

ORDINANCE NO. 95-06-27

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; TO MODIFY A PART OF AN EXISTING "PD" - PLANNED DEVELOPMENT DISTRICT LOCATED AT THE NORTHWEST CORNER OF ELDORADO PARKWAY AND HARDIN BOULEVARD FOR RETAIL AND RESIDENTIAL DEVELOPMENT; 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 owner of a tract of land at the northwest corner of Eldorado Parkway and Hardin Boulevard in the City of McKinney, Collin County, Texas, has petitioned the City of McKinney to approve an amendment to the part of a "PD" - Planned Development District, applicable to such tract,

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, and the City Council is of the opinion that said zoning should be made.

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

Section 1. That the official schematic master plan of the Planned Development Regulations for "Eldorado West", adopted by Ordinance 1499 of the City of McKinney (which amended the Planned Development District adopted by Ordinance 1447), as amended by Ordinance 1522, is hereby further amended as it pertains to that part of the Planned Development District north of Eldorado Parkway and west of Hardin Boulevard, by the adoption of a revised schematic master plan, as set forth in Exhibit "A" attached hereto and incorporated herein for all purposes, for that part of the Planned Development District.

Section 2. That the regulations applicable to the Moderate Density Single Family District established by Ordinance 1522 of the City of McKinney, as it amends Ordinance 1499, shall apply to the tract shown on Exhibit "A" as a Single Family Moderate Density area.

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 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 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 JUNE, 1995.**

CORRECTLY ENROLLED:

  
JENNIFER G. SMITH, City Secretary

