

**PLANO CITY COUNCIL
REGULAR SESSION
October 27, 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, October 27, 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.

Pastor McClane from Northpointe Church led the invocation and Junior Girl Scout Troop 3461 led the Pledge of Allegiance.

Mayor LaRosiliere presented proclamations recognizing Pancreatic Cancer Awareness Month and Animal Shelter Appreciation Week. He recognized the Marketing and Community Engagement Department receiving a SAVVY Award from City-County Communications and Marketing Association (3CMA) for the campaign use of Social Media. Mayor LaRosiliere further administered oaths of office to incoming board and commission members and presented certificates of appreciation to outgoing board and commission members.

Comments of Public Interest

Citizen Jack Lagos spoke regarding the disbursement of assets from the dissolution of The Arts Center of North Texas.

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”)

October 13, 2014

Approval of Expenditures

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

RFP No. 2014-169-C for a one (1) year contract with three (3) City optional one-year renewals for life insurance, to be utilized by Human Resources to Cigna Corporation, in an estimated total amount of \$3,229,348; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Bid No. 2014-348-B for the purchase and installation of a Grounding Transformer for the Municipal Center to Kennedy Electric, Inc., in the amount of \$50,283; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2014-353-B for the purchase and installation of Backstand Power Upgrades for the Parkway Operations Building to Groves Electrical Service, Inc., in the amount of \$61,152; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Bid No. 2014-355-B for Canopy Roof Replacement at the Harrington Library to Roof Management Services, Inc., in the amount of \$98,820; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Bid No. 2014-349-B for the purchase and installation of HVAC and Electrical Modifications for 911 Operations in the Municipal Center to Infinity Contractors International, Ltd., in the amount of \$135,427; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

CSP No. 2014-248-B for the construction of the Police Gun Range Modifications to Turner Construction Company, in the amount of \$1,189,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

CSP No. 2014-73-B for an IP Based Fire Station Alerting System, for Public Safety Communications and Plano Fire Rescue to PURVIS Systems Incorporated in the total amount of \$1,306,334; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

Bid No. 2014-340-C for a one (1) year contract with three (3) City optional one-year renewals, for the purchase of de-chlorinator tablets for Public Works to HD Supply Waterworks, LTD, in the estimated annual amount of \$73,879; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

Purchase from an Existing Contract

To approve a five (5) year term contract for the purchase of Energy Management System Maintenance for Facilities Maintenance, in the estimated total amount of \$495,015 from Johnson Controls, Inc., through an existing contract/agreement with TXMAS; and authorizing the City Manager to execute all necessary documents. (TXMAS-5-03FAC020) (Consent Agenda Item “J”)

Approval of Contract Modification

To approve and authorize Contract Modification No. 2 for additional design services for Oak Point Recreation Center Expansion & Renovation, in the amount of \$191,540 with Brinkley Sargent Architects; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “K”)

Approval of Expenditure

To approve expenditures for Major Arts Grant funds in the total amount of \$789,404 for various arts organizations; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “L”)

Adoption of Resolutions

Resolution No. 2014-10-13(R): To approve the terms and conditions of Local Project Advance Funding Agreement (LPAFA) between City of Plano and the Texas Department of Transportation (TxDOT) for improvements on Preston Road at President George Bush Turnpike (SH 190); authorizing the City Manager to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date. (Consent Agenda Item “M”)

Resolution No. 2014-10-14(R): To approve the terms and conditions of the amended Interlocal Agreement (ILA) between City of Plano and Collin County for improvements on McDermott Road from Coit Road to Ohio Drive. This amended Interlocal Agreement will supersede and will repeal the Interlocal Agreement approved on January 25, 2010 by Resolution 2010-1-12(R); authorizing the City Manager to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date. (Consent Agenda Item “N”)

Resolution No. 2014-10-15(R): To abandon a fee simple interest of a portion of road right-of-way known as Park Vista Road, dedicated by the Woodlands of Plano Final Plat Number 109891, Volume M, Page 260 Plat Records, as shown on Exhibit "A" which is located in the City of Plano, Texas, retaining a Fire Lane, Access, Utility, Drainage, Public Way, and Sidewalk easement; quitclaiming the fee simple interest to the abutting property owner, to the extent of their interests; authorizing the City Manager to execute all documents necessary to convey the interest; and declaring an effective date. (Consent Agenda Item “O”)

Resolution No. 2014-10-16(R): To approve the terms and conditions of a License Agreement by and between the City of Plano and Dallas Area Rapid Transit (DART) for the use of approximately 43,000 square feet of land at the DART Northwest Plano Park and Ride for the use of sand and salt storage; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “P”)

Adoption of Ordinances

Ordinance No. 2014-10-17: To adopt and enact Supplement Number 108 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date. (Consent Agenda Item “Q”)

Ordinance No. 2014-10-18: To approve the carrying-forward of certain fiscal year 2013-14 funds to fiscal year 2014-15; and providing an effective date. (Consent Agenda Item “R”)

Ordinance No. 2014-10-19: To repeal Ordinance No. 2014-10-7; amending Ordinance Nos. 2009-2-15 and 2013-10-32 codified as Sections 21-135, 21-136 and 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, to reflect new rates and increase the fee schedules for water and sewer services effective November 1, 2014, and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Consent Agenda Item “S”)

Ordinance No. 2014-10-20: To amend certain sections of Ordinance No. 2013-6-4 codified as Section 10-3 of Article I, Chapter 10, Library, of the Code of Ordinances of the City of Plano to revise the fee schedule for unreturned and overdue materials, and to establish charges for lost cards, room rentals, and administrative fees; and providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item “T”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2014-10-21 as requested in Zoning Case 2014-26 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, amending Subsection 2.829 (Urban Mixed-Use) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), Section 5.600 (Amendments) of Article 5 (Site Plan Review), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended to modify the Urban Mixed-Use zoning district; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Item “1”)

Development Review Manager Hill stated this zoning case is to clean up and clarify existing mixed-use regulations in the areas of setbacks, definitions, mixed-use requirements, streets and sidewalks, parking, townhome density, and phasing. He advised that the Planning and Zoning Commission recommended approval as follows: (Additions are indicated in underlined text; deletions are indicated in ~~striketrough text~~.)

2.829 UMU - Urban Mixed-Use

1. Purpose

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

2. Permitted Uses

See Subsection 2.502 Schedule of Permitted Uses for a complete listing.

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

3. Area, Yard, and Bulk Requirements

Description	Requirement	
	Commercial and Multifamily	Single-Family Attached
Minimum Lot Area	None	700 square feet
Minimum Lot Width	None	20 feet
Minimum Lot Depth	None	35 feet
Front Yard Setbacks	75% of the building face shall be within 25 feet of the street curb. If easements are present, <u>or public open space, patio dining, plaza or other public amenity is provided,</u> 75% of the building face shall be built to the easement line, <u>open space or public amenity.</u> The setback <u>may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed between the building face and a public street of Type D or above.</u>	75% of the building face shall be within 25 feet of the street curb. If easements are present, 75% of the building face shall be built to the easement line.
Side Yard Setbacks	Interior Side Yard - None Exterior Side Yard (Corner Lot) - Shall be treated the same as front yards.	Interior Side Yard - None Exterior Side Yard (Corner Lot) - Shall be treated the same as front yards.
Minimum Rear Yard	None	None
Minimum Height	2 story	2 story
Maximum Height	15 story	3 story
Maximum Lot Coverage	None, except as limited by applicable setback requirements from Front Yard Setbacks, Side Yard Setbacks, Minimum Rear Yard, and Maximum Height above	100% including accessory buildings
Minimum Lot Coverage	60%	60%
Maximum Floor Area Ratio	6:1 except as limited by applicable setback requirements from Front Yard Setbacks, Side Yard Setbacks, Minimum Rear Yard, and Maximum Height above.	None
Minimum Floor Area Ratio	1:1	NA

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

4. Definitions

The following terms and definitions only apply to the regulations of this district. Where they conflict with general definitions in the Zoning Ordinance, these definitions shall control.

- a. Floor Area Ratio - The ratio of a building's gross floor area to the area of the lot on which the building is located.
- b. Gross Floor Area - The sum of floor area within the perimeter walls of a building. Gross floor area only includes air-conditioned space intended for human occupancy and excludes garages, patios, attics, balconies, roof decks, and other exposed or unairconditioned space.
- c. ~~Gross Leasable Area - The total floor area intended for tenant occupancy and exclusive use, but excluding garages, patios, attics, balconies, roof decks, and other exposed or unairconditioned space.~~
- c. Gross Linear Footage - The total length of a building as measured in a straight line along the street.
- d. Residential Density - The number of individual residential living units per acre of the site or lot on which they are located. Calculation of residential density shall be based on the net size of the property, exclusive of public and private street right-of-way, street easements, and park and open space accessible to the public.
- e. Effective Residential Density - A measure applied to a mixed-use building which ~~includes~~ calculates the total number of possible residential units to estimate the potential density if the building were used solely for residential purposes. Effective density equals per acre density based on the total number of residential units plus the gross ~~leasable~~ floor area of nonresidential and/or live/work/flex space divided by the average residential unit size.
- f. Live/Work/Flex Space - A dwelling unit of not less than 700 square feet that, subject to building code compliance, may be used completely or in part for an allowed nonresidential use.
- g. Block - An area enclosed by streets, utility easements and/or transit rights-of-way on all sides, excluding divisions created by fire lanes, alleys, and service drives.
- h. Block Length - The distance along a street face uninterrupted by an intersecting street, utility easement, and/or transit right-of-way, excluding intersections with alleys and service drives.
- i. Reciprocal Easement Agreement - A contract among property owners and tenants governing the use and operation of property, including shared common areas, usable open space, and parking.
- j. Lot Coverage - The area of a site or lot covered by a building measured from the base of the perimeter walls, excluding covered walkways, porches, and un-air conditioned space. Tuck under parking and parking garages are included in the calculation of lot coverage.

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

5. District Establishment and Administration

The regulations contained within this zoning district shall be supplemented with additional standards and conditions required to execute a specific development plan. The boundary of each UMU district shall be defined on the Zoning Atlas and identified with the letters UMU followed by a unique number referencing the supplementary regulations. In considering the establishment of a UMU district, the Planning & Zoning Commission and City Council may amend the base UMU regulations to implement individual development plans, with the exception of:

- a. Requirement for an adopted development plan
- b. Requirement for a governance association
- c. Minimum residential densities for multifamily development
- d. Requirement to maintain three or more uses
- e. Requirement for nonresidential uses to be constructed within the first phase of development

6. Adopted Development Plan

A UMU district shall not be established without the concurrent adoption of a development plan for the district. The plan shall show the location and type of streets, blocks, parking areas, and open space. The plan shall specify the primary, secondary, and tertiary categories of land use, including the ~~minimum and maximum~~ amount of gross floor area designated for each category of use. The plan shall specify the minimum and maximum number of residential units. The plan shall enumerate all standards, conditions, and performance and implementation requirements not otherwise contained in the base zoning district requirements. The development plan shall be adopted as part of the ordinance creating the UMU district. Major modifications to the development plan, including but not limited to specifications of land use categories and functional roles, significant lot, block and street design changes, and increasing the number of residential units, shall only be amended by the same process by which ~~it~~ the development plan was created. (See Section 5.500 Adopted Development Plan.)

7. Governance Association

Applications for building permits for development within a UMU district shall not be accepted or approved until a property owner's governance association is established. The association shall be responsible for maintaining all common property, improvements, and amenities within the district. It shall have power sufficient to assess and collect dues and charges as required to perform its responsibilities. It may have additional powers to administer other programs, including but not limited to security, promotion and marketing and entertainment. A Municipal Management district or Public Improvement district created in conformance with the Texas Local Government Code may be created to satisfy this requirement. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and to other amenities shall also be required and incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

8. Mixed-Use Requirement

Each UMU district must contain three or more use categories. Each category must be designated as primary, secondary, or tertiary according to the gross floor area for each use. ~~Only residential, retail, and office/institutional may be a primary use category.~~ A primary use category must include not less than ~~540%~~ or more than 70% of the gross floor area. Secondary use categories must include not less than 20% or more than 40% ~~or less than 20%~~ of the gross ~~leasable~~ floor area. Tertiary uses ~~shall~~ must include not represent more than 20% of the gross floor area. The percentages of primary, secondary, and tertiary uses ~~is to be defined in the adopting ordinance. Percentages of gross floor area may vary as long as their functional role does not change.~~ The primary use must always be the largest amount of actual building area constructed and under construction. Use categories are designated below:

Use Category	Functional Role
Primary Residential Uses	Primary, Secondary, or Tertiary
Retail Uses	Primary, Secondary, or Tertiary
Educational, Institutional, Public, and Special Uses	Primary, Secondary, or Tertiary
Office and Professional Uses	Primary, Secondary, or Tertiary
Service Uses	Tertiary
Transportation, Utility, and Communications Uses	Tertiary

9. Additional Use Regulations

- a. If multifamily residential use is a designated use, a minimum of 250 units is required. This requirement does not apply to mid-rise residential developments ~~of 5-12 stories in height.~~
- b. An average residential density of 40 dwelling units per acre must be maintained within a UMU district. The average shall be computed based on the actual ~~and effective~~ residential density of units built and under construction (building permit issued). The reservation and allocation of residential units shall be managed by the governance association. Phased development shall have a minimum average residential density of 40 dwelling units per acre. However, no phase having less than 40 units per acre may be constructed, unless preceded by or concurrently built with a phase which maintains the minimum 40 dwelling units for the overall UMU district. No individual phase may be constructed at a residential density less than 30 units per acre, with the exception of single-family attached uses.

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

- c. No less than 20,000 square feet of nonresidential space must be built as part of the first phase of development, consisting of at least one restaurant and one retail space. Fitness centers, leasing offices, club and meeting rooms, and other uses associated with and managed by a multifamily use shall not be included to meet this minimum requirement. Freestanding nonresidential buildings may not be less than 10,000 square feet in size. There is no minimum size for individual lease spaces integrated vertically into a building,

10. Streets and Sidewalks

- a. All streets within a UMU district must be platted as private streets, unless the city agrees to accept dedication of some or all as public streets. All streets are to be open for public use and may not be gated or have restricted access, except as may be permitted for special events. All streets must be located in a private street lot or in public right-of-way. The width of a street lot or right-of-way shall be determined by the adopted development plan. A private street lot or public right-of-way may vary in width but must be sufficient to accommodate travel lanes, medians, sidewalks, utilities, street furniture and fixtures, and landscaping of public or common ownership. Easements may be required within the street lot for utilities and emergency access.
- b. All streets within a UMU district shall be constructed in accordance with the following general street classifications:
 - i. Major Median Divided (four 11-foot travel lanes) - Only permitted if a Type D or larger thoroughfare is required by the city's Thoroughfare Plan.
 - ii. Major Street (two 11-foot travel lanes with parallel or diagonal parking and valet or drop-off lanes)
 - iii. Minor Street (two 11-foot travel lanes with parallel parking and designated loading zones)
 - iv. Mews Street (for Single-Family Residence Attached development only) (two 11-foot travel lanes with three feet on each side to accommodate utilities and services) - Parking may be provided on mews streets but is not required.
 - v. Alley/Service Drive (two 12-foot travel lanes with no parking) - May also be a fire lane
- c. Street Design - A UMU district shall be organized into blocks created by a grid of streets. A variety of street types and block sizes may be incorporated to create the grid, including diagonal, off-set, and angled streets. Cul-de-sacs and curvilinear streets are prohibited.
- d. Block Size - The maximum block size is three acres, except as required for public park, hospital, or school use.
- e. Block Length - The maximum block length is 600 feet, except as may be required for park, hospital, or school use.

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

- f. Required Main Street - All UMU districts shall have a main street, designated on the development plan, which serves as the core of the district. It shall be a major street ~~(two 11 foot travel lanes with parallel or diagonal parking)~~. ~~B~~ with buildings of a minimum of two stories shall fronting onto the main street. No parking garages or surface parking lots shall directly abut the main street. A minimum 600 foot to 1,200 foot section of the street shall be the activity center of the district core. A minimum of 75% of This the gross linear footage area of the first floor shall have the highest concentration along the activity center shall consist of retail, restaurant, and entertainment, and other active uses. ~~square footage in the UMU district.~~ The maximum width of store fronts in this area shall be limited to 100 feet. The perimeter of a superstore, food/grocery store, or regional theater must be lined with individual store fronts meeting this maximum width requirement. The specific development plan must define the main street. ~~It shall also designate the location of at least 60% of the gross floor area along the main street for primary and secondary uses.~~
- g. Street Trees - Street trees are required at the rate of one tree per 40 linear feet of major and minor street frontage. Adjacent to retail uses, street trees are required at the rate of one tree per 100 feet of major and minor street frontage. Trees shall be placed in planting beds or tree grates within five feet of the back of the street curb.
- h. Sidewalks - Sidewalks shall be provided on both sides of all major and minor streets as required below. A clear pedestrian path of seven feet in width shall be maintained on all minor streets and 12 feet in width on all major streets. Trees, landscaping, outdoor dining areas, bicycle racks, and street furniture may be placed within the sidewalk but may not reduce the clear path width. Awnings, canopies, and other detachable fixtures may extend into the street lot or public right-of-way. All public sidewalks and common areas to be maintained by the governance association shall be located in a street lot or public right-of-way. All other areas are to be on a building lot. Other walkways may be permitted to access open space, amenities, and services. All walkways are to be open to the public unless designated as private.

11. Usable Open Space

- a. Usable public open space shall be provided in an amount not less than five percent or more than ten percent of the gross acreage of the development. A maximum of 25% of the required open space may be located within a floodplain or within an overhead transmission line easement if these areas are improved for open space use. Except for property located within a floodplain, open space shall fit into the grid street and building block plan. Unless arranged as a courtyard with buildings on three sides, public open space shall abut a street on two sides. At least one plaza or open space shall be located within adjacent to the main street area required in 10.f above. Smaller usable open space areas may also be provided. ~~Individual public open space areas and shall be no larger than three acres or smaller than one-quarter acre. The plan for the arrangement of common open space must e adopted when the district is established. It may be amended only through the same process as the district was created. The common open space is to be maintained by the association.~~ Usable open space must be adopted by the development plan and must be maintained by the governance association.

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

- b. Private open space is permitted consisting of interior courtyards and patios required for private amenities and individual business and residential use. Fencing and other enclosures may be used for building security, protection of play and pool areas, or as may be required for business and individual residential use. Exterior yards may not be fenced, except front yards assigned to individual residential units and townhouses may be enclosed with a maximum four-foot tall vertical rail metal fence.
- c. Multifamily development is exempt from the requirements of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).

12. Parking Requirements

- a. UMU districts shall be designed as compact, pedestrian-oriented developments. With the exception of neighborhood theaters, regional theaters, religious facilities, and assembly halls, the maximum permitted parking for nonresidential uses is capped at one space for each 250 square feet of gross ~~leasable floor~~ area. Theaters and assembly halls are capped at one space per 2.5 persons accommodated. On-street parking is included in the parking calculations for the UMU district. No more than 25% of parking spaces ~~the capped parking requirement~~ for the entire development, ~~as shown on the development plan~~, may be located in a surface parking lots. Parking in excess of 10% over the above the maximum caps may be provided only is allowed only if provided in parking garages.
- b. Parking for multifamily residential uses shall be required as follows:
 - i. One bedroom or less: One parking space per unit
 - ii. Two bedrooms: 1.5 parking spaces per unit
 - iii. Three bedrooms or more: Two parking spaces per unit
- c. On-street parking is required on all major and minor streets except in locations designated for loading, services, and pedestrian crossings.
- d. All surface parking lots with 50-100 or more spaces must be designed as future development sites. They must be located on the outside edge of the development. No surface parking lot may contain more than 300 spaces.
- e. A minimum five-foot landscape edge shall be provided between all surface parking lots and major and minor streets. Within this landscape edge, ten shrubs (five gallon minimum) shall be planted per 500 square feet. The landscape edge along major median divided streets shall comply with the requirements of Section 3.1200 (Landscaping Requirements) or the overlay districts contained in Article 4 (Special District Regulations) if applicable.
- f. Private garages may be located (tucked) directly under and assigned to an individual residential unit.

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

- g. Podium parking or grade level parking may be located under a horizontal structural concrete or steel structure separating the parking level from uses located on the podium.
- h. One full level of a multi-level parking structure at or below grade must be open for general public parking. No parking structure serving primarily residential use shall serve more than two residential buildings. A residential parking garage must directly connect to at least one residential building and each level of the garage must be directly accessible from the residential building.

13. Building Placement and Design

- a. Buildings in a UMU district must be designed and oriented to reinforce the street grid. The distance from building face to building face shall not exceed 100 feet on major streets, unless separated by usable open space.
- b. Single-Tenant Maximum First Floor Square Footage - 30,000 square feet, with the exception of schools and hospitals
- c. Permeability of First Floor - With the exception of parking garage, podium garages, and loading and service areas, 60% of the first floor of nonresidential buildings and live/work/flex space units must consist of windows and doors. Live/work/flex space units must have an exterior entrance.
- d. Nonresidential space must have a minimum floor-to-ceiling height of 12 feet; however, live/work/flex space must have a minimum floor-to-ceiling height of ten feet.

14. Single-Family Attached (Townhouse) Residence Regulations

- a. Each dwelling unit shall be on an individually-platted lot. No more than 50% of the lots within a development may abut a mews street as the only point of street frontage and access.
- b. Maximum Density: 40 dwelling units per acre
- c. Minimum Density: ~~25~~18 dwelling units per acre
- d. Minimum Floor Area per Dwelling Unit: 800 square feet
- e. Stoops and landscape areas adjacent to the building may extend a maximum distance of five feet into the area between the front facade of the building and the back of the street curb.
- f. Maximum Building Length: 200 feet
- g. Buildings must be separated by a minimum distance of ten feet.
- h. No usable open space areas are required.

Public Hearing and adoption of Ordinance No. 2014-10-21(cont'd.)

- i. Each dwelling unit shall have a garage with a minimum of two parking spaces. Tandem garage spaces are allowed. Garage entrances shall be allowed only from a mews street or alley. The distance from the garage to the travel lane of the alley or mews street shall be five or less feet in length or shall be 20 feet or greater in length. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.

15. Additional Requirements and Restrictions

- a. A UMU district or a group of buildings within the district may not be walled, fenced, or restricted from general public access.
- b. The second building constructed and all subsequent buildings may not be further than 150 feet from another building.
- c. The regulations, specifications, and design standards for signs contained in ~~Subsection 3.1605 (Downtown Sign District) Area A~~ the Downtown Business/Government (BG) zoning district shall apply unless otherwise specified in this ordinance or in the adopted development plan.

Amend Section 5.600 (Amendments) of Article 5 (Site Plan Review), to read as follows:

At any time following the approval of a concept plan, preliminary site plan, adopted development plan, or site plan and before the lapse of such approval, the property owner(s) may request an amendment. Amendments shall be classified as major and minor. Minor amendments shall include corrections of distances and dimensions, adjustments of building configuration and placement, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping, and screening, changes to utilities and service locations which do not substantially change the original plan. Minor phasing amendments for adopted development plans are permitted only for the purpose of adding an adjacent nonresidential or vertically mixed-use building into the current phase. Amendments to previously approved storm water conservation areas, increases in building height and/or building proximity to an adjacent offsite residential use, and all other amendments shall be considered major amendments and may be considered by the Planning & Zoning Commission at a public meeting in accordance with the same procedures and requirements for the approval of a plan. Major amendments to an adopted development plan for the Urban Mixed-Use District may only be approved through the same process by which it was initially adopted. The Director of Planning may approve or disapprove a minor amendment. Disapproval may be appealed to the Planning & Zoning Commission.

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. 2014-10-21(cont'd.)

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 8-0, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, amending Subsection 2.829 (Urban Mixed-Use) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), Section 5.600 (Amendments) of Article 5 (Site Plan Review), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended to modify the Urban Mixed-Use zoning district; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-26; and further to adopt Ordinance No. 2014-10-21.

Public Hearing and adoption of Ordinance No. 2014-10-22 as requested in Zoning Case 2014-31 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 156.3± acres of land located at the southwest corner of Plano Parkway and Alma Drive in the City of Plano, Collin County, Texas, from Planned Development-384-Retail/General Office, Planned Development- 385-Retail/General Office, Planned Development-386-Retail/General Office, Planned Development-387-Retail/General Office, Planned Development-388-Retail/General Office, and General Office with Specific Use Permit #563 for Kennel/Commercial Pet Sitting to Urban Mixed-Use; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: RPC Heritage 190, LLC (Regular Item “2”)

Director of Planning Day spoke to the current zoning for the property stating five districts were created in the mid-80's and current zoning allows for buildings up to 25 stories. She discussed the uses of the surrounding area developments. Ms. Day spoke to the two phases of the proposed development with the first phase on the east by the creek being mainly residential with some restaurants and retail and the second phase being denser with a primary activity center and a large office center. She outlined the exceptions requested by the applicant, the notification process and the property owners in support or opposition. Ms. Day reported the Engineering Department had reviewed the traffic impact study and the applicant was waiting for final TxDOT approval.

Ms. Day advised the Planning and Zoning Commission recommended approval subject to:

1) Conformance with Subsection 5.503 (Application Procedure and Requirements) of Section 5.500 (Adopted Development Plan) of Article 5 (Site Plan Review) of the Zoning Ordinance; and

2) The following exceptions:

1. Block A

a. Height:

i. Maximum Building Height: One 25-story (360 feet) building to be located adjacent to S.H. 190 and a minimum of 1,500 feet east of Custer Road; Remainder 20 stories (290 feet).

Public Hearing and adoption of Ordinance No. 2014-10-22 (cont'd.)

- ii. Within 250 feet of the south right-of-way line of Plano Parkway a maximum eight-story height (120 feet) is allowed. No more than 50% of the structures within this setback shall exceed six-stories (90 feet). One building at the southeast corner of Custer Road and Plano Parkway may be ten-stories (150 feet). All heights shall include mechanical/penthouse.
 - iii. Maximum Parking Structure Height: Six levels above grade (60 feet)
- b. Exempt from maximum block length of 600 feet.
 - c. Exempt from maximum block size of three acres.
 - d. Exempt from single-tenant maximum first floor of 30,000 square feet.
 - e. Exempt from maximum building distance separation of 150 feet.
 - f. Gates are permitted for the purpose of restricting internal access.
2. Minimum single-family residence attached density: 8 dwelling units per acre.
3. Single-family residence detached is an additional permitted use and shall be developed in accordance with the Patio Home (PH) zoning district standards, except as noted below:
- a. Minimum lot width: 35 feet
 - b. Maximum height: Three story, 35 feet
 - c. Patio Homes are not required to have a zero side yard.
4. Minimum building height shall be one story, 24 feet for nonresidential uses within Blocks H, L, M, T, U and V.
5. Increase maximum block size to four acres for Blocks D, F, H, I, S, and U. Increase maximum block size to five acres for Block N.
6. The landscape edge may be reduced to 15 feet along Plano Parkway, Alma Drive, S.H. 190, and Custer Road.
7. Reduce minimum free standing building square footage to 3,000 square feet for Block T.
8. All blocks are exempt from the maximum building setbacks for structures adjacent to Alma Drive, Plano Parkway, Custer Road, and State Highway 190.
9. A minimum of 40% of the gross linear footage of the first floor along the activity center shall consist of retail, restaurant, entertainment, and other active uses.

Public Hearing and adoption of Ordinance No. 2014-10-22 (cont'd.)

Bill Flaherty, President and CEO of Rosewood Properties, the applicant, stated the current zoning did not fit well with the property and the plan for the property could be useful in a leadership role in Central Plano redevelopment. He advised results from the two neighborhood meetings showed support from area residents. Bill Dahlstrom, representing the applicant, stated the vision for the property is a true urban mixed-use property and businesses relocating are looking for a live, work, and play environment.

Scott Polikov, from Gateway Planning, representing the applicant, spoke to the existing zoning uses and discussed the process used for the proposed development plan. He provided a site plan with the proposed uses for the walkable development. Mr. Polikov stated the original plan was amended after meeting with the adjacent neighborhood relocating and reducing the number of multifamily units and that the development includes single family detached homes. He discussed the proposed plan for the first phase of the development including restaurants and multi-family housing by the creek and open spaces for activities. Mr. Polikov spoke to the second phase including the office center and a walkable dense urban center with restaurants, retail, and businesses.

Mayor LaRosiliere opened the Public Hearing. Tammy Dorsett, Matt Dorsett, Harold Lehrmann, Allan Solocruz, Randall Patterson, Jim McGrath, Tina Swinson, Russell Dimmick, Pat Hatchell, Roxanne Wright, Robert Miller, John Sutton, Jr., Tracy Dry, Ryan Dry, Sharon Magee, Janet Miller, Valerie Kirkpatrick, and Lynn Ellis spoke in favor of the request, stating the development would encourage other area improvements and have a positive impact on the area. Allan Samara, Johnny Walker, Kathryn Seay, W. Craig Barlow, Henry Guttormson, David Chilcott, and Dean Siotos spoke in opposition of the request, expressing concern regarding increased traffic, the possible height of the office buildings, and the number of multi-family units. Mayor LaRosiliere closed the Public Hearing.

Ms. Day clarified the current zoning would allow buildings up to twenty-five stories in height. The Council expressed support of the project to help revitalize the area, but would like to address the traffic concerns.

Upon a motion made by Council Member Downs and seconded by Deputy Mayor Pro Tem Harris, the Council voted 8-0, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 156.3± acres of land located at the southwest corner of Plano Parkway and Alma Drive in the City of Plano, Collin County, Texas, from Planned Development-384-Retail/General Office, Planned Development-385-Retail/General Office, Planned Development-386-Retail/General Office, Planned Development-387-Retail/General Office, Planned Development-388-Retail/General Office, and General Office with Specific Use Permit #563 for Kennel/Commercial Pet Sitting to Urban Mixed-Use; 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 2014-31; and further to adopt Ordinance No. 2014-10-22.

Consideration of a request to call a public hearing to amend Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance in order to modify residential density requirements. Applicant: City of Plano (Regular Item “3”)

Director of Planning Day stated she is requesting Council call a public hearing to initiate a zoning case to allow staff to review density requirements in urban residential uses.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 8-0, to call a public hearing to amend Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance in order to modify residential density requirements.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 9:42 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Lisa C. Henderson, City Secretary