



December 4, 2019

Abernathy, Roeder, Boyd and Hullett
c/o Robert Roeder
1700 Redbud Boulevard
McKinney, TX 75069

RE: CASE #ZONE2019-0087– Approval of a Request to Rezone the Subject Property from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards and to Allow Multi-Family Residential Uses, Located Approximately 650 Feet South of Craig Drive and on the West Side of Collin McKinney Parkway, and Accompanying Ordinance

Dear Mr. Roeder:

On December 3, 2019, the City Council adopted Ordinance number 2019-12-078 and approved request to rezone the subject from “PD” – Planned Development District to “PD” – Planned Development District, which was received by the Planning Department on October 7, 2019. The approval is subject to the following special ordinance provision:

1. 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:
 - a. The subject property shall develop in accordance with attached Development Regulations – Exhibit “D”.

Now that your case has been acted upon, please remove the zoning signs from the subject property. If you have questions about the approval of this item, please contact the Planning Department at 972-547-7409.

The Planning Department consistently strives to provide quality, professional customer service to our applicants. In an effort to evaluate and improve the service we provide, we ask that you complete [this brief customer service survey](#). We sincerely appreciate your responses and opinions!

Sincerely,

A handwritten signature in blue ink that reads "Katherine Wright".

Katherine Wright
Planning Technician

ORDINANCE NO. 2019-12-078

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 12.07 ACRE PROPERTY, LOCATED APPROXIMATELY 650 FEET SOUTH OF CRAIG DRIVE AND ON THE WEST SIDE OF COLLIN MCKINNEY PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW FOR MULTI-FAMILY RESIDENTIAL USES AND 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 12.07 acre property, located approximately 650 feet south of Craig Drive and on the west side of Collin McKinney Parkway, which is more fully depicted on Exhibits "A," "B," and "C" attached hereto, from "PD" – Planned Development District to "PD" – Planned Development District, generally to allow for multi-family residential uses and 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 12.07 acre property, located approximately 650 feet south of Craig Drive and on the west side of Collin McKinney Parkway, which is more fully depicted on Exhibits "A," "B," and "C" attached hereto, is rezoned from "PD" – Planned Development District to "PD" – Planned Development District, generally to allow for multi-family residential uses and 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 attached Development Regulations – 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.

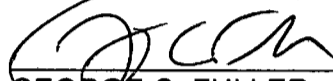
Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue 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 3rd DAY OF DECEMBER, 2019.

CITY OF MCKINNEY, TEXAS



GEORGE C. FULLER
Mayor

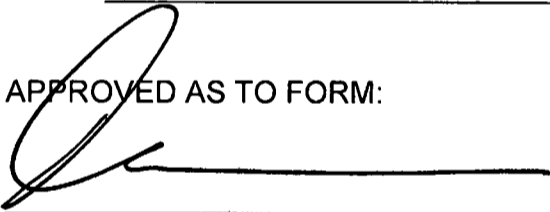
CORRECTLY ENROLLED:



EMPRESS DRANE
City Secretary
LISA SEWELL
Deputy City Secretary

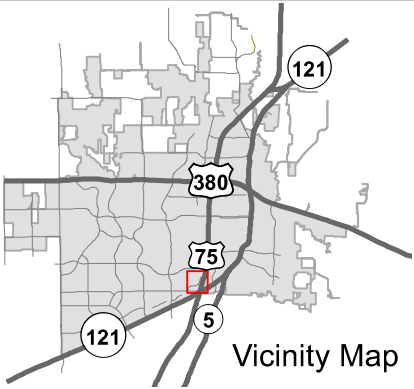
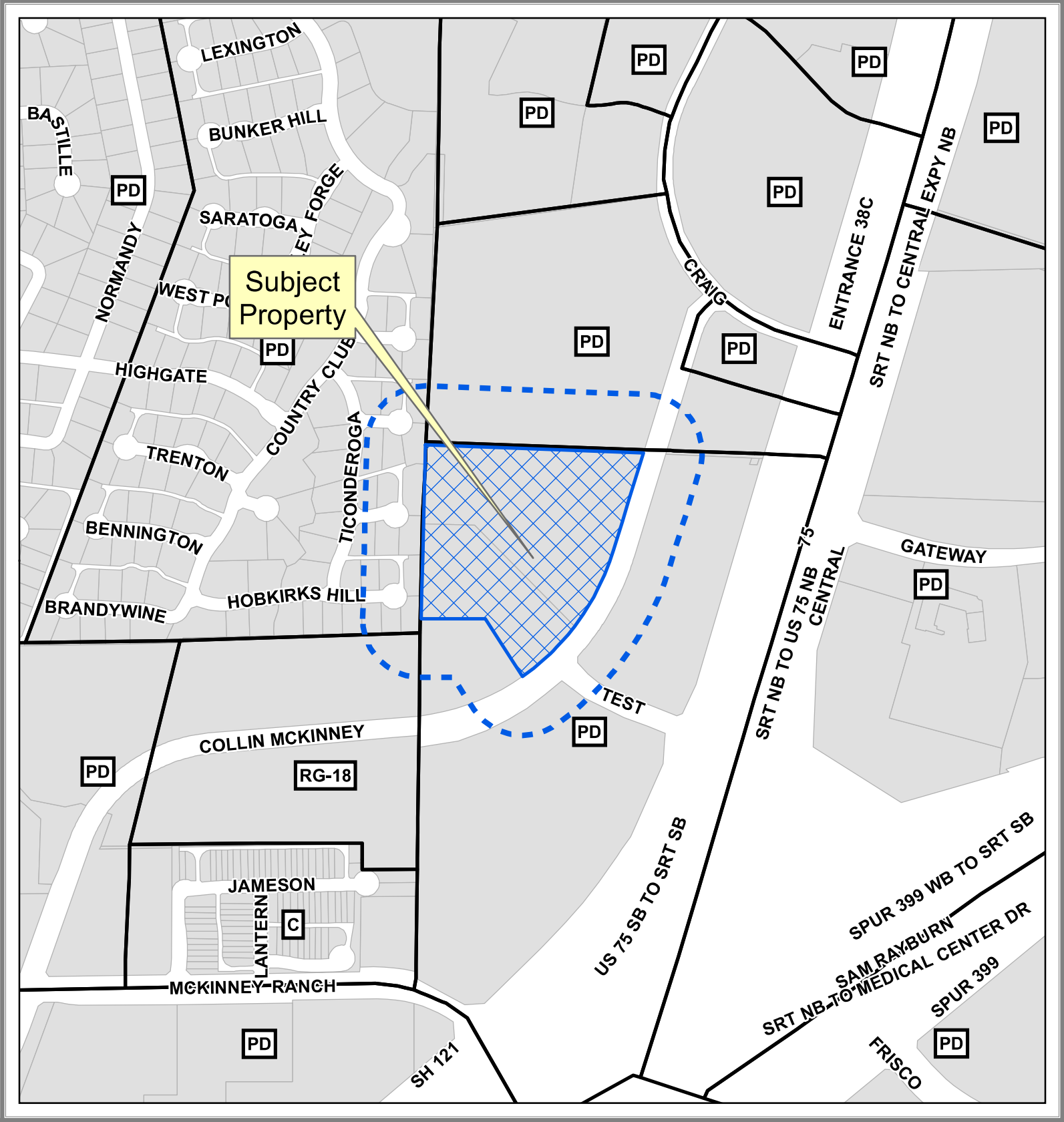
DATE: 12-03-2019

APPROVED AS TO FORM:



MARK S. HOUSER
City Attorney

EXHIBIT A



Property Owner Notification Map

ZONE2019-0087



0 250 500 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 B

SITUATED in the City of McKinney, in William Hemphill Survey, Abstract No. 449 of Collin County, Texas and being all of Lot 1, Block C of Courtesy Dealership Addition, an addition to the City of McKinney, according to the plat thereof, recorded in Cabinet O, Page 490, Plat Records, Collin County, Texas (P.R.C.C.T.) and all of Lot 2R, Block C of Courtesy Dealership Addition, an addition to the City of McKinney, according to the replat thereof, recorded in Cabinet 2015, Page 109, P.R.C.C.T. and same being described in deeds to Busco, Inc., recorded in Document No. 20141231001425800 (Correction Affidavit Document No. 2015040100035870), Deed Records, Collin County, Texas (D.R.C.C.T.) and being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2 inch iron rod found on the west right-of-way line of Collin McKinney Parkway (80' wide right-of-way) for the northeast corner of the above described Lot 1, Block C and same being the southeast corner of Lot 2R-2, Block D of Eldorado Park, an addition to the City of McKinney, according to the replat thereof, recorded in Cabinet L, Page 40, P.R.C.C.T.;

THENCE: South 17 deg. 07 min. 53 sec. West, along the common line of said Lot 1, Block C and Collin McKinney Parkway, a distance of 388.56 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the right, having a radius of 920.00 feet, a central angle of 37 deg. 35 min. 40 sec. and a chord that bears South 35 deg. 55 min. 53 sec. West -592.88 feet;

THENCE: Continuing along said common line and said curve to the right, at an arc distance of 324.93 feet, passing the common corner of said Lot 1, Block C and the above described Lot 2R, Block C and continuing along the common line of said Lot 2R, Block C and Collin McKinney Parkway for a total arc distance of 603.64 feet to a 1/2 inch iron rod found for the most southerly corner of said Lot 2R, Block C and same being the most easterly corner of Lot 3, Block C of said Courtesy Dealership Addition (Cab. 2015, Pg. 109 – P.R.C.C.T.);

THENCE: North 33 deg. 50 min. 24 sec. West, departing from said Collin McKinney Parkway, along the common line of said Lots 2R and 3, Block C, a distance of 263.20 feet to a 1/2 inch iron rod found for an angle corner;

THENCE: Due West, continuing along the common line of said Lots 2R and 3, Block C, a distance of 245.35 feet to a 1/2 inch iron rod found for the common corner of said Lots 2R and 3, Block C and same being on the east line of Block D of Village Creek, Phase IV Addition, an addition to the City of McKinney, according to the plat thereof, recorded in Cabinet O, Page 335, P.R.C.C.T.;

THENCE: North 01 deg. 14 min. 26 sec. East, along the common line of said Lot 2R, Block C and Village Creek, Phase IV Addition, at a distance of 367.16 feet, passing the common corner of said Lots 1 and 2R, Block C, and continuing along the common line of said Lot 1 and Village Creek, Phase IV Addition for a total distance of 662.87 feet to a 1/2 inch iron rod found for the northwest corner of said Lot 1, Block C and same being the southwest corner of the above described Lot 2R-2, Block D of Eldorado Park;

THENCE: South 87 deg. 57 min. 31 sec. East, along the common line of said Lot 1, Block C and Lot 2R-2, Block D, a distance of 840.47 feet to the POINT OF BEGINNING and containing 525,713 square feet or 12.069 acres of land.

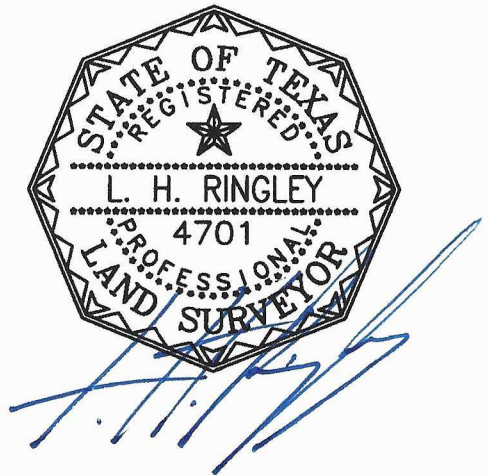
Note:

The bearings shown hereon are referenced to South 87 deg. 57 min. 31 sec. East, along the north line of Lot 1, Block C of Courtesy Dealership Addition, according to the plat thereof recorded in Cabinet O, Page 490, Plat Records, Collin County, Texas.

Prepared Under My Hand & Seal,
This 28th Day of August, 2019.



Lawrence H. Ringley, R.P.L.S.
State of Texas, No. 4701



**McKinney Flats
Collin McKinney Parkway
McKinney, Texas
Zoning Exhibit**

Current Zoning: PD

Current Zoning: PD

Aaron & Megan Zweig

Mark F II & Elizabeth A Chritensen

Michael &
Karen
Murray 1/2" IR

El Lago Partners LTD
Current Zoning: PD

Schork Family Partnership
Current Zoning: PD

P.O.B

Current Zoning: PD

Nobuaki & Saho Kurihara	Mary Salinas
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Salinas

Adam & Sarah
Snears

Cassandra E Homer

Ugona

Ameena
Isa Living
Trust

Current Zoning: PD

Misty
Verschoor

Donald L
& Julia B
PolkRajani
Aleti
1/

1/2" IRF

1

1/2" IRF

Collin McKinney Pkwy

Collin McKinney Pkwy

Volkswagen Group of America Inc.
Current Zoning: PD

Orion McKinney LLC
Current Zoning: RG-18

**BHA Real Estate
Holdings LLC
Current Zoning: PD**

**BHA Real Estate
Holdings LLC**
Current Zoning: PD

Test Dr

EXHIBIT C

DEVELOPMENT REGULATIONS

The subject property shall develop in accordance with Section 146-81 ("MF-3" – Multiple Family Residential – Medium-High Density District) of the Zoning Ordinance, and as amended, except as noted below:

1. Space Limits

- a. Minimum Rear Yard Setback: 150'
- b. Maximum Height: 3 stories (not to exceed 43')

2. Landscaping Requirements: The screening requirements for multi-family residential uses shall be applicable to the subject property, except as follows:

- a. A minimum 30ft landscape buffer be provided adjacent to existing single family residential
- b. A minimum of 30% of the street yard be devoted to landscaping
- c. A minimum of 20% of the site be devoted to living landscape

3. Screening Requirements: The screening requirements for multi-family residential uses shall be applicable to the subject property, except as follows:

- a. The masonry screening wall required along the west property line be allowed to move inside the property line to provide better screening, as determined at the site plan review.

4. Parking Requirements: The parking requirements for multi-family residential uses shall be applicable to the subject property, except as follows:

- a. 1.99 parking spaces per unit.
- b. No less than 50% of the units shall have a covered parking space (carport).
- c. Enclosed parking will not be required

All other regulations applicable to multi-family residential developments, including, but not limited to, Section 146-130 (Vehicle Parking) Section 146-135 (Landscape Requirements), and Section 136-132 (Fences, Walls, and Screening Requirements), shall apply.