

ORDINANCE NO. 2003-12-117

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270, AND AS AMENDED, OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 8.3 ACRE TRACT LOCATED AT THE SOUTHEAST CORNER OF VIRGINIA PARKWAY AND STONEBRIDGE DRIVE, IS HEREBY REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT FOR "R-2" - RETAIL DISTRICT USES, TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR 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 City of McKinney has considered the rezoning of an approximately 8.3 acre tract located at the southeast corner of Virginia Parkway and Stonebridge Drive, from "PD" – Planned Development District for "R-2" - Retail District Uses, to "PD" – Planned Development District, Generally for Residential 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, THAT:

Section 1. Zoning Ordinance No. 1270, and as amended, of the City of McKinney is hereby amended so that an approximately 8.3 acre tract located at the southeast corner of Virginia Parkway and Stonebridge Drive, in the City of McKinney, Collin County, Texas, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from its present classification "PD" – Planned Development District for "R-2" - Retail District Uses, to "PD" – Planned Development District, Generally for Residential Uses.

Section 2. Use and development of the subject property shall conform to the "PD" – 1621, the Stonebridge Ranch PD, and as amended except as specified by the following regulations:

1. The subject property shall develop according to the attached regulations and zoning exhibit, see Exhibits "B", and "C".

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 \$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 5.

That 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 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 THIS 16th DAY OF DECEMBER, 2003.


BILL WHITFIELD, Mayor

ATTEST:


JENNIFER SPROULL, City Secretary
BEVERLY COVINGTON, Deputy City Secretary

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney

2. PARCELIZED DEVELOPMENT

Within the Parcel 201, only one of two parcels is proposed for rezoning. These parcels will not generally overlap, but their interior boundaries are intended to contain a certain amount of flexibility in order to respond to future market trends that are compatible with the City of McKinney and the surrounding areas. The City of McKinney must approve any shifting of zoning district boundaries between the two parcels.

a) The Villa District

The Villa District (Tract F) is intended to promote high-quality detached and attached single-family residential development. The Villa District is generally located in the southern portion of Parcel 201 and is bounded by Stonebridge Lake to the south and Stonebridge Drive to the west. The Villa District is expected to be approximately 8.3 acres in size, containing a maximum of 79 dwelling units (DU's).

b) The Town Center District

The Town Center District (Tracts A-E) will remain as R-2 zoning and is not part of this PD zoning case.

3. THE VILLA DISTRICT

a) Intent

The Villa District provides a variety of housing products in a mixed use village setting beside Stonebridge Lake.

b) Permitted Uses

The following uses of land are authorized as permitted uses within the Villa District:

- i. Residential buildings containing townhome units.
- ii. Zero-lot-line homes.
- iii. Duplexes.
- iv. Single-family attached and detached residential dwelling units.
- v. Parks and recreation areas

c) Permitted Accessory Uses

The following uses of land are authorized as accessory uses within the Villa District:

- i. A home office is allowed as a permitted accessory use provided that there are no employees other than the resident, and that no business is transacted with customers or clients in person on the premises.
- ii. Private garages and parking areas.
- iii. Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
- iv. Other accessory uses-permitted in the RG-27 District.

d) Specific Use Permits

The following uses of land are required to have a Specific Use Permit from the City of McKinney to operate within the Villa District (in accordance with Section 41-35 of the McKinney Zoning Ordinance):

HARBOR MARKET VILLAGE AT STONEBRIDGE RANCH

**Proposed Zoning Ordinance Regulations
for Zoning Change Request from
R-2 to Planned Development (PD)
for the Villa District, an 8.3 Acre tract within
Stonebridge Parcel 201 Located at
Virginia Parkway and Stonebridge Drive in McKinney, Texas
Zoning Case # 2003-281Z**

**Draft Ordinance Submitted by Blackard Developments, Inc. for
Consideration by the City of McKinney, Texas
15 December 2003**

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1. PURPOSE OF THE PLANNED DEVELOPMENT DISTRICT

The purpose of the proposed Planned Development (PD) District is to provide for the unified and coordinated development of Stonebridge Parcel 201 that consists of primarily vacant land. The specific parcel of land to be zoned under this "PD" designation will provide land uses that are compatible with the surrounding area. The intent of the PD District is to provide a buffer between existing single-family development (to the south and east) and contemplated commercial zoning to the north.

This PD District designation shall apply only to Tract F, an 8.3-acre parcel within Stonebridge Parcel 201 (a 45.317 acre tract of land) in the Stonebridge Ranch development located in McKinney, Texas.

Attached and included as a part of this Zoning Ordinance is a graphic exhibit map titled "Zoning Exhibit, Harbor Market Village" dated December 12, 2003. This map exhibit provides a graphical picture of proposed tracts on Parcel 201. The Villa District is comprised of Tract F and totals approximately 8.3 acres of land.

The Town Center District, which is not part of this PD zoning document, will remain as R-2 zoning, and is comprised of Tracts A – E as shown on the Zoning Exhibit map. All areas are approximate. It is anticipated that the Town Center District will be considered for rezoning to PD by separate submittals and documents within 90 days after the date of the Villa District approval, if obtained from the City of McKinney.

- i. Private street developments in accordance with Section 41-35 of the McKinney Zoning Ordinance.

e) **Maximum Number of Dwelling Units**

The Villa District shall not exceed a total of 79 DU's.

f) **Space Limits**

The following standards shall apply in the Villa District:

- i. Minimum lot area 1,800 square feet.
- ii. Minimum width of lot 25 feet.
- iii. Minimum depth of lot 60 feet.
- iv. Maximum height of building for lots adjacent to lake or common area adjacent to lake 36 feet.
- v. Maximum height of building for lots not adjacent to lake or common area adjacent to lake 45 feet.
- vi. Minimum front yard 0 feet.
- vii. Minimum rear yard 0 feet.
- viii. Minimum side yard 0 feet.
- ix. Minimum side yard at corner 5 feet.
- x. Maximum lot coverage 95%.
- xi. Maximum floor area ratio (FAR) 2.0 FAR.
- xii. An approved site plan shall be required prior to development, which shall meet the requirements of the City of McKinney Zoning Ordinance. During the site plan review and approval process, greater setbacks may be required in the interest of fire protection, emergency protection, life and safety concerns, and visibility concerns.

h) **Miscellaneous Provisions**

- i. Off-street parking shall be provided for all uses established in the Villa District. Two enclosed parking spaces shall be provided for each dwelling unit.
- ii. All structures shall be finished in 100% masonry on all sides, except for window areas, door openings, and trim areas. "Masonry" is defined as brick, brick veneer, stone (synthetic or authentic), stucco, or other similar materials. The following is a list of some materials not permitted: synthetic finish materials such as EIFS (exterior insulation and finish systems) and other similar synthetic materials. This list is not intended to include all materials specifically prohibited.
- iii. All structures shall have a roof finished with real or synthetic slate, masonry, cement-based products, or ceramic tile roofing material of a neutral, cream, pastel, or deep rich, non-reflective natural or earthtone color or red color.

4. SCHEDULE OF USES

The following tables define the various uses which are allowed and which are prohibited within this PD. The following legend applies to all Use Tables.

LEGEND	
●	Permitted use
X	Use not permitted
S	Specific Use Permit required

RESIDENTIAL USES

Land Use Type	Villa District
Townhome	●
Patio home or zero-lot-line home	●
Single-family attached residential DU	●
Single-family detached residential DU	●
Residential accessory use	●

OTHER USES

Land Use Type	Villa District
Recreation area (private)	●
Recreation area (public)	●

5. OTHER CONDITIONS

a) Parking Requirements

All off-street parking shall be provided according to Section 41-202 of the City of McKinney Zoning Ordinance. Two enclosed parking spaces shall be provided for each dwelling unit.

b) Pedestrian Walkway

A 6' wide walk shall be required within a 15' wide common area located entirely on land, within a pedestrian access easement along the south side of Parcel F next to the lake in the Villa District.

c) Signage

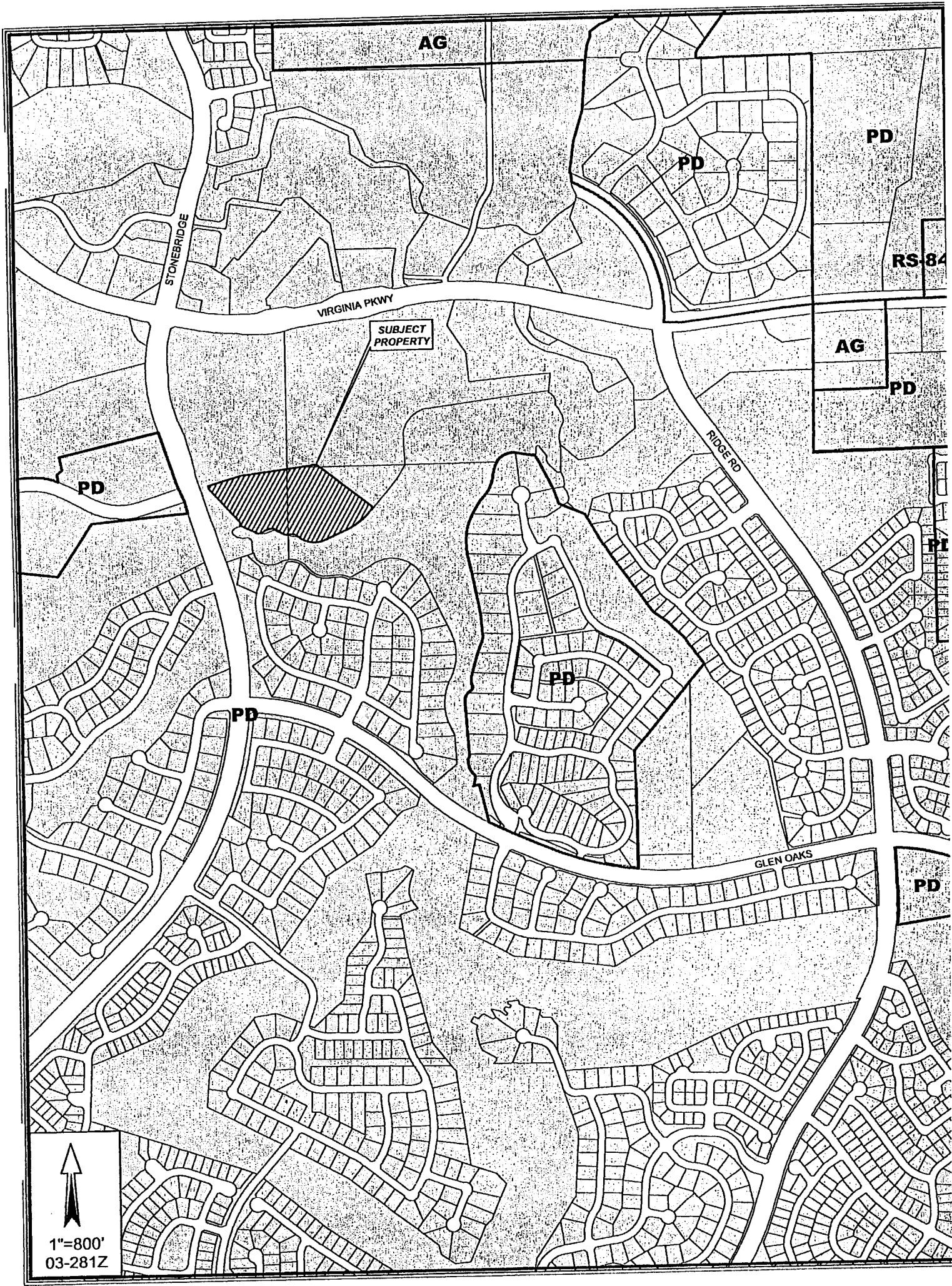
The following additional signage provisions are granted by the Planned Development ordinance for Parcel 201:

- i. All monument signage shall have brick or stone covered bases and borders.

Attachment:

Map titled "Zoning Exhibit, Harbor Market Village, Stonebridge Ranch" for Blackard Developments, Inc. as prepared by Huitt-Zollars, Inc. on December 12, 2003.

--- End of Document ---



1"=800'
03-281Z

EXHIBIT A