

ORDINANCE NO. 2007-04-039

AN ORDINANCE AMENDING ORDINANCE NO. 2001-02-017, AND AS AMENDED, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 8.01 ACRE PROPERTY (ROYAL TULIP HOTEL), GENERALLY LOCATED ON THE SOUTHWEST CORNER OF COLLIN MCKINNEY PARKWAY AND WEISKOPF AVENUE, IS ZONED 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 AMEND 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 8.01 acre property (Royal Tulip Hotel), located generally on the southwest corner of Collin McKinney Parkway and Weiskopf Avenue, 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 amend 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. 2001-02-017 is hereby amended so that an approximately 8.01 acre property (Royal Tulip Hotel), located generally on the southwest corner of Collin McKinney Parkway and Weiskopf Avenue, 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 amend the development standards.

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

1. The subject property be developed in accordance with Planned Development District Ordinance No. 2001-02-017 and "REC" - Regional Employment Center District Overlay, except as follows:

a. The subject property shall generally conform to the attached site layout, Exhibit "B", specifically as follows:

- b. Build-to/setback lines be developed in accordance with the attached site layout, Exhibit "B".
- c. A maximum building height of 140 feet (9-story) be allowed.
- d. Lighting poles be allowed a maximum height of 25 feet.

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 17th DAY OF APRIL, 2007.**

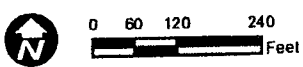
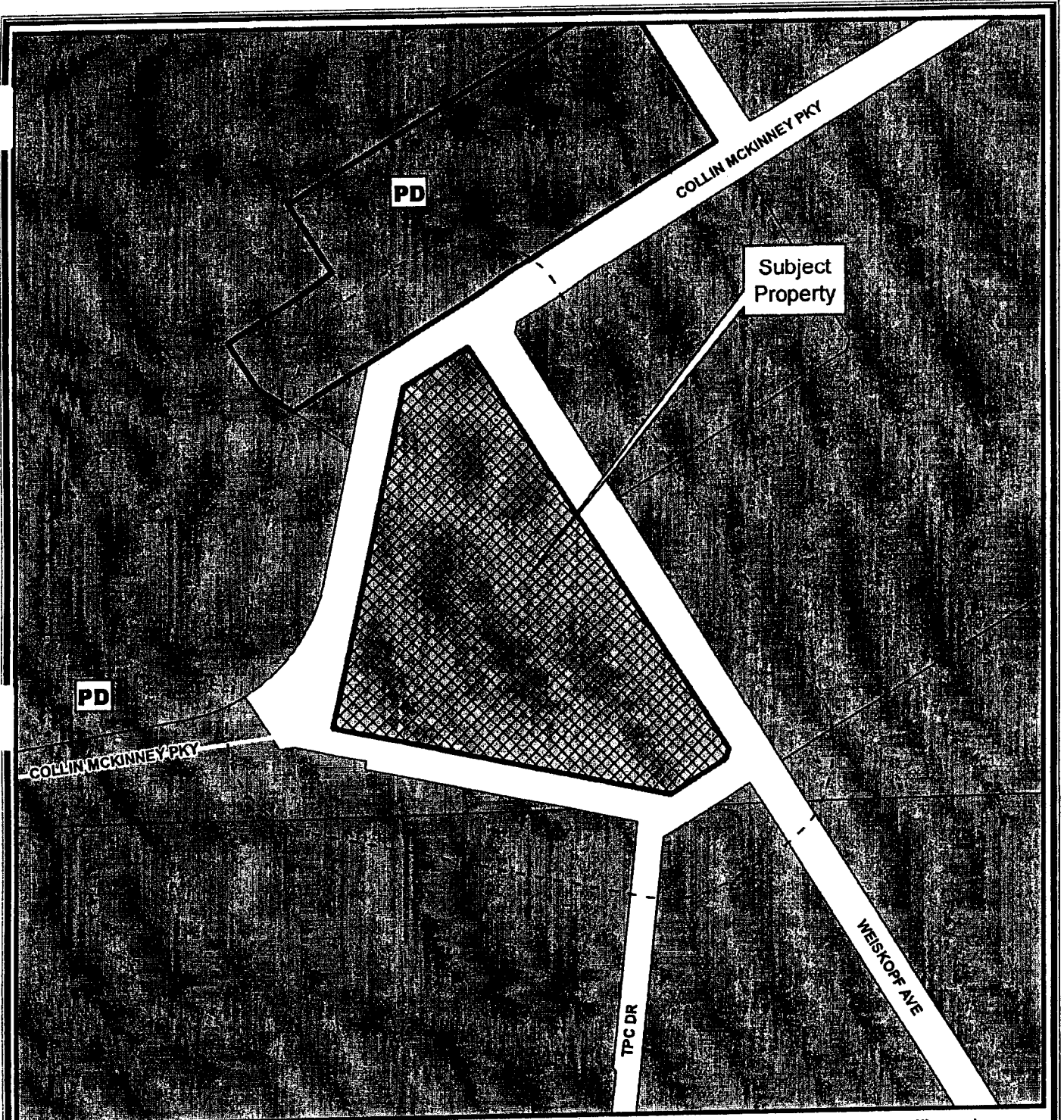

BILL WHITEFIELD, Mayor

CORRECTLY ENROLLED:


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

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney



Notification Case

Notice Case #: 07-100Z

R-6385-000-0030-1

-- 200' Notification Buffer

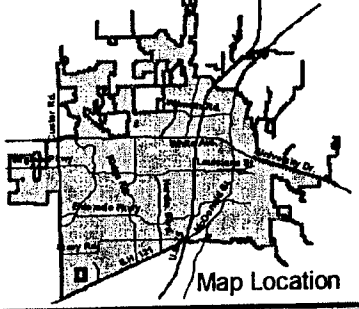


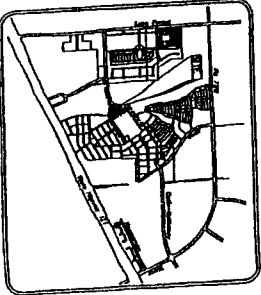
EXHIBIT "A"



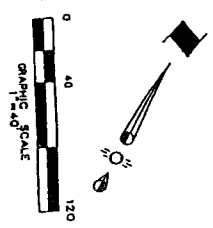
DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

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VICINITY MAP
N.T.S.



Lot 8, Block A
1/2" at Grid Bands
Caption N Page 284
(Project)

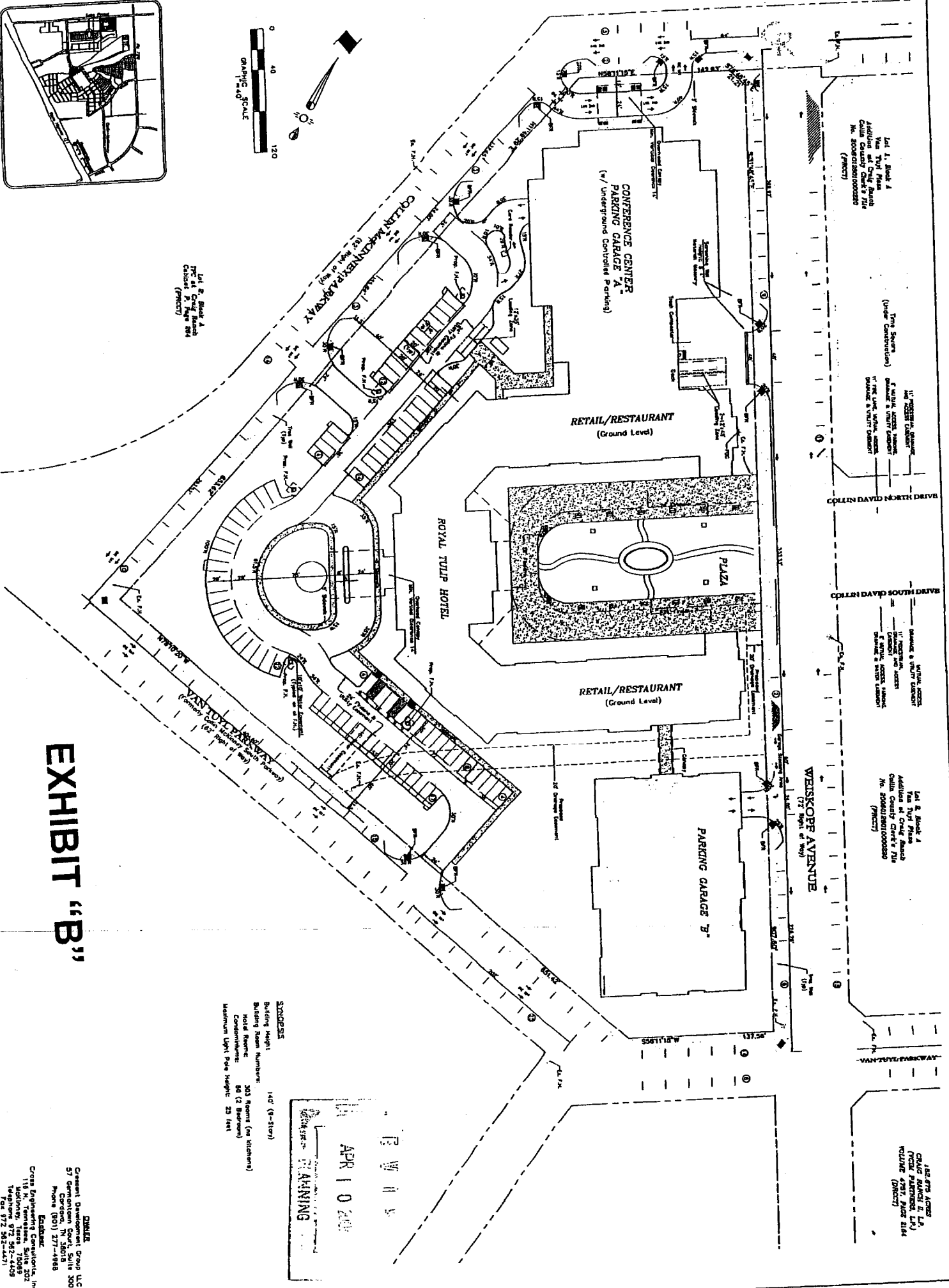


EXHIBIT "B"

SUMMARY
 Building Height: 140' (4-10p)
 Building Footprint: 100,000 sq. ft.
 Hotel Rooms: 303 Rooms (in 10 stories)
 Condominiums: 80 (2 Stories)
 Maximum Open Floor Height: 23 feet

APR 10 2009
 PLANNING

OWNER
 Crescent Development Group LLC
 57 Semetium Court, Suite 300
 Carroll, TX 75018
 Phone (901) 277-4588

DESIGNER
 Cross Engineering Consultants, Inc.
 11111 Highway 100, Suite 202
 McKinney, Texas 75069
 Telephone 972 562-4409
 Fax 972 562-4471

ROYAL TULIP HOTEL CRESCENT DEVELOPMENT GROUP CITY OF MCKINNEY, TEXAS ZONING EXHIBIT

CROSS ENGINEERING CONSULTANTS
 11111 N. Transportation St., Suite 202
 972.562.4409
 McKinney, Texas 75069
 Fax 972.562.4471

Sheet	Date	Revised
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Drawn by: J.S.M.
 Checked by: J.S.M.
 Scale: 1"=40'