

ORDINANCE NO. 2015-04-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 306.59 ACRE PROPERTY, LOCATED ON THE EAST SIDE OF STATE HIGHWAY 5 (MCDONALD STREET) AND ON THE SOUTH SIDE OF COUNTY ROAD 278, IS ZONED "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR SINGLE FAMILY RESIDENTIAL AND COMMERCIAL USES; 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 zoning of an approximately 306.59 acre property, located on the east side of State Highway 5 (McDonald Street) and on the south side of County Road 278, which is more fully depicted on Exhibits "A" and "B", attached hereto, to "PD" – Planned Development District, generally for single family residential and commercial uses; 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. The zoning map is hereby amended so that an approximately 306.59 acre property, located on the east side of State Highway 5 (McDonald Street) and on the south side of County Road 278, which is more fully depicted on Exhibits "A" and "B", attached hereto, is zoned "PD" – Planned Development District, single family residential and commercial uses.

Section 2. The subject property shall develop in accordance with the "PD" – Planned Development District, and as amended, except as follows:

1. The subject property shall develop in accordance with attached Exhibit "C" - General Development Plan and Exhibit "D" - Site Plan.
2. Tracts designated as "Retail" on attached Exhibits "C" and "D" shall develop in accordance with Section 146-84 ("BN" – Neighborhood Business District) of the Zoning Ordinance, and as amended.
3. Single family residential uses shall develop in accordance with attached Exhibit "D" - Site Plan and Exhibit "E" - Single Family Residential Architectural Design Requirements.
4. No more than 204 single family lots shall be permitted north of the future east/west arterial roadway and no more than 655 single family lots shall be permitted south of the future east/west arterial roadway, further depicted on attached Exhibit "D" - Site Plan.

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.

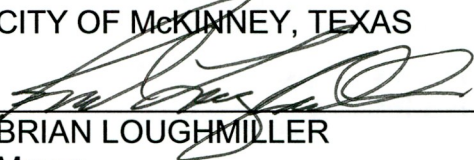
Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue 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 THE 7th DAY OF APRIL, 2015.

CITY OF MCKINNEY, TEXAS


BRIAN LOUGHMILLER
Mayor

CORRECTLY ENROLLED:

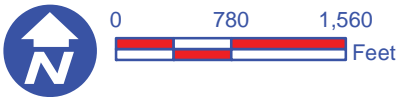
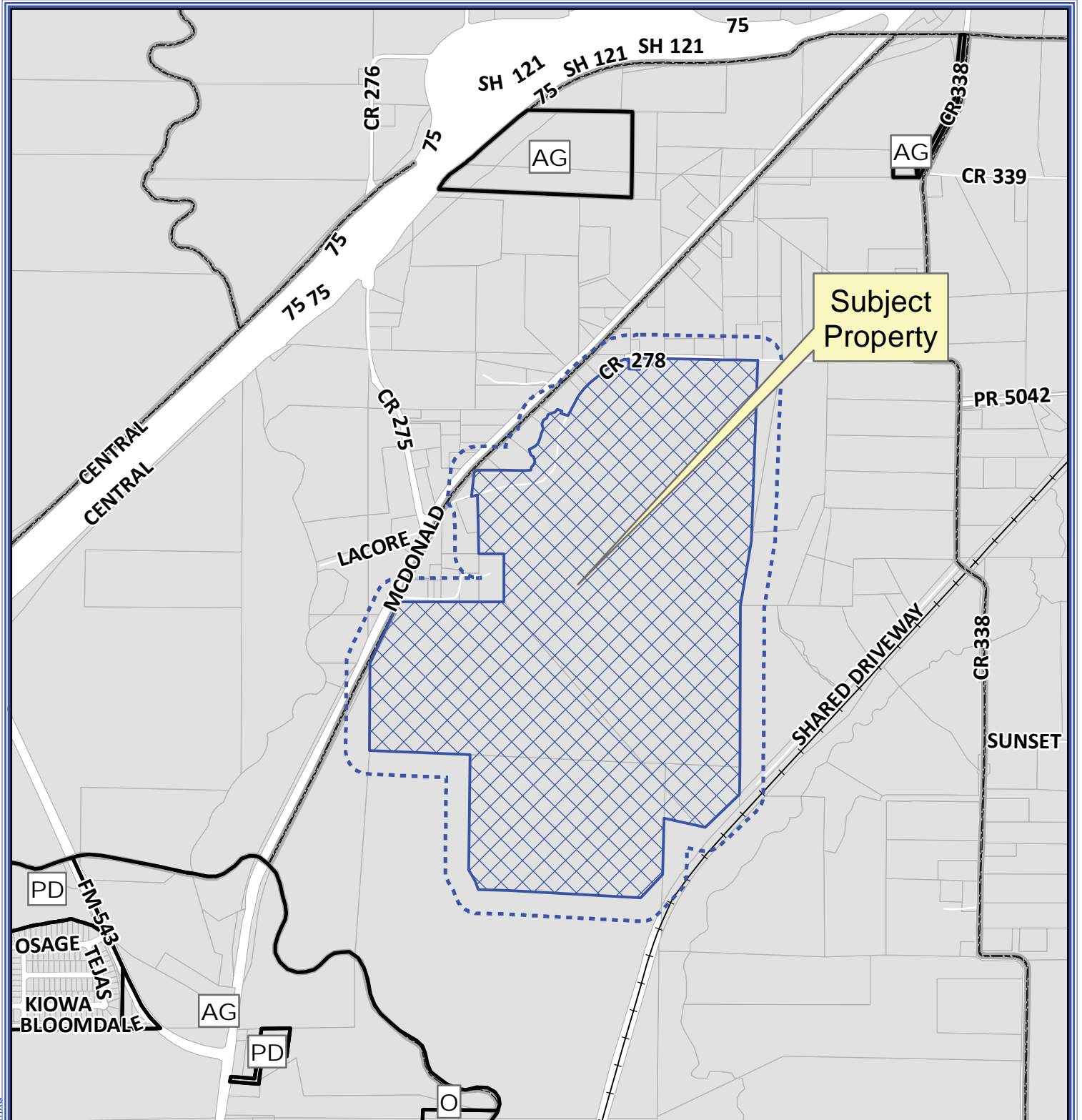

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

DATE: April 7, 2015

APPROVED AS TO FORM:


MARK S. HOUSER
City Attorney

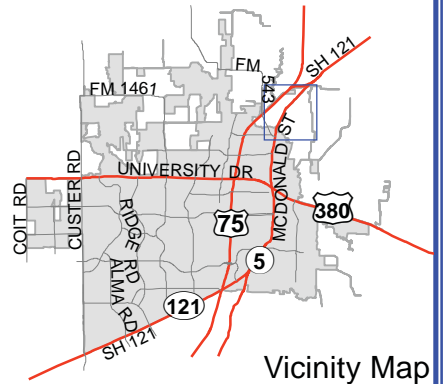
Exhibit A



Notification Map

Case: 15-029Z

--- 200' 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 C

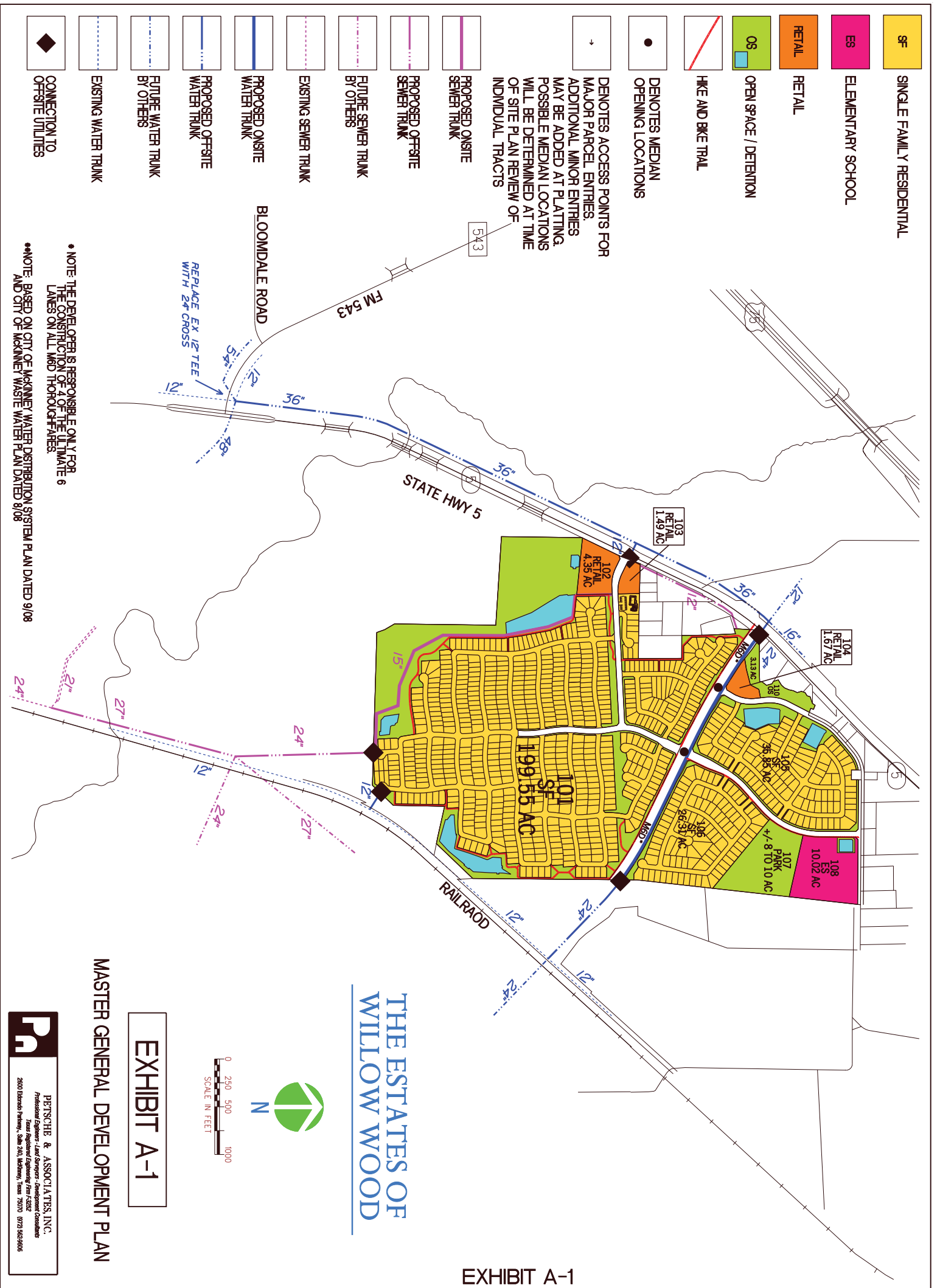
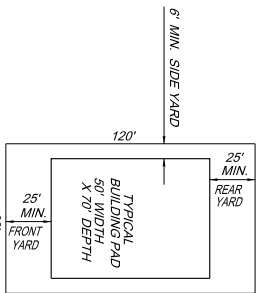


EXHIBIT A-1

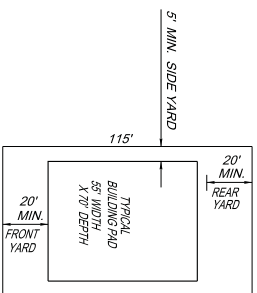
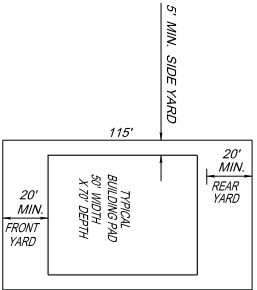
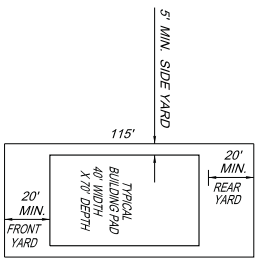
Exhibit D

NORTH OF ARTERIAL



RS-72
STANDARD LOT DIMENSIONS
TOTAL : 204 LOTS
N.L.S.

SOUTH OF ARTERIAL



50 X 115
STANDARD LOT DIMENSIONS
TOTAL : 365 LOTS
N.L.S.

60 X 115
STANDARD LOT DIMENSIONS
TOTAL : 250 LOTS
N.L.S.

65 X 115
STANDARD LOT DIMENSIONS
TOTAL : 40 LOTS
N.L.S.

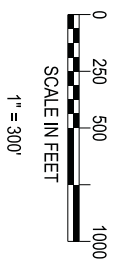
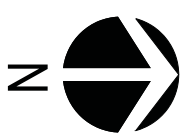


EXHIBIT B

THE ESTATES OF WILLOW WOOD SITE PLAN

P**A**
PERTSCHE & ASSOCIATES, INC.
Professional Engineers - Land Surveyors - Development Consultants
Texas Registered Engineering Firm F-3292
2600 Eldorado Parkway, Suite 200, McKinney, Texas 75070 (972) 565-9606

Exhibit E

1. SINGLE FAMILY RESIDENTIAL ARCHITECTURAL DESIGN REQUIREMENTS

- i. Front elevation: 100 percent of this elevation shall be finished with masonry materials to include brick, stone, or synthetic stone.
- ii. Side elevation: 75 percent of this elevation shall be finished with masonry materials to include brick, stone, or synthetic stone. The remaining 25 percent may be finished with wood lap siding, vinyl siding, cast concrete modular siding (including cementitious fiber siding; i.e., Hardie Board or Hardiplank), stucco, or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited.
- iii. Rear elevation: 50 percent of this elevation shall be finished with masonry materials to include brick, stone, or synthetic stone. The remaining 50 percent may be finished with wood lap siding, vinyl siding, cast concrete modular siding (including cementitious fiber siding; i.e., Hardie Board or Hardiplank), stucco or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited.
- iv. Walls provided in conjunction with an architectural element which is located above the roof line (example: walls for dormers or chimneys) may only be finished with brick, stone, synthetic stone, stucco, wood lap siding, vinyl siding, cast concrete modular siding (including cementitious fiber siding; i.e., Hardie Board or Hardiplank), or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited.
- v. The percentages contained herein are to be calculated exclusive of doors and windows.
- vi. All single family residential units shall be required to provide at least three of the following architectural elements:
 - a. 100 percent of each elevation is finished with a masonry finishing material;
 - b. The front facade contains two types of complementary masonry finishing materials with each of the materials being used on at least 25 percent of the front facade;
 - c. A minimum of 10 percent of the unit's front facade features patterned brick work, excluding soldier or sailor brickwork provided in association with a door or window;
 - d. No pitched roof plane with a horizontal length of longer than 20 feet exists;
 - e. The unit only features one-car garage doors that have a carriage style design. These doors typically feature vertical slats, high windows, antiqued hardware, and additional detailing to give the appearance of swinging or sliding doors;
 - f. The unit's chimney is finished on all sides with 100 percent masonry finishing materials (brick, stone, or synthetic stone only);
 - g. A minimum of three offsets in the front façade measuring at least two feet deep are provided or a minimum of one offset in the front façade measuring at least five feet is provided;
 - h. The unit features an articulated front entrance through the use of lintels, pediments, keystones, pilasters, arches, columns, or other similar architectural elements;
 - i. A covered front porch which is at least 100 square feet in area is

Exhibit E

provided;

- j. A covered back porch which is at least 200 square feet in area is provided;
- k. At least one dormer is provided for each roof plane over 500 square feet in area that faces a public street. The dormer must be appropriately scaled for the roof plane and shall not be wider than the windows on the building elevation below;
- l. All windows facing a street feature shutters. The shutters provided must be operational or appear operational and must be in scale with the corresponding window; or
- m. All ground-level mechanical, heating, ventilation, and air conditioning equipment shall be completely screened by an opaque screening device that is at least six feet tall.