

ORDINANCE NO. 2019-07-056

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 2.74 ACRE PROPERTY, LOCATED APPROXIMATELY 440 FEET SOUTH OF STANDIFER STREET AND ON THE EAST SIDE OF BUMPAS STREET, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; 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 rezoning of an approximately 2.74 acre property, located approximately 440 feet south of Standifer Street and on the east side of Bumpas Street, which is more fully depicted on Exhibits "A" and "B" hereto, from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards; 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. The zoning map is hereby amended so that an approximately 2.74 acre property, located approximately 440 feet south of Standifer Street and on the east side of Bumpas Street, which is more fully depicted on Exhibits "A" and "B" attached hereto, is rezoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards.
- Section 2. The subject property shall develop in accordance with Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance, and as amended, except as follows:
1. The subject property shall develop in accordance with the attached Development Regulations – Exhibit "C".
- 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 16th DAY OF JULY, 2019.

CITY OF MCKINNEY, TEXAS


GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:



EMPRESS DRANE
City Secretary

DATE: August 2, 2019

APPROVED AS TO FORM:


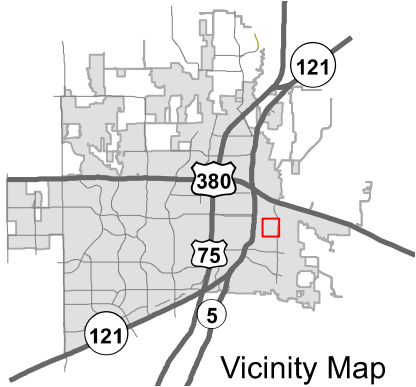
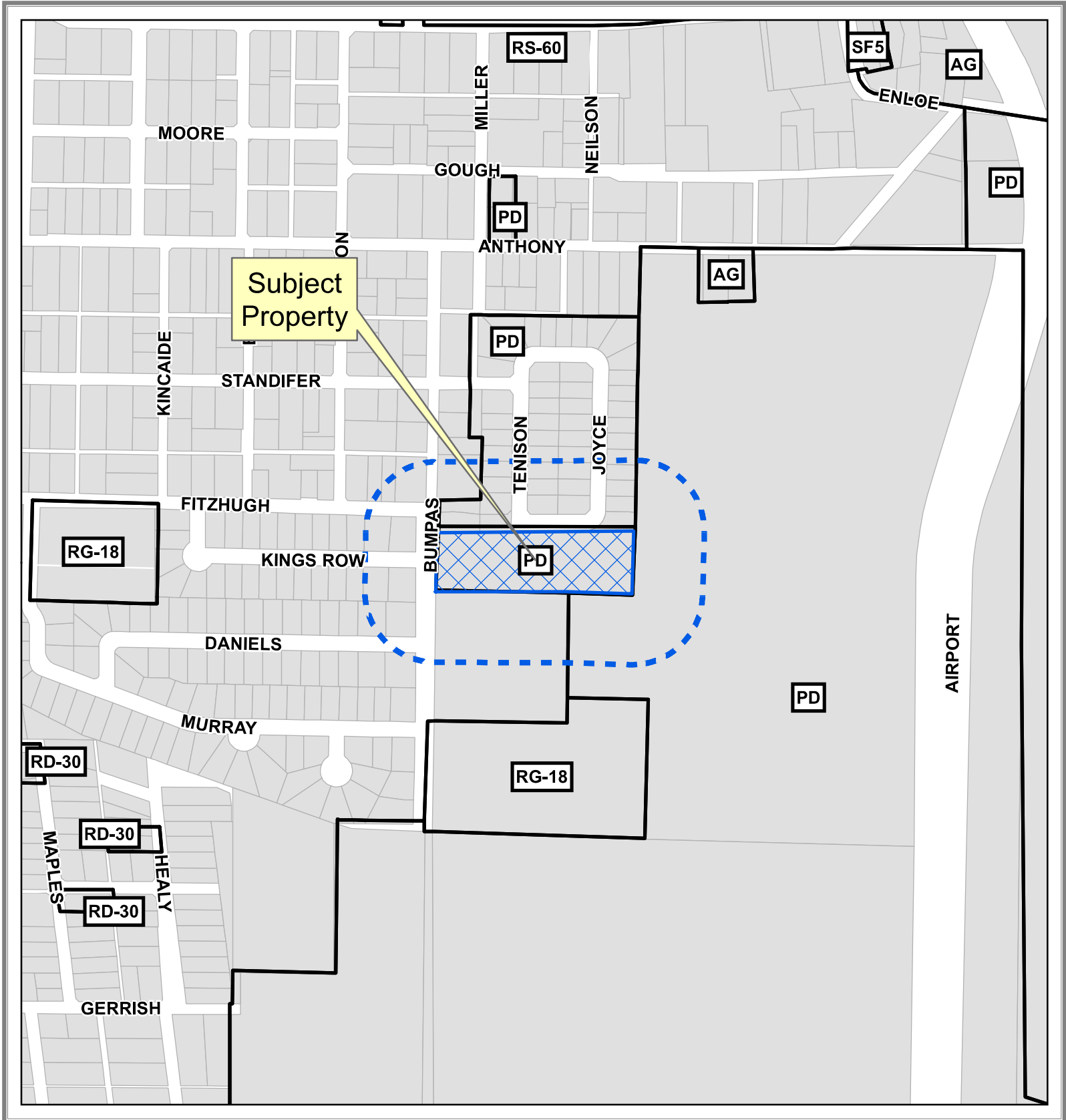
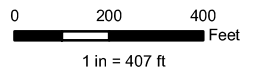

MARK S. HOUSER
City Attorney

EXHIBIT A



Property Owner Notification Map

ZONE2019-0053



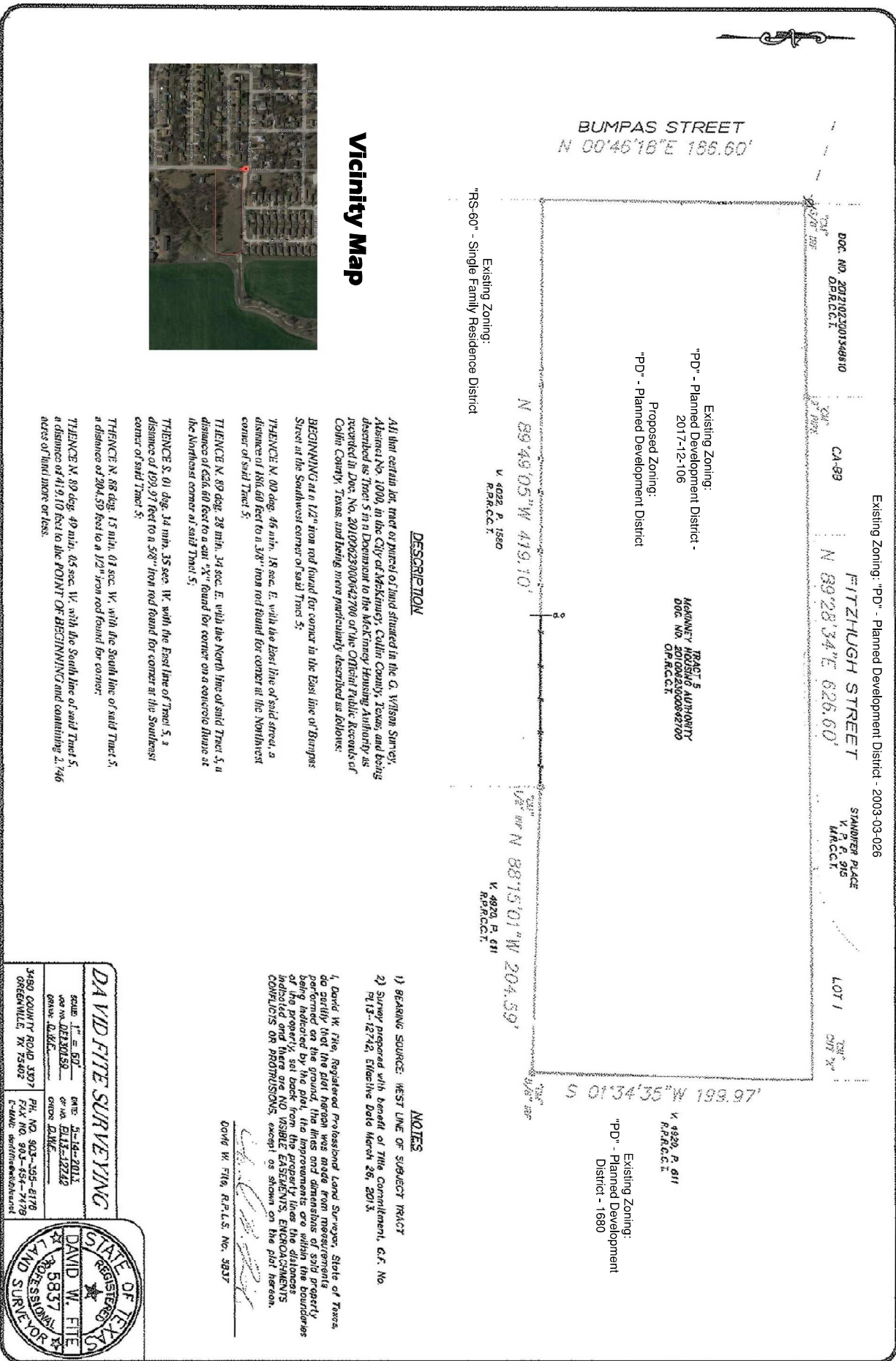
DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees, for any discrepancies, errors, or variances which may exist.



EXHIBIT B

Zoning Exhibit

Zoning Exhibit



Vicinity Map



EXHIBIT C

ZONING ORDINANCE REVISION



**Zoning Revision Request for
Planned Development (PD)
Ordinance Number 2017-12-106**

**Draft Ordinance Submitted by Habitat for Humanity
For Consideration by the City of McKinney, Texas
May 20, 2019**



7D4 Architecture
Equagen Engineering
L'Wanda & Associates
Texas Development Services
Hillier Consulting
POW Engineering

EXHIBIT C

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EXHIBIT C

PURPOSE OF THE PLANNED DEVELOPMENT

The purpose of the proposed Planned Development (PD) is to provide for the unified and coordinated development of a parcel or tract of primarily vacant land. The specific parcel of land to be zoned under this "PD" designation will comprehensively and cohesively integrate a harmonious use of land that is compatible with the surrounding area.

Pursuant to the City of McKinney Zoning Ordinance, Sec. 146-94 - PD - Planned Development District, our intent is to ensure a level of exceptional quality and innovation for the design and development of this project.

Standards of excellence and quality incorporated are inclusive of, but not limited to: 1) The use of modular, steel-framed units (i.e. repurposed shipping containers) as a base material, 2) It will be a first of its kind development in North Texas, 3) Exterior materials will consist of corrugated, Corten metal, natural stone, fiber cement siding, and reclaimed wood, 4) There will be housing opportunities for multiple income groups, with a focus on affordable housing, 5) Creative landscape, site and architectural design, unique to McKinney, Texas will be incorporated, and 6) It will be a sustainable, connected, eco-friendly community.

The intent of the PD is to facilitate an ecofriendly form of residential, recreational and civic uses within an urban framework that is compact in scale and compatible with neighboring areas.

DEVELOPMENT REGULATIONS

Use and development of the subject property shall be in accordance with Section 146-108 "TH" Townhome Residential District of the City of McKinney zoning ordinance, and as amended, except as modified below.

The following uses are permitted within the development:

- Attached Single Family Residential Units
- Clubhouse/Amenity Center

1. **Clubhouse/Amenity Center Regulations:** A clubhouse/amenity center, if provided, will be located at the southeast corner of Bumpas Street and Fitzhugh Street, and will follow the regulations provided below:

EXHIBIT C

a) Space Limits

- Maximum height of building: 35 feet
- Minimum front yard: 20 feet
- Minimum rear yard: 10 feet
- Minimum side yard: 10 feet

b) Architectural Standards

- **Front facade:** Minimum 50% masonry material (brick, stone, synthetic stone). The remaining facade shall be a combination of no more than 25% exposed corrugated metal and 25% fiber cement siding.
- **Rear facade:** Minimum 50% stone veneer. The remaining facade shall be a combination of no more than 25% exposed corrugated metal and 25% fiber cement siding.
- **Side facade:** Minimum 50% stone veneer. The remaining facade shall be a combination of no more than 25% exposed corrugated metal and 25% fiber cement siding.
- **The clubhouse/amenity center** shall have a mix of flat roofing and low-pitched shed roof with a covered surface made of standard roof shingles, corrugated sheets or other similar materials, or a deck made with pressure-treated wood or composite decking material.
- The color palate of will be all-natural earth tones and blends that simulate a natural aging process.

c) Landscaping and Screening Requirements

- Corner landscaping of not less than 100 square feet shall be provided at the intersection of Bumpas Street and Fitzhugh Street.
- Landscape buffers adjacent to single family residential uses or zones shall be 20'. If the existing utility easements are abandoned, the buffers may be 10 feet. Screening adjacent to single family residential uses or zones shall only be required along the northern property line.

2. Townhome Regulations:

a) Space Limits

- Maximum number of units: 35
- Maximum density: 14 dwelling units per acre
- Minimum lot area: 1,800 sq. feet
- Minimum width of lot: 24 feet
- Minimum depth of lot: None
- Maximum height of building: 35 feet
- Minimum front yard: 20 feet
- Minimum rear yard: 10 feet
- Lots adjacent to the southern property line: 7 feet
- Minimum side yard: 0 feet
- Minimum side yard at corner: 5 feet
- Minimum building separation: 10 feet
- Maximum lot coverage: 75%

EXHIBIT C

b) Parking, Carport and Storage Requirements

- No alleys shall be required for lots less than 50 feet wide.
- Each dwelling unit shall be required to have two (2) spaces of at least 9 feet by 18 feet per space, with at least one (1) covered or enclosed space. No driveway width shall be required. Any covering or enclosure shall be at least 10 feet wide by 18 feet deep. Spaces may be provided in tandem or side-by-side. Carport storage space shall be at least 38 square feet.

c) Landscape Requirements

- Only one (1) canopy tree per lot shall be required.

d) Architectural Standards: Each dwelling unit shall feature the following:

- **Front Facade:** Minimum 50% stone veneer. The remaining facade shall be feature no more than 50% fiber cement siding.
- **Rear Facade:** Minimum 50% fiber cement siding. The remaining facade shall be feature no more than 50% exposed corrugated metal.
- **Side Facade:** Minimum 15% stone veneer or fiber cement siding. Maximum 15% reclaimed wood. The remaining facade shall feature no more than 70% exposed corrugated metal.
- All dwelling units shall have a low-pitched shed roof with a covered surface made of standard roof shingles, corrugated sheets, standing seam metal roofing, or other similar materials, or a deck made with pressure-treated wood or composite decking material.
- The color palate of will be all-natural earth tones and blends that simulate a natural aging process.

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