

ORDINANCE NO. 99-10-82

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; TO CHANGE THE ZONING OF AN APPROXIMATELY 14 ACRE TRACT OF LOCATED AT THE SOUTHWEST CORNER OF ELDORADO PARKWAY AND CRAIG DRIVE, FROM "PD" - PLANNED DEVELOPMENT DISTRICT (ORDINANCE (97-04-17) TO "PD" - PLANNED DEVELOPMENT DISTRICT, INCLUDING OFFICE AND COMMERCIAL 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(s) of an approximately 14.0 acre tract located generally at the southwest corner of Eldorado Parkway and Craig Drive, in the City of McKinney, Collin County, Texas, have petitioned the City of McKinney to change the zoning of the land from "PD" - Planned Development District Ordinance No. 97-04-17 to "PD" - Planned Development District; and

WHEREAS, after due notice of the requested zoning amendment 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 said zoning amendment should be made.

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

Section 1. Zoning Ordinance No. 1270 of the City of McKinney is hereby amended so that an approximately 14 acre tract located generally at the southwest corner of Eldorado Parkway and Craig Drive, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from "PD" - Planned Development District (Ordinance 97-04-17) to "PD" - Planned Development District, and the official zoning map shall be amended accordingly and shall serve as an attachment to this zoning.

Section 2. That the development and use of said tract shall conform to the Zoning Exhibit map, marked Exhibit "A" and attached hereto.

Section 3. That the development and use of said tract shall conform to the Development Regulations, marked Exhibit "B" and Exhibit "C" and attached hereto.

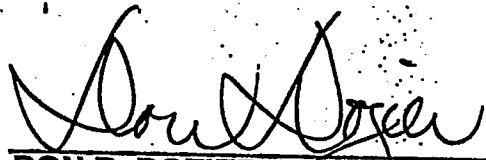
Section 4. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and to this end, the provisions of this 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 \$2000.00, 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. No developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development, 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.

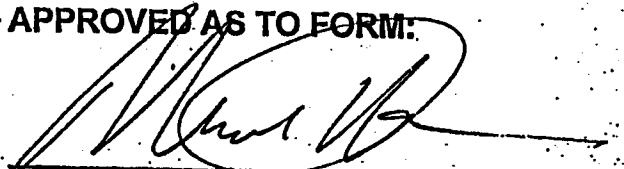
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, ON FIRST READING ON THE 5th DAY OF  
October, 1999.

  
DON R. DOZIER, MAYOR

ATTEST:

  
JENNIFER G. SROULL, City Secretary

APPROVED AS TO FORM:

  
MARK S. HOUSER, City Attorney

# PLANNED DEVELOPMENT DISTRICT ZONING ORDINANCE

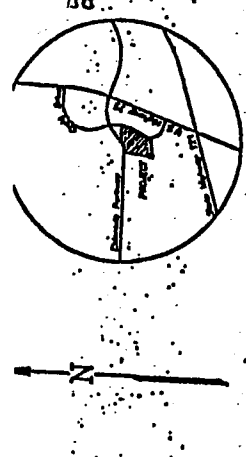
**Section 1.** The subject land is located at the southwest corner of Eldorado Parkway and Craig Drive in the City of McKinney, Collin County Texas, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from "PD" – Planned Development District Ordinance No. 97-04-17 to "PD" – Planned Development District.

**Section 2. Office District** The portion of property designated as "Office" district shall develop to the standards of section 41-77 of Ordinance 1270, the "O" – Office District Regulations, and all other regulations applicable to development within said zoning district, as amended from time to time, except as specified otherwise herein:

- (A) A 70 foot front yard setback along Eldorado Parkway to allow for a 10 foot landscape area and a double-sided parking area;
- (B) A 30 foot front yard setback along Craig Drive; and
- (C) A 25 foot maximum building height; and
- (D) A pitched roof is required (6:12 minimum pitch).

**Section 3. Commercial District** The portion of the property designated as "Commercial" district shall develop to the standards of section of 41-75 of Ordinance 1270, the "BG" – General Business District Regulations, and all other regulations applicable to development within said zoning district, as amended from time to time, except as specified otherwise herein.

- (A) Purpose: To provide retail services, office and commercial uses for adjacent residential area and highway users.
- (B) Accessory uses normally associated with any main use shall be permitted
- (C) Excluded Uses
  - 1. Any Residential Use
  - 2. Drive-In Restaurant
  - 3. Golf Course, Par-3 (Commercial)
  - 4. Automobile Sales or Repair
  - 5. Boat Sales or Repair
  - 6. Boat Storage
  - 7. Bus Station
  - 8. Parking Lot (Commercial)
  - 9. Trailer, Light Truck, Tool Rental
  - 10. Auto Glass, Muffler, or Brake Shop
  - 11. Auto Laundry/Car wash
  - 12. Auto Painting or Body Shop
  - 13. Auto Parts Sales (Indoor)
  - 14. Garage, Auto Repair
  - 15. Garage, Parking (Commercial)
  - 16. Motorcycle Sales & Service
  - 17. Service Station
  - 18. Tires, Batteries, & Accessories
  - 19. Bait Shop
  - 20. Frozen Food Lockers
  - 21. Pawn Shops
  - 22. Cleaning, Plant, Laundry
  - 23. Creamery, Dairy Products
  - 24. Exterminator
  - 25. Farm Implement Sales & Service
  - 26. Funeral Home & Mortuaries
  - 27. Monument Sales
  - 28. Plumbing Shop
  - 29. School, Business or Trade
  - 30. Upholstery Shop
  - 31. Lawnmower Sales & Service



302.50' ± X  
N101.500°E

302.50' ± X  
S16.23°E

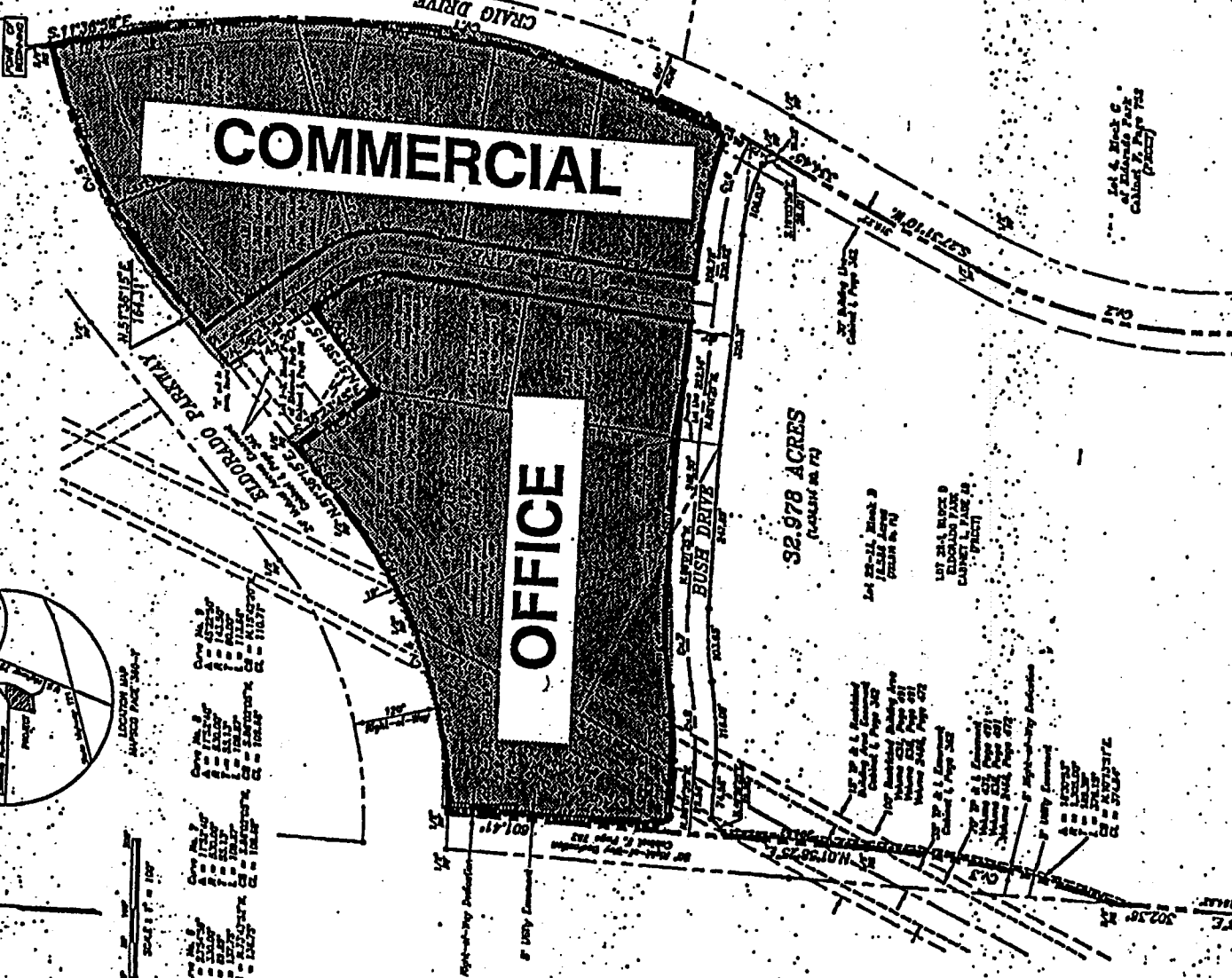
302.50' ± X  
S84.19°E

302.50' ± X  
S16.23°E

302.50' ± X  
S84.19°E

302.50' ± X  
S16.23°E

302.50' ± X  
S84.19°E



**NOTICE:** The undersigned authority, on this day personally reviewed the plat and the map thereon shown, and found the same to conform with the laws and ordinances of the City of Dallas, Texas, and the State of Texas, and the same are hereby approved and authorized to be filed for record in the County of Dallas, Texas.

**NOTICE:** The undersigned authority, on this day personally reviewed the plat and the map thereon shown, and found the same to conform with the laws and ordinances of the City of Dallas, Texas, and the State of Texas, and the same are hereby approved and authorized to be filed for record in the County of Dallas, Texas.

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COUNTY OF DALLAS  
STATE OF TEXAS

WITNESSETH, that the undersigned authority, on this day personally reviewed the plat and the map thereon shown, and found the same to conform with the laws and ordinances of the City of Dallas, Texas, and the State of Texas, and the same are hereby approved and authorized to be filed for record in the County of Dallas, Texas.

APPROVED AND AUTHORIZED:

\_\_\_\_\_  
City of Dallas, Texas

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APPROVED AND AUTHORIZED:

\_\_\_\_\_  
City of Dallas, Texas

RECEIVED

JAN 29 1988

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COUNTY OF DALLAS, TEXAS

PLAT NO. 100

FILED IN BOOK 208

DATE 1-29-1988

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COUNTY OF DALLAS, TEXAS

PLAT NO. 100

FILED IN BOOK 208

DATE 1-29-1988

WITNESSETH, that the undersigned authority, on this day personally reviewed the plat and the map thereon shown, and found the same to conform with the laws and ordinances of the City of Dallas, Texas, and the State of Texas, and the same are hereby approved and authorized to be filed for record in the County of Dallas, Texas.

APPROVED AND AUTHORIZED:

\_\_\_\_\_  
City of Dallas, Texas

**OFFICE DISTRICT (West of Laura Lane):**

All buildings within the above mentioned lots shall be of a consistent and compatible architectural style, including building materials and color. Said architectural style shall be subject to the review and approval of the City Council concurrent with the consideration of the site plan of each tract being developed within this Planned Development.

The following provisions shall be applicable to any and all construction on or alterations and additions to improvements on the property covered by these regulations:

1. All buildings or structures shall have a minimum of 80% of the area of the exterior walls, excluding doors and windows, constructed from:
  - a. Glass or natural stone;
  - b. Face brick or face tile;
  - c. Painted aggregate or exposed aggregate concrete;
  - d. Split face concrete masonry units (haydite block) or decorative pattern concrete masonry block;
  - e. Portland cement stucco (maximum 50% with the remaining 50% another approved material; or
  - f. A material, if not listed above, which may be approved by the City Council.
2. No exterior building walls shall be covered with sheet or corrugated aluminum, iron, or steel, which may be visible from any street abutting the property on which such exterior wall exists.
3. All buildings shall have elevation drawings approved as part of their site plan approval process to determine continuity with other buildings within the immediate development and to ensure reasonable consideration for the finish of all four (4) sides of the building, especially where visible from streets, drives, or residential districts.
4. The rear architectural design of all buildings shall be comparable to the front and sides.

The building design standards shall be as follows:

1. The maximum building height is one (1) story (maximum 25 feet).
2. All exterior building materials shall be a masonry product, including stone, synthetic stone, brick, a combination of brick or stone and stucco (maximum of 50% stucco), or glass, except for doors, windows, gables, and architectural design elements (which shall not exceed 20% of any side of any building).
3. All buildings shall have pitched roofs with a minimum pitch of 6:12 (6 feet vertical for every 12 feet horizontal) or a blend of pitched and flat roof with a minimum of 50% of the building area covered by a pitched roof structure so that each elevation is either a pitched roof or a gable view (minimum pitch of 6:12). Additionally, such buildings shall be designed in a manner compatible with residential structures.
4. Elevation drawings for all sides of the proposed development must be submitted and approved as part of the site plan approval process for all lots.
5. All free-standing signage shall be monument style and shall conform to the City Sign Ordinance requirements, and as amended.

**COMMERCIAL DISTRICT (East of Laura Lane):**

The following provision shall be applicable to any and all construction on or alterations and additions to improvements on the property covered by these regulations:

1. All buildings shall have elevation drawings approved as part of their site plan approval process to determine continuity with other buildings within the immediate development and to ensure reasonable consideration for the finish of all four (4) sides of the building, especially where visible from streets, drives, or residential districts.
2. The rear architectural design of all building shall be comparable to the front and sides.

32. Under the Commercial Type Uses Category, a Radio or TV Broadcast Studio is allowable if no tower is present.
- (D) All automobile related uses are excluded for lots abutting Eldorado Parkway.
  - (E) Private clubs shall be permitted when approved as a specific use permit when associated with a restaurant and meeting the private club regulations of the City of McKinney.
  - (F) Minimum yard areas:
    - 1. Front yard – a minimum of twenty-five (25) feet shall be observed as measured from any street right-of-way line; all frontages along public rights-of-way shall be considered as front yards.
    - 2. No rear or side yard shall be required except as hereafter established on an approved site plan;
  - (G) Building Height: A height of thirty-five (35) feet shall be observed; except that the building height may be increased by one (1) foot for each additional one (1) foot setback from the front building line or property line to a maximum height of fifty (50) feet, or four stories.
  - (H) Lot Coverage: A maximum of fifty percent of the lot area
  - (I) Floor Area Ratio: 2:1 maximum
  - (J) Parking: In accordance with provisions of Article IV, 41-102 of Ordinance 1270, or as may be amended from time to time.