

ORDINANCE NO. 2021-07-067

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 613.359 ACRE PROPERTY, LOCATED ON THE SOUTHEAST QUADRANT OF BLOOMDALE ROAD AND LAKE FOREST DRIVE, IS ZONED TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW FOR SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, AND COMMERCIAL USES; 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

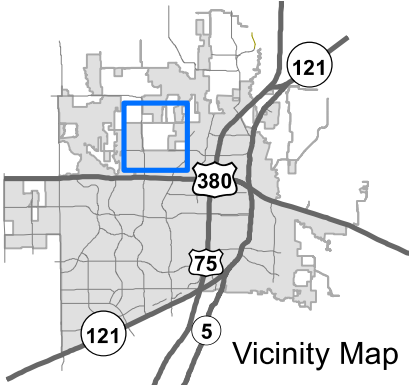
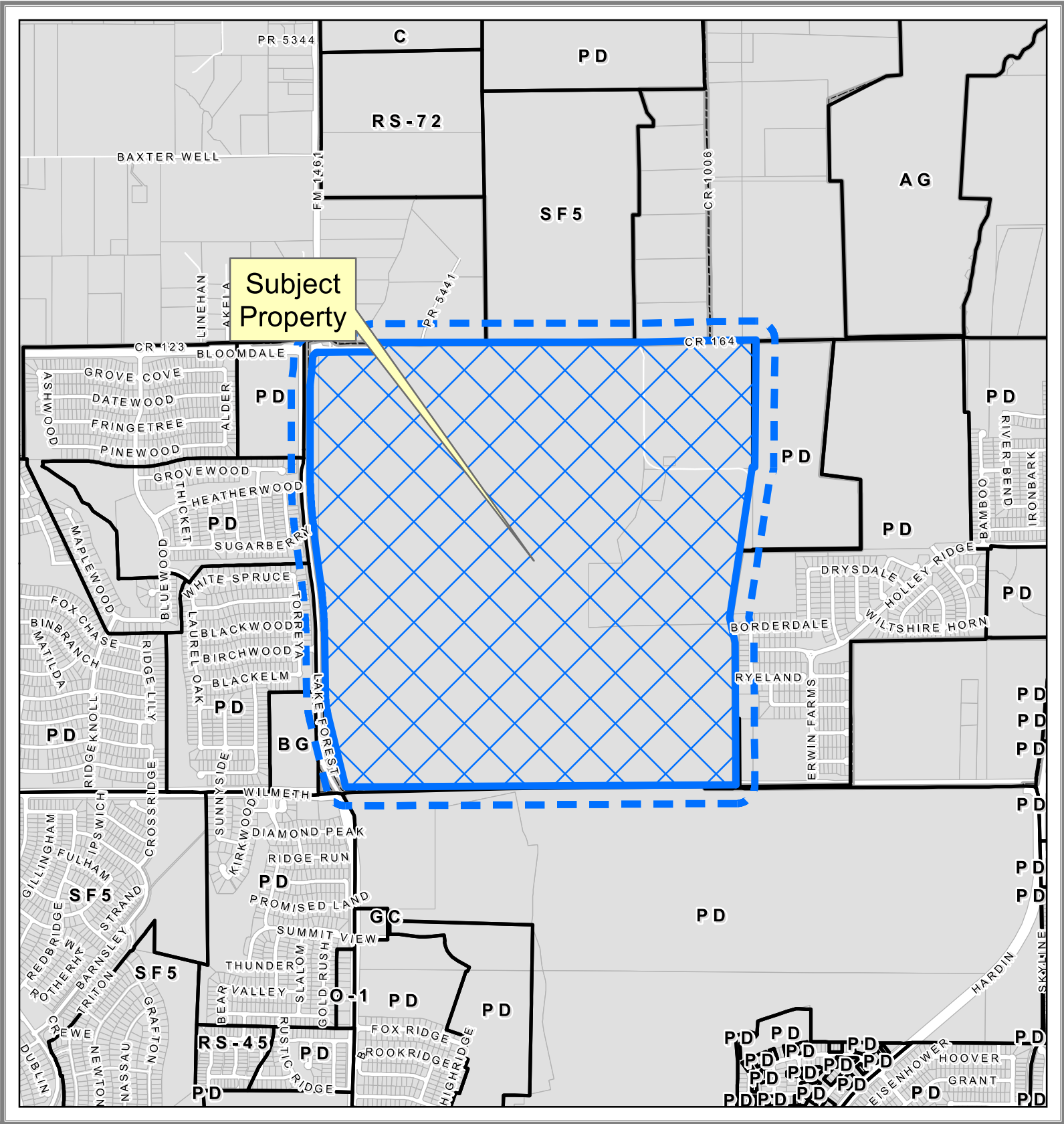
WHEREAS, the City of McKinney has considered the zoning of an approximately 613.359 acre property, located on the southeast quadrant of Bloomdale Road and Lake Forest Drive, which is more fully depicted on Exhibits "A" and "B" attached hereto, to "PD" – Planned Development District, generally to allow for single family residential, multi-family residential, and commercial uses; and,

WHEREAS, after due notice of the requested zoning 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:

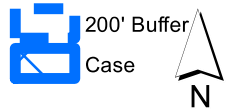
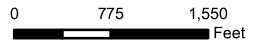
- Section 1. The zoning map is hereby amended so that an approximately 613.359 acre property, located on the southeast quadrant of Bloomdale Road and Lake Forest Drive, which is more fully depicted on Exhibits "A" and "B" attached hereto, is zoned to "PD" – Planned Development District, generally to allow for single family residential, multi-family residential, and commercial uses.
- Section 2. The subject property shall develop in accordance with Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance, and as amended, except as follows:
1. The subject property shall develop in accordance with attached Development Regulations, attached as Exhibit "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 \$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

EXHIBIT A



Property Owner Notification Map

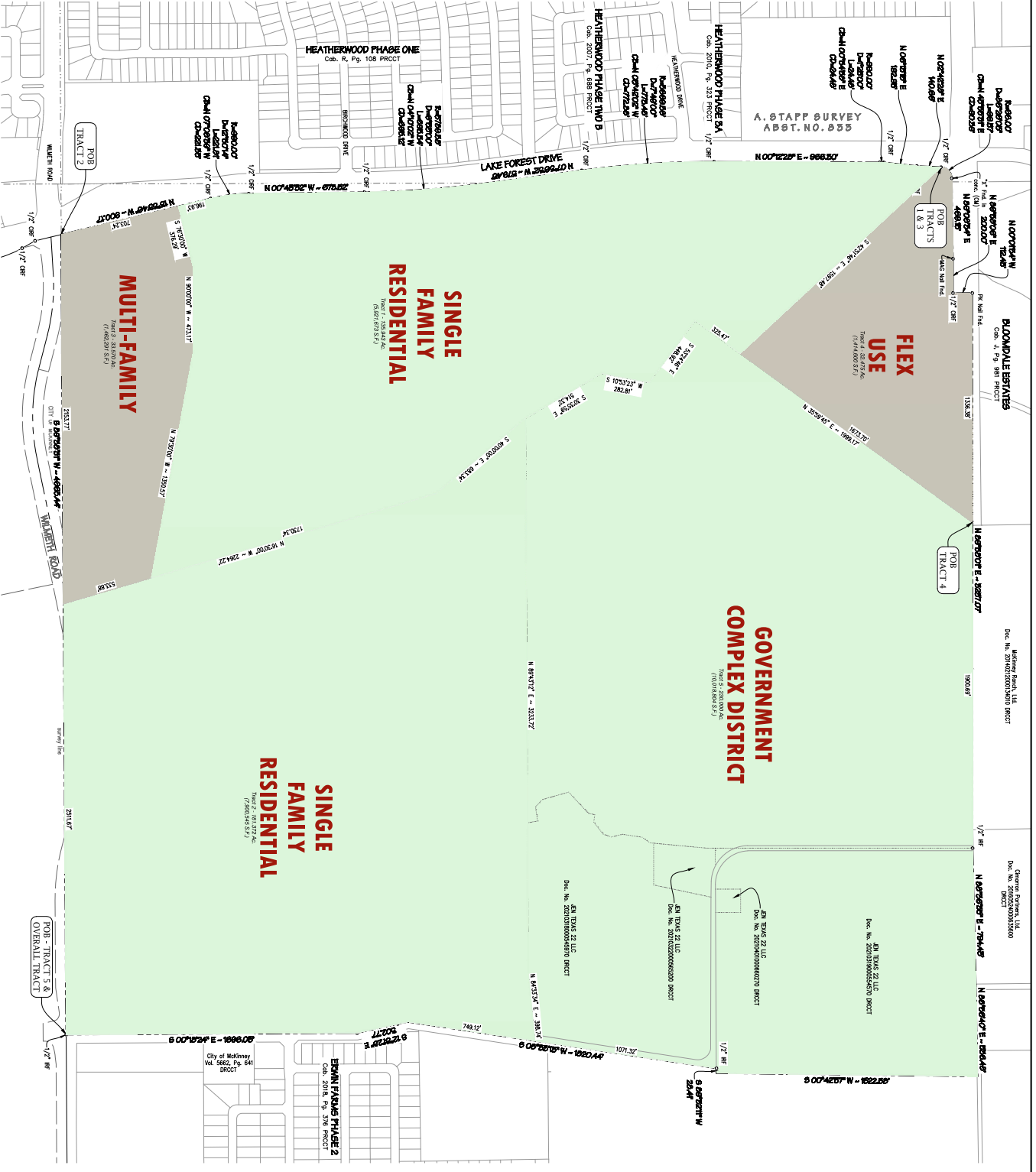
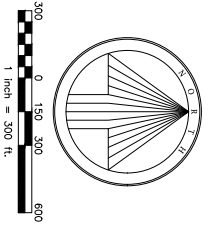
ZONE2021-0054



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.



EXHIBIT B



ZONING EXHIBIT

PAINTED TREE

BEING 613.359 ACRES IN THE
W. BUTLER SURVEY, ABSTRACT NO. 87
A. STAPP SURVEY, ABSTRACT NO. 833
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

EXHIBIT B

METES AND BOUNDS DESCRIPTION

TRACT 1

BEING a tract of land situated in the W. Butler Survey, Abstract No. 87, and the A. Stapp Survey, Abstract No. 833, in Collin County, Texas, being part of a tract conveyed to Jen Texas 22 LLC by deed recorded in Document No. 2020094001492720 of the Deed Records, Collin County, Texas (DRCCD), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap found for the south end of a corner clip being the intersection of the east line of Lake Forest Drive (also known as Farm to Market Road 1461), with the south line of Bloomridge Road, a public road (also known as County

TRACED into and through said Jen Texas tract, the following:

- S 4251'46" E, 1597'48 feet;
- S 3599'45" W, 325'47 feet;
- S 5324'46" E, 448'92 feet;
- S 1053'23" W, 282'81 feet;
- S 3025'59" E, 514'32 feet;
- S 4000'00" E, 683'34 feet;
- S 1630'00" E, 1730'34 feet;
- N 7930'00" W, 1560'57 feet;
- EAST, 4731'17 feet;

And S 7630'00" W, 376'29 feet to the east line of Lake Forest Drive;

THENCE along the east line thereof, the following:

- N 1333'46" W, 198'83 feet to a 1/2" iron rod with plastic cap found;
- A tangent curve to the right having a central angle of 129°01'4", a radius of 990.00 feet, a chord of N 07°08'39" W – 221'35 feet, an arc length of 221.81 feet to a 1/2" iron rod with plastic cap found;
- N 00743'32" W, 673'52 feet to a 1/2" iron rod with plastic cap found;
- A tangent curve to the left having a central angle of 06°53'00", a radius of 5789'58 feet, a chord of N 04°10'02" W – 695.12 feet, an arc length of 695.54 feet;
- N 0736'32" W, 579'45 feet to a 1/2" iron rod with plastic cap found;
- A tangent curve to the right having a central angle of 07°49'00", a radius of 5669'58 feet, a chord of N 03°42'02" W – 772'88 feet, an arc length of 773'48 feet to a 1/2" iron rod with plastic cap found;
- N 0012'28" E, 966'30 feet to a 1/2" iron rod with plastic cap found;
- A tangent curve to the right having a central angle of 07°25'00", a radius of 990.00 feet, a chord of N 0054'58" E – 24'48 feet, an arc length of 24.48 feet to a 1/2" iron rod with plastic cap found;
- N 0613'15" E, 192'95 feet to a 1/2" iron rod with plastic cap found;
- And N 027'42'28" E, 140'66 feet to the POINT OF BEGINNING with the subject tract containing 5,921,073 square feet or 135,943 acres of land.

TRACT 3

BEING a tract of land situated in the W. Butler Survey, Abstract No. 87, and the A. Stapp Survey, Abstract No. 833, in Collin County, Texas, being part of a tract conveyed to Jen Texas 22 LLC by deed recorded in Document No. 2020094001492720 of the Deed Records, Collin County, Texas (DRCCD), with the subject tract being more particularly described as follows:

BEGINNING at a point, the east line of Lake Forest Drive (also known as Farm to Market Road 1461), from which a 1/2" iron rod with plastic cap found for a bend point thereat bears S 1333'46" E, 156'25 feet;

THENCE N 1333'46" W, 703'24 feet along the east line thereof;

THENCE into and through said Jen Texas tract, the following:

- N 7630'00" E, 376'29 feet;
- EAST, 4731'17 feet;

S 7630'00" E, 1360'57 feet;

S 1630'00" E, 533'88 feet to a point from which a 1/2" iron rod found for a right-angle bend in County Road 943, a public road, for an inset corner of said Jen Texas tract; bears

And S 893'93" W, 2153'77 feet to the POINT OF BEGINNING with the subject tract containing 1,629,291 square feet or 33,978 acres of land.

TRACT 4

BEING a tract of land situated in the W. Butler Survey, Abstract No. 87, and the A. Stapp Survey, Abstract No. 833, in Collin County, Texas, being part of a tract conveyed to Jen Texas 22 LLC by deed recorded in Document No. 2020094001492720 of the Deed Records, Collin County, Texas (DRCCD), with the subject tract being more particularly described as follows:

BEGINNING of a 1/2" iron rod with plastic cap found for the south end of a corner clip being the intersection of the east line of Lake Forest Drive (also known as Farm to Market Road 1461), with the south line of Bloomridge Road, a public road (also known as County

TRACED along said center clip, around a curve to the right having a central angle of 99'57" found in concrete;

THENCE along Bloomridge Road, the following:

- N 8908'34" E, 469'15 feet to a MAG nail found;
- N 8959'06" E, 200'00 feet to a 1/2" iron rod with plastic cap found;
- N 0070'54" W, 112'43 feet to a PK nail found;
- And N 893'80'1" E, 138'38 feet;
- THENCE S 3599'45" W, 1673'70 feet departing said road;
- THENCE N 4251'46" W, 1597'48 feet to the POINT OF BEGINNING with the subject tract containing 1,414,600 square feet or 32,479 acres of land.

TRACT 5

BEING a tract of land situated in the W. Butler Survey, Abstract No. 87, and the A. Stapp Survey, Abstract No. 833, in Collin County, Texas, being part of a tract conveyed to Jen Texas 22 LLC by deed recorded in Document No. 2020094001492720 of the Deed Records, Collin County, Texas (DRCCD), and being all or part of 4 tracts conveyed to Jen Texas 22 LLC by deeds recorded in Document No. 2021031900054570, 2021032000565200, 2021031800059870, and 2021031800069270 DRCCD, with the subject tract being more particularly described as follows:

BEGINNING at a point in Bloomridge Road, a public road (also known as County Road 1461), from which a PK nail found for a right-of-way dedication thereof bears S 8959'01" W, 1536'38 feet;

THENCE along Bloomridge Road, the following:

- N 8959'01" E, 1900'69 feet to a 1/2" iron rod found;
- N 8836'35" E, 794'43 feet;
- And N 8856'40" E, 536'48 feet;
- THENCE S 00742'57" W, 1522'58 feet departing said road;
- THENCE S 893'21'11" W, 284'1 feet to a 1/2" iron rod found for a bend in County Road 943, a public road;
- THENCE S 0823'13" W, 1071'32 feet along the east line thereof;

THENCE into and through said Jen Texas tract, the following:

- S 84'33'34" W, 398'74 feet;
- S 8943'12" W, 3233'72 feet;
- N 3025'59" W, 514'32 feet;
- N 1053'23" E, 282'81 feet;
- N 5324'46" W, 448'92 feet;
- And N 3579'45" E, 1993'17 feet to the POINT OF BEGINNING with the subject tract containing 10,070,864 square feet or 230,000 acres of land.

TRACT 2

BEING a tract of land situated in the W. Butler Survey, Abstract No. 87, and the A. Stapp Survey, Abstract No. 833, in Collin County, Texas, being part of a tract conveyed to Jen Texas 22 LLC by deed recorded in Document No. 2020094001492720 of the Deed Records, Collin County, Texas (DRCCD), and being all or part of 4 tracts conveyed to Jen Texas 22 LLC by deeds recorded in Document No. 2021031900054570, 2021032000565200, 2021031800059870, and 2021031800069270 DRCCD, with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for a right-angle bend in County Road 943, a public road, for an inset corner of said Jen Texas tract;

THENCE through said Jen Texas tract the following:

- S 893'81" W, 2511'87 feet;
- N 1630'00" W, 533'88 feet;
- N 1630'00" W, 1730'34 feet;
- N 4000'00" W, 683'34 feet;
- N 00743'32" W, 673'52 feet;
- N 8943'12" E, 3233'72 feet;
- And N 8433'34" E, 388'74 feet to the east line of County Road 943, a public road;
- THENCE along said road, the following:
- S 0833'13" W, 749'12 feet;
- S 1231'28" E, 302'77 feet to an "x" found in concrete;
- And S 00718'24" E, 1696'03 feet to the POINT OF BEGINNING with the subject tract containing 7,900,545 square feet or 181,372 acres of land.

OVERFALL TRACT

BEING a tract of land situated in the W. Butler Survey, Abstract No. 87, and the A. Stapp Survey, Abstract No. 833, in Collin County, Texas, being part of a tract conveyed to Jen Texas 22 LLC by deed recorded in Document No. 2021031900054570, 2021032000565200, 2021031800059870, and 2021031800069270 DRCCD, with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for a right-angle bend in County Road 943, a public road, for an inset corner of said Jen Texas tract;

THENCE S 893'93" W, 466'44 feet through said Jen Texas tract to a point on the east line of Lake Forest Drive, a variable width public right-of-way (also known as Farm to Market Road 1461);

THENCE along the east line of Lake Forest Drive, the following:

- N 1333'46" W, 900'17 feet to a 1/2" iron rod with plastic cap found;
- A tangent curve to the right having a central angle of 129°01'4", a radius of 990.00 feet, a chord of N 07°08'39" W – 221'35 feet, an arc length of 221.81 feet to a 1/2" iron rod with plastic cap found;
- N 00743'32" W, 673'52 feet to a 1/2" iron rod with plastic cap found;
- A tangent curve to the left having a central angle of 06°53'00", a radius of 5789'58 feet, a chord of N 04°10'02" W – 695.12 feet, an arc length of 695.54 feet;
- N 0736'32" W, 579'45 feet to a 1/2" iron rod with plastic cap found;
- A tangent curve to the right having a central angle of 07°49'00", a radius of 5669'58 feet, a chord of N 03°42'02" W – 772'88 feet, an arc length of 773'48 feet to a 1/2" iron rod with plastic cap found;
- N 0012'28" E, 966'30 feet to a 1/2" iron rod with plastic cap found;
- A tangent curve to the right having a central angle of 07°25'00", a radius of 990.00 feet, a chord of N 0054'58" E – 24'48 feet, an arc length of 24.48 feet to a 1/2" iron rod with plastic cap found;
- N 0613'15" E, 192'95 feet to a 1/2" iron rod with plastic cap found;
- And N 027'42'28" E, 140'66 feet to a 1/2" iron rod with plastic cap found for the south public right-of-way being the intersection of Lake Forest Drive and Bloom Ridge Road, a public right-of-way;

THENCE along Bloomridge Road, the following:

- N 8908'34" E, 469'15 feet to a Mag nail found;
- N 8959'06" E, 200'00 feet to a 1/2" iron rod with plastic cap found;
- N 0070'54" W, 112'43 feet to a PK nail found;
- N 893'80'1" E, 3237'07 feet to a 1/2" iron rod found;
- N 8836'35" E, 794'43 feet;
- And N 8856'40" E, 536'48 feet;
- THENCE S 00742'57" W, 1522'58 feet departing said road;
- THENCE S 893'21'11" W, 284'1 feet to a 1/2" iron rod found in an outside band in County Road 943;
- THENCE along County Road 943, the following:
- S 0833'13" W, 1820'44 feet;
- S 1231'28" E, 302'77 feet to an "x" found in concrete;
- And S 00718'24" E, 1696'03 feet to the POINT OF BEGINNING with the subject tract containing 20,717,919 square feet or 473,599 acres of land.

ZONING EXHIBIT

PAINTED TREE

BEING 613.389 ACRES IN THE
W. BUTLER SURVEY, ABSTRACT NO. 87
A. STAPP SURVEY, ABSTRACT NO. 833
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

EXHIBIT C

DEVELOPMENT REGULATIONS

1) Definitions.

- A) Property means the property described on Exhibit A of this Ordinance.
- B) Special Residential means a use with multiple detached dwelling units located on the same platted lot that are designed to be rented.
- C) Zoning Exhibit means Exhibit B of this Ordinance, as amended in accordance with Section 3.

2) **Conflicts.** In the event of a conflict between this Ordinance and any other City ordinance, rule or regulation, including, but not limited to, the provisions of the City's comprehensive zoning ordinance, this Ordinance shall control.

3) **Zoning Exhibit.** Development and use of the Property shall be in accordance with the Zoning Exhibit. The size and shape of each subdistrict shown on the Zoning Exhibit may change without City approval provided the overall changes to the subdistrict do not change the subdistrict shown on the original Zoning Exhibit by more than ten percent.

4) **Tract 1 & 2– Single Family Residential.** The following regulations apply to Tract 1 and Tract 2 on the Zoning Exhibit:

- A) Base zoning district: SF-5 Single Family Residential District, as amended
- B) Permitted uses. Attached and detached single family residential dwellings are permitted by right. In addition, each use permitted in the SF-5 District is permitted in Tract 1 and Tract 2 to the same extent the use is permitted in the SF-5 District. For example, if the SF-5 District permits a use by right, that use is permitted in Tract 1 and Tract 2 by right. If the SF-5 District permits a use by SUP, that use is permitted in Tract 1 and Tract 2 by SUP.
- C) Development standards. Development in Tract 1 and Tract 2 shall comply with the following development standards, which shall be the exclusive lot size, setback, density, and height restrictions applicable to Tract:

DEVELOPMENT STANDARDS – TRACT 1&2	SF DETACHED LOTS MIN. 60' WIDE	SF DETACHED LOTS MIN. 50' WIDE	SF DETACHED LOTS LESS THAN 50' WIDE	SINGLE FAMILY ATTACHED
MINIMUM LOT AREA	6600 SF	5500 SF	2700 SF	2160 SF
MINIMUM LOT WIDTH	60'	50'	30'	24'
MINIMUM LOT DEPTH	110'	110'	90'	90'
MINIMUM FRONT YARD BUILDING SETBACK				
1. PRIMARY FACADE OF THE HOUSE	20'	20'	10'	10'
2. GARAGE DOOR	20'	20'	NA	NA

EXHIBIT C

DEVELOPMENT STANDARDS – TRACT 1&2	SF DETACHED LOTS MIN. 60' WIDE	SF DETACHED LOTS MIN. 50' WIDE	SF DETACHED LOTS LESS THAN 50' WIDE	SINGLE FAMILY ATTACHED
3. UNENCLOSED FRONT PORCH, PATIO, OR SIMILAR STRUCTURE	10'	10'	10'	10'
MINIMUM REAR YARD SETBACK				
1. PRIMARY FAÇADE OF THE HOUSE	15'	15'	10'	10'
2. GARAGE DOOR ACCESSED FROM AN ALLEY	20'	20'	20'	20'
MINIMUM SIDE YARD SETBACK				
1. INTERIOR SIDE YARD	5'	5'	5'	10' BETWEEN BUILDINGS
2. INTERIOR SIDE YARD-ZERO LOT LINE COMBINATION *	1'-9' *	1'-9' *	1'-9' *	1'-9' *
3. SIDE YARD ADJACENT TO STREET	15'	15'	15'	10'
4. GARAGE DOOR ACCESSED FROM A STREET	20'	20'	N/A	N/A
MAXIMUM HEIGHT OF STRUCTURE	35'	35'	35'	35'
MAXIMUM NUMBER OF DWELLING UNITS BY TYPE	NA	NA	500	200
MAXIMUM NUMBER OF TOTAL DWELLING UNITS	1200			

* SETBACK DETERMINED AT TIME OF PRELIMINARY-FINAL PLATTING, MUST HAVE 10' SEPARATION BUILDING TO BUILDING

D) Mean and Median Lot size. At full buildout, the mean and median lot size for detached lots shall be a minimum of 5,000 square feet in Tract 1 and Tract 2.

5) **Tract 3 – Multi-family.** The following regulations apply to Tract 3 on the Zoning Exhibit:

A) Base zoning district: “MF-3” – Multiple Family Residential – Medium-High Density District, as amended

B) Permitted uses: Multi-family units are permitted by right. In addition, each use permitted in the MF-3 District is permitted in Tract 3 to the same extent the use is permitted in the

EXHIBIT C

MF-3 District. For example, if the MF-3 District permits a use by right, that use is permitted in Tract 3 by right. If the MF-3 District permits a use by SUP, that use is permitted in Tract 3 by SUP.

C) Development Standards.

I) Development of Tract 3 shall comply with the MF-3 District regulations in Appendix F of the zoning ordinance, as amended, except as follows:

- (1) Buildings may be a maximum of four stories.
- (2) Four story buildings are not permitted within 800 feet of the right-of-way boundary of Lake Forest or within 100 feet of Tracts 1 and 2.
- (3) A minimum 50-foot wide landscape buffer shall be provided along Wilmeth Road where four story buildings are constructed. Existing trees within such buffer shall be preserved.
- (4) The required number of enclosed parking spaces shall be a minimum of 30% of the total number of units. An additional minimum of 20% of the total number of the units may be covered parking spaces (carports) or enclosed parking spaces to bring both enclosed and covered parking spaces to 50% of the total number of units.
- (5) The additional 0.5 parking space for each enclosed space where a 20' driveway is not provided with a garage door is not required.
- (6) A maximum of 600 multi-family dwelling units are permitted in Tract 3.
- (7) Detached garages and maintenance buildings shall maintain a minimum setback of 20 feet from any shared property line with single residential use or zone. Multi-family residential buildings shall observe the applicable setbacks set forth in the MF-3 District regulations.

D) Open Space. All multi-family units shall be located within 500 feet of an open space area designated on a site plan.

6) **Tract 4 – Flex Use.** The following regulations apply to Tract 4 on the Zoning Exhibit:

A) Base zoning district: C-2 Local Commercial District

B) Permitted uses: Each use permitted in Tract 1 and Tract 2, as well as non-residential uses, as further described below.

C) Development standards.

I) All uses permitted in Tract 1 and Tract 2 shall be developed in accordance with the development standards applicable to Tract 1 and Tract 2, except that a maximum of 480 single family dwelling units are permitted in Tract 4.

EXHIBIT C

II) Non-Residential Development:

(1) Each use permitted in the C-2 Local Commercial District is permitted in Tract 4 to the same extent the use is permitted in the C-2 Local Commercial District. For example, if the C-2 Local Commercial District permits a use by right, that use is permitted in Tract 4 by right. If the C-2 Local Commercial District permits a use by SUP, that use is permitted in Tract 4 by SUP.

(2) Development in Tract 4 of any non-residential use shall comply with C-2 Local Commercial District regulations in Appendix F of the zoning ordinance, as amended.

(3) A minimum of five acres in Tract 4 shall be developed with non-residential uses.

7) **Tract 5 – Governmental Complex.** The following regulations apply to Tract 5 on the Zoning Exhibit:

A) **Base zoning district:** “GC” – Governmental Complex District, as amended

B) **Permitted uses:** Each use permitted in the GC - Governmental Complex District is permitted in Tract 5 to the same extent the use is permitted in the GC - Governmental Complex District. For example, if the GC - Governmental Complex District permits a use by right, that use is permitted in Tract 5 by right. If the GC - Governmental Complex District permits a use by SUP, that use is permitted in Tract 5 by SUP

C) **Development Standards.** Development of Tract 5 shall comply with the GC - Governmental Complex District regulations in Appendix F of the zoning ordinance, as amended

8) **General Provisions.**

A) **Minor Amendments.** The Director of Planning may approve a maximum five-foot reduction in any minimum building setback and an increase in any maximum lot coverage of up to five percent.