

PLANO CITY COUNCIL
December 8, 2008

COUNCIL MEMBERS

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

STAFF

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

Mayor Evans convened the Council into the Regular Session on Monday, December 8, 2008 at 7:07 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Associate Pastor Pete Kralyevich of Four Corners Church.

The Pledge of Allegiance was led by Tiger Cub Scout Pack 283, Den 2 of Brinker Elementary School. The Men of Note performed several holiday songs.

PROCLAMATIONS & SPECIAL RECOGNITION

City Manager Muehlenbeck presented City Engineer Alan Upchurch with his 25-Year Service Award.

OATHS OF OFFICE

Mayor Evans administered oaths of office to incoming board and commission members.

COMMENTS OF PUBLIC INTEREST

No one appeared to speak.

CONSENT AGENDA

Council Member Dunlap requested Consent Agenda Item “G,” be removed for individual consideration due to a possible conflict of interest.

Upon a motion made by Council Member Magnuson and seconded by Council Member Dunlap, the Council voted 8-0 to approve and adopt the remaining items on the Consent Agenda as recommended and as follows:

Approval of Minutes [Consent Agenda Item (A)]

November 20, 2008
November 24, 2008 (Budget Retreat)
November 24, 2008

Approval of Expenditures

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

Bid No. 2009-7-B for Communications Parkway – Parker Road to Spring Creek Parkway to Glenn Thurman, Inc., in the amount of \$2,412,005. The project consists of the widening of Communications Parkway from a four lane to a six lane divided thoroughfare from Parker Road to Windhaven Parkway and widening from a two lane to a six lane divided thoroughfare from Windhaven Parkway to Spring Creek Parkway. This project also includes storm drainage, landscaping, irrigation, street lighting and traffic signal construction. [Consent Agenda Item (B)] (See Exhibit “A”)

Bid No. 2009-5-B for Median Tree Replacement at multiple locations to Wall Enterprises in the amount of \$120,925. [Consent Agenda Item (C)] (See Exhibit “B”)

Purchase from an Existing Contract

To approve the purchase of eighteen Chevrolet Police PPV Tahoes in the amount of \$467,550 from Caldwell Country through an existing contract/agreement with Tarrant County Interlocal Contract and authorizing the City Manager to execute all necessary documents. These will be scheduled replacements in the FY 08-09 ERF for replacement to be determined for Department 532/Police. (#2005-180) [Consent Agenda Item (D)]

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

To approve of a Surveying Contract by and between the City of Plano and Gorrondona & Associates in the amount of \$64,795 for Project No. 5843 – Geodetic Monumentation and authorizing the City Manager to execute all necessary documents. (2008-34-B) [Consent Agenda Item (E)]

To approve an Engineering Contract by and between the City of Plano and C & P Engineering, LTD., in the amount of \$261,200 for Meadows Addition, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (F)]

Approval of Change Order

To Hencie International, Inc., increasing the contract by \$93,293 for the 2007-2008 Residential Concrete Pavement Rehabilitation Project, Zone I8, Project No. 5890, Change Order No. 1, Bid No. 2008-95-B. [Consent Agenda Item (H)]

Adoption of Resolutions

Resolution 2008-12-1(R): To approve the terms and conditions of a Texas Traffic Safety Program Grant Agreement by and between the State of Texas and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (I)]

Resolution 2008-12-2(R): To approve the terms and conditions of a Real Estate Contract by and between Bank of Texas, N.A. and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (J)]

Adoption of Ordinances

Ordinance 2008-12-3: To amend Article III, Property Maintenance Code, Division 3, Registration and Inspection of Multi-Family Dwelling Complexes of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by amending Sections 6-61, 6-63(a) and 6-70(a) to revise the definition and lower the age requirement of a Multi-Family Dwelling/Building/Residence for registration purposes; providing a penalty clause; a savings clause; a severability clause; a repealing clause; a publication clause; and an effective date. [Consent Agenda Item (K)]

Ordinance 2008-12-4: To amend Chapter Six, Building and Building Regulations, with the addition of Article XIII, Irrigation Systems, to establish the minimum standards for installation of irrigation systems within the City limits of the City; and providing a repealer clause, a severability clause, a penalty clause and an effective date. [Consent Agenda Item (L)]

END OF CONSENT

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

Approval of Change Order - To Jim Bowman Construction Company, L.P., increasing the contract by \$74,060 for the 2007–2008 Arterial Concrete Pavement Rehabilitation Project, Park Boulevard – Alma Road to Shiloh Road, Project No. 5915, Change Order No. 1, Bid No. 2008-180-B. [Consent Agenda Item (G)]

Upon a motion made by Council Member Miner and seconded by Council Member Jackson, the Council voted 7-0 to approve a change order to Jim Bowman Construction Company, L.P., increasing the contract by \$74,060 for the 2007–2008 Arterial Concrete Pavement Rehabilitation Project, Park Boulevard – Alma Road to Shiloh Road, Project No. 5915, Change Order No. 1, Bid No. 2008-180-B.

Council Member Dunlap resumed his seat at the bench.

Public Hearing and adoption of Ordinance No. 2008-12-5 as requested in Zoning Case 2008-72 to amend Section 6.200 (Board of Adjustments) of Article 6 (Procedures and Administration) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to amend the duties and administrative procedures of the Board of Adjustment; 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 (1)]

Director of Planning Jarrell spoke to retaining the Board of Adjustment and Building Standards Commission as separate entities, to this item removing reference to the Board of Adjustment from the Zoning Ordinance and the next item creating a new section in the Code of Ordinances. She advised that the change would make the board similar to others in the City and advised that the Planning and Zoning Commission recommended the request for approval subject to the following stipulations. (Additions are indicated in italicized and underlined text; deletions are indicated in strikethrough text.)

6.200 Board of Adjustment

~~6.201~~ — There is hereby created a Board of Adjustment consisting of five members, each to be appointed by City Council for a term of two years and removable for cause by the appointing authority upon written charges and after public hearing. There shall be at least one member and one alternate member appointed who is employed in either the retail or advertising business, and at least one member and one alternate member who is employed in the real estate or development business. (ZC 92-46; Ordinance No. 92-9-13)

~~6.202~~ — City Council may appoint four alternate members of the Board of Adjustment who shall serve in the absence of one or more of the regular members. The alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two years expiring on October 31 of the appropriate year, and any vacancy shall be filled in the same manner as for regular members, and alternate members shall be subject to removal under the same provisions as regular members. (ZC 2007-30; Ordinance No. 2007-10-39 and ZC 92-46; Ordinance No. 92-9-13)

Ordinance No. 2008-12-5 (cont'd)

~~6.203~~ — The Board of Adjustment shall adopt rules to govern its proceedings provided, however, that such rules are not inconsistent with this ordinance or statutes of the State of Texas. Meetings of the Board of Adjustment shall be held at the call of the chairman and at such other times as the Board of Adjustment may determine. The chairman, or in his absence, the acting chairman, may administer oath and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicate such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Adjustment and shall be a public record.

6.2041 Appeals

(1) The composition and appointment of the Board of Adjustment shall be in compliance with Chapter 6 of the Code of Ordinances.

(2) The Board of Adjustment may take action in accordance with 6.202 of this ordinance.

Appeals to the Board of Adjustment can be taken by any person aggrieved or by an officer, department, or board of the municipality affected by any decision of the Building Official. Such appeal shall be ~~taken~~ made within 15 days after the decision has been rendered by the administrative officer, by filing with the officer from whom the appeal is taken and with the Board of Adjustment, a Notice of Appeal specifying the grounds thereof. The officer from whom the appeal is taken shall ~~forthwith transmit~~ forward to the Board of Adjustment all the documents constituting the record upon which the action appealed from was taken.

~~6.205~~(3) An appeal shall stay all proceedings of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the Notice of Appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on petition, upon notice to the officer from whom the appeal is taken and on due cause shown.

~~6.206~~ — The Board of Adjustment shall fix a specific time for the hearing of an appeal, give the public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by attorney or by agent.

~~6.207~~ — No appeal to the Board of Adjustment for the same variance, on the same piece of property, shall be allowed prior to the expiration of two years from a previous ruling by the Board of Adjustment on any appeal to such body, unless other property in the immediate vicinity has within the said two year period been changed or acted upon by the Board of Adjustment or City Council so as to alter the facts and conditions on

Ordinance No. 2008-12-5 (cont'd)

~~which the previous Board of Adjustment action was based. Such change of circumstances shall permit the rehearing of an appeal by the Board of Adjustment prior to the expiration of a two year period, but such conditions shall in no way have any force in law to compel the Board of Adjustment, after a hearing, to grant a subsequent appeal. Such subsequent appeal shall be considered entirely on its merits and the peculiar and specific conditions related to the property on which the appeal is brought.~~

6.2082 Jurisdiction (ZC 2007-30; Ordinance No. 2007-10-39)

- (1) Each case must be heard by at least ~~four~~ 75% of the members of the Board of Adjustment. ~~The concurring vote of four members of the Board of Adjustment is necessary to:~~
 - ~~(a) Reverse an order, requirement, decision, or determination of an administrative official.~~
 - ~~(b) Decide in favor of an applicant on a matter on which the Board of Adjustment is required to pass under a zoning ordinance.~~
 - ~~(c) Authorize a variance from the terms of a zoning ordinance.~~
- (2) When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustment may, in specific cases, after written notice and public hearings, and subject to appropriate conditions and safeguards, authorize or order the following:
 - (a) Hear and decide appeals where it is alleged there is error on any order, requirement, decision, or determination made by the Building Official in the enforcement of this ordinance. (ZC 92-46; Ordinance No. 92-9-13)
 - (b) Permit the reconstruction, extension, or enlargement of a building occupied by nonconforming uses, on the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use.
 - (c) Require the discontinuance of nonconforming uses of land or structure under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance. All actions to discontinue a nonconforming use of land or structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of property. The Board of Adjustment shall,

Ordinance No. 2008-12-5 (cont'd)

from time to time, on its own motion or upon cause presented by interested property owners, inquire into the existence, continuation, or maintenance of any nonconforming use within the city.

- (d)** Permit such variance from the terms of the Zoning Ordinance that will not be contrary to the public interest and where, because of special conditions, the enforcement of this ordinance or its amendments would result in an unnecessary hardship, except as provided in (ii), (iii) and (iv) below. A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss, nor shall it permit any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels of land in the district. No variance may be granted if it results in an unnecessary hardship, as herein defined, on another parcel of land.
- (i)** In order to make a finding of hardship and to grant a variance from this ordinance, the Board of Adjustment must determine that: (ZC 92-46; Ordinance No. 92-9-13)

 1. The requested variance does not violate the intent of the ordinance or its amendments.
 2. Special conditions of restricted area, shape, topography, or physical features exist that are peculiar to the subject parcel of land and are not applicable to other parcels of land in the same zoning district.
 3. The hardship is in no way the result of the petitioner's own actions.
 4. The interpretation of the provisions in this ordinance or its amendments would deprive the petitioner of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions.
- (ii)** No variance may authorize a use other than those permitted in the district for which the variance is sought.
- (iii)** A petition or request for a variance shall not be heard or granted with regard to any parcel of property or portion thereof upon which a preliminary site plan, site plan, preliminary plat, or final plat, when required by this ordinance or the Subdivision Ordinance for any parcel of property or portion thereof, has not been finally acted upon by both the Planning & Zoning Commission and, where required, by the City Council.

Ordinance No. 2008-12-5 (cont'd)

- (iv) The administrative procedures and requirements of this ordinance and the Subdivision Ordinance, with regard to both Planning & Zoning Commission and the City Council consideration and action, on preliminary site plans, site plans, preliminary plats, and final plats, must be exhausted prior to requesting a variance from the terms of this ordinance.

6.2093 Action of the Board of Adjustment

- (1) In exercising its powers, the Board of Adjustment may, in conformity with the provisions of ~~Articles 1011 a through 1011 j of the 1925 Civil Statutes of Texas, as amended,~~ Section 211.009(b) of the Texas Local Government Code, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and make such order, requirement, decision, or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken, including the power to impose reasonable conditions to be complied with by the petitioner.
- (2) The concurring vote of ~~four~~ 75% of the members of the Board of Adjustment shall be necessary to revise any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the petitioner on any matter upon which it is required to pass under this ordinance or to approve any variance in said ordinance.
- (3) An appeal of the Board of Adjustment's decision must be in accordance with Chapter 211 of the Texas Local Government Code as the same may be amended from time to time. ~~Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment, or any taxpayer, or any officer, department, board, or bureau of the municipality may present to a district court, county court, or county court at law a~~

Ordinance No. 2008-12-5 (cont'd)

~~petition, duly verified, setting forth that such decision is illegal, in whole or part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten days after the filing of the decision in the office of the Board of Adjustment and not thereafter. The date of filing of the decision in the office of the Board of Adjustment shall be the date the Board of Adjustment announces its decision either orally or in writing to the petitioner. (ZC 99-56; Ordinance No. 99-11-19)~~

- (4) No appeal to the Board of Adjustment for the same variance, on the same property, shall be allowed prior to the expiration of two years from a previous ruling by the Board of Adjustment unless other property in the immediate vicinity has within the said two year period been rezoned, granted a similar variance request by the Board of Adjustment, or such that the physical conditions have changed. These circumstances shall permit the rehearing of an appeal by the Board of Adjustment

Ordinance No. 2008-12-5 (cont'd)

prior to the expiration of the two year period, but shall not compel the Board of Adjustment, after a hearing, to grant a variance.

(5) If the court reverses or modifies the Board of Adjustment's decision, the Board of Adjustment may elect to appeal that decision.

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 LaRosiliere and seconded by Council Member Dunlap, the Council voted 8-0 to amend Section 6.200 (Board of Adjustments) of Article 6 (Procedures and Administration) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to amend the duties and administrative procedures of the Board of Adjustment as requested in Zoning Case 2008-72 and as recommended by the Planning and Zoning Commission; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2008-12-5.

Ordinance No. 2008-12-6 to add Article V, Board of Adjustment, to Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano to relocate the provisions related to the Board of Adjustment for appointing and removing members from the City of Plano Comprehensive Zoning Ordinance to the City of Plano Code of Ordinances, and providing a repealer clause, a severability clause, a savings clause, and an effective date. [Regular Agenda Item (2)]

Chief Building Official Mata spoke to this item moving the membership requirements of the Board of Adjustment into the Code of Ordinances. Council Member Dunlap spoke to considering revising the membership of the board to remove the requirements for retail/advertisement alternates.

Upon a motion made by Council Member Jackson and seconded by Council Member Magnuson, the Council voted 8-0 to add Article V, Board of Adjustment, to Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano to relocate the provisions related to the Board of Adjustment for appointing and removing members from the City of Plano Comprehensive Zoning Ordinance to the City of Plano Code of Ordinances, and providing a repealer clause, a severability clause, a savings clause, and an effective date; and further to adopt Ordinance No. 2008-12-6.

Public Hearing and adoption of Ordinance No. 2008-12-7 as requested in Zoning Case 2008-80 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 6.1± acres located at the northwest corner of Bourbon Street and Cousteau Court in the City of Plano, Denton County, Texas, from Single-Family Residence Attached and Patio Home with Specific Use Permit #594 for Private Street Development to Single-Family Residence-9 with Specific Use Permit #594 for Private Street Development; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: HW Spring Creek Partners, L.P. [Regular Agenda Item (3)]

Director of Planning Jarrell advised that the applicant is requesting larger lots on a portion of the development, that the item is compliant with the Comprehensive Plan and that the Planning and Zoning Commission recommended the item for approval as submitted.

Mayor Evans opened the Public Hearing. Ashley Frysinger, representing the applicant, spoke to the demand for larger estate lots. No one else spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Miner and seconded by Council Member Johnson, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 6.1± acres located at the northwest corner of Bourbon Street and Cousteau Court in the City of Plano, Denton County, Texas, from Single-Family Residence Attached and Patio Home with Specific Use Permit #594 for Private Street Development to Single-Family Residence-9 with Specific Use Permit #594 for Private Street Development as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2008-80; 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. 2008-12-7.

Public Hearing and adoption of Ordinance No. 2008-12-8 as requested in Zoning Case 2008-81 to amend Section 1.600 (Definitions) of Article 1 (General Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to modify the definition for Automobile Repair – Minor /Service Station; 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 (4)]

Director of Planning Jarrell spoke to the request developing following an appeal of her interpretation of the appropriate use classification for paintless dent repair businesses and a request from the Planning and Zoning Commission requested Staff review. She spoke to paintless dent repair as being similar to minor automotive repair and to its inclusion in that portion of the Zoning Ordinance which would allow the use to be located in Retail zoning districts. Ms. Jarrell responded that work is usually done within the structure and requirements for open storage and screening would apply. She further stated that the Planning and Zoning Commission recommended that the definition for “Automobile Repair - Minor/Service Station” be changed to read as follows:

Ordinance No. 2008-12-8 (cont'd)

Automobile Repair - Minor/Service Station - An establishment used for the retail dispensing or sales of automobile fuels, lubricants, and automobile accessories; the minor repair or replacement of parts, paintless dent repair, and performing state inspections and making minor repairs necessary to pass said inspection. Uses listed under Automobile Repair - Major or any other similar uses are not included. Vehicles, which are inoperative or are being repaired, may not remain parked outside for a period greater than seven days.

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 Callison, the Council voted 8-0 to amend Section 1.600 (Definitions) of Article 1 (General Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to modify the definition for Automobile Repair – Minor /Service Station as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2008-81; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2008-12-8.

Public Hearing and consideration of Ordinances as requested in Zoning Cases 2008-75 – 2008-79 all of which are limited to the repeal of certain Specific Use Permits for Private Clubs. The following ordinances are proposed to be repealed which, if approved, will result in the rescission of the Specific Use Permit for an additional use of a Private Club and the applicant is the City of Plano. [Regular Agenda Item (5)]

Ordinance No. 2008-12-9 as requested in Zoning Case 2008-75 – Request to rescind Specific Use Permit #259 for Private Club on 0.1± acre located at the southwest corner of U.S. Highway 75 and Enterprise Drive. Zoned Corridor Commercial. [Regular Agenda Item (5a)]

Ordinance No. 2008-12-10 as requested in Zoning Case 2008-76 – Request to rescind Specific Use Permit #278 for Private Club on 0.1± acre located 180± feet north of Park Boulevard and 550± feet west of Ohio Drive. Zoned Retail. [Regular Agenda Item (5b)]

Ordinance No. 2008-12-11 as requested in Zoning Case 2008-77 – Request to rescind Specific Use Permit #279 for Private Club on 0.1± acre located 130± feet east of Independence Parkway and 485± feet north of Parker Road. Zoned Retail. [Regular Agenda Item (5c)]

Ordinance No. 2008-12-12 as requested in Zoning Case 2008-78 – Request to rescind Specific Use Permit #282 for Private Club on 0.1± acre located 90± feet west of Preston Road and 370± feet north of Plano Parkway. Zoned Planned Development-457-Retail/General Office. [Regular Agenda Item (5d)]

Ordinance No. 2008-12-13 as requested in Zoning Case 2008-79 – Request to rescind Specific Use Permit #360 for Private Club on 3.8± acres located on the east side of Dallas North Tollway, 470± feet north of Democracy Drive. Zoned Commercial Employment. [Regular Agenda Item (5e)]

Director of Planning Jarrell advised the Council that these locations have made the change to a mixed beverage permit and no longer require private club zoning and further that the Planning and Zoning Commission recommended approval of the requests as submitted.

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

Upon a motion made by Council Member Magnuson and seconded by Council Member Dunlap the Council voted 7-0 to adopt all the ordinances listed as recommended by the Planning and Zoning Commission and as designated by their zoning case number. The repeal of each amends the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, 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 adopts each ordinance.

There being no further discussion, Mayor Evans adjourned the meeting at 7:40 p.m.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, City Secretary