

ORDINANCE NO. 2001-12-132

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 21.88 ACRE TRACT ACRES LOCATED ON THE SOUTH SIDE OF F.M. 720, APPROXIMATELY 870 EAST OF F. M. 2478 (CUSTER ROAD), IS REZONED FROM "AG" – AGRICULTURAL DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR HIGH DENSITY RESIDENTIAL USES; 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 owner or owners of approximately 21.88 acres located on the south side of F. M. 720, approximately 870 east of F. M. 2478 (Custer Road), which is zoned "AG" – Agricultural District, have petitioned the City of McKinney to rezone said tract to "PD" – Planned Development District, generally for high density residential uses, made part hereof for all purposes; and,

WHEREAS, after due notice of such requested zoning change 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:

Section 1. Ordinance No. 1270 is hereby amended so that an approximately 21.88 acre tract located on the south side of F. M. 720, approximately 870 east of F. M. 2478 (Custer Road), which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from "AG" – Agricultural District to "PD" – Planned Development District, generally for high density residential uses.

Section 2. The subject property be developed according to the "MF-2" – Multiple-Family Residential – Medium Density District, except as follows:

1. The parking standard for a three dwelling unit structure (triplex) be 2 parking spaces, with at least 1 of them covered.
2. The parking standard for a multiple dwelling unit structure (more than three units) shall be 1 per unit, with at least ½ of the required parking spaces covered.
3. Office uses are allowed.

Section 3. The subject property be developed according to the site plan, as shown on Exhibit "B."

Section 4. No developer or property owner shall acquire any vested interest in this Ordinance. This Ordinance and the subsequent regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 5. 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 6.

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 7.

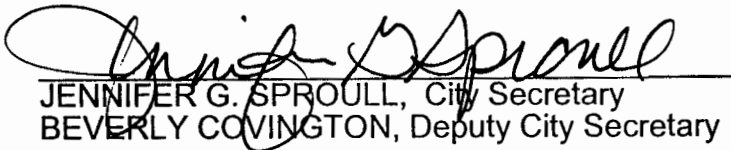
The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 4th DAY OF DECEMBER, 2001.



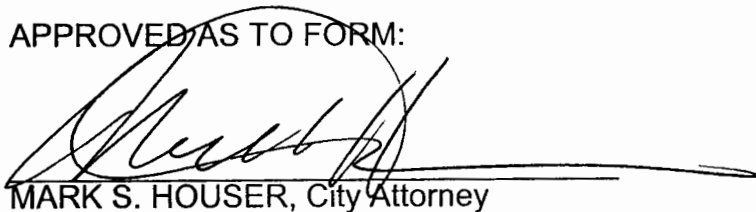
DON DOZIER, Mayor

CORRECTLY ENROLLED:

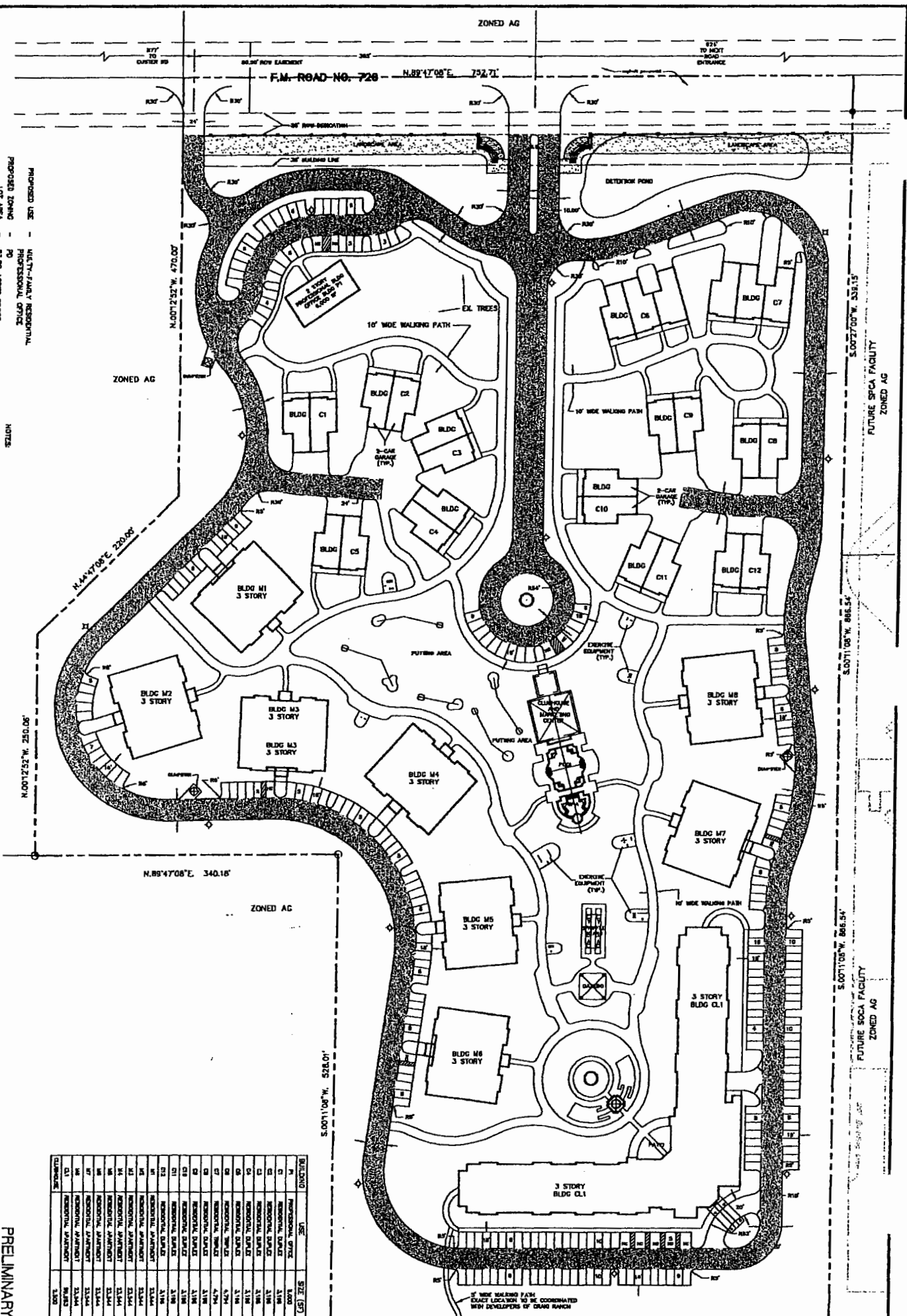


JENNIFER G. SPROULL, City Secretary
BEVERLY COVINGTON, Deputy City Secretary

APPROVED AS TO FORM:



MARK S. HOUSER, City Attorney

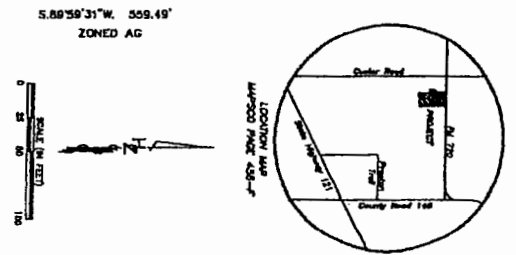


PROPOSED USE - MULTI-FAMILY RESIDENTIAL
 PROFESSIONAL OFFICE
 PROPOSED ZONING - PD
 LOT AREA - 2300 ACRES GROSS
 21.86 ACRES NET

- NOTES
1. THE EXISTING CONTAINING SCREENING WALLS WILL BE BRICK MASONRY. A FENCE, OR OTHER ARCHITECTURAL MASONRY FENCE, INCLUDING SCREENING WALLS, GATE AND PAVING SHALL BE CONSTRUCTED ACCORDANCE WITH THE CITY OF MCKINNEY DESIGN SPECIFICATIONS.
 2. MECHANICAL AND HEATING AND AIR CONDITIONING EQUIPMENT IN HOME-OWNERS SHALL BE SCREENED FROM VIEW FROM PUBLIC RIGHT-OF-WAY AND FROM ADJACENT RESIDENTIAL PROPERTIES.
 3. THE LINDING FOR THE SUBJECT PROPERTY WILL BE CONSTRUCTED IN COMPLIANCE WITH SECTION 41-108 LIGHTING AND GLARE REGULATIONS OF THE CITY OF MCKINNEY CODE ORDINANCES.

BUILDING	USE	SIZE (SQ FT)	HEIGHT (FT)	UNITS
B1	PROFESSIONAL OFFICE	5,000	20	2
C1	RESIDENTIAL, SUITES	2,100	20	2
C2	RESIDENTIAL, SUITES	2,100	20	2
C3	RESIDENTIAL, SUITES	2,100	20	2
C4	RESIDENTIAL, SUITES	2,100	20	2
C5	RESIDENTIAL, SUITES	2,100	20	2
C6	RESIDENTIAL, SUITES	2,100	20	2
C7	RESIDENTIAL, SUITES	2,100	20	2
C8	RESIDENTIAL, SUITES	2,100	20	2
C9	RESIDENTIAL, SUITES	2,100	20	2
C10	RESIDENTIAL, SUITES	2,100	20	2
C11	RESIDENTIAL, SUITES	2,100	20	2
C12	RESIDENTIAL, SUITES	2,100	20	2
M1	RESIDENTIAL, SUITES	2,100	20	2
M2	RESIDENTIAL, SUITES	2,100	20	2
M3	RESIDENTIAL, SUITES	2,100	20	2
M4	RESIDENTIAL, SUITES	2,100	20	2
M5	RESIDENTIAL, SUITES	2,100	20	2
M6	RESIDENTIAL, SUITES	2,100	20	2
M7	RESIDENTIAL, SUITES	2,100	20	2
M8	RESIDENTIAL, SUITES	2,100	20	2
CL1	RESIDENTIAL, SUITES	2,100	20	2
CL2	RESIDENTIAL, SUITES	2,100	20	2
CL3	RESIDENTIAL, SUITES	2,100	20	2
CL4	RESIDENTIAL, SUITES	2,100	20	2
CL5	RESIDENTIAL, SUITES	2,100	20	2
CL6	RESIDENTIAL, SUITES	2,100	20	2
CL7	RESIDENTIAL, SUITES	2,100	20	2
CL8	RESIDENTIAL, SUITES	2,100	20	2
CL9	RESIDENTIAL, SUITES	2,100	20	2
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CL95	RESIDENTIAL, SUITES	2,100	20	2
CL96	RESIDENTIAL, SUITES	2,100	20	2
CL97	RESIDENTIAL, SUITES	2,100	20	2
CL98	RESIDENTIAL, SUITES	2,100	20	2
CL99	RESIDENTIAL, SUITES	2,100	20	2
CL100	RESIDENTIAL, SUITES	2,100	20	2

PRELIMINARY SITE PLAN
 MCKINNEY RETIREMENT VILLAGE
 SENIOR HOUSING SERVICES, INC.
 HULT-ZOLLARS



PREPARED FOR:
 SENIOR HOUSING SERVICES, INC.
 10000 W. LAKOTA AVE., SUITE 200
 DALLAS, TEXAS 75247
 PHONE (214) 750-1100
 FAX (214) 750-1100
 DATE: SEPTEMBER 11, 2001 10:00 AM

PREPARED BY:
 HULT-ZOLLARS
 10000 W. LAKOTA AVE., SUITE 200
 DALLAS, TEXAS 75247
 PHONE (214) 750-1100
 FAX (214) 750-1100
 PROJECT NO. HZ-2001-001 SHEET 1 OF 4