

ORDINANCE NO. 2006-11-128

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2006-09-104 OF THE CITY OF MCKINNEY, TEXAS; FOR APPROVAL OF A SPECIFIC USE PERMIT TO ALLOW A VETERINARY OFFICE WITH AN OUTDOOR DOG RUN, APPROXIMATELY 4.50 ACRES LOCATED AT THE SOUTHEAST CORNER OF ADRIATICA PARKWAY AND VIRGINIA PARKWAY; 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 specific use permit to allow a veterinary office with an outdoor dog run, (Tera Kastel at Adriatica) approximately 4.50 acres located at the southeast corner of Adriatica Parkway and Virginia Parkway, 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. 2006-09-104 is hereby amended for a specific use permit to allow a veterinary office with an outdoor dog run (Tera Kastel at Adriatica), approximately 4.50 acres located at the southeast corner of Adriatica Parkway and Virginia Parkway, which is more fully depicted on Exhibit "A" attached hereto.

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

1. The subject property shall develop in accordance with "PD" – Planned Development District Ordinance No. 2006-09-104, with the following exceptions:

(a) Allow the use of a veterinarian office with an outdoor dog run on Lot 1R, Block B, Adriatica.

(b) The subject property generally develop in accordance with the attached site plan (exhibit "B").

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.

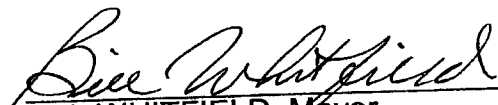
Section 5. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and

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 6. 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 7. 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.

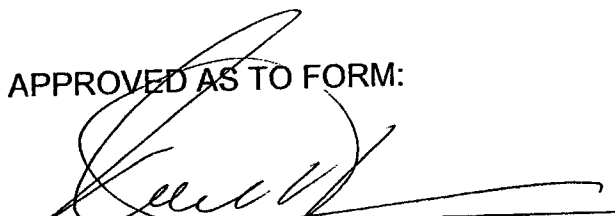
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 7TH DAY OF NOVEMBER, 2006.

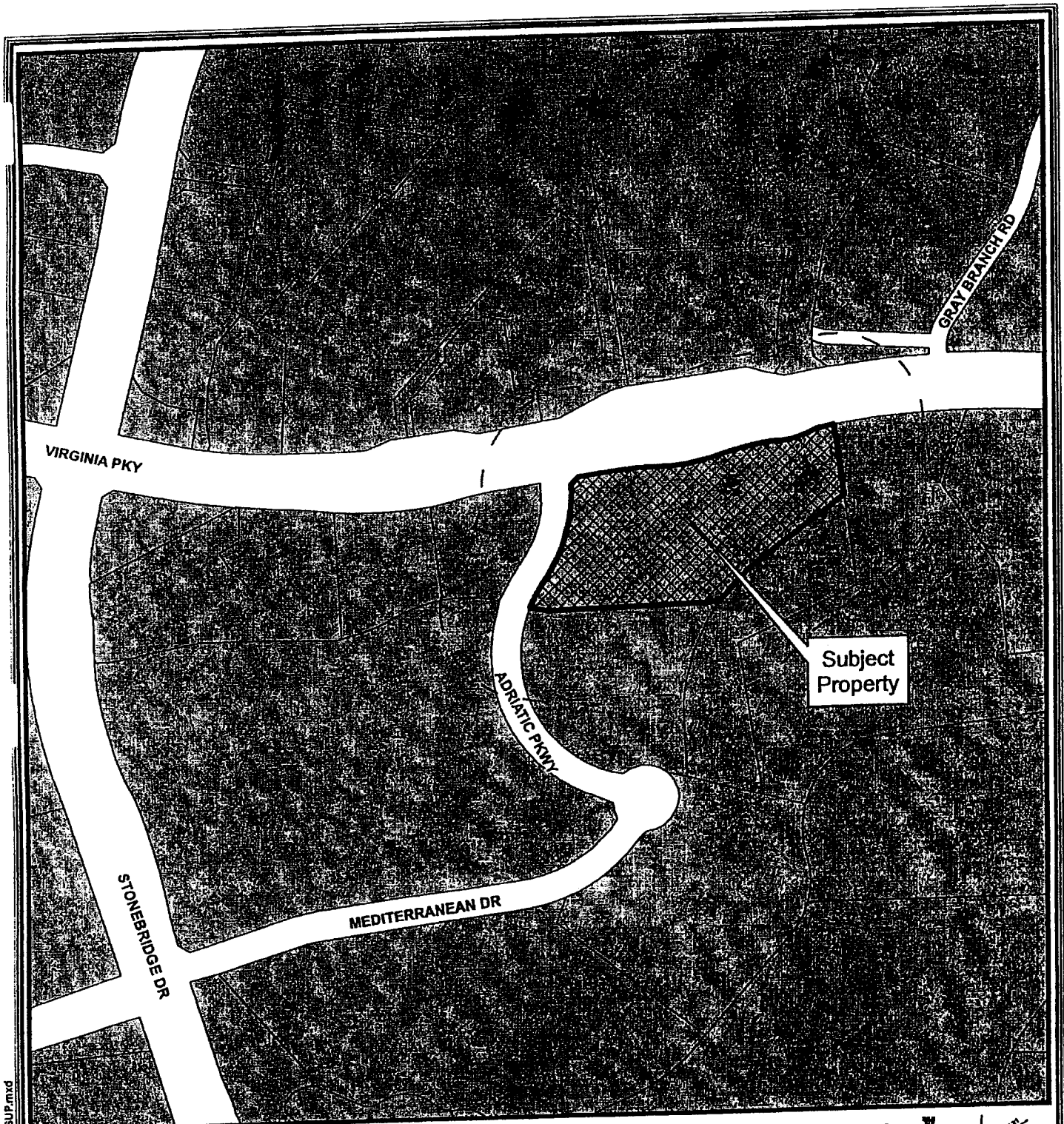

BILL WHITFIELD, Mayor

CORRECTLY ENROLLED:

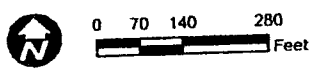

SANDY HART, CMC
City Secretary
BEVERLY COVINGTON, CMC
Deputy City Secretary

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney



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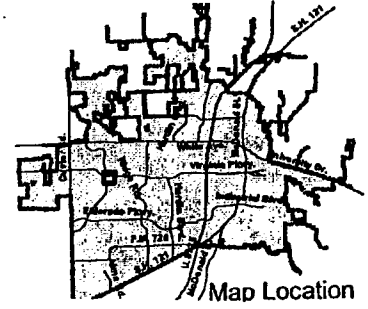


Notification Case

Notice Case #: 06-420SUP

R-8795-00B-0020-1

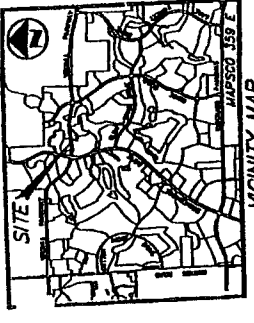
--- 200' Notification Buffer



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. No liability is assumed by the City of McKinney, its officials or employees for any discrepancies, errors or omissions. Use is at that party's risk.

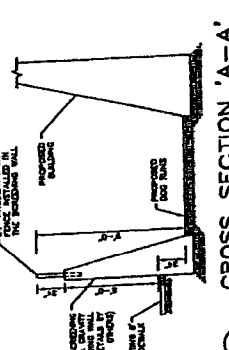
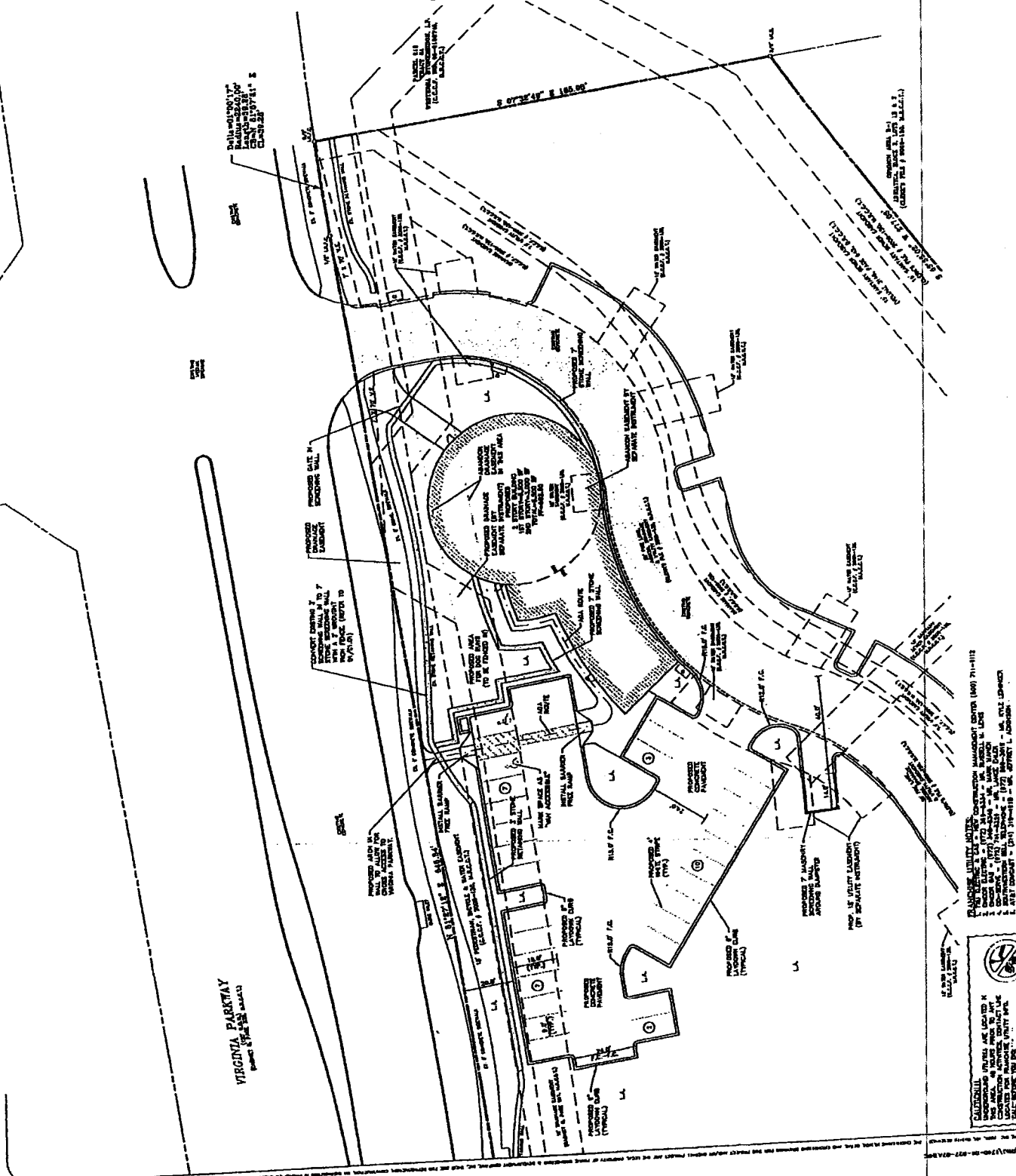
EXHIBIT "A"





LEGEND

1/4" -	EXISTING LOT
1/8" -	CURB CUT
1/16" -	EXISTING DRIVE
1/32" -	EXISTING SIDEWALK
1/64" -	EXISTING DRIVE
1/128" -	EXISTING SIDEWALK
1/256" -	EXISTING DRIVE
1/512" -	EXISTING SIDEWALK
1/1024" -	EXISTING DRIVE
1/2048" -	EXISTING SIDEWALK
1/4096" -	EXISTING DRIVE
1/8192" -	EXISTING SIDEWALK
1/16384" -	EXISTING DRIVE
1/32768" -	EXISTING SIDEWALK
1/65536" -	EXISTING DRIVE
1/131072" -	EXISTING SIDEWALK
1/262144" -	EXISTING DRIVE
1/524288" -	EXISTING SIDEWALK
1/1048576" -	EXISTING DRIVE
1/2097152" -	EXISTING SIDEWALK
1/4194304" -	EXISTING DRIVE
1/8388608" -	EXISTING SIDEWALK
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CITY OF McKINNEY SITE PLAN NOTES:

1. ALL INFORMATION ON THIS SITE PLAN IS BASED ON THE RECORDS OF THE CITY OF McKINNEY, TEXAS, AND THE RECORDS OF THE COUNTY OF DALLAS, TEXAS. THE CITY OF McKINNEY, TEXAS, AND THE COUNTY OF DALLAS, TEXAS, MAKE NO WARRANTY AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON.

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SITE DATA SUMMARY TABLE

NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENTAGE OF TOTAL LOT AREA
1	PROPOSED BUILDING FOOTPRINT	1,500	100	15.0%
2	PROPOSED SIDEWALK	2,500	167	25.0%
3	PROPOSED DRIVE	1,500	100	15.0%
4	PROPOSED CONCRETED SIDEWALK	2,500	167	25.0%
5	PROPOSED CONCRETED DRIVE	1,500	100	15.0%
6	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS	2,500	167	25.0%
7	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS	1,500	100	15.0%
8	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH	2,500	167	25.0%
9	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH	1,500	100	15.0%
10	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
11	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
12	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
13	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
14	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
15	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
16	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
17	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
18	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
19	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
20	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
21	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
22	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
23	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
24	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
25	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
26	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
27	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
28	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
29	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
30	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
31	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
32	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
33	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
34	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
35	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
36	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
37	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
38	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
39	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
40	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
41	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
42	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
43	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
44	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
45	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
46	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
47	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
48	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%
49	PROPOSED CONCRETED DRIVE WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	1,500	100	15.0%
50	PROPOSED CONCRETED SIDEWALK WITH TRAFFIC LIGHTS AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH AND BIKE PATH	2,500	167	25.0%

EXHIBIT "B"

TERA KASTEL AT ADRIATICA
BLOCK B, LOT 1R, ADRIATICA
GRAY SURVEY, ABSTRACT NO. 343
CITY OF McKINNEY, TEXAS

C1.01

PIPOGUE
ENGINEERING & DEVELOPMENT COMPANY, INC.
5015 McCOMBS FIVE
SUITE 1000
HOUSTON, TEXAS 77056

PROJECT INFORMATION

ADRIATICA
TERA KASTEL AT ADRIATICA
BLOCK B, LOT 1R, ADRIATICA
GRAY SURVEY, ABSTRACT NO. 343
CITY OF McKINNEY, TEXAS
PROPOSED USE: VETERINARY CLINIC
ZONING: PDJ 2005-23-C17

OWNER/DEVELOPER
SE HARBOR MARKET JOINT VENTURE
an affiliated company of:
AS BLISSARD GROUPWAY
1500 S. GOLIAD AVENUE
McKINNEY, TEXAS 75071
MR. JEFFORY D. BLISSARD
(972) 540-0505 FAX

REVISION / DESCRIPTION

NO.	DATE	SCALE	NOTES

REVISION / DESCRIPTION

DATE	SCALE	NOTES

REVISION / DESCRIPTION

DATE	SCALE	NOTES

