

PLANO CITY COUNCIL

WILL CONVENE INTO EXECUTIVE SESSION AT 5:00 P.M. ON FEBRUARY 10, 2014, FOLLOWED BY THE PRELIMINARY OPEN MEETING IN THE PLANO MUNICIPAL BUILDING, 1520 K AVENUE, IN COMPLIANCE WITH VERNON'S TEXAS CODES ANNOTATED, GOVERNMENT CODE CHAPTER 551 (OPEN MEETINGS ACT), AS FOLLOWS:

Mission Statement: The City of Plano is a regional and national leader, providing outstanding services and facilities through cooperative efforts that engage our citizens and that contribute to the quality of life in our community.

EXECUTIVE SESSION

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|------|--|-----------|---------|
| I. | Legal Advice
Respond to questions and receive legal advice on agenda items | Mims | 5 min. |
| II. | Litigation
In Re The Arts Center of North Texas | Mims | 15 min. |
| III. | Economic Development
Discuss a financial offer or other incentive to a business prospect to locate, stay, or expand in Plano and consider any commercial and financial information from the business prospect | Bane | 15 min. |
| IV. | Real Estate
Downtown Plano | Turner | 5 min. |
| V. | Personnel
Duties and Responsibilities of City Attorney | Mims | 15 min. |
| VI. | Personnel
Duties and Responsibilities of City Manager | Glasscock | 15 min. |

PRELIMINARY OPEN MEETING

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| I. | Consideration and action resulting from Executive Session discussion | Council | 5 min. |
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| II. | Discussion and Direction on Housing Reinvestment Incentive Pilot Program | Jarrell | 20 min. |
| III. | Discussion and Direction re a Request to Abandon an East-West Alley Located Southeast of the Intersection of 14th Street and N Avenue | Carr | 10 min. |
| IV. | Council items for discussion/action on future agendas | Council | 5 min. |
| V. | Consent and Regular Agenda | Council | 5 min. |

In accordance with the provisions of the Open Meetings Act, during Preliminary Open Meetings, agenda items will be discussed and votes may be taken where appropriate.

Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.

February 3, 2014

MEMO

TO: Bruce D. Glasscock, City Manager
Frank F. Turner, Deputy City Manager

FROM: Selso Mata, Chief Building Official
Phyllis M. Jarrell, Director of Planning

SUBJECT: Housing Reinvestment Incentive Program

Please find attached a summary of the proposed Housing Reinvestment Incentive Program. City Council has approved funding to support an incentive program to encourage reinvestment in the city's older housing stock. The goals of the program include making houses and neighborhoods more attractive to new buyers, preserving affordable housing and supporting the city's tax base. Below is a review of the main components of the program.

Eligible Properties – qualifying properties include single-family houses, duplexes, townhouses and condominiums. The appraised value of the property must be less than or equal to the FHA single-family mortgage limit for Collin County, which is \$287,000 for 2014. Staff is recommending this approach to focus the program on the city's more affordable housing stock. The mortgage limit fluctuates each year to accommodate changes in housing prices. Houses must also be 25 years of age or older. Interior repairs to individual condominium units would be eligible; exterior repair and replacement is typically handled by property owner associations.

As proposed, owners of both owner-occupied and rental properties are eligible to apply for the program. In terms of neighborhood appearance and stability, upkeep and maintenance of both types of properties are important. In addition, the consultant presently reviewing the city's various neighborhood programs has reviewed property standards records, and has determined that a higher percentage of single-family rental properties receive notices than owner-occupied properties. Staff seeks Council's direction as to whether or not rental properties should be eligible for the program.

Incentive Structure – Improvements are eligible for the rebate program if the value of improvements equals or exceeds 10% of the total CAD appraised value (minimum \$10,000 for a \$100,000 property, for example). The rebate would be 10% of the value of the improvements, up to a maximum of \$5,000 per property per year. This incentive structure is designed to encourage property owners to make significant improvements in their properties. The \$5,000 cap on rebates will allow funding to stretch further to assist more properties.

It is unknown if the incentive is sufficient to motivate property owners to undertake deferred maintenance and improvements, or if the rebate incents someone to add more work to the job than originally intended. The program will need to be operating for some time to determine how effective it can be.

Qualifying Improvements – Most exterior and interior improvements will qualify for the incentive program, including landscaping. A list of eligible improvements is attached. Projects specifically recommended for exclusion from the program are new swimming pools (pool repairs and pool filling/removal are eligible), new rolling gates across driveways, accessory structures, including sheds, gazebos, and outdoor kitchens, and garage enclosures.

Program Management – Staff has worked to devise an administrative process that is simple and easy to navigate and administer. Applicants must acquire all needed building permits. Staff will review the estimated value of the projects based on industry standards to limit fraud. Property owners may perform the work themselves, but it will be valued based on industry standards. “Before” and “after” inspections will be made to confirm that work has been completed before a rebate check is issued. Community Services division staff performs similar activities in administering the city’s HUD-funded housing programs.

Funding Impacts – A total of \$750,000 has been set aside in the budget to fund this program and the consultant study noted above. The cost of the consulting study is \$133,000, leaving \$617,000 for the rebate program. This would provide rebates at the maximum \$5,000 for approximately 120 property owners. The program initially will be administered by existing staff in the Planning and Building Inspections staff. Some staff time presently being charged to the HUD grants will need to be shifted to the general fund. While one goal of the incentive program is to maintain and increase property values, it will take many years for the city to recover the rebate through increased property tax collections.

Next Steps -- Before rolling out the program to the public, staff will review it with a panel of local realtors and remodeling contractors to determine if the rebate would be a positive incentive for home sales and reinvestment. The program will be marketed in a variety of ways, including social media, Love Where You Live program, and offered to property owners who have received property standards notices.

Please let us know if you have questions or need additional information.

XC: Christina Day, Development Review Manager
Shanette Brown, Community Services Manager
Lori Schwarz, Comprehensive Planning Manager

HOUSING REINVESTMENT INCENTIVE PROGRAM

Eligible Properties

- Single family homes, duplexes, townhouses on individually platted lots
- Individual condominium units (interior work only)
- CAD value (land plus improvements) less than or equal to the FHA single-family mortgage limit for Collin County (\$287,000 in 2014)
- Structure must be a minimum of 25 years in age
- Owner occupied or rental property
- Current on payment of property taxes

Incentive Structure

- Improvements qualify if the value equals or exceeds 10% of the total CAD appraised value (\$100,000 property requires \$10,000 of improvements; \$200,000 property requires \$20,000, etc.)
- Rebate incentive of 10% of the work value, up to a maximum of \$5,000

Qualifying Improvements

See attached list for qualifying improvements. Specific exclusions:

- new pools (pool repairs and pool filling/removal are eligible)
- new rolling gates across driveways
- accessory structures (sheds, gazebos, outdoor kitchens)
- garage enclosures

Application Process

- Property owner (not tenant) must submit an application and pay \$25 application fee.
- Applicants must provide estimated value of work, invoices and/or contracts.
- Applications must be submitted and approved before work starts. Rebates will not be given for completed project or projects in process.
- Applicant must have building permits for projects, if required.
- Applicants will have 3 months from the date the application is approved to complete projects.
- A property owner may submit multiple applications during a fiscal year, but the maximum annual rebate will be \$5,000 per address.
- DIY labor counts toward the value of the job, based on industry standards as determined by the Rehabilitation Estimators.

Staff Review and Inspections

- Community Development Coordinators will meet with applicants and take applications.
- Rehabilitation Estimators will review estimated value of project, based on industry standards, to limit fraud. Landscape Architect will review estimated value of landscaping projects.
- “Before” and “after” inspections will be made before rebates are issued to confirm that work has been completed. No partial payments will be issued.
- For projects requiring building permits, the final inspection by the BI inspectors will serve as confirmation that work related to the permit has been completed. For other projects, the Rehabilitation Estimators will inspect.
- First year of program will be managed by existing staff from Planning Department and Building Inspections Department. Staffing needs and operational costs will be assessed after the first few months of applications have been processed.
- There will be a budgetary impact as staff time presently charged to the federal grant programs will instead be shifted to the general fund.

Marketing and Promotion of Program

- Marketing and Community Engagement to promote the program through the website, social media, utility bill inserts, etc.
- Program will be promoted through Love Where You Live, Collin County Board of Realtors and local service organizations.
- Brochures will be prepared and available at Planning, Building Inspections and Property Standards offices.

HOUSING REINVESTMENT INCENTIVE PROGRAM QUALIFYING IMPROVEMENTS

Exterior

Foundation repair
Slab leaks
Sewer and water line repair/replacement
Roof repair and replacement
Exterior siding and soffit repair and replacement
Window replacement
Door replacement
Garage door replacement and associated equipment
Addition/replacement of roof turbines and ventilators
Exterior painting
Installation/replacement of gutters
Replacement/repair of driveways and patios
Fence repair and replacement
Room additions
Energy efficiency improvements
Solar screens
Pool repair/pool removal/pool replacement, including equipment

Landscaping

Replacement/addition of turf, shrubs and trees
Tree trimming
Design services if part of contract
New/replacement drip irrigation
Sprinkler controller repair/replacement

Interior

Replacement of plumbing fixtures
New countertops and sinks
Replacement/repair of cabinets and vanities
Tub conversions to showers
New tub enclosures
New flooring
Interior painting
Drywall replacement/repair and texturing
Repair/replacement of HVAC units
Additional insulation
Radiant barriers
Weatherproofing
Repair/replace electrical system – box, wiring, outlets

TO: Bruce D. Glasscock, City Manager
Frank F. Turner, Deputy City Manager

FROM: Gerald Cosgrove, P.E., Director of Public Works
Jack Carr, P.E., Director of Engineering
Phyllis M. Jarrell, Director of Planning
Selso Mata, Chief Building Official

DATE: January 30, 2014

SUBJECT: Request to Abandon an Alley along the South Side of Tract Located at the Southeast Corner of N Avenue and 14th Street

Summary of the Issue

- The owner of property at the southeast corner of the intersection of N Avenue and 14th Street has requested the City to abandon the alley right-of-way located adjacent to the southern edge of the property.
- Bill Lisle, the owner of the property located adjacent to and east of the applicant's property, has expressed his opposition to this request because he wants to use the subject section of alley for access to the rear portion of his property.

History of the Subject Property

- The alley was dedicated with the Oglesby Place Addition, a residential subdivision. (See attached map)
- We have reviewed aerial photos from the 1950's which show the alley was paved. Subsequent photos show, as the applicant's properties were developed, the use of the property was changed to non-residential and the alley was incorporated into the parking lot that serves the two office buildings.
- North Texas Municipal Water District owns the tract on the south side of the alley where the water storage tank and pump station are located.
- The office building property owner and the District have an existing agreement that allows a portion of the parking lot to be located on the District's property.
- The subject alley right-of-way crosses the parking lot, approximately in the location of the southernmost drive aisle.
- Staff has not found any records that indicate that the subject alley right-of-way was abandoned or that the City approved incorporating the alley into the parking lot.

History of the Adjacent Property

- In 1997, the City abandoned a portion of this same east-west alley. This was at the request of the property owner of the tract immediately east of the subject property.
- In 2013, Bill Lisle purchased the property east of the subject tract and subsequently replatted the property into two lots. Both of these new lots have frontage along 14th Street and have a shared driveway located in a mutual access easement. Mr. Lisle has indicated he intends to use the front part of the property for an office and will lease the back part of the property to a landscape contractor for open storage.
- With the construction of a new office building and rebuilding of the existing driveway on the northern portion of Mr. Lisle's property, he began using the alley as access for construction vehicles. This activity prompted the abandonment request from the adjacent property owner.
- Mr. Lisle has indicated that he was told by staff that he could use the alley; however, Building Inspections staff told Mr. Lisle that he could not continue to track mud onto 14th Street. .
- Mr. Lisle has asked staff for clarification regarding his use of the alley and was told that it could be used temporarily; however, Building Inspections staff was not aware that the alley right-of-way had been paved over as part of a parking lot.

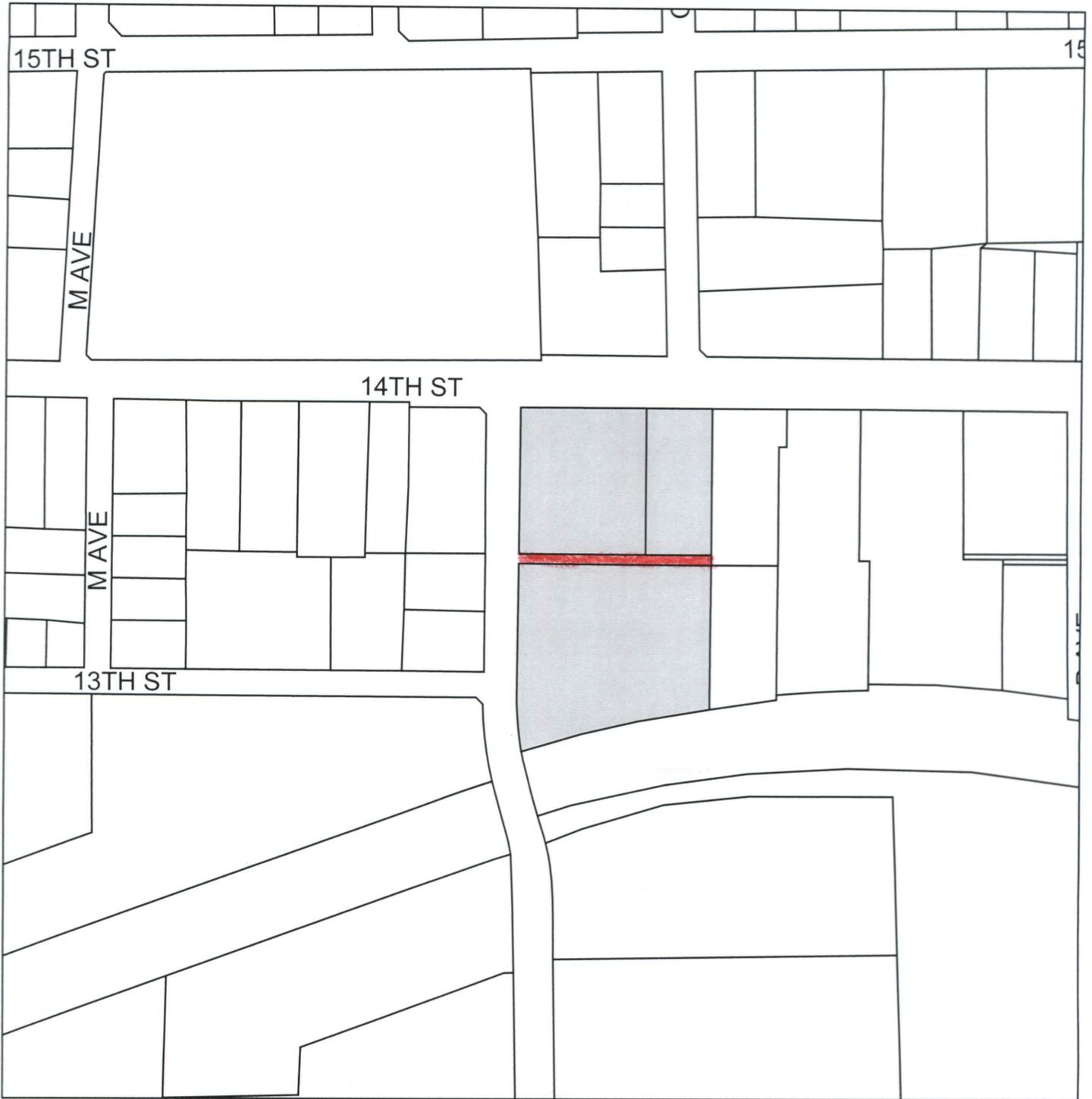
Factors to Consider

- The petition for abandonment has been signed by the applicant and the District (both abutting property owners located north and south of the alley).
- Access to all properties will continue to be available after abandonment. None of the properties, including Mr. Lisle's, is dependent on the alley for access to a public street. Both of Mr. Lisle's lots have frontage and access to 14th Street.
- Abandoned right-of-way is typically apportioned equally to the abutting property owners.
- The City has no need to retain the alley right-of-way for access to the properties, to provide utilities or solid waste pickup.

Staff Recommendation

- Staff recommends that City Council approve the request to abandon the alley right-of-way.

XC: Paige Mims, City Attorney



LOCATION MAP

Oglesby Place - 14th Street
Alley Right-of-Way Abandonment



Discussion/Action Items for Future Council Agendas

February 24

- **Public Hearing and consideration of an Ordinance:** Zoning Case 2013-34 - Request to rezone 16.8± acres located at the southeast corner of Plano Parkway and Executive Drive from Corridor Commercial to Planned Development-Corridor Commercial. Zoned Corridor Commercial. **Applicant: Onalp, L.P.**
- **Public Hearing and consideration of an Ordinance:** Zoning Case 2013-37 - Request to amend Planned Development-185-Regional Commercial on 14.8± acres located at the northeast corner of Dallas North Tollway and Parker Road in order to modify the development standards, including but not limited to, modifying the signage regulations. Zoned Planned Development-185-Regional Commercial/Dallas North Tollway Overlay District. **Applicant: Cencor Realty Services**
- **Public Hearing and consideration of an Ordinance: Comprehensive Plan Amendment – Thoroughfare Plan Map –** Request to amend the Thoroughfare Plan Map of the Comprehensive Plan.

March 8-12 – National League of Cities, Washington D.C.

March 10-14 – PISD Spring Break

March 18 (Tuesday)

March 24

- Presentation of the FY2013-14 Status Report and Three-Year Financial Forecast

March 28 – HOA President's Breakfast –7:30 am

April 14

- DART Report

April 24 – Town Hall Meeting – Municipal Center – 7-8 pm

April 28

- Comprehensive Monthly Financial Report – March 2014

May 3-4 – Suburbia Music Festival – Oak Point Park & Nature Preserve

May 8 – Employee Picnic – 11:00 am - 1:00 pm – Haggard Park

May 12

May 26 – Memorial Day

May 27 (Tuesday)

June 5 – HOA President's Breakfast – 7:30 am

June 9

June 20-23 – US Conference of Mayors – Dallas, TX

June 23

June 26-29 – Texas City Management Association Conference – Galveston, TX