

*Preliminary Plat
approved 1/1/2008*

CITY OF PRINCETON

ORDINANCE NO. 2003-05-13-01

AN ORDINANCE OF THE CITY OF PRINCETON AMENDING THE COMPREHENSIVE ZONING ORDINANCE NUMBER 98-001 OF THE CITY OF PRINCETON, FROM 'A', AGRICULTURE TO PLANNED DEVELOPMENT NO. 3 ON A PORTION OF THE JACOB BACCUS SURVEY, ABSTRACT NO. 53, TO PROVIDE FOR SF-2 RESIDENTIAL ZONING; ESTABLISHING DEVELOPMENT REGULATIONS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING AN EFFECTIVE DATE.


- WHEREAS,** the owner of the property generally described as 218.139 acre tract of land situated in Jacob Baccus Survey, Abstract No. 53, City of Princeton, Collin County, Texas; and
- WHEREAS,** the tract of land subject of this zoning amendment from "A" Agriculture to "Planned Development No. 3" with SF-2, residential uses, is more particularly described by metes and bounds description set forth in Exhibit B; and
- WHEREAS,** the property subject of Planned Development No. 3, shall be subject to specific Development Regulations, attached hereto as Exhibit A; and
- WHEREAS,** the Planning and Zoning Commission held a public hearing, heard the case and recommended approval of the zoning amendment from "A" Agriculture to "Planned Development No. 3" with SF-2 residential uses on March 20, 2003 and
- WHEREAS,** the City Council held a public hearing, heard the case and recommended approval of the zoning amendment from "A" Agriculture to "Planned Development No. 3" with SF-2 residential uses on March 20, 2003 and
- WHEREAS,** all legal requirements, conditions and pre requisites having been complied with, the case now having come before the City Council for the City of Princeton for public hearing.

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


- Section 1.** That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.
- Section 2.** The Comprehensive Zoning Ordinance Number 98-001 of the City of Princeton be, and the same is hereby, amended by amending the Zoning Map of the City of Princeton so as to give the property described in Exhibit B the zoning change classification from "A" Agriculture to "Planned Development No. 3" with SF-2 residential uses.

- Section 3.** That Planned Development No. 3 shall be subject to the Development Regulations attached hereto as Exhibit A and incorporated herein by reference as if fully set forth herein.
- Section 4.** That all ordinances of the City of Princeton in conflict with the provisions of this Ordinance be, and are the same hereby repealed, and all other provisions of the ordinances of the City of Princeton not in conflict with the provisions of this Ordinance shall remain in full force and effect.
- Section 5.** If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portion of this ordinance; and the City Council hereby declares it would have passed such portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.
- Section 6.** Any person, firm or corporation who violates any provision of this Ordinance or Princeton's Comprehensive Zoning Ordinance No. 98-001 shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in a sum not exceeding Two Thousand Dollars (\$2000.00), and each and every day such violation continues shall be continued a separate offense; provided, however, such penal provision shall not preclude a suit to enjoin such violation.
- Section 7.** This ordinance shall become effective from and after its adoption and publication as required by law.

DULY PASSED AND APPROVED by the City Council of the City of Princeton, Texas, on this 13 day of May, 2003.


Bill Caldwell, Mayor
City of Princeton, Texas

ATTEST:


Lesia Thornhill, City Secretary
City of Princeton, Texas

Planned Development #3
Princeton Crossing in Princeton, Texas

EXHIBIT "A"

Planned Development Regulations
Proposed Tracts I & II
A portion the Jacob Baccus survey, Abstract No. 53
Collin County, Texas

1.0 General Description and Definitions

This Planned Development Ordinance permits a maximum of nine hundred seventy six (976) single family residential units on this tract of land. The development standards and definitions used herein set forth for the aforementioned housing are outlined within the text as set forth in the SF-2 Zoning classification of Section 23 of the Comprehensive Zoning Code, Ordinance 98-001, of the City of Princeton, Texas as it exists, and if not specifically addressed herein. In the event of a conflict between this Ordinance and the Comprehensive Zoning Ordinance of Princeton, the Planned Development Ordinance shall control. Papagolos Development agrees to develop the property substantially in conformance with the preliminary plat. The City of Princeton acknowledges that the Preliminary Plat is a permit as defined by Chapter 245, Texas Local Govt. code ("chapter 245") and that the Preliminary Plat reflects the "project" for the property. Papagolos agrees to comply with the requirements of the City Of Princeton's ordinances as in effect on January 13, 2003, and the City agrees that it shall not apply any future ordinance amendments or revisions to the Property without the consent of Papagolos.

2.0 Use Regulations

Permitted uses shall be those allowed for the Residential SF-2 District found in Section 11 of the Comprehensive Zoning Code, Ordinance 98-001, of the City of Princeton, Texas.

3.0 Height Regulations

No building shall exceed two and one-half (2½) stories, or 35 feet, in height.

4.0 Area Regulations

The following area regulations shall apply to **Tract 1**:

4.A Average Lot Area.

- The minimum lot average for residential lots in Tract 1 shall be five thousand five hundred (5,500) square feet.

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- 4.B Minimum Lot Area.**
- The minimum area of any residential lot shall be five thousand (5,000) square feet.
- 4.C Minimum Lot Width.**
- The minimum width of any residential lot shall be fifty (50) feet, measured at the front building line.
 - Exception. Thirty five (35) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.
- 4.D Minimum Lot Depth.**
- The minimum depth of any residential lot shall be one hundred (100) feet, measured at the midpoint of the front and rear lot lines.
 - Exception. Ninety (90) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.
- 4.E Minimum Front Yard.**
- The minimum depth of the front yard shall be twenty (20) feet.
- 4.F Minimum Rear Yard.**
- The minimum depth of the rear yard shall be ten (10) feet.
- 4.G Minimum Side Yard.**
- The minimum side yard on each internal side of a lot shall be five (5) feet.
 - The minimum side yard of corner lots shall be increased to fifteen (15) feet on the side adjacent to the street.
- 4.H Maximum Lot Coverage.**
- In no case shall more than fifty (50) percent of the total lot area be covered by the combined area of the main building and accessory structures. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining lot coverage.
- 4.I Minimum Dwelling Size.**
- The minimum area of the main dwelling shall be one thousand three hundred (1,300) square feet, exclusive of garages, breezeways and porticos

The following area regulations shall apply to **Tract 2**:

- 4.J Average Lot Area.**
- The minimum lot average for residential lots in Tract 2 shall be six thousand five hundred (6,500) square feet.
- 4.K Minimum Lot Area.**
- The minimum area of any residential lot shall be six thousand (6,000) square feet.

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4.L Minimum Lot Width.

- The minimum width of any residential lot shall be sixty (60) feet, measured at the front building line.
- Exception. Thirty five (35) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

4.M Minimum Lot Depth.

- The minimum depth of any residential lot shall be one hundred (100) feet, measured at the midpoint of the front and rear lot lines.
- Exception. Ninety (90) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

4.N Minimum Front Yard.

- The minimum depth of the front yard shall be twenty (20) feet.

4.O Minimum Rear Yard.

- The minimum depth of the rear yard shall be ten (10) feet.

4.P Minimum Side Yard.

- The minimum side yard on each internal side of a lot shall be five (5) feet.
- The minimum side yard of corner lots shall be increased to fifteen (15) feet on the side adjacent to the street.

4.Q Maximum Lot Coverage.

- In no case shall more than fifty (50) percent of the total lot area be covered by the combined area of the main building and accessory structures. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining lot coverage.

4.R Minimum Dwelling Size.

- The minimum area of the main dwelling shall be one thousand five hundred (1,500) square feet, exclusive of garages, breezeways and porticos

5.0 Accessory Buildings

5.1 Location

- An accessory building must be located not less than fifty (50) feet back from the front lot line and no less than fifteen (15) feet from any other right-of-way line, nor less than three (3) feet from any side or rear lot line.

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5.2 Lot Coverage

- An accessory building shall not occupy more than three (3) percent of the lot area, nor have a ground floor area of more than Two hundred and fifty (250) square feet.

5.3 Maximum Building Height

- The total height of an accessory building shall not exceed fifteen (15) feet.

5.4 Character

Accessory buildings must be constructed so that they are in keeping with the general architecture of the development.

6.0 Parking

- There will be a minimum of two garage parking spaces per single family dwelling
- All driveways will accommodate two vehicles side by side.

7.0 Permitted Uses

All those uses allowed within the SF-2 zoning classification as currently approved by the City of Princeton Zoning Code. All regulations not redefined by this amendment shall default to the existing regulations set forth under the existing zoning classification for SF-2 as it is currently defined.

8.0 Screening Wall

- A masonry thin-wall, or iron fencing shall be constructed along the property line of lots that abut the right-of-way of Blvd. Road "A". The wall shall be a minimum of six feet in height and shall be accented by masonry columns at the terminus of any walls. A sign with the name of the subdivision may be incorporated into the screening wall near the entrances to the subdivision.
- No access shall be granted to any lot through any back or side yards adjacent to Blvd. Road "A".

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9.0 Landscape Regulations

- Developer agrees to establish a minimum of two open spaces as depicted on the Concept Plan and Preliminary Plat. The total of both open spaces shall not be less than nine acres.
- Development shall meet the standards as required in the City of Princeton Subdivision Ordinance.
- All Single Family lots shall have grass in both front and rear yards.
- All Single Family lots shall have automated sprinklers in both Front and rear yards.
- Each Single Family Lot will have planted a minimum of two (2) 2" trees per lot.
- There shall be the equivalent of one (1) 3" tree planted for every 60' of arterial right-of-way frontage along Blvd. Road "A". Trees may be planted in clusters.
- Four-foot (4') wide sidewalk will be constructed on all single-family lots. Sidewalks and barrier free ramps will be constructed with individual home construction and is the responsibility of the builder.
- A Home Owners Association will maintain all open space lots.
- Open Space lots are to be landscaped with grass and have tree plantings with the equivalent of five (5) 2" trees per acre.
- A four 4' wide concrete "trail" system will be incorporated in all open space lots.
- A minimum of two (2) park benches and two (2) picnic tables will be incorporated in each open space lot
- Lake facilities will contain a fountain/aeration device.
- All trees planted must be from the tree list on Exhibit "C" or as approved by the City of Princeton.

10.0 Permitted Uses

- Development of an Amenity Center shall commence no later than the occupation of the two hundredth (200) home.
- The Amenity Center shall consist of the following items
 - a. swimming pool
 - b. sun deck
 - c. poolside furniture
 - d. children's pool
 - e. cabana
 - f. toilet/changing facility
 - g. sun shelter
 - h. security gated w/ card reader
 - i. five (5) 3" trees per acre w/ irrigated grass
 - j. 8 on site parking places

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11.0 Elementary School Site

- The Developer will reserve a minimum of nine acres gross to accommodate an elementary school site if it is deemed necessary by the Princeton Independent School District. Gross acres as calculated to the centerline of the adjacent Rights-of-way.

12.0 General Conformance

- The preliminary plats will be required to be in general conformance with the approved conceptual plan; with the exception that street and lot layout can be altered in regards to unforeseen engineering issues and that to avoid major changes lot to lot drainage may be utilized but that drainage easements must be in place on the final plat to accommodate said drainage. Such changes will be as minor as the circumstances allow and can be approved administratively without re-submittal of the concept plan. The preliminary plat shall be valid for a period of 36 months from the date of approval of the City Council. As a subsequent phase of the development is constructed, it shall extend the validity of the preliminary plat for an additional period of 24 months established from the time of city acceptance of that phase. If construction does not commence within 36 months, the city council may grant 12-month extensions for the validity of preliminary plat at its discretion.

13.0 Legal Description

See attached Exhibit "B".

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SF-2 TRACT 1 AREA AND HEIGHT REGULATIONS		
Type	Main Structures	Accessory Structures
Minimum Lot Area	5,000 SF	NA
Minimum Lot Width	50 FT / 35 FT	NA
Minimum Lot Depth	100 FT / 90 FT	NA
Minimum Front Set Back	20 FT	50 FT
Minimum Rear Set Back	10 FT	3 FT
Minimum Side Set Back	5 FT – Interior 15 FT – Corner	3 FT – Interior 15 FT – Corner
Maximum Building Height	35 FT (2½ stories)	15 FT (1 story)
Maximum Lot Coverage	50%	3% or 250 SF
Dwelling Area	1,300 SF minimum	250 SF maximum
Garage Door Entry	20 FT from any lot line	20 FT from any lot line

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SF-2 TRACT 2 AREA AND HEIGHT REGULATIONS		
Type	Main Structures	Accessory Structures
Minimum Lot Area	6,000 SF	NA
Minimum Lot Width	60 FT / 35 FT	NA
Minimum Lot Depth	100 FT / 90 FT	NA
Minimum Front Set Back	.20 FT	50 FT
Minimum Rear Set Back	10 FT	3 FT
Minimum Side Set Back	5 FT – Interior 15 FT – Corner	3 FT – Interior 15 FT – Corner
Maximum Building Height	35 FT (2½ stories)	15 FT (1 story)
Maximum Lot Coverage	50%	3% or 250 SF
Dwelling Area	1,500 SF minimum	250 SF maximum
Garage Door Entry	20 FT from any lot line	20 FT from any lot line

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EXHIBIT "B" - LEGAL DESCRIPTION

BEING a tract of land located in the Hardin Wright Survey, Abstract No. 957, Collin County, Texas and being all of a tract of land described in Deed to Roscoe O. Wilson, recorded in Volume 272, Page 591, Deed Records, Collin County, Texas and being all of a tract of land described in Deed to R. O. Wilson, recorded in Volume 285, Page 280, Deed Records, Collin County, Texas and being all of a tract of land described in Deed to T. E. Burt, recorded in Volume 147, Page 228, Deed Records, Collin County, Texas and being all of a tract of land described in Deed to T. E. Burt, recorded in Volume 177, Page 206, Deed Records, Collin County, Texas and being part of a tract of land described in Quit Claim Deed to T. E. Burt, recorded in Volume 355, Page 12, Deed Records, Collin County, Texas and being part of a tract of land described in Quit Claim Deed to R. O. Wilson, recorded in Volume 332, Page 133, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found at the most Southerly corner of a tract of land described in Deed to Lawrence P. Williams, et al, recorded in Document No. 92-0077194, Deed Records, Collin County, Texas and the Southwest corner of Tickey Creek Drive, a 50 foot wide public right-of-way, same being the Southwest corner of a tract of land described in Deed to the City of Princeton, recorded in Volume 3099, Page 583, Deed Records, Collin County, Texas;

THENCE South 00 deg. 00 min. 41 sec. West, a distance of 1,597.65 feet to a 1 inch iron pipe found at the Southeast corner of said Burt tract (Vol.147) and an inner ell corner of a tract of land described in Deed to J. I. Griffin, recorded in Volume 338, Page 567, Deed Records, Collin County, Texas;

THENCE South 87 deg. 40 min. 18 sec. West, a distance of 1,147.48 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for the Southwest corner of said Burt tract (Vol. 147) and the most Southerly Northwest corner of said Griffin tract, said point being in the East line of a tract of land described in Deed to Lucile M. Griffin, recorded in Volume 282, Page 481, Deed Records, Collin County, Texas;

THENCE North 00 deg. 39 min. 06 sec. West, a distance of 34.42 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for the Northeast corner of said Griffin tract, said point being the Southeast corner of said Wilson tract (Vol. 285);

THENCE South 85 deg. 57 min. 35 sec. West, a distance of 2,349.60 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set at the Southwest corner of said Wilson tract (Vol. 285), said point being the most Southerly Southeast corner of said Wilson tract (Vol. 272);

THENCE South 84 deg. 42 min. 35 sec. West, a distance of 1,204.50 feet to a 1 inch iron pipe found at the Southwest corner of said Wilson tract (Vol. 272) and the Southeast corner of a tract of land described in Deed to TYF Partnership, Ltd., recorded in Volume 4653, Page 2630 (Doc. No. 2000-0041253), Deed Records, Collin County, Texas;

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THENCE North 00 deg. 12 min. 35 sec. East, a distance of 2,170.52 feet to a 1 inch iron pipe found for an inner ell corner of said TYF Partnership, Ltd. tract, said point being the Northwest Corner of said Wilson tract (Vol. 332);

THENCE North 86 deg. 05 min. 10 sec. East, a distance of 1,217.59 feet to a 3/4 inch iron pipe found at the most Northerly Southeast corner of said TYF Partnership, Ltd. tract and the Southwest corner of Princeton Village, an Addition to the City of Princeton, Collin County, Texas, according to the Plat thereof recorded in Cabinet "F", Slide 279, Map Records, Collin County, Texas;

THENCE along the Southerly lines of said Addition the following four (4) courses and distances: North 86 deg. 01 min. 39 sec. East, a distance of 507.09 feet to a 1/2 inch iron rod with yellow plastic cap stamped "DAA" set for corner;

THENCE North 86 deg. 08 min. 10 sec. East, a distance of 394.64 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

THENCE North 87 deg. 54 min. 45 sec. East, a distance of 302.51 feet to a 5/8 inch iron rod with a red plastic cap stamped "TX NO 3258" found at the Southeast corner of said Addition;

THENCE North 00 deg. 20 min. 05 sec. West, a distance of 25.26 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set at the Southwest corner of said Williams tract, said point being at the beginning of a Boundary Line Agreement, recorded in Document No. 92-0049122, Deed Records, Collin County, Texas, said point also being at the beginning of a non-tangent curve to the right having a central angle of 15 deg. 56 min. 22 sec., a radius of 2,894.77 feet, and a chord bearing and distance of South 81 deg. 41 min. 12 sec. East, 802.72 feet;

THENCE Southeasterly, along the Southerly lines of said Williams tract and said Boundary Line Agreement, the following three (3) courses and distances: Southeasterly, along said curve to the right, an arc distance of 805.31 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

THENCE South 73 deg. 43 min. 01 sec. East, a distance of 976.20 feet to a 5/8 inch iron rod found for corner at the beginning of a curve to the left having a central angle of 16 deg. 30 min. 40 sec., a radius of 1,879.88 feet and a chord bearing and distance of South 81 deg. 58 min. 21 sec. East, 539.86 feet;

THENCE Southeasterly, along said curve to the left, an arc distance of 541.73 feet to the POINT OF BEGINNING and containing 9,451,474 square feet or 216.976 acres of land.

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Exhibit "C"

Approved Tree List

Live Oak
Red Oak
Pecan
Cedar Elm
Lace Bark Elm
Water Oak
Burr Oak
Red Bud
Pistachio
Aristocrat Pear
Western Red Cedar
Cypress
Magnolia

And any additional tree approved by the City of Princeton.