

MINUTES

MCKINNEY CITY COUNCIL MEETING OF APRIL 6, 1999

The City Council of the City of McKinney, Texas, met in regular session in the Council Chamber of the Municipal Building on April 6, 1999 at 6:30 p.m.

Councilmembers present were: Mayor Don Dozier, Mayor Pro Tem Willie Wattley, Mary Brennan, Dr. Brad Wysong, Thad Helsley, Kelly Davis, and Bill Whitfield.

Staff present were: City Manager Isaac Turner, Engineering Director Jack Carr, Senior Engineer Gary Jones, Civil Engineer Michael Hebert, Parks and Recreation Director Larry Offerdahl, Development Services Director Regie Neff, Public Works Director Douglas Box, City Planner John Kessel, Library Director Sue Compton, Finance Director Jennifer Fung, Airport Manager David Pearce, Assistant City Attorney Mike Scanlon, and City Secretary Jennifer Smith.

There were approximately 55 guests present.

Mayor Dozier presided. Councilmember Brennan presented the invocation. Mayor Dozier led the Pledge of Allegiance.

Mayor Dozier explained that the Council is trying to establish some protocol for the meetings and requested speakers to observe the following guidelines: fill out a speaker card; when speaking, state name and address for the record; comments should be brief and limited to five minutes; address comments and questions to Mayor and City Council only; and, no rebuttals or further comments will be permitted after initial statements.

On a motion by Councilmember Brennan, seconded by Mayor Pro Tem Wattley, Council unanimously approved the following Consent Items:

- > Minutes of the Regular City Council Meeting of March 16, 1999; **99-158**
- > Minutes of the Regular Tourism Services Advisory Board Meeting of January 13, 1999; **99-159**
- > Minutes of the Special Tourism Services Advisory Board Meeting of January 20, 1999; **99-160**
- > Minutes of the Special Housing Authority Board Meeting of January 30, 1999; **99-161**
- > Minutes of the Regular Quality of Life Board Meeting of February 9, 1999; **99-162**
- > Minutes of the Regular Park Board Meeting of February 11, 1999; **99-163**

- > Minutes of the Special Quality of Life Board Meeting of February 18, 1999; **99-164**
- > Minutes of the Regular McKinney Economic Development Corporation Meeting of February 19, 1999; **99-165**
- > Minutes of the Special Quality of Life Board Meeting of March 1, 1999; **99-166**
- > Minutes of the Regular Library Board Meeting of March 8, 1999; **99-167**
- > Minutes of the Regular Planning & Zoning Commission Meeting of March 9, 1999; **99-168**
- > Minutes of the Special McKinney Economic Development Corporation Board Meeting of March 11, 1999; **99-169**
[Exhibits I-XII]
- > Resolution authorizing the City Manager to enter into a contract with Corgan Associates, Inc. for the design of the new downtown library for an amount not to exceed \$448,800.00. Caption read as follows: **99-170**

A RESOLUTION AUTHORIZING A CONTRACT FOR THE DESIGN OF THE NEW DOWNTOWN LIBRARY.

[Resolution No. 99-04-036(R)]
- > Resolution authorizing the City Manager to enter into a contract with Carol Brown Associates for library consultant services for an amount not to exceed \$22,250.00. Caption read as follows: **99-171**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING A CONTRACT FOR A LIBRARY CONSULTANT.

[Resolution No. 99-04-037(R)]
- > Resolution authorizing the City Manager to enter into an interlocal agreement with Collin County for the construction of Lake Forest Drive for an amount not to exceed \$3,115,444.90. Caption read as follows: **99-172**

A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MCKINNEY AND COLLIN COUNTY FOR THE CONSTRUCTION OF LAKE FOREST DRIVE.

[Resolution No. 99-04-038(R)]
- > Resolution authorizing the City Manager to execute a contract with Mario Sinacola and Sons Excavating, Inc. for the construction of four lanes of Lake Forest Drive from F.M. 720 to S.H. 121 for an amount not to exceed \$1,980,000.00. Caption read as follows: **99-173**

A RESOLUTION AUTHORIZING A CONTRACT FOR THE
CONSTRUCTION OF FOUR LANES OF LAKE FOREST
DRIVE FROM F.M. 720 TO S.H. 121.

[Resolution No. 99-04-039(R)]

> Two Resolutions authorizing the City Manager to execute contracts for the construction of Industrial Boulevard and the offsite improvements related to the Texas Instruments Project as follows: Carl Davidson Trucking and Excavation for the removal of the soil for an amount not to exceed \$59,671.97; and, JRJ Paving for the construction of the remaining two lanes of Industrial Boulevard along the entrance to the McKinney Municipal Airport for an amount not to exceed \$900,000.00. Captions read as follows:

99-174

A RESOLUTION AUTHORIZING A CONTRACT FOR THE
CONSTRUCTION OF INDUSTRIAL BOULEVARD AND THE
OFFSITE IMPROVEMENTS RELATED TO THE TEXAS
INSTRUMENTS PROJECT (SOIL REMOVAL).

[Resolution No. 99-04-040(R)]

A RESOLUTION AUTHORIZING A CONTRACT FOR THE
CONSTRUCTION OF INDUSTRIAL BOULEVARD AND THE
OFFSITE IMPROVEMENTS RELATED TO THE TEXAS
INSTRUMENTS PROJECT (ROAD CONSTRUCTION).

[Resolution No. 99-04-041(R)]

> Resolution authorizing the City Manager to enter into a contract with DMG-Maximus, Inc. for water and waste water rate analysis for an amount not to exceed \$32,500.00. Caption read as follows:

99-175

A RESOLUTION AUTHORIZING A CONTRACT FOR WATER
AND WASTE WATER RATE STUDY.

[Resolution No. 99-04-042(R)]

> Resolution authorizing the City Manager to execute a contract with Sunbelt Pools, Inc. for the renovation of Juanita Maxfield Pool at North Park for an amount not to exceed \$30,500.00. Caption read as follows:

99-176

A RESOLUTION AUTHORIZING A CONTRACT WITH
SUNBELT POOLS, INC., DALLAS, TEXAS, FOR THE
RENOVATION OF JUANITA MAXFIELD POOL AT NORTH
PARK.

[Resolution No. 99-04-043(R)]

> Resolution authorizing the Purchasing Agent to sell surplus, obsolete, and unused supplies, materials, and equipment at public auction. Caption read as follows:

99-177

A RESOLUTION OF THE CITY OF MCKINNEY AUTHORIZING
THE PURCHASING AGENT TO SELL SURPLUS, OBSOLETE,
AND UNUSED SUPPLIES, MATERIALS, AND EQUIPMENT.

[Resolution No. 99-04-044(R)]

> Resolution authorizing the City of McKinney's participation in a coalition with other service area cities of TCI Cablevision for the purpose of rate regulation and other service matters, and authorizing the coalition's service area cities to retain a consultant to initiate a rate review of TCI Cablevision. Caption read as follows:

99-178

A RESOLUTION OF THE CITY OF MCKINNEY AUTHORIZING THE PARTICIPATION OF THE CITY OF MCKINNEY IN A COALITION WITH OTHER SERVICE AREA CITIES OF TCI CABLEVISION FOR THE PURPOSE OF RATE REGULATION AND OTHER SERVICE MATTERS CONCERNING TCI CABLEVISION AND AUTHORIZING THE COALITION'S SERVICE AREA CITIES TO RETAIN A CONSULTANT TO INITIATE A RATE REVIEW OF TCI CABLEVISION.

[Resolution No. 99-04-045(R)]

> Resolution authorizing the submission of an application to the Texas Department of Public Housing and Community Affairs for \$250,000 of grant funds from the Community Development Fund to carry out water system improvements, and authorizing the City Manager to act as the City's representative in all matters pertaining to the City's participation in the Texas Community Development Program. Caption read as follows:

99-179

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC HOUSING AND COMMUNITY AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND, AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM.

[Resolution No. 99-04-046(R)]

> Budget Policies and Guidelines to develop for the Fiscal Year 1999-2000 based on the following parameters: a budget based on holding the tax rate at the current level; utility rates and fees will remain at current levels unless justification is provided for increases; service area expansions will be reviewed to ensure appropriate funding levels for police dispatch, fire, library, airport, facilities, roadways, parks, customer services training, affordable housing, and the convention and visitors bureau; maintain appropriate fund balances and reserves as required by City's financial policies; maintain a competitive pay scale for employees to attract and retain qualified personnel; and, increases and/or reductions in staffing along with resulting impact on service levels will be recommended in a prudent manner, where necessary.

99-180

> Amendment to the High Pointe II Addition Facilities Agreement.

99-181

Councilmember Helsley stated that he would like to see the auction item (99-177) bid by the City next year.

Mayor Dozier declared a Public Hearing in session on the Draft Storm Water Management Ordinance and Storm Water Manual. Mr. Carr explained that revisions to the drainage ordinance have been worked on for quite some time. Mr. Carr outlined some of the key elements of this new ordinance as follows: control erosion along creek channels and construction related erosion; and, working with the Soil Conservation Service lakes and the pressure that development activity is creating on those lakes. Councilmember Whitfield stated that he understands a mechanism would be set in place for funding for the lakes. Mr. Carr stated that was correct. Councilmember Davis asked how the funding mechanism would work. Mr. Carr stated that the City would conduct a study of the lake corridor area, determine what improvements are needed to upgrade the lake, and spread the cost out across the entire drainage area based on the amount of runoff. Councilmember Helsley asked if that would be on a pro-rata basis. Mr. Carr stated that the actual funding mechanism would be more of an impact fee that would involve service areas and land use assumptions. Councilmember Helsley asked if the remaining undeveloped areas would carry the entire burden for an area that is already developed. Mr. Carr explained that the cost would be based on the entire drainage area rather than just the undeveloped area. Councilmember Whitfield stated that he would like the City to look at funding for the clean up of the Eldorado area erosion. There being no further comments, on a motion by Councilmember Davis, seconded by Councilmember Wysong, Council unanimously voted to continue the Public Hearing on this item at the April 20, 1999 Regular City Council Meeting.

99-182

Ms. Smith explained that only one candidate for each City Council place had filed for office by the March 17, 1999 deadline. Ms. Smith stated that the following Ordinance cancels the election scheduled to be held on May 1, 1999 and declares the following elected to office: Don Dozier, Mayor; Dr. Brad Wysong, Councilmember At-Large; Willie Wattley, Councilmember District I; and, Julie Vargo, Councilmember District III. There being no further comments, caption read as follows:

99-183

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MCKINNEY, TEXAS, CANCELING THE ELECTION
SCHEDULED TO BE HELD MAY 1, 1999, FOR THE

PURPOSE OF ELECTING A MAYOR, COUNCILMEMBER AT-LARGE, COUNCILMEMBER FOR DISTRICT I AND COUNCILMEMBER FOR DISTRICT III; DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; ORDERING THE UNOPPOSED CANDIDATE ELECTED TO OFFICE; ORDERING THE POSTING OF THIS ORDINANCE AT CITY HALL AND ON ELECTION DATE AT THE COLLIN COUNTY COURTHOUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

On a motion by Councilmember Wysong, seconded by Councilmember Brennan, Council unanimously approved the Ordinance. [Ordinance No. 99-04-36]

Mayor Dozier called for consideration of the Ordinance amending the Airport Minimum Standards. Mr. Turner explained that the Texas Department of Transportation (TxDOT) has expressed some concerns with the current minimum standards and has requested some changes. Mr. Turner stated that those requested changes have been incorporated into the amended Airport Minimum Standards document. Councilmember Brennan made a motion to approve the Ordinance amending the Airport Minimum Standards. Councilmember Davis stated that he thought the Fixed Based Operator would be allowed to address this issue. Mr. George Schuler with McKinney Exec Air, 1500 Industrial Boulevard, McKinney, Texas, expressed the following concerns with the amended Minimum Standards document: page 24, section 77-7 – changing the setback from 250 feet to 500 feet, which would make the Exec Air Fixed Base Operator building unusable space; page 29, section 77-96 – not listed as a change in the outline of TxDOT requested changes; and, page 61, section 77-141 – would not allow for fair and equal competition. Mr. Schuler stated that he brought copies of the minimum standards for Addison, Denton, Greenville, and Love Field for Council review. Mr. Schuler stated that all of these airports have received grants within the last twenty-four months, and none of the McKinney requirements outlined by TxDOT are contained in any of these minimum standards. Council discussion was held regarding the change of setback. Mr. Pearce explained that if the existing buildings were torn down, they would not be able to be rebuilt in the same location. Councilmember Davis asked what the net effect would be tomorrow morning. Mr. Pearce stated that there would be no effect. Councilmember Brennan stated that in order to provide the Instrument Landing System service, the airport must have the 500' setback. Mayor Dozier stated that the minimum standards are being amended in order to continue FAA and TxDOT funding. Mr. Pete Huff, former Airport Advisory Boardmember, 1810

99-184

Lakeshore, McKinney, Texas, stated that McKinney was granted a deviation from required 500' setback by the FAA, but it did not become an issue until facilities were planned to be built around the airport. Mr. Huff also stated that the Fixed Base Operator could be viewed as two types of businesses: a hangar operator and flight school. Mr. Huff recommended that the City not tie their hands and only allow one business to provide those services. Mr. Roger Harris, Airport Advisory Board Chair, stated that the changes to the minimum standards are significant. Mr. Harris expressed his concerns regarding the lack of restrictions on hangar operators and suggested that Council approve this document with the Airport Advisory Board to review and possibly hire a consultant to assist with review for future changes. Mr. Bob Roeder, Attorney at 1700 Redbud Boulevard, McKinney, Texas, expressed the following concerns with the amended minimum standards: hangar operator does not seem to be a TxDOT standard; City does not have to meet any performance standards that are required of private enterprise; and, funding has been granted on prior minimum standards. Councilmember Wysong stated that there seems to be some contention that the City doesn't really know what the FAA or TxDOT has said. Councilmember Wysong stated that he has heard a lot of debate and seen a lot of finger pointing, and does not appreciate it. There being no further comments, caption read as follows:

AN ORDINANCE AMENDING AND RESTATING CHAPTER 7 (AVIATION) OF THE CODE OF ORDINANCE, CITY OF MCKINNEY; PROVIDING FOR SEVERABILITY; AND SPECIFYING AN EFFECTIVE DATE.

Councilmember Wysong seconded the motion to approve the Ordinance amending the Airport Minimum Standards. Councilmember Helsley stated he believes the Council does need to approve the amended minimum standards based on the current situation, but encouraged Council not to vote for the motion as it is now. Councilmember Helsley stated that he would like to make a motion that involves approval, but also makes some comments and gives some direction. Councilmember Brennan stated that she believes direction has been given for Council to hold a retreat, discuss this issue further, meet with the Airport Board, and have a consultant work on the market rate study. Councilmember Brennan stated that approval is the action the Council needs to take now. Councilmember Whitfield asked if that was a part of her motion. Councilmember Brennan stated that she would amend

her motion to include those items mentioned. Councilmember Helsley requested that she also include the review of the minimum standards of other cities by the Airport Boardmembers Roger Harris and Gerry VonBargen. Councilmember Brennan stated she didn't believe that needed to be a part of this motion. Councilmember Brennan amended her original motion to approve the Ordinance amending the Minimum Standards with the addition that Council has a retreat with the Airport Advisory Board to review the Minimum Standards and discuss whether or not to pursue the request for consultant assistance with the Minimum Standards. Councilmember Wysong seconded the motion. Council voted to approve the Ordinance amending the Airport Minimum Standards; 5-2, Councilmembers Davis and Helsley voted nay. [Ordinance No. 99-04-37]

On a motion by Councilmember Wysong, seconded by Councilmember Helsley, Council unanimously voted to table consideration of the Ordinance prohibiting certain turn movements into and from a driveway in the Brooks Addition on Eldorado Parkway until the April 20, 1999 Regular City Council Meeting.

99-185

There being no applicant present, on a motion by Councilmember Wysong, seconded by Councilmember Whitfield, Council unanimously voted to postpone consideration of the Preliminary-Final Plat of High Pointe Phase III, 22.456 acres located on the north side of Old Celina Road and approximately 250 feet west of High Pointe Boulevard until the end of the Agenda.

99-029

Mayor Dozier declared a Public Hearing in session to consider the Site Plan for an approximately 26,650 square foot office/warehouse building (Magnetic Technology Inc.), 5.499 acres located on the south side of Bray Central Drive, approximately 350 feet east of Redbud Boulevard. Mr. Warren Hall, 2201 Rockbrook Drive, Lewisville, Texas, explained the Site Plan. Councilmember Brennan asked if the applicant is in agreement with the conditions for approval. Mr. Hall stated yes. There being no further discussion, on a motion by Councilmember Whitfield, seconded by Councilmember Wysong, Council unanimously voted to close the Public Hearing on this item, concurred with the recommendations from the Planning and Zoning Commission and Staff, and approved the Site Plan subject to the following conditions: Prior to issuance of a building permit: If the detention basin is required to be constructed with the initial phase of development, then

99-186

the applicant show the area of the proposed detention basin that affects the subject property on the proposed site plan drawing; The applicant conduct a detention facility study to determine if the natural drainage flows towards the proposed detention pond or towards the north. All improved surfaces must naturally drain away from the proposed detention facilities, or the detention facilities must be installed prior to an issuance of an occupancy permit; The applicant submit an amending plat to the City for review and approval, and the amending plat must be filed for record; The applicant show the loading spaces on the south side of the proposed building and modify the site plan drawing accordingly; the sanitation container screening walls, gate, and pad site be constructed in accordance with the City of McKinney design specifications, subject to review and approval by the Sanitation Coordinator; Approval of building permit plans by the Chief Building Official; Approval of grading and drainage plans by the City Engineer; Approval of public improvement construction plans, including location of sidewalks, and fire hydrants, by the City Engineer; Approval of utility construction plans by the City Engineer; Approval of a final landscape plan, including irrigation, by the City Planner; Payment of impact fees in accordance with Ordinance 96-03-13 (utilities) and 97-10-54 (roadway), and as amended; The associated plat for the subject property be filed for record with the county clerk; All signage is to comply with the current Sign Ordinance of the City of McKinney, and as amended. Final location of all signage, as well as the dimension and construction specifications, be subject to review and approval by the Chief Building Official, under separate permit; Final location of fire hydrants be subject to review and approval by the Fire Marshal; The applicant provide any additional easements as determined necessary by the City Engineer; The applicant comply with the lighting and glare regulations as specified within Section 41-106 of the City of McKinney Code of Ordinances.

Mayor Dozier declared a Public Hearing in session to consider the Site Plan for an approximately 335,270 square foot church and related facilities, 38.72 acres located approximately 300 feet north of Eldorado Parkway, and approximately 950 feet west of Hardin Boulevard. Mr. Bob Roeder, Attorney at 1700 Redbud Boulevard, McKinney, Texas, explained the Site Plan. Councilmember Helsley asked if the applicant is in agreement with the conditions for approval. Mr. Roeder stated yes. Councilmember Brennan asked what the anticipated height for buildings is. Mr. John Wardell,

Architect at 14951 Dallas Parkway, Dallas, Texas, explained that the first phase building height would be approximately 38.6 feet; the second phase building height would be approximately 70 to 75 feet for the worship center; the chapel building height would be approximately 36 to 40 feet; and the atrium lobby height would be approximately 60 feet. Councilmember Brennan asked if the roof would be a flat top or angular roof. Mr. Wardell stated that the roof would be a series of step-ups. There being no further comments, on a motion by Councilmember Helsley, seconded by Councilmember Whitfield, Council unanimously voted to close the Public Hearing on this item, concurred with the recommendations from the Planning and Zoning Commission and Staff, and approved the Site Plan subject to the following conditions: Prior to issuance of a building permit: Staff review and approval of each phase of development in order to approve parking, landscaping, and fire protection for that phase; The applicant submit to the City for review and approval an amending plat which conforms to the approved site plan, including dedicating all easements as determined by the City Engineer, for the subject property, and the plat be filed for record; Orchid Drive be constructed adjacent to the subject property and southward to Eldorado Parkway; The applicant provide a notation on the proposed site plan stating: "The sanitation container screening walls will be the same color, material, and texture as the exterior walls of the proposed building, including a metal gate, primed and painted, subject to review and approval by the City Planner"; The sanitation container screening walls, gate, and pad site be constructed in accordance with the City of McKinney design specifications, subject to review and approval by the Sanitation Coordinator; Approval of building permit plans by the Chief Building Official; Approval of grading and drainage plans by the City Engineer; Approval of public improvement construction plans by the City Engineer; Approval of utility construction plans by the City Engineer; Approval of a final landscape plan, including irrigation, by the City Planner; Payment of impact fees in accordance with Ordinance 96-03-13 (utilities) and 97-10-54 (roadway), and as amended; All signage is to comply with the current Sign Ordinance of the City of McKinney, and as amended. Final location of all signage, as well as the dimension and construction specifications, be subject to review and approval by the Chief Building Official, under separate permit; Final location of fire hydrants be subject to review and approval by the Fire Marshal; The applicant provide any

additional easements as determined necessary by the City Engineer; The applicant comply with the lighting and glare regulations as specified within Section 41-106 of the City of McKinney Code of Ordinances.

Mayor Dozier declared a Public Hearing in session to consider the Site Plan for an approximately 296,650 square foot church and related facilities (Stonebridge Drive Baptist Church), 20.565 acres located on the east side of Stonebridge Drive, approximately 1,950 feet north of Eldorado Parkway and approximately 4,000 feet south of Glen Oaks Drive. Mr. Bob Roeder, Attorney at 1700 Redbud Boulevard, McKinney, Texas, explained the Site Plan. Councilmember Brennan asked what the anticipated height for buildings is. Mr. John Wardell, Architect at 14951 Dallas Parkway, Dallas, Texas, explained that the phase one building height would be approximately 35 feet and the auditorium area of the worship center will reach as high as 75 feet. Councilmember Whitfield stated that the red tip photinias originally proposed have been changed to another evergreen variety screening shrub. Councilmember Whitfield asked how the growth rate of the two compares. Mr. Kessel stated that the Nelly R. Stephens holly will grow at a slightly slower rate and may need to have a higher berm or greater planting height. There being no further comments, on a motion by Councilmember Helsley, seconded by Councilmember Brennan, Council unanimously voted to close the Public Hearing on this item, concurred with the recommendations from the Planning and Zoning Commission and Staff, and approved the Site Plan subject to the following conditions: Prior to issuance of a building permit: Staff review and approval of each phase of development in order to approve parking, landscaping, and fire protection for that phase; Approval of a minor plat which conforms to the approved site plan for the subject property by the City of McKinney, and the plat be filed for record; The public improvements associated with the future east/west collector street (Coronado Drive), adjacent to the subject property, be accepted by the City of McKinney; The applicant actually show the proposed sanitation container on the proposed site plan, in addition to the general notation; Approval of a final landscape plan, including evergreen variety screening shrubs along the perimeter of the parking areas in order to screen the undercarriage of vehicles, as well as including irrigation, by the City Planner; The applicant provide a notation on the proposed site plan stating: "The sanitation container screening walls will be the same color, material, and texture as the exterior walls of the proposed

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building, including a metal gate, primed and painted, subject to review and approval by the City Planner"; The sanitation container screening walls, gate, and pad site be constructed in accordance with the City of McKinney design specifications, subject to review and approval by the Sanitation Coordinator; Approval of building permit plans by the Chief Building Official; Approval of grading and drainage plans by the City Engineer; Approval of public improvement construction plans by the City Engineer; Approval of utility construction plans by the City Engineer; Payment of impact fees in accordance with Ordinance 96-03-13 (utilities) and 97-10-54 (roadway), and as amended; All signage is to comply with the current Sign Ordinance of the City of McKinney, and as amended. Final location of all signage, as well as the dimension and construction specifications, be subject to review and approval by the Chief Building Official, under separate permit; Final location of fire hydrants be subject to review and approval by the Fire Marshal; The applicant provide any additional easements as determined necessary by the City Engineer; The applicant comply with the lighting and glare regulations as specified within Section 41-106 of the City of McKinney Code of Ordinances. Prior to issuance of an occupancy permit: The public improvements associated with the understreet crossing be constructed and the improvements be accepted by the City.

Mayor Dozier declared a Public Hearing in session to consider a request to amend a portion of Planned Development Ordinance No. 1400, 5.327 acres located at the southeast corner of North Brook Drive and Park View Avenue, and approximately 600 feet west of U.S. Highway 75 (Central Expressway), in order to allow auto painting and body shop as a permitted use, and accompanying ordinance. Mr. Bob Roeder, Attorney at 1700 Redbud Boulevard, McKinney, Texas, explained the rezone request. Mr. Roeder presented a letter of agreement from the Colonial Lodge to Councilmembers. Mr. Roeder explained that cars awaiting collision repair will be placed in the screened area and new or undamaged cars would be parked on the lot. Councilmember Brennan asked if collision repair would not occur on the existing car dealership site. Mr. Roeder stated that was correct. Councilmember Wysong asked if collision repair was allowed in a "C" – Planned Center district. Mr. Kessel stated that it was not. Councilmember Wysong asked if a car dealership with a collision repair center would be allowed. Mr. Kessel stated that a new car dealership with a collision repair

99-189

Per the associated Staff report, the 60' buffer was proposed by the applicant to help alleviate concerns raised by Staff

center as an accessory use would be allowed. Council discussion was held regarding the piece of property to the south, which does not appear to be used per the applicants rendering of the future site plan. Councilmember Wysong stated that Council could require the same type of screening requirements for the property to the south when it is presented for platting or site plan. Mr. Kessel stated that the screening requirements are already covered in the Ordinance, should the use cover the whole lot. Mr. Kessel stated that Council would need to take specific action to require that the property to the south be left as open space to be kept in its natural state and not further developed. Councilmember Wysong asked if the south property would ever be used for retail sales. Mr. Tomes stated that could be a possibility. Mayor Dozier asked what type of architectural features the site will have. Mr. Bob Tomes with Bob Tomes Ford, North Central Expressway, McKinney, Texas, stated that a brick façade to match the current dealership building is planned. There being no further comments, caption read as follows:

AN ORDINANCE AMENDING PLANNED DEVELOPMENT DISTRICT ORDINANCE NO. 1400 OF THE CITY OF MCKINNEY, TEXAS; SO THAT A 5.327 ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF NORTH BROOK DRIVE AND PARKVIEW AVENUE, AND APPROXIMATELY 600 FEET WEST OF U.S. HIGHWAY 75 (CENTRAL EXPRESSWAY) IS MODIFIED IN ORDER TO ALLOW AUTO PAINTING AND BODY SHOP AS AN ADDITIONAL PERMITTED USE; PROVIDING FOR SEVERABILITY; 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.

On a motion by Councilmember Wysong, seconded by Councilmember Whitfield, Council voted to close the Public Hearing on this item, concurred with the recommendations from the Planning and Zoning Commission, and approved the Ordinance granting the rezone request with the addition that screening be maintained for the vehicles awaiting repair, even if the property to the south is developed; 6-1, Councilmember Brennan voted nay. [Ordinance No. 99-04-38]

Mayor Dozier declared a Public Hearing in session to consider the Concept Plan for Fieldstone Place, 31.533 acres located on the east side of Stonebridge Drive, approximately 3,600 feet north of Eldorado Parkway, and approximately 1,200 feet south of Glen Oaks Drive. Mr. Pete Petsche with Petsche & Associates, 6900 Virginia Parkway, McKinney, Texas, explained

the Concept Plan. Councilmember Wysong asked where the Baptist church site is located in relation to this property. Mr. Petsche showed the Baptist church location. There being no further comments, on a motion by Councilmember Wysong, seconded by Councilmember Helsley, Council unanimously voted to close the Public Hearing on this item, concurred with the recommendations from the Planning and Zoning Commission and Staff, and approved the Concept Plan subject to the associated preliminary-final plat also being considered and approved by the City Council.

Mr. Pete Petsche with Petsche & Associates, 6900 Virginia Parkway, McKinney, Texas, explained the Preliminary-Final Plat of Fieldstone Place, 128 single family residential lots on 31.533 acres, located on the east side of Stonebridge Drive, approximately 1,200 feet south of Glen Oaks Drive, and approximately 3,600 feet north of Eldorado Parkway. Mr. Petsche stated that the applicant concurs with the conditions for approval. Councilmember Brennan stated that she is glad to see this design with roads adjacent to a major thoroughfare. Councilmember Brennan asked how wide the common area is. Mr. Petsche stated that the common area would be a minimum of 30 feet with a rear yard setback of 20 feet. There being no further comments, on a motion by Councilmember Brennan, seconded by Councilmember Wysong, Council concurred with the recommendations from the Planning and Zoning Commission and Staff, and unanimously approved the Preliminary-Final Plat subject to the following conditions: Approval of the associated concept plan for the subject property; The applicant submit a record plat conforming to the approved preliminary-final plat, subject to review and approval by Staff, and the record plat be filed for recordation. Prior to issuance of a development permit: Approval of a plat of Hillsdale Drive for the section of roadway that is adjacent to the subject property by the City of McKinney; Approval of preliminary screening and buffering plans, including irrigation, in accordance with Ordinance 96-09-37, by the City Planner, and approval of final screening and buffering plans, including irrigation, by the City Planner, by prior to installation of materials; Approval of public improvement construction plans, including location of sidewalks, hike and bike trails, and fire hydrants, by the City Engineer; Approval of utility construction plans by the City Engineer; Approval of grading and drainage plans by the City Engineer; Approval of the proposed street names within this development by the City Engineer. Prior to filing the record plat for recordation with the County Clerk: The section of

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Hillsdale Drive that is adjacent to the subject property be constructed by the applicant and the improvements accepted by the City, as well as the approved plat be filed for record; The section of Coronado Drive that is adjacent to the subject property be constructed by the applicant and the improvements accepted by the City; Payment of impact fees in accordance with Ordinances 96-03-13 (utilities) and 97-10-54 (roadway), and as specified within the Amended and Restated Development Agreement for Westerra Stonebridge; The applicant provide any additional easements as determined necessary by the City Engineer; Approval of annexation documentation, and filing thereof, incorporating the proposed development into the deeds, covenants, conditions and restrictions for Stonebridge Ranch Homeowner's Association, including the dedication of common areas, and its maintenance responsibilities, and be subject to review and approval by the City Attorney, and filed for record.

Councilmember Wysong stepped down during consideration of the following items.

Mayor Dozier declared a Public Hearing in session to consider the Conceptual Site Plan for the Rockhill Central Addition, 6.634 acres located on the east side of U.S. Highway 75 (Central Expressway), on the west side of Wilson Creek Boulevard, and on the north side of Rockhill Road. Mr. Bryan Moore with DBA Architects, 702 North College Street, McKinney, Texas, explained the Conceptual Site Plan. Councilmember Helsley expressed his concern regarding the potential for traffic going two directions in the area between Copy Right and the drug store. Mr. Kessel stated that the properties could be separated at the north side of the fire lane with a curb to prevent circulation conflicts. Mr. Moore stated that he did not think that would be a problem and would like to work with the city regarding the aesthetics and possible use of landscaping. Mr. Kessel stated that a landscape island would be preferred if it would fit. Mayor Dozier requested that the Staff and Architect work out the separation. There being no further comments, on a motion by Councilmember Davis, seconded by Councilmember Brennan, Council voted to close the Public Hearing on this item, concurred with the recommendations from the Planning and Zoning Commission and Staff, and approved the Conceptual Site Plan.

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Mayor Dozier declared a Public Hearing in session to consider the Preliminary-Final Replat of the Rock Hill Central Addition, 6.634 acres located

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on the east side of U.S. Highway 75 (Central Expressway), on the west side of Wilson Creek Boulevard, and on the north side of Rockhill Road. Mr. Bryan Moore with DBA Architects, 702 North College Street, McKinney, Texas, explained the Preliminary-Final Replat. Mr. Moore stated that the applicant is in agreement with the conditions for approval. There being no comments, on a motion by Councilmember Helsley, seconded by Mayor Pro Tem Wattley, Council voted to close the Public Hearing on this item, concurred with the recommendations from the Planning and Zoning Commission and Staff, and approved the Preliminary-Final Replat subject to the following conditions: Approval of the associated conceptual site plan for the subject property; The applicant submit a record plat or plats conforming to the approved preliminary-final replat, subject to review and approval by Staff, and the record plats be filed for record. Prior to submitting a record plat for review: All fire lanes and mutual access easements must conform to the approved conceptual site plan. Prior to filing the record plat for recordation: The applicant provide any additional easements as determined necessary by the City Engineer; The applicant provide the following notation on the proposed plat: "Each and every lot complies with the minimum size requirements as required by the zoning district"; Payment of median landscaping fees for medians within divided roadways, in lieu of the applicant landscaping and irrigating the medians, in the amount of \$9.00 per linear foot for the distance parallel to the subject property. Prior to issuance of a building permit for each lot: Approval of building permit plans by the Chief Building Official; Approval of grading and drainage plans by the City Engineer; Approval of public improvement construction plans by the City Engineer; Approval of utility construction plans by the City Engineer; Payment of impact fees in accordance with Ordinance 96-03-13 (utilities) and 97-10-54 (roadway), and as amended; The associated plat for the subject property be filed for record with the county clerk.

Councilmember Wysong returned to the Council dais.

Mr. Kessel explained that the Preliminary-Final Plat of High Pointe Phase III, 22.456 acres located on the north side of Old Celina Road and approximately 250 feet west of High Pointe Boulevard has been tabled a number of times at the applicants request. Mr. Kessel stated that he would recommend this item be approved at this time. There being no further comments, on a motion by Councilmember Davis, seconded by

Councilmember Wysong, Council unanimously voted to approve the Preliminary-Final Plat subject to the following conditions: Prior to filing the preliminary-final plat for recordation: The applicant correctly designate the prescriptive right-of-way and modify the proposed plat drawing accordingly; The applicant modify the park land dedication portion of the facilities agreement for High Pointe II, to include the dedication of proposed Lot 1 to the City of McKinney; The applicant construct the two lanes of Old Celina Road adjacent to the entire subject property and the improvements be accepted by the City; Payment of impact fees in accordance with Ordinances 96-03-13 (utilities) and 97-10-54 (roadway); The applicant provide any additional easements as determined necessary by the City Engineer; The applicant provide the following notation on the proposed plat: "Each and every lot complies with the minimum size requirements as required by the zoning district." Prior to issuance of a building permit and/or a development permit for each lot: Approval of the utility construction plans by the City Engineer; Approval of grading and drainage plans by the City Engineer; Approval of public improvement construction plans, including location of sidewalks, hike and bike trails, and fire hydrants, by the City Engineer. Councilmember Brennan stated that it would be helpful to the neighborhood if the repair of Old Celina Road could be expedited as much as possible.

The agenda having been completed, Mayor Dozier invited Citizen comments.

There were none.

Mayor Dozier invited City Manager comments.

Mr. Turner stated that the City has received an upgrade in the bond rating from Moody's and Standard & Poor's. Mr. Turner thanked the Staff and City Council for their work and support on this project.

Mr. Turner stated that the City has new public information pieces entitled McKinney: Our Vision and Progress '99. Mr. Turner stated that the public information office is also working on the web page as well as cable access.

Mayor Dozier invited City Council Comments.

Councilmember Brennan complimented the Public Information Coordinator on the attractive City Page recently published.

Councilmember Helsley congratulated the Council who participated in the bond-rating trip.

Councilmember Davis thanked the Staff for their time and preparation for the bond-rating trip.

There being no further business, Mayor Dozier declared the meeting adjourned at 9:00 p.m.


DON DOZIER, MAYOR

ATTEST:


JENNIFER G. SMITH, CITY SECRETARY