

ORDINANCE NO. 1911

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 46.7 ACRES OF LAND IN THE SAMUEL MCFARLAND SURVEY, LOCATED AT THE SOUTHWEST CORNER OF WILSON CREEK PARKWAY AND COLLEGE STREET IS ZONED "PD-GC" PLANNED DEVELOPMENT - GOVERNMENTAL COMPLEX FOR THE MCKINNEY MUNICIPAL FACILITIES COMPLEX; ADOPTING ZONING 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 of 46.7 acres of land in the Samuel McFarland Survey located at the southwest corner of Wilson Creek Parkway and College Street has petitioned the City of McKinney to zone such property "PD-GC" Planned Development - Governmental Complex for the McKinney Municipal Facilities Complex; 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 such zoning should be made.

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

Section 1. Ordinance No. 1270 is hereby amended so that the property described in the attached Exhibits "1" and "2" is hereby zoned "PD-GC" Planned Development - Governmental Complex District for uses according to the Zoning Regulations attached hereto, marked Exhibit "3".

Section 2. If any section, subsection, paragraph, sentence, phrase or clause of the 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 3. 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 the Ordinance, and upon conviction thereof, shall be fined any sum not to exceed \$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 of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

Section 4. The caption of the 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 17th DAY OF July, 1991.

CORRECTLY ENROLLED:


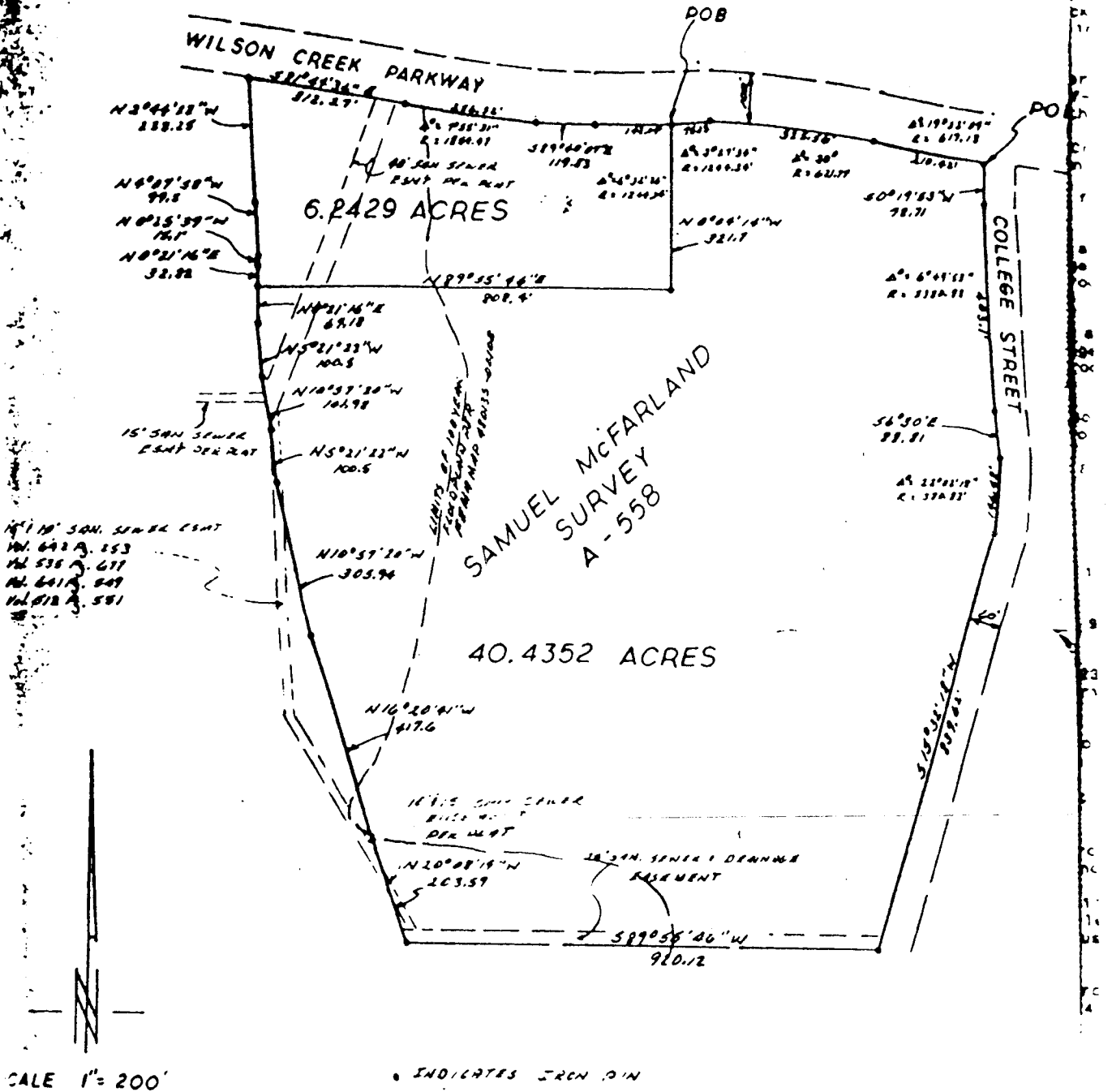

JENNIFER G. SMITH, City Secretary

EXHIBIT '1'



The following easements do not affect this tract
 Vol. 446 Pg. 313 City of McKinney
 Vol. 412 Pg. 106 City of McKinney

8.2429 ACRES TRACT

Being a tract of land situated in the Samuel McFarland Survey, Abstract No. 558, City of McKinney, Collin County, Texas and being part of a tract of land described in four deeds recorded in Volume 1818, Page 120, Volume 1818, Page 133, Volume 1850, Page 459, Volume 1918, Page 388, Deed Records of Collin County, Texas, said tract also being a part of Park Place, an addition to the City of McKinney, Texas, as recorded in Cabinet F, Page 368, Plat Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at an iron rod found at the intersection of the south line of Wilson Creek Parkway (a 100 foot right-of-way) and the west line of College Street (a 60 foot right-of-way at this point);

THENCE: along said south line of Wilson Creek Parkway, following a curve to the right, said curve having a central angle of 19 deg. 32' 09", a radius of 617.13 feet and a tangent length of 106.24 feet, an arc distance of 210.42 feet to an iron rod found for the beginning of a curve to the left;

THENCE: along said curve to the left thru a central angle of 30 deg. 00' 00", a radius of 621.77 feet and a tangent length of 166.80 feet, an arc distance of 325.56 feet to an iron rod found for the beginning of a curve to the right;

THENCE: along said curve to the right, thru a central angle of 03 deg. 27' 34", a radius of 1244.34 feet and a tangent length of 37.57 feet, an arc distance of 75.13 feet to an iron rod found for the PLACE OF BEGINNING;

THENCE: S 0 deg. 04' 14" E, leaving the south line of Wilson Creek Parkway, a distance of 321.70 feet to an iron rod found for a corner;

THENCE: S 89 deg. 55' 48" W, a distance of 808.40 feet to an iron rod found for a corner;

THENCE: N 0 deg. 21' 16" E, a distance of 32.82 feet to an iron rod found for an angle point;

THENCE: N 0 deg. 25' 39" W, a distance of 15.10 feet to an iron rod found for an angle point;

THENCE: N 04 deg. 07' 58" W, a distance of 99.50 feet to an iron rod found for an angle point;

THENCE: N 02 deg. 44' 22" W, a distance of 233.25 feet to an iron rod set in the south line of the previously described Wilson Creek Parkway for a corner;

THENCE: S 81 deg. 44' 36" E, along said south line of Wilson Creek Parkway, a distance of 312.27 feet to an iron rod found for the beginning of a curve to the left, said curve having a central angle of 07 deg. 55' 31", a radius of 1854.47 feet and a tangent length of 128.46 feet;

THENCE: along said curve to the left, an arc distance of 256.52 feet to an iron rod found for the point of tangency;

THENCE: S 89 deg. 40' 07" E, a distance of 119.83 feet to an iron rod found for the beginning of a curve to the left, said curve having a central angle of 06 deg. 32' 26", a radius of 1244.34 feet and a tangent length of 71.09 feet;

THENCE: along said curve to the left, an arc distance of 142.04 feet to the PLACE OF BEGINNING and containing 8.2429 acres of land, more or less.

EXHIBIT '2'

40.4352 ACRES TRACT

SITUATED in the Samuel McFarland Survey, Abet. No. 558, City of McKinney, Collin County, Texas, and being part of a tract of land described in four deeds recorded in Volume 1818, Page 120, Volume 1818, Page 133, Volume 1850, Page 489, and Volume 1918, Page 388, Deed Records of Collin County, Texas, said tract also being a part of Park Place, an addition to the City of McKinney, Texas, as recorded in Cabinet F, Page 388, Plat Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found at the intersection of the west line of College Street (a 60 foot right-of-way at this point) and the south line of Wilson Creek Parkway (a 100 foot right-of-way);

THENCE SOUTH 00 deg. 19 min. 53 sec. W, along the west line of College Street, a distance of 78.71 feet to an iron rod found for the beginning of a curve to the left, said curve having a central angle of 06 deg. 49 min. 53 sec., a radius of 3380.88 feet and a tangent length of 201.79 feet;

THENCE along said curve to the left, an arc distance of 403.10 feet to an iron rod found for the end of said curve;

THENCE SOUTH 08 deg. 30 min. 00 sec. East, a distance of 88.81 feet to an iron rod found for the beginning of a circular curve to the right, said curve having a central angle of 22 deg. 02 min. 18 sec., a radius of 380.83 feet and a tangent length of 74.15 feet;

THENCE along said curve to the right, an arc distance of 148.48 feet to an iron rod found for the end of said curve;

THENCE SOUTH 15 deg. 32 min. 18 sec. West, a distance of 839.62 feet to an iron rod found in the south line of the previously described Park Place Addition for a corner;

THENCE SOUTH 89 deg. 55 min. 46 sec. West, leaving the west line of College Street, and along the said south line of Park Place Addition, a distance of 920.12 feet to an iron rod found for a corner;

THENCE NORTH 20 deg. 08 min. 19 sec. West, a distance of 203.59 feet to an iron rod found for an angle point;

THENCE NORTH 18 deg. 20 min. 41 sec. West, a distance of 417.60 feet to an iron rod found for an angle point;

THENCE NORTH 10 deg. 57 min. 20 sec. West, a distance of 305.94 feet to an iron rod found for an angle point;

THENCE NORTH 05 deg. 21 min. 22 sec. West, a distance of 100.50 feet to an iron rod found for an angle point;

THENCE NORTH 10 deg. 57 min. 20 sec. West, a distance of 101.98 feet to an iron rod found for an angle point;

THENCE NORTH 05 deg. 21 min. 22 sec. West, a distance of 100.50 feet to an iron rod found for an angle point;

THENCE NORTH 00 deg. 21 min. 16 sec. East, a distance of 67.18 feet to an iron rod set for a corner;

THENCE NORTH 89 deg. 55 min. 46 sec. East, a distance of 808.40 feet to an iron rod set for a corner;

THENCE NORTH 00 deg. 04 min. 14 sec. West a distance of 321.70 feet to an iron rod set in the south line of the previously described Wilson Creek Parkway for a corner, said iron rod also being located in a curve to the left, said curve having a central angle of 03 deg. 27 min. 34 sec., a radius of 1244.34 feet, a tangent length of 37.57 feet and a chord bearing and distance of North 82 deg. 03 min. 40 sec. East, 75.12 feet;

THENCE along said curve to the left, following the south line of Wilson Creek Parkway, an arc distance of 75.13 feet to an iron rod found for the beginning of a curve to the right, said curve having a central angle of 30 deg. 00 min. 00 sec., a radius of 621.77 feet and a tangent length of 188.80 feet;

THENCE along said curve to the right, an arc distance of 325.56 feet to an iron rod found for the beginning of a curve to the left, said curve having a central angle of 19 deg. 32 min. 09 sec., a radius of 817.13 feet, a tangent length of 108.24 feet and a chord bearing and distance of South 79 deg. 26 min. 11 sec. East, 209.40 feet;

THENCE along said curve to the left, an arc distance of 210.42 feet to the POINT OF BEGINNING; and,

CONTAINING 40.4352 acres of land more or less.

EXHIBIT '3'

THE MCKINNEY, TEXAS, MUNICIPAL FACILITIES COMPLEX

CITY OF MCKINNEY, TEXAS

ZONING REGULATIONS FOR

A "PD-GC" = PLANNED DEVELOPMENT -

GOVERNMENTAL COMPLEX DISTRICT

JULY, 1991

SECTION 1: PURPOSE AND INTENT.

The purpose of this ordinance is to create a district that will both provide control and flexibility for land uses that can be a combination of public, joint public-private development, and private uses. This can allow optimum land use, architectural, and landscape architectural design for the total property, with particular reference to maintaining existing stands of trees and other appropriate natural vegetative cover. This ordinance is also designed and intended to implement the development goals, objectives, and guidelines of the City of McKinney.

SECTION 2: IMPLEMENTATION AND DEVELOPMENT PROCESSING PROCEDURES.

A. INTRODUCTION

The McKinney Municipal Facilities Complex development shall be implemented through a two-stage plan review process. The first stage is the Concept Plan, which is included and approved as a part of this Ordinance. The second and last stage is the Site Plan, which will contain all specific information required to assure that the tract's development will conform to the standards prescribed by this ordinance, and will contain sufficient information to show that the development of that tract will conform to the Concept Plan and be compatible with the immediate surrounding area. Submission of all Concept Plans and Site Plans shall be coordinated through the office of the Director of Planning for the City of McKinney.

B. CONCEPT PLANS AND DESIGN CRITERIA

1. General Land Use Concept Plan

Included as part of this Planned Development - Governmental Complex District Ordinance is a Concept Plan, dated June, 1991, (Exhibit "A") which graphically illustrates the distribution of broad land use types on the property, as well as the major thoroughfare, vegetative cover, and linkages planned to serve the development.

The exact alignment of the major thoroughfare and associated streets, as well as the exact delineation of each land use tract, will not be determined until the site planning processes, and are subject to some adjustment

during site planning and engineering design. However, the Concept Plan shall be the graphic standard by which all Site Plans will be judged for general conformance and consistency with the intent of this ordinance.

2. Concept Landscape Plan

In addition to the Concept Plan (Exhibit "A"), a Concept Landscape Plan, dated June, 1991 (Exhibit "B") is included as part of this Planned Development - Governmental Complex District Ordinance. This Concept Landscape Plan shall encourage the use of native plant materials and provide a basis by which each detailed landscape plan (which is a component of all site plans) shall be measured.

3. Site Design Criteria

A list of recommended Site Design Criteria (Exhibit "C") is included as part of this Planned Development - Governmental Complex District Ordinance. The purpose of these criteria is to aid in insuring overall consistent design quality and unity as each phase of the McKinney Municipal Facilities Complex is developed. These criteria serve as recommendations (except where indicated as mandatory) for preparation of all site plans and landscape plans.

C. **SITE PLAN**

The site plan shall be an accurate drawing of one or more building sites showing all information required in the City of McKinney Zoning Ordinance or as such may be amended. In addition, a landscape plan consistent with the requirements of both the McKinney Zoning Ordinance and Landscape Ordinance shall be included during the Site Plan review stage.

The Site Plan shall be submitted to the Director of Planning for review by the Planning Commission, which shall forward its recommendation to the City Council for approval consideration.

SECTION 3: GENERAL PROVISIONS.

- A. The Concept Plan for purposes of this ordinance shall show conceptual alignments of thoroughfares and general locations and delineations of land use areas within the McKinney Municipal Facilities Complex Development.
- B. Any details or issues not specifically covered by this ordinance shall be subject to the provisions of the McKinney Zoning Ordinance No. 1270, or as amended. Except for a conflict with Zoning Ordinance 1270, where conflicts between this ordinance and other ordinances occur, this ordinance shall control. Where conflicts within this ordinance occur, if any, the more restrictive provision shall control.
- C. Density, Coverage, and FAR calculations shall be based on the net area of the tract, that being the area of the tract not including any portion of street and/or alley right-of-way.
- D. This ordinance is adopted pursuant to the regulations contained in Section 3.20 "PD" Planned Development District regulations in their entirety, and Section 3.19 "GC" Governmental Complex District regulations as modified for purposes of this ordinance, within the McKinney Zoning Ordinance No. 1270. It is specifically intended by such adoption that the development standards contained herein shall regulate all development with the McKinney Municipal Facilities Complex Planned Development.
- E. Minor adjustments in the street layout and land use areas resulting from final road alignments, geotechnical or engineering refinements to the site plans shall not require amendment of the Concept Plan when such adjustments are consistent with the intent of these regulations, the 1990 McKinney Comprehensive Plan, and the City Zoning Ordinance. Such determinations shall be made in a manner consistent with provisions of the Implementation and Development Processing Procedures Section contained herein.
- F. A Concept Plan and/or Site Plan may be amended by submitting a Revised Concept Plan or Revised Site Plan in accordance with the same provisions under which an original submission is made.

- G. If an application is made to amend this ordinance or a Concept Plan or Site Plan approved pursuant to this ordinance for a specific tract of property located within the McKinney Municipal Facilities Complex Planned Development, public notice of said application shall be delivered to owners of land located within two hundred (200) feet of said property.
- H. In addition to the provisions of the McKinney Zoning Ordinance No. 1270, and the McKinney Subdivision Ordinance No. 1290, the following documents shall be used to provide guidelines regarding development of the McKinney Municipal Facilities Complex. Application of planning principles, recommendations, and goals, objectives, and policies of these documents shall be coordinated through the Director of Planning and Community Development and the Director of Parks and Recreation:
1. The 1990 McKinney Comprehensive Plan.
 2. The 1991 Wilson Creek Master Plan.

Specifically, wherever feasible, linkages will be made to the linkage systems, hike and bike trails, and other relevant elements of the 1991 Wilson Creek Master Plan, the Master Park Plan (Plate 12) and Hike and Bike Trail System (Plate 13), within the 1990 McKinney Comprehensive Plan. These shall be determined with the approval of the Director of Planning and Community Development and the Director of Parks and Recreation.

Also, where feasible, Urban Design and Park, Recreation, and Open Space Goals, Objectives and Policies and Plan Recommendations for urban design and parks (Sections 2 and 3, respectively, in the 1990 McKinney Comprehensive Plan) shall be applied to the development of each phase of the subject property, as determined by the Director of Planning and Community Development, and the Director of Parks and Recreation.

- I. Screening, buffering and landscape requirements for the entire project area shall be in conformance with the City of McKinney Landscape Ordinance, as well as the Urban Design Goals, Objectives and Policies (Section 2) and Urban Design Guidelines and Recommendations (Section 3) of the 1990 City of McKinney Comprehensive Plan.

- J. Staff and public officials of the City of McKinney shall be the sole administrator(s) of this PD-GC Zoning District.

SECTION 4: SPECIFIC PROVISIONS.

- A. Section 3.20 "PD" - Planned Development District regulations of the McKinney Zoning Ordinance No. 1270, shall apply to this development.

- B. Section 3.19 "GC" - Governmental Complex District regulations, as modified below for purposes of this ordinance, shall apply to this development.

1. Purpose: This zone is designed to provide standards which are conducive to the creation of a high quality environment for combined central governmental, public-private and private development facilities and to contribute to the efficiency of governmental services provided to the citizens of the area.

2. Principal permitted uses:

- (a) Any building, structure or facility of the municipal, county or federal government, a school district or any other governmental entity servicing the citizens of McKinney or Collin County including but not limited to municipal office building(s), public meeting facilities, public safety facilities, library, fire station, auditorium or civic center or similar governmental facility, tennis courts, senior citizen center, and cultural facilities and recreational facilities such as, but not limited to, miniature golf facilities.
- (b) Offices of public or quasi-public organizations established to serve one or more segments of the population of the area, and privately owned buildings that provide office space for professional type uses only, including ancillary retail uses which support the professional office uses and are contained wholly within the structure.
- (c) Organizations established for and functioning to provide service to the public in general or to a significant segment of the public including but not limited to offices for Girl and/or Boy

Scouts, YWCA, YMCA, veterans, lodges, historical society and chamber of commerce.

- (d) Service activities involving consultation, diagnosis, treatment, creative design endeavors and advisory services but not involving the direct sale of commodities, including but not limited to attorneys, doctors, engineers, architects, decorators, and auditors.

3. Permitted accessory uses:

- (a) Off-street parking and loading areas in lots or structures related to governmental activity or the requirements of adjacent business areas.
- (b) Any accessory use related to the governmental and permitted private functions located in the zone including drive-in customer service and similar facilities for these governmental and other permitted functions.
- (c) Signs shall be allowed in the "GC" zone providing identification or directional information to buildings or land areas if such signs are in conformance with the current sign ordinance of the City of McKinney as it now stands or may hereafter be amended.

4. Specific use permits: No specific use permits in this zone, except for communication towers, which shall require a specific use permit.

5. Space limits: The space limits shall be established by an overall governmental complex plan and associated site plans except as follows:

- (a) Buildings and structures may be erected to any legal height not restricted by other laws or ordinances.
- (b) Where the "GC" zone is not bounded by a public street, no building or structure shall be erected nearer than twenty (20) feet to a bounding private or governmental line except such restriction shall not apply to parking

structures not to exceed two (2) stories in height.

- (c) Maximum floor area ratio: 0.75 to 1.0.
- (d) Maximum lot coverage: Fifty (50) percent of the total "GC" zone area.

6. Types of materials: Types of materials and construction of any building or structure in the "GC" zone shall be in accordance with Types I, II, III, or IV construction of the building code of the City of McKinney [Chapter 8, Article II of this Code], provided also that all exterior walls shall be of standard masonry construction, and shall meet the fire resistive requirements specified in the building code and the zoning ordinance for that particular building.

7. Miscellaneous provisions:

- (a) Off-street parking shall be provided in accordance with a site plan approved for all or a portion of a "GC" zone prior to the beginning of construction. Off-street parking may be provided for the common use of all occupants, and shall be surfaced with concrete or asphalt materials, and shall be approved by the City of McKinney Director of Engineering.
- (b) Off-street parking for privately owned buildings shall be provided for at the rate of one space per each three hundred (300) square feet of office space.
- (c) Off-street parking for public or quasi-public buildings shall be provided for at the rate of one space per four hundred (400) square feet of office space or in case of assembly area one space provided for each four (4) seats within the seating area.
- (d) The entire "GC" zone including internal streets may be considered as a single zoning lot in computing density, coverage and related space standards, regardless of ownership.