

ORDINANCE NO. 2005-01-005

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 03-01-007 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 82.627 ACRE TRACT, LOCATED SOUTH OF MCKINNEY RANCH ROAD, GENERALLY WEST OF LAKE FOREST DRIVE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR RESIDENTIAL USES; 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 82 acre tract located south of McKinney Ranch Parkway and generally west of Lake Forest Drive, from "PD" – Planned Development District, to "PD" – Planned Development District, generally for residential uses, 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. 03-01-007 is hereby amended so that an approximately 82 acre tract located south of McKinney Ranch Parkway and generally west of Lake Forest Drive, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned to "PD" – Planned Development District, generally for residential uses, and,

Section 2. Use and development of the subject property shall conform to the Planned Development District Ordinance 02-05-038, and as amended, with the following exceptions:

1. The subject property shall generally develop according to the attached general development plan (Exhibits "B" and "C").
2. The subject property develop according to the Regional Employment Center (REC) Overly District standards.

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.

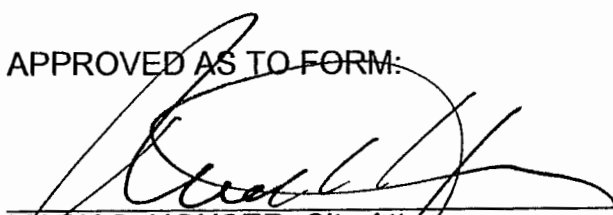
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 4<sup>TH</sup> DAY OF JANUARY, 2005.**

  
BILL WHITFIELD, Mayor

CORRECTLY ENROLLED:

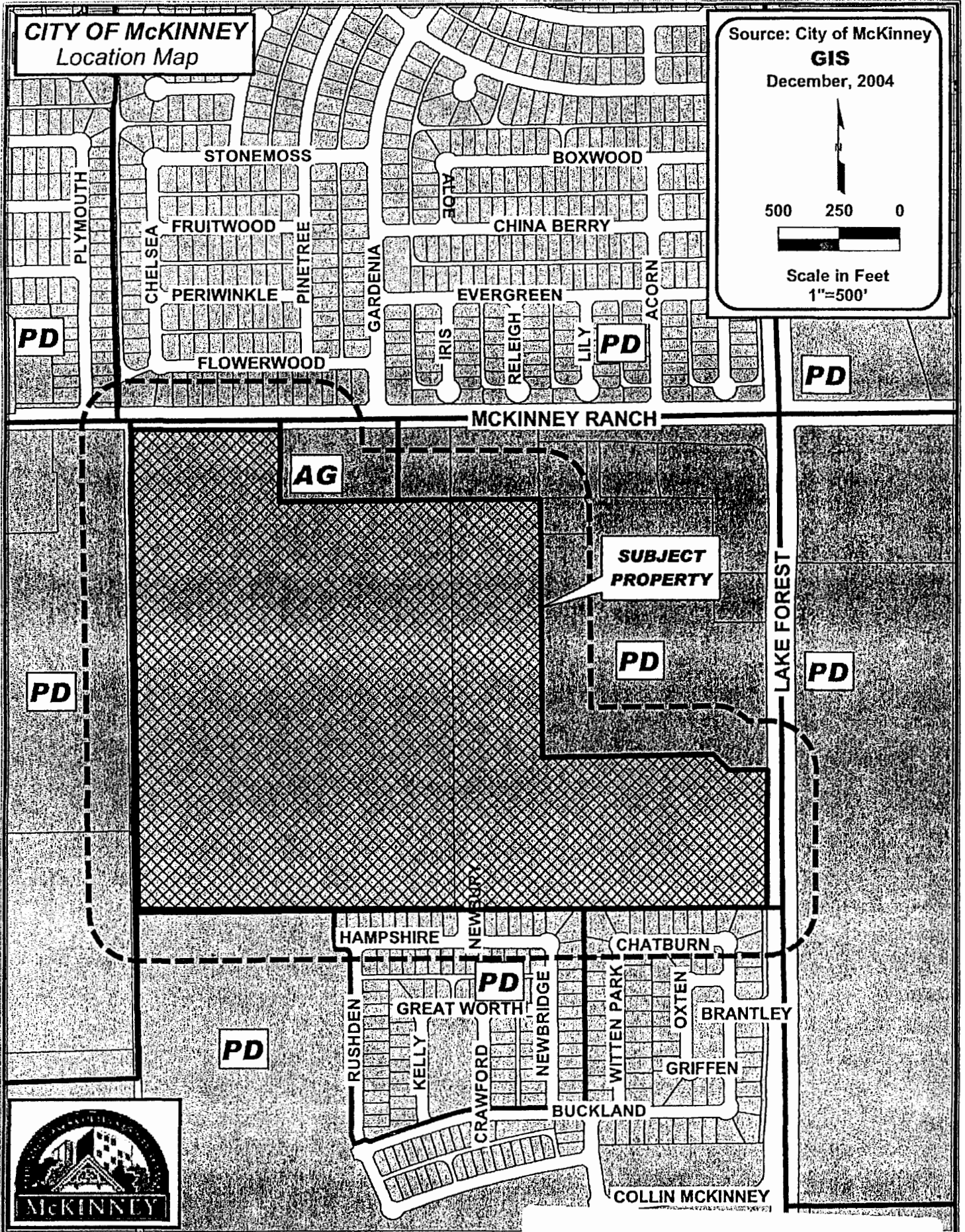
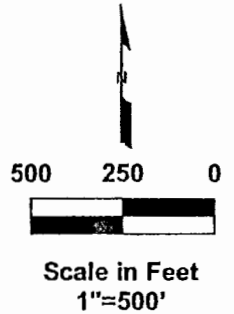
  
SANDY HART, CMC  
City Secretary  
BEVERLY COVINGTON  
Deputy City Secretary

APPROVED AS TO FORM:

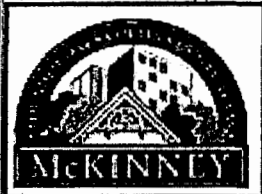
  
MARK S. HOUSER, City Attorney

**CITY OF MCKINNEY**  
Location Map

Source: City of McKinney  
**GIS**  
December, 2004



Karen W F:\Engineer\Planning\2004\_GIS\_Note\_Loc04-392Z.mxd

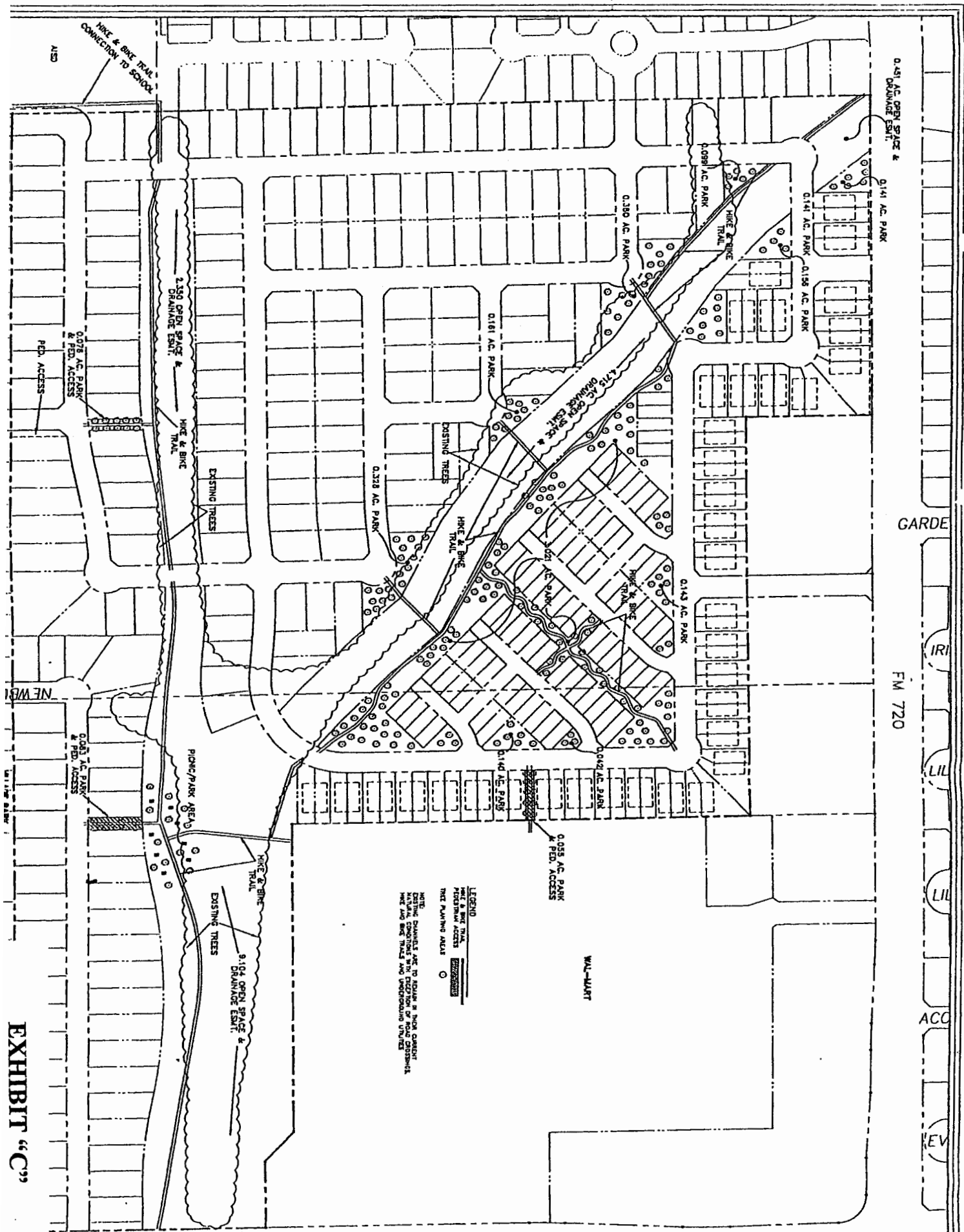


DISCLAIMER: This map and information contained in it were developed exclusively for [redacted] else is at that party's risk and without liability to the City of McKinney, its officials or em

**EXHIBIT "A"**

ne





**LEGEND**

HIKE & BIKE TRAIL  
 EXISTING TREES  
 PED. ACCESS  
 TREE PLANTING AREA

NOTES:  
 1. DRAINAGE ARE TO REMAIN AS SHOWN ON THIS PLAN.  
 2. ALL UTILITIES TO BE LOCATED AND DEPTH TO BE DETERMINED BY THE ENGINEER.  
 3. ALL UTILITIES TO BE DELETED OR RELOCATED AS NECESSARY.  
 4. ALL UTILITIES TO BE DELETED OR RELOCATED AS NECESSARY.  
 5. ALL UTILITIES TO BE DELETED OR RELOCATED AS NECESSARY.

0.451 AC OPEN SPACE & DRAINAGE ESMT  
 0.141 AC PARK  
 0.138 AC PARK  
 0.141 AC PARK  
 0.138 AC PARK  
 0.081 AC PARK  
 0.380 AC PARK  
 0.181 AC PARK  
 0.338 AC PARK  
 0.143 AC PARK  
 0.042 AC PARK  
 0.055 AC PARK & PED. ACCESS  
 0.078 AC PARK & PED. ACCESS  
 0.043 AC PARK & PED. ACCESS  
 2.350 OPEN SPACE & DRAINAGE ESMT  
 8.104 OPEN SPACE & DRAINAGE ESMT  
 0.023 AC PARK & PED. ACCESS

LAKE FOREST DR.

DEC 3 2004

EXHIBIT "C"

NO.	DATE	REVISION	APPROV.

OLIVER HEDGECOKE SURVEY ABSTRACT NO. 392  
 CITY OF MCKINNEY  
 COLLIN COUNTY, TEXAS  
 MCKINNEY VILLAGE PARK, L.P.  
 2600 ELDORADO PARKWAY, STE. 210  
 MCKINNEY, TEXAS 75070

**GENERAL DEVELOPMENT PLAN**  
**CHAN PROPERTIES**  
**82.615 ACRES**

**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS & SURVEYORS  
 2700 WINTER PARK DRIVE, SUITE 200  
 FORT WORTH, TEXAS 76107  
 (817) 342-1111

Scale: 1/4"=200' Date: 11-30-04  
 Designed By: JMC  
 Drawn By: JMC  
 Checked By: JMC  
 File: 41508COP.DWG View:  
 Project No.: 41508.01

2 OF 2