

**PLANO CITY COUNCIL
REGULAR SESSION
August 25, 2014**

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

Lissa Smith, Mayor Pro Tem

STAFF PRESENT

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

Mayor LaRosiliere convened the Council into the Regular Session on Monday, August 25, 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.

Associate Pastor Peckham from Christ United Methodist Church led the invocation and Council Member Davidson led the Pledge of Allegiance.

Mayor LaRosiliere recognized the Team Protons students for their achievement.

Comments of Public Interest

No one appeared to speak.

CONSENT AGENDA

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

Approval of Minutes (Consent Agenda Item “A”)

August 6, 2014
August 11, 2014
August 16, 2014

Approval of Expenditures

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

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. (Consent Agenda Item “B”)

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. (Consent Agenda Item “C”)

Purchase from an Existing Contract

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) (Consent Agenda Item “D”)

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) (Consent Agenda Item “E”)

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) (Consent Agenda Item “F”)

Adoption of Resolutions

Resolution No. 2014-8-11(R): 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. (Consent Agenda Item “G”)

Resolution No. 2014-8-12(R): 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. (Consent Agenda Item "H")

Resolution No. 2014-8-13(R): 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. (Consent Agenda Item "I")

END OF CONSENT

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). (Regular Item "1")

Director of Budget and Research Rhodes-Whitley stated this is the first of two required public hearings for the tax revenue increase due to increased property values and that the second hearing will be held at 5:00 p.m. on September 3rd.

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

Ordinance No. 2014-8-14 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) (Regular Item "2")

Director of Planning Day spoke to the original request being tabled at the August 11, 2014 meeting. Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 7-0 to remove the item from the table.

Ms. Day stated the ordinance presented is as directed by Council at the last meeting with a minor change to the requirements for Single-Family Residence Attached by right, Items 7 and 8 by adding "adjacent to any residential lots" to the wording. In response to Council Member Miner, Ms. Day stated a traffic light will be placed on Preston Road at the entrance to the subdivision and the developer would need to work with Oncor regarding the power lines.

Ordinance No. 2014-8-14 (cont'd.)

The Council stated approval of the ordinance with the following changes (changes indicated in **bold**):

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 **adjacent to any residential lots.**

Ordinance No. 2014-8-14 (cont'd.)

8. A 10-foot wide HOA lot shall be provided along the eastern lot lines of Harvard Addition, Block A, Lots 1 and 2 **adjacent to any residential lots**. 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.

Upon a motion made by Council Member Downs and seconded by Council Member Davidson, the Council voted 7-0 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; with the amended wording; and to further adopt Ordinance No. 2014-8-14.

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. (Regular Item “3”)

Ordinance No. 2014-8-15: 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.

Ordinance No. 2014-8-16: 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.

Ordinance No. 2014-8-17: 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.

Ordinance No. 2014-8-18: 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.

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

Public Hearing and consideration of Ordinances (cont'd.)

Director of Planning Day advised the restaurants no longer exist, the original private clubs have changed to a mixed-beverage license, or the project never came to fruition for these locations and the ordinances would repeal unused specific use permits. She advised 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 Miner and seconded by Council Member Davidson, the Council voted 7-0 to repeal Specific Use Permits for Private Clubs as requested in Zoning Cases 2014-19, 2014-20, 2014-22, and 2014-23 as recommended by the Planning and Zoning Commission and further to adopt Ordinances No. 2014-8-15 through 2014-8-18.

Public Hearing and adoption of Ordinance No. 2014-8-19 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 (Regular Item "4")

Director of Planning Day stated this request is related to an existing planned development in the downtown area. She spoke to the developer installing infrastructure and building 14 single-family attached homes on the property. Ms. Day advised In Town Homes has purchased the property and are proposing to build single-family detached homes. She reported the proposed plan reduces the density from 98 lots to 75 lots and due to location, 10 of the lots will require Heritage Commission review. Ms. Day stated 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 Duggan and seconded by Council Member Gallagher, the Council voted 7-0, 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; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-17; and to further adopt Ordinance No. 2014-8-19.

Public Hearing and adoption of Ordinance No. 2014-8-20 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 (Regular Item “5”)

Director of Planning Day stated at the Council’s instruction the Planning and Zoning Commission held a hearing to amend the Thoroughfare Plan in November, 2013. She spoke to the additional alignment near Park Vista Road, south of the railroad tracks where it connects to FM 544, and Heritage Parkway in the City of Murphy, advising it is a Type “F” alignment with a 60 foot right-of-way and 30 feet of pavement. Ms. Day stated 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 Miner, the Council voted 7-0 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 to further adopt Ordinance No. 2014-8-20.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:28 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Lisa C. Henderson, City Secretary