

ORDINANCE NO. 2019-04-025

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 31.82 ACRE PROPERTY, LOCATED AT 3933 COUNTY ROAD 317, IS REZONED FROM "AG" – AGRICULTURAL DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR AGRICULTURAL, RECREATIONAL, AND RESIDENTIAL USES; 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 31.82 acre property, located at 3933 County Road 317, which is more fully depicted on Exhibits "A" and "B" attached hereto, from "AG" – Agricultural District to "PD" – Planned Development District, generally for agricultural, recreational, and 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. The zoning map is hereby amended so that an approximately 31.82 acre property, located at 3933 County Road 317, which is more fully depicted on Exhibits "A" and "B", attached hereto, is rezoned from "AG" – Agricultural District to "PD" – Planned Development District, generally for agricultural, recreational, and residential uses.

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 attached Development Regulations – Exhibit "C".
2. The subject property shall generally develop in accordance with attached District Plan – Exhibit "D".

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 APRIL, 2019.

CITY OF MCKINNEY, TEXAS



GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:



EMPRESS DRANE
City Secretary
MELISSA LEE
Deputy City Secretary

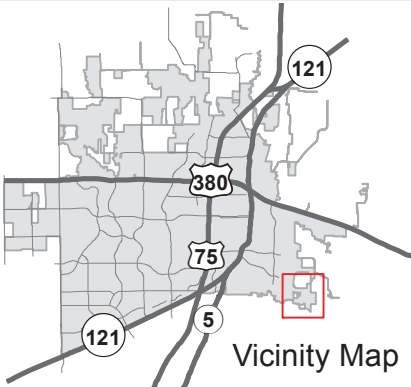
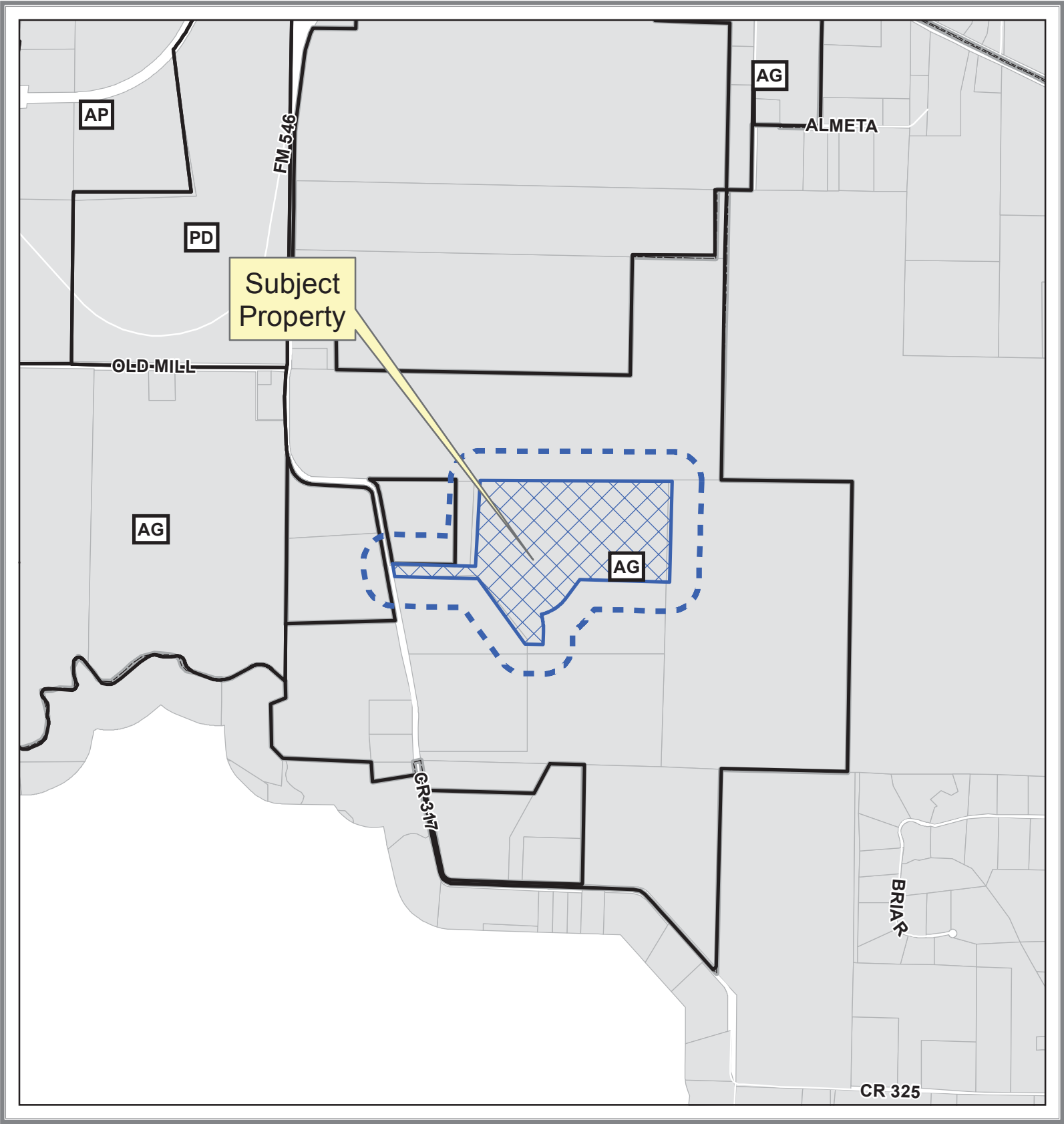
DATE: 04-16-2019

APPROVED AS TO FORM:



MARK S. HOUSER
City Attorney

Exhibit A



Property Owner Notification Map

ZONE2018-0047



0 500 1,000 Feet

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 C

DEVELOPMENT REGULATIONS FOR CORNERSTONE RANCH

I. General Standards

Purpose: Cornerstone Ranch is a faith-based nonprofit entity dedicated to providing assisted living, programs, and services to adults with special needs (intellectual and physical disabilities). The dire need for these provisions in Collin County is intended to be met by Cornerstone Ranch via greatly reduced fees from generous donors who subsidize the cost for residents and participants and via the Planned Development described herein. The Planned Development provides opportunity for the program function and is based on significant research and community input on how to provide the best care for these special individuals. This Planned Development is intended to provide a creative combination of private uses in three (3) Character Districts. These character districts and their approximate limits are illustrated on the Character District Plan attached herein. These districts are:

Agricultural, consisting of three (3) barns, one (1) workshop, Five (5) greenhouses, orchards, gardens, and livestock pens;

Enterprise, consisting of one (1) administration building, one (1) event/banquet/ballroom center, one (1) chapel with an outdoor reception area, two (2) activity/flex buildings, ten (10) guest bungalows, and one (1) amphitheater; and

Residential, consisting of ten (10) group homes which house eight (8) residents and two (2) host families in each group home, one (1) recreation center including an indoor pool, one (1) special care/senior nursing care center consisting of a maximum unit count of forty (40), and one (1) trailhead/fire pit.

The development's intent is to utilize the existing terrain and topography, plants, grasses, trees, and wildlife. The majority of the development will occur in existing open space to preserve the existing trees and limit density to reserve approximately forty percent (40%) of the development as open space or open area.

A. Definitions:

- a. Bungalows – a maximum of ten (10) units to house visitors for short stays. Equipped with sleeping quarters, living area and kitchen.
- b. Amphitheater – an outdoor seating area for residents and program participants for outdoor entertainment.
- c. Perimeter – the exterior line which bounds the entire zoning area.
- d. +/- Acreages – Each district shall generally conform to the size shown on the District Map and listed below within 0.5 acres.
- e. Yard – an area surrounding a building or structure within the Enterprise or Residential Districts to be seeded or sodded with irrigation or hardscape. Yards will be indicated on landscape and irrigation plans and must encompass 20 feet of ground from the farthest projection of each face of the building or structure unless inhibited by other yards, setbacks, easements, or buffers.

Exhibit C

B. Drives:

1. Classification: Private drives are located within a forty (40) foot private access easements (“Private Drives”). Such private access easements may include pedestrian walkways, landscape strips including trees or rain gardens, utilities (public and private), driveways for Fire Department access, and parking.
2. Drive Widths: The minimum pavement width for Private Drives serving as Fire Department access shall be twenty-four (24) feet (face to face of curbs, or pavement edge to edge if no curbs exist). Additionally, along each side of the Fire Department access will be utility and access easements for public, private, and franchise utility deliveries and for an overall dimension of access of forty feet (40’).
3. Drive Edges: Curbs are not required.
4. Parking: Parking shall be allowed along Private Drive edges but not within the twenty-four (24) feet edge to edge of pavement width.
5. Existing Concrete Drives: Existing concrete drives were designed to the County’s specifications for Fire Department access and are hereby acceptable as Fire Lanes within the development.
6. Gates: For the protection of the residents and participants Cornerstone Ranch is a gated community.

C. Setbacks: No encroachment of any kind are allowed into private drive/ utility or setback easements. Eaves, steps, architectural elements, and other similar features may encroach a maximum of three (3) feet into building line setbacks if the element or eave is above fourteen feet (14’) above grade. Steps or flatwork are exempt from the height qualification.

II. Established Districts

1) Agricultural District

A. Permitted Uses

- Watchman or caretaker dwelling
- Accessory buildings, workshops, and maintenance barns
- Agricultural and Ranching
- Community gardens
- Farm, orchard or truck garden
- Office use
- Greenhouses
- Stable (private)

B. Schedule of Height and Area Regulations for Agricultural District

- Maximum height of building 35 feet
- Minimum district size +/- 4.2 acres
- Minimum district width n/a
- Minimum district depth n/a

Exhibit C

- Maximum district coverage 40%
- Minimum perimeter setback 25 feet

C. Architectural Standards

Buildings constructed on the subject property shall not be required to meet the architectural requirements of Section 146-139 of the Zoning Ordinance so long as the following requirements are satisfied:

i. Materials:

All perimeter facing elevations for buildings located within fifty feet (50') of the perimeter shall be finished with a minimum of fifty percent (50%) masonry finishing materials (brick, stone, or synthetic stone). Lap siding (hardie-board/cementitious fiber, smart siding or wood), board and batten siding, and metal "R-Panel" siding are permitted as secondary materials up to fifty percent (50%) on perimeter facing elevations within fifty feet (50') of the perimeter.

No masonry shall be required on elevations located greater than fifty feet (50') from the perimeter, and may consist of one hundred percent (100%) secondary materials including lap siding (hardie-board/cementitious fiber, smart siding or wood), board and batten siding, and metal "R-Panel" siding. Any other material that is visually and physically indistinguishable from one of the aforementioned exterior finishing materials shall be permitted, subject to review and approval by the Director of Planning.

ii. Roofing:

1. A minimum 3:12 pitched roof of any style including but not limited to hipped, gabled, or shed roofs shall be acceptable. The roof must cover one-hundred percent (100%) of the total roof area excluding porches and Porte-cochere. No flat roof line shall be visible.
2. A parapet wall shall be acceptable if constructed so that no flat roof line shall be visible.
3. Metal roofs such as a R-Panel roofing, standing seam metal roof or asphalt shingles are acceptable exterior finishes.
4. No more than one color shall be used for visible roof surfaces, however, if more than one type of roofing material is used the materials shall be varying hues of the same color.

2) Enterprise District

A. Permitted Uses:

- Church, rectory, or chapel
- Event center, banquet hall, ballroom
- Studios, photo, music, art, health, etc.
- Personal service
- Accessory buildings

Exhibit C

- Water storage tank
- Parking lot (private)
- Office Building
- Office Use
- Amphitheater (outdoor)
- Guest Bungalows (limited to 10 total)

B. Schedule of Height and Area Regulations for Enterprise District

- Maximum height of building 45 feet
- Minimum district size +/- 15.7 acres
- Minimum district width n/a
- Minimum district depth n/a
- Maximum district coverage 60%
- Minimum perimeter setback 25 feet

C. Architectural Standards

Buildings constructed on the subject property shall not be required to meet the architectural requirements of Section 146-139 of the Zoning Ordinance so long as the following requirements are satisfied:

i. Materials:

All perimeter facing elevations for buildings located within fifty feet (50') of the perimeter shall be finished with a minimum of fifty percent (50%) masonry finishing materials (brick, stone, or synthetic stone). Lap siding (hardie-board/cementitious fiber, smart siding or wood), board and batten siding, and metal "R-Panel" siding are permitted as secondary materials up to fifty percent (50%) on perimeter facing elevations within fifty feet (50') of the perimeter.

No masonry shall be required on elevations located greater than fifty feet (50') from the perimeter, and may consist of one hundred percent (100%) secondary materials including lap siding (hardie-board/cementitious fiber, smart siding or wood), board and batten siding, and metal "R-Panel" siding. Any other material that is visually and physically indistinguishable from one of the aforementioned exterior finishing materials shall be permitted, subject to review and approval by the Director of Planning.

ii. Roofing:

1. A minimum 4:12 pitched roof of any style including but not limited to hipped, gabled, or shed roofs shall be acceptable. The roof must cover one-hundred percent (100%) of the total roof area excluding porches and Porte-cochere.

2. Flat roofs are acceptable if constructed so that no flat roof line is visible.

3. A parapet wall shall be acceptable if constructed so that no flat roof line shall be visible.

Exhibit C

4. Metal roofs such as a standing seam metal roof or asphalt shingles are acceptable exterior finishes.

5. No more than one color shall be used for visible roof surfaces however, if more than one type of roofing material is used the materials shall be varying hues of the same color.

iii. Building Massing: At a minimum, elevations that are fifty (50) feet or longer in horizontal length shall be interrupted by at least two (2) offsets (projection or recess) from the primary façade plane by at least eighteen (18) inches of depth. This requirement may be suspended or reduced in limited cases by the Director of Planning if a proposed building feature is of sufficient architectural interest and composition to make the requirement unnecessary.

3) Residential District

A. Permitted Uses:

- Multiple family dwelling (apartment)
- Rooming or boarding house
- Assisted living facility, nursing or rest home
- Accessory buildings or use
- Water storage tank
- Recreational area (private)
- Swimming Pool (private)
- Enclosed Garage Parking or Parking lot (private)
- Community Garden

B. Schedule of Height and Area Regulations for Residential District

- Maximum height of building 45 feet
- Minimum district size 10 acres
- Minimum district width n/a
- Minimum district depth n/a
- Maximum district coverage 80%
- Minimum perimeter setback 25 feet
- Maximum Density 4 units per acre

C. Architectural Standards

Buildings constructed on the subject property shall not be required to meet the architectural requirements of Section 146-139 of the Zoning Ordinance so long as the following requirements are satisfied:

i. Materials:

All perimeter facing elevations for buildings located within fifty feet (50') of the perimeter shall be finished with a minimum of fifty percent (50%) masonry finishing materials (brick, stone, or synthetic stone). Lap siding (hardie-board/cementitious fiber, smart siding or wood), board and batten siding, and metal "R-Panel" siding are permitted as secondary

Exhibit C

materials up to fifty percent (50%) on perimeter facing elevations within fifty feet (50') of the perimeter.

No masonry shall be required on elevations located greater than fifty feet (50') from the perimeter, and may consist of one hundred percent (100%) secondary materials including lap siding (hardie-board/cementitious fiber, smart siding or wood), board and batten siding, and metal "R-Panel" siding. Any other material that is visually and physically indistinguishable from one of the aforementioned exterior finishing materials shall be permitted, subject to review and approval by the Director of Planning.

ii. Roofing:

1. A minimum of 4:12 pitched roof of any style including but not limited to hipped, gabled, or shed roofs shall be acceptable. The roof must cover one-hundred percent (100%) of the total roof area excluding porches and Porte-cochere. No flat roof line shall be visible.
2. A parapet wall shall be acceptable if constructed so that no flat roof line shall be visible.
3. Metal roofs such as a standing seam metal roof or asphalt shingles are acceptable exterior finishes.
4. No more than one color shall be used for visible roof surfaces, however, if more than one type of roofing material is used the materials shall be varying hues of the same color.

iii. Building Massing: At a minimum, elevations that are fifty (50) feet or longer in horizontal length shall be interrupted by at least two (2) offsets (projection or recess) from the primary façade plane by at least eighteen (18) inches of depth. This requirement may be suspended or reduced in limited cases by the Director of Planning if a proposed building feature is of sufficient architectural interest and composition to make the requirement unnecessary.

iv. Amenities:

1. One (1) amenity shall be provided for every two (2) group homes constructed.
 - a. Amenities shall be chosen from the following:
 - i. community garden
 - ii. firepit
 - iii. trails and trailhead
 - iv. outdoor lounge
 - v. open-air pavilion
2. No more than 6 group homes may be constructed prior to the construction of a recreation center or amphitheater.

III. Misc. Development Standards

1) Screening and Buffering:

A) Perimeter:

Exhibit C

i. A fifteen-foot (15') buffer shall be maintained and preserved on the property along the perimeter.

ii. No trees 3" caliper or greater which are located within the fifteen-foot (15') buffer may be removed and no land-disturbing activity may occur within the buffer.

iii. Where a tree line does not exist, the perimeter will be screened by one of the following methods. All required screening shall be fully installed prior to the completion of the development of the property:

1. an earthen berm of a minimum height of six feet (6')
2. a six foot (6') brick or stone masonry wall,
3. a six foot (6') tall wrought iron fence with evergreen shrubs (initially at three feet (3') in height with an ability at maturity to provide a six foot (6') height),
5. a combination of the list above to provide a six foot (6') overall screen height.

iv. Should lots be established within the development no internal screening of lot edges are required.

B. Mechanical heating, ventilation, air conditioning:

i. No screening of mechanical heating, ventilation or air conditioning is required whether it is on the roof or on the ground.

C. Parking areas:

i. All parking shall be screened from view of the public right-of-way by one of the following methods:

1. evergreen shrubs attaining a minimum height of three feet (3') at maturity,
2. an earthen berm of a minimum height of three feet (3'),
3. a three foot (3') brick or stone masonry wall
4. a living screen vine on primed and painted steel sufficient to support its growth to three feet (3') height or,
5. any combination of the list above to provide a three foot (3') overall height screen.

2) Landscaping:

A. Paved parking lots require a canopy tree at the end of each parking row; however a tree shall not be required within sixty-five feet (65') of every parking space.

3) Tree Preservation:

i. Agricultural District

1. No mitigation shall be required.

Exhibit C

ii. Enterprise District

- 1. Quality trees 6” or greater - 1:1 replacement ratio with 4” minimum caliper of the replacement tree.
- 2. Seed or sod the “yard” with irrigation

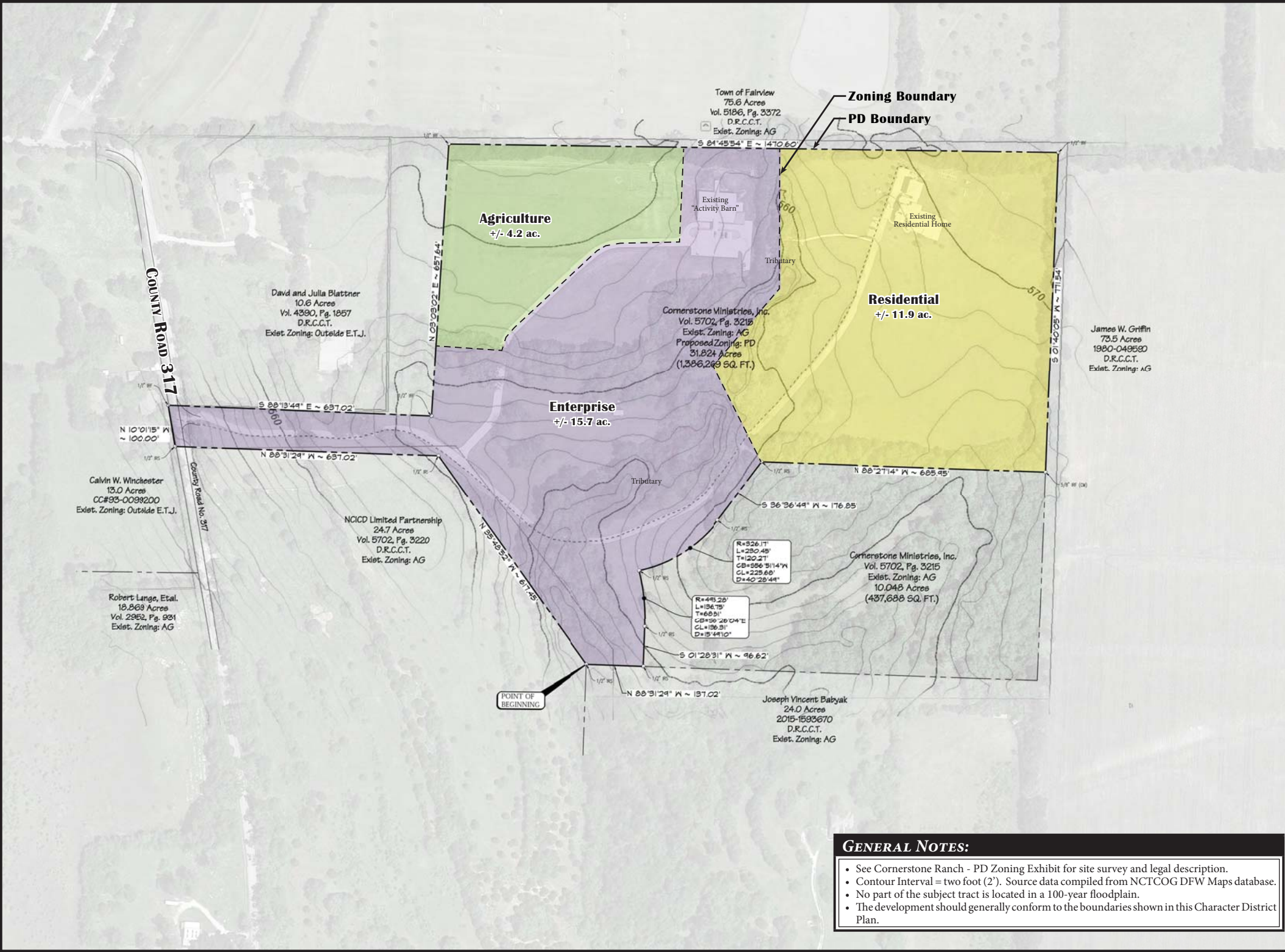
iii. Residential District


- 1. Quality trees 6” or greater – 1:1 replacement ratio with 4” minimum caliper of the replacement tree.
- 2. Seed or sod the “yard” with irrigation

3) Parking Standards:

None of the clientele of Cornerstone Ranch drive automobiles. Those attending day programs are delivered and picked up. The Staff living on the grounds need no further parking account than as supplied with the residences. The ministry shuttles participants on site with event style golf carts. The demanding use of the Event Center and/or Chapel for non-ministry related events would be off-peak use. The Planned Development will combine/share parking throughout the development in accordance with the parking standards shown herein with no distance restriction for supplied parking space to building served.

Building Name	Use	Parking Ratio
Administration Building	Office	1 space for every 800 square feet
Event Center, Banquet Hall, Ballroom	Community Center	5 spaces, plus 1 space for every 600 square feet over 2,000 square feet
Chapel, Wedding Center	Church/Worship	1 space for every 100 square feet of auditorium
Activity Center	Community Center	5 spaces, plus 1 space for every 600 square feet over 2,000 square feet
Classrooms, Office, Advocacy Center, Flex Space	Community Center	5 spaces, plus 1 space for every 600 square feet over 2,000 square feet
Recreation Center with Indoor Pool	Neighborhood Pool	1 space for every 800 square feet
Group Home	Multi-family Dwelling	3 covered spaces plus 1 uncovered space for every Group Home
Senior Nursing Care	Assisted Living	1 space for every 4 beds
Guest Bungalow	Rooming House	1.5 spaces per unit





DEVELOPMENT TEAM


Owner:
Cornerstone Ranch
3933 County Road 317
McKinney, TX 75069
Contact: David Heaton

Owner Representative:
Sustainable Structures of Texas
5400 Gregory Lane
Allen, TX 75002
(214) 794-8363
Contact: Lee Hall

Land Planner:
Knapp Land Solutions
5381 Moss Glen Dr.
Frisco, TX 75034
(512) 484-2999
Contact: James Knapp

Engineer / Surveyor:
Spiars Engineering
765 Custer Road, Suite 100
Plano, TX 75075
(972) 422-0077
Contact: Matt Dorsett, PE

LOCATION MAP



ABSTRACT

31.824 gross acres out of the R.H. Locke Survey, Abstract No. 517, City of McKinney, Collin County, Texas

DATE:

Date Issued: February 01, 2018

Revisions:

Revision	Date
1	July 05, 2018
2	July 19, 2018
3	September 05, 2018
4	January 23, 2019


PROJECT

CORNERSTONE RANCH

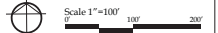
EXHIBIT C

CHARACTER DISTRICT PLAN

PD ORDINANCE NO. _____



KNAPP LAND SOLUTIONS



Scale 1"=100'

This drawing is a pictorial representation for presentation purposes only and is subject to change without notice. Additionally, no warranty is made to the accuracy, completeness, or of the information contained herein.

Exhibit D

- GENERAL NOTES:**
- See Cornerstone Ranch - PD Zoning Exhibit for site survey and legal description.
 - Contour Interval = two foot (2'). Source data compiled from NCTCOG DFW Maps database.
 - No part of the subject tract is located in a 100-year floodplain.
 - The development should generally conform to the boundaries shown in this Character District Plan.