

ORDINANCE NO. 2006-04-047

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 43 ACRE TRACT LOCATED ON THE NORTH SIDE OF WILMETH ROAD (C.R. 124), AND APPROXIMATELY 1500 FEET EAST OF FUTURE STONEBRIDGE DRIVE, IS ZONED TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR SINGLE FAMILY RESIDENTIAL 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 City of McKinney has considered the zoning of an approximately 43 acre tract located on the north side of Wilmeth Road (C.R. 124) and approximately 1500 feet east of future Stonebridge Drive, to "PD" – Planned Development District, generally for single family residential uses, 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. Ordinance No. 1270 is hereby amended so that an approximately 43 acre tract located on the north side of Wilmeth Road (C.R. 124) and approximately 1500 feet east of future Stonebridge Drive, which is more fully depicted on Exhibit "A" attached hereto, is hereby zoned to "PD" – Planned Development District, generally for single family residential uses.

Section 2. Use and development of the subject property shall conform to the development standards set forth in "PD" – Planned Development District Ordinance No. 06-03-026, the following exceptions:

(a) The subject property shall develop in accordance with the attached abridged Pattern Book, Exhibit "B".

(b) The total number of residential units within the entire Tucker Hill development may not exceed 2,311.

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 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.

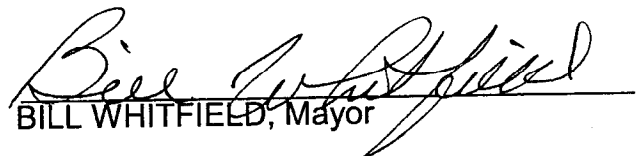
Section 6.

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 7.

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.

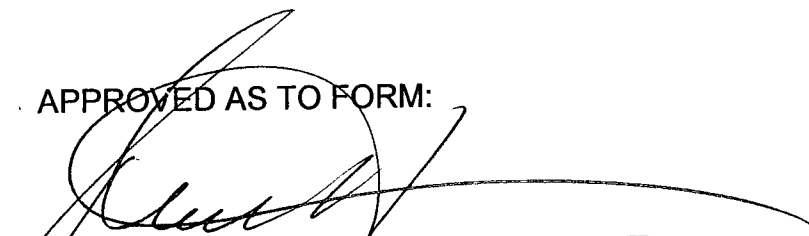
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, ON THIS 18th DAY OF APRIL, 2006.**


BILL WHITFIELD, Mayor

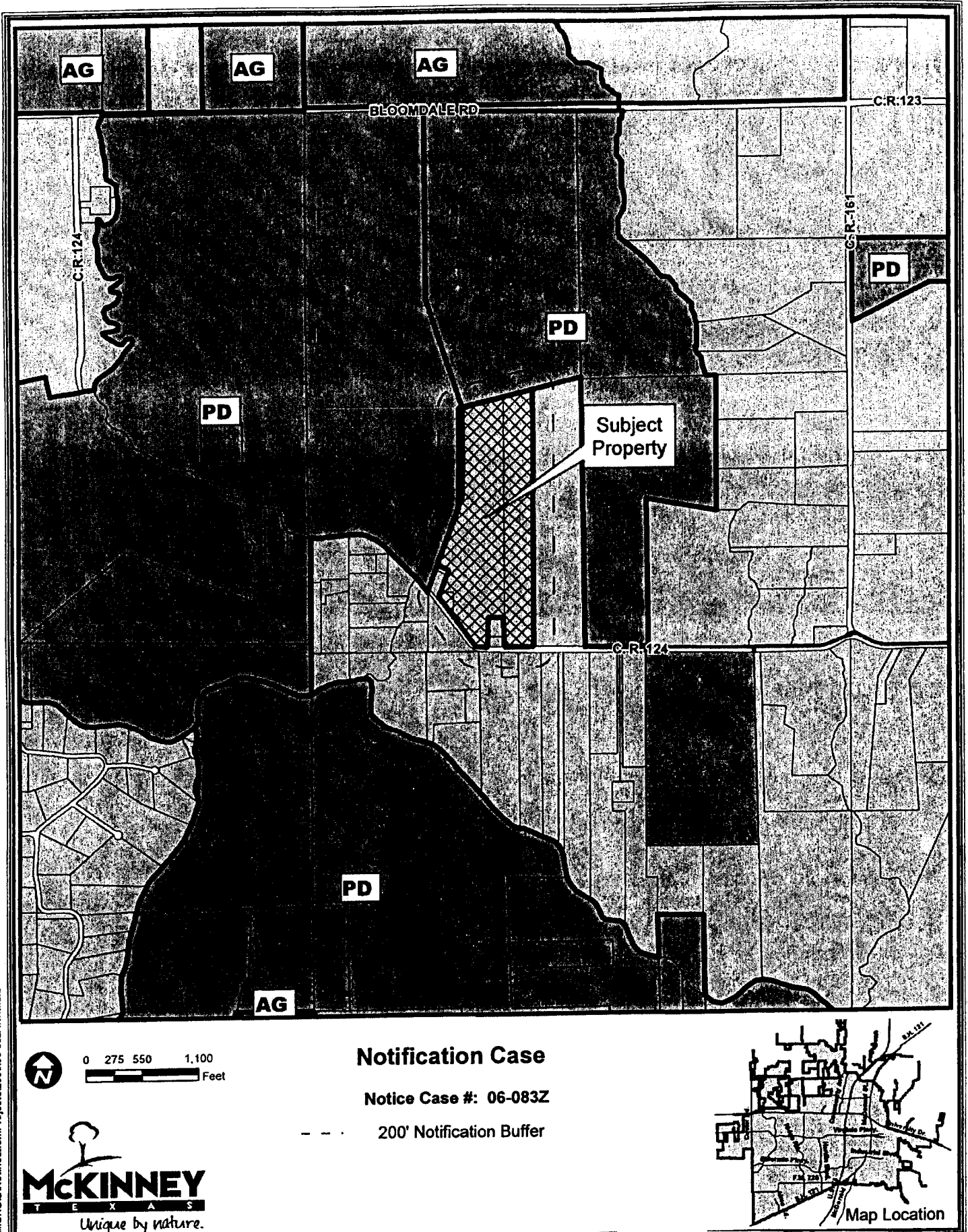
CORRECTLY ENROLLED:


SANDY HART, CMC
City Secretary
BEVERLY COVINGTON
Deputy City Secretary

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney

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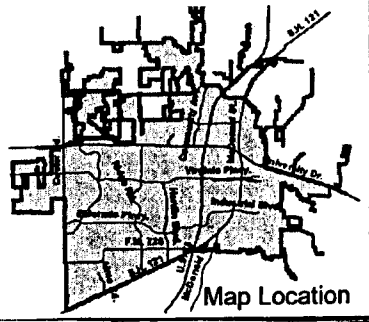
0 275 550 1,100
Feet



Notification Case

Notice Case #: 06-083Z

-- 200' Notification Buffer



DISCLAIMER: This map and information contained in it were developed exclusively for the City of McKinney, Texas. It is not to be used for any other purpose without the written consent of the City of McKinney, Texas. The City of McKinney, Texas, and its officials assume no liability for any errors or omissions on this map.

EXHIBIT "A"

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PATTERN BOOK

ABRIDGED ANNEXATION VERSION

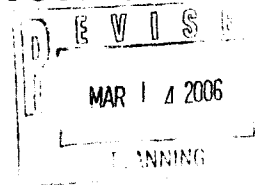


EXHIBIT "B"

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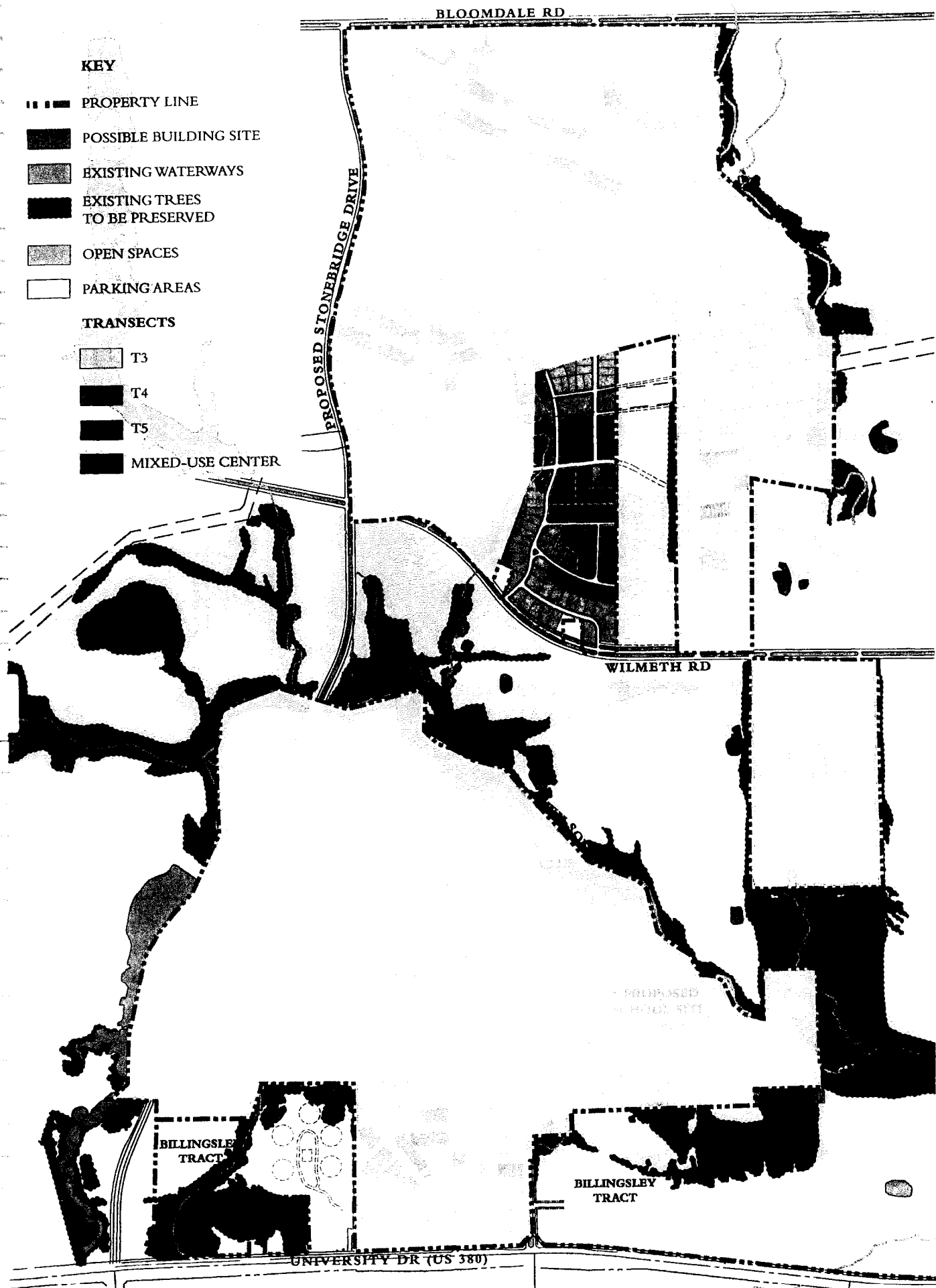


These forty three acres of annexed property are proposed as PD: Planned Development District. The development shall be governed by the Southern Land Company Pattern Book, as submitted to the McKinney City Council March 7th, 2006. The following pages reflect only those pages that have been altered to reflect the annexation. Please refer to the full version as previously submitted for supplemental information.



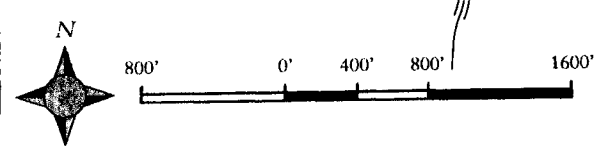
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* If designated School Site in South District is not developed as shown, that area shall be designated as Open Space or Public Use Facility.

** Any gated section of the Southern Land community is subject to the issuance of a Special Use Permit (SUP)





PLAN

LAND USE PLAN

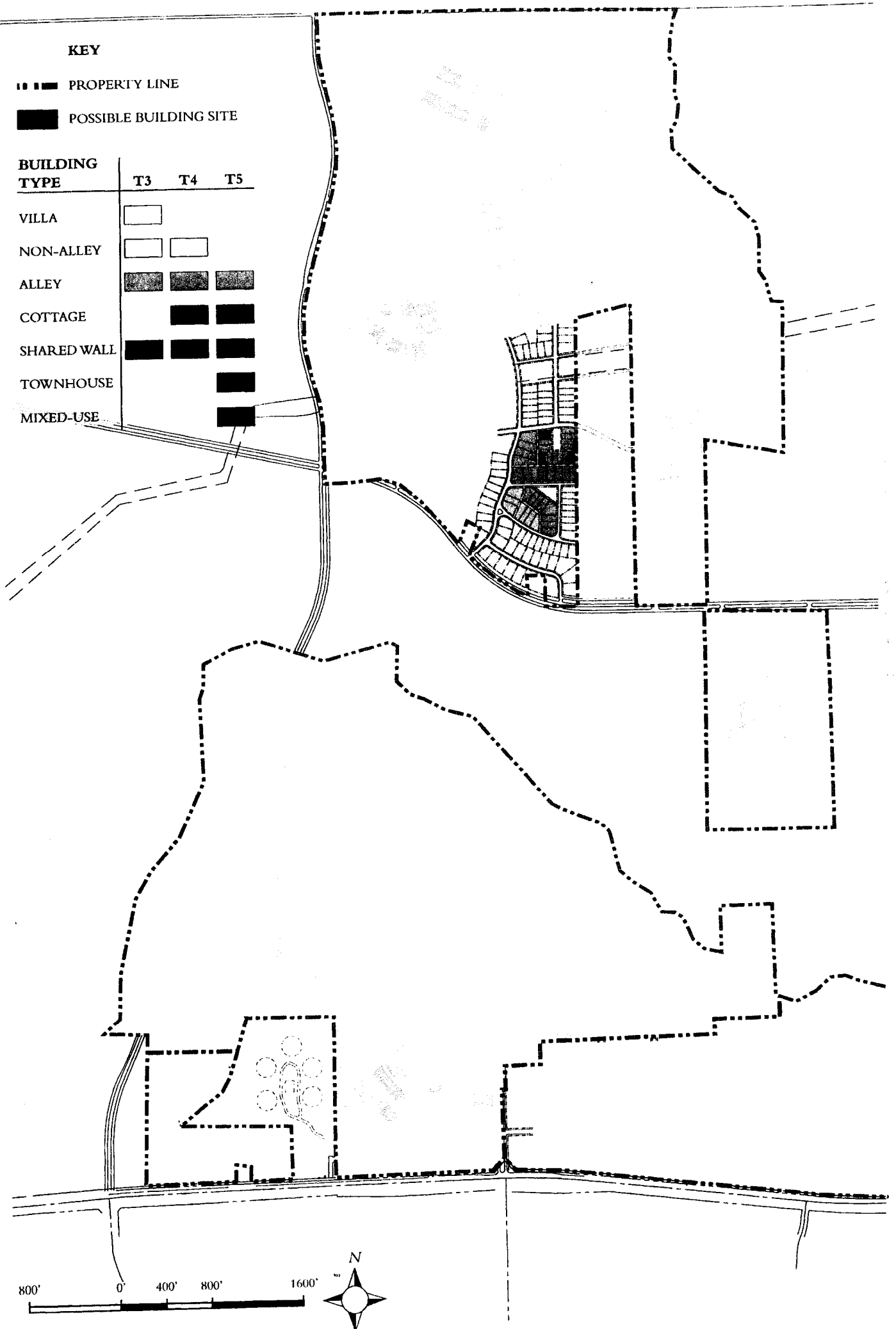


KEY

--- PROPERTY LINE

■ POSSIBLE BUILDING SITE

BUILDING TYPE	T3	T4	T5
VILLA			
NON-ALLEY			
ALLEY			
COTTAGE			
SHARED WALL			
TOWNHOUSE			
MIXED-USE			



RESIDENTIAL BUILDING TYPE DENSITY

	VILLA	NON-ALLEY	ALLEY	COTTAGE	SHARED WALL	TOWNHOME	LIVE/WORK & MIXED-USE	PLAN INDICATED TOTAL UNITS*
T3	11 (112)	37 (322)	7 (112)		(30)			55 (82)
T4		30 (47)	30 (239)	4 (3)	(44)			64 (83)
T5			(10)	(10)	(30)	(97)	(310)	(688)
TOTAL UNITS	11 (112)	67 (775)	37 (478)	4 (23)	(104)	(97)	(310)	119 (2,101)

These values reflect product counts represented in the Illustrative Regulating Plan and General Development Plan as of February 2006. Values given for Live/Work and Mixed-Use Building Types refer to upper-level residential units only. Please refer to the Design Code portion of the book for specific information on Transect zoning and Building Type Summary.

The chart above reflects both the number of units for the proposed annexation portion and the community as a whole. The Land Use Plan on the opposite page highlights approximately forty three (43) acres of land not previously included in the overall community Land Use Plan. The remaining 713 acres of the proposed development is shown masked to reveal the general concept for the entire community.

The chart above reflects the number of lots in each Building Type category represented in the Land Use Plan at left. The values for the 43 acres proposed are shown in boldface, while the values in italics represent the community as a whole.

It should be understood that the proposed annexation is not intended as a stand-alone property, but as a portion of a much larger development. While flexibility in Building Type Density is both permitted and accepted, individual limits will not be placed on the 43 acre annexation. Therefore, the following conditions shall apply to overall (italicized) values **ONLY**:

- ★ Within each of the three transects, each allowable Building Type shall comprise at least five (5%) percent of the total units within the transect.
- ★ Within each of the three transects, no single Building Type shall not exceed seventy five (75%) percent of the total units within the transect.

Total number of units in proposed annexation

Total number of units in overall community

The total number of units in the entire 756 acre project is flexible but shall not exceed 2,311 residential units (110% of the given value of 2,101).



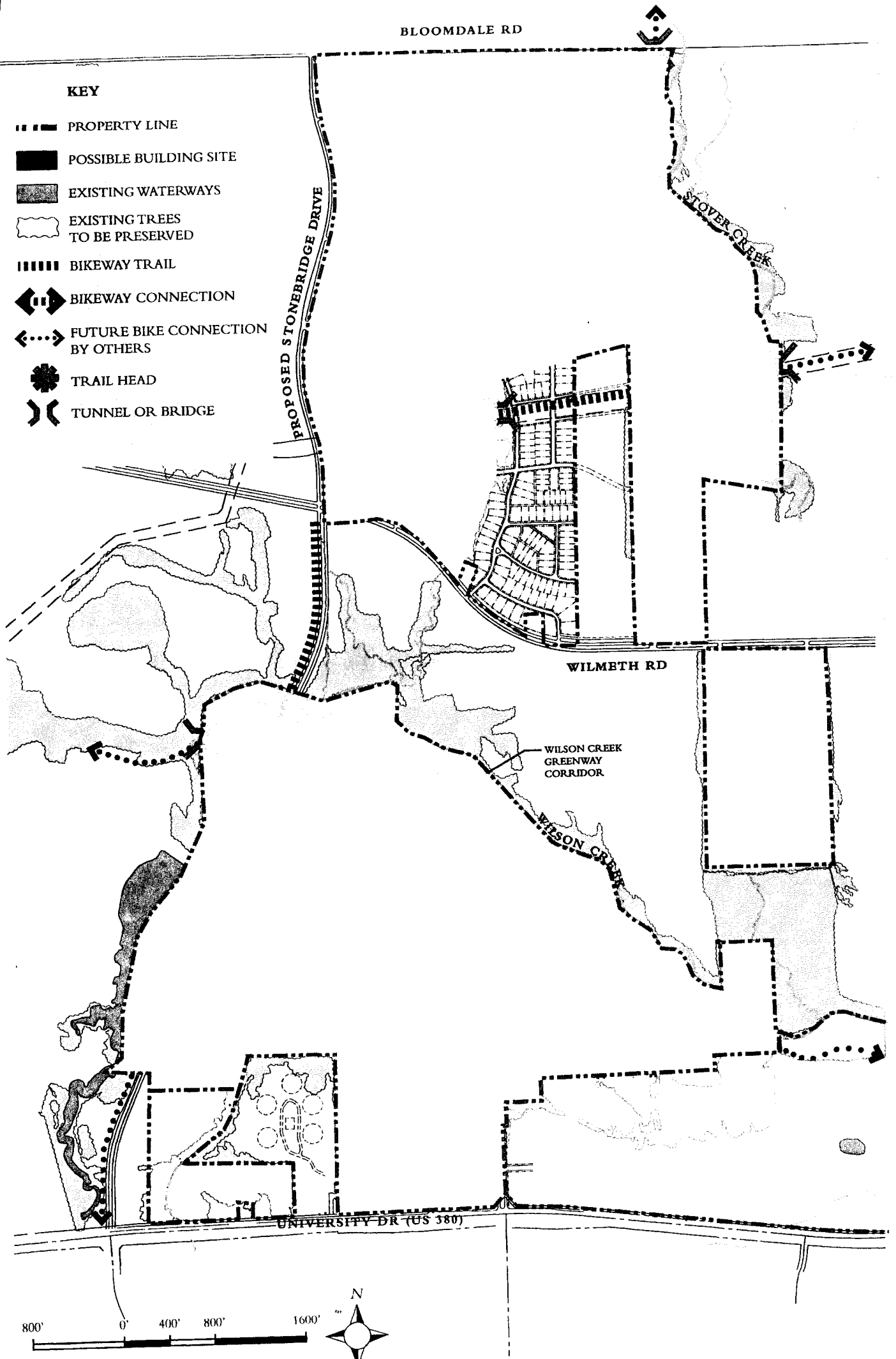
PLAN

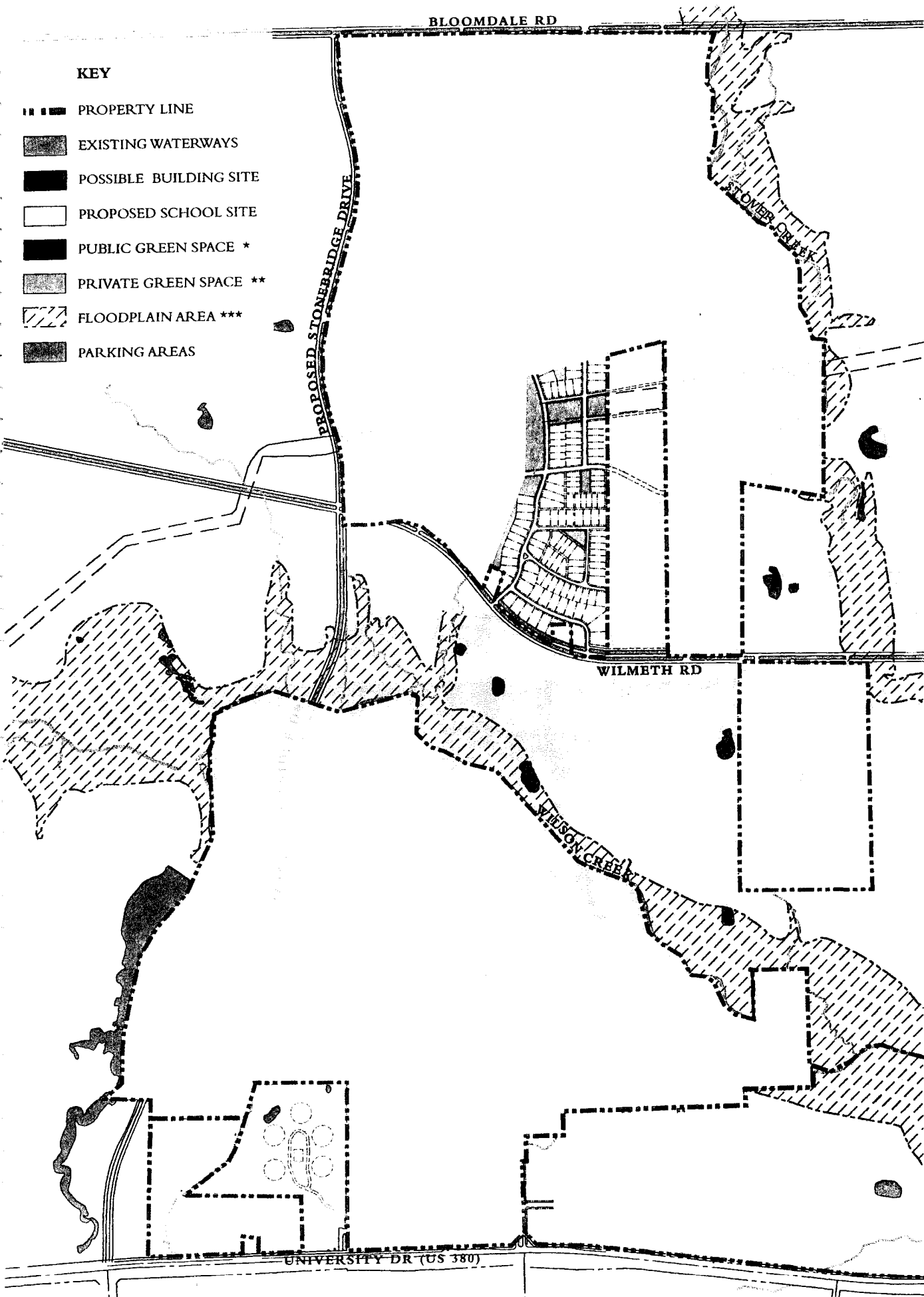
BIKEWAY NETWORK DIAGRAM

PLAN

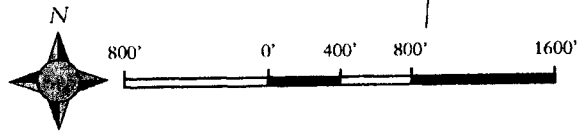
KEY

- PROPERTY LINE
- POSSIBLE BUILDING SITE
- EXISTING WATERWAYS
- EXISTING TREES TO BE PRESERVED
- |||| BIKEWAY TRAIL
- ◀||▶ BIKEWAY CONNECTION
- ◀...▶ FUTURE BIKE CONNECTION BY OTHERS
- ✱ TRAIL HEAD
-)(TUNNEL OR BRIDGE



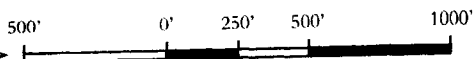
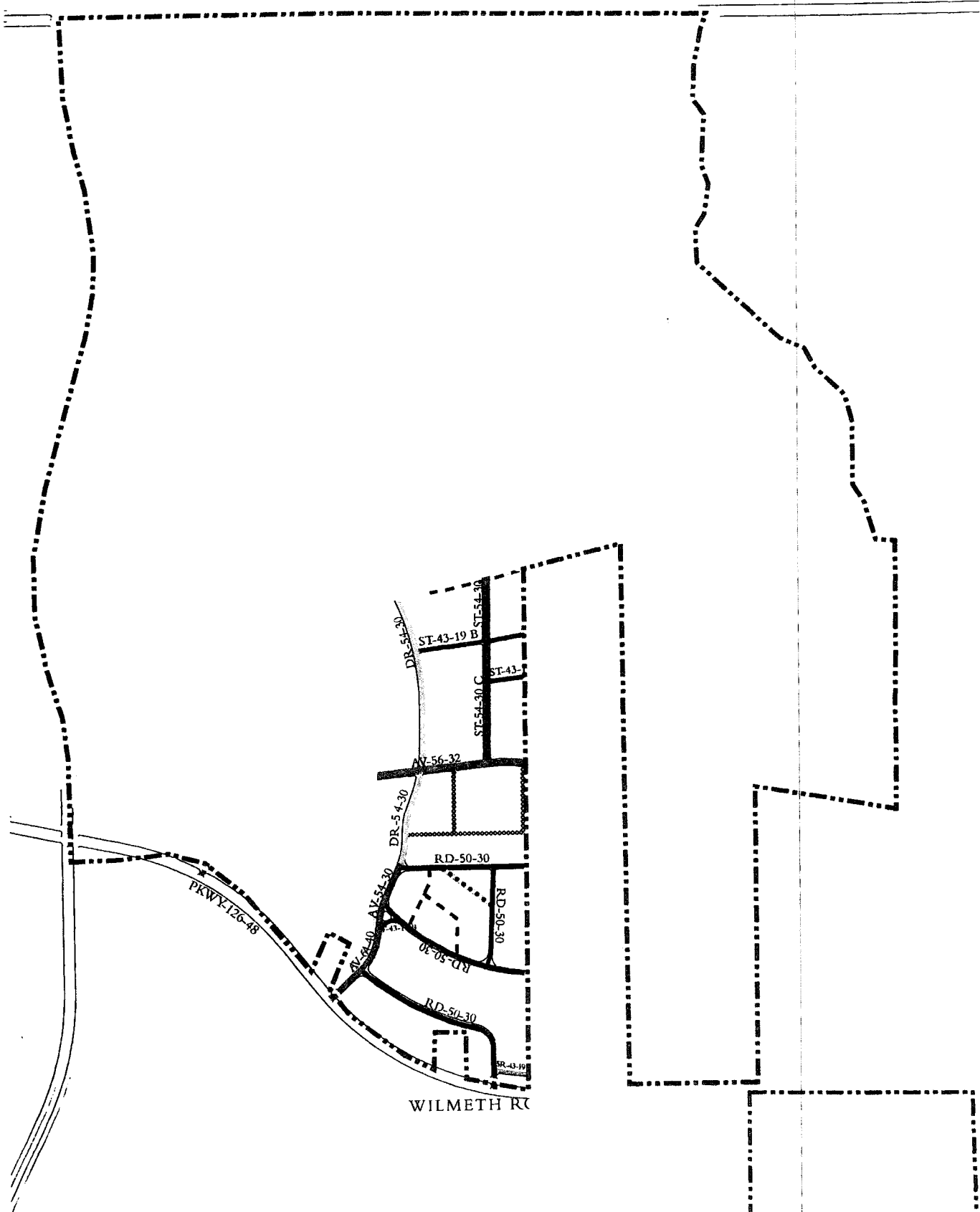


* Public Green Space to be maintained by City of McKinney
** Private Green Space to be maintained by Developer
*** These areas are prone to being wet and not considered buildable area





**THOROUGHFARE
STANDARDS**





THOROUGHFARE KEY

- CIVIC
- PASSAGE
- 12' ALLEY
- 18' ALLEY
- 24' ALLEY
- SLIP ROAD (SR)
- DRIVE (DR)
- ROAD (RD)
- STREET (ST)
- AVENUE (AV)
- BOULEVARD (BV)
- PARKWAY (PKWY)

NOTE: All thoroughfares within the Southern Land tract are subject to final approval by the City of McKinney Engineer after review of the Traffic Impact Analysis (TIA).

LOCATION KEY

- North District: Facing Page
- South District: Below

