

ORDINANCE NO. 2000-11-093

AN ORDINANCE AMENDING PLANNED DEVELOPMENT DISTRICT ORDINANCE NO. 99-07-52, OF THE CITY OF MCKINNEY, TEXAS; SO THAT APPROXIMATELY 117.501 ACRES LOCATED ON THE EAST SIDE OF MEDICAL CENTER DRIVE AND ON THE SOUTH SIDE OF STEWART ROAD, IS ALLOWED A MAXIMUM OF 580 MULTI-FAMILY UNITS SOUTH OF STEWART ROAD AND IS ALLOWED TO BEGIN THE CONSTRUCTION OF THE MULTI-FAMILY UNITS SOUTH OF STEWART ROAD CONCURRENTLY WITH THE DEVELOPMENT OF THE GOLF COURSE; 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 owner(s) of an approximately 117.501 acre tract located on the east side of Medical Center Drive and on the south side of Stewart Road, in the City of McKinney, Collin County, Texas, have petitioned the City of McKinney to amend Planned Development District Ordinance No. 99-07-52, in order to reduce the number of multi-family units on the south side of Stewart Road to a maximum of 580, and to allow the construction of the multi-family units south of Stewart Road to occur concurrently with the development of the golf course; and

WHEREAS, after due notice of the requested zoning 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 said zoning amendment should be made.

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

Section 1. The Planned Development District Ordinance No. 99-07-52, of the City of McKinney, Texas, is hereby amended so that an approximately 117.501 acre tract located on the east side of Medical Center Drive and on the south side of Stewart Road is designated to reduce the number of multi-family units on the south side of Stewart Road to a maximum of 580, and to allow the construction of the multi-family units south of Stewart Road to occur concurrently with the development of the golf course.

Section 2. The subject property shall be developed according to the development standards set forth in "PD" – Planned Development District Ordinance 99-07-52, except as specified hereto:

- A. The multi-family development south of Stewart Road be limited to a maximum of 580 units.
- B. The multi-family units south of Stewart Road may be constructed concurrently with the golf course.

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.

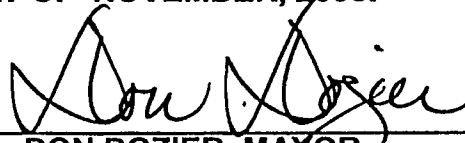
Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2000.00, and each day that such

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 5. No developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development, 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 7th DAY OF NOVEMBER, 2000.




DON DOZIER, MAYOR

ATTEST:



JENNIFER G. SPROULL, City Secretary

APPROVED AS TO FORM:



MARK S. HOUSER, City Attorney