

ORDINANCE NO.2002-06-055

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 16 ACRE TRACT LOCATED ON THE SOUTH SIDE OF VIRGINIA PARKWAY, ON THE EAST SIDE OF JORDAN ROAD, AND ON THE WEST SIDE OF DOGWOOD TRAIL, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT, TO "PD" – PLANNED DEVELOPMENT DISTRICT, IN ORDER TO MODIFY PERMITTED USES; 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 owner of approximately 16 acres located on the south side of Virginia Parkway, on the east side of Jordan Road, and on the west side of Dogwood Trail, which is zoned "PD" – Planned Development District 99-07-53, have petitioned the City of McKinney to rezone said tract in order to modify the permitted uses, made part hereof for all purposes; and,

WHEREAS, after due notice of such requested zoning change 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, the City Council is of the opinion that such zoning change should be made.

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

Section 1. "PD" – Planned Development District 99-07-53 is hereby amended to modify the permitted uses on an approximately 16 acre tract located on the south side of Virginia Parkway, on the east side of Jordan Road, and on the west side of Dogwood Trail, which is more fully depicted on Exhibit "A" attached hereto.

Section 2. Section I. B. 3. of Exhibit C of Ordinance 99-07-53 is hereby amended as follows:

(C) Lot 14 shall be permitted the additional use of Veterinary Office (without outside runs). Said use shall be governed by the development standards provided in Exhibit C of Ordinance 99-07-53.

Section 3. No developer or property owner shall acquire any vested interest in this Ordinance. This Ordinance and the subsequent regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 4. 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.

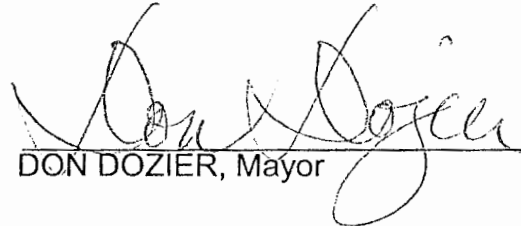
Section 5. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue

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 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 THIS 4<sup>th</sup> DAY OF JUNE, 2002.**

  
DON DOZIER, Mayor

CORRECTLY ENROLLED:

  
JENNIFER G. SPROULL, City Secretary  
BEVERLY COVINGTON, Deputy City Secretary

APPROVED AS TO FORM:

  
MARK S. HOUSER, City Attorney

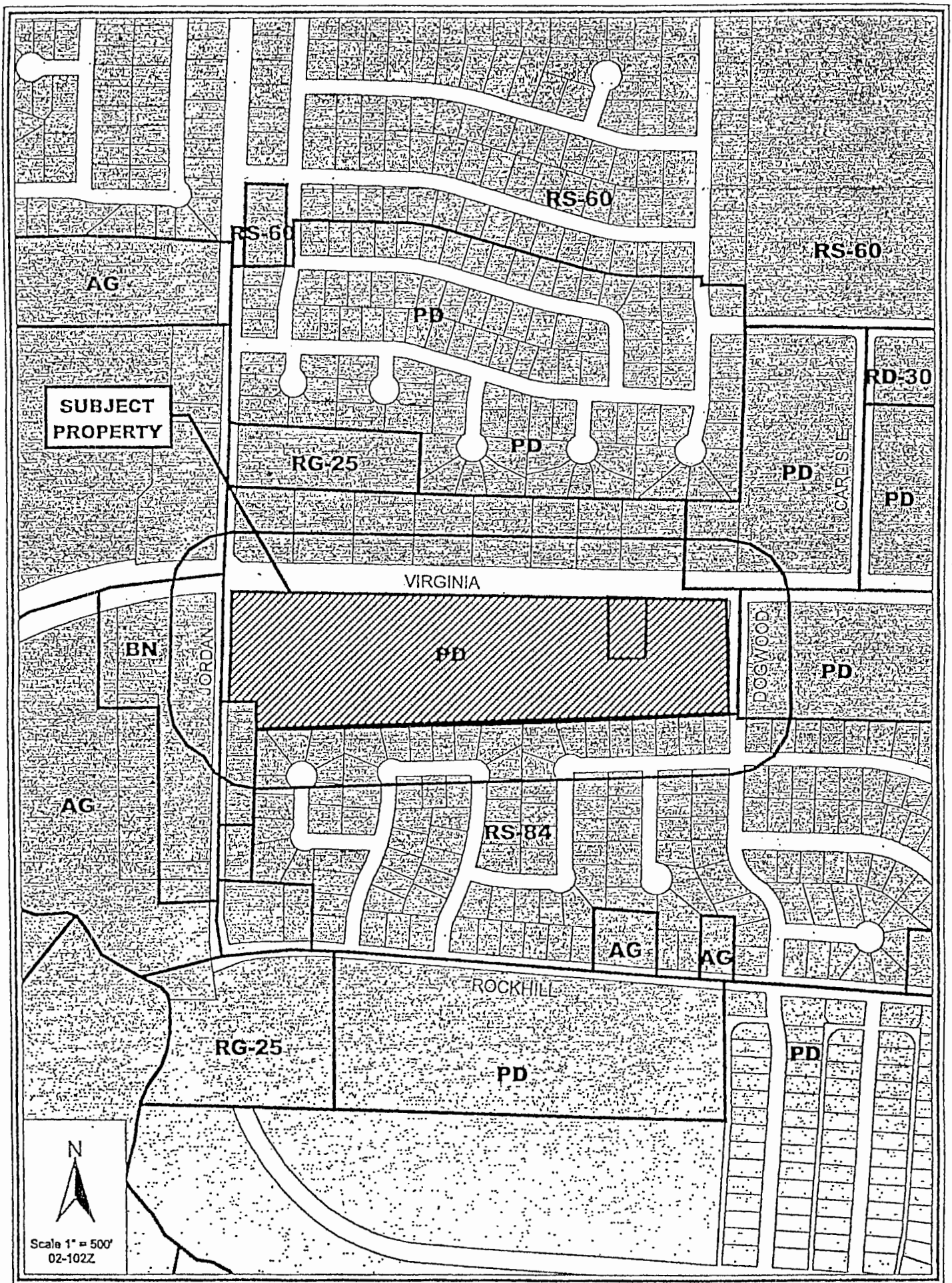


EXHIBIT "A"