

**ORDINANCE NO. 2014-02-012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT A TOTAL OF APPROXIMATELY 69.37 ACRES OF PROPERTY IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS, WITH TRACT 1 BEING LOCATED ON THE SOUTHWEST CORNER OF MCKINNEY RANCH PARKWAY AND RIDGE ROAD, TRACT 2 BEING LOCATED ON THE NORTHWEST CORNER OF MCKINNEY RANCH PARKWAY AND STACY ROAD, TRACT 3 BEING LOCATED ON THE NORTHEAST CORNER OF MCKINNEY RANCH PARKWAY AND STACY ROAD, AND TRACT 4 BEING LOCATED ON THE SOUTHEAST CORNER OF MCKINNEY RANCH PARKWAY AND RIDGE ROAD; 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 69.37 acre property, with Tract 1 being located on the southwest corner of McKinney Ranch Parkway and Ridge Road, Tract 2 being located on the northwest corner of McKinney Ranch Parkway and Stacy Road, Tract 3 being located on the northeast corner of McKinney Ranch Parkway and Stacy Road, and Tract 4 being located on the southeast corner of McKinney Ranch Parkway and Ridge Road, which is more fully depicted on Exhibits "A" and "B", attached hereto, from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, generally to modify the development standards; and,

**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, 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. The zoning map is hereby amended in order to rezone an approximately 69.37 acre property, with Tract 1 being located on the southwest corner of McKinney Ranch Parkway and Ridge Road, Tract 2 being located on the northwest corner of McKinney Ranch Parkway and Stacy Road, Tract 3 being located on the northeast corner of McKinney Ranch Parkway and Stacy Road, and Tract 4 being located on the southeast corner of McKinney Ranch Parkway and Ridge Road, which is more fully depicted on Exhibits "A" and "B", attached hereto, from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, generally to modify the development standards.

Section 2. The subject property shall develop in accordance with the "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, and as amended, except as follows:

1. The subject property shall develop in accordance with the attached Concept Plan – Exhibit “C”, Development Regulations – Exhibit “D”, and Boulevard Cross Section – Exhibit “E”.

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.

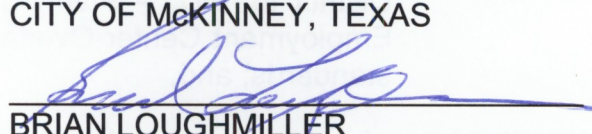
Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue 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 5. 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.

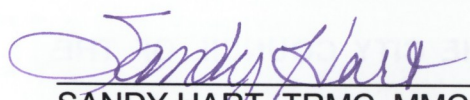
Section 6. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 18<sup>TH</sup> DAY OF FEBRUARY, 2014.**

CITY OF MCKINNEY, TEXAS

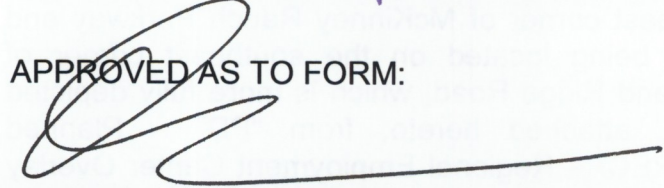
  
BRIAN LOUGHMILLER  
Mayor

CORRECTLY ENROLLED:

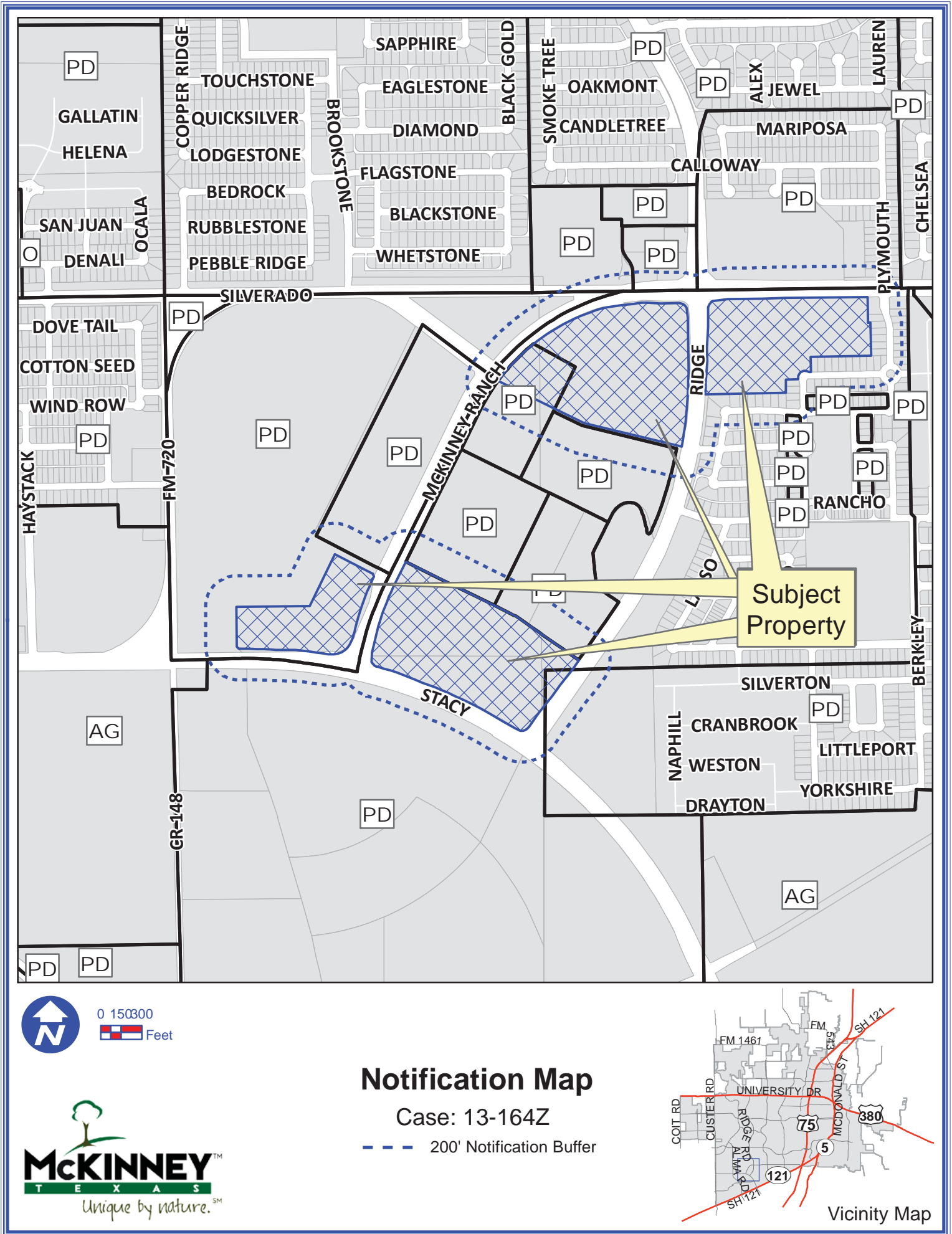
  
SANDY HART, TRMC, MMC  
City Secretary

DATE: February 18, 2014

APPROVED AS TO FORM:

  
MARK S. HOUSER  
City Attorney

# Exhibit A

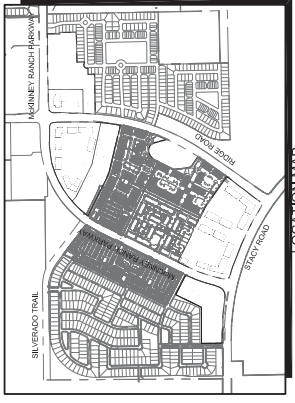
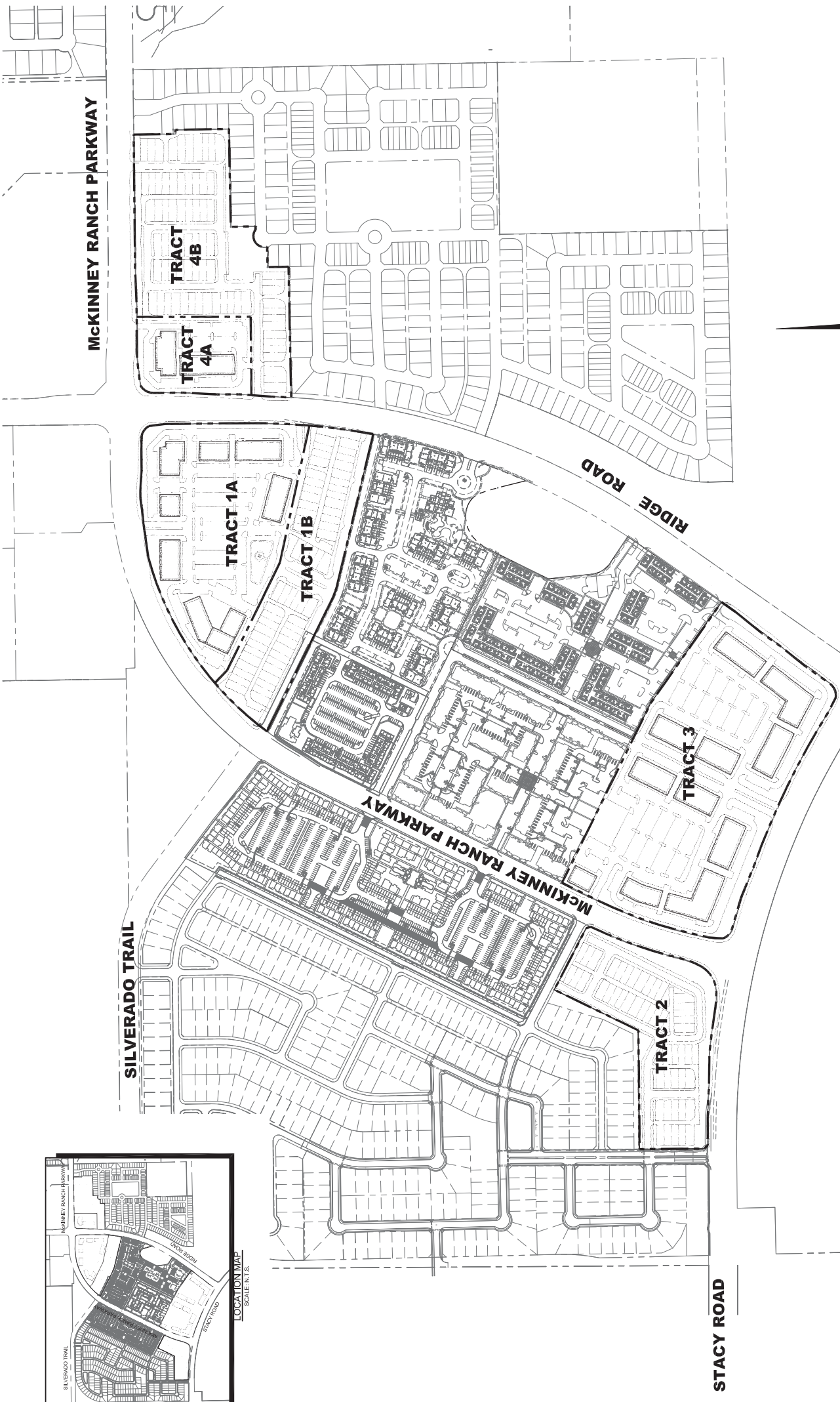
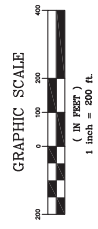


DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.



# Exhibit C

## CONCEPTUAL SITE LAYOUT




  
**SANCHEZ**  
 & Associates  
 Master Planning  
 Civil Engineering  
 Land Development  
 405 N. University Street  
 McKinney, TX 75069  
 Contact: Levi A. Wild, P.E.  
 Levi.Wild@sanchezassociates.net

STACY ROAD

RIDGE ROAD

McKINNEY RANCH PARKWAY

SILVERADO TRAIL

McKINNEY RANCH PARKWAY

TRACT 4B

TRACT 4A

TRACT 1A

TRACT 1B

TRACT 3

TRACT 2

Images: Northrup & A Logo; Jpg; Southrup; com; 20121010

# Exhibit D

## McKinney Ranch PLANNED DEVELOPMENT STANDARDS

### I. Purpose and Intent

The development standards outlined herein have been established to continue the quality development that exists in the immediate area. The subject property shall generally conform to the attached Master Development Plan. The buildings reflected on the land plan are general representations of the intended development patterns. The building layout may have minor changes as necessary to facilitate architectural design, engineering, fire, or other related needs so long as the urban character and pedestrian-oriented design is preserved, subject to review and approval by the Director of Planning.

### II. Special Provisions

- a. The building locations and circulation network on the subject property shall develop in general conformance with the proposed Conceptual Site Layout attached. Although the Conceptual Site Layout contemplates townhomes in certain areas, the townhome land use is optional and may be converted to retail/office entirely; therefore the final layout and land uses may change as necessary to facilitate final street layout, natural topography, streams or creeks, or other related needs so long as the overall character and land use assumptions (detailed below) are preserved, subject to review and approval by the Director of Planning. Townhomes may only be allowed in the areas depicted in the Conceptual Site Layout (Tracts 1B, 2, and 4B) and shall be developed according to the *Townhouse (rowhouse) dwellings* standards per the REC Neighborhood Zone, with the exception that there may no more than 6 attached dwelling units per building. Townhomes are not required; they are an allowed use in these areas.
- b. Except for those sites currently developed or approved as multi-family, Multi-family dwelling uses (MF) shall be prohibited on the subject property.
- c. Live-work units, defined generally as residential dwelling units above non-residential uses providing for limited office or retail space and limited general commercial activity, shall be allowed in tracts 1B, 2, and 4B as indicated on the Conceptual Site Layout and shall be developed according to the *Townhouse (rowhouse) dwellings* standards per the REC Neighborhood Zone, with the exception that there may no more than 6 attached dwelling units per building.
- d. One row of head-in parking, oriented towards the proposed buildings, with a dedicated firelane adjacent to a public right-of-way (slip road) shall be allowed by right to provide for access and circulation of commercial buildings along Ridge Road, McKinney Ranch Parkway and/or Stacy Road.
- e. Parking structures on the subject property shall be wrapped by buildings and the parking structure may be no taller than the buildings wrapping the parking structure.
- f. The north/south circulation spine/boulevard shall be developed in the general location as reflected by the attached Conceptual Site Layout and shall be constructed in accordance with the attached Cross Section. Parking fields associated with the future commercial development in Tract 3 shall be allowed to connect into the boulevard via dedicated fire lanes and/or driveways. The boulevard shall have a landscaped with sod and shade trees planted every 30 linear feet within the median consistent with the existing boulevard. There shall be no more than 4 median openings along the boulevard to allow access to the parking fields and associated driveways.
- g. The east/west circulation spine/boulevard shall be developed in the general location as reflected by the attached Conceptual Site Layout and shall be constructed in accordance with the attached Cross Section. Parking fields associated with the future development in Tract 1 shall be allowed to connect into the boulevard via dedicated fire lanes and/or driveways. The boulevard shall have a landscaped with sod and shade trees planted every 30 linear feet within the median consistent with the existing north-south boulevard in the immediate vicinity. There shall be no more than 4 median openings along the boulevard to allow access to the parking fields and associated driveways. Traffic calming may be required on an as-needed basis as required by the Director of Engineering.

# Exhibit D

- h. All required canopy or shade trees on the subject property, shall be planted with a minimum caliper size of 5 inches (measured 6” above the ground) and a minimum height of 12 feet at the time of planting.
- III. Development Standards
- a. Tracts 1A, 1B, 2, 4A, and 4B
    - i. Non-residential uses shall be developed in accordance with the Section 146-85 “BG” - General Business District and “REC” – Regional Employment Center Overlay District of the Zoning Ordinance, except as follows:
      - 1. No Maximum Floor Area Ratio
      - 2. Maximum Height: 4 stories (For Tracts 2 and 4B, a maximum of 2 stories shall be allowed within 150 feet of adjacent single family residential zoning or use adjacent to the subject property)
      - 3. Motor vehicle fuel sales may be allowed with approval of a specific use permit.
    - ii. Prohibited Uses:
      - 1. Auto painting or body shop
      - 2. Auto trailer, light truck, tool rental
      - 3. Auto, motorcycle, boat (sales, repair or storage)
      - 4. Bait shop
      - 5. Building material sales or monument sales
      - 6. Bus station
      - 7. Cleaning plant, laundry
      - 8. Creamery, dairy products
      - 9. Farm implement sales and service
      - 10. Frozen food lockers
      - 11. Funeral homes and mortuaries
      - 12. Garage, auto repair
      - 13. Halfway house
      - 14. Mini-warehouse
      - 15. Multiple family residential
      - 16. Pawnshops
      - 17. Railroad track or right-of-way
      - 18. Recreation vehicle sales
      - 19. Sexually Oriented Business
      - 20. Single family residential, detached
  - b. Tract 3
    - i. Non-residential uses shall be developed in accordance with the Section 146-85 “BG” - General Business District and “REC” – Regional Employment Center Overlay District of the Zoning Ordinance, except as follows:
      - 1. No Maximum Floor Area Ratio
      - 2. Maximum Height: 4 stories
      - 3. Motor vehicle fuel sales may be allowed with approval of a specific use permit.
    - ii. Prohibited Uses:
      - 1. Auto painting or body shop
      - 2. Auto trailer, light truck, tool rental
      - 3. Auto, motorcycle, boat (sales, repair or storage)
      - 4. Bait shop
      - 5. Building material sales or monument sales
      - 6. Bus station
      - 7. Cleaning plant, laundry
      - 8. Creamery, dairy products
      - 9. Farm implement sales and service
      - 10. Frozen food lockers
      - 11. Funeral homes and mortuaries
      - 12. Garage, auto repair
      - 13. Halfway house
      - 14. Mini-warehouse
      - 15. Multiple family residential

## Exhibit D

16. Pawnshops
17. Railroad track or right-of-way
18. Recreation vehicle sales
19. Sexually Oriented Business
20. Single family residential, attached
21. Single family residential, detached



Exhibit E

General Cross Section of  
Boulevard — Fire Lane

