

AN ORDINANCE AMENDING ORDINANCE NO. 1270 SO THAT 118.767 ACRES OF LAND IN THE R. H. LOCKE AND GEORGE B. PILANT SURVEY IS ZONED PLANNED DEVELOPMENT - LIGHT MANUFACTURING; PROVIDING FOR PLANNED DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the owner or owners of 118.767 acres of land in the R. H. Locke and George B. Pilant Survey have petitioned the City of McKinney to zone such property Planned Development - Light Manufacturing, 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 such rezoning change should be made.

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

SECTION I: That the real estate more fully described in the attached Exhibit "A" is hereby zoned Planned Development - Light Manufacturing.

SECTION II: That the Planned Development Standards more fully set forth in the attached Exhibit "B" are hereby adopted as the Planned Development Standards for the Planned Development - Light Manufacturing District.

SECTION III: The following special development regulations shall apply: The southern thirty (30) acres of this tract shall be restricted to Office Showroom uses, and a site plan approval shall be required prior to development.

SECTION IV: That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development Zone or specific regulations contained herein. This

Ordinance and the subsequent site plan and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

SECTION V: 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 VI: 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 \$200.00, 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 VII: 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 the 10th day of August, 1985.

CORRECTLY ENROLLED:


JENNIFER CRAVENS
CITY SECRETARY

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EXHIBIT "A"

SITUATED in Collin County, Texas, in the G. B. Pilant Survey, Abst. No. 691, being a resurvey of the 120.6 acres of Land described in a Deed from J. W. Forsyth, Guardian to W. B. Quesenbury dated January 10, 1928, recorded in Volume 270, Page 407 of the Collin County Deed Records, being described by metes and bounds as follows:

BEGINNING at an iron pin set beside an existing iron pipe at the northwest corner of said 120.6 acre tract, and at the ell corner on the southeast of the 100-1/2 acres of land described in a deed from Mrs. Kate E. McAuley to P. D. Beaver, dated December 28, 1905, recorded in Volume 137, Page 422 of the Collin County Deed records;

THENCE SOUTH 89 deg. 53 min. 20 sec. East with the north line of said 120.6 acre tract and with a south line of said 100-1/2 acre tract passing a clump of trees at 821 feet and continuing passing an existing iron pin set at the east, southeast corner of said 100-1/2 acre tract at 1529.3 feet and continuing in all 1701.85 feet to an iron pin set at the northeast corner of said 120.6 acre tract, in the west line of the R. H. Locke Survey, Abst. No. 517 and the east line of the said G. B. Pilant Survey, on the west side of a north-south rock road for a corner;

THENCE SOUTH 0 deg. 07 min. East, 3077.82 feet with the East line of said 120.6 acre tract and with the west line of said Locke Survey and the East line of said Pilant Survey, along the West side of said rock road to an iron pin set in said survey line at the southeast corner of said 120.6 acre tract for a corner;

THENCE SOUTH 89 deg. 29 min. 26 sec. West, 1659.47 feet with the south line of said 120.6 acre tract and with the center of a rock road to an iron pin set in the center of said road at the southwest corner of said 120.6 acre tract for a corner;

THENCE NORTHERLY with the West line of said 120.6 acre tract and with an old established fence and hedgerow as follows:

NORTH 0 deg. 42 min. 14 sec. West, 197.13 feet;

NORTH 0 deg. 07 min. 21 sec. East, 323.67 feet;

NORTH 0 deg. 36 min. 04 sec. West, 508.97 feet;

NORTH 1 deg. 12 min. 36 sec. West, 218.05 feet to an iron pin beside a corner post;

NORTH 1 deg. 08 min. 39 sec. West, 1207.61 feet to an iron pin beside a corner post;

NORTH 1 deg. 09 min. 20 sec. West, 640.9 feet to the PLACE OF BEGINNING; and,

CONTAINING 118.767 acres of land.

EXHIBIT "B"

APPLICATION FOR PATRICIA LEBERMANN, TRUSTEE
for
ML (OFFICE SHOWROOM, OFFICE WAREHOUSE)
PLANNED DEVELOPMENT ZONING

1. General: This Planned Development District shall have a base zoning district of "ML", Light Manufacturing, as is set forth in Zoning Ordinance No. 1270.
2. Purpose: The purpose of this District is to establish standards for use and development of office, office showroom, office warehouse, campus style developments for uses which may include a combination of commercial and office types of activities, and for uses to support these primary uses.
3. Principal Permitted Uses: Those uses which are indicated in the attached use chart for the "ML", Light Manufacturing District, or which may become permissible under Section 2.08 New and Unlisted Uses.
4. Specifically Excluded Uses: Those outlined in Section 3.16-3.
5. Permitted Accessory Uses: Permitted as outlined in Section 3.16-4.
6. Space Limits: The following lists permitted uses and the minimum site area for each use.
 - (1) Office Use - 1/2 acre minimum
 - (2) Office-Showroom Use - 1 acre minimum
 - (3) Campus Commercial, Office - 3 acre minimum
 - (4) Support Uses for Above Activities - 1 acre minimum
7. Yard Requirements: The following shall be the minimum yard areas permitted:

(1) Front Yard

- (a) Twenty-five (25) feet;
- (b) No parking shall be permitted in the minimum front yard set back area.

(2) Side Yard

- (a) Twenty-five (25) feet when adjacent to other streets.
- (b) No parking shall be permitted in the minimum side yard set back area for a corner lot adjacent to a street.

(3) Rear Yard

- (a) None.

8. Coverage: Permitted coverage of the building site by the main building and any accessory buildings shall not exceed seventy-five (75) percent of the site area. Permitted floor area ratio shall be 1:1.
9. Maximum Building Height: Fifty (50) feet.

(1) Front Yard

- (a) Twenty-five (25) feet;
- (b) No parking shall be permitted in the minimum front yard set back area.

(2) Side Yard

- (a) Twenty-five (25) feet when adjacent to other streets.
- (b) No parking shall be permitted in the minimum side yard set back area for a corner lot adjacent to a street.

(3) Rear Yard

- (a) None.

8. Coverage: Permitted coverage of the building site by the main building and any accessory buildings shall not exceed seventy-five (75) percent of the site area. Permitted floor area ratio shall be 1:1.
9. Maximum Building Height: Fifty (50) feet.

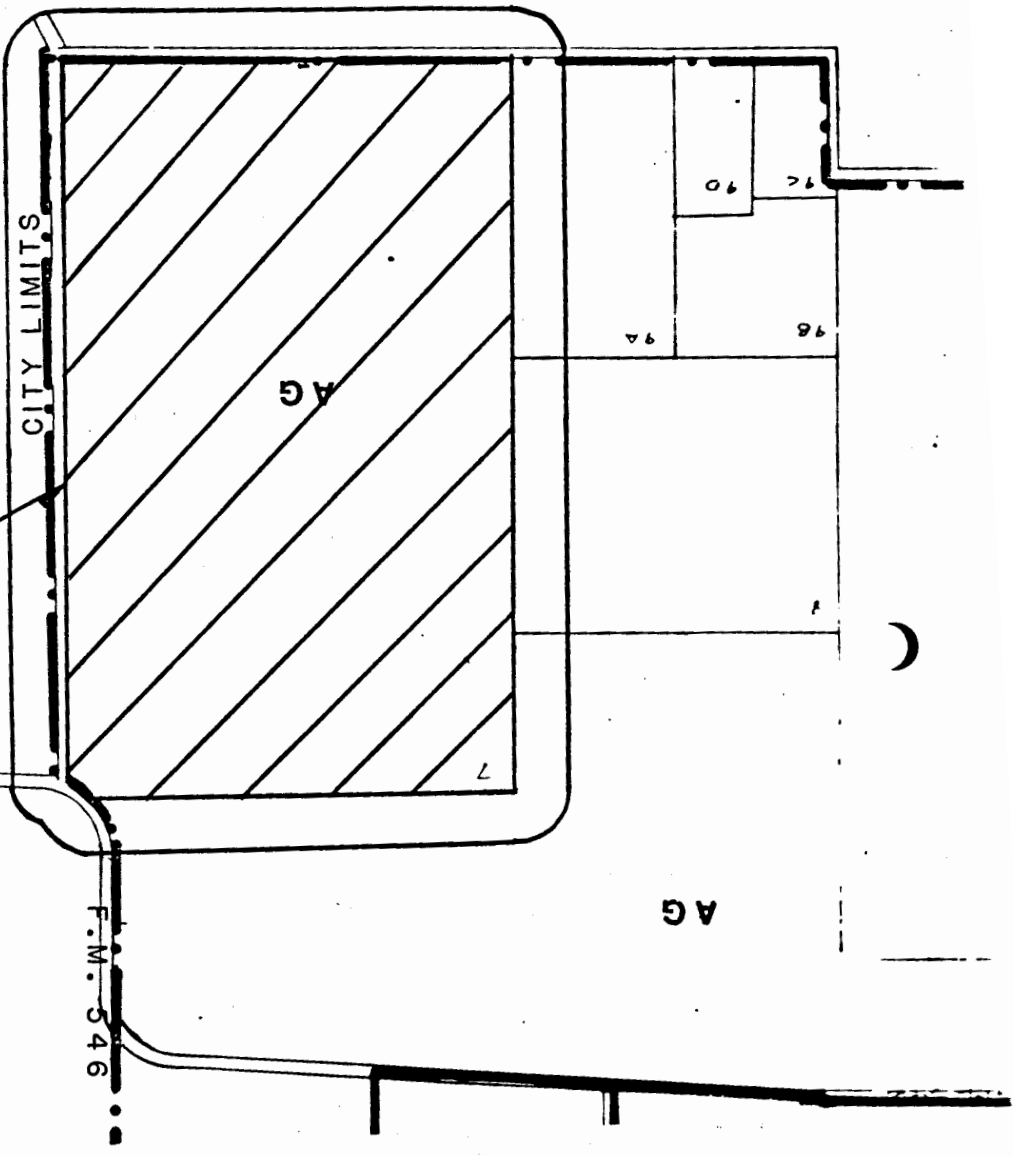
PD - ML (office showroom, office warehouse)
 SCHEDULE OF USES

TYPE USE	ZONING DISTRICTS												
	AG	RED-1	RED-2	RS120	RS 84	RS 60	RD 30	RG 25	RG 15	MP	DN	BG	ML
RETAIL & SERVICE USES													
Antique Shop (5)										*	*	*	*
Apparel and Accessory Stores										*	*	*	*
Art Supplies										*	*	*	*
Auto Display and Sales											*	*	*
Auto Parts Sales (Indoor)										*	*	*	*
Bait Shop	*										*	*	
Bakery or Confectionery (retail)										*	*	*	*
Barber or Beauty Shops										*	*	*	*
Book or Card Shop										*	*	*	*
Cleaning (Small Shop and Pick-Up) (26)										*	*	*	*
Clinic (27)										*	*	*	*
Day Care for Children (32)								*	*	*	*	*	*
Department or Discount Stores											*	*	*
Drug Store or Pharmacy										*	*	*	*
Fabrics or Needlework Shop										*	*	*	*
Florist or Garden Shop										*	*	*	*
Food Stores, Groceries										*	*	*	*
Frozen Food Lockers											*	*	*
Furniture Sales											*	*	*
Greenhouse or Plant Nursery											*	*	*
Hardware Store										*	*	*	*
Hobby or Handcraft Shop										*	*	*	*
Household Appliance Sales (48)										*	*	*	*
Key Shop										*	*	*	*
Mimeograph or Letter Shop											*	*	*
Office Supplies											*	*	*

PD - ML (office showroom, office warehouse)

SCHEDULE OF USES

TYPE USE	ZONING DISTRICTS														
	AG	RED-1	RED-2	RS120	RS 84	RS 60	RD 30	RG 25	RG 15	MP	BN	BG	C	O	ML
Paint and Related Sales											*	*	*		*
Pawn Shops												*	*		*
Personal Service (70)											*	*	*	*	*
Pet Stores (no outside runs)											*	*	*		*
Restaurant (Not Drive-In Type) (80)											*	*	*	*	*
Restaurant (Drive-In Service) (81)												*	*		*
Retail Store (Indoor)											*	*	*		*
Service Station (86)											*	*	*		*
Studios, Photo, Music, Art, Health, etc.											*	*	*	*	*
Travel Agent											*	*	*	*	*
COMMERCIAL TYPE USES															
Amusement, Commercial (Indoor) (3)												*	*		* *
Amusement, Commercial (Outdoor) (4)															*
Auto Laundry (9)												*	*		* *
Bakeries (Wholesale)												*			* *
Banks and Financial Institutions											*	*	*	*	* *
Building Materials Sales												*	*		* *
Carnival or Circus (Temporary)	T											T	T		T
Carpentry, Painting Shop															* *
Cleaning Plant, Laundry												*	*		* *
Construction Buildings (Temporary)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Creamery, Dairy Products ...												*	*		* *
Department or Discount Stores												*	*		* *



SUBJECT PROPERTY