

CITY COUNCIL REGULAR MEETING

APRIL 18, 2017

The City Council of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on April 18, 2017 at 6:00 p.m.

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

Staff Present: City Manager Paul Grimes; Deputy City Manager Jose Madrigal; Assistant City Manager Barry Shelton; City Attorney Mark Houser; City Secretary Sandy Hart; Planning Director Brian Lockley; Executive Director of Development Services Michael Quint; Director of Engineering Mark Hines; Director of Strategic Services Chandler Merritt; Planning Manager Matt Robinson; McKinney Economic Development Corporation President Darrell Auterson; McKinney Community Development Corporation President Cindy Schneible; Facilities Construction Manager Patricia Jackson; IT Desktop Support Technician Robert Lisenby; Housing and Community Services Manager Janay Ticken; Community Services Administrator Shirletta Best; Chief Financial Officer Mark Holloway; Finance - Eric Corder and Trevor Minyard; FBO Director Mark Jaraczewski; Police Officer Bruno Siqueira; Library Director Spencer Smith; Police Chief Greg Conley, McKinney Economic Development Corporation Vice President Abby Liu; Communications and Marketing - Frances LaRue; Code - Lori Dees and Richard Milam; and McKinney Convention and Visitors Bureau Director DeeDee Guerra.

There were approximately 85 guests present.

Mayor Loughmiller called the meeting to order at 6:10 p.m. after determining a quorum was present. Invocation was given by Pastor Hugh Porfirio, International House of Prayer. Boy Scouts from Troop 496 led the Pledge of Allegiance.

17-382 Hope Pettibon Day Proclamation. Council member Rainey Rogers presented Miss Honey Bee Proclamation to Hope Pettibon.

17-383 Sexual Assault Awareness and Prevention Proclamation. Mayor Loughmiller presented the Sexual Assault Awareness and Prevention Proclamation.

17-384 Community Development Week Proclamation. Mayor Loughmiller presented the Community Development Week Proclamation to Community Services Administrator Shirletta Best.

Mayor Loughmiller called for Citizen Comments.

The following individuals did not wish to speak but wanted their support of Agenda item 17-392 relating to allowing dogs on restaurant patios entered into the record:

Ms. Kristin Lumpkin, 2709 Dunbar Drive, McKinney

Ms. Diane Craig, 309 N. Benge, McKinney

Mr. Tom Driscoll, 2404 Cardinal, McKinney

Mr. Craig Lumpkin, 2709 Dunbar, McKinney

Mr. David Little, 5325 Running Brook, McKinney

Ms. Jenny Little, 5325 Running Brook, McKinney

Ms. Ruby Guadiana, 100 N. Tennessee Street, McKinney

Mr. Cory Taylor, 2916 Coventry Lane, McKinney

Ms. Candice O'Dell, 4804 Mountain Ridge, McKinney

Ms. Jaime Anderson, 1603 West Street, McKinney

Mr. Matthew Gallagher, 802 Finch Avenue, McKinney

Mr. Michael Ratcliff, 201 McKinney Village, McKinney

The following individuals spoke in favor of Agenda item 17-392 relating to allowing dogs on restaurant patios:

Mr. Stan Penn, 505 S. Tennessee Street, McKinney

Ms. Kelly Gallagher, 802 Finch Ave., McKinney

Mr. Nick Keim, 600 S. Graves Court, McKinney

Ms. Stephanie Farrar, 1108 W. Hunt Street, McKinney

Ms. Sarah Hustwit, 2316 Cuesta Lane, McKinney

Ms. Coryanne Ettiene, 510 Jones Street, McKinney

Mr. Tim Montgomery, 1708 Nicklaus Court, McKinney, spoke about the lack of a City Ethic Policy.

Ms. Nina Ringley, 313 N. Benge, McKinney, introduced Miss McKinney, Henna Ahmud.

Ms. Henna Ahmud, 920 Durleer Drive, Allen, spoke about Miss McKinney and her Historical Society Platform.

17-392 Mayor Loughmiller called for Consideration/Discussion/Action on an Ordinance Amending Chapter 46 (Food Service Regulations) Dogs in Food Establishments, and Amending Appendix A (Schedule of Fees) of the Code of Ordinances to Establish a Variance Application Fee and Providing for an Effective Date. Environmental Health Manager Lori Dees stated this is an amendment to the existing Food Ordinance to allow dogs on restaurant patios. The owner of a food establishment would apply for a variance to allow dogs on their patio. Staff would review and upon approval of meeting the requirements and paying a fee, they would be issued a variance to allow dogs on their restaurant patio that would be valid for two years. Maintenance of the property would be the responsibility of the property owner. As far as on the downtown Square, it would be allowed as long as they meet the requirements staying three feet from the door and posting the required signage. You would not be allowed to prepare food in that area, only serve food in that area. Mr. Pogue stated he appreciates staff bringing this forward so quickly and looks forward to approving it. Councilwoman Rath stated that the City Council works for 170,000 residents. When you want something to happen or you have a question, contact your Council representative or send an email. What is not effective is starting a social media blitz with an opinion of what should happen and what should not. Bring it forward, get two Council members and the Mayor to agree to place an item on an agenda. Staff does an incredible job and puts it together and brings it before us. Ms. Rath thanked Ms. Dees and her staff for responding so quickly. Council unanimously approved the motion by Mayor Pro Tem Pogue, seconded by Councilwoman Rath, to approve an Ordinance

amending Chapter 46 (Food Service Regulations) Dogs in Food Establishments, and amending Appendix A (Schedule of Fees) of the Code of Ordinances to establish a variance application fee and providing for an effective date. Caption reads as follows:

ORDINANCE NO. 2017-04-048

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 46 (FOOD SERVICE REGULATIONS) OF THE CODE OF ORDINANCES BY ESTABLISHING SECTION 46-10 (DOGS IN FOOD ESTABLISHMENTS) AND BY AMENDING APPENDIX A (SCHEDULE OF FEES) OF THE CODE OF ORDINANCES TO ESTABLISH A VARIANCE APPLICATION FEE AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Pro Tem Pogue left the meeting at 6:45 p.m.

Council unanimously approved the motion by Council member Ussery, seconded by Council member Day, to approve the following consent items:

- 17-385** Minutes of the City Council Work Session of April 3, 2017
- 17-386** Minutes of the City Council Regular Meeting of April 4, 2017
- 17-291** Minutes of the Board of Adjustment Meeting of February 22, 2017
- 17-359** Minutes of the Historic Preservation Advisory Board Regular Meeting of March 2, 2017
- 17-331** Minutes of the Reinvestment Zone Number One Meeting of February 6, 2017
- 17-387** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Agreement with the City of Frisco for the Construction of Various Left Turn Lanes and Street Lighting on Coit Road from South of Westridge Boulevard to US 380. Caption reads as follows:

RESOLUTION NO. 2017-04-091 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF FRISCO FOR THE CONSTRUCTION OF VARIOUS LEFT TURN LANES AND STREET LIGHTING ON COIT ROAD FROM SOUTH OF WESTRIDGE BOULEVARD TO US 380

- 17-388** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Architectural and Engineering Services Contract with Hidell

and Associates Architects, Inc. of Carrollton, Texas for Architectural and Engineering Services Related to the Expansion and Renovation of the John and Judy Gay Library. Caption reads as follows:

RESOLUTION NO. 2017-04-092 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH HIDEELL AND ASSOCIATES ARCHITECTS, INC. (HIDEELL) FOR ARCHITECTURAL AND ENGINEERING SERVICES ASSOCIATED WITH THE EXPANSION AND RENOVATION OF THE JOHN AND JUDY GAY LIBRARY (JJGLE&R) LOCATED AT 6861 W. ELDORADO PARKWAY

- 17-389** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Preconstruction Services Contract with Structure Tone Southwest, LLC of Dallas, Texas for Construction Manager at Risk (CMAR) Services Related to the Design and Construction of McKinney National Airport Hangar Renovation Project. Caption reads as follows:

RESOLUTION NO. 2017-04-093 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PRECONSTRUCTION SERVICES WITH STRUCTURE TONE SOUTHWEST, LLC OF DALLAS, TEXAS FOR CONSTRUCTION MANAGER AT RISK SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF MCKINNEY NATIONAL AIRPORT HANGAR RENOVATION PROJECT

END OF CONSENT

- 17-390** Mayor Loughmiller called for Citizen Input on the FY 2017-18 Budget. Chief Financial Officer Mark Holloway presented information on the FY 2017-18 Budget process. Mr. Holloway stated that this year, we added citizen engagement activities from now through budget adoption. We will hold a Budget Work Session on August 4th. We are required to adopt a tax rate and budget by September 30th. Our budget philosophy and strategy is threefold: a policy tool that Council uses to set policy; a management tool for us to manage resources; and a communication tool for the public. This year's total certified taxable value for FY17 is \$17.28

billion. Collin County Appraisal District has informed us of an increase in taxable values of around 5.4% on properties currently on the tax roll. We have new construction value of 4.24% of our current roll, or \$728 million that will come on the roll this year. The current average homestead value is about \$299,000 for 2016 and with the 5.44% increase will be about \$307,000. This year we are utilizing a new way of forecasting the sales tax. We will take our end of year estimates for this fiscal year and apply an index to it. This index is made up of four different types of economic indicators: the federal median GDP projection; ten-year rolling average of our sales tax; a low five-year average; and we've included the 10 year Dallas Fed PCE. This will give us a 2.06% index right now. Those numbers are subject to change as we go through the summer. On April 13th, the Communications Department did a #SEEMcKinneyWithMe twitter exercise with budget and finance. From that, we received great input with 30,000 impressions on our twitter feed. Tonight, we're adding the citizen input meeting and we are proud to announce that starting tomorrow a virtual budget exercise is available on our website at mckinneytexas.org that will allow citizens to give us feedback. The Public Hearings will be held in September before we adopt the budget on September 19th. Mayor Loughmiller noted that Glen Hegar from the State Comptroller's office was here to recognize McKinney as the first City in the state of Texas to receive the five-star recognition for transparency for financial reporting. Virtually all of that is because of the work of Mr. Holloway and our Finance Department and making sure information is out there for the public to see how we manage the budget and finances. Mayor Loughmiller noted that the over 65 tax exemption is discussed during budget and this year will be no exception. Mayor Loughmiller called for public comment.

Ms. Deborah Kilgore, 1013 Hunt Street, McKinney requested that a Historic Resource Survey be added to the 2017-18 budget.

Ms. Kim Black, 509 N. Kentucky, McKinney requested that the Council consider protecting the historical architecture in the budget.

Mr. Wes Williams, 6204 Brownstone Drive, McKinney spoke about adopting a senior tax freeze and adding funding for right turn lanes at various intersections.

Ms. Bridgette Wallis, 1709 Kensington Lane, McKinney did not wish to speak but wanted her comments entered into the record requesting a substantial tax relief to be rolled into next year and future City budgets.

16-336A3 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Petition to Annex the Subject Property, Located Approximately 2,200 Feet West of Lake Forest Drive and on the North Side of County Road 123 (Future Bloomdale Road) and the South Side of Baxter Well Road, and Accompanying Ordinance (WITHDRAWN BY APPLICANT). The applicant has withdrawn this item. No action taken.

16-337Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Zone the Subject Property "SF5" Single Family Residential District, Located Approximately 2,200 Feet West of Lake Forest Drive and on the North Side of County Road 123 (Future Bloomdale Road) and the South Side of Baxter Well Road, and Accompanying Ordinance (WITHDRAWN BY APPLICANT). The applicant has withdrawn this item. No action taken.

16-249Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District for Single Family Residential Uses, Located Approximately 235 Feet East of Alma Road and on the North Side of Collin McKinney Parkway, and Accompanying Ordinance. Planning Manager Matt Robinson stated the applicant is proposing to rezone the property which consists of 8.6 acres of land for single-family residential detached uses. As part of the planned

development, the applicant has established standards for lot size, building height, build to lines and architectural standards. Under the current zoning the single-family detached uses are permitted, however, the applicant desires to vary from the standards regarding the rear setbacks. The future land use plan designates property for neighborhood businesses and the property to the north and east are currently being developed for single-family residential uses. The rezoning request will remain compatible and complement the adjacent uses while preserving land to the west for commercial use. Staff recommends approval of the rezoning. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney stated as indicated by the staff report, basically we are seeking to modify one item in the single-family development regulations currently in existence on the property and that is to shorten the rear yard setback from 20 feet to 10 feet. This is planned to be a residential development as permitted under the current zoning. It has front entry garages so we don't need the rear yard setback in order to have the driveway in the rear. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Ussery, seconded by Council member Rogers, to close the public hearing and approve an Ordinance rezoning the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District for Single Family Residential Uses, located approximately 235 feet east of Alma Road and on the north side of Collin McKinney Parkway. Caption reads as follows:

ORDINANCE NO. 2017-04-043

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 8.634 ACRE PROPERTY, LOCATED APPROXIMATELY 235 FEET EAST OF ALMA ROAD AND ON THE NORTH SIDE OF COLLIN MCKINNEY PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR SINGLE FAMILY RESIDENTIAL USES; PROVIDING FOR

SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

16-374Z2 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "SF5" - Single Family Residential District, Located at the Northwest Corner of Greenville Road and Airport Drive; and Accompanying Ordinance. Director of Planning Brian Lockley stated the applicant is requesting to rezone the property from agricultural district to SF5 single-family residential district to allow for single-family residential development. The property is located east of Old Settlers Park. The property was once slated to be a part of Old Settlers to allow for future expansion, however, that has changed and the applicant is proposing to develop it for single-family residential which would allow for additional housing opportunities in the neighborhood. Single-family development is occurring to the north as well as the south so this finishes out that existing neighborhood. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, stated that this is one of those wonderful opportunities to see an infill development in east McKinney with the new homes that are equal to those we see in other parts of the City. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Rogers, seconded by Council member Branch, to close the public hearing and approve an Ordinance rezoning the Subject Property from "AG" - Agricultural District to "SF5" - Single Family Residential District, located at the northwest corner of Greenville Road and Airport Drive. Caption reads as follows:

ORDINANCE NO. 2017-04-044

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 12.02 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF GREENVILLE ROAD AND AIRPORT DRIVE, IS REZONED FROM "AG" – AGRICULTURAL DISTRICT TO "SF5" –

SINGLE FAMILY RESIDENTIAL 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

- 17-019SU3** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow a Daycare Facility (Montessori Daycare), Located Approximately 675 Feet South of U.S. Highway 380 (University Drive) and on the East Side of Stonebridge Drive; and Accompanying Ordinance. Director of Planning Brian Lockley stated the property is approximately an acre and a half located on the east side of Stonebridge Drive. The zoning requires an SUP be granted in order for a daycare facility to operate. The applicant has stated the daycare would have enough space for 208 students and will operate between 8:30 a.m. and 3:00 p.m. with late pick up until 6:30 p.m. The Planning and Zoning Commission did review the request and recommends approval. Applicant, Mr. Bryan Hull, 600 Wentworth Drive, Richardson, stated that this property is odd shaped and considered a remnant site. The other two sites were developed first. The area you see in the front is not really an access. There is access to either side which makes the fire lane loop and is already in place. The parking was done as a parking allocation plan by the original developer and we were able to utilize those parking spaces and the only change we made was we provided a handicap ramp and handicap path of travel as well as two handicap sign spaces to be used by the daycare facility. We do have landscape screening from the neighbors. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Ussery, seconded by Council member Rogers, to close the public hearing and approve an Ordinance granting a Specific Use Permit to allow a Daycare Facility (Montessori Daycare), located approximately 675 feet south of U.S. Highway 380 (University Drive) and on the east

side of Stonebridge Drive with the following condition: the subject property shall generally develop in accordance with the attached Site Layout Exhibit. Caption reads as follows:

ORDINANCE NO. 2017-04-045

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 DAYCARE FACILITY, APPROXIMATELY 1.46 ACRES, LOCATED APPROXIMATELY 675 FEET SOUTH OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE) AND ON THE EAST SIDE OF STONEBRIDGE DRIVE; 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

- 17-05022** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "C1" - Neighborhood Commercial District, Located at 1827 West Louisiana Street; and Accompanying Ordinance. Director of Planning Brian Lockley stated this is a request to rezone the property from Neighborhood Business District to Neighborhood Commercial District. The governing zoning on the property allows for commercial uses, however, the applicant has indicated that they want to develop a veterinary clinic. The C1 use does allow for the veterinary clinic. Some of the surrounding uses are commercial or office uses and the area to the south is being utilized as multifamily. The Planning and Zoning Commission recommends approval of the request. Applicant, Mr. Chad Cox, 5600 South Briar Ridge Circle, McKinney, stated he is with PetVet Management Company and they are looking to open a veterinary clinic that would provide a low-cost option for rescue organizations in the area. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Branch, seconded by Council member Day, to close the public hearing and approve an Ordinance rezoning the Subject Property from "BN" -

Neighborhood Business District to "C1" - Neighborhood Commercial District, located at 1827 West Louisiana Street. Caption reads as follows:

ORDINANCE NO. 2017-04-046

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 0.29 ACRE PROPERTY, LOCATED AT 1827 WEST LOUISIANA STREET, IS REZONED FROM "BN" – NEIGHBORHOOD BUSINESS DISTRICT TO "C1" – NEIGHBORHOOD COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

16-37222 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "REC" - Regional Employment Center Overlay District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally for Multi-Family and Commercial Uses, Located on the Northwest Corner of State Highway 121 (Sam Rayburn Tollway) and Alma Road; and Accompanying Ordinance. Director of Planning Brian Lockley stated this request is to rezone the property to allow for more of an urban style development. The plan for this rezoning is to develop the north half of the property in a similar manner as the Parkside development. As you can see on the zoning exhibit, this Tract B is proposed to be developed with the Parkside at Craig Ranch. The applicant has included development standards that will allow for the development of this site to mirror the development to the north. Multifamily is currently allowed on this property. This request will allow for enhanced architectural features and increased density in this area. The remainder of the property will develop with commercial uses. The density is defined as 50 units per acre. There are space limitations that would heighten setbacks that do limit the amount of units. On the north tract, no more than 6-1/2 acres, will be developed as multifamily and the

remainder will be developed in accordance with the commercial district. Applicant, Mr. Bob Roeder, 1700 Redbud, Suite 300, McKinney, stated that the existing zoning has a base zoning of C-Plan Center that allows multifamily as one of the uses. The future master plan indicates the area between 121 and Henneman needs to be zoned as commercial or as mixed-use. We feel the most appropriate zoning for this tract is your highest commercial zone, C-3, which is the regional commercial that allows all types of commercial development and office development. The vision here has been in conjunction with the developers of Craig Ranch that this would become a restaurant row at the intersection of Highway 121 and Alma. We determined that out of the 10 acres we would develop no more than 6-1/2 acres as a high-density, multifamily product in order to bring in the people to support the restaurant and retail establishments. We have a minimum density of 50 units per acre and a maximum height of five stories. We see this as a great opportunity for McKinney to not only continue commercial development in this area but also one of the best opportunities we have within the entire corporate limits to provide one of the goals the Council and Economic Development Corporation has identified in terms of getting a mass of restaurants where we become a destination location for that kind of entertainment. We are asking you to authorize this development up to 6-1/2 acres with a minimum of 50 units per acre. It would be a standard size, high-density multifamily unit and we are required to do structured parking. Mayor Loughmiller called for public comment and there was none. Council unanimously approved the motion by Council member Ussery, seconded by Council member Day, to close the public hearing and approve an Ordinance rezoning the Subject Property from "PD" - Planned Development District, "REC" - Regional Employment Center Overlay District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, generally for multi-family

and commercial uses, located on the northwest corner of State Highway 121 (Sam Rayburn Tollway) and Alma Road with the following special ordinance provisions: the subject property shall be zoned "PD" - Planned Development District and shall be subject to the following special ordinance provision: the subject property shall be developed in accordance with the attached development standards. Caption reads as follows:

ORDINANCE NO. 2017-04-047

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 22.94 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF STATE HIGHWAY 121 (SAM RAYBURN TOLLWAY) AND ALMA ROAD, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT, "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT AND "CC" – CORRIDOR COMMERCIAL OVERLAY DISTRICT, GENERALLY FOR MULTI-FAMILY AND COMMERCIAL USES; 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

- 17-391** Mayor Loughmiller called for Consideration/Discussion/Action on a Facilities Agreement for Lots 1-3, Block A, of the Tallent Addition, Located Approximately 200 Feet East of County Road 410 and on the South Side of F.M. 2933. Planning Manager Matt Robinson stated this item is for three lots in the Tallent Addition located in the City of McKinney's ETJ. This item is associated with the following item which is the preliminary final plat for the addition. The applicant is proposing to subdivide approximately 4.984 acres of land, located approximately 200 feet east of County Road 410 and on the south side of F.M. 2933 within the City of McKinney's Extraterritorial Jurisdiction (ETJ). The applicant has indicated to Staff the desire to not construct or escrow for the typical required improvements, such as water, sanitary sewer, and roads; however, the applicant has agreed to provide the easements for said

infrastructure, and to enter into a facilities agreement with the City of McKinney. The proposed facilities agreement limits the proposed use to one single-family detached home on each lot. Approval would allow the applicant to move forward with the associated plat and allows insurances that those improvements would be done in the future. Staff recommends approval. Applicant, Mr. Kenneth Tallent, 7306 CR 410, McKinney, stated he is proposing the use on the properties to one single family detached home on each lot with lot 2 allowing a personal workshop to be constructed. Council unanimously approved the motion by Council member Day, seconded by Council member Branch, to approve a Facilities Agreement for Lots 1-3, Block A, of the Tallent Addition, located approximately 200 feet east of County Road 410 and on the south side of F.M. 2933.

17-002PF Mayor Loughmiller called for Consideration/Discussion/Action on a Preliminary-Final Plat for Lots 1-3, Block A, of the Tallent Addition, Located Approximately 200 Feet East of County Road 410 and on the South Side of F.M. 2933. Planning Manager Matt Robinson stated this item is the preliminary-final plat for the Tallen Addition associated with the item previously approved. This item is brought to Council due to the six variances requested. Those variances were outlined and addressed in the previously approved facilities agreement and as such staff recommends approval of the preliminary-final plat. Council unanimously approved the motion by Council member Day, seconded by Council member Branch, to approve a Preliminary-Final Plat for Lots 1-3, Block A, of the Tallent Addition, located approximately 200 feet east of County Road 410 and on the south side of F.M. 2933 with the following conditions: the applicant receive approval of the associated facilities agreement; the applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct public streets, including the associated street lighting and

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

17-393 Mayor Loughmiller called for Consideration/Discussion/Action on Filling the Vacant Position on the McKinney Housing Authority. Councilwoman Rath stated there is a correction to one of the attachments. The resident member Commissioner that resigned was Elisa Jackson. Ms. Rath proposed filling the vacant resident position with Debbie Roberts that meets the qualifications of a resident member. Ms. Roberts is a four-year McKinney resident and works in dentistry. Council unanimously approved the motion by Councilwoman Rath, seconded by Council member Branch, to appoint Debbie Roberts to fill the vacant resident member of the McKinney Housing Authority beginning April 19, 2017 and ending September 30, 2017.

17-394 Mayor Loughmiller called for Consideration/Discussion/Action on the Team McKinney Gateway Memorandum of Understanding. McKinney

Economic Development President Darrell Auterson stated this Memorandum of Understanding was approved earlier today by the Board of Directors of the McKinney Economic Development Corporation. It was structured in such a way to allow the Gateway project to move forward aggressively with regard to preliminary site development concepts and some direct marketing activities by the KDC team that will occur while we're in the process of negotiating the Master Development Agreement. There are three phases associated with the MOU. The design phase is the only phase in the agreement that is binding. There is also an initial development phase and a subsequent development phase that would only become binding if we are able to develop the Master Development Agreement. Mr. Auterson stated the City has no exposure dollar wise with this agreement. The MEDC has maximum exposure of up to \$100,000 as stipulated in the design phase. It is structured so we would reimburse any expenses incurred by the KDC team of up to 50% with a maximum of \$100,000. He also stated that if there were design concepts that come out of the phase of the MOU and we could not get to a Master Development Agreement, those concepts would become the property of the MEDC and the City. We have approached this project with as much flexibility as we can because it's more of a public-private partnership structure than what has been proposed in the past. City Attorney Mark Houser stated the City will be a party to the Master Development Agreement so the marketing and all those plans are going to be subject to the City's approval as well. When they bring land plans to the Gateway team, those land plans are going to have to have the City's approval in the Master Development Agreement. The process will be within the existing zoning and architectural requirements in place. They would have to get a rezoning for anything that's not approved or covered by the current zoning. Council unanimously approved the motion by Council member Ussery, seconded by Council member Branch, to

approve the Team McKinney Gateway Memorandum of Understanding.

Mayor Loughmiller called for Citizen Comments.

Mr. Chris Spain, 1208 Old Mill Road, McKinney, spoke about Wilson Creek area being blocked by trees and garbage which is causing his property to flood.

Mayor Loughmiller called for Council and Manager Comments.

Council member Branch did not have any comments.

Council member Day did not have any comments.

Council member Rogers stated that he finds it interesting during this campaign season listening to those who are campaigning to fill the seats that will be vacated shortly. So many of them tell us about all that is wrong with McKinney and how they are going to fix it. They talk about how they will lower your taxes and tell us how to do our job and make sure we get it done from here on out. I want you to know there are very few things broken and whatever is broken, we try to identify quickly and get it fixed. The award given to the City of McKinney yesterday is a great example of how well-run this City is. Of all the cities in the State of Texas, there is one City that has been awarded a five star rating for transparency from the State Comptroller – that is McKinney. This was due to the efforts of City staff and we appreciate the staff - from the Finance Department down to everyone who works for the City. We appreciate you. I think the Council has done a great job in the last two years. The City of McKinney is open for business and we want you to come and invest in McKinney, live in McKinney, come and grow in McKinney, and help make McKinney a better place. Don't buy the rhetoric. Just know that McKinney is a good place to live.

Councilwoman Rath thanked Mr. Chandler Merritt for being able to handle whatever we have thrown at him. You have done a tremendous amount of research and work on a plethora of things. There seems to be nothing you have not been able to rally and support. We will miss you as you move to a better opportunity for your family and to be closer to your extended family. We are excited for your new opportunity and thank you so much for the work you have done for the City.

Council member Ussery echoed Mr. Rogers' comments. There's not much wrong with McKinney. I appreciate staff for what you do every day. You are the main reason

nothing is really broken. And certainly Mr. Chandler Merritt, you embody all of that. You have been an asset to the City and blazed a trail and set the bar high. We appreciate your service and best of luck to you in your future.

Mayor Loughmiller stated that we have had a lot of discussions about transportation relating to US 380 bypass as well as the outer loop and what's going to happen as it relates to our continuing traffic issues. Our staff is required to investigate these different configurations and TxDOT studies the potential configurations. The City Council, back in February, indicated that because of the proximity of the Bloomdale Road to Heatherwood and the issues with Walnut Grove, the Bypass was not a preferred route for the City of McKinney. Since then, I've been contacted by an individual who lives out there and I think here is the practical impact of this discussion. This person has a home valued in excess of \$1 million that he has been trying to sell. Because of the discussions about the potential bypass, realtors are not interested in marketing the property because the property value would not be there if the bypass goes through. I would encourage as we go forward with this process, whether talking with TxDOT or the RTC, we as a Council and the County, try to be make sure we are decisive as to what's going to happen. We said we don't want that route, TxDOT may want it but that doesn't help the people out there trying to understand what's going to happen with their property. The second thing I want to bring up, I know my time is short. I've seen a lot of things out there recently about whether we, as a Council, should be voting on issues or not voting on issues or discussing particular developments that may come to McKinney. Whether it be the parking garage, ethics policy, hotel project, whatever it is. I pride myself on the fact that when I was elected to serve McKinney, I would put my effort into that fully and that means from the day I got elected to the day someone takes my place. I'm not inclined to want to sit on the sidelines and wait for the next three to six weeks to see who will be sitting here and not get anything done. I don't think the Council wants to do that either. I'm just trying to do business while we are here and while we are doing business as a City and I will continue to do that until the day I give my going out of office speech. Mr. Merritt, I have worked with a lot of City employees in my 15 years and I have to tell you, you are one of the best I've seen. We have had several come through that have been stellar for the community but the things

you've been able to do while you've been here, the strategic thought process you go through, and your knowledge of technology - I want to say and I will write a letter as well, you have been an asset to the City and I wish you and your family well. Your family is growing and you are moving closer to your extended family so I wish you the best of luck in Tarrant County as you move forward in your career.

City Manager Grimes announced that residents may safely dispose of all unwanted, unused or expired prescription drugs during the National Drug Enforcement Administration's Drug Take Back event on April 29th from 10:00 a.m. to 2:00 p.m. Information can be found on the City's website. Mr. Grimes congratulated Chandler publicly. He will not be around much longer because he is expecting a second child any day so we wanted to make sure we celebrated his service to the City today. Chandler, a lot of things are said about millennials, some good, some bad, but I think mostly good because I come from Generation X and there was nothing good about our generation. But Chandler represents the next generation of leadership in communities at the municipal level and county level, where he is going now. He will be dearly missed. We know he is a friend of McKinney. His legacy will be well felt particularly for those in the public transit side of the house and some of the many projects he has been involved with. He will do a great job where he's going and he will serve Tarrant County and the County Judge very well. It has been a pleasure to serve with you and I look forward to your future. Congratulations and good luck.

Council unanimously approved the motion by Council member Ussery, seconded by Council member Branch, to adjourn. Mayor Loughmiller adjourned the meeting at 8:11 p.m.

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary