

**PLANO CITY COUNCIL
REGULAR SESSION
March 23, 2015**

COUNCIL MEMBERS PRESENT

Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
André Davidson
Patrick Gallagher
David Downs

COUNCIL MEMBERS ABSENT

Harry LaRosiliere, Mayor
Jim Duggan

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor Pro Tem Smith convened the Council into the Regular Session on Monday, March 23, 2015, at 7:02 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Executive Pastor Jack Warren from Chase Oaks Church led the invocation and Junior Girl Scout Troop 3482 from Davis Elementary led the Pledge of Allegiance and Texas Pledge.

Mayor Pro Tem Smith presented Certificates of Appreciation to Bank of America and Grace Center for their assistance with the Love Where You Live program and recognized the Plano Chamber of Commerce for receiving 5-Star Accreditation from the U.S. Chamber of Commerce. Mayor Pro Tem Smith administered an oath of office to incoming board member Roy Wilshire (Tax Increment Financing Reinvestment Zone No. 2 Board).

COMMENTS OF PUBLIC INTEREST

Nadeem Noorali spoke regarding filing a police complaint and police procedures. City Manager Glasscock stated under Texas State Law, the City of Plano is a “Civil Service City” and any complaint regarding the Police Department or a police officer must be submitted to the Police Chief to start the process.

CONSENT AGENDA

Upon a motion made by Council Member Downs and seconded by Council Member Miner, the Council voted 6-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

RFP No. 2015-106-C for a nine (9) month contract for Stop Loss Insurance to be utilized by Human Resources to United Health Group Incorporated in a total estimated amount of \$1,464,982; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "A")

Bid No. 2015-111-B for the purchase of replacement chillers at the Municipal Center to Kahn Air Conditioning & Heating, a Texas Corporation dba Kahn Mechanical Contractors, in the amount of \$382,650; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Bid No. 2015-57-C for a one (1) year contract with three (3) City optional one (1) year renewals for Athletic Field Mowing and Landscape Maintenance for the Parks Department to Dyna-Mist Construction Company in the estimated amount of \$78,000 at Russell Creek and WCD Enterprises, LLC in the estimated amount of \$37,474 at Carpenter Park; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

Bid No. 2015-52-C for a contract with the initial term to end on August 28, 2015 with three (3) City optional one (1) year renewals for Outdoor Litter Removal and Restroom Maintenance Group A for the Parks Department to Lawn Star Landscape, in the estimated amount of \$60,000 for the initial term and \$100,000 for subsequent renewal terms; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "D")

Bid No. 2015-28-C for a one (1) year contract with three (3) one (1) year City optional renewals for purchase of Urban Forest Management services for the Parks Department from Shawnee Mission Tree Service dba Arbor Masters Tree Service, Good Earth Corporation, Preservation...A Tree Service, Inc. dba Preservation Tree Services, Inc, Rios Tree Service Inc., The Paysage Group dba Smith Lawn and Tree, and Somerset Landscape LLC in the estimated annual amount of \$349,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "E")

Purchase from an Existing Contract

To approve the purchase of new furniture for the Oak Point Park Nature & Retreat Center from Facilitech dba Business Interiors, in the amount of \$47,556, Texas Furniture Source, Inc., in the amount of \$144,703, Wilson Office Interiors, LLC, in the amount of \$9,755, and Mity-Lite, Inc., in the amount of \$35,821, for a total amount of \$237,835, through an existing contract/agreement with TXMAS (Texas Multiple Award Schedule) and authorizing the City Manager to execute all necessary documents. (TXMAS 9-711020, 6-71111060, 3-7-11030, 3-7-1111020, 15-7101, 6-7110170, and 2-711090) (Consent Agenda Item "F")

To approve the purchase of twenty-eight (28) Stalker II Moving Radars from Applied Concepts, Inc. and twenty-eight (28) LTI 20-20 Ultralyte LR B Lasers from Laser Technology, Inc. for the Police Department in the total amount of \$135,520 through an existing HGAC contract and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. EF04-13) (Consent Agenda Item “G”)

Approval of Contract Modification

To approve and authorize the First Amendment to the Private Network and Internet Access contract for the purchase of an additional premise node at the Oak Point Park Nature and Retreat Center in the estimated annual amount of \$57,057 from Verizon Business Network Services, Inc. This Amendment will provide voice and data services to this new facility. (Consent Agenda Item “H”)

Approval of Change Order

To Austin Filter Systems, Inc. increasing the contract by \$91,040, Oak Hollow & Brandon Court Project No. 6167, Change Order No. 2. Original Bid No. 2013-358-B. (Consent Agenda Item “I”)

Approval of Expenditure

To approve the purchase and installation of ATMS.now Central Management Software and Support for Engineering, in the amount of \$163,800 from Trafficware Group, Inc.; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

Adoption of Resolutions

Resolution No. 2015-3-11(R): To approve the terms of a Real Estate Contract by and between Agnes M. Butler, an individual, and the City of Plano for the purchase of approximately 2.821 acres of land located at 3421 E. Parker Road, Plano, Collin County, Texas, as an addition to Oak Point Park and Nature Preserve; and authorizing the City Manager to execute such contract and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2015-3-12(R): To authorize the filing of application for federal funds in an amount not to exceed \$79,008 under the Edward Byrne Memorial Justice Assistance Grant (JAG) State Formula Program through the Office of the Governor of Texas, Criminal Justice Division; designating Chief of Police Gregory W. Rushin as authorized representative of the City of Plano for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. (Consent Agenda Item “L”)

Adoption of Ordinances

Ordinance No. 2015-3-13: To amend Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 12-101, Subsection “15th Street” of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of 15th Street, and amending Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 12-104, of the Code of Ordinances of the City of Plano, Texas to designate additional four-hour parking on the south side of 15th Street; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “M”)

END OF CONSENT

Ordinance No. 2015-3-14 to provide certain Heritage Resources located in the City of Plano, Texas, partial exemption from the current year Ad Valorem taxation in the amount of \$36,892; providing a severability clause and an effective date. (Regular Item “1”)

Heritage Preservation Officer Mittal spoke to the Heritage Commission’s recommendation for ad valorem tax exemptions. He discussed the classification system used applies to property improvements, not land value and that the properties are surveyed to ensure preservation and maintenance. Mr. Mittal stated 69 of 71 properties were recommended for approval and no appeals were submitted. He stated the City, Plano Independent School, and Collin College district participate in the exemption program.

Upon a motion made by Council Member Downs and seconded by Council Member Miner, the Council voted 6-0, to provide certain Heritage Resources located in the City of Plano, Texas, partial exemption from the current year Ad Valorem taxation in the amount of \$36,892; and further to adopt Ordinance No. 2015-3-14.

Public Hearing and adoption of Resolution No. 2015-3-15(R) to adopt the Consolidated Housing and Community Development Plan for 2015-2019 outlining the use of Community Development Block Grant funds and HOME Investment Partnership funds provided by the U.S. Department of Housing and Urban Development; authorizing its execution by the City Manager; and providing an effective date. (Regular Item “2”)

Community Services Manager Brown presented the five-year consolidated plan ending in 2020. She stated the plan creates the framework to determine programs for affordable housing and community development needs. Ms. Brown provided demographics on housing stock and cost burden and supply versus demand of affordable homes. She stated meetings were held to gather public input to prioritize projects and that increased affordable housing, special needs counseling and services, homeless prevention, homeless shelter, social service center, and job skills training were determined to be high priorities. Ms. Brown reported recommended goals and priorities for the plan include maintaining housing stock, increasing affordable housing, homelessness prevention, homeless shelter & providing services, and job training.

Council Member Downs asked for clarification of the program funding mechanism. Ms. Brown stated Federal grants fund the majority of the projects and City funded Buffington grants fund social service programs.

Public Hearing and adoption of Resolution No. 2015-3-15(R)(Cont'd.)

Mayor Pro Tem Smith opened the public hearing. No one appeared to speak. Mayor Pro Tem Smith closed the public hearing.

Upon a motion made by Council Member Downs and seconded by Deputy Mayor Pro Tem Harris, the Council voted 6-0, to adopt the Consolidated Housing and Community Development Plan for 2015-2019 outlining the use of Community Development Block Grant funds and HOME Investment Partnership funds provided by the U.S. Department of Housing and Urban Development; and further to adopt Resolution No. 2015-3-15(R).

Public Hearing and adoption of Ordinance No. 2015-3-16 as requested in Zoning Case 2014-44 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-65-Central Business-1 on 275.1± acres of land located at the northeast corner of the Dallas North Tollway and Tennyson Parkway, in the City of Plano, Collin County, Texas, currently zoned Planned Development-65-Central Business-1 with Specific Use Permit No. 265 for Day Care Center and Specific Use Permit No. 394 for Cemetery/Mausoleum; 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. Applicant: J. C. Penney Co., Inc. (Regular Item “3”)

Director of Planning Day spoke to the project amending Planned Development-65-Central Business-1 stating this property is part of Legacy West with the main focus on Tract D. She provided information regarding the surrounding zoning and a site plan of the proposed single-family detached housing development. Ms. Day stated Staff and the Planning and Zoning Commission recommend approval as follows:

(Proposed additions are indicated by underlined text; deletions are indicated by ~~striketrough~~ text.)

Restrictions:

General Conditions of the Planned Development District

1. The zoning exhibits shall be adopted as part of this ordinance.
2. The Planned Development shall be divided into four tracts:
 - a. Tract A, south of Legacy Dr., must be developed using the standards required by the planned development district.
 - b. Tract B, north of Legacy Dr., may be developed using either these requirements or the CB-1 regulations contained within the Zoning Ordinance. The initial development for Tract B will determine the standards to be used for the remainder of the property.
 - c. Tract C, west of the Dallas North Tollway, north of Legacy Dr., east of Communications Pkwy. and south of Headquarters Dr. must be developed using the standards required by the planned development district.

Public Hearing and adoption of Ordinance No. 2015-3-16(Cont'd.)

- d. Tract D, at the southwest corner of Headquarters Dr. and Communications Pkwy. must be developed using the standards required by the planned development district. Tract D may be developed in accordance with the uses permitted within the CB-1 zoning district, or as single-family residence attached.
3. Telecommunications Plan - A plan for providing telecommunications service within the district and wireless antenna sites serving the larger area shall be submitted within one year of the approval of this ordinance.
4. Street trees shall be provided at a rate of 1 4-inch caliper tree per 35 feet of street frontage per side. Exact spacing and location of street trees shall be determined at the time of site plan approval.
5. Lots must have frontage on a street. There is no required frontage distance for a lot although each lot must meet the design standards of the district.

Specific Provisions of the Planned Development

1. Building Design

- a. On the south side of Legacy Dr., buildings fronting on Bishop Rd. must be designed to accommodate ground floor retail uses from Legacy Dr. south to Martin Rd. On the north side of Legacy Dr., retail, office, and live/work space is allowed on the ground floor of all multifamily buildings but is not required. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. Ground floor is defined as that portion of a building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.
- b. Nonresidential buildings, except for parking garages, shall have a minimum of 40% of the ground floor facade comprised of window area. Facades facing the Dallas North Tollway frontage road and Legacy Dr. within 400 feet from the Dallas North Tollway frontage road are exempt from this requirement and shall have a minimum of 30% of the ground floor facade comprised of window area. No glass having an exterior visible reflectance of more than 30% shall be permitted as an exterior building material.
- c. Canopies, balconies, stoops, bay windows, awnings, and other building projections may encroach up to five feet into the public right-of-way.
- d. Buildings shall be constructed with 75% of each facade within six feet of the right-of-way for streets and mews, unless restricted by easements. Where easements are present, 75% of each facade must be built to the easement line. Exceptions to these setback requirements are:
- i. Within Tracts A and B, buildings with facades along the Dallas North Tollway frontage road shall have a 300-foot maximum setback.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

- ii. Within Tracts A and B, buildings with facades along Legacy Dr., within 400 feet from the Dallas North Tollway frontage road, shall have a 300-foot maximum setback.
 - iii. Within Tracts A and B, all developments having building facades along Legacy Dr., except for item ii. above, shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Legacy Dr. A public or private mews street may also be installed between Legacy Dr. and the buildings. In this case, 75% of the building facade shall be within 6 feet of the mews street right-of-way. The initial development along the south side of Legacy Dr., except within the area defined in item ii. above, shall determine which development standard is to be used.
 - iv. Within Tract C, buildings shall be constructed with 75% of each façade within 30 feet of the back of curb of the quasi-public street or within 100 feet of the back of curb of Headquarters Dr., Communications Pkwy., Legacy Dr. or the Dallas North Tollway.
 - v. Within Tract C, off-street surface parking is prohibited between the quasipublic street and the building facade.
 - vi. Within Tract C, if a public open space, patio dining, plaza, or other public amenity is provided between the building face and the street, then the amenity may be used to meet the maximum building setback. Surface parking lots cannot be used to meet the maximum building setback.
- e. Within Tracts A and B, building facades fronting Headquarters Dr. or Tennyson Pkwy. shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Headquarters Dr. or Tennyson Pkwy. If a mews street is used, the building facade shall have 75% of its face with 6 feet of the mews street right-of-way line.
- f. Within Tracts A and B, building facades fronting Parkwood Blvd. shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Parkwood Blvd. A public or private mews street may also be installed between the buildings and the right-of-way of Parkwood Blvd. If a mews street is used, the building facade shall have 75% of its face within six feet of the mews street right-of-way line. The minimum setback shall be six feet from the right-of-way of Parkwood Blvd.
- g. No building facade shall exceed a length of 400 feet without a break in the facade of a minimum depth of 5 feet for a minimum length of 10 feet.
- h. Tract C shall contain a quasi-public street connecting Legacy Dr. to Headquarters Blvd.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

i. Quasi-Public Street Definition: Quasi-public streets are privately owned and maintained drives open to public access. A quasi-public street easement shall be dedicated for all quasi-public streets, and a fire lane shall be located within all quasi-public street easements. On-street parking and sidewalks provided along quasi-public streets shall be located within the quasi-public street easement. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.

ii. On-street parking is permitted along the quasi-public street provided it is parallel or angled. Ninety-degree, head-in parking, is prohibited along the quasi-public street.

iii. Buildings fronting the quasi-public street shall be designed to accommodate ground floor retail and office uses. Live/work space is permitted on the ground floor of all multifamily buildings. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. Ground floor is defined as that portion of building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.

iv. Public or private mews streets may be installed between the buildings, perpendicular to the quasi-public street and all other public streets. If a mews street is used, the building façade shall have 75% of its face within 7 feet of the mews street right-of-way line.

i. Refer to Design Guidelines after PD-65-CB-1 for additional stipulations.

2. Residential Development Standards

a. Standards relating to all residential development

i. Within Tracts A and B, no minimum open space shall be required per residential dwelling unit. However, 2 park or courtyard areas must be provided within the planned development district, one on each side of Legacy Dr. The park areas shall total 5 acres in size. These areas may be publicly or privately owned. Parks, courtyards, and streetscape areas shall be shown at the time of concept plan or site plan approval on the concept plan or site plan.

ii. No off-street loading docks shall be required for buildings containing residential uses. Off-street loading docks for nonresidential uses may not be located adjacent to or across a street or alley from buildings containing residential uses unless the loading dock is screened in accordance with the following:

- Solid metal gates
- Masonry screening walls (in accordance with Section 3.1000)
- Overhead doors
- Any combination of the above

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

b. Standards relating to multifamily residence development

- i. Multifamily development shall be exempt from the supplemental regulations of Subsection 3.104.
- ii. The minimum residential density for multifamily development shall be 40 dwelling units per acre. Mid-rise residential is excluded from this requirement.
- iii. Within Tract C, the maximum number of multifamily dwelling units shall be 800.
- iv. Within Tract C, the first floor of residential buildings shall not solely consist of structured parking.

c. Standards relating to single-family residence attached development

- i. Each dwelling unit shall be on an individually-platted lot. Lots shall front on a public street, private mews street, or slip road. Mews streets used for private lot frontage shall be named streets and shall not be gated.
- ii. Within Tract D, Garages for single-family residence attached uses shall not front on Headquarters Dr. or Communications Pkwy.
- iii. Minimum Lot Area: 700 square feet.
- iv. Maximum Density: 40 dwelling units per acre
- v. Minimum Lot Width: 20 feet
- vi. Minimum Lot Depth: 35 feet
- vii. Front yard setbacks shall apply as follows:
 - Minimum Setback from Mews Street or Slip Road: 12 feet from back of street curb to building
 - Maximum Setback from Mews Street or Slip Road: 18 feet from back of street curb to building
 - Minimum Setback from Public Street or Slip Road: 15 feet from back of street curb to building
 - Maximum Setback from Public Street or Slip Road: 21 feet from back of street curb to building
 - Minimum of 75% of the front facade of the building shall fall within the minimum and maximum setback
- viii. Minimum Side Yard
 - Interior Side Yard: None
 - Exterior Side Yard (Corner Lot): Shall be treated the same as front yards

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

ix. Minimum Rear Yard: None

x. Maximum Height: 3 story (50 feet)

xi. Minimum Floor Area per Dwelling Unit: 800 square feet

xii. Maximum Lot Coverage: 100%

xiii. Street trees shall be placed in planting beds or tree grates within 6 feet of the back of the street curb.

xiv. Sidewalks with a minimum unobstructed width of 6 feet shall be placed along street frontage within Tracts A and B. Sidewalks with a minimum unobstructed width of 7 feet shall be placed along street frontage within Tracts C and D. Sidewalks are in addition to and placed adjacent to street tree areas.

xv. Stoops and landscaped areas adjacent to the building may extend a maximum distance of six feet into the area between the front facade of the building and the back of the street curb.

xvi. Maximum Building Length: 200 feet

xvii. Buildings must be separated by a minimum distance of 10 feet.

xviii. Maximum Number of Units per Building: 10

xix. Rear entry drives are required. The distance from the garage to the travel lane of the alley shall be 10 or less feet in length or shall be 20 feet or greater in length. The distance from the garage to the mews street shall be in accordance with the attached mews street section.

d. Standards relating to single-family residence detached development shall be in accordance with the following:

i. Minimum Lot Area: 875 square feet

ii. Minimum Lot Width: 25 feet

iii. Front Yard Setbacks:

- Minimum Setback from a Public Street, Mews Street, Slip Road, or Access and Utility Easement: None, except the distance from any garage to the right-of-way or easement line shall be 3 feet or less, or 20 feet or greater in length.
- Maximum Setbacks:

1. From Communications Parkway and Headquarters Dr.: 20 feet. A maximum of 30% of the units may exceed this setback if those units average a setback of 30 feet.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

2. From all other Public Streets, Mews Streets, Slip Roads, or Access and Utility Easements: 20 feet from back of street curb or easement line to building.

iv. Minimum Side Yard Setback: None.

v. Maximum Height: 3 story; 50 feet. Outdoor living areas, patios, and/or decks are allowed on second and third stories of buildings as long as they are within the 50-foot maximum building height.

vi. Buildings must be separated by a minimum distance of 3 feet. A minimum 3-foot wide maintenance easement shall be placed between lots to allow for property owner maintenance. The easement may be split between lots as long as the minimum 3-foot distance is provided.

vii. An easement for the benefit of each lot is hereby reserved over, across, and upon each lot adjoining to such lot for roof overhangs not exceeding 2 feet in width and brick ledges which support exterior veneer walls and associated brick and veneers not exceeding six inches in width.

viii. Lots may take access from a Public Street, Mews Street, Slip Road, or Access and Utility Easement. Units may front on an access and utility easement. The minimum frontage required along a public street for each lot deriving frontage from an access and utility easement is 2 feet. The access and utility easement shall be a minimum of 24 foot wide, paved and maintained by the homeowners' association.

ix. Garages for single-family residence detached uses shall not front on Headquarters Dr. or Communications Pkwy.

x. Parking Requirements: 2.25 spaces per dwelling unit. Two off-street parking spaces shall be provided within attached garages, adjacent to each unit or within 100 feet of each unit if established with site plan approval. One-fourth visitor parking space shall be provided within 600 feet of each unit. The visitor parking requirement may be eliminated or reduced at the time of site plan or subdivision plat approval with a finding that there is adequate on-street parking for visitors.

xi. Any single-family residence detached subdivision developed under these standards shall provide usable open space which equals or exceeds 10% of the gross platted area, excluding rights-of-way for major thoroughfares Type E or larger or easements for drainage or floodways.

xii. A minimum 6-foot masonry screening wall, ornamental metal fence, irrigated living screen, or combination of the three will be provided along the site's western property boundary adjacent to Legacy West, Block E, Lot 2. If a living screen is installed, it shall be at least a 6-foot tall solid screen within two years of installation.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

xiii. The minimum spacing between adjacent streets on a roadway shall be 110 feet between the near curb of any adjacent street when either of the streets is a Type E or larger street.

3. Street, Sidewalk, and Streetscape Regulations

- a. Streets, private streets and drives, streetscape and visibility triangles shall be in accordance with the attached street and drive sections and intersection diagrams.
- b. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted. These areas shall not be included in parking calculations.
- c. Within Tracts C and D, trees, landscaping, outdoor dining areas, bicycle racks and street furniture may be placed within a sidewalk but may not reduce the 7 feet unobstructed width.

4. Parking Regulations

- a. On-street parking within 300 feet of a proposed use may be counted toward satisfying the parking requirement for such use. Assignment of on-street parking shall be at the time of approval of the site plan.

The required parking within the district shall be as follows:

- Multifamily - One space per bedroom (including efficiencies). Spaces for multifamily uses may be provided in a joint use parking structure and need not be within 100 feet of the units served.
 - Single-Family Attached - Each dwelling unit shall have a rear entry drive within a minimum of 2 parking spaces per garage. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.
 - Live/Work Space - 1 space per 800 square feet of area on the ground floor
 - Retail - 1 space per 500 square feet of floor area
 - Office - 1 space per 300 square feet of floor area
 - Hotel - 1 space per guest room and 1 space per 160 square feet of meeting area
 - All Other Nonresidential Uses - 1 space per 250 square feet of floor area
- b. Within Tract C, a maximum of 100 off-street parking spaces are permitted within a surface parking area within each lot. These areas shall contain a five-foot landscaped edge between the parking area and the street. Within this landscape edge, ten shrubs (five gallon minimum) shall be planted per 500 square feet.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

c. The initial developments in the district will provide parking as required above. Required parking may be shared among the following uses: multifamily, residential, office, retail, restaurant, health club, hotel, and theater, based on time-of-day parking demands for such uses. A parking study detailing parking needs and shared parking arrangements must be submitted at the time of site plan review and approval.

d. When a building is under single ownership, a maximum of 50% of the spaces provided in a parking structure may utilize small car parking requirements.

e. Structured parking shall be designed to minimize the ground level view of automobiles below their hood lines. Parking structure facades shall have strong horizontal architectural elements. Pedestrian entrances to parking garages shall be directly accessed by a sidewalk or mews or through an internal building vestibule.

5. Prohibited/Additional Allowed Uses

a. The following uses shall be prohibited:

- electrical substation
- railroad team track
- freight terminal or dock
- service yard for governmental agency
- shops, office, or storage area for public/private utility
- water treatment plant
- automobile parts sales (inside)
- automobile repair garage
- automobile storage
- car wash
- motorcycle sales/service
- tire dealer (no open storage)
- contract construction
- general commercial plant
- transfer storage and baggage terminal

b. The following additional uses shall be permitted:

- artisan's workshop
- bed & breakfast
- single-family residence attached

c. Within Tract C, the following additional uses shall be permitted:

- Multifamily and mid-rise residential

d. Within Tract D, the following additional uses shall be permitted:

- Single-family residence attached
- Single-family residence detached

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

6. Signage Regulations

In addition to signs permitted by Section 3.1600 of the Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible:

Freestanding Identification Signs - Freestanding identification signs may be installed at the following locations and shall comply with the Dallas North Tollway Overlay District signage requirements:

- The intersections of Type D and larger thoroughfares.
- The intersection of Bishop Rd. and Type D and larger thoroughfares.

Freestanding identification signs are exempt from the requirement that they be located at least 30 feet from a private property line.

Directional Signs

a. General

- A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, the retail, apartments, hotel, or parking areas.
- A directional sign may be a freestanding sign, a wall sign, a projecting sign, or mounted to a vertical support.
- These signs shall not contain advertising and shall be specifically directional in nature.

b. Sign Size - A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is 3 feet wide. The bottom of the sign shall not fall below 7 feet from the ground surface.

Banners – General

- Banners may be mounted to a vertical support or attached to a building or parking deck and may cross the street.
- Banners, which are mounted to a vertical support, may be integrated onto street and pedestrian light poles.
- Banners may display artwork or a message that pertains to the district or a special event.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

Portals – General

- A portal is an entry feature, which may be freestanding, span across an area, or attached to a building or structure.
- Portals may be located at the following locations:
 1. The intersections of Bishop Rd. and Type D and larger thoroughfares.
 2. The intersection of Henry Cook Blvd. and Parkwood Blvd.
- Portals which span across the public right-of-way may be erected subject to city approval.

Directory Map

a. General

- A directory map is a noncommercial map listing the occupants within a shopping center, retail district, office district, or commercial site.
- A directory map may be freestanding, mounted to a wall, mounted to a vertical support, incorporated into a kiosk, or anchored within the public right-of-way.
- A directory map is used to provide way finding information for pedestrians.

b. Sign Size

- A directory map, mounted to a vertical support, shall not exceed 40 square feet.

Architectural Roof Signs

a. General

- An architectural roof sign is a sign on top of a roof structure which may extend above the highest point of a roofline.
- Architectural roof signs are prohibited on building facades facing the Dallas North Tollway, Headquarters Dr., Parkwood Blvd., Tennyson Pkwy., and Legacy Dr.

b. Sign Size

- Architectural roof signs shall not exceed an overall height of 9 feet and shall not exceed a maximum square footage of 150 square feet.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

Sloping Roof Signs

a. General

- A sloping roof sign sits at the base of a sloping roof structure/awning element and does not extend above the roofline of the structure or element.
- Sloping roof signs are limited to the retail portions of Legacy Town Center and Tract C.

b. Sign Size

- Sloping roof sign height shall not exceed 1/3 of the height of the sloping roof seen in true elevation. (See attached zoning exhibit for sloping roof sign detail.)

A-frame Signs

a. General

- An a-frame sign is a self-supporting A-shaped sign with 2 visible sides that is located on or adjacent to a sidewalk.
- The sign shall be sufficiently weighted or anchored.
- A-frame signs may be located within the public right-of-way.

b. Sign Size

- The maximum square footage is 8 square feet per sign face and the maximum sign height is 4 feet high.

Projecting Signs

a. General

- Projecting signs must keep a minimum clearance of 8 feet above the sidewalk.
- Projecting signs may be located within the public right-of-way.

b. Sign Size

- The horizontal portion of any projecting sign shall not be more than 6 feet 6 inches in length measured from the building face.
- The projecting sign shall not exceed 60 square feet.

Murals – General

- Murals are noncommercial pictures, not advertising a product or service, which is sold on the premises, painted on, or attached to the exterior walls. The subject matter of a mural is expressed by means easily understood by a general audience.
- Murals shall be reviewed and approved at the discretion of the Building Official for compliance with the definition of a mural and for appropriate size and placement.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

Kiosks

a. General

- Freestanding kiosk structures may be anchored within the public right-of-way or erected on individual lots. If anchored in the public right-of-way, kiosks are limited to 15 feet in height, and all accessibility and visibility requirements must be met for public sidewalks and streets. A maximum of 4 freestanding kiosks may be installed in the public right-of-way, 2 in the portion of the planned development district south of Legacy Dr., and 2 in the portion north of Legacy Dr.
- Kiosks in the public right-of-way may display directory maps, artwork, or messages that pertain to the district or special events, but shall not be used for commercial advertising signs. Kiosks located on private property may display commercial advertising signs.

b. Sign Size

- Signage on all kiosks shall not exceed 40 square feet in the public right-of-way. Signage on kiosks located on private property may not exceed 60 square feet. For multiple-sided kiosks, the gross surface area of each side shall not exceed 2 times the allowable square footage divided by the number of sign faces.

Multipurpose Wall Signs

a. General

- A multipurpose wall sign is any sign mounted on the wall of a building which is used to identify shopping centers, retail districts, office districts, or commercial sites and may include a listing of occupants within the development being identified. The multipurpose wall sign may also be an electronic changeable wall sign as defined herein.
- Multipurpose wall signs are exempt from Subsections 3.1603 (1)(b) and (2)(f) of Section 3.1600.
- An electronic changeable wall sign is a type of multipurpose wall sign that displays static images that change message or copy by programmable electronic processes. Electronic changeable wall signs shall be allowed to change copy every 8 seconds.

c. Size and Location

- Multipurpose wall signs shall not be limited in height or width except that they shall be limited to 300 square feet in size.
- Multipurpose wall signs within Tract C shall be limited to 450 square feet in size.
- A maximum of 2 multipurpose signs shall be mounted to parking garages located adjacent to the Dallas North Tollway within Tract C.

Public Hearing and adoption of Ordinance No. 2015-3-16 (Cont'd.)

- A maximum of 2 multipurpose wall signs shall be mounted to the parking garage located at the southeast corner of the Dallas North Tollway frontage road and Legacy Dr. only. The signs shall be mounted on the north, west, or south facades, and only 1 sign shall be permitted on each facade.
- Multipurpose wall signs may only be used to advertise tenants, owners and uses and any of their products or services within PD- 65-CB-1.

Refer to Design Guidelines after PD-65-CB-1 for additional stipulations.

Trey Braswell, with Kimley-Horn and Associates representing the applicant, thanked the Council for its consideration. Mayor Pro Tem Smith opened the public hearing. No one appeared to speak. Mayor Pro Tem Smith closed the public hearing.

Upon a motion made by Council Member Miner and seconded by Deputy Mayor Pro Tem Harris, the Council voted 6-0, to amend Planned Development-65-Central Business-1 on 275.1± acres of land located at the northeast corner of the Dallas North Tollway and Tennyson Parkway, in the City of Plano, Collin County, Texas, currently zoned Planned Development-65-Central Business-1 with Specific Use Permit No. 265 for Day Care Center and Specific Use Permit No. 394 for Cemetery/Mausoleum, as requested in Zoning Case No. 2014-44; and further to adopt Ordinance No. 2015-3-16.

Public Hearing and adoption of Ordinance No. 2015-3-17 as requested in Zoning Case 2015-02 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 658 so as to allow the additional use of Single-Family Residence Attached on 5.4± acres of land located on the east side of Coit Road, 350± feet north of McDermott Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-434-Retail; 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. Applicant: Sonoma Housing Advisors, LLC (Regular Item “4”)

Director of Planning Day spoke to the request, noting the uses of the adjacent properties and stated the request is to allow the use and determine stipulations. She provided information on the proposed site and a concept plan. She stated Staff and the Planning and Zoning Commission recommend approval with the following stipulations:

1. Residences must be at least 80 feet from the property line of Silver Fern Addition, Block 1, Lot 3.
2. A six-foot wrought-iron fence with irrigated living screen which will grow to form a six-foot tall solid screen within two years of installation is required adjacent to the property line of Silver Fern Addition, Block 1, Lot 3.

Public Hearing and adoption of Ordinance No. 2015-3-17(Cont'd.)

3. A six-foot masonry wall or wrought-iron fence with irrigated living screen which will grow to form a six-foot tall solid screen within two years of installation is required along the rear property line of all residential lots adjacent to Fowler Middle School, Block A, Lot 1.

Brad Williams, representing the applicant, stated the project consists of 40 living units, discussed features of the units and the smaller project serves a single family need in the City. Bill Fisher, Sonoma Housing Advisor representing the applicant, spoke to the project and the \$250,000 construction cost per unit.

Mayor Pro Tem Smith opened the public hearing. No one appeared to speak. Mayor Pro Tem Smith closed the public hearing.

Upon a motion made by Council Member Downs and seconded by Council Member Gallagher, the Council voted 5-1, with Deputy Mayor Pro Tem Harris voting in opposition, to grant Specific Use Permit No. 658 so as to allow the additional use of Single-Family Residence Attached on 5.4± acres of land located on the east side of Coit Road, 350± feet north of McDermott Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-434-Retail, as requested in Zoning Case No. 2015-02; and further to adopt Ordinance No. 2015-3-17.

Public Hearing and adoption of Resolution No. 2015-3-18(R) to support an application for a nine percent (9%) housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed affordable residential development project, located on the east side of Coit Road, 350± feet north of McDermott Road; and designating the City Manager to certify this resolution to TDHCA; and declaring an effective date. (Regular Item "5")

Community Services Manager Brown stated this is a companion item to the previous agenda item and approval of the resolution of support will help the City meet its goal in the Housing and Community Development plan. Jean Brown, Executive Director of the Plano Housing Corporation, the applicant, spoke to the request of support and the activities of the Plano Housing Corporation.

Mayor Pro Tem Smith opened the public hearing. Robert Litwins spoke in favor of the request for support. Mayor Pro Tem Smith closed the public hearing.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Miner, the Council voted 6-0, to support an application for a nine percent (9%) housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed affordable residential development project, located on the east side of Coit Road, 350± feet north of McDermott Road; and designating the City Manager to certify this resolution to TDHCA; and further to adopt Resolution No. 2015-3-18 (R).

Public Hearing and adoption of Resolution No. 2015-3-19(R) to support an application for a nine percent (9%) housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed affordable residential development project, located at Palomino Crossing, Block 1, Lot 4; and designating the City Manager to certify this resolution to TDHCA; and declaring an effective date. (Tabled at the February 23, 2015 Council meeting and removed for consideration by the City Council at the March 17, 2015 Council meeting.) (Regular Item “6”)

City Attorney Mims spoke to the project stating the request for reconsideration of the appeal of the zoning case will be brought back to the April 13th Council meeting and if approved the appeal will be reconsidered at the April 27th Council meeting. She advised typically the request for support is heard at the same meeting as the zoning case, however, due to deadlines for the application submittal, the request is being brought forth for consideration at this time. Community Services Manager Brown spoke to the request, providing an alternative language for a resolution of no objection. Kirk Williams, representing the applicant, spoke to the request for support and the deadline for submittal to the Texas Department of Housing and Community Affairs and this action does not change the zoning. Lisa Stephens, representing the applicant, spoke to the track record of the developer and programs and features of the housing project.

Mayor Pro Tem Smith opened the public hearing. Brian Kowalchuk, Bill Kula, Jennifer Guevin, and John Fuller spoke in opposition of the request. Susan Reukema, Ann Lott, Shamira Lawrence, Bernistine Williams, and Tiffany Woodson spoke in favor of the request. Mayor Pro Tem Smith closed the public hearing.

The applicants clarified the point systems for the applications. Council Member Downs stated not being in support of this request will eliminate the Council’s ability to use the option to reconsider the appeal. City Attorney Mims stated the process of the resolution is new and in the past a letter of support was not a discussion item. Deputy Mayor Pro Tem Harris stated the process should be approving the zoning and followed by the resolution of support. Council Member Davidson stated support of the request and Mayor Pro Tem Smith stated opposition.

Upon a motion made by Council Member Downs and seconded by Council Member Gallagher, the Council voted 4-2, with Mayor Pro Tem Smith and Deputy Mayor Pro Tem Harris voting in opposition, to support an application for a nine percent (9%) housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed affordable residential development project, located at Palomino Crossing, Block 1, Lot 4; and further to adopt Ordinance No. 2015-3-19(R).

Nothing further was discussed. Mayor Pro Tem Smith adjourned the meeting at 8:55 p.m.

Lissa Smith, Mayor Pro Tem

ATTEST

Lisa C. Henderson, City Secretary