

Who We Are

Concerned CITIZEN Property Owners of

the Historic District

Lee Street

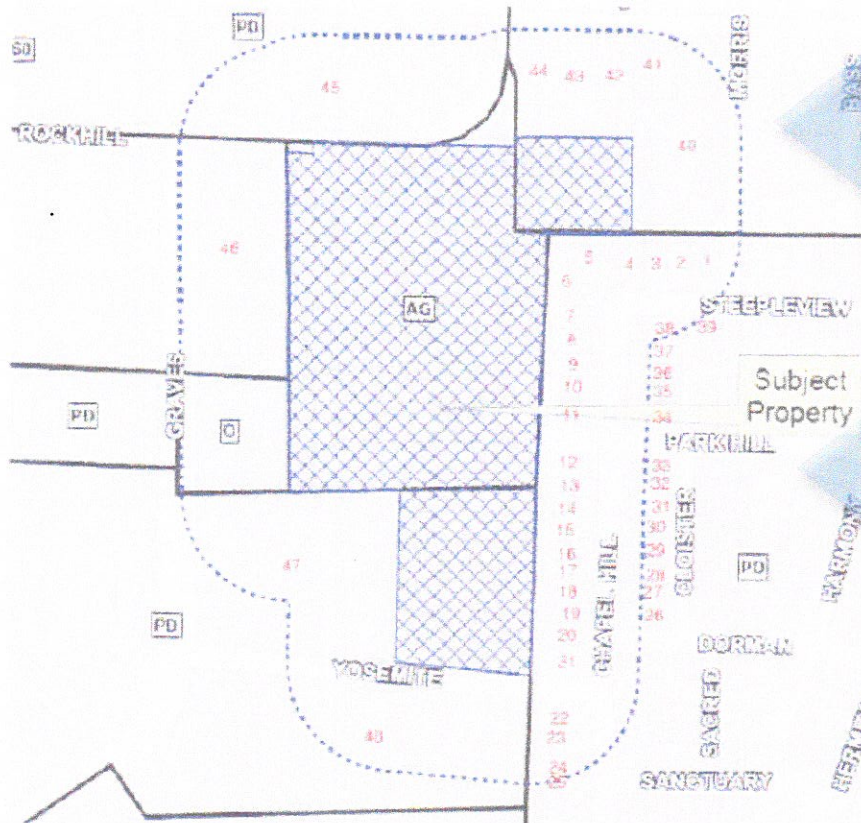
Chapel Hill Subdivision

**Who want to make certain the City Planning & Zoning
Commission and the City Council are fully aware of
our overwhelming opposition to approval of 15-113Z
Vintage Place Rezoning to PD (Planned
Development) District**

15-113Z Zoning Change Written Protest

In accordance with Subsection 146-164(5) "Negative Recommendations; Written Protest Procedures" of the Zoning Ordinance

Chapel Hill & Lee Street: 35 of the 39 private property owners have formally recorded opposition to 15-113Z with the City of McKinney



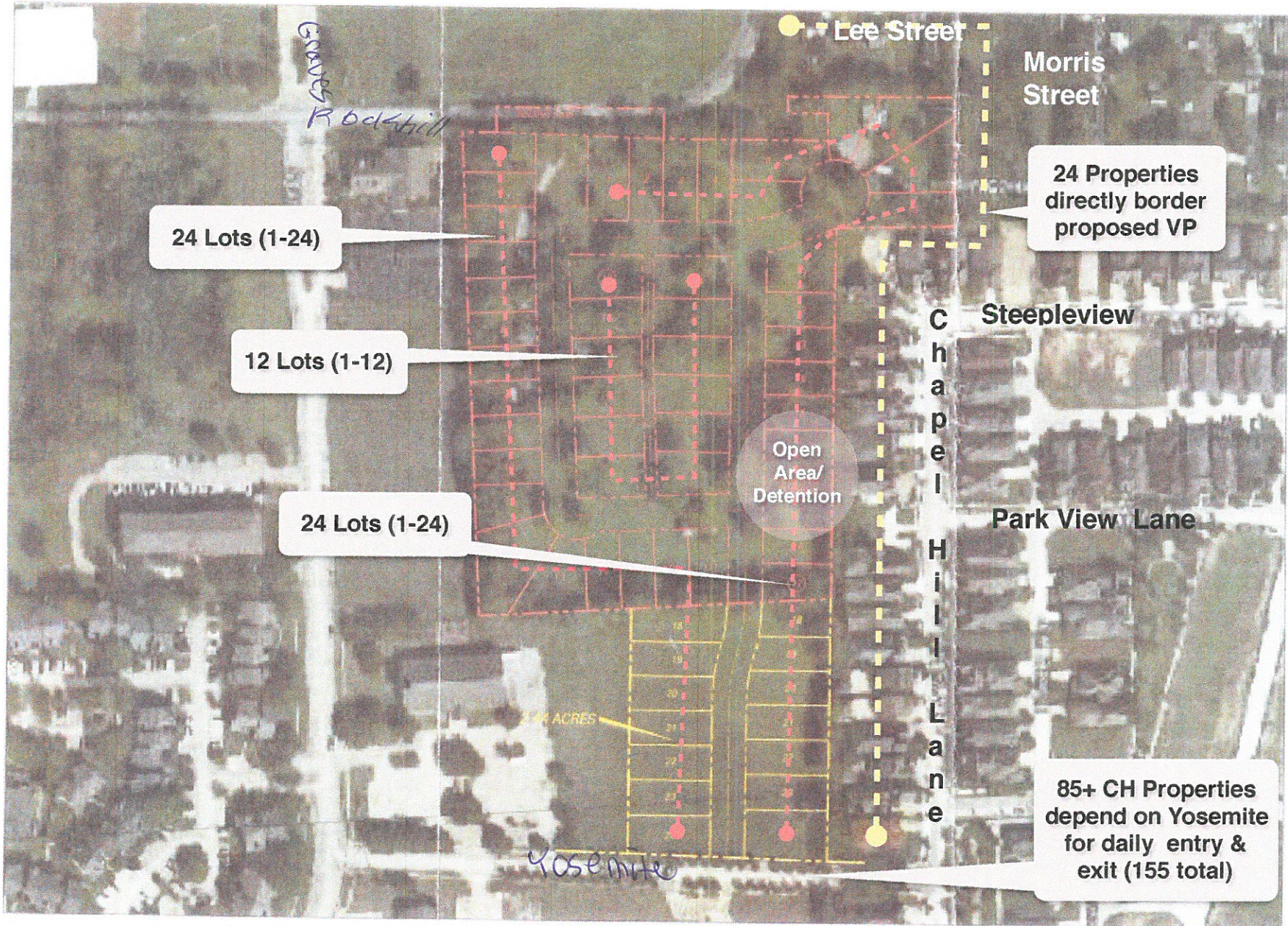
Lee Street:

- 5 properties within 200 ft
- Signatures from 5 of 5 property owners

Chapel Hill:

- 39 properties within 200 ft
- 3 properties are leased
- Signatures from 30 of 34 non-lease property owners

The Unofficial Vintage Place Informational Site Layout



dieta group meeting
 11.75 Acre Tract
 CH Residential Lots
 Preliminary Layout 2
 C2.0

Planning & Zoning Report - Discussion Topics

PLANNING & ZONING COMMISSION MEETING OF 12-08-15 AGENDA ITEM #15-11322

AGENDA ITEM

TO: Planning and Zoning Commission
THROUGH: Matt Robinson, AICP, Planning Manager
FROM: Samantha Pickett, Planner II
SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" – Agricultural District, "RS

7 APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the January 5, 2016 meeting.

8 STAFF RECOMMENDATION: Staff recommends approval of the proposed rezoning request with the following special ordinance provision:

1. The subject property shall develop in conformance with the attached development regulations.

1 APPLICATION SUBMITTAL DATE:

- April 27, 2015 (Original Application)
- May 18, 2015 (Revised Submittal)
- June 1, 2015 (Revised Submittal)
- June 9, 2015 (Revised Submittal)
- June 30, 2015 (Revised Submittal)
- September 29, 2015 (Revised Submittal)
- October 19, 2015 (Revised Submittal)
- October 26, 2015 (Revised Submittal)
- November 17, 2015 (Revised Submittal)
- November 23, 2015 (Revised Submittal)

2 On June 23, 2015 the Planning and Zoning Commission voted 6-0-0 to close the public hearing and table the item indefinitely per the applicant's request.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"AG" – Agricultural District (Agricultural Uses), "RS 50" – Single Family Residence District (Single Family Residential Uses), and "PD" – Planned Development District Ordinance No. 1498 (Residential Uses)	Single Family Homes and Undeveloped Land
North	"PD" – Planned Development District Ordinance No. 2000-08-058 (Single Family Residential Uses)	First Baptist Church of McKinney
South	"PD" – Planned Development District Ordinance No. 1498 (Residential Uses)	Hillcrest Christian Church and Community Life Church of Collin County
East	"RS 50" – Single Family Residence District and "PD" – Planned Development District Ordinance No. 2004-08-087 (Single Family Residential Uses)	Chapel Hill Subdivision and Single Family Homes
West	"PD" – Planned Development District Ordinance No. 1498 (Residential Uses) and "O" – Office District (Office Uses)	McKinney Bible Church and Undeveloped Land

4 PROPOSED ZONING: The applicant is requesting to rezone the subject property to "PD" – Planned Development District generally for single family residential uses. The proposed development standards would generally follow "SF5" – Single Family Residential District, with modifications.

	"SF5" District	Proposed Zoning
Minimum lot area	5,000 SF	5,500 SF
Minimum mean lot size	7,200 SF	6,995 SF
Minimum median lot size	7,200 SF	5,509 SF
Maximum height	35'	38'
Minimum front yard setback	20'	15'
Maximum density	3.2 du/ac	4.9 du/ac
Encroachment zone	10'	3'

*Garages shall be set back a minimum of 20' from the property line

Given that the Future Land Use Plan (FLUP) designates the property for medium density residential uses, and the surrounding and adjacent properties are designated or zoned for residential uses, Staff feels that the proposed rezoning request will be compatible with existing and future adjacent and surrounding uses, and as such, recommends approval of the proposed rezoning request.

5 The applicant has indicated in their intentions to develop a neighborhood that will blend with the surrounding newer neighborhood to the east as well as the older, Town Center neighborhoods to the north. Accordingly, the applicant has proposed that in order to satisfy the PD provision ensuring exceptional quality or innovation, each home built on the subject property shall follow one of four architectural styles (Victorian, Cottage, Colonial, or Craftsman), which will be dispersed throughout the development. Additionally, the City's Historic Preservation Officer will review each elevation to ensure that all homes feature at least three (3) key elements of the chosen style.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for medium density residential and low density residential uses. The FLUP modules diagram designates the subject property as Town Center within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a significantly developed area:

6 OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received two letters and a petition in opposition to this request.

ATTACHMENTS:

- PZ Minutes 06.23.15
- Location Map and Aerial Exhibit
- Letter of Intent
- Letters of Opposition
- Petition of Opposition
- Comprehensive Plan Maps
- Land Use and Tax Base Summary
- Existing "PD" – Planned Development District Ordinance No. 1498
- Proposed Renderings – Informational Only
- Proposed Zoning Exhibit – Development Regulations
- PowerPoint Presentation

The Morass We've Had to Wade Through

Record Type	# files	# records	Submittal #									
			1 4/27	2 5/18	3 6/1	4 6/9	5 6/30	6 9/29	7 10/19	8 10/26	9 11/17	10 11/19 11/23
TOTAL SUBMISSIONS	58	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
APPLICATIONS	3	7	✓						✓			
ADDRESSED COMMENTS	3	7			✓						✓	
DEED	4	4							✓			
ELEVATIONS	11	18			✓						✓	✓
LEGAL DESCRIPTION	9	9		✓	✓						✓	✓
LETTER OF INTENT	15	15	✓	✓	✓	✓	✓				✓	✓
LOT SIZE ANALYSIS	2	2		✓	✓							
SURVEYS & PLATS	8	19	✓								✓	✓
REVISED SUBMITTAL PACKAGE	2	23	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
TREE SURVEY	3	3		✓								
STAFF COMMENTS	17	~ 75	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗

The Official Planning Department Schedule



2015 PLANNING APPLICATION SCHEDULE PD - PLANNED DEVELOPMENT DISTRICT (RE)ZONING REQUESTS

		Application Submittal	Staff Cmts eMailed	Revised Plans Resubmitted	Post Zoning Signs on Property	P&Z Commission Meeting	Zoning Sign Maintenance	City Council Meeting
		Due by 12 PM	Due by End of Day	Due by 3 PM	Due by 5 PM	6 PM	Due by 5 PM	6 PM
Submission #								
#Weeks								
—	1	04/13/15	04/21/15	05/04/15	05/19/15	05/26/15	06/30/15	06/16/15
		04/27/15	05/05/15	05/18/15	06/02/15	06/09/15	N/A	07/07/15
2	2,3,4	05/11/15	05/19/15	06/01/15	06/16/15	06/23/15	07/28/15	07/21/15
4		05/26/15	06/02/14	06/22/15	07/07/15	07/14/15	08/11/15	08/03/15
6	5	06/15/15	06/23/15	07/06/15	07/21/15	07/28/15	08/25/15	08/18/15
8		06/29/15	07/07/15	07/20/15	08/04/15	08/11/15	09/08/15	09/01/15
10		07/13/15	07/21/15	08/03/15	08/18/15	08/25/15	09/29/15	09/15/15
12		07/27/15	08/04/15	08/17/15	09/01/15	09/08/15	10/13/15	10/06/15
14		08/10/15	08/18/15	08/31/15	09/15/15	09/22/15	10/27/15	10/20/15
16		08/24/15	09/01/15	09/21/15	10/06/15	10/13/15	11/10/15	11/03/15
18		09/14/15	09/22/15	10/05/15	10/20/15	10/27/15	11/24/15	11/17/15
20	6	09/28/15	10/06/15	10/19/15	11/03/15	11/10/15	12/08/15	12/01/15
22	7	10/12/15	10/20/15	N/A	N/A	11/24/15	12/29/15	12/15/15
24	8,9,10	10/26/15	11/03/15	11/17/15	12/01/15	12/08/15	01/12/16	01/05/16
26		11/09/15	11/13/15	N/A	N/A	12/22/15	01/26/16	01/19/16
28	9,10	11/23/15	N/A	12/14/15	01/05/16	01/12/16	02/09/16	02/02/16
		12/14/15	12/18/15	01/04/16	01/19/16	01/26/16	02/23/16	02/16/16
		12/28/15	N/A	01/18/16	02/03/16	02/09/16	03/08/16	03/01/16

*PD Rezoning Requests may require additional review time depending on the complexity of the request.

In an effort to ensure that the best customer service levels are provided to all of our applicants, incomplete submittals cannot be accepted.

Chapel Hill PD Ordinance 2004-02-017

Changes Made by Applicant for Vintage Place LOI

Planned Development District for the “Chapel Hill” Tract McKinney, Texas

Purpose Statement

This site is located between the older historic urban fabric of McKinney to the east, and the newer vehicular oriented types of development to the west including large churches and the high school. The site lies within the Town Center District and thus replication of the street patterns, architectural patterns, and setbacks are appropriate in this context. Also, the proposed development is intended to appeal to residents who would choose as often to walk or bike as drive to the town square. The proposed PD district allows for a variety of moderately sized lot sizes and common open space. Front yard maintenance will be provided by a master homeowners association, which will also care for private common areas. Houses will orient to the front streets with architectural features such as front porches, or other embellishments known as “gifts to the street”. These elements are allowed to project or encroach into the front yard setbacks to provide a more urban pedestrian scaled walking experience. ~~Sidewalks will be 5 feet wide to allow two people to walk side by side. Street trees are required to provide shade to pedestrians, slow traffic, and create outdoor rooms between porches and street.~~

Chapel Hill PD Ordinance 2004-02-017

Changes Made by Applicant for Vintage Place LOI

Residential Architecture

The intent of this Planned Development is to create a wide variety of architectural texture within the public streetscape of the community. To achieve this, the following patterns shall be implemented:



1. The Porch Zone allows the furnishing of a street with people places such as unscreened porches, footed bay windows, stoops, balconies, and masonry-faced chimneys. The furnishing of the street with these architectural elements should be encouraged. The allowance for these elements to be built up to five feet (5') into the front setback removes the penalty of reducing private back yard space that a single front setback would impose. The Porch Zone wraps around the street elevation of homes built on corner lots. A minimum of seventy-five percent (75%) of the lots served by alleys shall have a porch having a minimum depth of six feet (6') and not be less than fifty (50) square feet in area. Porch columns shall be appropriate to the architecture of the structure and will include a variety of round columns, square box columns with or without brick or stone bases, hewn timber posts, and/or turned wood columns.



2. In order to encourage a variety of architectural styles, and to introduce color to the streetscape, cement fiberboard (such as Hardi-Plank or equivalent) will be considered a qualified masonry equivalent as long as it is in plank form and covered by a minimum twenty-five (25) year manufacturer's warranty.



3. Detached garages are allowed. The detached garage and main building may be connected by an unenclosed breezeway. Detached garages shall observe the same side and rear setbacks as the main structure as described previously herein. If the rear garage utilizes an alley, the rear setback shall be as set forth previously herein. The area covered by the detached garage will count toward the calculation of the overall lot coverage area of the home on the lot. Accessory rooms (Granny Flats) of no more than 660 sf may be built above detached garages.



4. Roof pitches and roof shingle colors will be varied per architectural style. Uniform roof shingle colors will not be permitted.



5. Seventy-five percent (75%) of the homes will be predominantly single story. This will allow a bonus room or guest room and bath on the second floor, however the predominant scale of the house will be single story to achieve a predominant cottage street scale to the community.



6. Homes will be built in a variety of exterior materials including cementations plank siding, stucco, real or man-made stone, and/or brick. The choice of materials will be consistent and appropriate to the architectural style of the house. No single exterior material shall be used exclusively.



7. No identical elevation shall be built on adjacent lots or on opposing lots on the same street or within three (3) consecutive lots on the same street.



8. The builder(s) shall employ a range of historically based styles, varying rooflines, exterior materials and colors, and varying front setbacks to achieve a rich built environment suggestive of established neighborhoods built over time representative of the diversity within City of McKinney's Historic District.

Chapel Hill PD Ordinance 2004-02-017

Changes Made by Applicant for Vintage Place LOI

	SF5 District	Vintage Place	Chapel Hill
Minimum lot area	5,000 sq ft (4)	5,500 sq ft	4,000 sq ft
Minimum lot width	40 ft (6)	✓	✓ 35 ft cul de sac
Minimum lot depth	80 ft (3)	✓	100 ft
Minimum front yard setback	20 ft (3)	15 ft 20 ft (to garage)	10 ft (5 ft to porch) 25 ft (street facing)
Minimum rear yard setback	15 ft (7)	✓	12 ft (rear alley lots) 20 ft (front entry lots)
Minimum side yard setback (interior lots)	0 ft (10)	✓	3 ft / 7 ft (zero lot line)
Minimum side yard setback (corner lots)	15 ft (7)	✓	10 ft (5 ft to porch)
Maximum height of structure	35 ft	38 ft	✓
Maximum density (dwellings / gross acre)	3.2 units (5)	4.9 units	
Maximum lot coverage	n/a	72% (calculated)	65%
Maximum floor area ratio	n/a	-	-
Encroachment Zone	10 ft	3 ft *	

* 3-foot zone between the building setback and property line in which porches, footed bay windows, stoops, balconies, and masonry faced chimneys shall be permitted

- (3) 10 ft encroachment zone
- (4) Minimum Mean and Median shall be 7,200 sq ft (Vintage Place: Min Mean = 6,509 sq ft, Min Median = 6,509)
- (5) Density may be increased to 3.4 dwellings / gross acre if "design for density" criteria satisfied (Comprehensive Plan)
- (6) Lots < 50 ft in width: (a) No front-facing garages; (b) Rear-entry garage requires 20 ft driveway minimum

Chapel Hill PD Ordinance 2004-02-017

Changes Made by Applicant for Vintage Place LOI

The architectural styles of the houses shall feature styles prevalent between approximately 1915 and 1935 in American cities and generally represented by Exhibit "A" but inclusive of European revival styles in addition to American

Victorian

- i. Prominent covered front porch
- ii. Wrap-around front porch
- ~~iii. Gables on multiple sides~~
- iv. Dormer(s)
- ~~v. Steep roof pitch~~
- ~~vi. Tower element~~
- vii. Turned wood porch columns
- viii. Gingerbread porch or gable trim
- ix. Minimum of three (3) exterior paint colors
- x. Multiple roof shingle patterns
- xi. Multiple siding patterns
- xii. Divided panes in top sash of windows

Craftsman Bungalow

- i. Low pitch gabled or hipped roof
- ii. Single or one-and-a-half story
- iii. Prominent covered porch
- ~~iv. Transoms over windows and doors~~
- v. Gables or dormers covered in shingles with body of house covered in lap siding
- vi. Exposed rafter tails
- vii. Divided or single large window panes
- viii. Masonry porch base
- ix. Tapered square columns with or without masonry pedestals

European Revival

- i. Tall gable(s) on front
- ii. Curved window frames
- iii. Window shutters
- iv. Steep roof pitch
- v. Porte-cochere
- vi. Asymmetrical elevation
- vii. Turret or tower element
- viii. Mixture of stone and brick and/or stucco on elevation
- ix. Multiple gables on one elevation
- x. Variety of window sizes and pane patterns on elevation
- xi. Dormers may be decorative attic vents
- xii. Diminutive or no front porch
- xiii. Hewn timber posts and brackets
- xiv. Timber lintels over window and door openings

Vernacular Cottage

- ~~i. Low pitched hipped roof~~
- ii. Asymmetrical or symmetrical elevation
- iii. Two-story component
- iv. Devoid of gingerbread
- v. Turned wood porch columns or simple square or round columns
- vii. Small or prominent covered porch
- ~~viii. Top sash of windows may have divided panes or both sashes may be single panes~~

Colonial Revival

- ~~i. Multi-pane windows in both top and bottom sashes~~
- ii. Round or square box columns
- iii. Decorative front doorway with or without pediment
- iv. Centered large or small portico/porch with gable or arch
- v. Gabled dormers symmetrically arranged on roof
- vi. Window shutters
- vii. Full or partial symmetrical elevation
- ~~viii. Palladian window or fan light in gable~~
- ~~ix. Painted brick~~
- x. Singular use of lap siding with or without brick on chimneys, foundations, porch floors, and/or front elevation

***Chapel Hill PD Ordinance 2004-02-017
Changes Made by Applicant for Vintage Place LOI***

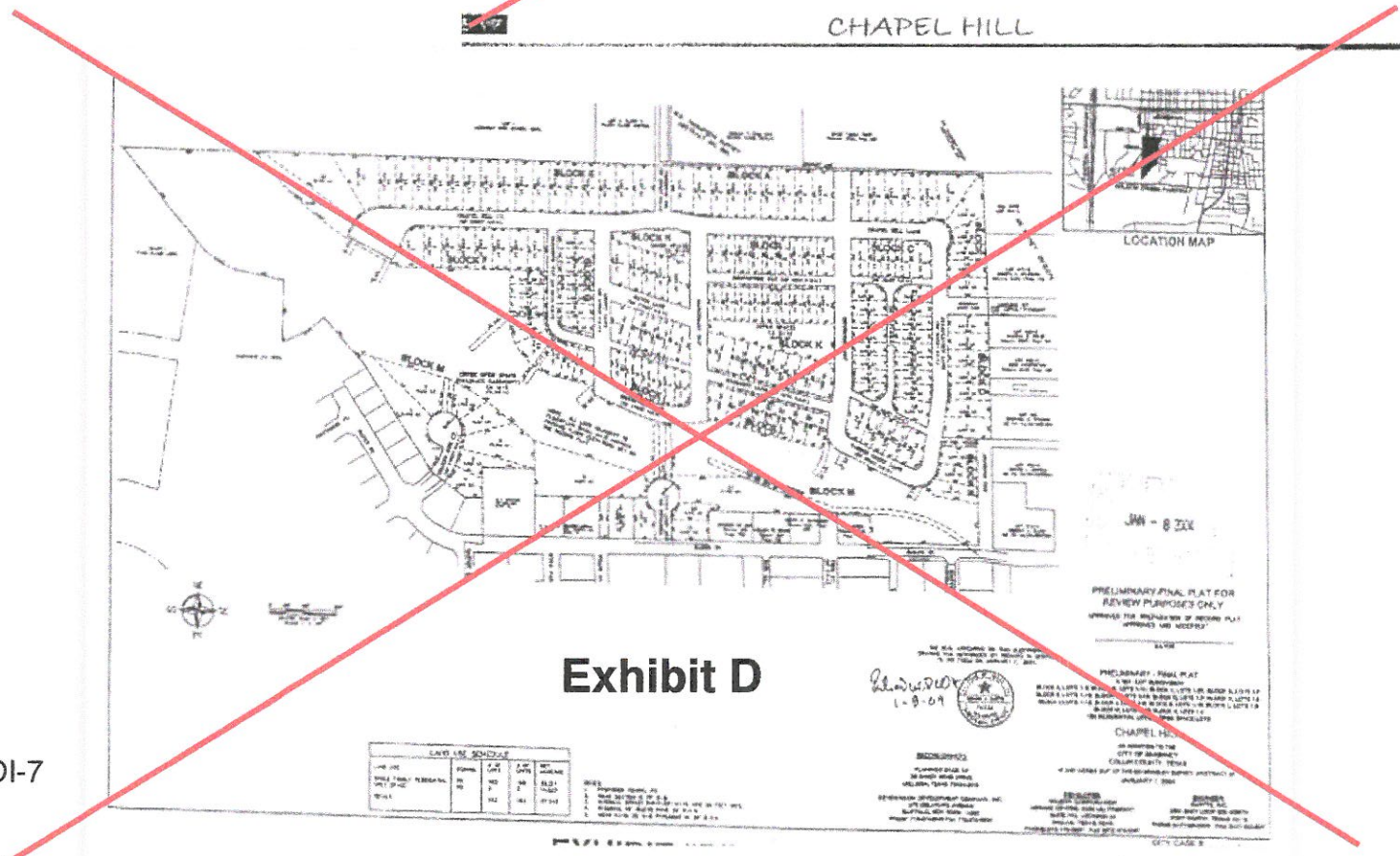
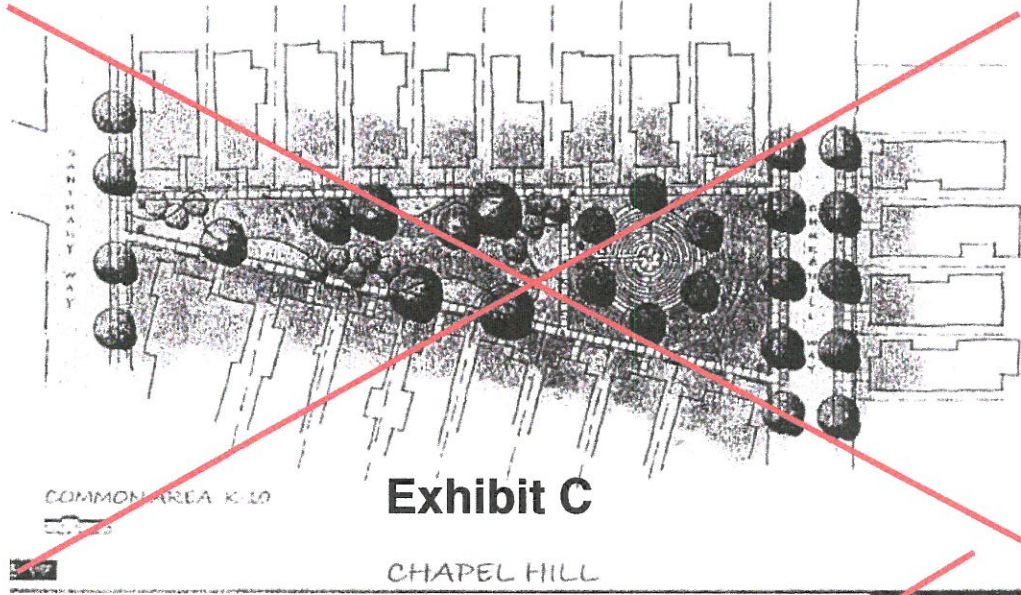
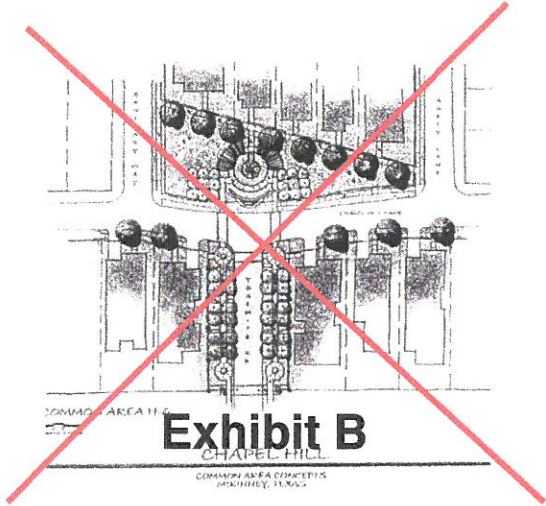
Accessory dwellings shall be allowed on lots less than 12,000 square feet in size and may be built above the detached garage.

I have attached several pictures of homes that are examples of the architectural styles. These pictures are included for informational purposes only.

The City's Historic Preservation Officer shall approve building elevations prior to the issuance of a building permit to ensure Key features of the selected architectural style have been included.

Chapel Hill PD Ordinance 2004-02-017

Changes Made by Applicant for Vintage Place LOI



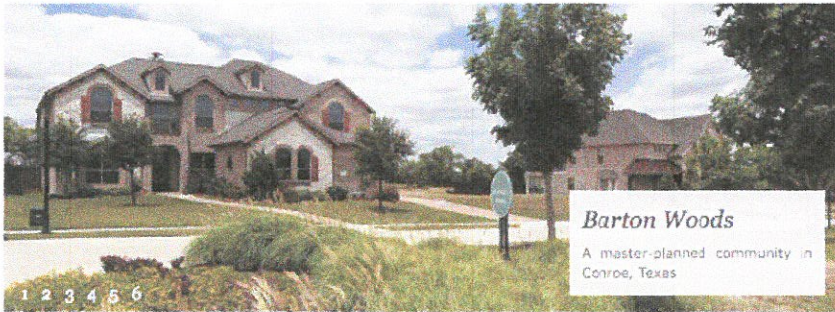
Chapel Hill: Wilbow Development Corporation



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Barton Woods
A master-planned community in
Conroe, Texas

1 2 3 4 5 6

Communities



Fairway Ranch



Villae at Wellington



Reganry Park



The Overlook at Colleyville



Waterford Place



Providence Grove

NEW DEVELOPMENTS

Located in Prosper, Texas, The rolling hills in prestigious East Prosper provide the ideal setting for your custom home. Homes here generously exceed \$600,000 in value. Nearby lake, golf course,...

Buy Now, Build Later - The Estates at Gr... [READ MORE](#)

LATEST NEWS

Morningstar breaking ground in April 2016

06/11/15 Highland Homes featured in DMN article

05/10/15 - Larry Corson noted in DMN Executive feature

04/03/15 Wilbow's Larry Corson interviewed by DPW Estate blog

04/02/15 - Review of new Villas of Lake Highlands on industry blog

Now Selling in McKinney/McKinney ISD

This is the only new home community in McKinney that provides direct pedestrian connection to the thriving historic residential district and vibrant downtown square where you can find unique shops, cafes, wine bars and the newly restored performing arts center. Building in the first of two phases totaling 166 homes offers luxury patio homes featuring historic American architecture with front porches and European architecture with courtyards. The beautifully landscaped community parks, woodland hike and bike trail and front lawns are maintained for your convenience by the homeowners association featuring Harmony Homes and Cambridge Home.



Chapel Hill Monument

Chapel Hill Monument



Chapel Hill Stonebridge

Chapel Hill Stonebridge



Chapel Hill Trail

Chapel Hill Trail



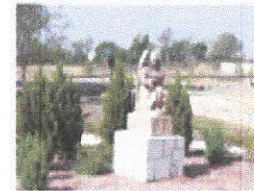
Chapel Hill Trail & Park

Chapel Hill Trail & Park



Chapel Hill Stonebridge

Chapel Hill Stonebridge



Chapel Hill Oaks

Chapel Hill Oaks



Chapel Hill Oaks

Chapel Hill Oaks



Chapel Hill Oaks

Chapel Hill Oaks



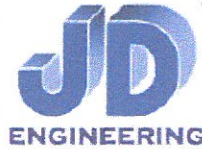
Chapel Hill Oaks

Chapel Hill Oaks

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Chapel Hill: James deOtte Engineering



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DeOtte
Engineering
Inc.

Civil Engineering

Land Surveying

Construction Management

Hydrologic and Hydraulic Modeling

About Us

Services

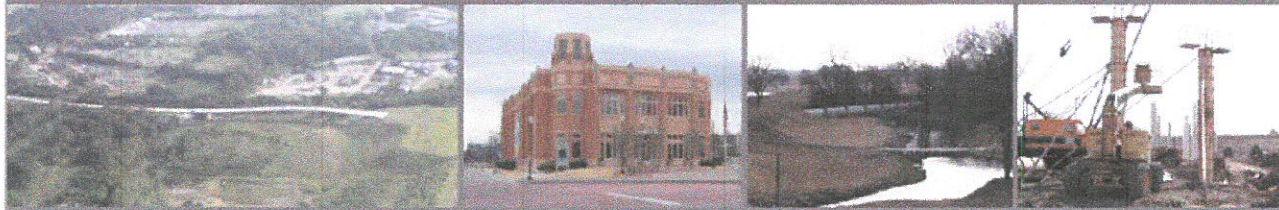
Projects

Clients

Contact Us

FTP Access

JDEI is hiring! Click [here](#) and [here](#) for our ads



Founded in 2005...

James DeOtte Engineering, Inc., is a full service civil engineering, land surveying, planning, and construction services firm. Jim DeOtte, the principal, has over 30 years of experience in the Fort Worth/Dallas metroplex and surrounding areas. The firm stresses client satisfaction, responsiveness, and utilization of effective and efficient technology. The firm's personnel are also members of the following organizations.

- Texas Floodplain Management Association (TFMA)
- American Society of Civil Engineers (ASCE)
- Society of American Military Engineers (SAME)
- Texas Society of Professional Land Surveyors (TSPS)
- Water Environmental Federation (WEF)
- Water Environmental Association of Texas (WEAT)
- American Water Works Association (AWWA)
- Commercial Real Estate Development Association (NAIOP)

The firm is registered with the State of Texas and maintains a professional liability insurance policy with the DPIC as well as standard general liability insurance.

James DeOtte Engineering's consulting team consists of Senior Engineering personnel, certified floodplain managers, registered land surveyors, and technical specialists. Our Engineers utilize state-of-the-art software including AutoCAD Civil 3D 2013, HEC-HMS, HEC-RAS, and ARC-GIS. Our staff has been through extensive professional training in Civil 3D, HEC-RAS steady and unsteady state modeling, and HEC-HMS modeling including dam break analysis.

Mission Statement

To provide responsive and cost effective engineering solutions to municipalities, governmental agencies, and industrial and commercial developers by teaming talented, creative people with the most current software, hardware and technology.

Vision Statement

To grow our firm by exceeding our client's expectations and making our client's successful.



FORT WORTH



City of Fort Worth
Small Business Enterprise

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James DeOtte Engineering, Inc.
2201 Dottie Lynn Parkway Suite 119
Fort Worth, Texas 76120
ph: 817-445-6577 fax: 817-930-0445
TBPLS Firm Reg No. 10101400
TBPE Firm Reg. No. 8917

Applicant Has No Demonstrated Capability to Perform

Companies presented to the City of McKinney TX (via rezoning application) and Chapel Hill Homeowners (via 10/27 meeting at Hillcrest Church) that have absolutely “zero” web presence.

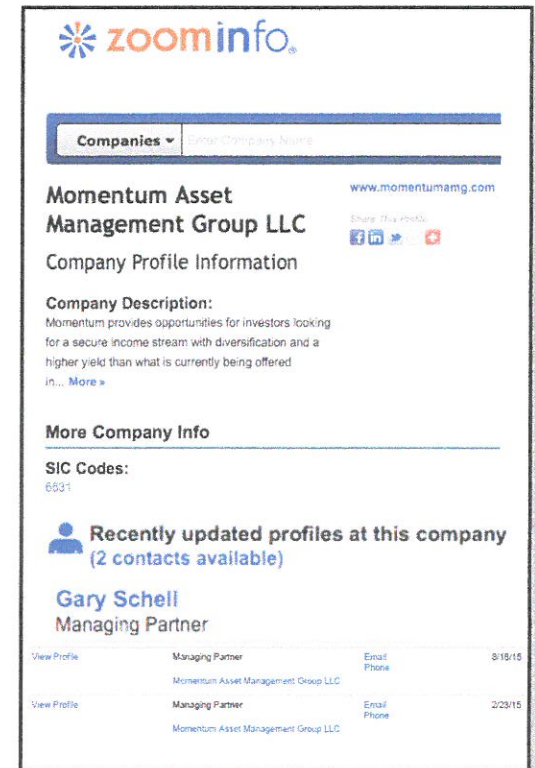
- **Vintage Place Fund, LP**
- **Vintage Place Partners, LLC**, a Texas LLC, as General Partner
- **Urban Past Development, LLC**, a Delaware LLC, as Co-Manager
- **SC&D**, 7033 Cloverdale Drive, Plano TX 75024 (214) 533-8233

Companies presented and for which there is a online presence

- **shellcon.com**
 - Roofing contractor
 - Applicant owns and is also associated with 10 other domain names
- **Momentum Asset Management Group, LLC**
 - *“Momentum provides opportunities for investors looking for a secure income stream with diversification and a higher yield than what is currently being offered in the traditional marketplace. Momentum manages mortgage and real estate acquisition funds for investors who are looking to ensure capital preservation, minimize credit risk and diversify their portfolio. Momentum has proven success of staying ahead of market conditions by developing a niche within the alternative investment community for investors who want to depend on safety, transparency, and dependable income.”*

References presented to Chapel Hill Homeowners at 10/27 meeting at Hillcrest Church were fact-checked but discredited:

- **Builder at Adriatica in McKinney TX**
- **Builder at Craig Ranch in McKinney TX**



The screenshot shows a ZoomInfo profile for Momentum Asset Management Group LLC. The profile includes the company name, website (www.momentumamg.com), and social media links. The company description states: "Momentum provides opportunities for investors looking for a secure income stream with diversification and a higher yield than what is currently being offered in... More". Under "More Company Info", the SIC Code is listed as 6631. A section titled "Recently updated profiles at this company (2 contacts available)" lists Gary Schell as a Managing Partner, with two entries showing his profile was updated on 8/19/15 and 2/23/15.

View Profile	Managing Partner	Email Phone	8/19/15
	Momentum Asset Management Group LLC		
View Profile	Managing Partner	Email Phone	2/23/15
	Momentum Asset Management Group LLC		

15-113Z PD (Rezoning) Request Submittal Requirements

“Rezoning Request Requirements Revised 10/30/2015” & Sec. 146-94

	Requirement	Source	15-113Z Vintage Place
APPLICATION & FEE		Ord. & C/L	✓
LETTER OF INTENT (Straight & PD Rezoning)		Checklist	✓
<ul style="list-style-type: none"> ● Define acreage of subject property ● Describe in detail the location of the property ● Specify the existing zoning district ● Specify the requested zoning district 			✓
<ul style="list-style-type: none"> ● The letter of intent must provide the signature and contact information of the owner and applicant 			(X)
<ul style="list-style-type: none"> ● Describe any other special considerations or unique characteristics of subject property 			(X)
LETTER OF INTENT (PD REZONING)		Checklist	X
<ul style="list-style-type: none"> ● Provide detailed justification and/or supporting documentation as to why the applicant is requesting to rezone the subject property to a specific zoning district, including justification for each special ordinance provision being requested 			X
<ul style="list-style-type: none"> ● Provide justification as to why a straight zoning district cannot satisfy the development needs thereby requiring the request for a “PD” District ● “PD” District requests must provide a special ordinance provision(s) that ensures a level of exceptional quality or innovation for the associated design on development (see Section 146-94 of the Zoning Ordinance for more info). 			X
General Development Plan (Ordinance)		Ordinance	X
Elevation Renderings all sides (Ordinance)		Ord. & C/L	X
Metes & bounds description (Ordinance)		Ordinance	✓
Other relevant information requested by Director of Planning		Ordinance	None Req'd

Review of Section 146-94 (e) Submission Requirements

No proposed PD District ordinance may be approved without ensuring a level of exceptional quality or innovation for the associated design or development.

- enhanced landscaping? Not addressed
- creative site designs? Not addressed
- creative architectural designs? 38-ft tall 2-story homes from houzz.com & Southern Living (front only)
- some other innovative element(s)? Nothing proposed

All rezoning requests for a "PD" district shall be required to submit the following information:

1. **Application with appropriate application fee** ✓
2. **Letter of intent detailing the various aspects and merits of the request, and other pertinent information** ✓ (space limits)
3. **A general development plan reflecting the broad details of a development proposal including, but not limited to**
 - sub-zoning areas N/A
 - densities **4.9 dwellings/acre (SF5: 3.2 (3.4))**
 - building placement Not addressed (except for space limits/setbacks)
 - any other pertinent details Not addresses (e.g., impact of 3/4 acre pond; handling increased drainage from 1st Baptist Church; interface with existing Chapel Hill Phase 1A storm sewer)
 - vehicle and pedestrian circulation and access Not addressed
 - coordination and integration of all of the land included within the request Not addressed

The director of planning may request more or less detail based on complexity of the request Nothing requested
4. **Elevation renderings for all sides of any proposed structure(s) (for PD Districts requesting modifications to the architectural and site standards of this chapter)** None proposed (front pictures only from houzz.com & Southern Living)
5. **A metes and bounds description** of the property to be governed by the proposed district ✓
6. Any other relevant information as requested by the director of planning Nothing requested

Is the Code of Ordinances for Real? Is Compliance Required of Everyone?

ADOPTING ORDINANCE

ORDINANCE NO. 2007-12-126

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS; ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED HEREIN; PROVIDING A PENALTY CLAUSE; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, Chapter 53 of the Texas Local Government Code, as amended, authorizes the City of McKinney, Texas, to adopt a new code of ordinances; and

WHEREAS, Section 53.001(c) of the Texas Local Government Code provides that the new code of ordinances is effective on its adoption.

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

Section 1. The Code entitled "Code of Ordinances, City of McKinney, Texas," published by Municipal Code Corporation, consisting of chapters 1 through 146, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before June 5, 2007, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding \$500.00; however, a fine for violation of provisions of such code or ordinance sections that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, may not exceed \$2,000.00. Each act of violation and each day upon which any such violation shall

shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code, when passed in such form as to indicate the intention of the city to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after June 5, 2007, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This Ordinance shall become effective immediately upon its adoption.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 18TH DAY OF DECEMBER, 2007.

What We Want

- **Planning Department to do the job that's mandated by Zoning Regulations (Municipal Code Section 146) by:**
 - *Enforcing the ordinance requirements*
 - *Enforcing the PR (Re)Zoning Checklist requirements*
 - *Enforcing the submittal schedule*
 - *Enforcing some modicum of application discipline and responsiveness*
 - *Enforcing acceptable level of accountability for civil employees*
 - *Enforcing an acceptable of transparency*
 - *Facilitating citizen access to reasonably structured public records*
 - *Hold the Developer accountable to reasonable professional standards and compliance requirements*
- **City Council to hold the Planning Department accountable by:**
 - *Enforcing the ordinance requirements*
 - *Relaxing arbitrary and counterproductive production quotas and activity durations*
 - *Emphasizing quality not quantity*
 - *Emphasizing quality of life for existing citizens before "rolling the dice" on ill-defined and/or poorly-conceived development projects*
 - **NEVER REZONE TO PD WITHOUT KNOWING WHAT'S BEING PROPOSED**