

ORDINANCE NO. 96-06-24

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; SO THAT A TRACT OF LAND LOCATED AT THE NORTHEAST CORNER OF REDBUD BOULEVARD AND WHITE AVENUE IS REZONED FROM "RS-120" - SINGLE FAMILY RESIDENCE DISTRICT TO A "PD" - PLANNED DEVELOPMENT 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 a tract of land at the northeast corner of Redbud Boulevard and White Avenue in the City of McKinney, Collin County, Texas, to a "PD" - Planned Development District, as provided for in the City of McKinney Zoning Ordinance 1270, said property being described as shown on Exhibit "A"; 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 the requested change in zoning should be made.

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

Section 1. The Zoning Ordinance No. 1270 of the City of McKinney is hereby amended so that said tract of land at the northeast corner of Redbud Boulevard and White Avenue, in the City of McKinney, Collin County, Texas, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from its present classification of "RS-120" - Single Family Residence District to a "PD" - Planned Development District.

Section 2. Use and development of subject property shall conform to all regulations applicable to an "O" - Office District, except as provided in the following sections hereof.

Section 3. Permitted Uses. In addition to the uses permitted in an "O" - Office District, day care for children shall be allowed. Use of the property for day care shall be subject to the following conditions:

- (a) Not more than 120 children may be kept at any one time.
- (b) This use shall conform to the site plan attached hereto as Exhibit "B" and made a part hereof for all legal purposes as it pertains to child care. Children shall be kept only within the building shown by crosshatching on the site plan and within the outdoor recreation area as shown by the fenced area noted as "playground area". Access to the site for day care center drop-off and pick-up shall be an asphalt covered drive (shown as child drop-off) and the adjacent asphalt parking area shown on the site plan.

Section 4. Space Limits. The maximum height of buildings shall be forty (40) feet.

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 \$500.00, 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.

That 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 8.

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 18th DAY OF June, 1996.



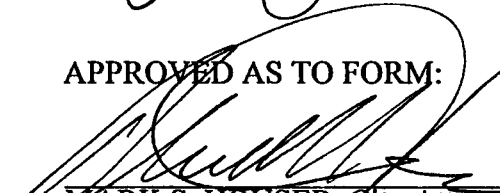
JOHN E. GAY, Mayor

ATTEST:

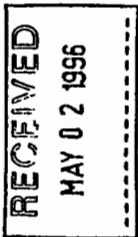


JENNIFER G. SMITH, City Secretary

APPROVED AS TO FORM:



MARK S. HOUSER, City Attorney



**PLANNED DEVELOPMENT DISTRICT
ORDINANCE 1338**

**SINGLE-FAMILY RESIDENCE DISTRICT
ORDINANCE 83-06-15**

GENERAL BUSINESS DISTRICT

**FIRST
PRESBYTERIAN
CHURCH**
4511 Acres

**SINGLE-FAMILY
RESIDENCE DISTRICT**

PLANNED DEVELOPMENT DISTRICT
ORDINANCE 1870

DUPLIX RESIDENCE DISTRICT

W A

WHITE

-WHITE STREET-

PLANNED CENTER DISTRICT
ORDINANCE 88-07-12

**SINGLE-FAMILY
RESIDENCE DISTRICT**

GENERAL RESIDENCE DISTRICT

SINGLE-FAMILY

**SINGLE-FAMILY
RESIDENCE DISTRICT**

[illegible]

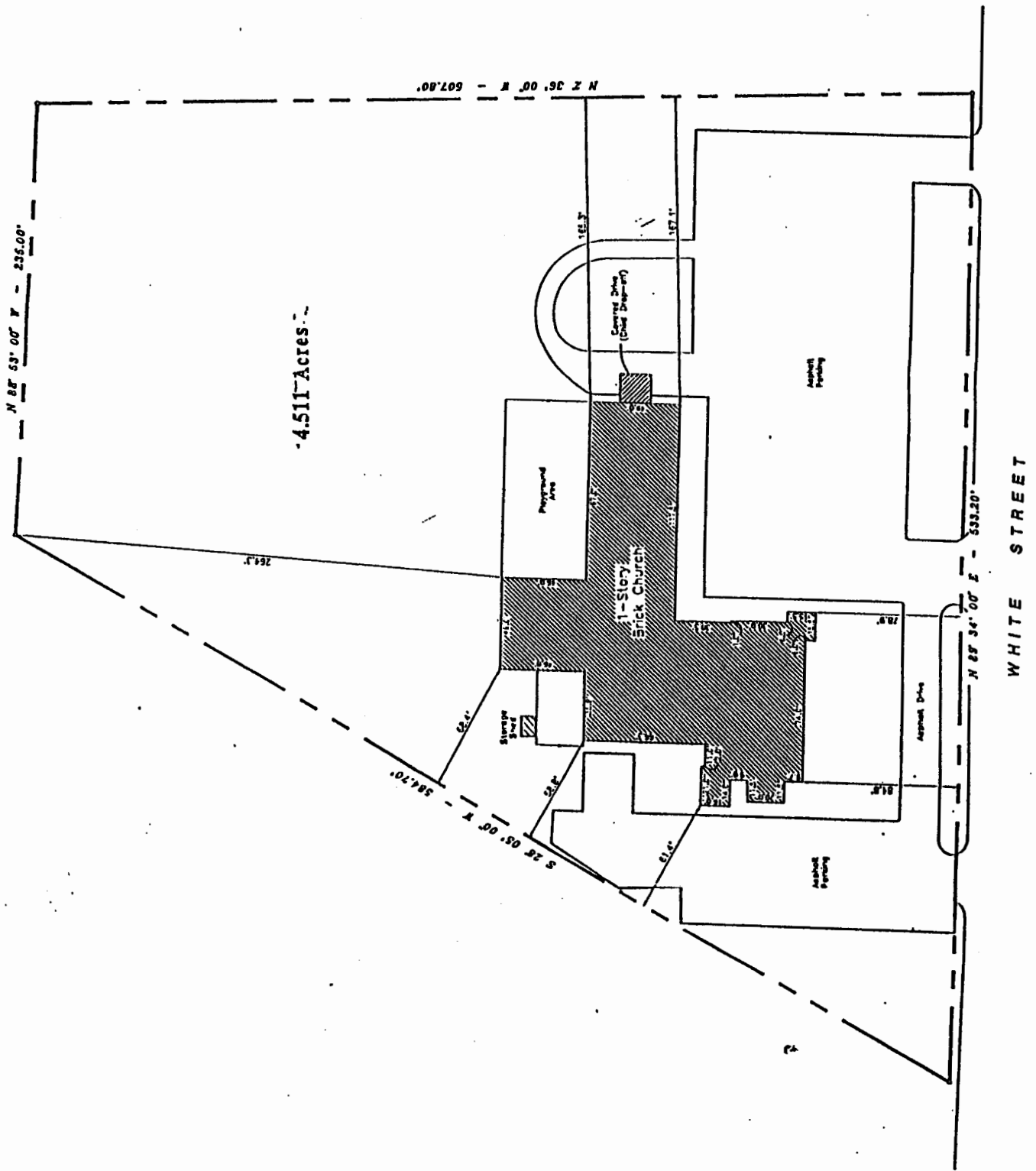
RINGLEY & ASSOCIATES, INC.

WORLD'S SMALLEST EGG
CONTAINER ADDED GRATING & DESIGN

[illegible]



EXHIBIT "B"



RECEIVED
MAY 02 1995

SITE PLAN
**FIRST
PRESBYTERIAN
CHURCH**
McKINNEY, TEXAS

