

ORDINANCE NO. 2011-11-___

AN ORDINANCE AMENDING ORDINANCE NO. 2006-11-131 OF THE CITY OF MCKINNEY, TEXAS; SO THAT APPROXIMATELY 13.07 ACRE PROPERTY, LOCATED ON THE WEST SIDE OF HARDIN BOULEVARD AND APPROXIMATELY 1,050 FEET NORTH OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE), IS ZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; 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 rezoning of an approximately 13.07 acre tract of land, located on the west side of Hardin Boulevard and approximately 1,050 feet north of U.S. Highway 380 (University Drive), which is more fully depicted in Exhibits A, B, and C, is zoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards, 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 such amendment should be made.

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

Section 1. Ordinance No. 2006-11-131 is hereby amended so that an approximately 13.07 acre property, located on the west side of Hardin Boulevard and approximately 1,050 feet north of U.S. Highway 380 (University Drive), which is more fully depicted in Exhibits A, B, and C, attached hereto, is rezoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards.

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

1. The subject property shall conform to "PD" – Planned Development District Ordinance No. 2006-11-131, except as follows:
 - a. The minimum rear yard setback shall be 20 feet.
 - b. A covered patio may encroach into the rear yard setback no more than eight feet.
 - c. Each single family dwelling unit shall have a minimum of 90% masonry on each side of the primary structure.
 - d. A minimum of one canopy tree shall be provided in the front yard and a minimum of two canopy trees shall be provided in the rear yard of each single family lot.

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 15th DAY OF NOVEMBER, 2011.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

CORRECTLY ENROLLED:

SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

REGISTERED PROFESSIONAL ENGINEER
 No. 1001
 DATE 2 9 2011

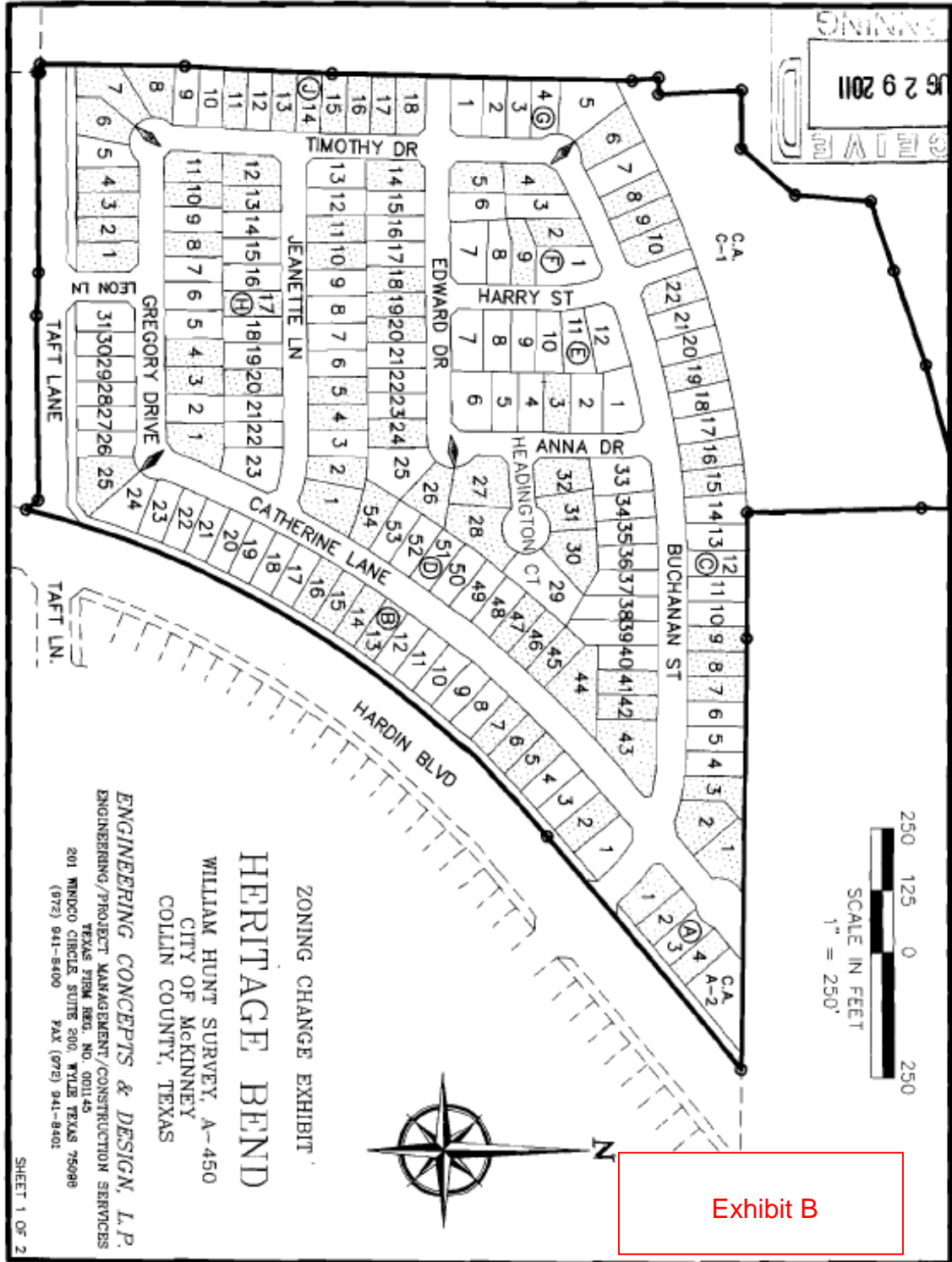


Exhibit B

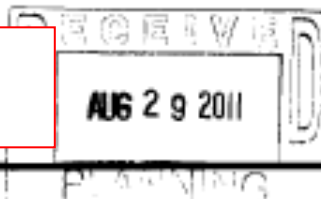
ZONING CHANGE EXHIBIT
HERITAGE BEND
 WILLIAM HUNT SURVEY, A-450
 CITY OF MCKINNEY
 COLLIN COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
 ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
 TEXAS FIRM REG. NO. 000145
 201 WINDO CIRCLE, SUITE 200, WYLE TEXAS 75098
 (972) 941-8400 FAX (972) 941-8402

REVISED BUILDING LINE TABLE					
LOT	BLOCK	ADDRESS	LOT	BLOCK	ADDRESS
1	A	2300 Catherine Ln	46	D	2233 Catherine Ln
2	A	2304 Catherine Ln	47	D	2229 Catherine Ln
4	A	2312 Catherine Ln	54	D	2201 Catherine Ln
2	B	2260 Catherine Ln	3	E	2213 Anna Dr
5	B	2248 Catherine Ln	2	F	3905 Buchanan
6	B	2244 Catherine Ln	4	F	3913 Buchanan St
7	B	2240 Catherine Ln	5	F	3904 Edward Dr
13	B	2216 Catherine Ln	9	F	2209 Harry St
14	B	2212 Catherine Ln	6	G	3916 Buchanan
15	B	2208 Catherine Ln	8	G	3908 Buchanan St
16	B	2204 Catherine Ln	9	G	3904 Buchanan St
25	B	3801 Gregory Dr	10	G	3900 Buchanan
1	C	2305 Catherine Ln	3	H	3808 Gregory Dr
2	C	3708 Buchanan St	4	H	3812 Gregory Dr
3	C	3704 Buchanan	10	H	3812 Gregory Dr
7	C	3720 Buchanan St	11	H	3816 Gregory Dr
8	C	3724 Buchanan St	20	H	3813 Jeanette Ln
9	C	3728 Buchanan St	1	H	3820 Gregory Dr
15	C	3752 Buchanan	8	H	3904 Gregory Dr
16	C	3756 Buchanan	12	H	3921 Jeanette Ln
19	C	3808 Buchanan St	13	H	3917 Jeanette Ln
22	C	3820 Buchanan St	17	H	3901 Jeanette Ln
1	D	3800 Jeanette Ln	1	J	3901 Gregory Dr
2	D	3804 Jeanette Ln	2	J	3905 Gregory Dr
4	D	3812 Jeanette Ln	3	J	3909 Gregory Dr
5	D	3816 Jeanette Ln	4	J	3913 Gregory Dr
10	D	3908 Jeanette Ln	6	J	3921 Gregory Dr
11	D	3912 Jeanette Ln	7	J	2101 Timothy Dr
14	D	3917 Edward Dr	8	J	2105 Timothy Dr
18	D	3901 Edward Dr	11	J	2117 Timothy Dr
19	D	3829 Edward Dr	13	J	2125 Timothy Dr
20	D	3825 Edward Dr	14	J	2129 Timothy Dr
24	D	3809 Edward Dr	15	J	2133 Timothy Dr
26	D	3801 Anna Dr	16	J	2137 Timothy Dr
27	D	2200 Headington Ct	17	J	2141 Timothy Dr
28	D	3701 Headington Ct	18	J	2145 Timothy Dr
30	D	3704 Headington Ct			
31	D	3708 Headington Ct			
32	D	3712 Headington Ct			
41	D	3709 Buchanan			
42	D	3705 Buchanan			
43	D	3701 Buchanan			
44	D	2241 Catherine Ln			
45	D	2237 Catherine Ln			

ZONING CHANGE EXHIBIT
HERITAGE BEND
WILLIAM HUNT SURVEY, A-450
CITY OF MCKINNEY
COLLIN COUNTY, TEXAS

Exhibit C



ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 006145
206 WINDCO CIRCLE, SUITE 200, WYLLIE TEXAS 75098
(972) 945-8400 FAX (972) 945-8401