

**ORDINANCE NO. 4253**

**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 I-M(1) INDUSTRIAL DISTRICT TO PD PLANNED DEVELOPMENT FOR THE I-M(1) INDUSTRIAL DISTRICT WITH DEVELOPMENT REGULATIONS FOR THE PROPERTY LOCATED ON THE EAST SIDE OF TELECOM PARKWAY, BETWEEN BRECKINRIDGE BOULEVARD AND RESEARCH DRIVE, RICHARDSON, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" AND AS DEPICTED ON CONCEPT PLAN ATTACHED AS EXHIBIT "B"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 18-03).**

**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 5<sup>th</sup> day of June, 1956, as heretofore amended, be, to grant a change in zoning from I-M(1) Industrial District to PD Planned Development for the I-M(1) Industrial District with development regulations for the property located on the east side of Telecom Parkway, between Breckinridge Boulevard and Research Drive, Richardson, Texas, being more particularly described in Exhibit "A" and as depicted on Exhibit "B", attached hereto and made a part hereof for all purposes.

**SECTION 2.** That the zoning change to Planned Development granted subject to the following development regulations:

1. Base Zoning District. The property shall be developed and used in accordance with the I-M (1) Industrial District zoning regulations except as otherwise provided herein, and shall be developed and used in accordance with the Concept Plan attached as Exhibit "B", the Building Elevations attached as Exhibits "C-1 to C-3", the Security Fence Detail attached as Exhibits "D", and which are hereby approved and incorporated herein for all purposes.

2. Permitted Uses. All the uses allowed in the I-M (1) Industrial District and a data center and switchyard (as defined below) shall be permitted on Tract 1 and an electrical substation (as defined below) shall be permitted on Tract 2.
3. Definitions.
  - a. *Data Center* means a building or facility primarily dedicated to housing computer systems and associated components generally including redundant or backup power supplies, redundant data communication connections, environmental controls, and security devices, including office areas for support staff and outdoor equipment necessary for the data center, including, but not limited to, generators, fuel tanks, and UPS modules.
  - b. *Electrical Substation* means a general use electrical substation owned and operated by a provider of electrical service that will provide power to the subject property and other properties.
  - c. *Switchyard (Tract 1)* means an enclosed area of a power system that operates only at a single voltage level and contains the switchgear that is used as collector and distribution station for the neighboring electrical substation.
  - d. *Tract 1* means the approximately 30.46-acre property shown on the Concept Plan that is planned for development as a data center.
  - e. *Tract 2* means the approximately 2.90-acre property shown on the Concept Plan that is planned for development as a substation.
4. Minor Modifications: The City Manager, or designee, shall have the authority to approve a request for minor modifications to development plans approved or required for this planned development district. 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 complies with all development standards set forth herein; and (ii) except as otherwise provided in (i), a change which does not increase the building coverage, floor area ratio, 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.
5. Tract 1 (Data Center) Specific Regulations:
  - a. Screening. A security fence with a maximum height of eight-feet shall be permitted on Tract 1 at the location shown on the Concept Plan and in compliance with the Security Fence Detail. A taller security fence may be approved subject to Article XXI-C, Section 7 (Zoning Exhibit Amendments) of the Comprehensive Zoning Ordinance.
  - b. Approvals. Development plans shall be approved by City Staff if in substantial conformance with the Concept Plan, Building Elevations and Security Fence Detail.

- c. Building height. All heights shall be measured as the vertical distance of a building or portion thereof measured from the mean level of the ground surrounding the building.
- i. The maximum building height shall be 44 feet, measured to the highest point of the roof's surface, if a flat surface, and excluding the parapet, rooftop equipment, and rooftop screening.
  - ii. The maximum building parapet height shall be 50 feet.
  - iii. The maximum height of roof equipment and associated screening shall be measured at 75-feet.
  - iv. The second-floor height restriction shall be 22 feet.
- d. Parking. The minimum off-street parking requirement for the data center use shall be one parking space for every 3,000 square feet of floor area, or fraction thereof, except that areas within a data center that are used as general office space shall require a minimum of one off-street parking space for every 300 square feet of floor area or fraction thereof ("Minimum Standards"). However, a minimum amount of sixty (60) percent of the required parking shall be provided in order to obtain permits or certificates of occupancy. Furthermore, if it is determined by the Director of Development Services that insufficient parking has been provided, the property owner shall be required to comply with the Minimum Standards and bring the property into compliance with the Minimum Standards within 120 days after delivery of a written notice to the property owner. A determination of insufficient parking shall be made by the Director of Development Services upon determining vehicles are parked on non-paved surfaces within the property or the provided parking is fully occupied on a regular basis during the hours between 8:00 a.m. and 5:00 p.m. on weekdays.
- e. Phasing. Development of the data center use may occur in phases as each new building is needed to provide additional storage capacity. Buildings may be constructed in any order.
- f. Screening. The switchyard shall be screened by a concrete or architectural concrete block screening wall that is a minimum of 10 feet 4 inches in height. Said wall shall have been depicted on the landscape plan during the development plan review process. The wall shall be landscaped as follows:
- i. At least one canopy tree shall be planted for every 20 linear feet or fraction thereof of screening wall. Canopy trees shall meet the following criteria: (a) have a minimum spread of crown of 25 feet at maturity; (b) be a minimum of four inches in caliper as measured six inches above the ground and 12 feet in height at the time of planting; and (c) be single trunk. Canopy trees shall be deciduous or evergreen. These trees are in addition to all other required landscaping on a lot.

- ii. At least one ornamental tree shall be planted for every 12 linear feet or fraction thereof of screening wall. Ornamental trees shall meet the following criteria: (a) have a minimum crown spread of 10 feet at maturity; and (b) be a minimum of two inches in caliper as measured six inches above the ground and eight feet in height at the time of planting. Ornamental trees shall be multi trunk or single trunk, and deciduous or evergreen. These trees are in addition to all other required landscaping on a lot.
- iii. At least one one-gallon ground cover shall be planted for every linear foot of screening wall. The groundcover shall be an evergreen species, or an ornamental grass measuring less than three feet tall at maturity and is in addition to all other required landscaping on a lot.

6. Tract 2 (Electrical Substation) Regulations:

- a. Platting: Tract 2 shall be re-platted as a separate platted lot prior to development of Tract 2.
- b. Screening. The substation shall be screened by a concrete or architectural concrete block screening wall that is a minimum of 10 feet 4 inches in height. Said wall shall be depicted on the landscape plan during the development plan review process. The wall shall be landscaped as follows:
  - i. At least one canopy tree shall be planted for every 20 linear feet or fraction thereof of screening wall. Canopy trees shall meet the following criteria: (a) have a minimum spread of crown of 25 feet at maturity; (b) be a minimum of four inches in caliper as measured six inches above the ground and 12 feet in height at the time of planting; and (c) be single trunk. Canopy trees shall be deciduous or evergreen. These trees are in addition to all other required landscaping on a lot.
  - ii. At least one ornamental tree shall be planted for every 12 linear feet or fraction thereof of screening wall. Ornamental trees shall meet the following criteria: (a) have a minimum crown spread of 10 feet at maturity; and (b) be a minimum of two inches in caliper as measured six inches above the ground and eight feet in height at the time of planting. Ornamental trees shall be multi trunk or single trunk, and deciduous or evergreen. These trees are in addition to all other required landscaping on a lot.
  - iii. At least one one-gallon ground cover shall be planted for every linear foot of screening wall. The groundcover shall be an evergreen species, or an ornamental grass measuring less than three feet tall at maturity, and is in addition to all other required landscaping on a lot.

**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 special conditions.

**SECTION 4.** 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.

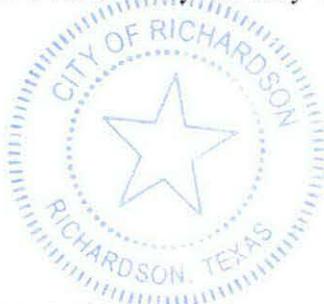
**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided 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 30<sup>th</sup> day of April, 2018.



**APPROVED:**

  
MAYOR

**APPROVED AS TO FORM:**

  
CITY ATTORNEY  
(PGS:4-20-18:TM 98465)

**CORRECTLY ENROLLED:**

  
CITY SECRETARY

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**ZF 18-03**

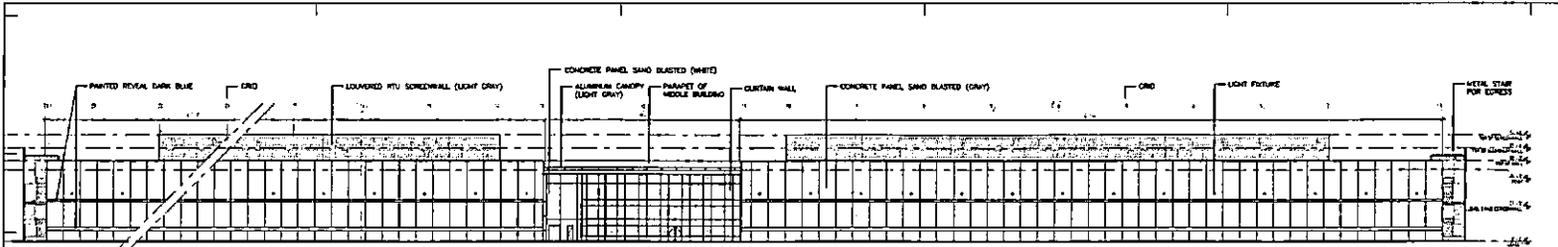
BEING all of Lot 2, Block 1, Stoneway Addition, an addition to the City of Richardson, Texas, according to the plat recorded in Volume 85202, Page 187, Map Records, Dallas County, Texas.



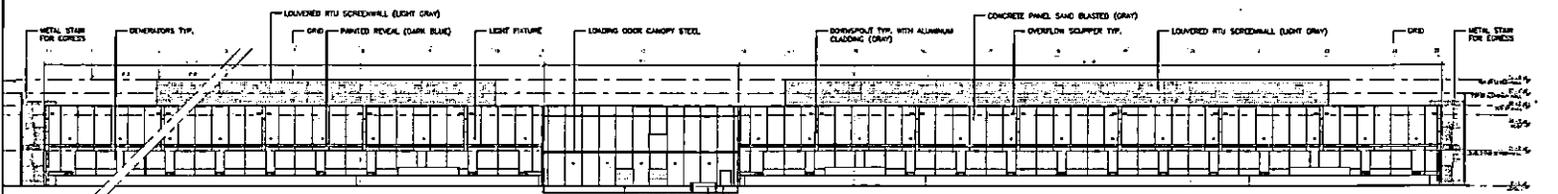


EXHIBIT "C-2"

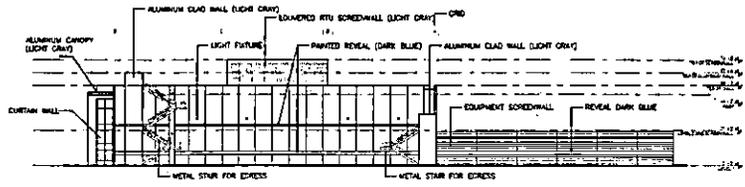
**dcm**  
 domerwetch  
 carlson  
 metzner design, inc.  
 4211 Norwood St., San Diego, CA 92138



1 BUILDING 3+4 - VIEW FROM BRECKINRIDGE BLVD  
 DATE: 11-20

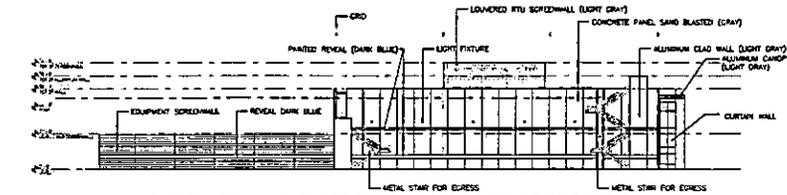


2 BUILDING 3+4 - VIEW FROM SERVICE LANE  
 DATE: 11-20



3 BUILDING 3+4 - VIEW FROM SHILOH ROAD  
 DATE: 11-20

- LIST OF MATERIALS:
- CONCRETE PANEL SAND BLASTED (GRAY)
  - METAL STAIRS (LIGHT GRAY)
  - CLEAR ANODIZED ALUMINUM PANELS (LIGHT GRAY)
  - PAINTED REVEALS (DARK BLUE)
  - DOWNSPOUT WITH ALUMINUM CLADDING (GRAY)
  - STEEL CANOPY LOADING DOOR (LIGHT GRAY)
  - CURTAIN WALL (ENTRANCE)
  - EXTERIOR LIGHT FIXTURES
  - EQUIPMENT SCREEDWALL (GRAY) WITH REVEAL (DARK BLUE)
  - LOOSENED SCREEDWALL (LIGHT GRAY)



4 BUILDING 3+4 - VIEW FROM THE EAST SIDE OF PROPERTY  
 DATE: 11-20

PROJECT STAR CROSS REF. 11.20.20

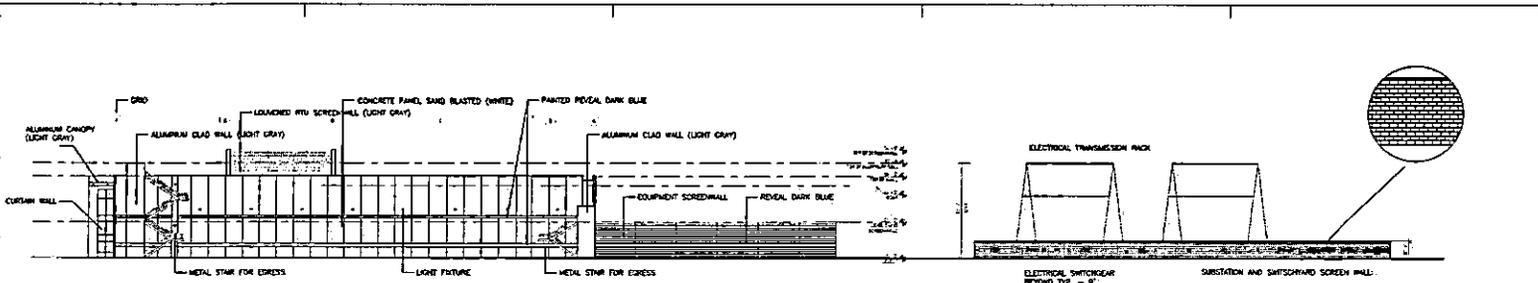
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EDGE CORE  
 DATA CENTERS  
 PROJECT STAR  
 REDWOOD, TEXAS  
 PROJECT NUMBER: 11-0201

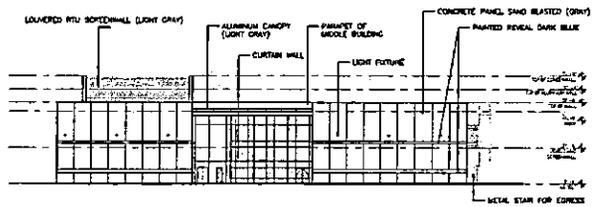
EXTERIOR ELEVATIONS  
**EXHIBIT C2**

EXHIBIT "C-3"

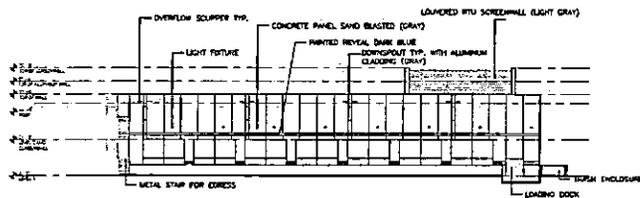
**dcm**  
 dotterwelch  
 carlson  
 mehner design, inc.  
 4111 Rainbow Bl. Los Angeles, CA 90024



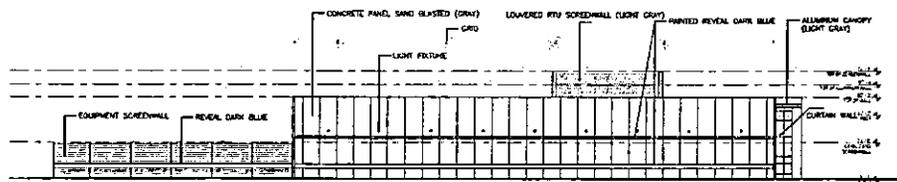
**1 BUILDING 5 - VIEW FROM SHILO ROAD**  
 DATE: 11-10-07



**2 BUILDING 5 - VIEW FROM BECKENRIDGE BLVD.**  
 DATE: 11-10-07

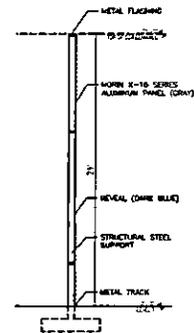


**3 BUILDING 5 - VIEW FROM STREET INSIDE PROPERTY**  
 DATE: 11-10-07



**4 BUILDING 5 - VIEW FROM STREET INSIDE PROPERTY**  
 DATE: 11-10-07

- LIST OF MATERIALS**
- CONCRETE PANEL SAND BLASTED (GRAY)
  - METAL STRIPS (LIGHT GRAY)
  - CLEAR ANODIZED ALUMINUM PANELS (LIGHT GRAY)
  - PAINTED REVEALS (WHITE AND DARK BLUE)
  - DOWNSPOUT WITH ALUMINUM CLADDING (GRAY)
  - STEEL CANOPY LOADING DOCK (LIGHT GRAY)
  - CURTAIN WALL (STRUTS)
  - EXTERIOR LIGHT FIXTURES
  - EQUIPMENT SCREENWALL (GRAY) WITH REVEAL (DARK BLUE)
  - LOWERED SCREENWALL (LIGHT GRAY)



**5 EQUIPMENT SCREEN WALL DETAIL**  
 DATE: 11-10-07

PROJECT STAR DATA CENTER  
 PROJECT NUMBER: 11-0001  
 PROJECT STAR  
 BIRMINGHAM, TEXAS  
 EXTERIOR ELEVATIONS  
**EXHIBIT C3**

**EXHIBIT "D"**

Ameristar Impasse II - 8'-0"

Security Fence Detail

