

ORDINANCE NO. 2012-07-036

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ORDINANCE NO. 1270 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 41.63 ACRE PROPERTY, LOCATED ON THE SOUTHWEST CORNER OF VAN TUYL PARKWAY AND ALMA ROAD, IS 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 MODIFY THE DEVELOPMENT STANDARDS; 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 41.63 acre property, located on the southwest corner of Van Tuyl Parkway and Alma Road, which is more fully depicted on Exhibit A, attached hereto, 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 modify 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:

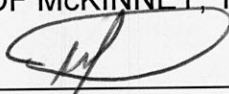
- Section 1. Ordinance No. 1270 is hereby amended in order to rezone an approximately 41.63 acre property, located on the southwest corner of Van Tuyl Parkway and Alma Road, from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District.
- Section 2. The subject property shall be zoned "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District and shall be subject to the following special ordinance provisions:
- a. The subject property shall develop in accordance with the attached pattern book (Exhibit B).
- 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.

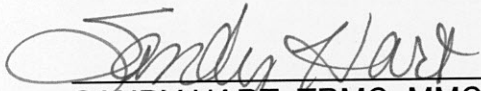
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 17TH DAY OF JULY, 2012.

CITY OF MCKINNEY, TEXAS



TRAVIS USSERY
Mayor Pro-Tem

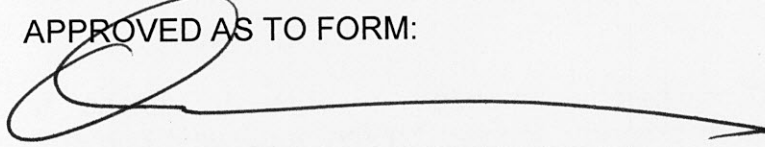
CORRECTLY ENROLLED:



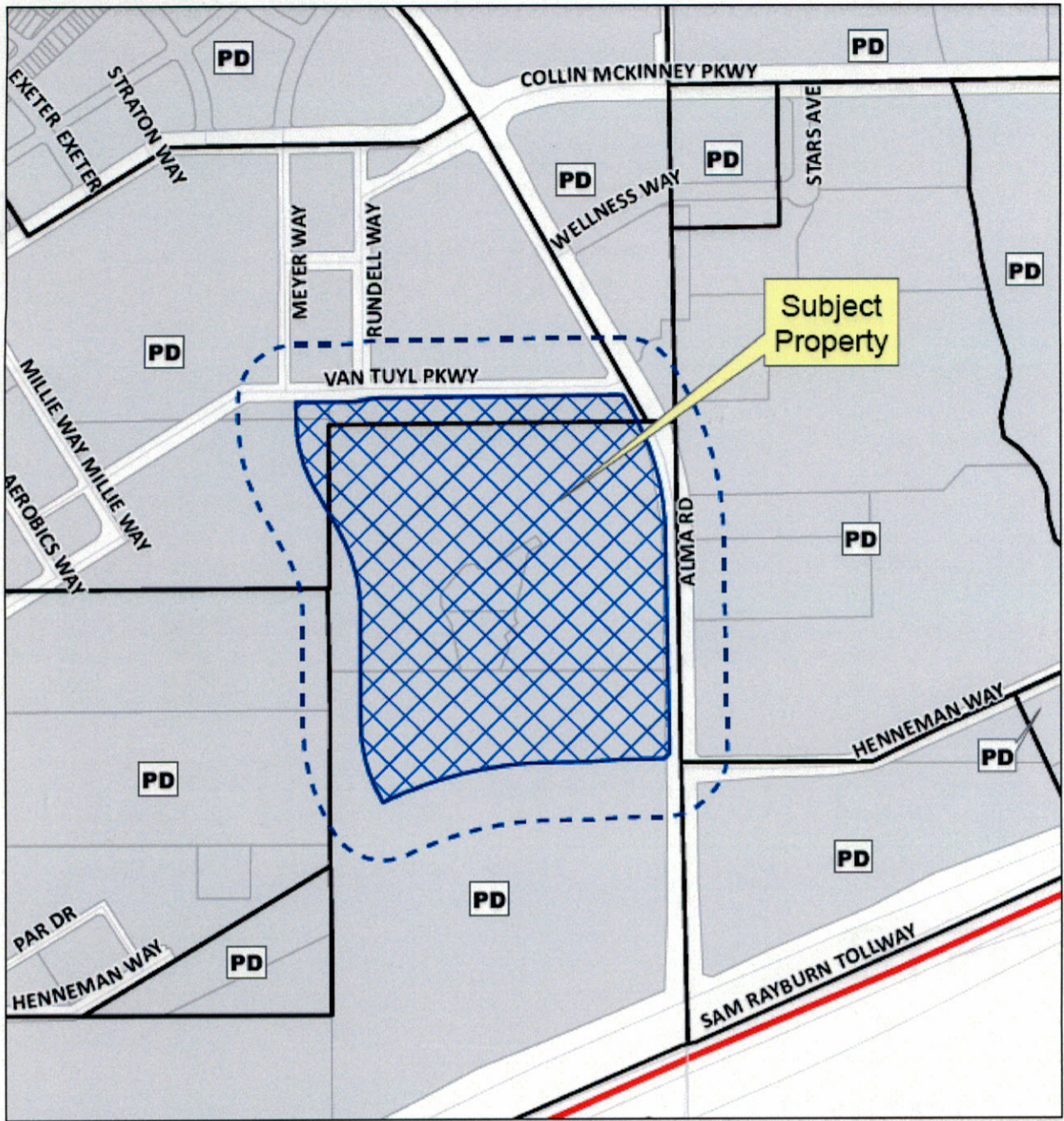
SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary

DATE: July 18, 2012

APPROVED AS TO FORM:



MARK S. HOUSER
City Attorney



Notification Case
 Case: 12-116Z
 - - - 200' Notification Buffer



EXHIBIT A

GREEN TRACT PATTERN BOOK

41.63 Acres | City of McKinney, TX



COLUMBUS

REALTY PARTNERS, LTD.



**CRAIG
RANCH**

**EXHIBIT B
(27 Pages)**

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GENERAL REGULATIONS

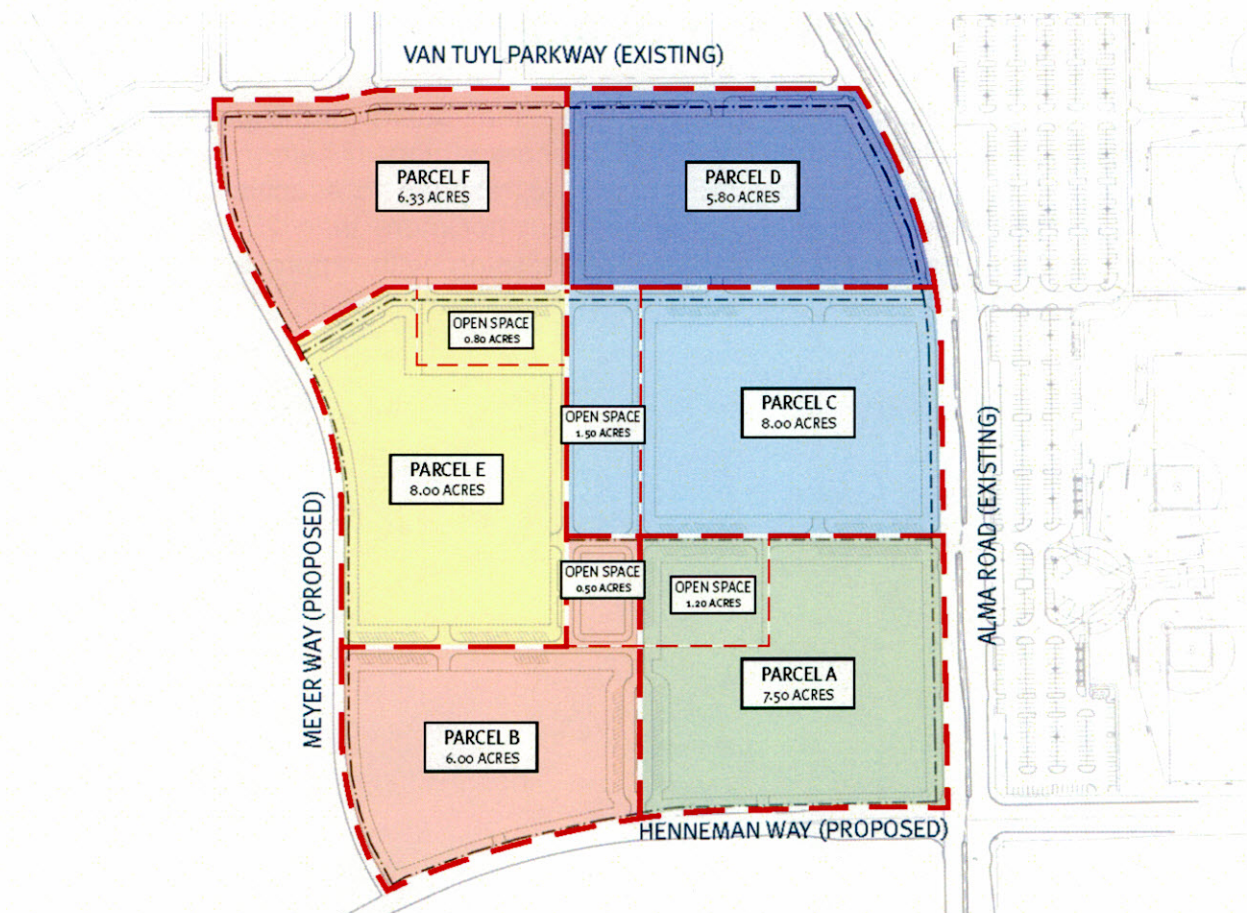
The text and illustrations contained within this pattern book shall serve as the guiding regulations pertaining to the use and development of the subject property. The regulations contained herein shall prevail over any conflicting regulations within Chapter 146 (Zoning Regulations) of the City of McKinney's Code of Ordinances, including but not limited to Section 146-130 (Vehicle Parking), Section 146-135 (Landscape Requirements), and Section 146-139 (Architectural and Site Standards). While the subject property is located within the limits of the "REC"- Regional Employment Center Overlay District, the development, use, and space regulations of that overlay district shall not apply to the subject property as the regulations contained within this pattern book are intended to provide for a higher quality urban development than is currently prescribed by the REC.

The following general regulations shall pertain to the subject property:

1. **Allowed Uses:** Office (including Medical Offices), Retail, Restaurant (no drive through), and Multi-family residential uses.
2. **Minimum Density:** Each phase shall have a minimum residential density of 35 dwelling units per acre.
3. **Maximum Building Height:** 5 stories; Structured parking facilities may not exceed 60 feet in height.
4. **Build-to Lines:** Build-to lines shall be established based on the type of PPVR or street that a building fronts. The applicable build-to lines are reflected on the PPVR and street sections contained herein.
5. **Flexible Construction:** The ground floor of all residential buildings fronting onto Van Tuyl Parkway may be occupied for residential purposes, but must be designed and constructed to permit commercial uses with a minimum of 10 feet of clear ceiling height and a front façade with no more than 42 inches of base plate material below all openings other than doors. Ground floors of all other residential buildings may be designed, constructed and occupied solely for residential uses.

MASTER CONCEPT PLAN

The Master Concept Plan on the following page shall serve as the phasing plan and overall development plan for the project. The acreage shown hereon reflects general areas and may be modified by +/- 15 percent to respond to specific changes in the market. Deviations by more than 15 percent but not more than 25 percent may be approved by the Planning and Zoning Commission with approval of a General Development Plan.



PROJECT DATA			
P A R C E L A : 7.50 Acres Gross Open Space (amenity area) 1.20 Acres Parcel A MF Net: 6.30 Acres Net	P A R C E L D : 5.80 Acres Gross Open Space 0.0 Acres Parcel D MF Net: 5.80 Acres Net	Total Development Site 41.63 Acres Gross Total Open Space 4.00 Acres Total MF Net: 37.63 Acres	
P A R C E L B : 6.00 Acres Gross Open Space (central green) 0.50 Acres Parcel B MF Net: 5.50 Acres Net	P A R C E L E : 8.00 Acres Gross Open Space (central green) 0.80 Acres Parcel E MF Net: 7.20 Acres Net		
P A R C E L C : 8.00 Acres Gross Open Space (central green) 1.50 Acres Parcel C MF Net: 6.50 Acres Net	P A R C E L F : 6.33 Acres Gross Open Space 0.00 Acres Parcel F MF Net: 6.33 Acres Net	NOTES: 1. The area of all parcels is approximate and will be confirmed upon the development of each phase. 2. Intended Phasing Sequence: A,B,C,D,E,F	

0' 75' 150' 300' ⊕

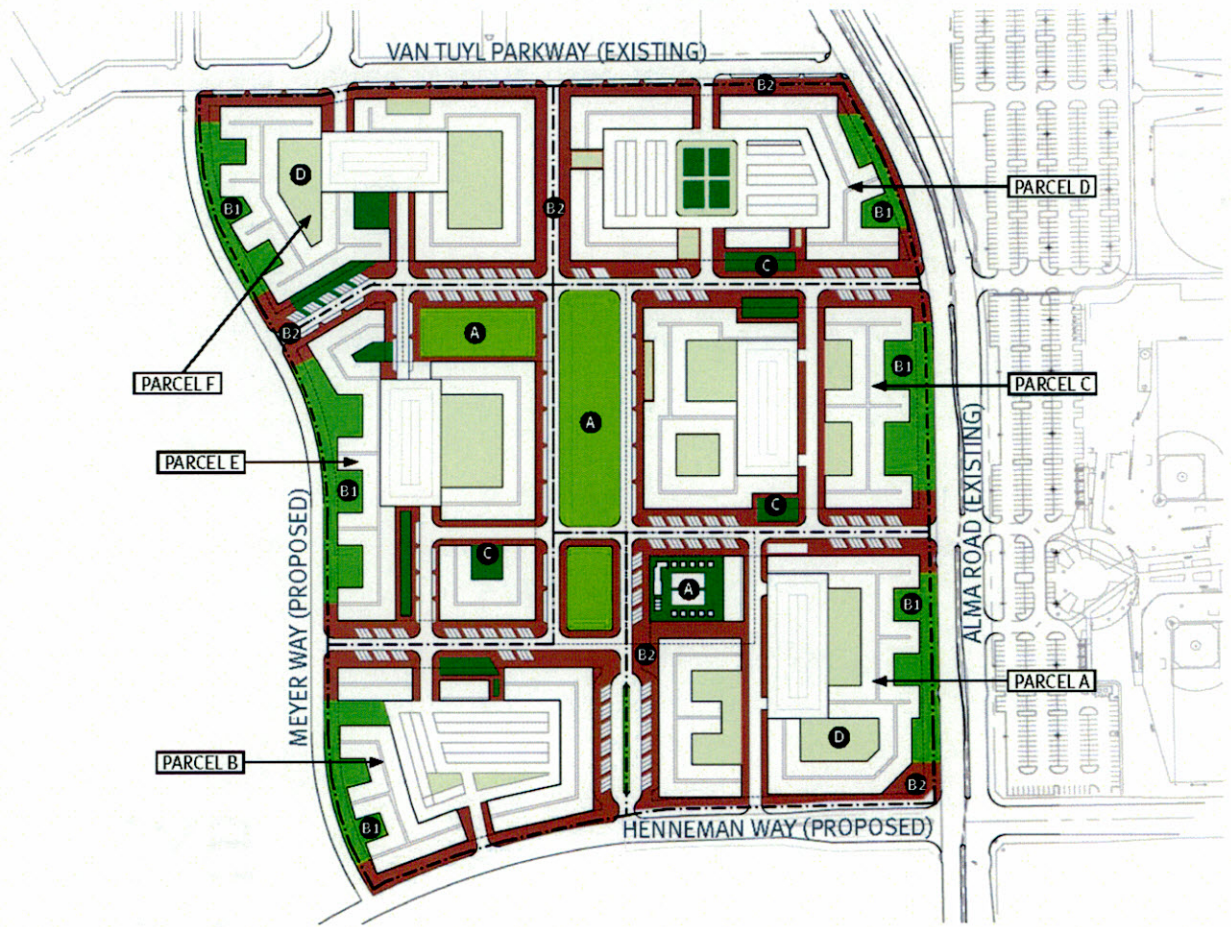
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 Registered Architect of State of Texas, Registration No. 9129
 Intended to be attached to the PD


PLANNING 12-1167

OPEN SPACE MASTER PLAN

The Open Space Master Plan on the following page shall serve as the guiding document for the locations and types of open spaces that are provided within the development.



OPEN SPACE	
A	PRIMARY
B1	PRIVATE YARD (OPTIONAL)
B2	STREETSCAPE
C	POCKET PARK
D	COURTYARD

0' 75' 150' 300' 

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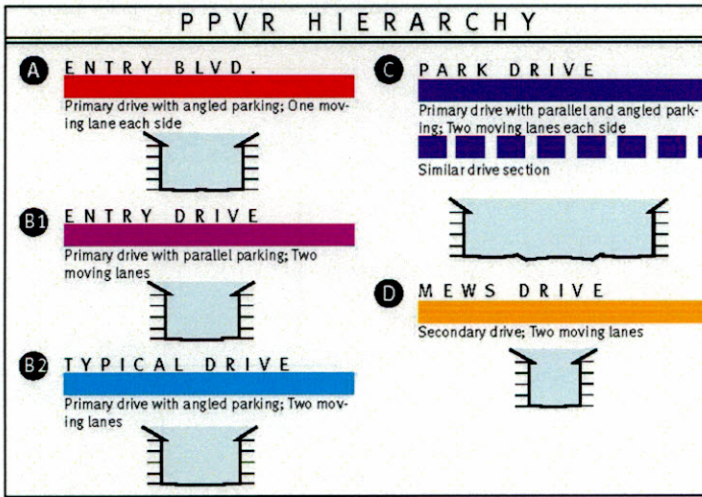
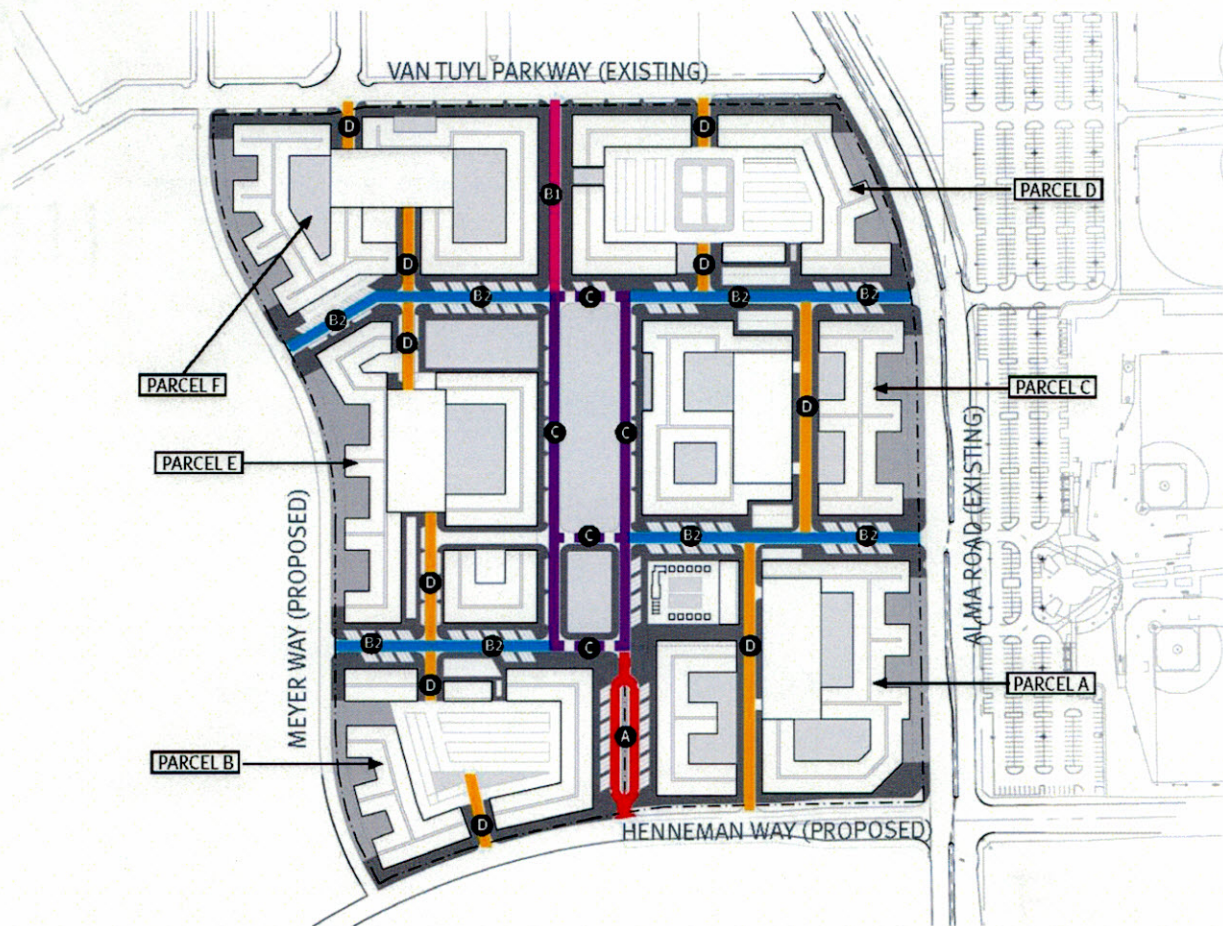
LANDSCAPING REQUIREMENTS

- a. One street tree, referred to as Canopy Trees by Section 146-135 (Landscape Requirements) and Appendix A (Approved Plant List) of the Zoning Ordinance, as amended, shall be provided for every 30 linear feet of frontage on a public street or PPVR (save and except Mews Drives). The linear footage of frontage shall be calculated exclusive of the frontage consumed by driveways and sight visibility triangles.
- b. Required street trees shall be evenly spaced at a ratio of 30 feet on center (+/- 5 feet). Required street trees may be clustered if approved by the Planning and Zoning Commission as part of the site plan approval process in order to facilitate creative design or for some other valid reason.
- c. Required street trees shall be planted within Streetscape areas as indicated by the Open Space Master Plan or within Tree Well areas as indicated by the typical Drive Sections.
- d. Tree wells may be covered with tree grates, living plant materials, or some other permeable non-living material. Tree wells shall be a minimum of 5 feet wide by 5 feet deep.
- e. With the exception of Subsection (f), Minimum landscaping requirements, all other landscaping requirements of Section 146-135 (Landscape Requirements) of the Zoning Ordinance, as amended and not in conflict herewith shall be applicable to the subject property.

PEDESTRIAN PASSAGEWAYS AND VEHICULAR ROUTES ("PPVR")

The PPVR Hierarchy Master Plan on the following page shall serve as the guiding document for the locations and types of PPVRs that are proposed within the development. The exact location of each PPVR will be determined at the time of site planning and platting. The final location of all parking areas/types (angled, head-in, parallel) within a PPVR will be determined at the time of site plan approval.

Typical sections for each PPVR and public road follow the PPVR Hierarchy Master Plan.



PARKING TYPES

Perimeter Parking:	10%
Surface (on-site) Parking:	10%
Covered (structured) Parking:	75%
Enclosed (tuck-under with door):	5%

- NOTES:**
1. Drives will align with existing median openings on Alma Road.
 2. The location of all primary drives is approximate.
 3. Secondary drives (mews drive) are optional and to be confirmed.

0' 75' 150' 300'

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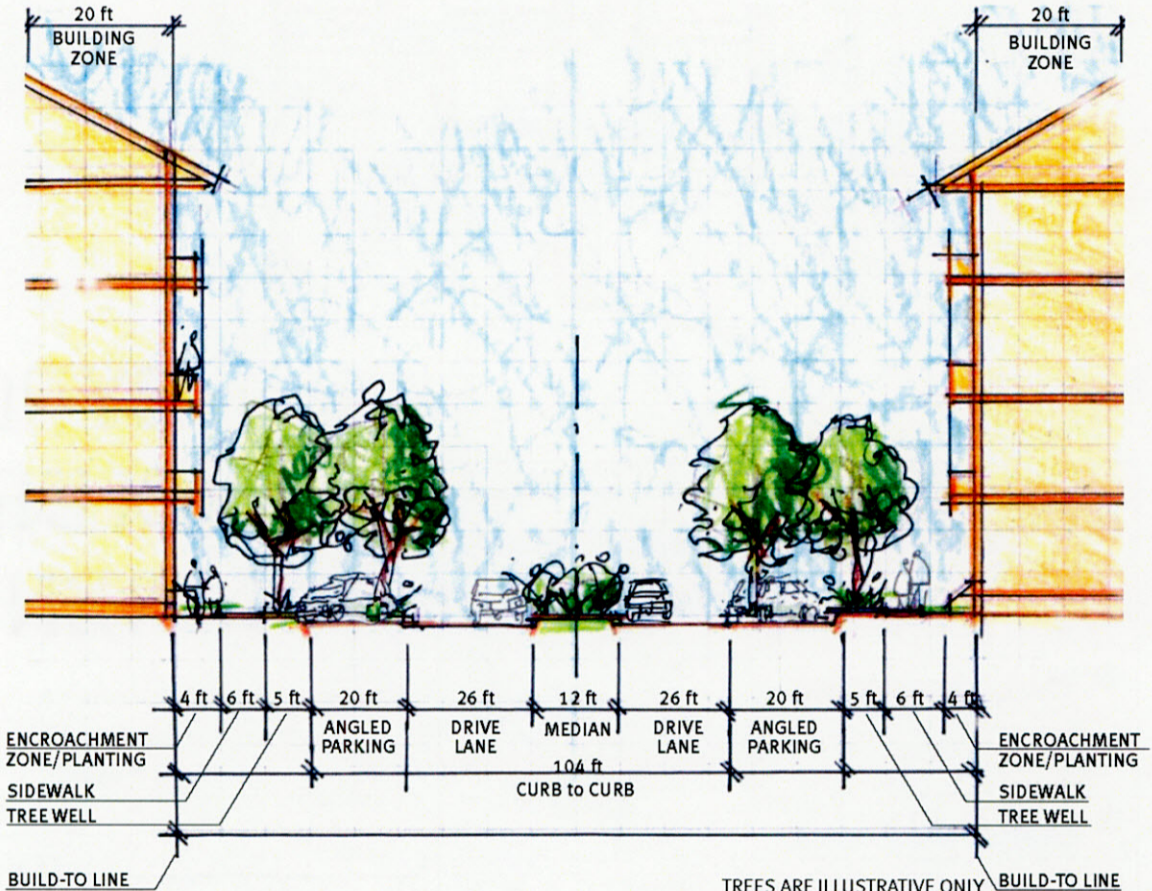
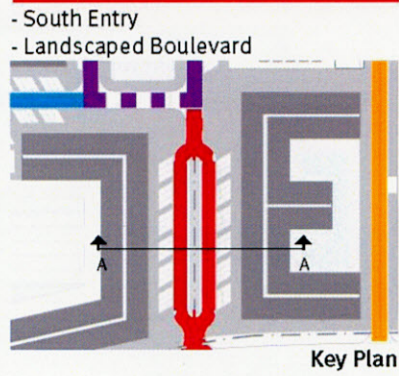
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PLANNING 12-116Z

TYPICAL NOTES

- This section reflects the placement and width of elements including, but not limited to perimeter parking, required landscaping, sidewalks, drive aisles (mutual access and fire lane easements), build-to lines, building zones, and encroachment zones. Deviations to the widths shown for perimeter parking shall be permitted to allow for the construction of angled parking to parallel parking as appropriate.
- Tree Wells at 30'-0" o.c., typical
- Drive widths are to face of curb, typical

ENTRY BLVD



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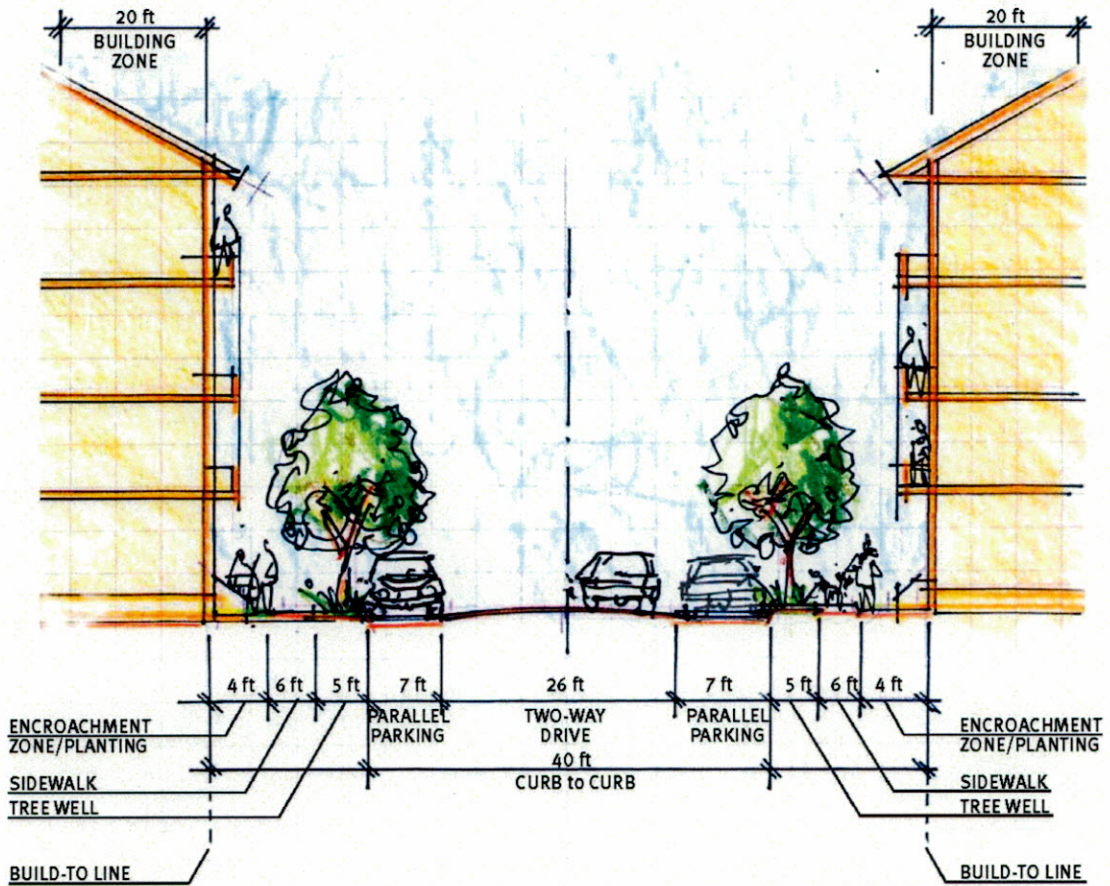
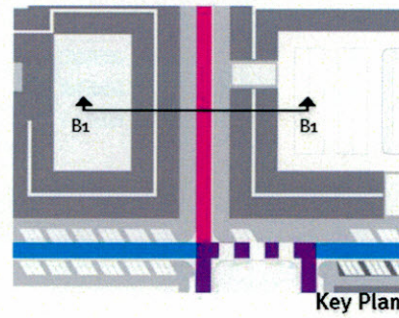
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ENTRY DRIVE

- North Entry



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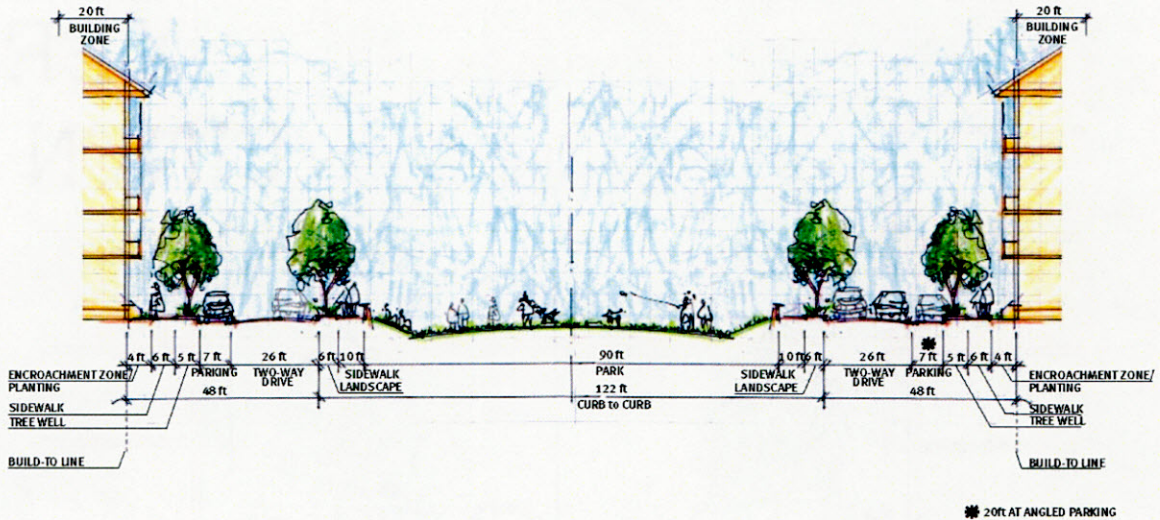
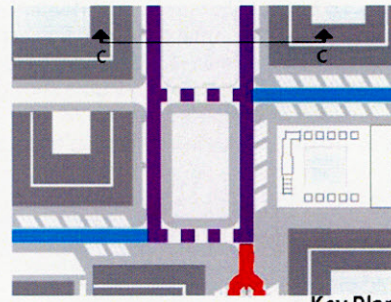
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PARK DRIVE

- Linear open space



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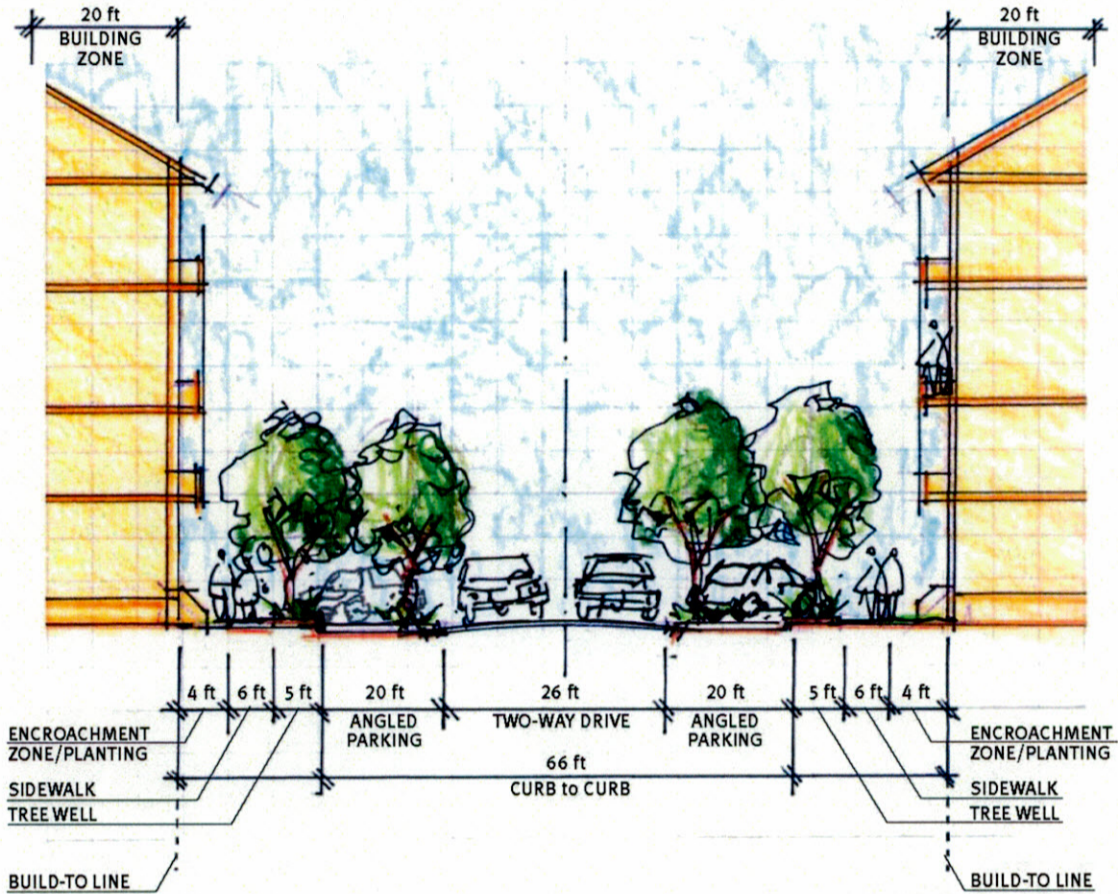
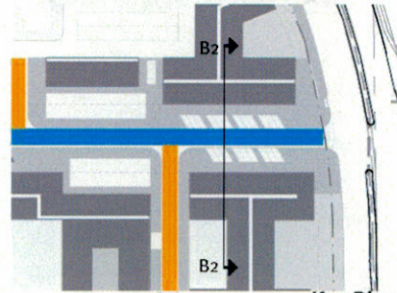
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TYPICAL DRIVE

- Pedestrian friendly
- Vegetative buffer at outer edges



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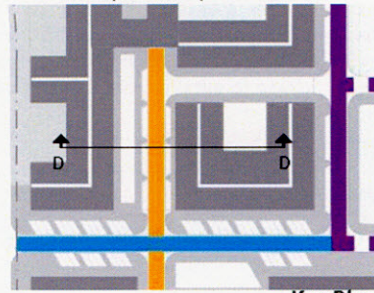
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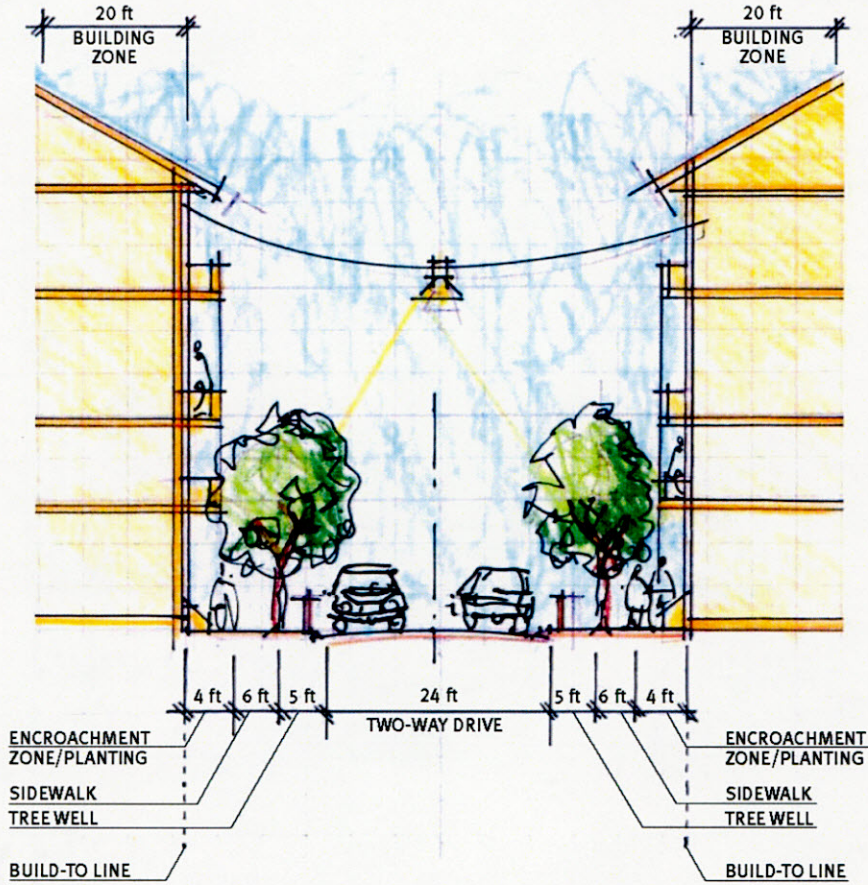
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MEWS DRIVE

- Secondary drives
- Internal to parcel; optional



Key Plan



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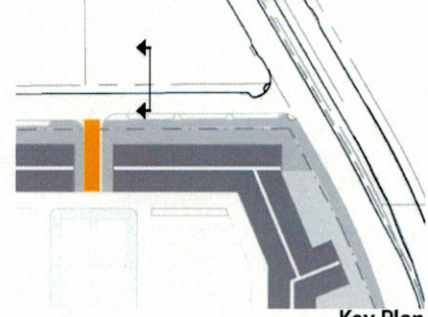
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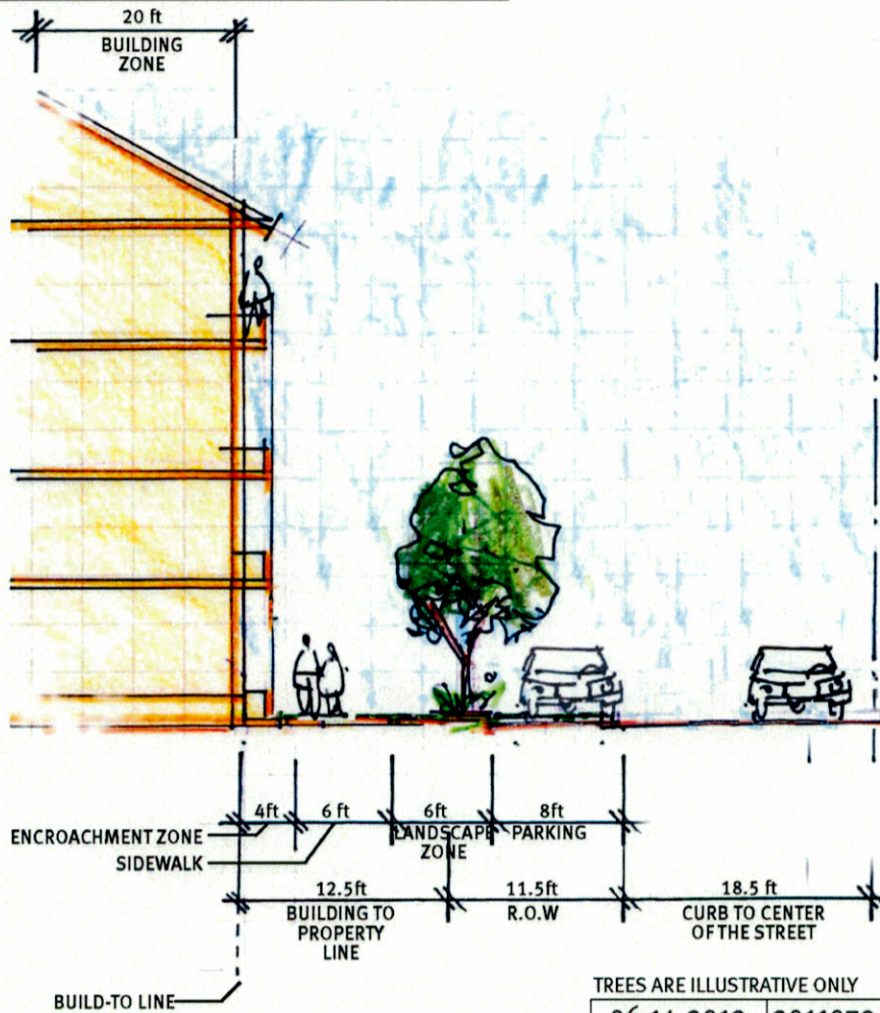
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VAN TUYL PARKWAY



Key Plan

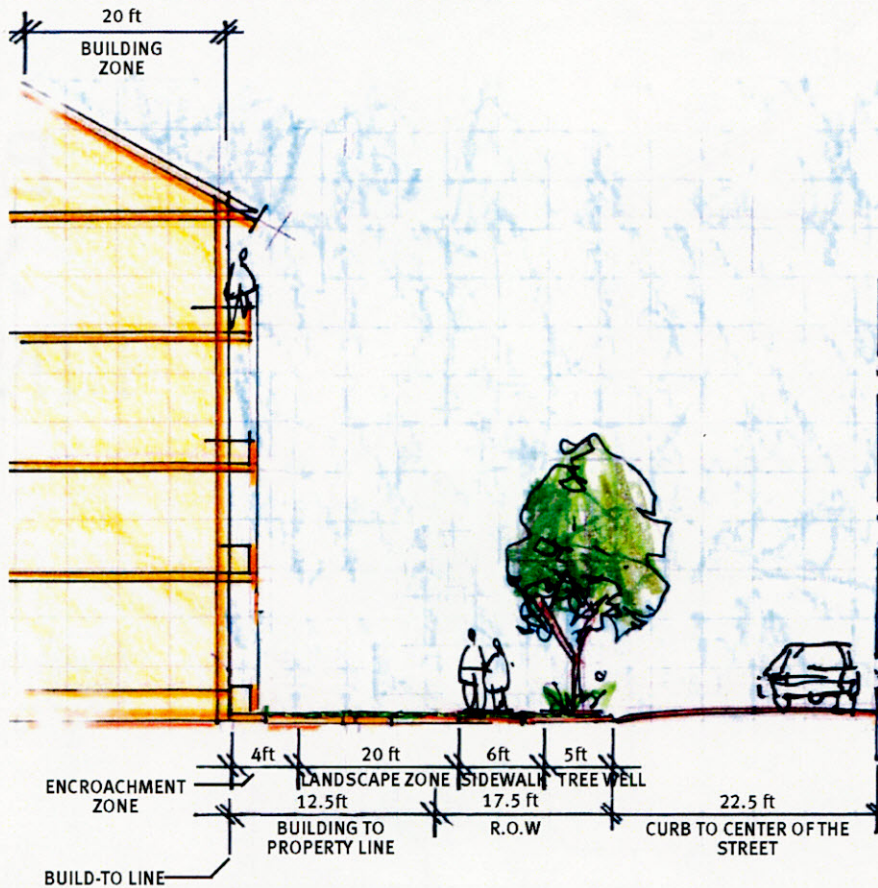
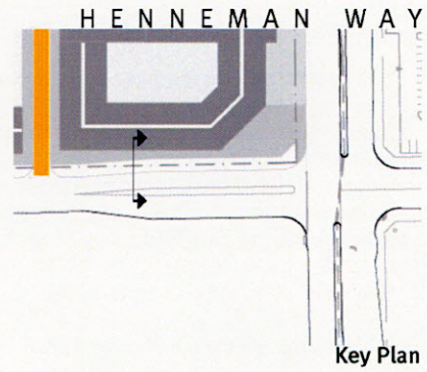


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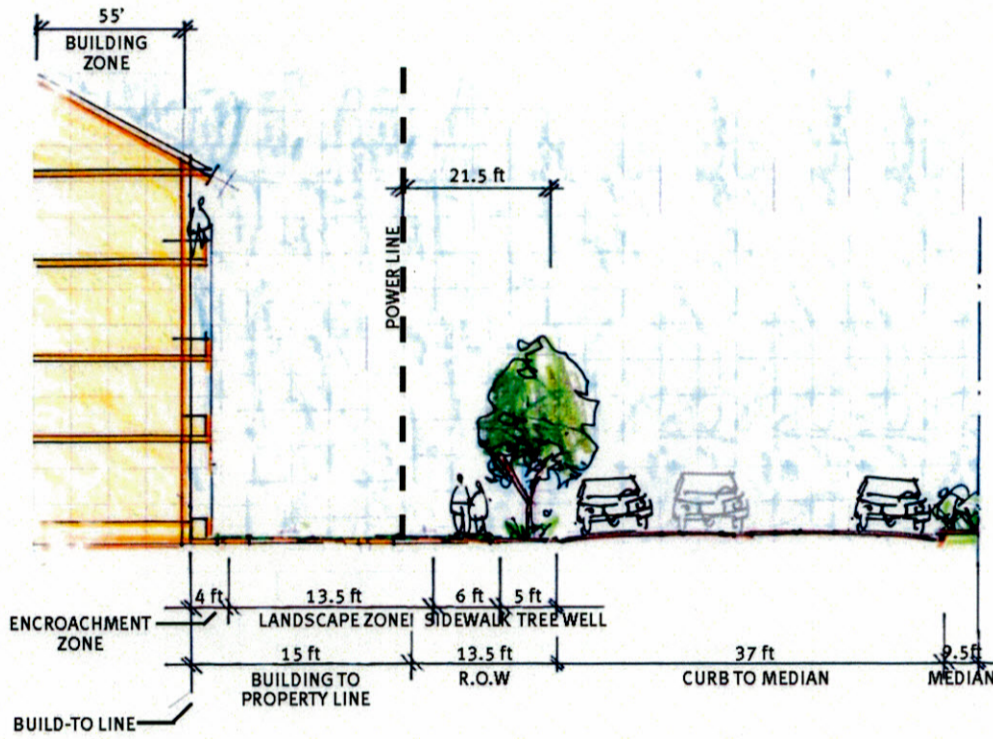
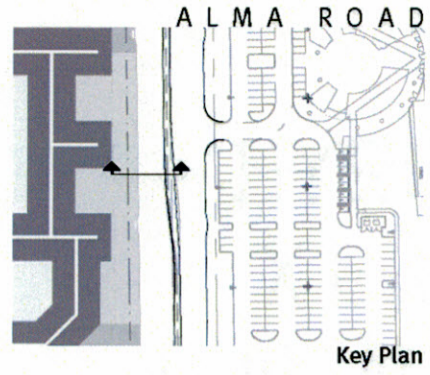
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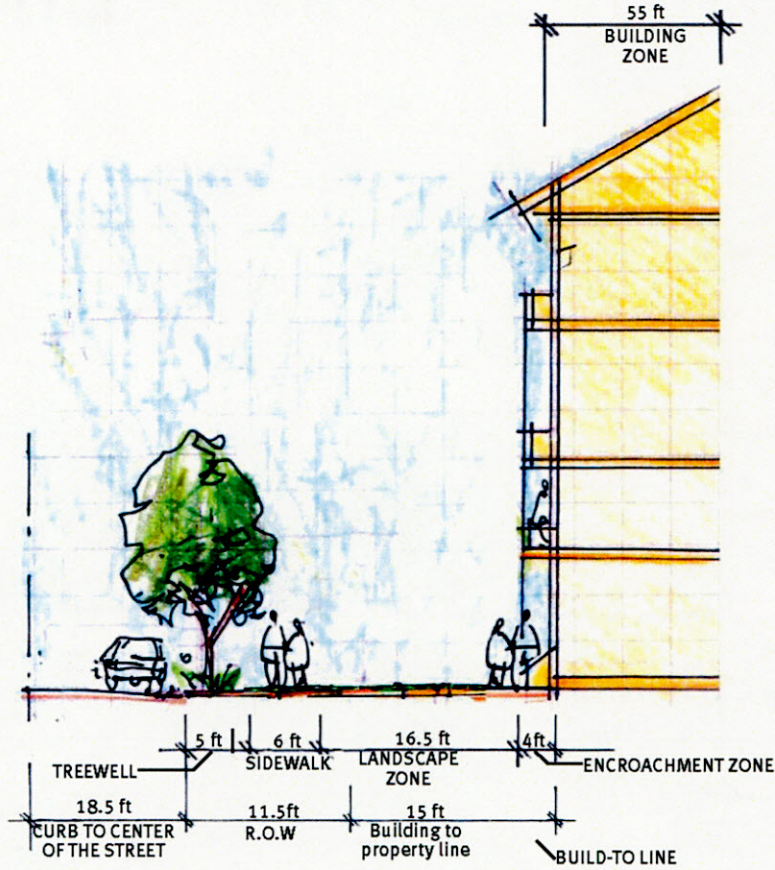
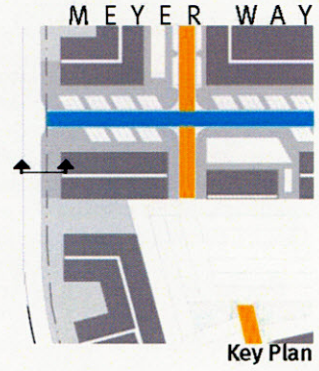


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PARKING

- a. Multi-family residential uses shall be parked at a ratio of 1 parking space per bedroom.
- b. Retail uses shall be parked at a minimum ratio of 1 parking space per 250 square feet of floor area.
- c. Office uses shall be parked at a minimum ratio of 1 parking space per 400 square feet of floor area.
- d. Medical Office uses shall be parked at a minimum ratio of 1 parking space per 300 square feet of floor area.
- e. Restaurant uses shall be parked at a ratio of 1 parking space per 150 square feet of floor area. Sidewalk/outdoor dining areas shall count as floor area.
- f. Structured garage parking, tuck-under garage parking, surface (on-site courtyard) parking, and perimeter parking (parking provided within a PPVR) shall be permitted, provided that no more than 10% of the overall required parking for the entire subject property shall be surface parking and no more than 10% of the required parking for the entire subject property shall be perimeter parking. Otherwise, percentages of parking types for the subject property as a whole generally shall follow the percentages reflected on the PPVR Hierarchy Master Plan.
- g. Surface (on-site courtyard) parking shall be permitted on no more than two parcels. All other parcels shall contain structured parking.
- h. Parking for each parcel shall be provided within the limits of the parcel it serves.

ARCHITECTURAL STYLE AND CHARACTERISTIC ILLUSTRATIONS

An architectural style is a specific method of construction, characterized by the features that make a building notable. It is the intent of these guiding regulations to encourage architectural diversity among the buildings within the overall Project through the use of varied architectural styles and characteristics that include exterior finishes, mixed components (stoops, porches, awnings, overhangs, screening, accents, etc.), a wide range of color palettes and the use of building accents at key locations. Special emphasis is placed on the streetscape and the interaction of the buildings adjacent thereto with the intent of creating an inviting place for pedestrians.

The following pages contain pictures that serve as a visual representation of the typical required streetscape and the range of typical architectural styles and features that characterize those styles, including exterior finishes, color palettes and components, that may be used within the Project. Each building shall conform to the specific architectural regulations contained herein and shall be consistent in its application of an architectural style. Other architectural styles and features may be introduced into the Project as long as the same conform to the specific architectural regulations contained herein and do not create a discordant atmosphere among the existing buildings.

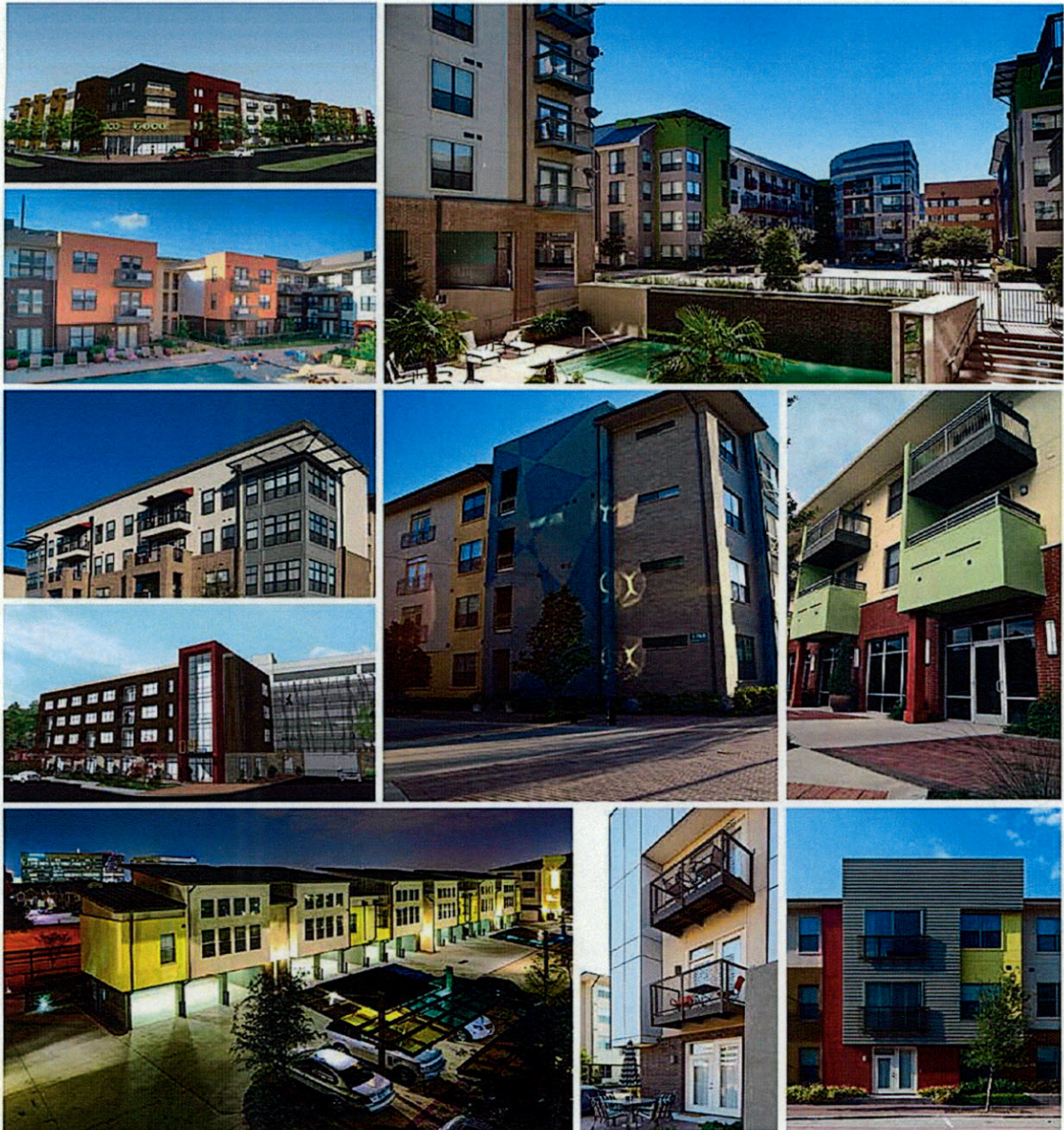
STREETSCAPES



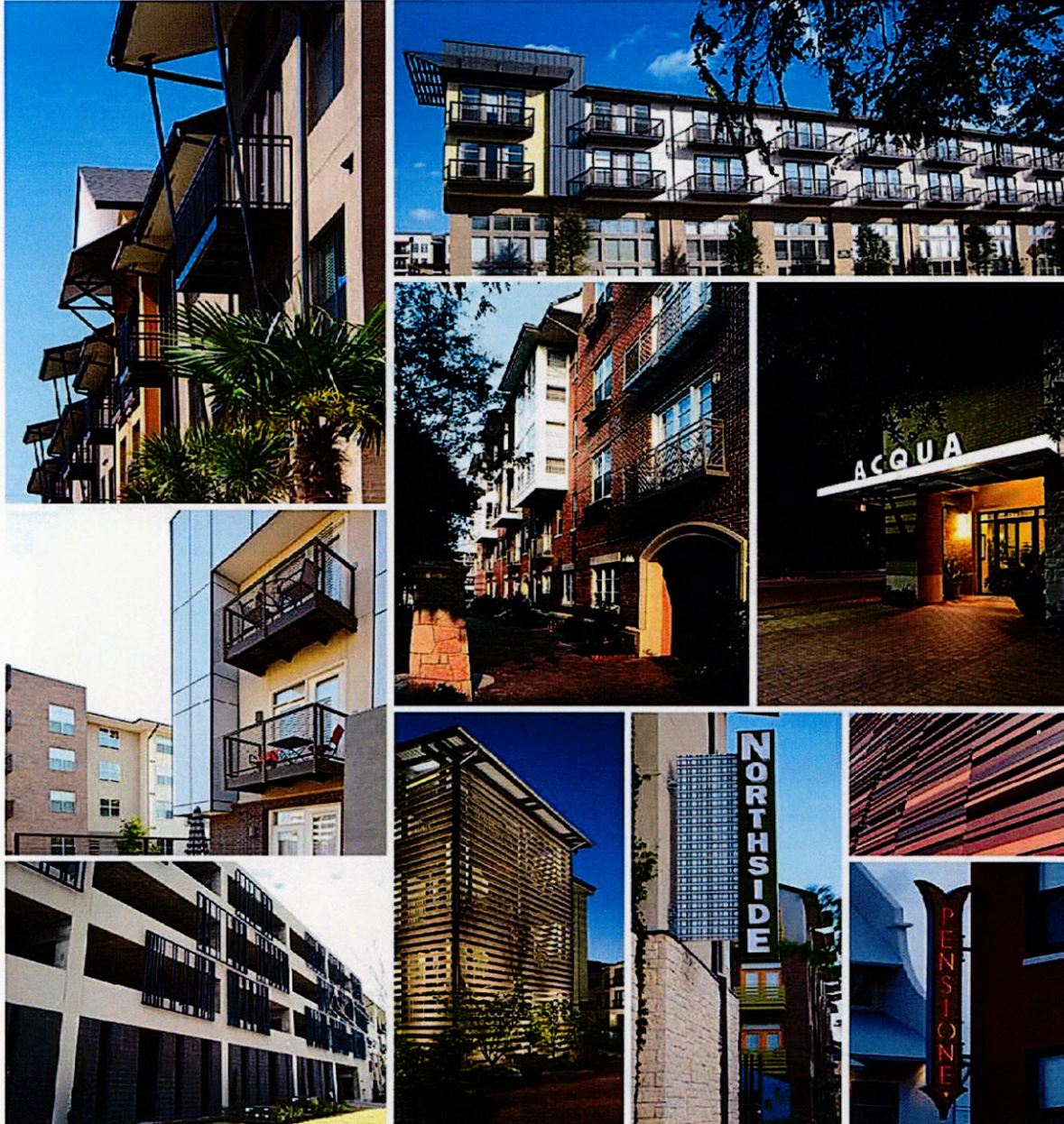
BUILDING AND FINISHES



PALETTE



COMPONENTS



ARCHITECTURAL STANDARDS

Buildings constructed on the subject property shall not be required to meet the architectural requirements of Section 146-139 of the Zoning Ordinance and shall be approved if the following requirements are satisfied:

- a. Buildings shall generally conform to the range of architectural styles and features reflected herein.
- b. The exterior finish of each Building's front facade shall feature a minimum of 85% brick, stone, synthetic stone, stucco, or any combination thereof, with none of the aforementioned materials, except brick or stone, comprising more than 50% of such facade. The balance of the exterior finishing materials may include EIFS, architectural concrete masonry units (CMU), cementitious siding, metal, and/or glass curtain wall systems.
- c. Horizontal building facades longer than 150 feet in width shall be segmented into smaller sections by a structural or ornamental minor façade offset of a minimum four feet deep and 10 feet wide. The height of such offsets shall be equal to or greater than 75 percent of the building's height.
- d. The architectural character of a building's front façade shall be continued on all facades of the building that are visibly exposed to a public street or PPVR.
- e. Primary building entrances shall be articulated through the use of architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, or other appropriate elements.
- f. Light fixtures attached to the exterior of the building shall be architecturally compatible with the style, materials, colors, and details of the building.
- g. All mechanical, air conditioning units, heating, ventilation and air condition systems, exhaust pipes and stacks, elevator housing and other such equipment shall be completely screened from public street view by walls, fencing, parapet walls, penthouse-type screening devices, or landscaping.
- h. Structured parking facades shall not have frontage on a public street.

DEFINITIONS

1. **Building zone** shall mean an area where all building offsets, including projections and recesses, occur. Building zones shall be established by the Drive sections contained herein.
2. **Build-to line** shall mean the line for which 35 percent of each building's façade shall be pulled up to. The aforementioned required percentage may be modified +/- 5 percent with the Planning and Zoning Commission's approval of a site plan if it is determined that an urban pedestrian oriented character is maintained.
3. **Encroachment zone** shall mean an area where projections beyond the building zone are allowed. These projections include, but are not limited to porches, stoops, balconies, awnings, or other related building elements.
4. **Pedestrian passageways and vehicular routes ("PPVR"s)** shall mean a dedicated mutual access and fire lane easement that provides internal vehicular access to each building. Public rights-of-way shall not be considered a PPVR. The locations and types of PPVRs are reflected on the PPVR Hierarchy Master Plan. All buildings shall front on a PPVR and/or public right-of-way.
5. **Project** means the development of the Subject Property.
6. **Tree well** means an area between the vehicular drive aisle (PPVR) and the required sidewalk where required street trees may be planted.
7. **Subject Property** means the property as reflected on the Master Concept Plan which is subject to the rules and regulations contained herein.

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END OF EXHIBIT B