

PLANO CITY COUNCIL
May 11, 2009

COUNCIL MEMBERS

Pat Evans, Mayor
Jean Callison, Mayor Pro Tem
Harry LaRosiliere, Deputy Mayor Pro Tem
Pat Miner
Scott Johnson
Mabrie Jackson
Sally Magnuson
Lee Dunlap

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Deputy City Manager
Bruce Glasscock, Deputy City Manager
Rod Hogan, Deputy City Manager
Mark Israelson, Assistant City Manager
LaShon Ross, Assistant City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Pro Tem Callison convened the Council into the Regular Session on Monday, May 11, 2009, at 7:00 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Mayor Evans.

The invocation was led by Reverend Shannon Grubbs of First Christian Church - Plano. The Pledge of Allegiance was led by Jr. Girl Scout Troop 68.

Mayor Pro Tem Callison presented proclamations recognizing the 2009 Paul L. Standberry Scholarship Award winners; Public Service Recognition Week – 2009; and the 2009 Employee of the Year – Joan Shopoff. City of Frisco Mayor Maso presented a proclamation recognizing Mayor Evans' service.

Mayor Pro Tem Callison administered an oath of office to David M. O'Dens for the Civil Service Commission and presented a Certificate of Appreciation to A. Basit Siddiqui for his service on the Cultural Affairs Commission.

COMMENTS OF PUBLIC INTEREST

Citizen of Plano Jay Cooper spoke regarding a water utility deposit and subsequent disconnection of service resulting in fines and requested an agenda item.

CONSENT AGENDA

Staff requested that Consent Agenda Item "O" be pulled and held.

Council Member Dunlap requested that Consent Agenda Item "D" be removed for individual consideration due to a possible conflict of interest.

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

Approval of Minutes (Consent Agenda Item "A")
April 27, 2009

Approval of Expenditures

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

Bid No. 2009-91-B for Legacy Greenbelt Extension to Irricon Construction in the total amount of \$746,265. This amount includes the base bid of \$647,765 and Alternates 1 and 2. This project includes new trail construction from Ohio Drive to Preston Road with undercrossings of Preston Road, Hedgcoxe Road and Ohio Drive; pedestrian bridge; gabion baskets and a large retaining wall adjacent to the trail will also be constructed. The alternate bid items are for a stone face treatment to the gabion baskets and stone facing on the concrete retaining wall. (Consent Agenda Item "B") [See Exhibit (A)]

Bid No. 2009-86-C for Auto & Truck Non-OEM Parts to O'Reilly Auto Parts in the estimated annual amount of \$100,000. This will establish an annual contract with a fixed price percentage discount off list price, with three optional one-year renewals. (Consent Agenda Item "C") [See Exhibit (B)]

Purchase from an Existing Contract

To approve the purchase of Gasoline Fuel in the estimated annual amount of \$500,000 from Martin Eagle Oil Company through an existing contract/agreement with City of Fort Worth contract; and the City Manager is hereby authorized to execute all necessary documents (Bid No. 08-0259). The contract term is 12/17/08 to 12/16/09 for a term of one year with options to renew for four additional one-year periods for the purchase of gasoline fuel. (Consent Agenda Item "E")

To approve the purchase of Diesel Fuel in the estimated annual amount of \$500,000 from Martin Eagle Oil Company through an existing contract/agreement with City of Fort Worth contract, and the City Manager is hereby authorized to execute all necessary documents (Bid No. 08-0008). The contract term is 3/9/09 to 3/8/10 for a term on one year with options to renew for three additional one-year periods for the purchase of diesel fuel. (Consent Agenda Item "F")

To authorize the purchase and installation of System Asset Management System Software in the amount of \$119,606 from Cima Solutions Group, LTD, through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-841). (Consent Agenda Item "G")

Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)

To approve a Professional Services Contract by and between the City of Plano and James Duncan and Associates, Inc. (d/b/a Duncan Associates), in the amount of \$75,000 for updating and reformatting the text, page layout, illustrations and graphics and preparing updated use tables and definitions for the City's Zoning and Development Regulations, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "H")

Adoption of Resolutions

Resolution No. 2009-5-1(R): To approve the terms and conditions of an amendment to a Police/School Liaison Interlocal Agreement by and between the Plano Independent School District and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2009-5-2(R): To approve the terms and conditions of an amendment to a Police/School Liaison Interlocal Agreement by and between the Frisco Independent School District and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “J”)

Resolution No. 2009-5-3(R): To approve the Investment Portfolio Summary for the quarter ending March 31, 2009; and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2009-5-4(R): To approve an amendment to the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Invensys Systems, Inc., a Massachusetts corporation; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2009-5-5(R): To approve the terms and conditions of a second amendment to the Development Agreement between the City of Plano, Texas, and Pinnacle AMS Development Company, LLC, for development of Eastside Station – Plano; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “M”)

Resolution No. 2009-5-6(R): To authorize the City Attorney to file suit against Plano International Preschool, Inc. and any other responsible persons and/or entities to recover funds provided under the Community Development Block Grant Program; and providing an effective date. (Consent Agenda Item “N”)

Adoption of Ordinances

To repeal Ordinance No. 2009-2-14, entitled “Health Categories and Fees”; and replacing with this ordinance, to be entitled “Health Categories and Fees” to provide the addition of Industrial User Fees for permitted industries; providing a repealer clause, a severability clause, and an effective date. (Consent Agenda Item “O”) (Item pulled and held.)

Ordinance No. 2009-5-7: To amend Section 3-6 of Chapter 3. Alcoholic Beverages of the Code of Ordinances of the City of Plano regarding consumption of alcoholic beverages in certain public places; providing a repealer clause, a savings clause; a severability clause; a penalty clause; and providing an effective date. (Consent Agenda Item “P”)

Ordinance No. 2009-5-8: To abandon all right, title and interest of the City, in and to that certain 22’ Drainage Easement recorded in Volume 5949, Page 29 and a portion of that 70’ Temporary Drainage Easement recorded in Volume 5949, page 46 of the Land Records of Collin County and being situated in the M.C. Vela Survey, Abstract No. 935, which are located within the city limits of Plano, Collin County, Texas, quitclaiming all right, title and interest of the City in such easements to the abutting property owners, Acres of Sunshine, Ltd. and Windhaven Development, Ltd., to the extent of its interest, authorizing the City Manager to execute any documents deemed necessary, and providing an effective date. (Consent Agenda Item “Q”)

Ordinance No. 2009-5-9: To amend Section 12-101 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit stopping, standing, or parking of motor vehicles on certain sections of Placid Avenue and Mosswood Drive, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “R”)

Ordinance No. 2009-5-10: To amend Section 114.1 of Chapter 12, Motor Vehicles and Traffic of the Code of Ordinances of the City of Plano to prohibit stopping, standing, or parking of a vehicle with a gross vehicle weight rating of 10,000 pounds or more on certain sections of Wedgewood Drive within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park vehicles with gross vehicle weight ratings of 10,000 pounds or more upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item "S")

END OF CONSENT

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

Bid No. 2009-101-B for 2008-09 Arterial Concrete Pavement Rehab, Legacy Drive and Preston Meadow Drive, Project No. 5974 to Advanced Paving Acquisitions LTD, DBA as Advanced Paving Company in the amount of \$373,467. This project involves the replacement of arterial street pavement, curb and gutter, sidewalk repair and barrier free ramp construction on Legacy Drive between Independence Parkway and Coit Road and on Preston Meadow Drive between Parker Road and Quincy Drive. (Consent Agenda Item "D") [See Exhibit (C)]

Upon a motion made by Council Member Magnuson and seconded by Council Member Miner, the Council voted 6-0 to approve Bid No. 2009-101-B for 2008-09 Arterial Concrete Pavement Rehab, Legacy Drive and Preston Meadow Drive, Project No. 5974 to Advanced Paving Acquisitions LTD, DBA as Advanced Paving Company in the amount of \$373,467.

Council Member Dunlap resumed his place at the bench.

To approve a Professional Services Agreement by and between Weibring-Wolfard Golf Design, Inc. and the City of Plano, Texas in the amount of \$876,200 for Pecan Hollow Golf Course Renovation (RFQ #208-55B) and authorizing the City Manager to execute all necessary documents (Tabled 4/27/09). (Regular Agenda Item "1")

Upon a motion made by Council Member Miner and seconded by Council Member Johnson, the Council voted 7-0 to remove the item from the table.

City Manager Muehlenbeck spoke to original construction of the course in 1972 and the need for updates to the greens, t-boxes and cart barn using funds from a previous bond referendum to prepare design documents.

Upon a motion made by Deputy Mayor Pro Tem LaRosiliere and seconded by Council Member Magnuson, the Council voted 7-0 to approve a Professional Services Agreement by and between Weibring-Wolfard Golf Design, Inc. and the City of Plano, Texas in the amount of \$876,200 for Pecan Hollow Golf Course Renovation (RFQ #208-55B).

Resolution No. 2009-5-11(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Symon Communications, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item "2")

Director of Finance Tacke advised that Symon Communications, Inc. would occupy no less than 2,100 square feet of office space and retain, transfer or create 80 full-time jobs by June 1, 2009. She advised that the terms of the agreement run from June 1, 2009 – April 30, 2014 for a grant in the amount of \$65,000.

Resolution No. 2009-5-11(R) (cont'd)

Upon a motion made by Council Member Magnuson and seconded by Council Member Miner, the Council voted 7-0 to approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Symon Communications, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date; and further to adopt Resolution No. 2009-5-11(R).

Public Hearing and adoption of Resolution No. 2009-5-12(R) to adopt the 2008-09 Action Plan, including proposed uses of \$509,050 in additional grant funds for Program Year 2008-09; and declaring an effective date. (Regular Agenda Item “3”)

Neighborhood Services Manager Day spoke to the resolution permitting the City to receive additional funding to provide for homelessness prevention and a rapid re-housing program.

Mayor Pro Tem Callison opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Miner and seconded by Council Member Jackson, the Council voted 7-0 to adopt the 2008-09 Action Plan, including proposed uses of \$509,050 in additional grant funds for Program Year 2008-09; and declaring an effective date; and further to adopt Resolution No. 2009-5-12(R).

Resolution No. 2009-5-13(R): To authorize the filing of applications for Federal Funds in an amount not to exceed \$1,755,741 under the Housing and Community Development Act and the HOME Investment Partnership Act and \$509,050 under the American Recovery and Reinvestment Act; designating Thomas H. Muehlenbeck as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. (Regular Agenda Item “4”)

Upon a motion made by Council Member Miner and seconded by Council Member Johnson, the Council voted 7-0 to authorize the filing of applications for Federal Funds in an amount not to exceed \$1,755,741 under the Housing and Community Development Act and the HOME Investment Partnership Act and \$509,050 under the American Recovery and Reinvestment Act; designating Thomas H. Muehlenbeck as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date; and further to adopt Resolution No. 2009-5-13(R).

Public Hearing and adoption of Ordinance No. 2009-5-14 as requested in Zoning Case 2009-02 to amend Section 3.1200 (Landscaping Requirements) 6. (Landscape Plan Approval) c. of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, regarding the estimation of annual landscape water requirements; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Agenda Item “5”)

Ordinance No. 2009-5-14 (cont'd)

Director of Planning Jarrell advised that this request would add a requirement for developers of commercial and multi-family projects to provide a water budget estimating ultimate use. She advised that the requirement will not set limitations but be used as an educational tool and further that the Planning and Zoning Commission recommended amendment as follows (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

(c) Unless otherwise requested, a full irrigation plan is not required for approval by the Planning and Engineering Departments. The only irrigation information required on the landscape plan ~~is the location and size of the irrigation meter, which must be located in the public right of way or a dedicated easement.~~ is the following items:

(i) The location and size of all water meters, including ones dedicated to the irrigation system, which must be located in the public right-of-way or a dedicated easement.

(ii) The landscape plan shall include a table showing the annual landscape water requirements for the project site by individual hydrozone and for the site as a whole (totals for all hydrozones.) A hydrozone is a contiguous landscape area containing plants with similar watering needs. Each site shall contain a minimum of two hydrozones, one for turf areas and one for prepared bed areas. Additional breakdowns may be requested after initial review of landscape plan.

The annual watering needs for each hydrozone shall be calculated using the following formula:

$$\underline{LWR = RTM \times [(ET \times K) - R] \times A/C}$$

Where:

LWR = Landscape Water Requirements for each hydrozone in gallons per year.

RTM = Run Time Multiplier based upon type of irrigation head

Use the following factors:

<u>Spray</u>	<u>1.33</u>
<u>Drip</u>	<u>1.25</u>
<u>Micro Spray</u>	<u>1.25</u>
<u>Rotor</u>	<u>1.25</u>

ET = Local EvapoTranspiration rate in inches per year.

Use 55.85" as the factor

K = Landscape coefficient rate for the type of hydrozone.

Use the following factors:

<u>Groundcovers</u>	<u>0.5</u>
<u>Shrubs</u>	<u>0.5</u>
<u>Mixture of Shrubs and Groundcover</u>	<u>0.5</u>
<u>Warm Season Turfgrass</u>	<u>0.6</u>
<u>Cool Season Turfgrass</u>	<u>0.8</u>

R = 25% of annual Rainfall precipitation.

Use 8.7 (34.82 inches per year x 25%)

Ordinance No. 2009-5-14 (cont'd)

A = Area of hydrozone in square feet.

C = Conversion factor resulting in gallons per year.
Use 1.604

Ms. Jarrell responded to Council Member Dunlap regarding approaches taken by different cities and Plano Landscape Architect Haas spoke to additional design time of one-half hour for typical projects. He spoke to the ability to determine conservation needs based on the data provided.

Mayor Pro Tem Callison opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Magnuson and seconded by Deputy Mayor Pro Tem LaRosiliere, the Council voted 7-0 to amend Section 3.1200 (Landscaping Requirements) 6. (Landscape Plan Approval) c. of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, regarding the estimation of annual landscape water requirements; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2009-02 and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2009-5-14.

Public Hearing and adoption of Ordinance No. 2009-5-15 as requested in Zoning Case 2009-04 to amend Subsection 3.1602 (Definitions) and Subsection 3.1603 (Design and Construction Specifications) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations); Subsection 4.506 of Section 4.500 (Preston Road Overlay District), Subsection 4.606 of Section 4.600 (Dallas North Tollway Overlay District), Subsection 4.706 of Section 4.700 (190 Tollway/Plano Parkway Overlay District), Subsection 4.806 of Section 4.800 (State Highway 121 Overlay District), Subsection 4.905 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations), Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended regarding signage; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Agenda Item "6")

Chief Building Official Mata advised that the Planning and Zoning Commission recommended the Zoning Ordinance be amended as follows (deletions are strike-through; additions are underlined):

3.1600 Sign Regulations

3.1602 Definitions

Term	Definition
<u>Sign – Light Pole Banner</u>	<u>A sign, attached to a light pole standard, that is made of cloth, vinyl, metal, or other material manufactured for sign use.</u>
Sign – Mural	<u>A picture painted directly onto or applied to an exterior wall which does not contain logos or names of any business or entity. Noncommercial pictures, which do not depict advertising, logos, or images of a product or service which is sold on the premises, painted on, or attached to the exterior walls.</u>

Term	Definition
Sign – Reader Board/ <u>Electronic Message Center</u>	<u>A variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. Any sign comprised of changeable letters which allows a change of sign copy by adding or removing letters. The sign copy shall conform to the category use of the sign allowed by this ordinance.</u>

3.1603 Design and Construction Specifications

(1) Requirements for Wall Signs

(b) Wall Signs

- (ii) The height of a horizontal wall sign shall not exceed six feet. The height shall be measured perpendicularly from the horizontal. The width of a vertical wall sign shall not exceed six feet. The width shall be measured perpendicularly from the vertical. The sizing of wall signs shall be calculated by determining an overall sign allowance for the entire building. Wall signs shall not exceed two times the linear width and 75% coverage area of each elevation of the width or the height of the available wall area or store frontage based on the placement of the sign on the wall area. Vertical clearance shall be subject to the requirements in 1.d. below. Wall signs are allowed to project a maximum of four feet shall not extend above the wall or parapet to which they are attached. Wall signs shall be limited to the following categories: Apartment, Contractor, General Business, Identification, and Institution signs. (Exception: A wall sign may exceed the six foot height or width limit as follows: in the case of a horizontal sign, for every one inch of sign height exceeding six feet, the allowable width of the sign shall be reduced by one percent; in the case of a vertical sign, for every one inch of the sign width exceeding six feet, the allowable height of the sign shall be reduced by one percent.) (ZC 05-53; Ordinance No. 2006-2-30)
- (iv) General business wall sign placement and individual sizing within the allotted total area (as determined in 1.b.ii. above) will be determined by the property owner/manager must be located over the business for which they are intended. Wall signs may be illuminated; however, illuminated wall signs on rear building facades shall be prohibited unless facing a nonresidential zoning district.
- (v) A wall sign shall not project more than 30 ~~42~~ inches from the wall surface.
- (vi) Wall signs shall not be digital/electronic type.

(c) Multistory Office (MSO) Wall Signs (ZC 2006-06; Ordinance No. 2006-9-16)

- (iii) Multistory office wall signs shall be limited to three ~~two~~ signs per elevation. This provision does not apply to the ground floor.
- (ix) Ground floor tenants Suites with direct access to the street in a multistory office shall have signage regulated by 1.b. above for general business wall signs. However, signs using this direct access provision must remain in compliance with 1.e.iii. above.

Ordinance No. 2009-5-15 (cont'd)

(2) Freestanding Signs

(c) General Business Signs

- (i) General business signs may be erected in nonresidential zoning districts and shall not exceed 90 square feet for monument signs and 60 square feet for pole signs, except for signs on property fronting on U.S. Highway 75, in which case the sign may be 100 square feet. Maximum height of a general business sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and shall be located a minimum of 30 feet from adjoining private property lines and a minimum of 60 feet from any other freestanding sign, except directional signs.

(d) Identification Signs

- (i) An identification sign may be erected in nonresidential zoning districts and shall not exceed 150 square feet for monument signs and 100 square feet for pole signs. Maximum height of an identification sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from adjoining private property line, and the sign shall be located a minimum of 60 feet from any other freestanding sign, except directional signs.

(f) Multipurpose Signs

- (v) Required setback for multipurpose signs shall be 30 feet from front and adjoining private property lines. Multipurpose signs are limited to one per street front per development and a minimum spacing of 60 feet from any other freestanding sign, except directional signs, must be maintained. Multipurpose signs that meet the size and height requirements of a general business sign shall be allowed an eight-foot front setback.

(i) Onsite Directional Signs

- (i) Onsite directional signs shall not exceed eight square feet and 30 inches in height and shall not contain advertising.
- (ii) Directional signs shall be located a minimum of 30 feet from other freestanding signs, including other directional signs.
- (iii) Sign provisions specifically addressed by State or Federal government regulations which are in conflict with local sign ordinance shall be exempt from local sign ordinance regulations.

(l) Directory Signs

- (i) Directory signs shall not exceed 40 square feet.
- (ii) Directory signs shall not exceed 15 feet in height, measured from grade.
- (iii) For multiple-sided signs, the gross surface area of each side shall not exceed two times the allowable square footage divided by the number of sign faces.
- (iv) All accessibility and visibility requirements must be met for public sidewalks and streets.

Ordinance No. 2009-5-15 (cont'd)

- (v) Directory signs shall be located a minimum of 60 feet from any other freestanding sign, including other directory signs except directional signs.
 - (vi) Changes to tenant names/locations on an existing permitted directory sign shall not require a permit.
 - (vii) Any directory sign shall provide a minimum 30 foot setback to any property line and shall be located within the established build line for that property.
 - (viii) Directory signs shall be used only to provide way finding information to tenants within a property.
- (3) Requirements for Freestanding Signs Located within an Overlay District
- (c) Multi-tenant commercial developments shall be limited to the following:

 - (iii) Directory Signs
 - (d) No single tenant shall be allowed to advertise on more than one sign per street front, excluding a listing on directory signs.
- (4) Miscellaneous Requirements for Freestanding Signs
- (h) Unless otherwise set forth, a minimum of 60 feet shall be required between all freestanding signs, except directional signs.
 - (l) No single tenant shall be allowed to advertise on more than one sign per street front, excluding directory signs.
- (7) Reader Boards/Electronic Message Centers
- (a) Any reader board or electronic message center area of a sign shall not exceed 75% of the allowable square footage for its specific any sign type.
 - (b) Any reader board or electronic message center sign shall be allowed to change the copy every five minutes.
- (8) Light Pole Banners
- (a) Two banner maximum per light pole standard.
 - (b) Banners on light pole standards shall be securely attached at both ends, perpendicular or parallel to light pole standards.
 - (c) Each banner shall be limited to 15.5 square feet.
 - (d) Banners are allowed to be attached on up to 50% of the existing light pole standards.
 - (e) Banners on light pole standards shall be limited to noncommercial messages.
 - (f) Light pole banners shall be allowed within parking lots in both residential and nonresidential zoning districts.

Ordinance No. 2009-5-15 (cont'd)

4.500 Preston Road Overlay District

4.506 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type. ~~The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~ An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. The maximum sizes and dimensions of the above signs shall be as follows:

Apartment Signs	
Maximum Height	Eight feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

General Business/Institution Signs	
Maximum Height	Eight feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

Identification Signs	
Maximum Height	Eight feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

Institutional Signs	
Maximum Height	Eight feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

Multipurpose Signs	
Maximum Height	Eight feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet.	

Ordinance No. 2009-5-15 (cont'd)

4.600 Dallas North Tollway Overlay District

4.606 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type. ~~The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~ An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

Apartment Signs	
Maximum Height	Eight feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

General Business/Institution Signs	
Maximum Height	Eight feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

Identification Signs	
Maximum Height	Eight feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

Institutional Signs	
Maximum Height	Eight feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

Multipurpose Signs	
Maximum Height	12 feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet.	

Ordinance No. 2009-5-15 (cont'd)

The above signage regulations shall not apply to those lots or tracts located fully or partially within the overlay district but adjacent to the S.H. 121 right-of-way if the affected signs are located more than 500 feet from the centerline of the Dallas North Tollway.

For freestanding signs located within 150 feet of residential zoning districts, the following standards shall apply:

Apartment Signs	
Maximum Height	Six feet
Maximum Size	30 square feet
Maximum Size of Copy Area	15 square feet

General Business/Institution Signs	
Maximum Height	Six feet
Maximum Size	50 square feet
Maximum Size of Copy Area	35 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Four feet
Maximum Size	25 square feet
Maximum Size of Copy Area	N/A

Identification Signs	
Maximum Height	Six feet
Maximum Size	70 square feet
Maximum Size of Copy Area	50 square feet

Institutional Signs	
Maximum Height	Six feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

Multipurpose Signs	
Maximum Height	Six feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet
* Any combination of directory and reader board is permitted if it does not exceed 55 square feet.	

Ordinance No. 2009-5-15 (cont'd)

4.700 190 Tollway/Plano Parkway Overlay District

4.706 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type. ~~The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~ An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

Apartment Signs	
Maximum Height	Ten feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

General Business/Institution Signs	
Maximum Height	12 feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

Identification Signs	
Maximum Height	12 feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

Institutional Signs	
Maximum Height	12 feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

Multipurpose Signs	
Maximum Height	15 feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet.	

Ordinance No. 2009-5-15 (cont'd)

For freestanding signs located within 150 feet of residential zoning districts, the following standards shall apply:

Apartment Signs	
Maximum Height	Six feet
Maximum Size	30 square feet
Maximum Size of Copy Area	15 square feet

General Business/Institution Signs	
Maximum Height	Six feet
Maximum Size	50 square feet
Maximum Size of Copy Area	35 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Four feet
Maximum Size	25 square feet
Maximum Size of Copy Area	N/A

Identification Signs	
Maximum Height	Six feet
Maximum Size	70 square feet
Maximum Size of Copy Area	50 square feet

Institutional Signs	
Maximum Height	Six feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

Multipurpose Signs	
Maximum Height	Six feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet
* Any combination of directory and reader board is permitted if it does not exceed 55 square feet. (ZC 2000-73; Ordinance No. 2000-11-22)	

Ordinance No. 2009-5-15 (cont'd)

4.800 State Highway 121 Overlay District

4.806 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type. ~~The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~ An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

Apartment Signs	
Maximum Height	Ten feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

General Business/Institution Signs	
Maximum Height	12 feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

Identification Signs	
Maximum Height	12 feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

Institutional Signs	
Maximum Height	12 feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

Multipurpose Signs	
Maximum Height	15 feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet.	

For freestanding signs located within 150 feet of residential zoning districts, the following standards shall apply:

Ordinance No. 2009-5-15 (cont'd)

Apartment Signs	
Maximum Height	Six feet
Maximum Size	30 square feet
Maximum Size of Copy Area	15 square feet

General Business/Institution Signs	
Maximum Height	Six feet
Maximum Size	50 square feet
Maximum Size of Copy Area	35 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Four feet
Maximum Size	25 square feet
Maximum Size of Copy Area	N/A

Identification Signs	
Maximum Height	Six feet
Maximum Size	70 square feet
Maximum Size of Copy Area	50 square feet

Institutional Signs	
Maximum Height	Six feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

Multipurpose Signs	
Maximum Height	Six feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet
* Any combination of directory and reader board is permitted if it does not exceed 55 square feet. (ZC 2000-73; Ordinance No. 2000-11-22)	

4.900 Parkway Overlay District

4.905 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type. ~~The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~

Apartment Signs	
Maximum Height	Eight feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

Ordinance No. 2009-5-15 (cont'd)

General Business/Institution Signs	
Maximum Height	Eight feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet

Identification Signs	
Maximum Height	Eight feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

Institution Signs	
Maximum Height	Eight feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

Multipurpose Signs	
Maximum Height	Eight feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet. (ZC 2000-73; Ordinance No. 2000-11-22)	

2.826 RT - Research/Technology Center

(6) Signage Standards

All freestanding general business, identification, institution, and multipurpose signs, as defined in the Sign Ordinance (No. 91-4-12) and its subsequent updates and revisions, shall be monument type. ~~The copy shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~ An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

General Business/Institution Signs	
Maximum Height	12 feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

Ordinance No. 2009-5-15 (cont'd)

Identification Signs	
Maximum Height	12 feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

Institutional Signs	
Maximum Height	12 feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

Multipurpose Signs	
Maximum Height	15 feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet	

For freestanding signs located within 150 feet of a residential zoning district, the following standards shall apply:

General Business/Institution Signs	
Maximum Height	Six feet
Maximum Size	50 square feet
Maximum Size of Copy Area	35 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Four feet
Maximum Size	25 square feet
Maximum Size of Copy Area	N/A

Identification Signs	
Maximum Height	Six feet
Maximum Size	70 square feet
Maximum Size of Copy Area	50 square feet

Institutional Signs	
Maximum Height	Six feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

Ordinance No. 2009-5-15 (cont'd)

Multipurpose Signs	
Maximum Height	Six feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet
Any combination of directory and reader board is permitted if it does not exceed 55 square feet.	

All other provisions of Ordinance No. 91-4-12 and its subsequent updates and provisions shall apply. Where conflicts exist, the provisions of this ordinance shall apply.

Mr. Mata spoke to creation of a definition for light pole banners permitted in residential and non-residential zoning districts with a limited number and size and a non-commercial message. He responded to Council Member Dunlap that the size of 15.5 square feet was chosen as it represents the typical size on the market and Staff verification that poles would be able to sustain wind loads as part of the permitting process. Mr. Mata responded to Council Member Miner advising that due to differences in holiday celebrations, the timeframes for display are discretionary. He spoke to the significant changes and administrative challenges that will be experienced when implementing revisions to wall signs allowing property managers to determine their size and location. Council Member Dunlap stated concern regarding the use of parapets to increase sign height and Mr. Mata spoke to their review. Mr. Mata advised regarding multi-story office wall signs and advised the numbers would remain consistent no matter the building height.

Mr. Mata spoke to electronic message reader boards and responded to Council regarding consideration of a timeframe for messages. The Council spoke to limiting displays to eight seconds in order to mirror state regulations. Mr. Mata responded to City Manager Muehlenbeck stating that electronic displays similar to those in Dallas' Victory Park would be prohibited due to the time limitations and their installation on walls rather than poles/monuments. He spoke to revisions to directional signs, monument signs, institutional signs, murals and directional signs. Mr. Mata advised that a proposed change to banners (contained in the Code of Ordinances) would allow placement three times per year for six weeks.

Mayor Pro Tem Callison opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Magnuson and seconded by Council Member Johnson, the Council voted 7-0 to amend Subsection 3.1602 (Definitions) and Subsection 3.1603 (Design and Construction Specifications) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations); Subsection 4.506 of Section 4.500 (Preston Road Overlay District), Subsection 4.606 of Section 4.600 (Dallas North Tollway Overlay District), Subsection 4.706 of Section 4.700 (190 Tollway/Plano Parkway Overlay District), Subsection 4.806 of Section 4.800 (State Highway 121 Overlay District), Subsection 4.905 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations), Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended regarding signage as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2009-04 with revision to electronic

Ordinance No. 2009-5-15 (cont'd)

message boards [Section 3.1603(7)(a)] allowing for a eight-second display and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2009-5-15 with revision.

Public Hearing and adoption of Ordinance No. 2009-5-16 to revise Section 6-488. Banners of Article XII. Temporary Signs of Chapter 6. Buildings and Building Regulations of the Code of Ordinances of the City of Plano; providing a repealer clause, a severability clause, a penalty clause, a publication clause, and an effective date. Applicant: City of Plano (Regular Agenda Item "7")

Chief Building Official Mata advised that the Planning and Zoning Commission recommended approval as follows:

Sec. 6-488. Banners.

A temporary banner is allowed and shall be securely attached to the building face. One (1) banner may be displayed on each elevation of the building, with a maximum of two (2) per building or tenant space. Each business shall be allowed three (3) banner permits per calendar year, and each permit shall be good for a maximum of six (6) weeks. ~~A minimum of thirty (30) days shall be required between each banner permit.~~ Banners shall be kept in good repair and remain firmly anchored or secured. Commercial banners are prohibited in single-family residential districts. (Ord. No. 2005-11-14, § I, 11-14-05)

Mayor Pro Tem Callison opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Jackson and seconded by Council Member Magnuson, the Council voted 7-0 to revise Section 6-488. Banners of Article XII. Temporary Signs of Chapter 6. Buildings and Building Regulations of the Code of Ordinances of the City of Plano; as recommended by the Planning and Zoning Commission providing a repealer clause, a severability clause, a penalty clause, a publication clause, and an effective date; and further to adopt Ordinance No. 2009-5-16.

Public Hearing and adoption of Ordinance No. 2009-5-17 as requested in Zoning Case 2009-06 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 598 from 1.9± acres of land to 3.9± acres of land, located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center, 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, and an effective date. Applicant: Bruce Kinna (Regular Agenda Item "8")

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

Mayor Pro Tem Callison opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Ordinance No. 2009-5-17 (cont'd)

Upon a motion made by Council Member Magnuson and seconded by Council Member Johnson, the Council voted 7-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 598 from 1.9± acres of land to 3.9± acres of land, located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center, 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 2009-06 and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2009-5-17.

There being no further discussion, Mayor Pro Tem Callison adjourned the meeting at 8:10 p.m.

Jean Callison, MAYOR PRO TEM

ATTEST:

Diane Zucco, City Secretary