

NO. 1498

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 AND ALL OTHER ORDINANCES IN CONFLICT HERewith SO THAT 43.852 ACRES OF LAND IN THE W. D. THOMPSON SURVEY AND THE WILLIAM RYAN SURVEY LOCATED ON THE SOUTHSIDE OF ROCK HILL ROAD, EAST OF CEDAR CREEK IS ZONED DUPLEX RESIDENCE - 3,000 SQ. FT. PER UNIT; RG-15, GENERAL RESIDENCE - 1,500 SQ. FT. PER UNIT AND PLANNED DEVELOPMENT (TOWNHOME) DISTRICT; ADOPTING A ZONING MAP AND PLANNED DEVELOPMENT STANDARDS FOR THE PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR MAXIMUM DENSITY; PROVIDING FOR A SITE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

THAT WHEREAS, the owner or owners of 43.852 acres of land in the W. D. Thompson Survey and the William Ryan Survey have petitioned the City of McKinney to zone such property as set forth in the caption hereof, and,

WHEREAS, after due notice of the requested zoning changes 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 such zoning change should be made.

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

SECTION I: That the real estate more fully described in the attached Exhibit A is hereby rezoned from its present zoning of Planned Development to the zoning set forth in the attached zoning map, which map is made a part hereof for all purposes.

SECTION II: That the regulations contained in Section 3.085 (RG-27) of Zoning Ordinance No. 1270 are adopted as the regulations and development standards for the planned development district shown in the attached zoning map.

SECTION III: That the maximum density permitted in the RG-15 district shall be 20 units per acre.

SECTION IV: That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development Zone, or specific regulations contained herein. This Ordinance and the subsequent site plan and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.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 V: 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 VI: 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 VII: 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 the 18th day of December, 1984.

CORRECTLY ENROLLED:


 JENNIFER CRAVENS
 CITY SECRETARY

FIELD NOTES

BEING a tract of land situated in the W. D. Thompson Survey, Abstract No. 891, and the William Ryan Survey, Abstract no. 746, in the City of McKinney, Collin County, Texas, and being a re-survey of the remaining balance of the Rachel Thompson Griffin property, and further being the same land described in a deed from George T. Provine, et ux to Rachel Thompson Griffin, dated December 20, 1963, and recorded in Volume 628, Page 11 of the Collin County Deed Records, and being more particularly described as follows:

BEGINNING at a point in the center of Rock Hill Road, same being the North line of a 100 acres described in deed from J. M. Chandler to J. J. Thompson recorded in Volume 36, Page 479 of the Collin County Deed Records, from which the most Northerly, Northeast corner of the George T. Provine Tract bears East 190.0 feet and South 30.0 feet, a 1/2" stake found for corner;

THENCE, S.02°07'E, a distance of 30.0 feet to a point on the South line a 1/2" iron found for corner;

THENCE, S.89°38'20"E, a distance of 109.05 feet to a 1/2" iron stake found for corner;

THENCE, S.02°16'28"E, a distance of 698.76 feet to a 1/2" iron stake found for corner;

THENCE, N.87°12'18"E, a distance of 463.42 feet to a 1/2" iron stake found for corner;

THENCE, S.0°18'52"W, a distance of 657.37 feet to a 1/2" iron stake found for corner;

THENCE, S.86°42'W, a distance of 792.0 feet to a 1/2" iron stake found for corner;

THENCE, N. 34°35'W, a distance of 129.76 feet to a 1/2" iron stake for corner;

THENCE, S.55°25'W, a distance of 432.65 feet to the beginning of a curve to the left having a central angle of 55°40'03" and a radius of 581.95 feet, a 1/2" iron stake for corner;

THENCE, around said curve a distance of 565.41 feet to a point on an established fence line, and the West line of the above-mentioned 100 acre trace, a 1/2" iron stake for corner;

THENCE, N. 0°15'W, along an established fence line, and the West line of said 100 acre tract, a distance of 1185.33 feet to a 1/2" iron stake found for corner;

THENCE, along said West line of 100 acre tract the following:

N.89°45'W, a distance of 69.80 feet to a 1/2" iron stake found for corner;

N.07°00'W, a distance of 219.60 feet to a 1/2" iron stake found for corner;

N.55°30'W, a distance of 76.70 feet to a 1/2" iron stake found for corner;

N.01°30'E, a distance of 263.80 feet to a 1/2" iron stake set for corner;

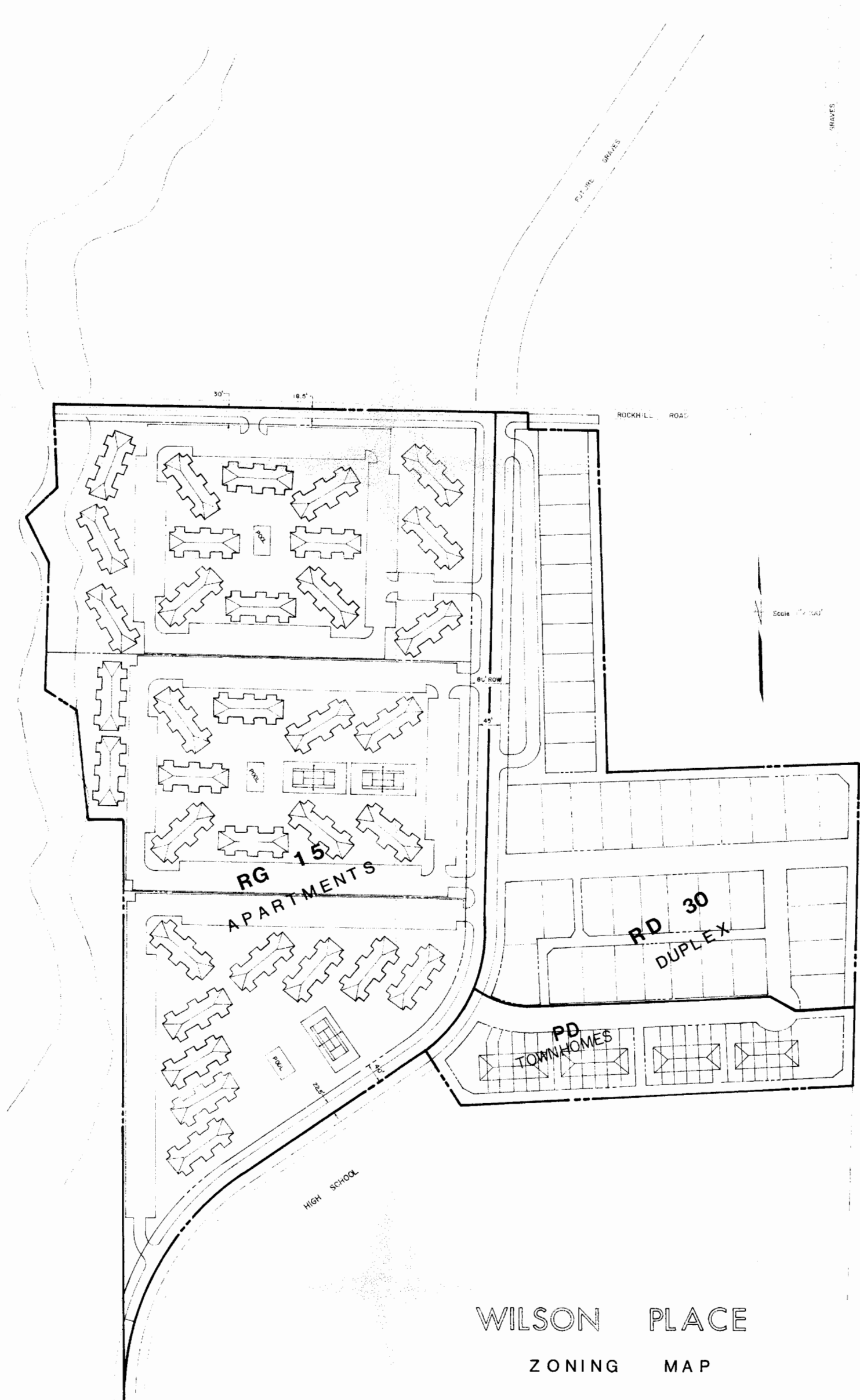
N.25°30'W, a distance of 102.70 feet to a 1/2" iron stake set for corner;

N.44°30'E, a distance of 84.80 feet to a 1/2" iron stake set for corner;

N.03°00'S, a distance of 172.80 feet to a point in the center of said Rock Hill Road, a 1/2" iron stake set for corner;

THENCE, S.89°37'E, along said center of Rock Hill Road a distance of 945.90 feet to the PLACE OF BEGINNING and containing 43.852 acres of land.

EXHIBIT B



WILSON PLACE ZONING MAP

DUPLEX	RD 30	11.74 ac	84 units	7.2 u/a
APARTMENTS	RG 15	2756 ac	544 units	200 u/a
TOWNHOMES	PD	3.73 ac	24 units	6.4 u/a
TOTAL =		43.03 ac	652 units	

DEVELOPER: J.W. REED
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