

CITY OF LAVON
ORDINANCE NO. 2017-06-03

Planned Development – Crestridge Meadows

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING A PLANNED DEVELOPMENT (PD) DISTRICT FOR RESIDENTIAL USES ON A 75.249 ACRE TRACT OF LAND DESCRIBED HEREIN AND LOCATED GENERALLY AT EAST OF AND IN THE VICINITY OF THE 10700 BLOCK OF CR 484, LAVON, COLLIN COUNTY, TX; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF \$2,000 PER DAY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, at its meeting held on the 23rd day of May, 2017, the Planning & Zoning Commission considered and made recommendations on a certain request for a Planned Development District; and

WHEREAS, this zoning change is in accordance with the adopted Comprehensive Plan of the City of Lavon; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals and general welfare:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lavon, Texas, as follows:

Section 1. Incorporation of Premises. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. Definitions. Definitions shall be those contained in Ordinance No. **97-12-08**, as amended unless specifically defined herein.

Section 3. Permitted Uses. The Planned Development is hereby created for a certain approximately 75.249 acres of land, described in the attached Exhibit “A” and depicted in Exhibit “B” located east of and in the vicinity of the 10700 block of CR 484, (Collin County CAD ID#’s 2117877 and 2087761), providing for the following permitted uses:

- A. Single family detached dwellings
- B. Churches

- C. Parks, playgrounds and public recreational facilities
- D. Public buildings and facilities
- E. Real estate sales offices in model homes not to exceed ten (10) years
- F. Temporary buildings incidental to infrastructure construction work
- G. Accessory buildings as defined by the Zoning Ordinance
- H. Customary home occupation
- I. Temporary batch plant during construction limited to the subdivision.
- J. Except as permitted as a customary home occupation, use of a model home as a real estate sales office must terminate not later than thirty (30) days after the sale of the last lot owned by Owner or an assignee of Owner developing the Property.

Section 4. Prohibited Uses. The following uses shall be prohibited:

- A. Uses that are not Permitted Uses

Section 5. Exception to Zoning Ordinance. The Planned Development will not be subject to the provision contained in Ordinance No. **97-12-08**, Article II, Section 1.2 A – Agricultural District that states: “Once land in an “A” category has been placed into another district, the intent of this ordinance is that such land shall not be changed back to an “A” category by any subsequent request for a change.”

Section 6. Concept Plan. The entire tract shall be developed generally in accordance with the PD Site Plan, as attached hereto, and made a part hereof as Exhibit “C”.

Section 7. Development Standards. Development shall be in accordance with the development standards established for the Single-Family Residential, Article IV in the Zoning Ordinance, except as follows:

- A. Density. The minimum lot area shall be 6,000 square feet. A maximum of 274 dwelling units are permitted on the Property.
- B. Lot Width. The minimum lot width shall be 50 feet, as measured at the platted front yard setback line; provided that the minimum lot width shall be 60 feet for corner lots.
- C. Lot Depth. The minimum lot depth shall be 120 feet.
- D. Front Yard. The minimum front yard setback shall be 20 feet.
- E. Rear Yard. The minimum rear yard setback shall be 15 feet.

- F. Interior Lot Side Yard. The minimum interior lot side yard setback shall be 5 feet. An interior lot is a lot that is not a corner lot.
- G. Corner Lot Side Yard. The minimum corner lot side yard setback shall be 15 feet.
- H. Dwelling Unit Area. The minimum dwelling unit area shall be 1,400 square feet.
- I. Lot Coverage. The maximum lot coverage for single family uses shall be 60%.
- J. Required Parking. A minimum of two enclosed off-street parking spaces shall be required for a single family use.
- K. Roof Pitch. All single family structures shall have a minimum 6:12 roof pitch; provided that porches and outdoor covered kick-out areas shall have a minimum 4:12 roof pitch.
- L. Masonry. All exterior residential elevations shall consist of 100% masonry on the front facade and a minimum of 75% masonry overall on the side and rear elevations. Masonry shall include stone, brick, or rock set in mortar. The percentage of masonry area is computed from construction document elevations, excluding doors, windows, architectural projections, gables over the roof line, interiors of porches, dormers, areas above a second floor wall plate, and areas above a first floor roof, except that areas above a first floor roof and areas above a second floor wall plate shall not be excluded when computing the percentage of masonry area on the front facade.
- M. Exterior Siding Material. All residential exterior siding material that is not masonry shall be cement fiber board.
- N. Mail Boxes. Cluster mailboxes are permitted.
- O. Garage Orientation. Residential garage openings may face the street at the front of the dwelling.
- P. Fences. Supporting posts for fences shall be steel and shall be placed on the inside of the fence.
- Q. Landscaping. Landscaping shrubs will be required along the front of homes. Yards with homes shall be fully sodded.
- R. Trees. A single two to three inch (2"-3") caliper tree shall be installed in the front yard of homes and a single two to three inch (2" – 3") caliper tree shall be installed in the back yard of homes.

- S. Non-Repetition of Building Form. The same house elevation may not be duplicated within three 3 lots on the same side of street and within three (3) lots on the opposite side of street.

Section 8. Trail. In connection with development construction, Owner, at Owner's sole expense, shall construct an eight (8) foot wide concrete walking path within the boundaries of the Property ("Trail") located in the flood plain area consistent with the Concept Plan for the use and enjoyment of residents of the development, which trail shall be designed and constructed in accordance with plans and specifications mutually agreeable to the City and the Owner. The Trail located upon the Property will be made accessible for restricted public use subject to rules, regulations and restrictions adopted by the Owner and/or property owners association.

Section 9. Trail – Extended. Owner currently plans to acquire additional real property adjacent to the Property for purposes of development of future phases of development. If Owner is successful in acquiring and developing said additional real property, Owner's plans include provision for and extension of the Trail ("Extended Trail"). Owner will work with the City, School District, and adjacent and beneficiary property owners and developments to extend the Trail to the nearby elementary school. Owner will work with the City to attempt to include the Extended Trail in connection with construction of the Trail.

Section 10. The Comprehensive Zoning Ordinance and the Official Zoning Map are hereby amended to reflect the action taken herein.

Section 11. Severability Clause. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 12. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, whether codified or uncodified, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.


Section 13. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Lavon, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 14. Savings Clause. Should any word, phrase, sentence or section contained herein be found to be invalid, such validity shall not affect any other portion of this ordinance.

Section 15. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.


PASSED AND APPROVED this 20 day of June 2017.





Charles A. Teske, Jr.
Mayor, City of Lavon, Texas

ATTESTED:



Kim Dobbs
City Administrator, City of Lavon, Texas

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EXHIBIT A

Being all that certain lot, tract, or parcel of land located in the DRURY ANGLIN SURVEY, Abstract No. 2, Collin County, Texas, and being all that tract of land described in deed to Thomas J. Moon and wife, Jennifer A. Moon, recorded in Document No. 96-0085000, of the Land Records, of Collin County, Texas, and being a part of that called 414 acre tract described in deed to Maude E. Daugherty, recorded in Volume 165, Page 483, Deed Records, Collin County, Texas, and being more particularly described as follows:

Commencing at a 1/2" iron rod found for corner in or near the Center line of County Road No. 484, and being the Southwest corner of said 414 acre tract, and being the Northwest corner of a tract of land described in deed to Blake Boyd McCarthy, recorded in Document No. 2000-58716, Official Public Records, Collin County, Texas;

Thence North 00°15'00" East, along the West line of said 414 acre tract, a distance of 289.23' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the PLACE OF BEGINNING of the tract of land herein described;

Thence North 00°15'00" East, along or near the center line of said County Road No. 484, and the said West line of 414 acre tract, a distance of 1243.32' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Southwest corner of a tract of land described in deed to City of Lavon, recorded in Instrument No. 20060725001041390, Official Public Records, Collin County, Texas;

Thence Easterly, along or near the center of a creek and along the common line of said City of Lavon Tract and said Moon Tract the following three (3) courses and distances;

- 1) Thence South 70°00'00" East, a distance of 196.59' to a point for corner;
- 2) Thence North 69°00'00" East, a distance of 452.12' to a point for corner;
- 3) Thence South 55°15'00" East, passing at a distance of 68.76' the Southeast corner of said City of Lavon tract, and the Southwest corner of a tract of land described in deed to Cape Cod Bank and Trust Company, recorded in Volume 2651, Page 27, Deed Records, Collin County, Texas, continuing a total distance of 133.28' to a point for corner;

Thence Easterly, along or near the center of a creek and along common line of said Cape Cod Bank and Trust Company tract and said Moon Tract the following five (5) courses and distances;

- 1) Thence North 76°00'00" East, a distance of 139.43' to a point for corner;
- 2) Thence South 65°26'49" East, a distance of 98.46' to a point for corner;
- 3) Thence North 52°44'00" East, a distance of 278.92' to a point for corner;
- 4) Thence South 84°45'00" East, a distance of 139.43' to a point for corner;

- 5) Thence North 61°00'00" East, a distance of 155.83' to a point at the Southeast corner of said tract of land described in deed to City of Lavon, (Inst. No. 20060725001041390);

Thence Easterly, along or near the center of a creek and along the common line of said City of Lavon Tract and said Moon Tract the following six (6) courses and distances;

- 1) Thence North 45°00'00" East, a distance of 146.60' to a point for corner;
- 2) Thence North 65°15'00" East, a distance of 240.92' to a point for corner;
- 3) Thence North 63°30'00" East, a distance of 131.23' to a point for corner;
- 4) Thence North 78°45'00" East, a distance of 344.47' to a point for corner;
- 5) Thence South 55°45'00" East, a distance of 156.86' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;
- 6) Thence South 37°15'00" East, a distance of 69.24' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 00°01'02" West, passing through said 414 acre tract, and passing at a distance of 255.57' to the Northwest corner of a tract of land described in deed to World Land Developers, recorded in Instrument No. 20070913001281380, Official Public Records, Collin County, Texas, and continuing a total distance of 1414.76' to a 1/2" iron rod found for corner in the South line of said 414 acre tract, and being in the North line of a tract of land described in deed to Roy Brian Webb and Andrea Kay Campbell, recorded in Volume 4761, Page 200, Deed Records, Collin County, Texas;

Thence South 76°03'28" West, along said North line of said Webb and Campbell tract, a distance of 909.33' to a 1/2" iron rod found for corner;

Thence South 76°03'28" West, a distance of 179.42' to a 1/2" iron rod found for corner at the Northwest corner of said Webb and Campbell tract;

Thence South 78°01'55" West, along said South line of the 414 acre tract, a distance of 313.41' to a 1/2" iron rod found for corner;

Thence North 17°00'56" West, passing through said 414 acre tract, a distance of 283.50' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 77°55'53" West, a distance of 968.44' to the PLACE OF BEGINNING and containing 3,277,850 square feet or 75.249 acres of land.

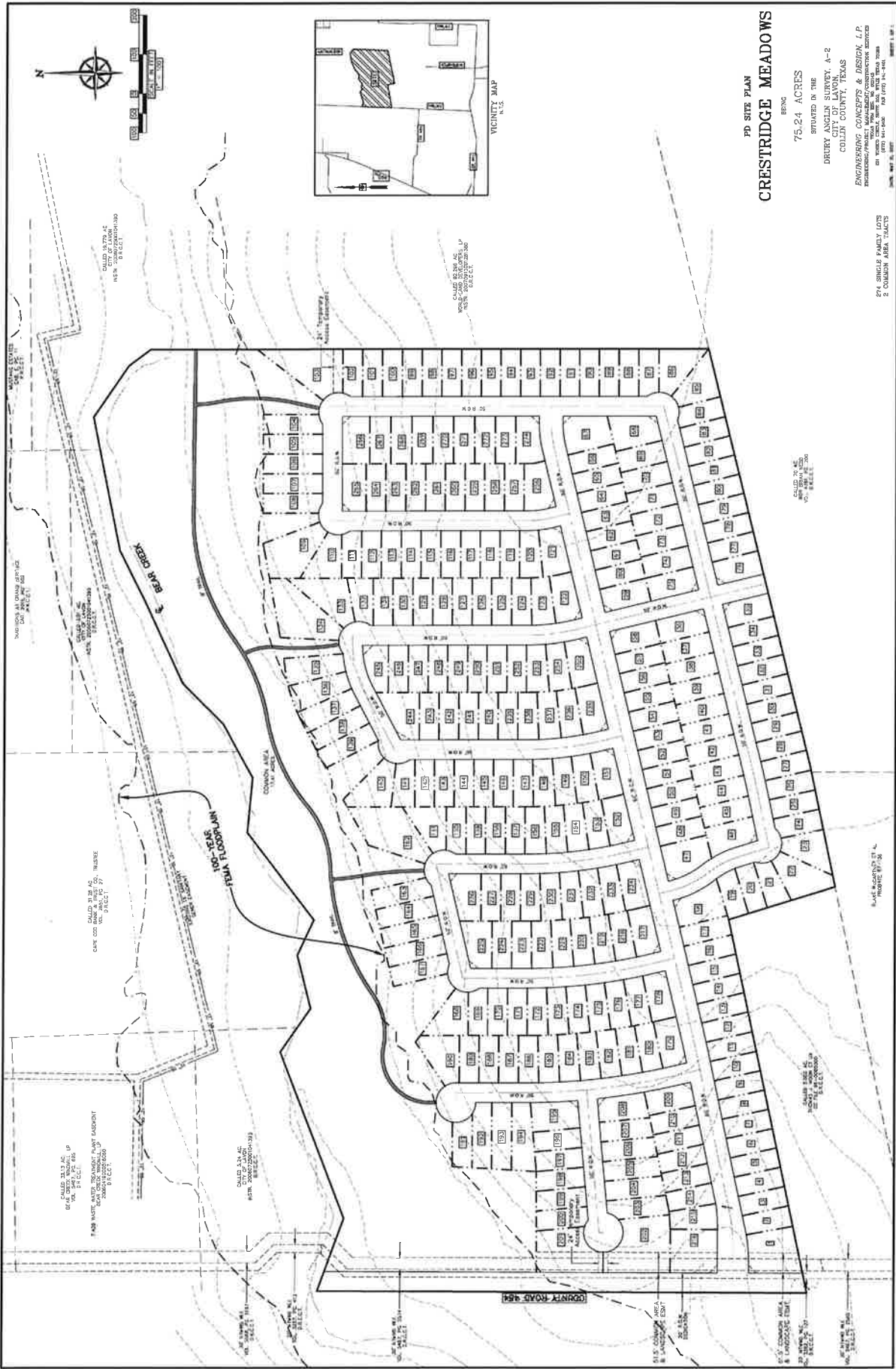
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EXHIBIT B

CITY OF LAVON
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EXHIBIT C

PD SITE PLAN



PD SITE PLAN
CRESTRIDGE MEADOWS

75.24 ACRES
 BEING
 SITUATED IN THE
 DRURY ANGLIN SURVEY, A-2
 COUNTY OF LAVON,
 COLLIN COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
 10700 WOODLAND PARKWAY, SUITE 200, DALLAS, TEXAS 75243
 972.441.1000 FAX 972.441.1001 WWW.ECDLLP.COM

274 SINGLE FAMILY LOTS
 2 COMMON AREA TRACTS

DATE REVISION: 01.14
 PROJECT: 0104