

ORDINANCE NO. 2008-07-071

AN ORDINANCE AMENDING ORDINANCE NO. 2004-01-002 AND ORDINANCE NO. 2006-07-092, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 66.64 ACRE PROPERTY, LOCATED ALONG THE NORTH SIDE OF SILVERADO TRAIL AND APPROXIMATELY 1,000 FEET EAST OF ALMA ROAD, 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; 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 66.64 acre property, located along the north side of Silverado Trail and approximately 1,000 feet east of Alma Road, 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 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. 2004-01-002 and 2006-07-092 are hereby amended so that an approximately 66.64 acre property, located along the north side of Silverado Trail and approximately 1,000 feet east of Alma Road, which is more fully depicted on Exhibit "A," attached hereto, is hereby 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.

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

1. The subject property, which is more fully described on Exhibit "B," attached hereto, shall be developed according to the "RS 45" – Single-Family Residence District regulations and "REC" – Regional Employment Center Overlay District regulations, except as follows:

- a. Space Limits.

- i. The minimum lot area shall be 3,750 square feet.
 - ii. The minimum lot depth shall be 85 feet.
 - iii. The minimum rear yard setback shall be 5 feet.
 - iv. The minimum side yard setback shall be 0 on one side of the lot and 10 feet on the opposite side, with a minimum space of 10 feet between buildings.
 - v. The minimum side yard at corner shall be 10 feet.
 - vi. The maximum lot coverage shall be 70%.
2. The subject property shall generally develop in accordance with the attached general development plan (Exhibit "C").
3. Proposed building elevations for the subject property shall generally conform to the character of the attached architectural renderings (Exhibit D) and shall satisfy the requirements of the Architectural Design Guidelines of the "REC" Regional Employment Center Overlay District, except as follows:
 - a. Each home footprint will be designed to provide a minimum 5' X 10' indentation (beyond the minimum required 10' side yard on one side of the home), on one side of the home or to the front of the home, thus creating a minimum 10' X 15' wide outdoor area or living space (i.e. a covered patio with or without a fire place, arbor, courtyard, etc) at the side or front of the property.
 - b. Each home is required to have a minimum 7' by 10' front porch, unless an outdoor living space is located at the front of the property.
 - c. The total requirement for exterior wall finishing materials shall be a minimum of 75% masonry, as defined in Section 146-139 Architectural and Site Standards of the Zoning Ordinance.

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.

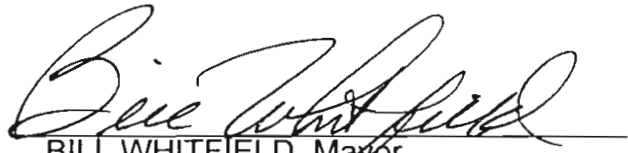
Section 5.

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.

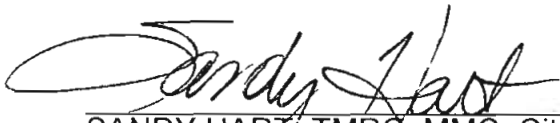
Section 6.

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 THIS 15th DAY OF JULY, 2008.


BILL WHITFIELD, Mayor

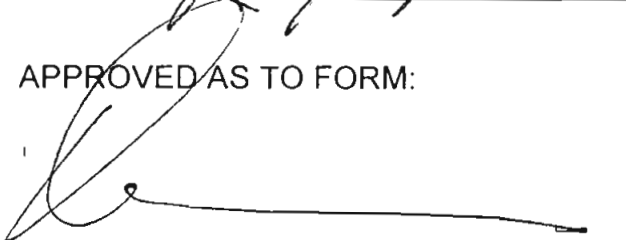
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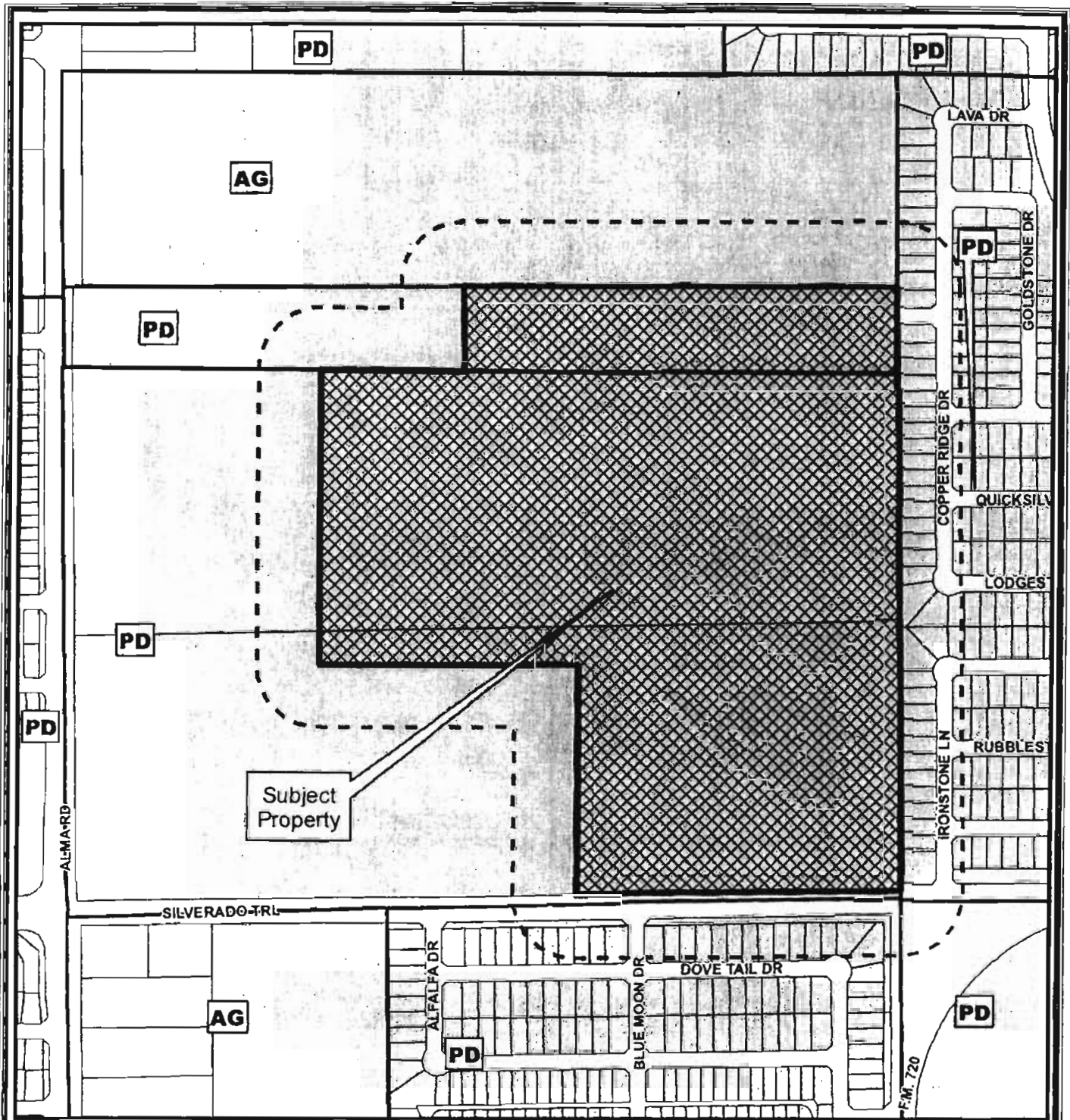


SANDY HART, TMRC, MMC, City Secretary
BEVERLY COVINGTON, TMRC, CMC, Deputy City Secretary

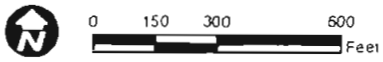
DATE: July 18, 2008

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney



S:\MCK\GIS\Notification\Projects\08-162Z.mxd



Notification Case

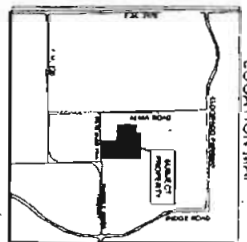
Notice Case: 08-162Z
R-6390-000-0100-1

EXHIBIT A

--- 200' Notification Buffer



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ALMA ROAD (COUNTY ROAD NO. 1541)

SILVERADO TRAIL
(COUNTY ROAD NO. 152)

IRONSTONE LANE

COPPER RIDGE DRIVE

SILVERADO TRAIL

SITE DATA
EXISTING ZONING PD SINGLE FAMILY
EXISTING LAND USE SINGLE FAMILY

SITE DATA
EXISTING ZONING PD ZONED USE
EXISTING LAND USE AG-AGRICULTURE

SITE DATA
EXISTING ZONING PD ZONED USE
EXISTING LAND USE Camp

SITE DATA
EXISTING ZONING AG AGRICULTURE
EXISTING LAND USE AG-AGRICULTURE

SUBJECT SITE DATA TRACT 1
EXISTING ZONING PD ZONED USE
EXISTING LAND USE AG-AGRICULTURE
PROPOSED ZONING PD
TOTAL ACRES 58.71 ACRES

SITE DATA
EXISTING ZONING PD SINGLE FAMILY
EXISTING LAND USE SINGLE FAMILY

SUBJECT SITE DATA TRACT 2
EXISTING ZONING PD ZONED USE
EXISTING LAND USE AG-AGRICULTURE
PROPOSED ZONING PD
TOTAL ACRES 7.93 ACRES

SITE DATA
EXISTING ZONING PD SINGLE FAMILY
EXISTING LAND USE SINGLE FAMILY

SITE DATA
EXISTING ZONING PD ZONED USE
EXISTING LAND USE AG-AGRICULTURE

DESCRIPTION TRACT 1

TRACT 1: 58.71 ACRES
This tract is located in the Silverado Estates subdivision, located in the City of San Diego, California. The tract is bounded by Alma Road (County Road No. 1541) to the north, Silverado Trail (County Road No. 152) to the west, Ironstone Lane to the south, and Copper Ridge Drive to the east. The tract is currently zoned PD (Planned Development) and is used for agricultural purposes. The proposed zoning for this tract is PD (Planned Development). The total area of the tract is 58.71 acres.

DESCRIPTION TRACT 2

TRACT 2: 7.93 ACRES
This tract is located in the Silverado Estates subdivision, located in the City of San Diego, California. The tract is bounded by Alma Road (County Road No. 1541) to the north, Silverado Trail (County Road No. 152) to the west, Ironstone Lane to the south, and Copper Ridge Drive to the east. The tract is currently zoned PD (Planned Development) and is used for agricultural purposes. The proposed zoning for this tract is PD (Planned Development). The total area of the tract is 7.93 acres.

REVISED
JUL 2
PLANNING

EXHIBIT A
GRAPHIC SCALE

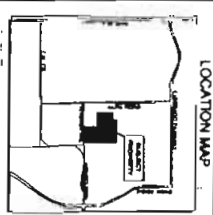
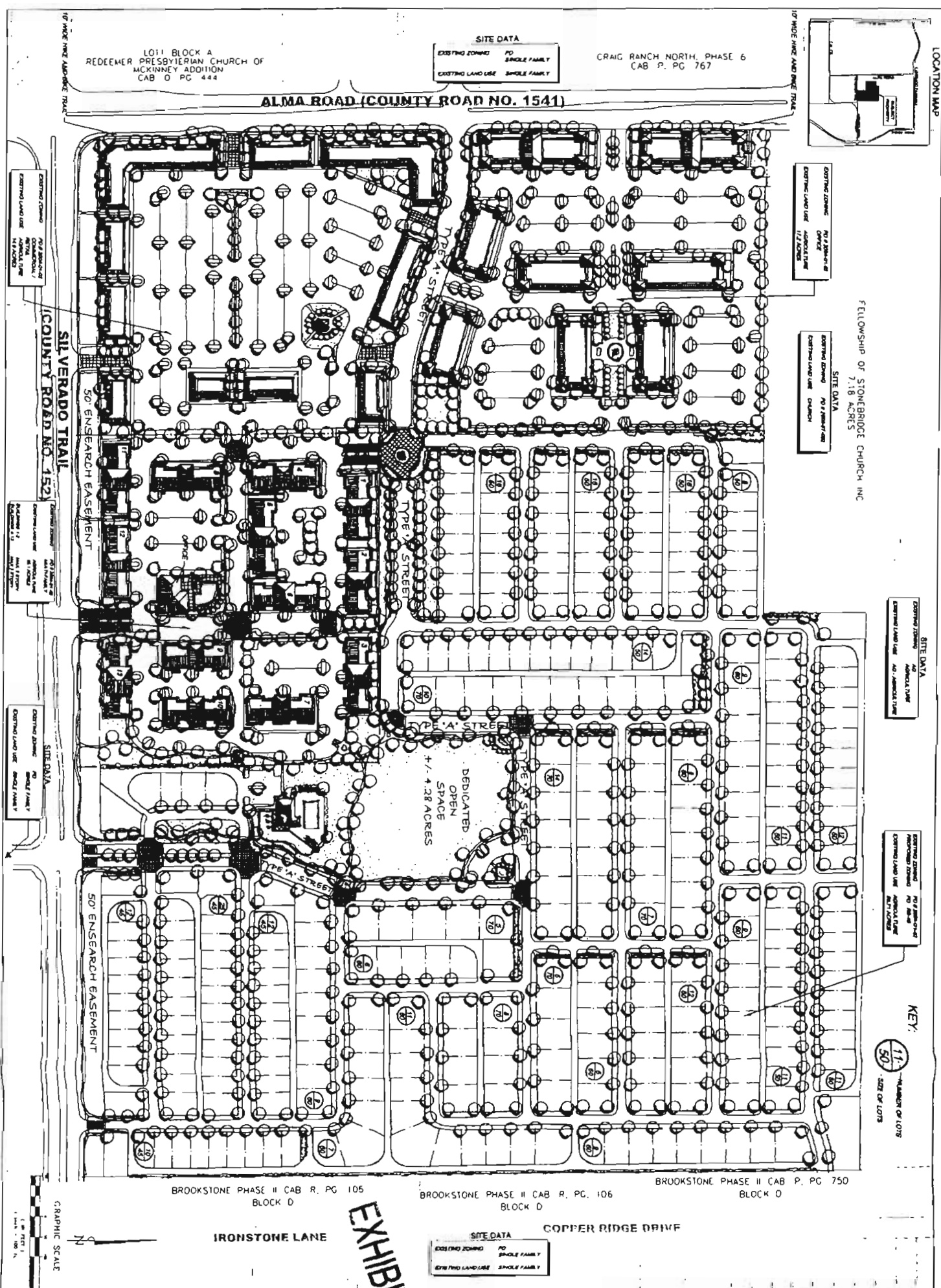
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Designed by: OAK
Drawn by: LMR
Checked by: OAK
Date: MAY 14, 2008
Project No. N/A

ZONING EXHIBIT

SILVERADO ESTATES

THIS DRAWING IS TO BE USED FOR EXHIBIT PURPOSES ONLY

SANCHEZ & ASSOCIATES
Master Planning
Civil Engineering
Land Development
130 East Vantage Blvd.
San Diego, CA 92108
Tel: 619-434-5300
Fax: 619-434-5301



SITE DATA
 EXISTING ZONING PD SINGLE FAMILY
 EXISTING LAND USE SINGLE FAMILY

CRAIG RANCH NORTH, PHASE 6
 CAB P. PG 767

LOT 11 BLOCK A
 REDEEMER PRESBYTERIAN CHURCH OF
 MCKINNEY ADDITION
 CAB O PG 444

ALMA ROAD (COUNTY ROAD NO. 1541)

SITE DATA
 EXISTING ZONING PD 2 SINGLE-FAM
 EXISTING LAND USE ADAPTIVE USE
 117 ACRES

SITE DATA
 EXISTING ZONING PD 2 SINGLE-FAM
 EXISTING LAND USE CHURCH

FELLOWSHIP OF STONEBRIDGE CHURCH INC
 7.18 ACRES

SITE DATA
 EXISTING ZONING PD 2 SINGLE-FAM
 EXISTING LAND USE ADAPTIVE USE
 117 ACRES

SITE DATA
 EXISTING ZONING PD 2 SINGLE-FAM
 EXISTING LAND USE ADAPTIVE USE
 117 ACRES

KEY:
 11 - NUMBER OF LOTS
 50 - SIZE OF LOTS

BROOKSTONE PHASE II CAB R. PG 105
 BLOCK D

BROOKSTONE PHASE II CAB R. PG. 106
 BLOCK C

BROOKSTONE PHASE II CAB P. PG 750
 BLOCK D

IRONSTONE LANE

COPPER RIDGE DRIVE

SITE DATA
 EXISTING ZONING PD SINGLE FAMILY
 EXISTING LAND USE SINGLE FAMILY

Scale: SEE GRAPHIC SCALE
 Designed by: OAK
 Drawn by: LHR
 Checked by: OAK
 Date: 11/11/2009
 Project No: 08-162Z

GENERAL DEVELOPMENT PLAN

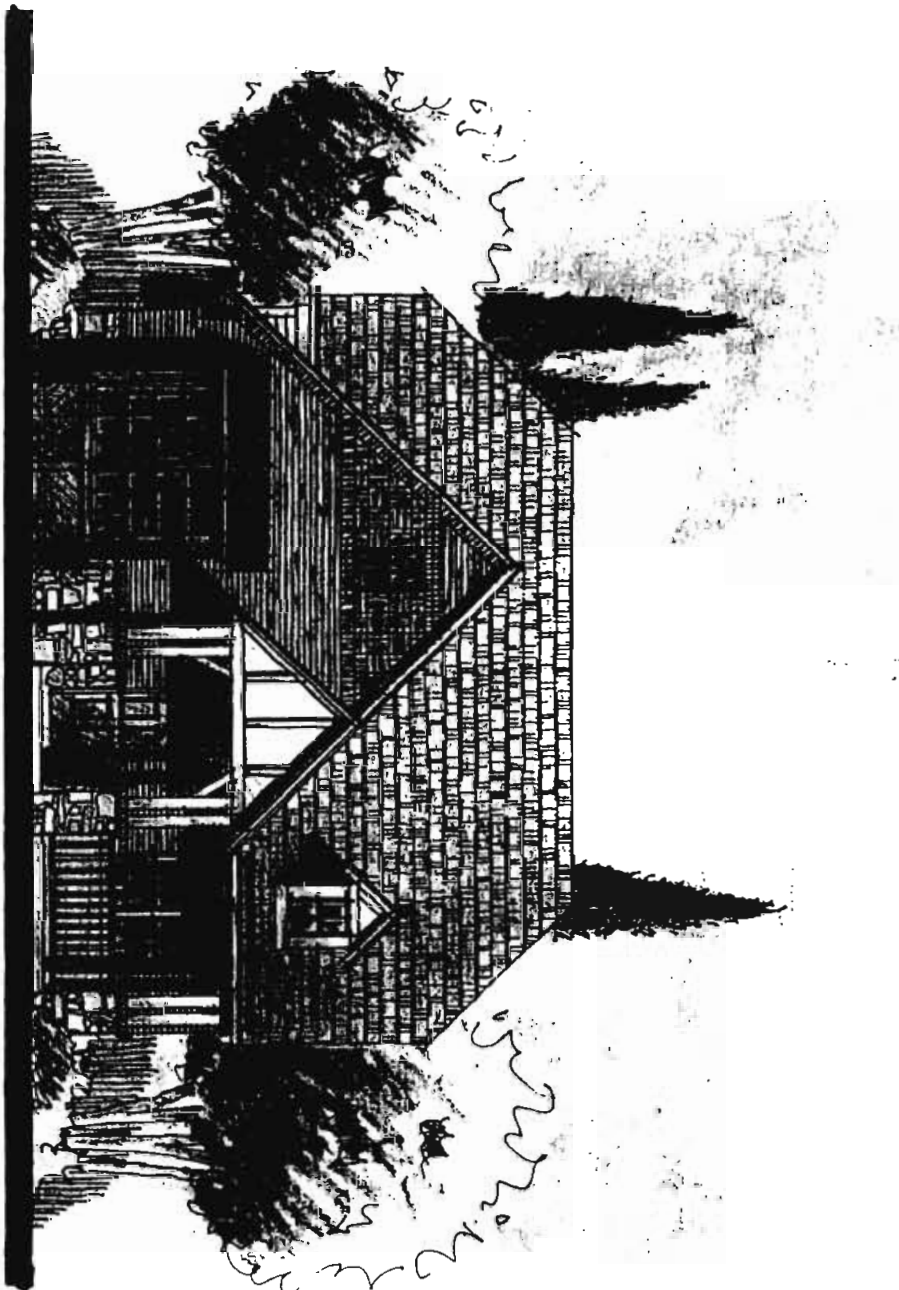
SILVERADO ESTATES

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SANCHEZ & ASSOCIATES
 Master Planning
 Civil Engineering
 Land Development
 120 East Verdugo Street
 Burbank, CA 91502
 Tel: 818-251-5970
 Fax: 818-251-5972

EXHIBIT

GRENADEER HOMES, INC.



**Conceptual Front Elevation
45' Wide Product**

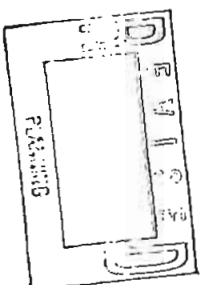


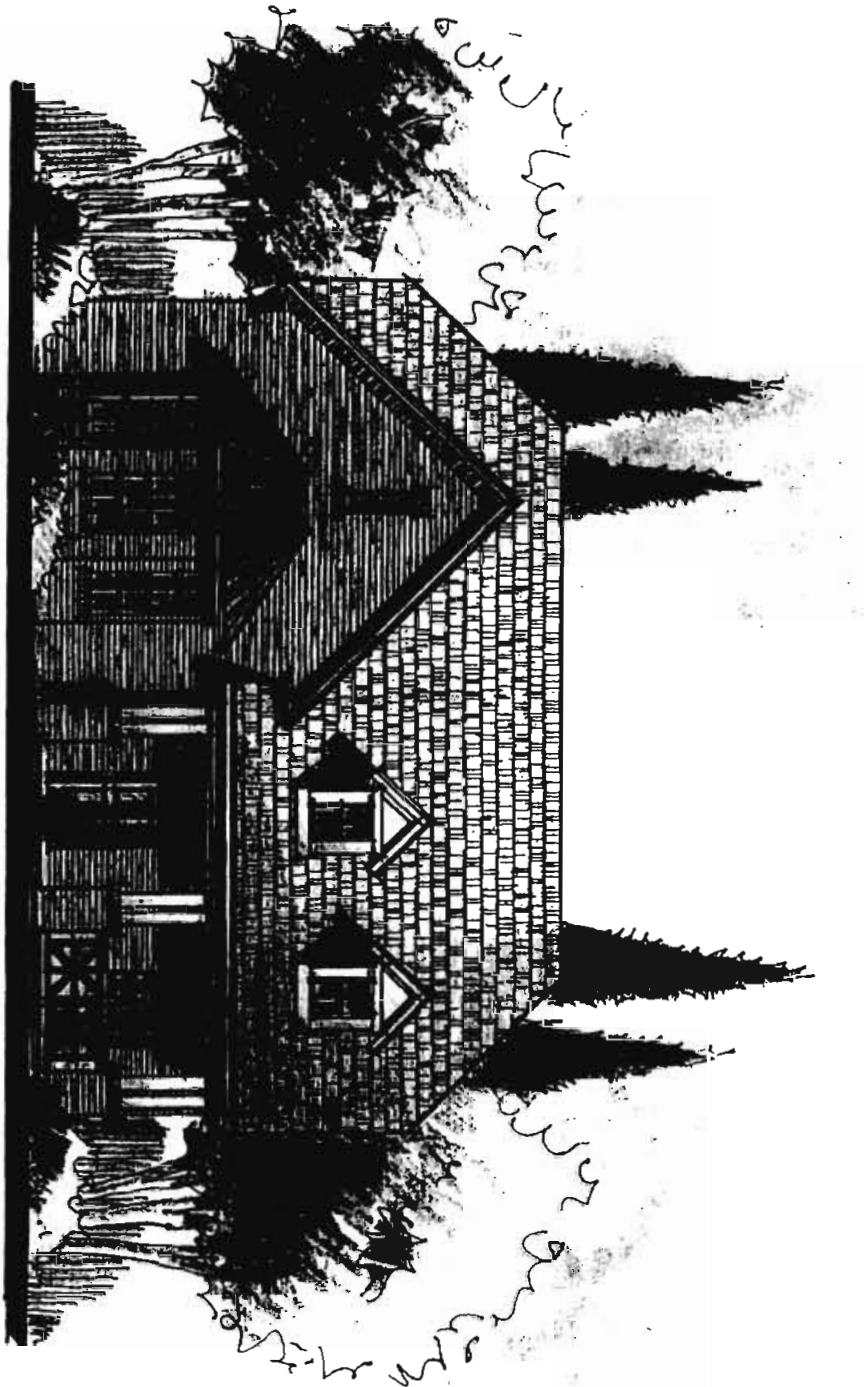
EXHIBIT D

**Silverado Estates
McKinney, Texas**

07207202 04
MAY 5, 2008
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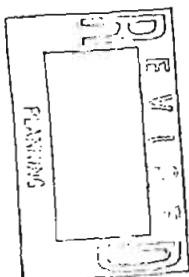
Conceptual Front Elevation
50' Wide Product

GRENADIER HOMES, INC.



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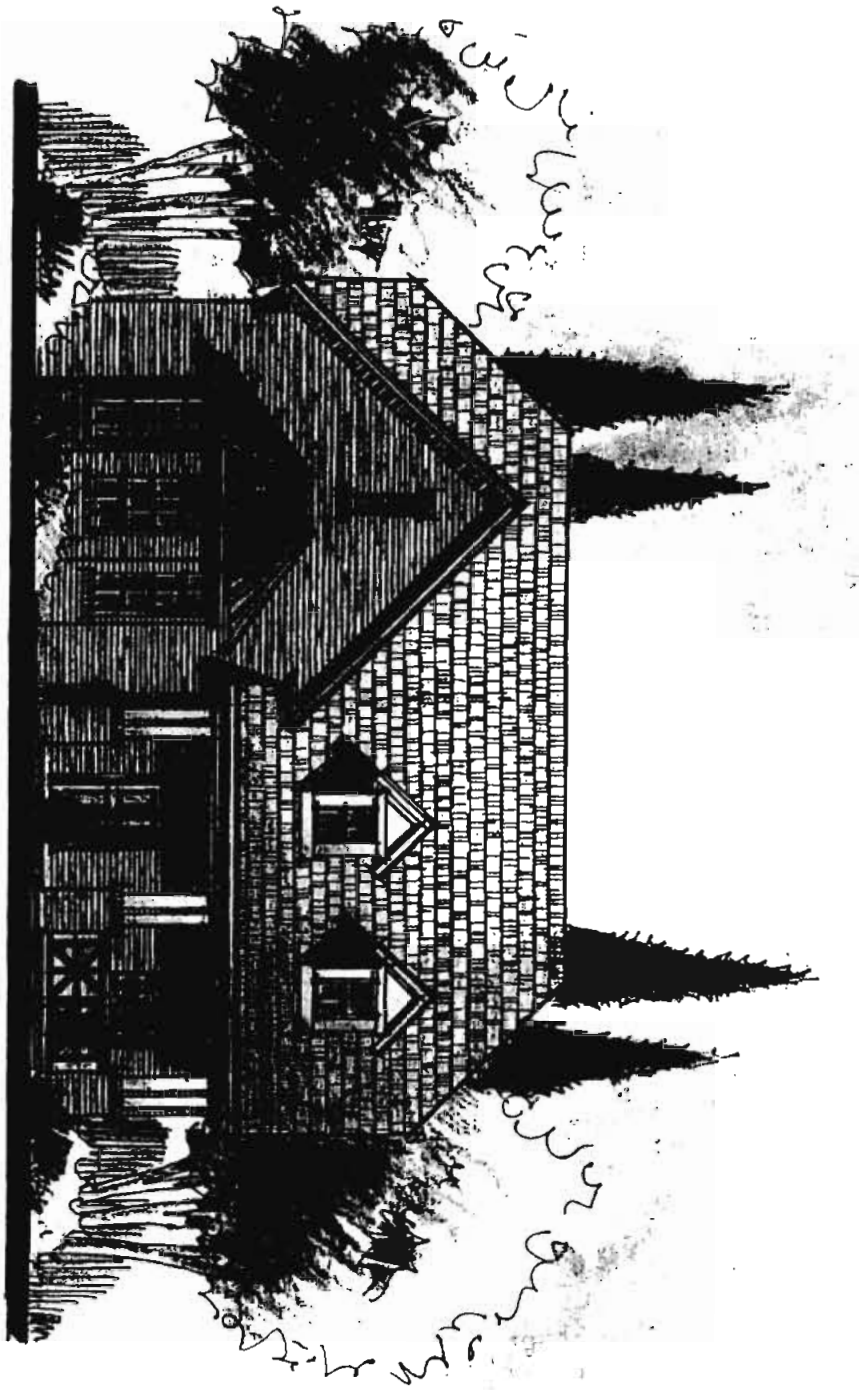
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McKinney, Texas

07/07/2002, 04
May 5, 2008
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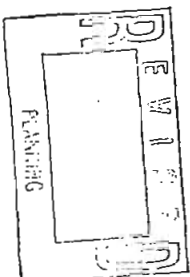
Conceptual Front Elevation
50' Wide Product

GRENADIER HOMES, INC.



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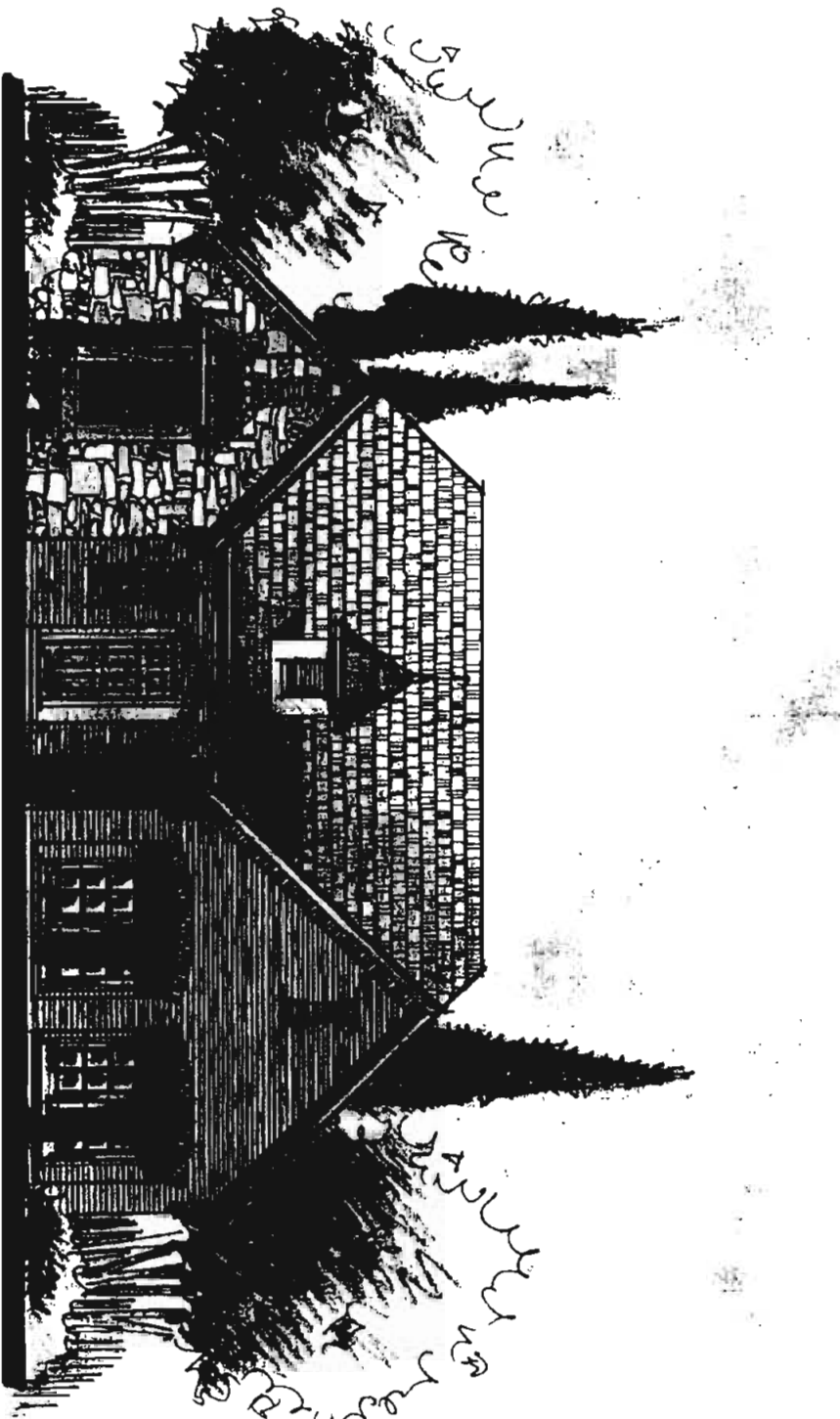
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Silverado Estates
McKinney, Texas

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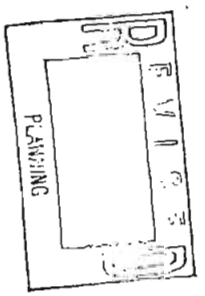


Conceptual Front Elevation
60' Wide Product

GRENADIER HOMES, INC.

Silverado Estates
McKinney, Texas

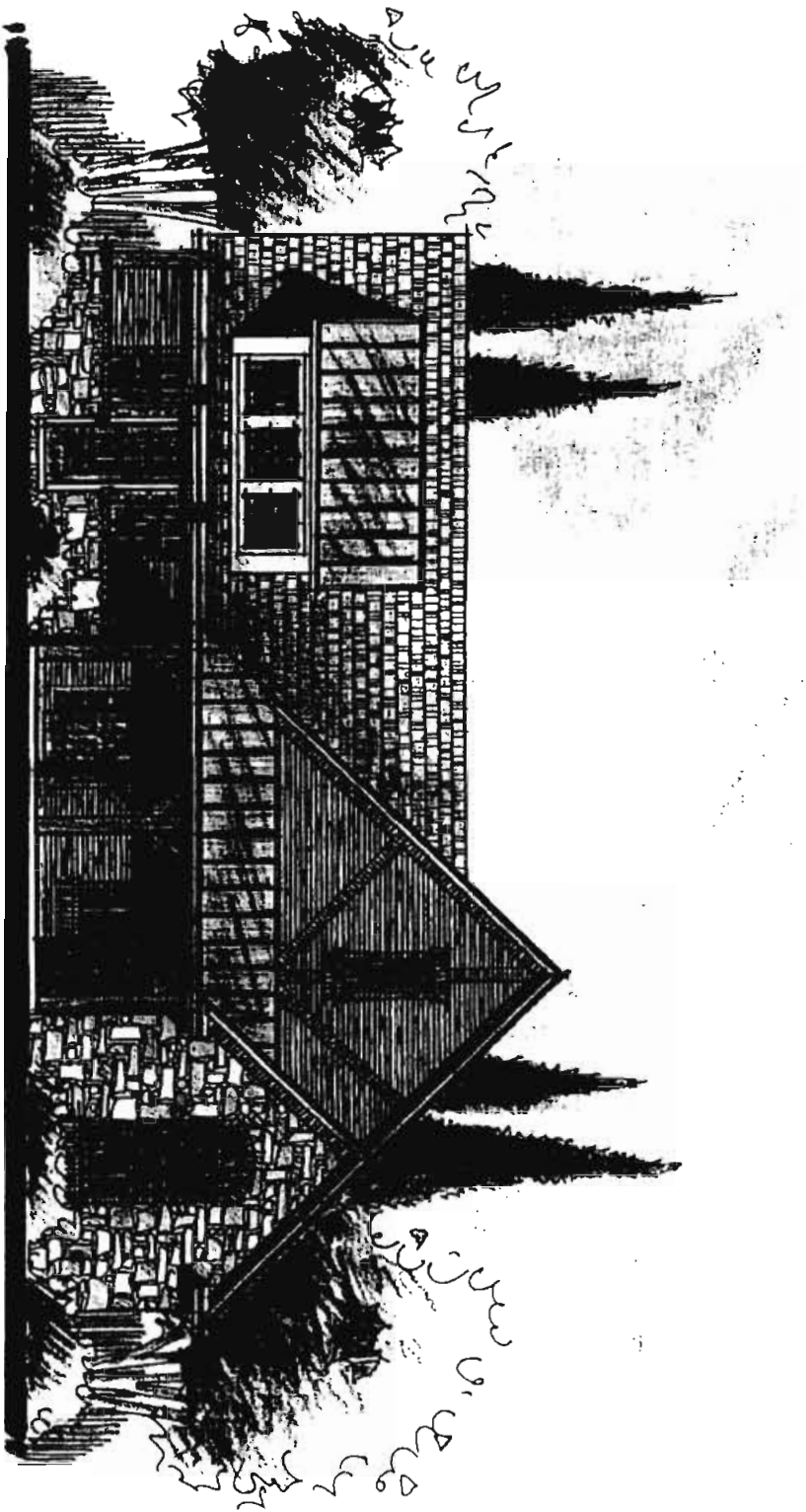
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May 5, 2008
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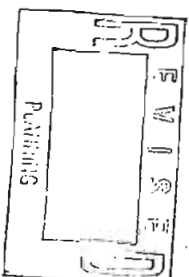


Conceptual Front Elevation
70' Wide Product

GRENADIER HOMES, INC.

Silverado Estates
McKinney, Texas

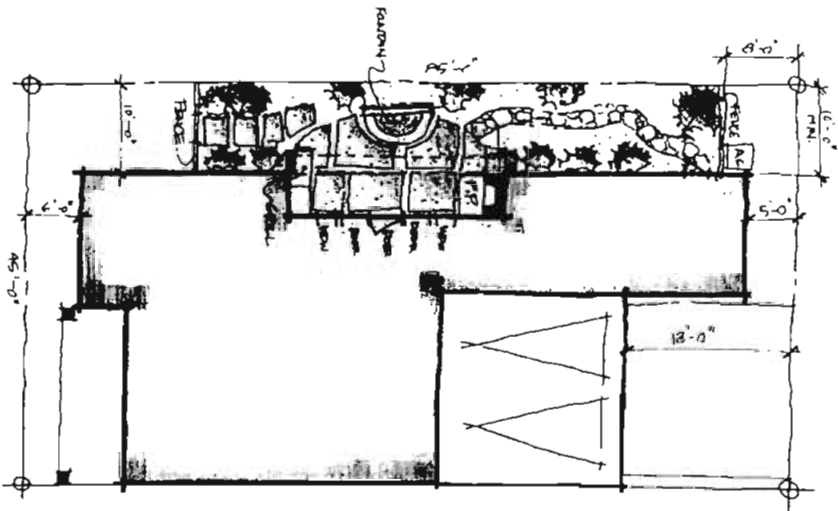
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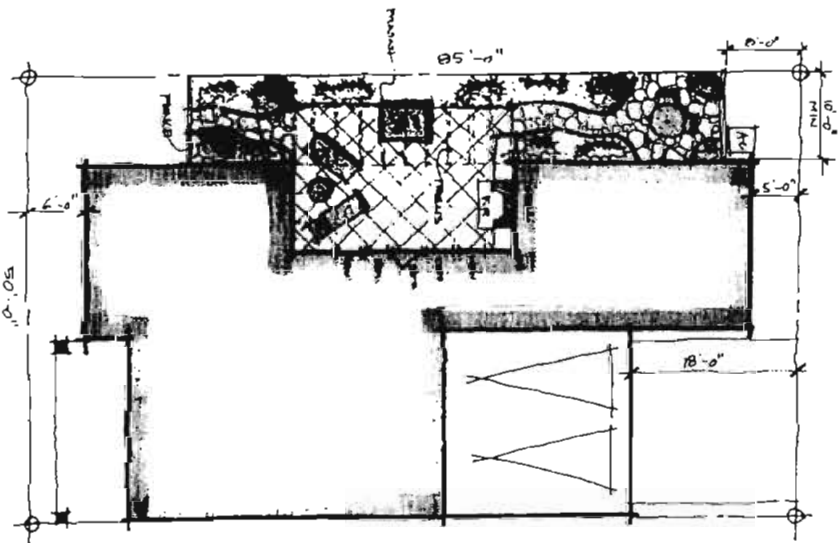
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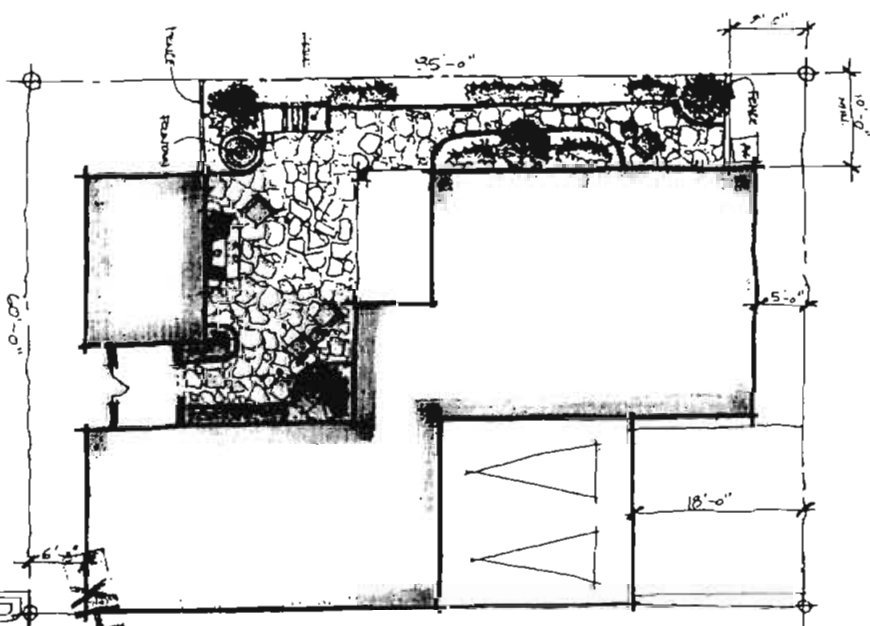




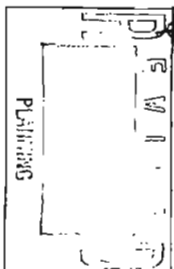
45' LOT COURTYARD PLAN VIEW



50' LOT COURTYARD PLAN VIEW



60' LOT COURTYARD PLAN VIEW



GRENADIER HOMES, INC.

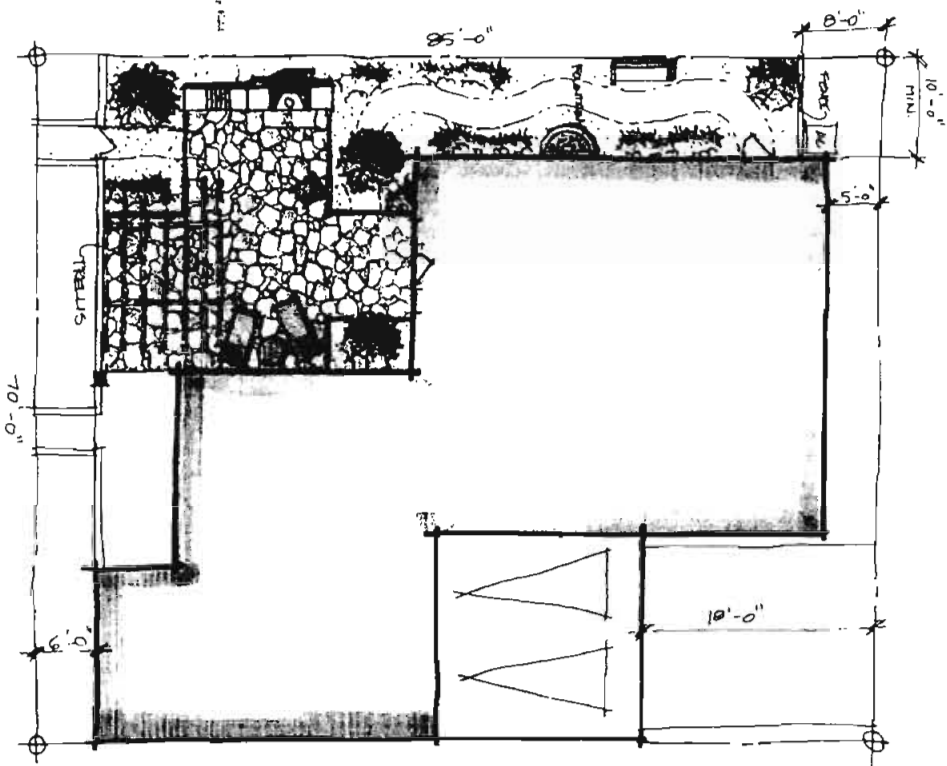
Silverado Estates
McKinney, Texas



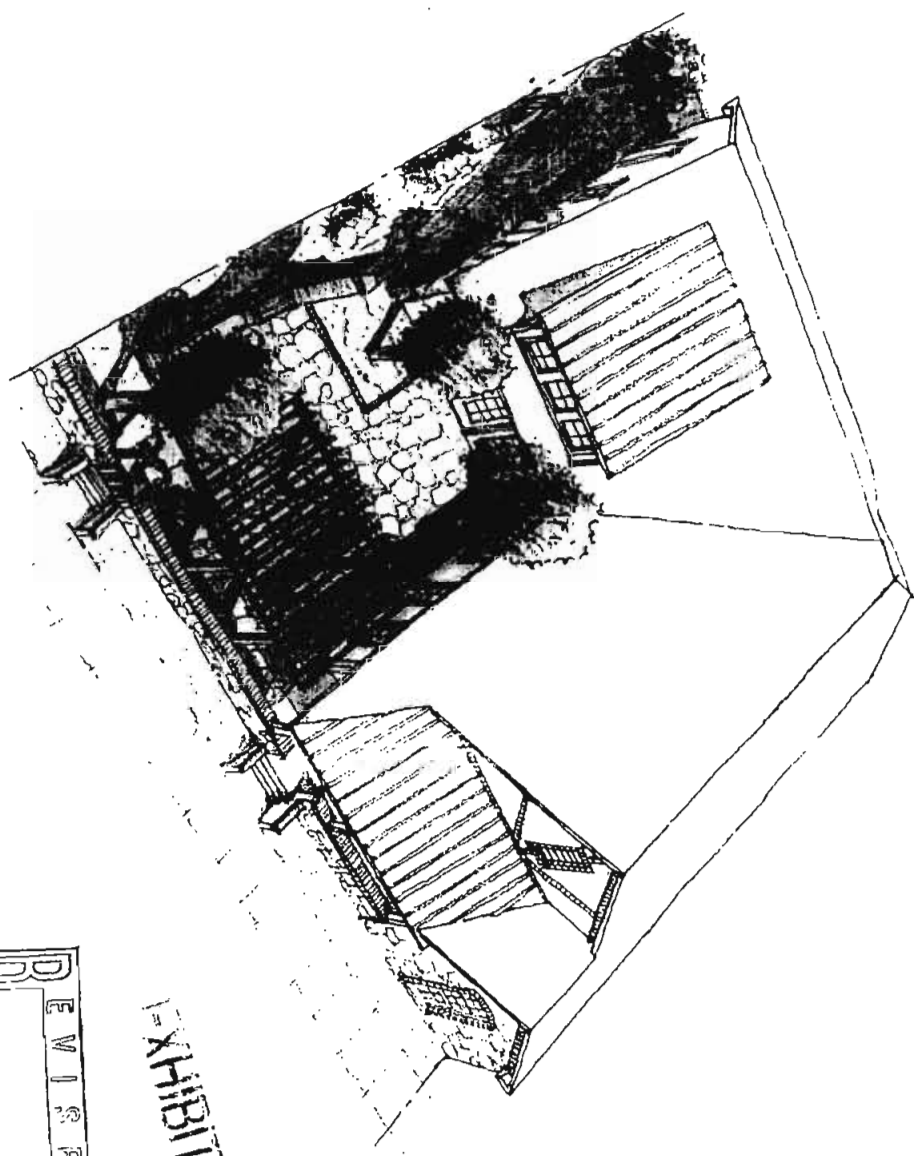
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April 29, 2008
0 2008 858 0499

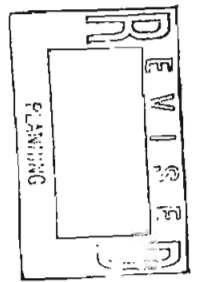
BSB
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70' LOT COURTYARD PLAN VIEW



70' LOT COURTYARD BIRD'S EYE VIEW



EXHIBIT

GRENADIER HOMES, INC.

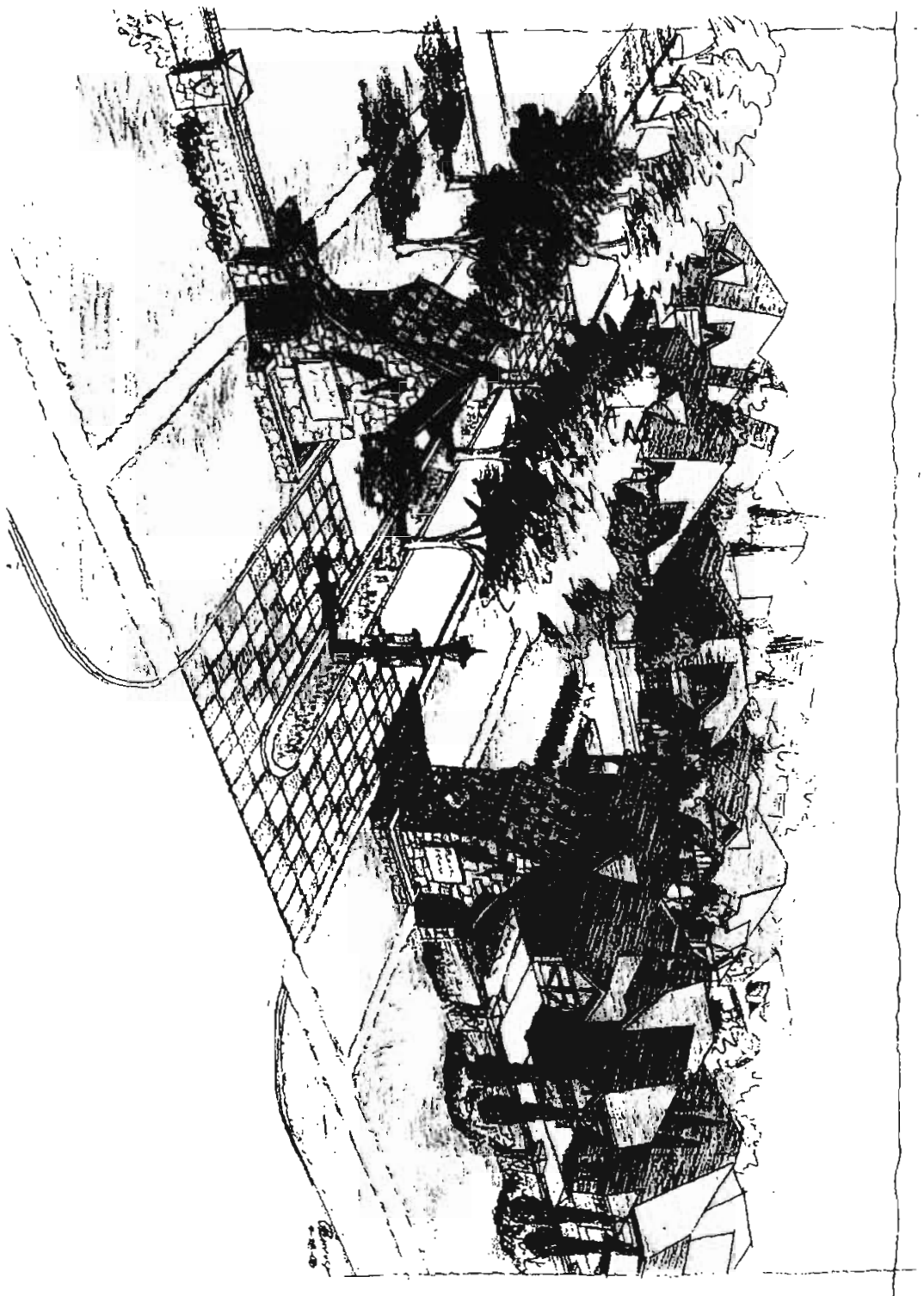
Silverado Estates
McKinney, Texas



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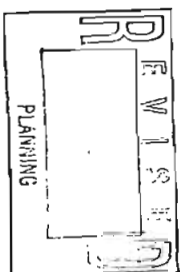
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April 29, 2008
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Main Entry Bird's Eye View

EXHIBIT D



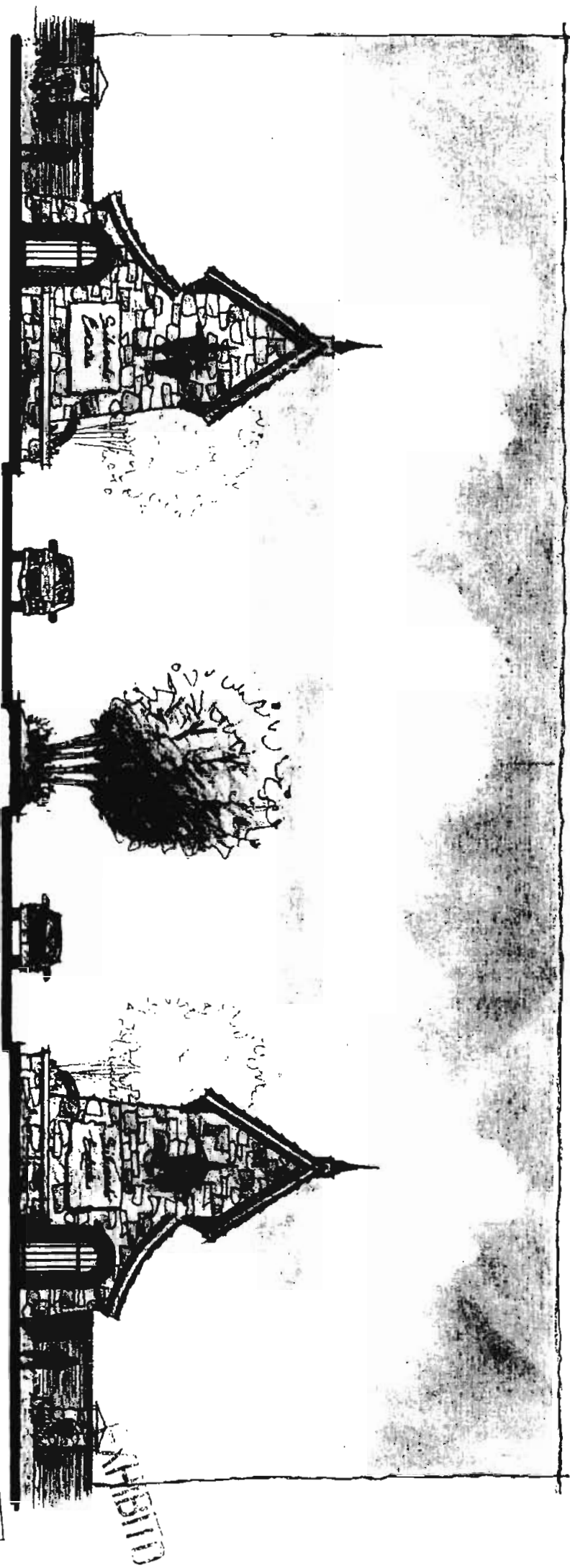
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McKinney, Texas

07/09/2002 04
May 5, 2008
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ENTRY MONUMENT

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McKinney, Texas

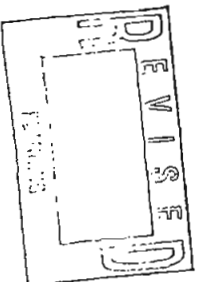


EXHIBIT D



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April 29, 2008
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