets, except for arterial streets and Greenville Avenue. Franchised utilities (electric, gas, cable, telephone, etc.) may be located in the area under the on-street parking.

(b) Amenity zone

- (1) An Amenity Zone shall be provided along all street frontages for placement of street trees, utilities, landscaping, and furnishings. The Amenity Zone shall be improved with landscaping, specialty paving, or a combination thereof.
- (2) At intersections, curb cuts, and where on-street parking is not provided, the Amenity Zone shall increase in depth by 10 feet, and franchised utilities may be located in the area under the expanded Amenity Zone.
- (3) Street trees shall constitute the primary landscaping for the Core Area and shall be planted within the Amenity Zone in accordance with the following requirements:
 - (i) Trees shall be selected from the Approved Street Tree list contained within the Spring Valley Station Core Area Design Guidelines.
 - (ii) Trees shall be planted 40 feet on center, except that the spacing may be adjusted as necessary to accommodate access, lights, property lines, or other conditions which make it impractical to maintain the required spacing.
 - (iii) Trees shall be placed a minimum of 20 feet from the back of intersecting curbs at street corners.
 - (iv) Where on-street parking is provided and along Greenville Avenue, trees shall be planted in the center of the Amenity Zone.
 - (v) In bulb-out areas, trees shall be planted to align with those trees in the Amenity Zone where on-street parking is provided.
 - (vi) Tree branches shall be maintained at no less than 8 feet above the sidewalk and Amenity Zone, and no less than 14 feet above on-street parking spaces or traffic lanes.

(c) Yard and sidewalk

A yard shall be provided between the Amenity Zone and the nearest face of any building, structure, or surface parking lot.

- (1) The property owner shall be responsible for the construction and maintenance of the yard.

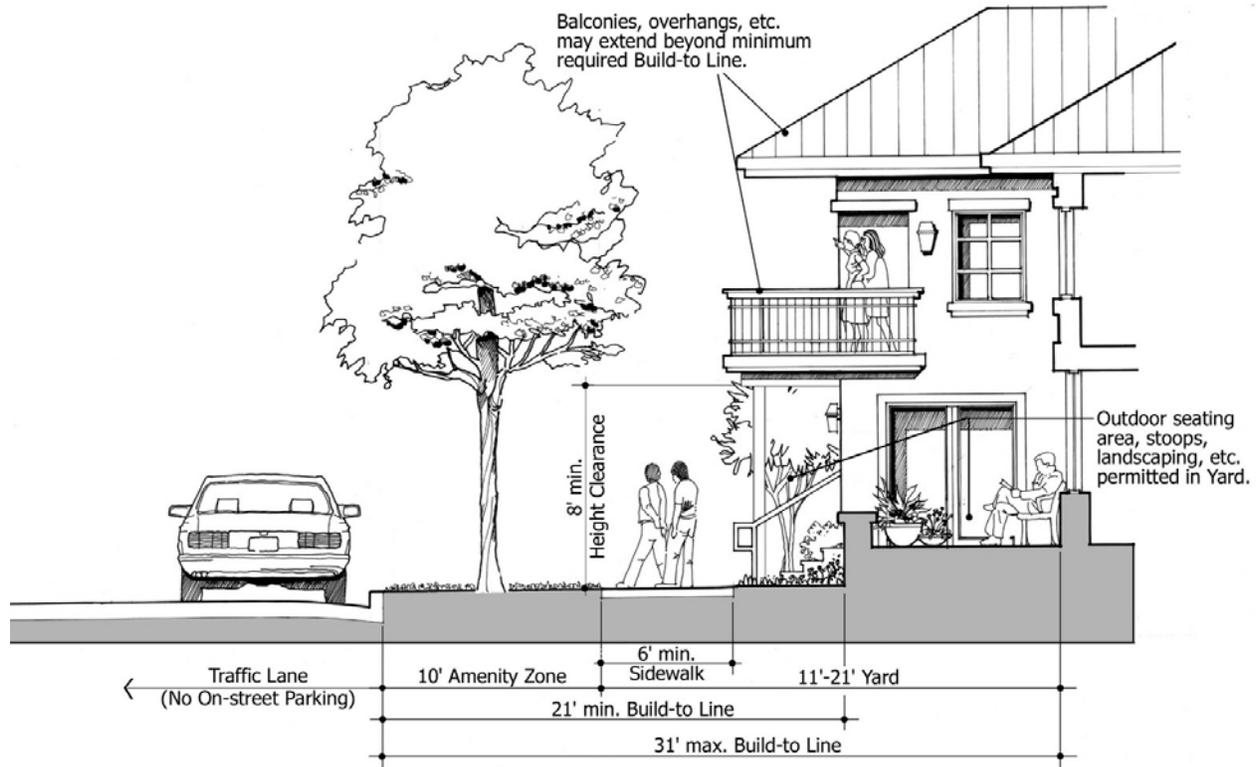


Illustration 7.1: Street section, Greenville Avenue

- (2) A 6-foot continuous unobstructed sidewalk constructed of scored concrete per City detail shall be provided within the yard.
- (3) Additional area within the yard may be used for additional sidewalk width, landscaping, lawn, patio, steps, stoops or other features, subject to City approval at Concept Plan review.
- (d) Building
 - (1) Canopies, awnings, balconies, and/or upper story architectural appendages may extend beyond the minimum build-to line, but shall not encroach into the Amenity Zone. Such features shall provide a minimum clearance above the sidewalk of eight feet, and shall comply with City building code.

Side setback

- (a) A side setback shall be provided on one side of the lot of at least ten feet, except the side setback on a corner lot adjacent to a side street shall conform to the required front build-to line. Adjacent to an alley, a seven-foot setback shall be required from said alley. The ordinary projections of a roof eave or cornice may extend into the required side setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than ten feet in width may extend a maximum of two feet into the required side setback.

- (b) A building shall be built on the property line on one side of the lot (the zero side). The side of the structure located on the zero side shall contain no openings, appendages or overhangs. A minimum separation of ten feet shall be provided between all buildings.
- (c) Each adjacent lot shall provide a roof eave and access easement, a minimum of three feet in width, adjacent to the zero setback side to allow the property owner access for maintenance of the dwelling. The roof eave may encroach 16 inches into the easement. A gutter and down spout shall be required along the zero setback side to ensure drainage is handled on the dwelling owner's property. The gutter system is not included in the calculation of the eave encroachment.
- (d) No setback shall be required from an interior side lot line for air conditioning equipment or an uncovered porch or patio.

Rear setback

A rear setback with a depth of not less than 20 feet is required, except:

- (a) The ordinary projections of a roof eave or cornice may extend into the required rear setback a maximum of two feet. A fireplace, windowsill, box or bay window, and other architectural features not more than ten feet in width may extend into the required rear setback a maximum of two feet;
- (b) Where a detached garage, detached carport, attached carport or any other accessory building extends into the rear setback area, a minimum setback of three feet shall be provided from the side lot line and a minimum setback of three feet shall be provided from the rear lot line or 18 inches if the rear lot line is adjacent to an alley;
- (c) A rear setback is not required for air conditioning equipment or an uncovered porch or patio.

Swimming pools, spas and related buildings and equipment

- (a) Swimming pools, spas, and related equipment may be located anywhere behind the front building line and a minimum distance of three feet from any other property line, except in a rear setback adjacent to an alley, the swimming pool equipment may be located a minimum distance of 18 inches from the rear property line.
- (b) Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city fence regulations.
- (c) Any accessory building to the pool or spa shall be regulated as prescribed herein for accessory buildings.

8. Single-family detached residential

Building regulations

Exterior building materials

(a) *Principal building.*

- (1) All building façades for single-family detached residential structures, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least seventy-five percent (75%) of the total exterior wall constructed of masonry construction. Chimneys for newly constructed single-family detached structures or additions to existing dwellings shall be of one hundred percent (100%) masonry construction. Where non-masonry construction is permitted, hardboard siding material is prohibited, except as provided below.
- (2) Where a second-story exterior wall of a single-family detached residential structure is offset a minimum of three feet from the plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the plane of the first-floor exterior wall below, the exterior wall of the offset portion or dormer shall be excluded from the wall area calculation for purposes of these regulations.
- (3) An existing single-family detached residential structure with exterior construction of hardboard siding materials destroyed by fire, the elements, or other cause may not be rebuilt except to conform to these provisions. In the case of partial destruction not to exceed sixty percent (60%) of its total appraised value, reconstruction will be permitted, provided, however, the previously existing percentage or area of the structure covered by such material may not be expanded or increased.
- (4) An existing single-family detached residential structure with exterior construction of hardboard siding materials may be repaired with hardboard siding materials when required by law to preserve such structure in a sound condition provided the repairs do not exceed sixty percent (60%) of the previous existing total exterior wall area of the structure covered by such material.
- (5) An existing single-family detached residential structure with exterior construction of hardboard siding may be enlarged, increased or extended with hardboard siding materials when necessary for a continuation of such materials, provided the extension or addition does not exceed twenty-five percent (25%) of the previous existing total wall area of the structure covered by such materials.

- (b) *Accessory buildings.* For accessory buildings in excess of 150 square feet, including, but not limited to, detached garages or servants' quarters, each exterior wall shall be constructed of a minimum of 35 percent masonry construction. Accessory buildings of 150 square feet or less may be of non-masonry construction or may be of all metal with baked-on or pre-painted surface. Detached garages built to replace garages which are enclosed or converted to living space shall be constructed of brick, stone, cementitious materials or a combination thereof in proportions similar to those on a principal building and the detached garage shall be architecturally compatible with the principal building as determined by the Chief Building Official or designee.

- (c) *Greenhouses.* A detached greenhouse may be constructed of material approved by the Building Official provided the structure is used exclusively as a greenhouse and maintained as such. A greenhouse converted to another use must be made to comply with the requirements for accessory buildings.
- (d) *Nonresidential structures.* Structures other than dwelling units and associated accessory structures shall comply with the building regulations in Section 5 (Non-residential, multi-family, and mixed use buildings) of this ordinance.

Building height

- (a) *Principal building.* No principal building shall exceed 40 feet in height and may not exceed two stories in height.
- (b) *Accessory buildings.* Accessory buildings shall be a maximum of one story and may not exceed 15 feet in height.

Building size

- (a) *Principal building.* The minimum area of the principal building is 1,250 square feet, excluding garages and breezeways.
- (b) *Accessory buildings.* The total area of detached structures, including garages and accessory buildings, shall not occupy more than eight percent (8%) of the lot area and aggregate ground floor area may not exceed 600 square feet.

Area regulations

Area of the lot

The minimum area of the lot is 8,500 square feet.

Width of the lot

The minimum width of the lot is 68 feet.

Depth of the lot

The minimum dept of the lot is 125 feet. Lots located on cul-de-sac circles may be less than 125 feet in depth provided one side of the lot is at least 125 feet in depth, and further provided the lot meets width and area requirements.

Lot coverage

The lot coverage of all buildings shall not exceed thirty-two percent (32%) of the area of the lot, estate, or other land on which the same is situated.

Front build-to line

Single-family detached buildings and the elements required between the street curb and any building, structure, or surface parking lot shall be located within the front build-to line in accordance with Table 8-1. On lots with more than one street frontage, the build-to lines below shall be provided on each street frontage.

The property owner shall be responsible for maintenance of the area between the back of curb and the building façade.

Spring Valley Station District: Development Regulations

Table 8-1: Front build-to requirements for single-family detached homes.

	On-Street Parking Lane	Amenity Zone	Yard	Min. Build-to Line	Max. Build-to Line
Arterial streets and Greenville Avenue	n/a	10'	11'-21'	21'	31'
Minor streets					
with on-street parking	10'	6'	11'-21'	17'	27'
without on-street parking	n/a	16'	11'-21'	27'	37'

(a) On-street parking

- (1) Where feasible, on-street parallel parking shall be provided on all streets, except for arterial streets and Greenville Avenue. Franchised utilities (electric, gas, cable, telephone, etc.) may be located in the area under the on-street parking.

(b) Amenity zone

- (1) An Amenity Zone shall be provided along all street frontages for placement of street trees, utilities, landscaping, and furnishings. The Amenity Zone may be landscaped or paved with specialty paving.
- (2) At intersections, curb cuts, and where on-street parking is not provided, the Amenity Zone shall increase in depth by 10 feet, and franchised utilities may be located in the area under the expanded Amenity Zone.
- (3) Street trees shall be the primary landscaping for the Core Area and shall be planted within the Amenity Zone in accordance with the following requirements.
 - (i) Trees shall be selected from the Approved Street Tree list contained within the Spring Valley Station Core Area Design Guidelines.
 - (ii) Trees shall be planted 40 feet on center, except that the spacing may be adjusted as necessary to accommodate access, lights, property lines, or other conditions which make it impractical to maintain the required spacing.
 - (iii) Trees shall be placed a minimum of 20 feet from the back of intersecting curbs at street corners.
 - (iv) Where on-street parking is provided and along Greenville Avenue, trees shall be planted in the center of the Amenity Zone.
 - (v) In bulb-out areas, trees shall be planted to align with those trees in the Amenity Zone where on-street parking is provided.
 - (vi) Tree branches shall be maintained at no less than 8 feet above the sidewalk and Amenity Zone, and no less than 14 feet above on-street parking spaces or traffic lanes.

(c) Yard and sidewalk

A yard shall be provided between the Amenity Zone and the nearest face of any building, structure, or surface parking lot.

- (1) The property owner shall be responsible for the construction and maintenance of the yard.

- (2) A minimum 6-foot wide unobstructed continuous sidewalk constructed of scored concrete per City detail shall be provided within the yard adjacent to the Amenity Zone.
 - (3) Additional area within the yard may be used for additional sidewalk width, landscaping, lawn, patio, steps, stoops or other features, subject to City approval at Concept Plan review.
- (d) Building
- (1) Canopies, awnings, balconies, and/or upper story architectural appendages may extend beyond the minimum front build-to line, but shall not encroach into the Amenity Zone. Such features shall provide a minimum clearance above the sidewalk of eight feet, and shall comply with the City building code.

Side setback

- (a) A side setback shall be provided on each side of the lot having a minimum width of seven feet without projections or appendages except as allowed herein, except the side setback on a corner lot adjacent to a side street shall equal the required front build-to line.
- (b) The ordinary projections of a roof eave or cornice may extend into the required side setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than ten feet in width may extend into the required side setback a maximum of two feet.
- (c) A detached garage, detached carport, attached carport or any other accessory building shall meet the side setback required for the principal building, except in the required rear setback adjacent to an interior side lot line, a minimum three foot setback shall be provided. No portion of the garage, carport or other accessory structure shall extend into the required side setback when located within the required rear setback area.
- (d) No setback shall be required from an interior side lot line for air conditioning equipment or an uncovered porch or patio.

Rear setback.

A rear setback having a depth of not less than 25 feet shall be provided, except:

- (a) The ordinary projections of a roof eave or cornice may extend into the required rear setback a maximum of two feet. A fireplace, windowsill, box or bay window, and other architectural features not more than ten feet in width may extend into the required rear setback a maximum of two feet.
- (b) Where a detached garage, detached carport, attached carport or any other accessory building extends into the rear setback area, a minimum setback of three feet shall be provided from the side lot line, and a minimum setback of three feet shall be provided from the rear lot line or 18 inches if the rear lot line is adjacent to an alley.
- (c) A rear setback is not required for air conditioning equipment or an uncovered porch or patio.

Swimming pools, spas and related buildings and equipment

- (a) Swimming pools, spas, and related equipment may be located anywhere behind the front building line and a minimum distance of three feet from any other property line, except in a

Spring Valley Station District: Development Regulations

rear setback adjacent to an alley, the swimming pool equipment may be located a minimum distance of 18 inches from the rear property line.

- (b) Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city fence regulations.
- (c) Any accessory building to the pool or spa shall be regulated as prescribed herein for accessory buildings.

9. Open space

In addition to the Amenity Zone, sidewalk, and yard requirements, the following open space provisions shall apply.

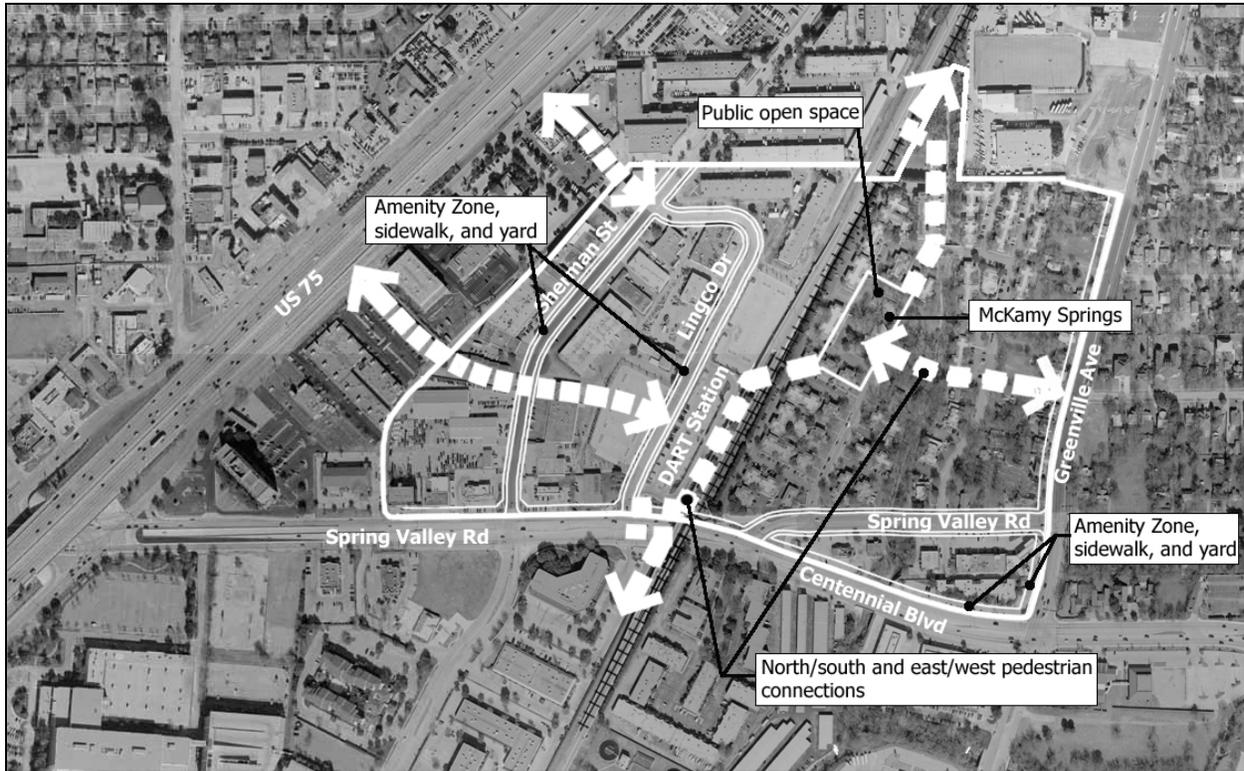


Illustration 9.1: Open Space Plan

Area west of the DART right-of-way

- (a) The provision of additional public or private open space is encouraged in the area west of the Spring Valley station, to include plazas, pocket parks, fountains, water features, or other features.

Area east of the DART right-of-way

Within the area east of the DART right-of-way:

- (a) A minimum of 2 acres of public open space shall be dedicated, including an area at least 200 feet x 200 feet outside the floodplain.
- (b) Public open space should accommodate active and passive uses for a variety of age groups, complement the scale of the surrounding neighborhood, and incorporate McKamy Springs.
- (c) Public open space shall be linked to the surrounding neighborhoods, light rail station, and City trails by pedestrian connections.
- (d) Any dedication of open space to the City shall be reviewed for suitability and desirability. The Director of Development Services or designee shall provide a written assessment of

Spring Valley Station District: Development Regulations

any proposed open space dedication to the City Plan Commission and City Council prior to Concept Plan review.

- (e) The City shall be responsible for maintenance of the public open space east of the DART right-of-way.



Illustration 9.2: Sketch of potential open space

Undevelopable areas

Ponds, creeks, floodways, and other undevelopable areas shall be planned as open space to the maximum extent possible.

10. Access and Parking

Access

Internal streets

As properties with frontage along streets within the Core Area (excluding Greenville Avenue and the arterial sections of Spring Valley Road and Centennial Boulevard) redevelop, the street section adjacent to the property shall be reconstructed to conform to the regulations in this ordinance, as well as the appropriate City details and construction standards. In general, the street section for internal streets shall consist of two travel lanes and required on-street parking.

East/west connectors

To create connectivity between US75 and the Core Area, new east/west connector street(s) shall be added to the Master Transportation Plan. The locations for these connector streets shall be generally noted within the Core Area Master Plan and the Master Transportation Plan as amended. The specific alignment(s) of the east/west connector(s) shall be determined as redevelopment efforts progress.

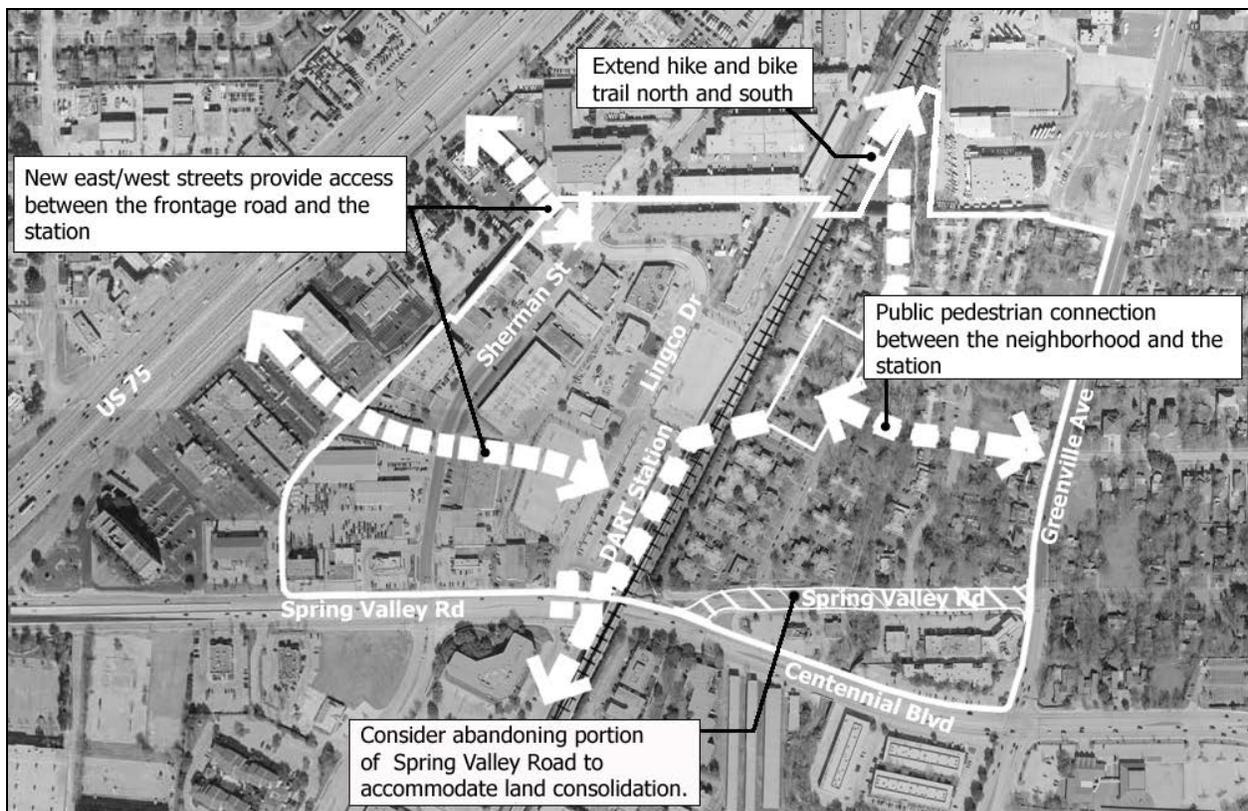


Illustration 10.1: Spring Valley Station District Circulation Plan

Spring Valley Station District: Development Regulations

Spring Valley Road Abandonment

- (a) The City will consider the abandonment of the right-of-way for Spring Valley Road between Centennial Boulevard and Greenville Avenue if a development proposal is submitted which consolidates the properties north and south of the roadway.
- (b) If the City indicates a willingness to proceed, the abandonment process shall not be initiated until a Concept Plan detailing how the properties will be consolidated, and indicating the proposed land uses for the abandoned right-of-way, has been approved by the City Plan Commission and City Council.
- (c) If the Spring Valley Road right-of-way is not abandoned, the segment of Spring Valley Road between Centennial Boulevard and Greenville Avenue shall be downgraded to one lane in each direction with on-street parking on both sides of the street.

Greenville Avenue

Direct vehicular access from new developments within the District to the neighborhood on the east side of Greenville Avenue shall be prohibited.

- (a) Access points from the development to Greenville Avenue shall be constructed so as not to align with any existing local street on the east side of Greenville Avenue; or
- (b) Traffic diverters or similar devices shall be installed so as to prohibit access from the District to the neighborhood.

Easements

Specifications for easements under this ordinance shall be as follows:

- (a) Access easements shall be provided to serve parking areas, service entrances to buildings (usually the rear of buildings), and any other areas deemed necessary for accessibility of public and private emergency and service agencies in non-residential, multi-family, or mixed-use developments.
- (b) Pedestrian easements shall be provided for all sidewalks parallel to streets intended for public use but located on private property.

Parking

Standards

- (a) The standards in the City's Parking Design Manual shall govern the design and layout of off-street and on-street parking facilities.

Off-street parking

- (a) General requirements
 - (1) For lots containing a building, off-street parking may not occupy more than fifty percent (50%) of the total lot frontage.
 - (2) In no case shall off-street parking be located closer to the street than the maximum required build-to line.

(b) Surface parking

- (1) Surface parking areas on adjacent lots must be physically separated by a building, wall, plaza, landscaping, or other feature; and include provisions for mutual access between adjacent parking lots for pedestrians and motor vehicles.
- (2) A six-foot wide raised unobstructed sidewalk shall be required from the parking area to any adjacent public sidewalk or building entrance. If head-in parking is present along the sidewalk, an additional three feet of sidewalk width is required to accommodate motor vehicle overhang.

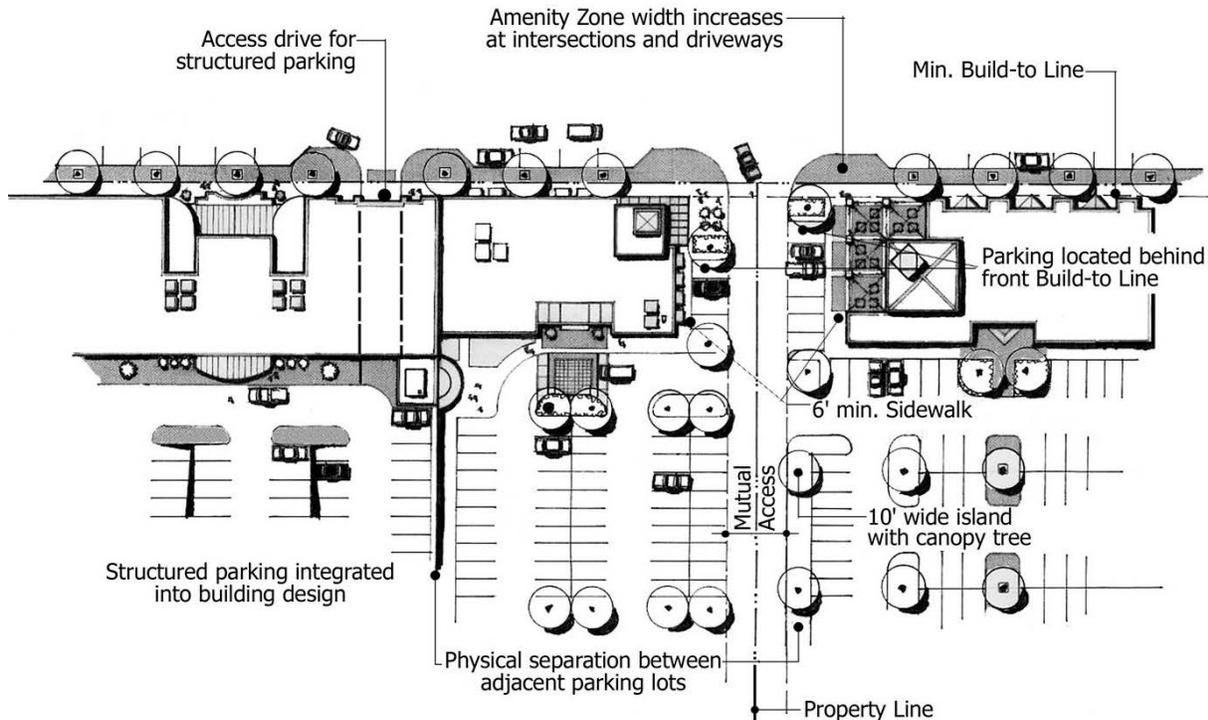


Illustration 10.2: Parking layout examples

- (3) A 10-foot wide island shall be placed at the end of each row of parking within a parking lot. A canopy tree shall be provided in the island with ground cover, shrubs, or enhanced pavers filling in the remainder of the island.

(c) Structured parking

- (1) Ramp articulation in parking structures shall be concealed from view by architectural treatment.
- (2) Pedestrian access to any adjacent public sidewalk shall be provided from the parking structure.

On-street parking

- (a) Where feasible, on-street parallel parking shall be provided on all streets, excluding Greenville Avenue, the arterial sections of Spring Valley Road, and Centennial Boulevard. Angle parking may be requested along Spring Valley Road east of the DART line during Concept Plan and Development Plan review, subject to approval by the city traffic engineer. On-street parking spaces immediately adjacent to a property may be counted

Spring Valley Station District: Development Regulations

toward meeting the parking requirement of said property. Each on-street parking space shall be counted towards the parking requirements for only one building. Use of on-street parking spaces to satisfy the parking requirement of a building must be approved in conjunction with the Concept Plan and Development Plans approval.

- (b) On-street parking spaces are intended for short-term use by patrons or visitors to any building or business within the Core Area. Regulations governing on-street parking (i.e. hours, time limits, etc.) may be adopted and enforced by the City. On-street spaces may not be signed or in any way physically designated for use by only one business without prior written consent of the Director of Development Services or designee.
- (c) Dimensional Requirements
On-street parking space dimensions shall be 10'x22'. Spaces at the end of a row of parallel spaces shall provide additional length for maneuvering and transition.

Off-site parking

- (a) Parking spaces serving a non-residential building are not required to be provided on the same platted lot as the building being served; however, all parking spaces serving a given building must be located within 600 feet of the nearest outer façade of said building. Parking spaces serving more than one building may be located in the same surface parking lot or parking structure with spaces serving other buildings, subject to the requirements herein. The provision of off-site parking shall be noted on the Concept Plan.
- (b) Off-site parking shall require a formal, executed parking agreement, in a format acceptable to the City, submitted in conjunction with any plans for initial development and construction, or subsequent building expansion. The parking agreement must provide for an adequate number of spaces to meet the requirements contained herein for all buildings being served, and must contain provisions adequate to ensure its enforceability. The parking agreement must be reviewed by the City Attorney and approved by the City Plan Commission in conjunction with Development Plans approval and prior to plat approval. Upon approval, an executed copy of the agreement shall be filed in the Dallas County deed records by the City. Amendments or modifications to the agreement shall require approval by the City and be recorded in the Dallas County deed records.

Tracking of Parking Space Allocations

- (a) Notations shall be made on individual Development Plans and on the Core Area Master Plan to clearly indicate which off-site and/or on-street parking spaces are allocated to each building.

Existing development

Parking requirements for buildings existing at the time of adoption of this ordinance shall be those specified in the City of Richardson *Code of Ordinances*, as amended. All parking required for an existing building must be provided on the same platted lot as the structure. Requests for variances to the parking requirements established in the *Code of Ordinances* shall follow the procedures outlined therein.

Minimum parking requirements for new development

Property developed under the provisions of this ordinance shall provide parking based on the following ratios:

Spring Valley Station District: Development Regulations

- (a) Retail/commercial uses (except hotel and movie or performing arts theaters), office uses, and childcare centers
 - (1) For buildings of 75,000 square feet or less: 1 space per 250 gross square feet
 - (2) For buildings of more than 75,000 square feet: 1 space per 300 gross square feet
- (b) Theater (movie or performing art)
 - (1) 1 space per 4 seats
- (c) Hotel (full service)
 - (2) 1 space per guestroom plus 1 space per 300 square feet of conference and/or meeting space
- (d) Multi-family residential uses (apartments and condominiums)
 - (1) One-bedroom units: 1.5 spaces per unit
 - (2) Two-bedroom units: 1.75 spaces per unit
 - (3) Three- or more bedroom units: 2 spaces per unit
 - (4) Every multi-family project shall provide structured parking for the development, except that parking spaces for the leasing office, deliveries, and other associated activities may be provided on-street or through surface lots. Structured parking shall be constructed as an integral part of the multi-family building, except for development of multi-family on Lot 1B, Block O, McKamy Park Addition and a 1.89724 acre tract of land located adjacent to and north of Lot 1B, Block O, McKamy Park Addition, which shall be allowed surface parking..
 - (5) The parking of boats, trailers, and recreational vehicles shall be prohibited, except where storage area is provided and specifically designated for this purpose. Where such a storage area is provided, it shall accommodate the boats, trailers, and other recreational vehicles owned by residents of the development only. The storage area shall not be located between the building and the street, and shall be screened from any abutting properties by a wall as described in Section 5 of this ordinance. Parking provided in this storage area shall not count toward the minimum required parking for the multi-family development.
 - (6) No parking area or vehicle storage space shall be used for the storage or parking of any truck, truck trailer or van, house trailer, except one panel or pickup truck, not exceeding one-ton capacity, may be kept on premises if used in connection with maintenance and management of the multi-family project.
- (e) Institutional and other uses
 - (1) Independent living senior facility: 1 space per unit
 - (2) Assisted living senior center: 0.5 spaces per unit
 - (3) Public buildings, transit facilities, and other institutional uses: To be determined as outlined in the Special Exceptions section herein
- (f) Townhomes
 - (1) Two spaces per unit on the same lot as the dwelling being served, located behind the required building lines and in an enclosed garage structure.

Spring Valley Station District: Development Regulations

- (2) 0.5 additional spaces per unit located outside the platted residential lots. On-street parking and/or parking in common areas owned and maintained by a Homeowner's Association may be used to satisfy the 0.5 space per unit requirement, as described herein. Spaces shall be located conveniently and dispersed throughout the development so as to best serve residents and their guests.
 - (3) Garages and driveways shall be accessed from the rear of the townhome building. No front entry garages shall be permitted.
 - (4) All townhome lots shall be accessible by means of an alley or private access drive with a minimum of twenty feet paved width from a street to the parking or service area.
- (g) Patio homes
- (1) Two off-street parking spaces, accessible from a driveway constructed of an approved parking surfaces, shall be provided on the lot in an enclosed garage structure behind the required build-to lines to accommodate two motor vehicles for each dwelling unit. The garage may be either attached to or detached from the principal building.
 - (2) No more than two contiguous front-facing garages (opening parallel to the street) shall be permitted. Swing-entry garages (opening perpendicular to the street) shall be permitted and shall not be considered front-facing.
- (h) Single family homes
- (1) Two off-street parking spaces, accessible from a driveway constructed of an approved parking surface, shall be provided on the lot in an enclosed garage structure behind the required build-to lines to accommodate two motor vehicles for each dwelling unit. The garage may be either attached to or detached from the principal building.
 - (2) No more than two contiguous front-facing garages (opening parallel to the street) shall be permitted. Swing-entry garages (opening perpendicular to the street) shall be permitted and shall not be considered front-facing.

11. Signs

Administration and Enforcement

Administration and enforcement of these sign regulations shall be in conformance with the procedures outlined in Chapter 18 of the Code of Ordinances, as amended, except as otherwise provided herein. All signs must be located on the same platted lot as the business or building being advertised or identified.

Sign Classifications

The following regulations shall apply to development and redevelopment authorized by this ordinance.

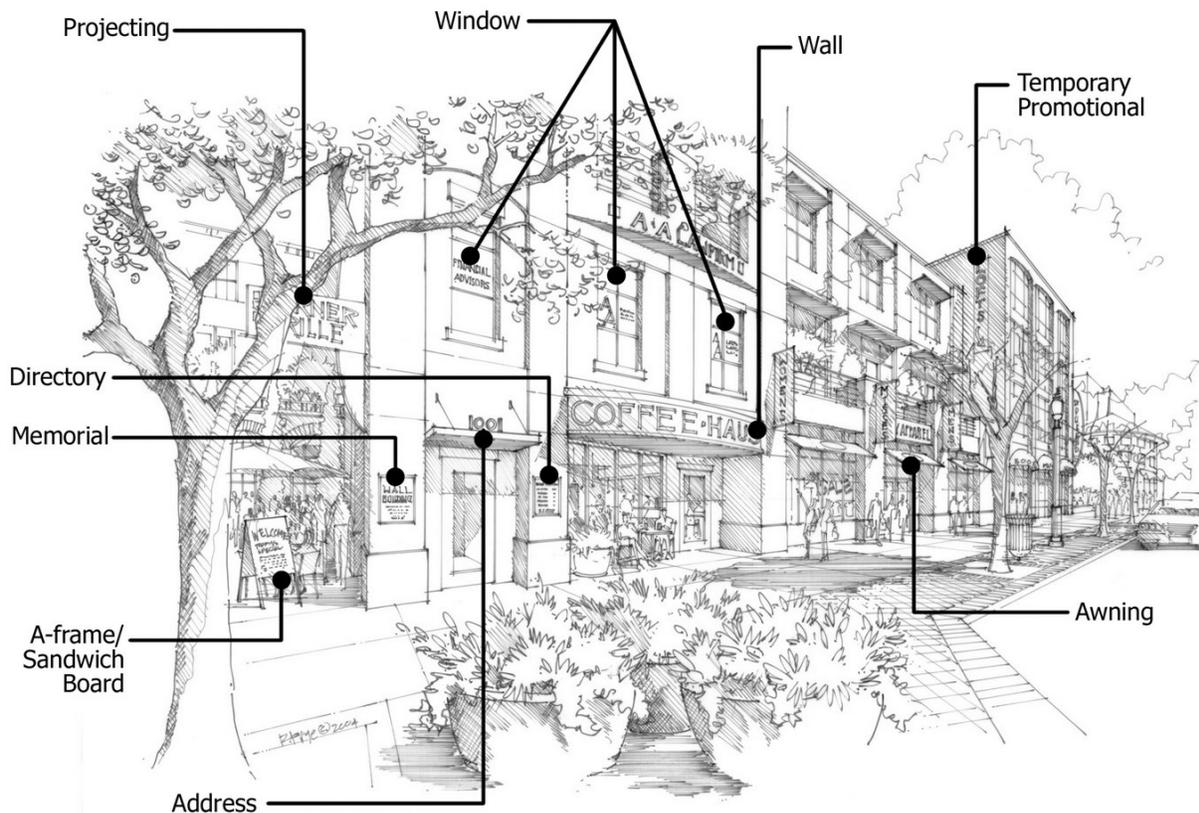


Illustration 12.1: Sketch of sign examples

A-frame/sandwich board signs

- (a) A-frame or sandwich board signs meeting the requirements outlined below shall not require a sign permit prior to erection.
- (b) Signs shall be limited to one per business and may only advertise retail/commercial activities and shall not be used to advertise real estate sales or leasing opportunities.
- (c) Signs shall not interfere with the required unobstructed sidewalk path; and shall not be located within the Amenity Zone.

Spring Valley Station District: Development Regulations

- (d) Signs shall be within 20 feet of the primary entrance to the business.
- (e) Signs shall not exceed eight square feet in area per face and four feet in height. The entire sign structure shall be included in the calculation of the sign area.
- (f) Signs shall be professionally manufactured with the frame of the sign made from wood or finished metal. PVC and Coroplast shall not be allowed as sign materials.
- (g) Attachments to the sign shall not be permitted.
- (h) Signs may include a chalkboard or bulletin board.
- (i) Signs shall be weighed down with weights integrated into the sign but shall not be chained or bolted to the building, sidewalk, street signs, light poles, or other street furnishings.
- (j) A-frame signs shall not be left outside the building overnight.

Address signs

- (a) Address signs meeting the requirements outlined below shall not require a sign permit prior to erection.
- (b) Address sign text shall be no larger than 12 inches in height.
- (c) Address signs, including suite numbers, shall be limited to one per entrance.
- (d) Address signs shall be in conformance with the regulations of Chapter 20, Article IV of the Code of Ordinances.

Awning signs

- (a) Awning signs shall require a sign permit prior to erection.
- (b) Awning signs shall be permitted for ground floor uses only.
- (c) Signs on awnings shall be printed, painted, or applied directly on the surface of the awning.
- (d) Backlighting of awning signs shall be prohibited.
- (e) Awnings shall be made of metal or heavyweight canvas or laminated material (minimum 14 oz. woven acrylic, 16 oz. opaque or translucent vinyl, or 20 oz. eradicable vinyl).
- (f) Awnings may only be placed over windows and doors.

Bulletin board signs

- (a) Bulletin board signs shall require a sign permit prior to erection.
- (b) Bulletin board signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except as noted herein.
 - (1) Combustible materials may be used, providing the sign is attached to a wall with a minimum two-hour fire resistive rating.
 - (2) Bulletin board signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated.
- (c) Bulletin board signs shall not extend above the façade of the structure or building to which it is attached; and shall be designed, constructed and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.

Construction signs (temporary)

- (a) Construction signs meeting the requirements outlined below shall not require a sign permit prior to erection.
- (b) Temporary construction signs denoting the architect, engineer, contractor, subcontractor, and/or financier and temporary signs denoting the future location of a particular business, retail center or institution shall be limited to one construction sign and one future location sign per street adjacent to the construction site or future location site. Each sign shall:
 - (1) Be limited to 32 square feet in area;
 - (2) Shall not extend above 15 feet in height measured from ground level; and
 - (3) Must be located on the premises where the construction or the location being advertised is or will be occurring.

Such signs shall be removed upon issuance of the certificate of occupancy.

Directory signs

- (a) Exterior directory signs meeting the requirements outlined below shall not require a sign permit prior to erection.
- (b) Exterior directory signs shall be allowed on multi-tenant buildings where there are two or more tenants without direct outside access to a public street. One exterior directory sign per entrance shall be permitted.
- (c) The exterior directory sign shall include only building information (name, address and logo) and building tenant information (name and suite). The sign shall not contain advertising.
- (d) Text size is limited to three inches for building name and logo, and one inch for all other information. All tenant information should utilize a single text font.
- (e) Internal directory signs shall not be limited.

Flags

- (a) Flags meeting the requirements outlined below shall not require a sign permit prior to erection.
- (b) Corporate and logo flags shall be limited to one per site when accompanied by a U.S. and/or state flag of equal size or larger.
- (c) Corporate and logo flags shall be limited in non-residential, multi-family, and mixed-use sites to 40 square feet for sites of less than one acre, 60 square feet for sites of more than one acre but less than five acres, and 96 square feet for sites of five or more acres.

Memorial signs or tablets

- (a) Memorial signs or tablets meeting the requirements outlined below shall not require a sign permit prior to erection.
- (b) Memorial signs may be constructed of bronze or other noncombustible materials attached to the building or may be cut into any masonry surface.
- (c) Memorial signs shall not exceed four square feet in area, with one sign permitted for each building wall facing a street.

Spring Valley Station District: Development Regulations

Monument signs

- (a) Monument signs shall require a sign permit prior to erection.
- (b) Monument signs shall be limited to an area of 35 square feet per face.
- (c) Monument signs must be located a minimum of 30 feet from adjoining platted property lines.
- (d) No monument sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at elevations between 2 1/2 feet and eight feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.
- (e) Monument signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area, and shall be constructed to receive dead load as required in City building code.
- (f) All monument signs shall be placed on concrete bases or footings. Monument signs shall be constructed of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, and must be supported by noncombustible material. All portions of any sign must be finished in a presentable manner; wood or non-painted steel supports are specifically prohibited. Heavy timber and other materials may be used only if approved by the Building Official.

Nameplate

- (a) Nameplate signs meeting the requirements outlined below shall not require a sign permit prior to erection.
- (b) Nameplate signs shall not exceed one square foot in area, with one sign permitted for each residential unit.

Political signs (temporary)

- (a) Temporary political signs meeting the requirements outlined below shall not require a sign permit prior to erection.
- (b) Temporary political signs shall be limited to a maximum of thirty-six (36) square feet and eight (8) feet in height and shall only be located on private property with the consent of the property owner. No political sign may be illuminated or have moving parts.
- (c) No political sign may be placed in any location that obstructs vision for traffic. Any sign in violation of the provisions of this section may be removed by the Building Official ten days after written notice to the property owner. Any expense incurred by removal shall be paid by the owner of the property on which the sign is located.

Projecting signs

- (a) Projecting signs shall require a sign permit prior to erection.
- (b) Projecting signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except:
 - (1) Combustible materials may be used, providing the sign is attached to a wall with a minimum two-hour fire resistive rating.

- (2) Projecting signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated.
- (c) Projecting signs shall specifically include any sign affixed to a projecting structure of a building, providing that such sign shall not extend above the façade of the structure or building to which it is attached. Such sign shall be designed, constructed, and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.
- (d) Projecting signs shall maintain a minimum clearance above the sidewalk of eight feet, unless a landscape area or other feature is located below the sign, and shall not encroach into the Amenity Zone.
- (e) A projecting sign shall not extend above the façade of the use to which it is attached.

Promotional signs (temporary)

- (a) Temporary promotional signs shall require a sign permit prior to erection.
- (b) Submission to the Building Official shall include, but not be limited to, a drawing or sketch showing the type, size, height and location of the temporary promotional sign (including banners, flags and pennants), along with a description of the means of attachment or support, and the stated purposes of the promotion.
- (c) A promotion for a site, center, development, or subdivision shall be considered separately from promotional signs for individual establishments within such site, center, development, or subdivision.
- (d) Specifically, temporary promotional signs shall include:
 - (1) Signs, banners, flags, balloons or pennants promoting a merchandise program, opening of a retail or commercial establishment or center, special program of a public institution, or the opening of a single-family subdivision or multifamily development, providing that such sign shall have a maximum single use period of 30 days for the initial permit for a new business and a 21-day permit thereafter. Such sign shall have a minimum period between permits of seven days and a maximum number of four permits per year. The use of balloons shall be restricted to the initial 30-day permit. The size of a banner shall be limited to one square foot per lineal foot of lease space frontage up to a maximum of 200 square feet.

Real estate signs

- (a) Real estate signs meeting the criteria contained below shall not require a sign permit prior to erection.
 - (1) Signs not exceeding eight square feet in area and not exceeding four feet in height for single-family uses which advertise the sale, rental or lease of the premises upon which such signs are located only. The number of such signs shall be limited to one per lot or development, except, where such lot or development abuts more than one dedicated public street, one additional sign shall be allowed for each public street.
 - (2) Signs not exceeding 24 square feet in area and not exceeding eight feet in height for all uses, except single-family (attached and detached), which advertise the sale, rental or lease of the premises upon which such signs are located only. The number of such allowable signs shall be limited to one for lots having less than 200 feet of street frontage. For lots having at least 200 feet of street frontage, two such signs shall be

Spring Valley Station District: Development Regulations

allowed plus one additional sign for each additional 100 feet of street frontage. In no event may the number of such signs exceed four for a given lot. Such signs shall be removed upon issuance of any occupancy permit.

Wall signs

- (a) Wall signs shall require a sign permit prior to erection.
- (b) Wall signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except:
 - (1) Combustible materials may be used, providing the sign is attached to a wall with a minimum two-hour fire resistive rating.
 - (2) Wall signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated.
- (c) A wall sign shall not extend above the façade of the structure or building to which it is attached. Such sign shall be designed, constructed and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.

Wayfinding signs

- (a) Wayfinding signs shall not require a sign permit but must be submitted to the building official for review.
- (b) Submission to the building official shall include, but not be limited to, a site drawing showing the location of the proposed sign(s), a dimensional drawing showing size and content, a designation of the material or materials to be used, and the proposed method of erection.
- (c) No wayfinding sign shall be erected until the Building Official has approved the sign submission.

Window signs

- (a) Window signs shall require a sign permit prior to erection.
- (b) In no event may signs be located on the window surface internally or externally in any manner to obscure more than 25 percent of the visible window area available in the absence of any signs. Where multiple windows exist fronting on a single street or sidewalk, the 25 percent visibility shall be maintained for each window on such street or sidewalk. Window signs shall include:
 - (1) Signs painted on the internal surface of the window of a retail/commercial or office establishment.
 - (2) Signs (except posters), banners or displays located on the internal surface of the window of a commercial or retail establishment.
 - (3) Posters, providing such posters are not located on the external surface of the window.
 - (4) Decorations intended to direct attention to and stimulate citizens' interest in public events, providing such signs are painted on the internal surface of the window no more than 25 percent of the window is obscured by said decorations.
 - (5) Signs attached to the internal surface of a window that define the name, proprietor, telephone number or address of such retail or commercial establishment.

Table 10-1: Signs requiring permits

<i>Sign Type</i>	<i>Permit required?</i>
A-frame/sandwich board	No
Address	No
Awning	Yes
Bulletin board	Yes
Construction (temporary)	No
Directory	No
Flags	No
Memorial	No
Monument	Yes
Nameplate	No
Political (temporary)	No
Projecting	Yes
Promotional	Yes
Real estate	No
Wall	Yes
Wayfinding	No
Window	Yes

Regulation by Use

The sign types and area allowances for each use shall be as defined in this section, subject to the conditions specified.

All buildings/uses

- (a) Address signs are required for all buildings and shall be in conformance with the regulations in Chapter 20, Article IV of the Code of Ordinances, as amended.
- (b) Signs classified as construction (temporary), flags, memorial, political (temporary), and real estate are allowed for all uses subject to the conditions herein.

Non-residential and mixed-use buildings

Non-residential and mixed-use buildings allow the following signs:

- (a) Ground floor uses:
 - (1) The ground floor of the building (maximum 25 feet in height) may have a maximum combined effective area for all signs requiring a permit not exceeding twenty percent (20%) of the total area of the ground floor façade. For multi-tenant buildings, the effective area for all signs for each tenant shall not exceed twenty percent (20%) of the total area for the tenant’s portion of the façade.

Spring Valley Station District: Development Regulations

- (2) Signs may be placed on each exterior façade, subject to the twenty percent (20%) limit per façade.
 - (3) The total sign area may be divided into any combination of individual signs, including awning, hanging, projecting, window, or wall signs.
- (b) Uses above the ground floor:
- (1) The area above the ground floor may have a maximum combined effective area for all signs requiring a permit not exceeding five percent (5%) of the total area of each façade above the ground floor.
 - (2) Signs may be placed on each exterior façade, subject to the five percent (5%) limit per façade.
 - (3) The total sign area may be divided into any combination of individual signs, including projecting or wall signs.
 - (4) If a ground floor use occupies one or more floors above the ground floor, that section of the façade above the ground floor is eligible for signage not to exceed five percent (5%) of the total area of the tenant's portion of the façade above the ground floor.
- (c) One monument sign per street frontage, subject to the limits and restrictions herein.
- (d) Directory signs, subject to the limits and restrictions herein.
- (e) Promotional signs, subject to the limits and restrictions herein.

Multi-family (freestanding) buildings

Freestanding multi-family buildings are allowed the following signs:

- (a) The maximum combined effective area of all signs requiring a permit may not exceed five percent (5%) of the total area of each façade, in the form of wall, projecting, awning, and/or window signs.
 - (1) The total sign area may be divided into any combination of individual signs, including awning, projecting, window, or wall signs.
 - (2) Signs may be placed on each exterior façade, subject to the five percent (5%) limit per façade.
- (b) One monument sign per street frontage, subject to the limits and restrictions herein.
- (c) Directory signs, subject to the limits and restrictions herein.
- (d) Promotional signs, subject to the limits and restrictions herein.

Single-family (attached and detached)

Single-family, attached and detached, uses are allowed the following signs:

- (a) Nameplate
- (b) Memorial

Variances

- (a) The City Council authorizes the City Plan Commission to sit as a board of appeals in public hearings for purposes of these sign regulations.

- (b) In considering requests for variations to the requirements of these regulations, the City Plan Commission shall consider, but not be limited to, the degree of variance, the reasons for the variance being requested, the location of the variance request, the duration of the requested variance, the effect on public safety, protection of neighborhood property, the degree of hardship or injustice involved, and the effect of the variance on the overall character of the Spring Valley Station Core Area. The City Plan Commission may grant the variance requested, grant a variance of a lesser nature than requested, or deny a variance request.
- (c) All actions on sign variance requests shall be submitted to the City Council for review and become final unless reversed or modified by the City Council no later than the second City Council meeting following the date of City Plan Commission action on the requested variance . In reviewing the action of the commission on variance requests, the City Council shall consider the records made at the hearing before the City Plan Commission.

12. Exceptions, Special Permits, and Amendments

Exceptions

General

Where in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, the City Council may, in specific cases, at a regular meeting of the City Council, and subject to appropriate conditions, safeguards, and after the recommendation of the City Plan Commission, may authorize exceptions (as defined herein) to the regulations in this ordinance as listed below in order to permit reasonable development and improvement of property. No public notice or public hearing shall be required prior to the grant of an exception.

An applicant may request an exception to the regulations of this ordinance as part of a Concept Plan or Development Plans application. The proposed exception shall be clearly noted on the Concept Plan or Development Plans. Information supporting the need for the exception shall be submitted for review by the Development Services Department prior to submission of the Concept Plan or Development Plans. Approval of the Concept Plan or Development Plans shall constitute approval of the exception noted therein for that development.

Exceptions to the regulations of this ordinance that may be authorized include the following:

- (a) Definitions
- (b) Building regulations
- (c) Area regulations
- (d) Additional requirements for multi-family
- (e) Open space
- (f) Access and parking
- (g) Signs

Special permits

Any use not listed as a permitted use in this ordinance may be allowed by special permit through the process detailed in Article XXII-A of the Comprehensive Zoning Ordinance.

Amendments

Amendments to this ordinance, including changes to the list of permitted uses and the Additional Development Rights table should follow the process outlined in Article XXIX of the Comprehensive Zoning Ordinance.

13. Development Review

The following review process shall be required for all proposed developments, except for single-family homes and patio homes.

Concept Plan

The submission of a Concept Plan shall constitute the first step in development approvals for a specific site. The Concept Plan shall delineate the site plan elements, showing how the development complies with this ordinance, the Core Area Design Guidelines, and the Core Area Master Plan. The Concept Plan shall include and show the following:

- (a) Scaled drawing, clearly showing vehicular and pedestrian circulation, parking (required and provided), open space, landscape areas, the type and location of buildings, building area (square footage, height, number of stories, and/or number of units), square footage being redeveloped (where applicable), land area and building coverage, uses within the buildings, fire lanes, parking areas, landscaped areas, street and lot configuration, building sites, access, density, and relation to adjacent facilities.
- (b) Location and size of amenities, when required.
- (c) Architectural images indicating general architectural concepts, treatments, character, and other similar features.
- (d) Description of building exterior, roof, architectural, and paving materials.
- (e) A traffic impact analysis. Development proposals that generate more than 10,000 vehicle trips per day or are located on sites of five acres or more shall submit a traffic impact analysis with modeling. Development proposals that generate fewer than 10,000 vehicle trips per day or located on sites of less than five acres may be submitted without modeling.

The Concept Plan shall be reviewed by the City Plan Commission for recommendation to the City Council for final approval. Concept Plan approval shall expire one year after the date of City Council approval, unless extended by the City Plan Commission for a single period not to exceed one year. An application for an extension of Concept Plan approval shall be submitted 45 days prior to the expiration date of the approved Concept Plan. The City Plan Commission may extend the approval if sufficient progress towards creating a Development Plans is demonstrated.

Development Plans

After approval of the Concept Plan, the following Development Plans shall be submitted for final approval by the City Plan Commission, however both the City Plan Commission and the City Council shall approve the required building elevations. Development Plans shall be submitted within one year after approval of the Concept Plan.

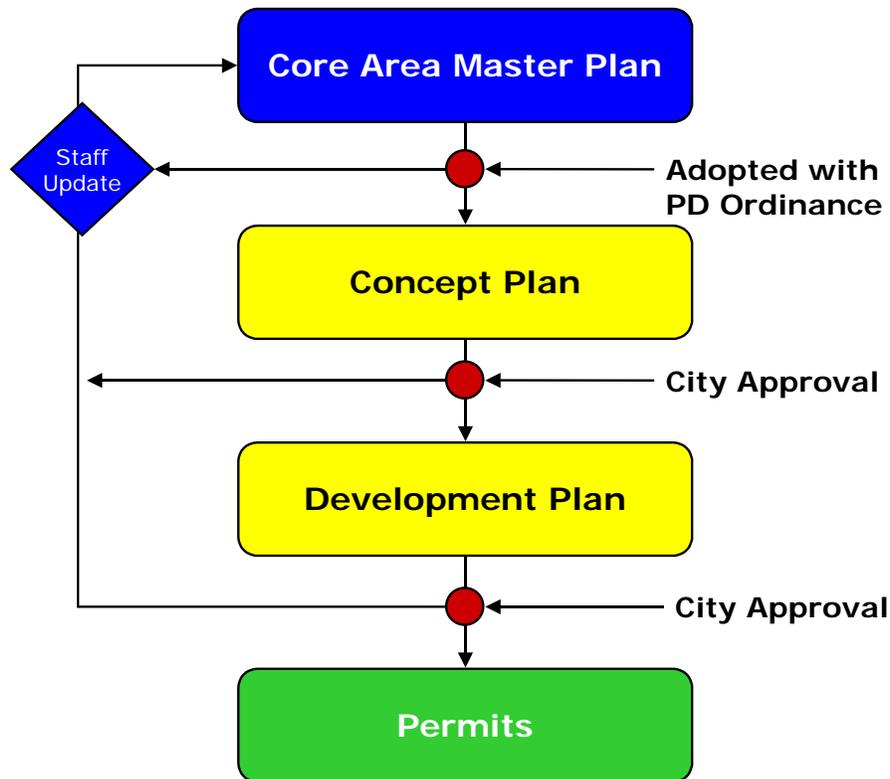
Development Plans shall be in substantial conformance with the updated Core Area Master Plan and the Concept Plan approved by the City Council. The Development Plans shall consist of the following:

- (a) Site plan—approval of a site plan in accordance with the provisions of the Comprehensive Zoning Ordinance.
- (b) Landscape plan—approval of a landscape plan in accordance the provisions the Comprehensive Zoning Ordinance.

Spring Valley Station District: Development Regulations

- (c) Civil engineering plans—approval of civil engineering plans in accordance with the Code of Ordinances.
- (d) Building elevations.
- (e) Description and samples of building exterior, roof, architectural, and paving materials, indicating proposed colors.
- (f) Other documents necessary to support the proposed development including, but not limited to, maintenance agreements, shared parking agreements, property owner association agreements.

Development Plans shall be submitted for review and approval by the City Plan Commission; however, building elevations shall also approved by the City Council. If building permits have not been issued within one year of the approval date of the Development Plans, the approval shall expire. The City Plan Commission may issue an extension of the Development Plan approval for a single period of up to six months if sufficient progress towards implementing the Development Plan is demonstrated. The application for an extension of a Development Plan approval shall be submitted by the applicant no less than 30 days and no more than 45 days prior to the Development Plan expiration date.





MEMO

DATE: November 21, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 13-21 – PD – NE Quadrant of Campbell Road and Plano Road

REQUEST

William S. Dahlstrom, Jackson Walker, L.L.P., representing WC Business Center LP, is requesting to rezone a 5.3-acre lot from LR-M(2) Local Retail with special conditions to PD Planned Development to accommodate the development of a self-service warehouse. The subject property is located at 2050 N. Plano Road, at the northeast quadrant of Campbell Road and Plano Road.

BACKGROUND

The property was developed in 1985 with two (2) buildings. Around the same time, the 3-building shopping center located in front of the property was also developed. In 1993, a Special Permit was granted to allow a high-tech manufacturing facility (J.N.C. Enterprises and Macronix) to locate within the subject property. Since its construction, the subject property has experienced difficulty leasing and marketing the property due to its poor visibility. At the November 19, 2013 CPC meeting, the applicant stated the site is approximately 20% occupied.

The proposed PD would limit the allowed uses to LR-M(2) Local Retail uses as well as a self-service warehouse. The proposed facility would contain approximately 768 individual storage units. The site would be access controlled and tenants would only have access to the building where their storage unit is located. The applicant has also stated there will be several cameras throughout the property to increase security. The applicant has proposed additional conditions that would limit the impact of a self-service warehouse. The conditions include additional screening adjacent to the single-family neighborhood, signage and lighting restrictions, and the prohibition of outdoor storage. Along with the conditions, the applicant requested a 5-foot reduction in the 60-foot open space requirement between the back of the buildings and the residential property to the north and east.

No written correspondence has been received.

The Commission stated that the site was not positioned well to be a viable retail center and discussed the possibility of a time limit on the use; however, the time limit was not supported by the Commission.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-1 (Commissioner Linn opposed), recommended approval of the request subject to limiting the reduced open space requirement to only the existing portion of Building 2 which does not conform to the 60-foot open space requirement.

ATTACHMENTS

CC Public Hearing Notice
City Plan Commission Minutes 11-19-2013
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking West
Zoning Exhibit (Exhibit "B")

Proposed Site Renderings (Exhibit "C")
Proposed PD Conditions (Exhibit "D")
Site Photos
Applicant's Statement
Notice of Public Hearing
Notification List



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: Wednesday, November 6, 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: Friday, November 8, 2013

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, November 25, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-20

A request by David Gleeson, L&B Realty Advisors, LLP, representing Centennial Park Richardson, Ltd., to revise the Spring Valley Station District PD, Ordinance No. 3831, to allow up to 30 single-family residences and remove rights for multi-family units on approximately 3.8 acres of land located on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek. The property is currently zoned PD Planned Development.

ZF 13-21

A request by William S. Dahlstrom, Jackson Walker, L.L.P., representing WC Campbell Business Center LP, for a change in zoning from LR-M(2) Local Retail to PD Planned Development to accommodate a self-service warehouse to be located on approximately 5.3 acres of land located at the northeast quadrant of Campbell Road and Plano Road. The property is currently zoned LR-M(2) Local Retail.

ZF 13-23

A City-initiated amendment to the Comprehensive Zoning Ordinance (Appendix A), Article I, Section 2 (Definitions), by adding the definition of E-Cigarette establishments and by amending Article XXII-A, Section 2 (Special Permits – Use Regulations) to allow E-Cigarette establishments upon approval of a Special Permit in the LR-M(1) and LR-M(2) Local Retail Districts and the C-M Commercial District.

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

**DRAFT EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – NOVEMBER 19, 2013**

PUBLIC HEARING

Zoning File 13-21: Consider and take the necessary action on a request for a change in zoning from LR-M(2) Local Retail to PD Planned Development to accommodate a self-service warehouse to be located on approximately 5.3 acres of land at the northeast quadrant of Campbell Road and Plano Road.

Mr. Shacklett advised the applicant was requesting to rezone the subject property to accommodate the development of a self-service warehouse. He added that when the property was developed, a similar shaped property was developed shortly thereafter limiting the visibility of the subject site to the Campbell and Plano Road frontages.

Mr. Shacklett explained the applicant was faced with two choices when looking to rezone the subject property: 1) rezone from retail to an industrial district that would allow various industrial uses by right; or 2) rezone to a PD with a base zoning of LR-M(2) Local Retail with the additional allowed use of self-service warehouse. The latter would allow the property to develop either as self-service warehouse, or remain as local retail.

Mr. Shacklett stated the proposed warehouse would hold approximately 768 individual units between Buildings 1 and 2 with two-thirds of the units in Building 1 and the remainder in Building 2. He added that the applicant was asking to add several special conditions to the rezoning request to lessen the impact on the adjacent properties:

- Any new exterior lighting would be limited to shielded sconces no higher than eight (8) feet in height;
- All storage units would be required to be accessed from internal corridors;
- Outdoor storage and display related to a self-service warehouse would be prohibited;
- Placing additional screening trees every thirty-five (35) feet to provide added buffering in addition the existing 6-foot wall;
- Limit attached signage to no more than 50 square feet on both frontages; and
- Limit detach signage would to one monument sign on each frontage (no pole or pylon signs).

Mr. Shacklett pointed out the visibility of the subject property was hindered by the fact the property sits below grade along Plano Road, the existing landscaping, and the location of the existing retail building in front of the subject property.

Mr. Shacklett noted that in the original application, a second story had been proposed on the west side of Building 1 that would have served as space for an office and an on-premises

caretaker, but that had been removed because, by definition, self-service warehouses in the City are not allowed to have on-premise caretakers.

Commissioner Frederick asked if an office would be allowed as a second story.

Mr. Shacklett replied that as a second story it would only be allowed by amending the PD or asking for a variance because the site was within 150 feet of a residential district, which limits the height of a building to one story.

Commissioner Linn asked to confirm the number of units being requested and whether those units would incorporate all the existing structure so no other uses would be allowed. He also wanted to know if any pole signs would be allowed.

Mr. Shacklett replied that 768 units were being requested and the intent was for all of the building to be used as self-storage.

Regarding signage, Mr. Shacklett reiterated that only monument signs would be allowed on the frontages along Campbell and Plano Roads. Also, the proposed PD regulations would prohibit pole signs whereas the existing zoning would allow those types of signs.

Commissioner Linn asked if there would be any updates made to the outside of the existing structure.

Mr. Shacklett replied that no specific cosmetic updates had been discussed with the applicant, but any updates made would have to be in conformance with the base retail zoning of the PD.

Commissioner Maxwell asked how the 50 square feet of signage proposed in the PD compared to signage in the base zoning.

Mr. Shacklett replied that the current retail zoning would allow up to 80 square feet along Campbell Road and 190 square feet along Plano Road.

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

Mr. Bill Dahlstrom, Jackson Walker LLP, 901 Main Street, Dallas, Texas, representing the property owner, stated that because of the items mentioned by staff (elevation, location, etc.) the property had been difficult to lease so the owner thought the conversion to self-service warehouse would be a good adaptive reuse of the property.

Mr. Dahlstrom said that prior to coming before the Commission the owner met with the adjacent homeowners association and as a result of that meeting decisions were made on improvements to the site including having only one story and planting 18 canopy trees along the eastern boundary. He added that the trees in conjunction with the height of the wall would provide additional screening for the neighborhood.

Mr. Dahlstrom reported the president of the homeowners association sent an email to notify the owner they would not be taking a formal position on the proposed rezoning because their membership were either in favor or not against it; no comments were made in opposition.

Mr. Robert Cerrone, Vice President of Great Value Storage, 3050 Tamarron Boulevard, Austin, Texas, said their company owns and operates 39 facilities in six states with 25 of those facilities located in Texas.

Commissioner Linn asked if the facility would be climate controlled. He also wanted to know which building housed the current tenants and what would happen to those tenants.

Mr. Cerrone replied the building will be temperature controlled with a variance in temperature of no higher than 80 degrees and no lower than 60 degrees. He added that the existing tenants were in Building 2 and their existing leases would be honored or some other sort of arrangements would be made.

Commissioner DePuy stated the proposal was a great use for the property and wanted to know if the storage units would be made of metal or concrete.

Mr. Cerrone replied the units would be an engineered metal system that would be incorporated with the interior walls. He noted that energy efficient LED lighting would be used to illuminate the interior.

Commissioner Frederick asked about the hours of operation and the security for the site.

Mr. Cerrone said the office hours will be 9:00 a.m. to 6:00 p.m. Monday through Friday, with shorter hours on Saturday and closed on Sunday. The access hours would be 6:00 a.m. to 9:00 p.m. 365 days per year and entrance to the site will be through a key-pad gate. In addition, each building will have a key-pad with a code that will only allow access to a specific building and the area will be monitored by 36 cameras.

Commissioner Linn asked if there were any plans to update the outside of the structure.

Mr. Cerrone replied the outside would have minor updates that would be made to reflect the branding through cosmetic changes.

Chairman Hand asked for the name of the president of the homeowners association adjacent to the site and what would happen to the existing glass on the building.

Mr. Dahlstrom replied he spoke with Mr. Brady from the Owens Park Neighborhood Association, and Mr. Cerrone said the existing smoked glass will remain and the wall of the metal storage units would go up against the glass.

Mr. Dahlstrom also wanted to let the Commission know they were amenable to the suggestion made by Mr. Roland in the briefing session to limit the 55-foot setback to the current area.

Commissioner Roland pointed out that the 55-foot setback was located next to the nursery and asked for the setbacks for that business.

Mr. Shacklett replied the setback would be 60 feet because the nursery was zoned residential and the type of use was allowed with a Special Permit.

No other comments were received in favor or opposed and Chairman Hand closed the public hearing.

Commissioner Linn stated he had concerns that self-service storage warehouse tend to linger and become old and dated and asked if there was a way to recall the case in the future if necessary.

Mr. Shacklett replied the Commission reviewed a zoning case last year where a 20 year term with two five year renewal periods had been added to the Special Permit, but pointed out the previous case was located within one of the City's targeted enhancement/redevelopment areas and that was the reason for the time limit.

Mr. Chavez added the proposed case could have a time limit placed on the PD, but again stated the previous case on Arapaho Road was in a future enhancement/redevelopment area. He added that from a land use or impact standpoint, a self-storage warehouse had a low impact with very little traffic, noise and light.

Commissioner DePuy thought the proposed use was good for the particular property and was not in favor of putting a time constraint on the Special Permit because the current property was not in a redevelopment area.

Vice Chair Bright asked if the zoning case was approved, would it be necessary to add a condition to the motion regarding the 55-foot limitation or would it be self-limiting by its definition.

Mr. Shacklett replied that the way special condition 3 was written it could lead someone to believe that 55 feet would be allowed anywhere on the property. He suggested the motion contain that information limiting the location of the 55-foot setback.

Chairman Hand stated that in general he was not in favor of converting the city's building stock into self-storage warehouses; however, he thought the property under consideration was a good site because of some of the problems previously mentioned. He said he could get behind Mr. Linn's suggestion of a time limit, but if the limit was not part of the motion he would still be in favor of approving the item.

Commissioner Frederick said she had concerns with putting time restraints on an applicant without hearing comments from the applicant.

Mr. Dahlstrom replied that this was the first time a time limitation had been mentioned and it would be difficult to accept given the investment the owner was looking to make. He also took exception to putting a time limit on a zoning classification as opposed to a Special Permit.

Chairman Hand asked staff to clarify the type of case being proposed – either a zoning case or Special Permit case.

Mr. Shacklett replied the proposal was a zoning case, and a Special Permit would still be a zoning case, but there are different circumstances with Special Permits where you can set limitations as it relates to time limits or the type of users. In addition, if the item was approved, self-service warehouse would become an allowed use within the base zoning district.

Vice Chair Bright asked for additional information on the time limitation placed on the previous zoning case.

Mr. Shacklett recalled that a 20 year limitation had been placed on the Special Permit and after that time the business owner would have to come back before the Commission for approval with two additional five year review periods. In addition, the case was not a PD but a rezoning with special conditions.

Motion: Commissioner Linn made a motion to recommend approval of Zoning File 13-21 with an amendment to condition 3 to limit the 55-foot open space requirement to the portion of the existing building that is currently closer than 60 feet, and to add a 20 year time limit on the PD with two (2) five year extensions.

The motion failed for lack of a second.

Vice Chair Bright made a motion to recommend approval of Zoning File 13-21 as presented with an amendment to condition 3 to limit the 55-foot open space requirement to the portion of the existing building that is currently closer than 60 feet; second by Commissioner DePuy. Motion approved 6-1 with Commissioner Linn opposed.



Staff Report

TO: City Council

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

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

DATE: November 21, 2013

RE: **Zoning File 13-21:** PD Planned Development to accommodate self-service warehouse

REQUEST:

Rezone a 5.3-acre lot from LR-M(2) Local Retail with special conditions to PD Planned Development to accommodate the development of a self-service warehouse at 2050 N. Plano Road, at the northeast quadrant of Campbell Road and Plano Road.

APPLICANT / PROPERTY OWNER:

William S. Dahlstrom – Jackson Walker, L.L.P. / Gregory Williams – WC Campbell Business Center LP

EXISTING DEVELOPMENT:

The site is currently developed with two (2) multi-tenant buildings totaling approximately 72,000 square feet.

ADJACENT ROADWAYS:

Plano Road: Six-lane divided arterial; 32,100 vehicles per day on all lanes, northbound and southbound, south of Campbell Road (February 2013).

Campbell Road Road: Six-lane, divided arterial; 28,000 vehicles per day on all lanes, eastbound and westbound, west of Plano Road (February 2013).

SURROUNDING LAND USE AND ZONING:

North: Retail/Commercial; R-1800-M Residential

South: Retail/Commercial; LR-M(2) Local Retail

East: Single Family; R-1500-M Residential

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

FUTURE LAND USE PLAN:

Neighborhood Service

Service-related uses such as retail sales; personal services; entertainment; recreation; and office uses oriented to the immediate area.

Future Land Uses of Surrounding Area:

North: Neighborhood Residential

South: Neighborhood Service

East: Neighborhood Residential

West: Neighborhood Service

EXISTING ZONING:

LR-M(2) Local Retail with special conditions per Ordinance Number 1010-A. The special conditions are related to screening and site plan approval, which is already in place.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

In 1976, the subject property was rezoned from R-1800-M Residential to LR-M(2) Local Retail. The property was subsequently developed in 1985 with two (2) buildings. The site was developed for approximately 80% office uses and 20% retail uses. Around the same time, the 3-building shopping center located in front of the subject property was also developed. In 1993, a Special Permit was granted to allow a high-tech manufacturing facility (J.N.C. Enterprises and Mactronix) to locate within the subject property. Since its construction, the subject property has experienced difficulty leasing and marketing the property due to its poor visibility. The applicant states multiple marketing efforts and cosmetic improvements to the building have done nothing to increase leasing interest. The applicant feels the buildings are obsolete for the existing retail zoning, but they are adaptable for other uses, such a self-service warehouse.

Request:

The applicant is requesting to rezone the subject property from LR-M(2) Local Retail to PD Planned Development to accommodate the reuse of the existing buildings as a self-service warehouse use or mini-warehouse.

The applicant states the proposed use would be appropriate due to the property's limited frontage and visibility along Plano and Campbell Roads. He also states a self-service warehouse is compatible with the City's Future Land Use Plan designation of Neighborhood Service by providing convenient storage space to meet the needs of the surrounding neighbors and that the self-service warehouse use would be a positive because it would provide a tenant for an otherwise vacant property.

Typically, a self-service warehouse is only allowed in industrial zoning districts upon approval of a Special Permit. The applicant's desire was not to rezone the property to I-M(1) Industrial and request a Special Permit since that would allow all other industrial uses on the property which may be less desirable due to the property's adjacency to the single-family neighborhood to the north and east. The requested PD Planned Development designation would contain conditions limiting the property to LR-M(2) Local Retail uses with the additional allowed use of a self-service warehouse. In 2012, a request to rezone property from C-M Commercial to I-M(1) Industrial with a Special Permit for a self-service warehouse was approved at the northwest corner of Arapaho Road and Custer Road. That location is similar to the subject property in that the request was for a building that had limited visibility and few retail/service use prospects.

The following is a description of the subject property and elements associated with the development of the property for a self-service warehouse use:

- Building Size:
 - Building 1 – 37,626 square feet
 - Building 2 – 34,303 square feet
- Storage Units: 768 individual storage units,
 - Building 1 – 489 units
 - Building 2 – 279 units
- Building Materials: No changes are being proposed to the exterior of the building.
- Setbacks: No changes to the existing building location are proposed.
 - Front (along Campbell Road and Plano Road): 40 feet
 - Rear: 60 feet where rear of building abuts upon a residential district

Chapter 21 (Subdivision and Development Code) of the Code of Ordinances requires a 60-foot open space/setback where the rear of building abuts upon a residential district. The 60-foot dimension may include alley right-of-way. It appears a portion of Building 2 was constructed with approximately fifty-five (55) feet of open space, specifically for the portion of the building adjacent to Lot 32 of the residential subdivision to the east as shown on Exhibit "B". Since there is no alley adjacent to that lot, the 60-foot dimension is not provided. As such, the building is a non-conforming structure and cannot be expanded. The applicant's request is to reduce the required 60-foot open space setback to fifty-five (55) feet to accommodate the existing condition on the site.

- Landscaping Percentage: 13% proposed; 7% required.
- Number of Parking Spaces: 281 provided; 39 required.

Site Related Elements:

The applicant met with the residents from the Owens Park Neighborhood Association on November 12, 2013 to discuss the proposed use. As part of the proposed re-use of the site, the applicant has proposed additional conditions to lessen any potential impacts of the site on the existing single-family neighborhoods. This includes restrictions and additional conditions related to landscape screening, outdoor storage, lighting, and signage.

Screening Adjacent to Single-Family Lots – The current screening between the subject property and single-family neighborhood is limited to a 6-foot masonry screen wall. The rear of the southern building is visible from the single-family neighborhood, most notably from the two (2) lots at the end of Summertree Court and from Summertree Court itself (see attached photo #5). The applicant proposes to construct landscape islands in the parking spaces along the screening wall and to place trees within the islands to create a visual buffer between the single-family neighborhood and subject property. As shown on Exhibit “B”, the trees would be placed approximately 35-40 feet on center along the screening wall.

Outdoor Storage – The LR-M(2) Local Retail zoning district allows outdoor storage and display but limits it to areas adjacent to the building and no taller than three (3) feet in height. However, the applicant is prohibiting any outdoor storage and display associated with a self-service warehouse use.

Exterior Lighting – The applicant has proposed restrictions on exterior lighting facing residential zoning districts. New exterior lighting would be limited to shielded wall sconces that could be placed at a maximum height of eight (8) feet on the building. The intent would be to prohibit lighting from spilling over the wall onto the adjacent properties.

Signage – The applicant is proposing to limit signage to decrease its visual impact on the adjacent neighborhood as well as the surrounding area. The applicant is proposing to limit attached signage to the west façade of Building 1 and south façade of Building 2, limited to a maximum of fifty (50) square feet per façade. The current zoning would allow up to eighty (80) square feet on the south façade of Building 2 and 192 square feet on the west façade of Building 1. The applicant is limiting the remaining signage to one (1) monument sign on each frontage along with allowing interior directional, security, and property identification signs in compliance with Chapter 18 of the Code of Ordinances.

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

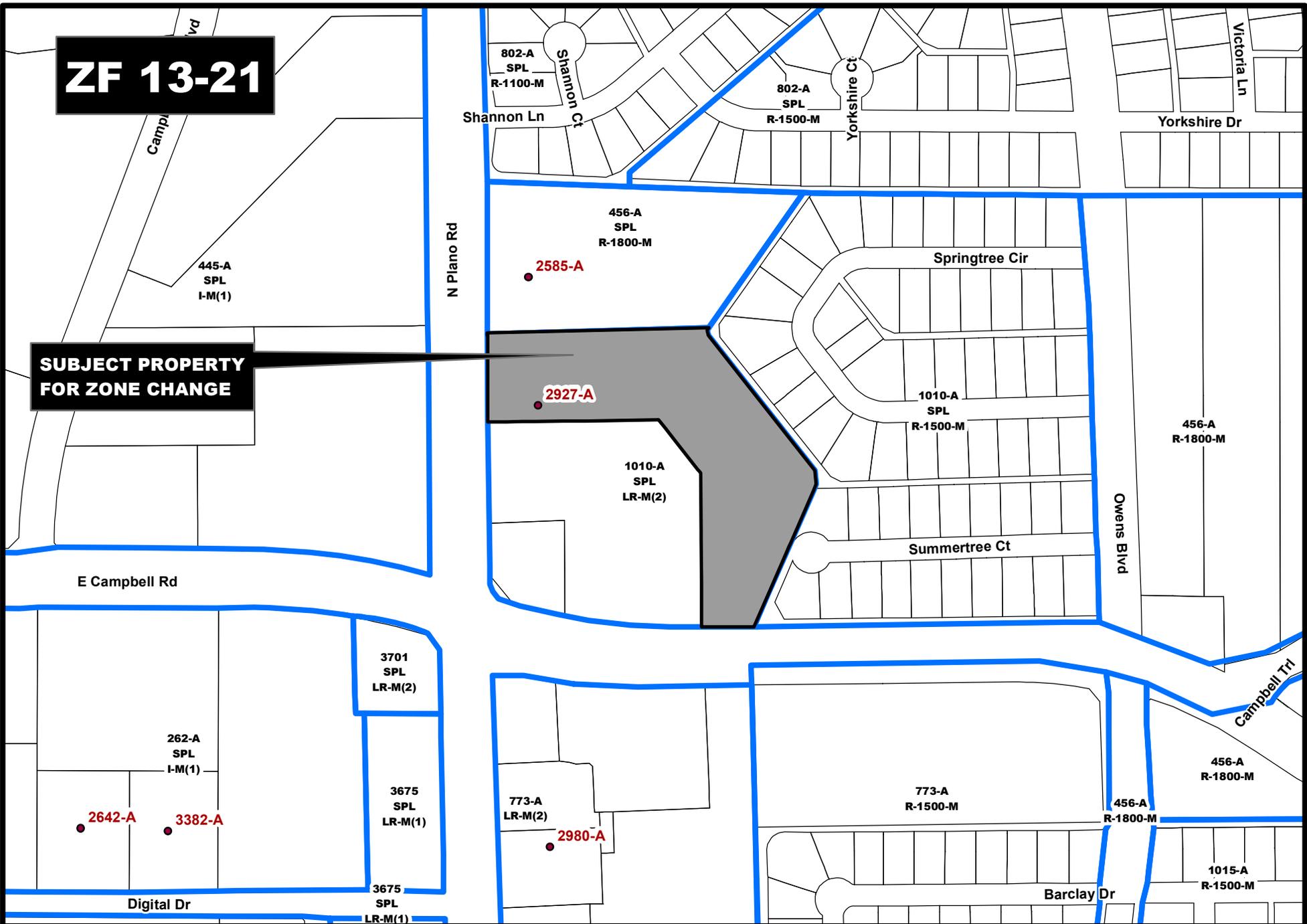
Motion: On November 19, 2013, the City Plan Commission recommended approval of the request as presented with an amendment to condition #3 which is noted in bold text:

1. The subject site shall be zoned PD Planned Development for the LR-M(2) Local Retail District, and shall be developed in accordance with all applicable regulations except as otherwise noted.

2. In this Planned Development District, no land shall be used and no building shall be erected for or converted to any use other than:
 - (1) Any use permitted in the LR-M(2) Local Retail District.
 - (2) Self-service warehouse.
3. No rear setback shall be required except where the rear of a building faces on a residential, duplex, or apartment district, the screening and open space requirements of Chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply, except as otherwise modified herein. Where the rear of any buildings **that are currently located within the 60-foot open space area as depicted on Exhibit “B”** in the development abuts on a residential district, open space to include alley right-of-way shall be a minimum of fifty-five (55) feet.
4. New exterior wall mounted lighting fixtures on buildings, facing residential zoning districts, shall be limited to shielded wall sconces at a maximum height of eight (8) feet.
5. No signage is allowed to be on facades facing residential zoning except for directional, security and property identification signage. The effective area for wall signage on the west façade of Building 1 (facing Plano Road) and south façade of Building 2 (facing Campbell Road) is limited to 50 square feet per façade. Detached signage is limited to the monument signs shown on the Exhibit “B”.
6. Outdoor storage and display related to a self-service warehouse shall be prohibited.
7. Additional landscape screening shall be provided along the eastern property lines as depicted on Exhibit “B”.
8. All storage units shall be accessed by interior corridors.

ZF 13-21

**SUBJECT PROPERTY
FOR ZONE CHANGE**

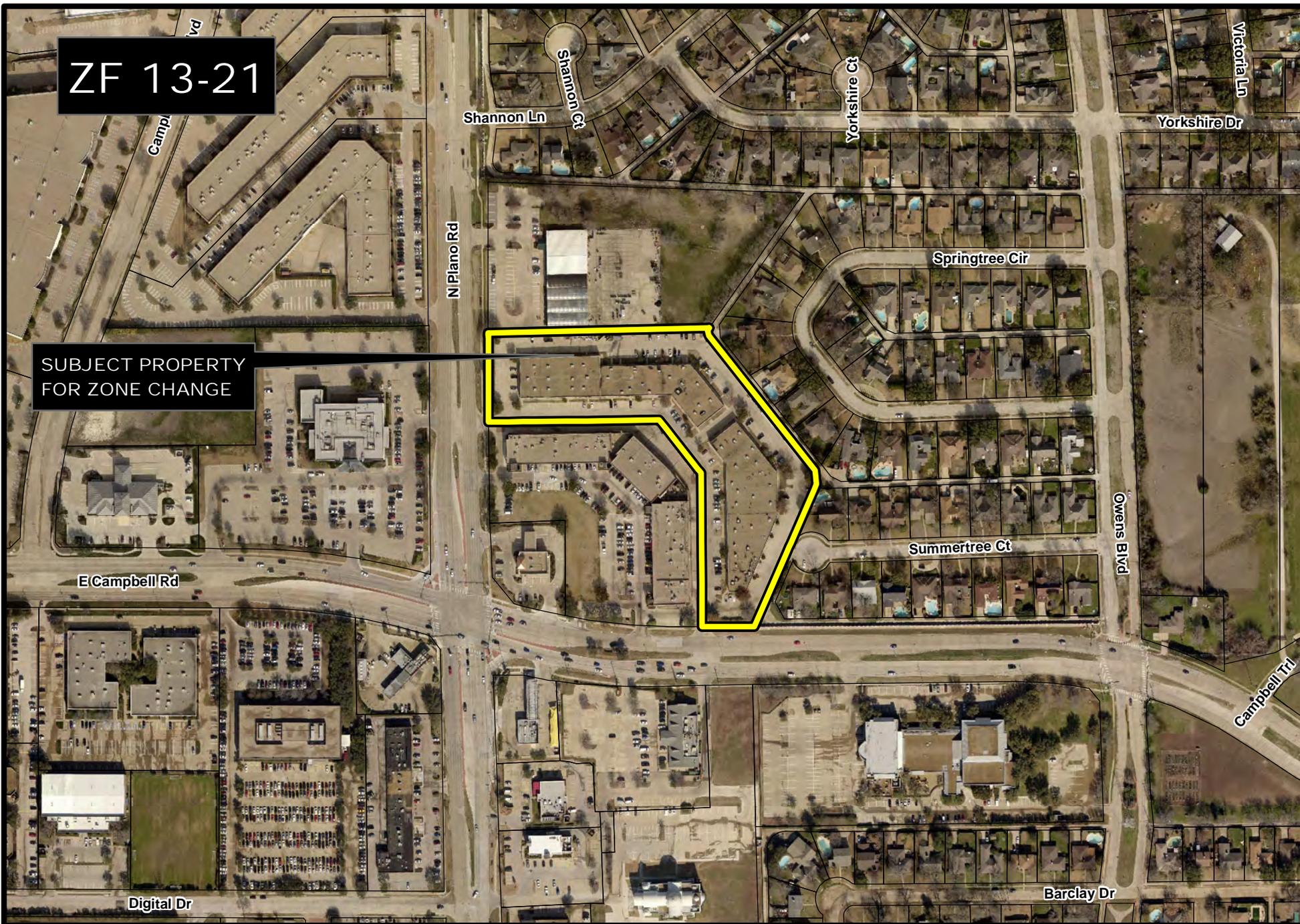


ZF 13-21 Zoning Map

Updated By: shacklett, Update Date: October 21, 2013
File: DSI\Mapping\Cases\Z\2013\ZF1321\ZF1321 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 13-21

SUBJECT PROPERTY
FOR ZONE CHANGE

ZF 13-21 Aerial Map

Updated By: shacklett, Update Date: October 21, 2013
File: D:\Mapping\Cases\Z\2013\ZF1321\ZF1321 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.





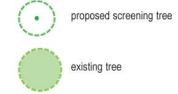
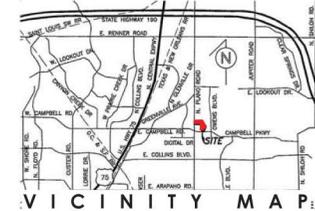
Plano Rd

Campbell Rd

Calloway's
Nursery

Single-Family Neighborhood

Oblique Aerial
Looking West



project summary

Existing Zoning: Local Retail District - LR-M(2)
Proposed Zoning: Planned Development District - PD
Proposed Uses: Those allowed in LR-M (2) plus Self Service Warehouse

Setbacks
Existing Zoning: Front 40' Side 0/46' adj. to Residential Rear 0/60' adj. to Residential
Proposed Zoning: Front 40' Side 0/46' adj. to Residential Rear 0/55' adj. to Residential

Building/Parking Summary: Proposed use, 768 Self Storage Units
Required parking at 1 space/20 units = 39 Spaces
Parking provided, 301 spaces

Lot area: 5.31 acres, 231,304 square feet
Building Area: Building 1, 1st floor 37,626 SF
Building 2, 1st floor 34,303 SF
Total of all Bldgs. 71,929

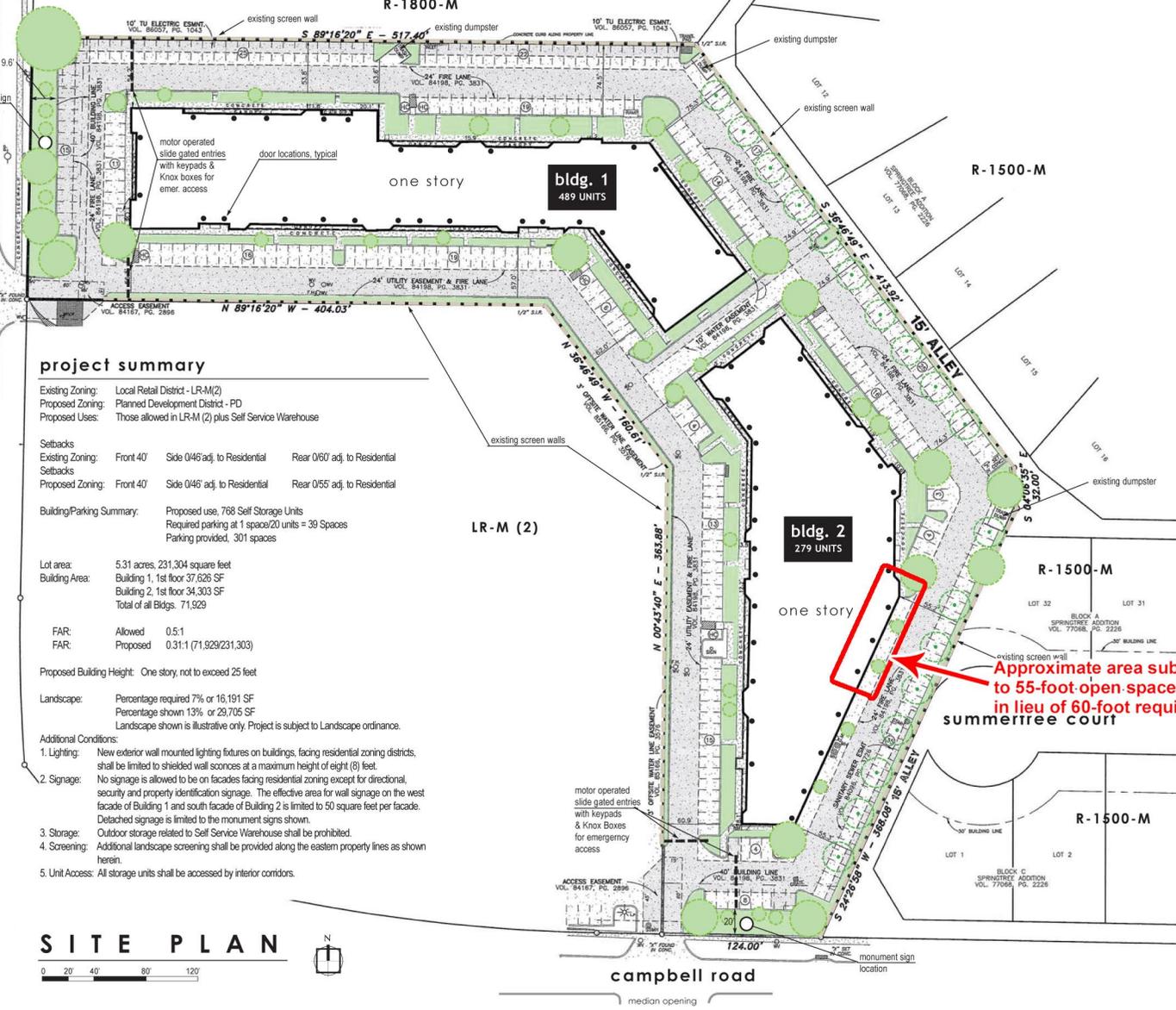
FAR: Allowed 0.51
FAR: Proposed 0.31:1 (71,929/231,303)

Proposed Building Height: One story, not to exceed 25 feet

Landscape: Percentage required 7% or 16,191 SF
Percentage shown 13% or 23,706 SF
Landscape shown is illustrative only. Project is subject to Landscape ordinance.

- Additional Conditions:
- 1. Lighting: New exterior wall mounted lighting fixtures on buildings, facing residential zoning districts, shall be limited to shielded wall sconces at a maximum height of eight (8) feet.
 - 2. Signage: No signage is allowed to be on facades facing residential zoning except for directional security and property identification signage. The effective area for wall signage on the west facade of Building 1 and south facade of Building 2 is limited to 50 square feet per facade. Detached signage is limited to the monument signs shown.
 - 3. Storage: Outdoor storage related to Self Service Warehouse shall be prohibited.
 - 4. Screening: Additional landscape screening shall be provided along the eastern property lines as shown herein.
 - 5. Unit Access: All storage units shall be accessed by interior corridors.

S I T E P L A N



Approximate area subject to 55-foot open-space requirement in lieu of 60-foot requirement summer tree court

issue

For Review 9-27-13
For Submittal 10-7-13

revisions

Revised 11-6-13
Revised 11-14-13
Revised 11-15-13



existing plano road elevation



proposed plano road elevation



existing campbell road elevation



proposed campbell road elevation



existing summertree court elevation



proposed summertree court elevation

Exhibit C

**ZF 13-21 Proposed PD Regulations
Exhibit D**

Sec. 1. General

The development of the Property shall comply with the LR-2(M) standards except as otherwise modified herein.

Sec. 2 Use regulations.

In this Planned Development District, no land shall be used and no building shall be erected for or converted to any use other than:

- (1) Any use permitted in the LR-M(2) Local Retail District.
- (2) Self-service warehouse.

Sec. 3. Rear Setbacks

No rear setback shall be required except where the rear of a building faces on a residential, duplex, or apartment district, the screening and open space requirements of Chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply, except as otherwise modified herein. Where the rear of any buildings that are currently located within the 60-foot open space area as depicted on Exhibit "B" in the development abuts on a residential district, open space to include alley right-of-way shall be a minimum of fifty-five (55) feet.

Sec. 4. Exterior Lighting

New exterior wall mounted lighting fixtures on buildings, facing residential zoning districts, shall be limited to shielded wall sconces at a maximum height of 8 feet.

Sec. 5 Signage

No signage is allowed to be on facades facing residential zoning except for directional, security and property identification signage. The effective area for wall signage on the west façade of Building 1 (facing Plano Road) and south façade of Building 2 (facing Campbell Road) is limited to 50 square feet per façade. Detached signage is limited to the monument signs shown on Exhibit "B".

Sec. 6. Outdoor Storage

Outdoor storage and display related to a self-service warehouse shall be prohibited.

Sec. 7. Screening

Additional landscape screening shall be provided along the eastern property lines as depicted on Exhibit "B".

Sec. 8. Unit Access

All storage units shall be accessed by interior corridors.



Campbell Road

**Looking North at
Subject Property**



Plano Road

**Looking East at
Subject Property**



**Looking North along
East Property Line**

(3)



(4)

**Looking South along
East Property Line**



**Looking West from
Adjacent Neighborhood**

(6)

ZF 13-21 Applicant's Statement

The subject property is located in the northeast quadrant of Campbell Road and Plano Road and is currently zoned "LR-M(2)" which is intended primarily for retail, personal service and office uses. However, given the location of the subject property, which is at the rear of a large retail center, the property has become unmarketable for these types of uses and the buildings on the subject property have remained mostly vacant for several years. Visibility of the property is extremely poor and circulation is not ideal. Given the age and availability of newer structures in more visible locations, these types of uses are not interested in this site. Several brokers have been engaged to market the property for lease and sale to no avail. Marketing efforts have included on-site signage, online advertising, door-to-door prospecting, postcards, flyers and networking events. Cosmetic improvements were also made to the center, with no effect on leasing interest. Further, the structures have become obsolete for the type of use for which they were intended. However, the buildings remain solid and adaptable to other uses.

The purpose of this Planned Development District request is to add the "self-storage warehouse" use to the existing LR-M(2) regulations currently applicable to the site. This use would be operated entirely within the existing structures on the property, would be effectively screened from the street, and would essentially not be visible from surrounding right-of-way or other properties.

The City of Richardson Future Land Use Map indicates that this area is intended for "neighborhood service" use. The Land Use Section of the Comprehensive Plan indicates that neighborhood service includes service related uses such as retail sales; personal services; office; and others.

The ability to locate a self-service warehouse facility within the existing structure on the site would serve the surrounding community and would be much more convenient for the neighbors' storage needs. The location of the property off of the hard corner makes this site more suitable for a use such as the self-service warehouse, as opposed to a retail use which needs a high degree of visibility from adjacent right-of-way. By approving a Planned Development District, it is possible to maintain the underlying LR-M(2) regulations, while adding this one additional use subject to conditions.



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

PD PLANNED DEVELOPMENT

File No./Name: ZF 13-21 / Carriage Square Commercial Park – Self Service Warehouse
Property Owner: Gregory Williams / WC Campbell Business Center LP
Applicant: William S. Dahlstrom / Jackson Walker, L.L.P.
Location: 2050 N. Plano Road (See map on reverse side)
Current Zoning: LR-M(2) Local Retail
Request: A request by William S. Dahlstrom, Jackson Walker, L.L.P., representing WC Campbell Business Center LP, for a change in zoning from LR-M(2) Local Retail to PD Planned Development to accommodate a self-service warehouse to be located on approximately 5.3 acres of land located at the northeast quadrant of Campbell Road and Plano Road.

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

TUESDAY, NOVEMBER 19, 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.

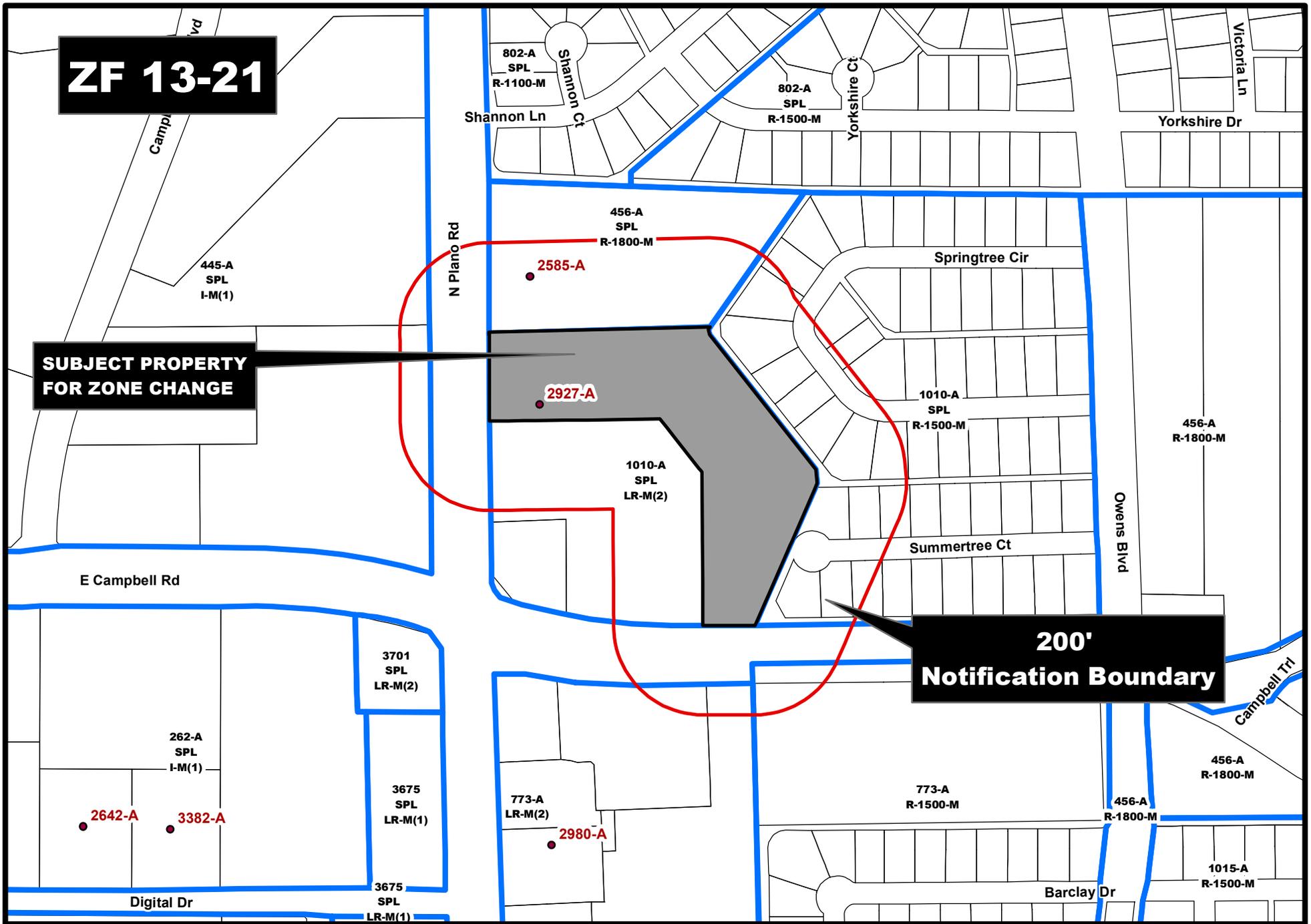
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 13-21.

Date Posted and Mailed: 11/08/2013



ZF 13-21 Notification Map

Updated By: shacklett, Update Date: October 21, 2013
 File: D:\Mapping\Cases\Z\2013\ZF1321\ZF1321 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.



BELL BRUCE
1514 SPRINGTREE CIR
RICHARDSON, TX 75082-4724

BERNAL ANNABELLE
1504 SUMMERTREE CT
RICHARDSON, TX 75082-4722

BRYANT LUCIA CHILDRESS
1505 SUMMERTREE CT
RICHARDSON, TX 75082-4721

CALLOWAYS NURSERY INC
PO BOX 1688
COLLEYVILLE, TX 76034-1688

CAMPBELL CREEK LTD
5601 GRANITE PKWY STE 800
PLANO, TX 75024-6682

CORRAL GROUP LP
7750 N MACARTHUR BLVD # 120-22
IRVING, TX 75063-7514

CRICQ RICHARDSON TRUST
DBA CRICQ RICHARDSON LLC
29 COMMONWEALTH AVE STE 801
BOSTON, MA 02116-2396

DEAN RICHARD J &
SONJA S HILL
1516 SPRINGTREE CIR
RICHARDSON, TX 75082-4724

EDMONSON ERIK N &
SHERRIE F SPANGLER
PO BOX 850033
RICHARDSON, TX 75085-0033

HERRERA MARINA LISETH &
AMILCAR BLADIMIR JR
1500 SUMMERTREE CT
RICHARDSON, TX 75082-4722

HOWLAND AMIE ELLEN
1523 SPRINGTREE CIR
RICHARDSON, TX 75082-4723

HUYNH JACQUOT
1502 SUMMERTREE CT
RICHARDSON, TX 75082-4722

KAUP META L & CARL E
1515 SPRINGTREE CIR
RICHARDSON, TX 75082-4723

LACLETTE FERNANDO
1512 SPRINGTREE CIR
RICHARDSON, TX 75082-4724

LINCON JOSE &
LINCON RAQUEL M
1517 SPRINGTREE CIR
RICHARDSON, TX 75082-4723

LUCKY PLAZA LP
CORNER REAL ESTATE SERVICES
4300 N CENTRAL EXPY
DALLAS, TX 75206-6532

MEDINA GENARO M & IRMA
1527 SPRINGTREE CIR
RICHARDSON, TX 75082-4723

RICHARDSON EAST CHURCH OF
CHRIST
1504 E CAMPBELL RD
RICHARDSON, TX 75081-1941

SCHAER ROLAND
1521 SPRINGTREE CIR
RICHARDSON, TX 75082-4723

SHAW GERALDINE
1503 SUMMERTREE CT
RICHARDSON, TX 75082-4721

SNOOK DANA L & DANIEL R
1513 SPRINGTREE CIR
RICHARDSON, TX 75082-4723

SNUGGS EDGAR EUGENE III &
KRISTA A
1519 SPRINGTREE CIR
RICHARDSON, TX 75082-4723

ST PHILOPATEER COPTIC
ORTHODOX CHURCH OF DALLAS
1450 E CAMPBELL RD
RICHARDSON, TX 75081-1939

TURCIOS BERNARDO
2014 OAKWOOD DR
RICHARDSON, TX 75082-4614

WC CAMPBELL BUSINESS CENTER
1122 S CAPITAL OF TEXAS HWY
AUSTIN, TX 78746-7175

**WILLIAM S. DAHLSTROM
JACKSON WALKER, L.L.P.
901 MAIN STREET, STE 600
DALLAS, TX 75202**

**ZF 13-21
Notification List**

**GREGORY WILLIAMS
WC CAMPBELL BUSINESS CENTER LP
1122 S. CAPITAL OF TEXAS HWY, STE 3
WEST LAKE HILLS, TX 78746**



MEMO

DATE: November 21, 2013
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services MS
SUBJECT: ZF 13-23 CZO Amendment-Electronic Cigarettes

REQUEST

Amend the Comprehensive Zoning Ordinance to establish definitions for an “electronic-cigarette” and an “electronic-cigarette establishment”, and allow electronic-cigarette establishments in LR-M (1), LR-M (2), and C-M zoning districts subject to approval of a Special Permit.

BACKGROUND

As a result of discussion with City Council at its October 14, 2013, Work Session, staff was directed to prepare an amendment to the Comprehensive Zoning Ordinance that would define electronic-cigarettes and electronic-cigarette establishments, and require approval of a Special Permit for electronic-cigarette establishments in retail and commercial zoning districts. Upon enactment of the proposed amendment, all existing electronic-cigarette establishments would become legal, non-conforming uses and as such, would be permitted to continue to operate without obtaining a Special Permit and any new establishment dedicated primarily to the sale and or on premise use of electronic-cigarettes would be required to obtain a Special Permit.

The proposed amendment would not require amendment of Chapter 10, Article 4 of the Code of Ordinances “Smoking”, prohibit the use of an electronic-cigarette by an individual where smoking is prohibited as the use of an electronic-cigarette is not considered smoking as defined in Chapter 10, Article 4, or apply to a business establishment (convenience store, etc.) that is **not** dedicated primarily to the sale and or on premise use of electronic-cigarettes.

On November 5, 2013, the City Plan Commission held a public hearing to consider the proposed amendment. Two Richardson citizens were present and spoke in opposition to the proposed amendment. One citizen was an owner of an existing electronic-cigarette establishment. Both questioned the need for the proposed amendment. The Commission discussed at length the need for the proposed amendment.

PLAN COMMISSION RECOMMENDATION

By a vote of 4-3 (Commissioners Linn, Roland and Maxwell opposing) the Commission recommended approval of the request as presented. If City Council should approve the proposed amendments, the attached ordinance, Ordinance 4033 may also be approved with the same motion.

ATTACHMENTS

CC Public Hearing Notice
CPC Minutes 2013-11-05
Staff Report

Existing Electronic-Cigarette Establishments Location Map
CPC Notice of Public Hearing
Proposed Ordinance 4033



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: Wednesday, November 6, 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: Friday, November 8, 2013

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, November 25, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 13-20

A request by David Gleeson, L&B Realty Advisors, LLP, representing Centennial Park Richardson, Ltd., to revise the Spring Valley Station District PD, Ordinance No. 3831, to allow up to 30 single-family residences and remove rights for multi-family units on approximately 3.8 acres of land located on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek. The property is currently zoned PD Planned Development.

ZF 13-21

A request by William S. Dahlstrom, Jackson Walker, L.L.P., representing WC Campbell Business Center LP, for a change in zoning from LR-M(2) Local Retail to PD Planned Development to accommodate a self-service warehouse to be located on approximately 5.3 acres of land located at the northeast quadrant of Campbell Road and Plano Road. The property is currently zoned LR-M(2) Local Retail.

ZF 13-23

A City-initiated amendment to the Comprehensive Zoning Ordinance (Appendix A), Article I, Section 2 (Definitions), by adding the definition of E-Cigarette establishments and by amending Article XXII-A, Section 2 (Special Permits – Use Regulations) to allow E-Cigarette establishments upon approval of a Special Permit in the LR-M(1) and LR-M(2) Local Retail Districts and the C-M Commercial District.

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

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

EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – November 5, 2013

Zoning File 13-23: Consider and take necessary action on a City-initiated amendment to the Comprehensive Zoning Ordinance (Appendix A) of the Code of Ordinances, Article I, Section 2 (Definitions), by adding the definition of E-cigarette establishments and by amending Article XXII-A, Section 2 (Special Permits – Use Regulations) to allow E-cigarette establishments upon approval of a Special Permit in the LR-M(1) and LR-M(2) Local Retail Districts and the C-M Commercial District.

Mr. Chavez reported the reason behind the requested amendments was based on a similar situation in 2011 when there was an increase in smoking establishments and the City responded by initiating a definition for smoking establishments and requiring a Special Permit for those establishments in local retail and commercial districts. He added that the City was seeing the same type of trend regarding E-cigarette businesses with nine (9) new establishments (retail and/or vapor bars) opened in the City in the last eight weeks.

Mr. Chavez explained the definition of an E-cigarette as a battery powered product that uses an atomizer or similar device to heat a solution so the user could inhale a vapor without any smoke, ash or carbon monoxide being produced. He added that the proposed City-initiated amendments apply to new establishments and involved adding definitions for E-cigarettes and E-cigarette establishments to Article I, Section 2, *Definitions*; and including E-cigarette establishments under Article XXII-A, Section 2, *Use Regulations* to require a Special Permit in LR-M(1), LR-M(2) and C-M districts exclusively.

Commissioner Maxwell asked to clarify if the ordinance would prohibit the use of E-cigarettes by an individual in any other establishments. He also wanted to know if other cities in the area were trying to prohibit the use of the E-cigarettes in any type of establishments.

Mr. Chavez replied the ordinance was not trying to prohibit the use of E-cigarettes in other establishments. Cities were using a variety of ways to handle the new product either by designating where they could be used, grouping them under the definition of smoking, while others were regulating the sale of the product to minors.

Commissioner Maxwell asked if the City considered banning E-cigarettes in establishments other than those covered by the proposed amendments.

Mr. Chavez replied it was not considered because it was not smoking as currently defined in our current Smoking Ordinance, in addition, there were no conclusive studies or reports classifying E-cigarettes as harmful.

Commissioner Frederick asked if the ownership of an existing E-cigarette business changed, would the new owner be required to request a new Special Permit.

Mr. Chavez replied no, unless the use was abandoned for more than six months or the use was expanded, then a Special Permit would be required.

Commissioner DePuy asked if the existing nine locations were in retail centers, and were there any restrictions on the hours of operation.

Mr. Chavez stated the locations were typically in retail zoned property and in the material presented to the Commission was a map showing the locations. He added that there were no restrictions on the hours of operation because the sites were treated as retail.

Commissioner Roland asked if E-cigarettes were being regulated, and were there any second-hand harmful effects.

Mr. Chavez replied that the Federal Drug Administration (FDA) does not regulate E-cigarette because they do not contain a tobacco product, therefore, they can be sold in retail locations. He added that the proposed ordinance was initiated to provide oversight for the establishments where the primary inventory is E-cigarettes or an establishment where the primary purpose is the use of E-cigarettes (vapor bar).

Regarding possible second-hand harmful effects, Mr. Chavez said he could not find a study that showed any harmful effects.

Commissioner Roland asked if there was any reason to limit the age of purchase to 18 in the City. He also said he understood that smoke shops could possibly have problems with negative impacts on the patrons or wait staff, as well as problems with the neighborhoods, but he was struggling with determining who the amendments would be protecting.

Mr. Chavez replied the E-cigarettes he has seen in retail stores are age restricted so they cannot be sold to anyone under the age of 17; however, since the product is not regulated by the Food and Drug Administration it can be bought on line without proof of age.

Regarding the reason behind the requested amendment, Mr. Chavez said that when trends emerge, just like any other land use trend, staff will look to see if it is something that needs to be addressed in some manner, similar to the amendments passed for smoking establishments. In addition, the proposed amendments allow the Commission and City Council an opportunity to look at specific establishments on a case-by-case basis to assess the true land use impact associated with that use.

Chairman Hand asked to clarify if the issue was more about smoking establishments or the sale of the E-cigarettes. He also wanted to know if regulations were going to be proposed to regulate convenience store sales of the product.

Mr. Chavez replied that what the City was concerned about was the trend of these types of businesses coming into the City because in the last eight weeks there have been nine Certificates of Occupancies (CO) approved for vapor bars and vapor stores in the City.

Mr. Chavez said the sale of the product in convenience stores would not be regulated because it would not be their primary use.

Commissioner DePuy stated she was originally not in favor of the proposed amendments because she felt if someone wanted to smoke it was their business, but since the staff explained that the amendments would limit the land use impact (late hours, proliferation of same type businesses) she was in favor of the proposal.

Commissioner Linn asked if any of the proposed vapor establishments would also be selling alcohol.

Mr. Chavez replied that since the product itself did not contain tobacco, food could be served at the same time someone was using the product. He added that an establishment could also be a private club or bar as long as their percentage of alcohol sales met the threshold.

Commissioner Maxwell said he understood the City was trying to regulate the sale of the E-cigarettes when it was the primary function of the business, but he asked if the amendment would regulate the use of the product as a primary function. He also expressed concern about the amendment because the use of E-cigarettes was allowed in any public establishment.

Mr. Chavez stated the amendments would allow oversight of the land use itself as to whether a property would be a retail establishment or primary use establishment.

Commissioner Maxwell asked what defined the primary use.

Mr. Shacklett replied that the primary product for sale in an establishment would help to define the primary use as well as if a business was created for the sole purpose of using certain products.

Mr. Chavez added that when prospective business owners approach the City, the staff will have in depth discussions with them regarding the intended use for their business. In addition, after a business has been given a certificate of occupancy (CO) the City's community services department will assess whether or not the business complies with the CO.

Commissioner Maxwell noted that the proposed amendment was similar to the one proposed for the smoking establishments and asked how many smoking establishments have approached the City after the passage of that ordinance.

Mr. Chavez replied that several people approach the City each week looking to open smoking establishments and staff is starting to see that trend again with the E-cigarette stores and/or vapor bars. To date, no requests for smoking establishments have been submitted for consideration by the Commission.

Commissioner DePuy added that the establishments she has noticed have the word “vape” in the name so it is easy to define what their use was.

Commissioner Springs said he thought the amendment was regulating the E-cigarette business for regulating sake and he was not in favor of that. He felt the market would correct itself after the trendy nature of the business subsidies.

Commissioner Linn asked if the purpose of the amendment was to regulate the sale and use of E-cigarettes. He also wanted to confirm the information in the Commission’s packet about the number of E-cigarette businesses and the timeframe for those businesses opening.

Mr. Chavez replied that the City wanted to have the ability to assess the location of any proposed establishments primarily devoted to the sale or on-site use of E-cigarettes. He added that the Special Permit process would allow the staff, the Commission, and the City Council the opportunity to review the business to make sure it is a compatible land use.

Regarding the timeframe, Mr. Chavez replied all nine of those businesses had opened in the last eight weeks.

Commissioner Springs asked what the criteria would be for judging the appropriateness of this use with surrounding adjacencies.

Mr. Chavez replied that the Commission and City Council would have the opportunity to look at the surrounding land uses and whether or not it was adjacent to compatible or non-compatible uses (i.e., schools, residential areas, etc.).

Vice Chair Bright pointed out that when any Special Permit comes before the Commission, the items mentioned by staff were always areas that were reviewed for compatibility before making a decision. He also wanted to know what criteria the staff would use to determine a primary use.

Mr. Chavez replied that staff relies on the applicant’s initial description of their business plan; however, if they deviate from what they say will be their primary use, the Building Inspection department would review the CO and if the business was determined to be in violation of their CO they would be required to apply for a different CO or in this case a Special Permit.

Commissioner Linn asked what was the cost of a Special Permit.

Mr. Chavez replied it was \$1,500.

With no further questions from the Commission, Chairman Hand opened the public hearing.

Mr. Kevin Williams, 740 Matthew Place, Richardson, Texas, said he did not see any compelling reason to regulate this business other than an image issue and suggested the market would regulate the trend.

Mr. Nassif Khraish, Mojo Vapes, 580 W. Arapaho Road, Richardson, Texas, stated he was the owner of an existing E-cigarettes business and explained that E-cigarettes did not involve tobacco and the liquid was soaked up through a wick that was ignited by a battery as opposed to fire. He said his type of establishment was different from the recently regulated smoking establishments because the patrons did not stay for hours on end but would stay for shorter periods of time trying the different liquids to use and then leave.

Mr. Khraish thought regulating the product did not make a difference because the product could be purchased at any gas station or convenience store. He felt that if a businessman wanted to open an E-cigarette establishment and was required to pay \$1,500 for a Special Permit, anyone who sold the product should be held to the same standard.

No further comments were received in favor or opposed and Chairman Hand closed the public hearing.

Commissioners Frederick said she thought it was imperative for the City to regulate these types of businesses for exactly the reasons put forth by the staff and felt if the businesses were not regulated, the proliferation of these types of establishments might be detrimental to the image of the City.

Commissioner DePuy concurred with Ms. Frederick and pointed out that the amendment was not regulating the purchase of the product, but rather the location of the businesses.

Commissioner Roland said he had spoken with three individuals who used E-cigarettes and one said he had been told by a medical professional E-cigarettes had the same effect as coffee and pointed out the City did not regulate the number of coffee businesses in the City. He added that he did not see the need for the amendment.

Vice Chair Bright and Commissioner DePuy stated they felt it was more of a land use and image issue and the proliferation of the establishments was the problem.

Chairman Hand said he had heard comments that the businesses posed more of an image issue, but noted that the amendment was not prohibiting the product and felt the Commission should err on the side of caution and support the amendments.

Commissioner Linn agreed with Mr. Roland and thought there was not enough evidence to show that there was a public health issue or an image issue and felt it was a knee-jerk reaction to something that may or may not come to fruition. He added that more information was needed over time to understand the new, emerging product and market.

Commissioner Springs said in his mind the request was a matter of perception masquerading as a land use problem.

Commissioner Ferrell stated he felt the E-cigarette issue appeared to fit in with many of the other seventy-eight businesses regulated by Special Permits.

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

Motion: Commissioner Frederick made a motion to recommend approval of Zoning File 13-23 as presented; second by Vice Chair Bright. Motion approved 4-3 with Commissioners Linn, Maxwell and Roland opposed.



Staff Report

TO: City Council

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

FROM: Sam Chavez, Assistant Director - Director of Development Services **SC**

DATE: November 21, 2013

RE: **Zoning File 13-23:** CZO Amendment, Electronic-Cigarettes

BACKGROUND:

Recently, an influx of applications for electronic-cigarette establishments has been received by the City's Community Services Department and as a result, the City Council discussed the subject matter at its October 14, 2013 Work Session. A similar trend occurred in 2011 related to smoking establishments which prompted the adoption of an ordinance to regulate the location of smoking establishments within the City.

As a result of the City Council's Work Session, staff was directed to proceed with initiating the process to amend the Comprehensive Zoning Ordinance as presented herein. The Comprehensive Zoning Ordinance is presently silent to the use, that is, there is no listing of an Electronic-Cigarette establishment or similar use identified anywhere in the Comprehensive Zoning Ordinance.

An electronic cigarette (or e-cigarette), electronic vaping device, personal vaporizer (PV), or electronic nicotine delivery system (ENDS) is an electronic inhaler that uses a heating element to vaporize a liquid solution. Some release nicotine, while some merely release flavored vapor. The liquid is commonly known as e-juice or e-liquid and is often sold in a bottle or in pre-filled disposable cartridges. They are manufactured with various tobacco, fruit, and other flavors, including nicotine-free versions.

Chapter 10 of the City's Code of Ordinances defines smoking as inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, weed, plant or combustible substances in any manner or in any form. Because electronic-cigarettes contain no tobacco, they are not subject to the smoking regulations of the City.

There are currently nine (9) Electronic-Cigarette establishments operating in Richardson (see attached map for locations).

PROPOSED AMENDMENT:

The proposed amendment is a text amendment that entails:

- adding definitions for an “E-Cigarette and an E-Cigarette Establishment” to Article I, Section 2, *Definitions*; and
- including “E-Cigarette establishment” under Article XXII-A, Section 2, *Use Regulations*, to require a Special Permit in LR-M (1), LR-M (2) and C-M districts exclusively.

The proposed amendment would require approval of a Special Permit in retail and commercial zoning districts for any use that would qualify under the proposed definition of an Electronic-Cigarette establishment. Electronic-Cigarette establishments would be prohibited in all other zoning districts.

CONSIDERATIONS:

The requirement of a Special Permit is proposed in order to:

- maintain a “level playing field” for all retail and commercial property owners by not preemptively prohibiting a business without due consideration;
- afford the CPC and City Council the opportunity to consider all factors deemed important in deciding whether to approve or deny such a use at a given location on a case-by-case basis;
- provide flexibility to determine whether special conditions might be necessary to make the use sufficiently compatible with the surrounding neighborhood in which it is to be located – due to unique site features, neighborhood context, proximity to “sensitive” uses (e.g. schools), or other factors; and
- provide the opportunity for applicants, property owners, business operators and residents to express their views and have them taken into consideration by the CPC and City Council.

Uses Requiring Special Permits

The Comprehensive Zoning Ordinance presently regulates seventy-eight (78) uses by Special Permit. The range of uses requiring a Special Permit is diverse, as the following examples illustrate: amusement arcades and commercial amusement centers; antennas; assisted living, convalescent and independent living facilities; beer and wine package sales; boarding kennels; check cashing/payday advance loan or car title loan businesses; child care centers; heavy manufacturing; helipads; limited service hotels; motor vehicle –related uses; restaurants with drive-through service; private & parochial schools; sexually-oriented businesses, smoking establishments and large scale retail.

Effect on Existing E-Cigarette Establishments

- Upon enactment of the Comprehensive Zoning Ordinance amendment, all existing Electronic-Cigarette establishments would become legal, non-conforming uses.

- Legal, non-conforming status does not affect current operations and does not require owners or operators to obtain a Special Permit.
- Should expansion of a legal, nonconforming E-Cigarette establishment be desired, the owner would first have to obtain approval of a Special Permit from City Council.
- Should a legal, non-conforming Electronic-Cigarette establishment cease operations for a minimum period of six consecutive months, the right to re-establish the use without approval of a Special Permit would be forfeited.

The proposed amendment WOULD NOT:

- require amendment of Chapter 10, Article 4 of the Code of Ordinances “Smoking”,
- prohibit the use of an Electronic-Cigarette by an individual where smoking is prohibited as the use of an Electronic-Cigarette is not considered smoking as defined in Chapter 10, Article 4 of the Code of Ordinances “Smoking”, or,
- apply to a business establishment (convenience store, etc.) that is **not** dedicated, in whole or primarily, to the sale and or on premise use of electronic-cigarettes.

REQUESTED ACTION:

Correspondence: CZO text amendments do not require mailed notices. The required notice of public hearing for the City Council was published in the Dallas Morning News on November 8, 2013.

Motion: On November 5, 2013, the City Plan Commission recommended approval of the request as presented below on a vote of 4-3 (Commissioners Linn, Roland and Maxwell opposing). If City Council should approve the proposed amendments, the attached ordinance, Ordinance 4033 may also be approved with the same motion.

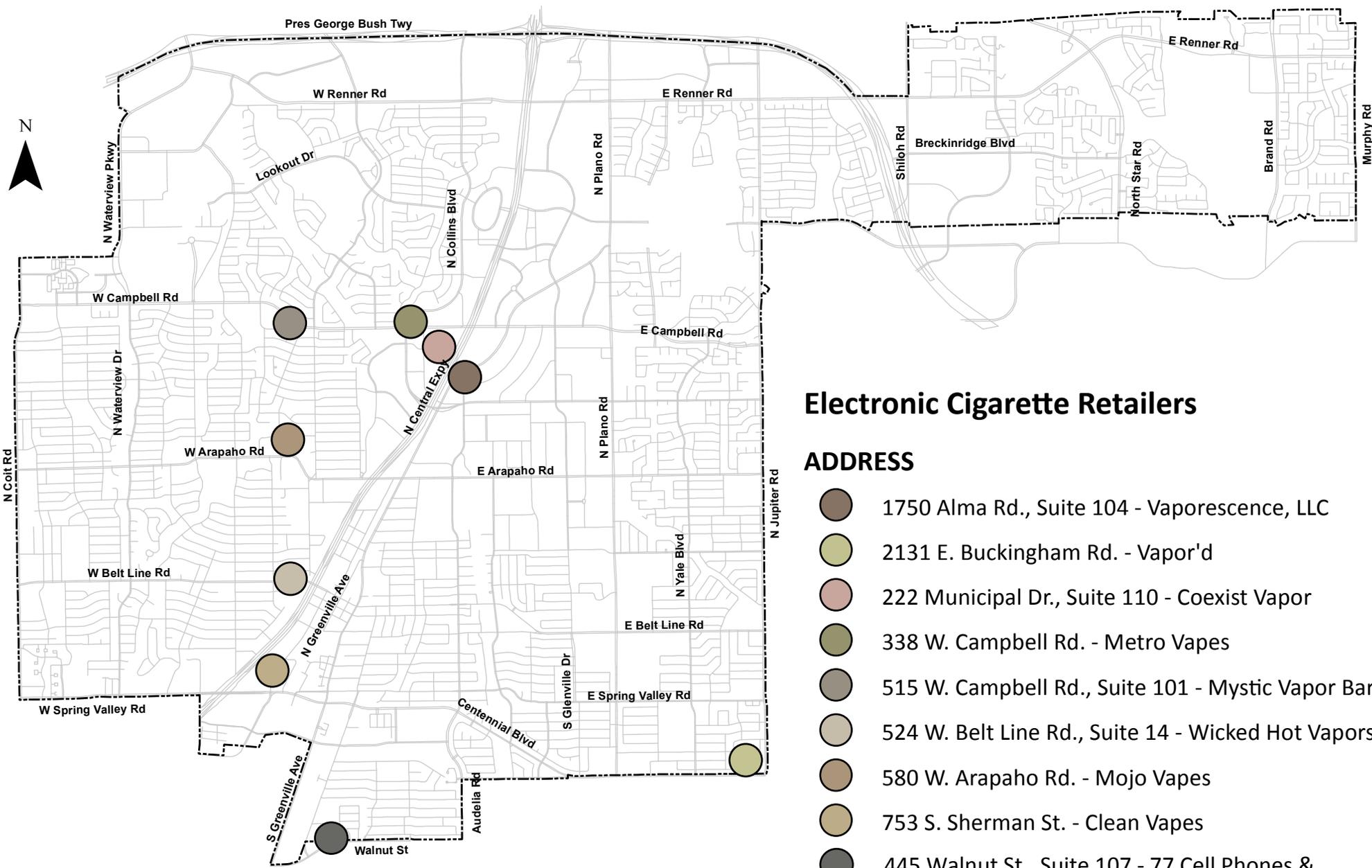
- (1) Add the definition of “Electronic-Cigarette” to Article I, Section 2, Definitions of Appendix A of the Code of Ordinances (Comprehensive Zoning Ordinance):

“Electronic-Cigarette means a battery power product that uses an atomizer or similar device that allow users to inhale nicotine vapor or other vapor without fire, smoke, ash or carbon monoxide.”

- (2) Add the definition of “Electronic-Cigarette establishment” to Article I, Section 2, Definitions of Appendix A of the Code of Ordinances (Comprehensive Zoning Ordinance):

“Electronic-Cigarette establishment means a business establishment that is dedicated primarily to the sale and or on premise use of electronic-cigarettes.”

- (3) Add Electronic-Cigarette establishment as a use allowed subject to approval of a Special Permit under Article XXII-A, Section 2 in the LR-M (1), LR-M (2) and C-M zoning districts.



Electronic Cigarette Retailers

ADDRESS

-  1750 Alma Rd., Suite 104 - Vaporescence, LLC
-  2131 E. Buckingham Rd. - Vapor'd
-  222 Municipal Dr., Suite 110 - Coexist Vapor
-  338 W. Campbell Rd. - Metro Vapes
-  515 W. Campbell Rd., Suite 101 - Mystic Vapor Bar
-  524 W. Belt Line Rd., Suite 14 - Wicked Hot Vapors
-  580 W. Arapaho Rd. - Mojo Vapes
-  753 S. Sherman St. - Clean Vapes
-  445 Walnut St., Suite 107 - 77 Cell Phones & Vapor King



City of Richardson
Public Hearing Notice
Zoning File 13-23

The Richardson City Plan Commission will conduct a public hearing at 7:00 p.m. on Tuesday, November 5, 2013, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider ZF 13-23, a request by the City of Richardson to amend the Comprehensive Zoning Ordinance (Appendix A) of the Code of Ordinances, Article I, Section 2 (Definitions), by adding the definition of E-Cigarette establishments and by amending Article XXII-A, Section 2 (Special Permits – Use Regulations) to allow E-Cigarette establishments upon approval of a Special Permit in the LR-M(1) and LR-M(2) Local Retail Districts and the C-M Commercial District.

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 the Dept. of Development Services, City of Richardson, P.O. Box 830309, Richardson, Texas 75083-0309. For more information call 972-744-4240.

ORDINANCE NO. 4033

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY AMENDING ARTICLE I, SECTION 2, “DEFINITIONS”, BY ADDING THE DEFINITION OF AN “ELECTRONIC-CIGARETTE” AND AN “ELECTRONIC-CIGARETTE ESTABLISHMENT”; BY AMENDING ARTICLE XXII-A, “SPECIAL PERMITS”, BY AMENDING SECTION 2(b) TO ALLOW ELECTRONIC-CIGARETTE ESTABLISHMENTS BY SPECIAL PERMIT; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 13-23).

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 should be amended; **NOW THEREFORE**,

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article 1, Section 2 “Definitions”, in part, by adding definitions for the phrases “electronic-cigarette and electronic-cigarette establishment,” to read as follows:

**“ARTICLE I. TITLE, DEFINITIONS, GENERAL PROVISIONS,
AUTO WRECKING YARDS AND SWIMMING POOLS**

...

Sec. 2. Definitions.

...

ADD

“Electronic-cigarette means a battery power product that uses an atomizer or similar device that allow users to inhale nicotine vapor or other vapor without fire, smoke, ash or carbon monoxide.

Electronic-cigarette establishment means a business establishment that is dedicated primarily to the sale and/or on premise use of electronic-cigarettes.”

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article XXII-A, Section 2(b), in part, to allow electronic-cigarette establishments by special permit, to read as follows:

“ARTICLE XXII-A. SPECIAL PERMITS.

...

Sec. 2. Use Regulations.

...

- (b) The following uses may be authorized by special permit in the specified districts upon compliance with all of the requirements of this article and other applicable city codes and ordinances:

...

ADD

“Electronic-cigarette establishments in any LR-M(1), LR-M(2) or C-M District.”

SECTION 3. 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 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That 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 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand 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 7. 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 25th day of November, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:11-14-13:TM 63579)

CITY SECRETARY



City of Richardson
City Council Meeting
Agenda Item Summary



City Council Meeting Date: Monday, November 25, 2013

Agenda Item: VAR 13-10 Mohawk Elementary School

Staff Resource: Michael Spicer, Director of Development Services

Summary

This is a request for approval of a variance to the City of Richardson Subdivision and Development Code, Chapter 21, Article III, Section 21-47(d), *Screening and Open Space*, to waive the required 6-foot high masonry screening wall along the northern property line of Mohawk Elementary School to accommodate a 9,047 square foot expansion to the existing school building.

Board/Commission Action: On November 5, 2013 the City Plan Commission unanimously recommended approval of the request.

Action Proposed The City Council may approve the request as presented, approve with conditions, or deny.

VARIANCE 13-10

Attachments:

1. Locator
2. Staff Report
3. Applicant's Statement
4. Variance Exhibit
5. CPC Minutes from November 5, 2013
6. Notice of Variance Request
7. Notification List
8. Notification Map
9. Correspondence



VAR 13-10
Mohawk Elementary School



**CITY COUNCIL
BACKGROUND INFORMATION
November 25, 2013**

Variance 13-10

SUMMARY

Owner:	Richardson Independent School District
Applicant:	Jeff Groth, Corgan Associates
Project Name:	VAR 13-10 Mohawk Elementary School
Location:	1500 Mimosa Drive Northeast corner of Mimosa Dr. and Melrose Drive
Request:	This is a request for approval of a variance to the City of Richardson Subdivision and Development Code, Chapter 21, Article III, Section 21-47(d), <i>Screening and Open Space</i> , to waive the required 6-foot high masonry screening wall along the northern property line of Mohawk Elementary School.
CPC Action:	On November 5, 2013 the City Plan Commission unanimously recommended approval of the request.
Notification:	This request is not a public hearing and specific notification is not required by State Law. As a courtesy, adjacent property owners received written notification.
Correspondence:	Written correspondence has been received and has been included with this report.

DEVELOPMENT SUMMARY

Land Area:	9.07-acres (395,173 sq. ft)
Zoning:	R-1500-M Residential District
Existing Development:	45,953 square foot elementary school

Adjacent Land Use/ Zoning:

North	Single-family residential/R-1500-M Residential District
East	Single-family residential/R-1500-M Residential District
South	Single-family residential/R-1500-M SPL Residential District
West	JJ Pearce High School/R-1500-M Residential District

BACKGROUND INFORMATION

Background:

Richardson Independent School District (RISD) intends to construct a 9,047 square foot expansion to the existing 45,953 square foot Mohawk Elementary School. Additional site improvements include the installation of a 7' wide sidewalk, additional angled parking spaces, a widened drop-off lane adjacent to Mimosa Drive, and a new turn-around and drop-off lane on the east side of the school along Melrose Drive. No other significant changes are proposed for the site.

Article III, Section 21-47(d) of the Subdivision and Development Code requires a minimum six-foot tall masonry screening wall along the common property line where a non-residential use is adjacent to residentially zoned property. Due to the size of the expansion, the proposed site must be in compliance with current development ordinances. In this case, a six-foot tall masonry wall, 828 feet long is required to be constructed along the northern property line, adjacent to the alley that serves eleven (11) single-family homes.

According to the applicant's statement, RISD feels that the installation of the screening wall would present a security issue by creating a visibility obstruction, thus eliminating the open view school officials have of the alley and students walking from the neighborhood to school.

There have been six (6) previously approved requests for alternate screening (one for a school) in lieu of a masonry screening wall. Additionally, in 1997,

landscape plans for the RISD Alternative School located on Greenville Avenue were approved reflecting an existing 4' chain link fence, trees and shrubs to remain along the southern property line in lieu of a masonry wall. The property south of the RISD Alternative School is a church, and is zoned for the R-1500-M residential district.



CORGAN ASSOCIATES, INC.
401 NORTH HOUSTON STREET
DALLAS, TX 75202
TEL 214 748 2000
FAX 214 653 8281
www.corgan.com

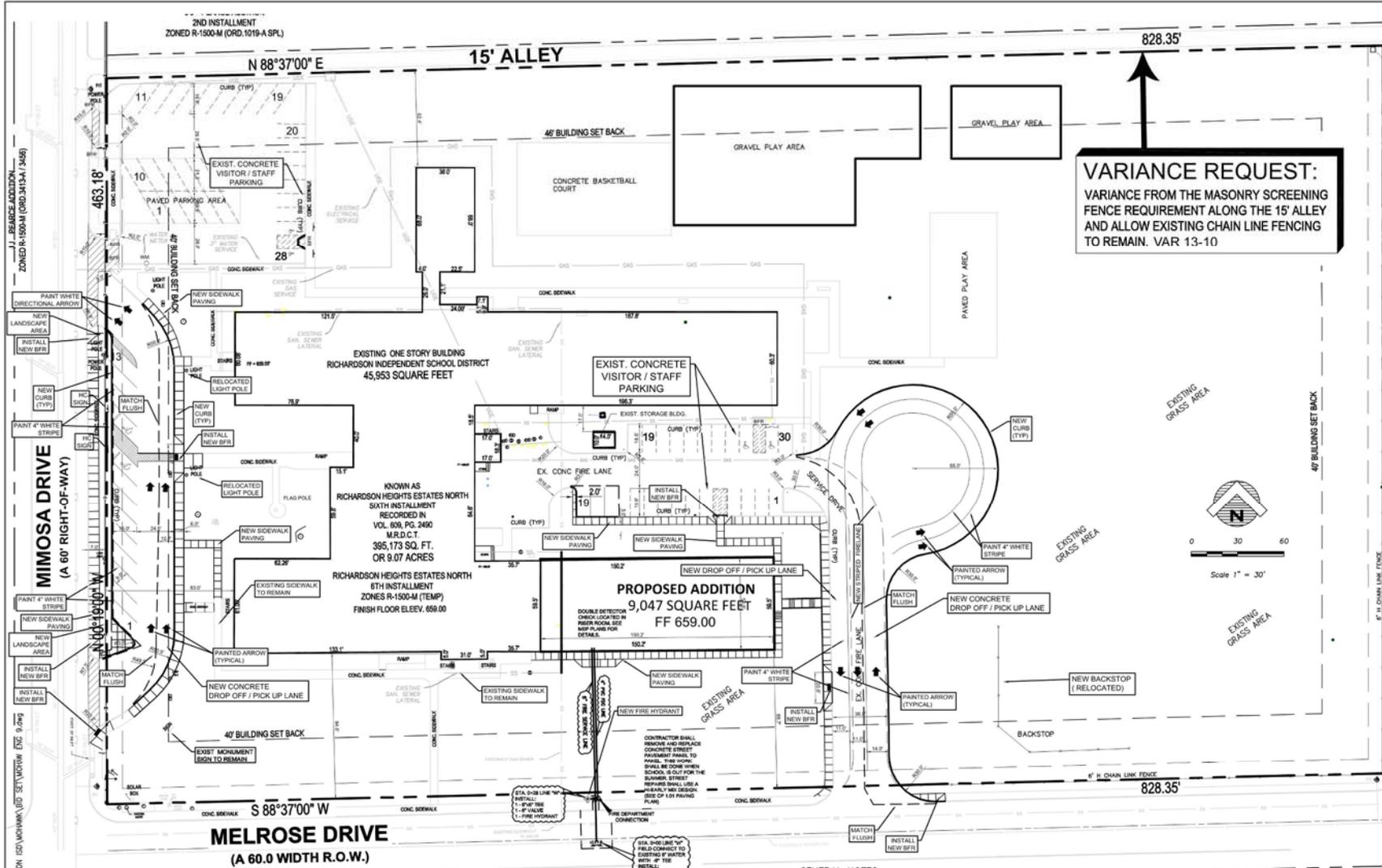
Richardson ISD
Mohawk Elementary School
Richardson Heights Estates North
Lot 183
1500 Mimosa Drive
8.808 acres
October 7th 2013

Applicant's Statement

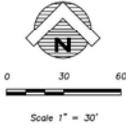
Student enrollment for the Mohawk Elementary located at 1500 Mimosa Drive has outgrown the school's current capacity in this attendance zone. The existing school building consists of 45,953 SQ. Ft. The proposed addition to the school would be 9,047 SQ. Ft. containing 6 new classrooms and a secondary administration area. The total enclosed Sq. Footage with the new addition would then be 55,000 Sq. Ft. on this site. An additional onsite student drop off lane, addition parking and a turnaround lane has been included in the project to address concerns regarding increased traffic. Additional landscaping to enhance the appearance of the site has also been incorporated in the plans for this addition.

Screen wall variance Request:

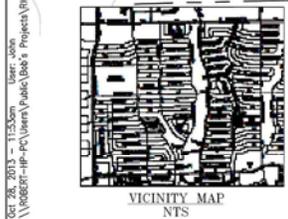
Because of the properties zoning and location next to a residential zoning district, a 6 foot high masonry screening wall is required along the entire north property line by Subdivision Code and Development Ordinance when adding on to the school building. The District is requesting this requirement for the screen wall be waived in this case. The Owner feels a solid screen wall adjacent to the alley in this location will present a security issue for the students attending the school. Installing the wall has the potential to screen and hide predators along this 15' wide alley and any suspicious vehicles parked there. Currently the staff has open site vision of the children traveling to and from school in the alley due to existing chain link fence along the alley. This would not be the case if a solid screen wall were constructed.



VARIANCE REQUEST:
 VARIANCE FROM THE MASONRY SCREENING FENCE REQUIREMENT ALONG THE 15' ALLEY AND ALLOW EXISTING CHAIN LINE FENCING TO REMAIN. VAR 13-10



828.35'
 463.18'
 MOHAWK TRAIL (A 50' RIGHT-OF-WAY)
 RICHARDSON HEIGHTS ESTATES NORTH
 11TH INSTALLMENT
 N 00°19'00" W
 828.35'



OVERALL SITE PLAN LEGEND

- PROPOSED CONCRETE SIDEWALK
- EXISTING CURB
- PROPOSED CURB
- PROPOSED HC PARKING SPACE & STRIPING

SITE DATA SUMMARY TABLE

ZONING	ORDINANCE NO.	SPECIAL CONDITIONS	USE	LOT AREA	SETBACK
R-1500-M	TEMP	VARIANCE FOR MASONRY FENCE	ELEMENTARY SCHOOL	9.07 ACRES OR 395,173 SF	40' STREETS - 45' SIDE 60' REAR

BUILDING AREA	EXISTING BUILDING	PROPOSED ADDITION	TOTAL BUILDING AREA
	45,953 SF	9,047 SF	55,000 SF

EXISTING BUILDING HEIGHT	PROPOSED ADDITION HEIGHT	TOTAL HEIGHT
15'-0" (1 STORY)	15'-0" (1 STORY)	15'-0" (1 STORY)

TOTAL HC PARKING PROVIDED	LANDSCAPE AREA REQUIRED 7X	LANDSCAPE AREA PROVIDED
6 SPACES	27,662 SF	202,019 SF

GENERAL NOTES:
 CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
 BARRIERS FREE RAMP (BFR) IN PUBLIC R.O.W. SHALL BE PER CITY STANDARDS AND DETAILS.
 REFER TO DEVELOPMENT PLANS FOR GRADING DETAILS.
OUTDOOR LIGHTING NOTE:
 ALL OUTDOOR LIGHTING MUST BE ORIENTED SO THAT LIGHTING LEVELS AT ALL PROPERTY LINES ARE 1 FOOT-CANDLE OR LESS.

GENERAL NOTES:

- STRIPES & SIGNAGE INDICATING ARE FROM BACK OF CURB.
- ALL PARKING STRIPES, HOOP PARKING STRIPES & SIGNAGE ARE TO BE IN ACCORDANCE WITH CITY OF RICHARDSON REQUIREMENTS, 110.
- ALL FIRE LANES TO BE INSTALLED AND STRIPPED PER CITY OF RICHARDSON FIRE CODE STANDARDS.
- ALL ROOFTOP MECHANICAL EQUIPMENT SHALL BE SCREENED & UTILITY METERS SHALL NOT BE VISIBLE EXCEPT FROM AREAS CLEARLY INTENDED AS SERVICE AREAS WHERE THE PUBLIC IS GENERALLY EXCLUDED.

RICHARDSON HEIGHTS ESTATES NORTH
 3RD INSTALLMENT
 ZONES R-1500-M (ORD. 675-A)

VARIANCE EXHIBIT
MOHAWK ELEMENTARY SCHOOL
 SIXTH INSTALLMENT
 RICHARDSON HEIGHTS ESTATES NORTH
 BLOCK 183
 8,808 ACRES SITUATED IN THE
 JOHN EDMONDS SURVEY - ABSTRACT NO. 429
 CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

ARCHITECT	OWNER	ENGINEER
CORGAN ASSOCIATES, INC. 401 SOUTH HICKORY STREET DALLAS, TEXAS 75202 214-748-2000	RICHARDSON I.E.D. 401 SOUTH GREENVILLE AVE RICHARDSON, TEXAS 75081 972-711-8351	GLAW ENGINEERING GROUP P.O. BOX 985, APT. F-303 100 BUCKNER CT., SUITE 910 IRVING, TEXAS 75038 972-711-8351



REVISIONS

NO.	DATE	DESCRIPTION
01	10/18/09	FINAL REVIEW SET
02	11/17/09	REVISIONS TO FINAL REVIEW SET
03	12/15/09	REVISIONS TO FINAL REVIEW SET
04	01/13/10	REVISIONS TO FINAL REVIEW SET
05	02/11/10	REVISIONS TO FINAL REVIEW SET
06	03/11/10	REVISIONS TO FINAL REVIEW SET
07	04/11/10	REVISIONS TO FINAL REVIEW SET
08	05/11/10	REVISIONS TO FINAL REVIEW SET
09	06/11/10	REVISIONS TO FINAL REVIEW SET
10	07/11/10	REVISIONS TO FINAL REVIEW SET
11	08/11/10	REVISIONS TO FINAL REVIEW SET
12	09/11/10	REVISIONS TO FINAL REVIEW SET
13	10/11/10	REVISIONS TO FINAL REVIEW SET
14	11/11/10	REVISIONS TO FINAL REVIEW SET
15	12/11/10	REVISIONS TO FINAL REVIEW SET
16	01/11/11	REVISIONS TO FINAL REVIEW SET
17	02/11/11	REVISIONS TO FINAL REVIEW SET
18	03/11/11	REVISIONS TO FINAL REVIEW SET
19	04/11/11	REVISIONS TO FINAL REVIEW SET
20	05/11/11	REVISIONS TO FINAL REVIEW SET
21	06/11/11	REVISIONS TO FINAL REVIEW SET
22	07/11/11	REVISIONS TO FINAL REVIEW SET
23	08/11/11	REVISIONS TO FINAL REVIEW SET
24	09/11/11	REVISIONS TO FINAL REVIEW SET
25	10/11/11	REVISIONS TO FINAL REVIEW SET
26	11/11/11	REVISIONS TO FINAL REVIEW SET
27	12/11/11	REVISIONS TO FINAL REVIEW SET
28	01/11/12	REVISIONS TO FINAL REVIEW SET
29	02/11/12	REVISIONS TO FINAL REVIEW SET
30	03/11/12	REVISIONS TO FINAL REVIEW SET
31	04/11/12	REVISIONS TO FINAL REVIEW SET
32	05/11/12	REVISIONS TO FINAL REVIEW SET
33	06/11/12	REVISIONS TO FINAL REVIEW SET
34	07/11/12	REVISIONS TO FINAL REVIEW SET
35	08/11/12	REVISIONS TO FINAL REVIEW SET
36	09/11/12	REVISIONS TO FINAL REVIEW SET
37	10/11/12	REVISIONS TO FINAL REVIEW SET
38	11/11/12	REVISIONS TO FINAL REVIEW SET
39	12/11/12	REVISIONS TO FINAL REVIEW SET
40	01/11/13	REVISIONS TO FINAL REVIEW SET
41	02/11/13	REVISIONS TO FINAL REVIEW SET
42	03/11/13	REVISIONS TO FINAL REVIEW SET
43	04/11/13	REVISIONS TO FINAL REVIEW SET
44	05/11/13	REVISIONS TO FINAL REVIEW SET
45	06/11/13	REVISIONS TO FINAL REVIEW SET
46	07/11/13	REVISIONS TO FINAL REVIEW SET
47	08/11/13	REVISIONS TO FINAL REVIEW SET
48	09/11/13	REVISIONS TO FINAL REVIEW SET
49	10/11/13	REVISIONS TO FINAL REVIEW SET
50	11/11/13	REVISIONS TO FINAL REVIEW SET
51	12/11/13	REVISIONS TO FINAL REVIEW SET
52	01/11/14	REVISIONS TO FINAL REVIEW SET
53	02/11/14	REVISIONS TO FINAL REVIEW SET
54	03/11/14	REVISIONS TO FINAL REVIEW SET
55	04/11/14	REVISIONS TO FINAL REVIEW SET
56	05/11/14	REVISIONS TO FINAL REVIEW SET
57	06/11/14	REVISIONS TO FINAL REVIEW SET
58	07/11/14	REVISIONS TO FINAL REVIEW SET
59	08/11/14	REVISIONS TO FINAL REVIEW SET
60	09/11/14	REVISIONS TO FINAL REVIEW SET
61	10/11/14	REVISIONS TO FINAL REVIEW SET
62	11/11/14	REVISIONS TO FINAL REVIEW SET
63	12/11/14	REVISIONS TO FINAL REVIEW SET
64	01/11/15	REVISIONS TO FINAL REVIEW SET
65	02/11/15	REVISIONS TO FINAL REVIEW SET
66	03/11/15	REVISIONS TO FINAL REVIEW SET
67	04/11/15	REVISIONS TO FINAL REVIEW SET
68	05/11/15	REVISIONS TO FINAL REVIEW SET
69	06/11/15	REVISIONS TO FINAL REVIEW SET
70	07/11/15	REVISIONS TO FINAL REVIEW SET
71	08/11/15	REVISIONS TO FINAL REVIEW SET
72	09/11/15	REVISIONS TO FINAL REVIEW SET
73	10/11/15	REVISIONS TO FINAL REVIEW SET
74	11/11/15	REVISIONS TO FINAL REVIEW SET
75	12/11/15	REVISIONS TO FINAL REVIEW SET
76	01/11/16	REVISIONS TO FINAL REVIEW SET
77	02/11/16	REVISIONS TO FINAL REVIEW SET
78	03/11/16	REVISIONS TO FINAL REVIEW SET
79	04/11/16	REVISIONS TO FINAL REVIEW SET
80	05/11/16	REVISIONS TO FINAL REVIEW SET
81	06/11/16	REVISIONS TO FINAL REVIEW SET
82	07/11/16	REVISIONS TO FINAL REVIEW SET
83	08/11/16	REVISIONS TO FINAL REVIEW SET
84	09/11/16	REVISIONS TO FINAL REVIEW SET
85	10/11/16	REVISIONS TO FINAL REVIEW SET
86	11/11/16	REVISIONS TO FINAL REVIEW SET
87	12/11/16	REVISIONS TO FINAL REVIEW SET
88	01/11/17	REVISIONS TO FINAL REVIEW SET
89	02/11/17	REVISIONS TO FINAL REVIEW SET
90	03/11/17	REVISIONS TO FINAL REVIEW SET
91	04/11/17	REVISIONS TO FINAL REVIEW SET
92	05/11/17	REVISIONS TO FINAL REVIEW SET
93	06/11/17	REVISIONS TO FINAL REVIEW SET
94	07/11/17	REVISIONS TO FINAL REVIEW SET
95	08/11/17	REVISIONS TO FINAL REVIEW SET
96	09/11/17	REVISIONS TO FINAL REVIEW SET
97	10/11/17	REVISIONS TO FINAL REVIEW SET
98	11/11/17	REVISIONS TO FINAL REVIEW SET
99	12/11/17	REVISIONS TO FINAL REVIEW SET
100	01/11/18	REVISIONS TO FINAL REVIEW SET
101	02/11/18	REVISIONS TO FINAL REVIEW SET
102	03/11/18	REVISIONS TO FINAL REVIEW SET
103	04/11/18	REVISIONS TO FINAL REVIEW SET
104	05/11/18	REVISIONS TO FINAL REVIEW SET
105	06/11/18	REVISIONS TO FINAL REVIEW SET
106	07/11/18	REVISIONS TO FINAL REVIEW SET
107	08/11/18	REVISIONS TO FINAL REVIEW SET
108	09/11/18	REVISIONS TO FINAL REVIEW SET
109	10/11/18	REVISIONS TO FINAL REVIEW SET
110	11/11/18	REVISIONS TO FINAL REVIEW SET
111	12/11/18	REVISIONS TO FINAL REVIEW SET
112	01/11/19	REVISIONS TO FINAL REVIEW SET
113	02/11/19	REVISIONS TO FINAL REVIEW SET
114	03/11/19	REVISIONS TO FINAL REVIEW SET
115	04/11/19	REVISIONS TO FINAL REVIEW SET
116	05/11/19	REVISIONS TO FINAL REVIEW SET
117	06/11/19	REVISIONS TO FINAL REVIEW SET
118	07/11/19	REVISIONS TO FINAL REVIEW SET
119	08/11/19	REVISIONS TO FINAL REVIEW SET
120	09/11/19	REVISIONS TO FINAL REVIEW SET
121	10/11/19	REVISIONS TO FINAL REVIEW SET
122	11/11/19	REVISIONS TO FINAL REVIEW SET
123	12/11/19	REVISIONS TO FINAL REVIEW SET
124	01/11/20	REVISIONS TO FINAL REVIEW SET
125	02/11/20	REVISIONS TO FINAL REVIEW SET
126	03/11/20	REVISIONS TO FINAL REVIEW SET
127	04/11/20	REVISIONS TO FINAL REVIEW SET
128	05/11/20	REVISIONS TO FINAL REVIEW SET
129	06/11/20	REVISIONS TO FINAL REVIEW SET
130	07/11/20	REVISIONS TO FINAL REVIEW SET
131	08/11/20	REVISIONS TO FINAL REVIEW SET
132	09/11/20	REVISIONS TO FINAL REVIEW SET
133	10/11/20	REVISIONS TO FINAL REVIEW SET
134	11/11/20	REVISIONS TO FINAL REVIEW SET
135	12/11/20	REVISIONS TO FINAL REVIEW SET
136	01/11/21	REVISIONS TO FINAL REVIEW SET
137	02/11/21	REVISIONS TO FINAL REVIEW SET
138	03/11/21	REVISIONS TO FINAL REVIEW SET
139	04/11/21	REVISIONS TO FINAL REVIEW SET
140	05/11/21	REVISIONS TO FINAL REVIEW SET
141	06/11/21	REVISIONS TO FINAL REVIEW SET
142	07/11/21	REVISIONS TO FINAL REVIEW SET
143	08/11/21	REVISIONS TO FINAL REVIEW SET
144	09/11/21	REVISIONS TO FINAL REVIEW SET
145	10/11/21	REVISIONS TO FINAL REVIEW SET
146	11/11/21	REVISIONS TO FINAL REVIEW SET
147	12/11/21	REVISIONS TO FINAL REVIEW SET
148	01/11/22	REVISIONS TO FINAL REVIEW SET
149	02/11/22	REVISIONS TO FINAL REVIEW SET
150	03/11/22	REVISIONS TO FINAL REVIEW SET
151	04/11/22	REVISIONS TO FINAL REVIEW SET
152	05/11/22	REVISIONS TO FINAL REVIEW SET
153	06/11/22	REVISIONS TO FINAL REVIEW SET
154	07/11/22	REVISIONS TO FINAL REVIEW SET
155	08/11/22	REVISIONS TO FINAL REVIEW SET
156	09/11/22	REVISIONS TO FINAL REVIEW SET
157	10/11/22	REVISIONS TO FINAL REVIEW SET
158	11/11/22	REVISIONS TO FINAL REVIEW SET
159	12/11/22	REVISIONS TO FINAL REVIEW SET
160	01/11/23	REVISIONS TO FINAL REVIEW SET
161	02/11/23	REVISIONS TO FINAL REVIEW SET
162	03/11/23	REVISIONS TO FINAL REVIEW SET
163	04/11/23	REVISIONS TO FINAL REVIEW SET
164	05/11/23	REVISIONS TO FINAL REVIEW SET
165	06/11/23	REVISIONS TO FINAL REVIEW SET
166	07/11/23	REVISIONS TO FINAL REVIEW SET
167	08/11/23	REVISIONS TO FINAL REVIEW SET
168	09/11/23	REVISIONS TO FINAL REVIEW SET
169	10/11/23	REVISIONS TO FINAL REVIEW SET
170	11/11/23	REVISIONS TO FINAL REVIEW SET
171	12/11/23	REVISIONS TO FINAL REVIEW SET
172	01/11/24	REVISIONS TO FINAL REVIEW SET
173	02/11/24	REVISIONS TO FINAL REVIEW SET
174	03/11/24	REVISIONS TO FINAL REVIEW SET
175	04/11/24	REVISIONS TO FINAL REVIEW SET
176	05/11/24	REVISIONS TO FINAL REVIEW SET
177	06/11/24	REVISIONS TO FINAL REVIEW SET
178	07/11/24	REVISIONS TO FINAL REVIEW SET
179	08/11/24	REVISIONS TO FINAL REVIEW SET
180	09/11/24	REVISIONS TO FINAL REVIEW SET
181	10/11/24	REVISIONS TO FINAL REVIEW SET
182	11/11/24	REVISIONS TO FINAL REVIEW SET
183	12/11/24	REVISIONS TO FINAL REVIEW SET
184	01/11/25	REVISIONS TO FINAL REVIEW SET
185	02/11/25	REVISIONS TO FINAL REVIEW SET
186	03/11/25	REVISIONS TO FINAL REVIEW SET
187	04/11/25	REVISIONS TO FINAL REVIEW SET
188	05/11/25	REVISIONS TO FINAL REVIEW SET
189	06/11/25	REVISIONS TO FINAL REVIEW SET
190	07/11/25	REVISIONS TO FINAL REVIEW SET
191	08/11/25	REVISIONS TO FINAL REVIEW SET
192	09/11/25	REVISIONS TO FINAL REVIEW SET
193	10/11/25	REVISIONS TO FINAL REVIEW SET
194	11/11/25	REVISIONS TO FINAL REVIEW SET
195	12/11/25	REVISIONS TO FINAL REVIEW SET
196	01/11/26	REVISIONS TO FINAL REVIEW SET
197	02/11/26	REVISIONS TO FINAL REVIEW SET
198	03/11/26	REVISIONS TO FINAL REVIEW SET
199	04/11/26	REVISIONS TO FINAL REVIEW SET
200	05/11/26	REVISIONS TO FINAL REVIEW SET
201	06/11/26	REVISIONS TO FINAL REVIEW SET
202	07/11/26	REVISIONS TO FINAL REVIEW SET
203	08/11/26	REVISIONS TO FINAL REVIEW SET
204	09/11/26	REVISIONS TO FINAL REVIEW SET
205	10/11/26	REVISIONS TO FINAL REVIEW SET
206	11/11/26	REVISIONS TO FINAL REVIEW SET
207	12/11/26	REVISIONS TO FINAL REVIEW SET
208	01/11/27	REVISIONS TO FINAL REVIEW SET
209	02/11/27	REVISIONS TO FINAL REVIEW SET
210	03/11/27	REVISIONS TO FINAL REVIEW SET
211	04/11/27	REVISIONS TO FINAL REVIEW SET
212	05/11/27	REVISIONS TO FINAL REVIEW SET
213	06/11/27	REVISIONS TO FINAL REVIEW SET
214	07/11/27	REVISIONS TO FINAL REVIEW SET
215	08/11/27	REVISIONS TO FINAL REVIEW SET
216	09/11/27	REVISIONS TO FINAL REVIEW SET
217	10/11/27	REVISIONS TO FINAL REVIEW SET
218	11/11/27	REVISIONS TO FINAL REVIEW SET
219	12/11/27	REVISIONS TO FINAL REVIEW SET
220	01/11/28	REVISIONS TO FINAL REVIEW SET
221	02/11/28	REVISIONS TO FINAL REVIEW SET
222	03/11/28	REVISIONS TO FINAL REVIEW SET
223	04/11/28	REVISIONS TO FINAL REVIEW SET
224	05/11/28	REVISIONS TO FINAL REVIEW SET
225	06/11/28	REVISIONS TO FINAL REVIEW SET
226	07/11/28	REVISIONS TO FINAL REVIEW SET
227	08/11/28	REVISIONS TO FINAL REVIEW SET
228	09/11/28	REVISIONS TO FINAL REVIEW SET
229	10/11/28	REVISIONS TO FINAL REVIEW SET
230	11/11/28	REVISIONS TO FINAL REVIEW SET
231	12/11/28	REVISIONS TO FINAL REVIEW SET
232	01/11/29	REVISIONS TO FINAL REVIEW SET
233	02/11/29	REVISIONS TO FINAL REVIEW SET
234	03/11/29	REVISIONS TO FINAL REVIEW SET
235	04/11/29	REVISIONS TO FINAL REVIEW SET
236	05/11/29	REVISIONS TO FINAL REVIEW SET
237	06/11/29	REVISIONS TO FINAL REVIEW SET
238	07/11/29	REVISIONS TO FINAL REVIEW SET
239	08/11/29	REVISIONS TO FINAL REVIEW SET
240	09/11/29	REVISIONS TO FINAL REVIEW SET
24		

CPC Minutes from November 5, 2013:

VAR 13-10 Mohawk Elementary School: Consider and take necessary action on a request for approval of a variance from Chapter 21, the Subdivision and Development code, Article II, Section 21-47(d) to waive the required screening wall along the northern property line. The site is located at 1500 Mimosa Drive, northeast corner of Mimosa Drive and Melrose Drive and is zoned R-1500-M Residential.

Mr. Roberts stated Richardson Independent School District (RISD) was requesting to waive the requirement for a screening wall along the northern property line adjacent to single family homes. He pointed out that the requirement for the wall was triggered by the proposed 9,000 square foot expansion to the existing school which also included angled parking and additional drop off lanes.

Commissioner Roland asked if a wall was built where the current chain link fence is located who would be responsible for maintaining the side away from the school.

Mr. Roberts replied that RISD would have to maintain the area along the wall.

Chairman Hand noted that a public hearing was not scheduled for the item, but asked if anyone would like to comment in favor or opposed. No questions or comments were received and he called for a motion.

Motion: Vice Chair Bright made a motion recommend approval of Variance 13-10 as presented; second by Commissioner Linn.

Chairman Hand reported he had heard from residents in the area that the school was the center of their community and they felt it would be counterproductive to erect a wall around the property.

Motion approved 7-0.



Notice of Variance Request

City Plan Commission • Richardson, Texas

An application has been received by the City of Richardson for variances to Chapter 21, Subdivision and Development Ordinance.

File No./Name: VAR 13-10 / Mohawk Elementary School
Property Owners: Richardson Independent School District
Applicant: Jeff Groth, Corgan Associates
Location: 1500 Mimosa Drive
Request: Approval of a request for a variance from the City of Richardson Subdivision and Development Code, Article III, Section 21-47(d), to waive the requirement of a six-foot tall masonry screening wall along the northern property line.

The City Plan Commission will consider this request on:

TUESDAY, NOVEMBER 5, 2013
7:00 p.m.
City Council Chambers
Richardson City Hall, 411 W. Arapaho Road
Richardson, Texas

As courtesy, adjacent property owners who may be affected by this request are receiving written notification of this meeting; as such ownership appears on the last approved city tax roll.

PROCESS FOR PUBLIC INPUT: This item is not a public hearing and specific notification is not required by State law.

While all interested persons are invited to attend the meeting, those wanting 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: Development Services Department, P.O. 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 prior to the meeting. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1331>

For additional information, please contact the Department of Development Services at 972-744-4240 and reference this variance number.

Date Posted and Mailed: October 25, 2013

BROWNE LOUISE CAMPBELL & DA
1203 GRASSMERE DR
RICHARDSON, TX 750802912

KING MARCUS ANTONIO &
YOLANDE MICHELLE KING
1205 GRASSMERE DR
RICHARDSON, TX 750802912

ECKHOLM SEITH D &
PHYLLIS A
1207 GRASSMERE DR
RICHARDSON, TX 750802912

OLOUGHLIN EDWARD JOSEPH &
JANICE
1209 GRASSMERE DR
RICHARDSON, TX 750802912

PIPPARD ANTHONY W &
PIPPARD LAURA L
1211 GRASSMERE DR
RICHARDSON, TX 750802912

GREER DOUGLAS B & JANE
1213 GRASSMERE DR
RICHARDSON, TX 750802912

CIARAMITARO MONICA B & LEON
1215 GRASSMERE DR
RICHARDSON, TX 750802912

MARSHALL BRUCE D &
SANDRA H
1217 GRASSMERE DR
RICHARDSON, TX 750802912

MACLEAN DANIEL R EST OF
% ARMINDA MACLEAN
212 SAINT MARYS PL
ROCKWALL, TX 750874000

MEEKER TIMOTHY PHILIP
1201 GRASSMERE DR
RICHARDSON, TX 750802912

MCKEE MARK A & RETA M
1221 GRASSMERE DR
RICHARDSON, TX 750802912

Richard Morrow
Reservation HOA
1317 Navaho Trl.
Richardson, TX 75080

Joe Russum
JJ Pearce HOA
1102 Pueblo Dr.
Richardson, TX 75080

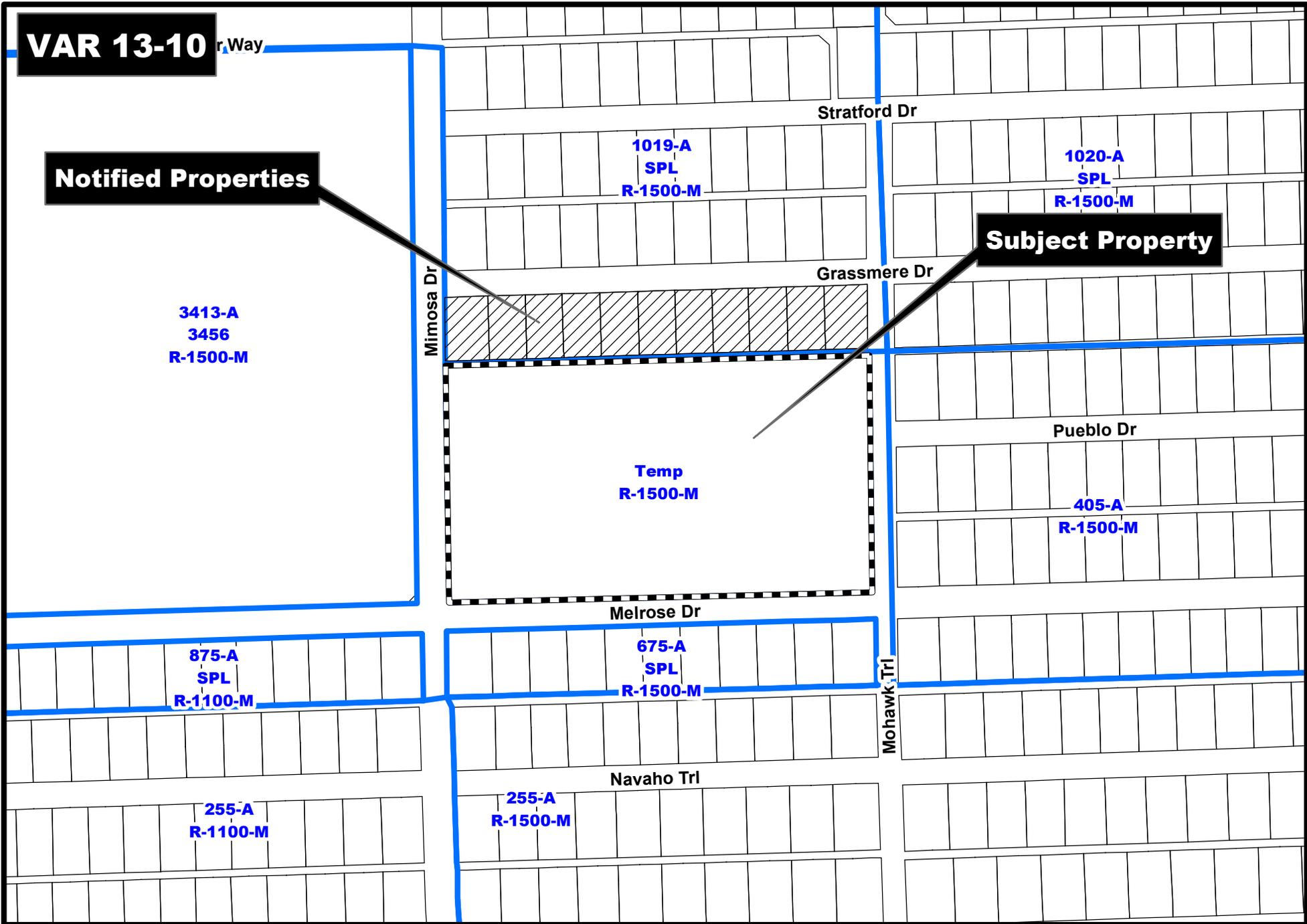
G. Waddell
JJ Pearce HOA
1405 Huntington Dr.
Richardson, TX 75080

VAR 13-10 Notification List

VAR 13-10 r.Way

Notified Properties

Subject Property



**VAR 13-10 Mohawk Elementary School
1500 Mimosa Drive**



Correspondence

October 29, 2013

City of Richardson

Development Services Department

PO Box 830309

Richardson, TX 75083

RECEIVED
NOV 01 2013
DEVELOPMENT SERVICES

Re: VAR 13-10 / Mohawk Elementary School

Dear City Plan Commission:

My name is Brad Greer and I have lived at 1213 Grassmere Dr. since the late 1980's. I am absolutely opposed to a 6' tall masonry screening wall between my house and Mohawk Elementary. I bought the house because of the openness and view behind my house and do not want to do anything to change that. Once you hide the rear of our houses you will encourage crime as the criminal is hidden also.

I have a grandson that will be attending Mohawk in the future as he lives in the neighborhood. I would hate to think he would walk to my house after school and walk through an opening into the alley to oncoming traffic when he and/or the driver have shielded views. If there are no open gates to the alley then you are encouraging the kids to use the alley as a sidewalk. Either way it is a liability for my grandson and you.

I am unable to attend the November 5th meeting. I would like this letter to be read or considered during that time.

Sincerely,



Brad Greer

214-415-8910 – Cell Phone

VAR 13-10

Proposed wall in Grassmere Drive alley
Anne Eckholm
to:
israel.roberts
11/05/2013 03:26 PM
Hide Details
From: Anne Eckholm <anne@eckholm.net>
To: israel.roberts@cor.gov,

Mr. Roberts,

We live on Grassmere Drive and our house backs up to the Mohawk playground. We agree with the Richardson School District that a wall should not be built between the alley and playground. A six foot wall would cause many security and safety issues. We have a child who attends Mohawk and he and his friends are always playing on the playground, in the field, and on the basketball court. It is so easy for me to keep an eye on them and other kids with the fence that is there now. If a six foot wall is built, the basketball court would be enclosed on three sides which is not at all safe for children playing there. This is also true of the garden. Anyone can linger around the garden if a wall is there shielding them from view. Now all of the residents who back up to the playground, as well as others, can look over the area to help ensure safety. Also, the school district has a security guard drive the perimeter of the school and a wall would keep the guard from making sure there isn't anyone hanging around in the school yard that shouldn't be.

We haven't had any garage theft as others in the neighborhood because the open field of the school yard gives visibility and prevents theft.

We sit out back and have a great view and also have an easy access point to the playground. This was a big factor in our decision in buying our house.

The fence that is there now promotes visibility and therefore safety and security in the school yard. Why spend money on a wall that will decrease the safety of our kids?

Sincerely,

Seth and Anne Eckholm



Variance Request - Wall Mowhawk

davidbrowne2 to: israel.roberts

Cc: blackley, jennifer.wilson

11/06/2013 12:30 PM

I had sent Jennifer Wilson an email regarding our support for the request of variance on the school wall proposal. We live at 1203 Grassmere, David and Louise Browne, and cars travel down that alley at higher speeds than is posted. If a wall is put up then children coming out of the playground will not see the cars coming down the alley and it will be a blind spot. The school ground at this point is visible from all sides and I think that is a good thing. I walk my dog around that area every day and i have found kids making out in corners late in the afternoon and if a wall is constructed then that will even give them even more privacy. The cost for a wall would be expensive i am sure and I am not sure why a wall is needed in the first place.



Grassmere Alley/Mohawk Grade School Fence

WPB's ATC

to:

Israel.roberts

11/06/2013 10:36 AM

Cc:

"Frances A Blackley"

Hide Details

From: "WPB's ATC" <blackley@atc-trng.com>

To: <Israel.roberts@cor.gov>,

Cc: "Frances A Blackley" <fblackley@atc-trng.com>

1 Attachment



image001.jpg

Dear Mr. Roberts

I reside at 1208 Stratford Drive about 1-1/2 blocks from the proposed fence.

Obviously I oppose the proposed fence or I would not be responding.

Unfortunately I'm at total loss trying to understand the need for a privacy fence, and have not been able to rationalize a reason for such an expenditure regardless of who is paying. I completely fail to see benefit in this project - what am I missing?

Additionally; I see it providing an area hidden from public view located between the play set equipment (with tree), the basket ball court, the proposed fence and the current school building.

The "L" shape of the building, trees and playground provide an area where children will not be visible from any direction allowing persons of questionable character to lurk and prey on neighborhood children at play.

I realize that during school hours the children are supervised, however on weekends, and after normal school hours this area is frequently used by neighborhood children. Occasionally older children apparently driving cars and parking in the adjacent lot have left evidence of alcohol consumption and other activities. Providing a more private area for such activities does not sound good to me since the much of the area will no longer be visible except by "foot" patrol.

After having resided on Stratford Drive for the past 10 years & frequently walking my dog(s) in this area I think I speak with some authority on the matter.

I look forward to your response.

BTW - If someone has a pile of money to spend perhaps they would consider donating same to our neighborhood park located at Senior Drive and Mimosa - I'm Sure Bart Ord VP JJPHOA would welcome the additional resources



City of Richardson
City Council Meeting
Agenda Item Summary



City Council Meeting Date: Monday, November 25, 2013

Agenda Item: VAR 13-11 Richland Elementary School

Staff Resource: Michael Spicer, Director of Development Services

Summary

This is a request for approval of a variance to the City of Richardson Subdivision and Development Code, Chapter 21, Article III, Section 21-47(d), *Screening and Open Space*, to waive the required 6-foot high masonry screening wall along the southern property line adjacent to the residential neighborhood and along the eastern property line adjacent to Richland Park.

Board/Commission Action: On November 5, 2013 the City Plan Commission unanimously recommended approval of the request.

Action Proposed The City Council may approve the request as presented, approve with conditions, or deny.

VARIANCE 13-11

Attachments:

1. Locator
2. Staff Report
3. Applicant's Statement
4. Variance Exhibit
5. CPC Minutes from November 5, 2013
6. Notice of Variance Request
7. Notification List
8. Notification Map
9. Correspondence



VAR 13-11
Richland Elementary School



**CITY COUNCIL
BACKGROUND INFORMATION
November 25, 2013**

Variance 13-11

SUMMARY

Owner: Richardson Independent School District

Applicant: Patrick Glenn, Perkins and Will

Project Name: VAR 13-11 Richland Elementary School

Location: 550 Park Bend Drive
On the south side of Park Bend Drive, east of Abrams Road.

Request: This is a request for approval of a variance to the City of Richardson Subdivision and Development Code, Chapter 21, Article III, Section 21-47(d), *Screening and Open Space*, to waive the required 6-foot high masonry screening wall along the southern property line adjacent to the residential neighborhood, and along the eastern property line adjacent to Richland Park.

CPC Action: On November 5, 2013 the City Plan Commission unanimously recommended approval of the request.

Notification: This request is not a public hearing and specific notification is not required by State Law. As a courtesy, adjacent property owners received written notification.

Correspondence: Written correspondence has been received and has been included with this report.

DEVELOPMENT SUMMARY

Land Area: 6.64-acres (289,362 sq. ft)

Zoning: R-1500-M Residential District

Existing Development:	67,682 square foot elementary school
Adjacent Land Use/ Zoning:	
North	Apartments/LIM Light Industrial Manufacturing District (Town of Buckingham Ordinance)
East	Richland Park/R-1500-M residential district
South	Single-family residential/R-1500-M SPL residential district
West	Single-family residential/R-1500-M SPL residential district

BACKGROUND INFORMATION

Background: Richardson Independent School District (RISD) intends to construct an 8,190 square foot expansion to the existing 67,682 square foot Richland Elementary School. Additional site improvements include the extension of a looped fire lane on the east side of the building and a new design for the eastern driveway along Park Bend Drive. No other significant changes are proposed for the site.

Article III, Section 21-47(d) of the Subdivision and Development Code requires a minimum six-foot tall masonry screening wall along the common property line where a non-residential use is adjacent to residentially zoned property. Due to the size of the expansion, the proposed site must be in compliance with current development ordinances. In this case, a six-foot tall masonry wall is required to be constructed along the southern property line adjacent to the alley and eight (8) single-family homes for a distance of 547 feet and along the eastern property line adjacent to Richland Park for a distance of 528 feet.

According to the applicant’s statement, RISD feels that the installation of the screening wall would present a security issue by creating a visibility obstruction, thus eliminating the open view school officials have of the alley, park and students walking from the neighborhood to school. Additionally, the installation of the wall adjacent to Richland Park

would eliminate a pedestrian access point that students use to visit the park during schools hours.

There have been six (6) previously approved requests for alternate screening (one for a school) in lieu of a masonry screening wall. Additionally, in 1997, landscape plans for the RISD Alternative School located on Greenville Avenue were approved reflecting an existing 4' chain link fence, trees and shrubs to remain along the southern property line in lieu of a masonry wall. The property south of the RISD Alternative School is a church, and is zoned for the R-1500-M residential district.

PERKINS+WILL

Applicant's Statement

To: City of Richardson Development Services Department

From: Perkins+Will

Date: October 23, 2013

Subject: Variance Request for Richland Elementary School Screen Wall

Student enrollment for the Richland Elementary located at 550 Park Bend Drive has outgrown the school's current capacity in this attendance zone. The existing school building consists of 67,682 Square Feet. The proposed addition to the school would be 8,190 Square Feet. containing 6 new classrooms and a secondary administration area. The total enclosed Sq. Footage with the new addition would then be 75,872 Sq. Ft. on this site. An additional onsite student drop off lane, addition parking and a turnaround lane has been included in the project to address concerns regarding increased traffic.

Additional landscaping to enhance the appearance of the site has also been incorporated in the plans for this addition.

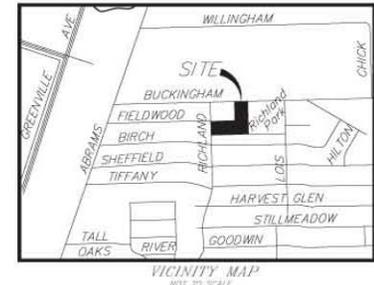
Screen wall variance Request:

Because of the properties zoning and location next to a residential zoning district, a 6 foot high masonry screening wall is required along the entire south and east property lines by Subdivision Code and Development ordinance when adding on to the school building.

The District is requesting this requirement for the screen wall be waived in this case. The Owner feels a solid screen wall adjacent to the alley and the park in this location will present a security issue for the students attending the school. Installing the wall has the potential to screen and hide predators along this alley. Currently the staff has open site vision of the children traveling to and from school in the alley. This would not be the case if a solid screen wall were constructed. Installing the wall along the park would create an unwanted separation between the two open areas.

cc: Project File

PARK BEND DRIVE



**RICHLAND ELEMENTARY SCHOOL
SITE SUMMARY**

A. Zoning:	R-1500-W	E. Parking Provided: (Existing & New)	
B. Setback:		Standard =	95
Front Yard =	30'	Handicapped =	4
Side Yard =	46' ADJ TO RES.	Total =	99
Rear Yard =	60' ADJ TO RES.	F. Floor Area Ratio (F.A.R.) =	
		Allowed:	35%
		Actual:	26%
C. Lot Area		G. Building Height:	15'5"
Acres =	6,643	H. Landscape:	
Square Feet =	289,362	Area Required =	10% of Lot Area
		Area Provided =	51% of Lot Area
D. Building Square Footage:			
Existing Building:	67,682		
Proposed Building:	8,190		

NOTE: CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES.

RICHLAND PARK

Outdoor lighting must be oriented so that lighting levels at all property lines are 1 foot candle or less.

VAR 13-11
Request to waive screening wall

LEGEND

- 210 — EXISTING CONTOUR LINE
- 210 — PROPOSED CONTOUR LINE
- 6" CONCRETE INTEGRAL CURB
- (FL) — EXISTING FIRE LANE
- (FL) — PROPOSED FIRE LANE
- ⑦ REGULAR PARKING COUNT
- ② ACCESSIBLE PARKING COUNT
- ① BARRIER FREE RAMP

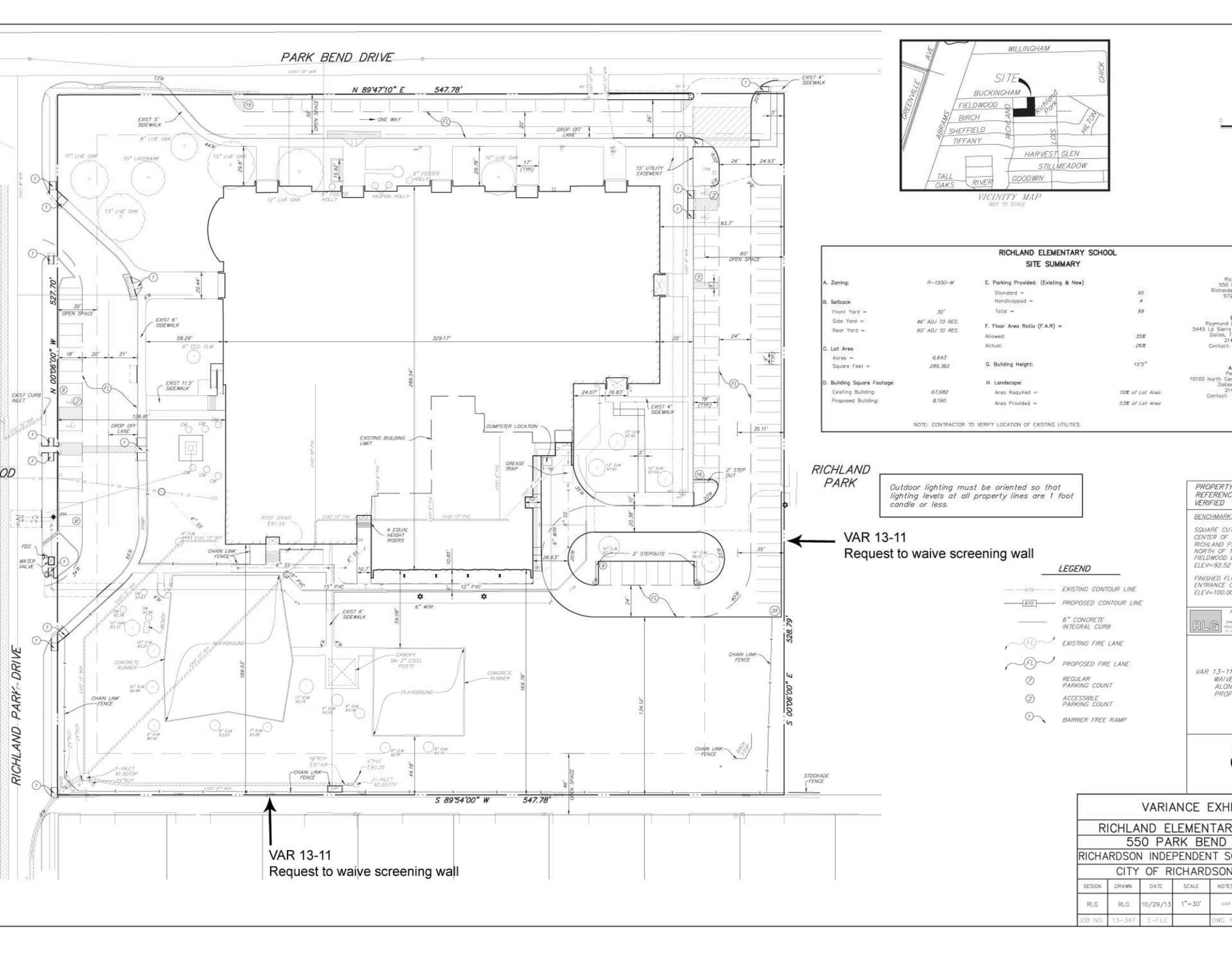
VAR 13-11
Request to waive screening wall

VARIANCE EXHIBIT

RICHLAND ELEMENTARY SCHOOL
550 PARK BEND DRIVE
RICHARDSON INDEPENDENT SCHOOL DISTRICT
CITY OF RICHARDSON, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES
RLG	RLG	10/29/13	1"=30'	VAR 13-11
JOB NO.	13-347	E-FILE		DWC

RICHLAND PARK DRIVE



CPC Minutes from November 5, 2013:

VAR 13-11 Richland Elementary School: Consider and take the necessary action on a request for approval of a variance from Chapter 21, the Subdivision and Development Code, Article II, Section 21-47(d), to waive the required screening wall along the southern and eastern property lines. The site is located at 550 Park Bend Drive on the south side of Park Bend Drive, east of Abrams Road.

Mr. Roberts said this variance was similar to the previous request in that RISD was requesting to waive the requirement to build a screening wall along the southern and eastern property lines that was required by a proposed 8,000 square foot expansion to the existing school, a new fire lane and drop off loop.

Chairman Hand explained that a public hearing was not scheduled for the item, but asked if anyone would like to comment in favor or opposed. No questions or comments were received, but he asked about any correspondence that had been received.

Mr. Roberts noted that two written pieces of correspondence and one phone call had been received with the phone call and one of the written pieces in favor with the remaining written correspondence giving conditional support to the request.

Commissioner Frederick also commented that the City of Richardson Parks Department was in favor of waiving the screening wall.

Motion: Commissioner Roland made a motion recommend approval of Variance 13-11 as presented; second by Commissioner DePuy. Motion approved 7-0.



Notice of Variance Request

City Plan Commission • Richardson, Texas

An application has been received by the City of Richardson for variances to Chapter 21, Subdivision and Development Ordinance.

File No./Name: VAR 13-11 / Richland Elementary School
Property Owners: Richardson Independent School District
Applicant: Patrick Glenn, Perkins and Will
Location: 550 Park Bend Drive
Request: Approval of a request for a variance from the City of Richardson Subdivision and Development Code, Article III, Section 21-47(d), to waive the requirement of a six-foot tall masonry screening wall along the southern property line adjacent to the residential neighborhood and along the eastern property line adjacent to Richland Park.

The City Plan Commission will consider this request on:

TUESDAY, NOVEMBER 5, 2013
7:00 p.m.
City Council Chambers
Richardson City Hall, 411 W. Arapaho Road
Richardson, Texas

As courtesy, adjacent property owners who may be affected by this request are receiving written notification of this meeting; as such ownership appears on the last approved city tax roll.

PROCESS FOR PUBLIC INPUT: This item is not a public hearing and specific notification is not required by State law.

While all interested persons are invited to attend the meeting, those wanting 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: Development Services Department, P.O. 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 prior to the meeting. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1331>

For additional information, please contact the Department of Development Services at 972-744-4240 and reference this variance number.

Date Posted and Mailed: October 25, 2013

BROPHY J F
515 BIRCH LN
RICHARDSON, TX 75081

D JAGGEARS INVESTMENTS IN
2026 NORMANDY DR
IRVING, TX 75060

TAHERZADEH ABDUL H
511 BIRCH LN
RICHARDSON, TX 75081

CAMPBELL JONATHAN D &
WANDA GAIL
509 BIRCH LN
RICHARDSON, TX 75081

CARUTHERS MICHAEL F
507 BIRCH LN
RICHARDSON, TX 75081

BARNES CLIFTON G & CATHY
505 BIRCH LN
RICHARDSON, TX 75081

MEMKO HYSNI & LINDITA
503 BIRCH LN
RICHARDSON, TX 75081

NGUYEN HAI N
501 BIRCH LN
RICHARDSON, TX 75081

Curtis Dorian
Richland HOA
609 Stillmeadow Dr.
Richardson, TX 75081

Andrea Hills
Richland HOA
1200 Richland Dr.
Richardson, TX 75081

VAR 13-11 Notification List

VAR 13-11

O/C

UR

LIM

UR

Subject Property

Park Bend Dr

ois Ln

Notified Properties

Fieldwood Dr

Fieldwood Cir

769-A
SPL

R-1500-M

Richland Park Dr

Birch Ln

722-A
SPL

D-1400-M

Sheffield Dr

**VAR 13-11 Richland Elementary School
550 Park Bend Drive**



Correspondence



RICHLAND PARK
Roger Scott to: Israel Roberts

11/01/2013 02:38 PM

ISRAEL

The Parks and Recreation Department understands Richardson Independent School District will be undertaking building renovations at Richland Elementary and a condition of zoning will require the District to erect a screen wall along the property line between the school and park.

It is the opinion of the this department the requirement for this screening wall be waived and an exemption be allowed in this case.

ROGER

ROGER K. SCOTT, Assistant Director/Parks and Planning
RICHARDSON PARKS & RECREATION DEPARTMENT
PO BOX 830309
RICHARDSON, TX 75083
972.744.4303
972.744.5807 fax
Email roger.scott@cor.gov
Web Site www.cor.net/Parks

Michael and LaQuita Caruthers
507 Birch Lane
Richardson, Texas 75081

November 4, 2013

Development Services Department
City of Richardson
411 West Arapaho Road
Richardson, Texas 75080

RE: VAR 13-11 / Richland Elementary School

To Whom It May Concern:

We support the waiver of the requirement to build a 6 foot masonry wall on the south side of the Richland Elementary property line. Such a wall will reduce the visibility of the alley and our property from Richland Park Drive/Park Bend Drive and the school yard. We think that the masonry wall will provide opportunity for increased crime and mischief in the both the alley and the school yard.

We have lived across the alley from Richland Elementary for over 30 years. We attribute the low number of incidents in our alley over the years to the openness and visibility afforded by the exiting fence.

Thank you for making us aware of this issue and allowing us to provide our comments.

Sincerely,



Michael Caruthers



LaQuita Caruthers

October 30, 2013

Mr. Barry Hand
Chairman, City Plan Commission
City of Richardson
411 West Arapaho Road
Richardson, Texas 75080-4551

Subject: VAR 13-11/Richland Elementary School
2013/2014 Richland Elementary School Addition/Expansion and Renovation

Dear Mr. Hand,

Many thanks to the City of Richardson (COR) for the opportunity to provide input regarding the upcoming expansion and renovation of Richland Elementary School. It is exciting to live in a city and school district that understand the importance of building, maintaining and investing in infrastructure, schools, parks, neighborhoods, and community. COR's understanding and desire for long-term quality and sustainable neighborhoods are seen in many ways, not the least of which is its 2009 Comprehensive Plan.

As you are clearly aware, COR's authority to enforce reasonable land development regulations on school properties is reflected in opinions issued by State of Texas Attorney Generals. A July 10, 1986, opinion issued by Attorney General Jim Maddox (Opinion No. JM-514) and a February 27, 2009 opinion issued by Attorney General Greg Abbot (GA-0697) are attached.

We support expansion and renovation of Richland Elementary School if COR enforces reasonable subdivision and land development regulations and ordinances, including processes and procedures, for the purposes of aesthetics and maintenance of property values. An August 26, 2013, letter to COR Mayor Laura Maczka is attached for your consideration.

We request the Planning Commission consider the following input as it formulates a recommendation for the subject variance. Please note we have not yet seen a proposed site plan so we are not able to be as specific as we would like.

We believe it is important for a single, comprehensive variance request for Richland Elementary School be required versus multiple variance requests for individual items. Thus, if there are items for which Richland Elementary School will be seeking additional variances, we believe all of the variance items should be included in one application and considered at one time.

- We conditionally support a variance for the six-foot masonry screening wall along the north portion of the school's east property line. Support is conditioned upon the school following all other City of Richardson landscape ordinance and policy requirements, including but not limited to minimum landscape area requirements, screening of ground level equipment, maintenance and irrigation of landscaped areas, landscape buffers adjacent to streets and major private drives, screening of and landscaping in parking, loading and storage areas, sight visibility triangles, foundation planting, perimeter screening and tree inventories.

- We oppose a variance for the six-foot masonry screening wall on the south property line of Richland Elementary School and oppose pedestrian and vehicular connections/access between the school and the alley.
- We oppose a variance for the six-foot masonry screening wall on the south 150-feet of the east property line of Richland Elementary School. Students currently walk down the alley on the south side of the school (and a number of other alleys), causing concern Birch Drive residents who back up to the alley and who, like many others in the neighborhood, struggle with house and vehicle burglaries. Traffic is heavy near the school so the safety of the students is also important. Sidewalks in Richland Park are available to provide access the school from the east and southeast. Finally, funds being utilized to repair and replace sidewalks throughout the neighborhood via the Safe Routes to School program (see attached map) are somewhat wasted if students are permitted to access the school from the alley and the southeast half of Richland Park.
- We request the six-foot masonry screening wall be brick matching brick used on school building or the Richland Park and Richland Oaks neighborhood entrances with column/pilaster spacing similar to the masonry screening wall on the north side of Park Bend Drive.

We work in an area of South Dallas/Fair Park that has been devastated by neglect, increasing poverty and crime. The population of the area has decreased from 27,000 to 8,800 in just a couple of decades. Schools are closing and our struggle to attract new families back into the area is enormously difficult. It will take more than \$300 million and three decades or more for the area to recover.

Decay of areas in southern sectors of cities is common. Richland Park and Richland Oaks neighborhood abut a COR and City of Dallas (Dallas) city limit line. Two of Dallas' highest crime areas (see Dallas' Targeted Action Area Grid map) abut this same city limit line. It is imperative COR and RISD work with Richland Park and Richland Oaks property owners and residents to maintain aesthetics and property values. Money is tight everywhere. On the other side, the cost of rehabilitation and revitalization gets higher and higher without constant vigilance. COR's 2009 Comprehensive Plan and Subdivision and Development Ordinance were adopted to assist in support of such vigilance.

Thank you for your consideration. Please contact us at 214-500-1586 with any questions that arise.

Sincerely,



Andrea and Steven Hills
1200 Richland Park Drive
Richardson, Texas 75081



**Office of the Attorney General
State of Texas**

July 10, 1986

<p>Honorable Mark W. Stiles Chairman State Affairs Committee Texas House of Representatives P.O. Box 2910 Austin, Texas 78769</p>	<p>Opinion No. JM-514</p> <p>Re: Whether a city may require a school district to apply for a special building use permit in order to convert a school facility to an administrative facility</p>
---	---

Dear Representative Stiles:

You inform us that the Beaumont Independent School District has operated an elementary school in a residential area of the city of Beaumont. In June, 1985, however, the board of trustees voted to convert that facility to a central administrative office building for the school district. In order to obtain the requisite building permits for the conversion, the city required that the school district comply with city zoning ordinances requiring it to make application for a specific use permit.

Although the school board complied with all city fire and building codes, it objected to the city's requirements on the ground that the city has no authority to require the school district to follow the specific use application process. The city has, in fact, granted the required permit, but asserts that it has the authority to require the school district to comply with the permit procedures and conditions. In that regard you ask whether a municipality may require a school district to comply with city zoning ordinances requiring the school district to apply for a specific use permit in order to convert a school facility to an administrative facility.

The issue as presented is governed by the principles of *Port Arthur Independent School District v. City of Groves*, 376 S.W.2d 330 (Tex.1964), and *Austin Independent School District v. City of Sunset Valley*, 502 S.W.2d 670 (Tex.1973); see also Attorney General Opinion [JM-180](#) (1984). In *Groves*, supra, the issue was whether a school district had to comply with the city's building regulations in constructing a school facility on school property located within the boundaries of a home rule city. The school district in *Groves* contended that the city could not exercise its police power against the school district because a school district is an independent political subdivision of the state. State property is exempt from municipal zoning. Attorney General

Opinion [JM-117](#) (1983). The Texas Supreme Court rejected the school district's contention because a school district's property should not be classified as state property. 376 S.W.2d at 333. The court held that school buildings of an independent school district are subject to reasonable ordinances of the city. 376 S.W.2d at 334. The Texas Supreme Court in *Sunset Valley* considered whether the city could, through its zoning regulations, wholly prohibit the location of school facilities within its boundaries. 502 S.W.2d at 671. The court emphasized that the reasonableness of the school district's action was not before it. 502 S.W.2d at 672. Relying on well-established principles of zoning law, the court held that the city could not totally exclude schools from areas zoned residential. *Id.* In both *Groves* and *Sunset Valley*, the proposed buildings were school facilities, not administrative offices. School facilities traditionally receive special treatment in zoning law. See 502 S.W.2d at 672.

At issue here is the transformation of a school facility into an administrative office building. The court of appeals in *City of Addison v. Dallas Independent School District*, 632 S.W.2d 771 (Tex.Civ.App.--Dallas 1982, writ ref'd n.r.e.), held that a city cannot declare a legitimate school district action to be a nuisance per se and thereby prohibit the action. At issue was the school district's use of its property for a bus-parking facility. The court left open the possibility that the activity could become a nuisance by reason of its locality, surroundings, or manner of operation. 632 S.W.2d at 774. In essence, the court held that the city could not totally foreclose this use of the property simply by declaring the use to be a nuisance per se. Although the case is not directly applicable because it turned on nuisance law rather than on zoning law, we believe that, when it is read with *Groves* and *Sunset Valley*, it stands for the proposition that the city cannot exclude the school district's administrative offices.

As indicated, however, the city has not totally excluded the school district's administrative facility. The city has, in fact, granted the specific use permit. The city's permit procedure and conditions are designed to provide a reasonable means to assure that the health, safety, property and welfare of the people affected by the proposed land use are protected. The Texas Supreme Court's decision in *Groves* makes it clear that a school district's facilities are subject to reasonable city ordinances. 376 S.W.2d at 334. As the court stated: "To hold otherwise would be to leave a hiatus in regulation necessary to the health and safety of the community." *Id.* Accordingly, so long as a city's specific use permit procedures and conditions do not attempt to totally exclude a school district's facilities and are reasonably related to the protection of the health, safety, and welfare of the community, the school district must comply with those procedures and conditions.

SUMMARY

The Beaumont Independent School District must comply with reasonable city of Beaumont's zoning ordinances in order to convert a classroom facility to an administrative facility. The city may not, however, use its zoning powers unreasonably to prohibit the conversion.

Very truly yours,



Jim Mattox



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 27, 2009

Mr. Robert Scott
Commissioner of Education
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701-1494

Opinion No. GA-0697

Re: Authority of a home rule city to enforce land development regulations against an independent school district for the purposes of aesthetics and the maintenance of property values (RQ-0741-GA)

Dear Mr. Scott:

You ask whether a home rule city may enforce certain provisions of its land development regulations against an independent school district.¹ Your question is based upon a letter you received from the Mansfield Independent School District (the "District") objecting to certain requirements imposed upon the District by the City of Mansfield, a home rule municipality (the "City").² Specifically, the District questions the validity of the following City zoning ordinance provisions as they apply to the District :

1. set back and height regulations;
2. community design standards;
3. sign standards;
4. landscaping and screening requirements;
5. supplemental requirements for screening of mechanical equipment and service areas;
6. general provisions for fences and free standing walls; and
7. fines for violation of such ordinances.

¹Request Letter (available at <http://www.texasattorneygeneral.gov>).

²See Letter from Meridith Hayes, Abernathy, Roeder, Boyd & Joplin, P.C., to Robert Scott, Commissioner of Education (Sept. 5, 2008) (attachment to Request Letter) [hereinafter District Letter].

District Letter at 3–5. The District suggests that these regulations serve only to protect “the aesthetic appearance of and property values of” commercial property in the city. *Id.* at 1.³

The application of municipal building ordinances to school district property within a municipality was first considered by the Texas Supreme Court in 1964. The court, while acknowledging that an independent school district is a creature of the state, declined to classify its property as “state property.” *Port Arthur Indep. Sch. Dist. v. City of Groves*, 376 S.W.2d 330, 333 (Tex. 1964). Rather, “[t]he Legislature, in providing that local school boards shall contract for the erection of school buildings and superintend the construction of same, made no provision whatsoever that they should regulate, supervise, or control in any manner the building of school buildings.” *Id.* The court concluded that a city, “in performing its duties as delegated to it by the state, does not usurp the authority and responsibility of the school district in the realm of education by requiring the school buildings to meet certain minimum standards of construction any more than it usurps the control and management of individuals and private corporations over their property and affairs by making them meet those same standards.” *Id.* at 334. A subsequent decision added the caveat that a municipality may not in the exercise of its authority wholly exclude from its boundaries a facility operated by an independent school district. *Austin Indep. Sch. Dist. v. City of Sunset Valley*, 502 S.W.2d 670, 673 (Tex. 1973). The court in *City of Sunset Valley* noted that *City of Groves* “turned on the police power of the city to enforce necessary health and safety regulations,” whereas the issue before it in the instant case was “a zoning ordinance of the City which wholly excludes the school facilities in issue.” *Id.* See also *City of Addison v. Dallas Indep. Sch. Dist.*, 632 S.W.2d 771, 773 (Tex. App.—Dallas 1982, writ ref’d n.r.e.) (school district may place any facility within an area zoned residential and is generally exempt from a city’s *location-based* requirements as long as the district is not acting unreasonably or arbitrarily); Tex. Att’y Gen. Op. No. JM-514 (1986) at 2 (municipality may not use zoning power to prevent school district from converting classroom facility to administrative facility).

Courts reviewing municipal ordinances begin with a presumption of validity, wherein the standard of review is abuse of discretion. *City of Brookside Village v. Comeau*, 633 S.W.2d 790, 792–93 (Tex. 1982). See also *Price v. City of Junction*, 711 F.2d 582, 588 (5th Cir. 1983); *City of Lucas v. N. Tex. Mun. Water Dist.*, 724 S.W.2d 811, 820 (Tex. App.—Dallas 1986, writ ref’d n.r.e.). Moreover, the reasonableness of an ordinance is a question of law. *City of Lucas*, 724 S.W.2d at 820.

The District takes particular issue with the City’s reliance upon aesthetics and the maintenance of property values to uphold the regulations in question. See District Letter at 1, 3. But those considerations have been approved by Texas courts since 1940. In *Connor v. City of University Park*, 142 S.W.2d 706, 712 (Tex. Civ. App.—Dallas 1940, writ ref’d), the court said that “in zoning, the aesthetic consideration is not to be ignored. Harmonious appearance, appropriateness, good taste and beauty displayed in a neighborhood not only tend to conserve the

³For purposes of this opinion, we accept the District’s characterization of the referenced regulations as protective of “the aesthetic appearance of and property values of” property within the municipality.

value of property, but foster contentment and happiness among homeowners.” Subsequent cases have focused upon the same considerations. *See, e.g., City of Houston v. Johnny Frank's Auto Parts Co.*, 480 S.W.2d 774, 780 (Tex. Civ. App.—Houston [14th Dist.] 1972, writ ref'd n.r.e.) (quoting language from *Connor*, 142 S.W.2d at 712); *City of Pharr v. Pena*, 853 S.W.2d 56, 61 (Tex. App.—Corpus Christi 1993, writ denied) (considerations of aesthetics as well as surrounding property values “represent a legitimate goal [and] were substantially related to the public welfare”). In the most recent case, the court said that a restriction on off-premise signs “enhances the aesthetic appearance and economic prospects of the community.” *Eller Media Co. v. City of Houston*, 101 S.W.3d 668, 675 (Tex. App.—Houston [1st Dist.] 2003, pet. denied).

Moreover, zoning ordinances and land development standards constitute a portion of a municipality's statutory police power. Chapter 211 of the Local Government Code provides the basis for municipal zoning authority. The powers granted therein “are for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.” TEX. LOC. GOV'T CODE ANN. § 211.001 (Vernon 2008).⁴ Zoning ordinances include, *inter alia*, regulation of the height and size of buildings and other structures. *Id.* § 211.003(a)(1); *see also id.* § 216.901(a) (home rule city may regulate signs). Another provision permits the governing body of a municipality to divide the city into districts and, within each district, to “regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.” *Id.* § 211.005(a). Zoning regulations “shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality.” *Id.* § 211.005(b). Taken together, the foregoing statutes and judicial decisions make clear that the City may enforce reasonable zoning and building ordinances against the District on the bases of aesthetics and the maintenance of property values. Sections 54.004 and 211.005 of the Local Government Code establish the primacy of a municipality in enforcing its building and zoning regulations. In addition, the various cases upholding considerations of aesthetics and the maintenance of property values as sufficient underpinnings for such laws remove substantial obstacles to the implementation of those regulations. Finally, the Texas Supreme Court's decision in *City of Groves* indicates that, in the area of building regulation, a municipality may enforce its reasonable ordinances against an independent school district.

We conclude that a home rule city may enforce its reasonable land development regulations and ordinances against an independent school district for the purposes of aesthetics and the maintenance of property values.

⁴Under another portion of the Local Government Code, “[a] home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants.” TEX. LOC. GOV'T CODE ANN. § 54.004 (Vernon 2008).

S U M M A R Y

A home rule city may enforce its reasonable land development regulations and ordinances against an independent school district for the purposes of aesthetics and the maintenance of property values.

Very truly yours,

A handwritten signature in black ink, appearing to read "Greg Abbott", written in a cursive style.

GREG ABBOTT
Attorney General of Texas

ANDREW WEBER
First Assistant Attorney General

JONATHAN K. FRELS
Deputy Attorney General for Legal Counsel

NANCY S. FULLER
Chair, Opinion Committee

Rick Gilpin
Assistant Attorney General, Opinion Committee

Once adopted, a City may enforce zoning regulation as follows:

- adopting ordinances to enforce zoning regulations;
- violation of the Enabling Act or a zoning regulation is a misdemeanor, the violation of which is punishable by fine, civil penalty, and/or imprisonment, as provided by the City; and
- injunction to restrain, correct or abate violation.

TEX. LOC. GOV'T CODE ANN. § 211.012 (Vernon 1999).

Various conflicts are addressed in the Enabling Act:

- among conflicting governmental regulations, the stricter prevails (i.e., zoning does not trump conflicting, more restrictive regulations);
- “public service businesses” (e.g. common carriers like pipelines) have vested rights protecting existing property made nonconforming by zoning regulation; and
- structures under the “control, administration or jurisdiction” of state or federal governments are exempt from zoning regulation (governmental supremacy issue);
- however as of 1999, privately owned structures and land leased to a state agency are subject to the Enabling Act .

TEX. LOC. GOV'T CODE ANN. § 211.013 (Vernon 1999 & Supp. 2001).

An entire zoning ordinance may be repealed by referendum as part of a charter election or if specifically authorized under the City's charter. This provision was adopted at the behest of Houston zoning opponents during the 1993 battle over zoning in Houston.

TEX. LOC. GOV'T CODE ANN. § 211.015 (Vernon 1999).

2. Zoning Commission

The Zoning Commission is a legislative body appointed by the City Council and may have any number of members. The Zoning Commission's authority is limited to the drafting or recommending of the zoning ordinance and amendments (including planned development districts). It has no involvement in interpretation or the granting of variances or special exceptions. TEX. LOC. GOV'T CODE ANN. §§ 211.007, 211.009 (Vernon 1999). The city planning staff (or building inspection department in small cities) handles day to day administration of the zoning ordinance.

A home rule city must appoint a Zoning Commission to avail itself of the powers conferred by the Enabling Act. See TEX. LOC. GOV'T. CODE ANN. § 211.007 (Vernon 1999); Coffee City v. Thompson, 535 S.W.2d 758, 767 (Tex. Civ. App.--Tyler 1976, writ ref'd n.r.e.). If a Planning Commission already exists, it may be appointed as the Planning and Zoning Commission. TEX. LOC. GOV'T. CODE ANN. § 211.007 (Vernon 1999).

General law cities may exercise zoning power without a Zoning Commission through their City Council. TEX. LOC. GOV'T CODE ANN. § 211.007 (Vernon 1999). A general law city must look to the general law for its authority to exercise municipal powers and must comply with the statutory requirements of general laws, such as the Enabling Act. Mayhew v. Town of Sunnyvale, 774 S.W.2d 284, 294 (Tex. App.--Dallas 1989, writ denied).

When appointed, the Zoning Commission recommends the boundaries of the various original districts and the appropriate regulations to be enforced therein. It has the responsibility of

August 26, 2013

The Honorable Laura Maczka
Mayor of the City of Richardson
411 West Arapaho Road
Richardson, Texas 75080-4551

Subject: The City of Richardson's Authority to Enforce Land Development Regulations
2013/2014 Richland Elementary Addition/Expansion and Renovation
550 Park Bend Road, Richardson, Texas 75081

Dear Mayor Maczka,

The City of Richardson (COR) is doing a great job of bringing in new businesses and in promoting neighborhood vitality and integrity with 1) its support of neighborhood beautification efforts and crime watch patrols and 2) updates to public parks and recreation facilities. All of these efforts are vital to our City's health.

The purpose letter is to express concern about a proposed renovation and expansion to Richland Elementary School. We believe COR and the Richardson Independent School District (RISD) must work together to improve our schools AND the neighborhoods surrounding those schools. We request assistance from COR with respect to enforcement of regulations and ordinances on all Richland Elementary School projects to protect the vitality and integrity of the Richland Park and Richland Oaks Additions.

In an effort to frame our concern and request for assistance properly, please note the following wording included in form letters distributed by COR code enforcement inspectors.

"The mission of the City of Richardson's Community Services Department is to protect the vitality and integrity of Richardson by making certain its residential neighborhoods, apartment complexes and commercial areas are maintained in a safe and healthy manner through fair and reasonable enforcement of codes and ordinances, by providing support and resources to leaders' efforts to organize and positively affect their community, and by partnering with leaders to put into action revitalization strategies that help realize a shared community vision....."

"The City's Community Integrity and Vitality Strategy is a multi-faceted approach to promoting and protecting residential neighborhoods, apartment complexes and commercial areas."

Please also note Article I, Section 21-5 of Chapter 21 of COR Code of Ordinances (the City of Richardson Subdivision and Development Ordinance) states:

"This chapter shall apply to all land within the corporate limits of the city, all land outside the corporate limits that the city may annex, and all land within the extraterritorial jurisdiction of the city to the fullest extent allowed by state law."

The RISD Board of Trustees recently approved a \$14,681,443 Construction Manager At-Risk bid submitted by Cadence McShane Corp. for additions/expansions and renovations at Richland Elementary School and a number of other RISD campuses. The budget estimate for the expansion and renovation work at Richland Elementary School was \$3,750,000 per a 2011 Bond Project status report presented to the RISD Board of Trustees on December 14, 2012. The existing 67,682 square foot building and site improvements on the Richland Elementary School property are currently valued at \$3,360,320 by Dallas Central Appraisal District. As the cost of the upcoming work is greater than the value of the existing building and site improvements, it is clear the proposed expansion is larger than the 1,000 square foot maximum allowed for

site plan approval through the City's "administrative approval" process referenced in Article II, Section 21-26 of Chapter 21 of COR Code of Ordinances.

The Richland Homeowners Association Board reports to the Richland Park and Richland Oaks Addition homeowners and residents and acts as liaison with respect to neighborhood projects including but not limited to the upcoming project at Richland Elementary School. Therefore, on behalf of the Richland Park and Richland Oaks Addition homeowners and residents, we hereby express our great concern about the Richland Elementary School expansion project. Specifically, we are concerned the building expansion and associated site plan changes 1) will worsen existing traffic and safety challenges within the Richland Park Addition and 2) will not be planned, designed, approved or constructed in accordance with COR codes and ordinances. We believe safety, traffic congestion, property values and aesthetics will erode if the Richland Elementary School expansion project is allowed to move forward without going through the appropriate land development and building permit etc. processes and public hearings, if applicable, previously established by COR, as is required for other projects, builders and developers.

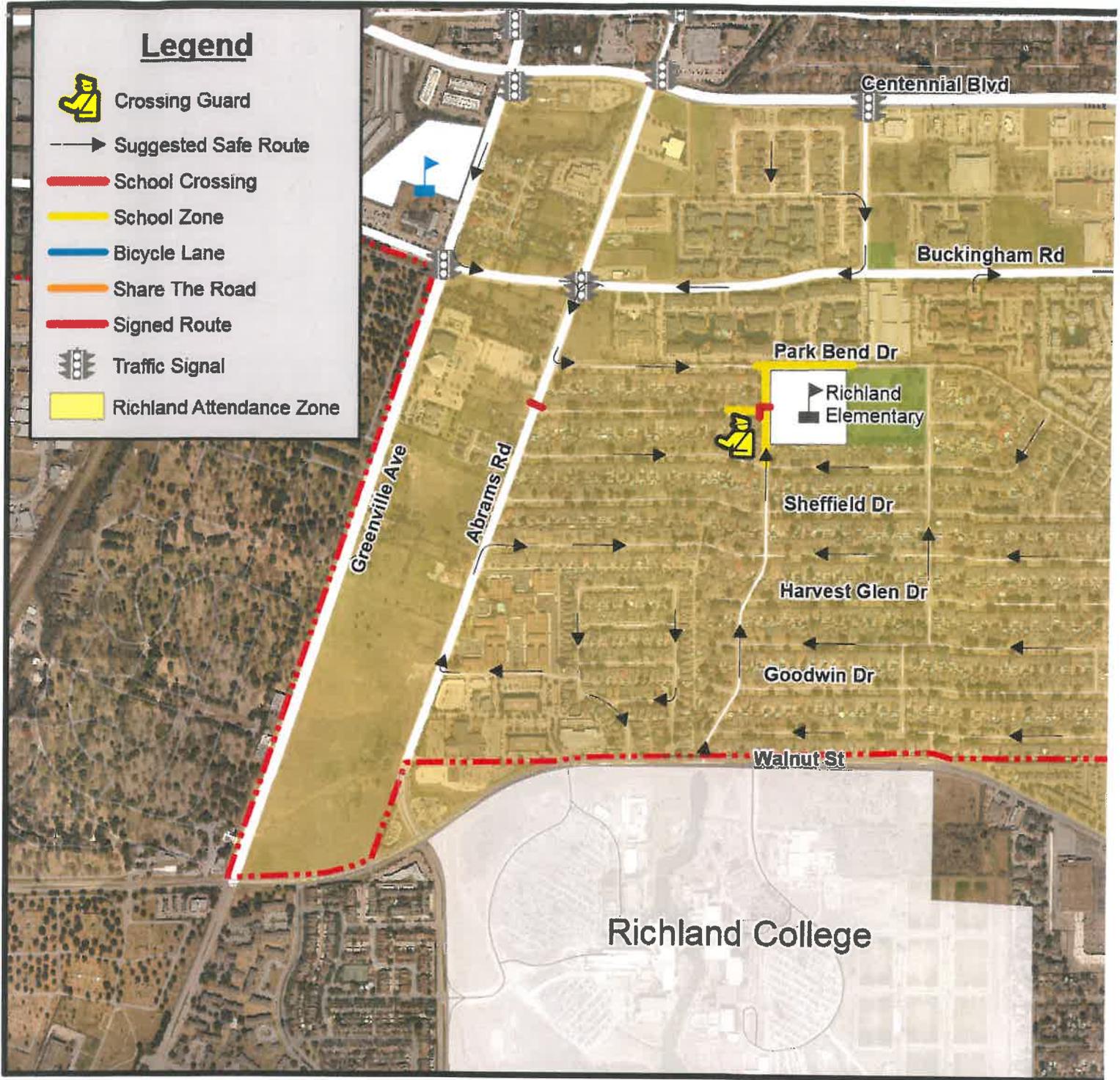
Texas Attorney General Greg Abbott's February 27, 2009 Opinion No. GA-0697 states "A home rule city may enforce its reasonable land development regulations and ordinances against an independent school district for the purposes of aesthetics and the maintenance of property values." The Richland Homeowners Association requests COR enforce its land development regulations and other applicable regulations and ordinances with respect to Richland Elementary School to protect 1) homeowners and residents in the Richland Park and Richland Oaks Additions and 2) the "vitality and integrity" of the our neighborhood. The regulations and ordinances of importance include but are not limited to site plan, screening and fencing, landscaping, off-street parking, traffic and traffic impact, sign, design, lighting, building permit, inspection and certificate of occupancy regulations and requirements. It should be noted COR online permit records for past Richland Elementary projects do not appear to reflect consistent compliance with inspection and permit close out requirements. This only heightens the concerns we have relative to an expansion of Richland Elementary School.

COR is proactive in enforcing City regulations and ordinances on homeowners and other taxpayers. Richland Park and Richland Oaks Addition homeowners and residents believe it is reasonable to request and expect COR to enforce its regulations and ordinances on RISD, an exceptional entity that is supported by our tax dollars. Members of the Richland Homeowners Association Board stand ready to participate in meetings and discussions to bring about resolution of all concerns. Please do not hesitate to contact me at the phone number and e-mail address below with your questions.

Regards,

Andrea Hills
2013 Vice President
Richland Homeowners Association
sanderson1200@gmail.com
214-500-1586

cc: City Council
Dan Johnson, City Manager
RHA Board



Richland Elementary Walking Map

ORDINANCE NO. 4034

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, PROHIBITING THE USE OF DESIGNED GROUNDWATER FROM BENEATH CERTAIN PROPERTY LOCATED IN AND AROUND THE NORTHEAST QUADRANT OF CENTRAL EXPRESSWAY AND RENNER ROAD IN RICHARDSON, TEXAS, AND SUPPORTING CERTIFICATION OF A MUNICIPAL SETTING DESIGNATION BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; PROVIDING A REPEALING CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Subchapter W, “Municipal Setting Designations,” of Chapter 361, “Solid Waste Disposal Act,” of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, pursuant to Section 401.005(a) of the Texas Local Government Code, for the purpose of establishing and enforcing a municipal setting designation, the governing body of a municipality may regulate the pumping, extraction, or use of groundwater by persons other than retail public utilities, as defined by Section 13.002, Water Code, to prevent the use of or contact with groundwater that presents an actual or potential threat to human health; and

WHEREAS, pursuant to Section 401.005(b) of the Texas Local Government Code, for the purpose of establishing and enforcing a municipal setting designation, the governing body of a municipality by ordinance may extend to the extraterritorial jurisdiction of the municipality the application of municipal ordinances; and

WHEREAS, the city council finds that:

(1) The eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) This municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the City of Richardson;

(3) There is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) This municipal setting designation ordinance is necessary because the concentration of chemicals of concern exceed concentrations considered safe for human ingestion; and

WHEREAS, passing this municipal setting designation ordinance will encourage the redevelopment of the designated property consistent with the goals of the City; **NOW THEREFORE**,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the “designated property” means the property described in Exhibit “A” attached hereto and made a part hereof for all purposes, the same as if fully copied herein.

SECTION 2. That for purposes of this municipal setting designation ordinance, “designated groundwater” means water below the surface of the designated property to a depth of 150 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water, as defined in Section 361.801(2) of the Texas Health and Safety Code, and the following uses of or contacts with the designated groundwater are prohibited:

- (1) Human consumption or drinking.
- (2) Showering or bathing.
- (3) Cooking.
- (4) Irrigation of crops for human consumption.

SECTION 4. That the City Council supports the application to the Texas Commission on Environmental Quality for certification of a municipal setting designation for the designated property.

SECTION 5. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal, state, and local statutes, ordinances, rules, and regulations relating to environmental protection and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 6. That approval of this municipal setting designation ordinance shall not be construed to subject the City of Richardson to any responsibility or liability for any injury to persons or damages to property caused by any chemical of concern.

SECTION 7. That within 60 days after adoption of this municipal setting designation ordinance, the City Manager shall cause to be filed a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 8. That the City Manager shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 9. 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 10. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson as heretofore amended and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

SECTION 11. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other

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

SECTION 12. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 25th day of November, 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:10-15-13 TM 63010)

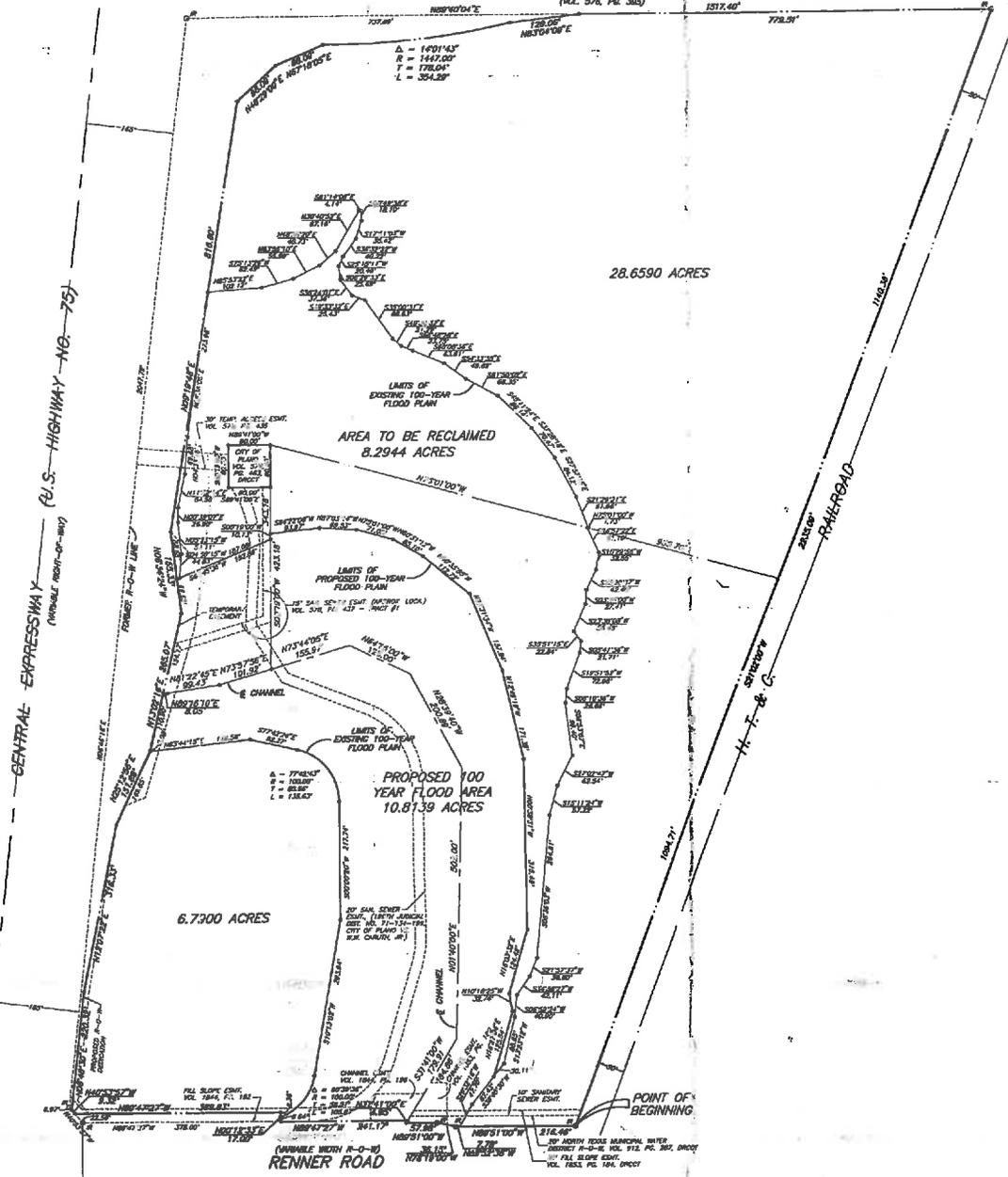
CITY SECRETARY

EXHIBIT “A”

(to be attached)



150' T. P. & L. R-0-W
(VOL. 576, PG. 305)



Being a tract or parcel of land situated in the City of Richardson, Collin County, Texas, being part of the John G. Vance Survey Abstract 838 and being part of a 106.827 acre tract of land conveyed to H. H. Condit, Jr. as recorded in Volume 482, Page 121 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEING 1/4 of an iron rod for corner of the intersection of the northerly line of Renner Road (as divided by 1/4 to the City of Richardson, Texas in Volume 1623, Page 177, of the Deed Records of Collin County, Texas), and the westerly right-of-way line of the H. & T. C. Railroad (53 feet from centerline)

THENCE North 83°1'00" West along said northerly line of Renner Road a distance of 216.46 feet along said northerly line of Renner Road a distance of 216.46 feet to an iron rod for angle point;

THENCE North 85°32'35" West continuing along said northerly line of Renner Road a distance of 7.78 feet to an iron rod for angle point;

THENCE North 76°19'00" West continuing along the northerly line of Renner Road a distance of 36.15 feet to an iron rod for angle point;

THENCE North 81°51'00" West continuing along the northerly line of Renner Road (60 feet from centerline) a distance of 87.88 feet to a point for corner in the centerline of Spring Creek;

THENCE North 31°14'00" East along the centerline of said Spring Creek a distance of 4.85 feet to a point for corner in the northerly line of Renner Road;

THENCE North 86°47'22" West along the northerly line of said Renner Road a distance of 241.17 feet to a point for corner;

THENCE North 00°12'33" East along the northerly line of said Renner Road a distance of 17.00 feet to a point for corner;

THENCE North 81°47'22" West along the northerly line of said Renner Road a distance of 389.83 feet to a point for corner in the northerly right-of-way line between the northerly line of said Renner Road and the easterly line of U.S. Highway No. 75;

THENCE North 4°53'32" West along said cut-off line a distance of 9.32 feet in a point in the easterly line of U.S. Highway No. 75;

THENCE northerly along said easterly line of U.S. Highway No. 75 the following described courses:

North 06°03'00" East a distance of 220.72 feet to an angle point;

North 12°07'22" East a distance of 316.33 feet to an angle point;

North 25°12'56" East a distance of 151.88 feet to an angle point;

North 13°09'16" East a distance of 265.07 feet to an angle point;

North 06°14'24" West a distance of 158.33 feet to an angle point;

North 02°11'46" East a distance of 816.60 feet to an angle point;

North 48°28'03" East a distance of 98.09 feet to an angle point;

North 67°18'03" East a distance of 95.09 feet to a point on a nontangent curve to the left;

THENCE westerly along said curve to the left having a radius of 1447.00 feet, a central angle of 14°01'43" feet, a tangent length of 176.04 feet, a chord bearing of North 63°37'57" East, and a chord length of 323.41 feet, to an arc distance of 324.23 feet to a point for corner;

THENCE North 23°04'09" East a distance of 129.05 feet to a point for corner in the westerly line of Texas Power and Light Company right-of-way (150 feet wide) as recorded in Volume 576, Page 305;

THENCE North 12°40'04" East along said southerly line of Texas Power and Light Company right-of-way a distance of 779.51 feet to an iron rod for corner in the westerly line of H. & T. C. Railroad right-of-way (100 feet wide);

THENCE South 31°12'00" West along said westerly line of the H. & T. C. Railroad right-of-way a distance of 2235.09 to the POINT OF BEGINNING containing 54,9573 acres, more or less.

RLG
RAYMOND L. GOODSON JR., INC.
CONSULTING ENGINEERS

SUITE 300, 5441 LA SIERRA DRIVE
DALLAS, TEXAS 75241 214/739-8700

RECLAMATION TRACTS
CARUTH PROPERTY
IN THE
CITY OF RICHARDSON, COLLIN COUNTY, TEXAS

SCALE: 1" = 100'
DATE: 6-11-97
JOB NO. 4946 NOTES FILE NO. 21,894 W.



MEMO

DATE: November 18, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #12-14 for the cooperative purchase of refuse containers to Wastequip, LLC in an amount not to exceed \$117,000 through the Texas Local Government Statewide Purchasing Cooperative Buyboard Contract #357-10

Proposed Date of Award: November 25, 2013

I concur with the recommendation of Ryan Delzel – Superintendent of Solid Waste, to purchase 4-yard and 8-yard frontload refuse containers and 30 yard open top roll off containers, as outlined below, in an amount not to exceed \$117,000.

This year we are facing two issues relative to the procurement of the refuse containers. Primarily, in the past, we have been able to take delivery of all refuse containers budgeted within a fiscal year. However, due to the construction of the Fire Training Center/EOC Complex, the space allotted for storage of refuse containers was decreased considerably. We, therefore, cannot purchase and store all of the containers at one time.

Secondly, the cost of the containers fluctuates with the cost of steel and Wastequip, LLC is not able to hold the price firm (in our case for a 12 month period), as the contract through Buyboard allows them the flexibility to quote prices firm for only 45 days utilizing the current cost of steel plus freight and the Buyboard fee of \$.02%.

It is our recommendation to purchase the containers, as needed, for the following containers, keeping expenditures within the FY13-14 budgeted amounts.

Qty/Type Refuse Container	Account	Budget
5 – 30 cubic yard open top containers	597-2050-581-7481, CS1402	\$ 30,000
80 - 8 cubic yard frontload containers	597-2050-581-7481, CS1403	\$ 80,000
10 – 4 cubic yard frontload containers	597-2050-581-7481, CS1404	\$ <u>7,000</u>
Total		\$117,000

Attached is a current quote for (40) - 8 cubic yard frontload containers in the amount of \$35,700.80 to be ordered immediately. We will order the remaining containers, as storage space becomes available, at current steel prices at the time of order, and within the FY13-14 budgeted amounts.

The above referenced refuse containers have been bid through the Texas Local Government Statewide Purchasing Cooperative (Buyboard) Contract #357-10. The City of Richardson is a member of the Texas Local Government Statewide Purchasing Cooperative through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Concur:



Kent Pfeil

ATTACHMENTS

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



MEMO

To: Pam Kirkland-Purchasing Manager

From: Ryan Delzell-Supt. of Solid Waste

Date: October 30, 2013

Re: Buyboard Container Purchases

Solid Waste recommends purchasing all 8 cubic yard, 4 cubic yard, and 30 cubic yard containers from Wastequip utilizing the Buyboard Cooperative Purchasing agreement with the City of Richardson. Due to limited storage space and the fluctuating price of steel, we will place orders, as needed, with a current quote from Wastequip and within the budget below.

Please see the budgeted amount for each type of container below:

5 – 30 cubic yard open top containers	597-2050-581-7481, CS1402	\$30,000
80 - 8 cubic yard frontload containers	597-2050-581-7481, CS1403	\$80,000
10 – 4 cubic yard frontload containers	597-2050-581-7481, CS1404	\$ 7,000

XC: Jerry Ortega-Director of Public Services

Travis Switzer-Assistant Director of Public Services, Environmental Operations

Bill Martin-Assistant Purchasing Manager

	MEMBER CONTRACT QUOTE	BuyBoard Contract No.:	357-10	Date Prepared:	10/28/2013
---	----------------------------------	------------------------	--------	----------------	------------

Contract Name:	Refuse Bodies & Trailers/Dump Bodies Trailers - Equipment & Dump
-----------------------	---

Contact Information

Buying Agency:	City of Richardson, TX	Contract Holder:	WASTEQUIP, LLC
Contact Person:		Contact Manager:	Marya Jenkins, Bid/Contract Specialist
Phone:		Phone:	800-255-4126 Ext 244
Address:		Fax:	704-878-0734
Email:		Email:	MJenkins@wastequip.com
BB Member ID:		Sales Rep:	S Hurtt
		Prepared By:	Marya Jenkins

A. Contract Price Sheet Items Being Purchased. (Attach additional sheet(s) if necessary)

Model No.	Quantity	Description	BB Contract Unit Price	Total BB Contract Pricing	Unit Price	Total
125536	40	Wastequip 8 Cubic Yard Slant Syle Front load container with specifications and paint	\$ 826.00	\$ 33,040.00	\$ 826.00	\$ 33,040.00
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
BuyBoard Total			\$ 33,040.00	Subtotal A:	\$ 33,040.00	\$ 33,040.00
TOTAL 2% BuyBoard Administrative Fee For Section A Contract Pricing:						\$ 660.80
Total A:						\$ 33,700.80

B. Unpublished Option, Accessory or Service Items. (Attach additional sheet(s) if necessary) (Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)

Model No.	Quantity	Description	BB Unit Price	Total BB Contract Pricing	Unit Price	Total
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
Subtotal B:					\$ -	\$ -
TOTAL 2% BuyBoard Administrative Fee For Section B Unpublished Pricing:						\$ -
Total B:						\$ -

C. Freight, Installation and/or Other Allowances

Model No.	Quantity	Description	Unit Price	Total
	5	Freight to Zip Code:	\$ 400.00	\$ 2,000.00
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Total D:				\$ 2,000.00

Delivery Date (Days After Receipt of Written Purchase Order):	45 Days ARO	D. Total Purchase Price (A+B+C):	\$ 35,700.80
--	--------------------	---	---------------------



MEMO

DATE: November 18, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #15-14 for the cooperative purchase of a MICU ambulance for the Fire Department to Knapp Chevrolet in the amount of \$145,400 through the Houston-Galveston Area Council of Governments Contract #AM10-12

Proposed Date of Award: November 25, 2013

I concur with the recommendations of Ernest Ramos – Fleet and Materials Manager and Alan Palomba – Fire Chief and request permission to issue a purchase order for a Type I 12' MICU ambulance on a Chevrolet C-3500 Gas DRW chassis, as specified in the attached quotations, to Knapp Chevrolet, in the amount of \$145,400.

The above referenced equipment has been bid through the Houston-Galveston Area Council of Governments (HGAC) Contract #AM10-12. As specified in the contract, the chassis and invoicing for the complete unit is provided from Knapp Chevrolet and the MICU conversions are completed through Frazer, LTD. The City of Richardson participates in the HGAC program through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

A total of \$155,000, which includes make ready costs, was budgeted in account number 234-1410-581-7421, Project #FD1415 for this expenditure.

Concur:


Kent Pfeil

ATTACHMENTS

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



MEMO

DATE: November 1, 2013
TO: Pam Kirkland, Purchasing Manager
FROM: Ernie Ramos, Fleet & Materials Manager *E.R.*
RE: Capital Equipment Purchase, FD1415, via HGAC Contract # AM10-12, Product Code KD01

I have reviewed the existing contract referenced above and recommend purchasing one (1) Type I 12' MICU Module on Chevrolet C-3500 Gas DRW Chassis for an amount of \$145,400.00. I received and approved the quote with options listed from Knapp Chevrolet. The funding for the purchase is funded from account # 234-1410-581-7421, Project # FD1415.

The contact at Knapp Chevrolet is Mr. Bob Flanders, and he can be reached at (713) 228-4311, or E-mail: bflanders@knappchevy.com, or fax: (713) 331-3024. Please order the Type I 12' MICU Module on the specified Chevrolet C-3500 Gas DRW Chassis as specified in the attached quote provided.

Attachment/s: HGAC Quote (1-page)
Frazer Quote (#8733, 3-pages)
HGAC AM10-12 Contract (25-pages)

CC: Robert Younger, Battalion Chief
Curtis Poovey, Battalion Chief
Alan Palomba, Fire Chief
Kent Pfeil, Director of Finance



MEMO

DATE: November 15, 2013

TO: Pam Kirkland, Purchasing Manager

FROM: Alan Palomba – Fire Chief *AP*

RE: Capital Equipment Purchase, FD1415, via HGAC Contract # AM10-12, Product Code KD01

I recommend purchasing one (1) Type I 12' MICU Module on Chevrolet C-3500 Gas DRW Chassis for an amount of \$145,400.00. The funding for the purchase is funded from account # 234-1410-581-7421, Project # FD1415.

Please order the Type I 12' MICU Module on the specified Chevrolet C-3500 Gas DRW Chassis as specified in the attached quote provided.

CC: Robert Younger, Battalion Chief
Curtis Poovey, Battalion Chief
Kent Pfeil, Director of Finance
Ernest Ramos, Fleet & Materials Manager



CONTRACT PRICING WORKSHEET
For MOTOR VEHICLES Only

Contract No.:

AM10-12

Date Prepared:

11/04/13

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both the PO and the Worksheet MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	Richardson Fire Department	Contractor:	Knapp Chevrolet Quote 8733-HGAC
Contact Person:	Ernie Ramos	Prepared By:	Bob Flanders
Phone:	972-744-4421	Phone:	713-228-4311
Fax:	972-744-5812	Fax:	713-331-3024
Email:	ernest.ramos@cor.gov	Email:	bflanders@knappchevy.com

Product Code:	KD01	Description:	Type I 12' on chevrolet C3500 Gas DRW Cab/Chassis, Gen Pwr Mod
---------------	------	--------------	--

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: \$112,500.00

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.

(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
7460-Granning air suspension system for Chevy C3500/C3500	\$6,500.00	Running boards for Chevy C3500/K3500	\$450.00
1584-Module has single color paint scheme - NOT white	\$850.00	8329-Buell 10" air horn	\$400.00
1610-Striping and lettering - \$2700	\$2,700.00	9278-The air horn system is operated via a driver's side foot swi	\$200.00
9232-OnSpot tire chains for 2012 Chevy C3500	\$2,600.00	7724-Mount the air horn compressor below the front I/O	\$800.00
7300-3M Opticom (with non-latching disable) on the front wall	\$1,800.00	4683-Dual 20A Kussmaul auto eject shore power receptacles wi	\$850.00
7654-Whelen Pioneer Plus dual panel super-LED floodlights-on	\$2,200.00	7705-Federal Signal EQ2B in electrical/radio compartment	\$1,625.00
7772-(X2) Mount a Whelen Pioneer Plus dual panel Super-LED	\$3,500.00	9148-BP200-EF speaker in the center of the front bumper	\$750.00
4655-Whelen traffic advisor on the rear wall with a control head	\$1,400.00	551-(3) large aluminum map holders	\$525.00
1388-Provide a Stryker antler and bar	\$700.00	6886-3 high "D" cylinder holder in front I/O facing rear	\$225.00
938-Double Squad bench cabinet w/ padding on end	\$600.00	948-22 pocket acrylic organizer above squad bench (was PD1)	\$450.00
7696-Red EVS captain's chair with built-in child safety seat	\$700.00	Subtotal From Additional Sheet(s):	\$1,175.00
1035-Engel 15 qt. Refrigerator with a hasp on the stationary port	\$900.00	Subtotal B:	\$31,900.00

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.

(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
		Subtotal From Additional Sheet(s):	
		Subtotal C:	0

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). **For this transaction the percentage is:** 0%

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	\$144,400.00	=	Subtotal D:	\$144,400.00
-------------------	---	--------------------------	--------------	---	--------------------	--------------

E. H-GAC Order Processing Charge (Amount Per Current Policy) **Subtotal E:** \$1,000.00

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
		Subtotal F:	0

Delivery Date: **G. Total Purchase Price (D+E+F):** \$145,400.00



October 25, 2013

Ernie Ramos
 Fleet Manager
 Richardson Fire Department
 Email: ernest.ramos@cor.gov

Quote # 8733

Mr. Ramos,

Per your request we are quoting one (1) Frazer Type I 12' Generator Powered Module mounted on a 2013/2014 Chevrolet C3500 gasoline chassis with an air suspension system. For your convenience all pricing has been itemized below.

Frazer Type I 12' GPM	\$ 76,500.00
2013/2014 Chevrolet C3500 gas chassis (order red)	\$ 32,000.00
Granning air suspension system	\$ 6,700.00
Optional items (listed below)	\$ 29,200.00
HGAC fee	\$ 1,000.00
Total	\$ 145,400.00

Items included in the above total:

Provide Frazer MSO at delivery	\$ N/C
Paint module Chevy red (WA9260) to match chassis	\$ 850.00
Striping and lettering (Unit# at top of genset door and on front of module under left corner box light, Richardson on front center between scene lights, send mock up before striping and lettering as scheme is changing)	\$ 2,700.00
794H Infrared LED 3M Opticom off door switch	\$ 1,900.00
Federal Signal EQ2B siren w/ control head and amplifier mounted in electrical compartment in addition to standard siren w/ (1) Federal Signal BP200-EF speaker on grill guard in addition to standard	\$ 2,450.00
(2) 20 amp Kussmaul auto ejects w/ red covers on front of module in lieu of standard	\$ 850.00
Exterior Treadbrite on front corners, wheel wells, and rear	\$ incl.
Vertical divider next to laydown O2 w/ shelf going from divider to front wall of compartment, add restraining strap from divider to rear wall of compartment	\$ 200.00
Outside only lower rear storage compartment w/ no shelf and (2) SCBA brackets (SC-50-H-6-SE) ((1) on left wall and (1) on right wall)	\$ 350.00
Gas hold open on rear storage compartment door	\$ 150.00
Ramp at rear entry doors	\$ incl.
Buell 10" air horn through front bumper w/ compressor below shelf in electrical compartment w/ foot switch on driver's side floor, on/off switch on console for foot switch	\$ 1,575.00
Install your whip antenna at antenna slot #3 on module roof w/ coax #3 to electrical compartment	\$ 100.00
Coax: (1) terminated at electrical compartment (from whip antenna), (1) terminated at radio base in radio compartment, (1) terminated in truck cab (spare)	\$ N/C

Install your tri-band antenna w/ attached coax in position #1 on module roof (GPS cable terminates at GPS base, 800MHz cable and 2.4GHz cable terminate at docking station	\$	100.00
Treadbrite running boards	\$	450.00
Stainless steel wheel covers	\$	N/C
Route chassis exhaust under generator compartment	\$	N/C
Clear lenses on all emergency LEDs	\$	N/C
(4) red/blue split M6 grill/intersect LEDs on grill guard in lieu of standard (R/B-R/B-B/R-B/R)	\$	300.00
(2) extra M4 amber intersect LEDs mounted in front fenders	\$	350.00
(5) M6 LEDs w/ chrome flanges on front wall (red-blue-clear-blue-red)	\$	incl.
(3) M6 amber LEDs w/ chrome flanges on rear wall	\$	incl.
(2) M6 red wheel well LEDs w/ chrome flanges	\$	incl.
Furnish and install Pioneer side scene lights, (1) on passenger side and (1) on driver side of module	\$	2,200.00
(2) Pioneer side scene lights on front wall	\$	3,500.00
Furnish and install a TAM85 on the rear wall under the load lights	\$	1,400.00
Install your 800MHz radio base in radio compartment, remote head in console, speaker on chassis floor, and antenna on module roof in position #2	\$	525.00
Console layout: (single blank plate w/ (1) switch for driver side front wall scene light and (1) switch for passenger side front wall scene light- single thicker MDT-remote head plate (ID#226677)-295SLSA1 siren-single switch panel-Traffic advisor head unit)	\$	incl.
(3) large map holders at rear of console	\$	350.00
3 high glove box holder on rear wall of truck cab	\$	150.00
Extra hole behind driver's seat in truck cab for wire run	\$	N/C
Stryker antler & bar	\$	700.00
175-3 single position cot mount	\$	incl.
Cot plates and hook for Stryker Power-PRO	\$	N/C
(2) 3 receptacle 12VDC outlets (at action wall w/ medical diode isolator, at front wall below pass-through w/o medical diode isolator)	\$	250.00
Extra 120VAC duplex outlet in front corner area above shelf on front wall	\$	125.00
3 high "D" cylinder holder in front I/O facing rear	\$	200.00
Lip on shelf of front I/O and 1" lip on top of I/O w/ windlace	\$	75.00
Squad bench cabinet w/ padding on the end	\$	600.00
(2) extra 120VAC duplex outlets at squad bench	\$	250.00
Extra sharps container and bracket above squad bench	\$	75.00
Calsak acrylic supply holder above squad bench	\$	450.00
(3) single O2 outlets w/ integrated flow meters and DISS connections at action wall, in ceiling, and above squad bench in lieu of standard	\$	375.00
Extra overhead grab rail	\$	225.00
Red cushions	\$	N/C
EVS captain's chair w/ built in child safety seat	\$	700.00
Install your docking station and swivel on console, Lind power supply for docking station inside console, Placer GPS system on left wall of radio compartment, (2) Streamlight flashlight chargers in radio compartment towards left wall	\$	525.00
Install your Knox Keysecure in the electrical compartment w/ keypad facing driver side	\$	200.00
Move dump bypass/ rear load switches up from standard location (11 3/8" up from floor)	\$	N/C
(1) Fire extinguisher on shelf in I/O, (1) Fire extinguisher shipped loose	\$	100.00
Ship loose (1) oxygen regulator	\$	150.00
Engel 15 qt. refrigerator w/ 120VAC adapter and locking hasp	\$	900.00
Install your Knox MedVault (model #5501) on shelf in corner area, add 12VDC power for it	\$	250.00
New self-contained Dometic A/C system	\$	incl.

OnSpot tire chain system

\$ 2,600.00

All pricing is F.O.B. Houston.

Per TMVCC we are quoting this through our licensed franchise dealer, Knapp Chevrolet.

Purchase orders and letters of intent received after January 01, 2013 may be subject to new NFPA 1917 requirements. Although the exact price increase is unknown at this time, we anticipate it could be as much as a 10-20% increase. Delivery can be taken in 2013 for purchase orders and letters of intent received before December 31, 2012 and will not be subject to NFPA 1917 requirements.

Of course this module has standard Frazer features including all aluminum powder coated cabinets, seamless cushions, horizontally mounted "H" oxygen cylinder setup, filtered air conditioning, 100% vinyl flooring, protective cot plates, all Whelen M series emergency lighting, LED interior ceiling lights, Impact self-contained suction, on-board battery charger, double-pane entry door windows, and stainless steel grab handles, just to name a few.

Thank you for the opportunity to quote this job. If you have any questions please call me at 888-372-9371.

Best Regards,



Laura Richardson
Frazer, Ltd.

LGR:GR



MEMO

DATE: November 18 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #17-14 for the cooperative purchase of a Next Generation 9-1-1 System to AT&T Telecommunications in the amount of \$548,517.21 through the Houston-Galveston Area Council of Governments Contract #EC07-11

Proposed Date of Award: November 25, 2013

I concur with the recommendations of Steve Graves – Chief Information Officer, and Jim Spivey – Police Chief and request permission to issue a purchase order for a Next Generation 9-1-1 System, for the total cost of the system, installation, training and first year support in the amount of \$548,517.21, as per the attached quotes.

The quote also includes maintenance costs for future years two through five, which will be budgeted accordingly in the appropriate years' budgets.

The above referenced 9-1-1 system has been bid through the Houston-Galveston Area Council of Governments (HGAC) Contract #EC07-11. The City of Richardson participates in the HGAC program through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

The system was funded in the FY13-14 budget as follows:

234-0540-514-7499, Project PD1411	\$500,000.00
033-1011-521-7499	<u>48,517.21</u>
Total Expenditure	\$548,517.21

Concur:

Kent Pfeil

Kent Pfeil

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



DATE: November 13, 2013
TO: Pam Kirkland, Purchasing Manager
FROM: Steve Graves, Chief Information Officer
SUBJECT: 2013/2014 Next Generation 9-1-1

SGraves

The City of Richardson 911 Communication Center currently uses Cassidian Vesta Pallas 2.0 as our 911 system. In 2006, this system was upgraded to include enhanced 911 services. This system is now over seven years old and does not have the capability of supporting next generation 911 services, texting and video. This system also uses a Nortel analog telephone switch that is no longer in production or supported and has a limited amount of parts available for repairs. The next generation call center systems are built to support SIP/IP data, text messaging, pictures, video and are completely redundant for disaster recovery support.

After reviewing all alternatives considering ease of use, training, technology, redundancy and cost, I recommend the Cassidian Vesta 4.0 next generation system. We will be purchasing the system and services through AT&T using HGAC contract number EC07-11. The total cost for of the system, installation, training and first year support is \$548,517.21. This was funded in the 2013/2014 budget using account numbers 234-1011-581-74.99, project PD1411 (\$500,000) and 033-1011-521-74.99 (\$48,517.21).

The quote also includes maintenance for years two through five in the amount of \$27,198.11 per year. This maintenance cost will be budgeted yearly in future budgets.



MEMO

DATE: November 12th, 2013
TO: Pam Kirkland
FROM: Chief Jimmy Spivey
SUBJECT: Next Generation 911 Technology Acquisition

The City of Richardson 911 Communication Center currently uses Cassidian Vesta Pallas 2.0 to manage incoming 911 calls. This system is now over seven (7) years old and will not support next generation 911 services. The city budgeted to replace this system and equip the backup dispatch center in the new Emergency Operations Center in FY 2014.

Representatives from Information Services and the police department evaluated solutions proposed by Cassidian and AT&T as well as the North Central Texas Council of Governments. Additional research was conducted with agencies implementing each proposed solution.

The first year costs proposed by NCTCOG (\$543,007) and that of AT&T (\$548,517) were close. However, we perceive a reduced risk associated with AT&T because they have demonstrated a longer history and have systems and resources in place to provide maintenance support. The solution proposed by AT&T with a Cassidian partnership provides an upgrade with benefits that include ease of use and training resulting in minimal impact to staff.

Based on the ability to meet our needs, a comparison of costs, equipment features and functionality, intrinsic value provided by using current vendors (AT&T and Cassidian), I recommend we purchase the system and services through AT&T using HGAC contract number EC07-11.

Jimmy L. Spivey
Chief of Police
Richardson Police Department



SUMMARY

Quote Date: 11/6/2013 pm

Quote No.: ATT42868i

DARI302-i

PRIMARY & BACKUP SITE SUMMARY Cassidian VESTA 4.X w/ Aurora and VELA

HGAC AT&T Contract# EC07-11

Customer Information		Customer: Richardson 911 Center	Products: NG911 System
PRIMARY	Contact: Steve Graves, CIO – Liz Cole, 9-1-1 Dir		
	Phone: 972-744-4041		
	E-Mail: Steve.graves@cor.gov elizabeth.cole@cor.gov		
Contact Information		AT&T Area Manager 911: Phillip Ryan	Cassidian Acct Exec: Tom McEntire
		Phone: 316-293-3106	Phone: 951-551-8873
		E-Mail: Phillip.Ryan@att.com	E-Mail: tom.mcentire@cassidiancommunications.com

Cassidian Communications 4X System

Quote Summary DARI302-i		
Description:	TOTAL One-Time-Chg	Monthly Charge
Cassidian Communications 4X System for the Primary Location (10 Positions)	\$404,906.28	\$3,000.00
Cassidian Communications 4X System for the Backup Location (7 Positions) (Includes 5 Year Cassidian Software Lic & Support)	\$252,403.36	\$1,400.00
Total Equipment, Hardware, Software, Installation, Training & Cassidian Managed Services	\$657,309.64	\$4,400.00
T1 Connectivity for Host & Remote connection (Richardson Private Fiber) (Connectivity between host locations to be provided by Richardson's private fiber)	\$0.00	\$0.00
GRAND TOTAL (Includes 5 Year Support)	\$657,309.64	\$4,400.00
Optional: Purchase Vesta 4x System & 1st Year Managed Service. then Pay Annually for Managed Services		
Total Vesta 4x System with 1st Year Cassidian Managed Services	\$548,517.21	
Managed Service Billed Year 2	\$27,198.11	
Managed Service Billed Year 3	\$27,198.11	
Managed Service Billed Year 4	\$27,198.11	
Managed Service Billed Year 5	\$27,198.11	
GRAND TOTAL (Billed over 5 Years)	\$657,309.64	

*Monthly support of \$4,400 remains the same for the Managed Services Annual Payment Option)

Custom pricing considerations for license upgrades, customer strategic product combination of radio and 9-1-1 call taking.

Total Discounts extended

-\$191,750.00



Quote Date: 11/6/2013 pm
 Quote No.: ATT428681 DARI302-i
 Site No.: 101420
 Account No.: 2208
 Original Quote Date: 2/22/2013

Richardson PD - TX

4.X w/ Aurora and VELA

Customer Information		Products: NG911 System	
Customer: Richardson 911 Center			
Contact: Steve Graves, CIO - Liz Cole, 9-1-1 Dir			
Phone: 972-744-4041			
E-Mail: Steve.graves@cor.gov elizabeth.cole@cor.gov			
Contact Information		Account Exec: Tom McEntire	
AT&T Area Manager 911 Phillip Ryan			
Phone: 316-293-3106		Phone: 951-551-8873	
E-Mail: Phillip.Ryan@att.com		E-Mail: tom.mcentire@cassidiancommunications.com	

Cassidian Communications 4X System

Qty.	Part No.	Description	Unit Price	U/M	Total
Cassidian Communications 4X System					
1	870899-00104.2	VESTA 4 R2 LIC AND MEDIA	\$1,890.00	EA	\$1,890.00
1	873099-03002	R4 CAD INTF LIC	\$630.00	EA	\$630.00
1	04000-01584	BLKBX TL158A-R4 DATACAST	\$443.52	EA	\$443.52
1	04000-01010	CBL DB25M/DB25M 10FT	\$10.08	EA	\$10.08
1	04000-01751	TS-4 PORT TERMINAL SVR	\$816.48	EA	\$816.48
1	65000-00182	CBL RJ45-10P/DB25M 4FT	\$26.46	EA	\$26.46
Server Equipment					
1	853031-DLSVRGD-1	V-DL SVR BNDL GEO	\$16,662.24	EA	\$16,662.24
1	06500-00201	2-POST RELAY RACKMNT KIT	\$215.46	EA	\$215.46
1	63002-172805	MNTR NEC 17IN	\$275.94	EA	\$275.94
1	04000-00394	SVR WIN2008 CAL 5-PK	\$219.24	EA	\$219.24
1	04000-68009	V-SVR BASIC SPT 5YR	\$599.76	EA	\$599.76
Cassidian Communications 4X Licenses					
10	870899-00304M	VESTA 4 PER SEAT MIG LIC	\$1,890.00	EA	\$18,900.00
1	809800-35130	R4 SW SPT TRNSFR		EA	\$0.00
10	809800-35094	R4 SW SPT 5YR	\$4,158.00	EA	\$41,580.00
Workstation Equipment - z220					
10	61000-409603SFF	WKST HP Z220 SFF	\$2,000.88	EA	\$20,008.80
10	63000-202502	MNTR FP WIDE SCR LCD 20IN	\$297.36	EA	\$2,973.60
10	65000-47001	TWR STAND SFF Z220	\$52.92	EA	\$529.20
10	64007-50016	KEYPAD 24KEY 12FT CBL	\$138.60	EA	\$1,386.00
10	853004-00401	SAM EXT SPKR KIT	\$211.68	EA	\$2,116.80
10	853030-00302	R4 SAM HDWR KIT	\$2,081.52	EA	\$20,815.20
10	809800-35109	R4 IWS CFG	\$252.00	EA	\$2,520.00
10	809800-35108	R4 IWS STG FEE	\$378.00	EA	\$3,780.00
1	870890-07501	CPR/SYSPREP IMAGING		EA	\$0.00
Cassidian Communications 4X IRR Module					
10	870899-01601	R4 IRR UPGD W/HASP	\$617.40	EA	\$6,174.00
10	809800-35114	R4 IRR SW SPT 5YR	\$752.22	EA	\$7,522.20
Cassidian Communications 4X Activity View					
2	873099-00702	R4 ACTIV VIEW SYS LIC	\$4,410.00	EA	\$8,820.00
10	873099-00802	R4 ACT VIEW LIC PER ST	\$945.00	EA	\$9,450.00
2	809800-35124	R4 ACT VIEW SW SPT 5YR	\$2,646.00	EA	\$5,292.00
Cisco Switch/Router Equipment					
2	04000-29638	SWITCH 2960S +CBL 24-PORT	\$2,693.88	EA	\$5,387.76
2	04000-29645	SPT 2960S 24-PORT 5YR NBD	\$2,101.68	EA	\$4,203.36
Peripherals & Gateways					
2	04000-00129	MED 1000B CHASSIS BNDL	\$2,312.10	EA	\$4,624.20
7	04000-00116	MED 1000 FXO-LS BNDL	\$435.96	EA	\$3,051.72
2	04000-00190	SW SPT M1000 GATEWAY 5YR	\$1,890.00	EA	\$3,780.00
1	04000-00112	MED 1000 DIGITAL BNDL	\$5,125.68	EA	\$5,125.68
1	04000-00195	SW SPT M1000 T1 MOD 5YR	\$1,890.00	EA	\$1,890.00
<i>Note: (Remote Access) Customer to provide Firewall and Router Equipment for Dual Active Firewall Capability</i>					
Peripherals & Equipment Racks					
1	06500-55053	EQUIPMENT RACK 19IN	\$346.50	EA	\$346.50
1	04000-004B4	KVM 4-PORT SWITCH	\$556.92	EA	\$556.92
1	04000-00607	CBL KVM USB CONSOLE	\$173.88	EA	\$173.88
4	04000-60611	CBL KVM USB 10FT	\$104.58	EA	\$418.32
1	04000-RMM19	BRKT 19IN RACK MTG/ARBTR	\$40.32	EA	\$40.32
Aurora 2.2 - Standard MIS System					
1	873399-00102.2	AURORA 2.2 DOC/MED		EA	\$0.00

Richardson PD - TX

4.X w/ Aurora and VELA

1	873391-00501	AURORA STD LIC	\$2,520.00	EA	\$2,520.00
2	873391-00301	AURORA USER LIC	\$945.00	EA	\$1,890.00
2	04000-00339	SQL 2008R2 CAL RUN ENT	\$221.76	EA	\$443.52
10	873391-00201	AURORA COLLECTION LIC	\$1,008.00	EA	\$10,080.00
10	809800-03305	AURORA STD SPT 5YR	\$604.80	EA	\$6,048.00
		Aurora Standard Server Equipment for Virtualized Server Bundle			
1	04000-00396	SVR WIN 2008 + 5 CAL	\$1,077.30	EA	\$1,077.30
1	04000-00426	PRESENT TENSE CLIENT	\$69.30	EA	\$69.30
1	04000-00340	SQL 2008R2 SVR RUN ENT	\$86.94	EA	\$86.94
2	64000-40094	8GB RAM ML350P/DL380P/G8	\$315.00	EA	\$630.00
4	64000-20064	HD DRIVE 300GB SAS 10K G8	\$553.14	EA	\$2,212.56
1	62033-1GB2T02	SVR NAS 2TB BNDL	\$1,169.28	EA	\$1,169.28
1	809800-51101	AURORA COHAB STG FEE	\$252.00	EA	\$252.00
		Workstation Equipment - z220			
1	61000-409603SFF	WKST HP Z220 SFF	\$2,000.88	EA	\$2,000.88
1	65000-47001	TWR STAND SFF Z220	\$52.92	EA	\$52.92
1	63000-202502	MNTR FP WIDE SCR LCD 20IN	\$297.36	EA	\$297.36
1	809800-00102	GENERIC WKST CFG FEE	\$315.00	EA	\$315.00
		Peripherals & Equipment Racks			
1	65000-00002	CBL PATCH PNL/SW GRAY 3FT	\$11.34	EA	\$11.34
1	65000-00124	CBL PATCH 15FT	\$17.64	EA	\$17.64
1	64040-60019	PRNTR USB COLOR	\$225.54	EA	\$225.54
1	65000-03133	CBL USB SHLD M/M 10FT	\$12.60	EA	\$12.60
		ORION Vela Mapping			
1	871399-20103.0	ORVL 3.0 LIC/DOC/MED	\$4,410.00	EA	\$4,410.00
9	871391-20103.0	ORVL 3.0 LIC ONLY	\$4,410.00	EA	\$39,690.00
10	809800-11405	ORVL SPT 5 YR	\$2,646.00	EA	\$26,460.00
		Map Build and Centerline Reports - ORION Vela			
1	861390-00101	ORVL MAP BUILD-STD	\$2,624.58	EA	\$2,624.58
1	861363-00101	ORVL MAP-RPT CTRLN	\$832.86	EA	\$832.86
1	861363-00201	ORVL MAP-RPT ADDRESS	\$832.86	EA	\$832.86
		Monitoring & Response License Fees			
		Note: Customer to reuse (2) Server (13) Wkstn/IP Licenses			
8	871499-01210	M&R 3.0 IP DEVICES LIC	\$89.46	EA	\$715.68
2	809800-14165	M&R 3.0 SVR SRVC 5YR	\$7,043.40	EA	\$14,086.80
12	809800-16165	M&R 3.0 WKST SRVC 5YR	\$1,950.48	EA	\$23,405.76
8	809800-16170	M&R 3.0 IP DEV SRVC 5YR	\$1,950.48	EA	\$15,603.84
		Managed Services - Implementation Fee			
14	809800-14152	MGD SERV DEV & IMPL	\$94.50	EA	\$1,323.00
14	809800-14175	VIRUS PROTECT 3.0 SVC 5YR	\$498.96	EA	\$6,985.44
14	809800-16150	PATCH MGMT 3.1 SVC 5YR	\$1,317.96	EA	\$18,451.44
		NMS Server Equipment			
1	871499-01206	M&R 3.0 LIC SVR	\$471.24	EA	\$471.24
1	809800-14165	M&R 3.0 SVR SRVC 5YR	\$7,043.40	EA	\$7,043.40
1	809800-14152	MGD SERV DEV & IMPL	\$94.50	EA	\$94.50
1	809800-14175	VIRUS PROTECT 3.0 SVC 5YR	\$498.96	EA	\$498.96
1	809800-16150	PATCH MGMT 3.1 SVC 5YR	\$1,317.96	EA	\$1,317.96
		DL380 Server Equipment			
1	62040-J163841	SVR RACK DL380P/G8	\$4,199.58	EA	\$4,199.58
1	64021-10025	KYBD/MOUSE BNDL	\$55.44	EA	\$55.44
1	06500-00201	2-POST RELAY RACKMNT KIT	\$215.46	EA	\$215.46
3	64000-20064	HD DRIVE 300GB SAS 10K G8	\$553.14	EA	\$1,659.42
1	62033-1GB2T02	SVR NAS 2TB BNDL	\$1,169.28	EA	\$1,169.28
1	04000-00396	SVR WIN 2008 + 5 CAL	\$1,077.30	EA	\$1,077.30
1	809800-00112	GENERIC SVR CFG FEE	\$315.00	EA	\$315.00
1	871499-01210	M&R 3.0 IP DEVICES LIC	\$89.46	EA	\$89.46
1	809800-16170	M&R 3.0 IP DEV SRVC 5YR	\$1,950.48	EA	\$1,950.48
1	04000-01526	WARR 24X7 DL380 5YR	\$2,661.12	EA	\$2,661.12
		Peripherals & Equipment Rack			
		Note: NMS Server to reside in Vesta Rack			
2	65000-00124	CBL PATCH 15FT	\$17.64	EA	\$35.28
16	809800-17101	FIELD ENG-PRIMARY	\$126.00	UN	\$2,016.00
1	04000-00129	MED 1000B CHASSIS BNDL	\$2,312.10	EA	\$2,312.10
1	04000-00116	MED 1000 FXO-LS BNDL	\$435.96	EA	\$435.96
1	04000-00190	SW SPT M1000 GATEWAY 5YR	\$1,890.00	EA	\$1,890.00
1	04000-00112	MED 1000 DIGITAL BNDL	\$5,125.68	EA	\$5,125.68
1	04000-00195	SW SPT M1000 T1 MOD 5YR	\$1,890.00	EA	\$1,890.00
		z220 Workstation Equipment - Spares			
1	64007-50016	KEYPAD 24KEY 12FT CBL	\$138.60	EA	\$138.60
1	853030-00302	R4 SAM HDWR KIT	\$2,081.52	EA	\$2,081.52
1	04000-01526	WARR 24X7 DL380 5YR	\$2,661.12	EA	\$2,661.12
12	04000-01586	WARR 24X7 Z220 5YR	\$569.52	EA	\$6,834.24
128	809800-17101	FIELD ENG-PRIMARY	\$126.00	UN	\$16,128.00
176	809800-51004	PROJECT MGMT-SECONDARY	\$126.00	UN	\$22,176.00

Richardson PD - TX**4.X w/ Aurora and VELA**

		Training			
5	000001-06701	VSENT 4.X AGENT TRNG	\$1,512.00	EA	\$7,560.00
1	000001-06704	VSENT 4.X ADMIN TRNG	\$5,040.00	EA	\$5,040.00
1	000001-06074	VSENT 4.X ACT-VIEW TRNG	\$1,512.00	EA	\$1,512.00
1	000002-24404	AURORA ADMIN TRNG	\$2,520.00	SU	\$2,520.00
40	000000-45711	ORVL AGENT TRNG	\$157.50	EA	\$6,300.00
6	000000-25714	ORVL ADMIN TRNG	\$945.00	SU	\$5,670.00
2	809800-00114	TRAVEL EXPENSE TRNG	\$671.58	EA	\$1,343.16
10	809800-00115	DAILY TRAINER EXPENSE	\$381.78	EA	\$3,817.80
1	0C0000-08538	CUTOVER COACHING TRNG	\$1,575.00	EA	\$1,575.00
1	8C9800-00114	TRAVEL EXPENSE TRNG	\$671.58	EA	\$671.58
2	8C9800-00115	DAILY TRAINER EXPENSE	\$381.78	EA	\$763.56
1	AT&T	AT&T On-Site-Tech	\$5,000.00	EA	\$5,000.00
Cassidian Communications Services Subtotal					\$516,406.28
Strategic Incentive - Licenses					-\$111,500.00
Grand Total PD					\$404,906.28



Quote Date: 11/6/2013 pm
 Quote No.: ATT42868i DARI302-i
 Site No.: NEW
 Account No: 2208
 Original Quote Date: 2/22/2013

Richardson PD BU - TX

4.X w/ Aurora and VELA

Customer Information	
Customer: Richardson 911 Center	Products: NG911 System
Contact: Steve Graves, CIO -- Liz Cole, 9-1-1 Dir	
Phone: 972-744-4041	
E-Mail: Steve.graves@cor.gov elizabeth.cole@cor.gov	
Contact Information	
AT&T Area Manager 911 Phillip Ryan	Account Exec: Tom McEntire
Phone: 316-293-3106	Phone: 951-551-8873
E-Mail: Phillip.Ryan@att.com	E-Mail: tom.mcentire@cassidiancommunications.com

Cassidian Communications 4X System

Qty.	Part No.	Description	Unit Price	U/M	Total
		Cassidian Communications 4X System			
1	870899-00104.2	VESTA 4 R2 LIC AND MEDIA	\$1,890.00	EA	\$1,890.00
1	873099-03002	R4 CAD INTF LIC	\$630.00	EA	\$630.00
1	04000-01584	BLKBX TL158A-R4 DATACAST	\$443.52	EA	\$443.52
1	04000-01010	CBL DB25M/DB25M 10FT	\$10.08	EA	\$10.08
1	04000-01751	TS-4 PORT TERMINAL SVR	\$816.48	EA	\$816.48
1	65000-00182	CBL RJ45-10P/DB25M 4FT	\$26.46	EA	\$26.46
		Server Equipment			
1	853031-DLSVRGD-1	V-DL SVR BNDL GEO	\$16,662.24	EA	\$16,662.24
1	63002-172805	MNTR NEC 17IN	\$275.94	EA	\$275.94
1	04000-00394	SVR WIN2008 CAL 5-PK	\$219.24	EA	\$219.24
1	04000-68009	V-SVR BASIC SPT 5YR	\$599.76	EA	\$599.76
		Cassidian Communications 4X Licenses			
7	870899-00304.0	VESTA 4X PER SEAT LIC	\$6,930.00	EA	\$48,510.00
7	809800-35094	R4 SW SPT 5YR	\$4,158.00	EA	\$29,106.00
		Workstation Equipment - z220			
7	61000-409603SFF	WKST HP Z220 SFF	\$2,000.88	EA	\$14,006.16
7	63000-202502	MNTR FP WIDE SCR LCD 20IN	\$297.36	EA	\$2,081.52
7	65000-47001	TWR STAND SFF Z220	\$52.92	EA	\$370.44
7	64007-50016	KEYPAD 24KEY 12FT CBL	\$138.60	EA	\$970.20
7	853004-00401	SAM EXT SPKR KIT	\$211.68	EA	\$1,481.76
7	853030-00302	R4 SAM HDWR KIT	\$2,081.52	EA	\$14,570.64
7	809800-35109	R4 IWS CFG	\$252.00	EA	\$1,764.00
7	809800-35108	R4 IWS STG FEE	\$378.00	EA	\$2,646.00
1	870890-07501	CPR/SYSPREP IMAGING	\$0.00	EA	\$0.00
		Cassidian Communications 4X IRR Module			
7	873099-00502	R4 IRR LIC/DOC/MED	\$1,253.70	EA	\$8,775.90
7	809800-35114	R4 IRR SW SPT 5YR	\$752.22	EA	\$5,265.54
		Cassidian Communications 4X Activity View			
7	873099-00802	R4 ACT VIEW LIC PER ST	\$945.00	EA	\$6,615.00
		Cisco Switch/Router Equipment			
2	04000-29638	SWITCH 2960S +CBL 24-PORT	\$2,693.88	EA	\$5,387.76
2	04000-29645	SPT 2960S 24-PORT 5YR NBD	\$2,101.68	EA	\$4,203.36
		Peripherals & Gateways			
1	04000-00129	MED 1000B CHASSIS BNDL	\$2,312.10	EA	\$2,312.10
2	04000-00116	MED 1000 FXO-LS BNDL	\$435.96	EA	\$871.92
1	04000-00190	SW SPT M1000 GATEWAY 5YR	\$1,890.00	EA	\$1,890.00
1	04000-00112	MED 1000 DIGITAL BNDL	\$5,125.68	EA	\$5,125.68
1	04000-00195	SW SPT M1000 T1 MOD 5YR	\$1,890.00	EA	\$1,890.00
		Note: (Remote Access) Customer to provide Firewall and Router Equipment for Dual Active Firewall Capability			
		Peripherals & Equipment Racks			
		Note: Customer to Provide Cabinet			
1	63009-192801	MNTR RACK KYBD 1U 19IN	\$878.22	EA	\$878.22
1	04000-008B8	KVM SWITCH 8-PORT	\$876.96	EA	\$876.96
1	04000-00607	CBL KVM USB CONSOLE	\$173.88	EA	\$173.88
8	04000-60611	CBL KVM USB 10FT	\$104.58	EA	\$836.64

Richardson PD BU - TX

4.X w/ Aurora and VELA

1	04000-RMU19	BRKT 19IN RACK ARBITR 8P	\$37.80	EA	\$37.80
1	809800-80044	SVR CAB CFG FEE	\$1,386.00	EA	\$1,386.00
		Time Synchronization Equipment			
1	04000-09485	NETCLOCK 9483 +OCXO+3PORT	\$8,792.28	EA	\$8,792.28
1	04000-08225	GPS ANTENNA OUTDOOR	\$374.22	EA	\$374.22
1	04000-08226	GPS ANTENNA SURG PROTECTR	\$304.92	EA	\$304.92
1	04000-20600	GND KIT FOR 8226	\$354.06	BL	\$354.06
1	04000-67022	GPS CBL CONN	\$56.70	EA	\$56.70
1	04000-07025	CBL GPS ANTENNA 25FT	\$183.96	EA	\$183.96
1	04000-07100	CBL GPS ANTENNA 100FT	\$336.42	EA	\$336.42
		Aurora 2.2 - Standard MIS System			
7	873391-00201	AURORA COLLECTION LIC	\$1,008.00	EA	\$7,056.00
7	809800-03305	AURORA STD SPT 5YR	\$604.80	EA	\$4,233.60
		Aurora Printers			
1	64040-60019	PRNTR USB COLOR	\$225.54	EA	\$225.54
1	65000-03133	CBL USB SHLD M/M 10FT	\$12.60	EA	\$12.60
		ORION Vela Mapping			
1	871399-20103.0	ORVL 3.0 LIC/DOC/MED	\$4,410.00	EA	\$4,410.00
6	871391-20103.0	ORVL 3.0 LIC ONLY	\$4,410.00	EA	\$26,460.00
7	809800-11405	ORVL SPT 5 YR	\$2,646.00	EA	\$18,522.00
		Monitoring & Response Activation Fee			
1	809800-14150	M&R ACT FEE SMALL SITE	\$2,142.00	EA	\$2,142.00
		Monitoring & Response License Fees			
1	871499-01206	M&R 3.0 LIC SVR	\$471.24	EA	\$471.24
8	871499-01211	M&R 3.0 WKST LIC	\$89.46	EA	\$715.68
6	871499-01210	M&R 3.0 IP DEVICES LIC	\$89.46	EA	\$536.76
		Monitoring & Response Support Fees			
1	809800-14165	M&R 3.0 SVR SRVC 5YR	\$7,043.40	EA	\$7,043.40
8	809800-16165	M&R 3.0 WKST SRVC 5YR	\$1,950.48	EA	\$15,603.84
6	809800-16170	M&R 3.0 IP DEV SRVC 5YR	\$1,950.48	EA	\$11,702.88
		Managed Services - Implementation Fee			
9	809800-14152	MGD SERV DEV & IMPL	\$94.50	EA	\$850.50
9	809800-14175	VIRUS PROTECT 3.0 SVC 5YR	\$498.96	EA	\$4,490.64
		Patch Management Solution			
9	809800-16150	PATCH MGMT 3.1 SVC 5YR	\$1,317.96	EA	\$11,861.64
		Server Extended Warranty			
1	04000-01526	WARR 24X7 DL380 5YR	\$2,661.12	EA	\$2,661.12
		Workstation Extended Warranty			
8	04000-01586	WARR 24X7 Z220 5YR	\$569.52	EA	\$4,556.16
		Field Engineering Services			
88	809800-17101	FIELD ENG-PRIMARY	\$126.00	UN	\$11,088.00
1	AT&T	AT&T On-Site-Tech	\$4,000.00	EA	\$4,000.00
911 Remote System Total					\$332,653.36
Strategic Incentive - Licenses					-\$80,250.00
Grand Total BU					\$252,403.36

Incremental Network Required for Host and Remote Systems					
Qty.	Part No.	Description	Monthly Price	One-Time Chg.	Total Monthly Chg.
1		Private Single Mode Fiber between Host & Remote Customer Provided		\$0.00	\$0.00
7	MTM	Remote PSAP 911 Trunks	\$71.00	\$945.70	\$497.00
1	MTM	Make Busy Circuit (Plus NCM modem)	\$90.00	\$4,206.00	\$90.00
2	MTM	ALI Circuits	\$120.00	\$800.00	\$240.00
					\$0.00
2	5 Year Term	T1 Digital Loop Service Circuits From Tandem to PSAP	\$613.00	\$1,910.00	\$1,226.00
AT&T Network Elements for Host & Remote Configuration				\$7,061.70	\$2,059.00



MEMO

DATE: November 18, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #18-14 for the emergency repair of Elevator #6 at the Charles W. Eisemann Center to Texas Independent Elevator for a total amount of \$79,923 pursuant to Local Government Code, Chapter 252.022(a)(3) to repair the unforeseen damage of public equipment

Proposed Date of Award: November 25, 2013

I concur with the recommendation of Joe Travers – Assistant Director of Public Services and request council ratification of the emergency repair to Elevator #6 at the Charles W. Eisemann Center, for a total amount of \$79,923.

An emergency purchase procedure was authorized, as per Local Government Code, Chapter 252.022(a)(3), to expedite the unforeseen damage to public property, the Elevator #6, which provides handicapped access to the Charles W. Eisemann Center from the parking garage, as outlined in Mr. Travers attached memo.

Funding will be provided from the Hotel/Motel Tax Fund 151.

Concur:


Kent Pfeil

ATTACHMENTS

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



MEMO

To: Pam Kirkland, Purchasing Manager
From: Joe Travers, Assistant Director of Public Services
Subject: Ratification of Emergency Repair of Elevator 6 at the Charles W. Eisemann Center
Date: November 12, 2013

On October 21, we were advised that the number 6 elevator serving the garage at the Eisemann Center had developed a hydraulic leak in the cylinder, which rendered it unusable until repairs could be accomplished. The estimated repair time was 6-7 weeks due to a long lead time associated with manufacture of the new cylinder. Since the elevator provides the only disabled access to the building from the parking garage, it was critical to move forward with repairs as soon as possible. Therefore, staff obtained authorization from the City Manager's Office to implement an emergency procurement for the necessary services, which were estimated to cost \$70,000 to \$80,000.

Staff worked with a local Elevator Consultant to develop a specification for the repair and submitted the specification to six (6) qualified elevator repair firms. Bids were received from four of these firms and two of the bids received were considered responsive. A bid from Texas Independent Elevator, in the amount of \$69,893 was determined to be the lowest responsive bid. In addition, Texas Independent Elevator provided a cost of \$79,923 for an accelerated production schedule, which will allow for repairs to be complete prior to the busy Christmas season. A Contract has been initiated with Texas Independent Elevator and repairs will be scheduled as soon as equipment is available. The project will be funded from the Hotel/Motel Tax Fund 151.

xc. Jerry Ortega, Director of Public Services

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	PREMIER ELEVATOR SERVICES, INC.		SCHINDLER ELEVATOR CORPORATION		TEXAS INDEPENDENT ELEVATOR		THYSSENKRUPP ELEVATOR AMERICAS	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Base Bid for labor & materials with the replacement of the hydraulic jack assy. and traveling cable serving Eisemann Center Elevator No. 6				\$63,504.00		\$98,989.00		\$67,893.00		\$89,689.00
2	Alternate 1 - Extended Warranty (20 yr)			NO	BID	NO	BID	NO	BID	NO	BID
3	Owner's Contingency				\$2,000.00		\$2,000.00		\$2,000.00		\$2,000.00
				Stated exceptions to specifications		Stated exceptions to specifications		Expedited Delivery for early Dec.	\$10,030.00		
				1 wk data sheets				Otherwise:			
				6-8 weeks materials		Jan. 19, 2014 completion		Feb. 10, 2014 completion			
				4-5 weeks work on site							
	TOTAL PRICE				\$65,504.00		\$100,989.00		\$79,923.00		\$91,689.00



MEMO

DATE: November 19, 2013

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager 

SUBJECT: Award of Bid #19-14 for the emergency water main repair at Jupiter Road and Beltline Road to Tri-Con Services, Inc. in the amount of \$80,864.19 pursuant to Local Government Code, Chapter 252.022(a)(2)(3) due to a public calamity that requires immediate action to protect the public health and safety of our citizens and to repair the unforeseen damage of public property

Proposed Date of Award: November 25, 2013

I concur with the recommendation of Richard Boston – Utility System Manager/Engineer and request council ratification of the emergency water main repair for a total amount of \$80,864.19.

An emergency purchase procedure was authorized, as per Local Government Code, Chapter 252.022(a)(2)(3), to expedite the repair of unforeseen damage to public property, to prevent an extremely hazardous condition to the traveling public and to restore water service, as outlined in Mr. Boston's attached memo.

Funding will be provided from account 511-5211-503-4531.

Concur:



Kent Pfeil

ATTACHMENTS

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



MEMO

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

TO: Pam Kirkland, Purchasing Manager

FROM: Richard Boston, P.E., Utility System Manager/Engineer

DATE : November 19, 2013

SUBJECT : Emergency Water Main Repairs (Jupiter @ Beltline)

During a water main break at the CVS located at the corner of Jupiter Rd. and Beltline Rd. our crews discovered a major void under the street pavement on Jupiter Rd. This posed an extremely hazardous condition to the traveling public. The Street Department was immediately called and shortly thereafter the Engineers from Capital Projects. I met with Steve Spanos, P.E. and Jim Lockart ,P.E. on site and it was agreed this presented an extreme hazard and it should be thoroughly barricaded and repaired as soon as possible. There were three gas lines within the project area to make matters worse and we believed at the time there could be a collapsed sewer manhole and it was 19 ft. deep. Knowing that the depth of the problem was extremely deep for our smaller equipment and that the situation needed to be repaired immediately it was decided to call in a contractor that could respond immediately.

Rocky Glover, Westside Field Operations Supervisor, called Tri-Con Services, Inc. and they met out at the site the next morning and had equipment there working that same day. A preliminary estimate wasn't gotten at that time because the concrete street pavement obstructed viewing anything underground except the large void underneath the roadway pavement. Tri-Con worked with us opening an additional travel lane before the morning & evening commuter traffic to minimize congestion at peak traffic periods. They repaired an 8" main break found underneath the travel lanes and plugged a sewer stub out (to our requirements) at the manhole that had been compromised. They utilized an extra depth shoring box to provide a safe working environment in the area and poured back the concrete pavement utilizing a quick setting mix to expedite opening the road back up to the traveling public.

I have attached their invoice in the amount of \$80,864.19 and funds are available in account 511-5211-503-4531. If anything else is needed please let me know! Thanks!



Tri-con

SERVICES, INC.

GENERAL CONSTRUCTION

P.O. BOX 472867 - GARLAND, TEXAS 75047-2867

3010 W. MAIN ST., ROWLETT, TEXAS 75088

Office (972) 475-5207 - FAX (972) 475-7416



September 30, 2013

City of Richardson
1260 Columbia Dr.
Richardson, TX
PH (972)744-4415
Cel (214) 708-1582

Attn: Mr. Richard Boston
Mr. Steve Anderson

Invoice M-10743

Re: Invoice- Repair large void under street @ Jupiter & Beltline (front of CVS)

Mr. Boston,

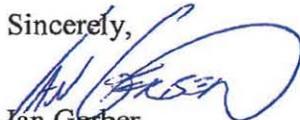
The following is a bill for repairs needed under the street at the above stated address. A large void under the pavement was created due to several factors: an existing 8 inch water line leak; an open stub out line to an existing sanitary sewer manhole; and ground seepage towards creek. The sanitary sewer line was plugged with concrete (18 feet depth) and a section of the waterline was replaced new (parts supplied by City). The void/area was backfilled with CTB and the vehicular pavement and sidewalk restored new:

Mobilization (Rowlett to Richardson)	QTY	Unit	Price / Unit	Total
Construction Equipment	4	ea	814.00	3,256.00
TXDOT transport permit (Excavator only - In/out)	1	ea	762.00	762.00
Trench Safety Equipment	1	LS	550.00	550.00
Labor				
Skilled Foreman & 5 man Crew w/ hand tools	50	Reg. hrs	341.00	17,050.00
Superintendent	30	Reg. hrs	78.00	2,340.00
Equipment				
LG Excavator (345 Caterpillar)	28	Reg. hrs	181.00	5,068.00
LG Excavator (320 Caterpillar)	37	Reg. hrs	145.00	5,365.00
Med. Excavator w / hammer (CAT)	50	Reg. hrs	110.00	5,500.00
Compressor	1	LS	889.00	889.00
Large rubber tire loader	50	Reg. hrs	140.00	7,000.00
Trench Safety Equip.	30	Reg. hrs	71.00	2,130.00
TV Sewer (equip & crew)	1	LS	691.00	691.00
Import / Haul off / Stand By OR Concrete (Trucking)	74	Reg. hrs / ea	145.00	10,730.00
Material				
Concrete Blocking (@valve)	1	CY	93.00	93.00
CTB backfill	259	CY	33.00	8,547.00
Cement Pipe patch	10	bags	18.40	184.00
Reflective pvmnt traffic buttons	50	ea	4.80	240.00
Lab testing (conc pvmnt)				
	1	LS	621.00	621.00
Pavement				
10 inch thick H.E. reinf. concrete street	113.18	SY	78.00	8,828.04
4 inch thick sidewalk	22.67	SY	45.00	1,020.15

Total due.... \$ 80,864.19

We appreciate your business; please contact us with any questions.

Sincerely,


Ian Gerber
Project Engineer