

ORDINANCE NO. 2006-11-129

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2006-09-104 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 35 ACRE TRACT LOCATED GENERALLY AT THE SOUTHEAST CORNER OF STONEBRIDGE DRIVE AND VIRGINIA PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, IN ORDER TO MODIFY PARKING AND SIGNAGE REQUIREMENTS; 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 acre tract located at the southeast corner Stonebridge Drive and Virginia Parkway, from "PD" – Planned Development District to "PD" – Planned Development District in order to modify parking and signage requirements, 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. 2006-09-104 is hereby amended so that an approximately 35 acre tract located at the southeast corner of Stonebridge Drive and Virginia Parkway, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from "PD" – Planned Development District to "PD" – Planned Development District in order to modify parking and signage requirements.

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

1. The subject property develop in accordance with PD 2006-09-104, with the following exceptions:
  - (a) Allow the on-street parking along Mediterranean Drive and Adriatic Parkway to count towards the required parking spaces for future uses in Tract #5 and Tract #7 (zoning exhibit "B").
  - (b) The Director of Planning shall have discretionary review in determining the number and location of on-street parking spaces that may be allowed to count towards required parking spaces as part of the site plan review process.
  - (c) Allow on-street parking in Mediterranean Drive to count for 100% of the required parking for the Paxton office building for a period not to exceed 3 years from the date of site plan approval (Paxton site plan exhibit "C").

2. Allow projecting signs (blade signs) within the subject property, with the following provisions:

- (a) The projecting signs may not exceed 15 square feet in size or exceed 2" in thickness.
- (b) The bottom of the sign should not be lower than 8' above the ground.
- (c) The signs cannot project from the building more than 5 feet or 50% of the width of the sidewalk.

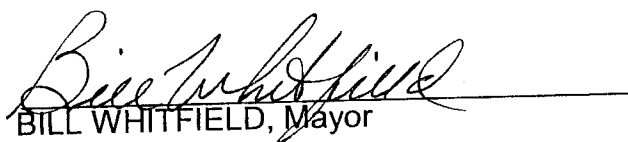
Section 3. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of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

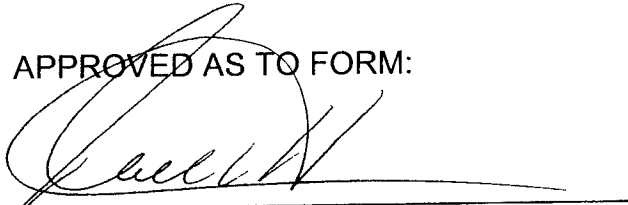
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 7<sup>TH</sup> DAY OF NOVEMBER, 2006.**

  
BILL WHITFIELD, Mayor

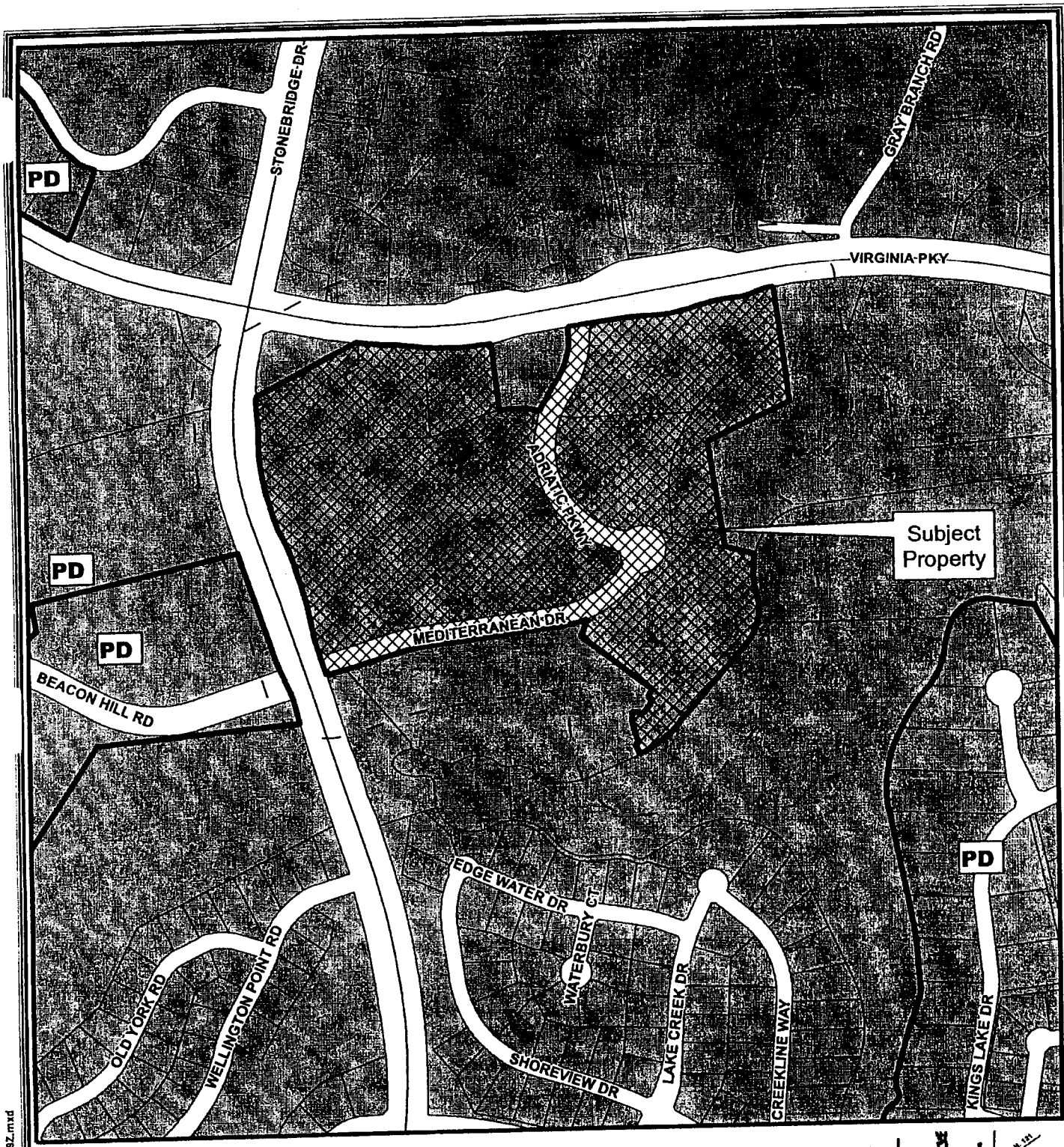
CORRECTLY ENROLLED:

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

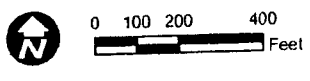
APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read 'Mark S. Houser', written over a horizontal line.

MARK S. HOUSER, City Attorney



Subject Property

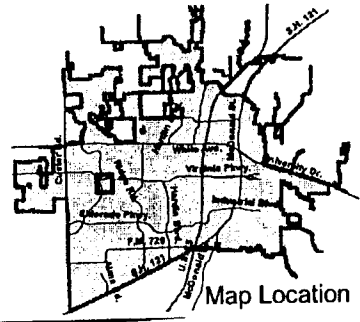


**Notification Case**

Notice Case #: 06-419Z

R-8795-00A-001R-1; R-8795-00C-0010-1

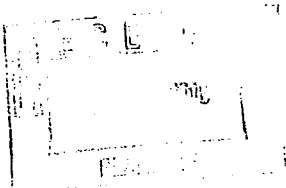
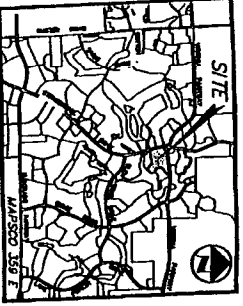
--- 200' Notification Buffer



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DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney, its officials or employees for any discrepancy is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancy.

**EXHIBIT "A"**



**EXHIBIT "C"**

TRACT 1  
 TRACT 2  
 TRACT 3  
 TRACT 4  
 TRACT 5  
 TRACT 6  
 TRACT 7  
 TRACT 8  
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 TRACT 100

**ZONING DISTRICT AREAS**

DISTRICT	TRACT	AREA (ACRES)
"R-2" DISTRICT	A	7.7
"R-2" DISTRICT	B	2.4
"R-2" DISTRICT	C	0.5
"R-2" DISTRICT	D	11.3
"R-2" DISTRICT	E	4.6
"R-2" DISTRICT	F	3.4
"R-2" DISTRICT	G	3.4
VILLA DISTRICT		8.3
HIGH DEVELOPMENT AREA		36.3

**NO. 1 DATE**

DESIGN	DATE	SCALE	NOTES
APP	01-12-04	AS SHOWN	

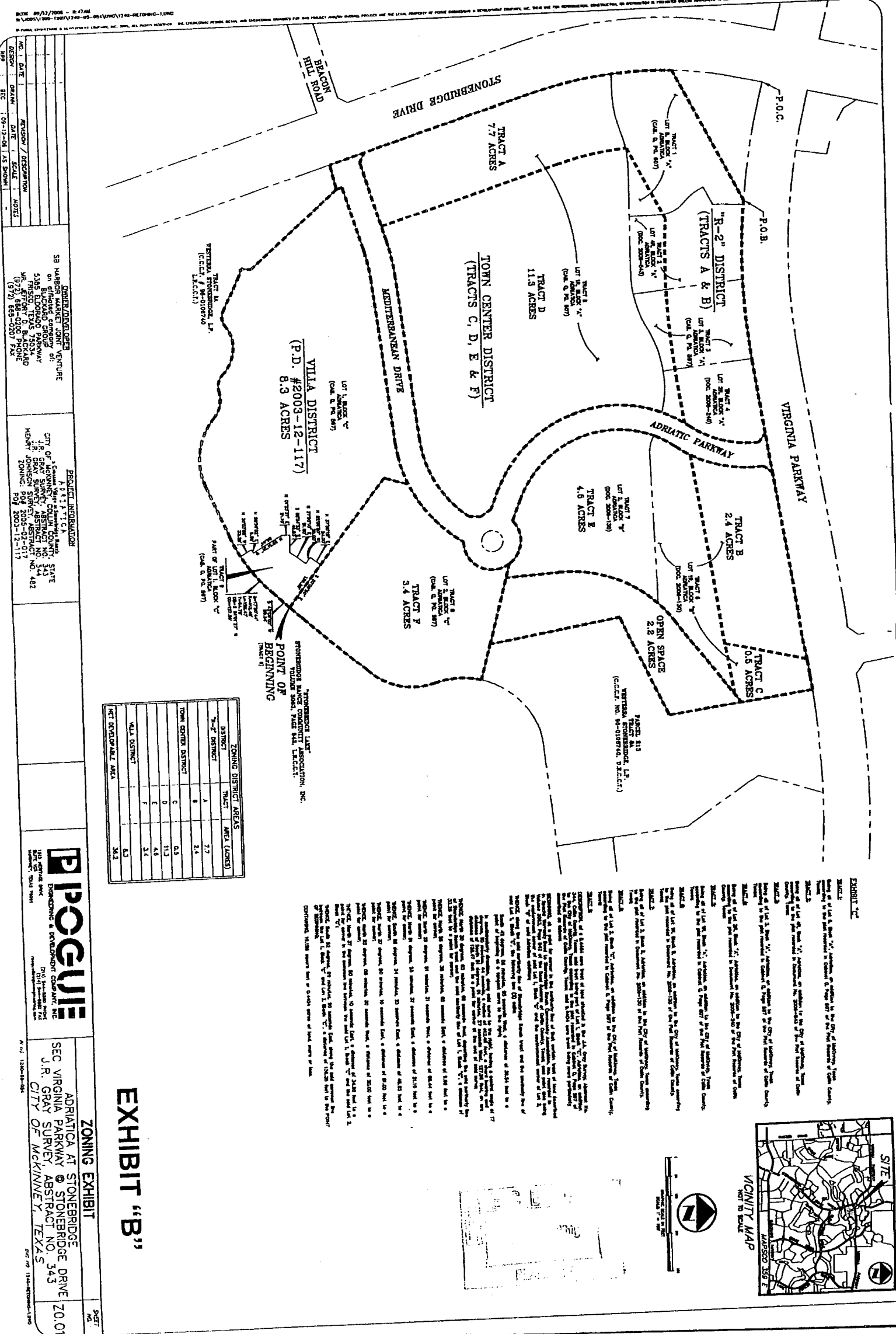
**OWNER/DEVELOPER**  
 SB HARBOR MARKET JOINT VENTURE  
 on BEACHSIDE GROUP  
 5345 ELDORADO PARKWAY  
 FRIEDLAND, TEXAS 75443  
 (972) 668-0200 PHONE  
 (972) 668-0207 FAX

**PROJECT INFORMATION**  
 A 33.7 ACRE  
 STATE  
 CITY OF MCKINNEY, TEXAS  
 1/2 GAY SURVEY, ABSTRACT NO. 343  
 HENRY JOHNSON SURVEY, ABSTRACT NO. 482  
 ZONING: PD 2003-12-117

**POGUE**  
 ENGINEERING & SURVEYING COMPANY, INC.  
 2711 S. GREENWAY  
 DALLAS, TEXAS 75241  
 (214) 342-2600  
 WWW.POGUEENGINEERING.COM

**ZONING EXHIBIT**  
 SEC VIRGINIA PARKWAY @ STONEBRIDGE DRIVE Z.O.01  
 J.R. GRAY SURVEY, ABSTRACT NO. 343  
 CITY OF MCKINNEY, TEXAS  
 DATE: 01-12-04

**EXHIBIT "B"**



NO.	DATE	BY	REVISION / DISCREPANCY	NOTES
DESIGN	DATE	SCALE		
REC'D	DATE	BY		

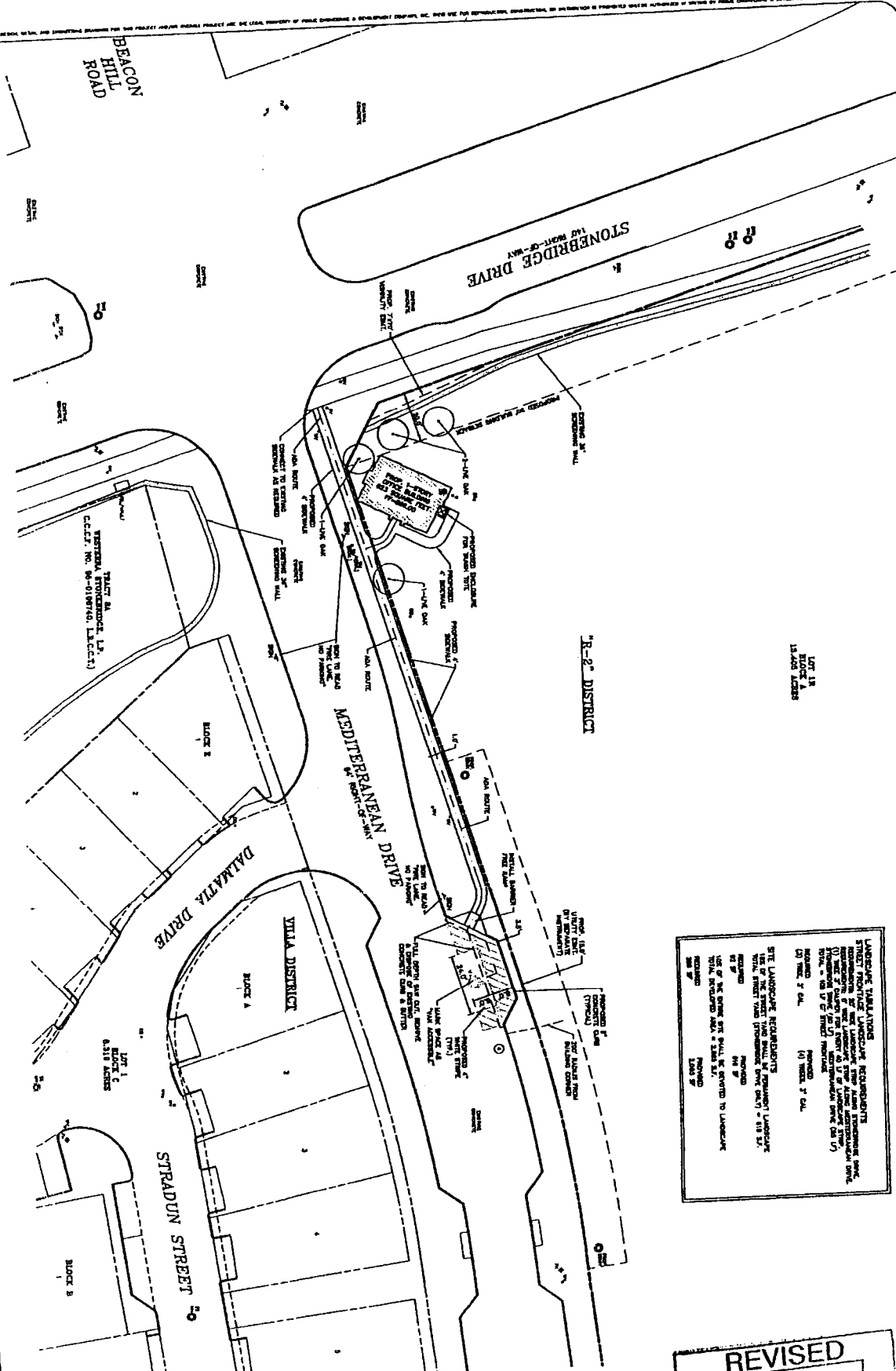
**CAUTION!**  
 THIS PLAN IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. THE CITY ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE USER ASSUMES ALL LIABILITY FOR ANY SUCH ERRORS OR OMISSIONS.

**GENERAL NOTES:**  
 1. THE PROPERTY IS LOCATED IN THE CITY OF AUSTIN, TEXAS.  
 2. THE PROPERTY IS ZONED R-2.  
 3. THE PROPERTY IS SUBJECT TO A DEED RESTRICTION.  
 4. THE PROPERTY IS SUBJECT TO A DEED RESTRICTION.  
 5. THE PROPERTY IS SUBJECT TO A DEED RESTRICTION.

**PROJECT INFORMATION:**  
 PROJECT NAME: PAXTON SITE AT ADRATICA  
 ADDRESS: BLOCK A, LOT 1R, ADRATICA  
 CITY OF AUSTIN, TEXAS  
 PROJECT NO. 482  
 ZONING: R-2  
 PROJECTED USE: OFFICE

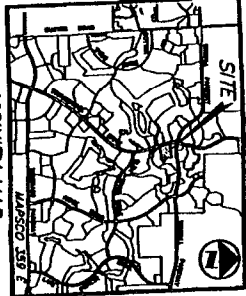
**POGUE**  
 ENGINEERING & ARCHITECTURE  
 1100 N. MOORE  
 AUSTIN, TEXAS 78701  
 (512) 476-1100

**SITE PLAN**  
 PAXTON SITE AT ADRATICA  
 BLOCK A, LOT 1R, ADRATICA  
 HENRY JOHNSON SURVEY, ABSTRACT NO. 482  
 CITY OF MCKINNEY, TEXAS  
 SHEET NO. C1.01



**LANDSCAPE REQUIREMENTS:**  
 THE LANDSCAPE SHALL BE DESIGNED TO COMPLEMENT THE ARCHITECTURE AND PROVIDE A HIGH QUALITY ENVIRONMENT. THE LANDSCAPE SHALL BE DESIGNED TO PROVIDE VISUAL SCREENING AND SHADING FOR THE BUILDING. THE LANDSCAPE SHALL BE DESIGNED TO PROVIDE VISUAL SCREENING AND SHADING FOR THE BUILDING. THE LANDSCAPE SHALL BE DESIGNED TO PROVIDE VISUAL SCREENING AND SHADING FOR THE BUILDING.

**REVISED**  
 MAY 27 2006  
**PLANNING**



**SITE DATA SUMMARY TABLE**

ITEM	DESCRIPTION	QUANTITY
1	CONCRETE WALL	100
2	FOUNDATION	100
3	ROOFING	100
4	MECHANICAL	100
5	ELECTRICAL	100
6	PLUMBING	100
7	PAINT	100
8	LANDSCAPE	100
9	UTILITIES	100
10	ASPHALT DRIVE	100
11	CONCRETE DRIVE	100
12	CONCRETE DRIVE	100
13	CONCRETE DRIVE	100
14	CONCRETE DRIVE	100
15	CONCRETE DRIVE	100
16	CONCRETE DRIVE	100
17	CONCRETE DRIVE	100
18	CONCRETE DRIVE	100
19	CONCRETE DRIVE	100
20	CONCRETE DRIVE	100

**REVISED**  
 MAY 27 2006  
**PLANNING**

**EXHIBIT 'C'**