

City of Plano – October 2019 – Ordinances and Resolutions

Ordinance No. 2019-10-1: To amend Section 15-21, Generally, Article II. Parks and Recreation Planning Board, Chapter 15, Parks and Recreation, of the Code of Ordinances of the City of Plano; revising the number of parks and recreation planning board members; and providing a repealer clause, a severability clause, and an effective date.

Ordinance No. 2019-10-2: To approve the carrying-forward of certain fiscal year 2018-19 funds to fiscal year 2019-20; and providing an effective date.

Ordinance No. 2019-10-3: To amend a certain section of Ordinance No. 2018-10-4; codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, to increase the fee schedules for water services effective November 1, 2019, and providing a repealer clause, a severability clause, a savings clause, and an effective date.

Ordinance No. 2019-10-4: To amend Section 12-73(d) of Article IV, Speed, of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to correct the effective times of various school zones; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

Ordinance No. 2019-10-5: To amend Section 12-73(d) of Article IV, Speed, of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to revise the effective times of the school zone on Coit Road at Stonehaven Drive, within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

Resolution No. 2019-10-6(R): To approve the use or taking of a portion of City of Plano public Park Land, known as Ridgeview Ranch Golf Course, pursuant to Chapter 26 of the Texas Parks and Wildlife Code to approve using a portion of dedicated Park Land as a North Texas Municipal Water District permanent utility easement, permanent access easement and temporary construction easement for the purpose of improvements to the Ridgeview Pump Station located adjacent to the park; authorizing the City Manager to execute all necessary documents; and providing an effective date.

Resolution No. 2019-10-7(R): To approve the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney, the City of Frisco, and the Collin County Sheriff's Office for the disbursement of the 2019 Edward Byrne Justice Assistance Grant funds; authorizing its execution by the City Manager; and providing an effective date.

Ordinance No. 2019-10-8 (Comprehensive Plan Amendment 2019-001): To amend the Comprehensive Plan, originally adopted by Ordinance No. 2015-10-9, incorporating the Expressway Corridor Environmental Health Policy and providing an effective date.

Ordinance No. 2019-10-9 (Zoning Case 2019-009): To amend Article 14 (Allowed Uses and Use Classifications), and Article 15 (Use-specific Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2 as heretofore amended, pertaining to the Expressway Corridor Environmental Health Policy; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

Ordinance No. 2019-10-10 (Zoning Case 2019-008): To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 7.8 acres of land located at the northeast corner of 14th Street and M Avenue, in the City of Plano, Collin County, Texas, from Planned Development-133-General Office, Retail, and Urban Residential to Planned Development-133-Downtown Business/Government with modified development standards; 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.

Ordinance No. 2019-10-11 (Zoning Case 2019-014): To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 37 for Compact Construction and Transportation Equipment Sales & Service on 11.5 acres of land located on the south side of State Highway 121, 330 feet east of Ohio Drive, in the City of Plano, Collin County, Texas, presently zoned Regional Commercial with Specific Use Permits No. 424 for Building Material Sales and No. 628 for Truck/Bus Leasing; 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.

Ordinance No. 2019-10-12 (Zoning Case 2019-016): To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 51 for Trade School on 0.1 acre of land located 338 feet north of Park Boulevard and 263 feet east of K Avenue, 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, a publication clause, and an effective date.

ORDINANCE NO. 2019-10-1

An Ordinance of the City of Plano, Texas, amending Section 15-21, Generally, Article II. Parks and Recreation Planning Board, Chapter 15, Parks and Recreation, of the Code of Ordinances of the City of Plano; revising the number of parks and recreation planning board members; and providing a repealer clause, a severability clause, and an effective date.

WHEREAS, the City Council previously adopted general guidelines for the Parks and Recreation Planning Board codified in Chapter 15, Parks and Recreation, of the Code of Ordinances of the City of Plano, Texas; and

WHEREAS, a large number of residents have shown interest in serving on the Parks and Recreation Planning Board; and

WHEREAS, the City Council deems it in the best interest of the City to amend Section 15-21 of Article II, Parks and Recreation Planning Board, Chapter 15, Parks and Recreation, of the Code of Ordinances, revising the number of board members from seven to nine, as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Council hereby adopts the findings set forth above.

Section II. Section 15-21(a) is hereby amended in its entirety to read as follows:

“(a) The parks and recreation planning board shall consist of nine (9) members, including a chairperson, each of whom shall have one (1) vote. The qualifications of said board members shall comply with the provisions of Section 4.07 of the City Charter. A majority of board members shall constitute a quorum. A vote of the simple majority of the quorum shall be required for any action taken by the board.”

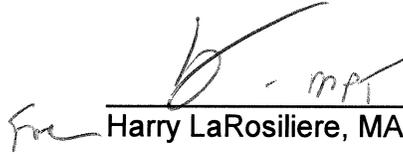
Section III. All provisions of the ordinances of the City, codified and uncodified in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section IV. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

ORDINANCE NO. 2019-10-1

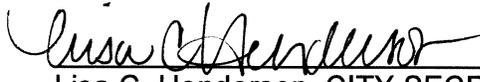
Section V. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 14th day of October, 2019.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2019-10-2

An Ordinance of the City of Plano, Texas, approving the carrying-forward of certain fiscal year 2018-19 funds to fiscal year 2019-20; and providing an effective date.

WHEREAS, on September 9, 2019, the City Council approved the Budget for fiscal year 2019-20 by passing Ordinance No. 2019-9-7; and

WHEREAS, State law provides that cities have the authority to carry-forward funds from previous fiscal year to the current fiscal year; and

WHEREAS, the City Council, upon full consideration of the matter, is of the opinion that it is in the best interest of the City and its citizens to carry-forward remaining funds from fiscal year 2018-19 to fiscal year 2019-20.

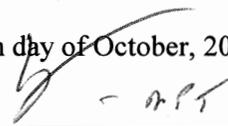
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Subject to the applicable provisions of State law and the City Charter, the City Council hereby approves carrying-forward the funds listed below from the fiscal year 2018-19 Budget to the fiscal year 2019-20 Budget:

A.	General Fund	\$2,022,563
B.	Water & Sewer Fund	\$850,000
C.	Sustainability & Environmental Services Fund	\$102,299
D.	Convention & Tourism	\$12,708

Section II. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 14th day of October, 2019.



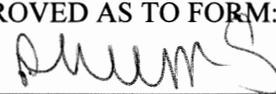
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, City Secretary

APPROVED AS TO FORM:



Paige Mims, City Attorney

CARRY FORWARD REQUESTS 2018-19 FUNDS TO 2019-20									
Cost Center	Department Name	Description	Total Amount Requested	Reason	Object Codes: From	To	Approval Amount		
BUDGETED PROJECTS/ITEMS									
213	Budget	Software	\$ 50,000	The current implementation of the PeopleSoft Position Management Software has been delayed in the PMO Technology timeline and will need to be carried forward in the new fiscal year.	213.8451	213.8451	\$ 50,000		
215	Non-Departmental	Contracts-Professional Services	\$ 175,000	Due to timing and recent developments related to the Collin Creek Redevelopment project, funding is requested to be carried forward for FY 2019-20.	215.6312	215.6312	\$ 175,000		
215	Non-Departmental	Contracts-Professional Services	\$ 100,000	Due to timing and recent developments related to the Comprehensive Plan Update project, funding is requested to be carried forward for FY 2019-20.	215.6312	215.6312	\$ 100,000		
215	Non-Departmental	Contracts-Professional Services	\$ 100,000	Due to contractor's health condition, contracts were not fully executed timely and will need to be carried forward in order to continue and complete the Planning Department's zoning ordinance related to both commercial and residential property as approved by Council.	215.6312	215.6312	\$ 100,000		
215	Non-Departmental	Contracts-Professional Services	\$ 300,000	Due to timing and recent developments related to the Comprehensive Plan Update project, funding is requested to be carried forward for FY 2019-20.	215.6331	215.6312	\$ 300,000		
215	Non-Departmental	Contracts-Other	\$ 16,519	Due to timing of receiving the required reports related to the Buffington Community Services Grant (BCSG), carry forward funding is requested to eventually fulfill the payments due.	215.6319	215.6319	\$ 16,519		
243	Plano Economic Development	Travel/Professional Development	\$ 8,000	Delay in the Mayor's trip to Asia will be utilized to attend 2019 Fall Basic Economic Course, Texas Chapter Planning Conference and the Industrial Asset Management Council Spring Forum Sponsorship.	243.6307	243.6307	\$ 8,000		
321	Records Management	Hardware-Non Capital	\$ 2,300	Due to implementation timeline of our new 365 Anywhere system, Technology Services has just completed the testing to make sure systems are compatible.	321.6252	321.6252	\$ 2,300		
321	Records Management	Travel/Professional Development	\$ 350	Due to implementation timeline of our new 365 Anywhere system, Technology Services has just completed the testing to make sure systems are compatible.	321.6307	321.6307	\$ 350		
352	Facilities	Improvement by Contractors-Bldg	\$ 35,000	Due to timing of completion of renovation of the Animal Shelter carry forward funds are requested to finish this project currently in progress.	352.8231	352.8231	\$ 35,000		
532	Police	Training	\$ 3,000	Due to extended hiring period and training of School Resource Officer (SRO), training is offered in the Fall and was not previously available to the Sergeant who was ultimately hired for this position. Supplement 00532001.	532.6309	532.6309	\$ 3,000		
532	Police	Minor Apparatus	\$ 19,325	Due to extended hiring period and training of the Digital Media Specialist, the selected employee was not on board with the City to complete the complete Law Enforcement and Emergency Services Video Association (LEVA) training requirements. Funds will be required relative to onboarding training materials, supplies, technology, equipment, etc. Supplement 00532005.	Various	532.6208, 6234, 6252, 6309,6313	\$ 19,325		
532	Police	Minor Apparatus	\$ 40,000	Police requested the purchase of 150 rifles during FY 2018-19, however, through a delay in the purchasing process, these items will not be able to be completed before the close of the fiscal year. These items are a safety necessity and will be required for FY 2019-20.	532.6208	532.6208	\$ 40,000		
532	Police	Implements & Apparatus	\$ 30,300	The Police department is in the purchasing process of a Vantage Tactical Robot necessary due to its enhanced mobility that will allow it to enter high-risk situations and will not be completed before the end of the fiscal year.	532.6208	532.8416	\$ 30,300		
532	Police	Radios-Non capital	\$ 95,497	Due to age and demand of the current portable radio stock, funds are requested to be carried forward for replacement as the purchasing process has not been completed during this fiscal year and will take place early in FY 2019-20.	532.6208	532.6234	\$ 95,497		
532	Police	Minor Apparatus	\$ 26,280	Due to demand for spare Tasers in case an officer needs to replace their issued taser, the purchasing process has begun, but will not be completed during this fiscal year.	532.6208	532.6208	\$ 26,280		
552	Fire	Rolling Stock	\$ 56,180	Due to timing of replacement of one ton crew cab truck, this item is in the purchasing process and will not be received until the new fiscal year.	552.8421	552.8421	\$ 56,180		
552	Fire	Rolling Stock	\$ 20,500	Due to timing of the purchase of a utility cargo enclosed trailer, this item is in the purchasing process and will not be received until the new fiscal year.	552.8421	552.8421	\$ 20,500		
552	Fire	Minor Apparatus	\$ 31,000	Due to timing of the purchase of a HazMat vehicle, this item is in the purchasing process and will not be received until the new fiscal year.	552.6208	552.6208	\$ 31,000		

CARRY FORWARD REQUESTS 2018-19 FUNDS TO 2019-20									
Cost Center	Department Name	Description	Total Amount Requested	Reason	Object Codes: From	To	Approval Amount		
552	Fire	Implements & Apparatus	\$ 64,000	The Fire department will be replacing SCBA packs and bottles and will not be completed in the purchasing process until the new fiscal year.	552.8416	552.8416	\$ 64,000		
552	Fire	Minor Apparatus	\$ 16,000	The Fire department will be replacing SCBA packs and bottles and will not be completed in the purchasing process until the new fiscal year.	552.6208	552.6208	\$ 16,000		
556	Emergency Management	Contracts - P professional	\$ 43,240	Funding is requested for the development of a citywide disaster recovery plan which was initially allocated during FY 2018-19, but given the scope of total development including the school district, chamber of commerce, business community, NTMWD, Collin CAD, etc. completion is not possible for the current fiscal year.	556.6312	556.6312	\$ 43,240		
583	Animal Shelter	Municipal Garage	\$ 9,000	Due to timing of Council approved item, truck wraps are in the purchasing process.	583.6344	583.6344	\$ 9,000		
619	Neighborhood Services	Minor Apparatus	\$ 38,937	Due to the relocation of Neighborhood Services in Spring or Summer of 2020, the request to carry forward funding will allow the department to avoid additional appropriations associated with the relocation of city facilities and staff.	619.6208	619.6208	\$ 38,937		
621	Neighborhood Reinvestment	Neighborhood Vitality & Beautification Grant Program	\$ 298,919	The Neighborhood Vitality & Beautification Grant program allows for neighborhood revitalization initiatives as recommended by the Housing Value and Retention Analysis and approved by Council. Additional funding for fiscal year 2019-20 from this carry forward would allow Neighborhood Services to award additional grant requests as the program grows in popularity.	621.6499	621.6499	\$ 298,919		
621	Neighborhood Reinvestment	Contracts - P professional	\$ 138,573	The Great Rebate Update Rebate is a home improvement incentive program designed to encourage homeowners to make home improvements to their home, thereby revitalizing the neighborhood. Current projects are underway, but will not be completed before the end of the fiscal year.	621.6312	621.6312	\$ 138,573		
636	Athletics	Minor Apparatus	\$ 121,000	Due to completion of Enfield Service Center, these funds will be requested to be carried forward for various minor apparatus, miscellaneous items/tools/supplies, related to the completion and opening of the new facility.	636.6208	636.6208	\$ 121,000		
643	Park Support Services	Rolling Stock	\$ 41,935	Replacement of Playground Technician service vehicle was delayed during the purchasing process in the fiscal year.	643.8421	643.8421	\$ 41,935		
643	Park Support Services	Implements & Apparatus	\$ 6,000	Corresponds with the replacement vehicle for the Playground Technician. Utility bed, safety lights, decals, etc. for the Playground Technician service vehicle.	643.8416	643.8416	\$ 6,000		
646	Grounds Maintenance Services	Contracts-Professional Services	\$ 50,000	Funding provides for landscape rehabilitation at Plano Aquatic Center and drainage enhancements for Jack Carter Pool.	646.6312	646.6312	\$ 50,000		
656	Sam Johnson Rec Center	Minor Apparatus	\$ 37,359	Due to opening of the new facility, final purchases for furniture, fixtures and equipment were postponed until the Senior Center began to utilize the space and verify what was going to be needed.	656.6208	656.6208	\$ 37,359		
656	Sam Johnson Rec Center	Freight	\$ 3,548	Corresponds with FFE for the Sam Johnson Rec Center. Due to opening of the new facility, final purchases for furniture, fixtures and equipment were postponed until the Senior Center began to utilize the space and verify what was going to be needed.	656.6495	656.6495	\$ 3,548		
665	Liberty Recreation Center	Minor Apparatus	\$ 44,801	Due to the opening of Liberty Recreation Center renovations, some items are delayed in the purchasing process and will be delivered in a timely fashion in the new fiscal year.	665.6208	665.6208	\$ 44,801		
01	Subtotal General Fund		\$ 2,022,563				\$ 2,022,563		
765	Meter Services	Water Meters-Non Capital	\$ 300,000	Due to delays in purchasing process, the purchase of a water test bench has not been completed which involved both Technology Services and Project Management Office.	765.6272	765.6272	\$ 300,000		
765	Meter Services	Water Meters-Non Capital	\$ 100,000	Due to contractual delays in assessing 100 large meters for potential water loss, a contract is anticipated to be finalized in the first part of the new fiscal year.	765.6272	765.6272	\$ 100,000		
765	Meter Services	Chemicals	\$ 450,000	As a health, safety and quality of life function, the Fire Department has requested an increase in the frequency of inspections and testing of the city's fire hydrants to ensure each hydrant is inspected annually. Current staffing levels do not permit this level of frequency and an outside contractor will need to be engaged to perform these tasks.	765.6212, 6272	765.6212	\$ 450,000		

Exhibit "A" to Ordinance No. 2019-10-2

CARRY FORWARD REQUESTS 2018-19 FUNDS TO 2019-20									
Cost Center	Department Name	Description	Total Amount Requested	Reason	Object Codes: From	To	Approval Amount		
41	Subtotal Water & Sewer		\$ 850,000				\$ 850,000		
717	Sustainability	Travel/Professional Development	\$ 102,299	Due to timing of implementation of the City's residential recycling education campaign as well as circumstances outside the city's control related to the recycling industry and Republic Services, funding is requested to be carried forward in the new fiscal year. The new SEED initiative "Feet on the Street" will be implemented in the first part of the new fiscal year.	Various	717.6307	\$ 102,299		
45	Subtotal Sustainability & Environmental Services		\$ 102,299				\$ 102,299		
125	Visit Plano	Contracts-Other	\$ 8,799	Related to the delay in the Wayfinding project currently in the final stages of this agreement and will be completed in early FY 2019-20.	125.6319	125.6319	\$ 8,799		
125	Visit Plano	Outside Printing	\$ 3,909	This printing project is currently in the middle of completion and will completed the first of the new fiscal year.	125.6301	125.6301	\$ 3,909		
46	Convention & Tourism		\$ 12,708				\$ 12,708		
GRAND TOTAL CARRY FORWARDS REQUESTED			\$ 2,987,570	GRAND TOTAL CARRY FORWARDS APPROVED			\$ 2,987,570		

ORDINANCE NO. 2019-10-3

An Ordinance of the City of Plano, Texas, amending a certain section of Ordinance No. 2018-10-4; codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, to increase the fee schedules for water services effective November 1, 2019, and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, on October 8, 2018, the City Council of the City of Plano enacted Ordinance No. 2018-10-4 to amend the fee schedules for water service provided in the City; and

WHEREAS, staff recommends amending a section of the ordinance to reflect the increased rates; and

WHEREAS, upon consideration of the presentation and the recommendations contained therein, the City Council is of the opinion that the water rates for both residential and non-residential customers should be increased by variable rates depending on volumetric usage; and

WHEREAS, the City Council further finds and determines that the fee increases are necessary and in the best interest of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Section 21-147, Water Charges, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, is hereby amended to read in its entirety as follows:

“Sec. 21-147. Water charges.

Rates effective November 1, 2019

(1) All **residential**. (Includes but is not limited to single family homes, and separately metered multi-family units, patio homes, town homes, condominiums and all other residential dwellings.)

a. Minimum charge.

1. Up to 3/4 inch.....	\$25.00
2. 1 inch.....	25.00
3. 1 1/2 inch.....	110.68
4. 2 inch.....	174.68

b. Consumption charges.

1. First 1,000 gallons included in meter charge (minimum bill).	
2. 1,001 – 5,000 gallons (per 1,000 gallons).....	\$0.77
3. 5,001 – 20,000 gallons (per 1,000 gallons).....	3.78
4. 20,001 – 40,000 gallons (per 1,000 gallons).....	7.56
5. All over 40,000 gallons (per 1,000 gallons).....	9.16

ORDINANCE NO. 2019-10-3

(2) All **non-residential**. (Includes, but is not limited to commercial, schools, churches, homeowners associations, mobile home parks, industrial, apartment complexes, cooling towers and any other non-residential use.)

a. Minimum charge.

1. Up to 3/4 inch.....	\$25.00
2. 1 inch.....	56.50
3. 1 1/2 inch.....	110.68
4. 2 inch.....	174.68
5. 3 inch.....	345.29
6. 4 inch.....	537.44
7. 6 inch.....	1,070.88
8. 8 inch.....	1,711.00
9. 10 inch.....	2,458.01

b. Consumption charges.

1. First 1,000 gallons included in meter charge (minimum bill).
2. All over 1,001 gallons (per 1,000 gallons)..... \$3.78

(3) **Separately metered irrigation use.**

a. Minimum charge.

1. Up to 3/4 inch.....	\$25.00
2a. 1 inch (Residential).....	25.00
2b. 1 inch (Commercial).....	56.50
3. 1 1/2 inch.....	110.68
4. 2 inch.....	174.68
5. 3 inch.....	345.29
6. 4 inch.....	537.44
7. 6 inch.....	1,070.88
8. 8 inch.....	1,711.00
9. 10 inch.....	2,458.01

b. Consumption charges.

1. First 1,000 gallons included in meter charge (minimum bill).
2. 1,001- 20,000 gallons (per 1,000 gallons)..... \$3.78
3. All over 20,000 gallons (per 1,000 gallons)..... 7.56"

Section II. Any provision of any Ordinance of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance is hereby repealed, and all other provisions of the ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

ORDINANCE NO. 2019-10-3

Section III. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

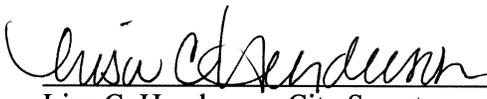
Section V. This Ordinance shall become effective November 1, 2019.

DULY PASSED AND APPROVED this the 14th day of October, 2019.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, City Secretary

APPROVED AS TO FORM:



Paige Mims, City Attorney

ORDINANCE NO. 2019-10-4

An Ordinance of the City of Plano, Texas amending Section 12-73 (d) of Article IV, Speed, of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to correct the effective times of various school zones; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the primary purpose of school zone speed limits is to reduce the speed of travel on roadways at school crosswalks in order to reduce the potential for pedestrian – vehicle collisions; and

WHEREAS, City of Plano Transportation Engineering Division staff were made aware that the effective times of a number of school zones listed in the City Code are not consistent with the times on signage posted in the field; and

WHEREAS, City of Plano Transportation Engineering Division staff investigated and finds it necessary and in the best interest of the City and its citizens to amend the City Code in order to provide for the safety of the general public within the area; and

WHEREAS, the City Council hereby finds that Section 12-73(d) should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The City Council hereby amends Chapter 12 Motor Vehicles and Traffic, Article IV, Section 12-73(d), Subsections “Abbey Road”, “Crystal Creek Drive”, “Elsinore Drive”, “Floyd Drive”, “McDermott Road”, and “P Avenue” of the City of Plano Code of Ordinances to read as follows:

“Abbey Road:

- (1) Between P Avenue and Sherwood Drive on school days between 7:00 a.m. and 8:00 a.m. and between 2:30 p.m. and 3:15 p.m. (P)”

“Crystal Creek Drive:

- (1) Between Robinson Road and a point seventy-five (75) feet east of Ambiance Way on school days between 7:00 a.m. and 8:00 a.m. and between 2:40 p.m. and 3:40 p.m. (F)”

“Elsinore Drive:

- (1) Between Floyd Drive and a point eight hundred seventy-five (875) feet west of Floyd Drive on school days between 7:00 a.m. and 8:00 a.m. and between 2:40 p.m. and 3:40 p.m. (F)”

ORDINANCE NO. 2019-10-4

“Floyd Drive:

- (1) Between Oakland Hills Drive and a point fifty (50) feet north of Buck Hill Drive on school days between 7:00 a.m. and 8:00 a.m. and between 2:40 p.m. and 3:40 p.m. (F)”

“McDermott Road:

- (1) Between a point two hundred seventy-five (275) feet east of Rockledge Lane and a point two hundred seventy-five (275) feet west of Rockledge Lane on school days between 7:00 a.m. and 8:00 a.m. and between 2:40 p.m. and 3:40 p.m. (F)
- (2) Between a point two hundred (200) feet east of Enchanted Ridge Drive and a point two hundred twenty (220) feet west of Coit Road on school days between 7:30 a.m. and 8:30 a.m. and between 3:30 p.m. and 4:30 p.m. (F)”

“P Avenue:

- (1) Between a point one hundred seventy-five (175) feet south of 17th Street and a point four hundred twenty-five (425) feet north of 18th Street on school days between 8:30 a.m. and 9:15 a.m. and between 4:00 p.m. and 4:45 p.m. (P)
- (2) Between a point two hundred twenty-five (225) feet south of Parker Road and a point one hundred twenty-five (125) feet north of Abbey Road on school days between 7:00 a.m. and 8:00 a.m. and between 2:30 p.m. and 3:15 p.m. (P)”

Section II. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section III. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity of constitutionality of any other portion of this Ordinance.

Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm, or corporation shall be a misdemeanor offense and shall be subject to a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) FOR EACH OFFENSE. Each and every violation shall be deemed to constitute a separate offense.

Section VI. This Ordinance shall become effective immediately upon its passage, publication as required by law, and after all necessary signs have been installed.

ORDINANCE NO. 2019-10-4

DULY PASSED AND APPROVED this 14th day of October, 2019.



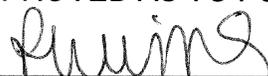
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2019-10-5

An Ordinance of the City of Plano, Texas amending Section 12-73 (d) of Article IV, Speed, of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to revise the effective times of the school zone on Coit Road at Stonehaven Drive, within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the primary purpose of school zone speed limits is to reduce the speed of travel on roadways at school crosswalks in order to reduce the potential for pedestrian – vehicle collisions; and

WHEREAS, a 20 mph school zone is currently in place on Coit Road at Stonehaven Drive and is in effect between 8:00 a.m. and 8:45 a.m. and between 3:15 p.m. and 4:00 p.m. on school days serving Rice Middle School students; and

WHEREAS, a number of students were observed to be walking or biking to school when the school zone is not in operation; and

WHEREAS, City of Plano Transportation Engineering Division staff evaluated the school zone and recommends to revise the effective times of the school zone to accommodate these students; and

WHEREAS, the Principal at Rice Middle School was notified and is in support of the recommended change; and

WHEREAS, City of Plano Transportation Engineering Division staff finds it necessary and in the best interest of the City and its citizens to revise the effective times of the school zone in order to provide for the safety of the general public within the area; and

WHEREAS, the City Council hereby finds that Section 12-73(d) should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The City Council hereby amends Chapter 12 Motor Vehicles and Traffic, Article IV, Section 12-73(d), Subsection “Coit Road” of the City of Plano Code of Ordinances to read as follows:

“Coit Road:

- (1) Between a point three hundred twenty-five (325) feet south of Denham Way and a point three hundred twenty-five (325) feet north of Denham Way on school days between 8:00 a.m. and 8:45 a.m. and between 3:15 p.m. and 4:00 p.m. (P)
- (2) Between a point three hundred (300) feet north of Stonehaven Drive and a point four hundred (400) feet south of Stonehaven Drive on school days between 7:30 a.m. and 8:30 a.m. and between 3:30 p.m. and 4:15 p.m. (P)

ORDINANCE NO. 2019-10-5

- (3) Between a point two hundred ninety (290) feet south of McDermott Road and a point two hundred forty (240) feet north of McDermott Road on school days between 7:30 a.m. and 8:30 a.m. and between 3:30 p.m. and 4:30 p.m. (F)

Section II. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

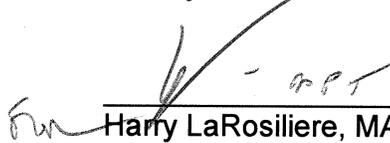
Section III. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity of constitutionality of any other portion of this Ordinance.

Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm, or corporation shall be a misdemeanor offense and shall be subject to a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) FOR EACH OFFENSE. Each and every violation shall be deemed to constitute a separate offense.

Section VI. This Ordinance shall become effective immediately upon its passage, publication as required by law, and after all necessary signs have been installed.

DULY PASSED AND APPROVED this 14th day of October, 2019.



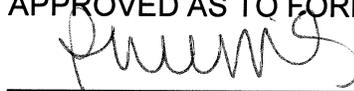
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

RESOLUTION NO. 2019-10-6(R)

A Resolution of the City of Plano, Texas, approving the use or taking of a portion of City of Plano public Park Land, known as Ridgeview Ranch Golf Course, pursuant to Chapter 26 of the Texas Parks and Wildlife Code to approve using a portion of dedicated Park Land as a North Texas Municipal Water District permanent utility easement, permanent access easement and temporary construction easement for the purpose of improvements to the Ridgeview Pump Station located adjacent to the park; authorizing the City Manager, or his designee, to execute all necessary documents; and providing an effective date.

WHEREAS, The North Texas Municipal Water District (NTMWD) has requested a permanent utility easement, a permanent access easement and temporary construction easement for the purpose of improvements to the Ridgeview Pump Station (the "Project") as depicted on the drawings attached hereto as Exhibits "A", "B", and "C" (called "Easements") which requires the use or taking of a portion of City of Plano public Park Land known as Rowlett Creek Greenbelt (called the "Park Land") which is currently operated as the Ridgeview Ranch Golf Course; and

WHEREAS, Chapter 26 of the Texas Parks and Wildlife Code requires a public hearing for the use or taking of public Park Land, at which the governing body must determine whether any feasible and prudent alternative to the use or taking of public Park Land exists, and whether the proposed use or taking includes all reasonable planning to minimize the harm to the Park Land; and

WHEREAS, Notice of the Public Hearing was duly served and published in conformity with Chapter 26 of the Texas Parks and Wildlife Code for the Project; and

WHEREAS, the City Council held a public hearing on October 14, 2019, regarding the Project during which all interested persons had the opportunity to testify and present relevant evidence before the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. After hearing and review of all the testimony, evidence, and other relevant information at the Public Hearing, the City Council hereby finds and determines that:

- 1) There is no feasible and prudent alternative to the use or taking of the portion of public Park Land at Ridgeview Ranch Golf Course as proposed by the Project; and
- 2) The Project includes all reasonable planning to minimize the harm to the Park Land resulting from the use or taking; and

Section II. The City Council further finds that the Project is in the public interest generally, and in the best interest of the citizens of the City of Plano, Texas. Accordingly, the City Council approves the use or taking of a portion of Ridgeview Ranch Golf Course through a permanent utility easement, a permanent access easement and temporary construction easement, as depicted in Exhibits "A", "B", and "C".

Section III. The City Manager, or his designee, is hereby authorized to execute all necessary documents in connection with the change in use and the Easements on behalf of the City of Plano.

RESOLUTION NO. 2019-10-6(R)

Section IV. This Resolution shall become effective immediately from and after its passage.

DULY PASSED AND APPROVED this the 14th day of October, 2019.

For 

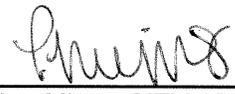
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

**EXHIBIT "A"
As Follows**

**OWNER: CITY OF PLANO
PARCEL NO.: 04**

**REGIONAL WATER SYSTEM
PERMANENT WATERLINE EASEMENT FOR RIGHT-OF-WAY
METER VAULT STANDARDIZATION, PHASE II, SET-POINT CONTROL
PROJECT NO. 101-0338-13**

STATE OF TEXAS §
 § KNOWN ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN §

THAT the undersigned, **CITY OF PLANO**, (hereinafter called "Grantor") for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid by the **NORTH TEXAS MUNICIPAL WATER DISTRICT** (hereinafter called "Grantee") the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed, and by these presents, does grant, sell and convey unto the Grantee a Permanent Access and Permanent Utility Easement and right-of-way in, over, across and through those certain premises owned by Grantor to construct, operate, reconstruct, perpetually maintain and remove one pipeline, for the transportation of water, with all incidental equipment, electric service lines required for the operation of the pipeline or cathodic protection devices and appurtenances under, over or through the following described lands situated in Collin County, Texas:

SEE ATTACHED EXHIBIT "A" FOR DESCRIPTION

The Grantee shall utilize the easement for underground pipelines, underground meter vault structure and appurtenances, including communication facilities, and above grade appurtenances consisting of meter vault structure, fencing, driveway, pavement, air valves, blow off valves, pipeline markers and cathodic protection equipment (referred to herein collectively as "Grantees Meter Station" or the meter station) as may be required for its operation of the meter station. The blow off valves shall be located so as to discharge any water from the pipeline into natural drainage areas currently existing on the Property.

Grantee, and Grantee's successors and assigns, shall have the continued and unobstructed right of ingress and egress over the permanent easement granted for the installation, operation, inspection, and maintenance of Grantee's facilities.

Grantee, and Grantee's successors and assigns, agrees to bury pipelines associated with the meter station to a depth of at least 48" from the top of the pipeline to existing ground surface. Grantee will, insofar as practicable, restore the ground disturbed by the laying, constructing, repairing, maintaining, replacing or removing of said meter station, and will take such steps as may be reasonably required to prevent damage to the property of Grantor from soil erosion resulting from operations of Grantee hereunder. Grantee will separate the topsoil during construction by double-ditching and will restore said topsoil within the easement. Grantee shall leave the surface as nearly as reasonably possible as it was prior to the construction of the meter station and will restore all improvements, including fences, driveways, bridges, drainage channels, and other improvements damaged through the use of said easement to substantially the same condition as they were prior to the construction of the pipeline. Grantee agrees to re-seed the easement areas after construction of said meter station.

**OWNER: CITY OF PLANO
PARCEL NO.: 04**

Grantee has the right to trim or cut down or eliminate trees or shrubbery to the extent, in the reasonable judgment of Grantee, its successors and assigns, as may be necessary to prevent possible interference with the installation and operation of said pipelines and to remove possible hazards thereto, and the right to remove or prevent the construction of any and all improvements, buildings, reservoirs or other obstructions on said permanent easement, except as are specifically allowed under the terms hereof. Grantor shall not construct or permit to be constructed, any house, building, reservoir, or other prohibited improvement on or within the permanent easement or remove soil which would impair the lateral support for Grantee's Metering Station or leave it with insufficient cover for the safe operation of said pipeline. However, Grantor retains the right, to cross the permanent easement area with fences, streets, roads, and utilities ("facilities") at angles not less than 45 degrees provided that said facilities do not endanger or interfere with Grantee's metering station and provided that Grantee is provided with a copy of the construction plans and drawings not less than 30 days before the beginning of construction of said facilities. Grantor shall not grant any other easements within the permanent easement which would (1) endanger or interfere with the safe and efficient operation of Grantee's Metering Station, or (2) cross Grantee's easement at less than a 45 degree angle. Grantee may not fence or enclose the easement but may install gates in any fence along or crossing the easement for access.

If Grantee should abandon the rights granted herein for said metering station and appurtenances constructed upon said land and, if such abandonment should continue for a continuous period of as long as thirty-six (36) months, all rights of Grantee herein shall terminate and revert to Grantor, their heirs, legal representatives, successors and assigns. Grantee shall have the right for one year following any termination of this easement to remove its pipe, valves and all other property. Following the expiration of such period, any such property remaining on said land shall be and become the property of Grantor.

Grantee shall have the right to assign the easement in whole or in part to one or more assignees. Grantee, shall indemnify, defend, assume all liability for, and hold harmless the Grantor, its successors and assigns, from all actions, claims, suits, penalties, obligations, liabilities, and/or injuries and/or death to persons that may be caused by Grantee's activities pursuant to this Easement, or arising out of or in connection with such activities. Nothing in this indemnity provision shall be read to extend indemnification to Grantor for Grantor's own negligence, gross negligence, or intentional tortuous acts in the performance of this Easement.

The above described easements and rights shall inure unto the said Grantee, and Grantee's successors and assigns, and the covenants and agreements contained herein shall constitute covenants running with the land, binding upon Grantor, its legal representatives, successors and assigns, for the benefit of Grantee, and Grantee's successors and assigns.

By executing this Easement, the undersigned represents that they are duly authorized to execute this document; that Grantor is the owner of fee simple title to the property across which the easement is being granted; that the property is held by Grantor free and clear of any liens or encumbrances and that Grantor is the sole party entitled to receive the consideration being paid for the easement.

TO HAVE AND TO HOLD unto the said **NORTH TEXAS MUNICIPAL WATER DISTRICT**, its successors and assigns, the above described easement and right-of-way, and I do

**NORTH TEXAS MUNICIPAL WATER DISTRICT
REGIONAL WATER SYSTEM
METER VAULT STANDARDIZATION,
SET-POINT CONTROL IMPLEMENTATION, PHASE II
PROJECT NO. 101-0338-13**

**25' PERMANENT WATERLINE EASEMENT
OWNER OF PARENT TRACT: THE CITY OF PLANO
HOGAN WITT SURVEY, ABSTRACT NO. 996
COLLIN COUNTY, TEXAS**

BEING a 0.4447-acre tract of land situated in the Hogan Witt Survey, Abstract No. 996, City of Plano, Collin County, Texas, and being a portion of a called 130.59-acre tract of land described in Special Warranty Deed to The City of Plano, as recorded in Volume 2411, Page 721, of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being a portion of the called 122.0980-acre Block A, Lot 1, of Ridgeview Ranch Golf Club, an addition to The City of Plano, Collin County, Texas, as recorded in Volume J, Page 577, of the Plat Records of Collin County, Texas (P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at an "X" cut set in concrete at the most easterly southeast corner of said Block A, Lot 1, said point being in the northerly right-of-way line of Ridgeview Drive (a 110-foot right-of-way) as described in instrument to The City of Plano and recorded under Document No. 96-0028365, D.R.C.C.T., and being the beginning of a non-tangent curve to the left having a central angle of 04 degrees 50 minutes 45 seconds, a radius of 1155.00 feet, subtended by a 97.66 foot chord which bears South 64 degrees 41 minutes 38 seconds West, said point having grid coordinates of N: 7093342.36 and E: 2508289.43, from which a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found on the southerly line of Lot 1, Block 1, of The Legends at Ridgeview Ranch, an addition to The City of Plano, Collin County, Texas, as recorded in Volume L, Page 682, P.R.C.C.T., bears North 69 degrees 21 minutes 28 seconds East, a distance of 87.93 feet;

THENCE, along said curve to the left, and along the northerly right-of-way line of said Ridgeview Drive, an arc distance of 97.69 feet to an "X" cut set in concrete;

THENCE, over and across said Block A, Lot 1, the following courses:

North 79 degrees 57 minutes 16 seconds West, a distance of 121.68 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" and being the beginning of a non-tangent curve to the left having a central angle of 13 degrees 33 minutes 48 seconds, a radius of 1233.29 feet, subtended by a 291.27 foot chord which bears South 51 degrees 01 minutes 00 seconds West;

Along said curve to the left an arc distance of 291.95 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

South 44 degrees 14 minutes 05 seconds West, a distance of 258.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" on the northeasterly line of Block A, Lot 2, of said Ridgeview Ranch Golf Club plat, from which an "X" cut set in concrete at the most easterly common corner of said Block A, Lot 1, and said Block A, Lot 2, on the northerly right-of-way line of said Ridgeview Drive, bears South 45 degrees 45 minutes 55seconds East, a distance of 78.29 feet;

THENCE, North 45 degrees 45 minutes 55 seconds West, along said northeasterly line of said Block A, Lot 2, a distance of 25.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

THENCE, over and across said Block A, Lot 1, the following courses:

North 44 degrees 14 minutes 05 seconds East, a distance of 258.00 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" and being the beginning of a curve to the right having a central angle of 14 degrees 00 minutes 18 seconds, a radius of 1258.29 feet, subtended by a 306.80 foot chord which bears North 51 degrees 14 minutes 15 seconds East; Along said curve to the right an arc distance of 307.57 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars";

South 79 degrees 57 minutes 16 seconds East, a distance of 122.78 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" and being the beginning of a non-tangent curve to the right having a central angle of 04 degrees 28 minutes 01 seconds, a radius of 1180.00 feet, subtended by a 91.97 foot chord which bears North 64 degrees 55 minutes 18 seconds East;

Along said curve to the right an arc distance of 91.99 feet to a 5/8 inch iron rod set with plastic cap stamped "Huitt-Zollars" on the northeasterly line of said Block A, Lot 1, from which a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found at the most southerly southwest corner of said Lot 1, Block 1, bears North 21 degrees 04 minutes 35 seconds West, a distance of 6.69 feet, and a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found at an angle point on the common line of said Block A, Lot 1, and said Lot 1, Block 1, bears North 21 degrees 04 minutes 35 seconds West, a distance of 210.70 feet;

THENCE, South 21 degrees 04 minutes 35 seconds East, along the northeasterly line of said Block A, Lot 1, a distance of 25.01 feet to the **POINT OF BEGINNING** and **CONTAINING** 19,371 Square Feet or 0.4447 of an Acre of land, more or less.

Bearings and coordinates are based on the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (2011). All distances are surface values and can be converted to grid values by dividing by the combined scale factor of 1.000154210.

For Huitt-Zollars, Inc.



Mitchell S. Pillar, Registered Professional Land Surveyor
Texas Registration No. 5491
Huitt-Zollars, Inc.
Firm Registration No. 10025600
1717 McKinney Ave., Suite 1400
Dallas, Texas 75202
Date: December 12, 2018

**EXHIBIT "B"
As Follows**

**OWNER: CITY OF PLANO
PARCEL NO.: 03**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT THAT TRANSFERS INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

PERMANENT ACCESS EASEMENT

Grantor: CITY OF PLANO

Grantor's Mailing Address: 1520 K Avenue
Plano, Texas 75074

Grantee: NORTH TEXAS MUNICIPAL WATER DISTRICT

Grantee's Mailing Address: 501 East Brown Street
Wylie, Texas 75098

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

BEING described by metes and bounds on Exhibit "B" attached hereto and made a part hereof for all purposes.

Grantor hereby grants unto Grantee a permanent access easement for ingress and egress on, over, and across Grantor's property to travel and transport such materials, equipment, and personnel as is necessary or expedient for Grantees access across Grantors property to construct, operate, inspect, repair, revise, or maintain Grantee's facilities. Grantee may install and maintain an all-weather surface road within the area of the access easement as it determines is necessary or convenient for ingress and egress across the easement. Grantor shall not take any steps or construct any improvement on, within, or across the access easement; which would hinder, prevent, or interfere with Grantees full use and enjoyment of the rights granted herein.

Reservations from and Exceptions to Conveyance and Warranty:

This Access Easement is executed and delivered subject to all easements, reservations, conditions, covenants and restrictive covenants as the same appear of record in the office of the County Clerk of Dallas County, Texas.

Grantor excepts from this easement the right, from time to time, to flood the easement area so that access may not be available at all times due to flooding.

TO HAVE AND TO HOLD, unto Grantee, Grantee's heirs, successors and/or assigns forever.

**OWNER: CITY OF PLANO
PARCEL NO.: 03**

The rights granted herein may be assigned in whole or in part and the terms and provisions of this Agreement shall constitute covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, successors, assigns and personal representatives. Grantor covenants for itself, its successors and assigns, that Grantor, its successors, assigns, lessees, licensees and agents shall peaceably and quietly have, hold, and enjoy the above-described land.

When the context requires, singular nouns and pronouns include the plural.

WITNESS OUR HANDS, on this ___ day of _____, 2019.

**GRANTOR:
CITY OF PLANO**

Signature

Printed Name(s) and Title(s)

ACKNOWLEDGEMENT

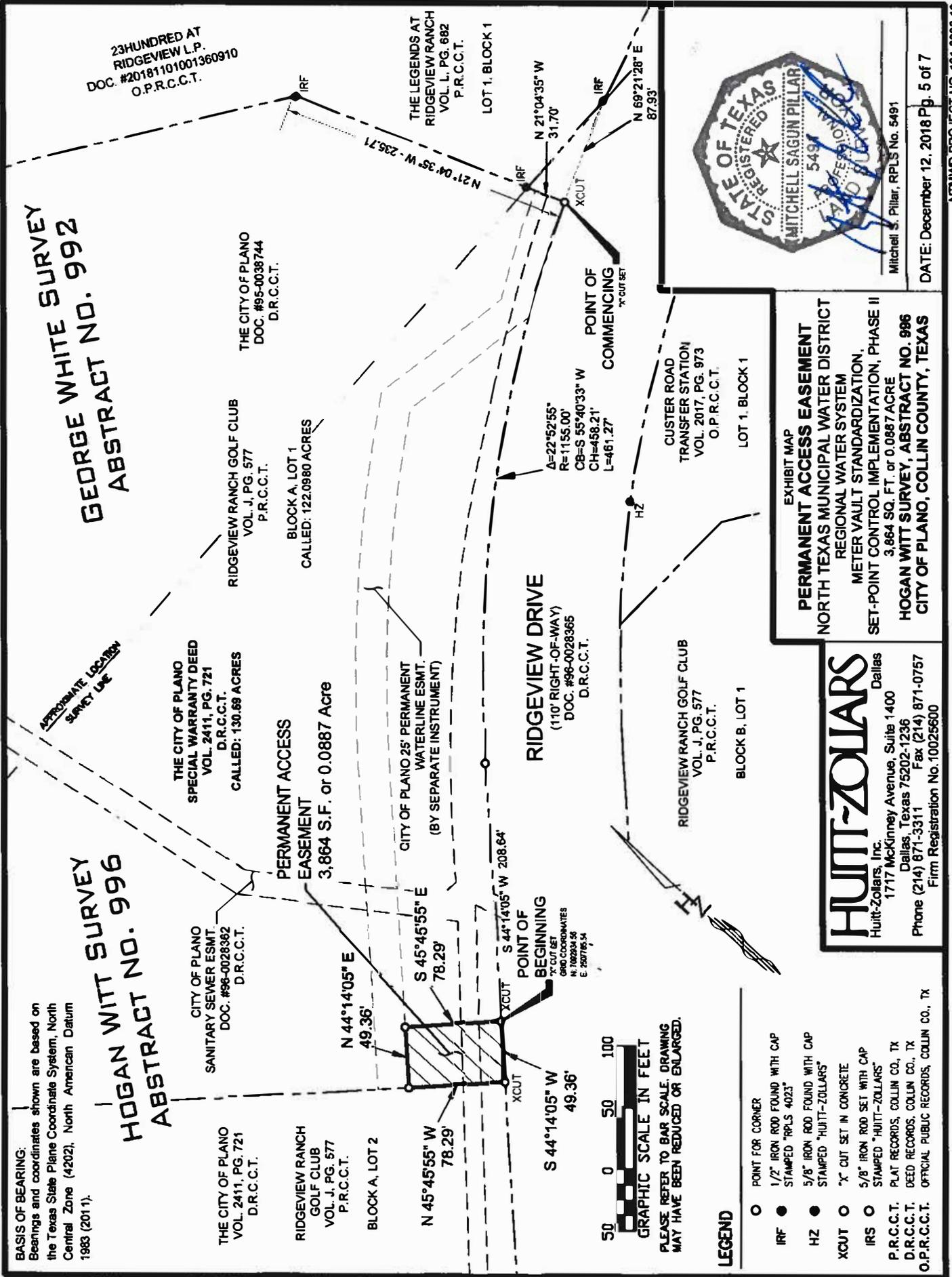
STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____, in his/her capacity as _____ for the **CITY OF PLANO**, known to me to be the person whose name is described to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL THIS ___ day of _____, 2019.

Notary Public, State of Texas

My Commission Expires: _____



BASIS OF BEARING:
 Bearings and coordinates shown are based on the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (2011).

**HOGAN WITT SURVEY
 ABSTRACT NO. 996**

**GEORGE WHITE SURVEY
 ABSTRACT NO. 992**

23 HUNDRED AT
 RIDGEVIEW L.P.
 DOC. #20181101001360910
 O.P.R.C.C.T.

THE LEGENDS AT
 RIDGEVIEW RANCH
 VOL. L, PG. 682
 P.R.C.C.T.

THE CITY OF PLANO
 VOL. 2411, PG. 721
 D.R.C.C.T.

RIDGEVIEW RANCH GOLF CLUB
 VOL. J, PG. 577
 P.R.C.C.T.

BLOCK A, LOT 1
 CALLED: 122.0980 ACRES

THE CITY OF PLANO
 SPECIAL WARRANTY DEED
 VOL. 2411, PG. 721
 D.R.C.C.T.
 CALLED: 130.68 ACRES

PERMANENT ACCESS
 EASEMENT
 3,864 S.F. or 0.0887 Acre

CITY OF PLANO 25' PERMANENT
 WATERLINE ESMT.
 (BY SEPARATE INSTRUMENT)

RIDGEVIEW DRIVE
 (110' RIGHT-OF-WAY)
 DOC. #96-0028965
 D.R.C.C.T.

CUSTER ROAD
 TRANSFER STATION
 VOL. 2017, PG. 973
 O.P.R.C.C.T.

RIDGEVIEW RANCH GOLF CLUB
 VOL. J, PG. 577
 P.R.C.C.T.

BLOCK B, LOT 1



PLEASE REFER TO BAR SCALE. DRAWING
 MAY HAVE BEEN REDUCED OR ENLARGED.

LEGEND

- POINT FOR CORNER
- IRF 1/2" IRON ROD FOUND WITH CAP
 STAMPED "RPLS 4023"
- HZ 5/8" IRON ROD FOUND WITH CAP
 STAMPED "HUIT-ZOLLARS"
- XCUT "X" CUT SET IN CONCRETE
- IRS 5/8" IRON ROD SET WITH CAP
 STAMPED "HUIT-ZOLLARS"
- P.R.C.C.T. PLAT RECORDS, COLLIN CO., TX
- D.R.C.C.T. DEED RECORDS, COLLIN CO., TX
- O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS, COLLIN CO., TX



Mitchell S. Pillar, RPLS No. 5491

DATE: December 12, 2018 Pg. 5 of 7

EXHIBIT MAP
PERMANENT ACCESS EASEMENT
 NORTH TEXAS MUNICIPAL WATER DISTRICT
 REGIONAL WATER SYSTEM
 METER VAULT STANDARDIZATION,
 SET-POINT CONTROL IMPLEMENTATION, PHASE II
 3,864 SQ. FT. or 0.0887 ACRE
HOGAN WITT SURVEY, ABSTRACT NO. 996
 CITY OF PLANO, COLLIN COUNTY, TEXAS

HUIT-ZOLLARS
 Dallas
 Huit-zollars, Inc.
 1717 McKinney Avenue, Suite 1400
 Dallas, Texas 75202-1236
 Phone (214) 871-3311 Fax (214) 871-0757
 Firm Registration No. 10025600

**NORTH TEXAS MUNICIPAL WATER DISTRICT
REGIONAL WATER SYSTEM
METER VAULT STANDARDIZATION,
SET-POINT CONTROL IMPLEMENTATION, PHASE II
PROJECT NO. 101-0338-13**

**PERMANENT ACCESS EASEMENT
OWNER OF PARENT TRACT: THE CITY OF PLANO
HOGAN WITT SURVEY, ABSTRACT NO. 996
COLLIN COUNTY, TEXAS**

BEING a 0.0887-acre tract of land situated in the Hogan Witt Survey, Abstract No. 996, City of Plano, Collin County, Texas, and being a portion of a called 130.59-acre tract of land described in Special Warranty Deed to The City of Plano, as recorded in Volume 2411, Page 721, of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being a portion of the called 122.0980-acre Block A, Lot 1, of Ridgeview Ranch Golf Club, an addition to The City of Plano, Collin County, Texas, as recorded in Volume J, Page 577, of the Plat Records of Collin County, Texas (P.R.C.C.T.), and being more particularly described as follows:

COMMENCING at an "X" cut set in concrete at the most easterly southeast corner of said Block A, Lot 1, said point being in the northerly right-of-way line of Ridgeview Drive (a 110-foot right-of-way) as described in instrument to The City of Plano and recorded under Document No. 96-0028365, D.R.C.C.T., and being the beginning of a non-tangent curve to the left having a central angle of 22 degrees 52 minutes 55 seconds, a radius of 1155.00 feet, subtended by a 458.21 foot chord which bears South 55 degrees 40 minutes 33 seconds West, from which a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found on the southerly line of Lot 1, Block 1, of The Legends at Ridgeview Ranch, an addition to The City of Plano, Collin County, Texas, as recorded in Volume L, Page 682, P.R.C.C.T., bears North 69 degrees 21 minutes 28 seconds East, a distance of 87.93 feet, and a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found at the most southerly southwest corner of said Lot 1, Block 1, bears North 21 degrees 04 minutes 35 seconds West, a distance of 31.70 feet, and a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found at an angle point on said southwesterly line bears North 21 degrees 04 minutes 35 seconds West, a distance of 235.71 feet;

THENCE, along the northerly right-of-way line of Ridgeview Drive the following courses:

Along said curve to the left, and along the northerly right-of-way line of said Ridgeview Drive, an arc distance of 461.27 feet to a point;

South 44 degrees 14 minutes 05 seconds West, a distance of 208.64 feet to an "X" cut set in concrete at the **POINT OF BEGINNING**, said point having grid coordinates of N: 7092934.56 and E: 2507765.54;

South 44 degrees 14 minutes 05 seconds West, a distance of 49.36 feet to an "X" cut set in concrete at the most easterly common corner of said Block A, Lot 1, and Block A, Lot 2, of said Ridgeview Ranch Golf Club plat;

THENCE, North 45 degrees 45 minutes 55 seconds West, along the common line of said Block A, Lot 1, and said Block A, Lot 2, a distance of 78.29 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "Huitt-Zollars";

THENCE, over and across said Block A, Lot 1, the following courses:

North 44 degrees 14 minutes 05 seconds East, a distance of 49.36 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "Huitt-Zollars";

South 45 degrees 45 minutes 55 seconds East, a distance of 78.29 feet to the **POINT OF BEGINNING** and **CONTAINING** 3,864 Square Feet or 0.0887 of an Acre, more or less.

Bearings and coordinates are based on the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (2011). All distances are surface values and can be converted to grid values by dividing by the combined scale factor of 1.000154210.

For Huitt-Zollars, Inc.



Mitchell S. Pillar, Registered Professional Land Surveyor
Texas Registration No. 5491
Huitt-Zollars, Inc.
Firm Registration No. 10025600
1717 McKinney Ave., Suite 1400
Dallas, Texas 75202
Date: December 12, 2018

**EXHIBIT "C"
As Follows**

**TEMPORARY ACCESS AND
TEMPORARY CONSTRUCTION EASEMENT
REGIONAL WATER SYSTEM
METER VAULT STANDARDIZATION, PHASE II, SET-POINT CONTROL
PROJECT NO. 101-0338-13**

STATE OF TEXAS §
 § KNOWN ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN §

THAT the undersigned, **CITY OF PLANO**, (hereinafter called "Grantor") for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid by the **NORTH TEXAS MUNICIPAL WATER DISTRICT** (hereinafter called "Grantee") the receipt of which is hereby acknowledged and confessed, have granted, sold and conveyed, and by these presents, does grant, sell, and convey unto the Grantee a Temporary Access and Temporary Construction Easement and right-of-way in, over, across and through those certain premises owned by Grantor. The Temporary Access and Temporary Construction Easement to be located on the following lands situated in Collin County, Texas:

SEE ATTACHED EXHIBIT "C" FOR DESCRIPTION

The conveyance is only temporary access for the purpose of access to and from the said pipeline. The said Temporary Construction Easement granted herein and described herein will terminate and cease upon completion of the construction and testing of improvements.

In addition to consideration above recited for the use of said easement, the Grantee will restore to a condition as good or better said property including, but not limited to fences, driveways, drainage channels, terraces, grass and other improvements damaged through the use of said easement.

By executing this easement, the undersigned represents that he/she is duly authorized to execute this document on behalf of Grantor; that Grantor is the owner of fee simple title to the property across which the easement is being granted; and that Grantor is the sole party entitled to receive the consideration being paid for the easement.

WITNESS OUR HANDS, on this ____ day of _____, 2019.

Signatures on pages to follow

GRANTOR:

CITY OF PLANO

SIGNATURE

PRINTED NAME(S) AND TITLE(S)

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

Before me, the undersigned authority, on this day personally appeared _____, in his/her capacity as _____ for the **CITY OF PLANO**, known to me to be the person whose name is described to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2019.

Notary Public in and for The State of _____

My Commission Expires: _____

**OWNER: CITY OF PLANO
PARCEL NO.: 03**

GRANTEE:

NORTH TEXAS MUNICIPAL WATER DISTRICT

SIGNATURE

PRINTED NAME(S) AND TITLE(S)

ACKNOWLEDGMENT

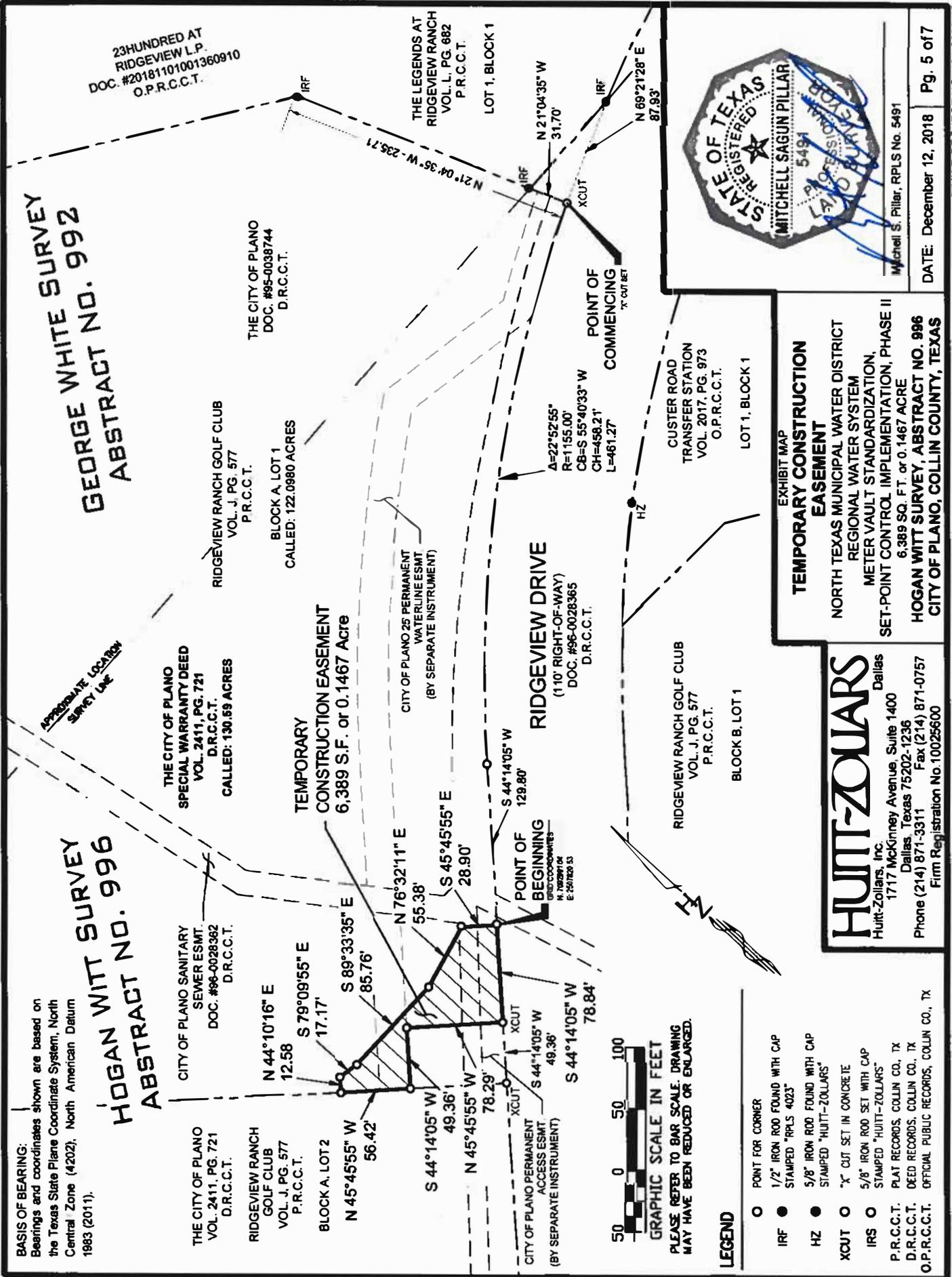
THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

Before me, the undersigned authority, on this day personally appeared _____, in his/her capacity as _____ for the **NORTH TEXAS MUNICIPAL WATER DISTRICT**, known to me to be the person whose name is described to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ___ day of _____, 2019.

Notary Public in and for The State of _____

My Commission Expires: _____



**NORTH TEXAS MUNICIPAL WATER DISTRICT
REGIONAL WATER SYSTEM
METER VAULT STANDARDIZATION,
SET-POINT CONTROL IMPLEMENTATION, PHASE II
PROJECT NO. 101-0338-13**

**TEMPORARY CONSTRUCTION EASEMENT
OWNER OF PARENT TRACT: THE CITY OF PLANO
HOGAN WITT SURVEY, ABSTRACT NO. 996
COLLIN COUNTY, TEXAS**

BEING a 0.1467-acre tract of land situated in the Hogan Witt Survey, Abstract No. 996, City of Plano, Collin County, Texas, and being a portion of a called 130.59-acre tract of land described in Special Warranty Deed to The City of Plano, as recorded in Volume 2411, Page 721, of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being a portion of the called 122.0980-acre Block A, Lot 1, of Ridgeview Ranch Golf Club, an addition to The City of Plano, Collin County, Texas, as recorded in Volume J, Page 577, of the Plat Records of Collin County, Texas (P.R.C.C.T.), and being more particularly described as follows:

COMMENCING at an "X" cut set in concrete at the most easterly southeast corner of said Block A, Lot 1, said point being in the northerly right-of-way line of Ridgeview Drive (a 110-foot right-of-way) as described in instrument to The City of Plano and recorded under Document No. 96-0028365, D.R.C.C.T., and being the beginning of a non-tangent curve to the left having a central angle of 22 degrees 52 minutes 55 seconds, a radius of 1155.00 feet, subtended by a 458.21 foot chord which bears South 55 degrees 40 minutes 33 seconds West, from which a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found on the southerly line of Lot 1, Block 1, of The Legends at Ridgeview Ranch, an addition to The City of Plano, Collin County, Texas, as recorded in Volume L, Page 682, P.R.C.C.T., bears North 69 degrees 21 minutes 28 seconds East, a distance of 87.93 feet, and a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found at the most southerly southwest corner of said Lot 1, Block 1, bears North 21 degrees 04 minutes 35 seconds West, a distance of 31.70 feet, and a 1/2 inch iron rod with plastic cap stamped "RPLS 4023" found at an angle point on said southwesterly line bears North 21 degrees 04 minutes 35 seconds West, a distance of 235.71 feet;

THENCE, along the northerly right-of-way line of Ridgeview Drive the following courses:

Along said curve to the left, and along the northerly right-of-way line of said Ridgeview Drive, an arc distance of 461.27 feet to a point;

South 44 degrees 14 minutes 05 seconds West, a distance of 129.80 feet to the **POINT OF BEGINNING**, said point having grid coordinates of N: 7092991.04 and E: 2507820.53;

South 44 degrees 14 minutes 05 seconds West, a distance of 78.84 feet to an "X" cut set in concrete on the northerly right-of-way line of said Ridgeview Drive, from which an "X" cut set in concrete at the most easterly common corner of said Block A, Lot 1, and Block A, Lot 2, of said Ridgeview Ranch Golf Club plat, bears South 44 degrees 14 minutes 05 seconds West, a distance of 49.36 feet;

THENCE, over and across said Block A, Lot 1, the following courses:

North 45 degrees 45 minutes 55 seconds West, a distance of 78.29 feet to a point for corner;

South 44 degrees 14 minutes 05 seconds West, a distance of 49.36 feet to a point for corner

on the common line of said Block A, Lot 1, and Block A, Lot 2, of said Ridgeview Ranch Golf Club plat;

THENCE, North 45 degrees 45 minutes 55 seconds West, along the common line of said Lots 1 and 2, a distance of 56.42 feet to a point for corner;

THENCE, over and across said Block A, Lot 1, the following courses:

North 44 degrees 10 minutes 16 seconds East, a distance of 12.58 feet to a point for corner;

South 79 degrees 09 minutes 55 seconds East, a distance of 17.17 feet to a point for corner;

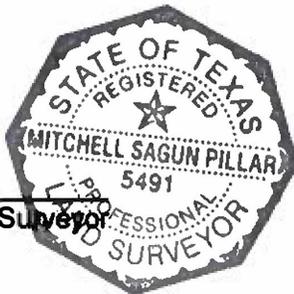
South 89 degrees 33 minutes 35 seconds East, a distance of 85.76 feet to a point for corner;

North 76 degrees 32 minutes 11 seconds East, a distance of 55.38 feet to a point for corner;

South 45 degrees 45 minutes 55 seconds East, a distance of 28.90 feet to the **POINT OF BEGINNING** and **CONTAINING** 6,389 Square Feet or 0.1467 of an Acre of land, more or less.

Bearings and coordinates are based on the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (2011). All distances are surface values and can be converted to grid values by dividing by the combined scale factor of 1.000154210.

For Huitt-Zollars, Inc.



Mitchell S. Pillar, Registered Professional Land Surveyor
Texas Registration No. 5491
Huitt-Zollars, Inc.
Firm Registration No. 10025600
1717 McKinney Ave., Suite 1400
Dallas, Texas 75202
Date: December 12, 2018

RESOLUTION NO. 2019-10-7(R)

A Resolution of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney, the City of Frisco, and the Collin County Sheriff's Office for the disbursement of the 2019 Edward Byrne Justice Assistance Grant funds; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes governmental entities to contract with each other to perform government functions and services under the terms thereof; and

WHEREAS, the City of Plano, the City of McKinney, the City of Frisco and the Collin County Sheriff's Office have previously agreed that Plano Police Department would serve as Fiscal Agent for the 2019 Edward Byrne Justice Assistance Grant (JAG); and

WHEREAS, the City Council has been presented a proposed Interlocal Agreement and Memorandum of Understanding, by and between the four (4) entities providing the disbursement amount and expenditure method, substantial copies of which are attached hereto as Exhibits "A" and "B" respectively and incorporated herein by reference (hereinafter called "Agreements"); and

WHEREAS, citizens were provided an opportunity to comment during a public hearing on the proposed Agreements as required by the terms of the JAG Grant application process; and

WHEREAS, these Agreements are made under the authority of Public Law 109-162 (Jan 5, 2006) Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of these Agreements is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under these agreements; and

WHEREAS, upon full review and consideration of these Agreements, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved.

RESOLUTION NO. 2019-10-7(R)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The terms and conditions of the Agreements, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, are hereby in all things approved.

Section II. The City Manager or his authorized designee is hereby authorized to execute the Agreements and all other documents in connection therewith on behalf of the City of Plano, substantially according to the terms and conditions set forth in the Agreements.

Section III. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 14th day of October, 2019.

For 

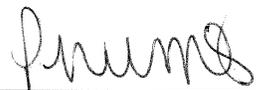
 Harry LaRosiliere, MAYOR

ATTEST:



 Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



 Paige Mims, CITY ATTORNEY

EXHIBIT "A"

GMS APPLICATION NUMBER 2019-H4213-TX-DJ

INTERLOCAL AGREEMENT BETWEEN THE CITY OF PLANO, CITY OF MCKINNEY, CITY OF FRISCO, AND THE COLLIN COUNTY SHERIFF'S OFFICE OF COLLIN COUNTY, TEXAS FOR THE DISBURSEMENT OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) AWARD

This Agreement is made and entered into this ____ day of _____, 2019, by and between the City of Plano, acting by and through its governing body, the City Council, hereinafter referred to as City of Plano; the City of McKinney, acting by and through its governing body, the City Council, hereinafter referred to as City of McKinney; the City of Frisco acting by and through its governing body, the City Council, hereinafter referred to as City of Frisco; and the Collin County Sheriff's Office, hereinafter referred to as CCSO, collectively (the "Parties" or each "Party").

WHEREAS, the Parties have previously agreed that Plano Police Department would serve as Fiscal Agent for the Edward Byrne Memorial Justice Assistance Grant Formula Award, (hereafter the "JAG Award"); and

WHEREAS, this Agreement is made under the authority of Public Law 109-162 (Jan 5, 2006) Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111, Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program; and

WHEREAS, the governing body of each Party, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, the governing body of each Party finds that the performance of this Agreement is in the best interests of the Parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the Parties believe it to be in their best interests to reallocate the JAG Award funds.

NOW THEREFORE, the Parties agree as follows:

1. City of Plano agrees to forward to CCSO a total of **\$15,059.00** of the JAG Award funds which will be used by CCSO to purchase a ELSAG Plate Hunter license plate reader for the Collin County area.
2. City of Plano agrees to forward to the City of McKinney a total of **\$14,115.00** of the JAG Award funds which will be used by the City of McKinney to purchase 6 LIDAR detectors for the Traffic Unit.

Exhibit "A" to Resolution No. 2019-10-7(R)

3. City of Plano agrees to forward to the City of Frisco a total of **\$8,004.00** of the JAG Award funds which will be used by the City of Frisco to purchase 3 ballistic shields – 1st Responded Level III.

4. City of Plano agrees to keep the remaining total of **\$23,056.00** of the JAG Award funds which will be used by the City of Plano to purchase 5 MINIRAMS for patrol supervisors to carry in their vehicles, and 2 United Shield Level III+ Standard Rifle Shields with accessories for the Patrol Division.

5. Nothing in the performance of this Agreement shall impose any liability for claims against any of the Parties other than claims for which liability may be imposed by the Texas Tort Claims Act.

6. Each Party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

7. The Parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

8. By entering into this Agreement, the Parties do not intend to create any obligations express or implied other than those set out herein.

CITY OF PLANO, TEXAS,

By: _____
Mark D. Israelson
City Manager

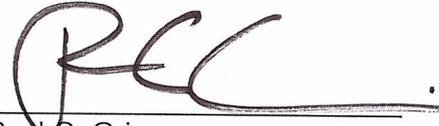
By: _____
Gregory W. Rushin
Chief of Police

COLLIN COUNTY SHERIFF'S OFFICE

By:  _____
Jim Skinner
Collin County Sheriff

By:  _____
Chris Hill
Collin County Judge

CITY OF MCKINNEY, TEXAS

By:  _____
Paul G. Grimes
City Manager

By:  _____
Gregory Conley
Chief of Police

CITY OF FRISCO, TEXAS

By:  _____
George Purefoy
City Manager

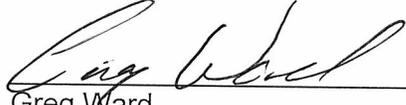
By:  _____
Greg Ward
Interim Chief of Police

EXHIBIT "B"

GMS APPLICATION NO. 2019-H4213-TX-DJ

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE COLLIN COUNTY SHERIFF'S OFFICE, THE CITY OF MCKINNEY,
THE CITY OF FRISCO, AND THE CITY OF PLANO, TEXAS REGARDING THE 2019
BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

This Memorandum of Understanding sets forth the agreement by and between the Collin County Sheriff's Office, the City of McKinney, the City of Frisco, and the City of Plano, Texas regarding the application process of the 2019 Byrne Justice Assistance Grant (JAG) Program Award.

The City of Plano agrees to be the applicant/fiscal agent of the 2019 Byrne Justice Assistance Grant (JAG) Program.

The funds for this grant will be distributed as follows:

Frisco Police Department	\$8,004.00
McKinney Police Department	\$14,115.00
Plano Police Department	\$23,056.00
Collin County Sheriff's Office	<u>\$15,059.00</u>
Total funds from the JAG	\$60,234.00

The Collin County Sheriff's Office, the City of McKinney, the City of Frisco, and the City of Plano, Texas agree to enter into an agreement setting forth the terms and conditions regarding the administration of the 2019 Justice Assistance Grant (JAG) Program Award.

COLLIN COUNTY SHERIFF'S OFFICE

By: 
Jim Skinner
Collin County Sheriff

By: 
Chris Hill
Collin County Judge

CITY OF PLANO, TEXAS

By: _____
Mark D. Israelson
City Manager

By: _____
Gregory W. Rushin
Chief of Police

APPROVED AS TO FORM

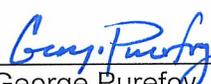
Paige Mims
City Attorney

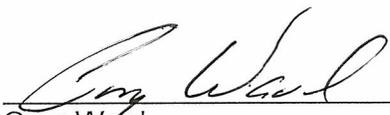
CITY OF MCKINNEY, TEXAS

By: 
Paul G. Grimes
City Manager

By: 
Gregory Conley
Chief of Police

CITY OF FRISCO, TEXAS

By: 
George Purefoy
City Manager

By: 
Greg Ward
Interim Chief of Police

Date: 9/19/19

ORDINANCE NO. 2019-10-8

Comprehensive Plan Amendment 2019-001

An Ordinance of the City of Plano, Texas, amending the Comprehensive Plan, originally adopted by Ordinance No. 2015-10-9, incorporating the Expressway Corridor Environmental Health Policy and providing an effective date.

WHEREAS, the Comprehensive Plan recommends regular review and updating, as needed, to maintain alignment with other City of Plano policies and to account for changing conditions in the community; and

WHEREAS, the Comprehensive Plan was last updated on October 22, 2018 (Ordinance No. 2018-10-9); and

WHEREAS, the following Action Statement was adopted within the Redevelopment of Regional Transportation Corridors Policy of the Built Environment Pillar of the Comprehensive Plan: Develop design guidelines for residential development adjacent to expressways that reduce noise and provide for proper filtering, ventilation, and exhaust of vehicle air emissions; and

WHEREAS, the Expressway Corridor Environmental Health Policy was developed over the course of a one-year period during which the Planning Department worked with a consultant expert to perform a noise and air pollution study and to develop potential policies or regulations based upon the results of the analysis; and

WHEREAS, studies show an association between traffic-related noise and air pollution and health concerns such as heart disease, diabetes, hypertension, asthma, pregnancy-related issues, and other issues generally linked to sleep disruption and increased stress. Vulnerable members of the community, such as children, seniors, and adults impacted by other underlying health issues, are at an elevated risk for these health impacts from noise and air pollution; and

WHEREAS, the Expressway Corridor Environmental Health Map of the Comprehensive Plan designates areas where sensitive land uses may be exposed to greater levels of noise and air pollution; and

WHEREAS, the City Council desires to amend the Comprehensive Plan, to incorporate the Expressway Corridor Environmental Health Study; and

WHEREAS, the Planning & Zoning Commission held public hearings on July 15, 2019, August 5, 2019, September 3, 2019, and September 16, 2019, open to all persons wishing to comment on the proposed Comprehensive Plan amendments, and subsequently recommended approval of said amendments; and

WHEREAS, the City Council held a public hearing, open to persons wishing to comment on the proposed Comprehensive Plan amendments, and, following such hearing, voted in favor of the amendments on October 14, 2019; and

ORDINANCE NO. 2019-10-8

WHEREAS, the City Council, having been presented the proposed amendments to the Comprehensive Plan to incorporate the Expressway Corridor Environmental Health Policy, upon full review and consideration thereof, and all matters attendant and related thereto, is of the opinion that the amendments should be approved and adopted by the City of Plano.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section II. The Expressway Corridor Environmental Health Map of the Comprehensive Plan, along with its guidelines, is hereby adopted as depicted in attached Exhibit A.

Section III. The Redevelopment of Regional Transportation Corridors Policy of the Built Environment Pillar of the Comprehensive Plan is hereby amended to add a new Action Statement as depicted in attached Exhibit B.

Section IV. The primary format of the Comprehensive Plan is a publicly accessible website (www.planotomorrow.org) that allows amendments to be efficiently incorporated.

Section V. The City of Plano has the ability to prepare other plans, policies, or strategies as required in accordance with Section 213.004, *Local Government Code*.

Section VI. The City Manager is authorized to implement continual maintenance and periodic technical updates of the Comprehensive Plan to adjust such items as facts, figures, inventories, and descriptions or graphic depictions of existing conditions, excluding the strategic framework of the Plan.

Section VII. This ordinance shall become effective immediately from and after its passage.

ORDINANCE NO. 2019-10-8

DULY PASSED AND APPROVED THIS 14TH DAY OF OCTOBER 2019.



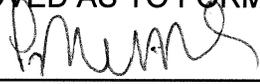
For Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

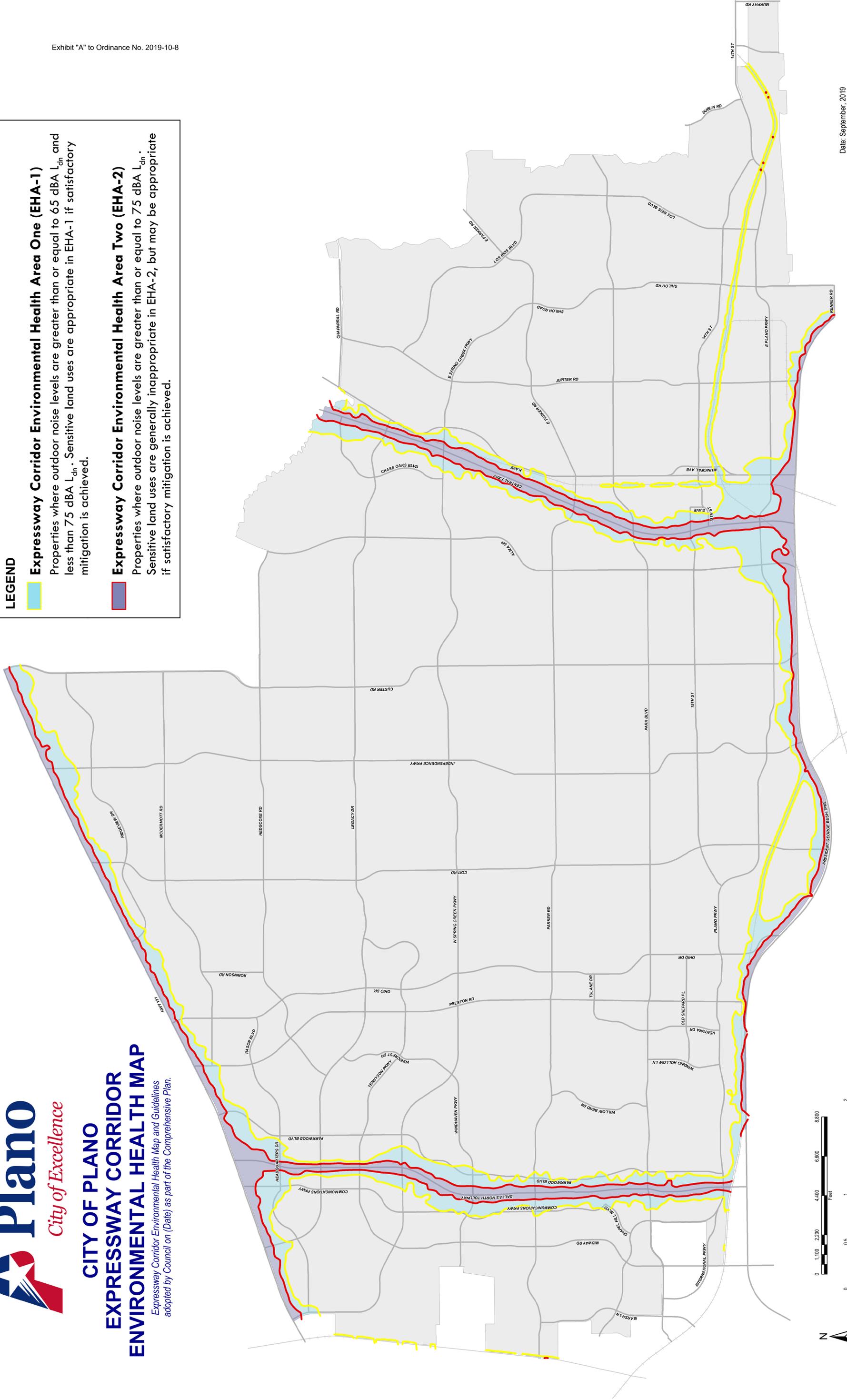


CITY OF PLANO EXPRESSWAY CORRIDOR ENVIRONMENTAL HEALTH MAP

Expressway Corridor Environmental Health Map and Guidelines
adopted by Council on (Date) as part of the Comprehensive Plan.

LEGEND

- Expressway Corridor Environmental Health Area One (EHA-1)**
Properties where outdoor noise levels are greater than or equal to 65 dBA L_{dn} and less than 75 dBA L_{dn} . Sensitive land uses are appropriate in EHA-1 if satisfactory mitigation is achieved.
- Expressway Corridor Environmental Health Area Two (EHA-2)**
Properties where outdoor noise levels are greater than or equal to 75 dBA L_{dn} . Sensitive land uses are generally inappropriate in EHA-2, but may be appropriate if satisfactory mitigation is achieved.





Plano Tomorrow EXPRESSWAY CORRIDOR ENVIRONMENTAL HEALTH GUIDELINES

Exhibit "A" to Ordinance No. 2019-10-8

Purpose

These guidelines are adopted in accordance with the Expressway Corridor Environmental Health Study, available at: www.planotomorrow.org. Ordinance number _____.

Expressway Corridor Environmental Health Goal

Sensitive land uses within Expressway Corridor Environmental Health Areas should achieve a maximum outdoor noise level of less than 65 dBA L_{dn} .

Sensitive Land Use (SLU) Requirements

Sensitive land uses proposed in Expressway Corridor Environmental Health Areas shall have an EHA Site Analysis or additional site design standards, as per the table below:

Sensitive Land Use	Environmental Health Area		Sensitive Land Use	Environmental Health Area	
	EHA-1	EHA-2		EHA-1	EHA-2
RESIDENTIAL AND INSTITUTIONAL DWELLINGS Assisted Living Facility Boarding House Continuing Care Facility Day Care (in-home) Household Care Facility Household Care Institution Independent Living Facility Long-term Care Facility Mid-Rise Residential Mobile Home Park Multifamily Residence Rehabilitation Care Facility Rehabilitation Care Institution Rooming House Single-Family Residence (Attached) Single-Family Residence (Detached) Studio Residence Trailer Park Two-Family Residence	EHA Site Analysis	Inappropriate; except redevelopment of existing SLU may be considered with EHA Site Analysis	DAY CARES AND SCHOOLS Day Care Center Day Care Center (Accessory) Day Care Center (Adult) School, (Private)		Site Design Standards should be consistent with Article 15.1900 for these uses
			PARKS Park Playground		

EHA Site Analysis Requirements

An EHA Site Analysis should meet the following criteria:

1. Be prepared by a recognized expert experienced in the fields of environmental noise and air pollution assessment and architectural acoustics;
2. Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and predominant noise sources on the project site;
3. Estimate existing, future, and projected cumulative noise at ground level and for all proposed floors of the building, and compare those noise levels to the adopted standards of the Expressway Corridor Environmental Health Guidelines;
4. Recommend appropriate mitigation options; and
5. Estimate resulting noise exposure after the mitigation measures have been implemented.



Plano Tomorrow

EXPRESSWAY CORRIDOR

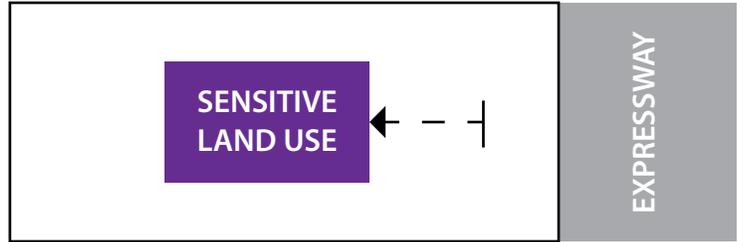
ENVIRONMENTAL HEALTH GUIDELINES

Mitigation Methods

Exhibit "A" to Ordinance No. 2019-10-8

Potential mitigation methods include:

1. Locating the sensitive land use further away from the expressway.



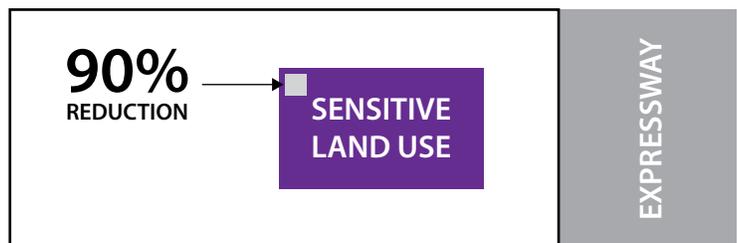
2. Placing buildings or parking structures between the sensitive land use and the expressway to function as a barrier.



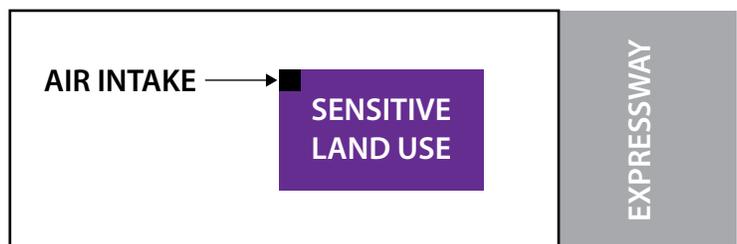
3. Adjusting the site design so that bedrooms, balconies, and open space are located further from and facing away from the expressway.



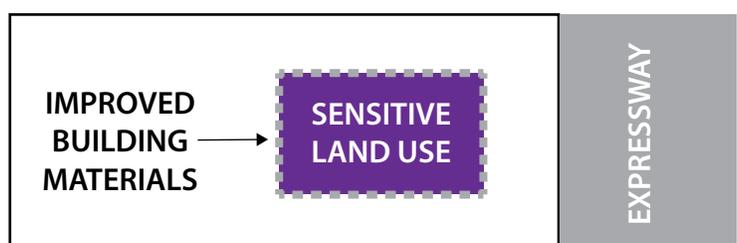
4. Providing indoor air quality filtration systems that reduce at least 90 percent of particulate matter emissions.



5. Locating building air intake vents as far away from the expressway as practical.



6. Enhancing the building design using improved window, door, and wall material and/or treatments, as allowed per other regulations.



A combination of these methods is recommended for the most effective mitigation.

Mitigation methods can be recommended through an EHA Site Analysis.

EXHIBIT "B"

The Built Environment - Redevelopment of Regional Transportation Corridors

Policy - Plano will encourage reinvestment and redevelopment of identified regional transportation corridors to create cohesive developments that incorporate well-designed housing, commercial, and retail opportunities.

Action Statements

- 1) Develop a U.S. Highway 75 Corridor Plan to guide infill and redevelopment efforts.
- 2) Update the Urban Centers Study to reevaluate locations that may serve as catalysts for redevelopment.
- 3) Adopt regulatory strategies that permit or incentivize residential, employment, and other diverse uses in locations identified for compact complete centers.
- 4) Develop design guidelines for residential development adjacent to expressways that reduce noise and provide for proper filtering, ventilation, and exhaust of vehicle air emissions.
- 5) Implement the Expressway Corridor Environmental Health Guidelines in order to mitigate the impacts of noise and air pollution for sensitive land uses. Update the Expressway Corridor Environmental Health Map and Guidelines at least every 5 years or as changes in expressway corridor conditions warrant reassessment.

ORDINANCE NO. 2019-10-9

Zoning Case 2019-009

An Ordinance of the City of Plano, Texas, amending Article 14 (Allowed Uses and Use Classifications), and Article 15 (Use-specific Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2 as heretofore amended, pertaining to the Expressway Corridor Environmental Health Policy; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 14th day of October 2019, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 14th day of October 2019; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

ORDINANCE NO. 2019-10-9

Section I. Section 14.100 (Residential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of section to read as follows:

RESIDENTIAL ZONING DISTRICTS																	
Permitted Uses	Use Category																
		A -Agricultural	ED-Estate Development	SF-20-Single-Family-20	SF-9-Single-Family-9	SF-7-Single-Family-7	SF-6-Single-Family-6	UR -Urban Residential	PH-Patio Home	SFA-Single-Family Attached	2F-Two-Family (Duplex)	GR-General Residential	MF-1-Multifamily-1	MF-2-Multifamily-2	MF-3-Multifamily-3	MH-Mobile Home	
Assisted Living Facility (ZC 03-21, ZC 00-83)	EIPS														P 52	P 52	P 52
Continuing Care Facility (ZC 03-21, ZC 00-83)	EIPS														P 52	P 52	P 52
Day Care Center (ZC 01-51, ZC 96-32, ZC 93-45) (13)	Service	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	P 52	P 52	P 52	P 52
Day Care Center (Accessory) (ZC-08-74)	Service													P 52	P 52	P 52	P 52
Household Care Institution (ZC 04-15)	EIPS													S 52	S 52	S 52	
Independent Living Facility (ZC 03-21, ZC 00-03)	EIPS													P 52	P 52	P 52	
Long-term Care Facility (ZC 03-21, ZC 00-83)	EIPS													P 52	P 52	P 52	
Multifamily Residence (1)	Primary Res.													P 52	P 52	P 52	
Park/Playground	EIPS	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52
Playground/Park	EIPS	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52
School, (Private) (5)	EIPS	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52	S 52

ORDINANCE NO. 2019-10-9

Section II. Section 14.200 (Nonresidential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of section to read as follows:

NONRESIDENTIAL ZONING DISTRICTS															
Permitted Uses	Use Category	Zoning Districts													
		O-1-Neighborhood Office	O-2-General Office	R-Retail	LC-Light Commercial	CC-Corridor Commercial	UMU-Urban Mixed-Use (ZC 12-29)	BG-Downtown Bus./Govt	CB-1-Central Business-1	CE-Commercial Employment	RC-Regional Commercial	RE-Regional Employment	RT-Research/Technology Center	LI-1-Light Industrial-1	LI-2-Light Industrial-2
Assisted Living Facility (ZC 09-18, ZC 03-21, ZC 00-83)	EIPS	P 52	P 52	P 52		S 52	P 52	P 52	P 52	P 52	S 52	S 52			
Continuing Care Facility (ZC 09-18, ZC 03-21, ZC 00-83)	EIPS	P 52	P 52	P 52		S 52	P 52	P 52	P 52	P 52	S 52	S 52			
Day Care Center (ZC 08-74; ZC 01-51; ZC 96-32; ZC 94-45) (13)	Service	P 52	P 52	P 52	S 52	S 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	S 52	S 52
Day Care Center (Accessory) (ZC 08-74)	Service	P 52	P 52	P 52	S 52	S 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	S 52	S 52
Day Care Center (Adult)	Service	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52				S 52	P 52	P 52
Household Care Institution (ZC 04-15)	EIPS	S 52	S 52	S 52	S 52	S 52		S 52							
Independent Living Facility (ZC 09-18, ZC 03-21, ZC 00-83)	EIPS	P 52	P 52	P 52		S 52	P 52	P 52	P 52	P 52	S 52	S 52			
Long-term Care Facility (ZC 09-18, ZC 03-21, ZC 00-83)	EIPS	P 52	P 52	P 52		S 52	P 52	P 52	P 52	P 52	S 52	S 52			
Mid-Rise Residential (ZC 14-36, 13-33)	Primary Residential						P 52			S 52	S 52	S 52			
Multifamily Residence (1)	Primary Res.						P 52	2 52	3 52	3 52					
Park/Playground	EIPS	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52
Playground/Park	EIPS	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52
Rehabilitation Care Institution	EIPS	S 52	S 52							P 52					
School, (Private) (5)	EIPS	P 52	P 52	S 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52

ORDINANCE NO. 2019-10-9

Section III. Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such additional note to read as follows:

Number	End Note
52	See Sec. 15.1900.

Section IV. Article 15 (Use-specific Regulations) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such additional section to read as follows:

15.1900 Sensitive Land Uses in Expressway Corridor Environmental Health Areas

As of October 14, 2019, sensitive land uses, as listed in Section 15.1900.2, proposed within Expressway Corridor Environmental Health Area One (EHA-1) or Expressway Corridor Environmental Health Area Two (EHA-2) on the Expressway Corridor Environmental Health Map in the Comprehensive Plan must comply with this section.

- .1 The following requirements are applicable to the interpretation of the table in Section 15.1900.2.
 - A. A building or parking structure of similar height and length must be located between the sensitive land use and the expressway.
 - B. Intake openings for outdoor air, as defined in the adopted International Mechanical Code, as amended, must be located on the opposite side of the building from the expressway.
 - C. All open space areas, outdoor living spaces, and playgrounds must be located on the opposite side of the building from the expressway.
 - D. The landscaping requirements in Section 17.300.1 must be met with the following additional requirements:
 - i. Except where more restrictive regulations exist, a minimum 15-foot landscape edge is required along the property line(s) closest to and most parallel to any Type A thoroughfare, regardless of adjacency to said thoroughfare.
 - ii. This regulation applies to all sensitive land uses regardless of base zoning district.

ORDINANCE NO. 2019-10-9

iii. Park and playground uses must provide double the required number of trees.

.2 The following sensitive land uses must meet the requirements listed in Section 15.1900.1. The letters listed in the table indicate subsection headers. For example, “A” indicates that a building or parking structure of similar height and length must be located between the sensitive land use and the expressway.

Sensitive Land Use	Requirements
Multifamily and Large Institutional Dwellings	
Assisted Living Facility	A, B, C, D
Continuing Care Facility	A, B, C, D
Household Care Institution	A, B, C, D
Independent Living Facility	A, B, C, D
Long-term Care Facility	A, B, C, D
Mid-Rise Residential	A, B, C, D
Multifamily Residence	A, B, C, D
Rehabilitation Care Institution	A, B, C, D
Day Cares and Schools	
Day Care Center	B, C, D
Day Care Center (Accessory)	B, C, D
Day Care Center (Adult)	B, C, D
School (Private)	B, C, D
Parks	
Park/Playground	D
Playground/Park	D

.3 During the site plan review process, the Planning & Zoning Commission may allow a waiver to these standards either:

- A. Upon a finding that a property may develop in a reasonably safe manner despite a waiver of a requirement(s) of this section. A waiver must not be granted based solely on economic gain or loss, nor should a waiver grant an unreasonable privilege to the developer of the property, or
- B. When projects are subject to environmental reviews required and approved by state or federal regulatory agencies, and where the findings of such regulatory agency demonstrates the project is able to meet the maximum outdoor noise level of 65 dBA L_{dn}.

Section V. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

ORDINANCE NO. 2019-10-9

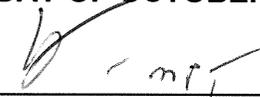
Section VI. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VII. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VIII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section IX. This ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS 14TH DAY OF OCTOBER 2019.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2019-10-10

Zoning Case 2019-008

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 7.8 acres of land out of the Sanford Beck Survey, Abstract No. 73, located at the northeast corner of 14th Street and M Avenue, in the City of Plano, Collin County, Texas, from Planned Development-133-General Office, Retail, and Urban Residential to Planned Development-133-Downtown Business/Government with modified development standards; 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.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 14th day of October, 2019, for the purpose of considering 7.8 acres of land out of the Sanford Beck Survey, Abstract No. 73, located at the northeast corner of 14th Street and M Avenue, in the City of Plano, Collin County, Texas, from Planned Development-133-General Office, Retail, and Urban Residential to Planned Development-133-Downtown Business/Government with modified development standards; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 14th day of October, 2019; and

WHEREAS, the City Council is of the opinion and finds that such amendment would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

ORDINANCE NO. 2019-10-10

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to rezone 7.8 acres of land out of the Sanford Beck Survey, Abstract No. 73, located at the northeast corner of 14th Street and M Avenue in the City of Plano, Collin County, Texas, from Planned Development-133-General Office, Retail, and Urban Residential to Planned Development-133-Downtown Business/Government with modified development standards, said property being described in the legal description on Exhibit "A" attached hereto.

Section II. The change granted in Section I is granted subject to the following:

Restrictions:

The permitted uses and standards shall be in accordance with the Downtown Business/Government (BG) zoning district, unless otherwise specified herein:

1. General Standards

- a. The existing 4,000 square foot building at the southeast corner of 15th Street and M Avenue must remain onsite and must be used for nonresidential uses only.
- b. Maximum number of multifamily units: 270
- c. Uses located within 75 feet of the southern right-of-way line of 15th Street or located within 200 feet of the eastern boundary of the planned development district must be restricted to single-family residence attached, with the exception of the existing 4,000 square foot nonresidential building.
- d. Parking for Hotel or Motel: One space per room.
- e. Street trees are required at the rate of one tree per 40 linear feet along 14th Street, 15th Street, and M Avenue. Trees shall be placed in planting beds or tree grates within 5 feet of the back of the street curb.
- f. Sidewalks are in addition to and placed adjacent to street tree areas.
 - i. Along 15th Street, a sidewalk with a minimum unobstructed width of 10 feet.
 - ii. Along 14th Street, a 10 foot sidewalk with a minimum unobstructed width of 5 feet.

ORDINANCE NO. 2019-10-10

- iii. Along M Avenue, a sidewalk with a minimum unobstructed width of 5 feet.

2. Building Standards

- a. The multifamily building along 14th Street must have a building offset with a minimum size of 80 feet in length and 15 feet in depth.
- b. Maximum Height for Nonresidential and Multifamily Uses:
 - i. 4 stories, 52 feet: Buildings must be set back a minimum of 90 feet from the southern right-of-way line of 15th Street.
 - ii. 5 stories, 70 feet: Buildings must be set back a minimum of 165 feet from the southern right-of-way line of 15th Street. Construction of a horizontal structural concrete podium above parking and/or nonresidential uses is not required. However, flex space units are required along the 14th Street frontage.
- c. All units adjacent to 14th Street must have one of the following design features: a true balcony, stoop, or patio to create outdoor living space.

3. Phasing

- a. Prior to or concurrent with the approval of a building permit for any multifamily unit, building permits for a minimum of 19 single-family residence attached lots must be approved.
- b. Prior to issuance of a certificate of occupancy for any multifamily units, the following requirements must be met:
 - i. 10,000 square feet of public open space must be installed; and
 - ii. Building permit(s) for a minimum of 10,000 square feet of nonresidential uses must be approved, excluding leasing offices, fitness rooms, and other uses related to multifamily.

4. Single-Family Residence Attached uses must be developed in accordance with the Downtown Business/Government (BG) zoning district requirements except as noted below:

- a. Maximum Height: 2 stories, 35 feet for units within 80 feet of the eastern boundary of the planned development district and within 325 feet of the southern right-of-way line of 15th Street adjacent to a residential zoning district.

ORDINANCE NO. 2019-10-10

- b. Outdoor living areas, patios, and decks are allowed above the third stories of single-family residence attached units except for units located within 50 feet of the eastern property line of the planned development district. Improvements must not exceed the maximum building height.
 - c. Minimum Building Setback: 15 feet from the eastern boundary of the planned development district.
 - d. 65% of single-family residence attached lots may abut a mews street as the only point of street frontage and access.
5. Open Space: A minimum of 10% of the gross acreage of the planned development district must be provided as public open space per the following standards. Landscape edges adjacent to streets shall not be considered public open space. A useable open space plan must be submitted as part of any preliminary site plan or site plan for any residential development.
- a. Usable open space must conform to the general standards in Section 13.800 (Usable Open Space) with the following dimensional standards:
 - i. A primary usable open space with a minimum of 12,375 square feet must be provided. This open space area must be a minimum of 45 feet wide by 275 feet long.
 - ii. Secondary usable open spaces must be provided on the east and west sides of the existing building on 15th Street. The two open spaces shall collectively measure not less than 6400 square feet, with minimum dimensions of 40 feet by 80 feet.
 - iii. Any additional usable open space must not have a minimum dimension less than 15 feet wide by 200 feet long.
 - b. Two concrete sidewalks with a minimum width of 5 feet must be constructed at the following locations:
 - i. A minimum of 5 feet from the eastern most property boundary of the planned development connecting 14th Street and 15th Street; and
 - ii. A minimum of 5 feet from the rear property boundary of the western most townhouse lots connecting 14th Street and 15th Street.

ORDINANCE NO. 2019-10-10

6. Fencing and Screening:
 - a. Fencing is restricted to wrought iron, tubular steel, tubular aluminum, masonry or combination of these materials. Fencing must be at least 50% open construction.
 - b. For all nonresidential properties, with the exception of patios, stoops, and balconies, fencing is not permitted in front of any building face.
 - c. A minimum five foot wide irrigated landscape screen and 4 foot tubular steel fence and landscape screen with maximum height of 4 feet must be placed along the entire eastern property boundary of the planned development.
 - d. Fencing is permitted in front yard setbacks, and/or in rear yard setbacks adjacent to common areas up to a maximum of 4 feet in height and must be at least 50% open construction. Fencing in the front and/or rear yard must have an operable gate that opens to the street, public pedestrian path, or open space areas.
7. Mews Street Development Standard: Minimum two 11-foot travel lanes with three feet on each side to accommodate utilities and services. All mews streets must be platted as public streets.
8. Governance Association: Building permits for development within the planned development district shall not be accepted or approved until a property owner's governance association is established. The associated shall be responsible for maintaining all common property, improvements, and amenities within the district. It shall have power sufficient to assess and collect dues and charges as required to perform its responsibilities.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section IV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section V. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

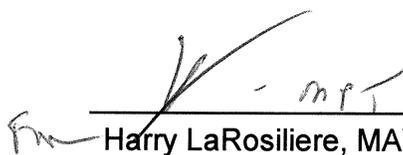
ORDINANCE NO. 2019-10-10

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 14TH DAY OF OCTOBER, 2019.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ZONING DESCRIPTION

Being a tract of land situated in the Sanford Beck Survey, Abstract No. 73, City of Plano, Collin County, Texas, and being all of Lot 1R, Block A of the First Baptist Church-Plano Addition an addition to the City of Plano according to the Replat thereof recorded in Volume M, Page 523, Plat Records of Collin County, Texas, and described to First Baptist Church – Plano and also including half of the adjacent Right-of-Ways of 14th Street, 15th Street and M Avenue, and being more particularly described by as follows;

BEGINNING at the centerline intersection of said 14th Street and said M Avenue, (both variable width public right -of ways);

THENCE along the centerline of said M Avenue, the following courses and distances:

North 3°12'50" East, a distance of 457.86 feet to a point for corner;
North 1°55'12" East, a distance of 34.88 feet to the centerline of said 15th Street;

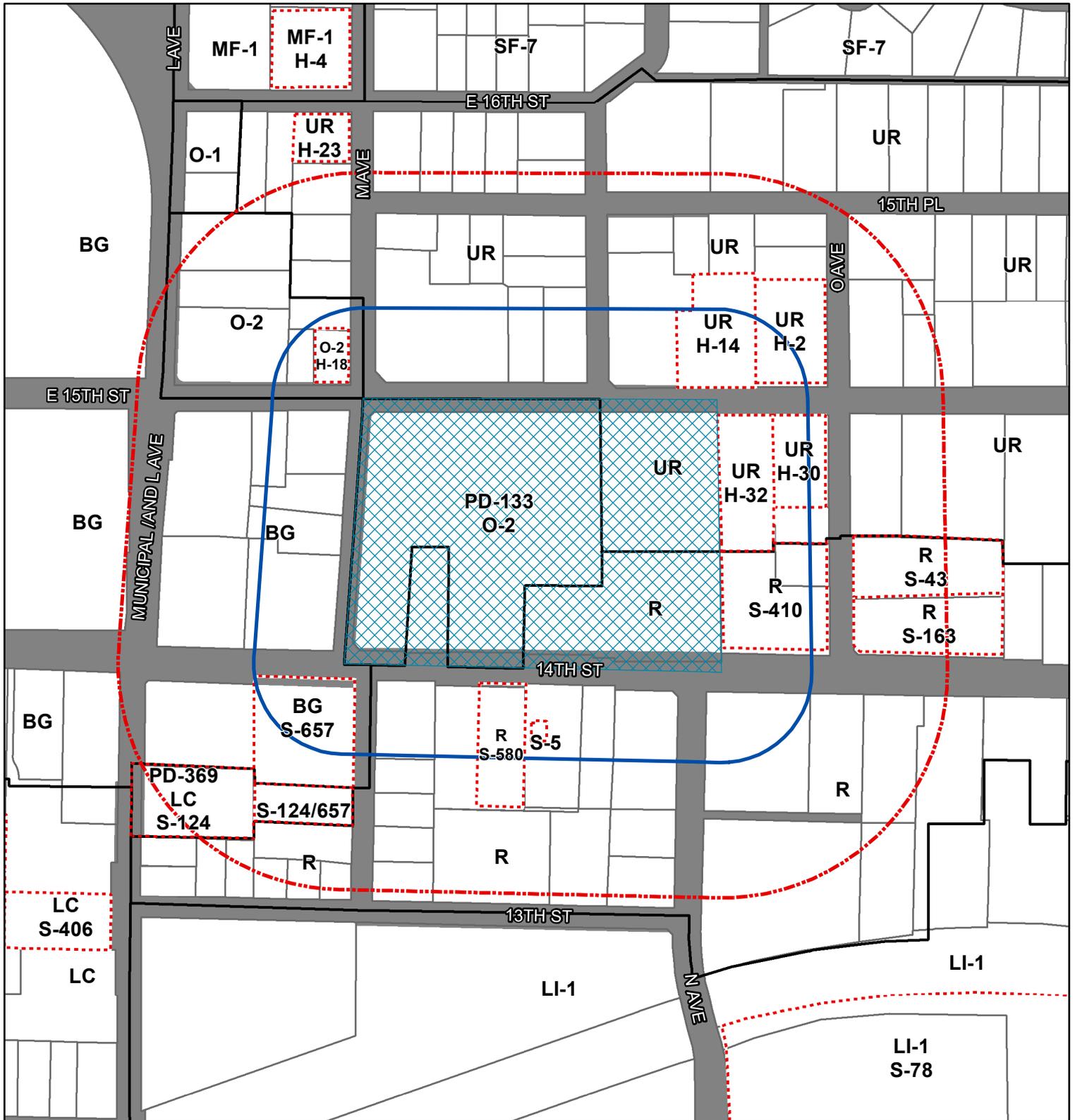
THENCE North 89°12'10" East, along the centerline of said 15th Street, a distance of 657.80 feet to the point of intersection of said centerline with the projected east line of said Lot 1R, Block A;

THENCE South 01°54'20" East along the projected east line part of the way and along the east line of said Lot 1R, Block A, a distance of 504.82 feet to the centerline of said 14th Street;

THENCE North 89°43'23" West, along the centerline of said 14th Street, a distance of 701.37 feet to the **POINT OF BEGINNING** and containing a computed area of 338,406 square feet or 7.77 acres of land, more or less.

Bearings and Distances called for herein are based on shape files provided by City of Plano as directed.

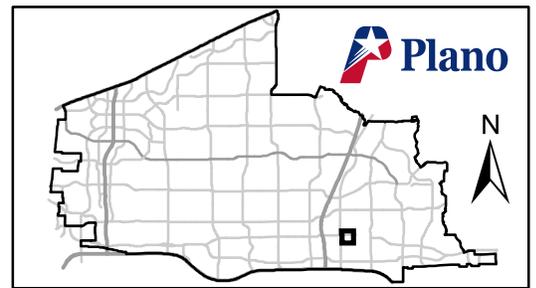
This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



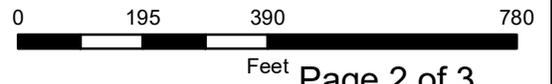
Zoning Case: 2019-008

Existing Zoning: Planned Development-133-General Office (PD-133-O-2), Retail (R), and Urban Residential (UR)

Proposed Zoning: Planned Development-133-Downtown Business/Government (PD-133-BG)



- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Zoning Boundary Change/SUP
- Municipal Boundaries
- Zoning Boundary
- Specific Use Permit
- Streets



Source: City of Plano

ORDINANCE NO. 2019-10-11

Zoning Case 2019-014

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 37 for Compact Construction and Transportation Equipment Sales & Service on 11.5 acres of land out of the Collin County School Land Survey No. 7, Abstract No. 153, located on the south side of State Highway 121, 330 feet east of Ohio Drive, in the City of Plano, Collin County, Texas, presently zoned Regional Commercial with Specific Use Permits No. 424 for Building Material Sales and No. 628 for Truck/Bus Leasing; 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.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 14th day of October, 2019, for the purpose of considering granting Specific Use Permit No. 37 for Compact Construction and Transportation Equipment Sales & Service on 11.5 acres of land out of the Collin County School Land Survey No. 7, Abstract No. 153, located on the south side of State Highway 121, 330 feet east of Ohio Drive, in the City of Plano, Collin County, Texas, presently zoned Regional Commercial with Specific Use Permits No. 424 for Building Material Sales and No. 628 for Truck/Bus Leasing; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 14th day of October, 2019; and

WHEREAS, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 37 for Compact Construction and Transportation Equipment Sales & Service on 11.5 acres of land out of the Collin County School Land Survey No. 7, Abstract No. 153, located on the south side of State Highway 121, 330 feet east of Ohio Drive, in the City of Plano, Collin County, Texas, presently zoned Regional Commercial with Specific Use Permits No. 424 for Building Material Sales and No. 628 for Truck/Bus Leasing; would not be detrimental or injurious to the public health, safety, and general welfare, or otherwise offensive to the neighborhood; and

ORDINANCE NO. 2019-10-11

WHEREAS, the City Council is of the opinion and finds that such change will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 37 for Compact Construction and Transportation Equipment Sales & Service on 11.5 acres of land out of the Collin County School Land Survey No. 7, Abstract No. 153, located on the south side of State Highway 121, 330 feet east of Ohio Drive, in the City of Plano, Collin County, Texas, presently zoned Regional Commercial with Specific Use Permits No. 424 for Building Material Sales and No. 628 for Truck/Bus Leasing, said property being described in the legal description on Exhibit "A" attached hereto.

Section II. The change granted in Section I is granted subject to the following:

Restrictions:

1. Maximum number of compact construction equipment: 12
2. Compact construction equipment must be stored on the western side of the subject property, must be fully screened from residential homes, and be a minimum of 400 feet south of the State Highway 121 right-of-way.
3. Allowed as an accessory use operated in conjunction with a building material sales superstore by the same operator.
4. No repairs or service of equipment are done onsite.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section IV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

ORDINANCE NO. 2019-10-11

Section V. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 14TH DAY OF OCTOBER, 2019.



For Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

FOR ZONING EXHIBIT ONLY

Being a tract of land situated in the Collin County School Land Survey No. 7, Abstract No. 153, Collin County, Texas, and being all of Lot 3R, Block A of HAGGAR SQUARE RETAIL CENTER ADDITION, an addition to the City of Plano, Collin County, Texas, as recorded in Cabinet L, Page 794, of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found for corner in the southeast right-of-way line of STATE HIGHWAY NO. 121, (variable width right-of-way), said iron rod being the most northerly corner of said Lot 3R, and also being the most westerly corner of Lot 2, Block A of HAGGAR SQUARE RETAIL CENTER ADDITION, an addition to the City of Plano, Collin County, Texas, as recorded in Cabinet K, Page 616, of the Deed Records of Collin County, Texas;

THENCE, departing said southeast right-of-way line of STATE HIGHWAY NO. 121, (variable width right-of-way), South 27° 56' 33" East a distance of 242.94 feet, to a ½ inch iron rod found for corner, said iron rod being a northerly corner of said Lot 3R, and being the southwest corner of said Lot 2;

THENCE, along a north line of said Lot 3R, and along the south line of said Lot 2, North 89° 35' 11" East, a distance of 316.85 feet, to a ½ inch iron rod found for corner, said iron rod being the northeast corner of said Lot 3R, and being the southeast corner of said Lot 2, and being in a west line of a tract of land conveyed to CAY TRUST NO. 2 AND THE NINE FIFTEEN TRUSTS, by deed, as recorded in County Clerk's File No. 95-0039500, of the Deed Records of Collin County,

Exhibit "A" to Ordinance No. 2019-10-11

Texas;

THENCE, departing said south line of Lot 2, and along a westerly line of said CAY TRUST tract, South 20° 26' 18" East, a distance of 269.34 feet, to a ½ inch iron rod found for corner;

THENCE, along a westerly line of said CAY TRUST tract, South 25° 42' 26" East a distance of 145.50 feet, to a point for corner from which a ½ inch iron rod found bears South 22° 05' 17" East, a distance of 2.27 feet, said point being the most easterly corner of said Lot 3R;

THENCE, South 63° 14' 46" West, a distance of 160.99 feet, to a ½ inch iron rod found for corner;

THENCE, South 00° 24' 49" East, a distance of 158.46 feet, to a ½ inch iron rod found for corner, said iron rod being the most southeasterly corner of said Lot 3R, and being a southeast corner of Lot 6, Block A of HAGGAR SQUARE RETAIL CENTER ADDITION, an addition to the City of Plano, Collin County, Texas, as recorded in Cabinet L, Page 794, of the Deed Records of Collin County, Texas;

THENCE, along the most southern line of said Lot 3R, South 89° 35' 11" West, a distance of 624.00 feet, to an 'X' cut found for corner, said 'X' cut being the most southwesterly corner of said Lot 3R;

THENCE, along a southwest line of said Lot 3R, North 00° 24' 49" West, a distance of 83.20

Exhibit "A" to Ordinance No. 2019-10-11

feet, to an 'X' cut found for corner and beginning of a curve to the left, said curve having a radius of 500.00 feet and a chord bearing North 10° 05' 55" West, a distance of 168.23 feet;

THENCE, along said curve to the left, through a central angle of 19° 22' 11" and an arc length of 169.03 feet, to an 'X' cut found for corner in an easterly line of said Lot 6;

THENCE, along an easterly line of said Lot 6, North 19° 47' 00" West, a distance of 227.27 feet, to an 'X' cut found for corner in an easterly line of said Lot 6, said 'X' cut being the beginning of a curve to the right, said curve having a radius of 200.00 feet and a chord bearing North 10° 05' 55" West, a distance of 67.29 feet;

THENCE, along said curve to the right, through a central angle of 19° 22' 11" and an arc length of 67.61 feet, to an 'X' cut found for corner;

THENCE, along a northeasterly line of said Lot 4, North 00° 24' 49" West, a distance of 115.05 feet, to an 'X' cut found for corner;

THENCE, along a northeast corner of said Lot 6, North 26° 14' 50" West, a distance of 25.83 feet, to a ½ inch iron rod found for corner in said southeast right-of-way line of STATE HIGHWAY NO. 121, (variable width right-of-way), said iron rod being the northwest corner of said Lot 3R, and being the beginning of a curve to the right, said curve having a radius of 5777.58 feet and a chord bearing North 62° 17' 52" East, a distance of 48.45 feet;

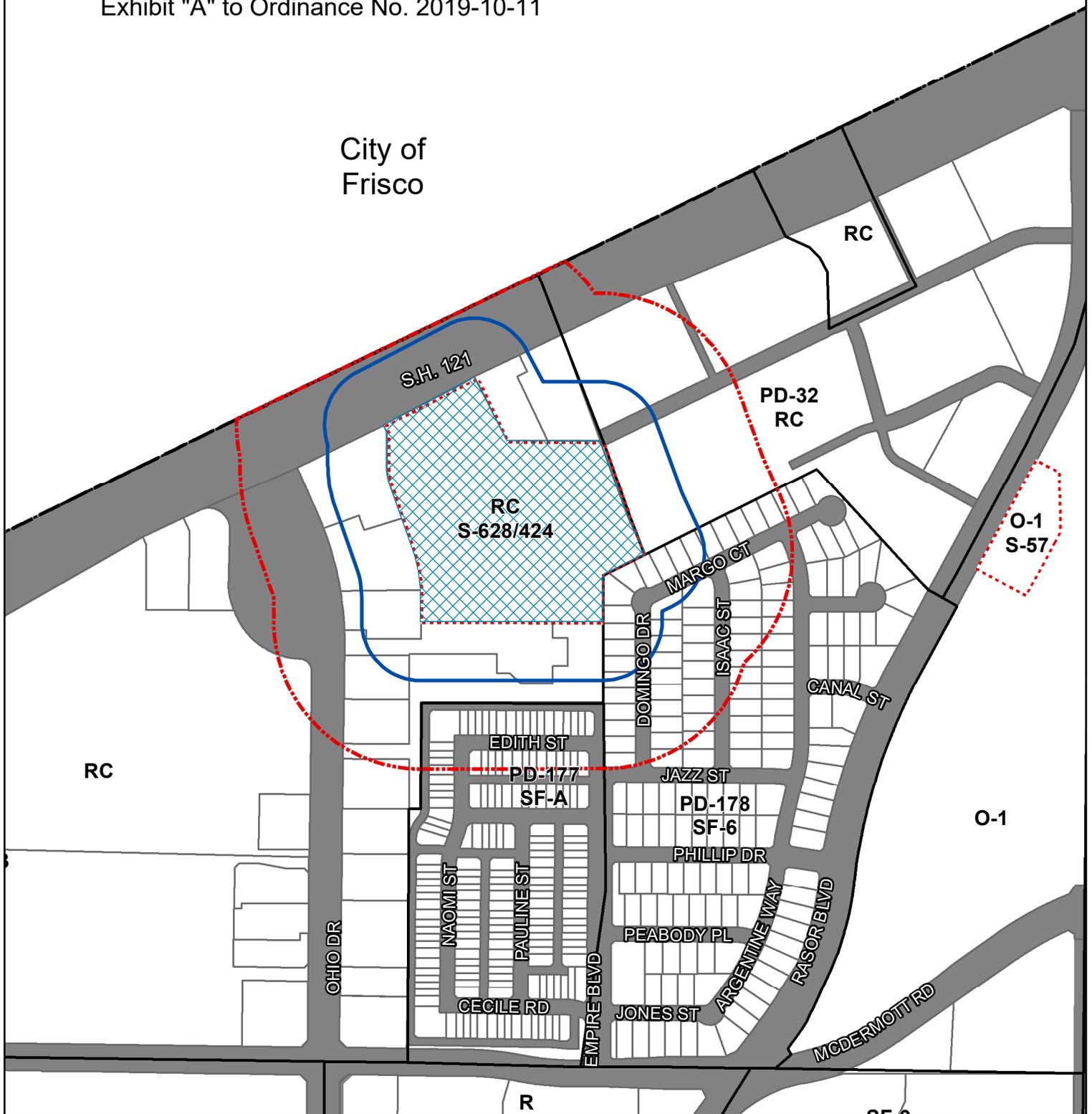
Exhibit "A" to Ordinance No. 2019-10-11

THENCE, along said curve to the right, through a central angle of $00^{\circ} 28' 50''$ and an arc length of 48.45 feet, to a $\frac{1}{2}$ inch iron rod found for corner in said southeast right-of-way line of STATE HIGHWAY NO. 121, (variable width right-of-way);

THENCE, along said southeast right-of-way line of STATE HIGHWAY NO. 121, (variable width right-of-way), North $62^{\circ} 03' 27''$ East, a distance of 302.14 feet, to the POINT OF BEGINNING;

Containing within these metes and bounds, 11.452 acres or 498,840 square feet of land, more or less. Bearings shown hereon are based upon the Final Plat of HAGGAR SQUARE RETAIL CENTER ADDITION, an addition to the City of Plano, Collin County, Texas, as recorded in Cabinet K, Page 616, of the Deed Records of Collin County, Texas.

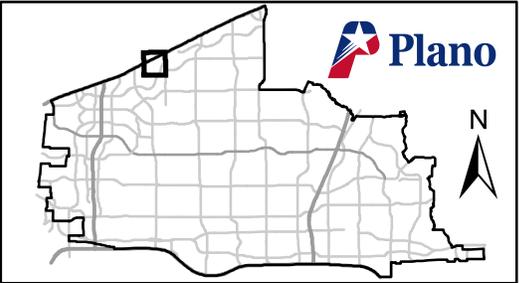
City of Frisco



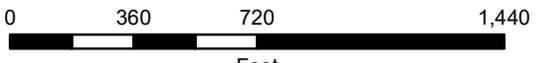
Zoning Case: 2019-014

Existing Zoning: Regional Commercial with Specific Use Permits No. 424 for Building Material Sales and No. 628 for Truck/Bus Leasing (RC w/ S-424 & S-628) and located within the State Highway 121 Overlay District

Proposed Zoning: Request for a Specific Use Permit for Compact Construction and Transportation Equipment Sales & Service



- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Zoning Boundary Change/SUP
- Municipal Boundaries
- Zoning Boundary
- Specific Use Permit
- Streets



Source: City of Plano

ORDINANCE NO. 2019-10-12

Zoning Case 2019-016

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 51 for Trade School on 0.1 acre of land out of the Ben F. Matthews Survey, Abstract No. 612, located 338 feet north of Park Boulevard and 263 feet east of K Avenue, 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, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 28th day of October 2019, for the purpose of considering granting Specific Use Permit No. 51 for Trade School on 0.1 acre of land out of the Ben F. Matthews Survey, Abstract No. 612, located 338 feet north of Park Boulevard and 263 feet east of K Avenue, in the City of Plano, Collin County, Texas, presently zoned Retail; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 28th day of October 2019; and

WHEREAS, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 51 for Trade School on 0.1 acre of land out of the Ben F. Matthews Survey, Abstract No. 612, located 338 feet north of Park Boulevard and 263 feet east of K Avenue, in the City of Plano, Collin County, Texas, presently zoned Retail, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

WHEREAS, the City Council is of the opinion and finds that such change will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

ORDINANCE NO. 2019-10-12

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 51 for Trade School on 0.1 acre of land out of the Ben F. Matthews Survey, Abstract No. 612, located 338 feet north of Park Boulevard and 263 feet east of K Avenue, in the City of Plano, Collin County, Texas, presently zoned Retail, said property being described in the legal description on Exhibit A attached hereto.

Section II. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section III. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

ORDINANCE NO. 2019-10-12

PASSED AND APPROVED THIS THE 28TH DAY OF OCTOBER 2019.



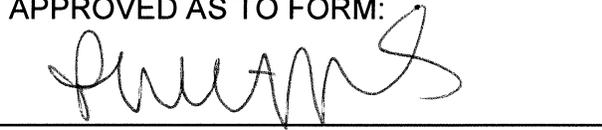
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

Zoning Case 2019-016

Being 3,782 square foot tract of land situated in the Ben F. Matthews Survey, Abstract No. 612, City of Plano, Collin County, Texas, and being a portion of Lot 1, Block 1, Greenville Park Shopping Center Addition, an Addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet F, Page 525, Map Records of Collin County, Texas, and being a portion of that certain tract of land conveyed to Kong's Investment Co. Inc. by deed recorded in Volume 5000, Page 19898, Deed Records, Collin County, Texas, and being more particularly described as follows:

COMMENCING at a 1 inch iron rod found for the northeast corner of said Lot 1, Block A, same being the southeast corner of Lot 1, Block 1, Howard / O Conner Addition, an Addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet F, Page 252, Map Records of Collin County, Texas, same being in the westerly right-of-way line of Dobie Drive (60' right-of-way);

THENCE, South 88 deg. 24 min. 00 sec. West, along the common line of said Lot 1, Block 1, Greenville Park Shopping Center Addition, and said Lot 1, Block 1, Howard/O Conner Addition, a distance of 97.05 feet to a point for the northeast corner of the herein described tract, some being the POINT OF BEGINNING;

THENCE, through the interior of said Lot 1, Block 1, Greenville Park Shopping Center Addition, as follows:

South 01 deg. 57 min. 00 sec. East, a distance of 62.31 feet to a point for the southeast corner of the herein described tract;

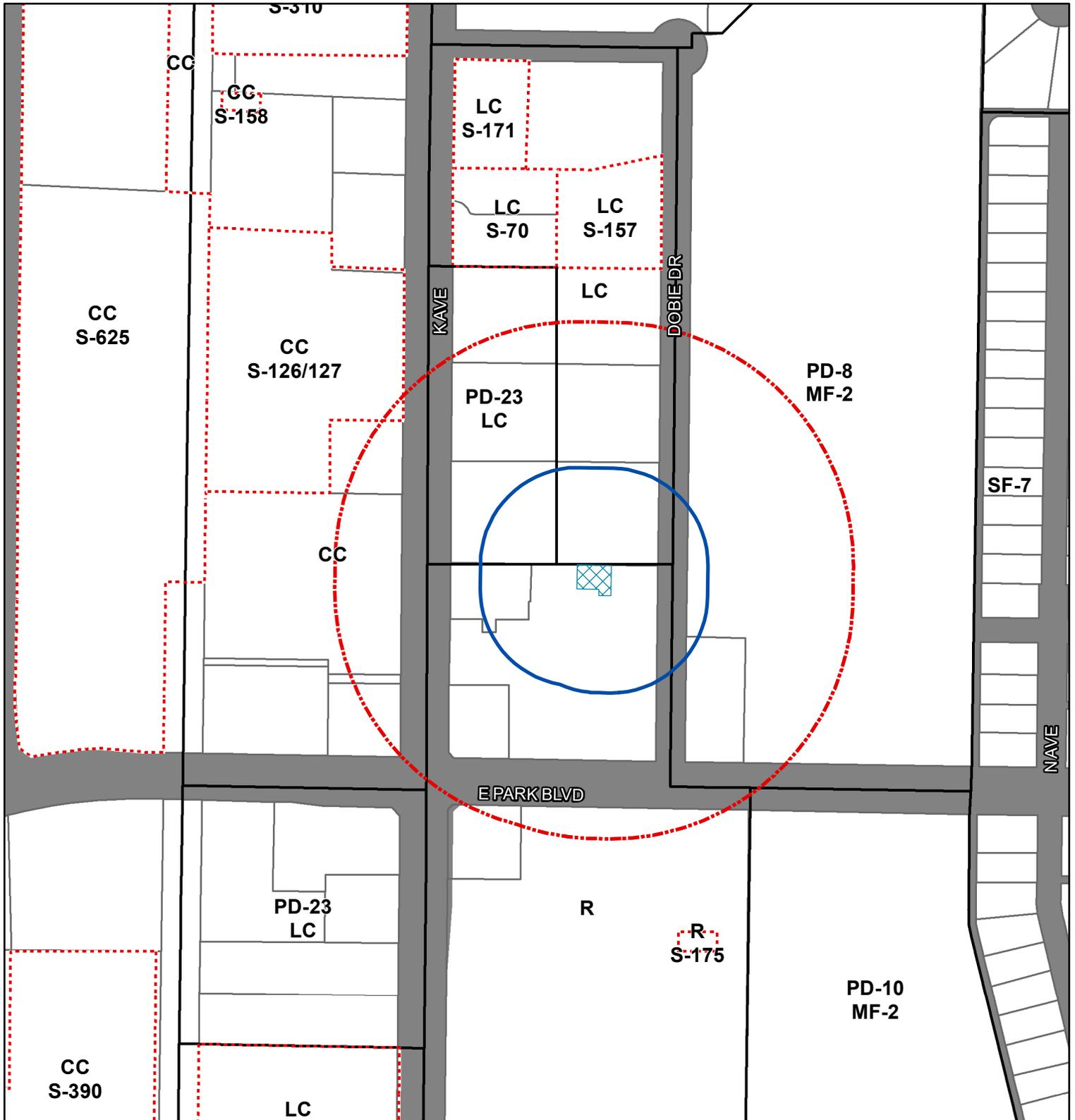
South 88 deg. 24 min. 00 sec. West, a distance of 25.00 feet to a point for the most southerly southwest corner of the herein described tract;

North 01 deg. 57 min. 00 sec. West, a distance of 12.90 feet to a point for corner;

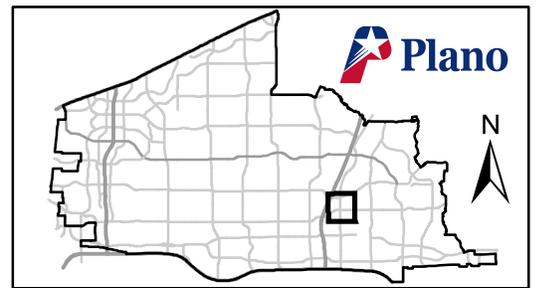
South 88 deg. 24 min. 00 sec. West, a distance of 45.00 feet to a point for the most westerly southwest corner of the herein described tract;

North 01 deg. 57 min. 00 sec. West, a distance of 49.41 feet to a point for the northwest corner of the herein described tract, same being in the north line of said Lot 1, Block 1, Greenville Park Shopping Center Addition, same being in the south line of aforesaid Lot 1, Block 1, Howard / O Conner Addition;

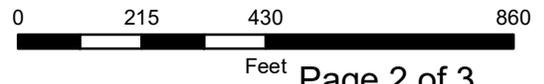
THENCE, North 88 deg. 24 min. 00 sec. East, along the common line of said Lot 1, Block 1, Greenville Park Shopping Center Addition and said Lot 1, Block 1, Howard/O Conner Addition, a distance of 70.00 feet to the POINT OF BEGINNING and CONTAINING 3,782 square feet or 0.087 acre of computed land, more or less.



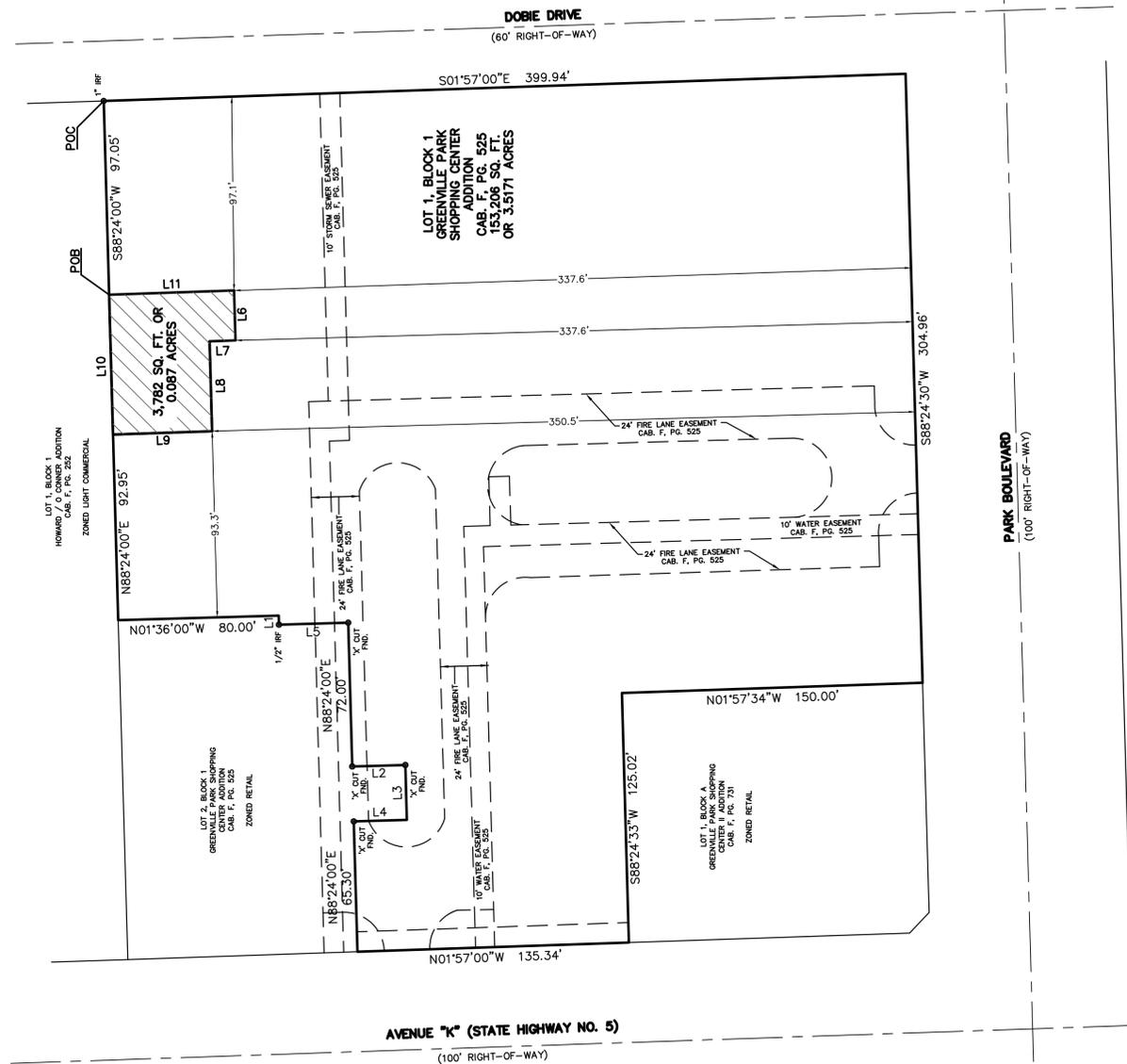
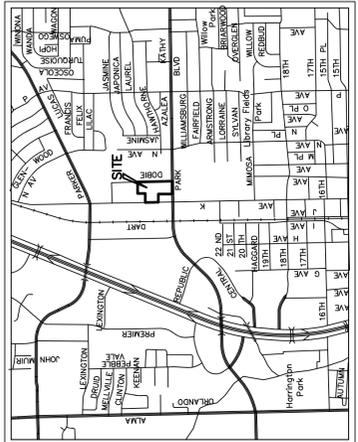
Zoning Case: 2019-016
 Existing Zoning: Retail
 Proposed Zoning: Request for a Specific Use Permit for Trade School



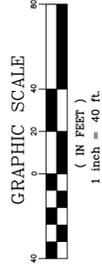
- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Zoning Boundary Change/SUP
- Municipal Boundaries
- Streets
- Zoning Boundary
- Subject Property



VICINITY MAP
N.T.S.



LINE	BEARING	DISTANCE
L1	N 88°24'00" E	4.50'
L2	N 01°36'00" W	26.47'
L3	N 88°24'00" E	27.50'
L4	S 01°36'00" E	26.47'
L5	N 01°36'00" W	34.53'
L6	S 88°24'00" W	25.00'
L7	N 01°57'00" W	12.90'
L8	S 88°24'00" W	45.00'
L9	N 01°57'00" W	49.41'
L10	N 88°24'00" E	70.00'
L11	S 01°57'00" E	62.31'



Owner:
Kong's Investment LP
2520 K Ave, Suite 700-260
Plano, Texas 75074
Contact: J. Kong
972-473-2219

Tenant:
Texan Beauty Academy
2540 K Ave, Suite 300,
Plano, Texas 75074
Contact: Anh Pham
972-473-2219
Junior76014@yaho.com

Being 3,782 square foot tract of land situated in the Ben F. Matthews Survey, Abstract No. 612, City of Plano, Collin County, Texas, and being a portion of Lot 1, Block 1, Greenville Park Shopping Center Addition, on Addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet F, Page 325, Map Records of Collin County, Texas, and being a portion of that certain tract of land conveyed to Kong's Investment Co., Inc., by deed recorded in Volume 5000, Page 19898, Deed Records, Collin County, Texas, and being more particularly described as follows:

COMMENCING at a 1 inch iron rod found for the northeast corner of said Lot 1, Block A, same being the southeast corner of Lot 1, Block 1, Howard / O Corner Addition, on Addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Cabinet F, Page 252, Map Records of Collin County, Texas, same being in the westerly right-of-way line of Double Drive (60' right-of-way);

THENCE South 88 deg. 24 min. 00 sec. West, along the common line of said Lot 1, Block 1, Greenville Park Shopping Center Addition, and said Lot 1, Block 1, Howard / O Corner Addition, a distance of 97.05 feet to a point for the northeast corner of the herein described tract, same being the POINT OF BEGINNING;

THENCE through the interior of said Lot 1, Block 1, Greenville Park Shopping Center Addition, as follows:
South 01 deg. 57 min. 00 sec. East, a distance of 62.31 feet to a point for the southeast corner of the herein described tract;
South 88 deg. 24 min. 00 sec. West, a distance of 25.00 feet to a point for the most southerly southwest corner of the herein described tract;
North 01 deg. 36 min. 00 sec. West, a distance of 12.90 feet to a point for corner;
North 88 deg. 24 min. 00 sec. West, a distance of 45.00 feet to a point for the most westerly southwest corner of the herein described tract;
North 01 deg. 57 min. 00 sec. West, a distance of 49.41 feet to a point for the northwest corner of the herein described tract, same being in the north line of said Lot 1, Block 1, Greenville Park Shopping Center Addition, same being in the south line of aforesaid Lot 1, Block 1, Howard / O Corner Addition;

THENCE North 88 deg. 24 min. 00 sec. East, along the common line of said Lot 1, Block 1, Greenville Park Shopping Center Addition and said Lot 1, Block 1, Howard / O Corner Addition, a distance of 70.00 feet to the POINT OF BEGINNING and containing 3,782 square feet or 0.087 acre of computed land, more or less.

NOTES:
1. IRF - Iron Rod Found
2. POC - Point of Commencing
3. POB - Point of Beginning
4. Basis of Bearing is the State Plane Coordinate System, North Texas Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.
5. No improvements have been shown.
6. This property has not been abstracted per the client's request, and this survey was performed without the benefit of a title commitment, all easements may not be shown.

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAT, OR PLAN. APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS, PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLAT, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION ON THIS ZONING CASE.

ZONING REQUIREMENTS:
This property is located within the City of Plano and Zoned Retail (R)
Minimum Lot Area - None
Minimum Lot Width - None
Minimum Lot Depth - None
Minimum Front Yard Setback is 50 feet
Minimum Side Yard Setback is 50 feet
Side Yard Setback is 50 feet adjacent to a street - none otherwise
Maximum Height is two stories or 35 feet Floor Area Ratio 0.6:1
Maximum Lot Coverage - 30%

ZONING CASE NO. ZC2019-016
ZONING EXHIBIT
SPECIAL USE PERMIT FOR TRADE SCHOOL
PORTION OF
LOT 1, BLOCK 1
GREENVILLE PARK SHOPPING CENTER ADDITION
0.087 ACRE
SITUATED IN THE BEN F. MATTHEWS SURVEY, ABST. NO. 612
CITY OF PLANO, COLLIN COUNTY, TEXAS
AUGUST 2019

JOB NO.:	19-0718	DATE:	8/20/2019
FIELD DATE:	8/16/2019	SCALE:	1" = 40'
DRAWN:	J.B.W.	CHECKED:	T.F.M.
PEISER & MANKIN SURVEYING, LLC www.peisersurveying.com COMMERCIAL BOUNDARIES TOPOGRAPHY MORTGAGE 1804 HART STREET PLANO, TEXAS 75074 817-441-1800 (F) 817-481-1809 (F) Tmankin@peisersurveying.com FIRM No. 100899-00 Member Since 1977			