

## JOINT MEETING

MARCH 16, 2015

The City Council of the City of McKinney, Texas and the Planning and Zoning Commission met in a joint session in the Council Chambers of the Municipal Building on March 16, 2015 at 5:30 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro Tem Travis Ussery, Council members: Geralyn Kever, Don Day, Ray Ricchi, Roger Harris, and Randy P. Pogue.

Planning and Zoning Commission Present: Chairman Rick Franklin, Vice Chairman Matt Hilton, Commissioners Deanna Kuykendall, Mark McReynolds, Dick Stevens, Eric Zepp, and Jim Gilmore. Also present: Alternate Commissioner Cameron McCall

Staff Present: Interim City Manager Tom Muehlenbeck; Deputy City Manager Jose Madrigal; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Assistant to the City Manager Darrek Ferrell; Chief Financial Officer Rodney Rhoades; Director of Planning Michael Quint; Assistant Director of Development Services Rick Leisner; Director of Engineering Mark Hines; Planning Manager Brandon Opiela; Planning Manager Jennifer Arnold; McKinney Economic Development Corporation President Jim Wehmeier; Director of Parks, Recreation, and Open Space Rhoda Savage; Assistant Director of Parks, Recreation, and Open Space Ryan Mullins; Fire Chief Danny Kistner; CIP and Traffic Engineer Gary Graham; Civil Drainage Engineer Lissa Shepard; Emergency Management Coordinator Karen Adkins; Planning Manager Matt Robinson.

There were approximately six guests present.

Mayor Loughmiller called the City Council meeting to order at 5:35 p.m. after determining a quorum was present.

Chairman Franklin called the Planning and Zoning Commission meeting to order at 5:36 p.m. after determining a quorum was present.

**15-240** Mayor Loughmiller and Chairman Franklin called for discussion of the City Council's expectations of the Planning and Zoning Commission. Mayor Loughmiller stated that this item is to discuss recommendations

made by city staff to both the Planning and Zoning Commission and City Council to interject consistency in staff's recommendation and understanding as to how recommendations come about as they relate to policies set forth by City Council in the Strategic Planning meetings and in discussions on ordinance revisions. Typically it is the policy of the Council that when a public hearing item on a rezone request is addressed, that Council not negotiate from the dais on that item because the public does not have the benefit of hearing all of the input that went in to making a decision to vote for or against that item. Council gives the applicant the option of tabling the item for two weeks and bringing it back at the next meeting or the option of Council voting on the item as it has been posted. Council is often faced with a decision to follow the policy, counter to the Planning and Zoning recommendation, or to change the policy. Council would like to receive an explanation as to why an item has been recommended for approval by the Planning and Zoning Commission even though it was recommended for denial by staff. Chairman Franklin stated that previously Planning and Zoning Commission members did not explain why they voted a certain way but they have now started closing the public hearing and allowing members to make comments as to what their thoughts are on an item. Mr. Franklin suggested that a quarterly Joint Meeting with Council would be beneficial to both groups. Mayor Pro Tem Usery stated that when the Planning and Zoning Commission disagrees with the recommendation of staff, a reason for the disagreement should be stated and noted in the minutes. Council member Kever stated that she would like for the Comprehensive Land Use Plan to be updated and kept current with what the City wants for future development in order to meet the City's goals and sustain the tax base into the future. Director of Planning Michael Quint stated that the staff reports are very complete and concise with as much information as possible but the Planning and Zoning Commission minutes are

currently transcribed in a summary format. This can be changed to a verbatim transcription in order to give Council more information. Interim City Manager Tom Muehlenbeck stated that the Comprehensive Plan needs to be updated as soon as possible. This will help Council and the Planning and Zoning Commission be more effective in their decisions. Mr. Franklin also stated that in some cases, a work session prior to the Planning and Zoning Commission would be helpful for discussion of items attached to a request. City Attorney Mark Houser stated that if an item has a legal ramification attached to it then someone from the City Attorney's office should attend the Planning and Zoning Commission meeting.

**15-241** Mayor Loughmiller and Chairman Franklin called for discussion on possible changes to the "REC" - Regional Employment Center Overlay District, including possible amendments to multiple sections of the Zoning Ordinance and Comprehensive Plan (Future Land Use Plan, Future Land Use Plan Module Diagram, and Multi-Family Policy). Planning Manager Brandon Opiela stated this is the second phase of discussion on the REC. City Council directed staff to meet with stakeholders within the REC Overlay as well as developers in the community to discuss a new approach to the REC area. The REC Overlay has development issues that include: regulations that are too confusing, conflict with other regulations, and necessitate Staff interpretations; inability to ensure consistent quality and character within residential and non-residential developments due to flexibility in standards; urban-style development should be in smaller acreages or nodes; integrated commercial and residential developments are not always compatible (lack of screening, diminished sense of place); predominance of suburban-style residential limits the opportunity for future taller, dense developments; vertical mixed-use projects are not sustainable when too much non-residential square footage is required; too much multi-family residential is allowed;

and rezoning requests to develop in a more suburban manner require a Planned Development District Ordinance. Mr. Opiela presented the proposed changes: remove the applicability of the REC Overlay for all new rezoning requests moving forward, but keep the REC regulations “on the books”; properties currently subject to the REC Overlay can develop according to the REC requirements or choose to rezone to a standard zoning designation or new planned development district; modify the land use section of the Comprehensive Plan (i.e. Future Land Use Plan and Future Land Use Plan Module Diagram) to guide future rezoning requests; and modify the Comprehensive Plan’s Multi-Family Policy to address the current exemption within the REC area. Any rights in place within the REC Overlay will continue as is and the developer can continue to develop accordingly. The goal is to make sure staff has the confidence to make recommendations based on experience as planners to be flexible to approve a development.

Chairman Franklin adjourned the Planning and Zoning Commission meeting at 7:25 p.m.

Mayor Loughmiller called for discussion on Regular Agenda items with no action taken.

Mayor Loughmiller recessed the meeting into executive session at 7:55 p.m. per Texas Government Code Section 551.071 (2). Consultation with City Attorney on any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed); Section 551.074 Discuss Personnel Matters; and Section 551.087 Discuss Economic Development Matters as listed on the posted agenda. Mayor Loughmiller recessed to the open session at 8:53 p.m.

Council unanimously approved the motion by Mayor Pro Tem Ussery, seconded by Council member Harris, to adjourn. Mayor Loughmiller adjourned the meeting at 8:55 p.m.

---

BRIAN LOUGHMILLER  
Mayor

---

RICK FRANKLIN  
Chairman

ATTEST:

---

SANDY HART, TRMC, MMC  
City Secretary