

ORDINANCE NO. 2020-11-082

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 62.169 ACRE PROPERTY, LOCATED ON THE SOUTHEAST CORNER OF VAN TUYL PARKWAY AND WEISKOPF AVENUE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE USES AND DEVELOPMENT STANDARDS; 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 62.169 acre property, located on the southeast corner of Van Tuyl Parkway and Weiskopf Avenue, which is more fully depicted on Exhibits "A", "B", and "C" attached hereto, from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District, generally to modify the uses and 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 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 so that an approximately 62.169 acre property, located on the southeast corner of Van Tuyl Parkway and Weiskopf Avenue, which is more fully depicted on Exhibits "A", "B", and "C", attached hereto, is rezoned from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District, generally to modify the uses and development standards.

Section 2. The subject property shall develop in accordance with Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance, and as amended, except as follows:

1. The subject property shall develop in accordance with the attached development regulations - Exhibit "D"; and

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 10th DAY OF NOVEMBER, 2020.

CITY OF MCKINNEY, TEXAS



GEORGE C. FULLER
Mayor

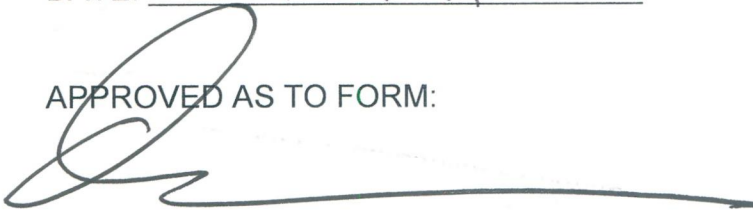
CORRECTLY ENROLLED:



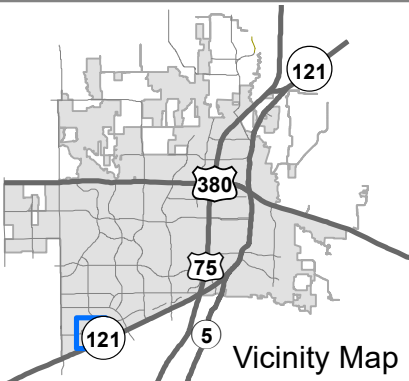
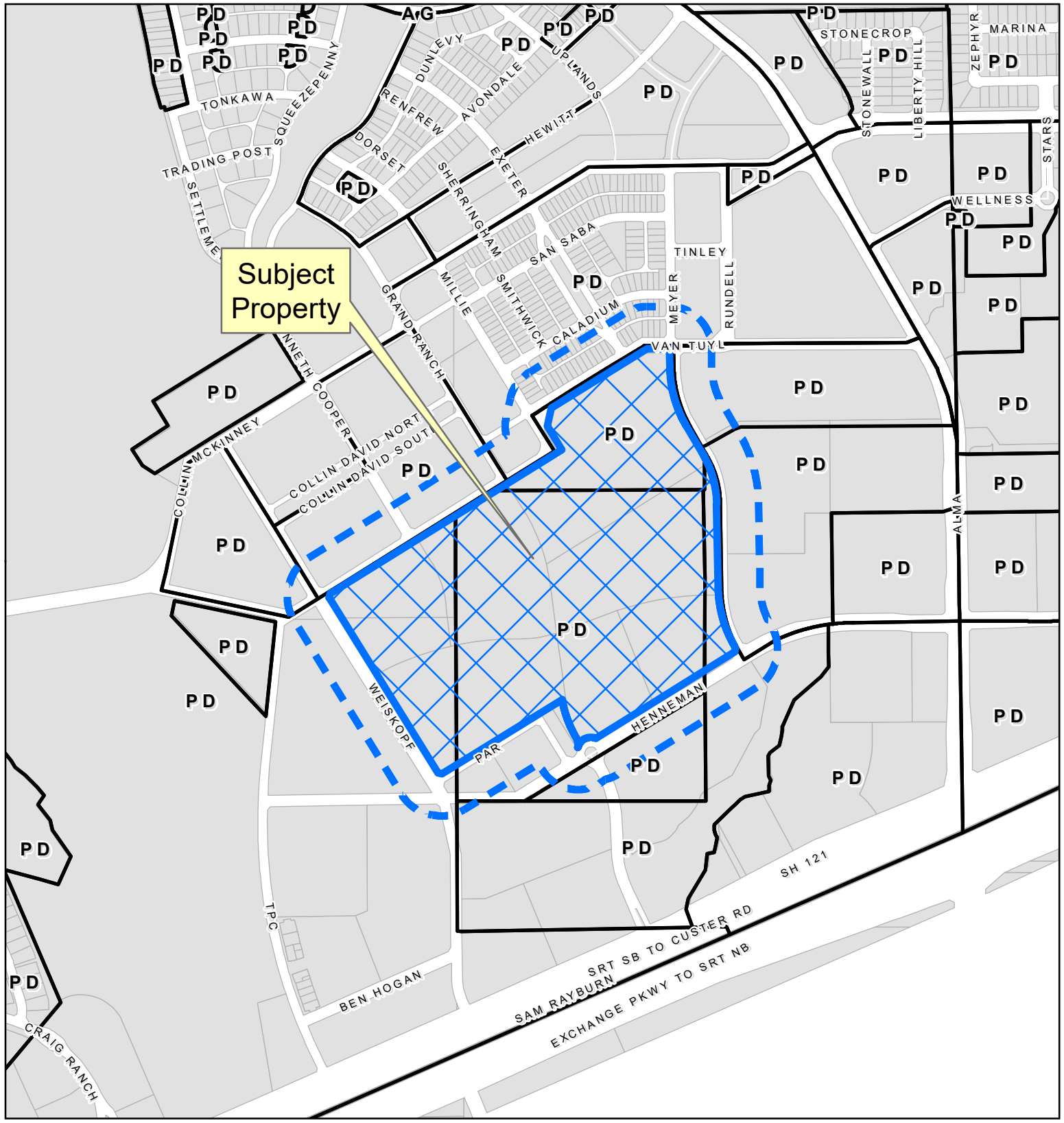
EMPRESS DRANE
City Secretary

DATE: November 10, 2020

APPROVED AS TO FORM:



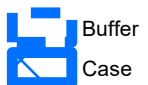
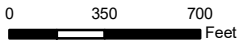
MARK S. HOUSER
City Attorney



Property Owner Notification Map

20-0066Z

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.

FIELD NOTE DESCRIPTION

BEING a 62.169 acre tract of land situated in the Thomas Phillips Survey Abstract No, 717, W. Holliday Survey, Abstract No. 385 & J. Driggers Survey, Abstract No. 274, City of McKinney, Collin County, Texas and being a portion of Tract Three as described in a deed recorded in Volume 4757, Page 2174, Official Public Records Collin County, Texas (OPRCCT), a portion of a tract of land described in a deed recorded in Volume 5210, Page 3934 (OPRCCT), a portion of a tract of land described in a deed recorded in Volume 5171, Page 3679 (OPRCCT) and a portion of a tract of land described in a deed recorded in Volume 4757, Page 2184 (OPRCCT) and being a portion of Lot 1, Block A of Parkside at Craig Ranch according to the plat recorded in Cabinet 2013, Page 181, Official Public Records Collin County, Texas (OPRCCT), a portion of a called 36.694 acre tract of land described in a deed recorded in cc# 2002-0071659 (OPRCCT), a portion of a called 15.00 acre tract of land described in a deed recorded in cc#2002-0100345 (OPRCCT), a called 20.00 acre tract of land described in a deed recorded in cc# 2000-0103209 (OPRCCT) and a portion of a called 126.568 acre tract of land described in a deed recorded in Volume 4757, Page 2174 (OPRCCT) being more particularly described as follows:

BEGINNING at a point for the south end of a corner cut off line located at the intersection of the east line of Weiskopf Avenue a 60 feet wide right of way as recorded in Cabinet Q, Page 527 (OPRCCT) and the south line of Van Tuyl Parkway a 73 feet wide right of way as recorded in Cabinet 2006, Page 37 (OPRCCT);

THENCE along said corner cut off line, NORTH 13°11'15" EAST a distance of 21.21 feet to a point for corner;

THENCE along the south line of said Van Tuyl Parkway, NORTH 58°11'15" EAST a distance of 1460.00 feet to a point for the southeast corner at the south line of said Van Tuyl Parkway;

THENCE along the south line of said Van Tuyl Parkway as follows:

NORTH 31°48'45" WEST a distance of 150.60 feet to a point for corner;

NORTH 13°11'15" EAST a distance of 98.99 feet to a point for corner;

NORTH 58°11'15" EAST a distance of 601.30 feet to a point for corner;

NORTH 89°29'05" EAST a distance of 121.31 feet to a point for corner in the west line of Meyer Way a 60 feet wide right of way as recorded in Cabinet 2015, Page 625 (OPRCCT);

THENCE along the west line of said Meyer Way as follows:

SOUTH 00°30'55" EAST a distance of 98.06 feet to a point for the beginning of a curve to the left having a radius of 630.00 feet and a chord bearing of SOUTH 15°33'46" EAST;

Along said curve to the left through a central angle of 30°05'41" for an arc length of 330.91 feet to a point for corner;

THENCE SOUTH 30°36'36" EAST a distance of 166.40 feet to a point for the beginning of a curve to the right having a radius of 563.00 feet and a chord bearing of SOUTH 15°47'05" EAST;

Along said curve to the right through a central angle of 29°39'03" for an arc length of 291.36 feet to a point for corner;

SOUTH 00°57'33" EAST a distance of 445.75 feet to a point for the beginning of a curve to the left having a radius of 637.15 feet and a chord bearing of SOUTH 15°41'03" EAST;

Along said curve to the left through a central angle of 29°26'42" for an arc length of 327.44 feet to a point for corner in the north line of Henneman Way a variable width right of way as recorded in Cabinet 2013, Page 181 (OPRCCT);

THENCE along the north line of said Henneman Way and continuing along the north line of Henneman Way a variable width right of way as recorded in Cabinet 2014, Page 314 (OPRCCT) as follows:

SOUTH 30°24'23" EAST a distance of 12.79 feet to a point for corner;

SOUTH 13°17'11" WEST a distance of 21.06 feet to a point for corner;

SOUTH 58°11'15" WEST a distance of 874.16 feet to a point for corner at the intersection of the north line of said Henneman Way and the east line of proposed Grand Ranch Parkway a proposed 60 feet wide right of way and being the beginning of a curve to the left having a radius of 71.00 feet and a chord bearing of SOUTH 63°36'03" WEST;

THENCE along the west line of said proposed Grand Ranch Parkway as follows:

Along said curve to the left through a central angle of 100°36'36" for an arc length of 124.65 feet to a point for the beginning of a compound curve to the left having a radius of 69.00 feet and a chord bearing of NORTH 08°33'25" WEST;

Along said compound curve to the left through a central angle of 43°43'21" for an arc length of 52.65 feet to a point for corner and being the beginning of a reverse curve to the right having a radius of 630.00 feet and a chord bearing of NORTH 20°22'10" WEST;

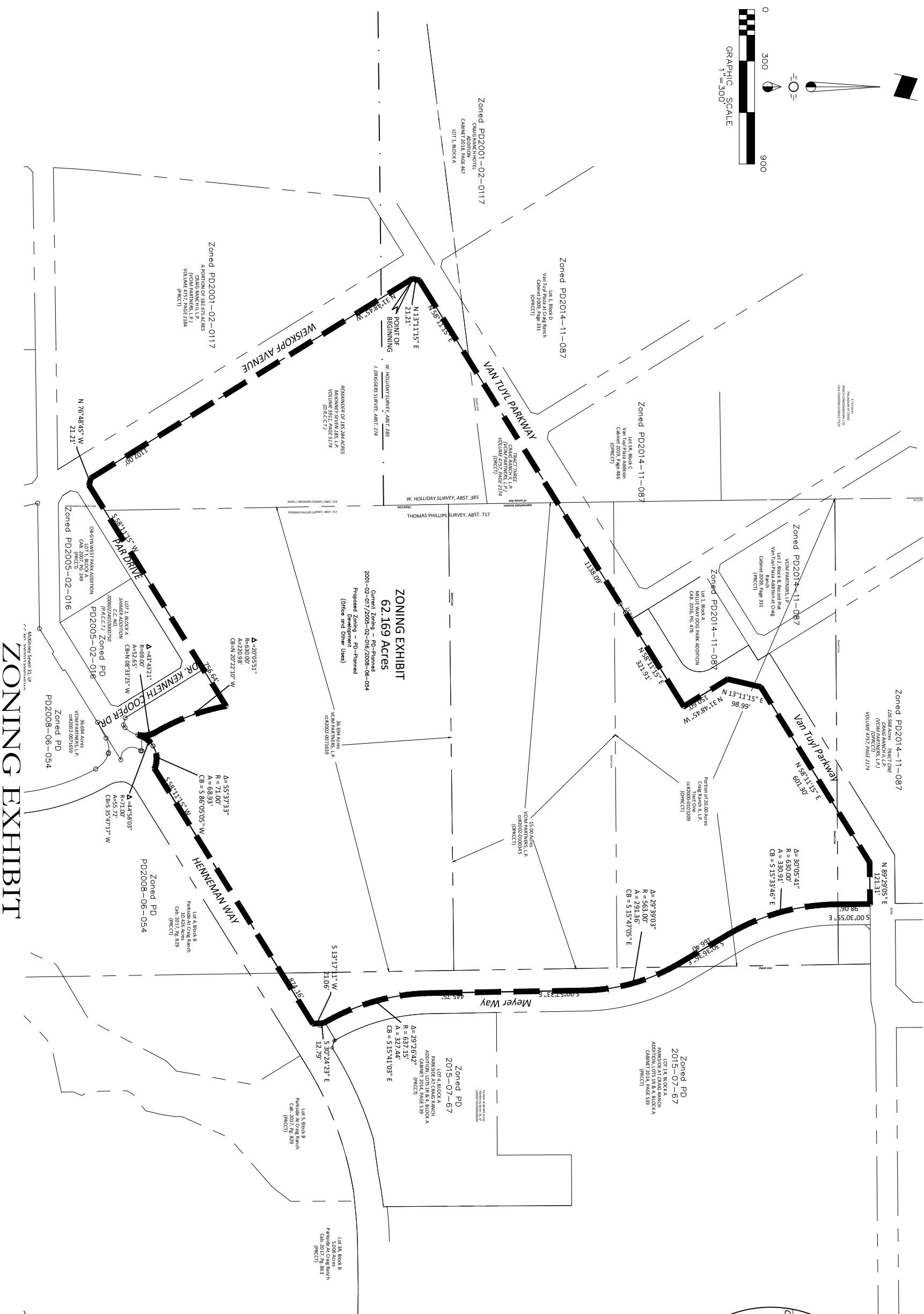
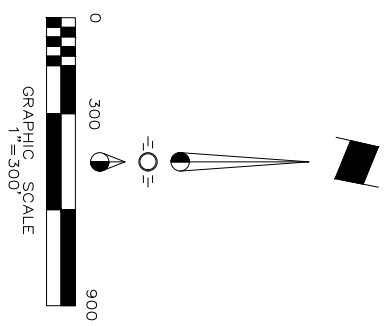
Along said curve to the right through a central angle of 20°05'51" for an arc length of 220.98 feet to a point for corner;

THENCE SOUTH 58°11'15" WEST passing a point for corner at a distance of 125.81 feet in the north line of Par Drive a 39 feet wide right of way recorded in Cabinet Q, Page 678 (OPRCCT), continuing along the north line of said Par Drive for a total distance of 756.64 feet to a point for corner at the cut off line located at the north line of said Par Drive and east line of said Weiskopf Avenue;

THENCE along the said corner cut off line, NORTH 76°48'45" WEST a distance of 21.21 feet;

THENCE along the east line of said Weiskopf Avenue, NORTH 31°48'45" WEST a distance of 1102.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 62.169 acres or 2,708,070 square feet of land more or less.



VICINITY MAP
NTS

LEGEND
— Limits of Zoning

Area Information:
62.169 Acres located in the
City of McKinney, Collin
County, Texas.

ZONING EXHIBIT

8/20/2020

EXHIBIT D

DEVELOPMENT REGULATIONS

The subject property (the “Property”) shall be zoned “PD” – Planned Development District. Use and development of the Property shall conform to the regulations contained herein.

- 1) **Tracts**. The Property shall be divided into seven (7) tracts (collectively, the “Tracts” and each separately, a “Tract”) as shown on the Regulating Plan attached hereto as **Exhibit “1”**. The purpose of the Regulating Plan is to identify the general geographical location of permitted land uses within the Property and any specific development regulations related thereto. Each Tract shall contain the approximate number of acres shown on the Regulating Plan, but such acreage may be increased or decreased by 10% and/or due to right-of-way dedications.

- 2) **Overarching Design Standards**. The following design standards shall apply to all Tracts.
 - a. A minimum 8’ wide concrete sidewalk shall be required adjacent to Van Tuyl Parkway.
 - b. A 10’ wide concrete hike and bike trail through Tract A, the linear park (described below) and within the boundaries of Tracts D, E and G adjacent to Meyer Way will be constructed in sections and contemporaneously with the development of those tracts to connect to the Craig Ranch hike and bike trail system at completion thereby providing pedestrian connectivity throughout the Property and Craig Ranch.
 - c. The height of any structured parking facility associated with one or a combination of office buildings shall not exceed the height of the primary office building.
 - d. The design standards set forth in the City’s Code of Ordinances shall apply to Tracts A, D, E, F and G, except as specifically modified for any Tract as set forth below. Design standards for multi-family for Tracts B and C shall be as set forth below.
 - e. Minor deviations from the design standards related to setbacks, heights and landscaping which do not exceed 10% of those set forth herein or in the City’s Code of Ordinances, if not addressed herein, may be approved by the Director of Planning or her/his designee.

- 3) **Linear Park**. A linear park as shown on the Regulating Plan (the “Park”) will be constructed as part of the development of the Property extending from Meyer Way to the eastern edge of Tract A.
 - a. The Park will be approximately 2.5 acres in size with a minimum width of 60’;

- b. A 10' wide hike and bike trail (the "Trail") will be constructed within the Park to connect to a hike and bike trail along Meyer Way and a hike and bike trail through Tract A that traverses to the intersection of Van Tuyl Parkway and Weiskopf Drive;
 - c. Within the Park and adjacent to the Trail, at locations approved by the Director of Parks, the following elements will be constructed:
 - i. A minimum of four (4) shade structures, each having a minimum concrete footprint of 12'X16';
 - ii. Bench seating within the shade structures;
 - iii. Trash receptacles; and
 - iv. Exercise stations.
 - d. Areas not within the Trail or shade structures will be planted with grass, living ground cover and ornamental shrubs and will be fully irrigated.
 - e. Canopy trees will be planted at locations and intervals approved by the Director of Parks.
 - f. Upon completion, the Park will be dedicated to the City and open to the general public.
 - g. Maintenance of the Park will be the obligation of the Craig Ranch Community Association or a sub-association.
- 4) **Tract A.**
- a. **Permitted Land Uses.** Uses permitted in the Regional Office District (RO), as amended from time to time, and the following additional permitted uses:
 - i. food stores, grocery;
 - ii. drug store;
 - iii. florist
 - iv. office supply store;
 - v. pet store;
 - vi. fitness club;
 - vii. restaurant with carry out;
 - viii. cleaning and pressing shop; and
 - ix. retail store (indoor).
 - b. **Space Limits.** Development shall be in accordance with Section 146-110 "RO" Regional Office District, with the following exceptions:
 - i. The maximum height for any building not primarily designed for office use shall be 3 stories, not to exceed 45'.
 - ii. The maximum height for buildings primarily designed for office use shall be 4 stories, not to exceed 65'.

iii. Buildings designed primarily for office uses shall contain a minimum of 60,000 gross square feet.

c. Landscaping. No landscape buffer shall be required between uses; however, landscaping required for parking areas shall conform to the City's Code of Ordinances.

d. Hike and Bike Trail. The 10' wide hike and bike trail shown on the Regulating Plan will be within an easement that may be relocated within Tract A to accommodate development as long as such hike and bike trail extends from the intersection of Van Tuyl Parkway and Weiskopf Drive to the westernmost edge of the linear park adjacent to Tract A.

5) **Tracts B and C.**

a. Permitted Land Uses. Uses permitted in the Regional Office District (RO), as amended from time to time, and the following additional permitted uses:

i. Multiple Family Dwelling (Apartment).

b. Space Limits for Non-Residential Uses. Development shall be in accordance with Section 146-110 "RO" Regional Office District, as amended from time to time, with the following exceptions:

i. The maximum height for buildings primarily designed for office use shall be 4 stories, not to exceed 65'.

ii. Buildings designed primarily for office uses shall contain a minimum of 60,000 gross square feet.

c. Space Limits for Apartment Uses. Development shall be in accordance with Section 146-110 "RO" Regional Office District, as amended from time to time, with the following exceptions:

i. Residential density for Apartment shall be 45 dwelling units per gross acre minimum and 60 dwelling units per gross acre maximum;

ii. Building heights for Apartment shall be 4 stories minimum and 6 stories maximum, not to exceed 75';

iii. Apartments shall have a build-to zone of 8' to 20' adjacent to public streets within which at least 50% of each building façade must be located and outside of which extensions of up to 4' for balconies, terraces and similar structures on floors above the first floor shall be permitted.

d. Parking. Parking shall be in accordance with the requirements of Section 146-130, as amended from time to time, except as provided below for Apartment use:

i. Required parking shall be at a ratio of one (1) parking space for each bedroom;

- ii. A minimum of 80% of the required parking spaces shall be provided in a structured parking facility screened from public view on at least three (3) sides by an urban residential building, in enclosed parking spaces, or both;
 - iii. Parallel parking spaces located along a public street and within 200 feet of the Tract may count toward required parking.
- e. Landscaping. Landscaping shall be in accordance with the requirements of Section 146-135, as amended from time to time, except as provided below for Apartment use:
 - i. The percentage of landscaping required for the street yard, as well as the minimum landscape setback along public streets, contained in Section 146-135(f) shall not apply, however, the requirement that 10% of the overall site be dedicated to living landscape shall apply;
 - ii. Street trees (referenced as canopy trees in Section 146-135 and Appendix A referenced therein and as amended from time to time) shall be provided in the quantity of one per 30 linear feet of frontage along all public rights-of-way, computed exclusive of entrance and exit passageways and sight visibility triangles, spaced on 30 foot centers, or a close thereto as practicable when such spacing conflicts with driveways, easements, fire department strategic access points or other physical conflicts, and may be clustered if approved by the Director of Planning as part of the site plan process in order to facilitate creative design or for other valid reasons;
 - iii. All areas within the build-to zone not otherwise constituting a part of a building or sidewalk shall be planted in grass, groundcover, foundation shrubs or other landscaping.
- f. Architectural Standards. Architectural standards shall be in accordance with the requirements of Section 146-139, as amended from time to time, except as provided below for Apartment use:
 - i. Horizontal building facades longer than 150 feet in width shall be segmented into smaller sections by a structural or ornamental minor façade offset of a minimum of four feet (4') deep and ten feet (10') wide, with the height of such offsets being equal to or greater than 75% of the building's height;
 - ii. The architectural character of a building's front façade shall be continued on all facades of the building that are visibly exposed to a public street;
 - iii. Primary building entrances shall be articulated through the use of architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, awnings, overhangs, railings, balustrades or other appropriate elements;

- iv. Light fixtures attached to the exterior of the building shall be architecturally compatible with the style, materials, colors and details of the building;
- v. The front façade of a structured parking facility facing onto a public street shall be offset from the front of any adjacent residential building fronting on that same public street by a minimum of 5’;
- vi. The provisions of Section 146-139(f)(2)(a) shall apply to Apartment use, provided, that Apartment use on both Tracts B and C by a single developer shall be considered as a single project for purposes of computing the total number of units and corresponding number of required amenities.

6) **Tract D.**

a. Permitted Land Uses. Uses permitted in the Regional Office District (RO), as amended from time to time, and the following additional permitted uses:

i. Detached single family uses.

b. Space Limits.

i. Single family detached development shall conform to the following space limits:

- 1. The maximum density shall be 9 units per gross acre;
- 2. The maximum building height shall be 3 stories not to exceed 42’;
- 3. The minimum lots size shall be 2,550 square feet;
- 4. The minimum lot width shall be 30’;
- 5. The minimum lot depth shall be 85’;
- 6. There shall be a front build-to line of 10’ with ability to encroach up to 5’ for balconies, covered porches, stoops and similar structures associated with the main dwelling unit;
- 7. The minimum rear yard setback shall be 8’;
- 8. The minimum side yard setback shall allow a minimum of 1’ on one side with a minimum of 5’ on the opposite side (6’ minimum separation between buildings) or, if the building is centered on a lot, a minimum of 5’ on each side yard.

ii. Non-residential development shall conform to Section 146-110 “RO” Regional Office District, as amended from time to time, with the following exceptions:

- 1. Maximum building height shall be 2 stories, not to exceed 36’;

2. The minimum number of square feet for any primary building shall be 60,000 square feet.
 - c. Landscaping. Landscaping will conform to the requirements of Section 146-135, as amended from time to time, except for attached or detached single family developments in which a canopy tree shall be planted on 30' centers along the public rights-of-way having the clearances and visibility setbacks acceptable to the City Arborist. Any landscaping, including trees, planted in public rights-of-way shall be maintained by a homeowners' association or adjacent property owners. No trees shall be required in the rear yard or alley.
- 7) **Tract E**.
 - a. Permitted Uses. Uses permitted in the Regional Office District (RO), as amended from time to time.
 - b. Space Limits: Development shall be in accordance with Section 146-110 "RO" Regional Office with the following exceptions:
 - i. The maximum building height shall be four stories, not to exceed 65',
 - ii. Buildings shall contain a minimum of 60,000 gross square feet.
- 8) **Tract F**.
 - a. Permitted Uses. Uses permitted in the Regional Office District (RO), as amended from time to time.
 - b. Space Limits. Development shall be in accordance with Section 146-110 "RO" Regional Office, with the following exceptions:
 - i. The minimum building height shall be 2 stories and the maximum building height shall be four stories, not to exceed 65';
 - ii. Buildings designed primarily for office uses shall be a minimum of 90,000 gross square feet.
- 9) **Tract G**.
 - a. Permitted Uses. Uses permitted in the Regional Office District (RO), as amended from time to time.
 - b. Space Limits. Development shall be in accordance with Section 146-110 "RO" Regional Office, with the following exceptions:

- i. For buildings on a lot abutting Henneman Way, the minimum building height shall be 4 stories and the maximum building height shall be 6 stories, not to exceed 95'. All other buildings shall have a minimum building height of 2 stories and a maximum building height of 4 stories, not to exceed 65'.
 - ii. For buildings designed primarily for office uses on a lot abutting Henneman Way, the minimum square footage shall be 100,000 gross square feet. All other buildings designed primarily for office uses within Tract G shall be a minimum of 60,000 gross square feet.
- c. Parking. Parking shall conform to the requirements of Section 146-130. For buildings on a lot abutting Henneman Way 80% of the required parking shall be in a structured parking or subsurface parking facility.

EXHIBIT "1"
(Regulating Plan)

