

PLANO CITY COUNCIL
December 8, 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
John Gilliam, First Assistant City Attorney
Elaine Bealke, City Secretary

Mayor Evans convened the meeting into open session on Monday, December 8, 2003, at 7:34 p.m., in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Mayor Pro Tem Stovall and Deputy Mayor Pro Tem Stahel.

The invocation was led by Council Member Magnuson.

The Men of Note led the Pledge of Allegiance and sang the National Anthem along with several holiday songs.

Mayor Evans administered the oath of office to incoming Heritage Commission member William H. Wallace.

Mayor Evans presented recognition to "MP3 Program Participants" and the T-Shirt Design Winner for Keep Plano Beautiful 2004. Mayor Evans recognized the service of Chief Warrant Officer Dana Joseph Tuscher and his return from Iraq.

GENERAL DISCUSSION

Richard Simmons, citizen of the City, spoke to the need for parking at businesses in the downtown area, residents of the Eastside Village not abiding by parking garage regulations and maintaining 24-hour enforcement of four-hour parking restrictions rather than changing to a 10:00 a.m.-6:00 p.m. time period.

CONSENT AGENDA

Upon a motion made by Council Member Lambert and seconded by Council Member Johnson, the Council voted 6-0 to approve and adopt all items on the Consent Agenda as recommended and as follows;

Approval of Minutes [Consent Agenda Item (A)]

November 24, 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. C118-03 for Custodial Services throughout the City in the amount of \$684,156. [Consent Agenda Item (B)] (See Exhibit "A")

Bid No. B019-04 for Bronze Leaf Drainage Improvements Project in the amount of \$1,064,096. The project consists of the installation of storm sewer pipe and associated pavement repairs on Bronze Leaf Drive, Spring Creek Parkway and Brougham Lane. [Consent Agenda Item (C)] (See Exhibit "B")

Bid No. C006-04 for a fixed-price contract for Traffic Light Poles in the estimated annual amount of \$116,904 to be utilized by the Traffic Division. [Consent Agenda Item (D)] (See Exhibit "C")

Bid No. B021-03 for a fixed-price contract for High Speed Voice and Data Network not to exceed an annual amount of \$419,809. This item will establish an annual fixed-price contract with six optional one-year renewals. [Consent Agenda Item (E)] (See Exhibit "D")

Adoption of Resolutions

Resolution No. 2003-12-1(R): To consent to the financing and incurrence of a loan for an educational facility by Prestonwood Christian Academy, pursuant to the Texas Education Code; and providing an effective date. [Consent Agenda Item (F)]

Resolution No. 2003-12-2(R): To approve the terms and conditions of an Amendment to a Tax Abatement Agreement between AT&T Wireless, Inc., and Witkoff Plano L.P. and the City of Plano and taxing units; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (G)]

Resolution No. 2003-12-3(R): To approve the terms and conditions of an Economic Development Program Agreement by and between the City of Plano, Texas, Collin County, and Pepsico, Inc. to promote state and local economic development and to stimulate business and commercial activity in the City and County; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (H)]

Resolution No. 2003-12-4(R): To approve the assignment of the tax abatement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District and Citizens Telecom Services Company, LLC. to Pepsico, Inc. subject to an amendment to certain provisions of the tax abatement agreement; approving certain amendments to the tax abatement agreement; and providing an effective date. [Consent Agenda Item (I)]

Resolution No. 2003-12-5(R): To approve the terms and conditions of a Cost Reimbursement Agreement by and between the City of Plano and the University of North Texas for participation in the Plano National Integrated Ballistic Information Network System; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (J)]

Resolution No. 2003-12-6(R): To approve the terms and conditions of an interlocal agreement-North Texas Virtual Reference Library CONSORTIUM including Irving Public Library System, North Richland Hills Public Library, Carrollton Public Library, Frisco Public Library, Euless Public Library, and Plano Public Library System authorizing Plano Public Library System to participate and contribute \$12,724 toward the total cost of \$38,200 for continuation of a virtual reference service; authorizing the City Manager to execute all necessary documents; and providing an effective date. [Consent Agenda Item (K)]

Resolution No. 2003-12-7(R): To approve receipt of funds in the amount of \$68,517 from the Texas State Library and Archives Commission – Loan Star Libraries to fund the following for Plano Public Library System; self-serve pay for printing equipment, software for computer management, and additional computer classes in English and Spanish; and authorizing the City Manager to execute all necessary documents for receipt of the funding. [Consent Agenda Item (L)]

Adoption of Ordinances

Ordinance No. 2003-12-8: To amend the Plano Code of Ordinances, Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 12-102(e) to include the prohibition of motor-vehicle-parking along the west side of Decator Drive from its intersection with Brox Court south to the intersection of Bailey Court between the hours of 7:15 a.m. to 8:15 a.m. and 2:30 p.m. to 3:15 p.m. on school days; declaring the parking of motor vehicles in said section of Decator Drive within the defined time limits as unlawful and a misdemeanor; and providing a severability clause, a penalty clause, and an effective date. [Consent Agenda Item (M)]

Ordinance No. 2003-12-9: To amend the Plano Code of Ordinances, Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 12-102(e) to include the prohibition of motor-vehicle-parking along the west side of Jackson Drive from Jomar Drive south to Stanford Drive between the hours of 7:15 a.m. to 8:15 a.m. and 2:30 p.m. to 3:15 p.m. on school days; declaring the parking of motor vehicles in said section of Jackson Drive within the defined time limits as unlawful and a misdemeanor; and providing a severability clause, a penalty clause, and an effective date. [Consent Agenda Item (N)]

Ordinance No. 2003-12-10: To amend the Plano Code of Ordinances, Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 12-102(e) to include the prohibition of motor-vehicle-parking along the west side of Rainier Road from its intersection with Cross Bend Road south to the drive entrance for Christie Elementary between the hours of 7:15 a.m. to 8:15 a.m. and 2:30 p.m. to 3:15 p.m. on school days; declaring the parking of motor vehicles in said section of Rainier Road within the defined time limits as unlawful and a misdemeanor; and providing a severability clause, a penalty clause, and an effective date. [Consent Agenda Item (O)]

Ordinance No. 2003-12-11: To amend the Plano Code of Ordinances, Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 12-102(e) to include the prohibition of motor-vehicle-parking along the east side of Rockledge Lane from White Rock Lane north to Waskom Drive between the hours of 7:15 a.m. to 8:15 a.m. and 2:45 p.m. to 3:30 p.m. on school days; declaring the parking of motor vehicles in said section of Rockledge Lane within the defined time limits as unlawful and a misdemeanor; and providing a severability clause, a penalty clause, and an effective date. [Consent Agenda Item (P)]

Award of Contract

To approve and authorize for the selection of Sirius Computer Solutions, a vendor listed on the State Purchasing and General Services Commission Qualified Information Services Vendor's list, to provide hardware support services on IBM hardware in an amount of \$96,500; and authorizing the City Manager to execute all necessary documents to effectuate this contract. (CISV#1742836723300) [Consent Agenda Item (Q)]

To approve and authorize for the selection of Vidaud and Associates, Inc. to provide Professional Architectural Services for an amount not to exceed \$41,000 to design modifications to renovate the Liberty Park Recreation Center, and authorizing the City Manager to execute all necessary documents to effectuate the contract. [Consent Agenda Item (R)]

To approve and authorize a professional services contract with Terra-Mar, Inc. to provide construction materials testing services in connection with construction of McDermott-Razor Waterline in the amount of \$27,028 and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (S)]

Approval of Change Order

To Joe Funk Construction Engineers, Inc., increasing the contract by \$117,670 for the Pecan Hollow Golf Course new clubhouse and site renovation, Change Order No. 1. [Consent Agenda Item (T)]

END OF CONSENT

Ordinance No. 2003-12-12: To grant to Oncor Electric Delivery Company, a Texas Corporation, its successors and assigns, a non-exclusive franchise to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public rights-of-way of the City of Plano, Texas for the purposes of constructing and operating an electric distribution and transmission system; setting forth terms and conditions to govern the franchise; providing a repealer clause, a severability clause, a savings clause and an effective date. (First Reading approved 10-14-03, Second Reading and item tabled 11-24-03) [Regular Agenda Item (1)]

Upon a motion made by Council Member Dyer and seconded by Council Member Magnuson, the Council voted 6-0 to remove the item from the table.

Assistant to the City Manager Israelson advised the Council that Staff and Oncor Electric Delivery Company have come to an agreement regarding the right-of-way definition.

Upon a motion made by Council Member Dyer, and seconded by Council Member Magnuson, the Council voted 6-0 to grant to Oncor Electric Delivery Company, a Texas Corporation, its successors and assigns, a non-exclusive franchise to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public rights-of-way of the City of Plano, Texas for the purposes of constructing and operating an electric distribution and transmission system; setting forth terms and conditions to govern the franchise; providing a repealer clause, a severability clause, a savings clause and an effective date; and further to adopt Ordinance No. 2003-12-12.

Public Hearing and adoption of Ordinance No. 2003-12-13 as requested in Zoning Case 2003-50 – To amend Section 3-1600 (Sign Regulations) of Article 3 (Supplementary Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, pertaining to Sign Standards and Regulations; 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 (2)]

Chief Building Official Mower advised the Council that this portion of the Zoning Ordinance is regulated by the Building Inspection Department and that the proposed amendments address issues of off-site placement of garage sale signs, the maximum duration of the placement of political signs, signs on fences, murals, and clarifies the boundaries of the downtown sign district. He further advised that the Planning and Zoning Commission recommends approval of the request. (Recommended revisions to Section 3-1600 are included below with additions indicated by underlined text and deletions by strikethrough text.)

3.1600 Sign Regulations (ZC 2000-73; Ordinance No. 2000-11-22)

3.1601 Administration

F. Inspections

~~4. Required Inspections~~

~~a. Pre-installation Inspection~~

~~All freestanding signs shall receive a pre-installation inspection to determine if the proposed location of the sign is in compliance with applicable ordinances. The permit holder shall stake out the leading edge of the sign and then request the inspection.~~

~~b. Footing/Pier Inspection~~

~~Required for all permanent pole signs and to be made once all excavation is complete, all form boards and reinforcing steel are in place, and underground electrical work is approved, and prior to placement of any concrete.~~

~~c. Underground Electrical Inspection~~

~~To be made once the underground conduit is in place and prior to the work being covered up.~~

Ordinance No. 2003-12-13 (cont'd)

~~d. Rough Electrical Inspection~~

~~Illuminated signs that are not listed by a testing agency shall be inspected prior to their installation. This inspection may be conducted at the job site (on the ground and open) by calling one day in advance to request an inspection, or the sign may be brought to the Municipal Center to be inspected in the parking lot between the hours of 7:00 a.m. — 7:30 a.m. or 3:30 p.m. — 4:00 p.m., Monday through Friday. (Exception: The applicant may provide a listing number and file number for the proposed sign from an approved testing agency. The listing number must be provided at the time of permit application and the file number to be provided prior to or at the time of final electrical inspection.)~~

~~e. Final Electrical Inspection~~

~~To be made after all electrical work is completed.~~

~~f. Final Sign Inspection~~

~~To be made after all sign work is completed.~~

5.4. Signs Requiring Electrical Inspection

The conductors and equipment on all signs shall comply with the currently adopted versions of the National Electrical Code. All secondary transformed power shall be self-contained within the sign structure, or individual letters or parts of the signage shall be connected back to the transformer or J-box with listed raceways and fittings, and the transformer must be in a covered box.

Both channel and letters must contain weep holes to drain water, each hole shall not be larger than one-half inch, nor smaller than one-fourth inch. No combustible materials other than approved plastics shall be used in the construction of any sign containing electrical wiring.

6.5. Noncompliance with Inspection Requirements

Contractors who fail to comply with the inspection requirements of this section are subject to having their registration revoked and will not be able to obtain permits within the City of Plano. Persons knowingly installing a sign and connecting it to power sources that have not been permitted and inspected are subject to the same penalty.

H. Exempt Signs

Ordinance No. 2003-12-13 (cont'd)

5. ~~Temporary~~ Political and noncommercial purpose signs on private property.

17. Flags and flagpoles under 20 feet in height provided that they comply with all other requirements of this ordinance.

3.1602 Definitions

40. Sign, Garage Sale - ~~Any onsite promotional sign for~~ Any sign advertising the sale of personal household goods in a residential zoning district or on the property of a nonprofit organization for which a garage sale permit has been issued.

54. Sign, Mural - ~~Noncommercial pictures, not advertising a~~ 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. The subject matter of a mural is expressed by means easily understood by a general audience.

3.1603 Design and Construction Specifications

A. Requirements for Wall Signs

9. Murals

Murals shall be reviewed and approved at the discretion of the Building Official for compliance with the definition of a mural. ~~and for appropriate size and placement.~~

D. Miscellaneous Requirements for Freestanding Signs

12. No single tenant shall be allowed to advertise on more than one sign per street front.

E. Temporary Signs

1. Banners

A temporary banner is allowed and shall be securely attached to the front or side of a building face. Each business shall be allowed two banner permits per calendar year, and each permit shall be good for a maximum of 30 days. A minimum of 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.

4. Political Signs/Noncommercial Purpose Signs

Ordinance No. 2003-12-13 (cont'd)

~~Political/Noncommercial signs are allowed on private property and shall be prohibited on right-of-way or any other public property. Political signs may be placed no more than 120 days prior to the election for which the sign is applicable and no more than 15 days after the election has taken place. Political signs placed on property, which is zoned residential, may be no greater than 32 square feet in area. Political signs placed within the rights-of-way or upon public property may be removed and disposed of by City of Plano personnel.~~

Political and noncommercial purpose signs 36 square feet or less are allowed on private property with the consent of the property owner, but are prohibited on public property, including the rights-of-way. City personnel may remove and dispose of any sign placed on public property or within the rights-of-way.

~~8. Noncommercial Purpose Sign~~

~~Subject to the regulations governing time, place, size, and manner of location of such signs, a temporary sign for noncommercial or non-advertising purposes shall be allowed.~~

~~9.8. Garage Sale Signs~~

~~Garage sale signs may only be located on the property where the garage sale is being held~~ be displayed on private property with the consent of the owner on the day of the sale and shall not exceed a maximum of eight square feet.

~~10.9. Special Event Signage~~

Special event signage shall be reviewed as part of the overall Special Event Permit as set out in the Code of Ordinances, City of Plano, and shall be limited to the following:

- a. Any signage allowed under promotional signage.
- b. One, maximum 100 square foot sign, maximum height of 15 feet.
- c. All special event signage shall be limited to the property holding the event. (ZC 2002-13; Ordinance No. 2002-6-34)
- d. The sign shall be allowed up to 14 days prior to the event and shall be removed within 24 hours at the end of the event. (ZC 2002-13; Ordinance No. 2002-6-34)

Ordinance No. 2003-12-13 (cont'd)

F. Illumination

2. ~~Only a sign, which has illumination, that is turned on and off at a rate equivalent to, or less than twice an hour,~~ Illuminated changeable copy signs shall not change copy more than once every 30 minutes, excluding time and temperature. ~~is permitted.~~

G. Wind Pressure and Dead Load Requirements

All signs shall be designed and constructed to ~~withstand a wind pressure of not less than 30 pounds per square foot of area and shall be constructed to receive dead~~ wind loads as required by the Building Code of the City of Plano.

3.1604 General

C. Prohibited Signs

19. Offsite/Premise signs (except as allowed in Subsection 3.1603.E.9). (ZC 2002-13; Ordinance No. 2002-6-34)

F. Nonconforming Signs

1. Legal Nonconforming Uses

Subject to the provisions of this section, signs for a legal nonconforming use, as defined in the Comprehensive Zoning Ordinance of the City of Plano, are allowed. ~~Such signs shall be allowed only so long as the nonconforming use is allowed.~~ Any such sign legally existing on the effective date of this ordinance but which does not comply with the regulations of this ordinance, shall be deemed to be a nonconforming sign under the provisions of this ordinance, and shall be subject to alteration or removal in accordance with the provisions of this ordinance.

3. Change in Use or Occupant of Structure

Any nonconforming sign may continue to be utilized as long as the occupancy ~~of the use~~ within the structure remains the same. When a use changes from one occupancy category to another, or when there is a change in occupant all signs serving that occupant shall be brought into conformance with the provisions of this section.

Ordinance No. 2003-12-13 (cont'd)

3.1605 3.Downtown Sign District (ZC 2000-74; Ordinance No. 2000-11-23)

A. Purpose

The purpose of this section is to regulate the construction of new signs and alterations made to existing signs to ensure consistency with the historic, urban, pedestrian-oriented nature of this district and the dense, compact development absent in other areas of the city. The objective of this section is to ensure (1) that new signage is appropriate to the architectural design of the building and the district and (2) that signs do not visually obscure significant architectural features of a building or the district in general.

The Downtown Sign District encompasses all properties that are zoned Downtown Business/Government. The Downtown Sign District is further classified into two areas - Area A and Area B. The boundary of Area A is defined below. Area B consists of all properties within the Downtown Business/Government zoning that are not within the boundary of Area A.

~~B. Boundary Description~~

‡ Area A Boundary Description

BEING a 17.86 acre tract of land situated in Collin County, Texas, and being more particularly described as the follows:

BEGINNING at the intersection of centerline of Municipal Avenue (variable R-O-W) with the centerline of 15th Street (variable R-O-W) to a point for a corner;

THENCE continuing west along said 15th Street centerline to a point for a corner at the intersection of 15th Street and the centerline of K Avenue (variable R-O-W);

THENCE continuing north along said K Avenue centerline to a point for a corner at the intersection of K Avenue and the centerline of 16th Street (variable R-O-W);

THENCE continuing along said 16th Street centerline to a point for a corner at the intersection of 16th Street and the centerline of the Dallas Area Rapid Transit (DART) R-O-W (variable R-O-W) located in Tract 68 of the Sanford Beck Survey, City of Plano, Collin County, Texas;

THENCE continuing south a distance of 1,125 feet along said DART R-O-W to a point for a corner intersecting the centerline of 14th Street (variable R-O-W);

Ordinance No. 2003-12-13 (cont'd)

THENCE continuing east following along said 14th Street centerline to a point for a corner at the intersection of 14th Street and the centerline of Municipal Avenue;

THENCE continuing north along said Municipal Avenue centerline back to the PLACE OF BEGINNING and containing 17.86 (777,982 square feet) acres of land.

~~2. Area B~~

~~BEING a 36.45-acre tract of land situated in Collin County, Texas, and being more particularly described as the follows:~~

~~BEGINNING at the intersection of the centerline of G Avenue (variable R-O-W) with the centerline of 14th Street (variable R-O-W) at a point for corner;~~

~~THENCE continuing north along said G Avenue centerline to a point for a corner at the intersection of G Avenue and the centerline of 16th Street (variable R-O-W);~~

~~THENCE continuing east along said 16th Street centerline to a point for a corner at the intersection of 16th Street and the centerline of the Dallas Area Rapid Transit (DART) R-O-W (variable R-O-W) located in Tract 68 of the Sanford Beck Survey, City of Plano, Collin County, Texas;~~

~~THENCE continuing south a distance of 1,125 feet along said DART R-O-W centerline to a point for a corner intersecting the centerline of 14th Street;~~

~~THENCE continuing west following along the centerline of said 14th Street back to the PLACE OF BEGINNING and containing 36.45 (1,587,762 square feet) acres of land; and~~

~~BEING a 15.61-acre tract of land situated in Collin County, Texas, and being more particularly described as the follows:~~

~~BEGINNING at the intersection of centerline of Municipal Avenue (variable R-O-W) with the centerline of 15th Street (variable R-O-W) at a point for a corner;~~

~~THENCE continuing west along said 15th Street centerline to a point for a corner at the intersection of 15th Street and the centerline of K Avenue (variable R-O-W);~~

~~THENCE continuing north along said K Avenue centerline to a point for a corner at the intersection of K Avenue and the centerline of 16th Street (variable R-O-W);~~

Ordinance No. 2003-12-13 (cont'd)

~~THENCE continuing along said 16th Street centerline to a point for a corner at the intersection of 16th Street and the centerline of the Dallas Area Rapid Transit (DART) R-O-W (variable R-O-W) located in Tract 68 of the Sanford Beck Survey, City of Plano, Collin County, Texas;~~

~~THENCE continuing north a distance of 515 feet along said DART R-O-W to a point for a corner;~~

~~THENCE continuing east following along the northern property boundary lines of Plano Original Donation Addition, Block 2, Lot 6E and Lot 6C to a point for a corner intersecting at the centerline of Municipal Avenue;~~

~~THENCE continuing south along said Municipal Avenue centerline back to the PLACE OF BEGINNING and containing 15.61 (679,972 square feet) acres of land; and~~

~~BEING a 4.28 acre tract of land situated in Collin County, Texas, and being more particularly described as follows:~~

~~BEGINNING at the intersection of centerline of Municipal Avenue (variable R-O-W) with the centerline of 15th Street (variable R-O-W) at a point for a corner;~~

~~THENCE continuing south along said Municipal Avenue centerline to a point for a corner at the intersection of Municipal Avenue and the centerline of 14th Street (variable R-O-W);~~

~~THENCE continuing east along said 14th Street centerline to a point for a corner at the intersection of 14th Street and the centerline of G Avenue (variable R-O-W);~~

~~THENCE continuing north along said G Avenue centerline to a point for a corner at the intersection of G Avenue and the centerline of 15th Street;~~

~~THENCE continuing west following along the centerline of said 15th Street back to the PLACE OF BEGINNING and containing 4.28 (186,437 square feet) acres.~~

City Attorney Wetherbee responded to Council Member Lambert regarding the state regulating the amount of time political signs are permitted, stating that concern prompting legislation regarding political signs was related to communities that precluded them outright or charged a fee not related to administration. She advised that there has been no interpretation in this jurisdiction from a case perspective and stated her recommendation that if Council were to reinsert a durational time limitation, the

Ordinance No. 2003-12-13 (cont'd)

definition of political signs also be revised to provide further clarification. Mr. Lambert stated concerns regarding signs left out following elections. Council Member Dyer spoke to allowing placement of political signs no earlier than 90 days rather than 120. Ms. Wetherbee recommended 120 days, stated uncertainty as to whether or not an Attorney General's ruling or case may come out on the subject, and recommended verbiage to be revised.

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 Council Member Callison, the Council voted 6-0 to amend Section 3-1600 (Sign Regulations) of Article 3 (Supplementary Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, pertaining to Sign Standards and Regulations as requested in Zoning Case 2003-50 as recommended by the Planning and Zoning Commission with the following revisions; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2003-12-13 as revised.

3.1602 Definitions

59. Sign, Political – *Any sign relating to a particular candidate for a partisan or nonpartisan office, or to a political proposition or measure.*

3.1603 Design and Construction Specifications

E.4. Political Signs/Noncommercial Purpose Signs

Political and noncommercial purpose signs 36 square feet or less are allowed on private property with the consent of the property owner, but are prohibited on public property, including the rights-of-way. *Political signs may be placed on private property no earlier than 120 days prior to the election for which the sign is applicable and must be removed not later than the 15th day following the election.* City personnel may remove and dispose of any sign placed on public property or within the rights-of-way.

Public Hearing and adoption of Ordinance No. 2003-12-14 as requested in Zoning Case 2003-56 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 531 so as to allow the additional use of a Private School on 1.6± acres of land located on the east side of Custer Road, 500± feet south of Spring Creek Parkway in the City of Plano, Collin County, Texas, presently zoned Retail; 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 #35 Applicant: Star Bright, Inc. and Harold & Joan Smith [Regular Agenda Item (3)]

Director of Planning Jarrell spoke regarding the planned expansion and access to the site. She stated that the applicant has included a drop-off lane to address circulation concerns raised by other property owners within the development. Ms. Jarrell advised the Council that the Planning and Zoning Commission recommends approval of the request as submitted.

Mayor Evans opened the Public Hearing. Bruce Morrell, Starbright, Inc., spoke regarding the support he has received for the school, its growth and need for expansion and how it meets the needs of talented students. Chuck Billings, citizen of the City, spoke in support of the request and the nationally recognized students at the school. Susan Sarhady and Ike Vanden Eykel, citizens of the City and parents of students, spoke regarding the opportunities provided, the school's staggered schedule, the need for expansion and in support of the request. Evgeny Marchenko, representing the World Olympic Gymnastics Academy, spoke regarding the school providing an education tailored around the special schedules of those attending his facility. Ronald Williamson, citizen of Richardson and parent of a student, spoke regarding the school meeting the scheduling needs of his daughter who participates in Tae Kwon Do. No one else spoke either for or against the request. The Public Hearing was closed.

Council Member Magnuson spoke regarding the commitments made by both students attending the facility as well as their parents.

Upon a motion made by Council Member Magnuson and seconded by Council Member Dyer, the Council voted 6-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 531 so as to allow the additional use of a Private School on 1.6± acres of land located on the east side of Custer Road, 500± feet south of Spring Creek Parkway in the City of Plano, Collin County, Texas, presently zoned Retail as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2003-56; 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. 2003-12-14.

Public Hearing and adoption of Ordinance No. 2003-12-15 as requested in Zoning Case 2003-58 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Heritage Resource Designation H-30 to a 0.4± acre property located on the southwest corner of 15th Street and O Avenue, presently Zoned Urban Residential (UR), and retaining this zoning classification; directing a change accordingly in the official zoning map of the City; and providing a repealer clause, a savings clause, a penalty clause, a severability clause and an effective date. Neighborhood #60 Applicant: Markus and Claudia Pauli [Regular Agenda Item (4)]

Heritage Preservation Officer Watson reviewed the history of the house and stated that the Heritage Commission recommended designation finding that the property conformed to required criteria. He further advised the Council that the Planning and Zoning Commission recommended approval of the request as submitted.

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 Dyer and seconded by Council Member Callison, the Council voted 6-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Heritage Resource Designation H-30 to a 0.4± acre property located on the southwest corner of 15th Street and O Avenue, presently Zoned Urban Residential (UR), and retaining this zoning classification as requested in Zoning Case 2003-58 and as recommended by the Planning and Zoning Commission; directing a change accordingly in the official zoning map of the City; and providing a repealer clause, a savings clause, a penalty clause, a severability clause and an effective date; and further to adopt Ordinance No. 2003-12-15.

Mayor Evans stated at 8:48 p.m. that the Council would reconvene back into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney, Section 551.071, for which a certified agenda is not required but is on record for other items on this agenda. The Council closed out of the Executive Session at 9:07 p.m. into the open meeting and immediately closed.

Pat Evans, **MAYOR**

ATTEST:

Elaine Bealke, City Secretary