

CITY COUNCIL

1520 AVENUE K



DATE: 8/25/2014
CALL TO ORDER: 7:00 p.m.
INVOCATION: Associate Pastor Denise Peckham
Christ United Methodist Church
PLEDGE OF ALLEGIANCE:

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<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 THAT 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> Special Recognition: The Team Protons students have created an app for use by the Plano Community Emergency Response Teams</p> <p><u>COMMENTS OF PUBLIC INTEREST</u> <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> <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> <p><u>Approval of Minutes</u> August 6, 2014 August 11, 2014 August 16, 2014</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Approval of Expenditures</u></p> <p>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p>	
(b)	Bid No. 2014-235-C for a one (1) year contract with three (3) City optional one (1) year renewals for Outdoor Litter Removal and Restroom Maintenance for the Parks and Recreation Department to Worldwide Enterprises Inc. dba James Enterprise in the estimated annual amount of \$78,965, to Lillard Lawn and Landscape in the estimated annual amount of \$83,664, and to Premier Building Maintenance Inc. in the estimated annual amount of \$83,117; and authorizing the City Manager to execute all necessary documents.	
(c)	RFP No. 2014-5-C & RFP No. 2014-214-C for a one (1) year contract with three (3) City optional one (1) year renewals for Employee Benefit Claims Third Party Administrator & Pharmacy Benefits Manager to be utilized by Human Resources to United HealthCare Services, Inc., in an estimated total amount of \$4,816,565 and authorizing the City Manager to execute all necessary documents.	
	<p><u>Purchase from an Existing Contract</u></p>	
(d)	To approve the purchase of a Rosenbauer America Fire Department Aerial for Fleet Services to be utilized by the Fire Department in the amount of \$1,017,721 from Daco Fire Equipment, Inc. through an existing contract with HGAC and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. FS12-13)	
(e)	To approve the purchase of Cisco Networking Switches and maintenance for the Police Department Building in the amount of \$339,080 from Presidio Networked Solutions Group, LLC through an existing DIR (Department of Information Resources) contract and authorizing the City Manager to execute all necessary documents. (DIR-TSO-2544)	
(f)	To approve the purchase of services and equipment to relocate wireless networking equipment in the amount of \$349,142 from Scientel Wireless, LLC, through an existing HGAC (Houston-Galveston Area Council) contract and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. CW10-09)	
	<p><u>Adoption of Resolutions</u></p>	
(g)	To approve the appointment of the Health Authority for the City of Plano in accordance with Section 121.033 of the Texas Health and Safety Code; approving the Agreement between the City of Plano and Allan R. deVilleneuve, M.D. for Professional Services; and providing an effective date.	
(h)	To approve the terms and conditions of an agreement by and between the City of Plano and Time Warner Cable providing for the relocation of existing overhead cable television facilities in the 15th Street right-of-way to underground locations within the 15th Street right-of-way from G Avenue to U.S. 75; authorizing its execution by the City Manager; and providing an effective date.	

ITEM NO.	EXPLANATION	ACTION TAKEN
(i)	<p>To nominate DPS Holdings Inc. to the Office of the Governor, Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and an enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"); and providing an effective date.</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>Public Hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 4.04 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code).</p>	
(2)	<p>Consideration of an Ordinance as requested in Zoning Case 2014-13 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-101-Retail/General Office on 53.4± acres of land located at the northeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, to allow Single-Family Residence Attached by right with modified development standards; 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: Nash Group Real Estate (Tabled August 11, 2014)</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(3)	<p>Public Hearing and consideration of Ordinances requested in Zoning Cases 2014-19, 2014-20, 2014-22, and 2014-23, all of which are limited to the repeal of certain Specific Use Permits for Private Clubs. The following ordinances are proposed to be repealed which, if approved, will result in the rescission of the Specific Use Permit for an additional use of a Private Club and the applicant is the City of Plano.</p> <p>(a) Zoning Case 2014-19 - To rescind Specific Use Permit #402 for Private Club on 0.1± acre located 90± feet north of Spring Creek Parkway, 80± feet east of K Avenue. Zoned Retail with Specific Use Permit #402 for Private Club.</p> <p>(b) Zoning Case 2014-20 - To rescind Specific Use Permit #396 for Private Club on 0.1± acre located 895± feet south of Spring Creek Parkway, 524± feet west of Preston Road.. Zoned Planned Development 447-Retail/Multifamily Residential-2 with Specific Use Permit #396 for Private Club.</p> <p>(c) Zoning Case 2014-22 - To rescind Specific Use Permit #84 for Private Club on 0.6± acre located on the west side of U.S. Highway 75, 700± feet north of 16th Street. Zoned Corridor Commercial with Specific Use Permit #84 for Private Club.</p> <p>(d) Zoning Case 2014-23 - To rescind Specific Use Permit #251 for Private Club on 2.7± acres located on the west side of U.S. Highway 75, 1,500± feet south of Heritage Drive. Zoned Corridor Commercial with Specific Use Permit #251 for Private Club.</p> <p>All locations are located within the City of Plano, Collin County, Texas, and the repeal of each ordinance will amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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: City of Plano</p>	
(4)	<p>Public Hearing and consideration of an Ordinance as requested in Zoning Case 2014-17 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-179-Downtown Business/Government on 8.1± acres of land located at the southwest corner of 18th Street and G Avenue, in the City of Plano, Collin County, Texas, to modify the development standards of the district; 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: CDDR Properties, LLC</p>	
(5)	<p>Public Hearing and consideration of an Ordinance to amend the Thoroughfare Plan map of the Comprehensive Plan as originally adopted by Resolution No. 86-11-22(R) providing procedures approving the utilization of said map as revised and amended by the appropriate personnel and departments of the City of Plano for the purpose of guiding future development within the City of Plano, Texas; and providing an effective date. Applicant: City of Plano</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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:		08/25/2014		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): Melinda White X7548, Cindy Pierce X5161				
CAPTION				
Special Recognition: The Team Protons students have created an app for use by the Plano Community Emergency Response Teams.				
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
Worksession
August 6, 2014

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

Jim Duggan

STAFF PRESENT

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

Mayor LaRosiliere convened the Council into the Worksession on Wednesday, August 6, 2014, at 6:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Opening Remarks

City Manager Glasscock stated the Council would be receiving presentations on funding requests for Buffington Community Service Grants, Cultural Affairs Commission and the Heritage Commission. He advised Director of Budget and Research Rhodes-Whitley and the Commission Chairs will walk the Council through the grant requests. Ms. Rhodes-Whitley noted Page 17 of the packet has been replaced and provided copies for the Council and audience.

Funding Requests

Buffington Community Service Grants

Due to a conflict of interest, Mayor Pro Tem Smith stepped down from the dais.

Community Relations Commission Chair Caranfa advised that the fund was established in 1998 to address community needs and provide for programs addressing short-term, urgent economic assistance or care services; offer immediate relief of a crisis impacting the physical and/or mental health of Plano residents; and meet a consolidated plan goal. He advised that grants are limited to 50% of any agency's budget by state law, are available to non-profit agencies that have been in operation for three years or more, and general categories of assistance include food, clothing, shelter, transportation, and medical or crisis counseling.

Mr. Caranfa advised that of the 30 applications for funding, 6 were funded with federal monies (\$216,178) and 16 with Buffington Community Service funds (\$269,330 or \$1/capita). He reviewed the financial challenges for grants, advising that there was a gap of \$599,386 between the requests and the allocation. Mr. Caranfa reviewed the types of programs that will be supported by the recommended funding including: at-risk youth; home-delivered meal services for seniors; senior wellness/healthcare; clothing for school children; housing for homeless; services for battered/abused women and children; crisis counseling and/or intervention; and information and referral services. He further spoke to coordination among organizations reducing duplication of efforts. Mayor LaRosiliere thanked the commission for their efforts and the Council stated concurrence in supporting the recommendations. Mayor Pro Tem Smith returned to the dais.

Presentation of Cultural Affairs Commission

Cultural Affairs Commission Chair Safir spoke regarding the electronic grant application process and the calendar for the review process. He advised twenty-two applications were reviewed and two major arts and one small arts did not meet minimum scores. Mr. Safir stated funding is recommended for four event/urban-town centers programs in the amount of \$47,596 from the General Fund, 15 major arts groups in the amount of \$799,997 and \$185,551 from the Hotel/Motel Fund for the Balloon Festival. Mayor LaRosiliere thanked the commission for their efforts and the Council stated concurrence in supporting the recommendations.

Presentation of Heritage Commission

Heritage Commission Vice-Chair Coleman spoke to funding for these grants coming from hotel/motel taxes and earmarked for items that will build heritage tourism in Plano. He stated in considering the grants, the Heritage Commission uses the cumulative weighted criteria of 50% Heritage Tourism and Education, 25% Historic Preservation Merit, and 25% Administrative and Fiscal Responsibility. Mr. Coleman provided a history of past Heritage Grants. He spoke to recommended grants covering operations/maintenance and projects for the Heritage Farmstead Museum (\$536,500), the Plano Conservancy for Historic Preservation, Inc. (\$220,000) and the North Texas Masonic Historical Museum and Library (\$22,750). Mayor LaRosiliere thanked the commission for their efforts and the Council stated concurrence in supporting the recommendations.

Council Items and Issues for Discussion

No items were considered

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 6:30 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
August 11, 2014**

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

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

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Monday, August 11, 2014, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere 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, Section 551.071; to receive information regarding Economic Development, Section 551.087; Real Estate, Section 551.072; 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 LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 6:40 p.m. in the Senator Florence Shapiro Council Chambers.

Consideration and action resulting from Executive Session

No items were brought forward.

Personnel - Reappointments

a) Library Advisory Board and appointment of Chair

Upon a motion made by Council Member Duggan and seconded by Council Member Gallagher, the Council voted 8-0 to reappoint Satish Nagarajan and appoint Tammy McSwain as Chair.

Property Standards Briefing

Director of Property Standards O'Banner spoke to the Property Standards department's areas of responsibility being public nuisance property inspections and multi-family registrations and inspections. She reported in the ten residential inspection districts; fiscal year-to-date, inspectors completed 20,887 inspections, 22 community service projects, 225 abatements, and filed 129 judicial actions. Ms. O'Banner stated for the two commercial inspection districts; fiscal year-to-date, inspectors completed 2,481 inspections, 55 abatements, and filed one judicial action. She spoke to inspectors in the three substandard inspection districts; fiscal year-to-date, inspectors completed 1,807 inspections, 2 community service projects, 2 abatements, and filed 64 judicial actions.

Ms. O'Banner stated multi-family registration is required for all properties five years and older with more than five units with registration cost of \$10 per unit. She spoke to the 122 multi-family developments having 100% compliance since 2005 and that the registration certificates have QR codes linking them to the property's registration record. Ms. O'Banner discussed the inspection requirements and exemptions for multi-family properties. She reported fiscal year-to-date, the inspectors completed 3,312 inspections, noting 6,728 violations, and filed 5 judicial actions. Ms. O'Banner responded to Council Member Davidson stating the most common violations were inoperable smoke detectors and missing GFCI plugs near sinks and vanities. She advised the department's first goal is to work residents and business owners to encourage voluntary compliance before the enforcement process. Ms. O'Banner stated a priority is to educate citizens and department staff is available to speak at community events.

Planning/Special Projects Briefing

This item was addressed during the regular session.

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agendas

Council Member Duggan stated due to a conflict of interest he would be stepping down from the dais for Regular Item No. 6.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 6:54 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
August 11, 2014**

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

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

Mayor LaRosiliere convened the Council into the Regular Session on Monday, August 11, 2014, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Education Minister Shumate from First Baptist Church of Plano led the invocation and representatives of Boys and Girls Clubs of Collin County, Plano led the Pledge of Allegiance.

Mayor LaRosiliere recognized the Plano Public Works and Engineering Departments for receiving recertification by the American Public Works Association.

Comments of Public Interest

No one appeared to speak.

CONSENT AGENDA

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Miner, the Council voted 8-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

Approval of Minutes (Consent Agenda Item “A”)

July 28, 2014

July 30, 2014

Approval of Expenditures

Approval of Contract Modification

To approve and authorize Amendment No. 2 to the Distribution Pole License Agreement S0527371C that allows the City of Plano to mount Mesh Network devices on distribution poles owned by Oncor Electric Delivery Company LLC, (f/k/a TXU Electric Delivery Company). This Amendment No. 2 will provide for updated definitions, and insurance requirements, and provide terms concerning transfers. (Consent Agenda Item “B”)

Approval of Expenditure

To approve an expenditure for professional consultation services and establish a three (3) year contract with three (3) City optional one (1) year renewals in the annual amount of \$77,760 from Dr. Anthony Paul Picchioni, Ph.D., for Human Resources and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Adoption of Resolutions

Resolution No. 2014-8-1(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between Heartland Payment Systems, Inc., a Delaware corporation, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “D”)

Resolution No. 2014-8-2(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and the North Central Texas Council of Governments for Traffic Signal Retiming; authorizing its execution by the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “E”)

Resolution No. 2014-8-3(R): To authorize continued participation with the Atmos Cities Steering Committee; and authorize 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. (Consent Agenda Item “F”)

Resolution No. 2014-8-4(R): To authorize the City of Plano to participate in and receive funding through the Texas Highway Traffic Safety Program for the Intersection Traffic Control Project, PIN 17560006409000, targeting intersections regulated by a signal light; authorizing the City Manager to execute the grant agreement and any other documents necessary to effectuate the action taken; and providing an effective date. (Consent Agenda Item “G”)

Resolution No. 2014-8-5(R): To accept the Certified Appraisal Rolls for Fiscal Year 2014-15 for Collin County and Denton County, and providing an effective date. (Consent Agenda Item “H”)

Resolution No. 2014-8-6(R): To approve the terms and conditions of an Escrow Agreement by and between the City of Plano, Texas, and Oncor Electric Delivery Company, LLC related to a dispute regarding alley relocation costs pursuant to the franchise agreement; and authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “I”)

END OF CONSENT

Ordinance No. 2014-8-7: To change the street name of the section of J Avenue, within the City of Plano, Collin County, Texas, between 15th Street and 15th Place to Alex Schell Place; providing for a change in the official records to reflect such action; and providing an effective date. (Regular Agenda Item “1”)

Director of Planning Day stated this item is to rename a portion of J Avenue to Alex Schell Place in honor of Alex Schell.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to change the street name of the section of J Avenue, within the City of Plano, Collin County, Texas, between 15th Street and 15th Place to Alex Schell Place; providing for a change in the official records to reflect such action; and to further adopt Ordinance No. 2014-8-7.

Mayor LaRosiliere presented a street sign and certificate of special recognition to the Schell family.

Planning/Special Projects Briefing (Preliminary Agenda Item “IV”)

Director of Planning Day spoke to the Planning department’s mission statement and organizational structure. She reported the areas of service within the department include Community Service, providing assistance with citizen’s housing needs; Comprehensive Planning, updating the current comprehensive plan, working on neighborhood initiative, and heritage preservation; Development Review; GIS, going beyond basic mapping to being the foundation new software systems for permitting, land use, and licensing, Nextgen 911, and asset management, and the base for Explore Plano interactive maps. Ms. Day discussed the goal of excellent customer service by reporting the results of her customer service surveys.

Director of Special Projects Jarrell spoke to the department responsibilities of coordination of departments on major development projects, developing policies related to development and redevelopment, and facilitation of documentation required for public/private partnerships. She outlined the list of current special projects.

Public Hearing on the FY 2014-15 Recommended Budget and the FY 2014-15 Proposed Community Investment Program (CIP). (Regular Agenda Item “2”)

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

A vote on a proposal to consider an increase in the total tax revenue (Regular Agenda Item “3”)

Director of Budget and Research Rhodes-Whitley stated due to Truth-in-Taxation law requirements, the Council will need to have a record of vote on a maximum proposed tax rate it will consider throughout the budget process. She reported the effective tax rate is 46.96 cents per \$100 of valuation and the roll back tax rate is 48.59 cents per \$100 of valuation. Ms. Rhodes-Whitley advised the proposed tax rate is 48.86 cents per \$100 of valuation maintaining the current rate and the amount equals \$778,488 or an increase of \$5.74 for the average homeowner. She stated the record of vote would be published and public hearing will be held on August 25th and September 3rd.

Upon a motion made by Council Member Davidson and seconded by Council Member Miner, the Council voted 8-0 to establish a maximum tax rate of 48.86 cents per \$100 of valuation, maintaining the current tax rate.

Discussion of the FY 2014-15 Proposed Community Investment Program (Regular Agenda Item “4”)

Parks and Recreation Director Fortenberry spoke to the four funding sources for the Parks and Recreation CIP projects and stated projects deferred from previous years are included in the plan. She outlined the \$9,240,000 in bond funds for recreation center projects at Carpenter Recreation Center Pool, Jack Carter Pool, Oak Point Center expansion, and Senior Center expansion. In response to Council questions, Ms. Fortenberry stated the Liberty Recreation Center project is scheduled for FY 2015-16, the Carpenter pool will be completed in January of 2016 and the Senior Center design completed in FY 2014-15 and construction in FY 2015-16. She spoke to the \$19,889,000 in bond funds earmarked for park improvement projects including improvements to athletic fields, Oak Point Park, general park and trail improvements, Windhaven Meadows Park, Carpenter Park renovation, Douglass Area/Neighborhood Park, Legacy Trail, maintenance facilities, Oak Point Nature and Retreat Center, and special use facilities.

Ms. Fortenberry detailed the projects funded by park fees collected through residential development. She stated projects include: the Three Cities Trail Connection, Legacy Trail, Breckenridge Trail, and the White Rock Creek Greenbelt for a total of \$840,000. Ms. Fortenberry spoke to the \$6,935,000 in projects funded by capital reserves to maintain existing parks and infrastructure. She stated the CIP included \$1,000,000 in street enhancement funds for downtown improvements at McCall Plaza and landscaped entryways.

City Manager Glasscock requested, prior to the work session on Saturday, Council provide a list of any Community Investment Program items they would like to review further so Staff can be prepared for discussion.

Discussion of the FY 2014-15 Proposed Community Investment Program (Con't.)

Director of Engineering Carr presented the 149 projects for streets, water, drainage and sewer. Mr. Carr spoke to the funding sources for the street improvement projects include bond funds, capital reserve funds, and other funds (Collin County, North Central Texas Council of Governments, Regional Toll Revenue, TxDOT/Federal, and Eastside TIF). In response to Council, Mr. Carr stated the funds from the other funding sources have been earmarked for the City of Plano. He advised construction projects include 15th Street, Downtown brick pavers, Royal Oaks Drive, Russell Creek Drive, Split Trail Drive and a portion of Windhaven Parkway; capacity projects include several intersection improvements and corridor improvements; street design projects include Dallas North Estates, Preston/PGBT intersection, Preston/Plano Parkway intersection, US 75 from PGBT to Plano Parkway, and the Spring Creek Parkway at Coit Road intersection; miscellaneous street projects include median landscaping, traffic signals, bridge inspection and repair, Park Boulevard/US 75 pedestrian crossing, and screening walls at Custer Road and Independence Parkway.

Mr. Carr spoke to the projects funded from the Municipal Drainage fund include \$2,860,000 in erosion control projects and \$2,454,000 in miscellaneous drainage improvement and flood control projects. He reported \$13,079,000 in Water Improvement Fund projects include repair to elevated tanks, pump station rehabilitation, and new and existing water line improvements. Mr. Carr advised \$10,564,000 in Sewer Improvement fund projects include adding and repairing aerial crossings, capacity improvements, and southwest downtown sewer improvements. Deputy Mayor Pro Tem Harris inquired if Staff had the ability to perform more repairs. Mr. Carr responded Engineering Staff had the ability to increase workflow, however, Director of Public Works Cosgrove stated the majority of the work is handled by outside contractors and it is becoming increasingly difficult for the contractor's to find workers.

Facilities Manager Razinha spoke to the facility improvement project funding sources and the projects funded by each source. He stated the \$7,125,000 in bond fund projects include renovation to three fire stations, fire administration, and the police substation and the \$4,105,700 in capital reserve funds is utilized to maintain and improve existing facilities throughout the City.

Director of Public Works Cosgrove spoke to the \$20,575,000 CIP projects by Public Works include residential street repair, arterial concrete repair, pavement maintenance, undersealing, screening wall reconstruction, sidewalk repair, traffic signal upgrades, pavement markings, street condition inventory, street sign replacement, concrete work, parking lot striping, and guardrails. In response to Council, he stated the cost to replace screening walls is approximately \$300 per foot. Mr. Cosgrove detailed the \$3,450,000 in water/waste water projects include infiltration repair, manhole sealing, and pump station repair.

Public Hearing and adoption of Resolution No. 2014-8-8(R) to support an application for four percent housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed senior multifamily residential development project, legal description Hillary Acres Addition, Block A, Lot 2; and designating the City Manager to certify this resolution to TDHCA; and declaring an effective date. (Regular Agenda Item “5”)

Community Services Manager Brown spoke to the resolution supporting a four percent housing tax credit project and that it addresses the need for affordable housing units in the City. She introduced Jean Brown, Executive Director of the Plano Housing Corporation, developer of the project. Ms. Brown spoke to the senior housing project status, stating 30 units are designated for veterans and households with special needs. She advised they are requesting a resolution of support from the Council to proceed with their bond application. In response to Council Member Downs, Ms. Brown stated they hoped to be under construction by the end of the year.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

Upon a motion made by Council Member Miner and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to support an application for four percent housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed senior multifamily residential development project, legal description Hillary Acres Addition, Block A, Lot 2; and to further adopt Resolution No. 2014-8-8(R).

Public Hearing and adoption of Ordinance No. 2014-8-9 as requested in Zoning Case 2014-18 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 651 so as to allow the additional use of Mini-Warehouse/Public Storage on 4.4± acres of land located on the south side of Plano Parkway, 1,100± feet east of Midway Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-112-Retail; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Cornerstone Development, LTD (Regular Agenda Item “6”)

Council Member Duggan stepped down from the dais due to a conflict of interest.

Development Review Manager Hill spoke to the lot size and location. He stated the developer is requesting the maximum unit size be increased from 500 square feet to 2,000 square feet and allowance for a six foot fence to be placed in the front yard for security. In response to Deputy Mayor Pro Tem Harris, Mr. Hill advised due to the “flag” shape of the property, it has two front yards and the fence would be placed at the fifty foot setback line. Responding to Council Member Downs, he stated the property would not have a full-time onsite manager.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

Public Hearing and adoption of Ordinance No. 2014-8-9 (Con't.)

Upon a motion made by Council Member Downs and seconded by Council Member Davidson, the Council voted 7-0, with Council Member Duggan abstaining, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 651 so as to allow the additional use of Mini-Warehouse/Public Storage on 4.4± acres of land located on the south side of Plano Parkway, 1,100± feet east of Midway Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-112-Retail; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-18; and to further adopt Ordinance No. 2014-8-9.

Council Member Duggan returned to the dais.

Public Hearing and adoption of Ordinance No. 2014-8-10 as requested in Zoning Case 2014-24 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 652 so as to allow the additional use of Theater-Regional on 1.1± acres of land located 175± feet north of Park Boulevard, 525± feet west of Ohio Drive, in the City of Plano, Collin County, Texas, presently zoned Retail; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: AMREIT, L.P. (Regular Agenda Item “7”)

Development Review Manager Hill spoke to the request for the expansion of the existing Studio Movie Grill from eight screens to twelve screens and stated the increase changes the use from neighborhood to regional theater requiring a specific use permit. He advised the Council that the Planning and Zoning Commission recommended approval as submitted.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

Upon a motion made by Council Member Downs and seconded by Council Member Davidson, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 652 so as to allow the additional use of Theater-Regional on 1.1± acres of land located 175± feet north of Park Boulevard, 525± feet west of Ohio Drive, in the City of Plano, Collin County, Texas, presently zoned Retail; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-24; and to further adopt Ordinance No. 2014-8-10.

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2014-16 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 650 so as to allow the additional use of Private Street Development on 12.7± acres of land located on the east side of Preston Road, 1,500± feet north of Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-101-Retail/General Office and Single-Family Residence-6; 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: Nash Group Real Estate (Regular Agenda Item “8”)

Public Hearing and consideration of an Ordinance (Con't.)

Director of Planning Day stated the applicant has withdrawn the request and advised because the item was noticed, the public hearing needs to be held and Council would need to act on the withdrawal request.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Davidson, the Council voted 8-0 to accept the request from the applicant to withdraw Zoning Case 2014-16.

Public Hearing as requested in Zoning Case 2014-13 to consider amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to amend Planned Development-101-Retail/General Office on 53.4± acres of land located at the northeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-101-Retail/General Office to allow Single-Family Residence Attached by right and Private Street Development by Specific Use Permit. Applicant: NASH Group Real Estate. (Regular Agenda Item "9")

Director of Planning Day stated the project received a 3/3 split vote from the Planning and Zoning Commission and the developer has made revisions to the original plan. She spoke to the site challenges of being land locked with two areas of access, power lines along the north boundary, a large amount of open space that does not meet City requirements, no mandated buffers are required adjacent existing commercial properties, and potential nuisances from noise and commercial dumpsters. Ms. Day stated the amended plan presented by the developers includes, open rear fencing for lots adjacent to the center open space, reduced depth on two lots, and an eight foot screening wall along the majority of the western boundary and ten foot landscape buffer outside the wall. In response to Council questions, Ms. Day stated the modifications are appropriate and are indicative as in-fill areas are developed in the future, and the existing open space is credited at one third.

Mayor LaRosiliere opened the Public Hearing. Don Plunk, representing Megatel Homes, developer of the project, gave a brief history of the project and introduced Bryan Klein of Ion Design, engineer/planner for the project. Mr. Klein spoke to the proposed project and stated the plan includes 88 townhomes with an average value of \$340,000 and an amenity center. He detailed the items that were amended and requested the Council approve modifying the lot size to 2,125 square feet, reducing the minimum depth on two lots to 80 feet, reducing the side yard to ten feet on two lots, and allow the placement of a portion of the parking spaces outside of the 600 foot minimum. Mr. Klein asked the Council to credit three acres of the existing hike and bike trail easement, the HOA amenity center open space, and other open areas toward the open space requirements. Robbie Robinson spoke in support of the project, but requested the street lights be lowered or placed in a manner not to cause glare to adjacent homes. Mayor LaRosiliere closed the Public Hearing.

City Attorney Mims stated if the Council supported the changes, an ordinance would need to be prepared and the item tabled to bring back at a future meeting.

Public Hearing as requested in Zoning Case 2014-13 (Con't.)

The Council stated concurrence in supporting the development with the following changes:

Restrictions:

General Standards

1. Retail uses shall not exceed 50,000 square feet of gross building area.
2. The maximum size of any single building for retail uses shall not exceed 15,000 square feet of gross building area.
3. Retirement housing, household care institution, and long-term care facility uses are additional allowed uses for the portion of the property south of the natural floodplain and watercourse.
4. Provision of a hike and bike trail easement along the northern property line. Adjacent to the Single-Family-6 property, the hike and bike trail easement shall be the full width of the TP&L easement within this property. Adjacent to the Multifamily-3 property, the hike and bike trail easement shall be 30 feet in width and shall be in the northernmost portion of the TP&L easement within this property.
5. Single-Family Residence Attached is an additional permitted use.

Single-Family Residence Attached Standards

Single-Family Residence Attached development shall be in accordance with the Single-Family Residence Attached zoning district regulations with the following exceptions:

1. Minimum lot area per dwelling unit: 2,125 square feet
2. Minimum side yard of corner lot: 10 feet
3. Minimum usable open space: None
4. Parking requirements: One-fourth visitor parking shall be provided within 900 feet of each unit
5. Rear yard fencing adjacent to the central amenity area is required to be 50 percent or greater open construction (use of ornamental iron fencing) to maintain an open appearance for those portions of the lots abutting the common open space.
6. A maximum of two lots shall be allowed to have a minimum lot depth of 80 feet.
7. An 8-foot high masonry screening wall shall be provided along the eastern lot lines of Harvard Addition, Block A, Lots 1-4.
8. A 10-foot wide HOA lot shall be provided along the eastern lot lines of Harvard Addition, Block A, Lots 1 and 2. The HOA lot shall be planted to create an irrigated, evergreen living screen of at least 12 feet in height within two years of planting, for additional sound attenuation. An 8-foot high masonry screening wall shall be located on the eastern edge of this HOA lot.

Public Hearing as requested in Zoning Case 2014-13 (Con't.)

9. Eyebrow-design at street corners shall not be required.

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Duggan, the Council voted 8-0 to table the item until the August 25, 2014 City Council Meeting.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 9:10 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Lisa C. Henderson, City Secretary

PLANO CITY COUNCIL
Budget Work Session
August 16, 2014

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

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

Mayor LaRosiliere convened the Council into the Budget Work Session on Saturday, August 16, 2014 at 8:04 a.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Request for Public Input on Budget & CIP

No one appeared to speak.

Budget Worksession Overview

Highlights of 2013-14/Outlook for 2014-15

City Manager Glasscock advised the budget is balanced and has 30 days of operating funds, is consistent with Council policy, and maintains the current tax rate of 48.86 cents per \$100 of assessed property valuation.

Council Items and Issues for Discussion

Mayor LaRosiliere stated he would like to speak about the Buffington Grant. City Manager Glasscock asked the Council if they would like to add the grant discussions to the Saturday Budget Work Session. The Council discussed the option of combining the sessions and determined the two sessions would remain separate.

Operating Budget

Revenues – Ad Valorem Tax Base; Tax Rate - Effective and Rollback Rates: Sales Tax; Water & Sewer Rates – Proposed Rate Increases and Conservation Rate; Municipal Drainage Rates – Residential and Commercial; and Parks and Recreation Fees - Recreation Center Memberships.

Director of Budget and Research Rhodes-Whitley spoke to assessed property values of \$28.8 billion and advised that 50% of property is residential and 50% commercial. She reported the loss of revenues from ad valorem tax exemptions, history of the tax rate and the proposed rate of 48.86 cents per \$100/valuation which exceeds the effective tax rate and rollback rate, requiring additional public hearings. Ms. Rhodes-Whitley reviewed sales tax revenue trends. She stated sales tax collection for the first nine months of FY 2013-14 is up \$2.6 million compared to last year and sales tax revenue generated from liquor sales is estimated at \$1.2 million. Ms. Rhodes-Whitley spoke to the division of sales tax revenue generated from retail sales versus business-to-business sales and provided sales tax information by geographical area.

Ms. Rhodes-Whitley spoke regarding communication from the North Texas Municipal Water District (NTMWD) indicating they will increase the water (10%) and waste water rates (2.5%) and she spoke to the rate increase to \$7.50 per 1000 gallons for residential customers using more than 30,000 gallons per month. She advised regarding the recommendation to pass through a water rate increase of 10% and a wastewater increase of 2.5% effective November 1 and spoke to the loss of \$12.9 million through the district's "take-or-pay" contract with a potential reimbursement from the district of \$2.9 million for unused operation/maintenance costs. City Manager Glasscock advised the Council regarding the District's drive to increase conservation being in conflict with "take-or-pay" nature of the contract.

Ms. Rhodes-Whitley spoke regarding the Municipal Drainage Fund primarily used for infrastructure projects to: improve drainage or address erosion; maintain and clean drainage systems; and develop programs to prevent pollutants from entering the system. She advised that due to projects not coming to fruition, the residential rate will decrease and the non-residential rate will remain the same for FY 2014-15.

Recreation Services Manager Hall presented the proposed changes to the annual recreation center membership fees to accommodate for cost recovery. She stated the membership fees were last increased in 2008, with program fees adjusted in 2011 and month-to-month fees added in 2012. Ms. Hall proposed fees of youth - \$95, adult - \$155, senior - \$119, and family - \$399 with a 10% loyalty discount available and noted all proposed fees are below the average fees of other area cities. Council Member Downs stated he would like to see the senior rate remain the same. Ms. Hall advised a financial assistance program is available reducing the rate by 50 percent. The Council stated concurrence with the proposed membership fee increase.

The Council took a brief recess at 9:00 a.m. and reconvened at 9:10 a.m.

Program Changes

Salary Adjustments/Increase

Deputy City Manager Parrish spoke to the compensation philosophy targeting the City's range midpoints at median plus five percent of the actual averages being paid in the market. He stated a market comparison was performed and updated in 2014 comparing approximately 150 positions at nine benchmark cities to evaluate actual average pay and midpoints of job grades. Mr. Parrish reported midpoints are 1.2 % under median plus 5% and actual pay was 0.3% under market with 63% of employees below the midpoint and 43% in the lower third of range. He stated for civil service employees, the Police Department was 1.6 % above median plus 5% and Fire Department was 2.3% above median plus 5%. Mr. Parrish spoke to the recommendation of a 3% across-the-board increase for non-civil service employees, a 3% increase for civil service with 3% step-up adjustments, and a 3% increase for the maintenance and skilled craft step-up plan.

Health Plan Update

Deputy City Manager Parrish reported for the 12 month period ending June 30, 2014, medical claims decreased 12%, dental claims increased 6%, and pharmacy claims increased 11%. He stated a reduction in cancer and catastrophic claims was a main cause of the reduction of medical claims. Mr. Parrish stated an emphasis on prevention, disease specific attack plans, knowledgeable consumers, member accountability and data analysis are priorities for the upcoming year. He outlined the wellness initiatives, plan design changes, use of Compass for cost savings, and employees receiving a physical and contacting Compass to receive an incentive for reduced medical premiums.

Mr. Parrish advised that 2015 changes include a monthly employee premium increase to \$104.00 with a \$50.00 incentive available for completing a physical and contacting Compass reducing the cost to \$54.00 monthly. He spoke to 2016 premium incentive requirements of an annual physical, contacting Compass, and smoking cessation. Mr. Parrish stated the program will have continued review to make plan design changes to allow employees easier access to benefits.

Police SSI Index

Police Chief Greg Rushin spoke to the budget request addressing the need to add eight Patrol Officers to Sector D, the largest Sector of the City located on the west side of the City. He reported Plano has 1.31 Officers per 1,000 citizens, which is below the Metroplex average of 1.54. Chief Rushin stated the department has not added Patrol Officers since FY1997-98 and the Service Standard Index (SSI) helps determine the departments staffing needs. He advised many factors influence the SSI and once the need for staffing is determined it will take 12-18 months to hire and train personnel. Chief Rushin stated the additional officers will reduce the beat size, allow for greater visibility, reduce call times, and provide for less call stacking. He advised the Council of future staffing needs in business centers, investigation of technology crimes, a surveillance unit, a warrants unit, and community outreach. In response to Council Member Gallagher, Chief Rushin responded attrition is mainly from retirement not staff moving to other cities.

Fire –First Responders Update

Chief Crawford provided an overview of the department stating the department has a budget of \$47.7 million, 352 personnel, 13 fire stations, and responded to 22,124 calls in 2013. He added due to the majority of EMS service being provided to the aging population in Plano, the department has partnered with area hospitals to develop a community oriented paramedic type program to be proactive and not reactive. Chief Crawford stated with the program the department checks on residents to make sure follow-up care is provided and safety needs are met. He discussed the success of the Medical Priority Dispatch program increasing available man hours by 1,863 hours, the EMS average response time, and the City's CPR survival rate is among the highest in the nation. Chief Crawford spoke to the required monthly reporting at field operation level, the Rescue Squad program, and administrative reorganization. He stated the reports are available on the Fire Department website.

Chief Crawford addressed the FY 2014-15 budget requests. He spoke to the need for additional personnel to fill in during holiday, vacations, and leave time to offset overtime costs and additional funding for command staff reorganization department restructuring. Chief Crawford reported for education and training purposes the budget includes 13 Smart TV's. He presented information regarding the PulsePoint phone application to allow for faster response time for people in need of CPR. Chief Crawford advised future needs include relocation of Fire Station #7 closer to the Windhaven Parkway/Spring Creek Parkway area, a third field Battalion Chief, an additional Engine Company and movement the current Ladder Company.

Great Update Rebate

Director of Planning Day discussed the Great Update Rebate program. She presented the signs used to market the program. Ms. Day spoke the areas projects are located and that there are 34 projects underway with \$134,304 encumbered and 7 projects have been completed with a rebate amount of \$30,064. She stated the average time from the first meeting to start date is 9 days and initial inspections are typically performed the next business day. In response to Council, Ms. Day stated exterior improvements are paid at a higher rate than interior updates to encourage exterior improvement. She provided before and after photographs of completed projects and cited positive comments from program participants. Ms. Day advised with the success of the program the allocated funding will be depleted by the 3rd Quarter of FY 2014-15. City Manager Glasscock stated funding can be addressed in the FY 2015-16 or Council may discuss later in the year to allocate additional funds.

1st Choice Neighborhood Enhancement

Director of Planning Day stated Staff is reviewing programs to encourage neighborhood health and provided a brief history of the process and how it meets the City pillar of Vibrant and Renewing Neighborhoods. She advised the matching grant program is to encourage neighborhood vitality and beautification and provided pictures from similar programs throughout the state and nation. Ms. Day stated typical projects may include improvements to entry ways into subdivisions, screening walls, and public art projects and the projects would need to be initiated by a mandatory or voluntary homeowners or neighborhood association. She advised the matching grant program will be designed and brought back to Council for review if they support the program.

The Council stated concurrence in supporting the project and requested Staff to bring back a program for review.

The Council took a brief recess at 10:49 a.m. and reconvened at 11:05 a.m.

Community Investment Program

Director of Budget and Research Rhodes-Whitley spoke to planned Community Investment Program expenditures of \$158 million for streets, capital reserve, parks and recreation, water/sewer, municipal facilities, and municipal drainage projects. She spoke to the projected General Obligation Bond sale of \$34,645,000 for Park & Athletic Facilities, Recreation Centers, Public Infrastructure and Public Safety Facilities and projected Certificate of Obligation sale of \$6,750,000 for upgrades to telephone systems, the Public Safety radio system, and the permitting, licensing, and land management system. She further advised that the capital reserve should meet the 75% annual goal in 2016.

Proposed Ad Valorem Tax Rate

Ms. Rhodes-Whitley reviewed related Public Hearing dates of August 25 and September 3 with tax rate adoption on September 8, 2014.

Mayor LaRosiliere spoke to the Buffington Grant funding and would like to see the funding amount increased for the 2015-16 fiscal year due to the rise in poverty in the City. Council Member Davidson agreed stating she would like to see the funding return to \$2 per capita. The Council concurred with the funding change for FY 2015-16, Deputy Mayor Pro Tem Harris and Council Member Downs would like to see the increase offset by other expenditures.

Nothing further was discussed. Mayor LaRosiliere adjourned the session at 11:26 a.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, 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:		August 25, 2014			
Department:		Parks and Recreation			
Department Head		Amy Fortenberry			
Agenda Coordinator (include phone #): Leslie Hooker x7204					
CAPTION					
Bid No. 2014-235-C for a one (1) year contract with three (3) City optional one (1) year renewals for Outdoor Litter Removal and Restroom Maintenance for the Parks and Recreation Department to Worldwide Enterprises Inc. dba James Enterprise in the estimated annual amount of \$78,965, to Lillard Lawn and Landscape in the estimated annual amount of \$83,664, to Premier Building Maintenance Inc. in the estimated annual amount of \$83,117 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:	2013-14; 2014-15; 2015-16; 2016-17; 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	1,036,763	962,505	1,999,268
Encumbered/Expended Amount		0	-904,213	0	-904,213
This Item		0	-20,479	-962,505	-982,984
BALANCE		0	112,071	0	112,071
FUND(S): GENERAL FUND					
<p>COMMENTS: This item approves price quotes for annual outdoor litter removal and restroom maintenance. The estimated FY 2013-14 expenditure for outdoor litter removal and restroom maintenance to be purchased from this contract for the remainder of FY 2013-14 is \$20,479. Future expenditures will be made by Park Field Services within the annual approved budget appropriations, at an estimated annual expenditure of \$245,746 for fiscal years 2014-15, \$245,746 for 2015-16, \$245,746 for 2016-17 and \$225,267 for 2017-18.</p> <p>STRATEGIC PLAN GOAL: Contracts for annual outdoor litter removal and restroom maintenance relates to the strategic goal of Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
Parks and Recreation staff recommends the award of Outdoor Litter Removal and Restroom Maintenance to Worldwide Enterprises Inc. dba James Enterprise in the estimated annual amount of \$78,965, to Lillard Lawn and Landscape in the estimated annual amount of \$83,664 and to Premier Building Maintenance Inc. in the estimated annual amount of \$83,117.					



CITY OF PLANO COUNCIL AGENDA ITEM

List of Supporting Documents: Memo Bid Recap	Other Departments, Boards, Commissions or Agencies



Memorandum

Date: Wednesday, August 06, 2014

To: Leslie Hooker, Buyer

From: Matthew Simmons, Field Services Supervisor

Subject: Award Recommendation: 2014-235-C - Groups A, B, & C – Outdoor Litter Removal and Restroom Maintenance Contract.

James Enterprise is recommended for award of bid 2014-235-C - Group A in the estimated amount of \$63,965 with a total annual estimated contract amount of \$78,965 (which includes the bid price plus optional contract services for unforeseen/unplanned projects and services). This contract is for Outdoor Litter Removal and Restroom Maintenance at multiple high use parks and athletic fields throughout the city. Total future costs for 3 annual city optional renewals will be \$236,895.

Lillard Lawn and Landscape is recommended for award of bid 2014-235-C - Group B in the estimated amount of \$68,664 with a total annual estimated contract amount of \$83,664 (which includes the bid price plus optional contract services for unforeseen/unplanned projects and services). This contract is for Outdoor Litter Removal and Restroom Maintenance at multiple high use parks and athletic fields throughout the city. Total future costs for 3 annual city optional renewals will be \$250,992.

Premier Building Maintenance Inc. is recommended for award of bid 2014-235-C - Group C in the estimated amount of \$68,117 with a total annual estimated contract amount of \$83,117 (which includes the bid price plus optional contract services for unforeseen/unplanned projects and services). This contract is for Outdoor Litter Removal and Restroom Maintenance at multiple high use parks and athletic fields throughout the city. Total future costs for 3 annual city optional renewals will be \$249,351.

The recommendation of award to each vendor is based upon the following:

- lowest responsive bid for group resulting in savings for the City of Plano
- history of maintaining large, highly visible, high profile commercial and governmental properties with similar scope and size.
- equipment list dedicated to the contract sufficient to meet demanding deadlines in the care of high use parks and athletic fields

In addition to general litter collection and restroom maintenance, the Parks and Recreation Department plans to use the services of James Enterprise, Lillard Lawn and Landscape, and Premier Building Maintenance Inc. for unplanned and unforeseen projects and services that may include providing staff for special events and athletic tournaments as well as additional litter and sanitation services as needed on an annual basis utilizing optional unit pricing provided in bid 2014-235-C.

If the contract is not awarded, high use parks and athletic fields will not receive litter or restroom service as often as needed causing potential restroom or park closures and creating unsanitary conditions which would fail to meet basic community standards for cleanliness, health, and welfare.

cc:

Amy Fortenberry, Director of Parks and Recreation

Jim Fox, Park Services Manager

Doug Green, Parks Superintendent

CITY OF PLANO
BID NO. 2014-235-C
Outdoor Litter Removal and Restroom Maintenance Contract
BID RECAP

Bid opening Date/Time: August 1, 2014 @ 10:00 am

Number of Vendors Notified: 2672

Vendors Submitting "No Bids": 0

Bids Evaluated Non-Responsive to Specifications: 0

Number of Bids Submitted Responsive to Bid: 3

Premier Building Maintenance Inc. (Bid 78/78)	\$220,667.00
Lillard Lawn and Landscape (Bid 78/78)	\$227,113.00
Worldwide Enterprises Inc. dba James Enterprise (Bid 78/78)	\$244,920.00

<u>Recommended Vendors:</u>	<u>Group</u>	
Premier Building Maintenance Inc.	C	\$68,117.00
Lillard Lawn and Landscape	B	\$68,664.00
Worldwide Enterprises Inc. dba James Enterprise	A	\$63,965.00

Leslie Hooker

August 1, 2014

Leslie Hooker
Buyer I

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:		8/25/14			
Department:		Human Resources			
Department Head		Jim Parrish			
Agenda Coordinator (include phone #): Sharron Mason x7247					
CAPTION					
RFP No. 2014-5-C & RFP No. 2014-214-C for a one (1) year contract with three (3) City optional one (1) year renewals for Employee Benefit Claims Third Party Administrator & Pharmacy Benefits Manager to be utilized by Human Resources to United HealthCare Services, Inc., in an estimated total amount of \$4,816,565, 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:	2014-15, 2015-16, 2016-17, 2017-18, 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	4,816,565	4,816,565
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	-4,816,565	-4,816,565
BALANCE		0	0	0	0
FUND(S): HEALTH CLAIMS FUND, 115 TRUST FUND					
<p>COMMENTS: This item, in the total estimated amount \$4,816,565, approves a contract for a Third Party Administrator to administer Plano's Medical and Dental Plans, Employee Assistance Program, Flexible Spending and COBRA, and a Pharmacy Benefits Manager through the 2018 calendar year. Funding for this contract will come through the City of Plano's contributions to the Health Claims Fund and 115 Trust Fund and Employee contributions to the Health Claims Fund.</p> <p>STRATEGIC PLAN GOAL: Contracting with a Third Party Administrator and Pharmacy Benefits Manager to administer several components of Plano's medical plan relates to the City's goal of Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
Staff recommends establishing a one (1) year contract with three (3) City optional one (1) year renewals for RFP 2014-5-C & RFP 2014-214-C for Employee Benefit Claims Third Party Administrator (includes medical, dental, FSA, EAP and COBRA) & Pharmacy Benefits Manager to United HealthCare Services, Inc., in an estimated total amount of \$4,816,565 to be utilized by Human Resources and conditioned upon timely execution of any necessary contract documents.					



CITY OF PLANO COUNCIL AGENDA ITEM

	2015	2016	2017	2018	Grand Total
Medical and Pharmacy	988,142	1,002,876	1,027,848	1,027,848	4,046,714
Dental	98,390	98,390	98,390	101,833	397,003
Employee Assistance Program	55,937	55,937	55,937	55,937	223,748
Flexible Spending Account	23,127	23,127	23,127	23,127	92,508
COBRA	14,148	14,148	14,148	14,148	56,592
	1,179,744	1,194,478	1,219,450	1,222,893	4,816,565
Pharmacy	10,239	10,239	10,239	10,239	40,956
Total less pharmacy	1,169,505	1,184,239	1,209,211	1,212,654	4,775,609

List of Supporting Documents: Memos, RFP Recaps	Other Departments, Boards, Commissions or Agencies NA
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To: Diane Palmer-Boeck, Purchasing Manager

From: Andrea Cockrell, Administrative Services Manager

Date: July 28, 2014

Re: Award of Bid RFP 2014-5-C for Employee Benefits Third Party Administrator and RFP 2014-214-C for Pharmacy Benefits Manager

RFP 2014-5-C

The Employee Benefits Third Party Administrator contract encompasses administration of the Medical and Dental plans, as well as the administration of the Employee Assistance Program, Flexible Spending and COBRA. The Evaluation Committee reviewed and evaluated three (3) proposals in response to the Request for Proposal (RFP) for Employee Benefits Third Party Administrator: Aetna, Cigna, and United HealthCare Services, Inc.

Members of the Evaluation Committee rated each proposal independently, without reviewing cost of service. The City's benefits consultant also prepared a comparison spreadsheet so all similarities and differences would be easily visible. The final scores were discussed amongst the Evaluation Committee. Lastly, the pricing was factored into the overall final score.

The evaluation criteria were based on:

- Discounts – 5%
- Reputation and References – 10%
- Flexibility – 15%
- Administrative Flexibility Reporting/Reporting– 30%
- Pricing – 40%

All three vendors provided finalist presentations to the Evaluation Committee and answered specific questions regarding their RFP responses.

Final results showed United HealthCare Services, Inc. (UHC) with the overall highest scores without respect to pricing. Additionally, UHC had the lowest pricing of approximately \$1,169,505 annually based upon the current member counts in each respective category which is the lowest of the 3 vendors. The estimated pricing includes dental administration, EAP, FSA and COBRA in addition to medical administration. The pricing does NOT include pharmacy pricing which was evaluated separately. The pricing is also approximately \$57,000 lower than the existing contract. After taking everything into consideration, including the scores, provider disruption, and implementation requirements, the Evaluation Committee recommends the contract be awarded to United HealthCare Services, Inc. (UHC). Total estimated annual budget for this item is \$977,903 for medical



Memorandum

administration (excludes \$10,239 for pharmacy), \$98,390 for dental administration, \$55,937 for employee assistance program, \$23,127 for flexible spending administration and \$14,148 for COBRA administration totaling approximately, \$1,169,505 for 2015 and \$4,775,609 for all services excluding pharmacy for 2015 – 2018.

CITY OF PLANO

RFP No.: 2014-5-C
RFP for EMPLOYEE BENEFITS CLAIMS THIRD PARTY ADMINISTRATOR
RFP RECAP

RFP Opening Date/Time: **Wednesday, December 11, 2013 @ 3:00 p.m. (CST)**

Number of Vendors Notified: 1738

Vendors Submitting "No Bids": None

Number of Proposals Considered: 3

Estimated Overall Cost:

Aetna	\$1,272,636
Cigna	\$1,202,196
United HealthCare Services, Inc.	\$1,184,488

Recommended Vendor(s):

United HealthCare Services, Inc., in their best and final estimated amount of \$1,169,505

I certify that the above includes all firms contacted to bid and that replies are exactly as stated.

Sharron Mason

Sharron Mason
Sr. Buyer

August 6, 2014

Date

RFP 2014-214-C

The Pharmacy Benefits Manager (PBM) contract encompasses administration of the prescription component of the medical plan for employees, dependents and retirees. The Evaluation Committee reviewed and evaluated seven (7) proposals in response to the Request for Proposal (RFP) for Pharmacy Benefits Manager: Humana, MaxorPlus, Restat, CVS Caremark (the incumbent), Envision Rx, Pro Act, and United HealthCare Services, Inc.

Members of the Evaluation Committee rated each proposal independently, without reviewing cost of service. The City's benefits consultant also prepared a comparison spreadsheet so all similarities and differences would be easily visible. The final scores were discussed amongst the Evaluation Committee. Lastly, the pricing was factored into the overall final score.

The evaluation criteria were based on:

- Reporting – 20%
- Claim Administration – 20%
- Pass Thru Pricing – 10%
- References – 10%
- Pricing – 40%

The top three rated vendors made in-person presentations and then the Evaluation Committee prepared their final ratings.

Final results showed United HealthCare Services, Inc., (UHC) with the overall highest scores without respect to pricing. Additionally, UHC had the lowest pricing of approximately \$10,239 for calendar year 2015 through 2018 based upon combining the pharmacy and medical administration together. After taking everything into consideration, including the scores, provider disruption, and implementation requirements, the Evaluation Committee recommends the contract be awarded to United HealthCare Services, Inc.

Failure to award this contract would result without management of the pharmacy component of the City's health plan.

As the pharmacy benefits management services are included in the same Administrative Services Agreement with UHC, these recommendations are presented together to City Council as they are in the same contract. Total estimated annual budget for this item is \$10,239 (included in the medical administration fees of \$988,142) with a total estimated contract amount of \$40,956 from 2015 – 2018.

Total for the entire United HealthCare Services, Inc., contract from 2015 – 2018 including pharmacy is \$4,816,565.

CITY OF PLANO

RFP No.: 2014-214-C
2015 PHARMACY RFP
RFP RECAP

RFP Opening Date/Time: **Tuesday, May 6, 2014 @ 3:00 p.m. (CDT)**

Number of Vendors Notified: 4428

Vendors Submitting "No Bids": None

Number of Proposals Considered: 3

Estimated Overall Cost:

Envision Pharmaceutical Services, LLC	\$89,616
MaxorPlus, Ltd.	\$121,064
United HealthCare Services, Inc.	\$32,151
CVS/CaremarkPCS Health, L.L.C.	\$49,616
Humana Pharmacy Solutions, Inc.	\$77,798
ProAct, Inc.	\$59,143
Restat, LLC/Catamaran	\$83,355

Recommended Vendor(s):

United HealthCare Services, Inc., in their best and final estimated amount of \$10,239.

I certify that the above includes all firms contacted to bid and that replies are exactly as stated.

Sharron Mason

Sharron Mason
Sr. Buyer

August 6, 2014

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:		8/25/2014		
Department:		Public Works		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): Lincoln Thompson x7376				
CAPTION				
To approve the purchase of a Rosenbauer America Fire Department Aerial for Fleet Services to be utilized by the Fire Department in the amount of \$1,017,721 from Daco Fire Equipment, Inc. through an existing contract with HGAC and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. FS12-13)				
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	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	950,000	0
Encumbered/Expended Amount		0	0	0
This Item		0	-1,017,721	0
BALANCE		0	-67,721	0
FUND(S): EQUIPMENT REPLACEMENT FUND				
COMMENTS: Funds are available in the FY 2013-14 Adopted Budget to purchase one (1) Rosenbauer America Fire Department Aerial for the scheduled replacement of unit #00403 in Cost Center #552/Fire. The additional funds of \$67,721 needed for this purchase are available from savings in other Equipment Replacement Fund purchases.				
STRATEGIC PLAN GOAL: Providing one (1) Rosenbauer America Fire Department Aerial for Fleet Services relates to the City's Goal of a Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Fleet Services recommends the purchase of a Rosenbauer America Fire Department Aerial from Daco Fire Equipment, Inc. utilizing HGAC Contract No. FS12-13, in the amount of \$1,017,721. The City is authorized to purchase from a cooperative purchasing program with another local government or 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. (HGAC Contract No. FS12-13)				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo			N/A	



Memorandum

Date: August 7, 2014
To: Bruce D. Glasscock, City Manager
From: Reid Choate, Fleet Manager
Subject: Fire Department Aerial Purchase Recommendation

It is the recommendation of Fleet Services to purchase one (1) Rosenbauer America Fire Department Aerial from Daco Fire Equipment, Inc. through the HGAC contract #FS12-13 in the amount of \$1,017,721.00.

This Aerial is for the replacement of unit 00403 in Cost Center 552/ Fire. This item is a scheduled replacement in the FY13-14 Equipment Replacement Fund.

Equipment replacement is analyzed based on age, mileage, maintenance cost and re-sale value in determining the need for replacement. Based on these criteria, Fleet Services recommends the replacement of the above vehicle. If this vehicle is not replaced we will incur additional maintenance cost and salvage value will greatly be depreciated. In addition the user department will be limited in their ability to perform their duties due to additional down time of the older equipment.

Feel free to contact me if you have any questions at extension 4182.



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:		8/25/2014		
Department:		Technology Services		
Department Head		David Stephens		
Agenda Coordinator (include phone #): Dianna Wike x7549				
CAPTION				
To approve the purchase of Cisco Networking Switches and maintenance for the Police Department Building in the amount of \$339,080 from Presidio Networked Solutions Group, LLC through an existing DIR (Department of Information Resources) contract and authorizing the City Manager to execute all necessary documents. (DIR-TSO-2544)				
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	Prior Year (CIP Only)	Current Year	Future Years
				TOTALS
Budget		0	725,000	0
Encumbered/Expended Amount		0	-250,588	0
This Item		0	-339,080	0
BALANCE		0	135,332	0
FUND(S): TECHNOLOGY FUND				
<p>COMMENTS: Funds are available in the 2013-14 Technology Fund budget for the replacement of aging switches and network infrastructure at the Police Department Building. The balance of project funds will be used for other switch/server replacement purchases.</p> <p>STRATEGIC PLAN GOAL: Periodic replacement of switch hardware relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>Technology Services staff recommends approval of the purchase and maintenance of Cisco Networking Switches, from Presidio Networked Solutions Group, LLC, utilizing their DIR (Department of Information Resources) Contract, in the amount of \$339,080. This upgrade will replace equipment that has been deemed end-of-life by Cisco, the manufacturer, and will no longer be supported later this year. This purchase will also provide network connectivity for cameras in the interview rooms and upgraded cameras throughout the Police Department building and Jail. The City is authorized to purchase from the State Contract list pursuant to Section 271 Subchapter D of the Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (DIR-TSO-2544)</p>				
List of Supporting Documents: Memorandum			Other Departments, Boards, Commissions or Agencies	



Memorandum

Date: August 11, 2014
To: Diane Palmer-Boeck, Purchasing Manager
From: David Stephens, Director Technology Services
Subject: Purchase of Cisco Switches for PD Building

Technology Services proposes procuring networking switches and maintenance to replace aging infrastructure at the Police Department. This upgrade will replace equipment that has been deemed end-of-life by Cisco, the manufacturer, and will no longer be supported later this year. We will also have the ability to provide network connectivity for cameras in the DWI/interview rooms and upgraded cameras throughout the Police building and Jail. This purchase is also in conjunction with our planned four year replacement cycle for networking equipment.

This purchase would be through an existing contract with the State of Texas Department of Information Resources. The contract number is DIR-TSO-2544. The supplier for these switches and maintenance is Presidio Networked Solutions Group, LLC. The purchase amount will be \$339,080.08 and will include hardware, maintenance and support for three years on a 7x24x4 basis for the networking infrastructure equipment. Quotes were received from multiple vendors on cooperative purchasing agreements ranging from \$339,080.08 to \$350,370.80.

If we are not able to replace the existing network infrastructure equipment, Technology Services would not be able to provide the Police Department with networking services in the event of a hardware or software failure on the existing switches. This would have a negative impact upon Police operations. Technology Services would also not be able to provide networking services for the new DWI/Interview and facility cameras that are being installed.



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:		8/25/2014			
Department:		Technology Services			
Department Head		David Stephens			
Agenda Coordinator (include phone #): Dianna Wike x7549					
CAPTION					
To approve the purchase of services and equipment to relocate wireless networking equipment in the amount of \$349,142 from Scientel Wireless, LLC, through an existing HGAC (Houston-Galveston Area Council) contract and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. CW10-09)					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR:	2013-14, 2014-15	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	940,600	330,000	1,270,600
Encumbered/Expended Amount		0	-225,901	0	-225,901
This Item		0	-174,571	-174,571	-349,142
BALANCE		0	540,128	155,429	695,557
FUND(S): TECHNOLOGY IMPROVEMENTS CIP FUND					
COMMENTS: Funding is available in the Technology Improvements CIP Fund. This item, in the amount of \$349,142, approves the relocation of MotoMesh equipment during the upcoming Coit Water Tower painting project, as well as the equipments reattachment upon completion of the project.					
STRATEGIC PLAN GOAL: Removing and replacing MotoMesh infrastructure to accommodate the repainting of Water Towers relates to the City's goal of Financially Strong City with Service Excellence.					
SUMMARY OF ITEM					
Technology Services staff recommends the purchase of services and equipment from Scientel Wireless, LLC, in the amount of \$349,142, to relocate wireless networking equipment from the Coit Water Tower to a temporary tower at Archgate Park and to reattach the equipment upon the completion of repainting. This is in preparation for the Coit Water Tower repaint project. This purchase allows for continuity of services during the repainting of the Coit Water Tower and prevents disruption of network service to many City facilities and loss of revenue due to a stoppage of water meter readings via the automated meter reading (AMR) process in place. The City is authorized to purchase from a cooperative purchasing program with another local government or 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. (HGAC CW10-09).					



CITY OF PLANO COUNCIL AGENDA ITEM

List of Supporting Documents: Memorandum	Other Departments, Boards, Commissions or Agencies



Memorandum

Date: August 7, 2014
To: Diane Palmer-Boeck, Purchasing Manager
From: David Stephens, Director Technology Services
Subject: Wireless Network Equipment Relocation from Coit Water Tower to a Temporary Tower

Technology Services proposes procuring services and equipment from Scientel Wireless, LLC to relocate wireless networking equipment from the Coit Water Tower to a temporary tower at Archgate Park. In the fall of 2014 the City of Plano desires to repaint the Coit Water Tower. While this repainting effort is underway, Technology Services must relocate equipment that provides wireless services to City facilities and personnel.

Scientel Wireless has been the sole provider of support for our wireless network and they have the experience of relocating the necessary equipment to ensure that the City of Plano wireless network remains operational during the transition. This endeavor will require the deployment of a 150 foot temporary tower at Archgate Park to provide line-of-sight services to our existing wireless devices on City facilities, traffic signals, utility poles and other structures. We have used this mobile tower when other water towers have been painted in the past.

To ensure the continuity of services during the transition, we will have to procure new equipment for the temporary tower so that both sites are able to route traffic. We will then reroute traffic to the temporary tower and remove the equipment from the water tower. After the water tower painting is completed we will re-install the equipment on the Coit Water Tower, re-route traffic back to that structure and decommission the temporary tower in the summer of 2015.

The cost of this project is \$349,142 and Scientel Wireless can provide the necessary services and equipment under an existing HGAC contract CW10-09. The breakdown of the total amount is \$12,980 for new equipment, \$23,053 for miscellaneous parts and \$313,109 for services. The cost of the services is higher than normal due to the specialty labor of skilled tower climbers required for this project.

If the City of Plano were not to provide a temporary tower for wireless services during the repainting of the Coit Water tower, there would be a disruption of network service to many City facilities and a loss of revenue due to a stoppage of water meter readings via the automated meter reading (AMR) process in place.



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:		August 25, 2014			
Department:		Environmental Health			
Department Head		Jamey Cantrell			
Agenda Coordinator (include phone #): Nancy Corwin X7137					
CAPTION					
<p>A Resolution of the City Council of the City of Plano, Texas, approving the appointment of the Health Authority for the City of Plano in accordance with Section 121.033 of the Texas Health and Safety Code; approving the Agreement between the City of Plano and Allan R. deVilleneuve, M.D. for Professional Services; 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:	2014-15 thru 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	12,000	12,000
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	-12,000	-12,000
BALANCE		0	0	0	0
FUND(s): GENERAL FUND					
<p>COMMENTS: Funding for this Resolution will be included in the FY 2014-15 Budget. Expenditures will be made in the Health Department based on need for professional services within the approved budget appropriations for each year of the contract. The estimated annual amount to be spent in FY 2014-15 is \$6,000 and the estimated annual amount to be spent in FY 2015-16 is \$6,000.</p> <p>STRATEGIC PLAN GOAL: Providing Professional Services for the Health Department relates to the City's goal of Partnering for Community Benefit.</p>					
SUMMARY OF ITEM					
<p>Approval of the appointment of the Health Authority for the City of Plano, a Professional Services Agreement with Allan R. deVilleneuve, M.D. in the amount of \$12,000. The term of the contract shall be a period of two years beginning on October 9, 2014 and ending on October 9, 2016.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Resolution, Professional Services Agreement					

A Resolution of the City Council of the City of Plano, Texas, approving the appointment of the Health Authority for the City of Plano in accordance with Section 121.033 of the Texas Health and Safety Code; approving the Agreement between the City of Plano and Allan R. deVilleneuve, M.D. for Professional Services; and providing an effective date.

WHEREAS, state law requires a director of a local health department who is not a physician to appoint a physician as the Health Authority in the local health department's jurisdiction, subject to the approval of the City Council; and

WHEREAS, the director of the City of Plano Health Department has appointed Allan R. deVilleneuve, M.D. to serve as the Health Authority for the City of Plano; and

WHEREAS, Dr. Allan R. deVilleneuve meets the requirements of Section 121.022, Health and Safety Code, to serve as the Health Authority for the City; and

WHEREAS, the City Council is of the opinion that it is appropriate and in the best interest of the public to approve Dr. Allan R. deVilleneuve's appointment as the City of Plano Health Authority, 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 of the City of Plano hereby approves the appointment of Dr. Allan R. deVilleneuve as the Health Authority for the City of Plano pursuant to Section 121.033 of the Health and Safety Code.

Section II. This appointment shall be for a term of two years pursuant to Section 121.023 of the Health and Safety Code.

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

DULY PASSED AND APPROVED this the 25th of August, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

**AGREEMENT BETWEEN THE CITY OF PLANO
AND ALLAN R. deVILLENEUVE, M.D. FOR PROFESSIONAL SERVICES
2014-241-C**

THIS CONTRACT is made and entered by and between **ALLAN R. deVILLENEUVE, M.D.**, whose address is 4112 West 15th Street, Suite 100, Plano, Texas 75093, hereinafter referred to as "Professional" and the **CITY OF PLANO, TEXAS** a Home Rule Municipal Corporation, hereinafter referred to as "CITY", to be effective from and after the date as provided herein.

WITNESETH:

WHEREAS, pursuant to section 121.033 of the Texas Health and Safety Code the City may appoint a physician as the Health Authority for the City; and

WHEREAS, City has appointed the Professional as its Health Authority and desires to engage the services of the Professional on the terms and conditions provided in this Agreement; and

WHEREAS, the Professional meets the requirements of Section 121.022 of the Texas Health and Safety Code and is willing to render professional services for the City as provided herein;

THEREFORE, City hereby engages the services of Professional, and in consideration of the mutual promises herein contained, the parties agree as follows:

**I.
SCOPE OF WORK**

Professional shall provide during the term of this Agreement services as set forth in the Texas Health and Safety Code, Chapter 121, "Local Public Health Reorganization Act", to the City as may be required and/or as requested by City. Such services shall include, but are not limited to: establishing, maintaining and enforcing quarantine orders; and advise and assist with infectious disease control, suppression and prevention services, and general sanitation.

**II.
TERM**

The term of this Contract shall be a period of two years beginning on October 9, 2014 and ending on October 9, 2016. This Agreement may be terminated by City as provided herein.

**III.
COMPENSATION**

3.01 Compensation. In consideration for the services to be rendered under this Agreement, including all expenses, the Professional shall be paid a fee not to exceed **FIVE AND 00/100 DOLLARS (\$500.00) PER MONTH, FOR A TOTAL AMOUNT NOT TO EXCEED SIX THOUSAND AND 00/100 DOLLARS (\$6,000.00) PER YEAR.** Professional may invoice City on a monthly basis. Such invoices shall be itemized to

show services performed, expenses and corresponding charges. Professional shall keep accurate records of its services and expenses incurred in the performance of this Agreement and shall make the same available to City for inspection and copying upon five (5) days notice thereof. These records shall be kept by professional for three (3) years following the expiration of this Agreement.

3.02 Fiscal Funding. Professional recognizes that this agreement shall commence upon the effective date herein and continue in full force and effect until termination in accordance with its provisions. Professional and City herein recognize that the continuation of any agreement after the close of any given fiscal year of the City of Plano, which fiscal year ends on September 30th of each year, shall be subject to Plano City Council approval. In the event that the Plano City Council does not approve the appropriation of funds for this agreement, the Agreement shall terminate at the end of the fiscal year for which funds were appropriated and the parties shall have no further obligations hereunder.

3.03 Maximum Compensation upon Termination. In the event of termination by City with or without cause and subject to the terms listed in paragraph 3.02 herein, the Professional shall be compensated only for actual expenses and fees incurred by Professional in providing those services acceptable to City which are within the scope of work under this Agreement to date of notice of termination. Expenses do not include overhead such as utilities, rent, insurance and shall not exceed the total amount due under this Agreement.

IV. OWNERSHIP OF DOCUMENTS

All information and other data given to, prepared or assembled by Professional under this Agreement, and other related items, shall become the sole property of City and shall be delivered to City without restriction on future use subject to any applicable laws regarding the privacy of health-related information, including but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Upon termination of this Agreement, Professional shall transfer, assign and make available to City, or its representatives, all property and materials in its possession or control belonging to the City and paid for by the City. In the event that the material, which is the subject of this Agreement, is copyrightable subject matter, Professional and City agree that for the purposes of this order the material shall be a work made for hire and the property of the City. In the event that the material which is the subject of this Agreement is not copyrightable subject matter, or for any reason is determined not to be a work made for hire, then and in such event Professional hereby assigns all right, title and interest to said material to City. Any use by Professional of the information developed hereunder, whether for publication or for work with other clients, must receive prior written permission from City.

V. SUCCESSORS AND ASSIGNS/AGENTS OR ASSISTANTS

Professional agrees that neither this Agreement nor the work to be performed hereunder will be assigned, sublet, subcontract or transfer any interest in this Agreement without the prior written consent of the City. Professional further agrees that the assignment or subletting of any portion or feature of the work or materials required in the

performance of this Agreement shall not relieve the Professional from its full obligations to the City as provided by this Agreement. This agreement shall be binding on the administrators, legal representatives, successors, and assigns of the respective parties.

Subject to the forgoing, to the extent reasonably necessary for the Professional to perform its duties hereunder, Professional may engage, or retain the services of such other persons or corporations to aid or assist it in the proper performance of its duties. Professional shall be compensated only for actual expenses and fees for supplies and materials incurred by Professional in providing services to the City which are within the scope of work under this Agreement. The cost of the services of such agents or assistants shall be borne by Professional at its sole cost and expense.

VI. FACILITIES

Professional shall be responsible for providing all necessary facilities, personnel, equipment, materials or other items necessary to perform the services required of it hereunder; provided, however, that City shall cooperate with Professional by providing space it has available for meetings, conferences, and presentations.

VII. INSURANCE AND CERTIFICATES OF INSURANCE

Professional shall not start work under this Agreement until Professional has obtained at Professional's expense all of the insurance required hereunder and such insurance has been approved by the City. Any subcontractor of the Professional shall be required to carry the same insurance as the Professional.

Professional Errors and Omissions insurance, which will pay for injuries arising out of errors or omissions in the rendering, or failure to render, professional services under this contract, for the term of the contract and up to two (2) years after the contract is terminated with limits of \$500,000 per occurrence/aggregate.

City will be provided with a ten (10) day notice of material change or cancellation of any of the insurance policies applicable to this contract. The City prefers that all insurance companies be rated B+ or better by AM Best or Standard & Poor's Rating Services. The above referenced Certificates of Insurance shall be attached hereto as **Exhibit "A"** and incorporated herein.

VIII. INDEMNIFICATION

PROFESSIONAL AGREES TO DEFEND, INDEMNIFY AND HOLD THE CITY AND ITS RESPECTIVE OFFICERS, AGENTS AND EMPLOYEES, HARMLESS AGAINST ANY AND ALL CLAIMS, LAWSUITS, JUDGMENTS, FINES, PENALTIES, COSTS AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH), PROPERTY DAMAGE OR OTHER HARM OR VIOLATIONS FOR WHICH RECOVERY OF DAMAGES, FINES, OR PENALTIES IS SOUGHT, SUFFERED BY ANY PERSON OR PERSONS, THAT MAY ARISE OUT OF OR BE OCCASIONED BY PROFESSIONAL'S BREACH OF ANY OF THE TERMS OR PROVISIONS OF THIS CONTRACT, VIOLATIONS OF LAW, OR BY ANY NEGLIGENT, GROSSLY

NEGLIGENT, INTENTIONAL, OR STRICTLY LIABLE ACT OR OMISSION OF THE PROFESSIONAL, ITS OFFICERS, AGENTS, EMPLOYEES, INVITEES, SUBCONTRACTORS, OR SUB-SUBCONTRACTORS AND THEIR RESPECTIVE OFFICERS, AGENTS, OR REPRESENTATIVES, OR ANY OTHER PERSONS OR ENTITIES FOR WHICH THE PROFESSIONAL IS LEGALLY RESPONSIBLE IN THE PERFORMANCE OF THIS CONTRACT. THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE SOLE NEGLIGENCE OF THE CITY, AND ITS OFFICERS, AGENTS, EMPLOYEES OR SEPARATE CONTRACTORS. THE CITY DOES NOT WAIVE ANY GOVERNMENTAL IMMUNITY OR OTHER DEFENSES AVAILABLE TO IT UNDER TEXAS OR FEDERAL LAW. THE PROVISIONS OF THIS PARAGRAPH ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND ARE NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY.

PROFESSIONAL AT ITS OWN EXPENSE IS EXPRESSLY REQUIRED TO DEFEND CITY AGAINST ALL SUCH CLAIMS. CITY RESERVES THE RIGHT TO PROVIDE A PORTION OR ALL OF ITS OWN DEFENSE; HOWEVER, CITY IS UNDER NO OBLIGATION TO DO SO. ANY SUCH ACTION BY CITY IS NOT TO BE CONSTRUED AS A WAIVER OF PROFESSIONAL'S OBLIGATION TO DEFEND CITY OR AS A WAIVER OF PROFESSIONAL'S OBLIGATION TO INDEMNIFY CITY PURSUANT TO THIS AGREEMENT. PROFESSIONAL SHALL RETAIN DEFENSE COUNSEL WITHIN SEVEN (7) BUSINESS DAYS OF CITY'S WRITTEN NOTICE THAT CITY IS INVOKING ITS RIGHT TO INDEMNIFICATION UNDER THIS AGREEMENT. IF PROFESSIONAL FAILS TO RETAIN COUNSEL WITHIN THE REQUIRED TIME PERIOD, CITY SHALL HAVE THE RIGHT TO RETAIN DEFENSE COUNSEL ON ITS OWN BEHALF AND PROFESSIONAL SHALL BE LIABLE FOR ALL COSTS INCURRED BY THE CITY.

IX.
INDEPENDENT CONTRACTOR

Professional covenants and agrees that he or she is an independent contractor and not an officer, agent, servant or employee of City; that it shall have exclusive control of and exclusive right to control the details of the work performed hereunder and all persons performing same, and shall be responsible for the acts and omissions of its officers, agents, employees, contractors, subcontractors and consultants; that the doctrine of respondent superior shall not apply as between City and Professional its officers, agents, employees, contractors, subcontractors and consultants, and nothing herein shall be construed as creating a partnership or joint enterprise between City and Professional.

X.
CONTRACT TERMINATION

The parties agree that City shall have the right to terminate this Agreement with or without cause and without prejudice to any other remedy it may be entitled to at law, in equity, or otherwise under this Contract upon thirty (30) days written notice to Professional with the understanding that all services being provided by Professional shall cease upon the date such notice is received.

City reserves the right to terminate this contract immediately upon breach of any term or provision of this Contract by professional; or if at any time during the term of this contract, Professional shall fail to commence the work in accordance with the provisions of the Contract or fail to diligently provide services in an efficient, timely and careful manner and in strict accordance with the provisions of this Contract, or fail to use an adequate number or quality of personnel or equipment to complete the work or fail to perform any of its obligations under this Contract, then City shall the right, if Professional shall not cure any such default after thirty (30) days written notice thereof, to terminate this contract and complete the work in any manner it deems desirable, including engaging the services of other parties thereof. Any such act by City shall not be deemed a waiver of any other right or remedy of City.

If after exercising any remedy provided herein, the cost to City of the performance of the balance of the work is in excess of that part of the contract sum which has not therefore been paid to Professional hereunder, Professional shall be liable for an shall reimburse City for such excess.

XI.
COMPLIANCE WITH APPLICABLE LAWS

Professional shall at all times observe and comply with all Federal, State, and local laws, ordinances and regulations including all amendments and revisions thereto, which in any manner affect Professional's work, and **SHALL INDEMNIFY AND SAVE HARMLESS CITY AGAINST ANY CLAIMS RELATED TO OR ARISING FROM THE VIOLATION OF ANY SUCH LAWS, ORDINANCES AND REGULATIONS WHETHER BY PROFESSIONAL, ITS EMPLOYEES, OFFICERS, AGENTS, SUBCONTRACTORS, OR REPRESENTATIVES.** If Professional observes that the work is at variance, Professional shall promptly notify City in writing.

XII.
PROHIBITED INTEREST

Professional agrees that it is aware of the prohibited interest requirements of the City Charter and Code of Conduct and will abide by the same. Further, a lawful representative of Professional shall execute the affidavit shown in **Exhibit "B"**. Professional understands and agrees that the existence of a prohibited interest during the term of this Agreement will render the Agreement voidable.

XIII.
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.

XIV.
MISCELLANEOUS

A. Paragraph Headings:

The paragraph headings contained herein are for convenience only and are not intended to define or limit the scope of any provision in this Agreement.

B. Agreement Interpretation:

This is a negotiated Agreement, should any part be in dispute, the parties agree that the terms of the Agreement shall not be construed more favorably for either party.

C. Venue/Governing Law:

The parties agree that the laws of the State of Texas shall govern this Agreement, and that it is performable in Collin County Texas. Exclusive venue shall lie in Collin County, Texas.

D. Severability:

In the event a term, condition, or provision of this Agreement is determined to be void, unenforceable, or unlawful by a court of competent jurisdiction, then that term, condition, or provision, shall be deleted and the remainder of the Agreement shall remain in full force and effect.

SIGNED on the date indicated below.

ALLAN R. deVILLENEUVE, M.D.

Date: _____

BY: _____
Allan R. deVilleneuve, M.D.
PROFESSIONAL

CITY OF PLANO, TEXAS

Date: _____

BY: _____
Bruce D. Glasscock
CITY MANAGER

APPROVED AS TO FORM:

Paige Mims, City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2014, by **ALLAN R. deVILLENEUVE, M.D.** on behalf on said individual.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the ____ day of _____, 2014 by **BRUCE D. GLASSCOCK**, City Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

**CITY OF PLANO
GENERAL CONTRACTUAL INSURANCE REQUIREMENTS**

Vendors/Contractors performing work on City property for the City of Plano shall provide the City a certificate of insurance evidencing the coverage's and coverage provisions identified herein. Vendors/Contractors shall provide the City evidence that all subcontractors performing work on the project have the same types and amounts of insurance as required herein or that the subcontractors are included under the vendors/contractor's policy. The City, at its discretion, may require a certified copy of the policies, including all relevant endorsements.

All insurance companies must be authorized by the Texas Department of Insurance to transact business in the State of Texas, must be acceptable to the City of Plano and be placed with an insurer possessing an A-VII A. M. Best rating or better.

Listed below are the types and amounts of insurance required. The City reserves the right to amend or require additional types and higher limits of coverage or provisions depending on the nature of the work.

1. The following insurance requirements, coverage's and limits apply to most minor construction (Non-CIP), renovation, service provider, installation and maintenance services, work on City property and professional service contracts.
2. Purchases of non-hazardous commodities, equipment, materials and products from distributors and retailers do not require any specific insurance.
3. Purchases or contracts involving any hazardous activity or equipment, tenant, concessionaire and lease agreements, alcohol sales, cyber-liability risks, environmental risks, special motorized equipment or property may require customized insurance requirements in addition to the general requirements listed.

Commercial General Liability Insurance—(Required for all minor construction, renovation, service provider contracts involving installation, maintenance or work on City property)

Commercial general liability insurance shall be written on an ISO occurrence form (or a substitute form providing equivalent coverage) and shall cover liability arising from premises, operations, independent contractors, products-complete operations, personal and advertising injury and liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

The City, the City Council and its members, the City's agents, officers, directors and employees shall be included as an additional insured under the commercial general liability policy, including coverage for City with respect to liability arising out of the completed operations.

\$1,000,000 Limit per Occurrence/Aggregate

\$1,000,000 Limit for Personal/Advertising Injury and Products/Completed Operations

Commercial Automobile Liability—(Required for all contracts involving the use of vendor/contractor owned, non-owned or hired automobiles)

Vendor/contractor shall maintain business automobile liability insurance with a limit of not less than \$500,000 each accident or Combined Single Limit.

Such automobile liability insurance shall cover liability arising out of any auto (including owned, hired, and non-owned automobiles). Vendor/contractor waives all rights against City and its agents, officers, directors and employees for recovery by the commercial automobile liability obtained by vendor/contractor pursuant to this section or under any applicable automobile physical damage coverage.

Workers' Compensation & Employer Liability—(Required for all vendors/contractors with employees who perform work or contract services on City property)

Vendor/contractor shall maintain workers' compensation insurance in the amounts required by appropriate state workers compensation statutes. The employer's liability limit shall not be less than \$500,000.

Vendor/contractor waives all rights against City, the City Council and its members, the City's agents, officers, directors and employees for recovery of damages under vendors/contractor's workers' compensation and employer's liability. Vendor/contractor must cause a waiver of subrogation to be effected under its workers' compensation coverage.

Sole Proprietors and companies with no employees may be exempt from this requirement.

Professional Liability (E&O) Insurance--(Required for all Professional Service contracts including but not limited to: architects, engineers, consultants, counselors, medical professionals, attorneys, accountants, etc.)

Professional Liability Coverage (E&O) may be written on a claims made basis but must include an extended reporting period of at least three years after contract completion.

City, the City Council and its members, the City's agents, officers, directors and employees shall be included as an additional insured under the E&O policy, including coverage for City with respect to liability arising out of all errors and omissions of vendor/contractor.

Minimum Limit of \$200,000 Each Claim and \$600,000 Aggregate

General Requirements Applicable to All Insurance

1. The vendor/contractor shall obtain and maintain the minimum insurance coverage set forth in this section during the entire contract period.
2. The vendor/contractor agrees that the insurance requirements specified herein do not reduce the liability vendor/contractor has assumed in any indemnification/hold harmless section of the contract.
3. Coverage shall be on a primary basis and non-contributory with any other insurance coverage and/or self-insurance carried by City.
4. Vendor/contractor is responsible for providing the City a minimum of 30 days' notice of a material change or voluntary cancellation of insurance coverage required under this contract and notice within 10 days of any notice of termination no matter the cause.

Evidence of Insurance Required

Prior to commencement of work, and thereafter upon renewal or replacement of coverage required by this contract, vendor/contractor shall furnish City a Certificate(s) of Insurance (COI) on a form approved by the Texas Department of Insurance and signed by an authorized representative of each insurer.

The COI shall List each insurer's NAIC Number or FEIN and list the City of Plano, Risk Management Division, 1520 K Avenue, Suite 117, Plano, Texas, 75074 in the Certificate Holder Section.



TEXAS MEDICAL LIABILITY TRUST
P.O. Box 160140, Austin, Texas 78716

"A health care liability claim trust created by the Texas Medical Association"

THIS IS A CLAIMS-MADE POLICY

ITEM **DECLARATIONS PAGE**

POLICY NO. 1-118103

1	NAMED INSURED (including address) Allan R. deVilleneuve, MD 4112 W. 15th St. Bldg. 1 Suite 100 Plano, TX 75093		NAMED INSURED IS A: Individual	
2	POLICY PERIOD beginning and ending at 12:01 a.m. at above stated address	FROM 04/01/2014 TO 04/01/2015		
3	PROFESSIONAL LIABILITY COVERAGE Only the "Named Insured" described in Section V, Definitions-J of the above numbered policy has coverage under this policy, unless otherwise expressly indicated by endorsement. Insurance is afforded only with respect to such coverages as are indicated by specific charges below. All insurance under the policy and any endorsement is subject to Section IV, Limits of Liability.			
	COVERAGE	LIMITS OF LIABILITY		PREMIUM
	A. Professional Liability	each claim \$ 200,000	all claims \$ 600,000	\$4,793.00
	B. Deductible (Refer to Endorsement)	\$ 0		\$0.00
	C. Professional Premises Liability	each premises occurrence \$200,000	premises aggregate \$200,000	\$0.00
	D. Medical Director	Not Applicable		\$0.00
	TOTAL PREMIUM			\$4,793.00
4	TYPE OF COVERAGE	CLAIMS-MADE	RETROACTIVE DATE	10/15/1995
5	Class	2C	Principal Practice	82267 PEDIATRICS
	Territory	III	County	COLLIN
6	FORMS & ENDORSEMENTS PICM0106 (revised to PICMrpt0709), 98, 97, 96, 60, 42, 4, 02, EPLI			
	CREDITS INCLUDED ABOVE CME Course Discounts - \$203.00 Network Program Discount - \$210.00 Experience Discount - \$1,313.00 Network Experience Discount - \$202.00 Network Growth Incentive - \$48.00			
	This Declarations Page is part of and subject to all terms, conditions and exclusions of the above numbered policy and any endorsements issued by the Trust to the Named Insured.			
	Issue Date:	01/31/2014	Countersigned By:	<i>Debbie Shiao</i>
	GC			Authorized Representative of Texas Medical Liability Trust

This Declarations Page, along with the coverage forms and endorsements attached, completes the above numbered policy.

EXHIBIT A
PAGE 4 OF 4

AFFIDAVIT OF NO PROHIBITED INTEREST

I, the undersigned declare that I am authorized to make this statement on behalf of **ALLAN R. deVILLENEUVE, M.D.** and I have made a reasonable inquiry and, to the best of my knowledge, no person or officer of **ALLAN R. deVILLENEUVE, M.D.**, is employed by the City of Plano or is an elected or appointed official of the City of Plano within the restrictions of the Plano City Charter.

I am aware that Section 11.02 of the City Charter states:

“No officer or employee of the city shall have a financial interest, direct or indirect, in any contract with the city, nor shall be financially interested, directly or indirectly, in the sale to the city of any land, or rights or interest in any land, materials, supplies or service. The above provision shall not apply where the interest is represented by ownership of stock in a corporation involved, provided such stock ownership amounts to less than one (1) per cent of the corporation stock. Any violation of this section shall constitute malfeasance in office, and any officer or employee of the city found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, express or implied, of the persons or corporation contracting with the city shall render the contract voidable by the city manager or the city council.”

I further understand and acknowledge that a violation of Section 11.02 of the City Charter at anytime during the term of this contract will render the contract voidable by the City.

ALLAN R. deVILLENEUVE, M.D.

By: _____
Signature

ALLAN R. deVILLENEUVE, M.D.
Print Name

Title

Date

STATE OF TEXAS §
 §
COUNTY OF _____ §

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT B
PAGE 1 OF 1

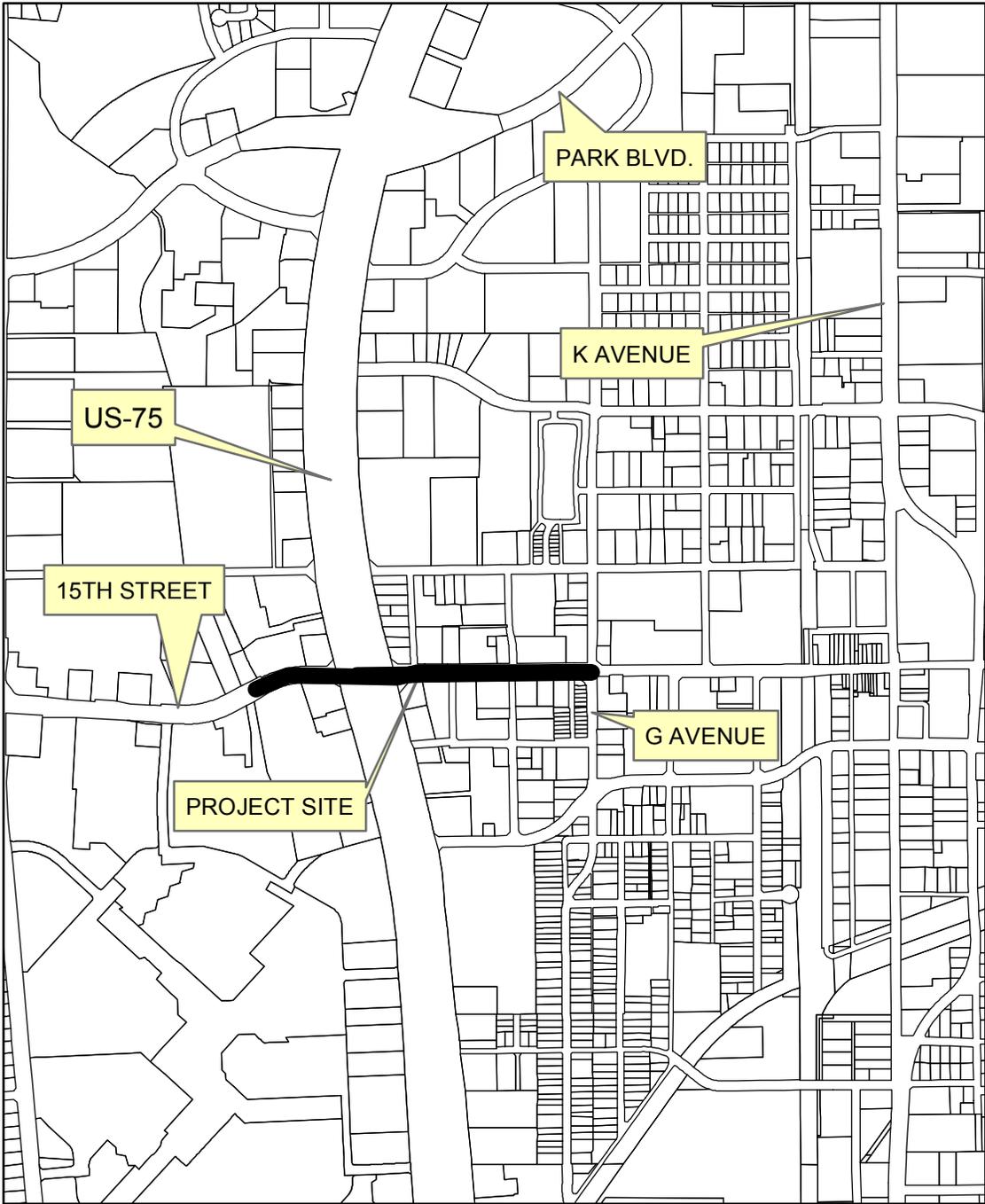


**CITY OF PLANO
COUNCIL AGENDA ITEM**

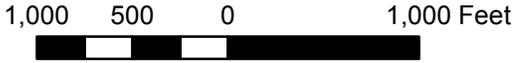
CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		08/25/14			
Department:		Engineering			
Department Head:		Jack Carr, P.E.			
Agenda Coordinator (include phone #): Kathleen Schonne (7198)				Project No. 5623	
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 and Time Warner Cable providing for the relocation of existing overhead cable television facilities in the 15th Street right-of-way to underground locations within the 15th Street right-of-way from G Avenue to U.S. 75; authorizing its execution by the City Manager, or his designee; 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:	2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
	2014-15				
Budget		121,258	761,500	4,631,000	5,513,758
Encumbered/Expended Amount		-121,258	-334,641	-4,865,189	-5,321,088
This Item		0	-32,372	-32,372	-64,744
BALANCE		0	394,487	-266,561	127,926
FUND(S): STREET IMPROVEMENT CIP					
<p>COMMENTS: Funds are budgeted in the 2013-14 CIP and planned in future years for the relocation of utilities in connection with the 15th Street – G Avenue to US 75 project. This item, in the amount of \$64,744, will leave \$127,926 available in future years for expenditures related to the project.</p> <p>STRATEGIC PLAN GOAL: Relocating utility facilities to improve safety and aesthetics relates to the City's goals of Exciting Urban Centers – Destination for Residents and Guests and Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
<p>The City has been working with Time Warner Cable for some time to remove the overhead cable telephone lines along 15th Street and place them underground within the 15th Street right-of-way. Time Warner Cable has estimated the cost to be \$64,743.92 as identified in the attached agreement. This resolution authorizes the City Manager to execute the agreement.</p> <p>https://maps.google.com/maps?q=15th+%26+F+Avenue&hl=en&ll=33.019639,-96.706553&spn=0.01236,0.022724&sll=33.019783,-96.708484&sspn=0.01236,0.022724&t=h&hnear=E+15th+St+%26+F+Ave,+Plano,+Texas+75074&z=16</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Location Map; Resolution; Time Warner Cable Agreement			N/A		

15TH STREET RECONSTRUCTION G AVENUE TO US-75

PROJECT No. 5623



CITY OF PLANO
ENGINEERING DEPARTMENT



1 inch = 1,000 feet



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 and Time Warner Cable providing for the relocation of existing overhead cable television facilities in the 15th Street right-of-way to underground locations within the 15th Street right-of-way from G Avenue to U.S. 75; authorizing its execution by the City Manager, or his designee; and providing an effective date.

WHEREAS, the City Council has been presented a proposed Agreement by and between the City of Plano, Texas, and Time Warner Cable providing terms and conditions for the relocation of overhead cable television facilities to underground locations within the 15th Street right-of-way from G Avenue to U.S. 75, 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 designee, should 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 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 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 the 25th day of August, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



Date: August 7, 2014

To: Lee Stimpson, P.E.
City of Plano
1520 K Avenue,
2nd Floor, Suite 250
Plano, TX 75074

Re: Agreement Letter
15th Street Relocation of CATV Facilities

Dear Mr. Stimpson:

This is in response to your request for Time Warner Cable to perform the following work: relocation of Time Warner Cable facilities located on 15th St., Plano, Texas.

We have estimated that the cost of this work effort will be: \$64,743.92.

You must return this signed agreement before your work will be scheduled.

Upon job completion of the project, an invoice with the final actual costs will be sent to you.

If you agree to these terms, please sign below and return this signed letter agreement as follows:

Time Warner Cable
Attn: David Cheney
Construction Department
1565 Chenault Street
Dallas, TX 75228

If you are signing for a company or other entity, then by signing below (3rd page), you warrant that you are authorized to bind the company or entity to the terms of this letter agreement.

Agreement Letter for relocation of TWC facilities on 15th St., Plano, TX:

Upon receipt of your signed agreement and purchase order, and your approval to schedule construction by Time Warner Cable, your work order will be released to our Construction Department for scheduling.

Time Warner Cable Texas LLC, through its North Texas Division, d/b/a Time Warner Cable shall not be responsible to the extent its performance is delayed or prevented due to causes beyond its control, including but not limited to acts of God or the public enemy, terrorism, civil commotion, embargo, acts of government, any law, order, ordinance, regulation, or requirement of any government, fires, explosions, weather, quarantine, strikes, labor disputes, lockouts, and other causes beyond the reasonable control of Time Warner Cable.

Should you have any questions or concerns regarding these terms, please contact Annette Eitt at 214-320-7415.

Please be advised that the price estimate quoted above is only valid for sixty (60) days from the date of this letter; the actual cost may fluctuate higher or lower. Time Warner Cable warrants that the actual cost billed to the City of Plano will not exceed the quoted estimate.

If we do not receive this signed agreement within this sixty- (60) day period, we will assume that you do not want the work to be undertaken and the project will be cancelled.

Sincerely,



John Moses, Construction Manager
Time Warner Cable

Obligatory Planner / Engineer: 

Kenneth Gaidos, Construction Supervisor
Time Warner Cable

Agreement Letter for relocation of TWC facilities on 15th St., Plano, TX:

City of Plano
Engineering Department
1520 K Avenue
2nd Floor, Suite 250
Plano, TX 75074

I agree to the terms of this agreement:

Accepted (Signature): _____

Print Name & Title: _____

Company: _____

Billing Address: _____

City/State/Zip: _____

Telephone #: _____

Date: _____

PROJECT INFORMATION

Location Name: NTX Dallas
 Activity Name: Forced Relocation
 Project Name: City of Plano - 15th St - AER to UG (9423) Job/ DOCK #: 75557
 Line of Business: 408 - Forced Relocations Project Driver: Replacement - Identified
 Project Type: Forced Relocation BW/Fiber Activity: Other
 PA Type: New Existing Bandwidth: N/A
 Category: Forced Plant Relo

Est	Project #	LO	Qty	Est	Product	PA	Res Cat	Sub Cat
14900	#N/A	5105	####	n/a	601	FRELO	Multiple	

Project Scope
 Estimate of cost for relocating TWC utilities from overhead to underground on 15th St. from North Central Expressway east to Avenue G. This is an estimate only and is subject to change.

MATERIAL AND LABOR INFORMATION

Category	Item #	Description	Unit	Qty.
	3	Install Guy & Guy Guard	Each	13
	13	Install Screw Anchor	Each	13
	27	Install Riser With Guard	Per riser	2
NTX1		Composite Install 1/2" EHS Strand	Per Ft.	1465
	180	Coaxial Splicing Aerial- With Activation	Per Ft	1465
	193	Splicing Single Tap	Each	8
NTX10		Composite Wreckout Aerial	Per Ft	2121
	128	Install Ground Rod- Underground	Each	3
	224	Install Medium Vault- 30X36X18 To 36X72Xany	Each	3
	181	Coaxial Splicing Ug- With Activation	Per Ft	1017
	189	Splice Trunk/Bridge Amp - Ug/Aerial, Inc. Activation	Each	1
	192	Splicing Splitter/Coupler/Power Inserter	Each	1
	193	Splicing Single Tap	Each	3
	66	Pull Cables- New Or Existing Empty Conduit- Fiber	Per Ft	725
	157	Place Fiber Enclosure/Includes Storage Loop	Each	3
	171	Fiber Splice 73-144	Per Fiber	1128
	172	Fiber Splice 145-288	Per Fiber	384
	67	Pull Cables- New Or Existing Empty Conduit- Coax	Per Ft	1017
	80	Dig Up Cable/Conduit, Including Repairing Conduit- Dirt	Each	3
	71	Pull Additional Fiber In Conduit	Per Ft	2175
85	1003697	Washer 2IN X11/16IN Hole	EA	1003697
87	1002231	Nut Thimble Eye 5/8 Threaded	EA	1002231
92	1004039	Strap U Guard 2 Hole 3-3/16IN	EA	1004039
101	1021010	Riser Guard 4 3/8IN x 8FT 7 3/4IN	EA	1021010
128	1000227	Bolt Thimble Eye 5/8x14IN Galv	EA	1000227
138	1041145	Screw Lag 3/8x2 1/2IN Galv Reg point Felter Drive	EA	1041145
144	1004131	Strand 1/4IN EHS Glass A	FT	1004131
151	1000086	Anchor Screw 6FT Triple Eye	EA	1000086
168	1000574	Clamp Ground Rod 5/8	EA	1000574
169	1003710	Wire Ground Copper Solid #6 Bare 315 Per Order Qty	FT	1003710
171	1004081	Rod Ground 5/8IN x 8FT Copper Bonded	EA	1004081
183	1061271	Vault 24x36x24 20K Polycrete	EA	1061271
200	1056216	Interduct Maxcell 3IN 3Cell Fabric	FT	1056216
259	1000866	Conn 625 (P3) Pin	EA	1000866
290	1041455	Heatshrink 2x48IN	EA	1041455
324	1063779	Amp TR Full 1GHz BT 100S QAM Pilot at 609	EA	1063779
409	1003756	Splitter 3 Way Unbalanced Antonix	EA	1003756
412	1006985	Tap 2 Port 4dB Antonix	EA	1006985
414	1006987	Tap 2 Port 11dB Antonix	EA	1006987
415	1006988	Tap 2 Port 14dB Antonix	EA	1006988
417	1006990	Tap 2 Port 20dB Antonix	EA	1006990
421	1006993	Tap 4 Port 11dB Antonix	EA	1006993
423	1006995	Tap 4 Port 17dB Antonix	EA	1006995
663	1052497	Cable Tag Fiber 6IN x 1IN Diameter Orange Time Warner	EA	1052497
671	1055361	Splice Closure Fiber Optc FOSC450-D6	EA	1055361
672	1006907	FOSC ACC-D Tray	EA	1006907
965	1058122	Fiber 96CT Single Armor Loose Tube Gel Free	FT	1058122
966	1058124	Fiber 120CT Single Armor Loose Tube Gel Free	FT	1058124
967	1058126	Fiber 144CT Single Armor Loose Tube Gel Free	FT	1058126
968	1058130	Fiber 192CT Single Armor Loose Tube Gel Free	FT	1058130
971	1000369	Cable 625 P3 UG Jkt 2600' per reel	FT	1000369

PURCHASE INFORMATION

EREQ	Contract	In-House	Materials	Freight	Reimbursement	Total
Design - Aerial	A10	601				
Make Ready - Aerial	A11	601				
Strand & Hardware - Aerial	A12	601	1,275	233		2,529
Splicing & Electronics - Aerial	A13	601	835	130	93	1,058
Fiber Construction - Aerial	A14	601				
Coaxial Construction - Aerial	A15	601	467	113	1,042	1,622
Capitalized Interest - Aerial	A16	601				
Design - UG	U10	601				
Make Ready - UG	U11	601				
Hardware - UG	U12	601	487	229	3,961	4,678
Splicing & Electronics - UG	U13	601	665	164	1,062	1,871
Fiber Construction - UG	U14	601	26,846	4,258	7,506	38,610
Coaxial Construction - UG	U15	601	1,414	12,239	724	14,376
Capitalized Interest - UG	U16	601				
EQUDE						
Fiber Optonics - Headend	H31	601				
INSTL						
Drops - New Connects	601					
Make Ready - Replacements						
		31,988	17,346	15,409		64,744
TOTALS		Total Labor	\$ 49,334.48			
		Total Material	\$ 15,409.44			
		GRAND TOTAL - ESTIMATE ONLY	\$ 64,743.92			

APPROVALS

Requested By: _____ Client Approved By: _____

Name: Todd Brashler Name: _____

Title: Forced Relo Coordinator Title: _____

Phone: _____ Date: _____ Phone: _____ Date: _____

Signature: _____ 7/1/2014 Signature: _____



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:		8/25/14		
Department:		Finance		
Department Head		Denise Tacke		
Agenda Coordinator (include phone #): Toshia Kimball - 7479				
CAPTION				
A Resolution of the City Council of the City of Plano, Texas, nominating DPS Holdings Inc. to the Office of the Governor, Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and an enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"); 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: 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	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: Assisting companies with economic development incentives relates to the City's goal of strong local economy.				
SUMMARY OF ITEM				
Request for Enterprise Project Nomination for job retention benefits.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Resolution				
Letter of Request				

PO Box 259199
Plano, TX 75025-9199
5301 Legacy Drive
Plano, TX 75024-3109
Phone 972.673.7000
Fax 972.673.7511



August 8, 2014

Mr. Bruce Glasscock
City Manager
City of Plano
Post Office Box 860358
Plano, Texas 75086

Mr. Joe H. Morin
Team Leader – Business Development
Office of the Governor
Economic Development & Tourism
Post Office Box 12428
Austin, Texas 78711

Re: Project Description Letter for DPS Holdings Inc.
Enterprise Project Application (Plano, Texas Facility)
Tax Identification Number: 1-06-1074905-2

Dear Mr. Glasscock and Mr. Morin:

DPS Holdings Inc. (“DPS Holdings”) is a subsidiary of Dr. Pepper Snapple Group, Inc. (“DPS”). Headquartered in Plano, Texas, DPS is a leading producer of flavored beverages in North America and the Caribbean. DPS is a publicly traded company on the New York Stock Exchange and markets more than 50 brands of carbonated soft drinks, juices, teas, mixers, waters, and other premium beverages. With 21 manufacturing centers, 115 distribution centers, and nearly 19,000 employees, DPS has total annual revenue of approximately \$6 billion.

With one location in Plano, Texas, DPS Holdings operates as a holding company for DPS. The company is primarily responsible for purchasing assets and providing employment at the qualified business site. DPS Holdings is proposing \$60 million in capital investment and is committing to retain 1,101 jobs throughout the 5 year designation at the qualified business site. Currently, DPS Holdings does not have any transportation needs to be addressed by the Governor’s Office and affirms that the payroll and tax records of the business activity conducted at the qualified business site will be maintained separately from all other DPS facilities.

DPS Holdings anticipates spending over \$58 million to improve the facility and purchase new IT equipment and software over the next five years at the Plano site. Specifically during the designation period, they plan to upgrade the boiler room, fan motors, and HVAC systems. In addition, they will install parking lot cameras and renovate the conference room. Additionally, its capital spend will focus on IT software and hardware for programs such as MyDay, Microstrategy, CMDM, and Fleetwood. These capital investments will significantly increase business intelligence, and allow DPS to continue as a leading producer of flavored beverages in North America.

Mr. Bruce Glasscock
City of Plano
August 8, 2014
Page 2 of 2

Mr. Joe Morin
Office of the Governor
Economic Development & Tourism

Section 2303.406(a)(4)(D) of the Texas Government Code allows a project or activity of a qualified business to be designated as an Enterprise Project and receive job retention benefits “if the business has clearly demonstrated that the business is able to employ individuals in accordance with Section 2303.402.” To meet this requirement, DPS Holdings, located at 5301 Legacy Drive, Plano, Texas in Census Tract 316.57, Block Group 1, of Collin County, will actively use Post-Employment forms to ensure that 25% of new or replacement certified personnel are residents of an enterprise zone or economically disadvantaged as required for certified jobs over the next five years.

DPS Holdings currently employs 1,101 employees at the Plano, Texas facility and commits to retain the existing level of employment. Of those jobs, 876 meet the definition of a “retained job” in Texas Government Code § 2303.401(2) because they currently exist, provide and will continue to provide at least 1,820 hours of employment annually, and will be employment positions for the longer of the duration of the project’s designation period or three years after the expiration date of the claim period for receipt of state benefit. Given the proposed investment, no layoffs or reductions in employment are contemplated at this time.

Employees at DPS and DPS Holdings strive to make their community a better place to live and work through volunteer efforts and financial support for a variety of organizations benefiting a wide array of people. In the past year, DPS contributed over \$7 million to the following organizations: Let’s Play, KaBoom!, Good Sports, Student Conservation Association, Keep America Beautiful, The Nature Conservancy, American Red Cross, United Way, and the ACTIONeer Program. Local contributions included \$40,000 in sports gear to the winners of the Dallas Cup Tournament, and sponsorships for the My Possibilities Santa Run and the 2nd annual Living for Zachary Heart Run. Over the five-year designation period, the company fully expects to continue its current level of participation in supporting various civic activities and organizations.

DPS Holdings’ commitment to its Plano, Texas facility is an exciting and integral part of the local business community. We look forward to continuing our relationship with the Texas Enterprise Zone Program and the City of Plano in the coming years.

Sincerely,



Elaine Nelson
Vice President
DPS Holdings Inc.

A Resolution of the City Council of the City of Plano, Texas, nominating DPS Holdings Inc. to the Office of the Governor, Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and an enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"); and providing an effective date.

WHEREAS, the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, as amended, ("Act") authorizes the designation of enterprise projects within an enterprise zone (or, if the requirements of Section 2303.402 (a) (2) of the Act are met, within an area that does not qualify as an enterprise zone); and

WHEREAS, the City of Plano, Texas ("City") desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, on October 27, 2008 the Plano, TX City Council approved Ordinance 2008-10-22, electing to participate in the Texas Enterprise Zone Program and providing for local incentives available in each area within an enterprise zone and in each area not in an enterprise zone, which local incentives are the same today as they were provided in Ordinance 2008-10-22; and

WHEREAS, the Office of the Governor, Economic Development and Tourism (OOGEDT) through the Economic Development Bank ("Bank") will consider DPS Holdings Inc. as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), DPS Holdings Inc. has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that DPS Holdings Inc. has represented to the City that it meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. DPS Holdings Inc. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction located inside of an enterprise zone and at least twenty-five percent (25%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of DPS Holdings Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area; and

WHEREAS, the City finds that DPS Holdings Inc. meets the criteria for tax relief and other incentives adopted by the City and nominates DPS Holdings Inc. for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate DPS Holdings Inc. as an enterprise project pursuant to the Act.

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

Section I. The City Council finds that DPS Holdings Inc. is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act.

Section II. That the enterprise project shall take effect on the date of the designation of the enterprise project by OOGEDT and terminate five years from the date of designation.

Section III. That the findings of the City and its actions approving this resolution taken at the City Council meeting are hereby approved and adopted.

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

Section V. The City Manager, or his authorized designed, is hereby authorized to execute any documents in connection with the nomination on behalf of the City of Plano referenced above.

DULY PASSED AND APPROVED this the 25th day of August, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, 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:		8/25/14			
Department:		Budget & Research			
Department Head		Karen Rhodes-Whitley			
Agenda Coordinator (include phone #): Anita Bell, 7194					
CAPTION					
A Public Hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 4.04 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code).					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2014-15	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 is the first of two required public hearings on the proposed tax revenue increase. The second public hearing will be held on September 3, 2014 at 5:00 p.m. The City of Plano tax rate is proposed to remain at \$.4886 per \$100 of taxable value.					
SUMMARY OF ITEM					
First public hearing on the proposed tax revenue increase.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
ag 213 first public hearing tax increase					



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:		August 25, 2014		
Department:		Planning		
Department Head		Christina Day		
Agenda Coordinator (include phone #): Doris Carter, ext. 7151				
CAPTION				
<p>Consideration of an Ordinance as requested in Zoning Case 2014-13 to amend an Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-101-Retail/General Office on 53.4± acres of land out of the Jessie Stiff Survey, Abstract No. 793, located at the northeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, to allow Single-Family Residence Attached by right with modified development standards; 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: Nash Group Real Estate. Tabled August 11, 2014.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	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 financial impact.				
STRATEGIC PLAN GOAL: Rezoning relates to the city's goal of Partnering for Community Benefit.				
SUMMARY OF ITEM				
<p>On August 11, 2014, City Council tabled Zoning Case 2014-13 to the August 25, 2014 Council meeting to bring back an ordinance reflecting the supported changes, and the item needs to be removed from the table for consideration. Additional information on this item is located in the August 11, 2014 City Council packet.</p>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Ordinance		Planning & Zoning Commission		

Zoning Case 2014-13

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-101-Retail/General Office on 53.4± acres of land out of the Jessie Stiff Survey, Abstract No. 793, located at the northeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, to allow Single-Family Residence Attached by right with modified development standards; 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 11th day of August, 2014, for the purpose of considering amending Planned Development-101-Retail/General Office on 53.4± acres of land out of the Jessie Stiff Survey, Abstract No. 793, located at the northeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, to allow Single-Family Residence Attached by right with modified development standards; 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 11th day of August, 2014; and

WHEREAS, the City Council is of the opinion and finds that such amendment 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 amend Planned Development-101-Retail/General Office on 53.4± acres of land out of the Jessie Stiff Survey, Abstract No. 793, located on the northeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, to allow Single-Family Residence Attached by right with modified development standards, said property being described in the legal description on Exhibit "A" attached hereto.

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

Restrictions:

General Standards

1. Retail uses shall not exceed 50,000 square feet of gross building area.
2. The maximum size of any single building for retail uses shall not exceed 15,000 square feet of gross building area.
3. Retirement housing, household care institution, and long-term care facility uses are additional allowed uses for the portion of the property south of the natural floodplain and watercourse.
4. Provision of a hike and bike trail easement along the northern property line. Adjacent to the Single-Family-6 property, the hike and bike trail easement shall be the full width of the TP&L easement within this property. Adjacent to the Multifamily-3 property, the hike and bike trail easement shall be 30 feet in width and shall be in the northernmost portion of the TP&L easement within this property.
5. Single-Family Residence Attached is an additional permitted use.

Single-Family Residence Attached Standards

Single-Family Residence Attached development shall be in accordance with the Single-Family Residence Attached zoning district regulations with the following exceptions:

1. Minimum lot area per dwelling unit: 2,125 square feet
2. Minimum side yard of corner lot: 10 feet
3. Minimum usable open space: None

4. Parking requirements: One-fourth visitor parking shall be provided within 900 feet of each unit
5. Rear yard fencing adjacent to the central amenity area is required to be 50 percent or greater open construction (use of ornamental iron fencing) to maintain an open appearance for those portions of the lots abutting the common open space.
6. A maximum of two lots shall be allowed to have a minimum lot depth of 80 feet.
7. An 8-foot high masonry screening wall shall be provided along the eastern lot lines of Harvard Addition, Block A, Lots 1-4.
8. A 10-foot wide HOA lot shall be provided along the eastern lot lines of Harvard Addition, Block A, Lots 1 and 2. The HOA lot shall be planted to create an irrigated, evergreen living screen of at least 12 feet in height within two years of planting, for additional sound attenuation. An 8-foot high masonry screening wall shall be located on the eastern edge of this HOA lot.
9. Eyebrow-design at street corners shall not be required.

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 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 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 25TH DAY OF AUGUST, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2014-13

BEING a tract of land situated in the Jessie Stiff Survey, Abstract No. 793, City of Plano, Collin County, Texas, and being all of that same tract of land as described in deed to Preston/Coit Partnership recorded in Volume 3433, Page 644, of the Deed Records of Collin County, Texas (DRCCT), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod set at the intersection of the east line of Preston Road (State Highway 289), (variable width right-of-way) with the north line of Spring Creek Parkway (variable width right-of-way);

THENCE northerly, along the east line of said Preston Road the following:

North, $14^{\circ} 08' 39''$ West, 307.70 feet to a 1/2-inch iron rod set at the point of a curvature of a circular curve to the right having a radius of 5,669.58 feet;

Northwesterly along said circular curve to the right, through a central angle of $01^{\circ} 47' 22''$, an arc distance of 177.07 feet and having a chord which bears North, $13^{\circ} 14' 56''$ West, 177.06 feet to a 1/2-inch iron rod found at the west side of a wooden right-of-way marker;

North, $77^{\circ} 38' 43''$ East, 25.00 feet to a 1/2-inch iron rod found at the point of curvature of a circular curve to the right having a radius point which bears North, $77^{\circ} 36' 43''$ East, 5,644.58 feet;

Northwesterly, along said circular curve to the right, through a central angle of $09^{\circ} 27' 16''$, an arc distance of 931.43 feet and having a chord which bears North $07^{\circ} 37' 39''$ West, 930.37 feet to a 5/8-inch iron rod found at the southwest corner of a tract of land as described in deed to the Preston-Tennyson Partnership Fund, Ltd. recorded in Clerk's File No. 92-0073743;

THENCE South, $89^{\circ} 25' 24''$ East, departing the east line of said Preston Road, along the southerly line of said Preston-Tennyson tract, at 619.20 feet passing a one-inch iron rod found at the southwest corner of said Preston-Tennyson tract, same being the southwest corner of a tract of land as described in quitclaim deed to Preston/Coit Partnership recorded in Clerk's File No. 93-0025928, continuing along the south line of said Preston/Coit tract, in all a distance of 1,308.23 feet to a 1/2-inch iron rod set at the southeast corner of said Preston/Coit tract and laying in the west line of Ohio Drive (85-foot right-of-way), and lying in a circular curve to the left having a radius point which bears North, $72^{\circ} 56' 47''$ East, 4,442.50 feet;

THENCE southerly, along the west line of said Ohio Drive the following:

Southeasterly, along said circular curve to the left, through a central angle of $11^{\circ} 25' 08''$, an arc distance of 885.38 feet and having a chord which bears South, $22^{\circ} 45' 47''$ East, 883.92 feet to a one-inch iron rod found at the point of tangency;

South, $28^{\circ} 28' 21''$ East, 686.12 feet to a one-inch iron rod found at the point of curvature of a circular curve to the right having a radius of 557.50 feet;

Southeasterly, along said circular curve to the right, through a central angle of $29^{\circ} 17' 09''$, an arc distance of 284.09 feet and having a chord which bears South, $13^{\circ} 49' 46''$ East, 281.87 feet to a one-inch iron rod found at the point of tangency;

THENCE westerly, along the north line of said Spring Creek Parkway the following:

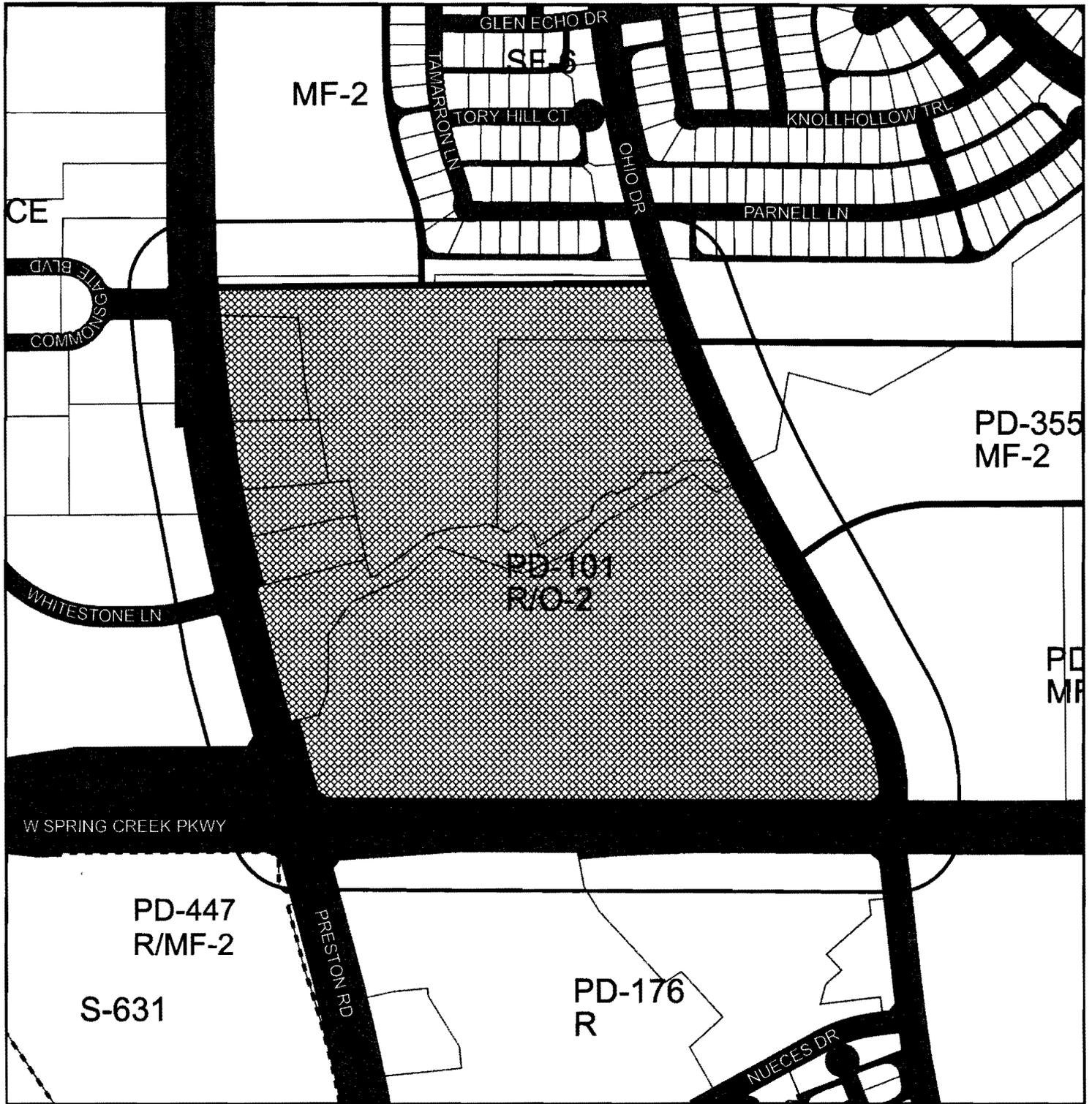
North, $89^{\circ} 12' 30''$ West, 502.09 feet to a one-inch iron rod found at which point said Spring Creek Parkway becomes a variable width right-of-way;

North, $75^{\circ} 02' 01''$ West, 551.76 feet to a 5/8-inch iron rod found;

North, $83^{\circ} 46' 51''$ West, 210.93 feet to a 5/8-inch iron rod found;

North, $79^{\circ} 05' 14''$ West, 284.29 feet to a one-inch iron rod found;

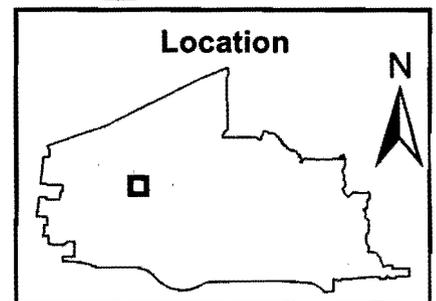
North, $89^{\circ} 11' 30''$ West, 259.06 feet to the POINT OF BEGINNING and CONTAINING 53.381 acres of land.



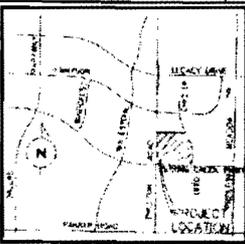
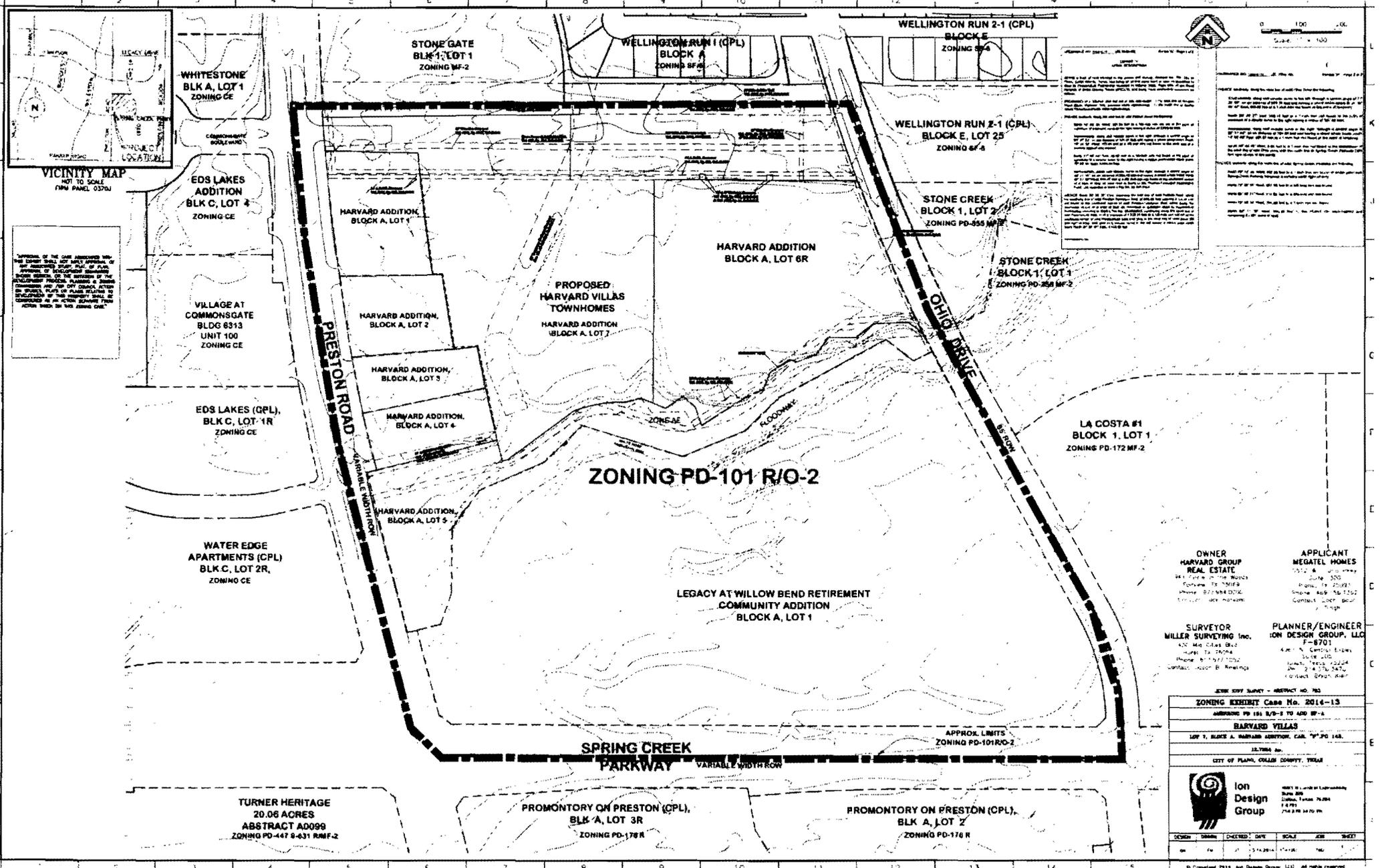
Zoning Case #: 2014-13

Existing Zoning: PLANNED DEVELOPMENT-101-
RETAIL/GENERAL OFFICE/
PRESTON ROAD OVERLAY DISTRICT

- 200' Notification Buffer
- Subject Property
- Zoning Boundary
- - - Specific Use Permit
- Right-of-Way



Source: City of Plano Planning Department



NOTICE: THE CITY ENGINEER HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR RECORDING AND CONSTRUCTION. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

NOTICE TO THE PUBLIC

THIS PLAN IS A PRELIMINARY PLAN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

NOTICE TO THE APPLICANT

THE APPLICANT IS ADVISED THAT THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

OWNER
 HARVARD GROUP
 REAL ESTATE
 1000 West 17th Street
 Fort Worth, TX 76104
 Phone: 817-844-8000
 Contact: Jack H. Herring

APPLICANT
 MEGATEL HOMES
 1000 West 17th Street
 Suite 300
 Fort Worth, TX 76104
 Phone: 817-844-8000
 Contact: Jack H. Herring

SURVEYOR
 MILLER SURVEYING Inc.
 402 West 17th Street
 Suite 300
 Fort Worth, TX 76104
 Phone: 817-844-8000
 Contact: Jack H. Herring

PLANNER/ENGINEER
 ION DESIGN GROUP, LLC
 F-8701
 400 N. Central Expressway
 Suite 400
 Irving, Texas 75038
 Phone: 972-270-5470
 Contact: Jason B. Herring

2016 CITY SURVEY - ABSTRACT NO. 763

ZONING EXEMPT Case No. 2016-13

AMENDING PD 184 B/D-2 TO ADD SF-2

HARVARD VILLAS

LOT 1, BLOCK A, HARVARD ADDITION, CAL. TST PD 148.

JL THING INC.

CITY OF PLANO, COLLIER COUNTY, TEXAS

ION Design Group

1000 West 17th Street
 Suite 300
 Fort Worth, Texas 76104
 Phone: 817-844-8000
 Contact: Jason B. Herring

NO.	DATE	BY	REVISION
1	01/11/2016	JLH	ISSUE FOR PERMIT

DATE: August 5, 2014
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 4, 2014

**AGENDA ITEM NO. 8A - PUBLIC HEARING
ZONING CASE 2014-19
APPLICANT: CITY OF PLANO**

Request to rescind Specific Use Permit #402 for Private Club on 0.1± acre located 90± feet north of Spring Creek Parkway, 80± feet east of K Avenue. Zoned Retail with Specific Use Permit #402 for Private Club.

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:

Approved as submitted.

FOR CITY COUNCIL MEETING OF: August 25, 2014 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

RA/av

xc: Wayne Snell, Permit Services

<http://goo.gl/maps/cSrvQ>

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 4, 2014

Agenda Item No. 8A

Public Hearing: Zoning Case 2014-19

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #402 for Private Club on 0.1± acre located 90± feet north of Spring Creek Parkway, 80± feet east of K Avenue. Zoned Retail with Specific Use Permit #402 for Private Club.

REMARKS:

This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #402 for Private Club. The purpose and intent for an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

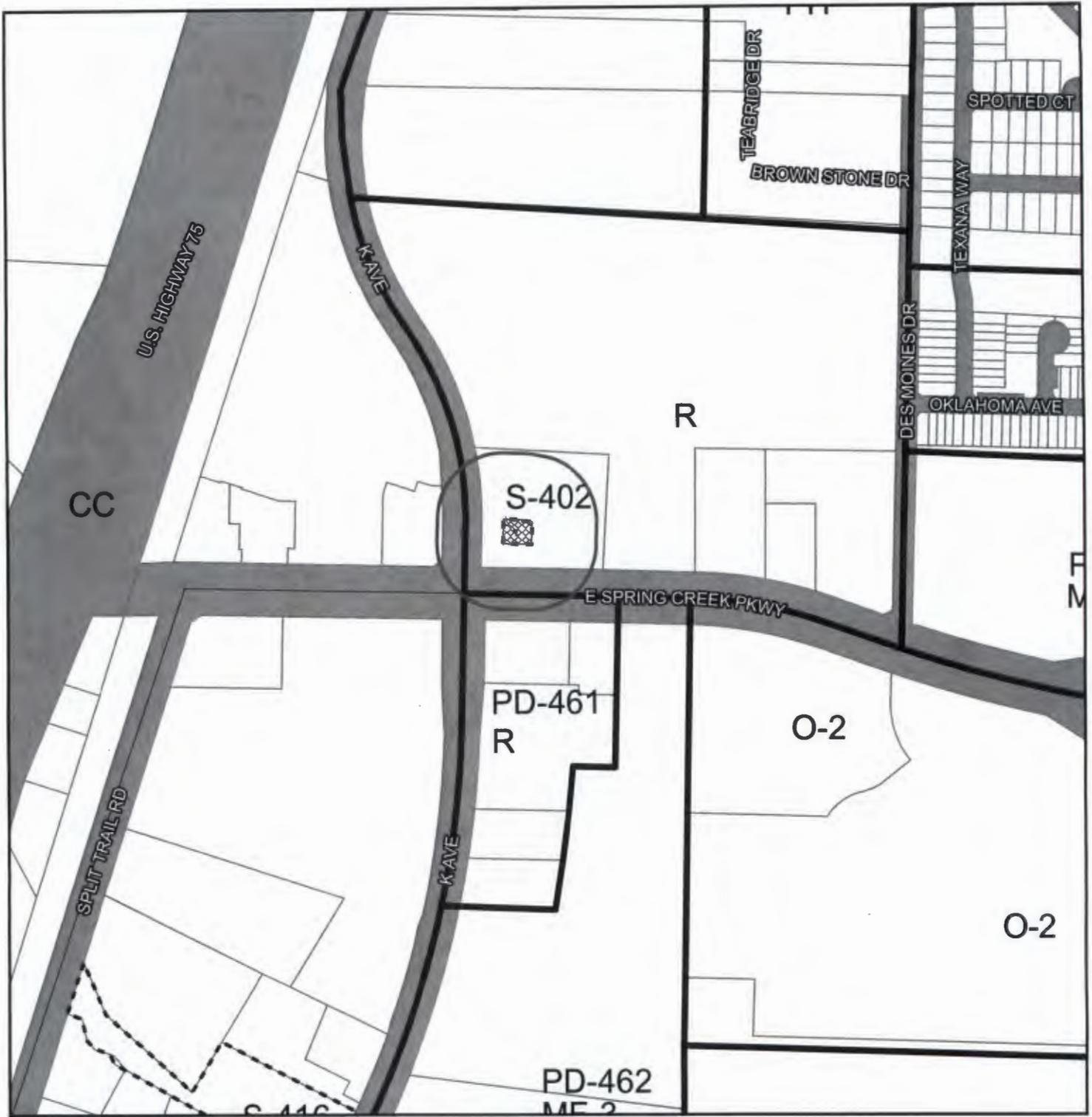
In 2005, voters approved the sale of alcoholic beverages for on-premise consumption through a mixed beverage permit issued by the Texas Alcoholic Beverage Commission (TABC). Prior to this time, the only option was a private club permit from TABC, with an SUP approved by the city. From 2007 to 2008, the City Council rescinded numerous Specific Use Permits for Private Clubs as restaurants switched to mixed-beverage permits. However, there are still numerous SUPs in place for properties where restaurants have ceased operations and since 2008, more restaurants have switched permit types.

Therefore, given recent changes to city ordinances related to private clubs, per City Council's direction, the Planning & Zoning Commission called a public hearing to rescind SUPs for private clubs on properties not presently being used for on-premise alcohol sales and for properties where establishments are now operating with mixed-beverage permits. The existing restaurant, Mooyah, does not sell alcoholic beverages; therefore, it no longer needs the SUP for a Private Club issued by the City of Plano. Staff recommends that the Private Club SUP be rescinded.

Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

RECOMMENDATION:

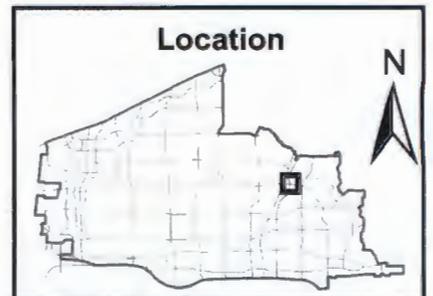
Recommended for approval as submitted.



Zoning Case #: 2014-19

Existing Zoning: RETAIL w/SPECIFIC USE PERMIT #402

- 200' Notification Buffer
- Subject Property
- Zoning Boundary
- - - Specific Use Permit
- Right-of-Way



Source: City of Plano Planning Department



K AVENUE

SPRING CREEK PARKWAY

Area of Request



Source: City of Plano, Planning Dept.
Date: August, 2014

Zoning Case 2014-19

Zoning Case 2014-19

An Ordinance of the City of Plano, Texas, repealing in its entirety Ordinance No. 2000-3-31; thereby rescinding Specific Use Permit No. 402 for the additional use of Private Club on 0.1± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located 90± feet north of Spring Creek Parkway, 80± feet east of K Avenue, in the City of Plano, Collin County, Texas, currently zoned Retail with Specific Use Permit No. 402 for Private Club, and amending the Comprehensive Zoning Ordinance of the city, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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 25th day of August, 2014, for the purpose of considering rescinding Specific Use Permit No. 402 for the additional use of Private Club on 0.1± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located 90± feet north of Spring Creek Parkway, 80± feet east of K Avenue in the City of Plano, Collin County, Texas; 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 25th day of August, 2014; and

WHEREAS, the City Council is of the opinion and finds that the rescinding of Specific Use Permit No. 402 for the additional use of Private Club 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. Ordinance No. 2000-3-31 duly passed and approved by the City Council of the City of Plano, Texas, on March 27, 2000, granting Specific Use Permit No. 402 for the additional use of Private Club on 0.1± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located 90± feet north of Spring Creek Parkway and 80± feet east of K Avenue in the City of Plano, Collin County, Texas, currently zoned Retail with Specific Use Permit No. 402 for Private Club, more fully described on Exhibit "A" attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 402 is hereby rescinded.

Section II. It is hereby directed that the Comprehensive Zoning Ordinance, No. 2006-4-24, as heretofore amended, be revised and amended (which is retained in electronic record format), to reflect the action and 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 25TH DAY OF AUGUST, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2014-19

BEING a tract of land situated in the Daniel Rowlett Survey, Abstract No. 738 Collin County, Texas, and also being part of Lot 1, Block A, Courtland Corners, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet F, Page 22 of the plat Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the southeast corner of said Lot 1, said corner being in the north right-of-way line of Spring Creek Parkway;

THENCE North, 89° 55' 27" West, following the north right-of-way line of Spring Creek Parkway a distance of 144.29 feet to a point;

THENCE South, 89° 44' 51" West, following the north right-of-way line of Spring Creek Parkway a distance of 166.97 feet to a point;

THENCE North, 01° 50' 08" East, a distance of 82.84 feet to the POINT OF BEGINNING;

THENCE North, 01° 50' 08" East, a distance of 74.50 feet to a point;

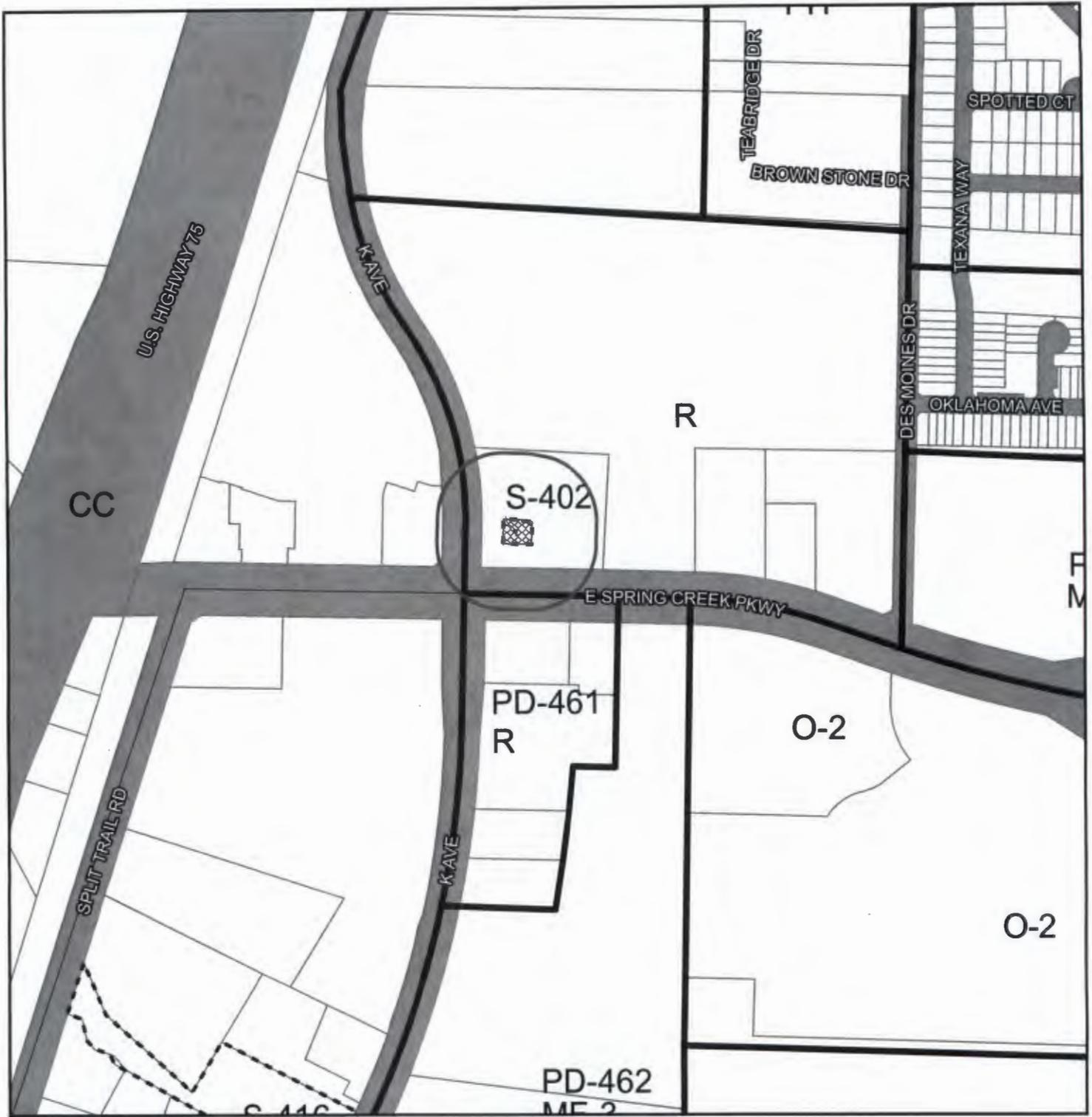
THENCE South, 88° 09' 52" East, a distance of 60.25 feet to a point;

THENCE South, 01° 50' 08" West, a distance of 4.67 feet to a point;

THENCE South, 88° 09' 52" East, a distance of 27.83 feet to a point;

THENCE South, 01° 50' 08" West, a distance of 69.83 feet to a point;

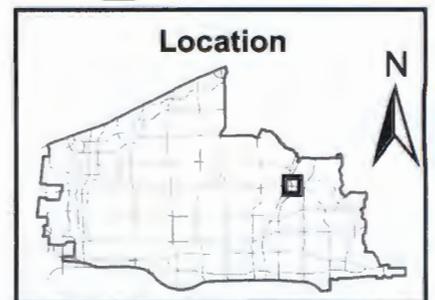
THENCE North, 88° 09' 52" West, a distance of 88.08 feet to the POINT OF BEGINNING and CONTAINING 6,432 square feet or 0.148 acre of land.



Zoning Case #: 2014-19

Existing Zoning: RETAIL w/SPECIFIC USE PERMIT #402

- 200' Notification Buffer
- Subject Property
- Zoning Boundary
- - - Specific Use Permit
- Right-of-Way



Source: City of Plano Planning Department

DATE: August 5, 2014
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 4, 2014

**AGENDA ITEM NO. 8B - PUBLIC HEARING
ZONING CASE 2014-20
APPLICANT: CITY OF PLANO**

Request to rescind Specific Use Permit #396 for Private Club on 0.1± acre located 895± feet south of Spring Creek Parkway, 524± feet west of Preston Road. Zoned Planned Development 447-Retail/Multifamily Residence-2 with Specific Use Permit #396 for Private Club.

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:

Approved as submitted.

FOR CITY COUNCIL MEETING OF: August 25, 2014 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

RA/av

xc: Wayne Snell, Permit Services

<http://goo.gl/maps/1979e>

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 4, 2014

Agenda Item No. 8B

Public Hearing: Zoning Case 2014-20

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #396 for Private Club on 0.1± acre located 895± feet south of Spring Creek Parkway, 524± feet west of Preston Road. Zoned Planned Development 447-Retail/Multifamily Residence-2 with Specific Use Permit #396 for Private Club.

REMARKS:

This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #396 for Private Club. The purpose and intent for an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

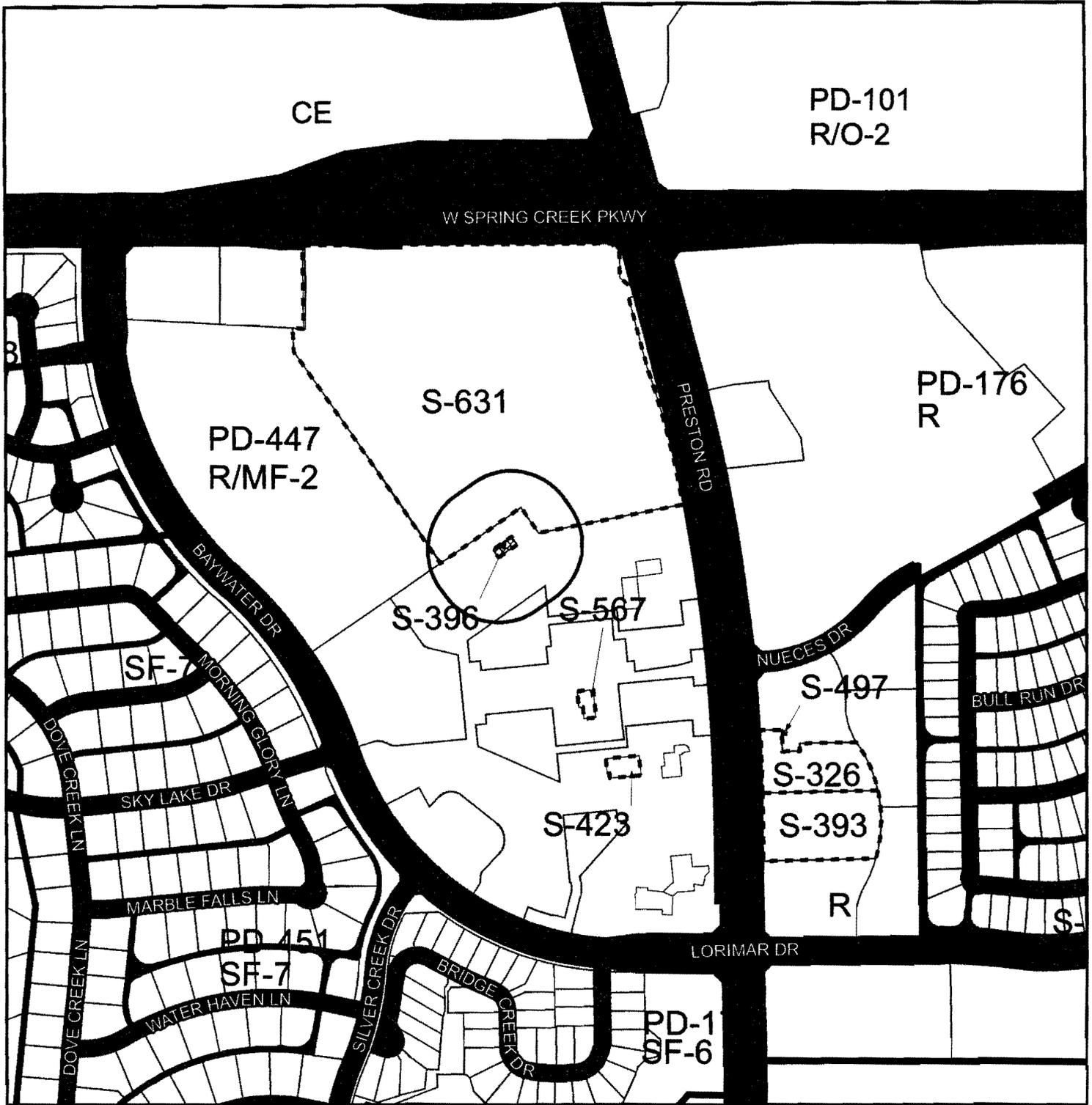
In 2005, voters approved the sale of alcoholic beverages for on-premise consumption through a mixed beverage permit issued by the Texas Alcoholic Beverage Commission (TABC). Prior to this time, the only option was a private club permit from TABC, with an SUP approved by the city. From 2007 to 2008, the City Council rescinded numerous Specific Use Permits for Private Clubs as restaurants switched to mixed-beverage permits. However, there are still numerous SUPs in place for properties where restaurants have ceased operations and since 2008, more restaurants have switched permit types.

Therefore, given recent changes to city ordinances related to private clubs, per City Council's direction, the Planning & Zoning Commission called a public hearing to rescind SUPs for private clubs on properties not presently being used for on-premise alcohol sales and for properties where establishments are now operating with mixed-beverage permits. Texadelphia has obtained a Mixed Beverage Permit from TABC to serve alcoholic beverages; therefore, it no longer needs the SUP for a Private Club issued by the City of Plano. Staff recommends that the Private Club SUP be rescinded.

Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

RECOMMENDATION:

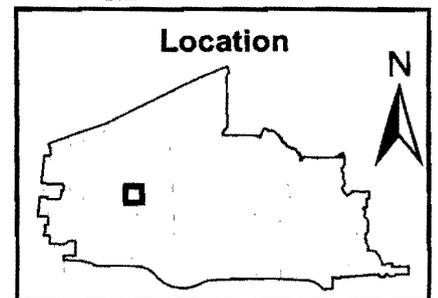
Recommended for approval as submitted.



Zoning Case #: 2014-20

Existing Zoning: PLANNED DEVELOPMENT-447-
RETAIL/MULTIFAMILY RESIDENCE-2
w/SPECIFIC USE PERMIT #396

- 200' Notification Buffer
- ▨ Subject Property
- Zoning Boundary
- - - Specific Use Permit
- Right-of-Way



Source: City of Plano Planning Department



Area of Request

Dee Server 7/11/2014 X:\Dept\P&Z Locators & Graphics\2014-20A.mxd



Source: City of Plano, Planning Dept.
Date: August, 2014

Zoning Case 2014-20

Zoning Case 2014-20

An Ordinance of the City of Plano, Texas, repealing in its entirety Ordinance No. 99-12-29; thereby rescinding Specific Use Permit No. 396 for the additional use of Private Club on 0.1± acre of land out of the Robert Benefield Survey, Abstract No. 99, located 895± feet south of Spring Creek Parkway, 524± feet west of Preston Road in the City of Plano, Collin County, Texas, currently zoned Planned Development-447-Retail/Multifamily Residence-2 with Specific Use Permit No. 396, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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 25th day of August, 2014, for the purpose of considering rescinding Specific Use Permit No. 396 for the additional use of Private Club on 0.1± acre of land out of the Robert Benefield Survey, Abstract No. 99, located 895± feet south of Spring Creek Parkway, 524± feet west of Preston Road in the City of Plano, Collin County, Texas; 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 25th day of August, 2014; and

WHEREAS, the City Council is of the opinion and finds that the rescinding of Specific Use Permit No. 396 for the additional use of Private Club 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. Ordinance No. 99-12-29 duly passed and approved by the City Council of the City of Plano, Texas, on December 28, 1999, granting Specific Use Permit No. 396 for the additional use of Private Club on 0.1± acre of land out of the Robert Benefield Survey, Abstract No. 99, located 895± feet south of Spring Creek Parkway, 524± feet west of Preston Road in the City of Plano, Collin County, Texas, currently zoned Planned Development-447-Retail/Multifamily Residence-2 with Specific Use Permit No. 396, more fully described on Exhibit "A" attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 396 is hereby rescinded.

Section II. It is hereby directed that the Comprehensive Zoning Ordinance, No. 2006-4-24, as heretofore amended, be revised and amended (which is retained in electronic record format), to reflect the action and 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 25TH DAY OF AUGUST, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2014-20

BEING a certain tract, parcel, or lot of land located in the Robert Benefield Survey, Abstract No. 99, in the City of Plano, Collin County, Texas, and being part of a tract of land described in the deed to Margaret E. Harrington, recorded in Volume 249, Page 549, Deed Records, Collin County, Texas, (D.R.C.C.T) and more particularly described as follows:

COMMENCING at a one-inch iron rod set forth for the south end of a corner clip at the intersection of the west line of Preston Road (State Highway 289, a variable width right-of-way) and northeast line of Lorimar Drive (a variable width right-of-way);

THENCE North, $88^{\circ} 33' 21''$ West, 226.98 feet along said northeast line of Lorimar Drive;

THENCE South, $84^{\circ} 56' 21''$ West, 96.85 feet along said northeast line of Lorimar Drive for the beginning of a non-tangent curve to the right having a central angle of $67^{\circ} 54' 29''$ a radius of 854.00 feet, a tangent length of 575.03 feet, and a chord that bears North, $23^{\circ} 11' 58''$ West, 320.07 feet;

THENCE an arc length of 1,012.18 feet along said northeast line (street name changing to Baywater Drive), and along said curve for the beginning of a tangent reverse curve to the left having a central angle of $14^{\circ} 45' 32''$ a radius of 1,248.00 feet, a tangent length of 161.37 feet, and a chord that bears North, $23^{\circ} 11' 56''$ West, 320.07 feet;

THENCE an arc of 320.98 feet along said northeast line of Baywater Drive and along said curve to a point;

THENCE North, $57^{\circ} 09' 00''$ East, 771.05 feet to a 3/4-inch iron rod found;

THENCE South, $32^{\circ} 51' 00''$ East, 95.45 feet to an iron rod found;

THENCE South, $64^{\circ} 48' 50''$ West, 73.67 feet to a building corner and a POINT OF BEGINNING;

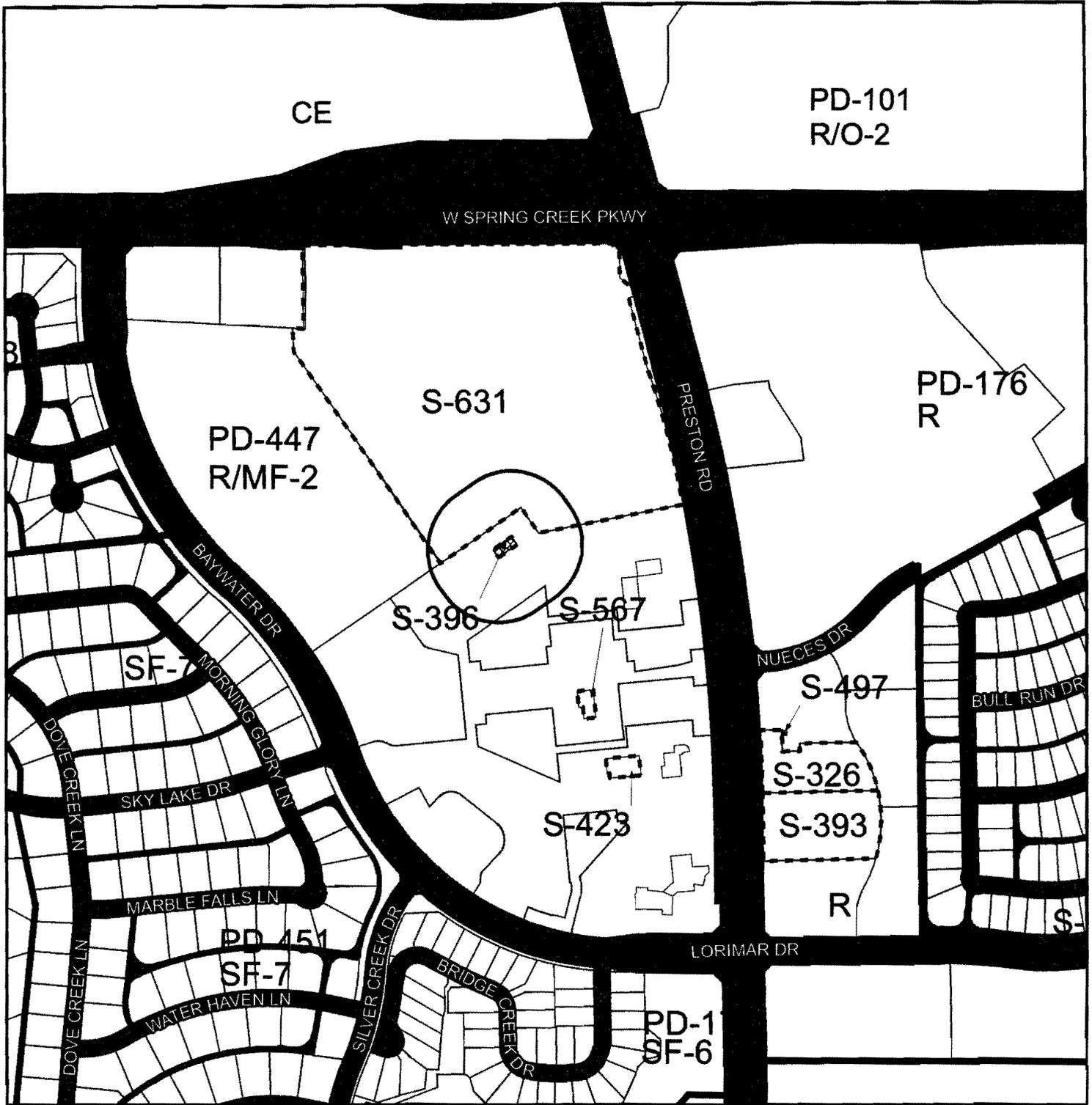
THENCE South, $57^{\circ} 07' 15''$ West, 69.20 feet to a building corner;

THENCE North, $32^{\circ} 52' 45''$ West, 26.0 feet to a building corner;

THENCE North, $12^{\circ} 07' 15''$ East, 6.22 feet to a building corner;

THENCE North, $57^{\circ} 07' 15''$ East, 84.80 feet to a building corner;

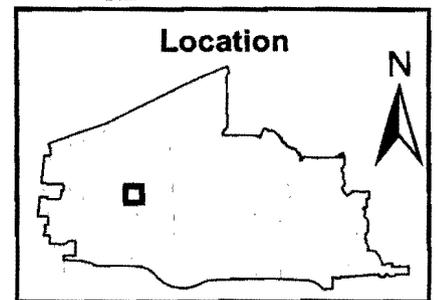
THENCE South, 32° 62' 45" East, 30.40 feet to the POINT OF BEGINNING
CONTAINING 2,094 square feet as part of Lot 1, Phase 1 of Lakeside Market Addition
part of Building C-4 Suite 574.



Zoning Case #: 2014-20

Existing Zoning: PLANNED DEVELOPMENT-447-
RETAIL/MULTIFAMILY RESIDENCE-2
w/SPECIFIC USE PERMIT #396

- 200' Notification Buffer
- Subject Property
- Zoning Boundary
- - - Specific Use Permit
- Right-of-Way



Source: City of Plano Planning Department

DATE: August 5, 2014
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 4, 2014

**AGENDA ITEM NO. 8D - PUBLIC HEARING
ZONING CASE 2014-22
APPLICANT: CITY OF PLANO**

Request to rescind Specific Use Permit #84 for Private Club on 0.6± acre located on the west side of U.S. Highway 75, 700± feet north of 16th Street. Zoned Corridor Commercial with Specific Use Permit #84 for Private Club.

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:

Approved as submitted.

FOR CITY COUNCIL MEETING OF: August 25, 2014 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

EM/av

xc: Wayne Snell, Permit Services

<http://goo.gl/maps/AJcF0>

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 4, 2014

Agenda Item No. 8D

Public Hearing: Zoning Case 2014-22

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #84 for Private Club on 0.6± acre located on the west side of U.S. Highway 75, 700± feet north of 16th Street. Zoned Corridor Commercial with Specific Use Permit #84 for Private Club.

REMARKS:

This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #84 for Private Club. The purpose and intent for an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

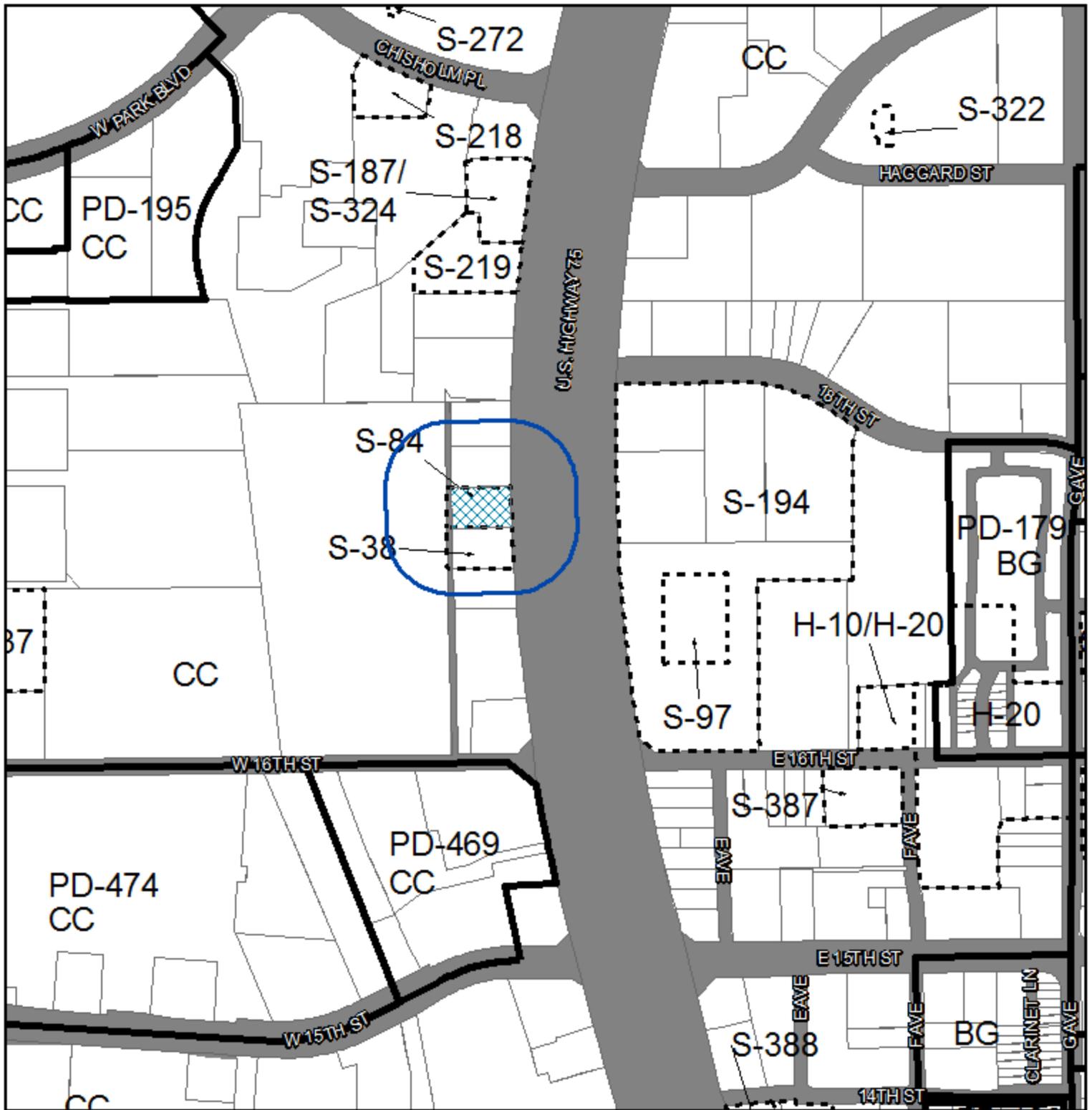
In 2005, voters approved the sale of alcoholic beverages for on-premise consumption through a mixed beverage permit issued by the Texas Alcoholic Beverage Commission (TABC). Prior to this time, the only option was a private club permit from TABC, with an SUP approved by the city. From 2007 to 2008, the City Council rescinded numerous Specific Use Permits for Private Clubs as restaurants switched to mixed-beverage permits. However, there are still numerous SUPs in place for properties where restaurants have ceased operations and since 2008, more restaurants have switched permit types.

Therefore, given recent changes to city ordinances related to private clubs, per City Council's direction, the Planning & Zoning Commission called a public hearing to rescind SUPs for private clubs on properties not presently being used for on-premise alcohol sales and for properties where establishments are now operating with mixed-beverage permits. Rice Bowl is no longer in operation; therefore, it no longer needs the SUP for a Private Club issued by the City of Plano. Staff recommends that the Private Club SUP be rescinded.

Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

RECOMMENDATION:

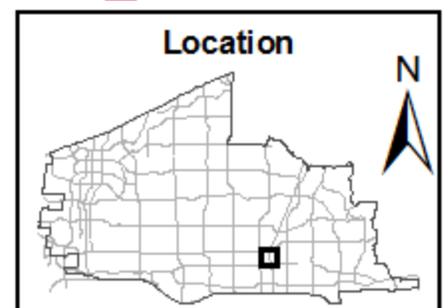
Recommended for approval as submitted.



Zoning Case #: 2014-22

Existing Zoning: CORRIDOR COMMERCIAL
w/SPECIFIC USE PERMIT #84

-  200' Notification Buffer
-  Zoning Boundary
-  Specific Use Permit
-  Subject Property
-  Right-of-Way



Source: City of Plano Planning Department



Area of Request

US 75 HIGHWAY

CENTRAL EXPRESSWAY



Source: City of Plano, Planning Dept.
Date: August, 2014

Zoning Case 2014-22

Zoning Case 2014-22

An Ordinance of the City of Plano, Texas, repealing in its entirety Ordinance No. 82-5-24; thereby rescinding Specific Use Permit No. 84 for the additional use of Private Club on 0.6± acre of land out of the Joseph Klepper Survey, Abstract No. 213, located on the west side of U.S. Highway 75, 700± feet north of 16th Street, in the City of Plano, Collin County, Texas, currently zoned Corridor Commercial with Specific Use Permit No. 84 for Private Club, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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 25th day of August, 2014, for the purpose of considering rescinding Specific Use Permit No. 84 for the additional use of Private Club on 0.6± acre of land out of the Joseph Klepper Survey, Abstract No. 213, located on the west side of U.S. Highway 75, 700± feet north of 16th Street in the City of Plano, Collin County, Texas; 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 25th day of August, 2014; and

WHEREAS, the City Council is of the opinion and finds that the rescinding of Specific Use Permit No. 84 for the additional use of Private Club 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. Ordinance No. 82-5-24 duly passed and approved by the City Council of the City of Plano, Texas, on May 24, 1982, granting Specific Use Permit No. 84 for the additional use of Private Club on 0.6± acre of land out of the Joseph Klepper Survey, Abstract No. 213, located on the west side of U.S. Highway 75, 700± feet north of 16th Street in the City of Plano, Collin County, Texas, currently zoned Corridor Commercial with Specific Use Permit No. 84 for Private Club, more fully described on Exhibit "A" attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 84 is hereby rescinded.

Section II. It is hereby directed that the Comprehensive Zoning Ordinance, No. 2006-4-24, as heretofore amended, be revised and amended (which is retained in electronic record format), to reflect the action and 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 25TH DAY OF AUGUST, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2014-22

BEING a certain tract or parcel of land lying and being situated in Collin County, Texas, out of the Joseph Klepper Survey, Abstract No. 213, and being a part of two tracts. A tract of 6,000 acres conveyed by I.H. Cox et ux to Joy Cox by Deed dated September 20, 1955, and recorded in Volume 504, Page 381 of the Collin County Deed Records and a tract of 3.54 acres conveyed by J.A. Turner et ux to J.J. James et ux by Deed dated January 25, 1928, and recorded in Volume 269, Page 515 of the Collin County Deed Records and being described more particularly as follows.

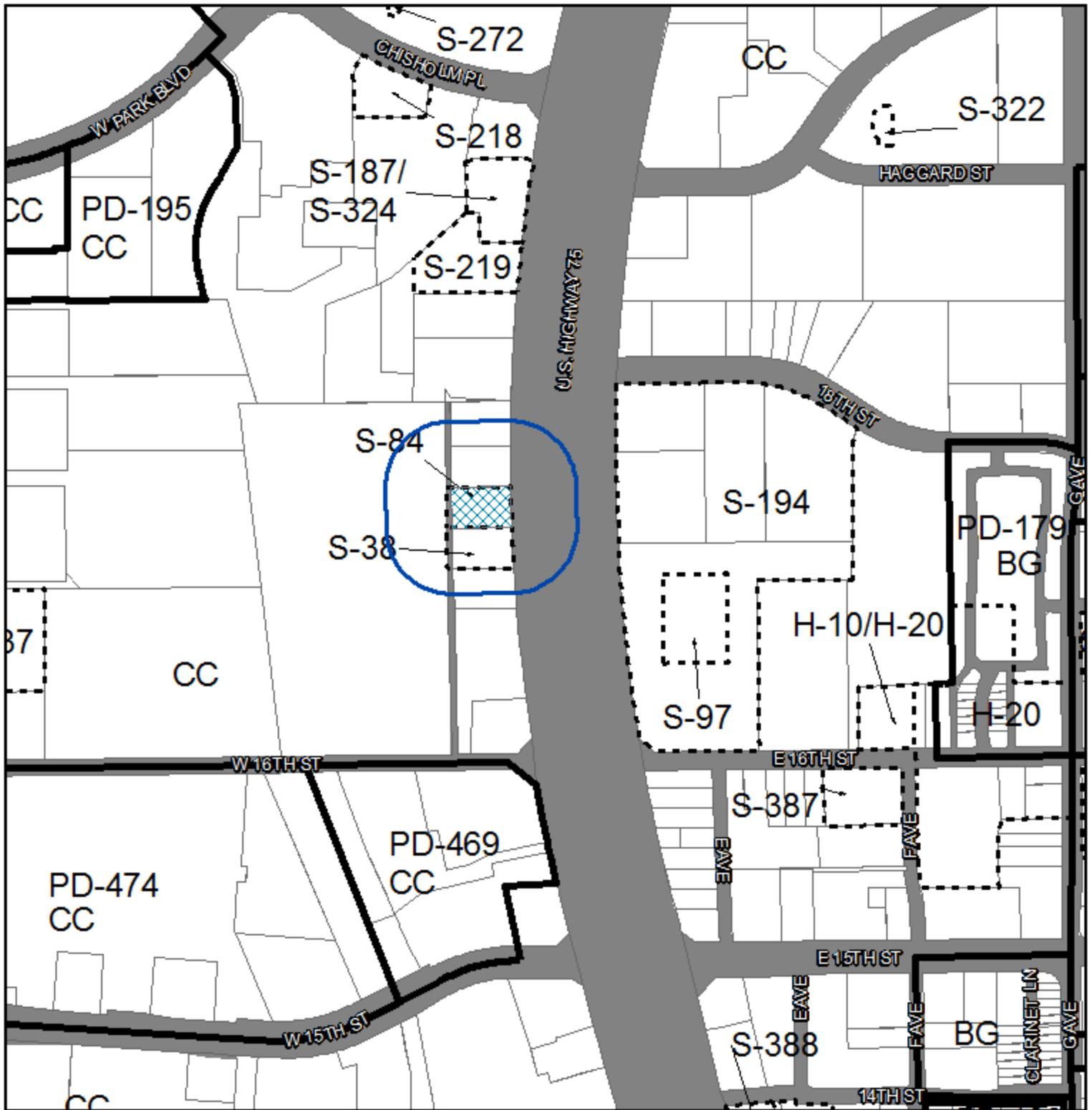
BEGINNING at an iron stake for corner in the West line of said 3.54 acre tract, said corner being also in the east line of Spring Creek Park, said corner bears South, 250.00 feet from the northwest corner of the said 3.54 acre tract;

THENCE 125.00 feet along the common line of said 3.54 acre tract and Spring Creek Park;

THENCE North, $89^{\circ} 50'$ East, 195.34 feet to an iron stake for corner in the curving west right-of-way line of U.S. Highway 75;

THENCE in a northerly direction along said curve, to the right said curve having a central angle of $01^{\circ} 12' 58''$ and radius of 5,890.00feet, a distance of 125.01 feet to an iron stake for corner in said west right-of-way line;

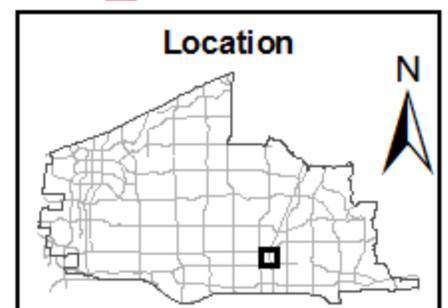
THENCE South, $89^{\circ} 50'$ West, 195.40 feet to the PLACE OF BEGINNING and CONTAINING 0.560 acre of land; and also being known as Lot 1, Block A of J-Bran Addition, an addition to the City of Plano, Texas, according to the map thereof recorded in Volume 12, Page 127 of the Map Records of Collin County, Texas.



Zoning Case #: 2014-22

Existing Zoning: CORRIDOR COMMERCIAL
w/SPECIFIC USE PERMIT #84

-  200' Notification Buffer
-  Zoning Boundary
-  Specific Use Permit
-  Subject Property
-  Right-of-Way



Source: City of Plano Planning Department

DATE: August 5, 2014
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 4, 2014

**AGENDA ITEM NO. 8E - PUBLIC HEARING
ZONING CASE 2014-23
APPLICANT: CITY OF PLANO**

Request to rescind Specific Use Permit #251 for Private Club on 2.7± acres located on the west side of U.S. Highway 75, 1,500± feet south of Heritage Drive. Zoned Corridor Commercial with Specific Use Permit #251 for Private Club.

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:

Approved as submitted.

FOR CITY COUNCIL MEETING OF: August 25, 2014 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

ST/av

xc: Wayne Snell, Permit Services

<http://goo.gl/maps/t34vG>

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 4, 2014

Agenda Item No. 8E

Public Hearing: Zoning Case 2014-23

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #251 for Private Club on 2.7± acres located on the west side of U.S. Highway 75, 1,500± feet south of Heritage Drive. Zoned Corridor Commercial with Specific Use Permit #251 for Private Club.

REMARKS:

This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #251 for Private Club. The purpose and intent for an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

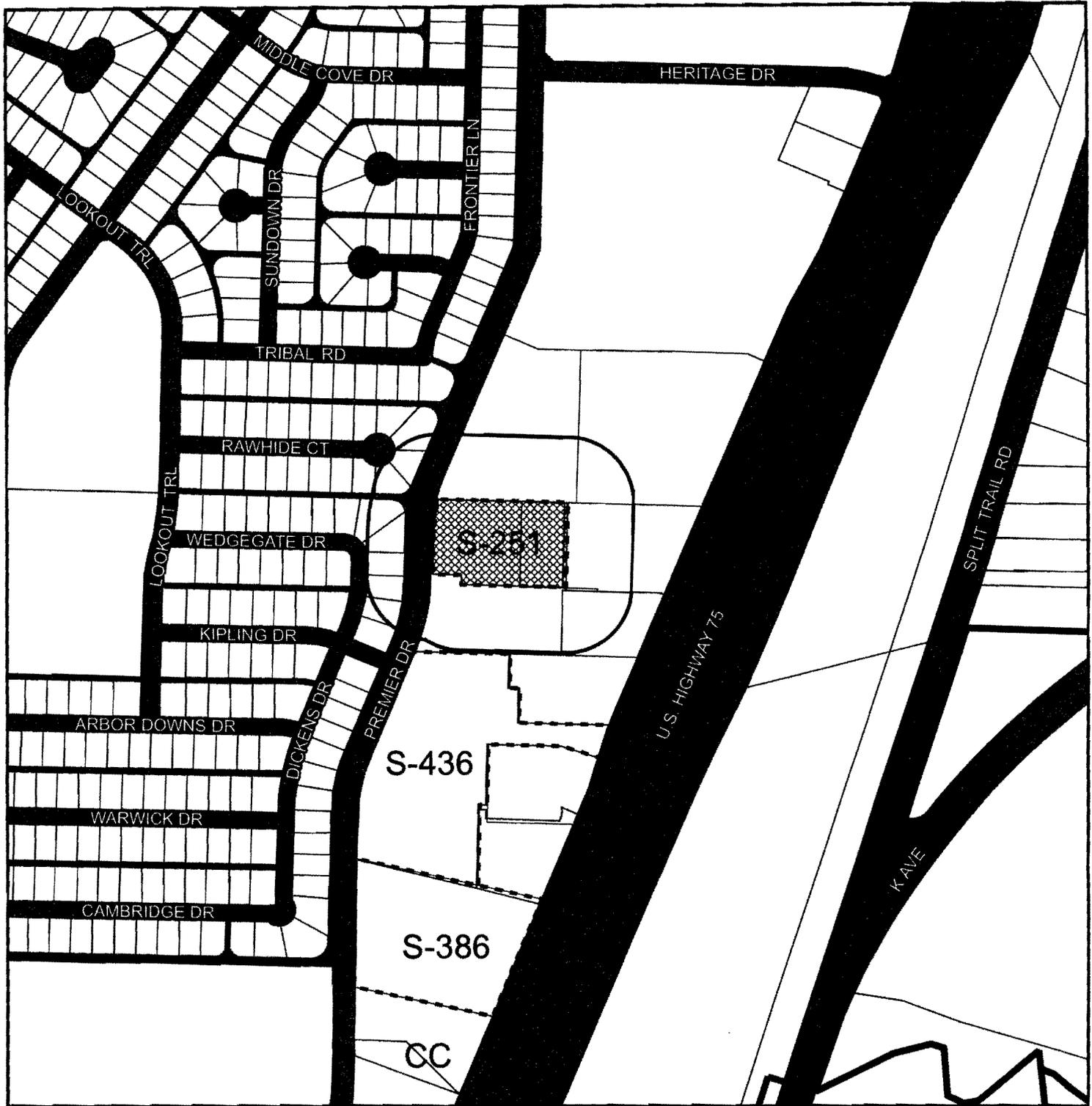
In 2005, voters approved the sale of alcoholic beverages for on-premise consumption through a mixed beverage permit issued by the Texas Alcoholic Beverage Commission (TABC). Prior to this time, the only option was a private club permit from TABC, with an SUP approved by the city. From 2007 to 2008, the City Council rescinded numerous Specific Use Permits for Private Clubs as restaurants switched to mixed-beverage permits. However, there are still numerous SUPs in place for properties where restaurants have ceased operations and since 2008, more restaurants have switched permit types.

Therefore, given recent changes to city ordinances related to private clubs, per City Council's direction, the Planning & Zoning Commission called a public hearing to rescind SUPs for private clubs on properties not presently being used for on-premise alcohol sales and for properties where establishments are now operating with mixed-beverage permits. There is no existing restaurant at this location; therefore, the property no longer needs the SUP for a Private Club issued by the City of Plano. Staff recommends that the Private Club SUP be rescinded.

Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

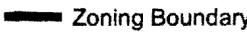
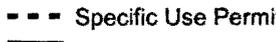
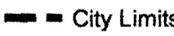
RECOMMENDATION:

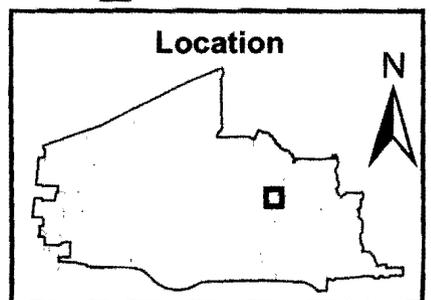
Recommended for approval as submitted.



Zoning Case #: 2014-23

Existing Zoning: CORRIDOR COMMERCIAL
w/SPECIFIC USE PERMIT #251

- | | | | | | |
|---|--------------------------|---|-----------------|--|---------------------|
|  | 200' Notification Buffer |  | Zoning Boundary |  | Specific Use Permit |
|  | Subject Property |  | City Limits |  | Right-of-Way |



Source: City of Plano Planning Department



Area of Request



Source: City of Plano, Planning Dept.
Date: August, 2014

Zoning Case 2014-23

Zoning Case 2014-23

An Ordinance of the City of Plano, Texas, repealing in its entirety Ordinance No. 95-2-29; thereby rescinding Specific Use Permit No. 251 for the additional use of Private Club on 2.7± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the west side of U.S. Highway 75, 1,500± feet south of Heritage Drive in the City of Plano, Collin County, Texas, currently zoned Corridor Commercial with Specific Use Permit No. 251 for Private Club, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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 25th day of August, 2014, for the purpose of considering rescinding Specific Use Permit No. 251 for the additional use of Private Club on 2.7± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the west side of U.S. Highway 75, 1,500± feet south of Heritage Drive in the City of Plano, Collin County, Texas; 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 25th day of August, 2014; and

WHEREAS, the City Council is of the opinion and finds that the rescinding of Specific Use Permit No. 251 for the additional use of Private Club 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. Ordinance No. 95-2-29 duly passed and approved by the City Council of the City of Plano, Texas, on February 13, 1995, granting Specific Use Permit No. 251 for the additional use of Private Club on 2.7± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the west side of U.S. Highway 75, 1,500± feet south of Heritage Drive in the City of Plano, Collin County, Texas, currently zoned Corridor Commercial with Specific Use Permit No. 251 for Private Club, more fully described on Exhibit "A" attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 251 is hereby rescinded.

Section II. It is hereby directed that the Comprehensive Zoning Ordinance, No. 2006-4-24, as heretofore amended, be revised and amended (which is retained in electronic record format), to reflect the action and 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 25TH DAY OF AUGUST, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2014-23

BEING a tract of land situated in the Daniel Rowlett Survey, Abstract No. 738, City of Plano, Collin County, Texas and being a part of Lot 2, Block 1 of the Conveyance Plat, Service King Number Seven Addition, an addition to the City of Plano, Collin County, Texas as recorded in Volume 1, Page 1 of the Map Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the south line of a tract conveyed to The Nelson Bunker Hunt Estate Trust, by deed recorded in Book 2397, Page 220 of the Deed Records of Collin County, Texas, and being the common north corner of said Lot 2, Block 1 and Chase Oaks Drive (variable width right-of-way);

THENCE South, $89^{\circ} 43' 11''$ West, along common line of said Lot 2, Block 1 and the Nelson Bunker Hunt Estate Trust tract, a distance of 395.47 feet to a point for corner and being the most northerly northeast corner of said Lot 2, Block 1;

THENCE South, $00^{\circ} 16' 49''$ West, leaving said south line of The Nelson Bunker Hunt Estate Trust tract, a distance of 261.00 feet to a point for corner and being a southeast corner of said Lot 2, Block 1;

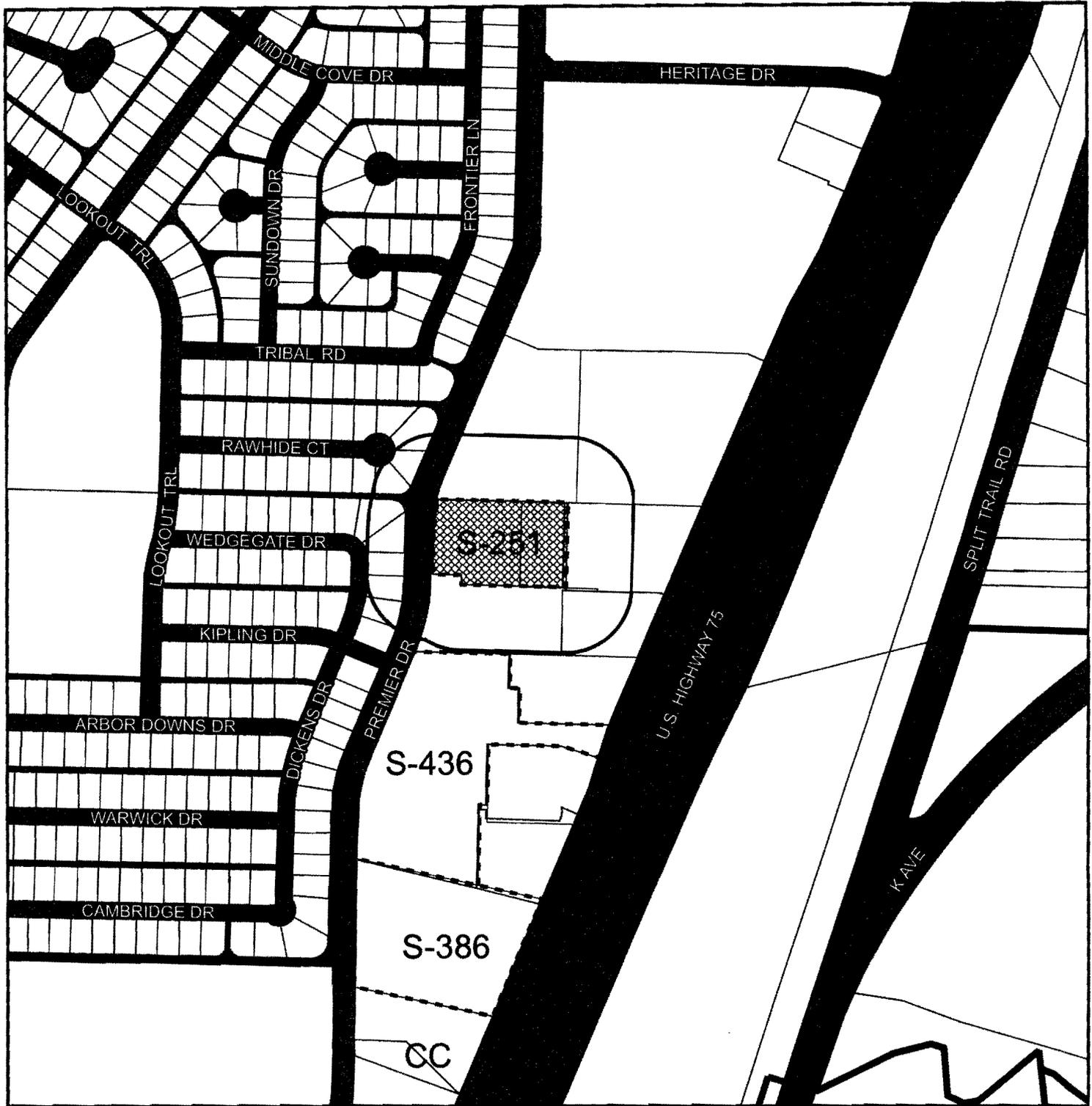
THENCE North, $89^{\circ} 43' 11''$ West, a distance of 320.00 feet to a point for corner;

THENCE North, $00^{\circ} 16' 48''$ East, a distance of 30.00 feet to a point for corner;

THENCE North, $89^{\circ} 43' 11''$ West, a distance of 88.01 feet to a point for corner in the east line of said Chase Oaks Drive;

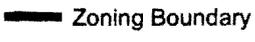
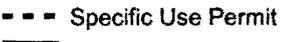
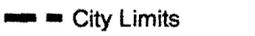
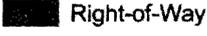
THENCE North, $00^{\circ} 16' 49''$ East, along said east line of Chase Oaks Drive, a distance of 113.78 feet to a point for corner and being the beginning of a circular curve to the right;

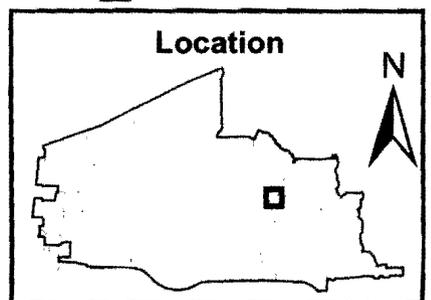
THENCE along said circular curve to the right and said east line of Chase Oaks Drive, having a central angle of $12^{\circ} 12' 56''$, a radius of 554.00 feet a tangent distance of 59.28 feet an arc length of 118.11 feet and a chord bearing of North, $06^{\circ} 23' 17''$ East, to the POINT OF BEGINNING and CONTAINING 2.3729 acres (103,362 square feet) of land.



Zoning Case #: 2014-23

Existing Zoning: CORRIDOR COMMERCIAL
w/SPECIFIC USE PERMIT #251

- | | | | | | |
|---|--------------------------|---|-----------------|--|---------------------|
|  | 200' Notification Buffer |  | Zoning Boundary |  | Specific Use Permit |
|  | Subject Property |  | City Limits |  | Right-of-Way |



Source: City of Plano Planning Department

DATE: August 5, 2014
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 4, 2014

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2014-17
APPLICANT: CDDR PROPERTIES, LLC**

Request to amend Planned Development-179-Downtown Business/Government on 8.1± acres located at the southwest corner of 18th Street and G Avenue in order to modify the development standards of the district. Zoned Planned Development-179-Downtown Business/Government with Heritage Resource Designation #20.

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

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 6 **OPPOSE:** 1

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

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

STIPULATIONS:

Approved as follows: (Additions are shown as underlined text; deletions are indicated by strikethrough text).

Restrictions:

General Standards

1. Maintenance of all open space, landscaping, retaining walls, and common amenities shall be the responsibility of a homeowners association. Homeowners association's documents must be approved by the City Attorney.
2. The zoning exhibit shall be adopted as a part of the ordinance.
3. Stoops, balconies, bay windows, box windows, and awnings shall not extend into the right-of-way of mews streets or alleys.
4. The Heritage Commission shall approve the building configuration, street tree, and sidewalk design for the portion of the property within the Haggard Park Heritage Resource District.

Standards Specific to Tract 1

1. Only single-family residence attached dwelling units ~~as shown in the attached concept plan~~ and home occupations operated in accordance with Subsection 3.110 of the Zoning Ordinance are permitted ~~on~~ within Tract 1 as the ~~area~~ defined by the zoning exhibit concept plan, Rice Field Redevelopment; however, the existing office property at the northwest corner of G Ave. and 16th St. (Bridgeman's Office Addition, Block 1, Lot 1) may be used and developed in accordance with the BG zoning district.
2. The total number of residential units shall be not less than 1490 ~~or more than 110~~.
3. ~~Public access to the common open space serving residential development shall be allowed and shall not be restricted by gates, barriers, or signage.~~
4. ~~Maintenance of all open space, landscaping, and common amenities shall be the responsibility of a homeowners association. Homeowners association's documents must be approved by the City Attorney.~~
5. ~~The concept plan shall be adopted as part of the ordinance. Minor amendments in accordance with Section 5.500 of the Zoning Ordinance shall be permitted.~~
6. Single-family residence attached development shall conform to the requirements of the BG district with the following exceptions:
 - a. ~~Sixty percent~~ 100% of single-family residence attached lots may abut a mews street or alley as the only point of street frontage and access.
 - b. The building setbacks shall be as follows:
 - i. From minor streets with on-street parking: 16th St. and other minor streets within the Haggard Park Heritage Resource District - The building setbacks shall conform to the guidelines for the Haggard Park Heritage Resource District.
 - ii. From mews streets: Garages - Maximum 10 feet as measured from the right-of-way line of the mews street. The minimum setback from the property line shall be zero feet.
 - c. ~~Stoops, balconies, bay windows, box windows, and awnings shall not extend into the right-of-way of mews streets.~~
 - d. ~~The Heritage Commission shall approve the building configuration, street tree, and sidewalk design for the portion of the property within the Haggard Park Heritage Resource District~~

Standards Specific to Tract 2

1. Single-family residence detached is permitted by right.
2. Maximum number of single-family residential units: 61
3. Single-family residence detached dwelling units shall conform to the single-family residence attached requirements of the BG zoning district with the following exceptions:
 - a. 100% of single-family residence detached lots may abut a mews street or alley as the only point of street access.
 - b. 75% of single-family residence detached lots may abut a mews street or alley as the only point of street frontage.
 - c. Front yard setbacks adjacent to G Ave. and 18th St.: Minimum of 5 feet as measured from the property line. Maximum of 10 feet.
 - d. Front yard setbacks adjacent to Mews Streets: No minimum. Maximum of 15 feet.
 - e. Side yard setback: None; however, a minimum of 6 feet must be provided between single-family residence detached structures.
 - f. Rear yard setback: None
 - g. Maximum height: 3 stories, 50 feet
 - h. Minimum Lot Depth: None
 - i. Minimum Lot Area: None
 - j. Maximum lot coverage: None
4. Alleys shall be a minimum of 20 feet in width with a minimum of 20 feet of paving.
5. Mews streets shall consist of a 28 foot right-of-way with a minimum of 22 feet of paving and one 4 foot sidewalk.
6. Single-family residences abutting G Ave. or 18th St. shall provide front entrances oriented towards G Ave. or 18th St.
7. Stoops, balconies, bay windows, box windows, and awnings shall not extend into the right-of-way of mews streets, alleys, or easements.

8. Fencing along G Ave. and 18th St. shall not exceed 40 inches in height and shall be a minimum of 50% open.

FOR CITY COUNCIL MEETING OF: August 25, 2014 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

RA/av

xc: Bruce Shilcutt, CDDR Properties, LLC
Audra Buckley, Permitted Development

<http://goo.gl/maps/HcbVq>

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 4, 2014

Agenda Item No. 7A

Public Hearing: Zoning Case 2014-17

Applicant: CDDR Properties, LLC

DESCRIPTION:

Request to amend Planned Development-179-Downtown Business/Government on 8.1± acres located at the southwest corner of 18th Street and G Avenue in order to modify the development standards of the district. Zoned Planned Development-179-Downtown Business/Government with Heritage Resource Designation #20.

REMARKS:

The applicant is requesting to amend Planned Development-179-Downtown Business/Government with Heritage Resource Designation #20 (PD-179-BG with H-20) to allow single-family residence detached dwelling units as an additional permitted use within the PD and to modify the development standards to accommodate a unique housing product. The BG district is intended to serve as a pedestrian-oriented center for retail, office, governmental, cultural, entertainment, and residential uses. It is designed to ensure that development, redevelopment, and renovation within the district are consistent with the historical character of Plano's original business district and the surrounding area. The standards of this district apply to specific characteristics of Plano's downtown area and are not appropriate for other locations and districts. A PD district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls to both off and onsite conditions.

PD-179-BG was originally created in 2005 to allow for a 98 unit urban density Single-Family Residence Attached (SF-A) development. The initial developer constructed 14 townhome units, the streets, and other infrastructure prior to stopping construction.

Currently the PD consists of 14 existing SF-A lots, two open space lots, and a medical office building. There are 5.2 acres of undeveloped land located at the southwest corner of 18th Street and G Avenue although there are streets and infrastructure in place. The applicant is proposing to amend PD-179-BG in order to allow single-family residence detached dwelling units as a permitted use, and to modify the area, yard and bulk requirements within the PD to allow for additional flexibility in building placement.

A preliminary site plan, Rice Field Addition, accompanies this request as Agenda Item No. 7B.

Surrounding Land Use and Zoning

The property to the north, across 18th Street, is zoned Corridor Commercial (CC) and is developed as retail uses. The property to the east, across G Avenue, is zoned Retail (R) and Urban Residential (UR), and is developed as general office, religious facility, and single-family residences. The property to the south, across 16th Street, is zoned CC and is developed as single-family residences. The property to the west is zoned CC and is developed as multifamily residences.

Proposed Planned Development Stipulations

The requested zoning is to amend PD-179-BG to modify the development standards. There are two primary parts to this request: land use and design standards.

Land Use - The applicant is proposing to allow single-family residence detached as an additional permitted use by right with modified development standards. The PD currently allows only urban density SF-A dwelling units.

Design Standards - The applicant is proposing to develop single family detached dwelling units with modified area, yard and bulk requirements as noted below:

- Minimum front yard setback along Minor Streets: 5 feet
 - Current requirement: minimum of 10 feet
- Minimum front yard setback along Mews Streets: 0 feet
 - Current requirement: minimum of 3 feet.
- Maximum percentage of lots abutting a mews street as the only point of street frontage and access: 75% frontage and 100% access
 - Current requirement: maximum 50% frontage and access.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Freeway Commercial (FC). The existing and requested zoning do not comply with this recommendation. However, the city has set a goal, through the adoption of “Downtown Plan: A Vision and Strategy for Creating a Transit Village”, of adding at least 1,000 dwelling units within close proximity to the DART rail station and 3,500 dwelling units within half a mile of the station. Residential development on the property supports this goal and the city’s larger goals of creating a walkable, pedestrian-oriented transit village served by the DART station. Additionally, this property is currently zoned to allow for residential development.

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 rezoning request.

School Capacity - The proposed development is located in the Plano Independent School District (PISD). This area is served by Mendenhall Elementary, Bowman Middle School, and Williams High School and Plano East High School. At this time all four campuses have available capacity.

Public Safety Response Time - Based upon existing personnel, equipment and facilities, fire emergency response times will be sufficient to serve the site.

Access to and Availability of Amenities and Services - The subject property is within close proximity to Haggard Park which will serve the development.

Libraries - The property is located within the Harrington Library service area. The library has the capacity to serve the proposed additional residents.

ISSUES

Area, Yard and Bulk Requirements

Currently, only single-family attached dwelling units are allowed within PD-179-BG, except for the existing office property at the northwest corner of G Avenue and 16th Street. For reference, the previously approved site plan is attached. The applicant is proposing that the subject property be divided into two tracts as shown on the zoning exhibit. Tract 1 will contain the existing townhome units developed at the current PD-179-BG standards and the existing medical office building. Tract 2 will contain the future single-family detached dwelling units developed at the existing single-family attached regulations with several modifications.

Within the BG district, front yard setbacks are measured from the outside of curb or outside of lane marking where there is no curb. The existing setbacks are as follows:

	Designated on-street parking spaces are provided between the street and the building		No designated on-street parking spaces are provided between the street and the building	
Setback	<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
Mews Street	3	20	3	20
Minor Street	5	20	10	20
Major Street	10	20	15	20

The applicant is proposing the following setbacks:

- Front yard setbacks adjacent to G Avenue and 18th Street: Minimum of 5 feet as measured from the property line. Maximum of 10 feet.
- Front yard setbacks adjacent to Mews Streets: No minimum. Maximum of 15 feet.
- Side yard setback: None; however, a minimum of 6 feet must be provided between single-family residence detached structures.
- Rear yard setback: None.

Additionally, the current PD regulations allow only 50% of the lots in a particular development to have their only point of access and frontage on a mews street. The proposed development will have 100% of the units deriving access from mews streets or alleys and 75% of the units deriving frontage from mews streets. The restriction was placed into the BG district to prevent development from being internalized and isolated with no public street access or frontage. The concept plan shows residences abutting G Avenue and 18th Street with the front of the homes oriented towards these streets. This design intends to provide residential development oriented towards the exterior streets and interacting with surrounding neighborhoods.

Heritage District

A portion of the property is located within the Haggard Park Heritage Resource District (H-20). PD-179-BG authorizes the Heritage Commission to approve building configuration, street tree, and sidewalk design for the portion of the property located within H-20. Furthermore, the district limits building height to a maximum of two stories and 45 feet and waives the masonry requirement associated with exterior wall construction for residential structures. There are ten lots that are located within the H-20 District. As part of the development review process, the applicant will be required to submit the preliminary site plan to the Heritage Commission for their approval.

SUMMARY

The applicant is requesting to amend PD-179-BG to allow single-family residence detached as an additional permitted use with modified development standards. The request is not in conformance with the Future Land Use Plan which recommends this property be developed as Freeway Commercial (FC); however, the additional units will enhance the residential nature of the BG zoning district and provide more housing within proximity to the existing DART rail line. Additionally, existing zoning currently allows for residential uses. The proposed development is also an extension of the existing townhome subdivision. Furthermore, the proposed PD amendments will provide an alternative housing type which is suitable for the BG zoning district. Staff recommends approval of the PD-179-BG modifications for this property.

RECOMMENDATION:

Recommended for approval as follows: (Additions are shown as underlined text; deletions are indicated by strikethrough text).

Restrictions:

General Standards

1. Maintenance of all open space, landscaping, retaining walls, and common amenities shall be the responsibility of a homeowners association. Homeowners association's documents must be approved by the City Attorney.
2. The zoning exhibit shall be adopted as a part of the ordinance.
3. Stoops, balconies, bay windows, box windows, and awnings shall not extend into the right-of-way of mews streets or alleys.
4. The Heritage Commission shall approve the building configuration, street tree, and sidewalk design for the portion of the property within the Haggard Park Heritage Resource District.

Standards Specific to Tract 1

1. Only single-family residence attached dwelling units ~~as shown in the attached concept plan~~ and home occupations operated in accordance with Subsection 3.110 of the Zoning Ordinance are permitted ~~on~~ within Tract 1 as the ~~area defined by the zoning exhibit concept plan, Rice Field Redevelopment;~~ however, the existing office property at the northwest corner of G Ave. and 16th St. (Bridgeman's Office Addition, Block 1, Lot 1) may be used and developed in accordance with the BG zoning district.
2. The total number of residential units shall be not less than 1490 ~~or more than 440.~~
3. ~~Public access to the common open space serving residential development shall be allowed and shall not be restricted by gates, barriers, or signage.~~
4. ~~Maintenance of all open space, landscaping, and common amenities shall be the responsibility of a homeowners association. Homeowners association's documents must be approved by the City Attorney.~~
5. ~~The concept plan shall be adopted as part of the ordinance. Minor amendments in accordance with Section 5.500 of the Zoning Ordinance shall be permitted.~~

6. Single-family residence attached development shall conform to the requirements of the BG district with the following exceptions:
 - a. ~~Sixty percent~~ 100% of single-family residence attached lots may abut a mews street or alley as the only point of street frontage and access.
 - b. The building setbacks shall be as follows:
 - i. From minor streets with on-street parking: 16th St. and other minor streets within the Haggard Park Heritage Resource District - The building setbacks shall conform to the guidelines for the Haggard Park Heritage Resource District.
 - ii. From mews streets: Garages - Maximum 10 feet as measured from the right-of-way line of the mews street. The minimum setback from the property line shall be zero feet.
 - c. ~~Stoops, balconies, bay windows, box windows, and awnings shall not extend into the right-of-way of mews streets.~~
 - d. ~~The Heritage Commission shall approve the building configuration, street tree, and sidewalk design for the portion of the property within the Haggard Park Heritage Resource District~~

Standards Specific to Tract 2

1. Single-family residence detached is permitted by right.
2. Maximum number of single-family residential units: 61
3. Single-family residence detached dwelling units shall conform to the single-family residence attached requirements of the BG zoning district with the following exceptions:
 - a. 100% of single-family residence detached lots may abut a mews street or alley as the only point of street access.
 - b. 75% of single-family residence detached lots may abut a mews street or alley as the only point of street frontage.
 - c. Front yard setbacks adjacent to G Ave. and 18th St.: Minimum of 5 feet as measured from the property line. Maximum of 10 feet.
 - d. Front yard setbacks adjacent to Mews Streets: No minimum. Maximum of 15 feet.
 - e. Side yard setback: None; however, a minimum of 6 feet must be provided between single-family residence detached structures.

- f. Rear yard setback: None
 - g. Maximum height: 3 stories, 50 feet
 - h. Minimum Lot Depth: None
 - i. Minimum Lot Area: None
 - j. Maximum lot coverage: None
4. Alleys shall be a minimum of 20 feet in width with a minimum of 20 feet of paving.
 5. Mews streets shall consist of a 28 foot right-of-way with a minimum of 22 feet of paving and one 4 foot sidewalk.
 6. Single-family residences abutting G Ave. or 18th St. shall provide front entrances oriented towards G Ave. or 18th St.
 7. Stoops, balconies, bay windows, box windows, and awnings shall not extend into the right-of-way of mews streets, alleys, or easements.
 8. Fencing along G Ave. and 18th St. shall not exceed 40 inches in height and shall be a minimum of 50% open.



19TH STREET

18TH STREET

Area of Request

MILLSAP LANE

WOFFORD LANE

G AVENUE

17TH STREET

H AVENUE

16TH STREET

E AVENUE

F AVENUE

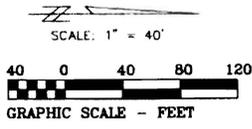
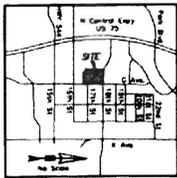
15TH STREET

CLARINET LANE



Source: City of Plano, Planning Dept.
Date: August, 2014

Zoning Case 2014-17



LEGAL DESCRIPTION

Being a tract of land situated in the Joseph Klepper Survey, Abstract No. 213, City of Plano, Collin County, Texas, said tract being all of Lot 1, Block 1, Block 2, Lot 1 Block 3 and Lot 1 Block 6 of Livingston Park Addition Phase 2, as recited in Volume 2012, Page 333, Map Records of Collin County, Texas and the right of way of Willsap Lane, Wooster Lane, Wofford Lane, Rice Field Drive and parts of the right of way of Wolfford Lane, 17th Street, 18th Street, Avenue G and 16th Street, and being more particularly described as follows:

BEGINNING at the intersection of the center line of 18th Street with the center line of Avenue G

THENCE the following courses and distances with the center line of Avenue G:

- S 00°33'50" E, a distance of 85.85 feet to the beginning of a non-tangent curve to the right with a central angle of 04°30'30", a radius of 518.58 feet, a short bearing of 8 02°56'53" W, and a chord distance of 143.15 feet;
- Southwesterly along said curve, an arc distance of 143.15 feet to the beginning of a reverse curve to the left with a central angle of 05°51'52", a radius of 1633.78 feet, a short bearing of 8 02°15'24" W and a chord distance of 152.87 feet;
- Southwesterly along said curve, an arc distance of 152.73 feet to a point of tangency;
- S 00°17'38" E, a distance of 188.85 feet to an angle point;
- S 00°28'24" E, a distance of 378.85 feet to a point for a corner, said point being the intersection of the centerline of Avenue G and extension of 16th Street

THENCE S 89°04'38" W, with the center line of 16th Street, a distance of 389.75 feet to a point for a corner;

THENCE N 01°29'23" W, departing the center line of 16th Street, passing the intersection of the south line of 16th Street with the west line of an Alley, right of way and the southeast corner of a tract of land conveyed to Information and Reference Center of Collin Co. as recited in Volume 4684, Page 2577, Deed Records of Collin County, Texas, terminating in a distance of 228.60 feet to a point for a corner, said point being in the south line of Lot 1, Block 1 of North Center Addition as recited in Volume 6, Page 74, Map Records of Collin County, Texas;

THENCE S 88°18'37" E, with the south line of said Lot 1, Block 1, a distance of 7.84 feet to a point for a corner, said point being the southeast corner of said Lot 1, Block 1;

THENCE N 00°28'38" W, with the west line of said Lot 1, Block 1 of North Center Addition, a distance of 238.38 feet to an angle point;

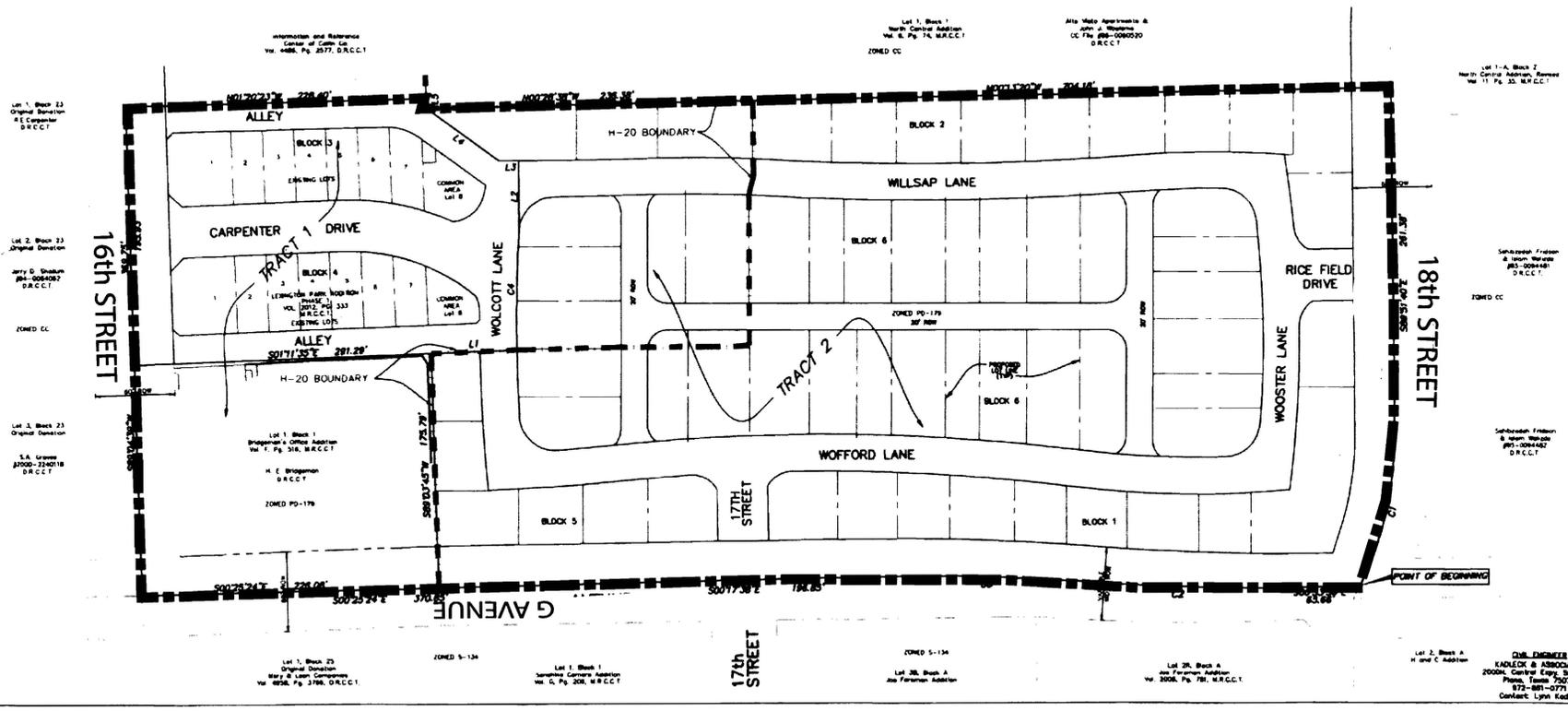
THENCE N 02°13'20" W, continuing with the east line of said Lot 1, Block 1, passing at a distance of 487.84 feet the south line of 16th Street and the northeast corner of said Lot 1, Block 1, continuing at a distance of 487.84 feet to a point for a corner in the center line of 16th Street;

THENCE the following courses and distance with the center line of 16th Street:

- S 88°51'45" E, a distance of 281.38 feet to the beginning of a curve to the right with a central angle of 28°44'28", a radius of 254.83 feet, a chord bearing of 8 78°29'27" E and a chord distance of 117.85 feet;
- Southwesterly along said curve, an arc distance of 118.93 feet the Point of Beginning and Continuing 390.880 square feet or 8 08.7 acres of land.

NUM	BEARING	DISTANCE
L1	N01°11'35" W	65.23'
L2	N89°41'33" E	52.80'
L3	N0°18'27" W	14.49'
L4	S36°45'37" W	68.03'
L5	S89°18'37" E	7.84'

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	26°44'03"	118.93'	254.83'	S78°29'27" E	117.85'
C2	4°30'39"	143.15'	1618.68'	S2°36'53" W	143.15'
C3	5°21'22"	152.73'	1633.78'	S2°15'24" W	152.67'
C4	4°30'04"	90.98'	1157.79'	N87°53'24" W	90.93'



Information and Reference Center of Collin Co. Vol. 4684, Pg. 2577, D.R.C.C.T.

Lot 1, Block 1 North Center Addition Vol. 6, Pg. 74, M.R.C.C.T.

Map Approximate to John A. Waddick CC 74-88-009000 D.R.C.C.T.

Lot 1-A, Block 2 North Center Addition, Revised Vol. 11 Pg. 33, M.R.C.C.T.

Subdivision Plat for a Four-Block Addition Vol. 11 Pg. 33, M.R.C.C.T.

Subdivision Plat for a Four-Block Addition Vol. 11 Pg. 33, M.R.C.C.T.

Lot 1, Block 23 Original Donation #1 Carpenter D.R.C.C.T.

Lot 2, Block 23 Original Donation Jerry S. Shuman 88-009003 D.R.C.C.T.

ZONED CC

Lot 1, Block 23 Original Donation S.A. Green 2300D-224018 D.R.C.C.T.

Lot 1, Block 1 Information and Reference Center of Collin Co. Vol. 4, Pg. 316, M.R.C.C.T.

H.C. Briggman D.R.C.C.T.

ZONED PO-179

Lot 1, Block 23 Original Donation Vol. 4, Pg. 316, M.R.C.C.T.

Lot 1, Block 1 Sherman Center Addition Vol. 6, Pg. 208, M.R.C.C.T.

ZONED S-134

Lot 28, Block 4 Joe Foreman Addition Vol. 200K, Pg. 781, M.R.C.C.T.

ZONED S-134

Lot 28, Block 4 Joe Foreman Addition Vol. 200K, Pg. 781, M.R.C.C.T.

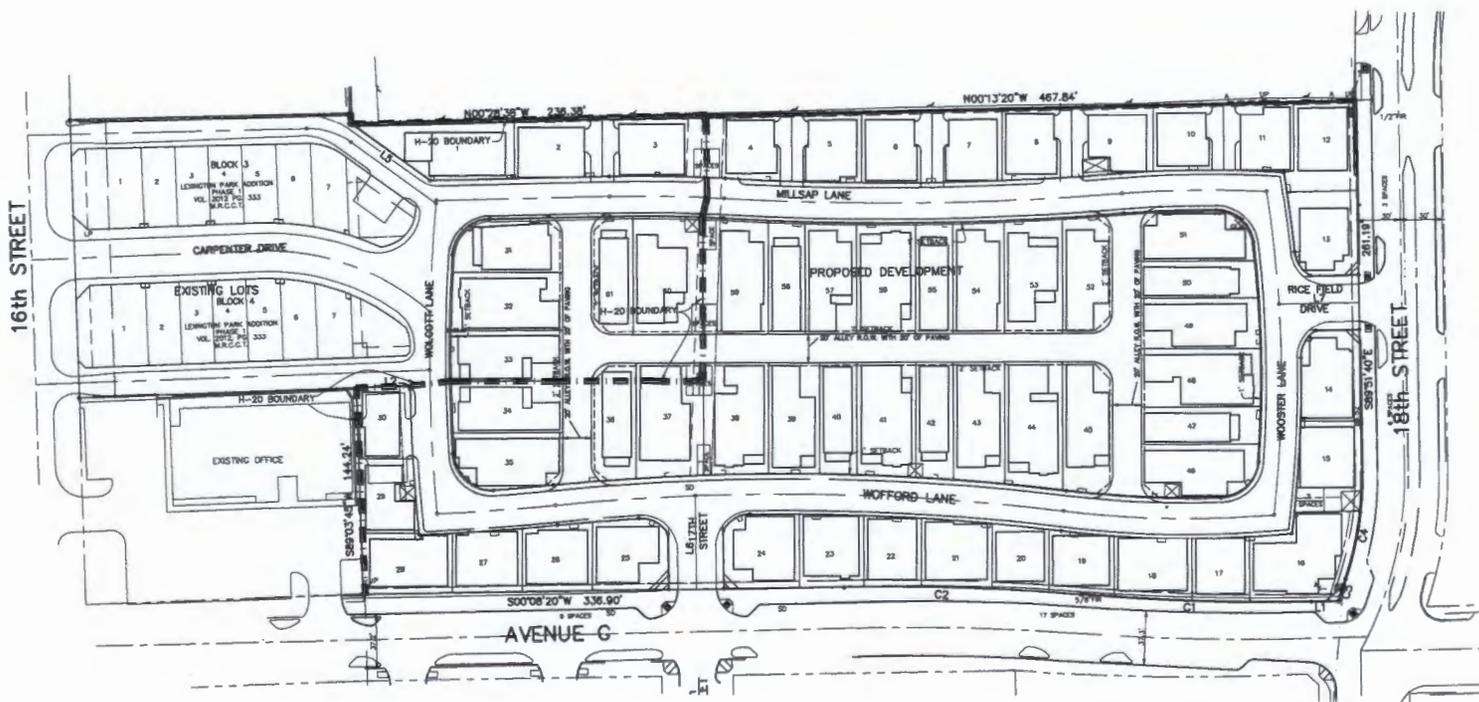
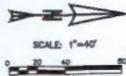
Lot 2, Block A W and C Addition

OWNER/DEVELOPER TEXAS INTOWNHOMER, LLC 1350 Oliver Street Houston, Texas 77003 Contact: Lynn Kodack Phone: 713-853-3708

ZONING EXHIBIT
ZONING CASE 2014-17
FOR RICE FIELD ADDITION
 BEING LIVINGSTON PARK ADDITION PHASE 2 (A-D)
 JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
 PLANO, COLLIN COUNTY, TEXAS

CIVIL ENGINEER
 WADDECK & ASSOCIATES
 2000A Central Express, Suite 113
 Houston, Texas 77074
 872-881-0771
 Contact: Lynn Kodack

DATE ENGINEER
 7/15/2014



2/2

SEE PRELIMINARY SITE PLAN FOR LOT DIMENSIONS AND EASEMENTS.

**PRELIMINARY SITE PLAN
UNIT LAYOUT**

61 SINGLE FAMILY RESIDENTIAL LOTS

RICE FIELD ADDITION
BLOCKS 1, 2, 3, & 6

JOSEPH KLEPPER SURVEY ABSTRACT NO. 213

CITY OF PLANO, COLLIN COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
KBA	KBA	JUNE 2014	1"=40'			

OWNER/DEVELOPER
TEXAS INTOWNHOMES, LLC
1520 Oliver Street
Houston, Texas 77007
Contact: Brian East
Phone: 713-653-3708

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF L. Lynn Rodbeck, P.E. 47230 Date: JULY 11, 2014

PREPARED BY:
KADELICK & ASSOCIATES
Surveyors, Engineers, Planners, Architects
15000 North Loop West, Suite 1000
Houston, Texas 77040
Phone: 281-465-1100
Fax: 281-465-1101
www.kadelick.com
K&A #14713

Zoning Case 2014-17

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-179-Downtown Business/Government on 8.1± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the southwest corner of 18th Street and G Avenue, in the City of Plano, Collin County, Texas, to modify the development standards of the district; 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 25th day of August, 2014, for the purpose of considering amending Planned Development-179-Downtown Business/Government on 8.1± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the southwest corner of 18th Street and G Avenue, in the City of Plano, Collin County, Texas, to modify the development standards of the district; 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 25th day of August, 2014; and

WHEREAS, the City Council is of the opinion and finds that such amendment 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 amend Planned Development-179-Downtown Business/Government on 8.1± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the southwest corner of 18th Street and G Avenue in the City of Plano, Collin County, Texas, to modify the development standards of the district, said property being described in the legal description on Exhibit "A" attached hereto.

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

Restrictions:

General Standards

1. Maintenance of all open space, landscaping, retaining walls, and common amenities shall be the responsibility of a homeowners association. Homeowners association's documents must be approved by the City Attorney.
2. The zoning exhibit shall be adopted as a part of the ordinance.
3. Stoops, balconies, bay windows, box windows, and awnings shall not extend into the right-of-way of mews streets or alleys.
4. The Heritage Commission shall approve the building configuration, street tree, and sidewalk design for the portion of the property within the Haggard Park Heritage Resource District.

Standards Specific to Tract 1

1. Only single-family residence attached dwelling units and home occupations operated in accordance with Subsection 3.110 of the Zoning Ordinance are permitted within Tract 1 as defined by the zoning exhibit; however, the existing office property at the northwest corner of G Ave. and 16th St. (Bridgeman's Office Addition, Block 1, Lot 1) may be used and developed in accordance with the BG zoning district.
2. The total number of residential units shall be not less than 14.
3. Single-family residence attached development shall conform to the requirements of the BG district with the following exceptions:
 - a. 100% of single-family residence attached lots may abut a mews street or alley as the only point of street frontage and access.

- b. The building setbacks shall be as follows:
 - i. From minor streets with on-street parking: 16th St. and other minor streets within the Haggard Park Heritage Resource District - The building setbacks shall conform to the guidelines for the Haggard Park Heritage Resource District.
 - ii. From mews streets: Garages - Maximum 10 feet as measured from the right-of-way line of the mews street. The minimum setback from the property line shall be zero feet.

Standards Specific to Tract 2

1. Single-family residence detached is permitted by right.
2. Maximum number of single-family residential units: 61
3. Single-family residence detached dwelling units shall conform to the single-family residence attached requirements of the BG zoning district with the following exceptions:
 - a. 100% of single-family residence detached lots may abut a mews street or alley as the only point of street access.
 - b. 75% of single-family residence detached lots may abut a mews street or alley as the only point of street frontage.
 - c. Front yard setbacks adjacent to G Ave. and 18th St.: Minimum of 5 feet as measured from the property line. Maximum of 10 feet.
 - d. Front yard setbacks adjacent to Mews Streets: No minimum. Maximum of 15 feet.
 - e. Side yard setback: None; however, a minimum of 6 feet must be provided between single-family residence detached structures.
 - f. Rear yard setback: None
 - g. Maximum height: 3 stories, 50 feet
 - h. Minimum Lot Depth: None
 - i. Minimum Lot Area: None
 - j. Maximum lot coverage: None

4. Alleys shall be a minimum of 20 feet in width with a minimum of 20 feet of paving.
5. Mews streets shall consist of a 28 foot right-of-way with a minimum of 22 feet of paving and one 4 foot sidewalk.
6. Single-family residences abutting G Ave. or 18th St. shall provide front entrances oriented towards G Ave. or 18th St.
7. Stoops, balconies, bay windows, box windows, and awnings shall not extend into the right-of-way of mews streets, alleys, or easements.
8. Fencing along G Ave. and 18th St. shall not exceed 40 inches in height and shall be a minimum of 50% open.

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 25TH DAY OF AUGUST, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2014-17

BEING a tract of land situated in the Joseph Klepper Survey, Abstract No. 213, City of Plano, Collin County, Texas, said tract being all of Lot 1, Block 1, Lot 1, Block 2, Lot 1, Block 5, and Lot 1, Block 6 of Lexington Park Addition, Phase 2, as recorded in Volume 2012, Page 331, Map Records of Collin County, Texas and the right of way of Milsap Lane, Wooster Lane, Wofford Lane, Rice Field Drive, and parts of the right-of-way of Wolcott Lane, 17th Street, 18th Street, Avenue G and 16th Street, and being more particularly described as follows:

BEGINNING at the intersection of the center line of 18th Street with the center line of Avenue G;

THENCE the following courses and distances with the center line of Avenue G;

South, $00^{\circ} 33' 56''$ East, a distance of 65.66 feet to the beginning of a non-tangent curve to the right with a central angle $04^{\circ} 30' 39''$, a radius of 1,818.68 feet, a chord bearing of South, $02^{\circ} 56' 53''$ West, and a chord distance of 143.15 feet;

Southwesterly, along said curve, an arc distance of 143.19 feet to the beginning of a reverse curvet to the left with a central angle of $05^{\circ} 21' 22''$, a radius of 1,633.78 feet, a chord bearing of South, $02^{\circ} 15' 24''$ West, and a chord distance of 152.67 feet;

Southwesterly, along said curve, an arc distance of 152.73 feet to the point of tangency;

South, $00^{\circ} 17' 38''$ East, a distance of 196.85 feet to an angle point;

South, $00^{\circ} 25' 24''$ East, a distance of 370.85 feet to a point for a corner, said point being the intersection of the centerline of Avenue G and centerline of 16th Street;

THENCE South, $89^{\circ} 04' 39''$ West, with the center line of 16th Street, a distance of 369.75 feet to a point for corner;

THENCE North, $01^{\circ} 20' 23''$ West, departing the center line of 16th Street, passing the intersection of the north line of 16th Street with the west line of an alley right-of-way and the southeast corner of a tract of land conveyed to Information and Reference Center of Collin County as recorded in Volume 4486, Page 2577, Deed Records of Collin County, Texas, continuing in all a distance of 228.40 feet to a point for corner, said being point in the south line of Lot 1, Block 1 of North Central Addition, as recorded in Volume 6, Page 74, Map Records of Collin County, Texas;

THENCE South, $89^{\circ} 18' 37''$ East, with the south line of said Lot 1, Block 1, a distance of 7.84 feet to a point for a corner, said point being the southeast corner of said Lot 1, Block 1;

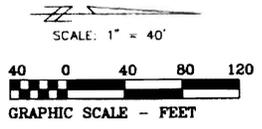
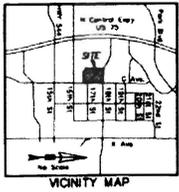
THENCE, North, $00^{\circ} 28' 38''$ West, with the east line of said Lot 1, Block 1 of North Central Addition, a distance of 236.38 feet to an angle point;

THENCE, North, $00^{\circ} 13' 20''$ West, continuing with the east line of said Lot 1, Block 1, passing at a distance of 467.84 feet the south line of 18th Street and the northeast corner of said Lot 1, Block 1, continuing in all a distance of 497.84 feet to a point for corner in the center line of 18th Street;

THENCE the following courses and distance with the center line of 18th Street:

South, $89^{\circ} 51' 40''$ East, a distance of 261.38 feet to the beginning of a curve to the right with a central angle of $26^{\circ} 44' 26''$, a radius of 254.83 feet, a chord bearing of South, $76^{\circ} 29' 27''$ East, and a chord distance of 117.86 feet;

Southeaster, along said curve, an arc distance of 118.93 feet to the POINT OF BEGINNING and CONTAINING 350.960 square feet or 8.057 acres of land.



LEGAL DESCRIPTION

being a part of land situated in the Joseph Klepper Survey, Abstract No. 213, City of Plano, Collin County, Texas, said land being as of Lot 1, Block 1, Lot 1, Block 2, Lot 1, Block 3 and Lot 1, Block 4 of Leaning Post Addition, Phase 2, as recorded in Volume 2012, Page 331, Map Records of Collin County, Texas and the right of way of Willow Lane, Wooster Lane, Wolfford Lane, Rice Field Drive and parts of the right of way of Willsap Lane, 17th Street, 18th Street, Avenue G and 16th Street, and being more particularly described as follows:

BEGINNING at the intersection of the center line of 16th Street with the center line of Avenue G.

THENCE the following courses and distances with the center line of Avenue G:

- S 00°33'50" E, a distance of 80.66 feet to the beginning of a non-tangent curve to the right with a central angle of 04°30'36", a radius of 1016.06 feet, a chord bearing of S 02°56'53" W, and a chord distance of 143.15 feet.
- Southwesterly, along said curve, an arc distance of 143.16 feet to the beginning of a reverse curve to the left with a central angle of 02°12'12", a radius of 1633.79 feet, a chord bearing of S 02°15'24" W and a chord distance of 132.67 feet.
- Southwesterly, along said curve, an arc distance of 132.73 feet to a point of tangency.
- S 00°17'36" E, a distance of 198.84 feet to an angle point.
- S 00°28'24" E, a distance of 378.85 feet to a point for a corner, said point being the intersection of the centerline of Avenue G and extension of 16th Street.

THENCE S 80°04'30" W, with the center line of 16th Street, a distance of 389.73 feet to a point for a corner.

THENCE N 01°20'22" W, departing the center line of 16th Street, passing the intersection of the north line of 16th Street with the west line of an alley right of way and the southeast corner of a block of land conveyed to Information and Reference Center of Collin Co, as recorded in Volume 4480, Page 2577, Deed Records of Collin County, Texas, extending an arc distance of 228.40 feet to a point for a corner, said point being in the south line of Lot 1, Block 1 of North Center Addition as recorded in Volume 6, Page 74, Map Records of Collin County, Texas.

THENCE S 80°18'33" E, with the south line of said Lot 1, Block 1, a distance of 7.84 feet to a point for a corner, said point being the southeast corner of said Lot 1, Block 1.

THENCE N 02°28'24" W, with the west line of said Lot 1, Block 1 of North Center Addition, a distance of 238.26 feet to an angle point.

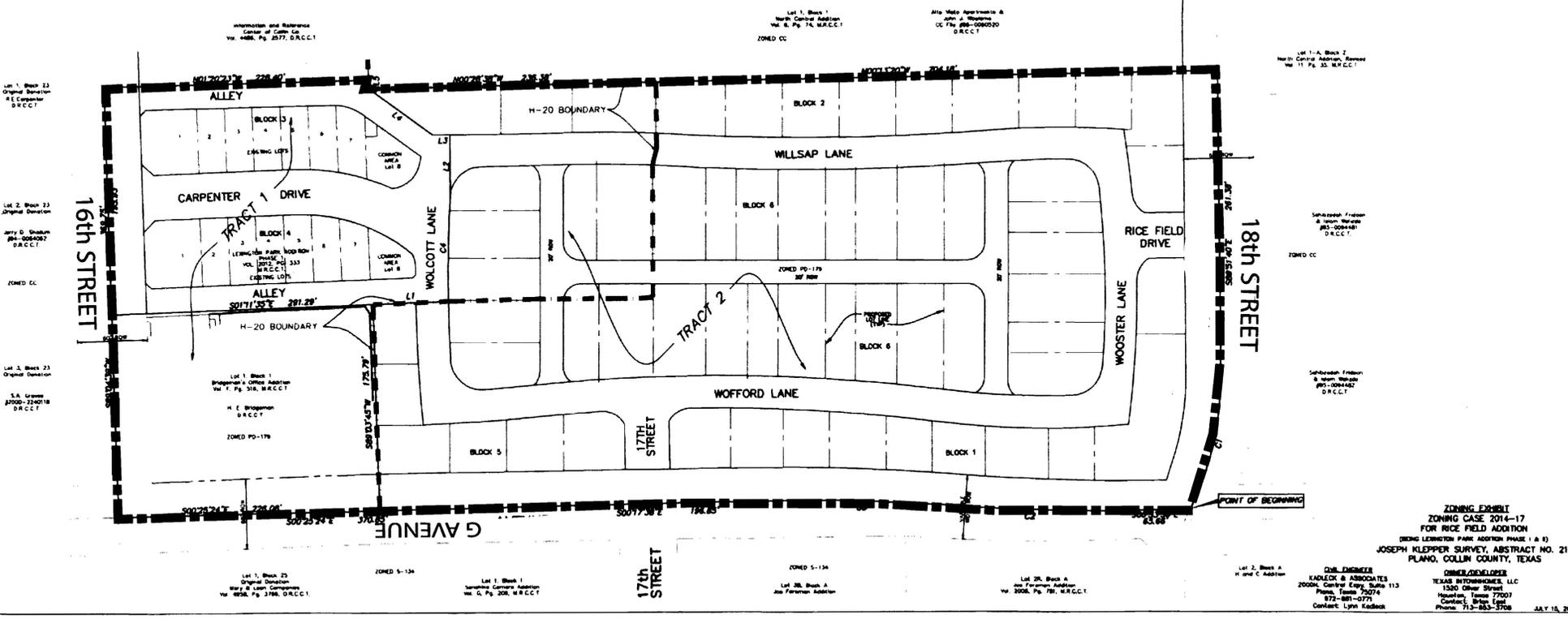
THENCE N 02°13'20" W, continuing with the west line of said Lot 1, Block 1, passing a distance of 467.84 feet the south line of 16th Street and the northeast corner of said Lot 1, Block 1, continuing as of a distance of 437.84 feet to a point for a corner in the center line of 16th Street.

THENCE the following courses and distances with the center line of 16th Street:

- S 80°51'45" E, a distance of 261.33 feet to the beginning of a curve to the right with a central angle of 28°44'20", a radius of 254.83 feet, a chord bearing of S 78°29'27" E and a chord distance of 117.66 feet.
- Southwesterly, along said curve, an arc distance of 118.93 feet the Point of Beginning and Containing 350,960 square feet to a 9.56' curve of land.

NUM	BEARING	DISTANCE
L1	N01°11'35" W	65.23'
L2	N89°41'53" E	52.80'
L3	N01°18'27" W	74.49'
L4	S34°45'53" W	68.02'
L5	S89°18'37" E	7.64'

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	26°44'09"	118.93'	254.83'	S78°29'27" E	117.66'
C2	4°50'39"	143.19'	1618.66'	S2°56'53" W	143.15'
C3	2°21'32"	132.73'	1633.79'	S2°15'24" W	132.67'
C4	4°50'04"	30.96'	1157.79'	N87°53'24" W	90.93'



ZONING EXHIBIT
ZONING CASE 2014-17
FOR RICE FIELD ADDITION
 BEING LEASTOR'S FROM ABSTRACT PHASE 1 & 2
JOSEPH KLEPPER SURVEY, ABSTRACT NO. 213
PLANO, COLLIN COUNTY, TEXAS

CHIL DREMEER
 KABLEK & ASSOCIATES
 20000 Central Expwy, Suite 113
 Plano, Texas 75074
 972-481-0275
 Contact: Lynn Kadach

CHIL DREMEER
 TEXAS DEVELOPERS, LLC
 1300 Oliver Street
 Houston, Texas 77007
 Contact: Brian Leal
 Phone: 713-853-3708

JULY 16, 2014

DATE: August 5, 2014
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 4, 2014

**AGENDA ITEM NO. 13 - PUBLIC HEARING
COMPREHENSIVE PLAN AMENDMENT - THOROUGHFARE PLAN MAP
APPLICANT: CITY OF PLANO**

Request to amend the Thoroughfare Plan Map of the Comprehensive Plan.

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

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: August 25, 2014 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

SS/dc

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 4, 2014

Agenda Item No. 13

Public Hearing: Comprehensive Plan Amendment - Thoroughfare Plan Map

Applicant: City of Plano

DESCRIPTION:

Request to amend the Thoroughfare Plan Map of the Comprehensive Plan.

REMARKS:

The City of Plano proposes an amendment to the Thoroughfare Plan Map of the Comprehensive Plan for the addition of two Type F thoroughfares. The first thoroughfare begins at the intersection with Heritage Parkway in the City of Murphy and 14th Street, moving southwest towards existing Park Vista Road. The second roadway will align generally with Park Vista Road from 14th Street, running south across the Cotton Belt Railroad, and terminating after the railroad crossing.

On November 25, 2013, the City Council approved a concept plan for the property south of the railroad tracks including several associated variances. At that meeting, the Council directed the Planning & Zoning Commission to call a public hearing to add a Type F, secondary undivided thoroughfare to the Thoroughfare Plan connecting the improved rail crossing adjacent to the property to 14th Street. The purpose for the amendment to the Thoroughfare Plan is to:

1. Provide access to land-locked parcels south of the railroad track and north of the city limit line. Previously, Park Vista Road was intended to extend north from Richardson to 14th Street, but it was removed from the City of Richardson's thoroughfare plan in 2002. The City of Richardson abandoned the street's right-of-way within their jurisdiction on May 14, 2007, leaving limited access to parcels along Plano's southern boundary.
2. Ensure a safe alignment of the roadway. The existing Park Vista Road intersection with 14th Street is not an ideal configuration. A preferred alignment for improved safety is to connect to Heritage Parkway in Murphy to the east; therefore, two roadways are shown.

Impact of the Amendments

The Traffic Engineering Division has reviewed the proposed amendment to the Thoroughfare Plan Map and concludes that the new roadway would not have a negative impact on the city's existing thoroughfare system.

RECOMMENDATION:

Recommended for approval as submitted.

ATTACHMENTS:

- A - Thoroughfare Plan with proposed amendments
- B - Detail Plan of proposed amendments

Note: The Thoroughfare Plan is intended to be used in conjunction with the Transportation chapter of the Comprehensive Plan.

CITY OF PLANO THOROUGHFARE PLAN

Attachment A

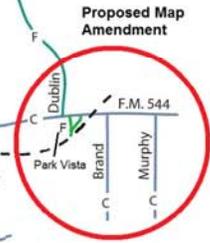


- LEGEND**
- T A Expressway
 - B+ B C Major or Secondary Divided Thoroughfare
 - C1 D Secondary Undivided Thoroughfare
 - E E+ F
 - Interchange Grade Separation
 - ▲ Rail/Street Grade Separation
 - ⊗ Grade Separation, No Interchange
 - ⊙ DART Facility

Thoroughfare Plan and Map adopted by Council on February 24, 2014.
All roadways are shown in approximate locations.

*There are presently no plans to construct any grade separated interchanges on Preston Road or Spring Creek Parkway. The intersection of Legacy Drive and Preston Road should be monitored over time as future traffic conditions may require re-evaluation to determine if a grade separated interchange would be necessary.

The section of Shiloh Road between Parker Road and 14th Street is subject to the design and development phasing plan defined in Resolution Number 98-2-23(R).

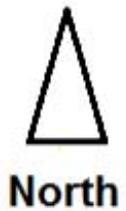


THOROUGHFARE PLAN AMENDMENT

Attachment B

LEGEND

- City Boundary 
- Property Line 
- Proposed Type F Thoroughfare 



An Ordinance of the City of Plano, Texas, amending the Thoroughfare Plan map of the Comprehensive Plan as originally adopted by Resolution No. 86-11-22(R) providing procedures approving the utilization of said map as revised and amended by the appropriate personnel and departments of the City of Plano for the purpose of guiding future development within the City of Plano, Texas; and providing an effective date.

WHEREAS, the Comprehensive Plan of the City of Plano provides for regular monitoring and updating, as needed; and

WHEREAS, the Thoroughfare Plan map was last updated on February 24, 2014, (Ordinance No. 2014-2-14); and

WHEREAS, the Planning & Zoning Commission, during a public hearing held on August 4, 2014, reviewed the proposed amendment to the Thoroughfare Plan Map of the Comprehensive Plan with the addition of two Type F thoroughfares; the first thoroughfare begins at the intersection with Heritage Parkway in the City of Murphy and 14th Street, moving southwest towards existing Park Vista Road and the second thoroughfare will align generally with Park Vista Road from 14th Street, running south across the Cotton Belt Railroad, and terminating after the railroad crossing; and

WHEREAS, City Council has provided an opportunity for public review and input on the proposed map amendment to the Comprehensive Plan, and after receipt of the same, wishes to approve the amendment to the Comprehensive Plan as a tool to provide guidance in transportation regulations; and

WHEREAS, the City Council held a public hearing on August 25, 2014 open to all persons wishing to comment on the proposed map amendment; and

WHEREAS, the City Council, having been presented the proposed map amendment, upon full review and consideration thereof, and all matters attendant and related thereto, is of the opinion that the amended Thoroughfare Plan map of the Comprehensive Plan should be approved, adopted and utilized by the City of Plano.

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

Section I. The Thoroughfare Plan map of the Comprehensive Plan is hereby amended with the addition of two Type F thoroughfares; the first thoroughfare begins at the intersection with Heritage Parkway in the City of Murphy and 14th Street, moving southwest towards existing Park Vista Road, the second thoroughfare will align generally with Park Vista Road from 14th Street, running south across the Cotton Belt Railroad, and terminating after the railroad crossing, a copy of which is attached hereto

as Exhibit "A", and incorporated herein by reference, 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, is hereby approved and adopted.

Section II. The Comprehensive Plan provides a general framework of objectives and strategies for the long range development of the City. It provides a basis for establishing requirements for the development and redevelopment of public and private property, including land uses, streets, and public facilities.

Section III. Development regulations and their application should be generally consistent with the Comprehensive Plan as they relate to overall city standards and specific area or project requirements. In determining whether or not a regulation or its application is consistent with the Comprehensive Plan, the City Council, the Planning & Zoning Commission, or other City body should consider:

1. The Comprehensive Plan in its entirety;
2. Immediate or near-term constraints affecting the timing or phasing of development or redevelopment of a property in accordance with the plan;
3. The existing and planned capacities of public infrastructure and facilities serving a given site or location; and
4. Unanticipated changes in conditions or new information occurring since the last update of the plan or one of its elements.

Section IV. This Comprehensive Plan does not constitute zoning regulations nor does it establish zoning district boundaries. In addition, adoption of the plan as attached does not require the City to rezone property or amend development standards.

Section V. The Comprehensive Plan does not obligate the City to expend funds on any of the recommendations for possible activities, projects or studies.

Section VI. The City Council may amend the Comprehensive Plan following a public hearing held before the City Council and receipt of a report and recommendation of the Planning & Zoning Commission pertaining to the amendment. The Planning & Zoning Commission shall conduct a public hearing before making its report and recommendation to the City Council. Notice of a public hearing pertaining to consideration of an amendment to the Comprehensive Plan shall be given in a newspaper of general circulation not less than ten days prior to the hearing.

Section VII. City staff is permitted to add to or modify the literary and exhibit contents of the amended Transportation Element with such materials as graphs, tables, indexes, maps, background materials, additional policy statements, etc., so long as they are consistent with the policies and recommendations of the Comprehensive Plan, without the need for further City Council approval.

Section VIII. This ordinance shall become effective immediately from and after its passage.

DULY PASSED AND APPROVED THIS 25TH DAY OF AUGUST, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

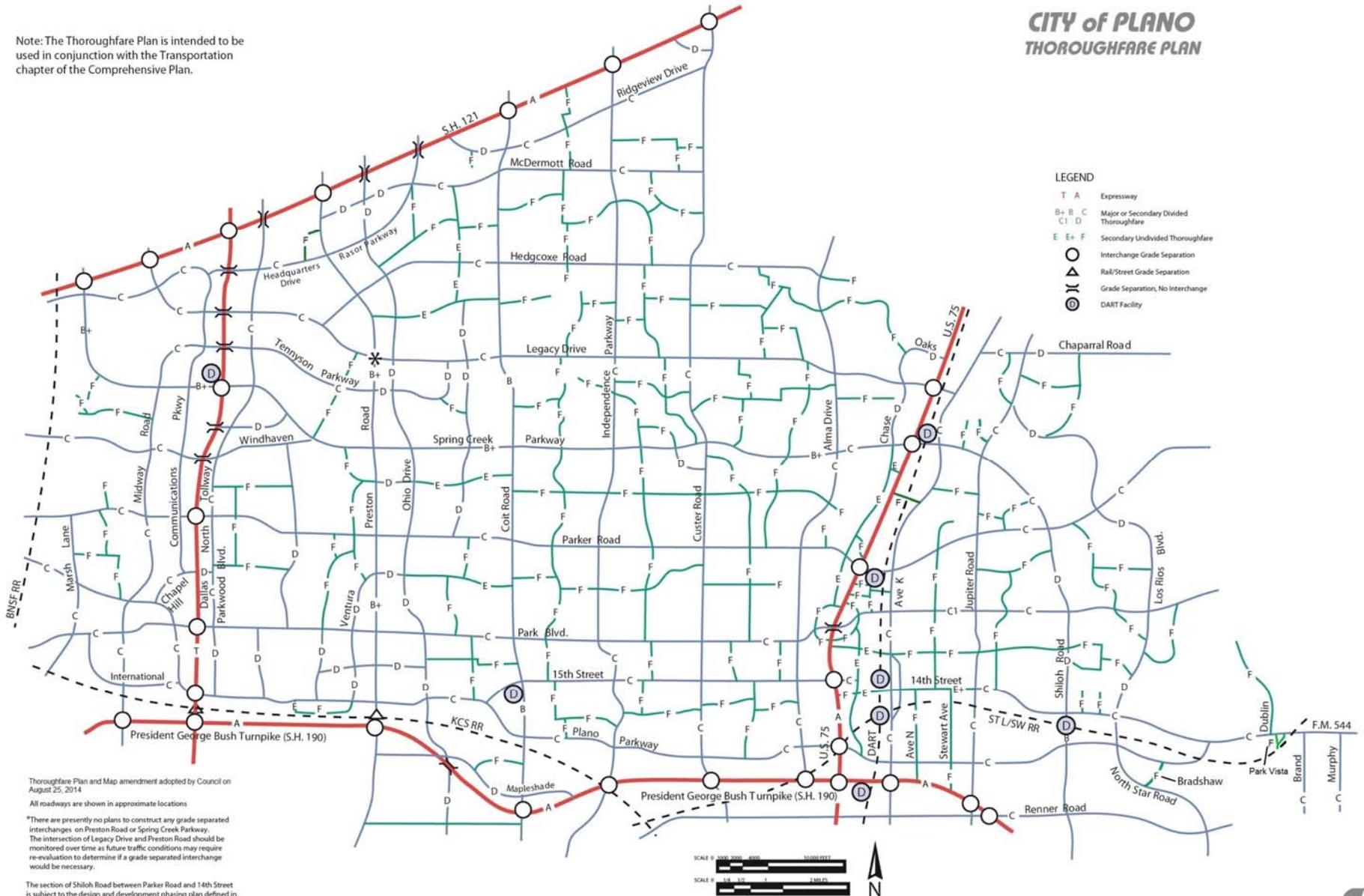
Paige Mims, CITY ATTORNEY

Note: The Thoroughfare Plan is intended to be used in conjunction with the Transportation chapter of the Comprehensive Plan.

CITY of PLANO THOROUGHFARE PLAN

LEGEND

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- B+ B C Major or Secondary Divided Thoroughfare
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Thoroughfare Plan and Map amendment adopted by Council on August 25, 2014
All roadways are shown in approximate locations

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