

ORDINANCE NO. 2016-03-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 14.04 ACRE PROPERTY, LOCATED ON THE NORTHEAST CORNER OF WEISKOPF AVENUE AND VANTUYL PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT AND "REC" – REGIONAL EMPLOYMENT CENTER OVERLAY DISTRICT TO "PD" – PLANNED DEVELOPMENT 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 14.04 acre property, located on the northeast corner of Weiskopf Avenue and Van Tuyl Parkway, which is more fully depicted on Exhibits "A", "B", and "C", attached hereto, from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development 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, THAT:

Section 1. The zoning map is hereby amended so that an approximately 14.04 acre property, located on the northeast corner of Weiskopf Avenue and Van Tuyl Parkway, which is more fully depicted on Exhibits "A", "B", and "C", attached hereto, is rezoned from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District, generally to modify the development standards.

Section 2. The subject property shall develop in accordance with the "PD" – Planned Development District Ordinance No. 2014-11-087, and as amended, except as follows:

1. "PD" – Planned Development District Ordinance No. 2014-11-087 Exhibit D is amended as follows:

a) Section 2d. Overarching Design Guidelines subsections 4, 5, and 6 to:

"4. Blank walls that exceed 20 horizontal feet in length without a window or architectural opening and are oriented toward a public or private right-of-way shall be prohibited, except for upper floors of a structured parking facility which upper floors must contain at least two (2) of the following architectural features:

- a. columns that create articulation;
- b. cornice treatments on the horizontal elements of the parking facility;
- c. screening materials and/or configurations acceptable to the Director of Planning;
- d. exterior architectural materials matching those incorporated into the balance of the building; or
- e. other features approved by the Planning Director.

5.The first floor of buildings facing Collin McKinney Parkway shall conform to the design requirements in Subsection v. of Section 4.a. hereafter.

6.The architectural treatment and design of a building's front façade shall be continued around all sides that are visible from the public right-of-way; provided, however, the foregoing shall not apply to a building's first floor that fronts on Van Tuyl Plaza or Collin McKinney Parkway or the façade of a structured parking facility incorporated in a building.”

b) Section 4a. Craig Ranch Urban Core-2 (UC2) Development Standards subsection v. to:

i) “v. Multi-family residential uses subject to the following:

1. Units within the first floors fronting on Van Tuyl Plaza and Collin McKinney Parkway shall be designed and constructed with minimum ceiling heights of twelve (12) feet and in a manner that allows conversion to a retail or commercial use without major renovation.
2. The first floors adjacent to Van Tuyl Plaza and Collin McKinney Parkway shall be separated visually from the floors above through the use of a cornice, an articulation line or other architectural features acceptable to the Director of Planning.
3. The façades of the units on the first floors adjacent to Van Tuyl Plaza and Collin McKinney Parkway shall have large storefront windows with base plates of no higher than 30 inches in a configuration acceptable to the Director of Planning and shall incorporate at least two (2) of the following elements:
 - a. an entranceway that is recessed no less than two (2) feet;
 - b. awnings covering the windows or door, or both;
 - c. transom windows above the windows or door, or both;
 - d. horizontal bands for signage with a width of no less than 24 inches; or
 - e. such other architectural elements approved by the Director of Planning that are designed to facilitate the unit's future conversion to a commercial use.
4. A minimum ten (10) foot wide sidewalk shall be adjacent to each first floor that faces Van Tuyl Plaza and Collin-McKinney Parkway.
5. 80% of the required parking spaces shall be provided within a structured parking facility”.

c) Section 4b. Craig Ranch Urban Core-2 (UC2) Development Standards subsection i. to:

i) “i. Front Build-to Line: 10’ with a 5’ encroachment area, into which improvements such as, but not limited to, awnings, signage, fixtures, and other projections from the building frontage can be placed.”

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 15th DAY OF MARCH, 2016.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

CORRECTLY ENROLLED:

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney