

**PLANO CITY COUNCIL  
REGULAR SESSION  
September 20, 2022**

**COUNCIL MEMBERS PRESENT**

John B. Muns, Mayor  
Kayci Prince, Mayor Pro Tem  
Maria Tu, Deputy Mayor Pro Tem  
Anthony Ricciardelli  
Rick Grady via Zoom  
Shelby Williams  
Julie Holmer arrived at 7:09 p.m. via Zoom  
Rick Smith

**STAFF PRESENT**

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

Mayor Muns convened the Council into the Regular Session on Monday, September 20, 2022 at 7:07 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**

Mayor Muns led the invocation and Jr. Girl Scout Troop 1674 with Custer Road United Methodist Church led the Pledge of Allegiance and Texas Pledge.

**Comments of Public Interest**

Bill France spoke to short term rentals.  
Judi Neal spoke to the North Texas Pride Festival over the weekend.  
Morris Garcia spoke to the North Texas Pride Festival over the weekend and provided a plaque of appreciation to the Police Department.  
Dianna Biscan spoke to the North Texas Pride Festival over the weekend.  
Greg Patillo spoke to short term rentals.  
Linda McConnell spoke to an issue regarding a banner permit.

**Items from Preliminary Open Meeting**

- **Consent and Regular Agendas**  
Item "I" was pulled for individual consideration by staff.

**Consent Agenda**

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

## **Approval of Expenditures**

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

**RFB No. 2022-0605-B** for one (1) Concrete Truck with 10.5 Yard Mixer for Fleet Services to be used by Streets to Southwest International Trucks, Inc. in the estimated amount of \$170,833; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “A”)

**RFP No. 2022-173-AC** for a one (1) year contract with five (5) automatic one-year renewals for Third Party Claims Administrator to Risk Management Division to Corvel Enterprise Comp, Inc. in the estimated annual amount of \$445,424; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**RFB No. 2022-0501-AC** for a one (1) year contract with three (3) automatic one-year renewals for Chevrolet Automotive and Light Truck OEM Parts for Inventory Control and Asset Disposal Department to Friendly Chevrolet, LTD in the estimated annual amount of \$110,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

## **Approval of Contract Modification**

To approve an increase to the current awarded contract amount of \$73,278 by \$38,619, for a total contract amount of \$111,897, for Materials Testing for Oak Point Recreation Center Outdoor Pool, Project No. 7034.1, from ECS Southwest, LLP for the Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Agreement No. 2021-0157-X, Modification No. 2) (Consent Agenda Item “D”)

## **Approval of Expenditure**

To approve an expenditure in the amount of \$476,700 for the purchase of real property located at 1605 L Avenue from the Burchett Family Living Trust; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

To approve an expenditure in the amount of \$405,320 for the professional design services of the Fuel Station at Highpoint Parks Maintenance, Project No. 7523, from Approach Environmental, LLC; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

To approve an expenditure for Architectural Services for Fire Station 5 Expansion and Renovation in the amount of \$730,500 from Martinez Architects for the Facilities Division; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

## **Adoption of Resolutions**

**Resolution No. 2022-9-13(R):** To approve the re-appointment of the Health Authority for the City of Plano, Dr. Mark A. Gamber, D.O., through Questcare Medical Services, PLLC, in accordance with Section 121.033 of the Texas Health and Safety Code; approving the First Modification Agreement between the City of Plano and Questcare Medical Services, PLLC for Professional Services; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “H”)

## **End of Consent**

**Ordinance No. 2022-9-14:** To amend Section 2-136 of Article VI. Emergency Management of Chapter 2 Administration of the City of Plano Code of Ordinances to revise the Comprehensive Emergency Management Plan; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “I”)

**MOTION:** Upon a motion made by Mayor Pro Tem Prince and seconded by Deputy Mayor Pro Tem Tu, the Council voted 8-0 to amend Section 2-136 of Article VI. Emergency Management of Chapter 2 Administration of the City of Plano Code of Ordinances to revise the Comprehensive Emergency Management Plan; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date; and further to adopt Ordinance No. 2022-9-14.

**Public Hearing and adoption of Ordinance No. 2022-9-15** to grant the appeal of the Planning & Zoning Commission's denials of Zoning Case 2022-011 and Concept Plan 2022-009. Request to rezone 7.8 acres from Planned Development-12-Single-Family Residence-7 to Planned Development-12-Multifamily Residence-1 and request for 80 multifamily dwelling units on one lot on 6.8 acres located at the northeast corner of Jupiter Road and Los Rios Boulevard. Zoned Planned Development-12-Single-Family Residence-7. Applicant: Al Dewan Properties, LLC (Tabled at the September 12, 2022, City Council meeting.) (Regular Item “1”)

Mayor Muns opened the public hearing. Angela Hunt, representing the applicant, Manish Verma and Daniel Hendren, applicants, spoke to the project. Curtis Slough, HOA president of Timberbrook Estates, Patricia Cole, Ruth Platt and Randy Konkel spoke in opposition to the project. Ann Lott, Executive Director of Inclusive Communities Project and LaTrisha Woods, representing Inclusive Communities Project, spoke in support of the project. One opinion of opposition was registered. Mayor Muns closed the public hearing.

Council recessed at 8:35 p.m. and reconvened at 8:45 p.m.

### **Public Hearing and adoption of Ordinance No. 2022-9-15 (Cont'd.)**

After discussion, Council expressed concurrence for the following stipulations:

1. Maximum Number of Units: 80
2. Maximum Building Height: 2-Story, 30 feet
3. All residential units must be developed according to the standards of the SF-A district as permitted under the alternate standards of the base zoning. This includes allowance of density, building length, and open space as shown consistent with Concept Plan 2022-009.
4. A maximum of 14 units may have a minimum floor area of 600 square feet.
5. If developed as a single lot, the following will be provided consistent with multifamily development standards of the city: stacked units, parking, access for units internal to the site via a private gated driveway, fencing, and trash service.
6. Building design and massing will be based on the renderings provided in the public hearings and attached as an exhibit to this ordinance.
7. Financial participation regarding the signalization and expansion of Los Rios Boulevard will be consistent with the Subdivision Ordinance regulations and concurrent with any development on the property.
8. Trees are required in the landscape edge along Los Rios Boulevard placed 25 feet on-center.

Additionally, the City Council allows the ordinance to be signed granting the appeal without further consideration by the Council.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Grady, the Council voted 8-0, to grant the appeal of the Planning & Zoning Commission's denials of Zoning Case 2022-011 and Concept Plan 2022-009. Request to rezone 7.8 acres from Planned Development-12-Single-Family Residence-7 to Planned Development-12-Multifamily Residence-1 and request for 80 multifamily dwelling units on one lot on 6.8 acres located at the northeast corner of Jupiter Road and Los Rios Boulevard. Zoned Planned Development-12-Single-Family Residence-7; as requested in Zoning Case 2022-011 and Concept Plan 2022-009; with the stipulations above; and further to adopt Ordinance No. 2022-9-15. Finding Forms are attached as required by Ordinance No. 2021-9-30.

Council recessed at 9:14 p.m. and reconvened at 9:20 p.m.

Mayor Pro Tem Prince stepped away from the dais due to a conflict of interest.

**Public Hearing and adoption of Ordinance No. 2022-9-16** as requested in Zoning Case 2022-003 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend and expand Planned Development-129-General Office on 63.6 acres of land and repeal Ordinance No. 2011-3-22 in its entirety; thereby, rescinding Specific Use Permit No. 609 for Helistop on 9.1 acres of land located at the northeast corner of Coit Road and 15th Street in the City of Plano, Collin County, Texas; 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. Applicants: HSP of Texas, Inc, Columbia Medical Center of Plano Subsidiary, LP, DHC Plano Medical Center, and Texas Psychiatric Co. Inc. (Regular Item “2”)

Mayor Muns opened the public hearing. Jyric Sims, Christina Mathis, Scott Van Poppel, Kelly Whitney and Brandon Meek, representing the applicant, spoke to the project. Royse Clayton, Judy Malandrucolo, HOA President of Park Bluff Condominiums, James Merrill, Michael Standeven, James Doyle, Dan Thomas, Mark Thomas of Thomas Architects, Mike Farmer, Marc Liebman, Erich Friend with Acoustonica and Barry Knight, representing Aspen Court Apartments spoke in opposition to the project. Damita Williams and Nathan Barbera spoke in support of the project. One opinion of support was registered. Mayor Muns Closed the public hearing.

Council Member Ricciardelli made a motion to table the item to the October 10<sup>th</sup> meeting, seconded by Council Member Smith. After further discussion, Council Member Smith withdrew his second. Council Member Williams seconded the motion to table. The Council voted 2-5, with Council Members Ricciardelli and Williams in support. Motion failed.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Mayor Muns, the Council voted 6-1-1, with Council Member Williams in opposition and Mayor Pro Tem Prince abstaining, to amend and expand Planned development-129-General Office on 63.6 acres of land and repeal Ordinance No. 2011-3-22 in its entirety; thereby, rescinding Specific Use Permit No. 609 for Helistop on 9.1 acres of land located at the northeast corner of Coit Road and 15th Street in the City of Plano, Collin County, Texas; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2022-003; and further to adopt Ordinance No. 2022-9-16.

Mayor Pro Tem Prince returned to the meeting via Zoom at 11:20 p.m.

**Public Hearing and adoption of Ordinance No. 2022-9-17** as requested by Zoning Case 2022-013 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 5.4 acres of land located on the east side of Thunderbird Lane, 145 feet south of Cambridge Drive in the City of Plano, Collin County, Texas, from Agricultural to Planned Development-49-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. Petitioners: Huffines Communities and Susan Tracy Harris (Regular Item “3”)

Mayor Muns opened the public hearing. Collin Huffines, applicant, spoke to the project. Mayor Muns closed the public hearing.

**Public Hearing and adoption of Ordinance No. 2022-9-17(Cont'd.)**

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Grady, the Council voted 8-0, to rezone 5.4 acres of land located on the east side of Thunderbird Lane, 145 feet south of Cambridge Drive in the City of Plano, Collin County, Texas, from Agricultural to Planned Development-49-Single-Family Residence Attached; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2022-013; and further to adopt Ordinance No. 2022-9-17.

With no further discussion, the Regular City Council Meeting adjourned at 11:33 p.m.

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**John B. Muns, MAYOR**

ATTEST:

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Lisa C. Henderson, City Secretary

## CITY COUNCIL

FINDINGS RELATED TO ZONING CASE 2022-011



### MEETING DATE

Tuesday, September 20, 2022

### RESULTS

I, Mayor/Councilmember Riccirelli, 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: we will comply with the FHA; and
2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: we will comply with the FHA; and
3. The request is consistent with other policies, actions, maps:  
☒ Special Housing Needs Policy  
☐ Other: \_\_\_\_\_
4. Comments on any of the above which further explain my position: \_\_\_\_\_

Overall, I believe the applicant's request should be supported; and the reasons I have 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.

Anthony Riccirelli  
Signature

9/20/22  
Date

## CITY COUNCIL

FINDINGS RELATED TO ZONING CASE 2022-011



### MEETING DATE

Tuesday, September 20, 2022

### RESULTS

I, Mayor/Councilmember Richard Grady, 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 expands housing opportunities of all types; and
2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: it provides diverse employment opportunities; and
3. The request is consistent with other policies, actions, maps:  
☒ Special Housing Needs Policy  
☐ Other: \_\_\_\_\_
4. Comments on any of the above which further explain my position: it adds social opportunities

Overall, I believe the applicant's request should be supported; and the reasons I have 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.

Signature

Date

20 Sep 2022



# CITY COUNCIL

FINDINGS RELATED TO ZONING CASE 2022-011



## MEETING DATE

Tuesday, September 20, 2022

## RESULTS

I, Mayor/Councilmember Kaya Prince, 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: \_\_\_\_\_;  
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:  
☒ Special Housing Needs Policy  
☐ Other: \_\_\_\_\_

4. Comments on any of the above which further explain my position: meets consolidated  
Plan need for affordable  
housing

Overall, I believe the applicant's request should be supported; and the reasons I have 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.

[Signature]  
Signature

9/20/22  
Date

## CITY COUNCIL

FINDINGS RELATED TO ZONING CASE 2022-011



### MEETING DATE

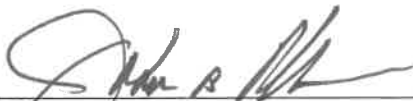
Tuesday, September 20, 2022

### RESULTS

I, Mayor/Councilmember MUNS, 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: LOW DENSITY, MORE NEED FOR AFFORDABLE HOUSING and
2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: IT OFFERS A VARIETY OF HOUSING and
3. The request is consistent with other policies, actions, maps:  
☒ Special Housing Needs Policy  
☐ Other: \_\_\_\_\_
4. Comments on any of the above which further explain my position: \_\_\_\_\_

Overall, I believe the applicant's request should be supported; and the reasons I have 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.

  
Signature

9-20-2022  
Date

## CITY COUNCIL

FINDINGS RELATED TO ZONING CASE 2022-011



### MEETING DATE

Tuesday, September 20, 2022

### RESULTS

I, Mayor/Councilmember MARIA TU, 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: AFFORDABLE HOUSING IS NECESSARY; and
2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: AFFORDABLE HOUSING IS NEEDED; and
3. The request is consistent with other policies, actions, maps:  
☒ Special Housing Needs Policy  
☐ Other: \_\_\_\_\_
4. Comments on any of the above which further explain my position: \_\_\_\_\_

Overall, I believe the applicant's request should be supported; and the reasons I have 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.

Signature

Date

## CITY COUNCIL

FINDINGS RELATED TO ZONING CASE 2022-011



### MEETING DATE

Tuesday, September 20, 2022

### RESULTS

I, Mayor/Councilmember Williams, 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 promotes housing affordability; and

2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: promotes housing affordability; and

3. The request is consistent with other policies, actions, maps:

☐ Special Housing Needs Policy

☒ Other: consolidated Action Plan

4. Comments on any of the above which further explain my position: The federal govt does not have the right to make our zoning decisions

Overall, I believe the applicant's request should be supported; and the reasons I have 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. for us

  
Signature

9/20/2022  
Date

# CITY COUNCIL

FINDINGS RELATED TO ZONING CASE 2022-011



## MEETING DATE

Tuesday, September 20, 2022

## RESULTS

I, Mayor/Councilmember Julie Holmer, 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: Special Housing needs; and
2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: variety of housing; and long-term sustainability & affordable housing needs
3. The request is consistent with other policies, actions, maps:

☒ Special Housing Needs Policy

☐ Other: \_\_\_\_\_

4. Comments on any of the above which further explain my position: \_\_\_\_\_

Overall, I believe the applicant's request should be supported; and the reasons I have 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 Holmer  
Signature

9/20/2022  
Date

**CITY COUNCIL**

FINDINGS RELATED TO ZONING CASE 2022-011

**Plano**

City of Excellence

**MEETING DATE**

Tuesday, September 20, 2022

**RESULTS**

I, Mayor/Councilmember 8, 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: SPECIAL Housing needs + in the general and Public Interest

2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: provides needed Affordable Housing

3. The request is consistent with other policies, actions, maps:

☒ Special Housing Needs Policy

☐ Other: \_\_\_\_\_

4. Comments on any of the above which further explain my position: n/a

Overall, I believe the applicant's request should be supported; and the reasons I have 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.

[Signature]  
Signature

9/20/22  
Date