

PD-1
Grand Heritage
ORIGINAL

CITY OF LAVON, TEXAS

ORDINANCE NO. 2004-09-05

BEING AN ORDINANCE OF THE CITY OF LAVON, TEXAS, A TYPE "A" GENERAL LAW MUNICIPALITY, AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO CREATE A PLANNED DEVELOPMENT ZONING DISTRICT NO. 1 FOR RESIDENTIAL AND COMMERCIAL USES ON APPROXIMATELY 575 ACRES OF LAND GENERALLY LOCATED AT THE NORTHEAST, SOUTHEAST AND SOUTHWEST CORNERS OF THE INTERSECTION OF STATE HIGHWAY 78 AND STATE HIGHWAY 205, AND SOUTH OF FARM TO MARKET ROAD 2755 BETWEEN COUNTY ROAD 483 AND COUNTY ROAD 484; PROVIDING A PENTALY, SAVING AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON

WHEREAS, the owners of the property described on Exhibit A attached hereto and made an integral part hereof (which property is commonly known as the Heritage Subdivision, formally known as the Bear Creek Subudivision) have requested the creation of a planned development zoning district for residential and commercial uses; and

WHEREAS, the City Council of the City of Lavon, Texas (the "City") has given the requisite notices and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof and has concluded that the Comprehensive Zoning Ordinance of the City (the "Comprehensive Zoning Ordinance") should be amended as set forth in this ordinance (this "PD Ordinance");

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AS FOLLOWS:

Section 1. The Comprehensive Zoning Ordinance of the City is hereby amended to create Planned Development District No. 1 on the property described in Exhibit A attached to and made an integral part of this PD Ordinance as a mixed use planned development zoning district for residential and commercial uses in accordance with the District Regulations attached as Exhibit B and made an integral part of this ordinance.

Section 2. The official Zoning Map of the City shall be corrected to reflect the change in zoning established by this PD Ordinance.

Section 3. All ordinances of the City in conflict with the provisions of this PD Ordinance are repealed to the extent of that conflict.

Section 4. Violations of the terms of this ordinance shall be a class C misdemeanor and upon conviction shall be punishable in accordance with Chapter 54 of the Texas Local Government Code. Further, each day a violation continues shall be considered a separate offence.

Section 5. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or unlawful, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. This PD Ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such case provides.

PASSED on this the 30 day of Sept, 2004, by the following vote of the City Council of the City of Lavon, Texas.

AYES:	<u>6</u>
NAYS:	<u>0</u>
ABSTAIN:	<u>0</u>

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Secretary



September 30, 2004

HERITAGE

**"PD" PLANNED DEVELOPMENT DISTRICT
LAVON PD NO. 1**

DISTRICT REGULATIONS

**HERITAGE
"PD" PLANNED DEVELOPMENT DISTRICT
LAVON PD NO. 1
DISTRICT REGULATIONS**

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ARTICLE I. GENERAL PROVISIONS

1.1. PURPOSES & DEFINITIONS.

This PD, Planned Development Ordinance is adopted to create a mixed-use, master planned community within the corporate limits of the City; to ensure a high-quality residential and commercial development; to provide increased recreation and/or open space; and to provide amenities and features of special benefit to the property owners.

Accessory Building means a building or portion thereof customarily used with, and clearly incidental and subordinate to, the principal use of the land or building and located on the same lot with such principal use.

Accessory Use means any use which is necessarily and customarily associated with the main use on the same lot.

Antenna Mast means a structure used to elevate an antenna for noncommercial use.

Arterial Street means, for the purpose of this PD Ordinance, S.H. 78, S.H. 205, and F.M. 2755.

Collector Street means a street having a right-of-way greater than 60 feet in width and paving area greater than 36 feet in width face-of-curb to face-of-curb that carries traffic within and between subdivisions within the PD District.

Common Areas means land within or related to the Heritage Development, not individually owned or dedicated for public use, that is designed and intended for the common use and enjoyment of the residents and guests of Heritage and may include such complementary structures and improvements as are necessary and appropriate.

Flex Planning Area means the area identified on the attached Exhibit A Development Plan as West Flex B.

Commercial Planning Area means the following areas as identified on the attached Exhibit A Development Plan: West Commercial A; West Commercial C-1; and West Commercial C-2.

Heritage means the approximately 575-acre master planned community generally located in Collin County (a) north and south of U.S. Highway 78, (b) east and west of State Highway 205, (c) south of Farm to Market Road 2755, (d) north and south of Bear Creek, (e) north, south, and west of County Road 484, and (f) north and west of County Road 483 containing six Residential Planning Areas, three Commercial Planning Areas, and one Flex Planning Area which may be developed as a Residential or a Commercial Planning Area, all as shown on the Development Plan attached hereto as Exhibit A and more particularly described by metes and bounds legal description as shown on Exhibit A to Ordinance _____.

Local Residential Street means a street having a right-of-way up to 60 feet in width and paving area up to 36 feet in width face-of-curb to face-of-curb.

Masonry means brick, stone, cast stone, concrete, glass block, split-face concrete masonry unit, stucco, or other masonry materials approved by the Council.

Mounted antenna means an antenna that is attached to an existing structure and that is part of a system authorized by the Federal Communications Commission. An auxiliary building housing electronic and communication equipment is permitted as part of this use.

Open Space means any area of land or water set aside, dedicated, designated, or otherwise reserved for the use and enjoyment of owners and occupants of Heritage. Open Space, including park land, may include land within the floodplain or floodway. Examples of Open Space include a natural preserve area; park; plaza; fountain; lake or pond; seating area; outdoor recreation facility; community center; landscaped area (including landscaped easement areas); ornamental area; building setback area (other than those required); enhanced pavement area; and any similar area maintained by the owners association or other public or private entity. Open Space does not include: (a) sidewalks within the right-of-way of any street; (b) any portion of a parking lot within a Commercial Planning Area that is used for parking or vehicular circulation; and (c) driveways or any other areas intended primarily for vehicular use.

PD District means the planned development zoning district established by this PD Ordinance and specifically described by the metes and bounds descriptions attached as Exhibit A to Ordinance _____.

Perimeter Street means, for the purposes of this PD Ordinance, C.R. 483 and C.R. 484.

Premise means a platted lot or unplatted tract of land.

Residential Planning Area means the following areas as identified on the attached Exhibit A Development Plan: West Residential A; West Residential C; East Residential A; and East Residential B.

Tower/Antenna for Cellular Communication means a tower constructed for, or an existing facility that has been adapted for, the location of transmission or related equipment to be used in the provision of cellular telecommunications services or personal communications services.

Wireless Transmission Receiving Units means an apparatus or device that is designed for the purpose of receiving electromagnetic waves for noncommercial purposes.

ARTICLE II. INTERPRETATION

2.1. APPLICABILITY OF EXISTING REGULATIONS.

Except as provided by this PD Ordinance, development within the PD District shall be governed by the applicable City ordinances related to the least intensive zoning district in existence on the effective date of this PD Ordinance that will accommodate the use. In the event of any conflict

or inconsistency between this PD Ordinance and the applicable City ordinances, however, the terms, provisions, and intent of this PD Ordinance shall control. To the extent this PD Ordinance includes standards or regulations (including development approval procedures) that apply to a particular aspect of development, such standards, regulations, and procedures shall be exclusive (i.e., the only standards, regulations, or procedures that apply to such aspect of development). For example, this PD Ordinance includes standards and regulations for residential landscaping; consequently, such standards and regulations are the only residential landscaping standards and regulations that apply within the PD District.

2.2. AMENDMENTS.

Amendments to the PD District and Development Plan may be made in accordance with Chapter 211 of the *Local Government Code*.

Administrative Exceptions to site plans and plats may be approved by the city staff, and no public hearing shall be called and the revision shall be deemed approved. An Administrative Exception to a site plan or plat is a change that does not: (a) increase the percent of an individual lot coverage; (b) increase average density by more than 1% per platted area; (c) decrease lot width by more than 1 ft or lot depth by more than 2 ft; (d) decrease the size of residential units by more than 30 square feet; (e) change maximum structure height, setbacks, or required parking; (f) reduce capacity of interior roadways; (g) reduce access to the property or circulation adjacent to the property; (i) increase the number of signs permitted on a Premise; or (j) constitute a significant change in land use or structures.

density

2.3. PROPERTY OWNERS ASSOCIATIONS.

All property located in a Residential Planning Area must be included in a Property Owners Association. The Property Owners Association is required to maintain all private common areas.

2.4. EXCEPTIONS.

Exceptions to the development standards set forth in this ordinance may be approved in accordance with Chapter 211 of the *Local Government Code*. In order to obtain an exception, the applicant must request the exception in writing and process a site plan in the procedure established in Section 2.6. The site plan must clearly identify the portion of these development standards in which an exception is being sought.

2.5. PLANS AND STUDIES.

The Development Plan is attached to this PD Ordinance as Exhibit A. Except as otherwise provided by this PD Ordinance, the Development Plan, including all graphic depictions and notes, is considered part of this PD Ordinance. The Development Plan shows the boundaries of the PD District, which are more specifically described by the metes and bounds description attached as Exhibit A to Ordinance _____. For purposes of this PD Ordinance, the PD District is divided into multiple planning areas as shown on the Development Plan. Any information shown on the Development Plan that is outside the boundaries of the PD District is not part of the Development Plan or this PD Ordinance.

2.6. SITE PLAN APPROVAL.

2.6.1. Residential Planning Areas. There is no site plan review process for construction in a Residential Planning Area. The Final Plat will serve as the site plan.

2.6.2. Commercial Planning Areas. Prior to the issuance of any building permit for the purpose of constructing any new building in a Commercial Planning Area, the applicant for the building permit must submit to city staff a site plan and landscape plan drawn to an acceptable scale. City staff must review the applicant's proposed site plan and landscape plan for compliance with this PD Ordinance and other applicable city regulations not in conflict with this PD Ordinance. Within 20 days of the applicant's submittal or resubmittal of a site plan and landscape plan to city staff for review under this paragraph, city staff must provide the applicant with a letter stating that the site plan and landscape plan comply with this PD Ordinance and other applicable city regulations not in conflict with this PD Ordinance, or in the alternative, a letter describing in detail any deficiencies in the applicant's site plan or landscape plan. Within 30 days of staff's determination, the site plan and landscape plan, along with staff's recommendation shall be reviewed by the Planning and Zoning Commission. The Planning and Zoning Commission will determine if the site plan and landscaping plan complies with this PD Ordinance and other applicable city regulations not in conflict with this PD Ordinance, and after a public hearing must forward a recommendation to the City Council to approve or deny the site plan and landscaping plan based solely on whether the site plan complies with this PD Ordinance. Within 30 days of a recommendation by the Planning and Zoning Commission, the City Council will conduct a public hearing and approve or deny the site plan and landscaping plan based solely on whether the site plan and landscape plan complies with this PD Ordinance and other applicable city regulations not in conflict with this PD Ordinance. The site plan shall show, but not be limited to, the arrangement of the proposed improvements, together with the essential requirements such as parking facilities, location of buildings and other structures, means of ingress and egress, together with any other requirements provided by this PD Ordinance. It shall be unlawful to issue a building permit prior to the approval of the site plan by City Council.

2.7. PHASING.

2.7.1. Infrastructure and Open Space. Needed infrastructure and open space required to support each phase or section of development shall be constructed in conjunction with such phase or section. Sections identified on the Development Plan are named for convenience only and are not an indication of development sequence. Sections may be developed in any order and in any number of phases.

2.7.2. Amenities. Construction of one community center as described in Section 3.13.2 shall be completed within one of the east Residential Planning Areas before a certificate of occupancy is issued for the 100th residential unit constructed in such areas identified on the Site Plan. Construction of one community center as described in Section 3.13.2 shall be completed within one of the west Residential Planning Areas before a certificate of occupancy is issued for the 100th residential unit constructed in such areas identified on the Site Plan. For purposes of this section, a community center is deemed to be complete when the community center's clubhouse receives a certificate of occupancy.

2.8. WEST FLEX B

The planning area identified on the Site Plan as "West Flex B" may be developed, in whole or in part, as a Residential Planning Area or as a Commercial Planning Area in accordance with the development standards set forth in Article III. Any portion developed for residential uses will be considered a Residential Planning Area, and any portion developed for commercial uses will be considered a Commercial Planning Area.

ARTICLE III. DEVELOPMENT STANDARDS

3.1. MAXIMUM BUILDING HEIGHT.

3.1.1. General Height Requirements.

3.1.1.1. *Residential Height Requirements.* Except as provided below or shown on an approved preliminary plat, the maximum height for all structures in Residential Planning Areas shall be 2.5 stories or 35 feet.

3.1.1.2. *Commercial Height Requirements.* The maximum height for all structures located in a Commercial Planning Area shall be four (4) stories.

3.1.1.3. *Measuring Height.* Height is measured to the highest point for flat roofs; to the deck line for mansard roofs; and to the midpoint between eaves and the ridge for gable, hip, and gambrel roofs. Height is measured from curb level if the structure is within 10 feet from the front property line, and from grade in all other cases.

3.1.2. Exceptions to Height Requirements.

1. *Residential Planning Areas* In Residential Planning Areas, the height limits imposed above shall not apply to: (a) chimneys and vent stacks, cupolas, entry features, skylights, or other architectural features that are not intended for occupancy or storage; (b) heating and air conditioning equipment, solar collectors, and similar roof-mounted equipment, fixtures, and devices provided such equipment, fixtures, and devices are screened from view from any adjacent street by a solid structure that is architecturally integrated with the design of the building; or (c) flag poles for entry features and amenity centers and temporary flag poles for model homes.

2. *Commercial Planning Areas* In the Commercial Planning Areas, the height limits imposed above shall not apply to: (a) chimneys and vent stacks, church spires, elevator shafts, penthouses, cupolas, entry features, skylights, or other architectural features that are not intended for occupancy or storage; (b) flag poles and similar devices; or (c) heating and air conditioning equipment, solar collectors, and similar roof-mounted equipment, fixtures, and devices provided such equipment, fixtures, and devices are screened from view from any adjacent street by a solid structure that is architecturally integrated with the design of the building.

3.2. USES AND DENSITY / INTENSITY.

3.2.1. Density in Residential Planning Areas. Unless otherwise provided, the maximum number of residential dwellings within the combined Residential and Flex Planning Areas in the PD District shall not exceed four (4) units per gross acre. ★

3.2.2. Uses in Residential Planning Areas. Unless otherwise noted by a [SUP] symbol, the following uses are permitted principal or main uses for all Residential Planning Areas identified on the Site Plan. Uses with a [SUP] notation must comply with the Specific Use Permit ("SUP") provisions set forth in Section 3.2.5:

Industrial Uses.

- Temporary Concrete Batching Plant. [SUP]¹

Institutional and Community Service Uses.

- Adult Day Care Facility. [SUP]
- Assisted Living Facility. [SUP]
- Child-Care Facility. [SUP]
- Church or Use Associated With a Religious Institution. [SUP]
- Civic Club. [SUP]
- Community Service Center. [SUP]
- Library. [SUP]
- Nursing Home. [SUP]
- Public, Private, or Charter School. [SUP]

Recreation Uses.

- Athletic Courts.
- Athletic Fields.
- Community Center.
- Country Club with Private Membership.
- Private Recreation Center, Club, or Area.
- Public Park, Playground, or Golf Course.
- Sport/Tennis Courts.
- Swimming Pool.
- Trails.

Residential Uses.

- Duplex.² - West C only
- Home Occupation.
- Private Gated Community.
- Single Family Attached (Townhomes).² - West C only
- Single Family Detached.
- Single Family Zero Lot Line.² - West C only

← 2010 04-03 *Age Restricted MF for seniors Age 55 and Over [SUP]*

Retail and Personal Service Uses.

- Model Homes.
- Temporary Construction or Sales Office.

Transportation Uses.

- Public and Private Streets/Alleys/Drives.

Utility and Public Service Uses.

- Antenna Masts.
- Electric Transformers.
- Electrical Substation. [SUP]
- Mounted Antennas
- Telecommunication uses, including fiber optics and cable.

- Telephone, Electric, Cable, and Fiber Optic Switching Station. [SUP]
- Tower/Antenna for Cellular Communication. [SUP]
- Utility Distribution Lines.
- Water and Sewage Pumping Station (above or below grade).
- Water and Wastewater Treatment Facility. [SUP]³
- Water Storage Tank and Pumping System (elevated or above grade).
- Water, Sewer, Electric, and Gas Meters.
- Wireless transmission receiving units (e.g., satellite dish).

¹ Temporary concrete batch plant must be removed immediately upon the end of its intended use, which intended use must be concrete street work to be performed within the PD District only.

² Use limited to West Residential C Planning Area.

³ Use limited to ~~East Residential~~ Planning Area.

West D

3.2.2.1. Additional Use Restrictions.

1. Accessory Uses are permitted on the same lot as the main use.
2. Uses not listed in Section 3.2.2 are prohibited. An applicant may request an interpretation from the Planning and Zoning Commission for uses that are undefined or not listed in Section 3.2.2.
3. New overhead utility distribution lines are prohibited. Such lines must be buried underground. The following may be located above ground: (a) existing utility lines, (b) appurtenances to utility lines (e.g., transformers, switch gears, meters, and pedestals), (c) temporary utility lines, (d) utility transmission lines and other lines of such size and capacity making it impractical to locate such lines underground, (e) temporary poles, lines and appurtenances necessary for building construction, and (f) temporary poles, lines and appurtenances necessary on unplatted portions of the PD to facilitate phasing of the development.

3.2.3. Intensity in Commercial Planning Areas. The maximum floor area ratio in the Commercial Planning Areas is 2:1.

3.2.4. Uses in Commercial Planning Areas. Unless otherwise noted by a [SUP] symbol, the following uses are permitted principal or main uses for all Commercial Planning Areas identified on the Site Plan. Uses with a [SUP] notation must comply with the Specific Use Permit ("SUP") provisions set forth in Section 3.2.5:

Commercial and Business Service Uses.

- Catering Service.
- Commercial Cleaning or Laundry Plant.
- Custom Business Services.
- Electronics Service Center.
- Job or Lithographic Printing.
- Machinery, Heavy Equipment, or Truck Sales and Services.
- Machine or Welding Shop.
- Medical or Scientific Laboratory.
- Outside Sales and Storage. [Requires City Council Approval – See Section 3.14]
- Tool or Equipment Rental.

Industrial Uses.

- Temporary Concrete Batching Plant¹. [SUP]

Institutional and Community Service Uses.

- Adult Day Care Facility.
- Ambulance Service.
- Child-Care Facility.
- Church or Use Associated With a Religious Institution.
- Civic Club.
- College, University, or Seminary.
- Community Service Center.
- Hospital.
- Library, Art Gallery, or Museum.
- Public, Private, or Charter School.
- Technical School.

Lodging Uses.

- Hotel and Motel.
- Lodging or Boarding House.

Office Uses.

- Financial Institution With or Without Drive-In Window.
- Medical Clinic or Ambulatory Surgical Center.
- Office.
- Professional Services.

Recreation Uses.

- Carnival or Circus (temporary).
- Country Club with Private Membership.
- Private Recreation Center, Club, or Area.
- Public Park, Playground, or Golf Course.
- Sport/Tennis Courts.
- Trails.

Retail and Personal Service Uses.

- Animal Shelter or Clinic without Outside Runs.
- Auto Rental.
- Auto Service Center.
- Business School.
- Car Wash.
- Commercial Amusement.
- Commercial Parking Lot or Garage.
- Dry Cleaning or Laundry Store.
- Furniture Store.
- General Merchandise or Food Store.
- Home Improvement Center, Lumber, Brick, or Building Materials Sales Yard.
- Household Equipment and Appliance Repair.
- Model Homes.
- Commercial Wedding Chapel.
- Motor Vehicle Fueling Station.
- Nursery, Garden Shop, or Plant Sales.
- Personal Services.
- Restaurant With or Without Drive-In or Drive-Through Service, including outdoor dining / serving areas and sidewalk cafes.
- Taxidermist.
- Temporary Construction or Sales Office.
- Temporary Retail Use. [SUP]
- Theater.

--Vehicle Display, Sales, and Service.

Transportation Uses.

- Public and Private Streets/Alley/Drives.
- Transit Passenger Shelter.
- Transit Passenger Station or Transfer Center.

Utility and Public Service Uses.

- Antenna Masts.
- Electrical Substation.
- Electric Transformers.
- Local Utilities.
- Mounted Antennas.
- Police or Fire Station.
- Post Office.
- Telecommunication uses, including fiber optics and cable.
- Telephone, Electric, Cable, and Fiber Optic Switching Station.
- Tower/Antenna for Cellular Communication. [SUP]
- Utility Distribution Lines.
- Water and Sewage Pumping Station (above or below grade).
- Water Storage Tank and Pumping System (elevated or above grade).
- Water, Sewer, Electric, and Gas Meters.
- Wireless transmission receiving units (e.g., satellite dish).

Temporary concrete batch plant must be removed immediately upon the end of its intended use, which intended use must be concrete street work to be performed within the PD District only.

3.2.4.1. Additional Use Restrictions.

1. Accessory Uses are permitted on the same lot as the main use.
2. Uses not listed in Section 3.2.4 are prohibited. An applicant may request an interpretation from the Planning and Zoning Commission for uses that are undefined or not listed in Section 3.2.4.
3. New overhead utility distribution lines are prohibited. Such lines must be buried underground. The following may be located above ground: (a) existing utility lines, (b) appurtenances to utility lines (e.g., transformers, switch gears, meters, and pedestals), (c) temporary utility lines, (d) utility transmission lines and other lines of such size and capacity making it impractical to locate such lines underground, (e) temporary poles, lines and appurtenances necessary for building construction, and (f) temporary poles, lines and appurtenances necessary on unplatted portions of the PD to facilitate phasing of the development.

3.2.5. Specific Use Permits.

Prior to the issuance of any building permit for any of the uses identified in Section 3.2. as requiring a Specific Use Permit ("SUP"), a SUP must be approved by the City Council pursuant to the City's zoning ordinance. An applicant must submit to city staff an application, a site plan and a landscape plan drawn to an acceptable scale. City staff must review the applicant's application and place the request on the Planning and Zoning Commission's agenda within 45 days. The Planning and Zoning Commission will consider the application and forward a recommendation to the City Council to either approve or deny. The site plan shall show, but not

be limited to, the arrangement of the proposed improvements, together with the essential requirements such as parking facilities, location of buildings and other structures, means of ingress and egress, together with any other requirements provided by this PD Ordinance. It is unlawful to issue a building permit prior to the approval of the SUP by City Council.

3.3. BUILDING SIZE.

The minimum floor area for single-family detached residential units shall be 1,500 square feet of air conditioned living area, not including garages. All single-family detached residential units must provide an enclosed garage to accommodate at least two (2) cars. The minimum floor area for single-family attached and duplex residential units shall be 1,000 square feet of air-conditioned living area not including garages. All single-family attached and duplex residential units must provide an enclosed garage to accommodate at least one (1) car for one (1) bedroom dwellings and an enclosed garage to accommodate at least two (2) cars for dwelling units with two (2) or more bedrooms.

3.4. LOT SIZE.

3.4.1. Residential Planning Areas. The minimum lot width shall be 50 feet measured along the front building line, and the minimum lot area shall be 5,500 square feet; however, the following additional restrictions shall apply:

1. Any lot within 450 feet of the east boundary of the West Residential A Planning Area shall be at least 60 feet in width measured at the front building line and have a minimum lot area of 6,000 square feet; however, lots adjacent to the east boundary of the West Residential A Planning Area shall be at least 90 feet in width measured along the rear property line and have a minimum lot area of 10,000 square feet.
2. Residential lots adjacent to the east boundary of the West Flex B Planning Area shall be at least 90 feet in width measured along the rear property line and have a minimum lot area of 10,000 square feet.
3. The minimum lot width in the West Residential E Planning Area measured at the front building line shall be 60 feet and have a minimum lot area of 6,000 square feet; however, any lot adjacent to the east boundary of the West Residential E Planning Area shall be at least 90 feet in width measured at the rear lot line and have a minimum lot area of 10,000 square feet.
4. Lots adjacent to the west boundary of the East Residential A Planning Area shall be at least 90 feet in width measured at the rear property line and have a minimum lot area of 10,000 square feet.
5. Duplex lots shall have a minimum lot width of 70 feet measured at the front building line (35 feet per dwelling unit), and have a minimum lot area of 7,000 square feet (3,500 square feet per dwelling unit).

6. Single-family attached (townhome) lots shall have a minimum total lot width equal to 25 feet per dwelling unit measured at the front building line, and have a minimum total lot area equal to 2,500 square feet per dwelling unit.

3.4.2. Commercial Planning Areas. The minimum lot area in Commercial Planning Areas shall be one-half acre. There is no minimum lot width or lot depth.

3.5. LOT COVERAGE.

In a Residential Planning Area, lot coverage shall not exceed 60%. There is no maximum lot coverage for lots located in a Commercial Planning Area. Roof eaves and other ordinary building projections are excluded from lot coverage calculations.

3.6. SETBACKS FOR FRONT, REAR, AND SIDE YARDS.

3.6.1. Residential Planning Area Setbacks.

3.6.1.1. Front Yard. The minimum front yard setbacks are established by the tables in Section 3.6.1.4. Except as otherwise provided in this paragraph, required front yards must be open and unobstructed above a height of two (2) feet except for retaining walls, hand rails, landscaping, and lighting. Off-street parking for nonresidential uses shall not be located in the required front yard setback. The front yard setback is measured from the front lot line. If a lot runs from one street to another and has double frontage, the front yard must be provided on the street from which the lot is accessible. If a corner lot has two street frontages of equal distance, one frontage is governed by the front yard regulations and the other frontage by the side yard regulations. If the corner lot has two street frontages of unequal distance, the shorter frontage is governed by the front yard regulations and the longer by the side yard regulations.

3.6.1.2. Rear Yard. The minimum rear yard setbacks are established by the tables in Section 3.6.1.4. Except as otherwise provided in this paragraph, required rear yards must be open and unobstructed. Fences, landscaping, retaining walls, and lighting may be located in the required rear yard setback. The rear yard setback is measured from the rear lot line.

3.6.1.3. Side Yard. The minimum side yard setbacks are established by the tables in Section 3.6.1.4. Required side yards must be open and unobstructed except for fences, landscaping, retaining walls, lighting, HVAC units, utility meters, transformers, phone pedestals, and other utility-related equipment. Fences cannot encroach into a visibility triangle. The side yard is measured from the side lot line.

3.6.1.4. Setback Standards. All measurements are in feet.

Setback and Separation Standards for Residential Structures	
Standards	Dimension
Minimum Building Setbacks	
Front Yard	
Front Entry ¹	20
Rear Entry	20
Non-Habitable Projections	8
Side Yard Adjacent to Street	
Habitable Area	5 feet
Non-Habitable Projections	8
Garage Opening – Side Entry	20
Accessory Structure	3
Side Yard Adjacent to Alley	
Habitable Area	5 feet
Non-Habitable Projections	3 feet
Garage Opening – Side Entry	20
Accessory Structure	3
Interior Side Yard	
Habitable Area	5 feet for sides not attached to another unit
Non-Habitable Projections	Three (3) feet for sides not attached to another unit; If each dwelling unit in a duplex is located on a separate platted lot, the side yard shall be zero on the side of the lot on which the two dwelling units are attached; 3 feet for all other single family and duplex uses
Accessory Structure	3
Rear Yard	
Habitable Area	5 feet for sides not attached to another unit
Non-Habitable Projections	8
Garage Opening – Rear Entry	20
Accessory Structure	3
Minimum Building Separation	If three or more units are attached, that series of attached units shall be located a minimum of 20 feet from all other single family and duplex uses; NA for all other single family and duplex uses

Non-Habitable projections include architectural features such as porches, stairs, stoops, eaves, chimneys, lighting and awnings.

3.6.2 Commercial Planning Area Setbacks.

3.6.2.1 Front yard. The minimum front yard setbacks are established by the table in Section 3.6.2.4. Required front yards must be open and unobstructed above a height of two (2) feet except for off-street parking, fences, signs, retaining walls, hand rails, landscaping, and lighting. A Restaurant Without Drive-In or Drive-Through Service may locate outdoor dining and serving areas, as well as sidewalk cafes, in the required front yard setback. Off-street parking shall not be located in the required front yard setback of lots within the Flex Planning Area. The front yard setback is measured from any lot line adjacent to a public street.

3.6.2.2 Rear Yard. The minimum rear yard setbacks are established by the table in Section 3.6.2.4. Required rear yards must be open and unobstructed except for fences, landscaping, lighting, retaining walls, and off-street parking. A Restaurant Without Drive-In or Drive-Through Service may locate outdoor dining and serving areas, as well as sidewalk cafes, in the required rear yard setback. A dedicated alley or private drive is not required behind any lot or tract. The rear yard setback is measured from the rear lot line.

¹ Typographical error corrected on January 17, 2006 Front Entry Setbacks changed from 25 to 20

3.6.2.3. Side Yard. The minimum side yard setbacks are established by the table in Section 3.6.2.4. Required side yards must be open and unobstructed except for fences, landscaping, lighting, retaining walls, off-street parking, signs, HVAC units, utility meters, transformers, phone pedestals, and other utility-related equipment. A Restaurant Without Drive-In or Drive-Through Service may locate outdoor dining and serving areas, as well as sidewalk cafes, in the required side yard setback. The side yard setback is measured from the side lot line.

3.6.2.4. Setback Standards. All measurements are in feet.

Setback and Separation Standards Structures in Commercial Planning Areas	
Standards	Dimension (Feet)
Minimum Building Setbacks	
Front Yard	
Abutting SH 78 or SH 205	30
Not abutting S.H. 78 or S.H. 205	20
Rear Yard	
Adjacent to a Residential Planning Area	25
Adjacent to or in a Commercial Planning Area	5
Side Yard	
Abutting SH 78 or SH 205	30
Corner Lots	30
Adjacent to A Residential Planning Area	25
Adjacent to or in a Commercial Planning Area	5

3.6.2.5. Accessory Buildings. The minimum setback requirements set forth in this Section apply to accessory buildings. In Commercial Planning Areas accessory buildings cannot exceed the height of the primary structure.

3.7. VISION CLEARANCE.

Unless authorized by the City, no wall, berm, fence, structure, Sign, tree, shrub, hedge, or other item taller than three (3) feet above the average street or private road grade may be placed or maintained:

(a) at the intersection of two public or private streets, within a triangular area determined by beginning at the intersecting point of the curb lines or pavement lines of the streets, then following each curb line or pavement line thirty-five (35) feet to two points, then connecting those two points by a straight line; and

(b) at the intersection of a public or private street and an alley, within a triangular area determined by beginning at the intersecting point of the curb lines or pavement lines of the

street and the alley, then following each curb line or pavement line twenty-five (25) feet to two points, then connecting those two points by a straight line.

3.8. RESIDENTIAL AND COMMERCIAL PLANNING AREA DESIGN STANDARDS.

3.8.1. Design Elevations. No home plan elevation may be repeated more frequently than every fourth lot on the same side of the street.

3.8.2. Sidewalks. Sidewalks are required in all Residential, Commercial and Flex Planning Areas. Sidewalks must meet the requirements set forth in the Engineering Design Standards attached as Appendix D.

3.8.3. Alleys. Alleys are permitted, but not required.

3.8.4. Garages. Garages may be front, side or rear facing

3.8.5. Exterior Construction Materials.

3.8.5.1. Residential Structures. Exterior construction materials for residential structures (excluding accessory structures) shall consist of seventy-five percent (75%) brick, stone or stucco on vertical surfaces, excluding windows, doors and other normal openings. Use of cementitious fiberboard is limited to back and side elevations and architectural features that are not intended for occupancy (e.g., soffits) on any elevation.

3.8.5.2. Commercial Structures. Commercial structures must have exterior walls that are at least ninety-five percent (95%) masonry, excluding windows, doors and other normal openings.

3.8.5.3. Chimneys. Construction materials for a chimney built on an exterior wall shall consist of 100% masonry. Construction materials for all other chimneys shall consist of cementitious fiberboard or equivalent.

3.8.5.4. Roofs. Residential structures shall have a minimum 6:12 roof pitch. Roofs shall be constructed of composition shingles, tile or slate.

3.8.5.5. Mail Boxes. Unless otherwise required by the United States Postal Service, a dual mailbox may be constructed on the property line such that it may service two lots. All mailboxes must be freestanding and consist of a minimum of 70% masonry materials.

3.9. OFF-STREET PARKING REQUIREMENTS. Parking spaces must be a minimum of nine (9) feet in width and 18 feet in length. Handicap parking space and route design standards shall comply with ADA standards. No off-street parking spaces shall be located within a front, side, or rear yard setback when the yard in question is located adjacent to State Highway 78 or State Highway 205. The minimum number of off-street parking spaces required for a use is as follows:

Use	Number of Off-Street Parking Spaces Required (unless otherwise noted, the ratios below relate to the number of spaces required in relation to the number of square feet of floor area)
Adult Day Care Facility	1:500
Ambulance Service	1:300
Animal Shelter or Clinic Without Outside Runs	1:300
Assisted Living Facility	1:300
Auto Rental	1:500
Auto Service Center	1:500
Business School	1 space for every 25 square feet of classroom floor area
Car Wash	None
Carnival or Circus (Temporary)	25 spaces per acre
Catering Service	1:200
Child-Care Facility	1:500
Church or Use Associated with a Religious Institution	1 space for each 4 fixed seats in the sanctuary. If fixed pews are provided, each 18 inches of length of the fixed pew constitutes one fixed seat. If the sanctuary is not equipped with fixed seats or pews, one space shall be provided for every 28 square feet of floor area in the sanctuary.
Civic Club	1:200
College, University, or Seminary	1 space for every 25 square feet of classroom floor area
Commercial Amusement	1:100
Commercial Cleaning or Laundry Plant	1:300
Commercial Parking Lot or Garage	None
Commercial Wedding Chapel	1:300
Community Center	1:150
Community Service Center	1:200
Country Club With Private Membership	3 spaces for each game court, 1 space for each additional 150 square feet of floor area, and 5 spaces for each golf course green
Custom Business Services	1:300
Dry Cleaning or Laundry Store	1:200
Duplex	2 spaces per unit
Electric Transformers	None
Electrical Substation	2 spaces
Electronics Service Center	1:300
Financial Institution With or Without Drive-In Window	1:333
Furniture Store	1:500
General Merchandise or Food Store	1:200
Home Improvement Center, Lumber, Brick, or Building Materials Sales Yard	1:200
Home Occupation	None
Hospital	1 space per bed

Use	Number of Off-Street Parking Spaces Required (unless otherwise noted, the ratios below relate to the number of spaces required in relation to the number of square feet of floor area)
Hotel and Motel	1 space per unit
Household Equipment and Appliance Repair	1:200
Job or Lithographic Printing	1:300
Library, Art Gallery, or Museum	1:500
Local Utilities	1:5,000
Lodging or Boarding House	1 space for each guest room
Machine or Welding Shop	1:500
Machinery, Heavy Equipment, or Truck Sales and Services	1:1,000
Medical Clinic or Ambulatory Surgical Center	1:200
Medical or Scientific Laboratory	1:300
Model Homes	3 spaces
Motor Vehicle Fueling Station	2 spaces
Nursery, Garden Shop, or Plant Sales	1:500
Nursing Home	1:300
Office	1:333
Outside Storage	1 space for every 2,000 square feet of site area
Personal Service Uses	1:200
Police or Fire Station	1:150 for a police station; 5 spaces for a fire station
Post Office	1:200
Private Gated Community	As required for each use
Private Recreation Center, Club, or Area	3 spaces for each game court, 1 space for each additional 150 square feet of floor area, and 5 spaces for each golf course green
Professional Services	1:333
Public and Private Streets/Alleys/Drives	None
Public Park, Playground, or Golf Course	3 spaces for each game court, 1 space for each additional 150 square feet of floor area, and 5 spaces for each golf course green
Public, Private, or Charter School	1 space for every 25 square feet of classroom floor area
Radio, Television, or Microwave Tower	2 spaces
Restaurant With or Without Drive-In or Drive-Through Service, including outdoor dining / serving areas and sidewalk cafes.	1:100
Satellite Dish	None
Single Family Attached	1 space per unit
- 1 bedroom units	2 spaces per unit
- 2 or more bedrooms per unit	2 spaces per unit
Single Family Detached	2 spaces per unit
Single Family Zero Lot Line	2 spaces per unit
Taxidermist	1:300
Technical School	1 space for every 25 square feet of classroom floor area
Telecommunication uses, including fiber optics and cable.	None
Telephone, Electric, Cable, and Fiber Optic Switching Station	2 spaces
Temporary Concrete Batching plant	2 spaces
Temporary Construction or Sales Office	2 spaces
Temporary Retail Use	1:500
Theater	1 space for every 28 square feet of seating area

Use	Number of Off-Street Parking Spaces Required (unless otherwise noted, the ratios below relate to the number of spaces required in relation to the number of square feet of floor area)
Tool or Equipment Rental	1:200
Tower/Antenna for Cellular Communication	1 space
Trails	None
Transit Passenger Shelter	None
Transit Passenger Station or Transfer Center	None
Utility Distribution Lines	None
Vehicle Display, Sales, or Service	1 space for every 500 square feet of site area
Water and Sewage Pumping Station (above or below grade)	None
Water and Wastewater Treatment Facility	None
Water Storage Tank and Pumping System (elevated or above grade)	None
Water, Sewer, Electric, and Gas Meters	None

3.10. OFF-STREET LOADING.

Buildings with a gross floor area of more than 20,000 square feet and used primarily for retail, business, or manufacturing uses, shall provide an off-street area for the loading and unloading of merchandise or goods.

3.11. BUFFERING AND SCREENING.

3.11.1. Buffering Between Uses. Lots containing commercial uses that are located in a Commercial Planning Area or Flex Planning Area and adjacent to a lot containing a residential use must, upon the construction of any commercial structure, construct and maintain a masonry sight-barring fence at least six (6) feet high constructed on the commercial lot line exclusive of vision clearance areas as required by Section 3.7 of this PD Ordinance. Fences required by this Section must be constructed generally in accordance with the design concepts shown in Exhibit B. This requirement shall not, however, apply to commercial lots used for Open Space or Common Areas owned or maintained by the owners association.

3.11.2. Residential Screening. The developer of residential lots that back to a Collector Street or Arterial Street, upon the construction of any residential structure, must construct and maintain a fence at least six (6) feet high constructed on the residential lot line exclusive of vision clearance areas as required by Section 3.7 of this PD Ordinance. Fences required by this Section must be constructed generally in accordance with the design concepts shown in Exhibit B. This requirement shall not, however, apply to lots used for Open Space or Common Area.

3.11.2.1. Any lot that is located adjacent to a residential subdivision located outside of this PD District and in existence at the time of the creation of this PD District must, upon the construction of any residential structure on such lot, include a masonry wall at least six (6) feet high constructed on the residential lot line. All residential screening required under this paragraph shall be maintained by the property owners association or the property owner. In the

event of a conflict between this paragraph and the requirements for vision clearance areas under Section 3.7 of this PD Ordinance, Section 3.7 governs.

3.11.3. Commercial Screening in West Flex B Planning Area. If any portion of the West Flex B Planning Area adjacent to Geren Road is to be used for nonresidential purposes, the developer must provide a 20-foot planted bufferyard that includes a six (6) foot tall screening fence between the non-residential use and the bufferyard. The screening fence shall be constructed generally in conformance with Exhibit B. This requirement shall not, however, apply to lots used for Open Space or Common Area.

3.11.4. Garbage Storage Area Screening. Garbage storage areas for commercial uses must be screened on all sides by a solid masonry wall, which may include a solid gate. All gates must have an opening of at least 12 feet.

3.12. LANDSCAPING PLANTING AND MAINTENANCE REQUIREMENTS.

3.12.1. Floodplain Area. Trees within floodplain or floodway areas may be pruned, trimmed, and if required to further the development of land regulated by these regulations, removed.

3.12.2. Tree Preservation. Trees and other landscaping may be removed from land in the PD District prior to, during or after construction; however, the City shall require all trees or landscaping installed and maintained pursuant to this Section 3.12 to be replaced in accordance with the applicable requirements of this Section 3.12.

3.12.3. Residential Lot Landscaping. All builders shall make available to each residential lot six (6) three-gallon shrubs and six (6) one-gallon shrubs in the front yard. In addition, prior to the issuance of a certificate of occupancy for residential structures, the front yards and adjacent side yards outside a fenceline shall be covered with sod and each residential lot shall have two (2) trees, either newly planted or retained, in the front yard. Rear yards will be hydro-mulched. Required trees shall be at least three (3) inches in diameter measured 12 inches above grade.

3.12.4. Commercial Lot Landscaping. All lots shall contain a minimum of eight percent (8%) landscaping, which may include grass, ground cover, hedges, shrubs, plants, trees, waterways, and fountains. In addition, a minimum of two percent (2%) of all parking areas on a lot shall be landscaped. Approval of a landscaping plan by the City Council is required as part of the Commercial Site Plan Approval process.

3.12.5. Completion Requirements. Commercial lot landscaping shall be planted before a commercial occupancy permit is issued; however, if seasonal considerations prohibit the completion of the landscaping within the given timeframe, a temporary occupancy permit shall be issued for up to 60 days.

3.12.6. Maintenance Requirements. All required landscaping and trees shall be maintained in a living condition by the owners association or the property owner, as applicable.

3.13. OPEN SPACE REQUIREMENTS.

3.13.1. Open Space. A minimum of 80 acres of Open Space shall be located within the PD District. Open Space shall be determined as plats are approved. All privately-owned Open Space designated on plats shall be maintained by the property owners association.

3.13.2. Community Centers. A minimum of two (2) community centers shall be located within the required Open Space (one within one of the east Planning Areas and one within one of the west Planning Areas). Each required community center may include a club house, sports courts, play fields, trails, picnic facilities, pool, changing facilities, a children's playground, irrigation, and off-street parking.

3.13.3. Neighborhood Pedestrian Connectivity. All Local Residential Streets shall provide pedestrian connectivity through concrete sidewalks (on both sides of the street and located within the street right-of-way) that are at least four feet wide.

3.14. OUTSIDE STORAGE AND DISPLAY.

In Commercial Planning Areas, goods and merchandise may be stored and displayed outside upon the approval of the City Council. If deemed appropriate by the City Council, a Specific Use Permit may be required.

3.15. SIGN STANDARDS.

3.15.1. Regulations. All signs in Heritage must comply with the City of Lavon's sign regulations, as amended.

September 30, 2004

EXHIBIT A
Development Plan

September 30, 2004

NOTES TO DEVELOPMENT PLAN

1. Water line and sewer line, lot line, easement, street, alley, and storm drainage locations shall be determined upon submittal of final plats and construction plans.
2. Primary and secondary entry locations are approximate. Exact locations and configurations shall be determined upon submittal of final plats.
3. Any information shown on the drawing that is outside the boundaries of the PD District is provided for informational purposes only and does not bind or otherwise affect development within the PD District.

EXHIBIT "A"
DEVELOPMENT PLAN
LAVON P.D. NO. 1
HERITAGE

LAVON, COLLIN COUNTY, TEXAS

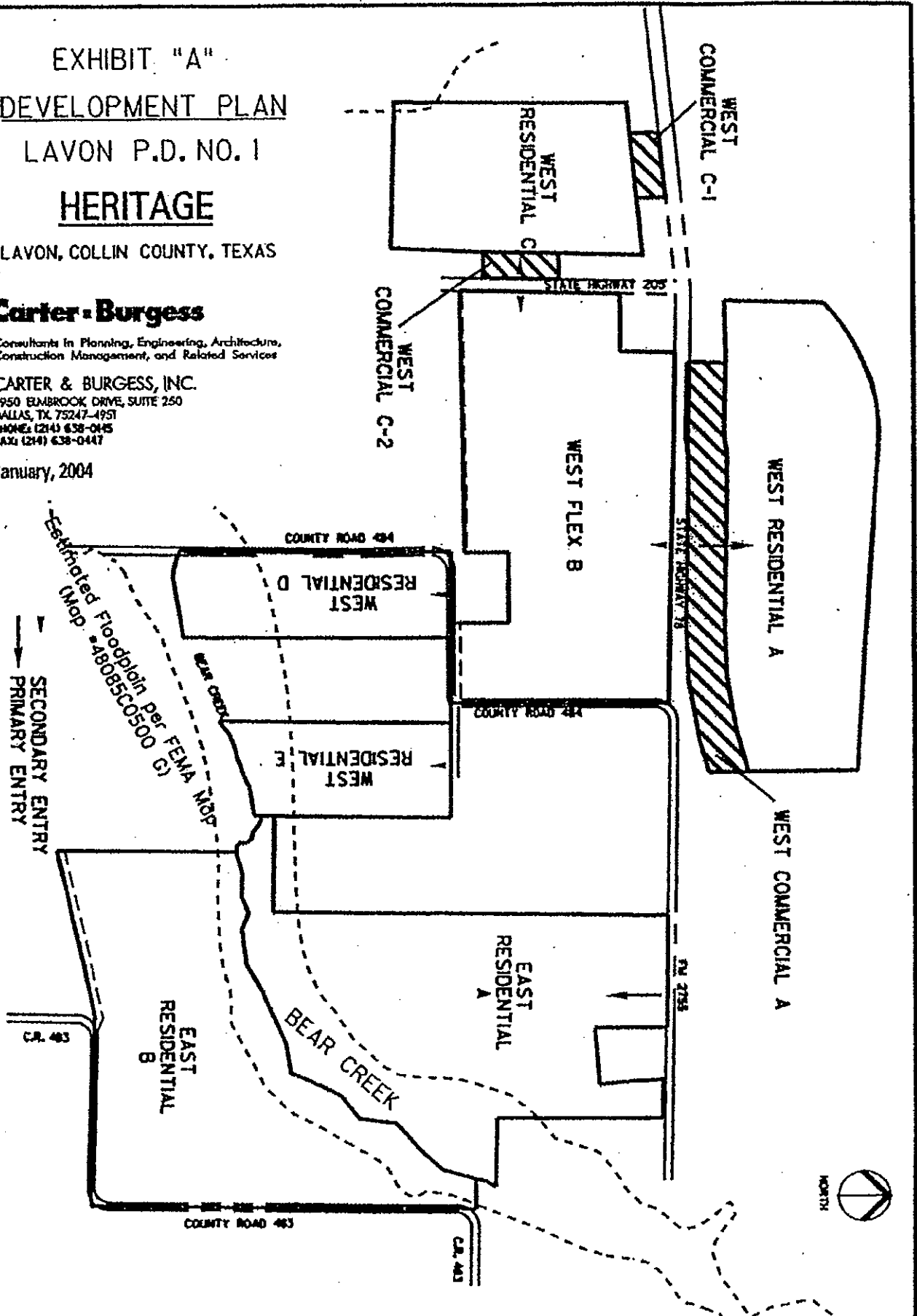
Carter-Burgess

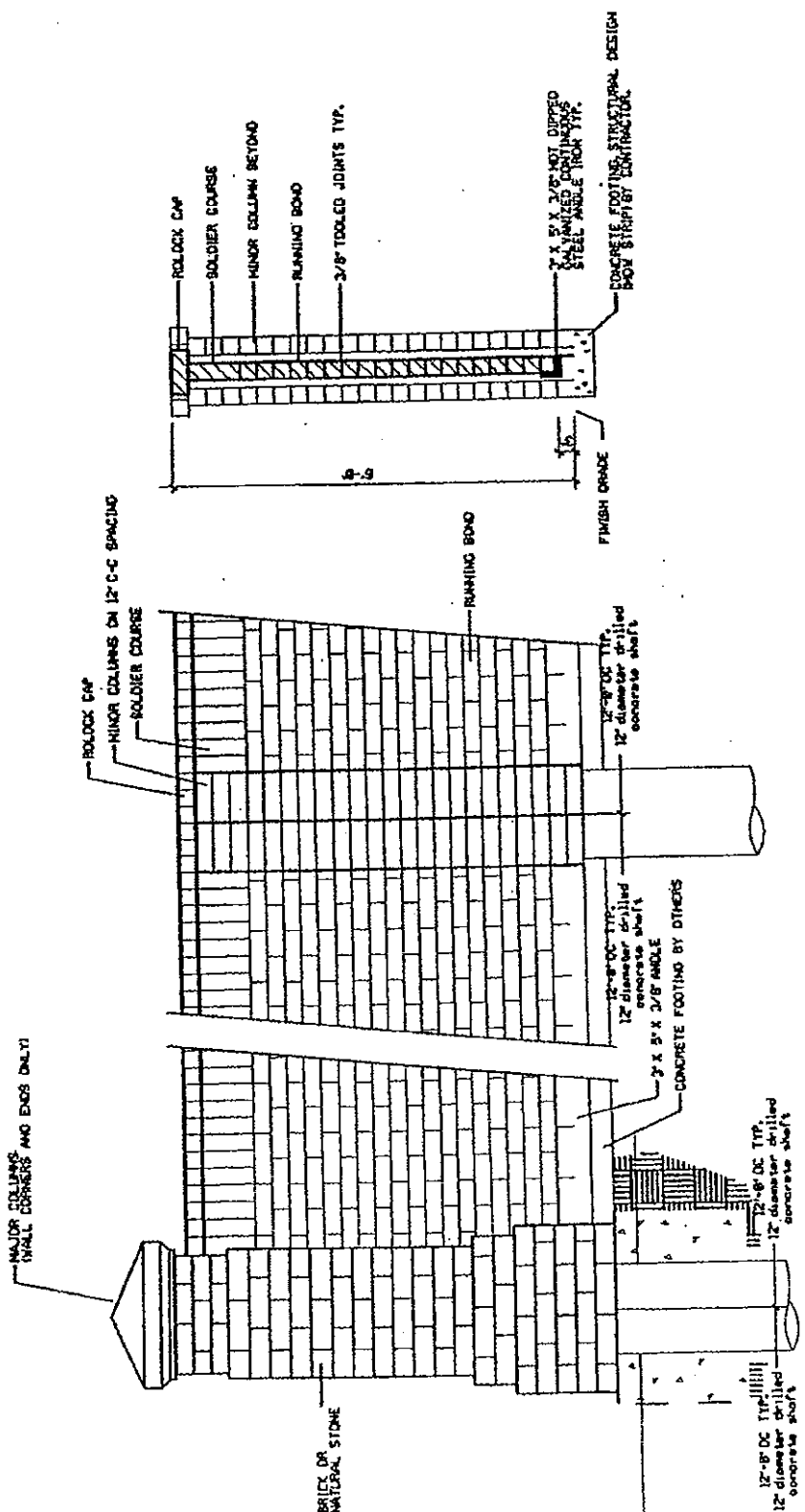
Consultants in Planning, Engineering, Architecture,
Construction Management, and Related Services

CARTER & BURGESS, INC.

7950 ELMBROOK DRIVE, SUITE 250
DALLAS, TX 75247-4951
PHONE: (214) 638-0445
FAX: (214) 638-0447

January, 2004





NOTE:
 Details shown are conceptual. Actual design may vary, but design intent shall be consistent with these details.

1 SITE MASONRY THINWALL DETAILS
 NOT TO SCALE

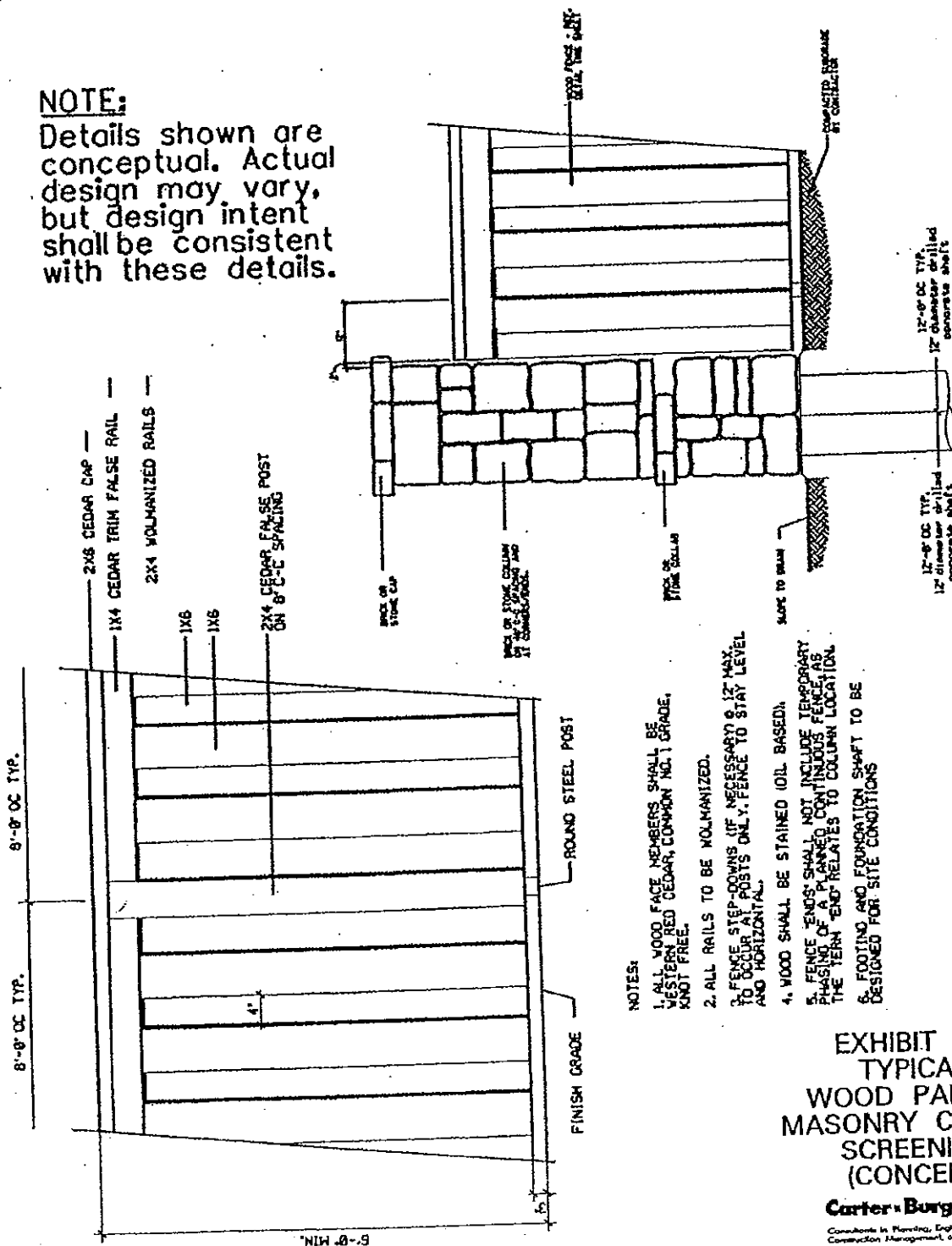
- NOTES:**
1. FOOTING AND FOUNDATIONS TO BE DESIGNED FOR SITE CONDITIONS
 2. WALL "ENDS" SHALL NOT INCLUDE TEMPORARY PHASING OF A PLANNED CONTINUOUS WALL, AS THE TERM "END" PERTAINS TO COLUMN LOCATION

EXHIBIT "B"
TYPICAL
THIN-WALL
SCREENING
(CONCEPT)

Carter & Burgess
 Consultants in Planning, Engineering, Architecture,
 Construction Management, and Related Services
 CARTER & BURGESS, INC.
 7550 CLARENDON DRIVE, SUITE 250
 OMAHA, NE 68124-1150
 PHONE (402) 639-0100
 FAX (402) 639-0447

NOTE:

Details shown are conceptual. Actual design may vary, but design intent shall be consistent with these details.



NOTES:

1. ALL WOOD FACE MEMBERS SHALL BE WESTERN RED CEDAR, COMMON NO. 1 GRADE, KNOT FREE.
2. ALL RAILS TO BE VOLUNTIZED.
3. FENCE STEP-DOWNS (IF NECESSARY) 8" OR 12" MAX. TO OCCUR AT POSTS ONLY. FENCE TO STAY LEVEL AND HORIZONTAL.
4. WOOD SHALL BE STAINED (OIL BASED).
5. FENCE FENCING SHALL NOT INCLUDE TEMPORARY PHASING OR PLANNED CONTINUOUS FENCE AS THE TERM "FENCE" RELATES TO COLUMN LOCATION.
6. FOOTING AND FOUNDATION SHAFT TO BE DESIGNED FOR SITE CONDITIONS.

EXHIBIT "B"
TYPICAL
WOOD PANEL /
MASONRY COLUMN
SCREENING
(CONCEPT)

Carter & Burgess

Consultants in Planning, Engineering, Architecture,
Construction Management, and Related Services

CARTER & BURGESS, INC.
7750 TAMBOUR DRIVE, SUITE 250
DALLAS, TX 75247-1153
214-636-6366 FAX 214-636-6443

2 6'-0" WOOD FENCE SCREEN DETAIL
0-1 NOT TO SCALE

September 30, 2004

EXHIBIT B
Fence Details

September 30, 2004

EXHIBIT C
Engineering Standards

EXHIBIT C

Engineering Design Standards

1.1 GENERAL PROVISIONS.

1.1.1 Purpose. The purpose of these Engineering Development Standards is to provide uniform development rules and regulations for Heritage. Specific engineering design standards contained in these rules and regulations may be varied if requested by the developer and approved by the City Engineer.

2.1 PRELIMINARY PLATS.

A preliminary plat is intended to provide information to evaluate and review the general design of the development to insure compliance with the Site Plan and the requirements of this PD Ordinance. The preliminary plat approved contemporaneously with the approval of this PD Ordinance conforms to the requirements of this PD Ordinance and is valid for six (6) years from the date of the passage of this PD Ordinance unless a final plat application is submitted within such six-year period for all or a part of the property covered by the approved preliminary plat. A preliminary plat shall contain or have attached thereto:

2.1.1 General Information.

1. The date, written and graphic scale, north arrow, proposed name of the development, key map showing the location of the development in relation to existing streets and highways and dates of preparation and revisions.
2. The name, address, phone number, fax number and email address of the property owner or owners, and the planners, registered engineer, surveyor or other representatives processing the plat.
3. Any City or extraterritorial jurisdiction lines traversing or on the boundary of the development.
4. The names of the record owners of contiguous unplatted, undeveloped lands not contained within the Heritage Development.

2.1.2 Boundaries, Acreage, Zoning and Uses.

1. The development boundary lines, shown by continuous dark lines of sufficient width to be easily identified.
2. The total acreage within the development and the identification of each proposed type of land use.
3. All existing or proposed lots and blocks identified by letter or number within the development and the names and lot patterns of contiguous developments.

2.1.3 Utilities.

1. The identification, location, and size of all existing water and sanitary sewer lines that are located within or on the boundaries of the development.
2. The identification, location, and size of all proposed water and sanitary sewer lines and the associated easements which are proposed to serve the development, showing the location, size, and distance of any existing lines to which connections are proposed.
3. General information on the means by which any alternative water or sanitary sewer service is to be provided.

2.1.4 Streets, Sidewalks, and Driveways.

1. The identification, location, and size of all existing streets and rights-of-way located within the development or adjacent property within 100 feet of the development.
2. The identification, location, and size of all proposed streets, and rights-of-way which are to serve the development, showing the proposed connection or alignment with existing or proposed streets on adjacent property.

2.1.5 Drainage.

1. The topography of the existing land included within the development shown by contour lines of two-foot vertical intervals.
2. The identification and location of all existing water courses, ponds, detention ponds, ditches, channels, floodway and floodplain boundaries, storm water improvements, drainage easements, or similar natural or man made drainage facilities or features located within or outside the boundaries of the development that do or will impact storm water drainage across the development.

3.1 FINAL PLATS.

A final plat is intended to serve as the official recorded map of the property to be developed, showing thereon the boundaries, lots, streets and easements, and other facilities and features to serve the development. For a development to be constructed in phases, the final plat may include only a portion of the land included in an approved preliminary plat. A final plat shall conform to the approved preliminary plat and shall be submitted on sheets accepted by the Collin County Clerk and drawn to a scale of 1 inch = 100 feet or larger. The final plat will include the name, address, signature and seal of a registered professional land surveyor prior to recordation. The final plat shall be recorded within 60 days after substantial completion of water, wastewater, storm drainage and parking improvements. Substantial completion shall be evidenced by the City Engineer's confirmation letter. A final plat shall contain thereon or have attached thereto:

1. The signature of the owner or owners of the land included within the plat, acknowledged in the form required for the acknowledgment of deeds.

2. The date, scale, north arrow, and key map showing the location of the development in relation to existing streets and highways, dates of preparations and revisions.

3. The proposed name of the development, which shall not have the same spelling or be pronounced similarly to the name of any other development located on land within the jurisdiction of the City. Developers of phased developments shall use the same base name for different sections, identified by a section number or letter.

4. The development boundary lines, shown by continuous dark lines of sufficient width to be easily identified, as shown by a survey performed by a State of Texas registered professional land surveyor describing the boundaries of the development by metes and bounds.

The plat shall:

(a) Locate the boundaries with respect to a corner of the survey or tract or any original corner of the original survey abstract of which it is a part (provide a note of description of the location of the survey abstract).

(b) Describe and locate all permanent survey monuments, pins, and control points.

(c) Identify the dimensions of the development with closure calculations.

(d) Identify the City and County where the development is located.

5. The dimensions of all existing or proposed lots and blocks within the development identified by letter or number running consecutively throughout the development.

6. Location, dimension, and description of all existing or recorded streets, alleys, easements, and public and private rights-of-way within the development, intersecting or contiguous with its boundary or forming such boundary.

7. The location, dimensions, and description of all proposed streets, alleys, drainage and utility easements, parks, other areas, reservations, easements or other rights-of-way to be dedicated to the public, located within, intersecting or contiguous with its boundary or forming such boundary.

8. All proposed streets or changes to be made in existing streets shall be described with accurate bearings or deflecting angles and radii, area and central angle, degree of curvature, tangent distance and length of all curves where appropriate, and the primary control points.

9. Building setback lines.

10. Signature block of the approving authority.

11. All required dedication and certification statements.

4.1 CONSTRUCTION PLANS.

Construction plans shall be submitted to the City for all proposed streets, storm drainage and utility improvements, and any other improvements that will be constructed to serve the development. Where the final plat is for property being developed in phases, the required construction plans shall include the improvements specified in the preliminary plat to serve the phase being platted. The construction plans are intended to provide for the detailed engineering drawings for all improvements to be constructed. Construction plans shall be drawn on sheets 22" x 34" or 24" x 36" and shall contain or have attached thereto:

1. North arrow, scale, date and mean sea-level elevations of all improvements. The plans shall provide for a reference to elevation benchmark monumentation used in the development of the plans. The construction plans shall be signed and sealed by a professional engineer licensed by the State of Texas.
2. The plan and profile of streets, drawn with a horizontal scale of 1" = 40' or larger, and appropriate corresponding vertical scale, showing the top of curb grades at 100 foot intervals for straight grades and 25 foot intervals for vertical curves. Typical right-of-way cross sections of streets, sidewalks, and alleys showing the width and type of pavement base, and sub-grade, the location within the right-of-way, and specific street crown information, including the pavement transition to split curbs, valley gutters, and storm water inlets.
3. Plan and profile for each sanitary sewer line showing proposed ground level elevation at center line of pipe, pipe size, flow line elevation at all drops, and turns, and station numbers at 100 foot intervals, with a section showing embedment.
4. Plan view, with profile when pipe size is 12-inches or larger, of the water distribution system showing pipe sizes and the location of valves, fire hydrants, fittings and other appurtenances, with a section showing embedment.
5. Plans and profile of all proposed channels, ditches, underground systems, detention areas, ponds and any other storm water improvements, modifications, or facilities proposed to serve the development. The plans shall specify in detail the materials and sizing for all channels or ditches, storm water pipes, pipe connections, inlets, outlets, manholes, culverts, bridges and any other drainage structures and improvements. Each improvement shall show the hydraulic data on which the design of the improvement was based. All stormwater improvements must be designed to accommodate the 100-year storm with fully developed conditions and include one (1) foot of freeboard.
6. A grading plan showing the existing and proposed grading, existing contours, proposed or minimum finished floor elevations, and the 100-year flood limits, if any. The grading plan shall consist of existing contours and proposed spot elevations with water directional arrows to define the flow patterns.

7. The location, size and character of all temporary and permanent erosion and sediment control facilities with specifications detailing all on-site erosion control measures which will be established and maintained during all periods of development and construction.

5.1 STREETS, SIDEWALKS, AND ALLEYS.

Streets, sidewalks, and alleys shall conform to the rules and regulations in this Section.

5.1.1 Street Classifications. All streets shall be classified and defined as follows:

1. **Arterial.** For purposes of this PD Ordinance the only arterial streets are S.H. 78, F.M. 2755 and S.H. 205.

2. **Collector.** A street that carries traffic within and between subdivisions within the PD District and having a right-of-way greater than 60' and paving width greater than 36' face-of-curb to face-of-curb (F-F).

3. **Local.** A street having a right-of-way up to 60' and paving width up to 36' F-F.

4. **Perimeter.** For purposes of this PD Ordinance, the only perimeter streets are CR 483, and Geren Road (CR 484).

5.1.2 General Design Standards. The following general design standards apply to all streets, sidewalks, and alleys:

1. **Coordination with surrounding streets.**

(a) The street system for each development shall be coordinated with existing and proposed streets within and adjacent to the PD District.

(b) Local streets shall intersect so as not to create block lengths in excess of 1,200 feet, measured along the center of the block. A block length is broken by an intersecting street in the form of a "Tee" (3-Way) or "Cross" (4-Way) intersection.

2. **Intersections.**

(a) Streets should be laid as to intersect, as nearly as possible, at a 90° angle, but in no case shall streets intersect at an angle less than 85°. Curvilinear streets shall be designed so as to approach an intersection at the required 85°-90° for at least 100 feet from the intersection. No more than two streets shall intersect at any one point.

(b) Proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side. Centerline offsets are allowed at an intersection if the distance between the centerlines of the intersecting streets is at least 150 feet.

(c) Intersections shall be constructed so that slopes, trees, and other natural or manmade structures do not create a visual obstruction within any required visibility triangle.

3. Cul-de-sacs and dead-end streets.

(a) Cul-de-sacs may only be used on local streets.

(b) Every dead-end street, whether permanent or temporary, on which there is located a lot that does not have frontage on any other street shall have a cul-de-sac.

(c) The length of a street on which a cul-de-sac is located shall not be more than 700 feet, measured from the end of the cul-de-sac to the nearest intersecting street.

(d) The right-of-way of a cul-de-sac shall have a minimum radius of 50 feet. The radius of the pavement, measured from the outer edge of the pavement, shall be at least 40 feet.

(e) All permanent cul-de-sacs shall be built in accordance with the design standards for streets. Temporary cul-de-sacs for dead-end streets which are proposed to be extended may be built with an asphalt turnaround which must be of sufficient strength to support concrete trucks, delivery trucks, garbage trucks and fire trucks..

4. Private streets. Local streets internal to the PD District may be private streets provided they are constructed to the standards set forth in this Section. Private streets may be constructed without entering into any agreements with the City or other political subdivisions. Notwithstanding the foregoing, no final plat shall be recorded until the City has inspected the private streets for compliance with the standards set forth in this Section. Upon completion and prior to the opening of such private streets for use, the developer shall create or cause to be created a property owners association, public improvement district, political subdivision, or other legal entity that will have the authority and responsibility to maintain the private streets (including sidewalks, streetlights, storm drainage, and traffic control devices).

5. Street names and signs. Street names shall be determined by the developer, subject to City approval, by placing the names on the final plat. Streets which are to be in alignment with existing streets shall be given the same name. Other street names shall be sufficiently different in sound and spelling from other streets in the City so as not to cause conflict or confusion. Street name signs shall be installed by the developer at all intersections.

6. Traffic control plan. The developer shall install traffic control signs (e.g., stop signs) as needed or warranted. All traffic control signs must conform to the Texas Manual of Uniform Traffic Control Devices (MUTCO).

7. Street lighting. Streetlights shall be installed at all intersections and along all streets at intervals no greater than 800 feet.

8. Sidewalks. Concrete sidewalks having a minimum width of four feet shall be constructed along adjacent sides of all local and collector streets and along County Road 484 where it abuts the Heritage Development. All sidewalks shall be constructed prior to the issuance of a certificate of occupancy for any improvements constructed on the lot adjacent to the required sidewalk.

9. Alleys. Alleys may be constructed within any Phase or planning area within the development, however, they are not required. If constructed, alleys will meet the following standards:

(a) The minimum right-of-way width for rear entry residential lots shall be 15 feet, with a 10-foot paved section.

(b) Dead end alleys are prohibited.

(c) Where an alley intersects a street, the pavement width of the alley shall be increased 2.5 feet to allow for vehicle turning movements.

(d) Alley pavement shall be reinforced concrete pavement 5-inches thick with 6-inch lime or cement stabilized subgrade.

10. Curvilinear streets are not required.

11. All streets, alleys, and sidewalks shall be concrete (3600 psi at 28 days) and reinforced with at least #3 rebar at 18-inches OCEW.

5.1.3 Street Design Specifications. Streets within the PD District shall be designed in accordance with the following specifications:

Design Specifications	Streets		
	Collector	Local	Alleys
Pavement Width (face-face / edge-edge)	>36' (Total)	30' - 36'	10'
Number of Traffic Lanes	2	1	1
Lane Widths	12'	10'	10'
Right-of-Way	>60'	50' - 60'	15'
Design Speed	30 mph	20 mph	N/A
Minimum Grade	0.5%	0.5%	0.5%
Maximum Grade	10%	10%	10%
Minimum Center Line Radius	250'	N/A	N/A
Minimum Tangent Length at Intersection	0'	0'	0'
Minimum Radius for Curb Returns at Intersections	25'	20'	10'
Minimum Reverse Curve Separation	0'	0'	0'
Reinforced Concrete Pavement Thickness	6"	5"	6" - 4" - 6"
Stabilized Subgrade	8"	6"	6"
Crown Height / Invert Depth (2%)	5"	4"	5"

Design Specifications	Streets		
	Collector	Local	Alleys
Curb Height	6"	6"	N/A
Minimum 28-day Compressive Concrete Strength	4,000 psi	3,600 psi	3,600 psi

All subgrade and pavement design must be by geotechnical investigation.

6.1 DRIVEWAYS.

6.1.1 Access to Arterial, Perimeter Roads, and Collector. Driveway access from any residential lot to an arterial, perimeter or collector road is prohibited.

6.1.2 Access to Local Streets. Driveway access from residential lots to local streets is allowed as follows:

1. **Corner clearance.** The minimum distance from an intersection of streets shall be 15 feet (measured from the edge of the driveway to the intersecting street right-of-way lines of the intersection).
2. **Driveway widths.** The minimum driveway width for residential lots shall be 12 feet (maximum 30 feet). The minimum driveway width for all other lots shall be (a) 12 feet (maximum 15 feet) for one-way, single-lane driveways and (b) 24 feet (maximum 30 feet) for two-way, two-lane driveways. If adjoining lots share a driveway, greater widths may be allowed.

7.1 PARKING LOTS.

Non-residential parking lots shall comply with the following regulations:

1. The minimum dimensions of all parking spaces shall measure 9 feet by 18 feet.

8.1 UTILITY EASEMENTS.

All utilities shall be located in streets or utility easements as follows:

1. All water and sewer easements shall be at least 15 feet wide.
2. Lot lines may split easements.

9.1 DRAINAGE.

9.1.1 Drainage Policies. All developments shall be designed and constructed to implement the following drainage policies:

1. All storm water from the development when fully developed will be conveyed to an adequate discharge point.
2. The development must be designed to accommodate the effects of the fully developed 100-year flood.
3. The development may not increase the ultimate 100-year water surface elevation outside the PD District by more than one (1) foot.
4. Storm water flows based on ultimate upstream development will be conveyed through the development.
5. On-site detention will be utilized to mitigate flows from the development where downstream conditions merit such action. In no case shall detention be required to reduce flows to a level below existing rates.

9.1.2 Off-Site Drainage. Off-site drainage facilities and improvements may be provided by the developer when storm water runoff from the development would adversely affect downstream property, whether natural or manmade. Where storm water runoff from three or more acres has been collected or concentrated to one point, it shall not be discharged onto adjacent properties, except into existing creeks, channels, or storm drains, unless drainage or flowage easements are obtained for those properties.

9.1.3 General Design Standards.

1. Detention facilities may be used to reduce peak discharges where conditions prevent conveying storm water to an adequate discharge point.
2. Non-habitable improvements within open spaces, accessory buildings and utilities will be allowed in floodplain areas.
3. All developments shall use erosion and sediment control devices as per state and federal guidelines. The erosion and sediment control devices shall be installed and maintained until sufficient vegetation cover has been provided to control erosion and sediment.
4. No development shall be designed to access a public street across a channel without providing adequate bridge clearance for a 100-year design storm. Bridges crossing channels shall have at least one (1) foot of freeboard between the design water surface and the lowest beam of the bridge. This shall not prevent low water crossings for pedestrians and maintenance equipment.

5. Channel regulations and improvement requirements shall be based on the amount and concentration of the storm water runoff from the development. All developments shall provide for the permanent improvement and modification of existing drainage channels as necessary to serve the development as follows:

(a) Existing channels which serve as floodways may be maintained in a natural state. The design of the Heritage Development must provide access for City maintenance.

(b) Improved channels shall have at least one foot of freeboard above the 100-year flood elevation. The design of the Heritage Development must provide access for City maintenance.

(c) Jurisdictional waters of the United States shall be governed by the U.S. Corps of Engineers. In the event of any conflict or inconsistency between this PD Ordinance and the U.S. Corps of Engineers regulations, the Corps' regulations shall control.

6. Major drainage systems are intended to provide for conveyance of major flooding and usually consist of channels, detention reservoirs, streets and overflow swales. Major drainage systems shall be designed to convey the 100-year ultimate flood.

7. Minor drainage systems are intended to provide for conveyance of nuisance-type flooding and usually consist of streets, storm drain inlets, and pipes.

8. Drainage systems for all developments shall be designed to comply with the minimum and maximum time of concentration for the proposed land uses.

9. Proposed storm drains may discharge into existing water courses shown on the current flood insurance rate map, as well as minor existing and proposed systems not shown on a FIRM, but capable of handling proposed discharges in accordance with this section.

10. Generally, each lot shall be designed or graded to direct storm water into an abutting street, alley, channel, or inlet. If drainage is provided in the rear of any lot by an alley or closed storm drainage system consisting of inlets and pipes, the alley or drainage system shall be designed for the 100-year flood. Drainage facilities shall generally be required whenever the storm water runoff from more than two residential lots is directed across a third residential lot or whenever the facilities are necessary to avoid an adverse effect on any other lot. It shall be unlawful for any person to fill, modify or otherwise obstruct any drainage easement designed or used as an overflow channel or structure, or fill, modify or otherwise obstruct any drainage swale indicated on the lot grading plan prepared as part of the construction plans with each final plat, whether or not such a swale is contained with an easement. Fences may be allowed in and across lot drainage swales when adequate ground clearance is provided.

9.1.4 Design Criteria.

1. The following facilities shall be designed to handle the flood frequencies indicated:

Facility	Flood Frequency (Years)
Local Street capacity (top of curb) and enclosed pipe system, if needed	100
Collector Streets*	100
Driveway culverts	50
Streets / Right-of-ways	100
Improved channels	100
Culverts	100
Bridges	100
Floodways	100

* At least one (1) twelve (12) foot lane shall remain dry at all times

2. All streets shall be capable of conveying a 100-year flood without water exceeding the right-of-way limits and all Collector Streets must be designed so at least one (1) twelve (12) foot lane shall remain dry during the 100 year storm.

3. Pipe systems, if used, shall satisfy the following requirements:

(a) Storm drain systems are required when water spread limits exceed the parameters outlined in Section 9.1.4.1 above.

(b) The minimum velocity with the pipe flowing full shall be two (2) feet per second.

(c) All storm drain pipe must be made of reinforced concrete pipe (RCP) and have a minimum diameter of 18 inches.

(d) Pipe diameters shall not normally decrease downstream.

(e) Pipe soffits at changes in pipe sizes should be set at the same elevation.

(f) Vertical inflections and horizontal curves in the conduit will be permitted if joint deflection does not exceed manufactured recommendations.

(g) Manhole spacing shall be as follows:

Pipe Size	Maximum Spacing
18" - 36"	500'
42" - 60"	1,000'
> 60"	No limit

4. All driveway culvert construction shall meet the following requirements:

(a) Driveway culverts shall be of sufficient size to carry the expected water flow based on the 50-year flood, and shall be made of reinforced concrete pipe (RCP).

(b) The following standards apply to driveway culverts:

(i) Culverts 21 inches in diameter and larger shall have 6:1 safety end sections, and the ground around the end sections shall have a grade of 6:1.

(ii) Culverts less than 21 inches in diameter shall have Type B end sections. Type B headwalls and guardrails may be used for culverts larger than 21 inches if approved by the City Engineer.

(iii) Culverts 30 inches in diameter or smaller do not require safety pipe runners. Culverts larger than 30 inches shall meet Texas State Department of Highways and Public Transportation Standards.

5. If the developer elects to construct detention ponds for drainage control, such detention ponds shall comply, in all material respects, with the following requirements and design standards:

(a) The fully developed 100-year flood shall be used to determine the volume of detention storage required. Detention facilities shall be designed so that any additional runoff generated by the proposed development will not increase the amount of original discharge for the 100-year storm frequencies plus one (1) foot of freeboard.

(b) The modified rational method shall be used to construct runoff hydrographs for detention storage design when the contributing drainage area is 200 acres or less. The procedures outlined in Soil Conservation Service Technical Release No. 20 (TR-20), or in the U.S. Corps of Engineers' Flood Hydrograph Packages (HEC-1 or the HEC-RAS) shall be used to determine runoff hydrographs for detention storage design when the contributing drainage area exceeds 200 acres. Other methods may be used if approved by the City Engineer.

(c) An emergency spillway or overflow area shall be provided at the maximum 100-year pool level and shall be capable of conveying discharges as required by this PD Ordinance. The spillway shall be constructed of non-erosive material.

(d) Any outflow structure which conveys water through the embankment in a conduit shall be reinforced concrete designed to support the external loads. The conduit shall withstand the internal hydraulic pressure without leakage under full external load or settlement and must convey water at the design velocity without damage to the interior surface of the conduit.

(e) The outflow structure of a detention basin discharging water into any natural stream or unlined channel shall discharge at a non-erosive rate, unless erosion protection is provided.

(f) Detention basins resulting from excavation shall provide positive drainage. The side grade for any excavated detention basin, which is not in rock, shall not exceed 4:1.

(g) Earthen embankments used for water impoundments must be constructed according to design and specifications based upon the results of a geotechnical investigation of the site.

9.1.5 Easements. The following requirements apply to easements for drainage improvements, channels, and facilities required by this PD Ordinance:

1. All drainage systems and facilities which are not to be included within an existing or proposed street shall be located within easements that have adequate access to streets. The easements may be dedicated to a special district, political subdivision, or other public or private entity that owns, operates, or maintains improvements in the easement.

2. Easements for closed drainage systems shall meet the following standards:

Pipe Size	Minimum Easement Width
≤ 36"	15'
42" - 66"	20'
≥ 72"	25'

9.1.6 Flood Damage Prevention. Developments shall be designed to prevent flood damage as follows:

1. Minimum finished floor elevations for proposed habitable structures shall be 24 inches above the 100-year flood elevation based on encroached stream conditions as contained in the appropriate flood insurance study. If a 100-year water surface elevation for encroached stream conditions has not been determined, the finished floor elevations in the development area shall be 24 inches above the 100-year flood elevation based on ultimate watershed development conditions.

10.1 WATER MAIN DESIGN

10.1.1 Water Mains.

1. In general, water mains shall be placed on the north and west side of a street at a distance of 5.5 feet behind the curb.

2. For water mains of 1,000 feet in length or mains supplying more than one fire hydrant, 8-inch pipe will be required.

3. For mains less than 1,000 feet in length and supplying not more than one fire hydrant, 6-inch pipe will be allowed. Dead end mains shall not exceed 750 feet in length and a flushing device will be required at the end of the main.

10.1.2 Water Main Materials.

1. All water mains 24-inch in diameter and smaller shall be American Water Works Association (AWWA) C110 or C111 ductile iron or AWWA C900 PVC, mechanical joint, or a joint of the type which provides a recession in the bell for the employment of a single rubber

gasket to be placed before the insertion of the succeeding spigot. Joint material for PVC shall conform to American Society for Testing and Materials (ASTM) F477. Tracer wire shall be installed over all PVC mains.

2. All water mains 36-inch in diameter and larger shall be Reinforced Concrete, Pretensioned Reinforcement (Steel Cylinder Type), complying with AWWA Specifications C-303. Profile elevations shall be provided for mains 14-inch in diameter and larger.

3. All mains supplying fire sprinkler systems outside of utility easements shall be minimum 200 PSI working pressure and United Laboratories (U.L.) listed.

4. Ductile iron pipe shall be required for bores without encasement pipe or for covers less than recommended, or for pipes with less than required covers concrete encasement can be used.

5. Each pipe material shall be constructed with proper backfill and embedment material as recommended by a geotechnical engineer.

10.1.3 Valve Specifications. Valves 12 inches and smaller shall be placed on or near street property lines not over 800 feet apart and in such a manner as to require not more than three valves to shut down each block or as may be required to prevent shutting off more than one fire hydrant. On cross-feed mains without services, a maximum of four valves shall be used to shut down each block. Valves shall be placed at or near the ends of mains in such manner that a shut down can be made for a future main extension without causing loss of service on the existing main. The location of valves larger than 12 inches will be as approved by the City Engineer. Valves 12 inches and under will be Resilient Seat Gate Valves (RSGV). Valves over 12 inches will be Butterfly Valves.

10.1.4 Fire Hydrants.

1. A sufficient number of fire hydrants shall be installed to provide hose stream protections for every point on the exterior wall of a building with the lengths of hose normally attached to the hydrants. There shall be sufficient hydrants to concentrate the required fire flow, as recommended by the publication "GUIDE FOR DETERMINATION OF REQUIRED FIRE FLOW" published by the Insurance Service Office, around any building with no hose line exceeding the distances hereinafter established and with an adequate flow available from the water system to meet this required flow. In addition, the following requirements apply:

(a) For residential development, fire hydrants shall be located at all intersecting streets and at intermediate locations between intersections at a maximum spacing of 500 feet as measured along the route that fire hose is laid by a fire vehicle.

(b) For non-residential development, fire hydrants shall be located according to state and local fire code requirements and based on 300 feet of hose lay to all parts of the building.

2. The following specifications shall apply to all required fire hydrants:

(a) Fire hydrants shall be of the national standard three way break-away type no less than 5-1/4 inches in size and shall conform to the provisions of the latest AWWA specifications C-502 and shall be placed upon water mains of no less than six inches in size. Fire hydrants shall have a bury depth of five feet.

(b) Valves shall be placed on all fire hydrant leads.

(c) Fire hydrants shall be installed so the break away point will be no less than two inches, and no greater than six inches above the grade surface.

(d) Fire hydrants shall be located a minimum of two feet and a maximum of six feet behind the curb line, based on the location of the sidewalk. Fire hydrants shall not be located in the sidewalk.

(e) Fire hydrants placed on non-residential lots shall be adequately protected by either curb stops, concrete posts, or other methods. Such stops or posts shall be the responsibility of the land owner on which the fire hydrant is placed.

(f) Fire hydrants shall be installed so that the steamer connection will face the fire lane or street.

(g) Fire hydrants, when placed at intersections or access drives to parking lots, when practical, shall be placed so that no part of the fire truck will block the intersections or parking lot access when connections to the fire hydrant are made.

(h) Fire hydrants located on non-residential lots shall be accessible to the fire department at all times.

(i) Fire hydrants shall be located at street or fire lane intersections, when feasible.

(j) A Blue Stimsonite, Fire-Lite reflector (or approved equal) shall be placed in the center of the street opposite fire hydrants.

(k) In non-residential areas, an 8-inch lead will be required on all fire hydrants that are located more than 50 feet from the looped main.

(l) Fire hydrant bonnets shall be painted according to the main size to which it is attached. The remainder of the fire hydrant above ground shall be painted aluminum.

<u>Water Main Size</u>	<u>Color</u>
4"	White
6"	Red
8"	Blue
10"	Green
12" or larger	Yellow

10.1.5 Water Line Cover. The minimum cover to the top of the pipe will vary with the valve stem. In general, except at utility crossing locations, the minimum cover below the top of the street subgrade and proposed grade in non-paved areas shall be as follows: 6-inch and smaller, 3.5 feet; 8-inch, 4.0 feet; 10-inch, 4.5 feet; 12-inch, five feet; lines between 14 and 16 inches, 5.5 feet to 6.0 feet. Lines larger than 16-inch shall have a minimum of 6.5 feet of cover.

10.1.6 Water Service Specifications. Minimum ¾- inch copper service is required for all lots. Bullhead services are allowed.

11.1 SEWER MAIN DESIGN.

11.1.1 General Design Standards.

1. If feasible, sewers shall be placed in the center of streets or alleys.
2. Minimum cover shall be three feet.
3. Sewer lines shall be placed on such a grade that the velocity when flowing full is not less than two feet, nor more than 10 feet, per second. Minimum grades shall be as follows:
 - (a) 4-inch line – 1.80%; 6-inch line – 0.52%; 8-inch line – 0.34%; 10-inch line – 0.26%; 12-inch line – 0.21%; 15-inch line – 0.16%; and 18-inch line – 0.12%.
 - (b) Grades may be less for short distances if approved by the City Engineer.
 - (c) Peaking factor for sizing sanitary sewer mains shall be 3.0 for all land uses.
4. All grades shall be shown to the nearest 0.01-foot. When the slope of a sewer changes, a manhole will be required. No vertical curves will be allowed. Horizontal curves with a minimum 200 foot radius to match a change in street direction is allowed.
5. Manholes shall be placed at all four-way connections and three-way connections. The diameter of a manhole constructed over the center of a sewer should vary with the size of the sewer. For lines smaller than 15 inches, the manhole shall be 4.0 foot minimum diameter; for lines between 15 inches and 27 inches the manhole shall be 5.0 foot minimum diameter; for lines between 30 and 42 inches, the manhole shall be 6.0 foot minimum diameter. In floodplains and drainage courses, sealed manholes "Type S" shall be used to prevent the entrance of storm water. No more than three "Type S" manholes shall be constructed consecutively without provision for venting. Clean-outs or manholes shall be on the ends of all lines. Drop manholes shall be

required when the inflow elevation is more than 18 inches above the outflow elevation. Manholes are required at each end of lines which are installed by other than open cut and at each end of aerial crossing lines. Sewer mains and water mains shall be not less than nine feet apart, edge to edge of pipe, except as allowed by The Texas Commission on Environmental Quality (TCEQ). Manhole covers shall provide a minimum 22-3/8 inch opening for normal manholes and 24 inches for Type S manholes.

6. In general, for residential dwellings, the lateral size shall be 4-inch minimum; and for non-residential 6-inch minimum. House laterals typically shall be located 10 feet downstream from the center of the lot and have a 10-foot lateral separation from the water service. A minimum of one lateral per lot shall be required. Duplexes shall have two laterals.

7. In order to provide access for cleaning, manholes and/or cleanouts shall be so located that 250 feet of sewer rod can reach any point in the line. This means that manhole spacing shall be a maximum of 500 feet and that spacing between a manhole and an upstream cleanout shall be limited to 400 feet.

8. Sanitary sewer lines may be located in alleys.

9. Materials for sewer lines:

(a) All sewer pipe shall be PVC SDR-35 or reinforced concrete sewer pipe. Reinforced concrete pipe is allowed only on lines larger than 24 inches in diameter.

(b) Sewer pipe shall conform to the North Central Texas Council of Governments (NCTCOG) Specifications and/or Special Provisions, for the selected material. Backfill and embedment shall be in accordance with recommendations from a geotechnical engineer.

(c) Sewer pipe joint materials shall have resilient properties, conforming to the NCTCOG Specifications and/or Special Provisions.

(d) Sewer mains shall be located at the center of the street, or center of an alley. Force mains shall be located at a distance of 5.5 feet back of curb, opposite the side of the street containing a water line.

11.1.2 Sanitary Sewer Design Flow Calculations. Sanitary sewer flows shall be calculated using TCEQ guidelines.

12.1 BIDDING, BONDING, AND CONTRACTING REQUIREMENTS.

All infrastructure improvements (including, but not limited to, water, sewer, drainage, storm water, and street facilities) constructed by or on behalf of or for the benefit of any special districts, political subdivisions, or other public or private entities that would own, operate, and maintain such improvements shall only be required to comply with the bidding, bonding, and contracting requirements (including, but not limited to, "development agreements") of such districts, political subdivisions, or entities. Notwithstanding the foregoing, however, the City has the right to inspect and approve such improvements for compliance with the rules and

September 30, 2004

regulations contained in this PD Ordinance, and no final plat shall be recorded until such City approval is obtained.

September 30, 2004

EXHIBIT D

Legal Description of Heritage

**PROPERTY DESCRIPTION
ZONING TRACT EAST "A" RESIDENTIAL**

BEING A 117.250 ACRE TRACT OF LAND SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, COLLIN COUNTY, TEXAS, AND BEING ALL OF THOSE TRACTS OF LAND DESCRIBED IN DEEDS TO LAVON REALTY PARTNERS L.P., RECORDED IN VOLUME 5365, PAGE 7569, VOLUME 5328, PAGE 1298, DEED RECORDS COLLIN COUNTY, TEXAS (D.R.C.C.T.), ALL OF THOSE TRACTS OF LAND DESCRIBED IN DEED TO KENNETH BLACK RECORDED IN COUNTY CLERK'S FILE NO. (CC#) 2002-0058176 D.R.C.C.T. AND CC# 92-0011429, D.R.C.C.T. SAID 117.250 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LAVON REALTY TRACT;

THENCE N 00°44'42" E, ALONG THE WEST LINE OF SAID LAVON REALTY ACRE TRACT, A DISTANCE OF 1414.73 FEET TO POINT FOR CORNER IN THE SOUTH LINE OF SAID BLACK TRACT FOR THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINE OF SAID BLACK TRACT THE FOLLOWING COURSES AND DISTANCES;

N 36°29'45" W, A DISTANCE OF 69.26 FEET TO A POINT FOR CORNER;

N 54°59'16" W, A DISTANCE OF 156.86 FEET TO A POINT FOR CORNER;

S 79°30'44" W, A DISTANCE OF 106.48 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID BLACK TRACT;

THENCE ALONG THE WEST LINE OF SAID BLACK TRACT THE FOLLOWING COURSES AND DISTANCES;

N 00°47'50" E, A DISTANCE OF 172.27 FEET TO A POINT FOR CORNER;

S 89°11'49" E, A DISTANCE OF 752.29 FEET TO A POINT FOR CORNER;

N 00°47'34" E, A DISTANCE OF 2915.08 FEET TO A POINT FOR CORNER;

N 00°14'09" E, A DISTANCE OF 175.16 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID BLACK TRACT IN THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF F.M. HWY. NO. 2755 (VARIABLE R.O.W.);

THENCE S 89°16'38" E, ALONG THE SOUTH R.O.W. LINE OF SAID F.M. HWY. NO. 2755 (VARIABLE WIDTH R.O.W.) AND THE COMMON NORTH LINE OF SAID BLACK TRACT, A DISTANCE OF 204.39 FEET TO A POINT AT THE NORTHEAST CORNER OF SAID BLACK TRACT AND THE COMMON NORTHWEST CORNER OF SAID LAVON REALTY TRACT;

THENCE ALONG THE NORTH LINE OF SAID LAVON REALTY TRACT THE FOLLOWING COURSES AND DISTANCES:

S 89°28'05" E, A DISTANCE OF 667.17 FEET TO A POINT FOR CORNER;

S 00°03'44" W, A DISTANCE OF 553.86 FEET TO A POINT FOR CORNER;

N 85°44'09" E, A DISTANCE OF 446.94 FEET TO A POINT FOR CORNER;

N 04°44'43" W, A DISTANCE OF 493.05 FEET TO A POINT FOR CORNER IN THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF SAID F.M. HWY. NO. 2755;

THENCE CONTINUING ALONG THE NORTH LINE OF LAVON REALTY TRACT AND THE COMMON SOUTH R.O.W. LINE OF SAID F.M. HWY. NO. 2755, THE FOLLOWING COURSES AND DISTANCES;

S 88°40'56" E, A DISTANCE OF 2.28 FEET TO A POINT FOR CORNER;

S 88°45'56" E, A DISTANCE OF 24.23 FEET TO A POINT FOR CORNER;

S 85°53'56" E, A DISTANCE OF 100.13 FEET TO A POINT FOR CORNER;

S 88°44'22" E, A DISTANCE OF 180.89 FEET TO THE NORTHEAST CORNER OF SAID LAVON REALTY TRACT;

THENCE ALONG THE EAST LINE OF SAID LAVON REALTY TRACT THE FOLLOWING COURSES AND DISTANCES;

S 00°14'02" W, A DISTANCE OF 1288.84 FEET TO A POINT FOR CORNER;

S 88°40'56" E, A DISTANCE OF 546.17 FEET TO A POINT FOR CORNER;

S 33°00'26" W, A DISTANCE OF 89.81 FEET TO A POINT FOR CORNER;

S 11°43'11" W, A DISTANCE OF 83.04 FEET TO A POINT FOR CORNER;

THENCE ALONG THE APPROXIMATE CENTERLINE OF SAID BEAR CREEK, THE FOLLOWING COURSES AND DISTANCES:

S 25°31'30" W, A DISTANCE OF 1314.07 FEET TO A POINT FOR CORNER;

S 61°56'23" W, A DISTANCE OF 843.24 FEET TO A POINT FOR CORNER;
S 70°13'21" W, A DISTANCE OF 415.82 FEET TO A POINT FOR CORNER;
S 66°32'59" W, A DISTANCE OF 252.36 FEET TO A POINT FOR CORNER;
S 73°15'44" W, A DISTANCE OF 25.26 FEET TO A POINT FOR CORNER;
N 67°14'16" W, A DISTANCE OF 146.60 FEET TO A POINT FOR CORNER;
S 67°30'44" W, A DISTANCE OF 148.65 FEET TO A POINT FOR CORNER;
N 86°29'21" W, A DISTANCE OF 168.14 FEET TO A POINT FOR CORNER;
S 53°15'41" W, A DISTANCE OF 174.27 FEET TO A POINT FOR CORNER;
N 36°29'45" W, A DISTANCE OF 68.12 FEET TO THE POINT OF BEGINNING,
AND CONTAINING 117.25 ACRES OF LAND, MORE OR LESS.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

**PROPERTY DESCRIPTION
ZONING TRACT EAST "B" RESIDENTIAL**

BEING A 114.191 ACRE TRACT OF LAND SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, COLLIN COUNTY, TEXAS, AND BEING ALL OF THOSE TRACTS OF LAND DESCRIBED IN DEEDS TO LAVON REALTY PARTNERS L.P., RECORDED IN VOLUME 5365, PAGE 7569, VOLUME 5328, PAGE 1298, DEED RECORDS COLLIN COUNTY, TEXAS (D.R.C.C.T.), ALL OF THOSE TRACTS OF LAND DESCRIBED IN DEED TO KENNETH BLACK RECORDED IN COUNTY CLERK'S FILE NO. (CC#) 2002-0058176 D.R.C.C.T. AND CC# 92-0011429, D.R.C.C.T. SAID 114.191 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LAVON REALTY TRACT;

THENCE N 00°44'42" E, ALONG THE WEST LINE OF SAID LAVON REALTY ACRE TRACT, A DISTANCE OF 1414.73 FEET TO A POINT FOR CORNER IN THE SOUTH LINE OF SAID BLACK TRACT;

THENCE ALONG THE APPROXIMATE CENTERLINE OF SAID BEAR CREEK, THE FOLLOWING COURSES AND DISTANCES:

S 36°29'45" E, A DISTANCE OF 68.12 FEET TO A POINT FOR CORNER;
N 53°15'44" E A DISTANCE OF 174.27 FEET TO A POINT FOR CORNER;
S 86°29'21" E, A DISTANCE OF 168.14 FEET TO A POINT FOR CORNER;
N 67°30'44" E, A DISTANCE OF 148.65 FEET TO A POINT FOR CORNER;
S 67°14'16" E, A DISTANCE OF 146.60 FEET TO A POINT FOR CORNER;
N 73°15'44" E, A DISTANCE OF 25.26 FEET TO A POINT FOR CORNER;
N 66°32'59" E, A DISTANCE OF 252.36 FEET TO A POINT FOR CORNER;
N 70°13'21" E, A DISTANCE OF 415.82 FEET TO A POINT FOR CORNER;
N 61°56'23" E, A DISTANCE OF 843.24 FEET TO A POINT FOR CORNER;
N 25°31'30" E, A DISTANCE OF 1314.07 FEET TO A POINT FOR CORNER IN
THE EAST LINE OF SAID LAVON REALTY TRACT;

THENCE ALONG THE EAST LINE OF SAID LAVON REALTY TRACT THE FOLLOWING
COURSE AND DISTANCES:

S 89°30'20" E, A DISTANCE OF 240.91 FEET TO A POINT FOR CORNER;

S 00°44'42" W, A DISTANCE OF 3015.30 FEET TO THE SOUTHEAST CORNER
OF SAID LAVON REALTY TRACT;

THENCE ALONG THE SOUTH LINE OF SAID LAVON REALTY TRACT THE
FOLLOWING COURSES AND DISTANCES;

N 88°40'48" W, A DISTANCE OF 1476.00 FEET TO A POINT FOR CORNER;

N 00°45'44" E, A DISTANCE OF 8.00 FEET TO A POINT FOR CORNER;

S 76°49'12" W, A DISTANCE OF 1358.24 FEET TO THE POINT OF BEGINNING,
AND CONTAINING 114.191 ACRES OF LAND, MORE OR LESS.

**PROPERTY DESCRIPTION
ZONING TRACT WEST COMMERCIAL "A"**

BEING A 22.530 ACRE TRACT OF LAND SITUATED IN THE W.H. MOORE SURVEY, ABSTRACT NO. 638, COLLIN COUNTY, TEXAS AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN DEED TO BENNIE WHITE DAUGHERTY TO W.C. DAUGHERTY, JR., ANN DAUGHERTY TICKNOR AND JOHN KINGSLEY DAUGHERTY RECORDED IN VOLUME 2092, PAGE 223, REAL PROPERTY RECORDS, COLLIN COUNTY, TEXAS, (R.P.R.C.C.T.). SAID 22.530 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING	AT A POINT FOR CORNER IN THE EAST LINE OF SAID DAUGHERTY TRACT FROM WHICH THE NORTHEAST CORNER OF SAID DAUGHTERY TRACT BEARS N 00°16'03"W, A DISTANCE OF 900.15 FEET;
THENCE	S 00°16'03" W, ALONG THE EAST LINE OF SAID DAUGHERTY TRACT, A DISTANCE OF 271.55 FEET TO POINT FOR THE SOUTHEAST CORNER OF SAID DAUGHTERY TRACT, IN THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF STATE HIGHWAY NO. 78;
THENCE	ALONG THE NORTH R.O.W. LINE OF SAID STATE HIGHWAY NO. 78 THE FOLLOWING COURSES AND DISTANCES: S 74°16'57" W, A DISTANCE OF 270.28 FEET TO A POINT FOR CORNER; S 80°27'23" W, A DISTANCE OF 486.40 FEET TO A POINT FOR CORNER; S 87°55'43" W, A DISTANCE OF 453.37 FEET TO A POINT FOR CORNER; N 88°49'37" W, A DISTANCE OF 1035.71 FEET TO A POINT FOR CORNER; S 89°15'50" W, A DISTANCE OF 300.17 FEET TO A POINT FOR CORNER; S 82°52'05" W, A DISTANCE OF 138.46 FEET TO A POINT FOR CORNER;

N 88°42'06" W, A DISTANCE OF 578.05 FEET TO A POINT FOR CORNER;

THENCE

OVER AND ACROSS SAID DAUGHTERTY TRACT THE FOLLOWING COURSES AND DISTANCES:

N 01°19'13" E, A DISTANCE OF 300.00 FEET TO A POINT FOR CORNER;

S 88°42'06" E, A DISTANCE OF 246.18 FEET TO A POINT FOR CORNER;

S 88°42'06" E, A DISTANCE OF 64.99 FEET TO A POINT FOR CORNER;

S 88°42'06" E, A DISTANCE OF 192.63 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 4°33'03", A RADIUS OF 635.00 FEET, AN ARC LENGTH OF 50.44 FEET, A CHORD BEARING OF N 89°01'22" E, AND A CHORD LENGTH OF 50.42 FEET, TO A POINT FOR CORNER;

N 86°44'51" E, A DISTANCE OF 542.46 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 4°25'32", A RADIUS OF 365.00 FEET, AN ARC LENGTH OF 28.19 FEET, A CHORD BEARING OF N 88°57'37" E, AND A CHORD LENGTH OF 28.19 FEET, TO A POINT FOR CORNER;

S 88°49'37" E, A DISTANCE OF 142.99 FEET TO A POINT FOR CORNER;

S 88°49'37" E, A DISTANCE OF 19.37 FEET TO A POINT FOR CORNER;

S 86°07'18" E, A DISTANCE OF 317.80 FEET TO A POINT FOR CORNER;

S 88°49'37" E, A DISTANCE OF 27.82 FEET TO A POINT FOR CORNER;

S 88°49'37" E, A DISTANCE OF 50.36 FEET TO A POINT FOR CORNER;

S 88°49'37" E, A DISTANCE OF 327.76 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 3°14'40", A RADIUS OF 1150.00 FEET, AN ARC LENGTH OF 65.12 FEET, A CHORD BEARING OF N 89°33'03" E, AND A CHORD LENGTH OF 65.11 FEET, TO A POINT FOR CORNER;

N 87°55'43" E, A DISTANCE OF 317.62 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 7°28'20", A RADIUS OF 1150.00 FEET, AN ARC LENGTH OF 149.98 FEET, A CHORD BEARING OF N 84°11'33" E, AND A CHORD LENGTH OF 149.87 FEET, TO A POINT FOR CORNER;

N 80°27'23" E, A DISTANCE OF 328.31 FEET TO A POINT FOR CORNER;

N 09°32'37" W, A DISTANCE OF 0.10 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 9°15'30", A RADIUS OF 1150.00 FEET, AN ARC LENGTH OF 185.83 FEET, A CHORD BEARING OF N 75°05'25" E, AND A CHORD LENGTH OF 185.62 FEET, TO A POINT FOR CORNER;

N 74°59'05" E, A DISTANCE OF 52.06 FEET TO A POINT FOR CORNER;

S 89°13'26" E, A DISTANCE OF 141.54 FEET TO THE POINT OF BEGINNING, AND CONTAINING 22.530 ACRES OF LAND, MORE OR LESS.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

**PROPERTY DESCRIPTION
ZONING TRACT WEST COMMERCIAL C-1**

BEING A 2.521 ACRE TRACT OF LAND SITUATED IN THE W.S. BOHANNON SURVEY, ABSTRACT NO. 121, COLLIN COUNTY, TEXAS AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN DEED TO D.P. BROWN, RECORDED IN VOLUME 226, PAGE 176 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (D.R.C.C.T.) BASIS OF BEARINGS FOR THIS SURVEY IS GEODETIC NORTH. SAID 2.521 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 78 (120' RIGHT-OF-WAY) FROM WHICH A WOODEN HIGHWAY MONUMENT FOUND BEARS N 84°14'55 " E, A DISTANCE OF 362.61 FEET;

THENCE OVER AND ACROSS SAID BROWN TRACT THE FOLLOWING COURSES AND DISTANCES;

S 00°46'02" E, A DISTANCE OF 220.48 FEET TO A POINT FOR CORNER;

S 84°14'47" W, A DISTANCE OF 500.00 FEET TO A POINT FOR CORNER;

N 00°46'02" W, A DISTANCE OF 220.48 FEET TO A POINT FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 78 (120' RIGHT-OF-WAY), FROM WHICH THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF SAID STATE HIGHWAY 78 AND THE WEST LINE OF SAID BROWN TRACT BEARS S 84°14'47" W, A DISTANCE OF 230.58 FEET;

THENCE N 84°14'47" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 78, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.521 ACRES OF LAND, MORE OR LESS

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

**PROPERTY DESCRIPTION
ZONING TRACT WEST COMMERCIAL C-2**

BEING A 2.755 ACRE TRACT OF LAND SITUATED IN THE W.S. BOHANNON SURVEY, ABSTRACT NO. 121, COLLIN COUNTY, TEXAS AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN DEED TO D.P. BROWN, RECORDED IN VOLUME 226, PAGE 176 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (D.R.C.C.T.) BASIS OF BEARINGS FOR THIS SURVEY IS GEODETIC NORTH. SAID 2.755 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A POINT FOR CORNER IN THE EAST LINE OF SAID BROWN TRACT AND THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF STATE HIGHWAY NO. 205 (100' R.O.W.) FROM WHICH A CONCRETE MONUMENT FOUND FOR CORNER BEARS S 01°13'03" W, A DISTANCE OF 225.19 FEET AND THE SOUTHEAST CORNER OF SAID BROWN TRACT BEARS S 03°43'08" W, A DISTANCE OF 495.72 FEET;

THENCE OVER AND ACROSS SAID BROWN TRACT THE FOLLOWING COURSES AND DISTANCES:

N 88°46'57" W, A DISTANCE OF 200.00 FEET TO A POINT FOR CORNER;

N 01°13'03" E, A DISTANCE OF 600.00 FEET TO A POINT FOR CORNER;

S 88°46'57" E, A DISTANCE OF 200.00 FEET TO A POINT FOR CORNER IN THE EAST LINE OF SAID BROWN TRACT AND THE WEST R.O.W. LINE OF SAID STATE HIGHWAY NO. 205;

THENCE S 01°13'03" W, ALONG THE EAST LINE OF SAID BROWN TRACT, A DISTANCE OF 600.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.755 ACRES OF LAND, MORE OR LESS

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

**PROPERTY DESCRIPTION
ZONING TRACT WEST RESIDENTIAL "D"**

BEING A 32.13 ACRE TRACT OF LAND SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, COLLIN COUNTY, TEXAS AND BEING ALL THAT TRACT OF LAND DESCRIBED IN DEED TO LAVON WINDMILL ESTATES, LTD., A TEXAS LIMITED PARTNERSHIP RECORDED IN VOLUME 4959, PAGE 2938, DEED RECORDS COLLIN COUNTY, TEXAS (D.R.C.C.T.). SAID 32.13 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

BEGINNING AT A POINT FOR THE NORTHEAST CORNER OF SAID LAVON WINDMILL ESTATES TRACT AND THE COMMON NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS "TRACT TWO" IN DEED TO CAPE COD BANK AND TRUST, RECORDED IN VOLUME 3254, PAGE 258 (D.R.C.C.T.) SAID POINT ALSO BEING ON THE APPROXIMATE CENTERLINE OF COUNTY ROAD NO. 484 (RAY SMITH ROAD-A VARIABLE WIDTH PRESCRIPTIVE R.O.W.), AND THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO ROBERT BROWN McGAUGHEY, RECORDED IN VOLUME 211, PAGE 215 (D.R.C.C.T.);

THENCE, S 00°00'21" E, ALONG THE EAST LINE OF SAID LAVON WINDMILL ESTATES TRACT AND THE COMMON WEST LINE OF SAID CAPE COD BANK AND TRUST TRACT A DISTANCE OF 2051.66 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID LAVON WINDMILL;

THENCE ALONG THE SOUTH LINE OF SAID LAVON WINDMILL ESTATES TRACT THE FOLLOWING COURSES AND DISTANCES:

N 55°18'44" W, A DISTANCE OF 69.19 FEET TO A POINT FOR CORNER;

S 68°56'16" W, A DISTANCE OF 452.16 FEET TO A POINT FOR CORNER;

N 70°03'44" W, A DISTANCE OF 200.24 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID LAVON WINDMILL ESTATES;

THENCE ALONG THE WEST LINE OF SAID LAVON WINDMILL ESTATES TRACT THE FOLLOWING COURSES AND DISTANCES:

N 00°17'10" E, A DISTANCE OF 221.19 FEET TO A POINT FOR CORNER;

N 00°10'07" E, A DISTANCE OF 323.30 FEET TO A POINT FOR CORNER;

N 00°03'11" E, A DISTANCE OF 447.68 FEET TO A POINT FOR CORNER;

N 00°30'30" W, A DISTANCE OF 676.09 FEET TO A POINT FOR CORNER;

N 00°06'00" E, A DISTANCE OF 431.75 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID LAVON WINDMILL ESTATES TRACT AND THE COMMON SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO NORTH TEXAS MUNICIPAL WATER DISTRICT, RECORDED IN VOLUME 3078, PAGE 604 (D.R.C.C.T.) SAID POINT ALSO BEING IN THE APPROXIMATE CENTERLINE OF SAID COUNTY ROAD NO. 484;

THENCE, N 89°22'02" E, ALONG THE NORTH LINE OF SAID LAVON WINDMILL ESTATES TRACT AND THE COMMON SOUTH LINE OF SAID NORTH TEXAS MUNICIPAL TRACT ALONG THE APPROXIMATE CENTERLINE OF SAID COUNTY ROAD NO. 484 A DISTANCE OF 553.12 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID NORTH TEXAS MUNICIPAL TRACT;

THENCE, N 89°47'55" E, ALONG THE NORTH LINE OF SAID LAVON WINDMILL ESTATES TRACT AND THE COMMON SOUTH LINE OF SAID McGAUGHEY TRACT ALONG THE APPROXIMATE CENTERLINE OF SAID COUNTY ROAD NO. 484 A DISTANCE OF 116.56 FEET TO THE POINT OF BEGINNING, AND CONTAINING 32.13 ACRES OF LAND, MORE OR LESS.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

**PROPERTY DESCRIPTION
ZONING TRACT WEST RESIDENTIAL "E"**

BEING A 28.653 ACRE TRACT OF LAND SITUATED IN THE DRUARY ANGLIN SURVEY, ABSTRACT NO. 2, COLLIN COUNTY, TEXAS AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN DEED TO LAVON REALTY PARTNERS, LTD., RECORDED IN VOLUME 5298, PAGE 4958 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (D.R.C.C.T.). SAID 28.653 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A POINT FOR THE SOUTHEAST CORNER OF WINDMILL ESTATES PHASE 1, AN ADDITION TO THE CITY OF LAVON, COLLIN COUNTY, TEXAS RECORDED IN CABINET N, PAGE 542 PLAT RECORDS COLLIN COUNTY TEXAS (P.R.C.C.T.) AND IN THE EAST LINE OF SAID LAVON REALTY PARTNERS TRACT AND THE COMMON WEST LINE OF MUSTANG ESTATES, AN ADDITION TO THE CITY OF LAVON, COLLIN COUNTY TEXAS RECORDED IN CABINET S, PAGE 1640, (P.R.C.C.T.);

THENCE, S 00°00'21" E, ALONG THE EAST LINE OF SAID LAVON REALTY PARTNERS TRACT AND THE COMMON WEST LINE OF SAID MUSTANG ESTATES A DISTANCE OF 1541.93 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID LAVON REALTY PARTNERS TRACT SAID POINT ALSO BEING IN BEAR CREEK;

THENCE ALONG THE SOUTH LINE OF SAID LAVON REALTY PARTNERS TRACT AND SAID BEAR CREEK THE FOLLOWING COURSES AND DISTANCES:

S 80°20'00" W, A DISTANCE OF 143.00 FEET TO A POINT FOR CORNER;

S 77°00'00" W, A DISTANCE OF 115.00 FEET TO A POINT FOR CORNER;

S 65°00'00" W, A DISTANCE OF 105.00 FEET TO A POINT FOR CORNER;

S 68°10'00" W, A DISTANCE OF 102.00 FEET TO A POINT FOR CORNER;

S 73°00'00" W, A DISTANCE OF 150.00 FEET TO A POINT FOR CORNER;

S 63°00'00" W, A DISTANCE OF 84.22 FEET TO A POINT FOR CORNER;