

ORDINANCE NO. 2014-01-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 15.25 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF LAKE FOREST DRIVE AND HIGHLANDS DRIVE, 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

WHEREAS, the City of McKinney has considered the rezoning of an approximately 15.25 acre property, located on the southeast corner of Lake Forest Drive and Highlands Drive, which is more fully depicted on Exhibit "A", attached hereto, from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards; 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 15.25 acre property, located on the southeast corner of Lake Forest Drive and Highlands Drive, which is more fully depicted on Exhibit "A", attached hereto, is rezoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards.

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

1. The subject property shall develop in accordance with attached Development Regulations – Exhibit "B", Concept Plan – Exhibit "C", and Elevations – 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.

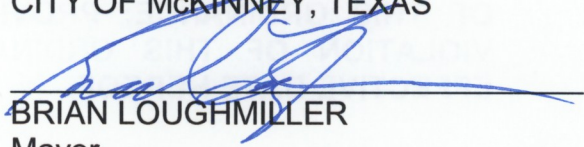
Section 5. That no developer or property owner shall acquire any vested interest in this Ordinance or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or

repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

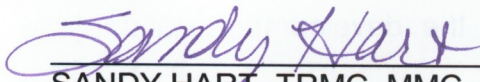
Section 6. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 7th DAY OF JANUARY, 2014.

CITY OF MCKINNEY, TEXAS


BRIAN LOUGHMILLER
Mayor

CORRECTLY ENROLLED:


SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA, TRMC
Assistant City Secretary

DATE: January 7, 2014

APPROVED AS TO FORM:

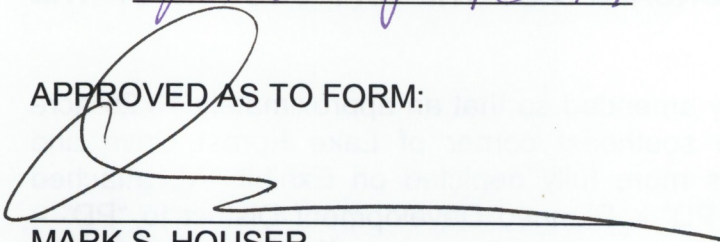
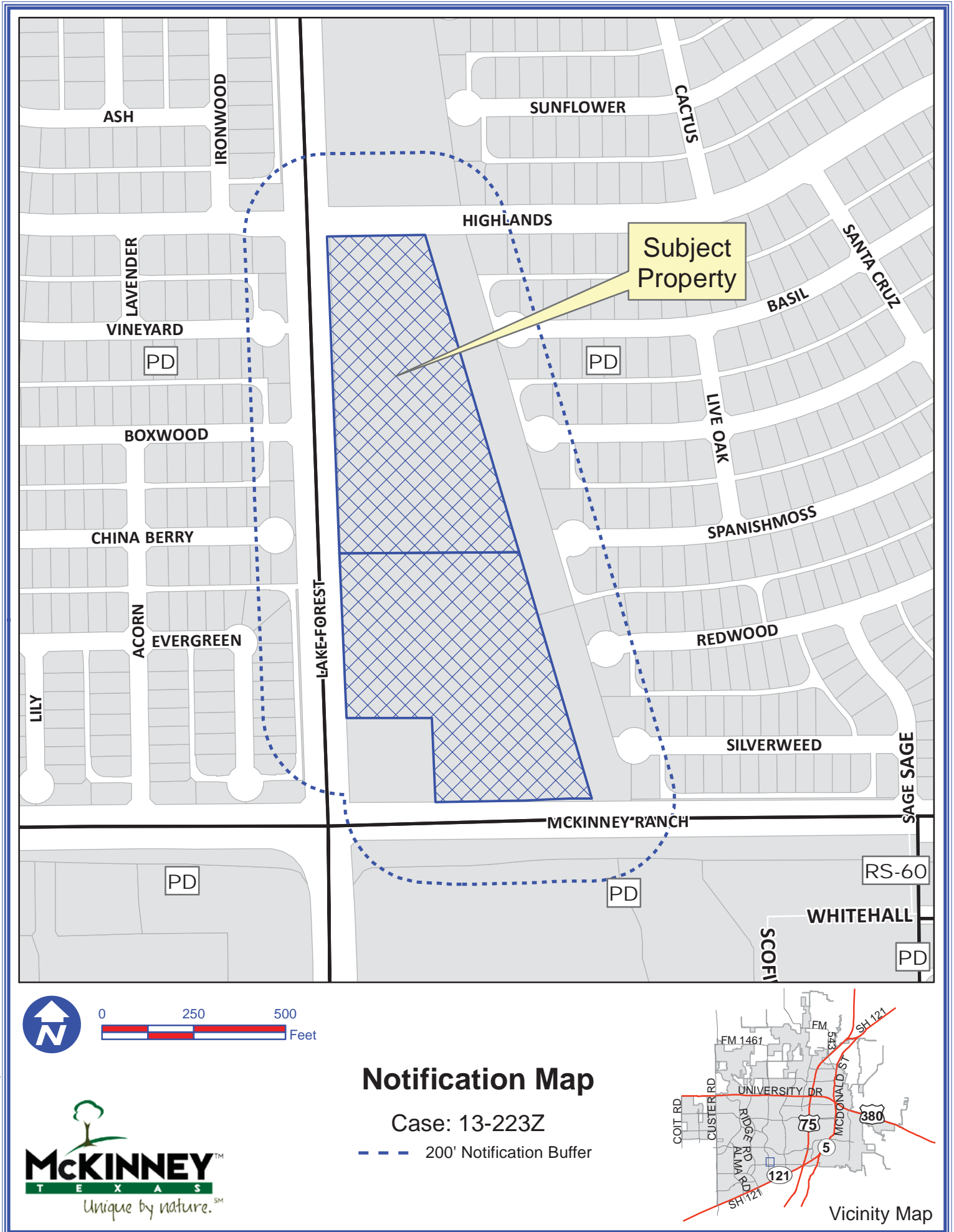

MARK S. HOUSER
City Attorney

Exhibit A



Path: S:\MCKGIS\Notification\Projects\2013\13-223Z.mxd

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

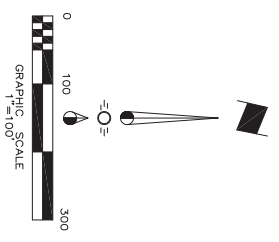
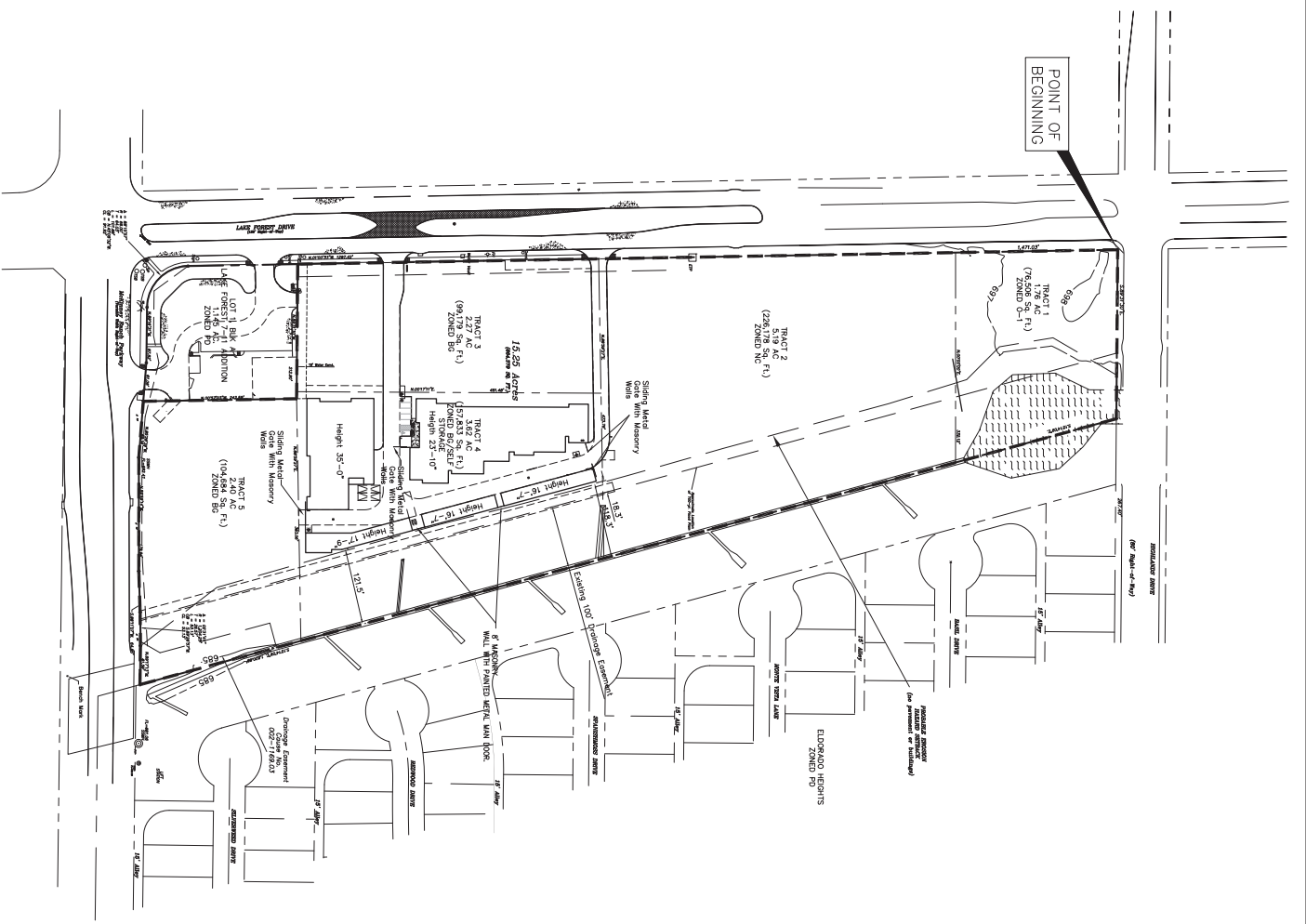
Development Regulations

1. Use and development of Tract 1 (1.76 acres) of the subject property shall conform to Section 146-87 "O-1" - Neighborhood Office District of the Zoning Ordinance, and as amended.
2. Use and development of Tract 2 (5.19 acres) of the subject property shall conform to Section 146-83 "NC" - Neighborhood Convenience District of the Zoning Ordinance, and as amended, except as follows:
 - a. The following additional uses shall be allowed:
 1. Bakery or confectionary (retail)
 2. Florist or flower shop
 3. Veterinarian (no outside runs)
 - b. The following additional uses shall be allowed with approval of a Specific Use Permit (SUP):
 1. Day-care
 2. Carwash
 - c. Residential uses shall be prohibited.
3. Use and development of Tract 3 (2.27 acres), Tract 4 (3.62 acres), and Tract 5 (2.40 acres) of the subject property shall conform to Section 146-85 "BG" - General Business District of the Zoning Ordinance, and as amended, except as follows:
 - a. The following uses shall be prohibited:
 1. Residential uses
 2. Auto painting or body shop
 3. Automobile trailer, light truck, tool rental
 4. Automobile, motorcycle, boat (sales, repair, or storage)
 5. Bait shop
 6. Building material sales or monument sales
 7. Bus station
 8. Cleaning plant, laundry
 9. Creamery (dairy products)
 10. Farm implement sales and service
 11. Frozen food lockers
 12. Funeral homes and mortuaries
 13. Garage, auto repair
 14. Halfway house
 15. Pawnshops
 16. Railroad track or right-of-way
 17. Recreational vehicle sales
 18. Sexually oriented business
 - b. Mini-warehouse uses shall be permitted only on Tract 4, and development of said use shall generally conform to the attached concept plan, as shown on Exhibit "C", and shall meet all of the following requirements:
 1. No overhead bay doors or loading areas shall be visible from an adjacent use or public right-of-way.
 2. Mini-warehouse buildings shall conform to the attached architectural elevations, as shown on Exhibit "D", and shall be covered with 100 percent masonry materials (brick or stone).

Exhibit B, con't.

3. Mini-warehouse buildings located directly adjacent to residential uses or zones shall be limited to a single story.
 4. Mini-warehouse buildings located directly adjacent to single family residential uses or zones shall feature a pitched roof (minimum 4:12 slope).
 5. The 12' tall walls of the mini-warehouse buildings and the associated 8' tall masonry walls connecting said buildings (as depicted on the east elevation) shall act as the required screening device between the subject property and the adjacent residential properties to the east.
4. Each wall of all buildings (except for mini-warehouse buildings as specified above) constructed on the subject property shall be finished with at least 75 percent masonry (brick, stone, or synthetic stone), calculated exclusive of doors and windows.
 5. One canopy tree shall be provided every 30 linear feet along all street frontages of the subject property, as each site develops.

Exhibit C



SITE DATA TABLE

Zoning:	PD
Existing:	PD O-1 (Tract 1)
Proposed:	PD NC (Tract 2)
	PD BG/Self Storage (Tract 4)
	PD BG (Tracts 3 & 5)
Area Information:	15.85 Acres
	City of McKinney, Collin County, Texas

--- Limits of Zoning

DEVELOPER
 Bryan Hessel Forepartes
 2600 Hessel Forepartes
 McKinney, Texas 75070
 Phone (972) 582-7776
 Fax (972) 582-5019
 Contact: Bryan Hessel

ENGINEER:
 Cross Engineering & Architects, Inc.
 131 S. Tennessee St.
 McKinney, Texas 75069
 Phone (972) 582-4409
 Fax (972) 582-4400
 Contact: Van David Cross, P.E.

ARCHITECT:
 A.J. Bedford Group, Inc.
 5646 Milton St., Suite 610
 Dallas, Texas 75206
 Phone (214) 381-9991
 Fax (214) 381-9990
 Contact: Nick Cole

SURVEYOR:
 A.J. Bedford Group, Inc.
 5646 Milton St., Suite 610
 Dallas, Texas 75206
 Phone (972) 722-0225
 Fax (972) 722-0225
 Contact: A. J. Bedford

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
 THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY.

RECEIVED
 By signetwiser at 8:15 am, Nov 08, 2013

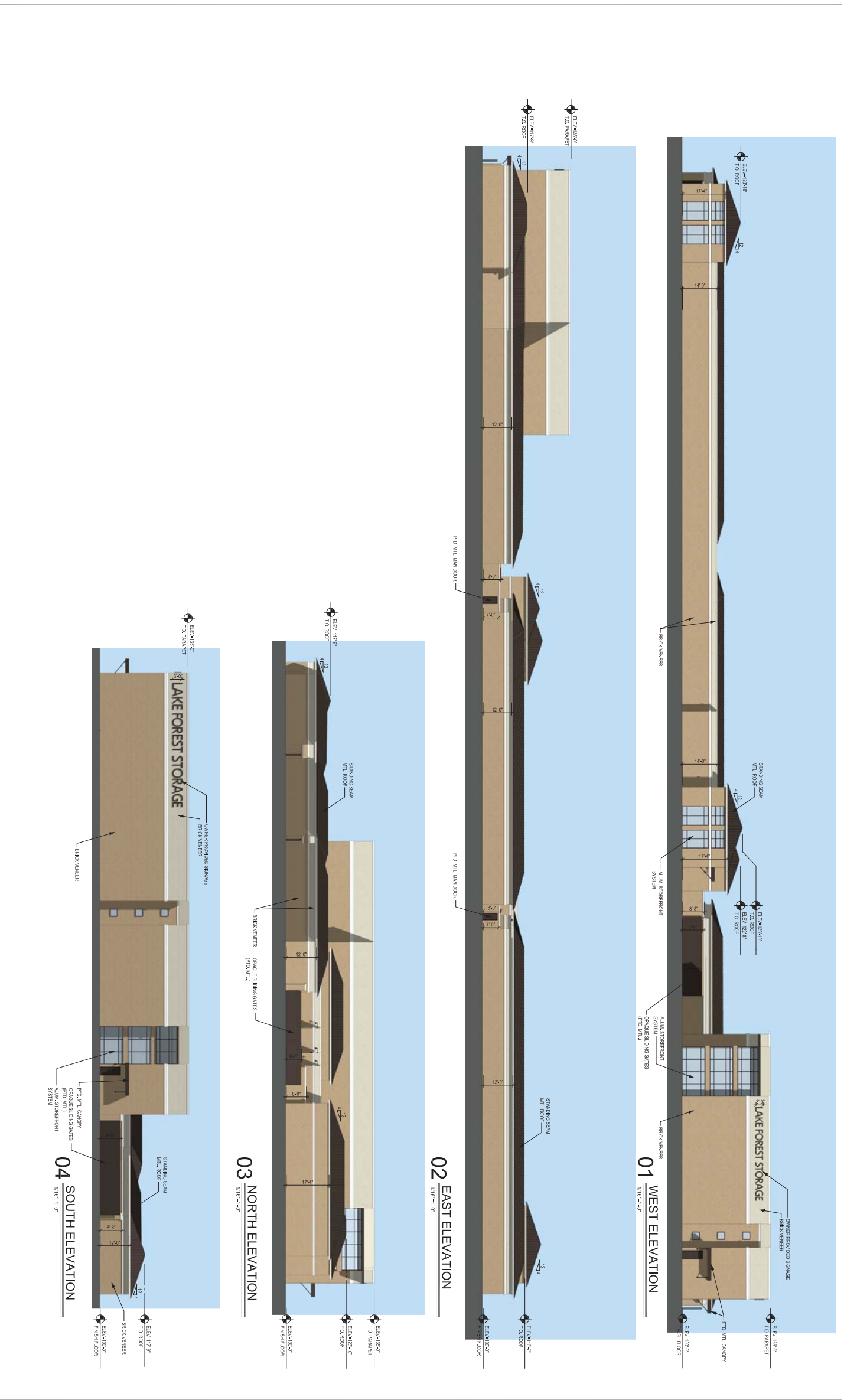
Issue Dates	Revisions	Date
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	

CROSS ENGINEERING CONSULTANTS
 131 S. Tennessee St.
 McKinney, Texas 75069
 972.582.4400
 Team P.E. Van, M., R. 5015
 Drawn By: C.E.C.A.
 Checked By: C.E.C.A.
 Scale: 1" = 100'

ZONING EXHIBIT
 Lake Forest Self Storage
 15.25 Acres
 City of McKinney, Texas

Sheet No. ZE
 Project No. 13083

Exhibit D



LAKE FOREST SELF STORAGE