

ORDINANCE 2024-04-04

AN ORDINANCE OF THE CITY OF WESTON, COLLIN COUNTY, TEXAS AMENDING WESTON'S ZONING ORDINANCE, AS AMENDED, TO REZONE 29± ACRES OF LAND SITUATED IN THE JAS WILSON SURVEY ABSTRACT NO. A0963, COLLIN COUNTY, TEXAS, HERETOFORE ZONED AGRICULTURAL; PROVIDING THAT THE PROPERTY IS REZONED AND PLACED IN THE PLANNED DEVELOPMENT DISTRICT (PD) ZONING CLASSIFICATION; DESCRIBING THE TRACTS TO BE REZONED; PROVIDING FOR A PENALTY CLAUSE; SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council has previously adopted a zoning ordinance to provide for the orderly development of land; and

WHEREAS, Honeycreek Venetian, LLC and MCI-DST 1 Trust ("Owner") initiated a request to rezone 29± acres of land, situated in the Jas Wilson Survey, Abstract No. A0963, Collin County, Texas, more particularly described in Exhibit D, attached hereto and incorporated herein for all purposes (the "Property"); and

WHEREAS, Owners have requested that the Zoning Ordinance be amended to rezone the Property, heretofore zoned Agricultural, by placing it in the Planned Development District (PD) zoning classification; and

WHEREAS, all legal notices for rezoning have been given in the manner and form required by law; public hearings have been held on the proposed rezoning; and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the City Council has determined that this amendment is in the best interest of the public health, safety, and general welfare.

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

SECTION 1 AMENDMENT

1. The zoning map is hereby amended in order to rezone approximately 29± acre tract at the northeast corner of Weston Road and Chambersville to a Planned Development District authorizing a lagoon, retail, restaurant, office and multi-family uses.
2. The subject property shall develop in accordance the "PD" – Planned Development District, and as amended, as follows:

- A. The subject property shall develop in accordance with Exhibit A Concept Plan and Exhibit B Development Regulations.
- B. Exhibit C, Zoning Exhibit Metes and Bounds are also made a part of this Ordinance.
- C. The Entry Feature as shown in Exhibit D is approved for all purposes. LED signs will be limited to noncommercial messages and will be dimmed and limited to still images from 10:00 p.m. to sunrise. Commercial messages related to the Venetian lagoon and development are permitted.

SECTION 2 UNLAWFUL USE OF PROPERTY

It shall be unlawful for any person, firm, entity or corporation to use the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, entity or corporation to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance.

SECTION 3 PENALTY

Any person, firm, entity violating any provision of this Ordinance, or the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude Weston from filing suit to enjoin the violation. Weston retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4 REPEALING/SAVINGS

The Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with the Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5 SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, 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 or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 6
EFFECTIVE DATE**

This Ordinance shall become effective from and after its adoption and publication as required by law.

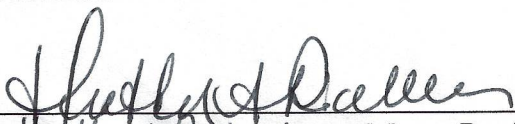
PASSED AND APPROVED by Council this, the 9th day of April, 2024.

APPROVE



Jerry Randall, Mayor

ATTEST



Heather Richardson, Mayor Pro Tempore

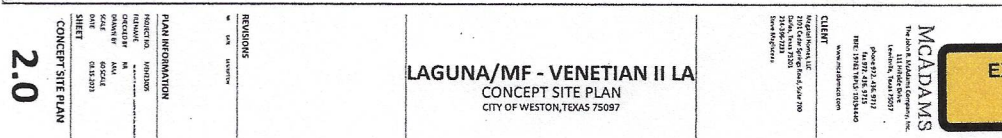


Exhibit "B"
Development Standards (including Architectural Standards)

Regulation Type	Standard
Lot Area – lots within the property shall adhere to the following minimum lot area:	
	N/A
Lot Width – Minimum	None
Lot Depth - Minimum	None
Max Floor Area Ratio – Maximum square foot of all structures on single residential lot	N/A
Lot coverage - Maximum	100%
Building Height - Maximum	Multifamily - 3-Stories or 45-feet Amenity Building – 55-feet
Building Setback - Minimum	
Front Yard	20 Feet
Side Yard – Corner Lots	None
Side Yard – Interior Lots	None
Rear Yard	20 Feet
Roof Pitch - Minimum	4:12

1. Purpose: This Planned Development is to provide specific development standards that apply to the subject property in order to create a quality development.
2. Administration: Unless otherwise stated herein, the subject property shall be developed in accordance with applicable City of Weston ordinances that are in affect at the time of approval of this Planned Development. The development shall generally comply with the approved Concept Plan. Amendments to this Planned Development shall be approved by the City Administrator, or designee, provided that said amendments do not increase the maximum density allowed per this Planned Development and do not cause a substantial change in character of the proposed development. There shall be no expiration for this Planned Development District, including all exhibits attached hereto. There shall be no expiration for the approved Preliminary Plat and Record Plat.
3. Uses: The following section lists the use regulations for this Planned Development.
 - a. Permitted Uses. The following uses shall be permitted:
 - i. Amenity Center/Clubhouse

- ii. Multifamily Residential Units
 - iii. Open Space
 - iv. Park or Playground
 - v. Recreation/Common Areas
 - vi. Lagoon and related uses
 - vii. Entertainment Structure(s)
 - viii. Maintenance related structures
 - b. Accessory Uses. The following uses are permitted as accessory uses:
 - i. Detached garages and covered parking awnings
 - ii. Private swimming pools
4. General Standards: The following standards shall apply to the entire Planned Development.
- a. Standard Parking Stall Dimensions: Nine Feet (9') by eighteen feet (18').
 - b. Parking configuration and drive aisles are provided for conceptual purposes and subject to change upon submittal of site plan.
 - c. Screening shall not be required between Area A (Multifamily) and Area B (Lagoon and Entertainment Area).
 - d. Area A and Area B shall provide a combined 10% net lot acreage shall be devoted to living landscape which shall include grass, ground cover, plants, shrubs, or trees.
 - e. Parking lot trees shall not be required.
 - f. Landscape buffers shall not be required between Area A and Area B.
5. The following standards are specific to either Area A – Multifamily, or Area B – Lagoon and Entertainment Area:
- a. Area A – Multifamily Area
 - i. A maximum of 300 multifamily dwelling units shall be permitted.
 - ii. Maximum Lot Coverage: 50%
 - iii. Maximum Building Height: Three Stories or 45 feet
 - iv. Parking Ratio's per Unit area as follows:
 - 1. Studio/One Bedroom: 1 parking stall per unit
 - 2. Two Bedroom/Three Bedroom: 2 parking stalls per unit
 - b. Area B – Lagoon & Entertainment Area
 - i. Max Lot Coverage: 50%
 - ii. Maximum Building Height: 55 feet
 - 1. There shall be no maximum building height for any structure other than the Amenity Center.

- iii. Parking shall be provided generally as shown on the Concept Plan
6. Screening Standards: The following screening standards shall apply to the perimeter of the Planned Development property:
- a. A minimum 20 foot landscape buffer shall be provided along County Road 206 (Chambersville Road) and FM 543 (Weston Road).
 - b. No additional screening shall be provided along the property line for either Area A or Area B.
7. Other Provisions:
- a. Site utilities and drainage information shall not be required with this Planned Development. Said information shall be provided with the Preliminary Plat application.
 - b. Studies related to impact on population, schools, and recreation shall not be required.
 - c. Landscape plans shall not be required with this Planned Development. Said plans shall be provided with the Record Plat application.
 - d. Building materials shall comply with international building codes and residential codes. The architectural standards of the City of Weston shall not apply except as provided herein. The architectural standards provided herein are applicable to this planned development.
 - e. Section 61 – PD Planned Development District Regulations, Subsection (F).(3.) shall be applicable at time of Planned Development application.
8. Architectural standards
- a. Architectural design. Compliance with architectural design standards shall not be a condition of site plan approval.
 - b. Construction materials. The use of unfinished concrete blocks or unfinished tilt wall panels to meet the masonry requirement is prohibited from use unless they are textured. Hardi plank shall be considered a masonry material for the purposes of this planned development.
 - c. Masonry requirements – Multifamily and Lagoon Commercial. The Caribbean theme for the lagoon requires extensive hardiplank to achieve the authentic look. All structures shall be constructed with a minimum of 20 percent masonry coverage (excluding the total window area), except as noted in this subsection. All

permanent structures shall be compatible in architectural style, including the use of brick, Austin stone, cast stone, stucco, textured tilt wall construction, or other textured masonry surfaces. The remaining 80 percent of exterior finishing materials shall complement the building design and masonry materials used.

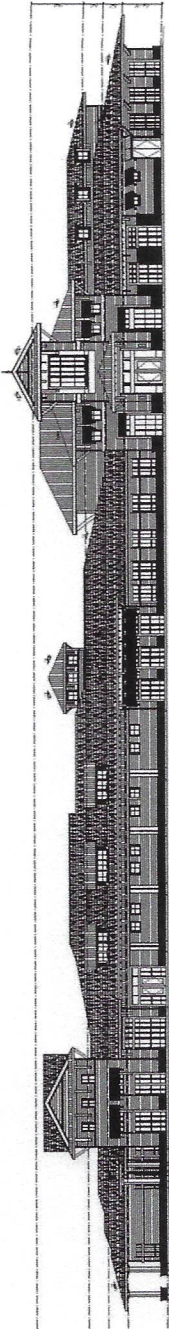
- d. Windows. Windows shall be consistent with the design and construction of the building. Total window area shall meet the current International Energy Conservation Code requirements.
- e. Roof design and materials. Sloped, gabled or pitched roofs visible from a public street shall be made of 30-year composite shingles, slate, or pre-finished metal or other quality roofing materials.
- f. Awnings/canopies. The use of decorative awnings/canopies is permitted, provided all awnings are designed to be compatible with the structure on which they are located. Awnings and canopies shall be of a consistent pattern, size, shape, material and shall be consistent with or complementary to construction of the building and approved with site plan approval in nonresidential developments.
- g. Archways. Archways may be used in conjunction with doorways or windows and shall have an architectural style consistent with the basic design.
- h. Exterior lighting. Lighting fixtures shall be of a design complementary to the building illumination shall be compatible with surrounding development.
- i. Utility equipment and gutters. Utility equipment and gutters shall be constructed of quality materials and consistent with the design and color of the primary structure. Utility equipment access will be underground (e.g., telephone, electric cables) in nonresidential and residential developments.
- j. Health standards. All situations involving health regulations (food preparation, related equipment) shall be in accordance to the applicable International Building Code and the Food Establishment Rules set forth by Collin County Health Authority or the city's appointed official.
- k. Trash receptacles. Guidelines for metal and/or commercial/industrial trash receptacle screening:
 - i. Refuse enclosures shall be screened from public view on all four sides with an eight-foot solid, opaque screen of either masonry,

landscaping treatment or other compatible building or landscape material.

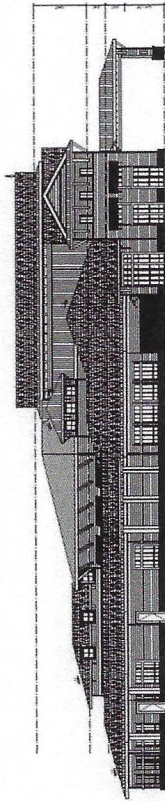
- ii. Trash receptacle areas should not be placed in an area along a public street. Such areas should be located to allow for convenient access by refuse vehicles.
 - iii. When located in a highly visible area, trash receptacle screening walls should be softened with landscaping.
 - iv. Screening doors on the enclosure should be finished with a high quality material and durable finish and shall be consistent with or complementary to construction of the building.
1. Subdivision lighting shall be LED.

Architectural Standards – Multifamily and Laguna-Associated Buildings.
Laguna- associated buildings, such as the restaurant, shall be constructed similarly as depicted in Exhibit B-1. Multifamily structures shall be constructed as depicted in Exhibit B-2.

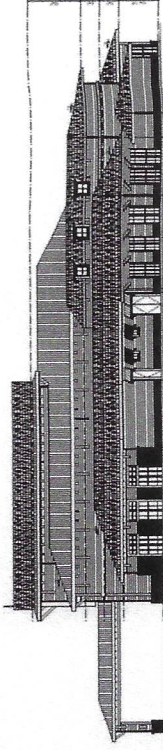
Exhibit B-1



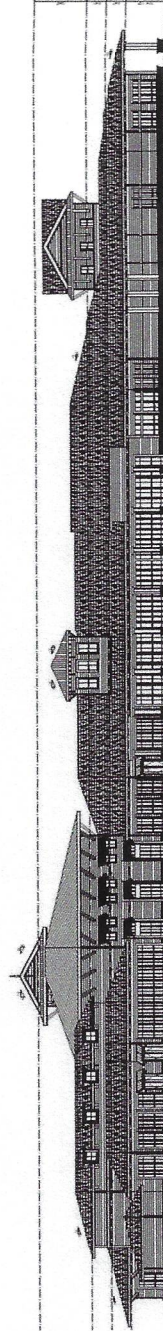
1 AMENITY ELEVATION
SCALE: 1/8" = 1'-0"



2 AMENITY ELEVATION
SCALE: 1/8" = 1'-0"



3 AMENITY ELEVATION
SCALE: 1/8" = 1'-0"



4 AMENITY ELEVATION
SCALE: 1/8" = 1'-0"

Exhibit B-2



