

**ORDINANCE NO. 2013-01-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ORDINANCE NO. 1270 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 0.46 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF LIVELY HILL AND MONTEREY STREET, IS REZONED FROM "RS 60" – SINGLE FAMILY RESIDENCE 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 0.46 acre property, located on the northwest corner of Lively Hill and Monterey Street, which is more fully depicted on Exhibits "A" and "B", attached hereto, from "RS 60" – Single Family Residence 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. Ordinance No. 1270 is hereby amended in order to rezone an approximately 0.46 acre property, located on the northwest corner of Lively Hill and Monterey Street, from "RS 60" – Single Family Residence District to "PD" – Planned Development District.

Section 2. Use and development of the subject property, more fully depicted on Exhibits "A" and "B", shall conform to the regulations of "RS 60" – Single Family Residence District, and as amended, except as follows:

a) Minimum lot width shall be 46 feet.

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 15<sup>th</sup> DAY OF JANUARY, 2013.**

CITY OF MCKINNEY, TEXAS

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BRIAN LOUGHMILLER  
Mayor

CORRECTLY ENROLLED:

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

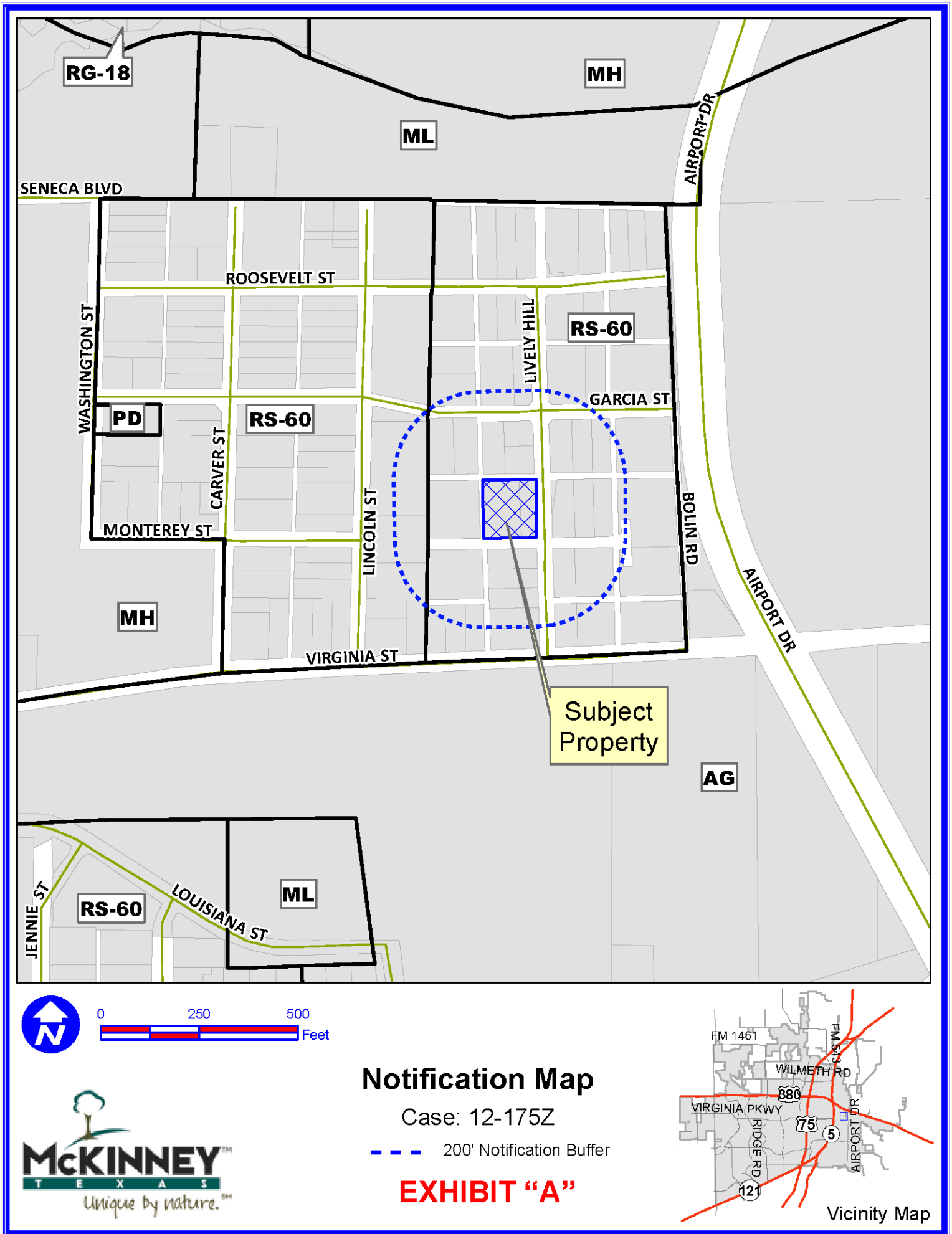
DATE: \_\_\_\_\_

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney

EXHIBIT A



Notification Map

Case: 12-175Z

--- 200' Notification Buffer

**EXHIBIT "A"**

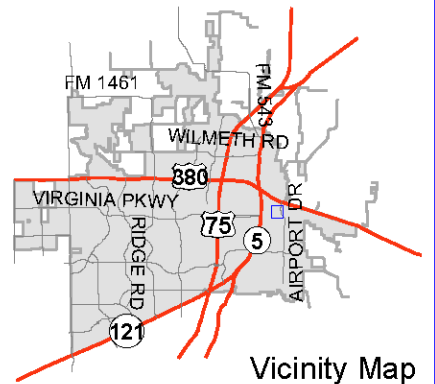
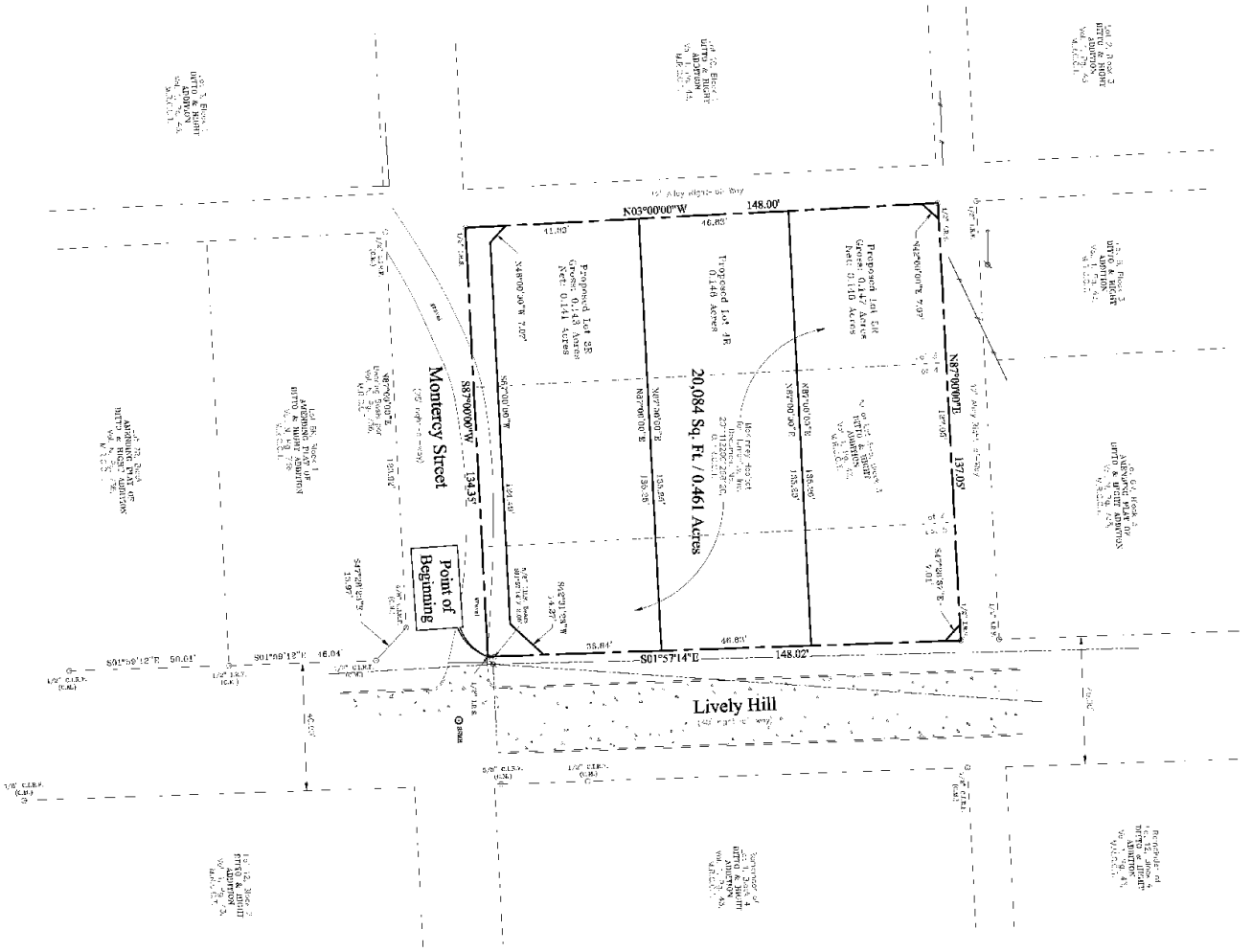


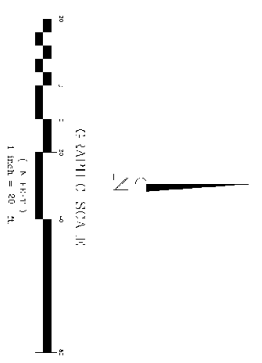
EXHIBIT B

EXHIBIT "B"

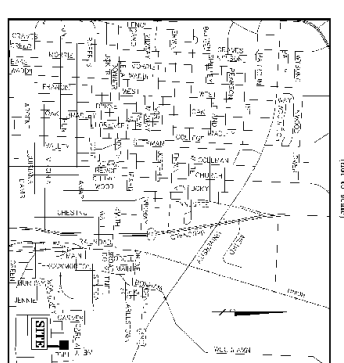


LEGEND table with 2 columns: Symbol and Description. Includes symbols for proposed lots, easements, and other survey features.

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NOTES AND POINTS DISCUSSION text block containing numbered notes and a detailed discussion of the survey, including bearings, distances, and area calculations.



Notes text block containing numbered notes related to the survey and map.

ZONING EXHIBIT
0.461 Acres
All of Lots 3-5, Block 3
DITTO & HEIGHT ADDITION
City of McKinney,
Collin County, Texas



Surveying information including the name 'North Texas Surveying, L.L.C.', address, phone number, and website.

DATE: 02/26/2018 SCALE: 1" = 25' DRAWN BY: CSB CHECK BY: WHA JOB NO.: 202-0025 Zoning