

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CITY OF MCKINNEY, TEXAS, SO THAT 79.5 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF US 380 AND BOIS D'ARC ROAD, APPROXIMATELY 1-1/2 MILES WEST OF US 75 IS ZONED "PD-O/ML" PLANNED DEVELOPMENT DISTRICT; PROVIDING REGULATIONS; PROVIDING FOR SITE AND LANDSCAPE PLAN APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF:

WHEREAS, the owner of a 79.5 acre tract on the south side of US 380 approximately 1-1/2 miles west of US 75, in the City of McKinney, Collin County, Texas, has petitioned the City of McKinney to zone such parcel of land "PD-O/ML" Planned Development District, as provided for in Ordinance No. 1270 of the City of McKinney, a complete legal description of such property being attached hereto and marked Exhibit "A", 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 said zoning change should be made.

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

Section 1. That Ordinance No. 1270 of the City of McKinney, is hereby amended so that the 79.5 acre tract of land located at the southeast corner of US 380 and Bois D'Arc Road, approximately 1-1/2 miles west of US 75, in the City of McKinney, Collin County, Texas, which is more fully depicted on Exhibit "B" attached hereto, is hereby rezoned from its present classification of "AG" Agriculture District to "PD-O/ML" Planned Development-Office/Light Manufacturing District.

Section 2. Section 3.20 "PD" Planned Development District regulations of Zoning Ordinance No. 1270 of the City of McKinney, Texas shall serve as the zoning district regulations.

Section 3. That land uses permitted are limited to:

A. Permitted Uses:

- (1) Offices
- (2) Computer installations
- (3) Warehousing: Totally enclosed
- (4) Storage: Totally enclosed
- (5) Radio, TV and microwave towers with the same restrictions as Texas Instruments Company, as approved by the City Council on October 15, 1985, ref. Council Agenda Item 85-389; (see Exhibit "C" of this Zoning Ordinance)
- (6) Related support facilities

- B. Light Industrial uses limited to:
- (1) Drugs and pharmaceutical manufacture
 - (2) Electronic products manufacture
 - (3) Food processing
 - (4) Industrial and manufacturing plants
 - (5) Laboratories: Medical, dental, science, engineering
 - (6) Metal fabrication
 - (7) Parking Lot (truck) only when associated with a principal use and screened appropriately
 - (8) Plastic products manufacture
 - (9) Printing plant or newspaper
 - (10) Soft drink bottling plant
 - (11) Utility substation or regulating station
- C. Radio, TV and microwave tower heights and tower setbacks, and building heights and building setbacks shall conform to the standards illustrated on Exhibit "C".

- Section 4. That a complete site and landscape plan shall be submitted and approved for this tract of land prior to use under this zoning classification. In addition, Section 3.20 (6)(f) of Zoning Ordinance No. 1270 shall apply.
- Section 5. 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 6. 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 thereof, shall be fined any sum not to exceed \$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 of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.
- Section 7. That no developer or property owner shall require any vested interest in this Ordinance, the Planned Development, or specific regulations contained herein. The 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 8. 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 November, 1990.

CORRECTLY ENROLLED:

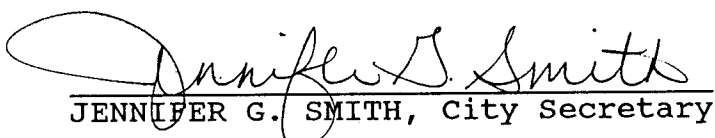

JENNIFER G. SMITH, City Secretary

EXHIBIT "A"

PD "O" OFFICE/"ML" LIGHT MANUFACTURING

BEING all of that certain lot, tract or parcel of land situated in the W. H. HUNT SURVEY, A-450, City of McKinney, Collin County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod at the westernmost northwest corner of that same 105.5 acre tract of land described in deed to H. G. CHANDLER, SR., recorded in Volume 452, Page 248 of the Deed Records of Collin County, Texas:

THENCE S 88°06'20" E 679.23 feet with the north line of the Chandler tract to an iron rod for corner;

THENCE S 88°42'43" E 173.01 feet with the north line of the Chandler tract to an iron rod for corner in the center of a creek;

THENCE with the center of the creek the following:

N 20°09'39" W 41.89 feet to a point for corner;
N 57°01'59" W 49.68 feet to a point for corner;
N 24°37'09" W 49.14 feet to a point for corner;
N 26°31'48" E 56.04 feet to a point for corner;
N 34°04'13" W 89.13 feet to a point for corner;
N 00°12'02" W 61.54 feet to a point for corner;
N 10°07'04" W 113.56 feet to a point for corner;
N 20°50'32" E 125.66 feet to a point for corner;
N 43°35'55" W 64.71 feet to a point for corner;
N 00°55'40" W 58.69 feet to a point for corner;
N 81°32'47" E 64.63 feet to a point for corner;
N 24°28'24" E 67.44 feet to a point for corner;
N 01°25'41" W 42.94 feet to a point for corner;
N 44°59'03" W 40.63 feet to a point for corner;
N 70°17'05" W 31.00 feet to a point for corner;

THENCE leaving said creek and crossing a pond, N 18°55'03" E 703.45 feet to a point for corner in the center of the aforementioned creek;

THENCE with the creek the following:

N 08°53'18" W 105.36 feet to a point for corner;
N 47°46'00" E 59.90 feet to a point for corner;
N 37°02'40" E 28.40 feet to a point for corner;
N 10°34'51" W 129.00 feet to a point for corner;
N 29°04'22" W 36.80 feet to a point for corner;

THENCE N 02°53'07" E 256.55 feet to an iron rod for corner in the south line of SH 380 (a variable width ROW);

THENCE N 87°06'53" W 180.91 feet with the south line of SH 380 to an iron rod for corner;

THENCE N 81°24'15" W 100.50 feet with the south line of SH 380 to an iron rod for corner;

THENCE N 87°06'53" W 1370.80 feet with the south line of SH 380 to an iron rod for corner;

THENCE S 01°33'54" W 207.76 feet to an iron rod for corner;

THENCE N 87°57'46" W 25.63 feet to a railroad spike for corner in the center of Bois D'Arc Road (a public road);

THENCE S 02°49'52" W 424.73 feet with the center of Bois D'Arc Road to a railroad spike for corner;

THENCE S 02°46'05" W 1687.35 feet with the center of Bois D'Arc Road to an iron rod for corner;

THENCE S 87°01'45" E 766.81 feet to an iron rod for corner in the west line of the Chandler tract;

THENCE N 02°18'24" E 257.75 feet with the west line of the Chandler tract to the place of beginning and containing 3,462,271.14 square feet or 79.4828 acres of land.

EXHIBIT "B"

ST. HWY 380

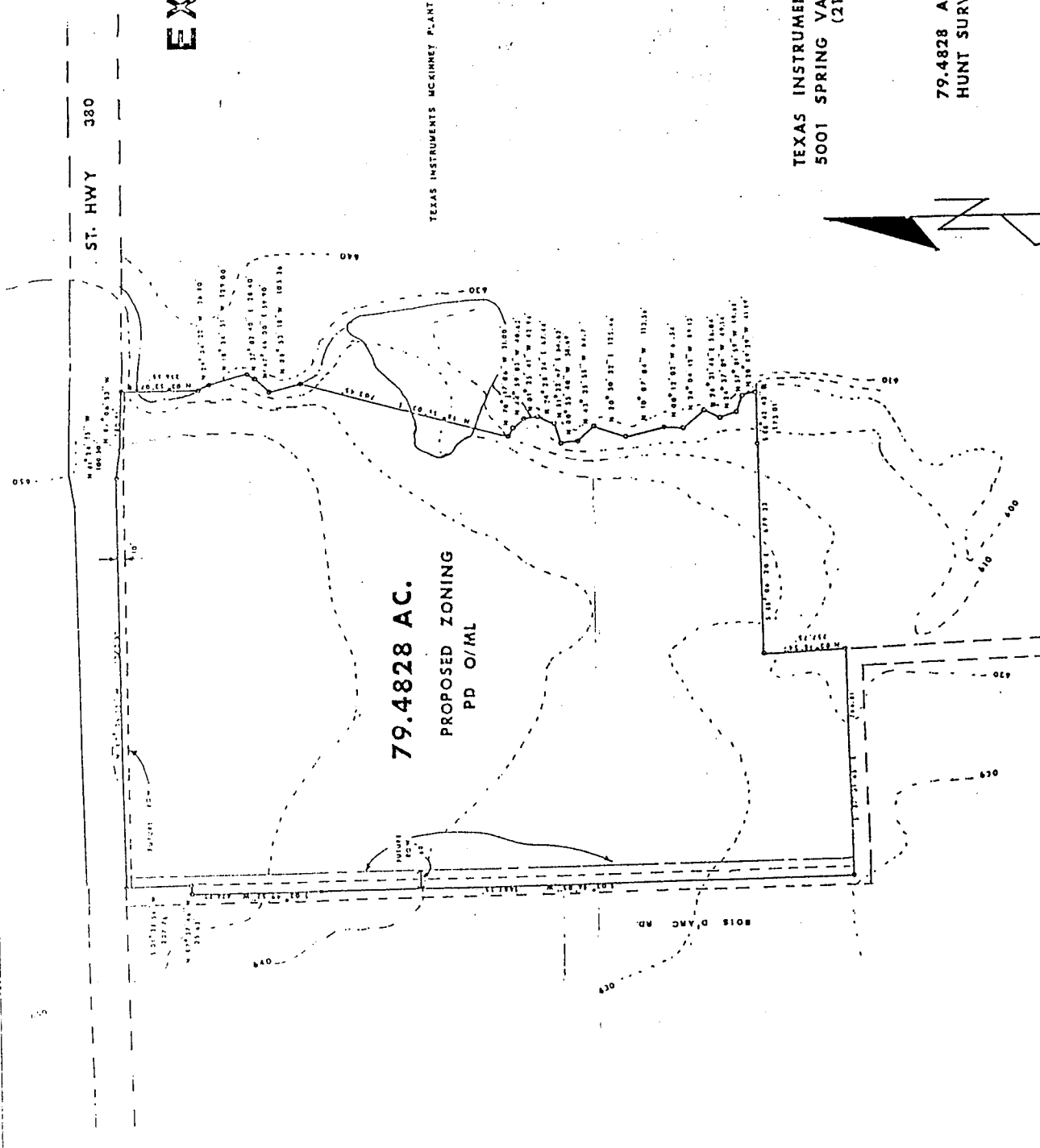
79.4828 AC.
PROPOSED ZONING
PD O/ML

TEXAS INSTRUMENTS MCKIMMEY PLANT

TEXAS INSTRUMENTS EMPLOYEES PENSION FUND - OWNER
5001 SPRING VALLEY SUITE 1000E DALLAS, TEX.
(214) 239-8041

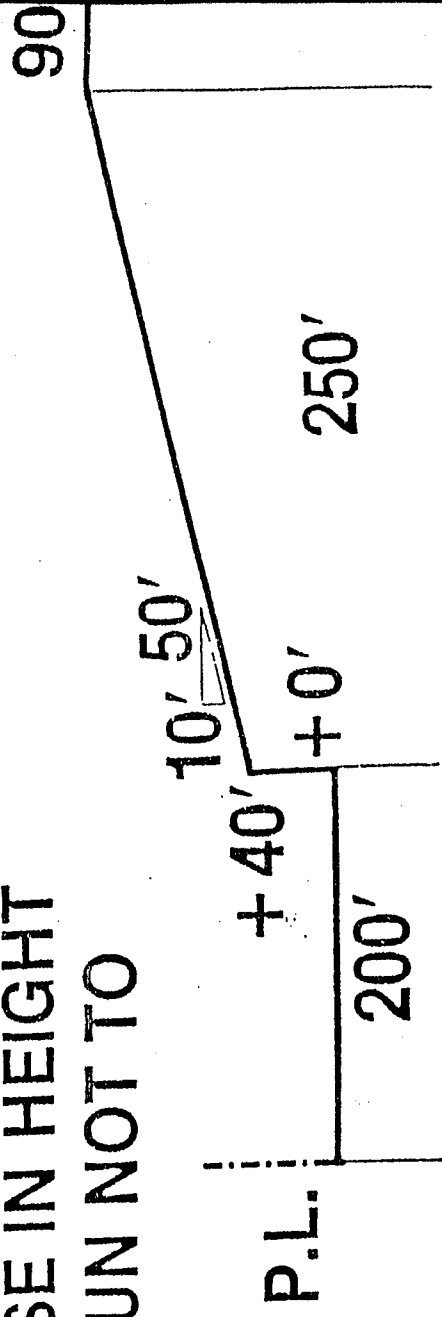
79.4828 ACRES SITUATED IN THE WILLIAM
HUNT SURVEY, A-450 COLLIN CO. TEXAS

ZONING PLAN



HEIGHT LIMITATIONS

1. MAXIMUM BUILDING HEIGHT ONE FOOT INCREASE IN HEIGHT FOR EVERY 5' OF RUN NOT TO EXCEED 90'



2. MAXIMUM PERMANENT TOWER HEIGHT 115'

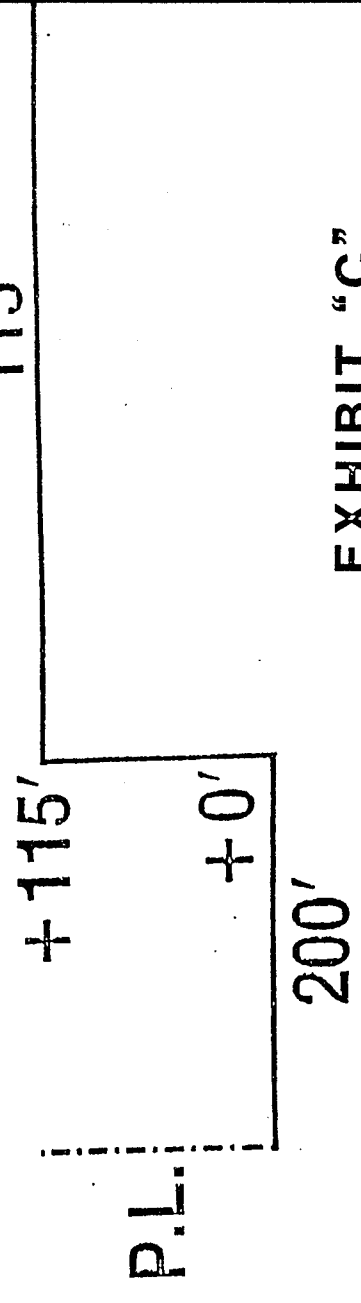


EXHIBIT "C"