

MINUTES
JOINT MEETING OF THE MELISSA PLANNING AND ZONING
COMMISSION AND THE CITY OF MELISSA CITY COUNCIL
SPECIAL MEETING
APRIL 25, 2022
6:00 p.m.

1. Call to Order and Roll Call

Chairman Angela Harwell called the meeting to order at 6:06 p.m.

Chairman Angela Harwell, Danielle Dorman-Chapa, Rendell Hendrickson, David Jones, Dwayne McNeil, David Minton, and Adam Porter were present.

All who were present gave the Pledge of Allegiance.

Mayor Greer announced that Mayor Pro Tem Jay Northcut, Craig Ackerman, Shannon Sweat, and Chad Taylor were present. Jennifer Clark and Dana Conklin were absent.

2. Public Comments

There were no comments.

3. Regular Agenda

A. Presentation and Update on the Downtown Overlay District

City Manager, Jason Little, gave a presentation regarding the status of the Downtown Overlay District. The presentation included how the Downtown Overlay District would work to protect, enhance, and perpetuate districts and landmarks as well as provide commercial and residential opportunities for the citizens of Melissa.

B. Conduct a Public Hearing to hear concerns for or against a request for approval of a preliminary replat of 5.228± acres of land situated in the David E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas and generally located at the northwest corner of McKinney St and Fannin Rd, City of Melissa, Collin County, Texas.

Applicant: City of Melissa

Director of Development and Neighborhood Services, Tyler Brewer, addressed the Planning and Zoning Commission stating that the primary purpose of the replat is to consolidate the land and abandon unnecessary rights of way. A portion of the land is zoned residential; therefore, Staff notified all property owners within the 200-foot boundary and no communications have been received.

Motion was made by Rendell Hendrickson and seconded by Dwayne McNeil to open the public hearing at 6:33 p.m.

Vote: 7/0/0

With no other public comments, a motion was made by David Jones and seconded by David Minton to close the public hearing at 6:34 p.m.

Vote: 7/0/0

- C. **Consider and act upon a preliminary replat of 5.228± acres of land situated in the David E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas and generally located at the northwest corner of McKinney St and Fannin Rd, City of Melissa, Collin County, Texas.**
Applicant: City of Melissa

Commission Action

Motion was made by Danielle Dorman-Chapa and seconded by David Jones to approve a preliminary replat of 5.228± acres of land as noted.

Vote: 7/0/0

- D. **Conduct a Public Hearing to hear concerns for or against a request to amend Ordinance No. 19-02 by removing Tract 6 [4.788± acres currently zoned Planned Development/Commercial-2 (PD/C-2) Zoning Classification within the Commercial Mixed Use (CMU) portion of the Downtown Overlay District (DOD)] from said ordinance and making the necessary modifications to said ordinance and then rezoning the same 4.788± acres as well as an additional 0.44± acres of property currently zoned Single-Family Residential District-3 ("SF-3") to Planned Development/Commercial-2 (PD/C-2) Zoning Classification within the Commercial Mixed Use (CMU) portion of the Downtown Overlay District (DOD), said acreage totaling 5.228± acres of land situated in the David E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas and generally located at the northwest corner of McKinney St and Fannin Rd, City of Melissa, Collin County, Texas.**
Applicant: City of Melissa

Director of Development and Neighborhood Services, Tyler Brewer, addressed the Planning and Zoning Commission stating that the City of Melissa, in conjunction with the Salser Development Group, is requesting a planned development rezone. The development standards will produce a two-story office facility but will allow for a maximum height of 60-ft. for architectural elements and outdoor storage and display for hardware equipment. Staff notified all property owners within the 200-ft. boundary and no communications have been received. Mr. Brewer invited the CEO of Salsar Development Group, Deric Salser, to speak about the project.

Mr. Salser stated that Salser Development Group specializes in unique, up-scale, destination developments. Salser Development Group is desiring to build a family-friendly project that the community desires in cities with an A+-rated school district

and in the path of population growth, such as Melissa. Ten families that are residents of Melissa have contributed to 54% of the funding of this project. Mr. Salser invited Dan Meyer, the owner of Ace Hardware in Celina, to speak regarding his vision for Ace Hardware in the new development.

Mr. Meyer spoke about his experience in Celina stating that the Ace Hardware to be in Melissa will be 25% larger. It will have 12,000 square feet of selling floor, outdoor living and grilling, power tools, and Benjamin Moore paint department.

Motion was made by Danielle Dorman-Chapa and seconded by Rendell Hendrickson to open the public hearing at 6:50 p.m.

Vote: 7/0/0

Citizen Kaitlin Craven asked if parking on Fannin Road will change.

Citizen Erin Sillito asked if property taxes will increase as higher-end businesses are brought into the area.

With no other public comments, a motion was made by Rendell Hendrickson and seconded by Danielle Dorman-Chapa to close the public hearing at 6:53 p.m.

Vote: 7/0/0

Mr. Salser addressed Ms. Craven's question stating that there are no on-street parking plans in this project; however, parking on Harrison Street will be improved.

City Manager, Jason Little, stated that the on-street parking will not be added to Fannin Road and will be incorporated in future road reconstruction projects.

Mr. Little addressed Ms. Sillito's question stating that there may be appreciation value for commercial elements, but it likely will not affect residential property in the area.

- E. Consider and act upon a recommendation to City Council regarding a request to amend Ordinance No. 19-02 by removing Tract 6 [4.788± acres currently zoned Planned Development/Commercial-2 (PD/C-2) Zoning Classification within the Commercial Mixed Use (CMU) portion of the Downtown Overlay District (DOD)] from said ordinance and making the necessary modifications to said ordinance and then rezoning the same 4.788± acres as well as an additional 0.44± acres of property currently zoned Single-Family Residential District-3 ("SF-3") to Planned Development/Commercial-2 (PD/C-2) Zoning Classification within the Commercial Mixed Use (CMU) portion of the Downtown Overlay District (DOD), said acreage totaling 5.228± acres of land situated in the David E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas and generally located at the northwest corner of McKinney St and Fannin Rd, City of Melissa, Collin County, Texas.
Applicant: City of Melissa

Rendell Hendrickson asked what the timeline would look like for this project. City Manager, Jason Little, stated that the initial agreement anticipates breaking ground in December 2022 with an 18-month lead time for the entire facility.

Adam Porter asked if the outdoor storage and display was only for Ace Hardware or for all tenants. Mr. Brewer stated that it was for all tenants.

Mr. Porter asked if it also referred to outdoor seating or just outdoor products, or if additional storage such as a shipping container would be allowed given a similar situation at a local Ace Hardware. Mr. Brewer stated that this would be for display only. Mr. Salser agreed that there would not be room for a shipping container as the space will be needed for parking.

Mr. Porter asked if the fenced in area as well as the front of the store would be used for outdoor display. Mr. Meyer confirmed. Mr. Brewer affirmed that from a code enforcement standpoint, areas such as the fire lane would still be off limits.

Commission Action

Motion was made by Rendell Hendrickson and seconded by Danielle Dorman-Chapa to recommend approval to City Council to amend Ordinance No. 19-02 as noted.

Vote: 7/0/0

The City of Melissa Council moved to the dais to convene the remainder of the meeting.

- F. Conduct a Public Hearing to hear concerns for or against a request to amend Ordinance No. 19-02 by removing Tract 6 [4.788± acres currently zoned Planned Development/Commercial-2 (PD/C-2) Zoning Classification within the Commercial Mixed Use (CMU) portion of the Downtown Overlay District (DOD)] from said ordinance and making the necessary modifications to said ordinance and then rezoning the same 4.788± acres as well as an additional 0.44± acres of property currently zoned Single-Family Residential District-3 (“SF-3”) to Planned Development/Commercial-2 (PD/C-2) Zoning Classification within the Commercial Mixed Use (CMU) portion of the Downtown Overlay District (DOD), said acreage totaling 5.228± acres of land situated in the David E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas and generally located at the northwest corner of McKinney St and Fannin Rd, City of Melissa, Collin County, Texas.**

Applicant: City of Melissa

Motion was made by Craig Ackerman and seconded by Shannon Sweat to open the public hearing at 7:07 p.m.

Vote: 5/0/0

With no other public comments, a motion was made by Shannon Sweat and seconded by Chad Taylor to close the public hearing at 7:07 p.m.

Vote: 5/0/0

- G. Consider and act upon an Ordinance amending Melissa’s Zoning Ordinance, Ordinance No. 92-08, as amended, and Ordinance No. 19-02, to modify the tracts subject to the Planned Development (PD) district established by Ordinance No. 19-02, and to rezone a tract of land, consisting of 5.228± acres, situated in the David E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas, heretofore zoned Single-Family Residential District-3 (SF-3) and Planned Development (PD) within the Downtown Overlay District Commercial Mixed-Use (DOD/CMU) Zoning Classification; providing that the 5.228± acre-tract is hereby rezoned and placed in the Planned Development-General Commercial District (PD-C-2) within the Downtown Overlay District Commercial Mixed-Use (DOD/CMU) Zoning Classification, as recommended by the Planning and Zoning Commission.**

Applicant: City of Melissa

Craig Ackerman asked if it would be possible to restrict the ability to use a storage container in the parking lot. Mr. Little stated that Ace Hardware would be getting deliveries and may result in the need of using the parking lot in some instances.

Mayor Greer asked if there was an ordinance that specifically covered this concern currently. Mr. Brewer stated that current ordinances should cover this concern. Mr. Little stated that this could be added to the motion and if it is needed, Staff can add.

Mr. Salser stated that there is no outside storage by anyone on property, minus outdoor dining, the Ace Hardware allotted areas for display, and temporary items from tenants. Mr. Brewer stated that incidental storage for 72 hours would be covered by current ordinances.

Shannon Sweat asked if Salser Development would keep 10% ownership. Mr. Salser stated that they try to keep 10% ownership of all projects.

Shannon Sweat asked Mr. Salser who the 10 families were that partnered on the project. Mr. Salser stated that he did not ask permission to disclose any names. Mrs. Sweat asked how it was marketed to Melissa in the event any other citizens would like to contribute. Mr. Salser stated that they did not seek out partners, but citizens approached them.

Motion was made by Craig Ackerman and seconded by Jay Northcut to approve an Ordinance amending Melissa's Zoning Ordinance, Ordinance No. 92-08, as noted with the request that Staff would look at the storage element.

Vote: 5/0/0

H. Consider and act upon authorizing the City Manager to complete the Purchase Agreement with Hope Development Partners 3, LLC and execute upon completion.

City Manager, Jason Little, addressed Council stating that this Purchase Agreement would allow the City to sell 5.228 acres at the corner of Fannin and State Highway 5. The second element is a Chapter 380 Agreement that would allow the City to complete the Development Agreement. As part of this agreement, the developer will commit to construct at least 50,000 square feet, construct Harrison Street between State Highway 5 and Melissa ISD, stay within the City's building and design standards, and as such, the City would offer a \$2.3 million grant. The grant is only applicable if

the developer closes and purchases the property, has a site plan and plat approved by City Council, commences construction by December 31, 2022, and completes the project within 18 months of the commencement of construction. If any of the above fails to occur, the recapture provision that would allow the City the ability to repurchase the property for the amount paid.

Motion was made by Jay Northcut and seconded by Chad Taylor to authorize the City Manager to complete the Purchase Agreement with Hope Development Partners 3, LLC and execute upon completion.

Vote: 5/0/0

I. Consider and act upon authorizing the City Manager to complete the Development Agreement with Hope Development Partners 3, LLC and execute upon completion.

Motion was made by Chad Taylor and seconded by Craig Ackerman to authorize the City Manager to complete the Development Agreement with Hope Development Partners 3, LLC and execute upon completion.

Vote: 4/1/0

Mayor Greer, Mayor Pro Tem Jay Northcut, Craig Ackerman, and Chad Taylor voted in favor. Shannon Sweat opposed.

J. Consider and act upon a Resolution approving a Letter of Intent with Hope Development Partners 3, LLC.

City Manager, Jason Little, stated that a non-binding Letter of Intent will allow the City to have discussions regarding development after Phase 1.

Motion was made by Chad Taylor and seconded by Jay Northcut approve a Resolution approving a Letter of Intent with Hope Development Partners 3, LLC as noted.

Vote: 4/1/0

Mayor Greer, Mayor Pro Tem Jay Northcut, Craig Ackerman, and Chad Taylor voted in favor. Shannon Sweat opposed.

K. Adjourn.

Motion was made by Chad Taylor and seconded by Shannon Sweat to adjourn the City Council Meeting at 7:20 p.m.

Vote: 5/0/0

Motion was made by Rendell Hendrickson and seconded by Dwayne McNeil to adjourn the Planning and Zoning Commission at 7:20 p.m.

Vote: 7/0/0



JAY NORTH CUT, Mayor

ATTEST:



HOPE CORY, City Secretary

