ORDINANCE NO. 2014-02-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF McKINNEY, TEXAS; SO THAT A TOTAL OF APPROXIMATELY 69.37 ACRES OF PROPERTY 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 WITH TRACT 1 BEING LOCATED STANDARDS. ON SOUTHWEST CORNER OF MCKINNEY RANCH PARKWAY AND RIDGE ROAD, TRACT 2 BEING LOCATED ON THE NORTHWEST CORNER OF MCKINNEY RANCH PARKWAY AND STACY ROAD, TRACT 3 BEING LOCATED ON THE NORTHEAST CORNER OF MCKINNEY RANCH PARKWAY AND STACY ROAD, AND TRACT 4 BEING LOCATED ON THE SOUTHEAST CORNER OF MCKINNEY **PARKWAY** RIDGE **PROVIDING** AND ROAD; 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 69.37 acre property, with Tract 1 being located on the southwest corner of McKinney Ranch Parkway and Ridge Road, Tract 2 being located on the northwest corner of McKinney Ranch Parkway and Stacy Road, Tract 3 being located on the northeast corner of McKinney Ranch Parkway and Stacy Road, and Tract 4 being located on the southeast corner of McKinney Ranch Parkway and Ridge Road, which is more fully depicted on Exhibits "A" and "B", 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 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 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 in order to rezone an approximately 69.37 acre property, with Tract 1 being located on the southwest corner of McKinney Ranch Parkway and Ridge Road, Tract 2 being located on the northwest corner of McKinney Ranch Parkway and Stacy Road, Tract 3 being located on the northeast corner of McKinney Ranch Parkway and Stacy Road, and Tract 4 being located on the southeast corner of McKinney Ranch Parkway and Ridge Road, which is more fully depicted on Exhibits "A" and "B", 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.
- Section 2. The subject property shall develop in accordance with the "PD" Planned Development District and "REC" Regional Employment Center Overlay District, and as amended, except as follows:

- 1. The subject property shall develop in accordance with the attached Concept Plan Exhibit "C", Development Regulations Exhibit "D", and Boulevard Cross Section Exhibit "E".
- 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 18TH DAY OF FEBRUARY, 2014.

CITY OF McKINNEY, TEXAS

BRIAN LOUGHMILLER

Mayor

CORRECTLY ENROLLED:

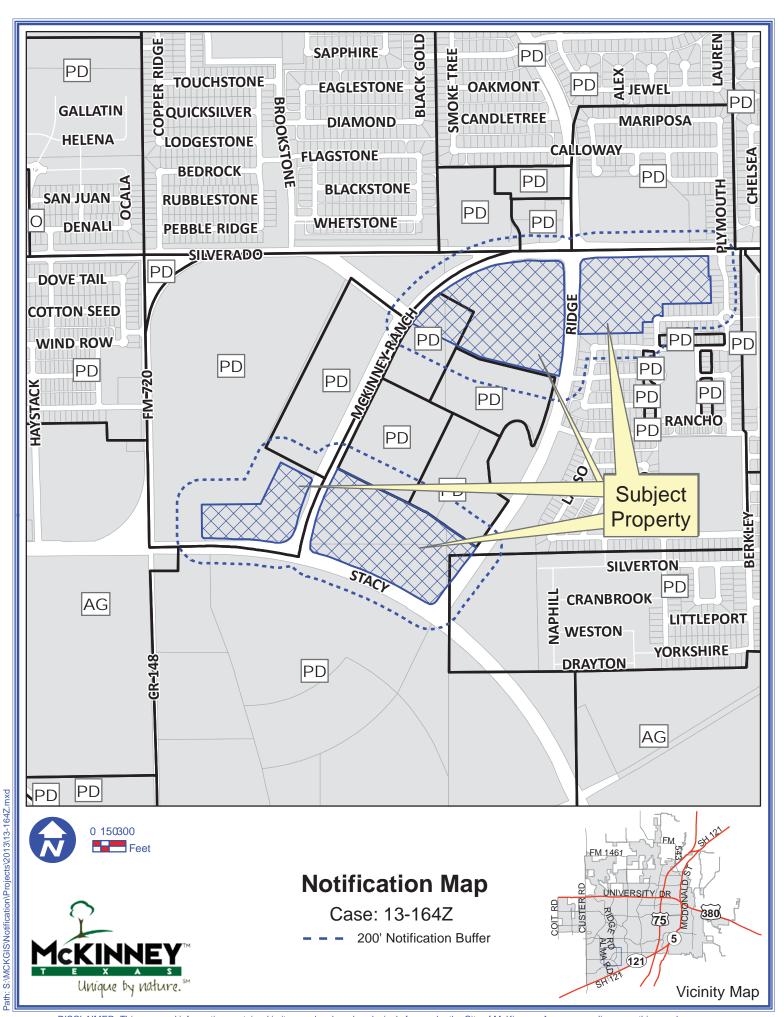
SANDY HART, TRMC, MMC

City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER City Attorney

Exhibit A



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

Scale: SEE GRAPHI
Designed by: LAW
Drawn by: CDR
Checked by: LAW
Drawn by: LAW

ZONING EXHIBIT

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| McKinney, TX 73069 Tel 469 424 5900 Fax 214 544 3200 Certificate of Registration No. F-880 | SANCHEZ | S S IS TO FOR |
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| described as follows: |
| BEGINNING at a point for the most westerly northwest corner of Saddle Club At McKinney Ranch Phase 1, an addition |
| to the city of McKinney recorded in instrument No. 200803170100001020 of the Official Public Records of Collin |
| County. Texas, also lying on the easterly line of Ridge Road a variable width right-of-way. |

| to a 5/8 Inch Iron rod set for comer. | THENCE North 13d degrees 11 minutes 38 seconds East along the easterly line of Rige road a distance of 150. to a 5.8 inch iron not set for comer. | THENCE Morth 00 degrees 37 minutes 113 accorde. West along the easterly the of Ridge Road a distance of 193 feet to a 58 text horn of set for comer; all the beginning of a curve to the dight hattings makes of 57,00 feet, a ca angle of 69 degrees 58 minutes 52 seconds, and a chool which bears South 20 degrees 55 minutes 13 seconds 67.59 feet. | THENCE abing said curve to the right in a northeaseinty direction, an arc distance of 71,31 feet to a 58 inch from set for corner in the southerty line of fushingy Ranch Parkway; | THENCE North 82 degrees 35 mjrutes 15 seconds East along the southerly line of Moldiney Ranch Parkway a distance of 113:15 feet to a 5/8 inch front of set for corner. | THENCE North 89 degrees 24 milutes 03 seconds East storg the southerly line of Moderney Ranch Parkway a distance of 249.49 feet to a 5/8 inch from fod set for corner. | THENCE North 87 degrees 39 minutes 55 seconds East along the southerly line of Moderney Ranch Parkway a distance of 161,95 feet to a 5/8 inch fron rod set for comer. | THENCE North 89 degrees 24 minutes 24 seconds East along the southerly line of Mikhiney Ranch Parkway a detamore of 800.86 feet to a 5/8 linch from red set for corner. |
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| THENCE South 00 degrees 47 minutes 32 seconds East a distance of 187.21 feet to a 5'8 hoh from rod set for corner. | |
| THENCE North 88 degrees 42 minutes 57 seconds East a distance of 18.35 feet to a 58 inch fron rod set for corner. | |
| THENCE South 01 degrees 10 minutes 07 seconds East a distance of 240.02 feet to a 5/8 prch fron not set for comer. | |
| THENCE South 88 degrees 49 minutes 53 seconds West a distance of 439.38 feet to a 5/8 but Iron rod set for corner. | |
| THENCE South 01 degrees 10 minutes 07 seconds East a distance of 110.00 feet to a 58 hzh Iron nod set for comer. | |
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| ey, Abstract No. 54 acre tract of land de cords of Collin Cou armer of Saddle Clut | aronge F. Lucas Survey, Abstract No. 54 of a called 420.49 acre tract of land de 221 of the Deed Records of Cellin Cou esterly northwest corner of Saddle Club | of strusted in the George F. Lucas Survey, Abstract No. S4 and Self-g a portion of a called 420x49 acre tract of land of time 6074. Page 1821 of the Collin | Belling in start of that dissulted in the discoper. Lucyas Storyer, Mayerach No. 57. And the discoper Lucyas Storyer, Abertach No. 302, and befrag portion of a calest 4204 size to tract of that discoper. In the case of the Notime 5074, Page 5021 of the Dasid Reported of Cellin Could force, respected to Notime 5074, Page 5021 of the Dasid Reported of Cellin Could discolate as follow the most westerly northwest corner of Stadde CDA. BEGINNING on a paint for the most westerly northwest corner of Stadde CDA. |
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| TRACT 4 | Being a tract of Abstract No. 35 Inc. recorded in described as fo | |
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| the George F. Lucas Survey, Abstract No. 540 and the Oliver Hedgecoxe Survey, | ortion of a called 420.49 acre tract of land described by deed to TCI Mckinney Ranch. | Page 6221 of the Deed Records of Collin County, Texas, and being more particularly | |
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| IENCE South 38 degrees 52 mhutes 58 seconds West along the westerty fine of RMs, at to a 578 inch fron rod set for comer; | FENCE South 34 degrees 58 inhuiss 48 seconds West along the westerly he of PRE, six to a 518 Inhillron not set for corner; at the logistring of a curve to the right having a de of 616 degrees 12 inhuiss fit seconds, and a chord witch bears South 65 degrees 2.1 feet; | ENCE stong sald curve to the right in a southwesterly direction, an arc distance of 71 for corner to the northerly line of Stacy Road; | EINCE North 63 degrees 10 minutes 95 seconds West along the northerly line of Staz at the a 508 from thron for section of the company of a curve home for along and a company and a company and a change of a curve norther set demonstrated and a company of the com |
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| ingle of 12 degrees 30 mhutes 27 seconds, and a chord witch bears North 64 degrees 1. 76.88 feet. | HENCE along sald curve to the left in a northwesterly direction, an arc distance of 778.2; set for corner in the northerly line of Stacy Road; | HENCE North 67 degrees 50 minutes 24 seconds West along the northerly line of Stacy et to a 58 heat from not set for corner; at the beginning of a curve to the left having a rea model of 2 degrees 15 minutes 46 seconds, and a chord witch bears from 73 degrees 59 41.18 feet. | HENCE along said curve to the left in a northwesterly direction, an arc distance of 141.11 |
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| 240,00 feet, a central angle of 13 degrees 19 minutes 40 seconds, and a chord which bears inutes 08 seconds East, 450,26 feet. | HENCE along said curve to the right in a northeasterly direction, an arc distance of 451.27 at for corner in the northerly line of McKpney Ranch Parkway; | HENCE North 28 degrees 14 minutes 59 seconds East along the easterly line of Mcklinney Istance of 169.25 feet to a 5/8 Inch ten rod set for corner; | HENCE South 63 degrees 45 minutes 00 seconds East a distance of 898.60 feet to a 5/8 in | HENCE South 54 degrees 58 minutes 42 seconds East a distance of 554,74 feet to the pol- |
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| fiest along the westerly the of Ridge Road a distance of 130.11 fing of a curve to the right having a radius of 67.00 feet, a central ord witch bears South 65 degrees 37 refinites 20 seconds West, | arly direction, an arc distance of 71.57 feet to a SR Inch fron rod | lest along the northerly line of Stacy Road a distance of 71.00 ing of a curve to the left having a radius of 3,565.00 feet, a central |
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| atong sakt curve to the fight in a southwesterty direction, an arc distance of 71,57 feet to a 58 Inch fron rod mer in the northerty line of Stacy Road; |
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TRACT 3: Being a tract of is

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Exhibit C

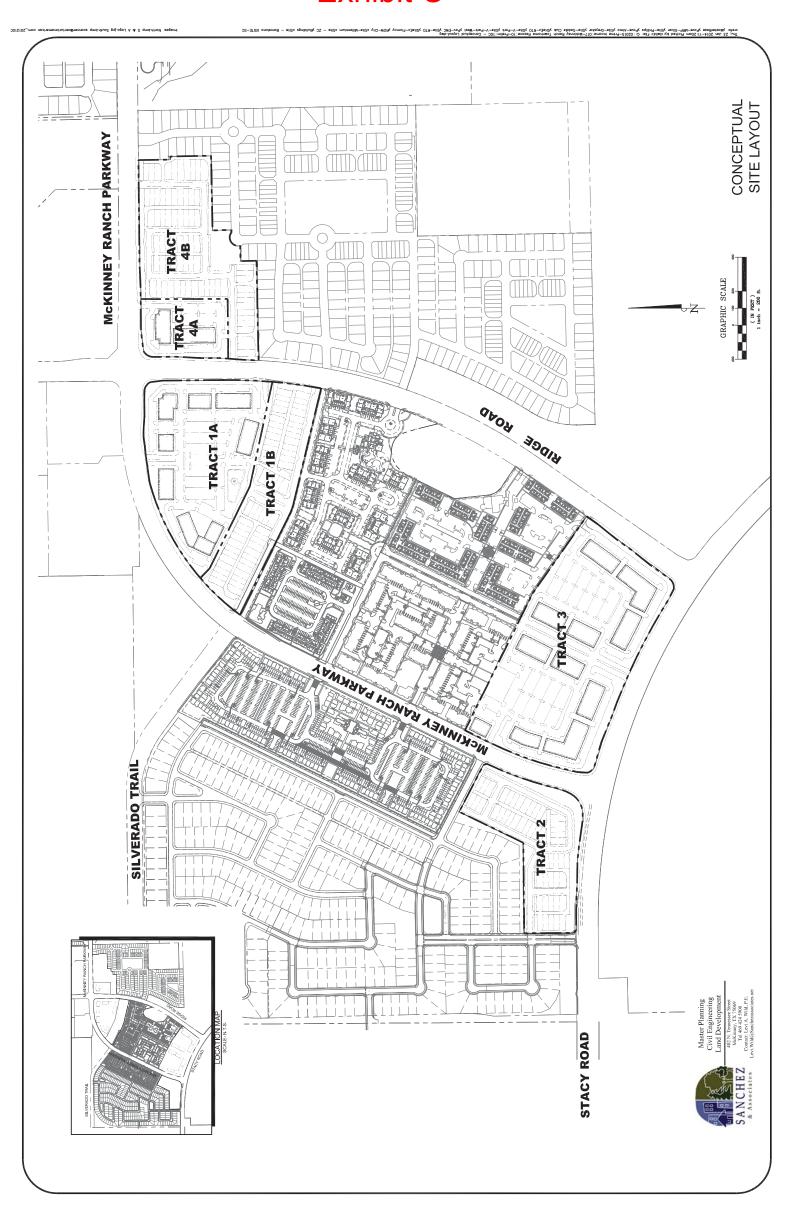


Exhibit D

McKinney Ranch PLANNED DEVELOPMENT STANDARDS

I. Purpose and Intent

The development standards outlined herein have been established to continue the quality development that exists in the immediate area. The subject property shall generally conform to the attached Master Development Plan. The buildings reflected on the land plan are general representations of the intended development patterns. The building layout may have minor changes as necessary to facilitate architectural design, engineering, fire, or other related needs so long as the urban character and pedestrian-oriented design is preserved, subject to review and approval by the Director of Planning.

II. Special Provisions

- a. The building locations and circulation network on the subject property shall develop in general conformance with the proposed Conceptual Site Layout attached. Although the Conceptual Site Layout contemplates townhomes in certain areas, the townhome land use is optional and may be converted to retail/office entirely; therefore the final layout and land uses may change as necessary to facilitate final street layout, natural topography, streams or creeks, or other related needs so long as the overall character and land use assumptions (detailed below) are preserved, subject to review and approval by the Director of Planning. Townhomes may only be allowed in the areas depicted in the Conceptual Site Layout (Tracts 1B, 2, and 4B) and shall be developed according to the *Townhouse* (*rowhouse*) *dwellings* standards per the REC Neighborhood Zone, with the exception that there may no more than 6 attached dwelling units per building. Townhomes are not required; they are an allowed use in these areas.
- b. Except for those sites currently developed or approved as multi-family, Multi-family dwelling uses (MF) shall be prohibited on the subject property.
- c. Live-work units, defined generally as residential dwelling units above non-residential uses providing for limited office or retail space and limited general commercial activity, shall be allowed in tracts 1B, 2, and 4B as indicated on the Conceptual Site Layout and shall be developed according to the *Townhouse* (*rowhouse*) *dwellings* standards per the REC Neighborhood Zone, with the exception that there may no more than 6 attached dwelling units per building.
- d. One row of head-in parking, oriented towards the proposed buildings, with a dedicated firelane adjacent to a public right-of-way (slip road) shall be allowed by right to provide for access and circulation of commercial buildings along Ridge Road, McKinney Ranch Parkway and/or Stacy Road.
- e. Parking structures on the subject property shall be wrapped by buildings and the parking structure may be no taller than the buildings wrapping the parking structure.
- f. The north/south circulation spine/boulevard shall be developed in the general location as reflected by the attached Conceptual Site Layout and shall be constructed in accordance with the attached Cross Section. Parking fields associated with the future commercial development in Tract 3 shall be allowed to connect into the boulevard via dedicated fire lanes and/or driveways. The boulevard shall have a landscaped with sod and shade trees planted every 30 linear feet within the median consistent with the existing boulevard. There shall be no more than 4 median openings along the boulevard to allow access to the parking fields and associated driveways.
- g. The east/west circulation spine/boulevard shall be developed in the general location as reflected by the attached Conceptual Site Layout and shall be constructed in accordance with the attached Cross Section. Parking fields associated with the future development in Tract 1 shall be allowed to connect into the boulevard via dedicated fire lanes and/or driveways. The boulevard shall have a landscaped with sod and shade trees planted every 30 linear feet within the median consistent with the existing north-south boulevard in the immediate vicinity. There shall be no more than 4 median openings along the boulevard to allow access to the parking fields and associated driveways. Traffic calming may be required on an as-needed basis as required by the Director of Engineering.

Exhibit D

h. All required canopy or shade trees on the subject property, shall be planted with a minimum caliper size of 5 inches (measured 6" above the ground) and a minimum height of 12 feet at the time of planting.

III. Development Standards

- a. Tracts 1A, 1B, 2, 4A, and 4B
 - Non-residential uses shall be developed in accordance with the Section 146-85 "BG" - General Business District and "REC" - Regional Employment Center Overlay District of the Zoning Ordinance, except as follows:
 - 1. No Maximum Floor Area Ratio
 - 2. Maximum Height: 4 stories (For Tracts 2 and 4B, a maximum of 2 stories shall be allowed within 150 feet of adjacent single family residential zoning or use adjacent to the subject property)
 - 3. Motor vehicle fuel sales may be allowed with approval of a specific use permit.

ii. Prohibited Uses:

- 1. Auto painting or body shop
- 2. Auto trailer, light truck, tool rental
- 3. Auto, motorcycle, boat (sales, repair or storage)
- 4. Bait shop
- 5. Building material sales or monument sales
- 6. Bus station
- 7. Cleaning plant, laundry
- 8. Creamery, dairy products
- 9. Farm implement sales and service
- 10. Frozen food lockers
- 11. Funeral homes and mortuaries
- 12. Garage, auto repair
- 13. Halfway house
- 14. Mini-warehouse
- 15. Multiple family residential
- 16. Pawnshops
- 17. Railroad track or right-of-way
- 18. Recreation vehicle sales
- 19. Sexually Oriented Business
- 20. Single family residential, detached

b. Tract 3

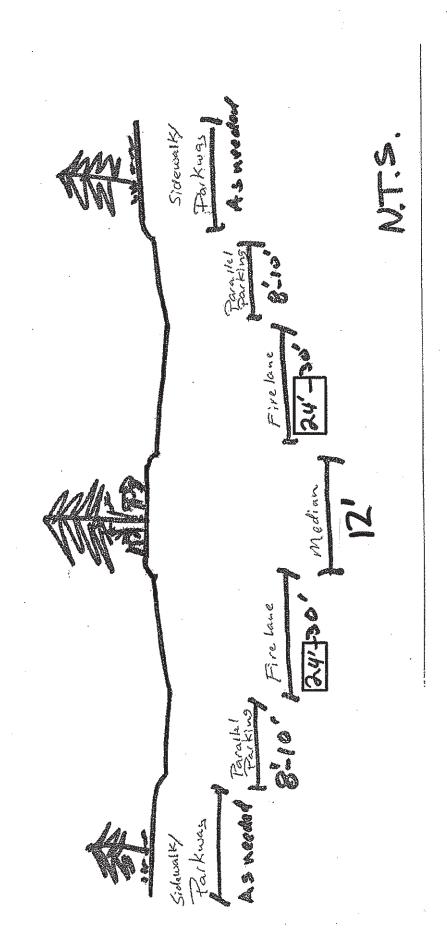
- Non-residential uses shall be developed in accordance with the Section 146-85 "BG" - General Business District and "REC" - Regional Employment Center Overlay District of the Zoning Ordinance, except as follows:
 - 1. No Maximum Floor Area Ratio
 - 2. Maximum Height: 4 stories
 - 3. Motor vehicle fuel sales may be allowed with approval of a specific use permit.

ii. Prohibited Uses:

- 1. Auto painting or body shop
- 2. Auto trailer, light truck, tool rental
- 3. Auto, motorcycle, boat (sales, repair or storage)
- 4. Bait shop
- 5. Building material sales or monument sales
- 6. Bus station
- 7. Cleaning plant, laundry
- 8. Creamery, dairy products
- 9. Farm implement sales and service
- 10. Frozen food lockers
- 11. Funeral homes and mortuaries
- 12. Garage, auto repair
- 13. Halfway house
- 14. Mini-warehouse
- 15. Multiple family residential

Exhibit D

- 16. Pawnshops
- 17. Railroad track or right-of-way 18. Recreation vehicle sales
- 19. Sexually Oriented Business
- 20. Single family residential, attached 21. Single family residential, detached



General Cross Section of Boulevard – Fire Lane