

ORDINANCE NO. 2008-08-085

AN ORDINANCE AMENDING ORDINANCE NO. 1270, AND AS AMENDED, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 47.82 ACRE PROPERTY, LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE) AND ON THE EAST SIDE OF COMMUNITY AVENUE, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW OFFICE 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 47.82 acre property, located on the south side of U.S. Highway 380 (University Drive) and on the east side of Community Avenue, from "PD" – Planned Development District to "PD" – Planned Development District, generally to allow office 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. 1270, and as amended, is hereby amended so that an approximately 47.82 acre property, located on the south side of U.S. Highway 380 (University Drive) and on the east side of Community Avenue, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to allow office uses.

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

1. The subject property shall be developed according to the "O" – Office District regulations of the Zoning Ordinance, except as follows:
 - a. The subject property shall generally conform to the attached site plan (Exhibit "B") and landscape plan (Exhibit "C").
 - b. Screening.
 - i. A 10 foot tall, vinyl-coated, chain link fence with three strand barbed wire at the top shall be allowed.
 - ii. A 6 foot tall screening berm, a 10 foot tall, vinyl-coated, chain link fence with three strand barbed wire at the top, and the existing tree line along the southern property line shall satisfy the requirement for a screening device between the subject property and the adjacent tracts to the south zoned for multi-family and townhome uses.

iii. Masonry screening walls around outdoor mechanical yards be allowed a maximum height of 20 feet.

c. The associated site plan and landscape plan for the proposed data center shall be approved by Staff.

d. Schools shall be a prohibited use on the subject property.


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.

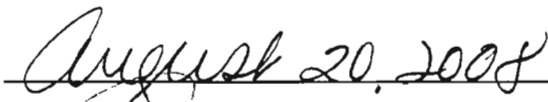
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 19TH DAY OF AUGUST, 2008.


BILL WHITFIELD, Mayor

CORRECTLY ENROLLED:

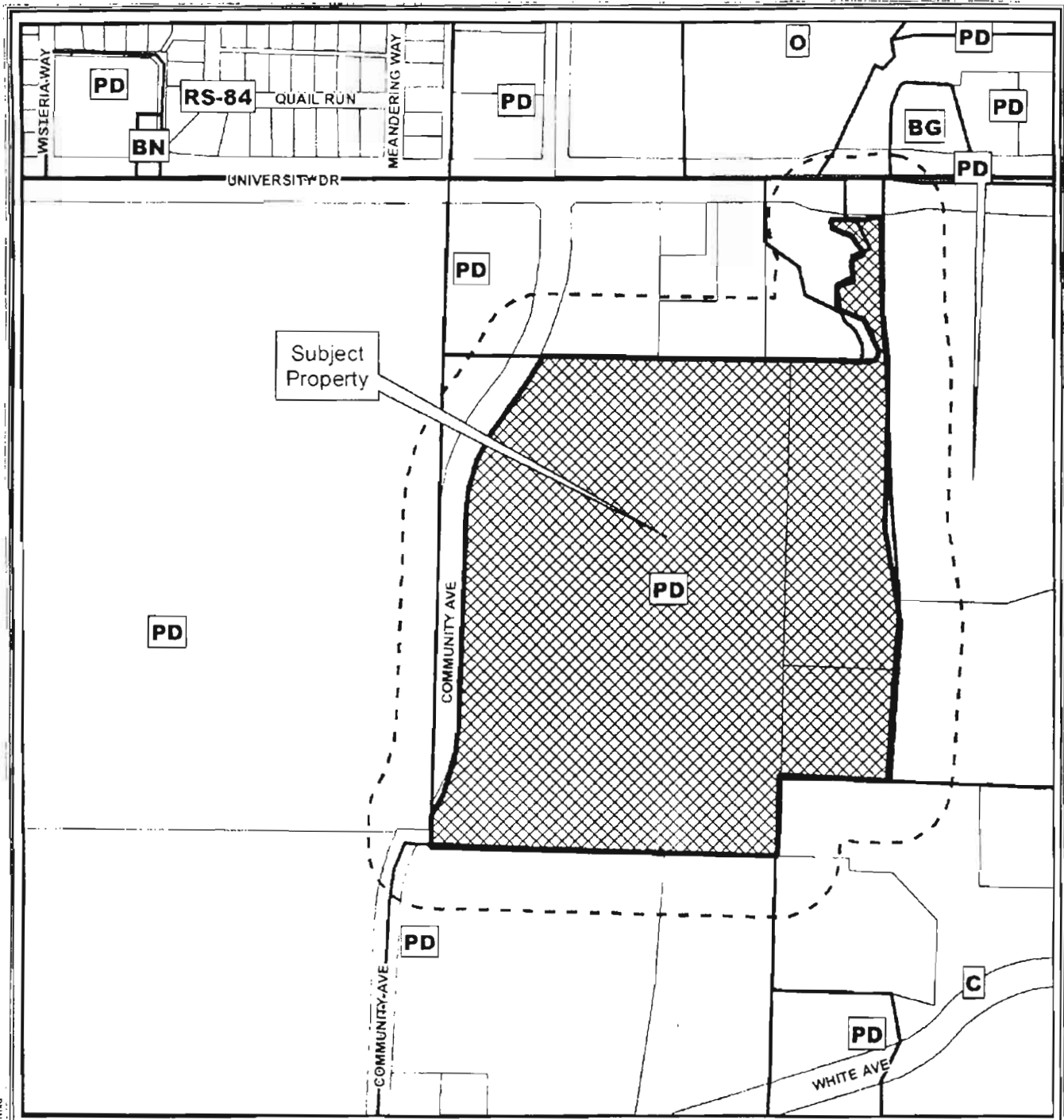

SANDY HART, TRMC, MMC
City Secretary
BEVERLY COVINGTON, TRMC, CMC
Deputy City Secretary

DATE:


August 20, 2008

APPROVED AS TO FORM:


MARK S. HOUSER
City Attorney



S:\MKG\GIS\Notification\Projects\08-245Z.mxd

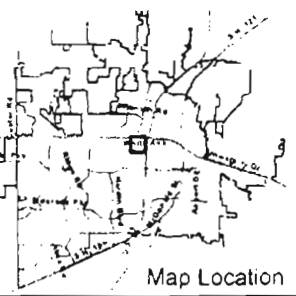


Notification Case

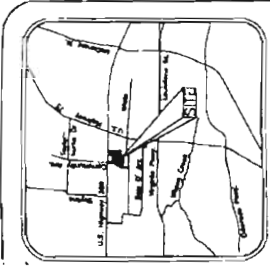
Notice Case: 08-245Z
R-6257-000-0210-1

--- 200' Notification Buffer

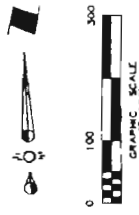
EXHIBIT A



This map is a digital representation of the information shown on the original map. It is not intended to be used as a legal document. The City of McKinney, Texas, is not responsible for any errors or omissions on this map. The City of McKinney, Texas, is not responsible for any damages, including consequential damages, arising from the use of this map. The City of McKinney, Texas, is not responsible for any damages, including consequential damages, arising from the use of this map.



Vicinity Map



Lot	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
1	112,847	112,847	112,847
2	100,344	100,344	100,344
3	218,791	218,791	218,791
4	47,086	47,086	47,086
5	432,864	432,864	432,864
6	477,086	477,086	477,086
7	35,000	35,000	35,000
8	30,000	30,000	30,000
9	3,000	3,000	3,000
10	3,000	3,000	3,000
11	3,000	3,000	3,000
12	3,000	3,000	3,000
13	3,000	3,000	3,000
14	3,000	3,000	3,000
15	3,000	3,000	3,000
16	3,000	3,000	3,000
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19	3,000	3,000	3,000
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27	3,000	3,000	3,000
28	3,000	3,000	3,000
29	3,000	3,000	3,000
30	3,000	3,000	3,000

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12	3,000	3,000	3,000
13	3,000	3,000	3,000
14	3,000	3,000	3,000
15	3,000	3,000	3,000
16	3,000	3,000	3,000
17	3,000	3,000	3,000
18	3,000	3,000	3,000
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22	3,000	3,000	3,000
23	3,000	3,000	3,000
24	3,000	3,000	3,000
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26	3,000	3,000	3,000
27	3,000	3,000	3,000
28	3,000	3,000	3,000
29	3,000	3,000	3,000
30	3,000	3,000	3,000

REVISED
JUL 31 2008
PLANNING

PK McKinney Partners, L.L.C.
10045 N. McKinney St., Suite 3-15
McKinney, Texas 75069
Contact: Jon Schmitt
Engineer:
Crews Engineering Consultants, Inc.
175088 Telephone 972-962-4109 Fax
972-962-4777
Contact: Dan David Creek, P.E.

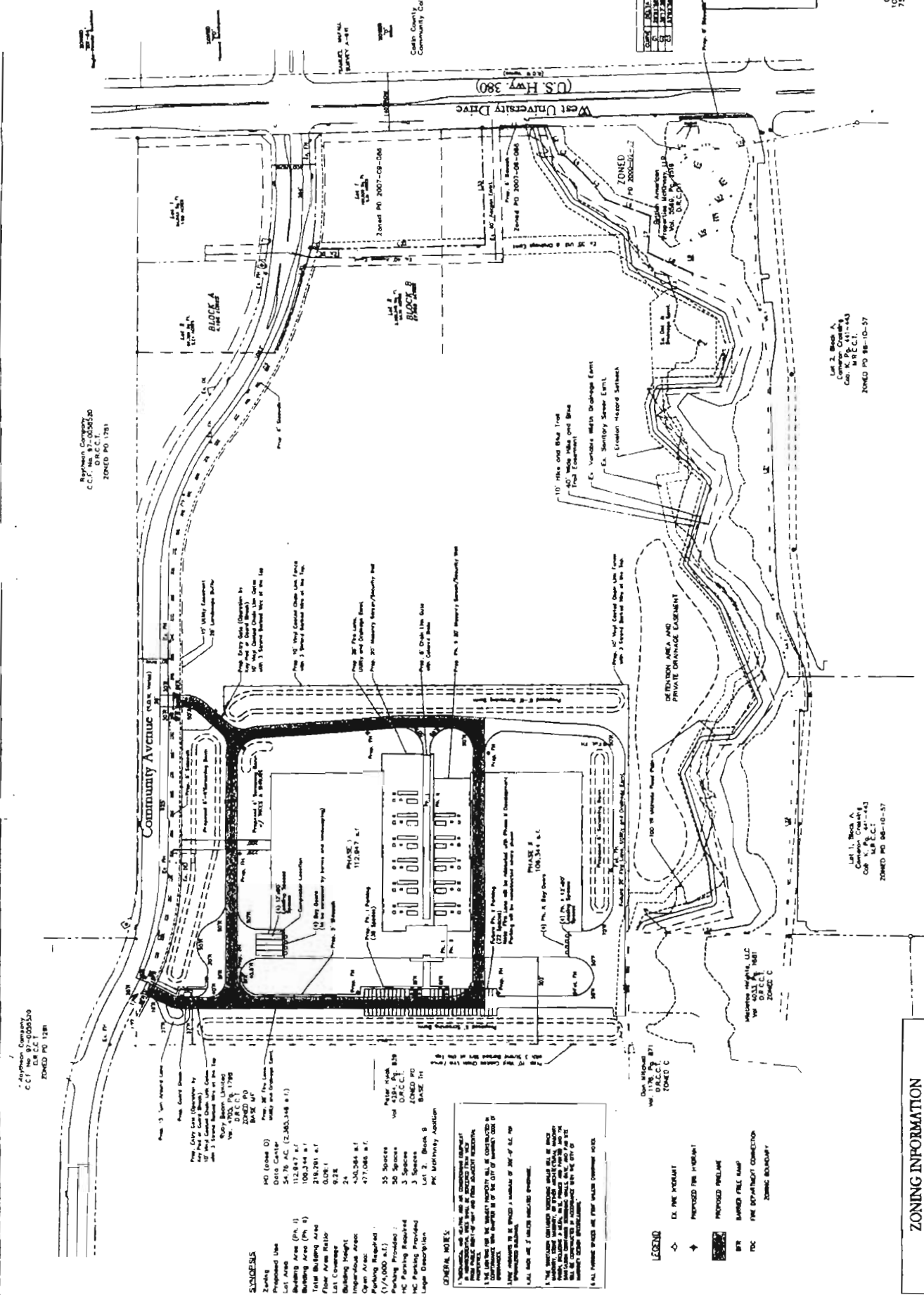
SITE PLAN
DFW MISSION CRITICAL
PK McKinney Partners, L.L.C.
CITY OF MCKINNEY, TEXAS

CROSS ENGINEERING CONSULTANTS
11111 Dallas Parkway, Suite 1000
Dallas, Texas 75244
Phone: 972-443-4444
Fax: 972-443-4444
Checked By: J.D.S.
Date: 7/23/08
Scale: 1" = 100'

Issue Number	Revised	Date
1	2-1-08	2-5-08
2	7-8-08	7-10-08
3	7-11-08	7-11-08
4	7-11-08	7-11-08
5	7-11-08	7-11-08
6	7-11-08	7-11-08

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT
THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY.

ZONING INFORMATION
DFW Mission Critical - 47.82 Acres
Community Avenue & University Drive (U.S. Hwy. 380)
TRACT
DFW Mission Critical Area (Lot 3) - PROPOSED ZONING PD (BASE 0)



SYNOPSIS
Zoning: PD (Base 0)
Proposed Use: DFW Mission Critical
Lot Area: 112,847 s.f.
Building Area (P+I): 100,344 s.f.
Total Building Area: 218,791 s.f.
Floor Area Ratio: 0.92:1
Lot Coverage: 9.2%
Building Height: 4-5/20 s.f.
Open Space: 47,086 s.f.
Parking Provided: 35 Spaces
Paving Provided: 30 Spaces
HC Parking Required: 3 Spaces
HC Parking Provided: 3 Spaces
Legal Description: Lot 3, Block 9, PK McKinney Addition

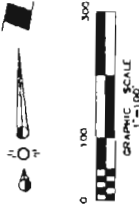
GENERAL NOTES:
1. ALL DIMENSIONS SHOWN ARE PER PLANNING OFFICE.
2. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MCKINNEY CODES AND ORDINANCES.
3. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MCKINNEY CODES AND ORDINANCES.
4. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MCKINNEY CODES AND ORDINANCES.
5. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MCKINNEY CODES AND ORDINANCES.

- LEGEND**
- EX. FINE POINT
 - PROPOSED FINE POINT
 - PROPOSED FINE LINE
 - BASED FILE CAMP
 - FIRE DEPARTMENT CONNECTION
 - ZONING BOUNDARY

EXHIBIT B



Vicinity Map
N.T.S.



LOT	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA
1	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
2	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
3	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
4	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
5	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
6	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
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8	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
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13	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
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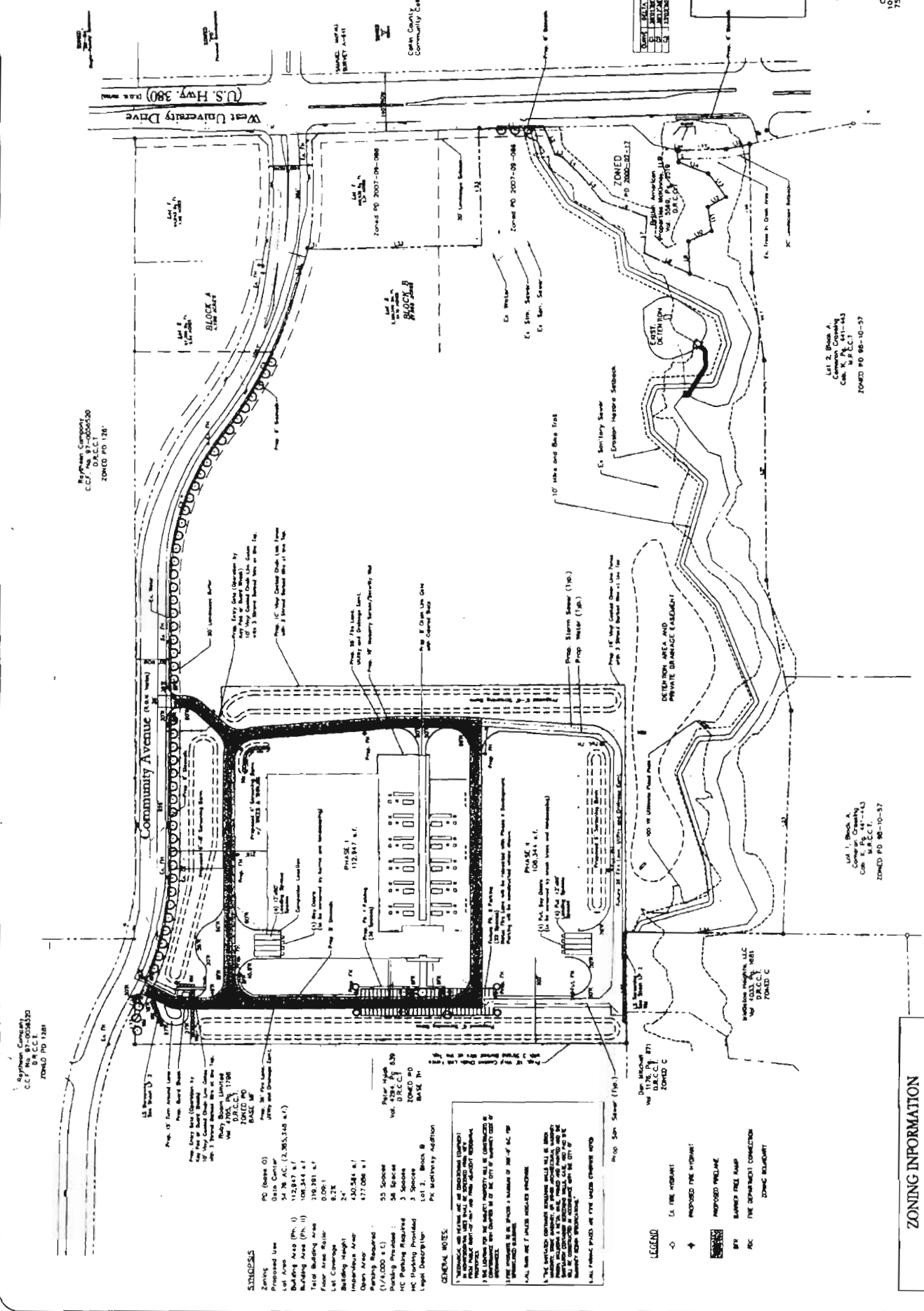
REVISED
JUL 31 2015
PLANNING

Download:
PK McKinney Partners, LLC
10345 N. Meridian St., Suite 345
Indianapolis, IN 46280
Contact: Jon Strickland

Contract:
Cross Engineering Consultants, Inc.
11000 N. Meridian St., Suite 1000
Indianapolis, IN 46280
Tel: 317-562-4371
Fax: 317-562-4372
Contract: Jon Strickland, P.E.

LANDSCAPE PLAN
DFW MISSION CRITICAL
PK McKinney Partners, L.L.C.
CITY OF MCKINNEY, TEXAS
LP1

CROSS ENGINEERING CONSULTANTS
11000 N. Meridian St., Suite 1000
Indianapolis, IN 46280
Tel: 317-562-4371
Fax: 317-562-4372
Checked By: JMS
Date: 7/15/15
P = 107



Reference: Community
C.C.F. No. 97-0050520
D.A.C.C.T.
ZONED PD 128

Lot 2, Block A,
Community Center
C.C.F. No. 97-0050520
ZONED PD 98-10-37

Lot 1, Block A,
Community Center
C.C.F. No. 97-0050520
ZONED PD 98-10-37

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT
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SUMMARY
Site Center
34.76 AC (2,285,348 sq ft)
Building Area (G.F.A.)
108,844 sq ft
Total Building Area
319,381 sq ft
Floor Area Ratio
0.291
Building Height
24'
Open Area
677,096 sq ft
Parking
53 Spaces
54 Spaces
54 Spaces
3 Spaces
3 Spaces
Lot 2, Block B
PK McKinney Addition

GENERAL NOTES
1. THE LANDSCAPE PLAN IS AN INSTRUMENT OF SERVICE.
2. THIS PLAN IS TO BE USED IN CONJUNCTION WITH THE LANDSCAPE PLAN.
3. THE LANDSCAPE PLAN IS TO BE USED IN CONJUNCTION WITH THE LANDSCAPE PLAN.
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10. THE LANDSCAPE PLAN IS TO BE USED IN CONJUNCTION WITH THE LANDSCAPE PLAN.

LEGEND
-> EX. FIRE HYDRANT
+ PROPOSED FIRE HYDRANT
[Symbol] PROPOSED PRELIM
[Symbol] EX. BLANKET FREE TAMP
[Symbol] EX. FIRE DEPARTMENT CONNECTION
[Symbol] ZONING REGULATORY

ZONING INFORMATION
DFW Mission Critical - 47.81 Acres
Community Avenue & University Drive (U.S. Hwy. 380)
TRACT
DFW Mission Critical Area (Lot 3)
PROPOSED ZONING
PD (BASE 0)