

ORDINANCE NO. 2007-12-133

AN ORDINANCE AMENDING ORDINANCE NO. 2002-05-038 AND AS AMENDED, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 18.13 ACRE PROPERTY, GENERALLY LOCATED ON THE SOUTHWEST CORNER OF COLLIN MCKINNEY PARKWAY AND LAKE FOREST DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; 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 18.13 acre property, generally located on the southwest corner of Collin McKinney Parkway and Lake Forest Drive, from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay 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:

Section 1. Ordinance No. 2002-05-038 is hereby amended so that an approximately 18.13 acre property, generally located on the southwest corner of Collin McKinney Parkway and Lake Forest Drive, which is more fully depicted on Exhibit "A" and Exhibit "B", attached hereto, is hereby rezoned from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, generally to modify the development standards.

Section 2. Use and development of the subject property shall conform to the following regulations:

1. The subject property shall develop in accordance with Ordinance 2002-05-038 and as amended, except as follows:
 - a. The minimum required density shall be 19 dwelling units per acre.
 - b. The requirement for a specific use permit to change the required density as detailed in Ordinance 2006-02-010 shall be rescinded.

2. The height of buildings within 200 feet of the property line shall be limited to three stories.
3. The build-to line along Collin McKinney Parkway shall be 20 feet, as shown on the attached Zoning Exhibit "C".
4. The build-to line along Valliance Drive and Lake Forest Drive shall be variable width as shown on the attached Zoning Exhibit "C".
5. Covered parking shall not be required on the subject property.
6. On-street parking shall count toward the minimum off-street parking requirement.
7. The subject property shall generally conform to the attached building elevations, Exhibit "E".
8. The subject property shall generally conform to the attached Zoning Exhibit "C" and Zoning Exhibit "D".

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 THIS 18th DAY OF DECEMBER, 2007.


BILL WHITFIELD, Mayor

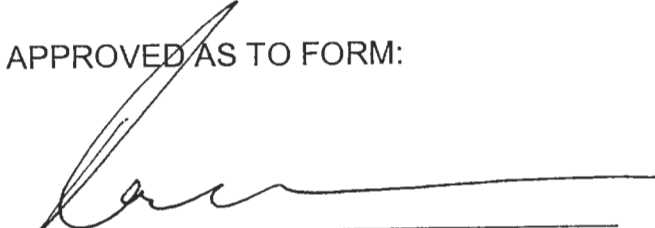
CORRECTLY ENROLLED:



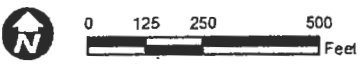
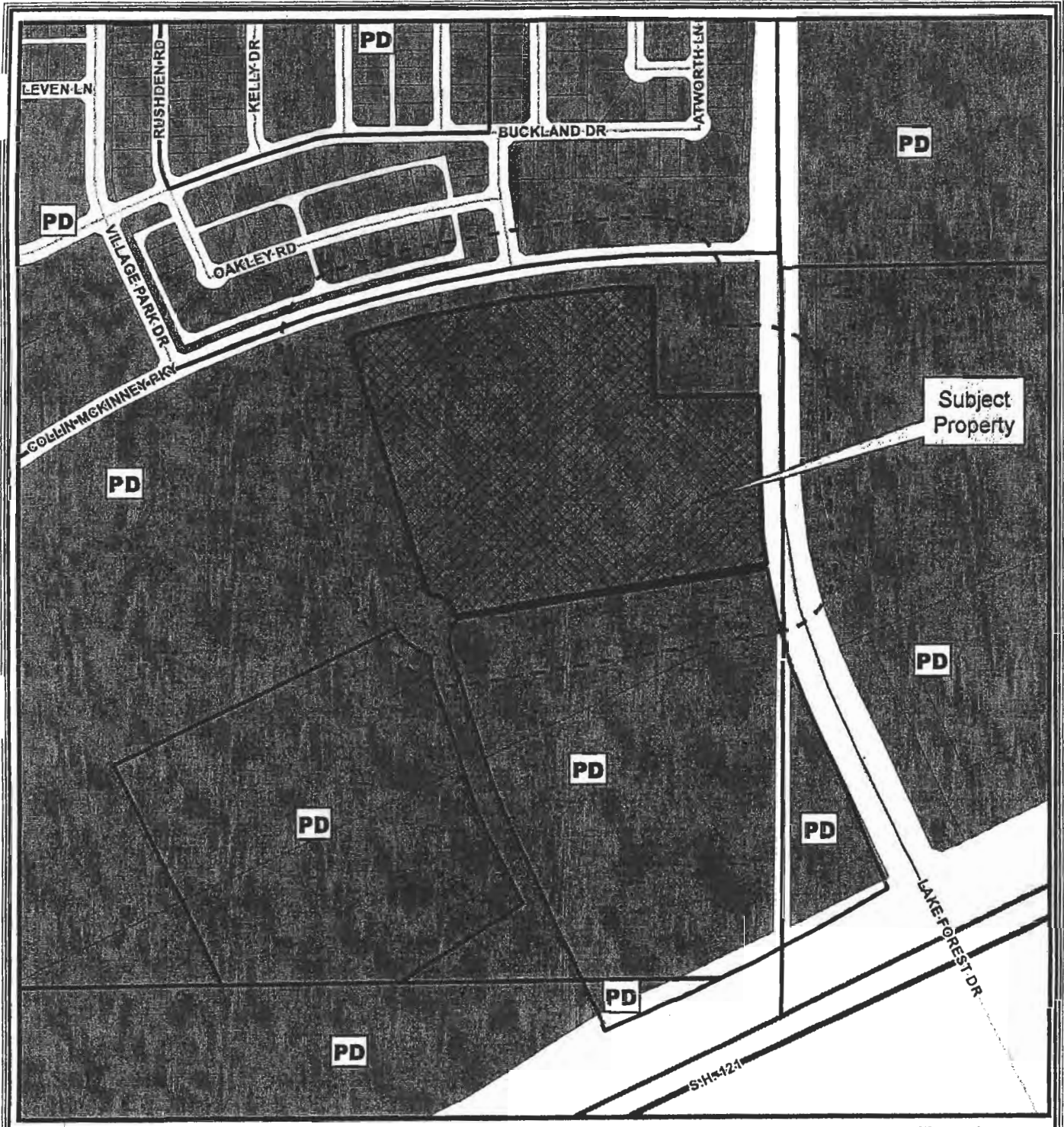
SANDY HART, TRMC, MMC, City Secretary
BEVERLY COVINGTON, TRMC, CMC, Deputy City Secretary

DATE: December 20, 2007

APPROVED AS TO FORM:



MARK S. HOUSER, City Attorney



Notification Case

Notice Case: 07-418Z
R-6392-000-0100-1

EXHIBIT A

--- 200' Notification Buffer



Notification\Projects\2007\07-418Z.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.

KEYNOTES

27 2007

THE WORKING COMPANIES
800 Mount Vernon Highway
Alpharetta, Georgia
770-522-5776

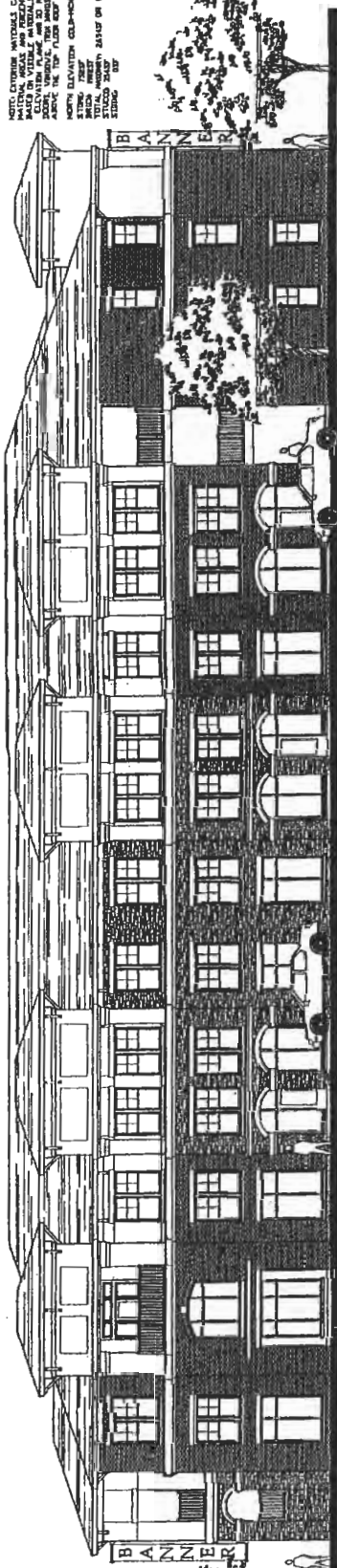


Heights
at
Lake Forest
Mckinney, Texas

JOB NUMBER: 110113
JOB NAME: 10/23/2007
DATE: 11-1-2007
REVISED: 11-1-2007

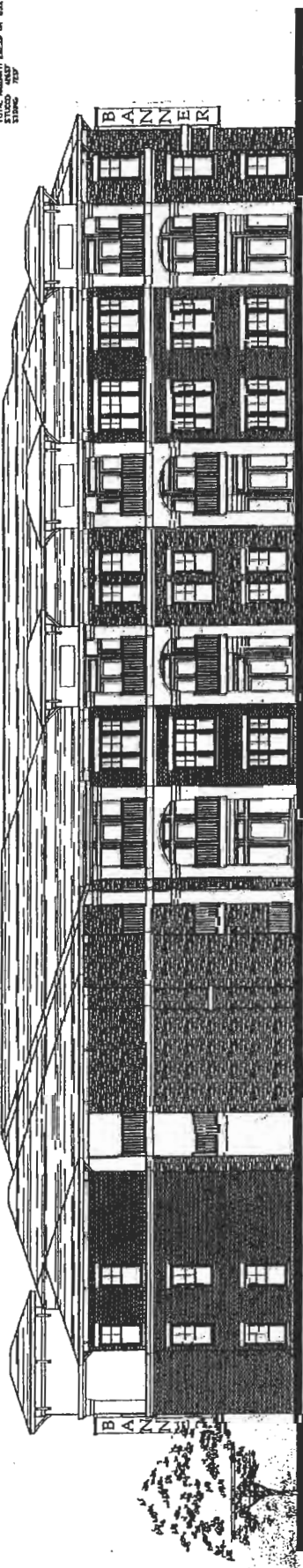
SHEET
NUMBER: AE1 OF 13

NOTE: EXTERIOR MATERIALS CALCULATOR
MATERIALS, WALLS, AND FLOORS ARE
CALCULATED TO THE FINISH SURFACE.
INCLUDE THE TOP FLOOR ROOF PLATE.
NORTH ELEVATION COL-MCKINNEY
FINISH FLOOR TO FINISH FLOOR
TOTAL HEIGHT: 28.50 FT
TOTAL NUMBER OF STORIES: 8



1 BUILDING ONE NORTH ELEVATION
1/8"=1'-0"

NOTE: EXTERIOR MATERIALS CALCULATOR
MATERIALS, WALLS, AND FLOORS ARE
CALCULATED TO THE FINISH SURFACE.
INCLUDE THE TOP FLOOR ROOF PLATE.
EAST ELEVATION COL-MCKINNEY
FINISH FLOOR TO FINISH FLOOR
TOTAL HEIGHT: 28.50 FT
TOTAL NUMBER OF STORIES: 8

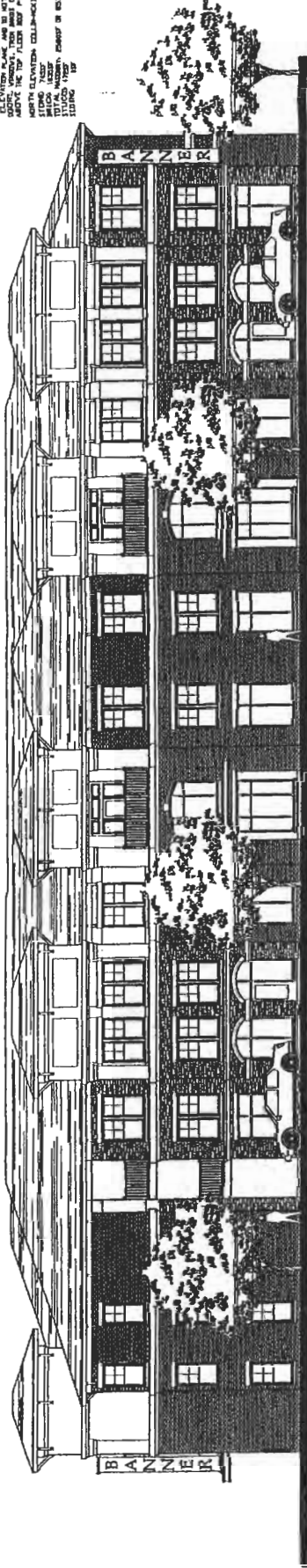


2 BUILDING ONE SOUTH ELEVATION
1/8"=1'-0"

EXHIBITE
CONTINUED

KEYNOTES

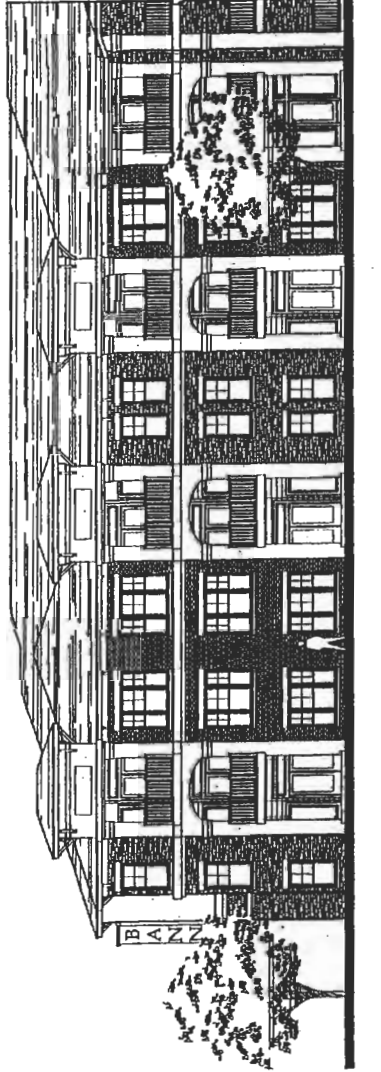
NOTE: EXTERIOR MATERIAL CALCULATION
BASED ON VISIBLE MATERIALS IN THE
ARCHITECTURAL ELEVATION. THIS DOES NOT INCLUDE
MATERIALS BEHIND THE TOP FLOOR ROOF PLANT.
HEIGHT ELEVATION: CELLAR-GROUND
LEVEL: 1000
STATION: 1000
STATION: 1000
STATION: 1000



1 BUILDING TWO NORTH ELEVATION
1/8"=1'-0"

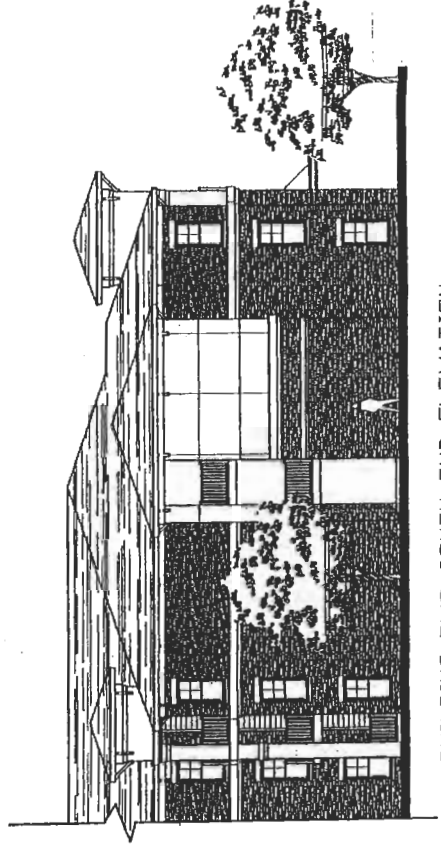
EXHIBITE

CONTINUED



2 BUILDING TWO SOUTH ELEVATION
1/8"=1'-0"

NOTE: EXTERIOR MATERIAL CALCULATION
BASED ON VISIBLE MATERIALS IN THE
ARCHITECTURAL ELEVATION. THIS DOES NOT INCLUDE
MATERIALS BEHIND THE TOP FLOOR ROOF PLANT.
HEIGHT ELEVATION: CELLAR-GROUND
LEVEL: 1000
STATION: 1000
STATION: 1000



3 BUILDING TWO SOUTH END ELEVATION
1/8"=1'-0"

27-2007

THE WORKING COMPANIES
Suite 200
800 Nevada Western Highway
Arlington, Texas
770-522-5775



Heights
at
Lake Forest
McKinney, Texas

JOB NUMBER: 27-2007
DATE: 11-1-2007
JOB TITLE: ARCHITECT
JOB NUMBER: 27-2007
DATE: 11-1-2007
JOB TITLE: ARCHITECT

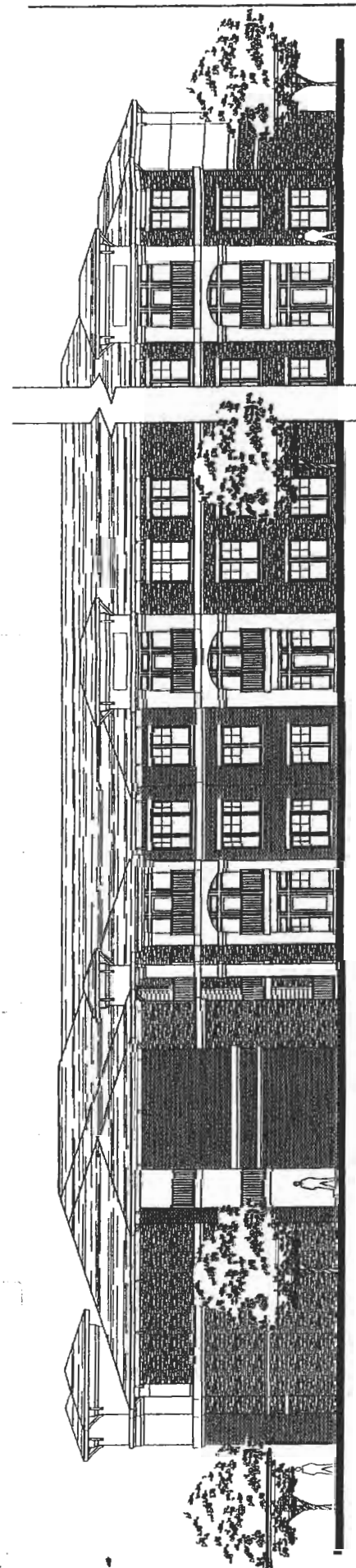
SHEET NUMBER: AE3 of 13

KEYNOTES

NOTE: EXTERIOR MATERIAL CALCULATION
INTERNAL WEARS AND FLOORINGS ARE
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DETAILS OF THE FLOOR, ROOF OR PLUMBING
WORK. EXTERIOR MATERIALS ARE
WEST ELEVATION INTERNAL.
STAIRS, SHAFTS,
ELEVATOR, MECHANICAL ROOMS, ETC.
TOTAL HEIGHTS SHOWN ON SITE
PLANS.

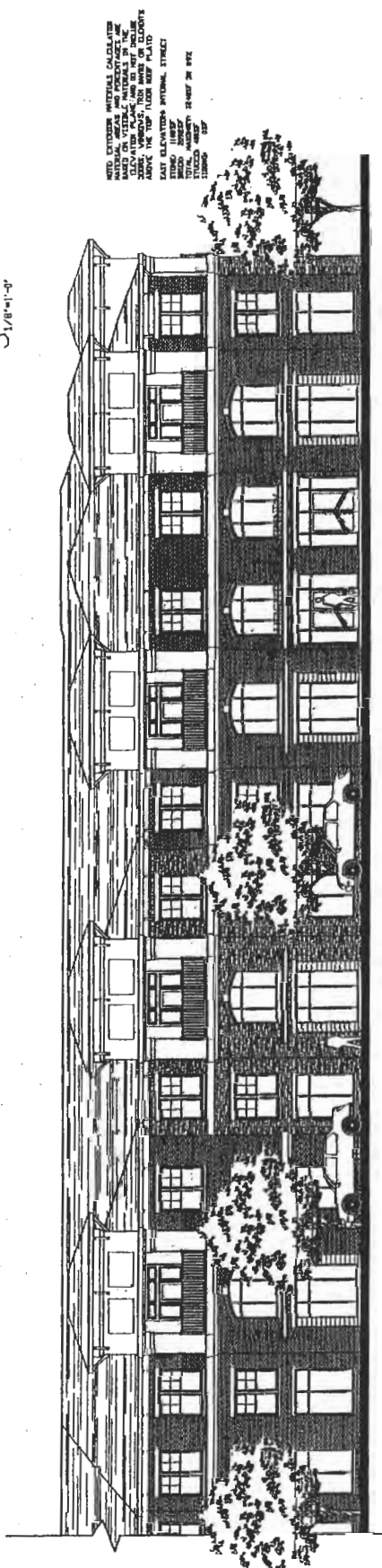
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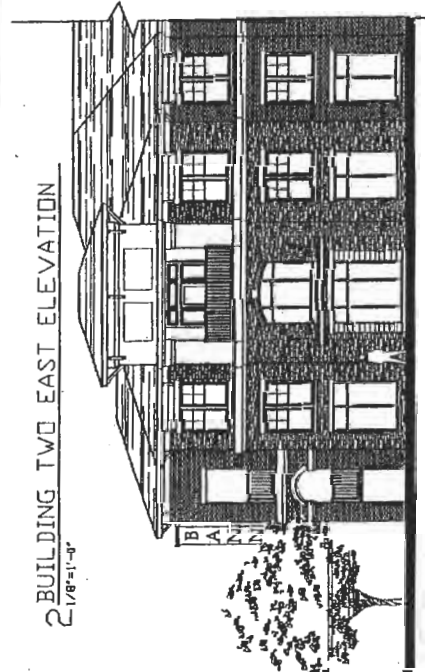
1 BUILDING TWO WEST ELEVATION
1/8"=1'-0"

3 BUILDING PARTIAL WEST ELEV
1/8"=1'-0"



NOTE: EXTERIOR MATERIAL CALCULATION
INTERNAL WEARS AND FLOORINGS ARE
INDICATED BY SHADING. MATERIALS ARE
ELEVATION PLANE, AND DO NOT INCLUDE
DETAILS OF THE FLOOR, ROOF OR PLUMBING
WORK. EXTERIOR MATERIALS ARE
EAST ELEVATION INTERNAL.
STAIRS, SHAFTS,
ELEVATOR, MECHANICAL ROOMS, ETC.
TOTAL HEIGHTS SHOWN ON SITE
PLANS.

2 BUILDING TWO EAST ELEVATION
1/8"=1'-0"



4 BUILDING TWO PARTIAL EAST ELEVATION
1/8"=1'-0"

REV 27 2007
PLANNING

THE WORTHING COMPANIES
800 Memorial Highway
Atlanta, Georgia
770-525-9773



Heights
at
Lake Forest
McKinney, Texas

JOB NUMBER: 21013
DRAWN BY: JPD-KLJ/AM-CH
DATE: 11/15/2007
REV: 11/15/2007

SHEET
NUMBER: AE 4 of 13

KEYNOTES

EXHIBITE

CONTINUED

27 2007

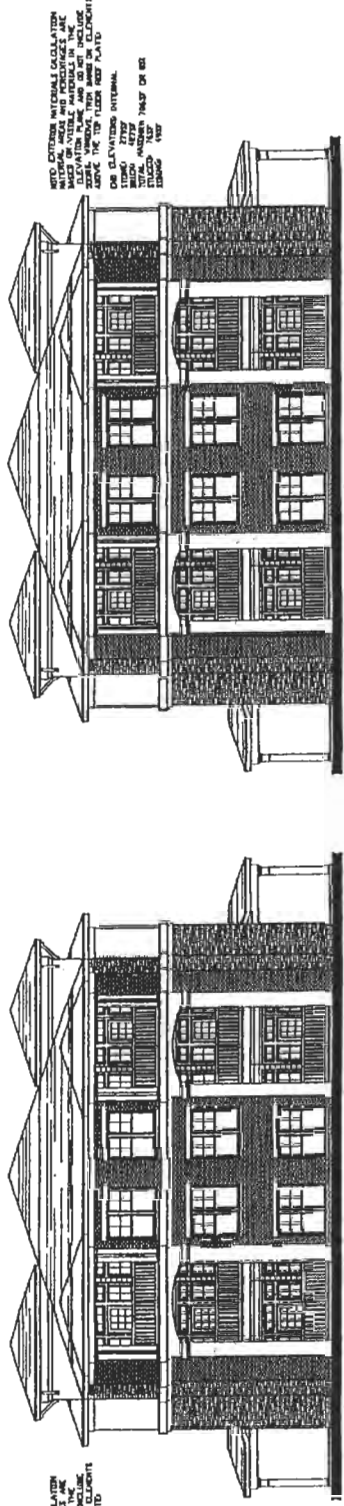
THE WORTHING COMPANIES
800 Meador / Western Highway
Allamore, Georgia
770-522-3775



Heights
at
Lake Forest
McKinney, Texas

DATE: 11/14/07
DATE: 10/27/07
REV: 11-14-07
REV: 11-15-07

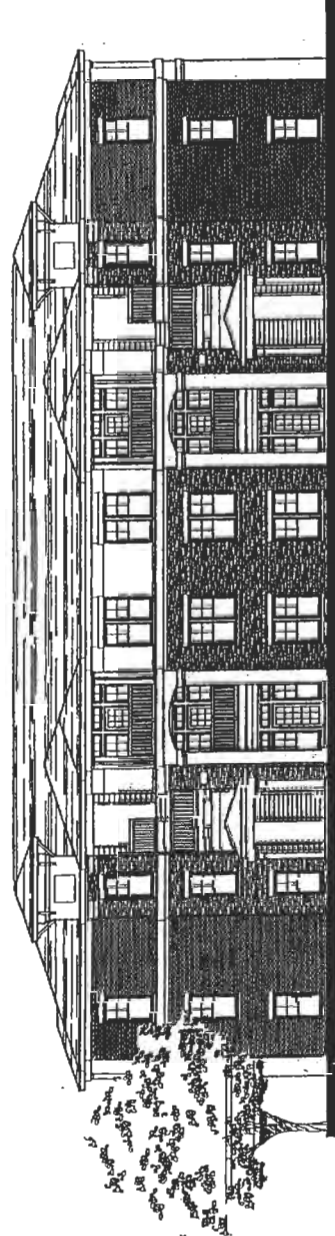
SHEET
NUMBER AE 6 OF 13



NETO EXTERIOR MATERIALS CALCULATION
BASED ON VISIBLE MATERIALS IN THE
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MASONRY, WINDOW, DOOR, ROOF, OR CLIMATE
ABOVE THE TOP FLOOR ROOF PLATE.
THIS ELEVATION INTERNAL.
DATE: 11/14/07
BY: JTB
CHECKED: JTB
DRAWN: JTB

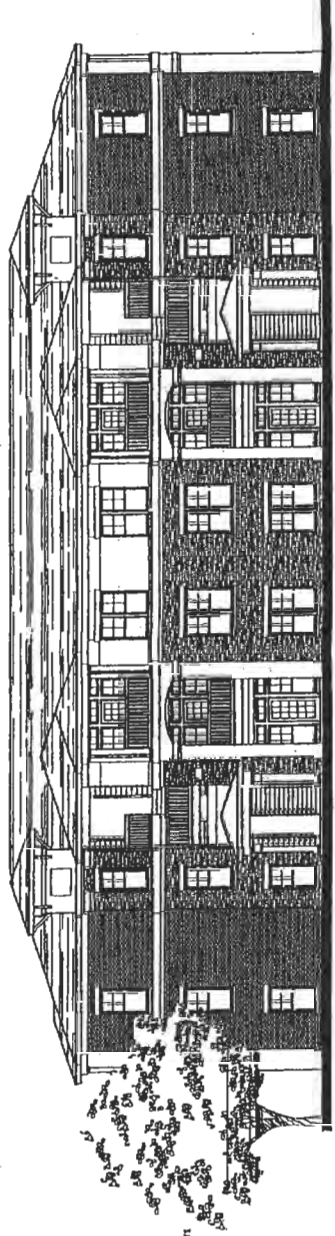
3 BUILDINGS 9 END ELEVS
1/8"=1'-0"

4 BUILDINGS 4 END ELEVS
1/8"=1'-0"



NETO EXTERIOR MATERIALS CALCULATION
BASED ON VISIBLE MATERIALS IN THE
ELEVATION PLANE AND DO NOT INCLUDE
MASONRY, WINDOW, DOOR, ROOF, OR CLIMATE
ABOVE THE TOP FLOOR ROOF PLATE.
THIS ELEVATION INTERNAL.
DATE: 11/14/07
BY: JTB
CHECKED: JTB
DRAWN: JTB

2 BUILDINGS 4&9 FRONT/BUILDING 4 REAR ELEVS
1/8"=1'-0"



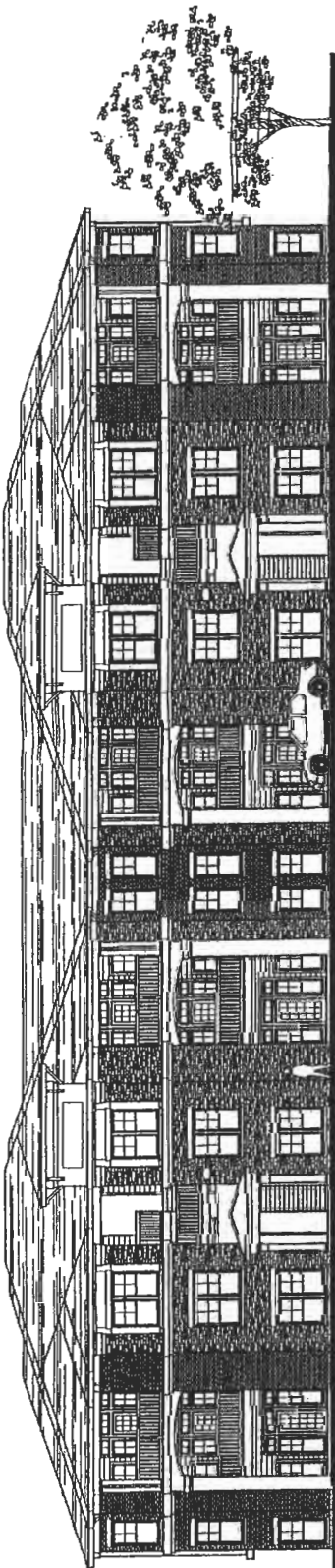
NETO EXTERIOR MATERIALS CALCULATION
BASED ON VISIBLE MATERIALS IN THE
ELEVATION PLANE AND DO NOT INCLUDE
MASONRY, WINDOW, DOOR, ROOF, OR CLIMATE
ABOVE THE TOP FLOOR ROOF PLATE.
THIS ELEVATION STREET
DATE: 11/14/07
BY: JTB
CHECKED: JTB
DRAWN: JTB

1 BUILDING 9 REAR (STREET SIDE) ELEV
1/8"=1'-0"

KEYNOTES

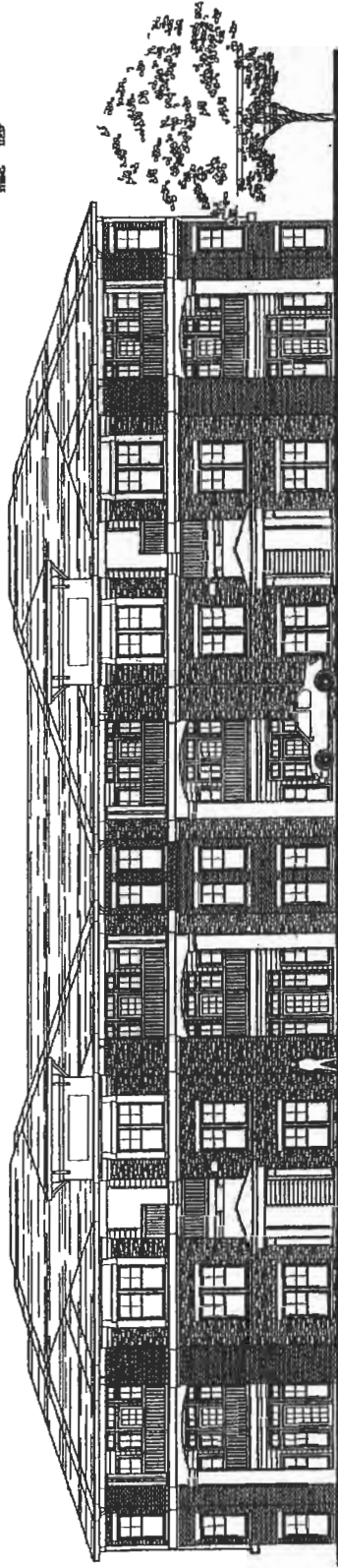
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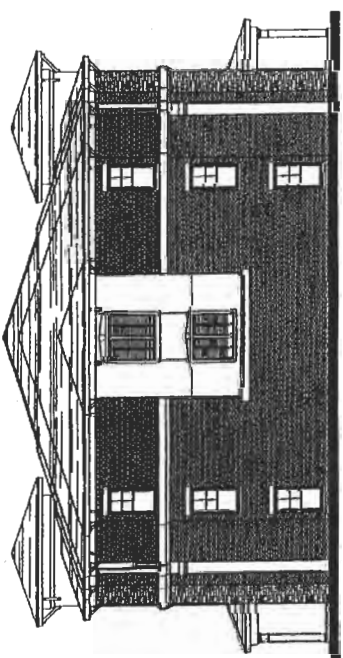
NOTE: EXTERIOR MATERIALS CALCULATION
 TOTAL AREA AND PERCENTAGE ARE
 ALSO GIVEN IN THIS DRAWING. ALL
 ELEVATION FIGURES ARE TO BE MEASURED
 FROM THE TOP FLOOR ROOF FLOOR
 ABOVE THE TOP FLOOR ROOF FLOOR.
 FRONT ELEVATION STREET
 TOTAL HEIGHT 14.287'
 TOTAL HEIGHT 14.287'
 TOTAL HEIGHT 14.287'

1 BUILDING FIVE - REAR (STREET SIDE) ELEV
 1/8"=1'-0"



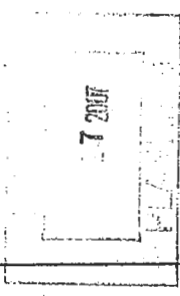
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 FROM THE TOP FLOOR ROOF FLOOR
 ABOVE THE TOP FLOOR ROOF FLOOR.
 REAR ELEVATION INTERIOR
 TOTAL HEIGHT 14.287'
 TOTAL HEIGHT 14.287'
 TOTAL HEIGHT 14.287'

2 BUILDING FIVE - FRONT ELEVATION
 1/8"=1'-0"



NOTE: EXTERIOR MATERIALS CALCULATION
 TOTAL AREA AND PERCENTAGE ARE
 ALSO GIVEN IN THIS DRAWING. ALL
 ELEVATION FIGURES ARE TO BE MEASURED
 FROM THE TOP FLOOR ROOF FLOOR
 ABOVE THE TOP FLOOR ROOF FLOOR.
 END ELEVATIONS INTERIOR
 TOTAL HEIGHT 14.287'
 TOTAL HEIGHT 14.287'
 TOTAL HEIGHT 14.287'

3 BUILDING FIVE END ELEVATIONS
 1/8"=1'-0"



THE WORTHING COMPANIES
 800 West State Street
 Midland, Texas 79701
 720-322-5775

Heights
 at
 Lake Forest
 Midland, Texas

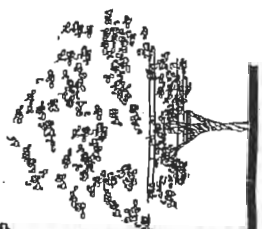
JOB NUMBER:	21073
DRAWN BY:	J.P. SALAS/BJH
CHECKED BY:	J.P. SALAS/BJH
DATE:	REV. 11-25-2017
PROJECT:	REV. 11-25-2017
SCALE:	

Architect: Paces Associates, Inc.
 1000 West State Street, Suite 100
 Midland, Texas 79701

SHEET NUMBER AE7 of 13

KEYNOTES

NOTE: EXTERIOR MATERIALS OF ALL MATERIAL, METAL AND FINISHES ARE INDICATED BY SHADING. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED.

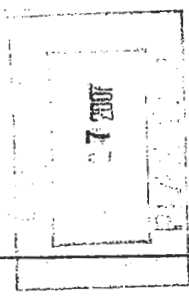


NOTE: EXTERIOR MATERIALS OF ALL MATERIAL, METAL AND FINISHES ARE INDICATED BY SHADING. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED.



EXHIBITE

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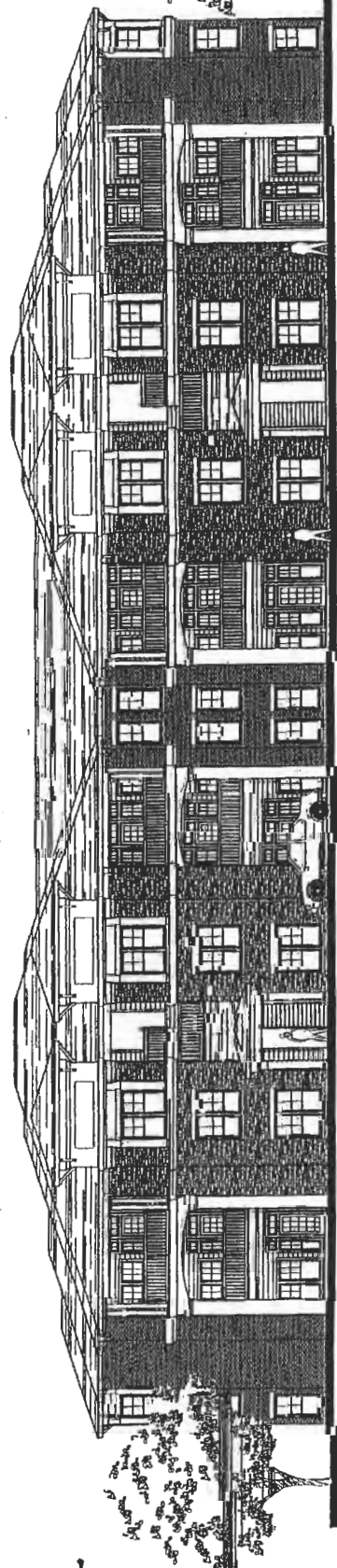
THE WORKING COMPANIES
 Suite 300
 200 Mountain View Road
 Atlanta, GA 30328
 770.522.5773

Heights at Lake Forest
 McClumry, Tenn

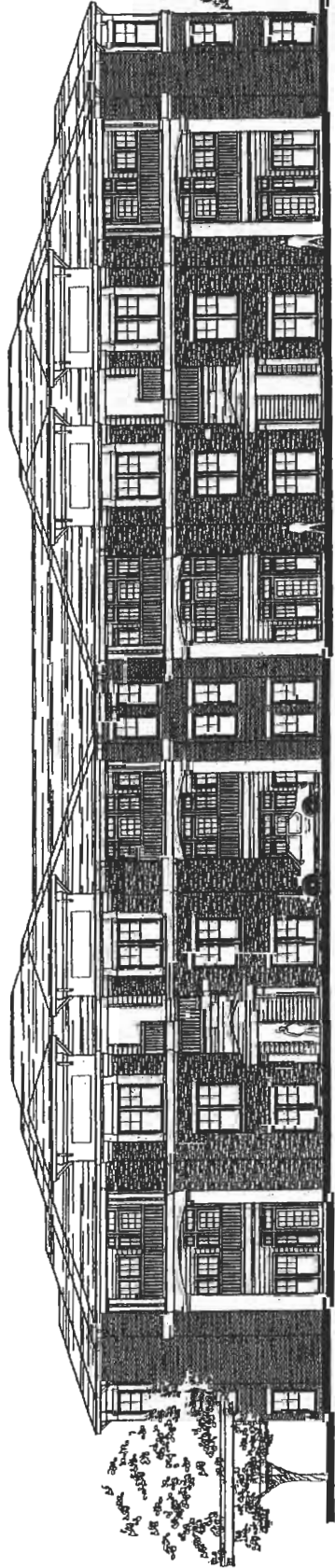
3030 Peachtree Dunwoody Road, Suite 300
 Atlanta, GA 30328
 770.522.5773

DATE	DESCRIPTION
07/11/07	ISSUED FOR PERMIT
07/11/07	REVISED
07/11/07	REVISED
07/11/07	REVISED

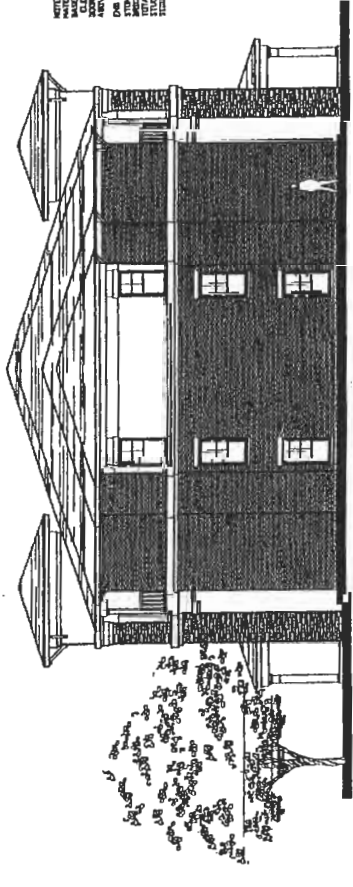
SHEET NUMBER AEB of 13



1 BUILDINGS 6&7 STREET ELEVATION
 1/8"=1'-0"



2 BUILDINGS 6&7 PARKING ELEVATION
 1/8"=1'-0"



3 BUILDINGS 6&7 END ELEVATIONS
 1/8"=1'-0"

NOTE: EXTERIOR MATERIALS OF ALL MATERIAL, METAL AND FINISHES ARE INDICATED BY SHADING. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED.

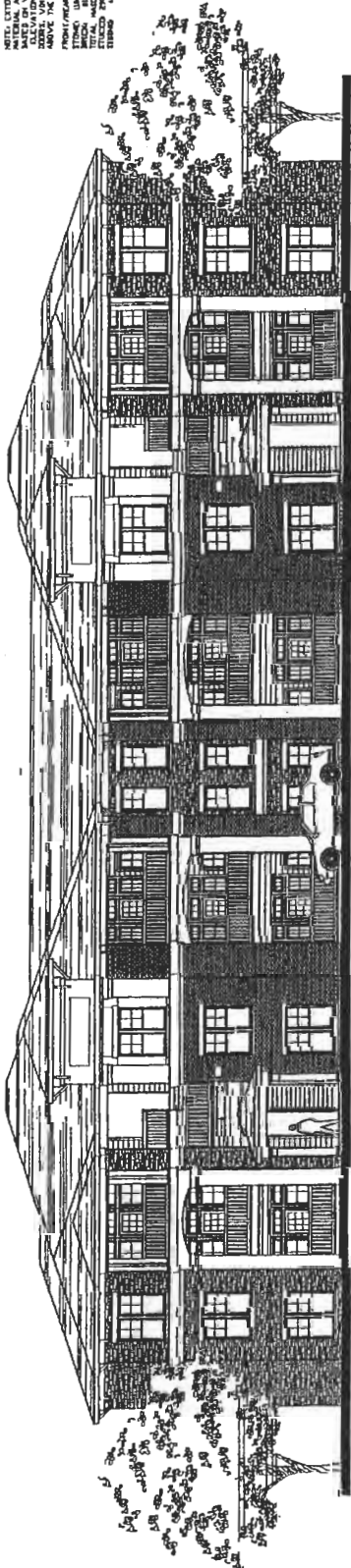
KEYNOTES

NETO EXTERIOR MATERIAL CALCULATION MADE ON VISIBLE MATERIALS IN THE ABOVE ELEVATION. THIS DOES NOT INCLUDE MATERIALS TO BE USED ABOVE THE TOP FLOOR ROOF PLATE. FINISHES: EXTERIOR - BRICK AND STUCCO. INTERIOR - STUCCO. ROOF - ASPHALT/FLY ASH. TOTAL HEIGHT 14'-0" TO TOP OF ROOF.

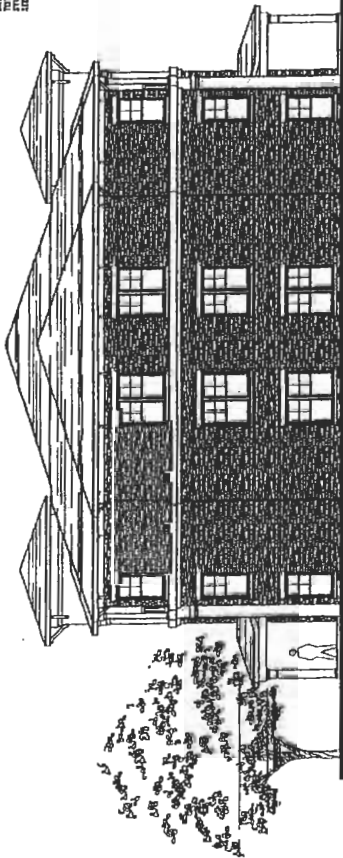
NETO EXTERIOR MATERIAL CALCULATION MADE ON VISIBLE MATERIALS IN THE ABOVE ELEVATION. THIS DOES NOT INCLUDE MATERIALS TO BE USED ABOVE THE TOP FLOOR ROOF PLATE. FINISHES: EXTERIOR - BRICK AND STUCCO. INTERIOR - STUCCO. ROOF - ASPHALT/FLY ASH. TOTAL HEIGHT 14'-0" TO TOP OF ROOF.

NETO EXTERIOR MATERIAL CALCULATION MADE ON VISIBLE MATERIALS IN THE ABOVE ELEVATION. THIS DOES NOT INCLUDE MATERIALS TO BE USED ABOVE THE TOP FLOOR ROOF PLATE. FINISHES: EXTERIOR - BRICK AND STUCCO. INTERIOR - STUCCO. ROOF - ASPHALT/FLY ASH. TOTAL HEIGHT 14'-0" TO TOP OF ROOF.

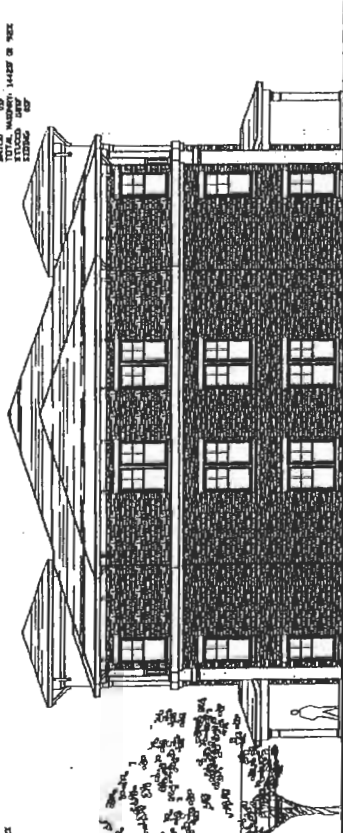
NETO EXTERIOR MATERIAL CALCULATION MADE ON VISIBLE MATERIALS IN THE ABOVE ELEVATION. THIS DOES NOT INCLUDE MATERIALS TO BE USED ABOVE THE TOP FLOOR ROOF PLATE. FINISHES: EXTERIOR - BRICK AND STUCCO. INTERIOR - STUCCO. ROOF - ASPHALT/FLY ASH. TOTAL HEIGHT 14'-0" TO TOP OF ROOF.



1 BUILDING 8 FRONT/REAR ELEV
1/8"=1'-0"



2 BUILDING 8 END ELEVATIONS
1/8"=1'-0"



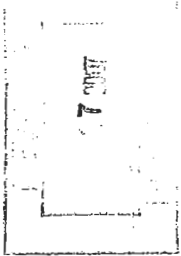
4 BUILDING 11 END ELEVATION
1/8"=1'-0"



3 BUILDING 11 FRONT/REAR ELEVATIONS
1/8"=1'-0"

EXHIBITE

CONTINUED



THE WORTHING COMPANIES
800 MICHIGAN AVENUE
ALBUQUERQUE, NEW MEXICO
770-522-3775



Heights at
Lake Forest
McAllen, Texas

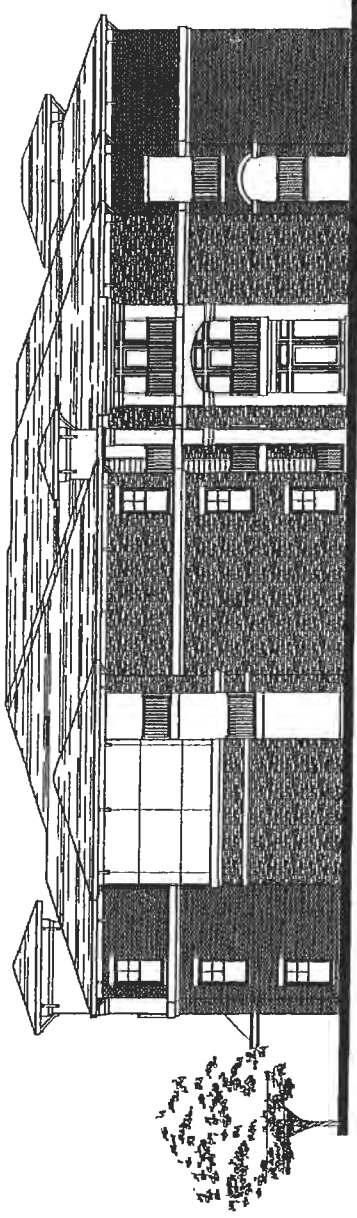
DATE: 11-14-2007
BY: J. ALLEN
CHECKED BY: J. ALLEN

SCALE: AS SHOWN
PROJECT: AE10 of 13

KEYNOTES

EXHIBITE

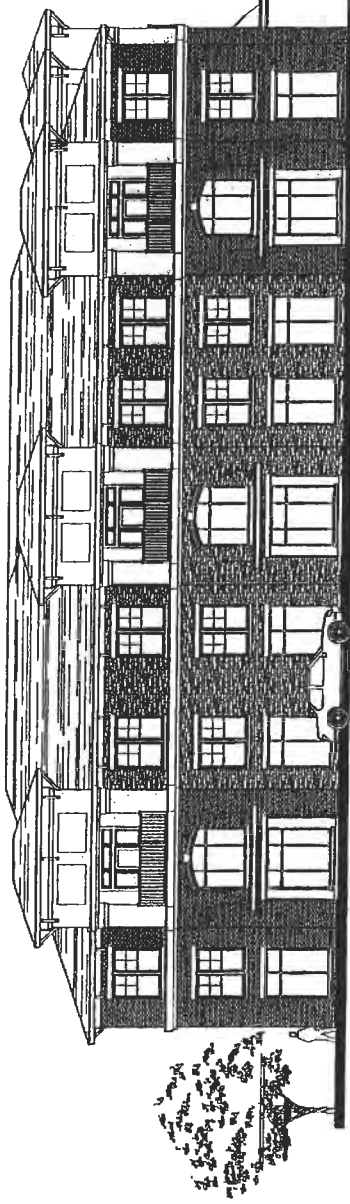
CONTINUED



1 BUILDING 12 NORTH ELEVATION

1/8"=1'-0"

NOTE: EXTERIOR MATERIALS CALCULATION
 MATERIAL, AREA AND PERCENTAGE ARE
 ELEVATION PLANE AND DO NOT INCLUDE
 ABOVE THE TOP FLOOR ROOF PLANE.
 EAST ELEVATION - INTERNAL.
 FINISH: 1/8"=1'-0"
 TOTAL MATERIALS: 1574 SF
 FINISH: 1574 SF



2 BUILDING 12 SOUTH ELEVATION

1/8"=1'-0"

NOTE: EXTERIOR MATERIALS CALCULATION
 MATERIAL, AREA AND PERCENTAGE ARE
 ELEVATION PLANE AND DO NOT INCLUDE
 ABOVE THE TOP FLOOR ROOF PLANE.
 SOUTH ELEVATION - STREET
 FINISH: 1/8"=1'-0"
 TOTAL MATERIALS: 1574 SF
 FINISH: 1574 SF

THE WORTHING COMPANIES
 800 Main Street
 Albany, Oregon
 770-522-5775



Heights
 at
 Lake Forest
 McKinney, Texas

PROJECT NUMBER	422-24-0001
DATE	NOV 11-2-2007
REV	11-2-2007
REV	11-2-2007

SHEET
 NUMBER AE12 OF 13

