

ORDINANCE NO. 2005-01-005

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 03-01-007 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 82.627 ACRE TRACT, LOCATED SOUTH OF MCKINNEY RANCH ROAD, GENERALLY WEST OF LAKE FOREST DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR RESIDENTIAL USES; PROVIDING REGULATIONS; 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 82 acre tract located south of McKinney Ranch Parkway and generally west of Lake Forest Drive, from "PD" – Planned Development District, to "PD" – Planned Development District, generally for 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. Ordinance No. 03-01-007 is hereby amended so that an approximately 82 acre tract located south of McKinney Ranch Parkway and generally west of Lake Forest Drive, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned to "PD" – Planned Development District, generally for residential uses, and,

Section 2. Use and development of the subject property shall conform to the Planned Development District Ordinance 02-05-038, and as amended, with the following exceptions:

1. The subject property shall generally develop according to the attached general development plan (Exhibits "B" and "C").
2. The subject property develop according to the Regional Employment Center (REC) Overly District standards.

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 5. 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 6. 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 7. 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 4TH DAY OF JANUARY, 2005.


BILL WHITFIELD, Mayor

CORRECTLY ENROLLED:

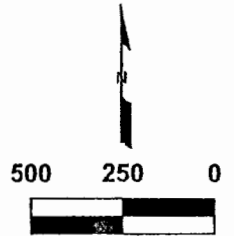

SANDY HART, CMC
City Secretary
BEVERLY COVINGTON
Deputy City Secretary

APPROVED AS TO FORM:

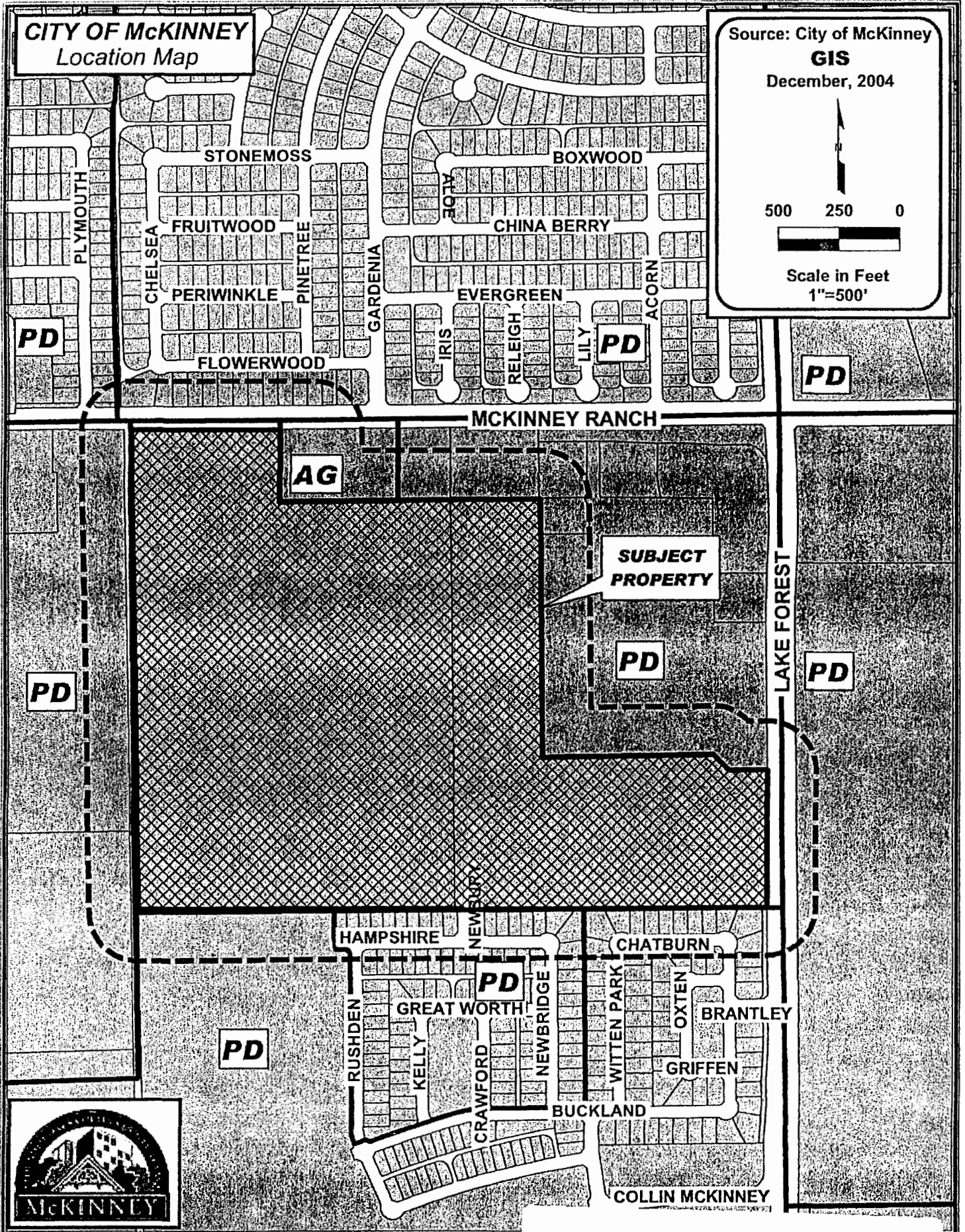

MARK S. HOUSER, City Attorney

CITY OF MCKINNEY
Location Map

Source: City of McKinney
GIS
December, 2004



Scale in Feet
1"=500'



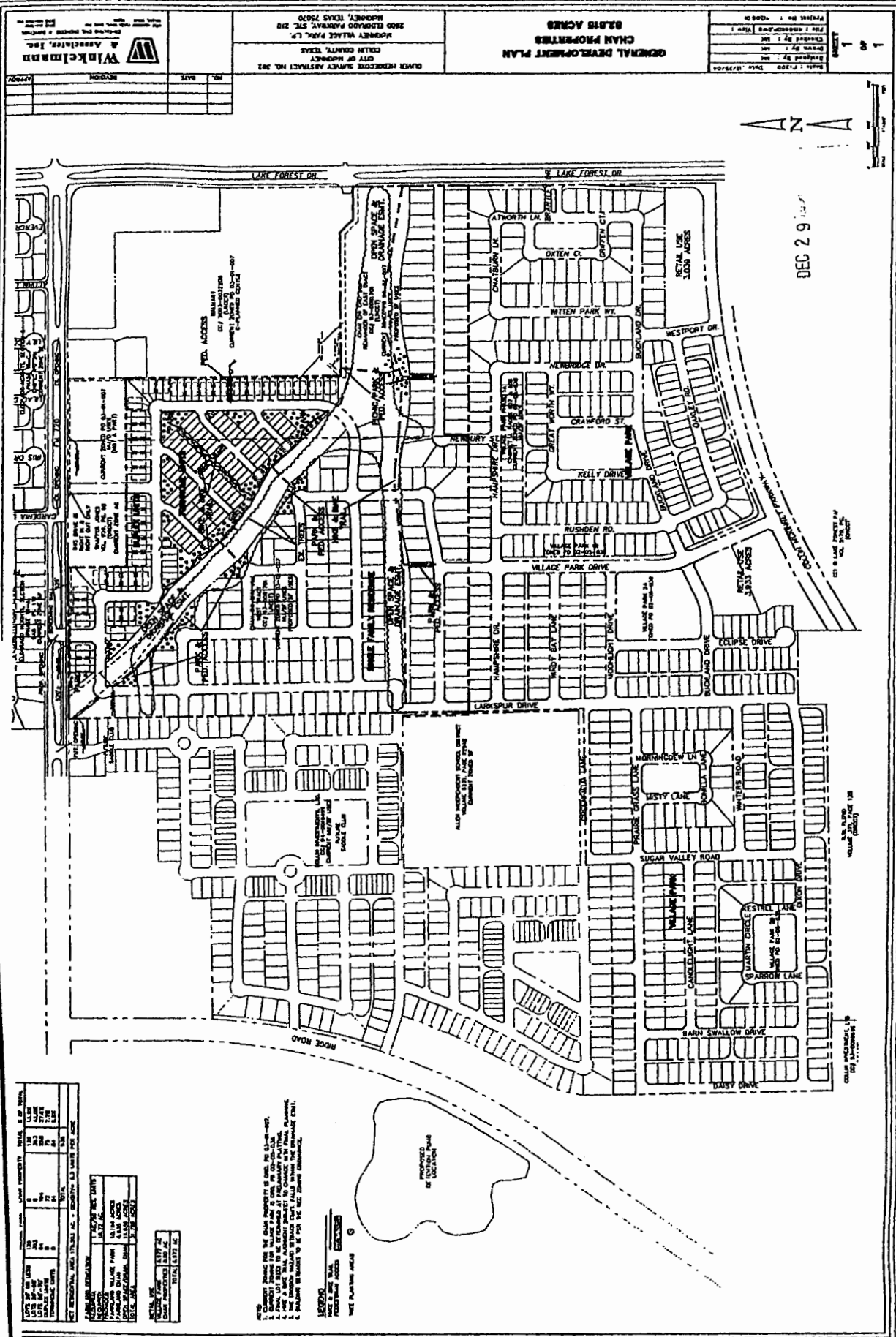
Karen W F:\Engineer\Planning\2004_GIS_Note_Loc04-392Z.mxd



DISCLAIMER: This map and information contained in it were developed exclusively for
else is at that party's risk and without liability to the City of McKinney, its officials or em

EXHIBIT "A"

ne



NO.	DATE	REVISION

GENERAL DEVELOPMENT PLAN
2818 ACRES
CHAIN PROPERTIES
 2800 EDWARDS PARKWAY, STE. 210
 HOUSTON, TEXAS 77057
Winkelman & Associates, Inc.
 City of Houston
 Colton County, Texas
 OLIVER HODGECOCK SURVEY ABSTRACT NO. 262

Scale: 1" = 400'
Drawn By: [unintelligible]
Checked By: [unintelligible]
Prepared By: [unintelligible]
Project No: 4008-B

NET AREA	2,818 ACRES
NET DEVELOPABLE AREA	2,818 ACRES
NET RETAIL USE	5,500 ACRES
NET RESIDENTIAL	1,500 ACRES
NET COMMERCIAL	1,000 ACRES
NET INDUSTRIAL	1,000 ACRES
NET OFFICE	1,000 ACRES
NET TOTAL	10,000 ACRES

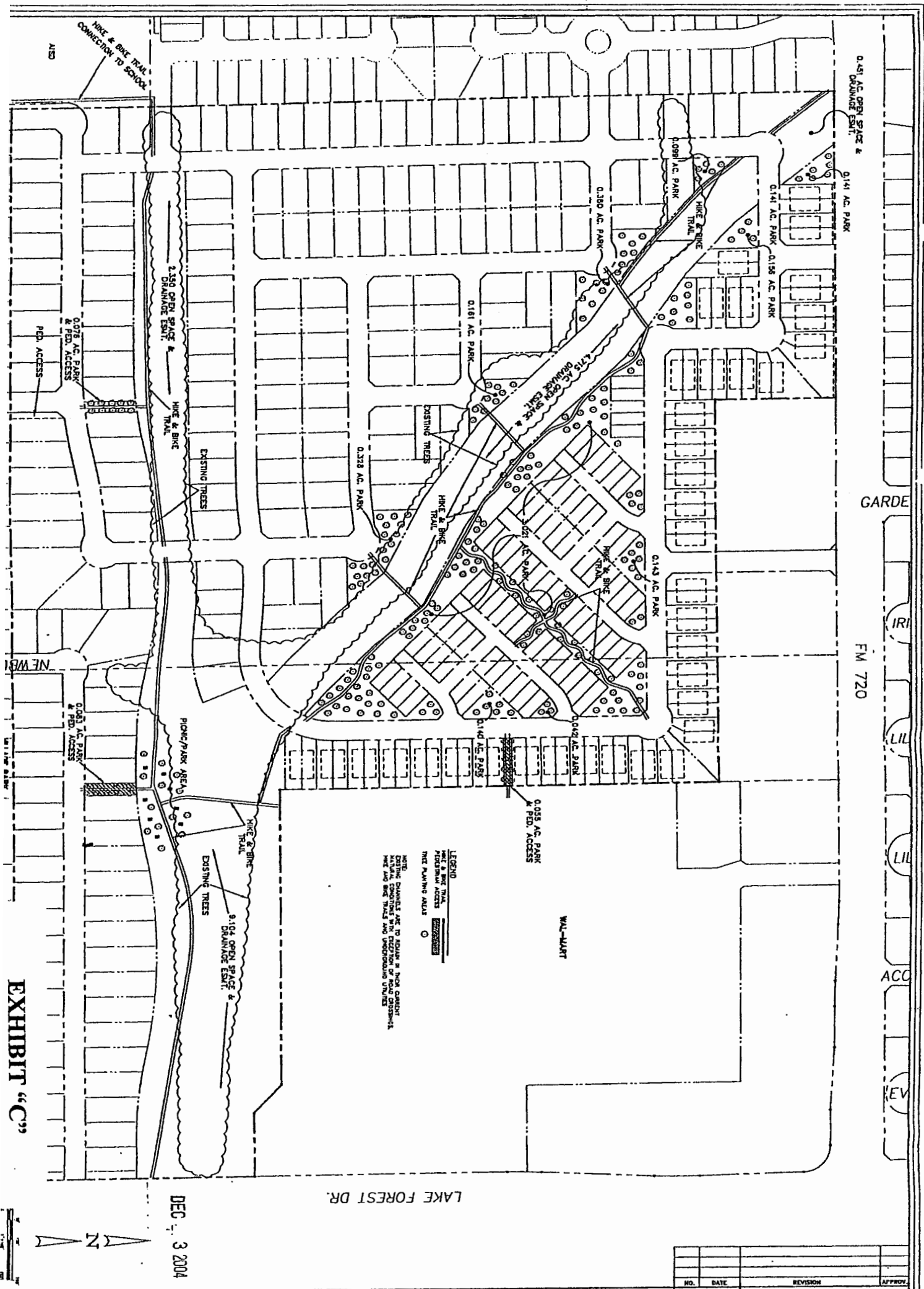
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NET RESIDENTIAL	1,500 ACRES
NET COMMERCIAL	1,000 ACRES
NET INDUSTRIAL	1,000 ACRES
NET OFFICE	1,000 ACRES
NET TOTAL	10,000 ACRES

NOTES:
 1. ALL DIMENSIONS ARE TO CENTER OF ROAD OR CENTER OF LOT.
 2. ALL DIMENSIONS ARE TO CENTER OF ROAD OR CENTER OF LOT.
 3. ALL DIMENSIONS ARE TO CENTER OF ROAD OR CENTER OF LOT.
 4. ALL DIMENSIONS ARE TO CENTER OF ROAD OR CENTER OF LOT.
 5. ALL DIMENSIONS ARE TO CENTER OF ROAD OR CENTER OF LOT.

LEGEND:
 RETAIL USE
 RESIDENTIAL
 COMMERCIAL
 INDUSTRIAL
 OFFICE



DEC 29 1968



NOTE: DRAWINGS ARE TO REMAIN IN YOUR CARE. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

LEGEND
 HIKE & BIKE TRAIL
 EXISTING TREES
 TREE PLANTING ADULTS

DEC 3 2004

EXHIBIT "C"

Scale: 1/4"=200'	Date: 11-30-04
Designed By: JMC	
Drawn By: JMC	
Checked By: JMC	
File: 41508COP.DWG	View:
Project No.: 41508.01	

GENERAL DEVELOPMENT PLAN
CHAN PROPERTIES
82.615 ACRES

OLIVER HEDGECOKE SURVEY ABSTRACT NO. 392
 CITY OF MCKINNEY
 COLLIN COUNTY, TEXAS
 MCKINNEY VILLAGE PARK, L.P.
 2600 ELDORADO PARKWAY, STE. 210
 MCKINNEY, TEXAS 75070

NO.	DATE	REVISION	APPROV.

Winkelmann & Associates, Inc.
 CONSULTING CIVIL ENGINEERS & SURVEYORS
 2700 WINTER PARK DRIVE, SUITE 100
 FORT WORTH, TEXAS 76104
 (817) 733-7777