

ORDINANCE NO. 2001-08-087

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 479.60 ACRE TRACT LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 115, ON THE EAST SIDE OF COIT ROAD, AND APPROXIMATELY 3,000 FEET WEST OF F.M. 2478 (CUSTER ROAD), IS HEREBY REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT, TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY ALLOWING SINGLE FAMILY RESIDENTIAL USES, MULTIPLE FAMILY RESIDENTIAL USES, OFFICE USES, RETAIL USES, AND OPEN SPACE; 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 479.60 acre tract located on the south side of County Road 115, on the east side of Coit Road, and approximately 3,000 feet west of F.M. 2478 (Custer Road), from "PD" – Planned Development District, to "PD" – Planned Development District, generally allowing single family residential uses, multiple family residential uses, office uses, retail uses, and open space; 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. Zoning Ordinance No. 1270 of the City of McKinney is hereby amended so that an approximately 479.60 acre tract located on the south side of County Road 115, on the east side of Coit Road, and approximately 3,000 feet west of F.M. 2478 (Custer Road), in the City of McKinney, Collin County, Texas, which is depicted in Exhibit "A" attached hereto, is hereby rezoned from its present classification of "PD" – Planned Development District to "PD – Planned Development District allowing single family residential uses, multiple family residential uses, office uses, retail uses, and open space.

Section 2. The tracts comprising the property herein rezoned shall be developed according to the respective regulations specified for each said district in Exhibit "B" attached hereto, and as shown on Exhibit "C". The boundaries of each district are approximate. Final boundaries will be determined by the locations of streets, alleys and other plat lines when the areas are platted in a manner conforming substantially to the tract boundaries and areas shown on Exhibit "C."

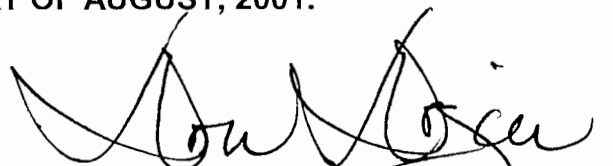
Section 3. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and to this end, the provisions of this 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 \$2000.00, 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, the Planned Development, 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 6th DAY OF AUGUST, 2001.



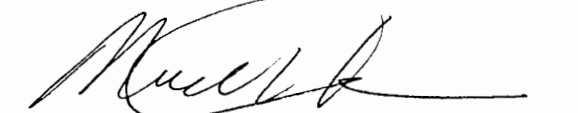
DON DOZIER, Mayor

ATTEST:



JENNIFER SPROULL, City Secretary
BEVERLY COVINGTON, Deputy City Secretary

APPROVED AS TO FORM:



MARK S. HOUSER, City Attorney

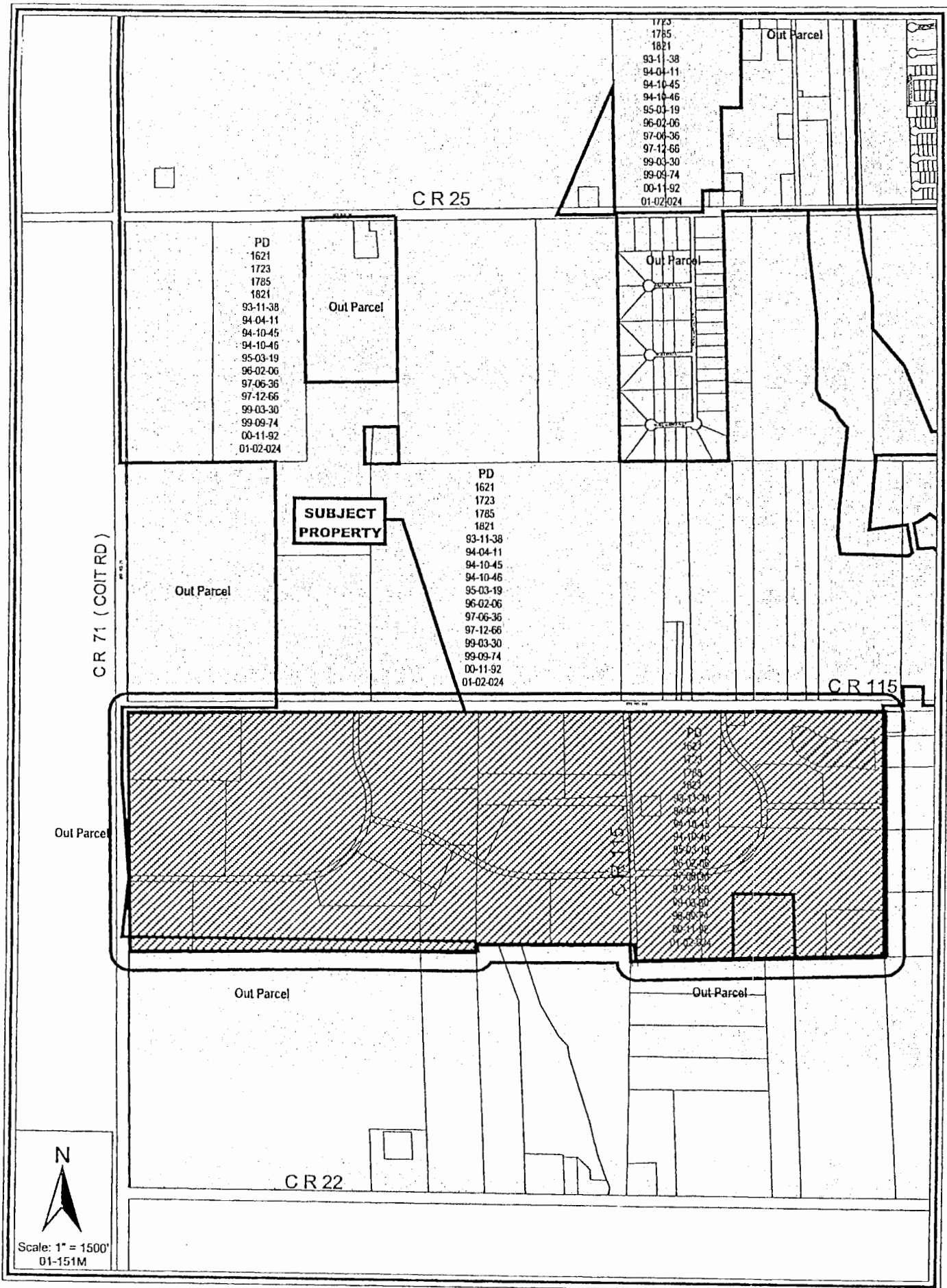


EXHIBIT "A"

PROPOSED - PLANNING AREA 12

| TRACT NO. | GROSS AC | ROW AC | NET AC | % TRACT | Zoning Classification | Min Lot Area | Min Lot Width | Min Lot Depth | Max Height | Min Front Yard | Min Rear Yard | Min Side Yard | Max Lot Cover | Min Corner Side Yard | DUI/AC | MAX NO. DUS | POP/UNIT | PROJECTED POPULATION |
|-----------|----------|--------|--------|---------|-----------------------|--------------|---------------|---------------|------------|----------------|---------------|----------------------------|---------------|----------------------|--------|-------------|----------|----------------------|
| 1201 | 2278 | 274 | 2004 | 4.75 | R-1 | N/A | N/A | N/A | 35' | 25' | 0'(b) | 0'(d) | 50% | 15' | 40 FAR | N/A | N/A | N/A |
| 1202 | 2637 | 201 | 2436 | 5.50 | MF-1 | 1800 SF | 50' | 100' | 50' | 20'(e) | 10'(c) | 7' | 80% | 15' | 18.0 | 438 | 2 | 788 |
| 1203 | 1305 | 146 | 1159 | 2.72 | SF-3.5 | 3300 SF | 50' | 55' | 35' | 0' | 5' | 10' Between Bldgs | 60% | 0' | 7.00 | 81 | 3.0 | 243 |
| 1204 | 5661 | 333 | 5228 | 11.60 | SF-3 | 4000 SF | 35' | 60' | 35' | 20'(e) | 20'(a)(e) | 5' | 60% | 15' | 5.8 | 303 | 3 | 909 |
| 1205 | 5933 | 146 | 5787 | 12.37 | SF-2 | 6000 SF | 50' | 90' | 35' | 20'(e) | 20'(a) | 5' | 60% | 15' | 4.8 | 278 | 3 | 834 |
| 1206 | 6410 | 449 | 5961 | 13.37 | SF-3.5 | 4000 SF | 35' | 60' | 35' | 20'(e) | 20'(a)(e) | 10' One Side/10' bwn bldgs | 60% | 15' | 5.8 | 346 | 3 | 1,038 |
| 1207 | 1352 | 141 | 1211 | 2.82 | SF-3.5 | 3300 SF | 50' | 55' | 35' | 0' | 5' | 10' Between Bldgs | 60% | 0' | 7.00 | 85 | 3.0 | 255 |
| 1208 | 2513 | 195 | 2318 | 5.24 | MF-1 | 1800 SF | 50' | 100' | 50' | 20'(e) | 10'(c) | 7' | 80% | 15' | 18.0 | 417 | 2 | 751 |
| 1209 | 1410 | 210 | 1200 | 2.94 | R-1 | N/A | N/A | N/A | 35' | 25' | 0'(b) | 0'(d) | 50% | 15' | 40 FAR | N/A | N/A | 771 |
| 1210 | 5983 | 621 | 5362 | 12.47 | SF-2 | 6000 SF | 50' | 90' | 35' | 20' | 20'(a) | 5' | 60% | 15' | 4.8 | 257 | 3 | 339 |
| 1211 | 2219 | 195 | 2024 | 4.63 | SF-3 | 4000 SF | 35' | 60' | 35' | 20'(e) | 20'(a)(e) | 10' One Side/10' bwn bldgs | 60% | 15' | 5.6 | 113 | 3 | 603 |
| 1212 | 4335 | 141 | 4194 | 9.04 | SF-2 | 6000 SF | 50' | 90' | 35' | 20' | 20'(a) | 5' | 60% | 15' | 4.8 | 201 | 3 | 603 |
| 1213 | 2081 | 386 | 1695 | 4.34 | P | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| 1214 | 1026 | 089 | 937 | 2.14 | ES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| 1215 | 487 | 000 | 487 | 1.02 | OS | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| 1216 | 1079 | 079 | 1000 | 2.25 | ES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| 1217 | 1030 | 030 | 1000 | 2.15 | P | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| 1218 | 321 | 077 | 244 | 0.67 | OS | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| TOTAL | 47960 | 37.13 | 44247 | 100.00 | | | | | | | | | | | | 2,519 | | 6,531 |

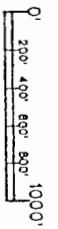
Unused Density of a Developed Tract may be Transferred to another Tract within the Planning Area

- NOTES:
- (a) Setback may be 10' when adjacent to private recreation open space or 0' when adjacent to lake or water body.
 - (b) 25 feet required when abutting any District requiring a rear (side) yard, or where abutting a Golf Course.
 - (c) When adjacent to Residential District, the greater rear-yard requirement of the two will prevail.
 - (d) 16 feet required when abutting any zone requiring a side yard.
 - (e) May be reduced to 10' with site plan approval.
 - (f) Office, Hotel, & Multi-Family up to 260' are permitted.
 - (g) Building height may not exceed 35' unless required yards are increased by one foot for each one foot of additional building height.

LEGEND:

- 6" DENOTES SEWER
- 12" DENOTES WATER
- DENOTES FUTURE ENTRANCE LOCATION
- DENOTES HIKE/BIKE TRAIL
- DENOTES TRACT BOUNDARY
- TRACT NUMBER
- ZONING CLASSIFICATION
- 20.04 AC. ACRES

GENERAL DEVELOPMENT PLAN
 PLANNING AREA 12
 STONEBRIDGE RANCH
 WESTERRA STONEBRIDGE, L.P.

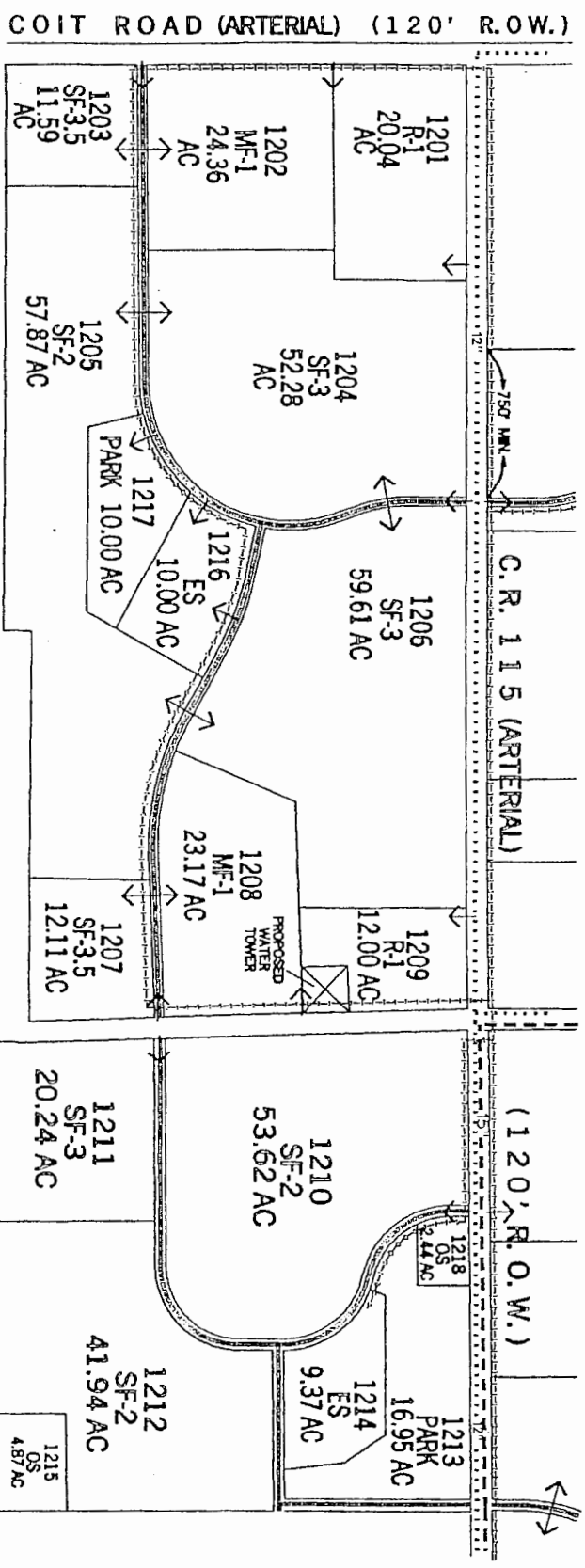


PTSCHE & ASSOCIATES, INC.
 Professional Engineers - Land Surveyors - Development Consultants
 2581 Westcove Boulevard, Suite 5, West Palm Beach, Florida 33407 (561) 640-3000
 2600 Dickrude Pkwy., Suite 240, McKinney, Texas 75070 (972) 562-9605

JUL 31 2001

NOTE:
 THE BOUNDARY FOR PLANNING AREA NO. 12
 IS DEFINED BY THE CENTER LINE OF THE
 FOLLOWING ROADS WHICH SURROUND IT:

COIT ROAD
 C.R. 115
 BOUNDARY OF CUSTER WEST PROPERTY



Unused Density of a Developed Tract may be Transferred to another Tract within the Planning Area.

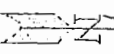
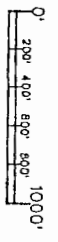
- NOTES:
- Setback may be 10' when adjacent to private recreation open space or 0' when adjacent to lake or water body.
 - 25 feet required when abutting any District requiring a rear (side) yard, or when abutting a Golf Course.
 - When adjacent to Residential District, the greater rear-yard requirement of the two will prevail.
 - 15 feet required when abutting any zone requiring a side yard.
 - May be reduced to 10' with site plan approval.
 - Office, Hotel, & Multi-Family up to 250' are permitted.
 - Building height may not exceed 35' unless required yards are increased by one foot for each one foot of additional building height.

LEGEND:

- DENOTES SEWER
 - DENOTES WATER
 - DENOTES FUTURE ENTRANCE LOCATION
 - DENOTES HIKE/BIKE TRAIL
 - DENOTES TRACT BOUNDARY
 - 8" DENOTES SEWER
 - 12" DENOTES WATER
 - DENOTES FUTURE ENTRANCE LOCATION
 - DENOTES HIKE/BIKE TRAIL
 - DENOTES TRACT BOUNDARY
- TRACT NUMBER
 ZONING CLASSIFICATION
 ACRES

JUL 31 2001

GENERAL DEVELOPMENT PLAN PLANNING AREA 12 STONEBRIDGE RANCH WESTERRA STONEBRIDGE, L.P.



P&A

PETSCHE & ASSOCIATES, INC.
 Professional Engineers - Land Surveyors - Development Divisions

2981 Macomber Boulevard, Suite 5, West Palm Beach, Florida 33407 (561) 840-3000
 2600 Bokardo Pkwy., Suite 240, Midway, Texas 75070 (972) 552-9505

EXHIBIT "C"