

**RICHARDSON CITY COUNCIL
SEPTEMBER 24, 2012
7:30 P.M.
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX**

- 1. INVOCATION – AMIR OMAR**
 - 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – AMIR OMAR**
 - 3. MINUTES OF THE SEPTEMBER 10, 2012 AND SEPTEMBER 17, 2012 MEETINGS**
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4. VISITORS. (THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY TOPIC NOT ALREADY SCHEDULED FOR PUBLIC HEARING. PRIOR TO THE MEETING, PLEASE COMPLETE A “CITY COUNCIL APPEARANCE CARD” AND PRESENT IT TO THE CITY SECRETARY. THE TIME LIMIT IS FIVE MINUTES PER SPEAKER.)
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PUBLIC HEARING ITEMS:

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

ACTION TAKEN:

ALL ITEMS LISTED UNDER ITEM 6 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

6. CONSENT AGENDA:
 - A. CONSIDER RECOMMENDATIONS FROM THE ARTS COMMISSION FOR FINANCIAL ASSISTANCE FROM THE HOTEL/MOTEL TAX FUND FOR THE FOLLOWING ORGANIZATIONS:
 1. SPECTACULAR SENIOR FOLLIES \$500
 2. ARTS INCUBATOR OF RICHARDSON (AIR) \$1,000
 3. GREATER DALLAS YOUTH ORCHESTRA \$1,000
 4. NATIONAL ASSOCIATION OF COMPOSERS/USA-TEXAS CHAPTER \$1,500
 5. ISLAMIC ART REVIVAL SERIES \$2,000
 6. PLANO COMMUNITY BAND \$2,000
 7. DALLAS CHINESE COMMUNITY CENTER \$3,500
 8. CONTEMPORARY CHORALE \$3,800

9. TEXAS PERFORMING CHINESE ARTS ASSOCIATION	\$3,800
10. FRIENDS OF THE RICHARDSON PUBLIC LIBRARY, INC.	\$4,000
11. PEGASUS THEATRE INCORPORATED	\$4,400
12. RICHARDSON READS ONE BOOK	\$5,000
13. CHAMBERLAIN PERFORMING ARTS (CHAMBERLAIN BALLET)	\$6,000
14. DALLAS ASIAN AMERICAN YOUTH ORCHESTRA	\$6,500
15. TEXAS WINDS MUSICAL OUTREACH, INC.	\$7,500
16. DALLAS REPERTOIRE BALLET	\$8,000
17. LONE STAR WIND ORCHESTRA	\$9,000
18. PLANO SYMPHONY ORCHESTRA	\$9,000
19. TUZER BALLET	\$10,800
20. RICHARDSON CIVIC ART SOCIETY (RCAS)	\$11,400
21. RICH-TONE CHORUS	\$12,500
22. RICHARDSON COMMUNITY BAND	\$15,500
23. CHAMBER MUSIC INTERNATIONAL	\$20,400
24. RICHARDSON THEATRE CENTRE, INC.	\$30,900
25. REPERTORY COMPANY THEATRE, INC. (RCT)	\$45,000
26. RICHARDSON SYMPHONY, INC.	\$75,000

B. ADOPTION OF THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 3882, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP BY AMENDING AND RESTATING ORDINANCE NO. 3586 TO PERMIT THE DEVELOPMENT OF AN INDEPENDENT LIVING FACILITY.
2. ORDINANCE NO. 3883, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION WITH SPECIAL CONDITIONS ON A 0.96-ACRE TRACT OF LAND ZONED SPRING VALLEY STATION DISTRICT PD PLANNED DEVELOPMENT LOCATED AT 170 E. SPRING VALLEY ROAD.
3. ORDINANCE NO. 3884, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A SPECIAL EVENT ENTERTAINMENT FACILITY WITH SPECIAL CONDITIONS ON A 1.87-ACRE TRACT OF LAND ZONED I-M(1) INDUSTRIAL LOCATED ON A PORTION OF LOT 8, BLOCK 6 OF THE GREENWAY ADDITION.
4. ORDINANCE NO. 3885, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 18, SIGN REGULATIONS, BY AMENDING DEFINITIONS, AREA REGULATIONS, SIGN CLASSIFICATIONS AND OTHER STANDARDS.

5. ORDINANCE NO. 3886, AMENDING ORDINANCE NO. 3872 BY AMENDING SECTION 8 REGARDING THE APPOINTMENT OF THE EARLY VOTING CLERK FOR THE SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, AND AMENDING SECTION 11 TO CORRECT A SCRIVENER ERROR.

C. CONSIDER THE FOLLOWING RESOLUTIONS:

1. RESOLUTION NO. 12-17, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS AND DALLAS COUNTY ON BEHALF OF THE DALLAS COUNTY HEALTH AND HUMAN SERVICES ("DCHHS"), FOR THE SUBCONTRACTING OF CHILD IMMUNIZATION SERVICES.
2. RESOLUTION NO. 12-18, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS AND COUNTY OF DALLAS TO ENTER INTO AN AGREEMENT TO JOIN HOUSEHOLD HAZARDOUS WASTE NETWORK, AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.
3. RESOLUTION NO. 12-19, APPROVING THE TERMS AND CONDITIONS OF AN INTER LOCAL COOPERATION AGREEMENT FOR CONSTRUCTION OF THE MURPHY TRAIL CONNECTION, PHASE I, BY AND BETWEEN THE CITY OF PLANO, TEXAS, AND THE CITY OF RICHARDSON, TEXAS, AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.

D. APPROVAL OF WOODCREEK CHURCH AS A PARTICIPANT IN THE CITY OF RICHARDSON COMMUNITY GARDEN PARTNERSHIP PROGRAM.

E. AUTHORIZE THE ADVERTISEMENT OF BID #59-12 – 2012 ANNUAL REQUIREMENTS CONTRACT FOR MASONRY WALL REPAIR AND REPLACEMENT. BIDS TO BE RECEIVED BY THURSDAY, OCTOBER 11, 2012 AT 2:00 P.M.

F. CONSIDER AWARD OF BID #60-12 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE CONTRACT WITH INTERSPEC, LLC, FOR IRRIGATION CONTROLLERS AND ACCESSORIES THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) CONTRACT #373-11 IN THE AMOUNT OF \$60,000.

THE RICHARDSON CITY COUNCIL WILL MEET AT 5:30 P.M. ON MONDAY, SEPTEMBER 24, 2012, IN THE RICHARDSON ROOM OF THE CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TEXAS. AS AUTHORIZED BY SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE, THIS MEETING MAY BE CONVENED INTO CLOSED EXECUTIVE SESSION FOR THE PURPOSE OF SEEKING CONFIDENTIAL LEGAL ADVICE FROM THE CITY ATTORNEY ON ANY AGENDA ITEM LISTED HEREIN. THIS BUILDING IS WHEELCHAIR ACCESSIBLE. ANY REQUESTS FOR SIGN INTERPRETIVE SERVICES MUST BE MADE 48 HOURS AHEAD OF THE MEETING. TO MAKE ARRANGEMENTS, CALL 972-744-4000 VIA TDD OR CALL 1-800-735-2989 TO REACH 972-744-4000.

WORK SESSION – 6:00 P.M.:

- Call to Order
- A. Review and Discuss Items Listed on the City Council Meeting Agenda
- B. Introduction of Consulting Team, Arapaho/Collins Study
- C. Review and Discuss the 2011 – 2013 City Council Near Term Action Items
- D. Review and Discuss Footwasher Ministries' Peter Burks Day of Volunteerism

E. Report on Items of Community Interest

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

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND MEETING
MONDAY, SEPTEMBER 10, 2012

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Townsend called the meeting to order at 6:03 p.m. with the following Council members present:

Bob Townsend	Mayor
Laura Maczka	Mayor Pro Tem
Mark Solomon	Council member
Scott Dunn	Council member
Kendal Hartley	Council member
Steve Mitchell	Council member (arrived at 6:07 p.m.)
Amir Omar	Council member

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Aimee Nemer	City Secretary
Kent Pfeil	Director of Finance
Gary Beane	Budget Officer
Michael Massey	Director of Parks & Recreation
Michael Spicer	Director of Development Services
Susan Smith	Assistant Director of Development Services
Jim Spivey	Chief of Police

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

Item 6 – ZF 12-13

Staff Comments

Michael Spicer, Director of Development Services, addressed Council on this item informing them that this request is from Michael F. Twichell, representing Shire Development L.L.C. and Jefflyn Properties V Ltd, requesting amendments to the PD for the Shire Phase 2 development to accommodate the development of an independent living facility. He explained that the applicant's request is to revise the PD Planned Development standards to allow an independent living facility along the south side of the property, where condominiums are currently approved. He said the proposed facility is two (2) stories with fifty-six (56) dwelling units; would include allowing a parking ratio of 1.5 spaces per unit for the facility,

allowing a reduced parking setback along Infocom Drive; and allowing a 6-foot wrought iron fence along Infocom Drive.

Mr. Spicer stated that the City Plan Commission (CPC) denied the request, 7-0, expressing concerns with lack of amenities, building design, and location. He stated that one resident spoke in opposition to the request.

Mr. Spicer explained that the owner requested an appeal of the CPC recommendation to the City Council and has submitted a revised concept plan, which has been revised by adding gates at the Shire Boulevard and Infocom Drive entrances. He stated that the Shire Boulevard driveway has also been modified to provide an area for a vehicle to turn around if they cannot gain entrance into the secured parking area; and the elevations have also been revised to reflect changes to the balconies and entrances.

Mr. Spicer explained that since the City Plan Commission recommended denial of Zoning File 12-13, an affirmative vote of six (6) of the seven (7) Council members is required to approve the zoning case.

Council Comments

Councilmember Mitchell stated that the new concept plan looks very similar to the original Poverty Hill concept. Mr. Mitchell asked Mr. Spicer to explain the 55 and over requirements. Mr. Spicer explained that the proposal is an Independent Living Facility that will lease to persons age 55 and over as required by the Planned Development.

Councilmember Dunn clarified that as of now, the owner can build the currently approved plan of condominiums as is. Mr. Spicer confirmed.

Mayor Townsend inquired about covered parking. Mr. Spicer stated there would not be covered parking per the plans submitted.

Item 7 – ZF 12-14

Staff Comments

Mr. Spicer also addressed Council on this item explaining Grey Stogner, Crestview Real Estate, LLC, is requesting approval of a Special Permit for a motor vehicle service station with modified development standards/exceptions on a 0.96 acre tract of land located at the southeast corner of Spring Valley Road and Centennial. Mr. Spicer explained that the proposed exceptions include modifications to the required location of the primary entrance, use of EIFS as an exterior building materials on the single-story building, elimination of build-to-lines, reduction and/or elimination of the amenity zones along Spring Valley Road and Centennial Boulevard, use of specialty paving in the yard area for sidewalks, eliminating the percent of the lot frontage to be occupied with a building at the required build-to-range and a reduction in vehicle stacking at the gasoline pumps.

Mr. Spicer stated the CPC approved the request 5-2, subject to amending the conditions by removing references to the proposed building elevations (Exhibits C-1, C-2, D, E-1 & E-2).

He stated that staff has received written correspondence in support of the request from the property owner located to the north of the site as well as two citizens speaking in support and one opposed. Mr. Spicer stated that he understood the applicant was going to present new elevations to the City Council.

Council Comments

Councilmember Omar asked what the specific reservations were from the CPC regarding elevations. Mr. Spicer stated that the CPC indicated more verticality and more iconic in design.

Councilmember Mitchell asked if there was a traffic study for the proposed development. Mr. Spicer explained that the City's Traffic Department reviews the plans to determine if a Traffic Impact Analysis is needed and it was determined that one was not needed in this case. Mr. Mitchell inquired if there was a need for a median cut and turn lane going eastbound on Centennial. Mr. Spicer stated there was not a median cut or turn lane proposed.

Councilmember Omar referenced a page from the applicant's packet which indicated public art on the corner of the property and was noted cost-prohibitive. Mr. Spicer stated he did not know the origin of the public art and stated it is not a requirement of the Spring Valley development.

Mayor Pro Tem Maczka stated that Council had discussed having an iconic element at this location.

Item 8 – ZF 12-15

Staff Comments

Mr. Spicer addressed Council on this item explaining Eldon Haacke representing Terraform Companies is requesting approval of a Special Permit for a 9,257 square foot special event facility with modified development standards located on a 1.79 acre north of N. Greenville Avenue, east of N. Glenville Drive and is zoned I-M (1) Industrial.

Mr. Spicer explained that the applicant is requesting a reduction in the percentage of exterior masonry for the north, south and west building elevations in lieu of 80%, a reduced parking ratio of 7.8 spaces per 1,000 square feet of building area in lieu of 1 space per 100 square feet of building area and allowance of a lot without street frontage.

Mr. Spicer stated that the CPC recommended approval of the request 7-0, subject to the acquisition of a mutual access and parking agreement with the adjoining property owner to the north (Verizon). He stated that no correspondence has been received either for or against.

Mr. Spicer further explained that subsequent to the Commission's hearing, the applicant was unable to acquire the required parking agreement from Verizon; therefore, the applicant's request is that the parking portion of the Agreement not be required as a condition of approval. The applicant expanded the subject site to the west and revised the zoning exhibit (Exhibit "B-1") to provide the required number of parking spaces for the proposed facility at a parking ratio of 1 space per 100 square feet of building area. The access easement will be acquired as depicted on the zoning exhibit.

Council Comments

Councilmember Mitchell asked if there is a master plan for this area. Mr. Spicer replied that there is not. City Manager Johnson further explained that the overall zoning and comp plan give direction to this area.

Councilmember Omar expressed concerns with the proposal mainly focusing on the location and stating that the proposed development would lower the opportunity for a primary employer with an office campus to locate on the property. He suggested other locations on smaller parcels of land in the vicinity.

Mayor Townsend inquired about the parking being contiguous to the building. Mr. Spicer confirmed that it was.

Item 9 – VAR 12-07

Staff Comments

Susan Smith, Assistant Director of Development Services addressed Council on this item explaining the request by Doug Jorgensen, representing signs manufacturing, is for approval of a variance to the sign regulations of the Spring Valley Station District ordinance to allow a 20' pole sign and a digital display. Ms. Smith explained that in April 2004, the Sign Control Board approved a variance to allow the sign one foot east of the property line and the sign permit was not issued until August of 2011. She stated that a request to modify the sign permit was received in December 2011 and the CPC unanimously approved the sign variance in August 2012 with the condition to clad the pole as required under the current sign regulations. Ms. Smith stated the variance approved by the CPC is final unless City Council reverses or modifies the request.

Council Comments

Councilmember Dunn asked if there are any regulations from the utility companies regarding having signage that close. Ms. Smith explained that the sign cannot be in the utility easement and it is not.

Council expressed concerns with the entire area being cluttered with signage noting that they are non-conforming with the current sign ordinance. Council also expressed concerns with the time of approval being so long ago.

City Manager Johnson explained that the current sign ordinance does require an 18-month time limit from approval. He also explained that this particular case is grandfathered and does not fall under the requirements of the current sign ordinance. Ms. Smith also explained that Chapter 18 (Signs) does not apply to the district.

Mayor Pro Tem Maczka noted that the sign has already been approved and denying it would only mean that the sign can be erected at the original location without the CPC's additional requirement of cladding the pole.

Item 10 – VAR 12-08

Staff Comments

Ms. Smith addressed Council on this item explaining this is a request for approval of a variance to the Subdivision and Development Code, Chapter 21, Article III, section 21-52(i) [*Off-street Parking*] for reduction in parking for the North Rich Plaza Shopping Center located on the south side of Arapaho Road, west of Custer Road. She stated the applicant is requesting a 40 space (13%) parking reduction to accommodate the existing uses and potential future tenants within the retail shopping center.

Ms. Smith stated that CPC recommended approval with a 4-3 vote and no correspondence either for or against was received.

Council Comments

Councilmember Omar asked why the variance was requested. Ms. Smith explained that parking has to be calculated for unoccupied spaces in the shopping center.

There was some Council discussion regarding how the parking calculations are determined.

Items 11-16 –Budgetary Items

Staff Comments

City Manager Johnson informed Council that Items 11-16 were all budgetary items noting that Item 12 has special instructions for a specific motion as required by the Tax Code.

B. Review and Discuss the Midyear Crime Statistics and Police Department Update

Staff Comments

This item was not discussed and will be rescheduled for a future meeting.

C. Review and Discuss the Richardson Arts Commission's 2012 – 2013 Arts Grant Funding

Staff Comments

Assistant City Manager Michelle Thames addressed Council on this item giving a background on the Arts Commission and recognizing the Commission members lead by Chair, Abby Kratz; and City Council Liaison, Amir Omar. She reviewed the grant process and commended the Commission on the long and tedious process of reviewing applications. Ms. Thames stated that 26 applications were received for a total requested amount of \$470,524. She reviewed the history of grant awards and the current awards as recommended by the Arts Commission. Ms. Thames explained that if there was no opposition to the recommendations, they would be on the September 24, 2012 Council agenda for approval.

Abby Kratz thanked Michelle for her work with the Art Commission and noted the tremendous amount of work she puts into it.

Council Comments

Councilmember's Omar and Mitchell also thanked Michelle and the Commission for their work.

D. Review and Discuss a Proposal for a Regional Trail Connection at Breckinridge Park

Staff Comments

This item was not discussed and will be rescheduled for a future meeting.

E. Report on Items of Community Interest

Council Comments

Mayor Pro Tem Maczka acknowledged Assistant City Manager Michelle Thames for her years of service and dedication to the City in recognition of her last City Council meeting.

ADJOURN WORK SESSION AND CONVENE REGULAR MEETING

Mayor Townsend adjourned the Work Session at 7:27 p.m. and convened the Regular Meeting at 7:32 p.m.

1. **INVOCATION – STEVE MITCHELL**
2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – STEVE MITCHELL**
3. **MINUTES OF THE AUGUST 13, 2012, AUGUST 27, 2012, AND SEPTEMBER 4, 2012 MEETINGS**

Council Comments

Mayor Townsend noted a correction in the adjournment time to the Minutes for September 4, 2012.

Council Action

Councilmember Omar moved to approve the Minutes with the noted correction. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

4. VISITORS

There were no visitor comments submitted.

5. CONSIDER APPOINTMENTS TO THE CITY PLAN COMMISSION AND CIVIL SERVICE BOARD.

Council Action

Councilmember Mitchell moved to appoint the following:

City Plan Commission - terms expire August 1, 2012

Reappoint Gerald Bright (Dist. 1) as board member, term expiring August 1, 2014

Reappoint Janet DePuy (Dist. 3) as board member, term expiring August 1, 2014

Appoint Randy Roland as Even Year Alternate – no term limit for alternates

Designate Marilyn Frederick as the At-Large Representative for the remainder of her existing term expiring August 1, 2013.

Designate Eron Linn as the District 2 Representative for the remainder of his existing term expiring August 1, 2014.

Civil Service Board – terms expire August 31, 2012

Reappoint Bill Harper (Dist. 3) as board member, term expiring August 31, 2014

Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0. City Secretary Nemer administered the oath of office to Randy Roland, newly appointed City Plan Commissioner.

PUBLIC HEARING ITEMS:

- 6. PUBLIC HEARING, ZONING FILE 12-13: A REQUEST BY MICHAEL F. TWICHELL, REPRESENTING SHIRE DEVELOPMENT, LLC, FOR AMENDMENTS TO THE PD PLANNED DEVELOPMENT STANDARDS TO ACCOMMODATE THE DEVELOPMENT OF AN INDEPENDENT LIVING FACILITY FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF INFOCOM DRIVE AND SHIRE BOULEVARD. THE PROPERTY IS CURRENTLY ZONED PD PLANNED DEVELOPMENT.**

Staff Comments

Michael Spicer, Development Services Director, reviewed this item.

Council Comments

Councilmember Dunn clarified that the original condominiums could be built under the current zoning. Mr. Spicer confirmed that with the current zoning and after development plans are approved, condominiums could be built on this property.

Public Hearing

Mayor Townsend opened the public hearing at 7:49.

Mr. Dale Wamstad, owner and developer, addressed Council in support of the request, reviewed the development plans, and responded to questions from Council.

Councilmember Mitchell asked if the units would be for purchase or lease. Mr. Mitchell also asked about the amenities. Mr. Wamstad stated that the units would be for lease at approximately \$2.00 per square foot and explained that he plans to develop a hotel which will have amenities that can be used by residents. Mr. Wamstad stated there would be 56 units with some being 960 sq. ft. and some being 840 sq. ft.

Councilmember Omar asked Mr. Wamstad what he has invested in this project. Mr. Wamstad responded that he has invested \$6M of his own money. He also noted that his various projects have brought \$24M in revenue to the City.

Mayor Townsend expressed concerns with no covered parking. Mr. Wamstad responded that there would be covered parking.

Ms. Jacqueline Williamson, an Ebby Halliday representative, spoke in favor of the proposed development stating it is a good use for the property and a win/win project.

With no further public comments, Councilmember Dunn moved to close the public hearing, seconded by Councilmember Solomon. The motion passed unanimously and the public hearing was closed at 8:10 p.m.

Mayor Pro Tem Maczka and Councilmember's Mitchell and Dunn expressed support of the proposed development and appreciation to Mr. Wamstad.

Council Action

Councilmember Solomon moved to approve as presented. Councilmember Dunn seconded the motion. Before the vote was taken, Development Services Director, Michael Spicer, advised Council that the required minimum average square foot of each unit should be 900 sq. ft. and the minimum parking set back should be 10 ft. Mr. Solomon and Mr. Dunn agreed to amend the motion to include this language. A vote was taken and passed, 7-0.

- 7. PUBLIC HEARING, ZONING FILE 12-14: A REQUEST BY GREY STOGNER, REPRESENTING CRESTVIEW REAL ESTATE, LLC, FOR A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION WITH MODIFIED DEVELOPMENT STANDARDS AT 170 E. SPRING VALLEY ROAD (BETWEEN SPRING VALLEY ROAD AND CENTENNIAL BOULEVARD, EAST OF DART LIGHT RAIL). THE PROPERTY IS CURRENTLY ZONED PD PLANNED DEVELOPMENT.**

Staff Comments

Mr. Spicer reviewed this item.

Public Hearing

Mayor Townsend opened the public hearing at 8:23 p.m.

Mr. Grey Stogner, the applicant representing Crestview Real Estate, addressed Council speaking in favor of the request. Mr. Stogner introduced Mr. Richard Ferrara who reviewed the development plans for the project and responded to questions from Council.

Mr. Ferrara went over several exhibits that the applicant is requesting become part of the ordinance approving the project.

Mr. David Gleason, representing Centennial Park, spoke in favor of the request.

Councilmember Mitchell asked Mr. Gleason what his plans were for the corner of the property which is owned by his development. Mr. Gleason stated that he envisioned a monument sign for Brick Row. Mr. Mitchell stated he hoped it would be iconic with a "wow" factor.

Mr. Larry O'Dell spoke in favor of the request.

With no further public comments, Mayor Pro Tem Maczka moved to close the public hearing, seconded by Councilmember Dunn. The motion passed unanimously and the public hearing was closed at 9:02 p.m.

Council Comments

Councilmember Mitchell noted the project has 37% landscaping.

Mayor Pro Tem Maczka stated this was the first mixed-use development in which some lessons have been learned. She stated it has been a difficult process but noted that 7-Eleven is a great project that will give people a reason to stop.

Councilmember Dunn stated he was not a fan of gas stations in the Transient Oriented Development (TOD).

Councilmember Solomon inquired about the sidewalks. Mr. Ferrara replied that the sidewalk would be completely rebuilt.

Council Action

Mayor Pro Tem Maczka moved to approve including pages 13-16 as flagged by the applicant in the packet presented by the applicant at the meeting. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

- 8. PUBLIC HEARING, ZONING FILE 12-15: A REQUEST BY ELDON HAACKE, REPRESENTING TERRAFORM COMPANIES, FOR A SPECIAL PERMIT FOR A SPECIAL EVENTS AND ENTERTAINMENT FACILITY WITH MODIFIED DEVELOPMENT STANDARDS, FOR A PROPERTY LOCATED AT THE NORTHEAST CORNER OF GREENVILLE AVENUE AND GLENNVILLE DRIVE. THE PROPERTY IS CURRENTLY ZONED I-M (1) INDUSTRIAL.**

Staff Comments

Mr. Spicer reviewed this item.

Public Hearing

Mayor Townsend opened the public hearing at 9:19 p.m.

Mr. Eldon Haacke, the applicant, spoke in favor of the request and responded to questions from Council.

Councilmember Solomon inquired about the white tile shown on the proposed building. Mr. Haacke showed a sample and explained that it is 18x24 porcelain grade.

Councilmember Mitchell inquired if the event center (Noah's) would be competition to the Eisemann Center.

Mr. Bill Bowser, developer of Noah's, addressed Council and explained the concept of Noah's stating it is a setting for friend and family intimate gatherings on weekends, and targeted to high-end business conferences during the week. He stated it would not compete with the Eisemann Center or any other typical event facilities.

With no further public comments, Councilmember Dunn moved to close the public hearing seconded by Councilmember Hartley. The motion passed unanimously and the public hearing was closed at 9:33 p.m.

Council Comments

Mayor Pro Tem Maczka, Councilmember Omar, and Councilmember Mitchell each stated they loved the concept, but all expressed concerns with the location of the event center.

Councilmember Omar expressed concerns with the property use and potential missed opportunities for a corporate campus.

Mayor Pro Tem Maczka inquired about this location and asked if the applicant had looked at other properties. Mr. Bowser responded that he had looked at other similar properties in the vicinity but they were not available. Mr. Bowser also explained his reasons for choosing the proposed location, stating that the location is an element to his business that cannot be explained with logic.

Councilmember Dunn stated it was a perfect concept and location and indicated he would rather approve what is before them now as opposed to waiting for something that may not come.

Council Action

Councilmember Hartley moved to approve. Councilmember Dunn seconded the motion. A vote was taken and passed, 4-3 with Mayor Pro Tem Maczka and Councilmember's Omar and Mitchell opposed.

ACTION ITEMS:

- 9. VARIANCE 12-07: A REQUEST BY DOUG JORGENSEN, REPRESENTING SIGNS MANUFACTURING, FOR APPROVAL OF A VARIANCE TO THE SIGN REGULATIONS OF THE SPRING VALLEY STATION DISTRICT ORDINANCE TO ALLOW A 20' POLE SIGN AND A DIGITAL DISPLAY. THE SITE IS LOCATED AT 208 W. SPRING VALLEY ROAD.**

Staff Comments

Susan Smith, Assistant Director of Development Services reviewed this item.

Council Comments

Councilmember Omar stated he would rather take a gamble that the original sign would not be erected, than approve relocating the sign.

Ms. Smith informed Council that the applicant has indicated the sign has been manufactured and is ready to be installed.

Mayor Pro Tem Maczka clarified that if Council does not overturn the City Plan Commission (CPC) ruling, then it stands as is and the sign can be installed at the new location with the additional requirement of cladding the pole.

Councilmember Solomon stated that if the sign is going to go up, he is in support of the CPC ruling.

Councilmember Dunn commented that the sign is a non-conforming use. City Manager Johnson explained that the applicant has vested rights.

Ms. Smith explained that the request goes with the property and the sign would remain unless the property is redeveloped.

Council Action

There was no action on this item, therefore the ruling from the City Plan Commission stands, allowing the sign to be relocated and requiring the pole to be cladded.

- 10. VARIANCE 12-08: A REQUEST BY TAG GILKSON, FOR APPROVAL OF A VARIANCE TO THE SUBDIVISION AND DEVELOPMENT CODE, ARTICLE III, SECTION 21-51(I) TO ALLOW A REDUCTION IN PARKING FOR THE NORTH RICH PLAZA SHOPPING CENTER. THE PROPERTY IS LOCATED AT 525 W. ARAPAHO ROAD.**

Staff Comments

Ms. Smith reviewed this item.

Council Comments

Councilmember Omar stated he is comfortable with approving the variance to allow the momentum to continue with more development.

Councilmember Mitchell stated he was struggling with approving the variance if the development is going to continue to have issues.

Mr. Daniel Eng, property owner, addressed Council stating that he owns 10-12 properties in Richardson. He explained that he has lost several tenants on this property due to the parking requirements. Mr. Eng said he has tenants waiting if the variance is approved. He also commented that he is trying to improve the property including paving of the parking lot.

There was some discussion with staff on the parking requirements and calculations with various scenarios.

Councilmember Dunn commended the applicant on the care of the property.

Councilmember Mitchell stated he wants to support the development and stressed how important it is to revitalize retail.

Council Action

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

11. CONSIDER ORDINANCE NO. 3877, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013.

Staff Comments

City Manager Johnson informed Council that this ordinance and the next several agenda items are the final step in a long process of reviewing and approving the FY 2012-2013 budget. Dan acknowledged the Council, staff, and advisory boards for their work on the budget.

Council Comments

Mayor Pro Tem Maczka commended the staff on the budget noting Mr. Johnson specifically, being his first budget as the new City Manager and within 90 days of being appointed. She noted that there is no increase in the tax rate and hasn't been in 10 years. She also noted that the budget allows the City to retire \$2M in debt, adjust the step pay plan in Police and Fire, and limit the use of the rate stabilization fund.

Councilmember Mitchell echoed Ms. Maczka's comments.

Council Action

Mayor Pro Tem Maczka moved to approve Ordinance No. 3877 adopting a budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

12. CONSIDER ORDINANCE NO. 3878, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2012 (FISCAL YEAR 2012-2013) AT A RATE OF \$0.63516 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF RICHARDSON AS OF JANUARY 1, 2012.

Staff Comments

City Manager Johnson stated that the State Tax Code requires specific wording for the motion to approve the tax rate and explained that although it is confusing language, the tax rate is not being increased.

Council Action

Mayor Pro Tem Maczka moved that the property tax rate be increased by the adoption of a tax rate of 0.63516, which is effectively a 0.36 percent increase in the tax rate. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

- 13. CONSIDER INCREASING THE PROPERTY TAX REVENUE THROUGH THE ADOPTION OF THE PROPOSED PROPERTY TAX RATE OF \$0.63516 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION.**

Council Action

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

- 14. CONSIDER ORDINANCE NO. 3879, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 23-98 TO ESTABLISH RATES TO BE CHARGED FOR WATER SERVICES FURNISHED BY THE CITY.**

Council Action

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

- 15. CONSIDER ORDINANCE NO. 3880, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 23-168 TO ESTABLISH RATES TO BE CHARGED FOR SEWER SERVICES FURNISHED BY THE CITY.**

Council Action

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

- 16. CONSIDER RESOLUTION NO. 12-16, ESTABLISHING ANIMAL SHELTER FEES.**

Council Action

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

- 17. CONSENT AGENDA:**

ALL ITEMS LISTED UNDER ITEM 17 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

A. ADOPTION OF THE FOLLOWING ORDINANCES:

- 1. ORDINANCE NO. 3876, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM R-1100-M RESIDENTIAL TO O-M OFFICE.**
- 2. ORDINANCE NO. 3881, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 12, TO ADD ARTICLE VII COMMUNITY HOMES FOR DISABLED PERSONS, TO ESTABLISH LOCATION REGULATIONS FOR QUALIFYING COMMUNITY HOMES FOR DISABLED PERSONS.**

B. AUTHORIZE THE ADVERTISEMENT OF BID #53-12 – 2010 STREET PHASE VII PAVEMENT REHABILITATION PROJECT, NORTH BOWSER (BELTLINE ROAD TO APOLLO ROAD) AND SOUTH GROVE ROAD (BELTLINE ROAD TO HIGHLAND BLVD). BIDS TO BE RECEIVED BY THURSDAY, SEPTEMBER 27, 2012 AT 2:00 P.M.

C. CONSIDER AWARD OF THE FOLLOWING BIDS:

- 1. BID #55-12 – WE RECOMMEND THE AWARD TO JIM BOWMAN CONSTRUCTION COMPANY FOR THE 2010 SIDEWALK REPAIR PROGRAM PHASE IV (REGIONS 7 & 8) IN THE AMOUNT OF \$875,875.00.**
- 2. BID #56-12 – WE RECOMMEND THE AWARD TO RATLIFF HARDSCAPE LTD., FOR THE 2010 NEIGHBORHOOD VITALITY BOND PROJECT BRIDGE ENHANCEMENTS AT DUCK CREEK, MARK TWAIN AND N. COLLEGE PARK NEIGHBORHOODS IN THE AMOUNT OF \$328,782.20.**
- 3. BID #01-13 – WE REQUEST AUTHORIZATION TO INITIATE A 48-MONTH LEASE PURCHASE AGREEMENT WITH DELL FINANCIAL SERVICES FOR 2012-13 PERSONAL COMPUTER LEASE PURCHASE IN THE AMOUNT OF \$1,049,930.97 AT ZERO PERCENT FINANCING FOR FOUR YEARS.**

Council Action

Councilmember Hartley moved to approve the Consent Agenda, Item 17 A-C, as presented. Mayor Pro Tem Maczka seconded the motion. A vote was taken and passed, 7-0.

ADJOURNMENT

With no further business, the meeting was adjourned at 10:35 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION MEETING
MONDAY, SEPTEMBER 17, 2012

WORK SESSION -- 6:00 P.M.

• **Call to Order**

Mayor Townsend called the meeting to order at 6:05 p.m. with the following Council members present:

Bob Townsend	Mayor
Laura Maczka	Mayor Pro Tem
Mark Solomon	Council member
Kendal Hartley	Council member
Steve Mitchell	Council member
Amir Omar	Council member

Absent

Scott Dunn	Council member
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The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Samantha Woodmancy	Management Analyst
Aimee Nemer	City Secretary
Michael Massey	Director of Parks and Recreation
Roger Scott	Assistant Director of Parks and Planning
Jim Spivey	Chief of Police

A. Visitors

No visitors submitted comments.

B. Review and Discuss the Midyear Crime Statistics and Police Department Update

Staff Comments

Chief Spivey reviewed the mid-year Crime Statistics and Police Department Update noting that it is a very good report showing percentages down in nearly every category. He explained that the department is working diligently on business burglary cases, which have increased.

Chief Spivey reviewed the department initiatives, including an explanation of reporting styles which recently changed from Incident Based Reporting to Uniform Crime Reporting. Chief Spivey discussed other initiatives such as the Operational Support Unit, cross-over crime meetings with surrounding departments, Facebook/Twitter, and the Emergency Operations Center. Chief noted that many of these initiatives have been reestablished due to the department being fully staffed.

Chief Spivey reminded Council of the upcoming National Night Out in which the department has placed 2nd nationwide in the City's population category.

Council Comments

Councilmember's Mitchell commented on the burglary of motor vehicles statistics and expressed a desire to use these statistics to persuade legislators to reinstate legislation making this crime a felony. Councilmember Solomon stated that the funds from the Automobile Theft Prevention Authority have been diverted and he hoped they would be reinstated for this cause. Chief Spivey responded that this initiative was also a priority for the Texas Police Chiefs Association.

Councilmember Hartley inquired if the 191 residential burglaries were in the same general locations. Chief Spivey indicated that they were not in one particular area.

Councilmember Mitchell asked about the Spring Valley initiative. Chief Spivey reported that the area is still a focus of the department.

Mayor Townsend stated that it was a good report and thanked Chief Spivey.

C. Review and Discuss the Heights Recreation Center, Heights Aquatics Center and Gymnastic Center Project

Staff Comments

Mick Massey, Director of Parks and Recreation updated Council on the progress of these projects stating that the Gymnastics Center is scheduled to open January 2, 2013, Heights Recreation Center is scheduled for May 27, 2013, and the Heights Family Aquatics Center is scheduled for June 2013.

Mr. Massey explained to Council that the Aquatics Center is a month behind schedule due to some utility issues, but noted that the contractor is working diligently to get the schedule back on track. Mr. Massey also informed Council that the aquatic slides, which were originally an add-alternative, would be brought forward to Council on a future agenda as a change order for approximately \$370,000. He explained that staff is forecasting funding the slides through cost savings on this and other projects as well as the project contingency.

Mr. Massey also explained to Council that this is the appropriate time to conduct a rate review of the Gymnastics Center and commented that proposed rates would be consistent with other public sector facilities and below or comparable to private sector fees. He noted that new rates would be effective with the opening of the new facility.

Council Comments

Councilmember Omar asked if there would be any cost savings on these projects. Roger Scott, Assistant Director of Parks and Planning responded that staff doesn't anticipate any more cost savings, but noted that several cost saving options were executed early in the projects.

There was some discussion about the metal skin on the Gymnastics Center and the cost difference to add the metal piece. Deputy City Manager David Morgan stated he would get the cost difference on the metal piece for Council. He explained that many decisions on add-alternates had to be made early in the project, but staff has identified other add-alternates that can be added later when

funding is determined. Mr. Morgan noted that staff is not recommending the monument sign and the flag poles but is recommending the ceiling fans.

Mayor Townsend asked staff to explain the cost of the slide and funding for the Aquatic Center. Mr. Morgan responded that savings from this project and other capital projects has been identified as well as the ability to release some contingency funding at this point in the project. Mr. Morgan also explained that the facility is a family aquatic center and the slide provides an option for the middle school and high school aged kids.

City Manager Johnson explained that the slide is specifically designed and located for safety and the cost includes the system for the slide to be piped with water and drained properly.

Councilmember Solomon noted that the slide was in the original concept and it is high on the priority list for patrons. He also stated that the Park Commission unanimously approved this item.

Councilmember Mitchell asked staff to assess the use of a construction project manager on this project. Mr. Morgan stated that due to the complexity, it made sense on this project. He explained that staff would evaluate future projects to determine the need for a construction project manager.

D. Review and Discuss a Proposal for a Regional Trail Connection at Breckinridge Park

Staff Comments

Mr. Massey, Director of Parks and Recreation reviewed the proposal from the City of Plano to construct a concrete trail from Murphy Road to Rowlett Creek/Breckinridge Park totaling 1.9 miles. He explained that this project is 100% funded by the City of Plano and is part of the Six Cities Trail Plan and the Collin County Regional Trails Master Plan. Mr. Massey said that Phase 1 is planned to go from the west side of Murphy Road to the existing trail on Rowlett Creek in Breckinridge Park. He explained that the goal is to provide a trail connection to Otto Middle School, and then ultimately continue to the DART station and President George Bush Tollway. He stated that currently, Phase 2 (to Otto Middle School) is unfunded, but the City of Plano has applied for a Collin County grant. Mr. Massey explained that the next step is for Council to approve an Interlocal Agreement with the City of Plano which will be on a future agenda.

Council Comments

Councilmember Solomon noted that this item received unanimous consent from the Park Commission.

E. Review and Discuss the Scenic City Gold Award Presented to City of Richardson

Staff Comments

Samantha Woodmancy, Management Analyst, reviewed this item with Council explaining the background and requirements of the Scenic City Certification program. She stated that there are five levels of certification: Platinum, Gold, Silver, Bronze, and Recognized; and noted the City of Richardson has been recognized with the Gold Certification 2012-2017. She explained that the City is able to reapply for higher ranking as City regulations and ordinances are updated. Ms. Woodmancy highlighted below some of the areas recognized:

- Streetscape: protection of native & established trees, landscaping and sidewalks

- Parks, Trails and Public Spaces
- Sign Ordinance requirements and enforcement
- Lighting standards for streetscapes & public spaces
- Protection of landscaping during construction activities
- Clearly stated unity of design standards

Ms. Woodmancy informed Council of several upcoming events in which the City will be recognized for the award. She also explained that with the Gold Certification, the City has full use of the Scenic City logo and emblem for use in various media and signage.

Council Comments

Councilmember Solomon inquired why the City didn't receive the Platinum Certification. Mr. Morgan explained that the City received minor deductions in various categories and reiterated that the City can reapply especially with the recent approval of the new sign ordinance.

Councilmember Omar inquired about publicizing with signage at the City entry portals. Mr. Morgan stated that staff is reviewing options that will be the most effective.

F. Report on Items of Community Interest

Council Comments

Councilmember Omar commented on Community Arts Day and stated he was impressed with the number of attendees. He said that he heard from many people that the event should be held annually.

Councilmember Mitchell commented on the Four Seasons Market held at the NTX parking lot stating it was very popular event and it is nice to have this type of farmer's style market organized by the private sector.

Councilmember Solomon commended Bruce MacPherson and the entire Eisemann Center staff on a great weekend of events to celebrate the 10th Anniversary.

ADJOURNMENT

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

MAYOR

ATTEST:

CITY SECRETARY



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date: Monday, September 24, 2012

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

Staff Resource: Aimee Nemer, City Secretary

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

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

Board/Commission Action: N/A

Action Proposed: Receive comments by visitors.



MEMO

DATE: September 20, 2012
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services MS
SUBJECT: Zoning File 12-11 – GreenVUE PD – Multi-family Community

REQUEST

John S. Kirk of Embrey Partners, Ltd. is requesting approval of a change in zoning from I-FP (2) Industrial with special conditions to PD Planned Development to provide for the development of a multi-family apartment community on a 12.75-acre tract of land located at the southeast corner of Greenville Avenue and Collins Boulevard.

BACKGROUND

The subject property is an undeveloped tract bounded by the Collins Boulevard overpass to the north, Greenville Avenue to the west, Alma Road to the east, and the KCS Railroad and a vacant industrial/office building to the south. The subject property is located within the East Arapaho/Collins Enhancement/Redevelopment district as depicted in the 2009 Comprehensive Plan. A study of this district is now underway and is projected to be completed by the first quarter of 2013.

The proposed PD zoning will accommodate a 351-unit development comprising eight (8), three-story buildings generally arranged parallel to an east/west drive that connects Alma Road and Greenville Avenue. All apartments will be either one-bedroom or two-bedroom units. All buildings will be clad with brick, stone, concrete block, 3-stage stucco, metal panels and hardipanel. About 70% of the parking provided is surface parking with the remainder either located in a tuck-under configuration on the first floor of the apartment buildings or in free-standing garages. Multiple open space areas are proposed throughout the development; the largest is located near the clubhouse and includes a pool area and dog park. A hike and bike trail, ten (10) feet wide, is being provided along the perimeter of the property on the three sides having public street frontage.

The applicant has proposed a set of PD standards, a concept plan and building elevations to govern development of the site. The concept plan presented to the City Plan Commission included gates located at both the Greenville Avenue and Alma Road entrances. The City Plan Commission expressed concerns that the gates were not in keeping with the intended urban character of the project and impaired connectivity. No written correspondence has been received.

PLAN COMMISSION RECOMMENDATION

On September 4, 2012, the City Plan Commission, by a vote of 4-3 (Commissioners Bouvier, Hand, and Linn opposed), recommended approval of the request, including the attached PD standards (Exhibit "F") and a condition that would allow the option of removing the gates at the Greenville and Alma entrances. The applicant has since indicated the gates would be removed to address the Commission's concern and requested that rather than having the option to remove the gates, that the requirement for the gates be eliminated. However, the applicant has requested that gates be permitted parallel to the east-west drive to secure parking areas behind the buildings and that such gates be reviewed and approved through the development plan process.

ATTACHMENTS

Special Conditions	Building Elevations (Exhibit "C-1" through "C-3")
CC Public Hearing Notice	Perspective Renderings (Exhibits "D-1" through "D-2")
City Plan Commission Minutes 09-04-2012	Site Photos (Exhibits "E-1" through "E-4")
Staff Report	Proposed PD Conditions (Exhibit "F")
Zoning Map	Market Study Report (Provided by Gateway Planning)
Aerial Map	Applicant's Statement
Oblique Aerial Looking East	Notice of Public Hearing
Zoning Exhibit (Exhibit "B")	Notification List

ZF 12-11 Special Conditions

1. The subject site shall be zoned PD Planned Development for the A-950-M Apartment District and shall be developed in accordance with the attached “GreenVUE Planned Development District Proposed PD Conditions” (Exhibit “F”).

CPC Additional Condition

2. The gates located at the Greenville Avenue and Alma Road entrances may be removed.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: 09-6-2012
Submitted by: City Secretary, City of Richardson

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

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

FOR PUBLICATION ON: September 7, 2012

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, September 24, 2012, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

Zoning File 12-11

A request by John S. Kirk, representing Embrey Partners, Ltd., for a change in zoning from I-FP(2) Industrial with special conditions to PD Planned Development for the development of a multi-family community to be located at the southeast corner of Greenville Avenue and Collins Boulevard. The property is currently zoned I-FP(2) Industrial.

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

CITY OF RICHARDSON
Aimee Nemer, City Secretary

**EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – September 4, 2012**

Zoning File 12-11 (continued from August 21, 2012 meeting): Consider and take necessary action on a request by John S. Kirk, representing Embry Partners, Ltd., for a change in zoning from I-FP(2) Industrial with special conditions to PD Planned Development for the development of a multi-family community. The 12.75-acre site is located at the southeast corner of Greenville Avenue and Collins Boulevard and is zoned I-FP(2) Industrial.

Mr. Shacklett advised the applicant was requesting to rezone the property at the southeast corner of Greenville Avenue and Collins Boulevard for development of a 351-unit multifamily community. He added that Exhibit “F” in the Commission’s packet would be the proposed PD conditions for the development relating to height, buildings, landscaping and other regulations. Mr. Shacklett provided background information on the property including (1) the 2001 land use study for the area in and around the Arapaho DART Station including the subject property and the property located directly south with designated office, open space, and mixed-use office/urban residential, (2) the 2005 City initiated zoning request for a transit oriented development (TOD) around the Station that did not include the subject property (the City Plan Commission recommended approval and the City Council tabled it, but a decision was never made therefore leaving the existing Industrial zoning on the property), (3) the 2009 Comprehensive Plan update designated six areas throughout the City as enhancement/redevelopment with the subject property listed as part of the third study area that will be taking place in the near future.

Mr. Shacklett stated the applicant was proposing 351 multi-family units in a total of eight (8) buildings with the majority of the buildings being 3-stories in height. The only exception would be Building 1 which will have 3-story units that have a second story (loft) within the unit thereby creating a 4-story building. He added that there will be a number of open spaces provided throughout the community including the largest area behind the leasing office/clubhouse where a pool and other amenities would be located.

Mr. Shacklett pointed out that the site would have access from Greenville Avenue and Alma Road via an east/west drive aisle with parallel parking adjacent to the buildings. He added that the applicant was also proposing landscape buffers and fencing around the property with tree and a shrub row alternating on centers along the fence providing a buffer from the property to the south.

Mr. Shacklett reported the applicant was requesting the following amendments to the development standards of the A-950 District:

- Parking ratio of 1.5 per unit, the same as provided at Eastside, due to an apartment mix of 70/30 (one to two bedrooms). Also providing 158 garages and tuck-under spaces.
- Requesting 100 amenity points as opposed to the typical 70 points for each 250 units in A-950 Regulations.

- Requesting the property be considered one large community and that no physical separation be required.
- Reduction in masonry material from 75% to 50% for any one elevation, and the non-masonry materials allowed would be a three-stage stucco, metal and hardy panels. Some elevations will have upward of 77% of masonry, but the lowest would be 50%.

Mr. Shacklett explained that rather than having dumpsters in the parking lot, the applicant was proposing internal trash rooms within each building where residents would take their trash and then maintenance staff would move the trash to an enclosed compactor area on the north side of the property.

In closing his presentation, Mr. Shacklett stated that if the zoning request was approved, the property will be zoned PD Planned Development, developed in accordance with Exhibit “F” (list of conditions), Exhibit “B” and the three elevation sheets.

Vice Chair Hand said he understood the legality of making the property a PD Planned Development district, but had a concern about exempting the property in question from residential requirements listed in the Comprehensive Zoning Ordinance (CZO).

Chairman Gantt replied that the PD would be creating a new ordinance and would define the use and what could be built.

Mr. Chavez added that Section 8(c) of the Proposed Conditions was added to clarify that the property would be a PD as opposed to a residential district, which is where the CZO would apply additional heights limitations and performance standards on adjacent property.

Vice Chair Hand asked if the item was approved, would the surrounding properties be nonconforming and would the new zoning exempt adjacent properties from what a residential property would do to them. He also felt the property did not meet the definition of a PD.

Mr. Chavez replied that based on the staff analysis, and in accordance with the CZO, none of the residential performance standards would apply to the surrounding properties because the property would be zoned PD, which by definition has to be more than 10 acres and the property met that requirement.

Chairman Gantt asked if Mr. Hand’s concern was the property to the south and what might be built there in the future that would normally not be allowed adjacent to a residential area.

Vice Chair Hand confirmed that was an area of concern for him.

Commissioner Linn asked staff if the property in question would be in the Arapaho Collins redevelopment/enhancement study area. He also wanted to know if the item was approved, would the PD supersede the study area recommendations, or would it be removed from the study area.

Mr. Shacklett replied that the 2009 Future Lane Use plan called for six areas to be studied and the study for the proposed area had not been undertaken as yet. In addition, he said the

development might be considered as a factor in the future study, but it was not known at this time if it would be

Commissioner Linn stated the 2000 ULI study for the area surrounding the Arapaho Station called for residential as well as mixed-use retail, similar to other TOD areas, and wanted to know why mixed-use was not part of the proposal. He also wanted to know if there would be sidewalks around the development.

Chairman Gantt pointed out that the ULI study covered a much broader area than the proposed property and Mr. Shacklett noted that there would be a 10-foot trail along all three frontages.

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

Mr. William Dahlstrom, representing Embry Partners, 901 Main Street, Richardson, Texas, stated Embry Partners was a fully-integrated development and property management company with 40 years of experience and they were proposing a high quality urban residential community. He added that the project could be a catalyst for the area and could trigger development around the Arapaho Station.

Mr. John Kirk, Executive Vice President, Embry Partners, 1020 NE Loop, San Antonio, Texas, stated that Embry specialized in multi-family developments and has developed over 30,000 residential units and over 6 million square feet of office in the past 40 years. He added that their projects cover much of the south and they pride themselves on building quality products with long term value.

Mr. Kirk highlighted some of materials to be used in construction of the project including brick, stone, hardy plank, three-stage stucco, and metal accents. In addition, the development would have amenities such a pool, club house/fitness center, dog park, and a hike and bike trail that would tie into the City's trail system via a trail head that will be paid for and constructed by Embry.

Mr. Kirk concluded his presentation noting the high demand for the type of product they were proposing and cited similar projects in the area that are all above 90% occupied.

Mr. Scott Polikov, President, Gateway Planning Group, 101 Summit Avenue, Fort Worth, Texas, stated that the area needed a jump start with an urban residential, TOD project, and felt the proposed project could be the catalyst that has been discussed in some of the redevelopment and enhancement studies in the City. He added that the 2000 Land Use study called for urban residential for the property as opposed to retail, and suggested the project would serve the type of residents who work for the large employers in the Telecom Corridor.

In closing, Mr. Polikov acknowledged that his company did not usually handle this small a project, but when Embry Partners, who has an outstanding reputation, asked his company to participate they were eager to do so.

Mr. Tod Fobare, Property Owner, 5825 Park Lane, Dallas, Texas, stated his company owned a lot of property in the area and felt the proposed project would act as a catalyst to increase

development from Arapaho Road north to Campbell Road. He thought that more vertical developments would follow as properties redevelop closer to the Arapaho DART Rail station and noted that plans are in the works for an office building on the property to the south.

Mr. Dahlstrom stated he wanted to conclude the group's presentation by answering two of the questions posed by the Commission: 1) item 8(c) in the proposed conditions was put in place to head off any unintended consequences from putting a residential use next to a nonresidential use; and 2) mixed-use can be horizontal as well as vertical and the proposed project would be a component of that mixed-use in and around the Arapaho station.

Commissioner Bouvier asked if the hardy panels referred to in the Commission's packet were one solid piece as opposed to the typical hardy planks.

Mr. Eric Ernschaw, BGO Architects, 4144 N. Central Expressway, Dallas, Texas, replied that hardy panels were fiber cement panels that come in 4' by 8' sheets with the joints concealed so there are no battens or reveals and looks like a smooth stucco or wood textured panel.

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

Commissioner DePuy asked about vertical access to the apartments.

Mr. Kirk replied the units would be accessed via interior corridors and stairwells.

Vice Chair Hand asked why gates were listed on the concept plan when the project was suppose to be urban.

Mr. Polikov replied that there had been concern on the part of the applicant about cut through traffic, but after speaking with staff, an agreement was reached to return to the original proposal and remove the gates. Also, in areas where gates would be needed for internal parking security, the engineering staff thought something could be worked out to avoid turn around conflicts.

Chairman Gantt stated he understood the possibility of security issues, but did not think there would be a problem with cut through traffic and Mr. Polikov agreed.

Vice Chair Hand asked why the applicant was proposing 3-story buildings throughout most of the project as opposed to 4 stories, especially along the frontage road to Highway 75.

Mr. Polikov replied the proposal was the maximum urban format possible under the rent structure in the market place going forward for the next several years. In addition, the proposed development served the mid-level market and more closely matched the wages in the Telecom Corridor at \$1.30 to \$1.40 per square foot for rent. He did not think the market would support rent on podium or structured parking construction.

Regarding 4 stories along the frontage road to Highway 75, Mr. Ernschaw replied there will be three stories of residential units in the building along the frontage road, but the perception of the height of the building will be greater than 3 stories with a vertical elevation of 50 feet.

Vice Chair Hand stated he could accept 3-story buildings down the center boulevard because of the outdoor space being developed, but wanted to know if the green spaces in front of the buildings were patios or yards, which he felt took away from the urban feel of the design.

Mr. Ernschaw replied there would be a meandering sidewalk with 8-foot tree wells against the parallel parking, and between the sidewalk and the building there will be landscaping.

Mr. Shacklett replied that there would be approximately 12 feet between the balcony/patio and the parallel parking (5-foot walkway, 7-foot landscape).

Commissioner DePuy stated that the proposed concept plan reminded her of a project in Uptown Dallas with buildings close to the sidewalk and some landscaping, which makes it a very comfortable environment for the residents. She added that the concept plan made sense to her and thought it was the right fit for the site.

Commissioner Frederick stated she liked the plan and felt it was distinctive enough to attract attention along Highway 75. She felt the green space in front of the buildings softened the hardscape just a little bit, but left the urban feel.

Chairman Gantt stated at first he was having a hard time seeing how the proposed concept plan was a good idea because of the industrial zoning to the south, but after a more detailed look at the plan and listening to the presentation, he concurred that the project was a good fit for the area.

Vice Chair Hand noted that proposals had come before the Commission in the past with plans for small apartments, and he acknowledged that the applicant was proposing high quality premium units with the smallest at 550 square feet, but wanted to know how the Commission could codify that the units would not be small, cheap efficiencies.

Mr. Kirk replied they had designed one-bedroom apartments that were high in quality and efficient, but were not the typical efficiency apartments.

Mr. Polikov stated that he could understand the concern of a smaller unit if there were no other elements in the PD conditions that required quality construction, and felt the type of resident who would live in the development would be interested in the amenities, location, and the lifestyle. In addition, for the City to remain competitive they would have to look at changes in the market and the current zoning ordinance was not nuanced enough to do that so that was why the PD made sense.

Vice Chair Hand stated he understood financially why the applicant was not building podium with retail/live/work type units, but asked why that type of environment was not being built and filled with residential for now.

Mr. Polikov replied the market was in the City and not in the site, and may very well never be in the site. He added the amenity level was part of the rent structure renters would be willing to pay. If the developer wanted to go to podium construction and have the retail space to eventually fill in, there might be a problem because higher rents would have to be charged, higher than what was called for in the market. Polikov urged the Commission to

view the project as an incremental investment to up-tick the market to allow future developments to build mixed-use, podium style construction.

Commissioner Linn stated he thought the proposed development was a good idea for the area, but would prefer to wait until the Arapaho Collins redevelopment/enhancement study was complete and let the study dictate the land use around the station. In addition, he did not feel there was enough data to back up the claim that the project could be a catalyst for the area.

Mr. Polikov replied that his company had worked on other area studies for Cities in the Metroplex, including Richardson, and, based on his opinion, if his company was working on the contract for the Arapaho Collins study, he felt their recommendations would not be that much different from the concept plan being presented to the Commission. He added that the development would act as a catalyst by making a statement to the market that if Embry was willing to invest in the location, then maybe other investors and developers should too.

Mr. Dahlstrom added they had visited with the staff and were told the Arapaho Collins study would be a different type of study and that the request was a reasonable use of the property.

Mr. Chavez stated that the proposed study for Arapaho Collins would be a market study, which could possibly lead to a land use study of the area, but there were no guarantees that would happen and that the market study would be completed in the first quarter of 2013.

Mr. Kirk addressed the catalyst statement by citing a redevelopment project Embry did in San Antonio on the site of a run-down motel and how the area is now home to a new Target, Wal-Mart Supercenter, and Chick-fil-A. He also mentioned some areas in Dallas where residential made an impact and started the turn around process.

Commissioner DePuy stated the area was definitely a TOD area and felt the apartments would appeal to young professionals. She added that to wait on the project would be detrimental to other developments starting to take place along Highway 75.

Motion: Commissioner Frederick made a motion to recommend approval of Zoning File 12-11 as presented, with an additional condition to allow the option to remove the gates at both the east and west drives; second by Commissioner DePuy.

Vice Chair Hand stated he thought the proposal was interesting, but was hoping to have more time to deliberate and negotiate with the applicant. He also thought the motion should state the gates should be removed as opposed to having the option of removing them.

Mr. Hand closed his comments by citing a section of the Gateway Planning document about older apartment complexes and cautioned the Commission to apply the lessons learned when making their decision.

Motion passed 4-3 with Vice Chair Hand and Commissioners Bouvier and Linn opposed.



Staff Report

TO: City Council

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

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

DATE: September 20, 2012

RE: **Zoning File 12-11:** Planned Development – GreenVUE PD

REQUEST:

Rezone 12.75 acres from I-FP(2) Industrial with special conditions to PD Planned Development to for the development of a multi-family community located at the southeast corner of Greenville Avenue and Collins Boulevard.

APPLICANT / PROPERTY OWNER:

John S. Kirk – Embrey Partners, Ltd. / Leora Azoulay Lesh – SAF CTP, LLC

EXISTING DEVELOPMENT:

The property is undeveloped.

ADJACENT ROADWAYS:

Alma Road: Four-lane, divided major collector; 3,800 vehicles per day on all lanes, northbound and southbound, south of Collins Boulevard (May 2011).

Collins Boulevard: Six lane, divided arterial; 11,000 vehicles per day on all lanes, eastbound and westbound, on the Collins Boulevard overpass (May 2011).

Greenville Avenue: Six-lane, divided arterial; no traffic counts available between Arapaho Road and Collins Boulevard.

SURROUNDING LAND USE AND ZONING:

North: Office; PD Planned Development

South: Industrial; I-FP(2) Industrial

East: Industrial; I-FP(2) Industrial

West: Retail/Commercial (across DART and US-75); C-M Commercial

FUTURE LAND USE PLAN:

Enhancement/Redevelopment

These are areas where reinvestment and redevelopment is encouraged. Further study may be necessary to understand the full potential for redevelopment. This property is located in the East Arapaho/Collins enhancement/redevelopment area and is part of the City's Tax Increment Finance (TIF) district. This area has been challenged in recent years by evolving markets, technology, and user requirements. Redevelopment, enhancement, and building format changes should be considered. Mid-rise office uses are appropriate throughout the area and mixed-use buildings with ground-floor retail could be appropriate at key locations, including adjacent to the Arapaho Center rail transit stations.

Future Land Uses of Surrounding Area:

North: Office/Industry
South: Enhancement/Redevelopment
East: Enhancement/Redevelopment
West: Community Commercial

EXISTING ZONING:

I-FP(2) Industrial (Ordinance Number 29-A).

TRAFFIC/ INFRASTRUCTURE IMPACTS:

The applicant provided a traffic impact analysis (TIA) and conceptual drainage study per the requirements for a PD Planned Development District. **Based on the TIA, staff has worked with the applicant to provide adequate driveway locations along Greenville Avenue and Alma Road. The proposed driveway along Greenville Avenue was moved south from Collins to provide adequate transition and storage for a left turn lane to the property from Greenville Avenue.** Staff has also reviewed the conceptual drainage plan and determined the proposed use would not negatively impact the City's infrastructure.

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

The subject property is a 12.7-acre undeveloped lot. It is bounded on the north by the Collins Boulevard overpass. At the west end of the property, the overpass is approximately thirty-five (35) feet above grade and as the road moves eastward, it comes back to grade as it approaches Alma Road (see attached oblique aerial and photos). The site is also partially bounded along the southwest property line by the KCS Railroad and a vacant office/industrial building to the south. The property is located between one-quarter and one-half mile north from the Arapaho DART station, which is connected via a trail along the east side of Greenville Avenue.

In 2001, a land use study was conducted for the Arapaho DART Station area to determine what types of uses and development patterns would be appropriate surrounding a multi-modal transit station. The study led to the creation of a draft station area plan that was developed in response to recommendations from an Urban Land Institute (ULI) Advisory Service Panel Report published in 2000. The station area plan encouraged the development of commercial development around the Arapaho Center station as the dominant land use, but suggested flexibility to allow a mix of land uses on larger parcels to include retail, residential and office uses while allowing developers to respond to market demands. For the subject property and property located directly south, the station area plan designated office, open space, and mixed-use office/urban residential as appropriate land uses.

In 2005, the City submitted an application to rezone the property around the Arapaho Center Station. The area to be rezoned was bounded by Central Expressway to the west, the KCS Railroad to the north and east, and Arapaho Road to the south and did not include the subject property. The proposed PD contained three (3) separate areas around the station that allowed a mix of uses such as retail, commercial, entertainment, office with multi-family allowed by Special Permit on the property between Central Expressway and the DART right-of-way, north of Arapaho Road. The City Plan Commission recommended approval of the zoning change; however, at the City Council meeting, a major property owner within the district stated they were opposed, and the zoning case was tabled for an indefinite period of time. Ultimately, the zoning change was never approved, and the existing Industrial zoning classification is still in place today.

In 2009, the City updated the Future Land Use Plan as part of the update to the City's Comprehensive Plan. The subject property was placed in a future land use category noted as Enhancement/Redevelopment. There were six (6) distinct Enhancement/Redevelopment districts designated in the Plan, and the subject property is located in the East Arapaho/Collins district. The City is in the preliminary stages of a study of this district, which should be completed in the 1st quarter of 2013. The study area boundaries have not been finalized, so it is unclear whether the subject property will be included or not. The subject property had previously been designated as a medium density employment/service land use in the 2000 Future Land Use Plan.

Applicant's Request:

The applicant's request is to rezone approximately 12.7 acres of land from I-FP(2) Industrial to PD Planned Development for a multi-family community. Their position is that the visibility and access constraints placed on the property due to the Collins Blvd overpass and the KCS Railroad makes the site difficult to develop. Further, they feel the current market conditions and demand for multi-family, especially near DART stations, is high. They state the property presents a unique development opportunity to take advantage of underutilized land that may provide a possible catalyst for future redevelopment in the surrounding area.

The proposed 351-unit development is a combination of eight (8) multi-family buildings consisting of 1-bedroom and 2-bedroom units. Multiple open space areas will be located throughout the property with a large open space/pool area located behind the leasing center/clubhouse in the southwest portion of the property. The community is accessed from

Greenville Avenue and Alma Road, connected by a main spine road that serves as the major driveway through the property. A 6-foot decorative metal fence surrounds the property and a 10-foot bike trail is provided along all three (3) street frontages. As part of the request the applicant has provided a set of regulations that would govern the development of the property (attached as Exhibit “F”). As part of the PD request, the applicant is also requesting a variance from Chapter 21 (Subdivision and Development Code, Section 21-58) to consider the 351-unit complex as one apartment community and waive the requirement for physical separation between every 250 units. This requirement had previously been added to Chapter 21 as a crime control measure with regard to theft. Staff is currently reviewing this requirement to determine if it should be removed from Chapter 21. Below is description of the proposed development.

Proposed Development

- Lot Area: 12.75 acres / 555,259 square feet
- Number of Units/Density: 351 units / Maximum 28 dwelling units per acre allowed.
- Building Area: Eight (8) apartment buildings and leasing center/clubhouse totaling 153,951 square feet / approximately 28% lot coverage (max 30% proposed)
- Setbacks:
 - Front: 40 feet along Greenville Avenue and Collins Boulevard / 25 feet along Alma Road.
 - Side: No side setback required along southwestern property line.
 - Rear: 25 feet along southern property line except for accessory structures related to pool area/central open space may be located within five (5) feet of southern property line.
- Number of Parking Spaces: 527 required/538 proposed (proposed parking ratio of 1.5 spaces per dwelling unit).
- Building Height: Maximum four (4) stories, not to exceed fifty (50) feet, excluding architectural features in scale with the building. All buildings are 3-story buildings except for Building 1 which provides 3rd story units that have a second story (loft) within the unit, thereby creating a 4-story building.
- Building Materials: The buildings will be constructed of a combination of brick, stone, concrete block, 3-stage stucco, metal panels, and hardipanel. The minimum amount of masonry allowed will be 50% per elevation, which is utilized on the west elevation of Building 1. The other building elevations will be between 56% and 77% masonry construction as noted on the attached elevations (Exhibits “C-1” through “C-3”).
- Landscaping: 31% proposed.

The table on the following page provides a comparison between the proposed development, A-950-M Apartment regulations, and similar developments (Brick Row, The Venue, Eastside).

Regulation	Proposed Development (ZF 12-11)	A-950-M Apartment	Brick Row	The Venue	Eastside
Min. Floor Area per Unit	550 s.f.	700 s.f.	1-bedroom - 750 s.f. 2-bedroom -900 s.f. 5% of each unit type allowed to be reduced up 25% provided overall average per building is 800 s.f.	1-bedroom - 700 s.f. 2-bedroom -900 s.f. 5% of each unit type allowed to be reduced up 75% provided overall average is 750 s.f.	625 s.f., except up to 8 units may be a minimum 500 s.f. Average floor area shall be 850 s.f.
Number of Units Developed	351	Max 18 units per acre allowed	577	285	436
Building Materials (Masonry considered to be brick, concrete, concrete block, and stone)	Min. 50% masonry on each elevation (Elevations range from 50% to 77% masonry)	Min. 75% masonry	100% masonry on ground floor / Overall min. 85% masonry for entire building Reduced requirements for exterior walls of courtyard areas above 1 st floor	100% masonry on ground floor / Min. 50% above ground floor Reduced requirements for exterior walls of courtyard areas above 1 st floor	Min. 50% masonry
Parking Ratio	1.5 spaces/unit (no requirement for garage/carport) 158 garage or tuck under spaces provided (approx. 0.45 spaces/unit)	2 spaces per unit (.5 garage or carport/unit)	1-BR – 1.5 spaces/unit 2-BR – 1.75 spaces/unit 3-BR – 2 spaces/unit Multi-family projects required structure parking	1.5 spaces/unit Required structured parking	1.5 spaces/ unit
Max. Height	4-story (max. 50')	2-story (max. 40')	6-story (max. 100') / Developed at 4 stories (66'9" to top of architectural features)	Max. 151' / Developed at 87'10" to top of architectural features)	Max. 80'
Max. Density	28 units/acre	18 units/acre	Max. 577 units allowed (no density requirement) Developed at approx. 52 units/acre on lots developed as multi-family)	90 units/acre / developed at approx. 64 units/acre	Max 450 units allowed (Allows max. 30.4 units/acre). Developed at 29.5 units/acre
Recreational Areas	No playground being proposed A minimum 95 amenity points shall be required per proposed PD regulations	For each 250 units a min. 900 s.f. playground for children under 10 years For each 250 units a min. 70 recreational amenity points.	2 acres of public open space required within 30-acre Brick Row development Additionally, a minimum 70 amenity points required (40 on-site) for each 350 units	No specific amenity points requirement. Approved as part of master plan and site plan approval.	Min. 900 s.f. in area of indoor or outdoor recreation space designed for use of residents. Additionally, a minimum 70 points required for entire development.

Proposed PD Standards:

The proposed PD standards utilize the A-950-M Apartment District regulations as a base zoning district, but calls out all areas where deviations from the district are being requested. To accommodate the proposed development, much of the base zoning district regulations are being revised including building materials, height, setbacks, density, parking and recreational areas. The revisions are being requested because the applicant is proposing a product that is more urban in nature than what our typical A-950-M Apartment regulations would allow. Several of these deviations are discussed below:

Minimum Floor Area of Dwelling Unit – The applicant is proposing to allow the minimum floor area of a dwelling unit to be 550 square feet. They are proposing to construct 244, 1-bedroom/1-bathroom units and 107, 2-bedroom/2-bathroom units. The minimum floor area allowed within the A-950-M District is 700 square feet regardless of the number of bedrooms. The applicant is proposing a lower minimum because a large part of their market is single residents who do not want to maintain a large living space and prefer a smaller living space with a higher quality finish-out. The applicant has also stated that their 1-bedroom, 550-square foot unit is currently their fastest leasing unit in other projects.

Building Materials – The applicant proposed regulations require a minimum 50% masonry construction per elevation as depicted on the attached elevations (Exhibits “C-1” through “C-3). They are proposing to include 3-stage stucco and metal panels as non-masonry materials that could be used for the remainder of the elevations in addition to hardipanel. In the West Spring Valley Corridor PD, exterior walls at the ground floor level of buildings were required to be a minimum 50% masonry; however, the remaining 50% of the exterior walls were allowed to utilize 3-stage stucco or ventilated façade systems (type of metal panels). Although the typical A-950-M Apartment District regulations require a minimum 75% masonry construction, the applicant is proposing to utilize higher quality, non-masonry materials such as 3-stage stucco and metal panels that they feel will create a quality design.

Building Height/Density – The applicant is proposing that a maximum 4-story building, not exceeding fifty (50) feet, exclusive of architectural features respecting building scale, be allowed. Due to the increased proposed density and urban nature of the project, the proposed buildings will be three (3) stories; however, Building 1 contains third-story units with a loft, thereby creating a fourth story within that building. The proposed density of the project is a maximum twenty-eight (28) dwelling units per acre. In the A-950-M Apartment District, buildings are restricted to a maximum of two (2) stories, not to exceed forty (40) feet in height and density is limited to a maximum of eighteen (18) dwelling units per acre.

Building Setbacks – The A-950-M Apartment District requires a landscaped 30-foot front setback along streets. The proposed development has three (3) street frontages.

- Along Greenville, the applicant intends to provide a 40-foot building setback.
- Along Alma, the proposed building location is between 25-30 feet back of the property line, so they are requesting the minimum 25-foot setback so they do not run into a dimensional issue at the time of development, if approved.

- Along Collins, a 40-foot building setback is proposed.

Along the southern property line and KCS Railroad, the applicant is proposing a 25-foot setback that is consistent with the rear property line required in the A-950-M Apartment District; however, they are requesting that accessory structures related to the central open space/pool area at the southwest corner of the property be allowed to utilize a setback of five (5) feet.

Perimeter Landscape Setbacks – The A-950-M Apartment District requires that the 30-foot front setbacks shall be landscaped. The proposed development has three (3) street frontages.

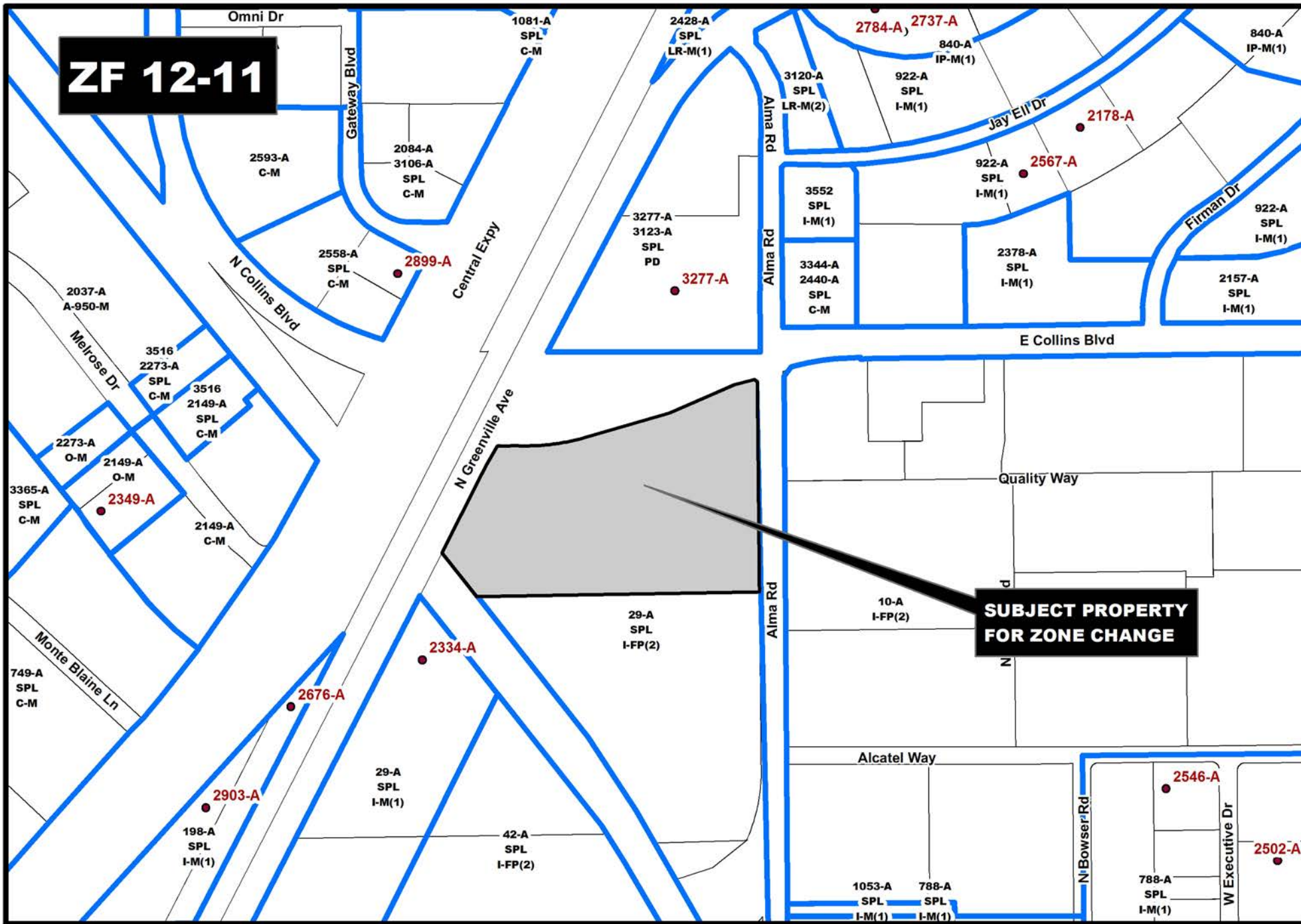
- Along Greenville, the applicant intends to provide a 30-landscape setback except for a small area where a portion of a driving aisle encroaches. The applicant intends to provide one (1) canopy tree and one (1) ornamental tree for every fifty (50) feet of lineal frontage as suggested in the City’s Landscaping Policy.
- Along Alma, the proposed landscape setback is a minimum of twenty-five (25) feet. This is due to the location of the building along Alma as stated above. The applicant intends to provide one (1) canopy tree and one (1) ornamental tree for every fifty (50) feet of lineal frontage as suggested in the City’s Landscaping Policy.
- Along Collins, a minimum 6-foot landscape setback is proposed. The landscape area is reduced to accommodate the driving aisle and parking spaces along the north side of the development. The applicant feels the reduced landscape setback is appropriate since most of the Collins frontage is along the retaining wall of the overpass so the need for the landscape buffer is not necessary. Along with the reduced landscape buffer, the applicant does not intend to provide the canopy and ornamental trees adjacent to the retaining wall.

Internal Landscaping – The applicant intends to comply with the City’s Landscape Ordinance and Policy for the internal site landscaping. In addition to the City’s typical landscaping policies which include minimum 10-foot wide landscape islands at the end of parking rows planted with canopy trees, the applicant has included a condition regarding proposed landscaping along the main east-west drive as noted on the concept plan (Exhibit “B”). Along both sides of the drive, the applicant proposes to place canopy trees in bulb-outs in between the parallel parking spaces. This placement of trees will provide a shaded area along the sidewalks that run adjacent to the east-west drive.

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

Motion: On September 4, 2012, the City Plan Commission recommended approval of the request on a vote of 4-3 (Commissioners Bouvier, Hand, and Linn opposed) subject to the following special conditions as presented (#1) and with an additional condition (#2) as listed below:

1. The subject site shall be zoned PD Planned Development for the A-950-M Apartment District and shall be developed in accordance with the attached “GreenVUE Planned Development District Proposed PD Conditions” (Exhibit “F”).
2. The gates located at the Greenville Avenue and Alma Road entrances may be removed.



ZF 12-11 Zoning Map

Updated By: shacklett, Update Date: July 13, 2012
 File: DSI\Mapping\Cases\Z\2012\ZF1211\ZF1211 zoning.mxd

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





ZF 12-11

**SUBJECT PROPERTY
FOR ZONE CHANGE**

ZF 12-11 Aerial Map

Updated By: shacklett, Update Date: July 13, 2012
File: DSI\Mapping\Cases\Z\2012\ZF1211\ZF1211 ortho.mxd

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





Alma Rd

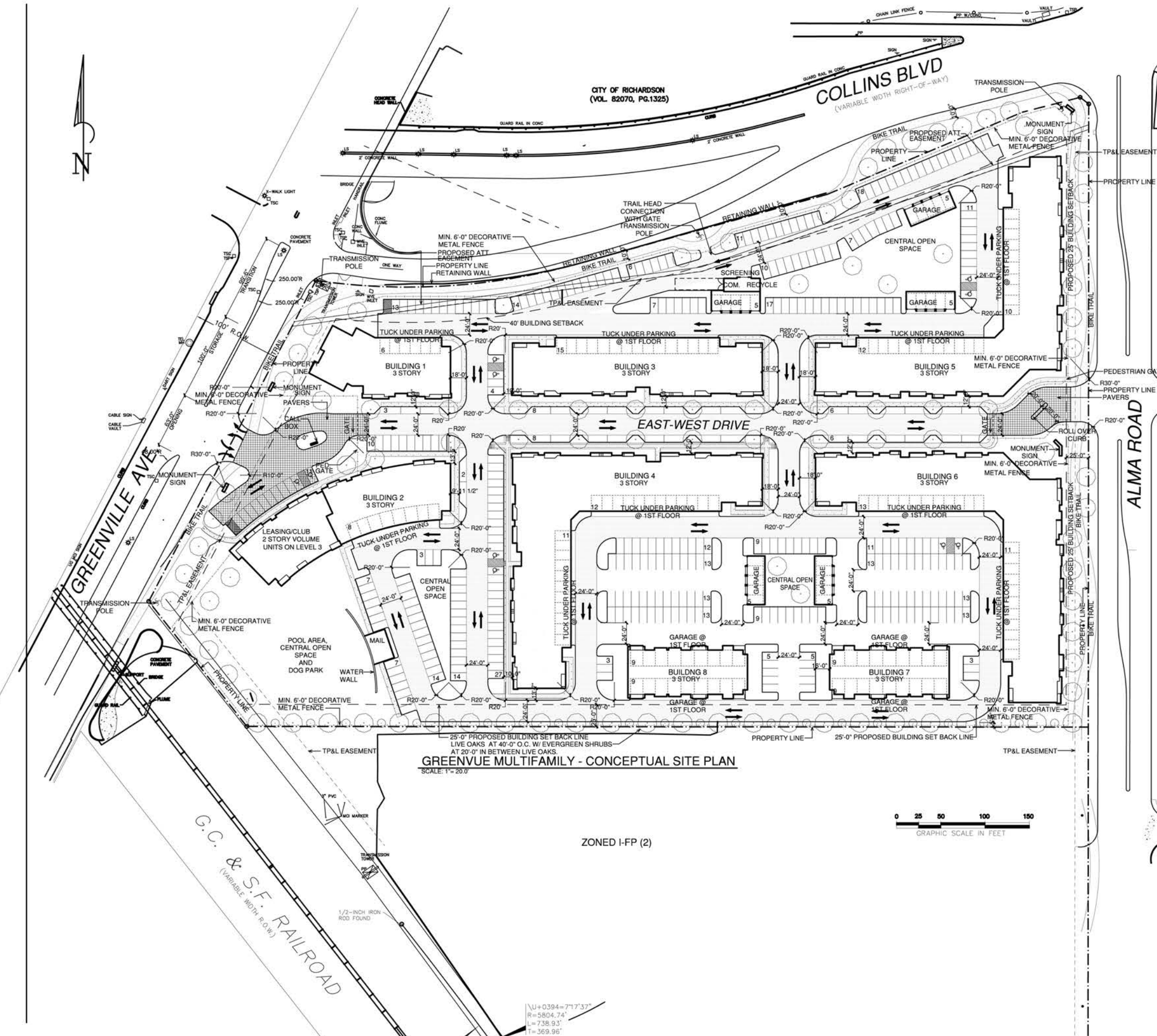
Collins Blvd

Greenville Ave

KCS RR

DART Light Rail

Oblique Aerial
Looking East



GREENVUE MULTIFAMILY - CONCEPTUAL SITE PLAN
SCALE: 1" = 20.0'

ZONED I-FP (2)

$$\begin{aligned}
 &U+0394=717'37" \\
 &R=5804.74' \\
 &L=738.93' \\
 &T=369.96'
 \end{aligned}$$

PROJECT SUMMARY		
	EXISTING	PROPOSED
ZONING	I-FP (2) INDUSTRIAL	PLANNED DEVELOPMENT FOR MULTIFAMILY RESIDENTIAL
SETBACKS		40'-0" ALONG GREENVILLE AVE & COLLINS BLVD. 25'-0" ALONG ALMA ROAD 25'-0" REAR
LOT AREA	12.747 ACRES OR 655,259.32 SF	
BUILDING SQ. FT. PER FLOOR	FIRST	153,950.85 SF
	SECOND	147,450.74 SF
	THIRD	143,708.74 SF
	TOTAL	445,110.33 SF
PARKING RATIO	1.5/UNIT MIN. = 527 SPACES	
PARKING	PROVIDED 538 TOTAL SPACES 380 SURFACE SPACES 133 SINGLE CAR GARAGES/TUCK UNDER PARKING 25 DETACHED GARAGE SPACES	
LANDSCAPE %-SF	173,101.74 SF OR 31%	
F.A.R.	0.80 F.A.R.	
DENSITY	28 UNITS-PER ACRE MAX.	
LOT COVERAGE	153,951.04 SF/555,259.32 = .277 = 28% / 30% MAX. PROPOSED	
BUILDING HEIGHT	50'-0" (MEAN LEVEL BETWEEN EAVE AND RIDGE) / 4 STORY MAX.	
TOTAL # OF UNITS	351 UNITS - 244 @ 1B/1B & 107 @ 2B/2B = TOTAL 458 BEDROOMS	

- NOTES:
1. THIS SITE DOES NOT LIE IN THE FLOODPLAIN, FLOODWAY, STREAM COURSE OR OTHER WATER FEATURE.
 2. THERE ARE NO LOADING DOCKS ON THIS SITE.
 3. THERE ARE NO OPEN STORAGE AREAS ON THIS SITE.
 4. TEMPORARY TRASH STORAGE WILL BE LOCATED WITHIN THE BUILDINGS.



APPLICANT:
JOHN KIRK
1020 N.E. LOOP 410
SUITE 700
SAN ANTONIO, TEXAS 78209
REPRESENTING:
EMBREY PARTNERS, LTD.

LAND OWNER:
TOD FOBARE, REPRESENTING:
SAF CTP, LLC.
18111 PRESTON ROAD
SUITE 1000
DALLAS, TEXAS 75252

ZONING EXHIBIT
EXHIBIT 'B' - PART OF ORDINANCE

REVISIONS

NO.	DATE	DESCRIPTION

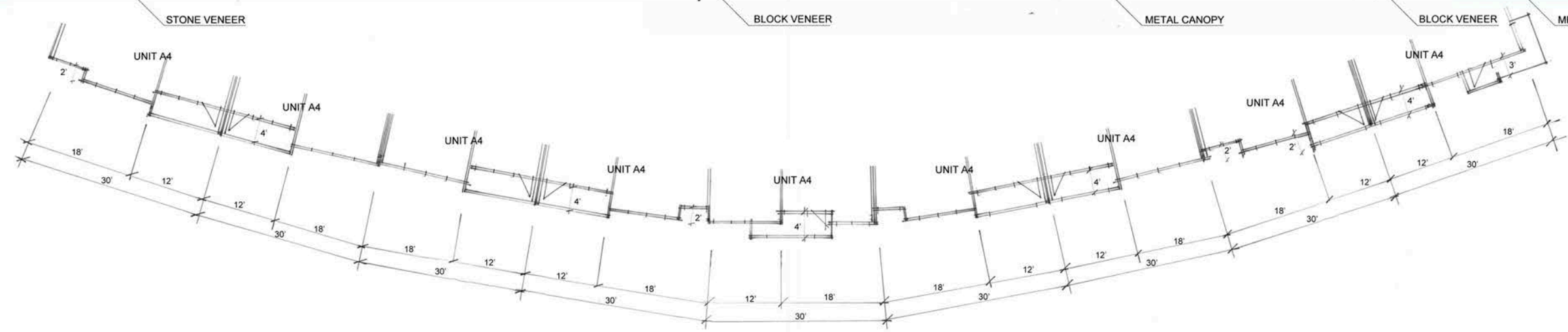
GREENVUE
ROCKWALL SUBDIVISION LOT 4, BLOCK 3



4144 N. Central Expy. Suite 855
Dallas, TX 75204
214.520.8878
bgoarchitects.com

DATE	08-13-2012
PROJECT	12130
SHEET NUMBER	

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Metal Panel : 7%
 Hardi Panel: 12%
 3 Coat Stucco : 11%
 Brick : 27%
 Block : 5%
 Stone : 38%

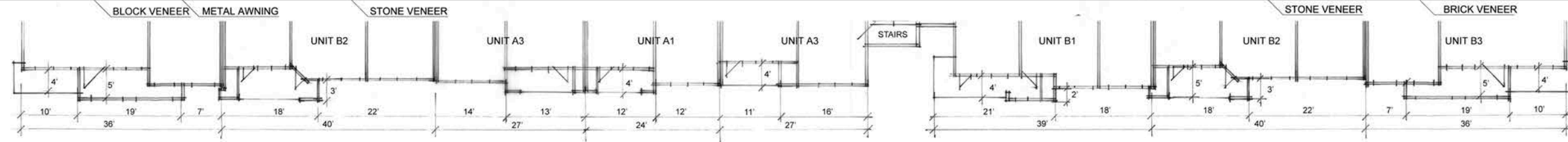
 Masonry Total : 70%

Typical Color selection
 Metal Panel : Blue
 Hardi Panel: White, Gray
 3 Coat Stucco : White
 Metal Awning : Blue
 Brick : Gray
 Block : White
 Stone : Tan

BUILDING 2 NORTH ELEVATION

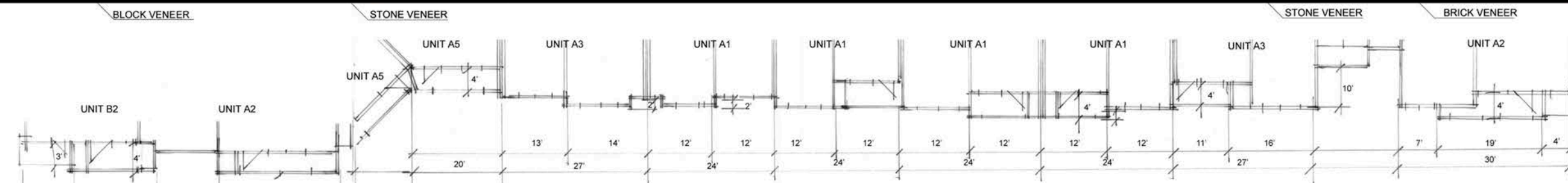
**GREENVUE DEVELOPMENT CONCEPTUAL ELEVATIONS
RICHARDSON, TX**

Exhibit C-1 - Part of Ordinance



Hardi Panel : 16%
 3 Coat Stucco : 10%
 Brick : 28%
 Block : 6%
 Stone : 40%
 Masonry Total : 74%
Typical Color selection
 Hardi Panel : White, Blue, Gray
 3 Coat Stucco : White
 Metal Awning : Blue
 Brick : Gray
 Block : White
 Stone : Tan

BUILDING 4 NORTH ELEVATION-BUILDING 3,5 AND 6 SIMILAR



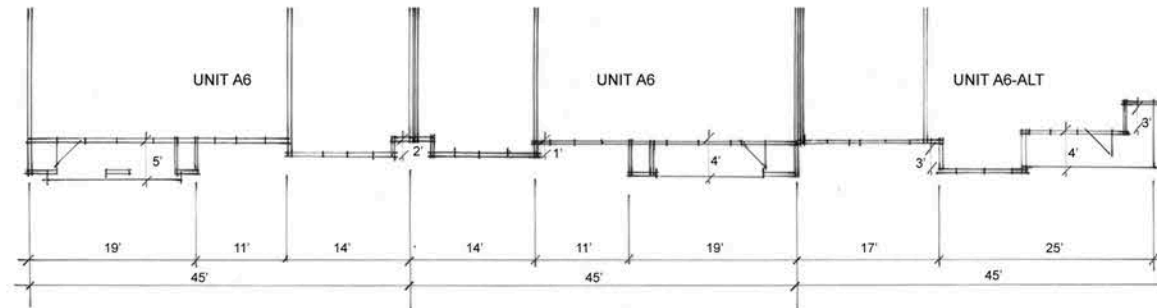
Hardi Panel : 15%
 3 Coat Stucco : 8%
 Brick : 32%
 Block : 6%
 Stone : 39%
 Masonry Total : 77%
Typical Color selection
 Hardi Panel : White, Blue, Gray
 3 Coat Stucco : White
 Metal Awning : Blue
 Brick : Gray
 Block : White
 Stone : Tan

BUILDING 4 SOUTH ELEVATION-BUILDING 3,5 AND 6 SIMILAR

**GREENVUE DEVELOPMENT CONCEPTUAL ELEVATIONS
RICHARDSON, TX**

Exhibit C-2 - Part of Ordinance

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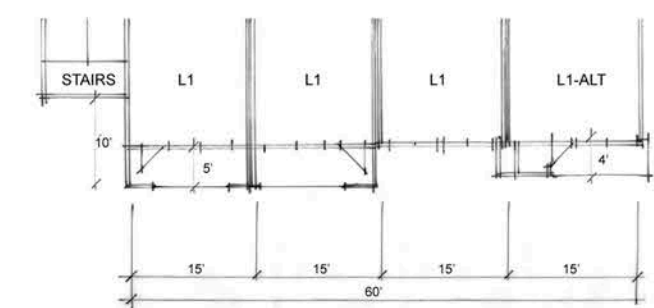


Hardi Panel : 24%
 3 Coat Stucco : 20%
 Brick : 21%
 Block : 3%
 Stone : 32%
 Masonry Total : 56%

Typical Color selection

Metal Panel : Blue
 Hardi Panel: White
 3 Coat Stucco : White, Blue
 Metal Garage Door : Brown
 Brick : Gray
 Block : White
 Stone : Tan

BUILDING 7 & 8 NORTH AND SOUTH ELEVATION

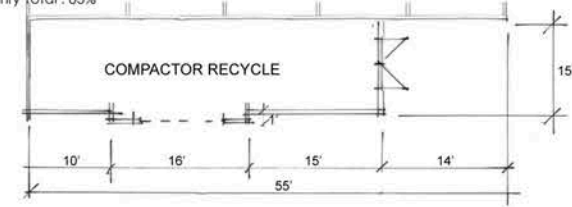
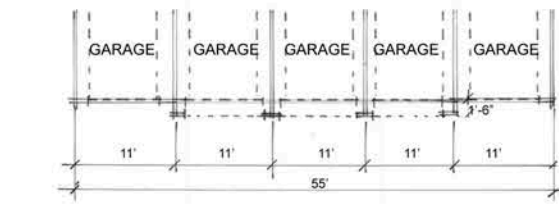
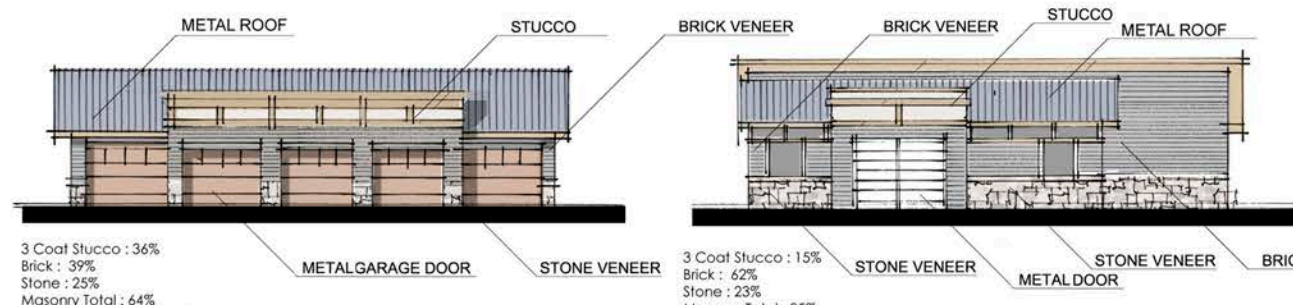


Metal Panel : 14%
 Hardi panel : 24%
 3 Coat Stucco : 12%
 Brick : 14%
 Stone : 36%
 Masonry Total : 50%

Typical Color selection

Metal Panel : Blue
 Hardi Panel: White
 3 Coat Stucco : White
 Metal Awning : Blue
 Brick : Gray
 Block : White
 Stone : Tan

BUILDING 1 WEST ELEVATION

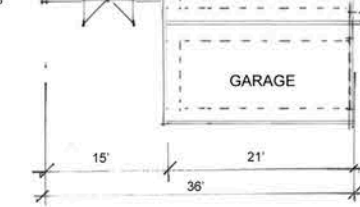
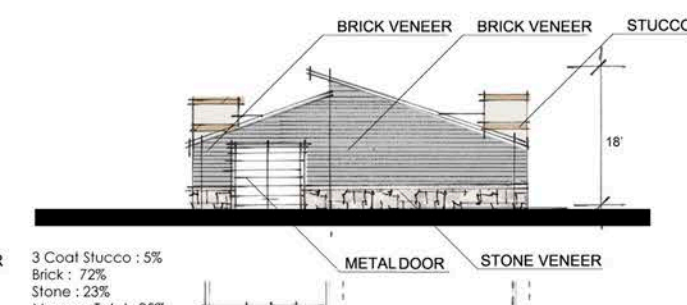


3 Coat Stucco : 36%
 Brick : 39%
 Stone : 25%
 Masonry Total : 64%

3 Coat Stucco : 15%
 Brick : 62%
 Stone : 23%
 Masonry Total : 85%

GARAGE & TRASH ENCLOSURE SOUTH ELEVATION

GARAGE & TRASH ENCLOSURE NORTH ELEVATION



3 Coat Stucco : 5%
 Brick : 72%
 Stone : 23%
 Masonry Total : 95%

Typical Color selection

3 Coat Stucco : White
 Metal Garage Door : Brown
 Brick : Gray
 Stone : Tan

GARAGE & TRASH ENCLOSURE WEST ELEVATION

GREENVUE DEVELOPMENT CONCEPTUAL ELEVATIONS
 RICHARDSON, TX

Exhibit C-3 - Part of Ordinance



GREENVUE DEVELOPMENT CONCEPTUAL PERSPECTIVE GREENVILLE AVENUE
RICHARDSON, TEXAS

Exhibit D-1

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GREENVUE DEVELOPMENT CONCEPTUAL PERSPECTIVE ALMA ROAD
RICHARDSON, TEXAS

Exhibit D-2



SEC Greenville & Collins - August 2012





(3)

**Looking Northeast
from Greenville Ave**

SEC Greenville & Collins - August 2012



(4)

**Looking Northwest
from Alma Road**

Exhibit E-2



(5)

**Looking Southwest at
Subject Property
from Alma Road**

SEC Greenville & Collins - August 2012



(6)

**Looking North along
East Property Line (Alma Road)**

Exhibit E-3



(7)

Looking along
Main Road (Similar to
East-West Drive)

Embrey Apt. Development - Carrollton - July 2012



(8)

Open Space Area

Exhibit E-4

**GREENVUE PLANNED DEVELOPMENT DISTRICT
PROPOSED PD CONDITIONS
EXHIBIT “F”**

Sec. 1. Intent.

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

Sec. 2. Concept Plan.

Development of the Property must generally comply with the concept plan attached hereto for all purposes as Exhibit “B”, (the “Concept Plan”).

Sec. 3. Building regulations.

(1) Except as otherwise provided herein, for multifamily uses, the building regulations of the A-950-M Apartment District shall apply .

(2) The following building regulations shall apply to apartment uses:

a. *Minimum floor area per dwelling unit.* 550 square feet.

b. *Type of Materials.*

(1) *Building 1.*

a) *Front and Side Facades.* Shall substantially conform to the architectural design and material mix set forth on “Building 1 Front Elevation” in Exhibit “ ”, the Conceptual Elevations.

b) *Rear Façade.* Shall substantially conform to the architectural design and material mix set forth on “Building 7 and 8 Front Elevation” in Exhibit “ ”.

- (2) *Building 2*
- a) *Front and Side Facades.* Shall substantially conform to the architectural design and material mix set forth on “Building 2 Front Elevation” in Exhibit “”.
 - b) *Rear Façade.* Shall substantially conform to the architectural design and material mix set forth on “Building 7 and 8 Front Elevation” in Exhibit “”.
- (3) *Buildings 3,4,5 and 6*
- a) *Front and Side Facades.* Shall substantially conform to the architectural design and material mix set forth on “Building 3,4,5,and 6 Front Elevation” in Exhibit “”.
 - b) *Rear Façade.* Shall substantially conform to the architectural design and material mix set forth on “Building 7 and 8 Front Elevation” in Exhibit “”.
- (4) *Buildings 7 and 8*
- a) *Front and Rear Facades.* Shall substantially conform to the architectural design and material mix set forth on “Building 7 and 8 Front Elevation” in Exhibit “”.
 - b) *Side Façades.* Shall substantially conform to the architectural design and material mix set forth on “Building 3,4,5, and 6 Front Elevation” in Exhibit “”.
- (5) *Garages.*
- a) *Front and Rear Facades.* Shall substantially conform to the architectural design and material mix set forth on “Garage Front and Rear Elevation” in Exhibit “”.
 - b) *Side Façades.* Shall be consistent in architectural design and material mix for the front and rear facades of such garages.
- (6) The nonmasonry exterior walls may be constructed of materials such as metal, 3-coat stucco system, and cementitious siding.
- (7) For purposes of this planned development only, “masonry” includes brick, manmade or natural stone, cast stone, rock, marble,

granite, curtain glass, glass block or any other similar materials approved by the building official.

Sec. 4. Height regulations.

(1) *Maximum height.* Except as otherwise provided herein, the maximum building height shall be limited to four stories not to exceed 50 feet in height. The maximum height for garages shall be 18 feet.

(2) *Architectural features.* Features that may exceed the maximum height include turrets, towers, and lighting features, in addition to other features set forth in the definition of “height” in the Zoning Ordinance, provided that such features respect the scale of the building, subject to Development Plan approval.

Sec. 5. Area regulations.

(1) *Maximum Density:* Twenty-eight (28) dwelling units per acre.

(2) *Maximum Lot Coverage:* The principal building(s) and any accessory buildings (inclusive of parking structures) shall not exceed 30 percent of the total area of the lot.

(3) *Perimeter Setbacks.*

(a) Front.

- i. The minimum building setback from Greenville Avenue and from Collins Boulevard shall be forty (40) feet.
- ii. The minimum building setback from Alma Road shall be twenty-five (25) feet.
- iii. Balconies above first floors may encroach up to three (3) feet into the building setback and ten-foot landscape strip.

(b) Rear. The rear property line shall be defined as the southern property line and property line adjacent to the KCS Railroad. Except as otherwise provided herein, the minimum rear yard setback shall be twenty-five (25) feet. The minimum rear yard setback for amenities and accessory structures within the “Pool Area Central Open Space” as identified on the Concept Plan, shall be five (5) feet.

(c) Parking. Driveways and surface parking will be allowed in any setback area.

(d) Overhangs and fireplaces. The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof outside stairways may extend to a maximum of 3 1/2 feet into the required front, side or rear yards.

(4) *Landscaping.*

- (a) Landscaping shall be provided at a minimum ratio of thirty percent (30%) of the gross land area of the Property.
- (b) Landscaping shall include enhanced paving areas, landscape islands, and open space areas including the central open space as shown on the Concept Plan.
- (c) Entry features may be provided as shown on the Concept Plan.
- (d) Within the front yard area, a landscape strip shall be provided as follows:
 - (i) 30 feet along Greenville Avenue, except as provided herein, (ii) 25 feet along Alma Road, and (iii) 6 feet along Collins Boulevard. Within the 30-foot landscape strip along Greenville Avenue, driveways and driving aisles are permitted as shown on the Concept Plan. The Bike Trail may be located within the landscape strip as identified on the Concept Plan.
- (e) Within the required landscape strip, the developer shall install, and all subsequent owners shall maintain, plant materials as follows: One canopy tree for every 50 lineal feet of street frontage and one ornamental tree shall be required for every 50 lineal feet of street frontage; provided, however, that canopy and ornamental trees may be grouped. In addition, three evergreen shrubs, which shall reach a minimum height of 30 inches, shall be installed for each head-in parking space facing Collins Boulevard except as otherwise provided herein. No trees shall be required to be planted within the landscape strip along the retaining wall along Collins Boulevard
- (f) Berms measuring 30” in height with 3:1 slopes may be used in lieu of evergreen shrubs for a minimum of 1/3 of the lineal frontage of a perimeter street.
- (g) A minimum five-foot landscape strip with evergreen and live oak trees planted on alternating 40-foot centers shall be provided along the southern property line.
- (h) Along the “East-West Drive”, from the entrance gate at Greenville Avenue to the entrance gate at Alma Road, canopy trees shall be in tree wells in accordance with the Concept Plan.
- (i) Trees that are planted within tree wells shall be planted within 8-foot tree wells which are constructed in accordance with City details. The tree well opening shall be covered with a 6-foot x 6-foot tree grate, also in accordance with City details.
- (j) Underground bubbler irrigation is required and shall be installed on a zone separate from other landscape areas. Irrigation must be designed to deliver the appropriate amount of water to each tree with minimum waste.

- (k) Drainage for the tree well must be provided in accordance with City details.

Sec. 6. Parking.

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

Sec. 7. Special requirements.

- (a) *Recreational areas.*

- (1) Indoor or outdoor recreational amenities shall be required pursuant to this ordinance to meet the requirements of the residents in apartment units on the Property.

- (2) For purposes of this ordinance, all apartments constructed on the Property are considered to be one community. The amenities listed below shall accrue points based on the values assigned. A minimum of 100 recreational amenity points must be accumulated for the PD.

- a. Clubhouse/game room/multi-purpose room a minimum of 400 square feet in area. (Ten points.)

- b. Equipment, such as pool tables, ping-pong tables, foosball tables, etc., in the clubhouse/game room/multi-purpose room; electronic videogames or pinball games shall not be eligible for points. The appropriateness of the equipment shall be determined by the city's director of parks and recreation. (One point for each piece of approved equipment.)

- c. Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points/court.)

- d. Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points/court.)

- e. Indoor fitness center at least 400 square feet in area. (Ten points.)

f. Swimming pool, including wading area. Pools shall be fenced and secured according to the requirements of the City of Richardson. (Ten points)

g. Reinforced concrete jogging trail, bike path, sidewalks or combination thereof looping through or around the Property, a minimum of ten (10) feet in width to be constructed solely by the developer. (Twenty points.)

h. Sidewalks, hiking, jogging, and/or bike trail connecting the development to public trail systems. (Five points)

i. Usable open space, at least 1,000 square feet in area, to include at least three of the following: cluster of trees, water features, seating areas, picnic tables, barbecue grills, gazebos or other elements as approved by the city's director of parks and recreation. The central open space shown on the Concept Plan shall qualify as usable open space for purposes of this planned development. (Ten points; maximum 30 points for the PD.)

j. Other recreational amenities as approved by the city's director of parks and recreation. (One through ten points, to be determined by the director of parks and recreation.)

k. Fenced dog park minimum 1,200 square feet (15 points).

(3) It shall be the responsibility of the director of parks and recreation of the city to review the proposed recreational amenities and provide a written assessment of their adequacy to the city plan commission prior to consideration of the site plan.

(4) Open space shall be disposed in such a manner as to ensure the safety and welfare of residents

Sec. 8. General Miscellaneous Regulations.

(a) **Enhanced street paving.** Enhanced street paving shall be provided at appropriate locations throughout the development to emphasize pedestrian crossings, key intersections, and driveways entrances.

(1) For purposes of this planned development district, the multifamily development shown on the Concept Plan shall be considered as one “apartment community” in accordance with Chapter 21 and no physical separation shall be required.

(2) Loading docks, refuse storage containers, and utility accessories shall be screened to reduce their visual impact by screening these sites from adjoining properties and shall be located as set forth on the Concept Plan.

(b) **Minor modifications.** For purposes of this planned development, a minor modification shall be defined as (i) a change to a footprint of a building in which the proposed footprint remains within the building envelope shown on the Conceptual Site Plan, and (ii) except as otherwise provided in (i), a change which does not increase the building coverage, floor area ratio or residential density of the planned development, does not decrease any of the specified area regulations or enumerated parking ratios, nor substantially changes the access or circulation on or adjacent to the site.

(c) For purposes of this planned development district and the development and performance standards in the City's Comprehensive Zoning Ordinance, this planned development district shall not be considered a residential or apartment district.

MEMORANDUM

Date: June 27, 2012
To: John Kirk, Embrey Partners
From: Scott Polikov, AICP, CNU, Gateway Planning
Re: Land Use Analysis for GreenVUE Site, Richardson, Texas

Gateway Planning has been tasked with analyzing the existing and future development context around the 12.7 acre site located at the southeast corner of the intersection of Greenville Ave and Collins Blvd in Richardson, Texas, less than a ¼ mile from the DART Redline Arapaho Station. Gateway has also been tasked with making recommendations on the best potential land uses on the property based on this analysis of existing and future development options.

This memorandum provides a summary of our findings and recommendations based on our assessment of the local real estate market and an understanding of long-term redevelopment potential in areas that have seen relatively limited commercial redevelopment in close proximity to transit stations.

Based on the results of our assessment of the existing physical context, current plans for redevelopment around the DART station, and an analysis of current and future real estate market potential, we conclude the following:

- Lack of access from Collins Blvd and poor visibility from US 75 make this site challenging for any high-profile retail/commercial type development
- Existing development context of underutilized industrial and office uses and the general lack of market demand for office uses makes this site challenging for new office development
- There is no significant residential redevelopment activity within the ¼ mile radius around the existing Arapaho DART rail station as envisioned in the Arapaho Station Area Plan. Development/redevelopment around transit stations has been driven primarily by multi-family residential in the DART service area and across the country.
- The subject property is one of the few sites around the DART station that is currently vacant and thus becomes a good first candidate for residential development; thus with the potential to drive redevelopment of other adjoining underutilized properties.
- In addition, the site's proximity to the DART station –it is less within a 5-minute walking distance from the station—is attractive for the development of multi-family residential on the subject property would implement one of the City's significant policies of encouraging multi-family around DART stations.

Attached with this memorandum is a summary report with our detailed assessment and analysis and concluding recommendations. Please feel free to contact me if you have specific questions on any of the information included.

Land Use Analysis for GreenVUE Site, Richardson, Texas

Gateway Planning has been tasked with undertaking a land use analysis for a 12.7 acre site (known as the GreenVUE Site) located at the intersection of Greenville Ave, Collins Blvd, and Alma Road in Richardson, Texas. This land use analysis evaluates not only the existing development context, but also existing plans and studies impacting the area, demographic and market dynamics, and other factors affecting development and redevelopment.

Based on this assessment and analysis and Gateway Planning’s experience in master planning and redevelopment in infill and TOD contexts, we were also charged with making future land use recommendations for the property.

This first section of this summary document provides an overview of the GreenVUE site, its surrounding development context including adjacent land uses. The second section provides a summary of all existing plans and studies as they pertain to the subject property and its vicinity. The third section provides the demographic and market analysis for Richardson. The next section establishes the land use analysis which provides the basis for the land use recommendations for the site.

I. Surrounding Context and Site Analysis:

The GreenVUE site is 12.7 acres and is located at the intersection of Greenville Ave, Collins Blvd, and Alma Road in the City of Richardson, Texas. The site is bordered on the west by Greenville Avenue, on the north by Collins Street, on the east by Alma Road and on the south by an existing Kansas City Southern Railroad freight line and an existing flex/industrial building.



Figure 1 General Location of GreenVUE Site in the DFW Region

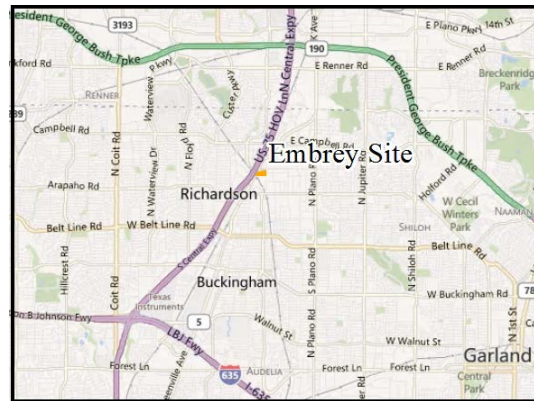


Figure 2 GreenVUE site in relation to the City of Richardson



Figure 3 Site Location and Vicinity

Site Photos:



Looking south along Greenville Avenue from the site with the Kansas City Southern Rail line in the foreground



Looking north along Greenville Avenue from the site



Looking at site from Greenville Avenue to the northeast



Looking north from site to the grade separated Collins Blvd.



Looking southwest from the site showing the grade separated Kansas City Southern Rail line



Existing office use to the north of site



Existing Central Trail section crossing under the Kansas City Southern rail overpass

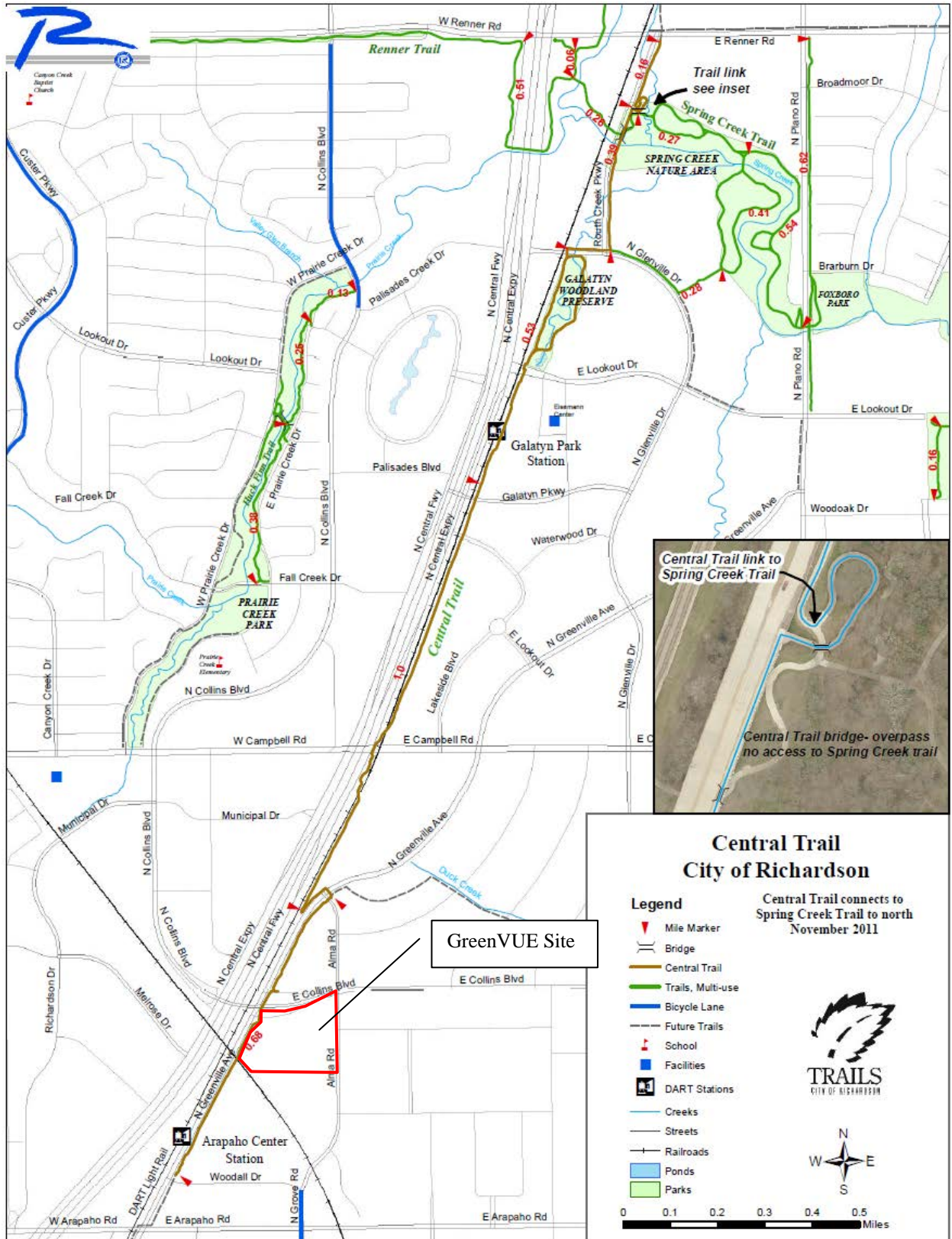


Alma Rd. street section looking south with industrial uses to the east and existing site access

Site Access:

The site's current main automobile access is from Alma Road. Collins Blvd is grade separated from Greenville Avenue and US 75 (main lanes and frontage roads) and comes down to grade at its intersection with Alma Road located at the northeast corner of the subject site. Alma Road is a 4-lane divided major collector with existing median openings at Quality Way and at the southern property line. Greenville Avenue is a 6-lane divided arterial running approximately parallel to US 75 at this location.

The Central Trail runs along the Greenville Road frontage of this property and provides a direct pedestrian link to the Arapaho Station located approximately 500 feet south of the site via a below grade crossing under Greenville Avenue. The Central Trail is a 12-foot wide multi-use trail facility that currently links the City of Richardson's trail system to two DART Stations – Arapaho and Galatyn Park stations to some of the largest employers along the Telecom Corridor (along US 75). The Central Trail connects with other trails in Richardson and beyond creating a regional trail and park system. It also connects to existing retail uses at Campbell and US 75.

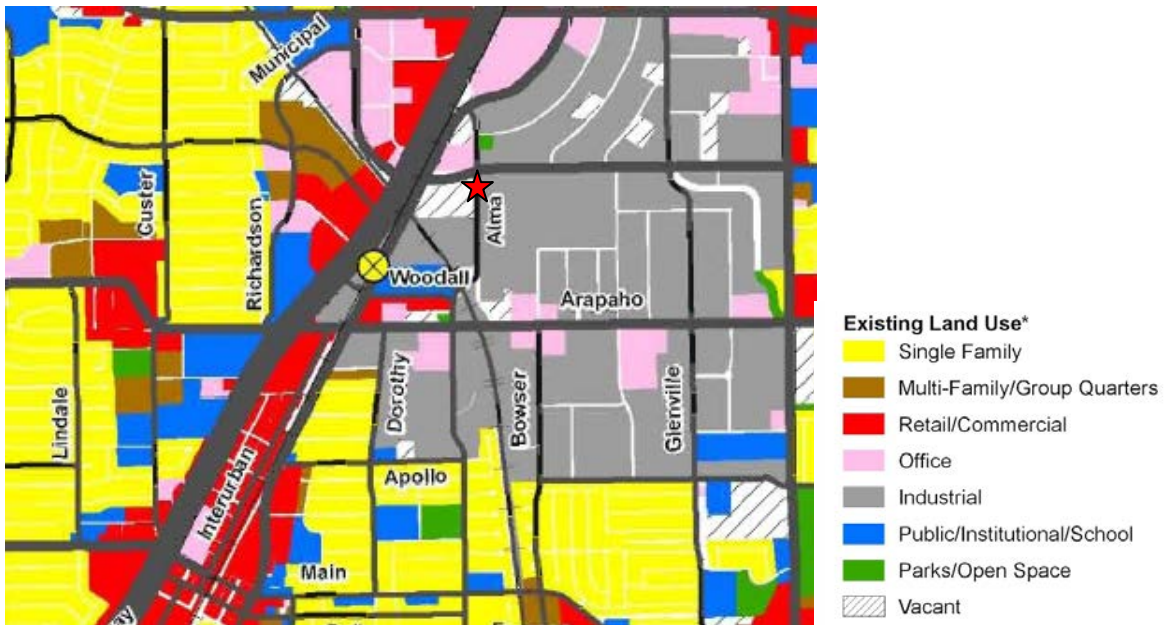




Existing access around the site
 (Source: Arapaho Center Station Area Plan)

Existing Adjacent Land Uses:

The figure below shows the existing land uses in the vicinity of the subject site. Much of the land around the site is zoned for industrial use however the actual uses of surrounding properties varies, with much of the activity being technology related and therefore, has minimal impact on nearby properties. To the north across the grade separated Collins Blvd. is a midrise office tower and parking structure, to the east across Alma Road are two low rise data center buildings, to the south is a vacant lot and a low rise flex/industrial building and to the west is Greenville Ave, Central Trail, and US-75.



Existing land uses around the subject site
 (Source: Richardson Comprehensive Plan)

To the south of the Kansas City Southern Rail line, across from the DART Arapaho station, is a park and ride facility and a DART parking lot in conjunction with the DART transit transfer station.

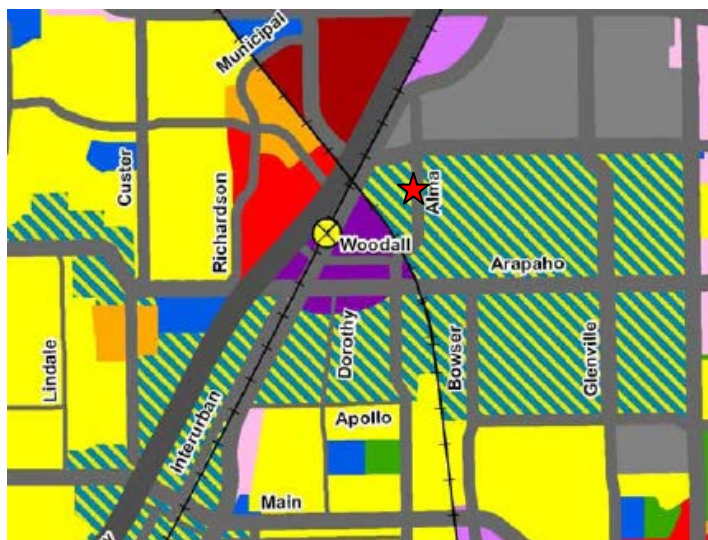
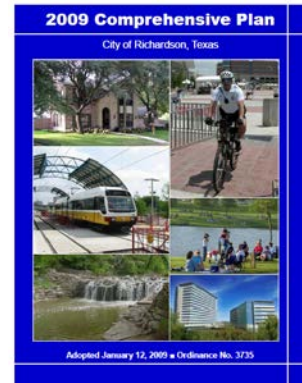
As identified in the 2009 Comprehensive Plan the City seeks to encourage redevelopment within this area to better utilize the land in an underperforming area of the City. The resulting higher intensity and a wider variety of uses and corresponding zoning can better respond to market conditions.

2. Relevant Studies and Reports:

In addition to the City’s Comprehensive Plan, which was updated in 2009, there are several other studies and reports that impact this subject property including the Arapaho Center Station Area Plan (2002), Richardson DART Station Area Market Analysis (2003), and the focus on more planning in the East Arapaho/Collins Redevelopment Area (2012).

City of Richardson Comprehensive Plan

The Richardson Comprehensive Plan was adopted in 2009 to provide a vision and guidance for the City’s development and redevelopment over the next 20 to 30 years. The plan consists of ten sections ranging from demographics to parks and recreation – urban design to community facilities. For the purposes of this memorandum, the most relevant components are the land use and transportation sections.



- Future Land Use**
- Yellow: Neighborhood Residential
 - Orange: Multi-Family Residential
 - Pink: Neighborhood Service
 - Red: Community Commercial
 - Dark Red: Regional Employment
 - Grey: Office/Industry
 - Purple: Neighborhood Mixed-Use
 - Dark Purple: Transit Village
 - Green: Parks & Open Space
 - Blue: Public/Semi-Public/School
 - Green with diagonal lines: Enhancement/Redevelopment

Future Land Use Plan
(Source: Richardson Comprehensive Plan)

In the Land Use section, the Comprehensive Plan outlines “the best uses for the City’s remaining undeveloped land, acknowledges special areas within the City such as its anticipated transit villages and its original downtown area, and integrates land use assumptions with multi-modal transit/mobility options throughout the City.” The Comprehensive Plan acknowledges the opportunity for Transit-Oriented Development and a mixed-use district as shown in the Future Land Use Map below.

Richardson’s Comprehensive Plan explains each land use designation. It is telling that “nearly half of the City’s land area is utilized for residential uses” however multifamily developments account for only 5% of the City’s land area. The Comprehensive Plan emphasizes that “Most of the multi-family units recently approved have been at or near Richardson’s rail stations to take advantage of the adjacency to transit. They also tend to be within mixed-use developments, with retail and/or office uses within walking distance or even in the same building.”

Specific areas within Richardson called “Enhancement/Redevelopment Areas” have been identified for further study. One such area is the East Arapaho/Collins Enhancement/Redevelopment area. This area is currently slated for additional study in 2012-13 and some preliminary issues as they relate to this study are further described in the subsequent sections of this report.

The transportation section of the City’s Comprehensive Plan further emphasizes the importance of linkages to the DART Red Line and the need for bike and pedestrian facilities to the stations and the regional trail system. The Comprehensive Plan also recognizes that Transit-Oriented Developments (TODs) are critical economic development tools that can create sustainable development around the City’s rail stations and improve the overall economic health of Richardson.

Arapaho Center Station Area Plan

In 2001 a station area plan was commissioned to build upon recommendations of a 2000 ULI Advisory Services Panel Report that outlined the opportunities for Transit Oriented Development along the Dart Red Line in Richardson. The panel recommended that the City be flexible in the types of land uses allowed near the Arapaho Station stating that the “Larger parcels could incorporate retail and residential uses, as well as office development...the panel recommended that these options be left open, to allow prospective developers to respond to market demands.”



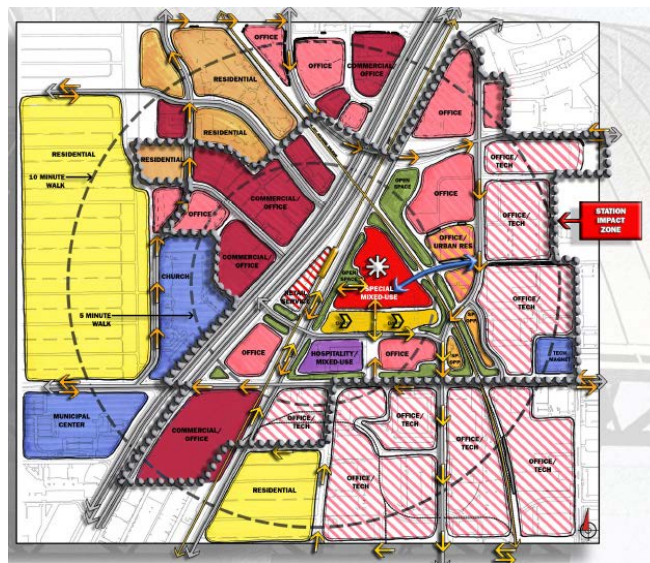
The Station Area Plan also describes the advantages of the station’s location based on its proximity to US 75, Arapaho Road, the Transit Park and Ride facility and the adjacency to large land parcels that allow for development opportunities. However, since this report was put together in 2001 there

have been several market shifts and the demands for office and residential have significantly changed as illustrated in the Market snapshot in the next section.

The plan seeks to transform the 1/2-mile area around the station on the east side of US-75 by not segregating land uses and ensuring that “interrelationships will exist both horizontally and vertically. These combinations of uses on the same site should make for an interesting and more functional development.” The plan also encourages a pedestrian connection underneath the Kansas City Southern Railroad so that “a mid-rise *urban* type residential development” could be appropriate for the area to the north east – in close proximity to the GreenVUE site.

The feasibility of this connection, however, needs to be evaluated by the City in conjunction with Kansas City Southern Railroad. In addition, the timing of this connection needs to be coordinated with the redevelopment of the property immediately south of the Kansas City Southern Rail line. The GreenVUE site does have direct connection to the Central Trail that provides the needed connectivity to the Arapaho Rail Station.

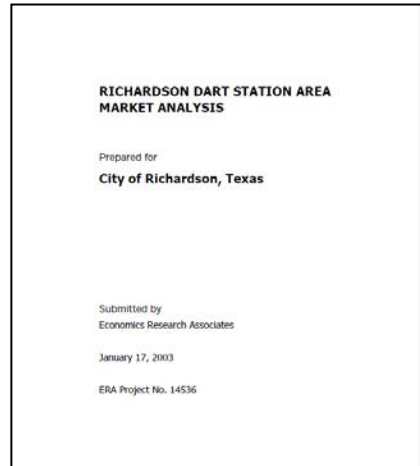
The Station Area plan below shows the zoning recommendations in relation to the station. Although the overall theme of mixed use within walking distance to the station is still applicable, the specific allocation of land uses and corresponding zoning needs to be re-evaluated due to changes in the market and the fact that there has not been any mixed use redevelopment as originally envisioned in the plan.



Arapaho Station Land Use Recommendations
(Source: Arapaho Center Station Area Plan)

Richardson DART Station Area Market Analysis

This comprehensive market study was completed in 2003 and although it is exhaustive in its evaluation of the TOD areas and the regional economic outlook, nearly a decade and two incredible market shifts have occurred since its completion. Therefore, the application of these findings needs to be considered with these changes.



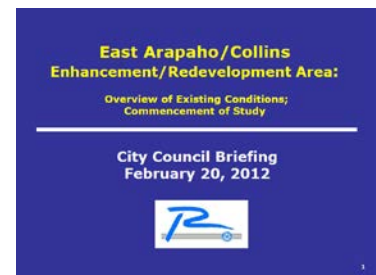
The report does however point out the transformative nature that TOD allows for and underscores the success that the Galatyn Park Station has had with its influx of development spurred by the Renaissance Hotel and Eisemann Center for Performing Arts. This report identifies that “Housing at the DART stations may be particularly appealing to young professionals interested in a walkable commute to work, or empty nesters desiring increased mobility without increased automobile dependence.”

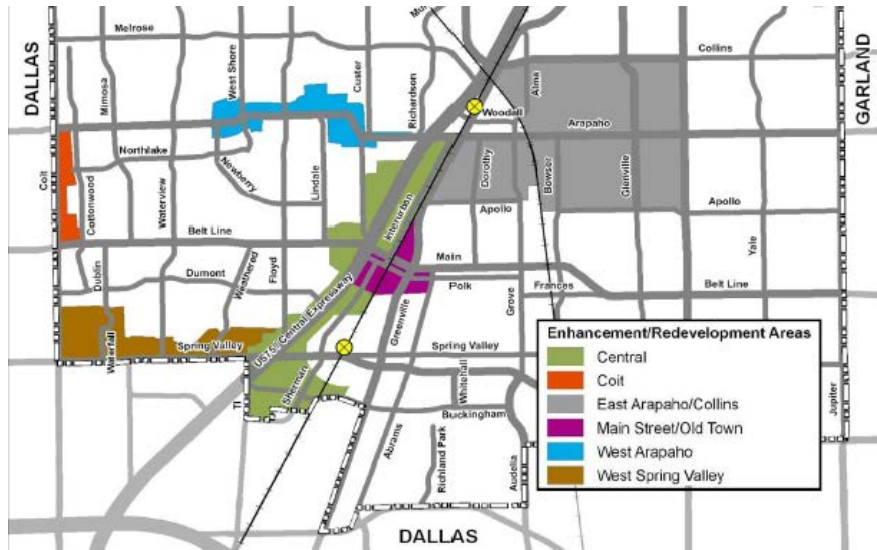
The report states that the Arapaho station features large developable/underdeveloped parcels surrounding it that have higher potential. The market has shifted since this report with limited market for retail and office development and higher potential market for multifamily residential. The recommendation for multifamily units was 250 Apartment and 150 Condominium/ Townhome Units, of which none have been built as part of the TOD.

This report also provides an extensive analysis of projected demographic changes for the City and region. In addition a potential contradiction is brought to light in which the City recognizes the benefits of multifamily development, particularly located near transit stations; yet there is also the burden that large numbers of residential units have placed on area schools in the past. However, the report recommends an allocation of a specific quota of multi-family for each TOD to alleviate this issue. In addition, demographics show that most multifamily dwellers at TODs are either single professionals or younger or older childless couples that do not over burden the school system.

East Arapaho/Collins Enhancement/ Redevelopment Area

As identified in the City’s Comprehensive Plan, the East Arapaho/Collins Enhancement/Redevelopment Area is an upcoming planning priority for the City. At a presentation to the City Council in February 2012, City Staff presented several salient issues about the redevelopment area which encompasses the GreenVue property.





City of Richardson Enhancement/Redevelopment Areas
 (Source: East Arapaho/Collins Enhancement/ Redevelopment Area)

The aim of this preliminary report to Council is to demonstrate why Enhancement/Redevelopment study is relevant to the Arapaho Station area. Much of it has to do with the fact that Richardson has significant areas of aging development, infrastructure and uses no longer performing at their highest and best use. Public investment will be targeted to these Enhancement/ Redevelopment districts based on a sustainable, market sensitive plan.

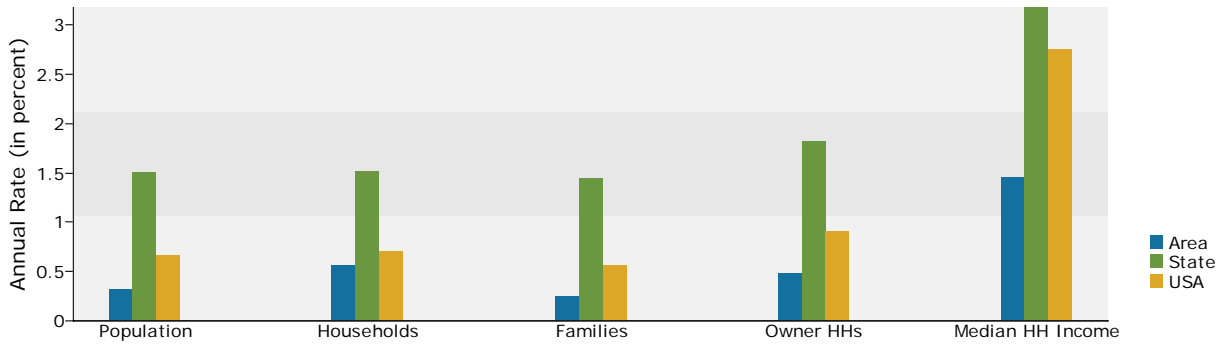
Currently the area is home to many of Richardson’s office and technology related businesses. However as the preliminary report states, “much of the area has been challenged in recent years by evolving markets, technology, and user requirements. Redevelopment, enhancement, and building format changes should be considered to address these changes.”

The presentation outlines how this redevelopment strategy is in line with the previously summarized comprehensive and station area plans and points to challenges and opportunities in the specified area. The study approach signifies the need to determine market viability, create a strategy and implementation plan for redevelopment and amend zoning if needed. The overall goal is how to reappoint underutilized land and flex space to better match the needs of the community and the realities of the market.

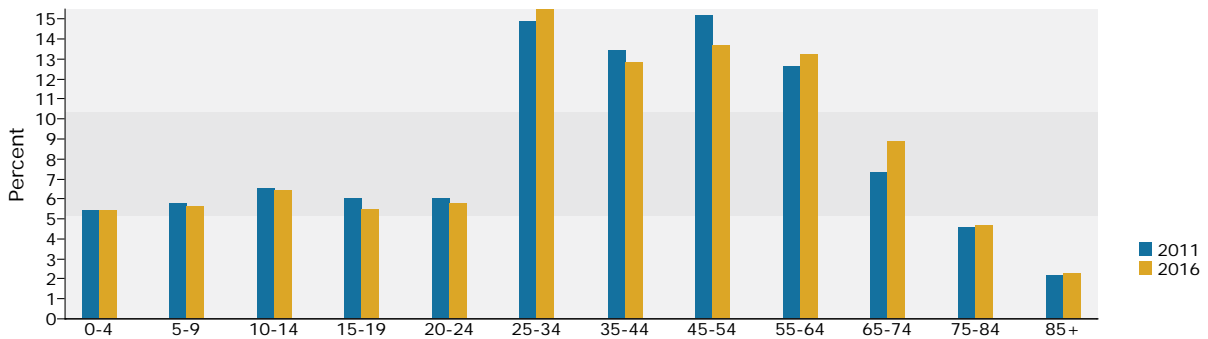
3. Area Demographic & Market Analysis:

The goal of this section is to evaluate the impacts that demographics of the area have on the potential land uses on the site. The following graphs below give a snapshot of the demographic and economic conditions within a 5 Minute drive time of the GreenVUE site. Compared to the national and state averages, the area has lower population, number of households and owner occupied households. Future population projections are for higher population in the 25-34 age range (typically single professionals) and the 55 – 74 age range (typically empty nesters).

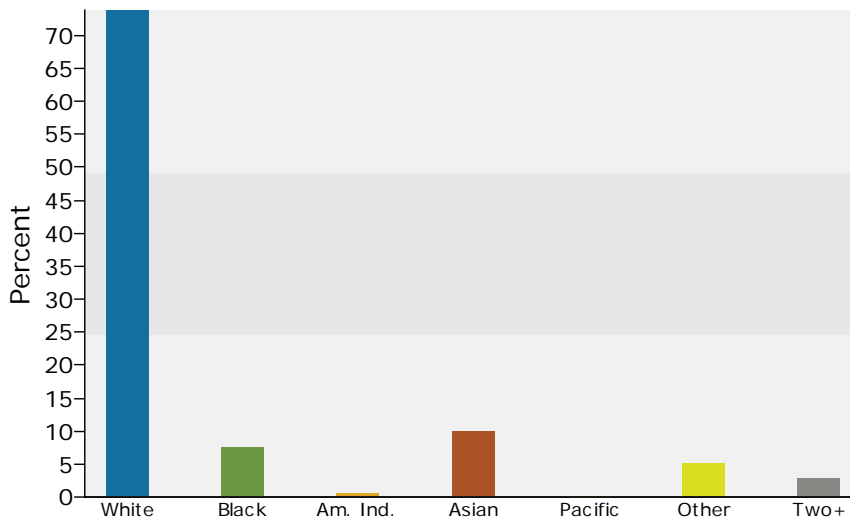
Trends 2011-2016



Population by Age



2011 Population by Race



Market Assessment:

Nationwide across all sectors development is less than robust, ULI in “Emerging Trends in Real Estate 2012” reports that “Except for multifamily, no markets or property sectors

offer sure-shot opportunities for big gains in 2012.” This is especially true in regions like DFW that have some factors attracting “surging numbers of gen-Y’ers, housing-bust refugees, and immigrants.” Apartments are attractive due to trends of “Living smaller, closer to work, and preferably near mass transit... as more people look to manage expenses wisely” which the Embrey site offers.

In many sectors development has slowed, particularly suburban office parks as “more companies concentrate in urban districts where sought-after generation-Y talent wants to locate in 24-hour environments.” The report also emphasizes the sentiment that “Retail will be terrible for years”; “no need for more office”; and “hotel is overbuilt, especially outside the major tourist and business cities.”

The data show that with an uptick in the economy apartment demand could “intensify further from people doubling up or young adults living at home but looking for their own space.” Multifamily is also the sector where financing is readily available and favorable deals can be made with contractors that need work. This notion is reflected in the National Association of Realtors May 2012 Commercial Real Estate Outlook in which they expect apartment rents to increase “4.0 percent this year and an additional 4.1 percent in 2013, putting apartment properties on the must-have list for many investors.”

In the DFW region the outlook is similar to nationwide trends with a slightly more positive position overall. The tables below are from the Texas Real Estate Center Market Report 2012. They show the higher rents and occupancies year over year as compared to the state average, especially for units constructed since 2000.

Apartment Statistics 2011			
	Dallas	Fort Worth	Texas Metro Average
Average rent per square foot	\$0.91	\$0.83	\$0.88
Average rent for units built since 2000	\$1.05	\$0.92	\$0.98
Average occupancy	94.0%	95.2%	93.7%
Average occupancy for units built since 2000	95.9%	96.9%	95.8%
Total units*	413,197	162,969	1,631,425
Total units built since 2000*	85,869	33,760	388,352

*As of December 2011
Source: Apartment MarketData Research

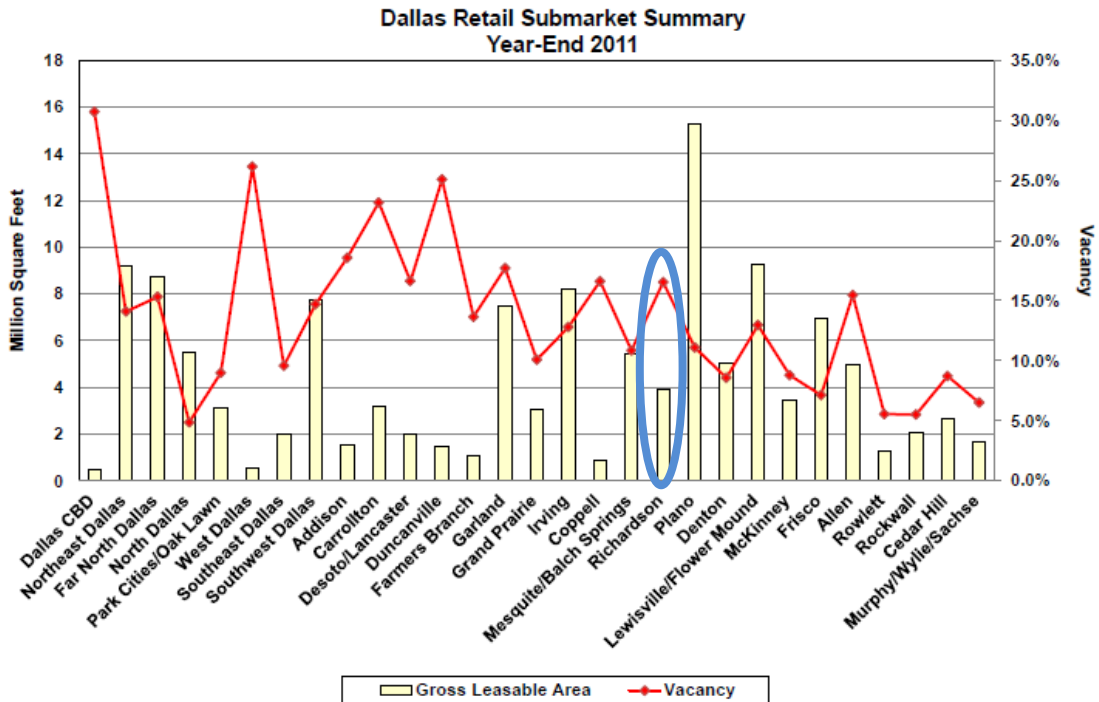
Apartment Occupancy and Effective Rent*						
Same Store**						
Metro	Occupancy			Effective Rent		
	Dec. 2010	Dec. 2011	Change	Dec. 2010	Dec. 2011	Change
Austin	93.7%	94.2%	0.5%	\$828	\$883	6.6%
Dallas	90.9%	92.2%	1.4%	\$763	\$811	6.3%
Fort Worth	89.7%	91.3%	1.8%	\$670	\$700	4.4%
Houston	87.4%	88.8%	1.7%	\$736	\$766	4.2%
San Antonio	90.8%	91.1%	0.3%	\$701	\$732	4.4%
Lubbock	92.0%	91.8%	-0.2%	\$647	\$664	2.5%
Amarillo	91.0%	90.8%	-0.2%	\$585	\$615	5.1%
Abilene	93.0%	90.7%	-2.5%	\$586	\$592	1.1%
Corpus Christi	92.3%	94.0%	1.9%	\$695	\$718	3.4%
Texas Average	89.9%	91.0%	1.3%	\$739	\$776	5.1%
Florida Average	90.2%	91.0%	0.9%	\$790	\$819	3.7%
Arizona Average	89.3%	90.8%	1.6%	\$662	\$669	1.1%

*Statistics reflect only conventional, mid-rise and high-rise apartment communities. They do not include income restricted, student housing or senior independent housing.

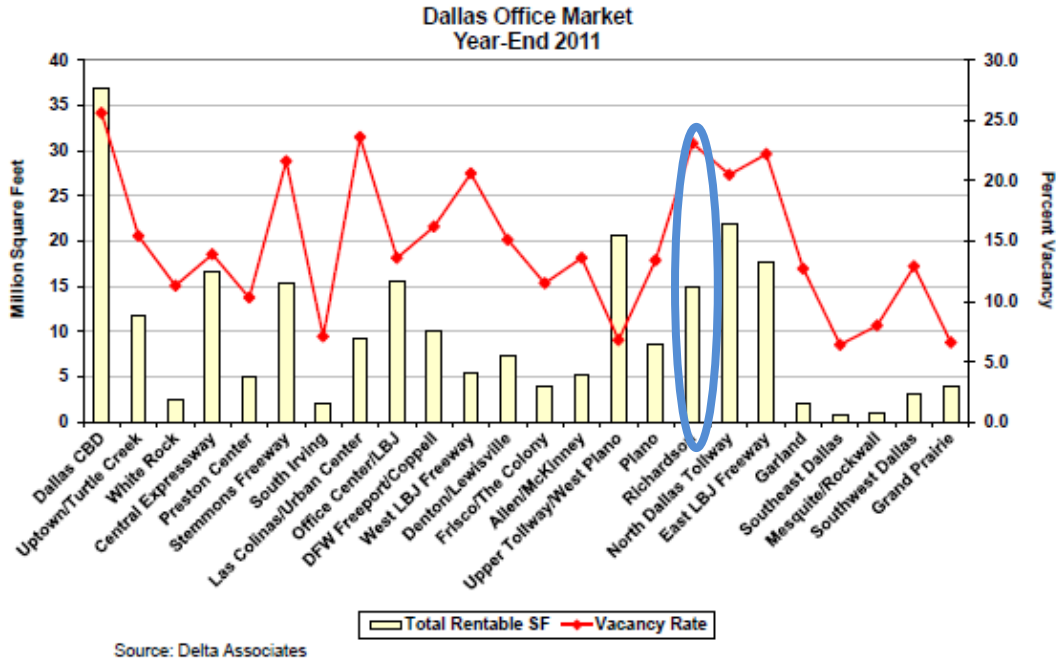
**Same store is defined as stabilized properties, excluding lease-ups.

Source: ALN Apartment Data

In the Richardson sub-market of the DFW region, the multifamily demand is substantial but the retail and office market is lackluster. The charts below show higher than average vacancy rates (over 15% for retail and over 20% for office) in both sectors as compared to the regional average.



Source: The Weitzman Group/Cencor Realty Services



Richardson Area Development:

This section evaluates the recent office, industrial and multi-family development trends in the City of Richardson. For multi-family residential uses, we evaluated existing, recently developed and approved multi-family developments in the City. The map on page 16 and corresponding Table 1 in the Appendix developed by the City summarizes all the existing and entitled multi-family zoning within the City. Table 2 in the appendix shows the aging nature of the multifamily properties throughout Richardson.

In summary, over the past 3 years, 409 multi-family units, 125,729 sqft. of office space, and 378,647 sq.ft. of industrial/flex office have been built in the City of Richardson. In addition, zoning for approximately 5,000 additional multifamily residential units was also approved, mainly in other TODs.

In addition to recently approved development, an analysis of the location of multifamily and its age provides some critical insight into potential land uses for the GreenVUE site. The tables below point to the lack of multifamily near the Arapaho station. It is evident that within the 5 minute drive time supply is far below the average of the 10 and 15 minute radii. The immediate area also is subject to aging housing stock disproportionately compared to the larger surrounding area.

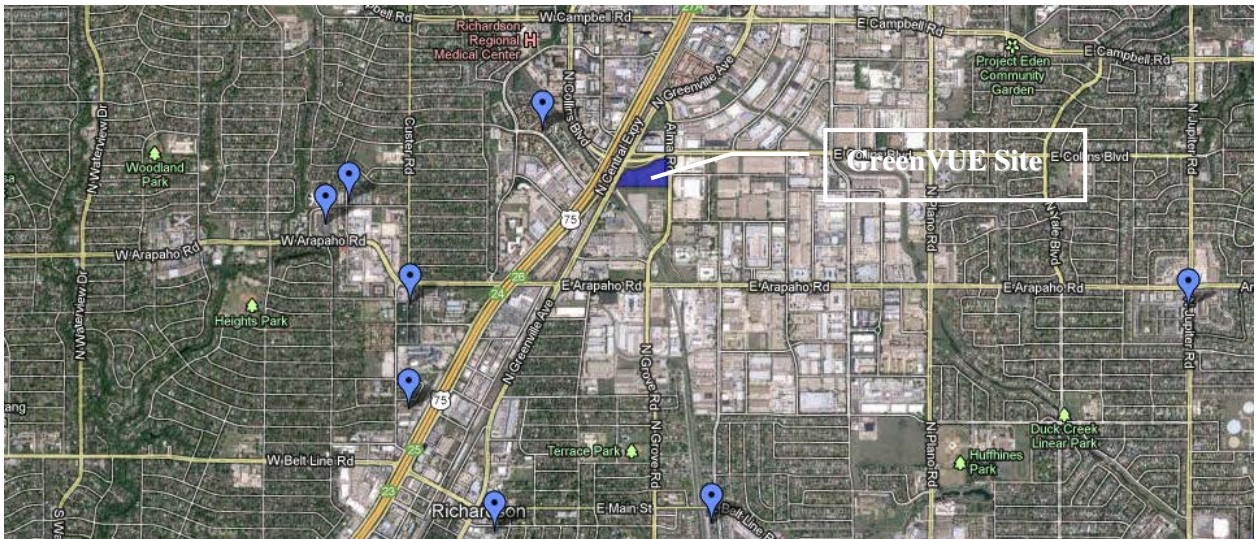
	5 Minutes	10 Minutes	15 Minutes
2010 Housing Units	11,348	117,955	372,426
Owner Occupied Housing Units	61.9%	45.3%	41.4%
Renter Occupied Housing Units	32.9%	47.4%	50.0%

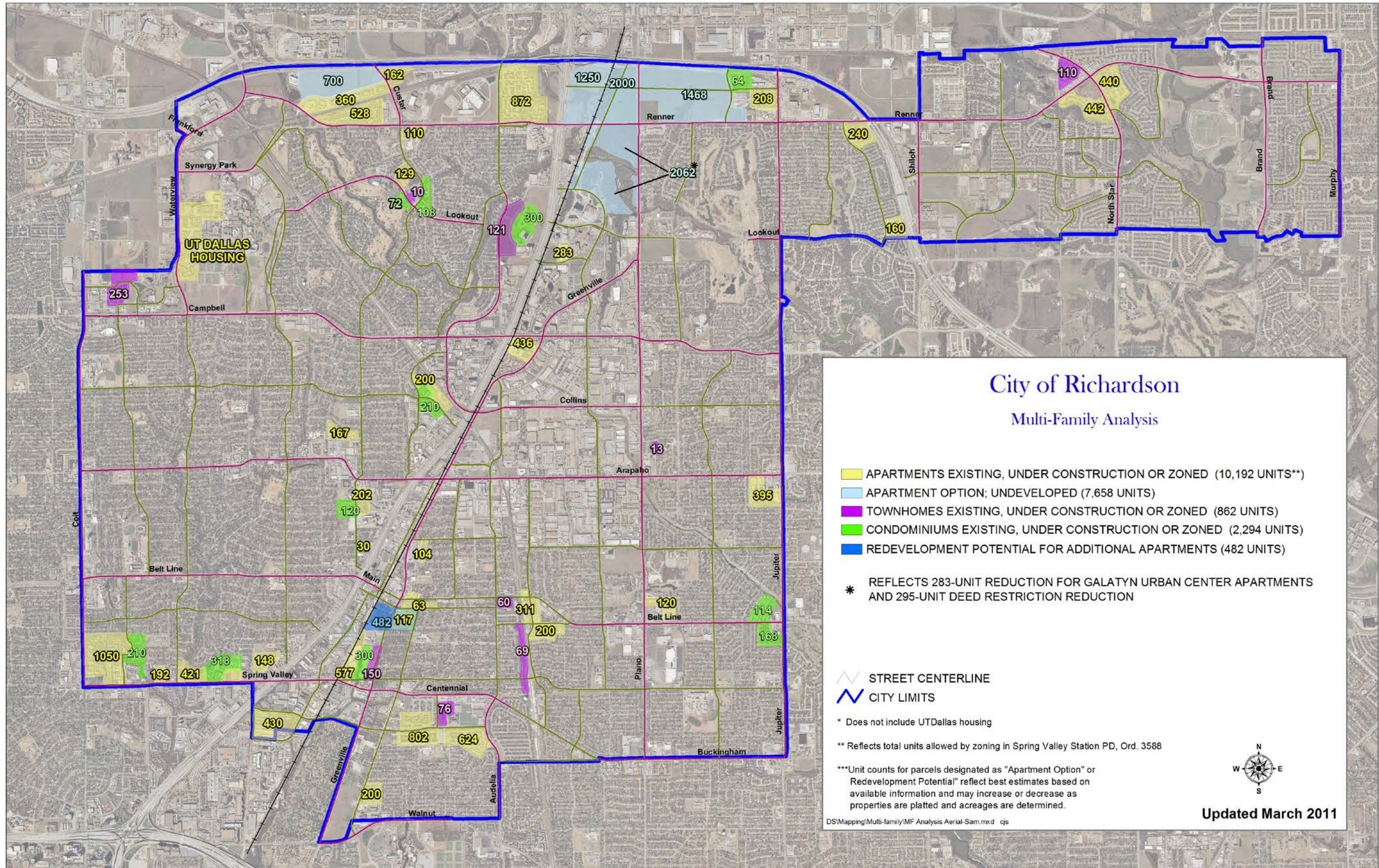
(Source: ESRI forecasts for 2010 and 2015; U.S. Bureau of the Census, 2000 Census of Population and Housing)

2000 Housing Units by Year Structure Built 5 Minutes	10 Minutes	15 Minutes	
Total	10,145	107,610	335,696
1999 to March 2000	0.9%	2.2%	2.6%
1995 to 1998	7.7%	8.3%	10.2%
1990 to 1994	3.5%	5.8%	8.3%
1980 to 1989	13.1%	24.7%	29.2%
1970 to 1979	33.7%	33.1%	27.7%
1969 or Earlier	41.1%	25.9%	21.9%
Median Year Structure Built	1973	1977	1980

(Source: U.S. Bureau of the Census, 2000 Census of Population and Housing)

Currently there are very limited multifamily uses east of US 75 and none adjoining the Arapaho Station. The figure below demonstrates the proximity near the GreenVUE Site and the Arapaho Station.





4. Area Land Use Analysis:

This section provides land use recommendations for the GreenVUE site based on several factors including the assessment of existing conditions, City's plans and policies, market opportunities, and future redevelopment potential at the Arapaho station area.

Based on our analysis, assessment, and understanding of redevelopment dynamics, we conclude the following:

- Access challenges and extremely poor visibility from grade separated Collins Blvd and US 75 make this site challenging for retail/commercial type development. In addition, the sluggish market demand and high vacancy rates for both office uses make this site challenging for new office development
- There is no significant multi-family residential redevelopment activity within the ¼ mile radius around the existing Arapaho DART rail station as envisioned in the Arapaho Station Area Plan. Development/redevelopment around other DART stations in metroplex has been driven primarily by multi-family residential uses. In order for any redevelopment and transformation in the Arapaho station area there needs to be a catalyst for change and a base of multi-family residential can be such a catalyst signaling to the market on the latent development opportunities at this DART station.
- Currently there is high demand for Multi Family and limited supply in the pipeline. With the surrounding uses being vacant or underutilized industrial land, an infusion of population in the area will be a beneficial catalyst for future development of complementary uses.
- The subject property is one of the few sites around the DART station that is currently vacant and thus becomes a good first candidate for residential development; thus with the potential to trigger redevelopment of other adjoining underutilized properties by changing the local real estate market dynamics. Multi Family use could encourage a mix of 24/7 uses throughout the station area rather than just the day time commuters and industrial uses that are currently present.
- The development of multi-family residential on the subject property would implement one of the City's significant policies of encouraging multi-family around DART stations.

Based on these conclusions we recommend multi-family residential uses on the GreenVUE site to take advantage of current real estate demand while creating the market dynamic needed to implement important City policies and possibly providing the impetus for redevelopment of other underutilized properties in the vicinity of the Arapaho rail station.

Appendix

TABLE I:

Development Summary						
City of Richardson						
Multi-family, Office and Industrial (2009-2012)						
Development Plan Approvals						
Multi-Family	Location		Total Units	Acreage	Zoning	Date
Alta Creekside	3650 Custer Pkwy		162	13.64	(PD) Planned Development	2012
Brick Row Buildings D & E	151 Brick Row		77	2.52	(PD) Planned Development	2012
Evergreen of Richardson	3551 North Star Road		170	5.91	(PD) Planned Development	2010
Office	Location	Additional Building	Total Building	Acreage	Zoning	Date
		Square Footage	Square Footage			
Glenville Office Park I	2500 Glenville Dr.	92,967	92,967	16.35	I-M(1) Industrial District	2012
Breckinridge Animal Hospital & Office Bldg.	4110 & 4112 E. Renner Rd.	9,425	9,425	1.26	(PD) Planned Development	2012
Society of Petroleum Engineers	222 Palisades Creek Blvd.	5,880	57,546	5	(TO-M) Technical Office District	2011
Tran Dental Office	327 W. Spring Valley Rd.	3,044	9,286	1.15	(C-M) Commercial District	2011
Arapaho Office Center	1150 E. Arapaho Rd	4,900	67,446	4.35	I-(M)1 Industrial District	2010
Doctor's Office	708 W. Spring Valley Rd	2,027	5,100	0.93	(PD) Planned Development	2009
Professional Office Building	2460 N. Central Expressway	7,486	7,486	1.27	(C-M) Commercial District	2009
Industrial	Location	Additional Building	Total Building	Acreage	Zoning	Date
		Square Footage	Square Footage			
Collins Technology Park	850 E. Collins Blvd.	121,368	121,368	7.17	I-FP(2) Industrial Fire Proof District	2012
Collins Technology Park	904 Quality Way	2,142	48,425	4.32	I-FP(2) Industrial Fire Proof District	2012
Stream Datacenter	1811 E. Renner Rd	73,927	73,927	7.09	(PD) Planned Development	2011
Bank of America Datacenter	3510 Wyndham Ln.	18,300	138,788	11.79	(PD) Planned Development	2011
Bank of America Datacenter	3000 Telecom Pkwy.	18,430	151,214	19.94	I-(M)1 Industrial District	2011
English Paint and Supply	820 Grove Rd.	19,280	19,280	1.70	I-FP(2) Industrial Fire Proof District	2011
Collins Technology Park	1215 Datacenter Blvd	112,000	112,000	6.96	I-FP(2) Industrial Fire Proof District	2011
Viawest Datacenter	3000 Waterview Pkwy.	13,200	312,620	16.02	(TO-M) Technical Office District	2011
Zoning Approvals						
Case Name	Location	Case Details		Acreage		Date
Brick Row	NEC Spring Valley at Green	Converted 77 condo units to apartments units		26.97		2011
West Spring Valley	N side of Spring Valley, between Coit Rd & Central Expswy.	(PD) Planned Development District for pedestrian-oriented, mixed-use district (permits office and multi-family development)		188		2011
GO Industries	420 N. Grove Rd.	Converted site from I-M(1) Industrial District to I-FP(2) Industrial Fire Proof District		1.79		2011
Bush Station - 75 Partners	North side of Renner Rd. between the DART Light Rail and Plano Rd.	2,207,000 SF of Office (Max) 3,756 Apartments (Max)		57.1		2010
Bush Station - Carruth	NEC & NWC Central and Renner Rd.	1,607,000 SF of Office (Max) 1,365 Multi-family units (Max)		85.9		2010

TABLE 2

Project Name	Address	Zip	Type	Year Built	Unit Count
ARBORETUM ESTATES	411 BUCKINGHAM	75081	Apartment	1997	342
ASHLEY PLACE	732 W SPRING VALLEY RD	75080	Apartment	Demolished	
BELLE GROVE	800 CUSTER RD	75080	Apartment	1968	101
BLOCK 24	2000 E ARAPAHO RD	75081	Apartment	2002	396
BRIARWOOD	330 E POLK ST	75081	Apartment	1972	30
BRICK ROW (CONDOS)	NWC SPRING VALLEY & GREENVILLE	75081	Condominium	Platted	
BRICK ROW (TOWNHOMES)	NWC SPRING VALLEY & GREENVILLE	75081	Townhome	Platted	
BRICK ROW URBAN VILLAGE	744 BRICK ROW	75081	Apartment	2009	247
BRISTOL AT BUCKINGHAM	535 BUCKINGHAM RD	75081	Apartment	2001	242
CAMDEN BUCKINGHAM	430 BUCKINGHAM RD	75081	Apartment	1996	464
CAMELOT	1212 HAMPSHIRE LN	75080	Apartment		
CENTRAL NORTH	340 CUSTER RD	75080	Apartment	1960	30
CENTRE SQUARE I CONDOMINIUMS	919 S WEATHERED DR	75080	Condominium	1976	86
CUTTER'S POINT	1111 ABRAMS RD	75081	Apartment	1978	196
FALLS ON CLEARWOOD	613 CLEARWOOD DR	75081	Apartment		
FRANCES WAY VILLAS	900 FRANCES WAY	75081	Apartment	1979	200
HEATHER GLEN	105 S BOWSER RD	75081	Apartment	1963	25
HILLSDALE GARDEN	800 W SPRING VALLEY RD	75080	Apartment	1969	72
HUNTINGTON TOWNHOMES	910 SPRING VALLEY PLZ	75080	Townhome	1963	73
LA MIRADA	1433 REGAL DRIVE	75080	Apartment		
LAKEFRONT VILLAS	900 W SPRING VALLEY RD	75080	Apartment	1968	105
LAKESIDE ON SPRING VALLEY	1000 W SPRING VALLEY RD	75080	Apartment	1968	81
LIFESCAPE VILLAS	821 DUBLIN DR	75080	Condominium	1981	74
MADISON ON MELROSE	1520 RICHARDSON DR	75080	Apartment	1995	200
MIRAMONTE	929 SAINT PAUL DR	75080	Apartment		
MISSION PRESTON WOOD	333 PRESTONWOOD DR	75081	Apartment	1979	194
NEW ORLEANS	925 S WATERVIEW DR	75080	Apartment		
OAKS AT SPRING VALLEY	740 W SPRING VALLEY RD	75080	Apartment	1965	56
SHENANDOAH	939 ALLEGHENY CT APT A	75080	Apartment	1969	192
SONTERRA AT BUCKINGHAM	530 BUCKINGHAM RD	75081	Apartment	1995	312
SWEETWATER RANCH	540 BUCKINGHAM RD	75081	Apartment	1994	312
TRADE WINDS	104 S BOWSER RD	75081	Apartment	1963	34
TRELLIS PLACE DUPLEXES	206 TRELLIS PL	75081	Apartment		
WATERFALL CROSSING CONDOS	SEC DUBLIN & ALLEGHENY	75080	Condominium		
WATERFORD VILLAS	SEC BELTLINE & GROVE RD	75081	Townhome		
WELLINGTON AT ARAPAHO	600 W ARAPAHO RD	75080	Apartment	2001	137
WINDHAM CHASE	1330 W SPRING VALLEY RD	75080	Apartment	1971	236
			Avg. Year Built	1980	

(Source: Dallas Central Appraisal District)

Explanation and Description of Request

The proposed multifamily community provides a unique opportunity to stimulate development in close proximity to a key Richardson transit station. This site is approximately 12.7 acres of land, which has been vacant for many years, located at the southeast corner of Greenville Avenue and Collins Boulevard. The site is less than one quarter mile from the DART Red Line Arapaho Road station and is an excellent location for the proposed development which will contain approximately 350 multifamily dwelling units at 3 to 4 stories in height (approximately 30 units per acre).

Embrey Partners, Ltd. is proposing a high quality community on a fairly difficult development tract. The physical attributes of the proposed development demonstrate excellence in site planning and design. The proposed development provides exceptional circulation from within the development to Alma Drive and Greenville Avenue while maintaining a high level of architectural design. Aesthetics from the streets and main driveway present a friendly and inviting perspective for pedestrians and motorists alike. The proposed buildings are enhanced with vertical and horizontal articulation and contain a combination of interesting materials and colors.

Multifamily residential uses are ideal for this site based on the following considerations:

1. **ACCESS:** Access challenges from grade-separated Collins Boulevard and U.S. 75 make this site very challenging for retail or commercial development. Primary access will be from Alma Road and Greenville Avenue. There is no access directly from Collins Boulevard.
2. **VISIBILITY:** The site has inadequate visibility for retail development. The site is visually separated from US 75 by Greenville Avenue and somewhat concealed by the embankments for the Kansas City Southern Railroad track to the south and Collins Boulevard to the north.
3. **MARKET CONDITIONS:** The sluggish market demand and high vacancy rates for office use make this site challenging for new office development.
4. **DEMAND FOR MULTIFAMILY RESIDENTIAL AT THE ARAPAHO STATION:** There are no significant multifamily residential redevelopment uses within the one-quarter mile radius around the existing DART Arapaho rail station as envisioned in the Arapaho Station Area Plan. Development or redevelopment around DART stations has been driven primarily by multifamily residential uses, as is true nationwide. In order for redevelopment and transformation to take place in the Arapaho station area, there needs to be a catalyst for change. A base of multifamily residential can be such a catalyst, signaling to the market the latent development opportunities at this DART station.
5. **LOCAL DEMAND FOR MULTIFAMILY USES:** Currently, there is high demand for multifamily and limited supply in the pipeline. With the surrounding uses being vacant or under-utilized industrial land, an infusion of population in the area will be a beneficial catalyst for future development of complementary uses.
6. **DEVELOPMENT OPPORTUNITY:** The subject property is one of the few sites around the DART station that is currently vacant and is a good first candidate for residential development thus driving redevelopment of other adjoining under-utilized properties. Multifamily uses can encourage a mix of compatible uses throughout the station area, rather than just the daytime commuters and industrial uses that are currently present.
7. **IMPLEMENTATION OF CITY POLICY:** The development of multifamily residential on the subject property would implement one of the City of Richardson's significant policies of encouraging multifamily residential uses around DART stations. This site is within the recommended walking distance for transit-oriented residential uses.

Based on the foregoing, multifamily residential uses should be developed on the site to take advantage of current market opportunities while implementing important City of Richardson policies and positioning the entire DART Arapaho station area for redevelopment.



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

PD PLANNED DEVELOPMENT

File No./Name: ZF 12-11 / GreenVUE Planned Development
Property Owner: Leora Azoulay Lesh, VP / SAF CTP, LLC
Applicant: John S. Kirk, Sr. VP / Embrey Partners, Ltd.
Location: SEC Greenville Avenue & Collins Blvd. (See map on reverse side)
Current Zoning: I-FP(2) Industrial
Request: A request by John S. Kirk, representing Embrey Partners, Ltd., for a change in zoning from I-FP(2) Industrial with special conditions to PD Planned Development District for the development of a multi-family community.

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

TUESDAY, AUGUST 21, 2012
7:00 p.m.
City Council Chambers
Richardson City Hall, 411 W. Arapaho Road
Richardson, Texas

This notice has been sent to all owners of real property within 200 feet of the request; as such ownership appears on the last approved city tax roll.

Process for Public Input: A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the City Plan Commission. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions by the City Plan Commission is excluded from each 15 minute period.

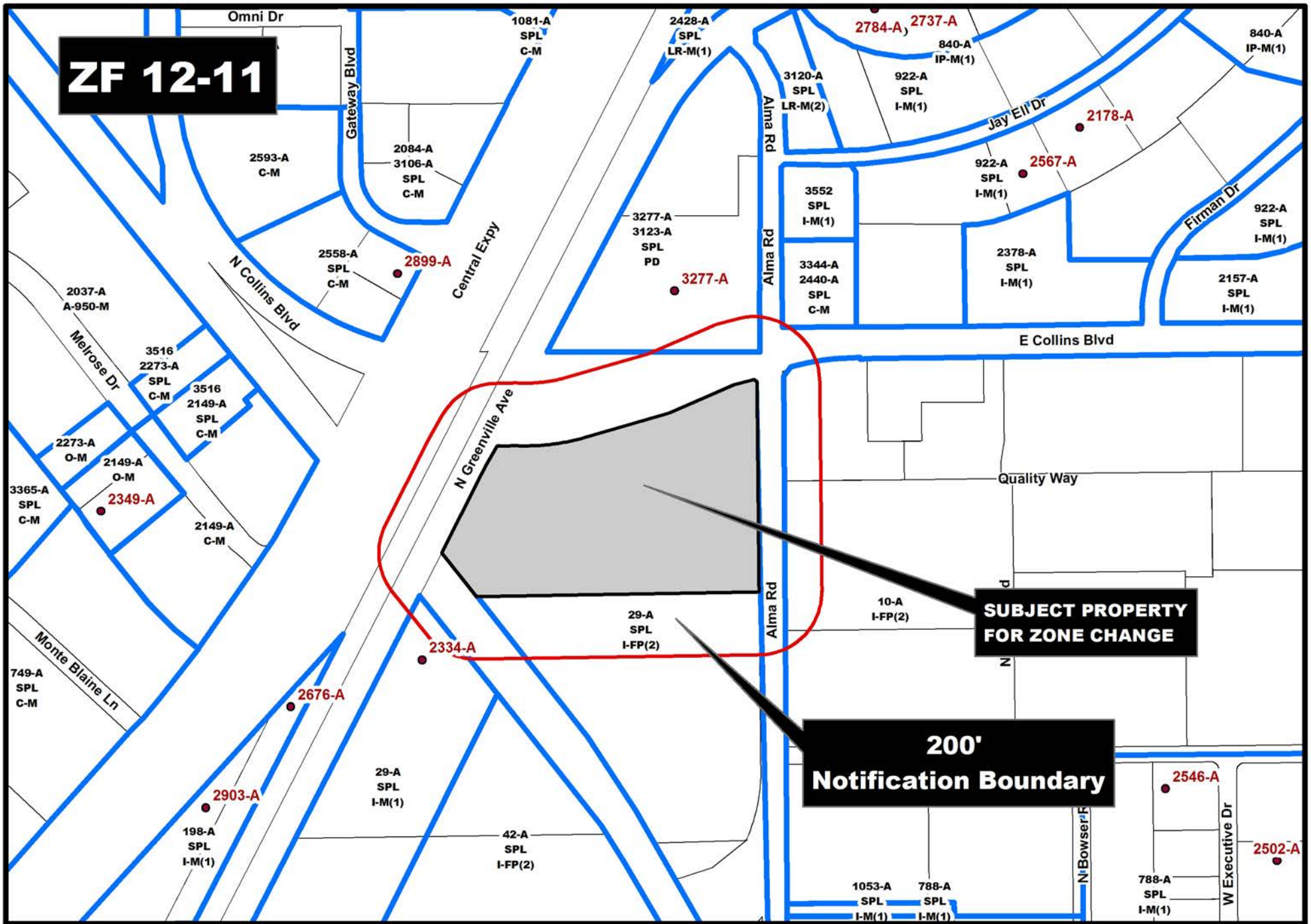
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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

Agenda: The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/DevelopmentServices.aspx?id=13682>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 12-11.

Date Posted and Mailed: 08/10/12



ZF 12-11 Notification Map

Updated By: shacklett, Update Date: July 13, 2012
 File: DSI\mapping\Cases\Z\2012\ZF1211\ZF1211 notification.mxd

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



DART
PO BOX 660163
DALLAS, TX 75266-0163

FSP COLLINS CROSSING LTD
C/O FRANKLIN ST PPTIES CO
401 EDGEWATER PL #200
WAKEFIELD, MA 01880-6207

TESS PARTNERS LTD
9023 CLAYCO DR
DALLAS, TX 75243-6318

UNIVERSITY DRIVE LLC
2550 INTERSTATE TOWER
121 W TRADE ST
CHARLOTTE, NC 28202-5399

KANSAS CITY SOUTHERN RR
PO BOX 219335
KANSAS CITY, MO 64121-9335

WOODALL JAMES KIRK
% VENT A HOOD
PO BOX 830426
RICHARDSON, TX 75083-0426

COLLINS TECHNOLOGY PARK
908 QUALITY WAY
RICHARDSON, TX 75081-2277

LEORE AZOULEY LESH, VP
SAF COLLINS TECHNOLOGY PARK
18111 PRESTON RD STE 1000
DALLAS, TX 75252-6099

ZF 12-11
Notification List

JOHN S. KIRK, EXECUTIVE VP
EMBRY PARTNERS, LTD.
1020 NE LOOP 410, SUITE 700
SAN ANTONIO, TX 75209

ORDINANCE NO. 3882

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY AMENDING AND RESTATING ORDINANCE NO. 3586 TO PERMIT THE DEVELOPMENT OF AN INDEPENDENT LIVING FACILITY, SAID TRACT BEING FURTHER DESCRIBED IN EXHIBIT “A”; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 12-13).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending and restating Ordinance No. 3586 to permit the development of an independent living facility, said tract of land being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes (“the Property”).

SECTION 2. That the PD Planned Development District previously granted by Ordinance No. 3586 is hereby amended and restated to read as follows:

Section 1. Intent.

The concept for The Shire Phase II development is to continue the quality turn-of-the-century development on the 9.7-acre property to the west of the existing Shire development. This development will contain the same quality design, planning and construction of the existing development and bring new uses into the area. The Shire II development will

contain additional retail shops, restaurants, banking, a boutique hotel and an independent living facility all designed around the open areas in the center of the development.

Section 2. Concept Plan.

Development of the Property shall generally conform to the Concept Plan attached hereto, marked Exhibit “B” and made a part hereof.

Section 3. Architectural Images and Building Elevation Review.

For illustrative purposes only, the attached Exhibits “C-1” through “C-3” hereto, provides architectural images indicating the general architectural character of the Shire Phase II. The City Plan Commission shall be responsible for approval of all building elevations, excluding the independent living facility, at the time of site plan review. The independent living facility shall be constructed in substantial conformance with attached Building Elevations attached hereto, marked Exhibit “D” and made a part hereof.

Section 4. Use Regulations.

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

- a) All uses permitted within the LR-M(1) Local Retail District, except as follows:
 - 1) Limited service hotel and full service hotel shall be permitted uses.
 - 2) An independent living facility shall be a permitted use.
 - 3) Veterinary office shall be a permitted use, subject to the supplemental regulations of Article XXII-E of the Comprehensive Zoning Ordinance.
 - 4) Sales of pet supplies and pet grooming shall be permitted uses, subject to the supplemental regulations of Article XXII-E of the Comprehensive Zoning Ordinance.
 - 5) Day spas shall be considered a permitted use.
 - 6) Churches, associated schools, and public buildings shall be prohibited.

Section 5. Building Regulations.

All buildings shall conform to the Building Regulations section of the LR-M(1) Local Retail District regulations.

Section 6. Height Regulations.

a) The maximum building heights permitted on the subject property are as follows:

- 1) Non-residential uses, excluding hotels: Two stories, not to exceed 50 feet.
- 2) Hotels: Four stories, not to exceed 75 feet.
- 3) Independent Living Facility: Two stories, not to exceed 40 feet.

b) Architectural features: Features that may exceed the maximum height include turrets, towers, skylights and lighting features in addition to other features set forth in the definition of "height" in the Comprehensive Zoning Ordinance, provided that such features respect the scale of the building, subject to building elevation approval.

c) No building height limitations other than those prescribed in this section shall be imposed on the subject property due to the adjacency of existing or future residentially zoned tracts.

Section 7. Area Regulations.

a) For the purpose of determining area regulations within the Shire Phase II Planned Development District, the entire Property shall be considered one (1) lot, regardless of how the property may be subdivided.

b) Perimeter Setbacks:

1) The minimum setbacks required adjacent to the perimeter streets shall be as follows:
President George Bush Highway:

- (a) Buildings: 60 feet.
- (b) Parking: 10 feet (this shall be a permitted exception to the PGBH Design Guidelines).

ii) Shire Boulevard:

- (a) Buildings: 25 feet.
- (b) Parking: 10 feet.

iii) Infocom Drive:

- (a) Buildings: 30 feet, except for covered parking structures for the independent living facility shall have a setback of 10 feet.
- (b) Parking: 10 feet.

iv) Wyndham Lane:

- (a) Buildings: 25 feet.
- (b) Parking: 22 feet.
- (c) A screened service court: 15 feet

2) Balconies, unenclosed porches, stoops, fireplaces and other architectural features may encroach up to five (5) feet into the required perimeter building setback.

3) Decorative metal fences, maximum four (4) feet in height shall be allowed in the required setback in accordance with standard City visibility requirements. A decorative metal fence, maximum six (6) feet in height shall be allowed in the required setback along Infocom Drive in accordance with Exhibit “B”.

4) Trash enclosures may be located in setbacks and must be adequately screened.

c) Interior Setbacks: Except as otherwise provided herein, no building setback shall be required from interior lot lines, except as may be required by the City of Richardson Building Code.

d) Lot coverage: Total building coverage, inclusive of parking structures, shall not exceed 30% of the total area of the lot.

e) Residential Density: A maximum of 56 independent living facility units shall be permitted.

f) Landscaping:

1) A minimum of 15% of the platted land area of the subject property (excluding public rights-of-way) shall be landscaped.

2) In addition to landscape islands and open space areas depicted on the Concept Plan, enhanced paving areas may also be included in the calculation of landscaped area provided, subject to site and landscape plan approval.

3) Except as otherwise provided herein, landscaping shall comply with the President George Bush Highway Design Guidelines.

Section 8. Parking.

a) The minimum number of parking spaces required for each use within the subject property shall be that required by the Comprehensive Zoning Ordinance, Planning and Development Ordinance, or Subdivision Ordinance, as applicable.

b) For the purpose of determining parking regulations within the Shire Phase II Planned Development District, the entire Property shall be considered one (1) lot, regardless of how the property may be subdivided.

c) The independent living facility shall require a parking ratio of 1.5 parking spaces per dwelling unit. The parking area located on the south side of the independent living facility shall provide covered parking spaces. The structures shall be a steel tension fabric shading system constructed of painted steel columns and beams supporting a cable tensioned membrane covered fabric or other type of structure of a higher quality as determined by the Chief Building Official.

Section 9. Special Regulations for the Independent Living Facility.

a) Floor area of the dwelling units:

- 1) The floor area of each dwelling unit shall be a minimum of 840 square feet.
- 2) The average floor area of the dwelling units shall be no less than 900 square feet.

Section 10. General Miscellaneous Regulations.

a) Enhanced paving: Enhanced paving shall be provided at appropriate locations throughout the development to emphasize pedestrian crossings, key intersections, and driveway entrances.

b) Screening:

- 1) No screening shall be required for non-residential uses adjacent to the independent living facility except as described herein.
- 2) Loading docks, refuse storage containers, and above-ground utility appurtenances shall be screened to reduce their visual impact on adjacent buildings or properties and from public rights-of-way.

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

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

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

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

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

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 24th day of September, 2012.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:09-17-12:57340)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 12-13

BEGINNING at a 5/8 inch iron rod with a red cap stamped KHA found for the southeast corner of said Shire Development tract, same being the northwest intersection of the west right-of-way line of Shire Boulevard (a 63' right-of-way), and the north right-of-way line of Infocom Drive (a 85.0' right-of-way);

THENCE along the common line of said Shire Development tract, and the north right-of-way line of said Infocom Drive, as follows:

THENCE South 89 deg. 22 min. 02 sec. West, a distance of 345.35 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner, said point being the beginning of a curve to the left having a radius of 1042.50 feet, and a delta angle of 11 deg. 57 min. 34 sec.;

Along said curve to the left, an arc distance of 217.60 feet, and a chord bearing and distance of South 83 deg. 23 min. 15 sec. West, 217.21 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner;

THENCE South 77 deg. 24 min. 28 sec. West, a distance of 91.43 feet to a 1/2 inch iron rod set for corner, said point being the most southerly southwest corner of said Shire Development tract, same being the southerly corner of an intersection corner clip for the north right-of-way line of said Infocom Drive, and the east right-of-way line of Wyndham Lane (an 85.0' right-of-way);

THENCE North 59 deg. 06 min. 14 sec. West, along the common line of said Shire Development tract, and said corner clip, a distance of 36.28 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner, said point being the most westerly southwest corner of said Shire Development tract, same being in the east right-of-way line of said Wyndham Lane, same being the beginning of a curve to the left having a radius of 2957.75 feet, and a delta angle of 00 deg. 45 min. 27 sec.;

THENCE along the common line of said Shire Development tract, and the east right-of-way line of said Wyndham Lane, and said curve to the left, as follows:

Along said curve to the left, an arc distance of 39.10 feet, and a chord bearing and distance of North 17 deg. 22 min. 39 sec. West, 39.10 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner;

THENCE North 18 deg. 27 min. 07 sec. West, a distance of 229.45 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner, said point being the beginning of a curve to the right having a radius of 757.50 feet, and a delta angle of 18 deg. 05 min. 23 sec.;

Along said curve to the right, an arc distance of 239.16 feet, and a chord bearing and distance of North 09 deg. 24 min. 26 sec. West, 238.17 feet to a 1/2 inch iron rod with a red cap stamped KHA found for corner;

THENCE North 00 deg. 21 min. 44 sec. West, a distance of 82.44 feet to a 1/2 inch iron rod set for corner, said point being the most westerly northwest corner of said Shire Development tract, same

being the southerly corner of an intersection corner clip for the south right-of-way line of State Highway No. 190 (a variable width right-of-way), and the east right-of-way line of said Wyndham Lane;

THENCE North 46 deg. 22 min. 46 sec. East, along the common line of said Shire Development tract, and said corner clip, a distance of 37.75 feet to a 1/2 inch iron rod set for corner, said point being the most northerly northwest corner of said Shire Development tract, same being the northerly corner of said corner clip, same being in the south right-of-way line of said State Highway No. 190;

THENCE along the common line of said Shire Development tract, and the south right-of-way line of said State Highway No. 190, as follows:

THENCE South 86 deg. 44 min. 12 sec. East, a distance of 449.99 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner;

THENCE South 80 deg. 42 min. 27 sec. East, a distance of 36.41 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner, said point being the beginning of a curve to the left having a radius of 329.47 feet, and a delta angle of 03 deg. 53 min. 40 sec.;

Along said curve to the left, an arc distance of 22.39 feet, and a chord bearing and distance of South 83 deg. 43 min. 37 sec. East, 22.39 feet to a 1/2 inch iron rod with a red cap stamped KHA found for corner;

THENCE South 86 deg. 44 min. 12 sec. East, a distance of 218.95 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner, said point being the most northerly northeast corner of said Shire Development tract, same being the northerly corner of an intersection corner clip for the south right-of-way line of said State Highway No. 190, and the east right-of-way line of said Shire Boulevard;

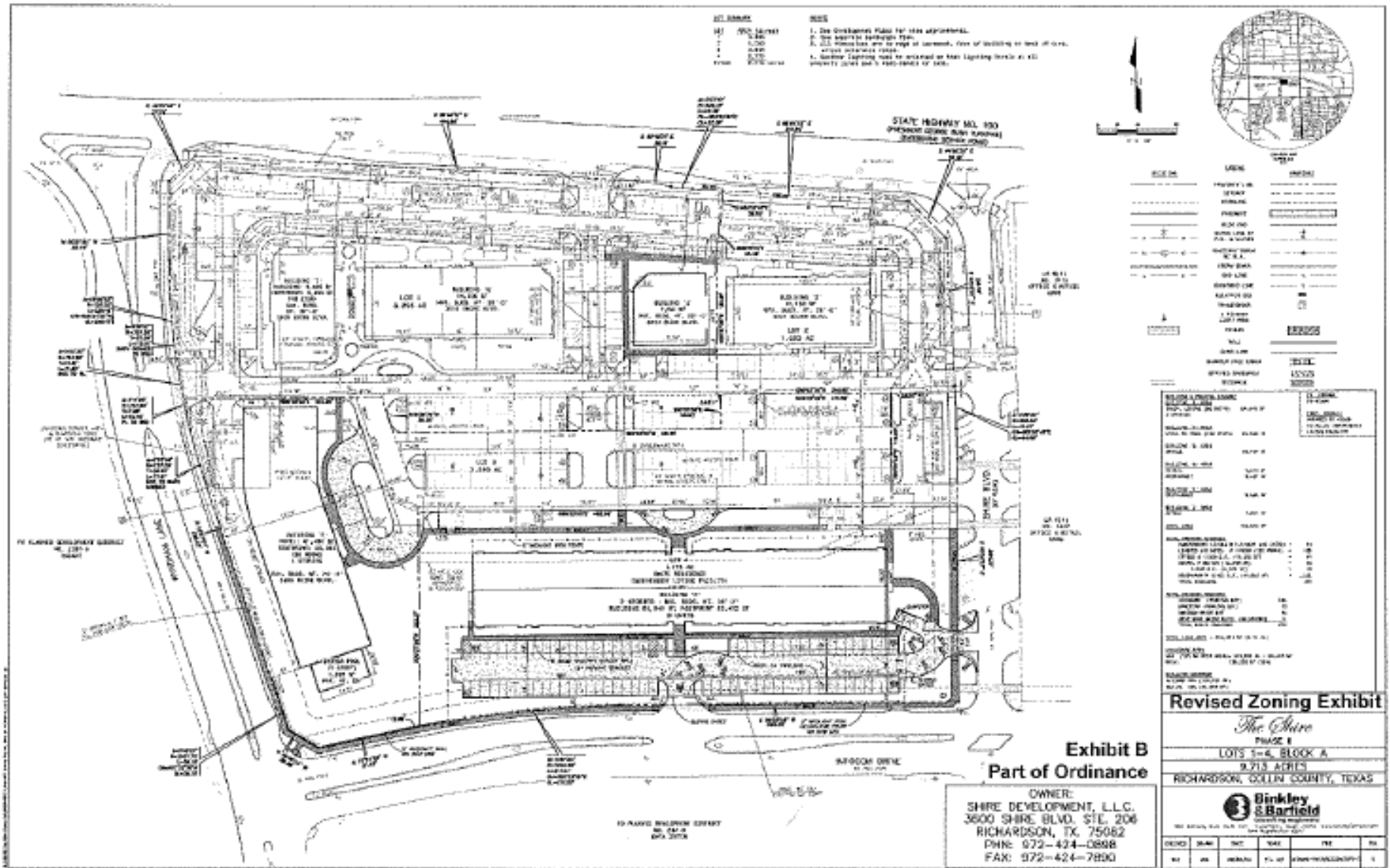
THENCE South 44 deg. 58 min. 35 sec. East, along the common line of said Shire Development tract, and said corner clip, a distance of 55.18 feet to a 5/8 inch iron rod with a red cap stamped KHA found for corner, said point being the most easterly northeast corner of said Shire Development tract, same being the southerly corner of said corner clip, same being in the west right-of-way line of said Shire Boulevard;

THENCE along the common line of said Shire Development tract, and the west right-of-way line of said Shire Boulevard, as follows:

THENCE South 03 deg. 12 min. 00 sec. East, a distance of 154.10 feet to a "X" cut in concrete found for corner, said point being the beginning of a curve to the right having a radius of 968.50 feet, and a delta angle of 02 deg. 38 min. 32 sec.;

Along said curve to the right, an arc distance of 44.66 feet, and a chord bearing and distance of South 01 deg. 52 min. 43 sec. East, 44.66 feet to a "X" cut in concrete found for corner;

THENCE South 00 deg. 33 min. 27 sec. East, a distance of 284.37 feet to the POINT OF BEGINNING and containing 423,083 square feet or 9.71 acres of computed land.



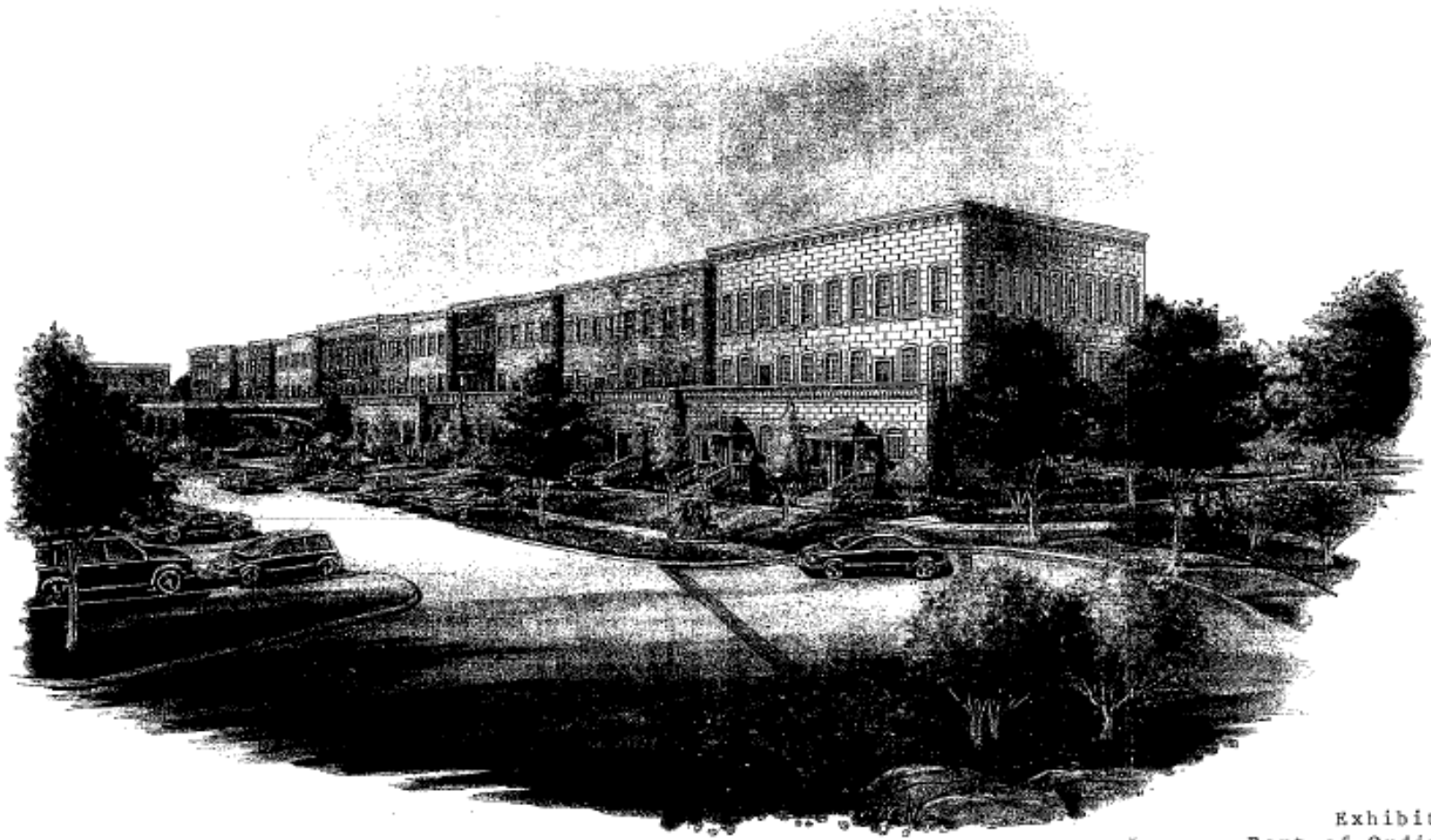


Exhibit C-1
Part of Ordinance

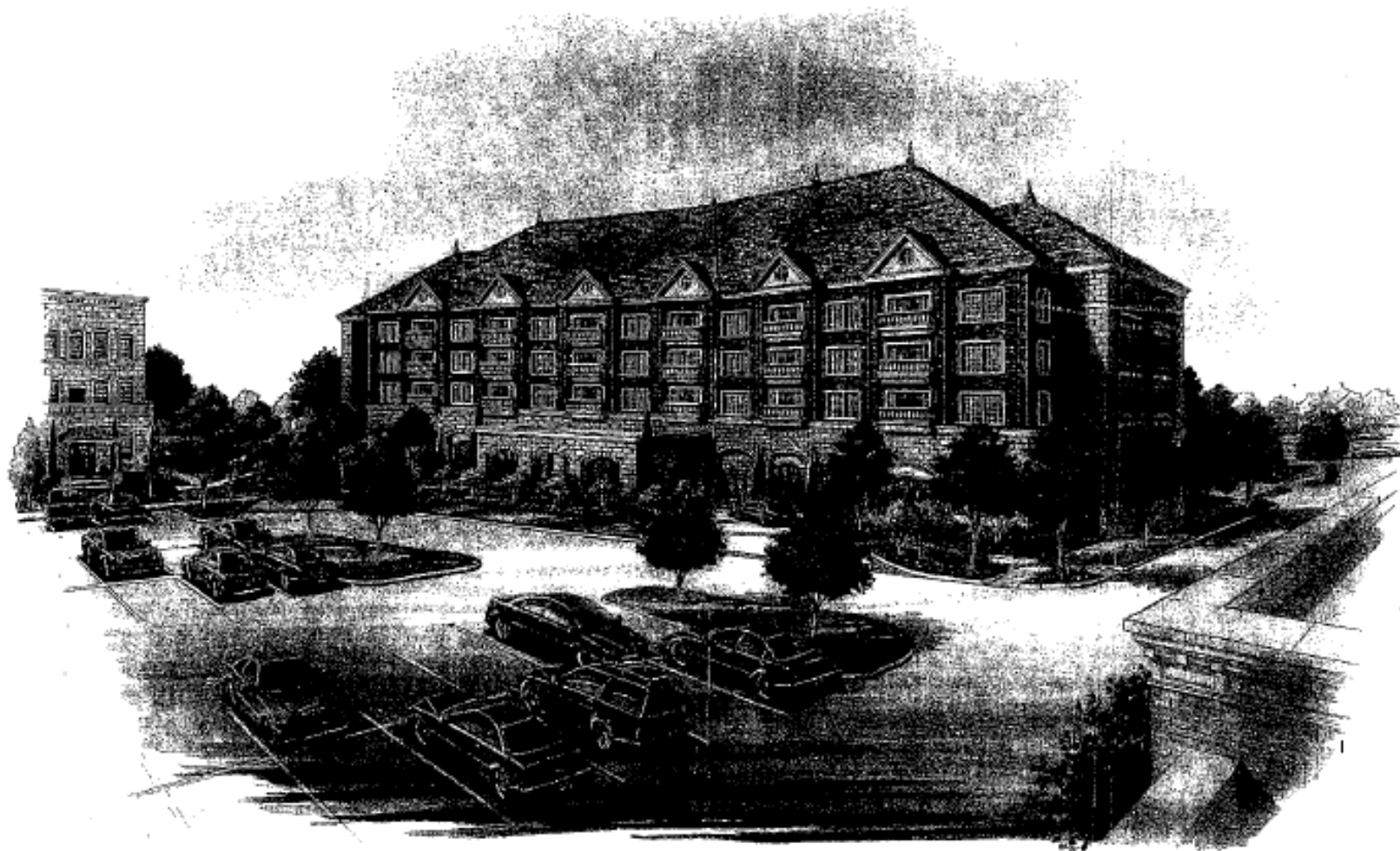


Exhibit C-2
Part of Ordinance



Exhibit C-3
Part of Ordinance

ORDINANCE NO. 3883

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION WITH SPECIAL CONDITIONS ON A 0.96-ACRE TRACT OF LAND ZONED SPRING VALLEY STATION DISTRICT PD PLANNED DEVELOPMENT LOCATED AT 170 E. SPRING VALLEY ROAD, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 12-14).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning to grant a Special Permit for a motor vehicle service station subject to special conditions on a 0.96-acre tract of land zoned Spring Valley Station District PD Planned Development located at 170 E. Spring Valley Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the Special Permit for a motor vehicle service station is hereby granted subject to the following special conditions:

1. The Special Permit for a motor vehicle service station shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the Concept Plan attached as Exhibit "B" and made a part hereof.

2. The motor vehicle service station shall be constructed in substantial conformance with the concept plan, the building elevations attached as Exhibits “C-1” and “C-2”, and the color elevations/renderings attached as Exhibits “D-1” through “D-4” and made a part hereof.
3. The City Council, after having received a recommendation for the City Plan Commission, finds that in its judgment the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured following exceptions to the Spring Valley Station District PD shall be granted for this Special Permit:
 - a. The primary entrance to the building shall not be required to face a street.
 - b. The build-to-line shall not be required along Spring Valley Road.
 - c. The amenity zone along Spring Valley Road shall be a minimum of six (6) feet wide, as depicted on Exhibit “B”.
 - d. The amenity zone shall not be required along Centennial Boulevard.
 - e. The yard area shall not be required and specialty paving shall be allowed for the required sidewalk in lieu of a scored concrete sidewalk.
 - f. The building-to-lot frontage requirement shall not be required along Spring Valley Road.
4. The amount of internal stacking at the gas pumps shall be reduced as shown on the attached concept plan (Exhibit “B”) shall be allowed.
5. The approval of this Special Permit in accordance with its attached concept plan shall replace the requirement for Concept Plan approval of this project as described in Ordinance 3831 (Spring Valley Station District Development Regulations).

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

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

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same

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

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

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

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 24th day of September, 2012.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:09-19-12:57339)

CITY SECRETARY

EXHIBIT “A”
LEGAL DESCRIPTION
ZF 12-14

Being a 0.96-acre lot platted as part of Lot 2, Block 1, McKamy Park Triangle Addition, an addition to the City of Richardson, Dallas County, Texas, according to the plat thereof recorded in Document No. 201100175004, Official Public Records of Dallas County, Texas.



2 NORTH ELEVATION
20' x 10'



4 WEST ELEVATION
20' x 10'



3 SOUTH ELEVATION
20' x 10'



1 EAST ELEVATION
20' x 10'

Exhibit C-1 - Part of Ordinance

HFA
ARCHITECTS
ENGINEERS
INTERIORS

14000 West Loop West
Suite 100
Houston, Texas 77040
713.865.1111
www.hfa.com

PROJECT NO. 12-0018
DATE: 12-20-14



7-ELEVEN
SPRING VALLEY &
CENTENNIAL
RICHARDSON, TX
PHONE: 972.381.2200

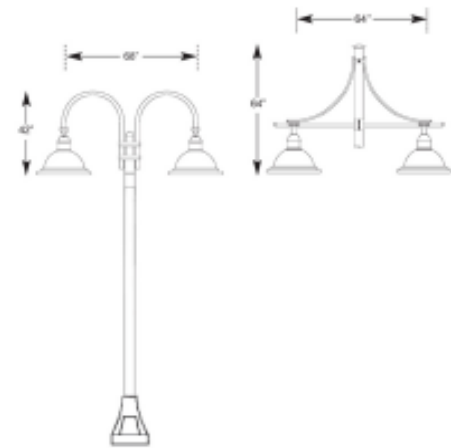
NO.	DESCRIPTION	DATE

DATE: 12-20-14
DRAWN BY: JH
CHECKED BY: JH
SCALE: AS SHOWN

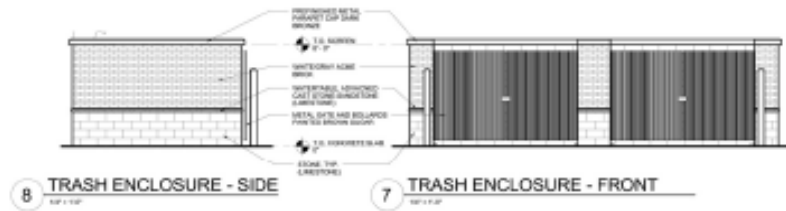
FOR REVIEW/PREFERENCE ONLY
NOT FOR CONSTRUCTION

RICHARDSON, TX
ELEVATIONS

RB-E

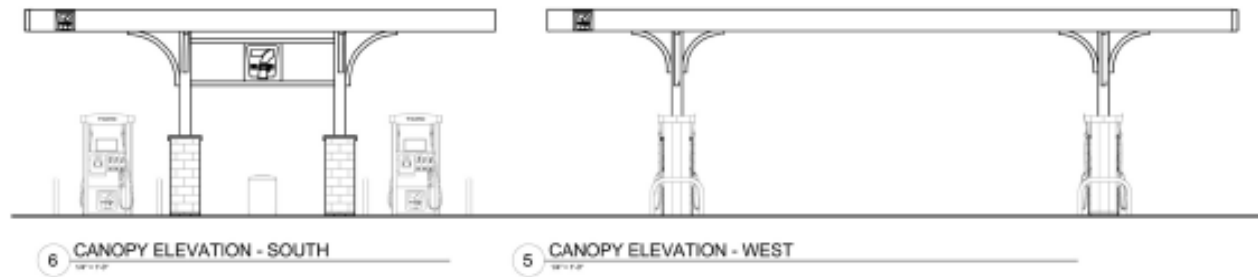


EXAMPLE SITE LIGHTING FIXTURE



8 TRASH ENCLOSURE - SIDE
1/4" = 1'-0"

7 TRASH ENCLOSURE - FRONT
1/4" = 1'-0"



6 CANOPY ELEVATION - SOUTH
1/4" = 1'-0"

5 CANOPY ELEVATION - WEST
1/4" = 1'-0"

HFA
ARCHITECTS
ENGINEERS
INTERIORS

11 LUGERDALE DRIVE
SUITE 200
DALLAS, TEXAS 75244
PHONE: 972.361.1111
WWW.HFA.COM

STATE OF TEXAS
COUNTY OF DALLAS

I, **HFA ARCHITECTS, ENGINEERS & INTERIORS**, a duly licensed professional engineering firm, hereby certify that the above information is a true and accurate representation of the information provided to me by the client for the purpose of this document.

DATE: 12/14/14
BY: [Signature]

7-ELEVEN
1100 VALLEY &
CENTRAL
RICHARDSON, TX
PHONE: 972-481-1111
CITY NUMBER: 214-242-1111

DATE	DESCRIPTION

DATE: 01/21/15	SCALE:
ISSUE DATE: 01/21/15	
DRAWN BY: JH	
CHECKED BY: JH	
DATE: 01/21/15	

FOR REVIEW/REFERENCE ONLY
NOT FOR CONSTRUCTION

RICHARDSON, TX
CANOPY
ELEVATIONS

RB-C

Exhibit C-2 - Part of Ordinance



7-ELEVEN
9/5/2012 2:40:35 PM
FOR REFERENCE ONLY - NOT FOR CONSTRUCTION

RICHARDSON, TX

Exhibit D-1 - Part of Ordinance



THIS DOCUMENT IS THE PROPERTY OF HFA ARCHITECTS, ENGINEERS & INTERIORS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF HFA ARCHITECTS, ENGINEERS & INTERIORS IS STRICTLY PROHIBITED.

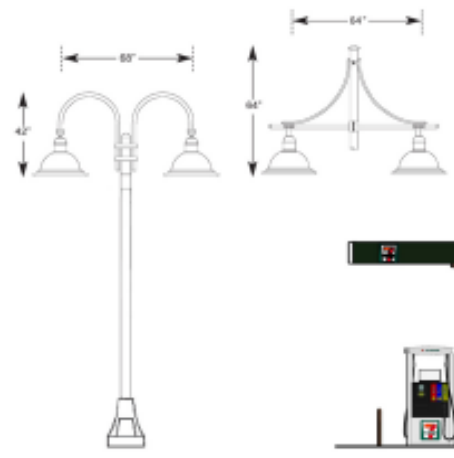


NO.	DATE	DESCRIPTION

FOR REVIEW/REFERENCE ONLY
NOT FOR CONSTRUCTION

RICHMOND, TX - ELEVATIONS

RB-F

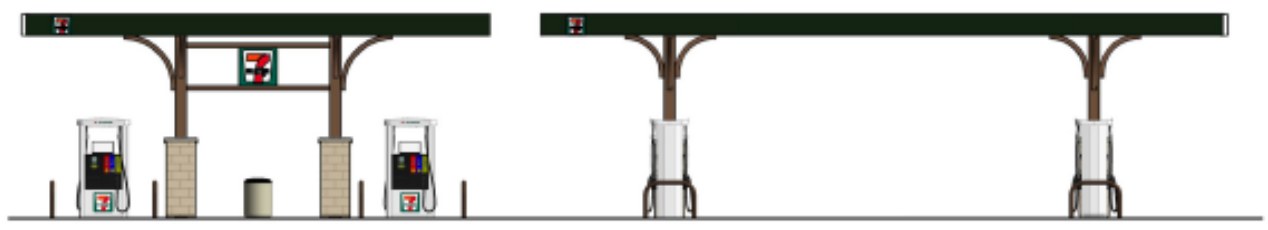


EXAMPLE SITE LIGHTING FIXTURE



8 TRASH ENCLOSURE - SIDE
8' W x 8' H

7 TRASH ENCLOSURE - FRONT
16' W x 8' H



6 CANOPY ELEVATION - SOUTH
16' W x 8' H

5 CANOPY ELEVATION - WEST
16' W x 8' H



4 SOUTH ELEVATION
16' W x 10' H



3 EAST ELEVATION
16' W x 10' H



2 NORTH ELEVATION
16' W x 10' H



1 WEST ELEVATION
16' W x 10' H

Exhibit D-2 - Part of Ordinance



7-ELEVEN
9/5/2012 2:40:36 PM
FOR REFERENCE ONLY - NOT FOR CONSTRUCTION

RICHARDSON, TX

Exhibit D-3 - Part of Ordinance



HARRISON FRENCH
& ASSOCIATES, LTD



7-ELEVEN
9/3/2012 2:48:37 PM
FOR REFERENCE ONLY - NOT FOR CONSTRUCTION

RICHARDSON, TX

Exhibit D-4 - Part of Ordinance



ORDINANCE NO. 3884

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A SPECIAL EVENT ENTERTAINMENT FACILITY WITH SPECIAL CONDITIONS ON A 1.87-ACRE TRACT OF LAND ZONED I-M(1) INDUSTRIAL LOCATED ON A PORTION OF LOT 8, BLOCK 6 OF THE GREENWAY ADDITION, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 12-15).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning to grant a Special Permit for a special event entertainment facility located on a 1.87-acre tract of land zoned I-M(1) Industrial located on a portion of Lot 8, Block 6 of the Greenway Addition, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the Special Permit for a special event entertainment facility is hereby granted subject to the following special conditions:

1. The Special Permit for a special event entertainment facility shall be allowed and limited to the area shown on the Concept Plan attached as Exhibit "B" and made a part hereof.

2. The City Council finds, after recommendation from the City Plan Commission, that the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, that a variance to the requirement of Section 21-46(b) of Chapter 21 of the Code of Ordinances for the lot to front on a public or private street provided a mutual access easement from the adjoining property is acquired.
3. The special event entertainment facility shall be constructed, developed and used in substantial conformance with the attached Concept Plan, and building elevations attached as Exhibits “C-1” and “C-2”, and made a part hereof for all purposes.
4. The minimum percentages for exterior masonry materials and maximum percentages for porcelain tile as designated on Exhibits “C-1” and “C-2” for each elevation shall be allowed.
5. Parking shall be provided at a ratio of 1 parking space per 100 square feet of building area.
6. A Mutual Access Easement shall be acquired from the adjacent property owner to the north and shall be submitted to and approved by the City prior to the issuance of a Certificate of Occupancy for the site.

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

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

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

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

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

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 24th day of September, 2012.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:09-18-12:57351)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 12-15

BEING A 1.870 ACRE TRACT OF LAND SITUATED IN THE J.V. VANCE SURVEY, ABSTRACT NO. 1513, ALSO BEING A PORTION OF LOT 8, BLOCK 6, OF THE GREENWAY ADDITION, AN ADDITION TO THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN INSTRUMENT NUMBER 200900049891, PLAT RECORDS, DALLAS COUNTY, TEXAS (PRDCT), AND ALSO BEING THE SAME PROPERTY CONVEYED TO NOAH CORPORATION IN WARRANTY DEED RECORDED IN VOLUME XXX, PAGE XXX, DEED RECORDS, DALLAS COUNTY, TEXAS (DRDCT), SAID PROPERTY MORE PARTICULARLY BEING DESCRIBED AS FOLLOWS;

BEGINNING AT AN "X" CUT IN CONCRETE BEING AN INTERIOR SOUTHWEST CORNER OF LOT 1A, BLOCK 6 OF GREENWAY ADDITION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 8, BLOCK 6, AND LYING IN THE WEST LINE OF A FIRE LANE AND UTILITY EASEMENT RECORDED IN CABINET G, PAGE 596 OF THE REAL PROPERTY RECORDS OF DALLAS COUNTRY, TEXAS;

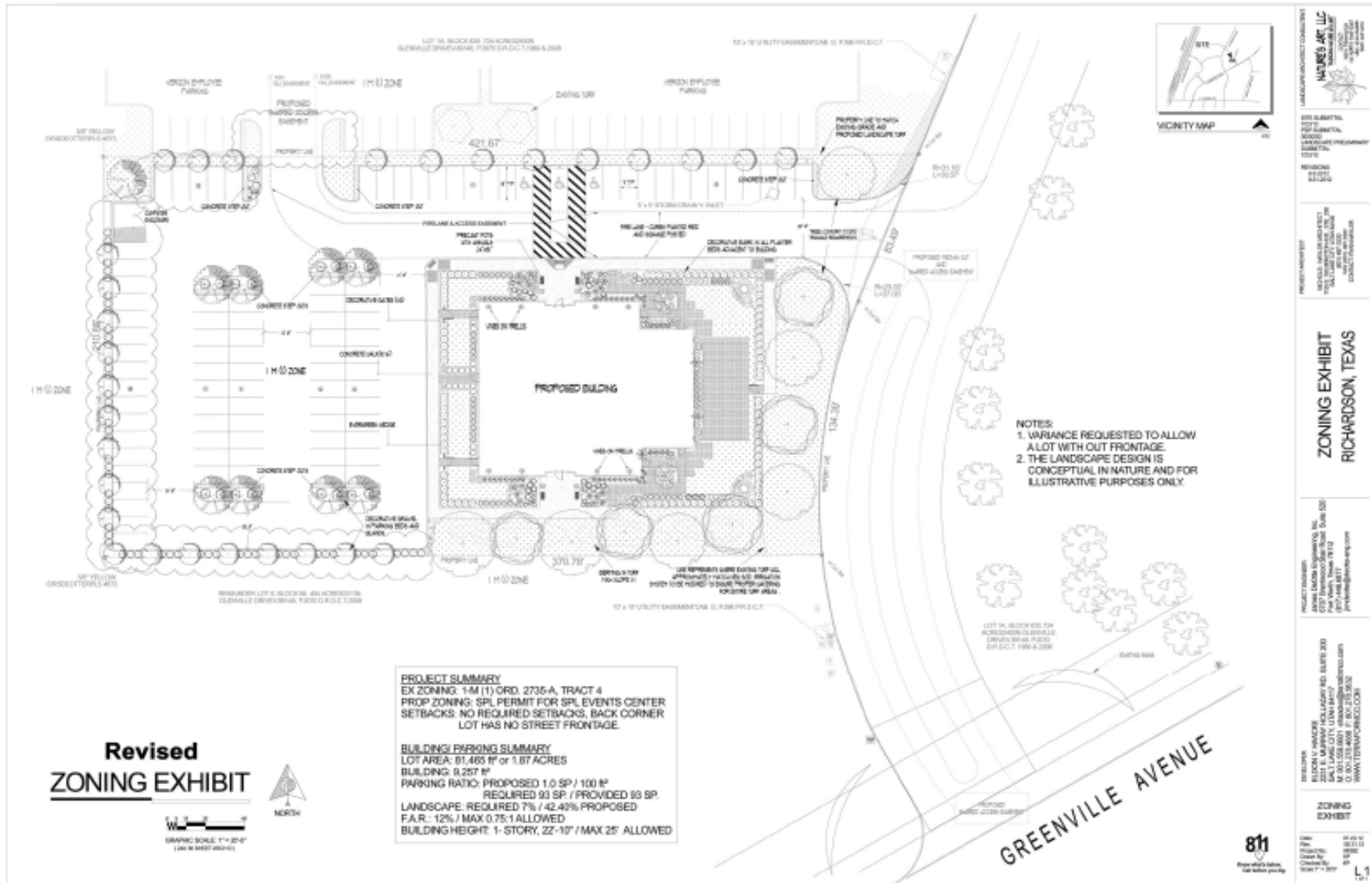
THENCE ALONG THE WEST LINE OF SAID FIRE LANE AND UTILITY EASEMENT SOUTH 21 DEGREES 56 MINUTES 56 SECONDS WEST, A DISTANCE OF 83.49 FEET TO AN "X" CUT IN CONCRETE FOR THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 281.50 FEET, A CENTRAL ANGLE OF 27 DEGREES 44 MINUTES 15 SECONDS, AND A CHORD BEARING SOUTH 08 DEGREES 04 MINUTES 49 SECONDS WEST;

THENCE CONTINUING ALONG THE WEST LINE OF SAID FIRE LANE AND UTILITY EASEMENT AND ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 134.95 FEET TO AN "X" CUT IN CONCRETE;

THENCE DEPARTING THE WEST LINE OF SAID FIRE LANE AND UTILITY EASEMENT, SOUTH 89 DEGREES 48 MINUTES 30 SECONDS WEST, A DISTANCE OF 370.77 FEET TO A 5/8 INCH YELLOW CAPPED IRON ROD SET STAMPED "DEOTTE RPLS 4673" FOR THE SOUTHWEST CORNER;

THENCE NORTH 0 DEGREES 11 MINUTES 30 SECONDS WEST, A DISTANCE OF 210.88 FEET TO A 5/8 INCH YELLOW CAPPED IRON ROD SET STAMPED "DEOTTE RPLS 4673" LYING IN THE COMMON LINE BETWEEN LOT 1A, BLOCK 6 AND LOT 8, BLOCK 6;

THENCE ALONG THE COMMON LINE BETWEEN LOT 1A, BLOCK 6 AND LOT 8, BLOCK 6, NORTH 89 DEGREES 48 MINUTES 30 SECONDS EAST, A DISTANCE OF 421.65 FEET TO THE POINT OF BEGINNING AND CONTAINING 81,461 SQUARE FEET OR 1.870 ACRES OF LAND, MORE OR LESS.



Revised
ZONING EXHIBIT

GRAPHIC SCALE: 1" = 20'-0"
(1/4" = 5'-0" DISTANCE)



PROJECT SUMMARY
EX ZONING: 1-4M (1) ORD. 2735-A, TRACT 4
PROP ZONING: SPL PERMIT FOR SPL EVENTS CENTER
SETBACKS: NO REQUIRED SETBACKS, BACK CORNER LOT HAS NO STREET FRONTAGE

BUILDING PARKING SUMMARY
LOT AREA: 81,465 SF or 1.87 ACRES
BUILDING: 9,257 SF
PARKING RATIO: PROPOSED 1.0 SP / 100 SF
REQUIRED 0.3 SP / PROVIDED 93 SP
LANDSCAPE: REQUIRED 7% / 42.43% PROPOSED
F.A.R.: 12% / MAX 0.75-1 ALLOWED
BUILDING HEIGHT: 1- STORY, 22'-10" / MAX 25' ALLOWED

NOTES:
1. VARIANCE REQUESTED TO ALLOW A LOT WITH CUT FRONTAGE.
2. THE LANDSCAPE DESIGN IS CONCEPTUAL IN NATURE AND FOR ILLUSTRATIVE PURPOSES ONLY.

LANDSCAPE ARCHITECT CONSULTANT
NATURES ART LLC
10000 GREENWOOD DRIVE
SUITE 100
RICHARDSON, TEXAS 75081
TEL: 972.272.1111
WWW.NATURESART.COM



PROJECT ARCHITECT
NATURES ART LLC
10000 GREENWOOD DRIVE
SUITE 100
RICHARDSON, TEXAS 75081
TEL: 972.272.1111
WWW.NATURESART.COM

ZONING EXHIBIT
RICHARDSON, TEXAS

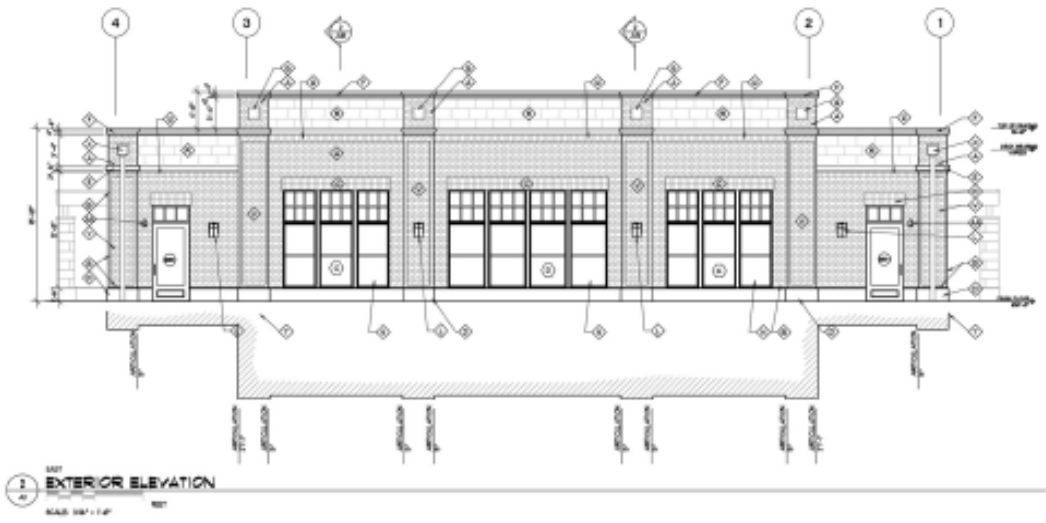
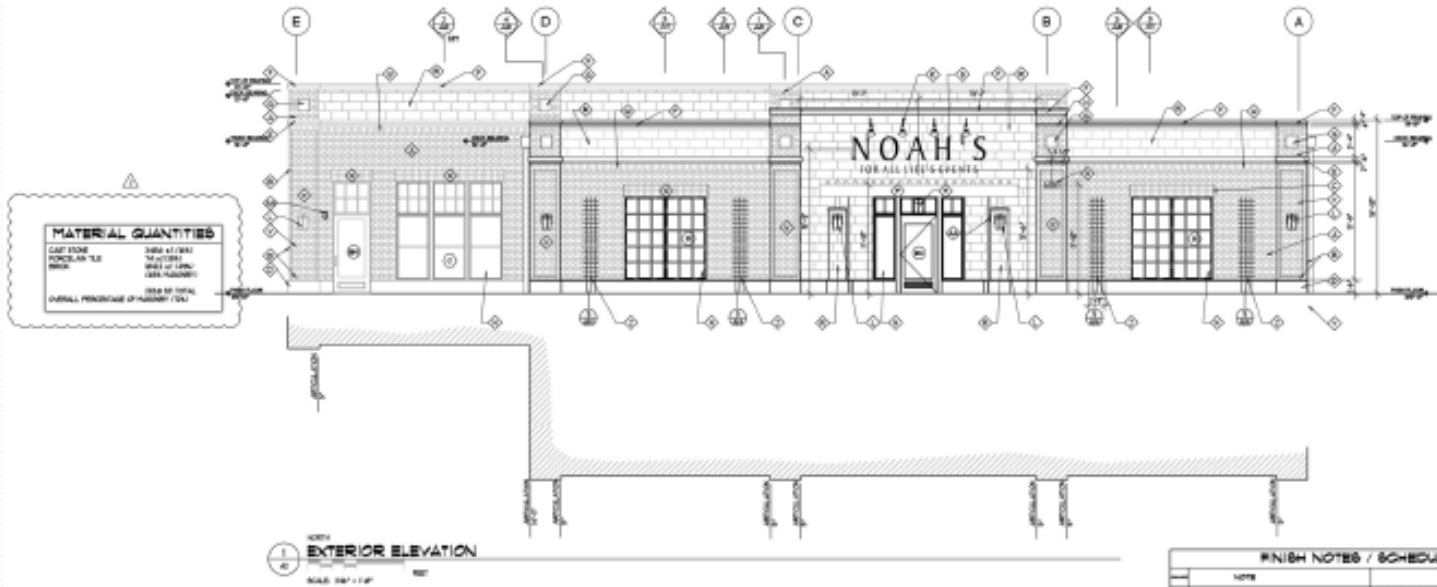
PROJECT MANAGER
JAMES DAVIS ENGINEERING & INC.
2017 LAMARWOOD DRIVE SUITE 200
RICHARDSON, TEXAS 75081
TEL: 972.272.1111
WWW.JAMESDAVISENGINEERING.COM

EXHIBITOR
REXELON V. WACHNE
2024 E. MARSHALL BLVD. SUITE 200
RICHARDSON, TEXAS 75081
TEL: 972.272.1111
WWW.REXELONV.COM

ZONING EXHIBIT



Exhibit B - Part of Ordinance



FINISH NOTES / SCHEDULE	
NOTE	COLOR
① BRICK FINISH: SQUARE GRID	AZE BRICK "TODD HOLLANDER" RED-ORANGE BROWN
② BRICK FINISH: LEADER COURSE	AZE BRICK "TODD HOLLANDER" RED-ORANGE BROWN
③ BRICK FINISH: DOUBLE SOLIDER LINE	AZE BRICK "TODD HOLLANDER" RED-ORANGE BROWN
④ CAST STONE SIDE	CORTICAL CAST STONE RED CREMAY
⑤ CAST STONE TOP/GARD	CORTICAL CAST STONE RED CREMAY
⑥ CAST STONE CORNER	CORTICAL CAST STONE RED CREMAY
⑦ CAST STONE TROCHILON	CORTICAL CAST STONE RED CREMAY
⑧ CAST STONE TOP/GARD	CORTICAL CAST STONE RED CREMAY
⑨ NOT USED	
⑩ SECONDARY BELL-TOPPED EXTERIOR BRICK	ART. SECONDARY BELL-TOPPED LEADING BRICK
⑪ SECONDARY BELL-TOPPED EXTERIOR BRICK	ART. SECONDARY BELL-TOPPED LEADING BRICK
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㊿ SECONDARY BELL-TOPPED EXTERIOR BRICK	ART. SECONDARY BELL-TOPPED LEADING BRICK

PROJECT NUMBER: 12-26

REVISION:

SHEET TITLE: EXTERIOR ELEVATIONS

PROJECT OWNER: NOAH'S RICHARDSON APPL. 2300 NORTH 25TH AVENUE, RICHARDSON, TEXAS 75082

PROJECT: [Blank]

ARCHITECT: NICHOLS • NAYLOR ARCHITECTS 1105 EAST WILMINGTON AVENUE SUITE 200 DALLAS, TEXAS 75201 PHONE: (972) 487-2200

DATE: 10 JULY 2015

SHEET NUMBER: A2

MATERIAL QUANTITIES

CAST STONE: 3486 SF TOTAL (84 SF LEAD, 3402 SF MAIN, 84 SF FINISH)

PORCELAIN TILE: 145 SF TOTAL (145 SF FINISH)

BRICK: 145 SF TOTAL (145 SF FINISH)

SCALE: 1/8\"/>

NOTE: FINISH QUANTITIES SUBJECT TO SEPARATE MATERIAL QUANTITIES FOR EXTERIOR FINISHES ONLY.

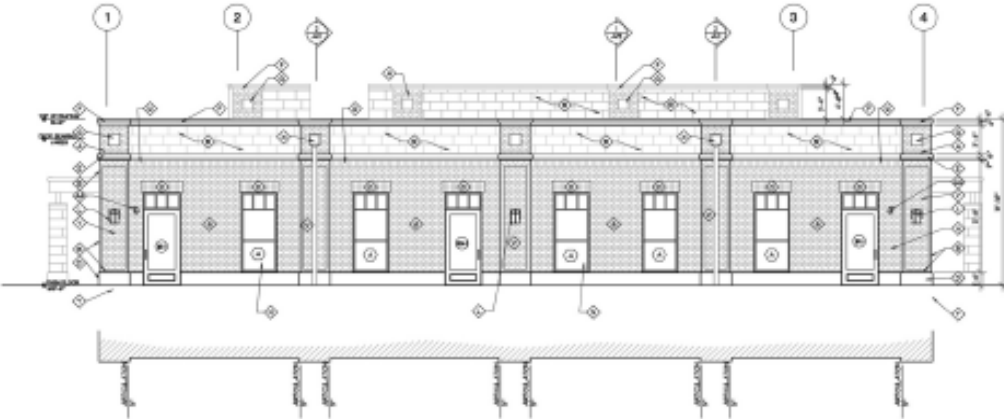
Exhibit C-1 - Part of Ordinance



MATERIAL QUANTITIES	
CAST STONE	1800 LF (100%)
PORECLAN TILE	280 LF (100%)
BRICK	100 LF (100%)
TOTAL LF (100%)	
OVERALL PERCENTAGE OF FABRICATED CAST	



NOAH'S
1
EXTERIOR ELEVATION
SCALE: 3/8" = 1'-0"
REF



FINISH NOTES / SCHEDULE		
NO.	NOTE	SCHEDULE
1	BRICK - VENEER - HALLWAY BAND	JOHN BRICK TEAM HALLWAY
2	BRICK - VENEER - HALLWAY CORNER	JOHN BRICK TEAM HALLWAY
3	BRICK - VENEER - HALLWAY SILL	JOHN BRICK TEAM HALLWAY
4	CAST STONE SILL	CENTRAL CAST STONE 100
5	CAST STONE 100 BAND	CENTRAL CAST STONE 100
6	CAST STONE CORNER	CENTRAL CAST STONE 100
7	CAST STONE HALLWAY	CENTRAL CAST STONE 100
8	CAST STONE 100 BAND	CENTRAL CAST STONE 100
9	CAST STONE	JOHN BRICK TEAM HALLWAY
10	CAST STONE	JOHN BRICK TEAM HALLWAY
11	CAST STONE	JOHN BRICK TEAM HALLWAY
12	CAST STONE	JOHN BRICK TEAM HALLWAY
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14	CAST STONE	JOHN BRICK TEAM HALLWAY
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97	CAST STONE	JOHN BRICK TEAM HALLWAY
98	CAST STONE	JOHN BRICK TEAM HALLWAY
99	CAST STONE	JOHN BRICK TEAM HALLWAY
100	CAST STONE	JOHN BRICK TEAM HALLWAY

NOTE: BRICKING SHOWN SUBJECT TO SEPARATE ARCHITECTURAL DRAWING FOR ILLUSTRATIVE PURPOSES ONLY.

MATERIAL QUANTITIES	
CAST STONE	1800 LF (100%)
PORECLAN TILE	280 LF (100%)
BRICK	100 LF (100%)
TOTAL LF (100%)	
OVERALL PERCENTAGE OF FABRICATED CAST	

NOAH'S
1
EXTERIOR ELEVATION
SCALE: 3/8" = 1'-0"
REF

PROJECT NUMBER: 12-25

REVISIONS:

DATE: 10 JULY 2010

PROJECT OWNER: NOAH'S RICHMOND, 2000 NORTH GLENDALE DR, RICHMOND, TEXAS 75282

ARCHITECT: NICHOLS • NAYLOR ARCHITECTS, 1000 EAST WASHINGTON AVENUE, SUITE 200, DALLAS, TEXAS 75201

PROJECT NUMBER: A3

Exhibit C-2 - Part of Ordinance

ORDINANCE NO. 3885

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 18, SIGN REGULATIONS, BY AMENDING DEFINITIONS, AREA REGULATIONS, SIGN CLASSIFICATIONS AND OTHER STANDARDS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

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 18, Sign Regulations, in part by amending definitions, area regulations, sign classifications and other standards, to read as follows:

“ARTICLE I. IN GENERAL

Sec.18-1. Short title.

This chapter shall hereafter be known and cited as the “Sign Regulations.”

Sec. 18-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned Sign means a sign that depicts or refers to a product, business, service, activity, condition or occupation which has changed in such a manner that the sign no longer properly or appropriately identifies or describes said product, business, service, activity, condition or occupation, which no longer exists at the location referred to in the sign, or no longer exists or operates at any location.

Alter means to change the size, shape or outline, copy, nature of message, intent or type of sign.

Board means the Sign Control Board.

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

Copy means logos, characters, symbols or any other portion of a sign which conveys a message or information.

Director of Community Services means the officer or person within the city charged with the administration and enforcement of this chapter.

Erect means to build, construct, attach, hang, place suspend or affix, and shall also include the painting of signs on the exterior surface of a building or structure, and also includes the painting or affixing of signs to the exterior or interior surface of windows, and includes signs located interior to a building but readily visible from the exterior.

Facing or *surface* means the surface or surfaces of the sign upon, against or through which the message is displayed or illustrated on the sign.

Freeway means any major thoroughfare where right-of-way is 250 feet or greater and so designated by the city master street plan.

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

Landscaping means any plant materials including, but not limited to, live trees, shrubs, groundcovers, grass, flowers, and native landscape materials; also including, but not limited to, inorganic features such as planters, stone, brick, and aggregate forms, water, or other landscape elements approved by the Director of Community Services.

Logo means any design, insignia or other marking of a company, business or product, which is used in advertising to identify the company, business or product.

Monument sign means any sign that is contiguous to the ground and not elevated above grade by use of poles, struts, or wires and has no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign may include a sign face, sign structure, a sign base and sign cap.

Noncombustible material means any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit and will not continue to burn or glow at that temperature or shall have a flame spread of 25 or less.

Outdoor Structure means anything constructed or erected which requires a permanent location on the ground or which is attached to something having a fixed location on the ground, designed and intended to provide identity, decoration or protection from the elements, including, but not limited to, supporting walls, canopies, awnings, porte-cocheres, appurtenances or other permitted structures as determined by the Director of Community Services.

Projecting structures means covered structures of a permanent nature which are constructed of approved building material, specifically excluding canvas or fabric material, and

where such structures are an integral part of the main building or permanently attached to a main building and do not extend over public property. “Projecting structures” includes marquee, canopy and fixed-awning-type of structures.

Roof line means the height which is defined by the intersection of the roof of the building and the wall of the building; except, for mansard-type roofs, the “roof line” means the top of the lower slope of the roof. Roofs with parapet walls completely around the building and not exceeding four feet in height may be considered as the “roof line” for the purposes of this chapter.

Sign means an outdoor structure, display, light device, figure, painting, drawing, message, plaque, poster, billboard, name, announcement, insignia, banner, mural, description, logo, illustration, neon tube or other thing that is designed, intended or used to advertise or inform about an activity, place, product, person, organization, business or other legally-permitted service.

Sign, on-premises, means a sign identifying or advertising a business, person, organization, activity, event, place, service or product on the same premises as the business, person, organization, activity, event, place, service or product that is principally located or primarily sold or manufactured.

Sign, off-premises, means a sign identifying or advertising a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

Structural trim means the molding, battens, cappings, nailing strips, latticing and platforms which are attached to the sign structure.

Vehicle means any automobile, truck, camper, tractor, van, trailer or any device capable of being transported and shall be considered a “vehicle” in both moving and stationary modes, irrespective of state of repair or condition.

Sec. 18-3. Responsibility for violation.

The owner of the sign, the owner of the land or structure, or the person in charge of erecting, altering, replacing, relocating or repairing the sign or structure are all subject to the provisions of this chapter and, therefore, subject to the penalty provided for the violation of this chapter.

Sec. 18-4. Penalties.

Any person violating any provision of this chapter shall be punished as provided in section 1-8.

Sec. 18-5. Prohibited signs.

It shall be unlawful for any person to erect, cause to have erected, or allow to remain erected any sign or condition prohibited in this section and shall remove such sign or correct such condition immediately upon notice by the building official:

- (1) It shall be unlawful for any person to display or advertise upon any sign any obscene, indecent or immoral matter.
- (2) No person shall erect, maintain or permit the erection of any balloon or other floating device anchored to the ground or to any structure, except as allowed by other provisions of this chapter.
- (3) No person shall attach any sign, paper or other material or paint, stencil or write any name, number (except house numbers) or otherwise mark on any sidewalk, curb, gutter, street, tree, tower, utility pole, public building, public fence or public structure for advertising purposes, except such signs as are permitted by this chapter to be placed in the public right-of-way. Any sign placed on public property, or public right-of-way may be removed without prior notice.
- (4) No sign located internal or external to a building or vehicle shall be illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance. Moving, flashing, animated, intermittently lighted, changing color, beacons, revolving or similarly constructed signs shall not be allowed except where permissible in this chapter. Jump clocks or digital display devices showing time or temperature may be allowed only by a special permit of the sign control board.
- (5) No person shall place on or suspend from the exterior of any building, pole, structure, projecting structure, parkway, driveway or parking area any goods, wares, merchandise or other advertising object or structure for the purpose of advertising such items, other than a sign as defined, regulated and prescribed by this chapter except as otherwise allowed by ordinance controlling the outside storage and display of goods, wares or merchandise.
- (6) No cloth, paper, banner, flag, device or other similar advertising matter shall be permitted to be attached, suspended from or allowed to hang loose from any sign, building or structure, except as allowed by other provisions of this chapter.
- (7) No lighted sign shall be erected within 150 feet of a residential property line unless lighting is shielded from view in the direction of the residential district. Signs erected at a public school that are regulated by an automated timer that limits the period of illumination from 6 a.m. to 10 p.m. shall be permitted to be erected 50 feet or more from a residential property line.
- (8) No signs attached to a trailer, skid or similar mobile structure, where the primary use of such structure is for sign purposes, will be permitted. This provision does

not restrict the identification signage on vehicles used for delivery service, interstate commerce or any bona fide transportation activity.

- (9) Vehicles to which signs are affixed shall be parked behind the rear building wall in which the business is legally operating unless the vehicle is actively being used for loading, unloading, or delivering goods, merchandise or services. Vehicles to which signs are affixed that cannot be physically parked behind the rear building wall in which a business is legally operating shall be parked in a single, marked parking space behind said building's front building wall. Vehicles to which signs are affixed that cannot be parked behind said building's front building wall shall be parked in a single, designated parking space a maximum of 100 feet from said business' primary entrance. Vehicles to which signs are affixed must be parked a minimum of 20 feet from any street right of way. Vehicles to which signs are affixed shall be parked completely and wholly in a single designated parking space. Signs attached to a vehicle shall be incidental to the bona fide use for transportation purposes of the vehicle to which the sign is attached. If a vehicle displaying a sign is not a bona fide use for transportation purposes, the vehicle shall be deemed to be a sign and subject to all provisions of this chapter pertaining to freestanding signs. It shall be a rebuttable presumption that a vehicular sign is not a bona fide use for transportation if the vehicle is stopped, parked, or allowed to remain at the same location within the site for any period exceeding 24 hours or contains arrows, directional information or promotional advertising relating to the business.
- (10) A-frame signs and sandwich-board signs are prohibited. Similar types of portable signs are prohibited except where specifically permitted in article III of this chapter.
- (11) No person shall erect, maintain or permit the erection of portable lighting displays including, but not limited to, laser lights and displays and searchlights.
- (12) A canopy may not be illuminated in a manner to allow the transmission of light through the canopy material unless allowed by a special permit of the sign control board.
- (13) Signs that are held by or attached to a human being, with the exception of political signs, are prohibited. A human sign includes a person dressed in costume for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product.

Sec. 18-6. General regulations.

All sign types, where permitted, shall conform to the general regulations listed in this chapter:

- (1) No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape except signs relating directly to such.
- (2) Traffic or other municipal signs, legal notices, railroad crossing signs, danger and such emergency, temporary signs are not subject to the provisions of this chapter.
- (3) In order to obtain and secure reasonable traffic safety, it shall be unlawful for any person to erect or maintain any fluttering, undulating, swinging, rotating or otherwise moving sign or any flashing sign. No sign shall be erected or maintained in such a manner as to obstruct free and clear vision; or at any location where, by reason of position, shape, color, degree, manner or intensity of illumination, it may interfere with vehicular or pedestrian traffic. Pursuant to the foregoing, no sign shall be erected or maintained in such manner as to be likely to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. Accordingly, no sign shall make use of the words "stop," "go," "look," "slow," "danger" or any other similar word, phrase, symbol or character, or employ any red, yellow, orange, green or other colored lamp or light in such a manner as to interfere with, mislead or confuse traffic, whether located exterior or interior to a building or structure.
- (4) All signs which are constructed on street lines, or within five feet thereof, shall have a smooth surface and no nails, tacks or wires shall be permitted to protrude therefrom, except electrical reflectors and devices which may extend over the top and in front of the advertising structures, where subject to reach of pedestrian traffic.
- (5) Gooseneck reflectors and lights shall be permitted on ground signs, roof signs and wall signs; providing, however, the reflectors shall be provided with proper glass lenses when necessary to concentrate the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.
- (6) The permittee or owner of any sign shall maintain all parts and supports of such sign in good condition to prevent deterioration, oxidation, rust, paint peeling and other unsightly conditions.
- (7) All illuminated signs shall be subject to the provisions of the electric code of the city as may be amended. In addition, all internally illuminated signs shall be listed by an accredited listing agency and shall be installed in accordance with chapter 600 of the National Electric Code, unless otherwise approved by special permission.
- (8) Signs for locations granted a special use permit under article XXII-A of the zoning ordinance of the city [appendix A to this Code] shall be based on the applicable zoning classification of the use in lieu of the base zoning. Example: A tract of land has a zoning of O-M and has been rezoned as O-M with a special permit for an industrial use. Signing shall be based on I-M(1) zoning unless

otherwise specified in the special use ordinance. The Sign Regulations in Article III of this Chapter pertaining to signs in local retail and commercial zoning districts shall be applicable in any zoning district if more than 50 percent of the building or buildings are used for retail or commercial use.

Secs. 18-7 -- 18-25. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

DIVISION 1. GENERALLY

Sec. 18-26. Nonconforming existing signs.

A sign that, having been permitted to remain in place as a nonconforming use under the provisions of this chapter, is blown down or otherwise destroyed or dismantled for any purpose, other than maintenance operations or for changing the letters, symbols or other matter on the sign, shall not be repaired, rebuilt or reconstructed. For purposes of this section, a sign or a substantial part of a sign is considered to have been destroyed only if the cost of repairing the sign is more than 60 percent of the cost of erecting a new sign of the same type at the same location.

Sec. 18-27. Variance fees and notification.

An application for a variation to the conditions of this chapter shall be accompanied by a variance application fee set in accordance with a resolution of the city council enacted from time to time for this purpose. Such application for a variance may cover more than one sign, but shall apply to one applicant and one location. The notification for a variance application must appear in the official newspaper of the city at least seven days prior to the date on which the request is heard by the sign control board. The variation application must contain the following information:

- (1) Name, address and telephone number of the applicant.
- (2) Location of building, structure or lot to which or upon which the sign is to be attached or erected.
- (3) Position of the sign in relation to nearby buildings or structures, including other signs.
- (4) The specific variation requested and the reasons and justification for such requests.
- (5) An electronic copy of sign specifications and site plans or eleven paper copies of the sign specifications and site plans shall be required.

Sec. 18-28. Inspection.

The Director of Community Services or designee shall inspect annually, or at such other times as he deems necessary, each sign regulated by this chapter for the purpose of ascertaining whether the same is secure or insecure, whether it still serves a useful purpose and whether it is in need of removal or repair. Signs shall be maintained by the owner and/or person in control of the property in a good state of repair, and in the same condition when such sign was installed, save and except reasonable wear and tear.

Sec. 18-29. Exempt signs.

A political sign that has an effective area of 36 square feet or less, is not more than eight feet in height and which is not illuminated, or have any moving parts, other than a sign including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political, is exempt from the provisions of Chapter 18.

Sec. 18-30. Abandoned signs.

Within 180 days after any business has abandoned its location or tenant space, the owner, agent, or person having beneficial use of the building, structure, or the lot or tract where such business was located shall remove all signs relating to such business or have the face replaced with a weatherproof, blank face.

Secs. 18-31 -- 18-45. Reserved.

DIVISION 2. SIGN CONTROL BOARD

Sec. 18-46. Creation, composition.

There is hereby established a sign control board consisting of five members and two alternate members appointed by the city council. Members and alternates may participate, except that only members will vote. In the event of a member's absence, the alternate will fulfill those duties.

Sec. 18-47. Qualification of members.

Members of the sign control board shall be owners of record of real property in the city.

Sec. 18-48. Terms of members.

Members of the sign control board shall be appointed for a period of two years. In the event of a vacancy, the city council shall appoint a member to serve the unexpired term. In the event a replacement or reappointment has not been made at the end of a member's designated term, such member will continue to serve until reappointed or replaced.

Sec. 18-49. Compensation.

Members of the sign control board shall serve without compensation.

Sec. 18-50. Officers.

The city council shall designate the following sign control board officers and their respective term of office shall run concurrent with their respective term of appointment.

- (1) *Chairman.* The chairman shall preside at all meetings where he is present. The chairman shall implement or cause to have implemented any practice or procedure in the calling of meetings, conduct of meetings or reporting of activities that he considers in the best interest of the board and shall so inform the city council or consult with the city council when requested and at such times when it appears necessary or desirable.
- (2) *Vice-chairman.* The vice-chairman shall assist the chairman in directing the total affairs of the board. In the absence of the chairman, the vice-chairman shall assume all duties of the chairman.

Sec. 18-51. Temporary chairman; quorum.

In the event of the absence of the chairman and vice-chairman of the sign control board, the three members constituting the quorum shall elect, for that meeting, a member to preside as acting chairman and assume all duties of the chairman. All motions shall be decided by a simple majority of the members present. A tie vote shall constitute failure of the motion.

Sec. 18-52. Meetings.

The sign control board shall establish one stated meeting per month and shall call special meetings as required to conduct its duties. All stated meetings shall be open to the public. The board shall establish the date, time and place of the meetings.

Sec. 18-53. Records.

All proceedings of the sign control board shall be recorded in minutes of meeting approved by the board and made a matter of public record.

Sec. 18-54. Powers, duties.

The sign control board shall have the following powers and perform the following duties:

- (1) The city council authorizes the sign control board to sit as a board of appeals in public hearings for purposes of this chapter. In considering the requests for variation to requirements of this chapter, the sign control board shall consider, but not be limited to, the degree of variance, the reasons for variance requested, the

location of variance request, the duration of the requested variance, the effect on public safety, protection of neighborhood property, the degree of hardship or injustice involved, and the effect of the variance on the general plan for signing within the city. The sign control board shall grant the variance requested, grant a variance of a greater or lesser nature than requested, or deny a variance request.

- (2) All action on variance requests shall be submitted to the city council for review and such decisions of the board shall become final unless reversed or modified by the city council no later than at the second city council meeting following the sign control board meeting at which formal action was taken by the board. In reviewing the action of the board, or variance requests, the council shall consider the records made at the hearing before the sign control board.
- (3) The sign control board shall conduct continuing studies of sign ordinances in neighboring municipalities as well as other cities where such study will assist in upgrading the function of signing within the city and make recommendations to the city council where appropriate.
- (4) The sign control board will conduct a continual review of all nonconforming signs and all variances granted and determine their desirability and effects upon the neighborhood and city and make recommendations to the city council where appropriate.
- (5) The sign control board will evaluate new signing techniques as such are developed and recommend to the city council their benefits or disadvantages in the city.
- (6) The sign control board may discuss the planning of signing in new or existing developments upon request of the developer.
- (7) The sign control board shall conduct studies, prepare opinions and general plans as requested by the city council.
- (8) The sign control board shall perform any duties specified elsewhere in this chapter.
- (9) The sign control board may, from time to time, recommend to the city council amendments or changes to this chapter.

Secs. 18-55 -- 18-75. Reserved.

DIVISION 3. SIGN PERMIT

Sec. 18-76. Required.

- (1) *Erect, alter, replace or relocate.* For those signs that require a permit, it shall be unlawful for any person to erect, alter or relocate within the city any permissible sign, without first obtaining a sign permit from the Director of Community Services or designee and

making payment of the fee required. The permit may cover more than one sign, but shall apply to only one applicant and one location.

- (2) *Repair.* It shall be unlawful for any person to repair any sign requiring a permit when the value of such work exceeds \$200.00 without first obtaining a repair permit from the Director of Community Services or designee and making payment of the fee required.

Sec. 18-77. Application.

- (1) *Erect, alter, replace or relocate.* Applications for permits to erect, alter, replace or relocate a sign shall contain or have attached thereto the following information:
 - a. Name, address and telephone number of the applicant.
 - b. Location of building, structure or lot to which or upon which the sign is to be attached or erected.
 - c. Position of the sign in relation to nearby buildings or structures, including other signs.
 - d. Two blueprint or ink drawings of the plans and specifications are required, including electrical wiring, construction, type of materials, method of attachment to building or structure and foundation for freestanding signs.
 - e. Copy of stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and ordinances of the city. The designing engineer for a pole or monument sign shall seal his design calculations and stress sheets.
 - f. Name and address of the person erecting the sign.
 - g. Such other information as the Director of Community Services or designee shall require to show full compliance with this and all other laws and ordinances of the city.
- (2) *Repair.* Application for sign repair permits shall contain or have attached thereto the following information:
 - a. Name, address, and telephone number of the sign owner.
 - b. Name, address and telephone number of the person providing the repair service.
 - c. Location of building, structure or lot upon which sign is located.
 - d. Description of the repair activity to be performed.

- e. Such other information as the Director of Community Services or designee shall require to show full compliance with this and all other laws and ordinances of the city.
- (3) Internally illuminated signs. Electric signs, sign sections, and outline lighting shall be listed by an accredited listing agency and shall be installed in accordance with chapter 600 of the National Electric Code, unless otherwise approved by special permission. The electrical inspector may examine the plans and specifications submitted with the sign application and disapprove the application if it does not comply with the electrical code of the city.

Sec. 18-78. Issuance and term.

- (1) It shall be the duty of the Director of Community Services or designee, upon the filing of an application for a sign permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect or repair the sign, and if it shall appear that the proposed structure is in compliance with all the requirements of this chapter, the building code and all other laws and ordinances of the city, he shall then issue the sign permit. If the work authorized under a sign permit has not been completed within six months after date of issuance, the permit shall become null and void.
- (2) No variance shall be valid for a period longer than 180 days from the date of the variance approval unless a permit is obtained within such period and the erection or alteration of the sign is started within such period.

Sec. 18-79. Fees.

Fees for the issuance of a sign permit shall be determined from time to time by appropriate resolution of the city council.

DIVISION 4: MINOR MODIFICATION

Sec.18-80. Generally.

In order to provide a method to allow for minor numerical adjustments or consider alternatives for a particular standard of this code, minor modifications may be permitted. Requests for a minor modification pursuant to this chapter do not constitute a request for a variance and shall not be subject to review by the sign control board.

Sec. 18-81. Applicability.

The following minor modification may be approved administratively by the Director of Community Services: to consider and authorize an adjustment of up to 10% of a square foot or height standard set forth in the sign code.

Sec. 18-82. Approval Criteria.

To approve a minor modification, the Director of Community Services must determine that the modification meets the following criteria:

- (1) Is an obvious and needed modification;
- (2) Meets the general goals of the City and is consistent with the purposes and intent of this Chapter; and
- (3) Will not materially or adversely affect adjacent land uses or uses in the immediate vicinity of the proposed sign.

Secs. 18-83 -- 18-95. Reserved.

ARTICLE III. SIGN TYPES

Sec. 18-96. Sign Types described.

This article concerns some of the types of permanent and temporary signs under the provisions of this chapter. This article further includes the purpose of each sign type, maximum size, number, location, landscaping requirements, design, and permit provisions for each type of sign. The criteria set forth in this article shall be in addition to all other criteria as applicable and provided in this chapter.

- (1) **ADDRESS NUMBERS**
 - a. **Definition/Purpose:** Signs containing street address numbers.
 - b. **Size:** 12 inches in height.
 - c. **Number:** Two sets per building.
 - d. **Location:** N/A
 - e. **Landscaping:** N/A
 - f. **Design:** N/A
 - g. **Permit Required:** No.

- (2) **ATTACHED SIGNS**
 - a. **Definition/Purpose:**
 - i. Any sign not defined as a window sign and affixed directly or indirectly to the exterior of any surface of any building, to a projecting structure of a building, or to any outdoor structure.
 - ii. Any sign painted or attached directly on the roof surface of a building intended to be visible from the air where such roof surface, when projected to ground level, forms an angle with the ground plane of less than 25 degrees, providing such signs shall contain only the identification of an establishment, directional information of value to air transportation, and services available and of interest to air transportation users.

b. Size:

- i. Apartment zoning districts: 40 square feet in area.
- ii. Office, technical office, and industrial zoning districts:
 - 1. For single story buildings intended for multiple occupancy and where the integral architectural design provides for separate features for attaching signs: 15 square feet in area for each tenant.
 - 2. All other buildings: Five percent of the wall area on which it is erected or lease space frontage.
- iii. Retail, commercial zoning districts:
 - 1. An attached sign may have an area not exceeding that calculated by multiplying the length of the building front or lease space frontage by two feet. This calculation shall be termed base allowable area. An attached sign may not exceed a maximum allowable area of 200 square feet except where permissible in 2(a), 2(b), or 2(c) below.
 - 2. A permissible sign located at a height above 20 feet is allowed an increase in allowable sign area added to the base allowable area. Such increases shall not exceed:
 - a. Two square feet in area for each one foot in height above 20 feet if the sign is located between 20 and 50 feet;
 - b. Three square feet in area for each one foot in height above 50 feet if the sign is located between 50 and 100 feet, plus 60 square feet;
 - c. Four square feet in area for each one foot in height above 100 feet if the sign is located higher than 100 feet, plus 210 square feet.
 - 3. Attached signs may be located on building walls or other outdoor structures other than the building frontage. The sum of the base allowable area of all attached signs combined on these elevations cannot exceed two times the length of the building frontage up to 200 square feet.

c. Number:

- i. Apartment zoning districts: No more than one attached sign per adjacent public street shall be permitted.
- ii. Office, technical office, and industrial zoning districts:
 - 1. Buildings with single street frontage: two attached signs.
 - 2. Buildings with frontage on more than one street: One sign per street frontage with a maximum of two signs on any given elevation.
 - 3. Buildings with separate entrances for individual lease spaces: N/A
- iii. Retail, commercial zoning districts: Buildings three stories or greater; maximum of three attached signs on any elevation with

street frontage; one attached sign on elevations without street frontage.

- d. **Location:**
 - i. Apartment zoning districts: Signs shall not extend above the roofline.
 - ii. Office, technical office, and industrial zoning districts: Signs shall only be attached entirely below the roofline.
 - iii. Retail, commercial zoning districts:
 - 1. Signs shall not extend above the roofline of a mansard-type roof.
 - 2. Signs extending more than four feet above the roofline on buildings with non-mansard roof structures shall be directly affixed to and not extending above or beyond an integral part of the structure of the building other than the roof.
- e. **Landscaping: N/A**
- f. **Design:**
 - i. Attached signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces.
 - ii. Combustible materials may be used, providing the sign is attached to a wall with a minimum of two-hour fire resistive rating.
 - iii. Attached signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated.
 - iv. Signs extending more than four feet above the roofline shall be attached without the use of supporting poles, towers, guys or braces of any type. Such signs shall be designed, constructed and attached to withstand a wind pressure of not less than 30 pounds per square foot.
- g. **Permit Required: Yes.**

(3) BUSINESS DISTRICT IDENTIFICATION SIGNS

- a. **Definition/Purpose:** Signs used to identify a center, complex, occupants, services, products, occupation, district, or institution.
- b. **Size:** N/A
- c. **Number:** N/A
- d. **Location:** On-premise, or off-premise, or public right-of-way.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit:** May be allowed only by a special permit of the sign control board.

(4) COMMUNITY GARDEN SIGNS

- a. **Definition/Purpose:** Signs advertising the location of a community garden.
- b. **Size:** 40 square feet; 6 feet in height.

- c. **Number:** One. Does not count towards allowable number of monument or other freestanding signs on premises.
- d. **Location:**
 - i. Signs must be located on-premise.
 - ii. Signs must be located a minimum of 30 feet from an adjoining property line.
- e. **Landscaping:** N/A
- f. **Design:**
 - i. Signs taller than 4 feet shall meet the design standards for pole or monument signs.
 - ii. Wood or non-painted steel supports are permissible, if approved by the Director of Community Services.
 - iii. No sign shall obstruct the vision of traffic on any public street or be constructed so as to interfere with sight lines at elevations between 2 ½ feet and 8 feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.
- g. **Permit Required:** Yes.

(5) CONTRACTOR SIGNS (RESIDENTIAL ZONING DISTRICTS)

- a. **Definition/Purpose:** To denote the owner, architect, general contractor, or subcontractor conducting approved work at a residential property; excludes subdivision, home builder, construction, or development signs.
- b. **Size:** 4 square feet; 4 feet in height.
- c. **Number:** One.
- d. **Location:** On-premise.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No. Sign must be removed within 14 days after project completion.

(6) CONSTRUCTION SIGNS

- a. **Definition/Purpose:**
 - i. Temporary signs denoting the architect, engineer, contractor, subcontractor, and/or financier.
 - ii. Temporary signs denoting the future location of a particular business, retail center or institution.
- b. **Size:** 32 square feet in area, 15 feet in height.
- c. **Number:** One construction sign and one future location sign per adjacent street.
- d. **Location:** Signs must be located on the premises where construction or location being advertised is or will be occurring.
- e. **Landscaping:** N/A
- f. **Design:** N/A

- g. Permit Required:** No. Signs shall be removed upon issuance of any occupancy permit.

(7) EDUCATIONAL INSTITUTION SIGNS

- a. Definition/Purpose:** Signs that identify educational, public or charitable institutions.
- b. Size:**
 - i. Pole or Monument Signs: 60 square feet in area, 6 feet in height.
 - ii. Attached Signs: 40 square feet in area, letters not to exceed 12 inches in height.
 - iii. Bulletin Boards: 25 square feet in area.
- c. Number:** One pole or monument sign, one attached sign, and one attached bulletin board.
- d. Location:**
 - i. Attached signs must be located entirely below the roof line of the building.
 - ii. Pole or Monument Signs:
 - 1. Signs must be located a minimum of 30 feet from adjoining private property lines.
 - 2. No sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at elevations between 2 ½ feet and 8 feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.
- e. Landscaping:** Landscaping is required around the base of the sign in an area equal to 4 square feet for each square foot of sign and base area.
- f. Design:** Signs must be an integral part of the site architecture or landscaping.
- g. Permit Required:** Yes.

(8) ELECTRONIC MESSAGING

- a. Definition/Purpose:** Provide identification or advertisement of a specific business, service, product, activity, person, organization, place or building.
- b. Size:**
 - i. Pole Sign: 100% of total allowable sign area, as specified in 18-96(23)(b), or only up to 50% of the total allowable sign area if mixed with a non-electronic messaging element.
 - ii. Monument Sign: 100% of total allowable sign area, as specified in 18-96(18)(b), or only up to 50% of the total allowable sign area if mixed with a non-electronic messaging element.
- c. Number:** One per street frontage.

- d. **Location:**
 - i. May be a monument or pole sign.
 - ii. In apartment, office, technical office, industrial, retail and commercial zoning districts. May be located in residential zoning district as provided as permitted elsewhere in this chapter.
- e. **Landscaping:** Required for monument or pole signs. See provisions under appropriate sign type.
- f. **Design:**
 - i. Moving, flashing, animated, intermittently-lighted, changing color, beacons, revolving, scrolling, dissolving, or similarly constructed signs shall not be allowed.
 - ii. Each message shall be displayed for at least 10 minutes and a change of message shall be accomplished within 2 seconds or less.
 - iii. Electronic component of a sign:
 - 1. May be encased in the same sign cabinet as the non-electronic sign component or;
 - 2. If located to the side of a non-electronic sign component must be the same height as the non-electronic sign component or;
 - 3. If located above or below a non-electronic sign component must be the same width as the non-electronic sign component.
 - iv. Intensity of display brightness will automatically adjust to natural light conditions. Brightness cannot interfere with the vision of traffic on an adjacent road.
 - v. A programmable sign shall be equipped with a properly functioning default mechanism that will cause the sign to revert immediately to a single, fixed, non-transitory image or to a black-screen if the sign malfunctions.
 - vi. The illumination intensity of the display of a digital display shall not exceed one foot candle measured at the property line.
 - vii. Signs erected at a public school (except scoreboards), religious institution, or other lawful nonresidential use in a residential zoned district must be regulated by an automated timer that limits the period of illumination from 6 a.m. to 10 p.m. Signs must be erected a minimum of 50 feet from an adjacent residential property line.
 - viii. Signs located in a non-residential zoned district must be located a minimum of 150 feet from a residential zoned property.
 - ix. May not be used to display commercial messages relating to products/services that are not offered on the premises.
 - x. See additional provisions under the appropriate sign type.
- g. **Permit Required:** Yes.

(9) EMPLOYMENT SIGNS

- a. **Definition/Purpose:** Signs in any zoning district advertising available employment.

- b. **Size:** 3 square feet in area.
- c. **Number:** N/A
- d. **Location:** On premise.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(10) FLAGS

- a. **Definition/Purpose:**
 - i. Flags, emblems and insignia of the United States, federal agencies and any state or local governmental body including corporate and logo flags.
 - ii. Decorative displays for holidays or legal public demonstrations which do not contain advertising and are not used as such.
- b. **Size:** Corporate Logo Flags only.
 - i. Sites less than one acre: 40 square feet.
 - ii. Sites more than one acre but less than five acres: 60 square feet in area.
 - iii. Sites more than five acres: 96 square feet in area.
 - iv. Residential zoned districts regardless of acreage: 40 square feet in area.
- c. **Number:** One corporate flag per site when accompanied by a U.S. and/or state flag of equal size or larger.
- d. **Location:** N/A (Site Plan approval is required)
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(11) FUEL SALES SIGNS

- a. **Definition/Purpose:** Signs which advertise prices for fuel.
- b. **Size:** 16 square feet in area, 6 feet in height.
- c. **Number:** One fuel sales sign per street frontage.
- d. **Location:** Signs must be located on premise.
- e. **Landscaping:** N/A
- f. **Design:** Sign shall be permanently attached to a structure.
- g. **Permit Required:** No.

(12) GARAGE/OCCASIONAL SALE

- a. **Definition/Purpose:** Identify the location of a permitted garage/occasional sale at a residential property or multi-family complex.
- b. **Size:** 4 square feet; 4 feet in height.
- c. **Number:**
- d. **Location:** Signs may be located off-premises on private residential property, provided the approval of the owner of such off-premises location is first obtained. Signs may not be placed in any street right-of-way,

median, highway interchange, public park or at other publicly owned facilities, or obstruct vision of traffic or pedestrians.

- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(13) HANGING SIGNS

- a. **Definition/Purpose:** Signs suspended from the underside of a project structure.
- b. **Size:** 3 square feet in area.
- c. **Number:** N/A
- d. **Location:** Attached to the underside of a projecting structure.
- e. **Landscaping:** N/A
- f. **Design:** Signs must provide 8 feet of clearance above any walkways.
- g. **Permit Required:** No.

(14) INFORMATION SIGNS:

- a. **Definition/Purpose:** Signs identifying emergency telephone numbers, hours and security information.
- b. **Size:** 1 square foot in area.
- c. **Number:** N/A
- d. **Location:** Signs shall be affixed to windows or doors.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(15) MEMORIAL SIGNS

- a. **Definition/Purpose:** Signs or tablets denoting the name of a building and date of erection.
- b. **Size:** 4 square feet in area for each wall facing a street.
- c. **Number:** N/A
- d. **Location:** N/A
- e. **Landscaping:** N/A
- f. **Design:** Sign copy shall be cut into a masonry surface, bronze, or other noncombustible materials.
- g. **Permit Required:** No.

(16) MENU BOARDS

- a. **Definition/Purpose:** Signs providing outdoor menu visibility at eating establishment with drive-thru service, including preview menu boards.
- b. **Size:** 45 square feet in area, 8 feet in height.
- c. **Number:** Two menu boards shall be permitted per service/drive thru lane.
- d. **Location:**
 - i. All menu boards must be placed on site.
 - ii. Menu boards shall be located a minimum of 30 feet from adjoining private property lines.

- e. **Landscaping:** N/A
- f. **Design:**
 - i. Menu boards must comply with the design standards for all Pole Signs.
 - ii. May include an electronic digital display.
- g. **Permit Required:** Yes.

(17) MODEL HOME SIGNS

- a. **Definition/Purpose:** Signs which identify a new home in a single family, duplex, or apartment district as being a builder's or contractor's model open to the public for inspection.
- b. **Size:** 24 square feet in area, 6 feet in height.
- c. **Number:** Each building in a subdivision may have one model home sign.
- d. **Location:** N/A
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No. Signs must be removed prior to the home being occupied.

(18) MONUMENT SIGNS

- a. **Definition/Purpose:**
 - i. Single-use Monument Signs: Monument signs that provide identification or advertisement of a specific business, service, product, person, organization, place or building.
 - ii. Multiple-use Monument Signs: Monument signs that provide identification or advertisement of multiple businesses, services, products, persons, organizations, places or buildings.
- b. **Size:**
 - i. Single-use Monument Signs: 40 square feet in area, 6 feet in height.
 - ii. Multiple-use Monument Signs: 80 square feet in area, 6 feet in height.
- c. **Number:**
- d. **Location:**
 - i. Monument signs may be located in apartment, office, technical office, industrial, retail and commercial zoning districts. May be located in residential zoning district as provided as permitted elsewhere in this chapter.
 - ii. Monument signs must be located a minimum of 30 feet from adjoining private property lines.
 - iii. Monument signs must not be located within 100 feet of any residential zoned property, except where permissible in this section.
 - iv. If in a residential district, the sign must be on a property that contains and operates as a lawful nonresidential use as allowed by

the zoning classification for that site and must be located a minimum of 50 feet from any other residential zoned property.

- v. Monument signs must be located a minimum of 200 feet from any on premise single-use monument or pole sign and 250 feet from any on premise multiple-use monument or pole sign. Signs located along two abutting streets may be closer than the provisions above if approved by the Director of Community Services.
 - vi. No monument sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at elevations between 2 1/2 feet and 8 feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.
- e. **Landscaping:** Landscaping is required around the base of the sign in an area equal to four square feet for each square foot of sign and base area.
- f. **Design:**
- i. Monument signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area and shall be constructed to receive dead load as required in the building code or other ordinances of the city.
 - ii. All monument signs shall be placed in concrete bases or footings.
 - iii. Monument signs may be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces. Signs may be supported by noncombustible material only and finished in a presentable manner.
 - iv. Wood or non-painted steel supports are specifically prohibited.
 - v. Heavy timber and other materials may be used if approved by Director of Community Services.
 - vi. All monument signs throughout a center or complex on the site shall be constructed of the same material and design.
- g. **Permit Required:** Yes. Letter from property owner is also required.

(19) **NAMEPLATES**

- a. **Definition/Purpose:** To identify and display the name of a person or business.
- b. **Size:** One square foot in area or less.
- c. **Number:** N/A
- d. **Location:** N/A
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(20) NEIGHBORHOOD ASSOCIATION EVENT SIGNAGE

- a. **Definition/Purpose:** To identify seasonal, occasional or special community, social, civic, or educational events sponsored by a recognized homeowners or neighborhood association.
- b. **Size:** 4 square feet; 4 feet in height.
- c. **Number:** N/A
- d. **Location:**
 - i. May be located on private property and medians within the subdivision or in homeowners or neighborhood Association maintained areas.
 - ii. Cannot obstruct vision of traffic or pedestrians.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(21) OCCUPATIONAL SIGNS

- a. **Definition/Purpose:** Signs denoting only the name and profession of an occupant in a commercial, public, office or institutional building.
- b. **Size:** Three square feet in area.
- c. **Number:** N/A
- d. **Location:** N/A
- e. **Landscaping:** N/A
- f. **Design:** Signs may not extend above the roofline.
- g. **Permit Required:** No.

(22) POLE BANNERS

- a. **Definition/Purpose:** Signs used to identify a center, complex, occupants, or district.
- b. **Size:** The size of a banner shall be limited to a maximum of 3 feet x 7 feet per banner.
- c. **Number:** N/A
- d. **Location:** Can only be located on light poles on the interior of the property.
- e. **Landscaping:** N/A
- f. **Design:**
 - i. Banners must provide 9 foot clearance over any driveway, parking space, sidewalk or other public or private right-of-way for the passage of vehicles or pedestrians.
 - ii. No more than two signs on any given light pole.
 - iii. Signs must be maintained in good condition to prevent deterioration, tearing, tattering, or other unsightly condition.
- g. **Permit Required:** No.
 - i. Banners that are used to advertise promotions are addressed under temporary promotional signs.
 - ii. Banners that contain seasonal decorations are not considered signs.

(23) **POLE SIGNS**

- a. **Definition/Purpose:** Signs used to identify a center, complex, occupants, services, products, occupation, district, or institution.
- b. **Size:**
 - i. Apartment zoning district: 25 square feet in area, 8 feet in height and can only identify the complex, center, establishment or institution.
 - ii. Office, technical office, and industrial zoning districts:
 - 1. Sites less than 10 acres: 25 square feet in area, 6 feet in height.
 - 2. Sites ten acres or more: 60 square feet in area, 20 feet in height.
 - iii. Retail, commercial zoning districts:
 - 1. Single-use signs: 60 square feet in area, 20 feet in height.
 - 2. Multiple-use signs: 80 square feet in area, 20 feet in height.
- c. **Number:**
 - i. Apartment zoning district: No more than one pole (or attached) sign per adjacent public street shall be permitted.
 - ii. Office, technical office, and industrial zoning districts:
 - 1. Sites less than 20 acres: one pole sign.
 - 2. Each additional 10 acres over 20: one additional pole sign.
 - 3. No more than one pole sign shall be permitted per industrial building per each adjacent public street.
 - iii. Retail, commercial zoning districts:
 - 1. Sites less than 10 acres: one single-use pole sign.
 - 2. Sites 10 acres but less than 15 acres: two single-use pole signs or one single-use and one multiple-use pole sign.
 - 3. Sites more than 15 acres: three single-use pole signs, one multiple-use and 2 single-use pole, or two multiple-use pole. Only one multiple use pole may be located per public street frontage.
- d. **Location:**
 - i. All Pole Signs must be located on site.
 - ii. Pole Signs must be located a minimum of 30 feet from an adjoining private property line.
 - iii. Pole Signs must be located a minimum of 60 feet from any attached building sign.
 - iv. Pole Signs must be located a minimum of 200 feet from any on premise single-use pole or monument sign and 250 feet from any on premise multiple-use pole or monument sign.
 - v. Pole Signs must be located a minimum of 100 feet from any single-family residential zoned property.
- e. **Landscaping:**
 - i. Signs over 8 feet in height: N/A

- ii. Signs 8 feet or less from ground level: landscaping is required around the base of the sign in an area equal to four square feet for each square foot of sign and base area.

f. Design:

- i. Pole Signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area, and shall be constructed to receive dead load as required in the building code or other ordinances of the city.
- ii. All Pole Signs shall be placed in concrete bases or footings.
- iii. Pole Signs may be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces and may be supported by noncombustible material only and finished in a presentable manner; wood or non-painted steel supports are specifically prohibited.
- iv. Heavy timber and other materials may be used if approved by the Director of Community Services.
- v. Newly installed support poles must be covered by cladding, brick, masonry, stone or other building material approved by the Director of Community Services, so as to completely cover the supporting poles and be architecturally similar or harmonious with the facade on the building or buildings on the site.
- vi. Pole Signs shall be protected by wheel or bumper guards when required by the Director of Community Services.
- vii. Pole Signs shall not have attached any guys or braces.
- viii. No pole sign shall be constructed so that the minimum clearance thereof is less than nine feet if any portion thereof overhangs a driveway, parking space, sidewalk, or other public or private right-of-way for the passage of vehicles or pedestrians.
- ix. No pole sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at elevations between 2 1/2 feet and 8 feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.

- g. Permit Required:** Yes. Letter from property owner is also required.

(24) POLITICAL SIGNS (Temporary)

- a. Definition/Purpose:** Signs which are political in nature.
- b. Size:** 36 square feet, 8 feet in height.
- c. Number:** N/A
- d. Location:**
 - i. Must be located on real private property with the consent of the property owner.
 - ii. No signs may be placed in any location that obstructs vision for traffic.
- e. Landscaping:** N/A

- f. **Design:** No political sign may be illuminated or have moving parts.
- g. **Permit Required:** No. Any sign, on private property, in violation of the provision of this section may be removed by the Community Services Department 10 days after written notice to the property owner. Any sign placed on public property or in public right-of-way may be removed without prior notice. The owner of the property and/or sign may be held responsible for any expenses incurred for the removal of any sign.

(25) REAL ESTATE SIGNS (Non-residential)

- a. **Definition/Purpose:** Signs advertising the sale, rental or lease of properties in all zoning districts except single-family, duplex, and apartment properties.
- b. **Size:** 32 square feet in area, 8 feet in height (if freestanding)
- c. **Number:**
 - i. Tracts, sites or complexes having less than 200 feet abutting public or internal circulation streets: one real estate sign.
 - ii. Tracts, sites or complexes having 200 feet abutting public or internal circulation streets: two real estate signs.
 - iii. Each additional 100 feet of abutment over 200 feet: one additional real estate sign.
 - iv. In no event may the number of such signs exceed four for a given tract.
- d. **Location:** All signs must be placed on the site that is being advertised.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No. Signs shall be removed upon issuance of any occupancy permit.

(26) REAL ESTATE SIGNS (Residential)

- a. **Definition/Purpose:** Signs advertising the sale, rental or lease of single-family, duplex, and apartment properties.
- b. **Size:** 8 square feet in area, 4 feet in height.
- c. **Number:** One per lot per complex per adjacent public street.
- d. **Location:** All signs must be placed on the site that is being advertised.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No.

(27) REAL ESTATE SIGNS (Temporary Directional Signs)

- a. **Definition/Purpose:** Signs advertising the sale of real estate.
- b. **Size:** 4 square feet in area.
- c. **Number:** N/A
- d. **Location:**
 - i. Signs may be located off-premise.
 - ii. Signs may not be located in street medians or obstruct vision of traffic or pedestrians.

- e. **Landscaping:** N/A
- f. **Design:**
 - i. Signs may contain the word “open” and may contain a directional indicator.
 - ii. Signs may not be constructed of cardboard.
 - iii. Signs must be kept well painted and in good condition.
- g. **Permit Required:** No. Signs may be utilized only from Friday at 12:00 noon until the following Monday at 12:00 noon.

(28) REAL ESTATE SIGNS (Temporary Home Builder Directional Signs)

- a. **Definition/Purpose:** Signs that provide direction to a home builder site.
- b. **Size:** 4 square feet in area.
- c. **Number:** No more than one sign per block for each builder.
- d. **Location:**
 - i. Signs may be located off-premise.
 - ii. Signs may not be located in street medians or obstruct vision of traffic or pedestrians.
- e. **Landscaping:** N/A
- f. **Design:**
 - i. Signs must contain the name of the subdivision, the name of the builder or the name of the building corporation.
 - ii. Signs may contain the corporation logo.
 - iii. Signs may contain a directional indicator.
 - iv. Signs may not be constructed of cardboard.
 - v. Signs must be kept well painted and in good condition.
- g. **Permit Required:** No. Signs may be utilized only from Friday at 12:00 noon until the following Monday at 12:00 noon.

(29) RELIGIOUS INSTITUTION SIGNS (Residential District)

- a. **Definition/Purpose:** Signs that identify religious institutions in a residential district.
- b. **Size:**
 - i. Attached Signs: 40 square feet in area
 - ii. Monument Signs: 60 square feet in area, 6 feet in height.
 - iii. Pole Signs: 60 square feet in area, 6 feet in height.
 - iv. Bulletin Boards: 25 square feet in area.
- c. **Number:** One pole or monument sign, one attached sign, and one attached bulletin board.
- d. **Location:**
 - i. Attached signs must be located entirely below the roof line of the building.
 - ii. Pole and Monument signs:
 - 1. Signs must be located a minimum of 30 feet from adjoining private property lines.
 - 2. No sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at

elevations between 2 ½ feet and 8 feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.

- e. **Landscaping:** Landscaping is required around the base of the sign in an area equal to 4 square feet for each square foot of sign and base area.
- f. **Design:** Sign must be an integral part of the site architecture or landscaping.
- g. **Permit Required:** Yes.

(30) RESIDENTIAL SUBDIVISION IDENTIFICATION SIGNS

- a. **Definition/Purpose:** Signs that identify residential subdivision.
- b. **Size:** 40 square feet in area, 6 feet in height.
- c. **Number:** Two per adjacent public street.
- d. **Location:** The signs shall be attached to a screening wall or landscape planter.
- e. **Landscaping:** N/A
- f. **Design:** Signs must be an integral part of the site architecture or landscaping.
- g. **Permit Required:** No.

(31) SUBDIVISION, HOME BUILDER, DEVELOPER SIGNS

- a. **Definition/Purpose:** Freestanding signs identifying the location of or direction to a subdivision, home builders' and developers' sites.
- b. **Size:**
 - i. Onsite: 96 square feet in area, 15 feet in height.
 - ii. Offsite: 32 square feet in area, 15 feet in height.
- c. **Number:**
 - i. Sites 30 acres or less: one sign.
 - ii. Each additional 30 acres, or any part there of: one additional sign.
- d. **Location:** Signs may be placed onsite or offsite.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** Yes.
 - i. Permits shall be granted for a maximum period of six-month intervals.
 - ii. Nonresidential signs shall be removed upon issuance of an occupancy permit for the nonresidential structure.

(32) TEMPORARY PROMOTIONAL SIGNS

- a. **Definition/Purpose:** Signs, banners, flags, balloons or pennants designed, intended or used to advertise or inform about an activity, place, product, person, organization, business, service, a merchandise program, opening of a retail or commercial establishment, special program of a public institution, or the opening of a single-family subdivision or multifamily complex.

- b. **Size:** The size of a banner shall be limited to one square foot per length of lease space up to a maximum of 200 square feet.
- c. **Number:** N/A
- d. **Location:** On premise.
- e. **Landscaping:** N/A
- f. **Design:** Temporary promotional signs are limited to permissive signs in this chapter.
- g. **Permit Required:** Yes.
 - i. Subsequent to a building permit being issued, a permit may be obtained for a “coming soon” sign for a maximum single use period of 30 days.
 - ii. Subsequent to a certificate of occupancy being issued, a permit may be obtained for a “grand opening” sign for a maximum single use period of 30 days. The use of balloons shall be restricted to the grand opening permit.
 - iii. Signs shall have a minimum period between permits of seven days.
 - iv. Excluding signs permitted under subsections (a) and (b), a maximum of four temporary permits may be issued per year for a maximum single use period of 30 days. The Director of Community Services may approve an additional 30 day permit for a Grand Reopening.
 - v. Permit application shall include, but not be limited to, a drawing or sketch showing the type, size, height and location of the temporary promotional sign (including banners, flags and pennants) along with a description of the means of attachment or support, and the stated purposes of the promotion.
 - vi. A promotion for a site, center, complex or subdivision shall not be interpreted as a promotion for each and every establishment within such site, center, complex or subdivision.
 - vii. Banners attached to private light poles must have a minimum 9 foot clearance over any driveway, parking space, sidewalk or other public or private right-of-way for the passage of vehicles or pedestrians. Each banner cannot exceed 3 feet by 7 feet and there cannot be more than two signs per light pole. A Written letter from the property owner or manager, granting permission, required.

(33) TRAFFIC-RELATED SIGNS

- a. **Definition/Purpose:**
 - i. Onsite Directional Signs: Signs containing directional information that do not contain advertising and are not used as such. Signs may include business name and arrows.
 - ii. Ingress/Egress Signs: Signs denoting locations for ingress or egress or prohibiting ingress or egress that do not contain advertising and are not used as such. Signs may or may not include directional information.

- b. **Size:**
 - i. Onsite Directional Signs: 8 square feet in area.
 - ii. Ingress/Egress Signs: 8 square feet in area, 4 feet in height.
- c. **Number:** N/A
- d. **Location:** Signs may be placed on properties in all districts.
- e. **Landscaping:** N/A
- f. **Design:** N/A
- g. **Permit Required:** No. Plans for proposed signs must be submitted to the Director of Community Services and approved by the traffic engineer. Submission to the Director of Community Services shall include, but not be limited to, a site drawing showing the location of the proposed sign, a dimensional drawing showing size of signs and content of signs, a designation of the material or materials to be used, and the proposed method of erection.

(34) **WINDOW SIGNS:**

- a. **Definition/Purpose:** Signs located on the internal or external surface of a window.
- b. **Size:** Signs may not obscure more than 25 percent of the total visible window area of each façade.
- c. **Number:** N/A
- d. **Location:** Retail, commercial, office, technical office, and industrial zoning districts.
- e. **Landscaping:** N/A
- f. **Design:**
 - i. Signs painted on the external or internal surface of the window of an establishment in commercial or retail districts with water-durable paint on external surfaces.
 - ii. Signs (except posters), banners, perforated window screens or displays located on the internal surface of the window of an establishment in commercial or retail zoning districts only.
 - iii. Posters, providing such posters are not located on the external surface of the window.
 - iv. Decorations intended to direct attention to and stimulate citizens' interest in public events, providing such signs are painted on the external surface of the window and a 25 percent visibility requirement is maintained.
 - v. Signs attached to the external surface of a window of a retail or commercial establishment made of a noncombustible material.
 - vi. Signs attached to the internal surface of a window which define the name, proprietor, telephone number or address of such retail or commercial establishment.
 - vii. Signs identifying emergency telephone numbers, hours and security information that do not exceed 1 square foot in area.

viii. Signs advertising the sale of alcohol must comply with Texas Alcoholic Beverage Code requirements in addition to provisions of this chapter.

g. **Permit Required:** No.

ARTICLE IV. RULES OF INTERPRETATION

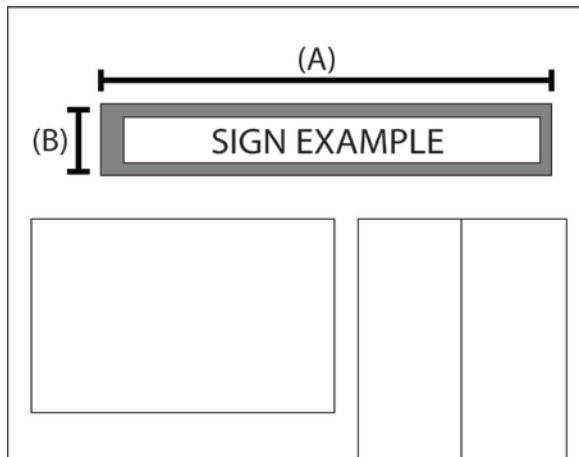
Sec. 18-121. Generally.

Principles for computing sign area and sign height as required by this Chapter are provided in this Article. Section headings or captions are for reference purposes only. Illustrations and principles of interpretation included in the code shall be used in interpreting the relevant provision, but where the text conflicts with an illustration or stated principle, the text shall control.

Sec. 18-123. Sign Calculations.

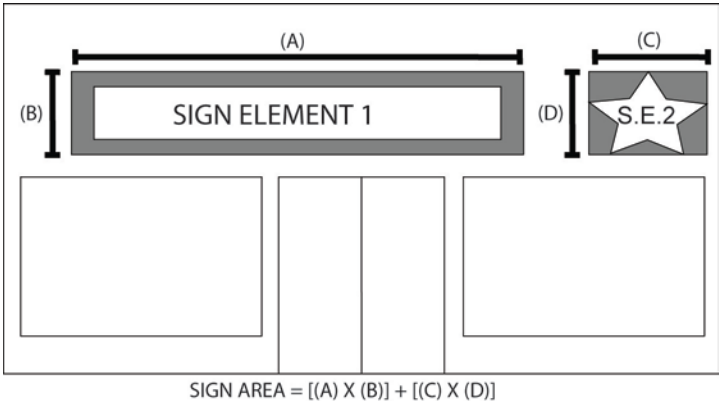
(1) **Attached Signs:** The information therein are provisions for calculating signage for attached, window, or any other attached sign contained in this chapter.

a. **Sign Area, Attached Sign (Single Element):** Shall include the entire area within a single perimeter composed of squares or rectangles. Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as the area enclosed by the smallest single rectangle that will enclose the outside dimensions of the background panel or surface, including sign trim or frame.

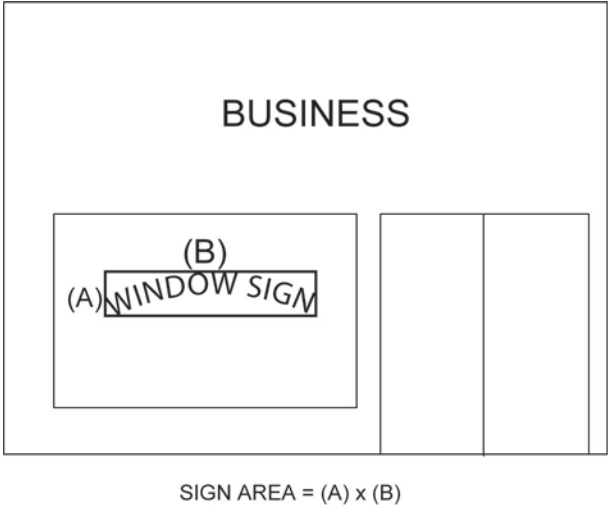


b. **Sign Area, Attached Sign (Multiple Elements):** When signs are constructed of individual elements, the area of all sign elements, which together convey a single, complete message, shall be considered as a single sign. The sign area is

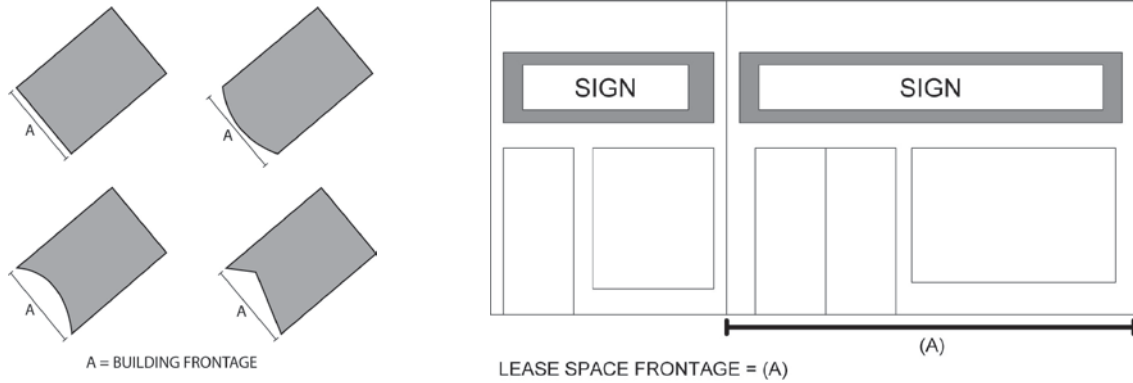
determined by calculating the area enclosed by the smallest single rectangle that will enclose the outside dimensions of the background panel or surface, including sign trim or frame.



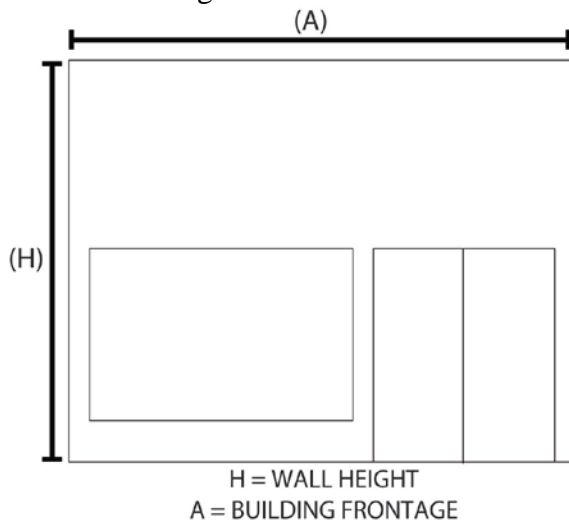
- c. **Measurement of Signage on the Window:** The sign area is determined by calculating the area enclosed by the smallest single rectangle that will enclose the outside dimensions of the sign display.



- d. **Measurement of Building Frontage:** The building frontage shall be calculated using the width of the first story exterior wall. Exterior wall dimensions shall be measured at the base of the ground floor, excluding screened walls, fences, and other similar structures.



- e. **Wall Area:** The wall area shall be calculated by the width of the exterior wall and height of the wall.



- f. **Attached Sign above 20 feet:** The sign area is determined by the calculation listed below for an attached sign located at a height above 20 feet within a Commercial or Local Retail Zoned District.

- i. Increase in sign area for signs located between 20' and 50'.

Sign Height - Attached Buildings
 (A SIGN LOCATED BETWEEN 20 & 50 FEET)



X=Sign height on building from grade
 Y=2 times linear store front; maximum 200 ft

- ii. Increase in sign area for signs located between 50' and 100'.

Sign Height - Attached Buildings
 (A SIGN LOCATED BETWEEN 50 & 100 FEET)

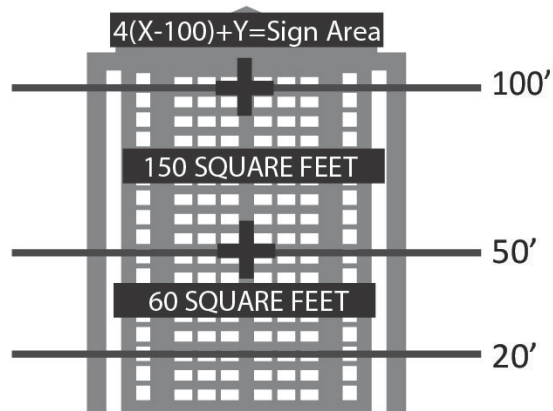


X=Sign height on building from grade
 Y=2 times linear store front; maximum 200 ft

- iii. Increase in sign area for signs located above 100'.

Sign Height - Attached Buildings

(A SIGN LOCATED ABOVE 100 FEET)

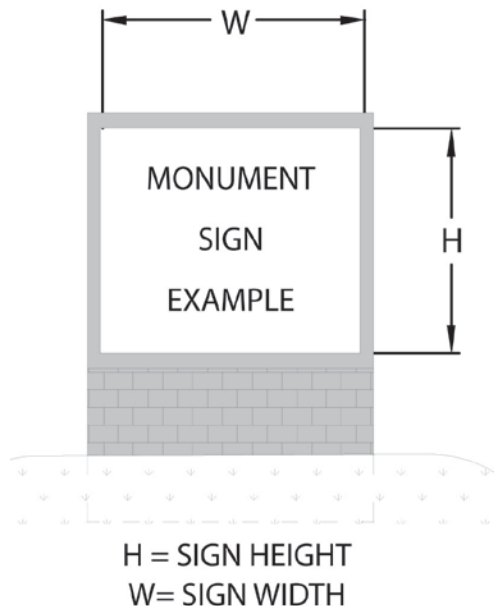


X=Sign height on building from grade

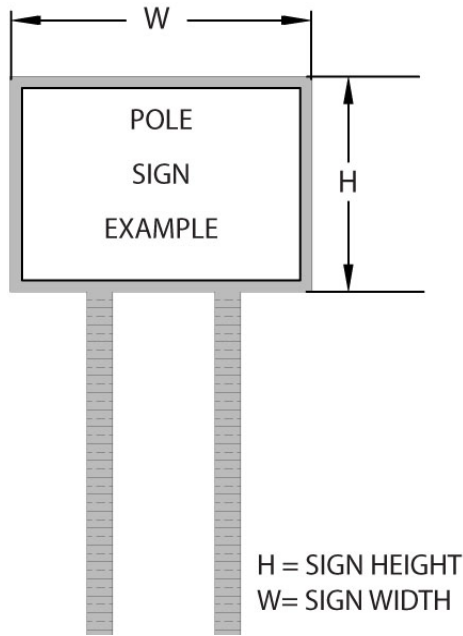
Y=2 times linear store front; maximum 200 ft

(2) **Freestanding Signs:** The information therein are provisions for calculating signage for monument, pole, construction or any other freestanding sign contained in this chapter.

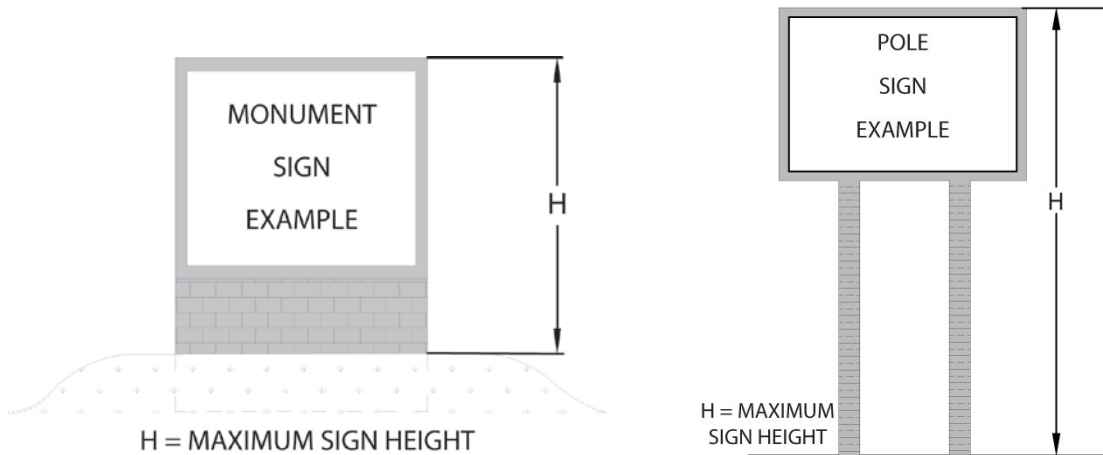
- a. **Sign Area, Monument:** The sign area shall be the extreme outer dimensions of the freestanding structure, excluding the support structure and architectural features.



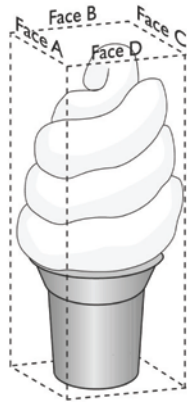
- b. **Sign Area, Pole:** The sign area shall be measured as the area enclosed by the smallest single rectangle that will enclose the structure exclusive of the poles.



- c. **Sign Height:** Height shall be the distance from the top of the sign structure to the lowest grade level of the base of the sign. The height of any monument base or other structure erected to support or ornament the sign shall be measured as a part of the sign height.

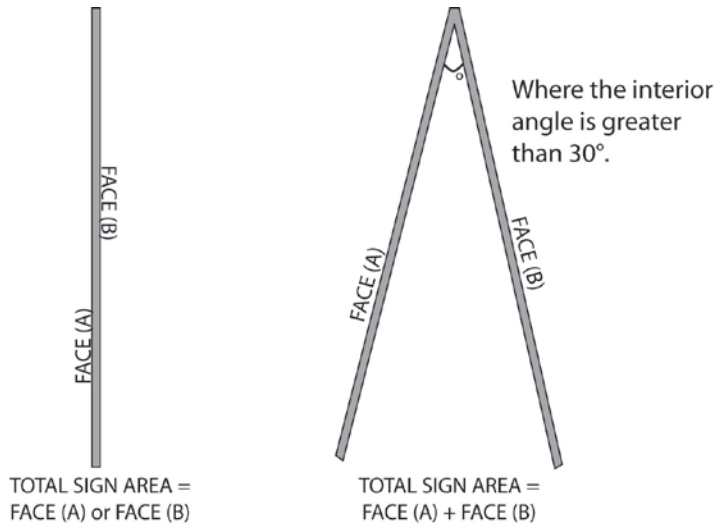


- d. **Three-Dimensional Signs:** Signs that consists of, or have attached to them, one or more three-dimensional objects, shall have a sign area of the sum of all areas using the four vertical sides of the smallest cube that will encompass the sign.

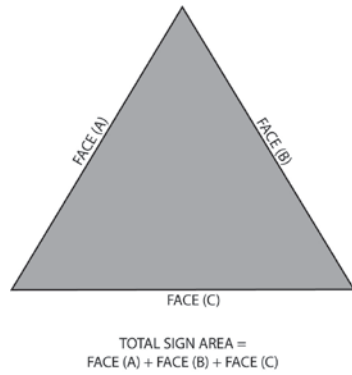


TOTAL SIGN AREA = SUM OF ALL VERTICAL SIGN FACES OF SMALLEST CUBE ENCOMPASSING THE SIGN.

- e. **Double-Faced Signs:** On a sign where the information is located back to back or located at an interior angle equal to or less than 30 degrees, the sign area shall be computed as the area of one sign face. Where the two faces of a double-faced sign are not equal in size, the larger sign face shall be used. Where two faces of a double-faced sign are located at an interior angle more than 30 degrees from one another, both sign faces shall be counted toward sign area.

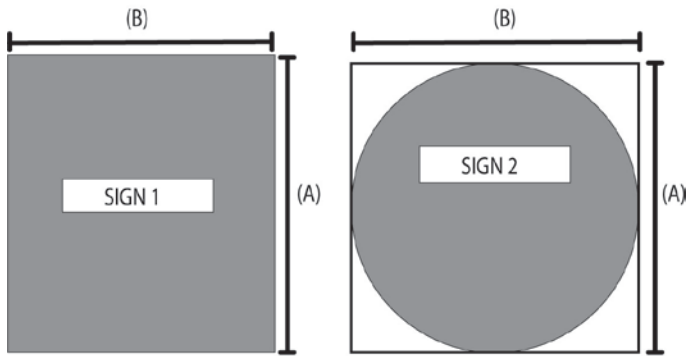


- f. **Multi-Faced Signs:** On a three or more faced sign, sign area shall be calculated as the sum of all faces.



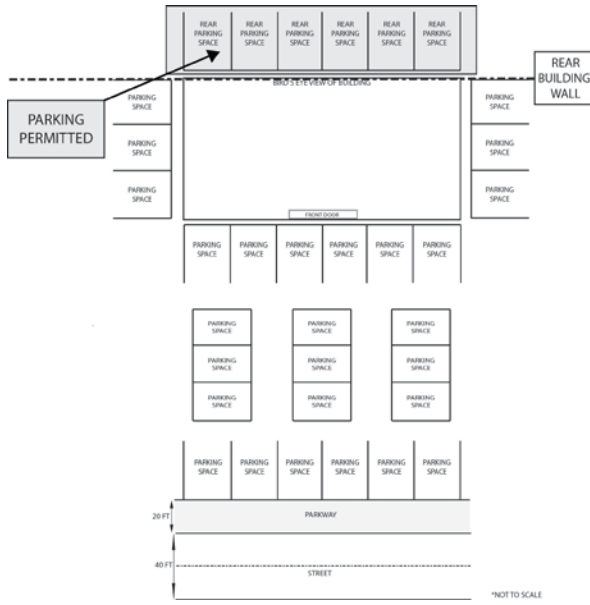
- g. Landscape Requirement:** The landscape requirement is determined by calculating the area of the landscaped area located around the base of the monument sign.

BIRD'S EYE VIEW

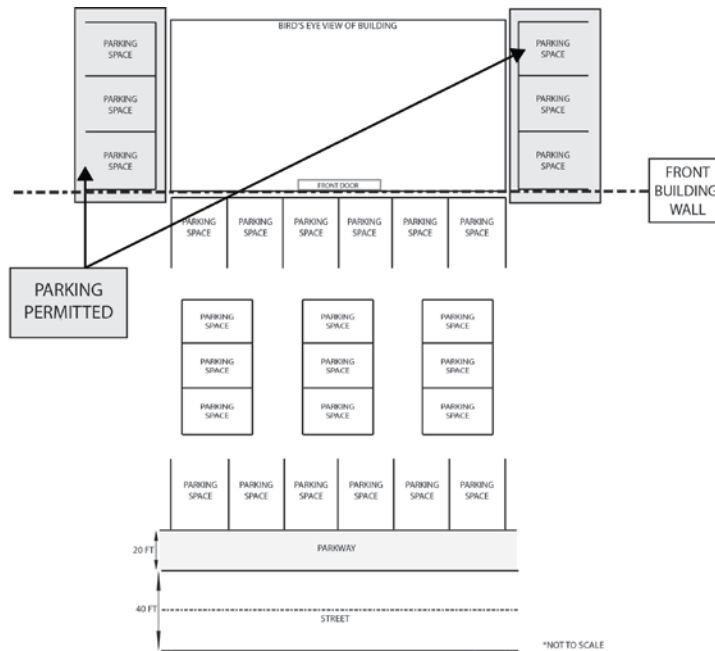


SIGN 1: Total Required Landscaped Area = (A) x (B)
SIGN 2: Total Required Landscaped Area = (A) x (B)

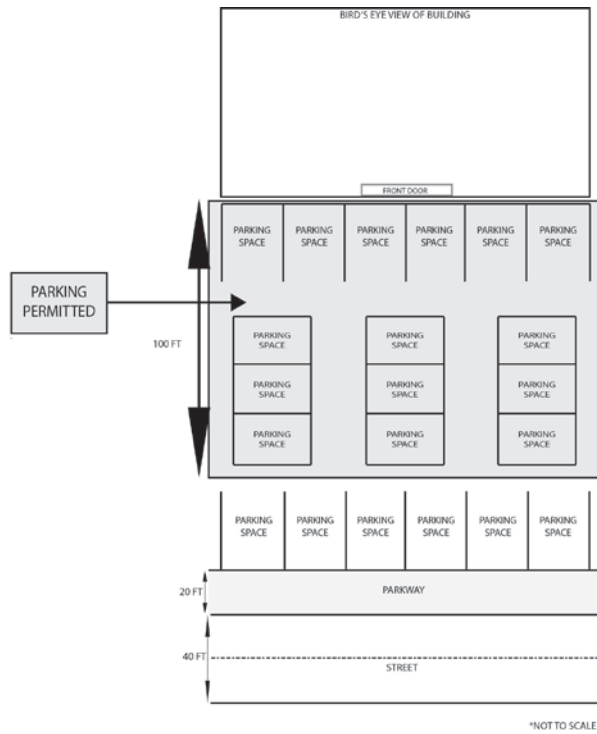
- (3) Vehicle Signage:** Signage attached to a vehicle for bona fide use on the premise.
a. Vehicles that can park behind the rear building wall:



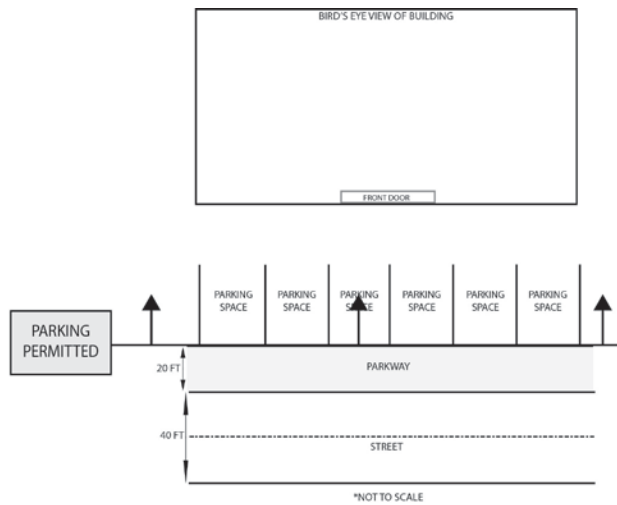
b. Vehicles that cannot park behind the rear building wall but can park behind the front building wall.



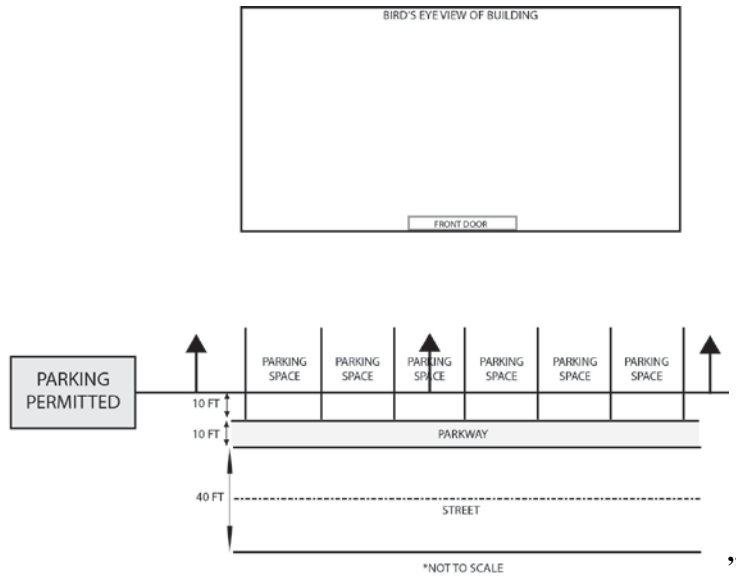
c. Vehicles that cannot park behind the rear building wall or front building wall.



- d. **Vehicles that cannot park behind the rear building wall, front building wall, or within 100' of business' primary entrance must be parked a minimum of 20' from any public right-of-way.**



- e. **Vehicles that cannot park behind the rear building wall, front building wall, within 100' of business' primary entrance, or within 20' from any public right-of-way are not permitted.**



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 Ordinance, 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 _____ day of _____, 2012.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:tlo:9-20-12)

CITY SECRETARY



City of Richardson
City Council Meeting
Agenda Item Summary



Meeting Date: Monday, September 24, 2012

Agenda Item: Consent, amending Election Ordinance for scrivener errors.

Staff Resource: Dan Johnson, City Manager
Aimee Nemer, City Secretary

Summary: On July 30, 2012, Council approved Ordinance No. 3872 calling a Special Election to be held November 6, 2012 regarding proposed amendments to the City Charter and authorizing other matters related to the election.

The original ordinance, Section 8, appointed the City Secretary as the Early Voting Clerk. The joint agreements with Dallas and Collin Counties designate the respective election administrators as the Early Voting Clerk and authorize them to appoint Deputy Early Voting Clerks as needed. This ordinance amendment will provide consistency with the election ordinance and the agreements.

In Section 11 of the original ordinance, stating the ballot language, "Section 4.09" was inadvertently omitted, although noted in Exhibit A. In order to be consistent with the proposed Charter amendments, the proposition language is being amended to include the omitted section. This is the language that will appear on the ballot.

Board/Commission Action: N/A

Action Proposed: Approve ordinance.

ORDINANCE NO. 3886

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING ORDINANCE NO. 3872 BY AMENDING SECTION 8 REGARDING THE APPOINTMENT OF THE EARLY VOTING CLERK FOR THE SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, AND AMENDING SECTION 11 TO CORRECT A SCRIVENER ERROR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to a petition signed by citizens of the City of Richardson delivered and certified in accordance with Section 9.004 of the Texas Local Government Code (“the Petition”), the City Council approved Ordinance No. 3872 on July 30, 2012, calling a special election for the purpose of placing before the citizens of the City of Richardson a proposition regarding proposed amendments to the City’s Charter to provide for the direct election of the mayor and approving or authorizing other matters related to said election; and

WHEREAS, subsequent to the adoption of Ordinance No. 3872, the City Secretary has received the proposed election administration agreements from Dallas and Collin Counties which provide for the respective county election administrators to be appointed as the early voting clerk, which is not consistent with the text of Section 8 of Ordinance No. 3872 as adopted; and

WHEREAS, while the Petition and Exhibit “A” to Ordinance No. 3872 set forth a proposed amendment to Section 4.09 of the Charter, it was determined subsequent to the adoption of Ordinance No. 3872 that a scrivener error inadvertently resulted in the omission of a reference to the proposed amendment to Section 4.09 of the Charter in the ballot proposition language set forth in Section 11 of Ordinance No. 3872; and

WHEREAS, the City Council of the City of Richardson, Texas, finds it to be in the public interest to amend Ordinance No. 3872 to correct the matters described in the foregoing recitals;

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

SECTION 1. That Section 8 of Ordinance No. 3872 be amended to read as follows:

SECTION 8. That in compliance with Section 271.006 of the Texas Election Code, the respective County Elections Administrators shall be appointed as Early Voting Clerks. Other deputy early voting clerks will be appointed as needed to process early voting mail and to conduct early voting by personal appearance at the branch locations pursuant to the respective Election Contracts and state law.

SECTION 2. That Section 11 of Ordinance No. 3872 be amended by inserting a comma and the phrase “Section 4.09” after the phrase “Section 4.08” where it appears in the ballot

proposition language in said Section 11 so that the ballot proposition for the proposed amendments to the Charter reads in its entirety as follows:

Proposition

Shall the Home Rule Charter of the City of Richardson, Texas be amended to provide for the direct election of the Mayor of the City of Richardson, Texas by amending Article 3, Section 3.01(a), Section 3.02, Section 3.03, Section 3.07, Article 4, Section 4.02, Section 4.05, Section 4.06, Section 4.08, Section 4.09 and Article 5, Section 5.01, Section 5.02, and Section 5.03 of the Home Rule Charter of the City of Richardson, Texas?

SECTION 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 4. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the ____ day of September, 2012.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

(PGS: 9-10-12:57174)

RESOLUTION NO. 12-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS AND DALLAS COUNTY ON BEHALF OF THE DALLAS COUNTY HEALTH AND HUMAN SERVICES (“DCHHS”), FOR THE SUBCONTRACTING OF CHILD IMMUNIZATION SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Richardson, Texas has been presented a proposed Interlocal Agreement by and between Dallas County on behalf of the Dallas County Health and Human Services and the City of Richardson, Texas to participate in the subcontracting of child immunization services as more particularly described in Exhibit “A” thereto, a copy of which is attached hereto and incorporated herein by reference; and

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

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

SECTION 1. The Agreement having been reviewed by the City Council of the City of Richardson, Texas, and found to be acceptable and in the best interest of the City of Richardson, Texas and its citizens, be, and the same is hereby, in all things approved, and the City Manager is hereby authorized to execute the Agreement on behalf of the City of Richardson, Texas.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 24th day of September, 2012.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY

CITY SECRETARY

STATE OF TEXAS § **INTERLOCAL AGREEMENT FOR SUB-CONTRACTING**
 § **CHILD IMMUNIZATION SERVICES BY AND BETWEEN**
 § **DALLAS COUNTY, ON BEHALF OF DALLAS COUNTY**
COUNTY OF DALLAS § **HEALTH AND HUMAN SERVICES, AND CITY OF**
 RICHARDSON

1. PARTIES

This Interlocal Agreement (“Agreement”) is made to subcontract child immunization services by and between the City of Richardson, Texas (“City” or “Subcontractor”), a governmental entity, and Dallas County, Texas, a governmental entity (“County” or “Contractor”), on behalf of Dallas County Health and Human Services (“DCHHS”), pursuant to the authorities granted by Texas ~~Local~~ Government Code Chapter 791, Interlocal Cooperation Act, Texas Health and Safety Code Chapters 12, 81, and 161, Texas Education Code Chapter 38, Texas Human Resources Code Chapter 42, and other applicable federal, state and local laws and standards for child immunization services by City.

2. TERM

This Agreement is effective from September 1, 2012 through August 31, 2013, unless otherwise stated in this Agreement. This Agreement may be extended annually for four (4) additional one-year Terms, upon mutual written agreement by all parties.

3. CHILD IMMUNIZATION SERVICES AND REQUIREMENTS

- A. City will provide an ongoing free childhood immunization clinic for the children of Richardson and students enrolled in the Richardson Independent School District (RISD) in accordance with the immunization requirements stated in the Department of State Health Services (DSHS) Contract No. 2013-041066-001, which is attached and incorporated for all purposes as Attachment A to this Agreement.
- B. City shall cooperate and work with DCHHS to comply with State requirements and to promote age appropriate immunizations of children in the community and participate in activities designed to improve immunization.
- C. City shall maintain accurate and complete reports and data for the services performed under this Agreement and shall submit such reports and data to DCHHS upon request.
- D. The City will provide documentation of all expenditures to Dallas County Health and Human Services on a monthly basis.

4. PAYMENT

- A. Subject to funding from DSHS, County will pay City Thirty Thousand and 00/100 Dollars (\$30,000.00) for the services required during the full Term of this Agreement. Payment will be made to the City upon County’s receipt of an invoice.
- B. Should this Agreement be earlier terminated, City shall refund County any unused and unaccounted portion of the \$30,000.00.

5. TERMINATION

- A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon thirty (30) days prior written notice to the other party;
- B. With Cause: The County reserves the right to terminate the Agreement immediately, in whole or in part, at its sole discretion, for the following reasons:
- 1) Lack of, or reduction in, funding or resources;
 - 2) Non-performance;
 - 3) City's improper, misuse or inept use of funds or resources; and/or
 - 4) City's submission of data, statements and/or reports that are incorrect, incomplete and/or false in any way.

6. INDEMNIFICATION

County and City, including their respective employees and elected officials, agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any governmental immunity available to County or City under Texas and other applicable laws, and without waiving any available defenses under Texas and other applicable laws. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.

7. INSURANCE

City agrees that it will at all times during the term of this Agreement maintain in full force and effect insurance, or self-insurance, to the extent permitted by applicable law under a plan of self-insurance, that is also maintained in accordance with sound accounting practices. It is expressly agreed that City will be solely responsible for all cost of such insurance; any and all deductible amounts in any policy; and in the event that the insurance company should deny coverage.

8. NOTICE

Any notice or certification required or permitted to be delivered under this Agreement shall be deemed to have been given when personally delivered, or if mailed, seventy-two (72) hours after deposit of the same in the United States Mail, postage prepaid, certified, or registered, return receipt requested, properly addressed to the contact person shown at the respective addresses set forth below, or at such other addresses as shall be specified by written notice delivered in accordance herewith:

COUNTY
Zachary Thompson, Director
Dallas County Health & Human Svcs.
2377 N. Stemmons Frwy., Suite 600
Dallas, Texas 75207-2710

CITY
Bill Alsup
City of Richardson
P.O. Box 830309
Richardson, TX 75083

9. ENTIRE AGREEMENT AND AMENDMENT

This Agreement, including any Exhibits and Attachments, constitutes the entire agreement between the parties and supersedes any other agreements concerning the subject matter of this transaction, whether oral or written. No modification, amendment, novation, renewal or other alteration of this Agreement shall be effective unless mutually agreed upon in writing and executed by the parties.

10. COUNTERPARTS, NUMBER/GENDER AND HEADINGS

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Words of any gender used in this Agreement shall be held and construed to include any other gender. Any words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise. Headings are for the convenience of reference only and shall not be considered in any interpretation of this Agreement.

11. SEVERABILITY

If any provision of this Agreement is construed to be illegal, invalid, void or unenforceable, this construction will not affect the legality or validity or any of the remaining provisions. The unenforceable or illegal provision will be deemed stricken and deleted, but the remaining provisions shall not be affected or impaired, and such remaining provisions shall remain in full force and effect.

12. GOVERNMENT FUNDED PROJECT

If Agreement is funded in part by either the State of Texas or the federal government, the City agrees to timely comply without additional cost or expense to County, unless otherwise specified herein, to any statute, rule, regulation, grant, contract provision or other State or federal law, rule, regulation, or other similar restriction that imposes additional or greater requirements than stated herein and that is directly applicable to the services rendered under the terms of this Agreement.

13. FISCAL FUNDING CLAUSE

Notwithstanding any provisions contained in this Agreement, the obligations of the County under this Agreement is expressly contingent upon the availability of funding for each item and obligation for the term of the Agreement and any pertinent extensions. City shall not have a right of action against County in the event County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding for any item or obligation from any source utilized to fund this Agreement or failure to budget or authorize funding for this Agreement during the current or future fiscal years. In the event that County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding, or if funds become unavailable, County, at its sole discretion, may provide funds from a separate source or may terminate this Agreement by written notice to City at the earliest possible time prior to the end of its fiscal year.

14. DEFAULT/CUMULATIVE RIGHTS/MITIGATION

It is not a waiver of default if the non-defaulting party fails to immediately declare a default or delays in taking any action. The rights and remedies provided by this Agreement are cumulative, and either party's use of any right or remedy will not preclude or waive its right to use any other remedy. These rights and remedies are in addition to any other rights the parties may have by law, statute, ordinance or otherwise. Both parties have a duty to mitigate damages.

15. IMMUNITY

This Agreement is expressly made subject to City’s and County’s Governmental Immunity, including, without limitation, Title 5 of the Texas Civil Remedies Code and all applicable State and federal Laws. The parties expressly agree that no provision of this Agreement is in any way intended to constitute a waiver of any immunities from suit or from liability, or a waiver of any tort limitation, that City or County has by operation of law, or otherwise. Nothing in this Agreement is intended to benefit any third party beneficiary.

16. COMPLIANCE OF LAWS AND VENUE

In providing services required by this Agreement, City and County must observe and comply with all licenses, legal certifications, or inspections required for the services, facilities, equipment, or materials, and all applicable federal, State, and local statutes, ordinances, rules, and regulations. Texas law shall govern this Agreement and venue shall lie exclusively in Dallas County, Texas.

17. RELATIONSHIP OF PARTIES

City is an independent contractor and not an agent, servant, joint enterpriser, joint venturer or employee of County. City and County agree and acknowledge that each entity shall be responsible for its own acts, forbearance, negligence and deeds, and for those of its agents or employees in conjunction with the performance of work covered under this Agreement.

18. SIGNATORY WARRANTY

City and County represent that each has the full right, power and authority to enter and perform this Agreement in accordance with all of the terms and conditions, and that the execution and delivery of Agreement have been made by authorized representatives of the parties to validly and legally bind the parties to all terms, performances and provisions set forth in this Agreement.

EXECUTED THIS _____ DAY OF _____ 2012.

COUNTY:

CITY:

BY: Clay Lewis Jenkins
County Judge

BY: Dan Johnson
City Manager/Mayor

Recommended:

BY: Zachary Thompson
Director, DCHHS

***Approved as to Form:**

CRAIG WATKINS
DALLAS COUNTY DISTRICT ATTORNEY

Approved as to Form:

By: Peter Smith
City Attorney

BY: Melanie Barton
Assistant District Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

ATTACHMENT A

*ATTACH THE FOLLOWING DOCUMENT TO THIS AGREEMENT:
(DSHS Contract No. 2013-041066-001)*

RESOLUTION NO. 12-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS AND COUNTY OF DALLAS TO ENTER INTO AN AGREEMENT TO JOIN HOUSEHOLD HAZARDOUS WASTE NETWORK; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Interlocal Cooperation Agreement by and between the City of Richardson, Texas, and the County of Dallas to enter into an agreement to join Household Hazardous Waste Network, a copy of which is attached hereto and incorporated herein by reference; and

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

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

SECTION 1. The Agreement attached hereto having been reviewed by the City Council of the City of Richardson, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved, and the City Manager is hereby authorized to execute the Agreement on behalf of the City of Richardson, Texas.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 24th day of September, 2012.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY

CITY SECRETARY

STATE OF TEXAS)
COUNTY OF DALLAS)

AGREEMENT BETWEEN CITY OF RICHARDSON AND DALLAS COUNTY

WHEREAS, the City of Richardson, Texas, (the "City") and the County of Dallas, Texas, (the "County") wish to enter into an agreement (the "Agreement") to join the Household Hazardous Waste Network (the "HHW Network") to coordinate the planning and implementation of a hazardous waste collection program from October 1, 2012, through September 30, 2013, with options to renew for four additional one-year terms; and

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, as amended, provides authorization for local governments to enter into contracts with other local governments and state agencies; and

WHEREAS, the Dallas County Commissioners Court adopted Court Order Number 94-751 establishing the HHW Network to coordinate the planning and implementation of a HHW collection program; and

WHEREAS, the HHW Network has successfully served the residents of the participating cities since its inception in 1994 and is prepared to continue its services;

NOW, THEREFORE, THIS AGREEMENT is hereby made and entered into by the City and the County upon mutual consideration stated herein:

PURPOSE:

It is the desire of the City to voluntarily join with the County and other interested jurisdictions, to participate in a HHW collection program as a continuation of the 1994-2012 program. The terms and conditions set forth within this agreement provide the cooperative framework for the City and the County to undertake a variety of activities necessary to coordinate the planning and implementation of a HHW collection program and to provide public education aimed at decreasing the generation of HHW.

GENERAL CONDITIONS:

The specific Scope of Services (see Exhibit A2013) has been reviewed and approved by the HHW Network. Any and all changes having a financial impact must be

approved in advance by a mutually executed letter of agreement between the City and the County. Each letter of agreement, upon full execution, will become an addendum to this agreement.

WITNESSETH:

I. TERM

The Term of this Agreement will begin on the date executed below and continue until September 30, 2013. This Agreement may be extended annually for four (4) additional one-year terms, upon mutual written agreement by all parties.

II. NOTICE

Any notice, demand, or request related to this Agreement must be in writing and sent by U.S. Certified or Registered Mail to the designated contact at the address below. A notice, demand, or request will be considered received by the addressee three (3) business days after the date the notice, demand, or request was sent by U.S. Certified or Registered Mail to the contact at the address below.

Dallas County Contact
Sandy Cook
HHW Program Manager
Dallas County
11234 Plano Road
Dallas, TX 75243
PHONE: (214) 553-1765
FAX: (214) 553-5007

City Contact (Name, Title, Address, Phone, Fax)

III. COUNTY RESPONSIBILITIES

During the term of the agreement, the County agrees to the following provisions:

1. To provide HHW project management, HHW disposal contract negotiations and signatory, a HHW Mobile Unit, HHW public education, assistance with advertisement of HHW collections, all as per funding scheduled and provided by the participating cities, grants, and contributions.
2. To enter into an agreement with disposal vendor(s) to provide household hazardous waste services including a series of disposal events and disposal services at the County's fixed-site HHW collection locations. The City recognizes that compensation for vendors under such agreements will be

payable only to the extent that City funds are made available.

3. To provide two representatives on the HHW Network.
4. To provide, manage, operate, and maintain a site at 11232-11234 Plano Road in Dallas for exclusive use as a Home Chemical Collection Center.
5. To provide regular reports to the City regarding collection statistics taken from event surveys.

IV. CITY RESPONSIBILITIES

During the term of the agreement, the City will provide:

1. A sum not to exceed \$ _____ for disposal, setup, operational, capital and transportation costs for HHW collection for residents of the City, during the period from October 1, 2012 through September 30, 2013.
 - a) Collection, setup, and disposal costs will be paid after-the-fact, based on actual usage by the city at events and at the collection center.
 - b) Operational and capital costs must be paid quarterly in advance.
 - c) In the event of early withdrawal, the operational and capital costs will not be pro-rated for partial quarter participation but will become immediately due and payable in full.
2. Evidence in appropriate form (City Council resolution, approved line item budget, letter from department head or other official authorized to encumber funds, etc.) that funding has been committed and will be available for obligations herein.
3. A request to the County in writing when the City wishes a collection event to be held within the city's jurisdiction and assistance in obtaining HHW collection site location(s), community support, volunteers, and volunteer amenities for the requested event.
4. Onsite representation at HHW collection(s) within its jurisdiction.
5. Notification to the County in writing at least sixty (60) days prior to withdrawal from the agreement by the City.
6. One representative and one alternate on the HHW Network to attend Network meetings and participate in the decision-making process.

The City acknowledges that the financial responsibility for vendor's disposal, set up, and transportation costs, based on actual usage by residents of the City, rests with the City. The City further acknowledges financial responsibility for a proportional share of the

program Operational and Capital Budgets, based on the City's percentage of total single-family households served and using single-family household projections from the North Central Texas Council of Governments. The Operational and Capital Budgets will be determined by the County and the HHW Network. No City will be obligated to incur expenses without their prior knowledge and approval.

V. HHW NETWORK RESPONSIBILITIES

Under the Bylaws of the HHW Network as included in Exhibit B2013, the HHW Network will:

1. Provide guidance and direction to the Program Manager in the selection of a HHW disposal contractor, in identifying and selecting waste disposal options, in advertising HHW collections, and in developing and implementing a HHW public awareness program.
2. Create a Finance Committee, composed of those HHW Network members that contribute funds, to make recommendations to the Network regarding expenditures of funds for the HHW Program.
3. Provide guidance and direction to the Program Manager in scheduling community HHW collection events. The HHW Network will attempt to honor all requests from member cities wishing to host a community HHW collection event. Should insufficient dates be available to accommodate all such requests, the number of events hosted by a single member City annually may be scheduled at a rate that is proportional to that City's share of single family households served.
4. Pay for all routine maintenance at the Home Chemical Collection Center and be responsible for capital additions necessitated by program operations.

VI. LIABILITY

To the extent allowed by law, and without creating a sinking fund, the County agrees to be responsible for any liability or damages the County may suffer as a result of claims, demands, costs or judgments against the County, including workers' compensation claims, arising out of the performance of the work and services under this agreement, or arising from any accident, injury or damage, whatsoever, to any person or persons, or to the property of any person(s) occurring during the performance of this agreement which are caused by the sole negligence of the County, its agents, officers and/or employees. To the extent allowed by law, and without creating a sinking fund, the City agrees to be responsible for any liability or damages the City may suffer as a result of claims, demands, costs or judgments against the City, including workers' compensation claims, arising out of the performance of the work and services under this agreement, or arising from any accident, injury or damage, whatsoever, to any person or persons, or to the property of any

person(s) occurring during the performance of this agreement which are caused by the sole negligence of the City, its agents, officers and/or employees.

County and City agree that any such liability or damages as stated above occurring during the performance of this agreement caused by the joint or comparative negligence of their employees, agents and officers will be determined in accordance with the comparative responsibility laws of the State of Texas.

This agreement is made solely for the benefit of the parties, and nothing herein will be construed as granting any rights or cause of action to any third party. This agreement is made subject to the County's and City's sovereign immunity, Title 5 of the Texas Civil Practice and Remedies Code and the Texas Tort Claims Act.

VII. RENEWAL, CANCELLATION AND AMENDMENTS

This agreement may be renewed on October 1 of each year for four additional one-year terms. Either party may withdraw from this agreement at any time without cause, provided that it has notified the other party in writing at least sixty (60) days prior to its intended withdrawal date. Amendments may be made to this Agreement only upon written approval by both parties.

Notwithstanding anything to the contrary herein, County's obligations contained in this Agreement and any extension hereto are expressly contingent upon the availability of funding for each item and obligation. Neither the State of Texas nor any City or any other person or entity will have any cause of action against the County of Dallas regarding this Agreement in the event that the County is unable to fulfill its obligations under this Agreement as a result of the lack of sufficient funding from any source utilized to fund this Agreement or failure of any funding party, including the County, to budget or authorize funding for this Agreement during the current or future fiscal years. In the event of insufficient funding by County or any other funding source, or if funding for this Agreement is terminated, limited, suspended or withdrawn, or if funds become unavailable in whole or part, the County, at its sole discretion, will have the right, but not the obligation, to terminate County's obligations herein and withdraw from this Agreement with at least sixty (60) days prior written notice to the other Network parties. Nothing herein will prevent the County, in its sole discretion, from providing funding from a separate source.

VIII. PAYMENT

The City, once receiving an invoice from the County for services rendered (operational, disposal, capital, set up, and/or transportation costs), must provide payment within thirty (30) days to the County as per this agreement and any addendum(s) to this agreement. Cities which fail to pay within thirty (30) days will be charged a late fee of one percent (1%) of the invoice amount for each additional month or portion thereof. Disputes should be directed to the HHW Program Manager. Interest charges on disputed amounts

will be suspended until an accurate figure has been documented and re-submitted to the City by HHW staff. Upon written request from the City, invoices from the County must be accompanied by copies of all participant surveys and/or other backup documents relevant to the invoice. Payments required under this agreement must be in amounts that fairly compensate the performing party for the services or functions performed and shall be made from current revenues available to the paying party.

IX. AMENDMENTS AND CHANGES IN THE LAW:

No modification, amendment, innovation, renewal or other alteration of this Agreement will be effective unless mutually agreed upon in writing and executed by the parties hereto. Any alteration, addition or deletion to the terms of this Agreement which are required by changes in federal or State law are automatically incorporated herein without written amendment to this Agreement and will be effective on the date designated by said law. Provided, however, that if the change in federal or State law renders the basic purposes of this Agreement illegal, invalid or unenforceable then either party may, upon written notice to the other, terminate this agreement, and the parties agree to enter into good faith negotiations to replace this Agreement with an agreement as similar to the terms and conditions of this Agreement as legally permissible.

X. SEVERABILITY:

If any provision of this Agreement is construed to be illegal or invalid, this will not affect the legality or validity of any of the other provisions herein. The illegal or invalid provision will be deemed stricken and deleted, but all other provisions will continue and be given effect as if the illegal or invalid provisions had never been incorporated.

XI. SIGNATORY WARRANTY:

This agreement has been authorized by the City through a duly enacted resolution passed by the City Council. The person or persons signing and executing this Agreement on behalf of City, or representing themselves as signing and executing this Agreement on behalf of City, do hereby warrant and guarantee that he, she or they have been duly authorized by City to execute this Agreement on behalf of City and to validly and legally bind City to all terms, performances and provisions herein set forth.

XII. ENTIRE AGREEMENT:

This Agreement, including all exhibits and attachments, constitutes the entire agreement between the parties hereto and supersedes any other agreement concerning the subject matter of this transaction, whether oral or written.

XIII. BINDING EFFECT:

This Agreement and the respective rights and obligations of the parties hereto will inure to the benefit and be binding upon the successors and assigns of the parties hereto, as well as the parties themselves.

XIV. FEDERAL FUNDED PROJECT:

If Agreement is funded in part by either the State of Texas or federal government, the City agrees to timely comply without additional cost or expense to County, unless otherwise specified herein, to any statute, rule, regulation, grant, contract provision or other State or federal law, rule, regulation, or other similar restriction that imposes additional or greater requirements than stated herein and that is directly applicable to the services rendered under the terms of this Agreement. Provided, however, that if the change in federal or State law renders the basic purposes of this Agreement illegal, invalid or unenforceable, then either party may, upon written notice to the other, terminate this agreement, and the parties agree to enter into good faith negotiations to replace this Agreement with an agreement as similar to the terms and conditions of this Agreement as legally permissible.

XV. DEFAULT/CUMULATIVE RIGHTS/MITIGATION:

It is not a waiver of default if the non-defaulting party fails to immediately declare a default or delays in taking any action. The rights and remedies provided by this Agreement are cumulative, and either party's use of any right or remedy will not preclude or waive its right to use any other remedy. These rights and remedies are in addition to any other rights the parties may have by law, statute, ordinance or otherwise. The City has a duty to mitigate damages.

XVI. COUNTERPARTS, NUMBER/GENDER AND HEADINGS:

This Agreement may be executed in multiple counterparts, each of which will be considered an original, but all of which will constitute one and the same instrument. Words of any gender used in this Agreement will be held and construed to include any other gender, and any words in the singular will include the plural and vice versa, unless the context clearly requires otherwise. Headings herein are for the convenience of reference only and will not be considered in any interpretation of this Agreement.

The County of Dallas, State of Texas, has executed this Agreement pursuant to Commissioners Court Order 2012-1223 passed on the 7th day of August, 2012.

COUNTY:

EXECUTED THIS _____ DAY OF _____, 2012.

BY: Clay Lewis Jenkins
County Judge
Dallas County, Texas

APPROVED AS TO FORM*:
Craig Watkins
District Attorney
Dallas County, Texas

RECOMMENDED BY:

BY: Rick Loessberg
Director
Planning and Development
Dallas County, Texas

BY: Ben Stool
Assistant District Attorney
Civil Division
Dallas County, Texas

*By law, the District Attorney's office may only advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal Perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

CITY:

Approved by the City Council of the City of Richardson, Resolution Number _____, the _____ day of _____, 2012.

EXECUTED THIS _____ DAY OF _____, 2012.

PRINT NAME: _____

TITLE: _____

RESOLUTION NO. 12-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTER LOCAL COOPERATION AGREEMENT FOR CONSTRUCTION OF THE MURPHY TRAIL CONNECTION, PHASE I, BY AND BETWEEN THE CITY OF PLANO, TEXAS, AND THE CITY OF RICHARDSON, TEXAS, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented with an Inter Local Cooperation Agreement by and between the City of Plano, Texas, and the City of Richardson, Texas, for construction of the Murphy Trail Connection, Phase I, to be constructed within Breckinridge Park in Richardson, connecting the existing concrete trail in Breckinridge Park to South Murphy Road in Plano; and

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

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

SECTION 1. That the terms, provisions, and conditions of the Inter Local Cooperation Agreement, a copy of which is attached hereto as Exhibit "A", be, and the same are, hereby approved.

SECTION 2. That the City Manager is hereby authorized to execute the Inter Local Cooperation Agreement on behalf of the City, and any amendments or other instruments related thereto.

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

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

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY
(PGS:09-19-12:57358)

Exhibit "A"

Inter Local Cooperation Agreement

(to be attached)

CITY OF RICHARDSON

TO: Dan Johnson - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 59-12
DATE: September 18, 2012

Request Council approval to initiate bids for the following:

2012 Annual Requirements Contract for Masonry Wall Repair and Replacement

Proposed Council approval date: September 24, 2012
Proposed advertising dates: September 26, 2012 & October 3, 2012
Proposed bid due date: Thursday, October 11, 2012 – 2:00 p.m.
Proposed bid opening date: Thursday, October 11, 2012 – 2:30 p.m.
Engineer's estimated total cost: \$250,000
Account: Street Rehabilitation & Neighborhood Vitality G.O. Bonds



Pam Kirkland, CRPO, CPPB
Purchasing Manager



Kent Pfeil
Director of Finance



Date

Approved: _____
Dan Johnson
City Manager

Date

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**2012 ANNUAL REQUIREMENTS CONTRACT
FOR MASONRY WALL REPAIR & REPLACEMENT**

BID # 59-12

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **Thursday, at 2:00 p.m. on October 11, 2012**, and will be opened and read aloud in the **Capital Projects Department, Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

The 2012 Annual Requirements Contract for Masonry Wall Repair and Replacement consists of citywide masonry wall repair and replacement at various locations throughout the city. The contractor will be on-call. Work to be performed generally includes stone and/or brick removal and replacement, vegetation removal, wrought iron fence removal and replacement and other appurtenances related to performing the work. This contract contains an option for two (2) one-year renewals subject to the conditions, attached hereto.

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

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

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

The contract will be for a period of 12 months beginning on the construction start date as indicated in the Notice to Proceed letter. The contract may be renewed at the option of the City for two (2) additional one (1) year periods under the same terms and conditions of the initial contract, if mutually agreed upon by both parties.

One set of specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, September 25, 2012** upon a **NON-REFUNDABLE FEE OF FIFTY Dollars (\$50.00)** per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number.

A pre-bid conference will be held Thursday, at 10:00 a.m. October 4, 2012, in the Capital Projects Department, Room 206, Richardson Civic Center/City Hall.

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



MEMO

TO: Dan Johnson, City Manager
THROUGH: Cliff Miller, Assistant City Manager *cam*
FROM: Steve Spanos, P.E., Director of Engineering *SS*
SUBJECT: Permission to Advertise 2012 Annual Requirements Contract for Masonry Wall Repair and Replacement - Bid No. 59-12
DATE: September 14, 2012

BACKGROUND INFORMATION:

The 2012 Annual Requirements Contract for Masonry Wall Repair and Replacement consists of citywide masonry wall repair and replacement at various locations throughout the city. The contractor will be on-call. Work to be performed generally includes stone and/or brick removal and replacement, vegetation removal, wrought iron fence removal and replacement and other appurtenances related to performing the work. This contract contains an option for two (2) one-year renewals subject to the conditions, attached hereto.

FUNDING:

Funding is provided from Street Rehabilitation Account and Neighborhood Vitality G.O. Bonds.

SCHEDULE:

Capital Projects plans to begin construction for this project November 2012 and be completed by November 2013.

Cc: Henry Drexel, P.E., Senior Project Engineer

CP/Office/Agenda Reports/Agenda Items - September/2012 Annual Requirements Contract for Masonry Wall

PROPOSED PROJECT SCHEDULE
2012 ANNUAL REQUIREMENTS CONTRACT FOR
MASONRY WALL REPAIR & REPLACEMENT

BID #59-12

Agenda Paperwork to Advertise	Friday, September 14, 2012
Council Authorization to Advertise	Monday, September 24, 2012
Plans/Specs Available for Contractors	Tuesday, September 25, 2012
Advertise in Dallas Morning News	Wednesday, September 26, 2012
Advertise in Dallas Morning News	Wednesday, October 3, 2012
Pre Bid Meeting (10:00 am Room 206)	Thursday, October 4, 2012
Bids Received & Opened (by 2:00 open 2:30 pm Room 206)	Thursday, October 11, 2012
Agenda Paperwork to Award Contract	Friday, October 12, 2012
Council to Award Contract	Monday, October 22, 2012
Pre-Construction Meeting	~ October 29, 2012
Project Start	~ November 5, 2012
Project Completed 365 Calendar Days	~ November 2013

Project Engineer: Henry Drexel, P.E.

Engineers Estimate: \$250,000

Fund: Street Rehabilitation Account and Neighborhood Vitality G.O. Bonds

**AGENDA REPORT
City of Richardson, City Council Meeting**

Work Session Date _____ City Council Meeting Date **September 24, 2012**

REQUESTED ACTION/MOTION



Authorization to advertise Bid No. 59-12 and approval of contract documents for the 2012 Annual Requirements Contract for Masonry Wall Repair and Replacement. Bids to be received until Thursday, October 11, 2012 at 2:00 p.m. and read aloud 30 minutes later.

SUMMARY EXPLANATION AND BACKGROUND

The 2012 Annual Requirements Contract for Masonry Wall Repair and Replacement consists of citywide masonry wall repair and replacement at various locations throughout the city. The contractor will be on-call. Work to be performed generally includes stone and/or brick removal and replacement, vegetation removal, wrought iron fence removal and replacement and other appurtenances related to performing the work. This contract contains an option for two (2) one-year renewals subject to the conditions, attached hereto.

Funding is provided from Street Rehabilitation Account and Neighborhood Vitality G.O. Bonds.

Capital Projects plans to begin construction for this project November 2012 and be completed by November 2013.

Recommended By: Cliff Miller	 City Manager's Office	<u>972-744-4206</u> Phone
Source of Additional Information: Henry Drexel, P.E.	_____ Senior Project Engineer	<u>972-744-4278</u> Phone
Source of Additional Information: Steve Spanos, P.E.	 Director of Engineering	<u>972-744-4275</u> Phone

EXHIBITS ATTACHED FOR CITY COUNCIL MEETING

- 3 Handout(s) for Council Meeting (list items)
- Notice to Contractor
 - Executive Summary
 - Proposed Project Schedule

DOCUMENTS FOR CITY SECRETARY/PERMANENT RECORDS

Documents must be submitted to the City Secretary in their final form with City Attorney approval no later than the Monday prior to the Work Session.

Resolution Public Hearing None
 Ordinance Other

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**2012 ANNUAL REQUIREMENTS CONTRACT
FOR MASONRY WALL REPAIR & REPLACEMENT**

BID # 59-12

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

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

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

The contract will be for a period of 12 months beginning on the construction start date as indicated in the Notice to Proceed letter. The contract may be renewed at the option of the City for two (2) additional one (1) year periods under the same terms and conditions of the initial contract, if mutually agreed upon by both parties.

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A pre-bid conference will be held Thursday, at 10:00 a.m. October 4, 2012, in the Capital Projects Department, Room 206, Richardson Civic Center/City Hall.

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



MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager *CM*

FROM: Steve Spanos, P.E., Director of Engineering *SS*

SUBJECT: Permission to Advertise 2012 Annual Requirements Contract for Masonry Wall Repair and Replacement - Bid No. 59-12

DATE: September 14, 2012

BACKGROUND INFORMATION:

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FUNDING:

Funding is provided from Street Rehabilitation Account and Neighborhood Vitality G.O. Bonds.

SCHEDULE:

Capital Projects plans to begin construction for this project November 2012 and be completed by November 2013.

Cc: Henry Drexel, P.E., Senior Project Engineer

CP/Office/Agenda Reports/Agenda Items - September/2012 Annual Requirements Contract for Masonry Wall

PROPOSED PROJECT SCHEDULE
2012 ANNUAL REQUIREMENTS CONTRACT FOR
MASONRY WALL REPAIR & REPLACEMENT

BID #59-12

Agenda Paperwork to Advertise	Friday, September 14, 2012
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Council to Award Contract	Monday, October 22, 2012
Pre-Construction Meeting	~ October 29, 2012
Project Start	~ November 5, 2012
Project Completed 365 Calendar Days	~ November 2013

Project Engineer: Henry Drexel, P.E.

Engineers Estimate: \$250,000

Fund: Street Rehabilitation Account and Neighborhood Vitality G.O. Bonds



MEMO

DATE: September 17, 2012

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager *Pam*

SUBJECT: Award of Bid #60-12 for a cooperative contract for Irrigation Controllers and Accessories with Interspec, LLC through the Texas Local Government Purchasing Cooperative (Buyboard) Contract #373-11

Proposed Date of Award: September 24, 2012

I concur with the recommendation of Bobby Kinser – Assistant Parks Superintendent, and request permission to issue a contract for irrigation controllers and accessories pursuant to Contract #373-11, with Interspec, LLC, through the Texas Local Government Purchasing Cooperative.

The term of the contract is June 1, 2011 through May 31, 2014. The award of this contract allows the city to purchase irrigation controllers and accessories as the requirements and needs of the city arise, provided funding is available. Since the city is not obligated to pay for or use a minimum or maximum amount of equipment, payment will be rendered as the items are received and pursuant to the attached unit prices.

The City of Richardson is a member of the Texas Local Government Statewide Purchasing Cooperative through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

A total of \$60,000 is estimated for these expenditures and is funded from account 011-3061-541-4359.

Concur:


Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller



MEMO

TO: Pam Kirkland
FROM: Bobby Kinser
DATE: 9-7-12
SUBJECT: Motorola Irrigation Controllers through Buyboard Contract #373-11

Pam, the Parks Department would like to seek Council approval on Sept. 24, 2012 to award a contract to Interspec, LLC., per Buyboard Contract #373-11, for the amount of \$ 60,000. Our irrigation system has Motorola controllers that are getting old and need replacement. Therefore, we will need more funds than normal to start a replacement program.

The controllers are budgeted in account # 011-3061-541-4359.

Thank you,
Bobby Kinser

Required - 50 character limit

Recommended - 100 character limit, [Proper Case](#)

Recommended - used by Search feature, 50 character limit, [Proper Case](#)

Required - used by search feature, 500 character limit, [Proper Case](#)

Required - Numeric field only, should be BuyBoard price

Part Number	Manufacturer Name	Category	Short Description	Price
IS-BM-15	ARAD	Valves	1.5" ARAD Flow Meter / M. Valve AC	\$ 628.00
IS-BM-15-DC	ARAD	Valves	1.5" ARAD Flow Meter / M. Valve DC	\$ 658.00
IS-BM-20	ARAD	Valves	2.0" ARAD Flow Meter / M. Valve AC	\$ 632.00
IS-BM-20-DC	ARAD	Valves	2.0" ARAD Flow Meter / M. Valve DC	\$ 668.00
IS-BM-30	ARAD	Valves	3.0" ARAD Flow Meter / M. Valve AC	\$ 1,081.00
IS-BM-30-DC	ARAD	Valves	3.0" ARAD Flow Meter / M. Valve DC	\$ 1,122.00
IS-BM-40	ARAD	Valves	4.0" ARAD Flow Meter / M. Valve AC	\$ 1,673.00
IS-BM-40-DC	ARAD	Valves	4.0" ARAD Flow Meter / M. Valve DC	\$ 1,705.00
IS-BM-60	ARAD	Valves	6.0" ARAD Flow Meter / M. Valve AC	\$ 3,960.00
IS-BM-60-DC	ARAD	Valves	6.0" ARAD Flow Meter / M. Valve DC	\$ 3,992.00
IS-RDSW	ARAD	Valves	Reed Switch for Arad Hydrometers	\$ 42.00
IS-BM-PR	ARAD	Valves	Pressure Regulating Kit	\$ 120.00
IS-SOL-AC-NO	ARAD	Valves	3W AC Solenoid	\$ 112.00
IS-SOL-DC	ARAD	Valves	DC Latching Solenoid	\$ 142.00
IS-REG-xx	ARAD	Valves	Replacement Register	\$ 148.00
IS-ICC-BP	Motorola		ICC Base Station Package, Standard	Quote only
IS-WS-ICC	Motorola		Weather Station software/Works with ICC	\$3,600.00
IS-WS-ACE	Motorola		Weather Station - Existing ACE installation	\$2,250.00
IS-SMS-M			SMS Modem Hardware Only	\$800.00
IS-A1A-V1N-RU-SS	Motorola	Controller	16 Sta VHF ACE / RReady / SS Ped. w/ Surge	\$9,950.00
IS-A2A-V1N-RU-SS	Motorola	Controller	32 Sta VHF ACE / RReady / SS Ped. w/ Surge	\$10,820.00
IS-A3A-V1N-RU-SS	Motorola	Controller	48 Sta VHF ACE / RReady / SS Ped. w/ Surge	\$11,700.00
IS-A4A-V1N-RU-SS	Motorola	Controller	64 Sta VHF ACE / RReady / SS Ped. w/ Surge	\$12,570.00
IS-A5A-V1N-RU-SS	Motorola	Controller	80 Sta VHF ACE / RReady / SS Ped. w/ Surge	\$13,630.00
IS-A1A-V1N-RU-WS	Motorola	Controller	16 Sta VHF ACE / RReady / Wall Mt. w/ Surge	\$9,950.00
IS-A2A-V1N-RU-WS	Motorola	Controller	32 Sta VHF ACE / RReady / Wall Mt. w/ Surge	\$10,820.00
IS-A3A-V1N-RU-WS	Motorola	Controller	48 Sta VHF ACE / RReady / Wall Mt. w/ Surge	\$11,700.00
IS-A4A-V1N-RU-WS	Motorola	Controller	64 Sta VHF ACE / RReady / Wall Mt. w/ Surge	\$12,570.00
IS-A5A-V1N-RU-WS	Motorola	Controller	80 Sta VHF ACE / RReady / Wall Mt. w/ Surge	\$13,630.00
IS-R1A-RU-SS	Motorola	Controller	12 Station IRRI-M / SS Ped. w/ Surge	\$4,080.00
IS-R2A-RU-SS	Motorola	Controller	24 Station IRRI-M / SS Ped. w/ Surge	\$4,680.00
IS-R3A-RU-SS	Motorola	Controller	36 Station IRRI-M / SS Ped. w/ Surge	\$6,310.00
IS-R4A-RU-SS	Motorola	Controller	48 Station IRRI-M / SS Ped. w/ Surge	\$6,800.00
IS-R1A-RU-WS	Motorola	Controller	12 Station IRRI-M / Wall Mt. w/ Surge	\$4,080.00
IS-R2A-RU-WS	Motorola	Controller	24 Station IRRI-M / Wall Mt. w/ Surge	\$4,680.00
IS-R3A-RU-WS	Motorola	Controller	36 Station IRRI-M / Wall Mt. w/ Surge	\$6,310.00
IS-R4A-RU-WS	Motorola	Controller	48 Station IRRI-M / Wall Mt. w/ Surge	\$6,800.00
IS-R1D-RU-SO	Motorola	Controller	12 Station DC IRRI-M / SS Ped.	\$3,550.00
IS-R2D-RU-SO	Motorola	Controller	24 Station DC IRRI-M / SS Ped.	\$3,820.00
IS-R1A-IU-SS	Motorola	Controller	8 Station IRRI-M / SS Ped. w/ Surge	\$4,080.00
IS-R2A-IU-SS	Motorola	Controller	16 Station IRRI-M / SS Ped. w/ Surge	\$4,680.00
IS-R3A-IU-SS	Motorola	Controller	24 Station IRRI-M / SS Ped. w/ Surge	\$6,310.00
IS-R4A-IU-SS	Motorola	Controller	32 Station IRRI-M / SS Ped. w/ Surge	\$6,800.00

Part Number	Manufacturer Name	Category	Short Description	Price
IS-R1A-IU-WS	Motorola	Controller	8 Station IRRI-M / Wall Mt. w/ Surge	\$4,080.00
IS-R2A-IU-WS	Motorola	Controller	16 Station IRRI-M / Wall Mt. w/ Surge	\$4,680.00
IS-R3A-IU-WS	Motorola	Controller	24 Station IRRI-M / Wall Mt. w/ Surge	\$6,310.00
IS-R4A-IU-WS	Motorola	Controller	32 Station IRRI-M / Wall Mt. w/ Surge	\$6,800.00
IS-R1D-IU-SO	Motorola	Controller	8 Station DC IRRI-M / SS Ped.	\$3,550.00
IS-R2D-IU-SO	Motorola	Controller	16 Station DC IRRI-M / SS Ped.	\$3,820.00
IS-FLC-AP-Rx	Motorola	Controller	4 Station Wall Mount LCM	Quote Only
-Rx		Controller	Additional Contactors (not to exceed 8 total)	
IS-PIU-AD	Motorola	Controller	PIU / Interface Unit/Internal mount	\$970.00
IS-XR-44-FD	Motorola	Controller	4 Station XR / Pedestal	\$1,090.00
IS-EXP-3537-Mx	Motorola	Accessories	Expansion Kit, 16 O ACE (inc. 24 VAC Surge & Wiring Ht	\$1,180.00
IS-FLA3537	Motorola	Accessories	Module, 16 Output ACE Module Only	\$720.00
IS-FLA3553	Motorola	Accessories	Module 16 Input ACE Module Only	\$570.00
IS-FLA1644	Motorola	Accessories	Power Supply, ACE	\$790.00
IS-FTA7120	Motorola	Accessories	Battery, ACE 6.5 Ah	\$310.00
IS-FUE1067	Motorola	Accessories	Radio Kit, CM200, ACE	\$970.00
IS-EXP-RA	Motorola	Accessories	Expansion Kit, 12 Sta. AC (adds 12 sta.to an existing 12	\$900.00
IS-EXP-RD	Motorola	Accessories	Expansion Kit, 12 Sta. DC (adds 12 sta.to an existing 12	\$670.00
IS-FLN9588	Motorola	Accessories	Transformer, Small	\$120.00
IS-SP-20		Accessories	Solar Panel DC	\$500.00
IS-BAT-SOL		Accessories	Battery, DC	\$130.00
IS-RPS		Accessories	Power Supply, Small Radio	\$110.00
IS-ASC-12/8		Accessories	Regulator, Solar Panel	\$90.00
IS-24SUR8		Accessories	24 VAC Surge 8 Station	\$220.00
IS-24SUR12		Accessories	24 VAC Surge 12 Station	\$300.00
IS-110SURGE		Accessories	110 VAC Surge	\$150.00
IS-110-ASSY		Accessories	110 Assembly w/GFI	\$260.00
IS-FUE1050		Accessories	Radio Kit, HT750	\$900.00
IS-GDS215U2	Motorola	Accessories	Radio Kit, Narrow Spaced Radio (Service Item)	\$810.00
IS-FUE1067		Accessories	Radio Kit CM200	\$970.00
IS-TRA4503		Accessories	UHF Antenna	\$80.00
IS-BSA-U		Accessories	UHF Fiberglass Antenna	\$190.00
IS-TRA8063		Accessories	800 Mhz Antenna	\$80.00
IS-MYA4503		Accessories	UHF Yagi antenna	\$110.00
IS-82NB		Accessories	Antenna Cable BNC	\$40.00
IS-82NM		Accessories	Antenna Cable MUHF	\$40.00
IS-ACMUC-xxx			Antenna Cable (Custom Length w/ Connectors)	Quote only
IS-SUPT-YR		Accessories	Annual Support Contract	\$1,800.00



City of Richardson
City Council Meeting
Agenda Item Summary



City Council Meeting Date: September 24, 2012

Agenda Item: Introduction of Consulting Team, Arapaho/Collins Study

Staff Resource: Monica Heid, Community Projects Manager

Summary: On Monday evening, the consulting team that will perform the initial market study for the Arapaho/Collins Enhancement Redevelopment Study will be introduced. The team is lead by Stephen Friedman of S. B. Friedman Development Advisors, with assistance from HDR, Inc., a multi-disciplinary architecture and engineering firm. The team will discuss their qualifications, approach to the project and the time line for this phase of the study.

Board/Commission Action: None required

Action Proposed: Discuss



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: September 24, 2012

Agenda Item: Review and Discuss 2011 – 2013 City Council
Near Term Action Items

Staff Resource: Dan Johnson, City Manager

Summary: City staff will present a status report on the progress of the City Council's Near Term Action Items. The update will include a schedule for future presentations as well as highlight the items that have already been addressed.

Board/Commission Action: N/A

Action Proposed: N/A



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, September 24, 2012

Agenda Item: Review and Discuss Footwasher Ministries' Peter Burks Day of Volunteerism

Staff Resource: Don Magner, Director of Community Services

Summary: Staff will present an overview of Footwasher Ministries First Annual Peter Burks Day of Volunteerism, which has been created to honor Second Lieutenant Burks' life and legacy. The presentation will include a summary of the projects completed as well as recognition of the partners and volunteers that help make this event a success. Staff will also provide a brief summary of how this event has been incorporated into the City's Volunteer Assistance Program.

Board/Commission Action: N/A

Action Proposed: N/A





City of Richardson
City Council Work Session
Agenda Item Summary



Work Session Meeting Date: Monday, September 24, 2012

Agenda Item: Items of Community Interest

Staff Resource: Dan Johnson, City Manager

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

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

Board/Commission Action: NA

Action Proposed: No action will be taken.