

ORDINANCE NO.2007-05-053

AN ORDINANCE AMENDING ORDINANCE NO. 1621, AND AS AMENDED, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 35.57 ACRE PROPERTY, LOCATED GENERALLY NORTHWEST OF THE INTERSECTION OF VIRGINIA PARKWAY AND RIDGE ROAD, IS ZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY EXISTING ZONING 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 35.57 acre property, located generally northwest of the intersection of Virginia Parkway and Ridge Road, is zoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify existing zoning 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. 1621 is hereby amended so that an approximately 35.57 acre property, located generally northwest of the intersection of Virginia Parkway and Ridge Road, which is more fully depicted of Exhibit "A", attached hereto is hereby rezoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify existing zoning standards.

Section 2. Use and development of the subject property shall conform to PD 1621, and as amended and to the following regulations:

1. Parcel 511 shall conform to the "SF-1" Single Family Residence District, as set forth in Planned Development Ordinance 1621.
2. The maximum number of development units for Parcel 501 shall be reduced from 266 to 236.
3. Parcel 506 shall be divided into three tracts, Parcel 506 A, Parcel 506 Phase 1, and Parcel 506 Phase 2, which is more fully depicted of Exhibit "B", and shall be zoned as follows:
 - a. Parcel 506A shall conform to the "O-1" office district, as set forth in Planned Development Ordinance 1621.
 - b. Parcel 506 Phase 1 shall conform to the "O-1" Office District as set forth in Planned Development Ordinance 1621.

- c. Parcel 506 Phase 2 shall conform to the "R-1" Retail District as set forth in the Planned Development Ordinance 1621.
4. The associated Stonebridge Ranch matrix for Planning Area 5 shall be revised to reflect the special ordinance provisions provided herein.

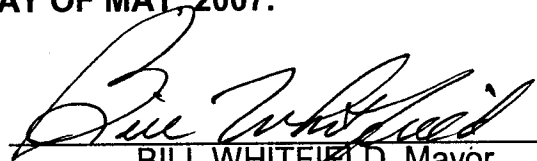
Section 3. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of 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 15th DAY OF MAY, 2007.

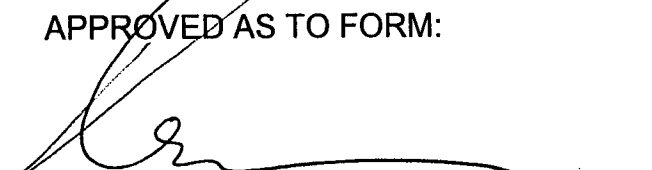

BILL WHITFIELD, Mayor

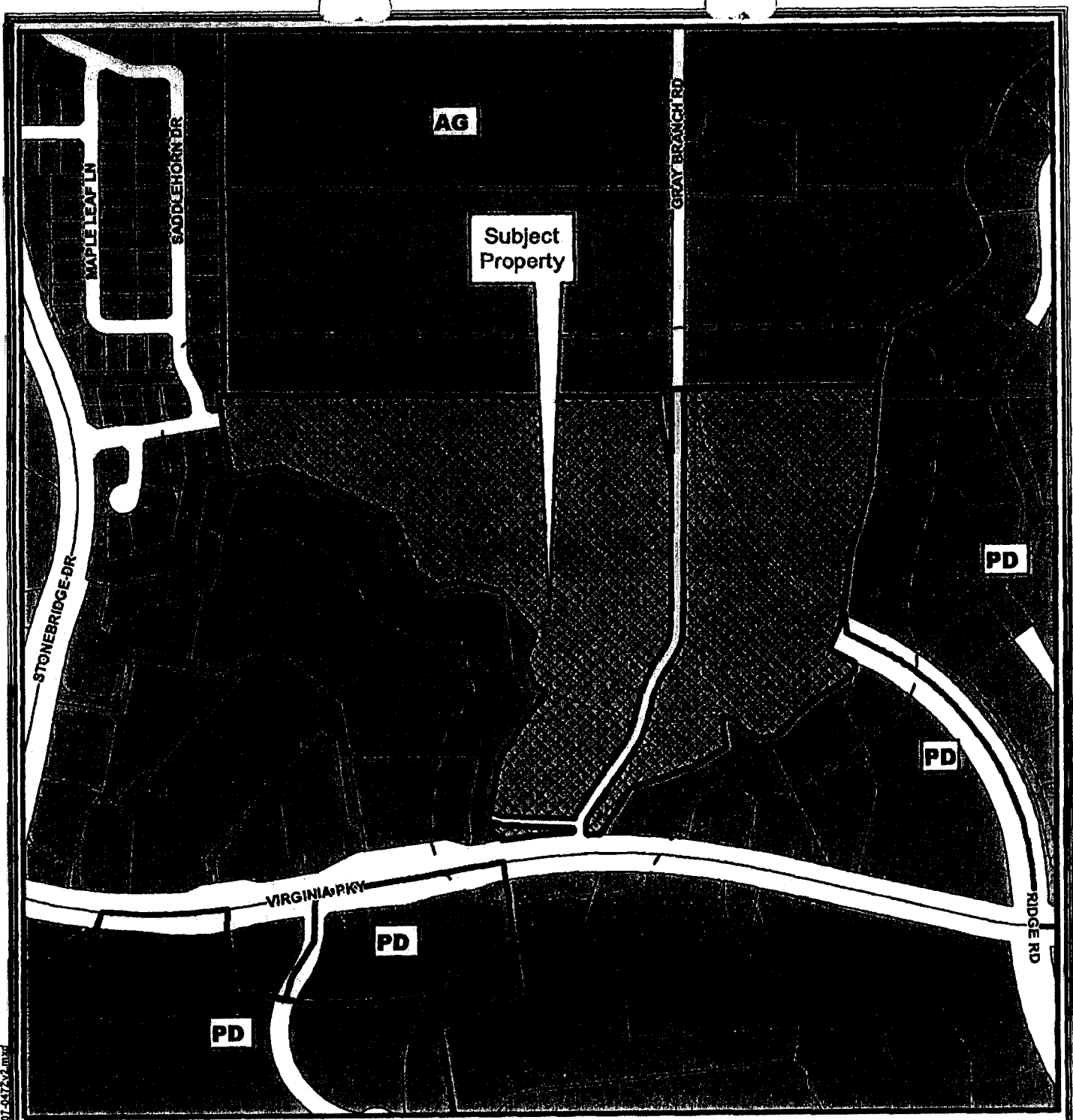
CORRECTLY ENROLLED:


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

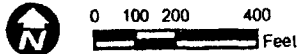
DATE: May 18, 2007

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney



C:\McKinney\Notification\Projects\2006\07_517272.mxd

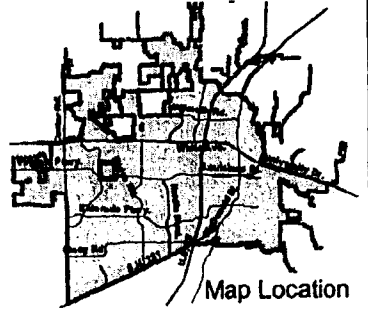


Notification Case

Notice Case #: 07-047Z

R-6343-000-0020-1

--- 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.

EXHIBIT "A"

STONEBRIDGE RA

PROPOSED STONEBRIDGE GENERAL DEVELOPMENT PLAN

EXHIBIT "B"



N

