

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 5.5322 ACRES LOCATED 415 FEET SOUTH OF VIRGINIA PARKWAY AND BETWEEN U.S. HIGHWAY 75 AND JEANS CREEK, IS ZONED PD, PLANNED DEVELOPMENT-MEDICAL CENTER; PROVIDING FOR PLANNED DEVELOPMENT REGULATIONS FOR THE DEVELOPMENT OF SUCH TRACT; PROVIDING FOR THE PLANNED DEVELOPMENT SITE PLAN AND THE USES SHOWN THEREON; PROVIDING FOR NO VESTED INTEREST IN THE PLANNED DEVELOPMENT REGULATIONS; PROVIDING FOR AMENDMENT OF THE PLANNED DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

THAT WHEREAS, the owner or owners of 5.5322 acres of land located 415 feet south of Virginia Parkway and between U.S. Highway 75 and Jeans Creek, have petitioned the City of McKinney to zone such parcel of land "PD, Planned Development-Medical Center" as provided for in Ordinance No. 1270 of the City of McKinney, a complete legal description of such property being attached hereto and marked Exhibit "A", and made a part hereof for all purposes, and

WHEREAS, at the time of the filing for such rezone, such owners also filed a Planned Development Site Plan showing the proposed land use for such tract as providing for in Ordinance No. 1270 which is attached hereto and marked Exhibit "B", and Planned Development Zoning Regulations attached hereto and marked Exhibit "C".

WHEREAS, after due notice of the requested zoning changes 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, the City Council is of the opinion that such zoning change should be made.

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

Section I: That the real estate more fully described in the attached Exhibit "A" is hereby zoned "PD, Planned Development-Medical Center."

Section II: That the Planned Development Site Plan shall be attached hereto as Exhibit "B", showing the land uses for said planned development, upon adoption by the City Council in accordance with Ordinance 1270. The permitted uses, as such uses are defined in the Planned Development Zoning Regulations, and provided herein.

Section III: That the Planned Development Zoning Regulations shall be attached hereto and marked Exhibit "C" upon adoption by the City Council in accordance with Ordinance 1270. All development within this planned development shall be according to these Planned Development Zoning Regulations including, but not limited to all permitted uses, accessory uses, conditional and excluded uses shown in the regulations.

Section IV: That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development Zoning Regulations, or any Ordinance appended to or referenced in the Planned Development Zoning Regulations and any and all ordinances referenced therein may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section V: 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 the Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section VI: 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 therefor, shall be fined any sum not exceeding \$200.00, 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 VII: 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 6th day of June, 1989.

CORRECTLY ENROLLED:

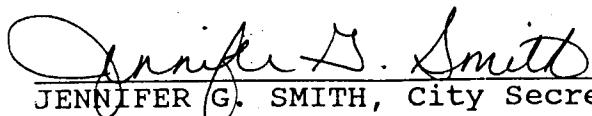

JENNIFER G. SMITH, City Secretary

EXHIBIT "A"

PROPERTY DESCRIPTION

BEING A 5.5322 ACRE TRACT SITUATED IN THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS IN THE W.D. THOMPSON SURVEY, A-891, AND BEING A PART OF A 15.5 ACRE TRACT AS DESCRIBED IN A DEED FROM SALLIE HILL, ETAL TO DR. CHARLEY E. WYSONG, DATED MARCH 17, 1953, AND RECORDED IN VOLUME 468, PAGE 329, OF THE COLLIN COUNTY DEED RECORDS, AND ALSO BEING A PART OF THE WYSONG HOSPITAL ADDITION AS RECORDED IN CABINET "B", PAGE 304 OF THE COLLIN COUNTY MAP RECORDS AND ALSO BEING A PART OF A 12.4557 ACRE TRACT CONVEYED TO CHARLES BRADFORD WYSONG AS RECORDED IN VOLUME 1780, PAGE 348 OF SAID COLLIN COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A 5/8" IRON ROD SET AT THE SOUTHEAST CORNER OF THE SAID WYSONG HOSPITAL ADDITION, SAID POINT BEING IN THE WEST RIGHT-OF-WAY OF U.S. HIGHWAY 75, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A 1.99768 ACRE TRACT CONVEYED TO WYSONG MEDICAL CENTER, INC. BY HCA HEALTH SERVICES OF TEXAS, INC. AND RECORDED IN VOLUME 2728, PAGE 488 OF THE COLLIN COUNTY DEED RECORDS;

THENCE SOUTH 01-14-22 EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 70.00 FEET TO A 5/8" IRON ROD SET;

THENCE SOUTH 01-14-22 EAST CONTINUING ALONG SAID RIGHT-OF-WAY A DISTANCE OF 277.14 FEET FOR A TOTAL OF 357.16 FEET TO A 5/8" IRON ROD SET FOR A CORNER;

THENCE NORTH 87-52-00 WEST A DISTANCE OF 650.31 FEET TO A POINT FOR A CORNER IN THE CENTER OF JEAN'S CREEK, PASSING A 5/8" IRON ROD SET FOR A REFERENCE POINT AT A DISTANCE OF 567.41 FEET;

THENCE UP THE MEANDERS OF JEANS CREEK THE FOLLOWING BEARINGS AND DISTANCES;

NORTH 05-24-00 WEST A DISTANCE OF 81.72 FEET,
NORTH 13-40-00 EAST A DISTANCE OF 51.20 FEET,
NORTH 60-54-00 EAST A DISTANCE OF 31.10 FEET,
NORTH 47-33-00 EAST A DISTANCE OF 58.30 FEET,
NORTH 00-39-00 EAST A DISTANCE OF 31.00 FEET,
NORTH 57-57-00 WEST A DISTANCE OF 33.01 FEET,
SOUTH 87-31-00 WEST A DISTANCE OF 37.80 FEET,
NORTH 71-25-00 WEST A DISTANCE OF 37.80 FEET,
NORTH 26-58-00 WEST A DISTANCE OF 70.80 FEET,
NORTH 01-52-00 WEST A DISTANCE OF 31.20 FEET,
NORTH 46-32-00 EAST A DISTANCE OF 52.20 FEET, AND PASSING THE SOUTHWEST CORNER OF SAID WYSONG HOSPITAL ADDITION AT A DISTANCE OF 14.29 FEET,
NORTH 28-25-00 EAST A DISTANCE OF 59.90 FEET,
NORTH 59-44-00 EAST A DISTANCE OF 44.90 FEET,
NORTH 06-38-00 EAST A DISTANCE OF 30.60 FEET,

AND NORTH 36-12-00 WEST A DISTANCE OF 37.83 FEET TO THE NORTHWEST CORNER OF THE SAID WYSONG HOSPITAL ADDITION AND THE SOUTHWEST CORNER OF THE WYSONG CLINIC ADDITION AS RECORDED IN CABINET "A", PAGE 278 OF THE COLLIN COUNTY MAP RECORDS;

THENCE SOUTH 87-52-00 EAST ALONG THE COMMON LINE BETWEEN THE SAID WYSONG CLINIC ADDITION AND WYSONG HOSPITAL ADDITION A DISTANCE OF 91.05 FEET TO A 5/8" IRON ROD SET FOR A CORNER, SAID POINT BEING THE NORTHWEST CORNER OF SAID 1.99768 ACRE TRACT;

THENCE SOUTH 02-08-00 WEST ALONG THE WEST LINE OF SAID 1.99768 ACRE TRACT ADDITION A DISTANCE OF 165.03 FEET TO A 5/8" IRON ROD SET AT THE SOUTHWEST CORNER OF SAID 1.99768 ACRE TRACT AND THE IN SOUTH LINE OF THE SAID WYSONG HOSPITAL ADDITION;

THENCE SOUTH 87-52-00 EAST ALONG THE SOUTH LINE OF SAID 1.99768 ACRE TRACT AND ALONG THE SOUTH LINE OF THE SAID WYSONG HOSPITAL ADDITION A DISTANCE OF 531.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.5322 ACRES OF LAND, MORE OR LESS.

EXHIBIT "C"

WESTPARK MEDICAL CENTER COMPLEX
PLANNED DEVELOPMENT ZONING REGULATIONS

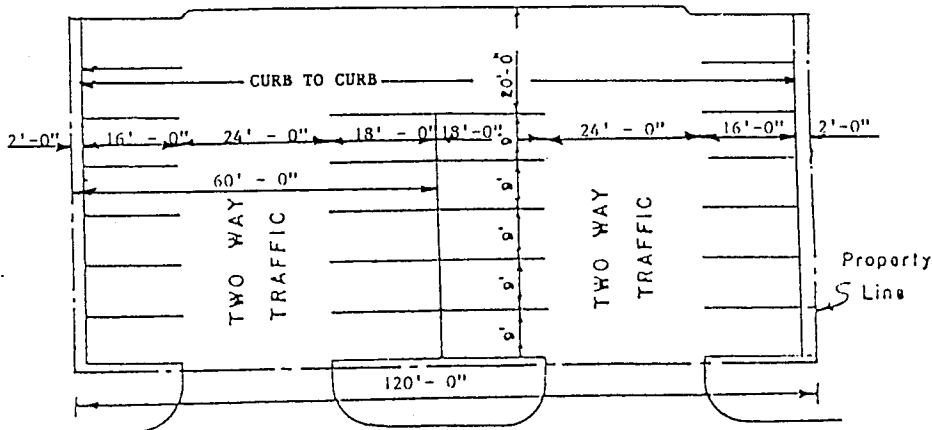
I. SPACE LIMITS:

- (a) Minimum lot area: None.
- (b) Minimum width of lot: None.
- (c) Minimum depth of lot: None.
- (d) Maximum height of building: Sixty-five (65) feet.
- (e) Minimum front yard: Twenty-five (25) feet.
- (f) Minimum rear yard: Twenty-five (25) feet when abutting any zone requiring a rear yard; none abutting business.
- (g) Minimum side yard: Fifteen (15) feet when abutting any zone requiring side yard; none abutting business.
- (h) Minimum side yard at corner: Fifteen (15) feet.
- (i) Maximum lot coverage: Fifty (50) percent.
- (j) Maximum floor area ratio: One to one and twenty-five hundredths (1:1.25).

II. VEHICLE PARKING REQUIREMENTS:

- (a) Medical or dental clinic: Three (3) parking spaces plus one additional parking space for each two hundred (200) square feet of floor area over five hundred (500) square feet.
- (b) Hospital: One space per employee on the largest shift, plus one space for each bed.

III. OFF-STREET PARKING DIMENSIONS:



90° LAYOUT

V. OFF-STREET LOADING:

- (a) Loading space: A space within the main building or on the same lot therewith, providing for the standing, loading or unloading of trucks, and having minimum dimensions of twelve (12) by thirty-five (35) feet with a vertical clearance of at least fourteen (14) feet, together with access and maneuvering areas provided on the same building lot as the principal use for which the loading space is intended.
- (b) Off-street loading facilities shall be provided in accordance with the following schedule:

Square feet of gross floor area	Minimum required spaces or berths
0 to 5,000	None
5,000 to 15,000	1
15,000 to 40,000	2
40,000 to 65,000	3
65,000 to 100,000	4
Each additional 50,000	1 additional

VI. PRINCIPAL PERMITTED USES:

- (a) Convalescent Home, Sanitarium, Psychiatric Facility
- (b) Day Nursery
- (c) Doctors, Dentist Offices
- (d) Parking Lots
- (e) Parking Garages
- (f) Professional Offices
- (g) Hospital
- (h) Recreation, Rehabilitation Building
- (i) Drug Store
- (j) Barber Shop
- (k) Business and Professional Offices
- (l) Clinics, Medical, Emergency and Outpatient
- (m) Diagnostic Center
- (n) Parking Lots (Free)
- (o) Parking Lots (Paid)
- (p) Parking Garage (Free)
- (q) Parking Garage (Paid)
- (r) Retail sales and service shops limited in character and size to that which is of service to the principal use of the premises.

