

CITY COUNCIL REGULAR MEETING

OCTOBER 3, 2022

The City Council of the City of McKinney, Texas met in regular session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, October 3, 2022, at 6:00 p.m.

The meeting was broadcast live on television Spectrum Channel 16 and AT&T U-Verse Channel 99; and online at <http://mckinney.legistar.com>.

Mayor George C. Fuller called the meeting to order at 6:00 p.m. upon determining a quorum consisting of himself and the following members were present: Mayor Pro Tem Rainey Rogers, and Council Members Justin Beller, Geré Feltus, Rick Franklin, Charlie Philips, and Patrick Cloutier.

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, City Secretary Empress Drane, Deputy City Secretary Joshua Stevenson, Director of Strategic Services Trevor Minyard, Fire Chief Danny Kistner, Fire Public Information Officer & Education Coordinator Merit Ossian, Director of Planning Jennifer Arnold, Director of Parks, Recreation & Open Space Michael Kowski, Development Engineering Manager Matt Richardson, Police Officer Shannon Seabrook, and Information Technology Service Technician Logan Atwood

There were approximately sixty (60) members of the public in attendance, including Capital Improvements Advisory Committee Member Steve Wilson.

Mayor Fuller called for the Invocation and Pledge of Allegiance. The Invocation given by Dr. Bill Rosnett, Northwest Christian Church.

Mayor Fuller called for the following Information Sharing items:

22-0909 Proclamation for Fire Prevention Month

The event flyer for the October 28 Fall Festival was not posted on the meeting agenda but included is in these minutes as *Appendix A: Agenda Item #22-0909 Event Flyer*.

22-0910 Proclamation for 19th Annual Arbor Day

Mayor Fuller called for Public Comments on agenda items at which time there were no requests to address the City Council.

Mayor Fuller called for the Consent agenda. Council unanimously approved the motion by Council Member Geré Feltus, seconded by Council Member Patrick Cloutier, to approve the Consent Agenda as follows:

- 22-0911** Minutes of the City Council Work Session of September 20, 2022
- 22-0912** Minutes of the City Council Regular Meeting of September 20, 2022
- 22-0913** Minutes of the City Council Special Meeting of September 27, 2022
- 22-0849** Minutes of the McKinney Community Development Corporation TUPPS Subcommittee Meeting of August 24, 2022
- 22-0848** Minutes of the McKinney Community Development Corporation Meeting of August 25, 2022
- 22-0850** Minutes of the McKinney Community Development Corporation TUPPS Subcommittee Meeting of September 13, 2022
- 22-0855** Minutes of the McKinney Economic Development Corporation Meeting of July 26, 2022
- 22-0856** Minutes of the McKinney Economic Development Corporation Meeting of August 16, 2022
- 22-0894** Minutes of the Planning and Zoning Commission Regular Meeting of September 13, 2022
- 22-0914** Consider/Discuss/Act on an Ordinance Amending the Fiscal Year 2022-2023 Annual Budget and Amending the 2023-2027 Capital Improvements Program, to Provide Funds for the Robinson Ridge Neighborhood Park Project (PK1830); Ordinance caption reads as follows

ORDINANCE NO. 2022-10-104

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS AMENDING THE FISCAL YEAR 2022-2023 ANNUAL BUDGET AND 2023-2027 CAPITAL IMPROVEMENT PROGRAM TO PROVIDE FUNDS FOR THE ROBINSON RIDGE NEIGHBORHOOD PARK PROJECT (PK1830); AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 22-0915** Consider/Discuss/Act on an Amendment to Ordinance Number 2022-03-033 Ordering a Local Option Election for November 8, 2022, for the Purpose of Submitting to the Qualified Voters of the City of McKinney, Texas, One Local Option Election Proposition to Consider Legalizing the

Sale of All Alcoholic Beverages for Off-Premise Consumption Only;
Designating Polling Places; Appointing the Early Voting Polling Place;
Designating the Early Voting Clerk; and Providing for Notice and
Publication of the Election; Ordinance captions read as follows:

ORDINANCE NO. 2022-10-105 ENG

AN AMENDING ORDINANCE NO. 2022-03-033 OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CALLING A SPECIAL ELECTION FOR NOVEMBER 8, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF MCKINNEY, TEXAS, ONE (1) LOCAL OPTION ELECTION PROPOSITION TO CONSIDER LEGALIZING THE SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY; DESIGNATING POLLING PLACES; APPOINTING THE EARLY VOTING POLLING PLACE; AMENDING THE PREVIOUS EARLY VOTING SCHEDULE; DESIGNATING THE EARLY VOTING CLERK; AND PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION

ORDENANZA N.º 2022-10-105 ESP

UNA ORDENANZA DE ENMIENDA NO. 2022-03-033 DEL CONCEJO MUNICIPAL DE LA CIUDAD DE MCKINNEY, TEXAS, QUE CONVOCA A ELECCIONES ESPECIALES PARA EL 8 DE NOVIEMBRE DE 2022, CON EL OBJETIVO DE PRESENTAR ANTE LOS VOTANTES CALIFICADOS DE LA CIUDAD DE MCKINNEY, TEXAS, UNA (1) ELECCIÓN DE OPCIÓN LOCAL PARA CONSIDERAR LA LEGALIZACIÓN DE LA VENTA DE TODAS LAS BEBIDAS ALCOHÓLICAS SOLO PARA EL CONSUMO FUERA DEL ESTABLECIMIENTO; DESIGNAR LOS LUGARES DE VOTACIÓN; DESIGNAR EL LUGAR DE VOTACIÓN ANTICIPADA; ENMIENDA DEL HORARIO ANTERIOR DE VOTACIÓN ANTICIPADA; NOMBRAR AL SECRETARIO DE VOTACIÓN ANTICIPADA; Y DISPONER EL AVISO Y PUBLICACIÓN DE LA ELECCIÓN

22-0916 Consider/Discuss/Act on an Ordinance Amending the City Code of Ordinances, Chapter 14 "Alcoholic Beverages," Article III, "Lawful Sale of Alcoholic Beverages," Section 14-52, "Permit; permit fee," to Allow for the Collection of Permit Fees Every other Year; and Providing for an Effective Date; Ordinance caption reads as follows:

ORDINANCE NO. 2022-10-106

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, THROUGH THE AMENDMENT OF CHAPTER 14, "ALCOHOLIC BEVERAGES," ARTICLE III, "LAWFUL SALE OF ALCOHOLIC BEVERAGES," BY AMENDING SECTION 14-52, ENTITLED "PERMIT; PERMIT FEE," OF THE MCKINNEY CODE OF ORDINANCES; ESTABLISHING VIOLATIONS AND PENALTIES; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

22-0917 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Agreement with DFW International Airport -

Department of Public Safety for Aircraft Rescue Fire Fighter Training;

Resolution caption reads as follows:

RESOLUTION NO. 2022-10-147 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH DFW INTERNATIONAL AIRPORT – DEPARTMENT OF PUBLIC SAFETY FOR AIRCRAFT RESCUE FIRE FIGHTER TRAINING; AND PROVIDING AN EFFECTIVE DATE

22-0918 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Hellas Construction, Inc of Austin, Texas, for the Construction of the Craig Ranch Soccer Complex (PK1906); Resolution caption reads as follows:

RESOLUTION NO. 2022-10-148 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH HELLAS CONSTRUCTION, INC. OF AUSTIN, TEXAS, FOR THE CONSTRUCTION OF THE CRAIG RANCH SOCCER COMPLEX (PK1906)

22-0919 Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract and All Necessary Change Orders with Gilbert May, Inc. dba Phillips/May Corporation of Dallas, Texas, for the Construction of a 15-Acre Neighborhood Park Located within the Robinson Ridge Subdivision (PK1830); Resolution caption reads as follows:

RESOLUTION NO. 2022-10-149 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH GILBERT MAY, INC. DBA PHILLIPS/MAY CORPORATION OF DALLAS, TEXAS FOR THE CONSTRUCTION OF THE ROBINSON RIDGE NEIGHBORHOOD PARK PROJECT (PK1830)

Mayor Fuller called for the Regular Agenda and Public Hearing items:

22-0007M Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Prescribing the Type of Notice to be Given of the Time and Place of a Public Hearing to be Held Jointly by the City Council and the Planning and Zoning Commission to Consider, Discuss, and Act on Amending and Relocating Chapter 146 (Zoning Ordinance), Chapter 142 (Subdivision Ordinance), Chapter 58 (Lighting Ordinance), Chapter 122, Article IV

(Fence Ordinance), Chapter 134 (Sign Ordinance), and Chapter 130, Article IV (Stormwater Management Ordinance) into a Unified Development Code, and Accompanying Ordinance

There were no requests to address the Council when Mayor Fuller called for Public Comments on the request.

Council unanimously approved the motion by Council Member Rick Franklin, seconded by Council Member Patrick Cloutier, to close the public hearing and approve an Ordinance Prescribing the Type of Notice to be Given of the Time and Place of a Public Hearing to be Held Jointly by the City Council and the Planning and Zoning Commission to Consider, Discuss, and Act on Amending and Relocating Chapter 146 (Zoning Ordinance), Chapter 142 (Subdivision Ordinance), Chapter 58 (Lighting Ordinance), Chapter 122, Article IV (Fence Ordinance), Chapter 134 (Sign Ordinance), and Chapter 130, Article IV (Stormwater Management Ordinance) into a Unified Development Code, and Accompanying Ordinance; caption reads as follows:

ORDINANCE NO. 2022-10-107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, PRESCRIBING THE TYPE OF NOTICE TO BE GIVEN OF THE TIME AND PLACE OF A PUBLIC HEARING TO BE HELD JOINTLY BY CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION TO CONSIDER, DISCUSS, AND ACT ON AMENDING AND RELOCATING CHAPTER 146 (ZONING ORDINANCE), CHAPTER 142 (SUBDIVISION ORDINANCE), CHAPTER 58 (LIGHTING ORDINANCE), CHAPTER 122, ARTICLE IV (FENCE ORDINANCE), CHAPTER 134 (SIGN ORDINANCE), AND CHAPTER 130, ARTICLE IV (STORMWATER MANAGEMENT ORDINANCE) INTO A UNIFIED DEVELOPMENT CODE

22- Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use
0009SUP2 Permit Request for a Pump Station (North Texas Municipal Water District), Located at 3701 Redbud Boulevard, and Accompanying Ordinance

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Council Member Geré Feltus, to Close the public hearing 22-0009SUP2 Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Pump Station (North Texas Municipal Water District), Located at 3701 Redbud Boulevard, and Accompanying Ordinance

There were no requests to address the Council when Mayor Fuller called for Public Comments on the request.

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Council Member Geré Feltus, to close the public hearing and approve a Specific Use Permit Request for a Pump Station (North Texas Municipal Water District), Located at 3701 Redbud Boulevard, and Accompanying Ordinance; caption reads as follows:

ORDINANCE NO. 2022-10-108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A PUMP STATION (NORTH TEXAS MUNICIPAL WATER DISTRICT), LOCATED AT 3701 REDBUD BOULEVARD; PROVIDING REGULATIONS; 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

- 22-** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use
0016SUP2 Permit Request for Personal Service (Carrie Radish Wax Company),
Located at 8751 Collin McKinney Parkway, Suite 1803, and
Accompanying Ordinance

The applicant Carrie Radcliff was present but did not speak to the Council. There were no requests to address the Council when Mayor Fuller called for Public Comments on the request.

Council unanimously approved the motion by Council Member Geré Feltus, seconded by Council Member Rick Franklin, to close the public hearing and approve a Specific Use Permit Request for Personal Service (Carrie Radish Wax Company), Located at 8751 Collin McKinney Parkway, Suite 1803, and Accompanying Ordinance; Ordinance caption reads as follows:

ORDINANCE NO. 2022-10-109

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR PERSONAL SERVICE (CARRIE RADISH WAX COMPANY), LOCATED AT 8751 COLLIN MCKINNEY PARKWAY, SUITE 1803, PROVIDING REGULATIONS; 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

- 22-0013SUP3** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Restaurant with Drive-Through (Seven Brew Coffee), Located on the Northwest Corner of U.S. Highway 380 (University Drive) and Sharon Lane, and Accompanying Ordinance

There were no requests to address the Council when Mayor Fuller called for Public Comments on the request.

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Mayor George Fuller, to close the public hearing.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council Member Rick Franklin, to approve a Specific Use Permit Request for a Restaurant with Drive-Through (Seven Brew Coffee), Located on the Northwest Corner of U.S. Highway 380 (University Drive) and Sharon Lane, and Accompanying Ordinance; Ordinance caption reads as follows:

ORDINANCE NO. 2022-10-110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH WINDOW, APPROXIMATELY 1.17 ACRES, LOCATED ON THE NORTHWEST CORNER OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE) AND SHARON LANE; 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

- 22-0062Z3** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, Located Approximately 370 Feet North of Wilmeth Road and on the East Side of U.S. Highway 75, and Accompanying Ordinance (REQUEST TO BE TABLED)

There were no requests to address the Council when Mayor Fuller called for Public Comments on the request.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council Member Patrick Cloutier, to close the public hearing and table indefinitely the Request to Rezone the Subject Property from "C" - Planned Center

District and "CC" - Corridor Commercial Overlay District to "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, Located Approximately 370 Feet North of Wilmeth Road and on the East Side of U.S. Highway 75, and Accompanying Ordinance (REQUEST TO BE TABLED)

22-0079Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS-60" - Single Family Residence District and "TMN" - Traditional McKinney Neighborhood Overlay District to "DR" - Duplex Residential District and "TMN" - Traditional McKinney Neighborhood Overlay District, Located Approximately 250 Feet North of Jefferson Street and on the East Side of Rockwall Street, and Accompanying Ordinance

A supermajority vote of the Council (6 of 7) would be required to approve the rezoning request, based on the following:

1) Valid Written Protest - On August 22, 2022, 2, staff received a written protest opposing the rezoning request. As of the publication of the City Council agenda, the submitted protest included validated signatures from eligible property owners representing 65.9% of the total area within 200' of the subject property; and

2) Unfavorable Recommendation by the Planning & Zoning Commission - On August 23, 2022, the Commission voted 4-3-0 to recommend denial of the proposed rezoning request.

The following individuals spoke in support of the request:

Iman Farzadpour, Applicant, 581 Talia Circle, Fairview TX 75069

Ali Farzadpour, Applicant, 581 Talia Circle, Fairview TX 75069

The following individuals spoke in opposition to the request:

Roshon Palmer, 2336 North Ridge Road, McKinney TX 75072

Enes Fuentes, 909 Rockwall Street, McKinney TX 75069

Eddie Burns, 821 Rockwall Street, McKinney TX 75069

Kimberly Palmer, 904 Rockwall Street, McKinney TX 75069

Jonas Palmer, 904 Rockwall Street, McKinney TX 75069

Angela Henderson, 824 Rockwall Street, McKinney TX 75069

James Henderson, 824 Rockwall Street, McKinney TX 75069

Brian Thornton, no address information provided

The following individual requested to speak during this Public Hearing and made unrelated comments:

Jeff Seward, 1515 Heritage Dr, McKinney TX 75069 spoke regarding homelessness within the city

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council Member Rick Franklin, to close the public hearing.

Council approved the motion by Council Member Geré Feltus, seconded by Council Member Charlie Philips, to deny the Request to Rezone the Subject Property from "RS-60" - Single Family Residence District and "TMN" - Traditional McKinney Neighborhood Overlay District to "DR" - Duplex Residential District and "TMN" - Traditional McKinney Neighborhood Overlay District, Located Approximately 250 Feet North of Jefferson Street and on the East Side of Rockwall Street, and Accompanying Ordinance with a vote of 6 to 1, Rainey Rogers voting no.

The Applicant Present revised since the agenda posting is included in these minutes as *Appendix B: Agenda Item #22-079Z2 Applicant Presentation*.

22-0083Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Commercial Uses and a Pet Store, Kennel, Animal Boarding (Outdoor Runs) Use, Located at 9446 Virginia Parkway, and Accompanying Ordinance

There were no requests to address the Council when Mayor Fuller called for Public Comments on the request.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Council Member Rick Franklin, to close the public hearing and approve the Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Commercial Uses and a Pet Store, Kennel, Animal Boarding

(Outdoor Runs) Use, Located at 9446 Virginia Parkway, and Accompanying Ordinance; Ordinance caption reads as follows:

ORDINANCE NO. 2022-10-112

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 2.481 ACRE PROPERTY, Located AT 9446 VIRGINIA PARKWAY, IS REZONED FROM “PD” – PLANNED DEVELOPMENT DISTRICT TO “PD” – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS AND TO ALLOW COMMERCIAL USES AND A PET STORE, KENNEL, ANIMAL BOARDING (OUTDOOR RUNS) USE; 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

22-0084Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Single Family Attached Residential Uses, Located on the North Side of Wilson Creek Parkway and Approximately 150 feet West of Big Bend Drive, and Accompanying Ordinance

There were no requests to address the Council when Mayor Fuller called for Public Comments on the request.

Council unanimously approved the motion by Council Member Rick Franklin, seconded by Council Member Geré Feltus, to close the public hearing and approve the Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Single Family Attached Residential Uses, Located on the North Side of Wilson Creek Parkway and Approximately 150 feet West of Big Bend Drive, and Accompanying Ordinance; Ordinance caption reads as follows:

ORDINANCE NO. 2022-10-113

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 6.053 ACRE PROPERTY, LOCATED ON THE NORTH SIDE OF WILSON CREEK PARKWAY AND APPROXIMATELY 150 FEET WEST OF BIG BEND DRIVE, IS REZONED FROM “PD” – PLANNED DEVELOPMENT DISTRICT TO “PD” – PLANNED DEVELOPMENT DISTRICT, TO ALLOW SINGLE FAMILY ATTACHED RESIDENTIAL USES AND TO MODIFY THE DEVELOPMENT STANDARDS; 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

22-0089Z2 Conduct 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 2,950 Feet East of FM 1827 and on the South Side of U.S. Highway 380 (University Drive), and Accompanying Ordinance

Sherry Williams was present on behalf of the applicant but did not address the Council. There were no requests to address the Council when Mayor Fuller called for Public Comments on the request.

Council unanimously approved the motion by Mayor Pro Tem Rainey Rogers, seconded by Mayor George Fuller, to close the public hearing and approve the Request to Rezone the Subject Property from "AG" - Agricultural District to "LI" - Light Industrial District, Located Approximately 2,950 Feet East of FM 1827 and on the South Side of U.S. Highway 380 (University Drive), and Accompanying Ordinance; Ordinance caption reads as follows:

ORDINANCE NO. 2022-10-114

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 15.049 ACRE PROPERTY, LOCATED APPROXIMATELY 2,950 FEET EAST OF FM 1827 AND ON THE SOUTH SIDE OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE), 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

22-0920 Consider/Discuss/Act on Appointing a Member to the Visit McKinney Board

Council unanimously approved the motion by Council Member Patrick Cloutier, seconded by Council Member Rick Franklin, to

- 1) Promote Patrick McGuire from Alternate to Regular member for a partial term effective until September 30, 2023; and
- 2) Appoint Jon Christopher Davis to Alternate member for a partial term effective until September 30, 2023.

Mayor Fuller called for Citizen Comments on Matters not on the Agenda.

Michael David, 3311 Sedona Lane, McKinney TX 75070 spoke about the broken elevator at the downtown parking garage, thanking Mayor Fuller for his engagement over the weekend and helping to address the repair needs in a timely manner.

Mayor Fuller stated that upon receiving information about the broken elevator, he reached out the Andrew Jones (Interim Director of McKinney Performing Arts Center) who immediately responded to address the repair needs.

Gwen Scichowski, 2620 Clear Brook Dr, McKinney TX 75071, spoke regarding homelessness conditions at the Walmart parking lot on Redbud Blvd & Highway 380, seeking information, safety options, and resources on behalf of people who are experiencing homelessness.

Deborah Malone, (no address) spoke regarding her current personal experience of homelessness, seeking information and resources.

Mayor Fuller provided his contact information offering to provide information about homelessness resources.

Mayor Fuller called for Council and Manager Comments.

Council Member Charlie Philips commended McKinney High School football players running back Bryan Jackson and quarterback Keldric Luster for outstanding play this season, encouraging the community to take opportunity to attend their games.

Council Member Geré Feltus commended city staff for organizing the recent Oktoberfest event at downtown McKinney, commenting on the improved sales operation and stating this year's event was fun, well organized, and one of the best she has attended in recent years.

Council Member Justin Beller commended city staff for the Oktoberfest, the improved sales operations and parking garage elevator repairs; stated he attended the recent Boys & Girls Club Spelling Bee, congratulated all the participated and stated the winner of each category received a prize of \$100.

Council Member Patrick Cloutier commented on his opportunity to "tap the keg" at Oktoberfest, expressing how much fun he experienced with his family on each day of the event; announced that the McKinney Young Professionals group will host the Cheers to Charity event on Tuesday, October 11 at 5:30 p.m. – the \$30 tickets includes

a beer and choice of five raffle tickets with opportunity to bid on celebrity beer steins designed by Council Member Geré Feltus, McKinney First Lady Maylee Fuller, McKinney Community Development Corporation Chairwoman Angela Richardson-Woods, Director of One Heart McKinney Scott Elliott, as well as designs by good friends of Council Member Cloutier Tanya Winchester and Terrence Johnson, and others; Council Member Cloutier encouraged the public to participate in the charitable event which proceeds benefit the Alliance of Youth Leadership (AEYL) non-profit organization of McKinney.

City Manager Paul Grimes made the following announcement:

- Encouraged residents to participate in a National Night Out block party on Tuesday, October 4 and take opportunity to increase neighborhood spirit, improve police community partnerships, and help keep our city safer; Several Council Members as well as new Interim Police Chief Joe Ellenburg and City Manager Grimes will be visiting block parties throughout the city to meet with residents; Information about National Night Out is available online at www.mckinneytexas.org/NNO

Mayor Fuller commended the success of the Oktoberfest and expressed thanks to the Police and Fire Departments for participating in the beer stein holding challenge which the Police team won; commended students, teachers and parents for the acts of kindness program at Caldwell elementary; stated that some people in the community attend school board meetings to be disruptive and overwhelm the school board with costly open records requests – encouraged and invited those individuals to join him in following the example of Caldwell Elementary to participate constructively in community events and programs, meet with students and parents, and become more engaged with supporting positivity within the school district.

Council unanimously approved the motion by Council Member Geré Feltus, seconded by Mayor Pro Tem Rainey Rogers, to adjourn the meeting at 8:02 p.m.

The video recording of this meeting is available online through the City of McKinney video archives.

These minutes were approved by the City Council on October 18, 2022

SIGNED:

GEORGE C. FULLER, Mayor

ATTEST:

EMPRESS DRANE, City Secretary

City of McKinney, Texas

(Appendix attachments begin on next page)

Appendix A: Agenda Item #22-0909 Event Flyer



BEGIN -
Appendix B: Agenda Item #22-079Z2 Applicant Presentation

An architectural rendering of a modern two-story duplex building. The building features a mix of wood-grain horizontal siding, grey brick, and dark grey accents. It has large windows, a balcony with a glass railing, and a modern entrance. To the left of the building is a circular inset map showing the surrounding neighborhood with street names like Elm, Clark, and Rockwall. A tree and some landscaping are shown in front of the building. Below the rendering is a dark green banner with white text and logos. On the left is the McKinney Texas logo with the tagline "Unique by nature." The text in the banner reads: "REZONE PROPOSAL FROM: 'RS-60'-Single Family Residential TO: 'RD-30'- Duplex Residential District" and "827 Rockwall ST, McKinney, TX".

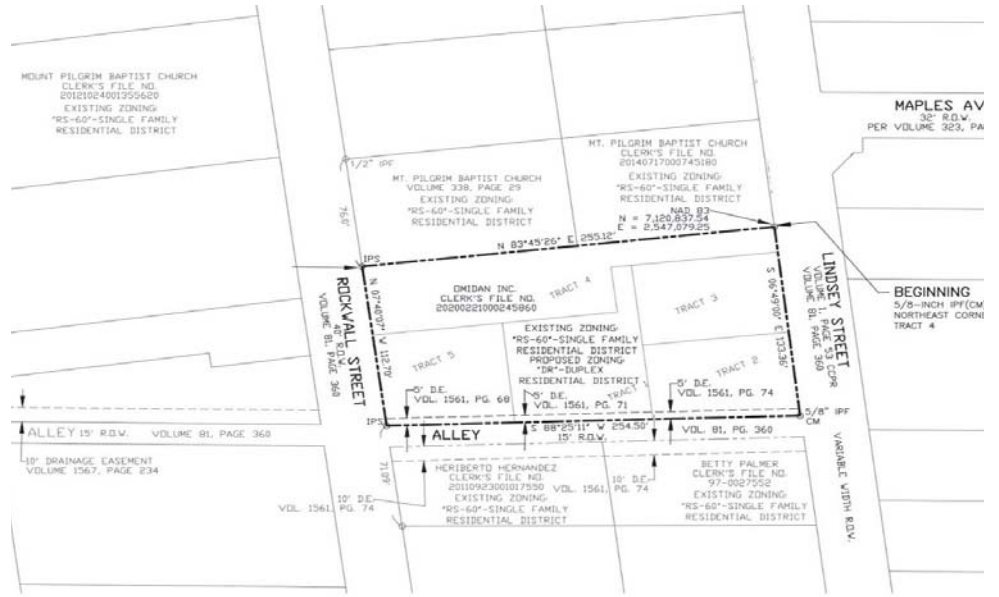
CONTINUED -
Appendix B: Agenda Item #22-079Z2 Applicant Presentation

Purchasing The Lot

- Broker
- 5 Tracts
- City of McKinney
- Replat into 4 lots
- Become a resident of the neighborhood

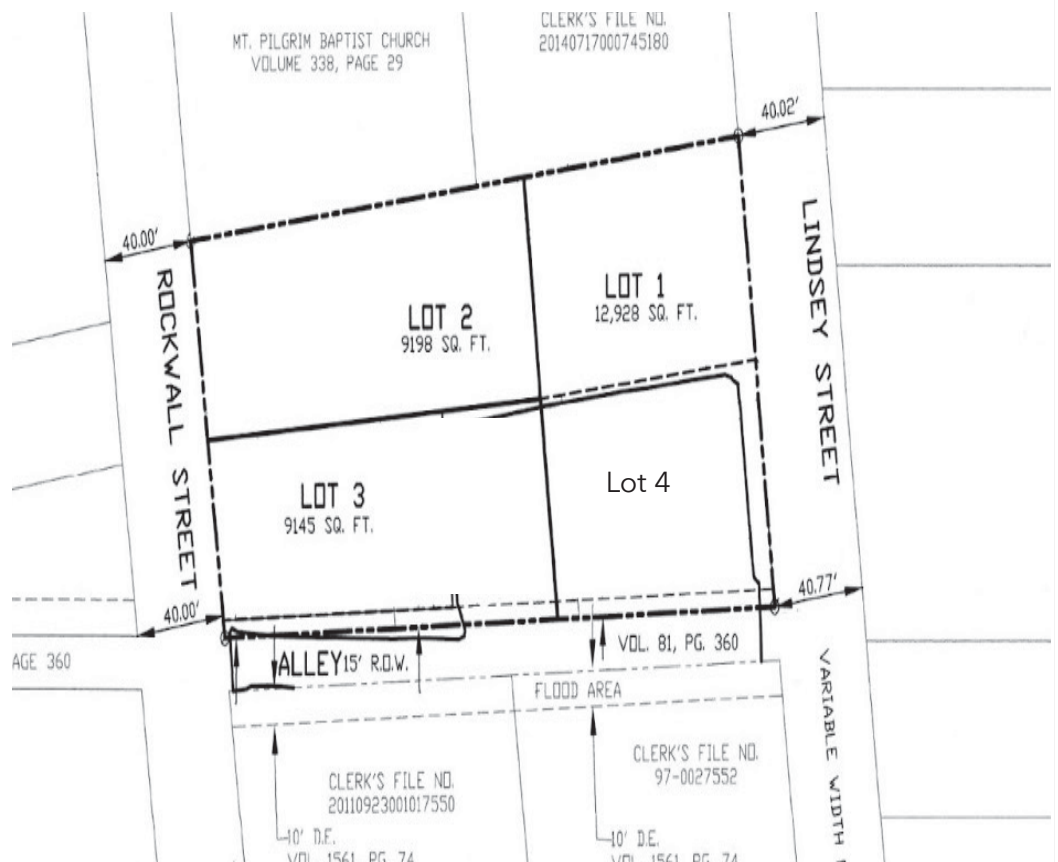
From: Matt Richardson
Sent: Wednesday, November 20, 2019 11:24 AM
To: Karen McCutcheon <kmccutcheon@mckinneytexas.org>
Subject: RE: 827 Rockwall / Lindsey

Agree that replating the five lots into four more normal size/shape lots would be the best bet. Shouldn't be any issues associated with that.



After Closing

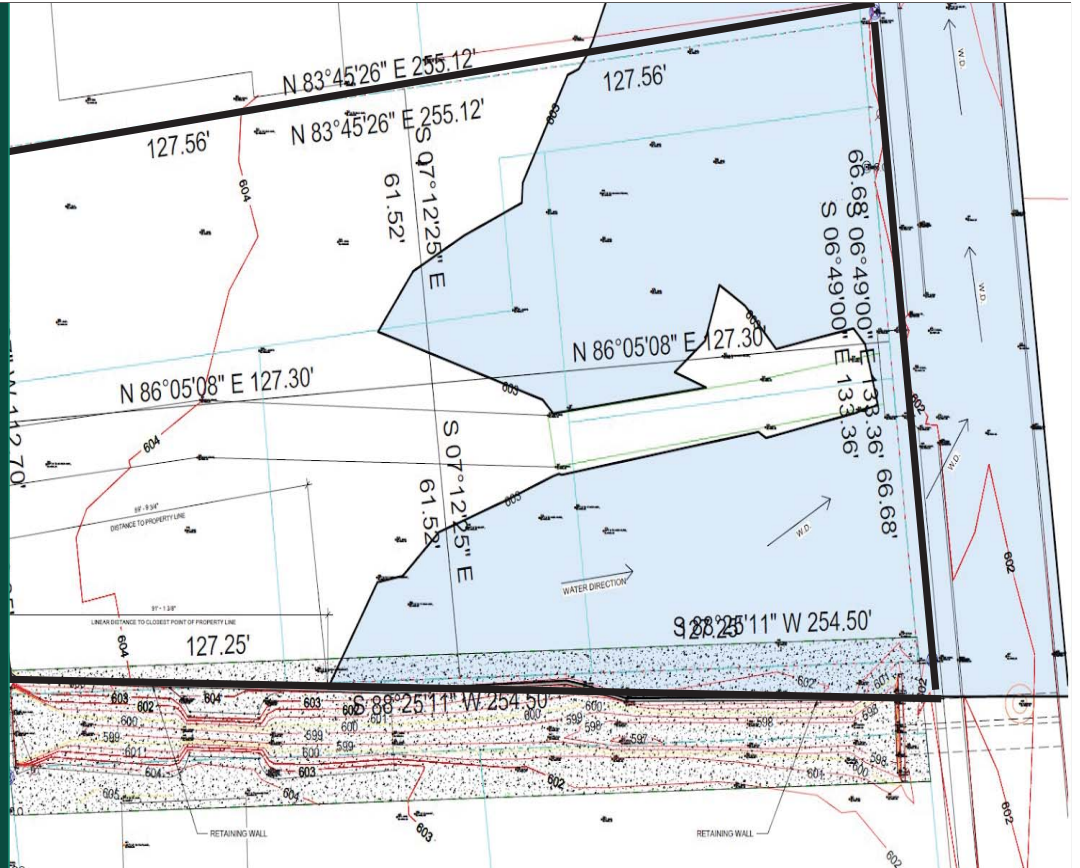
- Proposed site
- 4 Lots



CONTINUED -
Appendix B: Agenda Item #22-079Z2 Applicant Presentation

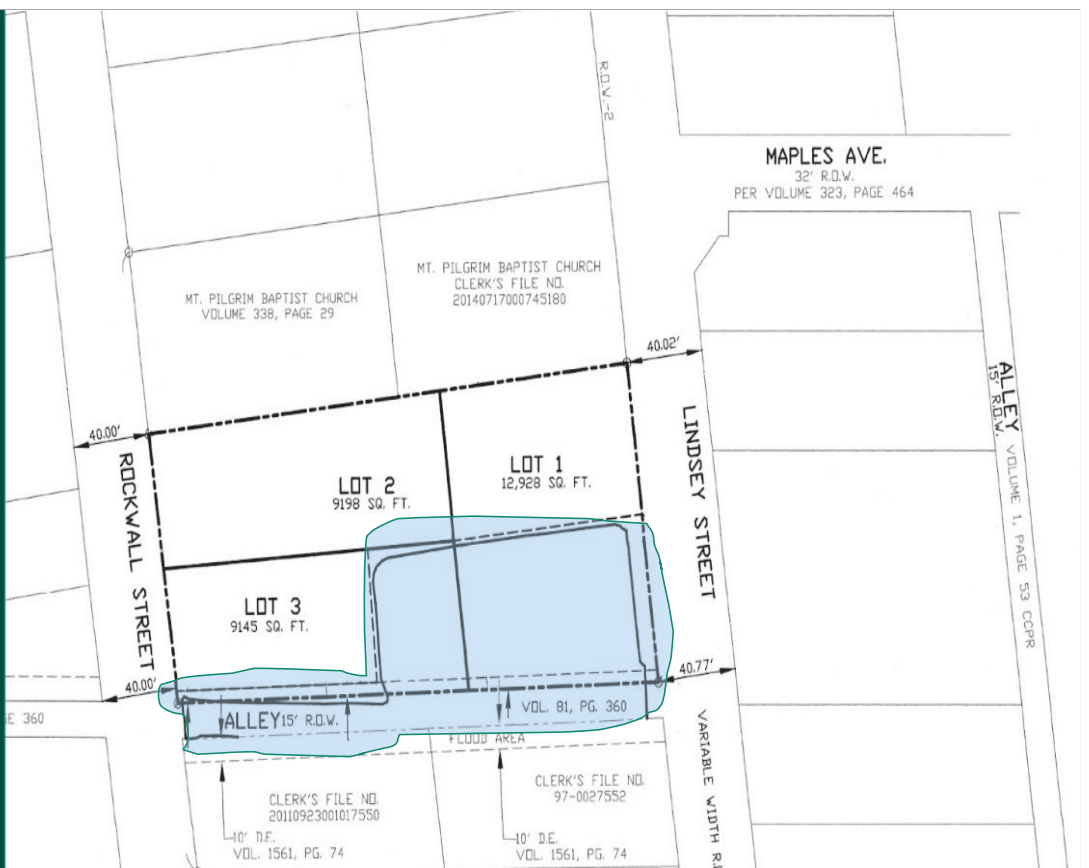
After Closing

- Drainage issues
- Property and the street
- Flood zone
- Can't replat unless it's fixed
- Not disclosed in FEMA



Solution

- Owner
- Designated 10,000 sqft
- 100 year flood event
- No threat of flooding
- Common area between 3 lots
- The property owners will maintain the drainage



CONTINUED -
Appendix B: Agenda Item #22-079Z2 Applicant Presentation

Before and After

- Before and After
- 3 Months / 100K+
- Property was fixed at owner's cost



Affordable Living

- The AVG price/SQFT in this neighborhood
- Feasibility study
- Single family is not affordable

Market Analysis Summary | Residential

Listings as of 10/3/22 at 8:48 am, Page 2 of 2

#	MLS #	Address	City	Bd	Ba	Sqft	YB	GAR/CP/TPC	Pool	Acres	\$/Sqft	List Price	Sold Price	Sold Date	Sale/List	CDOM
Listings: Closed																
1	20047030	1006 S Chestnut ST	McKinney	3	1	1,136	1958	2/4/6	No	0.205	\$166.37	\$199,000	\$189,000	06/07/2022	95.0%	5
2	20092499	1303 Hamilton ST	McKinney	3	2	1,163	2003	1/0/1	No	0.088	\$251.07	\$290,000	\$292,000	07/21/2022	100.7%	8
3	20102185	1026 Murray CT	McKinney	5	2	1,520	1962	0/0/0	No	0.170	\$197.37	\$270,000	\$300,000	08/09/2022	111.1%	9
4	20128601	1106 Lindsey ST	McKinney	3	2	1,631	2020	2/0/2	No	0.200	\$242.18	\$399,000	\$395,000	08/29/2022	99.0%	5
5	20042258	1106 Lindsey ST	McKinney	3	2	1,631	2020	2/0/2	No	0.200	\$265.17	\$389,500	\$432,500	06/03/2022	111.0%	10
6	20004479	507 Wilcox ST	McKinney	3	2	1,964	1960	0/0/0	No	0.269	\$224.03	\$399,000	\$440,000	04/08/2022	110.3%	5
7	20038241	405 S Murray ST	McKinney	3	3	1,794	2020	2/0/2	No	0.136	\$259.20	\$425,000	\$465,000	05/31/2022	109.4%	4
8	20081880	914 Gerrish ST	McKinney	4	3	2,365	2019	2/0/2	No	0.441	\$257.93	\$635,000	\$610,000	09/07/2022	96.1%	55
				Min	3	1	1,136	1958	2/0/2	0.088	\$166.37	\$199,000	\$189,000		95.0%	4
				Max	5	3	2,365	2020	0/0/0	0.441	\$265.17	\$635,000	\$610,000		111.1%	55
				Avg	3	2	1,651	1995	2/4/6	0.214	\$232.92	\$375,813	\$390,438		104.1%	13
				Med	3	2	1,631	2011	1/1/2	0.200	\$246.63	\$394,250	\$413,750		105.1%	7

Single family: 3,500SQFT x \$230/SQFT = 805,000

Duplex: 1,750SQFT x \$230/SQFT = 402,500

Home price *
\$ 800,000

Down payment *
\$ 160,000 20 %

Loan program
30 year fixed

Interest rate * †
5 %

Home price *
\$ 400,000

Down payment *
\$ 80,000 20 %

Loan program
30 year fixed

Interest rate * †
5 %

Income \$185

Taxes \$1,440

Your payment \$5,001

P&I \$3,436

Income \$185

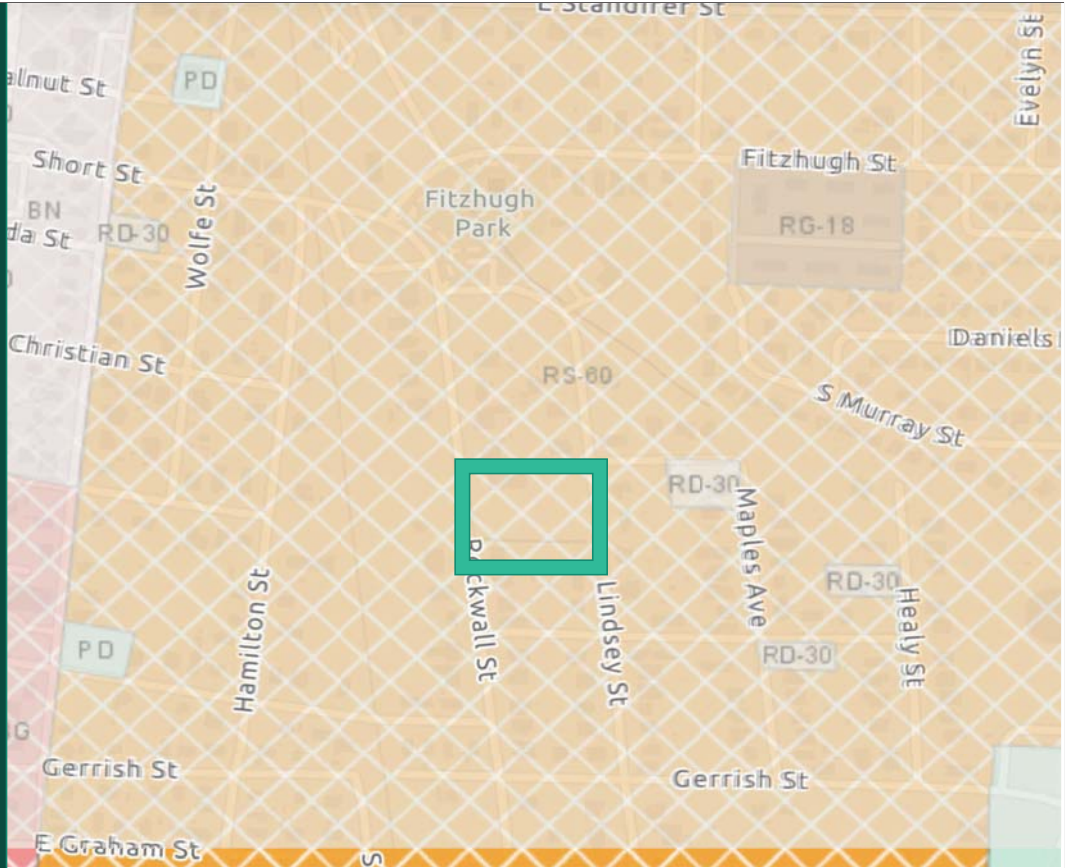
Taxes \$730

Your payment \$2,553

P&I \$1,718

Our Request

- Existing duplex in the area
- Zoning MF-1
- Rezone to from single family to Duplex



City of McKinney

- Municipal complex
- Similar design
- Improving the aesthetics

