



CITY OF MCKINNEY, TEXAS

Agenda

City Council Regular Meeting

Tuesday, November 16, 2010

6:00 PM

Council Chambers
222 N. Tennessee Street
McKinney, Texas

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Pastor Brandon Bradley, Hillcrest Christian Church

INFORMATION SHARING

10-521 [Salvation Army's Red Kettle Kick Off and Proclamation](#)

Attachments: [Proclamation](#)

10-522 [Presentation of Award of Recognition to the McKinney Police Department by the Texas Police Chiefs Association](#)

CITIZEN COMMENTS

CONSENT AGENDA

These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.

MINUTES

10-523 [Minutes of the City Council Work Session of October 27, 2010](#)

Attachments: [Minutes](#)

10-524 [Minutes of the City Council and McKinney Independent School District Board of Trustees Meeting of November 1, 2010](#)

Attachments: [Minutes](#)

10-525 [Minutes of the City Council Special Meeting of November 2,](#)

2010**Attachments:** [Minutes](#)10-526 [Minutes of the City Council Work Session of November 2, 2010](#)**Attachments:** [Minutes](#)10-527 [Minutes of the City Council Regular Meeting of November 2, 2010](#)**Attachments:** [Minutes](#)10-528 [Minutes of the Community Grants Advisory Commission Meeting of October 20, 2010](#)**Attachments:** [Minutes](#)10-529 [Minutes of the McKinney Community Development Corporation Board Meeting of September 30, 2010](#)**Attachments:** [Minutes](#)10-530 [Minutes of the McKinney Convention & Visitors Bureau Board Meeting of September 27, 2010](#)**Attachments:** [Minutes](#)10-531 [Minutes of the McKinney Housing Authority Board Meeting of September 28, 2010](#)**Attachments:** [Minutes](#)10-532 [Minutes of the Planning and Zoning Commission Regular Meeting of October 26, 2010](#)**Attachments:** [Minutes](#)

ORDINANCES

10-533 [Consider/Discuss/Act on an Ordinance of the City Council of the City of McKinney, Texas Authorizing a Budget Amendment Pertaining to the Fiscal Year 2011 Budget](#)**Attachments:** [Ordinance](#)
[Budget Spreadsheet](#)

10-534 [Consider/Discuss/Act on an Ordinance Amending the Code of Ordinances and Appendix A Schedule of Fees for the McKinney Performing Arts Center Rental Rates](#)

Attachments: [Ordinance](#)
 [Ordinance-Redline](#)

10-082SU2 [Consider/Discuss/Act on the Ratification of an Ordinance Approving a Specific Use Permit and Site Plan for an Indoor Automotive Parts Sales Building \(O'Reilly Auto Parts\), Approximately 0.78 Acres, Located on the West Side of Custer Road and Approximately 900 Feet North of Virginia Parkway.](#)

Attachments: [Proposed Ordinance](#)
 [Exhibit A - Location Map](#)
 [Exhibit B - Site Plan](#)
 [Exhibit C - Landscape Plan](#)
 [Exhibit D - Architectural Elevations](#)

RESOLUTIONS

10-535 [Consider/Discuss/Act on Resolution Authorizing a Two Year Term Maintenance Reimbursement Agreement with Stonebridge Ranch Community Association, Inc.](#)

Attachments: [Resolution](#)
 [Agreement](#)
 [Memo](#)
 [Map](#)

10-536 [Consider/Discuss/Act on a Resolution Authorizing City Manager to Pursue Grant Funding through the Texas Department of Housing and Community Affairs \(TDHCA\) HOME Investments Partnerships Program Homebuyers Assistance \(HBA\)](#)

Attachments: [Resolution](#)

10-537 [Consider/Discuss/Act on a Resolution Approving the Project Plan and Financing Plan for Tax Increment Reinvestment Zone Number One](#)

Attachments: [Resolution](#)
[Exhibit A](#)
[Exhibit B](#)
[Ordinance Number 2010-09-034](#)
[Ordinance Number 2010-10-041](#)
[Resolution 2010-10-001\(TR1R\)](#)

10-538 [Consider/Discuss/Act on a Resolution Approving the Project Plan and Financing Plan for Tax Increment Reinvestment Zone Number Two](#)

Attachments: [Resolution](#)
[Exhibit A](#)
[Exhibit B](#)
[Ordinance Number 2010-09-035](#)
[Ordinance Number 2010-10-041](#)
[Resolution 2010-10-001\(TR2R\)](#)

MISCELLANEOUS

10-539 [Consider/Discuss/Act on a Development Agreement with Haggard Enterprises, Ltd. for Approximately 134.44 Acres, Located Generally on the Southeast Corner of FM 2478 \(Custer Road\) and FM 1461.](#)

Attachments: [Location Map](#)
[Proposed Agreement](#)

10-540 [Consider/Discuss/Act on a Fourth Amendment to the Robinson Ridge Facilities Agreement Deferring Parkland Dedication until December 31, 2011.](#)

Attachments: [Location Map](#)
[Proposed Agreement](#)

END OF CONSENT

REGULAR AGENDA

This portion of the agenda consists of items requiring individual consideration by the Council.

10-541 [Consider/Discuss/Act on a Resolution Supporting a Request for a Study of Necessary Improvements along the US 75 Highway Corridor](#)

Attachments: [Resolution](#)
 [Letter - US 75 Corridor Study](#)
 [TxDOT Map - 2009 ADT](#)

10-542 [Consider/Discuss/Act on the Request by W. R. Livingston, Jr. to Appeal the Decision by the Historic Preservation Advisory Board to Deny a Certificate of Appropriateness to Remove Original Wood Windows and Install Vinyl Replacement Windows at 801 West Hunt Street.](#)

Attachments: [Applicant Letter of Appeal](#)
 [Denial Letter](#)
 [Staff Report for 100710 HPAB Meeting](#)
 [Minutes for HPAB Meeting](#)
 [Photos for 107010 HPAB Meeting](#)
 [Photos Submitted by Applicant](#)
 [Repair of Historic Wooden Windows](#)
 [What Replacement Windows Can't Replace](#)
 [Secretary of the Interior's Standards](#)

10-543 [Consider/Discuss/Act on the Request by George Bush of Eldorado Properties to Appeal the Decision by the City of McKinney Historic Preservation Officer to Deny a Certificate of Appropriateness for the Proposed Installation of Four-over-Four Windows and Multi-pane Storefront Windows at 109 East Virginia Street.](#)

Attachments: [Approval Letter](#)
 [Certificate of Appropriateness Application](#)
 [Letter of Intent](#)
 [Front Elevation Drawings](#)
 [Photographs Subject Property](#)

10-544 [Consider/Discuss/Act on a Resolution Regarding Endorsements and Campaigning by City Council Members in Local Elections](#)

Attachments: [Resolution](#)

10-545 [Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Authorizing the City Manager to Execute a Contract with CP&Y to Develop a Water Conservation and Marketing Plan for the City of McKinney.](#)

Attachments: [Resolution](#)
 [Contract](#)
 [Scope of Services](#)

PUBLIC HEARINGS

10-546 [Conduct a Public Hearing to Consider/Discuss/Act on the CDBG FY 2009-10 Consolidated Annual Performance Evaluation and Report \(CAPER\)](#)

Attachments: [CAPER](#)
 [CAPER Table Summary](#)

10-112Z [Conduct a Public Hearing to Consider/Discuss/Act on the Request by Carwin Advisors, L.L.C., on Behalf of Collin CR Wellness Communities, L.L.C., for Approval of a Request to Rezone Approximately 33.89 Acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the East Side of Custer Road and on the South Side of Stacy Road, and Accompanying Ordinance.](#)

Attachments: [Planning and Zoning Meeting Minutes](#)
[Planning and Zoning Staff Report](#)
[Location Map](#)
[Aerial Exhibit](#)
[Letter of Intent](#)
[Legal Notice](#)
[Property Owner Notice](#)
[Property Owner List](#)
[Ordinance 2001-12-132](#)
[Ordinance 2006-04-045](#)
[Proposed Ordinance](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)

04-410A3 [Conduct a Public Hearing to Consider/Discuss/Act the Request by Kimley-Horn and Associates, Inc., on Behalf of Haggard Enterprises, Ltd. on a Petition to Annex Approximately 67 Acres, Located on the South Side of F.M. 1461 and Approximately 1,400 Feet East of F.M. 2478 \(Custer Road\), and Accompanying Ordinance](#)

Attachments: [Location Map](#)
[Aerial Exhibit](#)
[Legal Notice No. 1](#)
[Property Owner Notice No. 1](#)
[Legal Notice No. 2](#)
[Property Owner Notice No. 2](#)
[Legal Notice No. 3](#)
[Property Owner Notice No. 3](#)
[Property Owner Notification List](#)
[Fiscal Analysis](#)
[Annexation Petition](#)
[Annexation Exhibit](#)
[Proposed Ordinance](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)

04-411Z [Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kimley-Horn and Associates, Inc., on Behalf of Haggard Enterprises, LTD, for Approval of a Request to Rezone Approximately 67.22 Acres from "AG" - Agricultural District to "PD" - Planned Development District, Generally for Residential and Commercial Uses, and Zone Approximately 67.22 Acres as "PD" - Planned Development District, Generally for Residential and Commercial Uses, Located on the Southeast Corner of FM 2478 \(Custer Road\) and FM 1461, and Accompanying Ordinance.](#)

Attachments: [Planning and Zoning Meeting Minutes](#)
[Planning and Zoning Staff Report](#)
[Location Map](#)
[Aerial Exhibit](#)
[Letter of Intent](#)
[Legal Notice](#)
[Council Meeting Property Owner Notice](#)
[Planning and Zoning Property Owner Notice](#)
[Property Owner List](#)
[Fiscal Analysis](#)
[Module Tracking Spreadsheet](#)
[Proposed Ordinance](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)

10-115Z [Conduct a Public Hearing to Consider/Discuss/Act on the Request by SB Harbor Market, J.V., for Approval of a Request to Rezone Approximately 35.15 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Southeast Corner of Virginia Parkway and Stonebridge Drive, and Accompanying Ordinance.](#)

Attachments: [Planning and Zoning Meeting Minutes](#)
[Planning and Zoning Staff Report](#)
[Location Map](#)
[Aerial Exhibit](#)
[Letter of Intent](#)
[Legal Notice](#)
[Property Owner Notice](#)
[Property Owner List](#)
[Ordinance No. 1621](#)
[Ordinance No. 2003-12-117](#)
[Ordinance No. 2005-02-017](#)
[Ordinance No. 2006-09-104](#)
[Ordinance No. 2006-11-128](#)
[Ordinance No. 2006-11-129](#)
[Ordinance No. 2007-06-063](#)
[Proposed Ordinance](#)
[Exhibit A](#)
[Exhibit B](#)

COUNCIL AND MANAGER COMMENTS AND LIAISON REPORTS

Council and Manager Comments relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, informational update on City projects, awards, acknowledgement of meeting attendees, birthdays, requests of the City Manager for items to be placed on upcoming agendas, and condolences.

CITIZEN COMMENTS

EXECUTIVE SESSION

In Accordance with the Texas Government Code:

- A. 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)
- B. Section 551.071 (1) (A). Litigation / Anticipated Litigation
 - McKinney Economic Development Corporation v. McKinney Shores Properties, Inc. et al, Civil Action No. 4:09-CV-00284-RAS; United States District Court for the Eastern District of Texas.
- C. Section 551.072. Discuss Real Property
 - Municipal Facilities

ACTION ON EXECUTIVE SESSION ITEMS

ADJOURN

Posted in accordance with the Texas Government Code, Chapter 551, on the 11th day of November, 2010 at or before 5:00 p.m.

Sandy Hart, TRMC, MMC
City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements, please contact Sandy Hart, City Secretary at 972-547-7505, 48 hours prior to the scheduled meeting. Reasonable accommodations will be made to assist you.