

CITY COUNCIL

1520 AVENUE K



DATE: 4/22/2013

CALL TO ORDER: 7:00 p.m.

INVOCATION:

PLEDGE OF ALLEGIANCE: Cub Scout Pack 480
Haggar Elementary

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>OUR MISSION - THE CITY OF PLANO IS A REGIONAL AND NATIONAL LEADER, PROVIDING OUTSTANDING SERVICES AND FACILITIES THROUGH COOPERATIVE EFFORTS THAT ENGAGE OUR CITIZENS AND CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>PROCLAMATIONS & SPECIAL RECOGNITION</u></p> <p>SPECIAL RECOGNITION: Rex Burkhead has been named the 2012 Uplifting Athletes Rare Disease Champion.</p> <p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Self Sufficiency Committee</u></p> <p>Janet Denney</p> <p><u>COMMENTS OF PUBLIC INTEREST</u></p> <p><u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></p> <p><u>CONSENT AGENDA</u></p> <p><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><u>Approval of Minutes</u> April 8, 2013</p>	
	<p><u>Approval of Expenditures</u> Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p>	
(b)	RFP No. 2013-2-C for a one (1) year contract with four (4) City optional renewals for Credit Card Payment Processing Services for multiple departments to U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, in the estimated annual amount of \$617,664 and authorizing the City Manager to execute all necessary documents.	
(c)	Bid No. 2013-143-B for the purchase of LED light fixtures from Groves Electrical Service, Inc., in the amount of \$125,998, for Oak Point Recreational Center and authorizing the City Manager to execute all necessary documents.	
(d)	Rejection of Bid No. 2013-116-C for Temporary Labor Services Waste Collections from all Bidders.	
	<p>Purchase from an Existing Contract</p>	
(e)	To approve the purchase of emergency equipment for nine (9) police Tahoes in the total amount of \$50,163 from GT Distributors, Inc. through an existing contract with BuyBoard (No.363-10), Defender Supply, Lone Star Products and Equipment, LLC, and Big Country Supply through Tarrant County (No. 2012-128) and authorizing the City Manager to execute all necessary documents.	
(f)	To approve the purchase of material testing services for the Spring Creek Parkway Corridor project, in the amount of \$101,978 from GME Consulting Services, Inc. through an existing contract (No. 2012-339-D), authorizing the City Manager or his designee to execute all necessary documents.	
	<p>Approval of Contract Modification</p>	
(g)	To approve Modification No. 6 for the ratification of expenditures exceeding the approved amount by \$244,468 and approve additional funds in the amount \$500,000 for the purchase of water meters and installation services from HD Supply Waterworks Ltd to be utilized by Public Works, Customer & Utility Services, and Warehouse, and authorizing the City Manager to execute all necessary documents (2007-223-C).	
	<p>Approval of Change Order</p>	
(h)	To L C Jordan & Son, increasing the contract by \$77,505 for the Bridge Repair project, Change Order No. 1. Original Bid No. 2013-27-B.	
(i)	To Laughley Bridge and Construction, Inc., increasing the contract by \$143,803 for the 2011-12 Pavement Maintenance Phase I – Plano Parkway and Custer Road, Project No. 6170, Change Order No. 2, Bid No. 2012-47-B.	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Adoption of Resolutions</u></p>	
(j)	<p>To authorize the filing of an application for federal funds in an amount not to exceed \$80,000 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.</p>	
(k)	<p>To approve the purchase of thirty-six (36) month maintenance service, Windows 7 upgrade, and Liber8 software upgrade for the Plano Public Library System's Radio Frequency Identification devices from Bibliotheca, LLC, a sole source provider, for an estimated total \$178,166; authorizing its execution by the City Manager; and providing an effective date</p>	
(l)	<p>To approve the terms and conditions of a Local Transportation Project Advance Funding Agreement for a Congestion Mitigation and Air Quality (CMAQ) improvement project for the construction of a continuous bicycle and pedestrian trail from 12th Place to SH 190 President George Bush Turnpike; authorizing its execution by the City Manager; and providing an effective date.</p>	
(m)	<p>To approve the terms and conditions of a First Amendment to the Employment Agreement by and between Bruce D. Glasscock and the City of Plano for City Manager services; authorizing its execution by the Mayor; and providing an effective date.</p>	
(n)	<p>To approve the purchase of 2,048 sq. ft. of land for a Street Easement and 269 sq. ft. for a Temporary Construction Easement located at the northwest corner of the Independence Parkway and 15th Street intersection by and between M Muffin 2 LLC, a Delaware limited liability company, Samurai Solomon 2 LLC, a Delaware limited liability company, and Anthony Solomon 2 LLC, a Delaware limited liability company and the City of Plano; and authorizing the City Manager to execute any necessary documents; and providing an effective date.</p>	
(o)	<p>To authorize continued participation with the Atmos Cities Steering Committee; authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and providing an effective date.</p>	
(p)	<p>To repeal and replace Resolution No. 2001-7-15(R) regarding revised rates of fare for taxicabs and limousines operating within the City of Plano, Texas; and providing an effective date.</p>	
(q)	<p>To approve the terms and conditions of an agreement by and between the City of Plano, Texas, Columbus Realty Partners, Ltd., Encana Oil & Gas (USA) Inc. and Blue Horseshoe, Ltd for the purpose of providing for cost reimbursement for development and oversizing of the Legacy Town Center North Lift Station; and authorizing its execution by the City Manager or his authorized designee; and providing an effective date.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(r)	<p><u>Adoption of Ordinances</u></p> <p>To amend Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bishop Road, Brockman Court, Daniel Road, Elijah Drive, Libby Road, and Martin Road, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	
(s)	<p>To repeal and replace Ordinance No. 2013-3-10 correcting an error in the list of certain Heritage Resources located in the City of Plano, Texas approved for a partial exemption from the current year Ad Valorem Taxation in the amount of \$35,076 providing a severability clause and an effective date. Applicant: City of Plano</p> <p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></p> <p><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></p>	
(1)	<p>Consideration of ordinances to adopt an official brand and to adopt a new official logo and/or retain the current official logo of the City of Plano</p>	
(2)	<p>Public Hearing and consideration of an Ordinance as requested in Zoning Case 2013-07 to amend Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, amending Heritage Resource Designation No. 18 to allow paver stones as an additional paving material for the driveway and off-street parking, on 0.2± acre of land situated in the Sanford Beck Survey, Abstract No. 45, in the City of Plano, Collin County, Texas, located at the northwest corner of M Avenue and 15th Street, presently zoned General Office with Heritage Resource No. 18 Designation; directing a change accordingly in the official zoning map of the City; and providing a repealer clause, a savings clause, a penalty clause, a severability clause and an effective date. Applicant: City of Plano</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(3)	Public Hearing and consideration of an Ordinance as requested in Zoning Case 2013-05 to amend an Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 561 for the additional use of New Car Dealer on 1.4± acres of land located at the southeast corner of Dallas North Tollway and Plano Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-211-Light Commercial; 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: 5930 West Plano Parkway LTD	
(4)	Public Hearing and consideration of an Ordinance as requested in Zoning Case 2013-02 to amend an Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 63.0± acres of land located on the west side of Coit Road, 950± feet north of Mapleshade Lane in the City of Plano, Collin County, Texas, from Corridor Commercial and Light Industrial-1 to Urban Mixed-Use No. 1; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: Crow-Billingsley Ltd. No. 10, Billingsley 121 Coppell Ltd. and University Business Park Phase II, Ltd.	
(5)	Consideration of a Concept Plan for Coit Crossings Addition, Block 1, Lot 9 - General office on one lot on 30.0± acres located 100± feet north of Mapleshade Lane, 1,900± feet west of Coit Road. Zoned Corridor Commercial and Light-Industrial-1. Applicant: Crow-Billingsley Ltd. No. 10, Billingsley 121 Coppell Ltd. and University Business Park Phase II, Ltd.	
(6)	<p>Public Hearing and Consideration of an Appeal of the Planning & Zoning Commission's Denial of Zoning Case 2013-06 and Development Plan - Request to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 from Commercial Equipment to Urban Mixed-Use. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts. Applicant: Lincoln Property Company.</p> <p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></p>	



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		04/22/2013		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): Melinda White X7548, Cindy Pierce X5161				
CAPTION				
SPECIAL RECOGNITION: Rex Burkhead has been named the 2012 Uplifting Athletes Rare Disease Champion.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
April 8, 2013**

COUNCIL MEMBERS PRESENT

Phil Dyer, Mayor
Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
Jim Duggan
Patrick Gallagher
Lee Dunlap

COUNCIL MEMBERS ABSENT

André Davidson

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer called the meeting to order at 6:00 p.m., Monday, April 8, 2013, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor Dyer then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice and discuss Litigation, Section 551.071; receive information regarding Economic Development, Section 551.087; and to discuss Personnel, Section 551.074 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Dyer reconvened the meeting back into the Preliminary Open Meeting at 7:02 p.m.

Consideration and action resulting from Executive Session discussion

No items were brought forward.

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agendas

Council Member Dunlap requested that Consent Agenda Item "B," Bid No. 2013-165-B for Prairie Creek and Cloisters Alley Reconstruction to P & E Contractors, Inc. in the amount of \$522,486 be removed for individual consideration due to a possible conflict of interest.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 7:03 p.m.

Phil Dyer, MAYOR

ATTEST

Diane Zucco, City Secretary

PLANO CITY COUNCIL
April 8, 2013

COUNCIL MEMBERS PRESENT

Phil Dyer, Mayor
Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
Jim Duggan
Patrick Gallagher
Lee Dunlap

COUNCIL MEMBERS ABSENT

André Davidson

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, April 8, 2013, at 7:03 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Father Marco Rangel of Prince of Peace Catholic Community led the invocation and Cub Scout Pack 220, Wolves, Den 5 of Harrington Elementary led the Pledge of Allegiance.

Mayor Dyer presented proclamations celebrating the 35th anniversary of The Plano Early Lions Club and recognizing May as Motorcycle Safety Awareness Month.

COMMENTS OF PUBLIC INTEREST

Citizen Arthur Townsend stated concern regarding actions and unresponsiveness of Plano Police officers.

CONSENT AGENDA

Upon the request of Council Member Dunlap, Consent Agenda Item "B" was removed for individual consideration due to a possible conflict of interest.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Duggan, the Council voted 7-0 to approve and adopt all remaining items on the Consent Agenda as recommended and as follows:

Approval of Minutes (Consent Agenda Item “A”)
March 25, 2013

Approval of Expenditures

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

Bid No. 2012-322-C for a one (1) year contract with three (3) City optional one year renewals for the purchase and installation of trees at various locations citywide to Lillard Lawn and Landscaping, Inc. in the estimated annual amount of \$145,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Purchase from an Existing Contract

To approve the purchase of cabling and installation services in the amount of \$345,910 from Able Communications, Inc. through an existing Department of Information Resources contract and authorizing the City Manager to execute all necessary documents. (DIR-SDD-1904) (Consent Agenda Item “D”)

Adoption of Resolutions

Resolution No. 2013-4-1(R): To approve the purchase of 6,755 square feet of land for Street Right of Way located at the northwest corner of Preston Road and Spring Creek Parkway from Passco Waters Edge, LP, and authorizing the City Manager to execute any necessary documents; and providing an effective date. (Consent Agenda Item “E”)

END OF CONSENT

Due to a possible conflict of interest, Council Member Dunlap stepped down from the bench on the following item.

Bid No. 2013-165-B for Prairie Creek and Cloisters Alley Reconstruction to P & E Contractors, Inc. in the amount of \$522,486 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Upon a motion made by Council Member Duggan and seconded by Council Member Gallagher, the Council voted 6-0 to approve Bid No. 2013-165-B for Prairie Creek and Cloisters Alley Reconstruction to P & E Contractors, Inc. in the amount of \$522,486.

Council Member Dunlap resumed his place at the bench.

Public Hearing and adoption of Ordinance No. 2013-4-2 as requested in Zoning Case 2013-04 to amend Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 637 so as to allow the additional use of Assisted Living Facility on 2.4± acres of land located on the east side of Alma Drive, 205± feet north of 16th Street, in the City of Plano, Collin County, Texas, presently zoned Corridor Commercial; 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: Plano Riverwalk Development Partners, LTD (Regular Agenda Item “1”)

Director of Planning Jarrell advised the Council that the Planning and Zoning Commission recommended approval as submitted.

Mayor Dyer opened the Public Hearing. No one spoke for or against the request. The Public Hearing was closed.

Upon a motion made by Mayor Pro Tem Smith and seconded by Deputy Mayor Pro Tem Harris, the Council voted 7-0 to grant Specific Use Permit No. 637 so as to allow the additional use of Assisted Living Facility on 2.4± acres of land located on the east side of Alma Drive, 205± feet north of 16th Street, in the City of Plano; as requested in Zoning Case 2013-04 and as recommended by the Planning and Zoning Commission.

Nothing further was discussed. Mayor Dyer adjourned the meeting at 7:24 p.m.

Phil Dyer, MAYOR

ATTEST

Diane Zucco, City Secretary



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		4/22/2013			
Department:		Treasury			
Department Head		Myra Conklin			
Agenda Coordinator (include phone #): Dianna Wike x7549					
CAPTION					
RFP No. 2013-2-C for a 1 year contract with 4 City optional renewals for Credit Card Payment Processing Services for multiple departments to U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, in the estimated annual amount of \$617,664, and authorizing the City Manager to execute all necessary documents.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2012-13 thru 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	713,546	2,470,656	3,184,202
Encumbered/Expended Amount		0	0	0	0
This Item		0	-617,664	-2,470,656	-3,088,320
BALANCE		0	95,882	0	95,882
FUND(s): VARIOUS					
<p>COMMENTS: This item approves price quotes. Expenditures will be made from various departments within approved budget appropriations for each year of the contract. The estimated annual amount is \$617,664.</p> <p>STRATEGIC PLAN GOAL: A credit card payment processing system relates to the City's goal of Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
<p>Staff recommends the proposal of U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, in the estimated annual amount of \$617,664 be accepted as the best value conditioned on timely execution of necessary contract documents for Credit Card Payment Processing Services. These services are required by Customer and Utility Services, Libraries, Animal Services, Building Inspections, Environmental Health, Fire Inspections, Plano Centre, Plano Stages, Police Alarms, Property Standards, Sustainability & Environmental Services, and Texas Pure Products to have the ability to collect credit card payments.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Memorandum RFP Recap					



DATE: April 3, 2013

TO: Dianna Wike, Contract Specialist

CC: Diane Palmer, Purchasing Manager

FROM: Myra Conklin, Treasurer

SUBJECT: Award Recommendation and Justification for 2013-2-C

It is the recommendation of the City to award **2013-2-C RFP for Credit Card Payment Processing Services**, to U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, in the estimated amount of \$617,664 per year. This is an estimate because actual amounts are based on the volume of credit card transactions. The contract is 1 year with four optional renewal years.

Description of Services

The scope of services include credit card payment processing services by phone, in person and by internet-based payment processing for Customer and Utility Services, Libraries, Animal Services, Building Inspections, Environmental Health, Fire Inspections, Plano Centre, Plano Stages, Police Alarms, Property Standards, Sustainability & Environmental Services, and Texas Pure Products.

The objective of this Request For Proposal "RFP" is to identify the company that can offer the highest quality services at the best value to the City. More specific objectives of the City are to minimize processing costs and improve operational efficiency.

Evaluation Team

The evaluation team for proposals associated with these services included end users for the services (i.e. the Customer and Utility Services, Technology, Accounting and Treasury departments).

Summary

The Evaluation Team recommends to the Purchasing Division to award the RFP to U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, based on scope of services and quality derived from evaluation and scoring.

The review process for credit card processing services is felt to have been very thorough and comprehensive. Each section of every proposal was reviewed multiple times by the review team in order to ensure fair and complete reviews were carried out. After review, it is felt that U.S Bank with Elavon, Inc., a U.S. Bancorp Company, best fits the needs of the City of Plano for this project based on the following findings:

1. Cost

Of the top three offers provided to the City of Plano for credit card processing services, U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, provided the best solution at a reasonable cost.

2. Processing and Reporting

Of the top three offers provided to the City of Plano for credit card processing services, U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, has the best technology to process the City's transactions and is willing to work towards solutions to various processing issues.

3. Customer Service

When U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, arrived at the interviews, they provided the people that were necessary to answer the City's questions. Of the top three companies, the City determined that U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, would provide the best service in the areas of customer service.

It is believed that, based on this information, that U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, can provide the City of Plano the best quality credit card payment processing services at a reasonable cost. These services are required for the departments to be able to collect credit card payments; therefore, it is recommended that the contract for these services be awarded to U.S. Bank with Elavon, Inc., a U.S. Bancorp Company.

Feel free to contact me if you have any questions at (972) 941-7312.

CITY OF PLANO

RFP RECAP

RFP NO. 2013-2-C RFP FOR CREDIT CARD PAYMENT PROCESSING SERVICES

RFP opening Date/Time: December 10, 2012 at 3:00 PM

Number of Vendors Notified: 683

Vendors Submitting "No Bids": 0

Number of Proposals Submitted: 8

EXPRESS MERCHANT PROCESSING SOLUTIONS	\$589,440
UNION BANK WITH ELAVON, INC. <small>A U.S. BANCORP COMPANY</small>	\$606,180
REGIONS BANKS WITH ELAVON, INC. <small>A U.S. BANCORP COMPANY</small>	\$613,908
U.S. BANK WITH ELAVON, INC. <small>A U.S. BANCORP COMPANY</small>	\$617,664
BANC OF AMERICA MERCHANT SERVICES	\$641,208
JPMORGAN CHASE BANK, N.A.	\$667,044
CITI MERCHANT SERVICES PROVIDED BY FIRST DATA MERCHANT SERVICES	\$738,468

Proposals Received – Not Considered: 1

Recommended Vendor(s):

U.S. BANK WITH ELAVON, INC. A U.S. BANCORP COMPANY \$617,664

Dianna Wike

February 19, 2013

Dianna Wike, Contract Specialist

Date



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		4/22/13		
Department:		Facilities		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): Michael Parrish x7554				
CAPTION				
Bid No. 2013-143-B for the purchase of LED light fixtures from Groves Electrical Service, Inc., in the amount of \$125,998, for Oak Point Recreational Center and authorizing the City Manager to execute all necessary documents.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	37,145	1,647,885	0	1,685,030
Encumbered/Expended Amount	-37,145	-66,197	0	-103,342
This Item	0	-125,998	0	-125,998
BALANCE	0	1,455,690	0	1,455,690
FUND(S): CAPITAL RESERVE				
COMMENTS: Funds are included in the FY 2012-13 Capital Reserve Fund. This item, in the amount of \$125,998 will leave a current year balance of \$1,455,690 for the Oak Point Rec Center - Bldg. 92 project.				
STRATEGIC PLAN GOAL: Energy efficient light replacements at city facilities relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Staff recommends the bid of Groves Electrical Service, Inc., in the amount of \$125,998, be accepted as the lowest responsive, responsible bid, and conditioned upon timely execution of any necessary contract documents. This purchase is for the Oak Point Recreational Center facility (2013-143-B).				
List of Supporting Documents: Award Memo, Bid Recap			Other Departments, Boards, Commissions or Agencies NA	



TO: Michael Parrish, Senior Buyer

FROM: Richard Medlen
Facilities Maintenance Superintendent

DATE: April 1, 2013

SUBJECT: **Oak Point Recreation Center, Lighting Replacement
Bid #2013-143-B**

I have reviewed the bids submitted for the replacement of the HID light fixtures in the indoor pool, gymnasium and gymnastics areas with energy efficient LED lighting fixtures at Oak Point Recreation Center. I recommend award to the lowest responsive responsible bid which was submitted by Groves Electrical Service, Inc. for \$125,998. We received additional bids from Facility Solutions Group for \$145,595, Environmental Lighting Service, LLC for \$158,161.53 and Frontier Electric, LLC for \$164,717.

The replacement of the existing fixtures is needed to improve the lighting levels in each area and to reduce maintenance costs and improve the energy efficiency of the building. The funding for the project is in Capital Reserve account #54488.

Please let me know if you have any questions.

Thanks

/liw

C: Earl Whitaker
Jim Razinha
Matt Yager
Melody Morgan

CITY OF PLANO

BID NO. 2013-143-B Oak Point Rec Center Lighting Replacement BID RECAP

Bid opening Date/Time: March 29, 2013 @ 1:00 PM

Number of Vendors Notified: 1833

Vendors Submitting "No Bids": 0

Number of Bids Submitted Responsive to Bid: 4

Groves Electrical Service, Inc. \$125,998.00

Facility Solutions Group \$145,595.00

Environmental Lighting Service, LLC \$158,161.53

Frontier Electric, LLC \$164,717.00

Recommended Vendor:

Groves Electrical Service, Inc. \$125,998.00

Michael Parrish

April 4, 2013

Michael Parrish, Senior Buyer

Date



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		4/22/13		
Department:		Sustainability		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): Nancy Corwin X7137				
CAPTION				
Rejection of Bid No. 2013-116-C for Temporary Labor Services Waste Collections from all Bidders.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(s): SUSTAINABILITY & ENVIRONMENTAL SERVICES FUND				
<p>COMMENTS: This item, which has no financial impact, rejects the bid from Accurate Personnel LLC to provide temporary labor services for waste collections. Purchasing staff will work on updating the scope of work to better fit the department needs for this project, and will bring forward a suitable contract when one is selected.</p> <p>STRATEGIC PLAN GOAL: Rejecting bids that do not meet the City's scope of work to better meet the department needs through the strategic goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>Staff recommends that the bid of Accurate Personnel LLC in the amount of \$11.12 per hour be rejected, it is not to the City's advantage to enter into a contract; the scope of work does not include all of the requirements needed by the department. The project will be rebid with changes made to the scope of work to better meet the department needs.</p>				
List of Supporting Documents: Recommendation Memo Bid Recap			Other Departments, Boards, Commissions or Agencies	



Date: April 9, 2013
To: Diane Palmer-Boeck, Purchasing Manager
From: Steve Funk, Environmental Waste Services Superintendent
Subject: 2013-116-C Temporary Labor Services Waste Collection

During our pre-award meeting on April 8, 2013, it became clear additional clarification is needed in the RFB for temporary labor relating to work hours. Specific language detailing and defining the regular 40 hour work schedule, how holiday weeks are scheduled, additional overtime required during seasonal peaks and the ability to provide additional labor during storm related debris clean-up projects as needed should have been included in the RFB. The current specification language could cause financial harm to the contractor potentially resulting in inability to perform.

I am recommending we reject the current bid, re-bid with the clarifications stated regarding work hours, overtime, storm related clean up etc. to allow for contractors to understand all aspects of the bid.

CITY OF PLANO

Bid NO. 2013-116-C
TEMPORARY LABOR SERVICES WASTE COLLECTION
Bid RECAP

Bid opening Date/Time: March 5, 2013 @ 3:00 PM

Number of Vendors Notified: 907

Vendors Submitting "No Bids": 0

Number of Bids Responsive to Bid: 1

Accurate Personnel LLC \$11.12

Bids Received - Not Considered: 0

Recommended Vendor(s):

Accurate Personnel LLC \$11.12

Nancy Corwin

March 5, 2013



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 22, 2013		
Department:		Police		
Department Head		Gregory W. Rushin		
Agenda Coordinator (include phone #): Kellie Boyer x7248				
CAPTION				
To approve the purchase of emergency equipment for nine (9) police Tahoes in the total amount of \$50,163 from GT Distributors, Inc. through an existing contract with BuyBoard (No.363-10), Defender Supply, Lone Star Products and Equipment, LLC, and Big Country Supply through Tarrant County (No. 2012-128) and authorizing the City Manager to execute all necessary documents.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2012-13	Prior Year (CIP Only)	Current Year	Future Years
				TOTALS
Budget		0	102,877	0
Encumbered/Expended Amount		0	-3,326	0
This Item		0	-50,163	0
BALANCE		0	49,388	0
FUND(s): POLICE EQUIPMENT REPLACEMENT FUND				
COMMENTS: Funds are included in the FY 2012-13 approved budget for the replacement purchases of light bars and emergency light systems, prisoner partitions and transport seats in Police vehicles. The remaining funds will be used for other Police Equipment Replacement purchases.				
STRATEGIC PLAN GOAL: Purchasing make ready equipment for Police replacement vehicles relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Staff recommends the purchase of emergency equipment for nine (9) police Tahoes from GT Distributors, Inc. in the amount of \$28,390, through an existing contract with BuyBoard, Defender Supply in the amount of \$6,932, Lone Star Products and Equipment, LLC in the amount of \$7,617, and Big Country Supply in the amount of \$7,224, through Tarrant County contract. Total amount of the equipment purchase is \$50,163.				
The City is authorized to purchase from a Local Cooperative Organization pursuant to Chapter 271 Subchapter F of the Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (BuyBoard Contract No. 363-10 / Tarrant County Contract No. 2012-128 / City of Plano Internal Contract No. 2013-189-O).				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo				



P.O. Box 860358
Plano, Texas 75086-0358
972-424-5678
Fax. No. 972-941-2177
www.planopolice.org

MEMORANDUM

DATE: April 8, 2013
TO: Diane Palmer-Boeck, Purchasing Department
FROM: Gregory W. Rushin, Chief of Police *GWR*
SUBJECT: Award Recommendation – Police Vehicle Make-Ready Accessories

The Police Department recommends that the purchase of make ready accessories for 9 new Police Tahoes be awarded to four vendors. After review of the quotes, the Department recommends that the purchase of emergency lights and sirens be awarded to GT Distributors, Inc. in the amount of \$28,390.41 and Defender Supply in the amount of \$6,931.65, the purchase of the prisoner partition be awarded to Lone Star Products and Equipment, LLC in the amount of \$7,617.48 and the purchase of the prisoner seats be awarded to Big Country Supply in the amount of \$7,223.58 for a total purchase of \$50,163.12.

The Police Department received quotes from six vendors representing different cooperative contracts to determine the best value. The Tarrant County Contract had the best value for some emergency lights, prisoner seats and partitions; and the Buy Board Contract had the lowest quote for the majority of the emergency lights and sirens. The results of the analysis are as follows:

Buy Board #363-10, GT Distributors, Inc.	\$28,390.41
Tarrant County #2012-128, Defender Supply	\$6,931.65
Tarrant County #2012-128, Lone Star Products and Equipment, LLC	\$7,617.48
Tarrant County #2012-128 Big Country Supply	\$7,223.58

Failure to approve this purchase will result in the Police Department not being able to equip the new Tahoes with the appropriate equipment. Tahoes are replacing aging Crown Victorias in the Police fleet, and therefore, existing equipment will not fit in the Tahoes.

GWR/ph



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		4/22/13		
Department:		Engineering		
Department Head:		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #):		Kathleen Schonne (7198)		Project No. 5992
CAPTION				
Approval of the purchase of material testing services for the Spring Creek Parkway Corridor project, in the amount of \$101,978 from GME Consulting Services, Inc. through an existing contract (No. 2012-339-D) authorizing the City Manager or his designee to execute all necessary documents.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	250,597	5,095,403	0	5,346,000
Encumbered/Expended Amount	-250,597	-4,976,541	0	-5,227,138
This Item	0	-101,978	0	-101,978
BALANCE	0	16,884	0	16,884
FUND(S): STREET IMPROVEMENT CIP				
COMMENTS: Funds are included in the FY 2012-13 Street Improvement CIP. This item, in the amount of \$101,978, will leave a current year balance of \$16,884 for the Spring Creek Parkway Corridor project. STRATEGIC PLAN GOAL: Testing of construction materials relate to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Staff recommends approval of this expenditure for construction material testing on the Spring Creek Parkway Corridor project in the amount of \$101,977.70 to GME Consulting Services, Inc.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Exhibit C		N/A		

Task 2. Traffic Signal Foundations and Street Light Base Installation					
Given: 6 traffic signal and street light base pours					
Assumptions: 6 trips @ 5 hrs/trip; 4 cyls/pour					
1. Senior Engineering Technician		hr	\$ 40.00	30	\$ 1,200.00
2. Concrete Cylinder Tests		ea	\$ 14.00	24	\$ 336.00
3. Trip Charge		ea	\$ 50.00	12	\$ 600.00
Subtotal Task 2					\$ 2,136.00
Task 3. Concrete Testing					
Given: 13,600 cy 8" street pavement; avg 400 cy/day					
1,333 cy of 6" driveway concrete; avg 150 cy/day					
38 cy of 6" parking; 1 pour					
667 cy of sidewalk; avg 100 cy/day					
50 to 60 misc. pours (inlets, curbs, median noses, etc.)					
Assumptions: Street pours avg 300 cy/pour @ 7 hrs/pour					
Driveway pours avg 100 cy/pour @ 5 hrs/pour					
Sidewalk pours avg 75 cy/pour @ 6 hrs/pour					
Miscellaneous pours avg 35 cy/pour @ 4 hrs					
A. Mix Design Review					
Assumptions: 4 mix design reviews					
1. Senior Engineer		hr	\$ 150.00	10	\$ 1,500.00
B. 8" Street Pavement Pours					
Given: 30 pours; 49,502 SY (11,055 CY); Avg 368 CY/pour					
Assumptions: 30 pours @ 7 hrs/ea; 4 sets of 4 cyls/pour					
1. Senior Engineering Technician		hr	\$ 40.00	210	\$ 8,400.00
2. Concrete Cylinder Tests		ea	\$ 14.00	480	\$ 6,720.00
C. Driveway Pours					
Given: 5,144 SY (857 CY); 15 pours; 57 CY/pour					
Assumptions: 15 pours @ 5 hrs/pour; 1 set of 4 cyls/pour					
1. Senior Engineering Technician		hr	\$ 40.00	75	\$ 3,000.00
2. Concrete Cylinder Tests		ea	\$ 14.00	60	\$ 840.00
D. Sidewalk Pours					
Given: 2,400 SY (264 cy) sidewalk; 7 pours; Avg 37 CY/pour					
Assumptions: 5 hours/pour; 1 set of 4 cyls/pour					
1. Senior Engineering Technician		hr	\$ 40.00	35	\$ 1,400.00
2. Concrete Cylinder Tests		ea	\$ 14.00	28	\$ 392.00
E. Median Nose, Curb Ramp and Curb and Gutter Pours Pours					
Given: 4 median nose pours; 10 curb ramp pours; 4 curb and gutter pours					
Assumptions: 18 pours @ 4hrs/pour ; 1 set of 4 cyls/pour					
1. Senior Engineering Technician		hr	\$ 40.00	72	\$ 2,880.00
2. Concrete Cylinder Tests		ea	\$ 14.00	72	\$ 1,008.00
F. Curb Inlets, Manholes and Headwall Pours					
Given: 40 to 50 inlet pours; 10 to 12 manhole pours;					
4 to 6 headwall pours					
Assumptions: 66 pours @ 3hrs/pour ; 1 set of 4 cyls/pour					
1. Senior Engineering Technician		hr	\$ 40.00	198	\$ 7,920.00
2. Concrete Cylinder Tests		ea	\$ 14.00	264	\$ 3,696.00

G. Cylinder Pickup						
Given: 120 pours						
Assumptions: 100 trips for cylinder pickup (some will occur on the same day of a pour or other activity)						
2 hrs/trip						
1. Senior Engineering Technician				hr	\$ 40.00	200 \$ 8,000.00
G. Trip Charges for Concrete						
1. Trip Charge				ea	\$ 50.00	220 \$ 11,000.00
Subtotal Task 3						\$ 56,756.00
Task 4. Temporary Asphalt Paving Compaction Monitoring						
Given: 2,074 tons; 15 days installation						
Assumptions: 15 trips @ 5 hrs/trip for compaction monitoring						
1. Senior Engineering Technician				hr	\$ 40.00	75 \$ 3,000.00
2. Nuclear Gauge Rental				day	\$ 70.00	15 \$ 1,050.00
Subtotal Task 4						\$ 4,050.00
Task 5. Project Management						
Given: 1 hour per month for 18 months						
Assumptions: None						
1. Senior Engineer				hr	\$ 150.00	18 \$ 2,700.00
Subtotal Task 5						\$ 2,700.00
Grand Total Tasks 1-5						\$ 92,707.00
Note: GME recommends adding a 10% contingency for Overtime fees on the project.						
Grand Total with 10% OT Contingency						\$101,977.70



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 22, 2013		
Department:		Public Works		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): Kellie Boyer x7248				
CAPTION				
Approval of Modification No. 6 for the ratification of expenditures exceeding the approved amount by \$244,468 and approve additional funds in the amount \$500,000 for the purchase of water meters and installation services from HD Supply Waterworks Ltd to be utilized by Public Works, Customer & Utility Services, and Warehouse, and authorizing the City Manager to execute all necessary documents (2007-223-C).				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2012-13	Prior Year (CIP Only)	Current Year	Future Years
				TOTALS
Budget		0	2,873,149	0
Encumbered/Expended Amount		0	-1,450,247	0
This Item		0	-500,000	0
BALANCE		0	922,902	0
FUND(s): WATER & SEWER FUND; MUNICIPAL WAREHOUSE FUND				
<p>COMMENTS: This item, in the amount of \$500,000, provides for the purchase of a supply of water meters so that Water Utility Operations can continue until new bids can be solicited from potential vendors. The remaining \$922,902 will be used to provide for other maintenance parts and supplies in the Water & Sewer Fund and inventory in the Municipal Warehouse Fund.</p> <p>STRATEGIC PLAN GOAL: Maintaining a sufficient supply of water meters to avoid delays and backlogs in utility operations relates the City's Goal of a Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>Staff recommends approval of Modification No. 6 to ratify expenditures exceeding the approved amount by \$244,468 due to the early completion of the water meter conversion program, and approve additional funds in the amount \$500,000 for a total increase of \$744,268. Thus increasing the total approved funding for this contract to an amount to not to exceed \$23,956,233. The funds will be for the purchase of water meters and installation services from HD Supply Waterworks Ltd to be utilized by Public Works, Customer & Utility Services, and Warehouse while the City facilitates a new bid process.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo				



MEMORANDUM

TO: Diane Palmer-Boeck, Chief Purchasing Officer

FROM: Gerald P. Cosgrove, P.E., Director of Public Works

DATE: April 10, 2013

RE: **Bid No. 2007-223-C: CSP For Fixed Network Automated Water Meter Reading System And Positive Displacement/Multi-Jet Water Meters (3/4 Inch - 2 Inch)**

The Public Works Department, the Warehouse and the Customer & Utility Services Division have exceeded the contract amount for this contract. This was due to the fact that we accelerated the meter conversion program and completed it earlier than expected in the summer of last year.

Representatives from each of the three groups have been told to monitor purchases from this contract so that we do not exceed the contract limit in the future.



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		4/22/13		
Department:		Engineering		
Department Head:		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #):			Kathleen Schonke (7198)	
			Project No. 6154	
CAPTION				
To L C Jordan & Son, increasing the contract by \$77,505 for the Bridge Repair project, Change Order No. 1. Original Bid No. 2013-27-B.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	96,560	1,283,440	1,060,000	2,440,000
Encumbered/Expended Amount	-96,560	-1,003,662	0	-1,100,222
This Item	0	-77,505	0	-77,505
BALANCE	0	202,273	1,060,000	1,262,273
FUND(S): STREET IMPROVEMENT CIP				
<p>COMMENTS: Funds are included in the FY 2012-13 Street Improvement CIP. This item, in the amount of \$77,505, will leave a current year balance of \$202,273 for the Bridge Inspection/Repair project.</p> <p>STRATEGIC PLAN GOAL: Bridge repairs beyond the original expected project scope relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>This Change Order, in the amount of \$77,505, is for additional repair items, encountered within the limits of this project. The largest item being concrete repair of the bridge deck on Parker Road over Rowlett Creek. The depth of the repair was expected to be less than 1" but actually varies between 1" and 3" in depth.</p> <p>Staff recommends approval of this Change Order No. 1. The contract total will be \$1,028,903, which includes this change order amount, and adds 8.15% to the cost of the contract. The original contract amount is \$951,398.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Map; Change Order No. 1			N/A	

PLANO BRIDGE REPAIRS
 PROJECT NUMBER 6154
 CIP NUMBER 37579



VICINITY MAP

BRIDGE	ROADWAY	FEATURE CROSSED
3	HEDGCOXE	WHITE ROCK CREEK
5	TENNYSON PKWY	WHITE ROCK CREEK
6	PARKER ROAD	ROWLETT CREEK
13	14TH STREET (FM 544)	ROWLETT CREEK
16	16TH STREET	SPRING CREEK
19	AVENUE K (HWY 5)	ROWLETT CREEK
20,21	PARKER ROAD	WHITE ROCK CREEK
26	LEGACY BLVD	WHITE ROCK CREEK
28,29	PLANO PARKWAY	SPRING CREEK
30	CUSTER ROAD	SPRING CREEK
31A	INDEPENDENCE PKWY	RUSSELL CREEK

CHANGE ORDER NO. 1

**BRIDGE REPAIR
PROJECT NO. 6154
PURCHASE ORDER NO. 104271
CIP NO. 37579
BID NO. 2013-27-B**

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **L C JORDAN & SON** for the **BRIDGE REPAIR PROJECT**, dated December 18, 2012.

B. DESCRIPTION OF CHANGE

- Reduce the quantity of item 34: CONCRETE REPAIR (less than 1" thick).
- Add an item to the contract: CONCRETE REPAIR (1"- 3" thick).
These changes account for thicker pavement repair required on the Parker Road at Rowlett Creek Bridge deck.
- Add an item for 8"-12" diameter Rock Rip-Rap to be used as backfill at the Independence at Russell Creek Bridge.
- Add an item for 2' Toe Wall to be installed on an existing concrete slope that is sliding at the Parker Road at Rowlett Creek Bridge.

Item No.	Item Description	Original Quantity	Revised Quantity	Unit	Unit Price \$	Amount of Change \$
34	Concrete Repair (less than 1" thick)	3,435	2,158	SF	42.00	- 53,634.00
74	Concrete Repair (1" - 3" thick)	0	2,150	SF	60.00	+ 129,000.00
75	8"-12" diameter Rock Rip-Rap	0	24.6	CY	65.00	+1,599.00
76	2' Toewall	0	54	LF	10.00	+540.00
	TOTAL CHANGE ORDER					\$77,505.00

C. EFFECT OF CHANGE

This change order will have the following effect on the cost of this project:

Original Contract Amount	\$	<u>951,398.00</u>
Contract Amount (Including Previous Change Orders)	\$	<u>951,398.00</u>
Amount, Change Order No. 1	\$	<u>77,505.00</u>
Revised Contract Amount	\$	<u><u>1,028,903.00</u></u>
Total Percent Increase Including Previous Change Orders		<u>8.15%</u>

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add 5 days to this project:

Original Contract Time	<u>225 working days</u>
Amount (Including Previous Change Orders)	<u>225 working days</u>
Amount, Change Order No. 1	<u>5 working days</u>
Revised Contract Time	<u>230 working days</u>
Total Percent Increase Including Previous Change Orders	<u>2.22%</u>

E. AGREEMENT

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **L C JORDAN & SON**, do hereby agree to append this Change Order No. 1 to the original contract between themselves, dated December 18, 2012.

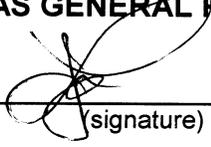
F. AUTHORITY TO SIGN

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto.

OWNER:
CITY OF PLANO

CONTRACTOR:
L C JORDAN & SON
A TEXAS GENERAL PARTNERSHIP

By: _____
(signature)

By:  _____
(signature)

Print
Name: **BRUCE D. GLASSCOCK**

Print
Name: **LAWRENCE C. JORDAN**

Print
Title: **CITY MANAGER**

Print
Title: **GENERAL PARTNER**

Date: _____

Date: **4-3-13**

ACKNOWLEDGMENTS

STATE OF TEXAS §

§

COUNTY OF DALLAS §

This instrument was acknowledged before me on the 3rd day of April, 2013, by **LAWRENCE C. JORDAN, GENERAL PARTNER** of **L C JORDAN & SON, a TEXAS GENERAL PARTNERSHIP**, on behalf of said partnership.

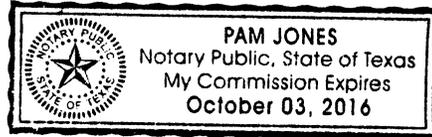
Pam Jones

Notary Public, State of Texas

STATE OF TEXAS §

§

COUNTY OF COLLIN §



This instrument was acknowledged before me on the _____ day of _____, 2013, by **BRUCE D. GLASSCOCK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		04/22/2013		
Department:		Public Works / David Falls		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): Kim McFarland (972-769-4109)				
CAPTION				
<i>To Laughley Bridge and Construction, Inc., increasing the contract by \$143,803 for the 2011-12 Pavement Maintenance Phase I – Plano Parkway and Custer Road, Project No. 6170, Change Order No. 2, Bid No. 2012-47-B.</i>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	353,185	3,261,815	1,000,000	4,615,000
Encumbered/Expended Amount	-353,185	-2,008,043	0	-2,361,228
This Item	0	-143,803	0	-143,803
BALANCE	0	1,109,969	1,000,000	2,109,969
FUND(S): CAPITAL RESERVE				
COMMENTS: Funds are included in the FY 2012-13 Capital Reserve Fund. This item, in the amount of \$143,803, will leave a current year balance of \$1,109,969 for the Pavement Management project.				
STRATEGIC PLAN GOAL: Pavement management relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
<p>This change order is for additional concrete paving repairs in the project area. As the project progressed additional areas of concrete paving were identified as being in need of repair. While working in the area, the size of repairs identified has increased since the original inventory and new locations were identified. The inventory for this project was completed in 2010.</p> <p>Staff recommends approval of Change Order No. 2. The total Contract will be \$1,063,822.50 which is a 22.24% increase of the original contract amount of \$870,257.50.</p>				
List of Supporting Documents: Change Order 2; Location Map			Other Departments, Boards, Commissions or Agencies	

CHANGE ORDER NO. 2

2011-12 PAVEMENT MAINTENANCE PHASE 1
PLANO PARKWAY AND CUSTER ROAD
PROJECT NO. 6170
PURCHASE ORDER NO. 104027
CIP NO. 51130
BID NO. 2012-47-B

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **LAUGHLEY BRIDGE AND CONSTRUCTION, INC** for the **2011-12 PAVEMENT MAINTENANCE PHASE I – PLANO PKWY AND CUSTER ROAD PROJECT**, dated February 13, 2012.

B. DESCRIPTION OF CHANGE

The change order is for additional pavement repair on Custer Road from Spring Creek Parkway to Legacy Drive and Plano Parkway from Custer Road to Commerce Street that has been identified due to additional locations developing since the original inventory was completed in 2010 and scheduled locations increasing in size due to the deterioration of the pavement and subgrade.

C. EFFECT OF CHANGE

This change order will have the following effect on the cost of this project:

<i>ITEM NO.</i>	<i>ITEM DESCRIPTION</i>	<i>ORIGINAL QUANTITY</i>	<i>REVISED QUANTITY</i>	<i>UNIT</i>	<i>UNIT PRICE</i>	<i>AMOUNT OF CHANGE</i>
100	F/I Full Depth Saw Cut	37,157	40,118	LF	\$0.75	\$2,220.75
101	F/I Longitudinal & Transverse BJ	37,157	40,118	LF	\$1.75	\$5,181.75
102	R/D Existing Concrete Paving	16,125	19,225	SY	\$4.00	\$12,400.00
103	F/I 8" Reinforced Concrete Paving	16,125	19,225	SY	\$40.00	\$124,000.00
	TOTAL:					\$143,802.50

Original Contract Amount	\$	<u>870,257.50</u>
Contract Amount (Including Previous Change Orders)	\$	<u>920,020.00</u>
Amount, Change Order No. 2	\$	<u>143,802.50</u>
Revised Contract Amount	\$	<u>1,063,822.50</u>
Total Percent Increase Including Previous Change Orders		<u>22.24%</u>

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add **20** day(s) to this project:

Original Contract Time	<u>120 working days</u>
Amount (Including Previous Change Orders)	<u>127 working days</u>
Amount, Change Order No. 1	<u>20 working days</u>
Revised Contract Time	<u>147 working days</u>
Total Percent Increase Including Previous Change Orders	<u>22.50%</u>

E. AGREEMENT

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **LAUGHLEY BRIDGE AND CONSTRUCTION, INC.**, do hereby agree to append this Change Order No. 2 to the original contract between themselves, dated February 13, 2012.

F. AUTHORITY TO SIGN

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto.

OWNER: CITY OF PLANO

CONTRACTOR: LAUGHLEY BRIDGE

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF Parker §

This instrument was acknowledged before me on the 8th day of April, 2013, by CHARLES E. LAUGHLEY, PRESIDENT of LAUGHLEY BRIDGE AND CONSTRUCTION, INC., a TEXAS corporation, on behalf of said corporation.



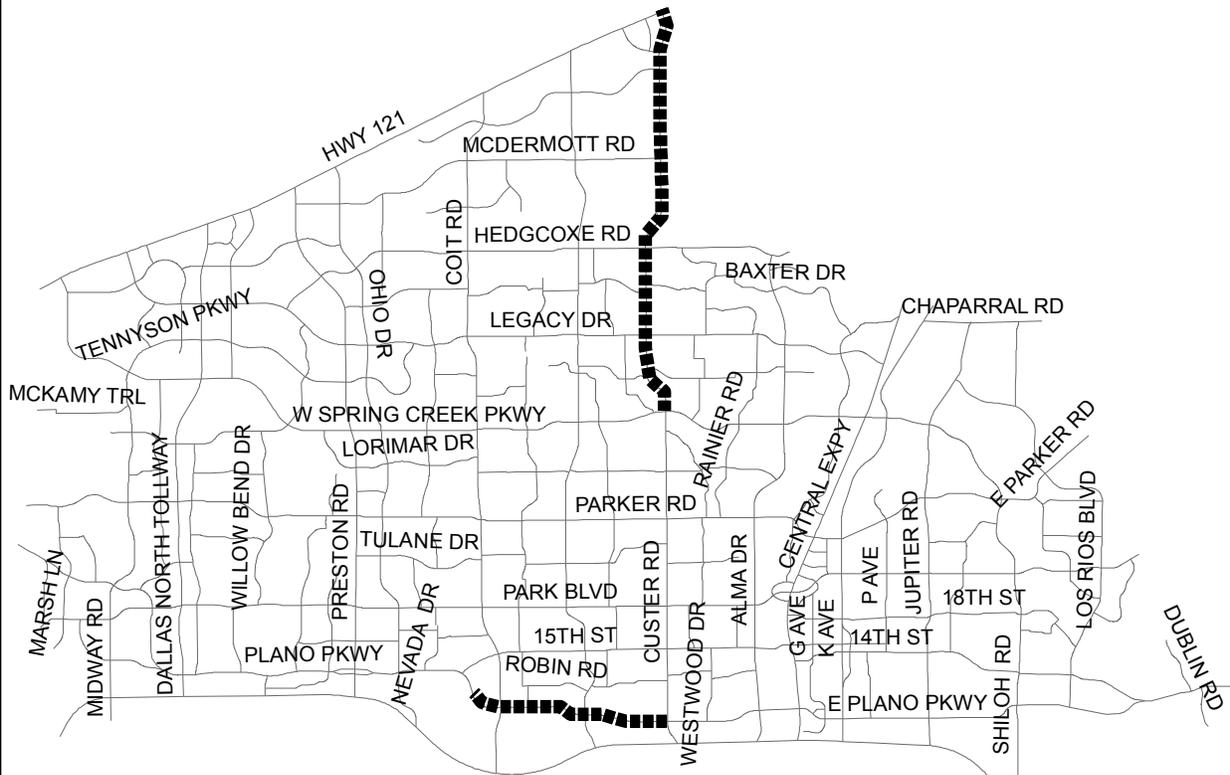
Ginger L. Harvey
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2013, by BRUCE D. GLASSCOCK, CITY MANAGER of the CITY OF PLANO, TEXAS, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

LOCATION MAP





**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		04/22/2013		
Department:		Police		
Department Head		Gregory W. Rushin		
Agenda Coordinator (include phone #): Pam Haines, ext 2538				
CAPTION				
<p>A Resolution of the City Council of the City of Plano, Texas, authorizing the filing of application for federal funds in an amount not to exceed \$80,000.00 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.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2012-13, 2013-14	Prior Year (CIP Only)	Current Year	Future Years
		0	0	0
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): N/A				
<p>COMMENTS: This item is a resolution to make application for a grant, that, if accepted, will provide funding of approximately \$80,000 for the Police Department. This item has no fiscal impact until if/when the application has been approved. If approved, an additional resolution will be required for City acceptance of the grant funding.</p> <p>STRATEGIC PLAN GOAL: Application for Federal Grant Funds relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>The Resolution authorizes the Chief of Police to apply to the Office of the Governor, Criminal Justice Division for the Edward Byrne Memorial Justice Assistance Grant (JAG) State Formula Program.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo, Resolution				



P.O. Box 860358
Plano, Texas 75086-0358
972-424-5678
Fax. No. 972-941-2177
www.planopolice.org

MEMORANDUM

DATE: *April 1, 2013*

TO: *Lashon Ross, Deputy City Manager*

FROM: *Gregory W. Rushin, Chief of Plano* 

SUBJECT: *Edward Byrne Memorial Justice Assistance Grant*

The Plano Police Department is seeking funding assistance for a proposed technology project through the Edward Byrne Memorial Justice Assistance Grant State Formula Program, which is administered by the Office of the Governor of Texas, Criminal Justice Division. This is a competitive grant, and as a requirement of the application process, the City of Plano is required to adopt a resolution authorizing the City to file an application for the federal funds in an amount not to exceed \$80,000. The resolution must also designate an authorizing official who is given authority to apply for, accept, reject, alter, or terminate the grant, and provide written assurances that in the event of loss or misuse of grant funds the City of Plano will return all funds to the Office of the Governor.

If awarded, the Police Department will use these funds to purchase and implement a comprehensive scheduling, communication, and time management solution that interfaces directly with the City's human resources / payroll processing software. In doing so, we plan to promote cost effective programs that complement the criminal justice system through automated data entry procedures, enhanced recordkeeping accuracy, and real-time sharing of personnel availability information; both internally and externally with other agencies, social services providers, court clerks, and prosecutorial staff (Municipal, County, and District).

As a result we are requesting the City Council adopt a resolution so we may apply for and accept this grant if awarded.

A Resolution of the City Council of the City of Plano, Texas, authorizing the filing of application for federal funds in an amount not to exceed \$80,000.00 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.

WHEREAS, the City Council agrees that in the event of loss or misuse of the Office of the Governor funds, the City Council assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the City Council designates Chief of Police Gregory W. Rushin as the City's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the application agency.

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

Section I. The submission of the grant application for the Plano Police Scheduling Software Solution to the Office of the Governor, Criminal Justice Division is hereby approved and Chief of Police Gregory W. Rushin is designated as the authorized official to act on behalf of the City of Plano with regard to this grant.

Section II. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		04/22/13		
Department:		Libraries		
Department Head		Cathy Ziegler		
Agenda Coordinator (include phone #): Sharron Mason x7247				
CAPTION				
<p>A Resolution of the City Council of the City of Plano, Texas, approving the purchase of thirty-six (36) month maintenance service, Windows 7 upgrade, and Liber8 software upgrade for the Plano Public Library System's Radio Frequency Identification devices from Bibliotheca, LLC, a sole source provider, for an estimated total of One Hundred Seventy Eight Thousand One Hundred Sixty Six and 92/100 Dollars (\$178,166.92); authorizing its execution by the City Manager or his authorized designee; and providing an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2013-14 thru 2016	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	148,374	178,167
Encumbered/Expended Amount		0	-5,490	0
This Item		0	0	-178,167
BALANCE		0	142,884	0
FUND(S): GENERAL FUND				
<p>COMMENTS: This item approves price quotes. Expenditures will be made in the Libraries Department based on need within the approved budget appropriations for each year of the contract. The estimated annual amount to be spent in FY 2013-14 is \$51,430, FY 2014-15 \$54,001 and in FY 2015-16 \$56,701, which will be made within approved budget appropriations. An additional amount of \$16,035 is included for Upgrades.</p> <p>STRATEGIC PLAN GOAL: Providing an Annual Maintenance Agreement for the City of Plano Libraries System relates to the City's Goal of a Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>Staff requests Council approval for the purchase of thirty-six (36) month maintenance service, Windows 7 upgrade, and Liber8 software upgrade for the Plano Public Library System's Radio Frequency Identification devices from Bibliotheca, LLC for an estimated total of \$178,167 for thirty-six (36) month maintenance services. Contract No. 2013-198-X.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Recommendation Memo and Resolution				



Date: March 15, 2013

To: Sharron Mason, Purchasing

From: Cathy Ziegler, Director of Libraries

Ref: Bibliotheca, LLC Maintenance Contract

I recommend the Plano City Council agree to the maintenance contract with Bibliotheca, LLC. Under this contract, Bibliotheca, LLC will be responsible for fixing or replacing all specified equipment in the Plano Public Library System RFID check-in/check-out system, should the equipment fail during the contracted period. This agreement includes the upgrades to Windows 7 and the software Liber8.

Should the City Council decide to not enter into this contract, and should the specified equipment fail, customer service would suffer while new equipment is located, purchased and installed. New equipment would be unbudgeted and could be a significant expense for the City, as the current equipment, acquired in a series of purchases, cost over \$800,000. We are dependent on this equipment to do business, as staff reductions were paired with its original implementation.

Currently, all the Plano Public Library System RFID equipment is on the Windows XP operating system. The City of Plano expects to complete all upgrades to Windows 7 by April 2014. The RFID equipment must be updated to Windows 7 to be compatible with the rest of the City.

At this time, monthly statistics for self-service check-out are collected by opening each of the 38 self-serve kiosks and taking the reading. Liber8 is an administrative software product that allows all the statistics to be collected remotely from one location. This will increase the efficiency of this monthly procedure.

A Resolution of the City Council of the City of Plano, Texas, approving the purchase of thirty-six (36) month maintenance service, Windows 7 upgrade, and Liber8 software upgrade for the Plano Public Library System's Radio Frequency Identification devices from Bibliotheca, LLC, a sole source provider, for an estimated total of One Hundred Seventy Eight Thousand One Hundred Sixty Six and 92/100 Dollars (\$178,166.92); authorizing its execution by the City Manager or his authorized designee; and providing an effective date.

WHEREAS, the Plano Public Library System of the City of Plano utilizes the Radio Frequency Identification devices developed by Bibliotheca, LLC to process the circulation of library materials;

WHEREAS, the Radio Frequency Identification devices require maintenance and upgrades periodically to remain in good operation;

WHEREAS, Bibliotheca, LLC is the sole source provider of Radio Frequency Identification devices and is the only company that can provide the necessary maintenance and upgrades; and

WHEREAS, upon full review and consideration of the purchase and all matters attendant and related thereto, the City Council is of the opinion that the purchase should be approved, and that the City Manager or his designee shall be authorized to execute it on behalf of the City of Plano.

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

Section I. The City Council hereby finds and determines that Bibliotheca, LLC is the sole source provider for maintenance and upgrade services for the Plano Public Library System's Radio Frequency Identification devices and thus, this purchase is exempt from competitive bid as provided for in *V.T.C.A., Local Government Code, Section 252.022(a)(7)*.

Section II. The City Council approves the purchase of thirty-six (36) month maintenance service, Windows 7 upgrade and Liber8 software upgrade from Bibliotheca, LLC for the Radio Frequency Identification devices used by the Plano Public Library System in the amount of One Hundred Seventy Eight Thousand One Hundred Sixty Six and 92/100 Dollars (\$178,166.92).

Section III. The City Manager, or his authorized designee, is hereby authorized to execute the purchase and all other documents in connection therewith on behalf of the City of Plano, according to the terms and conditions set forth in the purchase.

Section IV. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	
Council Meeting Date:	4/22/13
Department:	Parks and Recreation
Department Head	Amy Fortenberry
Agenda Coordinator (include phone #): Susan Berger (7255)	

CAPTION

A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of a Local Transportation Project Advance Funding Agreement for a Congestion Mitigation and Air Quality (CMAQ) improvement project for the construction of a continuous bicycle and pedestrian trail from 12th Place to SH 190 President George Bush Turnpike; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.

FINANCIAL SUMMARY

NOT APPLICABLE
 OPERATING EXPENSE
 REVENUE
 CIP

FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	230,000	0	230,000
This Item	0	1,229,203	0	1,229,203
BALANCE	0	1,459,203	0	1,459,203

FUND(S): PARK IMPROVEMENT CIP

COMMENTS: This item approves Plano's adoption of an updated Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation (TXDOT) that would partially reimburse the City for the construction of a continuous bicycle and pedestrian trail from 12th Place to President George Bush Turnpike. This project is currently included in the CIP under 09 Trail Connections – 22401.

STRATEGIC PLAN GOAL: Working with the State of Texas and other area cities to provide transportation and recreation infrastructure to Plano residents relates to the City's goal of Partnering For Community Benefit and Financially Strong City with Service Excellence.

SUMMARY OF ITEM

The attached Resolution authorizes the City Manager to execute a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation to provide funding for the construction of a bicycle and pedestrian trail from 12th Place to SH 190 President George Bush Turnpike. The trail will connect to a trail in Richardson.

The Texas Department of Transportation will provide up to \$1,229,203 or 80% of the construction cost of the project for bicycle and pedestrian improvements. The City is responsible for at least 20% of the project.



CITY OF PLANO COUNCIL AGENDA ITEM

This Agreement modifies the project limits and terms of an original Agreement approved 12/16/2003 and terminates the previous Agreement. The previous project limits were from SH 190 President George Bush Turnpike to the Parker Road DART Station. Land is not available at this time to construct the trail to the Parker Road DART Station.

List of Supporting Documents:

Location Map

Resolution

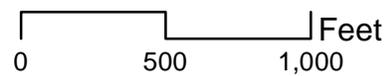
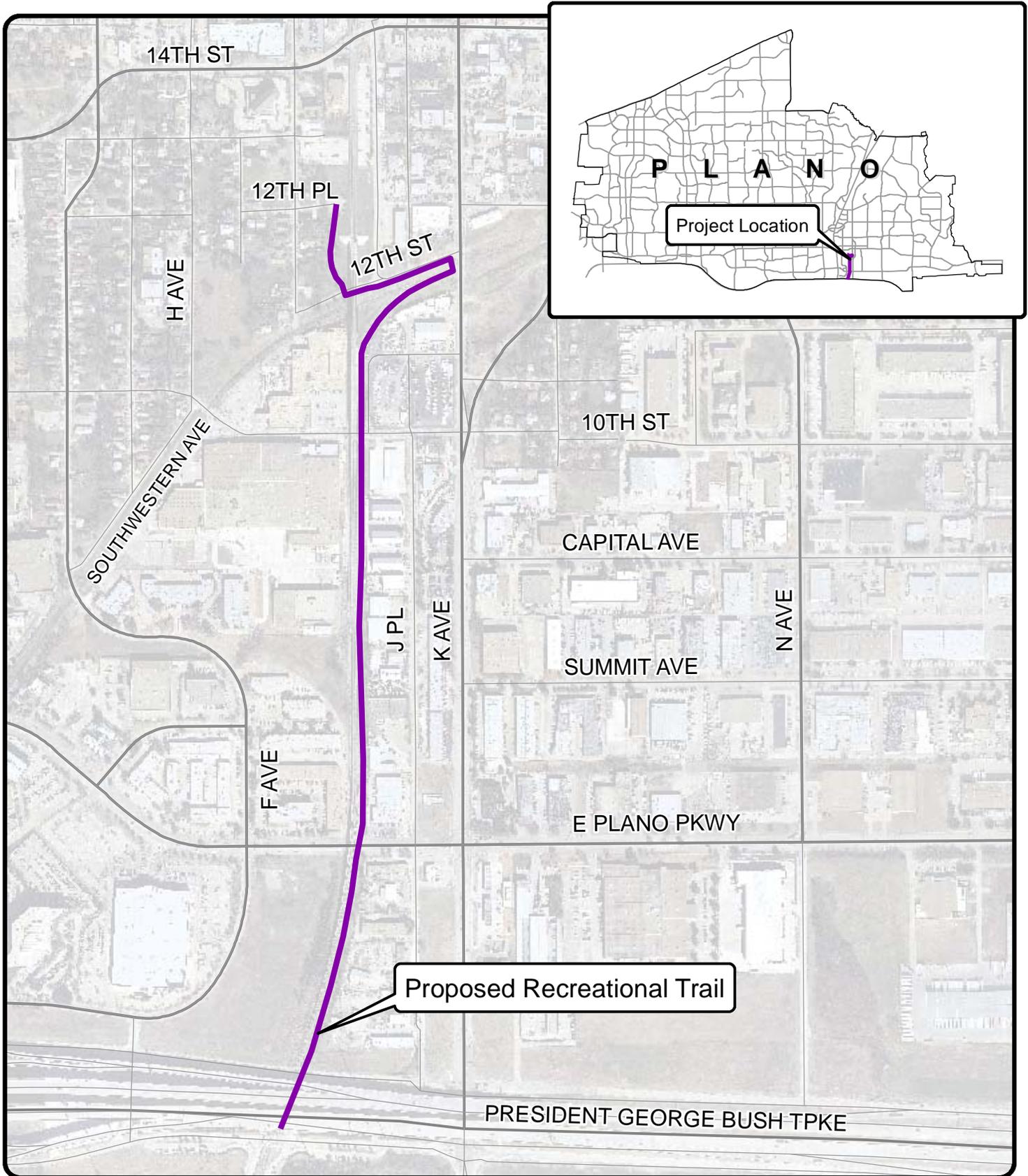
Agreement

Other Departments, Boards, Commissions or Agencies



Location Map

Plano Transit Village Veloweb



A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of a Local Transportation Project Advance Funding Agreement for a Congestion Mitigation and Air Quality (CMAQ) improvement project for the construction of a continuous bicycle and pedestrian trail from 12th Place to SH 190 President George Bush Turnpike; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes governmental entities to contract with each other to perform government functions and services under the terms thereof; and

WHEREAS, the City Council has been presented a proposed Local Transportation Project Advance Funding Agreement for a project, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereafter called "Agreement"); and

WHEREAS, the project to be funded in the Agreement is from 12th Place to SH 190 President George Bush Turnpike; and

WHEREAS, upon full review and consideration of the Agreement and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved and that the City Manager or his authorized designee shall be authorized to execute the Agreement on behalf of the City of Plano.

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

Section I. The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, are hereby in all things approved.

Section II. The City Manager or his authorized designee is hereby authorized to execute the Agreement and all other documents in connection therewith on behalf of the City of Plano, substantially according to the terms and conditions set forth in the Agreement.

Section III. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

CSJ #: 0918-24-099
District #: 18-Dallas
Code Chart 64 #: 33100
Project: Plano Transit Village Veloweb
Limits: From 12th Place to SH 190 (President George W. Bush Turnpike)
Federal Highway Administration - CFDA # 20.205
Not Research and Development
Funding Category: Cat. 5
County: Collin

STATE OF TEXAS §
COUNTY OF TRAVIS §

**LOCAL TRANSPORTATION PROJECT
ADVANCE FUNDING AGREEMENT
For A
Congestion Mitigation and Air Quality (CMAQ) Improvement Program Project
(OFF-SYSTEM)**

THIS Local Project Advance Funding Agreement (LPAFA) is made by and between the State of Texas, acting by and through the Texas Department of Transportation, called the "State", and the City of Plano, acting by and through its duly authorized officials, called the "Local Government."

WITNESSETH

WHEREAS, a Master Agreement between the Local Government and the State has been adopted and states the general terms and conditions for transportation projects developed through this LPAFA; and,

WHEREAS, the Texas Transportation Commission passed Minute Order Number 113074 that provides for the development of, and funding for, the construction of a continuous bicycle and pedestrian trail, a Veloweb, at Plano Transit Village from 12th Place to SH 190 (President George W. Bush Turnpike), the Project described herein; and,

WHEREAS, the Governing Body of the Local Government has approved entering into this LPAFA by resolution or ordinance dated _____, 2012, which is attached to and made a part of this agreement as Attachment A for the development of the Project. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

AGREEMENT

1. Period of the Agreement

The period of this LPAFA is as stated in the Master Agreement, without exception.

CSJ #: 0918-24-099
District #: 18-Dallas
Code Chart 64 #: 33100
Project: Plano Transit Village Veloweb
Limits: From 12th Place to SH 190 (President George W. Bush Turnpike)
Federal Highway Administration - CFDA # 20.205
Not Research and Development
Funding Category: Cat. 5
County: Collin

2. Termination of this LPAFA

Termination of this LPAFA shall be under the conditions as stated in the Master Agreement. This LPAFA may be terminated by the State if the Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds.

3. Amendments

Amendments to this LPAFA shall be made as described in the Master Agreement, without exception.

4. Scope of Work

The scope of work for this LPAFA is described as the construction of a continuous bicycle and pedestrian trail, a Veloweb, at Plano Transit Village from 12th Place to SH 190 (President George W. Bush Turnpike) in the City of Plano.

5. Right of Way and Real Property

Right of way and real property shall be the responsibility of the Local Government as stated in the Master Agreement, without exception.

6. Utilities

Adjustment of utilities will be provided by the Local Government as required and as stated in the Master Agreement, without exception.

7. Environmental Assessment and Mitigation

Environmental assessment and mitigation will be carried out as stated in the Master Agreement. Additionally, before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

8. Compliance with Texas Accessibility Standards and ADA

Compliance with Texas Accessibility Standards and the Americans with Disabilities Act (ADA) will be as stated in the Master Agreement, without exception.

9. Architectural and Engineering Services

Architectural and engineering services will be provided by the Local Government as stated in the Master Agreement. The Local Government is responsible for performance of any required architectural or preliminary engineering work. For projects on the state highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the state highway system, the design shall, at a minimum, conform to applicable *American Association of State Highway and Transportation Officials* design standards. The State may review and comment on the work as required to accomplish the public purposes of the State. The Local Government will cooperate fully with the State in accomplishing these local public purposes to the degree permitted by State and Federal law.

10. Construction Responsibilities

Construction responsibilities will be carried out by the Local Government as stated in the Master Agreement.

CSJ #: 0918-24-099
District #: 18-Dallas
Code Chart 64 #: 33100
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Not Research and Development
Funding Category: Cat. 5
County: Collin

11. Project Maintenance

Project maintenance will be undertaken as provided for in the Master Agreement, without exception.

12. Local Project Sources and Uses of Funds

- A. A Project Budget Estimate is provided in Attachment C. The State and the Federal Government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration. After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for one hundred percent (100%) of the cost of any work performed under its direction or control before the Federal spending authority is formally obligated.
- B. If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.
- C. A Source of Funds estimate based on the Transportation Improvement Program (TIP) is also provided in Attachment C. Attachment C shows the percentage and estimated dollar amount to be contributed to the project by federal, state, and local sources. The parties agree that the LPAFA may be amended from time to time as required to meet the funding commitments based on revisions to the TIP, Federal Project Authorization and Agreement (FPAA), or other federal document.
- D. The Local Government is responsible for all non-federal and non-state funding, including any project cost overruns, unless otherwise provided for in this agreement or through amendment of this agreement.
- E. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering for the project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction costs.
- F. In the event that the State determines that additional funding by the Local Government is required at any time during the Project, the State will notify the Local Government in writing. The Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification.

CSJ #: 0918-24-099
District #: 18-Dallas
Code Chart 64 #: 33100
Project: Plano Transit Village Veloweb
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Federal Highway Administration - CFDA # 20.205
Not Research and Development
Funding Category: Cat. 5
County: Collin

- G.** Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." The check or warrant shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied by the State to the Project. If, after final Project accounting, excess funds remain in the escrow account, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.
- H.** If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than State or Federal Regulations, or if any other locally proposed changes, including but not limited to plats or replats, result in increased costs, then any increased costs associated with the ordinances or changes will be paid by the Local Government. The cost of providing right of way acquired by the State shall mean the total expenses in acquiring the property interests either through negotiations or eminent domain proceedings, including but not limited to expenses related to relocation, removal, and adjustment of eligible utilities.
- I.** The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Any entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- J.** Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.
- K.** The Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by the State no more frequently than monthly and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred, and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.

13. Document and Information Exchange

The Local Government agrees to electronically deliver to the State all general notes, specifications, contract provision requirements, and related documentation in a Microsoft® Word or similar document. If requested by the State, the Local Government will use the State's document template. The Local Government shall also provide a detailed construction time estimate including types of activities and month in the format required by the State. This requirement applies whether the Local Government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

CSJ #: 0918-24-099
District #: 18-Dallas
Code Chart 64 #: 33100
Project: Plano Transit Village Veloweb
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Not Research and Development
Funding Category: Cat. 5
County: Collin

14. Incorporation of Master Agreement Provisions

This LPAFA incorporates all of the governing provisions of the Master Agreement in effect on the date of final execution of this LPAFA, unless an exception has been made in this agreement.

15. Insurance

If this Agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

16. Debarment Certification

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

17. Cost Principles and Office of Management and Budget (OMB) Audit Requirements

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

18. Notices

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

Local Government:	State:
City Manager City of Plano 1520 Avenue K Plano, Texas 75086-0358	Director of Contract Services Texas Department of Transportation 125 E. 11 th Street Austin, Texas 78701

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

CSJ #: 0918-24-099
District #: 18-Dallas
Code Chart 64 #: 33100
Project: Plano Transit Village Veloweb
Limits: From 12th Place to SH 190 (President George W. Bush Turnpike)
Federal Highway Administration - CFDA # 20.205
Not Research and Development
Funding Category: Cat. 5
County: Collin

19. Civil Rights Compliance

The Local Government shall comply with the regulations of the U.S. Department of Transportation as they relate to non-discrimination (49 CFR Part 21 and 23 CFR Part 200), and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

20. Disadvantaged Business Enterprise (DBE) Program Requirements

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.
- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://txdot.gov/business/business_outreach/mou.htm.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

21. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this Agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part

CSJ #: 0918-24-099
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170, including Appendix A. This Agreement is subject to the following award terms:

<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and

<http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

B. The Local Government agrees that it shall:

1. Obtain and provide to the State and the Federal government, a Central Contracting Registry (CCR) number (Federal Acquisition Regulation, Part 4, Sub-part 4.1100) if this award provides for more than \$25,000 in Federal Funding. The CCR number may be obtained by visiting the CCR website whose address is:
<https://www.bpn.gov/ccr/default.aspx>;
2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and
3. Report the total compensation and names of its top five (5) executives to the State if:
 - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

22. Single Audit Report

- A.** The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.
- B.** If threshold expenditures of \$500,000 or more are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at http://www.txdot.gov/contact_us/audit.htm.
- C.** If expenditures are less than \$500,000 during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$500,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D.** For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

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23. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT – CITY OF PLANO

By: _____
Bruce D. Glasscock
City Manager

Date: _____

THE STATE OF TEXAS

By: _____
Janice Mullenix
Director of Contract Services
Texas Department of Transportation

Date

CSJ #: 0918-24-099
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Project: Plano Transit Village Veloweb
Limits: From 12th Place to SH 190 (President George W. Bush Turnpike)
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ATTACHMENT A
RESOLUTION OR ORDINANCE

CSJ #: 0918-24-099
District #: 18-Dallas
Code Chart 64 #: 33100
Project: Plano Transit Village Veloweb
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ATTACHMENT B
PROJECT LOCATION MAP

CSJ #: 0918-24-099
 District #: 18-Dallas
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ATTACHMENT C
PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS

Costs will be allocated based on 80% Federal funding and 20% Local Government funding until the Federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

Description	Total Estimate Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Environmental (by Local)	\$20,000	80%	\$16,000	0%	\$0	20%	\$4,000
Engineering (by Local)	\$144,500	80%	\$115,600	0%	\$0	20%	\$28,900
Right of Way (by Local)	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities (by Local)	\$0	0%	\$0	0%	\$0	0%	\$0
Construction (by Local)							
CMAQ	\$1,147,140	80%	\$917,712	0%	\$0	20%	\$229,428
Local	\$1,054,497	0%	\$0	0%	\$0	100%	\$1,054,497
<i>Total Construction</i>	<i>\$2,201,637</i>		<i>\$917,712</i>		<i>\$0</i>		<i>\$1,283,925</i>
Subtotal	\$2,366,137		\$1,049,312		\$0		\$1,316,825
Direct State Cost – Env. @ 2.0%	\$400	80%	\$320	0%	\$0	20%	\$80
Direct State Cost – Eng. @ 2.0%	\$2,890	80%	\$2,312	0%	\$0	20%	\$578
Direct State Cost – ROW	\$1	80%	\$.80	0%	\$0	20%	\$.20
Direct State Cost – UTL	\$1	80%	\$.80	0%	\$0	20%	\$.20
Direct State Cost – CST @ 4.0% (CMAQ-CST)	\$45,886	80%	\$36,708	0%	\$0	20%	\$9,177
Indirect State Cost @ 5.94%	\$140,549	0%	\$0	100%	\$140,549	0%	\$0
TOTAL	\$2,555,863		\$1,088,654		\$140,549		\$1,326,660

Total Payment paid by the Local Government to the State = \$11,614.71

Direct State Cost will be based on actual charges.

This is an estimate only; final participation amounts will be based on actual charges to the project.

CSJ #: 0918-24-099
District #: 18-Dallas
Code Chart 64 #: 33100
Project: Plano Transit Village Veloweb
Limits: From Parker to SH 190 (President George W. Bush Turnpike)
Federal Highway Administration - CFDA # 20.205
Not Research and Development
Funding Category: Cat. 5
County: Collin

STATE OF TEXAS §

COUNTY OF TRAVIS §

ADVANCE FUNDING AGREEMENT

AMENDMENT #1

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and the City of Plano, acting by and through its duly authorized officials, called the Local Government.

W I T N E S S E T H

WHEREAS, the State and the Local Government executed a contract (CSJ 0918-24-099) on February 10, 2004, to effectuate their agreement to construct a Land Use/Transportation Joint Venture/Plano Transit Village Veloweb, a continuous bicycle and pedestrian trail from the end of the Richardson trail at the George Bush Turnpike DART Station through the Downtown Plano DART Station to the Parker Road Station in the City of Plano; and,

WHEREAS, it has become necessary to amend that contract;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, the State and the Local Government do agree as follows:

A G R E E M E N T

1. Description of Amended Items

This Agreement is terminated in its entirety when signed by the last party whose signing makes this Agreement fully executed.

2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

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Funding Category: Cat. 5
County: Collin

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT – CITY OF PLANO

By: _____
Bruce Glasscock
City Manager

Date: _____

THE STATE OF TEXAS

By: _____
Janice Mullenix
Director of Contract Services
Texas Department of Transportation

Date: _____



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 22, 2013		
Department:		City Manager's Office		
Department Head		Bruce D. Glasscock		
Agenda Coordinator (include phone #): Cindy Pierce, ext. 5161				
CAPTION				
A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of a First Amendment to Employment Agreement by and between Bruce D. Glasscock and the City of Plano for City Manager services; authorizing its execution by the Mayor or his authorized designee; and providing an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): GENERAL FUND				
COMMENTS: Funding for this item is included in the 2012-13 Budget.				
STRATEGIC PLAN GOAL: Approval of this item relates to the City's goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of a First Amendment to Employment Agreement by and between Bruce D. Glasscock and the City of Plano for City Manager services; authorizing its execution by the Mayor or his authorized designee; and providing an effective date.				
List of Supporting Documents: First Amendment Employment Agreement			Other Departments, Boards, Commissions or Agencies	

A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of a First Amendment to Employment Agreement by and between Bruce D. Glasscock and the City of Plano for City Manager services; authorizing its execution by the Mayor or his authorized designee; and providing an effective date.

WHEREAS, the City Council has been presented a proposed First Amendment to the Employment Agreement By and Between the City of Plano, Texas ("Employer") and Bruce D. Glasscock ("Employee"), a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "First Amendment"); and

WHEREAS, Employer and Employee entered into an Employment Agreement on March 28, 2011, setting forth the expectations and benefits to be provided to Employee while he serves as the Plano City Manager; and

WHEREAS, Employer and Employee desire to amend said Employment Agreement to allow certain deletions and changes; and

WHEREAS, upon full review and consideration of the First Amendment, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions of the First Amendment should be approved, and that the Mayor shall be authorized to execute it on behalf of the City of Plano.

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

Section I. The terms and conditions of the First Amendment, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, are hereby in all things approved.

Section II. The Mayor or his authorized designee is hereby authorized to execute the First Amendment and all other documents in connection therewith on behalf of the City of Plano, substantially according to the terms and conditions set forth in the First Amendment.

Section III. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

First Amendment Employment Agreement

This Agreement is made and entered into this ____ day of _____, 2013 by and between the City of Plano, a municipal corporation, (hereinafter called "Employer") and Bruce D. Glasscock (hereinafter called "Employee") an individual to set forth the obligations between the parties for the duties and benefits for Mr. Glasscock to serve as Plano City Manager and the parties agree as follows:

Section 1: Purpose

The purpose of this Agreement is to set forth the expectations and benefits to be provided the City Manager while he serves as the Plano City Manager, the parties agree that this Agreement does not alter the at will status of Bruce D. Glasscock as an employee of the City.

Section 2: Term

A. The initial term of this Agreement shall be from February 18, 2011 through February 17, 2014 unless it is terminated earlier by Employee or Employer under Section 8. In the event of early termination and Employee is eligible for severance under Section 9, the applicable severance provision shall be paid.

B. If the Employer elects to **not** renew the Agreement, it shall notify the Employee in writing not later than November 18, 2013 and the Agreement shall terminate on February 17, 2014. Upon expiration, neither party shall have any further obligations under the Agreement including but not limited to the employment of Employee as City Manager or payment of any benefits, including severance. Upon termination, the Employee shall only be entitled to the customary benefits that are provided to other employees on termination pursuant to city policies.

C. At the end of the initial term and if the Employer has **not** provided notice to terminate, the Agreement shall renew annually for one (1) year term(s). Thereafter, the Employer must notify Employee in writing of its election to **not** renew the Agreement no later than November 18th of each year the Agreement is in effect; otherwise the Agreement is extended for one additional year. Once the Employer elects to not renew, the Agreement is terminated on February 17th of the following year with no further obligations by either party including but not limited to the employment of Employee as City Manager or payment of any benefits, including the severance. Upon termination, the Employee shall only be entitled to the customary benefits that are provided to other employees on termination pursuant to city policies.

Section 3: Duties and Authority

Employer agrees to appoint Bruce D. Glasscock as City Manager to perform all customary and usual functions and duties of the position of City Manager including but not limited to those specified by state law, City Charter, and any applicable city ordinances, resolutions and policies.

Section 4: Compensation

Effective October 1, 2012, Employer agrees to pay Employee an annual base salary of Two Hundred and Thirty Two Thousand Dollars (\$232,000.00), payable in installments at the same time that the other employees of the Employer are paid.

This Agreement shall be automatically amended to reflect any salary adjustments that are provided by the Employer. Consideration shall be given on an annual basis to increase compensation.

Section 5: Retirement

The Employer agrees to pay its share of contributions to Employee's Texas Retirement System and Retirement Savings Plan benefits for Employee in accordance with the provisions of those plans.

In addition to the plans referenced above, Employer agrees to execute all necessary agreements provided by ICMA Retirement Corporation [ICMA-RC] Section 457 deferred compensation plan for Employee's continued participation in said plan. Effective January 1, 2013, Employer agrees to pay annually an amount equal to \$15,000.00 in equal proportionate amounts each pay period into said plan on Employee's behalf. Employee agrees he is solely responsible for insuring that as a result of the Employer's contribution, the total annual contribution by the Employer and the Employee does not exceed the maximum limits that may be contributed annually without incurring tax or other liability.

Section 6: General Business Expenses

A. Employer agrees to budget for and to pay for professional dues and subscriptions of the Employee necessary for his continuation and full participation in national, regional, state, and local associations, and organizations necessary and desirable for the Employee's continued professional participation, growth, and advancement, and for the good of the Employer.

B. Employer agrees to budget for and to pay for travel subsistence expenses of Employee for professional and official travel, meetings, and occasions to adequately continue the professional development of Employee and to pursue necessary official functions for Employer, including but not limited to the ICMA Annual Conference, the state league of municipalities, and such other national, regional, state, and local governmental groups and committees in which Employee serves as a member.

C. Employer also agrees to budget for and to pay for travel and subsistence expenses of Employee for short courses, institutes, and seminars that are necessary for the Employee's professional development and for the good of the Employer.

D. Employer recognizes that certain expenses of a non-personal but job related nature are incurred by Employee, and agrees to reimburse or to pay said general

expenses. The Finance Director is authorized to disburse such moneys upon receipt of duly executed expense or petty vouchers, receipts, statements or personal affidavits.

E. The Employer acknowledges the value of having Employee participate and be directly involved in local civic clubs or organizations. Accordingly, Employer shall pay for the reasonable membership fees and/or dues to enable the Employee to become an active member in local civic clubs organizations.

Section 7: Termination

This Agreement may be terminated by: a majority vote of the governing body at a duly authorized public meeting; or, by Employee giving ninety days' notice of his resignation to Employer and Employer accepting such resignation at a duly authorized public meeting. The Employer may reduce the notice period upon agreement of the Employee.

Upon termination, the Employee shall also be compensated for accrued sick leave and vacation time in accordance with the limitations for such payments under City policy.

Section 8: Severance

A. Severance shall be paid only under the following events:

(1) In the event the Employee is terminated without cause by the Employer during his first year of appointment and Employee is willing and able to perform his duties under this Agreement, Employer agrees to pay a severance payment equal to three months' salary excluding car allowance. This shall be paid in a lump sum within ten days following the effective date of termination. Employer shall also make a deferred compensation contribution for that period in an amount of Twenty Five Hundred Dollars (\$2500.00) to the ICMA-RC plan on Employee's behalf; or,

(2) If the Employee is terminated without cause at any time after the first year of his appointment, the Employer shall provide a severance payment equal to six months' salary at the current rate of pay, excluding car allowance, and Employer shall make a deferred compensation contribution of Five Thousand Dollars (\$5,000.00) to the ICMA-RC plan on Employee's behalf. The severance shall be paid in a lump sum within ten days of the effective date of the termination.

B. All lump sum payments will be net of any applicable and customary deductions for income tax, Medicare, etc.

C. If the Employee is terminated **for cause**, the Employer is not obligated to pay any severance under this section.

D. No severance is due if the Employer elects to not renew the Agreement at the end of the initial or any renewal under Section 2: Term B or C, or if the Employee resigns.

Section 9: Performance Evaluation

Employer shall annually review the performance of the Employee subject to a process, form, criteria, and format for the evaluation which shall be mutually agreed upon by the Employer and Employee.

Section 10: Hours of Work

It is recognized that the Employee must devote a great deal of time outside the normal office hours on business for the Employer and, to that end, Employee shall be allowed to establish an appropriate work schedule.

Section 11: Outside Activities

The employment provided for by this Agreement shall be the Employee's sole employment unless otherwise approved by the City Council.

Section 12 Bonding

Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

Section 13: Other Terms and Conditions of Employment

The Employer shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee that are not inconsistent with this Agreement.

Section 14: General Provisions

A. Integration. This Agreement sets forth and establishes the entire understanding between the Employer and the Employee relating to the employment of the Employee by the Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated and made a part of this Agreement.

B. Binding Effect. This Agreement shall be binding on the Employer and the Employee as well as their heirs, assigns, executors, personal representatives and successors in interest.

C. Severability. The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this _____ day of _____, 2013.

ATTEST:

By: _____
Phil Dyer, MAYOR

ATTEST:

By: _____
Bruce D. Glasscock, CITY MANAGER



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		4/22/13		
Department:		Engineering		
Department Head		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #):			Kathleen Schonne (7198)	
			Project No 5987.1	
CAPTION				
<p>A Resolution of the City Council of the City of Plano, Texas, approving the purchase of 2,048 sq. ft. of land for a Street Easement and 269 sq. ft. for a Temporary Construction Easement located at the northwest corner of Independence Parkway and 15th Street intersection by and between M Muffin 2 LLC, a Delaware limited liability company, Samurai Solomon 2 LLC, a Delaware limited liability company, and Anthony Solomon 2 LLC, a Delaware limited liability company and the City of Plano; and authorizing the City Manager or his authorized designee to execute any necessary documents; and providing an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	87,833	2,548,167	0	2,636,000
Encumbered/Expended Amount	-87,833	-263,091	0	-350,924
This Item	0	-53,966	0	-53,966
BALANCE	0	2,231,110	0	2,231,110
FUND(S): STREET IMPROVEMENT CIP				
<p>COMMENTS: Funds are included in the FY 2012-13 Street Improvement CIP. This item, in the amount of \$53,966, will leave a current year balance of \$2,231,110 for the Independence Parkway Corridor Improvements project.</p> <p>STRATEGIC PLAN GOAL: The purchase of easements to facilitate the Independence Parkway Corridor Improvement project relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>This purchase is for the acquisition of a 2,048 sq. ft. of land for the Street Easement and 269 sq. ft. for a Temporary Construction Easement, located at the northwest corner of Independence Parkway and 15th Street intersection, in Lot 12A, Block B of Prairie Creek Estates, an addition to the City of Plano, Collin County, Texas.</p> <p>The City will pay \$53,966 for the two easements.</p> <p>The easements are needed for the Independence Parkway Corridor intersection improvements and staff recommends approval.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Resolution; Exhibits A & B			N/A	

A Resolution of the City Council of the City of Plano, Texas, approving the purchase of 2,048 sq. ft. of land for a Street Easement and 269 sq. ft. for a Temporary Construction Easement located at the northwest corner of Independence Parkway and 15th Street intersection by and between M Muffin 2 LLC, a Delaware limited liability company, Samurai Solomon 2 LLC, a Delaware limited liability company, and Anthony Solomon 2 LLC, a Delaware limited liability company and the City of Plano; and authorizing the City Manager or his authorized designee to execute any necessary documents; and providing an effective date.

WHEREAS, the City of Plano ("City ") wants to acquire 2,048 sq. ft. of land for a Street Easement, attached hereto as Exhibit "A" and 269 sq. ft. of land for a Temporary Construction Easement, a copy of which is attached hereto as Exhibit "B" (collectively the "Easements ") from M Muffin 2 LLC, a Delaware limited liability company, Samurai Solomon 2 LLC, a Delaware limited liability company, and Anthony Solomon 2 LLC, a Delaware limited liability company, for the Independence Parkway Corridor intersection improvements project (the "Project "); and

WHEREAS, the Public Works Department requests that City Council authorize the purchase of the Easements for the Project in the amount of FIFTY-THREE THOUSAND NINE HUNDRED SIXTY-SIX AND NO /100 DOLLARS (\$53,966.00) (the "Purchase Price "); and

WHEREAS, upon full review and consideration of the acquisition request, and all matters attendant and related thereto, the City Council finds that it is in the best interest of the City to approve the amount of the Purchase Price for the acquisition of the Easements for the Project.

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

Section I. The Purchase Price for the acquisition of the Easements by the City from M Muffin 2 LLC, Samurai Solomon 2 LLC, and Anthony Solomon 2 LLC, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City and its citizens, is hereby in all things approved.

Section II. The City Manager, or his authorized designee, is hereby authorized to execute all documents in connection therewith on behalf of the City to facilitate the purchase of the Easements.

Section III. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

EXHIBIT A

STREET EASEMENT

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN §

THAT, **M MUFFIN 2 LLC**, a Delaware limited liability company, **SAMURAI SOLOMON 2 LLC**, a Delaware limited liability company, and **ANTHONY SOLOMON 2 LLC**, a Delaware limited liability company, whether one or more, hereinafter called "Grantors," for and in consideration of the sum of **TEN DOLLARS (\$10.00)** and other good and valuable consideration to Grantors in hand paid by the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, hereinafter called "Grantee," the receipt and sufficiency of which is hereby acknowledged, do hereby GIVE, GRANT and CONVEY to the Grantee an easement for street and highway purposes and the right to lay out, open, operate, construct, reconstruct and perpetually maintain street and highway facilities (the "Facilities"), together with all necessary incidental improvements and appurtenances, in, under, along, upon and across certain real property located in the City of Plano, Collin County, Texas, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth herein (the "Easement Property").

TO HAVE AND TO HOLD the same perpetually unto the Grantee, its successors and assigns, together with the right and privilege at all times to enter the Easement Property, or any part thereof, and with the right of access across Grantors' adjacent property for ingress and egress to the Easement Property for the purpose of constructing, reconstructing and maintaining the Facilities, and all

incidental improvements and for making connections therewith. Grantee shall have the right to construct, reconstruct and perpetually maintain additional Facilities at all times in the future within the Easement Property.

SIGNED this _____ day of _____, 20_____.

M MUFFIN 2 LLC, a Delaware limited liability company

BY: _____
Name: _____
Title: _____
Address: _____

SAMURAI SOLOMON 2 LLC, a Delaware limited liability company

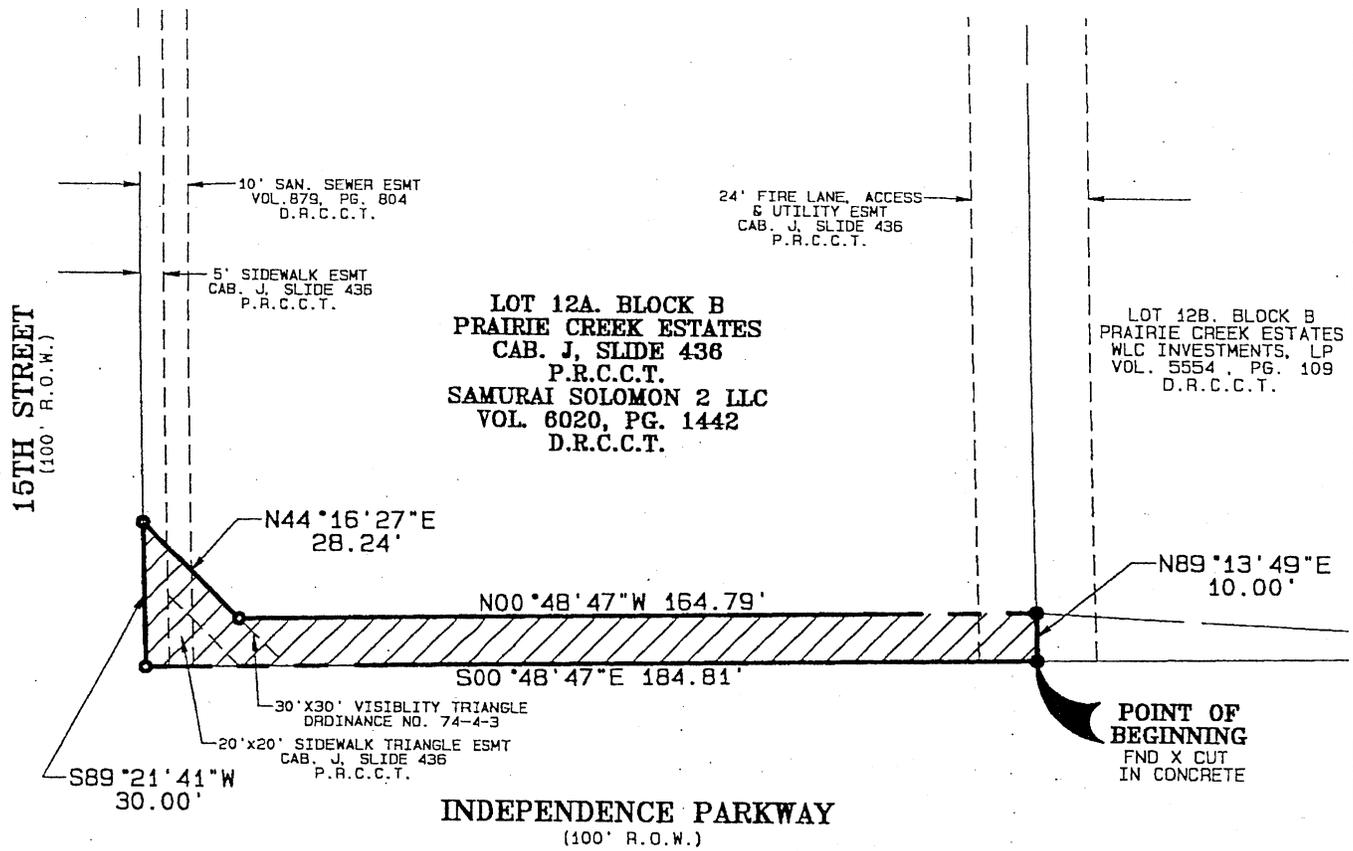
BY: _____
Name: _____
Title: _____
Address: _____

ANTHONY SOLOMON 2 LLC, a Delaware limited liability company

BY: _____
Name: _____
Title: _____
Address: _____

EXHIBIT "A"
"The Easement Property"

PAGE 1 OF 2



BASES OF BEARING CITY OF PLANO GPS
MONUMENTATION BASED ON TEXAS
STATE PLANE COORDINATE SYSTEM.

EXHIBIT A INDEPENDENCE PARKWAY STREET EASEMENT

BEING A PORTION OF
LOT 12A, BLOCK B
PRAIRIE CREEK ESTATES
MARTHA McBRIDE SURVEY
ABSTRACT NO. 553
CITY OF PLANO, COLLIN COUNTY, TEXAS



SCALE: 1"=40'



Graham Associates, Inc.
CONSULTING ENGINEERS & PLANNERS
600 SIX FLAGS DRIVE, SUITE 500
ARLINGTON, TEXAS 76011 (817) 640-8535
TYPE FORM: F-1181/TEPLS FORM: 101536-00

JANUARY 2011

EXHIBIT "A"
"The Easement Property"

PAGE 2 OF 2

LEGAL DESCRIPTION
STREET EASEMENT

Being a 0.05 acre tract of land situated in the Martha McBride Survey, Abstract No. 553, Collin County, Texas and being a portion of Lot 12A, Block B of Prairie Creek Estates, an addition to the City of Plano, as recorded in Cabinet J, Slide 436, Plat Records, Collin County, Texas and also being the same tract of land conveyed to Samurai Solomon 2, LLC, by the deed recorded in Volume 6020, Page 1442, Deed Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a found "x" in concrete located at the northeast corner of said Solomon tract and also located in the west right-of-way line of Independence Parkway (100' R.O.W.), for the POINT OF BEGINNING;

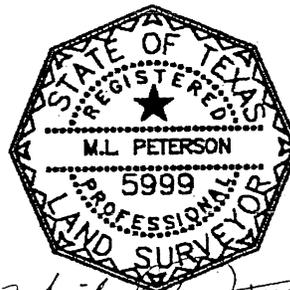
THENCE South 00°48'47" East, following along the west line of said Independence Parkway, a distance of 184.81 feet to a point, located at the intersection of the said west line of Independence Parkway and the north right-of-way line of 15th Street (100' R.O.W.);

THENCE South 89°21'41" West, following along the said north line of 15th Street, a distance of 30.00 feet to a point;

THENCE North 44°16'27" East, leaving said north line, a distance of 28.24 feet to a point;

THENCE North 00°48'47" West, a distance of 164.79 feet to a point, located in the north line of said Solomon tract;

THENCE North 89°13'49" East, following along said north line, a distance of 10.00 feet to the POINT OF BEGINNING and CONTAINING 2,048 square feet, 0.05 acres of land, more or less.



Michael Peterson
01-21-2011

This Temporary Construction Easement will expire at such time that the public improvement project described as Independence Parkway Corridor, Project No. 5987.1, is completed and accepted by the City of Plano, Texas.

This Easement may be assigned in whole or in part.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns, together with the right and privilege at all times to enter the Easement Property or any part thereof, for the purpose of access by Grantee and Grantee's contractors and their employees and for the purposes set forth above.

SIGNED this _____ day of _____, 20____.

M MUFFIN 2 LLC, a Delaware limited liability company

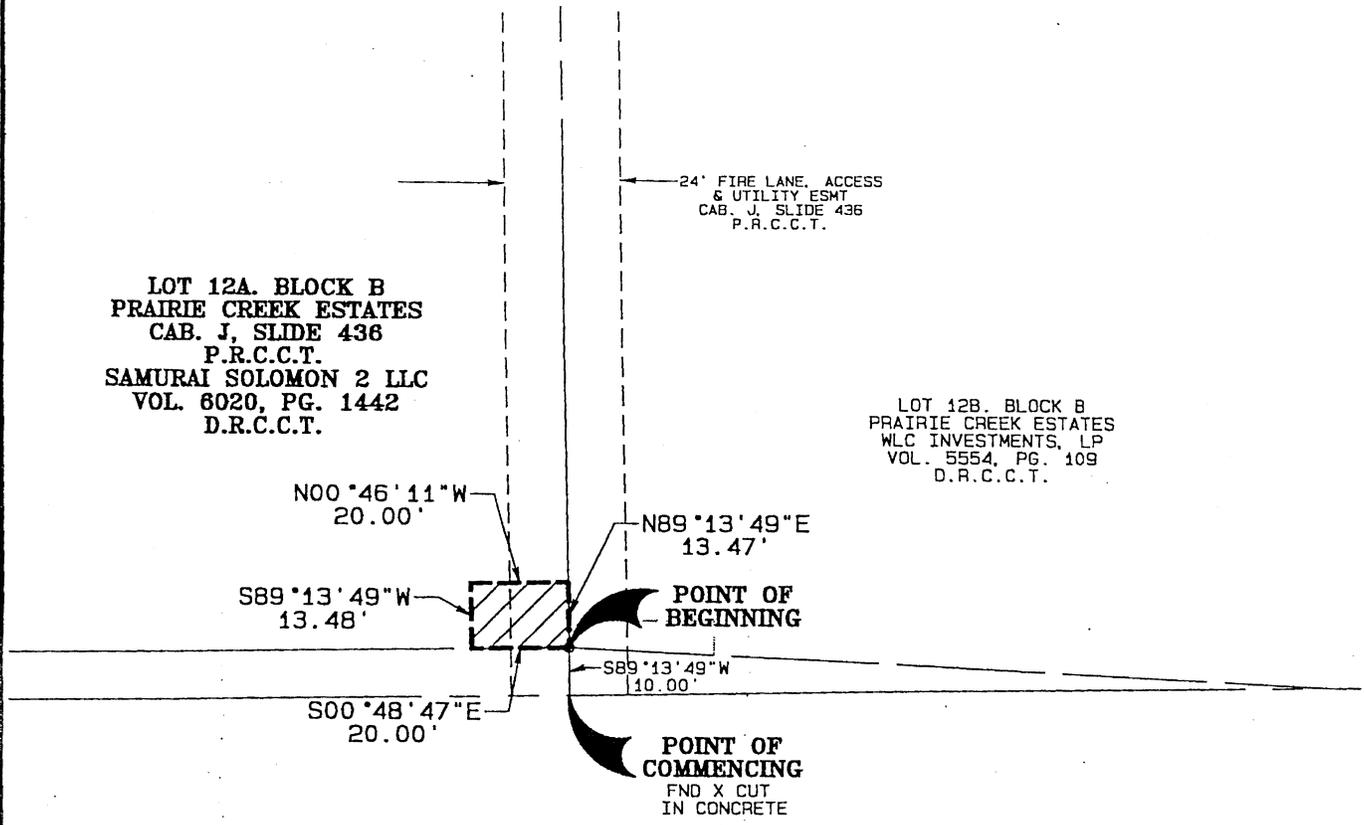
BY: _____
Name: _____
Title: _____
Address: _____

SAMURAI SOLOMON 2 LLC, a Delaware limited liability company

BY: _____
Name: _____
Title: _____
Address: _____

ANTHONY SOLOMON 2 LLC, a Delaware limited liability company

BY: _____
Name: _____
Title: _____
Address: _____



BASES OF BEARING CITY OF PLANO GPS
MONUMENTATION BASED ON TEXAS
STATE PLANE COORDINATE SYSTEM.

EXHIBIT A INDEPENDENCE PARKWAY TEMPORARY CONSTRUCTION EASEMENT

BEING A PORTION OF
LOT 12A, BLOCK B
PRAIRIE CREEK ESTATES
MARTHA McBRIDE SURVEY
ABSTRACT NO. 553
CITY OF PLANO, COLLIN COUNTY, TEXAS



SCALE: 1"=40'

 **Graham Associates, Inc.**
CONSULTING ENGINEERS & PLANNERS
600 SIX FLAGS DRIVE, SUITE 500
ARLINGTON, TEXAS 76011 (817) 640-8535
TELE FIRM: F-1191/TELE FIRM: 101538-00

JANUARY 2011

EXHIBIT "A"
"The Easement Property"

LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

Being a 0.01 acre tract of land situated in the Martha McBride Survey, Abstract No. 553, Collin County, Texas and being a portion of Lot 12A, Block B of Prairie Creek Estates, an addition to the City of Plano, as recorded in Cabinet J, Slide 436, Plat Records, Collin County, Texas and also being the same tract of land conveyed to Samurai Soloman 2, LLC, by the deed recorded in Volume 6020, Page 1442, Deed Records, Collin County, Texas, and being more particularly described as follows:

COMMENCING at a found "x" in concrete located at the northeast corner of said Solomon tract and also located in the west right-of-way line of Independence Parkway (100' R.O.W.);

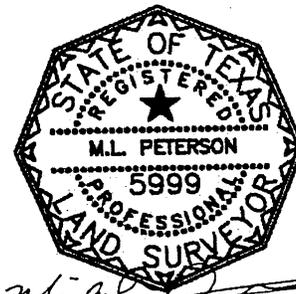
THENCE South 89°13'49" West following along the north line of said Lot 12A, a distance of 10.00 feet to the POINT OF BEGINNING;

THENCE South 00°48'47" East, leaving said south line, a distance of 20.00 feet to a point;

THENCE South 89°13'49" West, a distance of 13.48 feet to a point;

THENCE North 00°46'11" West, a distance of 20.00 feet to a point located in the said north line of Lot 12A;

THENCE North 89°13'49" East, following along said north line, a distance of 13.47 feet to the POINT OF BEGINNING and CONTAINING 269 square feet, 0.01 acres of land, more or less.



M.L. Peterson

01-21-2011



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 22, 2013		
Department:		Office of Policy and Government Relations		
Department Head		Mark Israelson		
Agenda Coordinator (include phone #): Nancy Rodriguez X7510				
CAPTION				
A Resolution of the City Council of City of Plano, Texas, authorizing continued participation with the Atmos Cities Steering Committee; authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and providing an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2012-13	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	171,420	0
Encumbered/Expended Amount		0	-82,023	0
This Item		0	-12,992	0
BALANCE		0	76,405	0
FUND(S): GENERAL FUND				
<p>COMMENTS: Funding for this item is included in the approved FY 2012-13 Non-Departmental budget. This item authorizes the continuation of the City's membership on the Atmos Cities Steering Committee (ACSC) and the payment of the City's annual assessment for continued membership.</p> <p>STRATEGIC PLAN GOAL: Continued membership on the ACSC allows the City of Plano to continue working with a coalition of North Texas municipalities to ensure natural gas rates are fair and relates to the City's goals of Partnering for Community Benefit and Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
This Resolution authorizes continued membership and per capita assessment to Atmos Cities Steering Committee.				
List of Supporting Documents: Memorandum, Resolution			Other Departments, Boards, Commissions or Agencies	



Date: April 22, 2013
To: Plano City Council
Through: Bruce Glasscock, City Manager
From: Mark Israelson, Director of Policy and Government Relations
Subject: Resolution Authorizing Continued Participation with Atmos Cities Steering Committee

Purpose of the Resolution:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee ("ACSC") is composed of municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division regardless of whether original jurisdiction has been retained. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 167 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of Resolution Paragraphs:

I. This paragraph authorizes the continuation of the City's membership in ACSC.

II. This paragraph authorizes payment of the City's assessment to the ACSC in the amount of five cents (\$0.05) per capita.

III. This paragraph requires notification that the City has adopted the Resolution.

Payment of Assessment

The assessment payment check should be made out to "***Atmos Cities Steering Committee***" and mailed to Mary Bunkley, Treasurer, Atmos Cities Steering Committee, c/o Arlington City Attorney's Office, Mail Stop 63-0300, P.O. Box 90231, Arlington, Texas 76004-3231.

A Resolution of the City Council of City of Plano, Texas, authorizing continued participation with the Atmos Cities Steering Committee; authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and providing an effective date.

WHEREAS, the City of Plano is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, the City Council authorized participation with the Atmos Cities Steering Committee on May 14, 2012 by Resolution No. 2012-5-3(R) and on April 25, 2011 by Resolution No. 2011-4-8(R); and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs; and

WHEREAS, the City Council finds that it is in the best interest of the City of Plano to continue participation in the ACSC.

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

Section I. That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Plano and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

Section II. The City is further authorized to pay its 2013 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

Section III. A copy of this Resolution and approved assessment fee payable to "Atmos Cities Steering Committee" shall be sent to:

Mary Bunkley
Treasurer, Atmos Cities Steering Committee
c/o Arlington City Attorney's Office, Mail Stop 63-0300
P.O. Box 90231
Arlington, Texas 76004-3231

Section IV. This Resolution shall become effective immediately.

DULY PASSED AND APPROVED this the 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 22, 2013		
Department:		Police		
Department Head		Gregory W. Rushin		
Agenda Coordinator (include phone #): Kellie Boyer x7248				
CAPTION				
A Resolution of the City Council of the City of Plano, Texas, repealing and replacing Resolution No. 2001-7-15(R) regarding revised rates of fare for taxicabs and limousines operating within the City of Plano, Texas; and providing an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(s): N/A				
COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: Repealing and replacing out of date resolutions relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
This resolution provides for the revision of the current rates of fare for taxicabs and limousines operating within the City of Plano to be consistent with our surrounding areas. Proposed revised rates are indexed to the rates of fare listed with the City of Dallas as amended from time to time. This revision is consistent with the original legislative intent of Resolution 2001-7-15(R).				
List of Supporting Documents: Resolution			Other Departments, Boards, Commissions or Agencies	

A Resolution of the City Council of the City of Plano, Texas, repealing and replacing Resolution No. 2001-7-15(R) regarding revised rates of fare for taxicabs and limousines operating within the City of Plano, Texas; and providing an effective date.

WHEREAS, the City of Plano City Charter Section 3.07(k) empowers the City Council to regulate, license, and fix the charges or fares for vehicles for hire, whether for transportation of passengers or freight, that operate on the public streets and alleys of the City; and

WHEREAS, the City Code of Ordinances Section 11-120 mandates that taxicab and limousine fares shall not be greater than those established by resolution of the City Council; and

WHEREAS, the taxicab and limousine rates were most recently established by City Council pursuant to Resolution No. 2001-7-15(R) which set the fares for vehicles for hire at the same rate as the City of Dallas and whereas the City of Dallas has since increased the rates for these services; and

WHEREAS, City Council finds that repealing Resolution No. 2001-7-15(R) and replacing it with the herein Resolution to revise the maximum rates charged by taxicabs and limousines to correspond to the fares charged in the City of Dallas is in the best interest of the City.

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

Section I. Resolution No. 2001-7-15(R) is hereby repealed by the City Council and replaced with revised fares for taxicabs and limousines as set out in the herein Resolution.

Section II. The schedule of rates adopted by the City of Dallas as stated in Dallas City Code Chapter 45, Article VI, Section 45-6.1, and as may be amended or re-codified from time to time, provides the maximum lawful rates permitted for taxicab or limousine services operating in the City of Plano, Texas.

Section III. The following conditions apply to all taxicab and limousine fares in the City of Plano, Texas:

1. Passengers in the same taxicab or limousine traveling between the same points are one party, and the operator cannot charge a multiple fare.
2. "Additional passengers" means the total number of passengers less one.
3. An operator must reset the meter at each destination when discharging passengers who traveled in the same cab with passengers who have different destinations, except when one person pays the fare for all passengers.
4. Passengers must approve all toll routes in advance.
5. All taxicabs and limousines must take the most direct route to their destinations, or route requested by passenger.

Section IV. This Resolution shall become effective immediately upon its passage.

Section V. The City Secretary's Office shall keep on file a current listing of rates of fares as set by the Dallas City Code of Ordinances as referenced in Section II herein and make it available to the public on request.

DULY PASSED AND APPROVED this 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 22, 2013		
Department:		City Manager		
Department Head		Frank F. Turner		
Agenda Coordinator (include phone #): Sherry Jackson - Ext. 7122				
CAPTION				
<p>A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an agreement by and between the City of Plano, Texas, Columbus Realty Partners, Ltd., Encana Oil & Gas (USA) Inc. and Blue Horseshoe, Ltd for the purpose of providing for cost reimbursement for development and oversizing of the Legacy Town Center North Lift Station; and authorizing its execution by the City Manager or his authorized designee; and providing an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	393,665	0	393,665
Encumbered/Expended Amount	0	0	0	0
This Item	0	-393,665	0	-393,665
BALANCE	0	0	0	0
FUND(S): WATER & SEWER				
COMMENTS: Funds are available in the 2012-13 Water & Sewer Fund.				
STRATEGIC PLAN GOAL: This item relates to the City's goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Agreement for the purpose of providing for cost reimbursement for development and oversizing of the Legacy Town Center North Lift Station.				
List of Supporting Documents: Resolution; Agreement			Other Departments, Boards, Commissions or Agencies	

A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an agreement by and between the City of Plano, Texas, Columbus Realty Partners, Ltd., Encana Oil & Gas (USA) Inc. and Blue Horseshoe, Ltd for the purpose of providing for cost reimbursement for development and oversizing of the Legacy Town Center North Lift Station; and authorizing its execution by the City Manager or his authorized designee; and providing an effective date.

WHEREAS, the City Council has been presented a proposed Lift Station Improvement Reimbursement Agreement by and between the City of Plano, Texas, Columbus Realty Partners, Ltd., a Texas limited liability company, Encana Oil & Gas (USA) Inc., a Delaware corporation, and Blue Horseshoe, Ltd, a Texas limited liability company, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and

WHEREAS, upon full review and consideration of the Agreement and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager or his authorized designee shall be authorized to execute it on behalf of the City of Plano.

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

Section I. The terms and conditions of the Agreement having been reviewed by the City Council of the City of Plano, Texas, and found to be acceptable and in the best interests of the City of Plano and its citizens, are hereby in all things approved.

Section II. The City Manager or his authorized designee is hereby authorized to execute the Agreement and all other documents in connection therewith on behalf of the City of Plano, substantially according to the terms and conditions set forth in the Agreement.

Section III. This Resolution shall become effective from and after its passage.

DULY PASSED AND APPROVED this the 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

**LIFT STATION IMPROVEMENT
REIMBURSEMENT AGREEMENT**

This agreement is made and entered into by and between the City of Plano, Texas, a home rule municipal corporation (the "City"), Columbus Realty Partners, Ltd, a Texas limited liability company ("Columbus Realty"), Encana Oil & Gas (USA) Inc., a Delaware corporation ("Encana") and Blue Horseshoe, Ltd, A Texas limited liability company ("Heady), (collectively the "Parties").

WHEREAS, the Parties have entered into this Agreement for the purpose of providing for cost reimbursement for development and oversizing of the Legacy Town Center North Lift Station pursuant to a per capacity basis rather than a pro rata basis as provided for in Chapter 21, Article V, Division 3 of the City Code of Ordinances.

NOW, THEREFORE, for and in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**ARTICLE I.
CONSTRUCTION OF
PUBLIC IMPROVEMENTS**

Columbus Realty constructed the Legacy Town Center North Lift Station, the location of which is shown on the attached Exhibit "A" attached hereto and incorporated herein and made a part hereof by reference, which included oversizing to serve the surrounding area in accordance with the City's Standard Specifications for Public Works Construction, a copy of which is available in the City's Public Works Department and which is incorporated herein and made a part hereof by reference ("Standard Specifications"), and Columbus Realty's Engineering Plans approved by the City on December 19, 2012, a copy of which is available in the City's Public Works Department and which are incorporated herein and made a part hereof by reference ("Engineering Plans"). Columbus Realty paid the entire cost for construction of the Improvements in the amount of Seven Hundred Eighty Seven Thousand and Three Hundred Twenty Nine dollars (\$787, 329.00). The City, Encana and Heady have agreed to reimburse Columbus Realty on a per capita cost basis in lieu of the pro rata basis in Chapter 21, Article V, Division 3 of the City Code of Ordinances and to be paid in accordance with Article II herein.

ARTICLE II.
REIMBURSEMENT FOR
OVERSIZE IMPROVEMENTS

The City, Encana, and Heady shall reimburse Columbus Realty for their per capita share of the construction costs for construction of the Legacy Town Center North Lift Station in the specified amounts as identified and described in Exhibit "B" which is attached hereto and incorporated herein by reference. The City and Heady shall pay Columbus Realty their share of the costs as shown in Exhibit "B" within thirty (30) days of execution of this Agreement. Encana agrees that the development at the property located on Lot 6, Block C Legacy Town Center (North), as shown in the attached Exhibit "C" which is attached hereto and incorporated herein by reference (the "Encana Property"), shall connect to the Legacy Town Center North Lift Station and that Encana shall pay Columbus Realty its share of the costs as shown in Exhibit "B" within thirty (30) days of the date of final engineering plan approval by the City for the Encana Property. This Agreement shall be binding on any successors or assigns of the Parties in accordance with Section 3.04 herein.

ARTICLE III.
MISCELLANEOUS PROVISIONS

3.01. Entire Agreement

This Agreement contains the entire agreement between the Parties and cannot be varied except by written agreement. This Agreement shall be subject to change, amendment or modification only in writing, and by the signatures and mutual consent of the Parties.

3.02. Notices

Unless instructed otherwise in writing, all notices or communications to City permitted or required under this Agreement shall be as follows:

For the City:
City of Plano, Texas
Attn: Gerald Cosgrove, Public Works Director
P.O. Box 860358
Plano, TX 75086-0358

For Columbus Realty:
Columbus Realty Partners, Ltd
Attn:
8343 Douglas Avenue
Suite 360
Dallas, Texas 75225

For Encana:

For Heady:
Blue Horseshoe, LTD
Attn:
2500 N Dallas Pkwy
Suite 220
Plano, TX 75025

3.03. Recitals and Headings

Recitals contained at the beginning of this Agreement shall be construed as a part of this Agreement. However, headings used throughout this Agreement have been used for administrative convenience only and do not constitute matter to be considered in interpreting this Agreement.

3.04. Successors and Assigns, Covenants with the Land, and Subordination by Lienholders

This Agreement shall be binding upon the successors and assigns of the Parties and shall be covenants running with the land. This Agreement or a memorandum thereof, may be recorded in the Land Records of the county in which the Property is located.

3.05. Venue

This Agreement shall be construed under and in accordance with the laws of the State of Texas and is fully performable in Collin County, Texas. Exclusive venue shall be in Collin County, Texas.

3.06. Severability

In case any one or more of the provisions contained in this Agreement shall be for any reason held invalid, illegal or unenforceable in any respect, such invalidity, illegality or un-enforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

3.07. No Waiver of Governmental Immunity

Nothing contained in this Agreement shall be construed as a waiver of the City's sovereign or governmental immunity.

3.08. Developer's Authority

The Developer represents and warrants to the City that it has full power and authority to enter into and fulfill the obligations of this Agreement.

3.09 Effective Date

This Agreement shall be effective from and after the date of execution by the last signatory hereto as evidenced below.

CITY OF PLANO, TEXAS
a home rule municipal corporation

Date: _____

By: _____
Bruce D. Glasscock
CITY MANAGER

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

ENCANA OIL & GAS (USA) INC.,
a Delaware corporation

Date: _____

By: _____
Name: _____
Title: _____

**COLUMBUS REALTY PARTNERS, LTD, a
Texas limited liability company**

Date: _____

By: _____

Name: _____

Title: _____

**BLUE HORSESHOE, LTD, a Texas limited
liability company**

Date: _____

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENTS

STATE OF TEXAS §

§

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2013, by **BRUCE D. GLASSCOCK**, City Manager of the **CITY OF PLANO, TEXAS**, a Home Rule Municipal Corporation, on behalf of said Municipal Corporation.

Notary Public, State of Texas

--- AND ---

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2013, by _____ of **ENCANA OIL & GAS (USA) INC.**, a Delaware corporation, for and on behalf of said Limited Liability Company.

Notary Public, State of Texas

--- AND ---

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2013, by _____ of **COLUMBUS REALTY PARTNERS, LTD**, a Texas limited liability company, for and on behalf of said Limited Liability Company.

Notary Public, State of Texas

--- AND ---

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2013, by _____ of **BLUE HORSESHOE, LTD**, a Texas limited liability company, for and on behalf of said Limited Liability Company.

Notary Public, State of Texas

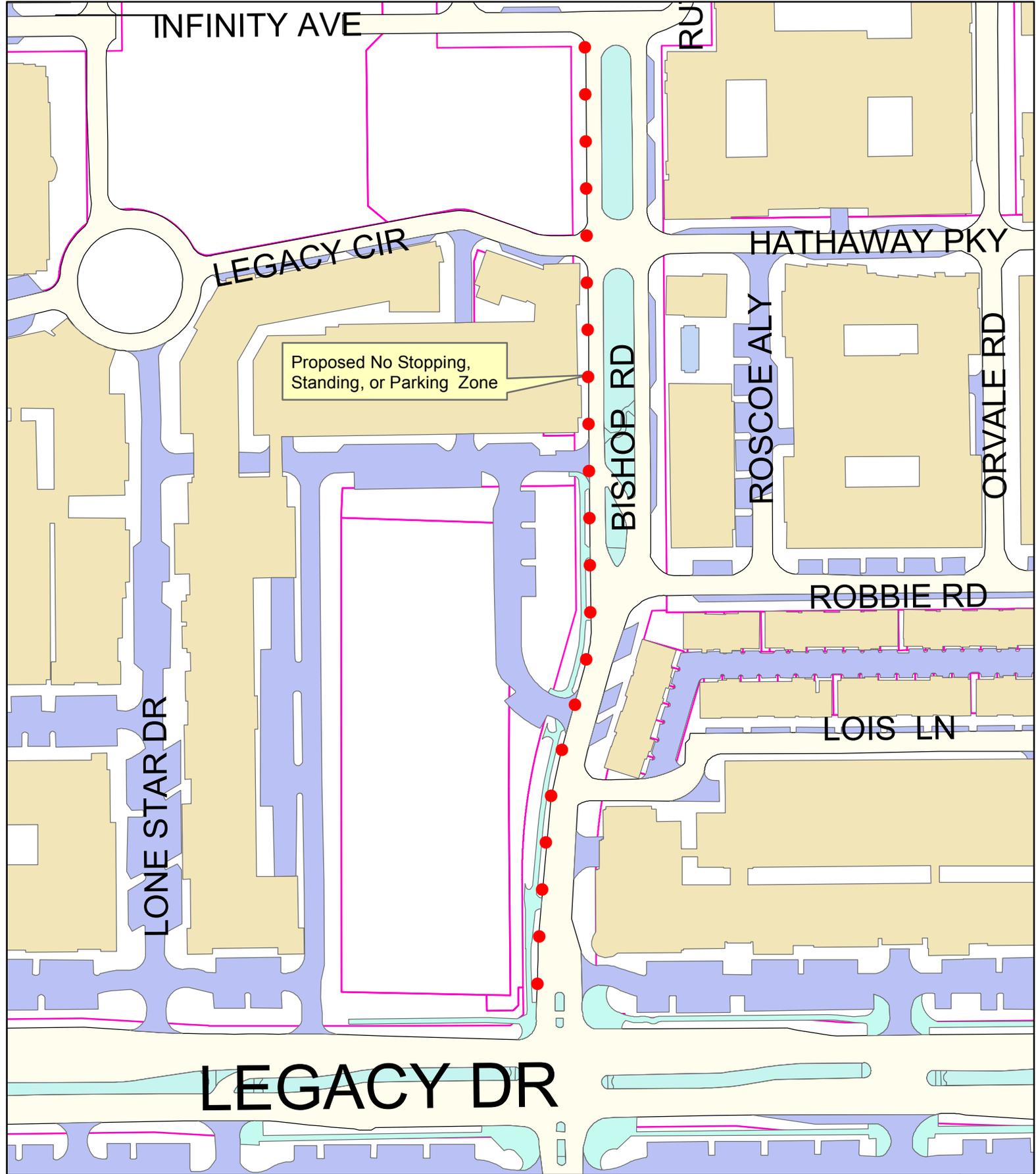
EXHIBIT "B"

Legacy Lift Station				
Lift Station and Force Main Cost		\$787,329		
	2008 Design			Proposed Development Agreement
Participants	Peak Flow MGD	Percentage of Total Flow	Cost Share	Cost Share
Columbus Realty Partners	0.612	81.4%	\$640,752	\$320,376
Encana (Formerly K Hovanian)	0.091	12.1%	\$95,275	\$47,638
Heady (Formerly Karahan)	0.049	6.5%	\$51,302	\$25,651
City of Plano	N/A	N/A	N/A	\$393,665
Total	0.752	100%	\$787,329	\$787,329



CITY OF PLANO COUNCIL AGENDA ITEM

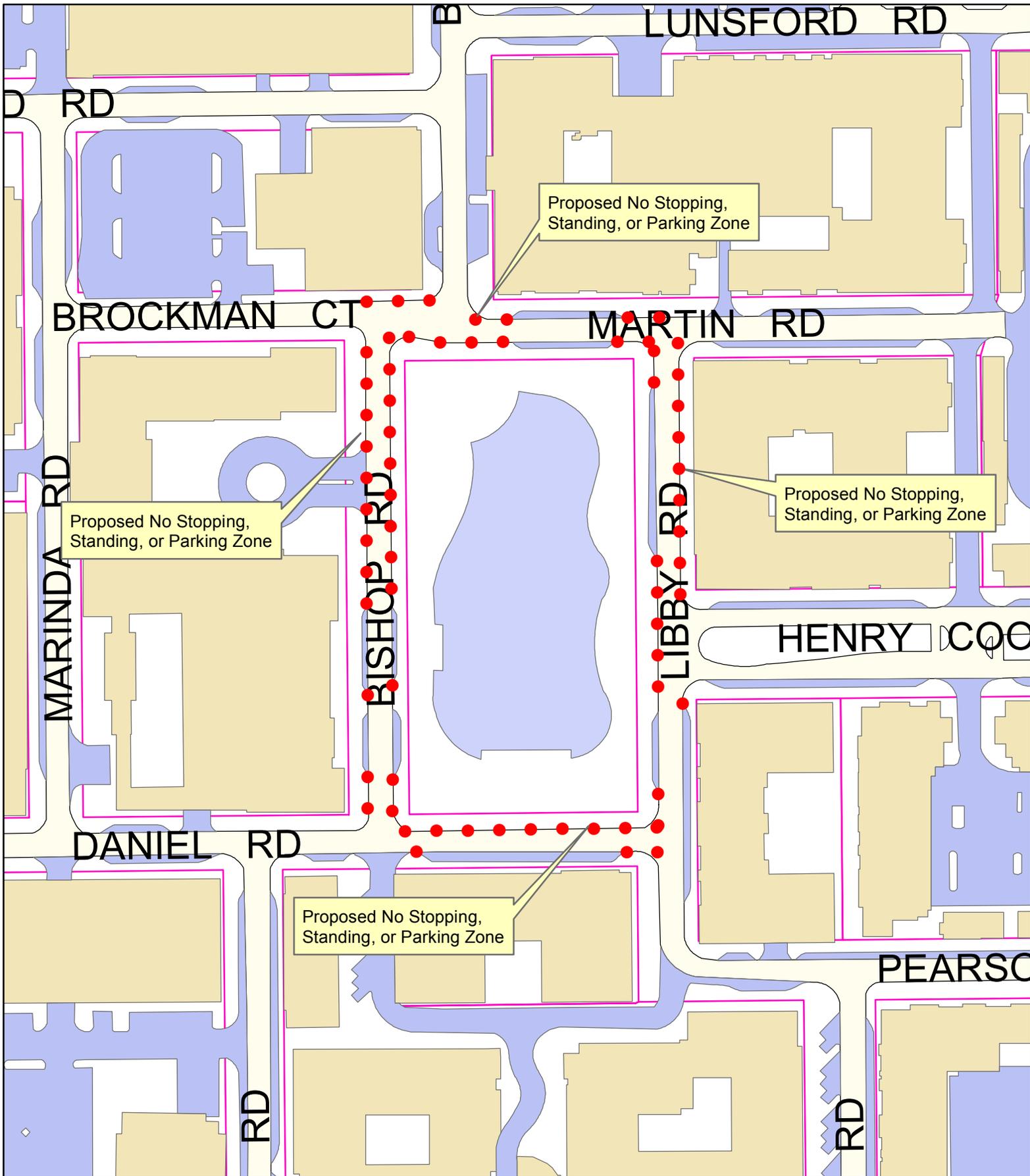
CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		4/22/13			
Department:	Engineering				
Department Head	Gerald Cosgrove				
Agenda Coordinator (include phone #):		Kathleen Schonne X-7198			
CAPTION					
<p>An Ordinance of the City of Plano, Texas amending Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bishop Road, Brockman Court, Daniel Road, Elijah Drive, Libby Road, and Martin Road, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0	0
Encumbered/Expended Amount	0	0	0	0	0
This Item	0	0	0	0	0
BALANCE	0	0	0	0	0
FUND(S): GENERAL FUND					
<p>COMMENTS: This item will generate additional revenue via fines; however, at this time the additional amount of parking fines to be collected is undeterminable.</p> <p>STRATEGIC PLAN GOAL: An ordinance prohibiting parking to reduce congestion and improve traffic circulation and emergency response relates to the City's Goal of Exciting Urban Centers - Destination for Residents and Guests.</p>					
SUMMARY OF ITEM					
<p>The Transportation Engineering Division has been working with the management association of the Shops of Legacy Town Center and the Plano Police Department to identify and mitigate sections of roadways in the development where on-street parking is resulting in recurrent congestion and hampering traffic circulation and emergency response. To address these locations, the Transportation Engineering Division (TED) has prepared the attached Ordinance prohibiting the stopping, standing, or parking of vehicles on certain sections of Bishop Road, Brockman Court, Daniel Road, Elijah Drive, Libby Road, and Martin Road for City Council consideration. The TED recommends approval of this Ordinance.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Location Maps			N/A		
Ordinance					



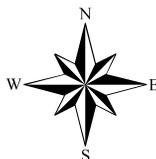
Proposed No Stopping, Standing, or Parking Zone on Bishop Road between Legacy Drive and Infinity Avenue



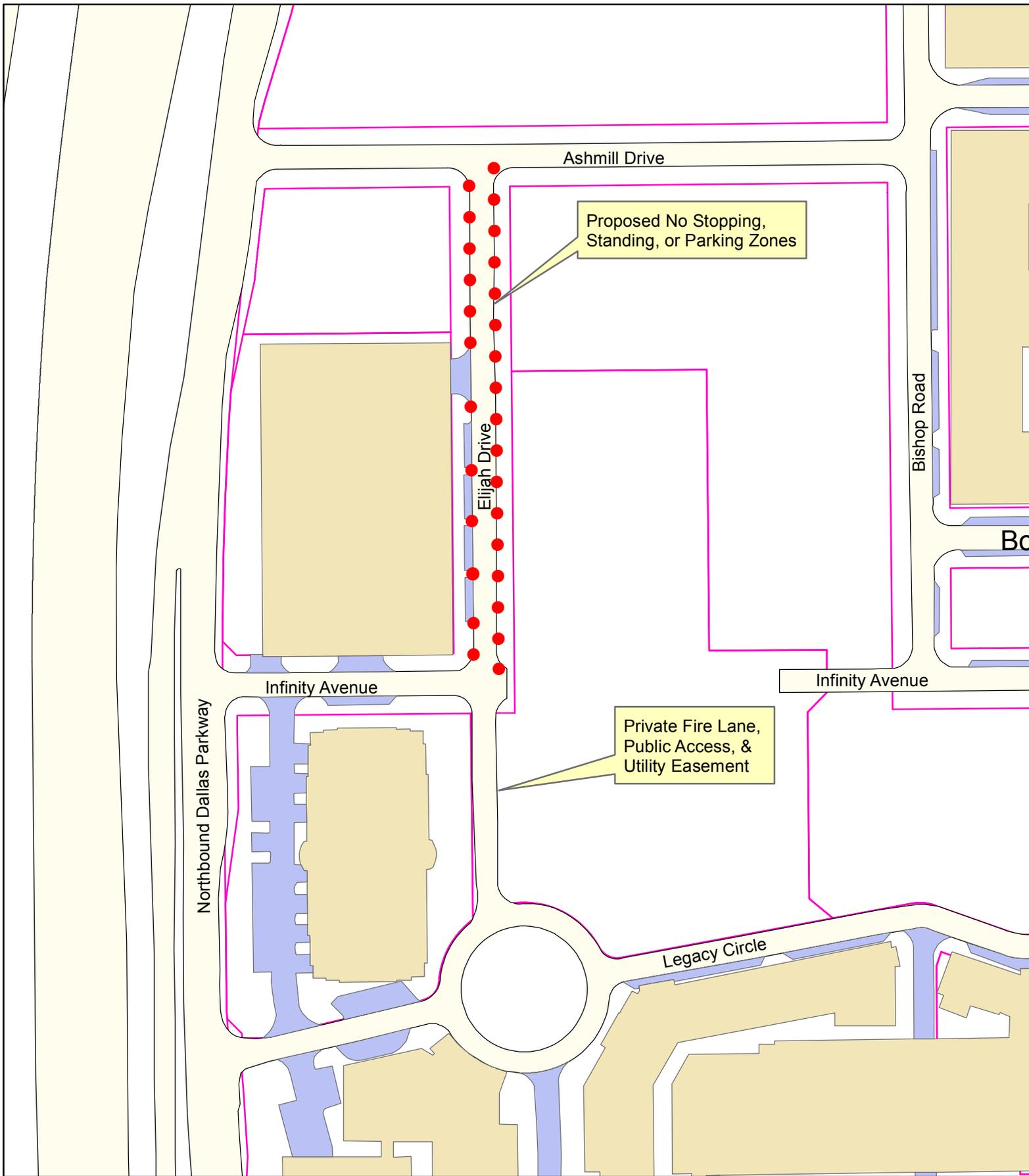
Transportation Engineering Division



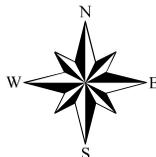
Proposed No Stopping, Standing, or Parking Zones on Bishop Road, Brockman Court, Daniel Road, Libby Road, and Martin Road



Transportation Engineering Division



Proposed No Stopping, Standing,
or Parking Zone on Elijah Drive
between Ashmill Drive and Infinity
Avenue



Transportation Engineering Division

An Ordinance of the City of Plano, Texas, amending Section 12-101 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bishop Road, Brockman Court, Daniel Road, Elijah Drive, Libby Road, and Martin Road, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the Police Department of the City of Plano has identified roadways within the Shops of Legacy Town Center that chronically become congested due to on-street parking; and

WHEREAS, the management association of the Shops of Legacy Town Center is in agreement that congested roadways within the development can have a detrimental effect on the emergency response in the development; and

WHEREAS, the management association of the Shops of Legacy Town Center and the Police Department of the City of Plano have jointly identified sections of roadways where the prohibition of stopping, standing, or parking at any time would help mitigate the recurrent congestion on these roadways and improve both traffic circulation and emergency response within the development; and

WHEREAS, the City Council of the City of Plano finds it necessary to prohibit the stopping, standing or parking at any time of motor vehicles along and upon certain sections of Bishop Road, Brockman Court, Daniel Road, Elijah Drive, Libby Road, and Martin Road within the city limits of the City of Plano in order to provide for the safety of the general public within the area.

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

Section I. It shall be unlawful for any person to stop, stand, or park a motor vehicle along the sections of Bishop Road, Brockman Court, Daniel Road, Elijah Drive, Libby Road, and Martin Road described herein, except when necessary to avoid conflict with other traffic or in compliance with law or directions of a police officer.

Section II. Section 12-101 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances is hereby amended by the repeal of the following Subsection:

“Bishop Road, along the east side of Bishop Road from its intersection with Tennyson Parkway to a point eighty-five (85) feet north of its intersection with Tennyson Parkway.”

Section III. Section 12-101 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances is hereby amended by the addition of the following Subsections entitled and to read as follows:

“Bishop Road:

- (1) Along the east side of Bishop Road from its intersection with Tennyson Parkway to a point eighty-five (85) feet north of its intersection with Tennyson Parkway.
- (2) Along the curb extensions that delineate the parallel parking areas on both sides of Bishop Road between its intersection with Daniel Road and its intersection with Brockman Court.
- (3) Along the west side of Bishop Road between its intersection with Legacy Drive and its intersection with Infinity Avenue.”

“Brockman Court, along both sides of Brockman Court from its intersection with the north leg of Bishop Road to a point eighty (80) feet west of its intersection with the north leg of Bishop Road”

“Daniel Road:

- (1) Along the north side of Daniel Road between its intersection with Libby Road and its intersection with Bishop Road.
- (2) Along the curb extensions that delineate the parallel parking areas on the south side of Daniel Road between its intersection with Libby Road and its intersection with Bishop Road.”

“Elijah Drive:

- (1) Along the east side of Elijah Drive between its intersection with Infinity Avenue and its intersection with Ashmill Drive.
- (2) Along the curb extensions that delineate the parallel parking areas on the west side of Elijah Drive between its intersection with Infinity Avenue and its intersection with Ashmill Drive.”

“Libby Road:

- (1) Along the east side of Libby Road between its intersection with Henry Cook Boulevard and its intersection with Martin Road.
- (2) Along the curb extensions that delineate the parallel parking areas on the east side of Libby Road between its intersection with Daniel Road and its intersection with Henry Cook Boulevard.
- (3) Along the curb extensions that delineate the parallel parking areas on the west side of Libby Road between its intersection with Daniel Road and its intersection with Martin Road.”

“Martin Road, along the curb extensions that delineate the parallel parking areas on both sides of Martin Road between its intersection with Libby Road and its intersection with the north leg of Bishop Road.”

Section IV. The Traffic Engineer of Plano is hereby authorized and directed to cause placement of traffic control signs at each approach to the portions of the roadways described herein, and such sign shall give notice to all persons of the prohibition against stopping, standing, or parking in this area.

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

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 unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section VII. 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 not to exceed two hundred dollars (\$200.00) for each offense. Every day a violation continues shall constitute a separate offense.

Section VIII. The repeal of any ordinance or part of an ordinance 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 ordinances at the time of passage of this Ordinance.

Section IX. This Ordinance shall become effective from and after its passage and publication as required by law.

DULY PASSED AND APPROVED this 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		04/22/13		
Department:		Planning		
Department Head		P. Jarrell		
Agenda Coordinator (include phone #): Doris Carter ext. 5350				
CAPTION				
An Ordinance of the City of Plano, Texas, repealing and replacing Ordinance No. 2013-3-10 correcting an error in the list of certain Heritage Resources located in the City of Plano, Texas approved for a partial exemption from the current year Ad Valorem Taxation in the amount of \$35,075.55 providing a severability clause and an effective date. Applicant: City of Plano				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-2014	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	-35,076	-35,076
BALANCE	0	0	-35,076	-35,076
FUND(S): GENERAL FUND & GENERAL OBLIGATION DEBT FUND				
COMMENTS: This item will result in a loss of 2013-14 Ad Valorem Tax revenue in the estimated amount of \$35,076 for a partial exemption.				
STRATEGIC PLAN GOAL: Partial Ad Valorem Tax exemptions relate to the City's goal of Great Neighborhoods - 1st Choice to Live.				
SUMMARY OF ITEM				
Due to a clerical error, Ordinance No. 2013-3-10 is being repealed and replaced. Exhibit A has been corrected and attached.				
List of Supporting Documents: Ordinance with corrected Exhibit "A" attached			Other Departments, Boards, Commissions or Agencies Heritage Commission	

An Ordinance of the City of Plano, Texas, repealing and replacing Ordinance No. 2013-3-10 correcting an error in the list of certain Heritage Resources located in the City of Plano, Texas approved for a partial exemption from the current year Ad Valorem Taxation in the amount of \$35,075.55 providing a severability clause and an effective date.

WHEREAS, Article 8, Section 1-F of the Texas Constitution and Section 11.24 of the Texas Tax Code enable the City of Plano to exempt from taxation all or part of the assessed value of a structure if the structure is designated as a historically significant site in need of tax relief to encourage its preservation; and

WHEREAS, City of Plano Ordinance No. 84-8-24, as amended, authorizes the City Council of the City of Plano, upon certification and recommendation by the Heritage Commission, to exempt from the current year taxation part or all of the assessed value of a structure if the structure is designated as a historically significant site and in need of tax relief to encourage its preservation; and

WHEREAS, the City Council approved the list of structures in attached Exhibit "A" to receive a partial exemption from ad valorem taxes for the current year (2013) but the properties located at 1413 E.15th Street; 901 E.17th Street; 901 E.16th Street; and 1004 E.15th Street were inadvertently marked for denial even though they were recommended and on the list for approval; and

WHEREAS, the list of structures in the attached Exhibit "A" has been corrected and is being resubmitted to City Council for approval by the herein Ordinance to avoid any confusion as to which properties are authorized for partial exemption from ad valorem taxes; and

WHEREAS, the City Council finds that the structures listed in this ordinance have been certified and recommended by the Heritage Commission and that Ordinance No. 2013-3-10 should be repealed and replaced with the herein Ordinance that has been corrected to accurately reflect that the properties listed qualify for partial exemption from ad valorem taxes for 2013.

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

Section I. City Council finds that it is in the best interest of the City of Plano, Texas that Ordinance No. 2013-3-10 should be repealed and replaced with the herein Ordinance. The historic structures identified in the attached Exhibit "A" have been certified and recommended by the Heritage Commission and are hereby approved by the City Council for partial exemption from ad valorem taxes for the current year (2013) in accordance with the provisions of Ordinance No. 84-8-24, as amended.

Section II. All land shall be assessed for taxation in the same equal and uniform manner as all other taxable property in the City.

Section III. 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 should not affect the validity of any other portion of this ordinance.

Section IV. This Ordinance shall become effective immediately upon its passage as required by law.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

ATTACHMENT A - LIST OF APPROVAL PROPERTIES FOR 2013

RESOURCE	LOCATION	OWNER	ADDRESS	CITY	ST	ZIP	2013 COMMENTS NOTE: Items rated "1" must be completed by 1/15/14; Items rated "2" must be completed by 1/15/15.	Staff Recomm- endation	Surveyed by	PERCENT	IMP VALUE	CITY	COUNTY	CCCC	PISD	TOTAL EXEMPTION
1 Hood House	1211 E. 15th Street	Brandon Chaney	1211 E. 15th Street	Plano	TX	75074	Re-entry into the program for 2013. All of previous years listed repairs complete. REPAIR ITEMS NOTED IN 2013 Caulking and paint touch up needed between a few siding boards at east and south facades (1)	approval	Team 2	50%	90,640	221.43	108.77	39.11	622.42	991.74
2 Carlisle House	1407 E. 15th Street	Michael and Harriet Linz	1407 E. 15th Street	Plano	TX	75074	OK - Nothing to repair	approval	Team 2	100%	294,003	1,436.50	705.61	253.72	4,037.84	6,433.67
3 Arch Weatherford House	1410 E. 15th Street	Josephine Howser	1410 E. 15th Street	Plano	TX	75074	OK - Nothing to repair	approval	Team 2	100%	189,879	927.75	455.71	163.87	2,607.80	4,155.12
4 Roller House	1413 E. 15th Street	Randy & Leah Edwards	1413 E. 15th Street	Plano	TX	75074	OK - Nothing to repair	approval	Team 2	100%	258,686	1,263.94	620.85	223.25	3,552.79	5,660.83
5 Salmon House	1414 E. 15th Street	Stephen & Ricann Bock	P O Box 276	Cold Spring	NY	10516	OK - Nothing to repair	approval	Team 2	100%	207,310	1,012.92	497.54	178.91	2,847.20	4,536.56
6 Schell House	1210 E. 16th Street	Michael & Debra Hamilton	1210 E. 16th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Eaves at the northeast side needs cleaning or paint touch up (1)	approval	Team 2	100%	118,650	579.72	284.76	102.39	1,629.54	2,596.42
7 Carpenter House	1211 E. 16th Street	Stanley and Pat Black	1211 E. 16th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2012 Fascia board on south facade, left window on third level needs repair and paint (2 - must be completed by 1/15/14) Exposed wood and shingles on south side of rotunda needs repair (2 - must be completed by 1/15/14) REPAIR ITEMS NOTED IN 2013 Flashing at right chimney on south facade needs repair (1) Second story soffit needs paint touch up (1) Trim at bottom of southwest side of the rotunda needs repair and paint touch up (1) Fish scale shingles on rotunda needs paint touch up (1)	approval	Team 2	50%	378,517	924.72	454.22	163.33	2,599.28	4,141.54
8 Little Carlisle House	1611 K Avenue	Carlisle Building LLC	1611 K Avenue	Plano	TX	75074	OK - Nothing to repair	approval	Team 2	50%	154,196	376.70	185.04	66.54	1,058.86	1,687.14
9 Forman House	1617 K Avenue	Gwen Workman	1617 K Avenue	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Handrail at front porch needs paint (1) Repair cracks in concrete slab at front and sides of the front porch (2) Repair roof shingle hanging over the side awning of the accessory building (1)	approval	Team 2	50%	57,431	140.30	68.92	24.78	394.38	628.38
10 McCall Skaggs House	1704 N Place	William and Annette Armstrong	1704 N Place	Plano	TX	75074	OK - Nothing to repair	approval	Team 2	100%	113,887	556.45	273.33	98.28	1,564.12	2,492.19
11 Welis Homestead	3921 Coit Road	Richard Wells	5001 Avenue K	Plano	TX	75074	REPAIR ITEMS NOTED IN 2012 Wood base of fence at ground level needs painting and possible replacement (2 - must be completed by 1/15/14) REPAIR ITEMS NOTED IN 2013 South facade: Lattice skirting at front porch and roof fascia on second floor at southeast corner needs paint (1) Repair leaning fence (2) Entire south facade siding needs paint touch up to have uniform paint (2) Front (east) facade: Siding above first floor porch on southeast corner and front porch steps needs paint touch up (1) Repair broken wood pickets on fence (1) Repair and paint fence base board hole at northeast corner (1) North facade: Fence base board paint touch up needed (1) Shingles at northwest corner of second floor roof missing (2) Fascia board at second floor north west corner needs paint touch (1)	approval	Team 1	50%	150,180	366.89	180.22	64.80	1,031.29	1,643.19
12 Plano National Bank/IOOF Lodge	1001 E. 15th Street	The Schell Family Trust B	P. O. Box 860355	Plano	TX	75086-0355	OK - Nothing to repair	approval	Team 1	50%	379,317	926.67	455.18	163.68	2,604.77	4,150.30
13 F&M Bank/Plano Star Courier Building	1015 E. 15th Street	Sparling Investments Ltd.	1833 Chattam Court	Plano	TX	75025	OK - Nothing to repair	approval	Team 1	50%	173,567	424.02	208.28	74.89	1,191.88	1,899.08
14 Merritt Building	1023 E. 15th Street	M. F. Robert	4604 Lawson Court	Plano	TX	75093	OK - Nothing to repair	approval	Team 1	50%	123,141	300.83	147.77	53.14	845.61	1,347.35
15 Mitchell House	609 E. 16th Street	Peggy Jane Mitchell	609 E. 16th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Southeast and southwest porch floors and steps need painting (2) Southwest porch steps need repair (1) Southeast porch fascia and siding below needs painting (1) Gazebo floor beam needs repair or replacement (1) Gazebo floor and outdoor shed on east side needs painting (2) Clean leaves (debris) on the ground in east yard (1) Remove brown paper behind the glass on door at southwest porch (1) Remove blue tape and clean paint around windows on west facade (1)	approval	Team 1	100%	12,146	59.35	29.15	10.48	166.81	265.79

ATTACHMENT A - LIST OF APPROVAL PROPERTIES FOR 2013

RESOURCE	LOCATION	OWNER	ADDRESS	CITY	ST	ZIP	2013 COMMENTS NOTE: Items rated "1" must be completed by 1/15/14; Items rated "2" must be completed by 1/15/15.	Surveyed by	Staff Recomm- endation	PERCENT	IMP VALUE	CITY	COUNTY	CCCC	PISD	TOTAL EXEMPTION
16 Wyatt House	807 E. 16th Street	Margarita Eliot	807 E. 16th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2012 Front yard fence needs painting and pickets require repair (2 – must be completed by 1/15/14) <u>West facade:</u> Fascia boards at the bottom of the gables at ends are rotting or damaged and need repair/paint and or replacement (2 – must be completed by 1/15/14) REPAIR ITEMS NOTED IN 2013 Wood picket fence needs repair and paint touch up at several locations (1) Second story soffit needs paint touch up (1) Rafter tails of roof at west facade needs painting (1)	Team 1	approval	100%	123,602	603.92	296.64	106.67	1,697.55	2,704.78
17 Will Schimelpfenig House	900 E. 17th Street	Jack and Cindy Boggs	1802 Weanne Drive	Richardson	TX	75082	REPAIR ITEMS NOTED IN 2013 <u>Front (north) facade:</u> Porch railing needs repair or replacement and touch up paint (1) Porch columns and right side of second floor window at front gable needs paint touch up (1) Dent in first floor gutter on right side needs repair and paint touch up (1) Front door glass area boarded up for repair <u>West facade:</u> Secure downspout and surface drain pipe (black color) connection at porch (1) Clean leaves and debris in gutter (1) <u>East facade:</u> Front northeast section of second floor needs paint touch up (1)	Team 1	approval	100%	159,012	776.93	381.63	137.23	2,183.87	3,479.66
18 Mathews House	901 E. 17th Street	Jennifer Owens	3100 Main Street, #335	Dallas	TX	75226	REPAIR ITEMS NOTED IN 2013 Rear (north) of the single story addition needs paint to match the rest of the house (2) Treads and risers of rear stairs needs painting (1) Clean broken glass over front porch roof below the four left windows (1) Two concrete steps at rear (north) single story addition entrance needs to be levelled and repainted (2) <u>West facade</u> - A section of siding on right side between first and second floor windows needs scraping, sanding and repainting (2)	Team 1	approval	100%	163,693	799.80	392.86	141.27	2,248.16	3,582.09
19 O'Neal House	906 E. 17th Street	Alvie and Melissa O'Neal	906 E. 17th Street	Plano	TX	75074	OK - Nothing to repair	Team 1	approval	100%	290,495	1,419.36	697.19	250.70	3,989.66	6,356.90
20 Olney Davis House	901 E. 18th Street	June Sixth Ltd.	3525 Milton Avenue	Dallas	TX	75205	REPAIR ITEMS NOTED IN 2012 Third floor gutter needs paint - hole on west facade (2 – must be completed by 1/15/14) REPAIR ITEMS IN 2013 Third floor gable window on west facade needs cleaning (1) Wood skirting at west porch needs repair (1) Need caulking and painting where first floor porch roof meets the siding at west facade and south-west facade (1)	Team 1	approval	50%	209,842	512.64	251.81	90.55	1,440.99	2,295.99
21 R.A. Davis House	906 E. 18th Street	Whitehead & Sheldon LLC	906 E. 18th Street, Suite 300	Plano	TX	75074	2013 NOTE - House receiving new exterior paint - no other repair issues noted	Team 1	approval	50%	225,624	551.20	270.75	97.36	1,549.36	2,468.66
Mary Schimelpfenig House	914 E. 18th Street	Tony and Debbie Holman	914 E. 18th Street	Plano	TX	75074	REPAIR ITEMS IN 2013 Siding and trim at right (larger) gable on front (north) facade needs painting (1)	Team 1	approval	50%	68,253	166.74	81.90	29.45	468.69	746.79
23 Aldridge House	1615 H Avenue	Clinton M. Haggard	7532 Independence Parkway	Frisco	TX	75035	REPAIR ITEMS NOTED IN 2013 Roof vent at north facade needs painting (1)	Team 1	approval	100%	198,076	967.80	475.38	170.94	2,720.38	4,334.50
24 Lamm House	1709 H Avenue	John and Helen Proch	1709 H Avenue	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Garage gutter at north facade needs repair or replacement and painting (1)	Team 1	approval	100%	125,106	611.27	300.25	107.97	1,718.21	2,737.69
25 Haggard Park	617 E. 16th Street	Peggy Ostrander	617 E. 16th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Roof shingles at southeast corner on second floor roof needs repair (1)	Team 1	approval	38%	216,012	401.07	197.00	70.84	1,127.35	1,796.26
26 Haggard Park	710 E. 16th Street	Snailum Family Living Trust Jerry D & Jackie L Snailum Trustees	601 Cattle Baron Road	McKinney	TX	75069	REPAIR ITEMS NOTED IN 2013 Roof shingles at north (front) roof needs repair (1) Need caulking around chimney flashing at North roof (1) Bricks at north roof chimney needs repointing (1) Concrete driveway needs repair or replacement (2)	Team 1	approval	75%	11,706	42.90	21.07	7.58	120.58	192.12
27 Haggard Park	801 E. 16th Street	Rudolph and Ramona Ringle	801 E. 16th Street	Plano	TX	75074	OK - Nothing to repair	Team 1	approval	75%	512,606	1,878.44	922.69	331.78	5,280.10	8,413.02
28 Haggard Park	811 E. 16th Street	Gerald T. Schultz and Karen J. Bowen	811 E. 16th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Remove pile of debris in front of west facade (1)	Team 1	approval	75%	238,393	873.59	429.11	154.30	2,455.57	3,912.57

ATTACHMENT A - LIST OF APPROVAL PROPERTIES FOR 2013

RESOURCE	LOCATION	OWNER	ADDRESS	CITY	ST	ZIP	2013 COMMENTS NOTE: Items rated "1" must be completed by 1/15/14; Items rated "2" must be completed by 1/15/15.	Surveyed by	Staff Recomm- endation	PERCENT	IMP VALUE	CITY	COUNTY	CCCC	PISD	TOTAL EXEMPTION
29 Haggard Park	815 E. 16th Street	Travis Hamilton	802 E. 15th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Vinyl siding at few locations on east and south facade looks pale and dirty, so to get a uniform look and color, it needs cleaning or replacement (1)	Team 1	approval	75%	49,983	183.16	89.97	32.35	514.85	820.33
30 Haggard Park	819 E. 16th Street	Michael Dagate	819 E. 16th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Clean leaves (debris) and trash in front yard and driveway (1) Leaning fence on east and west side needs repair or replacement (1)	Team 1	approval	75%	131,621	482.33	236.92	85.19	1,355.76	2,160.20
31 Haggard Park	901 E. 16th Street	Constance & Russell Coolik	901 E. 16th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Clean leaves (debris) in front and side yard (1)	Team 1	approval	75%	121,199	444.13	218.16	78.45	1,248.41	1,989.15
32 Haggard Park	907 E. 16th Street	Richard McKee	907 E. 16th Street	Plano	TX	75074	OK - Nothing to repair	Team 1	approval	75%	84,152	308.38	151.47	54.47	866.81	1,381.12
33 Haggard Park	805 E. 17th Street	Bertha Cardenas	805 E. 17th Street	Plano	TX	75074	OK - Nothing to repair	Team 1	approval	75%	25,495	93.43	45.89	16.50	262.61	418.43
34 Haggard Park	809 E. 17th Street	L.A. Whitley	809 E. 17th Street	Plano	TX	75074	OK - Nothing to repair	Team 1	approval	75%	27,185	99.62	48.93	17.60	280.02	446.17
35 Haggard Park	813 E. 17th Street	John and Kathleen Brooks	813 E. 17th Street	Plano	TX	75074	OK - Nothing to repair	Team 1	approval	75%	125,049	458.24	225.09	80.94	1,288.07	2,052.34
36 Haggard Park	816 E. 17th Street	Clinton M. Haggard	7532 Independence Parkway	Frisco	TX	75035	OK - Nothing to repair	Team 1	approval	75%	45,619	167.17	82.11	29.53	469.90	748.71
37 Haggard Park	907 E. 17th Street	Larry Westbrook	907 E. 17th Street	Plano	TX	75074	OK - Nothing to repair	Team 1	approval	75%	47,443	173.85	85.40	30.71	488.69	778.65
38 Haggard Park	911 E. 17th Street	PMM Enterprises LLC	2413 Neal Drive	Garland	TX	75040	REPAIR ITEMS NOTED IN 2013 Skirt board on northeast corner needs touch up paint (1) Siding board, below first window at southwest corner needs repair or replacement (1) Remove debris from rear yard (1)	Team 1	approval	75%	22,303	81.73	40.15	14.44	229.73	366.04
39 Haggard Park	812 E. 18th Street	Charles Spence	106 Salsbury Circle	Murphy	TX	75094	REPAIR ITEMS NOTED IN 2013 Front (north) facade. Left side window and corner board needs paint touch up (1)	Team 1	approval	38%	10,058	18.67	9.17	3.30	52.49	83.64
40 Haggard Park	903 E. 18th Street	Deford & Associates	903 E. 18th Street, Ste 125	Plano	TX	75074	REPAIR ITEMS NOTED IN 2012 Lower east facade siding boards below windows need sealing and repair (2 - must be completed by 1/15/14) 2013 COMMENT - Ongoing east and north facade siding replacement work per approved CA issued on 12/18/12	Team 1	approval	38%	556,311	1,032.89	507.36	182.44	2,903.34	4,626.03
41 Haggard Park	910 E. 18th Street	Ronald Thompson	121 Rolling Ridge	Holly Lake Ranch	TX	75765	REPAIR ITEMS NOTED IN 2012 North facade siding needs paint and repair (2 - must be completed by 1/15/14)	Team 1	approval	38%	34,213	63.52	31.20	11.22	178.55	284.50
42 Haggard Park	913 E. 18th Street	Bob Streiff	913 E. 18th Street	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Siding at southwest corner needs caulking and paint touch up (1)	Team 1	approval	38%	91,151	169.24	83.13	29.89	475.71	757.97
43 Haggard Park	920 E. 18th Street	Joe Ergonis	3353 Remington Drive	Plano	TX	75023	REPAIR ITEMS NOTED IN 2013 Half masonry wall on the inside southeast corner between the two porch steps needs painting (1)	Team 1	approval	38%	171,011	317.51	155.96	56.08	892.49	1,422.05
44 Haggard Park	1600 H Avenue	Connie Harrington Coolik	901 E. 16th Street	Plano	TX	75074	OK - Nothing to repair	Team 1	approval	75%	93,662	343.22	168.59	60.62	964.77	1,537.20
45 Haggard Park	1603 H Avenue	Carol Armstrong	1603 H Avenue	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Brick chimney at north facade needs paint touch-up (1)	Team 1	approval	75%	85,804	314.43	154.45	55.54	883.82	1,408.24
46 Haggard Park	1607 H Avenue	Becky Armstrong	1607 H Avenue	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Attic vent on north facade of garage needs painting (1) Brick chimney at north facade needs paint touch-up (1) Vinyl siding at front (east) gable needs cleaning (1)	Team 1	approval	75%	104,124	381.56	187.42	67.39	1,072.53	1,708.91

ATTACHMENT A - LIST OF APPROVAL PROPERTIES FOR 2013

RESOURCE	LOCATION	OWNER	ADDRESS	CITY	ST	ZIP	NOTE: Items rated "1" must be completed by 1/15/14; Items rated "2" must be completed by 1/15/15.	2013 COMMENTS	Surveyed by	Staff Recommendation	PERCENT	IMP VALUE	CITY	COUNTY	CCCC	PISD	TOTAL EXEMPTION
47 Haggard Park	1611 H Avenue	Chris and Pam Hatcher	1611 H Avenue	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Skirting at southeast facade needs paint touch up (1) Remove the extension ladder at north facade (1) Front (east) steps and newel post needs paint touch up (1) Repair hole in the skirting at south facade (1) Entire south facade needs paint touch up to have a uniform paint color to match existing color of the house (1) South side accessory building. Some of the loose wooden planking above the white metal door needs to be fixed (2) Repair the bent at bottom right side of the white metal door to seal the gap between the door and the metal panel (2) North side accessory building. Replace or paint rusted metal roof ridge (2) Replace or paint rusted door hinges (2)	REPAIR ITEMS NOTED IN 2013 Skirting at southeast facade needs paint touch up (1) Remove the extension ladder at north facade (1) Front (east) steps and newel post needs paint touch up (1) Repair hole in the skirting at south facade (1) Entire south facade needs paint touch up to have a uniform paint color to match existing color of the house (1) South side accessory building. Some of the loose wooden planking above the white metal door needs to be fixed (2) Repair the bent at bottom right side of the white metal door to seal the gap between the door and the metal panel (2) North side accessory building. Replace or paint rusted metal roof ridge (2) Replace or paint rusted door hinges (2)	Team 1	approval	75%	81,179	297.48	146.12	52.54	836.18	1,332.33
48 Haggard Park	1701 H Avenue	Humberto Quintanilla	1701 H Avenue	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Soffit board on second floor roof at east facade needs repair (1) Second floor roof fascia on east facade needs painting (1) Install missing shutter on left corner of south facade (1)	REPAIR ITEMS NOTED IN 2013 Soffit board on second floor roof at east facade needs repair (1) Second floor roof fascia on east facade needs painting (1) Install missing shutter on left corner of south facade (1)	Team 1	approval	75%	180,657	662.02	325.18	116.93	1,860.86	2,964.99
49 Haggard Park	1715 H Avenue	Young Dean Homestead Ltd.	625 W. Blondy Jhune Road	Allen	TX	75002	OK - Nothing to repair	OK - Nothing to repair	Team 1	approval	38%	157,153	291.78	143.32	51.54	820.17	1,306.81
50 Downtown	1004 E. 15th Street	Metropolitan Mammoth Jack Ltd	3838 Oak Lawn Avenue; Suite 1416	Dallas	TX	75219	OK - Nothing to repair	OK - Nothing to repair	Team 2	approval	38%	326,178	605.61	297.47	106.97	1,702.30	2,712.35
51 Downtown	1005 - 1007 E. 15th Street	Mascom Properties LLC	P. O. Box 34727	Memphis	TN	38184	REPAIR ITEMS NOTED IN 2013 Storefront windows bulkhead at south facade needs cleaning (1)	REPAIR ITEMS NOTED IN 2013 Storefront windows bulkhead at south facade needs cleaning (1)	Team 2	approval	38%	539,242	1,001.20	491.79	176.84	2,814.26	4,484.09
52 Downtown	1008 E. 15th Street	Cridler Living Trust	3013 Crooked Stick Drive	Plano	TX	75074	REPAIR ITEMS NOTED IN 2013 Ground level ledge on right side of the entry door on north facade needs paint touch up (1)	REPAIR ITEMS NOTED IN 2013 Ground level ledge on right side of the entry door on north facade needs paint touch up (1)	Team 2	approval	38%	284,790	528.76	259.73	93.39	1,486.30	2,368.18
53 Downtown	1010 E. 15th Street	Franklin W. Neal	27639 Smithson Valley Road	San Antonio	TX	78261	REPAIR ITEMS NOTED IN 2013 Repair hole and paint touch up at service entry on west facade (1) Paint touch up on stucco wall at several locations on west facade (1)	REPAIR ITEMS NOTED IN 2013 Repair hole and paint touch up at service entry on west facade (1) Paint touch up on stucco wall at several locations on west facade (1)	Team 2	approval	38%	125,463	232.94	114.42	41.14	654.78	1,043.29
54 Downtown	1011 E. 15th Street	N A T Properties LLC	1014 E. 15th Place	Plano	TX	75074	REPAIR ITEMS NOTED IN 2012 Repair and painting of column above and left of front entry on south facade (2 - must be completed by 1/15/14)	REPAIR ITEMS NOTED IN 2012 Repair and painting of column above and left of front entry on south facade (2 - must be completed by 1/15/14)	Team 2	approval	38%	288,360	535.39	262.98	94.56	1,504.93	2,397.87
55 Downtown	1012 E. 15th Street	Katherine S & Forrest W Moore	7351 Lane Park Drive	Dallas	TX	75225	REPAIR ITEMS NOTED IN 2013 Paneling on first floor above the storefront windows and pilasters needs paint touch up (1)	REPAIR ITEMS NOTED IN 2013 Paneling on first floor above the storefront windows and pilasters needs paint touch up (1)	Team 2	approval	38%	151,289	280.90	137.98	49.61	789.57	1,258.05
56 Downtown	1013 E. 15th Street	Pierce Family Living Trust Ronald & Deborah Pierce Trustees	32405 Lake Pleasant Drive	Westlake Village	CA	91361	OK - Nothing to repair	OK - Nothing to repair	Team 2	approval	38%	319,900	593.95	291.75	104.91	1,669.53	2,660.14
57 Downtown	1016 E. 15th Street	Judith Moore	7351 Lane Park Drive	Dallas	TX	75225	OK - Nothing to repair	OK - Nothing to repair	Team 2	approval	38%	88,378	164.09	80.60	28.98	461.24	734.91
58 Downtown	1017 E. 15th Street	Michael & Mary Jo Montgomery	3518 Brook Glen Drive	Garland	TX	75044	REPAIR ITEMS NOTED IN 2013 Clean debris hanging below the front (north) awning (1) Entrance door needs paint touch up (1) Clean graffiti on left side of stucco wall at front (north) facade (1)	REPAIR ITEMS NOTED IN 2013 Clean debris hanging below the front (north) awning (1) Entrance door needs paint touch up (1) Clean graffiti on left side of stucco wall at front (north) facade (1)	Team 2	approval	38%	219,776	408.05	200.44	72.07	1,146.99	1,827.56
59 Downtown	1018 E. 15th Street	Judith Moore	7351 Lane Park Drive	Dallas	TX	75225	REPAIR ITEMS NOTED IN 2013 Window sills at both front (north) windows need paint touch up (1) front (north) entrance door and hardware needs painting (1) Rear (south) door needs painting (1)	REPAIR ITEMS NOTED IN 2013 Window sills at both front (north) windows need paint touch up (1) front (north) entrance door and hardware needs painting (1) Rear (south) door needs painting (1)	Team 2	approval	38%	60,289	111.94	54.98	19.77	314.64	501.34
60 Downtown	1022 E. 15th Street	East Side Partners Ltd.	P.O. Box 712	Allen	TX	75013	REPAIR ITEMS NOTED IN 2013 A portion of brick facade on left side of north elevation needs paint touch up (1) Awning soffit at front left corner needs repair and paint touch up (1)	REPAIR ITEMS NOTED IN 2013 A portion of brick facade on left side of north elevation needs paint touch up (1) Awning soffit at front left corner needs repair and paint touch up (1)	Team 2	approval	38%	290,918	540.14	265.32	95.40	1,518.28	2,419.14
61 Downtown	1024 E. 15th Street	Judith Moore	7351 Lane Park Drive	Dallas	TX	75225	REPAIR ITEMS NOTED IN 2013 A portion of brick facade on left side of north elevation needs paint touch up (1)	REPAIR ITEMS NOTED IN 2013 A portion of brick facade on left side of north elevation needs paint touch up (1)	Team 2	approval	38%	130,547	242.38	119.06	42.81	681.31	1,085.57
62 Downtown	1026 E. 15th Street	Sutton-1012 LLC	5577 Linhurst Court	Fairview	TX	75069	OK - Nothing to repair	OK - Nothing to repair	Team 2	approval	38%	146,436	271.88	133.55	48.02	764.24	1,217.69
63 Downtown	1029 E. 15th Street	Robert Lynch	4604 Lawson Court	Plano	TX	75093	OK - Nothing to repair	OK - Nothing to repair	Team 2	approval	38%	230,107	427.24	209.86	75.46	1,200.91	1,913.46
64 Downtown	1031-1033 E. 15th Street	Katherine W. Power	5454 Emerson Avenue	Dallas	TX	75209	OK - Nothing to repair	OK - Nothing to repair	Team 2	approval	38%	152,362	282.89	138.95	49.97	795.17	1,266.97

ATTACHMENT A - LIST OF APPROVAL PROPERTIES FOR 2013

RESOURCE	LOCATION	OWNER	ADDRESS	CITY	ST	ZIP	NOTE: Items rated "1" must be completed by 1/15/14; Items rated "2" must be completed by 1/15/15.	2013 COMMENTS	Surveyed by	Staff Recommendation	PERCENT	IMP VALUE	CITY	COUNTY	CCCC	PISD	TOTAL EXEMPTION
							All 2012 repair items addressed										
65	Downtown		1201 E. 15th Street, Suite 201	Plano	TX	75074	2013 COMMENTS - Building under interior renovation for new business		Team 2	approval	38%	231,567	429.95	211.19	75.94	1,208.53	1,925.60
66	Downtown	Connor Chaddick	5577 Linhurst Court	Fairview	TX	75069	Entrance door at north facade needs paint touch up (1)		Team 2	approval	38%	80,411	149.30	73.33	26.37	419.66	668.66
67	Downtown	Richard Sutton	628 Water Oak Drive	Plano	TX	75025	OK - Nothing to repair	REPAIR ITEMS NOTED IN 2013 Paint coming off the right side awning at front (south) facade (1)	Team 2	approval	38%	121,496	225.58	110.80	39.84	634.08	1,010.30
68	Downtown	Cathy & Jorg Fercher	7600 Afton Villa Court	Plano	TX	75025	Nothing to repair		Team 2	approval	38%	304,208	564.82	277.44	99.76	1,587.64	2,529.65
69	Downtown	Brodhead Family Ltd.	2413 Neal Drive	Garland	TX	75040	Nothing to repair		Team 2	approval	38%	97,263	180.59	88.70	31.90	507.61	808.79
70	Downtown	Las Brisas Properties	1002 Marion Drive	Garland	TX	75042		REPAIR ITEMS NOTED IN 2012 Door frame on west facade of 1112 E 15th St. needs repair (2 -- must be completed by 1/15/14) REPAIR ITEMS NOTED IN 2013 1112 E. 15th Street. East facade and roof gutter needs cleaning and uniform painting to match existing colors on west facade (1) Front (north) soffit needs paint touch up (1) Door and trim at west facade needs painting (1) 1428 K Avenue. Metal stairs and handrail at rear (east) needs painting (2) Brick facade needs repointing at few locations on north facade (2) Second floor window awnings at north and west facade needs cleaning (1) Brick facade and concrete slab at northwest corner needs cleaning (1) 1426 K Avenue. Clean white paint spray on second floor brick facade (1) Brick pilaster below the second floor window at west facade needs repointing (2) 1422 K Avenue. Clean and repoint brick facade behind utility pipes (2)	Team 2	approval	38%	963,933	1,789.72	879.11	316.11	5,030.69	8,015.62
												\$12,642,255.00	\$35,075.55	\$17,229.09	\$6,195.29	98,593.45	\$157,093.38



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		04/22/2013		
Department:		Marketing and Community Engagement		
Department Head		Mary Vail-Grube - 5168		
Agenda Coordinator (include phone #): Kimberly Y. Simmons - 7307				
CAPTION				
Consideration of ordinances to adopt an official brand and to adopt a new official logo and/or retain the current official logo of the City of Plano				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2012-13	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): N/A				
COMMENTS: Financial Impact to be determined dependant on decision.				
STRATEGIC PLAN GOAL: Amending Ordinance No. 2010-10-13 codified as Section 2-1 Official logo of Article I in General of Chapter 2 to adopt a new official logo for the City of Plano relates to the City's Goal of Strong Local Economy.				
SUMMARY OF ITEM				
Two ordinances are proposed for consideration as part of this agenda item subject to City Council direction on the official brand and logo of the City. The first ordinance replaces the official logo of the City as well as retains the current logo as the intellectual property of the City. It also adopts the phrase "City of Excellence" as the official brand of the City of Plano pursuant to City Council direction at their March 25, 2013 meeting. The second amendment is limited to adopting the phrase "City of Excellence" as the official brand of the City of Plano and does not modify the current official logo.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo				
Ordinances				



Date: April 22.2013
To: Bruce Glasscock, City Manager
From: Mary Vail-Grube, Director of Marketing and Community Engagement
Subject: Consideration of an Ordinance to adopt a City of Plano Brand and new official logo.

At the March 25 Preliminary Open Meeting the City Council provided direction to staff to proceed with drafting an amendment to the current logo ordinance to provide for an official City of Plano, brand – “City of Excellence”. The proposed amended ordinance is attached for Council action on April 22. Staff has also researched the trademark availability of the brand; it is available and we have begun the process of securing the federal trademark on the City of Excellence brand.

The second part of the discussion involves the consideration of a new logo. Council provided direction with regard to design at the March 25 meeting. Staff has made the changes and the visual depiction of the proposed new logo, with and without the branding, is included in the packet. The ordinance states that the logo and the brand stand alone. They can be used together, or not, there are two separate sections within the ordinance identifying both and either can be used independently or together.

Two proposed amended ordinances are provided for consideration and action; depending on the decision of the City Council. The first provides for the adoption of the official brand, the adoption of a new official logo, and the preservation of trademarking and official use of the current city logo. The second provides for an amendment to the ordinance to adopt the official brand, City of Excellence, while maintaining the current city logo

The Council will need to take action on both proposed ordinances, either to approve or deny, depending on the decision to adopt a new logo or to remain with the current logo. Staff will provide direction at the meeting at the conclusion of deliberation and guidance from the Council.

Attachments include

Ordinance Including Brand Identity and New Official Logo with Exhibit A and B
Ordinance Including Brand Identity Only
Images of Proposed New Logo and Brand Identity

An Ordinance of the City of Plano, Texas amending Ordinance No. 2010-10-13 codified as Section 2-1 Official logo of Article I in General, of Chapter 2 Administration of the Code of Ordinances of the City of Plano, Texas to replace the official logo, retain the prior official logo and adopt a brand identity for the City of Plano, Texas; providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, the City Council adopted the official City of Plano logo by Ordinance No. 80-8-17 on August 25, 1980, which was repealed and replaced by Ordinance No. 2010-10-13 on October 11, 2010; and

WHEREAS, the City Council wishes to retain the prior official logo for the City of Plano, as shown on the attached Exhibit "A," as well as replace it with a new official City logo for the City of Plano, Texas, as shown on the attached Exhibit "B," to allow for use of the prior official logo as the new official logo is integrated into use by the City; and

WHEREAS, the City Council wishes to adopt a brand identity for the City of Plano that represents its distinctive reputation for excellence; and

WHEREAS, the City Council finds that it is in the best interest of the City of Plano to amend Ordinance 2010-10-13 as codified in Section 2-1 of Article I of the City of Plano Code of Ordinances to replace the official logo, retain the prior official logo and adopt a brand identity for the City of Plano, Texas.

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

Section I. Ordinance No. 2010-10-13 codified as Section 2-1 Official logo, of Article I. In General, of Chapter 2 Administration, is hereby amended in its entirety as follows:

"Sec. 2-1. Official Logo and Brand

(a) The logo approved by the City Council of the City of Plano on April 22, 2013 is the official logo of the City of Plano thereby replacing the logo approved on January 14, 1980. This official logo shall be integrated by the City of Plano into use, either alone or in conjunction with the official brand, on all its equipment, materials, supplies and flags from this day forward, until further order of the City Council.

(b) The logo approved by the City Council of the City of Plano on January 14, 1980 is retained as the intellectual property of and for exclusive use by the City of Plano and shall be known as the prior official logo of the City of Plano. The prior official logo may remain in use on all City of Plano equipment, materials, supplies and flags.

(c) The phrase "City of Excellence" shall be the official brand of the City of Plano and shall be used alone or in conjunction with the official logo by the City of Plano on all its marketing, branding, advertising and promotional materials, equipment, material supplies and flags from this day forward, until further order of City Council.

(d) Except as set out in subsection (e) below, no person, firm, organization, or corporation, other than the City of Plano, shall adopt, use, display, incorporate, or appropriate the official logo, the prior official logo or the brand of the City of Plano as any part of any marketing, advertising, material, equipment, or other matter of such person, firm, organization or corporation, without written application to and approval of the City Council.

(e) Non-profit agencies receiving City grant funds and contractors providing goods, services or materials to the City may use the official logo, prior official logo, or brand in conjunction with City projects or official City business for the duration of their City contract with the written approval of the City Manager or his designee.

(f) 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(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense."

Section II. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section III. All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, 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 effectuated 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 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(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

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

DULY PASSED AND APPROVED this the 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Symbol: Plano, Texas

EXHIBIT "A"

Guidelines for authorized usage

These standards are established to assure the integrity of the design in all media, color and dimensions. The symbol must be reproduced accurately and not altered in any way and must always appear in the configurations specified.

The symbol may be reproduced only from the reproduction proofs provided on this page. No copy or other visual material may be printed over or superimposed on the symbol.



1. Symbol = three color version
Background = white
Red = PMS 185. Blue = PMS 300. Black.
Preferred in all cases where color printing is available.



2. Symbol = two color version
Background = white
Red = PMS 185. Blue = PMS 300



3. Symbol = black
Background = white
Preferred for one color printing.



4. Symbol = black with 50% screen of black
Background = white



5. Symbol = solid color
Background = white
For use in one color printing (red or blue only)



6. Symbol = white
Background = black or dark color

Artwork for reproduction



EXHIBIT "B"

Plano

An Ordinance of the City of Plano, Texas amending Ordinance No. 2010-10-13 codified as Section 2-1 Official logo of Article I in General, of Chapter 2 Administration of the Code of Ordinances of the City of Plano, Texas to adopt a brand identity for the City of Plano, Texas; providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, the City Council adopted the official City of Plano logo by Ordinance No. 80-8-17 on August 25, 1980, which was repealed and replaced by Ordinance No. 2010-10-13 on October 11, 2010; and

WHEREAS, the City Council wishes to adopt a brand identity for the City of Plano that represents its distinctive reputation for excellence; and

WHEREAS, the City Council finds that it is in the best interest of the City of Plano to amend Ordinance 2010-10-13 as codified in Section 2-1 of Article I of the City of Plano Code of Ordinances to adopt a brand identity for the City of Plano, Texas.

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

Section I. Ordinance No. 2010-10-13 codified as Section 2-1 Official logo, of Article I. In General, of Chapter 2 Administration, is hereby amended by adding the following:

"Sec. 2-1. Official Logo and Brand

(b) The phrase "City of Excellence" shall be the official brand of the City of Plano and shall be used alone or in conjunction with the official logo by the City of Plano on all its marketing, branding, advertising and promotional materials, equipment, material supplies and flags from this day forward, until further order of City Council.

(c) Except as set out in subsection (d) below, no person, firm, organization, or corporation, other than the City of Plano, shall adopt, use, display, incorporate, or appropriate the official logo, the prior official logo or the brand of the City of Plano as any part of any marketing, advertising, material, equipment, or other matter of such person, firm, organization or corporation, without written application to and approval of the City Council.

(d) Non-profit agencies receiving City grant funds and contractors providing goods, services or materials to the City may use the official logo, prior official logo, or brand in conjunction with City projects or official City business for the duration of their City contract with the written approval of the City Manager or his designee.

(e) 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(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense."

Section II. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by any court

of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section III. All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, 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 effectuated 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 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(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

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

DULY PASSED AND APPROVED this the 22nd day of April, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

DATE: April 2, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of April 1, 2013

**AGENDA ITEM NO. 9 - PUBLIC HEARING
ZONING CASE 2013-07
APPLICANT: BRANDON CHANEY**

Request to amend Heritage Resource #18 Designation (Hood House) on one lot on 0.2± acre located at the northwest corner of M Avenue and 15th Street to allow paver stones as an additional paving material for the driveway and off-street parking. Zoned General Office with Heritage Resource #18 Designation.

APPROVED: 6-0 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 2 **OPPOSE:** 0

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

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

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: April 22, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

BM/sf

xc: Brandon Chaney

CITY OF PLANO
PLANNING & ZONING COMMISSION

April 1, 2013

Agenda Item No. 9

Public Hearing: Zoning Case 2013-07

Applicant: Brandon Chaney

DESCRIPTION:

Request to amend Heritage Resource #18 Designation (Hood House) on one lot on 0.2± acre located at the northwest corner of M Avenue and 15th Street to allow paver stones as an additional paving material for the driveway and off-street parking. Zoned General Office with Heritage Resource #18 Designation.

REMARKS:

The subject property is located at the northwest corner of M Avenue and 15th Street and is the site of the Hood House. The structure was constructed circa 1900, and designated as a heritage resource in 1996. During 1996, the heritage resource designation was amended to allow an antique shop and tearoom as additional permitted uses and a reduction in required off-street parking.

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, and request modifications to the development regulations stipulated with the zoning ordinance 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 or development regulations granted for a property stay with the property regardless of the property's ownership.

Request:

The applicant is requesting to amend the property's heritage resource designation to allow use of paver stones as an additional paving material for the driveway and off-street parking as shown on the attached site plan. This material is currently not allowed as per the Zoning Ordinance. The Zoning Ordinance requires concrete or asphalt for all

parking surfaces. The subject property is presently used as an office and is zoned General Office (O-2). The applicant has a paver stone business and would like to showcase his business product by installing paver stones on the driveway and off-street parking area.

Surrounding Land Uses

Adjacent surrounding land uses and zoning districts include: to the south across 15th Street, a single-family residence zoned Downtown Business/Government (BG); to the west, an office building zoned General Office (O-2); to the north, a single family residence zoned General Office (O-2); and a parking lot to the east, across M Avenue, that is zoned Urban Residential (UR).

Land Use Compatibility and Preservation of Heritage Resource

Subsection 3.1105 (Parking Area Standards) of Section 3.1100 (Off Street Parking and Loading) of Article 3 (Supplementary Regulations) of the Zoning Ordinance requires all required parking spaces and loading areas, together with driveways and maneuvering aisles, and additional parking areas which are routinely and customarily used on a daily or weekly basis shall be paved with a concrete or asphalt surface. Therefore, the use of paver stones is not permitted.

The Secretary of the Interior's Standards recommend that a historic property be used for its historic purpose or for a new use which requires minimal change to the site. The Hood House has been used as a nonresidential use for many years, and the proposed paver stone material remains compatible with the overall site and surrounding uses. The proposed off-street material is similar to the existing paver stone walkways on the site. Furthermore, the use of paver stone does not alter the Hood House structure, and allows for continued preservation of this heritage resource while satisfying off-street parking requirements needed for the use of the property.

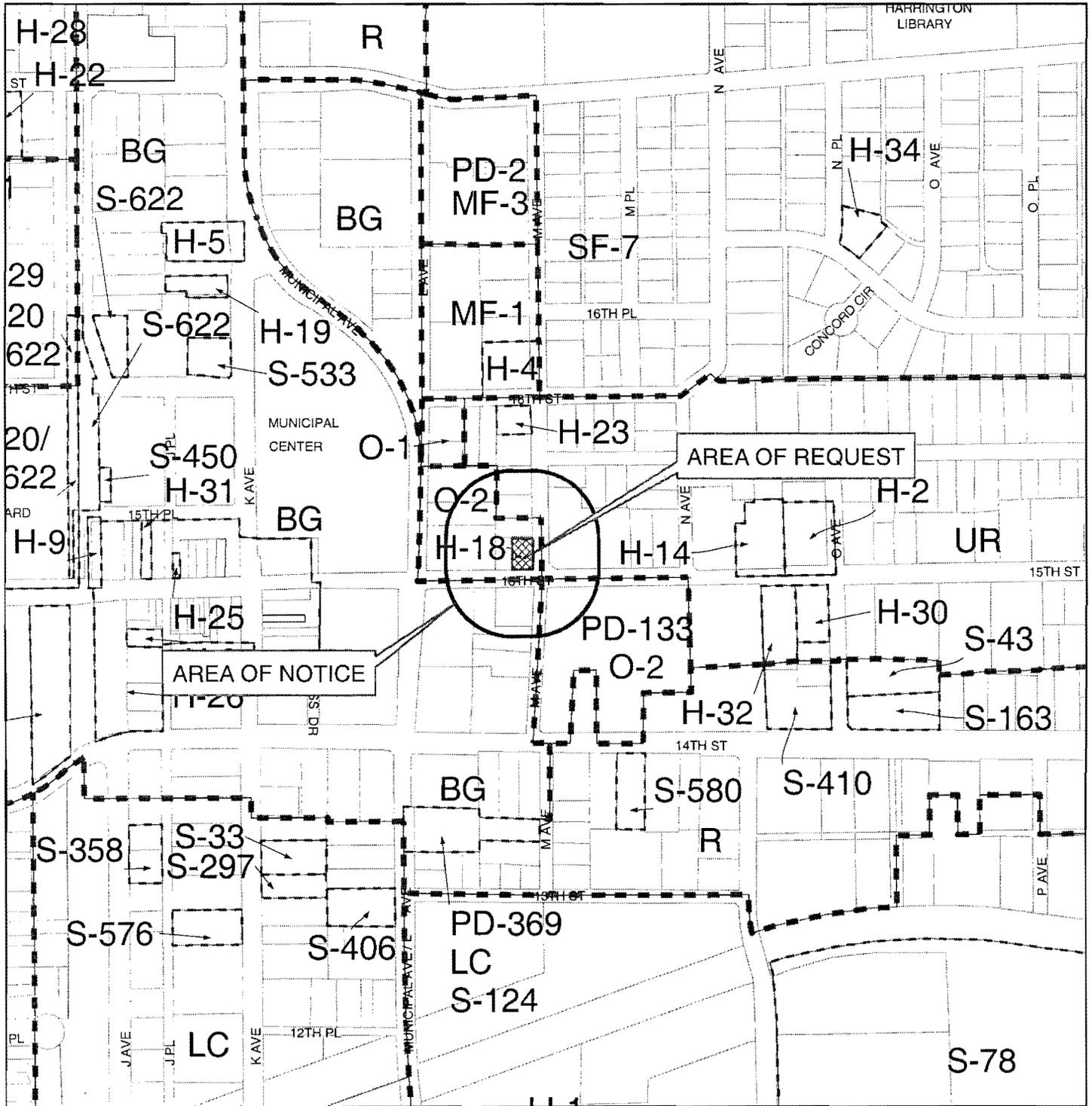
The City Council has in the past approved a similar request for the Wells Homestead property located at 3921 Coit Road. The property's designation was amended in November 2006 to allow gravel parking. Paver stones are also allowed as a driveway surface in the Haggard Park Heritage District.

HERITAGE COMMISSION ACTION:

At its February 26, 2013 meeting, the Heritage Commission approved the heritage resource designation amendment request to allow paver stones as an additional paving material for the driveway and off-street parking stating that the paver stone is an appropriate material for this heritage resource property. Additionally, the Commission believed that the proposed work would be similar to the existing paver stone walkways and it would be a significant improvement to the overall site.

RECOMMENDATION:

The Heritage Commission recommends approval of the proposed heritage resource designation amendment to allow paver stones as an additional paving material for the driveway and off-street parking.

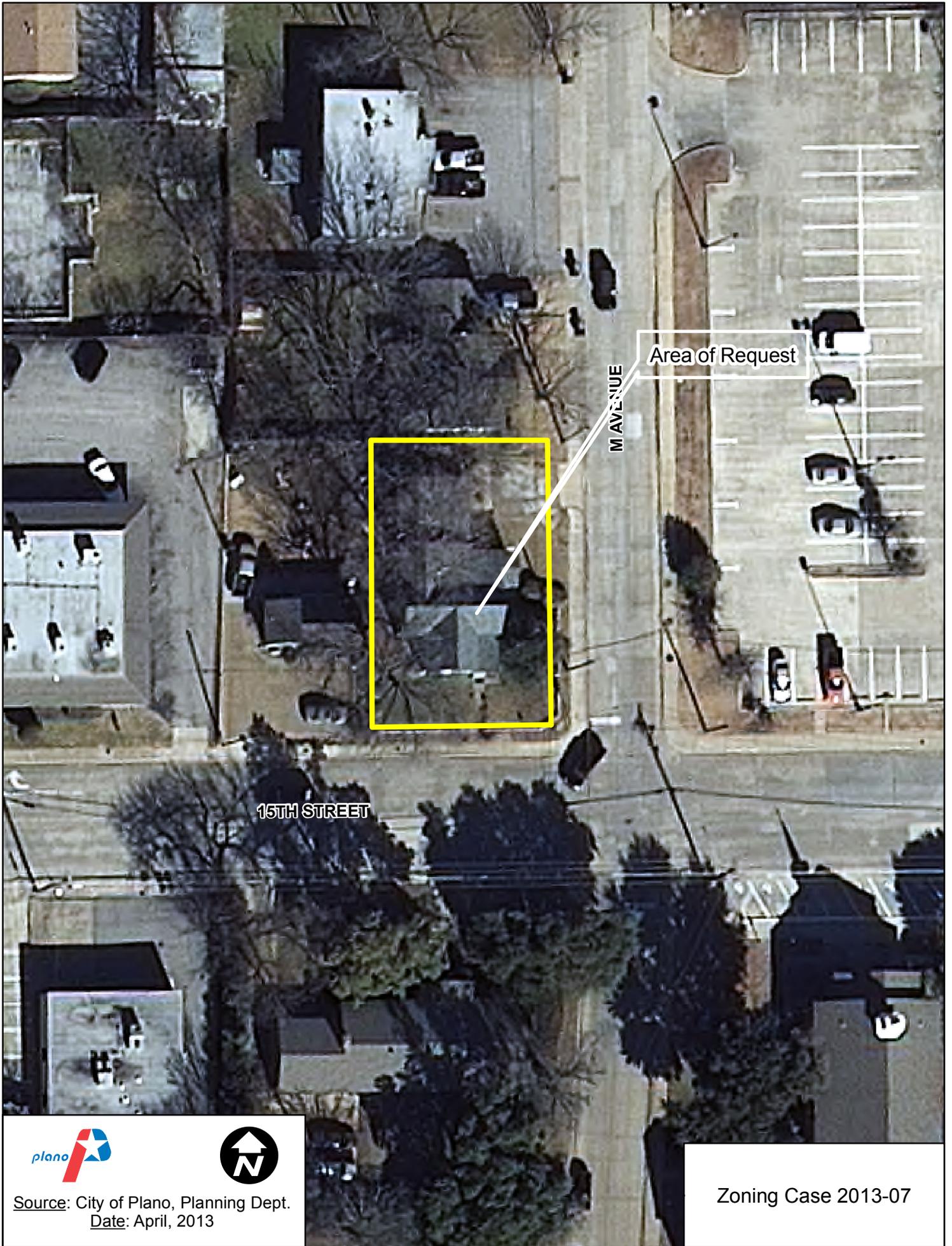


Zoning Case #: 2013-07

Existing Zoning: GENERAL OFFICE
w/HERITAGE RESOURCE DESIGNATION #18



○ 200' Notification Buffer



Area of Request

M AVENUE

15TH STREET



Source: City of Plano, Planning Dept.
Date: April, 2013

Zoning Case 2013-07

Zoning Case 2013-07

An Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, amending Heritage Resource Designation No. 18 to allow paver stones as an additional paving material for the driveway and off-street parking, on 0.2± acre of land situated in the Sanford Beck Survey, Abstract No. 45, in the City of Plano, Collin County, Texas, located at the northwest corner of M Avenue and 15th Street, presently zoned General Office with Heritage Resource No. 18 Designation; directing a change accordingly in the official zoning map of the City; and providing a repealer clause, a savings clause, a penalty clause, a severability 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 22nd day of April, 2013, for the purpose of amending Heritage Resource Designation No. 18 on 0.2± acre of land situated in the Sanford Beck Survey, Abstract No. 45, in the City of Plano, Collin County, Texas, located at the northwest corner of M Avenue and 15th Street, presently zoned General Office with Heritage Resource Designation No. 18, to allow paver stones as an additional paving material for the driveway and off-street parking; 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 there to, 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 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 22nd day of April, 2013; and

WHEREAS, the Heritage Commission considered this item on the 26th day of February, 2013 and recommended approval; and

WHEREAS, the Planning and Zoning Commission considered this item in a public hearing on the 1st day of April, 2013, and recommended approval; 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. 18, on 0.2± acre of land situated in the Sanford Beck Survey, Abstract No. 45 in the City of Plano, Collin County, Texas, located at the northwest corner of M Avenue and 15th Street, presently zoned General Office with Heritage Resource Designation No. 18, to allow paver stones as an additional paving material for the driveway and off-street parking, said property being described in the legal description on Exhibit "A" attached hereto.

Section II. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

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 effectuated 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 thereof, 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.

DULY PASSED AND APPROVED THIS THE 22ND DAY OF APRIL, 2013.

Phil Dyer, MAYOR

ATTEST:

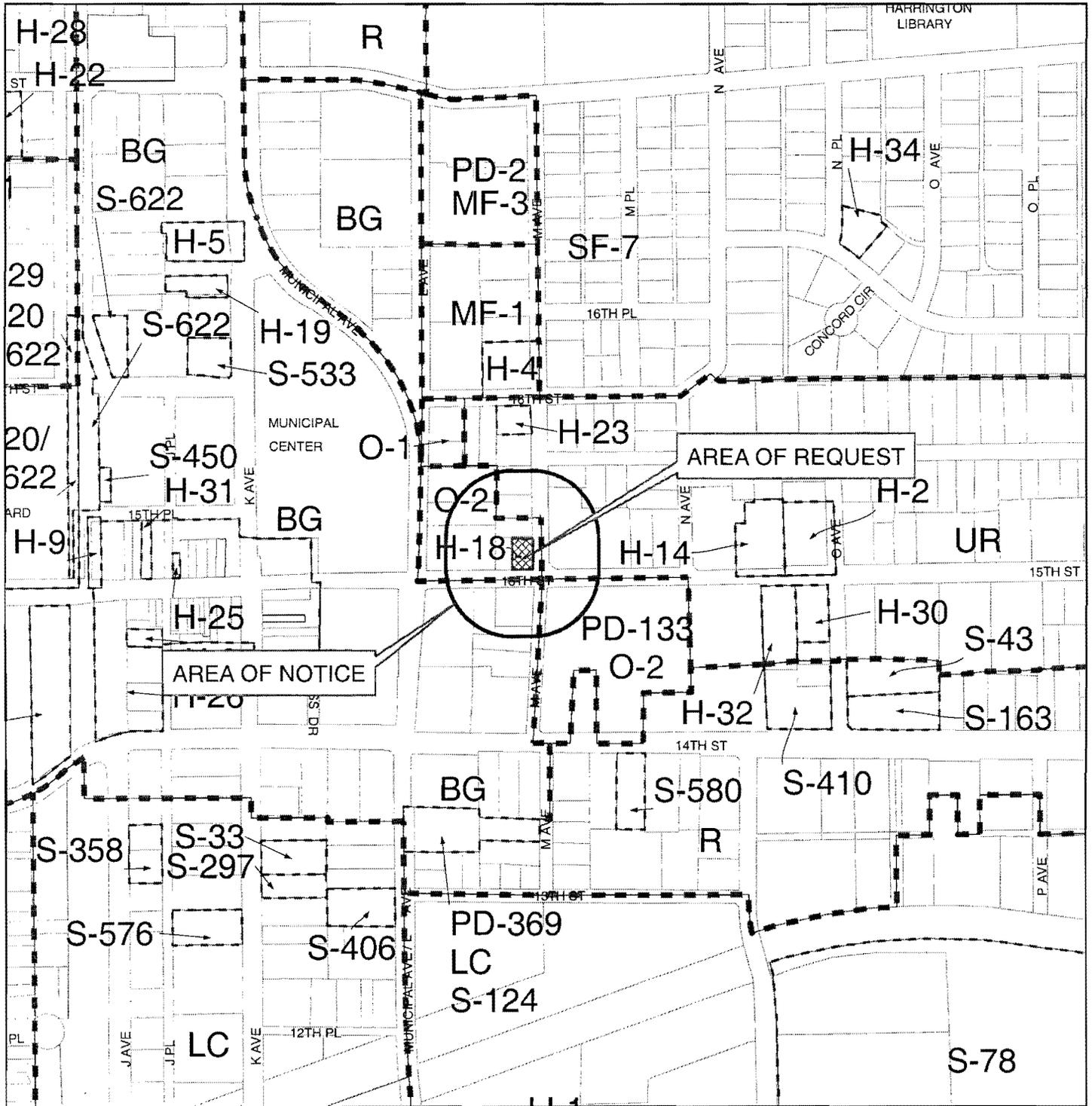
Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

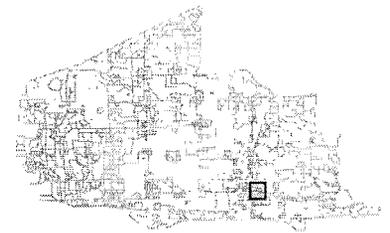
Zoning Case 2013-07

Collin County: Clint Forman Addition, Lot 1A, Block 3 as recorded in Volume 41, Page 640 of the Deed Records situated in the Sanford Beck Survey, Abstract No. 45, City of Plano, Texas.



Zoning Case #: 2013-07

Existing Zoning: GENERAL OFFICE
w/HERITAGE RESOURCE DESIGNATION #18



○ 200' Notification Buffer



DATE: April 2, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of April 1, 2013

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2013-05
APPLICANT: 5930 WEST PLANO PARKWAY LTD**

Request to expand Specific Use Permit #561 for New Car Dealer on 1.4± acres located at the southeast corner of Dallas North Tollway and Plano Parkway. Zoned Planned Development-211-Light Commercial/Dallas North Tollway Overlay District.

APPROVED: 6-0 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 0

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

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

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: April 22, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

JH/sf

xc: Scott Ginsburg, 5930 West Plano Parkway Ltd.
Paul Padilla, Multatech Engineering, Inc.
Cliff Bormann, Permit Services Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

April 1, 2013

Agenda Item No. 7A

Public Hearing: Zoning Case 2013-05

Applicant: 5930 West Plano Parkway LTD

DESCRIPTION:

Request to expand Specific Use Permit #561 for New Car Dealer on 1.4± acres located at the southeast corner of Dallas North Tollway and Plano Parkway. Zoned Planned Development-211-Light Commercial/Dallas North Tollway Overlay District.

REMARKS:

The subject property is 1.4± acres located at the southeast corner of Dallas North Tollway and Plano Parkway. The property was previously used as a convenience store with gas pumps and the buildings have been demolished with some pavement remaining on the site. The property is currently zoned Planned Development-211-Light Commercial (PD-211-LC) and is being used as a parking lot.

The adjacent property to the south and east of the subject property is developed as a new car dealer. This property is zoned PD-211-LC with Specific Use Permit (SUP) #561 for New Car Dealer. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established. The Zoning Ordinance defines new car dealer as retail sales and/or leasing of new automobiles or light load vehicles, including, as a minor part of the business, the sales and/or leasing of used automobiles or light load vehicles.

The owner of the adjacent new car dealer site has acquired the 1.4± acre subject property and wants to expand the new car dealer use onto the subject property. However, in order to expand the use, a SUP for New Car Dealer is required for the subject property. Therefore, the applicant is requesting to modify the boundaries of the existing SUP #561 for New Car Dealer to include the 1.4± acre subject property.

A revised site plan, Boardwalk Motor Cars Addition, Block A, Lot 2R accompanies this request.

Surrounding Land Use and Zoning

North of the subject property, across Plano Parkway is undeveloped land that is currently zoned Planned Development-200-Regional Employment (PD-200-RE). Across Dallas North Tollway to the west, is a convenience store with gas pumps and medical office building zoned Light Industrial-1 (LI-1). To the south and east of the subject property is a new car dealer, zoned PD-211-LC with SUP #561 for New Car Dealer.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan of the Comprehensive Plan designates this area as Major Corridor Development. This zoning request is consistent with the existing area's land use designation.

Economic Development Element - The Economic Development Element of the Comprehensive Plan provides a general guide for decision makers regarding Plano's future economic growth. The Economic Development Element recommends any redevelopment opportunities in this area should maintain the existing nonresidential zoning to encourage business recruitment and expansion for economic development. This zoning request is consistent with the Economic Development Element as it supports a current business' expansion and allows reuse of the subject property, thus making it more economically viable.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property.

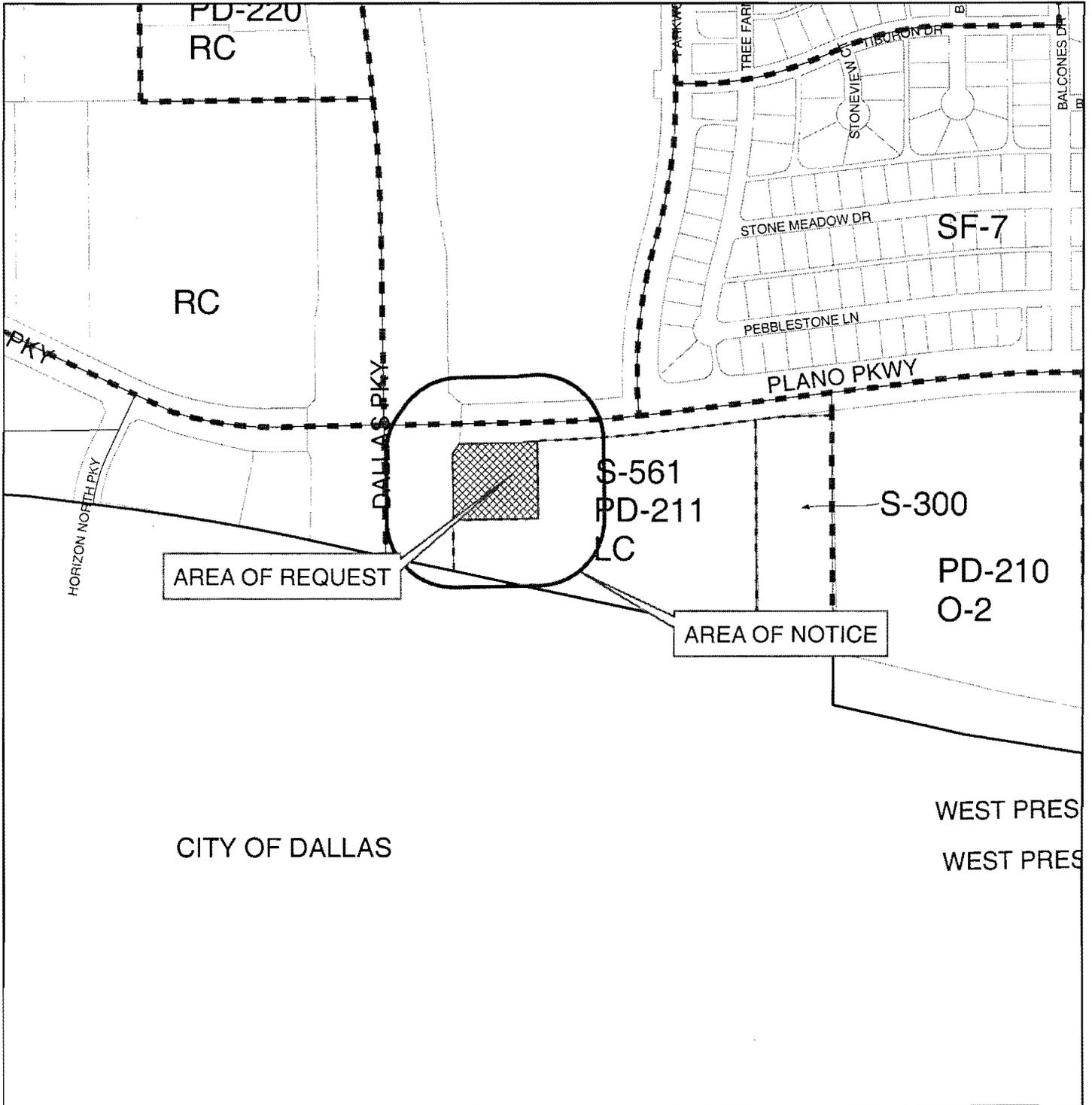
Traffic Impact Analysis (TIA) - A TIA is not required for this request.

Summary

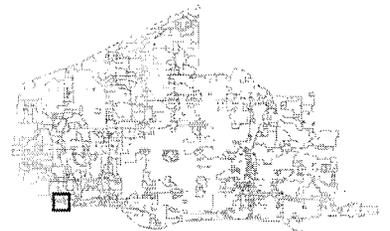
There is an existing new car dealer located generally at the southeast corner of Dallas North Tollway and Plano Parkway, zoned PD-211-LC with SUP #561 for New Car Dealer. The owner of the new car dealer is requesting to expand SUP #561 for New Car Dealer to include an additional 1.4± acres located at the hard corner of Plano Parkway and Dallas North Tollway, adjacent to the existing new car dealer. The subject property requires an SUP for New Car Dealer in order to be used by the applicant. The request to expand the existing SUP to include the subject property is consistent with the Future Land Use Plan designation Major Corridor Development, and the Economic Development Element of the Comprehensive Plan. Therefore, staff recommends approval of the proposed zoning request.

RECOMMENDATION:

Recommended for approval as submitted.



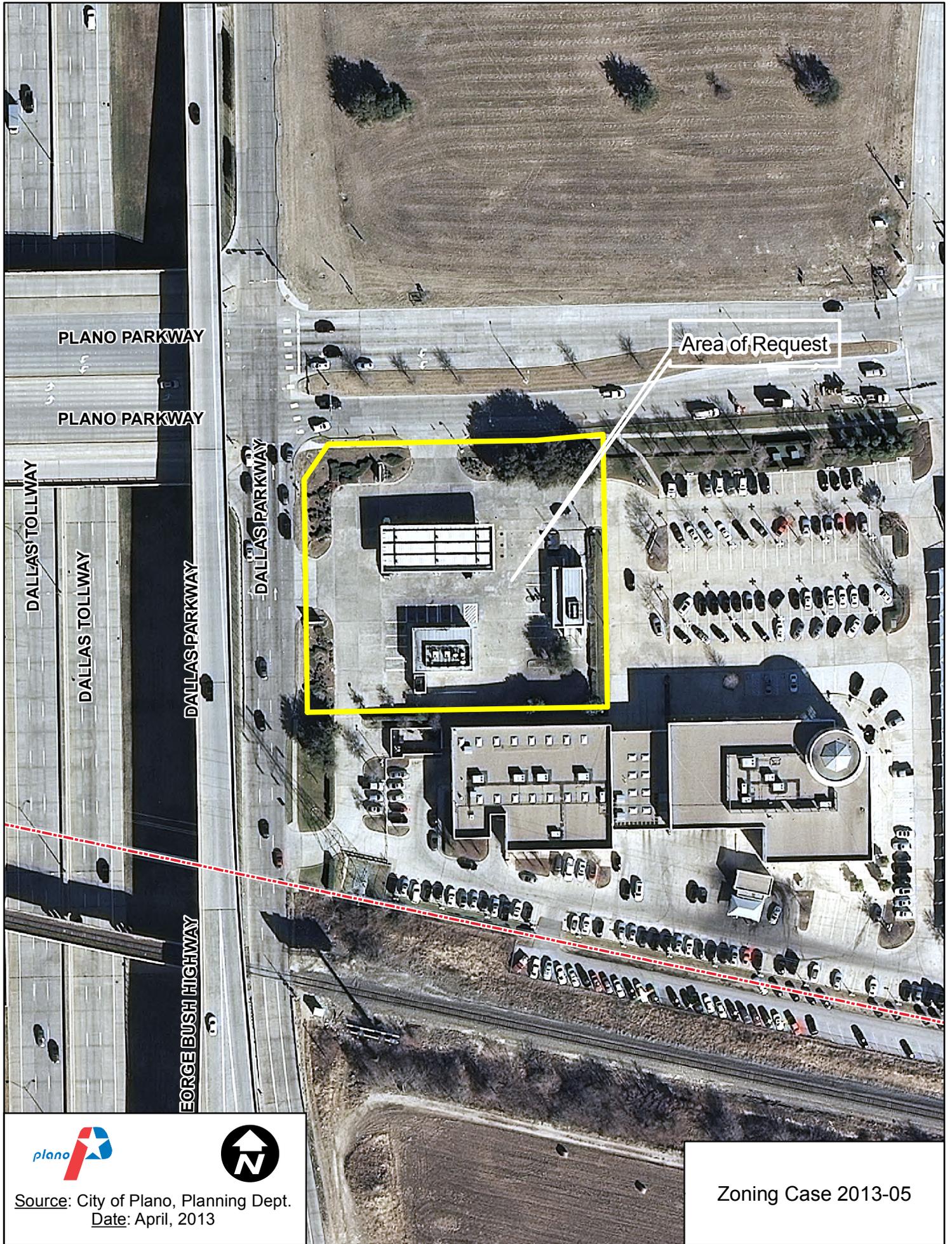
Zoning Case #: 2013-05



Existing Zoning: PLANNED DEVELOPMENT-211-LIGHT COMMERCIAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT

○ 200' Notification Buffer





PLANO PARKWAY

PLANO PARKWAY

DALLAS TOLLWAY

DALLAS TOLLWAY

DALLAS PARKWAY

DALLAS PARKWAY

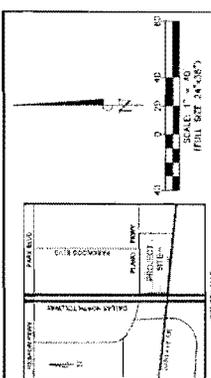
GEORGE BUSH HIGHWAY

Area of Request



Source: City of Plano, Planning Dept.
Date: April, 2013

Zoning Case 2013-05



PROPERTY DESCRIPTION

THE PROPERTY DESCRIBED HEREIN IS A 10.00 ACRES PARCEL OF LAND, MORE OR LESS, LOCATED IN THE CITY OF PLANO, TEXAS, AND IS BOUND BY PLANO PKWY TO THE NORTH, DALLAS NORTH TOLLWAY TO THE EAST, AND AN UNDEVELOPED TRACT TO THE SOUTH AND WEST. THE PROPERTY IS CURRENTLY ZONED COMMERCIAL (C-1) AND IS BEING REQUESTED TO BE REZONED TO LIGHT INDUSTRIAL (LI-1).

REASON FOR REQUEST

The applicant is requesting the rezoning of the property to Light Industrial (LI-1) because the property is currently zoned Commercial (C-1) and the applicant wishes to develop the property for light industrial purposes. The property is currently vacant and the applicant has conducted a market analysis and determined that there is a strong demand for light industrial space in the area. The property is well-served by major transportation routes and is in close proximity to other light industrial facilities. The rezoning is necessary to allow the applicant to develop the property for its intended use and to bring the zoning code into compliance with the current market conditions.

ZONING SUMMARY TABLE

EXISTING ZONING	PROPOSED ZONING	PROPOSED CHANGES	PROPOSED CHANGES
COMMERCIAL (C-1)	LIGHT INDUSTRIAL (LI-1)	ALLOW LIGHT INDUSTRIAL USES	ALLOW LIGHT INDUSTRIAL USES

APPROVAL OF THE ZONING CODE ASSOCIATED WITH THE ZONING MAP MAY BE OBTAINED BY THE CITY OF PLANO, TEXAS, AND THE ZONING COMMISSION. THE ZONING COMMISSION IS A BOARD OF ADVISORS TO THE CITY OF PLANO, TEXAS, AND IS COMPOSED OF REPRESENTATIVES FROM THE BUSINESS, PROFESSIONAL, AND COMMUNITY SECTORS OF THE CITY. THE ZONING COMMISSION IS REQUIRED TO HOLD PUBLIC HEARINGS ON ALL ZONING MATTERS AND TO REPORT TO THE CITY OF PLANO, TEXAS, ON THE MATTER. THE ZONING COMMISSION'S RECOMMENDATION IS NOT BINDING ON THE CITY OF PLANO, TEXAS, AND THE CITY OF PLANO, TEXAS, MAY CHOOSE TO APPROVE OR DENY THE ZONING MAP.

REMARKS

THE ZONING COMMISSION HAS REVIEWED THE ZONING MAP AND HAS DETERMINED THAT THE PROPOSED ZONING MAP IS IN COMPLIANCE WITH THE ZONING CODE AND THE ZONING COMMISSION'S POLICY STATEMENT. THE ZONING COMMISSION HAS RECOMMENDED THAT THE CITY OF PLANO, TEXAS, APPROVE THE ZONING MAP AND REZONE THE PROPERTY TO LIGHT INDUSTRIAL (LI-1).

CONTACT INFORMATION

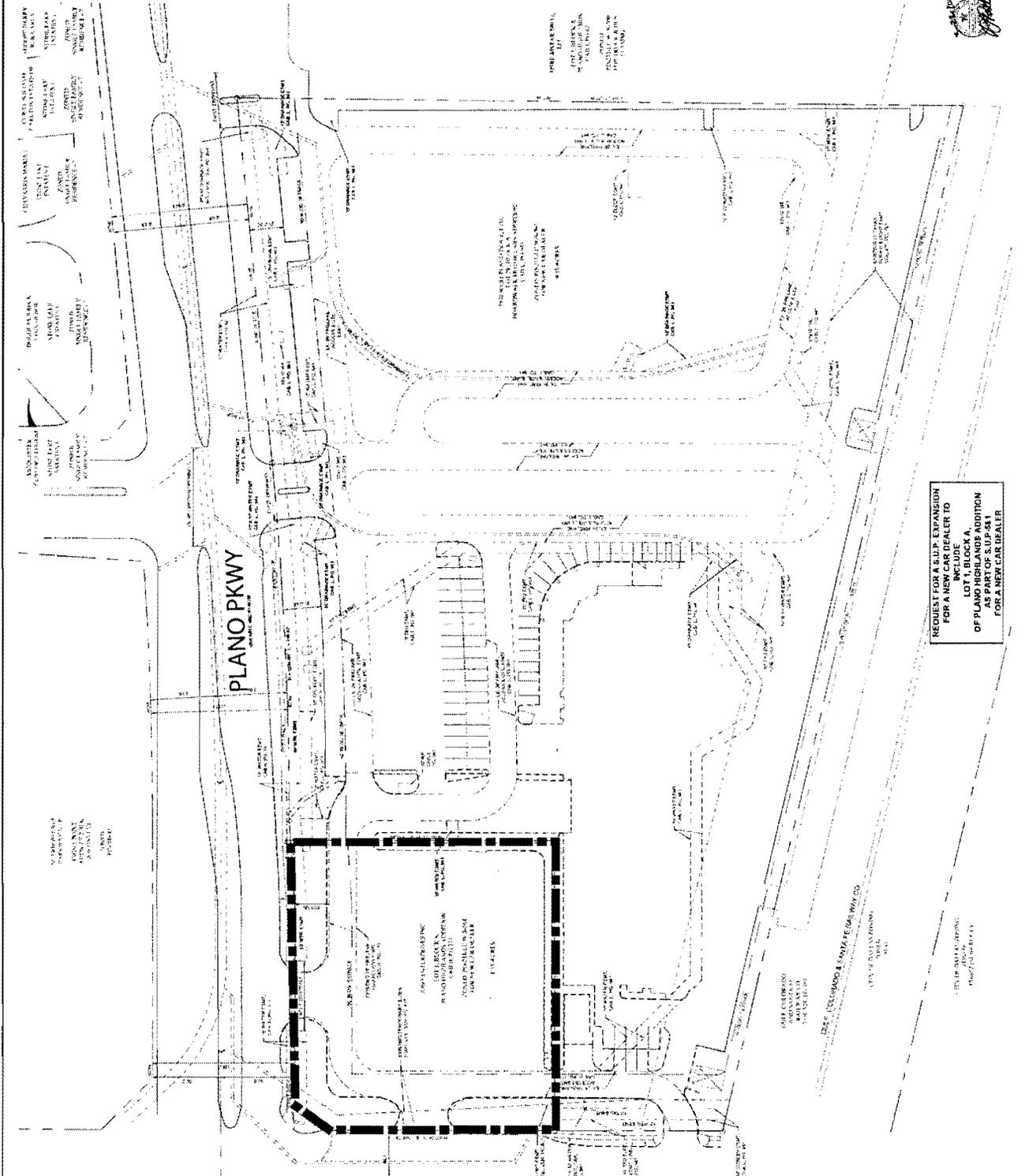
APPLICANT: [Name]
 ADDRESS: [Address]
 PHONE: [Phone Number]
 EMAIL: [Email Address]

ZONING CASE 2013-05

101 E. ROCKWELL
 2ND FLOOR
 CITY OF PLANO, TEXAS 75074

ZONING EXHIBIT

THE CITY OF PLANO, TEXAS
 101 E. ROCKWELL
 2ND FLOOR
 CITY OF PLANO, TEXAS 75074
 PHONE: 972.342.1000
 FAX: 972.342.1001
 WWW.CITYOFPLANO.TX



REQUEST FOR A S.U.P. EXPANSION FOR A NEW CAR DEALER TO INCLUDE LOT 1, BLOCK A, ADDITION OF PLANS AS PART OF S.U.P. 381 FOR A NEW CAR DEALER

101 E. ROCKWELL
 2ND FLOOR
 CITY OF PLANO, TEXAS 75074

Zoning Case 2013-05

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 561 for the additional use of New Car Dealer on 1.4± acres of land out of the Moses A. Jackson Survey, Abstract No. 486, located at the southeast corner of Dallas North Tollway and Plano Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-211-Light Commercial; 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 22nd day of April, 2013, for the purpose of considering the expansion of Specific Use Permit No. 561 for the additional use of New Car Dealer, on 1.4± acres of land out of the Moses A. Jackson Survey, Abstract No. 486, located at the southeast corner of Dallas North Tollway and Plano Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-211-Light Commercial; 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 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 22nd day of April, 2013; and

WHEREAS, the City Council is of the opinion and finds that expanding Specific Use Permit No. 561 for New Car Dealer on 1.4± acres of land out of the Moses A. Jackson Survey, Abstract No. 486, located at the southeast corner of Dallas North Tollway and Plano Parkway, in the City of Plano, Collin County, Texas, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

WHEREAS, the City Council is of the opinion and finds that such change 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 so as to expand Specific Use Permit No. 561 allowing for the additional use of New Car Dealer on 1.4± acres of land out of the Moses A. Jackson Survey, Abstract No. 486, located at the southeast corner of Dallas North Tollway and Plano Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-211-Light Commercial, said property being more fully described on the legal description in Exhibit "A" attached hereto.

Section II. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

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 22ND DAY OF APRIL, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Zoning Case 2013-05

BEING a tract of land situated in the Moses A. Jackson Survey, Abstract No. 486, being all of Lot 1, Block A, Plano Highlands Addition, an Addition in the City of Plano, Texas according to the Plat thereof recorded in Cabinet H, Page 111, Plat Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found with cap stamped "Miller" at the north end of a cutoff at the intersection of the south right-of-way line of Plano Parkway (a variable right-of-way) with the east right-of-way line of Dallas Parkway (a variable right-of-way), being at the northwest corner of said Lot 1, Block A;

THENCE North, 89° 58' 09" East, along the south right-of-way line of Plano Parkway and the north line of said Lot 1, Block A, a distance of 178.47 feet to a 1/2-inch iron rod set with yellow cap stamped AJL LANE RPLS 2509" for angle point;

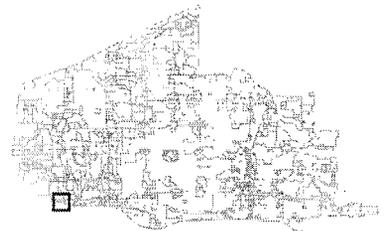
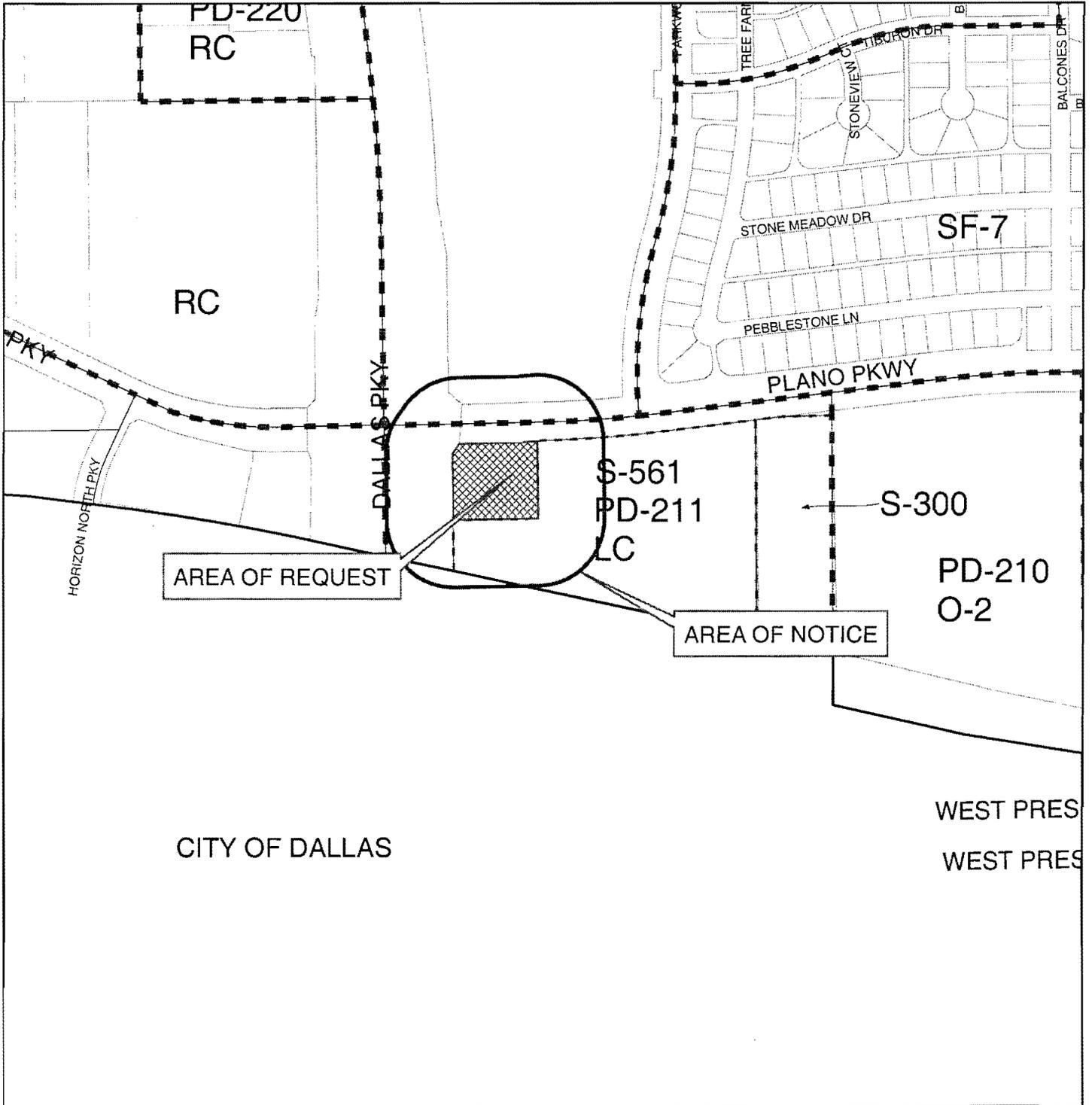
THENCE North, 86° 10' 31" East, along the south right-of-way line of Plano Parkway and the north line of said Lot 1, Block A, a distance of 57.27 feet to a point for corner at the northeast corner of said Lot 1, Block A and the most northerly northwest corner of Lot 2R, Block A, Boardwalk Motor Cars Addition, recorded in Book 2008, Page 359, Plat Records, Collin County, Texas;

THENCE South, 00° 01' 17" West, departing the south right-of-way line of Plano Parkway and along the common line of said Lot 1, Block A and said Lot 2R, Block A, a distance of 233.79 feet to a 5/8-inch iron rod found stamped "BDD" at the southeast corner of said Lot 1;

THENCE South, 89° 55' 16" West, continuing along said common line, a distance of 257.27 feet to a point for corner in the east right-of-way line of Dallas Parkway, said point being at the Southwest corner of said Lot 1, Block A and the most southerly northwest corner of said Lot 2R, Block A;

THENCE North, 00° 04' 30" East, along the east right-of-way line of Dallas Parkway and the west line of said Lot 1, Block A, a distance of 200.02 feet to a cross found at the south end of said cutoff at the intersection of the east right-of-way line of Dallas Parkway with the south right-of-way line of Plano Parkway;

THENCE North, 35° 24' 37" East, along said cutoff, a distance of 37.07 feet to the PLACE OF BEGINNING and CONTAINING 58,959 square feet or 1.354 acres of land.

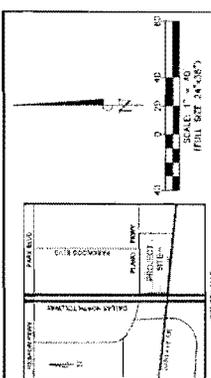


Zoning Case #: 2013-05

Existing Zoning: PLANNED DEVELOPMENT-211-LIGHT COMMERCIAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT

○ 200' Notification Buffer





PROPERTY DESCRIPTION

THE PROPERTY DESCRIBED HEREIN IS A 10.00 ACRES PARCEL OF LAND, MORE OR LESS, LOCATED IN THE CITY OF PLANO, TEXAS, AND IS BOUND BY PLANO PKWY TO THE NORTH, DALLAS NORTH TOLLWAY TO THE EAST, AND A 100' WIDE STRIP OF LAND TO THE SOUTH AND WEST. THE PROPERTY IS CURRENTLY ZONED COMMERCIAL (C-1) AND IS BEING REQUESTED TO BE REZONED TO COMMERCIAL (C-2).

ZONING SUMMARY TABLE

EXISTING ZONING	COMMERCIAL (C-1)	PROPOSED ZONING	COMMERCIAL (C-2)
PERMITTED USES	SEE ZONING ORDINANCE	PERMITTED USES	SEE ZONING ORDINANCE

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THE SUBMITTAL OF THIS APPLICATION IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE CITY COMMISSIONERS. THE CITY ENGINEER'S APPROVAL IS SUBJECT TO THE APPROVAL OF THE CITY COMMISSIONERS. THE CITY COMMISSIONERS' APPROVAL IS SUBJECT TO THE APPROVAL OF THE STATE ENGINEER. THE CITY ENGINEER'S APPROVAL IS SUBJECT TO THE APPROVAL OF THE CITY COMMISSIONERS. THE CITY COMMISSIONERS' APPROVAL IS SUBJECT TO THE APPROVAL OF THE STATE ENGINEER.

REMARKS:

THE PROPERTY IS BEING REQUESTED TO BE REZONED TO COMMERCIAL (C-2) FROM COMMERCIAL (C-1). THE PROPERTY IS CURRENTLY ZONED COMMERCIAL (C-1) AND IS BEING REQUESTED TO BE REZONED TO COMMERCIAL (C-2). THE PROPERTY IS CURRENTLY ZONED COMMERCIAL (C-1) AND IS BEING REQUESTED TO BE REZONED TO COMMERCIAL (C-2).

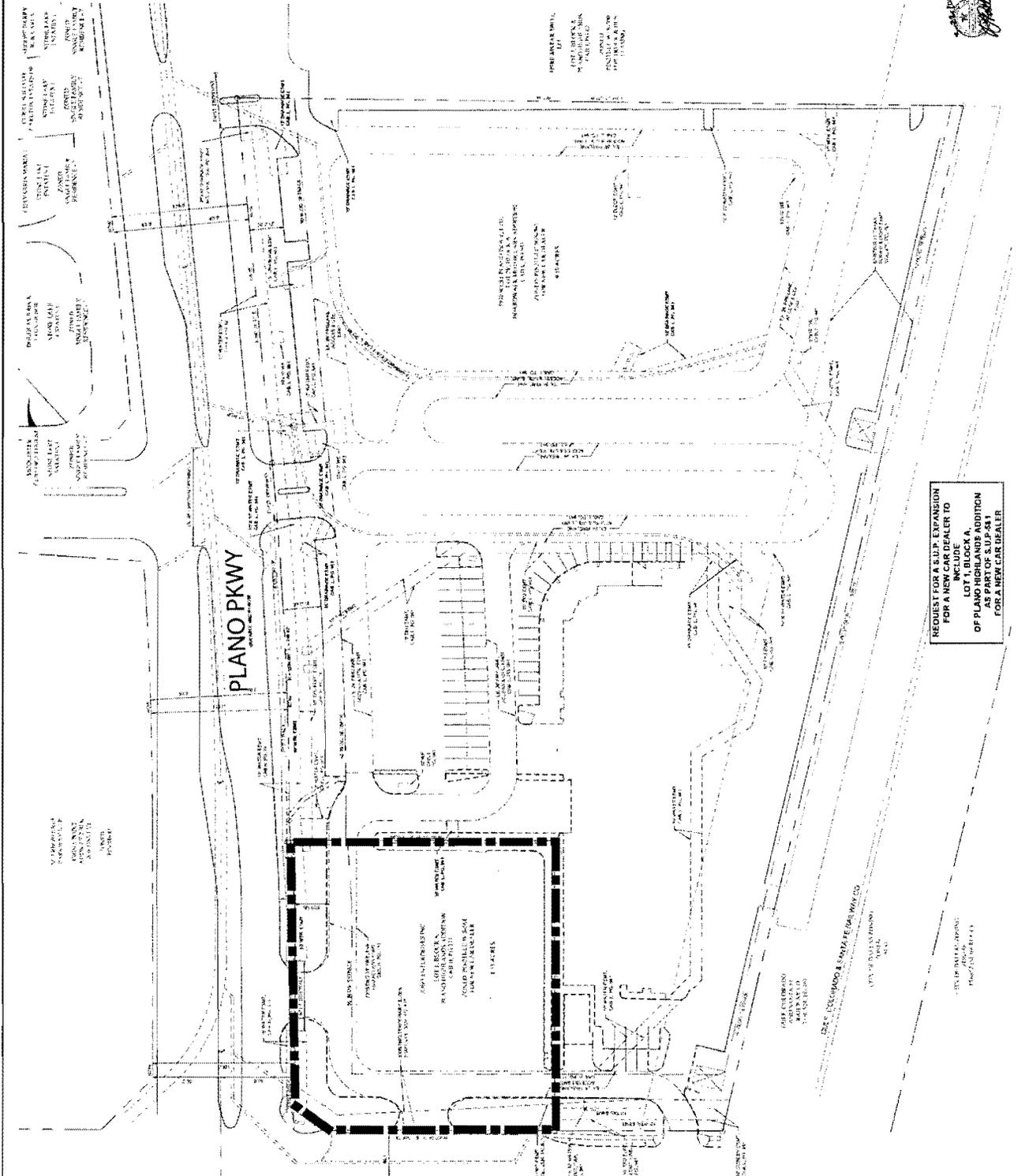
ZONING CASE 201345

101 E. ROCKWELL
 2ND FLOOR
 101 E. ROCKWELL
 PLANO, TEXAS 75074

ZONING EXHIBIT

THE CITY OF PLANO
 101 E. ROCKWELL
 2ND FLOOR
 PLANO, TEXAS 75074

DATE: 08/14/13
 TIME: 10:00 AM



REQUEST FOR A S.U.P. EXPANSION FOR A NEW CAR DEALER TO INCLUDE LOT 1, BLOCK A ADDITION OF PLANS AS PART OF S.U.P. 381 FOR A NEW CAR DEALER

DALLAS NORTH TOLLWAY

DATE: April 2, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of April 1, 2013

**AGENDA ITEM NO. 6A - PUBLIC HEARING
ZONING CASE 2013-02 & DEVELOPMENT PLAN FOR COIT CROSSINGS,
BLOCK 1, LOT 3R
APPLICANT: CROW-BILLINGSLEY LTD. NO. 10, BILLINGSLEY 121 COPPELL
LTD. AND UNIVERSITY BUSINESS PARK PHASE II, LTD.**

Request to rezone 63.0± acres located on the west side of Coit Road, 950± feet north of Mapleshade Lane **from** Corridor Commercial and Light Industrial-1 **to** Urban Mixed-Use. Zoned Corridor Commercial and Light Industrial-1/190 Tollway/Plano Parkway Overlay District. Tabled March 4, 2013.

APPROVED: _____ **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 0

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

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

STIPULATIONS:

After receiving a motion for denial, the Planning & Zoning Commission voted 3-3 thus resulting in “no decision.” Per the Commission’s policies, the motion failed as a result of the tie vote but the matter is not considered approved or denied. The commissioners voting in opposition to the motion for denial believed this was an appropriate location for Urban Mixed-Use zoning.

FOR CITY COUNCIL MEETING OF: April 22, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

EH/sf

xc: Ken Mabry, Crow-Billingsley LTD. No.10/Billingsley 121 Coppell LTD/University Business Park Phase II
Tom Holland, Billingsley Company

April 12, 2013

MEMO

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

FROM: Phyllis M. Jarrell, Director of Planning

SUBJECT: Zoning Case 2013-02

At its April 1st meeting, the Planning & Zoning Commission considered this zoning petition and made two motions. The first motion to approve the request failed with a 3-3 tie vote. The Commission's second motion, to deny the request, also failed with a 3-3 tie vote. No additional motions to either amend the request or to table were made. Therefore the Commission is reporting no recommendation on the zoning petition to the City Council. The Commission's action does not constitute a denial, so only a simple majority vote of the City Council is required to approve the request.

Please let me know if you have questions.

XC: Diane Wetherbee, City Attorney
Paige Mims, Deputy City Attorney
Tina Firgens, Development Review Manager

Recommendation of the Planning & Zoning Commission

Zoning Case 2013-02 and Development Plan for Coit Crossings Block 1, Lot 3R

April 1, 2013

Second Vice Chairman's Report

Agenda Item No. - 6A- Public Hearing

Zoning Case 2013-02- Request to rezone 63.0 ± acres located on the west side of Coit Road, 950 ± feet north of Mapleshade Lane from Corridor Commercial and Light Industrial-1 to Urban Mixed use.

Applicant: Crow-Billingsley Ltd. No 10, Billingsley 121 Coppell Ltd. and University Business Park Phase II, Ltd.

Staff Recommendation: The staff recommended approval of the zoning change subject to the following exceptions of the Urban Mixed Use district:

Exceptions of the UMU District

1. The development plan shall be adopted as part of the ordinance.
2. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
3. The maximum block size shall be 3.5 acres for Blocks E, F, and S only.
4. For Blocks A and B only:
 - a. The maximum from yard setback shall not apply to properties that have frontage along Coit Road.
 - b. Minimum lot coverage shall be 15%.
 - c. Minimum FAR shall be 0.3:1.
5. The private 22-foot minor street connection to Mapleshade Lane shall be constructed with Phase II.

Commission Action:

A motion was made and approved to remove this zoning case from the table of March 4, 2013.

After much discussion a motion was made to recommend approval of the zoning case, which resulted in a 3-3 tie vote (A motion for approval was made by Chairman Caso and seconded by 2nd Vice-Chair Cargo. Commissioners Barbera, Hillburn and 1st Vice-Chair Smith voted in opposition to the motion for approval). Per the commission rules and procedures, failure of a motion to approve shall not constitute approval, therefore, further action was required. A subsequent motion to deny was made. The motion to deny failed due to receiving a 3-3 tie vote thus resulting in a 'no decision' on the motion. (A motion to deny was made by 1st Vice-Chair Smith and Seconded by Commissioner Barbera. Chairman Caso, Commissioner Pittman, and 2nd Vice-Chairman Cargo voted in opposition to the motion to deny). The request was neither approved nor denied, therefore, the case automatically is forwarded to the City Council for final action.

Comments made in support of the motion to approve included:

* The reorientation of the 'main street' from a north/south to an east/ west orientation as recommended by the Commission was favorable to draw people and activity into the development from Coit Road.

* The inclusion of more retail further west into the project along the 'main street' was considered for better integration of the uses.

* This project was discussed as a good Urban Mixed-Use project and the request meets the UMU district.

* While the request includes rezoning existing LI-1 zoned land, the land has been zoned that way for a while and there is additional LI-1 zoned land to the east.

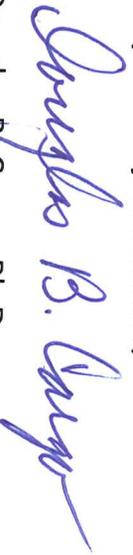
Comments made in support of the motion to deny included:

* There was concern whether the 'Type F', 22 -foot connector street to Mapleshade Lane being sufficient enough to handle the traffic from such a large apartment complex.

* Additionally a comment was made concerning the 'at capacity' of the neighboring schools and that there would be additional pressure to handle the additional students the development would bring.

Additional Comments: On a motion made by 1st Vice-Chair Smith and seconded by Commissioner Barbera, the Concept Plan associated with Zoning Case 2013-02, was denied by the Commission by a 3-3 vote. (Chairman Caso, Commissioner Pittman and 2nd vice-Chair Cargo voted in opposition to the motion for denial.)The tie vote resulted in a 'no decision' by the Commission, therefore, the case is automatically being forwarded to the City Council for final action.

Respectively Submitted,

A handwritten signature in blue ink that reads "Douglas B. Cargo". The signature is written in a cursive, flowing style.

Douglas B. Cargo, Ph.D.

Second Vice -Chair

Planning & Zoning Commission

CITY OF PLANO
PLANNING & ZONING COMMISSION

April 1, 2013

Agenda Item No. 6A

Public Hearing: Zoning Case 2013-02 and Development Plan for Coit Crossings,
Block 1, Lot 3R

Applicant: Crow-Billingsley Ltd. No. 10, Billingsley 121 Coppell Ltd. and University
Business Park Phase II, Ltd.

DESCRIPTION:

Request to rezone 63.0± acres located on the west side of Coit Road, 950± feet north of Mapleshade Lane **from** Corridor Commercial and Light Industrial-1 **to** Urban Mixed-Use. Zoned Corridor Commercial and Light Industrial-1/190 Tollway/Plano Parkway Overlay District. Tabled March 4, 2013.

REMARKS:

This zoning case and development plan were tabled at the March 4, 2013, Planning & Zoning Commission meeting. The zoning case and development plan must be removed from the table.

The applicant has modified their request based upon feedback received at the March 4, 2013, Planning & Zoning Commission meeting. Comments received from the Commission at that meeting included the following:

- Reorient the “main street” so that it extends east-west through the development in order to draw people and activity further into the development from Coit Road; and
- Improve the integration between the residential and nonresidential uses.

The applicant has reoriented the main street to an east-west configuration. The new development plan also shows a different configuration for the retail buildings fronting Coit Road with parking adjacent to Coit Road to support the retail tenants. Locations of nonresidential uses and live-work units along the main street have been changed in order to potentially draw people and activity further into the development from Coit Road. The applicant is also proposing to build the private street connection to Mapleshade Lane with Phase II of development instead of Phase III. The development plan results in an improved integration between the residential and nonresidential uses. Staff’s analysis has been revised to reflect the new proposal.

The purpose of this request is to rezone 63.0± acres located on the west side of Coit Road, 40± feet north of Mapleshade Lane from Corridor Commercial (CC) and Light Industrial-1 (LI-1) to Urban Mixed-Use (UMU). The CC district is intended to provide for retail, service, office, and limited manufacturing uses within major regional transportation corridors. The regulations and standards of this district are reflective of the high traffic volumes and high visibility of these regional highways. The LI-1 district is intended to provide areas for light manufacturing firms engaged in processing, assembling, warehousing, research and development, and incidental services that are developed in accordance with the same performance standards applicable to all other zoning districts.

The requested zoning is UMU. The UMU district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of urban mixed-use centers which promote social interaction, community identity, and efficient use of land and resources. The UMU district should also support and encourage a variety of transportation options, including transit, bicycles, and walking. The zoning district is applicable primarily to large undeveloped properties where higher density residential and commercial uses are appropriate.

The UMU district requires that a development plan be adopted with the zoning district. The applicant's development plan shows a private grid street pattern with retail buildings and surface parking fronting Coit Road. The main street, which is a requirement of the UMU district, runs perpendicular to Coit Road between the retail buildings. To the north and south of the main street are three- and four-story multifamily buildings with live/work and retail uses on the ground floor which make up the central portion of the development. The plan proposes a variety of small and large public open spaces distributed throughout the site. On the western side of the development, the applicant is proposing several three story office buildings with structured parking, and is providing an access connection to the undeveloped properties farther to the west.

The streets will be privately maintained by a property owner's association, but accessible to the public and will have parallel parking, street trees, and sidewalks on both sides of the streets. The buildings meet the required setbacks as specified in the UMU district, and the open spaces meet the minimum and maximum percentages as specified in the UMU district, as well as the requirement to be bounded by streets on a minimum of two sides.

Requested Exceptions to the UMU District

The UMU district allows certain exceptions to be requested to the standards of the district to provide flexibility for the individual development. The applicant is requesting several exceptions to the UMU district regulations:

1. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
2. The maximum block size shall be 3.5 acres for Blocks E, F, and S only.
3. For Blocks A and B only:

- a. The maximum front yard setback shall not apply to buildings that front Coit Road.
- b. Minimum lot coverage shall be 15%.
- c. Minimum Floor-Area-Ratio (FAR) shall be 0.3:1

The requested garage exception will allow the applicant to meet the necessary lot coverage percentages as specified in the UMU district. The intent of this stipulation is to allow the occupied areas only to be counted towards lot coverage and to enforce a more dense urban form. However, by allowing structured parking and tuck-under garages to be counted towards the lot coverage, this allows applicants to increase densities which would provide more activity for the district. This exception would be applied to all blocks. Due to the proposed block size and massing of the development, staff is in favor of this exception.

The UMU district caps block sizes at three acres. Through discussions with the Planning & Zoning Commission and City Council, this block size was established to be large enough to allow for sufficient development mass to occur, but also small enough to encourage pedestrians to walk throughout the site. This exception would be applied to Blocks E, F, and S only. Staff is in favor of this exception and believes it will have a minimal impact on pedestrian connectivity.

In response to direction received from the Commission at the March 4 meeting, the applicant has modified the location of the main street and the design of blocks A and B. Although the applicant is still requesting exceptions for Blocks A and B related to setbacks, lot coverage, and density which will allow for a non-urban form of development on these blocks, staff believes the proposed design meets the intent of the UMU district. The proposed layout will allow for retail and restaurant uses to be oriented to Coit Road and the main street, while promoting better integration between the nonresidential and residential buildings within the district itself. Furthermore, the reorientation of the main street to an east-west layout helps to create more potential activity within the central core of the development. Staff is in favor of these exceptions.

A concept plan, Coit Crossings, Block A, Lot 9, accompanies this request as Agenda Item B for the area west of the proposed UMU district.

Surrounding Land Use and Zoning

The subject property is currently undeveloped. To the east, across Coit Road, are existing commercial uses zoned CC, and a large tract partially under construction as multifamily residences zoned Planned Development-215-Corridor Commercial. The property to the south is zoned CC and is developed as retail superstore, bank and restaurant uses. The property to the west is vacant land zoned CC and LI-1. To the north, across the existing railroad tracks, the property is zoned LI-1 and is developed as commercial and industrial uses.

Proposed UMU District Exceptions

The requested zoning is UMU. There are two primary parts to this request: land use and design standards as adopted by the development plan with several proposed exceptions.

Exceptions:

The permitted uses and standards shall be in accordance with the UMU zoning district unless otherwise specified herein.

Exceptions of the UMU District:

1. The development plan shall be adopted as part of the ordinance.
2. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
3. The maximum block size shall be 3.5 acres for Blocks E, F, and S only.
4. For Blocks A and B only:
 - a. The maximum front yard setback shall not apply to properties that have frontage along Coit Road.
 - b. Minimum lot coverage shall be 15%.
 - c. Minimum FAR shall be 0.3:1
5. The private 22-foot minor street connection to Mapleshade Lane shall be constructed with Phase II.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Major Corridor Development (MCD). The city's current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities. However, residential development may be appropriate along expressway corridors in accordance with the interim amendment policy recommendations of the Comprehensive Plan that were adopted in April, 2012, provided that residential uses are set back a minimum of 1,200 feet from the centerline of State Highway 190. The proposed UMU zoning district allows for residential and nonresidential uses to develop within the subject property. This request is in conformance with the Future Land Use Plan and interim amendments to the comprehensive planning land use policies.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property. The available sanitary sewer capacity is sufficient to handle additional commercial development in the area; however, the applicant may be responsible for making improvements to the sanitary sewer system to increase the system capacity if the property were rezoned for residential uses.

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request. However, prior to approval of the preliminary site plan for the first phase of residential development, the applicant shall submit a TIA for review and approval due to the requested number of dwelling units generating traffic that exceeds the maximum threshold of 8,000 trips per day.

School Capacity - This area is served by Jackson Elementary School, Frankford Middle School, Shepton High School, and Plano West Senior High School. Based upon the current projections and feeder alignments Plano Independent School District (PISD) has determined that all four schools are considered to be at capacity.

Public Safety Response Time - Based upon existing personnel, equipment, and facilities, fire emergency response times will be sufficient to serve the site. Additional residential units in this area will increase EMS and fire calls for service, and may impact future staffing levels and the type of equipment assigned to area fire stations.

Access to and Availability of Amenities and Services - The subject property is not within a Park Fee service area. There are no existing neighborhood parks or linear parks to serve this area and the Park Master Plan does not identify any proposed parks to be located within this area of the city. Private open space will serve the residents of this area.

The subject property is located within the Haggard Library's service area, and service to the residents of this new area would be possible with the current library resources.

ISSUES:

Economic Development Element and Land Use Element

The Economic Development Element and the Land Use Element policies of the Comprehensive Plan discourage rezoning properties for residential uses in prime economic development areas of the city and accommodating immediate development opportunities. The intent of both policies is to ensure land that is located along the expressway corridors and in the major employment centers is developed in accordance with the Future Land Use Plan recommendations and supporting zoning districts, and to take advantage of future nonresidential development opportunities which would increase the tax base and provide employment opportunities for Plano residents.

Staff believes that it is important for the city to retain an adequate supply of undeveloped nonresidential land for future economic development opportunities. Therefore, rezoning properties within the prime economic development areas is generally not recommended and should not be rezoned to accommodate immediate development opportunities. Having undeveloped land within the city is an asset for Plano as it allows the city to attract businesses and provide for base employment opportunities, as well as increased property values and revenues for the city. This property is large, and given the property's size coupled with its existing CC and LI-1 zoning, the property has the potential to provide flexibility in the design and orientation of development that can adequately incorporate and create a variety of economic development and employment opportunities. Rezoning the property to the requested

UMU district reduces the amount of land available for economic development opportunities within the city.

Residential Use in a Major Corridor

The Economic Development Element and the Land Use Element policies discourage residential intrusions into the major expressway corridors in order to retain and preserve the land for future economic development opportunities. The policies further encourage a careful examination of residential rezoning requests to ensure that proposed locations are suitable for residential development and that Plano's economic viability is not jeopardized in order to accommodate short-term demand. Residential requests should be evaluated to determine if the proposed use is the best suitable use long-term for property that is otherwise a prime location for economic development opportunities. The subject property is outside the 1,200 foot setback from the centerline of State Highway 190 as recommended by the interim amendment policy recommendations of the Comprehensive Plan.

Mixed-Use Policy Statement

The mixed-use policy statement of the Comprehensive Plan defines mixed-use as vertical or horizontal integration of multiple uses that promotes easy access among uses and amenities especially by pedestrians. The mixed-use policy also provides a framework that is intended to assist with the evaluation of proposals for mixed-use projects. The following is an analysis of the proposed request compared to the policy criteria.

- **Location and Context Sensitivity** - The mixed-use policy statement encourages that proposed mixed-use projects be sensitive to surrounding land uses and character of an area. An important criterion to consider is of the uses being proposed, if the same uses were to be considered alone, would each use be appropriate in this location? The proposed multifamily would not be appropriate if it were to be considered on its own due to the adjacent nonresidential zoning districts. Properties to the north, south, and west allow for more intensive land uses given the existing CC and LI-1 zoning.

However, residential development has been introduced into this area on the east side of Coit Road. During 2011, the area east of Coit Road, south of the railroad tracks and north of Mapleshade Lane was rezoned to allow for 1,200 multifamily residential units. The first phase of the development is under construction today. An additional 300 units were also approved at the southwest corner of Mapleshade Lane and Silverglen Drive. Properties to the east and south of this multifamily development are also zoned CC and LI-1.

If it is determined by the Council that this is an appropriate location for residential uses, then additional consideration should be given towards the appropriate zoning for the remaining properties west of the subject property. LI-1 zoning may not be the most appropriate zoning next to residential uses.

- **Multiple uses/integration of uses and density** - The mixed-use policy statement encourages buildings and uses that are well integrated and tightly connected or grouped. The policy considers whether the combining of land uses promotes easy access among stores, services, and amenities used by pedestrians. The relationship of the nonresidential buildings with the residential uses has the opportunity to provide for integrated uses. The challenge for the proposed UMU district is its relationship and integration of the proposed multifamily uses and the existing “big box” retailers with large surface parking areas to the south. The applicant has provided vehicle connections between the proposed development and existing retail development to the south to allow for surface integration, and has designed the multifamily buildings to minimize the units facing the existing retail to the south.

The proposed UMU district requires reduced building setbacks along interior private streets promoting an urban form. Retail buildings are proposed on the east side of the district with frontage on Coit Road, with additional nonresidential uses proposed on the first floor of the multistory buildings along the proposed east-west main street of the district within Blocks E and F. Surface parking is planned adjacent to Coit Road to serve the retail buildings. The proposed design of the main street has the potential to create interest and activity within the district itself and help support the other proposed uses within the district.

- **Pedestrian Orientation and Public Spaces** - The development plan proposes a convenient, attractive, and safe pedestrian system with sidewalks and pedestrian connections. The proposed public open space areas meet the percentage requirements of the UMU district and are distributed throughout the development allowing for easy access to residents. Since the March 4 meeting, due to the reorientation of the main street, a larger public open space is proposed to anchor the west end of the main street.
- **Parking** - The policy statement limits surface parking to 25% of the entire development thus promoting structured parking, and provides criteria for evaluating the amount and location of surface parking. There is minimal surface parking provided within the proposed development, with the larger surface parking areas placed at the perimeter of the development, thus being consistent with the policy statement. The applicant is proposing a majority of the parking to be located within structured parking garages, tuck-under garages, and on-street parking within the interior of the development.

Impact on City Services and Availability of Amenities and Services

In April 2012, the Council adopted interim amendments to the Comprehensive Plan which included recommendations pertaining to the use of the city’s undeveloped land. Several of those recommendations are applicable to this zoning request:

1. All residential rezoning requests should be evaluated to determine the impact on infrastructure, public safety response, school capacity, and access to and availability of amenities and services.

The proposed site does not have nearby parks to serve the development and there are no planned or existing neighborhood park facilities that will serve residences in this location. The area also does not fall within any park fee service area. PISD has determined that all four schools that serve this area are currently at capacity. Finally, public safety response times are sufficient to support the proposed development.

2. Isolated residential development should not be permitted; residential rezoning requests need to establish a complete neighborhood or expand an existing neighborhood or an urban mixed-use center. Mid-rise multifamily development (5 to 12 stories) and special needs housing (i.e. senior housing) could be an exception if the surrounding land uses are compatible.

The applicant is proposing 1,155 residential units within the UMU district. They are also proposing office, retail, and restaurant uses in compliance with the UMU percentages of primary, secondary, and tertiary uses. Although the subject property does not expand into any existing residential neighborhoods, the large number of units requested within this UMU district would establish a new neighborhood of residential development. The request is therefore in conformance with this policy recommendation.

3. The 1,200 foot setback for residential uses from the centerline of State Highway 121 should be retained and applied to the Dallas North Tollway, State Highway 190/President Bush Turnpike, and U.S. Highway 75. Factors including topography, creeks, vegetation, and existing development patterns should be considered in applying this standard.

The residential component of the UMU district is outside of the 1,200 foot boundary from State Highway 190/President Bush Turnpike. The request complies with this policy recommendation.

5. New multifamily zoning should require a minimum density of 40 dwelling units per acre on the project site. Phased development should have a minimum average density of 40 dwelling units per acre. However, no phase having less than 40 units per acre may be constructed, unless preceded by or concurrently built with a phase which maintains the minimum 40 dwelling units for the overall project. Additionally, mid-rise multifamily development and neighborhood mixed-use zoning districts could be exceptions to this minimum density requirement.

The applicant is providing residential densities that meet or exceed the 40 dwelling units per acre. The development plan shows the proposed densities including a plan for phasing the property. The request is in conformance with this policy recommendation.

Type F Thoroughfare

The Thoroughfare Plan Map of the Comprehensive Plan shows a proposed Type F thoroughfare that would connect Coit Road and Mapleshade Lane. The applicant has proposed a grid private street system with multiple points of ingress and egress to Coit Road and the existing properties to the south. The development plan also proposes one direct connection to Mapleshade Lane. The proposed private grid street system

provides more opportunities to disperse traffic to Coit Road and Mapleshade Lane than a single collector street; therefore, staff believes that the Type F thoroughfare requirement is satisfied through the proposed private street system.

SUMMARY:

The applicant is requesting to rezone 63.0± acres located on the west side of Coit Road, 950± feet north of Mapleshade Lane from CC and LI-1 to UMU. The request is in conformance with the Future Land Use Plan and recently adopted interim amendments to the Land Use Element of the Comprehensive Plan. The proposed multifamily residential uses are located beyond the minimum 1,200 foot setback as measured from the centerline of State Highway 190. While the request supports the recently adopted interim amendments, it should be noted that the request is not consistent with the preservation of land for future economic development and employment opportunities. Rezoning the property to UMU reduces the amount of land available for economic development and employment uses within the city. Lastly, staff believes that the requested exceptions are acceptable in order to provide some flexibility to the development standards within the district, and that the multifamily residential use is appropriate when developed in conjunction with the UMU standards.

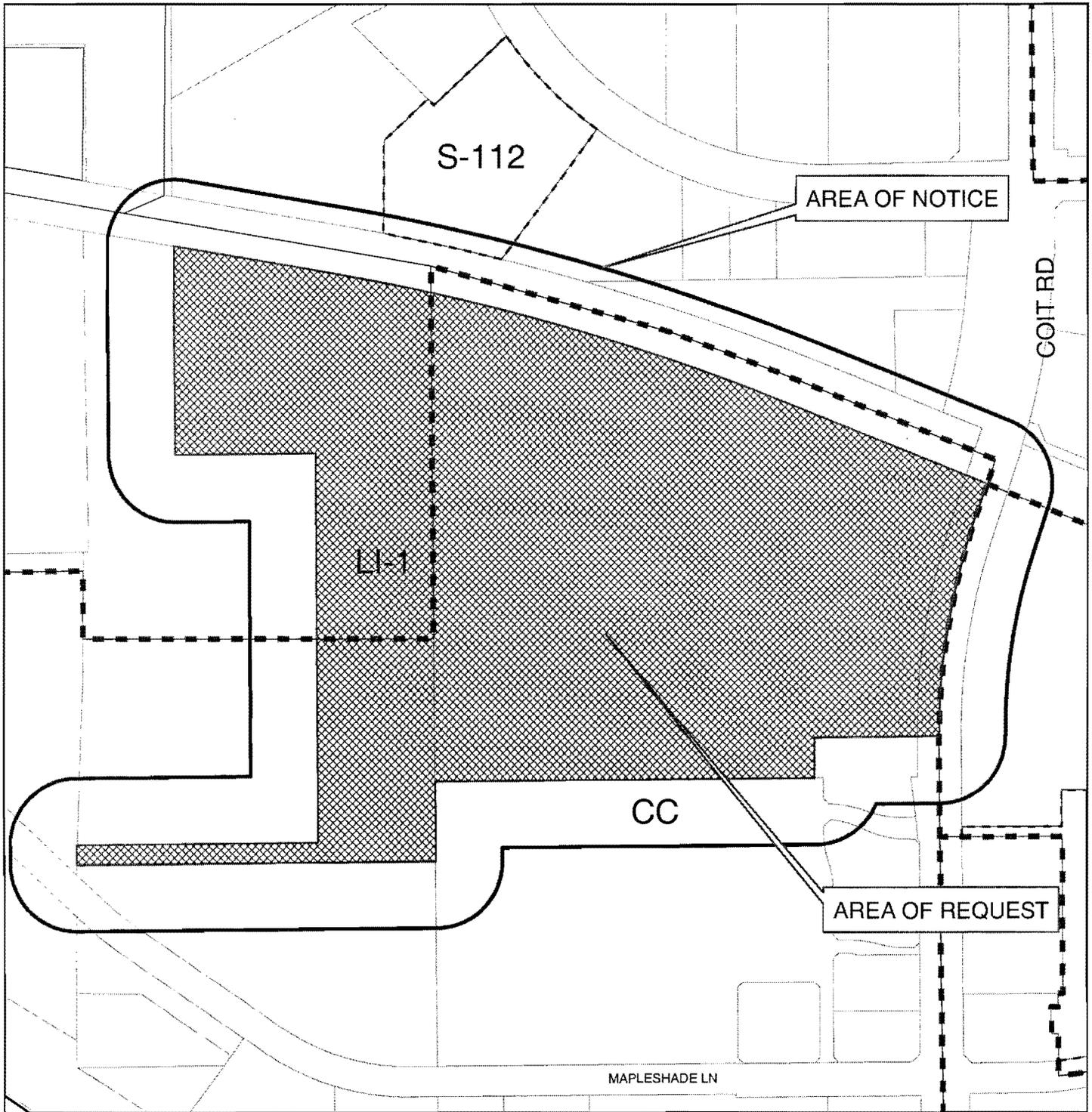
RECOMMENDATION:

Recommended for approval subject to the following exceptions of the Urban Mixed-Use district:

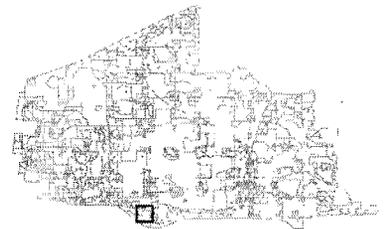
The permitted uses and standards shall be in accordance with the UMU zoning district unless otherwise specified herein.

Exceptions of the UMU District:

1. The development plan shall be adopted as part of the ordinance.
2. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
3. The maximum block size shall be 3.5 acres for Blocks E, F, and S only.
4. For Blocks A and B only:
 - a. The maximum front yard setback shall not apply to properties that have frontage along Coit Road.
 - b. Minimum lot coverage shall be 15%.
 - c. Minimum FAR shall be 0.3:1
5. The private 22-foot minor street connection to Mapleshade Lane shall be constructed with Phase II.



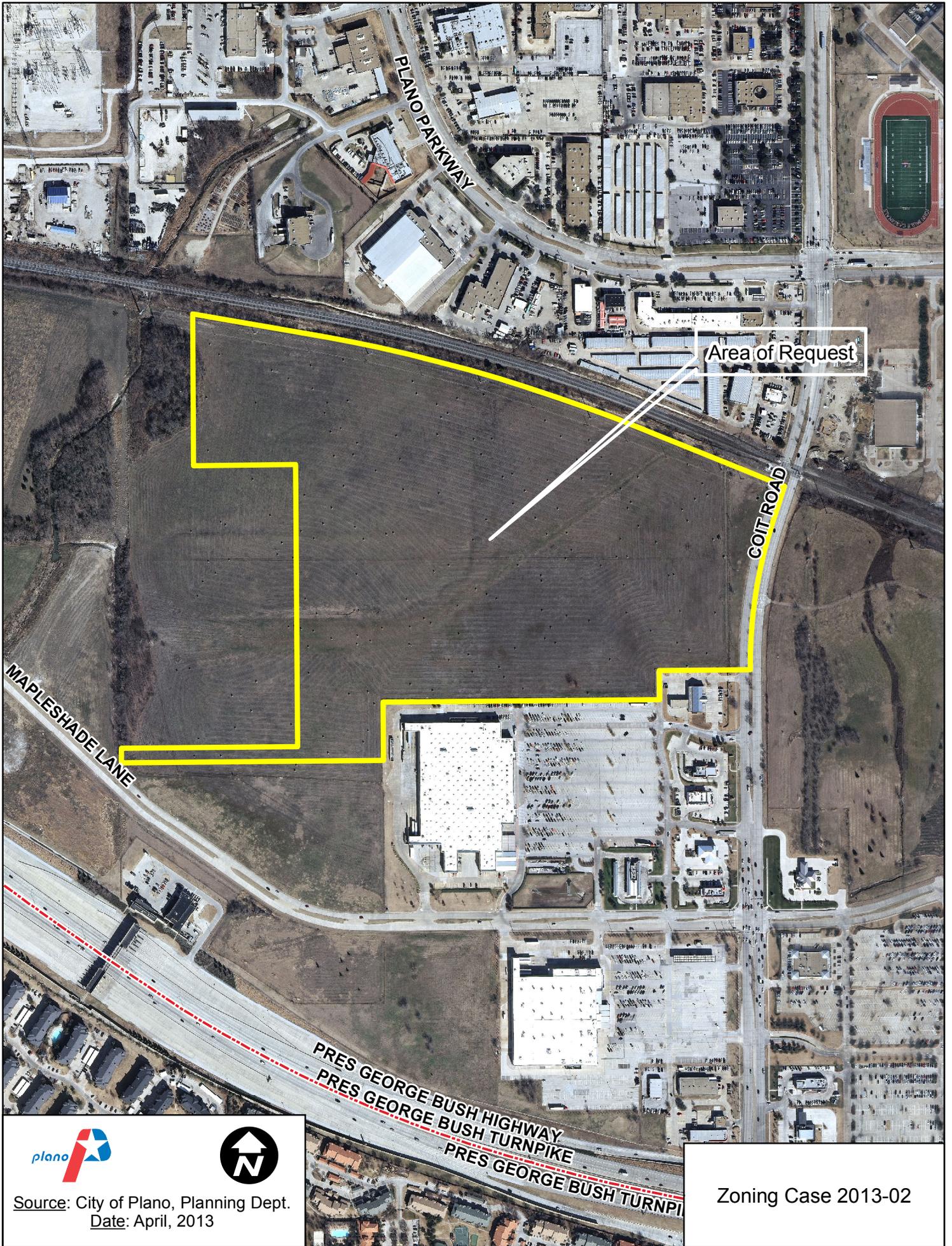
Zoning Case #: 2013-02 & DEVELOPMENT PLAN



Existing Zoning: CORRIDOR COMMERCIAL & LIGHT INDUSTRIAL-1/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

○ 200' Notification Buffer





Area of Request

PLANO PARKWAY

COIT ROAD

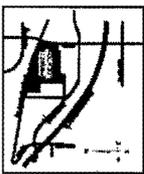
MAPLESHADE LANE

PRES GEORGE BUSH HIGHWAY
PRES GEORGE BUSH TURNPIKE
PRES GEORGE BUSH TURNPIKE



Source: City of Plano, Planning Dept.
Date: April, 2013

Zoning Case 2013-02



NOTES:

1. ALL FINANCIALS SHALL BE BASED ON AVERAGE 2022 YEAR FINANCIALS.
2. ALL FINANCIALS & OPERATIONAL COSTS SHALL BE BASED ON CURRENT MARKET CONDITIONS.
3. ALL FINANCIALS & OPERATIONAL COSTS SHALL BE BASED ON CURRENT MARKET CONDITIONS.
4. ALL FINANCIALS & OPERATIONAL COSTS SHALL BE BASED ON CURRENT MARKET CONDITIONS.

MARK STREET USE & COORDINATES

MARK	USE	COORDINATES
1	MARK	11,000.00
2	MARK	11,000.00
3	MARK	11,000.00
4	MARK	11,000.00
5	MARK	11,000.00
6	MARK	11,000.00
7	MARK	11,000.00
8	MARK	11,000.00
9	MARK	11,000.00
10	MARK	11,000.00

UNIT DISTRICT SUMMARY

UNIT	AREA	PRICE	TOTAL
OFFICE	41,877 SQ. FT.	\$120.00	\$5,024,400
RETAIL	1,211,211 SQ. FT.	\$120.00	\$145,345,320
RESIDENTIAL	4,121,211 SQ. FT.	\$120.00	\$494,545,320
COMMERCIAL	1,211,211 SQ. FT.	\$120.00	\$145,345,320
INDUSTRIAL	1,211,211 SQ. FT.	\$120.00	\$145,345,320
TOTAL	8,272,521 SQ. FT.		\$1,385,505,680

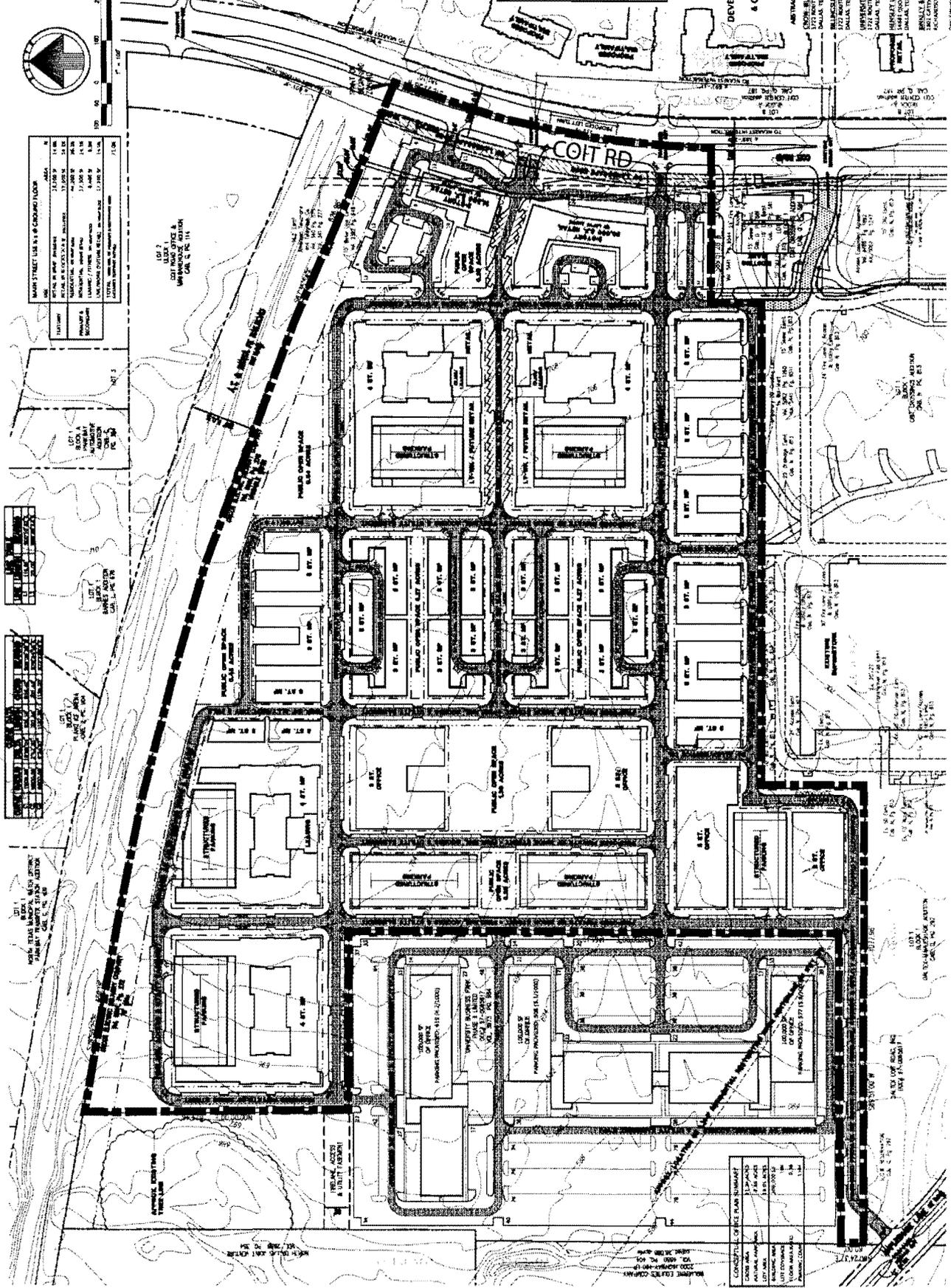
COIT CROSSINGS
 SITE AREA: 86.18 ACRES
 DEVELOPMENT PLAN FOR BLOCK 1, LOT 1R
 (63.07 ACRES)
 & CONCEPT PLAN FOR BLOCK 1, LOT 9
 (21.94 ACRES)

ABSTRACT NO. 5518 CITY OF PLANO COUNTY, TEXAS
 1702 NORTH STREET, SUITE 1111
 COMMERCIAL DISTRICT
 DALLAS, TEXAS 75201

UNIVERSITY BUSINESS PARK PHASE 2, LTD.
 1702 NORTH STREET, SUITE 1111
 DALLAS, TEXAS 75201

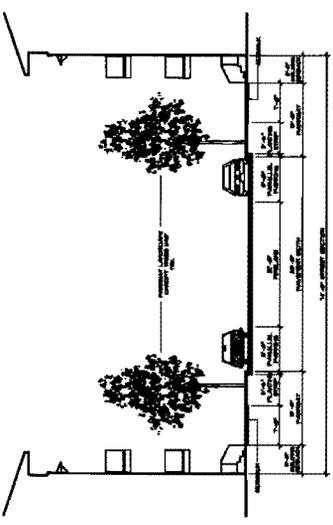
UNIVERSITY BUSINESS PARK PHASE 2, LTD.
 1702 NORTH STREET, SUITE 1111
 DALLAS, TEXAS 75201

UNIVERSITY BUSINESS PARK PHASE 2, LTD.
 1702 NORTH STREET, SUITE 1111
 DALLAS, TEXAS 75201

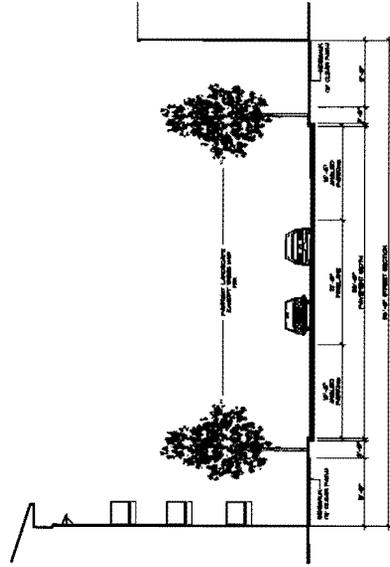


CONCEPT PLAN SUMMARY

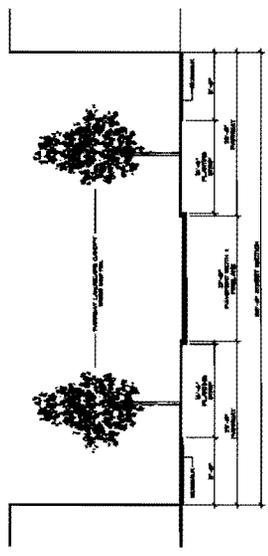
TYPE	AREA	PRICE	TOTAL
OFFICE	41,877 SQ. FT.	\$120.00	\$5,024,400
RETAIL	1,211,211 SQ. FT.	\$120.00	\$145,345,320
RESIDENTIAL	4,121,211 SQ. FT.	\$120.00	\$494,545,320
COMMERCIAL	1,211,211 SQ. FT.	\$120.00	\$145,345,320
INDUSTRIAL	1,211,211 SQ. FT.	\$120.00	\$145,345,320
TOTAL	8,272,521 SQ. FT.		\$1,385,505,680



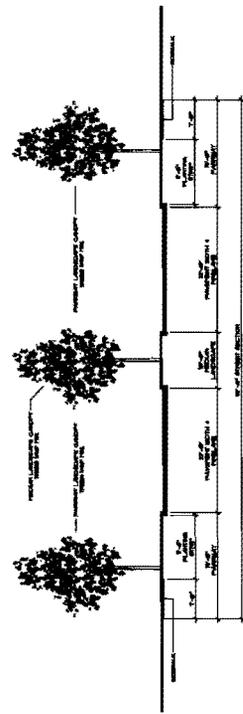
MINOR STREET - 84 FT. STREET SECTION



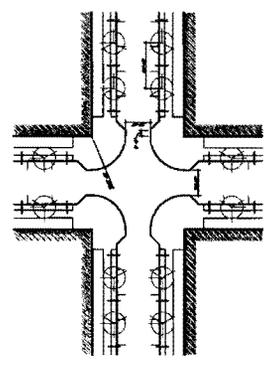
MAJOR STREET - 84 FT. STREET SECTION



ENTRY DRIVE - 80 FT. STREET SECTION

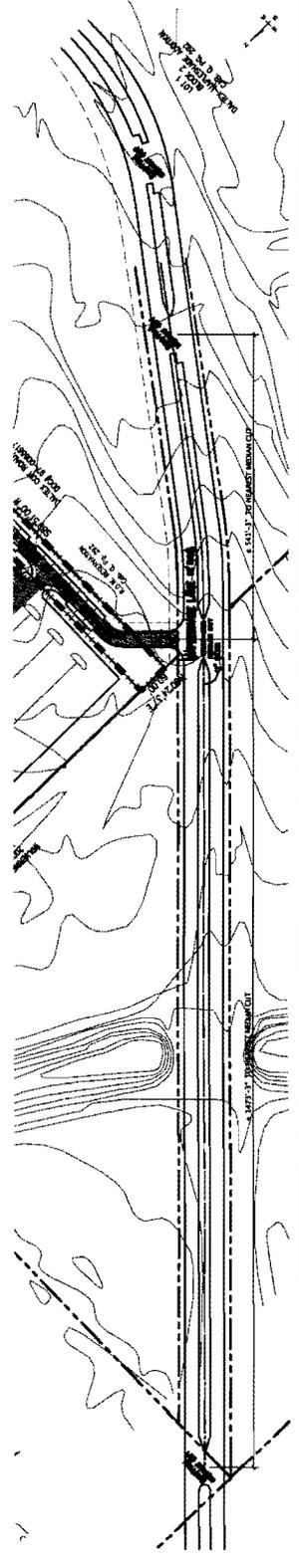


MEDIAN DIVISION - ENTRY DRIVE



TYPICAL STREET INTERSECTION

COIT CROSSINGS



COIT CROSSINGS
 SITE AREA: 86.18 ACRES
 DEVELOPMENT PLAN FOR BLOCK 1, LOT 3R
 & CONCEPT PLAN FOR BLOCK 1, LOT 9
 (63.07 ACRES)
 (21.94 ACRES)

UNIVERSITY OF TEXAS
 CROMBIE CONSULTING LTD. NO. 10
 1723 NORTH PARKWAY, SUITE 210
 DALLAS, TEXAS 75208
 OWNER/DEVELOPER
 UNIVERSITY BUSINESS PARK PHASE I LTD. OWNER/DEVELOPER
 14841 COVINGTON DRIVE, SUITE 150
 DALLAS, TEXAS 75244
 ARCHITECT/ENGINEER
 BRINLEY & BARTFIELD, LLP
 14841 COVINGTON DRIVE, SUITE 150
 DALLAS, TEXAS 75244
 ENGINEER/SURVEYOR
 BRINLEY & BARTFIELD, LLP
 14841 COVINGTON DRIVE, SUITE 150
 DALLAS, TEXAS 75244

Zoning Case 2013-02

An Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 63.0± acres of land out of the Marta McBride Survey, Abstract No. 553, located on the west side of Coit Road, 950± feet north of Mapleshade Lane in the City of Plano, Collin County, Texas, from Corridor Commercial and Light Industrial-1 to Urban Mixed-Use No. 1; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability 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 22nd day of April, 2013, for the purpose of considering rezoning 63.0± acres of land out of the Marta McBride Survey, Abstract No. 553, located on the west side of Coit Road, 950± feet north of Mapleshade Lane in the City of Plano, Collin County, Texas, from Corridor Commercial and Light Industrial-1 to Urban Mixed-Use No. 1; 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 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 22nd day of April, 2013; and

WHEREAS, the City Council is of the opinion and finds that such rezoning 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 so as to rezone 63.0± acres of land out of the Marta McBride Survey, Abstract No. 553, located on the west side of Coit Road, 950± feet north of Mapleshade Lane in the City of Plano, Collin County, Texas, from Corridor Commercial and Light Industrial-1 to Urban Mixed-Use No. 1, said property being described in the legal description on Exhibit "A" attached hereto.

Section II. That the change granted in Section I is granted subject to the following:

Restrictions

The permitted uses and standards shall be in accordance with the UMU zoning district unless otherwise specified herein.

Exceptions of the UMU District:

1. The development plan shall be adopted as part of the ordinance.
2. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
3. The maximum block size shall be 3.5 acres for Blocks E, F, and S only.
4. For Blocks A and B only:
 - a. The maximum front yard setback shall not apply to properties that have frontage along Coit Road.
 - b. Minimum lot coverage shall be 15%.
 - c. Minimum FAR shall be 0.3:1
5. The private 22-foot minor street connection to Mapleshade Lane shall be constructed with Phase II.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

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

PASSED AND APPROVED THIS THE 22ND DAY OF APRIL, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Zoning Case 2013-02

A tract or parcel of land situated in the Marta McBride Survey, Abstract No. 553, in the City of Plano, Collin County, Texas, being all of Lot 3R, Block 1 of the "Coit Crossings Addition ", an addition to the City of Plano recorded in Cabinet O Page 581 in the Collin County Plat Records (CCPR), and also including part of the called 43.7308 acres tract described in the deed to University Business Park Phase II Limited recorded as Document No. 97-0065617 in Volume 3973 Page 984 in the Collin County Deed Records (CCDR), and being more particularly described as follows:

BEGINNING at the intersection of the centerline of Coit Road (130' wide right-of-way) and the south line of the A.T. & Santa Fe Railroad (150' wide right-of-way);

THENCE Southerly along the centerline of Coit Road the following:

THENCE South, 18° 27' 28" West, 151.10 feet;

THENCE southerly an arc distance of 621.15 feet along a tangent curve to the left with a radius of 1,909.86 feet, a central angle of 18° 38' 04 ", and the chord bears South, 09°08' 26" West, 618.42 feet;

THENCE South, 89° 51' 28" West, 374.67 feet departing the centerline of Coit Road and continuing along the north side of Lot 2R of said "Coit Crossings Addition ";

THENCE South, 00° 10' 32" East, 119.81 feet along the west side of said Lot 2R;

THENCE South, 89° 51' 28" West, 1,138.28 feet along the south side of said Lot 3R and the north side of Lot 1, Block 1 of "Coit Crossings Addition", an addition to the City of Plano recorded in Cabinet N Page 813 in the CCPR;

THENCE South, 00° 09' 00" East, 239.49 feet along the west side of said Lot I to the northeast corner of Lot 1, Block 1 of "Daltex-Mapleshade Addition", an addition to the City of Plano recorded in Cabinet Q Page 292 in the CCPR;

THENCE South, 89° 51' 00" West, 1077.96 feet along the north side of said Lot 1;

THENCE North, 00° 24' 37" East, 60.00 feet along the west side of said University Business Park Phase II Limited tract and along the east side of the called 28.086 acres tract described in the deed to Wolverine Equities Company 2000 Highway 190 L.P. recorded in Volume 4880 Page 404 in the CCDR;

THENCE North, 89° 51' 00" East, 724.94 feet;

THENCE North, 00° 00' 00" East, 1,161.19 feet;

THENCE South, 89° 52' 23" West, 420.00 feet;

THENCE North, 00° 00' 00" East, 624.46 feet to the south line of said A.T. & Santa Fe Railroad;

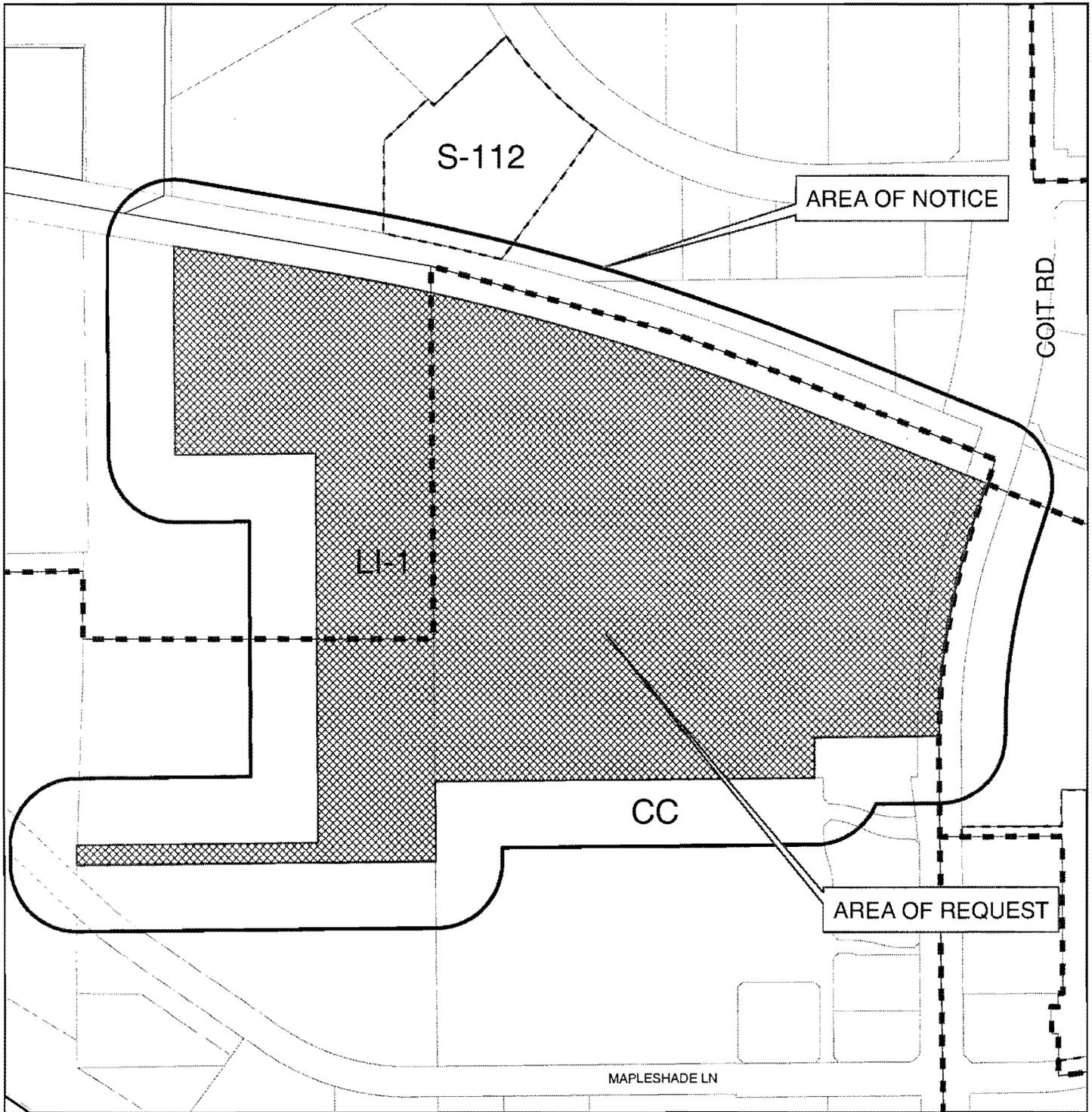
THENCE easterly along the south line of said A.T. & Santa Fe Railroad the following:

THENCE South, 79° 55' 25" East, 460.18 feet;

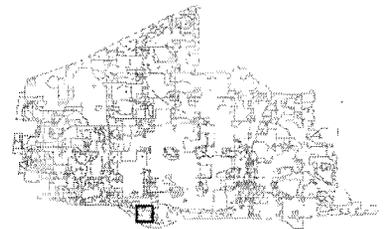
THENCE easterly an arc distance of 321.46 feet along a tangent curve to the right with a radius of 6,800.55 feet, a central angle of 02° 42' 30", and the chord bears South, 78° 34' 10" East, 321.43 feet;

THENCE easterly an arc distance of 1,137.38 feet along a non-tangent curve to the right with a radius of 6,800.55 feet, a central angle of 09° 34' 57", and the chord bears South, 72° 23' 23" East, 1136.05 feet;

THENCE South, 67° 35' 54" East, 626.98 feet to the POINT OF BEGINNING and CONTAINING 63.07 acres of land, more or less.



Zoning Case #: 2013-02 & DEVELOPMENT PLAN



Existing Zoning: CORRIDOR COMMERCIAL & LIGHT INDUSTRIAL-1/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

○ 200' Notification Buffer



A	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
B	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
E	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
F	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
G	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
J	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
K	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
L	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
M	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
S	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
T	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
U	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
V	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR
W	1.50 ACRES RES. 100' WIDE, 100' DEPT. LOT 100' WIDE LOT 100' WIDE, 100' DEPT. LOT 100' WIDE PUBLIC CORRIDOR

COIT CROSSINGS
 SITE AREA: 16.18 ACRES
 DEVELOPMENT PLAN FOR BLOCK 1, LOT 3A
 & CONCEPT PLAN FOR BLOCK 1, LOT 9

MARTHA MCDERMID SHAWP
 1000 W. 10TH ST. SUITE 100
 DALLAS, TEXAS 75201
 (214) 742-1234

UNIVERSITY BUSINESS PARK PHASE I, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

UNIVERSITY BUSINESS PARK PHASE II, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

UNIVERSITY BUSINESS PARK PHASE III, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

UNIVERSITY BUSINESS PARK PHASE IV, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

UNIVERSITY BUSINESS PARK PHASE V, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

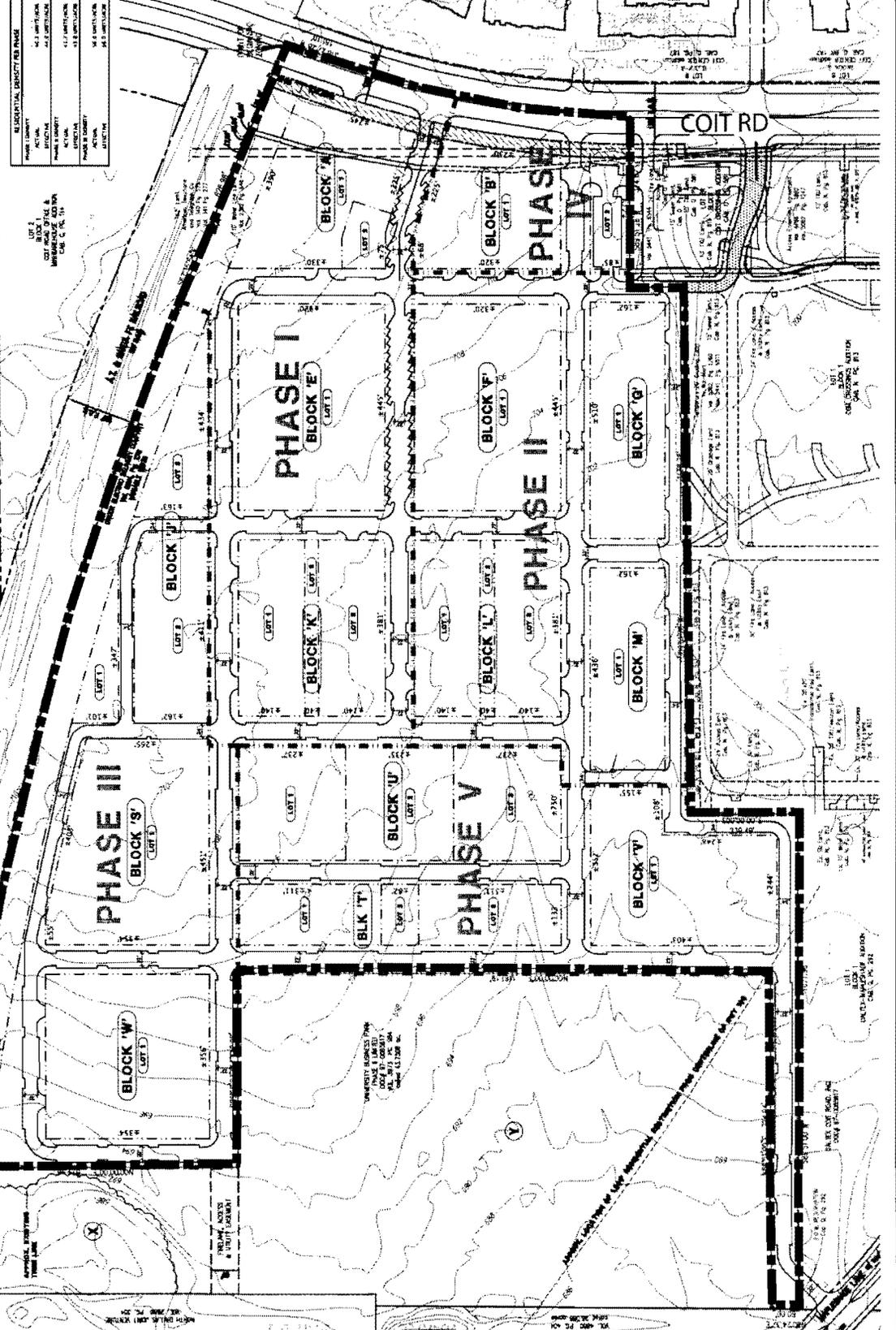
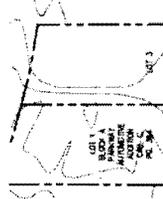
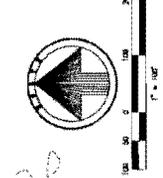
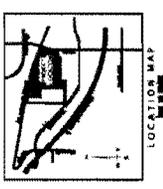
UNIVERSITY BUSINESS PARK PHASE VI, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

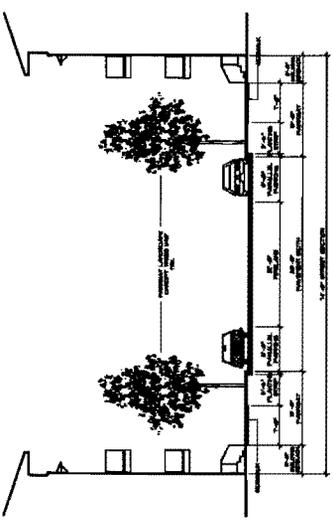
UNIVERSITY BUSINESS PARK PHASE VII, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

UNIVERSITY BUSINESS PARK PHASE VIII, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

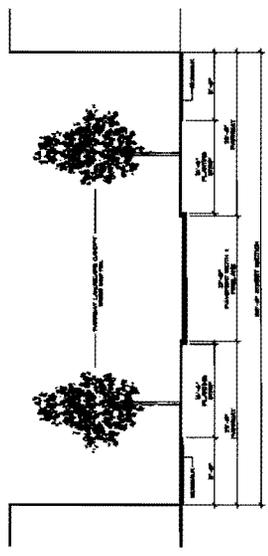
UNIVERSITY BUSINESS PARK PHASE IX, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

UNIVERSITY BUSINESS PARK PHASE X, LTD.
 1372 SOUTH POINT, SUITE 1113
 DALLAS, TEXAS 75201
 (214) 742-1234

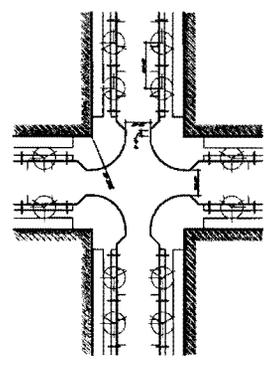




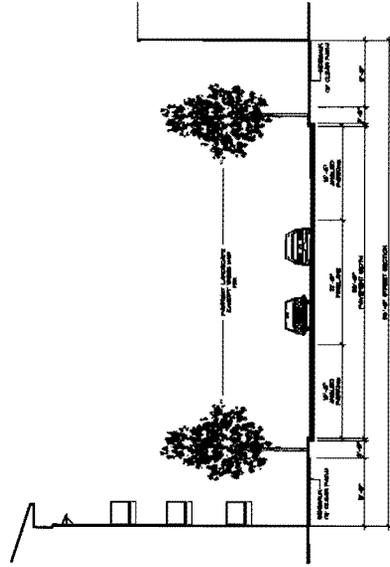
MINOR STREET - 84 FT. STREET SECTION
SCALE: 1" = 10'



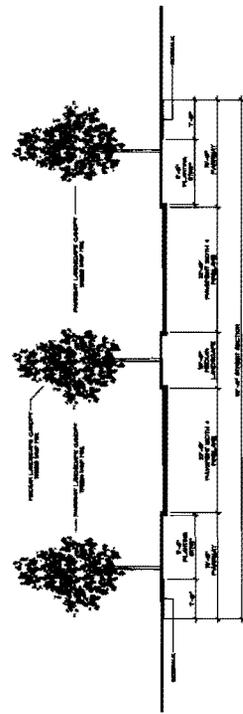
ENTRY DRIVE - 80 FT. STREET SECTION
SCALE: 1" = 10'



TYPICAL STREET INTERSECTION
SCALE: 1" = 10'

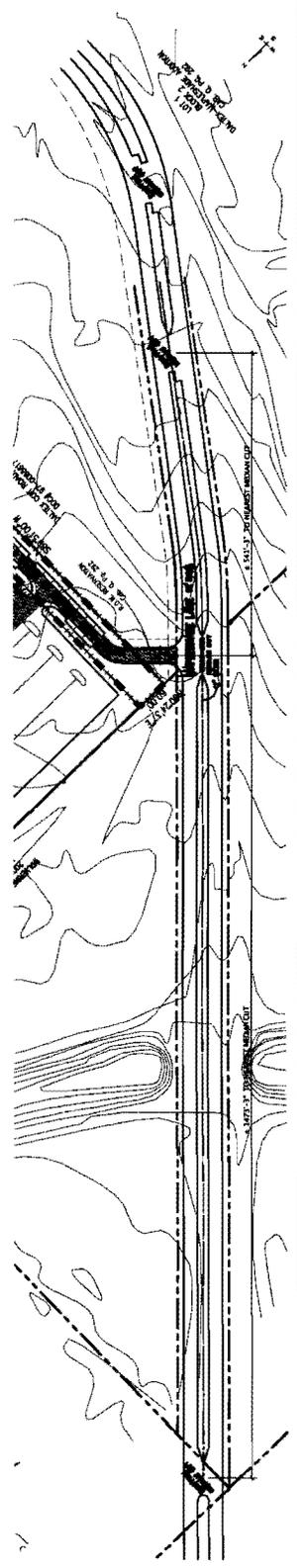


MAJOR STREET - 84 FT. STREET SECTION
SCALE: 1" = 10'



MEDIAN DIVISION - ENTRY DRIVE
SCALE: 1" = 10'

COIT CROSSINGS
 SITE AREA: 86.18 ACRES
 DEVELOPMENT PLAN FOR BLOCK 1, LOT 3R
 & CONCEPT PLAN FOR BLOCK 1, LOT 9
 (63.07 ACRES)
 (21.94 ACRES)
 BY THE
 UNIVERSITY OF PLANNING COUNTY, TEXAS
 CHOP-BILINSKY LTD. NO. 10 OWNERS/DEVELOPER
 1723 NORTH PARKWAY, SUITE 210
 DALLAS, TEXAS 75201
 UNIVERSITY PARK, TEXAS, LTD. OWNERS/DEVELOPER
 1723 NORTH PARKWAY, SUITE 210
 DALLAS, TEXAS 75201
 UNIVERSITY BUSINESS PARK PHASE I, LTD. OWNERS/DEVELOPER
 1723 NORTH PARKWAY, SUITE 210
 DALLAS, TEXAS 75201
 HERLEY & BARNETT, INC. ARCHITECTS/ENGINEERS
 14841 DOWLAND DRIVE, SUITE 150
 DALLAS, TEXAS 75244
 BRINLEY & BARNETT, LLP ENGINEERS/SURVEYORS
 14841 DOWLAND DRIVE, SUITE 150
 RICHARDSON, TEXAS 75080
 DATE: JANUARY 11, 2011 SHEET NO. 12110 Page 1 of 1



DATE: April 2, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of April 1, 2013

**AGENDA ITEM NO. 6B - CONCEPT PLAN
71/COIT CROSSINGS ADDITION, BLOCK 1, LOT 9
APPLICANT: CROW-BILLINGSLEY LTD. NO. 10, BILLINGSLEY 121 COPPELL
LTD. AND UNIVERSITY BUSINESS PARK PHASE II, LTD.**

General office on one lot on 30.0± acres located 100± feet north of Mapleshade Lane, 1,900± feet west of Coit Road. Zoned Corridor Commercial and Light-Industrial-1. Neighborhood #71. Tabled March 4, 2013.

APPROVED: _____ **DENIED:** _____ **TABLED:** _____

STIPULATIONS:

After receiving a motion for denial, the Planning & Zoning Commission voted 3-3 thus resulting in “no decision.” Per the Commission’s policies, the motion failed as a result of the tie vote but the matter is not considered approved or denied. The commissioners voting in opposition to the motion for denial voted consistently with their action related to companion Zoning Case 2013-02.

EH/sf

xc: Ken Mabry, Crow Billingsley Ltd. No. 10
Tom Holland, Billingsley Company

Recommendation of the Planning & Zoning Commission

Zoning Case 2013-02 and Development Plan for Coit Crossings Block 1, Lot 3R

April 1, 2013

Second Vice Chairman's Report

Agenda Item No. - 6A- Public Hearing

Zoning Case 2013-02- Request to rezone 63.0 ± acres located on the west side of Coit Road, 950 ± feet north of Mapleshade Lane from Corridor Commercial and Light Industrial-1 to Urban Mixed use.

Applicant: Crow-Billingsley Ltd. No 10, Billingsley 121 Coppell Ltd. and University Business Park Phase II, Ltd.

Staff Recommendation: The staff recommended approval of the zoning change subject to the following exceptions of the Urban Mixed Use district:

Exceptions of the UMU District

1. The development plan shall be adopted as part of the ordinance.
2. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
3. The maximum block size shall be 3.5 acres for Blocks E, F, and S only.
4. For Blocks A and B only:
 - a. The maximum from yard setback shall not apply to properties that have frontage along Coit Road.
 - b. Minimum lot coverage shall be 15%.
 - c. Minimum FAR shall be 0.3:1.
5. The private 22-foot minor street connection to Mapleshade Lane shall be constructed with Phase II.

Commission Action:

A motion was made and approved to remove this zoning case from the table of March 4, 2013.

After much discussion a motion was made to recommend approval of the zoning case, which resulted in a 3-3 tie vote (A motion for approval was made by Chairman Caso and seconded by 2nd Vice-Chair Cargo. Commissioners Barbera, Hillburn and 1st Vice-Chair Smith voted in opposition to the motion for approval). Per the commission rules and procedures, failure of a motion to approve shall not constitute approval, therefore, further action was required. A subsequent motion to deny was made. The motion to deny failed due to receiving a 3-3 tie vote thus resulting in a 'no decision' on the motion. (A motion to deny was made by 1st Vice-Chair Smith and Seconded by Commissioner Barbera. Chairman Caso, Commissioner Pittman, and 2nd Vice-Chairman Cargo voted in opposition to the motion to deny). The request was neither approved nor denied, therefore, the case automatically is forwarded to the City Council for final action.

Comments made in support of the motion to approve included:

* The reorientation of the 'main street' from a north/south to an east/ west orientation as recommended by the Commission was favorable to draw people and activity into the development from Coit Road.

* The inclusion of more retail further west into the project along the 'main street' was considered for better integration of the uses.

* This project was discussed as a good Urban Mixed-Use project and the request meets the UMU district.

* While the request includes rezoning existing LI-1 zoned land, the land has been zoned that way for a while and there is additional LI-1 zoned land to the east.

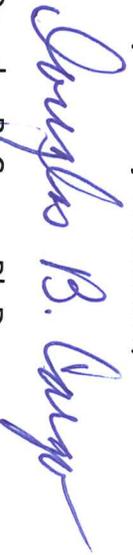
Comments made in support of the motion to deny included:

* There was concern whether the 'Type F', 22 -foot connector street to Mapleshade Lane being sufficient enough to handle the traffic from such a large apartment complex.

* Additionally a comment was made concerning the 'at capacity' of the neighboring schools and that there would be additional pressure to handle the additional students the development would bring.

Additional Comments: On a motion made by 1st Vice-Chair Smith and seconded by Commissioner Barbera, the Concept Plan associated with Zoning Case 2013-02, was denied by the Commission by a 3-3 vote. (Chairman Caso, Commissioner Pittman and 2nd vice-Chair Cargo voted in opposition to the motion for denial.)The tie vote resulted in a 'no decision' by the Commission, therefore, the case is automatically being forwarded to the City Council for final action.

Respectively Submitted,



Douglas B. Cargo, Ph.D.

Second Vice -Chair

Planning & Zoning Commission

CITY OF PLANO
PLANNING & ZONING COMMISSION

April 1, 2013

Agenda Item No. 6B

Concept Plan: Coit Crossings Addition, Block 1, Lot 9

Applicant: Crow-Billingsley Ltd. No. 10, Billingsley 121 Coppell Ltd. and University
Business Park Phase II, Ltd.

DESCRIPTION:

General office on one lot on 30.0± acres located 100± feet north of Mapleshade Lane, 1,900± feet west of Coit Road. Zoned Corridor Commercial and Light-Industrial-1. Neighborhood #71. Tabled March 4, 2013.

REMARKS:

This concept plan was tabled at the March 4, 2013, Planning & Zoning Commission meeting. It must be removed from the table.

This concept plan is associated with Zoning Case 2013-02 and is contingent upon approval of the zoning case. The purpose for the concept plan is to show the proposed general office development on Lot 9. The subject property complies with the area, yard, and bulk requirements of the Corridor Commercial (CC) and Light-Industrial-1 (LI-1) zoning districts.

The subject property currently has frontage on Coit Road; however, the development plan for Lot 3R associated with Zoning Case 2013-02 proposes a lot layout which will isolate the subject property from its Coit Road frontage thus resulting in not having direct access to a public street also. The Subdivision Ordinance allows nonresidential lots to be platted to a public way instead of a dedicated street with approval of a variance. A public way is required to be constructed to minimum fire lane standards, and access and/or utilities must be provided within the required frontage of the public way. Though the proposed public way does not fully meet the Subdivision Ordinance criteria for a public way, staff believes that a public way is needed in this particular case to serve as permanent access for Lot 9. The proposed private street standards as shown on the development plan of Lot 3R would satisfy the requirements for a public way thus providing sufficient access for the property.

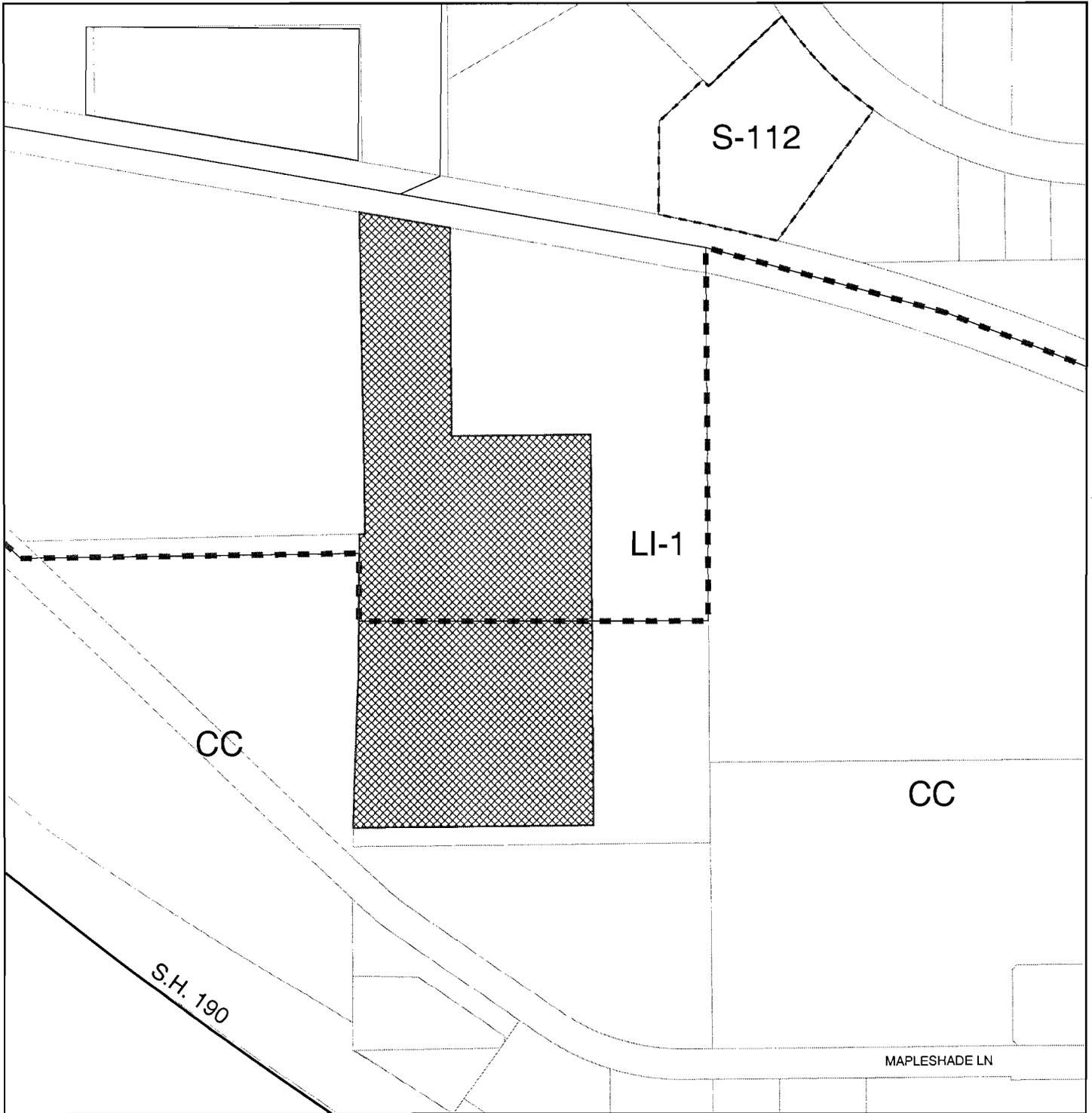
Therefore, the applicant is requesting a variance from 3.a (Frontage and Access Standards) of Subsection e (Nonresidential Plats) of Section 5.2 (Lot Design and Improvements) of Article 5 (Requirements for Public Improvements, Reservation and Design) of the Subdivision Ordinance which requires that all nonresidential lots have frontage on a public street and direct access to a public street.

Staff is concerned that the timing for the construction of the private streets located on Lot 3R may hinder the development of Lot 9. Therefore, if the Planning & Zoning Commission recommends approval of Zoning Case 2013-02 and its associated development plan, staff recommends that the concept plan be approved subject to the construction of a public way on Lot 3R to serve Lot 9, and grant a variance to the Subdivision Ordinance requirements for direct access to a public street, street frontage, and dedication of a public way.

RECOMMENDATION:

Recommended for approval subject to:

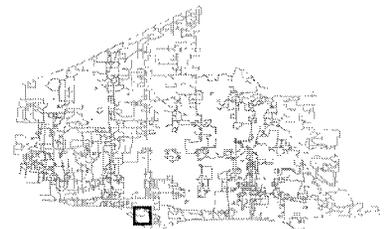
1. City Council approval of Zoning Case 2013-02;
2. Construction of a public way on Coit Crossings Addition, Block 1, Lot 3R in order to serve the subject property; and
3. The Planning & Zoning Commission granting a variance to the Subdivision Ordinance requirements for direct access to a public street, street frontage and dedication of a public way.



Item Submitted: CONCEPT PLAN

Title: COIT CROSSINGS ADDITION
BLOCK 1, LOT 9

Zoning: LIGHT INDUSTRIAL-1 & CORRIDOR COMMERCIAL/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT



○ 200' Notification Buffer





CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		04/22/13		
Department:		Planning		
Department Head		Phyllis Jarrell		
Agenda Coordinator (include phone #): Doris Carter, ext. 5350				
CAPTION				
Public Hearing and Consideration of an Appeal of the Planning & Zoning Commission's Denial of Zoning Case 2013-06 and Development Plan - Request to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 from Commercial Employment to Urban Mixed-Use. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts. Applicant: Lincoln Property Company.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
At its April 1, 2013 meeting, the Planning & Zoning Commission denied this request by a vote of 4-2. The applicant has appealed the Commission's denial. A 3/4 majority vote, or 6 out of the 8 City Council members, is required for approval of the request.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Letter of Appeal from Applicant		Planning & Zoning Commission		
2nd Vice Chair Report				
P&Z Follow-up Memo				
Staff Report				
Locator Map				
Aerial Map				
Zoning Exhibit and Development Plan				
Concept Plan (Village at 121 Addition, Block 1, Lot 1)				



Good Fulton & Farrell

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Dallas, Texas 75201

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www.gff.com

Good Fulton & Farrell Architects
GFF Interiors
GFF Planning

April 2, 2013

Mr. Eric Hill
City of Plano Planning Department
1520 Avenue K
Room 206
Plano, TX 75074

RE: ZONING CASE 2013-06

Dear Eric,

The purpose of this letter is to appeal the decision of the Planning and Zoning Commission in the above-referenced case to the City Council for consideration on their April 22 agenda.

Our check in the amount of \$225 is attached.

Please contact me to confirm receipt of this and our position on the Council docket.

Sincerely
GOOD FULTON & FARRELL

R. Lawrence Good, FAIA
Chairman

cc. Robert Dozier (rdozier@lpc.com)
Jeff Courtwright (jeffc@lpsi.com)
Kirk Williams (kwilliams@winstead.com)

RECEIVED

APR - 2 2013

PLANNING DEPT.

Recommendation of the Planning and Zoning Commission

Zoning Case 2013-06 and Development Plan

April 1, 2013

Second Vice Chairman's Report

Agenda Item No. 8A- Zoning Case 2013-06 and Development Plan

Zoning Case 2013-06- Request to rezone 36.3 ± acres located on the west side of Preston Road, 1,600 ± feet south of State Highway 121 **from Commercial Employment to Urban Mixed-Use.** Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts.

Applicant: Lincoln Property Company

Staff recommendation: Recommended for Denial.

Commission Action:

After much discussion a motion was made to deny the zoning request. The motion was made by 1st Vice-Chair Smith and seconded by Commissioner Barbera. The motion to deny was passed by a 4-2 vote with Commissioner Pittman and 2nd Vice-Chair Cargo voting in opposition to the motion for denial.

Comments made in support of the motion to deny included:

*The proposed development appears to be an apartment complex with a little retail in front along Preston Road.

* The amount of surface parking proposed along Preston Road was not desirable in an urban mixed-use development.

* Single story nonresidential buildings were not in keeping with the intent of the UMU district which was intended to have 2-3 story buildings.

* Access to the proposed apartments and office buildings from the rear of planned commercial development to the north was not considered desirable.

* There is existing momentum within the larger general area for office campus development.

* The overall design seemed to be one office building, three retail sites along Preston Road, and an apartment complex in back such that it is a multi-use development and not mixed-use development; the proposal appears to have very little integration of mixed uses.

*The proposed development is not what the city envisioned for the UMU.

Other comments in support of the zoning include;

* There is a generous amount of open space and a large central park facility designed within the project.

*The dual 'main streets' was an interesting and a good design consideration.

Additional Comments: A concept plan was submitted with Zoning Case 2013-06, Village at 121 Addition, Block 1, Lot 1, and staff recommended for approval as submitted. On a motion for approval made by Commissioner Barbera and seconded by Commissioner Hillburn, the motion passed 6-0.

Respectively submitted,

A handwritten signature in blue ink that reads "Douglas B. Cargo". The signature is written in a cursive style with a prominent initial "D".

Douglas B. Cargo, Ph.D.

Second Vice-Chair

Planning & Zoning Commission

DATE: April 2, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of April 1, 2013

**AGENDA ITEM NO. 8A - PUBLIC HEARING
ZONING CASE 2013-06 AND DEVELOPMENT PLAN
APPLICANT: LINCOLN PROPERTY COMPANY**

Request to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 **from** Commercial Employment **to** Urban Mixed-Use. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts.

APPROVED: _____ **DENIED:** 4-2 **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 0

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

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

STIPULATIONS:

Denied. The commissioners voting in opposition believed the Urban Mixed-Use zoning was appropriate for this location.

FOR CITY COUNCIL MEETING OF: April 22, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

EH/sf

xc: Robert Dozier, Lincoln Property Company
Larry Good, Good Fulton & Farrell Planning
Cliff Bormann, Permit Services Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

April 1, 2013

Agenda Item No. 8A

Public Hearing: Zoning Case 2013-06 and Development Plan

Applicant: Lincoln Property Company

DESCRIPTION:

Request to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 **from** Commercial Employment **to** Urban Mixed-Use. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts.

REMARKS:

The purpose of this request is to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 from Commercial Employment (CE) to Urban Mixed-Use (UMU). The CE district is intended to provide the flexibility for an integrated development that may include retail, office, commercial, light manufacturing, and multifamily residences. The CE district presently allows additional multifamily dwelling units subject to approval of a specific use permit. The major focus of the CE district is to be corporate headquarters and research facilities arranged in a campus-like setting. The CE district presently allows multifamily residential with a Specific Use Permit (SUP).

The requested zoning is Urban Mixed-Use (UMU). The UMU district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of urban mixed-use centers which promote social interaction, community identity, and efficient use of land and resources. The UMU district should also support and encourage a variety of transportation options, including transit, bicycles, and walking. The zoning district is applicable primarily to large undeveloped properties where higher density residential and commercial uses are appropriate.

The UMU district requires that a development plan be adopted with the zoning district. The applicant's development plan shows a private grid street pattern with restaurant buildings and surface parking fronting Preston Road. Retail, restaurant, office and multifamily buildings are located along the proposed main street which runs

perpendicular to Preston Road. The plan proposes a large centralized open space area surrounded by three-story multifamily buildings which make up the bulk of the development.

The streets will be privately maintained by a property owner's association, but accessible to the public and will have parallel parking, street trees, and sidewalks on both sides of the streets. The buildings meet the required setbacks as specified in the UMU district, and the open space meets the minimum and maximum percentages as specified in the UMU district, as well as the requirement to be bounded by streets on a minimum of two sides.

Requested Exceptions to the UMU District

The UMU district allows certain exceptions to be requested to the standards of the district to provide flexibility for the individual development. The applicant is requesting several exceptions to the UMU district regulations:

1. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
2. The minimum lot coverage shall be as follows:
 - a. Blocks A and B: 12%
 - b. Blocks D, E, F, H, and J: 40%
3. The minimum floor area ratio shall be as follows:
 - a. Blocks A and B: 0.12:1
 - b. Block F: 0.5:1
4. The maximum block size for Blocks B and C shall be 3.5 acres.
5. The maximum parking provided for Blocks A and B shall be one space per 85 square feet.
6. No more than 60% of the parking for the entire development shall be surface parking.
7. The maximum front yard setback shall not apply to properties that have frontage along Preston Road.
8. Surface parking lots:
 - a. Shall not be required to be designed as future development sites.
 - b. Shall not be required to be located on the outside edge of the development.
9. One-story buildings shall be permitted along the main street provided that the minimum height is 30 feet.

The requested garage exception will allow the applicant to meet the necessary lot coverage percentages as specified in the UMU district. The intent of this stipulation is to allow the occupied areas only to be counted towards lot coverage and to enforce a more dense urban form. However, by allowing structured parking and tuck-under garages to be counted towards the lot coverage, this allows applicants to increase densities which would provide more activity for the district. This variance would be applied to all blocks. Due to the proposed block size and massing of the development, staff is in favor of this variance request.

The exceptions to minimum lot coverage and floor area ratio (FAR) will allow for a non-urban form of development contrary to the requested UMU district standards. The purpose for a higher lot coverage and floor area ratio is to require additional building mass so that higher development densities will occur within UMU districts. Minimal lot coverage and floor area ratios are consistent with traditional strip center retail and garden-style apartment development. Staff is not in favor of these exceptions.

The UMU district caps block sizes at three acres. Through discussions with the Planning & Zoning Commission and City Council, this block size was established to be large enough to allow for sufficient development mass to occur, but also small enough to encourage pedestrians to walk throughout the site. This exception would be applied to Blocks B and C only. Staff is in favor of this exception and believes it will have a minimal impact on pedestrian connectivity.

The applicant is also requesting exceptions to parking requirements which would allow for a large amount of surface parking. Structured parking is a key element in UMU districts as it allows for required parking to be incorporated into the design of the development while making the development more compact and pedestrian-oriented. Furthermore, providing a large amount of surface parking reduces the amount of buildable area available for primary, secondary and tertiary uses. Staff is not in favor of the parking exceptions and believes that they are contrary to the form of development intended by the UMU district.

The last exception that the applicant is requesting is to allow for single-story buildings along the main street. The UMU district requires buildings fronting the main street to be a minimum of two stories. The intent of this stipulation is to provide building mass along the main street in order to provide high concentrations of uses in this area and to provide a central core of activity within the development. Developing single-story buildings along the main street is not consistent with UMU districts, and it is especially not suitable in the portion of the development which should achieve the highest concentration of retail, restaurant and entertainment square footage. Staff is not in favor of this requested exception.

A concept plan, Village at 121 Addition, Block 1, Lot 1, accompanies this request as Agenda Item No. B. The concept plan applies to the areas north and west of the requested UMU district.

Surrounding Land Use and Zoning

The area of the request is currently undeveloped. To the north the land is vacant and is zoned CE. The property to the west is zoned CE, and is undeveloped. To the northeast, across Preston Road, there is an existing retail shopping center zoned Regional Commercial (RC). The property to the southeast, across Preston Road, is zoned Planned-Development-20-Mixed-Use (PD-20-MU) and is partially developed with retail, office, and multifamily uses.

Proposed UMU District Exceptions

The requested zoning is Urban Mixed-Use (UMU). There are two primary parts to this request: Land use and design standards as adopted by the Development Plan with several proposed exceptions.

Exceptions:

The permitted uses and standards shall be in accordance with the Urban Mixed-Use (UMU) zoning district unless otherwise specified herein.

Exceptions of the UMU District:

1. The development plan shall be adopted as part of the ordinance.
2. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
3. The minimum lot coverage shall be as follows:
 - a. Blocks A and B: 12%
 - b. Blocks D, E, F, H, and J: 40%
4. The minimum floor area ratio shall be as follows:
 - a. Blocks A and B: 0.12:1
 - b. Block F: 0.5:1
5. The maximum block size for Blocks B and C shall be 3.5 acres.
6. The maximum parking provided for Blocks A and B shall be one space per 85 square feet.
7. No more than 60% of the parking for the entire development shall be surface parking.
8. The maximum front yard setback shall not apply to properties that have frontage along Preston Road.

9. Surface parking lots:

- a. Shall not be required to be designed as future development sites.
- b. Shall not be required to be located on the outside edge of the development.

10. One-story buildings shall be permitted along the main street provided that the minimum height is 30 feet.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Major Corridor Development (MCD). The city's current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities. However, residential development may be appropriate along expressway corridors in accordance with the interim amendment policy recommendations of the Comprehensive Plan that were adopted in April 2012, provided that residential uses are set back a minimum of 1,200 feet from the centerline of State Highway 121. The proposed UMU zoning district allows for residential and nonresidential uses to develop within the subject property. This request is in conformance with the Future Land Use Plan designation and interim amendments to the comprehensive planning land use policies regarding the 1,200-foot residential setback from expressways.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property. The available sanitary sewer capacity is sufficient to handle additional commercial development in the area; however, the applicant may be responsible for making improvements to the sanitary sewer system to increase the system capacity if the property were rezoned for residential uses.

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request.

School Capacity - This area is served by Riddle Elementary School, Fowler Middle School, and Liberty High School in the Frisco Independent School District (FISD). Based upon the current projections and feeder alignments, FISD has determined that Riddle Elementary School is currently at capacity.

Public Safety Response Time - Based upon existing personnel, equipment and facilities, fire emergency response times will be sufficient to serve the site. Residential units in this area will increase EMS and fire calls for service, and may impact future staffing levels and the type of equipment assigned to area fire stations.

Access to and Availability of Amenities and Services - The subject property is not within a Park Fee service area. There are no existing neighborhood parks or linear parks to serve this area and the Park Master Plan does not identify any proposed parks to be located within this area of the city. Private open space will serve the residents of this area.

The subject property is located within the Parr Library's service area, and service to the residents of this new area would be possible with the current library resources.

ISSUES:

Economic Development Element and Land Use Element

The Economic Development Element and the Land Use Element policies of the Comprehensive Plan discourage rezoning properties for residential uses in prime economic development areas of the city and accommodating immediate development opportunities. The intent of both policies is to ensure land that is located along the expressway corridors and in the major employment centers is developed in accordance with the Future Land Use Plan recommendations and supporting zoning districts, and to take advantage of future nonresidential development opportunities which would increase the tax base and provide employment opportunities for Plano residents.

Staff believes that it is important for the city to retain an adequate supply of undeveloped nonresidential land for future economic development opportunities. Therefore, rezoning properties within the prime economic development areas is generally not recommended and should not be rezoned to accommodate immediate development opportunities. Having undeveloped land within the city is an asset for Plano as it allows the city to attract businesses and provide for base employment opportunities, as well as increased property values and revenues for the city. This property is large, and given the property's size coupled with its existing CE zoning, the property has the potential to provide flexibility in the design and orientation of development that can adequately incorporate and create a variety of economic development and employment opportunities. Furthermore, given the property's location in proximity to State Highway 121 and Preston Road, it is a prime location for economic development opportunities. Rezoning the property to the requested UMU district reduces the amount of land available for economic development opportunities within the city.

Residential Use in a Major Corridor

The Economic Development Element and the Land Use Element policies discourage residential intrusions into the major expressway corridors in order to retain and preserve the land for future economic development opportunities. The policies further encourage a careful examination of residential rezoning requests to ensure that proposed locations are suitable for residential development and that Plano's economic viability is not jeopardized in order to accommodate short-term demand. Residential requests should be evaluated to determine if the proposed use is the best suitable use long-term for property that is otherwise a prime location for economic development opportunities. The subject property is outside the 1,200 foot setback from the centerline of State Highway 121 as recommended by the interim amendment policy recommendations of the Comprehensive Plan.

Mixed-Use Policy Statement

The mixed-use policy statement of the Comprehensive Plan defines mixed-use as vertical or horizontal integration of multiple uses that promotes easy access among uses and amenities especially by pedestrians. The mixed-use policy also provides a framework that is intended to assist with the evaluation of proposals for mixed-use projects. The following is an analysis of the proposed request compared to the policy criteria.

- **Location and Context Sensitivity** - The mixed-use policy statement encourages that proposed mixed-use projects be sensitive to surrounding land uses and character of an area. An important criterion to consider is of the uses being proposed, if the same uses were to be considered alone, would each use be appropriate in this location? The proposed multifamily would not be appropriate if it were considered alone because it is secluded from other residential uses and is immediately adjacent to nonresidential zoning districts. The location of the requested multifamily does not expand an existing residential neighborhood, nor is the number of multifamily units of sufficient size to establish a new neighborhood.

As a whole, the proposed uses are not well integrated within the overall development at this corner. The front facades for the larger retail buildings are oriented towards State Highway 121 as shown on the proposed companion concept plan for the adjacent property to the north, and these buildings are not designed to be integrated with the proposed multifamily. Additionally, the rear sides and service areas for the retail buildings to the north are oriented towards the multifamily buildings.

- **Multiple uses/integration of uses and density** - The mixed-use policy statement encourages buildings and uses that are well integrated and tightly connected or grouped. The policy considers whether the combining of land uses promotes easy access among stores, services, and amenities used by pedestrians. The applicant has provided vehicle connections between the proposed development and the proposed retail development to the north to allow for surface integration, and has designed the multifamily buildings to minimize the units facing the proposed retail development.

The UMU district requires densities which promote an urban form, but staff is concerned that the requested exceptions would allow for a form of development contrary to the intent of the UMU district. The applicant is not creating an urban form of development due to the providing large areas of surface parking, single-story buildings, and lower density nonresidential buildings.

The retail buildings are proposed on the east side of the district, with frontage on Preston Road and along the proposed east-west main street of the district. Surface parking is planned adjacent to Preston Road to serve these buildings. Although the amount of retail building square footage and the proposed building setbacks from the main street meet the requirements of the UMU district, staff

believes that the design of these blocks is not consistent with an urban form of development. The applicant's proposed design is more suitable for a traditional retail center than a dense, mixed-use urban development. Staff believes that redesigning the development to incorporate structured parking, as well as provide multi-story higher density buildings will help create a development more suitable for UMU zoning.

Staff is also concerned that the proposed live/work units along the south side of the main street will not generate the activity needed along a main street. Live/work uses traditionally do not generate a lot of pedestrians and street life activity when compared to retail, restaurant, and entertainment uses.

- **Pedestrian Orientation and Public Spaces** - The site layout has the potential to provide a convenient, attractive and safe pedestrian system. The open space provides an overall amenity for pedestrians and is centrally located within the development.

However, the overall development design, the lack of integration with the retail and restaurant uses oriented towards Preston Road as well as the adjacent proposed retail development to the north, large surface parking areas, and minimal compactness does not promote connectivity and walk-ability within the development. The physical arrangement and design of the buildings does not support a pedestrian environment. Furthermore, the project fails to fully integrate the proposed uses into a pedestrian-oriented environment.

- **Parking** - The policy statement limits surface parking to 25% of the entire development thus promoting structured parking, and provides criteria for evaluating the amount and location of surface parking. The applicant is requesting several parking exceptions in order to allow 60% of the entire development to be surface parking and increasing parking caps for nonresidential uses, thus resulting the majority of parking to be located in surface parking lots. Also, given the requested exception to allow the parking lots to not be future development sites, the applicant is acknowledging surface parking as the highest and best use of the land which is contrary to urban mixed-use development. The layout, design, and amount of surface parking provided is not consistent with the mixed-use policy statement.

This proposed project does not resemble the density and design that is expected of a mixed-use development. The project is a multi-use development instead of a mixed-use development with residential and commercial uses on the same site that are primarily physically and functionally separated from each other. The individual parts of the development are largely self-reliant entities with access to each other.

Overall, staff believes that the requested UMU district with the requested exceptions does not address the significant criteria of the mixed-use policy statement due to: the arrangement and lack of integration of uses; the lack of compact of development; dependence on the automobile to navigate the development; and the lower densities being proposed. If the city is to consider allowing a mixed-use development in an area

otherwise prime for economic development and employment growth, then the proposed development should be consistent with city policies and the existing UMU standards.

Impact on City Services and Availability of Amenities and Services

In April 2012, the City Council adopted interim amendments to the Comprehensive Plan which included recommendations pertaining to the use of the city's undeveloped land. Several of those recommendations are applicable to this zoning request:

1. All residential rezoning requests should be evaluated to determine the impact on infrastructure, public safety response, school capacity, and access to and availability of amenities and services.

The proposed site does not have nearby parks to serve the development and there are no planned or existing neighborhood park facilities that will serve residences in this location. The area also does not fall within any park fee service area. Fisd has determined that Riddle Elementary School that serves this area is currently at capacity. Finally, public safety response times are sufficient to support the proposed development.

2. Isolated residential development should not be permitted; residential rezoning requests need to establish a complete neighborhood or expand an existing neighborhood or an urban mixed-use center. Mid-rise multifamily development (5 to 12 stories) and special needs housing (i.e. senior housing) could be an exception if the surrounding land uses are compatible.

The applicant is proposing 489 residential units within the UMU district. They are also proposing office, retail, and restaurant uses in compliance with the UMU percentages of primary, secondary, and tertiary uses. Because the subject property does not expand into any existing residential neighborhoods nor expand an existing urban mixed-use center, staff is concerned that the number of units proposed within this UMU district is not sufficient to establish a new residential neighborhood development. Furthermore, since the proposed development lacks sufficient significant characteristics of mixed-use development, the requested multifamily use results an isolated residential development. The request is therefore not in conformance with this policy recommendation.

3. The 1,200-foot setback for residential uses from the centerline of State Highway 121 should be retained, and applied to the Dallas North Tollway, State Highway 190/President Bush Turnpike, and U.S. Highway 75. Factors including topography, creeks, vegetation, and existing development patterns should be considered in applying this standard.

The residential component of the UMU district is outside of the 1,200 foot boundary from State Highway 121. The request complies with this policy recommendation.

4. New multifamily zoning should require a minimum density of 40 dwelling units per acre on the project site. Phased development should have a minimum average density of 40 dwelling units per acre. However, no phase having less than 40 units per acre may be constructed, unless preceded by or concurrently

built with a phase which maintains the minimum 40 dwelling units for the overall project. Additionally, mid-rise multifamily development and neighborhood mixed-use zoning districts could be exceptions to this minimum density requirement.

The applicant is providing residential densities that meet or exceed the 40 dwelling units per acre. The development plan shows the proposed densities including a plan for phasing the property. The request is in conformance with this policy recommendation.

Type F Thoroughfare

The Thoroughfare Plan Map of the Comprehensive Plan shows a proposed Type F thoroughfare that would connect Preston Road and the frontage road of State Highway 121. The applicant has proposed a private grid street system with multiple points of ingress and egress. The proposed private grid street system provides more opportunities to disperse traffic than a single collector street; therefore, staff believes that the Type F thoroughfare requirement is satisfied through the proposed private street system.

SUMMARY:

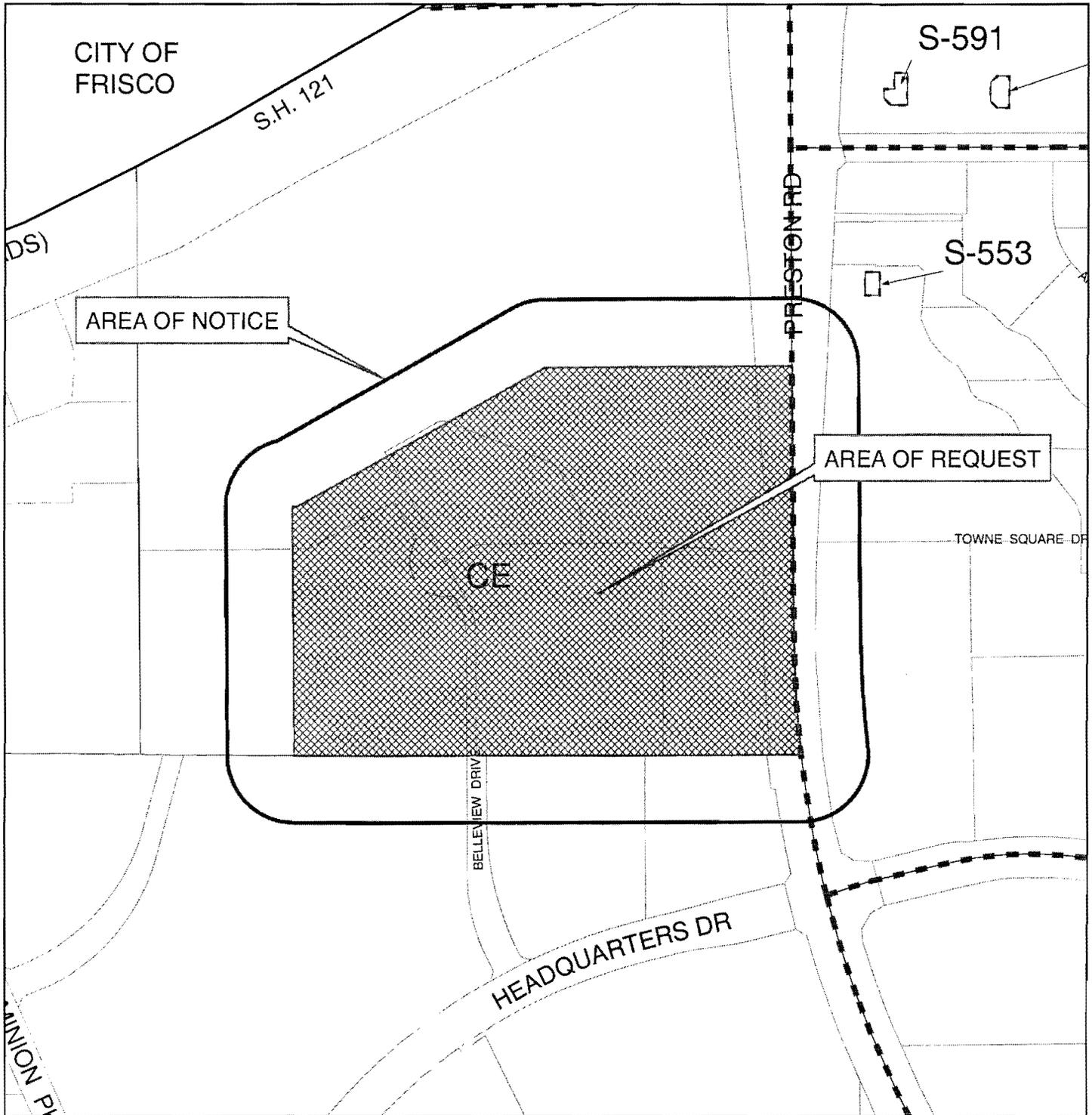
The applicant is requesting to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 from Commercial Employment (CE) to Urban Mixed-Use (UMU). The request is in conformance with the Future Land Use Plan designation Major Corridor Development, and recently adopted interim amendments to the Land Use Element of the Comprehensive Plan as it relates to the minimum 40 dwelling units per acre for multifamily residential uses and minimum 1,200 foot setback for residential uses as measured from the centerline of State Highway 121. However, the request is not consistent with the interim policy amendment that prohibits isolated residential development. Additionally, it should be noted that the request is not consistent with the preservation of land for future economic development and employment opportunities. Rezoning the property to UMU reduces the amount of land available for economic development and employment uses within the city.

If the Commission and Council determine that multifamily uses are appropriate for this area of the city within a mixed-use development setting, then careful consideration needs to be given to the requested UMU district due to the requested exceptions. The applicant is requesting a large number of exceptions in an attempt to provide a form of development that is not consistent with the requested UMU district. Staff is concerned that the extensive surface parking areas, lower densities, integration of uses, and single-story buildings are not consistent with an urban form of development as expected with the adoption of the UMU district. These exceptions will not contribute to the long term success and viability of a UMU district. Furthermore, the proposed development fails to meet the more significant mixed-use criteria as outlined in the Mixed-Use Policy Statement of the Comprehensive Plan.

The site is a prime location with significant potential for economic development that will provide for employment opportunities as envisioned in the Future Land Use Plan. The proposed development plan is not consistent with the type of development originally envisioned by the city when the UMU district was created. Therefore, staff recommends denial of the requested rezoning from CE to UMU.

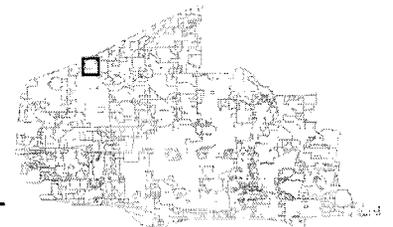
RECOMMENDATIONS:

Recommended for denial.



Zoning Case #: 2013-06 & DEVELOPMENT PLAN

Existing Zoning: COMMERCIAL EMPLOYMENT/
PRESTON ROAD OVERLAY DISTRICT



○ 200' Notification Buffer





121 HIGHWAY

SAM RAYBURN TOLLWAY

SAM RAYBURN TOLLWAY

121 HIGHWAY

PRESTON ROAD

MCDERMOTT ROAD

Area of Request

TOWNE SQUARE DRIVE

BELLEVUE DRIVE

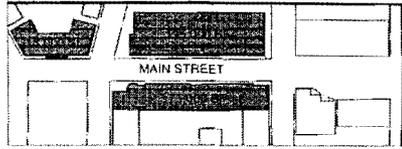
RASMUS BOULEVARD
RASMUS BOULEVARD

HEADQUARTERS DRIVE

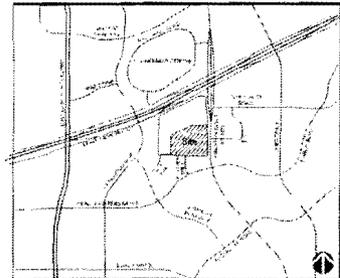
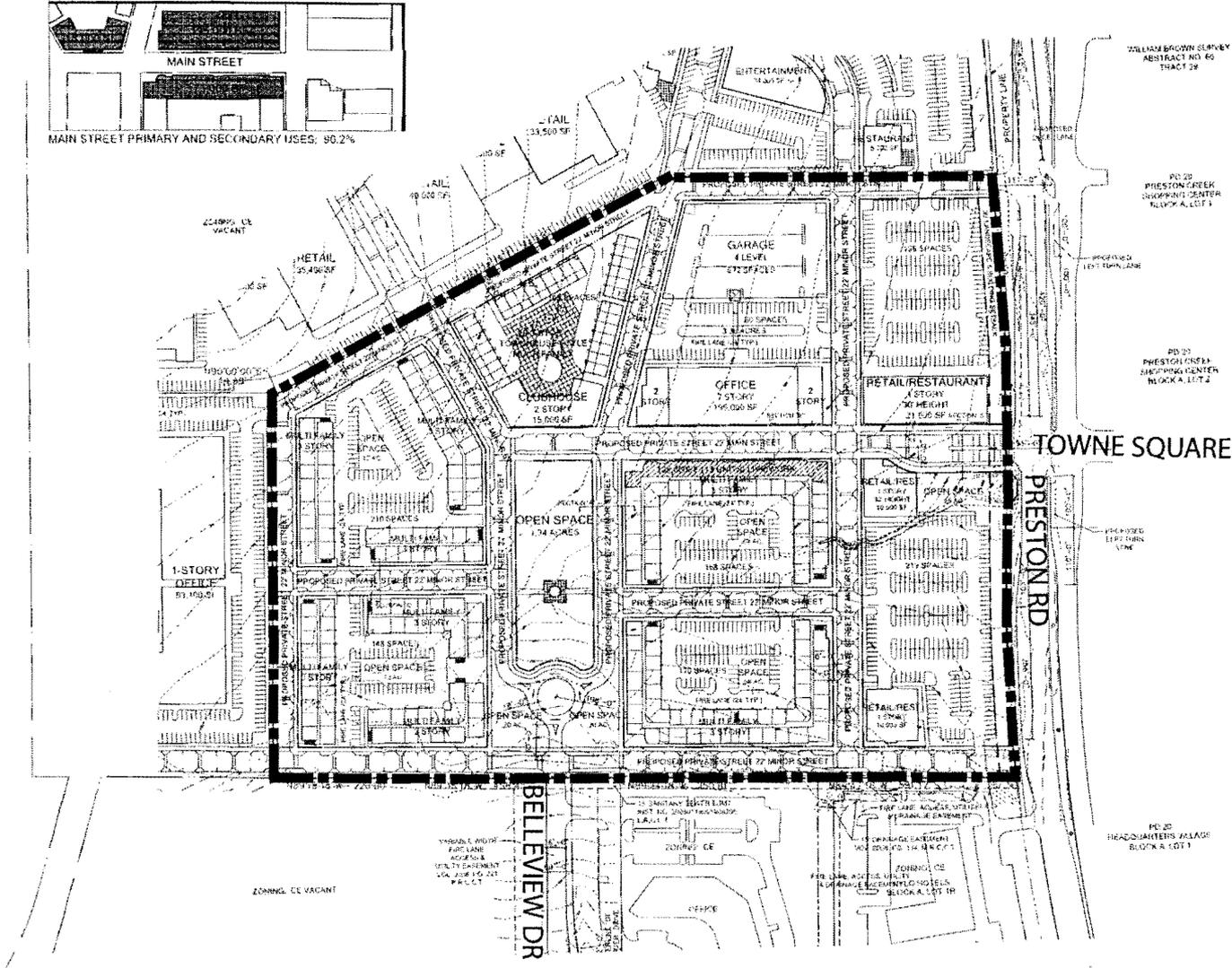


Source: City of Plano, Planning Dept.
Date: April, 2013

Zoning Case 2013-06



MAIN STREET PRIMARY AND SECONDARY USES: 90.2%

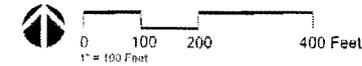


Vicinity Map Not to Scale

Notes:
 All development within the property boundary is proposed.
 Property lies within both the Preston and SH 121 Overlay Districts.
 Proposed zoning: Urban Mixed Use (UMU).
 All fire lanes must be fire lane, access and utility easements.
 All streets are two way streets.
 All private streets are 22 feet in width unless otherwise noted.
 All inside turning radii for Interstates along Private Streets and fire lanes shall be 20 feet unless otherwise noted.
 All drives subject to TxDOT approval.

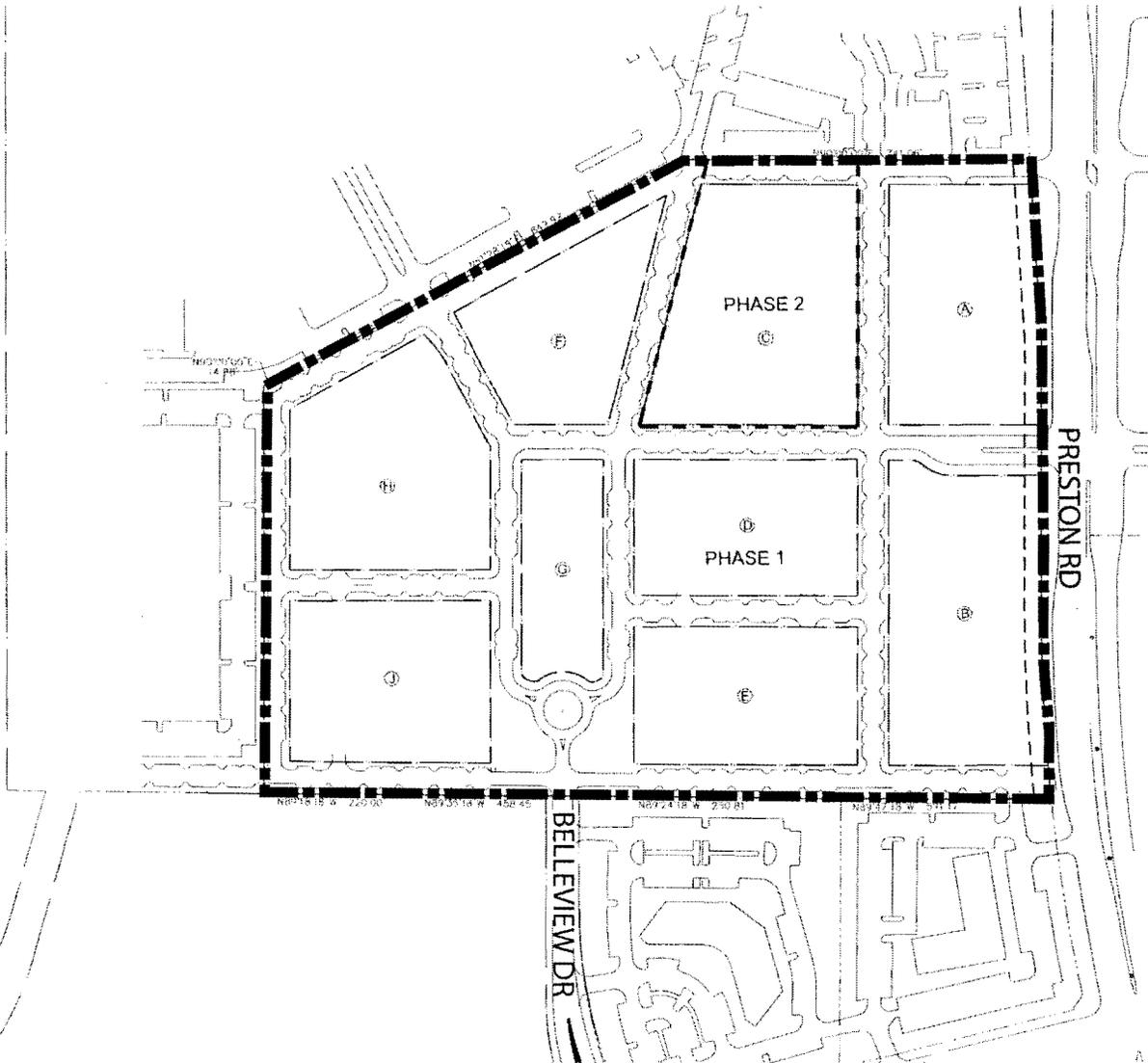
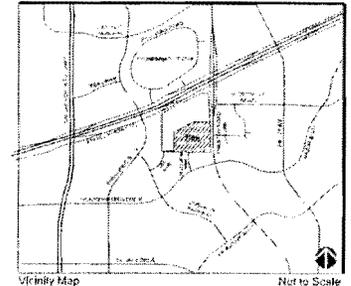
SITE DATA SUMMARY TABLE:

ZONING:	URBAN MIXED USE (UMU)
GROSS SITE AREA:	26,259 SQUARE FEET OR 1,581,449.240 SF (33.8 ACRES)
NET SITE AREA: (EXCLUDES PRESTON ROAD)	
MULTI-FAMILY USE (PRIMARY): (INCLUDES LINK WORK)	518,550 SF (48.7%)
OFFICE USE (SECONDARY)	195,000 SF (26.0%)
RETAIL RESTAURANT USE (TERTIARY)	41,000 SF (5.5%)
TOTAL:	754,550 SF (100%)
UNIT COUNT (UMU):	489 UNITS
EFFECTIVE UNIT COUNT: (INCLUDING LINKWORK)	501 UNITS
RESIDENTIAL DENSITY (UMU):	40.4 UNITS PER ACRE
EFFECTIVE RESID. DENSITY (UMU):	41.4 UNITS PER ACRE
PUBLIC OPEN SPACE:	2.40 ACRES (7.1%)
LOT COVERAGE:	24.3%
LOT COVERAGE (RESID.):	25.0%
FLOOR AREA RATIO:	51:1
FLOOR AREA RATIO (RESID.):	51:1
ON-STREET PARALLEL PARKING:	268 SPACES
SURFACE PARKING:	758 SPACES
OFFICE GARAGE PARKING:	672 SPACES
RESIDENTIAL GARAGE PARKING:	282 SPACES
TOTAL PARKING COUNT:	1,980 SPACES
GARAGE PARKING %:	45.0%

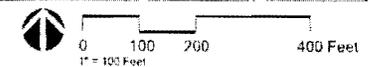


For Staff Use

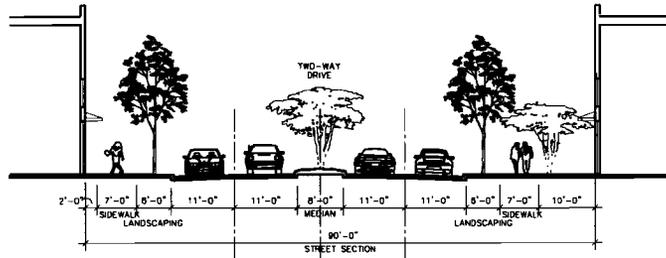
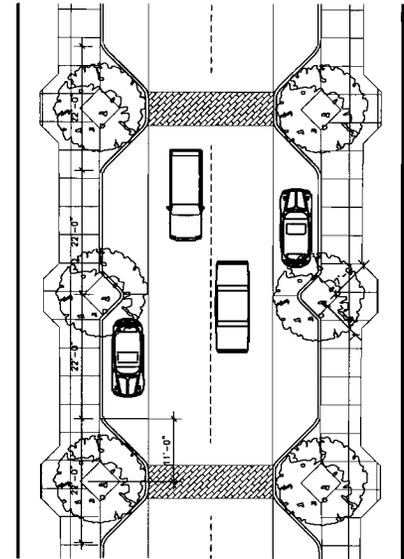
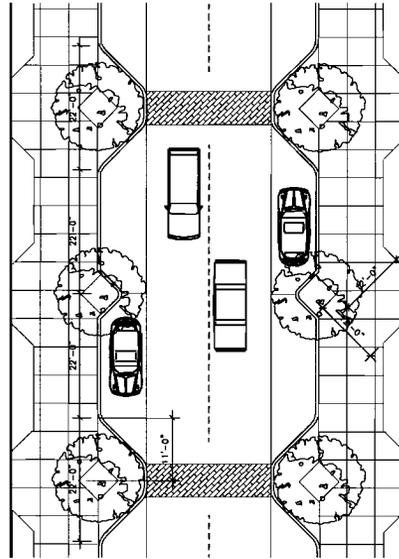
<p>Engineer: Burg + Partners Contact: Josh Mikkap 5312 Harvard Hill Road Suite 100 Dallas, Texas 75232 972-991-3011</p>	<p>Owner: Lincoln Property Company Contact: Robert Dazler 2020 McKinney Avenue Suite 1000 Dallas, Texas 75201-1954 214-740-2000</p>	<p>GFF Planning 2808 Fairmount Street Suite 300 Dallas, Texas 75201 214-303-5600/ fax 214-303-1912/ fax www.gff.com</p>	<p>Job #: GS172.05 File Name: Site-PD_ConceptPlan0.dwg Date: 03/28/13 Drawn by: R. Lawrence / Good / Brian E. Moore</p>	<p>DEVELOPMENT PLAN Being Conveyance Lots 1, 2, 3, 4, and 5, Block 1, Village 121 Addition, Volante 2008, Page 221 P.R.C.C.T., Village 121 Addn, 36.310 Ac, Gross/33.8 Ac. Net Plano, Texas Collin County, Texas Survey Name: John / Clayton Survey Abstract No: No 279 Block 1 Lots 1-5 Page 1 of 5</p>
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PHASE	LOT	ACRES	OFFICE	RETAIL RESTAURANT	MULTIFAMILY	PRODUCTION SPACE
1	A	2.07	RESTAURANT: 21,300 SF PARKING: 105 SPACES	RETAIL RESTAURANT LOT COVERAGE: 18% FAR: 18.1		
1	B	2.46	RESTAURANT: 20,000 SF PARKING: 210 SPACES OPEN SPACE: 27 AC	RETAIL RESTAURANT LOT COVERAGE: 11% FAR: 13.1		
2	C	3.06	OFFICE: 195,000 SF PARKING: NO LIMIT ACE SPACES 073 DRINKING SPACES	OFFICE - 7 STORY LOT COVERAGE: 45% FAR: 1.131		
1	D	7.30	UNITS: 65 + 12 LIVE WORK PARKING: 102 SPACES	MULTIFAMILY LOT COVERAGE: 42% FAR: 1.021 ACTUAL DENSITY: 47.2 U/AC MAX DENSITY: 48.0 U/AC		
1	E	2.34	UNITS: 108 PARKING: 121 SPACES	MULTIFAMILY LOT COVERAGE: 48% FAR: 1.071 DENSITY: 45.1 U/AC		
1	F	1.07	UNITS: 25 (COWHOUSE STYLE) CLUBHOUSE: 11,000 SF PARKING: 156 SPACES	MULTIFAMILY LOT COVERAGE: 40% FAR: 06.1 DENSITY: 14.7 U/AC		
1	G	2.40	ACRES	PRODUCTION SPACE		
1	H	2.58	UNITS: 161 PARKING: 210 SPACES	MULTIFAMILY LOT COVERAGE: 42% FAR: 1.121 DENSITY: 47.1 U/AC		
1	J	2.40	UNITS: 115 PARKING: 138 SPACES	MULTIFAMILY LOT COVERAGE: 39% FAR: 1.031 DENSITY: 46.0 U/AC		

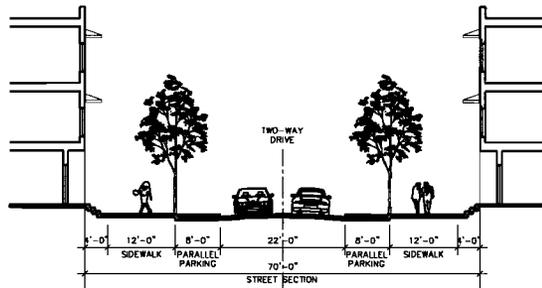


<p>Engineer: Buyer Partners Contact: Josh Millsap 5310 Harvest Hill Road Suite 100 Dallas, Texas 75230 972.991.0911</p>	<p>Owner: Lincoln Property Company Contact: Robert Doster 2000 McKinney Avenue Suite 1900 Dallas, Texas 75201-1954 214.740.3300</p>	<p>GFF Planning 2908 Fairmount Street Suite 200 Dallas, Texas 75201 214.363.1500/714 214.413.1517/fac www.gff.com</p>	<p>Job #: 05172.06 File Name: SBE-PO ConceptPlan6.dwg Date: 03/29/13 Drawn by: R. Lawrence Good / Brian E. Menze</p>	<p>DEVELOPMENT PLAN - Phasing Being Conveyance Lots 1, 2, 3, 4, and 5, Block 1, Village 121 Addition, Volume 2008, Page 221 P.P.C.C.T. Village 121 Addn. 36.310 Ac. Gross/33.8 Ac. Net Plano, Texas Collin County, Texas Survey Name: Jubee Digman Survey Abstract No: No. 279, Block 1, Lots 1 - 5 Page 2 of 3</p>
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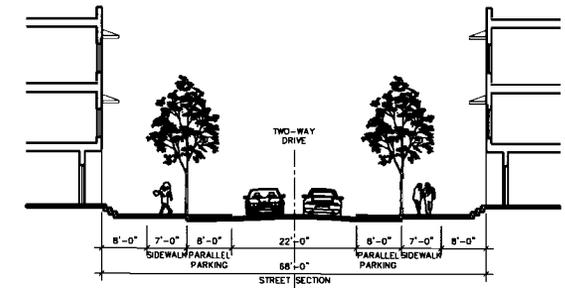
STREET SECTION "C" - ENTRY DRIVE @ MAIN STREET

1"=10'



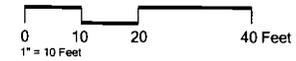
STREET SECTION "B" - MAIN STREET

1"=10'



STREET SECTION "A" - MINOR STREET

1"=10'



For Staff Use

Owner:
Lincoln Property Company
Contact: Robert Dozier
2000 McKinney Avenue
Suite 1000
Dallas, Texas 75201-1954
214.740.3300



GFF Planning

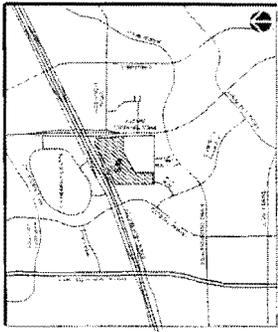
2808 Fairmount Street
Suite 300
Dallas, Texas 75201

214.303.1500/tel
214.303.1512/fax
www.gff.com

Job #: 05172.05
File Name: Site-PD RoadSection-1.dwg
Date: 03/26/13
Drawn by: R. Lawrence Good / Brian E. Moore

DEVELOPMENT PLAN

Being Conveyance Lots 1, 2, 3, 4, and 5, Block 1,
Village 121 Addition, Volume 2008, Page 221 P.R.C.C.T.
Village 121 Addn. 36.310 Ac. Gross/33.8 Ac. Net
Plano, Texas Collin County, Texas
Survey Name: Jubeez Digman Survey
Abstract No: No. 279; Block 1, Lots 1 - 5



North Arrow
Scale: 1" = 100 Feet

Note:
All development within the property boundary extent is prepared.
Property lines within both the Frisco and SH 121 Overlay Districts
All line items must be filed with scores and utility easements.

McDERMOTT RD
All streets are two way streets.
All streets subject to TxDOT approval.

PRESTON RD

TOWNE SQUARE DR

STATE HIGHWAY 121

CITY OF FRISCO

BLK 11, LOT 1

BLK 11, LOT 2

BLK 11, LOT 3

BLK 11, LOT 4

BLK 11, LOT 5

BLK 11, LOT 6

BLK 11, LOT 7

BLK 11, LOT 8

BLK 11, LOT 9

BLK 11, LOT 10

BLK 11, LOT 11

BLK 11, LOT 12

BLK 11, LOT 13

BLK 11, LOT 14

BLK 11, LOT 15

BLK 11, LOT 16

BLK 11, LOT 17

BLK 11, LOT 18

BLK 11, LOT 19

BLK 11, LOT 20

BLK 11, LOT 21

BLK 11, LOT 22

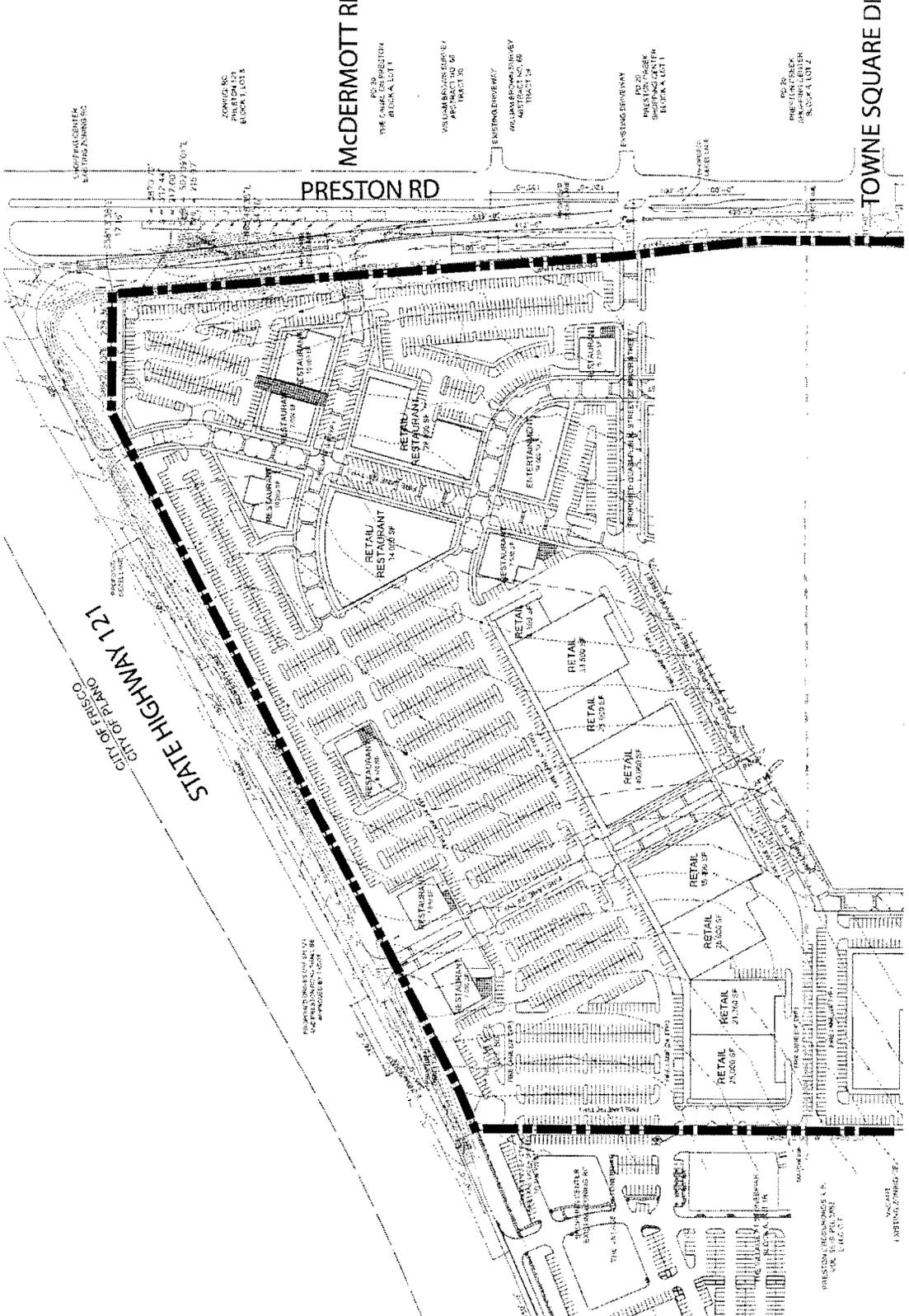
BLK 11, LOT 23

BLK 11, LOT 24

BLK 11, LOT 25

BLK 11, LOT 26

BLK 11, LOT 27



SITE DATA SUMMARY TABLE

ZONING	CE
LAND USE	RETAIL/RESTAURANT/OFFICE
LOT AREA	2,181 SQ. FT. OR 50.3 ACRES
BUILDING FOOTPRINT AREA	443,360 SF
TOTAL BLDG. AREA	460,760 SF
BLDG. HEIGHT	2.5 STORES
TALLEST BLDG. ELEMENT	45 FEET
LOT COVERAGE	20%
FLOOR AREA RATIO	21.1
PARKING RATIO	RETAIL: 1,250; OFFICE: 1,100; MF: 1.5 MIN./OFFICE 1,000
PARKING REQUIRED	2,188 SPACES
PARKING PROVIDED	2,837 SPACES



CONCEPT PLAN - North
Blind Conveyance Lots 1, 2, 3, and 5, Block 11,
Village 121 Addition, Volume 268, Page 211-P.R.C.L.L.1.
Piano, Texas
Surrey Avenue
Abstract No. 467,279, Block 1, Lots 1-5
Page 1 of 2

McDERMOTT RD
PRESTON RD
TOWNE SQUARE DR

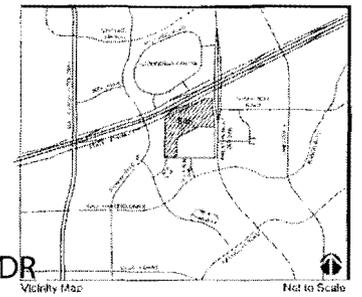
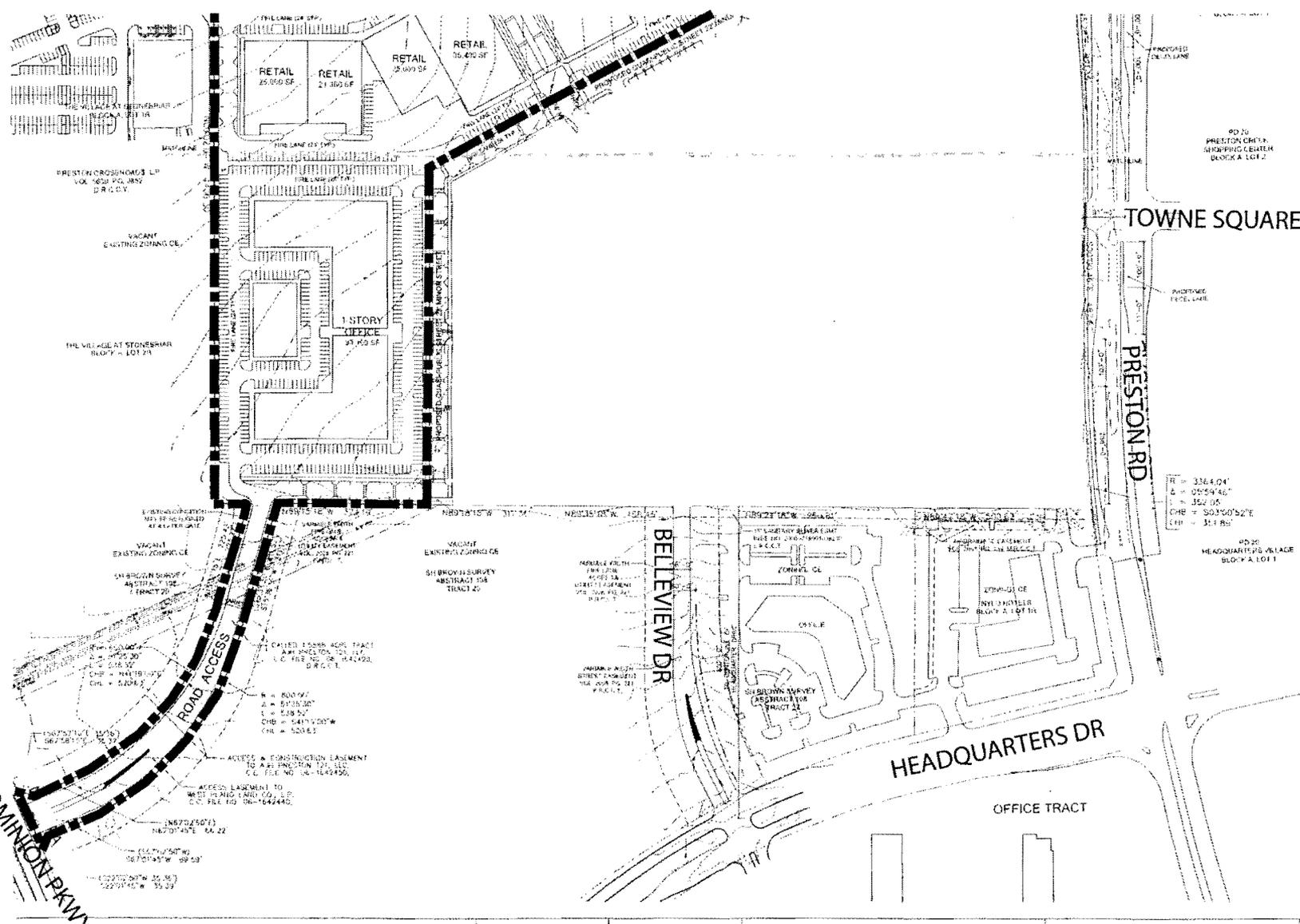
OWNER:
Lincoln Property Company
3800 McKinney Avenue
Dallas, Texas 75201-1854
214.740.7000

ENGINEER:
Bry & Pierson
5510 Lyndon B. Johnson Fwy
Suite 100
Dallas, Texas 75230
972.391.3011

PLANNER:
GFF Planning
2068 Lemard Blvd
Suite 100
Dallas, Texas 75201
214.303.1517/7700
www.gff.com

JOB #: 05172.05
FILE NAME: Site-10 ConceptPlan.dwg
DATE: 05/29/13
DRAWN BY: R. L. Williams, Chief / Brian E. Ralston

BLK 11, LOT 1
BLK 11, LOT 2
BLK 11, LOT 3
BLK 11, LOT 4
BLK 11, LOT 5
BLK 11, LOT 6
BLK 11, LOT 7
BLK 11, LOT 8
BLK 11, LOT 9
BLK 11, LOT 10
BLK 11, LOT 11
BLK 11, LOT 12
BLK 11, LOT 13
BLK 11, LOT 14
BLK 11, LOT 15
BLK 11, LOT 16
BLK 11, LOT 17
BLK 11, LOT 18
BLK 11, LOT 19
BLK 11, LOT 20
BLK 11, LOT 21
BLK 11, LOT 22
BLK 11, LOT 23
BLK 11, LOT 24
BLK 11, LOT 25
BLK 11, LOT 26
BLK 11, LOT 27



Notes:
 All development within the property boundary extents is proposed.
 Property lies within both the Preston and SH 121 Overlay Districts.
 All fire lanes must be fire lane access and utility easements.
 All streets are two way streets.
 All drives subject to TxDOT approval.

SITE DATA SUMMARY TABLE

ZONING:	CE
LAND USE:	RETAIL, RESTAURANT, OFFICE
LOT AREA:	2,191,068 SF OR 50.3 ACRES
BUILDING FOOTPRINT AREA:	143,366 SF
TOTAL BLDG. AREA:	460,486 SF
BLDG HEIGHT STORIES:	2 STORIES
BLDG HEIGHT TALLEST BLDG ELEMENT:	46 FEET
LOT COVERAGE:	50%
FLOOR AREA RATIO:	.21:1
PARKING RATIO:	RETAIL: 1:250; REST: 1:100; MF: 1 SUITE: OFFICE: 1:300
PARKING REQUIRED:	2,188 SPACES
PARKING PROVIDED:	2,682 SPACES



CONCEPT PLAN - South
 Being Conveyance Lots 1, 2, 3, 4 and 5, Block 1,
 Village 121 Addition, Volume 2508, Page 221 P.R.C.C.T.
Village 121 Adn. 50.3 Acres Gross
Plano, Texas Collin County, Texas
 Survey Name: Jubat Diggins Survey
 Abstract No.: No. 279 Block 1, Lots 1-5 Page 2 of 2

Engineer: Gary A. Palumbo Contact: Josh Millsap 5217 Harvest Hill Road Suite 100 Dallas, Texas 75230 972.921.9011	Owner: Lincoln Property Company Contact: Robert Dwyer 2500 McKinney Avenue Suite 1000 Dallas, Texas 75201-1894 214.740.3300	GFF Planning 2908 Fairmount Street Suite 300 Dallas, Texas 75201 214.303.1500/Tel 214.303.1512/Fax www.gff.com	Job #: 06172.06 File Name: Site-PD-ConceptPlanBldwg Date: 03/19/13 Drawn by: R. Lawrence Groat / Brian E. Moore
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DOMINION PKWY