

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 204 ACRES OF LAND DESCRIBED IN THE ATTACHED EXHIBIT A IS ZONED PLANNED DEVELOPMENT (OFFICE/RETAIL, MULTI-FAMILY AND SINGLE FAMILY RESIDENTIAL) AS SHOWN ON THE ZONING MAP ATTACHED TO THIS ORDINANCE AND MADE A PART HEREOF; PROVIDING FOR MAXIMUM DENSITY; PROVIDING FOR PLANNED DEVELOPMENT REGULATIONS AND A SITE PLAN FOR THE DEVELOPMENT OF SUCH TRACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

THAT WHEREAS, the owner or owners of 204 acres of land more fully described in the attached Exhibit A have petitioned the City of McKinney to zone such tract "Planned Development," such area being shown on the property zoning map attached to this Ordinance and made a part hereof for all purposes; and,

WHEREAS, after due notice of the requested zoning change 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, the City Council is of the opinion that such zoning change should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:

Section I: That the real estate more fully described in the attached Exhibit A is hereby zoned Planned Development (office/retail, multi-family and single family residential) as shown on the zoning map attached to this Ordinance with the specific limitations set forth herein.

Section II: SPECIAL REGULATIONS

a. For Tracts 1, 3 and 4, the average maximum density shall be twelve (12) units per acre. Unused density in one tract may be transferred to one of the other three (3) tracts;

b. The development regulations for Tract 2 shall be the same development regulations as those contained in Section 3.10 of the Code of Ordinances of the City of McKinney with a maximum density permitted of twenty-two (22) units per acre;

c. Tracts 5 and 6 are designated for office/retail use. The development regulations for the office area shall be the same regulations as contained in Section 3.15 of the Code of Ordinances of the City of McKinney;

d. The development regulations for the retail area shall be the same regulations contained in Section 3.14 of the Code of Ordinances of the City of McKinney;

Section III: That prior to the development of any property in this Planned Development, a complete site plan and planned development regulations shall be submitted to and receive the approval of the City Council of the City of McKinney, Texas.

Section IV: That no development or property owner shall acquire any vested interest in this Ordinance, the Planned Development Zone, or specific regulations contained herein. This Ordinance and the subsequent site plan and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section V: 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 VI: 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 therefor, shall be fined any sum not exceeding \$200.00, 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 VII: 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 the 7th day of June, 1983.

CORRECTLY ENROLLED:


JENNIFER CRAVENS
CITY SECRETARY

PLANNED DEVELOPMENT DISTRICT				
TRACT	USE	ACREAGE	DENSITY/ACRE	UNITS/TRACT
1	RESIDENTIAL	47.2	12	566.4
2	RESIDENTIAL	10.0	22	220.0
3	RESIDENTIAL	99.1	12	1189.2
4	RESIDENTIAL	27.2	12	326.4
5	OFFICE/RETAIL	15.0		
6	OFFICE/RETAIL	24.2		
		TOTAL		1002.0

KAMLOOPS INVESTMENT CORP., N.N.V.P.

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