

ORDINANCE NO. 97-12-66

AN ORDINANCE OF THE CITY OF MCKINNEY, TEXAS AMENDING ZONING ORDINANCE NO. 1270 AND ORDINANCE NO. 97-06-36, AND AMENDING THE STONEBRIDGE RANCH MASTER GENERAL DEVELOPMENT PLAN AND GENERAL DEVELOPMENT PLAN FOR A PORTION OF PLANNING AREA 8, BEING TRACT 813; REDESIGNATING A 31.82-ACRE PORTION OF TRACT 813 FROM "O-1" TO "O-2", OFFICE DISTRICT AS PROVIDED BY THE DEVELOPMENT REGULATIONS FOR THE STONEBRIDGE RANCH PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the owner or owners of Tract 813 as shown on the Master General Development Plan for the Stonebridge Ranch Planned Development District, which tract was designated as "O-1" - Office District have petitioned the City of McKinney to amend the Master General Development Plan to redesignate a portion of said tract as "O-2" - Office District; and

WHEREAS, it is the intent of Exhibit "C" to Ordinance 97-06-36, Table of Maximum Height and Floor Area Ratio (FAR) for Commercial Use Categories, that no more than 300.84 acres of O-1 Tracts be designated O-2, and further provided that the Maximum Resulting Floor does not exceed 7,532,395 FT² of Total Office Space and this requested change would constitute a rezoning and redesignation under said Exhibit; and

WHEREAS, after due notice of such requested zoning change 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, the City Council is of the opinion that such zoning change should be made.

NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

- Section 1.** That the southwestern 31.82 acres of Tract 813, as that tract is shown on the Master General Development Plan for the Stonebridge Ranch Planned Development District, approved by Ordinance 97-06-36, shall be redesignated Tract 813A - "O-2" Office District, with the remaining 25.20 acres, Tract 813B, retaining an "O-1" Office District designation, as provided by Ordinance 1621 and Exhibits thereto, as amended, as shown on the attached Zoning Plan marked Exhibit "A".
- Section 2.** That the conditions for Tract 813, as shown on Exhibit "B" to Ordinance 97-06-36 shall be amended to conform to the redesignations of Tracts 813A and 813B as shown on Exhibit "A" hereto, with the appropriate conditions of an "O-2" District for Tract 813A.
- Section 3.** That the total acres of land designated by Exhibit "C", Table of Maximum Height and Floor Area Ratio (FAR) for Commercial Use Categories, to Ordinance 97-06-36 shall now be 299.02 of "O-1" and 31.82 of "O-2" as a result of this change, and the Maximum Resulting Floor Area (SF) within the Stonebridge Ranch Planned Development District adjusted accordingly.
- Section 4.** That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development zone, or specific regulations contained

herein. This Ordinance and the subsequent site plan and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 5. 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 6. 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 therefor, shall be fined any sum not exceeding \$2000.00, 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 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.

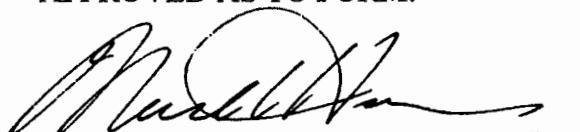
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 16th DAY OF December, 1997.


DON DOZIER, Mayor

CORRECTLY ENROLLED:

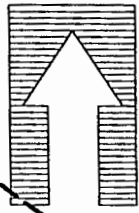

JENNIFER G. SMITH, City Secretary

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney

F.M. 2478

F.M. 2478 CUSTER RD.



SCALE 1" = 600'

SUBJECT PROPERTY

PD

PD

ELDORADO PKWY.

STONEBRIDGE DR.

FP

PD

PD

PD

AG

EXHIBIT "A"

