

DATE: October 16, 2012
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of October 15, 2012

**AGENDA ITEM NO. 5 - PUBLIC HEARING
ZONING CASE 2012-26
APPLICANT: STANLEY E. & PAT M. BLACK**

Request to amend Heritage Resource Designation #4 (Carpenter House) on 0.5± acre located at the northwest corner of M Avenue and 16th Street to allow assembly hall as an additional permitted use. Zoned Multifamily Residence-1 with Heritage Resource Designation #4. Tabled September 4, 2012 and October 1, 2012.

APPROVED: 6-1 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 3 **OPPOSE:** 10

LETTERS RECEIVED OUTSIDE 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 8

PETITION(S) RECEIVED: N/A **# OF SIGNATURES:** N/A

STIPULATIONS:

Recommended for approval subject to:

1. Allow assembly hall use as defined in Section 1.600 (Definitions) of the Zoning Ordinance, as an additional permitted use with the following restrictions:
 - a. The maximum occupancy for the property (including indoor and outdoor) shall collectively be 45 people (inclusive of staff and guests);
 - b. No outdoor or indoor activity shall occur after 10:00 p.m.; and
 - c. No amplified music allowed on the property.

FOR CITY COUNCIL MEETING OF: November 12, 2012 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

BSM/dc

xc: Stanley E. & Pat M. Black
Robert Miklos

MEMO

October 31, 2012

TO: Mr. Bruce D. Glasscock, City Manager
Mr. Frank F. Turner, Deputy City Manager

FROM: Mr. Bhavesh Mittal, Heritage Preservation Officer

RE: Zoning Case 2012-26

Staff received ten letters of opposition to Zoning Case 2012-26 from adjacent property owners. Because the property owners' opposition constitutes more than 20% of the land area within the 200-foot zoning notice area, Chapter 211 of the Local Government Code requires that a three-quarter majority vote (6 out of 8 Council members), rather than a simple majority vote, will be necessary for City Council to approve Zoning Case 2012-26.

Tina Firgens, Planning Manager and Phyllis Jarrell, Director of Planning, will be present at the City Council meeting to address any questions regarding this item.

CITY OF PLANO
PLANNING & ZONING COMMISSION

October 15, 2012

Agenda Item No. 5

Public Hearing: Zoning Case 2012-26

Applicant: Stanley E. & Pat M. Black

DESCRIPTION:

Request to amend Heritage Resource Designation #4 (Carpenter House) on 0.5± acre located at the northwest corner of M Avenue and 16th Street to allow assembly hall as an additional permitted use. Zoned Multifamily Residence-1 with Heritage Resource Designation #4. Tabled September 4, 2012 and October 1, 2012.

REMARKS:

This item was tabled at the Planning & Zoning Commission meeting on October 1, 2012, and needs to be removed from the table for consideration.

The subject property is located at the northwest corner of M Avenue and 16th Street and is the site of the Carpenter House. The structure was constructed circa 1898, and designated as a heritage resource in 1982. During 1992, the heritage resource designation was amended to allow bed and breakfast as an additional permitted use with restrictions. Bed and breakfast is a prohibited use in the property's base zoning, Multifamily Residence-1 (MF-1).

Heritage Resource Designation:

The heritage resource designation process allows owners of heritage resource properties to request additional permitted uses for their property that are otherwise prohibited by the property's base zoning. The City's Heritage Preservation Ordinance and Zoning Ordinance allow the Heritage Commission to recommend additional uses and standards for a heritage property in order to better protect the resource. Upon a favorable recommendation from the Heritage Commission, a zoning case is initiated for a property for consideration by the Planning & Zoning Commission and City Council. Therefore, the heritage resource designation is considered a zoning action and any additional uses granted for a property stays with the property regardless of the property's ownership.

Request:

The applicant is requesting to amend the subject property's heritage resource designation with proposed stipulations discussed below to allow weddings, receptions, events, meeting facilities, and social gatherings as additional permitted uses. These types of uses are classified by the Zoning Ordinance as "Assembly Hall" which is defined as "A building or portion of a building in which facilities are provided for civic, education, political, religious, or social purposes." This use is not permitted within the property's base zoning, MF-1. The intent of the MF-1 district is to provide for condominiums and apartments at a density of 12 residential units per acre in a park-like setting with extensive areas of usable open space and landscaping. MF-1 districts should be located along or near major thoroughfares and should not have principal access to standard residential streets. In addition to multifamily residences, additional permitted uses include schools, long term care facilities, and religious facilities.

Per the applicant, even though the property is marketed as a bed and breakfast use, they use this property as a residence and for hosting assembly hall events. The property has been used for many years as an assembly hall use. While this use is not permitted within the MF-1 zoning district, the city has not enforced the noncompliant use of the property due to no complaints being received from neighboring property owners. However, during June 2012, the city received complaints related to the use of the property and pursued enforcement; hence the reason for this heritage resource designation amendment request.

Surrounding Land Uses

Adjacent surrounding land uses and zoning districts include: to the south across 16th Street, single-family residences zoned Urban Residential (UR) with a Heritage Resource Designation #23 (Schell House); to the west and north, multifamily residences zoned MF-1; and single family residences to the east that are zoned Single-Family Residence-7.

PLANNING & ZONING COMMISSION ACTION:

At its September 4, 2012 meeting, the Commission voted to table the request and provided the applicant and staff with the following directions:

- Determine if there are any other parking solutions associated with the assembly hall use for this property.
- Staff to research what other cities are doing to handle similar situations with unique historic properties.
- Staff to evaluate if there is another appropriate use classification other than "assembly hall" that is more narrow in scope, since the assembly hall use definition allows for a broad range of activities.

Applicant's Proposed Stipulations

In response to the direction received from the Commission regarding concerns related to parking and the range of activities allowed under the assembly hall use, the applicant is requesting the Commission to consider their request with the following stipulations:

1. The maximum occupancy for the property (including indoor and outdoor) shall collectively be 60 people (inclusive of staff and guests); and
2. Prohibit outdoor activity and music after 10:00 p.m.

Staff's analysis regarding the above stipulations is addressed below in this report (refer to "Parking" and "Land Use" sections).

Historic Resource Properties in Other Cities

Per the Commission's request, staff contacted the City of McKinney, Granbury, Fort Worth, and Dallas to inquire how these cities were handling similar assembly hall use requests for unique historic properties. In all of these four cities, historic homes continue to host weddings, events, and other assembly hall uses even though they are not allowed to do so under their bed and breakfast classification, and because these cities have not received any complaints yet they have not enforced the noncompliant use.

Use Classification

Staff has researched and evaluated other appropriate use classifications within the Zoning Ordinance and did not identify any alternative uses that encompass the various types of events held at the Carpenter House. Hence, staff continues to recommend using the "assembly hall" use as defined in the Zoning Ordinance.

ISSUES:

Parking

Consideration should be given to the potential impacts of parking associated with the requested use. The site is not of sufficient size to accommodate the parking needed for various assembly events hosted at the property given the potential occupancy of the building. The Zoning Ordinance does allow for offsite parking within 300 feet of a subject property. There is a nearby parking lot associated with Plano Municipal Center within 300 feet of the subject property. The Municipal Center parking lot is available for businesses within the downtown area including the Carpenter House; therefore, required parking needs could be met at this parking lot.

The applicant is proposing to limit the maximum occupancy of the property to 60 people thereby reducing the required parking needed for the use (20 spaces). While staff typically does not recommend establishing maximum occupancy requirements with zoning requests, the proposed maximum occupancy limitation can be placed on the property's Certificate of Occupancy similar to occupancy restrictions issued today for other buildings throughout the city.

Additionally the applicant is proposing the following self-enforced operational items to help minimize parking issues with the requested use:

1. Provide off duty police security for any event with more than 35 guests. This is to ensure all parking regulations and property concerns are enforced during the event.
2. For events with more than 35 guests, provide a shuttle service for parking at the Municipal Center parking lot.

While the applicant may self-impose any operational conditions on themselves, staff does not support the stipulations regarding the off duty police security and shuttle service requirements being included with the proposed designation amendment as it is difficult to enforce. If the property owner (or a future owner) intends to be sensitive to the surrounding residential neighborhood, they should take the means necessary to ensure their patrons are parking in the correct location, whether that is in the designated on-street parking areas in front of the Carpenter House (along M Avenue), on their own property, or on the city's public parking lots. The proposed maximum occupancy limitation also assists with lowering the amount of required parking needed for the use (20 spaces).

Land Use

The subject property is surrounded by residential uses. Therefore, consideration should be given to the appropriateness of the requested land use within its residential setting. In addition to parking, there are other potential impacts associated with the requested use, such as noise, that may affect the surrounding residents. If this use is allowed to continue, the property owner shall be responsible for complying with the city's noise ordinance. Additionally the applicant is proposing to limit any outdoor activity and music to 10:00 p.m., which is similar to other city ordinance requirements that address equipment noise. While staff typically does not recommend operational stipulations being included with zoning requests, it may be appropriate to limit any outdoor activity and music to no later than 10:00 p.m. to further protect nearby residential uses should the Commission and Council be interested in allowing the requested use.

Other Items

Should the Commission and Council determine that the requested use is appropriate for the property, the property owner shall have to obtain the following:

1. Site plan approval:

The applicant will need to submit a site plan development application to the Planning Department for review/approval. The proposed parking and any other site modifications will need to be addressed on the site plan. Additionally, any site modifications are also subject to review/approval by the Heritage Commission prior to approval of the site plan and issuance of a Certificate of Occupancy.

2. Certificate of Occupancy (CO):

Past research has shown no certificates of occupancy issued for the assembly hall uses. The last CO activity for this property dates back to 2000 when the owner made an application for a CO but it was never issued. There were several items identified that needed to be addressed and the application was placed on hold pending resolution of the various items.

STAFF RECOMMENDATION TO THE HERITAGE COMMISSION:

Staff recommended denial of the proposed request due to the requested assembly hall use being incompatible with surrounding residential land uses.

HERITAGE COMMISSION ACTION:

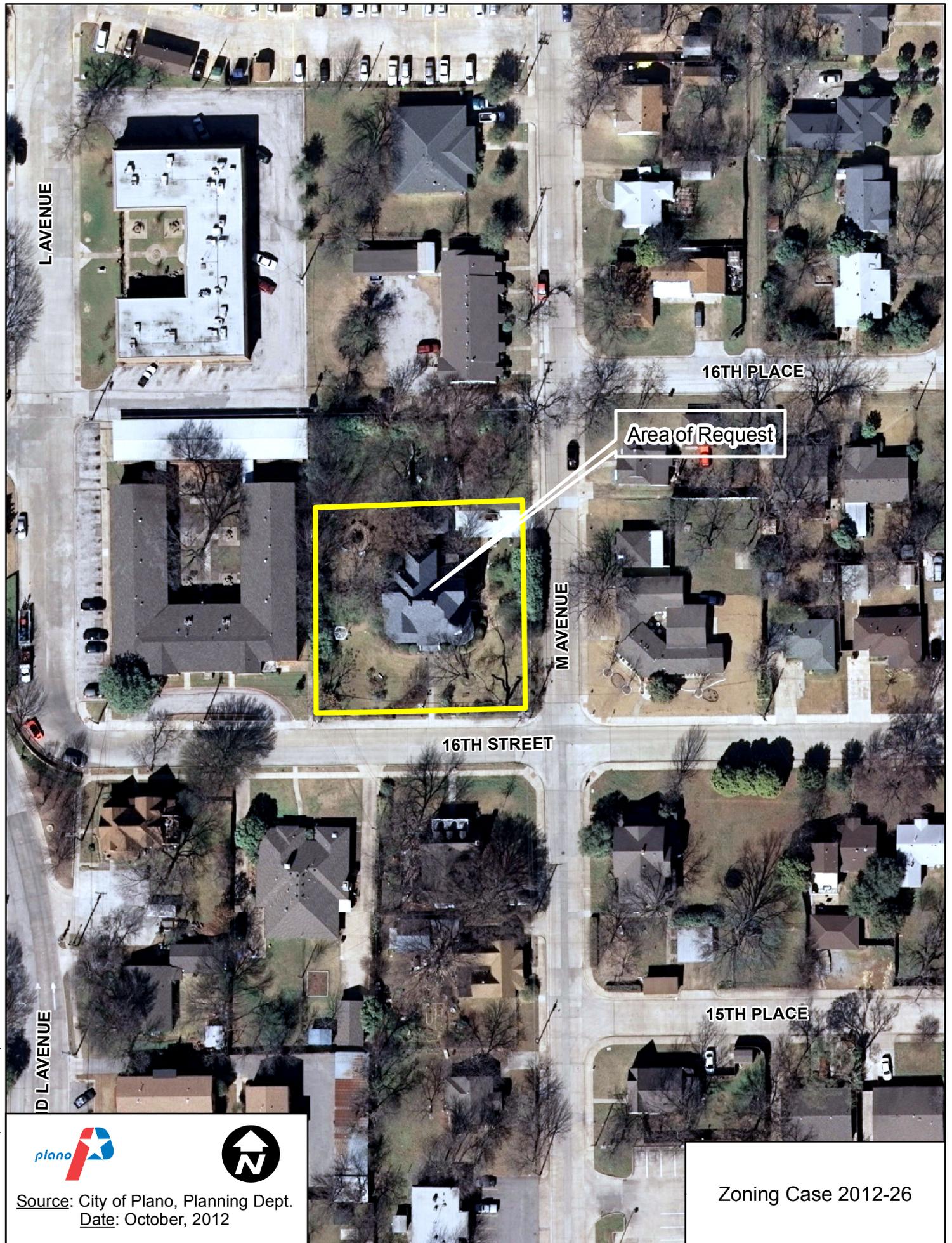
At its July 24, 2012 meeting, the Heritage Commission approved the heritage resource designation amendment request to allow assembly hall as an additional permitted use stating that the assembly hall use is appropriate for this heritage resource property and allows for continued preservation of the resource. Additionally, the Commission believed that since the property has been used as assembly hall uses for many years that it should be allowed to continue. The Commission acknowledged that the owner of the property needs to resolve parking and noise issues associated with the use of the property as an assembly hall.

RECOMMENDATION:

The Heritage Commission recommends approval of the proposed heritage resource designation amendment to allow assembly hall as an additional permitted use for the subject property.

Should the Planning & Zoning Commission and City Council believe the requested assembly hall use is appropriate for the subject property, the following stipulations are recommended:

1. Allow assembly hall use as defined in Section 1.600 (Definitions) of the Zoning Ordinance, as an additional permitted use with the following restrictions:
 - a. The maximum occupancy for the property (including indoor and outdoor) shall collectively be 60 people (inclusive of staff and guests); and
 - b. No outdoor activity and music shall occur after 10:00 p.m.



L AVENUE

16TH PLACE

Area of Request

M AVENUE

16TH STREET

D L AVENUE

15TH PLACE



Source: City of Plano, Planning Dept.
Date: October, 2012

Zoning Case 2012-26

The Carpenter House Zoning Petition

The Black Family's History with The Carpenter House

My interest in purchasing a bed and breakfast stemmed from my years as a sales representative in the textbook business. My territory was, at various times, West Texas, East Texas, and New Mexico. During school years when there were no textbook adoptions in my territory, I was sent to work Oklahoma, Arkansas, Alabama, Florida and California schools. During my 15 years selling textbooks, I stayed in many bed and breakfast establishments in the various states, and quickly learned that B & B's provided a wonderful alternative to the hotels used by my competitors to lure teachers to after-school sales presentations of textbooks. The common thread that bound all of these B & B establishments was that their owners were delighted to get the extra income from renting their establishments for a textbook presentation to area teachers. They also had the added benefit of showcasing their properties to residents who might never have had the opportunity to take a look inside these historic homes. And above all, every B & B hosted events to make ends meet.

On Friday, June 2, 2000, using a combination of a severance package and a sales bonus from my previous employer, my IRA, funds contributed from our family income and a small piece of seller financing, my husband Stan and I purchased the wedding and event business and bed and breakfast known as The Carpenter House. Yvonne Cross sold us the property and her eight-year-old business after I had worked with her since February of 2000, learning the wedding and event business from the ground up. At that time, she was not offering bed and breakfast services, as in her own words, "It just wasn't my favorite thing" (personal interview, June 29, 2012). During the months that we were waiting to close on the sale of The Carpenter House, I actually took a course from the president of the Canton, Texas Bed and Breakfast Association in which he advised the class to plan for alternatives to financing the upkeep of an historical property because the income produced from bed and breakfast wouldn't even scratch the surface of maintenance costs. Weddings, receptions and parties were his top three recommendations. As those alternatives were already a major part of The Carpenter House business plan, I was not concerned (see photocopy 7D, Dallas Morning News article from the fall of 1999, and photocopy 7E, Coldwell Banker Realtor's listing of The Carpenter House from 1999-2000). After purchasing the business and providing bed and breakfast for a handful of guests in 2000 and 2001, I had to agree with Yvonne's assessment and have not done bed and breakfast since 2002. I have left the bed and breakfast information posted on my website (see www.thecarpenterhouse.com) however, as brides looking for a quaint, historical setting for their weddings often search on the internet for "bed and breakfast", so the information helps drive the search engines to my website. Even with the information posted there, I get very few inquiries for bed and breakfast stays. I receive an average of six inquiries a year, so without the wedding and event business, there would be no possible way to keep The Carpenter House painted, landscaped, repaired and maintained in good condition. Also, upon closing the sale of The Carpenter House in 2000, we fully expected to retain the 100% tax abatement that had been represented to us a part of the sales package, but were informed by the Heritage Commission shortly thereafter that our tax abatement would be cut in half due to the fact that we were a commercial enterprise. We were also forced to pay commercial water and sewer rates and were barred from using the city dump without paying a fee because we were a commercial operation. And yet, we

are to assume from the current proceedings that the City of Plano was unaware of our business.

In addition to the wedding and event business, The Carpenter House has given back to the community by hosting fund raisers for non-profit organizations such as the Leukemia and Lymphoma Society and the Collin County Children's Advocacy Center and women's shelter. We have opened our doors for tours to people like Chris Coats from the Dallas Morning News (see photocopy 7F), who put together the Haunted Downtown Plano Tour to raise money for scholarships for Collin County students. We also participated in the American Association of University Women's annual Holiday Tour of Homes, which raises money for scholarships for deserving young women (see "Plano Profile" magazine, pages 32-33, and "Tea in Texas" magazine, page 17). We opened the door to The Carpenter House for the Blackland Prairie Festival with Heritage Preservation Officer Marcus Watson. Dressed in our own costumes, Stan and I gave tours, answered questions and provided free refreshments to all of the people on the tour (see photos 7A, 7B, 7C and 7D). In order to raise money for a local charity, nationally renowned medium Kathleen Tucci did readings for clients who attended a gallery at The Carpenter House. In 2008, we hosted the choir awards banquet for Centennial High School in Frisco. Film, photography and art students from Plano, Collin College and the University of North Texas have been welcomed with open arms, and none of these people were charged fees to use the house and grounds. The Carpenter House also served as one of the set locations for seven-year-old singing sensation Rhema Marvanne's "Amazing Grace" music video at no charge (see <http://www.youtube.com/watch?v=DDDlxmciqY>). At last count, this video had received over 6,243,800 viewings!

The Carpenter House has operated openly for twenty years, less than a block from City Hall and displaying a sign in the front yard advertising "Weddings", "Receptions" and "Special Events" (see photo 7E). In 2007, Plano Television Network filmed a Lone Star Emmy nominated video about The Carpenter House and what we do there, which is still in the City of Plano website archives at <http://planotx.swagit.com/player.php?refid=08242007-8>. Collin County Justice of the Peace John Payton, among others, has performed numerous wedding ceremonies at The Carpenter House, as we constantly get calls from couples who prefer an elegant setting to the JP office for their weddings. We have actually hosted weddings, receptions and anniversary celebrations for employees of the City of Plano. I recognize that the current situation between The Carpenter House and the City of Plano is a direct result of an inquiry from another property owner wanting to get zoning for his historical home to offer weddings and bed and breakfast services; however, there is a significant difference between a business that has been in operation for twenty years and should, at the very least, be grandfathered, and a residence looking to request a zoning change 20 years after the fact. My husband and I bought a fully operating, eight-year-old wedding and event business in 2000 (see actual wedding brochure from 1999 featuring Yvonne Cross's daughter-in-law Kelly's bridal photo). We have operated for twelve years under the agreements in effect between Yvonne Cross and the City of Plano, the Heritage Commission and the Planning and Zoning Commission. During that time, we have received absolutely no notice of any new ordinances which might suggest changes in the status of those prior agreements.

In 1998, Yvonne Cross indicated that she had hosted 71 weddings at The Carpenter House (see photocopy 7G). Over the twelve years that we have owned The Carpenter House, we have hosted fewer weddings, initially due to the fact that there was more competition, but also because there were just fewer weddings taking place due to a shift in social mores. Due to the ongoing recession, the number and especially the size of the weddings we have hosted at The Carpenter House have been reduced. The majority of our weddings and events such as showers, parties and rehearsal dinners are for less than 50 people. In the last three years, we have hosted events at the following rate:

1. In 2010, we hosted 22 weddings, 17 with receptions, 5 showers, 1 rehearsal dinner, 1 anniversary party, 1 high school graduation tea and 1 Christmas party.
2. In 2011, we hosted 28 weddings, 15 with receptions, and 3 showers
3. To date in 2102, we have hosted 11 weddings, 7 with receptions. We were forced to cancel one wedding with reception scheduled for September 2, 2012 and return the bride's deposit due to the "cease and desist" letter from the City of Plano Property Standards Department. I was fortunately able to contact the bride the week prior to her printing her wedding invitations.

Although I have posted package prices on my website for outdoor weddings in the spring and fall for up to 150 people, I do not intentionally book events for over 100 people. Those upper level packages are for brides whose guest lists spiral out of control, and they end up inviting more guests than they originally intended. In addition to posting "No Parking" signs on both 16th and M Streets (see photos 7F, 7G, 7H and 7I), we own a golf cart that we position at the front gate of The Carpenter House for events for over 50 people. Along with the posted signs, our guests are advised verbally to park in the Municipal Parking lot one block west of the house, and those who need assistance are shuttled to the house and back on our golf cart, complete with a brief one-minute welcome and history of The Carpenter House, courtesy of our costumed driver. Our guests love it, and we are able to keep any parking issues to a minimum.

In deference to our neighbors, I do not book any events at The Carpenter House that will go beyond our 10:30 cut-off time. All outdoor music must be turned off at 10:00 pm, and I can count on the fingers of one hand the number of times that we have had a complaint in the 12 years that we have owned the business. We have a decibel meter and use it to enforce noise levels for any outdoor music. As The Carpenter House caters to smaller, intimate gatherings, and we have a huge lot with strategically planted shrubs, hedges and trees screening the property, along with carefully constructed fences, we really have very few issues with noise (see photos 7J, 7K, 7L, 7M, 7N, 7O, 7P, and 7Q). And yet, many of our neighbors feel free to wander into our gardens and sit on the benches by the fountain, watching the birds and enjoying the tranquility that is The Carpenter House. I've even had residents of the apartments next door ask if it was OK for them to work in the flower beds, as they missed that part of their lives as homeowners!

Finally, The Carpenter House continues to draw business to the downtown area in East Plano. Taylor Rental serves all of our chair, table and linen rental needs, as well as renting us equipment we

need to maintain the house and grounds. I refer my brides to Michael Hamilton, the outstanding florist at La Foofaraw on 15th Street. Dallas Digital Events on Avenue K provided the coffee table book from one of our weddings last October (see book provided with Attachment 7: Supplementary Materials), and we recommend their photography and video services, as well. Our brides continue to use the restaurants in the area such as Kelly's Eastside, Jorg's Café Vienna, Vickery Park, Urban Crust, etc. for their after-parties and rehearsal dinners. They love the shops downtown when they are searching for special gifts for their wedding parties and shower hostesses. It is a wonderful working relationship that we pride ourselves on fostering, as we understand the challenges of being a small business owner.

One of the most difficult hurdles I have faced since receiving the call on June 11, 2012 from Roderick Palmer in the Property Standards Department of the City of Plano, telling me that my business "should have been shut down twenty years ago", is that I have no alternative to recommend to brides, friends planning showers, grooms planning rehearsal dinners and families planning parties. The Carpenter House is unique. It is quaint and elegant, yet affordable and complete with fireflies-- a venue suitable for celebrating a wide range of special events in the lives of people. Please do take the time to look through the coffee table book put together by Chris Vouras of Dallas Digital Events on Avenue K, as these photos have truly captured the essence of The Carpenter House. I can only hope that the Heritage Committee will understand the importance of The Carpenter House to the citizens of Plano and the surrounding area, and vote to allow us to continue to provide a twenty-year tradition of event venue services to our clients.

~Pat M. Black

The Carpenter House Zoning Petition

History of the Property as an Event Venue

The following information is from notes taken during a telephone conversation on June 29, 2012 with Yvonne Cross, the previous owner of The Carpenter House, who leased the house in 1992 to start her event and bed and breakfast business there. During the term of her lease, she added two bathrooms upstairs and the black wrought iron fence around the front of the property, spending approximately \$50,000 to get the property ready to host events. She subsequently purchased the house from Randy Edwards in 1993 after her wedding and bed and breakfast business proved successful.

Yvonne approached Randy Edwards after seeing his sales ad in the newspaper for a Victorian home. She was looking to find another location to host weddings, as she had just had a deal that she had made to purchase the Rockwall Wedding Cottage fall through when the owner backed out at the last minute. In June of 1992, Randy Edwards wrote a letter (see photocopy 7A) to Frank Turner, Director of Planning for the City of Plano, requesting a meeting to discuss Yvonne's proposal for a bed and breakfast and wedding venue at The Carpenter House. By October of 1992, Karl Stundins, the Senior Planner for the City of Plano had outlined the actions required for her to proceed (see photocopy 7B), which included a parking plan and application for a Certificate of Appropriateness. Yvonne told me that the city planning department advised her that she must keep parking off of the street, and that they encouraged her to have event guests use the Municipal parking lot one block west of The Carpenter House. She stated that she had signs made to that effect, and they worked quite well.

Yvonne has very fond memories of the red-carpet treatment she received from the City of Plano. Plano had no bed and breakfast at the time, so the zoning was created for The Carpenter House. The lady who was the president of the downtown merchants' organization (Yvonne could not remember her name) was her ally, as she could see the advantage of bringing people into East Plano's downtown area for events scheduled at the house. Yvonne said that she sensed that the anticipation of having guests of The Carpenter House shopping in the downtown area was a very important factor in the City Council's consideration of Yvonne's proposal. Yvonne was adamant that she went to every meeting with every group, including the Historic Landmark Committee, the Planning and Zoning Commission and the Plano City Council, and put all of her cards on the table. She had done the research, and she made it clear that in order for her to be able to keep up an historical property, some source of revenue, in addition to bed and breakfast guests, would have to be in place. In countless B & B's across the United States, that additional source of income was and continues to be hosting events for the public. Yvonne assured me that everyone, every step of the way, was aware of her intentions. That statement is borne out by the inclusion in The Heritage Commission file on The Carpenter House of a copy of Yvonne's very first brochure (see photocopy 7C).

Yvonne stated that she was welcomed with quite a bit of fanfare. She was listed in a brochure put out by the Plano Centre, and a television crew did a piece on her business at The Carpenter House. A lady named Liza who worked in the Plano Parks and Recreation Department (she could not remember her last name), brought groups around and gave tours of the house. Liza also set up to hold cooking classes

at The Carpenter House. Yvonne mentioned that her favorite class was on how to make delicious biscuits from scratch. The Plano Chamber of Commerce not only hosted a ribbon cutting to open The Carpenter House, but also held a big open house with wedding cake and tea punch provided as refreshments. The chamber continued to have meetings at the house on occasion. As word spread about the new business in town, Yvonne was invited by descendants of Plano pioneers to literally come and look through their garages, attics, etc. for items that she could use to display bits and pieces of Plano's rich history. Senior citizens brought her pictures and shared wonderful stories with her about the history of the house. The people of Plano were thrilled that this beautiful old home was open to the public, and there was a steady stream of requests for tours.

The exposure that The Carpenter House brought to the City of Plano was tremendous. A few notable events were:

1. A national Chevrolet commercial was filmed at the house, complete with a thick carpet of fake fall leaves spread on the front lawn as set dressing.
2. Realtors filmed a commercial that featured a young couple who were ecstatic new homeowners waltzing across the front porch.
3. J.C. Penney did catalog shoots and hosted business meetings at the house.
4. Ann Richards hosted a kick-off for her campaign in the area for Governor of the State of Texas. Her plane got fogged in in Austin, but the party and speeches went on without her.
5. The Democratic Women hosted a re-enactment celebrating women's getting the right to vote, complete with costumes, placard-carrying protestors and rousing speeches from the front porch.
6. The Dallas Morning News ran a full-page story about the business, featuring a color photo of Yvonne sitting on the front porch of The Carpenter House with her black cat, Thomas, cradled in her lap.
7. A church group of ladies from Arlington returned year after year for their "Christmas dinner" celebration at The Carpenter House.
8. The CEO of Ericsson held 3-day business meetings in the house with his top executives on several occasions as they made plans to meet the growing demand for their mobile telephones.
9. For several years, Lyrick Studios, producers of "Barney and Friends" (The Purple Dinosaur), came from their offices for week-long retreats, first with the New York business group, and then with the California production group.
10. Guests arrived from all over the United States, Europe, Asia, South America and Australia to attend weddings at The Carpenter House.

The key point here is that since The Carpenter House was opened as a business in 1992, it has functioned successfully as both a bed and breakfast and an event venue with the full knowledge and cooperation of the City of Plano. It has drawn people from all over the world and been an outstanding ambassador of good will for the City of Plano. Several times during our hour-plus conversation, Yvonne

expressed her shock, hurt and dismay that what she and the City of Plano had worked so hard to put together twenty years ago, had been cavalierly tossed out by a new generation as if it had no value.

Cross, Yvonne. Personal interview. 29 June 2012

Zoning Case 2012-26

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended; amending Heritage Resource Designation No. H-4 to allow the additional use of Assembly Hall, 0.5± acre located at the northwest corner of M Avenue and 16th Street and being more particularly described as Lot 2-B, Block 6, Clint Foreman Heirs Addition, an addition to the City of Plano, Collin County, Texas, presently zoned Multifamily Residence-1 with Heritage Resource Designation H-4; directing a change accordingly in the official Zoning Map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 12th day of November, 2012, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the Heritage Commission considered this item on the 24th day of July, 2012, and recommended approval; and

WHEREAS, the Planning & Zoning Commission considered this item on the 15th day of October, 2012, and recommended approval; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 12th day of November, 2012; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended, amending Heritage Resource Designation No. H-4 to allow the additional use of Assembly Hall, 0.5± acre located at the northwest corner of M Avenue and 16th Street and being more particularly described as Lot 2-B, Block 6, Clint Foreman Heirs Addition, an addition to the City of Plano, Collin County, Texas, presently zoned Multifamily Residence-1 with Heritage Resource Designation H-4; said property more fully described on the legal description in Exhibit "A" attached hereto.

Section II. The zoning granted in Section I above is granted subject to the following stipulations related to the use of the property as an Assembly Hall use:

1. The maximum occupancy for the property (including indoor and outdoor) shall collectively be 45 people (inclusive of staff and guests);
2. No outdoor or indoor activity shall occur after 10:00 p.m.; and
3. No amplified music allowed on the property.

Section III. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section IV. The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense."

Section VI. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 12TH DAY OF NOVEMBER, 2012.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Zoning Case 2012-26

Tract B:

Part of Lot 2, Block 6, of Clint Foreman Heirs Addition, an Addition to the City of Plano, Collin County, Texas, according to the Plat thereof recorded in Volume 41, Page 640, of the Map Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at 1/2-inch iron rod found at the intersection of the west line of Avenue M (a 40-foot right-of-way) and the north line of East 16th Street (a 40-foot right-of-way);

THENCE North, 89° 37' 00" West, along said north line, a distance of 152.00 feet to a cut "X" found at the southeast corner of a tract of land conveyed to Crystal Land Ltd. recorded in Volume 1190, Page 807, Deed Records, Collin County, Texas;

THENCE North, 00° 20' 53" East, along the east line of said Crystal Land Ltd. tract of land, a distance of 151.00 feet to a cut "X" found at the southwest corner of a tract of land conveyed to L.O. Brewer, recorded in Volume 771, Page 693, Deed Records, Collin County, Texas;

THENCE North, 89° 49' 46" East, along the south line of said L.O. Brewer tract of land, a distance of 152.10 feet to a 1/2-inch iron rod set in said west line of Avenue M;

THENCE South, 00° 23' 00" West, along said west line of Avenue M, a distance of 152.47 feet to the PLACE OF BEGINNING.

