

NO. 1559

AN ORDINANCE AMENDING ORDINANCE NO. 1270 SO THAT 55.237 ACRES OF LAND IN THE JOHNATHAN PHILLIPS SURVEY IS ZONED PLANNED CENTER DISTRICT AND PLANNED DEVELOPMENT DISTRICT - LIGHT MANUFACTURING; PROVIDING FOR PLANNED DEVELOPMENT REGULATIONS; PROVIDING FOR A SITE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the owner or owners of 55.237 acres of land in the Johnathan Phillips Survey have petitioned the City of McKinney to zone such property Planned Center District and Planned Development District - Light Manufacturing, 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 such rezoning change should be made.

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

SECTION I: That the real estate more fully described in the attached Exhibit "A" is hereby zoned Planned Center District and Planned Development District - Light Manufacturing.

SECTION II: That the Planned Development Regulations more fully set forth in the attached Exhibit "B" are hereby adopted as the Planned Development Regulations for the Planned Development District. Such property shall be developed in accordance with the zoning map attached hereto and marked Exhibit "C".

SECTION III: That prior to the development of such property, a complete Site Plan shall be submitted to and receive the approval of the City Council of the City of McKinney, Texas.

SECTION IV: That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development Zone or specific regulations contained herein. This

Ordinance and the subsequent site plan and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

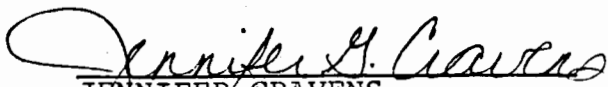
SECTION V: If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of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

SECTION VI: 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 therefor, shall be fined any sum not exceeding \$200.00, 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 VII: 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 this the 18th day of June, 1985.

CORRECTLY ENROLLED:

  
JENNIFER CRAVENS  
CITY SECRETARY

## EXHIBIT A

## DESCRIPTION 55.237 Acres of Land

SITUATED in Collin County, Texas, in the Jonathan Phillips Survey, Abstract No. 719, being a resurvey of part of the 78.27 acres of land described in a deed from Harry H. Herndon, et al to Ed Lafollette, dated September 15, 1930, recorded in Volume 282, Page 17 and a resurvey of the 30 acres of land described in a deed from R.F. Newsome, et ux to E.K. Lafollett, dated December 29, 1936, recorded in Volume 309, Page 333, both deeds of the Collin County Deed Records, being described by metes and bounds as follows

BEGINNING at an existing iron pin at the Southwest corner of said 78.27 acre tract in the center of a North-South paved road;

THENCE North  $0^{\circ} 46' 54''$  West 2577.44 feet with the West line of said 78.27 acre tract and 30 acre tract to an iron pin set at the Northwest corner of said 30 acre tract in the center of Farm Road No. 720 for a corner;

THENCE North  $89^{\circ} 27' 16''$  East 984.43 feet with the North line of said 30 acre tract and with the center of Farm Road No. 720 to an iron pin set at the Northeast corner of said 30 acre tract in said center line for a corner;

THENCE South  $0^{\circ} 52' 12''$  East passing an iron pin set beside a post at 41.0 feet and continuing with a hedge row 1332.94 feet to an existing iron pin set beside a bois d'arc stake at the Southeast corner of said 30 acre tract in the North line of said 78.27 acre tract for a corner;

THENCE South  $9^{\circ} 44' 14''$  West 1287.95 feet to an iron pin set in the South line of said 78.27 acre tract in the Northwest Right-of-Way line of State Highway No. 121 for a corner;

THENCE North  $86^{\circ} 48' 37''$  West 751.79 feet with the South line of said 78.27 acre tract and with an established fence to the PLACE OF BEGINNING and containing 55.237 acres of land.

## CERTIFICATION:

TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO WILSON TITLE CO. The undersigned does hereby certify that a survey was this day made on the ground on the property legally described hereon prepared by the undersigned and is correct; that there are visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, protrusions, overlapping of improvements, easements or rights-of-way, except as shown on the plat hereon; that said property has access to a public roadway; and, that the plat hereon is a true, correct and accurate representation of the property described hereinabove. Further the undersigned hereby certifies that he has calculated the quantity of land or acreage contained within the tract shown on this plat of survey and described hereon and certifies that the quantity of land shown hereon is correct.

Surveyed March 16, 1983 A.D.

RESURVEYED

APRIL 17, 1984

G.M. GEER, REGISTERED PUBLIC SURVEYOR

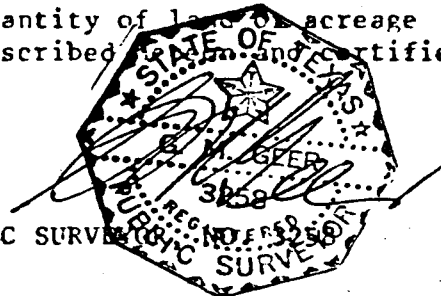


EXHIBIT B

APPLICATION 55+ ACRES VANRO PARTNERS TRACT  
for  
ML PLANNED DEVELOPMENT ZONING

1. General: This Planned Development District shall have a base zoning district of "ML", Light Manufacturing, as is set forth in Zoning Ordinance No. 1270.
2. Purpose: The purpose of this District is to establish standards for use and development of office, office showroom, office warehouse, campus style developments for uses which may include a combination of commercial, office, and industrial types of activities, and for uses to support these primary uses.
3. Principal Permitted Uses: Those uses which are indicated in the attached use chart for the "ML", Light Manufacturing District, or which may become permissible under Section 2.08 New and Unlisted Uses.
4. Specifically Excluded Uses: Those outlined in Section 3.16-3 except motels and hotels.
5. Permitted Accessory Uses: Permitted as outlined in Section 3.16-4.
6. Space Limits: The following lists permitted uses and the minimum site area for each use.
  - (1) Office Use - 1 acre minimum
  - (2) Office-Showroom Use - 1 acre minimum
  - (3) Campus Commercial, Office, Industrial Use - 3 acre minimum
  - (4) Support Uses for Above Activities - 1 acre minimum
7. Yard Requirements: The following shall be the minimum yard areas permitted:

(1) Front Yard

- (a) Fifty (50) feet when adjacent to a thoroughfare.
- (b) Twenty-five (25) feet when adjacent to other streets.
- (c) No parking shall be permitted in the minimum front yard set back area.

(2) Side Yard

- (a) Fifty (50) feet when adjacent to a thoroughfare.
- (b) Twenty-five (25) feet when adjacent to other streets or for an interior side yard area.
- (c) No parking shall be permitted in the minimum side yard set back area for a corner lot adjacent to a street.

(3) Rear Yard

- (a) Twenty-five (25) feet

8. Coverage: Permitted coverage of the building site by the main building and any accessory buildings shall not exceed seventy-five (75) percent of the site area. Permitted floor area ratio shall be 1:1.

9. Maximum Building Height: No restriction except as limited by the floor area ratio.

TYPE USE	ZONING DISTRICTS																	
	RG	RED-1	RED-2	RS120	RS 84	RS 60	RD 30	RG 25	RG 15	MP	BN	DG	C	O	ML	MH	AP	GC
<b>RESIDENTIAL USES</b>																		
Boarding House or Rooming House (14)							*			*	*	*						
Dormitories				*	*	*	*	*		*	*	*						
Mobile Home Dwelling (55)										*						*		
Mobile Home Park (56)										*								
Multiple-Family Dwelling (Apartment) (58)							*	*		*	S	*						
Single-Family Dwelling (Attached) (88)							*	*		*	S	*						
Single-Family Dwelling (Detached) (89)	*	*	*	*	*	*	*	*		*	*	*						
Two-Family Dwelling (100)							*	*	*		*	*	*					
Watchman or Caretaker Quarters	*	*	*												*	*		
<b>EDUCATIONAL &amp; INSTITUTIONAL USES</b>																		
Cemetery	S																	*
Church or Rectory (22)	S	S	S	S	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Clinic (27)											*	*	*	*				*
College or University	S	S	S	S	*	*	*	*	*		*	*	*					*
Day Care for Children (32)								*	*	*	*	*	*		*			*
Fairgrounds or Rodeo	S															*		*
Fraternal Organ., Lodge, Civic Club (42)									*		*	*	*		*	*		*
Half-way House							S	S	*		*	*	*					*
Hospital (46)									*		*	*	*					*
Museum, Library, Art Gallery (Public) (59)	S	S	S	S	*	*	*	*	*	*	*	*	*		*	*		*
Public Building, Shop or Yard (74)	S														*	*		*
Rest Home or Nursing Home (78)									*		*	*	*					*
School, Business or Trade (83)												*	*	*	*	*	*	*









PD - ML  
SCHEDULE OF USES

TYPE USE	ZONING DISTRICTS																	
	AG	RED-1	RED-2	RS120	RS 84	RS 60	RD 3D	RG 25	RG 15	MP	DN	BG	C	D	ML	MH	AP	GC
<b>RETAIL &amp; SERVICE USES</b>																		
Antique Shop (5)											*	*	*		*	*		
Apparel and Accessory Stores											*	*	*		*	*		
Art Supplies											*	*	*		*	*		
Auto Display and Sales												*	*		*	*		
Auto Parts Sales (Indoor)											*	*	*		*	*		
Bait Shop	*											*	*			*		
Bakery or Confectionery (retail)											*	*	*		*	*		
Barber or Beauty Shops											*	*	*	*	*	*		
Book or Card Shop											*	*	*		*	*		
Cleaning (Small Shop and Pick-Up) (26)											*	*	*		*	*		
Clinic (27)											*	*	*	*	*	*		
Day Care for Children (32)								*	*	*	*	*	*		*			
Department or Discount Stores												*	*		*	*		
Drug Store or Pharmacy											*	*	*		*	*		
Fabrics or Needlework Shop											*	*	*		*	*		
Florist or Garden Shop											*	*	*		*	*		
Food Stores, Groceries											*	*	*		*	*		
Frozen Food Lockers												*	*		*	*		
Furniture Sales												*	*		*	*		
Greenhouse or Plant Nursery												*	*		*	*		
Hardware Store											*	*	*		*	*		
Hobby or Handcraft Shop											*	*	*		*	*		
Household Appliance Sales (48)											*	*	*		*	*		
Key Shop											*	*	*		*	*		
Mimeograph or Letter Shop												*	*	*	*	*		
Office Supplies												*	*	*	*	*		







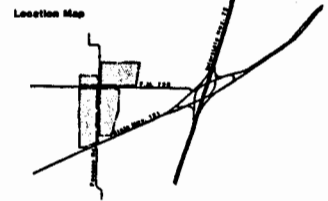
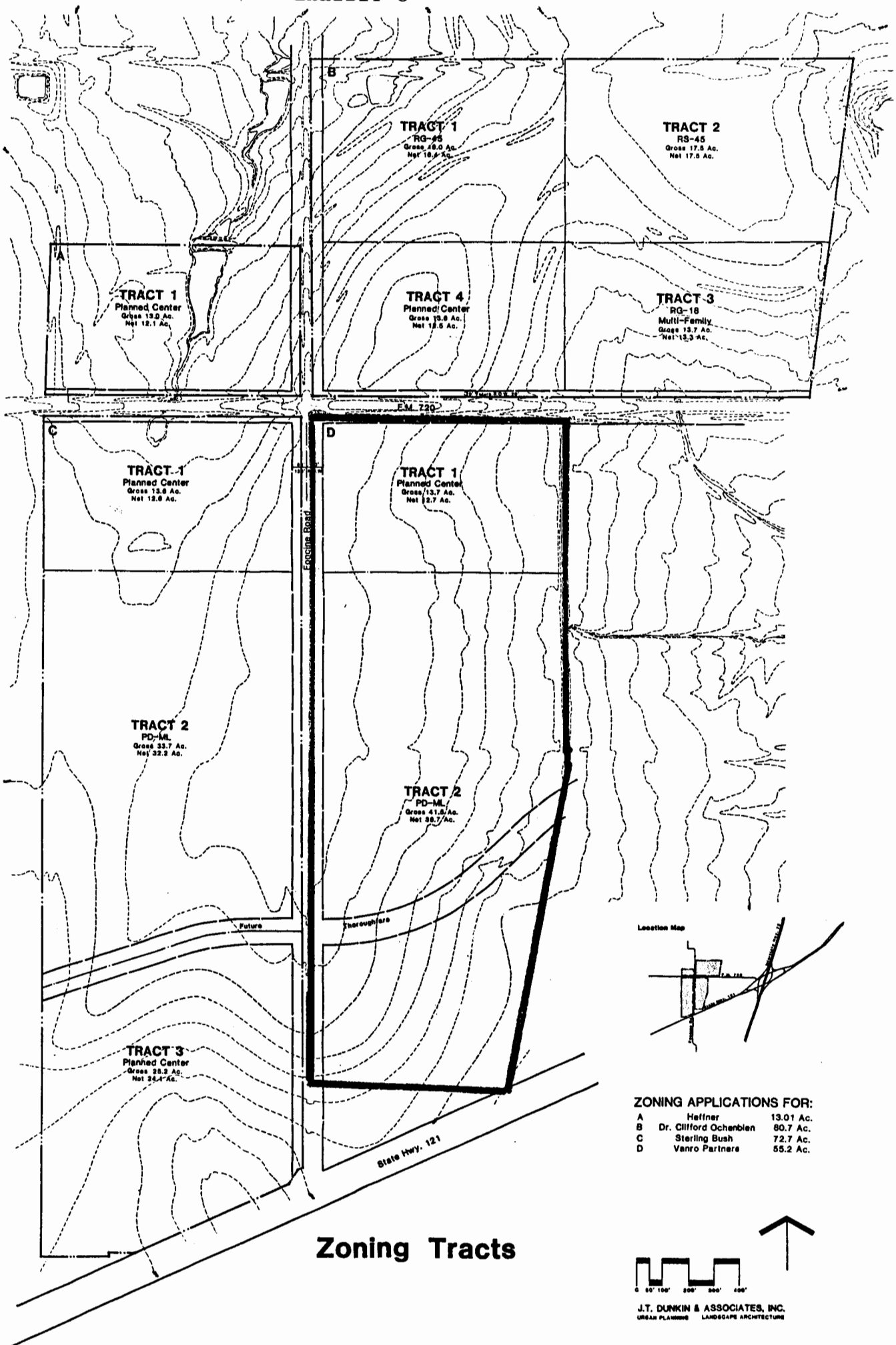








EXHIBIT C



ZONING APPLICATIONS FOR:

A	Heffner	13.01 Ac.
B	Dr. Clifford Ochenblen	80.7 Ac.
C	Sterling Bush	72.7 Ac.
D	Vanro Partners	55.2 Ac.

Zoning Tracts

