

CITY COUNCIL REGULAR MEETING

MARCH 6, 2012

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on March 6, 2012 at 6:00 p.m.

Council Present: Mayor Brian Loughmiller, Mayor Pro-Tem Travis Ussery, Council members: David Brooks, Geralyn Keever, Don Day, and Ray Ricchi. Absent: Council member Roger Harris.

Staff Present: City Manager Jason Gray; Deputy City Manager Joe Williams; City Attorney Mark Houser; City Secretary Sandy Hart; Finance Director Rodney Rhoades; Assistant to the City Manager Aretha Harvey; Executive Director of Development Services Rob Daake; Planning Director Jennifer Cox; Senior Planner Michael Quint; Senior Planner Brandon Opiela; Assistant Director of Development Services Barry Shelton; Library Director Beth Scudder; Grants Coordinator Janay Tieken; Fire Chief Danny Kistner; Assistant Fire Chief Neil Howard; Director of Engineering Jack Carr; Police Sergeant Roger Thornhill; Arborist Emily Braht; Engineering - Matt Richardson, Gary Graham, and Patricia Jackson; Help Desk Technician Richard Sewell; and Plans Examiner Jeff Harris.

There were approximately 33 guests present.

Mayor Loughmiller called the meeting to order at 6:05 p.m. after determining a quorum was present. Invocation was given by Pastor Tommy Brumett of First United Methodist. Mayor Loughmiller led the Pledge of Allegiance.

Mayor Loughmiller called for Citizen Comments and there were none.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Keever, to approve the following consent items:

- 12-115** Minutes of the City Council Work Session of February 21, 2012
- 12-116** Minutes of the City Council Regular Meeting of February 21, 2012
- 12-117** Minutes of the City Council Work Session of February 27, 2012
- 12-118** Minutes of the Building and Standards Board Meeting of December 12, 2011
- 12-119** Minutes of the Library Advisory Board Meeting of January 19, 2012
- 12-088** Minutes of the Planning and Zoning Commission Regular Meeting of

January 24, 2012

- 12-059** Consider/Discuss/Act on a Resolution Approving the Fifth Amended Bylaws of the McKinney Community Development Corporation. Caption reads as follows:

RESOLUTION NO. 2012-03-025 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS APPROVING THE FIFTH AMENDED BYLAWS OF THE MCKINNEY COMMUNITY DEVELOPMENT CORPORATION AND PROVIDING AN EFFECTIVE DATE

- 12-120** Consider/Discuss/Act on a Resolution Authorizing a Contract for the Construction of Alma Road from Stacy Road to Fire Station #8, and Silverado Trail from Alma Road to Comstock Elementary. Caption reads as follows:

RESOLUTION NO. 2012-03-026 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR THE CONSTRUCTION OF ALMA ROAD FROM STACY ROAD TO FIRE STATION #8, AND SILVERADO TRAIL FROM ALMA ROAD TO COMSTOCK ELEMENTARY

- 12-121** Consider/Discuss/Act on a Resolution Authorizing a Contract for Material Testing on the Alma Road from Stacy Road to Fire Station #8, and Silverado Trail from Alma Road to Comstock Elementary. Caption reads as follows:

RESOLUTION NO. 2012-03-027 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR MATERIAL TESTING SERVICES FOR ALMA ROAD (STACY ROAD TO FIRE STATION #8), AND SILVERADO TRAIL (ALMA ROAD TO COMSTOCK ELEMENTARY) CONSTRUCTION PROJECT

- 12-122** Consider/Discuss/Act on a Resolution Amending the 2012-2016 Capital Improvements Program to Provide Funds for Alma Road from Stacy Road to Fire Station #8, and Silverado Trail from Alma Road to Comstock Elementary. Caption reads as follows:

RESOLUTION NO. 2012-03-028 (R)

A RESOLUTION AMENDING THE 2012 – 2016 CAPITAL

IMPROVEMENTS PROGRAM FOR THE CONSTRUCTION OF ALMA ROAD FROM STACY ROAD TO FIRE STATION #8, AND SILVERADO TRAIL FROM ALMA ROAD TO COMSTOCK ELEMENTARY

- 12-123** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Civil Consulting Group, PLLC, for Engineering and Urban Design Services for the Historic Town Center Infrastructure Phase 2 Project. Caption reads as follows:

RESOLUTION NO. 2012-03-029 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH CIVIL CONSULTING GROUP, PLLC, FOR ENGINEERING AND URBAN DESIGN SERVICES FOR THE HISTORIC TOWN CENTER INFRASTRUCTURE PHASE 2 PROJECT

- 12-124** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Landscape Maintenance Agreement for Custer Road. Caption reads as follows:

RESOLUTION NO. 2012-03-030 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LANDSCAPE MAINTENANCE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION AND MAINTENANCE OF LANDSCAPE AND IRRIGATION SYSTEM ALONG THE MEDIAN OF FM 2478 (CUSTER ROAD)

- 12-125** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Purchase Library Radio Frequency Identification (RFID) Conversion Equipment. Caption reads as follows:

RESOLUTION NO. 2012-03-031 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE UPGRADED LIBRARY RADIO FREQUENCY IDENTIFICATION EQUIPMENT

- 12-126** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Accept a STEP (Selective Traffic Enforcement Program) Impaired Driving Mobilization Grant. Caption reads as follows:

RESOLUTION NO. 2012-03-032 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT A STEP (SELECTIVE TRAFFIC ENFORCEMENT PROGRAM) - IMPAIRED DRIVING MOBILIZATION GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION

- 12-127** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with SFCC for the Construction of a Parking Lot Expansion at the Public Safety Building and a Parking Lot Expansion at the John & Judy Gay Library. Caption reads as follows:

RESOLUTION NO. 2012-03-033 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR CONTRACTOR SERVICES RELATED TO THE CONSTRUCTION OF A NEW PARKING LOT AT THE PUBLIC SAFETY BUILDING AND A NEW PARKING LOT AT THE JOHN & JUDY GAY LIBRARY

- 12-128** Consider/Discuss/Act on a Resolution Authorizing a Change Order to the Design/Build Contract for the Skatepark at Gabe Nesbitt Community Park. Caption reads as follows:

RESOLUTION NO. 2012-03-034 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE DESIGN/BUILD CONTRACT FOR THE SKATEPARK AT GABE NESBITT COMMUNITY PARK

- 12-129** Consider/Discuss/Act on a Resolution Adopting the Project Priorities for Funding by the Regional Transportation Council. Caption reads as follows:

RESOLUTION NO. 2012-03-035 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING THE ROADWAY PROJECT PRIORITY GROUPS TO BE SUBMITTED TO THE REGIONAL TRANSPORTATION COUNCIL FOR THEIR FUNDING CONSIDERATION

- 12-007CP2** Consider/Discuss/Act on the Request by The Keller Salons of Volterra, L.L.C., on Behalf of Liberty Federal Savings Bank, for Approval of a Concept Plan for Parcel 506, Phase 2, Approximately 4.63 Acres, Located on the North Side of Virginia Parkway and Approximately 1,400 Feet West of Ridge Road.

END OF CONSENT

12-130 Mayor Loughmiller called for Consideration/Discussion/Action on Acceptance of the Comprehensive Annual Financial Report (CAFR), Federal Single Audit Report, and Management Letter. Mr. Marlin Williams, Weaver and Tidwell stated that their job as external auditor is to provide an opinion on the financial statements to ensure that they are in accordance with general accepted accounting principles and to make sure that the governmental standards are followed in order to provide a clean qualified opinion. He stated that the assets exceeded liabilities by \$138 million which provides a good fund balance for a city this size. Mr. Williams stated that the city budgeted about \$84.5 million of revenues and it came in at \$86.8 million and \$90.6 million were budgeted for expenditures and it came in at \$86.4 million. Mr. Williams stated that the city took in about \$10.4 million of federal funds this last year that were part of the audit. Council unanimously approved the motion by Council member Day, seconded by Council member Brooks, to accept the Comprehensive Annual Financial Report (CAFR), Federal Single Audit Report, and Management Letter.

12-011Z2 Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on the Request by QuikTrip Corporation, on Behalf of Oakwood Village Apartments, Inc., for Approval of a Request to Rezone Approximately 7.48 Acres from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Northeast Corner of Wilmeth Road and U.S. Highway 75 (Central Expressway), and Accompanying Ordinance. Senior Planner Brandon Opiela stated that the applicant is requesting to rezone the subject property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and

“CC” - Corridor Commercial Overlay District, generally to allow a truck scale and to modify the landscaping requirements for the site. A site plan was recently approved on January 9th to allow a fueling station under the old definition which was amended at the last City Council meeting. He stated that the applicant has come back requesting the addition of truck scales and to modify the landscaping requirements. Mr. Opiela stated that at the February 21, City Council meeting, a Resolution was approved which would allow a truck fueling station and associated truck scales with the approval of a specific use permit located in a light and heavy manufacturing zoning district. Mr. Opiela stated that the subject is currently zoned “C” - Planned Center and stated that it is Staff’s opinion that adding truck scales to a fueling station should be located in the industrial zoned areas and therefore staff recommends denial of the proposed rezoning request. Applicant, Mr. Don Paschal, 904 Parkwood Court, McKinney, stated that the approved landscape plan exceeds the requirements and that this project, as it is currently configured, does not include any truck parking. Mr. Paschal stated that QuickTrip will wait on construction of this facility until the highway’s construction is completed to avoid traffic congestion on that intersection. Mr. Paschal stated he would not have an objection tabling this item to a later date due to not having all Council Members present. Mayor Loughmiller stated that one of the concerns that the McKinney Independent School District has is the traffic, businesses around the area and the safety of the children being transported to nearby schools. Mr. Paschal stated that he has not spoken to the school district and that he thought they had addressed their concerns. He stated that there will be slow down entry lanes into the gasoline station and they believe there will not be any traffic back up. Council member Kever stated that traffic is predicted to increase and to put high school drivers within the truck fueling station is daunting. She stated that U.S. 75 is built to carry the increasing load limit created by the

weight of semi trailers but not the city's roadways. Ms. Kever stated that her concerns are safety and wear and tear of the roads. Mr. Paschal stated that having scales at the fueling station will not have a significant increase in traffic. Council member Brooks stated that there are no truck stops in Plano, Allen nor Frisco and those cities are growing well without them. City Manager Gray stated that the scales cannot be added without a zoning change. Planning Director Jennifer Cox stated that at the time the site plan was submitted, the definition for a fueling station did not specify the types of vehicles that were included and it just referred to vehicles. The site plan was submitted and approved to allow truck fueling, not scales and not truck parking. She stated that the definition has since been changed to prohibit it from happening again and stated that the applicant is requesting to change the zoning to add scales to the truck fueling station. Director of Development Services Rob Daake stated that the point in the changes of the verbiage was not to make it easier or harder to bring a truck stop anywhere in McKinney but rather to clarify the language so that Council can make its wishes known in the future. Mayor Loughmiller stated that as part of the rezoning request, Council can have a say so as to what type of screening and other things the Council would see that would be better for the surrounding properties. Mr. Paschal stated that dual fueling would be allowed at this QuikTrip. Mayor Loughmiller called for public comment.

Mr. Doug Parker, 1611 Wilmeth Road, McKinney, spoke in opposition to this zoning request and dual fueling of trucks at this location.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Kever, to continue the public hearing and tabled this item indefinitely.

12-131 Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on a Sign Variance Request by QuikTrip, Appealing the Denial of a Sign Permit to Allow Additional

Signage Located on the Northeast Corner of U.S. Highway 75 and Wilmeth Road. Plans Examiner Jeff Harris stated that QuickTrip is proposing four detached signs on the property. The requested single tenant pole sign exceeds the height and square footage allowed by the ordinance. The sign ordinance allows pole signs with a maximum height of 35 feet. The hardship expressed by the applicant is related to an obstruction created by the reconstruction of U.S. 75; however, after a careful review of the U.S. 75 construction plans it is clear that the removal of the Wilmeth Road bridge crossing over U.S. 75 actually provides an unobstructed view for northbound motorists, allowing them to see a 35 foot tall sign. The request for a truck scale sign exceeds the height and square footage as well as exceeds the number of signs allowed on the property. The sign ordinance allows two detached signs on a lot at the intersection of a major thoroughfare and a freeway. Signage located beneath a fueling canopy (that does not advertise the premises) is not included in the signage count; therefore, the truck scale sign would be in conformance with the sign ordinance if it was incorporated into the truck fueling canopy. The request for a truck directional sign exceeds the square footage and exceeds the number of signs allowed on the property. A directional sign less than four square feet in size are exempted by the sign ordinance. Reducing the sign to the allowed size would be in conformance with the sign ordinance. Applicant, Mr. Don Paschal, 9904 Parkwood Court, McKinney stated that the reason they are requesting the height on the signs is so that the public can see the sign prior to the exit to allow a safe distance to exit the freeway. He stated that it might be best to table this item along with the previous item. Mayor Loughmiller called for public comment and there were none. Council unanimously approved the motion by Council member Keever, seconded by Mayor Pro-Tem Ussery, to continue the public hearing and table this item indefinitely.

11-191Z2 Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on the Request by Douglas Properties, on Behalf of David Huang, for Approval of a Request to Rezone Approximately 65.24 Acres from "AG" - Agricultural District to "PD" - Planned Development District, Generally to Allow for Single Family Residential Uses and to Modify the Development Standards, Located on the West Side of McDonald Street and Approximately 1,400 Feet North of Wilmeth Road, and Accompanying Ordinance. Senior Planner Michael Quint stated that the applicant is requesting to rezone the subject property generally to allow for the development of a single family residential neighborhood. The applicant has proposed a land plan indicating how the neighborhood will generally develop and has also provided a list of additional development regulations that the applicant believes will ensure that a high quality product is built within a high-quality residential neighborhood. Mr. Quint stated that Staff recommends denial of the proposed rezoning request due to a general lack of conformance to the vision outlined by the City of McKinney's Comprehensive Plan. Mayor Loughmiller stated that there are and were areas on the west side of McKinney that were zoned for light industrial and since then has changed. He stated that there is a cost and benefit analysis that is taken into consideration in the planning of development. Council member Kever stated that developing residential in an area that was proposed as commercial will have an impact on school districts as they plan according to the Future Land Use Plan. Mayor stated that the decision for modifying the Future Land Use Plan is ultimately the Council's decision. Applicant, Mr. Jim Douglas, Douglas Properties, 2309 Ave. K # 100, Plano, explained the proposed rezoning request and proposed development. Applicant, Mr. Jim Douglas, Douglas Properties, 2309 Ave. K # 100, Plano, TX, explained the proposed rezoning request and proposed development. Mr. Douglas stated that the prior owners of

the property have owned for over 40 years and have attempted to sell it for industrial use and have been unsuccessful in doing so. He stated that this is one of the few tracts that contain mature trees and they have plans to preserve them. Mayor Loughmiller called for public comment. The following individuals spoke in favor of this request:

Ms. Lethia Harris, 600 Twin Knoll Drive, McKinney

Mr. Roman Joel Pacheco, 625 Crystal Falls, Drive, McKinney

The motion by Council member Day, seconded by Council member Ricchi, to approve the rezoning of approximately 65.24 acres from "AG" - Agricultural District to "PD" - Planned Development District, Generally to allow for single family residential uses and to modify the development standards, located on the west side of McDonald Street and Approximately 1,400 Feet North of Wilmeth Road, failed with a vote of 2-4-0, Mayor Loughmiller, Mayor Pro-Tem Ussery, Council members Brooks and Kever voting against.

11-184Z2 Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Action on the Request by Abernathy, Roeder, Boyd, Joplin, P.C., on Behalf of McKinney Medical Center, for Approval of a Request to Rezone Approximately 48.16 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Northwest Corner of Frisco Road and McDonald Street (State Highway 5), and Accompanying Ordinance. Senior Planner Michael Quint stated that the applicant is proposing to rezone approximately 48.16 acres of land, located northwest corner of Frisco Road and McDonald Street (State Highway 5) from "PD" - Planned Development District to "PD" - Planned Development District, generally to modify the development standards that are currently applicable to the subject property to allow for the construction of a series of urban multi-family buildings that will allow for the integration of non-residential uses in a vertically integrated manner.

Multi-family residential and commercial uses are currently allowed by right on the subject property but there are development regulations that are currently applicable that prohibit the construction of the type of development the property owner intends to develop. The intent of this rezoning request is to eliminate those existing obstacles. The applicant is requesting to eliminate the requirement for security gates so that they can achieve an urban free flowing and pedestrian friendly environment. They have requested a special ordinance provision to eliminate the requirement for a security gates. Also, the Zoning Ordinance requires screen walls be provided around all multi-family developments. This requirement was for more suburban style developments and not the urban style development that the applicant is proposing. The Zoning Ordinance also requires 20 foot landscape buffers around all property lines of multi-family developments. The applicant is proposing to pull these buildings up to the street which would eliminate the ability to provide a 20 foot landscape buffer. Staff is recommending approval of those items. Subsequent to the consideration of this item by the Planning and Zoning Commission, the applicant contacted Staff and requested that the proposed rezoning request be modified to include the elimination of an additional ordinance provision currently existing in the governing planned development district ordinance (Ordinance No. 96-11-51). Specifically, the applicant has requested approval of a special ordinance provision that would eliminate the existing PD District's requirement that 2,000 square feet of land area be provided for each dwelling unit. The applicant has indicated that this existing requirement will prevent them from achieving the desired density of approximately 30 dwelling units per acre. This request will not impact the maximum number of allowed dwelling units on the subject property which is 500. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, stated that this property is located within Reinvestment Zone Number One. This

property is an opportunity to put some value to the ground in Reinvestment Zone Number One. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Kever, seconded by Council member Brooks, to close the public hearing and approve the rezoning approximately 48.16 acres from "PD" - Planned Development District to "PD" - Planned Development District, generally to modify the development standards, located on the northwest corner of Frisco Road and McDonald Street (State Highway 5), with the following special ordinance provisions: the use and development of the subject property shall conform to the regulations of "PD" - Planned Development District Ordinance No. 96-11-51, except as follows: the subject property shall be subject to the attached development regulations and Section 6(H) of PD District Ordinance No. 96-11-51 is amended to delete any reference to a minimum lot (land) area per dwelling unit. Caption reads as follows:

ORDINANCE NO. 2012-03-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ORDINANCE NO. 96-11-51 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 48.16 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF FRISCO ROAD AND McDONALD STREET (STATE HIGHWAY 5), IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY 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

11-167Z2 Mayor Loughmiller called for a Public Hearing for Consideration/Discussion/Act on the Request by Lenity Group, L.L.C., on Behalf of Linkside Drive Investment Group, L.L.C., for Approval of a Request to Rezone Approximately 5.24 Acres, from "PD" - Planned

Development District to "PD" - Planned Development District, Generally to Allow for a Nursing Home Use, Located on the Northwest Corner of Stonebridge Drive and Linkside Point Drive, and Accompanying Ordinance. Senior Planner Michael Quint stated that the applicant is requesting to rezone approximately 5.24 acres of land, located on the northwest corner of Stonebridge Drive and Linkside Point Drive from "PD" - Planned Development District to "PD" - Planned Development District, generally to allow for nursing home uses. The subject property is located within the Stonebridge Ranch Master Planned Community. Mr. Quint stated that Staff is recommending approval. Applicant, Mr. Mark Lowen, Lenity Group, LLC, 471 High Street # 10, Salem, Oregon, stated that he really appreciated how great the Staff was to work with and he concurs with the staff report. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Ricchi, to close the public hearing and approve an Ordinance rezoning approximately 5.24 acres, from "PD" - Planned Development District to "PD" - Planned Development District, generally to allow for a Nursing Home Use, located on the northwest corner of Stonebridge Drive and Linkside Point Drive, with the following special ordinance provisions: use and development of the subject property (Stonebridge Parcel No. 615B) shall conform to the "O-1" - Office District regulations of "PD" - Planned Development District Ordinance No. 2000-11-092, except as follows: rest home or nursing home uses shall be permitted on the subject property and one canopy tree shall be required for every 30 linear feet of street frontage. Caption reads as follows:

ORDINANCE NO. 2012-03-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ORDINANCE NO. 2000-11-092 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 5.24 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF STONEBRIDGE DRIVE AND LINKSIDE POINT DRIVE, IS REZONED FROM "PD" - PLANNED DEVELOPMENT DISTRICT TO "PD" - PLANNED

DEVELOPMENT DISTRICT, GENERALLY TO ALLOW FOR A NURSING HOME 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

Mayor Loughmiller called for Council and Manager Comments.

Council member Brooks did not have any comments.

Mayor Pro-Tem Ussery thanked Staff for what they do in and day out. Mr. Ussery thanked City Manager Gray and his staff what they do.

Council member Ricchi expressed his appreciation to Staff. Mr. Ricchi stated that we have spirited debates but at the end of the day we are all on the same team. Mr. Ricchi stated that he and Mayor Loughmiller modeled at a fundraiser fashion show for the McKinney Ladies Association that benefited Community Lifeline Center.

Council member Day stated that there were several things that happened tonight that bothered him. He stated that we are making decisions on signs based on a sign ordinance that was passed in 1988. We denied a housing project that goes against the land use plan. He stated that he hates that Council is making decisions based off old and outdated information. The residents of Trinity Heights are isolate, they have no parks, and they have to take a dead end street to put up a basketball court to give the kids some place to play. Mr. Day requested that they City look at building this subdivision a small part adjacent to their subdivision.

Council member Kever stated that we are not that far away from looking at the land use plan for the next 10 years. She stated that she is a firm believer in planning the work and then working the plan. Ms. Kever thanked Council for approving the priorities for roadways in our City through Regional Toll Revenue (RTR) dollars. Ms. Kever stated that TxDOT has announced that there will be a one-time letting of \$2 billion dollars to the State for the building of roads and highways. Ms. Kever stated that she estimates that \$500 million will come to the metropolitan planning organization.

Mayor Loughmiller expressed his appreciation to Council member Day for his comments about the zoning case tonight as it was a difficult issue. Mr. Loughmiller stated that when the Land Use Plan was previously approved it was decided that it would be looked at again based on the amount of growth that the City experiences. Mr.

Loughmiller suggested that the City have a policy as to what are the types of exceptions we are willing to look at that would justify changing a commercial piece of property to a residential piece of property.

City Manager Gray did not have any comments.

Mayor Loughmiller called for Citizen Comments and there were none.

Council unanimously approved the motion by Mayor Pro-Tem Ussery, seconded by Council member Keever, to adjourn. Mayor Loughmiller adjourned the meeting at 9:12 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary