PLANO CITY COUNCIL REGULAR SESSION February 26, 2024

COUNCIL MEMBERS PRESENT

John B. Muns, Mayor Kayci Prince, Mayor Pro Tem Maria Tu, Deputy Mayor Pro Tem Anthony Ricciardelli Rick Horne Shelby Williams Julie Holmer Rick Smith

STAFF PRESENT

Mark Israelson, City Manager Jack Carr, Deputy City Manager Shelli Siemer, Deputy City Manager Sam Greif, Deputy City Manager LaShon Ross, Deputy City Manager Paige Mims, City Attorney Lisa C. Henderson, City Secretary

Mayor Muns convened the Council into the Regular Session on Monday, February 26, 2024, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue and via videoconference. A quorum was present.

Invocation and Pledge

Dr. Terren Dames with North Dallas Community Bible Fellowship led the invocation and Brownie Troop 1674 with Custer Road United Methodist Church led the Pledge of Allegiance and Texas Pledge.

Consent Agenda

MOTION: Upon a motion made by Councilmember Ricciardelli and seconded by Councilmember Horne the Council voted 8-0 to approve all items on the Consent Agenda, except Item "O" as follows:

Approval of Minutes

February 12, 2024 (Consent Agenda Item "A")

Approval of Expenditures

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

RFB No. 2023-0693-ER for an initial term of \$2,443,200 or two (2) years, whichever occurs first, with two (2) City optional renewals for Residential Alley Repairs Requirements Contract - 2023, Project No. PW-S-00050, for the Public Works Department to Urban Infraconstruction, LLC in the amount of \$2,443,200 for each term; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

RFB No. 2024-0113-AC for a one (1) year contract with five (5) one-year automatic renewals for Median and Right-of-Way Mowing, Group A, for Parks and Recreation Department to Carruthers Landscape Management, Inc. in the estimated annual amount of \$99,680; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

RFB No. 2024-0063-AC for a one (1) year contract with three (3) one-year automatic renewals for Professional Food Service Personnel for the Plano Event Center to Mangwenya LLC in the estimated annual amount of \$314,650; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "D")

RFB No. 2024-0151-B for Building No. 30 Animal Shelter 2023 Renovations, Project No. FAC-F-7618, for the Engineering Department to Native Consolidated Management LLC DBA Native Construction in the amount of \$509,844; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "E")

Purchase from an Existing Contract

Rescind award of RFB No. 2021-0432-O for one (1) Six Yard Dump Truck for Fleet Services in the amount of \$99,269 from MHC Kenworth-Dallas and to approve the purchase of one (1) Six Yard Dump Truck for Fleet Services from Southwest International Trucks in the amount of \$117,969 through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 723-23) (Consent Agenda Item "F")

To approve the purchase of two (2) Ventrac Tractors, one (1) Utility Vehicle, one (1) Greens Roller, one (1) Turf Sprayer, and one (1) Sweeper for Fleet Services in the amount of \$279,131 from Professional Turf Products through existing contracts; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 706-23 and Sourcewell Contract No. 031121-TTC) (Consent Agenda Item "G")

Approval of Change Order

To approve an increase to the current awarded contract amount of \$4,782,963 by \$280,950, for a total amount of \$5,063,913, for Collin Creek Wastewater Improvements, Project No. 7230, from A & B Construction, LLC for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0455-B; Change Order No. 1) (Consent Agenda Item "H")

To ratify an increase to the current awarded contract amount of \$3,332,210 by \$285,909, for a total contract amount of \$3,618,119, for West Arterial Overlay - 2023, Project No. 7541, from Texas Materials Group, Inc. dba Texas Bit for the Public Works Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2023-0341-B; Change Order No. 1) (Consent Agenda Item "I")

Approval of Request

To call a public hearing to initiate a petition for rezoning of certain properties from Planned Development-381-Retail/General Office and Agricultural to Light Industrial-1 located south of Lotus Drive and north of President George Bush Turnpike at Independence Parkway. (Consent Agenda Item "J")

Approval of Expenditure

To approve an expenditure in the amount of \$1,040,660 for the purchase of a Sanitary Sewer Easement and a Temporary Construction Easement located at 2700 West Plano Parkway from 2700 Plano Parkway LLC; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "K")

To approve an expenditure for engineering professional services for Winding Hollow Drainage Improvements, Project No. ENG-D-00006, in the amount of \$379,000 from Halff Associates, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "L")

Approval of Contract / Agreement

To approve a Memorandum of Understanding between the City of Plano and Dallas Area Rapid Transit (DART), for ensuring the cleanliness of the equipment maintenance facility, wash buildings, and surrounding site for the proposed Silver Line Maintenance Facility; authorizing the City Manager to execute all necessary documents; and providing an effective date. (Consent Agenda Item "M")

To approve an Interlocal Agreement between Collin County and the City of Plano for use of county funds in the 2018 Parks and Open Space Bond Project for construction of the Chisholm Trail Extension; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "N")

End of Consent

Ordinance No. 2024-2-3: To provide certain Heritage Resources within the City of Plano ad valorem tax relief as allowed by the Heritage Tax Exemption Ordinance to provide for reinvestment into maintenance and long-term preservation of historic structures, providing a severability clause, and an effective date. (Consent Agenda Item "O")

MOTION: Upon a motion made by Councilmember Ricciardelli and seconded by Councilmember Williams, the Council voted 8-0 to provide certain Heritage Resources within the City of Plano ad valorem tax relief as allowed by the Heritage Tax Exemption Ordinance to provide for reinvestment into maintenance and long-term preservation of historic structures; with direction for staff to work with budget and include in the re-estimate; and further to adopt Ordinance No. 2024-2-3.

Public Hearing and adoption of Ordinance No. 2024-2-4 as requested in Zoning Case 2023-021 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, rezoning 5.0 acres of land located on the west side of Enterprise Drive, 175 feet north of Park Boulevard in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-72-Single-Family Residence Attached; 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. Petitioner: Fairview Farm Land Company, Ltd. (Regular Item "1")

Mayor Muns opened the public hearing. No one requested to speak. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Councilmember Horne, the Council voted 8-0 to rezone 5.0 acres of land located on the west side of Enterprise Drive, 175 feet north of Park Boulevard in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-72-Single-Family Residence Attached; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2023-021; and further to adopt Ordinance No. 2024-2-4.

The Council took a brief recess at 7:24 p.m. to complete findings forms and reconvened at 7:30 p.m.

Public Hearing and adoption of Ordinance No. 2024-2-5 as requested in Zoning Case 2023-029 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 63 for Electrical Substation on 3.4 acres of land located 1,440 feet west of North Star Road and 940 feet south of Plano Parkway in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center, 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. Petitioner: Plano Property Owner, LP (Regular Item "2")

Mayor Muns opened the public hearing. Bill Dahlstrom with Jackson Walker, LLP and Cameron Lassiter with Aligned Data Center were available to answer questions regarding the project. Mayor Muns closed the public hearing.

Public Hearing and adoption of Ordinance No. 2024-2-5 (Cont'd.)

MOTION: Upon a motion made by Councilmember Horne and seconded by Councilmember Smith, the Council voted 8-0 to grant Specific Use Permit No. 63 for Electrical Substation on 3.4 acres of land located 1,440 feet west of North Star Road and 940 feet south of Plano Parkway in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center, directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2023-029; and further to adopt Ordinance No. 2024-2-5.

Public Hearing and adoption of Ordinance No. 2024-2-6 as requested in Zoning Case 2023-014 to amend Article 8 (Definitions), Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-specific Regulations), and Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to allow commercial drone delivery hubs and to include provisions for advanced air mobility aircraft; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: City of Plano (Tabled at the October 23, 2023, and November 27, 2023, City Council meetings.) (Regular Item "3")

Mayor Muns opened the public hearing. Scott Shtofman, with Association of Uncrewed Vehicle Systems International, Kellyn Blossom with Zipline, Justin Shore with Wing, and Grant Guillot with Drone Up requested the item be remanded to the Planning & Zoning Commission. Delbert and Crystal Cantu and Adrian Doko spoke to the benefits of drone delivery. Mayor Muns closed the public hearing.

- **MOTION:** Upon a motion made by Mayor Pro Tem Prince and seconded by Councilmember Ricciardelli, the Council voted 3-5, with Mayor Muns, Deputy Mayor Pro Tem Tu and Councilmembers Williams, Holmer and Smith in opposition, to remand the item to the Planning & Zoning Commission. Motion Failed.
- **MOTION:** Upon a motion made by Councilmember Holmer and seconded by Councilmember Smith, the Council voted 5-3, with Mayor Pro Tem Prince and Councilmembers Ricciardelli and Horne in opposition, to amend Article 8 (Definitions), Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-specific Regulations), and Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to allow commercial drone delivery hubs and to include provisions for advanced air mobility aircraft; as requested in Zoning Case 2023-014; with the direction to review the ordinance within 12 months; and further to adopt Ordinance No. 2024-2-6.

Public Hearing and adoption of Ordinance No. 2024-2-7 as requested in Zoning Case 2023-019 to amend Article 3 (Site Plan Review), Article 5 (Variances and Appeals of Administrative Decisions), Article 7 (Nonconformities), Article 9 (Residential Districts), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-specific Regulations), and Article 20 (Screening, Fence and Wall Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to recent state legislative actions to ensure compliance with state law, including amendments related to Senate Bill 929; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: City of Plano (Regular Item "4")

Mayor Muns opened the public hearing. No one requested to speak. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Councilmember Williams and seconded by Councilmember Holmer, the Council voted 8-0 to amend Article 3 (Site Plan Review), Article 5 (Variances and Appeals of Administrative Decisions), Article 7 (Nonconformities), Article 9 (Residential Districts), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-specific Regulations), and Article 20 (Screening, Fence and Wall Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to recent state legislative actions to ensure compliance with state law, including amendments related to Senate Bill 929; as requested in Zoning Case 2023-019; and further to adopt Ordinance No. 2024-2-7.

Public Hearing and adoption of Ordinance No. 2024-2-8 as requested in Subdivision Ordinance Amendment 2023-003 to amend the Introduction and Procedural Overview, Article I (General Provisions), Article II (Definitions), Article III (Platting Procedures), Article IV (Assurance for Completion and Maintenance of Improvements), Article V (Requirements for Public Improvements, Reservation and Design), and Article VII (Replatting Procedures) of the Subdivision Ordinance of the City, Ordinance No. 2017-11-4, as heretofore amended, related to House Bill 3699, including extension of certain plat approval authority to staff as permitted under the bill; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: City of Plano (Regular Item "5")

Mayor Muns opened the public hearing. No one requested to speak. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Councilmember Smith, the Council voted 8-0 to amend the Introduction and Procedural Overview, Article I (General Provisions), Article II (Definitions), Article III (Platting Procedures), Article IV (Assurance for Completion and Maintenance of Improvements), Article V (Requirements for Public Improvements, Reservation and Design), and Article VII (Replatting Procedures) of the Subdivision Ordinance of the City, Ordinance No. 2017-11-4, as heretofore amended, related to House Bill 3699, including extension of certain plat approval authority to staff as permitted under the bill; as requested in Subdivision Ordinance Amendment 2023-003; and further to adopt Ordinance No. 2024-2-8. Plano City Council Regular Session February 26, 2024

Comments of Public Interest

Alex Stein addressed the Council. Sean Strickland addressed the Council.

Deputy Mayor Pro Tem Tu left the meeting at 8:42 p.m.

With no further discussion, the Regular City Council Meeting adjourned at 8:44 p.m.

John B. Muns, Mayor

ATTEST:

Lisa C. Henderson, City Secretary



MEETING DATE

Monday, February 12, 2024

RESULTS

I, Mayor/Councilmember $\underline{\mathcal{H}}\nu \mathcal{NS}$, after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

- 1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: IT PROVIDES HOUSING OF NEED and
- 2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: SING/E FAMILY HOUSING; and
- 3. The request is consistent with other policies, actions, maps:
 - ☑ Future Land Use Map and Dashboards Description & Priorities
 - I Future Land Use Map and Dashboards Mix of Uses
 - Future Land Use Map and Dashboards Character Defining Elements
 - D Thoroughfare Plan Map & Cross Sections
 - Bicycle Transporation Plan Map
 - Parks Master Plan Map
 - □ Expressway Corridor Environmental Health Map
 - □ Undeveloped Land Policy Action 3 (UL3)
 - □ Redevelopment & Growth Management Policy Action 8 (RGM8)
 - □ Other:
- 4. Comments on any of the above which further explain my position:

MIL

Signature

2-24-24 Date



MEETING DATE

Monday, February 12, 2024

RESULTS

I, Mayor/Councilmember 444, after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

- 1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: <u>IFPRUIES MUCH NECED</u> OUSING IN AN INFILL and OWNOPMENT.
- 2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: <u>N(W) how Sing is available</u> (e and
- 3. The request is consistent with other policies, actions, maps:
 - Future Land Use Map and Dashboards Description & Priorities

Future Land Use Map and Dashboards – Mix of Uses

- Future Land Use Map and Dashboards Character Defining Elements
- □ Thoroughfare Plan Map & Cross Sections
- □ Bicycle Transporation Plan Map
- Parks Master Plan Map
- □ Expressway Corridor Environmental Health Map
- □ Undeveloped Land Policy Action 3 (UL3)
- Redevelopment & Growth Management Policy Action 8 (RGM8)
- □ Other: _____
- 4. Comments on any of the above which further explain my position: _____

aň/ature

Date



MEETING DATE

Monday, February 12, 2024

RESULTS

MARIA

I, Mayor/Councilmember \underline{IU} , after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

- The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: <u>HousinG OPTIONS</u>; and
- The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: <u>MDRE RESIDENTIAL HOUSING</u>; and
- 3. The request is consistent with other policies, actions, maps:
 - ☑ Future Land Use Map and Dashboards Description & Priorities
 - □ Future Land Use Map and Dashboards Mix of Uses
 - □ Future Land Use Map and Dashboards Character Defining Elements
 - □ Thoroughfare Plan Map & Cross Sections
 - □ Bicycle Transporation Plan Map
 - □ Parks Master Plan Map
 - □ Expressway Corridor Environmental Health Map
 - □ Undeveloped Land Policy Action 3 (UL3)
 - □ Redevelopment & Growth Management Policy Action 8 (RGM8)
 - □ Other: _____
- 4. Comments on any of the above which further explain my position:

Signatúre

2/26/24 Date



MEETING DATE

Monday, February 12, 2024

RESULTS

I, Mayor/Councilmember $\frac{1}{1}$, after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

- 1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: I Provides more Single-family has in Plano; and
- 3. The request is consistent with other policies, actions, maps:
 - ☑ Future Land Use Map and Dashboards Description & Priorities
 - 🖄 Future Land Use Map and Dashboards Mix of Uses
 - □ Future Land Use Map and Dashboards Character Defining Elements
 - □ Thoroughfare Plan Map & Cross Sections
 - □ Bicycle Transporation Plan Map
 - □ Parks Master Plan Map
 - □ Expressway Corridor Environmental Health Map
 - □ Undeveloped Land Policy Action 3 (UL3)
 - □ Redevelopment & Growth Management Policy Action 8 (RGM8)
 - □ Other: _____
- 4. Comments on any of the above which further explain my position: $\frac{please}{\sqrt{1 met hg}}$.

KCIK Date Signature



MEETING DATE

Monday, February 12, 2024

RESULTS

I, Mayor/Councilmember _____, after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

- 1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: <u>provides and increases the Varian Anousia</u>; and
- 2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: <u>unique architecture thef</u>; and will provide gealing house
- 3. The request is consistent with other policies, actions, maps:
 - ☑ Future Land Use Map and Dashboards Description & Priorities

If Future Land Use Map and Dashboards – Mix of Uses

- S Future Land Use Map and Dashboards Character Defining Elements
- □ Thoroughfare Plan Map & Cross Sections
- Bicycle Transporation Plan Map
- 🔽 Parks Master Plan Map
- Expressway Corridor Environmental Health Map
- □ Undeveloped Land Policy Action 3 (UL3)
- □ Redevelopment & Growth Management Policy Action 8 (RGM8)
- □ Other: _____

4. Comments on any of the above which further explain my position: only the height of the units drives the requirement for findings.

Sianature

 $\frac{2/26/24}{Date}$



MEETING DATE

Monday, February 42, 2024

RESULTS

RESULTS Shelby Williams I, Mayor/Councilmember _____, after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

- 1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: the Land use & Housing Mix is consistent w/ complain and
- 2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: it diversifies all ownership, options and
- 3. The request is consistent with other policies, actions, maps:
 - ☑ Future Land Use Map and Dashboards Description & Priorities

Y Future Land Use Map and Dashboards – Mix of Uses

- If Future Land Use Map and Dashboards Character Defining Elements
- □ Thoroughfare Plan Map & Cross Sections
- □ Bicycle Transporation Plan Map
- □ Parks Master Plan Map
- Expressway Corridor Environmental Health Map
- □ Undeveloped Land Policy Action 3 (UL3)
- □ Redevelopment & Growth Management Policy Action 8 (RGM8)
- □ Other:
- 4. Comments on any of the above which further explain my position: This is a unique,

Signature

1/26/2024



MEETING DATE

Monday, February 12, 2024

RESULTS

I, Mayor/Councilmember House after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

- 1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: affers additional housing options, and
- 2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: and
- 3. The request is consistent with other policies, actions, maps:
 - ☑ Future Land Use Map and Dashboards Description & Priorities
 - □ Future Land Use Map and Dashboards Mix of Uses
 - □ Future Land Use Map and Dashboards Character Defining Elements
 - □ Thoroughfare Plan Map & Cross Sections
 - Bicycle Transporation Plan Map
 - Parks Master Plan Map
 - Expressway Corridor Environmental Health Map
 - □ Undeveloped Land Policy Action 3 (UL3)
 - □ Redevelopment & Growth Management Policy Action 8 (RGM8)
 - □ Other:

4. Comments on any of the above which further explain my position: Comp Plan is their wo complaints about the from heighbor indicated above outweigh the project's incompatibility with the mix of uses, density, or building heights favored by the Future Land Use Map Dashboard of the Comprehensive Plan.

Julie Molmer Vignature

2/24/2024 Date



MEETING DATE

Monday, February 12, 2024

RESULTS

I, Mayor/Councilmember \underline{Smrt} , after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

- 1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: <u>Addim neared Addim mac Single France (y - Approv)</u>; and <u>Investing</u>
- 2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: <u>neifs</u> housing neighbors; and
- 3. The request is consistent with other policies, actions, maps:
 - ☑ Future Land Use Map and Dashboards Description & Priorities
 - □ Future Land Use Map and Dashboards Mix of Uses
 - □ Future Land Use Map and Dashboards Character Defining Elements
 - □ Thoroughfare Plan Map & Cross Sections
 - □ Bicycle Transporation Plan Map
 - □ Parks Master Plan Map
 - Expressway Corridor Environmental Health Map
 - □ Undeveloped Land Policy Action 3 (UL3)
 - □ Redevelopment & Growth Management Policy Action 8 (RGM8)
 - □ Other: _____
- 4. Comments on any of the above which further explain my position: _____

Signature

2/24/24