

ORDINANCE NO. 2005-02-03

05889 02728

AN ORDINANCE OF THE CITY OF WESTON, TEXAS, COLLIN COUNTY, TEXAS, AMENDING WESTON'S ZONING ORDINANCE 2002-09-05; REZONING A TRACT OF LAND CONSISTING OF 96.76, SITUATED IN THE WILLIAM CULWELL SURVEY, ABSTRACT NO. 84, COLLIN COUNTY, TEXAS, AS BN (NEIGHBORHOOD BUSINESS); DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION THEREOF

WHEREAS, the City of Weston, Texas has adopted Ordinance 2002-09-05 establishing zoning regulations for the City;

WHEREAS, John C. Wilcox Trust, owner of a tract of land of 96.76 acres, situated tract of land out of the P. NEWSOME SURVEY, Abstract No. 666, the SEARCY GALLATIN SURVEY, Abstract No. 882, the J.H. WILSON SURVEY, Abstract No. 994, the W.M. WILHITE SURVEY, Abstract No. 1003 and the LARKIN ADAMSON SURVEY, Abstract No. 1088 in Collin County, Texas, being part of the tract of land described in deed to James Hunt Flowers recorded in Volume 4294, Page 2229 of the Land Records of Collin County, Texas has petitioned the City for a change in zoning;

WHEREAS, after two (2) hearings on the request and receiving and considering the arguments for and against the same, if any, the City Council has voted to grant such request and to rezone said property as PD (Planned Development);

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTON, TEXAS, THAT:

Section 1. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

Section 2. Penalty Clause. Any violation of this Ordinance shall be subject to the penalties provisions of Ordinance 2002-09-05.

PASSED AND APPROVED this the 8th day of February 2005.

Patti Harrington
Patti Harrington, Mayor

ATTEST:

Susan M Coffey
Susan M Coffey, City Secretary



Return To

05889 02729

City of Weston
PO Box 248
Weston TX 75097

02882 05158

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW (COUNTY OF COLLIN) (THE STATE OF TEXAS)
I hereby certify that this instrument was FILED in the File Number Sequence on the date and the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Collin County, Texas on

APR 04 2005

Brenda Taylor



Filed for Record in:
Collin County, McKinney TX
Honorable Brenda Taylor
Collin County Clerk

On Apr 04 2005
At 12:53pm

Doc/Num : 2005- 0042288

Recording/Type: OR 16.00
Receipt #: 13502

Exhibit A

BEING of a tract of land out of the P. NEWSOME SURVEY, Abstract No. 666, the SEARCY GALLATIN SURVEY, Abstract No. 882, the J.H. WILSON SURVEY, Abstract No. 994, the W.M. WILHITE SURVEY, Abstract No. 1003 and the LARKIN ADAMSON SURVEY, Abstract No. 1088 in Collin County, Texas, being part of the tract of land described in deed to James Hunt Flowers recorded in Volume 4294, Page 2229 of the Land Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the north line of the REPLAT OF LOT 13 OF PECAN CREEK FARMS, an addition to Collin County according to the plat there of recorded in Cabinet J, Page 288 of the Map Records of Collin County, Texas, said point being the southwest corner of said Flowers tract;

THENCE with the east line of PECAN CREEK FARMS, an addition to Collin County according to the plat there of recorded in Cabinet F, Page 797 of the Map Records of Collin County, Texas and the east line of HONEY CREEK COUNTRY ESTATES, an addition to Collin County according to the plat there of recorded in Cabinet F, Page 261 of the Map Records of Collin County, Texas, the following courses and distances to wit:

North 02°21'30" East, a distance of 735.80 feet to a point for corner;

North 01°19'00" East, a distance of 299.48 feet to a point for the southwest corner of a tract of land described in deed to William West recorded in Volume 3291, Page 864 of the Land Records of Collin County, Texas;

THENCE with the south and east lines of said West tract, the following courses and distances to wit:

South 88°00'00" East, a distance of 76.31 feet to a point for corner;

South 88°36'00" East, a distance of 190.42 feet to a point for corner;

South 89°09'29" East, a distance of 119.42 feet to a point for corner;

North 57°09'34" East, a distance of 500.12 feet to a point for corner;

North 34°08'00" East, a distance of 670.00 feet to a point for corner;

South 88°30'23" East, a distance of 758.56 feet to a point for corner;

North 01°23'17" East, a distance of 277.66 feet to a point for corner;

THENCE leaving said east line, South 88°51'13" East, a distance of 771.01 feet to a point for corner in the intersection of County Road 204 and County Road 203;

THENCE with the east line of said Flowers tract, South 08°12'19" West, a distance of 2006.92 feet to a point for the northeast corner of a tract of land described in deed to Betty Higginbotham recorded in Volume 5221, Page 89 of the Land Records of Collin County, Texas;

THENCE with the north line of said Higginbotham tract, North 89°28'32" West, a distance of 502.46 feet to a point for corner;

THENCE with the west line of said Higginbotham tract, South 02°29'00" West, a distance of 178.20 feet to a point for corner in the north line of a tract of land described in deed to Earl Warden recorded in Volume 1002, Page 460 of the Land Records of Collin County, Texas;

THENCE with said north line, the following courses and distances to wit:

North 87°41'35" West, a distance of 419.51 feet to a point for corner;

North 88°05'53" West, a distance of 320.23 feet to a point for the northeast corner of said PECAN CREEK FARMS;

THENCE with the north line of said PECAN CREEK FARMS and the north line of said REPLAT OF LOT 13 OF PECAN CREEK FARMS, North 88°11'12" West, a distance of 1220.02 feet the **POINT OF BEGINNING** and containing 96.76 acres of land.

**General Planned Development Standards
For Approximately 96.76 Acres
City of Weston, Collin County, Texas**

I. Purpose and Intent

This Planned Development District (PD) provides for development standards for a residential community which integrates the natural environment, topography and existing surrounding developments. It is the intent of these development standards to not only provide a high quality of living for future residents and property owners of this community, but to also protect and preserve the natural amenities of the site for future generations. It is the goal of these development standards to set a path by which this development can flourish and provide a positive addition to the community of Weston. As this development is underway, it is the purpose of these standards to guide the community into a form that can be appreciated by all. By including in these standard provisions regarding open space, screening, and tree preservation requirements the development will have the ability to create a way of life in this community centered on the natural amenities.

II. Special Provisions

This Planned Development District includes the development standards as they are stated below and the attached exhibits, including:

- Exhibit A – Tree Preservation Exhibit
- Exhibit B – Optional Open Space Location Plan
- Exhibit C – Optional Entryway Plan

The City of Weston development standards will apply except as amended herein. Where the Planned Development District Standards are silent, the City of Weston Zoning Ordinance, and amendments, shall prevail.

III. Single Family Residential Development Standards

A. Development Standards

- i. Property shall develop in accordance with RS-60 – Single Family Residential district standards of the City of Weston Zoning Ordinance, and amendments, except as specified herein.
- ii. Total number of residential units shall not exceed 398 units.

B. Screening and Tree Preservation

- i. Where indicated on the attached Exhibit A, at such time as the property develops the tree mass which partially screens the adjacent existing residential subdivision from the subject property shall be preserved.

- ii. Screening and buffering of the proposed single family residential development shall be provided as per the City of Weston ordinances and requirements, and amendments.

C. Open Space Requirements

- i. As indicated on the attached Exhibit B, there are three possible locations for a 2 to 3 acre open space located on the subject property. At such time as the property develops, an open space in one of these three general locations shall be provided. At that time, it shall be determined if the open space provided will be maintained/owned by the City or by the Homeowner's Association.
- ii. The three possible open space locations are as follows:
 - 1. At the intersection of County Road 203 and County Road 204, generally in association with the entrance to the community.
 - 2. Interior to the subject property, integrated as a central open space for the community.
 - 3. On the west side of the property adjacent to the creek and tree preservation area.

D. Entry Feature or Signage

- i. All signage for the subject property shall be provided per the City of Weston Zoning Ordinance and amendments, except as indicated below.
- ii. Entry feature signage or monuments shall be generally provided as per the attached Exhibit C.