

ORDINANCE NO. 2008-08-084

AN ORDINANCE AMENDING ORDINANCE NO. 2007-12-120, AND AS AMENDED, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 30.35 ACRE PROPERTY, LOCATED ON THE SOUTHWEST CORNER OF COLLIN MCKINNEY PARKWAY AND MCKINNEY PLACE DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" - REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" - REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT, GENERALLY TO MODIFY THE ARCHITECTURAL STANDARDS; 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 30.35 acre property, located on the southwest corner of Collin McKinney Parkway and McKinney Place Drive, from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, 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. 2007-12-120 is hereby amended so that an approximately 30.35 acre property, located on the southwest corner of Collin McKinney Parkway and McKinney Place Drive, which is more fully depicted on Exhibit "A" and Exhibit "B", attached hereto, is hereby rezoned from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, generally to modify the architectural standards.

Section 2. Use and development of the subject property shall conform to the following regulations:

1. The subject property shall be developed in accordance with the provisions of "PD" – Planned Development District Ordinance No. 2007-12-120 and "REC" – Regional Employment Center Overlay District, except as follows:
 - a. The subject property shall generally conform to the attached Elevation Exhibit "C", Exhibit "D", Exhibit "E", and Exhibit "F".


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 THIS 19th DAY OF AUGUST, 2008.

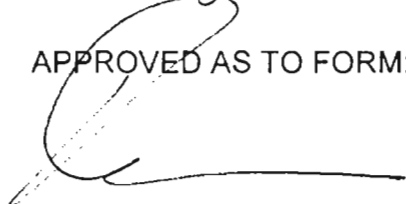

BILL WHITFIELD, Mayor

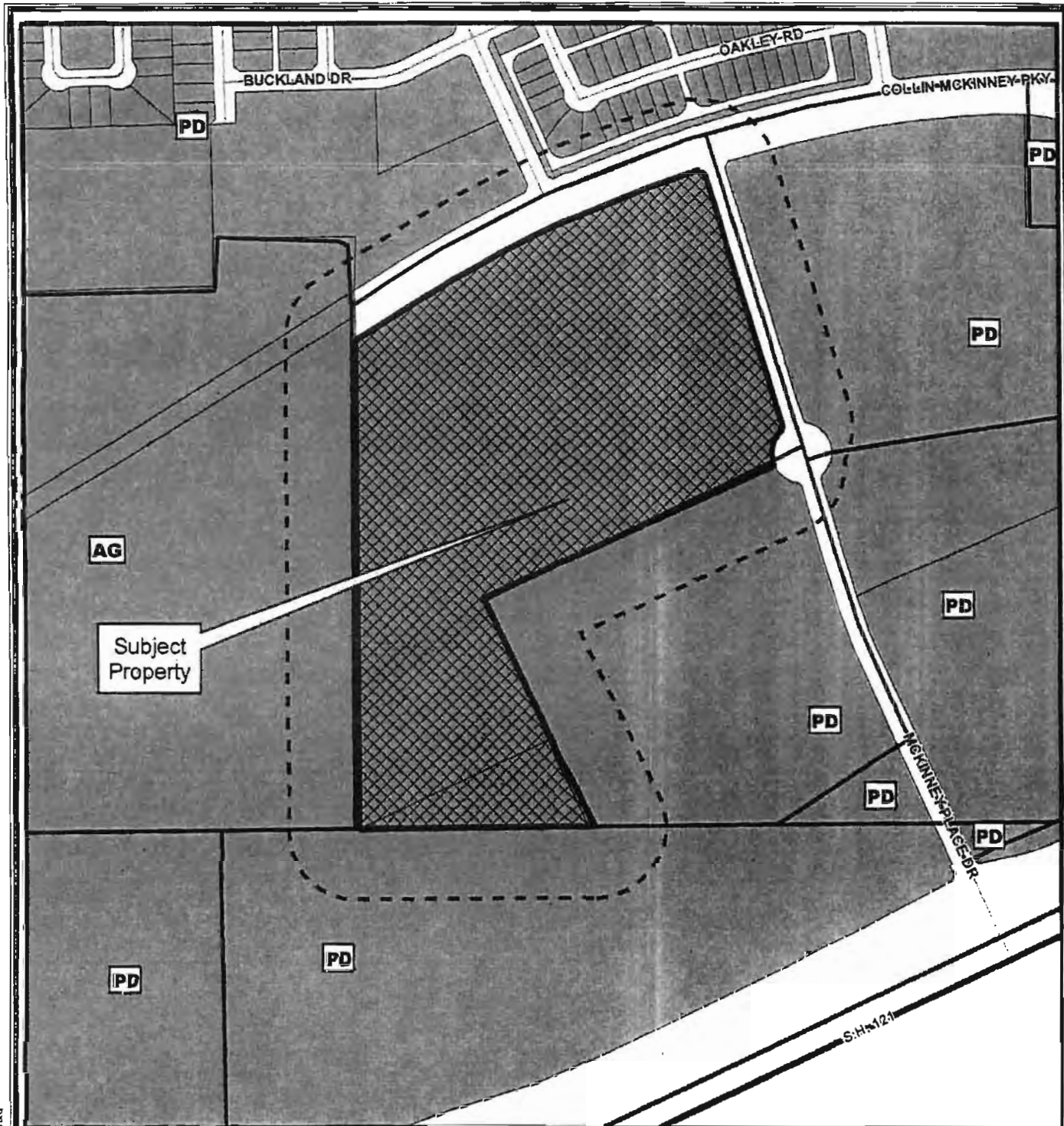
CORRECTLY ENROLLED:


SANDY HART, TRMC, MMC
City Secretary
BEVERLY COVINGTON, TRMC, CMC
Deputy City Secretary

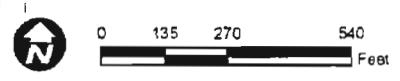
DATE August 20, 2008

APPROVED AS TO FORM:


MARK S. HOUSER
City Attorney



S:\MCKGIS\Notification\Projects\08-230Z.mxd

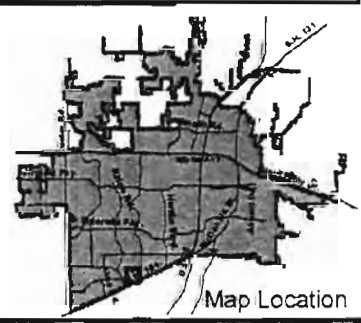


Notification Case

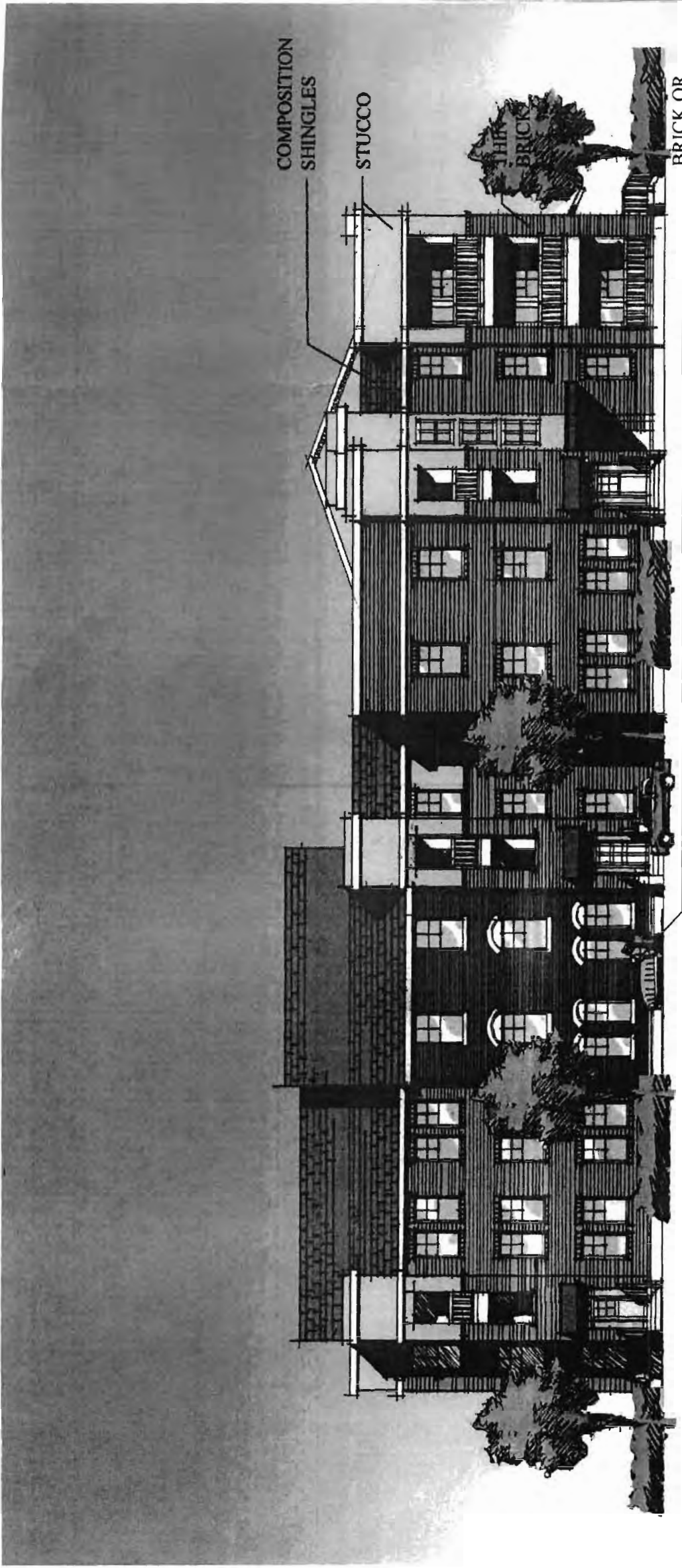
Notice Case: 08-230Z
R-6392-000-0480-1

EXHIBIT A

--- 200' Notification Buffer



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.



COMPOSITION SHINGLES

STUCCO

BRICK OR OTHER MASONRY MATERIAL

BG 07-07-08

COLONIAL @ MCKINNEY
MCKINNEY, TEXAS

BUILDING CONCEPTUAL ELEVATION

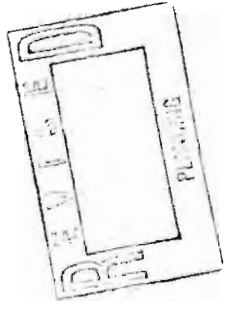


EXHIBIT C



CARRIAGE HOUSE FRONT ELEVATION
87% BRICK

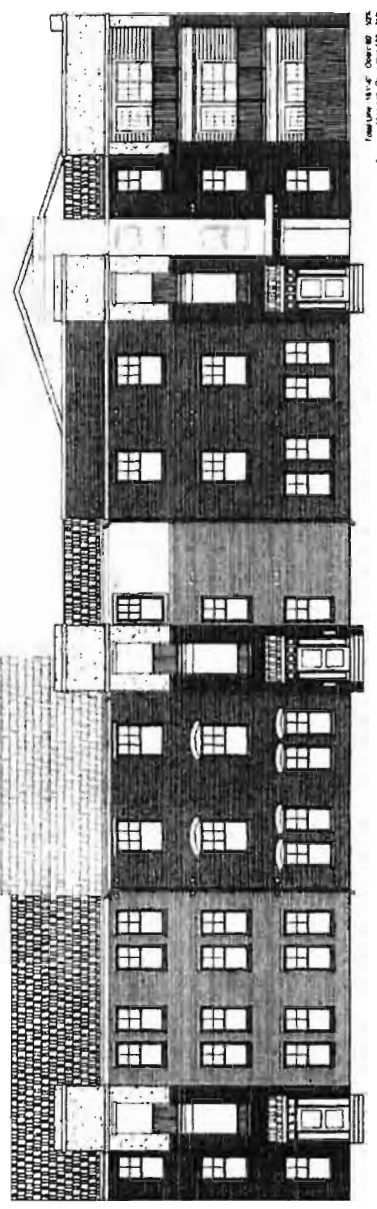
COLONIAL @ MCKINNEY
MCKINNEY, TEXAS

BG
07-07-08

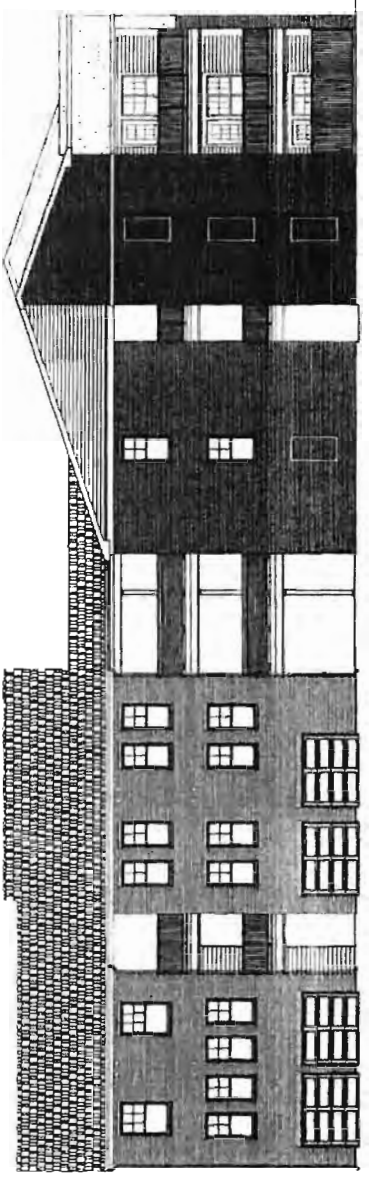
REVISED

EXHIBIT D

EXHIBIT E



01 BUILDING TYPE I ELEVATION
1/8" = 1'-0"



02 BUILDING TYPE I ELEVATION
1/8" = 1'-0"



BUILDING I
ELEVATIONS

SHEET NUMBER

07188

PROJECT

DATE
2008.07.11

SCALE



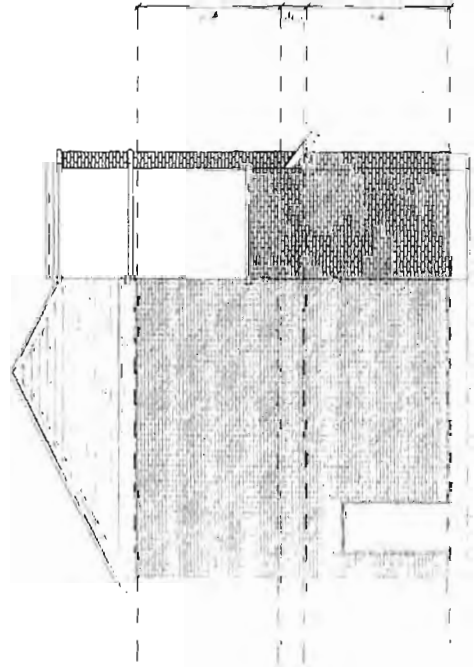
BEELER GUEST OWENS ARCHITECTS
4245 NORTH CENTRAL EXPRESSWAY SUITE 300
DALLAS, TEXAS 75205 (214) 528-8788

COLONIAL GRAND
at LAKE
MCKINNEY,
TEXAS
FOREST
COLONIAL PROPERTIES TRUST

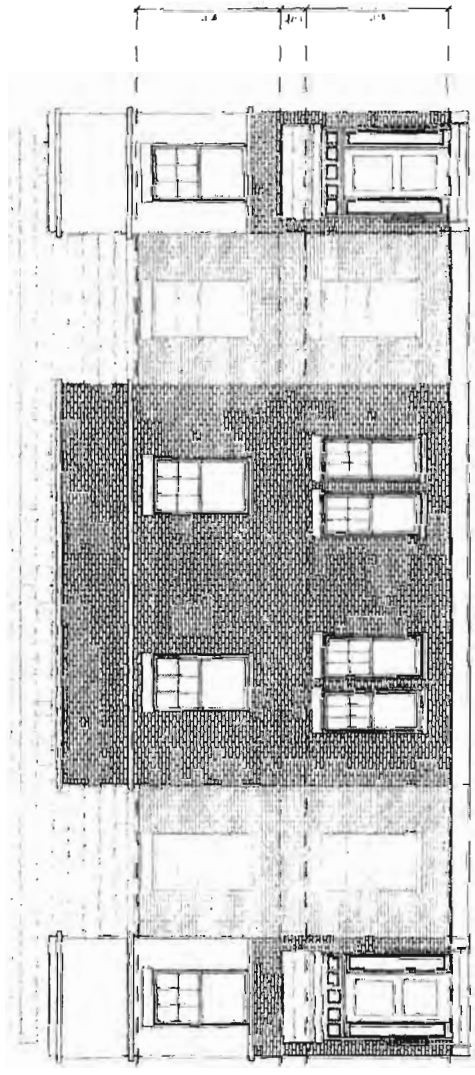
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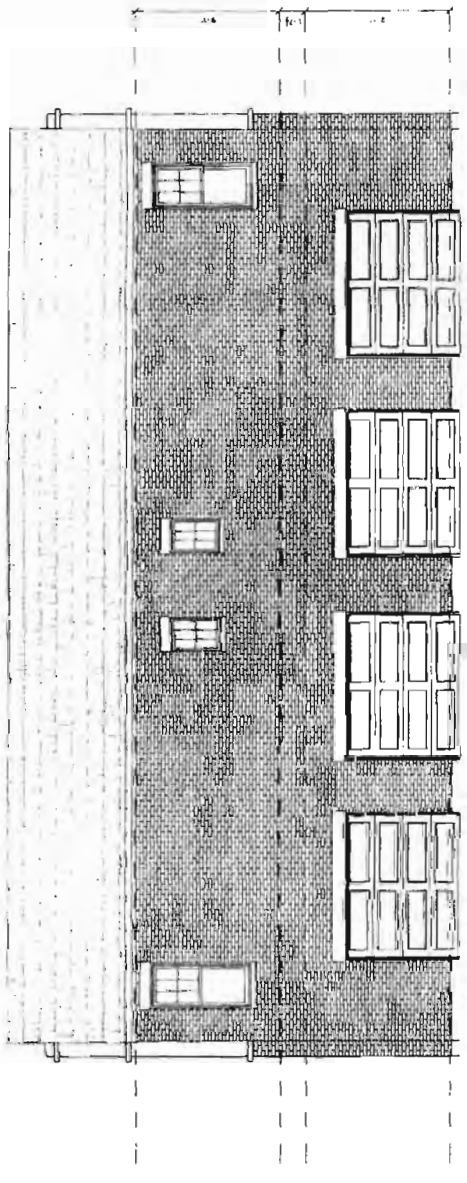
EXHIBIT F 03 CARRIAGE HOUSE SIDE ELEVATION



01 CARRIAGE HOUSE FRONT ELEVATION



02 CARRIAGE HOUSE REAR ELEVATION



CARRIAGE ELEVATIONS

DATE: 2008.07.15
 PROJECT: 07188
 SHEET NUMBER: 01

OPERATING: BEEFLER GUEST OWENS ARCHITECTS, ALL RIGHTS RESERVED
 4245 NORTH CENTRAL EXPRESSWAY SUITE 300
 DALLAS, TEXAS 75205 (214) 520-8878

PLANNING

COLONIAL GRAND
 at LAKE
 FOREST
 MCKINNEY,
 TEXAS

COLONIAL PROPERTIES TRUST

NO. DATE: 0524K