

**BOARD OF ADJUSTMENT REGULAR MEETING
FEBRUARY 26, 2020**

The Board of Adjustment met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Wednesday, February 26, 2020 at 6:00 p.m.

Board members Present: Chair, Louise Holubar, Vice Chair, David Riche, Larry Macy, Eric Roberts and Randall Wilder (Alternate)

Absent: Larry Jagours.

City Staff members present: Executive Director of Development Services, Michael Quint, Chief Building Official, Rick Herzberger, and Administrative Assistant, Erika Roberts.

Louise Holubar called the meeting to order at 6:01 p.m. after determining a quorum was present.

20-0188 Minutes of the Board of Adjustment Meeting of February 12, 2020. Board members unanimously approved the motion by Board member Larry Macy, seconded by Board member Randall Wilder, to Approve Minutes of the Board of Adjustment Meeting of February 12, 2020, and refer them to City Council for approval.

20-02BOA Conduct a Public Hearing to Consider/Discuss/Act on whether to Conduct a Second Public Hearing to Determine an Amortization Period and Establish a Compliance Date for the Nonconforming Concrete Batch Plant Use (TXI Operations, LP / Martin Marietta Redi-Mix), at the Request of the City Council (Resolution No. 2019-12-145 R), for Property Located at 2005 South McDonald Street, McKinney, Texas. Michael Quint, Executive Director, Development Services provided the Item Summary. Property owner/representative was not present to make statement. Linda Hooper, 2505 Dog Leg Trail, McKinney, TX stated she is representing the 227 homeowners of the McKinney Greens Homeowners Association. She was one of the homeowners that Martin Marietta contracted to have her house, ducts and car cleaned when the

incident occurred. While they did good in the cleanup, there will always be a need to frequently clean due to operations by the plant. Ms. Hooper also mentioned the plant operates at the early hours in the morning which creates a lot of noise and trucks driving by at a very fast speed. Renee Jones, 2813 Dog Leg Trail, McKinney, TX, stated that she had been complaining about the dangers of the plants prior to the incident. Al Alcantara, 2837 Dog Leg Trail, McKinney TX, wanted to clarify the time of the incident per the Police and Fire reports at 8:15 p.m. He stated that the air and noise pollution has increased over the years. Nancy McClendon, 2941 Dog Leg Trail, McKinney, TX, stated that she is the closest home to the plant operations which is roughly 1,000 feet. Sy Shahid, Executive Director, Heard Natural Science Museum, 1 Nature Place, McKinney, TX, stated that the museum is home to 50 (wetlands) of 289 acres and is home to 220 species of birds and the noise and air pollution has greatly impacted the birds natural habitat. He urged City of McKinney to conduct an environmental study. Judy Kerkvliet, 2800 Dog Leg Trail, McKinney TX, stated that the value of her property has gone down because realtors and homeowners would have to disclose the plants and the incident that occurred. Chair Holubar read the following 4 letters all in favor of the item.

Ronda Steffey, 2833 Dog Leg Trail, McKinney, TX

Wanda Dean, 1513 Stewart Rd, McKinney, TX

Oscar Jeanes, 1515 Stewart Rd, McKinney, TX

Kevin Lumberson, 2829 Dog Leg Trail, McKinney, TX

Board member Larry Macy made a motion, seconded by Board member Eric Roberts, to Close the public hearing. Board members unanimously approved the motion by Board member Eric Roberts, seconded by Board member David Riche, to Conduct a Second Public Hearing to Determine an Amortization Period and Establish a Compliance Date for the Nonconforming Concrete Batch Plant Use (TXI Operations, LP / Martin

Marietta Redi-Mix), at the Request of the City Council (Resolution No. 2019-12-145 R), for Property Located at 2005 South McDonald Street, McKinney, Texas

20-03BOA Conduct a Public Hearing to Consider/Discuss/Act on whether to Conduct a Second Public Hearing to Determine an Amortization Period and Establish a Compliance Date for the Nonconforming Concrete Batch Plant Use (Cowntown Redi-Mix), at the Request of the City Council (Resolution No. 2019-12-144 R), for Property Located at 2015 South McDonald Street, McKinney, Texas. Michael Quint, Executive Director, Development Services provided the Item Summary. Property owner/representative was not present to make statement. Chairwoman Holubar publicly verified that the letters read under 20-02BOA also applied to this agenda item and there were no public comments. Board members unanimously approved the motion by Board member Randall Wilder, seconded by Board member Larry Macy, to Close the public hearing. Board members unanimously approved the motion by Board member David Riche, seconded by Board member Eric Roberts, to Conduct a Second Public Hearing to Determine an Amortization Period and Establish a Compliance Date for the Nonconforming Concrete Batch Plant Use (Cowntown Redi-Mix), at the Request of the City Council (Resolution No. 2019-12-144 R), for Property Located at 2015 South McDonald Street, McKinney, Texas

Board members unanimously approved the motion by Board member David Riche, seconded by Board member Eric Roberts, to Adjourn the meeting at 6:52 p.m.

Louise Holubar
Chairwoman