

CITY COUNCIL REGULAR MEETING

OCTOBER 18, 2016

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on October 18, 2016 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro Tem Randy P. Pogue, Council members: Chuck Branch, Don Day, Tracy Rath, Rainey Rogers, and Travis Ussery.

Staff Present: City Manager Paul Grimes; Deputy City Manager Jose Madrigal; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Planning Director Brian Lockley; Executive Director of Development Services Michael Quint; Director of Engineering Mark Hines; Assistant Director of Public Works Paul Sparkman; Director of Strategic Services Chandler Merritt; Planning Manager Samantha Pickett; Historic Preservation Officer Guy Giersch; Airport - Ken Wiegand and Eric Pratt; IT Desk Supervisor Amy Greer; Housing and Community Services Manager Janay Tieken; Senior Financial Planner Trevor Minyard; Police Corporal Melissa Taylor; Administrative Assistant Terri Ramey; Human Resources Director Ike Obi; and MPAC/Main Street Director Amy Rosenthal.

There were approximately 60 guests present.

Mayor Loughmiller called the meeting to order at 6:00 p.m. after determining a quorum was present. Invocation was given by Father Harold C. Lowe, Holy Family School. Mayor Loughmiller led the Pledge of Allegiance.

Mayor Loughmiller called for Citizen Comments.

Mr. Lawrence Ringley, 701 S. Tennessee Street, McKinney, spoke in favor of agenda item 16-1055.

16-1045 Presentation of TML's Texas Excellence Award in Management Innovation, for the City's Opengov Financial Transparency Tool. Deputy City Manager Jose Madrigal presented the TML's Texas Excellence Award in Management Innovation.

16-1046 Presentation of the Calendar for the "Preserve Historic McKinney - Historic Home Recognition Program". Historic Preservation Officer Guy Giersch presented the Preserve Historic McKinney – Historic Home

Recognition Program Calendar.

Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to approve the following consent items:

- 16-1047** Minutes of the City Council Work Session of October 3, 2016
- 16-1048** Minutes of the City Council Regular Meeting of October 4, 2016
- 16-971** Minutes of the Historic Preservation Advisory Board Regular Meeting of September 1, 2016
- 16-1049** Minutes of the McKinney Housing Authority Meeting of August 23, 2016
- 16-1012** Minutes of the Planning and Zoning Commission Work Session Meeting of September 27, 2016
- 16-1013** Minutes of the Planning and Zoning Commission Regular Meeting of September 27, 2016
- 16-1050** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2016-2017 Annual Budget and Amending the 2017 - 2021 Capital Improvements Program to Provide Funds for the Airport Master Plan Update Project #AI1648. Caption reads as follows:

ORDINANCE NO. 2016-10-083

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CERTAIN BUDGET AMENDMENT PERTAINING TO THE FISCAL YEAR 2016-2017 BUDGET AND THE 2017 – 2021 CAPITAL IMPROVEMENTS PROGRAM FOR THE AIRPORT MASTER PLAN UPDATE PROJECT (PROJECT #AI1468); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 16-1051** Consider/Discuss/Act on a Resolution Awarding a Contract to Structural and Steel Products of Fort Worth, Texas for the Purchase of Traffic Signal Poles and Accessories. Caption reads as follows:

RESOLUTION NO. 2016-10-154 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO STRUCTURAL AND STEEL PRODUCTS OF FORT WORTH, TEXAS, FOR THE PURCHASE OF TRAFFIC SIGNAL POLES AND ACCESSORIES

- 16-1052** Consider/Discuss/Act on a Resolution Awarding a Contract to David's Paint and Body of McKinney, Texas, for Automotive Paint and Body

Services. Caption reads as follows:

RESOLUTION NO. 2016-10-155 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT TO DAVID'S PAINT AND BODY OF MCKINNEY, TEXAS, FOR AUTOMOTIVE PAINT AND BODY SERVICES

- 16-1053** Consider/Discuss/Act on an Amendment to the Development Agreement for the Willow Wood Development Generally Located East of State Highway 5 (McDonald Street) and Approximately 4,000 Feet North of F.M. 543 (Laud Howell Parkway)

END OF CONSENT

- 16-1057** Mayor Loughmiller called for Consideration/Discussion/Action on a Resolution of the City Council of the City of McKinney, Texas, Adopting a Policy for the Review and Consideration of Requests for Resolutions in Support of Housing Developments Seeking or Utilizing Low Income Housing Tax Credits and Providing for an Effective Date Upon Passage. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to table this item to the November 1, 2016 regular meeting.
- 16-166SP2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Site Plan and Facade Plan for a Mixed-Use Development (Downtown McKinney Blocks A & B), Located on the Southeast Corner of Davis Street and Tennessee Street. Planning Manager Samantha Pickett stated that the applicant is requesting approval of the site plan facade plan for our mixed-use development on the 9-acre site with approximately 330 multifamily units and 20,000 square feet of nonresidential space. Comments provided to the Developer included increasing the cornice details, more patterned brickwork, and a stronger tie to the design of downtown. The revised elevations for the buildings on Block A feature a

stronger cornice feature, consisting of a wider metal cap and more prominent brickwork along the top of the building. The applicant has also added a soldier course brick band between floors on the residential portions of the building, added arched headers above a selection of residential windows along the first floor, and replaced the exterior-facing cementitious panels with stucco material. Mr. Robert Shaw, Columbus Realty, stated that they have worked very hard to deliver something that would meet the needs, meet the requirements, and that would be a positive addition to downtown. Mr. Shaw stated that they will be breaking ground in mid-January to avoid the holiday season. We would be able to move people in eleven months after the start of the project. Mr. Shaw stated that the color palette presented may not be the final and we will do a test wall in the natural light for staff to look at and approve. There are a lot of colors downtown, and we will pull colors that we can refer to specific buildings where it's already in place. Mayor Loughmiller called for public comment.

The following individuals spoke in opposition of the Site Plan:

Ms. Kim Black, 509 N. Kentucky Street, McKinney

Mr. Terry Ledbetter, 502 W. Hunt Street, McKinney

Ms. Juanita Horne, 2580 Collin McKinney #2923, McKinney

Ms. Debora Kilgore, 1013 Hunt Street, McKinney, spoke in favor of the Site Plan.

The following individuals did not wish to speak but wanted their opposition to the Site Plan entered in to the record:

Mr. T.J. Lane, 802 W. Hunt Street, McKinney

Ms. Christy Lane, 802 W. Hunt Street, McKinney

Mr. Dusti Calander, 211 N. College Street, McKinney

Mr. Frank Waggoner, 705 N. Benge Street, McKinney

Ms. Brenda Waggoner, 705 N. Benge Street, McKinney

Ms. Kathryn Waite, 417 W. Louisiana, McKinney

Council unanimously approved the motion by Council member Branch, seconded by Mayor Pro Tem Pogue, to close the public hearing. Mr. Shaw stated that he would have his architect look into the request by Ms. Kilgore to incorporate curved windows at the top of the buildings. Council unanimously approved the motion by Council member Branch, seconded by Council member Rogers, to approve a Site Plan and Facade Plan for a Mixed-Use Development (Downtown McKinney Blocks A & B), located on the southeast corner of Davis Street and Tennessee Street, and façade plan with the following conditions: the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, the final color palette selected for the exterior finishing materials be in conformance with Appendix G ("MTC" McKinney Town Center District) of the Zoning Ordinance, and the applicant receive approval of the requested Design Exceptions: locate a driveway on a Priority "B" Street (Anthony Street) instead of a Service Street; allow a parking garage opening on a Priority "B" Street (Davis Street); exceed the Build-To Zone (BTZ) of 0' – 10' required along Priority "B" Streets, and have a BTZ of 24' along Davis Street and 32' along Tennessee Street on Block A; and 34' along Tennessee Street and 30' along Anthony Street on Block B; not have at least 50% of the building frontage at the BTZ along a Priority "B" Street (Anthony Street); allow the finished floor elevation to exceed the maximum of 12" above the sidewalk along Priority "B" Streets (Tennessee, Davis, and Anthony Streets); allow a Street Screening Device to be 7' tall along a portion of Tennessee Street on Block A, in lieu of the required height of 2' – 4'; allow a Street Screening Device to be 6' tall and consist of wrought iron and masonry columns along portions of Tennessee Street and Anthony Street on Block B, in lieu of the required height of 2' – 4'; not locate the parking lot on Block B at least 3' behind the face of the building along Tennessee Street and Anthony Street; not provide a 2' – 4' tall Street

Screening Device along Priority "B" Streets (Tennessee, Davis, and Anthony Streets); have the building on Block B oriented towards a Service Street (Howell Street); have garages oriented towards Priority "B" Streets (Tennessee and Anthony Streets) on Block B; not provide tripartite design (a defined base, middle, and top) on the buildings located on Block A; not provide façade rhythm in 20' – 30' intervals on the buildings on Block A; not provide a complete storefront design, including a bulkhead, on the storefront windows on Block A; provide less than 65% transparent windows on the first floor facing Tennessee Street on Block A; not provide commercial uses on the ground floor of the parking garage along a Priority "B" Street (Davis Street); not provide façade rhythm in 20' – 30' intervals or horizontal articulation for the parking garage along a Priority "B" Street (Davis Street); allow less than 80% primary materials (brick, stone, synthetic stone) on the façade facing Priority "B" Streets (Tennessee and Anthony Streets) on Block B; and allow the use of cementitious fiber panels and lap siding as secondary material.

16-260Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "LI" Light Industrial District, Located Approximately 750 Feet South of Bloomdale Road and on the East Side of Redbud Boulevard, and Accompanying Ordinance. Director of Planning Brian Lockley stated that the applicant (Collin College) has indicated their intent for the development of the City of McKinney and Collin County Community College District Public Safety Training Facility on the property. The property is currently undeveloped. The properties immediately surrounding the property are also undeveloped except for one subdivision. The applicant has indicated their intent to develop the site in partnership with the City of McKinney as a public safety training facility for police and fire. The site would include a 4-story burn tower and other

associated uses to equip and prepare police and fire personnel with their everyday duties and responsibilities as they would encounter. The associated site plan has been submitted and will be reviewed by the Planning and Zoning Commission on October 25th. Mayor Loughmiller called for a public hearing. Mr. Walter Nelson, 1812 Carla Avenue, Arlington, stated that he represented Mr. David Wong, who owns the land immediately to the east of this property. Mr. Nelson stated that the questions they had were related to the Site Plan that is not being considered tonight. The Mayor requested that Staff contact Mr. Nelson regarding the Site Plan application. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to close the public hearing. Council unanimously approved the motion by Council member Ussery, seconded by Council member Rogers, to approve an Ordinance rezoning the subject property from "AG" - Agricultural District to "LI" Light Industrial District, located approximately 750 feet south of Bloomdale Road and on the east side of Redbud Boulevard. Caption reads as follows:

ORDINANCE NO. 2016-10-084

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 25.00 ACRE PROPERTY, LOCATED APPROXIMATELY 750 FEET SOUTH OF BLOOMDALE ROAD AND ON THE EAST SIDE OF REDBUD BOULEVARD, IS REZONED FROM "AG" – AGRICULTURAL DISTRICT TO "LI" – LIGHT INDUSTRIAL 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

- 16-1054** Mayor Loughmiller called for Consideration/Discussion/Action on a Facilities Agreement for Lot 1, Block A, of the Doss Addition, Located Approximately 1,350 Feet East of FM 2933 and on the North Side of County Road 341. Director of Planning Brian Lockley stated that the applicant is proposing to plat approximately 10 acres of land, located

approximately 1,350 feet east of FM 2933 and on the north side of County Road 341 within the City of McKinney's Extraterritorial Jurisdiction (ETJ) to construct a single family residence. Under State Law, before a property can be subdivided in the City of McKinney ETJ, it must be platted and filed for record with the Collin County Clerk, in accordance with the City of McKinney's subdivision regulations. The applicant has indicated to Staff the desire to not construct or escrow for the typical required improvements, such as water, sanitary sewer, and roads, however, the applicant has agreed to provide the easements for said infrastructure. As such, the applicant is requesting multiple variances from the City Council. The proposed Facilities Agreement limits the use on the property to one single family detached home. Additionally, the Agreement would relieve or defer the public improvements that exceed the amount that is roughly proportional to the proposed development on the subject property, including: Construction of public streets, sidewalks, and lighting; construction of master-planned 12-inch sewer line and 1 mile of offsite sewer lines to the subject property; and construction of a master-planned 8-inch water line and 4 miles of offsite water lines to serve the subject property. Applicant, Mr. Chris Doss, 2137 Hard Rock Drive, Allen, stated that the process has been explained to them pretty well. We intended to replace the existing house and barn with another house and barn. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Rogers, to approve a Facilities Agreement for Lot 1, Block A, of the Doss Addition, located approximately 1,350 feet east of FM 2933 and on the north side of County Road 341.

16-222PF Mayor Loughmiller called for Consideration/Discussion/Action on a Preliminary-Final Plat for Lot 1, Block A, of the Doss Addition, Located Approximately 1,350 Feet East of FM 2933 and on the North Side of County Road 341. Director of Planning Brian Lockley stated that this

item is the plat associated with the previous Agreement and outlines in the recommendation that this plat would include variances that were included under the Facilities Agreement. Council unanimously approved the motion by Council member Branch, seconded by Council member Ussery, to approve a Preliminary-Final Plat and associated variances for Lot 1, Block A, of the Doss Addition, located approximately 1,350 feet east of FM 2933 and on the north side of County Road 341 with the following conditions: the applicant receive approval of the associated Facilities Agreement; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct public streets including the associated street lighting and sidewalks adjacent to the property; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct sanitary sewer and water lines to the subject property and extend them to the adjacent property upstream; the applicant receive variance to Section 142-105 (Improvements) of the Subdivision Ordinance allowing the use of individual septic systems; the applicant receive a variance to the Storm Water Management Ordinance waiving the requirement to collect drainage in an underground storm water system; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance prohibiting lot to lot drainage; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance requiring water systems to be of a sufficient size to furnish fire protection to all lots; prior to the issuance of a building permit: the applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist; and the associated Facilities Agreement be filed with the county prior to filing the plat, subject to review and approval of the City Attorney.

16-1055 Mayor Loughmiller called for Consideration/Discussion/Action on a Facilities Agreement for Lot 1, Block A, of the Holder Hill Addition, Located at 4025 County Road 405. Director of Planning Brian Lockley stated that this is another Facilities Agreement similar to the one that was just approved. The applicant is proposing to subdivide approximately 10 acres of land, located at 4025 County Road 405 McKinney, Texas within the City of McKinney's Extraterritorial Jurisdiction (ETJ) to construct a single family residence. The applicant is desirous to plat their property, but does not wish to make all the necessary improvements as required by the subdivision regulations. The Facilities Agreement does outline what is required in the event that the intensity of the use changes over time. This would allow the applicant to move forward with this plat and provides the City with the assurances that those improvements will be done at some time in the future. Council unanimously approved the motion by Council member Branch, seconded by Council member Rogers, to approve a Facilities Agreement for Lot 1, Block A, of the Holder Hill Addition, Located at 4025 County Road 405.

16-271PF Mayor Loughmiller called for Consideration/Discussion/Action on a Preliminary-Final Plat for Lot 1, Block A, of the Holder Hill Addition, Located at 4025 County Road 405. Director of Planning Brian Lockley stated that this is the associated plat for the previous Facilities Agreement. What is important to note on this is there are variances that are going to be approved as part of this plat, but those variances are outlined and addressed via the Facilities Agreement. Council unanimously approved the motion by Council member Branch, seconded by Council member Rogers, to approve a Preliminary-Final Plat and associated variances for Lot 1, Block A, of the Holder Hill Addition, Located at 4025 County Road 405 with the following conditions: the applicant receive approval of the associated Facilities Agreement; the

applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct public streets including the associated street lighting and sidewalks adjacent to the property; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct sanitary sewer and water lines to the subject property and extend them to the adjacent property upstream; the applicant receive variance to Section 142-105 (Improvements) of the Subdivision Ordinance allowing the use of individual septic systems; the applicant receive a variance to the Storm Water Management Ordinance waiving the requirement to collect drainage in an underground storm water system; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance to allow lot to lot drainage; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance requiring water systems to be of a sufficient size to furnish fire protection to all lots; prior to the issuance of a building permit: the applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist; and the associated Facilities Agreement be filed with the county prior to filing the plat, subject to review and approval of the City Attorney.

16-1056 Mayor Loughmiller called for Consideration/Discussion/Action on Appointing Members to Serve on the Airport Master Plan Update Planning Advisory Committee and Technical Advisory Committee. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Councilwoman Rath, to appoint Keith Self, Lisa Hermes, Dick Thompson, and Charlie Hooker to serve on the Airport Master Plan Update Planning Advisory Committee. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Council member Branch, to approve the District 1 and District 3 appointments to serve on the Airport Master Plan Update Planning Advisory Committee.

Mayor Loughmiller called for Citizen Comments and there were none.

Mayor Loughmiller called for Council and Manager Comments.

Council member Branch did not have any comments.

Council member Day did not have any comments

Council member Rogers did not have any comments.

Councilwoman Rath stated that this Saturday morning is Make a Difference Day.

Ms. Rath stated that she will be working at the Trinity Trash Bash at 9 a.m. in the morning. More than 225 residents have signed up to help clear our creeks and streams.

Ms. Rath stated that she is very grateful tonight to have her son Trenton home on leave for the next few weeks.

Council member Ussery thanked staff for all that you do. The Planning Department provided a lot of hard work on the 9-acre site project. Your efforts are appreciated.

Mayor Pro Tem Pogue thanked Staff for sometimes having to face challenging projects. Mr. Pogue stated that he appreciates how Staff performs their jobs. Mr. Pogue congratulated and thanked Trenton Rath for his service and to all those who currently serve and/or have served.

Mayor Loughmiller stated that he and Council member Ussery had the pleasure of meeting with a Girl Scout troop about a week ago. They will be attending the November 1st meeting to lead the Pledge of Allegiance. These girls are fifth graders and they are truly amazing. It wasn't just us talking to them, they made a presentation. One girl, by memory, recited word for word the Preamble to the Constitution. And another girl got up and she recited the American Creed. This really reinforces the belief that we need to support our country, support our troops, and support what it means to be an American citizen. I think we learned as much from them as they did from us. Mr. Loughmiller reminded everyone that October is Breast Cancer Awareness Month and make sure you go out and support organizations that you know are raising money for research and fighting that disease as well as other cancers. Tomorrow night there will be a ground breaking for the Gold Star memorial that will be located at the Veteran's Memorial. It is of a somber note that on the one hand, you know, it's a great day today that we have Trenton home, but at the same time we're now talking about a memorial

for people who've lost loved ones in the service of our country. At the Memorial, they are going to have at the opposite end of where the current granite wall is, flags representing each branch of service. Mr. Loughmiller thanked the Leadership McKinney class for attending tonight's meeting including Mrs. Loughmiller.

City Manager Grimes stated that McKinney is participating in the National Drug Take Back Event on October 22nd. Bring any unwanted, unused, expired drugs to anonymously dispose of them in a safe way. Main Street has announced a fundraising campaign to cover the cost of importing a live Christmas tree from Michigan that will adorn the City Square for the holidays. Families and organizations who make a minimum donation will get recognition at the display. The first 100 donors who contribute a minimum of \$50 will receive a commemorative keepsake ornament. Information is available online at www.downtownMcKinney.com. Mr. Grimes stated that last Saturday the City held a mass hiring event for staffing of the Apex Centre at the Old Settler's Recreation Center. Our Parks and Recreation department in cooperation with our Human Resources Department began ramping up the hiring for the new Apex Centre. Mr. Grimes stated that he had a chance to visit the Apex Centre last week. They are filling the pools to do the water leak testing and we are expecting substantial completion by early January. Fitness activity and activities programs will not begin until February. If anybody is interested in employment at one of the funnest places to work in town, the Apex Centre, visit the City's website at McKinneyTexas.org to obtain more information about employment opportunities.

Council unanimously approved the motion by Council member Ussery, seconded by Mayor Pro Tem Pogue, to adjourn. Mayor Loughmiller adjourned the meeting at 7:11 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary

