

ORDINANCE NO. 2015-07-068

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 43.92 ACRE PROPERTY, LOCATED APPROXIMATELY 800 FEET EAST OF ALMA ROAD AND ON THE NORTH SIDE OF COLLIN MCKINNEY PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT, "AG" – AGRICULTURAL DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT, GENERALLY TO ALLOW FOR SINGLE FAMILY DETACHED AND ATTACHED 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

WHEREAS, the City of McKinney has considered the rezoning of an approximately 43.92 acre property, located approximately 800 feet East of Alma Road and on the north side of Collin McKinney Parkway, which is more fully depicted on Exhibits "A", "B" and "C", attached hereto, from "PD" – Planned Development District, "AG" – Agricultural District, and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, generally to allow for single family detached and attached residential uses; and,

WHEREAS, after due notice of the requested rezoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that the change in zoning district should be made.

NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:

Section 1. The zoning map is hereby amended so that an approximately 43.92 acre property, located approximately 800 feet East of Alma Road and on the north side of Collin McKinney Parkway, which is more fully depicted on Exhibits "A", "B" and "C", attached hereto, is rezoned from "PD" – Planned Development District, "AG" – Agricultural District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, generally to allow single family detached and attached residential uses.

Section 2. The subject property shall develop in accordance with the "PD" – Planned Development District, and as amended, except as follows:

1. Tract 1 of the subject property, as shown on the attached Land Use Plan – Exhibit "C", shall develop in accordance with the Single Family Detached, Standard Lot requirements of the REC Neighborhood Zone as specified in the "REC" – Regional Employment Center Overlay District, and as amended, except as follows:

a. There shall be no maximum lot width.

b. Single family detached dwelling units shall be constructed in accordance with the attached Architectural Standards – Exhibit "D".

2. Tract 2 of the subject property, as shown on the attached Land Use Plan – Exhibit "C", shall develop in accordance with the Single Family

Detached, Standard Lot requirements of the REC Neighborhood Zone as specified in the "REC" – Regional Employment Center Overlay District or Section 146-108 "TH" Townhome Residential District, and as amended, except as follows:

- a. There shall be no maximum lot width.
- b. Single family detached dwelling units shall be constructed in accordance with the attached Architectural Standards – Exhibit "D".

Section 3. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.


Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

Section 5. That no developer or property owner shall acquire any vested interest in this Ordinance or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 6. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

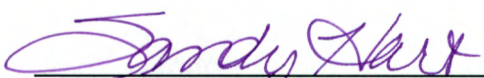
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 21ST DAY OF JULY, 2015.

CITY OF MCKINNEY, TEXAS



BRIAN LOUGHMILLER
Mayor

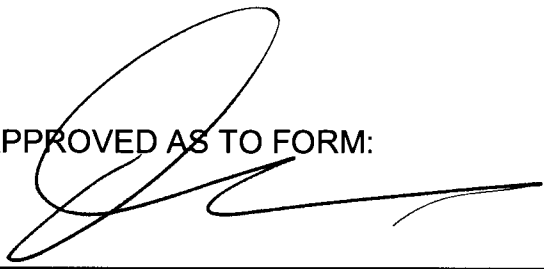
CORRECTLY ENROLLED:



SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

DATE: July 21, 2015

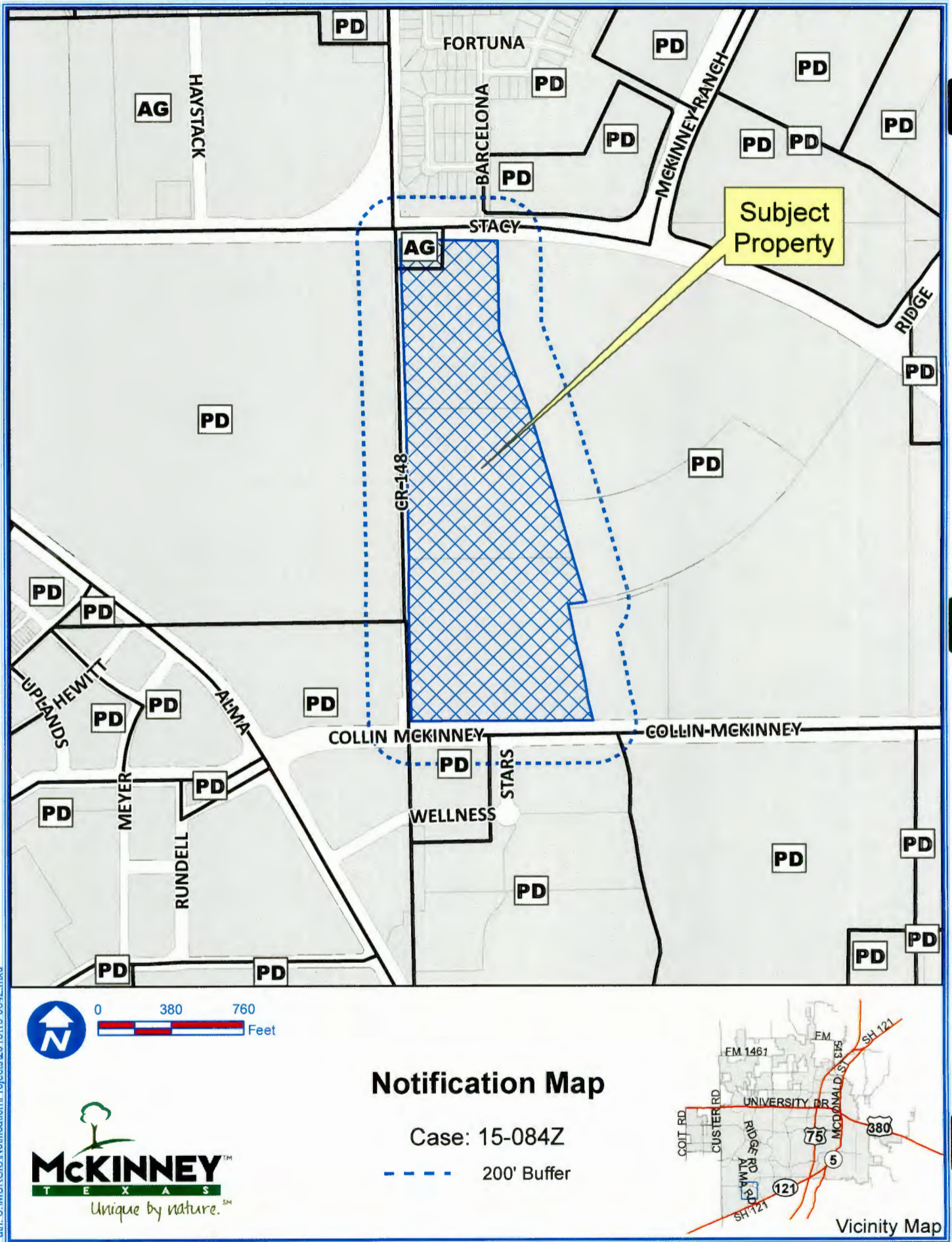
APPROVED AS TO FORM:



MARK S. HOUSER
City Attorney



Exhibit A



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

Exhibit B

LEGAL DESCRIPTION

BEING a tract of land located in the City of McKinney, Collin County, Texas, a part of the George F. Lucas Survey, Abstract No. 540, and being a part of Tract 4 described in a special warranty deed to Collin CR Wellness Communities, LLC as recorded in Document Number 20091229001543720, Collin County Deed Records, and being further described as follows:

BEGINNING at the northeast corner of a called 2.170 acre tract of land described in a special warranty deed to the City of McKinney, Texas as recorded in Document Number 20150316000283940, Collin County Deed Records, said point being the intersection of the south right-of-way line of Stacy Road (a 130 foot wide right-of-way) with the centerline of County Road Number 148 (a prescriptive right-of-way not in use);

THENCE North 89 degrees 29 minutes 54 seconds East, 535.46 feet along the south right-of-way line of said Stacy Road to the northeast corner of said Tract 4, said point being the northwest corner of a called 54.5816 acre tract of land described in a special warranty deed to Wellstone at Craig Ranch, III, LLC as recorded in Document Number 20070126000118100, Collin County Deed Records;

THENCE along the east line of said Tract 4 as follows:

South 00 degrees 00 minutes 42 seconds East, 462.98 feet to a point for corner;
South 20 degrees 49 minutes 48 seconds East, 459.21 feet to a point for corner;
South 17 degrees 22 minutes 04 seconds East, 702.04 feet to a point for corner;
South 15 degrees 33 minutes 09 seconds East, 352.51 feet to a point for corner;

THENCE Southwesterly, 111.27 feet along a curve to the right which has a central angle of 03 degrees 40 minutes 36 seconds, a radius of 1,733.98 feet, a tangent of 55.65 feet, and whose chord bears South 82 degrees 33 minutes 17 seconds West, 111.25 feet to a point for corner;

THENCE South 11 degrees 16 minutes 12 seconds East, 187.67 feet to a point for corner in the west line of Lot 1R, Block A, Crape Myrtle Addition, an addition to the City of McKinney, Texas as recorded in Volume 2010, Page 135, Collin County Plat Records;

THENCE along the west line of said Crape Myrtle Addition as follows:

South 14 degrees 56 minutes 38 seconds East, 106.40 feet to a point for corner;
South 11 degrees 45 minutes 38 seconds East, 114.92 feet to a point for corner;
South 09 degrees 31 minutes 08 seconds East, 107.92 feet to a point for corner;
South 14 degrees 29 minutes 09 seconds East, 110.68 feet to the southwest corner of said Crape Myrtle Addition, said point being in the north right-of-way line of Collin McKinney Parkway (a 120 foot wide right-of-way);

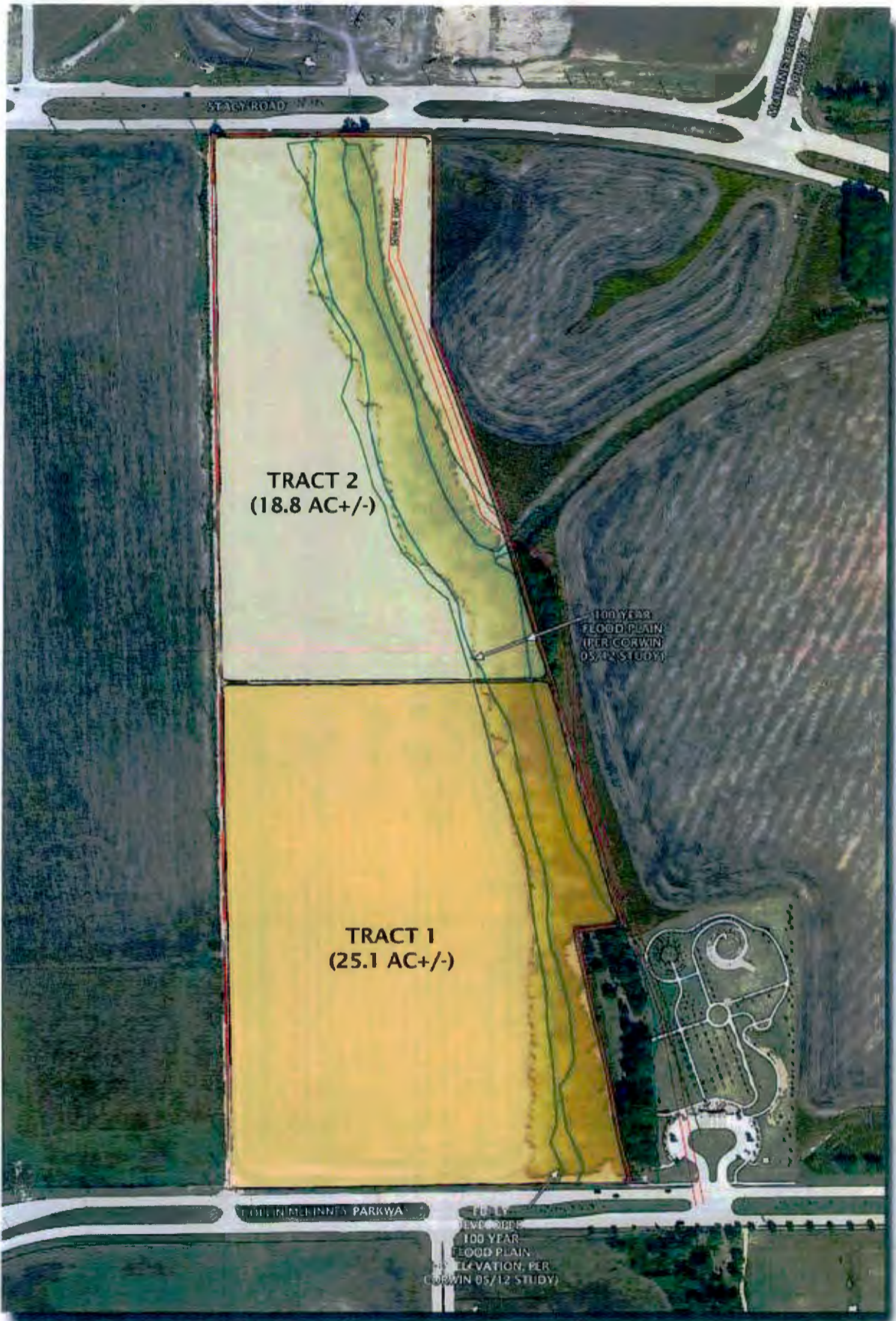
Exhibit B

THENCE South 89 degrees 08 minutes 11 seconds West, 970.26 feet along the north right-of-way line of said Collin McKinney Parkway to a point for corner in the centerline of said County Road Number 148;

THENCE North 01 degrees 15 minutes 09 seconds West, 2,539.72 feet along the centerline of said County Road Number 148 to the POINT OF BEGINNING and containing 1,912,947 square feet or 43.915 acres of land.

“This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.”

Exhibit C



ZONING EXHIBIT

CRAIG RANCH MCKINNEY, TEXAS

FOR RURAL ESTATE DEVELOPMENT

Exhibit D

SINGLE FAMILY RESIDENTIAL ARCHITECTURAL AND SITE STANDARDS

1. Single Family Residential Dwelling Unit Architectural Design Requirements.

a. The following exterior finishing materials shall be required:

- i. Front Elevation. A minimum of 100% of this elevation shall be finished with masonry finishing materials (brick, stone, synthetic stone or stucco); however no more than 50% of this elevation shall be finished with stucco.
- ii. Side Elevation. A minimum of 75% of this elevation shall be finished with masonry finishing materials; however no more than 50% of this elevation shall be finished with stucco. The remaining 25% may be finished with masonry finishing materials, wood lap siding, cast concrete modular siding, cementitious fiber board (hardi-board or hardi-plank), or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited.
- iii. Rear Elevation. A minimum of 50% of this elevation shall be finished with masonry finishing materials; however no more than 50% of this elevation may be finished with stucco. The remaining 50% may be finished with masonry finishing materials, wood lap siding, cast concrete modular siding, cementitious fiber board (hardi-board or hardi-plank), or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited.
- iv. Calculation of Percentages. The percentages set forth above shall be calculated exclusive of doors, windows, and or dormers which are located above a roof line which extends from a hip roof.
- v. Each building shall have a consistent architectural design on all sides.

b. All single family residential units shall be required to provide at least three of the following architectural elements:

- i. 100 percent of each elevation is finished with a masonry finishing material (excluding stucco);
- ii. The front facade contains at least two types of complementary masonry finishing materials with each of the

Exhibit D

materials being used on at least 25 percent of the front facade;

- iii. A minimum of 10 percent of the unit's front facade features patterned brick work including, but not limited to soldier, herringbone, or sailor coursework; excluding soldier or sailor brickwork provided in association with a door or window;
- iv. No pitched roof plane with a horizontal length of longer than 20 feet exists;
- v. Each home has at least three distinct horizontal façade planes on the front elevation which are separated by at least 5 feet of depth.
- vi. The unit only features one-car garage doors that have a carriage style design. These doors typically feature vertical slats, high windows, antiqued hardware, and additional detailing to give the appearance of swinging or sliding doors;
- vii. The unit's chimney is finished on all sides with 100 percent masonry finishing materials (excluding stucco);
- viii. The unit features an articulated front entrance through the use of lintels, pediments, keystones, pilasters, arches, columns, or other similar architectural elements;
- ix. All windows that are visible from the right-of-way are articulated through the use of lintels, pediments, keystones, pilasters, arches, columns, or other similar architectural elements;
- x. A covered front porch which is at least 100 square feet in area is provided;
- xi. A covered back porch which is at least 200 square feet in area is provided;
- xii. At least one dormer is provided for each roof plane over 500 square feet in area that faces a public street. The dormer must be appropriately scaled for the roof plane and shall not be wider than the windows on the building elevation below;
- xiii. All windows facing a street feature shutters. The shutters provided must be operational or appear operational and must be in scale with the corresponding window; or

Exhibit D

- xiv. All ground level mechanical, heating, ventilation, and air conditioning equipment is completely screened by an opaque screening device that is at least six feet tall.