

ORDINANCE NO. 2007-10-104

AN ORDINANCE AMENDING ORDINANCE NO. 2002-05-038, AND AS AMENDED, OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 30.35 ACRE PROPERTY, LOCATED ON THE SOUTH SIDE OF COLLIN MCKINNEY PARKWAY AND 1,263 FEET WEST OF LAKE FOREST DRIVE, IS ZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO AMEND THE DEVELOPMENT STANDARDS AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT; 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 30.35 acre property, located on the south side of Collin McKinney Parkway and 1,263 feet west of Lake Forest Drive, from "PD" – Planned Development District to "PD" – Planned Development District, generally to amend the development standards, and "REC" – Regional Employment Center Overlay District, 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. 2002-05-038 is hereby amended so that an approximately 30.35 acre property, located on the south side of Collin McKinney Parkway and 1,263 feet west of Lake Forest Drive, which is more fully depicted in Exhibit E, attached hereto is hereby rezoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to amend the development standards, and "REC" – Regional Employment Center Overlay District.

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

1. The subject property shall develop in accordance with Ordinance 2002-05-038, and as amended, except as follows:
 - a. The minimum required density shall be 19.27 dwelling units per acre.
 - b. The requirement for a specific use permit to change the required density as detailed in Ordinance 2006-02-010 shall be rescinded by this rezoning request.
2. The height of buildings within 200 feet of the property line shall be limited to three stories.

3. The build-to-line along Collin McKinney Parkway shall be 20 feet, as shown on the attached zoning exhibit.
4. Covered parking shall not be required on the subject property.
5. The subject property shall generally conform to the attached building elevations as follows:
 - a. All apartment buildings shall have porches and stoops that provide direct access into the buildings from the pedestrian walk.
 - b. Carriage Houses shall front a 10' pedestrian walk along the detention facility.
 - c. The architectural features, landscaping and public furniture associated with the detention facility shall be in general conformance with the attached exhibits.
 - d. Decorative street lamps, maximum of 13 feet in height and spaced at a maximum of 90 feet on center, shall be installed along Collin McKinney Parkway and along the 10' pedestrian walkway adjacent to the detention pond.
 - e. Living screening of evergreen shrubs at least 6' in height and shade trees 3 inch caliper and 7 feet high at time of planting shall be installed in all parking visible from right-of-way.
 - f. Entry features into the apartment complex shall incorporate a pocket park that has the following features: architectural wall, benches, berm and seasonal colored plant materials.
6. The internal open space shall be required to support a recreational field and/or play area with seating, subject to approval by the Planning and Zoning Commission at time of site plan.
7. A monument, water feature or public art shall be required at the terminus of the main drive approach off Collin McKinney Parkway, subject to approval by the Planning and Zoning Commission at time of site plan.
8. The subject property shall generally conform to the attached Zoning Exhibit "F" and building elevations exhibits, "A", "B", "C", and "D".

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.

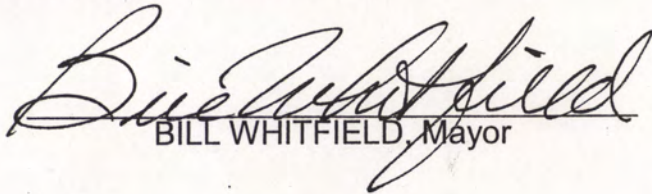
Section 5.

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.

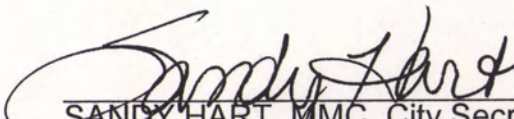
Section 6.

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 16th DAY OF OCTOBER, 2007.

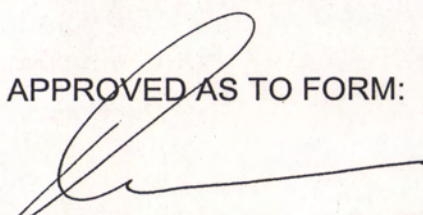

BILL WHITFIELD, Mayor

CORRECTLY ENROLLED:

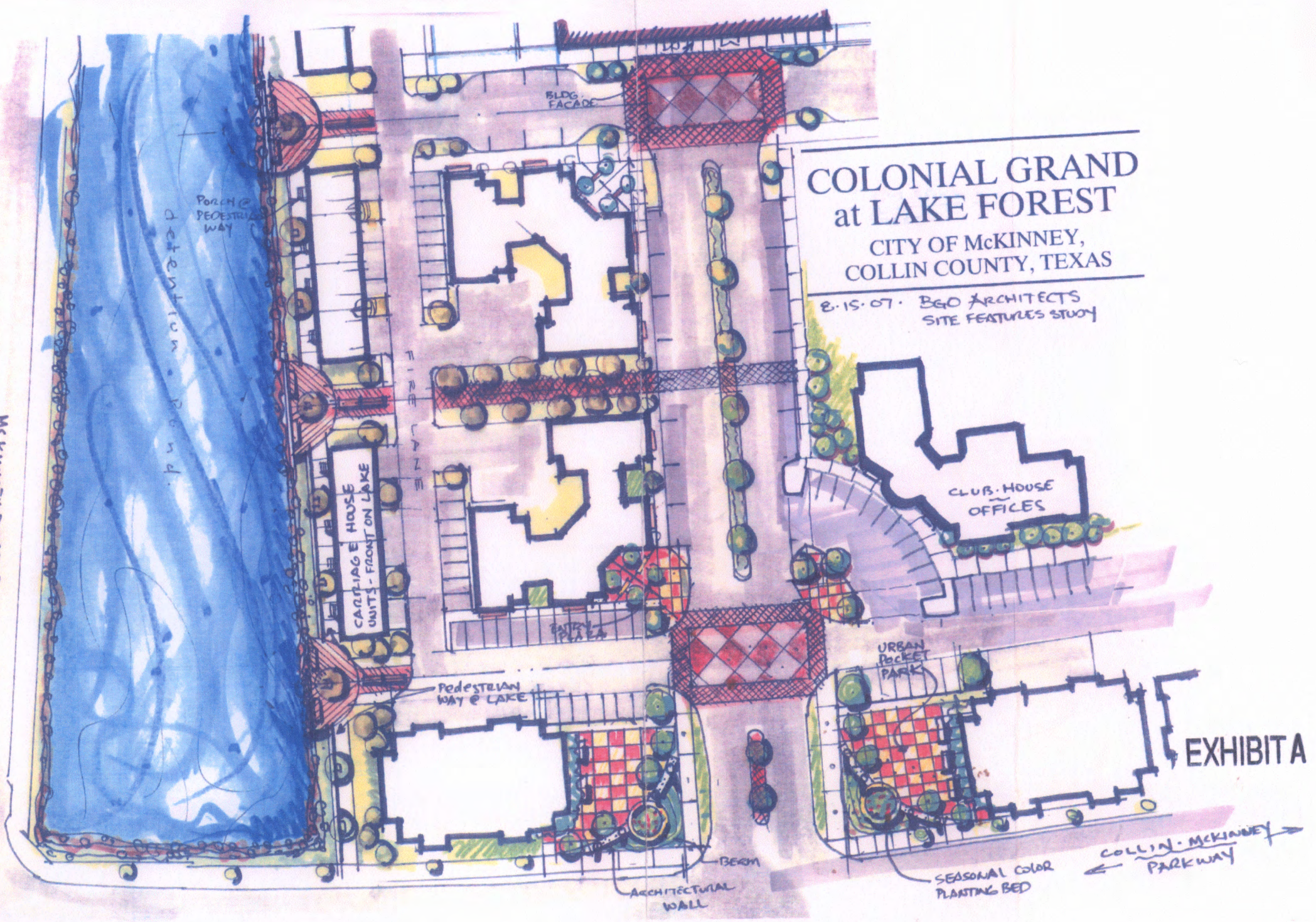

SANDY HART, MMC, City Secretary
BEVERLY COVINGTON, CMC, Deputy City Secretary

Date: October 18, 2007

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney

McKINNEY PLACE DR.



COLONIAL GRAND
at LAKE FOREST
 CITY OF MCKINNEY,
 COLLIN COUNTY, TEXAS

8.15.07 · BGO ARCHITECTS
 SITE FEATURES STUDY

CLUB HOUSE
 OFFICES

URBAN
 POCKET
 PARK

EXHIBIT A

SEASONAL COLOR
 PLANTING BED

COLLIN-MCKINNEY
 PARKWAY

BLDG.
 FACADE

FIRE
 LANE

CARRIAGE HOUSE
 UNITS - FRONT ON LAKE

PEDESTRIAN
 WAY @ LAKE

ARCHITECTURAL
 WALL

BEAM



HELLER GUTSI OWENS ARCHITECTS, INC.

COLONIAL GRAND
at LAKE FOREST
CITY OF McKinney,
COLLIN COUNTY, TEXAS

EXTERIOR MATERIALS
TABULATION - 8.2707

75% 1" THIN BRICK

25% HORIZONTAL
SIDING & TRIM

100%

82'-0"

horiz. siding

2'-4"

1" thin brick

10'-0"



STREET LAMPS

NOTE: SOME TREES
NOT SHOWN FOR CLARITY
RENT DECOR/ENTRY Pylon

BENCHES
ALONG PEDESTRIAN
WALKWAYS

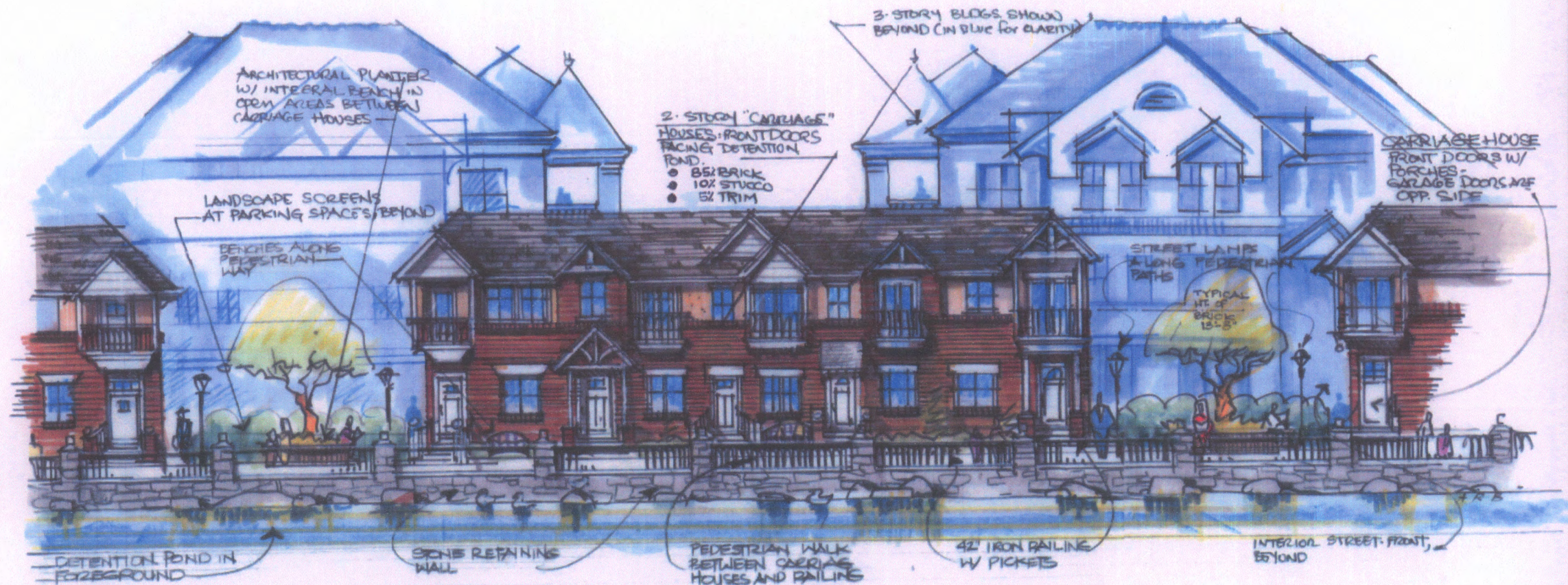
TYPICAL BUILDING ELEVATION

PLAZA @ CORNER

1/8" = 1'-0"

REVISE
AUG 28 2007

EXHIBIT B



ARCHITECTURAL PLANTER
W/ INTEGRAL BENCH IN
OPEN AREAS BETWEEN
CARRIAGE HOUSES

3-STORY BLOGS SHOWN
BEYOND (IN BLUE FOR CLARITY)

2-STORY "CARRIAGE"
HOUSES: FRONT DOORS
FACING DETENTION
POND.
● 8 1/2" BRICK
● 10% STUCCO
● 5 1/2" TRIM

CARRIAGE HOUSE
FRONT DOORS W/
PORCHES -
GARAGE DOORS ARE
OPP. SIDE

LANDSCAPE SCREENS
AT PARKING SPACES BEYOND

BENCHES ALONG
PEDESTRIAN
WAY

STREET LANE
ALONG PEDESTRIAN
PATHS

TYPICAL
HT. OF
BRICK
15'-6"

DETENTION POND IN
FOREGROUND

SCENE RETAINING
WALL

PEDESTRIAN WALK
BETWEEN CARRIAGE
HOUSES AND RAILING

42" IRON RAILING
W/ PICKETS

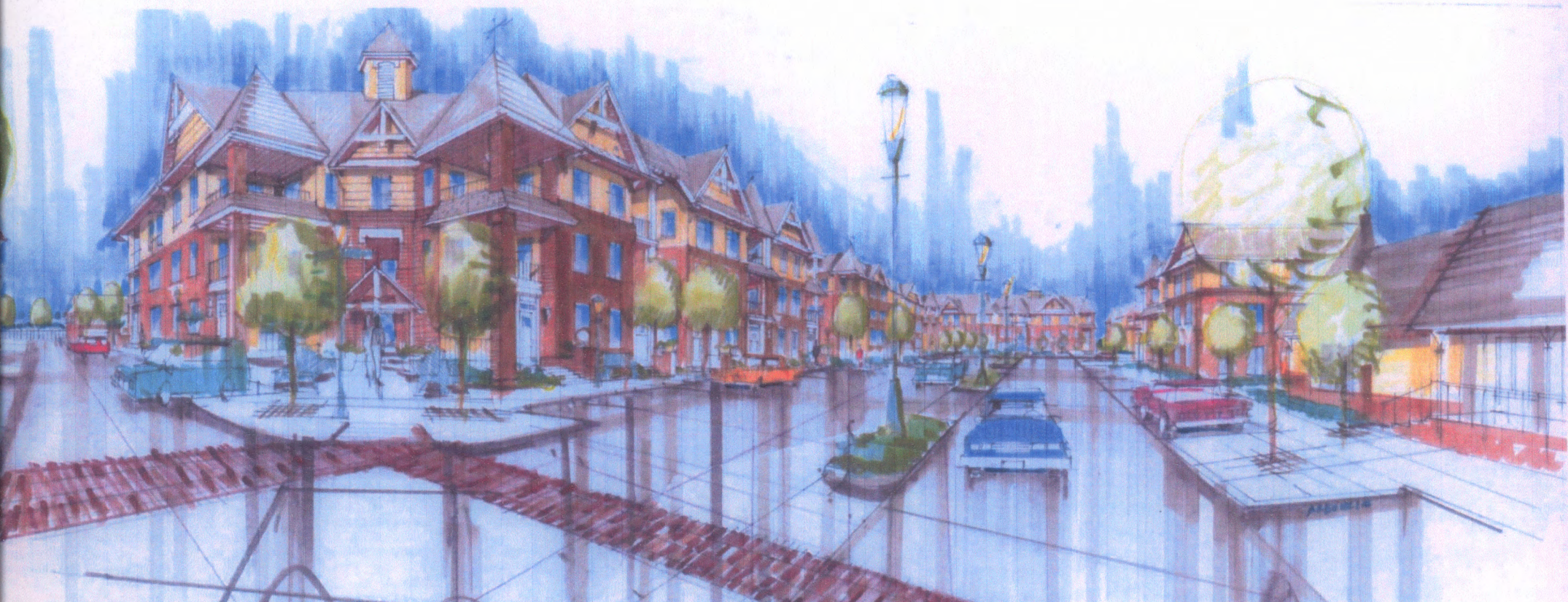
INTERIOR STREET FRONT,
BEYOND

VIEW FROM MCKINNEY PLACE DRIVE
COLONIAL GRAND AT LAKE FOREST · MCKINNEY, TX.

8.21.07
REV. 8.30.07

BGO ARCHITECTS

EXHIBIT C



GRAND COLONIAL e LAKE FOREST

MEKINNEY, TEXAS

BGO ARCHITECTS

82707

REVISED
AUG 28 2007
DRAWING

EXHIBIT D

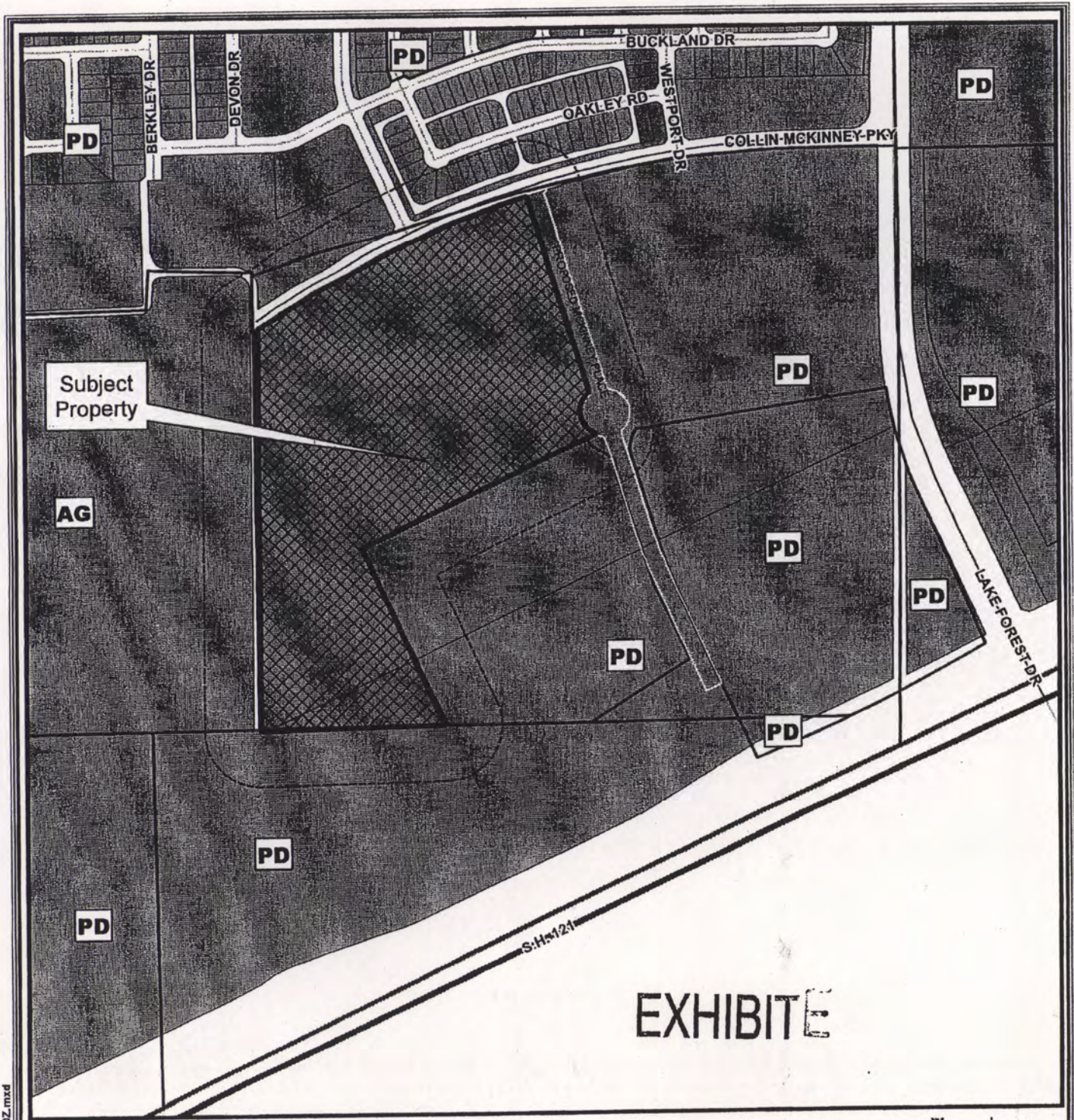
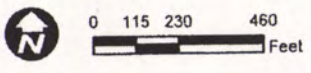


EXHIBIT E

S:\MCKGIS\Notification\Projects\2007\07-310Z.mxd

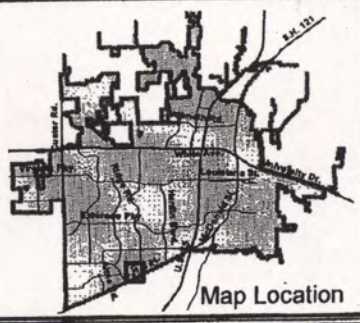


Notification Case

Notice Case: 07-310Z
R-6392-000-0100-1



--- 200' Notification Buffer



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.

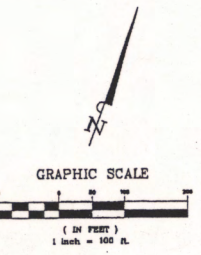
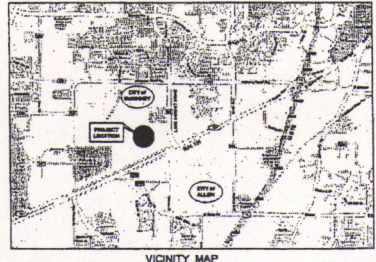
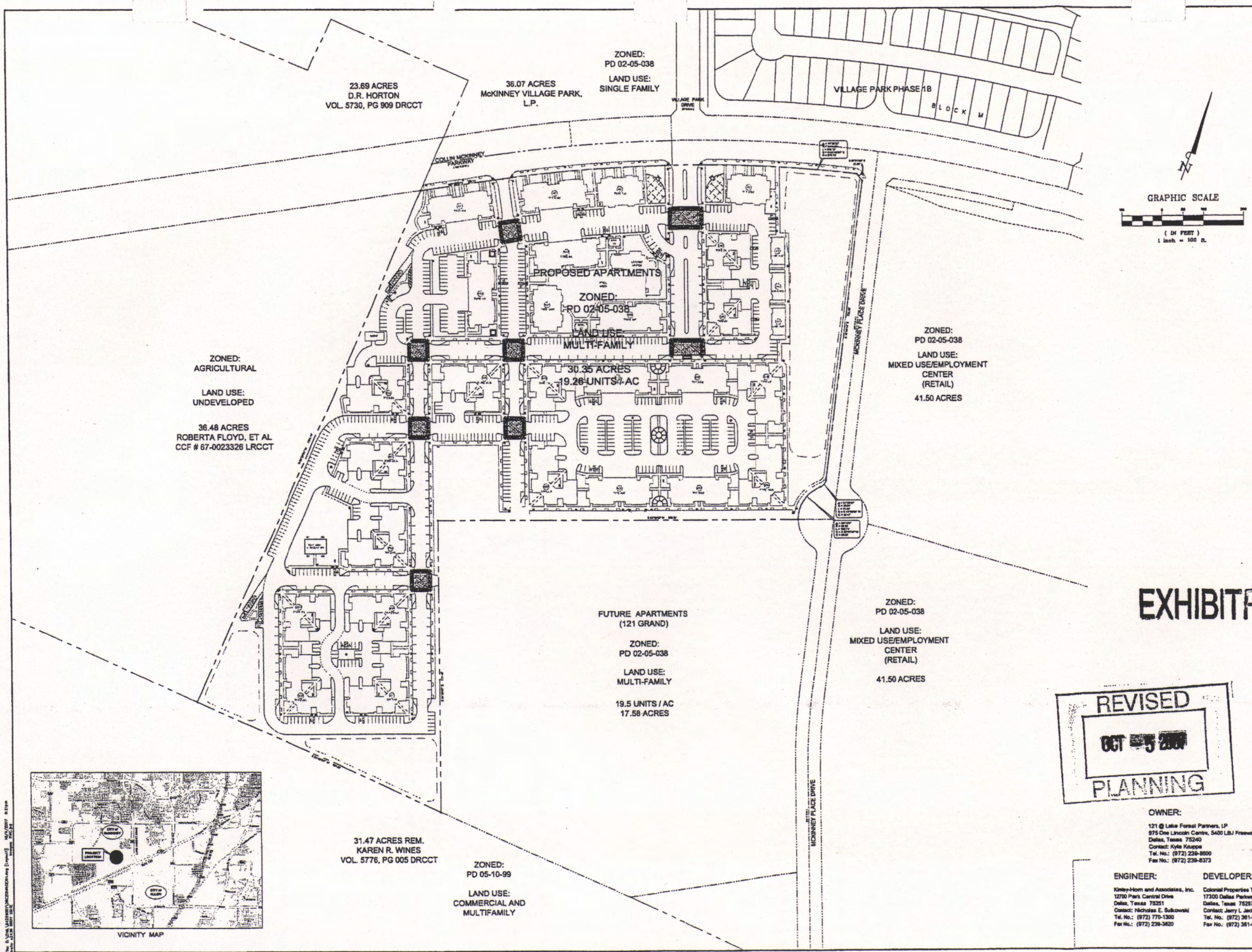


EXHIBIT F

REVISED
OCT 05 2007
PLANNING

OWNER:
121 @ Lake Forest Partners, LP
975 One Lincoln Centre, 5400 LBJ Freeway
Dallas, Texas 75240
Contact: Kyle Knapp
Tel. No.: (972) 238-8000
Fax No.: (972) 238-8373

ENGINEER:
Kimley-Horn and Associates, Inc.
1270 Park Central Drive
Dallas, Texas 75201
Contact: Nicholas E. Sulkowski
Tel. No.: (972) 770-1200
Fax No.: (972) 238-3820

DEVELOPER:
Colonial Properties Trust
17200 Dallas Parkway, Suite 2070
Dallas, Texas 75287
Contact: Jerry L. Jackson, P.E.
Tel. No.: (972) 361-0012
Fax No.: (972) 361-0016

Kimley-Horn and Associates, Inc.
12700 Park Central Drive, Suite 1800
Dallas, Texas 75221
Tel. No. (972) 238-1200
Fax No. (972) 238-3820

COLONIAL GRAND at LAKE FOREST
CITY OF MCKINNEY,
COLLIN COUNTY, TEXAS

ZONING EXHIBIT

Scale: 1" = 100'	OWNER: 121 @ Lake Forest Partners, LP
Designed by: NVA	975 One Lincoln Centre, 5400 LBJ Freeway
Drawn by: MSM	Dallas, Texas 75240
Checked by: NES	Contact: Kyle Knapp
Date: OCTOBER 2007	Tel. No.: (972) 238-8000
Project No. 8428001	Fax No.: (972) 238-8373
SHEET	ENGINEER: Kimley-Horn and Associates, Inc.
1	1270 Park Central Drive
	Dallas, Texas 75201
	Contact: Nicholas E. Sulkowski
	Tel. No.: (972) 770-1200
	Fax No.: (972) 238-3820
	DEVELOPER: Colonial Properties Trust
	17200 Dallas Parkway, Suite 2070
	Dallas, Texas 75287
	Contact: Jerry L. Jackson, P.E.
	Tel. No.: (972) 361-0012
	Fax No.: (972) 361-0016