

PLANO CITY COUNCIL
May 27, 2003

COUNCIL MEMBERS

Pat Evans, Mayor
Steve Stovall, Mayor Pro Tem
Shep Stahel, Deputy Mayor Pro Tem
Phil Dyer
Scott Johnson
Sally Magnuson
Jean Callison
Ken Lambert

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Executive Director
Bruce Glasscock, Executive Director
Rod Hogan, Executive Director
Diane C. Wetherbee, City Attorney
Elaine Bealke, City Secretary

Mayor Evans convened the meeting into open session on Tuesday, May 27, 2003, at 7:10 p.m., in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Reverend Mike Masterson of Preston Meadow Lutheran Church.

The Pledge of Allegiance was led by Boy Scout Troop 1133 of the Latter Day Saints Church.

PRELIMINARY OPEN MEETING (CONT'D)

Discussion and Direction Regarding Determining Whether Letters Should Be Sent to Board and Commission Members Whose Attendance Falls Below 75%

Council Member Lambert stated that the draft letter addressing board and commission attendance provided in the packet is appropriate and recommended that Staff prepare letters to be sent to those members who fall below 75% attendance in order that members who feel they cannot fulfill their meeting obligations can then make this known. Mayor Evans and Council Member Lambert spoke to alternate members not being required to fulfill 75% attendance requirements.

Mayor Evans spoke to consideration of regular and called meetings and to looking at the sum total of all meetings held in order to make a more objective judgment regarding attendance. Council Member Dyer spoke to the Council liaisons contacting the chair or Staff member of the board or commission to determine if there are extenuating personal circumstances and further to giving the liaisons the flexibility to make the decision as to whom should receive a letter. Mayor Evans recommended with concurrence from the Council that all letters should be delivered to the liaisons who would then make the determination if they were to be sent out. Council Member Lambert stated that this letter serves as a reminder to the member. Mayor Pro Tem Stovall spoke to this process as providing an opportunity to the member not having attended 75% of the meetings held to make a determination based on their circumstances. Mayor Evans requested that letters be signed by each liaison.

Council Items for Discussion/Action on Future Agendas

No items were brought forward.

Consent Agenda

No items were brought forward.

Council Reports

Council Member Lambert complemented Mayor Pro Tem Stovall and all those involved in the Memorial Day event for their excellent participation and planning. Mayor Pro Tem Stovall commended Marketing and Special Event Coordinator Conklin for the excellent job done.

GENERAL DISCUSSION

James Craft, citizen of the City, stated his appreciation to the Council for their support of amendments to the "fundraiser" ordinance which benefited the Plano East Golden Girls and Golden Escorts.

CONSENT AGENDA

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

Approval of Minutes [Consent Agenda Item (A)]

May 12, 2003

May 19, 2003

Award, Rejection of Bids/Proposals, Conditional Acceptance of Lowest Responsible Bid/Proposal and Designation of Alternate Lowest Responsible Bid/Proposal when applicable on the following:

Bid No. B072-03 for construction of Tollroad Service Road from Parker Road to Spring Creek Parkway in the amount of \$743,752. [Consent Agenda Item (B)] (See Exhibit "A")

Bid No. C076-03 for a fixed-price contract for the Repair/Maintenance of Brick Screening Walls in the estimated annual amount of \$40,127. [Consent Agenda Item (C)] (See Exhibit "B")

Bid No. C077-03 for a fixed-price contract for the purchase of Traffic Controllers and Traffic Controller Cabinets in the estimated annual amount of \$39,788. [Consent Agenda Item (D)] (See Exhibit "C")

Bid No. B051-03 for Intec Brand Name Video Recording Equipment for the Solid Waste Department in the amount of \$57,070. [Consent Agenda Item (E)] (See Exhibit "D")

Adoption of Resolutions

Resolution No. 2003-5-15(R): To authorize the purchase and installation of electric power infrastructure for Oak Point Park and Nature Preserve from Oncor, the sole source provider of such services and equipment; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase and installation of electric power service; and providing an effective date. [Consent Agenda Item (F)]

Resolution No. 2003-5-16(R): To approve the terms and conditions of agreements between the City of Plano and various community organizations, providing for the expenditure of Community Development Block Grant funds in the amount of \$577,730 for the provision of various community services; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (G)]

Resolution No. 2003-5-17(R): To find William Peterson is entitled to defense representation pursuant to City Code of Ordinances in connection with the matter of Joseph A. Gorman v. City of Plano and William Peterson; and providing an effective date. [Consent Agenda Item (H)]

Resolution No. 2003-5-18(R): To approve and authorize refunds of property tax overpayments; and providing an effective date. [Consent Agenda Item (I)]

Adoption of Ordinances

Ordinance No. 2003-5-19: To adopt and enact Supplement Number 61 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 (J)]

Ordinance No. 2003-5-20: To repeal Ordinance No. 2000-2-16 codified as Division 1.5, Cross Connection Control Program, of Article II, Water, of Chapter 21, Utilities, of the Code of Ordinances; adopting a new Division 1.5 of Article II, Chapter 21 of the Code of Ordinances; to revise definitions, processes, regulations and enforcement provisions; providing a repealer clause, a savings clause, a severability clause, a penalty clause and an effective date. [Consent Agenda Item (K)]

Ordinance No. 2003-5-21: To repeal Ordinance No. 2003-1-7; establishing the number of certain classifications within the Police and Fire Departments for Fiscal Year 2002-2003; establishing the authorized number and effective dates of such positions for each classification; establishing a salary plan for the Police and Fire Departments effective June 1, 2003; and providing a repealer clause, a severability clause and an effective date. [Consent Agenda Item (L)]

Reimbursement of Oversize Participation

To approve and authorize reimbursement to Electronic Data Systems Corporation for oversize participation for paving and water line improvements associated with the construction of the Headquarters Drive extension, from Parkwood Boulevard to Preston Road in the amount of \$76,967. [Consent Agenda Item (M)]

Approval of Contracts:

To approve and authorize for the selection of Terra-Mar, Inc. to provide Construction Material Testing Services for an amount not to exceed \$26,693 in connection with the construction of Jupiter Road – Spring Creek Parkway to Chaparral Road and authorizing the City Manager to execute all necessary documents to effectuate this contract. [Consent Agenda Item (N)]

END OF CONSENT

Public Hearing and an ordinance adopting the maximum permitted rates and operator selected rates for basic cable services and certain equipment and installation to be charged by Comcast Cable Communications Inc. ("Comcast") (formerly AT&T Broadband and TCI of Plano, Inc.) (Comcast and all its predecessors collectively are referred to herein as "Comcast"), and reducing the maximum permitted rates and operator selected rates to be charged by Comcast for basic cable service, installation and equipment; providing for enforcement action generally; providing a repealer clause, a severability clause and an effective date. [Regular Agenda Item (1)]

City Attorney Wetherbee recommended that the Council table this item until June 23 in order that additional time may be utilized to obtain additional information from Comcast and to review the rates.

Upon a motion made by Deputy Mayor Pro Tem Stahel and seconded by Mayor Pro Tem Stovall the Council voted 8-0 to table this item adopting the maximum permitted rates and operator selected rates for basic cable services and certain equipment and installation to be charged by Comcast Cable Communications Inc. ("Comcast") (formerly AT&T Broadband and TCI of Plano, Inc.) (Comcast and all its predecessors collectively are referred to herein as "Comcast"), and reduce the maximum permitted rates and operator selected rates to be charged by Comcast for basic cable service, installation and equipment; providing for enforcement action generally; providing a repealer clause, a severability clause and an effective date until June 23, 2003.

Public Hearing and adoption of Ordinance No. 2003-5-22 to designate a certain area within the City of Plano as Reinvestment Zone No. 75 for commercial/industrial tax abatement consisting of a 6.036-acre tract of land located at 4001 East Plano Parkway, Suite 500, in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date. [Regular Agenda Item (2)]

Director of Finance McGrane advised that state law requires that prior to entering into tax abatement agreements, a Public Hearing must be held before a reinvestment zone can be approved.

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

Upon a motion made by Mayor Pro Tem Stovall and seconded by Council Member Magnuson, the Council voted 8-0 to designate a certain area within the City of Plano as Reinvestment Zone No. 75 for commercial/industrial tax abatement consisting of a 6.036-acre tract of land located at 4001 East Plano Parkway, Suite 500, in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date; and further to adopt Ordinance No. 2003-5-22.

Resolution No. 2003-5-23(R) to approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and Cates Control Systems, Inc., and providing for a commercial/industrial tax abatement for Cates Control Systems, Inc., and authorizing its execution by the City Manager; and providing an effective date. [Regular Agenda Item (3)]

Finance Director McGrane stated that Cates Control Systems, Inc. assembles and writes software and is expanding and relocating from the City of Addison to the City of Plano and plans to lease approximately 18,300 square feet located at 4001 East Plano Parkway, Suite 500.

Mr. McGrane stated that an estimated 40 people will be employed along with making real property improvements valued at \$315,000, \$300,000 in business personal property within the reinvestment zone, and a two-year abatement at 50%. He stated that based on company estimates this abatement will realize a tax savings of \$1,394.

Upon a motion made by Council Member Dyer and seconded by Mayor Pro Tem Stovall, the Council voted 8-0 to approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and Cates Control Systems, Inc., and providing for a commercial/industrial tax abatement for Cates Control Systems, Inc., and authorizing its execution by the City Manager; and providing an effective date; and further to adopt Resolution No. 2003-5-23(R).

Public Hearing and adoption of Ordinance No. 2003-5-24 to designate a certain area within the City of Plano as Reinvestment Zone No. 76 for commercial/industrial tax abatement consisting of a 6-acre tract of land located at 3701 East Plano Parkway, Suite 100, in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date. [Regular Agenda Item (4)]

Finance Director McGrane advised that state law requires that prior to entering into tax abatement agreements, a Public Hearing must be held before a reinvestment zone can be approved.

Mayor Evans 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 Dyer, the Council voted 8-0 to designate a certain area within the City of Plano as Reinvestment Zone No. 76 for commercial/industrial tax abatement consisting of a 6-acre tract of land located at 3701 East Plano Parkway, Suite 100, in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date; and further to adopt Ordinance No. 2003-5-24.

Resolution No. 2003-5-25(R) to approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and Estech Systems, Inc., and providing for a commercial/industrial tax abatement for Estech Systems, Inc., and authorizing its execution by the City Manager; and providing an effective date. [Regular Agenda Item (5)]

Finance Director McGrane advised that Estech Systems, Inc. sells, designs, and assembles telecom equipment and is an existing Plano company relocating within the City and plans to lease 46,400 square feet at 3701 East Plano Parkway, Suite 100. He stated that an estimated 100 people will be employed, along with making real property improvements to the lease facility valued at \$250,000, \$875,000 of business personal property within the reinvestment zone, and a seven-year abatement at 50%. He stated that that based on company estimates, a tax savings of \$2,550 will be realized.

Upon a motion made by Council Member Dyer and seconded by Mayor Pro Tem Stovall, the Council voted 8-0 to approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and Estech Systems, Inc., and providing for a commercial/industrial tax abatement for Estech Systems, Inc., and authorizing its execution by the City Manager; and providing an effective date; and further to adopt Resolution No. 2003-5-25(R).

Public Hearing and adoption of Ordinance No. 2003-5-26 to designate a certain area within the City of Plano as Reinvestment Zone No. 77 for commercial/industrial tax abatement consisting of a 15.413-acre tract of land located at the northwest corner of Preston Road and Tennyson Parkway in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date. [Regular Agenda Item (6)]

Finance Director McGrane advised that prior to entering into a tax abatement, state law requires that a Public Hearing must be held before a reinvestment zone can be approved

Mayor Evans 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 Mayor Pro Tem Stovall, the Council voted 8-0 to designate a certain area within the City of Plano as Reinvestment Zone No. 77 for commercial/industrial tax abatement consisting of a 15.413-acre tract of land located at the northwest corner of Preston Road and Tennyson Parkway in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date; and further to adopt Ordinance No. 2003-5-26.

Resolution No. 2003-5-27(R) to approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and Advanced Neuromodulation Systems, Inc., and providing for a commercial/industrial tax abatement for Advanced Neuromodulation Systems, Inc., and authorizing its execution by the City Manager; and providing an effective date. [Regular Agenda Item (7)]

Finance Director McGrane advised that Advanced Neuromodulation Systems, Inc. is a Plano based company which manufactures medical devices that specifically work to manage chronic pain in the spinal system and is further expanding to construct a 140,000 square foot headquarter campus located at the northwest corner of Preston Road and Tennyson Parkway. He stated that they plan to employ 185 people, with an estimated value of real property improvements at \$8 Million and \$16 Million in business personal property with an abatement period of ten years at 50% and an annual tax savings of \$54,420.

Upon a motion made by Council Member Lambert and seconded by Mayor Pro Tem Stovall, the Council voted 8-0 to approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and Advanced Neuromodulation Systems, Inc., and providing for a commercial/industrial tax abatement for Advanced Neuromodulation Systems, Inc., and authorizing its execution by the City Manager; and providing an effective date; and further to adopt Resolution No. 2003-5-27(R).

Public Hearing and adoption of Ordinance No. 2003-5-28 as requested in Zoning Case 2003-02 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, so as to amend Sections 2. (Residential Development Standards), 4. (Parking Regulations) a., and 5. (Prohibited/Additional Allowed Uses) b. of Planned Development-65-Central Business-1 on 149.7± acres located on the northeast corner of the Dallas North Tollway and Tennyson Parkway in the City of Plano, Collin County, Texas, to allow for the development of townhomes; 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. Neighborhoods #8 and #16. Applicants: EDS; Leddy Ventures, Ltd.; The Shops at Legacy; Lincoln Property Company; Clearview Legacy, L.P.; and Post Properties. [Regular Agenda Item (8)]

Director of Planning Jarrell spoke regarding interest in the development of townhomes in the Legacy Town Center area and stated that property owners have requested that the Planned Development District be amended to allow this usage. She stated that townhomes on individually platted lots are not presently allowed, and that proposed townhomes will be an urban style product and will have townhome regulations devised for the Business Government (BG) District in the downtown area. Ms. Jarrell stated that setbacks and street type modifications were made but otherwise the request mirrors the BG District. She stated there is a maximum of 40 units per acre which are required to have frontage on a public or muse street with rear entry garages. Ms. Jarrell stated that the Planning and Zoning Commission recommended approval of the request as follows: (Additions are underlined)

Specific Provisions of the Planned Development

2. Residential Development Standards

a. Standards relating to all residential development

- i. No minimum open space shall be required per residential dwelling unit. However, two park or courtyard areas must be provided within the planned development district, one on each side of Legacy Drive. The park areas shall total five acres in size. These areas may be publicly or privately owned. Parks, courtyards, and streetscape areas shall be shown at the time of concept plan or site plan approval on the concept plan or site plan.

- ii. No off-street loading docks shall be required for buildings containing residential uses. Off-street loading docks for non-residential uses may not be located adjacent to, or across a street or alley from, buildings containing residential uses.
- b. Standards relating to multi-family residence development
- i. Multi-family development shall be exempt from the supplemental regulations of Section 3-104.
 - ii. The minimum residential density for multi-family development shall be 40 dwelling units per acre. (ZC 2002-58; Ordinance No. 2002-12-7)
- c. Standards relating to single family residence (attached) development
- i. Each dwelling unit shall be on an individually-platted lot. Lots shall front on a public street or private mews street. Mews streets used for private lot frontage shall be named streets and shall not be gated.
 - ii. Minimum Lot Area: 700 square feet
 - iii. Maximum Density: 40 dwelling units per acre
 - iv. Minimum Lot Width: 20 feet
 - v. Minimum Lot Depth: 35 feet
 - vi. Front yard setbacks shall apply as follows:
 - Minimum Setback from mews street: 12 feet from back of street curb to building
 - Maximum Setback from mews street: 18 feet from back of street curb to building
 - Minimum Setback from public street: 15 feet from back of street curb to building
 - Maximum Setback from public street: 21 feet from back of street curb to building
 - Minimum of 75% of the front façade of the building shall fall within the minimum and maximum setback.

vii. Minimum Side Yard

- Interior Side Yard: None
- Exterior Side Yard (corner lot): Shall be treated the same as front yards

viii. Minimum Rear Yard: None

ix. Maximum Height: 3 stories (50 feet)

x. Minimum Floor Area/ Dwelling Unit: 800 square feet

xi. Maximum Lot Coverage: 100%

xii. Street trees shall be placed in planting beds or tree gates within six (6) feet of the back of the street curb.

xiii. Sidewalks with a minimum unobstructed width of six (6) feet shall be placed along street frontage. Sidewalks are in addition to and placed adjacent to street tree areas.

xiv. Stoops and landscaped areas adjacent to the building may extend a maximum distance of six (6) feet into the area between the front facade of the building in the back of the street curb.

xv. Maximum Building Length: 200 feet

xvi. Buildings must be separated by a minimum distance of 10 feet.

xvii. Maximum Number of Dwelling Units Per Building: 10 units

xviii. Rear entry drives are required. The distance from the garage to the travel lane of the alley shall be five (5) or less feet in length or shall be 20 feet or greater in length. The distance from the garage to the travel lane of the mews street shall be in accordance with the attached mews street section.

4. Parking Regulations

- a. On-street parking within 300 feet of a proposed use may be counted toward satisfying the parking requirement for such use. Assignment of on-street parking shall be at the time of approval of the site plan.

The required parking within the district shall be as follows:

- Multi-Family - One space per bedroom (including efficiencies). Spaces for multi-family uses may be provided in a joint use parking structure and need not be within 100 feet of the units served.
- Single-Family (Attached) - Each dwelling unit shall have a rear entry drive with a minimum of two parking spaces per garage. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.
- Live/Work Space - One space per 800 square feet of area on the ground floor
- Retail - One space per 500 square feet of floor area
- Office - One space per 300 square feet of floor area
- Hotel - One space per guest room and one space per 160 square feet of meeting area
- All Other Non-Residential Uses - One space per 250 square feet of floor area

5. Prohibited/Additional Allowed Uses

b. The following additional uses shall be permitted:

- artisan's workshop
- bed & breakfast
- single-family residence (attached)

Ms. Jarrell responded to the Council that current requirements to Multi-Family are not being changed and that these townhomes will be in addition to the 1500 allowed Multi-Family units in the area and will be owner occupied. She advised the Council that there is a minimum density for multi-family and a maximum density for the townhomes.

Mayor Evans 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 Lambert and seconded by Mayor Pro Tem Stovall, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, so as to amend Sections 2. (Residential Development Standards), 4. (Parking Regulations) a., and 5. (Prohibited/Additional Allowed Uses) b. of Planned Development-65-Central Business-1 on 149.7± acres located on the northeast corner of the Dallas North Tollway and Tennyson Parkway in the City of Plano, Collin County, Texas, to allow for the development of townhomes; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2003-02 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. Neighborhoods #8 and #16. Applicants: EDS; Leddy Ventures, Ltd.; The Shops at Legacy; Lincoln Property Company; Clearview Legacy, L.P.; and Post Properties; and further to adopt Ordinance No 2003-5-28.

Public Hearing and adoption of Ordinance No. 2003-5-29 as requested in Zoning Case 2003-08 to repeal in its entirety Ordinance No. 87-7-19 thereby; rescinding Specific Use Permit No. 139 for the additional use of an Arcade on 0.1± acre of land located 800± feet east of K Avenue and 800± feet north of Spring Creek Parkway in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, to reflect such action; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #22. Applicant: City of Plano [Regular Agenda Item (9)]

Planning Director Jarrell addressed this item simultaneously with Items 10 and 11 and advised that these items remove specific use permits for arcades that are no longer in business. She stated that letters received in opposition mistook the intent of the item as granting new permits for arcades. Ms. Jarrell stated that the Planning and Zoning Commission has recommended approval as submitted for all three items.

Mayor Evans 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 Stahel, the Council voted 8-0 to repeal in its entirety Ordinance No. 87-7-19 thereby; rescinding Specific Use Permit No. 139 for the additional use of an Arcade on 0.1± acre of land located 800± feet east of K Avenue and 800± feet north of Spring Creek Parkway in the City of Plano, Collin County, Texas, as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2003-08 and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, to reflect such action; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2003-5-29.

Public Hearing and adoption of Ordinance No. 2003-5-30 as requested in Zoning Case 2003-09 to repeal in its entirety Ordinance No. 93-10-24 thereby; rescinding Specific Use Permit No. 232 for the additional use of an Arcade on 0.3± acre of land located 285± feet east of Independence Parkway and 180± feet north of 15th Street in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, to reflect such action; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #57. Applicant: City of Plano [Regular Agenda Item (10)]

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

Upon a motion made by Mayor Pro Tem Stovall and seconded by Deputy Mayor Pro Tem Stahel, the Council voted 8-0 to repeal in its entirety Ordinance No. 93-10-24 thereby; rescinding Specific Use Permit No. 232 for the additional use of an Arcade on 0.3± acre of land located 285± feet east of Independence Parkway and 180± feet north of 15th Street in the City of Plano, Collin County, Texas, as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2003-09 and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, to reflect such action; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2003-5-30.

Public Hearing and adoption of Ordinance No. 2003-5-31 as requested in Zoning Case 2003-10 to repeal in its entirety Ordinance No. 95-6-30 thereby; rescinding Specific Use Permit No. 292 for the additional use of an Arcade on 0.1± acre of land located 550± feet east of Alma Drive and 650± feet south of Parker Road in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, to reflect such action; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #47. Applicant: City of Plano [Regular Agenda Item (11)]

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

Upon a motion made by Deputy Mayor Pro Tem Stahel and seconded by Mayor Pro Tem Stovall, the Council voted 8-0 to repeal in its entirety Ordinance No. 95-6-30 thereby; rescinding Specific Use Permit No. 292 for the additional use of an Arcade on 0.1± acre of land located 550± feet east of Alma Drive and 650± feet south of Parker Road in the City of Plano, Collin County, Texas, as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2003-10 and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, to reflect such action; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2003-5-31.

There being no further discussion, Mayor Evans adjourned the meeting at 7:43 p.m.

Pat Evans, **MAYOR**

ATTEST:

Elaine Bealke, City Secretary