



**AGENDA**  
**JULY 1, 2025**  
**LAVON CITY COUNCIL**  
**CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS**  
**REGULAR MEETING**  
**6:30 PM**

- 1. PRESIDING OFFICER TO CALL THE MEETING TO ORDER AND ANNOUNCE THAT A QUORUM IS PRESENT**
- 2. PLEDGE OF ALLEGIANCE AND INVOCATION**
- 3. ITEMS OF INTEREST/COMMUNICATIONS**  
*Members may identify community events, functions, and other activities.*
- 4. CITIZENS COMMENTS**  
*Citizens may provide comments (3-minute time limit/person). The response regarding items that are not on the agenda may be to request items be placed on a future agenda or referred to city staff.)*
- 5. CONSENT AGENDA**  
*Consent agenda items are considered routine or non-controversial and will be voted on in one motion unless a separate discussion is requested by a member.*
  - A.** Approve the minutes of the June 17, 2025 meeting.
  - B.** Approve the preliminary plat of the Bear Creek Addition, Phase 6 consisting of 157 residential lots and 9 open space lots on 57.075 acres out of the Drury Anglin Survey, Abstract No. 2 situated south of Lavon Trail Parkway and east of CR 483 in the City of Lavon, Collin County, Texas, (CCAD Property ID 1249973).
  - C.** Approve Resolution No. **2025-07-01** approving and authorizing the execution of Task Orders pursuant to the Professional Services Agreement with Freeman Millican Inc. for the Bently Farms paving and drainage capital improvements project consisting of engineering design and construction administration services per Task Order 13C-a for Shoreview Dr. east of Corn Silk Dr. in an estimated amount of \$18,500.00 and Task Order 17 for Meadow Hill Dr. and Shoreview Dr. west of Corn Silk Dr. in an estimated amount of \$116,600.00; and providing an effective date.
  - D.** Approve the acceptance of the public sanitary sewer infrastructure for the Elevon West Commercial, Phase 3 Addition, Pad Site Infrastructure, Phase 1 Sanitary Sewer.
- 6. ITEMS FOR CONSIDERATION**
  - A.** Public hearing, discussion and action regarding an application to amend the Planned Development (PD) District zoning on 30.7 acres consisting of Land Use Parcels 3 and 4 in the Elevon Addition northeast and southeast of the intersection of SH 78 and Elevon Parkway and to change the zoning from Single Family– 1 Acre (SF-1) to Elevon Planned Development District (Land Use Parcels 3) on 2.058 acres of property at 208 Bois D Arc and 0.816 acres of property at 200 Bois D Arc, both parcels being in the S. M. Rainer Survey, Abstract 740, Survey Sheet 1, Tracts 55 and 54, respectively, City of Lavon, Collin County, Texas, (CCAD Property IDs 2910557, 2868716, 1290542, 1290533, 2542829, and 2910561).
    - 1) Presentation of proposed application.
    - 2) **PUBLIC HEARING** to receive comments regarding the proposed application.
    - 3) Discussion and action regarding the proposed application and accompanying Ordinance No. **2025-07-01**.
  - B.** Discussion and action regarding the site plan of the Bear Creek Special Utility District Pressure Plan No. 1 0.5 MG Elevated Water Storage Tank on 2.42 acres at 464 Elevon Parkway, on Lot 4, Block A of the Elevon Parkway West Replat, south of the Elevon Multifamily Addition, Lavon, Collin County, Texas, (CCAD Property ID 2918196).

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- C. Discussion and action regarding Resolution No. **2025-07-02** approving (1) the Resolution of the Board of Directors of the Lavon Economic Development Corporation (“Corporation”) regarding a loan to finance the costs of an economic development project; (2) a Sales Tax Remittance Agreement between the City and the Corporation; (3) resolving other matters incident and related to the project and the loan; and (4) the authority of the Mayor to execute, on behalf of the City, a General Certificate of the City and the agreements contemplated in the Resolution.
- D. Authorize preparation and submission of an application to the Department of Homeland Security (DHS)/ Federal Emergency Management Agency (FEMA) for the Staffing for the Adequate Fire and Emergency Response (SAFER) Grant Program that if approved will require a City match of \$328,447.35 over three years.
- E. Discussion and action regarding Resolution No. **2025-07-03** designating certain officials as being responsible for, acting for and on behalf of the City in dealing with Collin County, herein referred to as the “County”, for the purpose of participating in the Collin County Parks & Open Space Project Funding Assistance Program, hereinafter referred to as the “Program”; certifying that the City is eligible to receive program assistance; certifying that the City matching share is readily available; and dedicating the proposed project for public recreational uses.
- F. Discussion and action regarding the appointment of the Chairperson of the Planning and Zoning Commission.

**7. EXECUTIVE SESSION**

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may recess into Executive Session (closed meeting) pursuant to Section 551.087 (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

**8. RECONVENE FROM EXECUTIVE SESSION**

Consider and take any action necessary as a result of each item listed in executive session.

**9. SET FUTURE MEETINGS AND AGENDA**

*Requests may be made for items to be placed on a future agenda or for a special meeting.*

July 15, 2025 – Regular Meeting

July 29, 2025 – Special Meeting for Budget Work Session

**10. PRESIDING OFFICER TO ADJOURN THE MEETING**

This is to certify that this Agenda was duly posted on the City’s website at [www.cityoflavon.com](http://www.cityoflavon.com) and at City Hall on or before 6:00 PM on June 27, 2025.

*/ Rae Norton/*

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Rae Norton, City Secretary

1. Notice is hereby given that members of the City Council, Economic Development Corporation Board, Planning and Zoning Commission, and Parks and Recreation Board may attend the meeting.
2. The body reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

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**MINUTES  
JUNE 17, 2025  
LAVON CITY COUNCIL  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
REGULAR MEETING**

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ATTENDING: VICKI SANSON, MAYOR  
MIKE SHEPARD, PLACE 1  
MIKE COOK, PLACE 2, MAYOR PRO TEM  
TRAVIS JACOB, PLACE 3  
TED DILL, PLACE 4 (Arrived at 6:54)  
LINDSEY HEDGE, PLACE 5

**1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:33 P.M. AND ANNOUNCED A QUORUM PRESENT.**

**2. MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.**

**3. ITEMS OF INTEREST/COMMUNICATIONS**

- Babysitter Training – June 16-18 9am-3pm
- Bicycle Safety Rodeo – July 25 5:30pm-7:30pm
- Collin County Commissioners Court Public Hearing for ESD, July 28, 2025
- EDC Open Rewards Program (Blue Dot Program) will begin in July 1, 2025

**4. CITIZENS COMMENTS**

There were no citizen comments.

**5. CONSENT AGENDA**

**A. Approve the minutes of the June 10, 2025 meeting.**

**B. Accept the City Secretary’s verification of the Petition for Disannexation from the City of Lavon Extraterritorial Jurisdiction (ETJ) of approximately 10 acres of property located east of and adjacent to 12101 Dark Hollow Dr., Rockwall, TX in the Drury Anglin Survey, Abstract No. 2, Sheet 4, Tract 97, (CCAD Property ID 2921548) and approve Ordinance No. 2025-06-06 disannexing the herein described territory from the ETJ of the City of Lavon, Collin County, Texas, and adjusting the boundary limits of said ETJ so as to exclude the described property from within the ETJ; providing instructions for filing this ordinance and for correcting the official map and boundaries of said city; providing severability and cumulative clauses; and providing an effective date.**

**C. Approve Resolution No. 2025-06-03 approving and authorizing the execution of Task Order No. 16 pursuant to the Professional Services Agreement with Freeman Millican Inc for engineering and design services related submission of Abston Hills (also referred to as Lavon North) Wastewater Treatment Plant Permit Renewal, in an estimated amount of \$17,790.00; and providing an effective date.**

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE: SHEPARD

SECONDED: HEDGE

APPROVED: UNANIMOUS (Absent: Dill)

**6. ITEMS FOR CONSIDERATION**

- A. Public hearing, discussion and action regarding the property owners' petition for the voluntary annexation of property in the Samuel M. Rainer, Abstract No. 740 consisting of 360.154 acres identified as Elevon, Section 3, generally located north of and adjacent to CR 541 and east of Elevon, Section 2, and adjacent county road rights of way, situated in Collin County within the extraterritorial jurisdiction of and adjacent to the City of Lavon, Texas into the corporate limits of the City of Lavon, Collin County, Texas.**

**Presentation of the proposed voluntary annexation.**

City Manager Kim Dobbs detailed the petition and process relating to the owner's request for voluntary annexation.

**PUBLIC HEARING to receive comments regarding the proposed voluntary annexation.**

At 6:46 p.m. Mayor Sanson opened the public hearing and invited comments regarding the petition for voluntary annexation. There being no comments, Mayor Sanson closed the public hearing at 6:46 p.m.

**Discussion and action regarding the proposed annexation and Ordinance No. 2025-06-07.**

**MOTION: APPROVE ORDINANCE NO. 2025-06-07 ANNEXING APPROXIMATELY 360.154 ACRES OF LAND OUT OF THE IN THE SAMUEL M. RAINER, ABSTRACT NO. 740 IDENTIFIED AS ELEVON, SECTION 3, GENERALLY LOCATED NORTH OF AND ADJACENT TO CR 541 AND EAST OF ELEVON, SECTION 2, AND ADJACENT COUNTY ROAD RIGHTS OF WAY, SITUATED IN COLLIN COUNTY WITHIN THE EXTRATERRITORIAL JURISDICTION OF AND ADJACENT TO THE CITY OF LAVON, TEXAS INTO THE CORPORATE LIMITS OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS.**

MOTION MADE: COOK  
SECONDED: JACOB  
APPROVED: UNANIMOUS (Absent: Dill)

- B. Public hearing, discussion and action the application for variances to Article 4.05 Signs of the Code of Ordinances to Section 4.05.008 Approved Signs and Standards (b)(3) Wall Signs to 1) permit five wall signs which is four signs more than permitted and 2) permit approximately 108 square feet in total wall sign area that is 60 square feet greater than permitted for McDonald's at 315 N. SH 78, northwest of the intersection of Elevon Parkway and SH 78, on Lot 2, Block B of the Elevon Commercial West Phase 3 Addition, (CCAD Property ID 2542828).**

Ms. Dobbs provided information regarding the Sign Ordinance and identified the specifics to the request. Cassandra Acosta with Precise Signs & Lighting was available for questions.

**PUBLIC HEARING to receive comments regarding the proposed application.**

At 6:51 p.m. Mayor Sanson opened the public hearing and invited comments regarding the application for variances to the Code of Ordinances (Signs). There being no comments, Mayor Sanson closed the public hearing at 6:51 p.m.

**Discussion and action regarding the proposed application.**

**MOTION: APPROVE THE APPLICATION FOR VARIANCES TO ARTICLE 4.05 SIGNS OF THE CODE OF ORDINANCES TO SECTION 4.05.008 APPROVED SIGNS AND STANDARDS (B)(3) WALL SIGNS TO 1) PERMIT FIVE WALL SIGNS WHICH IS FOUR SIGNS MORE THAN PERMITTED AND 2) PERMIT APPROXIMATELY 108 SQUARE FEET IN TOTAL WALL SIGN AREA THAT IS 60 SQUARE FEET GREATER THAN PERMITTED FOR MCDONALD'S AT 315 N. SH 78, NORTHWEST OF THE INTERSECTION OF ELEVON PARKWAY AND SH 78, ON LOT 2, BLOCK B OF THE ELEVON COMMERCIAL WEST PHASE 3 ADDITION.**

MOTION MADE: SHEPARD  
SECONDED: COOK

APPROVED: UNANIMOUS (Absent, Dill)

- C. **Receive presentation from Community Waste Disposal (CWD), discussion, and action regarding Resolution No. 2025-06-04 approving an amendment to the contract with CWD for the collection, hauling and disposal of municipal solid waste to approve a market adjustment to rates.**

Nicole Roemer, Community Waste Disposal, made a presentation regarding services, current contract accomplishments, and market adjustment rates.

**MOTION: APPROVE RESOLUTION NO. 2025-06-04 APPROVING AN AMENDMENT TO THE CONTRACT WITH CWD FOR THE COLLECTION, HAULING AND DISPOSAL OF MUNICIPAL SOLID WASTE TO APPROVE A MARKET ADJUSTMENT TO RATES.**

MOTION MADE: SHEPARD

SECONDED: HEDGE

APPROVED: UNANIMOUS

- D. **Discussion and action regarding Resolution No. 2025-06-05 approving and authorizing the execution of Change Order No. 1 to adjust the scope of the Professional Services Agreement with LJA Engineering, Inc. for professional services and associated planning support services and preliminary park design services in the amount of \$11,750.00; and providing an effective date.**

Ms. Dobbs provided information regarding Change Order No. 1 adjusting the scope of services with LJA for planning and park design relating to the pending acquisition of additional land adjacent to the park in design.

**MOTION: APPROVE RESOLUTION NO. 2025-06-05 APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 TO ADJUST THE SCOPE OF THE PROFESSIONAL SERVICES AGREEMENT WITH LJA ENGINEERING, INC. FOR PROFESSIONAL SERVICES AND ASSOCIATED PLANNING SUPPORT SERVICES AND PRELIMINARY PARK DESIGN SERVICES IN THE AMOUNT OF \$11,750.00; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: COOK

SECONDED: HEDGE

APPROVED: UNANIMOUS

- E. **Discussion and action regarding Ordinance No. 2025-06-08 to amend the fee schedule adopted by Ordinance No. 2024-09-04 for the Fiscal Year October 1, 2024 through September 30, 2025, as amended, to add or amend fees relating to Fire Plan Review and Inspections, Commercial Pool Inspections, and Residential and Commercial Sewer Tap Fees.**

Ms. Dobbs and Patti Parks, Controller, provided information regarding proposed adjustments to the fee schedule.

**MOTION: APPROVE ORDINANCE NO. 2025-06-08 TO AMEND THE FEE SCHEDULE ADOPTED BY ORDINANCE NO. 2024-09-04 FOR THE FISCAL YEAR OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025, AS AMENDED, TO ADD OR AMEND FEES RELATING TO FIRE PLAN REVIEW AND INSPECTIONS, COMMERCIAL POOL INSPECTIONS, AND RESIDENTIAL AND COMMERCIAL SEWER TAP FEES.**

MOTION MADE: JACOB

SECONDED: SHEPARD

APPROVED: UNANIMOUS

- F. **Discussion and action regarding board and commission appointments – Board of Adjustment and Board of Directors of the Lavon Economic Development Corporation.**

The consensus of the council was to defer the Board of Adjustment appointment at this time.

**MOTION: REAPPOINT MANZELLE WILLIAMS, PLACE 2, RACHEL DUMAS, PLACE 4, AND CLINTON MCCLURE, PLACE 6 TO THE ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS.**

MOTION MADE: DILL  
SECONDED: COOK  
APPROVED: UNANIMOUS

**EXECUTIVE SESSION**

At 7:28 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) to discuss the following items pursuant to Section 551.087 to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

**RECONVENE FROM EXECUTIVE SESSION**

In accordance with the Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the regular meeting at 8:34 p.m., stating no action was taken in executive session.

The board took a brief recess from 8:46 p.m. to 8:51 p.m.

**7. DEPARTMENT REPORTS**

- A. Police Services** – Lavon Police Chief Mike Jones provided information regarding reports, programs, and referenced information provided in the meeting packet.
- B. Fire Services** – Lavon Fire Chief Danny Anthony provided information regarding reports, programs, and referenced information provided in the meeting packet.
- C. Public Works** – Director of Public Works David Carter provided general information regarding the public works operations.
- D. Administration** – Ms. Dobbs referenced reports in the meeting packet including building permits; CWD service; Collin County tax collection; sales tax; finance report; CIP report, TxDOT projects report; administration, and staff report.

**8. BUDGET WORK SESSION**

- A. Presentation and discussion regarding the goals and objectives identified in the Strategic Plan, City Council budget priorities, regulatory requirements, financial status for current fiscal year, budget calendar, anticipated commitments, departmental service levels and requests, tax rate, fee schedule, Capital Improvements Plan (CIP) updates, FY 2024-25 projections, and proposed revenues and expenditures for FY 2025-26.**

Ms. Dobbs presented slides including current fiscal year and the upcoming budget calendar. Ms. Parks provided details and back up for the presentation.

- B. Discussion and action regarding Ordinance No. 2025-06-09 amending Ordinance No. 2024-08-07, that approved and adopted a budget for the City for the fiscal year October 1, 2024 through September 30, 2025, as amended, to amend adopted revenues and expenditures; and declaring an effective date.**

**MOTION: APPROVE ORDINANCE NO. 2025-06-09 AMENDING ORDINANCE NO. 2024-08-07, THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025, AS AMENDED, TO AMEND ADOPTED REVENUES AND EXPENDITURES; AND DECLARING AN EFFECTIVE DATE.**

MOTION MADE: COOK  
SECONDED: SHEPARD  
APPROVED: UNANIMOUS

**11. SET FUTURE MEETINGS AND AGENDA**

July 1, 2025 – Regular Meeting

July 15, 2025 – Regular Meeting

July 29, 2025 – Optional Special Meeting for Budget Work Session

**12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 9:41 P.M.**

**DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 1<sup>st</sup> day of July 2025.**

\_\_\_\_\_  
Vicki Sanson, Mayor

**ATTEST:**

\_\_\_\_\_  
Rae Norton, City Secretary



# CITY OF LAVON

## Agenda Brief

**MEETING: July 1, 2025**

**ITEM: 5 – B**

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**Item:**

CONSENT AGENDA

Approve the preliminary plat of the Bear Creek Addition, Phase 6 consisting of 157 residential lots and 9 open space lots on 57.075 acres out of the Drury Anglin Survey, Abstract No. 2 situated south of Lavon Trail Parkway and east of CR 483 in the City of Lavon, Collin County, Texas, (CCAD Property ID 1249973).

Application Information

- Owner(s):** Bloomfield Homes, L.P.
- Applicant:** LJA Engineering, Inc.
- Location:** Southeast of the intersection of Lavon Trail Parkway and CR 483/Presidents Blvd.
- Description:** Approximately 57.075 acres out of the Drury Anglin Survey, Abstract No. 2 in the City of Lavon, Collin County, Texas, (CCAD Property ID 1249973).
- Current Zoning:** Planned Development
- Request:** Preliminary Plat

Request Details

The applicant is seeking approval of the preliminary plat of a subdivision consisting of 157 residential lots and 9 open space lots on approximately 57.075 acres. The site will be developed in accordance with a concept plan and design guidelines as provided in the Planned Development District established in Ordinance No. **2022-05-03**. The preliminary plat is prepared in accordance with the zoning and in accordance with the City's Subdivision Ordinance.

***Code Excerpts:***

**TEXAS LOCAL GOVERNMENT CODE**  
**§ 212.004. PLAT REQUIRED**

PLAT REQUIRED. (a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a

subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.

Water

The development is located within the certificated area of the Bear Creek Special Utility District (BCSUD). A conceptual water plan has been submitted and reviewed.

Sewer

The development will be served by the City of Lavon.

Roads

Primary access will be provided from CR 483 with cross access provided to future development east of the project in Nicholson Ranch. Additionally, the applicant is participating in construction of the adjacent Lavon Trail Parkway north of the project.

A Traffic Impact Analysis has been prepared and reviewed.

Parks and Trails

The site will contain appropriate pedestrian connections and open space common areas to be maintained by the homeowners' association.

Floodplain and Drainage

The conceptual drainage plans have been reviewed by the city engineer.

The application and plans generally satisfy the criteria for approval.

***Planning and Zoning Commission Report:***

**MOTION: RECOMMEND APPROVAL OF THE PRELIMINARY PLAT OF THE BEAR CREEK ADDITION, PHASE 6 CONSISTING OF 157 RESIDENTIAL LOTS AND 9 OPEN SPACE LOTS ON 57.075 ACRES OUT OF THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2 SITUATED SOUTH OF LAVON TRAIL PARKWAY AND EAST OF CR 483 IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS.**

**MOTION: NABORS  
SECONDED: VALLEJO  
APPROVED: UNANIMOUS**

***Staff Notes:***

Approval of the preliminary plat is recommended.

- Attachments:**
1. Application and Preliminary Plat
  2. Location Exhibits
  3. Engineering and planning correspondence



# CITY OF LAVON

P.O. Box 340, School Rd. Lavon, TX 75166  
Office 972-843-4220 – Inspection 972-853-0855

## PLAT APPLICATION

Incomplete applications will not be accepted.

<b>Company Making Submission</b>			<b>Property Owner</b>				
Name: <u>LJA Engineering, Inc.</u>			Name: <u>Bloomfield Homes, L.P.</u>				
Address: <u>6060 N Central Expressway, Suite 400</u>			Address: <u>1050 East Highway 114, Suite 210</u>				
City/State/Zip: <u>Dallas, TX 75206</u>			City/State/Zip: <u>Southlake, TX 76092</u>				
Phone #: <u>214-451-0872</u>		Fax #: _____	Phone # <u>817-416-1572</u>		Fax # _____		
Authorized Person: <u>Daniel Betten, P.E.</u>			Authorized Person: <u>Clint Vincent</u>				
<b>Type of Submission</b>		<b>Date</b>		<b>Check List of Items Submitted</b>			
<input checked="" type="checkbox"/> Preliminary Plat		10/10/2024				<input type="checkbox"/> (two) full size sets of plats (24x36) <input type="checkbox"/> (two) full size construction sets (24x36) <input type="checkbox"/> (one) half size sets of plats (11x17) <input type="checkbox"/> (ten) half size sets of plats with final submission (11x17) <input type="checkbox"/> (one) PDF plats (on separate CD's) <input type="checkbox"/> (one) PDF construction plans (can be included on plat CD)	
<input type="checkbox"/> Final Plat							
<input type="checkbox"/> Re-Submittal							
<input type="checkbox"/> Construction Plans							
<input type="checkbox"/> Other							
<b>Pricing</b>							
Preliminary Plat: C* D*		Per Fee Schedule					
Final Plat: C* D*		Per Fee Schedule					
Re-Plat: C* D*		Per Fee Schedule					
Public Infrastructure Inspection		Per Fee Schedule					
<p>C* Costs shall include the actual costs to the City plus a 10 percent administrative fee. These fees shall be in addition to the permit fee required.</p> <p>D* To complete the plat please sign up as a collaborator in the MyGov system <a href="https://public.mygov.us/lavon tx">https://public.mygov.us/lavon tx</a> request access to the City of Lavon. Make a new request for the plat and download these forms along with plans.</p>							
<p><b>NOTICE TO APPLICANT:</b> Any approval will be issued based on the information furnished in this application and on any submitted plats. It is subject to the provisions and requirements of the City of Lavon Code of Ordinances and any other applicable ordinances of the City, regardless of information and/or plans submitted.</p>							
Authorized Representative (Printed Name) Daniel Betten, P.E.		Authorized Representative (Signature) <i>Daniel Betten</i>			Date: 10/10/2024		
<b>To be completed by the City</b>							
In Takers Name:							
In takers Review Date:	PW Review Date:	COO Review Date:	Engineer Review Date:	P&Z Review Date:	Council Action Date:		
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected	<input type="checkbox"/> Approved <input type="checkbox"/> Rejected	<input type="checkbox"/> Approved <input type="checkbox"/> Rejected	<input type="checkbox"/> Approved <input type="checkbox"/> Rejected	<input type="checkbox"/> Approved <input type="checkbox"/> Rejected	<input type="checkbox"/> Approved <input type="checkbox"/> Rejected		
Comments:							



**CITY OF LAVON**

P.O. Box 340 - 120 School Rd. - Lavon, TX 75166  
Office 972-843-4220 - Fax 972-843-0397 - Inspection 972-853-0855

Email: [leann.mcclendon@cityoflavon.org](mailto:leann.mcclendon@cityoflavon.org)

**PLAT APPLICATION**

Please type or print clearly. Incomplete applications will not be accepted.

**Authorization of Representation**

Date: 10-10-24

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that I/we, Bloomfield Homes, L.P., am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, and do hereby authorize Daniel Betten, P.E. (LJA Engineering) to represent me (us) and my (our) interests in the property described in the attached exhibits (s) for the expressed purpose of this request.

[Signature]  
Signature (Owner)

Clint Vincent  
Attorney In Fact  
Bloomfield Properties, INC.  
General Partner

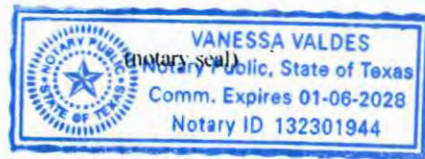
\_\_\_\_\_  
Signature (Owner)

\_\_\_\_\_  
Signature (Owner)

The State of Texas  
County of Tarrant

Before me, the undersigned authority, appeared Clint Vincent,  
on this the 10<sup>th</sup> day of October, 20 24.

[Signature]



Notary Public in and for Tarrant County, Texas



**CITY OF LAVON**

P.O. Box 340 – 120 School Rd. – Lavon, TX 75166  
Office 972-843-4220 – Fax 972-843-0397 – Inspection 972-853-0855  
Email: [leann.mcclendon@cityoflavon.org](mailto:leann.mcclendon@cityoflavon.org)

**PLAT APPLICATION**

Please type or print clearly. Incomplete applications will not be accepted.

**Declaration of Ownership**

Date: 10-10-24

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that I/we, Bloomfield Homes, L.P., am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, for the purpose of any future proposed request (s) relating to this property.

  
Signature (Owner)

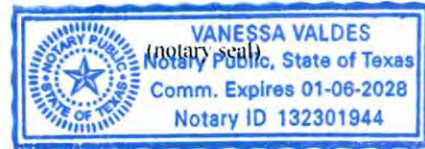
Clint Vincent  
Attorney In Fact  
Bloomfield Properties, INC.  
General Partner

\_\_\_\_\_  
Signature (Owner)

\_\_\_\_\_  
Signature (Owner)

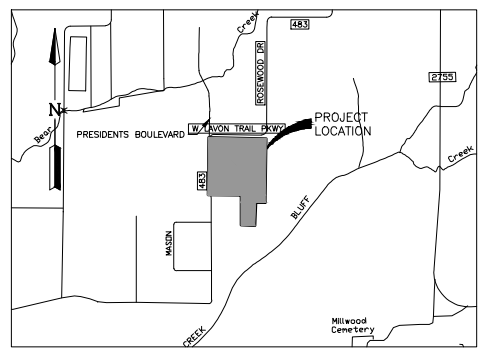
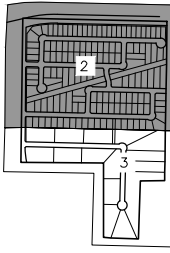
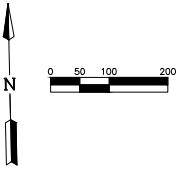
The State of Texas  
County of Tarrant

Before me, the undersigned authority, appeared Clint Vincent,  
on this the 10<sup>th</sup> day of October, 2024.





Notary Public in and for Tarrant County, Texas



92.267 ACRES, BLOOMFIELD HOMES, L.P., COUNTY CLERK'S FILE NO. 20180713000870110, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

92.267 ACRES, BLOOMFIELD HOMES, L.P., COUNTY CLERK'S FILE NO. 20180713000870110, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

KEY MAP  
1" = 600'

VICINITY MAP  
1" = 1500'

BEING A 57.075 ACRE TRACT OF LAND SITUATED IN THE D. ANGLIN SURVEY, ABSTRACT NUMBER 2, COLLIN COUNTY, TEXAS AND BEING ALL OF A 57.075 ACRE TRACT OF LAND CONVEYED AS TRACT 1 TO BLOOMFIELD HOMES, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. 201805000056860, OF FICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID 57.075 ACRE TRACT, WITH BEARING AND DISTANCE BEING NORTH 87 DEGREES 38 MINUTES 31 SECONDS WEST, 12 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 57.075 ACRE TRACT BEARS SOUTH 89 DEGREES 02 MINUTES 07 SECONDS EAST, A DISTANCE OF 174.02 FEET.

BEING A 57.075 ACRE TRACT OF LAND SITUATED IN THE D. ANGLIN SURVEY, ABSTRACT NUMBER 2, COLLIN COUNTY, TEXAS AND BEING ALL OF A 57.075 ACRE TRACT OF LAND CONVEYED AS TRACT 1 TO BLOOMFIELD HOMES, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. 201805000056860, OF FICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID 57.075 ACRE TRACT, WITH BEARING AND DISTANCE BEING NORTH 87 DEGREES 38 MINUTES 31 SECONDS WEST, 12 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 57.075 ACRE TRACT BEARS SOUTH 89 DEGREES 02 MINUTES 07 SECONDS EAST, A DISTANCE OF 174.02 FEET.

THENCE, SOUTH 00 DEGREES 54 MINUTES 45 SECONDS WEST, ALONG THE EAST LINE OF SAID 57.075 ACRE TRACT, A DISTANCE OF 1637.22 FEET TO A POINT FOR A SOUTHEAST CORNER OF SAID 57.075 ACRE TRACT, SAID POINT BEING ON THE NORTH LINE OF A 15.51 ACRE TRACT OF LAND CONVEYED TO JAMES L. BRANNON AND PEGGY M. BRANNON, AS RECORDED IN COUNTY CLERK'S FILE NO. 201609180219775, OF FICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, FROM WHICH A 12 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 15.51 ACRE TRACT BEARS SOUTH 89 DEGREES 02 MINUTES 07 SECONDS EAST, A DISTANCE OF 174.02 FEET.

THENCE, ALONG THE SOUTH LINE OF SAID 57.075 ACRE TRACT AND SAID NORTH LINE OF 15.51 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 89 DEGREES 02 MINUTES 07 SECONDS WEST, A DISTANCE OF 242.24 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "BOUNDARY SOL." FOUND FOR CORNER.

SOUTH 01 DEGREES 52 MINUTES 31 SECONDS WEST, A DISTANCE OF 592.17 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER.

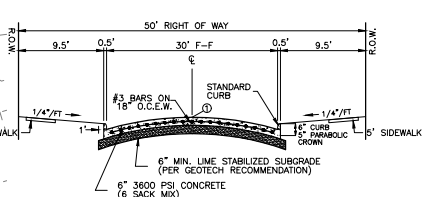
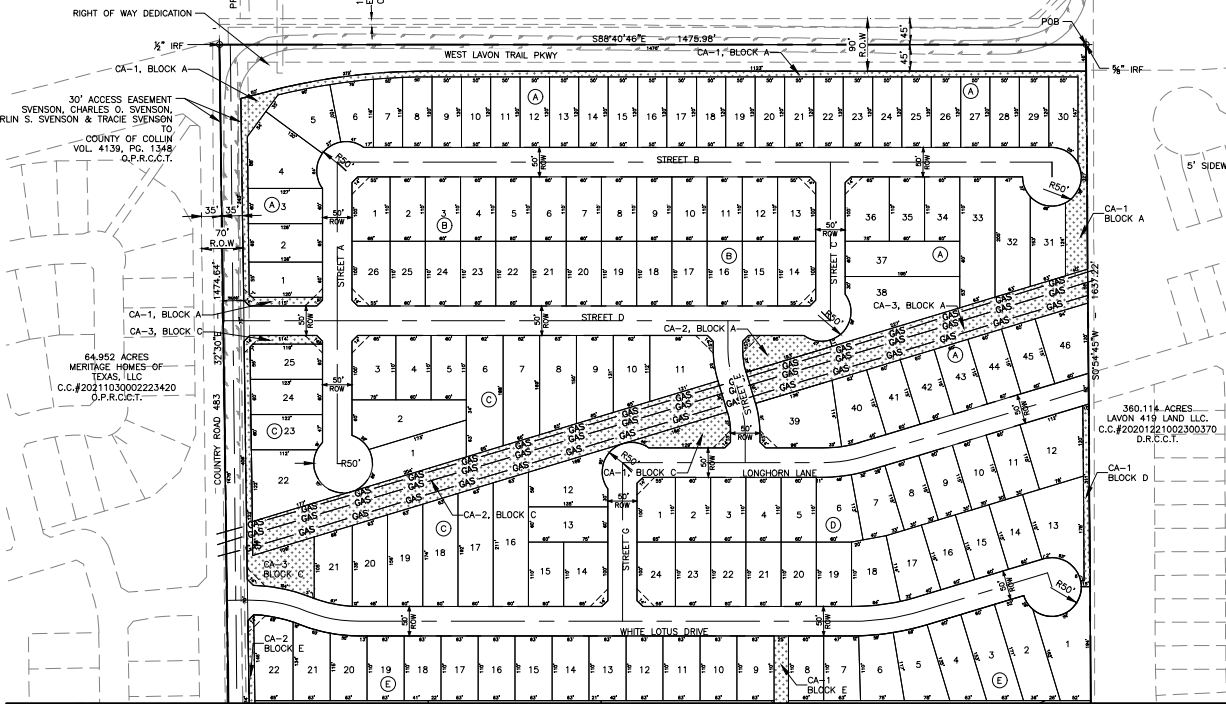
NORTH 87 DEGREES 38 MINUTES 31 SECONDS WEST, A DISTANCE OF 393.54 FEET TO A 1/2 INCH IRON ROD FOUND FOR A SOUTHWEST CORNER OF SAID 57.075 ACRE TRACT, SAID POINT BEING ON THE EAST LINE OF EAST HUBBARD PROPERTIES, AN ADDITION TO COLLIN COUNTY, TEXAS, AS RECORDED IN CABINET G, PAGE 22, PLAT RECORDS, COLLIN COUNTY, TEXAS.

THENCE, NORTH 00 DEGREES 00 MINUTES 43 SECONDS EAST, ALONG A WEST LINE OF SAID 57.075 ACRE TRACT AND SAID EAST LINE OF EAST HUBBARD PROPERTIES, A DISTANCE OF 701.55 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID EAST HUBBARD PROPERTIES.

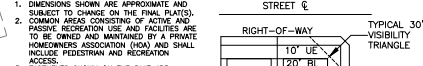
THENCE, NORTH 89 DEGREES 28 MINUTES 30 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 57.075 ACRE TRACT AND THE NORTH LINE OF SAID EAST HUBBARD PROPERTIES, PASSING AT A DISTANCE OF 780.56 FEET A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID EAST HUBBARD PROPERTIES, CONTINUING ALONG SAID SOUTH LINE OF SAID 57.075 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 840.93 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID 57.075 ACRE TRACT AND THE SOUTHEAST CORNER OF A 64.952 ACRE TRACT OF LAND CONVEYED TO MERITAGE HOMES OF TEXAS, LLC AND GRB EDEENWOOD LLC, AS RECORDED IN COUNTY CLERK'S FILE NO. 2001100000223420, OF FICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID POINT BEING ON THE NORTH LINE OF LOT 18, BLOCK B OF MEADOW CREEK ESTATES, AN ADDITION TO COLLIN COUNTY, TEXAS, AS RECORDED IN CABINET G, PAGE 480, PLAT RECORDS, COLLIN COUNTY, TEXAS AND BEING ON APPROXIMATE WEST CENTERLINE OF COUNTY ROAD NO. 403 (A VARIABLE WIDTH PREScriptive RIGHT-OF-WAY).

THENCE, NORTH 00 DEGREES 00 MINUTES 43 SECONDS EAST, ALONG THE WEST LINE OF SAID 57.075 ACRE TRACT, THE EAST LINE OF SAID 64.952 ACRE TRACT AND SAID WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 483, A DISTANCE OF 1474.64 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID 57.075 ACRE TRACT.

THENCE, SOUTH 88 DEGREES 40 MINUTES 48 SECONDS EAST, ALONG THE NORTH LINE OF SAID 57.075 ACRE TRACT, PASSING AT A DISTANCE OF 0.06 FEET A 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF AFORESAID 92.267 ACRE TRACT, CONTINUING ALONG SAID NORTH LINE OF 57.075 ACRE TRACT, THE SOUTH LINE OF SAID 92.267 ACRE TRACT AND WITH THE APPROXIMATE CENTERLINE OF AFORESAID WEST LAVON TRAIL PKWY, IN ALL A TOTAL DISTANCE OF 1475.88 FEET TO A POINT OF BEGINNING AND CONTAINING 57.075 ACRES LAND, MORE OR LESS.



- SAWED LONGITUDINAL CONTRACTION JOINT AT 12' EA WAY



- NOTES:
- DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE ON THE FINAL PLATS.
  - COMMON AREAS CONSISTING OF ACTIVE AND PASSIVE RECREATION USE AND FACILITIES ARE TO BE OWNED AND MAINTAINED BY A PRIVATE HOMEOWNERS ASSOCIATION (HOA) AND SHALL INCLUDE PEDESTRIAN AND RECREATION ACCESS.
  - EASEMENTS SHOWN ON THE PLAT ARE SUBJECT TO CHANGE AS A RESULT OF FINAL DESIGN PLATS SHALL DEPICT STREET NAMES.
  - THE ENTIRE TRACT IS WITHIN THE COMMUNITY INDEPENDENT SCHOOL DISTRICT (C.I.S.D.).
  - THE ENTIRE TRACT IS WITHIN THE BEAR CREEK SPECIAL UTILITY DISTRICT (SUD) SERVICE AREA AND CON.
  - FRANCHISE UTILITY EASEMENTS WILL BE SHOWN ON THE FINAL PLAT IN ACCORDANCE WITH THE NEEDS AND REQUIREMENTS OF THE UTILITY COMPANIES.
  - MINIMUM FINISHED FLOOR ELEVATIONS WILL BE INDICATED ON THE FINAL PLAT FOR LOTS ADJACENT TO FLOOD PLAIN OR OTHER DRAINAGE FACILITIES.
  - NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCES AND STATE PLATING STATUTES AND IS SUBJECT TO FINES AND WITHDRAWAL OF UTILITIES AND BUILDING PERMITS.
  - RIGHT-OF-WAY DEDICATION MEASURING 10 FEET BY 10 FEET, MEASURED AT THE INTERSECTION OF TWO STREETS.
  - DRIVEWAY LOCATIONS MUST NOT INTERFERE WITH INTERSECTION FUNCTION.



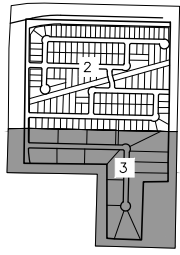
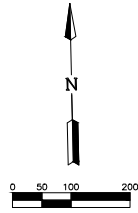
MATCH LINE SEE SHEET 3

<b>ENGINEER:</b>	<b>OWNER:</b>	<b>DEVELOPER:</b>
DANIEL BETTEN, P.E. LJA ENGINEERING, INC. 6050 NORTH CENTRAL EXPRESSWAY SUITE 400 DALLAS, TX 75206 PHONE: (214)-451-0872 TEXAS REGISTRATION F-1386	BLOOMFIELD HOMES L.P. 1050 E. HWY 114, #210 SOUTHLAKE, TEXAS 76092 PHONE 817-416-1572	DOUGLAS PROPERTIES, INC. 2309 AVENUE K SUITE 100 PLANO, TEXAS 75074 PHONE 972-472-1658

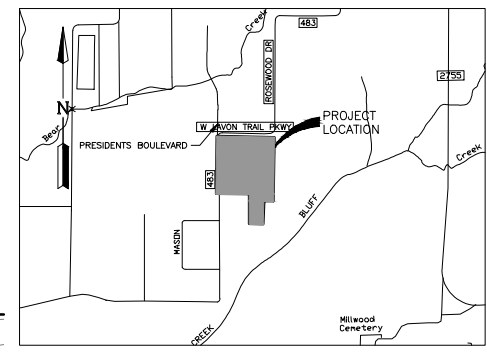
SERVICE PROVIDERS	SUBMITTAL DATE	DESCRIPTION	APPROVAL DATE
ELECTRIC SERVICE: FARMERS ELECTRIC COOPERATIVE	1		
WATER SOURCE: BEAR CREEK SPECIAL UTILITY DISTRICT	2		
SEWER SOURCE: CITY OF LAVON	3		
SCHOOL DISTRICT: COMMUNITY ISD	4		
	5		
	6		
	7		

57.075 ACRES 157 SINGLE-FAMILY LOTS, 11 COMMON AREAS IN THE D. ANGLIN SURVEY, ABSTRACT NO. 2 IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS	PRELIMINARY PLAT FOR BEAR CREEK PHASE 6 SCALE: 1" = 100' PROJECT NO. NT080-0022 REFERENCE NO: ZC/PP-XX-XXXX
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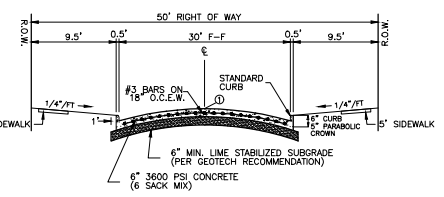
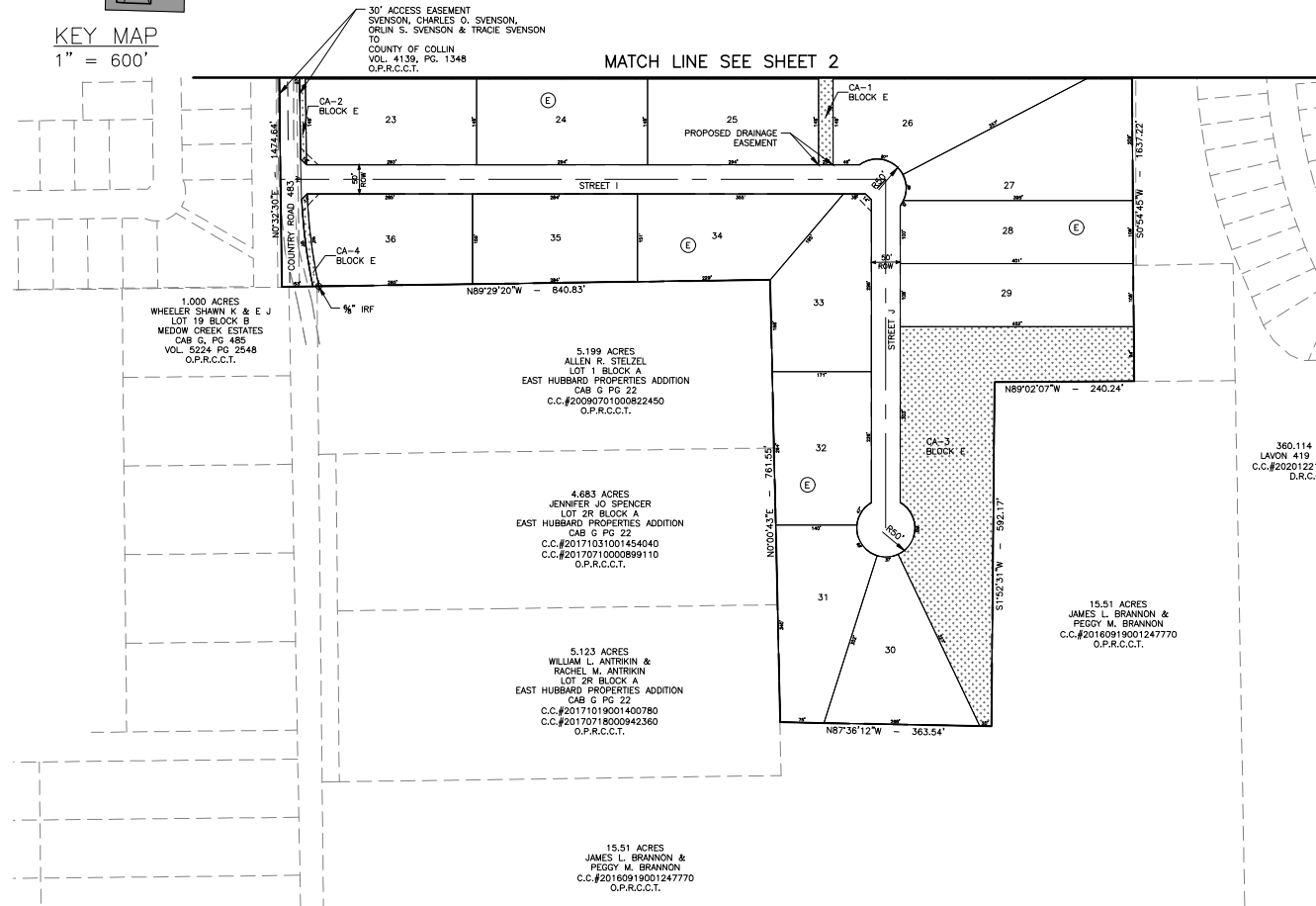
Date Plotted: Wed, 08 Jun 2023 1:25:09pm  
Drawing: S:\1745\24002220\2400411\1745-PP-Phase 6-Preliminary\1745-PP-1745.dwg



KEY MAP  
1" = 600'



VICINITY MAP  
1" = 1500'



- NOTES:
- DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE ON THE FINAL PLATS.
  - COMMON AREAS CONSISTING OF ACTIVE AND PASSIVE RECREATION USE AND FACILITIES ARE TO BE OWNED AND MAINTAINED BY A PRIVATE HOMEOWNERS ASSOCIATION (HOA) AND SHALL INCLUDE PEDESTRIAN AND RECREATION ACCESS.
  - EASEMENTS SHOWN ON THE PLAT ARE SUBJECT TO CHANGE AS A RESULT OF FINAL DESIGN.
  - FINAL PLATS SHALL DEPICT STREET NAMES.
  - THE ENTIRE TRACT IS WITHIN THE COMMUNITY INDEPENDENT SCHOOL DISTRICT (C.I.S.D.).
  - THE ENTIRE TRACT IS WITHIN THE BEAR CREEK SPECIAL UTILITY DISTRICT (SUD) SERVICE AREA AND CEN.
  - FRANCHISE UTILITY EASEMENTS WILL BE SHOWN ON THE FINAL PLAT IN ACCORDANCE WITH THE NEEDS AND REQUIREMENTS OF THE UTILITY COMPANIES.
  - MINIMUM FINISHED FLOOR ELEVATIONS WILL BE INDICATED ON THE FINAL PLAT FOR LOTS ADJACENT TO FLOOD PLAIN OR OPEN DRAINAGE FACILITIES.
  - NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHDRAWAL OF UTILITIES AND BUILDING PERMITS.
  - ROW CORNER MONUMENTS OF UTILITIES AND BUILDING PERMITS - A TRIANGULAR RIGHT-OF-WAY DESIGNATION MEASURING 10 FEET BY 10 FEET, MEASURED AT THE PROPERTY LINE, IS REQUIRED AT THE INTERSECTION OF TWO STREETS.
  - DRIVEWAY LOCATIONS MUST NOT INTERFERE WITH INTERSECTION FUNCTION.
- TYPICAL LOT DIAGRAM  
NOT TO SCALE

LEGEND

OPEN SPACE

RECOMMENDED FOR APPROVAL:

DATE: \_\_\_\_\_  
CHAIRMAN, PLANNING & ZONING COMMISSION  
CITY OF LAVON, TEXAS

APPROVED FOR PREPARATION OF FINAL PLAT:

DATE: \_\_\_\_\_  
MAYOR, CITY OF LAVON, TEXAS



**ENGINEER:**  
DANIEL BETTEN, P.E.  
LJA ENGINEERING, INC.  
6050 NORTH CENTRAL EXPRESSWAY  
SUITE 400  
DALLAS, TX 75206  
PHONE: (214)-451-0872  
TEXAS REGISTRATION F-1386

**OWNER:**  
BLOOMFIELD HOMES L.P.  
1050 E. HWY 114, #210  
SOUTHLAKE, TEXAS  
PHONE 817-416-1572

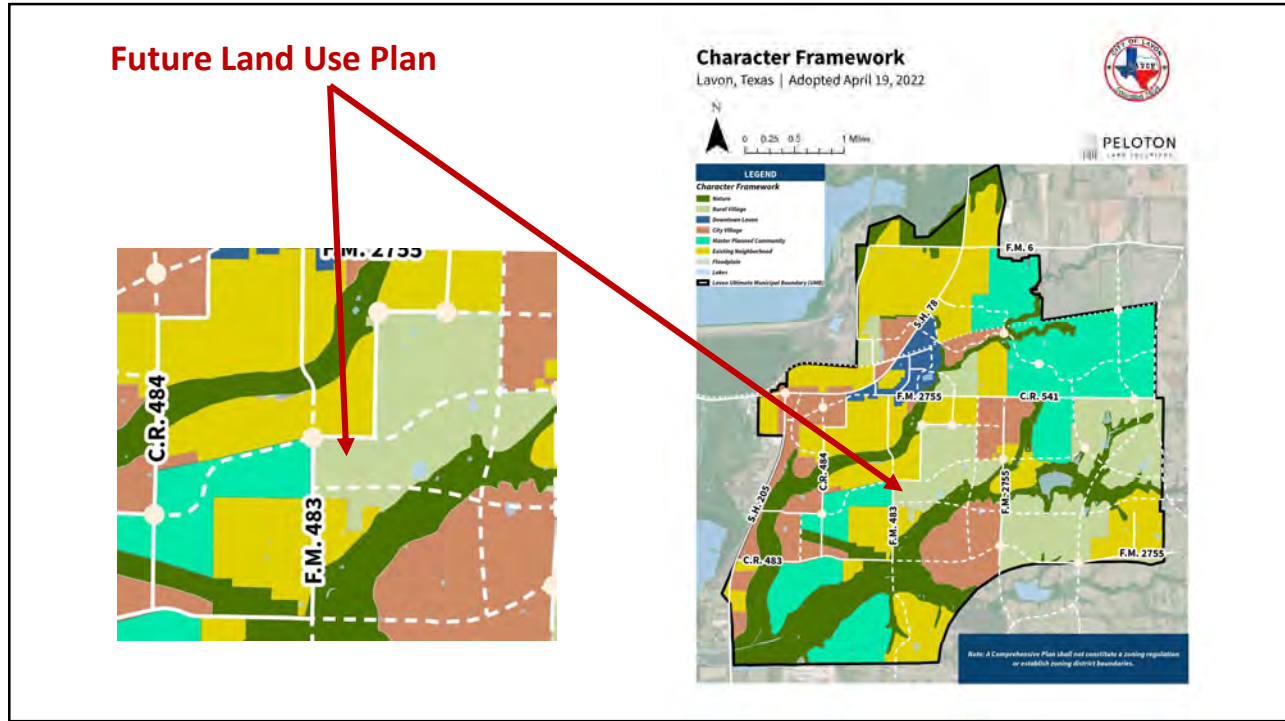
**DEVELOPER:**  
DOUGLAS PROPERTIES, INC.  
2309 AVENUE K  
SUITE 100  
PLANO, TEXAS 75074  
PHONE 972-472-1658

SERVICE PROVIDERS	SUBMITTAL DATE	DESCRIPTION	APPROVAL DATE
ELECTRIC SERVICE: FARMERS ELECTRIC COOPERATIVE	1		
WATER SOURCE: BEAR CREEK SPECIAL UTILITY DISTRICT	2		
SEWER SOURCE: CITY OF LAVON	3		
SCHOOL DISTRICT: COMMUNITY ISD	4		
	5		
	6		
	7		

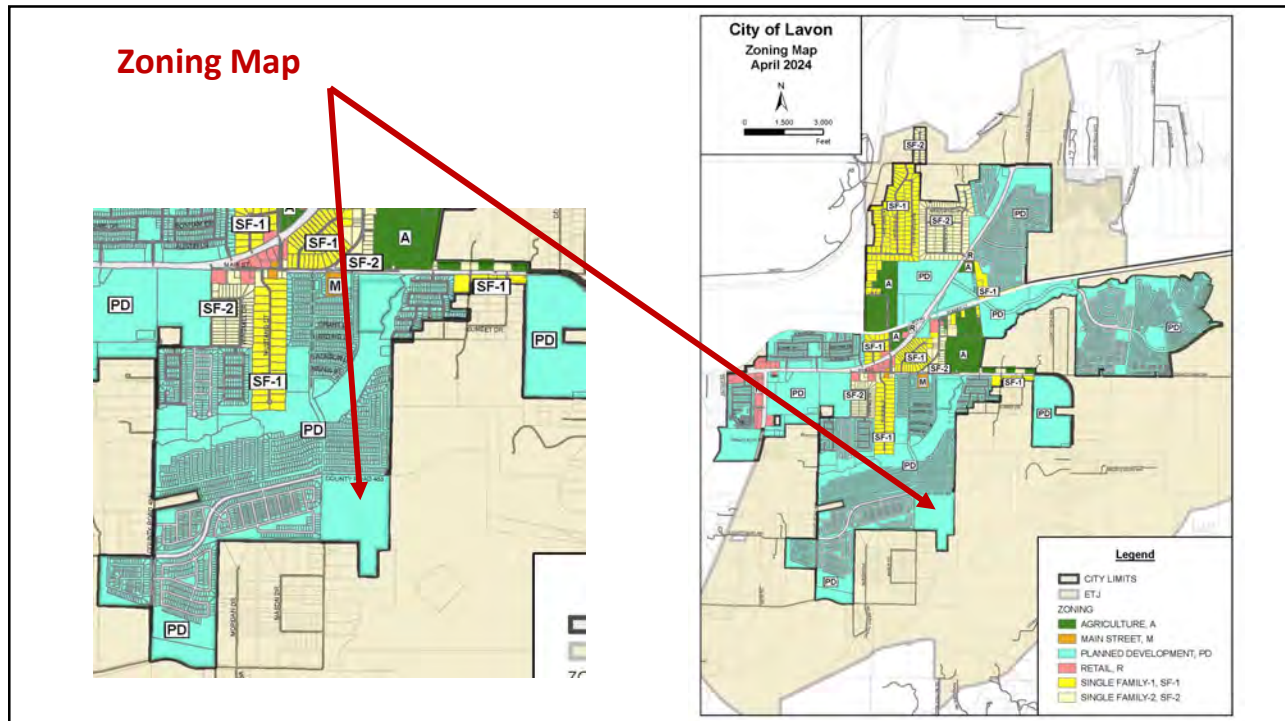
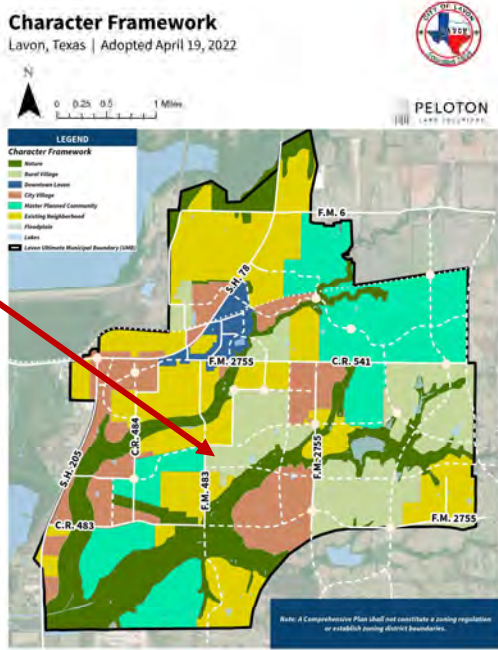
57.075 ACRES  
157 SINGLE-FAMILY LOTS, 11 COMMON AREAS  
IN THE  
D. ANGLIN SURVEY, ABSTRACT NO. 2  
IN THE  
CITY OF LAVON,  
COLLIN COUNTY, TEXAS

**PRELIMINARY PLAT**  
FOR  
**BEAR CREEK**  
**PHASE 6**

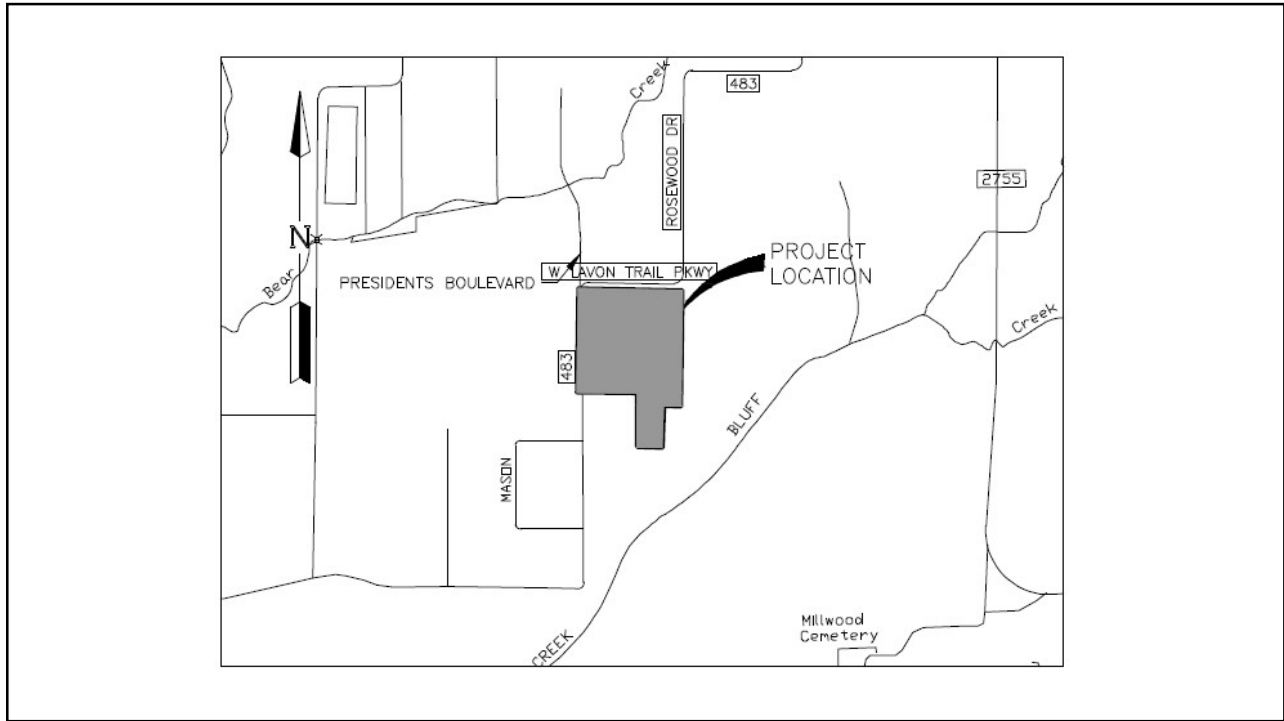
SCALE: 1" = 100'  
PROJECT NO. NT080-0022  
REFERENCE NO: ZC/PP-XX-XXXX



18



19



20



21



22

June 26, 2025

Kim Dobbs  
City of Lavon, TX  
Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Bear Creek Phase 6  
Preliminary Plat Review  
LJA Job No. NTP-40467  
Submittal Notification to LJA: June 24, 2025

LJA Engineering, Inc. has reviewed the submittal referenced above, per your request, for planning- and design-related requirements.

**We have no further comments and recommend approval.**

Please do not hesitate to let us know if you have any questions.

Thank you,

A handwritten signature in black ink that reads 'Abra R Nusser'.

Abra R. Nusser, AICP  
Director of Placemaking + Resilience at LJA  
Email: [anusser@lja.com](mailto:anusser@lja.com)  
Phone: 972.339.8186  
On behalf of the City of Lavon, TX

June 18, 2025

Planning and Development  
 City of Lavon  
 120 School Road.  
 Lavon, Texas 75166  
 Attn: Kim Dobbs

Re: Response Letter for Case No.  
 Bear Creek Phase 6  
 LJA Job No. NTP-40467

Dear Ms. Dobbs:

In response to the City of Lavon comments dated June 17, 2025, we have addressed your comments as follows.

1. The Lot Summary table on Sheet 4 of 13 has been updated and corresponds to the Lot list tables on the sheet and the plat. There is an error on the lot dimensions on the lot types. Revise the 50x115 Lot and 60x125 Lot labels on the column rows to be 50x110 Lot and 60x110 Lot, to comply with the governing PD Ordinance and what is being proposed.

SINGLE FAMILY				
BLOCK NUMBER	50x115 LOT	60x125 LOT	1 ACRE LOTS	TOTAL
BLOCK A	24 LOTS	22 LOTS		46 LOTS
BLOCK B		26 LOTS		26 LOTS
BLOCK C		25 LOTS		25 LOTS
BLOCK D		24 LOTS		24 LOTS
BLOCK E		22 LOTS	14 LOTS	36 LOTS
TOTAL	24 LOTS	119 LOTS	14 LOTS	157 LOTS

*Response: The 50x115 Lot and 60x125 Lot labels within the Lot Summary table have been revised to 50x110 Lot and 60x110 Lot to comply with the governing PD Ordinance.*

2. The lot mix includes an error and does not match the Preliminary Lot Mix from the governing Ordinance. Block A, Lot 5 should be a 50x110 Lot as the lot width at the building line is less than 60'. This lot increases the total 50x115 lots to 25 lots and the 60x110 lot total decreases to 118. The Preliminary Lot Mix table indicated 26 lots in the 50x110 size and 117 lots in the 60x110 size category. Since the lot mix was preliminary and this is a minor deviation, please just update the lot mix table to be what is proposed.

*Response: The lot mix table has been updated to reflect a total of 25 lots in the 50x110 size for Block A and 22 lots in the and 118 lots in the 60x110 size category.*

- The label for the Common Area south of the Gas Easement corridor labeled CA-2, Block C is also labeled CA-2 Block C. This area appears to connect to the CA-3, Block C common area. Revise the label to CA-3, Block C.



*Response: The label for the Common Area south of the Gas Easement corridor has been updated to indicate CA-3, Block C.*

- The count of Common Areas indicates three CA areas in Block A, three in Block C, one in Block D, and four in Block E, for a total of 11 Common Areas. Revise the title block to indicate 11 Common Areas instead of 12 Common Areas or clarify where the twelfth common area is.

*Response: The title block has been revised to indicate a total of 11 Common Areas.*

- The Owner in the title block states Bloomfield Home, L.P. The owner of record is listed as Bloomfield Homes L.P. Revise the block to indicate Bloomfield Homes L.P.

*Response: The Owner in the title block has been revised to indicate Bloomfield Homes L.P.*

- Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

*Response: This document serves as our comment response letter indicating acknowledgement and clarification on how each comment has been addressed.*

Kim Dobbs  
June 18, 2025  
Page 3 of 3

If you have any questions or require additional information, please contact me at 214.451.0872. We trust this additional information will allow further review and processing for approval.

Sincerely,



Daniel Betten, PE  
Project Manager

DB/bb

Enclosures

CC: Client City  
Client  
Project Manager

June 17, 2025

Kim Dobbs  
 City of Lavon, TX  
 Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

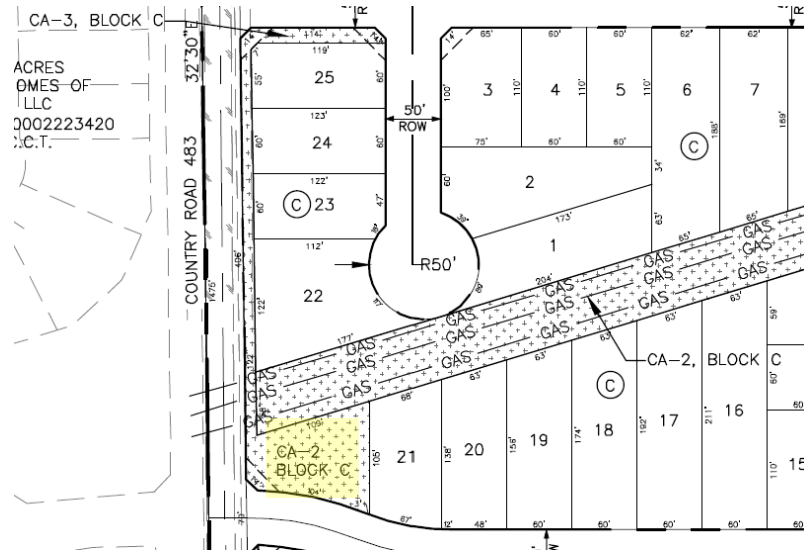
Re: Bear Creek Phase 6  
 Preliminary Plat Review  
 LJA Job No. NTP-40467  
 MyGov Submittal: June 16, 2025

LJA Engineering, Inc. has reviewed the submittal referenced above per your request. We ***recommend approval with the following conditions:***

1. The Lot Summary table on Sheet 4 of 13 has been updated and corresponds to the Lot list tables on the sheet and the plat. There is an error on the lot dimensions on the lot types. Revise the 50x115 Lot and 60x125 Lot labels on the column rows to be 50x110 Lot and 60x110 Lot, to comply with the governing PD Ordinance and what is being proposed.

SINGLE FAMILY				
BLOCK NUMBER	50x115 LOT	60x125 LOT	1 ACRE LOTS	TOTAL
BLOCK A	24 LOTS	22 LOTS		46 LOTS
BLOCK B		26 LOTS		26 LOTS
BLOCK C		25 LOTS		25 LOTS
BLOCK D		24 LOTS		24 LOTS
BLOCK E		22 LOTS	14 LOTS	36 LOTS
TOTAL	24 LOTS	119 LOTS	14 LOTS	157 LOTS

2. The lot mix includes an error and does not match the Preliminary Lot Mix from the governing Ordinance. Block A, Lot 5 should be a 50x110 Lot as the lot width at the building line is less than 60'. This lot increases the total 50x115 lots to 25 lots and the 60x110 lot total decreases to 118. The Preliminary Lot Mix table indicated 26 lots in the 50x110 size and 117 lots in the 60x110 size category. Since the lot mix was preliminary and this is a minor deviation, please just update the lot mix table to be what is proposed.
3. The label for the Common Area south of the Gas Easement corridor labeled CA-2, Block C is also labeled CA-2 Block C. This area appears to connect to the CA-3, Block C common area. Revise the label to CA-3, Block C.



4. The count of Common Areas indicates three CA areas in Block A, three in Block C, one in Block D, and four in Block E, for a total of 11 Common Areas. Revise the title block to indicate 11 Common Areas instead of 12 Common Areas or clarify where the twelfth common area is.
5. The Owner in the title block states Bloomfield Home, L.P. The owner of record is listed as Bloomfield Homes L.P. Revise the block to indicate Bloomfield Homes L.P.
6. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

Comments prepared and compiled by:

*Tiffany McLeod*

Tiffany McLeod, AICP  
 Project Manager, Placemaking + Resilience at LJA  
 Email: [tmcleod@lja.com](mailto:tmcleod@lja.com)  
 Phone: 469.348.6571  
 On behalf of the City of Lavon, TX

Quality check by:

*Abra R Nusser*

Abra R. Nusser, AICP  
 Director of Placemaking + Resilience at LJA  
 Email: [anusser@lja.com](mailto:anusser@lja.com)  
 Phone: 972.339.8186  
 On behalf of the City of Lavon, TX

June 16, 2025

Planning and Development  
 City of Lavon  
 120 School Road.  
 Lavon, Texas 75166  
 Attn: Kim Dobbs

Re: Response Letter for Case No.  
 Bear Creek Phase 6  
 LJA Job No. NTP-40467

Dear Ms. Dobbs:

In response to the City of Lavon comments dated June 6, 2025, we have addressed your comments as follows.

**PLANNING & DESIGN COMMENTS**

1. **Repeat Comment:** There are discrepancies between the lots listed in the Lot Table and the lots shown on the plat. Additionally, the Lot Summary Table lists the blocks numerically instead of alphabetically. Revise the plat to correct the Lot Table and Lot Summary Table.  
*Response Comment: Lot tables updated to remove discrepancies, to list the blocks alphabetically.*

**The Lot table includes a Block C Lot 22 that doesn't exist on the Plat sheet. The Lot Summary Table on Sheet 4 still lists the blocks numerically instead of alphabetically. Also, the lot count totals are not accurate. Revise the plat to correct the Lot Summary Table Block labels and lot counts.**

SINGLE FAMILY				
BLOCK NUMBER	50x115 LOT	60x125 LOT	1 ACRE LOTS	TOTAL
BLOCK 1	26 LOTS	21 LOTS		47 LOTS
BLOCK 2		26 LOTS		26 LOTS
BLOCK 3		25 LOTS		25 LOTS
BLOCK 4		20 LOTS		20 LOTS
BLOCK 5		25 LOTS	14 LOTS	39 LOTS
TOTAL	26 LOTS	117 LOTS	14 LOTS	157 LOTS

*Response: The Lot Table has been revised to be in-line with the Preliminary Plat. The block numbers in the table have been revised to be alphabetical. Block C Lots 22-25 were updated to be numerically in order.*

2. The setback exhibit has been revised with dimensions at the building line on Lot 5, Block A and Lot 27, Block E. Those labels were also displayed on the Preliminary Plat drawings. Remove the dimension labels from the Preliminary Plat.

*Response: The dimension labels have been removed from the Preliminary Plat.*

3. The Typical 30' Visibility Triangle is indicated on street corners. It is omitted on Lot 1, Block D. Revise lot to include the marking.

*Response: The Visibility Triangle has been added to Lot 1, Block D.*

4. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

*Response: This comment response letter is included in the Preliminary Plat resubmittal.*

If you have any questions or require additional information, please contact me at 214.451.0872. We trust this additional information will allow further review and processing for approval.

Sincerely,



Daniel Betten, PE  
Project Manager

DB/bb

Enclosures

CC: Client City  
Client  
Project Manager

June 12, 2025

Ms. Kim Dobbs  
City of Lavon  
120 School Road  
Lavon, TX 75166

Re: Bear Creek Phase 6, 169 Total Lots, 57.075 Acres  
Preliminary Plat

Dear Ms. Dobbs:

As requested, we have reviewed the revised Preliminary Plat and Preliminary Engineering Plans dated May 15, 2025 as prepared by LJA Engineering, Inc. for the above referenced property. The property is generally located south of West Lavon Trail Parkway and Bear Creek Phase 5, east of CR 483 and Trails of Lavon Phase 3 and west of Nicholson Ranch, Phase 1. Zoning for the property is a Planned Development (PD) as provided in Ordinance 2022-05-03. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the Planner comments. Our comments are as follows:

#### GENERAL

1. Water service to be provided by Bear Creek SUD.
2. Right-of-Way (ROW) is being dedicated for West Lavon Trail Parkway on the north and CR 483 on the west.
3. A Traffic Impact Analysis, dated September 22, 2022 as prepared by LJA Engineering, Inc., has been previously submitted. The analysis includes the extension of West Lavon Trail Parkway from Presidents Blvd west to CR 485 to complete the SH 205 connection. All access points to the development are along CR 483. Phase 6 is projected to generate 1,528 vehicle trips per day (vpd) at buildout. Based upon the future improvements to CR 483 to a 3 or 4 lane collector road per the Master Thoroughfare Plan, Phase 6 is expected to utilize 19.1% of the total capacity (8000 vpd) of CR 483. Zero trips are projected to travel east on West Lavon Trail Parkway.

#### PRELIMINARY PLAT

4. All previous comments have been satisfactorily addressed.

#### PRELIMINARY ENGINEERING PLANS

5. All previous comments have been satisfactorily addressed.

This concludes our review of the above referenced revised Preliminary Plat and Preliminary Engineering Plans. **We recommend APPROVAL of the Preliminary Plat.**

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

Ms. Kim Dobbs  
Bear Creek Phase 6, Preliminary Plat  
June 12, 2025  
Page 2 of 2

If there are any questions, please contact me at 214-503-0555 x115 or by email at [mdhill@fmi-dallas.com](mailto:mdhill@fmi-dallas.com).

Sincerely,  
FREEMAN-MILLICAN, INC.



Mark D. Hill, P.E.  
Consulting City Engineer

Cc: David Carter, Mike Jones, Danny Anthony, Abra Nusser, Tiffany McLeod

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June 6, 2025

Kim Dobbs  
 City of Lavon, TX  
 Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Bear Creek Phase 6  
 Preliminary Plat Review  
 LJA Job No. NTP-40467  
 MyGov Submittal: June 3, 2025

LJA Engineering, Inc. has reviewed the submittal referenced above per your request. Provided below are comments relating to planning and design. Please do not hesitate to let us know if you have any questions.

**PLANNING + DESIGN COMMENTS**

- Repeat Comment:** There are discrepancies between the lots listed in the Lot Table and the lots shown on the plat. Additionally, the Lot Summary Table lists the blocks numerically instead of alphabetically. Revise the plat to correct the Lot Table and Lot Summary Table.  
*Response Comment: Lot tables updated to remove discrepancies, to list the blocks alphabetically.*

**The Lot table includes a Block C Lot 22 that doesn't exist on the Plat sheet. The Lot Summary Table on Sheet 4 still lists the blocks numerically instead of alphabetically. Also, the lot count totals are not accurate. Revise the plat to correct the Lot Summary Table Block labels and lot counts.**

SINGLE FAMILY				
BLOCK NUMBER	50x115 LOT	60x125 LOT	1 ACRE LOTS	TOTAL
BLOCK 1	26 LOTS	21 LOTS		47 LOTS
BLOCK 2		26 LOTS		26 LOTS
BLOCK 3		25 LOTS		25 LOTS
BLOCK 4		20 LOTS		20 LOTS
BLOCK 5		25 LOTS	14 LOTS	39 LOTS
TOTAL	26 LOTS	117 LOTS	14 LOTS	157 LOTS

- The setback exhibit has been revised with dimensions at the building line on Lot 5, Block A and Lot 27, Block E. Those labels were also displayed on the Preliminary Plat drawings. Remove the dimension labels from the Preliminary Plat.
- The Typical 30' Visibility Triangle is indicated on street corners. It is omitted on Lot 1, Block D. Revise lot to include the marking.
- Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

Comments prepared and compiled by:



Tiffany McLeod, AICP  
Project Manager, Placemaking + Resilience at LJA  
Email: [tmcleod@lja.com](mailto:tmcleod@lja.com)  
Phone: 469.348.6571  
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP  
Director of Placemaking + Resilience at LJA  
Email: [anusser@lja.com](mailto:anusser@lja.com)  
Phone: 972.339.8186  
On behalf of the City of Lavon, TX

May 30, 2025

Planning and Development  
City of Lavon  
Freeman-Millican, Inc.  
12160 Abrams Road #508  
Dallas, Texas 75243

Re: Response Letter for Case No.  
Bear Creek Phase 6  
LJA Job No. NT080-0022B

Dear Mr. Hill:

In response to the City of Lavon comments dated May 5, 2025, we have addressed your comments as follows.

**GENERAL**

1. Water service to be provided by Bear Creek SUD.

*Response: Note added to water and sewer pages stating that the water service is to be provided by Bear Creek SUD.*

2. Right-of-Way (ROW) is being dedicated for West Lavon Trail Parkway on the north and CR 483 on the west.

*Response: Dimension of ROW dedication shown on preliminary plat.*

3. A Traffic Impact Analysis, dated September 22, 2022 as prepared by LJA Engineering, Inc., has been previously submitted. The analysis includes the extension of West Lavon Trail Parkway from Presidents Blvd west to CR 485 to complete the SH 205 connection. All access points to the development are along CR 483. Phase 6 is projected to generate 1,528 vehicle trips per day (vpd) at buildout. Based upon the future improvements to CR 483 to a 3 or 4 lane collector road per the Master Thoroughfare Plan, Phase 6 is expected to utilize 19.1% of the total capacity (8000 vpd) of CR 483. Zero trips are projected to travel east on West Lavon Trail Parkway.

*Response: Acknowledged.*

## **PRELIMINARY PLAT**

4. The Surveyor should verify and label the perimeter street ROW width.

*Response: ROW width verified and labeled.*

5. The former CR 483 extending N-S near the northeast corner of the property is named Rosewood Dr. This should be corrected on the Plat and the Vicinity Map.

*Response: Roadway renamed to Rosewood Dr.*

6. The labels for the CA lots should be placed to clearly identify the area of the lot and to not conflict with text on adjacent lots.

*Response: CA lots moved and adjusted to clearly identify the area it is pointing to.*

7. The 30' visibility triangle easement at street intersections should be shown on the typical lot diagram.

*Response: Visibility triangles added to typical lot diagram.*

8. The street section should show a 5' parabolic crown per City standards.

*Response: Street section updated to show 5' parabolic curve.*

9. There are several iron rods referenced in the written property description that are not shown on the drawing. We recommend these be shown.

*Response: Iron rods are shown and identified.*

10. County Road 483 is incorrectly referenced in the written description.

*Response: Reference updated.*

11. The written description should not appear on multiple sheets.

*Response: Written description removed from two sheets and is only on a single sheet.*

12. The written description references the west ROW of CR 483. This does not appear to be correct since Trail of Lavon Ph 3 dedicated 35' of ROW. This should be verified.

*Response: ROW is verified and displayed on plat.*

13. East Hubbard Estates should be shown on the drawing. Each lot should be identified with Block and Lot number.

*Response: Lots identified with block and lot numbers.*

14. The lot in Meadow Creek Estates referenced in the written description should be labeled in the drawing.

*Response: Lot description added.*

**PRELIMINARY ENGINEERING PLANS**

15. The title for the Existing Drainage Area Map should be corrected.

*Response: Title corrected.*

16. The notes on the Drainage Area Maps should be verified.

*Response: Notes verified.*

If you have any questions or require additional information, please contact me at 214.451.0872. We trust this additional information will allow further review and processing for approval.

Sincerely,



Daniel Betten, PE  
Project Manager

DB/bb

Enclosures

CC: Client City  
Client  
Project Manager

May 30, 2025

Planning and Development  
City of Lavon  
120 School Road  
Lavon, Texas 75166  
Attn: Kim Dobbs

Re: Response Letter for Case No.  
Bear Creek Phase 6  
LJA Job No. NT080-0022B

Dear Ms. Dobbs:

In response to the City of Lavon comments dated May 1, 2025, we have addressed your comments as follows.

#### **PLANNING & DESIGN COMMENTS**

1. The Setback Exhibit does not show the dimension of the lots at the building line. There are two lots in question that must be dimensioned at the building line to verify compliance with the PD lot requirements. Revise the Setback Exhibit to dimension Lot 5, Block A and Lot 27, Block E, accordingly.

*Response: Setback dimensions added. To Lot 5 Block A and Lot 27 Block E*

2. Please remove the hatching and, instead, dimension and label the right-of-way along CR 483 and West Lavon Trail Parkway. Also, provide confirmation in the comment letter that the City Engineer has deemed the minimum right-of-way shown as sufficient.

*Response: Hatching removed, and dimensions added to ROW call outs.*

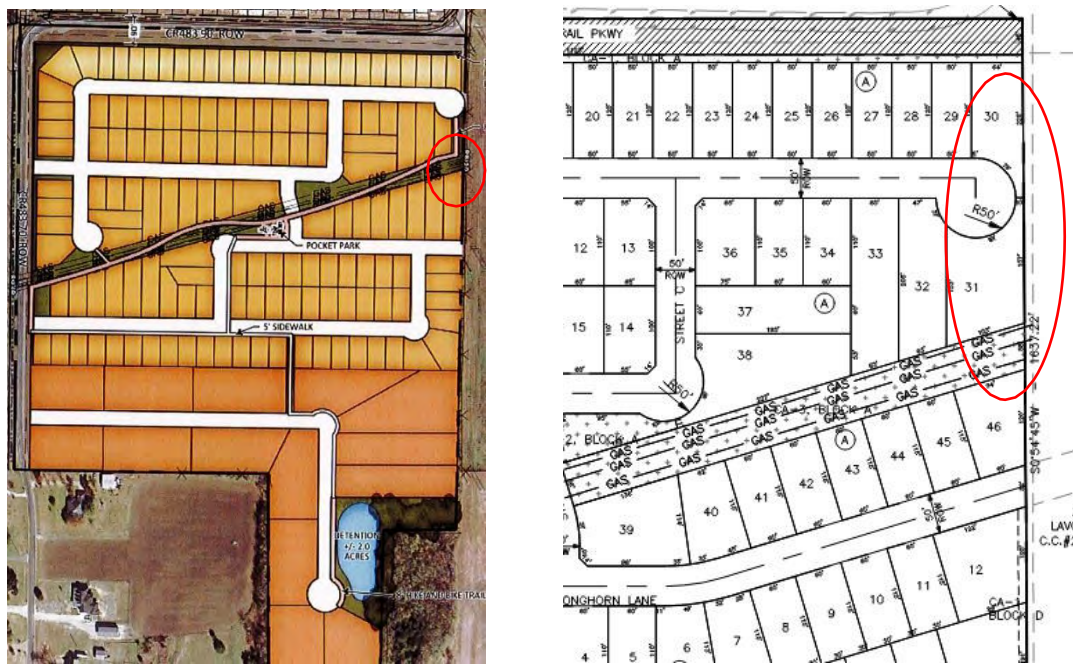
3. There are discrepancies between the lots listed in the Lot Table and the lots shown on the plat. Additionally, the Lot Summary Table lists the blocks numerically instead of alphabetically. Revise the plat to correct the Lot Table and Lot Summary Table.

*Response: Lot tables updated to remove discrepancies, to list the blocks alphabetically.*

4. Revise the line type for CA-1, Block D to clearly indicate the boundary between this Common Area and Lots 12 and 13.

*Response: Line type updated to identify common area.*

5. The governing PD Concept Plan, shown below, shows an 8-foot hike and bike trail along the northeastern property line. It appears that the configuration of Lots 30 and 31, Block A have been revised from the first submittal and the Common Area along the property line removed. Revise the plat to add this Common Area to accommodate the hike and bike trail, as required by the governing PD.



*Response: Lots 30 and 31 revised to include common area between lots and property boundary.*

6. The configuration of the Block A and Block D lots in the northeast quadrant of the property have changed between the first submittal and second submittal. Note any other changes, in the comment response letter, that have been made between the two submittals for review. Additional comments may be forthcoming.

*Response: White Lotus Dive alignment between Blocks C and E changed between submittals to line up intersection Trails of Lavon Phase 3.*

7. Provide a legend that indicates what each pattern (ex. stippling) represents.

*Response: Legend added.*

8. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

*Response: Comment response letter provided.*

Kim Dobbs  
May 30, 2025  
Page 3 of 3

If you have any questions or require additional information, please contact me at 214.451.0872. We trust this additional information will allow further review and processing for approval.

Sincerely,



Daniel Betten, PE  
Project Manager

DB/bb

Enclosures

CC: Client City  
Client  
Project Manager

May 5, 2025

Ms. Kim Dobbs  
City of Lavon  
120 School Road  
Lavon, TX 75166

Re: Bear Creek Phase 6, 169 Total Lots, 57.075 Acres  
Preliminary Plat

Dear Ms. Dobbs:

As requested, we have reviewed the revised Preliminary Plat and Preliminary Engineering Plans dated April 15, 2025 as prepared by LJA Engineering, Inc. for the above referenced property. The property is generally located south of West Lavon Trail Parkway and Bear Creek Phase 5, east of CR 483 and Trails of Lavon Phase 3 and west of Nicholson Ranch, Phase 1. Zoning for the property is a Planned Development (PD) as provided in Ordinance 2022-05-03. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the Planner comments. Our comments are as follows:

#### GENERAL

1. Water service to be provided by Bear Creek SUD.
2. Right-of-Way (ROW) is being dedicated for West Lavon Trail Parkway on the north and CR 483 on the west.
3. A Traffic Impact Analysis, dated September 22, 2022 as prepared by LJA Engineering, Inc., has been previously submitted. The analysis includes the extension of West Lavon Trail Parkway from Presidents Blvd west to CR 485 to complete the SH 205 connection. All access points to the development are along CR 483. Phase 6 is projected to generate 1,528 vehicle trips per day (vpd) at buildout. Based upon the future improvements to CR 483 to a 3 or 4 lane collector road per the Master Thoroughfare Plan, Phase 6 is expected to utilize 19.1% of the total capacity (8000 vpd) of CR 483. Zero trips are projected to travel east on West Lavon Trail Parkway.

#### PRELIMINARY PLAT

4. The Surveyor should verify and label the perimeter street ROW width.
5. The former CR 483 extending N-S near the northeast corner of the property is named Rosewood Dr. This should be corrected on the Plat and the Vicinity Map.
6. The labels for the CA lots should be placed to clearly identify the area of the lot and to not conflict with text on adjacent lots.
7. The 30' visibility triangle easement at street intersections should be shown on the typical lot diagram.
8. The street section should show a 5' parabolic crown per City standards.
9. There are several iron rods referenced in the written property description that are not shown on the drawing. We recommend these be shown.

10. County Road 483 is incorrectly referenced in the written description.
11. The written description should not appear on multiple sheets.
12. The written description references the west ROW of CR 483. This does not appear to be correct since Trail of Lavon Ph 3 dedicated 35' of ROW. This should be verified.
13. East Hubbard Estates should be shown on the drawing. Each lot should be identified with Block and Lot number.
14. The lot in Meadow Creek Estates referenced in the written description should be labeled in the drawing.

#### PRELIMINARY ENGINEERING PLANS

15. The title for the Existing Drainage Area Map should be corrected.
16. The notes on the Drainage Area Maps should be verified.

This concludes our review of the above referenced revised Preliminary Plat and Preliminary Engineering Plans. A copy of the Preliminary Plat and Preliminary Engineering Plans, with markups, is attached for your convenience.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

If there are any questions, please contact me at 214-503-0555 x115 or by email at [mdhill@fmi-dallas.com](mailto:mdhill@fmi-dallas.com).

Sincerely,  
FREEMAN-MILLICAN, INC.



Mark D. Hill, P.E.  
Consulting City Engineer

Cc: David Carter, Mike Jones, Danny Anthony, Abra Nusser, Tiffany McLeod

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May 1, 2025

Kim Dobbs  
 City of Lavon, TX  
 Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Bear Creek Phase 6  
 Preliminary Plat Review  
 LJA Job No. NTP-40467  
 MyGov Submittal: April 21, 2025

LJA Engineering, Inc. has reviewed the submittal referenced above per your request. Provided below are comments relating to planning and design. Please do not hesitate to let us know if you have any questions.

**PLANNING + DESIGN COMMENTS**

- Repeat comment:** The governing PD requires the following minimum lot widths at the front building line.

A. Lot Requirements Table.

	<b>Type A 1 Acre Lots</b>	<b>Type B 60' Lots</b>	<b>Type C 50' Lots</b>
<b>Minimum Gross Lot Area</b>	43,560 square feet	6,300 square feet	5,250 square feet
<b>Minimum Lot Width at Front Building Line</b>	60 feet	60 feet	50 feet

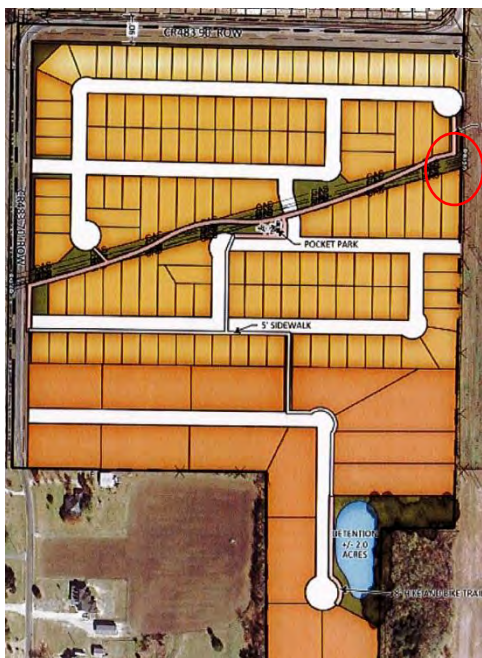
Revise the plat drawing to remove the front building line and provide a separate Setback Exhibit to dimension all lots at the front building line to confirm the lot widths comply with the PD requirements. *Comment Response: The front building line has been removed from the preliminary plat and a separate Setback Exhibit created.*

**The Setback Exhibit does not show the dimension of the lots at the building line. There are two lots in question that must be dimensioned at the building line to verify compliance with the PD lot requirements. Revise the Setback Exhibit to dimension Lot 5, Block A and Lot 27, Block E, accordingly.**

- Repeat comment:** The Master Thoroughfare Plan categorizes County Road 483 as a 70' ROW Collector roadway. Confirm the minimum right-of-way that is required to be dedicated with the City Engineer and revise the plat to dimension and label this right-of-way dedication, if/where applicable. *Comment Response: Provided a hatch to better call out the area dedicated for the County Road 483 right-of-way.*

**Please remove the hatching and, instead, dimension and label the right-of-way along CR 483 and West Lavon Trail Parkway. Also, provide confirmation in the comment letter that the City Engineer has deemed the minimum right-of-way shown as sufficient.**

3. There are discrepancies between the lots listed in the Lot Table and the lots shown on the plat. Additionally, the Lot Summary Table lists the blocks numerically instead of alphabetically. Revise the plat to correct the Lot Table and Lot Summary Table.
4. Revise the line type for CA-1, Block D to clearly indicate the boundary between this Common Area and Lots 12 and 13.
5. The governing PD Concept Plan, shown below, shows an 8-foot hike and bike trail along the northeastern property line. It appears that the configuration of Lots 30 and 31, Block A have been revised from the first submittal and the Common Area along the property line removed. Revise the plat to add this Common Area to accommodate the hike and bike trail, as required by the governing PD.



6. The configuration of the Block A and Block D lots in the northeast quadrant of the property have changed between the first submittal and second submittal. Note any other changes, in the comment response letter, that have been made between the two submittals for review. Additional comments may be forthcoming.
7. Provide a legend that indicates what each pattern (ex. stippling) represents.
8. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

Comments prepared and compiled by:

*Tiffany McLeod*

Tiffany McLeod, AICP  
 Project Manager, Placemaking + Resilience at LJA  
 Email: [tmcleod@lja.com](mailto:tmcleod@lja.com)  
 Phone: 469.348.6571  
 On behalf of the City of Lavon, TX

Quality check by:

*Abra R Nusser*

Abra R. Nusser, AICP  
 Director of Placemaking + Resilience at LJA  
 Email: [anusser@lja.com](mailto:anusser@lja.com)  
 Phone: 972.339.8186  
 On behalf of the City of Lavon, TX

April 15, 2025

Planning and Development  
 City of Lavon  
 120 School Road  
 Lavon, Texas 75166  
 Attn: Kim Dobbs

Re: Response Letter for Case No.  
 Bear Creek Phase 6  
 LJA Job No. NT080-0022B

Dear Ms. Dobbs:

In response to the City of Lavon comments dated October 30, 2024, we have addressed your comments as follows.

**PLANNING & DESIGN COMMENTS**

1. The governing PD requires the following mix of lots:

Preliminary Lot Mix.

Lot Type	Lot Size	Number of Lots
A	1 Acre	14
B	60' x 110'	117
C	50' x 110'	26
	<b>TOTAL</b>	157

Revise the plat to provide a list of lot types A – C and the corresponding number of lots proposed.

*Response: Sheet 4: Preliminary Plat Tables added which includes Lot Calc table.*

2. The governing PD requires the following minimum lot widths at the front building line.

A. Lot Requirements Table.

	Type A 1 Acre Lots	Type B 60' Lots	Type C 50' Lots
<b>Minimum Gross Lot Area</b>	43,560 square feet	6,300 square feet	5,250 square feet
<b>Minimum Lot Width at Front Building Line</b>	60 feet	60 feet	50 feet

Revise the plat drawing to remove the front building line and provide a separate Setback Exhibit to dimension all lots at the front building line to confirm the lot widths comply with the PD requirements.

*Response: The front building line has been removed from the preliminary plat and a separate Setback Exhibit created.*

3. The Master Thoroughfare Plan categorizes County Road 483 as a 70' ROW Collector roadway. Confirm the minimum right-of-way that is required to be dedicated with the City Engineer and revise the plat to dimension and label this right-of-way dedication, if/where applicable.

*Response: Provided a hatch to better call out the area dedicated for the County Road 483 right-of-way.*

4. Revise the plat to label the Open Space lots as Common Areas, with the labeling convention of CA [number], Block [letter].

*Response: Plat revised to label open space lots as common areas to match labeling convention.*

5. Revise the plat title block to list 9 "Common Areas" instead of "Private Open Spaces."

*Response: Title block revised to list common areas instead of private open spaces.*

6. Revise plat note #2 to state the following: "Common Areas consisting of active and passive recreation use and facilities are to be owned and maintained by a private Homeowners Association (HOA) and shall include pedestrian and recreation access."

*Response: Note #2 updated to match the provided language.*

7. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

*Response: This comment response to be included in resubmittal.*

If you have any questions or require additional information, please contact me at 214.451.0872. We trust this additional information will allow further review and processing for approval.

Sincerely,



Daniel Betten, PE  
Project Manager

DB/bb

Enclosures

CC: Client City  
Client  
Project Manager

April 15, 2025

Planning and Development  
City of Lavon  
Freeman-Millican, Inc.  
12160 Abrams Road #508  
Dallas, Texas 75243

Re: Response Letter for Case No.  
Bear Creek Phase 6  
LJA Job No. NT080-0022B

Dear Mr. Hill:

In response to the City of Lavon comments dated November 7, 2024, we have addressed your comments as follows.

**GENERAL**

1. Water service to be provided by Bear Creek SUD.

*Response: We have coordinated with Bear Creek SUD on the proposed water infrastructure and perimeter connection locations. The approved layout is shown in the overall water plan exhibit and the water layout in the preliminary plat..*

2. Right-of-Way (ROW) is being dedicated for West Lavon Trail Parkway on the north and CR 483 on the west.

*Response: Hatch provided to better call out the area dedicated for West Lavon Trail Parkway and County Road 483 rights-of-way.*

3. A Traffic Impact Analysis, dated September 22, 2022 as prepared by LJA Engineering, Inc., has been previously submitted. The analysis includes the extension of West Lavon Trail Parkway from Presidents Blvd west to CR 485 to complete the SH 205 connection. All access points to the development are along CR 483. Phase 6 is projected to generate 1,528 vehicle trips per day (vpd) at buildout. Based upon the future improvements to CR 483 to a 3 or 4 lane collector road per the Master Thoroughfare Plan, Phase 6 is expected to utilize 19.1% of the total capacity (8000 vpd) of CR 483. Zero trips are projected to travel east on West Lavon Trail Parkway.

4. There is a note on the Plat that the development may be constructed in phases. Phase lines should be included in the Plat.

*Response: The note on plat the referenced project to be built in phases has been removed.*

5. The road along the north property line should be changed to West Lavon Trail Parkway instead of CR 483.

*Response: The roadway along the north property line was renamed to West Lavon Trail Parkway.*

6. The property north of West Lavon Trail Parkway should be identified the same as the written description since Phase 5 has not been filed.

*Response: The property north of West Lavon Trail Parkway has been updated to show description.*

7. The Point of Beginning (POB) should be identified on the drawing.

*Response: Point of Beginning identified.*

8. Then gas line along the rear of lots in Block A appear to be located within the lots and outside of any easement. This should be verified.

*Response: The easement documents for the gas line are being actively reviewed. Adjustments to the gas easements to be finalized at the time of the Final Plat.*

9. Street F should align with Longhorn Lane in Nicholson Ranch, Phase 1.

*Response: Street F edited to align with Longhorn Lane in Nicholson Ranch, Phase 1.*

10. Street I should align with the existing White Lotus Drive in Trails of Lavon, Phase 3.

*Response: Street I edited to align with White Lotus Drive in Trails of Lavon, Phase 3.*

11. In addition to the two (2) 20' gas easements there appears to be a third. This should be labeled.

*Response: The easement documents for the gas line are being actively reviewed. Adjustments to the gas easements to be finalized at the time of the Final Plat.*

12. The proposed ROW for West Lavon Trail Parkway and CR 483 should be identified as ROW dedication. In addition, dimensions should be provided on all segments.

*Response: Hatch provided to better call out the area dedicated for West Lavon Trail Parkway and County Road 483 rights-of-way. All dimensions provided on all segments.*

13. There are several discrepancies on bearings and/or distances between the written description and the drawing.

*Response: All discrepancies on bearings and/or distances identified and addressed on the plat.*

14. There are several adjoiner properties identified in the written description that should also be shown on the drawing.

*Response: These adjoiner properties are identified in the plat.*

15. In the written description, CR 483 should be changed to West Lavon Trail Parkway in the last paragraph.

*Response: CR 483 changed to West Lavon Trail Parkway in written description.*

### **PRELIMINARY ENGINEERING PLANS**

16. The waterline stubout on Stret F should be coordinated with the adjacent Nicholson Ranch Phase 1 development.

*Response: We have coordinated with Bear Creek SUD on the proposed water infrastructure and perimeter connection locations. The approved layout is shown in the overall water plan exhibit and the water layout in the preliminary plat.*

17. Sanitary sewer will be connected to a stubout from Bear Creek Phase 5 and conveyed to the existing City system.

*Response: Sanitary sewer to connect to stubout from Bear Creek Phase 5.*

18. The 6" waterline shown on CR 483 has been abandoned as part of the Trails of Lavon project. Then furthest south connection point may still be available.

*Response: Waterline connection moved to 12" waterline south of the Trails of Lavon Phase 3.*

19. The Preliminary Plans should include both an existing and proposed drainage area map, with calculations.

*Response: Existing and proposed drainage area maps and corresponding calculations included in preliminary plat.*

If you have any questions or require additional information, please contact me at 214.451.0872. We trust this additional information will allow further review and processing for approval.

Sincerely,



Daniel Betten, PE  
Project Manager

DB/bb

Enclosures

CC: Client City  
Client  
Project Manager

November 7, 2024

Ms. Kim Dobbs  
City of Lavon  
120 School Road  
Lavon, TX 75166

Re: Bear Creek Phase 6, 166 Total Lots, 57.075 Acres  
Preliminary Plat

Dear Ms. Dobbs:

As requested, we have reviewed the Preliminary Plat and Preliminary Engineering Plans dated October 8, 2024 as prepared by LJA Engineering, Inc. for the above referenced property. The property is generally located south of West Lavon Trail Parkway and Bear Creek Phase 5, east of CR 483 and Trails of Lavon Phase 3 and west of Nicholson Ranch, Phase 1. Zoning for the property is a Planned Development (PD) as provide in Ordinance 2022-05-03. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the Planner comments. Our comments are as follows:

#### GENERAL

1. Water service to be provided by Bear Creek SUD.
2. Right-of-Way (ROW) is being dedicated for West Lavon Trail Parkway on the north and CR 483 on the west.
3. A Traffic Impact Analysis, dated September 22, 2022 as prepared by LJA Engineering, Inc., has been previously submitted. The analysis includes the extension of West Lavon Trail Parkway form Presidents Blvd west to CR 485 to complete he SH 205 connection. All access points to the development are along CR 483. Phase 6 is projected to generate 1,528 vehicle trips per day (vpd) at buildout. Based upon the future improvements to CR 483 to a 3 or 4 lane collector road per the Master Thoroughfare Plan, Phase 6 is expected to utilize 19.1% of the total capacity (8000 vpd) of CR 483. Zero trips are projected to travel east on West Lavon Trail Parkway.

#### PRELIMINARY PLAT

4. There is a note on the Plat that the development may be constructed in phases. Phase lines should be included in the Plat.
5. The road along the north property line should be changed to West Lavon Trail Parkway instead of CR 483.
6. The property north of West Lavon Trail Parkway should be identified the same as the written description since Phase 5 has not been filed.
7. The Point of Beginning (POB) should be identified on the drawing.
8. Then gas line along the rear of lots in Block A appear to be located within the lots and outside of any easement. This should be verified.
9. Street F should align with Longhorn Lane in Nicholson Ranch, Phase 1.

10. Street I should align with the existing White Lotus Drive in Trails of Lavon, Phase 3.
11. In addition to the two (2) 20' gas easements there appears to be a third. This should be labeled.
12. The proposed ROW for West Lavon Trail Parkway and CR 483 should be identified as ROW dedication. In addition, dimensions should be provided on all segments.
13. There are several discrepancies on bearings and/or distances between the written description and the drawing.
14. There are several adjoiner properties identified in the written description that should also be shown on the drawing.
15. In the written description, CR 483 should be changed to West Lavon Trail Parkway in the last paragraph.

#### PRELIMINARY ENGINEERING PLANS

16. The waterline stubout on Stret F should be coordinated with the adjacent Nicholson Ranch Phase 1 development.
17. Sanitary sewer will be connected to a stubout from Bear Creek Phase 5 and conveyed to the existing City system.
18. The 6" waterline shown on CR 483 has been abandoned as part of the Trails of Lavon project. Then furthest south connection point may still be available.
19. The Preliminary Plans should include both an existing and proposed drainage area map, with calculations.

This concludes our review of the above referenced Preliminary Plat and Preliminary Engineering Plans. A copy of the Preliminary Plat and Preliminary Engineering Plans, with markups, is attached for your convenience. In addition, an exhibit is provided that shows the approximate location of the adjacent plats, and specifically the adjacent streets, to correspond to comments 9 and 10 above.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

Ms. Kim Dobbs  
Bear Creek Phase 6, Preliminary Plat  
November 7, 2024  
Page 3 of 3

If there are any questions, please contact me at 214-503-0555 x115 or by email at [mdhill@fmi-dallas.com](mailto:mdhill@fmi-dallas.com).

Sincerely,  
FREEMAN-MILLICAN, INC.



Mark D. Hill, P.E.  
Consulting City Engineer

Cc: David Carter, Mike Jones, Danny Anthony, Abra Nusser, Tiffany McLeod

F:\17024 - LAV General Servies\9 - Review\Bear Creek 6\Bear Creek 6 - Preliminary Plat - Rev 0.docx

October 30, 2024

Kim Dobbs  
 City of Lavon, TX  
 Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Bear Creek Phase 6  
 Preliminary Plat Review  
 LJA Job No. NTP-40467  
 MyGov Submittal: October 11, 2024

LJA Engineering, Inc. has reviewed the submittal referenced above per your request. Provided below are comments relating to planning and design. Please do not hesitate to let us know if you have any questions.

**PLANNING + DESIGN COMMENTS**

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1. The governing PD requires the following mix of lots:

Preliminary Lot Mix.

Lot Type	Lot Size	Number of Lots
A	1 Acre	14
B	60' x 110'	117
C	50' x 110'	26
	<b>TOTAL</b>	157

Revise the plat to provide a list of lot types A – C and the corresponding number of lots proposed.

2. The governing PD requires the following minimum lot widths at the front building line.

A. Lot Requirements Table.

	Type A 1 Acre Lots	Type B 60' Lots	Type C 50' Lots
<b>Minimum Gross Lot Area</b>	43,560 square feet	6,300 square feet	5,250 square feet
<b>Minimum Lot Width at Front Building Line</b>	60 feet	60 feet	50 feet

Revise the plat drawing to remove the front building line and provide a separate Setback Exhibit to dimension all lots at the front building line to confirm the lot widths comply with the PD requirements.

3. The Master Thoroughfare Plan categorizes County Road 483 as a 70' ROW Collector roadway. Confirm the minimum right-of-way that is required to be dedicated with the City

Engineer and revise the plat to dimension and label this right-of-way dedication, if/where applicable.

4. Revise the plat to label the Open Space lots as Common Areas, with the labeling convention of CA [number], Block [letter].
5. Revise the plat title block to list 9 “Common Areas” instead of “Private Open Spaces.”
6. Revise plat note #2 to state the following: “Common Areas consisting of active and passive recreation use and facilities are to be owned and maintained by a private Homeowners Association (HOA) and shall include pedestrian and recreation access.”
7. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

Comments prepared and compiled by:



Tiffany McLeod, AICP, EIT  
Project Manager, Placemaking + Resilience at LJA  
Email: [tmcleod@lja.com](mailto:tmcleod@lja.com)  
Phone: 469.348.6571  
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP  
Director of Placemaking + Resilience at LJA  
Email: [anusser@lja.com](mailto:anusser@lja.com)  
Phone: 972.339.8186  
On behalf of the City of Lavon, TX



## CITY OF LAVON Agenda Brief

**MEETING: July 1, 2025**

**ITEM: 5 - C**

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**Item:**

CONSENT AGENDA

Approve Resolution No. 2025-07-01 approving and authorizing the execution of Task Orders pursuant to the Professional Services Agreement with Freeman Millican Inc. for the Bently Farms paving and drainage capital improvements project consisting of engineering design and construction administration services per Task Order 13C-a for Shoreview Dr. east of Corn Silk Dr. in an estimated amount of \$18,500.00 and Task Order 17 for Meadow Hill Dr. and Shoreview Dr. west of Corn Silk Dr. in an estimated amount of \$116,600.00; and providing an effective date.

**Background:**

Task Order No. 13C-a and Task Order No. 17 are submitted pursuant to the June 5, 2018 Professional Services Agreement with Freeman-Millican, Inc. and as described in the Capital Improvements Plan (CIP).

Both Task Orders are related to the paving and drainage capital improvements plan (CIP) project in Bently Farms. The City has completed the first and is currently under construction of the second of three phases of the overall CIP project.

During Phase 2 construction preparation, it was determined that the portion of Shoreview Dr. east of Corn Silk Dr. should be accelerated and constructed with the second phase rather than the third phase of the project. Task Order 13C-a provides for engineering and construction administration services for this segment of the project which will most likely be constructed under a change order to the Phase 2 project.

Task Order 17 is presented to initiate the engineering design and construction services for the third and final phase of the Bently Farms CIP project.

**Financial Implications:**

The proposed fees are established in the Task Orders. The impact to the current fiscal year is provided for in the approved CIP annual and projected budgets. Funding is available.

***Staff Notes:***

Approval is recommended.

**Attachments:** Proposed Resolution and Task Orders 13C-a and 17  
Location Exhibit

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2025-07-01**

Task Orders #13C-a and #17 – Freeman-Millican Inc.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF TASK ORDERS PURSUANT TO THE PROFESSIONAL SERVICES AGREEMENT WITH FREEMAN MILLICAN INC. FOR THE BENTLY FARMS PAVING AND DRAINAGE CAPITAL IMPROVEMENTS PROJECT CONSISTING OF ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES PER TASK ORDER 13C-A FOR SHOREVIEW DR. EAST OF CORN SILK DR. IN AN ESTIMATED AMOUNT OF \$18,500.00 AND TASK ORDER 17 FOR MEADOW HILL DR. AND SHOREVIEW DR. WEST OF CORN SILK DR. IN AN ESTIMATED AMOUNT OF \$116,600.00; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in June 2018, the City of Lavon and Freeman – Millican, Inc. entered into a Professional Services Agreement (PSA) for professional engineering services. The PSA provides for Task Orders to be issued for specialized engineering and design services; and

**WHEREAS**, the City is presently constructing Phase 2 of the Bently Farms Paving and Drainage Capital Improvement Plan (CIP) project and determined that it would be beneficial to expand the scope of Phase 2 to accelerate construction of Shoreview Dr. located east of Corn Silk Dr. that would have been part of Phase 3 (Task Order #13C-a), and it was further determined that it would be beneficial to promptly begin engineering design for Phase 3 of the CIP project (Task Order #17); and

**WHEREAS**, the City Council of the City of Lavon, Texas (“City Council”) has determined that approving Task Orders #13C-a and #17 between the City of Lavon, Texas and Freeman Millican Inc. (the “Agreement”) is appropriate and in the best interest of the citizens of the City.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAVON, THAT:**

**SECTION 1.** The findings set forth in the recitals of this Resolution are found to be true and correct.

**SECTION 2.** The City Council hereby approves and authorizes the execution of Task Orders #13C-a and #17, attached hereto and incorporated herein respectively as **Exhibit “A” and Exhibit “B”**.

**SECTION 3.** This Resolution shall be effective from and after its date of approval in accordance with the law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON** this 1<sup>st</sup> day of July 2025.

\_\_\_\_\_  
Vicki Sanson, Mayor

ATTEST:

\_\_\_\_\_  
Rae Norton, City Secretary

**RESOLUTION NO. 2025-07-01**

**EXHIBIT "A"**

**TASK ORDER NO. 13C-a**

**TASK ORDER No. 13C-a**

This Task Order is made part of and governed by the terms and provisions of the Agreement between Owner and Engineer for Professional Services, dated June 5, 2018 ("Agreement"), by and between the City of Lavon ("OWNER") and Freeman-Millican, Inc. ("ENGINEER"). All capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Agreement.

**PROJECT: VARIOUS CIP PROJECTS**

This project consists of planning and design of various projects identified as part of the Capital Improvements Plan (CIP). These projects have been prioritized by the City Council for the 2023/2024 cycle. This Task Order is for the additional design for Task 13C – Bently Farms Ph 2 Paving & Storm (Corn Silk & Bently). The additional scope includes design services for Shoreview Dr from Corn Silk to Rolling Meadows with additional Topographic Survey.

**SCOPE OF WORK**

1. Prepare construction plans for the Contractor as a Change Order to the existing contract.

**PAYMENT BASIS:**

Compensation for professional services for the Bently Farms Ph 3 Paving project outlined above shall be on a lump sum basis.

Design Services	\$ 16,400	Lump Sum
Topographic Survey	\$ 2,100	Lump Sum

Invoices for the work performed shall be submitted on a monthly basis by FMI. Invoices are due and payable on receipt.

**APPROVAL/ACCEPTANCE**

Acceptance of the terms of this Task Order is acknowledged by the following signatures of the authorized representatives of the parties to the Agreement. This Task Order consists of this document and any supplemental pages attached and referenced hereto.

ENGINEER: Freeman-Millican, Inc.

OWNER: City of Lavon

By: 

By: \_\_\_\_\_

Name: Mark D. Hill, P.E.

Name: Vicki Sanson

Title: Vice President

Title: Mayor

Date: 1 JUL 25

Date: \_\_\_\_\_

**RESOLUTION NO. 2025-07-01**

**EXHIBIT "B"**

**TASK ORDER NO. 17**

### TASK ORDER No. 17

This Task Order is made part of and governed by the terms and provisions of the Agreement between Owner and Engineer for Professional Services, dated June 5, 2018 ("Agreement"), by and between the City of Lavon ("OWNER") and Freeman-Millican, Inc. ("ENGINEER"). All capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Agreement.

**PROJECT: BENTLY FARMS PHASE 3, MEADOW HILL & WEST SIDE OF SHOREVIEW**

This project shall consist of replacing pavement with concrete curb and gutter along Meadow Hill Dr. and Shoreview Dr. west of Corn Silk Dr. This represents the final phase for Bently Farms paving improvements. No additional Right-of-Way or easements are anticipated for this project.

**SCOPE OF WORK**

1. Preliminary Design (65%) will be prepared for the project. This will be provided to the OWNER for review and comment. This will include an OPCC for budgeting purposes.
2. Final Design (100%) will be prepared. This will be sufficient for bidding and permitting purposes. This includes bid documents and technical specifications.
3. Assist City in procurement of sealed bids.
4. Provide a recommendation for award of the bid.
5. Provide construction administration services including submittal review, Request for Information (RFI) response, preparation of Record Drawings. Construction inspection will be performed by the City of Lavon.

**PAYMENT BASIS:**

Compensation for professional services for the Bently Farms Ph 3 Paving project outlined above shall be on a lump sum basis.

Preliminary Design	\$ 36,300	Lump Sum
Final Design	\$ 59,700	Lump Sum
Bid Services	\$ 4,200	Lump Sum
Construction Administration	\$ 9,200	Lump Sum
Topographic Survey	\$ 7,200	Lump Sum


Invoices for the work performed shall be submitted on a monthly basis by FMI. Invoices are due and payable on receipt.

**APPROVAL/ACCEPTANCE**

Acceptance of the terms of this Task Order is acknowledged by the following signatures of the authorized representatives of the parties to the Agreement. This Task Order consists of this document and any supplemental pages attached and referenced hereto.

ENGINEER: Freeman-Millican, Inc.

OWNER: City of Lavon

By:  By: \_\_\_\_\_

Name: Mark D. Hill, P.E.

Name: Vicki Sanson

Title: Vice President

Title: Mayor

Date: 1 JUL 25

Date: \_\_\_\_\_





# CITY OF LAVON

## Agenda Brief

MEETING: July 1, 2025

ITEM: 5 – D

---

**Item:**

CONSENT AGENDA

Approve the acceptance of the public sanitary sewer infrastructure for the Elevon West Commercial, Phase 3 Addition, Pad Site Infrastructure, Phase 1 Sanitary Sewer.

**Background:**

The developer of the Elevon West Commercial, Phase 3 Addition recently completed construction of the public infrastructure improvements for the pad site infrastructure Phase 1 Sanitary Sewer. The Code of Ordinances provides that prior to recording a final plat the City Council will accept the dedication of the public infrastructure.

***Code Excerpt***

**City of Lavon Code of Ordinances**

**Article 9.02 Subdivision Ordinance**

**Section 9.02.006 Record Drawings (as-built plans)**

Prior to the acceptance of the subdivision and within thirty (30) days of the completion of the subdivision, the engineer for the developer shall submit to the City a complete set of reproducible construction drawings twenty-four by thirty-six inches (24" x 36") of the paving, drainage, water and sanitary sewer improvements with all changes made in the plans during construction and containing on each sheet and [an] "As Built" stamp bearing the signature of the engineer and the date.

Within ten (10) days of the receipt of the "record drawings," the City Engineer shall make a recommendation for acceptance or non-acceptance of the subdivision to the City Council and a determination of review cost and the receipt of the required maintenance bond.

No final acceptance of the subdivision will be made by the City Council until these requirements have been made to the satisfaction of the City.

The City Engineer has inspected and recommended acceptance of the subdivision infrastructure.

***Staff Notes:***

Acceptance of the dedication of infrastructure is recommended per the City Engineer's letter.

- Attachments:**
- 1) City Engineer Letter
  - 2) Location
  - 3) Preliminary and Final Plat

June 26, 2025

Ms. Kim Dobbs  
City of Lavon  
120 School Road  
Lavon, TX 75166

Re: Elevon West Commercial, Phase 3, Pad Site Infrastructure, Phase 1  
Sanitary Sewer  
Final Acceptance

Dear Ms. Dobbs:

On Thursday, June 26, 2025, a final walkthrough of the project was conducted with representatives of the Contractor, City Inspector and City Engineer. The only public infrastructure related to this project is the extension of the sanitary sewer. All other improvements (fire lane, storm sewer) are considered "private".

1. 2-year Maintenance bonds for public infrastructure has been provided.
2. Record Drawings (.pdf and base CAD file) are being prepared.

**We recommend acceptance of Elevon West Commercial, Phase 3, Pad Site Infrastructure, Phase 1 Sanitary Sewer.**

The 2-year Maintenance Warranty period will commence upon acceptance of the Project.

If there are any questions, please contact me at 214-503-0555 x115 or by email at [mdhill@fmi-dallas.com](mailto:mdhill@fmi-dallas.com).

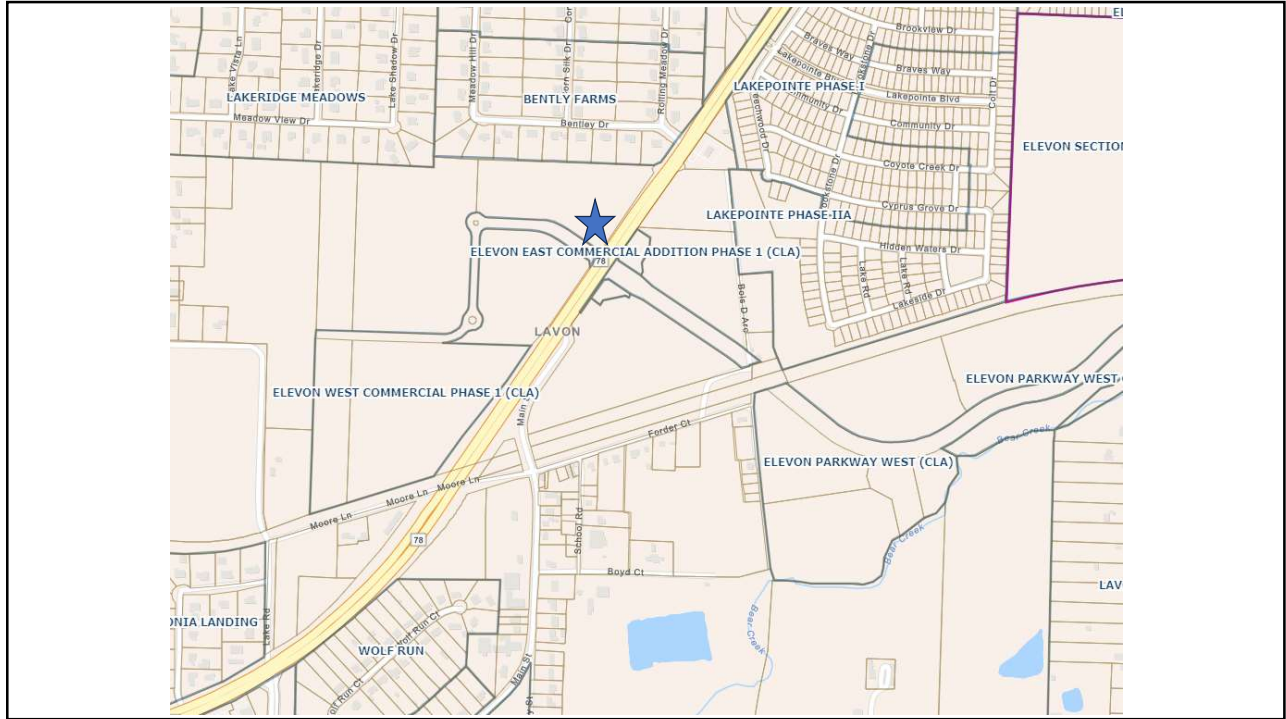
Sincerely,  
FREEMAN-MILLICAN, INC.



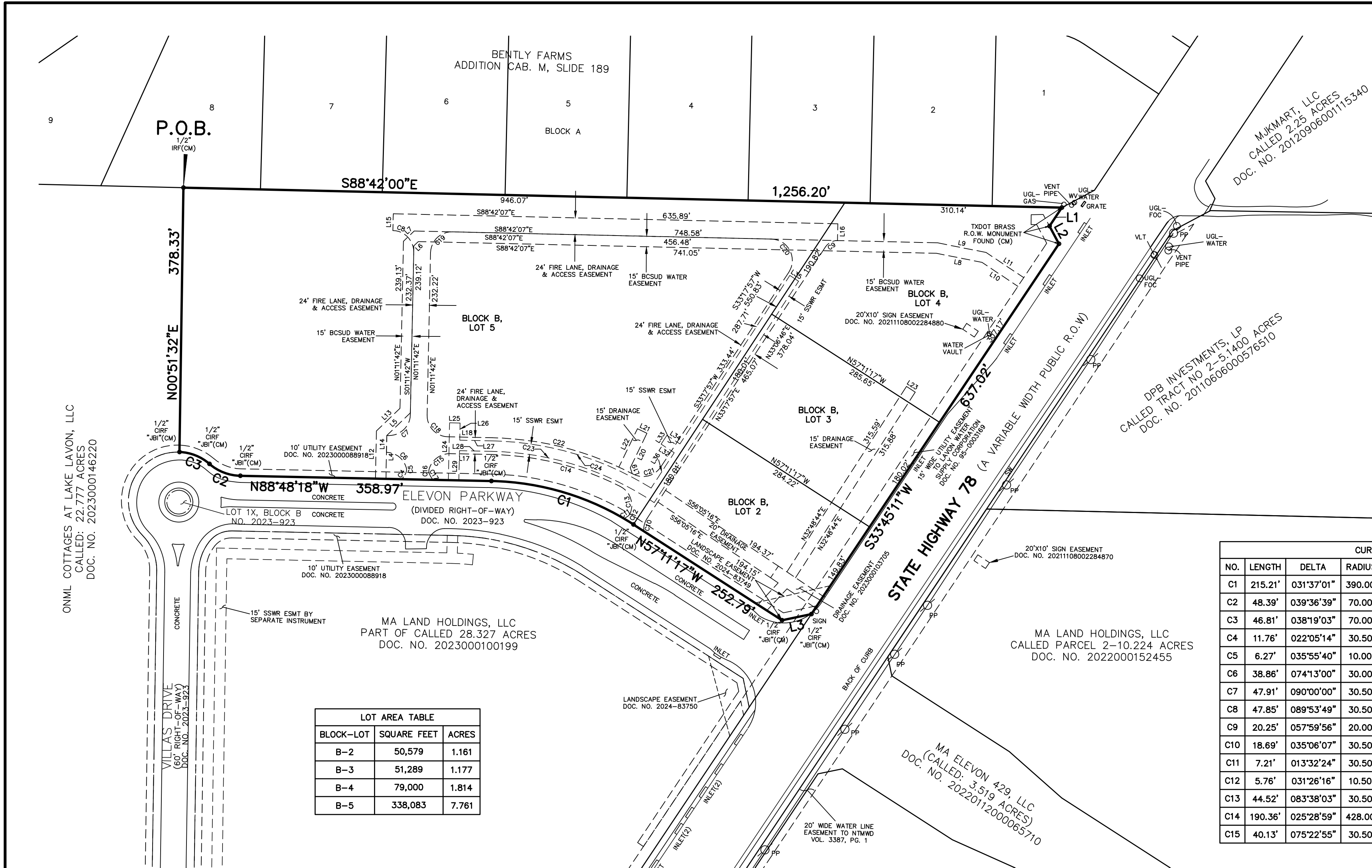
Mark D. Hill, P.E.  
Consulting City Engineer

Cc: David Carter, Matt Policano

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14



SURVEYOR'S CERTIFICATE §  
KNOW ALL MEN BY THESE PRESENTS:

That I, Mark W. Harp, RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Lavon.

Dated this the \_\_\_\_ day of \_\_\_\_\_, 2024.

PRELIMINARY - FOR REVIEW PURPOSES

Mark W. Harp, R.P.L.S. No. 6425

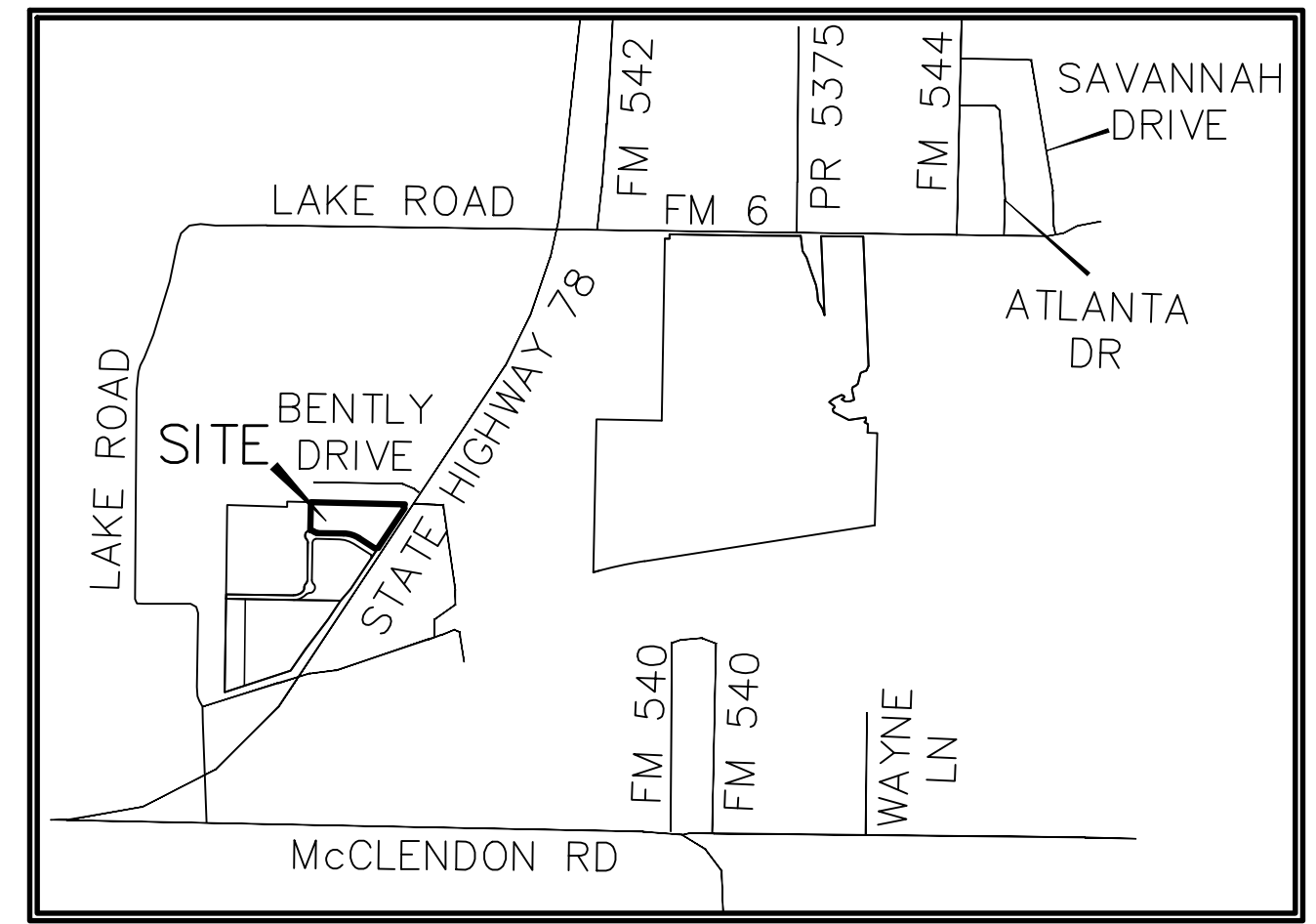
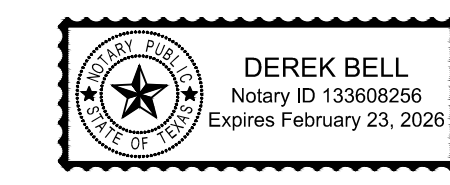


STATE OF TEXAS §  
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark W. Harp, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 2024.

Notary Public in and for the State of Texas



VICINITY MAP (N.T.S.)

CURVE TABLE							CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD	NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	215.21'	031°37'01"	390.00'	110.42'	N72°59'47"W	212.49'	C16	6.97'	038°02'52"	10.50'	3.62'	S03°12'39"E	6.85'
C2	48.39'	039°36'39"	70.00'	25.21'	N88°59'58"W	47.44'	C17	10.01'	018°48'07"	30.50'	5.05'	S31°38'09"E	9.96'
C3	46.81'	038°19'03"	70.00'	24.32'	N68°21'10"W	45.95'	C18	47.91'	090°00'00"	30.50'	30.50'	S43°48'18"E	43.13'
C4	11.76'	022°05'14"	30.50'	5.95'	N32°23'00"E	11.68'	C19	47.98'	090°14'12"	30.46'	30.59'	S46°14'47"W	43.17'
C5	6.27'	035°55'40"	10.00'	3.24'	N03°22'32"E	6.17'	C20	64.95'	122°01'36"	30.50'	55.05'	N27°42'05"W	53.35'
C6	38.86'	074°13'00"	30.00'	22.70'	N51°41'48"W	36.20'	C21	44.98'	084°29'30"	30.50'	27.70'	N75°32'42"E	41.01'
C7	47.91'	090°00'00"	30.50'	30.50'	N46°11'42"E	43.13'	C22	209.81'	028°35'45"	452.00'	106.83'	N75°30'25"W	207.93'
C8	47.85'	089°53'49"	30.50'	30.45'	N43°45'13"W	43.09'	C23	246.57'	032°39'53"	432.50'	126.74'	S72°28'21"E	243.25'
C9	20.25'	057°59'56"	20.00'	11.09'	S62°17'55"W	19.39'	C24	239.93'	030°43'09"	447.50'	122.92'	N73°26'44"W	237.06'
C10	18.69'	035°06'07"	30.50'	9.65'	S14°51'15"W	18.39'							
C11	7.21'	013°32'24"	30.50'	3.62'	N58°31'13"E	7.19'							
C12	5.76'	031°26'16"	10.50'	2.96'	N36°01'53"E	5.69'							
C13	44.52'	083°38'03"	30.50'	27.29'	N21°30'17"W	40.67'							
C14	190.36'	025°28'59"	428.00'	96.78'	N76°03'48"W	188.79'							
C15	40.13'	075°22'55"	30.50'	23.57'	S53°30'15"W	37.30'							

**LEGEND**

P.O.B. POINT OF BEGINNING  
IRF IRON ROD FOUND  
CIRF CAPPED IRON ROD FOUND  
CIRS CAPPED IRON ROD SET  
(CM) CONTROL MONUMENT  
WV WATER VALVE  
UGL UNDERGROUND LINE  
FOC FIBER OPTIC CABLE  
SW SIDEWALK  
VLT VAULT  
TELE TELECOMMUNICATIONS  
PED PEDESTAL  
PP POWER POLE  
R.O.W. RIGHT-OF-WAY  
S.F. SQUARE FEET  
ESMT EASEMENT

**GRAPHIC SCALE**  
1 inch = 100 ft.

LEGAL DESCRIPTION

Being a parcel of land located in the City of Lavon, Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 28.327 acre tract of land described in deed to MA LAND HOLDINGS, LLC, as recorded in Document Number 023000100199, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod found at the northwest corner of said 28.327 acre tract, said point being at the northeast corner of that called 22.777 acre tract of land described in deed to ONML COTTAGES AT LAKE LAVON, LLC, as recorded in Document Number 2023000146220, Official Public Records of Collin County, Texas, said point also being in the south line of Lot B, Block A, of Bentley Farms, an addition to the City of Lavon as recorded in Cabinet M, Slide 189, Official Public Records of Collin County, Texas;

THENCE South 88 degrees 42 minutes 00 seconds East, 1,256.20 feet to a TXDOT Brass Right-of-Way Monument found at the northeast corner of said 28.327 acre tract, said point being the southeast corner of Lot 1, Block A, of Bentley Farms addition, said point also being in the west right-of-way line of State Highway 78 (a variable width right-of-way);

THENCE along the east line of said 28.327 acre tract and along the west right-of-way line of State Highway 78 as follows:  
South 33 degrees 29 minutes 39 seconds West, 31.95 feet to a TXDOT Brass Right-of-Way Monument found for corner;  
South 28 degrees 16 minutes 31 seconds East, 28.62 feet to a TXDOT Brass Right-of-Way Monument found for corner;  
South 33 degrees 45 minutes 11 seconds West, 637.02 feet to a one-half inch iron rod with yellow cap stamped "JBI" found in the north right-of-way line of said Elevation Parkway, a divided right-of-way;

THENCE along the north right-of-way line of said Elevation Parkway as follows:  
South 78 degrees 06 minutes 19 seconds West, 42.91 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;  
North 57 degrees 11 minutes 17 seconds West, 252.79 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;  
Northwesterly, 215.21 feet along a curve to the left, having a central angle of 31 degrees 37 minutes 01 seconds, a radius of 390.00 feet, a tangent of 110.42 feet and whose chord bears North 72 degrees 59 minutes 47 seconds West, 212.49 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;  
North 88 degrees 48 minutes 18 seconds West, 358.97 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Northwesterly, 48.39 feet along a curve to the right, having a central angle of 39 degrees 36 minutes 39 seconds, a radius of 70.00 feet, a tangent of 25.21 feet and whose chord bears North 68 degrees 59 minutes 58 seconds West, 47.44 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;  
Northwesterly, 46.81 feet along a curve to the left, having a central angle of 38 degrees 19 minutes 03 seconds, a radius 70.00 feet, a tangent of 24.32 feet and whose chord bears North 68 degrees 21 minutes 10 seconds West, 45.95 feet to a one-half inch iron rod with yellow cap stamped "JBI" found in the west line of said 28.327 acre tract, said point being in the east line of said 22.777 acre tract;

THENCE North 00 degrees 51 minutes 32 seconds, 378.33 feet along the common line of said 28.327 acre tract and said 22.777 acre tract to the POINT OF BEGINNING and containing 518,952 square feet or 11.913 acres of land.

BASIS OF BEARING:  
The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

That MA LAND HOLDINGS, LLC acting herein by and through its duly-authorized officers, does hereby adopt this plat designating the herein above described property as **ELEVON WEST COMMERCIAL PHASE 3**, an addition to the City of Lavon, Collin County, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown hereon, and does hereby dedicate the easements shown on the plat for the purposes indicated to the public use forever, said dedications being free and clear of all liens and encumbrances, except as shown herein. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over, or across the easements on said plat. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to the public's and City of Lavon use thereof. The City of Lavon and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements and the City of Lavon or any public utility shall at all times have the right of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb of of pavement line.

- All water system is owned and operated by Bear Creek Special Utility District (BCSUD) and all construction related to water service shall be done per BCSUD's specifications and general notes.
- The easements and public use areas, as shown are dedicated for the public use, including specifically for the City of Lavon and BCSUD, forever for purposes indicated on this plat.
- The City of Lavon and BCSUD are not responsible for replacing any improvements in, under or over any easements caused by maintenance or repair.
- Utility easements may also be used for the mutual and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities as being subordinate to the public City of Lavon and BCSUD.
- The City of Lavon, BCSUD, and public utilities shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with construction, maintenance, or efficiency of their respective systems in the easements.
- The City of Lavon, BCSUD, and public utilities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, respective systems without the necessity at any time of procuring permission from anyone.
- All modifications to this document shall be by means of plat and approved by the City of Lavon unless said modifications pertain to BCSUD facilities, at which time BCSUD shall also review and approve.

That MA Land Holdings, LLC does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above-described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This plat approved subject to all platting ordinances, rules, regulations of the City of Lavon.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

MA Land Holdings, LLC,  
a Texas limited liability company  
By: MA Partners, LLC  
a Texas Limited Liability Company,  
its sole manager

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2024.

Notary Signature \_\_\_\_\_ Date \_\_\_\_\_

Preliminary Plat for Review Purposes Only

Recommended For Approval

Chairman, Planning and Zoning Commission \_\_\_\_\_ Date \_\_\_\_\_  
City of Lavon,  
Collin County, Texas

Approved For Preparation of Final Plat

Mayor \_\_\_\_\_ Date \_\_\_\_\_  
City of Lavon,  
Collin County, Texas

This plat correctly presents the required easements and certifications required by Bear Creek Special Utility District for this development.

BEAR CREEK SPECIAL UTILITY DISTRICT  
NAME/TITLE: \_\_\_\_\_  
Date: \_\_\_\_\_

**PRELIMINARY PLAT**  
**ELEVON WEST COMMERCIAL**  
**PHASE 3**

4 LOTS  
BLOCK B, LOTS 2-5

11.913 ACRES OUT OF THE  
SAMUEL M. RAINER SURVEY, ABSTRACT 740;  
CITY OF LAVON, COLLIN COUNTY, TEXAS

**MA LAND HOLDINGS, LLC** OWNER/DEVELOPER  
2121 Midway Road, Suite 240 (972) 715-6449  
Carrollton, Texas 75006  
Contact: John Marlin

**JB PARTNERS, INC.** SURVEYOR/ENGINEER  
2121 Midway Road, Suite 300 (972) 248-7676  
Carrollton, Texas 75006  
Contact: Daniel Dewey  
TBPE No. F-438 TBPLS No. 10076000

Plotted by: dbell Plot Date: 7/17/2024 10:36 AM  
Drawing: H:\Projects\WAT029-Elevon Section 2\Surveying\dwg\XMAT029-ELEVON WEST COMMERCIAL PH3-PT.dwg Saved By: dbell Save Time: 7/17/2024 10:29 AM

LEGAL DESCRIPTION AND DEDICATION STATEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §
WHEREAS, MA Land Holdings, LLC, A Texas limited liability company, is the owner of that certain tract situated in the Samuel M. Rainer Survey, City of Lavon, Collin County, Texas, being a portion of the tract described in the deed to said MA Land Holdings, LLC, A Texas limited liability company, recorded under Instrument Number 2023000100199, Official Public Records, Collin County, Texas; the subject tract, is more particularly described as follows:

BEGINNING at a mag nail with washer stamped "LANGAN" set at the intersection of the west right-of-way line of State Highway No. 78 (a variable width right of way as partially dedicated by the deed to the State of Texas recorded by Volume 630, Page 494, Deed Records Collin County, Texas) and the north right-of-way line of Elevation Parkway (a divided right of way, as dedicated by Instrument Number 2023-923, P.R.C.C.T.);

THENCE SOUTH 78°06'19" WEST, with the north right-of-way line of Elevation Parkway, a distance of 42.91 feet to a set mag nail with washer stamped "LANGAN,"

THENCE NORTH 57°11'17" WEST, continuing with said north right-of-way line of Elevation Parkway, a distance of 252.79 feet to a found 1/2 inch capped rebar stamped "JBI";

THENCE NORTH 33°17'57" EAST, departing said north right-of-way line of Elevation Parkway, and through the interior of said MA Land Holdings tract, a distance of 180.01 feet to a found 1/2 inch capped rebar stamped "JBI";

THENCE SOUTH 57°11'17" EAST, continuing through the interior of said MA Land Holdings tract, a distance of 284.22 feet to a mag nail with washer stamped "LANGAN" set on the aforementioned west right-of-way line of State Highway No. 78;

THENCE SOUTH 33°45'11" WEST, with said west right-of-way line of State Highway No. 78, a distance of 149.83 feet returning to the POINT OF BEGINNING and enclosing 1.161 acres (±50,579 square feet).

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

That MA Land Holdings, LLC, a Texas limited liability company, acting herein by and through its duly-authorized officers, does hereby adopt this plat designating the herein above property as Lot 2, Block B, Elevation West Commercial Phase 3, an addition in the City of Lavon, Collin County, Texas, an does hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use of areas shown hereon, and does hereby dedicate the easements shown on the plat for the purposes indicated to the public use forever, said dedications being free and clear of all liens and encumbrances, except as shown herein. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over, or across the easements on said plat. Utility easements may also being used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to the public's and City of Lavon use thereof. The City of Lavon and any public utility shall have the right to remove or keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements and the City of Lavon or any public utility shall at all times have the right of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

All utility easements dedicated by this plat shall also include an additional area of working for construction, reconstruction, addition, enlargement, and maintenance of manholes, cleanouts, fire hydrants, water services, and wastewater services from the main to the curb of pavement line.

That MA Land Holdings, LLC, A Texas limited liability company, does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above-described streets, alleys, easements, and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This plat approved subject to all platting ordinances, rules, and regulations of the City of Lavon.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

Authorized officer of MA Land Holdings, LLC a Texas limited liability company

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned notary public, on this day personally appeared \_\_\_\_\_, authorized officer of MA Land Holdings, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and who acknowledged to me that they executed the same for the purposes and considerations expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

Notary Public, State of Texas
My Commission Expires \_\_\_\_\_

SURVEYOR'S CERTIFICATE

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

That I, Robert W. Bryan, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Lavon.

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Robert W. Bryan
Registered Professional Land Surveyor No. 5508
rbryan@langan.com

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned notary public, on this day personally appeared Robert W. Bryan, known to me to be the person whose name is subscribed to the foregoing instrument and who acknowledged to me that he executed the same for the purposes and considerations expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

Notary Public, State of Texas
My Commission Expires \_\_\_\_\_

RECOMMENDED FOR APPROVAL:

Chairman, Planning and Zoning Commission
City of Lavon, Texas

APPROVED FOR CONSTRUCTION:

Mayor, City of Lavon, Texas

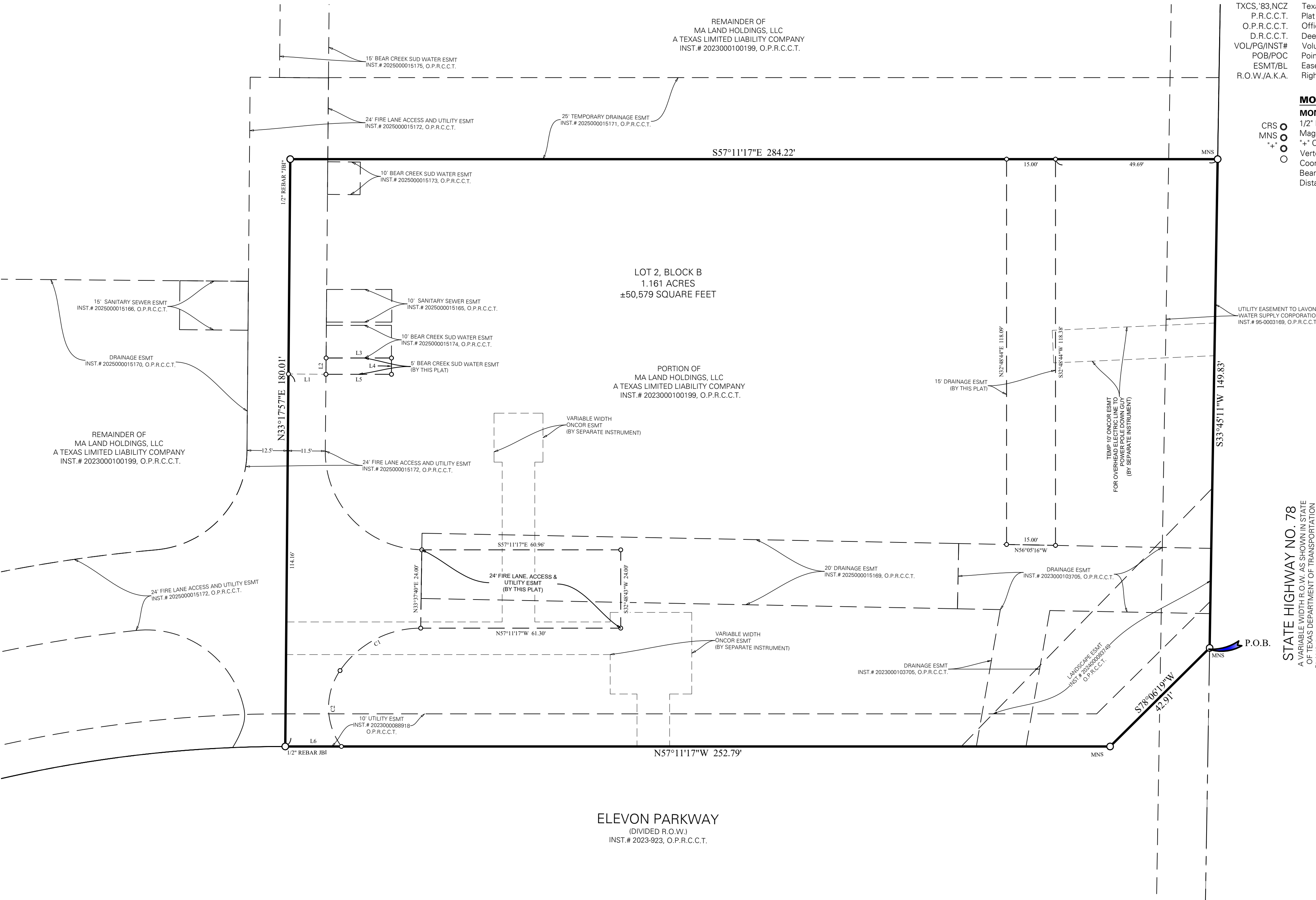
ACCEPTED:

Mayor, City of Lavon, Texas

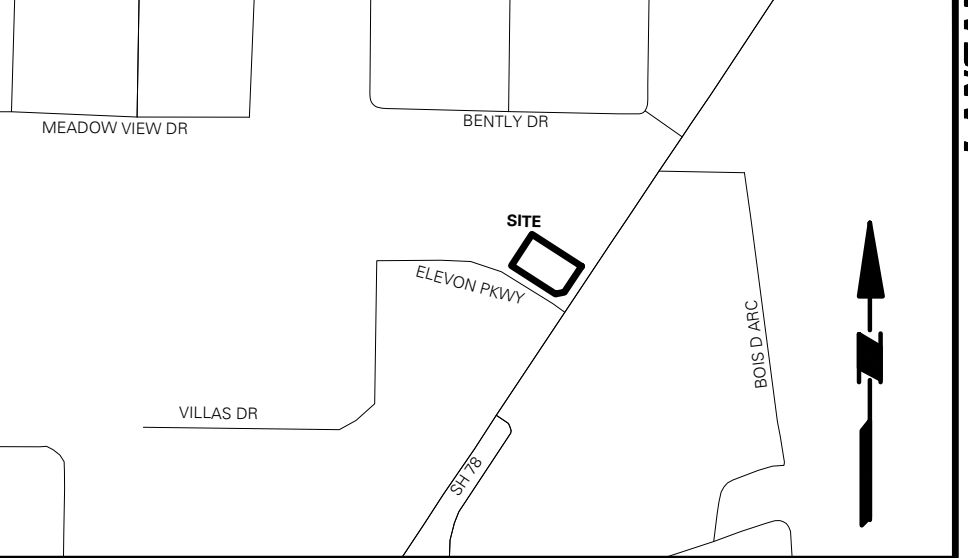
The undersigned, the City Secretary of the City of Lavon, Texas, hereby certifies that the foregoing final plat of Lot 2, Block B, Elevation West Commercial Phase 3, subdivision or addition in the City of Lavon was submitted to the City Council on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and the Council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his or her name as here in above subscribed.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

City Secretary, City of Lavon, Texas



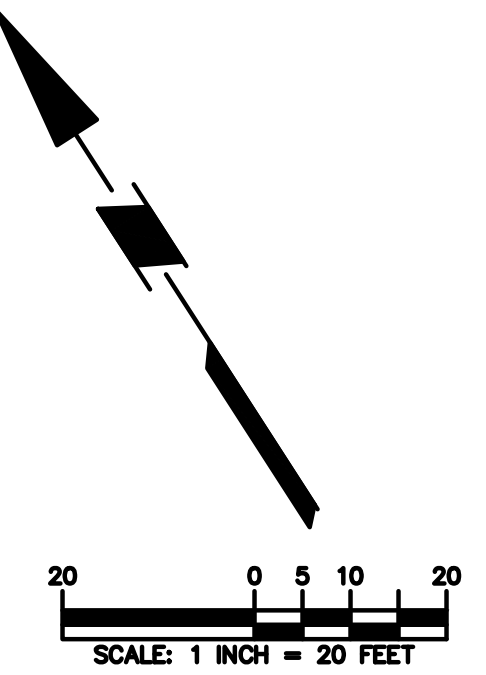
LEGEND OF ABBREVIATIONS
United States Survey Feet
Texas Coordinate System of 1983, North Central Zone
Plat Records of Collin County, Texas
Official Public Records of Collin County, Texas
Deed Records of Collin County, Texas
Volume/Page/Instrument Number
Point of Beginning/Point of Commencing
Easement/Building Line
Right Of Way/Also Known As
MONUMENTS / DATUMS / BEARING BASIS
MONUMENTS ARE FOUND IF NOT MARKED MNS OR CRS.
1/2" Rebar Stamped 'Langan' Set
Mag Nail & Washer Stamped 'Langan' Set
"+" Cut In Concrete
Vertex or Common Point (Not A Monument)
Coordinate Values, if shown, are US SYFT./TXCS, '83,NCZ
Bearings are based on the TXCS, '83,NCZ
Distances & areas shown are represented in surface values



PROJECT LOCATION MAP
SCALE: NOT SCALE

OWNER:
MA Land Holdings, LLC, a
Texas limited liability company
2121 Midway Road Suite 240
Carrollton, Texas 75006-5263

SURVEYOR:
Langan Engineering and
Environmental Services, LLC
Contact: Robert Bryan
2999 Olympus Boulevard, Suite 165
rbryan@langan.com
(817) 917-3054



STATE HIGHWAY NO. 78
A VARIABLE WIDTH ROAD AS SHOWN ON THESE PLANS OF PROPOSED RIGHT OF WAY FOR STATE HIGHWAY NO. 78, DATED 08/14/2010

TRACT 27
STATE OF TEXAS
VOL. 688, PG. 494, D.R.C.C.T.

NO DEDICATING DOCUMENT FOUND

GENERAL PLAT NOTES:

- 1. This property lies within Zone(s) X (UNSHADED) of the Flood Insurance Rate Map for Collin County, Texas and incorporated areas, Map No. 48085CD445J, DATED 06/02/2009, via scaled map location and graphic plotting and/or the National Flood Hazard Layer (NFHL) Web Map Service (WMS) at http://hazards.fema.gov.
2. The fieldwork was completed on July 18, 2024.

Line Data Table with columns: Line #, Bearing, Distance. Rows include L1 through L6 with bearings and distances.

Curve Data Table with columns: Curve #, Arc, Radius, Delta, Chord Bearing, Chord. Rows include C1 and C2 with curve data.

\*ESMT TIE

FINAL PLAT
LOT 2, BLOCK B
ELEVON WEST COMMERCIAL PHASE 3

SITUATED IN
THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740

CITY OF LAVON, COLLIN COUNTY, TEXAS

1 LOT, 1 BLOCK

LANGAN logo and contact information: Langan Engineering and Environmental Services, LLC, 2999 Olympus Blvd, Suite 165, Dallas, TX 75019, TBPELS Firm #10194888, T: 817.328.3200 www.langan.com

Table with Project No. 520092101, Drawing No. VB101, Preparation Date MARCH 2025, Drawn By SGT, Checked By RWB, and Sheet 01 of 01.



# CITY OF LAVON

## Agenda Brief

**MEETING: July 1, 2025**

**ITEM: 6 – A**

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**Item:**

Public hearing, discussion and action regarding an application to amend the Planned Development (PD) District zoning on 30.7 acres consisting of Land Use Parcels 3 and 4 in the Elevon Addition northeast and southeast of the intersection of SH 78 and Elevon Parkway and to change the zoning from Single Family–1 Acre (SF-1) to Elevon Planned Development District (Land Use Parcels 3) on 2.058 acres of property at 208 Bois D Arc and 0.816 acres of property at 200 Bois D Arc, both parcels being in the S. M. Rainer Survey, Abstract 740, Survey Sheet 1, Tracts 55 and 54, respectively, City of Lavon, Collin County, Texas, (CCAD Property IDs 2910557, 2868716, 1290542, 1290533, 2542829, and 2910561).

- 1) Presentation of proposed application.
- 2) **PUBLIC HEARING** to receive comments regarding the proposed application.
- 3) Discussion and action regarding the proposed application and accompanying Ordinance No. **2025-07-01**.

### **Application Information**

**Owner(s):** M. A. Land Holdings L.L.C.

**Applicant:** JBI Partners

**Representative:** Daniel, Dewey, P.E.

**Location:** Northeast and southeast of the intersection of SH 78 and Elevon Parkway, 200 Bois D Arc and 208 Bois D Arc

**Description:** 30.7 acres consisting of Elevon PD Land Use Parcels 3 and 4, City of Lavon, Collin County, Texas (CCAD Property IDs 2910557, 2868716, 1290542, 1290533, 2542829, and 2910561)

**Current Zoning:** Planned Development (PD)

**Request:** Modifications to the PD

### **Request Details**

The proposed zoning change application seeks to amend the Planned Development District regulations adopted by Ordinance No. **2022-10-03** for the commercial, business, park, and mixed uses in Elevon on Land Use Parcel 3 and Land Use Parcel 4, referred to Elevon East Commercial and to expand the

boundaries of Land Use Parcel 3. Except as proposed for amendment, the provisions of Ordinance No. **2022-10-03** will govern the development of the property.

**Background:**

The proposed application is consistent with the Future Land Use Plan and the Comprehensive Plan. Specifically, the proposed amendment provides the following:

1. Exhibit B (page 8)  
Land Use Parcels 3 & 4  
Add 2.964 acres (200 and 208 Bois D Arc)
2. Exhibit C (page 14)  
Land Use Parcel 3  
Add 2.964 acres (200 and 208 Bois D Arc)
3. Exhibit D – Development Standards
  - a. Land Use Parcel 3 (page 44)  
Section 1.3.27.1 Permitted Uses  
Remove:  
Automobile Fueling Station\*
  - b. Land Use Parcel 4 (page 47)  
Section 1.3.33.1 Permitted Uses  
Add:  
Automobile Fueling Station\*
4. Exhibits E and F are updated to reflect the boundary changes of Parcel 3.

Prior to the development of any site, an approved site plan and landscape plan will be required.

The requisite public hearing notice was published in the newspaper and posted on the website and zoning change signs were placed on the property. In accordance with state and local laws, four (4) neighbor notices were mailed to the owners of property located within 200 feet of the applicant’s property. No notices have been returned in favor of or opposition to the proposed amendment.

***Planning and Zoning Commission Report:***

**MOTION: RECOMMEND APPROVAL OF AN APPLICATION TO AMEND THE PLANNED DEVELOPMENT (PD) DISTRICT ZONING ON 30.7 ACRES CONSISTING OF LAND USE PARCELS 3 AND 4 IN THE ELEVON ADDITION NORTHEAST AND SOUTHEAST OF THE INTERSECTION OF SH 78 AND ELEVON PARKWAY AND TO CHANGE THE ZONING FROM SINGLE FAMILY-1 ACRE (SF-1) TO ELEVON PLANNED DEVELOPMENT DISTRICT (LAND USE PARCELS 3) ON 2.058 ACRES OF PROPERTY AT 208 BOIS D ARC AND 0.816 ACRES OF PROPERTY AT 200 BOIS D ARC, BOTH PARCELS BEING IN THE S. M. RAINER SURVEY, ABSTRACT 740, SURVEY SHEET 1, TRACTS 55 AND 54, RESPECTIVELY, CITY OF LAVON, COLLIN COUNTY, TEXAS.**

**MOTION:                   MCCLENDON  
SECONDED:               CLIFTON  
APPROVED:               UNANIMOUS**

***Staff Notes:***

Approval is recommended.

**Attachments:**

1. Application
2. Location exhibits
3. Proposed Ordinance
4. Planner correspondence
5. Neighbor notices  
(a data source of property owners who were mailed notices is available upon request from [cityhall@lavontx.gov](mailto:cityhall@lavontx.gov))



**CITY OF LAVON**  
 120 School Road - P.O. Box 340  
 Lavon, TX 75166  
 Phone (972) 843-4220  
 lmclendon@lavontx.gov

**Request for a Change in  
 Zoning District Classification**

**Complete and submit via MyGov at [www.cityoflavon.com](http://www.cityoflavon.com)**

MA Land Holdings, LLC	6-18-2025
Applicants Name	Date
JBI Partners - Daniel Dewey, P.E.	469-964-9222
Representative or Agent	Phone Number
2121 Midway Road, Suite 300	Carrollton, Texas 75007
Street	City, State, Zip
211 Elevon Parkway, Lavon Texas 75166 (Parcel 3)	200 Bois D Arc, Lavon Texas 75166 (Added Tract)
210 Elevon Parkway, Lavon Texas 75166 (Parcel 4)	208 Bois D Arc, Lavon Texas 75166 (Added Tract)
Location of Property	
ABS A0740 S.M. Rainer Survey, Sheet 1 Tract 170 - 9.264 Acres, Tract 149 - 17.049 Acres, Tract 55 - 2.058 Acres, and Tract 54 - 0.816 Acres	Tracts 149 & 170 are currently zoned PD Tracts 54 & 55 are currently zoned SF-1
Legal Description of Property	Current Zoning

Check which zoning category you wish to change to:

- |                                                                                                                                                                   |                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Residential Single Family – 1-acre (SF-1)                                                                                                | <input type="checkbox"/> Retail (R)                                                                                                                           |
| <input type="checkbox"/> Residential Single Family – 2 (SF-2)                                                                                                     | <input type="checkbox"/> Main Street (M)                                                                                                                      |
| <input type="checkbox"/> Residential Single Family – 4 (SF-4)                                                                                                     | <input type="checkbox"/> Business Park (B)                                                                                                                    |
| <input checked="" type="checkbox"/> Planned Development (PD)<br><small>Add to existing<br/>     Commercial PD Parcel 3.<br/>     Ordinance No. 2022-10-03</small> | <input checked="" type="checkbox"/> Other: Request for Land Use Change<br>Removing "Automobile Fueling<br>Station" from Parcel 3 and<br>adding it to Parcel 4 |
| <input type="checkbox"/> Special or Conditional Use Permit                                                                                                        |                                                                                                                                                               |

Signature of Applicant or Representative:  Daniel Dewey, JBI Partners

For Office Use Only

Date Received: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Fee Paid: \_\_\_\_\_  
 Next P & Z Meeting: \_\_\_\_\_ Next City Council Meeting: \_\_\_\_\_



**CITY OF LAVON**  
120 School Road • P.O. Box 340  
Lavon, TX 75166  
Phone (972) 843-4220

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### Authorization of Representation

Date: \_\_\_\_\_

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that I/we, MA Land Holdings, LLC,  
am/are the owner (s) of record of the property described in the attached survey  
documentation, submitted with this form, and do hereby authorize  
JBI Partners to represent me (us) and my (our)  
interests in the property described in the attached exhibits (s) for the expressed  
purpose of this request.

  
Signature (Owner)

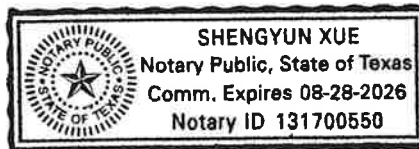
\_\_\_\_\_  
Signature (Owner)

\_\_\_\_\_  
Signature (Owner)

The State of Texas  
County of Dallas

Before me, the undersigned authority, appeared Allen Jones,  
on this the 18<sup>th</sup> day of June, 2025.

  
\_\_\_\_\_



(notary seal)

Notary Public in and for Dallas County, Texas



**CITY OF LAVON**  
120 School Road - P.O. Box 340  
Lavon, TX 75166  
Phone (972) 843-4220  
lmccleendon@lavontx.gov

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### Declaration of Ownership

Date: \_\_\_\_\_

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that I/we, MA Land Holdings, LLC,  
am/are the owner (s) of record of the property described in the attached survey  
documentation, submitted with this form, for the purpose of any future proposed  
request (s) relating to this property.

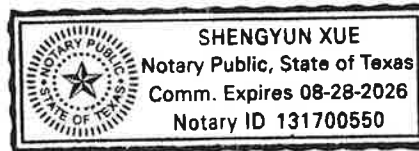
\_\_\_\_\_  
Signature (Owner)

\_\_\_\_\_  
Signature (Owner)

\_\_\_\_\_  
Signature (Owner)

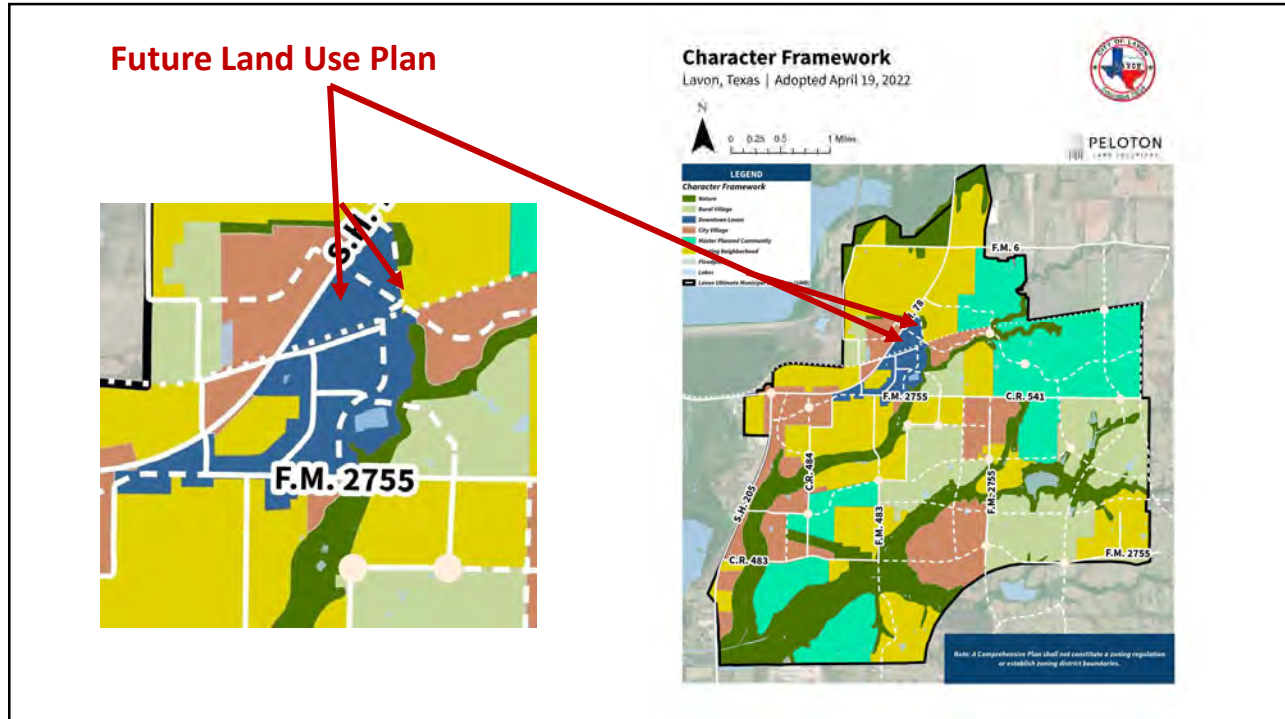
The State of Texas  
County of \_\_\_\_\_

Before me, the undersigned authority, appeared Allen Jones,  
on this the 18<sup>th</sup> day of June, 2025.

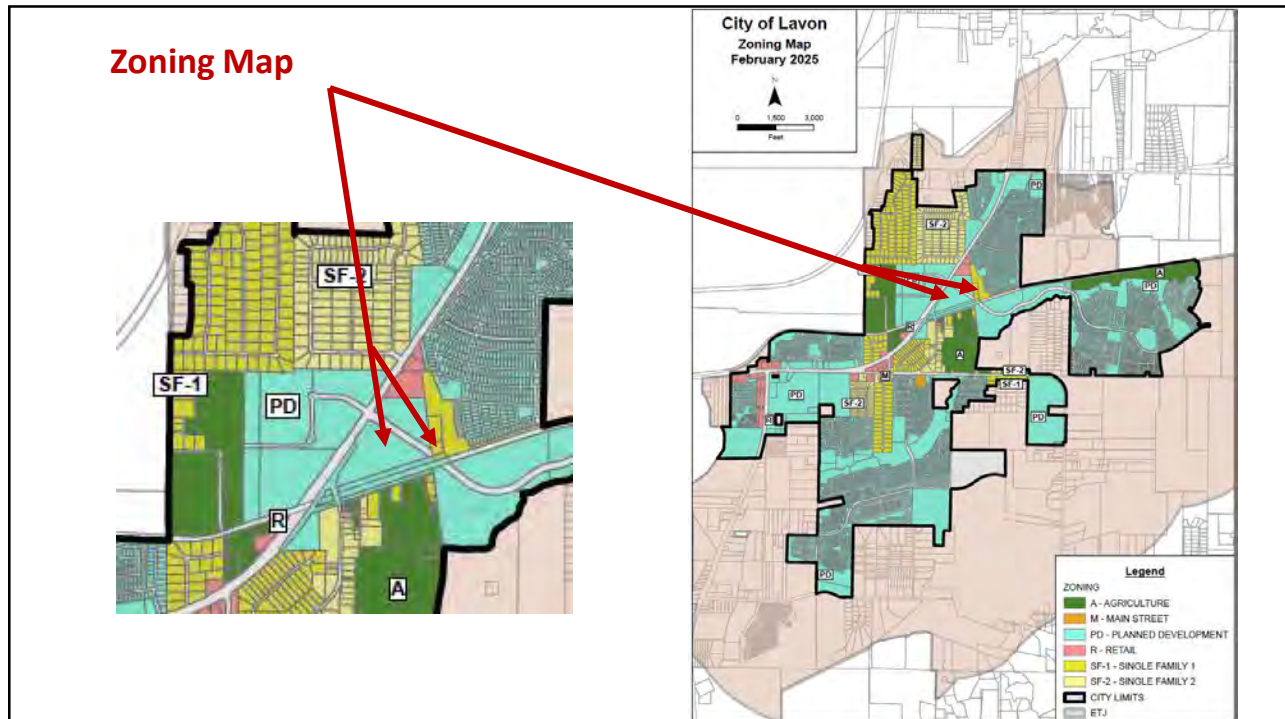


(notary seal)

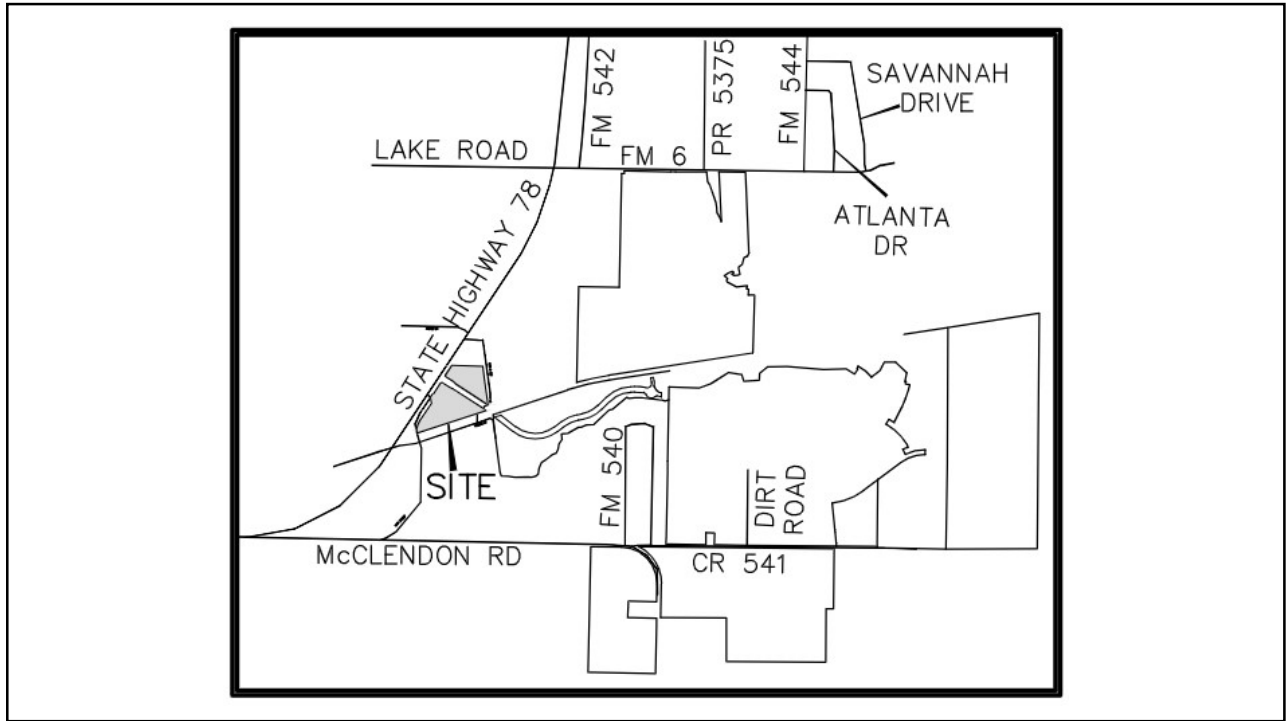
Notary Public in and for Dallas County, Texas



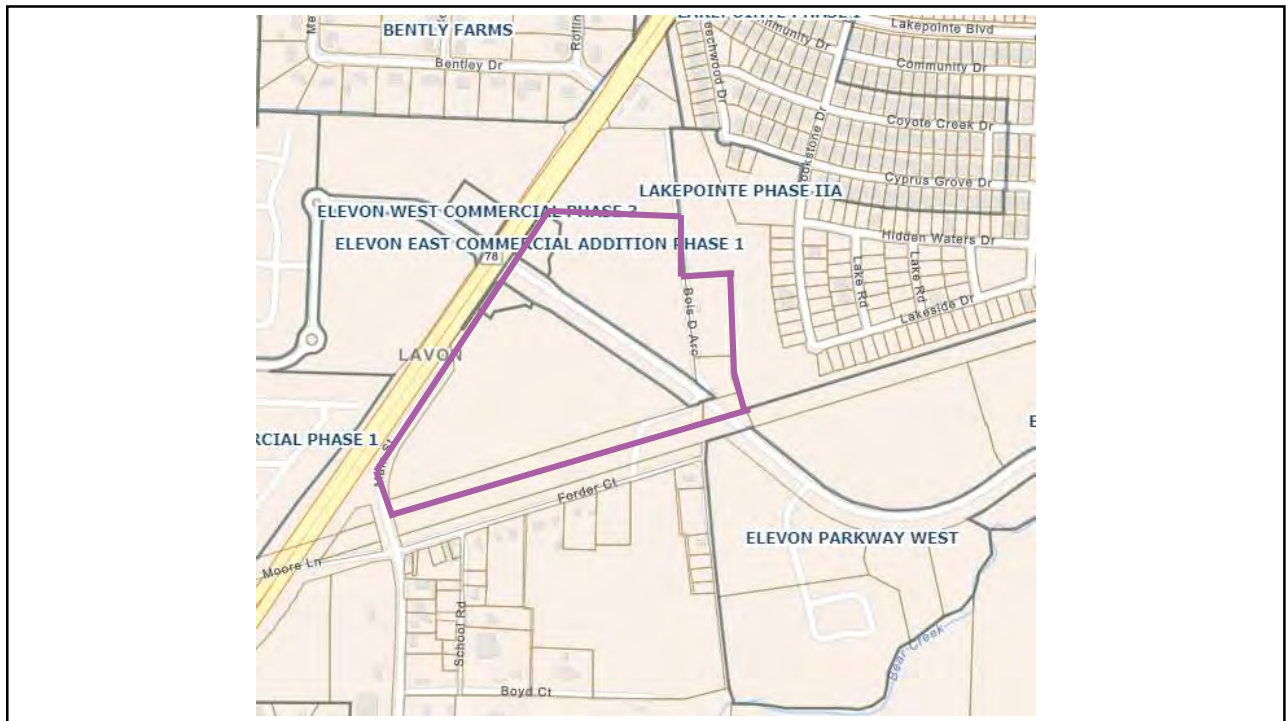
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6



7



**CITY OF LAVON**

**ORDINANCE NO. 2022-10-03**

Planned Development Zoning – Elevon Commercial, Business Park and Mixed Uses

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION FROM AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT DISTRICT FOR COMMERCIAL, BUSINESS PARK, AND MIXED USES ON APPROXIMATELY 243 ACRES OF LAND, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “B” AND DEPICTED IN EXHIBIT “A”; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the City of Lavon, Texas (hereinafter referred to as “City”) is a Type A General Law Municipality operating under the laws of the State of Texas; and

**WHEREAS**, the City Council of the City (the “City Council”), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

**WHEREAS**, the City Council adopted Chapter 9, Article 9.03 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the use and development of land in the City (the “Zoning Ordinance”); and

**WHEREAS**, owners of the Property hereinafter defined have submitted an application to change the zoning from Agricultural (A) to Planned Development (PD) District, consisting of commercial, multi-family residential, mixed use and business park uses on approximately 227 acres of land, generally located as depicted on **Exhibit “A”** and as legally described in **Exhibit “B”** (the “Property”); and

**WHEREAS**, this proposed zoning change is in accordance with the adopted comprehensive plan of the City; and

**WHEREAS**, the Zoning Ordinance incorporates design standards and building materials standards that are differentially applicable to residential structures and non-residential buildings, and such standards substantially further the preservation of property values and the promotion of economic development within the City, and establish the character of community development and embody architecturally and, in some contexts, culturally significant features of continuing duration; and

**WHEREAS**, the Zoning Ordinance also provides for planned development districts, which enable departures from traditional zoning district standards in recognition of the unique character of a development project; and

**WHEREAS**, the City’s policy in creating or amending a planned development district is to incorporate and enhance to the fullest extent feasible the design and building materials standards that are integral to the City’s zoning regulations in all planned development districts; and

**WHEREAS**, the City Council finds and determines that the incorporation of such standards lends long-term viability to the planned development project; and

**WHEREAS**, the owner and/or developer of the Property has consented in writing to the enforcement of the City’s design and building materials standards within the planned development district and waived the statutory provisions in Chapter 3000, Texas Government Code; and

**WHEREAS**, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare and should be granted and that the Zoning Ordinance and official zoning map of the City (the “**Zoning Map**”) should be amended.

**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 the Zoning Ordinance, Division 3. “Definitions”, as amended, unless specifically defined herein.

**SECTION 3. Zoning Amendment.** The Zoning Ordinance is hereby amended to change the zoning of the Property to Planned Development – Mixed Use (PD-MU), subject to the following regulations, which exhibits are incorporated as if fully set forth herein, and all applicable City ordinances and regulations governing except as may be modified by this Ordinance:

**Exhibit A – Location Map**

**Exhibit B – Legal Description**

**Exhibit C – Concept Plan**

**Exhibit D – Development Standards**

**Exhibit E – Parks and Open Space**

**Exhibit F – Primary Entry Feature**

**Exhibit G – City of Lavon Code of Ordinances Excerpts 10-18-2022**

**SECTION 4. Zoning Map.** The Zoning Map is hereby amended to reflect the established zoning classification designation made herein.

**SECTION 5. Compliance Required.** The Property shall be used only in the manner and for the purposes provided for in this Ordinance and the Comprehensive Zoning Ordinance of the City, as amended.

**SECTION 6. Severability Clause.** Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 7. Savings/Repealing Clause.** All provisions of any ordinance in conflict with this 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 8. Penalty.** It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues.

**SECTION 9. Open Meeting.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

**SECTION 10. Publication and Effective Date.** That this Ordinance shall be in full force and effect immediately upon its adoption and its publication as required by law.

**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas, on this 18<sup>th</sup> day of October 2022.

\_\_\_\_\_  
Vicki Sanson, Mayor

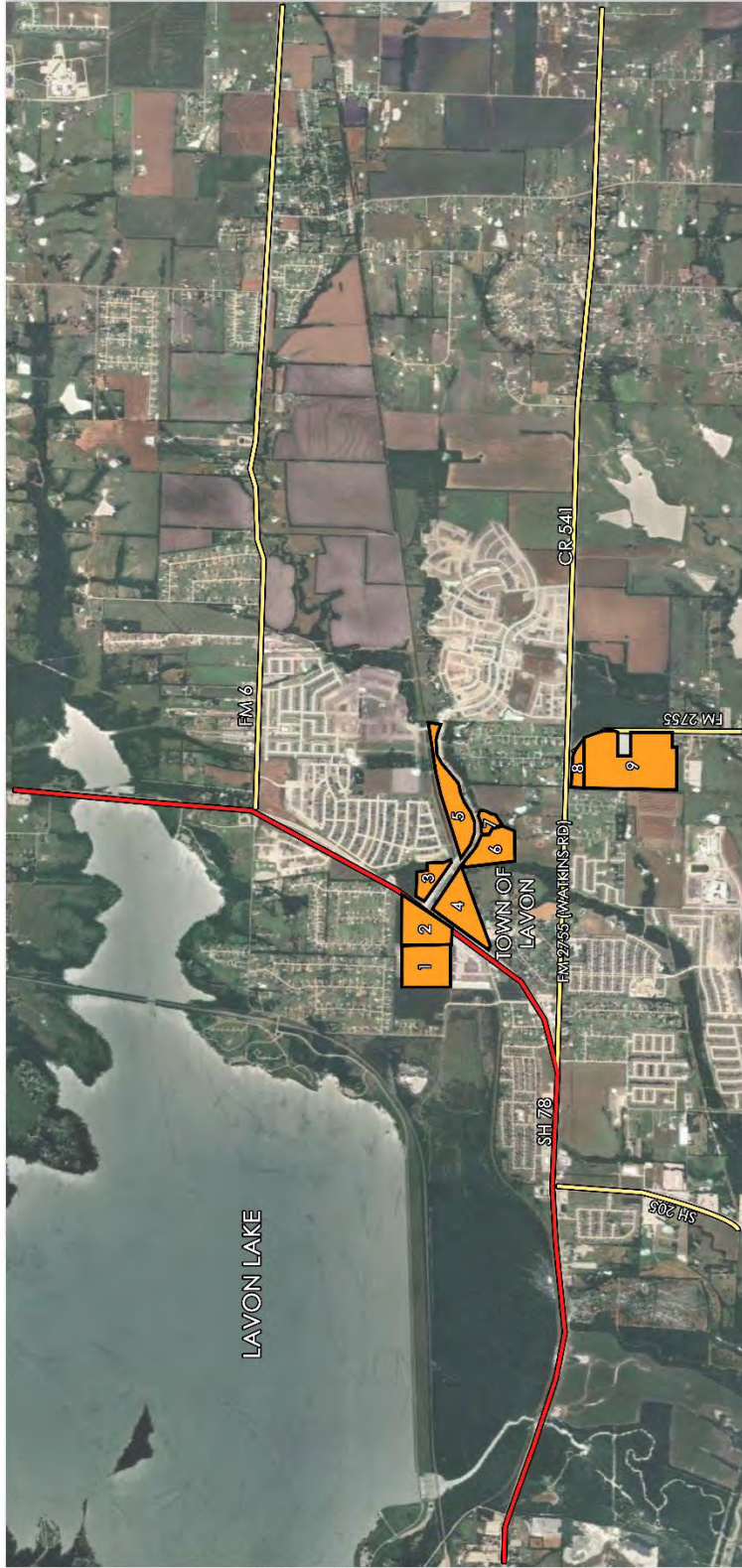
**ATTEST:**

\_\_\_\_\_  
Rae Norton, City Secretary

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# EXHIBIT A. LOCATION MAP



**JBI**  
Exhibit A - LOCATION MAP  
CITY OF LAVON, COLLIN COUNTY, TEXAS PARTNERS

**ELEVON**

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JUNE 12, 2015  
1:50000

SCALE NTS



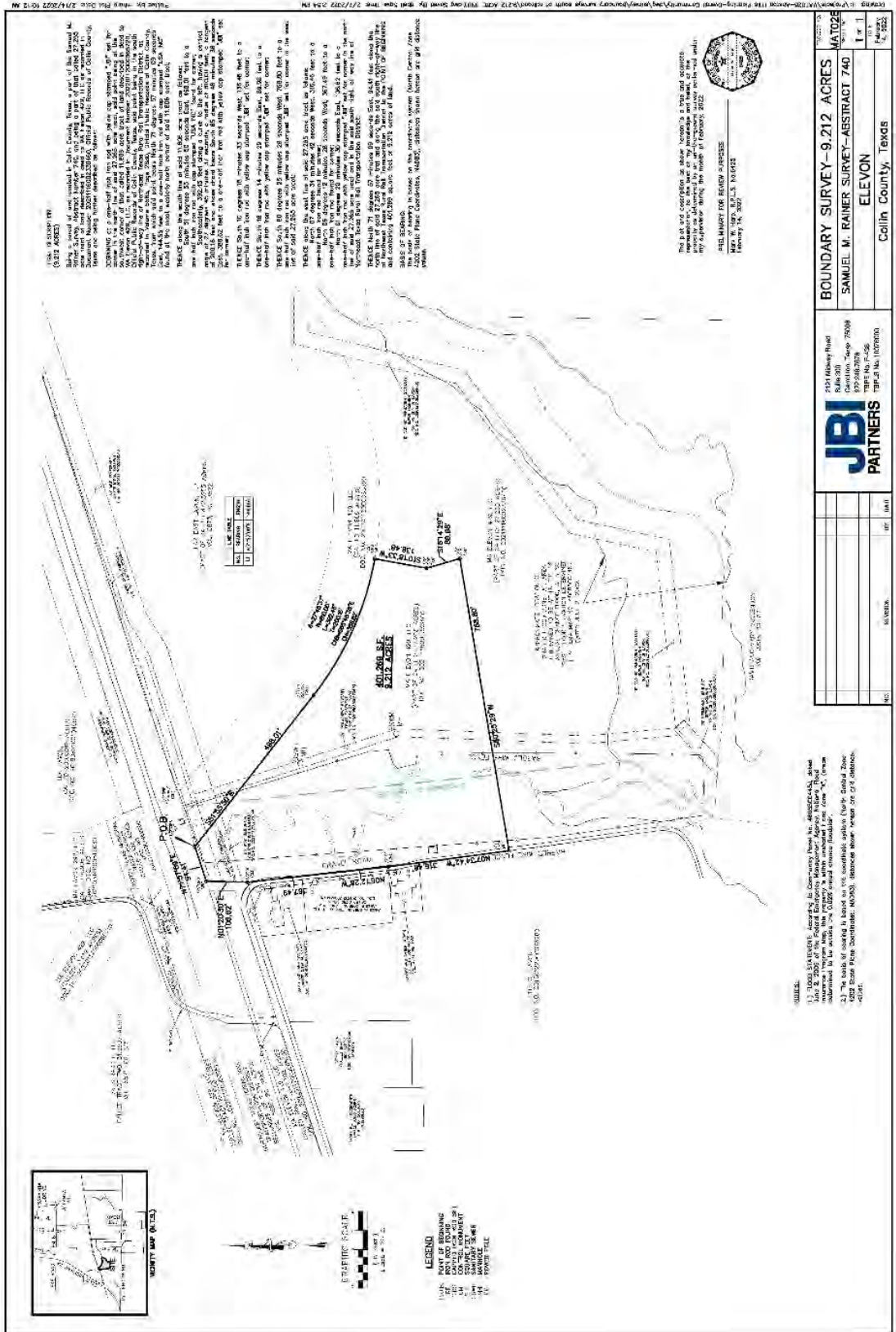








# Land Use Parcel 6 (9.212 acres)

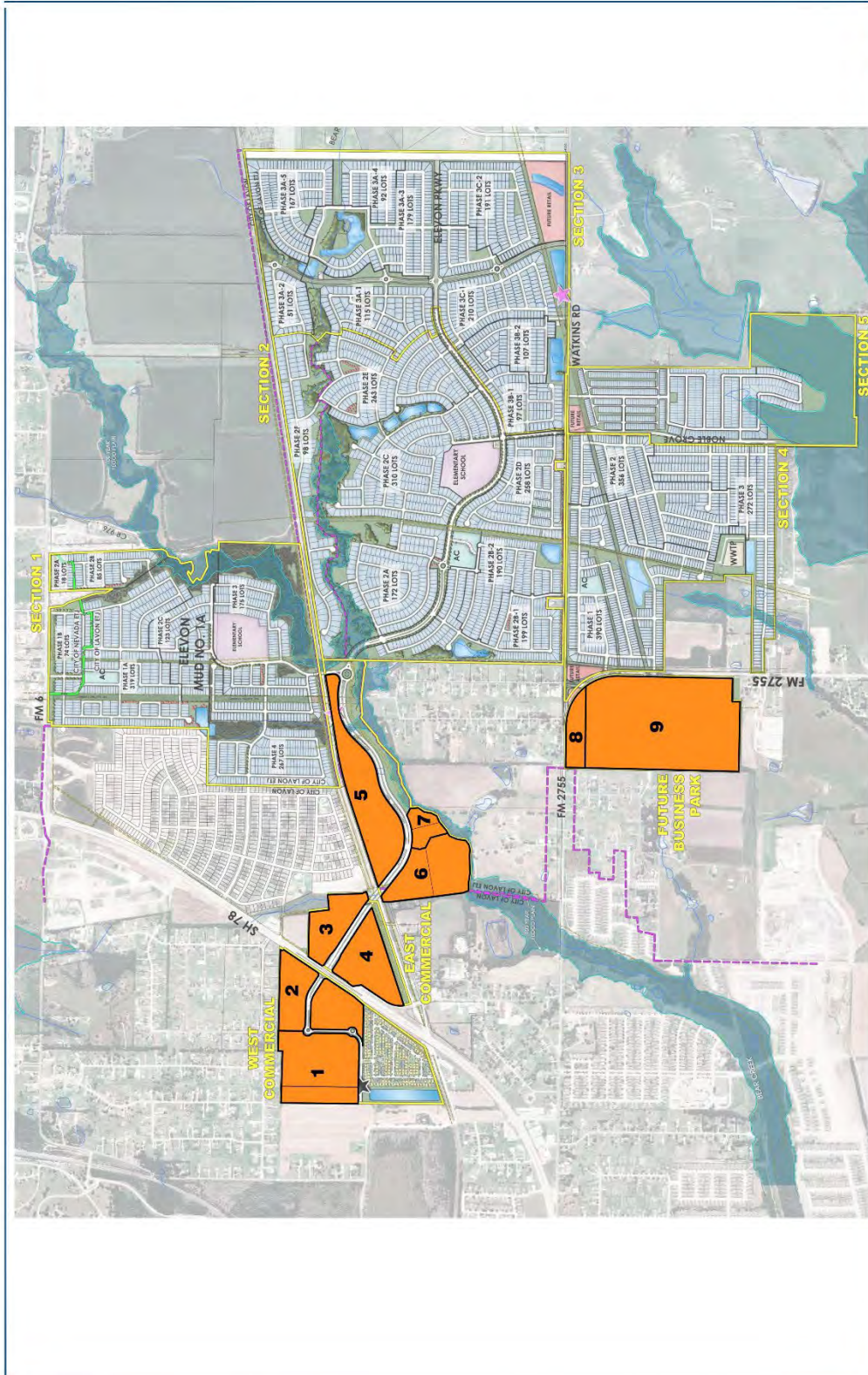








# EXHIBIT C. CONCEPT PLAN



**JBI**  
PARTNERS  
EXHIBIT C - CONCEPT PLAN  
CITY OF LAVON, COLLIN COUNTY, TEXAS

**ELEVON**

JUNE 12, 2025  
MAY029



NOT TO SCALE

**MA** PARTNERS

# EXHIBIT D. DEVELOPMENT STANDARDS

## DEFINITIONS

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### 1.1. Property

#### 1.1.1. Area of land described and detailed in:

- Exhibit A – Location Map
- Exhibit B – Legal Description

### 1.2. Lot Coverage

#### 1.2.1. Percentage of area covered by impervious surface of structure foundations

### 1.3. Light Industrial – clean industries

Manufacturing or research and development industries that do not emit smoke, noise, offensive odors, or harmful industrial wastes

## CONFLICTS

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In the event of a conflict between this Ordinance and any other City ordinance, rule, or regulation, including, but not limited to, the provisions of the City's Zoning Ordinance, this Ordinance shall control. In the event of a conflict between this Ordinance and the Development Agreement applicable to the Property, the Development Agreement shall control. Any amendments to the Development Agreement applicable to the Property that could conflict with this Ordinance shall be considered with an associated rezoning request to amend this Ordinance accordingly with all applicable procedural considerations as required by the Zoning Ordinance.

## EXHIBITS

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### 1.1. The Property shall generally conform with:

- **Exhibit C - Concept Plan**
- **Exhibit D - Development Standards**
- **Exhibit E - Parks/Open Space**
- **Exhibit F – Primary Entry Feature**
- **Exhibit G – City of Lavon Code of Ordinance Excerpts, 10-18-2022**

## GENERAL STANDARDS

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The following standards shall apply to all areas within the Property as applicable:

### PARKS/OPEN SPACE

- 1.1.1. Pedestrian connectivity and parks/open space shall be provided per the trail plan illustrated on **Exhibit E**.
- 1.1.2. Pocket Parks:
  - 1.1.2.1. The Pocket park located in **Land Use Parcel 1** shall have street frontage on at least two sides.
  - 1.1.2.2. A minimum five-foot sidewalk or trail shall be provided around the perimeter of the park, adjacent to streets. The sidewalk or trail shall also meander through the pocket park as practicable.
  - 1.1.2.3. Shaded areas for seating shall be provided.
  - 1.1.2.4. Benches for seating shall be provided.
- 1.1.3. Where Standards are not specified, Park/Open Space tracts shall comply with the Zoning and Subdivision Ordinances.

### COMPATIBILITY SCREENING

- 1.1.1. *Applicability*. The following standards shall apply where non-residential and multi-family residential development are proposed adjacent to properties zoned or used for residential uses, except multi-family residential and not across a dividing street between uses and not as otherwise specified herein.
  - 1.1.1.1. The more intensive use shall have the responsibility for providing and maintaining the screening device. This requirement shall not apply to parks or open space uses that do not contain an amenity center or like activity.
- 1.1.2. Height. The screening device shall be six feet in height.
- 1.1.3. Materials.
  - Brick masonry, stone masonry, or other architectural masonry finish; or
  - Tubular steel (primed and painted) or wrought iron fence with masonry columns spaced a maximum of 20 feet on center with

structural supports spaced every ten feet, and with sufficient evergreen landscaping to create a solid screening effect; or

- Living plant screens may be approved if the City Administrator or their designee finds that this method of screening will not be detrimental to adjacent property and will provide sufficient visual screening based on the proposed location and characteristics of the project. The City Administrator or their designee may forward the request for review to the planning and zoning commission or city council for approval or disapproval if determined to need additional consideration. A living plant screen shall meet one of the following conditions to be considered for approval:
    - For screening a project from an adjacent residential property that has an existing fence, the living plant screen shall consist of evergreen shrubs or trees meeting the following requirements:
      - Evergreen shrubs shall be at least three feet in height at planting and spaced three feet apart on center;
      - Evergreen trees shall be at least six feet in height at planting and spaced six to eight feet apart on center, as determined by the landscape administrator; or
    - There is an existing screening device (a masonry wall, wrought iron fence) on the adjacent property; or
    - Use of a living plant screen would result in preservation of existing trees in a wooded area as compared to another type of screening device; or
    - For screening of overhead doors from an adjacent residential property with an existing fence, the living plant screen shall consist of evergreen trees, at least six feet in height at planting and spaced three feet apart on center; or
    - For screening of overhead doors from the right-of-way, the living plant screen shall consist of evergreen shrubs, at least three feet in height at planting and spaced three feet apart on center; or
    - When screening heating, ventilation, and air conditioning (HVAC) equipment from the right-of-way; or
    - Unless identified above, all living plant screens shall consist of evergreen shrubs identified as acceptable for screening at least six feet in height or greater.
- 1.1.4. The City Administrator or their designee may require a greater planting size and/or a different spacing pattern, depending on the characteristics of the project, in order to ensure sufficient visual screening.
- 1.1.5. Alternate equivalent screening, upon approval by the planning and zoning commission through the site plan process.

- 1.1.6. *Compatibility Landscape Buffer.* Where a screening device is required as noted herein, the proposed development shall provide a landscaped area/buffer of at least 20 feet in width along the common property line, planted with one canopy tree for each 30 linear feet or portion thereof of adjacent exposure. These trees may not be clustered. Connection to the adjacent neighborhood shall be provided via a sidewalk or trail through the Compatibility Landscape Buffer and screening device where practicable, leading to an adjacent right-of-way, sidewalk, and/or trail, as applicable to provide connectivity to any adjacent neighborhoods or other developments.

**MULTI-FAMILY**

- 1.1.1. Any multi-family development shall be governed by the following development standards.
- 1.1.2. Density shall not exceed 24 units per acre.
- 1.1.3. Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the Concept Plan.
- 1.2. Multi-family General Site Standards
  - 1.2.1. Site plan approval. Facade and siting approval shall be part of the overall site plan approval process. This will include, but not be limited to, the materials used on each facade, the orientation of buildings to the street, adjacency to single family residential developments and commercial buildings, and location of open space. Site plans may be approved by the director of development services through the civil plan review process or as part of a planned development.
  - 1.2.2. Setbacks adjacent to single family residential. When any multi-family development is sited adjacent to a single-family zoning district or vacant land designated as single family on the comprehensive plan, the following regulations apply:

<b>Article 14.02, Part Three, Table 1 Setbacks and Landscape Buffers Adjacent to Single Family</b>		
<b>Structures - Number of Stories</b>	<b>Setback from Adjacency to SF</b>	<b>Buffer Width within Setback</b>
1 or 2 story	40 feet	20 feet
3 story	60 feet	25 feet
4+ story	100 feet	30 feet

*Note 1. Parking and/or drive aisles may be located within the setback.*

*Note 2. Refer to landscaping requirements within buffers.*

- 1.2.3. Parking regulations for multi-family developments. The minimum off-street

parking and loading regulations shall comply with the following:

1.2.3.1. No garage doors shall face a public street unless screened.

1.2.3.2. No covered parking spaces and/or detached garages may be placed between a multi-family building and a public street unless screened.

1.2.3.3. Stacking spaces (tandem spaces between the garage door and fire lane) shall not be counted towards required parking spaces.

1.2.3.4. The ratio of required parking spaces per bedroom shall be as follows:

<b>Multi-family Parking Spaces per Unit Size</b>	
<b>Type of Unit</b>	<b>Number of Spaces</b>
Studio	1
1 bedroom	1.5
2 bedrooms	2.0
3+ bedrooms	2.5
Total required spaces	No less than 1.7 spaces per dwelling unit overall

1.2.4. Open space. All multi-family developments require a minimum of 20 percent (20%) of the gross acreage as open space with a minimum of 10 percent of the gross acreage being usable open space. Usable open space is designed and intended to be used for outdoor living and/or recreation. It excludes land within the floodplain without being manicured and having a trail, land that is too steep for normal recreation, landscape buffers without shaded trails, detention and retention ponds without programming/amenities, and private patios/fenced backyards. Outdoor recreation amenities at an amenity center for a multi-family project, such as a pool, or indoor recreation amenities, such as a fitness room, can be utilized toward this requirement but can only include the area specifically for the amenities (ex. not the mail center or leasing office, etc.). Any open space area shall be platted as a common area lot, be owned and maintained by the owner or management firm and be designated with an “X” on the plat. Open space should be located to preserve existing trees and other desirable physical features.

1.2.5. Maximum number of 3+ bedroom units per multi-family project. No more than fifteen percent (15%) of the total units of any multi-family project shall have three (3) or more bedrooms.

1.2.6. Mail kiosks. Each mail kiosk shall have a minimum of three (3) parking spaces within 50 feet (50’) of the kiosk unless a drive-thru facility is provided. The mail kiosk must be constructed of the same materials as the amenity center.

### 1.3. Multi-family Architectural Design

1.3.1. Exterior materials for multi-family construction. The Developer will sign a consent form acceptable to the City which will be recorded.

<b>Exterior Materials for Multi-family</b>	
<b>Categories</b>	<b>Materials</b>
A	Brick, Stone, or Manufactured Stone, except walls along patios & balcony elements.
B	Split-Face CMU, Stucco, Cementitious Fiber Board, Treated Engineered Wood <sup>1</sup>
Prohibited	Plain Concrete Block, Aggregate, Vinyl, Plastic, Tilt Wall, Metal, Natural Wood, Tile, Glass, EIFS <sup>2</sup>

<b>Required Percentages of Exterior Materials for Multi-family</b>		
<b>Facades</b>	<b>Percentage Breakdown</b>	<b>Definition</b>
Primary	Minimum 50% Category A Maximum 50% Category B 0% Category C	Exterior walls of buildings which face a street or parking area
Secondary	Minimum 50% Category A Maximum 50% Category B 0% Category C	Exterior walls of buildings which are NOT clearly visible from a public street, such as an interior courtyard

*Note 1. Treated engineered wood or EIFS may be used for trim or soffit construction – the percentage of treated engineered wood or EIFS must be subtracted from the percentage of other category materials so that the total percentage of any given facade remains as stated above.*

*Note 2. Tilt wall is prohibited as an exterior material for multi-family structures.*

1.3.2. Design standards for multi-family construction.

1.3.2.1. Two masonry materials required. At least two (2) masonry materials shall be used on all exterior facades.

1.3.2.2. Uniform architectural style. All buildings within a common development, as shown on a development plan, conceptual plan, or site plan, shall have similar architectural styles, materials, colors and detailing; however, sufficient variations shall be incorporated to discourage exact duplicate buildings.

1.3.2.3. Facades adjacent to single family. Facades shall generally be built perpendicular when adjacent to single family districts unless set back a minimum of 60 feet (60') from single family property lines.

1.3.2.4. Accessory building materials. Amenity centers, covered garages, and other accessory buildings shall meet the exterior material requirements of the primary facades. Carports shall meet the exterior material requirements of the primary facades with the exception of the support poles, which may be constructed of painted metal.

1.3.2.5. Amenities and hardscape. All streetscape elements and site amenities, such as bike racks, trash receptacles, lampposts, and tree grates shall generally be dark in color. Bollards may be concrete or cast metal and shall be of decorative design.

1.3.2.6. Roof design. Roofs shall be peaked either hip, gable or mansard design minimum one-to-four (1:4) pitch, or a wall or false mansard design with a minimum one-to-two (1:2) pitch is acceptable only if constructed around entire perimeter of a building so that no shall be visible from a public street.



with  
with a  
parapet

the  
flat roof

amenity

1.3.2.7. Roof materials. Any accessory structure (such as a garage, carport, or center) within a multi-family development shall have a decorative metal roof or a parapet wall to shield roof-mounted equipment.

1.3.2.8. Architectural features. All multi-family primary buildings shall be designed to incorporate no less than three (3) of the architectural features from the list below.

- Canopies, awnings, porticos with colonnade or arcades.
- Raised pilaster cornices (end columns at corners), or quoined corners (any of various bricks of standard shape for forming corners of brick walls or a wedge-shaped piece of wood, stone, or other material, used for various ornamental purposes at corners).
- Vertical elements (tower, cupola, lighthouse, turret, arches, etc.).
- Accented windows and doors framed with smooth cobblestone, cast stone, limestone, or other decorative masonry headers and sills, or dormer windows.
- Outdoor patios and/or courtyards (landscaped and furnished) integrated into a site's layout that creates a sense of place for informal and experiential gathering.
- Decorative and repetitive ornamentation (non-signage) integrated into the building facade, such as corbels, medallions, functioning clocks, niches, wrought iron, balconettes, gargoyles, or rhythm patterned brickwork.
- Other similar architectural features, as approved by the City Administrator or designee.

## NON-RESIDENTIAL

### 1.3.3. Buildings

1.3.3.1. The following elements shall be incorporated:

- Richness of building surface and texture
- Consistent and cohesive architectural elements between buildings
- Wall articulation
- Roof overhangs and arcades
- Consistent window and door patterns

- Special paving identifying intersections and crosswalks
- Clear visibility of entrances and commercial signage
- Recognition of building hierarchy
- Screening of mechanical equipment, service areas, parking lots and any undesirable elements
- Pedestrian friendly streetscapes and open spaces

1.3.3.2. The following elements are examples of unacceptable development within Elevon:

- Large, blank, unarticulated wall surfaces
- Highly reflective surfaces or heavily tinted glass front
- Metal siding on primary facades
- Mix of unrelated architectural styles
- Strong thematic architectural styles, which will become dated
- Visible outdoor storage, loading, equipment, and mechanical areas
- Disjointed parking areas and confusing circulation patterns
- Large expanses of parking/asphalt without landscape islands or tree shade
- Service areas near major entries and easily visible from roadway
- Poorly defined access points
- Sparsely landscaped parking lots, entries, and rights-of-way



1.3.3.3. Preferred Building Orientation

- Align focal architectural elements along major view or circulation axis.
- Orient “primary” buildings to each other to create strong axial relationships.
- Cluster buildings whenever possible creating opportunities for plazas and pedestrian malls.
- Create pedestrian spaces and plazas by varying building facades.

- The exterior character and orientation of all buildings and the spaces they define shall encourage and enhance pedestrian activity.
- Avoid locating walkways where users will be subjected to harsh glare from building material or where they will be subjected to other unpleasant environmental and/or site conditions.
- Locate buildings and on-site circulation to minimize pedestrian /vehicle conflicts.



#### 1.3.3.4. Height

Consider the use of taller buildings and/or elements to highlight significant intersection and pedestrian nodes.

#### 1.3.3.5. Scale

Buildings shall appear to be of a “pedestrian” or “human” scale. In general, this means that the size, patterns, textures, forms, and overall three-dimensional composition can be appreciated at the pedestrian level.



- Incorporate meaningful techniques such as overhangs, awning, or a change in building material, to break up the perceived building mass.
- Vary the planes of exterior walls in depth and/or direction.
- Wall planes shall not run in a continuous direction more than 65 feet (65’) without an offset.
- Vary the height of buildings, and/or building elements where feasible, so they appear to be divided into distinct elements or masses.

#### 1.3.3.6. Materials

Visual continuity in major building materials is desired throughout the Elevon District. In order to establish the desired look for the mixed-use development, specific criteria have been established.



- Use wall materials that are muted in color and have texture
- Reserve the use of strongly contrasting materials and colors for

accents such as building entrances, railings, stairs, etc.

- Avoid using highly reflective materials and surfaces such as polished metal, that generate glare, particularly at the pedestrian level.
- Materials which may be incorporated include: native stone, brick, stucco, textured concrete. Alternative materials that achieve similar looks and are of high quality and low maintenance may be considered, subject to review and approval by the City Administrator or their designee.
- In most instances, utilize two or three dominant building materials and use accent material which complement the regional character.
- Use contrasting but compatible building materials and textures to help unify exterior building elements and to create depth, proportion, and scale.
- No composite shingle roofs allowed on non-residential or mixed used structures.

#### 1.3.3.7. Entrances

- Primary entrances shall be easily identifiable and relate to both human scale and the scale of the building(s) they serve.
- Wherever possible, entrances shall be cool and inviting without becoming dark.
- Main building entrances shall be designed to be clearly identifiable from primary driveways and drop-offs.

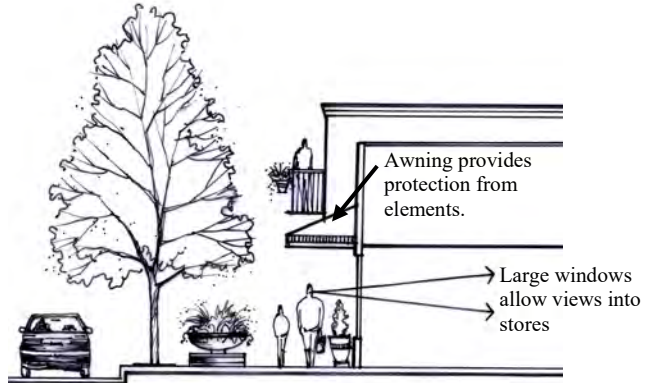


- Rooftops shall be considered important design elements as viewed from a variety of vantage points – at ground level, from other buildings and from adjacent perimeter roadways. A well-composed “roofscape” achieves an interesting skyline without becoming overly busy or contrived.
- Locate all rooftops equipment, including satellite dishes and antennae completely within penthouses or screened areas.
- All rooftop equipment, including satellite dishes and antenna, must be fully screened from view and located below the highest vertical element of the building.
- Construct screens of the same material as building skins or of materials similar in color and texture.
- Avoid rooflines running in continuous planes more than 65 feet (65’). Offset or jog the roof planes for better visual interest.



### 1.3.3.8. Awnings and Roofs

- Incorporate meaningful techniques such as awnings or a change in building material, to break up the perceived building mass.
- Where awnings are used along a row of contiguous building, use a consistent form, material color, and location and mounting arrangement.
- Awnings shall be located to provide a minimum eight feet (8') vertical clearance, with a maximum generally not to exceed 12 feet (12').
- Non-reflective metal awnings are encouraged.
- Colors of awnings must complement the buildings.
- Incorporate the awnings along with any signage to provide a uniformly designed building façade.
- Signs on awning are permitted, subject to applicable signage standards.
- Internally illuminated awnings are prohibited.



### 1.3.4. Plazas and Open Spaces

- Open space shall be located in visible and easily accessible locations and serve as a focal point within a development
  - Maintaining view corridors is important to providing views of amenities and identifying different spaces on the site. Create focal points at main entries. Where possible, terminate drive aisles or major pedestrian corridors at open spaces, plazas or enhanced landscape areas to create an attractive visitor experience.
- 1.3.4.1. Open Space Connectivity



- Courtyards, plazas, and terraces shall be designed at a human scale and incorporated as public amenities around food vendors. Interrupting the building facades to create “outdoor rooms” as varying the width of walkways will help create pedestrian spaces. These pedestrian spaces shall create opportunities for comfortable outdoor experiences, a chance to relax and create a sense of place.



- Orient open spaces to views of site amenities such as water features, open spaces, etc.
- Consider opportunities to orient open spaces toward views of major buildings or down long corridors.
- Wherever possible, create a sense of enclosure for outdoor seating areas,
- Add elements such as trees, water features, a variety of seating areas and landscape color to give the public spaces an inviting feel and visual interest.
- Incorporate pavers and paving patterns to add additional interest and enhance the aesthetic quality of the spaces.
- Allow for outdoor tables and seating to promote use of the space.



### 1.3.5. Vehicular Circulation

#### 1.3.5.1. Primary Site Entrances

- Internal drives shall visually lead drivers to building entries, site amenities or focal elements.
- Design drives and parking areas to fit the natural contours of the site to minimize cut-and-fill and maintain natural drainage.
- Align streets and drives to offer views of significant architectural features and site amenities and to direct drivers.



#### 1.3.5.2. Drop-Off Areas

Drop-off Areas for vehicle passengers shall be incorporated where practical into development places and shall provide safe, convenient

access to building entries, pedestrian plazas or corridors and public open spaces. Drop-off areas must conform to all ADA regulations and standards.

- Emphasize drop-off areas with special paving material
- Design drop-off lanes so they do not obstruct traffic flow when vehicles are stopped
- Install bollards at drop-offs to provide protection for buildings and pedestrian walkways.



### 1.3.5.3. Service Areas

Service vehicle circulation within Elevon shall be designed to provide safe and efficient delivery routes for all anticipated service and delivery vehicles. The design of individual parcels to accommodate truck access shall meet all regulatory requirements for turning movements without sacrificing other important design objectives. These objectives include:

- Locate service areas away from major streets and building entrances.
- Minimize pedestrian and service vehicle conflict.
- Hide/screen views into service areas.



### 1.3.5.4. Parking

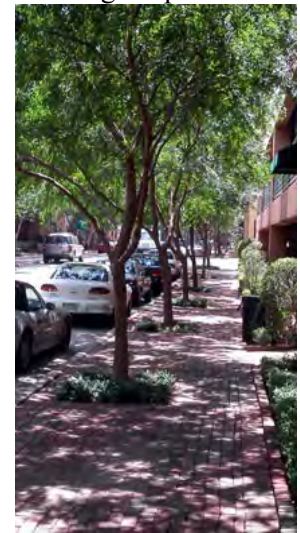
- Parking areas shall be designed and located so they provide safe and efficient vehicular and pedestrian circulation within a site.
- Wherever feasible orientate parking aisles perpendicular to building entrances.
- Break large expanses of pavement with landscape medians and islands.
- Avoid situations where parking spaces are directly abutting structures. NOTE: Minimize negative visual impacts of parking from roadways using landscaping.



### 1.3.6. Pedestrian System

A comprehensive pedestrian network is an essential element of the Elevon development. By creating pedestrian friendly patterns and spaces, mixed used sites can become inviting hubs of activity. The overall master plan of Elevon is intended to encourage pedestrian activity. Safe, efficient pedestrian circulation is important to the development of any mixed-use area.

- Create distinct pedestrian corridors which funnel pedestrians to logical gateways, plazas or “main streets”
- Pavers are encouraged for walks adjacent to buildings and streets in the mixed-use parcels.
- Crosswalks are required at all intersections and key pedestrian crossings. Crosswalks must be identified by a change in color, texture, or materials.
- Walkways that lead pedestrians from parking areas to buildings or plazas shall be designed to facilitate easy movement and minimize crossing conflicts with vehicles. Pedestrian corridors shall be clearly identified.
- Where major pedestrian routes within parking lots cross roadways and drives, use textured or colored paving material to distinguish the route.
- Provide trees or covered walkways to cool pedestrian paths and encourage walking.



### 1.3.7. Landscape Design

#### 1.3.7.1. Community Buffers

##### 1.3.7.1.1. Primary Roads, P6D & P4D:

- A minimum 20-foot-wide landscape buffer shall be provided along both sides of the primary roads. Berms and retaining walls may be constructed within the buffer. The berms may encroach up to 3’ into the right-of-way and shall not exceed a 3:1 slope. A visibility triangle of 30 feet (30’) by 30 feet (30’) (30’ x 30’) shall be provided at all primary road intersections.
- A mix of shade and ornamental trees shall be planted within the required landscape buffer. Shade trees shall be planted one (1) per 60 linear feet. Trees may be grouped when necessary to preserve topographical features or if special circumstances are present.
- Pervious ground cover shall be planted throughout the buffer. Ground cover includes, but is not limited to, shrubs, grasses, and/or mulched planter beds.

#### 1.3.7.1.2. Residential Collector Streets, C4U:

- Where single family lots back or side a Collector Street, a minimum 10-foot-wide landscape buffer with 1 shade tree per 60 linear feet of street frontage shall be provided within the buffer. Trees may be grouped when necessary to preserve topographical features or if special circumstances are present. A minimum visibility triangle of 30 feet (30') by 30 feet (30') (30' x 30') shall be provided at all non-primary road intersections.
- Ground cover shall be planted throughout the buffer. Ground cover includes, but is not limited to, shrubs, grasses, and/or mulched planter beds.
- A minimum five-foot wide, concrete sidewalk shall be provided within the buffer and/or street right-of-way on both sides of the street. Developer shall install the sidewalk where homes do not front or side the street, and builder shall install the required sidewalks on the front and/or side of lots with the construction of each home.
- In those instances where homes front the Collector Street, the landscape buffer will not be required.
- Road types shall be specified for future phases on associated preliminary plat(s) for review, subject to review and approval by the City Engineer.

#### 1.3.7.1.3. Land Use Parcel 1 and Land Use Parcel 2 Landscape Buffer

- A minimum 30-foot-wide landscape buffer shall be provided along the northern boundaries of Land Use Parcel 1 and Land Use Parcel 2, as depicted on **Exhibit E**.
- A mix of shade and ornamental trees shall be planted within the required landscape buffer. Shade trees shall be planted one per 60 linear feet. Trees may be grouped when necessary to preserve topographical features or if special circumstances are present, subject to review and approval by the City Administrator or her designee.
- Pervious ground cover shall be planted throughout the buffer. Ground cover includes, but is not limited to, shrubs, grasses, and/or mulched planter beds.

#### 1.3.7.1.4. Buffer Vegetation

- **Shade Trees:** Shade trees shall be three-inch caliper in size, measured (12") inches above the planting surface, at the time of planting. Trees may be located within the buffer or street right-of-way if special circumstances are present, if approved by the Public Works Director. Shade trees include Live Oak, Red Oak, Bur Oak, Chinquapin Oak, Bald Cypress, Cedar Elm, Southern Magnolia, Chinese Pistache, Pecan Texas Ash, Eastern Red Cedar, or otherwise as

- approved by the City Administrator or their designee.
- Ornamental Trees: Ornamental trees shall be a minimum of 30-gallon container. Ornamental trees shall be native and or native adapted species.
- Shrubs: Shrubs shall be a minimum three (3) gallons in size at the time of planting and shall attain a minimum height of three feet (3') within two growing seasons.

#### 1.3.7.2. Irrigation

All Landscape areas shall be irrigated with automated irrigation systems. Trees and shrubs shall be irrigated by drip irrigation lines. Other landscaping may be irrigated by spray irrigation.

#### 1.3.7.3. Community Entry Features

An architectural designed Primary Entry Feature monument shall be located at the primary entrance to the Elevon Development, as depicted on Exhibit F. The maximum height of the signage structure shall not exceed 40 feet.

The design and location of the Primary Entry Feature shall be allowed as depicted on Exhibit F, so long as the signage does not conflict with any utilities, visibility triangles, safety-related factors, and other applicable requirements. Exhibit F does not supersede the requirement for a building permit application and associated common area platting, which is subject to review and approval by the City Administrator or their designee.

Entry Features shall be included in common areas to be owned and maintained by the HOA/POA..

#### 1.3.7.4. Detention

- If the existing topography allows, the location of a drainage facility can be incorporated into an entry feature or can be the foundation for a park with trails and open space.
- All permanent bodies of water such as lakes and retention ponds, shall include an integrated management program to ensure acceptable water quality and to maintain ecological balance of oxygen, nutrients, light, and temperature. Aeration systems providing oxygen transfer and aerator fountains for aesthetic appeal shall be utilized as appropriate to the pond type, size, and depth. Biological controls will be enhanced through selection of appropriate water plant species.
- Open space shall be required around all amenity lakes and detention facilities. Amenity lake edges within Elevon shall be designed with



enhanced landscaping.

- Fencing is allowed around detention pods only if the fencing is constructed of wrought iron or tubular steel or other similar products.

#### 1.3.7.5. Ground Mounted Equipment

- All proposed ground mounted equipment shall be screened by planting around the boundary of the equipment, except the side where access is located.
- Proposed electric substations, water pump stations and wastewater lift stations shall be screened from public views by a means of masonry wall on all visible combined with landscape buffer.



#### 1.3.7.6. Service/Delivery/Trash/Storage Area Screening

The visual impacts of service, delivery, trash and outdoor equipment or storage areas shall be minimized, particularly relative to views from public roadways and pedestrian corridors. Thoughtful placement and integration into the architecture and site design is a priority for all sites.

- Orient service entrances, loading docks, waste disposal areas and other similar uses, toward service roads and away from major streets and primary building entrances.
- Wherever possible, coordinate the locations of service areas between adjacent users or developments so that service drives can be shared.
- Avoid locating service areas where they are visible from adjacent buildings or where they may impact view corridors. Such facilities are more appropriate at the rear of buildings or sites.
- Locate parking areas for outdoor equipment, truck, trailer, service vehicles, etc. away from public parking lots and major pedestrian circulation routes. Unless totally out of view, screen these areas architecturally and with landscaping.
- All purposed dumpsters, trash receptacles, refuse storage containers and outdoor storage shall be located within an enclosure providing screening by a combination of the following landscape elements:
- Decorative masonry wall with a non-masonry gate required at all dumpster enclosures. The constriction material of the wall shall match material used on the principal building located on the same lot.



### 1.3.8. Lighting

Consistent lighting is critical to the overall look of the community and shall complement City standards. Light fixtures shall be consistent and complementary to the fixtures found throughout the neighborhoods, parking lots and roadways in Elevon to include:

- Street Lighting
- Pedestrian Lighting
- Vehicular Lighting
- Parking Lighting
- Aesthetic Lighting

### 1.3.9. Signs

It is important to consider the experience of a first-time user when developing a family of signage. Creating an easily identifiable, unified, signage system facilitates movement to both public and private destinations. Consolidating the identification of multiple individual entities into a single system reduces the amount of visual clutter usually associated with individual businesses using competitive signage strategies. Proposed signage shall be evaluated on material, color, shape, scale, size, location, and overall appropriateness through associated sign permits, subject to the review and approval of the City Administrator or their designee. Signs of all scales within a development shall relate to each other through a consistent use of materials, colors, and text style. All signage shall utilize the forms, theme, and materials selected for the community. It is anticipated that Elevon will be comprised of a variety of signage ranging from single tenant signs, multi-tenant signs, directional signs, and building signs.

#### 1.3.9.1. Project Identification and Tenant Signs

1.3.9.1.1. Project Identification signs are signs located at main entrances to the development along SH 78. These also constitute any multi-tenant signs, single tenant signs used by single built sites and out parcels. Large gateway, monument signage, entry features, or kiosks shall comply with structure placement requirements (ex. building setbacks, height, etc.) and associated plan drawings to prevent visibility and safety-related issues. Placement, scale, and other signage-related features are subject to review and approval by the City Administrator or their designee through an associated sign permit review process.

#### 1.3.9.1.2. Location

- Sign locations shall be carefully located by considering the distance from which the signs will be read and if the sign is to be pedestrian or vehicular oriented.
- Vehicular signs need to take road speeds into consideration.
- Signs shall not dominate the site in height and shall not project above the rooflines of the buildings.
- Signs shall not obstruct doors or windows.

- Utilize the building’s architectural features to delineate where signs should be located.

#### 1.3.9.1.3. Canopy Signs

- **Canopy sign** means any sign that is part of or attached to an awning, canopy, or other material, or structural protective cover over a door, entrance, window, or outdoor service area.



- Attached signs shall not overlap features such as cornices, eaves, windows and door frames, columns, and other decorative elements.
- Signs shall be placed at least three (3) feet from the vertical edge of a wall and other attached signs.

#### 1.3.9.1.4. Projecting and Blade Signs

- **Projecting/Blade Sign** means a pedestrian-oriented, non-internally illuminated double-faced sign, comprised of one (1) individual panel, projecting from the building wall on which it is mounted.



- On a multi-storied building, the sign shall be suspended between the bottom of the second-floor windowsill and the top of the first-floor doors.
- Projecting signs shall be made of metal, wood, or fiberglass. Plastic signs are discouraged.
- Signs shall be hung at a 90-degree angle to the building façade. Signs shall be pinned aware from the building slightly to increase visibility but shall not protrude into the vertical plane or drives or streets.
- The bottom of the sign shall provide an appropriate clearance above pedestrian sidewalks.
- Decorative iron and wood brackets are encouraged and shall complement the overall design theme of the development.
- The top of all projecting signs shall be located below the

roofline and at a height not greater than 16 feet (16') above the ground. The base of all projecting signs shall be no less than eight feet (8') above the ground. Projecting signs shall not project from the exterior wall of the building more than six feet (6').

#### 1.3.9.1.5. Arcade Signs

- Arcade Sign means a sign that is: (A) suspended from the ceiling of a covered pedestrian walkway, which



- covered walkway must be of at least six (6) feet in width and, attached to the building, and (B) oriented perpendicular to the building face to which the covered walkway is attached.
- Attached signs must be placed entirely below the lowest point of a building's parapet.
- The lowest point of a projecting or awning sign must be at least 8 feet above the sidewalk.
- Arcade signs are mounted to the ceiling or structure of the building's arcade or canopy. Size of sign to be limited to the structure it's attached to.
- Connections such as electricity, conduits, and raceways to be concealed either inside the sign or on the ceiling or structure.

## LAND USE PARCEL 1

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 1** on **Exhibit C – Concept Plan**:

#### 1.3.10. Uses

Permitted uses shall be in accordance with development standards below.

- 1.3.11. Development Standards: Development shall be in accordance with the standards established in the Retail District (R) in the City's Code of Ordinances, as it exists on the date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years. Any topics not expressly covered herein shall follow the standards within the City's

Code of Ordinances, and as amended. If a Code of Ordinances Amendment has a direct conflict with the planned development district, the planned development district provision(s) shall apply.

1.3.11.1. Maximum Building Size: 30,000 square feet. Should a larger building be proposed, a Conditional Use Permit shall be required, subject to the following review and approval criteria:

1.3.11.1.1. All Conditional Use Permit (CUP) Applications shall follow the guidelines set forth in Sec. 9.03.211 (Conditional Use) of the Zoning Ordinance, and as amended, and shall be reviewed by the City Administrator, or their designee, for completeness. Failure by the applicant to provide all required information shall constitute grounds for refusal for processing and review. Once the Application has been deemed complete, the Planning and Zoning Commission shall hold a Public Hearing to provide a recommendation to City Council. Following the Commission's recommendation, City Council shall hold a Public Hearing and approve, approve with conditions, or deny the conditional use permit, per the review criteria stated above.

1.3.11.2. Building Placement, Orientation and Site Design:

- Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the standards and exhibits contained herein.
- There is no Minimum Building Size.
- Maximum Height is 45 feet (45') with the exception of hotel uses, which shall be a maximum of 65 feet (65'). Proximity slope shall be provided: for the first 50 feet (50') adjacent to residential use or zoning (other than multi-family), the maximum height shall be 30 feet (30').

1.3.11.3. Building Separation: Homes and the amenity center shall be fire sprinklered in accordance with NFPA 13D standards (or most recent). The minimum distance between all structures shall be ten feet (10') and shall be clear of overhangs, fences, etc. Minimum building separation can potentially be reduced, subject to review and approval by the City Fire Marshal. Attached units (including two-unit structures) are required to be sprinklered.

1.3.12. Location

The location of **LAND USE PARCEL 1** shall be as generally depicted on **EXHIBIT C – Concept Plan**.

1.3.13. Permitted Uses

1.3.13.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- Bakery/Confectionary Retail Establishment
- Business Service and Sales
- Church or Place of Worship
- Commercial Greenhouse or Nursery

- Commercial Recreational Use
- Community Swimming Pool
- Country Club
- Day Care and Education Facility (Privately-owned)
- Dog Park\*
- Dry-cleaning Retail Establishment
- Educational Facility (Public)
- Exercise and Sports Establishment
- Federal, State or City Owned or Controlled Facilities
- Financial Institution
- Franchise-holding Facilities and Utilities
- Golf Course
- Home and Residence Services
- Hotel
- Insurance
- Medical and State Licensed Health Services
- Merchandise Rental
- Municipal Uses
- Nursery, Garden, Landscape Materials Sales
- Nursing Home or Assisted Living Facility
- Open Space
- Personal Services
- Pet Grooming and Care Services\*
- Pharmacy
- Professional Service and Sales
- Public Parks and Playgrounds
- Public Recreational Facilities
- Real Estate Services
- Restaurant
- Retail Sales
- Single Family Attached Residential (townhomes)
- Single Family Detached Residential
- Technical Service and Sales
- Vehicle Parking Garage
- Vertically Mixed-use Retail
- Veterinarian Service, Animal Clinic\*
- Multi-family Dwelling
- Two-Unit Residential Structures
- One-Unit Residential Structures

*\*Conditional Use*

#### 1.3.14. Prohibited Uses

1.3.14.1. No drive-throughs shall be permitted associated with any use.

#### 1.3.15. Dimensional Standards

Tract designated as **LAND USE PARCEL 1** on **Exhibit C – Concept Plan** shall comply with the following Dimensional Standards:

**TABLE A**

<b>DEVELOPMENT STANDARD</b>	
Minimum Front Yard	20'
Minimum Side Yard	10', 20' if adjacent to a street
Minimum Rear Yard	10', 20' if abutting a residential use or zoning district (except multi-family)
Maximum Lot Coverage	65%
Maximum Density	12 Dwelling Units per Acre (gross)
Minimum Parking	
1 Bedroom Home	
1.75 Spaces/Home	
2 Bedroom Home	
2.0 Spaces/Home	
Mail Kiosk	
3 Spaces within 50' of the Kiosk	
Garage Parking	
15 % of Total Parking Provided	
Covered Parking	
1 Space/Home	

1.3.16. Structure Requirements

The following requirements shall apply to any structures on the subject property:

**TABLE B**

<b>DEVELOPMENT STANDARD</b>	
Minimum Distance Between Buildings	10' <sup>1</sup>
Minimum Masonry Content	25% of Front and Side Walls
Maximum Building Height	36'/2 Story

<sup>1</sup> Potential reduction can apply as noted herein, subject to review and approval of the City Fire Marshal.

Where Standards are not specified, **LAND USE PARCEL 1** tract shall comply with the Zoning Ordinance as applicable.

1.3.17. Design Standards

Tract is designated as **Land Use Parcel 1** on **Exhibit C – Concept Plan** shall comply with the following Design Standards:

1.3.17.1. Site Features

1.3.17.1.1. Open Space and Landscaping:

- **Minimum Open Space:** A minimum of 20 percent (20%) open space shall be required. A minimum of ten percent (10%) shall be usable open space. Usable open space is designed and intended to be used for outdoor living and/or recreation. It excludes land within the floodplain, land that is too steep for normal recreation, landscape buffers without shaded trails, detention and retention ponds without programming/amenities, and private patios/fenced backyards.

- **Tree Placement:** Large canopy trees shall be planted four feet (4') or greater from curbs, sidewalks, utility lines, screening walls and/or other structures. Small trees may be placed closer than four feet (4') to the aforementioned features, with approval on an associated detailed landscape plan showing applicable features and mitigating any potential adverse impacts, subject to review and approval by the City Administrator or their designee. Along sidewalks and trails, canopy trees shall be approximately four feet (4') from pavement to provide shade for pedestrians but not cause sidewalk buckling. Utility installations that include common trench and conduit banks are exempt from the large canopy tree planting distance requirements. All trees shall be equipped with bubbler irrigation systems.
  
- **Parking Lot Landscaping:** Parking lots shall contain landscape islands located to best relieve the visual expanse of paving and provide shade. Such islands shall contain at least one (1) large canopy tree and shall be located at the terminus of all parking rows. The remainder of the island space shall be landscaped with shrubs, lawn, and living groundcover not to exceed three feet (3') in height. The minimum total area of such island shall be approximately 180 square feet (9' x 20') or the size of the parking space but may be designed so that the radii help to facilitate traffic maneuverability, subject to review and approval by the City Administrator or their designee.
  
- All landscaping shall be 100 percent (100%) irrigated with evapotranspiration weather-based controllers. All non-paved areas shall be irrigated and landscaped if not purposely designed for decomposed granite, pavers, or other materials.

1.3.17.1.2. **Amenity Center:** An amenity center shall be provided for residents of a residential use. The design of the amenity center and accompanying buildings shall be consistent and comparable with the architecture throughout the neighborhood by utilizing compatible building materials and color patterns and shall be reviewed through associated building permits.

1.3.17.1.3. The amenity center shall include, at a minimum, a swimming pool, restrooms, and an enclosed club house and fitness area. Additionally, a mail kiosk shall be incorporated into the design of the amenity center or adjoining buildings.

1.3.17.1.4. **Sidewalks:** Each home shall have access to the parking areas via a minimum four feet (4') wide, concrete sidewalk. The specific location of said sidewalks shall be determined at a time of construction.

1.3.17.1.5. **Dumpster Screening:** Trash dumpsters, recycling containers, trash compactors, and other waste receptacles shall be screened with a masonry wall, in a color that is compatible with the masonry on the homes, with a metal gate, primed and painted. Screening enclosures shall be visually and aesthetically compatible with the overall project.

1.3.17.1.6. Utilities and Equipment Screening: Exposed conduits, ladders, exhaust valves, utility boxes, and drain spouts shall be a color matching the building, an accent color, or earth tone color. Outside equipment, coolers, and/or other mechanical items shall be screened with masonry finishing material matching the primary building facades. All new utilities, including any aerial lines, shall be underground.

1.3.17.1.7. Lighting: All parking, site entrances, and pedestrian areas shall be adequately lighted, including perimeter sidewalks. The illumination levels contained in the Illuminating Engineering Society of North America Lighting Handbook, as amended from time to time, shall be used as a guide for providing minimum standards and measurement methods. Downward facing lights or lights consistent with Dark Sky standards are required.

1.3.17.1.8. Garages and Carports

- Detached garages are permitted within the neighborhood. Said garages shall count towards the minimum parking requirements established in Table A above as long as a standard sized parking space remains unobstructed within the garage.
- No garage door shall face a public street.
- No covered parking spaces and/or detached garages may be placed between a building and a public street.
- Stacking spaces (tandem spaces between the garage door and fire lane) shall not be counted towards required parking spaces.

1.3.17.1.9. Fencing

- Artificial turf may be considered to be permitted in the rear yard if material specifications and maintenance program is provided for review, consideration, and approval by the City Administrator or their designee prior to installation. Maximum height of private home fencing shall be six feet (6').
- A maximum six feet (6') tall, masonry screening wall shall generally be provided along the north, west, and south sides of the residential area. A maximum four feet (4') tall, masonry screening wall, with a minimum two feet (2') tall tubular metal fence on top of it, shall generally be provided along the west side of the residential area. Two (2) pedestrian access gates shall be integrated into the west screening wall to allow for access to the Elevon community's open space amenity immediately west of the residential.

1.3.17.1.10. Architecture

- Architectural Diversity: Any front elevation shall not be repeated on the houses adjacent to it on any side. A minimum of two (2) distinct front elevations distinguished by color, materials, massing, composition, prominent architectural features such as door and window openings, porches,

and roof lines shall be provided for each building type so that a minimum of four (4) total styles are provided for the neighborhood.

- Three-sided Architecture: Elevations shall be three-sided architecture for all residential structures that breaks up each elevation with more than one (1) building material or design element(s).
- Four-sided Architecture: Elevations for garages shall be four-sided architecture for all structures that breaks up each elevation with more than one (1) building material or design element(s), as shown on the Architecture Exhibits. The architecture of the garages shall be compatible with the home architecture.
- Masonry: A minimum of 25 percent (25%) masonry on each structure is required (including garages). Masonry is defined as brick, stone, synthetic stone, or stucco. The remainder of the structure may contain brick, stone, synthetic stone, stucco or cementitious fiber siding.
- Colors: The dominant color of all buildings shall be muted shades of color that are subtle, neutral, or earth tone. Black and stark white shall not be used except as accent colors or as found within brick and stone. The color of secondary facades shall match or complement the primary façade. There are no restrictions on accent colors that comprise less than one percent (1%) of each elevation, except that no high intensity colors, neon colors, or fluorescent colors shall be used. A maximum of two-color palettes and/or brick patterns shall be utilized for the residential structures and garages.
- Roof Color: No more than one (1) color shall be used for visible roof surfaces throughout the entire development; however, if more than one type of roofing material is used, the materials shall be varying hues of the same color or complementary in nature. Awnings and canopies may incorporate brighter color and branding; however, the primary roof shall be muted shades of color that are subtle, neutral, or earth tone.
- Roof Pitch: The minimum roof pitch for all buildings shall be 4:12.
- Carports: Carports shall be designed to have decorative posts and masonry accents, so they are architecturally compatible with the home architecture.

## LAND USE PARCEL 2

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 2** on **Exhibit C – Concept Plan**.

### 1.3.18. Uses

Permitted uses shall be in accordance with the development standards below.

### 1.3.19. Development Standards: Development shall be in accordance with the standards

established in the Retail District (R) in the City’s Code of Ordinances as it exists on the date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years, unless otherwise identified below.

1.3.19.1. Maximum Building Size: 30,000 square feet. Should a larger building be proposed, a Conditional Use Permit shall be required. All Conditional Use Permit (CUP) Applications shall follow the guidelines set forth in Sec. 9.03.211 (Conditional Use) of the Zoning Ordinance, and as amended, and shall be reviewed by the City Administrator, or their designee, for completeness. Failure by the applicant to provide all required information shall constitute grounds for refusal for processing and review. Once the Application has been deemed complete, the Planning and Zoning Commission shall hold a Public Hearing to provide a recommendation to City Council. Following the Commission’s recommendation, City Council shall hold a Public Hearing and approve, approve with conditions, or deny the conditional use permit, per the review criteria stated above.

1.3.19.2. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet (25’).
- Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the Concept Plan.
- There is no Minimum Building Size.
- Maximum Height is 45 feet (45’) with the exception of hotel uses, which shall be 65 feet (65’). Proximity slope shall be provided: for the first 50 feet (50’) adjacent to single family residential, the maximum height shall be 30 feet (30’).

1.3.20. Location and Types

The location of **LAND USE PARCEL 2** shall be as generally depicted on **Exhibit C – Concept Plan**.

1.3.21. Permitted Uses

1.3.21.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- Automobile Fueling Station\*
- Automobile Service Establishment\*
- Bakery/Confectionary Retail Establishment
- Bed and Breakfast\*
- Building Material Sales
- Business Service and Sales
- Car Wash\*
- Church or Place of Worship
- Commercial Greenhouse or Nursery

- Commercial Recreational Use
- Community Swimming Pool
- Country Club
- Day Care and Education Facility (Privately-owned)
- Dog Park\*
- Dry-cleaning Retail Establishment
- Educational Facility (Public)
  
- Alcohol: mixed beverage sales (on-premises consumption) 1
- Alcohol: wine and malt beverage sales (on-premises consumption) 1
- Alcohol: mixed beverage package store (on- and/or off-premises consumption)\*
- Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)\*
- Alcohol: manufacturing and distribution (on- and/or off-premises consumption)\* 1
- Alcohol: brewpub (on- and/or off-premises consumption)\*1
  - 1. Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all requirements for distance as specified in Division 10 (use regulations).
  
- Exercise and Sports Establishment
- Federal, State or City Owned or Controlled Facilities
- Financial Institution
- Franchise-holding Facilities and Utilities
- Golf Course
- Home and Residence Services
- Hotel
- Insurance
- Medical and State Licensed Health Services
- Merchandise Rental
- Municipal Uses
- Nursery, Garden, Landscape Materials Sales
- Nursing Home or Assisted Living Facility
- Outdoor or Drive-Thru Sales or Service
- Open Space Preserves
- Personal Services
- Pet Grooming and Care Services\*
- Pharmacy
- Private Clubs and Organizations (indoor)\*
- Professional Service and Sales
- Public Parks and Playgrounds
- Public Recreational Facilities
- Real Estate Services
- Restaurant
- Retail Sales

- Single Family Attached Residential (townhomes)
- Single Family Detached Residential
- Technical Service and Sales
- Vehicle Parking Garage
- Vertically Mixed-Use Retail
- Veterinarian Service, Animal Clinic\*

\*Conditional Use

1.3.22. Prohibited Uses

1.3.22.1. Drive-throughs shall be permitted with a minimum setback from existing residential property of 100 feet (100’), and as required through a Conditional Use Permit if applicable

1.3.23. Dimensional Standards

The tract designated as **Land Use Parcel 2 on Exhibit C –Concept Plan** shall comply with the following Dimensional Standards:

<b>DIMENSIONAL STANDARDS</b>	
Minimum Front Yard Setback	25’
Minimum Side Yard Setback	25’
Minimum Side Yard corner	25’
Minimum Rear Yard Setback	25’
Maximum Lot Coverage	75%
Maximum Main Structure Height	40’
Maximum Accessory Structure Height	40’

## LAND USE PARCEL 3

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 3 on Exhibit C – Concept Plan**.

1.3.24. Uses

Permitted uses shall be in accordance with the development standards below.

1.3.25. Development Standards: Development shall be in accordance with the standards established in the Retail District (R) in the City’s Code of Ordinances as it exists on the date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years, unless otherwise identified below.

1.3.25.1. Maximum Building Size: 30,000 square feet. Should a larger building be proposed, a Conditional Use Permit shall be required. . All Conditional Use Permit (CUP) Applications shall follow the guidelines set forth in Sec. 9.03.211 (Conditional Use) of the Zoning Ordinance,

and as amended, and shall be reviewed by the City Administrator, or their designee, for completeness. Failure by the applicant to provide all required information shall constitute grounds for refusal for processing and review. Once the Application has been deemed complete, the Planning and Zoning Commission shall hold a Public Hearing to provide a recommendation to City Council. Following the Commission's recommendation, City Council shall hold a Public Hearing and approve, approve with conditions, or deny the conditional use permit, per the review criteria stated above.

#### 1.3.25.2. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet
- Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the Concept Plan.
- There is no Minimum Building Size.
- Maximum Height is 45 feet (45') with the exception of hotel uses, which shall be 65 feet (65'). Proximity slope shall be provided: for the first 50 feet (50') adjacent to single family residential, the maximum height shall be 30 feet (30').

#### 1.3.26. Location

The location of **LAND USE PARCEL 3** shall be as generally depicted on **Exhibit C – Concept Plan**:

#### 1.3.27. Permitted Uses

1.3.27.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- ~~Automobile Fueling Station\*~~ Remove from Parcel 3, Add to Parcel 4
- Bakery/Confectionary Retail Establishment
- Bed and Breakfast\*
- Building Material Sales
- Business Service and Sales
- Car Wash\*
- Church or Place of Worship
- Commercial Greenhouse or Nursery
- Commercial Recreational Use
- Community Swimming Pool
- Country Club
- Day Care and Education Facility (Privately-owned)
- Dog Park\*
- Dry-cleaning Retail Establishment
- Educational Facility (Public)
- Alcohol: mixed beverage sales (on-premises consumption) 1
- Alcohol: wine and malt beverage sales (on-premises consumption) 1
- Alcohol: mixed beverage package store (on- and/or off-premises consumption)\*

- Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)\*
- Alcohol: manufacturing and distribution (on- and/or off-premises consumption)\* 1
- Alcohol: brewpub (on- and/or off-premises consumption)\*1
  - 1: Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all requirements for distance as specified in Division 10 (use regulations).
- Exercise and Sports Establishment
- Federal, State or City Owned or Controlled Facilities
- Financial Institution
- Franchise-holding Facilities and Utilities
- Golf Course
- Home and Residence Services
- Hotel
- Insurance
- Medical and State Licensed Health Services
- Merchandise Rental
- Municipal Uses
- Nursery, Garden, Landscape Materials Sales
- Nursing Home or Assisted Living Facility
- Outdoor or Drive-Thru Sales or Service
- Open Space Preserves
- Personal Services
- Pet Grooming and Care Services\*
- Pharmacy
- Professional Service and Sales
- Public Parks and Playgrounds
- Public Recreational Facilities
- Real Estate Services
- Restaurant
- Retail Sales
- Technical Service and Sales
- Vehicle Parking Garage
- Vertically Mixed-Use Retail
- Veterinarian Service, Animal Clinic\*

*\*Conditional Use*

### 1.3.28. Prohibited Uses

- 1.3.28.1. Drive-throughs shall be permitted with a minimum setback from existing residential property of 100 feet (100'), and as required through a Conditional Use Permit if applicable.

1.3.29. Dimensional Standards

The tract designated as **Land Use Parcel 3 on Exhibit C – Concept Plan** shall comply with the following Dimensional Standards:

<b>DIMENSIONAL STANDARDS</b>	
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard corner	25'
Minimum Rear Yard Setback	25'
Maximum Lot Coverage	75%
Maximum Main Structure Height	40'
Maximum Accessory Structure Height	40'

## LAND USE PARCEL 4

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 4 on Exhibit C – Concept Plan**.

1.3.30. Uses

Permitted uses shall be in accordance with the development standards below.

1.3.31. Development Standards: Development shall be in accordance with the standards established in the Retail District (R) in the City’s Code of Ordinances as it exists on the date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years, unless otherwise identified below.

1.3.31.1. Maximum Building Size: 30,000 square feet. Should a larger building be proposed, a Conditional Use Permit shall be required. . All Conditional Use Permit (CUP) Applications shall follow the guidelines set forth in Sec. 9.03.211 (Conditional Use) of the Zoning Ordinance, and as amended, and shall be reviewed by the City Administrator, or their designee, for completeness. Failure by the applicant to provide all required information shall constitute grounds for refusal for processing and review. Once the Application has been deemed complete, the Planning and Zoning Commission shall hold a Public Hearing to provide a recommendation to City Council. Following the Commission’s recommendation, City Council shall hold a Public Hearing and approve, approve with conditions, or deny the conditional use permit, per the review criteria stated above.

1.3.31.2. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet
- Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the

Concept Plan.

- There is no Minimum Building Size.
- Maximum Height is 45 feet (45') with the exception of hotel uses, which shall be 65 feet (65'). Proximity slope shall be provided: for the first 50 feet (50') adjacent to single family residential, the maximum height shall be 30 feet (30').

1.3.32. Location and Types

The location of **LAND USE PARCEL 4** shall be as generally depicted on **Exhibit C – Concept Plan**:

1.3.33. Permitted Uses

1.3.33.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- Automobile Fueling Station\* **Removed from Parcel 3, Added to Parcel 4**
- Bakery/Confectionary Retail Establishment
- Bed and Breakfast\*
- Building Material Sales
- Business Service and Sales
- Church or Place of Worship
- Commercial Recreational Use
- Country Club
- Day Care and Education Facility (Privately-owned)
- Dog Park\*
- Dry-cleaning Retail Establishment
- Educational Facility (Public)
- Alcohol: mixed beverage sales (on-premises consumption)
- Alcohol: wine and malt beverage sales (on-premises consumption)
- Alcohol: mixed beverage package store (on- and/or off-premises consumption)\*
- Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)\*
- Alcohol: manufacturing and distribution (on- and/or off-premises consumption)\*
- Alcohol: brewpub (on- and/or off-premises consumption)\*
  1. Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all requirements for distance as specified in Division 10 (use regulations).
- Exercise and Sports Establishment
- Federal, State or City Owned or Controlled Facilities
- Financial Institution
- Franchise-holding Facilities and Utilities

- Golf Course
- Home and Residence Services
- Hotel
- Insurance
- Medical and State Licensed Health Services
- Merchandise Rental
- Municipal Uses
- Outdoor or Drive-Thru Sales or Service
- Open Space Preserves
- Personal Services
- Pet Grooming and Care Services\*
- Pharmacy
- Private Clubs and Organizations (indoor)\*
- Professional Service and Sales
- Public Parks and Playgrounds
- Public Recreational Facilities
- Real Estate Services
- Restaurant
- Retail Sales
- Single Family Attached Residential (townhomes)
- Technical Service and Sales
- Vehicle Parking Garage
- Vertically Mixed-Use Retail and Multi Family Residential
- Veterinarian Service, Animal Clinic\*

*\*Conditional Use*

#### 1.3.34. Prohibited Uses

- 1.3.34.1. Drive-throughs shall be permitted with a minimum setback from existing residential property of 100 feet (100’), and as required through a Conditional Use Permit if applicable.

#### 1.3.35. Dimensional Standards

The tract designated as **Land Use Parcel 4 on Exhibit C – Concept Plan** shall comply with the following Dimensional Standards:

<b>DIMENSIONAL STANDARDS</b>	
Minimum Front Yard Setback	25’
Minimum Side Yard Setback	25’
Minimum Side Yard corner	25’
Minimum Rear Yard Setback	25’
Maximum Lot Coverage	75%
Maximum Main Structure Height	40’
Maximum Accessory Structure Height	40’

## LAND USE PARCEL 5

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 5** on **Exhibit C – Concept Plan**.

### 1.3.36. Uses

Permitted uses shall be in accordance with the development standards below.

1.3.37. Development Standards: Development shall be in accordance with the standards established in **Section 1.2 and 1.3** of this PD if developed as multi-family or the Retail District (R) in the City’s Code of Ordinances as it exists on the date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years, unless otherwise identified below, if developed as non-residential.

1.3.37.1. Maximum Building Size: 30,000 square feet. Should a larger building be proposed, a Conditional Use Permit shall be required. . All Conditional Use Permit (CUP) Applications shall follow the guidelines set forth in Sec. 9.03.211 (Conditional Use) of the Zoning Ordinance, and as amended, and shall be reviewed by the City Administrator, or their designee, for completeness. Failure by the applicant to provide all required information shall constitute grounds for refusal for processing and review. Once the Application has been deemed complete, the Planning and Zoning Commission shall hold a Public Hearing to provide a recommendation to City Council. Following the Commission’s recommendation, City Council shall hold a Public Hearing and approve, approve with conditions, or deny the conditional use permit, per the review criteria stated above.

1.3.37.2. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet
- Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the Concept Plan.
- There is no Minimum Building Size.

### 1.3.38. Location and Types

The location of **LAND USE PARCEL 5** shall be as generally depicted on **Exhibit C – Concept Plan**.

### 1.3.39. Permitted Uses

1.3.39.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- Bed and Breakfast\*

- Building Material Sales
- Business Service and Sales
- Church or Place of Worship
- Commercial Recreational Use
- Community Swimming Pool
- Country Club
- Day Care and Education Facility (Privately-owned)
- Dog Park\*
- Educational Facility (Public)
- Federal, State or City Owned or Controlled Facilities
- Financial Institution
- Franchise-holding Facilities and Utilities
- Home and Residence Services
- Hotel
- Insurance
- Medical and State Licensed Health Services
- Merchandise Rental
- Municipal Uses
- Nursing Home or Assisted Living Facility
- Open Space Preserves
- Personal Services
- Pet Grooming and Care Services\*
- Public Parks and Playgrounds
- Public Recreational Facilities
- Real Estate Services
- Restaurant
- Technical Service and Sales
- Vehicle Parking Garage
- Vertically Mixed-Use Retail and Multi Family Residential
- Veterinarian Service, Animal Clinic\*
- Multi-family Dwelling
- Two-Unit Residential Structures
- One-Unit Residential Structures

*\*Conditional Use*

*Senior facilities without medical services and with independent suites or dwelling units shall be considered multi-family residential.*

1.3.40. Dimensional Standards

If a non-residential use is proposed, the tract designated as **LAND USE PARCEL 5** on **Exhibit C – Concept Plan** shall comply with the following Dimensional Standards:

<b>DIMENSIONAL STANDARDS</b>	
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard corner	25'
Minimum Rear Yard Setback	25'
Maximum Lot Coverage	75%
Maximum Main Structure Height	40'
Maximum Accessory Structure Height	40'

## LAND USE PARCEL 6

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 6** on **Exhibit C – Concept Plan**.

### 1.3.41. Uses

Permitted uses shall be in accordance with the development standards below.

1.3.42. Development Standards: Development shall be in accordance with the standards established in the Retail District (R) in the City’s Code of Ordinances as it exists on the date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years, unless otherwise identified below.

### 1.3.43. Location and Types

The location of **LAND USE PARCEL 6** shall be as generally depicted on **Exhibit C – Concept Plan**.

### 1.3.44. Permitted Uses

1.3.44.1. The following uses are permitted:

- Public Parks and Playgrounds
- Public Recreational Facilities
- Public Schools
- Public Services
- Public Utility or Infrastructure Facility

### 1.3.45. Dimensional Standards

Where Standards are not specified, properties designated **LAND USE PARCEL 6** shall comply with the Zoning Ordinance and Subdivision Ordinances as applicable.

## LAND USE PARCEL 7

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 7** on **Exhibit C – Concept Plan**.

### 1.3.46. Uses

Permitted uses shall be in accordance with the development standards below.

1.3.47. Development Standards: Development shall be in accordance with the standards established in the Retail District (R) in the City’s Code of Ordinances as it exists on the

date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years, unless otherwise identified below.

1.3.47.1. Maximum Building Size: 30,000 square feet. Should a larger building be proposed, a Conditional Use Permit shall be required. All Conditional Use Permit (CUP) Applications shall follow the guidelines set forth in Sec. 9.03.211 (Conditional Use) of the Zoning Ordinance, and as amended, and shall be reviewed by the City Administrator, or their designee, for completeness. Failure by the applicant to provide all required information shall constitute grounds for refusal for processing and review. Once the Application has been deemed complete, the Planning and Zoning Commission shall hold a Public Hearing to provide a recommendation to City Council. Following the Commission's recommendation, City Council shall hold a Public Hearing and approve, approve with conditions, or deny the conditional use permit, per the review criteria stated above.

1.3.47.2. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet.
- Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the Concept Plan.
- There is no Minimum Building Size.
- Maximum Height is 45 feet (45') with the exception of hotel uses, which shall be 65 feet (65'). Proximity slope shall be provided: for the first 50 feet (50') adjacent to single family residential, the maximum height shall be 30 feet (30').

1.3.48. Location and Types

The location of **LAND USE PARCEL 7** shall be as generally depicted on **Exhibit C – Concept Plan**.

1.3.49. Permitted Uses

1.3.49.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- Bakery/Confectionary Retail Establishment
- Bed and Breakfast\*
- Building Material Sales
- Business Service and Sales
- Church or Place of Worship
- Commercial Recreational Use
- Community Swimming Pool
- Country Club
- Day Care and Education Facility (Privately-owned)
- Dog Park\*
- Dry-cleaning Retail Establishment
- Educational Facility (Public)

- Exercise and Sports Establishment
- Federal, State or City Owned or Controlled Facilities
- Financial Institution
- Franchise-holding Facilities and Utilities
- Home and Residence Services
- Hotel
- Insurance
- Medical and State Licensed Health Services
- Merchandise Rental
- Municipal Uses
- Nursing Home or Assisted Living Facility
- Outdoor or Drive-Thru Sales or Service
- Open Space Preserves
- Personal Services
- Pet Grooming and Care Services\*
- Pharmacy
- Professional Service and Sales
- Public Parks and Playgrounds
- Public Recreational Facilities
- Real Estate Services
- Restaurant
- Retail Sales
- Single Family Attached Residential (townhomes)
- Single Family Detached Residential
- Technical Service and Sales
- Vehicle Parking Garage
- Vertically Mixed Use Retail
- Veterinarian Service, Animal Clinic\*
- Two-Unit Residential Structures
- One-Unit Residential Structures

*\*Conditional Use*

1.3.50. Prohibited Uses

1.3.51. Dimensional Standards

The tract designated as **LAND USE PARCEL 7** on **Exhibit C – Concept Plan** shall comply with the following Dimensional Standards:

<b>Dimensional Standard</b>	
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard corner	25'
Minimum Rear Yard Setback	25'
Maximum Lot Coverage	75%
Maximum Main Structure Height	40'
Maximum Accessory Structure Height	40'

## LAND USE PARCEL 8

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 8** on **Exhibit C – Concept Plan**.

### 1.3.52. Uses

Permitted uses shall be in accordance with the development standards below.

1.3.53. Development Standards: Development shall be in accordance with the standards established in the Retail District (R) in the City's Code of Ordinances as it exists on the date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years, unless otherwise identified below.

1.3.53.1. Maximum Building Size: 30,000 square feet. Should a larger building be proposed, a Conditional Use Permit shall be required. All Conditional Use Permit (CUP) Applications shall follow the guidelines set forth in Sec. 9.03.211 (Conditional Use) of the Zoning Ordinance, and as amended, and shall be reviewed by the City Administrator, or their designee, for completeness. Failure by the applicant to provide all required information shall constitute grounds for refusal for processing and review. Once the Application has been deemed complete, the Planning and Zoning Commission shall hold a Public Hearing to provide a recommendation to City Council. Following the Commission's recommendation, City Council shall hold a Public Hearing and approve, approve with conditions, or deny the conditional use permit, per the review criteria stated above.

1.3.53.2. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet
- Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the Concept plan. There is no Minimum Building Size.
- Maximum Height is 45 feet (45') with the exception of hotel uses, which shall be 65 feet (65'). Proximity slope shall be provided: for the first 50 feet (50') adjacent to single family residential, the maximum height shall be 30 feet (30').

### 1.3.54. Location and Types

The location of **LAND USE PARCEL 8** shall be as generally depicted on **Exhibit C – Concept Plan**.

### 1.3.55. Permitted Uses

1.3.55.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- Automobile Fueling Station\*
- Automobile Service Establishment\*

- Bakery/Confectionary Retail Establishment
- Bed and Breakfast\*
- Building Material Sales
- Business Service and Sales
- Car Wash\*
- Church or Place of Worship
- Commercial Greenhouse or Nursery
- Commercial Recreational Use
- Community Swimming Pool
- Country Club
- Day Care and Education Facility (Privately-owned)
- Dog Park\*
- Dry-cleaning Retail Establishment
- Educational Facility (Public)
- Alcohol: mixed beverage sales (on-premises consumption)
- Alcohol: wine and malt beverage sales (on-premises consumption)
- Alcohol: mixed beverage package store (on- and/or off-premises consumption)\*
- Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)\*
- Alcohol: manufacturing and distribution (on- and/or off-premises consumption)\*
- Alcohol: brewpub (on- and/or off-premises consumption)\*
  1. Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all requirements for distance as specified in Division 10 (use regulations).
- Exercise and Sports Establishment
- Federal, State or City Owned or Controlled Facilities
- Financial Institution
- Franchise-holding Facilities and Utilities
- Golf Course
- Home and Residence Services
- Hotel
- Insurance
- Medical and State Licensed Health Services
- Merchandise Rental
- Municipal Uses
- Nursery, Garden, Landscape Materials Sales
- Nursing Home or Assisted Living Facility
- Outdoor or Drive-Thru Sales or Service
- Open Space Preserves
- Personal Services
- Pet Grooming and Care Services\*
- Pharmacy
- Private Clubs and Organizations (indoor)\*
- Professional Service and Sales
- Public Parks and Playgrounds

- Public Recreational Facilities
- Real Estate Services
- Restaurant
- Retail Sales
- Technical Service and Sales
- Vehicle Parking Garage
- Veterinarian Service, Animal Clinic\*

*\*Conditional Use*

1.3.56. Dimensional Standards

The tract designated as **LAND USE PARCEL 8** on **Exhibit C – Concept Plan** shall comply with the following Dimensional Standards:

Dimensional Standard	
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard corner	25'
Minimum Rear Yard Setback	25'
Maximum Lot Coverage	75%
Maximum Main Structure Height	40'
Maximum Accessory Structure Height	40'

## LAND USE PARCEL 9

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The following regulations shall apply to the tract designated as **LAND USE PARCEL 9** on **Exhibit C – Concept Plan**.

1.3.57. Uses

Permitted uses shall be in accordance with the development standards below.

1.3.58. Business Park Development Standards: Development shall be in accordance with the standards established in the Business Park District (B) in the City’s Code of Ordinances as it exists on the date of the adoption of this ordinance, and as provided in Exhibit G attached hereto, for 9 years, unless otherwise identified below.

1.3.59. Site Design, Building Placement, Orientation and Process Controls:

- Service doors for loading or for auto or similar service shall not face a public street unless screened.
- Landscape Buffers: A minimum 15-foot-wide landscape buffer shall be provided adjacent to FM 2755. All street rights-of way and shall be maintained as permanent green space. Said landscape buffer shall be comprised of, at a minimum, the following materials:
- Buffer Vegetation:

- Shade Trees: Shade trees shall be 3 caliper inches in size, measured 12” above the planting surface, at the time of planting
- Ornamental Trees: Ornamental trees shall be 2 caliper inches in size at the time of planting.

### 1.3.60. Location and Types

The location of **LAND USE PARCEL 9** shall be as generally depicted on **Exhibit C – Concept Plan**.

### 1.3.61. Permitted Uses

1.3.61.1. The following uses are permitted:

- Alcohol: mixed beverage sales (on-premises consumption)
- Alcohol: wine and malt beverage sales (on-premises consumption)
- Alcohol: mixed beverage package store (on- and/or off-premises consumption)\*
- Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)\*
- Alcohol: manufacturing and distribution (on- and/or off-premises consumption)\*
- Alcohol: brewpub (on- and/or off-premises consumption)\*
  1. Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all requirements for distance as specified in Division 10 (use regulations).
- Animal-related Medical, Grooming or Boarding
- Auto, Tool or Equipment Rental\*
- Business Service and Sales
- Commercial Cleaning or Laundry Plant\*
- Data Center or Software Design
- Federal, State or City Owned or Controlled Facilities
- Hospital
- Information Data Processing
- Information Distribution, Publication, Production
- Information Telecommunication, Sellers
- Insurance
- Light Manufacturing Clean
- Manufacturing – Appliance, Instrument, Controller
- Manufacturing – Device, Parts, Vehicles
- Manufacturing – Die, Tooling, Equipment, Machinery\*
- Materials Bending, Cutting, Machining, Molding, Welding\*
- Medical Office
- Medical or Scientific Laboratory\*
- Municipal Uses
- Open Space

- Packing of Parts and Materials Previously Manufactured
- Parts Assembly, Materials Sorting Previously Manufactured
- Personal Services
- Pharmacy
- Professional, Scientific, and Technical Services
- Professional Service and Sales
- Public Parks and Playgrounds
- Public Recreational Facilities
- Restaurant
- Retail Sales
- Storage of Flammable Liquids and Materials\*
- Studios: Photo, Music, Art, Health, Etc.
- Technical Service and Sales
- Trade Contractor Office and Dispatch
- Truck Repairs and Service\*
- Warehousing and Distribution Facilities\*
- Wholesale Enterprises without Materials Storage and Distribution

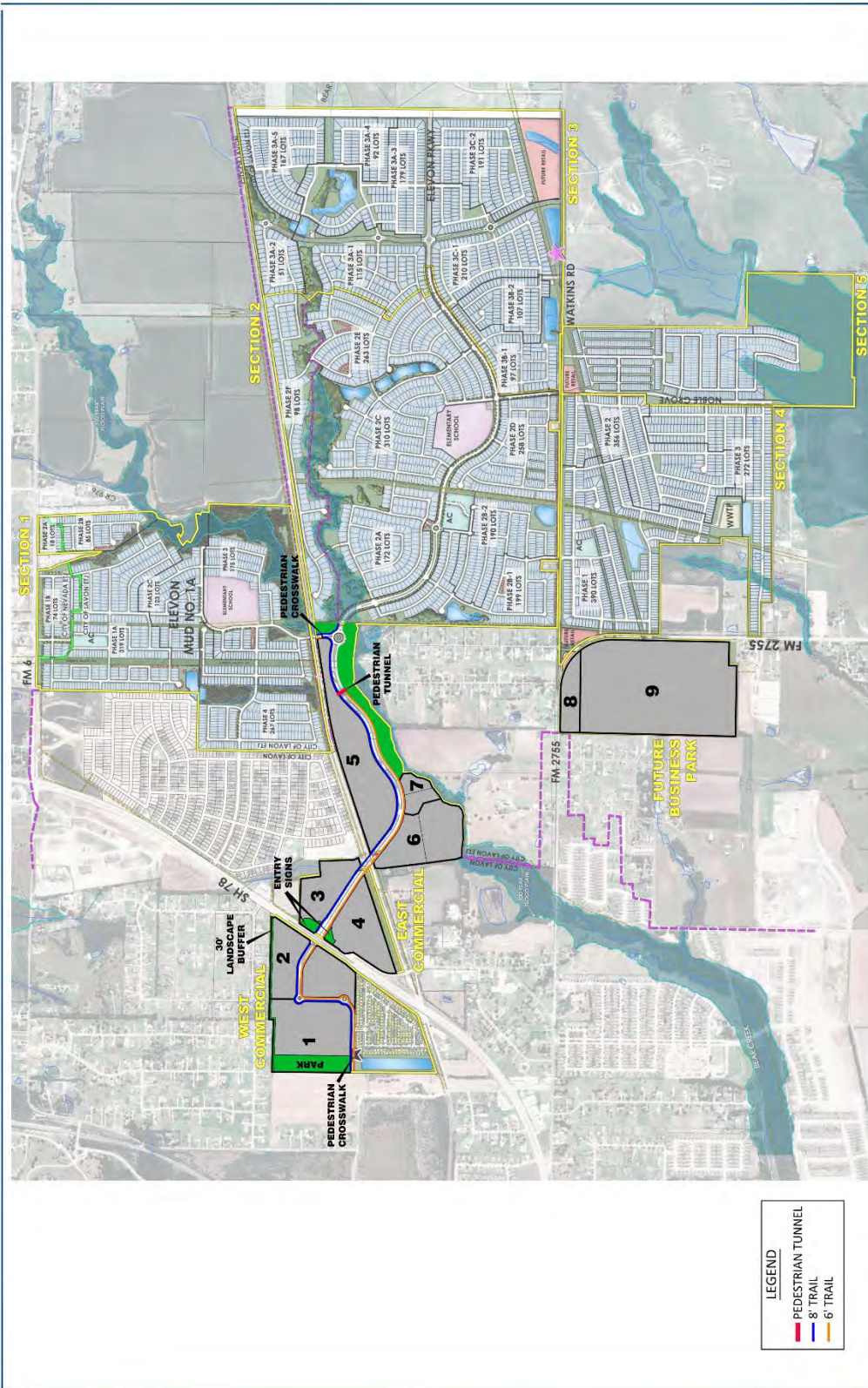
*\*Conditional Use*

1.3.62. Dimensional Standards

The tract designated as **LAND USE PARCEL 9** on **Exhibit C – Concept Plan** shall comply with the following Dimensional Standards:

<b>Dimensional Standards</b>	
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard corner	25'
Minimum Rear Yard Setback	25'
Maximum Lot Coverage	75%
Maximum Main Structure Height	40'
Maximum Accessory Structure Height	40'

# EXHIBIT E. PARKS/OPEN SPACE



**MA PARTNERS** **JBI PARTNERS**

**ELEVON** **EXHIBIT E - PARKS, OPEN SPACE & TRAILS**

CITY OF LAVON, COLLIN COUNTY, TEXAS

JUNE 12, 2025  
MAT029

NOT TO SCALE

# EXHIBIT F. PRIMARY ENTRY FEATURE



**JBI PARTNERS**  
ELEVON HIGHWAY 78 ENTRY  
City of Lovon, Texas

**HWY 78 FEATURE - PRIMARY ENTRY SIGN**

SHOWN 225  
6/10/17  
SCALE 1"=100'-0"  
N



ALL WORKS ARE  
 CONCEPTUAL  
 PRODUCT SUBJECT TO  
 CHANGE

SUMMER 2025  
 MANTON

HWY 78 FEATURE - PRIMARY ENTRY SIGN

ELEVON HIGHWAY 78 ENTRY  
 City of Lgvon, TEXAS

**JBI**  
 PARTNERS

# EXHIBIT G. CITY OF LAVON CODE OF ORDINANCES EXCERPTS, OCTOBER 18, 2022

## DIVISION 6. REGULATIONS APPLICABLE TO MIXED USE AND NONRESIDENTIAL DISTRICTS

### SEC. 9.03.131 RETAIL DISTRICT (R)

(a) **Purpose.** The retail district (R) is to establish business areas for sales tax generating retail, business and personal service enterprises. Site planning controls shall limit sales and services to the interior of building and structures. Where exterior sales and services are necessary, buffering and landscaping shall be required adjacent to residential uses and zones.

(b) **Permitted uses.** The following are permitted when such use is conducted entirely within the interior of a building. A permitted use does not include a use when it is identified as a conditional use herein.

- (1) Business, professional and technical service and sales
- (2) Financial institution, insurance, real estate
- (3) Medical, pharmacy and state licensed health services
- (4) Personal service, and service for home and residence
- (5) Retail sales in individual buildings or in planned centers of retail users
- (6) Restaurant
- (7) Privately owned educational and day care facility
- (8) Federal, state or local governmental use
- (9) Alcohol: mixed beverage sales (on-premises consumption)\*
- (10) Alcohol: wine and malt beverage sales (on-premises consumption)\*

\* Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all

requirements for distance as specified in [division 10](#) (use regulations).

(c) **Conditional uses.**

- (1) Automobile fueling and gasoline filling station
- (2) Automobile service establishment
- (3) Car wash
- (4) Outdoor, drive-in or drive-through sales or service activity
- (5) Amusement, theater, exercise and sports establishment
- (6) Bakery/confectionery retail establishment
- (7) Building materials sales
- (8) Church or place of worship at free standing or individual sites
- (9) Dry-cleaning retail establishments with no processing on site
- (10) Hotel
- (11) Landscaping material sales
- (12) Merchandise rental
- (13) Pet grooming and care services
- (14) Veterinarian services
- (15) Vapor smoking services
- (16) Retail storage service facilities
- (17) Private clubs and organizations (indoor)
- (18) Second hand/used goods/pawn shop provided the lot on which a similar establishment is located is more than one thousand (1,000) feet from the location of the proposed use; the one thousand (1,000) foot distance shall be measured between the lots and along the public street
- (19) Cash and retail lending service establishment provided the lot on which a similar establishment is located is more than one thousand (1,000) feet from the location of the proposed use; the one thousand (1,000) foot distance shall be measured between the lots and along the public street
- (20) Tattoo service and similar body artwork establishment provided the lot on which a similar establishment is located is more than one thousand (1,000) feet from

the location of the proposed use; the one thousand (1,000) foot distance shall be measured between the lots and along the public street

(21) Alcohol: mixed beverage package store (on- and/or off-premises consumption)\*

(22) Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)\*

(23) Alcohol: brewpub (on- and/or off-premises consumption)\*

\* Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all requirements for distance as specified in [division 10](#) (use regulations).

(d) **Area requirements.**

(1) Minimum lot area: 1 acre (43,560 square feet)

(2) Lot dimensions: none

(3) Minimum building size: 2,500 square feet

(4) Maximum building size: 20,000 square feet

(5) **Yard requirements – main structure setbacks and lot coverage.**

(A) Minimum front yard (feet): 25

(B) minimum side yard (feet): 7 except adjoining residential where the side yard shall be the greater of 15 feet or equivalent to the building setback of the adjacent residential property

(C) Minimum side yard of corner lots (feet): 25

(D) Minimum rear yard (feet) 10 except adjoining residential where the rear yard shall be 50 feet measured from the property line to the building foundation

(E) Minimum rear yard double front lots (feet): 25

(F) Maximum lot coverage: 80%

(6) **Height of structures.**

- (A) Maximum main structure (feet): 45
- (B) Maximum accessory structure (feet): 14

(e) **Building placement, orientation and site design.**

- (1) No service canopies, drive-thru lanes, service doors for auto or similar service shall face the public street nor a residential lot or residential zoning district.
- (2) All utility lines (power, phone, cable, etc.) shall be placed underground.
- (3) Sidewalks (eight (8) foot minimum width) shall be provided along lot lines adjoining the public streets. Interior walkways are required and shall be connected to adjoining public sidewalks.
- (4) Marked pedestrian crosswalks shall be provided at all public street intersections adjoining the development.
- (5) Architectural and/or landscape elements shall be designed to provide shade on the south and west exposures to protect patrons in plazas, patios and other public spaces.
- (6) Shopping cart areas, within the tenant space shall be screened from view with decorative screening or landscaping as high as the carts.
- (7) Exterior display of retail sales, vending, amusements and seasonal sales shall be pre-planned and proposed locations for such activities shall be depicted on the site plan for approval by city.
- (8) Accessory structures such as trash enclosures, utility services, telecommunication equipment and heating/cooling systems shall be screened from view of neighboring buildings, sites and roadways. Materials to screen around these systems shall match or compliment adjacent building materials. Gates shall not allow for view of the contents of the enclosure.
- (9) Highly visible detention basins for storm drainage shall be contoured, use curvilinear design forms and shall be aesthetically landscaped and maintained.
- (10) All sides of a building shall be designed with consistent architectural and façade elements. Roofline silhouettes shall be broken up through the use of large cornices, changes in parapet heights, or other techniques such as awnings, bulb-outs, and reliefs. At least fifty percent (50%) of the total façade shall use features such as windows, awnings, entryways, columns, architectural relief to discourage long expanses of bare wall. All exterior metals and plastics (vents, flashings, and

gutters) shall be screened from view, painted or treated to blend in with the adjacent surrounding materials.

(11) All glass, plastic or other transparent materials shall be treated to eliminate reflective glare.

(12) Retail and commercial uses adjacent to a residential use or zone shall provide

- a) a masonry wall or similar screening device along the shared lot line; and
- b) a landscape buffer area of at least twenty (20) feet in width along the common property line, with one canopy tree for each thirty (30) linear feet or portion thereof of adjacent exposure. These trees shall not be clustered.

When applicable, connection to the adjacent neighborhood shall be provided via a sidewalk or trail through the wall and landscaped buffer area, leading to an adjacent right-of-way, sidewalk, and/or trail to provide connectivity to adjacent neighborhoods or other developments.

(Ordinance 2018-03-02, sec. 9.1.6.1, adopted 3/20/18; Ordinance 2022-03-02 adopted 3/1/22; Ordinance 2022-07-02 adopted 7/19/22; Ordinance 2022-09-02 adopted 9/6/2022)

### **SEC. 9.03.133 BUSINESS PARK DISTRICT (B)**

(a) **Purpose.** The purpose of this district, business park (B) is to plan for a wide range of information technology, research and development, manufacturing, wholesale, warehouse and transportation uses that will generate job opportunities for the citizens of the city. Regulations are set in place to allow for manufacturing uses that meet guidelines to reduce the impact on adjacent non-manufacturing development from potentially incompatible uses and conditions.

(b) **Permitted uses.** The following are permitted when such use is conducted entirely within the interior of a building which is a minimum of fifteen thousand (15,000) square feet.

- (1) Appliance, instrument, controller, device, parts, and vehicle manufacturing
- (2) Automobile and truck repairs and service
- (3) Die, tooling, equipment and machinery manufacturing
- (4) Federal, state or city owned or controlled facilities, utilities, parks, playgrounds, recreational facilities, open space preserves and municipal uses

- (5) Information assembly, broadcasting, carriers, distribution, publication, production, telecommunication, information sellers, data processing
- (6) Materials bending, cutting, machining, molding, and welding
- (7) Parts assembly, materials sorting previously manufactured
- (8) Packaging of parts and materials previously manufactured
- (9) Professional, scientific and technical services
- (10) Storage - self service
- (11) Wholesale enterprises without materials storage and distribution
- (12) Warehousing and distribution facilities

(c) **Conditional uses.** Conditional uses include the following uses when such uses are conducted entirely within the interior of a building. Equipment necessary to the manufacturing process outside of the building shall be screened from the public street and adjoining property. Building shall be minimum of fifteen thousand (15,000) square feet.

- (1) Manufacturing processes that bake, blend, coat, dip, draw, distill, extract, extrude, heat, mill, refine, reclaim, recycle, roll and any process not identified, provided any such process is conducted entirely within a building and provided no emission or contaminants shall leave the property. Such process shall meet all permitting requirements of the U.S. Environmental Protection Agency, Texas Commission [on] Environmental Quality and similar regulating federal and state agencies. Waste handling, disposal and pretreatment studies and certifications shall be required for all products, by-products and waste materials produced.

The emission of particulate matter from all sources shall not exceed the level specified by the Texas Commission on Environmental Quality or regulations specified by the Texas Department of Health. Proof that emissions comply with applicable permitting requirements shall be provided to city.

- (2) Storage of all flammable liquids and materials.
- (3) Open storage and open processing operations, including on-site sand and gravel processing and storage, sand blasting or similar uses provided said particulate matter shall not leave the property nor be transported across the boundary property line of the tract on which the use is located.
- (4) Alcohol: manufacturing and distribution (on- and/or off-premises)

consumption).\*

\*Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all requirements for distance as specified in [division 10](#) (use regulations).

(d) **Area requirements.**

(1) **Lot and building size.**

- (A) Minimum lot area: two (2) acres
- (B) Minimum lot width: none
- (C) Minimum building size: 15,000 square feet
- (D) Maximum building size: no requirement

(2) **Yard requirements – main structure setbacks and lot coverage.**

- (A) Minimum front yard (feet): 30
- (B) Minimum side yard (feet): 20 except adjoining residential where the side yard shall be (feet) 50
- (C) Minimum side yard of corner lots (feet): 30
- (D) Minimum rear yard (feet): none except adjoining residential where the rear yard shall be (feet) 50
- (E) Maximum lot coverage: 60%

(3) **Height of structures.**

- (A) Maximum main structure (feet): 65
- (B) Maximum accessory structure (feet): 36

(e) **Site design, building placement, orientation and process controls.**

- (1) All buildings, principal and accessory, vertical surfaces, except for windows, doors, and other normal opening, shall be 100% masonry (brick, stone, stucco, concrete tilt wall or split faced concrete block).
- (2) Accessory structures including trash enclosures, utility services, telecommunication equipment, heating and cooling systems, assembly yards, loading

areas shall be screened around these systems. Materials to screen around these systems shall match or compliment adjacent principal building materials. Gates shall not allow for view of the contents of building, structures and yards within enclosure.

(3) All sides of the building shall be designed with consistent architectural and facade elements. Building shall incorporate wall recessions or projections at a minimum of five (5) feet in depth. These projections or recessions shall cover at least twenty-five (25) percent of the total building facade along each side of the building.

(4) All exterior metals and plastics (vents, flashings, and gutters) shall be screened from view, painted or treated to blend in with the adjacent surrounding materials.

(5) No service canopies, drive-thru lanes, service doors for loading or similar service facilities shall face the public street nor a residential lot or residential zoning district.

(6) All utility lines (power, phone, cable, etc.) shall be placed underground.

(7) Sidewalks (eight (8) foot minimum width) shall be provided along the lot lines adjoining a public streets. Interior walkways are required and shall connect to existing surrounding and adjoining public sidewalks as well as locations for future required public sidewalks.

(8) Marked pedestrian crosswalks shall be provided at all public street intersections adjoining the development.

(9) No exterior display of products or goods produced at the site shall be allowed.

(10) Highly visible detention basins for storm drainage shall be contoured, use curvilinear design forms and shall be aesthetically landscaped and maintained.

(11) All glass, plastic or other transparent materials shall be treated to eliminate reflective glare.

(12) Uses adjacent a residential use or residential zone shall provide a masonry wall or dense landscaped screen along the lot line from the front yard through the rear yard.

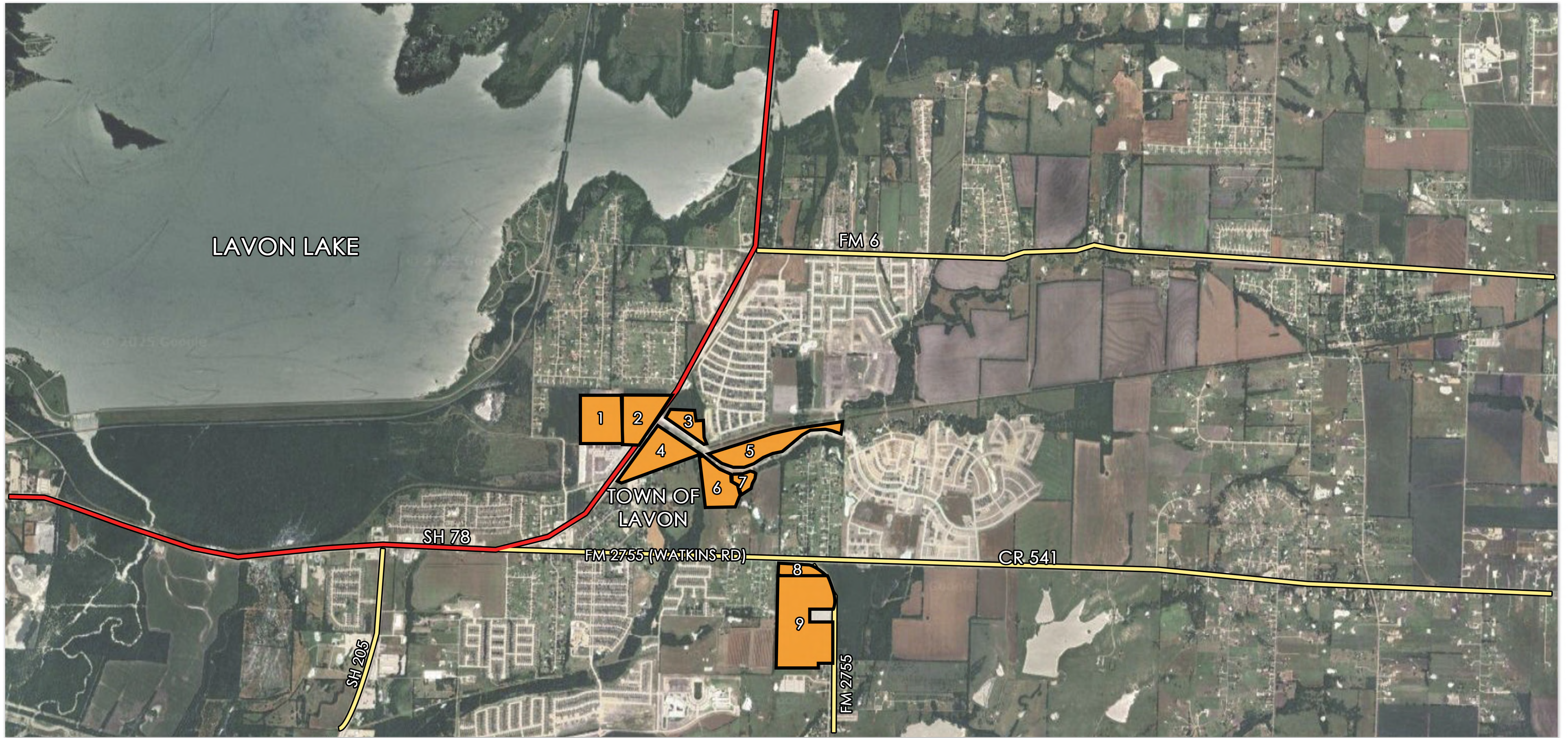
(13) All exterior lighting, designed for security, illumination, parking lot illumination or advertising shall be designed in such a manner as to ensure that it does not extend into adjacent residentially zoned property. Information shall be provided on a

lighting plan, for approval, which indicate the intensity of all exterior lighting fixtures and the footcandle level beyond the property. Lighting fixtures shall be designed to direct light down onto the site and away from neighboring property. Lighting shall be designed to include cut-off shielding to minimize light pollution onto adjoining property and not exceed 0.25 footcandle beyond the property line.

(14) No use shall be located or operated which involves the emission of odorous matter from the source of the operation where the odorous matter exceeds the odor threshold at the boundary line or any point beyond the tract on which the operation is located. A plan report shall be provided to demonstrate that no odor shall leave the premises incorporating standards, methods and procedures specified by the American Society for Testing Materials (ASTMD 1391-57 entitled “Standard Method for Measuring Odor in Atmospheres”).

(15) No use shall be permitted that creates earth borne vibration beyond the boundary property line of the source of operation.

(Ordinance 2018-03-02, sec. 9.1.6.3, adopted 3/20/18; Ordinance 2022-03-02 adopted 3/1/22; Ordinance 2022-07-02 adopted 7/19/22)



ELEVON

LEGAL DESCRIPTION  
(PARCEL 3)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called Parcel 2-10.224 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152455 Official Public Records of Collin County, Texas, being all of that called 2.058 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 202400072044, Official Public Records of Collin County, Texas, and also being a part of that called 0.906 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2023000030638 and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "USA INC" found in the west line of said Parcel 2, said point being in the east right-of-way line of State Highway Number 78 (a variable width right-of-way), said point also being in the north right-of-way line of Elevation Parkway, a variable width right-of-way as recorded in Document Number 2023-925, Official Public Records of Collin County, Texas;

THENCE North 33 degrees 44 minutes 25 seconds East, 254.09 feet along the west line of said Parcel 2 and along the east right-of-way line of State Highway Number 78 to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being the southwest corner of that called Tract No. 2-5.1400 acre tract of land described in deed to DPB INVESTMENTS, LP, as recorded in Document Number 20110606000576510, Official Public Records of Collin County, Texas;

THENCE South 88 degrees 39 minutes 35 seconds East, 685.22 feet along the north line of said Parcel 2 to a one-half inch iron rod with yellow cap stamped "JBI" found, said point being the southeast corner of said 5.1400 acre tract, said point also being in the west line of Lot 5X, Block U Lakepoint Phase IIA, an addition to Collin County as recorded in Document Number 2021-713, Official Public Records of Collin County, Texas;

THENCE along the east line of said Parcel 2 as follows:  
South 06 degrees 55 minutes 38 seconds East, 307.10 feet along the west line of said Lot 5X to a one-half inch iron rod found for corner, said point being the northwest corner of said 2.058 acre tract of land;

THENCE North 84 degrees 43 minutes 14 seconds East, 235.30 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the north east corner of said 2.058 acre tract;

THENCE South 01 degrees 54 minutes 29 seconds East, 529.89 feet along the east line of said 2.058 acre tract to a one-half inch iron rod with yellow cap stamped "JBI" found in the east line of said 0.906 acre tract;

THENCE South 23 degrees 34 minutes 55 seconds East, 73.42 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of said 0.906 acre tract;

THENCE South 72 degrees 07 minutes 37 seconds West, 123.81 feet along the south line of said 0.906 acre tract to a point for corner, said point being in the north right-of-way line of said Elevation Parkway;

THENCE North 51 degrees 55 minutes 50 seconds West, 136.90 feet along the north line of said Elevation Parkway to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the south line of said Parcel 2;

THENCE along the south line of said Parcel 2 and along the north right-of-way line of said Elevation Parkway as follows:

Northwesterly, 74.17 feet along a curve to the left, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 810.00 feet, a tangent of 37.11 feet and whose chord bears North 54 degrees 33 minutes 14 seconds West, 74.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 57 degrees 10 minutes 38 seconds West, 725.78 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 48 degrees 33 minutes 01 seconds West, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 57 degrees 10 minutes 38 seconds West, 199.85 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 11 degrees 43 minutes 12 seconds West, 28.06 feet to the POINT OF BEGINNING and containing 570,386 square feet or 13.094 acres of land.

BASIS OF BEARING: The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83) with grid distances shown hereon.

LEGAL DESCRIPTION  
(TRACT 2)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called Parcel 3-17.606 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152455, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a 3.5 inch aluminum monument found in the west line of said Parcel 3, said point being in the east right-of-way line of State Highway Number 78 (a variable width right-of-way);

THENCE along the west line of said Parcel 3 and along the east line of said State Highway Number 78 as follows:

North 33 degrees 44 minutes 25 seconds East, 97.25 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 56 degrees 15 minutes 47 seconds East, 10.03 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 33 degrees 44 minutes 13 seconds East, 280.40 feet to a one-half inch iron rod with cap stamped "USA INC" found in the south right-of-way line of Elevation Parkway, a variable width right-of-way as recorded in Document Number 2023-925;

THENCE along the northeast line of said Parcel 3 and along the southwest right-of-way line of said Elevation Parkway as follows:

North 78 degrees 16 minutes 48 seconds East, 35.64 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 57 degrees 10 minutes 38 seconds East, 187.24 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 65 degrees 48 minutes 15 seconds East, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 57 degrees 10 minutes 38 seconds East, 725.78 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

Southeasterly, 63.18 feet along a curve to the right, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 690.00 feet, a tangent of 31.61 feet and whose chord bears South 54 degrees 33 minutes 14 seconds East, 63.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

South 51 degrees 55 minutes 50 seconds East, 65.33 feet to a one-half inch iron rod with cap stamped "USA INC" found at the southeast corner of said Parcel 3, said point being in the north line of that called Tract III-3.50 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2023000030638, Official Public Records of Collin County, Texas;

THENCE South 71 degrees 57 minutes 17 seconds West, 1,591.10 feet along the south line of said Parcel 3 and along the north line of said Tract III to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the said east right-of-way line of State Highway Number 78;

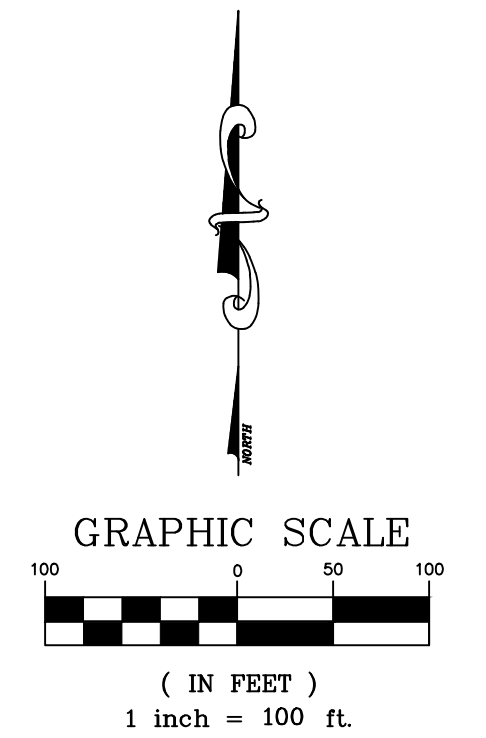
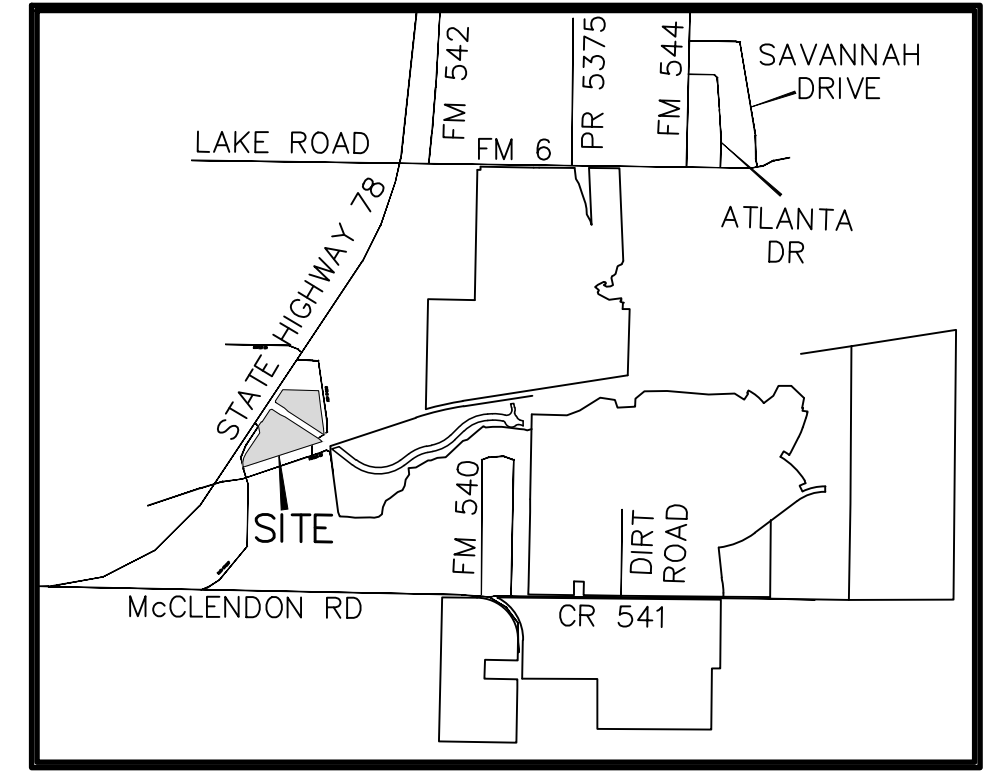
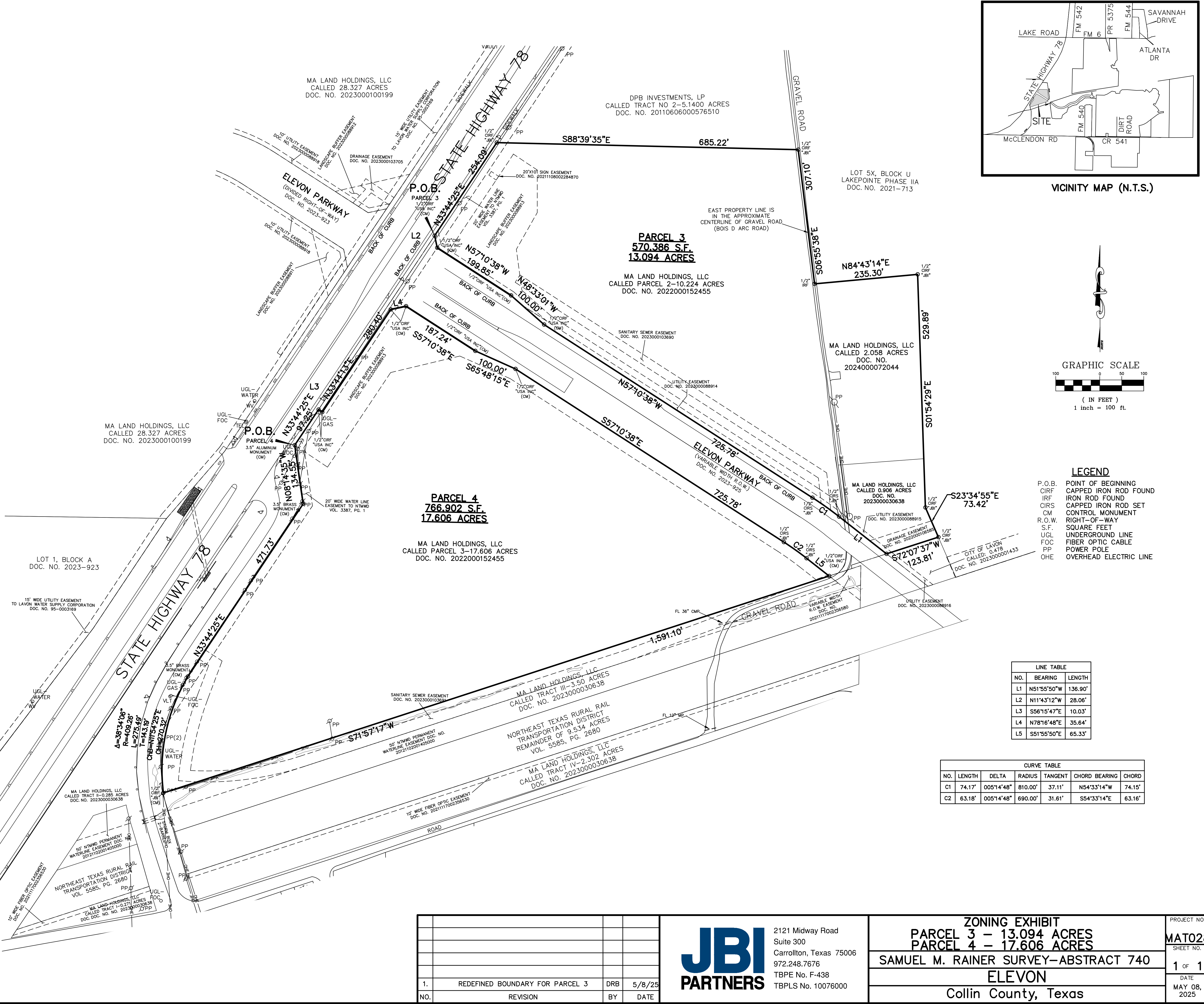
THENCE along the west line of said Parcel 3 and along the east right-of-way line of State Highway 78 as follows:

Northeasterly, 275.49 feet along a curve to the right, having a central angle of 38 degrees 34 minutes 06 seconds, a radius of 409.26 feet, a tangent of 143.19 feet and whose chord bears North 11 degrees 54 minutes 25 seconds East, 270.32 feet to a 3.5" brass monument found for corner;

North 33 degrees 44 minutes 25 seconds East, 471.73 feet to a 3.5" brass monument found for corner;

North 08 degrees 14 minutes 35 seconds West, 134.55 feet to the POINT OF BEGINNING and containing 766,902 square feet or 17.606 acres of land.

BASIS OF BEARING: The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83) with grid distances shown hereon.



LINE TABLE		
NO.	BEARING	LENGTH
L1	N51°55'50"W	136.90'
L2	N11°43'12"W	28.06'
L3	S56°15'47"E	10.03'
L4	N78°16'48"E	35.64'
L5	S51°55'50"E	65.33'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	74.17'	005°14'48"	810.00'	37.11'	N54°33'14"W	74.15'
C2	63.18'	005°14'48"	690.00'	31.61'	S54°33'14"E	63.16'

NO.	REVISION	BY	DATE
1.	REDEFINED BOUNDARY FOR PARCEL 3	DRB	5/8/25

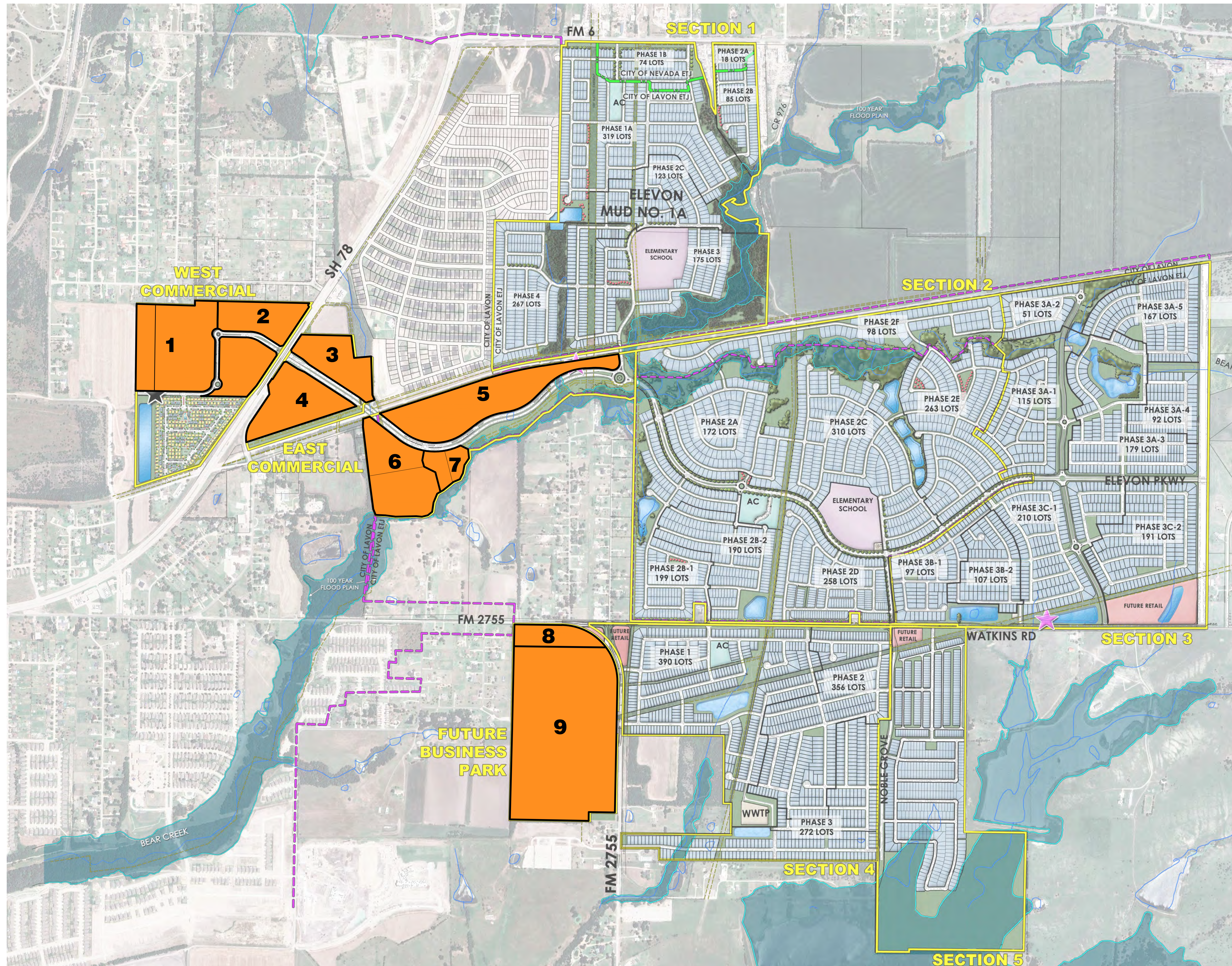
**JBI PARTNERS**

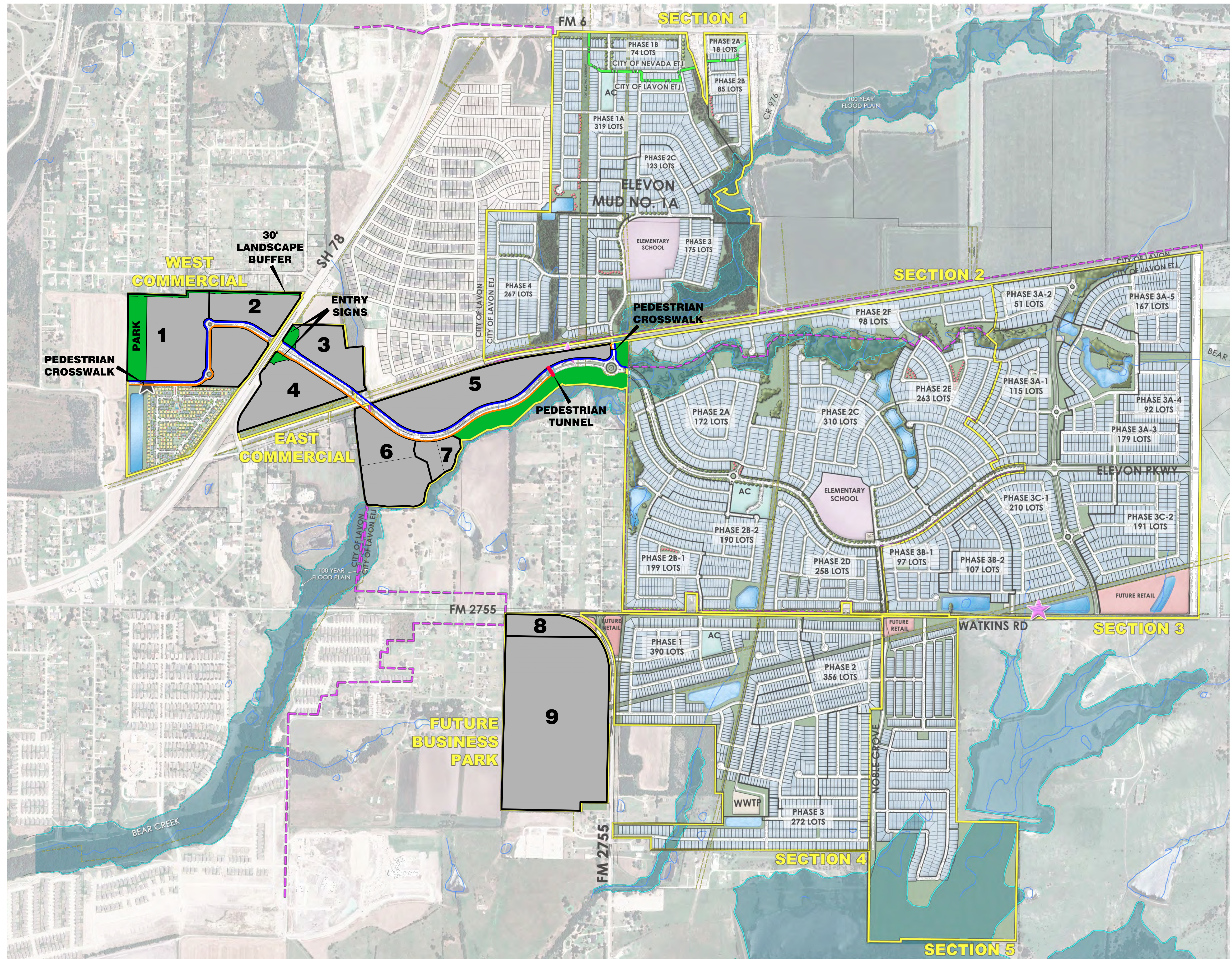
2121 Midway Road  
Suite 300  
Carrollton, Texas 75006  
972.248.7676  
TBPE No. F-438  
TBPLS No. 10076000




ZONING EXHIBIT  
**PARCEL 3 - 13.094 ACRES**  
**PARCEL 4 - 17.606 ACRES**  
 SAMUEL M. RAINER SURVEY-ABSTRACT 740  
**ELEVON**  
 Collin County, Texas

PROJECT NO.	MAT028
SHEET NO.	1 OF 1
DATE	MAY 08, 2025

Plotted by: dbell Plot Date: 6/12/2025 10:20 AM  
 Saved By: dbell Save Time: 5/9/2025 8:37 AM  
 Drawing: H:\Projects\MAT028-Abston Hills Planning-Overall Community\survey\boundary survey east commercial tract\30.700 acre zoning boundary.dwg

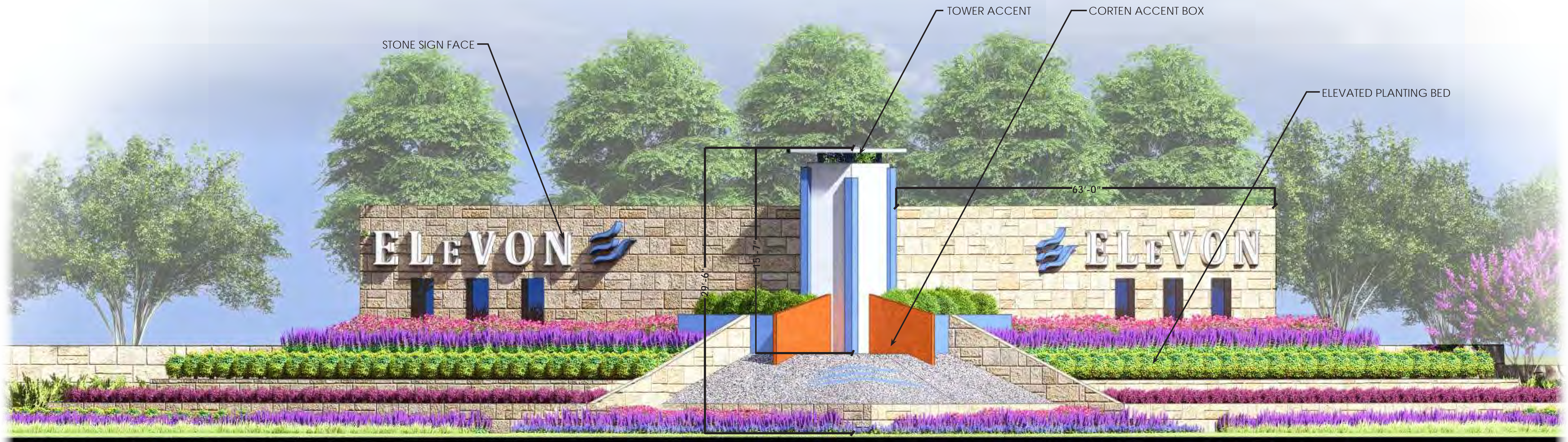




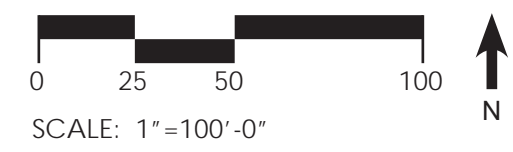
LEGEND	
	PEDESTRIAN TUNNEL
	8' TRAIL
	6' TRAIL



OVERALL ENTRY ELEVATION



ENTRY ELEVATION DETAIL



SUMMER 2025  
MAT029

# HWY 78 FEATURE - PRIMARY ENTRY SIGN

ELEVON HIGHWAY 78 ENTRY  
City of Lavon, TEXAS **JBI**  
PARTNERS

CITY OF LAVON

ORDINANCE NO. 2025-07-01

Planned Development Zoning – Amendment – Land Use Parcels 3-4

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING THE ELEVEN PLANNED DEVELOPMENT ZONING REGULATIONS ON APPROXIMATELY ON 30.7 ACRES CONSISTING OF LAND USE PARCELS 3 AND 4 IN THE ELEVEN ADDITION NORTHEAST AND SOUTHEAST OF THE INTERSECTION OF SH 78 AND ELEVEN PARKWAY AND TO CHANGE THE ZONING FROM SINGLE FAMILY-1 ACRE (SF-1) TO ELEVEN PLANNED DEVELOPMENT DISTRICT (LAND USE PARCELS 3) ON 2.058 ACRES OF PROPERTY AT 208 BOIS D ARC AND 0.816 ACRES OF PROPERTY AT 200 BOIS D ARC, BOTH PARCELS BEING IN THE S. M. RAINER SURVEY, ABSTRACT 740, SURVEY SHEET 1, TRACTS 55 AND 54, RESPECTIVELY, CITY OF LAVON, COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “B” AND DEPICTED IN EXHIBIT “A”; PROVIDING A PENALTY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR PUBLICATION.**

WHEREAS, the City of Lavon, Texas (hereinafter referred to as “City”) is a Home Rule Municipality operating under the laws of the State of Texas; and

WHEREAS, the City Council of the City (the “City Council”), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

WHEREAS, the City Council adopted Chapter 9, Article 9.03 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the use and development of land in the City (the “Zoning Ordinance”); and

WHEREAS, the City Council approved Ordinance No. 2022-10-03 setting out Planned Development District regulations for Eleven Commercial, Business Park, and Mixed Use areas; and

WHEREAS, owners of the Property hereinafter defined have submitted an application to amend the regulations adopted by Ordinance No. 2022-10-03 on 30.7 acres consisting of Land Use Parcels 3 and 4 in the Eleven Addition northeast and southeast of the intersection of SH 78 and Eleven Parkway and to change the zoning from Single Family-1 Acre (SF-1) to Eleven Planned Development District (Land Use Parcels 3) on 2.058 acres of property at 208 Bois D Arc and 0.816 acres of property at 200 Bois D Arc, both parcels being in the S. M. Rainer Survey, Abstract 740, Survey Sheet 1, Tracts 55 and 54, respectively, City of Lavon, Collin County, Texas, generally located as depicted on **Exhibit “A”** and as legally described in **Exhibit “B”** (the “Property”); and

**WHEREAS**, this proposed zoning code amendment is in accordance with the adopted comprehensive plan of the City; and

**WHEREAS**, the Zoning Ordinance may incorporate design standards and building materials standards that are differentially applicable to residential structures and non-residential buildings, and such standards substantially further the preservation of property values and the promotion of economic development within the City, and establish the character of community development and embody architecturally and, in some contexts, culturally significant features of continuing duration; and

**WHEREAS**, the Zoning Ordinance also provides for planned development districts, which enable departures from traditional zoning district standards in recognition of the unique character of a development project; and

**WHEREAS**, the City’s policy in creating or amending a planned development district is to incorporate and enhance to the fullest extent feasible the design and building materials standards that are integral to the City’s zoning regulations in all planned development districts; and

**WHEREAS**, the City Council finds and determines that the incorporation of such standards lends long-term viability to the planned development project; and

**WHEREAS**, the owner and/or developer of the Property has consented in writing to the enforcement of the City’s design and building materials standards within the planned development district and waived the statutory provisions in Chapter 3000, Texas Government Code; and

**WHEREAS**, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare and should be granted and that the Zoning Ordinance should be amended.

**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 the Zoning Ordinance, Division 3. “Definitions”, as amended, unless specifically defined herein.

**SECTION 3. Zoning Amendment.** The Zoning Ordinance is hereby amended to amend the zoning of the Property as established in Exhibit C, which exhibit is incorporated as if fully set forth herein, and all applicable City ordinances and regulations governing except as may be modified by the Ordinance.

**SECTION 4. Compliance Required.** The Property shall be used only in the manner and for the

purposes provided for in this Ordinance and the Comprehensive Zoning Ordinance of the City, as amended.

**SECTION 5. Severability Clause.** Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 6. Savings/Repealing Clause.** All provisions of any ordinance in conflict with this 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 7. Penalty.** It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues.

**SECTION 8. Open Meeting.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

**SECTION 9. Publication and Effective Date.** That this Ordinance shall be in full force and effect immediately upon its adoption and its publication as required by law.

**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas, on this 1<sup>st</sup> day of July 2025.

---

Vicki Sanson, Mayor

**ATTEST:**

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Rae Norton, City Secretary

# EXHIBIT A. LOCATION MAP



## EXHIBIT B. LEGAL DESCRIPTION

### LEGAL DESCRIPTION (PARCEL 3)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called Parcel 2–10.224 acre tract of land described indeed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152455 Official Public Records of Collin County, Texas, being all of that called 2.058 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2024000072044, Official Public Records of Collin County, Texas, and also being a part of that called 0.906 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2023000030638 and being further described as follows:

BEGINNING at a one–half inch iron rod with cap stamped “USA INC” found in the west line of said Parcel 2, said point being in the east right–of–way line of State Highway Number 78 (a variable width right–of–way), said point also being in the north right–of–way line of Elevon Parkway, a variable width right–of–way as recorded in Document Number 2023–925, Official Public Records of Collin County, Texas;

THENCE North 33 degrees 44 minutes 25 seconds East, 254.09 feet along the west line of said Parcel 2 and along the east right–of–way line of State Highway Number 78 to a one–half inch iron rod with yellow cap stamped “JBI” found for corner, said point being the southwest corner of that called Tract No. 2–5.1400 acre tract of land described in deed to DPB INVESTMENTS, LP, as recorded in Document Number 20110606000576510, Official Public Records of Collin County, Texas;

THENCE South 88 degrees 39 minutes 35 seconds East, 685.22 feet along the north line of said Parcel 2 to a one–half inch iron rod with yellow cap stamped “JBI” found, said point being the southeast corner of said 5.1400 acre tract, said point also being in the west line of Lot 5X, Block U Lakepoint Phase IIA, an addition to Collin County as recorded in Document Number 2021–713, Official Public Records of Collin County, Texas;

THENCE along the east line of said Parcel 2 as follows:

South 06 degrees 55 minutes 38 seconds East, 307.10 feet along the west line of said Lot 5X to a one–half inch iron rod found for corner, said point being the northwest corner of said 2.058 acre tract of land;

THENCE North 84 degrees 43 minutes 14 seconds East, 235.30 feet to a one–half inch iron rod with yellow cap stamped “JBI” found at the north east corner of said 2.058 acre tract;

THENCE South 01 degrees 54 minutes 29 seconds East, 529.89 feet along the east line of said 2.058 acre tract to a one–half inch iron rod with yellow cap stamped “JBI” found in the east line of said 0.906 acre tract;

THENCE South 23 degrees 34 minutes 55 seconds East, 73.42 feet to a one–half inch iron rod with yellow cap stamped “JBI” found at the southeast corner of said 0.906 acre tract;

THENCE South 72 degrees 07 minutes 37 seconds West, 123.81 feet along the south line of said 0.906 acre tract to a point for corner, said point being in the north right–of–way line of said Elevon Parkway;

THENCE North 51 degrees 55 minutes 50 seconds West, 136.90 feet along the north line of said Elevon Parkway to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the south line of said Parcel 2;

THENCE along the south line of said Parcel 2 and along the north right-of-way line of said Elevon Parkway as follows:

Northwesterly, 74.17 feet along a curve to the left, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 810.00 feet, a tangent of 37.11 feet and whose chord bears North 54 degrees 33 minutes 14 seconds West, 74.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 57 degrees 10 minutes 38 seconds West, 725.78 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 48 degrees 33 minutes 01 seconds West, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 57 degrees 10 minutes 38 seconds West, 199.85 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 11 degrees 43 minutes 12 seconds West, 28.06 feet to the POINT OF BEGINNING and containing 570,386 square feet or 13.094 acres of land.

BASIS OF BEARING: The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83) with grid distances shown hereon.

#### LEGAL DESCRIPTION

(TRACT 2)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called Parcel 3—17.606 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152455, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a 3.5 inch aluminum monument found in the west line of said Parcel 3, said point being in the east right-of-way line of State Highway Number 78 (a variable width right-of-way);

THENCE along the west line of said Parcel 3 and along the east line of said State Highway Number 78 as follows:

North 33 degrees 44 minutes 25 seconds East, 97.25 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 56 degrees 15 minutes 47 seconds East, 10.03 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 33 degrees 44 minutes 13 seconds East, 280.40 feet to a one-half inch iron rod with cap stamped "USA INC" found in the south right-of-way line of Elevon Parkway, a variable width right-of-way as recorded in Document Number 2023-925;

THENCE along the northeast line of said Parcel 3 and along the southwest right-of-way line of said Elevon Parkway as follows:

North 78 degrees 16 minutes 48 seconds East, 35.64 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE along the northeast line of said Parcel 3 and along the southwest right-of-way line of said Elevon Parkway as follows:

North 78 degrees 16 minutes 48 seconds East, 35.64 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 57 degrees 10 minutes 38 seconds East, 187.24 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 65 degrees 48 minutes 15 seconds East, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 57 degrees 10 minutes 38 seconds East, 725.78 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

Southeasterly, 63.18 feet along a curve to the right, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 690.00 feet, a tangent of 31.61 feet and whose chord bears South 54 degrees 33 minutes 14 seconds East, 63.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

South 51 degrees 55 minutes 50 seconds East, 65.33 feet to a one-half inch iron rod with cap stamped "USA INC" found at the southeast corner of said Parcel 3, said point being in the north line of that called Tract III-3.50 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2023000030638, Official Public Records of Collin County, Texas;

THENCE South 71 degrees 57 minutes 17 seconds West, 1,591.10 feet along the south line of said Parcel 3 and along the north line of said Tract III to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the said east right-of-way line of State Highway Number 78;

THENCE along the west line of said Parcel 3 and along the east right-of-way line of State Highway 78 as follows:

Northeasterly, 275.49 feet along a curve to the right, having a central angle of 38 degrees 34 minutes 06 seconds, a radius of 409.26 feet, a tangent of 143.19 feet and whose chord bears North 11 degrees 54 minutes 25 seconds East, 270.32 feet to a 3.5" brass monument found for corner;

North 33 degrees 44 minutes 25 seconds East, 471.73 feet to a 3.5" brass monument found for corner;

North 08 degrees 14 minutes 35 seconds West, 134.55 feet to the POINT OF BEGINNING and containing 766,902 square feet or 17.606 acres of land.

BASIS OF BEARING: The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83) with grid distances shown hereon.

# EXHIBIT C. DEVELOPMENT STANDARDS

## EXHIBIT A. LOCATION MAP



**JBI**  
EXHIBIT A - LOCATION MAP  
CITY OF ELEVON, COLLIN COUNTY, TEXAS

**ELEVON**

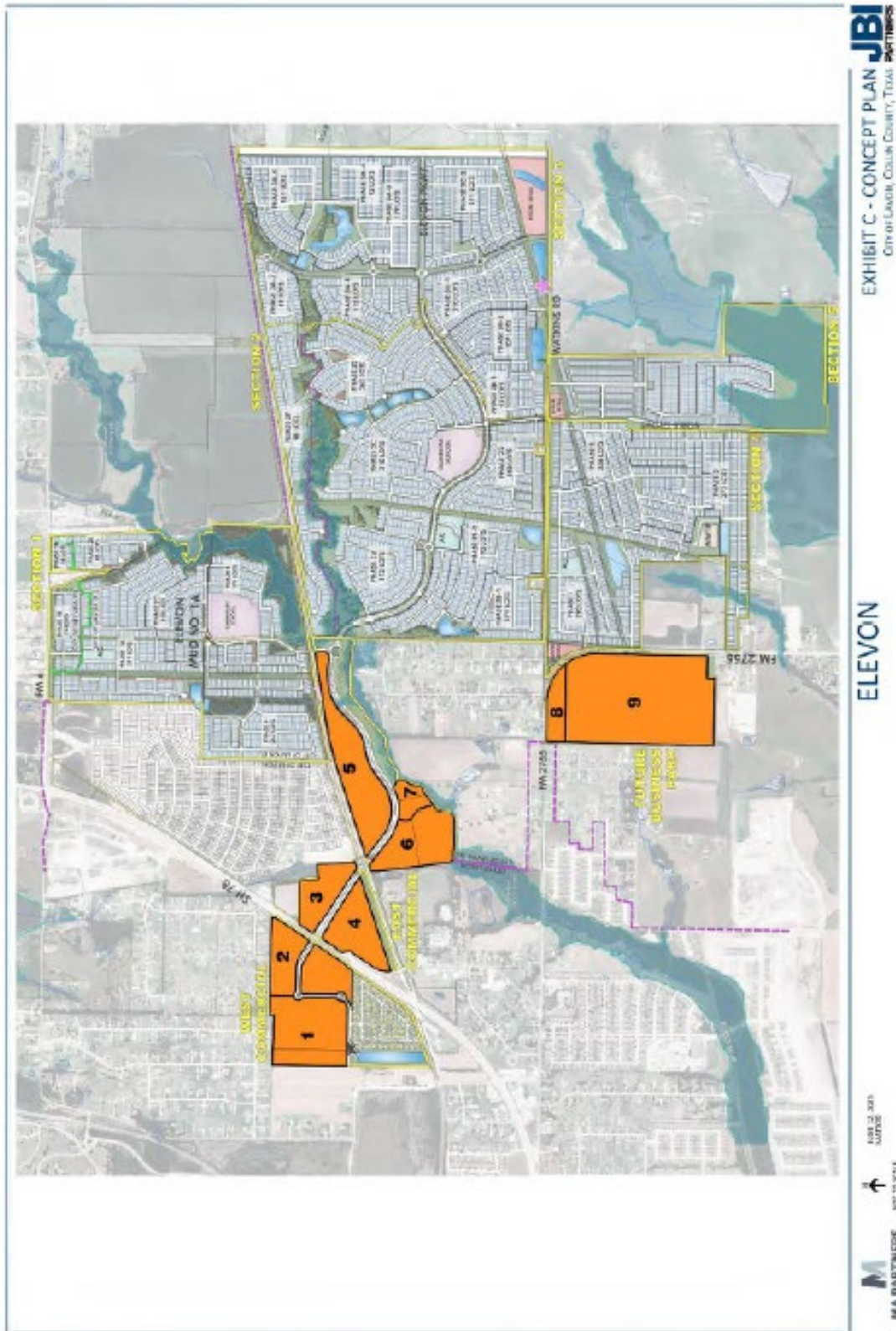
**MAPARTNERS**  
10000111  
10/20/2011

# EXHIBIT B. LEGAL DESCRIPTION

## Land Use Parcels 3 and 4 (30.700 acres)



# EXHIBIT C. CONCEPT PLAN



## EXHIBIT D. DEVELOPMENT STANDARDS

### LAND USE PARCEL 3

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#### 1.3.27. Permitted Uses

1.3.27.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- ~~Automobile Fueling Station~~\* Remove from Parcel 3, Add to Parcel 4

### LAND USE PARCEL 4

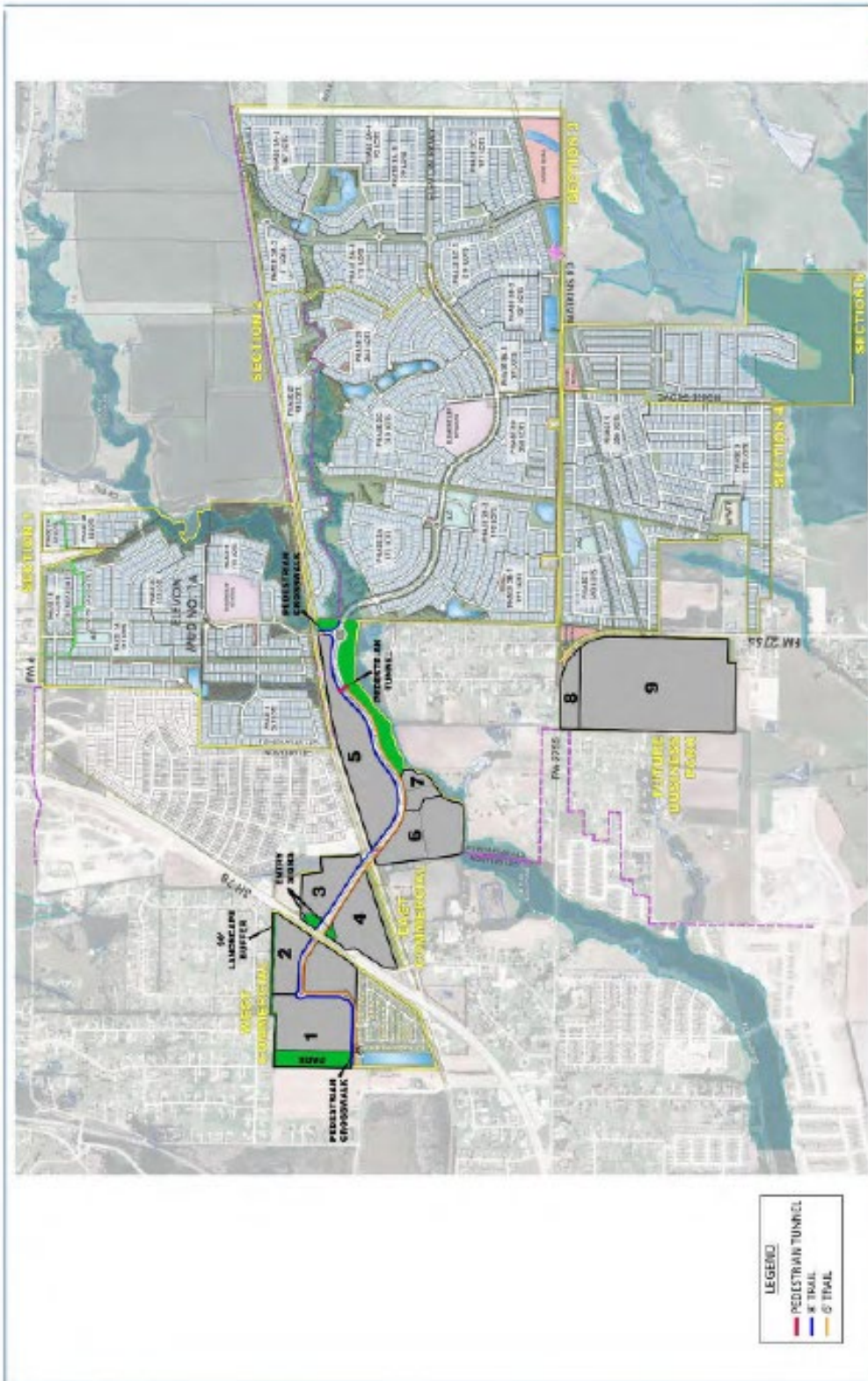
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#### 1.3.33. Permitted Uses

1.3.33.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- Automobile Fueling Station\* Removed from Parcel 3. Added to Parcel 4

# EXHIBIT E. PARKS/OPEN SPACE



**JBI PARTNERS**  
 City of Lufkin, Collin County, Texas

**ELEVON**

**EXHIBIT E - PARKS, OPEN SPACE & TRAILS**

**MA PARTNERS**

APRIL 2014  
 REVISED

SEE TO SCALE

# EXHIBIT F. PRIMARY ENTRY FEATURE



**JBI**  
City of Lamar, Texas  
LANDSCAPE ARCHITECTS

HWY 78 FEATURE - PRIMARY ENTRY SIGN

SCALE BAR  
1" = 100'  
N



ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF JBI PARTNERS. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM JBI PARTNERS.  
 ELEVON HIGHWAY 78 ENTRY SIGN  
 CITY OF LONSON, TEXAS  
**JBI PARTNERS**

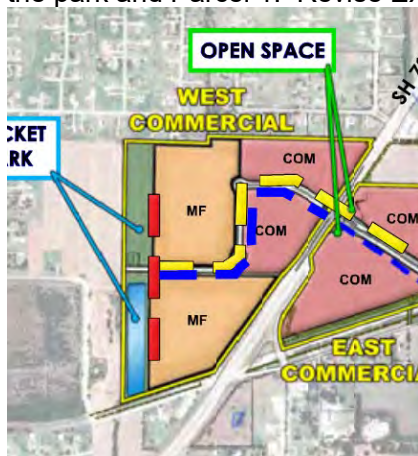
June 16, 2025

Kim Dobbs  
 City of Lavon, TX  
 Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Elevon Commercial  
 PD (2022-10-03) Amendment  
 200 and 208 Bois D'Arc  
 LJA Job No. NTP-40467  
 MyGov Submittal: June 12, 2025

LJA Engineering, Inc. has reviewed the submittal referenced above per your request. We **recommend approval with the following conditions:**

1. The Open Space Plan in the governing DA (snapshot below) shows a 6-8 foot trail between the park and Parcel 1. Revise Exhibit E (Parks, Open Space & Trails) to show this trail.



2. Revise Exhibit E (Parks, Open Space & Trails) to relabel the "Entry Signs" to "Open Space," as indicated on the governing Development Agreement.
3. Revise Exhibit E (Parks, Open Space & Trails) to add the "Pocket Park" label for the pocket park on the west side to correspond with the standards in the governing Development Agreement.
4. Revise Exhibit E (Parks, Open Space & Trails) to increase the line weight of the trail lines for the 6' and 8' trails so that they are legible when they are provided in the 8.5x11 Ordinance document.

Comments prepared and compiled by:



Tiffany McLeod, AICP  
Project Manager, Placemaking + Resilience at LJA  
Email: [tmcleod@lja.com](mailto:tmcleod@lja.com)  
Phone: 469.348.6571  
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP  
Director of Placemaking + Resilience at LJA  
Email: [anusser@lja.com](mailto:anusser@lja.com)  
Phone: 972.339.8186  
On behalf of the City of Lavon, TX



June 12, 2025

Ms. Kim Dobbs  
City of Lavon  
PO Box 340  
120 School Road  
Lavon, TX 75166

**Re: Elevon Commercial PD (2022-10-03) Amendment  
200 and 208 Bois D'Arc**

Dear Ms. Dobbs

JBI Partners received your comments via email form on June 9, 2025 from LJA for the second submittal review of the Elevon Commercial PD Amendment. We have addressed the comments and are resubmitting the revised PD word document and exhibits for review. Below is a summary of how each comment is addressed.

**Planning + Design Comments**

1. Exhibits were provided. Exhibit A (Location Map) and Exhibit C (Concept Plan) include a mis-labeling of Parcel 6 with a "4" on the map. The image also does not accurately depict the portion of Parcel 5 on the south side of the road. Revise Exhibit A and Exhibit C to correct drawing errors and replace as applicable in the draft PD.  
*Exhibit A and Exhibit C have been updated and replaced on the draft PD word document. The number 4 has been corrected to number 6 on Parcel 6 and the Parcel 5 area has been cleaned up to follow exact tract lines.*
2. The additional area that is proposed to be part of the PD needs to be depicted on the other Exhibit maps in the Planned Development document. Revise Exhibit E (Parks/Open Space) and Exhibit F (Primary Entry Feature) to include depictions of the additional acreage and any changes that may be proposed to the Parks/Open Space and Primary Entry Features exhibits.  
*The additional area being added to Tract 3 will also be shown on Exhibits E and F. We have included the updated Exhibit E with this submittal and replaced it in the draft PD word document. We are wrapping up updating Exhibit F to show the SH 78 entry signs that were built with Elevon Parkway. We plan to send in Exhibit F for review later today.*
3. The updated Zoning Exhibit for Parcel 3 and Parcel 4 has an error in the Legal Description for Parcel 3. Revise the description to include the correct survey mete.  
*The legal description has been corrected. An updated boundary exhibit is provided and has been replaced in the draft PD word document.*

If you have any questions, or require additional information regarding this submittal, please contact me at (972) 738-0243.

Thank you,

Daniel Dewey, PE  
JBI Partners, Inc.

June 9, 2025

Kim Dobbs  
City of Lavon, TX  
Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Elevon Commercial  
PD (2022-10-03) Amendment  
200 and 208 Bois D'Arc  
LJA Job No. NTP-40467  
MyGov Submittal: June 6, 2025

LJA Engineering, Inc. has reviewed the submittal referenced above per your request. Provided below are comments relating to planning and design. Please do not hesitate to let us know if you have any questions.

## PLANNING + DESIGN COMMENTS

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1. **Repeat Comment:** A Concept Plan and Development Standards are major components of a PD ordinance. These documents were not included with the PD amendment submittal. Submit a revised Exhibit A (Location Map) and Exhibit C (Concept Plan) (with all applicable labels) that shows the newly included properties (proposed). *Applicant Comment response: Exhibit A and Exhibit C are now included. These have been revised to incorporate the proposed two new tracts as part of Parcel 3. The zoning boundary exhibit has also been update.*

**Exhibits were provided. Exhibit A (Location Map) and Exhibit C (Concept Plan) include a mis-labeling of Parcel 6 with a "4" on the map. The image also does not accurately depict the portion of Parcel 5 on the south side of the road. Revise Exhibit A and Exhibit C to correct drawing errors and replace as applicable in the draft PD document.**



2. The additional area that is proposed to be part of the PD needs to be depicted on the other Exhibit maps in the Planned Development document. Revise Exhibit E (Parks/Open Space) and Exhibit F (Primary Entry Feature) to include depictions of the additional acreage and any changes that may be proposed to the Parks/Open Space and Primary Entry Feature exhibits.
3. The updated Zoning Exhibit for Parcel 3 and Parcel 4 has an error in the Legal Description for Parcel 3. Revise the description to include the correct survey mete.

THENCE South 01 degrees 54 minutes 529.89 feet along the east line of said 2.058 acre tract to a one-half inch iron rod with yellow cap stamped "JBI" found in the east line of said 0.906 acre tract;

4. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

Comments prepared and compiled by:



Tiffany McLeod, AICP  
Project Manager, Placemaking + Resilience at LJA  
Email: [tmcleod@lja.com](mailto:tmcleod@lja.com)  
Phone: 469.348.6571  
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP  
Director of Placemaking + Resilience at LJA  
Email: [anusser@lja.com](mailto:anusser@lja.com)  
Phone: 972.339.8186  
On behalf of the City of Lavon, TX



May 30, 2025

Ms. Kim Dobbs  
City of Lavon  
PO Box 340  
120 School Road  
Lavon, TX 75166

**Re: Elevon Commercial PD (2022-10-03) Amendment  
200 and 208 Bois D'Arc**

Dear Ms. Dobbs

JBI Partners received your comments via email form on April 21, 2025 from LJA for the first submittal review of the Elevon Commercial PD Amendment. We have addressed the comments and are resubmitting the revised PD word document and exhibits for review. Below is a summary of how each comment is addressed.

**Planning + Design Comments**

1. A Concept Plan and Development Standards are major components of a PD ordinance. These documents were not included with the PD amendment submittal. Submit a revised Exhibit A: Location Map and Exhibit C: Concept Plan (with all applicable labels) that shows the newly included properties (proposed).  
*Exhibit A and Exhibit C are now included. These have been revised to incorporate the proposed two new tracts as part of Parcel 3. The zoning boundary exhibit has also been updated.*
2. Confirm that no other areas within the PD are proposed to be revised. If there are proposed revisions, submit an updated Word document (containing all current and proposed standards) for review.  
*The updated word document is included. We have replaced the corresponding exhibits within the word document to include the proposed added tracts. The only other change requested is to add the use "Automobile Fueling Station" to Parcel 4. The use was then removed from Parcel 3. No other changes have been made. The word document text revisions are shown in red text.*
3. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.  
*Comment response letter is included.*

If you have any questions, or require additional information regarding this submittal, please contact me at (972) 738-0243.

Thank you,

Daniel Dewey, PE  
JBI Partners, Inc.

April 17, 2025

Kim Dobbs  
City of Lavon, TX  
Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Elevon Commercial  
PD (2022-10-03) Amendment  
200 and 208 Bois D'Arc  
LJA Job No. NTP-40467  
MyGov Submittal: April 14, 2025

LJA Engineering, Inc. has reviewed the submittal referenced above per your request. Provided below are comments relating to planning and design. Please do not hesitate to let us know if you have any questions.

#### **PLANNING + DESIGN COMMENTS**

---

1. A Concept Plan and Development Standards are major components of a PD ordinance. These documents were not included with the PD amendment submittal. Submit a revised Exhibit A: Location Map and Exhibit C: Concept Plan (with all applicable labels) that shows the newly included properties (proposed).
2. Confirm that no other areas within the PD are proposed to be revised. If there are proposed revisions, submit an updated Word document (containing all current and proposed standards) for review.
3. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed.

Comments prepared and compiled by:



Tiffany McLeod, AICP  
Project Manager, Placemaking + Resilience at LJA  
Email: [tmcleod@lja.com](mailto:tmcleod@lja.com)  
Phone: 469.348.6571  
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP  
Director of Placemaking + Resilience at LJA  
Email: [anusser@lja.com](mailto:anusser@lja.com)  
Phone: 972.339.8186  
On behalf of the City of Lavon, TX



**CITY OF LAVON, TEXAS  
 NOTICE OF PUBLIC HEARINGS  
 BEFORE THE  
 PLANNING AND ZONING COMMISSION  
 AND  
 CITY COUNCIL**

Notice is hereby given that the Planning and Zoning Commission will hold a public hearing at a meeting starting at 6:30 PM on **June 24, 2025** at Lavon City Hall, 120 School Road, Lavon, Texas. Further notice is given that the City Council will hold a public hearing at a meeting starting at 6:30 PM on **July 1, 2025** at Lavon City Hall. At such times and place, the Commission and the City Council will receive testimony and consider:

**Request and Property Description:** an application to amend the Planned Development (PD) District zoning on 30.7 acres consisting of Land Use Parcels 3 and 4 in the Elevon Addition northeast and southeast of the intersection of SH 78 and Elevon Parkway and to change the zoning from Single Family–1 Acre (SF-1) to Elevon Planned Development District (Land Use Parcel 3) on 2.058 acres of property at 208 Bois D Arc and 0.816 acres of property at 200 Bois D Arc, both parcels being in the S. M. Rainer Survey, Abstract 740, Survey Sheet 1, Tracts 55 and 54, respectively, City of Lavon, Collin County, Texas, (CCAD Property IDs 2910557, 2868716, 1290542, 1290533, 2542829, and 2910561).

Additional information regarding the request may be obtained at [cityhall@lavontx.gov](mailto:cityhall@lavontx.gov) or at 972-843-4220. You are receiving this notice because you own property within the subject property and/or within 200 feet of the subject property. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

*Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.*

**Check one:**     I am in favor of the request.         I am opposed to the request.

Reasons: *(attach separate sheet(s) as needed)* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Signature:** \_\_\_\_\_

Name (printed): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

*You may return this form to:*    **City of Lavon**        *or via email to:* [CityHall@lavontx.gov](mailto:CityHall@lavontx.gov)  
                                                  **P.O. Box 340**  
                                                  **Lavon, Texas 75166**





# CITY OF LAVON

## Agenda Brief

MEETING: July 1, 2025

ITEM: 6 – B

---

**Item:**

Discussion and action regarding the site plan of the Bear Creek Special Utility District Pressure Plan No. 1 0.5 MG Elevated Water Storage Tank on 2.42 acres at 464 Elevon Parkway, on Lot 4, Block A of the Elevon Parkway West Replat, south of the Elevon Multifamily Addition, Lavon, Collin County, Texas, (CCAD Property ID 2918196).

### Application Information

- Owner(s):** Bear Creek Special Utility District (BCSUD)
- Applicant:** Kimley-Horn & Associates, Inc.
- Location:** 464 Elevon Parkway, south of the Elevon Multifamily Addition
- Description:** Lot 4, Block A of the Elevon Parkway West Replat in the Elevon Planned Development District (CCAD Property ID 2918196).
- Current Zoning:** Planned Development
- Request:** Site Plan

### Request Details

The applicant is seeking approval of the site plan for a site for the development of an elevated water storage facility to serve the project and surrounding areas.

The site will generally be developed in accordance with the Elevon Planned Development District regulations for the property. Due to the nature of the project, certain zoning requirements are superseded and not deemed to be applicable.

***Code Excerpt:***

**LAVON CODE OF ORDINANCES – ZONING ORDINANCE  
DIVISION 7 – SITE PLAN**

**9.03.151 PURPOSE**

The purpose of this Section is to regulate the manner in which land in the City of Lavon is used and developed, minimize adverse effects on surrounding property or the general public, protection from fire, protection of adjacent uses from obstructions to light, air and

visibility plus provision of adequate storm water drainage facilities, transportation, water and sanitary sewage facilities.

**9.03.154 CRITERIA FOR APPROVAL**

- a) All applicable City of Lavon Comprehensive Master Plan and Ordinance requirements shall have been met as a condition of site plan approval.
- b) All applicable Site Plan requirements of this Subtitle shall have been met as a condition of site plan approval.
- c) The adequate capacity of public or private facilities for water, sewer and access to, from and through the development shall be met as a condition of site plan approval. City reserves the right to deny approval of a site plan based upon insufficient capacity of any public facility or facilities.

Zoning: The property is zoned Planned Development (PD). The proposed development of the property is permitted. The site plan is generally prepared in conformance with the approved zoning requirements.

Platting: The property is platted.

Access: Access is provided on Elevon Parkway.

Utilities: The site will be served water by the Bear Creek Special Utility District and if needed, sanitary sewer by the City of Lavon.

Screening and Landscaping: Screening and landscaping are generally provided in accordance with the zoning requirements and other relevant regulations.

The proposed applications were reviewed by the planning consultant and city engineer.

***Planning and Zoning Commission Report:***

**MOTION: RECOMMEND APPROVAL THE SITE PLAN OF THE BEAR CREEK SPECIAL UTILITY DISTRICT PRESSURE PLAN NO. 1 0.5 MG ELEVATED WATER STORAGE TANK ON 2.42 ACRES AT 464 ELEVON PARKWAY, ON LOT 4, BLOCK A OF THE ELEVON PARKWAY WEST REPLAT, SOUTH OF THE ELEVON MULTIFAMILY ADDITION, LAVON, COLLIN COUNTY, TEXAS.**  
**MOTION MADE: NABORS**  
**SECONDED: CLIFTON**  
**APPROVED: UNANIMOUS**

***Staff Notes:***

Approval of the site plan is recommended.

- Attachments:**
- 1. Application and Site Plan
  - 2. Location exhibits
  - 3. Planning and Engineering Review comments



# CITY OF LAVON SITE PLAN APPLICATION

P.O. Box 340 120 School Rd., Lavon, TX 75166  
Office (972) 843-4220

## APPLICATION INFORMATION

Name: Kimley-Horn & Associates, Inc.

Address: 200 North Travis Street, Suite 500, Sherman, TX 75090

Telephone Number: 469-917-4759

Email Address: david.perkins@kimley-horn.com

**LEGAL DESCRIPTION:** (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)

Elevon Parkway West (CLA), Blk A, Lot 4; \*(REPLAT)\*; Property ID: 2918196

Elevon Pkwy Lavon, TX 75166; Geographic ID: R-13158-00A-0040-1; Map ID: 121.Q

**SUBDIVISION NAME:** (approved plat is prerequisite ) \_\_\_\_\_

Bear Creek SUD - Pressure Plane #1 Elevon Parkway Elevated Storage Tank, S131158

**ZONING:** PD

**LEGAL OWNER OF PROPERTY INVOLVED:** \_\_\_\_\_

Bear Creek Special Utility District

**If Applicant is NOT the Owner, Relationship to Owner:** \_\_\_\_\_

District Engineer

**I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE ABOVE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.**

Signature:   
Owner / Authorized Agent

05/05/2025  
Date

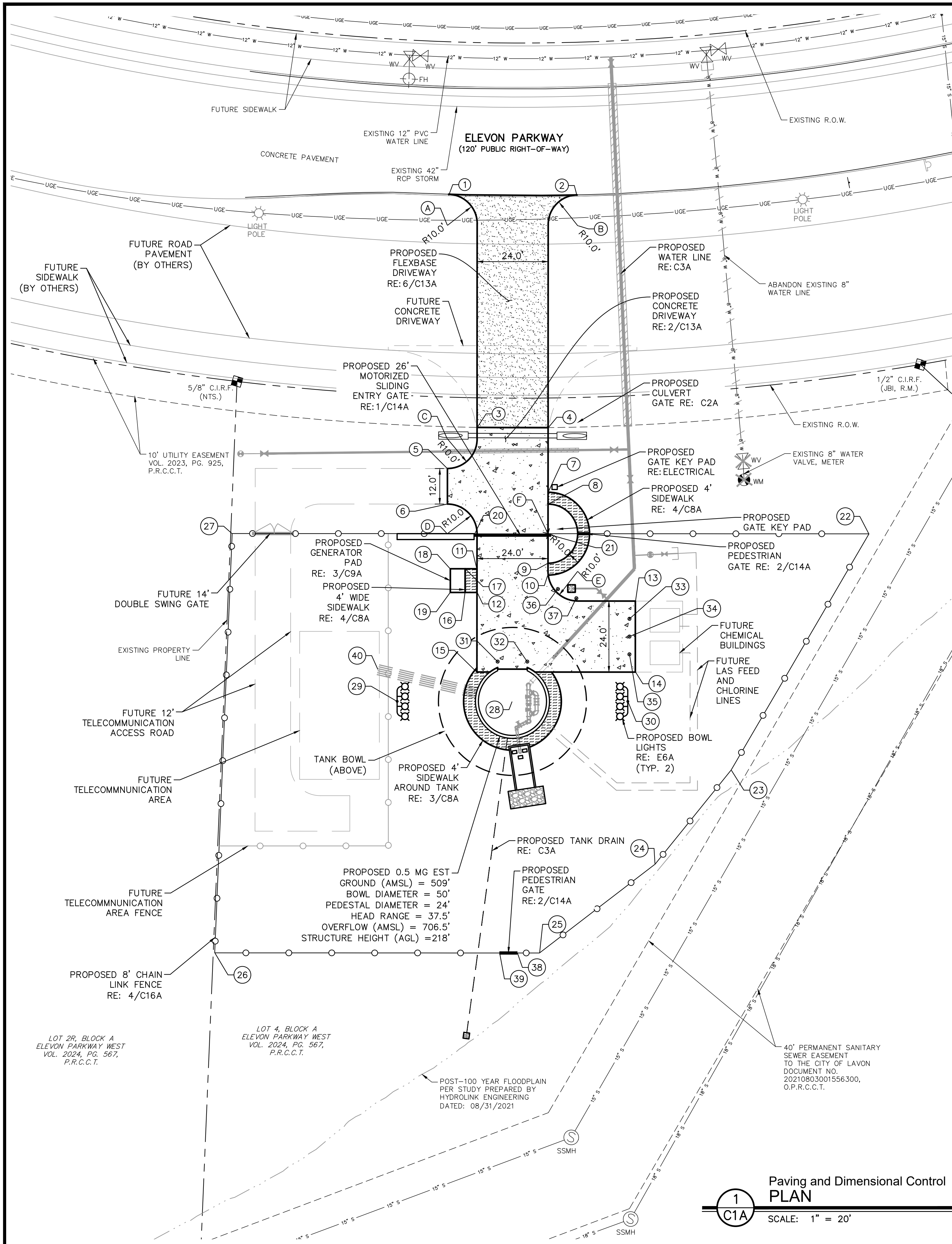
Printed Name: David Perkins  
Owner / Authorized Agent

Title: Project Manager

Company: Kimley-Horn & Associates, Inc.

### City Office Use Only:

	Amount:	Check #	or Cash _____
Fee paid (due at time of application) Cost \$200 plus - \$500 deposit			
Required items submitted			
Development Engineer Comments			
Development Review Committee Comments			
Comments Addressed by Applicant			
Planning & Zoning Action			
City Council Action			

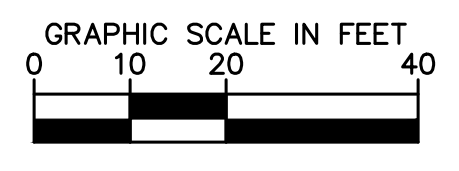
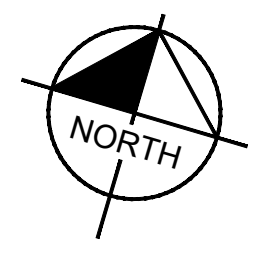


### COORDINATE TABLE

	NORTHING	EASTING	DESCRIPTION
1	7064314.04	2604575.10	CONNECT TO EXISTING PAVEMENT
2	7064326.30	2604616.96	CONNECT TO EXISTING PAVEMENT
3	7064241.74	2604606.64	CONCRETE PAVEMENT CORNER
4	7064248.49	2604629.68	CONCRETE PAVEMENT CORNER
5	7064225.58	2604601.00	CONCRETE PAVEMENT CORNER
6	7064214.08	2604604.40	CONCRETE PAVEMENT CORNER
7	7064227.55	2604635.87	SIDEWALK CORNER
8	7064223.72	2604637.00	SIDEWALK CORNER
9	7064204.54	2604642.67	SIDEWALK CORNER
10	7064200.70	2604643.81	SIDEWALK CORNER
11	7064195.94	2604620.19	SIDEWALK CORNER
12	7064188.27	2604622.46	SIDEWALK CORNER
13	7064200.68	2604674.59	CONCRETE PAVEMENT CORNER
14	7064177.68	2604681.40	CONCRETE PAVEMENT CORNER
15	7064162.46	2604630.09	CONCRETE PAVEMENT CORNER
16	7064187.14	2604618.62	GENERATOR PAD
17	7064194.81	2604616.35	GENERATOR PAD
18	7064193.39	2604611.56	GENERATOR PAD
19	7064185.72	2604613.83	GENERATOR PAD
20	7064206.56	2604616.01	FENCE POST PIPE
21	7064213.93	2604640.94	FENCE POST PIPE
22	7064244.88	2604743.83	FENCE CORNER
23	7064155.13	2604721.84	FENCE CORNER
24	7064117.38	2604706.27	FENCE CORNER
25	7064077.47	2604677.30	FENCE CORNER
26	7064046.35	2604572.08	FENCE CORNER
27	7064183.86	2604537.50	FENCE CORNER
28	7064156.38	2604644.41	PROPOSED EST TANK CENTER
29	7064145.33	2604607.04	LIGHT POLE
30	7064167.43	2604681.77	LIGHT POLE
31	7064167.86	2604635.79	REMOVABLE BOLLARD RE: 4/C12A
32	7064170.70	2604645.38	REMOVABLE BOLLARD RE: 4/C12A
33	7064194.36	2604674.38	REMOVABLE BOLLARD RE: 4/C12A
34	7064188.61	2604676.08	REMOVABLE BOLLARD RE: 4/C12A
35	7064182.86	2604677.78	REMOVABLE BOLLARD RE: 4/C12A
36	7064197.15	2604648.34	PERMANENT BOLLARD RE: 5/C16A
37	7064195.92	2604655.21	PERMANENT BOLLARD RE: 5/C16A
38	7064075.34	2604670.11	GATE CORNER
39	7064073.64	2604664.36	GATE CORNER
40	7064153.77	2604597.87	TELECOM CONDUIT STUB

### LEGEND

- CONTROL POINT
- PROPOSED CHAIN LINK FENCE
- PROPERTY LINE
- PROPOSED MEDIUM DUTY CONCRETE PAVEMENT, REFER TO CMJ REPORT 103-24-565 DATED 03/06/2025 FOR PAVEMENT SECTION. RE: 2/C13A
- PROPOSED FLEXBASE TEMPORARY PAVEMENT, REFER TO CMJ REPORT 103-24-565 DATED 03/06/2025 FOR PAVEMENT SECTION. RE: 6/C13A
- PROPOSED SIDEWALK

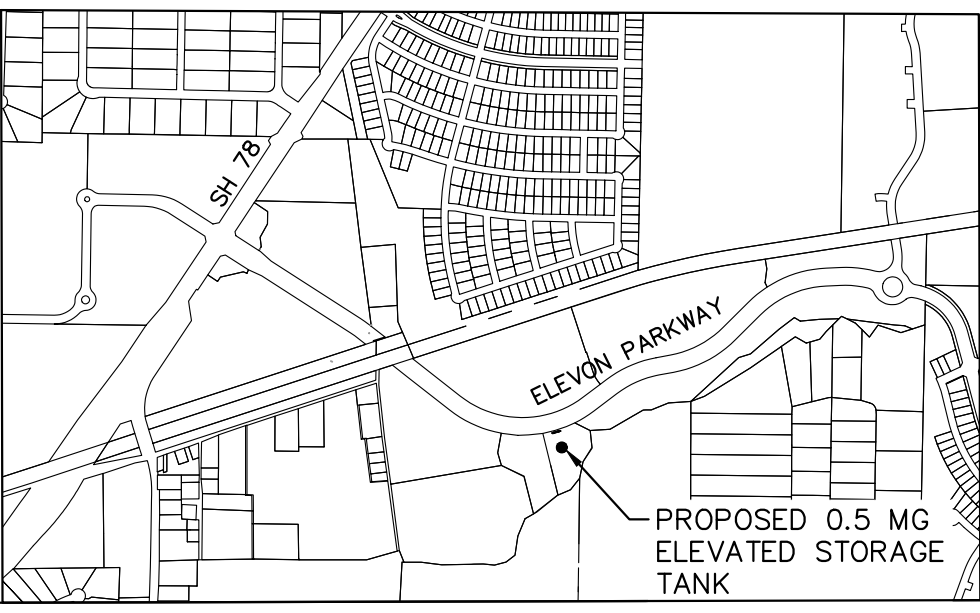


### PAVING & DIMENSIONAL CONTROL NOTES

- UNTIL THE WORK IS ACCEPTED BY THE OWNER, THE PROJECT SHALL BE UNDER THE CHARGE AND CUSTODY OF THE CONTRACTOR AND THE CONTRACTOR SHALL TAKE EVERY NECESSARY PRECAUTION AGAINST INJURY OR DAMAGE TO THE WORK.
- ALL PAVING DIMENSIONS AND COORDINATES ARE TO EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR PERFORMING ALL CONSTRUCTION LAYOUT FROM THE SITE LAYOUT CONTROL POINTS SHOWN ON THIS SHEET AND FROM THE DIMENSIONS SHOWN. THE CONTRACTOR MUST NOTIFY THE ENGINEER OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK. ELECTRONIC FILES WILL NOT BE PROVIDED FOR DIMENSIONAL CONTROL OF PROJECT LAYOUT OR ANY OTHER PURPOSES.
- THE COORDINATE SYSTEM SHOWN IS FOR THE PROJECT LAYOUT ONLY AND IS NOT BASED ON TRUE OR MAGNETIC NORTH.
- THE CONTRACTOR SHALL KEEP CONTROL POINTS PROTECTED, MARKED, AND LOCATED DURING CONSTRUCTION.
- CONTRACTOR SHALL INSTALL TEMPORARY FENCING AS NECESSARY TO MAINTAIN SITE SECURITY AT ALL TIMES. THE CONTRACTOR IS RESPONSIBLE FOR SECURING THE CONSTRUCTION SITE AT THE END OF EACH DAY.
- THE CONTRACTOR SHALL SUBMIT A REINFORCED CONCRETE PAVEMENT JOINT LAYOUT PLAN FOR REVIEW AND APPROVAL BY THE ENGINEER PRIOR TO PLACING ANY REINFORCED CONCRETE PAVEMENT. RE: SHEET C13A FOR PAVEMENT SECTION AND JOINT DETAILS.
- PROPOSED PAVING ON ELEVATED STORAGE TANK SITE SHALL BE MEDIUM DUTY (FIRE LANE) CONCRETE PAVEMENT, RE: 2/C13A

### CURVE COORDINATE TABLE

	NORTHING	EASTING	DESCRIPTION
A	7064304.39	2604577.69	10' RADIUS POINT
	7064314.04	2604575.10	P.C. PAVEMENT
	7064306.98	2604587.35	P.T. PAVEMENT
B	7064316.75	2604619.92	10' RADIUS POINT
	7064313.79	2604610.36	P.C. PAVEMENT
	7064326.30	2604616.96	P.T. PAVEMENT
C	7064235.17	2604598.16	10' RADIUS POINT
	7064238.01	2604607.75	P.C. PAVEMENT
	7064225.58	2604601.00	P.T. PAVEMENT
D	7064204.49	2604607.23	10' RADIUS POINT
	7064214.08	2604604.40	P.C. PAVEMENT
	7064207.32	2604616.82	P.T. PAVEMENT
E	7064204.74	2604653.04	10' RADIUS POINT
	7064195.15	2604655.88	P.C. PAVEMENT
	7064201.90	2604643.45	P.T. PAVEMENT
F	7064214.13	2604639.84	10' RADIUS POINT
	7064223.72	2604637.00	P.C. PAVEMENT
	7064204.54	2604642.67	P.T. PAVEMENT



GROSS SITE AREA = 2.421 ACRES  
ZONING DESIGNATION = PLAN DEVELOPMENT (PD)

### VICINITY MAP

**!!CAUTION!!**

EXISTING UNDERGROUND UTILITIES IN THE AREA CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY REPAIRS TO EXISTING UTILITIES DUE TO DAMAGE INCURRED DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES ON THE PLANS.

Kimley»Horn

Texas Board of Professional Engineers Firm Registration Number: P-928  
200 North Main Street, Suite 200, Houston, TX 77002-3299-9414

NO.	REVISION	BY	DATE

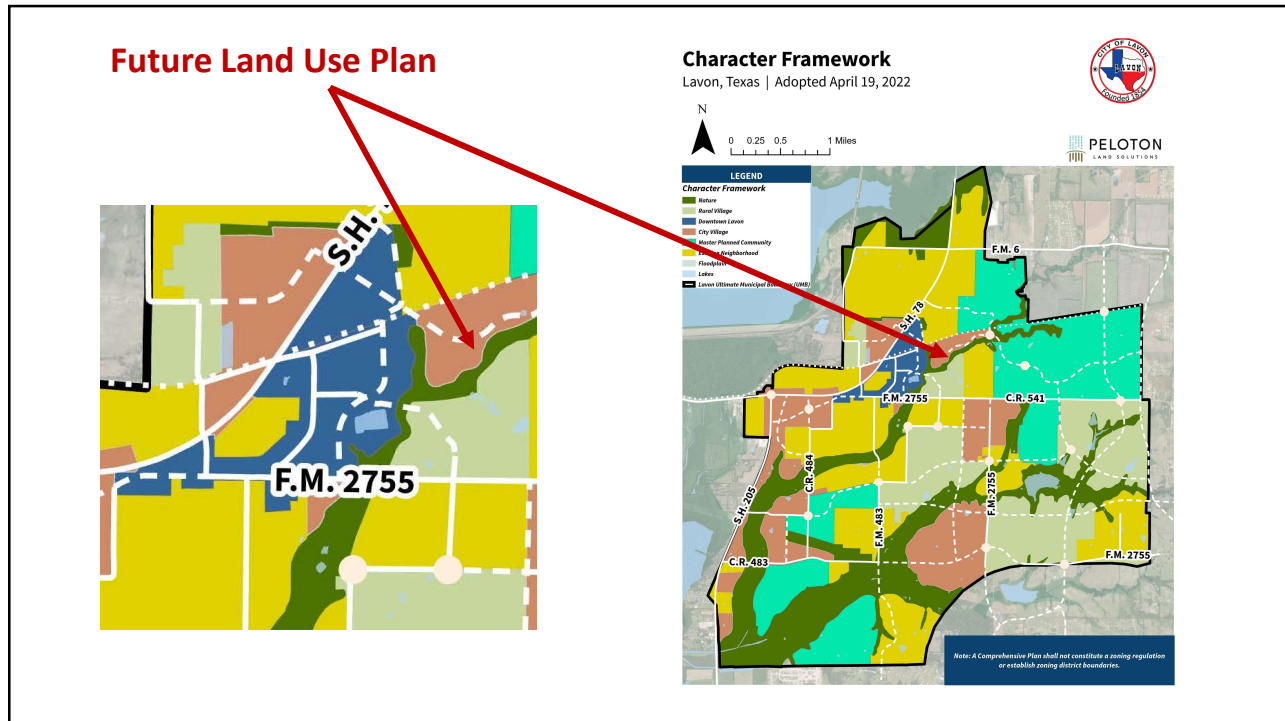
05/05/2025

## PRESSURE PLANE #1 ELEVON PARKWAY 0.5 MG ELEVATED STORAGE TANK

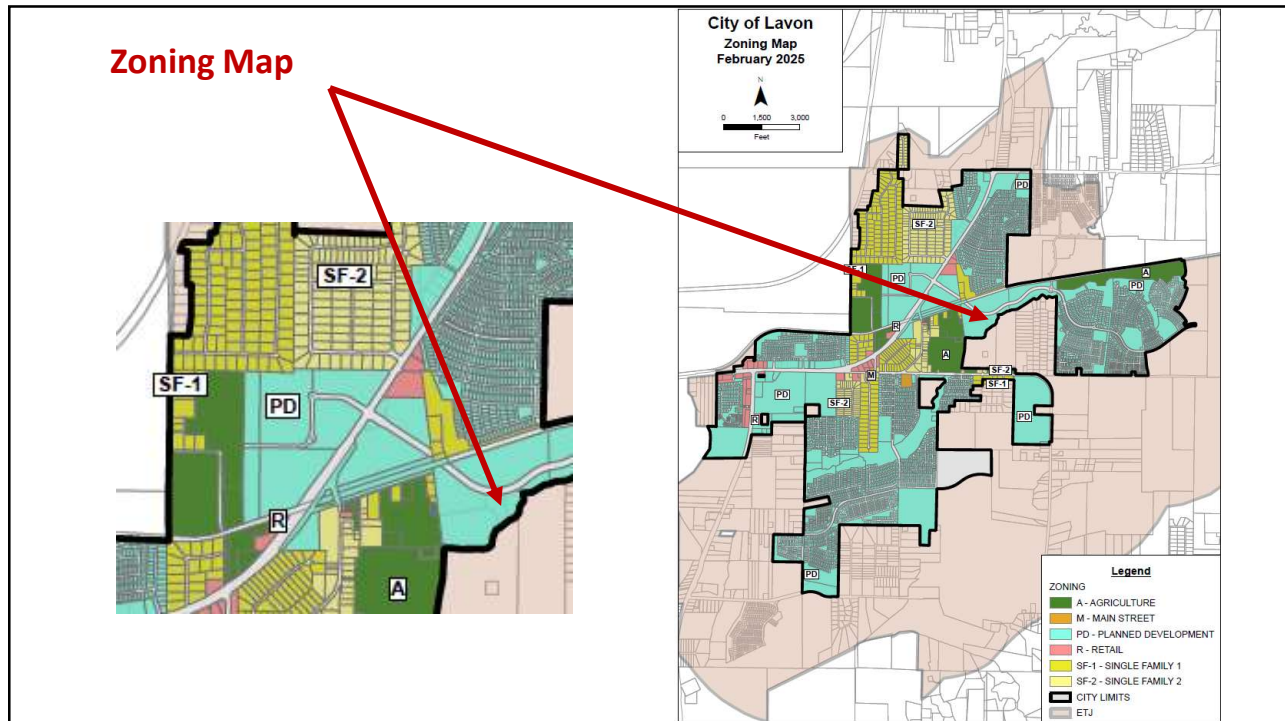
## PAVING AND DIMENSIONAL CONTROL PLAN AND SITE PLAN

DATE: MAY 2025	DESIGN: INB	DRAWN: BLH, RY	CHECKED: DLP
SHEET			KHA NO.: 064572853

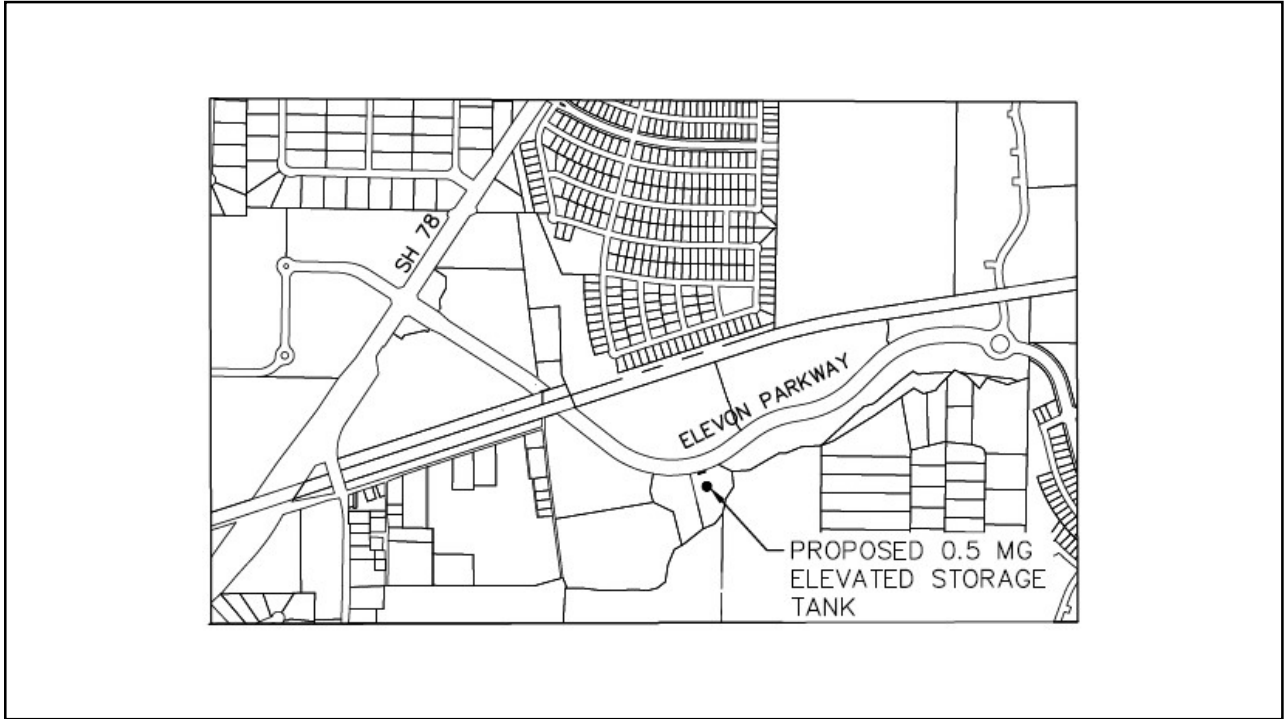
# C1A



11



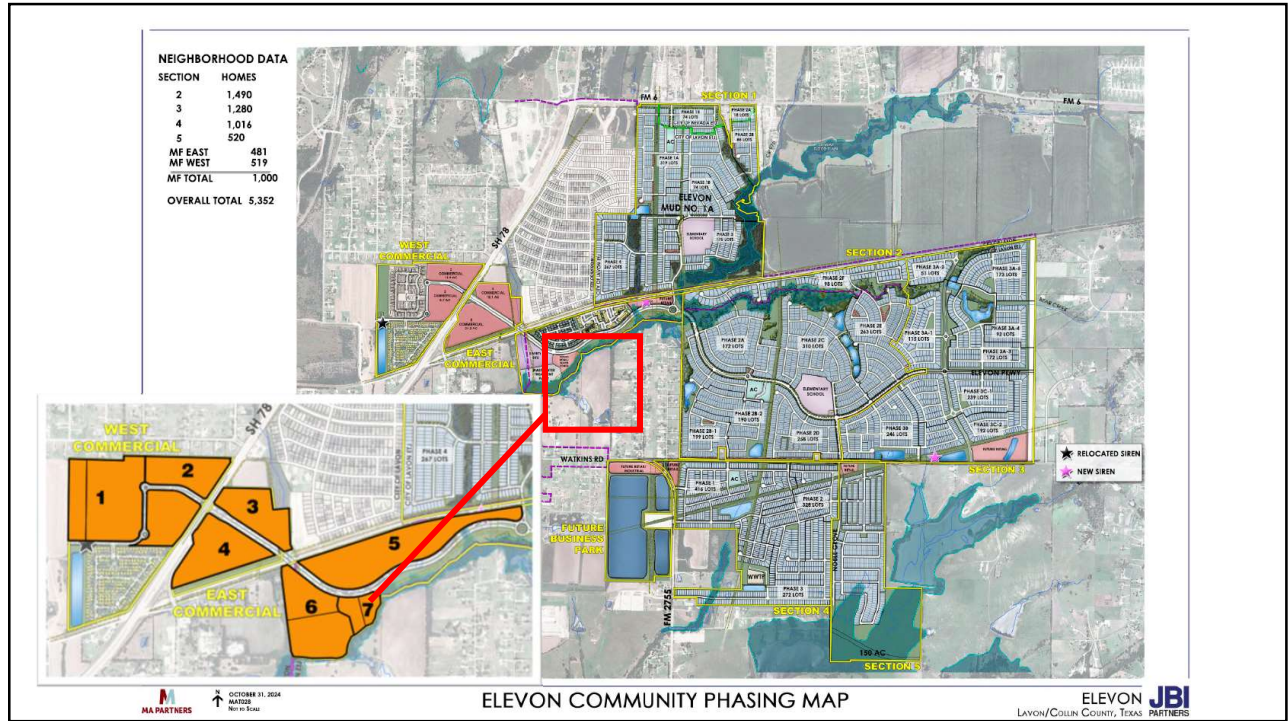
12



13



14



15

June 16, 2025

Kim Dobbs  
City of Lavon, TX  
Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Bear Creek Elevated Storage Tank  
Site Plan Review  
LJA Job No. NTP-40467  
Email Submittal: June 10, 2025

LJA Engineering, Inc. has reviewed the submittal and response referenced above, per your request, for planning- and design-related requirements.

**We have no further comments and recommend approval.**

Please do not hesitate to let us know if you have any questions.

Thank you,

A handwritten signature in black ink that reads 'Abra R Nusser'.

Abra R. Nusser, AICP  
Director of Placemaking + Resilience at LJA  
Email: [anusser@lja.com](mailto:anusser@lja.com)  
Phone: 972.339.8186  
On behalf of the City of Lavon, TX



June 10, 2025

Kim Dobbs  
City Manager  
City of Lavon

RE: Bear Creek SUD Pressure Plane #1 Elevon Parkway 0.5 MG Elevated Storage Tank  
Site Plan Review  
KHA No. 064572853

Dear Ms. Kim Dobbs:

Please see responses to the comments received from the City of Lavon below for the site plan review.

**Freeman-Millican, Inc Review Comments:**

GENERAL

- 1) Water service to be provided by Bear Creek SUD.
  - a. Acknowledged.
- 2) The property has been platted.
  - a. Acknowledged.
- 3) The proposed use consists of a new elevated water storage tank with associated structures.
  - a. Acknowledged.

SITE PLAN

- 4) Fire Lanes shall have a minimum radius of 30'.
  - a. Drive entrance radii where designated fire lane is established have been increased to 30'. Driveway radii not associated with the designated fire lane will remain 10'.
- 5) Non-residential driveways to have minimum 30' radius approaches.
  - a. Driveway entrance radii have been increased to 30'.
- 6) A portion of the proposed fire lane is constructed of flexible base. This is a temporary fire lane to be used until the south lanes of Elevon Parkway are constructed. This arrangement should be verified by the Fire Marshal.
  - a. This has been verified by the Fire Marshal during a review meeting on 5/27/2025, given the road can support an 80,000-pound fire truck. Drive details and Geotechnical report will be included in the full civil plan review.
- 7) The fire lane pavement should conform to City of Lavon Standards.
  - a. Confirmed, fire lane can support an 80,000-pound fire truck. Drive details and Geotechnical report will be included in the full civil plan review. Designated fire lane is less than 150', therefore width can remain 24' and no turnaround is required.
- 8) The fire lane exceeds 150' in length and, therefore, a suitable turnaround is required. The current turnaround does not appear to conform to NFPA requirements.
  - a. Designated fire lane has been adjusted to be less than 150'; therefore, a suitable turnaround is no longer required. Dimensions have been provided for fire lane length, as well as the distance from the fire lane to the front of the elevated storage tank.

- 9) To minimize having fire hoses cross a major roadway, we recommend a fire hydrant be located on the south side of Elevon Parkway to facilitate firefighting activities.
  - a. Confirmed with Mark Hill on 5/27/2025 that a fire hydrant has been included on the south side of Elevon Parkway. Callout has been added to the site plan for clarity.

**Site Plan Sheet Comments:**

- 1) 30' curve return radius minimum for non-residential driveway.
  - a. Driveway entrance radii have been increased to 30'.
- 2) Consider fire hydrant on south side of road.
  - a. Confirmed with Mark Hill on 5/27/2025 that a fire hydrant has been included on the south side of Elevon Parkway. Callout has been added to the site plan for clarity.
- 3) Minimum radius for fire lane is 30'.
  - a. Drive entrance radii where designated fire lane is established have been increased to 30'. Driveway radii not associated with the designated fire lane will remain 10'.
- 4) Verify lighting does not exceed 25 Fc at property line. Provide photometric plan.
  - a. Comment has been acknowledged and is getting coordinated with the electrical engineer. All of the lights on site are able to be run manually or on photocell, meaning they will not automatically turn on.
- 5) Does not appear to meet NFPA for fire apparatus turnaound for fire lane lengths greater than 150'.
  - a. Designated fire lane has been adjusted to be less than 150'; therefore, a suitable turnaround is no longer required. Dimensions have been provided for fire lane length, as well as the distance from the fire lane to the front of the elevated storage tank.
- 6) Fire lane should meet City of Lavon minimum standards.
  - a. Confirmed, fire lane can support an 80,000-pound fire truck. Drive details and Geotechnical report will be included in the full civil plan review. Designated fire lane is less than 150', therefore width can remain 24' and no turnaround is required.
- 7) Copy of geotechnical report to be provided with civil plans.
  - a. Noted, Geotechnical report will be included with the full civil plan review.

**LJA Engineering, Inc Review Comments:**

- 1) A combined Paving and Dimensional Control Plan and Site Plan was submitted for Site Plan review. Revise the Site Plan to remove the Coordinate Table, Paving & Dimensional Control Notes, Curve Table, and associated callouts. Submit a separate Paving and Dimensional.
  - a. The Site Plan has been separated from the Paving and Dimensional Control Plan. The revised Site Plan has been included as part of this resubmittal, and the revised Paving and Dimensional Control Plan will be included as part of the full Civil Plan Review.
- 2) Revise the Site Plan to provide the following required Site Plan information:
  - a. Ownership information
    - i. Ownership information for the elevated storage tank property, as well as the surrounding properties, is provided in the site plan view. Property owner of the specific site has been added to the vicinity map.
  - b. Delineation of the entire property boundary
    - i. Entire property boundary is shown in the vicinity map. Site plan scale has been adjusted so entire property boundary can be seen in the site plan view.

- c. Building setback lines
  - i. PD zoning does not specify building setback lines; however, the unoccupied storage tank is well off each of the property lines, and no other structures/buildings are to be built close to the property lines.
- d. Zoning designation for the property
  - i. Zoning designation is PD and is provided in the vicinity map.
- e. Gross area of the property
  - i. Gross area of the property is 2.421 Acres and is provided in the vicinity map.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



David Perkins, P.E.

May 16, 2025

Ms. Kim Dobbs  
City of Lavon  
120 School Road  
Lavon, TX 75166

Re: BCSUD Elevon Pkwy Elevated Storage Tank – 1 Lot, 2.421 Acres  
Site Plan

Dear Ms. Dobbs:

As requested, we have reviewed the Site Plan dated May 5, 2025 as prepared Kimley-Horn for the above referenced property. The property is located on Lot 4, Block A of Elevon Parkway West Addition. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the Planner comments. Our comments are as follows:

#### GENERAL

1. Water service to be provided by Bear Creek SUD.
2. The property has been platted.
3. The proposed use consists of a new elevated water storage tank with associated structures

#### SITE PLAN

4. Fire Lanes shall have a minimum radius of 30'.
5. Non-residential driveways to have minimum m 30' radius approaches.
6. A portion of the proposed fire lane is constructed of flexible base. This is a temporary fire lane to be used until the south lanes of Elevon Parkway are constructed. This arrangement should be verified by the Fire Marshal.
7. The fire lane pavement should conform to City of Lavon Standards.
8. The fire lane exceeds 150' in length and, therefore, a suitable turnaround is required. The current turnaround does not appear to conform to NFPA requirements.
9. To minimize having fire hoses cross a major roadway, we recommend a fire hydrant be located on the south side of Elevon Parkway to facilitate firefighting activities.

This concludes our review of the above referenced Site Plan. A copy of the Site Plan, with markups, is attached for your convenience.

The review conducted by FMI was for the limited purpose of code and ordinance compliance review for the exclusive benefit of the City of Lavon. The above referenced documents were not reviewed as to their quality or for errors on the part of the surveyor or engineer.

Ms. Kim Dobbs  
BCSUD Elevon Pkwy EST - Site Plan  
May 16, 2025  
Page 2 of 2

If there are any questions, please contact me at 214-503-0555 x115 or by email at [mdhill@fmi-dallas.com](mailto:mdhill@fmi-dallas.com).

Sincerely,  
FREEMAN-MILLICAN, INC.



Mark D. Hill, P.E.  
Consulting City Engineer

Cc: David Carter, Mike Jones, Danny Anthony, Abra Nusser, Tiffany McLeod

F:\17024 - LAV General Servies\9 - Review\BCSUD\Elevon Pkwy EST\BCSUD Elevon Pkwy EST - Site Plan - Rev 0.docx

May 15, 2025

Kim Dobbs  
City of Lavon, TX  
Via Email Delivery to [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

Re: Bear Creek Elevated Storage Tank  
Site Plan Review  
LJA Job No. NTP-40467  
MyGov Submittal: May 09, 2025

LJA Engineering, Inc. has reviewed the submittal referenced above per your request. We **recommend approval with the following conditions:**

1. A combined Paving and Dimensional Control Plan and Site Plan was submitted for Site Plan review. Revise the Site Plan to remove the Coordinate Table, Paving & Dimensional Control Notes, Curve Table, and associated callouts. Submit a separate Paving and Dimensional Control Plan for engineering review.
2. Revise the Site Plan to provide the following required Site Plan information:
  - Ownership information
  - Delineation of the entire property boundary
  - Building setback lines
  - Zoning designation for the property
  - Gross area of the property

Comments prepared and compiled by:



Tiffany McLeod, AICP  
Project Manager, Placemaking + Resilience at LJA  
Email: [tmcleod@lja.com](mailto:tmcleod@lja.com)  
Phone: 469.348.6571  
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP  
Director of Placemaking + Resilience at LJA  
Email: [anusser@lja.com](mailto:anusser@lja.com)  
Phone: 972.339.8186  
On behalf of the City of Lavon, TX



# CITY OF LAVON

## Agenda Brief

MEETING: July 1, 2025

ITEM: 6 – C

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**Item:**

Discussion and action regarding Resolution No. **2025-07-02** approving (1) the Resolution of the Board of Directors of the Lavon Economic Development Corporation (“Corporation”) regarding a loan to finance the costs of an economic development project; (2) a Sales Tax Remittance Agreement between the City and the Corporation; (3) resolving other matters incident and related to the project and the loan; and (4) the authority of the Mayor to execute, on behalf of the City, a General Certificate of the City and the agreements contemplated in the Resolution.

**Background:**

On June 10, 2025, the City Council approved the second reading of a Resolution approving the Lavon Economic Development Corporation (LEDC) Project for the construction of a single-story commercial structure at 619 Main St. On June 23, 2025, the LEDC Board of Directors approved a Resolution approving agreements relating to the financing of the Project.

Pursuant to state law, a Project may include costs for the acquisition of lands, buildings, equipment, facilities and improvements and related necessary costs for the design, construction, renovation, equipping, improving, maintenance and operation of the land, buildings, equipment facilities and improvements.

The Local Government Code provides that a Type B economic development corporation may undertake a Project with the City Council’s approval.

***Code Excerpt:***

**TEXAS LOCAL GOVERNMENT CODE**

**Sec. 505.158. PROJECTS RELATED TO BUSINESS DEVELOPMENT IN CERTAIN SMALL MUNICIPALITIES.**

(a) For a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, "project" also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation's board of directors to promote new or expanded business development.

(b) A Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

As permitted by the Open Meetings Act and posted on the meeting agenda, the City Council may convene into Executive Session to discuss the matter.

**Financial Implications:**

The LEDC has worked with Government Capital on the structure of the agreement and has appropriated funds for the project in the Annual Budget.

Key details:

- Total financed: building construction, contingencies, construction management and loan issuance costs of \$1,025,150.00
- Rate: 6.875%
- Term: 10 years
- Loan payoff is feasible at each of the quarterly payments
- Quarterly payment: \$35,651.48

When the building is sold, the loan can be paid off early.

***Staff Notes:***

Approval is recommended.

- Attachments:**
- 1) Proposed Resolution and attachments/exhibits
  - 2) Excerpts from Loan Agreement – Table of Contents and Payment Schedule, for additional details, contact [kdobbs@lavontx.gov](mailto:kdobbs@lavontx.gov)

**RESOLUTION NO. 2025-07-02**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS (“CITY”), APPROVING (I) THE RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAVON ECONOMIC DEVELOPMENT CORPORATION (“CORPORATION”) REGARDING A LOAN TO FINANCE THE COSTS OF AN ECONOMIC DEVELOPMENT PROJECT; (II) A SALES TAX REMITTANCE AGREEMENT BETWEEN THE CITY AND THE CORPORATION; (III) RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE PROJECT AND THE LOAN; AND (IV) THE AUTHORITY OF THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, A GENERAL CERTIFICATE OF THE CITY AND THE AGREEMENTS CONTEMPLATED IN THE RESOLUTION.**

**WHEREAS**, the City of Lavon, Texas (the “City”) has created the Lavon Economic Development Corporation (the “Corporation”), a nonprofit economic development corporation duly established and created pursuant to Chapters 501, 502 and 505, Local Government Code, as amended (formerly Section 4B of the Development Corporation Act of 1979, Article 5190.6, Texas Revised Civil Statutes Annotated, as amended), (the “Act”).

**WHEREAS**, the Corporation is authorized to expend its funds, including its economic development sales and use tax proceeds, to pay the costs of an authorized project.

**WHEREAS**, the Board of Directors (the “Board”) of the Corporation has previously found and determined to expend Corporation resources to develop real property to assist in the promotion of new and expanded community development in the City (the “Project”) and now desires to use loan proceeds to finance the Project pursuant to that certain Loan Agreement (as amended, restated, supplemented and/or otherwise modified, the “Loan Agreement”) in the original principal amount not to exceed \$1,025,150.00 (the “Loan”) between the Corporation and Government Capital Corporation (the “Lender”) with such loan evidenced by a promissory note in the aggregate principal amount not to exceed \$1,025,150.00 payable to the Lender (the “Note”).

**WHEREAS**, the Corporation proposes to enter into a Sales Tax Remittance Agreement, dated as of the date of the Loan Agreement, (as amended, restated, supplemented and/or otherwise modified, the “Sales Tax Remittance Agreement”) with the City pursuant to which, among other things, the Corporation will pledge its sales tax revenues to the Lender to secure repayment of the Loan.

**WHEREAS**, the Board adopted a resolution authorizing the Loan and the Sales Tax Remittance Agreement at a meeting of the Board held on June 23, 2025 (the “EDC Resolution”).

**WHEREAS**, the Act requires the City Council of the City to approve the EDC Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS:

**Section 1.** The recitals set forth above are true and correct.

**Section 2.** The Loan and the EDC Resolution authorizing the Loan adopted by the Corporation, and submitted to the City Council this day, is hereby approved in all respects. The proceeds from the Loan will be used to pay the costs of the Project. The City has previously approved the Project in accordance with the Act.

**Section 3.** The approvals herein given are in accordance with the Act, and the Note shall never be construed an indebtedness or pledge of the City, or the State of Texas (the "State"), within the meaning of any constitutional or statutory provision, and the owner of the Note shall never be paid in whole or in part out of any funds raised or to be raised by taxation (other than sales tax proceeds as authorized pursuant to the Act) or any other revenues of the Corporation, the City, or the State, except those revenues assigned and pledged by the Loan Agreement and the Sales Tax Remittance Agreement.

**Section 4.** The City hereby agrees to promptly collect and remit to the Corporation the Economic Development Sales and Use Tax (defined in the Loan Agreement) to provide for the prompt payment of the Note, and to assist and cooperate with the Corporation in the enforcement and collection of sales and use taxes imposed on behalf of the Corporation.

**Section 5.** The Sales Tax Remittance Agreement with respect to the obligations of the City and Corporation during the time the Note is outstanding, is hereby approved. Furthermore, the Mayor and the City Secretary and the other officers of the City are hereby authorized, jointly and severally, to execute and deliver such endorsements, instruments, certificates, documents, or papers necessary and advisable to carry out the intent and purposes of this Resolution, including without limitation the Sales Tax Remittance Agreement.

**Section 6.** This Resolution shall be in force and effect from and after its passage on the date shown below.

*[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]*

PASSED AND ADOPTED, this \_\_\_\_\_, 2025.

**CITY OF LAVON, TEXAS**

\_\_\_\_\_  
Vicki Sanson, Mayor

**ATTEST:**

\_\_\_\_\_  
Rae Norton, City Secretary

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAVON ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING A THE ISSUANCE OF A PROMISSORY NOTE TO FINANCE THE COSTS OF A PROJECT; AND OTHER MATTERS INCIDENT AND RELATED THERETO.**

**WHEREAS**, Lavon Economic Development Corporation (the "Corporation") is a nonprofit economic development corporation duly established and created pursuant to Chapters 501, 502 and 505, Local Government Code, as amended (formerly Section 4B of the Development Corporation Act of 1979, Article 5190.6, Texas Revised Civil Statutes Annotated, as amended), (the "Act") by the City of Lavon, Texas (the "City"); and

**WHEREAS**, the Corporation's Board of Directors (the "Board") has determined that it is advisable to fund the eligible costs of the development of real property to assist in the promotion of new and expanded community development in the City (the "Project");

**WHEREAS**, the Board has heretofore authorized the Project, posted notice of said project and held a hearing on the Project, all as required under the Act;

**WHEREAS**, the Corporation proposes to enter into a Loan Agreement (as amended, restated, supplemented and/or otherwise modified, the "Loan Agreement") with Government Capital Corporation, as lender ("Lender"), to enable the Corporation to finance the costs of the Project and pay costs of issuing the loan (the "Issuance Costs"), and as security for the payment of the principal of and interest thereon, the Corporation has agreed to pledge its economic development sales and use taxes. The loan shall be evidenced by: (a) a promissory note issued by the Corporation in the principal amount not to exceed \$1,025,150.00 payable to the Lender to finance the Project (the "2025 Note"). All capitalized terms used herein, but not otherwise defined herein, shall have the meaning ascribed to such term in the Loan Agreement.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LAVON ECONOMIC DEVELOPMENT CORPORATION AS FOLLOWS:**

**Section 1.** The recitals set forth in the Preamble are incorporated into this resolution for all purposes.

**Section 2.** The Board of Directors agrees to enter into the Loan Agreement, 2025 Note and a sales tax remittance agreement with the City (the "Sales Tax Remittance Agreement") to finance the cost of the Project and pay the Costs of Issuance. The 2025 Note will be issued in a principal amount not to exceed \$1,025,150.00 at an interest rate consistent with the Lender's proposal considered concurrently with this Resolution and, in order to secure the principal and interest on the 2025 Note, the Corporation will pledge the proceeds of the economic development sales and use taxes collected on behalf of the Corporation. The Authorized Officers of the Corporation, as defined below, are hereby severally authorized to determine the final terms of the financing including without limitation the principal amount, interest rate and payment terms of the 2025 Note which are not inconsistent with this Resolution.

**Section 3.** That any one or more of the Authorized Officers of the Corporation listed in Section 4 below be, and each of them hereby is, authorized to execute, acknowledge and deliver in the name and on behalf of the Corporation to the Lender the Loan Agreement, including all attachments and exhibits thereto, the 2025 Note and the Sales Tax Remittance Agreement. The Loan Agreement, the 2025 Note and the Sales Tax Remittance Agreement shall contain such final terms and be in such form as the signing officer shall determine to be advisable and consistent with the terms set forth in this Resolution. Further, said Authorized Officers are authorized to execute, acknowledge and deliver in the name and on behalf of the Corporation any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Loan Agreement, the 2025 Note and the Sales Tax Remittance Agreement; the execution thereof by any such Authorized Officer shall be conclusive as to such determination..

**Section 4.** That for the purpose of this resolution, the following persons, or the persons holding the following positions, are "*Authorized Officers*" duly authorized to enter into the transaction contemplated by this resolution in the name and on behalf of Borrower:

<b><u>Name</u></b>	<b><u>Title</u></b>
Kay Wright	President
Vicki Sanson	Vice-President
Manzelle Williams	Secretary

**Section 5.** That this Resolution shall take effect immediately.

PASSED AND ADOPTED this 23 day of June, 2025.

**LAVON ECONOMIC DEVELOPMENT  
CORPORATION**

By: \_\_\_\_\_  
Kay Wright, President

**ATTEST:**

By: \_\_\_\_\_  
Manzelle Williams, Secretary

**SALES TAX REMITTANCE AGREEMENT  
2025 NOTE**

This **SALES TAX REMITTANCE AGREEMENT** (as amended, restated, supplemented and/or otherwise modified, this "Agreement") is made to be effective as of July 11, 2025, by and between the **CITY OF LAVON, TEXAS**, a duly incorporated and existing home rule city operating and existing under the laws of the State of Texas (the "City") and the **LAVON ECONOMIC DEVELOPMENT CORPORATION**, a nonprofit development corporation organized and existing under the laws of the State of Texas, including Chapters 501, 502 and 505, Local Government Code, as amended (formally Section 4B of the Development Corporation Act of 1979, Article 5190.6, Texas Revised Civil Statutes Annotated, as amended) (the "Corporation").

**R E C I T A L S**

**WHEREAS**, the Corporation on behalf of the City is developing real property in the City to assist in the promotion of new and expanded community development (the "Project"); and

**WHEREAS**, such financing contemplates the issuance of the Corporation's promissory note in a principal amount of \$1,025,150.00 (the "Note"), and the proceeds are to be used by the Corporation to finance the costs of the Project and pay the costs of issuance of the Note.

**A G R E E M E N T**

1. **Financing**: For and in consideration of the City's covenants and agreements herein contained and subject to the terms contained herein, the Corporation hereby agrees to enter into a Loan Agreement dated of even date herewith (as same may be amended, restated, supplemented and/or otherwise modified, the "Loan Agreement"), with Government Capital Corporation (the "Lender"), and to execute the Note, and the Corporation hereby agrees and covenants that all proceeds of the loan evidenced by the Note shall be used solely to pay the costs of financing the costs of the Project and to pay all costs related thereto.

2. **Receipt and Transfer of Proceeds of Sales Tax**. The City agrees, in cooperation with the Corporation, to take such actions as are required to cause the "Sales Tax" received from the Comptroller of Public Accounts of the State of Texas for and on behalf of the Corporation to be deposited immediately upon receipt by the City to the credit of the Corporation.

3. **Modifications**. This Agreement shall not be changed orally, and no executory agreement shall be effective to waive, change, modify or discharge this Agreement in whole or in part unless such executory agreement is in writing and is signed by the parties against whom enforcement of any waiver, change, modification or discharge is sought and approved in writing by the Lender.

4. **Entire Agreement**. This Agreement contains the entire agreement between the parties pertaining to the subject matter hereof and fully supersedes all prior agreements and understandings between the parties pertaining to such subject matter.

5. **Counterparts.** This Agreement may be executed in several counterparts, and all such executed counterparts shall constitute the same agreement. It shall be necessary to account for only one such counterpart in proving this Agreement.

6. **Severability.** If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

7. **Applicable Law.** This Agreement shall in all respects be governed by, and construed in accordance with, the substantive federal laws of the United States and the laws of the State of Texas.

8. **Captions.** The section headings appearing in this Agreement are for convenience of reference only and are not intended, to any extent and for any purpose, to limit or define the text of any section or any subsection hereof.

9. **Capitalized Terms.** All capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Loan Agreement.

*[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BANK]*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the date and year first above written.

**LAVON ECONOMIC DEVELOPMENT  
CORPORATION**

*C Kay Wright*  
Kay Wright, President

ATTEST:

*Manzelle D. Williams*  
Manzelle Williams, Secretary

**CITY OF LAVON, TEXAS**

---

Vicki Sanson, Mayor

**ATTEST:**

---

Rae Norton, City Secretary

**GENERAL CERTIFICATE OF CITY**  
**2025 NOTE**

We, the undersigned duly authorized officers of the CITY OF LAVON, TEXAS ("City") acting in our official capacities as such, hereby certify with respect to the Loan Agreement dated as of July 11, 2025, (as same may be amended, restated, supplemented and/or otherwise modified, the "Loan Agreement") by and between the LAVON ECONOMIC DEVELOPMENT CORPORATION ("Corporation") and GOVERNMENT CAPITAL CORPORATION ("Lender") authorizing a loan in the principal amount of \$1,025,150.00, as follows:

1. All capitalized terms used herein shall have the meaning set forth for such term in the Loan Agreement unless the context clearly indicates otherwise.

2. The City is a duly incorporated home rule city, operating and existing under the Constitution and the laws of the State of Texas.

3. The City has duly authorized the creation of the Corporation under the Act.

4. Attached hereto as Exhibit "A" are true, correct, and full copies of the proceedings pertaining to the levy of the Economic Development Sales and Use Tax and the election at which the Economic Development Sales and Use Tax was approved by the voters of the City.

5. No Litigation is pending or, to the best of their knowledge, threatened against the City with respect to the issuance by the Corporation of the Note, the Loan Agreement or the Sales Tax Remittance Agreement, the creation of the Corporation or the title or authority of the governing body or director of the Corporation.

*[Remainder of Page Intentionally Left Blank]*

**IN WITNESS WHEREOF**, we have duly executed this certificate on the date first written above.

**CITY OF LAVON, TEXAS**

\_\_\_\_\_  
Vicki Sanson, Mayor

**ATTEST:**

\_\_\_\_\_  
Rae Norton, City Secretary

**EXHIBIT A**

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS****ORDINANCE NO. 2003-05-2****SALES TAX ELECTION****Lavon, Texas, May 3, 2003**

AN ORDINANCE FOR THE CITY OF LAVON, CANVASSING THE RETURNS OF AN ELECTION FOR THE ADOPTION OF A LOCAL SALES AND USE TAX IN THE CITY OF LAVON, TEXAS AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO BE USED TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AND TO CANVASS THE RETURNS OF AN ELECTION FOR THE ADOPTION OF A SECTION 4B SALES AND USE TAX WITHIN THE CITY OF LAVON, TEXAS AT THE RATE OF ONE-HALF OF ONE PERCENT TO UNDERTAKE PROJECTS AS DESCRIBED IN SECTION 4B OF ARTICLE 5190.6, V.T.V.S., AS AMENDED (THE DEVELOPMENT CORPORATION ACT OF 1979), INCLUDING BUT NOT LIMITED TO, PROJECTS FOR THE PROMOTION OF AMATEUR (INCLUDING CHILDREN'S) ATHLETICS AND SPORTS INCLUDING BALL PARKS AND AUDITORIUMS, PROJECTS RELATED TO ENTERTAINMENT, CONVENTION, TOURIST AND EXHIBITION FACILITIES, AMPHITHEATERS, CONCERT HALL AND PUBLIC PARKS, PARK FACILITIES AND EVENTS, OPEN SPACE IMPROVEMENTS, LEARNING CENTERS, MUNICIPAL BUILDINGS (INCLUDING SENIOR CITIZEN FACILITIES), EDUCATIONAL FACILITIES AND FACILITIES FOR USE BY INSTITUTIONS OF HIGHER EDUCATION, MUSEUMS AND RELATED STORES, RESTAURANT, CONCESSION AND AUTOMOBILE PARKING FACILITIES AND RELATED ROADS, STREETS AND WATER AND SEWER FACILITIES, RECYCLING FACILITIES AND PROJECTS TO PROMOTE NEW OR EXPANDED BUSINESS ENTERPRISES INCLUDING FACILITIES TO PROMOTE JOB CREATION AND RETENTION, JOB TRAINING FACILITIES AND PUBLIC SAFETY FACILITIES, STREETS AND ROADS, DRAINAGE AND RELATED IMPROVEMENTS, DEMOLITION OF EXISTING STRUCTURES AND GENERAL IMPROVEMENTS THAT ARE MUNICIPALLY OWNED AND ANY OTHER IMPROVEMENTS OR FACILITIES THAT ARE RELATED TO ANY OF THE ABOVE PROJECTS AND ANY OTHER PROJECT THAT THE BOARD OF DIRECTORS OF THE ECONOMIC DEVELOPMENT CORPORATION ESTABLISHED FOR SUCH PURPOSE DETERMINES WILL PROMOTE NEW OR EXPANDED BUSINESS ENTERPRISES AND THE MAINTENANCE AND OPERATION EXPENSES FOR ANY OF THE ABOVE DESCRIBED PROJECTS; ORDERING THAT SAID TAXES BE IMPOSED; INSTRUCTING THE CITY SECRETARY TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE COMPTROLLER OF PUBLIC ACCOUNTS AND ESTABLISHING AN EFFECTIVE DATE.

**BE IT REMEMBERED THAT** on this the 15<sup>th</sup> day of May, 2003, at a meeting of the City Council of the City of Lavon, Texas, a quorum being present, the meeting was called to order and the following business was transacted.

Upon motion of Council Member Brandon Wilson and seconded by Council Member Steve Shockley, it was unanimously ordered that the City Council consider the official returns of an election held in the city on May 3, 2003, for adoption of local sales and use tax in the city of Lavon, Texas at the rate of one-fourth of one percent to be used to provide revenue for the maintenance and repair of municipal streets; and for adoption of a Section 4B sales and use tax within the city of Lavon, Texas at the rate of one-half of one percent to undertake projects as described in Section 4B of Article 5190.6, V.T. C. S., as amended (The Development Corporation Act of 1979), including but not limited to, projects for the promotion of amateur (including children's) athletics and sports including ball parks and auditoriums, projects related to entertainment, convention, tourist and exhibition facilities, amphitheaters, concert hall and public parks, park facilities and events, open space improvements, learning centers, municipal buildings (including senior citizen facilities), educational facilities and museums and related stores, restaurant, concession and automobile parking facilities and related roads, streets and water and sewer facilities, recycling facilities and projects to promote new or expanded business enterprises including facilities to promote job creation and retention, job training facilities and public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures and general improvements that are municipally owned and any other improvements or facilities that are related to any of the above projects and any other project that the Board of Directors of the Economic Development Corporation established for

such purpose determines will promote new or expanded business enterprises and the maintenance and operation expenses for any of the above described projects.

WHEREUPON, said official returns were opened, examined, canvassed and the results declared as follows:

**CANVASS OF RETURNS AND DECLARATION OF RESULTS**

WHEREAS, there was held an election in the City of Lavon, Texas, on May 3, 2003, on the question of the adoption of local sales and use tax in the city of Lavon, Texas at the rate of one-fourth of one percent to be used to provide revenue for the maintenance and repair of municipal streets; and the adoption of a Section 4B sales and use tax within the city of Lavon, Texas at the rate of one-half of one percent to undertake projects as described in Section 4B of Article 5190.6, V.T. C. S., as amended (The Development Corporation Act of 1979), including but not limited to, projects for the promotion of amateur (including children's) athletics and sports including ball parks and auditoriums, projects related to entertainment, convention, tourist and exhibition facilities, amphitheaters, concert hall and public parks, park facilities and events, open space improvements, learning centers, municipal buildings (including senior citizen facilities), educational facilities and museums and related stores, restaurant, concession and automobile parking facilities and related roads, streets and water and sewer facilities, recycling facilities and projects to promote new or expanded business enterprises including facilities to promote job creation and retention, job training facilities and public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures and general improvements that are municipally owned and any other improvements or facilities that are related to any of the above projects and any other project that the Board of Directors of the Economic Development Corporation established for

such purpose determines will promote new or expanded business enterprises and the maintenance and operation expenses for any of the above described projects; and,

**WHEREAS**, immediately after said election the Presiding Judge and other officials holding said election made their returns of the results thereof to the City Council as follows, and said returns being made according to law, and duly authenticated, and it being shown that written notice of said election was given for the time and in the manner provided by law, and all other proceedings pertaining to said election having been shown to have been done and performed at and within the manner provided by law, and all papers pertaining thereto having been returned and filed with the City Council and it appearing that said election was in all respects legally held and that said returns were duly and legally made and no protest or objection being made to or regarding any matter pertaining to said election; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS:**

**SECTION I.** That after examining said returns and opening and canvassing the votes of said election, the result of said election in regard to Proposition Number 1 is as follows:

**PROPOSITION NO. 1**

The adoption of a local sales and use tax in the City of Lavon, Texas at the rate of one-fourth of one percent to provide revenue for the maintenance and repair of municipal streets.

That there were cast at said election 67 total votes of which 58 votes were cast **FOR** the adoption of Proposition Number 1, and 9 votes were cast **AGAINST** the adoption of Proposition Number 1.

The majority of the qualified voters having voted **FOR** the adoption of local sales and use tax within the city at the rate of one-fourth of one percent to provide revenue for the maintenance and repair of municipal streets, said proposition is declared approved and said tax is hereby imposed in the City of Lavon, Texas, pursuant to **Section 321.404 of the Texas Tax Code**, and shall become effective as provided by law, and the City Secretary is hereby instructed to forward to the Comptroller of Public Accounts, State Capital, Austin, Texas, by registered or certified mail an certified copy of this ordinance.

**SECTION 2.** That after examining said returns and opening and canvassing the votes of said election, the result of said election in regard to Proposition Number 2 is as follows:

**PROPOSITION NO. 2**

The adoption of an additional sales and use tax within the city at the rate of one-half of one percent to undertake projects as described in Section 4B of Article 5190.6, V.T.C.S., as amended (The Development Corporation Act of 1979), including but not limited to, project for the promotion of amateur (including children's) athletics and sports including ballparks and auditoriums, projects related to entertainment, convention, tourist and exhibition facilities, amphitheaters, concert halls, and public parks, park facilities and events, open space improvements, learning centers, municipal buildings (including Senior Citizen facilities), educational facilities and facilities for use by institutions of higher education, museums and related stores, restaurant, concessions and automobile parking facilities and related roads, streets and water and sewer facilities, recycling facilities and projects to promote new or expanded business enterprises including facilities to promote job creation and retention, job training facilities and public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures and general improvements that are municipally owned and any other improvements or facilities that are related to any of the above projects and any other project that the board of directors of the Economic Development Corporation established for such purpose

determines will promote new or expanded business enterprises and the maintenance and operation expenses for any of the above described projects.

That there were cast at said election 61 total votes of which 45 votes were cast FOR the adoption of Proposition Number 2 and 16 votes were cast AGAINST the adoption of Proposition Number 2.

The majority of the qualified voters having voted FOR the adoption of a 4B sales and use tax within the city at the rate of one-half of one percent to undertake projects as described in Section 4B of Article 5190.6, V.T. C. S., as amended (The Development Corporation Act of 1979), including but not limited to, projects for the promotion of amateur (including children's) athletics and sports including ball parks and auditoriums, projects related to entertainment, convention, tourist and exhibition facilities, amphitheaters, concert halls and public parks, park facilities and events, open space improvements, learning centers, municipal buildings (including senior citizen facilities), educational facilities and facilities for use by institutions of higher education, museums and related stores, restaurant, concession and automobile parking facilities and related roads, streets and water and sewer facilities, recycling facilities and projects to promote new or expanded business enterprises including facilities to promote job creation and retention, job training facilities and public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures and general improvements that are municipally owned and any other improvements or facilities that are related to any of the above projects and any other project that the Board of Directors of the Economic Development Corporation established for such purpose determines will promote new or expanded business enterprises and the maintenance and operation expenses for any of the above described projects, said proposition is declared approved and

said tax is hereby imposed in the City of Lavon, Texas, pursuant to Section 4B of Article 5190.6, Vernon's Revised Civil Statutes, and shall be come effective as provided by law, and the City Secretary is herby instructed to forward to the Comptroller of Public Accounts, State Capital, Austin, Texas, by registered or certified mail a certified copy of this ordinance.

**SECTION 3.** That this canvass and declaration of results of said election be entered in the Minutes of the City Council.

**SECTION 4.** This ordinance shall take effect immediately upon its passage as provided by the charter of this City and the laws of the State of Texas.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Lavon, Collin County, Texas, on this 15<sup>th</sup> day of May 2003.



Steve Parker, Mayor

**ATTEST:**

Rosa Stovall, City Secretary

This is a true and certified copy.

Rosa Stovall, City Secretary

**CLOSING DOCUMENTS INDEX**

**\$1,025,150 SALES TAX NOTE**

**GOVERNMENT CAPITAL CORPORATION  
("Lender")**

**and**

**LAVON ECONOMIC DEVELOPMENT CORPORATION  
("Corporation")**

**Dated as of July 11, 2025**

<b><i>Document No.</i></b>	<b><i>Document Description</i></b>
1	Loan Agreement between Lender and Corporation Exhibit A – Form of Note
2	Note executed by Corporation and payable to Lender Schedule I – Payment Schedule
3	Sales Tax Remittance Agreement executed by the Corporation and the City of Lavon, Texas (the “City”)
4	General Certificate of Corporation
5	Resolution of Corporation
6	General Certificate of the City
7	Resolution of the City
8	Opinion of Counsel
9	Articles of Incorporation of Corporation
10	Parity Certificate

**LOAN AGREEMENT**

**between**

**GOVERNMENT CAPITAL CORPORATION**

**and**

**LAVON ECONOMIC DEVELOPMENT CORPORATION**

**\$1,025,150.00**

**Dated as of July 11, 2025**

**Schedule I – Payment Schedule**

PMT NO.	PMT DATE MO. DAY YR	TOTAL PAYMENT	INTEREST PAID	PRINCIPAL PAID	EARLY REDEMPTION VALUE after pmt on this line
1	10/11/2025	\$35,651.48	\$17,619.77	\$18,031.71	N/A
2	1/11/2026	\$35,651.48	\$17,309.85	\$18,341.63	N/A
3	4/11/2026	\$35,651.48	\$16,994.60	\$18,656.88	N/A
4	7/11/2026	\$35,651.48	\$16,673.93	\$18,977.55	N/A
5	10/11/2026	\$35,651.48	\$16,347.76	\$19,303.72	N/A
6	1/11/2027	\$35,651.48	\$16,015.97	\$19,635.51	N/A
7	4/11/2027	\$35,651.48	\$15,678.49	\$19,972.99	N/A
8	7/11/2027	\$35,651.48	\$15,335.20	\$20,316.28	N/A
9	10/11/2027	\$35,651.48	\$14,986.02	\$20,665.46	N/A
10	1/11/2028	\$35,651.48	\$14,630.83	\$21,020.65	N/A
11	4/11/2028	\$35,651.48	\$14,269.54	\$21,381.94	N/A
12	7/11/2028	\$35,651.48	\$13,902.04	\$21,749.44	N/A
13	10/11/2028	\$35,651.48	\$13,528.22	\$22,123.26	N/A
14	1/11/2029	\$35,651.48	\$13,147.97	\$22,503.51	N/A
15	4/11/2029	\$35,651.48	\$12,761.19	\$22,890.29	N/A
16	7/11/2029	\$35,651.48	\$12,367.77	\$23,283.71	N/A
17	10/11/2029	\$35,651.48	\$11,967.58	\$23,683.90	N/A
18	1/11/2030	\$35,651.48	\$11,560.51	\$24,090.97	N/A
19	4/11/2030	\$35,651.48	\$11,146.45	\$24,505.03	N/A
20	7/11/2030	\$35,651.48	\$10,725.27	\$24,926.21	\$606,840.16
21	10/11/2030	\$35,651.48	\$10,296.85	\$25,354.63	\$580,822.27
22	1/11/2031	\$35,651.48	\$9,861.07	\$25,790.41	\$554,391.34
23	4/11/2031	\$35,651.48	\$9,417.79	\$26,233.69	\$527,540.82
24	7/11/2031	\$35,651.48	\$8,966.90	\$26,684.58	\$500,264.05
25	10/11/2031	\$35,651.48	\$8,508.26	\$27,143.22	\$472,554.26
26	1/11/2032	\$35,651.48	\$8,041.74	\$27,609.74	\$444,404.58
27	4/11/2032	\$35,651.48	\$7,567.19	\$28,084.29	\$415,808.02
28	7/11/2032	\$35,651.48	\$7,084.50	\$28,566.98	\$386,757.49
29	10/11/2032	\$35,651.48	\$6,593.50	\$29,057.98	\$357,245.79
30	1/11/2033	\$35,651.48	\$6,094.07	\$29,557.41	\$327,265.59
31	4/11/2033	\$35,651.48	\$5,586.05	\$30,065.43	\$296,809.45
32	7/11/2033	\$35,651.48	\$5,069.30	\$30,582.18	\$265,869.82
33	10/11/2033	\$35,651.48	\$4,543.67	\$31,107.81	\$234,439.02
34	1/11/2034	\$35,651.48	\$4,009.00	\$31,642.48	\$202,509.26
35	4/11/2034	\$35,651.48	\$3,465.15	\$32,186.33	\$170,072.61
36	7/11/2034	\$35,651.48	\$2,911.94	\$32,739.54	\$137,121.03
37	10/11/2034	\$35,651.48	\$2,349.23	\$33,302.25	\$103,646.35
38	1/11/2035	\$35,651.48	\$1,776.85	\$33,874.63	\$69,640.26
39	4/11/2035	\$35,651.48	\$1,194.63	\$34,456.85	\$35,094.32
40	7/11/2035	\$35,651.48	\$602.55	\$35,048.93	\$0.00



## CITY OF LAVON Agenda Brief

**MEETING:** July 1, 2025

**ITEM:** 6 - D

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**Item:**

Authorize preparation and submission of an application to the Department of Homeland Security (DHS)/ Federal Emergency Management Agency (FEMA) for the Staffing for the Adequate Fire and Emergency Response (SAFER) Grant Program that if approved will require a City match of \$328,447.35 over three years.

**Background:**

The Staffing for Adequate Fire and Emergency Response (SAFER) grants were created to provide funding directly to fire departments and volunteer firefighter interest organizations to improve or restore fire departments' staffing and deployment capabilities so they may more effectively respond to emergencies.

Utilizing the SAFER grant, the Fire Department is proposing to add an additional three (3) full time equivalent Firefighter/EMT positions. This would better enable the fire department to ensure adequate staffing and timely emergency responses as our city continues to experience explosive growth and continued increase in emergency call volume. Based on current growth trends, we are confident that by the end of the three-year grant period the city's growth will support the need for this additional staffing.

The grant request relates to the following core values, goals, and the comprehensive plan foundation of the City of Lavon as established in the 2023-25 Strategic Plan:

**Core Value**

- We believe that providing a safe community, with high-quality infrastructure and services, is one of the primary purposes of our City government. Maintaining safety as a strength of Lavon is extremely important.

**Financial Implication:**

If the Fire Department is awarded the SAFER grant, over a three-year period, SAFER will cover 75% of pay and benefits for the first two years and 35% for the third for 3 full time firefighters. Once the three-year grant window closes, funding beyond that timeframe will be the sole responsibility of the City of Lavon. In three years, the tax base is expected to be sufficient to cover the costs of the additional staff.

A breakdown of the matching funding levels is below:

	Year 1	Year 2	Year 3	Total
Federal - SAFER	\$ 214,204.80	\$ 214,204.80	\$ 99,962.24	\$ 528,371.83
City Match	\$ 71,401.60	\$ 71,401.60	\$ 185,644.16	\$ 328,447.35
	<u>\$ 285,606.39</u>	<u>\$ 285,606.39</u>	<u>\$ 285,606.39</u>	<u>\$ 856,819.18</u>

Note, if the grant is awarded, additional outfitting costs of approximately \$12,000 per firefighter or \$36,000 in the first year would be required.

***Staff Notes:***

Approval is recommended.

**Attachments:** Information Sheet – SAFER Grant

# FY 2024 Staffing for Adequate Fire and Emergency Response (SAFER) Program

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The Fiscal Year (FY) 2024 Staffing for Adequate Fire and Emergency Response (SAFER) Program will make available \$324 million to fire departments and volunteer firefighter interest organizations to assist fire departments in increasing the number of frontline firefighters.

## Overview

The FY 2024 SAFER Program is one of three grant programs that constitute the Department of Homeland Security (DHS) and the Federal Emergency Management Agency's (FEMA) focus on enhancing the safety of the public and firefighters with respect to fire and related hazards. Since FY 2005, the SAFER Program has awarded approximately \$5.8 billion in grant funding to provide critically needed resources to hire new, additional firefighters (or to change the status of part-time or paid-on-call firefighters to full-time firefighters). The FY 2024 SAFER Program will award another \$324 million to an estimated 300 eligible fire departments and volunteer firefighter interest organizations to assist fire departments in increasing the number of firefighters to meet industry minimum standards and attain 24-hour staffing to provide adequate fire protection from fire and fire-related hazards. For more information, see pages 6 - 14 of the FY 2024 SAFER Program Notice of Funding Opportunity (NOFO).

## Purpose

The purpose of the SAFER Program is to award grants directly to eligible fire departments and volunteer firefighter interest organizations to assist local fire departments with staffing and deployment capabilities to respond to emergencies. Using a competitive process that is informed by fire service subject-matter experts, grants are awarded to applicants whose requests best address the priorities of the SAFER Program.

## Funding

The DHS Appropriations Act, 2024 (Pub. L. No. 118-47) appropriated \$324 million to carry out the activities of the SAFER Program. The statute, 15 U.S.C. § 2229a, authorizes the SAFER Program to make competitive grants to fire departments and national, state, local, federally recognized tribal, and non-profit interest organizations representing the interests of volunteer firefighters. No less than 10% of the funding must be awarded to projects under the Recruitment and Retention (R&R) Activity, and 10% of the funding is set aside for awards to volunteer or mostly



**FEMA**

volunteer fire departments under the Hiring of Firefighters (Hiring) Activity. For more information, see page 56 - 57 of the FY 2024 SAFER Program NOFO.

## Eligibility

Eligible applicants for the FY 2024 SAFER Program include fire departments and national, regional, state, local, federally recognized tribal, and non-profit interest organizations representing the interests of volunteer firefighters operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico<sup>1</sup>, or any federally recognized Indian tribe or tribal organization. For more information, see page 9 of the FY 2024 SAFER Program NOFO.

## Definitions

- A fire department is an agency or organization that has a formally recognized arrangement with a state, territory, local government, or tribal authority (city, county, parish, fire district, township, town, village or other governing body) to provide fire suppression on a first-due basis to a fixed geographical area.
- A national, state, local, federally recognized tribal, and non-profit interest organization is an organization that supports or represents the interests of firefighters in front of legislative bodies at the local, state, tribal and/or federal level. Such organizations include state or local firefighter and/or fire chiefs' associations, and volunteer firefighter relief organizations and associations.
- A career fire department is a fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters (fire departments that provide reimbursement on a paid-on-call basis are considered to be a “combination fire department” for the purposes of the FY 2024 SAFER Program).
- A combination fire department is a fire department that has paid firefighting personnel and volunteer firefighting personnel. A combination fire department must have at least one active firefighter who receives financial compensation for their services (including paid-on-call) and at least one active firefighter who does not receive financial compensation for services, other than life, health, and workers’ compensation insurance.
  - FEMA considers a department to be majority volunteer if more than 50% of its membership is made up of personnel who do not receive financial compensation for their services.
  - FEMA considers a department to be majority career if more than 50% of the active firefighting membership is salaried staff.
- A volunteer fire department is a fire department that has an all-volunteer force of firefighting personnel. To be an all-volunteer force, no member may receive financial compensation (in the form of salary or wages) for their services other than life and health insurance, workers’ compensation insurance, and/or a nominal stipend per call.

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<sup>1</sup> The District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico are all defined as “States” in the Federal Fire Prevention and Control Act of 1974.

## Program Highlights

Under the FY 2024 SAFER Program, eligible organizations may apply for grants for the following activities:

### R&R Activity

- Assist fire departments with the recruitment and retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response.

### Hiring Activity

- Hire new, additional firefighters (or to change the status of part-time or paid-on-call firefighters to full-time firefighters).

## Application Process and Evaluation Criteria

SAFER Program applications are reviewed through a multi-phase process. All complete and eligible applications are electronically pre-scored and ranked based on the substance of the application relative to the established funding priorities. Applications will then undergo further evaluation by a peer review panel, composed of individuals from the fire service and volunteer firefighter interest organizations.

A minimum of three peer review panelists evaluate the applications using the narrative statement, answers to general questions, and answers to activity-specific questions. Each application is judged on its own merits against established criteria and is not compared to other applications.

Applications most consistent with the established SAFER Program funding priorities that score the highest and are determined to be in the “competitive range” will undergo a Technical Review by the FEMA Program Office, which will assess the request with respect to costs, quantities, feasibility, eligibility, and recipient responsibility. For more information, see pages 24 - 32 of the FY 2024 SAFER Program NOFO.

## Program Coordination

The following entities were involved in developing the FY 2024 SAFER Program guidance:

### DHS

- FEMA
- U.S. Fire Administration

### Major Fire Service Organizations

- International Association of Fire Chiefs
- International Association of Fire Fighters

Learn more at [fema.gov](https://www.fema.gov)

April 2025 4

- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Services Institute

## SAFER Program Resources

For additional information on the FY 2024 SAFER Program, please visit our website at:

<https://www.fema.gov/grants/preparedness/firefighters/safer>.

You may also contact the SAFER Program Help Desk at (866) 274-0960 or [firegrants@fema.dhs.gov](mailto:firegrants@fema.dhs.gov). The SAFER Program Help Desk is open Monday through Friday, 8 a.m. – 4:30 p.m. E.T.



# CITY OF LAVON

## Agenda Brief

**MEETING: July 1, 2025**

**ITEM: 6 - E**

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**Item:**

Discussion and action regarding Resolution No. **2025-07-03** designating certain officials as being responsible for, acting for and on behalf of the City in dealing with Collin County, herein referred to as the “County”, for the purpose of participating in the Collin County Parks & Open Space Project Funding Assistance Program, hereinafter referred to as the “Program”; certifying that the City is eligible to receive program assistance; certifying that the City matching share is readily available; and dedicating the proposed project for public recreational uses.

**Background:**

Collin County residents voted in favor of bond funding for parks and open spaces throughout the county. Through an application process, the county provides financial assistance to cities and non-profit organizations for eligible projects.

**Excerpt from the Collin County website:**

**Collin County > Parks & Open Space > Project Funding Assistance Program**

The Program has been in place since 1999 when Collin County citizens approved a \$5.75 million bond proposition for Parks and Open Space. In 2001, those funds were used to create the Strategic Plan and assisted with the advancement of 33 projects for 25 different entities over a 3-year period. In 2003, the citizens approved an \$11 million bond proposition for Parks and Open Space that allowed an already successful program to expand. These funds supported the development of 45 projects for 29 different entities over a 5-year period. In 2007, the citizens approved a \$17 million bond proposition for Parks and Open Space of which these funds assisted with 95 projects for 28 different entities over a 7-year period.

In 2018, Collin County Citizens approved a \$10 million bond proposition for Parks and Open Space. Over a 5-year (2019-2023) period, Collin County will make these funds accessible to eligible applicants within the county through an application process.

In 2023, Collin County Citizens approved a \$20 million bond proposition for Parks and Open Space. Over a 5-year (2024-2028) period, Collin County will make these funds accessible to eligible applicants within the county through an application process.

The Collin County Parks Foundation Advisory Board administers the Project Funding Assistance Program. This is a reimbursement program. Applicants must have at minimum dollar for dollar in matching funds, comprised of direct cash or in-kind services, for the project being proposed.

Proposed project goals must be similar to and support or advance the mission published in the Collin County Parks and Open Space Strategic Plan (October 2001).

During the City's work on the Parks and Recreation Master Plan, Comprehensive Plan, and Strategic Plan and subsequently on the Capital Improvements Plan (CIP), prioritizing development of parks and trail improvements were highly prioritized. The Collin County Open Spaces Grant Program was noted as a potential funding source to help the City achieve its parks and recreation goals.

The application deadline is July 7, 2025. As part of the application process, the City is required to submit a resolution of support for the application. A resolution has been prepared and is submitted for City Council consideration.

**Financial Consideration:**

Funding for the required financial match may be obtained from the Series 2023 Certificates of Obligation proceeds as allocated in the Capital Improvements Plan (CIP) for Parks and Trails Improvements in FY 2024-25.

***Staff Notes:***

Approval is recommended.

**Attachments:**

- 1) Resolution
- 2) Collin County Parks and Open Space Strategic Plan - Executive Summary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2025-07-03**

Collin County Parks and Open Space Project Funding Assistance

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR AND ON BEHALF OF THE CITY IN DEALING WITH COLLIN COUNTY, HEREIN REFERRED TO AS THE “COUNTY”, FOR THE PURPOSE OF PARTICIPATING IN THE COLLIN COUNTY PARKS & OPEN SPACE PROJECT FUNDING ASSISTANCE PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE CITY IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE CITY MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED PROJECT FOR PUBLIC RECREATIONAL USE.**

**WHEREAS**, the City Council recognizes the importance of the preservation of open spaces and the need for and benefit of developing parks and open space throughout the City of Lavon as well as making critical connections to regional systems; and

**WHEREAS**, the City of Lavon is fully eligible to receive financial assistance under the Program; and

**WHEREAS**, the City Council desires to authorize an official to represent and act for the City of Lavon in relation to the Program; and

**WHEREAS**, the City Council has considered and determined that it is in the best interests of the citizens of the City of Lavon to submit an application for project funding assistance.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, THAT:**

- SECTION 1. The City Council hereby certifies that the City is eligible to receive assistance under the program and that notice of the application has been appropriately posted.
- SECTION 2. The City Council hereby certifies that the matching share for this application is readily available at this time.
- SECTION 3. The City Council hereby designates, authorizes, and directs the City Manager to make application and act for the City of Lavon in dealing with Collin County for the purpose of participating in the Program for the site improvement, acquisition and installation of park and trail facilities.
- SECTION 4. The City of Lavon dedicates the improvements as identified in the application for public recreational use and commits to maintaining the property and improvements.
- SECTION 5. That this resolution shall take effect from and after the date of its passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas on the 1<sup>st</sup> day of July 2025.

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Vicki Sanson  
Mayor

ATTEST:

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Rae Norton  
City Secretary

# Executive Summary

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# Executive Summary

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# Executive Summary

## Introduction

The residents, businesses, and governments within Collin County face a future of population growth that is challenging all aspects of the area's quality of life. The county is on the northern edge of a wave of growth that is remaking the rural and agricultural landscape into a suburban landscape of residential and commercial developments. The population, at about 497,000 in the year 2000, is projected to reach nearly 1.3 million by 2025. The county is also distinguished as being the fastest growing county in Texas between 1990 and 2000, and the 11th fastest growing county nationwide during this same time period.<sup>1</sup>

The 7,400+ acres of existing county and municipally-owned parks and open spaces, while extensive, are not sufficient to meet the recreational needs of the projected 2025 population. Instead, ***it is projected that a total of 9,600 acres of new parks, open space, and recreational facilities will be needed by 2025 just to maintain the same level of parks and open space currently enjoyed by the county's existing population*** (for a total of 17,000 existing plus new acres).

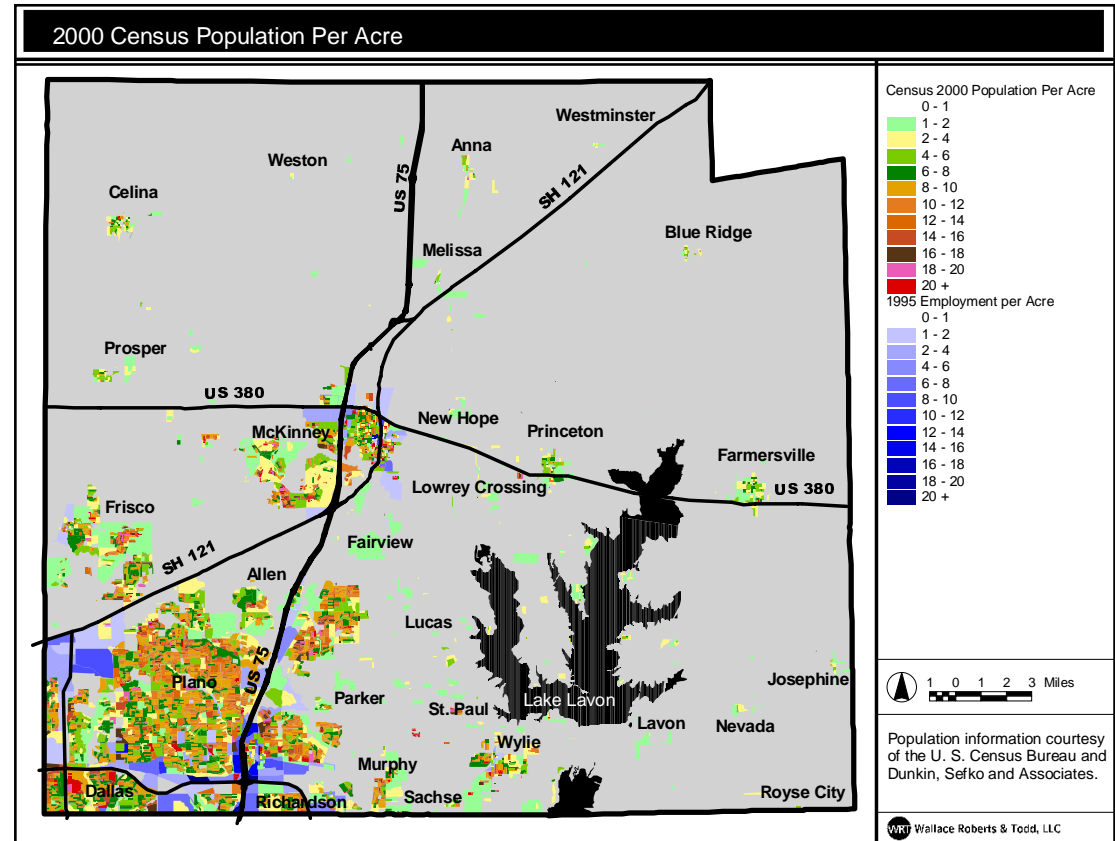
To put the parkland need in perspective, nearly 6,000 lane miles (length of road facility multiplied by number of lanes) of new roads and highways are proposed by the Collin County Thoroughfare Plan in anticipation of the projected population growth. Assuming a cost of

\$500,000 per lane mile for illustrative purposes, implementation of the Thoroughfare Plan would cost nearly \$ 3 billion dollars in 2001 dollars, exclusive of land costs. Water, sewer, stormwater, and other necessary infrastructure items face similar expansion needs and costs.

A coordinated parks and open space system is a necessary element for the future of Collin County. According to John Crompton, of Texas A & M University:

*“Evidence is mounting that quality of life is the primary factor in choosing where to locate a business and that access to parks and recreational opportunities is central to quality of life. This is especially true of high tech, research and development industries,*

**Map ES.1**



**“Too many community leaders feel they must choose between economic growth and open space protection. But no such choice is necessary. Open space protection is good for a community’s health, stability, beauty, and quality of life. It is also good for the bottom line.”<sup>14</sup>**



and corporate headquarters. Communities with excellent park systems have a distinct advantage when it comes to luring these companies.”<sup>2</sup>

Because of the tax revenue implications that come with corporate choices, the financial and political commitments needed to develop the County’s Thoroughfare Plan, schools, and water and sewer systems will also be needed to develop a parks and open space system that meets the needs of existing and future residents of Collin County. Without such a commitment, the governments of Collin County and the land and property development sectors may be hard pressed in attracting new businesses, and retaining existing businesses.

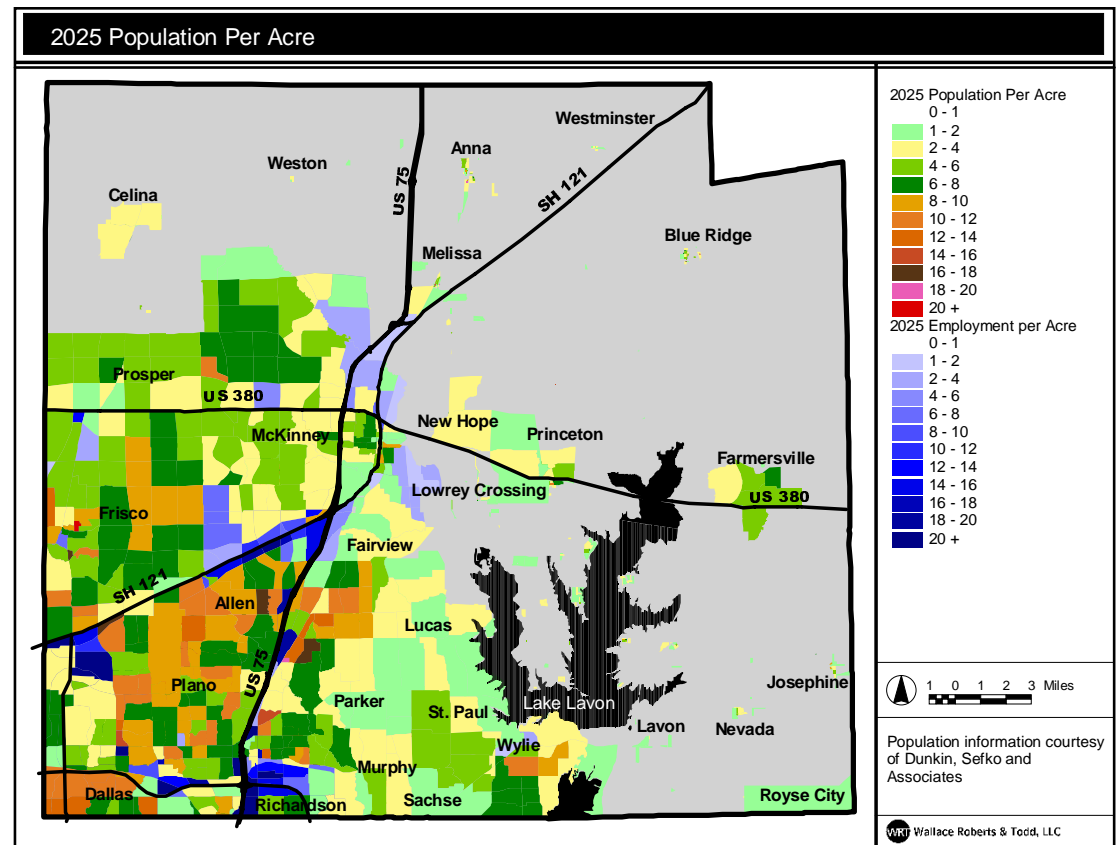
The development of a coordinated parks and open space system in Collin County, in addition to needing long term political and financial commitments from the public sector, will also need the private sector, non-profits, special interest groups, utility providers, and individual citizens to make similar long term commitments. The parks and open space system, after all, will be one of the primary factors that determines what it will be like to live and work in Collin County over the next 24 years. **The parks and open space system, and hence the quality of life, will only be as good as the corporate and citizen commitment to the system.**

The phenomenal population growth in the county – about a 1,200% increase between 1960 and 2000 – is resulting in ranches, farms, grasslands and tree groves being replaced by single-family homes, shopping centers, and office parks. While growth and change are necessary

components of life, preserving those historic, cultural and natural elements that make Collin County unique becomes more and more difficult as existing resources are destroyed to make way for new development. The county, for example, was once primarily composed of woodlands hugging the creeks, and Blackland prairie throughout the rest of the county: very little of the native prairie remains in Collin County.

From a cost standpoint, the rapid development in the southwestern part of the county will continue to escalate land prices. Therefore, early, aggressive land acquisition now will provide the best dollar value while also ensuring that the parks and open space system will be available for the burgeoning population.

**Map ES.2**



**“Parks and open spaces are equally as productive contributors to a local economy as roads, utilities and other infrastructure elements. The cost of investing in these elements is justified by the economic value that derives from their availability.”<sup>15</sup>**



The local government's role in the development of the county is critical to the county's future. However, the implementation of the parks and open space system should not be the sole responsibility of the public sector – private corporations, non-profits, citizens, and special interest groups need to significantly participate in the development of a coordinated and integrated system. The combined efforts are particularly needed in Collin County because of its rapid growth – growth that is making it difficult for the public sector to provide and maintain needed infrastructure in a timely, cost-effective manner.

Finally, not only must the County and its cities and towns provide the infrastructure necessary to support development, they must also protect the health, safety and welfare of their residents. The provision of infrastructure such as roads, water service, sewer service, and parklands shapes how the county is developed. Land development and open space policies also set the stage for the types and nature of development that will occur within the county. In its provision of services and regulation of development, the public sector must always remember the needs for fiscal responsibility and respect of individual property rights.

### ***What is the Strategic Plan?***

The Strategic Plan is a guidebook for adding new parks and open space resources to the existing system so that current and future generations of Collin County residents can continue to experience the quality of life that makes the county such a great place to live. The recommendations within the Strategic Plan are intended to work with the cities that have park system plans, such as Allen, Dallas, Frisco, McKinney, Plano, Richardson, and Wylie, as well as those smaller communities that do not have park system plans, such as Josephine, Melissa, and Celina. The Plan encourages coordination and cooperation between all levels of government, as well as the partnering with private, non-profit, religious and citizen resources wherever possible.

Since parks and open space systems require, collectively, large amounts of land, acquisition of land for parks and open spaces should be a high priority, and will likely never be as inexpensive as it is today. The Strategic Plan identifies where growth is expected to occur, and proposes the generalized locations of future major parks and trails throughout the County. The proposals within this Strategic Plan are intended to work in conjunction with existing and future municipal level parks and open space planning and development.

Specific locations of future parks and open space, therefore, should be planned with local municipal representatives, or at the county level, with respect to resources in need of protection or with landowners interested in dedicating their land to parks and open space use.

The Strategic Plan also contains an outline of the vision for an integrated system of parks and open space throughout the county. Although the current population of Collin County is less than 50% of that anticipated by 2025, ***the actions of the existing population will determine the quality of life that future residents of the county will experience.*** Action today can allow the parks and open space systems to shape future development, rather than become a system based upon land that remains after an area is developed. Since the provision of public infrastructure at such a rapid pace can be difficult, it is recommended that as many resources as possible be brought together to address infrastructure issues. The marshalling of public, private, non-profit, corporate and citizen resources towards the acquisition and development of parks and open space will be necessary in order for the citizens of Collin County to maintain a high quality of life in the face of such rapid growth and development.

### ***Why are Parks and Open Space Important?***

Parks and open space are important because they provide space for play, for relaxation, for environmental protection, for education, and for exercise. They address the active recreational demands of the population by including areas for various activities including baseball, softball, soccer, skateboarding and cycling. They also address the passive recreational demands of the population by including areas for walking, nature watching, and natural, historic, and cultural resource protection. They provide focal points for the communities, as town squares, neighborhood parks, tennis complexes, walking trails, and native prairie remnants.

Parks are generally more developed facilities that are intended for intense use by people. A park might contain, for example, ball fields, playgrounds, swimming pools and recreation centers. Open space, on the other hand, generally includes larger areas of land that are intended to be the places where users can get in touch with the natural resources of the community – and that provide the habitat needed to support the plant and animal communities that once thrived throughout Collin County. Examples of what might be contained in an open space facility include hiking, bicycle, and equestrian



trails, protected woodland, wetland and prairie areas, and perhaps environmental education centers.

Parks and open space can also protect Collin County’s future by acting as buffers and filters for water that flows into Lake Lavon, a major source of drinking water for county residents. Protecting the lake and its tributaries from siltation and pollution normally associated with development will help maintain the long term viability of the lake as a drinking water source and recreational area.

Plano, Richardson and Wylie, currently provide approximately 6,664 acres of parkland serving a population of 391,923.<sup>4</sup>

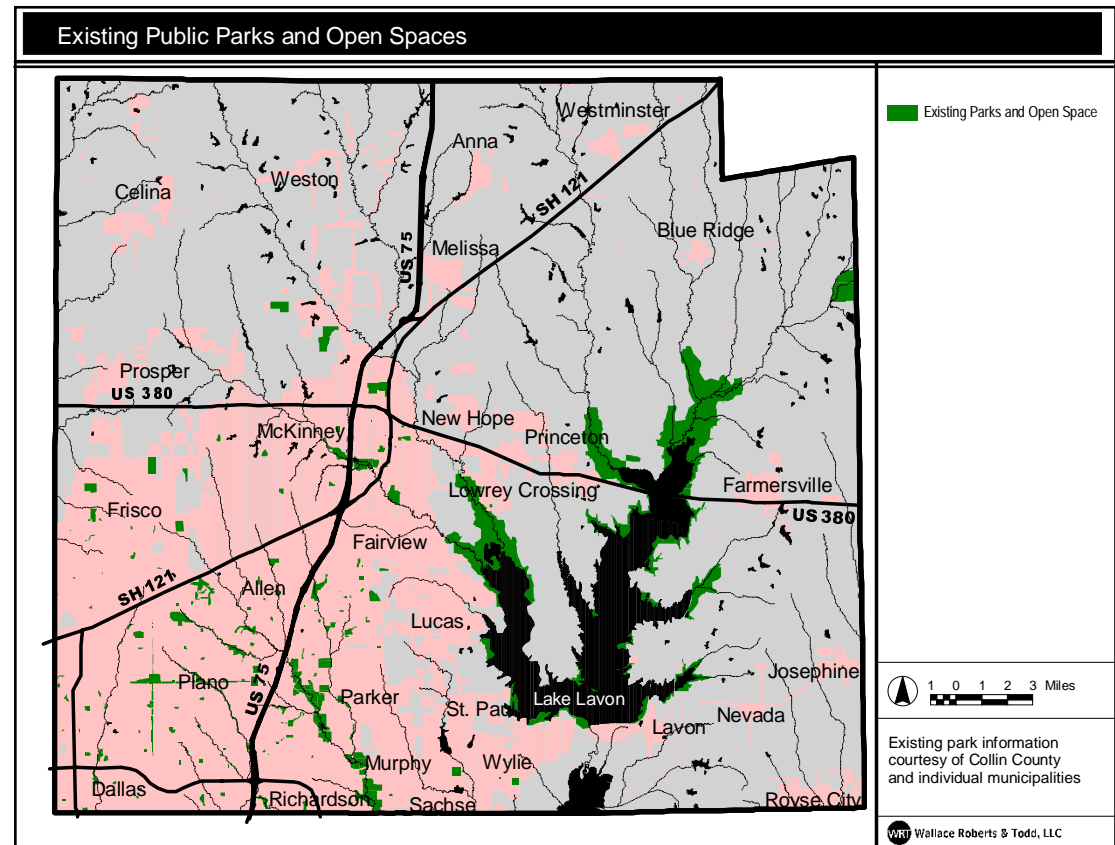
The balance of parks and open space resources are distributed in outlying communities such as Josephine, Farmersville, and Melissa, or in unincorporated areas. While many of the smaller towns and cities face similar fiscal challenges as the larger cities, they do so without the benefit of extensive full time staff. This lack of staff impacts all aspects of the provision of public infrastructure, including the planning, implementation and maintenance of parks and open space resources.

**What is the parks and open space system like now?**

The existing system of County and municipally owned parks and open spaces in Collin County encompasses roughly 7,411 acres and 112 miles of trails. This system collectively serves a countywide population of approximately 496,806,<sup>3</sup> with an overall level of service of 14.9 acres of parks and open space per 1000 people. An additional 2,834 acres of open space, 443 acres of which have been improved into 16 parks, are provided by the U.S. Army Corps of Engineers around Lake Lavon.

A wide range of park types and facilities are provided, including active and passive parks as well as sports complexes and natural areas. Approximately 89 percent of the County and municipal park and open space area is municipal parkland, with the largest percentage of the acreage being located in the southwest corner of the county where the majority of the county’s population resides. The six major cities, Allen, Frisco, McKinney,

**Map ES.3**



**“The real estate market consistently demonstrates that many people are willing to pay a larger amount for a property located close to parks and open space areas than for a home that does not offer this amenity.”<sup>16</sup>**



## **What can the parks and open space system be like in 2025?**

The parks and open space system within Collin County, whether publicly or privately provided, will need to provide land and facilities for a population that will approach 1,286,900.<sup>5</sup>

To meet the needs of this anticipated population, the Collin County Parks Foundation, Workshop Committee members, and stakeholders, established the following guiding principles as a conceptual framework for the future parks and open space system in Collin County:

1. the parks and open space system should be diverse in its recreational opportunities and accessible for all citizens of the county as it continues to grow and urbanize;
2. the parks and open space system should be an interconnected, multifunctional system that protects important natural, cultural, and visual resources while providing appropriate opportunities for recreation;
3. the parks and open space system should help to define community form and preserve community character;
4. the parks and open space system should reflect sustainable financial, cultural, and environmental objectives that promote the conservation of natural and human resources for current and future citizens;
5. the parks and open space system should reflect the coordinated planning and conceptualization of the park and open space system at a countywide scale, with implementation at the local community scale;
6. the parks and open space system should include public/private coordination, cooperation, and partnering where possible to obtain key aspects of the plan and the communities' desires;
7. the parks and open space system should be responsive to the needs of developing communities as they plan and manage their individual parks system plans.

## **Strategic Plan Recommendations**

Of the “big 6” six cities of Allen, Frisco, McKinney, Plano, Richardson, and Wylie, the cities of Allen, Frisco, McKinney and Wylie, without action, will face an estimated parkland deficit of from 3,774 to 5,037 acres. This deficit for the cities within the “big 6” is based upon the application of their individual parkland standards to the anticipated population growth.

Countywide, a total of from 7,055 to 9,615 additional acres of parks and open space, including the parkland needed by the “big 6,” are recommended to meet the needs of the projected 2025 population. The estimated parkland need for those areas of the county outside of the “big 6” and Dallas is based upon the Strategic Plan proposed countywide standard of 18 acres of parkland per 1,000 people. This proposed countywide standard was derived from a comparison of local and national standards, and is intended to be a guide for future parks and open space planning, rather than an absolute acreage requirement.

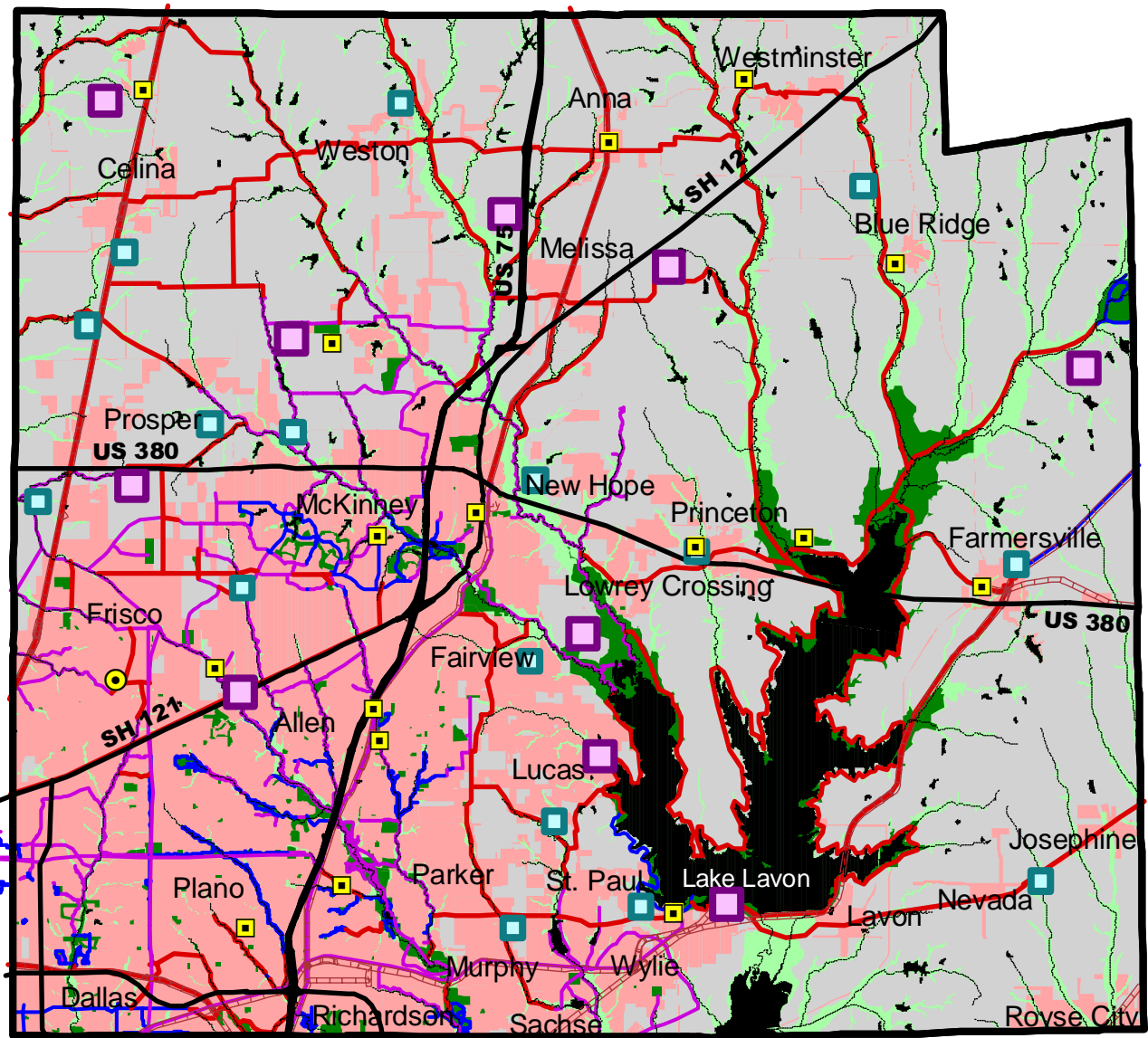
The estimated 2025 countywide parkland need of from 7,055 to 9,615 acres takes into account the existing park and open space resources provided by municipal and county governments. Therefore, the 7,055 to 9,615 acre range represents new parkland that may need to be added to the existing 7,411 acres of parks and open space by 2025. Table ES-A illustrates the ratio of existing and proposed parkland to existing and projected populations. ***As the table indicates, even with a combined maximum total of approximately 17,000 acres of parks and open space, the projected growth of the population to 1,286,900 by 2025 will likely result in a reduction in the parks and open space level of service from existing levels.***

Most of the identified parks and open space needs are anticipated to occur in existing municipalities, or in areas that are within the extra-territorial jurisdictions (ETJ) of the municipalities. Thus, most of the burden of meeting the anticipated recreational needs of the 2025 population will likely fall to municipalities as they annex rapidly growing areas within their ETJs.

To accomplish the continued development of a parks and open space system for the burgeoning population, it is recommended that an average of 400 acres of greenways, parkland and open space be acquired every year for the next 24 years. This land should primarily be acquired in areas that are now experiencing the population boom, or will soon be experiencing the growth. Land should also be acquired, however, in communities that have a



Composite of Existing and Proposed Trails, Parks and Open Space Resources



- WRT Proposed Regional Parks
- WRT Proposed Heritage Parks
- WRT Proposed Community Parks
- Creeks and Streams
- The Superdome
- Railroads
- Lakes and Ponds
- WRT Proposed Trails
- Proposed Off-Street Trails
- Existing Trails
- Existing Parks and Open Spaces
- FEMA Floodplains
- 100 Year Floodplain

Locations of Proposed Parks are generalized, and are not intended to represent specific properties.



WRT Wallace Roberts & Todd, LLC





### **What will it cost?**

The recommendations of the Strategic Plan are to be used as a guide for public officials and staff, private developers, non-profits, corporations and citizens in their endeavors to create a parks and open space system that protects the quality of life within Collin County. As such, the cost estimates included within the Strategic Plan are to be used as a general guide in setting aside funds for future parks and open space acquisition and development. The actual costs will vary as a result of a variety of factors, including changing land prices, changing recreational demands, the comprehensiveness of facilities provided, and the parks and recreational facility development standards utilized by implementing organizations. Thus, each political unit within Collin County must individually determine what their role will be in the provision parks and open space to their constituents.

For the purposes of this Strategic Plan, the parkland need and cost considerations have been divided into four geographic areas: 1) the “big 6” communities (which include Allen, Frisco, McKinney, Plano, Richardson, and Wylie), 2) the City of Dallas, 3) municipal areas not including the “big 6” or Dallas, and 4) unincorporated areas. A further division, 5), is provided for three specific major facilities being considered by County officials. These divisions were undertaken to provide a better basis for estimating current and future parkland resources and needs.

The costs for the anticipated parkland and recreational facilities are based upon needs identified in the four areas listed above. The parkland and recreational facility needs for the “big 6” and the City of Dallas reflect the application of their respective adopted parkland and recreational facility standards to their projected 2025 populations. The parkland and recreational facility needs for unincorporated areas and the municipalities without adopted parkland and recreational facility standards reflect the application of the proposed countywide parkland and recreational facility standards to their projected 2025 populations. The estimated costs for each of the four areas are illustrated in Table ES-B, and are explained below:

- 1) The “big 6” communities, which include Allen, Frisco, McKinney, Plano, Richardson, and Wylie, have an estimated year 2000 population of approximately 392,000 persons. This population is expected to increase to a 2025 population of approximately 935,200.<sup>8</sup> These six municipal areas, projected to experience the bulk of the growth over the next 24 years, are estimated to require an additional

3,774 to 5,037 acres of parks and open space by 2025. This need is primarily focused in the communities of Allen, Frisco, McKinney and Wylie. The estimated average annual cost range to provide the recommended facilities is from \$23.2 to \$37.7 million per year in 2001 dollars.

- 2) The City of Dallas, which is considered to be completely built-out, is projected to maintain it’s year 2000 population of approximately 45,000 persons through the year 2025.<sup>9</sup> The part of Dallas in Collin County, however, faces an estimated existing parkland deficit of approximately 414 acres. The estimated average annual cost range to provide the recommended facilities is from \$31 thousand to \$2.3 million per year in 2001 dollars.
- 3) Municipal areas not including the “big 6” and Dallas, have an estimated 2000 population of 31,800 persons, and are projected to grow to a 2025 population of approximately 160,200.<sup>10</sup> These municipal areas include: Anna, Blue Ridge, Celina, Fairview, Farmersville, Josephine, Lavon, Lowry Crossing, Lucas, Melissa, Murphy, Nevada, New Hope, Parker, Princeton, Prosper, Royse City, Sachse, St. Paul, Westminster, and Weston. These municipalities will require from 2,311 to 2,872 additional acres of parks and open space by 2025. The estimated average annual cost range to provide the recommended facilities is from \$6.3 to \$11.1 million per year in 2001 dollars.
- 4) Unincorporated areas have an estimated 2000 population of approximately 32,200 persons, and are projected to grow to a 2025 population of approximately 109,100.<sup>11</sup> These unincorporated areas, under the primary authority of Collin County, will need from 970 to 1,292 additional acres of parks and open space by 2025. The estimated average annual cost range to provide the recommended facilities is from \$4 to \$6.8 million per year in 2001 dollars.
- 5) Major facilities under consideration by Collin County include a large sports facility, an environmental youth camp, and a new agricultural exhibition facility at the Collin County Youth Park. These facilities will likely have costs shared with municipalities, non-profits and private developers, and are estimated to have an additional one-time cost of \$188.4 million.

If the total estimated collective capital expenditures were spread evenly



**Table ES-B**

**Estimated Annual Average Costs by Community**

Area	Estimated Year 2000 Population*	Projected Year 2025 Population*	Minimum Parkland Surplus/(Deficit)	Minimum Estimated Annual Capital Cost in 2001 Dollars	Maximum Parkland Surplus/(Deficit)	Maximum Estimated Annual Capital Cost in 2001 Dollars
<b>1 The Big 6</b>						
Allen	43,300	130,000	(598.6)	\$ 2,630,046	(601.4)	\$ 4,028,252
Frisco	32,650	220,000	(1,684.8)	\$ 7,403,147	(1,709.7)	\$ 11,451,784
McKinney	50,200	271,800	(2,853.5)	\$ 12,538,361	(3,053.1)	\$ 20,450,046
Plano	231,650	260,000	1,180.1	\$ -	321.4	\$ -
Richardson	20,873	20,873	322.2	\$ -	265.9	\$ -
Wylie	13,250	32,500	(139.9)	\$ 614,615	(260.0)	\$ 1,741,513
<b>Big 6 Subtotal</b>	<b>391,923</b>	<b>935,173</b>	<b>(3,774.5)</b>	<b>\$ 23,186,169</b>	<b>(5,036.9)</b>	<b>\$ 37,671,595</b>
<b>2 Dallas</b>						
Dallas	45,155	45,155	-	\$ -	(413.7)	\$ 2,301,582
<b>Dallas Subtotal</b>	<b>45,155</b>	<b>45,155</b>	<b>-</b>	<b>\$ 30,863</b>	<b>(413.7)</b>	<b>\$ 2,301,582</b>
<b>3 Smaller Municipalities</b>						
Anna	1,225	4,148	(52.6)	\$ 144,944	(74.7)	\$ 289,992
Blue Ridge	672	2,276	(28.9)	\$ 79,538	(41.0)	\$ 159,166
Celina	1,950	21,000	(342.9)	\$ 944,639	(378.0)	\$ 1,467,431
Fairview	2,644	8,954	(113.6)	\$ 312,896	(161.2)	\$ 625,793
Farmersville	3,118	10,559	(133.9)	\$ 368,980	(190.1)	\$ 737,986
Josephine	575	1,947	(24.1)	\$ 66,312	(31.5)	\$ 122,286
Lavon	387	1,311	(16.6)	\$ 45,819	(23.6)	\$ 91,617
Lowry Crossing	1,229	4,162	(52.8)	\$ 145,440	(74.9)	\$ 290,769
Lucas	3,500	11,900	(151.2)	\$ 416,534	(207.2)	\$ 804,370
Melissa	1,350	4,572	(58.0)	\$ 159,771	(82.3)	\$ 319,496
Murphy	3,150	21,500	(330.3)	\$ 909,928	(387.0)	\$ 1,502,370
Nevada	563	1,907	(24.2)	\$ 66,645	(34.3)	\$ 133,156
New Hope	662	2,242	(28.4)	\$ 78,348	(40.4)	\$ 156,837
Parker	1,900	20,500	(334.8)	\$ 922,325	(369.0)	\$ 1,432,492
Princeton	3,477	11,774	(149.3)	\$ 411,426	(211.9)	\$ 822,616
Prosper	1,850	20,000	(326.7)	\$ 900,011	(360.0)	\$ 1,397,554
Royse City	188	188	-	\$ -	(3.4)	\$ 13,199
Sachse	1,660	5,621	(71.3)	\$ 196,416	(101.2)	\$ 392,868
St. Paul	630	2,133	(27.1)	\$ 74,530	(38.4)	\$ 149,072
Westminster	390	1,321	(16.8)	\$ 46,166	(23.8)	\$ 92,394
Weston	635	2,150	(27.3)	\$ 75,125	(38.7)	\$ 150,237
<b>Smaller Municipalities Subtotal</b>	<b>31,755</b>	<b>160,165</b>	<b>(2,310.8)</b>	<b>\$ 6,365,793</b>	<b>(2,872.6)</b>	<b>\$ 11,151,701</b>
<b>4 Unincorporated Areas</b>						
Unincorporated Areas	32,209	109,071	(970.2)	\$ 3,979,180	(1,292.3)	\$ 6,832,510
<b>Unincorporated Area Subtotal</b>	<b>32,209</b>	<b>109,071</b>	<b>(970.2)</b>	<b>\$ 3,979,180</b>	<b>(1,292.3)</b>	<b>\$ 6,832,510</b>
<b>1 through 4 Subtotal</b>				<b>\$ 33,562,005</b>		<b>\$ 57,957,388</b>
<b>5 County Special Facilities</b>						
Special Facilities	<i>countywide</i>	<i>countywide</i>	<i>as needed</i>	\$ 7,848,958	<i>as needed</i>	\$ 7,848,958
<b>Special Facilities Subtotal</b>				<b>\$ 7,848,958</b>		<b>\$ 7,848,958</b>
<b>Total</b>	<b>501,042</b>	<b>1,249,564</b>	<b>(7,055.4)</b>	<b>\$ 41,410,963</b>	<b>(9,615.5)</b>	<b>\$ 65,806,347</b>

\* Population information a combination of data from the Census 2000 and the Collin County - Population and Employment Forecasts: 2025, prepared by Dunkin, Sefko and Associates, Inc., March 1, 2001



throughout the Plan's 24-year implementation period, the total annual capital cost for the implementation of the estimated municipal and unincorporated parks and open space needs would range from approximately \$33.6 to \$65.8 million in 2001 dollars. This amount does not include any allowance for debt financing. This is equal to an expenditure of from \$68 to \$132 per year, in 2001 dollars, or from 19 to 36 cents per day, for each of the county's existing residents.<sup>12</sup> Within this context, such an expenditure would appear to be a sound investment in the community's livability. If the costs are allocated across the projected 1,286,900 residents anticipated by 2025, the annual per person cost range drops from \$26 to \$51 per year, or from 7 to 14 cents per day.

It should be noted that these figures represent a general cost estimate. *They are not intended to represent the financial obligation of any one governmental or private entity.* Instead, the cost is intended to represent the estimated combined financial efforts of all of the municipalities, Collin County, non-profits, private citizens, developers, and private corporations. Wherever possible, much of the financing should come from sources outside the local government structure, such as through more interactive relationships between the public and private sectors.

Collectively, the parks, open space and recreational needs for the projected 2025 population in Collin County will be as important to the future development of the county as the new roads, water and sanitary sewer facilities needed to accommodate the County's projected growth. Like the "quality of life" enhancing improvements to the road system, the parks and open space system should be implemented over time, and therefore, cooperative long-term funding and implementation strategies should be developed and employed by the municipalities and Collin County.

The development of new parks, recreation and open space resources will require a corresponding expansion in the ongoing financial commitment to operations and maintenance. A parks system that is poorly maintained becomes a liability to a community rather than an asset. The generally high quality development that is being built throughout Collin County indicates that adequate funding will be necessary for operations and maintenance. This is vital in order to maintain the high "quality of life" which draws new residents and businesses to the county. Like the assignment of capital costs, the commitment to operations and maintenance activities should be spread across the municipalities, Collin County, non-profits, private citizens, developers, and private corporations. Wherever possible, much of the financing should come from sources outside the local government structure, including more

interactive relationships between the public and private sectors.

Regarding the fiscal impact of the Strategic Plan, it should be noted that if the land were developed by the private sector rather than being made part of the parks and open space system, there would still be a public cost implication, i.e., the capital and operating costs required to provide the necessary infrastructure and services to support urban development, as well as the added congestion, air and water pollution associated with urban development. Additionally, studies around the United States have shown that passive parks and open space systems can increase the value of adjacent residential properties, and thus can increase the property tax income from such properties.<sup>13</sup>

#### ***How can the Plan be implemented?***

Undertaking the land acquisition and improvements program, and providing the funds to adequately operate and maintain the parks system, will require proactive cooperation between the development community, citizens, private corporations, non-profits, land trusts, municipalities and Collin County. All of these entities should explore new strategies and techniques that maximize the leverage and impact of the public monetary commitment to the parks and open space system.

It is highly recommended that immediate action be taken to enact a number of approaches designed to put in place the means by which future parks and open space needs can be met. Using a diversity of implementation techniques and funding sources will broaden the financial and legislative resources

**“The use most often competing for potential park land or open space is residential development, and governments often lose money on such development -- that is, it costs more to provide schools, streets and other services than is returned in new taxes. Thus, in many instances, placing the land in recreation use may prevent a drain on the community's finances while engineering a long-term rise in surrounding property values.”<sup>18</sup>**



available to implementing entities. This approach will provide some protection from changing funding and legal environments. As noted in the following discussions regarding individual measures, some techniques will contribute only incrementally to building the implementation approach, while others represent revisions to existing practices, or entirely new practices.

The preservation and expansion of parks and open space in Collin County will most efficiently occur through a cooperative partnership between the County, the municipalities, the development community, private corporations, non-profit organizations, and private landowners. The governments in Collin County, due to limited regulatory power and financial resources, will need the continued input, assistance and cooperation from the citizens of Collin County to ensure that public funds are available and are leveraged to provide maximum benefit and value.

### ***Implementation Recommendations***

There are a number of priority recommendations, presented below, which should guide the initial actions of the County, the municipalities, non-profits, private sector, and citizen interests in moving forward with implementation of the Parks and Open Space Strategic Plan for Collin County:

1. Establish a focused, coordinated dialogue between the County, the municipalities, non-profits, the private sector and citizens, designed to specifically advocate the acquisition and development of parks and open space resources;
2. Focus short-term efforts on land acquisition, particularly in areas where new development threatens resources or may inhibit future development of parks and open space facilities;
3. Short-term parkland facility improvements should target those neighborhoods and communities most in need of additional recreational amenities – communities where imminent development may prohibit the acquisition of parkland in the near future, or where valuable natural, cultural or historic resources are threatened by imminent development;
4. Collin County should develop a detailed, financially feasible five-year action program that maximizes the expansion of parks and open space resources for every county dollar expended, whether through direct action, partnering with municipalities, or with other interests. This action program should be ready for implementation

by 2002.

5. Every County-level expenditure that results in land acquisition should be reviewed for its potential to include joint-use as park or open space facilities. A thorough evaluation should be made of the extent to which existing publicly owned land might be dedicated and improved as parkland, in an effort to meet some of the municipal and county recreational facility and open space needs. Similarly, the potential for joint-use of public and private school facilities, as well as other community organizations' facilities, should be examined and defined. The role of non-profit land trusts and privately owned land and facilities should also be assessed.
6. A detailed package of regulatory recommendations should be prepared by Collin County by the end of 2002. In addition to identifying the State-limited regulatory role that is available to the County, the package should also recommend regulatory strategies that should be employed by municipalities in order to support the general development of an integrated and coordinated countywide parks and open space system. This package should address issues such as: parks and open space dedication and/or in lieu fees, floodplain dedication, sensitive lands performance standards, use of flexible development controls such as conservation development and conservation easements, density credit mechanisms, and transfer/purchase of development rights. Due consideration should be given within these recommendations to the role of, and potential credit given to, private recreational amenities in future developments.
7. Approaches to financing the acquisition and improvement of parks and open space should be a necessary part of Collin County and the municipalities' overall provision of service to existing and future residents of the county. Financing and acquisition should employ as many methods as possible to maximize the leverage of public funds with other public, non-profit and private sources of funding.

### ***Summary***

In the end, the collective parks and open space system within Collin County will only reflect the commitment, creativity, and hard work of the residents, corporations, non-profits, special interests groups, and elected officials. The residents of Collin County, now numbering around 500,000, represent less than 50% of the anticipated 2025 population, yet the decisions and actions of the current population will have the greatest impact on the future quality of life for the nearly 800,000 new residents anticipated by 2025.



## EXECUTIVE SUMMARY ENDNOTES

<sup>1</sup> Collin County – Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001) and the 2000 Census.

<sup>2</sup> Statement from article by Michael Barrette, “Parks and the City,” Planning, August 2001, p. 8.

<sup>3</sup> Collin County – Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001)

<sup>4</sup> The populations of Allen, Frisco, McKinney, Plano and Wylie are as estimated by Dunkin, Sefko and Associates, and only include the populations located within Collin County. The population information for Richardson is from the 2000 Census, and is only for the population located in Collin County.

<sup>5</sup> Collin County – Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001)

<sup>6</sup> List derived from a survey distributed at a public meeting held on January 23, 2001, at the Collin County Courthouse.

<sup>7</sup> Ibid.

<sup>8</sup> Collin County – Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001), and the Census 2000 (U. S. Census Bureau, 2001)

<sup>9</sup> Collin County – Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001) – population assumption made by DSA

<sup>10</sup> Collin County – Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001), and the Census 2000 (U. S. Census Bureau, 2001)

<sup>11</sup> Ibid.

<sup>12</sup> Total Cost estimated to range from \$805,488,125 to \$1,579,352,328 in 2001 dollars, and includes parkland need for the “big 6”, Dallas, the smaller municipalities and unincorporated areas. Population used for the calculation is the 2000 population of 496,806, as estimated by Dunkin, Sefko and Associates, March 1, 2001

<sup>13</sup> Fausold, C.J., and R.J. Lillieholm. 1999. The Economic Value of Open Space: A Review and Synthesis. *Env. Mgmt.* 23(3):307-320.

<sup>14</sup> Rogers, Will. 1999. in the Introduction to *The economic benefits of parks and open space* by Steve Lerner and William Poole. San Francisco: Trust for Public Land.

<sup>15</sup> Crompton, John L. 2000. The Impact of Parks and Open Space on Property Values and the Property Tax Base. Ashburn, VA: National Recreation & Park Association.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Outdoor Recreation Resources Review Commission. 1962. *Outdoor recreation for America*. Washington, DC: Superintendent of Documents.





## CITY OF LAVON Agenda Brief

**MEETING:** July 1, 2025

**ITEM:** 6 - F

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**Item:**

Discussion and action regarding the appointment of the Chairperson of the Planning and Zoning Commission

**Background:**

The City Council made appointments/reappointments to the Planning and Zoning Commission in May.

The Code of Ordinances provides that the City Council will designate a member of the Planning & Zoning Commission to serve as the Chairperson. The Commission then selects a Vice Chairperson.

**Code Excerpts:**

**CITY OF LAVON  
CODE OF ORDINANCES  
DIVISION 2 Planning and Zoning Commission**

**§ 2.06.032. Appointment and term of members; removal of members; officers.**

- (d) Chairman. The city council shall designate a member of the commission as chairman for the planning and zoning commission at the first city council meeting in June of each year, or as soon thereafter as is reasonable. The member shall hold the position of chairman for a period of one year or until a new chairman is designated by the city council.
- (e) Removal of members. The city council by majority vote may remove any member from the commission with or without cause at any time.
- (f) Vice-chairman. The planning and zoning chairman shall select from the members of the planning and zoning commission a vice-chairman. The selected member shall be seated as vice-chairman upon approval of a majority vote of the planning and zoning commission.

Presently, David Rosenquist serves as the Chairperson and Deborah Nabors serves as the Vice Chairperson.

**Attachments:** Planning and Zoning Commission Roster

**City of Lavon**  
**Planning and Zoning Commission**  
**Member Roster**

<b>Planning &amp; Zoning Commission</b>			
Seat 1	5/20/2025	Joane McClendon	6/1/2027
Seat 2	7/19/2016	Deborah Nabors	6/1/2026
Seat 3	5/20/2025	Johnathan Clifton	6/1/2027
Seat 4	11/19/2024	Henry Vallejo	6/1/2026
Seat 5, Chair	8/16/2011	David Rosenquist	6/1/2027