

ORDINANCE 17-333

AN ORDINANCE AMENDING CITY OF MASON, TEXAS ORDINANCE NO. 04-283, AS AMENDED, ORIGINALLY ADOPTED THE 3RD DAY OF MAY, 2004, AND BEING THE ZONING ORDINANCE OF THE CITY, BY ADDING TO SECTION 2 THEREOF A NEW SUBSECTION 2.740; PROVIDING FOR THE CREATION OF THE WESTMORELAND PLANNED AREA DEVELOPMENT DISTRICT ("WPADD"); PROVIDING RULES, REGULATIONS AND STANDARDS FOR THE DEVELOPMENT AND USE OF LAND WITHIN SAID WPADD; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$250 FOR EACH VIOLATION OF ANY PROVISION HEREOF, PLUS \$10 FOR EACH ADDITIONAL DAY EACH SAID VIOLATION CONTINUES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, the City received an application for the creation of a Planned Area Development District pursuant to Subsection 2.700 of the City's Zoning Ordinance; and

WHEREAS, following notice and public hearing as required by law before the Planning and Zoning Commission and the City Commission, and receipt of the written recommendation of the Planning and Zoning Commission regarding such application, the City Commission deems it appropriate and in the public interest to approve the creation of the Westmoreland Planned Area Development District ("WPADD"); and

WHEREAS, the City Commission further finds and determines that the creation of the WPADD conforms to the City's comprehensive plan and is in accord with the purposes of Planned Area Development Districts set forth in Subsection 2.700 of the Zoning Ordinance; now therefore

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MASON, TEXAS:

Section 1. The facts and matters set forth in the preamble of this ordinance are hereby found to be true and correct.

Section 2. City of Mason Ordinance No. 04-283, as amended, originally adopted the 3rd day of May, 2004, is hereby further amended by adding to Section 2 thereof a new Subsection 2.740 to provide as follows:

"2.740 WESTMORELAND PLANNED AREA DEVELOPMENT DISTRICT.

The WESTMORELAND PLANNED AREA DEVELOPMENT ("WPADD") is hereby established. The territory comprising such WPADD is as described and depicted on Attachment "A" hereto. The terms, conditions, rules, regulations and procedures for development of a PAD within the WPADD shall be as set forth in this Section.

A. Purpose and Intent: The purpose and intent of the WPADD is to provide for a unified single family residential development scheme that (1) requires a density of use that does not exceed what is otherwise required in District R1, (2) is compatible with adjacent District R1 uses, but (3) allows smaller lot sizes than otherwise required in District R1 while maintaining minimum R1 density requirements through the dedication of compensating open space within the development. Specifically, the WPADD is intended to provide single family residential living for senior citizens who are either approaching or have arrived at an age where the burden of yard maintenance is no longer compatible with their physical abilities.

B. Eligibility: Compliance with the purpose and intent of the WPADD set forth above, and the standards and performance criteria provided below, shall guide in determination of eligibility and approval of a PAD within the WPADD.

C. Development Site Plan: A Development Site Plan shall be required, which shall comply with the development site plan requirements set forth in Subsection 2.730.B.1 above.

D. Concept Plan: The Concept Plan shall comply with the concept plan requirements set forth in Subsection 2.730.B.2 above.

E. Development Schedule: A Development Schedule shall be submitted and adhered to in accordance with the requirements contained in Subsection 2.730.C above.

F. Procedures for WPADD Development Site Plan Approval: Procedures for the approval of a Development Site Plan for a PAD within the WPADD shall be as set forth in Subsection 2.730.D above.

G. General Regulations for the WPADD:

1. Buildings: Regulations contained in this Ordinance applicable to height and location of buildings and structures located in District R1 shall be applicable to buildings and structures within the WPADD, except where the deviation of a standard otherwise required herein is authorized in accordance with Paragraph .04 of this Subsection.

2. Access: Streets within the WPADD may be either public or private. The width and block lengths of streets shall be as determined by the City Council, based on the density and other features of the PAD, with consideration being given to vehicular and pedestrian safety.

3. Occupancies/Uses: Occupancy and use within the WPADD shall be limited to single family residential uses.

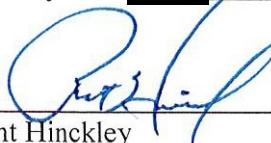
4. Deviation from Standards: Notwithstanding any other provision contained herein to the contrary, in any ordinance granting approval of a PAD within the WPADD, the City Commission may impose more stringent standards or conditions than required in this Section when necessary for the protection of adjacent properties and public interest. In addition, the City Commission may waive certain of such requirements and conditions when it is demonstrated that adequate provisions have been made for space, light and air, that the density of development is compatible with surrounding land uses, that pedestrian and vehicular traffic circulation systems are safe and efficient, that the developer will progress in orderly phases, and that public health, safety, and welfare will be protected."

§.ection 3. Penalty. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$250 for each such violation, plus \$ 10 for each additional day such violation is allowed to continue. Each such additional day of violation shall be deemed a separate offense.


Section 4. Conflicting Ordinances . All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict , hereby repealed.

Section 5. Severability. In the event any clause, phrase, provision, or part of this Ordinance or the application of same to any person or circumstance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction , it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision thereof other than the part declared to be invalid or unconstitutional; and the City Commission of the City of Mason, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of the part thus declared to be invalid or unconstitutional, whether there be one or more parts.

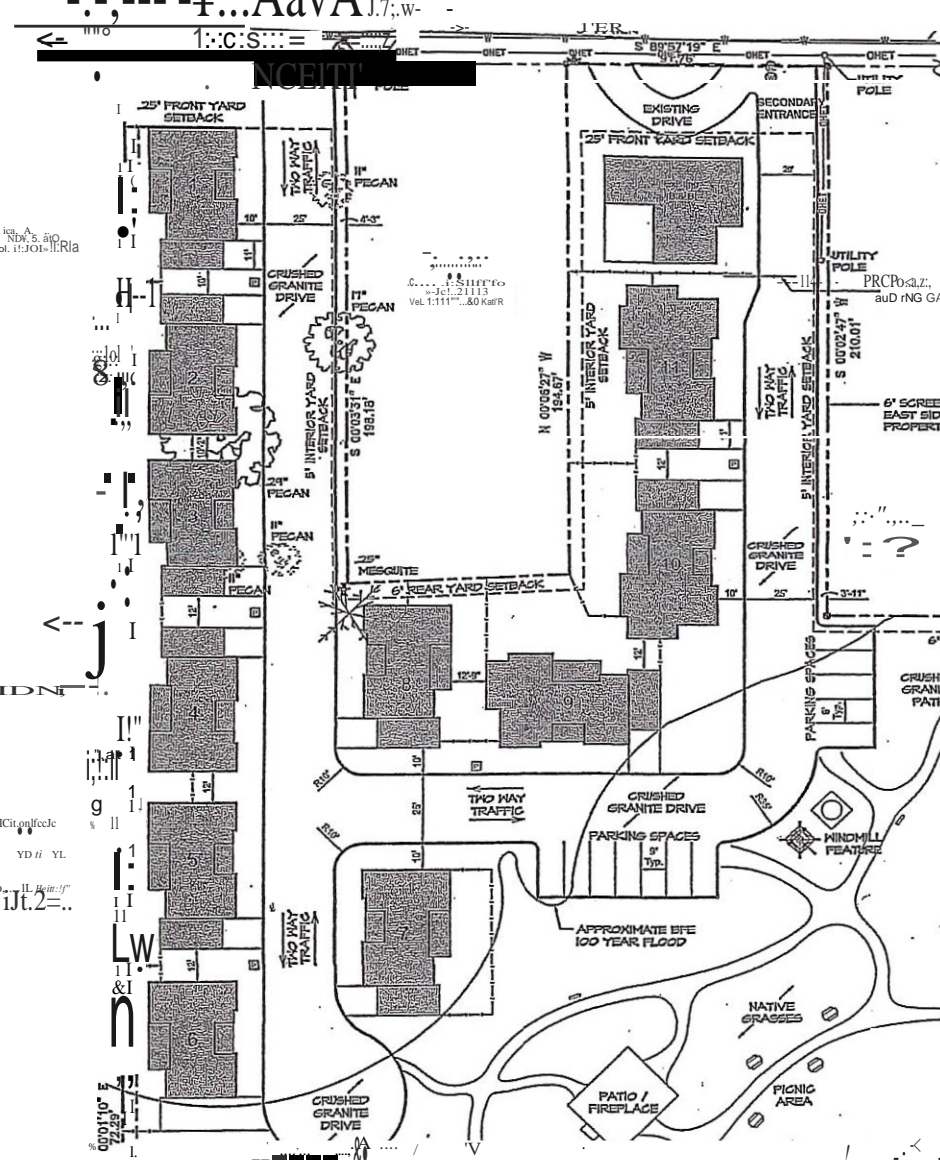
PASSED, APPROVED AND ADOPTED this 19th day of Jul 2017.


Brent Hinckley
Mayor

ATTEST:


Pattie Grote





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Stehling Klein Thomas Architects, PLLC
300 C West Main St. Fredericksburg, Texas 78624
P: 830-997-0383 www.sktarchitects.com

SITE DEVELOPMENT NOTES

PROPERTY OWNER

THE FULTON, LLC
SHANNON WORRELL
210-241-4925
SHANNONWORRELL@AG1SOURCE.COM

PROPERTY ADDRESS

507 WESTMORELAND ST.
MASON, TX 76856

ZONING

PROPERTY IS CURRENTLY ZONED:
SINGLE FAMILY RESIDENTIAL (R-1)

REQUESTED ZONING:
PLANNED AREA DEVELOPMENT (PAD)

PROPOSED DEVELOPMENT TO COMPLY WITH R-1 SETBACKS:

25' FRONT YARD SETBACK
5' INTERIOR SIDE YARD SETBACK
6' REAR YARD SETBACK

PROPOSED LAND USES

SINGLE FAMILY DWELLING	1.5 ACRES (56%)
OPEN SPACE	1.2 ACRES (44%)
TOTAL SITE AREA	2.7 ACRES

PROPOSED IMPERVIOUS COVERAGE

TOTAL AREA ABOVE
100 YEAR FLOOD = 65,487 SF (1.5 ACRES)

IMPERVIOUS COVER
ABOVE 100 YEAR FLOOD = 18,415 S.F (28%)*
MAX ALLOWED IN R-1 = 75%.

BUILDING COVERAGE = 18,415 S.F (28%)

MAX ALLOWED IN R-1 == 60%

* ALL ROADS AND DRIVEWAYS ARE GRANITE GRAVEL AND ASSUMED TO BE PERVIOUS.

BUILDING INFORMATION

EXISTING B&B	GROSS AREA	1,791 S.F.
	AVG. BLDG. HEIGHT	15' +/-
TYP. ONE BEDROOM UNIT	GROSS AREA	1,457 S.F.
(UNITS 1-8)	AVG. BLDG. HEIGHT	TBD
TYP. TWO BEDROOM UNIT	GROSS AREA	1,737 S.F.
(UNITS 9-11)	AVG. BLDG. HEIGHT	TBD

ALL NEW RESIDENTIAL UNITS WILL BE ONE STORY AND WILL NOT EXCEED THE MAXIMUM ALLOWABLE HEIGHT OF 40'.

PROPOSED PARKING

EACH DWELLING WILL ACCOMMODATE 2 PARKING SPACES AS REQUIRED PER SECTION 5.710 OF THE CITY ORDINANCE. ADDITIONAL PARKING WILL BE PROVIDED FOR THE RECREATION AREA LOCATED IN THE FLOOD PLAIN.

SITE DRAINAGE

THE EXISTING SITE SLOPES SOUTH TOWARDS THE DRY CREEK BED ALONG THE SOUTHERN PROPERTY BOUNDARY. PROPOSED DEVELOPMENT WILL CONTINUE TO DRAIN TOWARDS CREEK BED. ENGINEERED DRAWINGS WILL BE PROVIDED WHEN SUBMITTING FOR BUILDING PERMIT.

UTILITIES

EXISTING ELECTRICAL, WATER, AND SEWER SERVICE LOCATED ALONG WESTMORELAND STREET. ELECTRICAL AND TELEPHONE WILL BE ROUTED UNDERGROUND TO EACH DWELLING UNIT. ALL PROPOSED UTILITIES WILL BE COORDINATED WITH THE CITY OF MASON. ENGINEERED DRAWINGS WILL BE PROVIDED WHEN SUBMITTING FOR BUILDING PERMIT.

OUTDOOR LIGHTING

WALL AND/OR CEILING MOUNTED OUTDOOR LIGHTING WILL BE INSTALLED AT EACH DWELLING UNIT. ALL OUTDOOR LIGHT FIXTURES WILL CONFORM TO THE CITY OF MASON OUTDOOR LIGHTING ORDINANCE.

LANDSCAPING / TREES

SIGNIFICANT TREES THAT DO NOT CONFLICT WITH PROPOSED DEVELOPMENT ARE INTENDED TO REMAIN AS INDICATED ON THE SITE PLAN. ALL HACKBERRIES ARE TO BE REMOVED (NOT SHOWN FOR CLARITY).

Development Schedule:

Upon approval by City, immediate demolition of existing structures. Expect 3-6 months

Begin infrastructure to entire property. 6-12 months

Begin phases of sale and construction of homes. 1-3 years

Statement of Proposed Method of Governing:

The Fulton House, LLC will create a Home Owners Association to govern the use, maintenance, and continued protection of the open space and common facilities.