

CITY COUNCIL REGULAR MEETING

APRIL 16, 2019

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, April 16, 2019 at 6:00 p.m.

Council Present: Mayor George Fuller, Mayor Pro Tem Tracy Rath, and Council Members Scott Elliott, Rainey Rogers, Chuck Branch, and La'Shadion Shemwell.

Council Absent: Council Member Charlie Philips.

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Executive Director of Development Services Michael Quint, Director of Planning Jennifer Arnold, Director of Engineering Gary Graham, Planning Manager Samantha Pickett, Director of Public Works David Brown, Fire Chief Danny Kistner, Fire Public Information & Education Coordinator Merit Ossian, Police Sergeant Jonathan Meyer, Director of Libraries Spencer Smith, Library Branch Manager Lisa Bailey, Library Supervisor Marci Chen, Chief Financial Officer Mark Holloway, Community Services Administrator Shirletta Best, President of McKinney Community Development Corporation (MCDC) Cindy Schneible, MCDC Administration & Marketing Coordinator Linda Jones, Deputy City Secretary Melissa Lee, City Secretary Intern Cayla Simpson, and City Secretary Empress Drane.

There were approximately one hundred ten (110) guests present.

Mayor Fuller called the meeting to order at 6:00 p.m. upon determining a quorum of the Council was present, after which he called for the Invocation and recital of the Pledge of Allegiance.

Mayor Fuller called for the following Information Sharing items and was assisted by City Secretary Inter Cayla Simpson in the presentation of each:

- 19-0339 Proclamation for Census 2020 McKinney Complete Count Committee, Community Kickoff.** Mayor Fuller read a proclamation in support of the work of Complete Count Committee; advocating for a successful count of people living in McKinney and the completion of the committee goals by Census Day 2020 (April 20); and encouraging citizens to participate in the Census. Mayor Fuller was joined for the reading of the proclamation by

Community Services Administrator Shirletta Best and members of the Complete Count Committee: Leroy Armstrong, Patrick Cloutier, Marta Gore, Lisa Hermes, Angela Richardson-Woods, Stella Stevens, and Tonya Winchester.

19-0333 Recognition of McKinney Boyd High School Engineering Student's Donation to the Hall Memorial Library. Executive Director of Development Services Michael Quint introduced a group of McKinney Boyd High School Students who donated approximately \$17,000 (seventeen thousand dollars) to the Roy & Helen Hall Memorial Library to support the redesign of the library's courtyard. The funds were originally raised for a "living roof" project that did not come to fruition but will instead be used for landscape architect services. Members of the donor group were present at the meeting for recognition and appreciation of their work: Project Leader Sherri Hurley and students Ryan Bussey, Alexis Calabrese, Robbi Crager, Adam Emerich, Hunter Jisha, Ridge Jisha, Josh Kim, Lynley Lawhon, Heath Peterson, and Zach Venable. Library Staff present to accept the gift: Spencer Smith, Lisa Bailey and Marci Chen.

19-0334 Recognition of McKinney Citizens Fire Academy Alumni Association (CFAAA) "Traveling Axe" Award. Fire Chief Danny Kistner acknowledged McKinney CFAAA Chairman Pat O'Riley and approximately fifteen McKinney CFAAA members in attendance at the meeting, recognizing their first ever Traveling Axe award, which celebrates the volunteer organization's contributions to the fire department. CFAAA services include attending and assisting with firefighter training events and examinations, public education, rehabilitation services, and Citizens Fire Academy programs. The Texas CFAAA is a collection of twelve member-city chapters, established in 2002, McKinney joining in 2014. The "Traveling Axe" Award was created by the Garland chapter in 2003.

19-0335 Proclamation for 100th Birthday of Ruth Crutcher Hayes. Mayor Fuller read a proclamation recognizing the one hundredth birthday of Mrs. Ruth

Crutcher Hayes, her long-time McKinney ties, and a celebration in her honor to be held on April 29 at Trinity Presbyterian Church, of which she is the oldest living member. Mrs. Crutcher Hayes was unable to attend the meeting, but ten family members stood with Mayor Fuller and accepted the proclamation on her behalf.

19-0336 Proclamation for Relay for Life. Madeleine Cloutier-Underwood and eight other members of the Relay for Life Event Leadership Committee were present with Mayor Fuller for the reading of the proclamation in support of efforts activities to raise awareness and fundraising in the fight against cancer.

19-0337 Proclamation for Sexual Assault Awareness and Prevention. Briana Lewis of the Turning Point Rape Crisis Center of Collin County stood with Mayor Fuller for the reading of the proclamation advocating for the prevention of sexual violence.

19-0338 Proclamation for 2019 National Community Development Week. Community Services Administrator Shirletta Best thanked McKinney residents, partners and leaders for their efforts and support toward community services, housing, and the Community Development Block Grant (CDBG). A group of involved city staff and local supporters present at the meeting stood for a round of applause from the audience. Mayor Fuller read the proclamation acknowledging the important role of the CDBG in enhancing the quality of life in McKinney.

Mayor Fuller called for Citizen Comments.

Clint Scofield, 1101 Hill Street, McKinney, TX 75069, spoke regarding agenda item #19-0344, the Fiscal Year 2019-20 Budget, advocating for freeze on city property taxes for senior citizens.

The following individuals spoke in support of a resolution approving financial support for a Federally Qualified Health Center (agenda item #19-0345):

Joe Joplin, 407 S. Tennessee Street, McKinney, TX 75069

Lisa Hermes, 2000 Surrey Lane, McKinney, TX 75072

Richard Dodson, 2515 Sunny Meadow Court, McKinney, TX 75070

Bob and Barbara Tomes, 6009 Settlement Way, McKinney, TX 75070

The following individuals spoke in opposition to a resolution approving financial support for a Federally Qualified Health Center (agenda item #19-0345):

Mike Giles, 3213 Gillespie Road, McKinney, TX 75070

Jimmy Teeling, 3704 Landsdowne Drive, McKinney, TX 75072

Bridgette Wallis, 1709 Kensington Lane, McKinney, TX 75072

Mayor Fuller called for action on the Consent Agenda. Council unanimously approved the motion by Council Member Rogers, seconded by Council Member Shemwell, to approve the following Consent items:

- 19-0340** Minutes of the City Council Work Session of April 2, 2019
- 19-0341** Minutes of the City Council Regular Meeting of April 2, 2019
- 19-0267** Minutes of the Community Grants Advisory Commission Meeting of November 8, 2018
- 19-0249** Minutes of the McKinney Convention & Visitors Bureau Board Meeting of February 26, 2019.
- 19-0259** Minutes of the McKinney Community Development Corporation Meeting of February 28, 2019.
- 19-0260** Minutes of the McKinney Community Development Corporation Promotional and Community Events Grant Subcommittee of Meeting of January 7, 2019.
- 19-0266** Minutes of the Planning and Zoning Commission Regular Meeting of March 12, 2019
- 19-0342** Consider/Discuss/Act on a Resolution Adopting a Modified North Texas Municipal Water District's Model Water Conservation and Water Resource and Emergency Management Plan. Resolution caption reads as follows:

RESOLUTION NO. 2019-04-041 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ADOPTING A NORTH TEXAS MUNICIPAL WATER DISTRICT MODEL WATER CONSERVATION AND WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN TO PROMOTE RESPONSIBLE USE OF WATER AND PROVIDING AN EFFECTIVE DATE

- 19-0343** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Supplemental Agreement with Terracon Consultants, Inc. for Materials Testing Services for the Virginia Parkway Lanes 5 & 6 Project from Ridge Road to US 75. Resolution caption reads as follows:

RESOLUTION NO. 2019-04-042 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH TERRACON CONSULTANTS, INC. FOR ADDITIONAL MATERIALS TESTING SERVICES FOR THE VIRGINIA PARKWAY LANES 5 & 6 PROJECT FROM RIDGE ROAD TO US 75 FOR AN INCREASE IN THE NOT TO EXCEED FEE FROM \$200,000 TO A TOTAL AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY ADDITIONAL SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$270,000

Mayor Fuller called for Regular Agenda and Public Hearing Items:

- 19-0345** Consider/Discuss/Act on a Resolution Approving Financial Support for a Federally Qualified Health Center (FQHC). Mayor Fuller stated the opportunity to support the FQHC was a unique case for which no standard process exists to apply or request for funding from the city, likening it to the city financial support to PSA (athletics complex). The FQHC was identified to be a means of providing affordable health care services to low-income individuals with a sustainable plan and considerable investment, contrasting from other grant-seeking non-profit organizations without foreseeable sustainability. James Tippit, 817 Varsity Lane, McKinney, TX 75071, spoke on behalf of North Texas Family Health Foundation (NTxFHF) in support of the item. NTxFHF is the operator of a temporary clinic within the Wysong Hospital Campus at the corner of Central Expressway (US Highway 75 and Virginia Parkway). The organization's request of City Council includes approving funding up to \$1.55 million (one million five hundred fifty-five million dollars) and encouraging combined contributions from McKinney Economic Development Corporation (MEDC) and McKinney Community Development Corporation (MCDC) up to approximately \$1 million (one million dollars). Mr. Tippit discussed the performance of the current facility, and staffing, expenses and performance projections of the future facility,

and the benefits of the “sliding scale” pay model for patients contributing to the sustainability of the program and the increased likelihood of improved patient care and outcomes. Mr. Tippit stated the original intent to establish the new facility in east McKinney (more conveniently located for those in need) was disrupted due to increasingly high costs to acquire land and limited potential for future expansion of the facility; stated FQHC designation required a “high bar” demonstration patient need demonstration in the intended service area, noting approximately 58,000 people within a five-mile radius of the current clinic are uninsured or have limited access to healthcare. Valarie Rangel, a representative of the clinic, spoke regarding patients’ financial conditions, noting the facility provides care to Medicare and Medicaid recipients who are generally unable to or experience difficulties accessing care due to the shortage of providers accepting Medicare and Medicaid; and noting the network of community groups that partner to increase access to care by providing outreach, identifying eligible patients and establishing referrals to the clinic, and providing transportation. Council Member Chuck Branch requested the City of McKinney to conduct a patient needs assessment to support the validity of the clinic. Council Member La’Shadion Shemwell expressed general support of the clinic, but concern for the organization’s “circumventing” request and approval processes required of other non-profits and requirements by other funding sources that would make the applicant ineligible (such as tenure of service or partnership in McKinney). Mr. Shemwell requested a contractual agreement to measure performance and protect the city’s investment. Mayor Fuller expressed strong support of the item, reiterating the unique circumstance and opportunity to support the FQHC, which cannot be fairly compared to other non-profit ventures; the investment of the business cannot be wholly measured in direct economic returns such as jobs growth or property valuation increases for the city but by other less intangible returns, namely improved health and quality of life for McKinney residents,

the humanity of which is by far a greater impact. City Manager Paul Grimes added the applicant has begun the application processes related to MCDC and MEDC funding; however, if awarded, those agencies could not fully fund the requested contribution, and no defined application process exists for the City of McKinney to contribute the remaining balance. City Manager Grimes concluded the requestor's direct petition to the City Council is a discretionary matter for the Council to approve or deny. Council Member Rainey Rogers expressed support of the item, due to the self-sustaining nature of the program, the volume of people to be helped, the support of Independent Bank (led by former McKinney City Council Member David Brooks). Mr. Rogers considered it "foolish" to overlook the opportunity to make a difference in thousands of people's lives. Mayor Pro Tem Rath expressed appreciation for the applications submitted to MCDC and MEDC, which provided additional information about the organization and request, and she expressed confidence in the potential success of the program. Mayor Pro Tem Rath did not support the item, concerned by the lack of a process for requesting financial support from City Council and proposed for Council to establish a formal process for potential similar issues in the future to come before the Council, namely homelessness and workforce housing. Concerning the FQHC request, Mayor Pro Tem proposed the following expectations to be included in the funding agreement, if approved:

1. Construction of a medical facility completed, approximately 25,000 (twenty-five thousand) square feet, and Certificate of Occupancy (CO) obtained by March 2020 or another agreed upon date, with verifiable construction improvement costs valued at \$6.5 million (six million five hundred thousand dollars)
2. Retention of current employees and hiring of new employees with salaries shown in the MEDC application submitted April 2019
3. Verification of \$2.5 million (two million five hundred thousand dollars) matching funds contributed by Independent Bank

4. Continuous performance by FQHC under any agreements approved by MCDC and MEDC
5. FQHC to pay all normal inspection, development and impact fees
6. City portion of grant payable in one-third amounts at CO, first anniversary, and second anniversary (Council Member Rogers proposed half payable at CO, and the remaining half paid at the first anniversary)
7. Removal of Section 2 (two) of the proposed resolution

Council approved the motion by Council Member Shemwell, seconded by Council Member Elliott, to approve a Resolution Approving Financial Support for a Federally Qualified Health Center with, the amendments proposed by Mayor Pro Tem Rath, and modified amendment of two payments of Council-approved funding, by a vote of 4 - 2, Mayor Pro Tem Rath and Council Member Branch voting no. Resolution caption reads as follows:

RESOLUTION NO. 2019-04-043 (R)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, SUPPORTING THE CITY'S AND ITS
COMPONENT UNITS' PARTICIPATION IN INCENTIVE FUNDING
FOR THE NORTH TEXAS FAMILY HEALTH FOUNDATION'S
CONSTRUCTION AND OPERATION OF A FEDERALLY
QUALIFIED HEALTH CENTER**

Additionally, there was consensus among Council to establish a process or policy for future like instances of requests for support.

19-0344 Citizen Input on the FY 2019-20 Budget. Chief Financial Officer Mark Holloway stated Citizen Engagement activities to participate in the adoption of the annual budget, beginning with this agenda item, will kick-off tonight and go through the adoption of the budget in the month of September. Mr. Holloway provided general information regarding the about the preliminary taxable valuation provided by the Collin County Central Appraisal District, and he projected growth next year due to new construction and increased value to existing property, which will add more than \$1 billion (one billion dollars) to the tax roll for the first time ever. Mr. Holloway added this citizen input opportunity is not one of the official public hearings for input, of which

there will be two during the budget process; stated there is also an internet online engagement exercise, and this is the third year of that project; projected the annual trend of increased participation from the previous year to continue and stated feedback on the results will be provided throughout the process; and noted some of the important upcoming dates related to the budget process:

- August 9, 2019 – City Council Budget Work Session
- August 20, 2019 – 1st Public Hearing on Tax Rate
- September 3, 2019 – 1st Public Hearing on Budget; 2nd Public Hearing on Tax Rate
- September 17, 2019 – 2nd Public Hearing on Budget; Ratification of Property Tax Revenue Increase; Tax Rate Adoption; Fee / Rate Change Adoption

Mayor Fuller called for Citizen Input related to the Fiscal Year 2019-20 Budget.

Jeff Frison, 8609 Falcon Crest Drive, McKinney, TX 75072, did not wish to speak but requested his support be recorded for setting the tax rate to allow for fully funding city infrastructure maintenance in the annual budget.

There were no additional requests to speak on the budget.

18-0114Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RED-1" - Residential Estates District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District and "CC" Corridor Commercial Overlay District, Located at the Northwest Corner of Rockhill Road and U.S. Highway 75 (Central Expressway), and Accompanying Ordinance. Director of Planning Jennifer Arnold stated the item is to consider approximately 7.7 acres; staff supports approval, and the Planning & Zoning (P&Z) Commission offered a favorable recommendation upon review of the request on March 26, 2019. Mayor Fuller noted the applicant is an existing business (car dealership) that has been operating in McKinney 12-15 years and seeking to expand. Matt Moore, 301 S. Coleman Street, Prosper, TX 75078, on behalf of the applicant McKinney

Dodge, stated approximately, roughly 2 acres of the property are flood plain on the rear of the property; stated expansion of the property would address some of the overflow parking of vehicles on the road and committed to not park on the road. Council Member Rogers expressed opposition to the request due to the amount of complaints about the dealership parking cars on both sides of Rockhill Road and concern for continuing that practice. City Attorney Mark Houser stated Council could include additional conditions to the terms of the Special Use Permit (the next item) to reflect the expectations of Council.

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Elliott, to close the public hearing and approve the request to Rezone the Subject Property from "RED-1" - Residential Estates District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District and "CC" Corridor Commercial Overlay District, Located at the Northwest Corner of Rockhill Road and U.S. Highway 75 (Central Expressway), and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-04-023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 7.70 ACRE PROPERTY, LOCATED AT THE NORTHWEST CORNER OF ROCKHILL ROAD AND U.S. HIGHWAY 75 (CENTRAL EXPRESSWAY), IS REZONED FROM "RED-1" – RESIDENTIAL ESTATES DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "C3" – REGIONAL COMMERCIAL DISTRICT and "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 18-** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit
0015SUP3 to Allow for Automobile Sales, Repair, and Storage Uses (McKinney Dodge), Located at the Northwest Corner of Rockhill Road and U.S. Highway 75 (Central Expressway), and Accompanying Ordinance. Director of Planning Jennifer Arnold stated this companion item to the previous #18-

0114Z3 is to request an auto dealership with a layout that allows for staff evaluation of the project, provided additional landscaping and screening on the western side of the property beyond what is required for screening to the residents adjacent to the property. The applicant agreed to move the screening wall improved affects and is requesting a variance to allow for a living screen rather than a masonry wall screen of bay doors facing the public right of way. Staff supports the request which is consistent with other similar requests that have been approved. Matt Moore, on behalf of the applicant, stated McKinney is seeking to expand their business due to the success of their current business, which will include corporate offices and a 27,000 (twenty-seven thousand) square foot stand-alone Jeep showroom, allowing for the elimination of constraints related to storage and inventory overflow by providing a total of 390 (three hundred ninety) parking spaces, with consideration of property draining concerns, landscaping screening. The value of the project is estimated at \$7-8 million and will provide approximately forty new jobs and generate additional \$3-4 million revenue from parts and sales. Mayor Pro Tem Rath expressed concern for vehicle parking and overflow potentially caused by the additional number of staff members. Council Member Rainey. Dealership owner Augie Rodriguez stated the dealership has not fielded any calls or complaints about parking in more than a year since installing "no parking" signs and monitoring employee parking. Council Member expressed support for the item and his opinion the applicant is a good neighbor to residents, noting the success of the business includes contracts with the McKinney Police department, and parking issues could be remedied by use of property already owned by the applicant. Council Member recommended the dealer should avoid parking vehicles in front of homes - which does not appear to be an issue for the subject property - and applauded the applicant for working to meet the expectations of the city with minimal variances for screening, which contrasts to the recent Porsche application which contained approximately

fifteen variances. Council Member Elliott commented on the positive economic of the dealership; and recommended the inclusion of parking prohibitions to protect resident interests and general safety, supported by Mayor Pro Tem Rath and Council Member Branch.

Mayor Fuller called for Public Hearing comments.

Jason Hernandez, 2309 N. Ridge Road, McKinney, TX 75072 spoke regarding the current driving problems with parking along the street and concerns for increased safety hazards that might arise from expansion. Mr. Hernandez expressed support for the item if restrictions to parking on Rockhill Road were included in the special use permit.

City Attorney Mark Houser stated parking expectation could be enforced, as infractions would be considered code violations with warnings, citations, injunctive relief and removal of cars. Council Member Shemwell suggested a “no parking zone” to be established by ordinance, not specific to only the dealership but applicable to all, to which Mayor Fuller agreed and Mayor Pro Tem suggested to consider any unintended consequences before taking that action. There was general agreement to include the parking prohibition in the SUP with the possibility of a future overarching parking ordinance. Council Member Rogers stated positive economic impact could be argued to justify this approval, expressed dismay for the continued growth of car dealerships along Highway 75, which conflicts with previous measures taken to eliminate or reduce it. Mayor Fuller stated the applicant had other opportunities to accomplish their intentions without coming before Council and applauded the applicant’s willingness to go through this process even without guarantees of their intended outcomes. Council Member Shemwell stated there are not many stand alone Jeep showrooms in the state, and this expansion would be a welcome and unique addition to draw people to McKinney. Council approved the motion by Council Member Branch, seconded by Council Member Shemwell, to close the public hearing and approve a Specific Use Permit to Allow for Automobile Sales, Repair, and Storage Uses (McKinney Dodge), Located at the Northwest Corner of Rockhill Road and U.S. Highway 75 (Central Expressway), with the “no parking” conditions expressed by Council, and

Accompanying Ordinance with a vote of 5 - 1, Council Member Rogers voting no.

Ordinance caption reads as follows:

ORDINANCE NO. 2019-04-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR AN AUTOMOBILE DEALERSHIP, LOCATED AT THE NORTHWEST CORNER OF ROCKHILL ROAD AND U.S. HIGHWAY 75 (CENTRAL EXPRESSWAY); PROVIDING REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

18-0047Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "PD" - Planned Development District, Generally for Agricultural, Recreational, and Residential Uses, Located at 3933 County Road 317, and Accompanying Ordinance. Planning Manager Samantha Pickett stated the request is to expansion of the Cornerstone Ranch facility that provides care, programming and living opportunities for adults with special needs. City staff recommends approval of the request to divide the property into three districts of agricultural, enterprise and residential. The property provides unique service to the community not currently seen and staff understands the need for planned development to make this work for the applicant and maintain the quality and standards we expect across the city.

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Branch, to close the public hearing and approve the request to Rezone the Subject Property from "AG" - Agricultural District to "PD" - Planned Development District, Generally for Agricultural, Recreational, and Residential Uses, Located at 3933 County Road 317, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-04-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 31.82

ACRE PROPERTY, LOCATED AT 3933 COUNTY ROAD 317, IS REZONED FROM “AG” – AGRICULTURAL DISTRICT TO “PD” – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR AGRICULTURAL, RECREATIONAL, AND RESIDENTIAL USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

18-0122Z3 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "C2" - Local Commercial District, Located on the Northeast Corner of Custer Road and Silverado Trail, and Accompanying Ordinance. Director of Planning Jennifer Arnold stated the subject tract approximately 13 acres in size, is planned for rezoning with a similar but more broad ranges of uses and remove the layout established in the current zoning. Staff and P&Z support the request which is in conformance with the city Comprehensive Plan. Director Arnold stated a letter of support was recently submitted by a nearby property owner who had previously opposed the rezoning.

Jon David Cross, of Cross Engineering Consultants, stated the owner is interested in medical offices and retail, and the “C2” zoning gives flexibility to the development. There were no other speakers concerning the item.

Council unanimously approved the motion by Council Member Branch, seconded by Council Member Elliott, to close the public hearing and approve the request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "C2" - Local Commercial District, Located on the Northeast Corner of Custer Road and Silverado Trail, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-04-026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 13.60 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF CUSTER ROAD AND SILVERADO TRAIL, IS REZONED FROM “PD” – PLANNED DEVELOPMENT DISTRICT AND “REC” – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO “C2” – LOCAL COMMERCIAL DISTRICT; PROVIDING FOR

SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 19-0002M2** Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Chapter 146 (Zoning Ordinance), Section 146-134 (Performance Standards) of the Code of Ordinances, and Accompanying Ordinance. Director of Planning Jennifer Arnold stated the item is brought on behalf of the city by staff to amend a chapter relating to performance standards of the zoning ordinance, covering a wide range of topics including noise, the measurement of sound, and the city's ability to mandate certain measures and sound criteria. The changes will update outdated forms of measurements to modern standards.

Council unanimously approved the motion by Council Member Branch, seconded by Council Member Rogers, to close the public hearing and approve the request by the City of McKinney to Amend Chapter 146 (Zoning Ordinance), Section 146-134 (Performance Standards) of the Code of Ordinances, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-04-027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING SECTION 146-134 (PERFORMANCE STANDARDS) OF THE ZONING REGULATIONS; ESTABLISHING PRESUMPTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 19-0009Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally for School Uses, Located on the Northwest Corner of Collin McKinney Parkway and Stacy Road, and Accompanying Ordinance. Director of Planning Jennifer Arnold stated the request by Frisco Independent School District to rezone approximately 64 (sixty-four) acres is in preparation of a future high school site, to tie down development

and a wide range of uses for a high school of such size. Staff has worked with the applicant to development the standards and supports the request. The applicant received a favorable recommendation from the Planning & Zoning Commission on March 26, 2019. They were no requests to speak on the public hearing item.

Council unanimously approved the motion by Council Member Branch, seconded by Council Member Elliott, to close the public hearing and approve the request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally for School Uses, Located on the Northwest Corner of Collin McKinney Parkway and Stacy Road, and Accompanying Ordinance. Ordinance caption reads as follows:

ORDINANCE NO. 2019-04-029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 64.34 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF COLLIN MCKINNEY PARKWAY AND STACY ROAD, IS REZONED FROM "PD" - PLANNED DEVELOPMENT DISTRICT AND "REC" - REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" - PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

19-0016Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Rezone the Subject Property from "AG" - Agricultural District, "ML" - Light Manufacturing District, "MH" - Heavy Manufacturing District, and "PD" - Planned Development District to "RO" - Regional Office District, Located on the East Side of State Highway 5 (McDonald Street) and Approximately 100 Feet North of Crestwood Drive, and Accompanying Ordinance. Director of Planning Jennifer Arnold stated the request to rezone approximately forty (40) acres was initiated on behalf of the city to align with the 2040 One McKinney Comprehensive Plan for the revitalization of the Highway 5 corridor and economic development growth potential, in partnership with investments by Texas Department of Transportation

(TXDoT) and McKinney Economic Development Corporation. The property currently encompasses three different batch plant operators and consists of a variety of zoning.

Mayor Fuller called for citizen comments on the Public Hearing item:

Kevin Lumberson, 2829 Dog Leg Trail, McKinney, TX 75069, spoke in support of the request to rezone the subject property.

Council approved the motion by Mayor Pro Tem Rath, seconded by Council Member Shemwell, to close the public hearing and approve the request by the City of McKinney to Rezone the Subject Property from "AG" - Agricultural District, "ML" - Light Manufacturing District, "MH" - Heavy Manufacturing District, and "PD" - Planned Development District to "RO" - Regional Office District, Located on the East Side of State Highway 5 (McDonald Street) and Approximately 100 Feet North of Crestwood Drive, and Accompanying Ordinance with a vote of 5 - 1, Chuck Branch voting no. Ordinance caption reads as follows:

ORDINANCE NO. 2019-04-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 40.33 ACRE PROPERTY, LOCATED ON THE EAST SIDE OF STATE HIGHWAY 5 (MCDONALD STREET) AND APPROXIMATELY 100 FEET NORTH OF CRESTWOOD DRIVE, IS REZONED FROM "AG" – AGRICULTURAL DISTRICT, "ML" – LIGHT MANUFACTURING DISTRICT, "MH" – HEAVY MANUFACTURING DISTRICT, AND "PD" – PLANNED DEVELOPMENT DISTRICT TO "RO" – REGIONAL OFFICE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

19-0017FR Conduct a Public Hearing to Consider/Discuss/Act on a Façade Plan Appeal for a Hotel (Marriott Autograph Hotel Resort), Located on the Southwest Corner of Collin McKinney Parkway and Weiskopf Avenue (REQUEST TO BE TABLED). Director of Planning Jennifer Arnold stated the item was requested to be tabled by staff, as a staff-level approval was issued on the request, and Council action is no longer needed. There were no requests to speak on the public hearing.

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Rogers, to close the public hearing and table indefinitely a Façade Plan Appeal for a Hotel (Marriott Autograph Hotel Resort), Located on the Southwest Corner of Collin McKinney Parkway and Weiskopf Avenue.

19-0018SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Hotel (Marriott Autograph Hotel Resort), Located on the Southwest Corner of Collin McKinney Parkway and Weiskopf Avenue. Director of Planning Jennifer Arnold state the site plan is generally approved at the staff level, however the zoning requires and any changes to the site plan to be considered by Council. The applicant is proposing to change the layout, changing the building orientation and pool location. Staff supports approval of the request.

The applicant was present at the meeting and described the work on the project as “long and hard” and thanked the Council for the help and support. Ground breaking on the project is slated for early July 2019, and the anticipated completion is early spring of 2021.

Council unanimously approved the motion by Council Member Branch, seconded by Council Member Rogers, to close the public hearing and approve a Site Plan for a Hotel (Marriott Autograph Hotel Resort), Located on the Southwest Corner of Collin McKinney Parkway and Weiskopf Avenue.

Mayor Fuller called for additional Citizen Comments.

Jimmy Teeling, 3704 Landsdowne Drive, McKinney, TX 75072, spoke in support of a commitment from Council to consider and establish a process for requesting funding from City Council.

Paul Ballesteros, 6508 Marvin Gardens, McKinney, TX 75070, spoke regarding his non-profit organization Emmanuel Labor, which works to eliminate homelessness in the area, move people from homelessness to homes, offering weekly lunchtime discussions with individuals experiencing homelessness, and offering free storage solutions for the homelessness; and his concerns with the applicant waitlist structure for the McKinney Housing Authority which preferences homeless individuals but poses difficulties for the

homeless to apply. Mr. Ballesteros requested the Council to consider homelessness in McKinney.

Elisa Swartz, 6300 Country Ridge Lane, McKinney, TX 75071, spoke regarding her concerns about “religious bigotry, homophobia, and transphobia;” the lack of support for the LGBT (lesbian, gay, bisexual, and transgender) community in McKinney; and the city of McKinney’s score of 12 out of 100 on the yearly municipality quality index regarding the LBGT community conducted by the Human Rights Campaign (HRC). Ms. Swartz requested Council to address the issue at a future Council meeting.

Mayor Fuller called for Council and Manager Comments.

Council Member Rogers stated Special Olympic events will be held on Thursday, April 18, noting several of the Council will attend, and a presented an event t-shirt for viewing, thanked all who are involved with the event, especially the support McKinney Independent School District, allowing students, including his daughter, out of class to serve the event. Mr. Rogers reminded everyone early voting for the May 4 Election will begin April 22, 2019, stating he advocates only for those who understand, to vote on the people who will lead the community and look at the bond issues.

Council Member Shemwell stated he wants everyone to vote and described the state level HB9 as a voter suppression bill, encouraging people to learn about it and reach out to elected officials. Mr. Shemwell stated the McKinney Housing Authority waiting list will open on Thursday, April 18, as well as Special Olympics starting on the same day. Mr. Shemwell mentioned the Council’s approval of the FQHC, calling it the right decision and a blessing to the community.

Mayor Pro Tem Rath requested consensus from Council for a work session to discuss changes to the available areas for affordable housing development as established by HUD (federal Department of Housing & Urban Development), which affects the ability to build in the intended areas of Highway 380 at Lake Forest Drive and at Hardin Boulevard. Mayor Pro Tem Rath stated she had the opportunity to attend a Smiles Charity groundbreaking for the Coker Family, which will be the fourteenth home built by Dr. Buchanan and the Smiles Charity.

City Manager Grimes announced the city’s free Community Paper Shredding event on Saturday, April 27, 9:00 a.m. to 1:00 p.m. at the Sheraton Hotel in McKinney. All paper

will be shredded on site, and each vehicle arriving is limited to four boxes of materials to shred. On the same day 10:00 a.m. to 2:00 p.m., the McKinney Public Safety Building on Taylor-Burk Drive, which houses the Police and Fire departments, will participate in the National Drug Take-Back event. City Manager Grimes encouraged residents to participate in the online public input exercise for the 2019-20 city budget, which will run from April 16 to June 7, 2019.

Mayor Fuller stated he and Mrs. Maylee Fuller recently attended the Roadside Church which feeds homeless individuals. Mayor Fuller met and talked to different people who were affected by the recent closing of the Streetside Shower service, including a student who is currently living out of her car and depended on that service for one weekly shower, and expressed his support of working to find responsible solutions to offering the service and continue to work with other contributors to the efforts to address homelessness in McKinney.

Council did not meet in Executive Session.

Council unanimously approved the motion by Council Member Shemwell, seconded by Council Member Branch, to adjourn. Mayor Fuller adjourned the meeting at 9:10 p.m.

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary