

ORDINANCE NO. 2013-04-XXX

AN ORDINANCE AMENDING ORDINANCE NO. 1621, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 6.66 ACRE PROPERTY, LOCATED ON THE EAST SIDE OF RIDGE ROAD AND APPROXIMATELY 1,000 FEET NORTH OF VIRGINIA PARKWAY, IS REZONED FROM “PD” – PLANNED DEVELOPMENT DISTRICT TO “PD” – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW FOR A PRIVATE STREET DEVELOPMENT AND 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 6.66 acre property, located on the east side of Ridge Road and approximately 1,000 feet north of Virginia Parkway, be rezoned from “PD” – Planned Development District to “PD” – Planned Development District, generally to allow for a private street development and 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 ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. Ordinance No. 1621 is hereby amended in order to rezone an 6.66 acre property, located on the east side of Ridge Road and approximately 1,000 feet north of Virginia Parkway, which is more fully depicted on Exhibit A, attached hereto, is hereby rezoned from “PD” – Planned Development District to “PD” – Planned Development District, generally to allow for a private street development and to modify the development standards.

Section 2. Use and development of the subject property (6.66 acres), more fully depicted on Exhibit A, shall conform to the following regulations:

1. The subject property develop according to the “SF-1” Single Family District regulations as found in “PD” – Planned Development District Ordinance No. 1621, and as amended, except as follows:
 - a. The required side yard setback shall be 15 feet.
2. A private street development shall be allowed and shall develop in accordance with Section 146-41 (Specific Use Permits) of the Zoning Ordinance, and as amended.
3. The subject property shall generally develop in accordance with the attached zoning exhibits: Site Plan (Exhibit B), Legal Description (Exhibit C), Master General Development Plan (Exhibit D), and Master General Development Plan Hike and Bike Trail Location (Exhibit E).

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 16th DAY OF APRIL, 2013.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

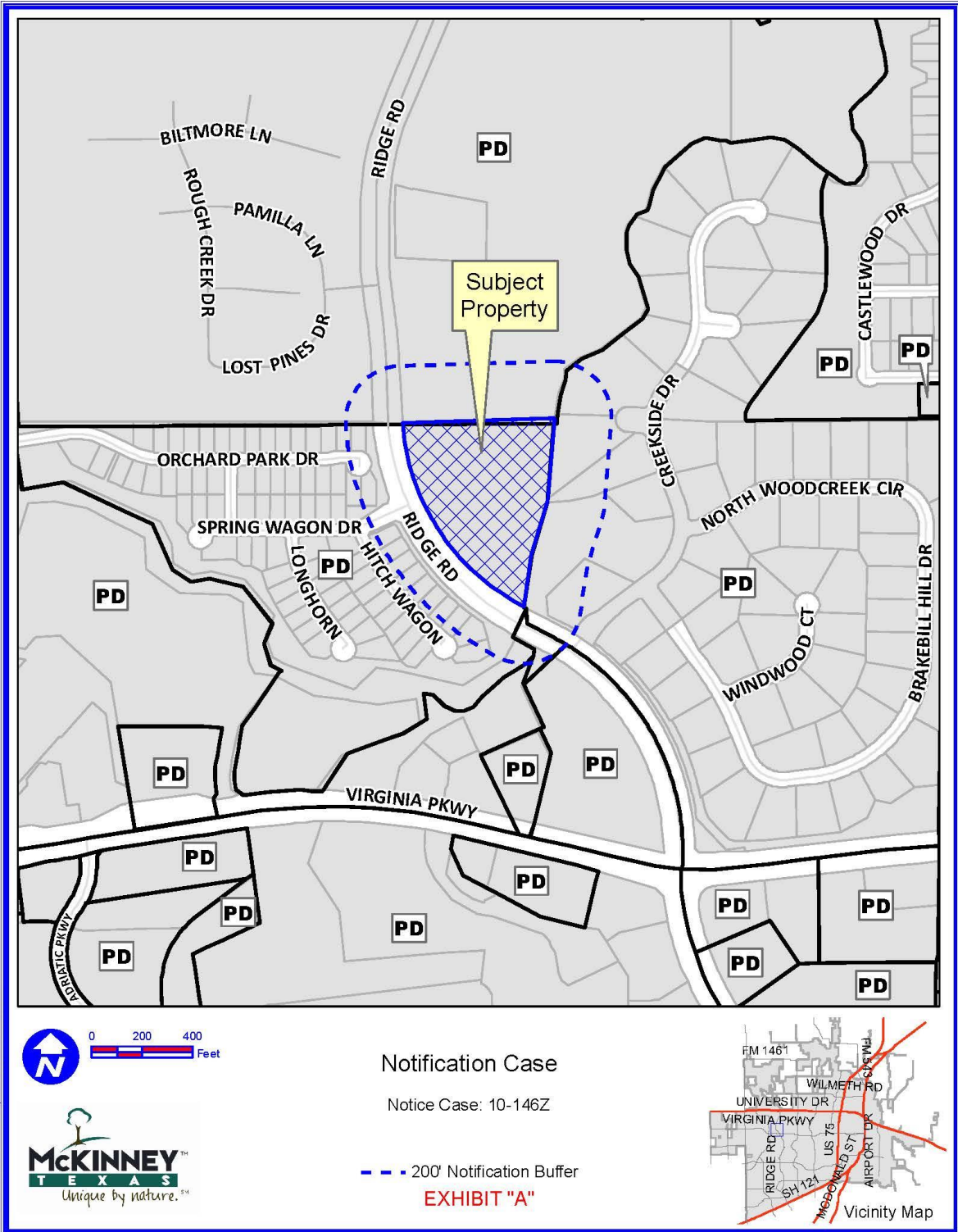
CORRECTLY ENROLLED:

SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary

DATE: _____

APPROVED AS TO FORM:

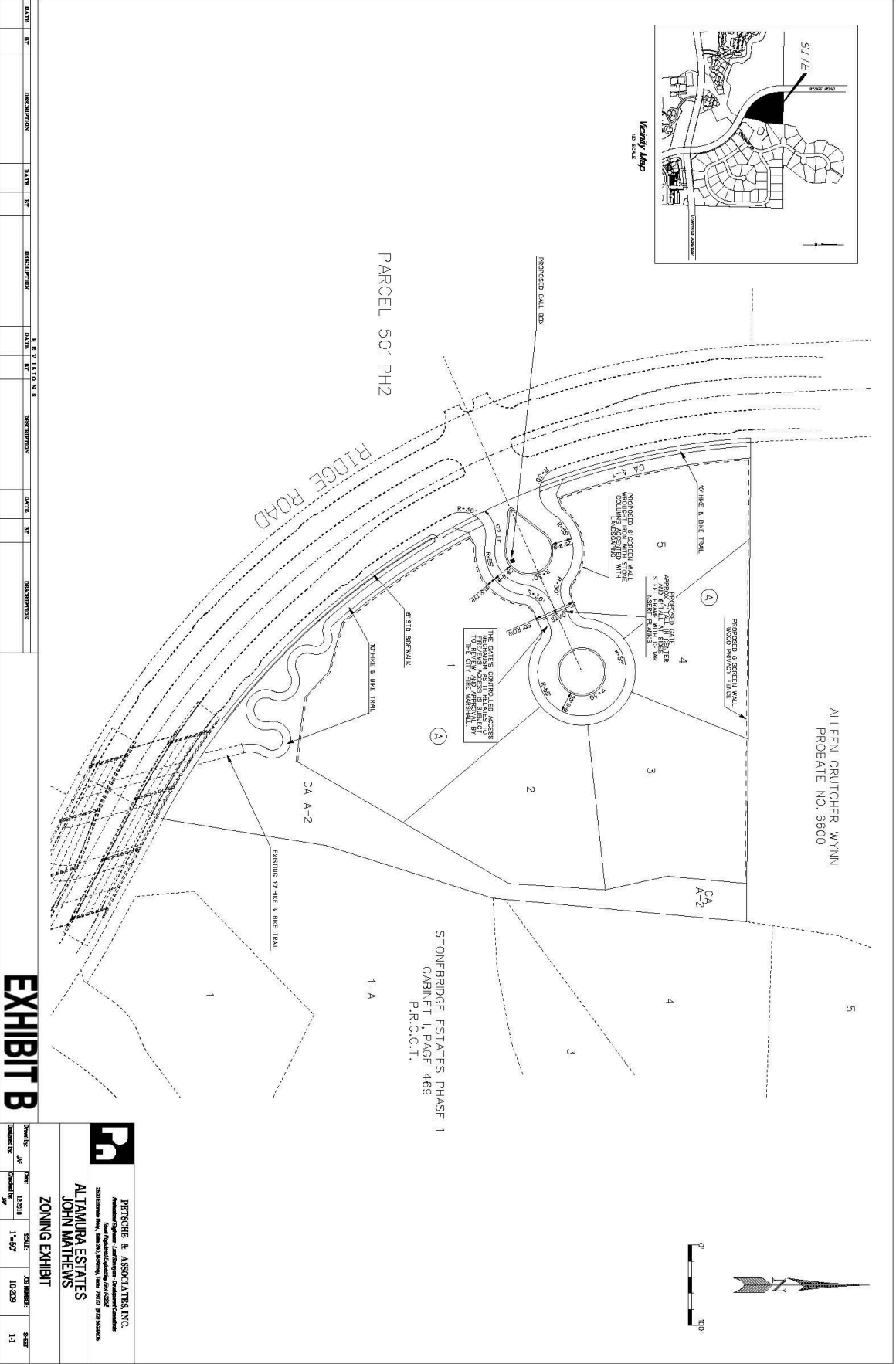
MARK S. HOUSER
City Attorney



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EXHIBIT A



DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

EXHIBIT B


P&A
 PRESCHE & ASSOCIATES, INC.
 Architects
 2001 Broadway Blvd., Suite 1000, Denver, CO 80202
 Phone: (303) 733-1111

ALTAMURA ESTATES
JOHN MATHEWS
ZONING EXHIBIT

DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

EXHIBIT B

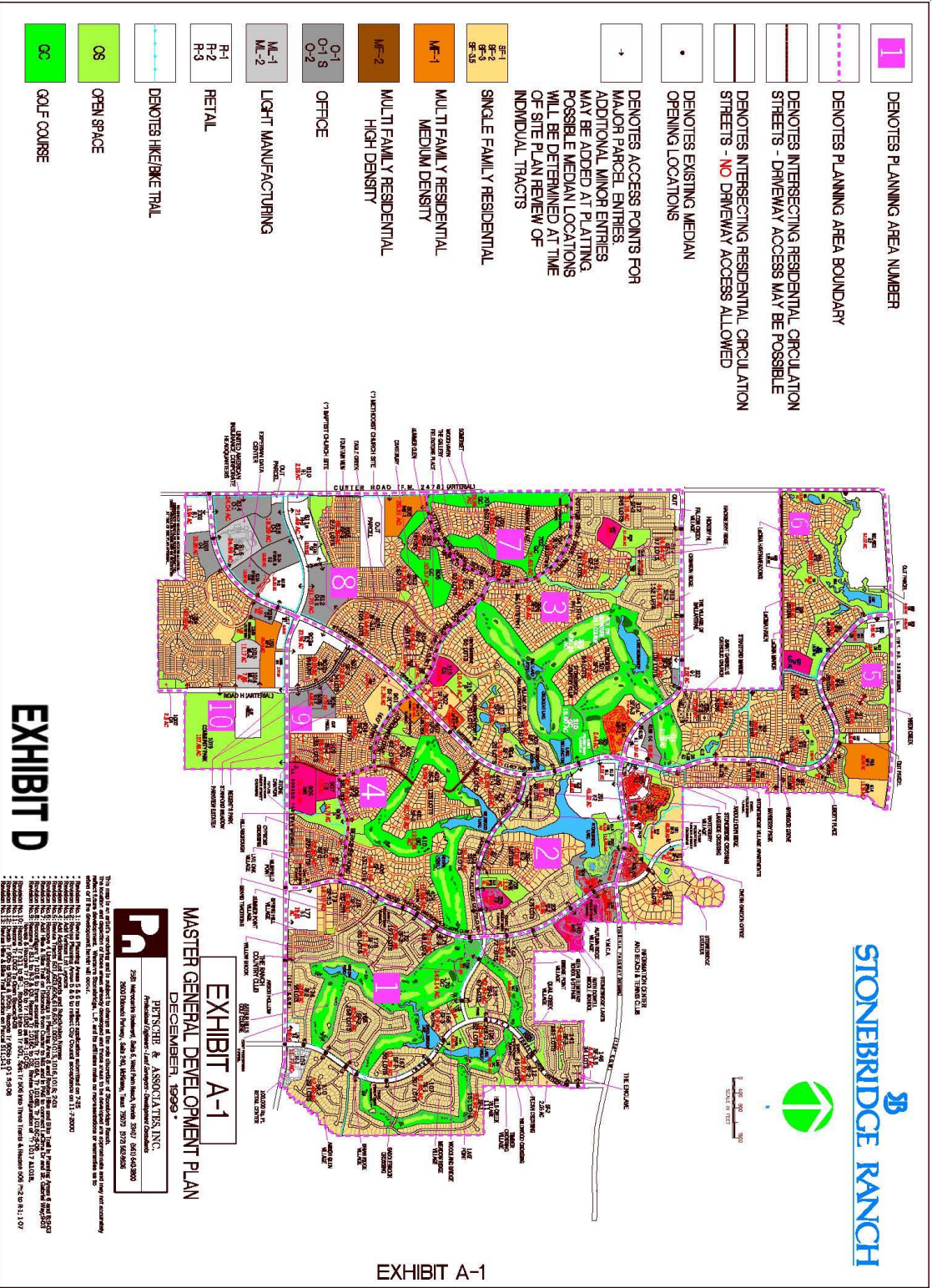


EXHIBIT A-1

EXHIBIT D









EXHIBIT D

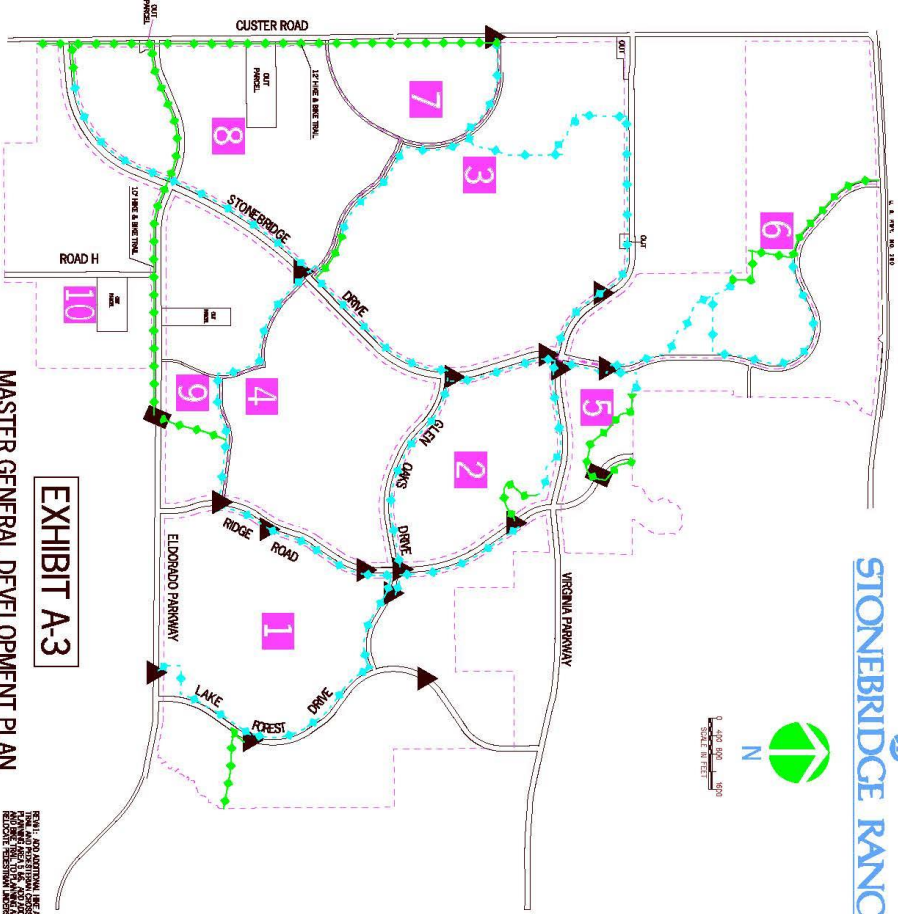
EXHIBIT A-1
MASTER GENERAL DEVELOPMENT PLAN
 DECEMBER, 1999.

DUNSTON & ASSOCIATES, INC.
 2620 Stonebridge Parkway, Suite 500, Midway, Texas 79701 817-828-6826

PN
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-  DENOTES PLANNING AREA NUMBER
-  DENOTES PLANNING AREA BOUNDARY
-  DENOTES ROADWAY
-  DENOTES EXISTING HIKE & BIKE TRAIL
-  DENOTES PROPOSED HIKE & BIKE TRAIL
-  DENOTES EXISTING HIKE & BIKE TUNNEL
-  DENOTES PROPOSED HIKE & BIKE TUNNEL
-  DENOTES PROPOSED & EXISTING UNDERSTREET CROSSING USING DRAINAGE STRUCTURE



STONERIDGE RANCH

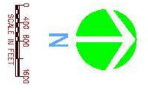


EXHIBIT A-3

**MASTER GENERAL DEVELOPMENT PLAN
HIKE AND BIKE TRAIL LOCATION EXHIBIT**

DECEMBER, 1999

EXHIBIT E

PERKINS & ASSOCIATES, INC.
 2301 Harwood Avenue, Suite 4, San Jose, CA 95131
 4080 W. 18th Ave., Suite 214, Berkeley, CA 94707 (925) 852-0600

THIS IS AN EXHIBIT TO THE MASTER GENERAL DEVELOPMENT PLAN FOR STONERIDGE RANCH, A COMMUNITY DEVELOPMENT PROJECT, AND IS NOT TO BE USED IN ISOLATION FROM THE MASTER GENERAL DEVELOPMENT PLAN. THIS EXHIBIT IS SUBJECT TO THE SAME CONDITIONS AND RESTRICTIONS AS THE MASTER GENERAL DEVELOPMENT PLAN. THIS EXHIBIT IS NOT TO BE USED IN ISOLATION FROM THE MASTER GENERAL DEVELOPMENT PLAN. THIS EXHIBIT IS SUBJECT TO THE SAME CONDITIONS AND RESTRICTIONS AS THE MASTER GENERAL DEVELOPMENT PLAN.

EXHIBIT A-3

EXHIBIT E