

ORDINANCE NO. 4362

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING FROM PD PLANNED DEVELOPMENT FOR I-M(1) INDUSTRIAL WITH DEVELOPMENT REGULATIONS TO PD PLANNED DEVELOPMENT FOR I-M(1) INDUSTRIAL WITH DEVELOPMENT REGULATIONS FOR A 33.360-ACRE LOT LOCATED AT THE SOUTHEAST CORNER OF SHILOH ROAD AND BRECKINRIDGE BOULEVARD, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 20-17).

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, to grant a change in zoning from PD Planned Development for I-M(1) Industrial with development regulations to PD Planned Development for I-M(1) Industrial with development regulations for a 33.360-acre lot located at the southeast corner of Shiloh Road and Breckinridge Boulevard, Richardson, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property").

SECTION 2. That the Property shall be used and developed in accordance with the development regulations set forth below:

1. Base Zoning District: PD Planned Development for the I-M(1) Industrial District. The Property shall be developed and used in substantial conformance with the Concept Plan attached hereto as Exhibit "B", the Building Elevations attached hereto as Exhibits "E-1" through "E-4", the Parking and On-Site Circulation Plan attached as Exhibit "C", the Landscape Plan attached as Exhibit "D", and in accordance with the requirements of the I-M(1) Industrial District zoning regulations, except as otherwise provided herein:

a. For the purposes of this Planned Development District, a distribution center shall have the respective meaning:

i. Distribution Center means a building or facility used for the storage and distribution of items/products, which may include (a) receiving, storing, assembling, shipping, distributing, preparing, and selling items/products and serving as a pick-up/drop-off location for products, materials, food, grocery and liquor items; (b) the parking, storage, incidental mobile maintenance, washing, and fueling of automobiles, trucks, machinery and trailers, including indoor and outdoor loading, unloading and parking; (c) warehouse and office use; (d) using, handling or storing materials in the ordinary course of business, including any packaged merchandise to be sold, handled, and/or held for shipment to customers; (e) installing and operating rooftop equipment such as satellite dishes, cellular antenna, and renewable energy systems, including solar energy systems and related equipment; (f) installing and operating battery storage systems for electric vehicles; (g) installing and operating, on a temporary and as-needed basis only, electrical generators; and (h) ancillary and related uses for any of the foregoing, all on a twenty-four-hour, seven-days-per-week, fifty-two-weeks-per-year basis. .

b. The City Manager or designee shall have the authority to approve a request for minor modifications to the development plans that:

- i. Do not materially change the circulation and building location on the site;
- ii. Do not change the relationship between the buildings and the street per the Concept Plan;
- iii. Do not increase the building coverage, floor area ratio; or
- iv. Do not substantially changes the access or circulation on or adjacent to the Property as depicted on Exhibit "C".

c. Maximum Building Height: Fifty (50) feet, including height of parapet wall.

- d. The developer and/or property owner shall be required to escrow all funding for the installation of a traffic signal for the intersection of Shiloh Road and Breckinridge Boulevard on or before January 31, 2021.
- e. Site ingress and egress shall be in conformance with the Parking and On-Site Circulation Plan attached hereto as Exhibit "C" and all points of ingress and egress shall be signed accordingly.
- f. No fuel tanks shall be permitted on the Property. Vehicles will be fueled with a mobile fuel truck.
- g. Incidental mobile maintenance consists of an after-hours program to provide standard preventative maintenance on-site. More intensive vehicle maintenance shall not be permitted on the Property.
- h. Landscaping shall be installed and maintained in substantial conformance with the Landscape Plan attached hereto as Exhibit "D".

SECTION 3. That the Property 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.

SECTION 4. That all provisions of the ordinances of the City of Richardson relating to the use and development of the Property 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 16th day of November 2020.



APPROVED AS TO FORM:

Peter G. Smith
CITY ATTORNEY
(PGS:11-9-20:TM 119018)

APPROVED:

[Signature]
MAYOR

CORRECTLY ENROLLED:

Aimee Nemer
CITY SECRETARY



EXHIBIT "A"
LEGAL DESCRIPTION
ZF 20-17

DESCRIPTION, of a 33.360-acre tract of land situated in the Henry McCullough Survey, Abstract No. 587, Collin County, Texas; said tract being all of Lot 1, Block 1, MECP1 Addition, an addition to the City of Richardson according to the plat recorded in Cabinet 2019, Page 129 of the Plat Records of Collin County, Texas and all of that certain tract of land described in Special Warranty Deed to MECP1 Dallas 1, LLC recorded in Instrument No. 20180913001153410 of the Official Public Records of Collin County, Texas; said 33.360-acre tract being more particularly described as follows:

BEGINNING, at a 1/2-inch iron rod with "HALFF" cap found at the south end of a corner clip at the intersection of the north right-of-way line of Research Drive (a 60-foot right-of-way) and the east right-of-way line of Shiloh Road (a 100-foot right-of-way); said point being the southernmost southwest corner of said Lot 1;

THENCE, North 45 degrees 25 minutes 00 seconds West, with said corner clip and a southwest line of said Lot 1, a distance of 56.55 feet to a 1/2-inch iron rod with "HALFF" cap found for corner; said point being the northernmost southwest corner of said Lot 1;

THENCE, North 00 degrees 24 minutes 06 seconds West, with the said east right-of-way line of Shiloh Road and the west right-of-way line of said Lot 1, a distance of 925.39 feet to a 1/2-inch iron rod with "HALFF" cap found for corner; said point being the south end of a corner clip at the intersection of the said east right-of-way line of Shiloh Road and the south right-of-way line of Breckinridge Boulevard (an 80-foot right-of-way); said point also being the southernmost northwest corner of said Lot 1;

THENCE, North 41 degrees 33 minutes 14 seconds East, with said corner clip and a northwest line of said Lot 1, a distance of 59.49 feet to a 1/2-inch iron rod with "HALFF" cap found for corner; said point being the northernmost northwest corner of said Lot 1 and the beginning of a non- tangent curve to the right;

THENCE, in an easterly direction with the said south right-of-way line of Breckinridge Boulevard and the north line of said Lot 1, the following three (3) calls:

With said curve to the right, having a central angle of 04 degrees 32 minutes 44 seconds, a radius of 760.00 feet, a chord bearing and distance of North 87 degrees 17 minutes 44 seconds East, 60.28 feet, and an arc distance of 60.29 feet to a 1/2-inch iron rod with "HALFF" cap found at the end of said curve;

North 89 degrees 34 minutes 06 seconds East, a distance of 1,114.99 feet to a 1/2-inch iron rod with "HALFF" cap found for corner;

North 89 degrees 31 minutes 35 seconds East, a distance of 206.70 feet to a 1/2-inch rod with "HALFF" cap found for corner; said point being the northeast corner of said Lot 2 and the northwest corner of Lot 1B, Block A of said Fujitsu Campus Addition;

THENCE, South 00 degrees 28 minutes 25 seconds East, departing the said south right-of-way line of Breckinridge Boulevard and with the east line of said Lot 1 and the west line of said Lot 1B, a distance of 856.28 feet to a 1/2-inch iron rod with "HALFF" cap found for corner;

THENCE, South 27 degrees 14 minutes 05 seconds West, continuing with the east line of said Lot 1 and the west line of said Lot 1B, a distance of 308.96 feet to a 1/2-inch iron rod with "HALFF" cap found for corner in the said north right-of-way line of Research Drive; said point being the southernmost southeast corner of Lot 1, and the southernmost southwest corner of Lot 1B, and the beginning of a non-tangent curve to the left;

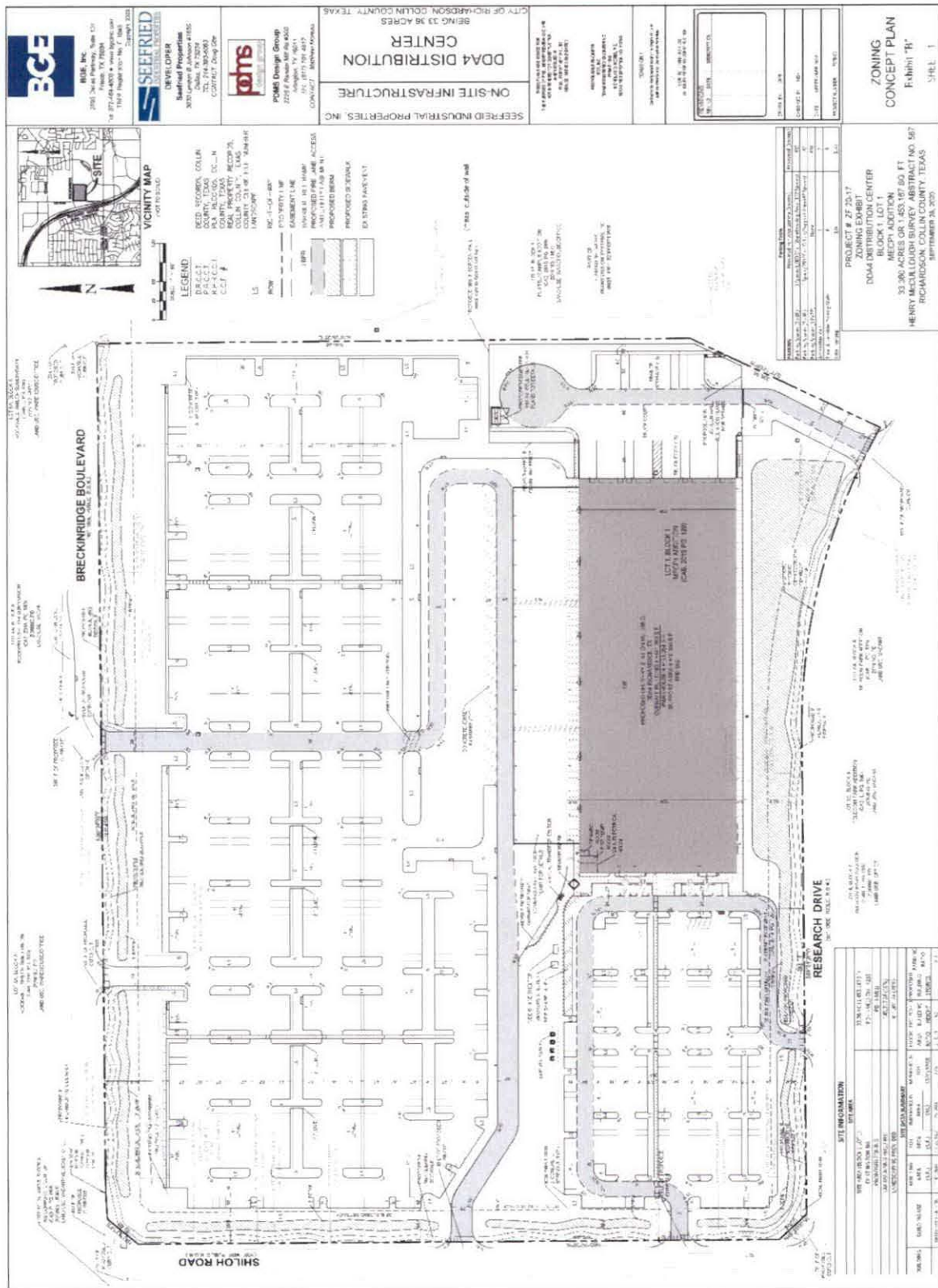
THENCE, in a westerly direction with the said north right-of-way line of Research Drive, the said south line of Lot 1 and said curve to the left, having a central angle of 27 degrees 40 minutes 00 seconds, a radius of 1,030.00 feet, a chord bearing and distance of North 76 degrees 35 minutes 54 seconds West, 492.54 feet, and an arc distance of 497.36 feet to a 1/2-inch iron rod with "HALFF" cap found at the end of said curve;

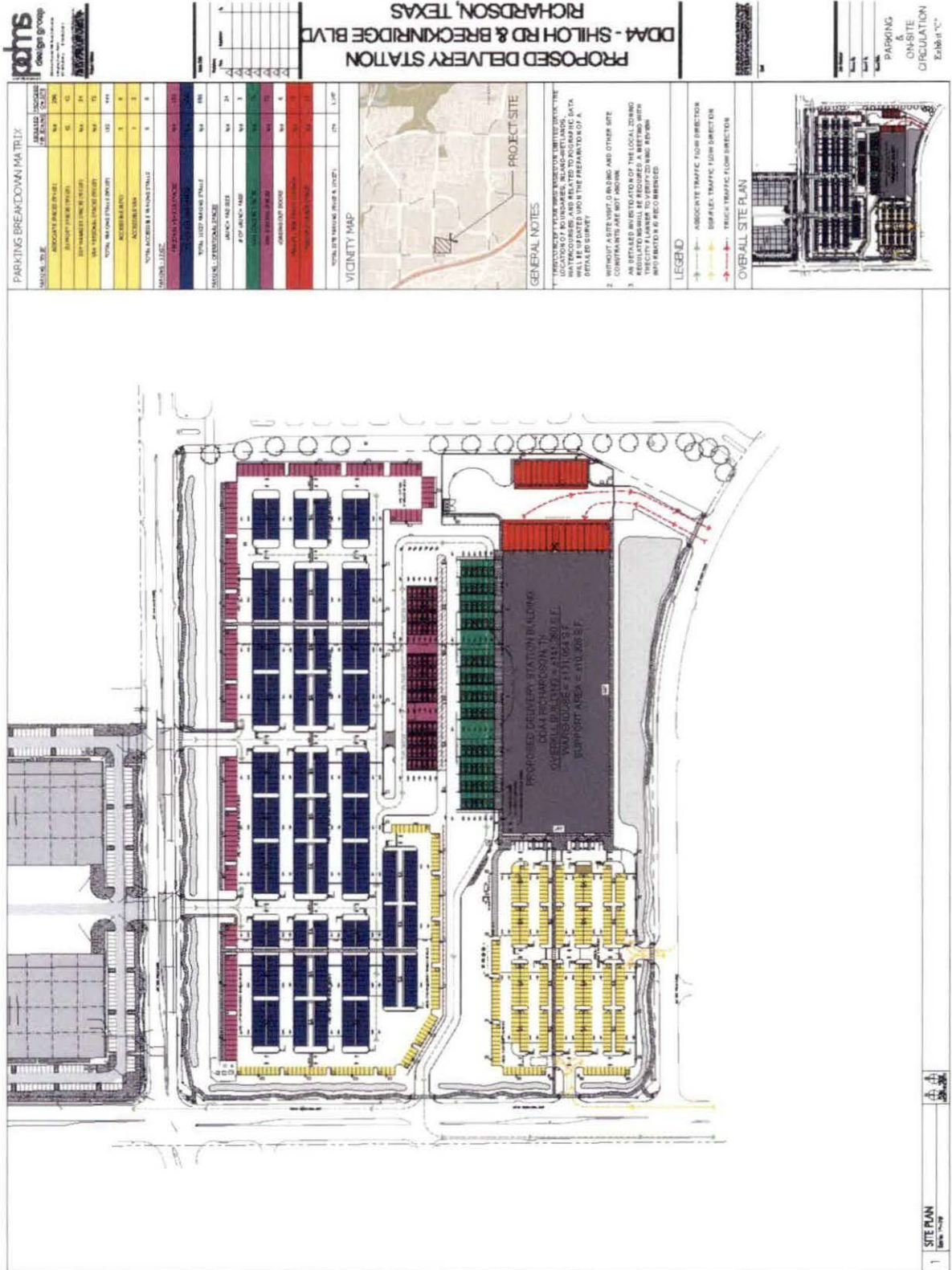
THENCE, South 89 degrees 34 minutes 06 seconds West, continuing with the said north right-of-way line of Research Drive and the said south line of Lot 1, a distance of 761.14 feet to the **POINT OF BEGINNING**;

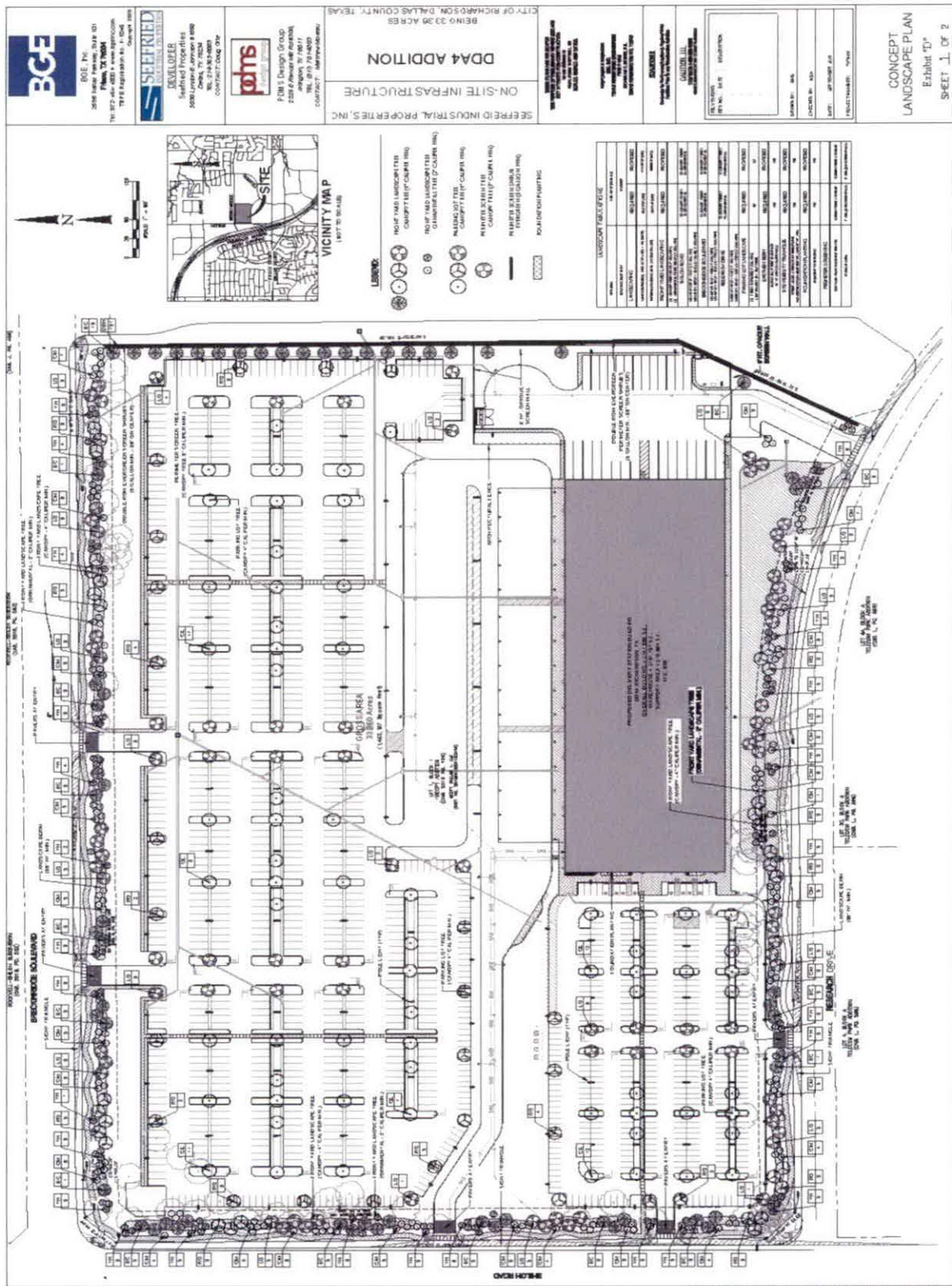
CONTAINING: 33.360 acres or 1,453,166 square feet of land, more or less.

Exhibit “B”

Zoning Concept Plan







[illegible]

A1.22

Exhibit "E.3"

A4.03

3 South Enlarged Elevation
SCALE 1/8" = 1'-0"

1 West Enlarged Elevation
SCALE 1/8" = 1'-0"