

ORDINANCE NO. 2016-03-021

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 13.5 ACRE PROPERTY, LOCATED ON THE SOUTHWEST CORNER OF MCKINNEY RANCH PARKWAY AND RIDGE ROAD, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; 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 13.5 acre property, located on the southwest corner of McKinney Ranch Parkway and Ridge Road, which is more fully depicted on Exhibits "A", "B", and "C" attached hereto, from "PD" – Planned Development District, and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District, generally to modify the development standards; 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. The zoning map is hereby amended so that an approximately 13.5 acre property, located on the southwest corner of McKinney Ranch Parkway and Ridge Road, which is more fully depicted on Exhibits "A", "B", and "C" attached hereto, is rezoned from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District, generally to modify the development standards.

Section 2. The subject property shall develop in accordance with "PD" – Planned Development District Ordinance No. 2014-02-012, except as follows:

1. The subject property shall conform only to the development regulations within the Planned Development District Standards (III)(A) for Tract 1A within PD Ordinance 2014-02-012.
2. The subject property shall develop in accordance with the proposed Concept Plan (Exhibit C).
3. The independent living facility shall be permitted on the subject property.
4. The height for all buildings on the subject property shall be limited to 4 stories or 62 feet.
5. Buildings to be constructed on the Commercial Tract (4.49 Acres) shall be finished with 75% masonry exterior finishing materials (brick, stone or synthetic stone) per elevation, and shall conform to Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance, and as amended.

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 15th DAY OF MARCH, 2016.

CITY OF MCKINNEY, TEXAS


BRIAN LOUGHMILLER
Mayor

CORRECTLY ENROLLED:


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

DATE: March 15, 2016

APPROVED AS TO FORM:

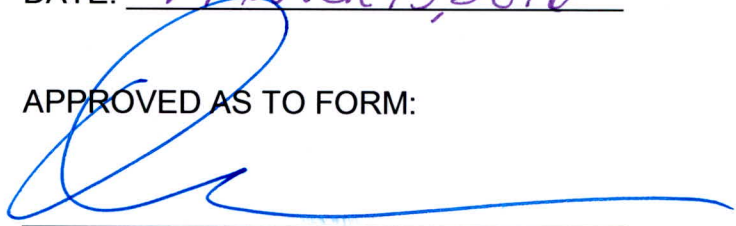
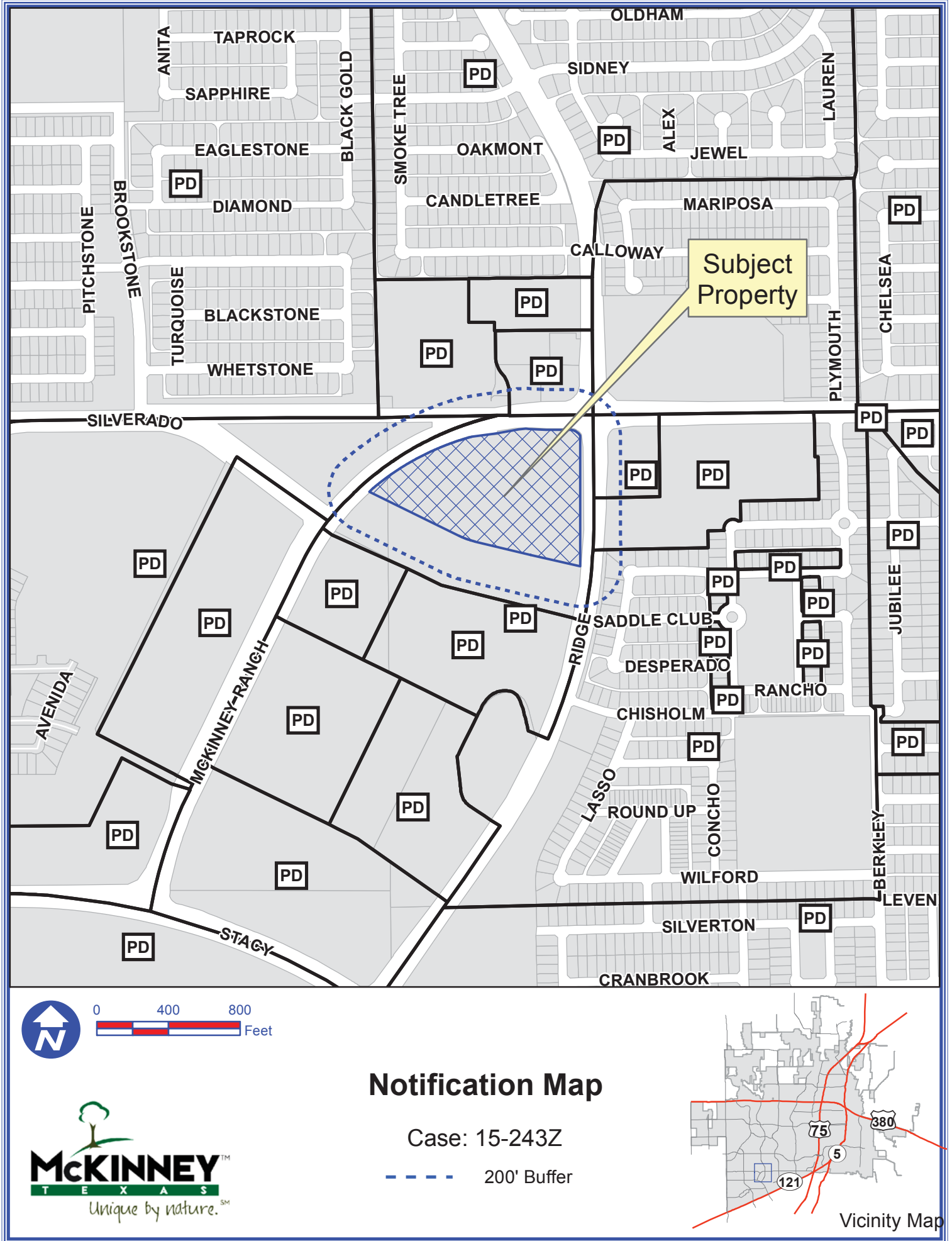

MARK S. HOUSER
City Attorney

EXHIBIT A



Path: S:\MCKGIS\Notification\Projects\2015\15-243Z.mxd

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.

FIELD NOTES:

BEING a tract of land bounded by the Oliver Hedgecove Survey, Abstract Number 392 and the George F. Lewis Survey, Abstract Number 540, both of which are recorded in Volume 6074, Page 6221 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the northeast corner of a tract of land described by deed to OS McKinney Ranch, L.P., A Limited Partnership Company, recorded in Instrument Number 200803100020000, on the Official Public Records of Collin County, Texas, same being the southeast corner of said tract, and continuing along the southeast line of said tract with right-of-way, as established and recorded in Volume 2007, Page 578 of the Plat Records of Collin County, Texas, and being the beginning of a curve to the left;

THENCE with said curve to the left, along the west line of said Ridge Road, having a radius of 30339.91 feet, a central angle of 05 degrees 28 minutes 38 seconds, an arc length of 290.60 feet, a chord bearing of North 07 degrees 32 minutes 02 seconds East, a distance of 290.49 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for the POINT OF BEGINNING of the herein described tract;

THENCE North 76 degrees 34 minutes 22 seconds West, through the interior of said TOI McKinney Ranch tract, a distance of 587.20 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for the beginning of a curve to the right;

THENCE with said curve to the right, continuing through the interior of said TOI McKinney Ranch tract, a distance of 99.23 feet, a chord bearing of North 70 degrees 15 minutes 22 seconds West, a distance of 99.03 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE North 63 degrees 51 minutes 17 seconds West, continuing through the interior of said TOI McKinney Ranch tract, a distance of 555.50 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner lying on the southeast line of McKinney Ranch Parkway, (a called "120' right-of-way") recorded in Collin County File Number 20071210010004400 of said Official Records, also for the beginning of a curve to the right;

THENCE with said curve to the right, along the east line of said McKinney Ranch Parkway, having a radius of 440.00 feet, a central angle of 05 degrees 29 minutes 07 seconds, an arc length of 156.44 feet, a chord bearing of North 53 degrees 29 minutes 07 seconds East, a distance of 156.17 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE North 81 degrees 45 minutes 08 seconds East, continuing along the southeast line of said McKinney Ranch Parkway, a distance of 119.80 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner lying on the south line of said McKinney Ranch Parkway;

THENCE North 81 degrees 45 minutes 30 seconds East, continuing along the south line of said McKinney Ranch Parkway a distance of 30.20 feet to a 5/8 inch iron rod found for the beginning of a curve to the right;

THENCE with said curve to the right, continuing along the south line of said McKinney Ranch Parkway, having a radius of 1430.00 feet, a central angle of 04 degrees 35 minutes 53 seconds, an arc length of 114.76 feet, a chord bearing of North 83 degrees 13 minutes 45 seconds East a distance of 114.73 feet to a 5/8 inch iron rod found for the beginning of a compound curve to the right;

THENCE with said compound curve to the right having continuing along the south line of said McKinney Ranch Parkway, a radius of 250.00 feet, a central angle of 07 degrees 40 minutes 35 seconds, an arc length of 33.47 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 86 degrees 47 minutes 40 seconds East, continuing along the south line of said McKinney Ranch Parkway, a distance of 101.70 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE North 89 degrees 23 minutes 36 seconds East, continuing along the south line of said McKinney Ranch Parkway, a distance of 130.00 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for the beginning of a curve to the right;

THENCE with said curve to the right, continuing along the south line of McKinney Ranch Parkway into the west line of the above mentioned Ridge Road right-of-way, having a radius of 67.00 feet, a central angle of 06 minutes 58 seconds, an arc length of 71.31 feet, a chord bearing of South 60 degrees 06 minutes 59 seconds East, a distance of 67.99 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 07 degrees 25 minutes 20 seconds East, continuing along the west line of Ridge Road, a distance of 71.00 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 00 degrees 37 minutes 47 seconds East, continuing along the west line of Ridge Road, a distance of 360.46 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for the beginning of a curve to the right;

THENCE with said curve to the right, continuing along the west line of Ridge Road, having a radius of 3038.39 feet, a central angle of 05 degrees 08 minutes 34 seconds, an arc length of 272.72 feet, a chord bearing of South 01 degrees 05 minutes 55 seconds West, a distance of 272.63 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 04 degrees 39 minutes 10 seconds West, continuing along the west line of Ridge Road, a distance of 15.14 feet to the POINT OF BEGINNING, containing 365,62 square feet, or 13,503 acres of land.

Maddox Surveying and Mapping, Inc.
 Phone: (972) 564-4416, Fax: (972) 564-4428
 6108 Trinity, Suite 2100, Dallas, TX 75231
 www.maddoxsurvey.com

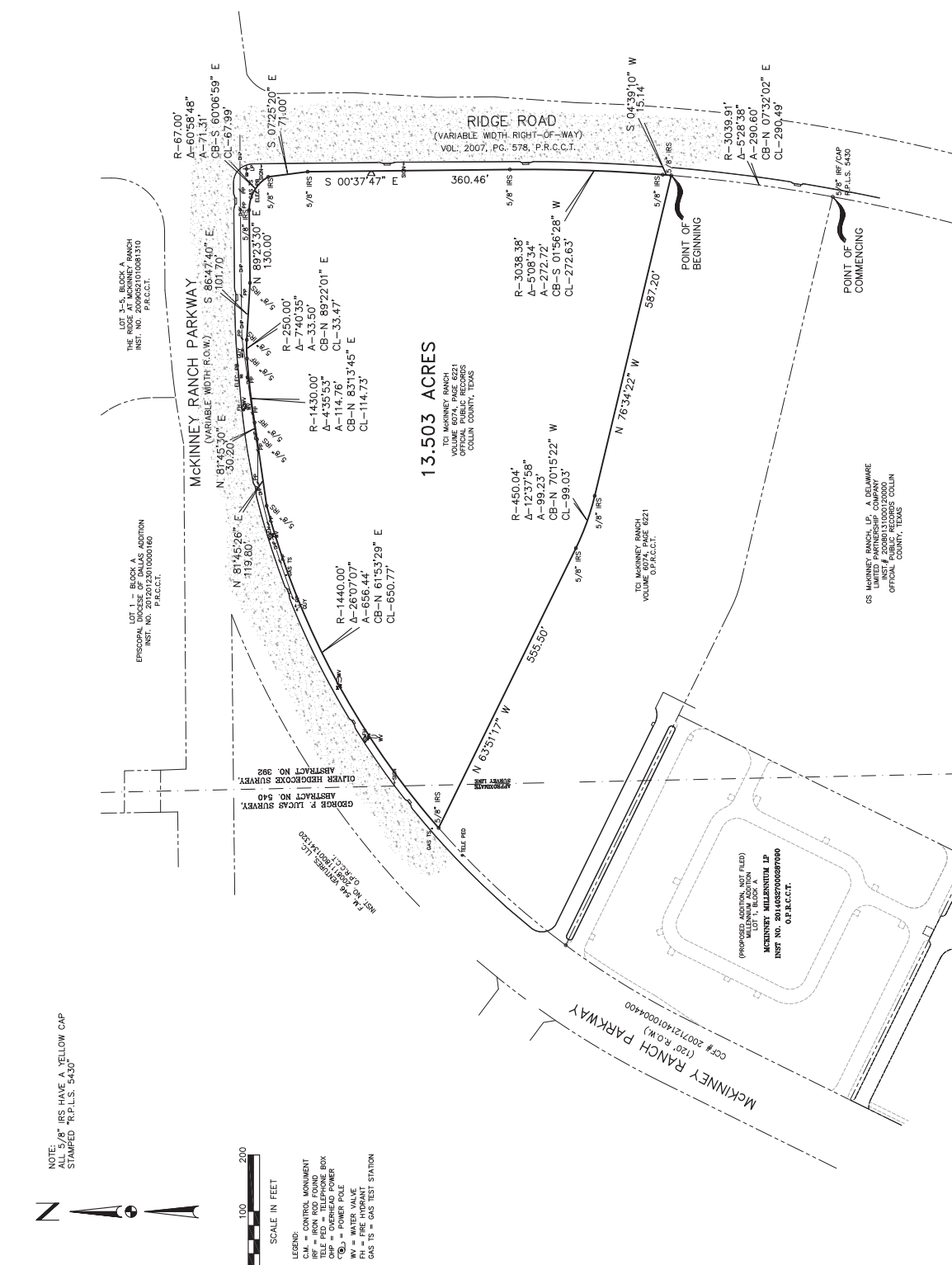
Land Title Survey
13.503 ACRES
 TOI MCKINNEY RANCH
 COLLIN COUNTY, TEXAS
 SURVEYOR'S CERTIFICATION

BRIAN J. MADDOX, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS MAP FROM AN ACTUAL ON THE GROUND SURVEY OF THE LAND, AND THE MONUMENTS SHOWN THEREON WERE FOUND UNDER MY PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE SURVEYING RULES AND REGULATIONS OF THE STATE OF TEXAS.

Registered Surveyor: Brian J. Maddox
 Registered Land Surveyor No.: 6430
 In the State of Texas
 My Commission Expires: 15, 2014
 Date of Last Revision:
 Date Project: Nov. 5, 2014
 MSN Project No.: 141304

Survey Prepared By:
 Maddox Surveying & Mapping, Inc.
 P.O. Box 2100
 Dallas, TX 75231
 Phone: (972) 564-4416
 Fax: (972) 564-4428
 REGISTRATION NO. 10013300

MSM Project No. 141304
 Sheet 1 of 1



13.503 ACRES

TOI MCKINNEY RANCH
 COLLIN COUNTY, TEXAS

SURVEYOR'S CERTIFICATION

BRIAN J. MADDOX, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS MAP FROM AN ACTUAL ON THE GROUND SURVEY OF THE LAND, AND THE MONUMENTS SHOWN THEREON WERE FOUND UNDER MY PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE SURVEYING RULES AND REGULATIONS OF THE STATE OF TEXAS.

Registered Surveyor: Brian J. Maddox
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 Sheet 1 of 1

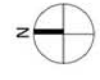
NOTE:
 THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

FLOOD STATEMENT:
 ACCORDING TO MAP NO. 488602000, DATED MARCH 2, 2009, AND MAP NO. 488602048, 4, ACCORDING TO MAP NO. 488602048, DATED MARCH 2, 2009, AND MAP NO. 488602048, 4, THE PROPERTY IS IN FLOOD ZONE "X" (AREAS SUBJECT TO BE OUTSIDE THE 100-YEAR FLOOD PROTECTION PLAN) THIS FLOOD STATEMENT SHALL NOT BE THE LIABILITY OF THE SURVEYOR.

BASIS OF BEARING:
 THE BASIS OF BEARING FOR THIS SURVEY IS THE BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON THE GROUND OCTOBER 26, 2014, AND COMPUTED BY NATIONAL GEODETIC SURVEY.

EXHIBIT C

PMRG McKinney
McKinney, Texas



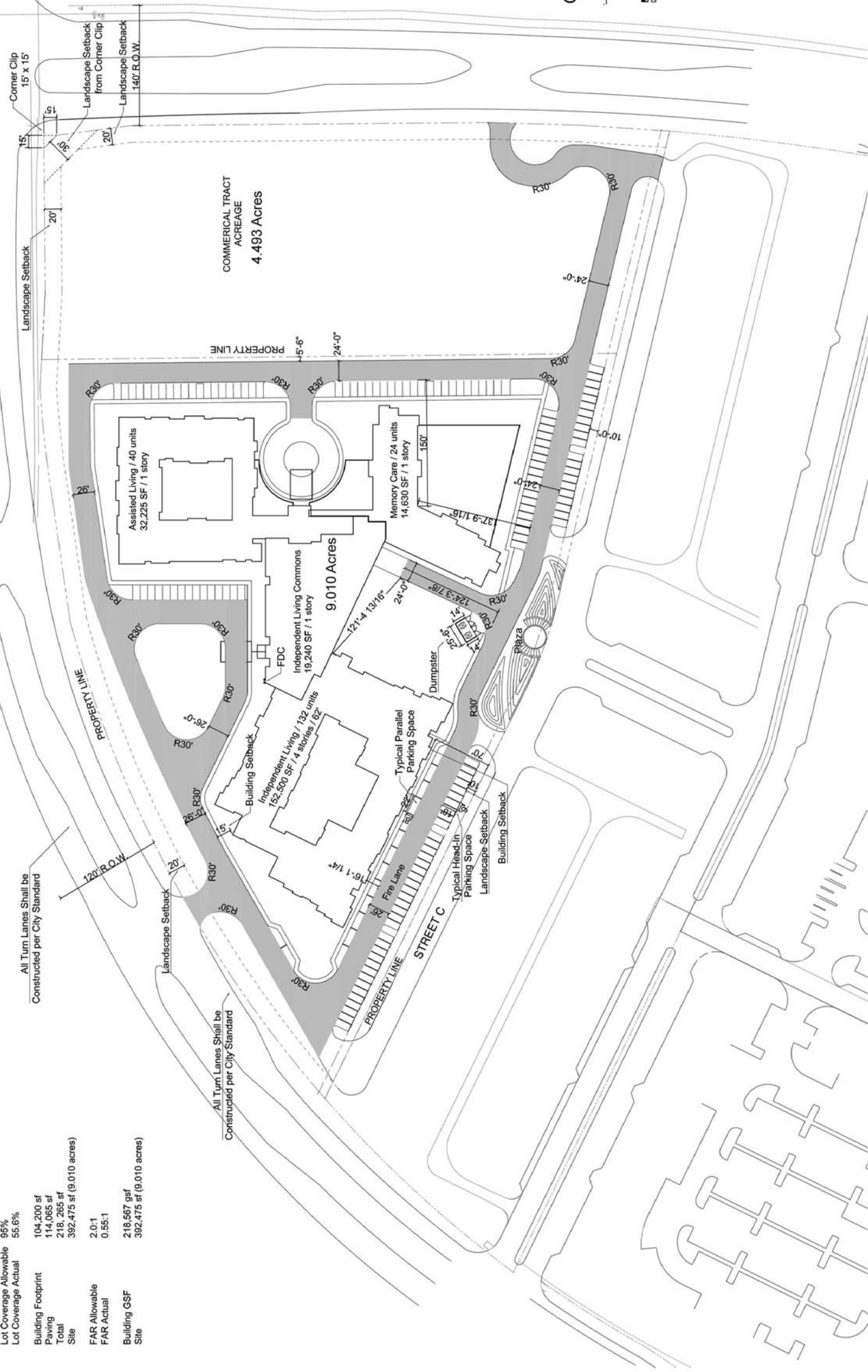
Conceptual
Site Plan

2016.2.15



Parking	
Independent Living	132 Units
Assisted Living	40 units/40 beds
Memory Care	24 units/28 beds
	132 spaces (1 per unit)
	10 spaces (1 per 4 beds)
	7 spaces (1 per 4 beds)
	149 spaces required
	149 spaces provided

Lot Coverage Allowable	95%
Lot Coverage Actual	55.6%
Building Footprint	104,200 sf
Paving	114,065 sf
Total	218,265 sf
Site	392,475 sf (9.010 acres)
FAR Allowable	2.0:1
FAR Actual	0.55:1
Building GSF	218,567 gsf
Site	392,475 sf (9.010 acres)



All Turn Lanes Shall be
Constructed per City Standard

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Constructed per City Standard