

PLANO CITY COUNCIL

December 7, 2010

COUNCIL MEMBERS

Phil Dyer, Mayor
Lee Dunlap, Mayor Pro Tem
Pat Miner, Deputy Mayor Pro Tem
Ben Harris
André Davidson
Lissa Smith
Harry LaRosiliere
Jean Callison

STAFF

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

Mayor Dyer convened the Council into the Regular Session on Tuesday, December 7, 2010, at 7:01 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 Bryan Stamper of Grace Presbyterian Church and the Pledge of Allegiance was led by The Men of Note Chorus who sang several holiday songs.

Consent Agenda

Upon a motion made by Mayor Pro Tem Dunlap and seconded by Council Member LaRosiliere, 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")

November 18, 2010

November 22, 2010

Approval of Expenditures

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

Bid No. 2011-2-G for Plano Senior Center Air Cooled Chiller Replacement to Gulf Energy Systems, Inc., in the amount of \$92,935 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Bid No. 2010-251-G for Haggard Library Air Cooled Chiller Replacement to EEC Enviro Service Co. LLC, in the amount of \$138,221 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

CSP No. 2010-141-C for a three (3) year contract for Enterprise Video Solutions to Johnson Controls in the amount of \$398,000 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

CSP No. 2010-252-C for a one (1) year contract with three (3) optional one year renewals for Wireless Voice and Data Services to AT&T Mobility in the amount of \$494,362 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Purchase from an Existing Contract

To approve a contract for the purchase and installation of infield conditioner for baseball/softball fields at Enfield Park, Carpenter Park and the Youth Ball Park for the Parks and Recreation Department in the amount of \$83,982 from MasterTurf Products and Service, Inc. through an existing contract or agreement with BuyBoard, and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract 292-08). (Consent Agenda Item “F”)

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

To approve an Engineering Services Agreement by and between the City of Plano and BW2 Engineers, Inc. in the amount of \$57,275 for the design of the Bluebonnet Trail connection under U.S. 75 at Rowlett Creek and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

Adoption of Resolutions

Resolution No. 2010-12-1(R): To adopt a 2011 State Legislative Program for the City of Plano, Texas; directing the City Manager to act with regard to the City’s Legislative Program; and providing an effective date. (Consent Agenda Item “H”)

Resolution No. 2010-12-2(R): To authorize the Cities Aggregation Power Project, Inc. (CAPP) to negotiate an extension to the current electric supply and necessary related services agreement with Next Era for a fixed price per kWh that is lower than contract rates for 2011-2013, said extension to continue until December 31, 2018; authorizing CAPP to act as an agent on behalf of the City to enter into a contract for electricity; authorizing the Chairman of CAPP to execute an extension to the current electric supply agreement for deliveries of electricity effective January 1, 2011, or as soon after finalization of a contract as possible; committing to budget for energy purchases and to honor the City’s commitments to purchase power through CAPP for its electrical needs through December 31, 2018; and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2010-12-3(R): To approve the terms and conditions of a fourth amendment to the development agreement between the City of Plano, Texas, and Pinnacle AMS Development Company, LLC (now Southern/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 “J”)

Adoption of Ordinances

Ordinance No. 2010-12-4: To abandon all right, title and interest of the City, in and to a portion of that certain 60-foot wide Fire Lane, Access and Utility Easement recorded in Cabinet 2006, Page 148 of the Map Records of Collin County, Texas and being situated in the Henry Cook Survey, Abstract No. 183, which is located within the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, KDC Legacy North Investments I, L.P. to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “K”)

Ordinance No. 2010-12-5: To abandon all right, title and interest of the City, in and to a portion of that certain 60-foot wide Right-of-Way (Infinity Avenue) recorded in Cabinet 2006, Page 440 of the Map Records of Collin County, Texas and being situated in the Henry Cook Survey, Abstract No. 183, which is located within the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, KDC Legacy North Investments I, L.P. to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “L”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2010-12-6 as requested in Zoning Case 2010-16 to amend Section 3.1400 (Traffic Impact Analysis) of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, pertaining to traffic impact analysis; 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 Agenda Item “1”)

Planning Manager Firgens spoke to traffic impact analyses (TIAs) utilized as a planning tool to estimate the effect of a particular land use on the area roadway system. She advised that the TIA ordinance was first adopted in the late 1980s, at a time when the City’s street system was incomplete and many options for mitigation of traffic impacts were still available. Ms. Firgens advised that the street system is almost complete, mitigation options are more limited and state laws governing the vesting of development projects have limited the City’s ability to decrease the size and intensity of a proposed development so that the existing ordinance no longer adequately addresses the Plano’s present condition as a maturing first-tier suburb.

Ms. Firgens spoke to TIAs identifying the relationship between land use and transportation needs and their review by the Planning and Zoning Commission. She spoke to current traffic issues in the City including the growth of traffic congestion, costs related to adding capacity and the need to explore new options such as the median left-turn lane and single point urban interchange. She spoke to the impact of development and redevelopment of properties and mitigation efforts/opportunities including deceleration lanes for driveways, increased left-turn lane stacking length, and exit drives with both right and left turn movements.

Senior Traffic Engineer Jeff Green advised that Staff recommends removal of the TIA requirement for zoning applications since the roadway system is nearly complete, additional capacity improvements are limited to intersection improvements, and zoning applications requiring a TIA have decreased significantly. He spoke to Staff's recommendation increasing the minimum trips per day threshold generated by a development, omitting the minimum threshold based upon floor area ratio, and proposed amendments to traffic mitigation options that are more appropriate and consistent with existing roadway improvements and state law requirements. Mr. Green spoke to focusing on how internal circulation interfaces with adjacent development and turning lanes and stated that the Planning and Zoning Commission recommended approval subject to the following: (Deletions are indicated in strikethrough text; additions are indicated in underlined text):

Amend Section 3.1400 (Traffic Impact Analysis) of Article 3 (Supplementary Regulations) to read as follows.

3.1400 Traffic Impact Analysis

3.1401 Introduction

This section establishes requirements and procedures pertaining to traffic impact analysis (TIA). These requirements are intended to inform the applicant of the city's expectations, expedite the city staff's review process of TIA reports, provide standard criteria for evaluating development proposals, and establish equitable mitigation and cost sharing policies.

A TIA is intended to develop public/private partnerships to coordinate land use and transportation facility development. Both the City of Plano and the land developer share in the responsibility to consider all reasonable solutions to identified transportation problems.

~~Plano requires TIAs to be done for both zoning and~~ must be performed as part of the preliminary site plan processes. Each of these has specific purposes that are complementary of one another. Both types of TIAs do, however, share the with the goal of identifying the relationship between land use and transportation needs. The site plan process, as described in Article 5 (Site Plan Review), is a multi-step land development approval process that includes a series of three plans, a concept plan, preliminary site plan, and site plan. ~~Below is a brief description of the purpose of each process:~~

1. ~~Zoning TIA~~

~~The goal of this process is to ensure balance between future land uses and the ultimate roadway system. This process uses future traffic volumes based on the city being developed (as projected in the year 2020 Tranplan computer model). It also assumes the entire roadway system to be in place (both existing and future roads). This allows a zoning proposal to be evaluated as to its effect on the ultimate roadway system and allows for determination of the roadway system's ability to accommodate the proposed use.~~

~~The TIA, done at the time of a zoning change request, is to determine the traffic loading that the proposed zoning will impose on the approved thoroughfare system in the 2020 design year and to determine that the thoroughfare system, as planned, can handle the traffic loading at Level of Service D or better in the peak hour. Conclusions drawn from the analysis, along with other land use and service factors, shall be taken into consideration by the Planning & Zoning Commission and the City Council in approval or disapproval of zoning changes.~~

Ordinance No. 2010-12-6 (cont'd)

2. Site Plan TIA

3.1402 Applicability

~~This process is done simultaneous with the submittal of a preliminary site plan. The goal of this study is to look at a specific development of known size and use and to determine the effect of that use on the existing roadway system. It uses existing traffic volumes and assumes the existing roadway configuration to be used for analysis. This process should ensure that the roadway system is adequate to accommodate the proposed use and may recommend mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service).~~

1. Purpose

A TIA, at the time of site plan approval, is intended to define the immediate impacts of the proposed development and any necessary transportation improvements (public or private) required to ensure a satisfactory level of service on all affected thoroughfares. A site plan TIA is designed to mitigate traffic impacts by optimizing roadway capacity, access design, and traffic control. A TIA may not be used to deny development permitted by zoning, nor shall it be used to modify road design contrary to the ~~Transportation Element of the Comprehensive Plan~~ or to the Thoroughfare Standards Ordinance. ~~The detail of site plan TIAs is greater than TIAs prepared for zoning cases.~~ Specific improvements to the existing roadways consistent with the Thoroughfare Plan may be needed to gain approval of site plan proposals. Timing of and cost sharing agreements for the construction of offsite improvements also may be considered.

2. Goal

The goal of this study is to review a specific development of known size and use and to determine the effect of that use on the existing roadway system by analyzing existing traffic volumes and existing roadway configurations. This process ensures that the roadway system is adequate to accommodate the proposed use.

3. Requirements

The TIA process shall be required simultaneous with the site plan approval process for projects generating 8,000 trips per day or greater. A TIA is typically required with the submission of the preliminary site plan; however, the city may require the TIA to be submitted with a concept plan or site plan due to project phasing. It is the responsibility of the applicant to demonstrate that a TIA is not required. Recommendations shall be made for mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service) on all preliminary site plans and/or site plans. Site plan applications as defined herein, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action.

Ordinance No. 2010-12-6 (cont'd)

3.14023 Definitions

Term	Definition
Trip Generation Rates	The city's criteria for trip generation for various categories of land use and density shall be those set forth in the latest edition of the trip generation informational report published by the Institute of Transportation Engineers (ITE) unless the proposed use does not have a corresponding rate in the Trip Generation Manual. Alternate trip generation rates shall not be accepted for individual zoning cases or site plans but shall instead be adopted for citywide use on the basis of a general study of local conditions.
Design Year	The design year is the point in time upon which assumptions pertaining to land use, population, employment, and transportation facilities are based. All zoning analysis shall be based on a design year of 2020. All site plan analysis shall use a design year based on the expected date of project occupancy.
Base Volumes	Base volumes for analyzing zoning cases shall be derived from the city's latest computer projection of traffic volumes for the year 2020. Base volumes for site plans shall be based on current traffic counts adjusted to the expected date of project occupancy. When available, all base data shall be supplied by the city's Engineering Department, Transportation Division. In all cases when ground counts are needed and are not available, the developer or his agent shall be required to collect such data.
Modeling	A TIA as required by the city for zoning cases will be accomplished by the use of the TRANPLAN analysis package. A TIA, as required, may be performed by the applicant or his agent. The city's Engineering Department, Transportation Division will supply (for a fee) TRANPLAN volume plots based on existing and proposed zoning.
Level of Service (LOS)	LOS is a measure of the level of congestion experienced on roadways. The desirable minimum LOS of the City of Plano is Level of Service D in the peak hour. LOS shall be measured of both link and intersection operations.
Thoroughfare Plan	The official City of Plano Thoroughfare Plan, including all routes designated as a Type F collector facility or higher.
Transportation Improvements Community Investment Program(THP CIP)	A five year schedule and funding program of all approved and committed transportation improvements.

Ordinance No. 2010-12-6 (cont'd)

3.1403 Applicability

~~———— A TIA will be required by the city's Planning Department for zoning requests and preliminary site plans submitted for approval. All TIAs shall be performed by a consultant qualified to perform such studies. Requirements for mitigating negative traffic impacts shall apply to all zoning cases and site plans. In certain cases, due to project phasing, a site plan TIA might be required with a concept plan submittal.~~

1. ~~————~~ Zoning

~~———— Any zoning request for multifamily or nonresidential as defined herein under the land use classification which generates at least 5,000 trips per day requires a TIA, unless the proposed zoning results in a net trip reduction compared to existing zoning. A zoning request involving multiple zoning districts is required to have a TIA based on the total traffic generated.~~

2. ~~————~~ Preliminary Site Plan

~~———— Any preliminary site plan or site plan generating 5,000 trips per day or which has a floor area ratio (FAR) of 0.75, or greater, requires a TIA.~~

3.1404 Methodology

~~Pre-submission application consultation with the Development Review Planning and Transportation Divisions staff is required. Zoning and site plan applications, as defined in Subsection 3.1403, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action. It is the responsibility of the applicant to demonstrate that a TIA is not required. Details of the required analysis will be determined at this meeting. In certain instances, traffic from other approved but not built developments may have to be ~~accounted for~~ included in traffic assignments. Staff ~~might~~ may also require specific assumptions such as percent trucks to be altered to match local conditions. Peak hour analysis ~~might~~ may be directed to reflect the peak 15 minutes for certain types of land use. All of these ~~types of~~ issues will be addressed at the pre-application meeting.~~

The following procedures shall be followed in preparing site plan traffic impact analysis studies submitted to the City of Plano:

1. ~~————~~ Zoning TIA Content

a. ~~————~~ Study Area

~~———— A map(s) delineating the TIA study area and all existing and planned streets contained therein. The study area shall be based on the total daily estimated trip generation. The study area shall be a one mile radius for less than 10,000 trips per day. A larger radius shall be considered for more than 10,000 trips per day.~~

b. ~~————~~ Existing Zoning

~~———— A description of the existing zoning in the area proposed for rezoning including: existing land area (gross and net) by zoning classification and density figures expressed as FAR, square footage, number of hotel rooms, dwelling units, etc.~~

e. ~~————~~ Proposed Zoning

~~———— A description of the proposed zoning including land area (gross and net) by zoning classification and density figures expressed by FAR, square footage, number of hotel rooms, dwelling units, etc.~~

d. ~~————~~ Thoroughfare Network

~~———— A description of roadway development at the 2020 design year for the entire study area and base volumes of thoroughfares within the study area.~~

Ordinance No. 2010-12-6 (cont'd)

~~e. Impact Determination~~

~~— The TIA will describe the volume/capacity (V/C) ratio for all thoroughfares (Type F and higher) and delay projections for intersections in the studied area to determine if Level of Service D operation is maintained. The analysis shall contain the following minimum information:~~

~~i. Proposed Trip Generation~~

~~Show in tabular form trip generation rates and the total trips generated by land use assuming full development and occupancy. Indicate trip reductions, if any, resulting from credits for mass transit, passerby, mixed use, etc. All trip reductions must conform to Planning & Zoning Commission approved generation rates. Calculate the net estimated trips.~~

~~ii. Existing Trip Generation~~

~~Show in tabular form by land use trips generated based on existing zoning. All appropriate trip reductions permitted by approved generation rates must be included.~~

~~iii. Net Increased Trip Generation, Distribution, and Assignment~~

~~Proposed trip generation minus existing trips generated and the assignment of new trips generated is to be calculated. The net increased trips generated by the development are to be added to the base volumes projected for the design year. Twenty four hour and peak hour volumes must be calculated. Distribution and assignment calculations must be provided unless TRANPLAN is used.~~

~~iv. Level of Service Analysis~~

~~Show in tabular form, 24 hour and peak hour levels of service for existing and proposed zoning. Calculations shall include all thoroughfare links and intersections. Calculate level of service and percentage of change (when compared to base volumes) for each link and intersection.~~

~~v. Conclusions~~

~~Summarize points of conflict and congestion; identify all thoroughfare links or intersections exceeding a Level of Service D and the percentage of change produced by the proposed zoning change.~~

~~f. Mitigation~~

~~Traffic produced by the proposed zoning plus the assumed background traffic should not exceed Level of Service D. Locations exceeding Level of Service D, where the proposed zoning contributes five percent or more of the traffic, should be mitigated. Acceptable methods of mitigating negative traffic impacts are:~~

~~i. Requirements in addition to those provided in the Thoroughfare Standards Ordinance relating to driveway median opening location and distance between drives.~~

~~ii. Modified zoning and/or density reduction or relocation.~~

~~iii. Amendments to the city's Thoroughfare Plan shall not be accepted as a means of mitigating negative impacts. Minor amendments to thoroughfare and intersection design (e.g., turn lanes, acceleration and deceleration lanes, and associated rights-of-way) may be accepted on a case-by-case basis.~~

Ordinance No. 2010-12-6 (cont'd)

~~2. Planning & Zoning Commission Report~~

~~The Planning & Zoning Commission shall make a report to the City Council on all TIAs it considers in conjunction with requests for rezoning. The Planning & Zoning Commission may make a recommendation for approval, modification, or denial of the zoning case based on other planning factors in addition to its review of a TIA.~~

~~Where the identified impacts of the proposed zoning cannot be adequately mitigated, the Planning & Zoning Commission shall recommend to the City Council one or more of the following actions:~~

~~a. Denial of the zoning case in total or in part.~~

~~b. Any other action deemed appropriate to mitigate negative traffic impacts.~~

~~The Planning & Zoning Commission may recommend, in addition to measures defined above, that a study of the Major Thoroughfare Plan be made to determine amendments required to ensure adequate long term capacity.~~

~~3. 1. Site Plan TIA Content~~

~~a. Study Area~~

~~A map(s) shall be included delineating the TIA study area and all existing and planned streets therein. The study area shall be a minimum of a one mile radius, which may be increased depending upon the amount of traffic generated by the proposed development as determined by at the discretion of the city's Traffic Engineer Transportation Division.~~

~~b. Existing Zoning and Development~~

~~Describe existing zoning including land area (gross and net) by zoning classification, including density figures expressed as FAR, square footage, number of hotel rooms, dwelling units, etc. Also, describe any existing development onsite and how it will be affected by development proposals.~~

~~c. Thoroughfare Network~~

~~Describe existing thoroughfares, signals and signal phasing, and traffic volumes within the study area.~~

~~d. Proposed Development~~

~~Describe the proposed development including land area (gross and net) and density figures expressed by FAR, square footage, number of hotel rooms, dwelling units, etc. Also describe roadway conditions as expected by date of occupancy. Improvements shown must be funded within the Transportation Improvements Community Investment Program or proposed for development at the developer's expense to be repaid by the city in accordance with the city's cost sharing policies as funds become available as required by the city's Subdivision Ordinance. ~~Indicate Roadway and intersection capacities at study date shall be indicated.~~~~

~~e. Impact Determination~~

~~Determine the level of service for all thoroughfares and intersections in the study area. The analysis shall contain the following minimum information:~~

~~i. Proposed Trip Generation~~

~~Calculate total trip generation by use (assuming full development and occupancy) and report any reductions for passerby, mixed use, etc., as permitted by generation rates, approved by the Planning & Zoning Commission. Show trip generation by use in tabular form with land use trip generation rates and trips generated.~~

Ordinance No. 2010-12-6 (cont'd)

- ii. Trip Distribution and Assignment
Trips generated by the proposed development are to be added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions and assignment calculations must be provided.
- iii. Level of Service Analysis

Show in tabular form 24-hour and peak-hour V/C ratios for links and intersections within the study area. Analyze all points of ingress and egress, median breaks, and turn lanes associated with the proposed site.

- iv. Conclusions
Provide a summary of points of conflict and congestion. Identify all thoroughfare links or intersections exceeding a Level of Service D and the percent increase in total traffic produced by the proposed site plan. Identify any operational problems (e.g., drives, median openings, and signalization) within 500 feet of the site.

- f. Mitigation
Traffic levels exceeding Level of Service D, where the development is contributing five percent or more of the total trips should be mitigated. ~~if possible. Problems demonstrated by the TIA can be corrected by~~ Mitigation measures are limited to the following:

- i. Requirements in addition to those provided in the Thoroughfare Standards Ordinance relating to driveway and median opening location design and distance between drives.
- ii. ~~Modifying density or intensity or use (e.g., reduction in square footage or percentage of commercial use).~~
- iii. ~~Phasing construction until additional roadway capacity becomes available.~~
- iv. ii. Onsite improvements including access controls and site circulation adjustments.
- v. iii. Offsite improvements including the construction of additional lanes where the surrounding thoroughfares are not fully developed or intersection improvements where the surrounding area is approaching full development. Costs for offsite improvements that are consistent with the Thoroughfare Plan shall be repaid by the city in accordance with its cost sharing policies, as funds become available. as required by the city's Subdivision Ordinance. Offsite improvements must be consistent with the Thoroughfare Plan and are subject to the availability of right-of-way and other design constraints as determined by the City Engineer.

- 4. ~~Public Meetings~~
~~The applicant or their representative shall be available to answer questions that may arise during Planning & Zoning Commission meetings or City Council meetings.~~

Ordinance No. 2010-12-6 (cont'd)

~~5. 2.~~ 2. Planning & Zoning Commission Report

The Planning & Zoning Commission shall ~~report to the City Council their~~ make a findings on all TIA studies reviewed in conjunction with the review of site plans that based upon the TIA, the thoroughfares can accommodate anticipated traffic volumes at an acceptable level of service.

Where identified impacts cannot be adequately mitigated by the date of occupancy, the Planning & Zoning Commission shall recommend ~~to the City Council~~ one or more of the following actions:

- ~~a. Study of the major Thoroughfare Plan to determine amendments required to increase long-term capacity.~~
- ~~b. a.~~ a. Amendment of the ~~TIP~~ CIP to expedite construction of needed related public improvements.
- ~~c. b.~~ b. Changes in intersection design, signal systems, etc. to increase capacity.
- ~~d. Temporary delay (partial or total) of the proposed project for up to two years to coordinate with planned public improvements. In no instance may a project be delayed more than two years based on negative findings of a TIA. If all planned public improvements have been constructed in the area, there shall be no cause for delay in approval of the project based upon the TIA.~~
- ~~e. Any other measures deemed appropriate to mitigate negative traffic impacts.~~

3.1405 Administration Appeals

~~The Planning & Zoning Commission shall be responsible for administering the TIA requirements of the Zoning Ordinance. The Planning & Zoning Commission shall also be responsible for:~~

- ~~1. Reviewing and proposing to the City Council amendments to all TIA requirements and procedures.~~
- ~~2. Reviewing all TIAs submitted in conjunction with zoning and site plan applications.~~
- ~~3. Reporting to the City Council their finding of traffic impacts and, if appropriate, recommended methods of mitigation.~~

Applicants may request City Council reconsideration of a TIA and the findings of the Planning & Zoning Commission in conjunction with an appeal of a site plan, as provided for in Section 5.800 (Appeals). ~~Unless a majority of the City Council votes in favor of reconsidering the TIA, discussion shall be limited to the findings of the Planning & Zoning Commission.~~

Mayor Dyer opened the Public Hearing. No one appeared to speak for or against the request. The Public Hearing was closed.

Upon a motion made by Deputy Mayor Pro Tem Miner and seconded by Council Member Smith, the Council voted 8-0 to amend Section 3.1400 of Article 3 and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, pertaining to traffic impact analysis; as requested by Zoning Case 2010-16 and as recommended by the Planning and Zoning Commission and further to adopt Ordinance No. 2010-12-6.

Public Hearing and adoption of Ordinance No. 2010-12-7 as requested in Zoning Case 2010-19 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 606 so as to allow the additional use of an Electrical Substation on 6.3± acres of land located on the east side of Communications Parkway, 1,100± feet north of Windhaven Parkway, in the City of Plano, Collin County, Texas, presently zoned Regional Employment/Dallas North Tollway Overlay District; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Acres of Sunshine (Regular Agenda Item “2”)

Director of Planning Jarrell advised that the applicant plans to connect the proposed electrical substation to an existing one to the north in order to receive electrical power from the transmission power lines. She further advised that the proposed substation is needed to serve and accommodate existing and anticipated growth in this area of the City and that there will be an eight-foot masonry screening wall and landscaping along Communications Parkway. Ms. Jarrell advised that the Planning and Zoning Commission recommended approval as submitted and that the property is subject to existing setbacks.

Mayor Dyer opened the Public Hearing. No one appeared to speak for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member LaRosiliere and seconded by Council Member Callison, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, granting Specific Use Permit No. 606 so as to allow the additional use of an Electrical Substation on 6.3± acres of land located on the east side of Communications Parkway, 1,100± feet north of Windhaven Parkway as requested by Zoning Case 2010-16 and as recommended by the Planning and Zoning Commission; and further to adopt Ordinance No. 2010-12-7.

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:33 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary