

ORDINANCE NO. 2024-03-016

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 18.22 ACRE PROPERTY, LOCATED ON THE SOUTHWEST CORNER OF MCKINNEY RANCH PARKWAY AND COLLIN MCKINNEY PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT 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 18.22-acre property, located on the southwest corner of McKinney Ranch Parkway and Collin McKinney Parkway, which is more fully depicted on Exhibits "A", "B", and "C" attached hereto, from "PD" – Planned Development 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:

Section 1. The zoning map is hereby amended so that an approximately 18.22-acre property, located on the southwest corner of McKinney Ranch Parkway and Collin McKinney Parkway, which is more fully depicted on Exhibits "A", "B", and "C", attached hereto, is rezoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards.

Section 2. The subject property shall develop in accordance with Section 204X of the Unified Development Code ("PD" – Planned Development District), except as follows:

1. The subject property shall develop in accordance with attached Development Regulations – Exhibit "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.

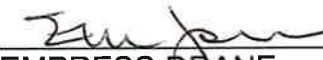
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 19th DAY OF MARCH, 2024.

CITY OF MCKINNEY, TEXAS



GEORGE C. FULLER
Mayor

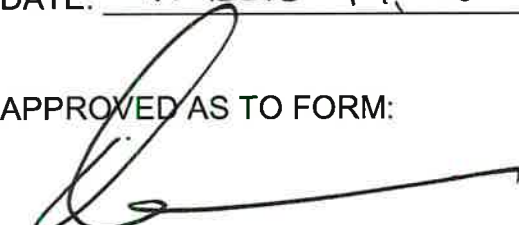
CORRECTLY ENROLLED:



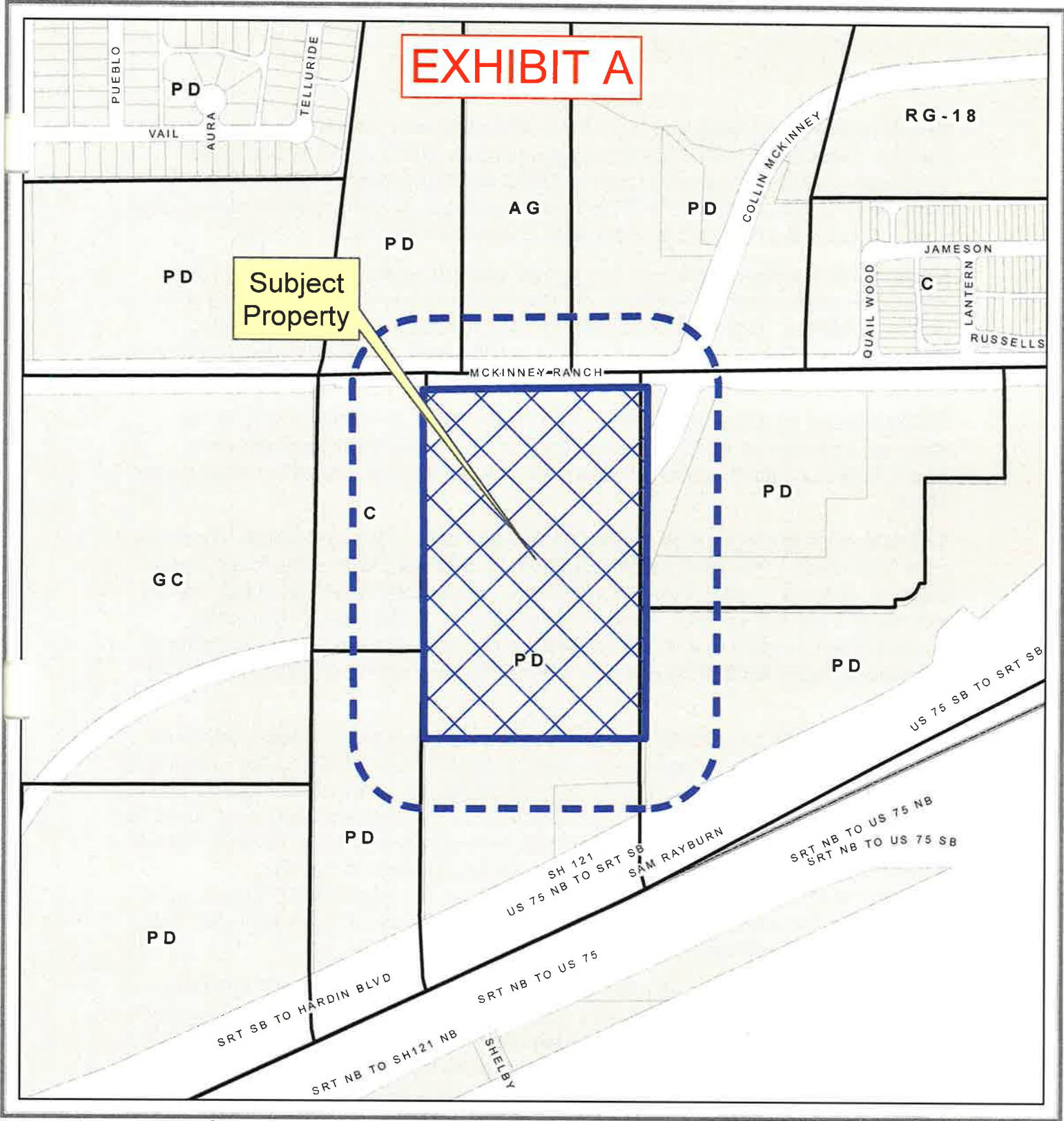
EMPRESS DRANE
City Secretary
TENITRUS BETHEL
Deputy City Secretary

DATE: March 19, 2024

APPROVED AS TO FORM:

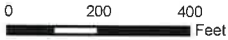


MARK S. HOUSER
City Attorney



Property Owner Notification Map

ZONE2024-0009



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 B

BEING all of a tract of land situated in the J. Phillips Survey, Abstract Number 719, in the City of McKinney, Collin County, Texas and being all of a called 18.226 acres described in a Special Warranty Deed to RPGC McKinney Ranch, LLC, recorded by Instrument Number 20210510000932610, Official Public Records, Collin County, Texas (O.P.R.C.C.T.) and being more particularly described as follows;

BEGINNING at a five-eighths inch capped iron rod with an illegible cap found for the northwest corner of said 18.226 acre tract, the northeast corner of Block B, Foxworth Galbraith Addition, according to the plat recorded in Volume B, Page 125, Map Records, Collin County, Texas (M.R.C.C.T.) and the south right-of-way line of McKinney Ranch Parkway (a variable width right-of-way);

THENCE North 89 degrees 02 minutes 39 seconds East, a distance of 111.08 feet along the north line of said 18.226 acre tract and the south line of said McKinney Ranch Parkway right-of-way to a five-eighths inch capped iron rod with an illegible cap found;

THENCE North 89 degrees 06 minutes 53 seconds East, a distance of 602.76 feet to a point from which a five-eighths inch capped iron rod with an illegible cap found bears South 81 degrees 38 minutes 57 seconds West, a distance of 0.88 feet, a five-eighths inch capped iron rod stamped "Westwood bears North 01 degrees 25 minutes 42 seconds West a distance of 10.59 feet and five-eighths inch capped iron rod stamped "Westwood" bears North 00 degrees 03 minutes 04 seconds West, a distance of 6.79 feet;

THENCE South 00 degrees 02 minutes 21 seconds West, passing a five-eighths iron rod found at 148.03 feet, passing a five-eighths iron rod found at 324.13 feet, passing a one-half inch iron rod found at 619.05 feet, and continuing on an addition 503.75 feet for a total of 1,122.65 feet to a one-half inch capped iron rod stamped "McAdams" found for the southeast corner of said 18.226 acre tract, the northeast corner of McKinney South Substation Addition according to the plat recorded by Instrument Number 20100901010001660, O.P.R.C.C.T. and the west line of a called 34.5616 acre tract of land described in a General Warranty Deed to TCI McKinney 34, recorded in Volume 6072, Page 9, Deed Records Collin County, Texas (D.R.C.C.T.);

THENCE South 89 degrees 45 minutes 14 seconds West, a distance of 704.79 feet along the south line of said 18.226 acre tract and the north line of said McKinney South Substation Addition to a five-eighths capped iron rod set stamped "Bohler Eng" set at the southwest corner of said 18.226 acre tract, the northwest corner of said McKinney South Substation Addition and the east line of Block A of the said Foxworth Galbraith Addition ;

THENCE North 00 degrees 25 minutes 18 seconds West, a distance of 1,114.54 feet to the **POINT OF BEGINNING** containing 793,439 square feet or 18.215 acres, more or less.



2600 NETWORK BLVD, SUITE 310
FRISCO, TX 75034
Phone (469) 458-7300
TX@BohlerEng.com
TYPE No 18065 | TBPLS No. 10194413

06/04/2023 | MID | T04530021 03 | Rev 2



EXHIBIT D

ALLEN HARRISON COMPANY – MCKINNEY RANCH PARKWAY DEVELOPMENT REGULATIONS

The subject property (the “Property”) shall be zoned “PD” Planned Development District. Use and development of the Property shall conform to the requirements of the City’s Code of Ordinances, and as amended, except as noted below.

1. Permitted Uses.

- 1.1. Amenity center, neighborhood
- 1.2. Assisted living facility
- 1.3. Independent Living
- 1.4. Multi-family, cottage
- 1.5. Multi-family, traditional
- 1.6. Parking garage or lot, paid or private
- 1.7. Recreation area, private
- 1.8. Government Facilities (city, excluding airport uses)

2. Accessory Uses.

- 2.1. Accessory building, detached
- 2.2. Accessory structure
- 2.3. Electric vehicle charging station
- 2.4. Swimming pool

3. Dimensional Standards.

- 3.1. Minimum Lot Width: 60 feet
- 3.2. Minimum Lot Depth: 100 feet
- 3.3. Minimum Front Setback: 35 feet
- 3.4. Minimum Rear Setback: 20 feet
- 3.5. Minimum Side Setback: 20 feet
- 3.6. Maximum Height: 55 feet
- 3.7. Maximum Dwelling Units: 350 units
 - 3.7.1. A maximum 55% of the provided residential units are permitted to be one bedroom units.

4. Parking.

- 4.1. A structured parking garage (at least two levels) shall be provided and wrapped with or screened from the view of right-of-way by the multi-family residential building(s) it serves.
- 4.2. Two parking spaces per multi-family dwelling unit are required.
- 4.3. A minimum forty (40) percent of units shall have an enclosed parking space.

EXHIBIT D

4.4. Garage doors shall not be oriented toward the public right of way.

4.5. In addition to electrical vehicle (EV) charging stations in a centralized location on-site for residents, a minimum fifty (50) percent of private garage spaces will be electric vehicle charging-ready such that the circuit shall provide sufficient capacity and terminate in a suitable termination point such as a receptacle or junction box.

4.5.1. For avoidance of doubt, this exceptional quality is not considered an amenity and shall be required in addition to the minimum amenity requirements of Section 5.1.

5. Exceptional Qualities.

5.1. Amenities

5.1.1. A minimum of two additional multi-family residential site design amenities (for a total of at least seven) from Table 2-45 are required for the lot on which multifamily development is provided.

5.1.2. A minimum of two multi-family residential site design amenities from Table 2-45 are required for the southern open space lot created by the construction of the future Collin McKinney Parkway.