

**RICHARDSON CITY COUNCIL  
MONDAY, FEBRUARY 12, 2024  
COUNCIL MEETING AT 6:00 PM  
RICHARDSON CITY HALL, 2360 CAMPBELL CREEK BLVD., SUITE 525, RICHARDSON, TX 75082**

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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.

**Attention: Meeting Attendance/Viewing**

City Council meetings are available for viewing via live stream on-line and on-demand at [www.cor.net/city](http://www.cor.net/city). Cablecast viewing of City Council meetings for U-verse and Spectrum customers is temporarily unavailable due to a fire which damaged Richardson City Hall. Cablecast services will be restored as soon as possible. Videos of past Council meetings are also available to view on-demand at [www.cor.net/city](http://www.cor.net/city).

Anyone wishing to address the City Council can submit comments on any topic or agenda item electronically by utilizing the Public Comment Card found here: [www.cor.net/PublicCommentForm](http://www.cor.net/PublicCommentForm), or in-person during the Visitors section or the Public Hearing item. Comments submitted online must be received by 5 p.m. on the date of the meeting to be included in the public record.

**COUNCIL MEETING – 6:00 PM, MULTIPURPOSE ROOM #CH 157**

• **CALL TO ORDER**

**1. INVOCATION – KEN HUTCHENRIDER**

**2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – KEN HUTCHENRIDER**

**3. MINUTES OF THE JANUARY 22, 2024 AND FEBRUARY 5, 2024 MEETINGS**

**PUBLIC HEARING ITEMS:**

**4. PUBLIC HEARING, ZONING FILE 23-15, A REQUEST TO REZONE TWO (2) LOTS TOTALING APPROXIMATELY 1.04 ACRES LOCATED AT THE NORTHEAST CORNER OF ABRAMS ROAD AND E. BUCKINGHAM ROAD, FROM 'R' RETAIL TO PD PLANNED DEVELOPMENT FOR THE LR-M(1) LOCAL RETAIL DISTRICT WITH AMENDED DEVELOPMENT STANDARDS AND A CONCEPT PLAN TO ACCOMMODATE A PATIO COVER FOR A RESTAURANT AND SMOKING ESTABLISHMENT.**

**Citizens wishing to address the City Council can submit comments electronically by 5:00 p.m. by utilizing the Public Comment Card found here: [www.cor.net/PublicCommentForm](http://www.cor.net/PublicCommentForm).**

**5. PUBLIC HEARING, ZONING FILE 23-17, A REQUEST FOR APPROVAL OF AN AMENDMENT TO A PD PLANNED DEVELOPMENT FOR A 5.2-ACRE LOT LOCATED AT 2301 N. CENTRAL EXPRESSWAY, ON THE NORTH SIDE OF FALL CREEK DRIVE, BETWEEN CENTRAL EXPRESSWAY AND COLLINS BOULEVARD TO ONLY MODIFY THE MINIMUM UNIT SIZE FOR A 131-UNIT APARTMENT DEVELOPMENT. THIS REQUEST DOES NOT INCLUDE AN INCREASE IN THE NUMBER OF ALLOWED UNITS.**

**Citizens wishing to address the City Council can submit comments electronically by 5:00 p.m. by utilizing the Public Comment Card found here: [www.cor.net/PublicCommentForm](http://www.cor.net/PublicCommentForm).**

**6. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

*Visitors may address the Council on any topic that is not already scheduled for Public Hearing. Speakers should complete a Public Comment Card and present it to the City Secretary before the meeting. Speakers are limited to 5 minutes. Comments should be directed to the Mayor and City Council. The Texas Open Meetings Act prohibits the City Council from discussing or taking action on items that are not posted on the agenda. The Mayor or City Manager may provide specific factual information, recite an existing policy, or schedule the item for discussion on a future agenda in response to the public comments.*

## 7. REVIEW AND DISCUSS COUNCIL RULES OF PROCEDURE

### 8. CONSENT AGENDA:

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

#### A. CONSIDER ADOPTION OF THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 4482, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 12, ARTICLE I, SECTION 12-4, TO ADOPT AN INCREASE IN THE AMOUNT OF THE RESIDENCE HOMESTEAD EXEMPTION FOR INDIVIDUALS SIXTY-FIVE (65) YEARS OF AGE, OR OLDER, AND FOR INDIVIDUALS WHO ARE DISABLED, FROM ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (\$130,000.00) TO ONE HUNDRED FORTY-FIVE THOUSAND AND NO/100 DOLLARS (\$145,000.00).
2. ORDINANCE NO. 4483, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 12 "LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS" ARTICLE V. - SOLICITORS, CANVASSERS, ETC., DIVISION 1. – GENERALLY, BY ADDING SECTION 121A ESTABLISHING REGULATIONS FOR MOBILE FOOD SERVICES ESTABLISHMENTS PERMITTED BY DALLAS COUNTY, TEXAS.
3. ORDINANCE NO. 4484, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 10 "HEALTH AND HUMAN SERVICES", ARTICLE VI, "PUBLIC SWIMMING POOL OPERATION AND MAINTENANCE" BY ADOPTING TEXAS DEPARTMENT OF STATE HEALTH SERVICES POOL AND SPA RULES CONTAINED IN CHAPTER 265, SUBCHAPTERS K, M, AND L OF TITLE 25 OF THE TEXAS ADMINISTRATIVE CODE.

#### B. CONSIDER AWARD OF BID #50-24 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MOUNTJOY AQUATICS FOR THE COOPERATIVE PURCHASE OF ULTRAVIOLET (UV) SYSTEM REPLACEMENT THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #701-23 IN THE AMOUNT OF \$147,046.51.

#### C. AUTHORIZE THE CITY MANAGER TO EXECUTE GUARANTEED MAXIMUM PRICE ("GMP") AMENDMENT NO. 1 TO THE CONSTRUCTION MANAGER AT RISK ("CMAR") AGREEMENT WITH BALFOUR BEATTY CONSTRUCTION, LLC FOR THE PUBLIC LIBRARY RENOVATION PROJECT TO A TOTAL OF \$31,422,783.

### 9. 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.*

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### • ADJOURN

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE RICHARDSON CITY HALL ON FRIDAY, FEBRUARY 9, 2024, BY 5:00 P.M.

AIMEE NEMER, CITY SECRETARY

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING THE ADA COORDINATOR, VIA PHONE AT (972) 744-4168, VIA EMAIL AT [ADACOORDINATOR@COR.GOV](mailto:ADACOORDINATOR@COR.GOV), OR BY APPOINTMENT AT 2360 CAMPBELL CREEK BLVD., SUITE 550, RICHARDSON, TEXAS 75082.

PURSUANT TO SECTION 46.03, PENAL CODE (PLACES WEAPONS PROHIBITED), A PERSON MAY NOT CARRY A FIREARM OR OTHER WEAPON ON THIS PROPERTY. \*

FOR THE PURPOSE OF THIS NOTICE "PROPERTY" SHALL MEAN THE COUNCIL CHAMBERS OR ANY OTHER ROOM WHERE A MEETING SUBJECT TO AN OPEN MEETING UNDER GOVERNMENT CODE CHAPTER 551 OF THE RICHARDSON CITY COUNCIL IS HELD.

*\*This does not apply to licensed carriers.*

**MINUTES**  
**RICHARDSON CITY COUNCIL MEETING**  
**JANUARY 22, 2024**

- **Call to Order**

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

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

The following staff members were also present:

Don Magner	City Manager
Kent Pfeil	Chief Financial Officer
Charles Goff	Assistant City Manager
Michaela Dollar	Assistant City Manager
Dannette Garcia	Assistant City Manager
Aimee Nemer	City Secretary
Haley Alsabrook	Management Analyst
Anita Cothran	Director of Finance
Todd Gastorf	Assistant Director of Finance
Jennifer Davidson	Director of Library Services
Vrena Patrick	Assistant Director of Library Services
Bill Alsup	Director of Health
Danea Newman	Environmental Health Manager

**COUNCIL MEETING – 6:00 PM, MULTIPURPOSE ROOM #CH 157**

**1. INVOCATION – JOE CORCORAN**

**2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – JOE CORCORAN**

**3. MINUTES OF THE JANUARY 8, 2024 MEETING**

**Council Action**

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

**4. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

City Manager Magner acknowledged a public comment card submitted by Zakaria Alhasan, 16303 Bedford Falls, Frisco, regarding support of a ceasefire resolution for the Israel-Gaza War.

The following speakers addressed Council in support of the City of Richardson approving a ceasefire resolution.



Ahmed Alkarboly, 448 Tiffany Trail  
Jacqueline Sisser, 2323 Trellis Place  
Ameer Wahdan, 448 Tiffany Trail  
Raycia Cummings, 139 S. Clark Road, Cedar Hill

## **5. REVIEW AND DISCUSS THE SALE OF SERIES 2024 DEBT OBLIGATIONS**

Anita Cothran, Director of Finance, reviewed the debt issuance plan for Series 2024.

- **\$67,530,000 General Obligation Bonds (Tax Exempt)**
  - **\$67,530,000 General Obligation Bonds**
    - 47,330,000 Street Improvements 20-Yr
    - 4,065,000 Municipal Public Buildings 20-Yr
    - 12,000,000 Municipal Public Buildings 20-Yr
    - 2,410,000 Sidewalks 20-Yr
    - 1,000,000 Drainage 20-Yr
    - 725,000 Parks 20-Yr
- **\$20,955,000 Certificates of Obligation (Tax Exempt)**
  - **\$3,000,000 Tax-Supported Certificates of Obligation**
    - 3,000,000 Library Renovation Supplement 20-Yr
  - **\$1,610,000 Tax-Supported Certificates of Obligation**
    - 1,610,000 Fire Equipment 8-Yr
  - **\$1,645,000 Self-Supporting Certificates of Obligation**
    - 1,645,000 Solid Waste Equipment 8-Yr
  - **\$ 14,700,000 Self-Supporting Certificates of Obligation**
    - 1,200,000 Water and Sewer CIP 15-Yr
    - 13,500,000 Water and Sewer CIP 20-Yr
- **\$88,485,000 Total Sale, Series 2024 – Preliminary Estimate, subject to change.**

## **6. REVIEW AND DISCUSS THE OVER 65 AND DISABLED PERSONS EXEMPTION**

Todd Gastorf, Assistant Director of Finance, reviewed the following recommendation for fiscal year 2025.

- The current \$130,000 exemption is estimated to generate a 28.33% tax benefit after factoring residential value growth of 5%
- Staff recommends increasing the exemption to \$145,000
  - This increase will provide an estimated 31.60% tax benefit for FY 2025
    - Total savings of \$813 or \$84 increase for a Senior
  - City exempted taxes are estimated at \$7,231,764

## **7. REVIEW AND DISCUSS THE LIBRARY SERVICES STRATEGIC PLAN AND OUTREACH VAN**

Library Director Jenny Davidson reviewed the 2024-2029 Library Services Strategic Plan and process with the following strategic priorities.

### **People**

The Library provides a space for reading, learning, and sharing ideas – the center for life-long learning for its patrons. The Library seeks to increase the sense of community and citizen engagement through programming initiatives that celebrate Richardson’s diversity. Material selection will reflect the evolving interests and lifestyles of the community. The Library will look

for additional opportunities to add to its current outreach Library services to engage users who do not come to the physical library.

### **Place**

Maintaining services in a smaller temporary space and actively completing the planning stages of a renovated Library building will continue over the next five years. According to the Library Master Plan and Guiding Principles, the Library renovation goal is to revitalize and transform Richardson's iconic building into a vibrant, flexible 21st-century Library that serves all of Richardson's stakeholders.

### **Technology**

The Library's online presence serves as a virtual branch, offering information and services 24/7. The Library strives to be current on the best technologies for delivering content to patrons as well as providing current materials, programs, and services to explore new topics in digital literacy. The Library will continue seeking new and better digital platforms for providing content and will be adding enhancements to the online catalog to improve the customer experience. The Library will maximize potential website opportunities for easier citizen engagement and better marketing of popular Library materials and services.

Ms. Davidson also provided an update on the Library Outreach Van with services expected to begin in April. She also reviewed visitor, outreach, and circulation statistics since the Library's relocation to the temporary space.

## **8. REVIEW AND DISCUSS THE MOBILE FOOD VENDOR ORDINANCE UPDATE**

Danea Newman, Environmental Health Manager, reviewed changes to the mobile food vendor ordinance.

- House Bill 2878 was passed by the Texas State Legislature. Effective September 1, 2023, any mobile food vendor conducting business in multiple municipalities within Dallas County must secure a permit from the Dallas County Health and Human Services Department.
- Mobile food vendors operating in the Dallas County portion of the city of Richardson and other municipalities within the county are no longer required to obtain an annual permit from the City of Richardson Health Department.
- A mobile food vendor permit issued by Dallas County does not exempt the vendor from adhering to Richardson's local laws and regulations about zoning, parking, non-food truck restrictions, requirements for police and fire permits, and other relevant ordinances.
- HB 2878 affects only two (2) counties, Tarrant and Dallas. If mobile vendors operate on the Collin County side of the city, they are still required to obtain an annual permit from the Richardson Health Department.

## **9. REVIEW AND DISCUSS PROPOSED CHANGES TO PUBLIC/SEMI-PUBLIC POOL REGULATIONS**

Danea Newman, Environmental Health Manager, reviewed proposed changes to the public swimming pool operations and maintenance ordinance.

- Complete replacement of current ordinance
- Adopt, by reference, the Texas Dept. of State Health Services (DSHS) Pool Code

- Texas Administrative Code Title 25, Chapter 265
  - *Subchapter L (Public Swimming Pools and Spas)*
  - *Subchapter M (Public Interactive Water Features)*
  - *Subchapter K (Artificial Swimming Lagoons)*

**10. CONSENT AGENDA:**

- A. CONSIDER ADOPTION ORDINANCE NO. 4481, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM C-M COMMERCIAL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT (THE “GLENVILLE-US 75 PLANNED DEVELOPMENT DISTRICT”); ADOPTING USE AND DEVELOPMENT REGULATIONS, INCLUDING A CONCEPT PLAN AND BUILDINGS ELEVATIONS, FOR A 4.44-ACRE TRACT OF LAND LOCATED AT THE NORTHEAST CORNER OF GLENVILLE DRIVE AND US HIGHWAY 75, RICHARDSON, TEXAS.**
- B. CONSIDER RESOLUTION NO. 24-02, APPROVING THE TERMS AND CONDITIONS OF AN ADVANCE FUNDING AGREEMENT FOR A HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECT OFF-SYSTEM, BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS, AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF TRAFFIC SIGNALS PROJECTS; AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.**
- C. CONSIDER AWARD OF THE FOLLOWING BIDS:**
- 1. BID #12-24 – WE REQUEST AUTHORIZATION TO ISSUE ANNUAL REQUIREMENTS CONTRACTS TO ONSTAGE SYSTEMS AND MESMERIC ENTERTAINMENT FOR SOUND, STAGE, AND PRODUCTION SERVICES PURSUANT TO UNIT PRICES.**
  - 2. BID #21-24 – WE RECOMMEND THE AWARD TO M-CO CONSTRUCTION, INC. FOR FLOYD ROAD LARGE VALVE IMPROVEMENT IN THE AMOUNT OF \$280,442, WHICH INCLUDES ALTERNATE #1.**
  - 3. BID #22-24 – WE RECOMMEND THE AWARD TO CANDOR BUILDER, LLC FOR 2021 BOND ALLEY GROUP 4 WAKE DRIVE & BAYLOR DRIVE ALLEYS PAVING & SANITARY SEWER IMPROVEMENTS IN THE AMOUNT OF \$686,924.**
- D. CONSIDER AWARD OF REQUEST FOR PROPOSALS (“RFP”) #702-24 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO ONSTAGE SYSTEMS FOR WILDFLOWER VIP VIEWING PLATFORMS PURSUANT TO UNIT PRICING.**

**Council Action**

Councilmember Hutchenrider moved to approve the Consent Agenda as presented. Mayor Pro Tem Shamsul seconded the motion. A vote was taken and passed, 7-0.

**11. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of community interest.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:50 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

**MINUTES**  
**RICHARDSON CITY COUNCIL**  
**JOINT WORK SESSION WITH CITY PLAN COMMISSION**  
**FEBRUARY 5, 2024**

- **CALL TO ORDER (THE CITY COUNCIL AND CITY PLAN COMMISSION WILL EACH CALL THEIR MEETING TO ORDER.)**

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

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

Chair Marsh called the meeting of the City Plan Commission to order at 6:00 p.m. with the following Commissioners present:

Bryan Marsh	Chair
Ken Southard	Vice-Chair
Gary Beach	Alternate
Sebrena Bohnsack	Member
Joe Costantino	Member
Michael Keller	Member
Byron Purdy	Alternate
Gwen Walraven	Member

Absent:

Nate Roberts	Member
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The following staff members were also present:

Don Magner	City Manager
Charles Goff	Assistant City Manager
Aimee Nemer	City Secretary
Sam Chavez	Director of Development Services
Keith Krum	Planning Projects Manager
Amber Pollan	Planner
Jim Dulac	Director of Engineering/Capital Projects

Consultants present:

Mark Bowers, Kimley Horn  
Monica Heid, Prologue Planning

**JOINT WORK SESSION – 6:00 PM, MULTIPURPOSE ROOM #CH 157**

**A. REVIEW AND DISCUSS THE ENVISION RICHARDSON COMPREHENSIVE PLAN UPDATE**

Consultants Mark Bowers, Kimley-Horn; and Monica Heid, Prologue Planning, provided an update on Envision Richardson Comprehensive Plan.

- Summary of Summit 2 Engagement Activities & Participation
- Strategic Direction Overview
- Draft Preferred Vision Statement and Discussion
- Draft Preferred Guiding Principles and Discussion
- Place Types
- Draft Preferred Land Use Scenario and Discussion
- Wrap-Up / Next Steps

Purpose of the Update

- Provide an overview to Council and CPC of Community Summit 2 activities
- Receive feedback from Council and CPC regarding final direction for a Preferred Vision Statement and Preferred Guiding Principles
- Receive feedback from Council and CPC regarding final direction for a Preferred Land Use Scenario

**B. ADJOURNMENT OF CITY PLAN COMMISSION PORTION OF THE JOINT MEETING**

The joint meeting was adjourned at 7:57 p.m.

**C. RECESS**

Mayor Dubey called for a recess at 7:57 p.m.

**WORK SESSION – IMMEDIATELY FOLLOWING THE JOINT WORK SESSION**

**• CALL TO ORDER**

Mayor Dubey reconvened after the recess and called the City Council meeting to order at 8:06 p.m.

**D. VISITORS/ACKNOWLEDGEMENT OF PUBLIC COMMENT CARDS**

The following speakers addressed Council regarding support of a ceasefire resolution for the Israel-Gaza War. Before public comments, Mayor Dubey informed attendees that the City of Richardson previously issued a statement on international affairs in response to this topic.

Ahmed Alkarboly, 448 Tiffany Trail  
Ameer Wahdan, 448 Tiffany Trail  
Raunaq Alam, 10436 Lake Park Dr, Hurst  
Danya Zuaiter, 348 Apache Trail, Murphy  
Ahmad Elsafadi, 3913 Blackjack Oak Ln, Plano  
Nour Zeidan, 1210 Howard Ln, Garland  
Aya Mostafa, 7915 Graystone Dr, Sachse  
Ayman El-Sawa, 305 Rayan Ct, Murphy

Alexandra Frater, 24 Merrie Cr.  
Kyle Lawrence, 2906 Owen Ln, Mesquite  
Karina Guerrero, 111255 Preston Rd, Dallas

Additionally, the following Public Comment Cards were submitted on the same topic.

Haitham  
Lulia Barakat, 5221 Spicewood Dr, McKinney  
Asma Yoonas, 743 Brickrow  
Ziyad Asdi, 608 Trail Lake Dr  
Yasmeen Akil, 916 Dunning Drive, Mesquite  
Yasmeen Akil, 3910 Clear Creek Ct  
Meer, 293 Red Gum Rd, Garland

The following Public Comment Card was submitted in support of Envision Richardson.

Kellye Pritchard McGarry, 1911 Waterview Dr

#### **E. REVIEW AND DISCUSS NEW RICHARDSON CITY HALL PROJECT UPDATES**

Jim Dulac, Director of Engineering/Capital Projects, provided an update including:

- Community Engagement Results
- Municipal Campus Refinements
- City Hall
  - Exterior Design
  - Interior Layout
- Project Budget
- Council Feedback
- Next Steps

#### **F. REVIEW AND DISCUSS RICHARDSON PUBLIC LIBRARY RENOVATION PROJECT UPDATES**

Jim Dulac, Director of Engineering/Capital Projects, provided an update including:

- Library Project Schedule
- Library Design
- Construction Manager at Risk Process
- Guaranteed Maximum Price Contract Award
- Library Budget Update
- Next Steps

#### **G. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of community interest.

#### **ADJOURNMENT**

With no further business, the meeting was adjourned at 10:31 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY





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**DATE:** February 12, 2024  
**TO:** Honorable Mayor and City Council  
**FROM:** Sam Chavez, AICP, Director of Development Services *SDC*  
**SUBJECT:** Zoning File 23-15: PD Planned Development – Another Time & Place

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### REQUEST

Charles E. Rawls, Rawls Culver Architects, is requesting to rezone 1.04 acres from 'R' Retail to PD Planned Development for the LR-M(1) Local Retail District to amend the forty (40) foot setback along Buckingham Road to accommodate a patio cover for an existing restaurant and smoking establishment (Another Time & Place). The subject site is located at the northeast corner of Buckingham Road and Abrams Road.

The 'R' Retail District and the LR-M(1) Local Retail District require a 40-foot building setback along Abrams Road and Buckingham Road. The existing 4,368-square foot building; a non-conforming building due to its encroachment into the required forty (40-) foot front setback along Buckingham Road, operates as a restaurant with a smoking establishment, which is limited to the patio on the west side of the building.

The applicant's request is that the proposed patio cover be allowed within the forty (40) foot front setback and be subject to a three (3) foot front setback along Buckingham Road. As requested, the south end of the patio cover and the south building line of the existing non-conforming building would align.

The patio cover is approximately 14-feet-tall and is constructed of non-combustible materials including a steel support structure with fixed louver panels and a low-pitched polycarbonate roof system with a translucent plexiglass cover.

To date, five (5) letters in support of the request have been received.

### BACKGROUND

In October 2022, a Special Permit for a smoking establishment in conjunction with a restaurant was approved for the subject site limiting the smoking establishment to the patio on the west side of the building and included age restrictions (21 & up), hours of operation and a prohibition on music or other types of entertainment on the patio.

### PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a 6-0 vote recommends approval of the request as presented. In addition, but not included with their motion for approval, the Commission suggested City Council consider granting the reduced setback for the existing building as well.

The existing building was constructed in 1989 within the Town of Buckingham, prior to the 1994/1995 construction of Buckingham Road, and the 1996 annexation of the Town of Buckingham. The existing 3'-3" setback appears to be an internal side yard setback that was established prior to the dedication of right-of-way and ultimately the construction of Buckingham Road. The building's non-conforming status, established with the dedication of right-of-way and construction of Buckingham Road, created a front yard designation for the lot from Buckingham Road.

In accordance with the Comprehensive Zoning, a non-conforming building destroyed by fire, elements, or other causes, may be rebuilt but only in accordance with the applicable zoning district's development standards. With a partial destruction, reconstruction of a nonconforming building is allowed if restoration costs do not exceed fifty percent (50%) of its reasonable value.

Should the subject building be destroyed, or its reconstruction cost exceeds 50% of its reasonable value, the building could only be reconstructed to comply with the forty (40) foot required front setback. Upon such occurrence, a complete redesign of the site would have to occur resulting in a reconfiguration of the vehicular on-site circulation, a reduction in the number of parking spaces and thus a reduction in the building's square footage largely due to the property's 100-foot lot width.

Previous City Councils have granted relief from front setback requirements for a few existing buildings with similar circumstances, but not to the extent as depicted for the subject building. A 77.5% reduction (31-foot reduction from a 40-foot front setback) was granted for Ten50 BBQ, while the subject reduction represents a 92.5% reduction (37-foot reduction from 40-foot front setback).

The parkway (the area between the property line and the street curb) varies in width from approximately 5 feet at the far west end, to 11 feet midway, and 6.5 feet at the far east end. The building is located 8.5 feet to 14 feet from the street curb which includes the parkway width and the building's setback. Although the existing parkway width would allow construction of a 5-foot-wide sidewalk and not impede pedestrian safety, the western portion of the sidewalk would be located at the back of curb and would not conform with the City's design standards for the appropriate location of sidewalks along streets for pedestrian safety.

Based on existing conditions, the subject building appears to be located closer to the property line than other structures along Buckingham Road. However, this situation has existed since 1996.

If City Council's desire is to allow the encroachment of the existing building within the forty (40) foot front setback and be subject to a three (3) foot front setback along Buckingham Road, it may do so as the published public notice allows the City Council the latitude to apply it the existing building. In doing so, the three (3) foot setback would only apply to the existing building and not to the construction of any new structure(s), and thus resolve the non-conforming status of the existing building with respect to its current front setback.

## ATTACHMENTS

Special Conditions	Perspective Rendering (Exhibit "D")
CC Public Hearing Notice	Patio Floor Plan (Exhibit "E")
City Plan Commission Minutes 2024-01-16	Applicant's Statement
Staff Report	Site Photo
Zoning/Aerial Map	Notice of Public Hearing
Zoning Concept Plan (Exhibit "B")	Notification List
Building Elevations (Exhibit "C")	Correspondence in Support

### **Special Conditions: ZF 23-15 PD Planned Development**

1. The property shall be zoned PD Planned Development for the LR-M(1) Local Retail District and shall be developed in conformance with the requirements of the LR-M(1) Local Retail District zoning regulations, except as otherwise provided herein:
  - a. Setback: There shall be a minimum 3-foot setback required along Buckingham Road for a patio cover located on the west side of the building in substantial conformance with Concept Plan (Exhibit “B”) and Building Elevations (Exhibit “C”).
2. Ordinance Number 4441 shall remain in full force and effect.

**DRAFT**  
**CITY OF RICHARDSON**  
**CITY PLAN COMMISSION MINUTES – JANUARY 16, 2024**

**Zoning File 23-15 PD Planned Development – Another Time & Place:** Consider and act on a request to rezone approximately 1.04 acres located at the northeast corner of Abrams Road and E. Buckingham Road, from ‘R’ Retail to PD Planned Development for the LR-M(1) Local Retail District with amended development standards and a concept plan to accommodate a patio cover for a restaurant and smoking establishment. *Property Owner: Mehmet Shon Celik, MDA Texas LLC. Staff: Chris Shacklett.*

Mr. Shacklett stated this is a request to rezone approximately 1.04 acres from ‘R’ Retail to PD Planned Development for the LR-M(1) Local Retail District with amended development standards and a concept plan to accommodate a patio cover for a restaurant and smoking establishment. The applicant is only requesting one (1) amendment to the development standards of the LR-M(1) Local Retail District, which is a reduction in the building setback for a patio cover along Buckingham Road.

Mr. Shacklett stated the property is located at the northeast corner of Buckingham Road and Abrams Road and was originally developed in 1989 as a convenience store. In 2017 it was converted to a restaurant, and in 2021, it was purchased with the intent of opening a restaurant and smoking establishment. In 2022, a Special Permit for a smoking establishment in conjunction with a restaurant was approved with a limitation that the smoking establishment use would be limited to the patio located on the west side of the building.

Mr. Shacklett further stated that the current ‘R’ Retail zoning designation and the proposed LR-M(1) Local Retail District require a 40-foot building setback along Abrams Road and Buckingham Road. The southern portion of the patio cover would align with the existing building line along Buckingham Road which encroaches into the required setback and is located within three (3) feet of the property line along Buckingham Road.

Mr. Shacklett explained that at the time the site was developed in 1989, the building did not encroach into the setback as Buckingham Road did not exist east of Abrams Road. The originally planned alignment of Buckingham Road was intended to be further south. In 1994, right-of-way was dedicated along the south side of the subject property to accommodate the current Buckingham Road alignment, thereby creating a non-conforming building with respect to the 40-foot building setback along Buckingham Road.

Mr. Shacklett stated that the proposed patio cover is approximately 14-feet-tall and is constructed of non-combustible materials, including a steel support structure with fixed louver panels and a low-pitched polycarbonate roof system that utilizes translucent frosted plexiglass. The current plan does not propose an enclosed patio; however, the applicant may provide heating and cooling options for the patio, which are allowed in accordance with Building and Fire Code requirements. In the future, should the applicant decide to enclose the patio, a sprinkler system would need to be installed.

Mr. Shacklett concluded with a summary of the request and conditions to be included if the Commission recommended approval. Mr. Shacklett further stated that four (4) letters were received in favor of the request. Mr. Shacklett stated he was available to answer any questions.

Chairman Marsh asked if staff had a way to distinguish the storage building located on the property.

Mr. Shacklett stated the plans show the unused storage building with a hatch pattern.

With no further questions of the staff, Chairman Marsh invited the applicant forward to present the request.

Mr. Ed Rawls, Rawls Culver Architects, LP, 901 N. MacDonald St, Suite 203, McKinney, TX, came forward to present the applicant's request. He stated that he was the architect for the project and explained the construction and intent of the patio cover.

Chairman Marsh asked Mr. Rawls to explain the purpose of the louvers.

Mr. Rawls indicated that the louvers were part of the original planned enclosure patio cover system and would be used to ventilate smoke from the patio area. He confirmed weather protection would be located below the louvers.

Chairman Marsh asked if there was any change to the flooring.

Mr. Rawls stated that there were no changes to the flooring and asked Mr. Mehmet Shon Celik to join him at the podium.

Mr. Mehmet Shon Celik, 5514 Bentgreen Drive, Dallas, TX confirmed there were no changes to the flooring.

Chairman Marsh asked if the front door entry was through the northern patio.

Mr. Celik advised that the primary entry into the restaurant would be through the northern patio.

Vice Chairman Southard asked if the applicant were to put in side panels, would it change the structure that they were requesting.

Mr. Rawls confirmed that if they put in any type of drop system it would be on the new structure and be supported by the new structure.

Commissioner Purdy asked if the patio cover's primary purpose was for smoking or to protect customers from weather.

Mr. Celik stated the primary purpose was for weather protection for those dining or smoking on the patio.

Chairman Marsh asked the applicant how business has been since re-opening.

Mr. Celik stated that the business was good since remodel and re-opening even though they could not serve alcohol or have music or entertainment.

Chairman Marsh asked if the customers could bring their own alcoholic beverages.

Mr. Celik answered that was not allowed at the current time.

Chairman Marsh asked if applicant had any concerns about his restaurant building being an existing-non-conforming structure and that the proposed request only applied to the patio cover and not the existing building.

Mr. Shacklett confirmed the structure was existing non-conforming.

Mr. Celik stated there were no concerns because they were not making any changes to the building, and they were only before the Commission to get approval on the patio cover.

Mr. Rawls stated the owner would prefer to have the reduced setback apply to the building so that it would not be considered non-conforming.

Chairman Marsh asked if there would be any objection to including the building as part of this request or at least a recommendation to the Council to consider it as part of the concept plan.

Mr. Shacklett stated discussion regarding the new setback to apply to the existing building would be on the record, and staff would need to verify that the notice was sufficient to allow that change.

Chairman Marsh stated his concern was that if the restaurant were destroyed by some casualty, it could not be rebuilt as it is now. Only the patio cover would be allowed to be rebuilt if it were damaged.

Mr. Celik commented his intent would be to allow the restaurant to be rebuilt in its current location if it were destroyed.

Mr. Rawls asked if that change to the request would be allowed.

Mr. Shacklett stated staff would look into if the change could be made.

Commissioner Constantino stated that if the building were destroyed, the owner would have to go back through the zoning process to allow the building to be rebuilt in its current location if it was not expressly allowed as part of this request.

Mr. Shacklett stated that was correct.

Chairman Marsh asked if there were any further questions for the applicant or if there was anyone who wanted to speak in favor or opposition to the request.

Ms. D’Nelle Lyons, 523 Stillmeadow Drive, Richardson, TX came forward to speak in favor of the request.

With no further speakers, Chairman Marsh made a motion to close the public hearing. Commissioner Roberts seconded the motion. Motion passed 6-0.

Commissioner Roberts suggested the City see if the building could be added to the request.

Chairman Marsh agreed and elaborated on why he believed it should be added to the request.

Mr. Sam Chavez stated they can go forward with a recommendation as presented with an additional item for Council to consider which is to apply a 3-foot setback to the building. The other option would be for the applicant to withdraw the case allowing the City to readvertise with the specifics of including the building in the request. If we move forward with the additional item added to the recommendation, staff will have to consult with the City Attorney to see if it is possible.

Chairman Marsh stated that it would not be feasible for the applicant to withdraw the request and start over. He stated that the CPC should recommend approval as presented and ask staff to consult with the City Attorney regarding whether the notice was sufficient to allow the building to be included in the request.

Mr. Chavez advised there was adequate time to send out a notice for the February 6, 2024, CPC meeting, which would tentatively place the case on a February 26, 2024, Council meeting.

Mr. Shacklett advised that the request could be recommended for approval and the applicant can come back in the future to make the additional request to include the restaurant in the zoning request.

Vice Chairman Southard asked if the applicant agreed with Mr. Shacklett.

Mr. Rawls asked for further clarification regarding the options.

Mr. Shacklett explained the options to come back later for a future zoning request.

Mr. Celik said he wanted to move forward with the request as presented.

Mr. Shacklett reiterated that staff would consult with the City Attorney regarding if the building could be considered as part of the request if the Commission made an approval recommendation. He stated the non-conforming status only became an issue if the building were destroyed.

Commissioner Costantino asked if many buildings in the City are non-conforming similar to the subject building.

Mr. Shacklett stated it is not atypical. He stated staff was trying to make it clear that the only proposed change was related to the addition of the patio cover.

**Motion:** Chairman Marsh made a motion to recommend approval of the request as presented. Commissioner Roberts seconded the motion. Motion passed 6-0.



**TO:** City Council  
**THROUGH:** Sam Chavez, AICP, Director of Development Services *SDC*  
**FROM:** Chris Shacklett, Assistant Director of Development Services-Planning *CS*  
**DATE:** February 12, 2024  
**RE:** **Zoning File 23-15: PD Planned Development – Another Time & Place Restaurant & Smoking Establishment**

**REQUEST**

Approval of a request to rezone two (2) lots totaling 1.04 acres located at the northeast corner of Abrams Road and E. Buckingham Road from ‘R’ Retail to PD Planned Development for the LR-M(1) Local Retail District with amended development standards and a concept plan to accommodate a patio cover for a restaurant and smoking establishment.

**APPLICANT/ PROPERTY OWNER**

Charles E. Rawls, Rawls Culver Architects, LP / Mehmet Shon Celik, MDA Texas, LLC

**EXISTING DEVELOPMENT**

The western 1.04-acre portion of the property is developed with a 4,368-square foot restaurant building with a smoking establishment, which is limited to a patio on the west side of the building. There is an additional 1,400-square foot building on the east side of the restaurant building comprised of unused storage area. The eastern 0.22-acre property is undeveloped except for a dumpster and screening wall and a driveway providing access to both lots.

**ADJACENT ROADWAYS**

**E. Buckingham Road:** Four-lane divided Major Collector; 9,700 vehicles per day on all lanes, eastbound and westbound, east of Abrams Road (April 2022).

**Abrams Road:** Four-lane divided Major Collector; 10,300 vehicles on all lanes, north and southbound, south of Buckingham Road (April 2022).

**SURROUNDING LAND USE AND ZONING**

**North:** Vacant & Single Family; ‘R’ Retail  
**South:** Multi-Family/Group Quarters; ‘R’ Retail & ‘UR’ Unified Residential  
**East:** Vacant & Multi-Family/Group Quarters; ‘R’ Retail  
**West:** Single Family; PD Planned Development



## FUTURE LAND USE PLAN

### **Neighborhood Service:**

Neighborhood Service includes service-related uses such as retail sales; personal services such as cleaners, barbers, beauty shops, entertainment; recreation; and office uses oriented to the immediate area. Retail centers often contain a major or junior anchor but may not. Office uses in this category are usually integrated into retail centers but may include small freestanding office buildings that provide services for the surrounding neighborhood. Some Neighborhood Service districts may include senior housing.

### **Future Land Uses of Surrounding Area:**

North: Neighborhood Service

South: Multi-Family Residential

East: Multi-Family Residential

West: Neighborhood Residential

## EXISTING ZONING

The subject property is zoned 'R' Retail District per Ordinance 4245, which is a zoning district that was retained when the City of Richardson annexed the Town of Buckingham and updated in 2018 per Ordinance 4245. A Special Permit was approved in 2022, per Ordinance 4441, to allow a smoking establishment, limited to a patio on the west side of the building in conjunction with the operation of a restaurant.

## TRAFFIC/INFRASTRUCTURE IMPACTS

The proposed request will not have a significant impact on the surrounding roadway system or the existing utilities in the area.

## STAFF COMMENTS

### **Background**

The site was developed in 1989 as a convenience store which later operated as a liquor store. The liquor store closed sometime between 2012 and 2014. In 2017, the building was reopened as a restaurant with indoor seating.

The current owner purchased the property in July 2021 with the intent to open an establishment similar to an establishment he opened in 2012 in Plano (Turkish Café & Lounge, which is a restaurant providing hookah and live entertainment). In October 2022, a Special Permit for a smoking establishment in conjunction with a restaurant was approved with a limitation that the smoking establishment use would be limited to the patio located on the west side of the building. Limitations related to the use on this patio included age restrictions (21 and up), hours of operation restrictions and a prohibition on music or other types of entertainment. An additional patio is located on the north side of the building, and smoking is prohibited on that patio.

A smoking establishment is defined in Ordinance 4245 as:

*A business establishment that is dedicated, in whole or in part, to the smoking of tobacco or other substances and includes any establishment that allows both (1) the payment of consideration by a customer to the establishment in exchange for on-site delivery of tobacco, tobacco accessories or similar substances and products to the customer; and (2) the on-site smoking of tobacco or other substances. This definition shall be construed to include establishments variously known as retail tobacco stores, cigar lounges, hookah cafes, tobacco clubs, tobacco bars, and similar establishments, but shall not include an establishment that derives 50% or more of its gross revenue on a quarterly basis (i.e., three months) from the sale of alcoholic beverages for on-site consumption.*

### **Request**

The applicant is requesting to rezone the property to PD Planned Development for the LR-M(1) Local Retail District with amended development standards to accommodate the construction of a patio cover on the smoking patio on the west side of the building. The purpose of the request for a PD Planned Development is to allow for modified development standards from the base zoning district. Since the current zoning, 'R' Retail, is a Town of Buckingham zoning designation, staff suggested the applicant request the base zoning of the PD to be LR-M(1) Local Retail since that is a standard City of Richardson zoning district and is most similar to the 'R' Retail District. The applicant is only requesting one (1) amendment to the development standards of the LR-M(1) Local Retail District, which is a reduction in the building setback for a patio cover along Buckingham Road.

The current 'R' Retail zoning designation and the proposed LR-M(1) Local Retail District require a 40-foot building setback along Abrams Road and Buckingham Road. The southern portion of the patio cover would align with the existing building line along Buckingham Road which encroaches into the required setback.

At the time the site was developed in 1989, the building did not encroach into the setback as Buckingham Road did not exist east of Abrams Road. The originally planned alignment of Buckingham Road was intended to be further south (current alignment of Park Bend Drive). In 1994, right-of-way was dedicated along the south side of the subject property to accommodate the current Buckingham Road alignment, thereby creating a non-conforming building with respect to the 40-foot setback along Buckingham Road.

The proposed patio cover is approximately 14-feet-tall and is constructed of non-combustible materials including a steel support structure with fixed louver panels and a low-pitched polycarbonate roof system that utilizes a frosted plexiglass that is translucent. The patio may be enclosed. The applicant may also provide heating and cooling options for the patio, which are allowed in accordance with Building and Fire Code requirements.

### **Conclusion:**

The use of the property as a restaurant with a smoking establishment is allowed by right per Ordinance 4441. The applicant is not requesting to expand the area where the smoking establishment is allowed. The focus of this request is only to allow a patio cover to be constructed over the patio on the west side of the building.

**Correspondence:** To date, five (5) letters in support of the request have been received.

**Motion:** On January 16, 2024, the City Plan Commission recommended approval of the applicant's request by a vote of 6-0, subject to the following conditions:

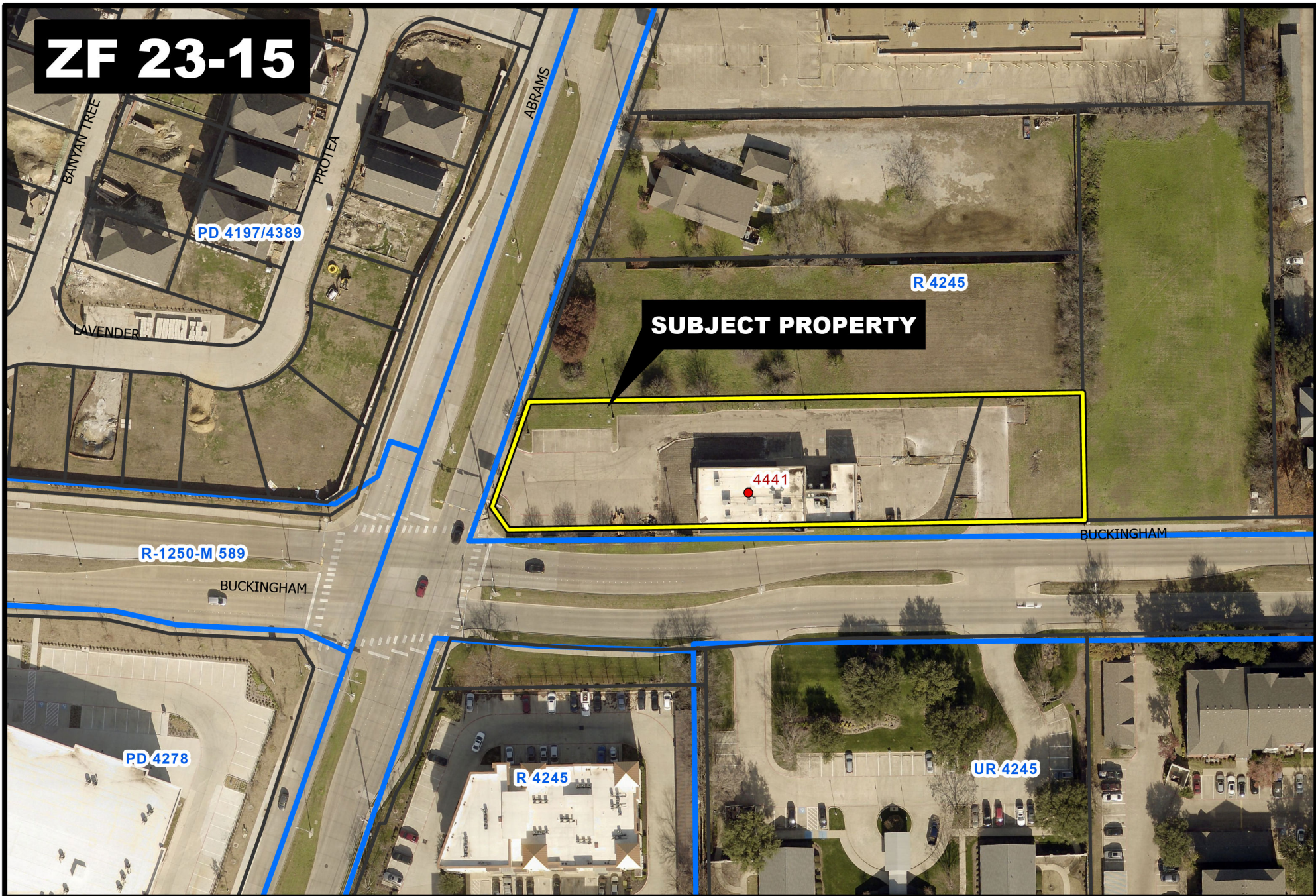
1. The property shall be zoned PD Planned Development for the LR-M(1) Local Retail District and shall be developed in conformance with the requirements of the LR-M(1) Local Retail District zoning regulations, except as otherwise provided herein:
  - a. Setback: There shall be a minimum 3-foot setback required along Buckingham Road for a patio cover located on the west side of the building in substantial conformance with Concept Plan (Exhibit "B") and Building Elevations (Exhibit "C").
2. Ordinance Number 4441 shall remain in full force and effect.

*Note: Although not included with their recommendation of approval, the City Plan Commission suggested City Council consider granting the reduced three (3) foot setback for the existing building as well. The suggestion was made as staff was unable to determine if the zoning request notice as advertised allowed the Commission to also include the existing building in their motion.*

*The city attorney verified the following day that the zoning request notice was appropriate and would have allowed the Commission to include the reduced setback for the existing building in their motion.*



**ZF 23-15**

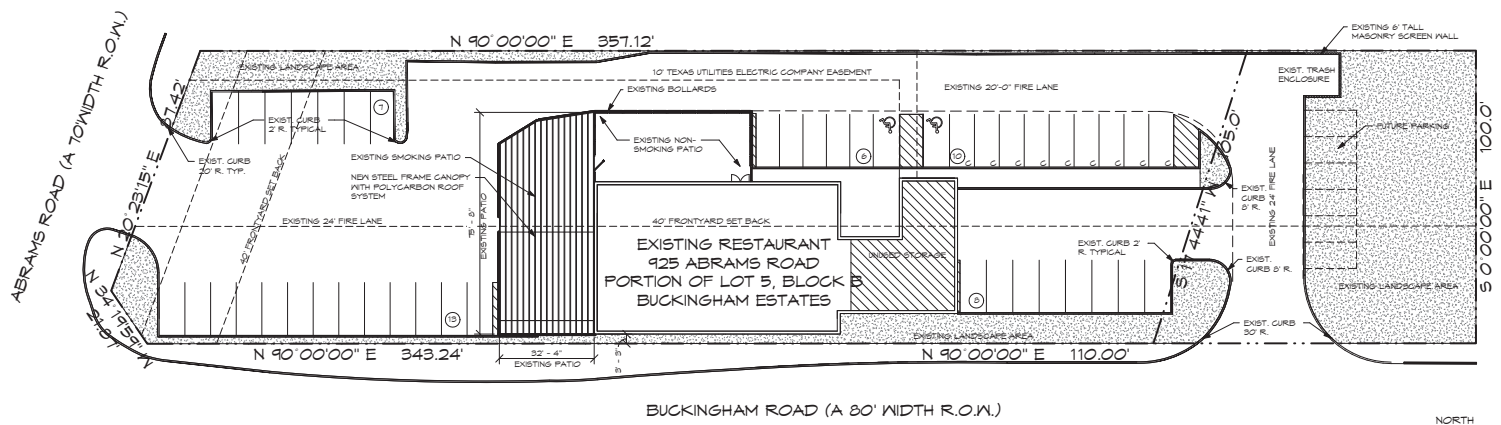


**ZF 23-15 Aerial & Zoning Map**  
**Planned Development**  
**NEC Buckingham Road & Abrams Road**

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.







PROJECT SUMMARY:	
ZONING:	R1 RETAIL
LOT AREA:	45,194 S.F. (1.04 ACRES)
NEST TRACT:	25,001 S.F.
EAST TRACT:	4,049 S.F.
EXISTING BUILDING AREA:	4,260 S.F. (ADDITIONAL 1,400 S.F. UNUSED AREA AS SHOWN ON PLAN)
EXISTING BUILDING HT.:	1 STORY - 11' - 0"
PROPOSED PATIO COVER HT.:	14' - 3 1/2"
REQUIRED PARKING (EXISTING):	44 SPACES (1 SPACE/100 S.F.)
PROVIDED PARKING (EXISTING):	44 SPACES
PARKING BREAKDOWN:	
COMPACT SPACES (C):	8' X 10' = 10
ACCESSIBLE SPACES:	8' X 10' = 2
STANDARD SPACES:	9' X 10' = 32
EXISTING LANDSCAPE AREA:	10% REQUIRED/ PROVIDED 10,250 S.F. = 23%

1 - SITE PLAN  
1" = 20'-0"



901 N. Meadows St.  
Suite 200  
McKinney, Texas 75069  
972.529.9790



ANOTHER TIME & PLACE  
ANOTHER TIME & PLACE  
925 ABRAMS ROAD, RICHARDSON, TEXAS

Job No: 23042

Date: DEC. 04, 2023  
Revision:

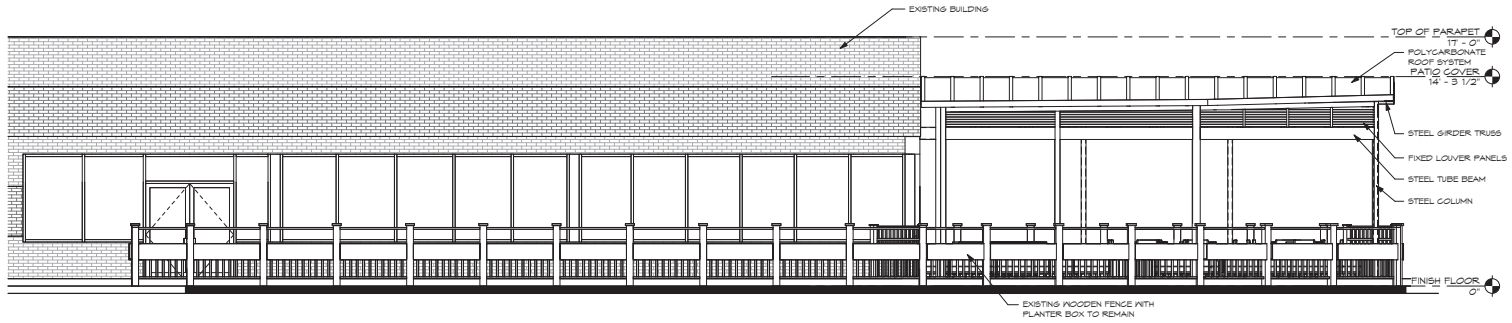
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SITE PLAN

Drawn By: SGP  
Sheet Number:

Exhibit B

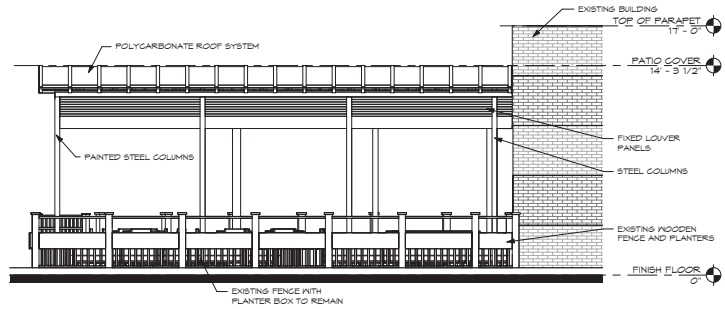
A1.1

"ISSUED FOR PRELIMINARY REVIEW, NOT FOR PERMITTING, BIDDING, OR CONSTRUCTION" DECEMBER 4, 2023.

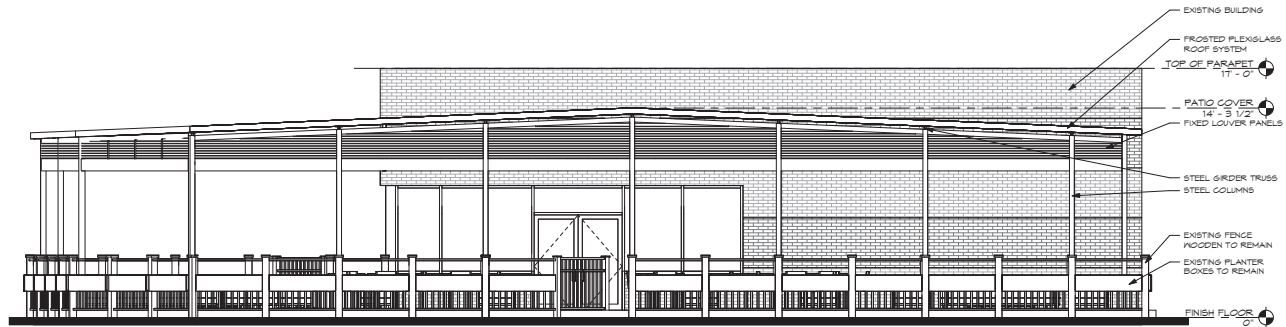


3 - NORTH ELEVATION  
1/4" = 1'-0"

NOTE: ALL NEW STEEL FRAMING TO BE PAINTED LIGHT GREY TO MATCH EXISTING BUILDING



1 - SOUTH  
1/4" = 1'-0"



2 - WEST ELEVATION  
1/4" = 1'-0"

901 N. Meadows St.  
Suite 200  
McKinney, Texas 75069  
972.529.9799



ANOTHER TIME & PLACE  
ANOTHER TIME & PLACE  
925 ABRAMS ROAD, RICHARDSON, TEXAS

"ISSUED FOR PRELIMINARY REVIEW, NOT FOR PERMITTING, BIDDING, OR CONSTRUCTION" DECEMBER 4, 2023.

Job No: 23042

Date: DEC. 04, 2023

Revision:

Sheet Title:  
EXTERIOR ELEVATIONS  
Drawn By: SGP  
Sheet Number:

Exhibit C A3.1



1 - PERSPECTIVE\_3  
1/2" = 1'-0"

901 N. McSwain St.  
Suite 200  
McKinney, Texas 75069  
972.529.9790



ANOTHER TIME & PLACE  
ANOTHER TIME & PLACE  
925 ABRAMS ROAD, RICHARDSON, TEXAS

Job No: 23042

Date: DEC. 04, 2023

Revision:

Sheet Title:

PERSPECTIVE

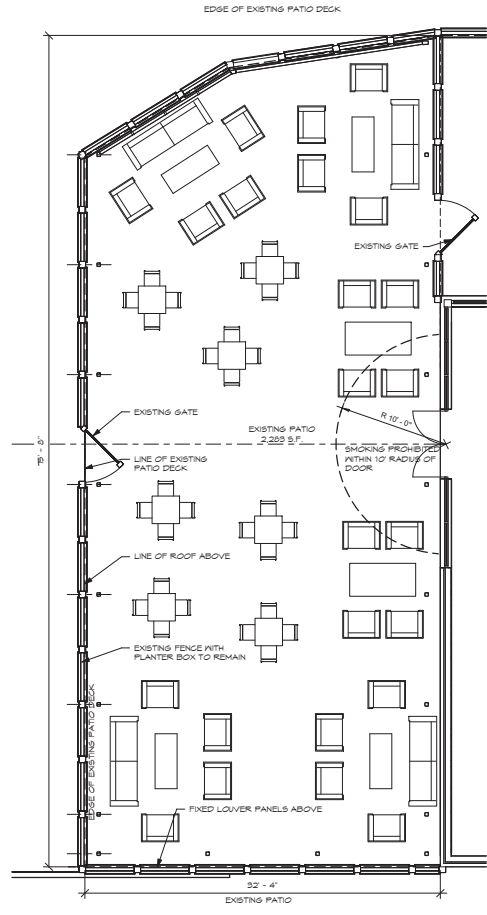
Drawn By: SGP

Sheet Number:

A10.1

"ISSUED FOR PRELIMINARY REVIEW, NOT FOR PERMITTING, BIDDING, OR CONSTRUCTION" DECEMBER 4, 2023.

**Exhibit D**



1 - FLOOR PLAN  
3/16" = 1'-0"



"ISSUED FOR PRELIMINARY REVIEW, NOT FOR PERMITTING, BIDDING, OR CONSTRUCTION" DECEMBER 4, 2023.

901 N. McSwain St.  
Suite 200  
McKinney, Texas 75069  
972.529.9790



ANOTHER TIME & PLACE  
ANOTHER TIME & PLACE  
925 ABRAMS ROAD, RICHARDSON, TEXAS

Job No: 23042

Date: DEC. 04, 2023

Revision:

Sheet Title:  
ARCH FLOOR PLAN

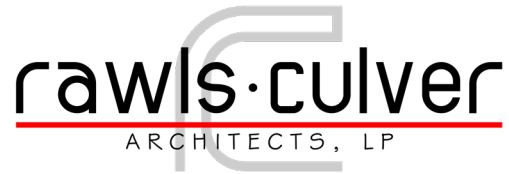
Drawn By: Author

Sheet Number:

A2.1

**Exhibit E**





December 4, 2023

Chris Shacklett  
Assistant Director of Development Services – Planning  
2360 Campbell Creek Blvd.  
Suite 525  
Richardson, Texas 75082

Dear Chris,

Rawls – Culver Architects, LP is engaged by Mehmet Shon Celik, The Owner of “Another Time and Place Grill” located at 925 Abrams Rd. in Richardson, and represents Shon as his representative with authority to file this request for a Zoning change to PD on his property. The reason for the request is to allow encroachment of a patio cover structure over an existing patio into the 40 foot front setback along Buckingham Street. This restaurant was originally built in the Town of Buckingham before being annexed into the City of Richardson. The attached Application for Zoning and the corresponding Plans show the intent of this request, which is to construct a steel non-combustible covering over the existing outdoor patio on the west side of the existing restaurant building.

There are currently two patios, one located on the north side of the existing building and the one described in these documents. The north side patio will remain as it is, open air with only a short perimeter fence. This west patio will be covered only with a non-combustible steel low-pitch structure on new steel columns just inside the existing fence and planters. Operation of the Grill will continue as it is currently used.

Please let this letter serve as the Owner’s letter of intent and request for a zoning change to PD zoning.

Sincerely,

Ed Rawls, AIA



Looking East at Existing Patio







# Notice of Public Hearing

## City Plan Commission

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

### PD PLANNED DEVELOPMENT

**File No.:** ZF 23-15  
**Applicant:** Charles E. Rawls, Rawls Culver Architects, LP  
**Location:** (See map on reverse side)  
**Request:** **ZF 23-15 PD Planned Development – Another Time & Place:** Consider and act on a request to rezone two (2) lots totaling approximately 1.04 acres located at the northeast corner of Abrams Road and E. Buckingham Road, from 'R' Retail to PD Planned Development for the LR-M(1) Local Retail District with amended development standards and a concept plan to accommodate a patio cover for a restaurant and smoking establishment. Owner: Mehmet Shon Celik, MDA Texas LLC. Staff: Chris Shacklett.

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

**TUESDAY, JANUARY 16, 2024**  
**7:00 p.m.**  
**Richardson City Hall**  
**2360 Campbell Creek Boulevard, Suite 525**  
**Richardson, TX 75082**

*This notice has been sent to all owners of real property affected by the zoning request and those who are within 200 feet of the request; as such ownership appears on the last approved city tax roll.*

**Process for Public Input:** Individuals attending the meeting in person will be allocated a maximum of 3 minutes to address the City Plan Commission to express whether they are in favor or oppose the request.

Persons not attending the meeting who 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 or by utilizing the Public Comment Card at <https://www.cor.net/PublicCommentForm>.

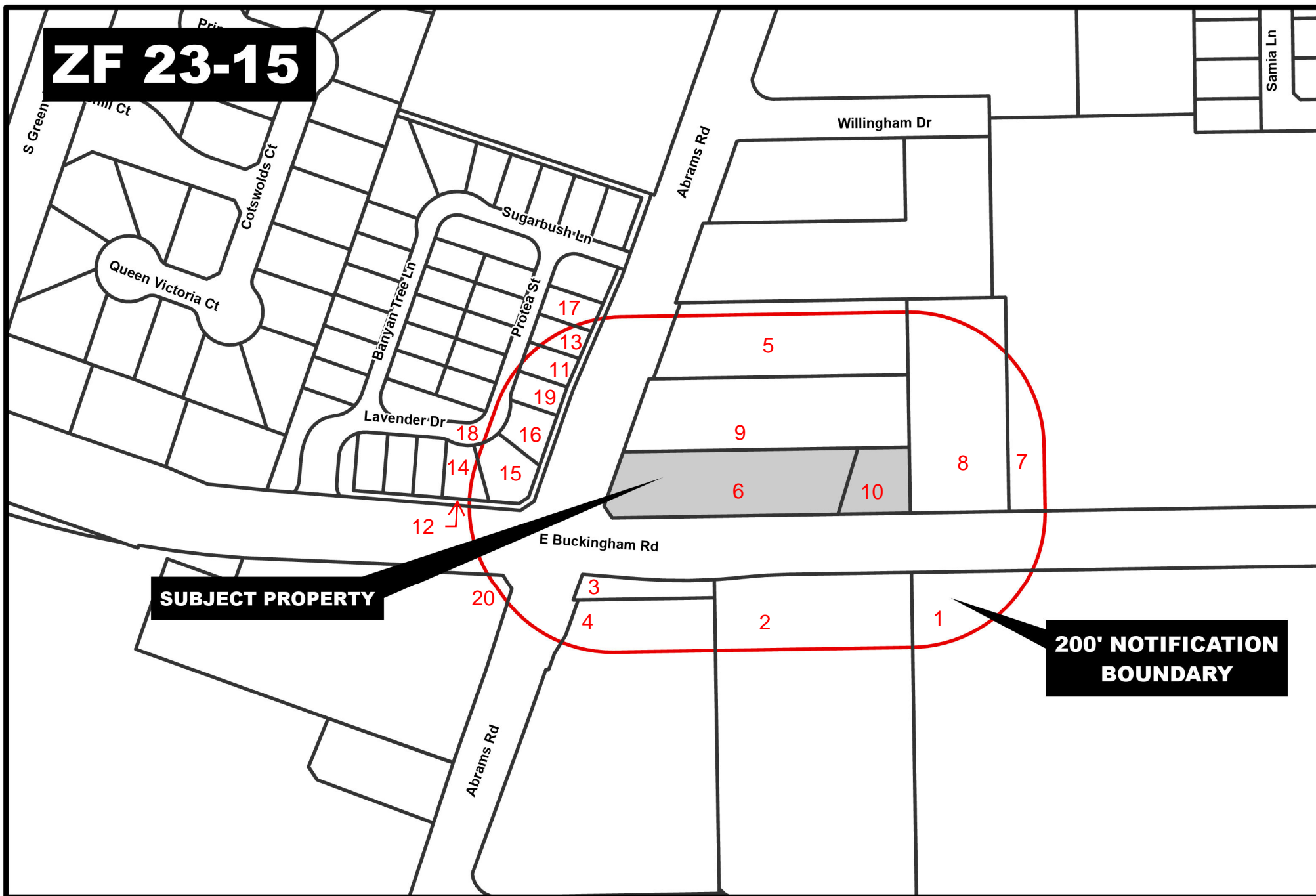
*The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions or recommend denial. Final approval of this application requires action by the City Council.*

**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 23-15.

Date Posted and Mailed: January 5, 2024

**ZF 23-15**



**SUBJECT PROPERTY**

**200' NOTIFICATION  
BOUNDARY**

**ZF 23-15 Notification Map  
PD Planned Development  
NEC Buckingham Road & Abrams Road**

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.



- 1 CAMDEN PROPERTY TRUST  
% CAMDEN PROPERTY TRUST  
PO BOX 27329  
HOUSTON, TX 77227
- 2 HCR MANORCARE PPTIES LLC  
PO BOX 10086  
TOLEDO, OH 43699
- 3 RICHARDSON CITY OF  
TAX DEPT  
411 W ARAPAHO RD SUITE 101  
RICHARDSON, TX 75080
- 4 MBP RICHLAND LLC  
2727 LBJ FWY STE 324  
DALLAS, TX 75234
- 5 SEGUNDA IGLESIA DE DIOS  
MANANTIALES DE VIDA ETERNA  
919 ABRAMS RD  
RICHARDSON, TX 75081
- 6 MDA TEXAS LLC  
925 ABRAMS RD  
RICHARDSON, TX 750815037
- 7 CF ARBORETUM MULTIFAMILY  
% CANTOR FITZGERALD LP  
110 EAST 59TH ST  
NEW YORK, NY 10022
- 8 KB ABRAM REALTY LLC  
1801 RESERVE ST  
GARLAND, TX 75042
- 9 KB ABRAM REALTY LLC  
1801 RESERVE ST  
GARLAND, TX 75042
- 10 MDA TEXAS LLC  
925 ABRAMS RD  
RICHARDSON, TX 750815037
- 11 SHEIKH HUSNA  
1104 PLEASANTON DR  
PLANO, TX 75094
- 12 ABRAMS DEVELOPERS LLC  
811 S CENTRAL EXPY STE 600  
RICHARDSON, TX 750807415
- 13 IWAFZ HOLDINGS LLC  
533 HIGHLAND FAIRWAY LN  
WYLIE, TX 750985553
- 14 RV DESIGN & DEVELOPMENT INC  
5901 WESTON DR  
MCKINNEY, TX 75070
- 15 RV DESIGN & DEVELOPMENT INC  
5901 WESTON DR  
MCKINNEY, TX 75070
- 16 AAIRAH INVESTMENTS LLC  
13111 N CENTRAL EXPY STE 150  
DALLAS, TX 75243
- 17 IWAFZ HOLDINGS LLC  
533 HIGHLAND FAIRWAY LN  
WYLIE, TX 750985553
- 18 ABRAMS DEVELOPERS LLC  
811 S CENTRAL EXPY STE 600  
RICHARDSON, TX 75080
- 19 AAIRAH INVESTMENTS LLC  
13111 N CENTRAL EXWY STE 150  
DALLAS, TX 75243
- 20 PSA INVESTORS ONE LP  
C/O PUBLIC STORAGE  
PO BOX 25025  
GLENDALE, CA 912215025

**Mehmet Shon Celik**  
**MDA Texas LLC**  
**925 Abrams Rd**  
**Richardson, TX 75081**

**Charles E. Rawls**  
**Rawls Culver Architects, LP**  
**901 N MacDonald St, Ste 203**  
**McKinney, TX 75069**

**ZF 23-15 Another**  
**Time & Place**

**From:** [Sadaruz Zaman](#)  
**To:** [Chris Shacklett](#)  
**Cc:** [REDACTED]  
**Subject:** Letter of Support for Another Time & Place Grille - 925 Abrams Rd, Richardson, TX 75081  
**Date:** Friday, January 12, 2024 12:17:55 PM

---

You don't often get email from [REDACTED]. [Learn why this is important](#)

City of Richardson  
Attn: Chris Shacklett Planning and Zoning Commission  
Subject: Letter of Support for Another Time & Place Grille - 925 Abrams Rd, Richardson, TX 75081

Dear Mr. Shacklett,

Hope this finds you well. I am composing a few lines here to express our support for Another Time & Place (ATP) Grille, located at 925 Abrams Rd, Richardson, TX 75081.

Since its inception, our family and friends have become regular patrons of the establishment. The food and drinks there are exceptionally suitable for quick working lunch as well as for small scale parties. I remembered we had a one -on-one lunch with several local business owners and city representatives there. One of the celebrations we enjoyed was entitled 'Hispanic Heritage Month' luncheon. House district elected officials, members from diverse civic society organizations, chambers of commerce, educational boards representatives and city officials all gathered there to discuss topics of mutual interests with pleasure and comfort.

We think a beautifully designed covered patio could be a notable feature that adds to the overall elegance of this Another Time & Place (ATP) Grille restaurant. This is expected to enable an enhanced lunch and dining experience during adverse weather conditions and is a crucial element that would bring grandeur because of a proposed elegant roof cover for the existing patio space. The addition would enable one to enjoy an outdoor ambiance even during inclement weather.

As concerned residents and patrons of Richardson Diversity group we earnestly request the City of Richardson's support for this small business success. Another Time & Place Grille has become a shining gem in our community, and we think that facilitating their efforts to cover the patio would contribute more to the overall vibrancy in this part of the town.

We kindly request the Planning and Zoning Commission to consider and grant the necessary permit for Another Time & Place Grille to cover their patio. Your support in this matter would not only benefit a local business but also enhance the overall dining experience of the community at large.

Thanks for your attention to this matter. We trust that the Commission would consider this request favorably, and let this newly formed restaurant contribute more towards the continued success of city businesses.

Sincerely,  
Sadaruz Zaman  
Richardson Diversity Civic Engagement (RDCE)

Trail Lake, Richardson, TX 75081

Note: This email copied to some of the other Richardson Diversity volunteers with good experience at ATP.

**From:** [donotreply@enotify.visioninternet.com](mailto:donotreply@enotify.visioninternet.com)  
**To:** [Connie.Ellwood@cor.gov](mailto:Connie.Ellwood@cor.gov); [Sam Chavez](#); [Chris Shacklett](#)  
**Subject:** CPC Public Meeting Comment Card  
**Date:** Monday, January 15, 2024 7:50:15 PM

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A new entry to a form/survey has been submitted.

**Form Name:** City Plan Commission Public Meeting Comment Card  
**Date & Time:** 01/15/2024 7:50 PM  
**Response #:** 117  
**Submitter ID:** 26018  
**IP address:** 2600:1700:2f01:5170:154e:c727:43c:ff0  
**Time to complete:** 3 min. , 36 sec.

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### Survey Details

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#### Page 1

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**Meeting Date:**

01/16/2024

**Do you plan to attend the meeting and speak before the City Plan Commission?**

(o) No

**Meeting Calendars:** [City Plan Commission](#)

**Contact Information**

**Name:** HISHAM SYED  
**Address:** 316 MAPLE STREET  
**City:** RICHARDSON  
**ZIP:** 75081  
**PHONE:** Not answered  
**EMAIL:** [REDACTED]

**Please identify the group or organization you represent, if any:**

--None--

**Please indicate if you are representing the applicant for a zoning case or item on the agenda:**

Not answered

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#### Page 2

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**VISITORS SECTION: This is an opportunity to submit comments on any topic that is not scheduled for a public hearing or an item that is not on the agenda.**

**I would like to comment during the:**

Public Hearing Item/Zoning File

**Page 3**

**Page 4**

**Public Hearing Item/Zoning File Section**

**Select Your Position on this Item (Required):**

In Favor of this Item

**Public Hearing Item Comments:**

I am writing to express my strong support for Another Time & Place Grille, located at 925 Abrams Rd, Richardson, TX 75081. Since its recent remodeling, my family and I have become regular patrons of this establishment, consistently enjoying and trying out new exceptional food and drink items.

The beautifully designed patio has been a notable feature that adds to the overall charm of Another Time & Place Grille. However, to further enhance our dining experience during adverse weather conditions, we believe it is crucial for them to cover the patio. This addition would enable patrons to enjoy the outdoor ambiance even in inclement weather, such as the freeze or the blazing summertime heat.

As concerned residents and patrons of Richardson we earnestly request the City of Richardson to support this small business. Another Time & Place Grille has become a shining gem in our community, and we believe that facilitating their efforts to cover the patio would contribute to the overall vibrancy of this part of town.

We kindly request the Planning and Zoning Commission to consider and grant the necessary permit for Another Time & Place Grille to cover their patio. Your support in this matter would not only benefit a local business but also enhance the overall diverse dining experiences in Richardson.

Thank you for your attention to this matter. We trust that the Planning and Zoning Commission will consider our request favorably, contributing to the continued success of Another Time & Place Grille.

Please submit my comments for this meeting. Public comments submitted by 5 pm on the date of the meeting will be provided and included for the record.

Thank you,

**From:** [Atakan Dönmez](#)  
**To:** [Chris Shacklett](#)  
**Subject:** Support to Another time & place  
**Date:** Tuesday, January 16, 2024 4:10:15 PM

---

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Mr. Shacklett, I hope this letter finds you well. I am writing to express my strong support for Another Time & Place Grille, located at 925 Abrams Rd, Richardson, TX 75081. Since its recent remodeling, my family and I have become regular patrons of this establishment, consistently enjoying the exceptional food, drinks, and Hookah offerings. The beautifully designed patio has been a notable feature that adds to the overall charm of Another Time & Place Grille. However, to further enhance our dining experience during adverse weather conditions, we believe it is crucial for them to cover the patio. This addition would enable patrons to enjoy the outdoor ambiance even in inclement weather. As concerned residents and patrons of Richardson we earnestly request the City of Richardson's support for this small business. Another Time & Place Grille has become a shining gem in our community, and we believe that facilitating their efforts to cover the patio would contribute to the overall vibrancy of this part of town. We kindly request the Planning and Zoning Commission to consider and grant the necessary permit for Another Time & Place Grille to cover their patio. Your support in this matter would not only benefit a local business but also enhance the overall dining experience for the community. Thank you for your attention to this matter. We trust that the Planning and Zoning Commission will consider our request favorably, contributing to the continued success of Another Time & Place Grille.

Sincerely,  
Hamza Atakan Dönmez  
Richland neighborhood

**From:** [hasan\\_berk](#)  
**To:** [Chris Shacklett](#)  
**Subject:** Support Another time & place  
**Date:** Tuesday, January 16, 2024 3:16:57 PM

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You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mr. Shacklett,

I hope this letter finds you well. I am writing to express my strong support for Another Time & Place Grille, located at 925 Abrams Rd, Richardson, TX 75081. Since its recent remodeling, my family and I have become regular patrons of this establishment, consistently enjoying the exceptional food, drinks, and Hookah offerings.

The beautifully designed patio has been a notable feature that adds to the overall charm of Another Time & Place Grille. However, to further enhance our dining experience during adverse weather conditions, we believe it is crucial for them to cover the patio. This addition would enable patrons to enjoy the outdoor ambiance even in inclement weather.

As concerned residents and patrons of Richardson we earnestly request the City of Richardson's support for this small business. Another Time & Place Grille has become a shining gem in our community, and we believe that facilitating their efforts to cover the patio would contribute to the overall vibrancy of this part of town.

We kindly request the Planning and Zoning Commission to consider and grant the necessary permit for Another Time & Place Grille to cover their patio. Your support in this matter would not only benefit a local business but also enhance the overall dining experience for the community.

Thank you for your attention to this matter.

We trust that the Planning and Zoning Commission will consider our request favorably, contributing to the continued success of Another Time & Place Grille.

Sincerely,

Hasan Berk

Richland neighborhood

Get [Outlook for iOS](#)

**From:** [Sitki Aslan](#)  
**To:** [Chris Shacklett](#)  
**Subject:** For Another time & Place  
**Date:** Tuesday, January 16, 2024 4:13:19 PM

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You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Mr. Shacklett, I hope this letter finds you well. I am writing to express my strong support for Another Time & Place Grille, located at 925 Abrams Rd, Richardson, TX 75081. Since its recent remodeling, my family and I have become regular patrons of this establishment, consistently enjoying the exceptional food, drinks, and Hookah offerings. The beautifully designed patio has been a notable feature that adds to the overall charm of Another Time & Place Grille. However, to further enhance our dining experience during adverse weather conditions, we believe it is crucial for them to cover the patio. This addition would enable patrons to enjoy the outdoor ambiance even in inclement weather. As concerned residents and patrons of Richardson we earnestly request the City of Richardson's support for this small business. Another Time & Place Grille has become a shining gem in our community, and we believe that facilitating their efforts to cover the patio would contribute to the overall vibrancy of this part of town. We kindly request the Planning and Zoning Commission to consider and grant the necessary permit for Another Time & Place Grille to cover their patio. Your support in this matter would not only benefit a local business but also enhance the overall dining experience for the community. Thank you for your attention to this matter. We trust that the Planning and Zoning Commission will consider our request favorably, contributing to the continued success of Another Time & Place Grille.

Sincerely,  
Sitki Aslan  
Richland neighborhood



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**DATE:** February 12, 2024  
**TO:** Honorable Mayor and City Council  
**FROM:** Sam Chavez, AICP, Director of Development Services *SDC*  
**SUBJECT:** Zoning File 23-17: PD Amendment – Trellis Richardson

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### **REQUEST**

Evan Gallant, 2301 N Central Owner LLC, is requesting an amendment to the exiting PD Planned Development for Trellis Richardson which is currently being renovated to accommodate the conversion of 131 hotel rooms into 131 apartment units on the north side of Fall Creek Drive, between Central Expressway and Collins Boulevard to modify the minimum unit sizes for the 131-unit apartment development.

The PD was approved in February 2023; however, the applicant did not take ownership of the property until April 2023 and had limited access to the property prior to zoning approval. Detailed as-built plans were not available, so the proposed minimum unit sizes were based on building area estimates.

In July 2023, building permits were submitted for the project and the applicant was informed that the units did not meet the minimum unit sizes as required in the PD which required studio units to be a minimum of 450 square feet and 1-bedroom units to be a minimum of 500 square feet. The applicant is therefore requesting an amendment to the PD to reduce the minimum unit sizes for studio and 1-bedroom units to 350 square feet and 400 square feet respectively which represent the existing unit sizes.

Although the applicant is requesting to reduce the minimum unit sizes, their intent remains unchanged from what was presented to City Council and the Canyon Creek neighborhood, which was that the existing 131 hotel rooms would be converted to 131 apartment units with no modification to the existing individual unit sizes.

To date, one (1) letter in support of the request has been received.

### **BACKGROUND**

In 2023, the property was rezoned to PD Planned Development to allow the repurposing of a 131-room Hyatt House suite hotel to a 131-unit apartment community. The applicant is currently renovating the property, and improvements include enhancements to the aesthetics and curb appeal of the exterior while providing significant upgrades to the existing units and interior common areas.

### **PLAN COMMISSION RECOMMENDATION**

The City Plan Commission, by a 6-0 vote recommends approval of the request as presented.

### **ATTACHMENTS**

Special Conditions  
CC Public Hearing Notice  
City Plan Commission Minutes 2024-01-16  
Staff Report  
Zoning/Aerial Map

Approved Zoning Concept Plan (Exhibit “B”)  
Applicant’s Statement  
Notice of Public Hearing  
Notification List  
Correspondence





**DRAFT**  
**CITY OF RICHARDSON**  
**CITY PLAN COMMISSION MINUTES – JANUARY 16, 2024**

**Zoning File 23-17 PD Planned Development – Trellis Richardson:** Consider and act on a request for approval of an amendment to a PD Planned Development for a 5.2-acre lot located at 2301 N. Central Expressway, on the north side of Fall Creek Drive, between Central Expressway and Collins Boulevard to only modify the minimum unit size for a 131-unit apartment development. This request does not include an increase in the number of allowed units. *Property Owner: Evan Gallant, 2301 N Central Owner LLC. Staff: Chris Shacklett*

Mr. Shacklett stated this is a request for approval of an amendment to a PD Planned Development for a 5.2-acre property located on the north side of Fall Creek Drive, between Central Expressway and Collins Boulevard to only modify the minimum unit size for studios and 1-bedroom units for the 131-unit apartment development.

Mr. Shacklett explained that the site was developed in 1996 as a hotel with 131 rooms within four (4) buildings and a fifth building used as a clubhouse for the hotel.

Mr. Shacklett further stated that in 2022 the applicant requested to rezone the property to a PD Planned Development to allow for repurposing of the 131 hotel rooms into a 131-unit apartment development. The zoning was approved by City Council in February 2023 and included a concept plan. At the time of approval, the applicant had not yet purchased the property, and access to the units was limited and detailed as-builts plans were not available, so applicant had to utilize approximate building area estimates. Based on the estimates, the applicant proposed a condition limiting the minimum unit size to 450 square feet for studio units and 500 square feet for 1-bedroom units.

Mr. Shacklett stated that the applicant finalized the purchase of the property in April 2023 and submitted for building permit approval in July 2023. At that time, staff informed the applicant that the minimum unit areas did not meet the required minimum unit area. Staff requested the applicant to remeasure the units to ensure that their measurements were accurate. The applicant remeasured and confirmed that several units did not meet the minimum unit sizes as required in the PD and found that there was variance in the area between the same unit types. Therefore, the applicant is requesting to reduce the minimum unit sizes.

Mr. Shacklett stated the applicant's request is to amend the PD to reduce the minimum unit size to 350 square feet for studio units and 400 square feet for 1-bedroom units. There are no other changes being proposed to the PD. If the Commission recommended approval, the only modification would be to Section 4(a) of Ordinance 4449 which is the section regarding minimum unit sizes.

Mr. Shacklett confirmed that staff received one (1) letter in support with an attachment of the person's letter in support when the case was originally approved last year. Mr. Shacklett asked if there were any questions from the Commission.

Chairman Marsh asked what would be their alternative if the request is not approved.

Mr. Shacklett stated the alternative would be to reconfigure those rooms to meet the current approved minimum sizes which would result in a loss of units.

Chairman Marsh asked if the alternative had been studied.



Mr. Shacklett responded he did not know if they had studied that alternative.

Mr. Chavez advised that in addition to moving walls, the plumbing and electrical would also have to be moved.

Commissioner Roberts asked if any other similar zoning requests include minimum unit sizes and what is typically required.

Mr. Shacklett stated that there were no specific requirement, but recent approvals had required a minimum area of 500 square feet while older developments may have required a minimum of 700 square feet. The intent of this project was to provide smaller units that are more affordable. This PD prohibits anything larger than a 1-bedroom unit with the intent of providing smaller units that would be available to a wider range of renters.

Mr. Chavez stated this project represents the first repurposing of a hotel, so there were some unknowns. The intent was always to convert one (1) hotel room to one (1) apartment unit.

Commissioner Keller asked if minimum unit size requirements had always been a condition contained in a PD for apartment developments.

Mr. Shacklett stated it is typical to include minimum unit size requirements in these types of zoning requests; however, it is not required to include minimum unit size as a condition.

Vice Chairman Southard asked if these units would be comparable to some of the student housing that is located on Waterview Parkway.

Mr. Shacklett stated on-campus housing (dormitories) that is limited to students is not subject to City zoning and development regulations.

Vice Chairman Southard stated it does not appear the developer is trying to change the intent of what was originally approved.

Mr. Shacklett stated the intent remains unchanged.

With no further questions of staff, Chairman Marsh invited the applicant to come forward.

Suzan Kedron, Jackson Walker, 2323 Ross Avenue, Dallas, TX came forward to speak on behalf of the applicant. She stated they are prepared to move forward and that she is available questions.

Chairman Marsh asked staff if the PD currently limits the project to 131-units.

Mr. Shacklett answered yes.

Chairman Marsh asked what the implication would be if the minimum unit size requirement were removed.

Mr. Shacklett stated it would allow the developer to reduce the number of units and create larger units, but they would still be limited to studio or 1-bedroom units, so there would likely be no incentive for the developer to do so.

Chairman Marsh asked if the buildings could be expanded or if another could be constructed.

Mr. Shacklett responded they could not since the concept plan would prohibit any expansion or additional building construction.

Chairman Marsh asked Ms. Kedron if she had any thoughts regarding the removal of minimum unit sizes.

Ms. Kedron stated it would not be feasible to reduce the number of units, but she would not be opposed to the removal of the minimum unit size requirement.

With no further questions, Commissioner Constantino made a motion to close the public hearing. Vice Chairman Southard seconded the motion. Motion passes 6-0.

Commissioner Costantino stated this is just an amendment to reflect what was originally proposed.

Vice Chairman Southard stated there was no need to change the minimum unit size since the applicant agreed with the proposed minimums.

Chairman Marsh stated he agreed their intent remained unchanged and they should be allowed to move forward with their project. He was pleased to see the open space area on the south side of Fall Creek Drive was moving forward as well.

**Motion:** Commissioner Roberts made a motion to recommend approval of the request as presented. Commissioner Keller seconded the motion. Motion passed 6-0.



**TO:** City Council  
**THROUGH:** Sam Chavez, AICP, Director of Development Services *SDC*  
**FROM:** Chris Shacklett, Assistant Director of Development Services-Planning *CS*  
**DATE:** February 12, 2024  
**RE:** **Zoning File 23-17: PD Amendment – Trellis Richardson**

### REQUEST

A request for approval of an amendment to a PD Planned Development for a 5.2-acre lot located at 2301 N. Central Expressway, on the north side of Fall Creek Drive, between Central Expressway and Collins Boulevard to only modify the minimum unit size for a 131-unit apartment development. The request does not include an increase in the number of allowed units.

### APPLICANT/PROPERTY OWNER

Evan Gallant, 2301 N Central Owner LLC

### EXISTING DEVELOPMENT

The site was originally developed as a suite hotel with five (5) buildings totaling 70,286 square feet. There were 131 rooms within four (4) buildings (three 2-story and one 3-story building), and the fifth building is a single-story building that was utilized as the lobby and clubhouse for the hotel development. The buildings are currently being converted to a 131-apartment development.

### ADJACENT ROADWAYS

**U.S. Highway 75:** Freeway/Turnpike; 226,765 vehicles per day on all lanes, northbound and southbound, north of Campbell Road (2021).

**Collins Boulevard:** Four-lane, Divided Arterial; 3,800 vehicles per day on all lanes, northbound and southbound, north of Fall Creek Drive (2021).

**Fall Creek Drive:** Two-lane, local street; no traffic counts available.

### SURROUNDING LAND USE AND ZONING

**North:** Office; TO-M Technical Office  
**South:** Open Space & Office; PD Planned Development & TO-M Technical Office  
**East:** Retail/Commercial; PD Planned Development  
**West:** Single Family; R-1500-M Residential

## FUTURE LAND USE PLAN

### **Regional Employment:**

*Regional Employment districts are generally located along Richardson's highways north of Arapaho Road. Higher density development is appropriate, with the primary use being high-rise office. Secondary uses include retail centers and entertainment venues.*

### **Future Land Uses of Surrounding Area:**

<b>North:</b>	Regional Employment
<b>South:</b>	Regional Employment
<b>East:</b>	Regional Employment
<b>West:</b>	Neighborhood Residential

## EXISTING ZONING

PD Planned Development (Ordinance No. 4449).

## INFRASTRUCTURE/TRAFFIC

The proposed request will not have a significant impact on the surrounding roadway system and will not impact existing utilities in the area. The applicant provided a trip generation comparison in 2022 for the existing hotel use and proposed apartment use that was approved in February 2023. It was determined the increase in the number of peak hour trips was not expected to have a significant impact on the surrounding roadway system; therefore, a traffic impact analysis was not requested, and no roadway modifications were required.

## STAFF COMMENTS

### **Background:**

The subject property was zoned TO-M Technical Office in 1965. In 1995, a Special Permit was granted to allow a suite hotel, which was developed in 1996. The Special Permit was subsequently amended in 1997 and 2001, and the property was again rezoned in 2014 to PD Planned Development to allow the hotel to sell alcoholic beverages for on-premises consumption.

In 2023, the property was rezoned to a new PD Planned Development District to allow the repurposing of the 131-room suite hotel to a 131-unit apartment community. The applicant's focus is to repurpose hotels that are aging and no longer attract the originally intended customer base which can lead to a hotel removing their brand from the property. The applicant has since purchased the property and has begun to process of renovating the property and rooms. Improvements include enhancements to the aesthetics and curb appeal of the exterior while providing significant upgrades to the units and interior common areas.

The current PD included several conditions, including a limitation on the number of units (allowed a conversion of 131 hotel rooms to a maximum of 131 apartment units), minimum unit size, building height, setbacks, parking, and phasing requirements for the conversion from a hotel use to apartments.

The PD also included a 0.44-acre property located at the southeast corner of Collins Boulevard and Fall Creek Drive. The applicant is currently improving the property, which is limited to an open space area that will include trees, shrubs, ground cover along with a flagpole and monument. The applicant has worked with the City and the Canyon Creek Neighborhood Association on the design of the open space.

**Request:**

The applicant's intent was to convert the existing 131 hotel rooms to 131 apartment units. Upgrades to the interior of the units were also proposed with the exterior walls of each individual unit remaining the same; therefore, the size of each unit would remain unchanged.

At the time the PD was approved in February 2023, the applicant had not yet purchased the property. Access to the units was limited, and since detailed as-built plans were not available, the applicant was utilizing approximate building area estimates. Based on the information available to the applicant at that time, they proposed a condition limiting the minimum unit size for studio units to 450 square feet and 500 square feet for 1-bedroom units (units larger than 1-bedroom units are prohibited).

The applicant finalized the purchase of the property in April 2023 and submitted for building permits in July 2023. Staff informed the applicant that the minimum unit sizes as shown on their permit drawings did not meet the minimum unit areas for the studio units and for several of the 1-bedroom units. Staff requested the applicant remeasure the units to ensure that their measurements were accurate. The applicant measured several of the units and have confirmed that several units do not meet the minimum unit sizes as required in the PD. They stated their initial minimum unit sizes were based on incomplete information and that they included some common building areas such as hallways in the individual minimum unit sizes; however, the City does not include those areas within the minimum unit sizes. The applicant's measurements further revealed that there are even variances in the unit area of the same unit type. Therefore, the applicant is requesting the minimum unit sizes be modified as follows:

- **Minimum unit size for studio bedroom units be reduced from 450 square feet to 350 square feet.** There are two (2) types of studio units; the smaller studio unit type measures 360-375 square feet in area; therefore, the applicant is requesting a minimum unit size of 350 square feet.
- **Minimum unit size for 1-bedroom units be reduced from 500 square feet to 400 square feet.** There are two (2) types of 1-bedroom units; the smaller 1-bedroom unit type measures approximately 420 square feet in area; therefore, the applicant is requesting a minimum unit size of 400 square feet. The larger 1-bedroom unit type is over 700 square feet.

**Although the applicant is requesting to reduce the minimum unit size, their intent remains unchanged from what was presented to the City and Canyon Creek neighborhood in 2022, which was that the existing 131 hotel rooms would be converted to 131 apartment units with no modification to the individual unit sizes.**

**Correspondence:** To date, staff has received one (1) letter in support of this request.

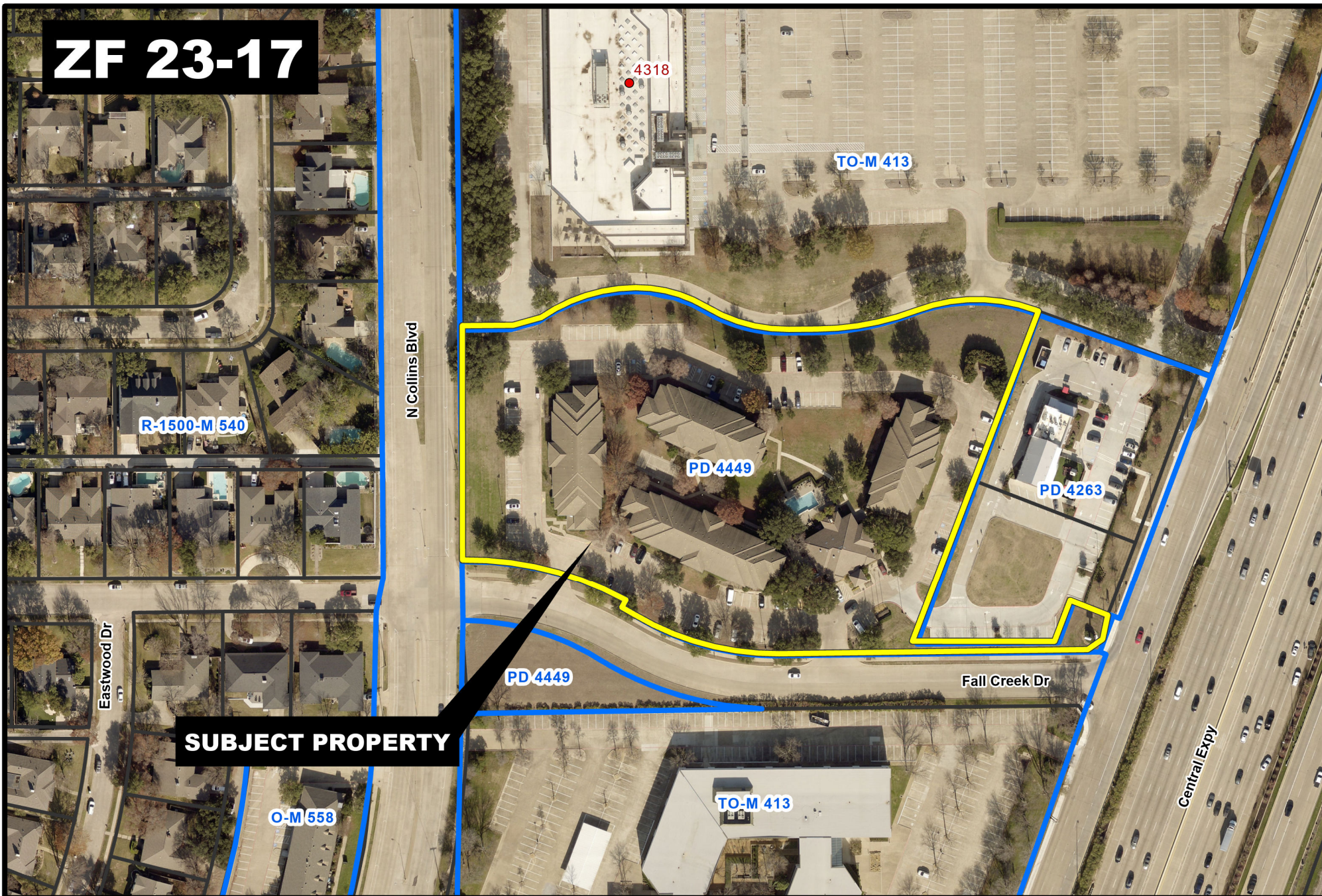
**Motion:** On January 16, 2024, the City Plan Commission recommended approval of the applicant's request by a vote of 6-0, subject to the following conditions:

1. Section 4.(a) of Ordinance 4449 shall be amended to read as follows:

- (a) Minimum floor area per dwelling unit: Studio units: 350 square feet.  
1-bedroom units: 400 square feet.  
*Units larger than 1-bedroom units are prohibited.*



**ZF 23-17**



**ZF 23-17 Aerial & Zoning Map  
PD Amendment  
2301 N. Central Expy**

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.











## **Zoning Application Narrative**

2301 N. Central Expressway, Richardson, TX 75080

### **OVERVIEW:**

Blue Ocean successfully rezoned the subject site (2301 N. Central Expressway) in 2023 to allow for the 1-to-1 conversion of extended stay hotel rooms to residential units. This site operated as an extended stay hotel under the “Hyatt House” flag, but had limited near term and long-term financial viability continuing to operate as an extended stay hotel and was in need of a conversion to a Multifamily Community or a “down flagging” to a lower tier hotel brand was inevitable. All the commitments made by Blue Ocean remain in place and unchanged. The business model of converting 1-to-1 hotel rooms to residential units remains unchanged. **The only request being made with this application is to correct a technical square footage issue of the unit sizes so that the rehabilitation construction plans match the Zoning Planned Development document.**

### **UNIT SQUARE FOOTAGE:**

Blue Ocean underwent extensive rezoning efforts beginning in 2022 with the subject site being under contract. During this period, Blue Ocean did not have access to detailed as built plans and was working off of approximate building estimates. The foundation of the business plan and the subsequent PD agreement was then and remains now to repurpose what was built without modifying buildings by a 1 to 1 conversion of hotel suite to apartment home.

After a year of community outreach, working with Staff, and the public hearing process, Blue Ocean officially closed on the property after the City Council approved the overall zoning request. Included in the zoning request PD Document was a “minimum square footage” for the studio and one-bedroom units. This minimum square footage was determined based on surveys provided by the seller of the subject site – which was the best information Blue Ocean had at the time of the zoning document drafting (before taking control of the property in 2023). After Blue Ocean purchased the property will full access to the entire property, their began working on the rehabilitation construction plans. At this point the Blue Ocean team discovered there was a discrepancy between the zoning document minimum square footage per unit and the actual square footages of the already built hotel suites and shared these updated figures to the City as part of the permitting process.

### **APPLICANT BACKGROUND:**

As a reminder, Blue Ocean, is a Maryland-based Owner/Operator of Investment Real Estate. The firm has a national footprint and has been in business for nearly twenty (20) years with a primary focus towards residential housing overseeing nearly ten thousand (10,000) Multifamily units, in aggregate. The Company is layered with seasoned and well-accomplished professionals that cover all the various areas of Real Estate (finance, accounting, operations, architecture, design, construction, etc.). In the course of two decades, Blue Ocean has built lasting and successful relationships with national and community banks, lenders as well as investment partnerships with several large Real Estate Funds backed by large Pension Funds, Endowments and Life Insurance



Companies. Over the last two years, Blue Ocean has evolved into a national leader in converting extended stay hotels into Multifamily Communities. Since January 2021, Blue Ocean has acquired seven (7) extended stay hotels in many top tier, suburban markets (Richardson, TX; Charlotte, NC; Herndon/Reston, VA; North Dallas, TX; Hunt Valley, MD; Durham, NC and Pittsburgh, PA). Each of these markets generally represent the strongest demographic (suburban) location in each MSA. Unique to Blue Ocean, the conversion of these extended stay properties to Multifamily are high-end renovations that align closely with the surrounding "Class A" communities. Elevating these conversions to a higher finish level produces the best possible outcome for these properties, ties in well to the surrounding established neighborhoods and provides the optimal path and useful life for the property as well. All of the extended stay conversions receive the "TRELLIS" brand that was designed professionally and provides brand continuity and expectations as the brand is carried from location-to-location.



# Notice of Public Hearing

## City Plan Commission

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

### PD AMENDMENT

**File No.:** ZF 23-17  
**Applicant:** Evan Gallant, 2301 North Central Owner LLC  
**Location:** (See map on reverse side)  
**Request:** **ZF 23-17 PD Amendment – Trellis Richardson:** Consider and act on a request for approval of an amendment to a PD Planned Development for a 5.2-acre lot located at 2301 N. Central Expressway, on the north side of Fall Creek Drive, between Central Expressway and Collins Boulevard to only modify the minimum unit size for a 131-unit apartment development. This request does not include an increase in the number of allowed units. Owner: Evan Gallant, representing 2301 N Central Owner LLC. Staff: Chris Shacklett.

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

**TUESDAY, JANUARY 16, 2024**  
**7:00 p.m.**  
**Richardson City Hall**  
**2360 Campbell Creek Boulevard, Suite 525**  
**Richardson, TX 75082**

*This notice has been sent to all owners of real property affected by the zoning request and those who are within 200 feet of the request; as such ownership appears on the last approved city tax roll.*

**Process for Public Input:** Individuals attending the meeting in person will be allocated a maximum of 3 minutes to address the City Plan Commission to express whether they are in favor or oppose the request.

Persons not attending the meeting who 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 or by utilizing the Public Comment Card at <https://www.cor.net/PublicCommentForm>.

*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.*

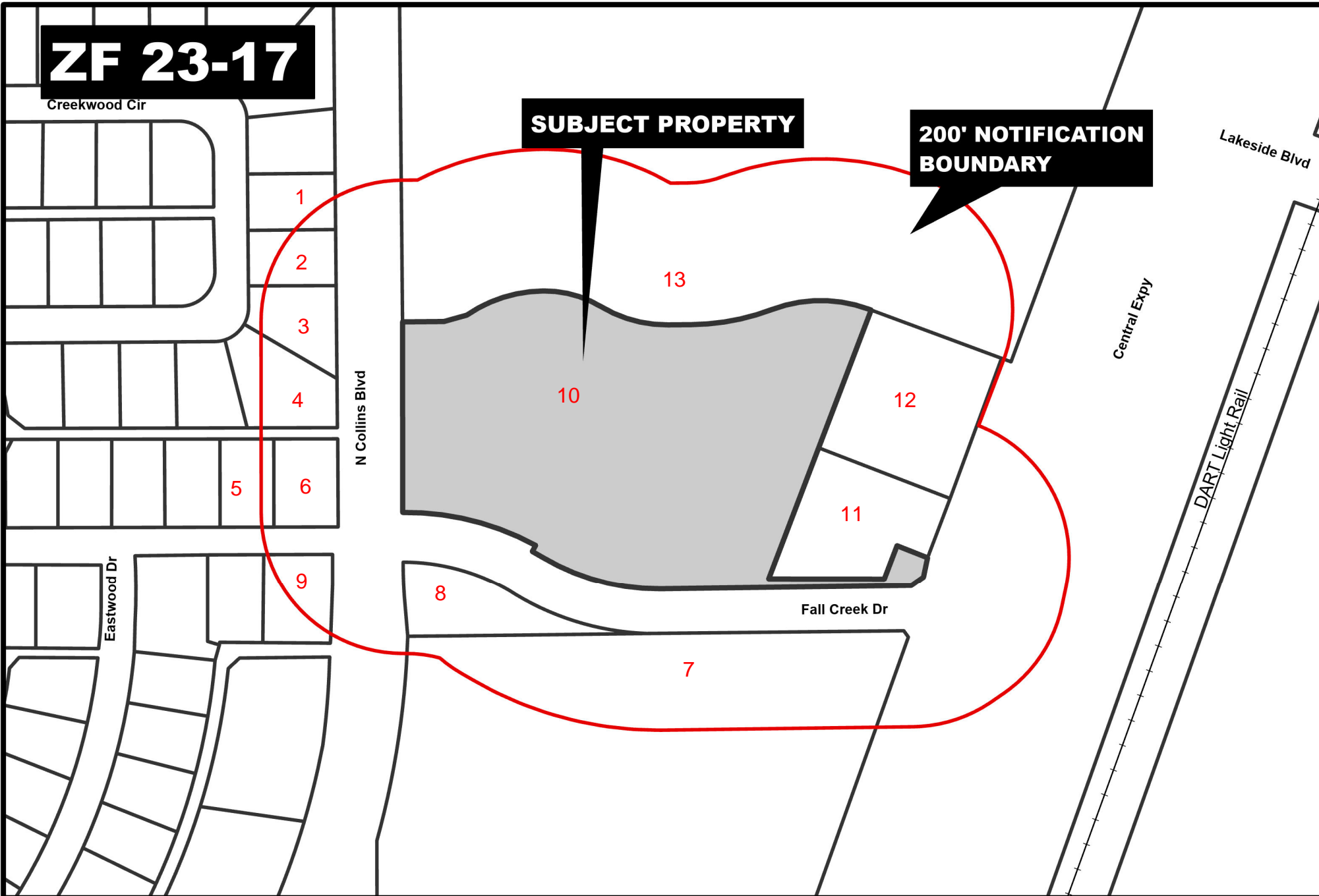
**Agenda:** The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1331>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 23-17.

Date Posted and Mailed: January 5, 2024

# ZF 23-17

Creekwood Cir



## ZF 23-17 Notification Map PD Planned Development 2301 N Central Expy

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.



1 PFOHL W B  
18 CREEKWOOD CIR  
RICHARDSON, TX 75080

2 WRENN TERESA  
16 CREEKWOOD CIR  
RICHARDSON, TX 75080

3 EPPICH KEITH &  
BETSY BRODY  
14 CREEKWOOD CIR  
RICHARDSON, TX 750802608

4 SEMMER CAROLE TR  
12 CREEKWOOD CIR  
RICHARDSON, TX 75080

5 MORGAN JAMES & RACHEL  
202 FALL CREEK DR  
RICHARDSON, TX 75080

6 DEDEKEN JORIS J  
200 FALL CREEK DR  
RICHARDSON, TX 75080

7 2201 NORTH CENTRAL PARTNERS LLC  
4143 MAPLE AVE STE 325  
DALLAS, TX 75219

8 2301 N CENTRAL OWNER LLC  
11620 RED RUN BLVD STE 100  
REISTERSTON, MD 21136

9 MCGRATH SHARIE DEE ANN  
201 FALL CREEK DR  
RICHARDSON, TX 750802612

10 2301 N CENTRAL OWNER LLC  
11620 RED RUN BLVD STE 100  
REISTERSTON, MD 21136

11 RICHARDSON 75 JV  
PO BOX 851025  
RICHARDSON, TX 750851025

12 LIBERTY JOINT VENTURE  
PO BOX 851025  
RICHARDSON, TX 75085

13 2323 REALTY INVESTMENTS LP  
151 INNOVATION DR  
IRVINE, CA 92617

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

**Evan Gallant**  
**Blue Ocean Investments**  
**11620 Red Run Blvd, Suite 100**  
**Reisterstown, MD 21136**

**ZF 23-17**  
**Trellis**

**January 16, 2024**

Re: ZF 23-17 PD Amendment

Good evening and thank you for the opportunity to comment favorably upon the applicant's petition to amend the square footage of the 131 units located at Trellis Canyon Creek, formerly known as Hyatt House.

Please see attached my January 27, 2023 conditional recommendation that the CPC approve the re-zoning based on a number of representations made by the purchaser, Blue Ocean.

Having followed this case as a Canyon Creek denizen and in my role with the HOA, I can confidently state that, to my knowledge, Blue Ocean has met **or exceeded** the poems, prayers and promises made to our neighborhood. In fact, many of you may have observed the Blue Ocean-funded construction taking place at Collins and Fallcreek that will be known as The Jay Dalehite Park, honoring one of our Neighborhood's proverbial Founding Fathers.

The manner in which Blue Ocean has telegraphed their plans and intentions and their subsequent adherence to a credo that can be fairly summarized as "Promises Made, Promises Kept" should serve as an expectation going forward for those future developers wishing to repurpose an existing structure or alter a current zoning classification in the City of Richardson.

It is my hope that this hearing will produce a routine and positive review amending the square footage and from there, move on to a successful Hearing at Council.

Citizen Warren Caldwell  
2014 Sandy Trail

**January 27, 2023**

Regarding the rezoning case ZF-22-17:

The Canyon Creek Homeowner's Association has issued a separate statement regarding the proposed rezoning. The following is my personal statement as a Citizen.

From the beginning, I have engaged with Blue Ocean and as best as I can determine, they have been an open book as to their intentions with the rezoning. I took a personal tour of the current Hyatt House and noted a general deterioration including air conditioning units being commandeered from one unit to another. The business model for its current use is decreasing at an increasing rate. I have watched the steady decline of the Hawthorne Suites south of Campbell (also an extended stay hotel) and do not wish a similar situation abutting Canyon Creek.

We purchased in Canyon Creek because of the excellence of Prairie Creek Elementary. Many with whom I have spoken worry about overcrowding the school. The facts are that any child currently living in the Hyatt House is already entitled to attend Prairie Creek. There will be two people/unit maximum if the property is rezoned. Any single Mom or Dad and their single child who make the sacrifice to move into a 450 sf unit with a cot by their bed so their child can get a great start with their education is the type person whose values align with my own.

Understanding that apartment residents are understandably more transitory by nature and thus less committed to the long-term future of the city, I much prefer an ownership-oriented community. Hyatt House is currently a de facto apartment only one lacking any rules or standards. If Hyatt House were not already in existence, I would be against apartments in that location.

In my perfect world, these units would be converted to a senior living community but to my knowledge, we do not have such a developer standing by with \$5.25 million to invest. Rather than make the perfect the enemy of the good, I have a positive outlook based on the nature of my communications with Blue Ocean that they are ready, willing and capable of improving the physical state of Hyatt House. For these reasons, I am **For** the proposed rezoning if:

- At Minimum Annual Leases
- One Parking Space /Unit
- No Addition of Rooms Beyond the Current 131 Units
- No Building Up or Out Beyond the Current Footprint
- A \$100,000 Contribution in Escrow to a Future Roundabout at Collins and Fall Creek
- The PD Permit to be Constructed so that Promises Made are Promises Kept

Additionally, let it be known that Blue Ocean has filed a Declaration of Restrictive Covenants with the Canyon Creek Homeowner's Association that ensures:

- Background Checks for Prospective Tenants to include Criminal History
- A Maximum of Two Residents/Unit
- Drug-Free Zone

Lacking these assurances, I am **Against** the proposed rezoning.

Warren Caldwell  
2014 Sandy Trail

**City Council Worksession  
Agenda Item Summary**

<b>Meeting Date:</b>	February 12, 2024
<b>Agenda Item:</b>	Review and Discuss Council Rules of Order and Procedure
<b>Staff Resource:</b>	Aimee Nemer, City Secretary Don Magner, City Manager
<b>Summary:</b>	Staff will review the proposed Council Rules of Order and Procedure that were developed with consideration of the City Charter, State Law, Council Policy, current practice, and common local practice.
<b>City Council Strategic Goals:</b>	This agenda item helps further the following City Council Strategic Goals: <ul style="list-style-type: none"><li>• Document and continuously improve business processes</li></ul>
<b>Background Information:</b>	During the City Council goal-setting process, direction was provided to develop rules of order and procedure.



*DRAFT 2/8/2024*



**RICHARDSON**

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**T E X A S**

**CITY COUNCIL  
RULES OF ORDER AND PROCEDURE**

Approved by Resolution No. < > on Insert Date>

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## **1. AUTHORITY**

### **1.1 CHARTER**

The City of Richardson Charter Section 3.12 provides that the City Council shall determine its own rules of procedure. These shall be in effect upon adoption by the City Council and until such time as amended, suspended, or new rules are adopted in the manner provided.

### **1.2 MAYOR TO ACT AS COUNCIL CEREMONIAL REPRESENTATIVE**

Pursuant to Charter Section 3.02, the Mayor shall represent the City on all ceremonial occasions and shall be known as the official head of government. In the Mayor's absence, the Mayor Pro Tem assumes this responsibility. In the absence of the Mayor and Mayor Pro Tem, the Mayor will select another Council member to assume the responsibility.

### **1.3 COUNCIL MEMBER PARTICIPATION IN COMMUNITY ACTIVITIES**

From time to time, Council members may choose to participate in community activities, committees, events, and task forces. When a Council member participates in these types of activities, the Council member is representing themselves as a Council member rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the Mayor has formally designated the Council member as the City Council representative for the matter.

### **1.4 COUNCIL COMMITTEES, COUNCIL MEMBER APPOINTMENTS, AND ASSIGNMENTS**

At the beginning of each two-year City Council term, after all Council members are elected and the Mayor Pro Tem is selected, the Mayor shall appoint Council members to the following Council Committees, advisory board and commission liaison assignments, and regional assignments.

#### **a. Council Committees**

The Council has established three Council Committees as listed below. Each Committee has adopted a governing document from which to operate.

- **Audit Committee** – The Audit Committee primarily exists to execute oversight on the independent audit that is mandated by City Charter. The Committee will provide a recommendation in coordination with City staff on the public accountant or firm designated to conduct the audit. The Committee serves as a contact for auditors when needed and meets with auditors to review and accept the audit results.
- **Education Committee** – The Education Committee primarily exists to be informed on the general education of Richardson's population, explore issues related to human capital and the education pipeline of Richardson's workforce, and engage with local education partners.
- **Business Committee** – The Business Committee primarily exists to be informed on topics related to the local business climate and economic development, explore

challenges and opportunities related to business growth and development, and engage with local business partners.

**b. Advisory Board and Commission Liaisons**

Council members are appointed to the following advisory boards and commissions as liaisons with no authority to vote, veto, or deliberate. The liaison's role is to provide guidance on the board or commission's goals based on the full City Council's adopted goals for the term. Liaisons should report to the full Council as appropriate. Liaisons should attend all board or commission meetings for their assigned board.

- Animal Services Advisory Commission
- Community Inclusion and Engagement Commission (*eff. with 2025 Council term*)
- Cultural Arts Commission
- Library Board
- Parks and Recreation Commission

**c. Regional Assignments**

- **Dallas Regional Mobility Coalition (DRMC)** - DRMC is a transportation advocacy group made up of cities, counties, and transportation agencies in a five-county region of North Texas. DRMC is focused on working with state and federal officials to advance regional priority projects and working with North Texas transportation agencies to ensure all priority projects receive proper funding. Elected officials represent local governments and appointed officials represent transportation agency members (TxDOT, DART, NCTCOG, DCTA, etc.).
- **Regional Transportation Council (RTC) Member or Alternate** – RTC is the forum for cooperative decision-making by primarily elected officials of general-purpose local governments in the Metropolitan Area to evaluate transportation alternatives and determine the most desirable transportation system. The City of Richardson shares representation with the Town of Addison, alternating with a primary member and alternate member voted on by both entities.
- **North Central Texas Council of Governments Board (NCTCOG)** – NCTCOG is a voluntary association of, by, and for local governments within the 16-county North Central Texas Region. The association assists local governments in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development. An elected or appointed public official from each member government makes up the General Assembly which annually elects NCTCOG's Executive Board. The Executive Board is the policy-making body for all activities undertaken by NCTCOG.

**d. Ad Hoc Committees**

Ad hoc committees are formed on an as-needed basis with a clearly defined purpose and term and reporting requirements. Ad hoc committees are formed at the discretion of the City Council.

## **1.5 REQUESTS FOR RESEARCH OR INFORMATION**

Council members may request information or research from staff on a given topic through the City Manager. Requests for policy direction will be brought to the full City Council at a regular meeting for consideration. All written products will be copied to the full City Council. The City Manager will determine if extensive staff time and resources are required to accomplish the request. If so, the City Manager may present that request to the full City Council prior to proceeding. Council members may similarly request information from the City Attorney, City Secretary, and Municipal Judge. If significant resources are required, the City Attorney, City Secretary or Municipal Judge will ask the City Manager to place the request on a City Council agenda for approval prior to any action.

## **2. COUNCIL MEETINGS**

### **2.1 MAYOR IS PRESIDING OFFICER**

Consistent with Charter Section 3.02, the Mayor shall be the presiding officer. The Mayor shall vote on all matters coming before the Council unless there is a Conflict of Interest pursuant to Chapter 171 of the Local Government Code requiring recusal. The Mayor shall have no power of veto.

The Mayor shall have the authority to preserve order at all City Council meetings, enforce the rules of the City Council, and determine the order of business under the rules of the Council.

#### **a. Mayor Pro Tem**

Pursuant to Charter Section 3.03, the Council shall elect one of its members as Mayor Pro Tem, who shall temporarily perform the duties of Mayor in case of the absence or inability of the Mayor to perform the duties of office, and who shall for such time be vested with all powers belonging to the Mayor. In such event, the Mayor Pro Tem does not assume the office of Mayor, and no vacancy is created in the office of the Mayor or the Mayor Pro Tem. The Mayor Pro Tem shall be selected after each election and shall serve for a period of two years, subject to the removal as Mayor Pro Tem at any time by a vote of two-thirds of the total membership of the Council.

#### **b. Absence of Mayor and Mayor Pro Tem**

Pursuant to Charter Section 3.03, in case of the absence of both the Mayor and the Mayor Pro Tem, the remaining Council members shall select one of their members to act in place of the Mayor.

### **2.2 ESTABLISHING THE CITY COUNCIL MEETING AGENDA**

The City Manager shall establish City Council meeting agendas based on the policy direction of the Mayor and City Council and specific items of business that require action by the City Council.

- a.** If an individual Council member wants to place an item on the City Council meeting agenda, a written request shall be made to the Mayor accompanied by written support by at least two other Council members for the placement of that item on an agenda.

## **2.3 REGULAR MEETINGS**

Consistent with Charter Section 3.08, all meetings of the City Council shall be held in the City Hall or at any other location designated by the City Council and at such times to be prescribed by the City Council. The City Council shall have at least two meetings each month unless canceled by the City Council. All meetings of the City Council shall be held in accordance with the Texas Open Meetings Act.

The City Council shall adopt a meeting schedule for the year. The adopted schedule may be changed in accordance with the Texas Open Meetings Act.

## **2.4 SPECIAL MEETINGS**

Consistent with Charter Section 3.09, special meetings of the City Council shall be called by the City Secretary or City Manager upon the written request of the Mayor, the City Manager, or three Council members. The written notice shall state the subject to be considered at the special meeting.

## **2.5 EMERGENCY MEETINGS**

In case of emergency or urgent public necessity which shall be expressed in the notice of the meeting, an emergency meeting may be called in accordance with the Texas Open Meetings Act.

## **2.6 EXECUTIVE SESSIONS**

The City Council may meet in a closed Executive Session in accordance with the Texas Open Meetings Act, at any time during any meeting, workshop or anytime otherwise authorized by State law, to consider or discuss any matter that is authorized by State law to be discussed or considered in closed Executive Session.

- a. Council members may not disclose the nature of discussion from a closed Executive Session unless required by State law. Disclosure of the discussion from a closed Executive Session is a violation of the City's Code of Ethics.

## **2.7 VIDEOCONFERENCE CALL MEETINGS**

Council members may participate and attend Council meetings remotely in accordance with the Videoconference Call Policy for City Council Meetings adopted by Resolution 23-32, as amended.

## **2.8 INTERNET AND TELEVISION/CABLE BROADCAST OF MEETINGS**

City Council meetings will be broadcast on the City's website and television and/or other authorized medium in accordance with the Texas Government Code Section 551.128, as amended.

# **3. RULES OF CONDUCT**

## **3.1 GENERAL PROCEDURE/CITY CHARTER**

These rules, consistent with the City Charter and any applicable City ordinance, statute, or other legal requirement, shall govern the proceedings of the City Council.



### **3.2 AUTHORITY OF THE PRESIDING OFFICER**

Subject to appeal to the full City Council, the Mayor shall have the authority to prevent the misuse of motions, the abuse of any privilege, or the obstruction of the business of the City Council by ruling any such matter out of order. In so ruling, the Mayor shall be courteous and fair and should presume that the moving party is acting in good faith.

Any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act.

### **3.3 MAYOR TO FACILITATE COUNCIL MEETINGS**

In the role of presiding officer, the Mayor will assist the City Council in maintaining focus on agenda discussions and deliberations and ensuring the efficiency of the meeting.

### **3.4 OBTAINING THE FLOOR, ORDER OF SPEAKERS, AND COUNCIL COMMENTS**

The Mayor has been delegated the responsibility to control the debate, the order of speakers, and to ensure each Council member has an opportunity to speak.

- a. Any member of the City Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Council member who seeks the floor when appropriately entitled to do so.
- b. Speakers will generally be called upon in the order of the request to speak as indicated by activating the designated microphone or by raising the hand.
- c. With the concurrence of the Mayor, a Council member holding the floor may address a question to another Council member, and that Council member may respond while the floor is still held by the Council member asking the question. A Council member may opt not to answer a question while another Council member has the floor.
- d. No Council member is entitled to be called on to speak a second time on the same subject until all Council members have had the opportunity to speak.
- e. Council members will govern themselves as to the length of their comments or presentation and shall be mindful of other Council members' right to speak. Council members should avoid repetitive comments and be concise.
- f. Council members will limit their comments to the subject matter, time, or motion being currently considered by the City Council.

### **3.5 MOTIONS**

Motions may be made by any member of the City Council, including the Mayor or the then presiding officer, provided that before the Mayor or the then presiding officer offers a motion, the opportunity for making a motion should be offered to other members of the City Council. Any member of the City Council, other than the person offering the motion, may second a motion.

**a. Procedures for Motions**

The following is the general procedure for making motions:

- i. A Council member who wishes to make a motion should request to speak as indicated by activating the designated microphone or by raising the hand and being called on by the Mayor or presiding officer.
- ii. A Council member who wishes to second a motion should request to speak as indicated by activating the designated microphone or by raising the hand and being called on by the Mayor or presiding officer.
- iii. Once the motion has been properly made and seconded, the Mayor shall open the matter for any further discussion offering the first opportunity to the moving party and, thereafter, to any Council member properly recognized by the Mayor.
- iv. Once the matter has been fully discussed and the Mayor calls for a vote, no further discussion will be allowed; provided, however, Council members may be allowed to explain their vote.
- v. When a motion is on the floor and an amendment is offered, the amendment should be acted upon prior to acting on the main motion. No motion of a subject different from that under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.

**b. Examples of Motions**

The following motions are examples of possible motions. Council members may word motions in any common manner provided such motions and intended action are clear. The Mayor or the presiding officer will confirm that each of the Council members understands the motion prior to calling for a vote on the motion.

**Motion to Approve or Deny**

A motion to approve or deny is a proposal to take a specific action. The maker of the motion may state “I move to approve/deny Agenda Item # as presented” or may state the recommended motion (under State law, certain motions require specific language in which case staff will provide the specific motion in the packet that the specific language must be used), or such person may state the agenda caption although it is not necessary.

**Motion to Approve with Amendments**

A motion to approve a specific action may include amendments recommended by a board, City Attorney, another Council member, or staff. The maker of the motion may state “I move to approve Agenda Item # with the following amendment(s)…” or state the recommended motion or the agenda caption with the amendment included.

**Withdrawal of Motion**

A withdrawal of motion indicates a motion may be withdrawn or modified by the Council member who originally made the motion at any time prior to its passage. If a motion is withdrawn, the Council

member who originally made the motion, or another Council member may then make a motion to be seconded by another Council member.

**Motion to Continue a Public Hearing**

The City Council may continue a Public Hearing to a date time certain unless State law provides otherwise. The maker of the motion may state “I move to continue the Public Hearing to xxx date at xxx time”.

**Motion to Refer or Postpone**

The City Council may not be able to complete its discussion of an agenda item, may require the City staff to provide further information, or require the matter to be reconsidered by another applicable board. In such event, the City Council may postpone consideration of the agenda item to a date time certain or subsequent Council meeting (or for example until such time as City staff can provide the requested information) or refer the matter back to the applicable board to reconsider the agenda item.

**3.6 VOTING**

**a. Abstention**

- i. In accordance with Charter Section 3.12, no member of the City Council shall be excused from voting except on matters involving the consideration of such member’s own official conduct, or where the member’s financial interests are involved, unless otherwise required by law.
- ii. If a Council member abstains because of a legal conflict of interest, such Council member is not counted as present for quorum purposes and is not deemed to be “voting” for purposes of determining whether there has been a “majority vote of those voting and present.”
- iii. When the Mayor or a Council member abstains because of a legal conflict of interest, the Mayor or such Council member must file an affidavit with the City Secretary stating the nature and extent of the conflict prior to the discussion of the applicable agenda item. The Mayor, City Manager, or City Secretary shall briefly state, on the record, the nature of the conflict of the Council member. State law requires the inclusion of this information in the public record. A Council member with a legal conflict of interest shall excuse themselves from the dais and meeting room for that portion of the Council meeting and may return once the Council has completed its discussion and any action upon the applicable agenda item.

**b. Tie Votes**

A tie vote results in no action. In such an instance, any member of the City Council may offer another motion for further consideration and action. If there is not an affirmative vote, or the required vote for passage of such motion, the result is no action. If the matter involves an appeal and an affirmative vote does not occur, the decision appealed stands as decided by the decision-making person or body from which the appeal was taken, unless otherwise provided by State law.

**c. Charter or Statute Voting Requirements**

Some actions taken by the City Council require more than a simple majority vote of the Council members present for approval as may be required by either City ordinances, the Charter, or State law. City staff will inform City Council when such vote is required.

**3.7 NON-OBSERVANCE OF RULES**

These rules are intended to expedite and facilitate the transaction of the business of the City Council in an orderly fashion and shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the validity of any action taken by, the City Council.

**4. PUBLIC HEARINGS**

**4.1 GENERAL PROCEDURE**

The City Council procedure for the conduct of Public Hearings is generally as follows:

- a. Staff presents its report.
- b. Council members may ask questions of staff.
- c. The applicant or appellant (or representative) then has the opportunity to make a presentation, provide comments, testimony, and/or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called upon first to provide comments or testimony. The Mayor or presiding officer has the authority to limit the time allowed for the applicant or appellant's comments when deemed necessary for the efficiency of the meeting.
- d. Council members may ask questions of the applicant and/or appellant.
- e. The Mayor opens the Public Hearing.
- f. Public input is received by City Council.
- g. The Mayor closes the Public Hearing.
- h. The City Council deliberates on the issue.
- i. If the City Council raises new issues through deliberation and seeks to take additional public comments/testimony, the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.
- j. The City Council deliberates and takes action.
- k. The Mayor announces the final decision of the City Council.

## **4.2 PUBLIC INPUT AT HEARINGS**

When a matter for Public Hearing comes before the City Council, the Mayor will open the Public Hearing after the staff and applicant presentations. Upon opening the Public Hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor shall inquire if there is anyone present who desires to speak on the matter which is to be heard or to present evidence regarding the matter. A Public Hearing, no matter what the subject matter, is not a question-and-answer period. Speakers must address their comments to the City Council. Council members should not address members of the public individually or answer or ask questions (other than the applicant or the applicant's representative) during a Public Hearing. After all members of the public who requested to speak have spoken, the City staff, Mayor, or Council members may respond to any questions or issues raised by members of the public. The Mayor may also ask the applicant to respond specifically to new issues or questions raised during the Public Hearing.

### **a. Public Member Request to Speak**

Any person wishing to speak at a Public Hearing scheduled on the agenda shall complete a Public Comment Card prior to the matter being reached and present it to the City Secretary. Upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard. Such person shall come to the podium and announce their name and address for the record. No person may speak without first being recognized by the Mayor. All persons wishing to speak on the matter shall be limited to five minutes each.

### **b. Time Limits**

The Mayor has the authority to extend or limit any of the enumerated time allocations based on the complexity of the item and the number of persons wishing to speak on the item with consideration to equal time for all sides of the matter and efficiency of the meeting.

### **c. Materials for Public Record**

- i.** Speakers are prohibited from displaying materials or information. Written materials may be provided to the City Council at the meeting. Nine copies shall be provided to the City Secretary as the speaker approaches to speak. Copies will be distributed to the City Council and City Manager after the meeting unless distribution is requested by the Mayor during the speaker's comments. All such materials presented will be retained by the City Secretary's Office as part of the record in accordance with the requirements of State law.
- ii.** Petitions will only be acknowledged in accordance with the City Charter or State law. Otherwise, petitions will be accepted with a Public Comment Card and noted for the record.

### **d. Germane Comments**

During the Public Hearing, no person will be permitted to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the Mayor but may be appealed to the City Council.

### **4.3 CONTINUANCE OF HEARINGS**

Any Public Hearing being held by the City Council may by motion, be continued to a subsequent meeting date and time certain.

## **5. PUBLIC COMMENTS, VISITORS FORUM, AND RIGHT TO SPEAK**

Pursuant to Charter Section 3.10, all meetings of the City Council shall be open to the public except as otherwise permitted by State law. Citizens of the City shall have a reasonable opportunity to be heard at meetings of the City Council other than emergency or closed meetings, in regard to any matter there considered.

### **5.1 RIGHT TO SPEAK**

Texas Government Code Section 551.007 requires the City Council to allow the public to address the City Council prior to the City Council taking action on an item listed on the meeting agenda for action. The right of the public to speak does not include items on the agenda for a workshop or discussion items listed on the meeting agenda.

### **5.2 PUBLIC COMMENTS ON AGENDA ITEMS**

The public comment portion of the City Council meeting is scheduled at the beginning of the meeting to allow the public to address the City Council regarding an item listed on the agenda that is not already scheduled for a Public Hearing. Persons who will address the City Council regarding an agenda item listed for action other than an item scheduled for a Public Hearing, shall be required to address the City Council during the public comment portion of the City Council meeting. Sections 5.4 – 5.9 below apply to such speakers with the exception that Council members will deliberate on items listed on the agenda when the item is discussed by City Council.

### **5.3 VISITORS FORUM**

This portion of the City Council meeting is set aside for members of the public to address the City Council on any topic in which the subject matter is within the jurisdiction of the City. The Visitors Forum will follow the Public Comments on Agenda Items section. Sections 5.4 – 5.9 below shall apply to such speakers.

### **5.4 PUBLIC COMMENT CARDS**

- a.** All speakers shall complete a Public Comment Card and submit it to the City Secretary prior to speaking. Public Comment Cards may be submitted online by 5:00 p.m. on the day of the meeting, or in person before the meeting begins. Public Comment Cards will be called in the order they are received for each agenda section. A Public Comment Card is required for comments made during a Public Hearing, Public Comments on Agenda Items, and the Visitors Forum. Public comments will be referenced for the record, including the speaker's name and address.
- b.** Public Comment Cards may also be submitted by those who do not wish to speak but desire their comments to be a part of the record. A person may indicate such person's comments and support or opposition for an agenda item on a Public Comment Card. A Public Comment

Card submitted online will be provided for City Council and acknowledged at the appropriate portion of the meeting. Public comments will be referenced for the record, including the speaker's name and address.

## **5.5 TIME LIMITS**

All speakers are limited to 5 minutes each; with a maximum time of 30 minutes allocated for Public Comments on the Agenda and the Visitors Forum. If there are registered speakers for the Visitors Forum remaining after the time allocated, those speakers may be heard at the conclusion of the posted agenda.

The Mayor has the authority to extend or limit any of the time allocations based on the complexity of the item/topic and the number of persons wishing to speak on the item/topic with consideration to equal time for all sides of the matter and efficiency of the meeting. All public comments on agenda items will be heard prior to deliberation of the item as designated under the Public Comments on Agenda Items section.

## **5.6 REPETITIOUS COMMENTS/DESIGNATION OF SPOKESPERSON**

- a.** A speaker shall not present the same or substantially the same items or arguments to the Council repeatedly or be repetitious in presenting their oral comments.
- b.** In order to expedite matters and avoid repetitious presentations, the designation of a spokesperson is encouraged. Whenever any group of individuals wishes to address the Council on the same subject matter, those individuals are encouraged to designate a spokesperson to address the City Council. The Mayor has the authority to extend the time allocation for a designated spokesperson.

## **5.7 DISPLAY AND DISTRIBUTION OF MATERIALS AT CITY COUNCIL MEETINGS**

- a.** Speakers are prohibited from displaying materials or information. Written materials may be provided for City Council at the meeting. Nine copies shall be provided to the City Secretary as the speaker approaches to speak. Copies will be distributed to the City Council and City Manager after the meeting unless distribution is requested by the Mayor during the speaker's comments. All such materials presented will be retained by the City Secretary's Office as part of the record in accordance with the requirements of State law.
- b.** Petitions will only be acknowledged in accordance with the City Charter or State law. Otherwise, petitions will be accepted with a Public Comment Card and noted for the record.

## **5.8 NO CITY COUNCIL DELIBERATION**

Comments should be directed to the Mayor and City Council. The Texas Open Meetings Act prohibits the City Council from discussing or taking action on items that are not posted on the agenda. The Mayor or City Manager may provide specific factual information, recite an existing policy, refer the matter or speaker to a City staff person, or schedule the item for discussion on a future agenda in response to the public comments.



## **5.9 WAIVER OF RULES**

Any of the foregoing rules may be waived or suspended by a majority vote of the Council present when it is deemed that there is good cause to do so, based upon the particular facts and circumstances involved.

## **5.10 NON-EXCLUSIVE RULES**

These rules are not exclusive and do not limit the inherent power and legal authority of the City Council, or of its presiding officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the City.

### **i. Decorum**

All City Council meeting attendees shall maintain appropriate decorum and may be subject to removal from the meeting for disruptions or any security concerns.

### **ii. Maximum Occupancy**

Maximum occupancy as designated by the Fire Marshal will be observed for all City Council meetings. Alternative viewing of the meeting will be accommodated when possible.

## **6.0 PROCEDURES ADMINISTRATION**

### **6.1 BIENNIAL REVIEW OF CITY COUNCIL RULES OF ORDER AND PROCEDURE**

The City Council will review and revise the City Council Rules of Order and Procedure as needed, with the review of the Code of Ethics biennially.

### **6.2 ADHERENCE TO PROCEDURES**

During City Council discussions, deliberations, and proceedings, the Mayor has been delegated the primary responsibility to ensure that the City Council, staff, and members of the public adhere to the Council's adopted procedures.

### **6.3 CITY ATTORNEY AS PROCEDURE ADVISOR**

The City Attorney assists the Mayor and City Council as a resource and as an advisor for interpreting the City Council's adopted rules and procedures.

# Richardson City Council Audit Committee – Governing Document

## Table of Contents

- I. Governing Document
  - II. Establishment and Source of Authority
  - III. Membership
  - IV. Purpose and Duties of the Audit Committee and Chair
- 
- I. Governing Document
    - a. This document shall be reviewed and approved by the Audit Committee at the beginning of each two-year session. Substantial (i.e., non-clerical) changes will need to be voted on by the entire City Council before taking effect
  - II. Establishment and Source of Authority
    - a. The Audit Committee is a standing committee of The Richardson City Council (“City Council”). As a creation of the City Council, the Audit Committee derives any authority and purpose from the entire City Council body
    - b. The Audit Committee is re-established at the beginning of every two-year council term. The appointment of members is considered sufficient action for the re-establishment of the Audit Committee, no separate vote by the City Council is required
  - III. Membership
    - a. The Audit Committee is comprised of three (3) members of the full City Council
    - b. The Audit Committee will have one (1) member designated as “Chair”, to be chosen by the Mayor of the City of Richardson (“the Mayor”)
    - c. Appointments, removals, and filling of vacancies are at the sole discretion of the Mayor
    - d. A quorum is a majority of the Audit Committee. In the absence of the Chair, the remaining members will determine a temporary Chair. If through informal discussion this determination cannot be made, the Mayor will select a temporary Chair.
  - IV. Purpose and Duties of the Audit Committee and Chair
    - a. The Audit Committee primarily exists to execute oversight on the Independent Audit that is mandated by Section 11.11 in the City Charter. Specific responsibilities include:
      - i. Providing a preliminary recommendation to the City Council on the public accountant or firm to be designated to conduct the audit, and assisting in the search for such as needed
        - 1. In practice, this may be as simple as concurring with the City staff’s recommendation
      - ii. Meeting with the independent auditors as needed, but at least
        - 1. Once during the beginning of the annual audit and;

2. Once at the end to review and accept the results of the annual audit
- iii. Exist as the primary and initial point of contact for the independent auditors to bring concerns, should the independent auditors require a contact outside of, and higher authority than, the CMO's office
- iv. Audit Committee members are expected to answer independent auditors' questions and provide them with the opinions, resources, and information they need to conduct the independent audit
- v. Audit Committee members are encouraged to bring their concerns and questions to the independent auditors as well as City staff
- vi. The Audit Committee (traditionally, by request of the Mayor) may present their opinions on the contents of the audit report to the full City Council
- vii. The Audit Committee is responsible for executing on the City Council's responsibility for oversight of the City's internal controls and remediation efforts regarding any identified control gaps, and any findings or concerns identified in the independent audit report.
  1. Pursuant to section 6.07 of the City Charter, the Audit Committee may be empowered at the discretion of the City Manager or full City Council to inquire into the conduct of any department or office of the city and execute that inquiry in accordance with the terms laid out in the City Charter, independent of the full City Council
  2. As a reminder, Audit Committee members are subject to Section 3.05 of the City Charter

b. Recommendations Pursuant to Investigations

- i. Should the City Council consider exercising its authority under Section 6.07 of the City Charter, the Audit Committee may meet to provide recommendations to the full City Council on the execution of said Section.

c. Duties of the Chair

- i. The Chair of the Audit Committee primarily serves to run the meeting, and works with the City Manager's Office and the independent auditors to set up meetings as necessary or required
- ii. The City Manager or independent auditors may recommend various attendees at the meeting, such as various city staff, but the Chair is the final arbiter of all non-member attendees
- iii. The Chair may call additional meetings of the Audit Committee as necessary

# Richardson City Council Education Committee – Governing Document

## Table of Contents

- I. Governing Document
  - II. Establishment and Source of Authority
  - III. Membership
  - IV. Purpose and Duties of the Education Committee and Chair
- 
- I. Governing Document
    - a. This document shall be reviewed and approved by the Education Committee at the beginning of each two-year session. Substantial (i.e., non-clerical) changes will need to be voted on by the entire City Council before taking effect
  - II. Establishment and Source of Authority
    - a. The Education Committee is a standing committee of The Richardson City Council (“City Council”). As a creation of the City Council, the Education Committee derives any authority and purpose from the entire City Council body
    - b. The Education Committee is re-established at the beginning of every two-year council term. The appointment of members is considered sufficient action for the re-establishment of the Education Committee, no separate vote by the City Council is required
  - III. Membership
    - a. The Education Committee is comprised of three (3) members of the full City Council
    - b. The Education Committee will have one (1) member designated as “Chair”, to be chosen by the Mayor of the City of Richardson (“the Mayor”)
    - c. Appointments, removals, and filling of vacancies are at the sole discretion of the Mayor
    - d. A quorum is a majority of the Education Committee. In the absence of the Chair, the remaining members will determine a temporary Chair. If through informal discussion this determination cannot be made, the Mayor will select a temporary Chair.
  - IV. Purpose and Duties of the Education Committee and Chair
    - a. The Education Committee exists to:
      - i. Be informed on the general education of Richardson’s population
      - ii. Explore issues related to human capital and the education pipeline of Richardson’s workforce
      - iii. Engage with local education partners, including, but not limited to the following:
        1. Richardson Independent School District
        2. Plano Independent School District
        3. University of Texas at Dallas

4. Dallas College – Richland Campus

- iv. The Education Committee may share their findings with the full City Council as appropriate

b. Duties of the Chair

- i. The Chair of the Education Committee primarily serves to run the meeting, and works with the City Manager's Office to set up quarterly meetings or as necessary
- ii. The City Manager may recommend various attendees at the meeting, such as various city staff, but the Chair is the final of all non-member attendees
- iii. The Chair may call additional meetings of the Education Committee as necessary

# Richardson City Council Business Committee – Governing Document

## Table of Contents

- I. Governing Document
  - II. Establishment and Source of Authority
  - III. Membership
  - IV. Purpose and Duties of the Business Committee and Chair
- 
- I. Governing Document
    - a. This document shall be reviewed and approved by the Business Committee at the beginning of each two-year session. Substantial (i.e., non-clerical) changes will need to be voted on by the entire City Council before taking effect.
  - II. Establishment and Source of Authority
    - a. The Business Committee is a standing committee of the Richardson City Council (“City Council”). As a creation of the City Council, the Business Committee derives any authority and purpose from the entire City Council body.
    - b. The Business Committee is re-established at the beginning of every two-year council term. The appointment of members is considered sufficient action for the re-establishment of the Business Committee, no separate vote by the City Council is required.
  - III. Membership
    - a. The Business Committee is comprised of three (3) members of the full City Council.
    - b. The Business Committee will have one (1) member designated as “Chair”, to be chosen by the Mayor of the City of Richardson (“the Mayor”).
    - c. Appointments, removals, and filling of vacancies are at the sole discretion of the Mayor.
    - d. A quorum is a majority of the Business Committee. In the absence of the Chair, the remaining members will determine a temporary Chair. If, through informal discussion, this determination cannot be made, the Mayor will select a temporary Chair.
  - IV. Purpose and Duties of the Business Committee and Chair
    - a. The Business Committee primarily exists to:
      - i. Be informed on topics related to the local business climate and economic development.
      - ii. Explore challenges and opportunities related to business growth and development in areas such as:
        - 1. Small Business & Entrepreneurship
        - 2. High-Tech Companies
        - 3. International Trade
        - 4. Major Employers



- iii. Engage with local business partners, including, but not limited to the following:
  - 1. Richardson Chamber of Commerce
  - 2. University of Texas at Dallas
  - 3. Collin Small Business Development Center
  - 4. Dallas College Small Business Development Center
  - 5. Applicable merchant and/or business associations
- iv. The Business Committee may share their findings with the full City Council as appropriate.

b. Duties of the Chair

- i. The Chair of the Business Committee primarily serves to run the meeting and works with the City Manager's Office to set quarterly meetings.
- ii. The City Manager may recommend various attendees at the meeting, such as various city staff, but the Chair is the final arbiter of all non-member attendees.
- iii. The Chair may call additional meetings of the Business Committee as necessary.

**ORDINANCE NO. 4482**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, TEXAS, BY AMENDING CHAPTER 12, ARTICLE I, SECTION 12-4, TO ADOPT AN INCREASE IN THE AMOUNT OF THE RESIDENCE HOMESTEAD EXEMPTION FOR INDIVIDUALS SIXTY-FIVE (65) YEARS OF AGE, OR OLDER, AND FOR INDIVIDUALS WHO ARE DISABLED, FROM ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (\$130,000.00) TO ONE HUNDRED FORTY-FIVE THOUSAND AND NO/100 DOLLARS (\$145,000.00); PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Texas Constitution and Section 11.13 (d) of the Texas Property Tax Code authorizes the City Council of the City of Richardson, Texas, to provide for an exemption from taxation by the City of a portion of the appraised value of a residence homestead of individuals who are sixty-five (65) years of age, or older, and for individuals who are disabled; and

**WHEREAS**, the City Council of the City of Richardson, Texas, desires to increase the amount of the residence homestead exemption for individuals who are sixty-five (65) years of age, or older, and for individuals who are disabled; **NOW, THEREFORE**,

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

**SECTION 1.** That the Code of Ordinances of the City of Richardson, Texas, be, and the same is hereby amended by amending Chapter 12, Article I, Section 12-4, in part, to read as follows:

**“Sec. 12-4. Homestead exemption.**

- (a) That, except as provided in subsection (c) of this section, pursuant to the Texas Constitution and V.T.C.A., Property Tax Code § 11.13(d), \$145,000.00 of the appraised value of the residence homestead of an individual who is 65 years of age, or older, shall be exempt from ad valorem taxes beginning tax year 2024, and continuing thereafter provided such person qualifies and makes application for the exemption in accordance with the Texas Property Tax Code.
- (b) That, except as provided in subsection (c) of this section, pursuant to the Texas Constitution and V.T.C.A., Property Tax Code § 11.13(d), \$145,000.00 of the appraised value of the residence homestead of an individual who is disabled shall be exempt from ad valorem taxation

beginning tax year 2024, and continuing thereafter provided, such person qualifies for and makes application for the exemption in accordance with the Texas Property Tax Code.

- (c) In the event an election is called to determine whether to establish a tax limitation as provided by Article VIII, Section 1-b(h) of the Texas Constitution and at such election a majority of the voters are in favor of the tax limitation, the amount of the residence homestead exemption pursuant to V.T.C.A., Property Tax Code § 11.13(d), of an individual who is 65 years of age, or older, and of an individual who is disabled shall be reduced from \$145,000.00 to \$30,000.00 effective for the first tax year that notice to the central appraisal district and the Texas Property Tax Code will allow.
- (d) In order to maintain a proportional benefit for individuals 65 years of age and older, and for individuals who are disabled, the city council shall review the amount of the residence homestead exemption for individuals 65 years of age, or older, and for individuals who are disabled during the city's annual budget process.”

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

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

**SECTION 4.** That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide, and shall apply to tax year 2024 and subsequent tax years.

**DULY PASSED** by the City Council of the City of Richardson, Texas, on the 12<sup>th</sup> day of February 2024.

APPROVED:

\_\_\_\_\_  
MAYOR

CORRECTLY ENROLLED:

\_\_\_\_\_  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY  
(PGS:1-17-24)

**ORDINANCE NO. 4483**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 12 “LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS” ARTICLE V. - SOLICITORS, CANVASSERS, ETC., DIVISION 1. – GENERALLY, BY ADDING SECTION 121A ESTABLISHING REGULATIONS FOR MOBILE FOOD SERVICES ESTABLISHMENTS PERMITTED BY DALLAS COUNTY, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, House Bill 2878, effective September 1, 2023, amending the Texas Health and Safety Code to add Chapter 437A regulating mobile food vendors for certain bracketed counties including Dallas County, Texas; and

**WHEREAS**, it is unlawful for a mobile food service establishment to operate in a county to which Texas Health and Safety Code to add Chapter 437A applies (i.e., Dallas County) unless the establishment obtains a permit from Dallas County which will inspect and issue a permit to authorize a mobile food service establishment to operate in any municipality located in Dallas County; and

**WHEREAS**, under this legislation the city may not require permits for mobile food service establishments permitted by Dallas County, Texas; and

**WHEREAS**, a permit issued Dallas County will not apply to mobile food establishments operating in Collin County, Texas because Dallas County may not regulate mobile food establishments or other businesses in another county; and

**WHEREAS**, Texas Health and Safety Code to add Chapter 437A only applies to the inspection and permitting process of mobile food establishments operating in Dallas County and does not preempt City of Richardson regulations (such as zoning regulations) regarding when and where such establishments may vend in Dallas County, Texas, and therefore the city may continue with its current regulations other than permitting and inspections for mobile food establishments which operate in Collin County, Texas; and

**WHEREAS**, the City Council desires to amend Chapter 12 of the Code of Ordinances to add section 121A to address Texas Health and Safety Code Chapter 437A;

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

**SECTION 1.** That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Chapter 12, by adding Section 12-121A to read as follows:

**“CHAPTER 12 – LICENSES, TAXATION AND  
MISCELLANEOUS BUSINESS REGULATIONS**

...

**Sec. 12-121. - Sale of merchandise on public right-of-way, city parks; mobile vendors.**

(a) .....

**Sec.12-121A. - Mobile Food Service Establishments Permitted by Dallas County, Texas.**

(a) For purposes of this section the following words and phrases shall have the following meaning unless the context clearly indicates otherwise.

"Food," "mobile food unit," and "roadside food vendor" have the meanings assigned by rules adopted under Texas Health and Safety Chapter 437, as amended.

"Mobile food service establishment" means one or more mobile food units or roadside food vendors operating from a single preparation facility under the managerial authority of a single permit or license holder.

(b) Notwithstanding the provisions of section 12-121(a), a mobile food service establishment that holds a current valid permit issued by Dallas County pursuant to Texas Health and Safety Code Chapter 437A to operate the mobile food service establishment in Dallas County is not required to obtain a health permit from the city for the operation of the mobile food service establishment in the portion of the city located in Dallas County, Texas.

(c) It shall be unlawful and an offense for a person to operate a mobile food service establishment in the portion of the city located in Dallas County unless the person has a current valid permit issued by Dallas County and a valid solicitors permit from the Police Department for the operation of the mobile food establishment to operate in Dallas County.

(d) A mobile food service establishment that holds a permit issued by Dallas County pursuant to Texas Health and Safety Code Chapter 437A shall otherwise comply with Sections 12-121(c) through (k) of this Chapter.

(e) This section shall expire if Texas Health and Safety Code Chapter 437A:

(1) is repealed and no successor statute is enacted;

(2) is amended such that it no longer applies to the portion of the city located in Dallas County; or

(3) otherwise no longer applies to the portion of the city located in Dallas County.”

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

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

**SECTION 4.** That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 5.** That any person, firm or corporation violating any 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 6.** 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 12th day of February 2024.

APPROVED:



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MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

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CITY ATTORNEY  
(PGS:11-22-23)

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CITY SECRETARY

**ORDINANCE NO. 4484**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, BY AMENDING CHAPTER 10 “HEALTH AND HUMAN SERVICES”, ARTICLE VI, “PUBLIC SWIMMING POOL OPERATION AND MAINTENANCE” BY ADOPTING TEXAS DEPARTMENT OF STATE HEALTH SERVICES POOL AND SPA RULES CONTAINED IN CHAPTER 265, SUBCHAPTERS K, M, AND L OF TITLE 25 OF THE TEXAS ADMINISTRATIVE CODE AND AMENDING THE REGULATIONS FOR SWIMMING POOLS AND SPAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City staff recommends that Chapter 10, Health and Human Services, Article VI Public Swimming Pool Operation and Maintenance be amended to adopt the Texas Department of State Health Services Pool and Spa Rules contained in Chapter 265, Subchapters K, M, and L of Title 25 of the Texas Administrative Code and to amend the regulations governing swimming pools and spas;

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

**SECTION 1.** That Chapter 10, “Health and Human Services,” Article VI, “Swimming Pool Operation and Maintenance be amended to read as follows:

**“ARTICLE VI. - PUBLIC SWIMMING POOL OPERATION AND MAINTENANCE**

**Sec. 10-140. - Adoption and Amendments of the State Health Regulations.**

The Texas Department of State Health Services Pool and Spa Rules (the “ State Rules”), contained in Chapter 265, Subchapter M and L of Title 25 of the Texas Administrative Code, as they may be amended and replaced from time to time, , except to the extent amended, modified, and deleted by this Article, are hereby adopted as the minimum standards for the construction and operation of public and semi-public swimming pools and spas. The Texas Department of State Health Services Pool and Spa Rules (the “ State Rules”), contained in Chapter 265, Subchapters K, M, and L of Title 25 of the Texas Administrative Code, as they may be amended and replaced from time to time, except to the extent amended, modified, and deleted by this Article, are hereby adopted as the minimum standards for the construction and operation and public interactive water features (PIWF).

**Sec. 10-141. - Issuance of operating health permit.**

- (a) No person shall operate a swimming pool unless a valid health permit to operate such swimming pool has been obtained from the city health department. Such permit shall be valid

for one year for each and every swimming pool unless otherwise revoked for cause as hereinafter prescribed.

- (b) Applications for permit to operate a swimming pool shall be made to the city health department. The applicant shall certify that he or she is knowledgeable about and understands and is capable of operating the swimming pool for which the operating permit is requested.

**Sec. 10-142. - Revocation or suspension of operating permit.**

- (a) If the health department determines that the operation or maintenance of any swimming pool is such as to constitute an imminent hazard to the health and safety of the public, the operating permit shall be suspended immediately, and the swimming pool shall be closed for use and shall remain closed until the necessary remedial action has been completed.
- (b) An operating permit which has been suspended may be reissued upon presentation of evidence that the deficiencies and/or irregularities which caused the suspension have been corrected.

**Sec. 10-143. - Closed swimming pools, spas, PIWFs and lagoons.**

- (a) If it is determined by the City Health Department that the operation or maintenance of the public pool, spa, or lagoon facility constitutes a health or safety hazard for the users, the City Health Department shall require the closure of the pool, spa, lagoon, or public interactive water feature immediately.
- (b) A public or semi-public swimming pool, spa lagoon, or public interactive water feature shall be temporarily closed for use whenever any of the following conditions occur. It shall not be reopened for use until the condition has been brought into compliance with the appropriate reinspection fee paid. A re-inspection is conducted by the City Health Department to verify that all hazardous conditions have been eliminated, such as:
  - (1) The amount of a residual disinfectant is less than, or greater than, the minimum and/or maximum amounts specified in 25 TAC 265.
  - (2) The pH of the water does not comply with the provisions in 25 TAC 265.
  - (3) If any of the main drain covers are loose, missing, damaged, and/or of a nonapproved anti-vortex design.
  - (4) The clarity of the water does not comply with the provisions in 25 TAC 265.
  - (5) There is a malfunction or nonfunction of the recirculation system.
  - (6) If the public swimming pool, spa, or lagoon yard enclosure is found to not comply with the provisions of 25 TAC 265
  - (7) There is any other condition that may endanger the health, safety, or welfare of persons using the swimming pool.
  - (8) Failure to pay the required reinspection fees in the instances noted in this subsection of this section will result in the immediate suspension of the public swimming pool or spa's

permit to operate, and the facility is ordered to cease operation immediately. The public swimming pool or spa shall remain closed until the violations are corrected, all required fees are paid, and a reinspection is conducted.

- (c) Once a public or semi-public pool or spa has been closed by the city health department or operator, the immediate exclusion of bathers from the water will be performed. Closing of a facility will constitute the posting of signs at every entrance that is accessible to patrons or at least two signs at opposite ends of the pool or spa that will state "pool closed" or "spa closed" in at least four-inch-high letters.
- (d) Every operator will make reasonable efforts to keep bathers out of the pool or spa until it is re-opened. Reasonable exclusion may include locking gates, taping off an area, draining the facility or the use of other appropriate barriers.
- (e) The city health department shall have the right to lock and/or chain entrances to public and semi-public pools and/or spas if in the city health department's opinion, the facility is dangerous to public health, the operator is not enforcing closure, or bathers are disregarding warnings.
- (f) The city health department shall have the right to post signs at a public or semi-public pool or spa stating that the facility is closed. Removal, covering, or alterations without prior permission from the city health department is prohibited.

**Sec. 10-144. - Abandoned, neglected, inoperable, and hazardous public or semi-public pools and spas, fencing requirements.**

Any public or semi-public pool or spa permitted or unpermitted shall not remain in a condition so as to create a public health hazard or a nuisance to the general public. Any time a public or semi-public pool or spa contains any amount of water it shall:

- (1) Maintain water clarity so all parts of the pool or spa bottom can be easily seen.
- (2) Maintain a proper fence or barrier that: (a) is at least four feet tall; (b) has no vertical members more than four inches apart; (c) does not apply the bottom of the fence or barrier to be more than four inches above ground grade; and (d) has no general structure that makes the fence or barrier easily climbable or accessible by toddlers.
- (3) Maintain all gates in a manner that they are properly self-closing and self-latching, opening outward away from the pool yard unless in conflict with international building codes.
- (4) Lock and chain all gates if no permit has been issued or if the permit has been suspended.
- (5) The gate latch must be at least three inches below the top of the gate with no opening greater than one-half inch in any direction within 18 inches from the latch (including the space between the gate and gate post)."

**Secs. 10-145—10-159. - Reserved.**

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

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

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

**SECTION 5.** That any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of 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 and No/100 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 6.** That this Ordinance shall take effect immediately from and after its passage, and 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 12th day of February 2024.

APPROVED:

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MAYOR

CORRECTLY ENROLLED:

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CITY SECRETARY

APPROVED AS TO FORM:

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CITY ATTORNEY  
(pgs:11-21-23)



**RICHARDSON®**  
**T E X A S**

**MEMO**

---

**DATE:** February 5, 2024  
**TO:** Anita Cothran – Director of Finance  
**FROM:** Ally Dobbins – Purchasing Manager *AD T&G*  
**SUBJECT:** Award of Bid #50-24 for the Cooperative Purchase of Ultra Violet (UV) System Replacement to Mountjoy Aquatics in the amount of \$147,046.51 through The Local Government Purchasing Cooperative ("Buyboard") Contract #701-23

**Proposed Date of Award: February 12, 2024**

I concur with the recommendation of Spencer Doyle – Assistant Director of Parks and Recreation and request permission to issue a purchase order for the UV System Replacement at the Heights, Glenville, and Terrace pools to Mountjoy Aquatics in the amount of \$147,046.51 as provided in the attached quote.

Funding is from the Parks Equipment Replacement Fund.

The above referenced purchase has been competitively bid through BuyBoard Contract #701-23. The City of Richardson is a member of BuyBoard through its existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code Section 791.025 and Texas Local Government Code Section 271.102.

Concur:

*Anita Cothran*  
Anita Cothran

ATTACHMENTS







**RICHARDSON, TX**

**PARKS & RECREATION**

## MEMORANDUM

**TO:** Ally Dobbins, Purchasing Manager

**THROUGH:** Michaela Dollar, Assistant City Manager 

**FROM:** Spencer Doyle, Assistant Director of Recreation and Events 

**DATE:** January 26, 2024

**RE:** Award Ultra Violet (UV) System Replacement

The Aquatics Division obtained two (2) quotes from vendors registered with the Local Government Purchasing Cooperative (BuyBoard) to replace the UV systems located at Heights, Glenville and Terrace Pools. Mountjoy Aquatics submitted the lowest quote and staff recommends awarding the project to them.

This recommendation was made after receiving several strong references about the quality and timeliness of their work with other municipalities. This purchase is being made through Buyboard Contract #701-23.

In order to operate aquatic facility water features specifically the Heights pool play structure, Heights water slides, Heights tot wading pool waterslide and play features, the Glenville Splashpad and the Terrace pool mushroom waterfall and bubblers, a secondary sanitation system (UV System) is required by Texas Administrative Code. The current UV systems are 12+ years old and have exceeded their expected lifespan and are no longer functional. Parts and control panels for the current systems are no longer manufactured or available and therefore the entire system must be replaced.

Funding for this project in the amount of \$147,046.51 has been budgeted in account #2450-30-04-720-000-707453 PK2406.

Cc: Yvonne Falgout, Director of Parks and Recreation

Spencer Doyle, Assistant Director of Recreation and Events

Chris Cottone, Superintendent of Athletics and Aquatics

Mountjoy Aquatics, LLC

1293 N Plano Rd.  
Richardson, TX  
75081



QUOTE	
Date	Quote #
1/30/2024	220475
Job Name	

Expiration Date	3/1/2024
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Billing Address
City of Richardson Park and Rec Chris Cottone

Ship To

Item	Description	NOTE	Qty	Cost Each	Total
SAG 480-A-CR	480 watt high output amalgam with 316L stainless chamber - 4" - 352gpm (Z or U Shape) CRYPTO		3	<b>20,952.16</b>	62,856.48
SAG 720-A-CR	720 watt high output amalgam with 316L stainless chamber - 6" - 620gpm (Z or U Shape) CRYPTO  ****Glenville, Heights Slide, Heights Tot Pools****		1	<b>25,714.02</b>	25,714.02
SAG 1200-A-...	1200 watt high output amalgam with 316L stainless chamber - 8 or 10" - 1,141gpm (Z or U Shape) CRYPTO  ****Terrace Pool****		1	<b>36,190.10</b>	36,190.10
BuyBoard	BuyBoard Purchase Discount, 15% from List Price BuyBoard contract #701-23			<b>-15.00%</b>	124,760.60 -18,714.09
INSTALL	Professional Equipment Installation Services			<b>40,000.00</b>	40,000.00
Shipping (Inv...	Shipping Charges (Estimated, actual to apply)			<b>1,000.00</b>	1,000.00

Customer PO #	Requested Delivery Date	FOB	MFG	Subtotal	\$147,046.51
Signature:				Date:	Sales Tax (0.0%) \$0.00
				<b>Total</b>	<b>\$147,046.51</b>

**Terms & Conditions**

Payment Terms: The balance is due thirty days (n/30) from the date of the order shipment from the manufacturer or delivery to the jobsite - whichever comes first. All invoices, without exception, will be paid in full per agreed upon payment terms. Payment invoices will not be subject to project retention and/or pay-out schedule arrangements. Any other payment arrangements will need to be confirmed in writing and agreed upon by all parties involved. Interest: If payment is not received per the defined payment terms, an 18% APR will be assessed and collected on past due invoices. Freight: FOB shipping point, freight prepaid and added to the invoice. Freight estimate noted above (as available). Actual freight charges will apply. Sales Tax: Unless exempt (sales tax exempt documentation provided), the order will be subject to collect sales tax as applicable. Notes: Pricing is valid sixty (60) days from the date of the quote unless noted or otherwise



**RICHARDSON®**

**T E X A S**

**MEMO**

**DATE:** February 5, 2024

**TO:** Anita Cothran – Director of Finance

**FROM:** Ally Dobbins – Purchasing Manager *AD TCG*

**SUBJECT:** Authorization to execute Guaranteed Maximum Price (“GMP”) Amendment No. 1 to the Construction Manager at Risk (“CMAR”) Agreement with Balfour Beatty Construction, LLC to a total of \$31,422,783 for the Public Library Renovation Project

**Proposed Date of GMP Amendment Authorization: February 12, 2024**

I concur with the recommendation of Jim Dulac – Director of Engineering, and request authorization to execute GMP Amendment No. 1 to the CMAR Agreement with Balfour Beatty Construction, LLC to a total of \$31,422,783, as outlined in the attached memo.

The City utilized a two-step CMAR selection process in accordance with Texas Government Code Section 2269.253, and on June 12, 2023 Council awarded the contract to Balfour Beatty Construction, LLC for preconstruction services. This request to authorize execution of GMP Amendment No. 1 establishes a not-to-exceed contract amount of \$31,422,783 which consists of upgrades to building envelope, HVAC, electrical, and plumbing systems; increasing useable floor space, creating an easy to locate and accessible entrance, and new site utilities and other related improvements.

Funding is provided from 2021 Bond and C.O.s.

Concur:


  
\_\_\_\_\_  
Anita Cothran

ATTACHMENTS



**RICHARDSON**  
TEXAS

# MEMO

TO: Ally Dobbins, Purchasing Manager  
THROUGH: Charles Goff, Assistant City Manager   
FROM: Jim Dulac, P.E., Director of Engineering and Capital Projects  
SUBJECT: Permission to Award Guaranteed Maximum Price Amendment No. 1 for the Public Library Renovation Project to, Balfour Beatty Construction, LLC.

COUNCIL DATE: February 12, 2024

DATE: February 2, 2024

***ACTION REQUESTED:***

Council to consider award of Guaranteed Maximum Price Amendment No. 1 (GMP No. 1) to provide Construction Manager at Risk (CMAR) services to Balfour Beatty Construction, LLC. (Balfour Beatty) for the selective demolition and construction of the Public Library Renovation Project, in the amount of \$31,422,783.

***BACKGROUND INFORMATION:***

The City of Richardson Public Library Renovation Project is a 2021 Bond Program project that is part of the City Council's continued focus on maintaining and improving our facilities and infrastructure to meet our community's needs. Renovation design began in early 2022 after selecting Architexas and Steinburg Hart to be the project architects. The City Hall fire temporarily paused the design process which resumed in February 2023, and Balfour Beatty was awarded the Construction Manager at Risk contract for pre-construction services in June 2023. As part of the pre-construction services scope, Balfour Beatty provided cost estimating, scheduling and constructability reviews. Once design was nearly complete, Balfour advertised the project for competitive bidding of trades, received bids for all trades, evaluated subcontractors, and provided a GMP proposal in the amount of \$31,422,783.

The scope of work for GMP No. 1 award consists of upgrades to the Public Library building envelope, HVAC, electrical, and plumbing systems, increasing useable floor space within the existing building footprint, creating an easy to locate and accessible entrance as well as new site utilities and other related improvements. Balfour Beatty is well-qualified due to their extensive experience in executing similar projects both locally and nationally. Several of Balfour Beatty's team members recently completed the Richardson Senior Center Renovation project and City staff is confident they can successfully execute and deliver this project.

City Staff recommends awarding Balfour Beatty Construction, LLC. GMP Amendment No. 1 in the amount of \$31,422,783.

***FUNDING:*** Funding for the Public Library Renovation project is from 2021 General Obligation Bond funds and Certificates of Obligation.

***SCHEDULE:*** Construction is expected to begin in March 2024, and be complete by January 2026.