

CITY OF LAVON
ORDINANCE NO. 2018-08-04

Planned Development SF – Traditions, Phase 2

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING A PLANNED DEVELOPMENT FOR SINGLE FAMILY USES (PD-SF) DISTRICT ON A 30.485 ACRE TRACT OF LAND DESCRIBED HEREIN AND LOCATED SOUTH OF THE INTERSECTION OF WINDMILL, GEREN AND CR 484, COLLIN COUNTY, TX; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF \$2,000 PER DAY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, at its meeting held on the 24th day of July, 2018, the Planning & Zoning Commission considered and made recommendations on a certain request for a Planned Development – Single Family (PD-SF) District; and

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

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

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

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

Section 2. Definitions. Definitions shall be those contained in Ordinance No. 2018-03-02, the “Zoning Ordinance,” as amended unless specifically defined herein.

Section 3. Permitted and Conditional Uses. The PD-SF District is hereby created for approximately 30.485 acres of land, described in the attached Exhibit “A” and depicted in Exhibit “B” located south of the intersection of Windmill, Geren and CR 484, (CCAD ID#1250096), providing for the permitted and conditional uses in the Single-Family-4 (SF-4) District.

Section 4. Prohibited Uses. Uses that are not Permitted Uses or Conditional Uses shall be prohibited.

Section 5. Zoning Ordinance. Unless otherwise stated herein, the Zoning Ordinance, as amended, shall apply to the PD-SF district.

Section 6. Concept Plan. The entire tract shall be developed generally in accordance with the Concept Plan, as attached hereto, and made a part hereof as Exhibit "C". The City Administrator or his/her designee may approve changes to the Concept Plan that do not alter the uses permitted or increase the density permitted by this PD, and that otherwise generally comply with all applicable zoning regulations.

Section 7. Development Standards. Development shall be in accordance with the Area Requirements established for the SF-4 District, except as follows.

A. General Lot Development Standards

1. There shall be three (3) single family residential lot sizes as follows: Sizes "A", "B" and "C". The standards set forth below shall be the exclusive lot sizes, setbacks, building heights, lot coverage, and dwelling unit size regulations for the single family detached residential products within this development. Lot coverage shall be measured as the building slab footprint, roof eaves and all other minor ordinary building projections are excluded.
2. Fences, landscaping, retaining walls, lighting, HVAC units, utility meters, pedestals and other utility-related equipment may be located in the side yard.

B. Specific Lot Development Standards

1. LOT SIZE "A"

- a) Minimum Lot Width at Front Building Line = 60 feet
- b) Minimum Lot Frontage at ROW = 30 feet
- c) Minimum Lot Depth on Lot Perpendicular to Street = 105 feet
- d) Minimum Lot Depth at Centerline of the Lot on Elbows/Curves = 95 feet
- e) Minimum Gross Lot Area = 6,300 square feet
- f) Minimum Front Yard Setback = 20 feet
- g) Minimum Interior Side Yard = 5 feet
- h) Minimum Side Yard on Corner Lot Adjacent to a Street ROW = 10 feet
- i) Minimum Rear Yard Setback = 5 feet
- j) Maximum Lot Coverage = Sixty Percent (60%)
- k) Maximum Height = Thirty Five Feet (35') or 2 ½ Stories
- l) Minimum Dwelling Unit Size = 1,500 air conditioned square feet
- m) Porches, bay windows, awnings, balconies, masonry clad chimneys, or other such architectural features may encroach into the front yard setback no more than six feet (6') towards the adjacent Street Right of Way (ROW).
- n) Front entry, enclosed two car garage shall be permitted on all Lots. Face of Garage Door to be a minimum of twenty feet (20') from ROW.
- o) Minimum Percentage of Size "A" Lots = 15%

2. LOT SIZE "B"

- a) Lot Widths at Front Building Line = 51 feet to 59 feet
- b) Minimum Lot Frontage at ROW = 30 feet
- c) Minimum Lot Depth on Lot Perpendicular to Street = 105 feet
- d) Minimum Lot Depth at Centerline of the Lot on Elbows/Curves = 95 feet
- e) Minimum Gross Lot Area = 5,750 square feet
- f) Minimum Front Yard Setback Measured from the Street ROW = 20 feet
- g) Minimum Interior Side Yard = 5 feet
- h) Minimum Side Yard on Corner Lot Adjacent to a Street ROW = 10 feet
- i) Minimum Rear Yard Setback = 5 feet
- j) Maximum Lot Coverage = Sixty Percent (60%)
- k) Maximum Height = Thirty Five Feet (35') or 2-1/2 Stories
- l) Minimum Dwelling Unit Size = 1,500 air conditioned square feet
- m) Porches, bay windows, balconies, masonry clad chimneys, or other such architectural features may encroach into the front yard setback no more than six feet (6') towards the adjacent ROW.
- n) Front entry, enclosed two car garage shall be permitted on all Lots. Face of Garage Door to be a minimum of twenty feet (20') from ROW.
- o) Minimum Percentage of Size "B" Lots = 25%

3. LOT SIZE "C"

- a) Minimum Lot Width at Front Building Line = 50 feet
- b) Minimum Lot Frontage at ROW = 30 feet
- c) Minimum Lot Depth on Lot Perpendicular to Street = 105 feet
- d) Minimum Lot Depth at Centerline of Lot on Elbows/Curves = 95 feet
- e) Minimum Gross Lot Area = 5,250 square feet
- f) Minimum Front Yard Setback Measured from the Street ROW = 20 feet
- g) Minimum Interior Side Yard = 5 feet
- h) Minimum Side Yard on Corner Lot Adjacent to a Street ROW = 10 feet
- i) Minimum Rear Yard Setback = 5 feet
- j) Maximum Lot Coverage = Sixty Percent (60%)
- k) Maximum Height = Thirty Five Feet (35') or 2-1/2 stories
- l) Minimum Dwelling Unit Size = 1,500 air conditioned square feet
- m) Porches, bay windows, balconies, masonry clad chimneys, or other such architectural features may encroach into the front yard setback no more than six feet (6') towards the adjacent Street ROW.
- n) Front entry, enclosed two car garage shall be permitted on all Lots. Face of Garage Door to be a minimum of twenty feet (20') from ROW.
- o) Minimum Percentage of Size "C" Lots = 60%

- C. House Elevations. The same home plan elevation shall not be repeated more frequently than every fourth lot on the same side of the street.

- D. Sidewalks. The homebuilder will build sidewalks per the City of Lavon standards. The developer will build sidewalk along CR484 and along the frontage of any HOA lot within the addition per the City of Lavon standards.
- E. Residential Street Offsets. The minimum distance from the centerline of an existing residential street to the centerline of a proposed residential street shall not be less than one hundred (100') feet.
- F. Screening, Landscaping along CR484. A six (6') foot wooden fence with columns similar to the existing treatments completed on the adjacent subdivisions will be installed along with similar landscaping will be installed. HOA will maintain.
- G. Clearing. Due to the natural ponding, overgrowth, topography and the amount of dead, fallen and root rotted trees on the property, the majority of all trees within the property shall be removed and disposed of by chipping or haul off. We have shown contemplated tree preservation areas on the Concept Plan where reasonable efforts will be utilized on trees of value.
- H. Residential Lot Landscaping. The builder shall make available to each residential lot six (6) three gallon shrubs and six (6) one gallon shrubs in the front yard. Two trees, being three inch caliper, measured twelve inches from final grade shall be planted in the front yard. In addition, prior to the issuance of a certificate of occupancy, the entire front, side and rear yards will be sodded and irrigated as an upgraded addition.
- I. City of Lavon Land Dedication. As generally depicted on the Concept Plan, the area south of the proposed lots for development shall be dedicated by Final Plat to the City of Lavon as open space with no improvements required to be installed by the developer other than a trail that will extend across the property as generally shown on the Concept Plan. The width and type of trail material will be approved with the final plat and construction plans.
- J. Residential Exterior Building Materials.
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 the back and side elevations and architectural features that are not intended for occupancy on any elevation. (soffits).
 2. Chimneys. Construction materials for a chimney built on the exterior wall shall consist of 100% masonry. Construction materials for all other chimneys shall consist of cementitious fiberboard or equivalent

3. Roofs. Residential structures shall have a minimum 6:12 roof pitch. Roofs shall be constructed of composition shingles, tile or slate.
4. Community Mailboxes. As required by the United States Postal Service community mailboxes shall be used.

Section 8. Homeowners Association (HOA). A Homeowners Association (HOA) shall be established or the property shall be annexed into the existing Grand Heritage HOA to maintain all private common open space areas within the Property. The HOA shall be established prior to the issuance of any residential building permits. A copy of the documents establishing or annexing the HOA shall be submitted to the City.

Section 9. The Comprehensive Zoning Ordinance and the Official Zoning Map are hereby amended to reflect the action taken herein.

Section 10. Severability Clause. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

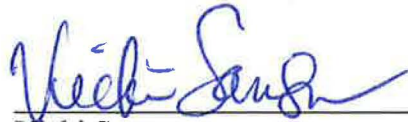
Section 11. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Lavon, Texas, whether codified or uncoded, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 12. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Lavon, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 13. Savings Clause. Should any word, phrase, sentence or section contained herein be found to be invalid, such validity shall not affect any other portion of this ordinance.

Section 14. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas, this 21st day of August, 2018.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator | City Secretary



CITY OF LAVON
ORDINANCE NO. 2018-08-04

EXHIBIT A - PROPERTY DESCRIPTION

BEING a 30.485 acre tract of land situated in the Drury Anglin Survey, Abstract No. 2, Collin County, Texas, and being a parcel or tract of land described to Cape Cod Bank & Trust Company in deed recorded in Volume 2651, Page 27 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with red cap stamped "USA INC" found for corner, said rod being the Northeast corner of Traditions At Grand Heritage West an addition to the City of Lavon, as recorded in Volume 2017, Page 900 of the Deed Records of Collins County, Texas, said point being a dedicated right-of-way for County Road F.M. 484;

THENCE North 00 degrees 47 minutes 17 seconds East a distance of 30.16 feet to a point for corner, said point being in the approximate centerline of said County Road F. M. 484, (currently a variable-width prescriptive-by-use public right-of-way);

THENCE South 89 degrees 22 minutes 38 seconds East, along the approximate centerline of County Road F. M. 484, a distance of 555.40 feet to a 1/2 inch iron rod with red cap stamped "USA INC." found for corner, said point being a point for the Southerly right-of-way line for Windmill Drive (50 foot right-of-way);

THENCE South 89 degrees 00 minutes 06 seconds East, along said Southerly right-of-way line of Windmill Drive a distance of 131.60 feet to a 1/2 inch iron rod with red cap stamped "USA INC" found for corner, said point being the Northwest corner of Traditions At Grand Heritage an addition to the City of Lavon, as recorded in Volume 2016, Page 689, of the Deed Records of Collins County, Texas;

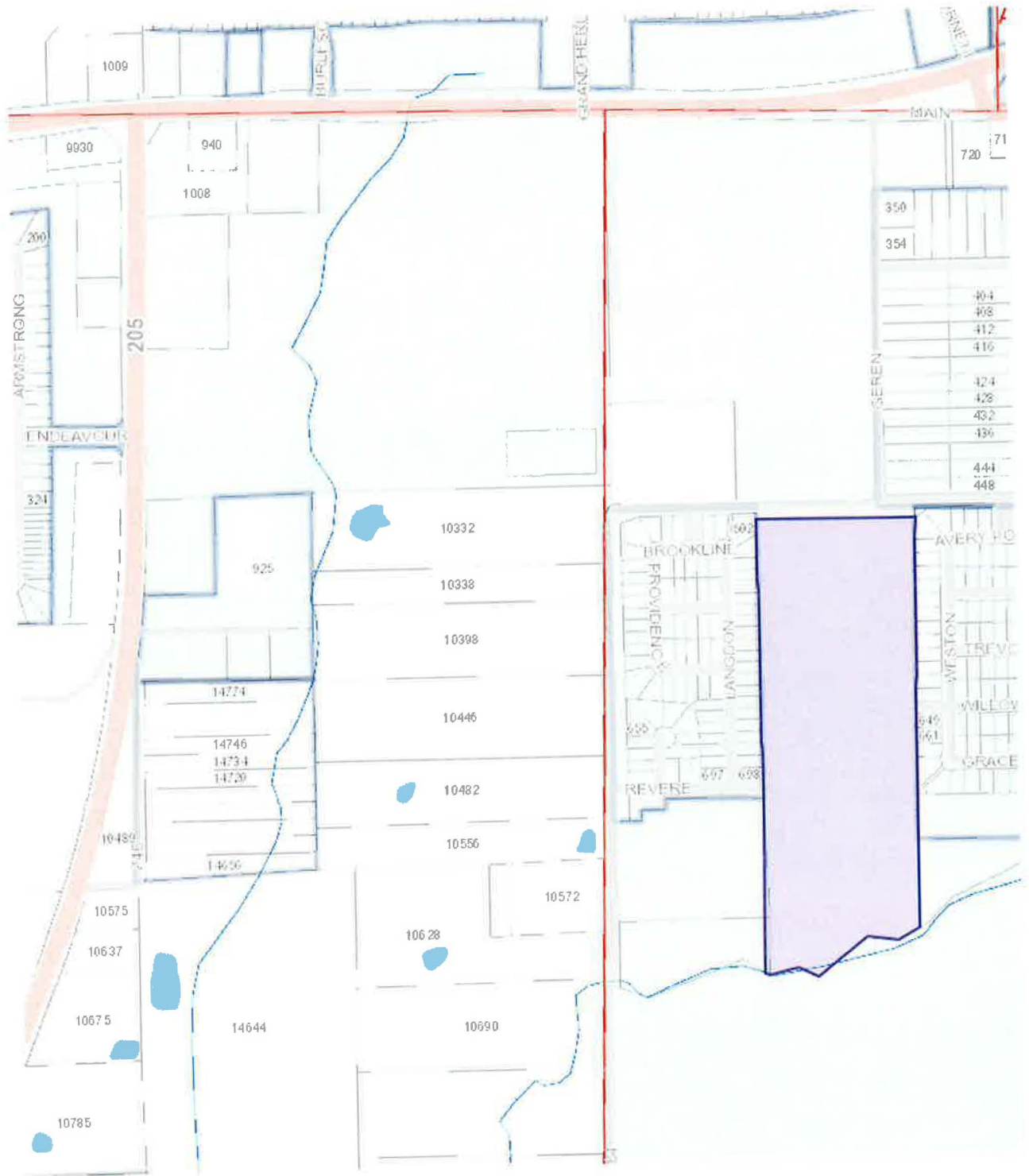
THENCE South 00 degrees 47 minutes 17 seconds West departing the Southerly right-of-way line of said Windmill Drive, and along the Easterly line of said Cape Cod tract, and along the Westerly line of said Traditions At Grand Heritage, and passing a 1/2 inch iron rod with red cap stamped "USA INC" at a distance of 1,279.93 feet found for the Northwest corner of an H.O.A., P.A.E.D.E., S.S.E. & W.E tract, and passing a distance of 197.64 a 1/2 inch iron rod with red cap stamped "USA INC" for the Northwest corner of a tract of land described in deed to City of Lavon Collins County, Texas as recorded in Document Number 20060725001041390 of the Official Public Records, Collins County, Texas, for a total distance of 1,832.19 feet to a point for corner, said point being the Southeast corner of said Cape Cod tract and the Northerly line of a tract of and described in deed to John David Sanders as recorded in Volume 4589, Page 1490 of the Deed Records, Collins County, Texas, said point also being along the approximate centerline of Bear Creek;

THENCE South 74 degrees 24 minutes 58 seconds West along said approximate centerline of Bear Creek and the Northerly line of said Sanders tract and the Southerly line of said Cape Cod tract a distance of 716.06 feet to a point for corner, said point being in the Southwest corner of said Cape Cod tract and the Southeast line of a tract of land described in deed to Bear Creek Windmill LP as recorded in Volume 5467, Page 695 of the Deed Records, Collins County, Texas;

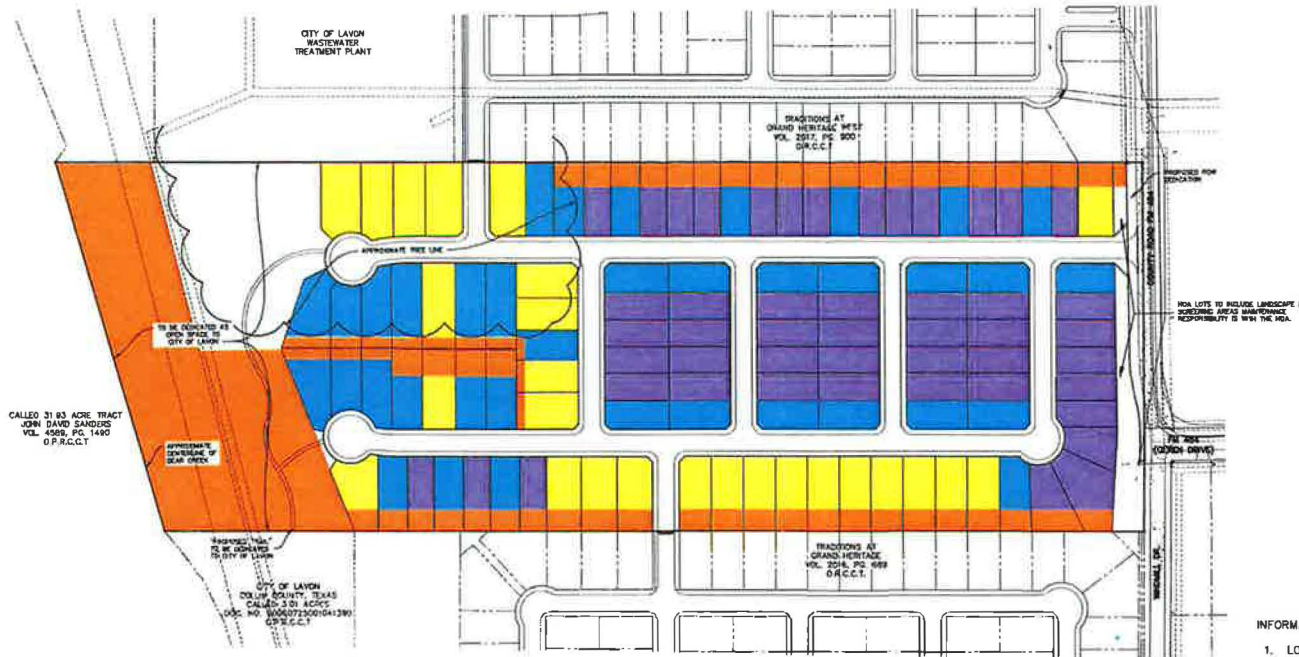
THENCE North 00 degrees 47 minutes 17 seconds East passing a 1/2 inch iron rod with red cap stamped "USA INC" at a distance of 745.11 for the Southeast corner of said Traditions At Grand Heritage West said point being the Northeast corner of said Bear Creek Windmill LP tract and being along the Westerly line of said Cape Cod tract and being along the Easterly line of said Traditions At Grand Heritage West tract for a total distance of 2,002.75 feet to the **POINT OF BEGINNING** and containing 1,327,916 square feet or 30.485 acres of land, more or less.

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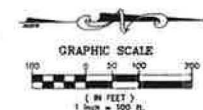
EXHIBIT B - MAP



CITY OF LAVON
ORDINANCE NO. 2018-08-04
EXHIBIT C – CONCEPT PLAN



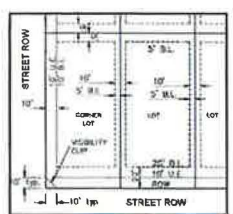
LOCATION MAP
NOT TO SCALE



- SIZE "A" LOTS
- SIZE "B" LOTS
- SIZE "C" LOTS
- PROPOSED TREE PRESERVATION AREA

INFORMATIONAL NOTE:

1. LOT SIZE TYPES ARE SHOWN FOR APPROXIMATE OVERALL PERCENTAGES. LOCATIONS OF EACH LOT SIZE TYPE SHALL BE COMPLETED WITH THE APPROVAL OF THE FINAL PLAT AND CONSTRUCTION PLANS.
2. THE PROPOSED TREE PRESERVATION AREAS ARE SHOWN WHERE IT IS CONTEMPLATED TO MAKE REASONABLE EFFORTS TO PRESERVE EXISTING TREES OF VALUE.



TYPICAL LOT, BUILDING LINES, UTILITY EASEMENTS & 10' X 10' SIDEWALK & VISIBILITY EASEMENT DETAIL
NOT TO SCALE

NOTE:

THIS CONCEPT PLAN IS EXHIBIT "C" MADE A PART OF THE WRITTEN PLANNED DEVELOPMENT. IT GENERALLY ILLUSTRATES THE LOT LAYOUT AND SIZES. FINAL LAYOUT & SIZES WILL BE COMPLETED WITH APPROVAL OF THE FINAL PLAT AND CONSTRUCTION PLANS.

OWNER / DEVELOPER:
BLOOMFIELD HOMES, LP.
1050 E. HWY 114 #210
SOUTHLAND, TEXAS 76092
(817) 416-1572

ENGINEER & SURVEYOR:

USA PROFESSIONAL SERVICES GROUP, INC.
CIVIL ENGINEERS-SURVEYORS-PLANNERS-LANDSCAPE ARCHITECTS
TEXAS BOARD OF PROFESSIONAL ENGINEERS - REGISTERED FIRM NO. F-1845
TEXAS BOARD OF LAND SURVEYORS - REGISTERED FIRM NO. F-10474-00
1525 VICEROY DRIVE, DALLAS, TEXAS 75225
(214) 634-3300

PLANNED DEVELOPMENT
EXHIBIT "C"
CONCEPT PLAN
TRADITIONS AT GRAND HERITAGE
PHASE 2

BEING 30.485 ACRES OF LAND SITUATED IN THE
DERRY SURVEY, ABSTRACT NUMBER 2
CITY OF LAYON, COLLIN COUNTY, TEXAS
VOLUME 2851, PAGE 27 D.R.C.C.T.

111 RESIDENTIAL LOTS 2 OPEN SPACE (HOA)

JULY 2018