

ORDINANCE NO. 2008-08-085

AN ORDINANCE AMENDING ORDINANCE NO. 1270, AND AS AMENDED, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 47.82 ACRE PROPERTY, LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE) AND ON THE EAST SIDE OF COMMUNITY AVENUE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW OFFICE 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 47.82 acre property, located on the south side of U.S. Highway 380 (University Drive) and on the east side of Community Avenue, from "PD" – Planned Development District to "PD" – Planned Development District, generally to allow office 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:**

Section 1. Ordinance No. 1270, and as amended, is hereby amended so that an approximately 47.82 acre property, located on the south side of U.S. Highway 380 (University Drive) and on the east side of Community Avenue, 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 office uses.

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

1. The subject property shall be developed according to the "O" – Office District regulations of the Zoning Ordinance, except as follows:
  - a. The subject property shall generally conform to the attached site plan (Exhibit "B") and landscape plan (Exhibit "C").
  - b. Screening.
    - i. A 10 foot tall, vinyl-coated, chain link fence with three strand barbed wire at the top shall be allowed.
    - ii. A 6 foot tall screening berm, a 10 foot tall, vinyl-coated, chain link fence with three strand barbed wire at the top, and the existing tree line along the southern property line shall satisfy the requirement for a screening device between the subject property and the adjacent tracts to the south zoned for multi-family and townhome uses.

iii. Masonry screening walls around outdoor mechanical yards be allowed a maximum height of 20 feet.

c. The associated site plan and landscape plan for the proposed data center shall be approved by Staff.

d. Schools shall be a prohibited use on the subject property.


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.

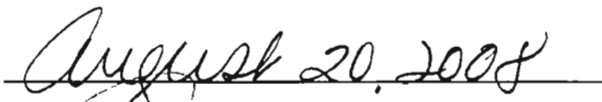
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 19<sup>TH</sup> DAY OF AUGUST, 2008.**

  
BILL WHITFIELD, Mayor

CORRECTLY ENROLLED:

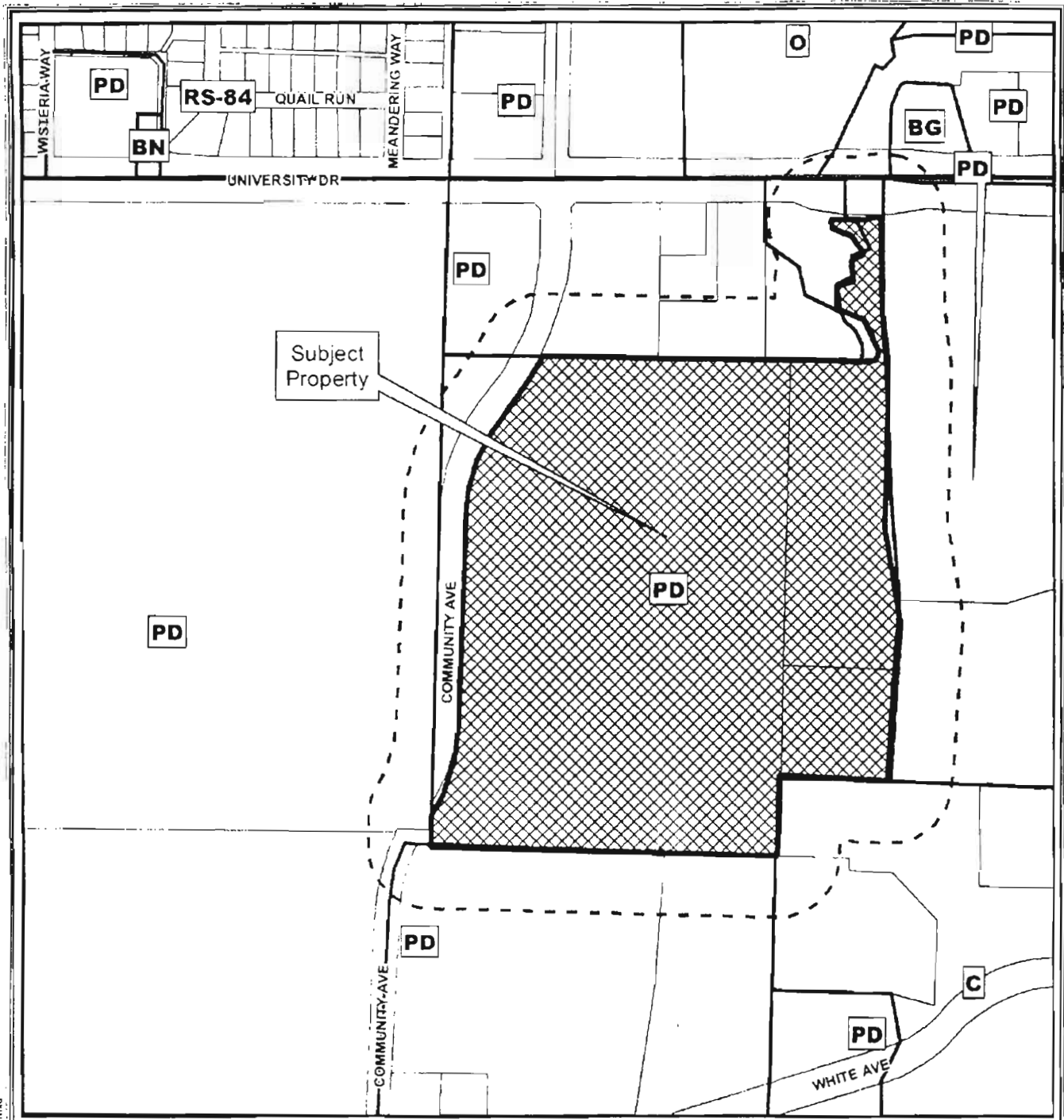
  
SANDY HART, TRMC, MMC  
City Secretary  
BEVERLY COVINGTON, TRMC, CMC  
Deputy City Secretary

DATE:



APPROVED AS TO FORM:

  
MARK S. HOUSER  
City Attorney



S:\MCKINNEY\Notification\Projects\2008\08-245Z.mxd

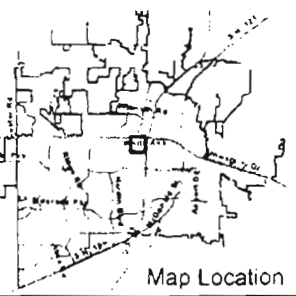


**Notification Case**

Notice Case: 08-245Z  
R-6257-000-0210-1

**EXHIBIT A**

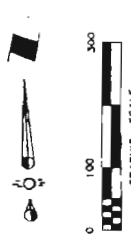
--- 200' Notification Buffer



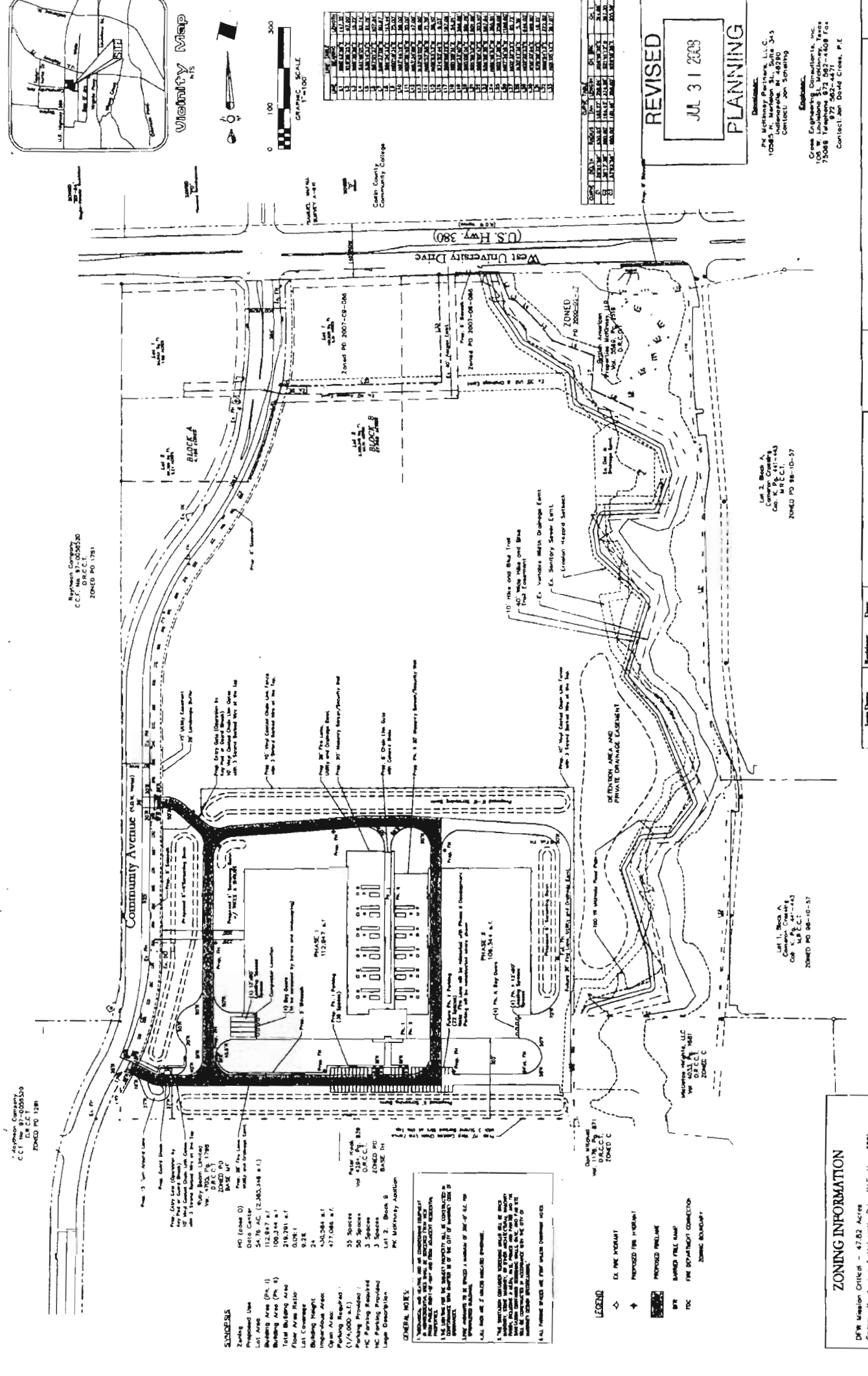
This map is a digital representation of the information shown on the original map. It is not intended to be used as a substitute for the original map. The original map is the authoritative source of information. The information on this map is derived from the original map and is subject to the same limitations and conditions as the original map. The information on this map is not to be used for any purpose other than that for which it was prepared.



Vicinity Map



Area	Area (Ac)	Volume (cu yd)	Notes
1	0.15	1,500	Excavation
2	0.15	1,500	Excavation
3	0.15	1,500	Excavation
4	0.15	1,500	Excavation
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47	0.15	1,500	Excavation
48	0.15	1,500	Excavation
49	0.15	1,500	Excavation
50	0.15	1,500	Excavation



REVISED  
 JUL 31 2008  
 PLANNING

McKinney Partners, L.L.C.  
 10045 N. McKinney St., Suite 303  
 Dallas, TX 75212-4172  
 Contact: Jon Schmitt  
 Engineer  
 Green Engineering Consultants, Inc.  
 17508B Telephone 872-092-4109 Fax  
 872-562-4771  
 Contact: Dan David Creek, P.E.

**SITE PLAN**  
 DFW MISSION CRITICAL  
 PK McKinney Partners, L.L.C.  
 CITY OF MCKINNEY, TEXAS

CROSS ENGINEERING CONSULTANTS		
Date	Revision	Description
3-1-08	1	2-D
3-1-08	2	3-D
3-11-08	3	Final
	4	
	5	
	6	

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT  
 THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY

Arup/Gray Company  
 C.C.F. No. 97-0350530  
 D/F/C/C/T  
 ZONED PD 1381

Northwest Company  
 C.C.F. No. 97-0350530  
 D/F/C/C/T  
 ZONED PD 1381

Lot 1, Block A  
 Corner of Community Avenue & University Drive  
 City of McKinney, Texas  
 D/F/C/C/T  
 ZONED PD 88-10-57

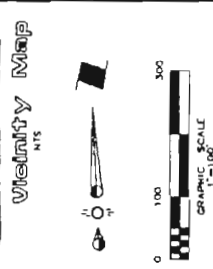
Lot 2, Block A  
 Corner of Community Avenue & University Drive  
 City of McKinney, Texas  
 D/F/C/C/T  
 ZONED PD 88-10-57

**SYNOPSIS**  
 Zoning: HC (Good D)  
 Proposed Use: DFW Center  
 Lot Area: 42,360,348 s.f.  
 Building Area (P/L): 112,847 s.f.  
 Building Area (P/N): 100,344 s.f.  
 Total Building Area: 218,291 s.f.  
 Floor Area Ratio: 0.26  
 Lot Coverage: 9.2%  
 Building Height: 4-5/24 s.f.  
 Open Space Area: 47,086 s.f.  
 Parking Required: (1/4,000 s.f.)  
 55 Spaces  
 Parking Provided: 50 Spaces  
 HC Parking Required: 3 Spaces  
 HC Parking Provided: 3 Spaces  
 Legal Description: Lot 2, Block B  
 PK McKinney Addition

**GENERAL NOTES:**  
 1. ALL DIMENSIONS ARE AS SHOWN UNLESS OTHERWISE NOTED.  
 2. ALL UTILITIES ARE TO BE DELETED UNLESS OTHERWISE NOTED.  
 3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MCKINNEY, TEXAS.  
 4. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 5. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL UTILITIES AND PAVEMENT.  
 6. ALL UTILITIES ARE TO BE DELETED UNLESS OTHERWISE NOTED.  
 7. ALL UTILITIES ARE TO BE DELETED UNLESS OTHERWISE NOTED.  
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 20. ALL UTILITIES ARE TO BE DELETED UNLESS OTHERWISE NOTED.

ZONING INFORMATION	
DFW Mission Critical - 42.82 Acres	PROPOSED ZONING PD (BASE 0)
Community Avenue & University Drive (U.S. Hwy. 380)	PD (BASE 0)
TRACT	PD (BASE 0)
DFW Mission Critical Area (Lot 3)	PD (BASE 0)

EXHIBIT B



LOT	AREA (SQ. FT.)	AREA (SQ. AC.)	PERCENTAGE OF TOTAL LOT AREA
1	10,000	0.23	1.00
2	10,000	0.23	1.00
3	10,000	0.23	1.00
4	10,000	0.23	1.00
5	10,000	0.23	1.00
6	10,000	0.23	1.00
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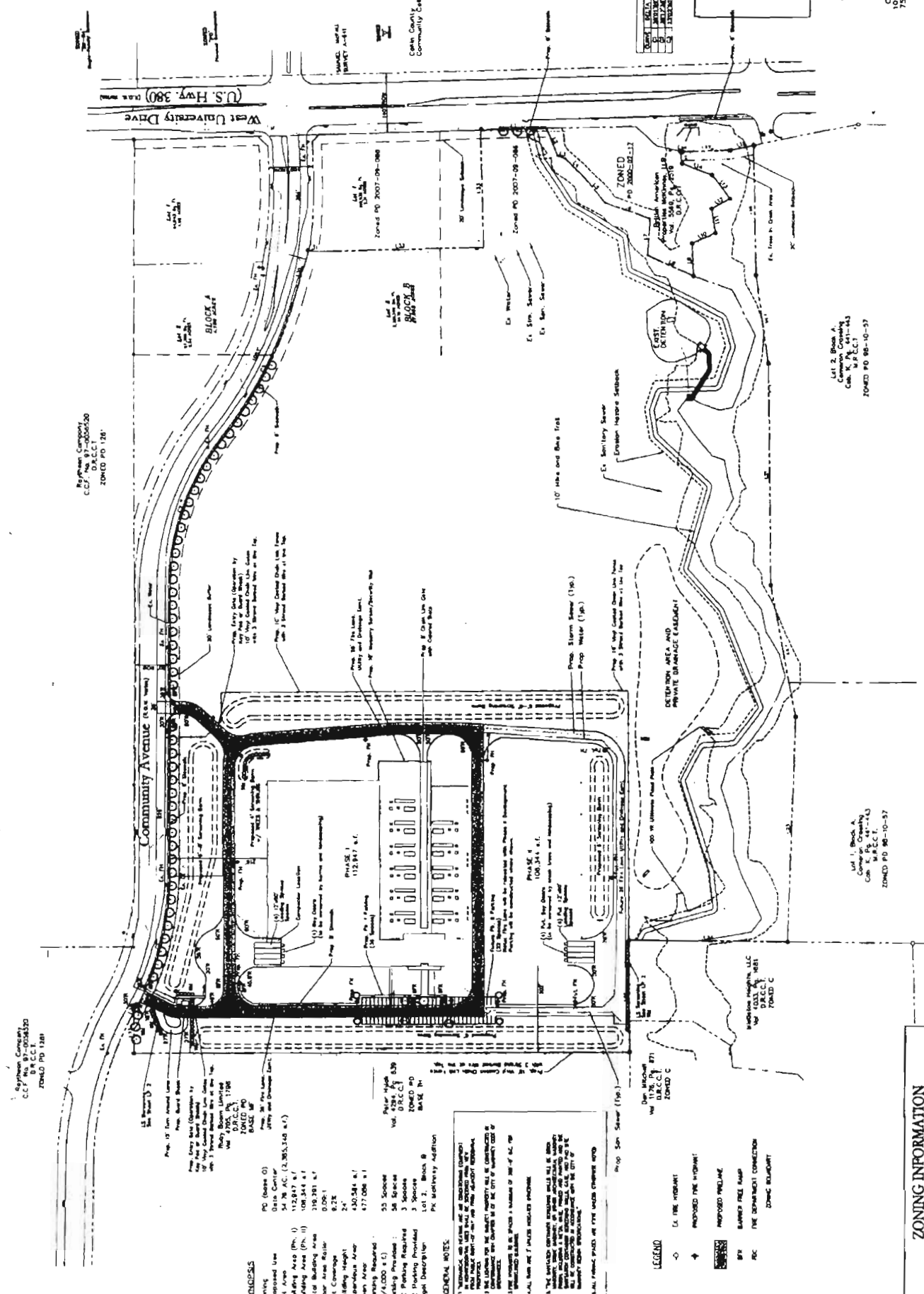
**REVISED**  
JUL 31 2015  
**PLANNING**

**Drawn by:**  
PK McKinney Partners, L.L.C.  
10345 N. Meridian St., Suite 345  
Dallas, Texas 75243  
Contact: Jon Starnes

**Engineer:**  
Cross Engineering Consultants, Inc.  
15000 Preston Road, Suite 1400  
Dallas, Texas 75240  
Contact: Dan Cross, P.E.

**LANDSCAPE PLAN**  
**DFW MISSION CRITICAL**  
**PK McKinney Partners, L.L.C.**  
**CITY OF MCKINNEY, TEXAS**

Project No: 150015



**CROSS ENGINEERING CONSULTANTS**  
15000 Preston Road, Suite 1400  
Dallas, Texas 75240  
Phone: 972.562.4371  
Fax: 972.562.4372

Checked by: JMS  
Date: 7/31/15

Issue Number	Description	Date
1	Initial	7/31/15
2	Revised	7/31/15
3	Revised	7/31/15
4	Revised	7/31/15
5	Revised	7/31/15
6	Revised	7/31/15

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT  
THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY

**ZONING INFORMATION**  
DFW Mission Critical - 47.81 Acres  
Community Avenue & University Drive (U.S. Hwy. 380)  
TRACT  
DFW Mission Critical Area (Lot 3)  
PROPOSED ZONING  
PD (BASE 0)

**STINGLES**  
Zoning: PD (Base 0)  
Proposed Use: Data Center  
Site Area: 54.78 AC (2,365,348 sq. ft.)  
Building Area (Ft. 2): 1,008,844 sq. ft.  
Total Building Area: 319,381 sq. ft.  
Floor Area Ratio: 0.09:1  
Building Height: 24'  
Open Area: 430,544 sq. ft.  
Lot 2, Block B  
PK McKinney Addition

**GENERAL NOTES:**  
1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MCKINNEY AND THE STATE OF TEXAS.  
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MCKINNEY AND THE STATE OF TEXAS.  
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5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MCKINNEY AND THE STATE OF TEXAS.

**LEGEND**  
-> EX. FIRE HYDRANT  
+ PROPOSED FIRE HYDRANT  
[Symbol] PROPOSED PRELIME  
[Symbol] BLANKET FREE TAMP  
[Symbol] FIRE DEPARTMENT CONNECTION  
[Symbol] ZONING DEMARCATION

EXHIBIT C