AGENDA
OCTOBER 6, 2026
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. **PROCLAMATIONS**

   - Domestic Violence Awareness Month - October
   - Neighborhood Night Out – October 15, 2026

6. **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 September 15, 2026 meeting.

   B. Approve the final plat of the Nicholson Ranch Phase 2A Addition consisting of 187 residential lots and 4 common area lots on 37.761 acres in the Drury Anglin Survey, Abstract No. 2, a part of Collin County MUD No. 6 west of FM 2755 on Nicholson Ranch Trail in the extraterritorial jurisdiction of the City of Lavon, Collin County, Texas, (CCAD Parcel 2919101).

   C. Approve a Resolution approving and authorizing execution of the renewal of a 2017 Chapter 380 economic development agreement with Bloomfield Homes L.P. relating to use tax receipts for the purchase of items using a Texas Direct Payment Permit to generate economic development and local use tax revenue for the City, that would otherwise not be available to the City; and providing an effective date.

7. **ITEMS FOR CONSIDERATION**

   A. Public hearing, discussion, and action regarding an application for a Conditional Use Permit as specified in the Lake Breeze Planned Development regulations and Article 9.03 Zoning, of the Code of Ordinances, Section 9.03.131 Retail District (R) (c)(4) for approval of a commercial building with a drive-through lane facing a public street at 616 Cedar St., on Lot 4, Block F of the Replat of Lake Breeze Estates Block A, Lot 32C Addition on 1.22 acres out of the Samuel M. Rainer Survey, Abstract No. 740, northwest of the intersection of N. SH 78 and Cedar St./LakePointe Blvd., City of Lavon, Collin County, Texas (CCAD Property ID 2918093).

      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.

   B. Discussion and action regarding the revised site plan and landscape plan of the Lavon Retail Project at 616 Cedar St. on Lot 4, Block F of the Replat of Lake Breeze Estates Block A, Lot 32C Addition on 1.22 acres out of the Samuel M. Rainer Survey, Abstract No. 740, northwest of the intersection of N. SH 78 and Cedar St./LakePointe Blvd., City of Lavon, Collin County, Texas (CCAD Property ID 2918093).

C. Public hearing, discussion, and action regarding an application to amend the Elevon Planned Development District as provided by Ordinance No. **2022-10-03** for commercial and mixed use development, as amended, for non-residential development on 62.183 acres comprised of Land Use Parcel 2 (22.38 ac), Land Use Parcel 4 (21.03 ac) and portions of Land Use Parcels 3 (11.76 ac), 5 (3.05 ac) and 7 (3 ac), adjacent to Elevon Parkway in the vicinity of the intersection of Elevon Parkway and N. SH 78 and west of Inspiration Grove in the S. M Rainer Survey Abstract No. 740, City of Lavon, Collin County Texas, (CCAD Property ID's 2542828, 2868716, 2542829, 2882922 and 2918195).

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.

D. Discussion and action regarding the site plan and landscape plan of a Whataburger commercial project on 1.283 acres on Commercial Tract Lot 1R, Block A, 78 Commercial East Addition at 597 S. SH 78, northwest of the intersection of S. SH 78 and Burnett Dr., City of Lavon, Collin County, Texas (CCAD Property ID 2913476).

E. Discussion and action regarding the site plan and landscape plan for a 181,372 square foot Walmart retail store and fueling station on 20.803 acres on Lot 7, Block A of the preliminary plat of the Heritage Square project at 225 S. Grand Heritage Blvd., also referred to as 840 S. SH 78, southeast of the intersection of SH 78 and SH 205, southwest of the intersection of S. SH 78 and Grand Heritage Blvd., and northeast of the intersection of SH 205 and Endeavour, City of Lavon, Collin County, Texas (CCAD Property ID 2624070).

F. Public hearing, discussion, and action regarding an Ordinance approving a petition of the landowner to add 82.427 acres of property to the City's extraterritorial jurisdiction and adding the hereinafter described property known as: parcel of land located in Collin County, Texas, a part of the Samual M. Rainer Survey, Abstract Number 740, and being a part of that called 46.17 acre tract of land described in deed to Louise B. Akin as recorded in Document Number 20201112002008460, Official Public Records of Collin County, Texas, and being a part of that called 1.648 acre tract of land described in deed to Joe Akin & Louise Akin as recorded in Volume 4070, Page 2740, Official Public Records of Collin County, Texas, and being a part of that called 54.28 acre tract of land described in deed to Maurice Williams, Kimberly Williams Barnett, and Kristi Williams Neyes as recorded in Document Number 20110207000130110, Official Public Records of Collin County, Texas; and any right-of-way adjacent to said property; into of the City's extraterritorial, and updating the official map.

1) Presentation of proposed petition.
2) **PUBLIC HEARING** to receive comments regarding the proposed petition.
3) Discussion and action regarding the proposed petition and accompanying Ordinance.

G. Public hearing, discussion, and action regarding an Ordinance approving a petition of the landowner to add 186.342 acres of property to the City's extraterritorial jurisdiction and adding the hereinafter described property known as: parcel of land located in Collin County, Texas, a part of the Samual M. Rainer Survey, Abstract Number 740, and being a part of that called 132.70 acre tract of land described in deed to Lavon 78 Development LLC as recorded in Document Number 2022000088387, Official Public Records of Collin County, Texas, and being all of that called 41.79 acre tract of land and all of that called 46.66 acre tract of land described in deed to Bank Site Acquisition Corporation as recorded in Document Number 20060221000229620, Official Public Records of Collin County, Texas, and being a part of that called 162.075 acre tract of land described in deed to Milford Founders, LTD as recorded in Volume 5549, Page 4476, Official Public Records of Collin County, Texas; and any right-of-way adjacent to said property; into of the City's extraterritorial, and updating the official map.

1) Presentation of proposed petition.
2) **PUBLIC HEARING** to receive comments regarding the proposed petition.
3) Discussion and action regarding the proposed petition and accompanying Ordinance.

H. Discussion and action regarding the Elevon North development agreement between the City, MA Land Holdings, LLC, et. al. related to the development, annexation and creation of a municipal management

district for approximately 268.769 acres of land generally located south of FM 6 and north of Elevon Parkway in the extraterritorial jurisdiction of the City.

I. Discussion and action regarding a Resolution consenting to the creation of a municipal management district to be known as the Elevon North Municipal Management District No. 1 of Collin County over approximately 268.769 acres of land generally located south of FM 6 and north of Elevon Parkway in the extraterritorial jurisdiction of the City.

J. Discussion and action regarding a Chapter 380 economic development agreement between the City, the Lavon Economic Development Corporation and Bear Creek Commercial Properties to promote local economic development, secure the extension of public infrastructure, and stimulate business and commercial activity in the City relating to the Heritage Square development on 110.1 acres of land located southeast of the intersection of SH 205 and SH 78 in the City.

K. Discussion and action regarding a Resolution approving and authorizing execution of Change Order No. 1 for the Bently Farms Phase 3 Paving and Storm Drain (CIP-44) construction project in the amount of $88,877.50 and the addition of 36 calendar days for the addition of high early concrete, additional concrete repairs on Crockett Dr. and Orbit Dr., extended storm drain repairs, and addition of flex base; and providing an effective date.

L. Discussion and action regarding the acceptance of Bently Farms Phase 3 Paving and Storm Drain (CIP-44) construction project improvements.

M. Discussion and action regarding a Resolution awarding and authorizing the negotiation and execution of a contract for an Indefinite Delivery, Indefinite Quantity (IDIQ) Concrete Street Hot Mix Asphalt Concrete (HMAC) Street And Concrete Sidewalk Repair for the 2026-2027 program year, at an estimated value of $250,000.00 minimum; and providing an effective date.

N. Discussion and action regarding an Ordinance amending Ordinance No. **2025-08-06**, as amended, that approved and adopted a budget for the City for the fiscal year October 1, 2025 through September 30, 2026, for which links can be found on the homepage of the City website lavontx.gov directly and under Financial Transparency, to amend adopted revenues and expenditures; affirming that the budget amendment will have no direct impact on property taxes; and declaring an effective date.

O. Discussion and action regarding a Resolution approving and authorizing execution of an agreement with All American Animal Control for provision of animal control services; and providing an effective date.

P. Public hearing, discussion and action regarding an application for a Conditional Use Permit (CUP) to permit “Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)” and “Alcohol: mixed beverage package store (on- and/or off-premises consumption)” uses at 955 N. SH 78 on Lot 25C-R, Block E of Lake Breeze Estates, located southwest of the intersection of N. SH 78 and Gage Rd./FM 6, City of Lavon, Texas, (CCAD Property ID 2923353).

1) Presentation of proposed application.
2) Open and continue the **PUBLIC HEARING** to receive comments regarding the proposed application to a meeting beginning at 6:30 p.m. on November 3, 2026.
3) Discussion and action regarding the proposed application.

8. 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 551.074 - Personnel matters for annual evaluation of the City Manager; and to Section 551.071 (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding the development of Elevon North.

9. RECONVENE FROM EXECUTIVE SESSION

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

10. SET FUTURE MEETINGS AND AGENDA

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

- October 20, 2026 – Regular Meeting

  Public Hearing – Data Center Moratorium

11. 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 and at City Hall on or before 6:00 PM on September 30, 2026.

/ Rae Norton/

_____

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.

PROCLAMATION
City of Lavon, Texas

"Domestic Violence Awareness Month"

WHEREAS, in 1989 the United States Congress designated October as National Domestic Violence Awareness Month to raise awareness and promote prevention of domestic violence across the nation; and

WHEREAS, domestic includes a pattern of abusive behaviors—physical, emotional, psychological, sexual, or financial—used by one person to gain or maintain power and control over another in an intimate, family, or household relationship; and

WHEREAS, domestic affects individuals of all genders, ages, races, and backgrounds, and its impact can extend beyond victims and survivors to families, children, and the community as a whole; and children who witness domestic violence may experience lasting emotional, psychological, and developmental effects, and may face an increased risk of experiencing or perpetrating violence later in life; and

WHEREAS, survivors of domestic violence demonstrate tremendous courage and strength, and communities have a responsibility to provide support, resources, and compassion while holding perpetrators accountable for their actions; and

WHEREAS, it is the responsibility of every community member to support survivors, hold perpetrators accountable, and work together to create a culture of safety, respect and healing.

NOW THEREFORE, be it proclaimed that the month of October 2026 shall be designated

Domestic Violence Awareness Month

in the City of Lavon and all residents of Lavon should seek to bring an end to domestic violence through awareness, education and community support.

BE IT SO PROCLAIMED this 6th day of October 2026.

_____
Vicki Sanson, Mayor

PROCLAMATION
City of Lavon, Texas

"Neighborhood Night Out – October 15, 2026"

WHEREAS, the City of Lavon, in partnership with Lavon Police and Fire Departments, plays a vital role promoting community crime prevention and public safety efforts; and

WHEREAS, community partnerships between residents and law enforcement officers and firefighters play a vital role in ensuring residents' quality of life and safety as well as promote and protect property values in the City of Lavon; and

WHEREAS, on the evening of October 15, 2026, City of Lavon police officers, firefighters, and public works will gather for a family-friendly community wide event with Lavon neighbors visiting with residents, sharing safety tips, fostering communication and cooperation, and establishing relationships.

NOW THEREFORE, be it proclaimed that Thursday, October 15, 2026, shall be hereafter known as

Lavon Neighborhood Night Out

in the City of Lavon and all citizens are called upon to continue helping to make our community a safer and more enjoyable place to live, work, and play by participating in the Neighborhood Night Out activities.

BE IT SO PROCLAIMED this 6th day of October 2026.

_____
Vicki Sanson
Mayor

MINUTES
SEPTEMBER 15, 2026
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING

ATTENDING: VICKI SANSON, MAYOR
MIKE SHEPARD, PLACE 1, MAYOR PRO TEM
MIKE COOK, PLACE 2
TRAVIS JACOB, PLACE 3
RACHEL DUMAS, PLACE 4
LINDSEY HEDGE, PLACE 5 (Arrived at 6:46 p.m.)

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:30 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MAYOR PRO TEM SHEPARD DELIVERED THE INVOCATION**.
3. **ITEMS OF INTEREST/COMMUNICATIONS**
   - Marine Grove Park Ribbon Cutting 10/7/2026
   - Fall Festival & Neighborhood Night Out 10/15/2026
   - Early Voting begins 10/19/2026 at Lavon City Hall
   - Election Day 11/3/2026
4. **CITIZENS COMMENTS**

   City of Lavon residents James Wallington, Sheila Jolivette, and Cheryl Santos spoke regarding communication with City Council members and the cancellation of a previously scheduled data center information session by the developer. Collin County resident George Moslener expressed appreciation to City staff for the work being completed at the Bear Creek Wastewater Treatment Plant.
5. **PROCLAMATION**

   The Mayor and City Council presented a Proclamation recognizing Fire Prevention Week, October 4 – 10, 2026.
6. **CONSENT AGENDA**

   A. Approve the minutes of the September 1, 2026 meeting.

   MOTION: APPROVE THE CONSENT AGENDA.
   MOTION MADE: SHEPARD
   SECONDED: COOK
   APPROVED: UNANIMOUS
7. **ITEMS FOR CONSIDERATION**

   A. Discussion and action regarding Ordinance No. 2026-09-01 approving imposition of a fee and approving and authorizing execution of a contingent Fee Contract with Perdue Brandon Fielder Collins & Mott, LLP pursuant to Article 103.001, Texas Code of Criminal Procedure, said contract and fee being for the collection of Court Fines and Fees owed to the city, and notice of which is provided in accordance with Section 2254.1036 of the Texas Local Government Code.

Erin Hutto and Pshyara Thompson, with Perdue Brandon LLP, provided an overview of the firm and proposed services, including the process for collecting court fees and fines.

MOTION: APPROVE ORDINANCE NO. 2026-09-01 APPROVING IMPOSITION OF A FEE AND APPROVING AND AUTHORIZING EXECUTION OF A CONTINGENT FEE CONTRACT WITH PERDUE BRANDON FIELDER COLLINS & MOTT, LLP PURSUANT TO ARTICLE 103.001, TEXAS CODE OF CRIMINAL PROCEDURE, SAID CONTRACT AND FEE BEING FOR THE COLLECTION OF COURT FINES AND FEES OWED TO THE CITY, AND NOTICE OF WHICH IS PROVIDED IN ACCORDANCE WITH SECTION 2254.1036 OF THE TEXAS LOCAL GOVERNMENT CODE.
MOTION MADE: DUMAS
SECONDED: JACOB
APPROVED: UNANIMOUS

B. Discussion and action regarding termination of the contract with American Municipal Services (AMS) for the collection of delinquent municipal court fines and fees collections.

Kim Dobbs, City Manager, provided the information regarding the termination for contract purposes.

MOTION: APPROVE TERMINATION OF THE CONTRACT WITH AMERICAN MUNICIPAL SERVICES (AMS) FOR THE COLLECTION OF DELINQUENT MUNICIPAL COURT FINES AND FEES COLLECTIONS.
MOTION MADE: JACOB
SECONDED: COOK
APPROVED: UNANIMOUS

C. Public hearing to receive comments and consider a temporary moratorium to suspend the acceptance of permits, authorizations, and approvals necessary for the subdivision of, site planning of, property development, or construction on real property within the City corporate limits of data centers, pursuant to Texas Local Government Code Section 212.1352.

Presentation of the proposed temporary moratorium.

Ms. Dobbs presented information regarding the proposed temporary moratorium including application to the 5.26 square mile area of the City and a timeline of events. Ms. Dobbs confirmed that no development applications for data center use have been received by the City, and that no tax incentives nor economic development incentives had been offered or approved related to data center use.

PUBLIC HEARING (1st of 2) to receive comments regarding the proposed temporary moratorium.

Mayor Sanson opened the public hearing at 7:16 p.m. and invited comments for or against the proposed temporary moratorium. Lavon residents Steve Stefanovic, David Chavez, Matt Ruland, Kent Pride, Erika Jones, Jaime Kryczka, Sean Harrison, Anita Jones, Colleen Martin, and county resident Rodney Duplechain expressed support for a moratorium. There being no further comments, Mayor Sanson closed the public hearing at 7:56 p.m.

Discussion regarding the proposed temporary moratorium and related matters.

Ms. Dobbs reviewed the next steps and dates.

D. Discussion and action regarding the appointment of the Chairperson of the Planning and Zoning Commission.

Ms. Dobbs provided the City Council with Chairman Rosenquists' request to step down as Chairperson of the commission. The City Council expressed gratitude for Mr. Rosenquist's leadership and time as chairperson and for his continued work going forward as a commissioner.

MOTION: APPOINT DEBORAH NABORS AS CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION.
MOTION MADE: SHEPARD
SECONDED: DUMAS
APPROVED: UNANIMOUS

8. BUDGET AND TAX RATE ITEMS FOR CONSIDERATION

A. Public hearing and discussion regarding the 2026 proposed tax rate of 0.433807 per $100 valuation, which is less than the no-new-revenue tax rate, meaning that the City of Lavon is not proposing to increase property taxes for the 2026 tax year.

Presentation of the tax rate.

Patty Parks, Controller, presented the proposed tax rate that the City Council directed to be used for the Fiscal Year 2026-27 (FY 26-27) Annual Budget stating that the proposed total tax rate of $0.433807 per hundred dollars appraised valuation is less than the no new revenue tax rate and less than the voter approval tax rate and the de minimis tax rate. Ms. Parks noted the total proposed tax rate is comprised of $0.286203 cents for maintenance and operations (M&O) and $0.147604 cents for interest and sinking (I&S) for debt service.

PUBLIC HEARING to receive comments regarding the tax rate.

Mayor Sanson opened the public hearing at 8:08 p.m. and invited comments and feedback regarding the proposed tax rate. There being no comments, Mayor Sanson closed the public hearing at 8:08 p.m.

Discussion regarding the proposed tax rate.

Ms. Dobbs noted that pursuant to state law the proposed tax rate would be considered after consideration of the Annual Budget.

B. Public hearing, discussion and action regarding the proposed 2026-27 Annual Budget, for which a link can be found on the homepage of the City website lavontx.gov and in the meeting packet.

Presentation of the proposed Annual Budget.

Ms. Parks recapped the prior budget work sessions and noted the budget highlights and approved enhancements.

PUBLIC HEARING to receive comments regarding the proposed Annual Budget.

Mayor Sanson opened the public hearing at 8:13 p.m. and invited comments for or against the proposed budget. There being no comments, Mayor Sanson closed the public hearing at 8:14 p.m.

Discussion and action regarding the proposed Annual Budget and accompanying Ordinance No. 2026-09-02 approving and adopting a Budget for the City for the Fiscal Year October 1, 2026 through September 30, 2027; providing that expenditures for said fiscal year shall be made in accordance with said Budget; and providing an effective date.

Ms. Dobbs reviewed the statutory requirements associated with the proposed budget

MOTION: APPROVE THE ANNUAL BUDGET AND ACCOMPANYING ORDINANCE NO. 2026-09-02 APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2026 THROUGH SEPTEMBER 30, 2027; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; AND PROVIDING AN EFFECTIVE DATE.
MOTION MADE: SHEPARD
SECONDED: COOK
As required by state law, a record vote was taken:
PLACE 1- MIKE SHEPARD YEA
PLACE 2- MIKE COOK YEA
PLACE 3- TRAVIS JACOB YEA

PLACE 4- RACHEL DUMAS YEA
PLACE 5- LINDSEY HEDGE YEA
APPROVED UNANIMOUS (5 – 0)

C. Discussion and action regarding Ordinance No. 2026-09-03 to ratify the property tax increase that is reflected in the Annual Budget for Fiscal Year 2026-27; and providing for an effective date.

Ms. Parks explained that the Collin County Tax Assessor Collector's Office determined that the proposed tax rate of 0.433807 will raise more taxes for M&O than last year's M&O tax rate and Section 102.007 of the Texas Local Government Code requires a separate vote of the City Council to ratify the property tax increase reflected in the budget.

MOTION: APPROVE ORDINANCE NO. 2026-09-03 TO RATIFY THE PROPERTY TAX INCREASE THAT IS REFLECTED IN THE ANNUAL BUDGET FOR FISCAL YEAR 2026-27; AND PROVIDING FOR AN EFFECTIVE DATE.
MOTION MADE: COOK
SECONDED: JACOB
APPROVED: UNANIMOUS

D. Discussion and action regarding Ordinance No. 2026-09-04 setting the tax rate for the 2026 tax year at total rate of $0.433807 per $100 of property valuation; levying taxes for the use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2026 and ending September 30, 2027 on all property within the corporate limits of the City of Lavon, Texas; providing a sinking fund for the retirement of the bonded obligations of the City; apportioning each levy for the specific purpose and providing for collection of all annual taxes provided by state law; providing for due and delinquent dates together with penalties and interest; and providing a severability clause and an effective date.

Ms. Dobbs noted that the Fiscal Year 2026-27 Annual Budget had been prepared using a tax rate of 0.433807 per hundred dollars appraised valuation that is less than the no new revenue tax rate and less than the voter approval tax rate and de minimis rate. The total tax rate is comprised of $0.286203 cents for maintenance and operations (M&O) and $0.147604 cents for interest and sinking (I&S) for debt service.

MOTION: I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF 0.433807, WHICH IS EFFECTIVELY A 3.50 PERCENT INCREASE IN THE TAX RATE AND I FURTHER MOVE THAT ORDINANCE NO. 2026-09-04 BE APPROVED SETTING THE TAX RATE FOR THE 2026 TAX YEAR AT TOTAL RATE OF $0.433807 PER $100 OF PROPERTY VALUATION; LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2026 AND ENDING SEPTEMBER 30, 2027 ON ALL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS; PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED OBLIGATIONS OF THE CITY; APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE AND PROVIDING FOR COLLECTION OF ALL ANNUAL TAXES PROVIDED BY STATE LAW; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.
MOTION MADE: SHEPARD
SECONDED: DUMAS
The City Secretary called roll for the vote:
PLACE 1- MIKE SHEPARD YEA
PLACE 2- MIKE COOK YEA
PLACE 3- TRAVIS JACOB YEA
PLACE 4- TED DILL YEA
PLACE 5- LINDSEY HEDGE YEA

APPROVED: UNANIMOUS (5-0)

E. Public hearing, discussion, and action regarding a Fee Schedule for Fiscal Year 2026-2027.

Presentation of the proposed Fee Schedule.

Ms. Parks provided information regarding the proposed fee schedule and noted the schedule does not include any increases to sewer or garbage rates, adding that sewer rates have remained unchanged for 8 years**,** and garbage rates have remained unchanged for 10 years**.**

PUBLIC HEARING to receive comments regarding the proposed Fee Schedule.

Mayor Sanson opened the public hearing at 8:21 p.m. and invited comments for or against the proposed fee schedule. There being no comments, Mayor Sanson closed the public hearing at 8:21 p.m.

Discussion and action regarding Ordinance No. 2026-09-05 approving and adopting a Fee Schedule for the Fiscal Year October 1, 2026 through September 30, 2027; and providing an effective date.

MOTION: APPROVE ORDINANCE NO. 2026-09-05 APPROVING AND ADOPTING A FEE SCHEDULE FOR THE FISCAL YEAR OCTOBER 1, 2026, THROUGH SEPTEMBER 30, 2027 ND PROVIDING AN EFFECTIVE DATE.
MOTION MADE: COOK
SECONDED: HEDGE
APPROVED: UNANIMOUS

F. Public hearing, discussion, and action regarding a Five-Year Capital Improvements Plan (CIP) for fiscal Years 2027 to 2031.

Presentation of the proposed CIP.

Ms. Parks provided information regarding the proposed CIP plan projects and funding.

PUBLIC HEARING to receive comments regarding the proposed CIP.

Mayor Sanson opened the public hearing at 8:25 p.m. and invited comments for or against the proposed Five- Year Capital Improvements Plan. City of Lavon resident Erika Jones requested and received clarification of the Community Park & Trails item. There being no further comments, Mayor Sanson closed the public hearing at 8:26 p.m.

Discussion and action regarding Ordinance No. 2026-09-06 approving a Five-Year Capital Improvements Plan for Fiscal Years 2027 to 2031.

MOTION: APPROVE ORDINANCE NO. 2026-09-06 APPROVING A FIVE- YEAR CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEARS 2027 TO 2031.
MOTION MADE: DUMAS
SECONDED: SHEPARD
APPROVED: UNANIMOUS

9. DEPARTMENT REPORTS

A. Police Services – Police Chief Mike Jones commended the team efforts of Police, Fire and Public Works departments during a recent accident on SH 78 at Elevon Parkway. Assistant Police Chief Roger Myers referenced provided information regarding reports, programs, and current activities and offered to obtain answers if there were questions.

B. Fire Services – Fire Chief Danny Anthony provided information regarding reports, programs and current activities and offered to obtain answers if there were questions. Chief Anthony also informed the City Council of the recent hiring of Lavon Fire Marshal Matt Jones.

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; administration, and staff report.

10. EXECUTIVE SESSION

At 8:39 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) pursuant to Section 551.071 (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding the development of Elevon North; and 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) regarding the retail project Pathways in proximity to SH 78 and the extension of public infrastructure.

11. RECONVENE FROM EXECUTIVE SESSION

In accordance with the Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the regular meeting at 9:01 p.m., and stated that no action was taken in the executive session

A. Discussion and action regarding an agreement pertaining to the Pathways retail project.

No action was taken.

12. SET FUTURE MEETINGS AND AGENDA

October 6, 2026 – Regular Meeting

13. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 9:02 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 6th day of October 2026.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _6 - B__**

Item:

CONSENT AGENDA

Approve the final plat of the Nicholson Ranch Phase 2A Addition consisting of 187 residential lots and 4 common area lots on 37.761 acres in the Drury Anglin Survey, Abstract No. 2, a part of Collin County MUD No. 6 west of FM 2755 on Nicholson Ranch Trail in the extraterritorial jurisdiction of the City of Lavon, Collin County, Texas, (CCAD Parcel 2919101).

Application Information

Owner(s): GRBK Edgewood L.L.C.

Applicant: Kimley-Horn

Location: Southwest of the intersection of FM 2755 and Millwood L. and north of the intersection of FM 2755 and CR 535 in the extraterritorial jurisdiction (ETJ).

Description: Drury Anglin Survey, Abstract No. 2, 29.925 acres, (CCAD Property ID 2919101)

Current Zoning: No zoning applies in the ETJ

Request: Final Plat

Request Details

The applicant is seeking approval of a final plat for Phase 2A of the Nicholson Ranch Addition a residential development located in the City of Lavon ETJ and within Collin County Municipal Utility District No. 6 (MUD No. 6). The development consists of 187 residential lots and 4 common area lots on 37.761 acres. The final plat conforms to the preliminary plat.

Code Excerpts:

TEXAS LOCAL GOVERNMENT CODE
§ 212.004. PLAT REQUIRED

Sec. 212.004. 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.

Code Excerpts:

CITY OF LAVON – SUBDIVISION ORDINANCE

Section 4.04 FINAL PLAT

After approval of the preliminary plat by the planning and zoning commission and City Council, a final plat, prepared by a registered public surveyor bearing his or her seal and the construction plans prepared by a registered professional civil engineer bearing his or her seal, shall be submitted to the planning and zoning commission.

On October 17, 2023, the City Council approved the preliminary plat of the Nicholson Ranch Addition containing 1,600 residential lots, 61 open space tracts and an amenity center on 457.84 acres. On December 2, 2025, the City Council approved a revision of the preliminary plat .

Collin County and Collin County MUD No. 6 will provide services to the addition that will be developed in the ETJ. The property is located in the Community Independent School District.

The proposed development takes primary access from Nicholson Ranch Trail. A Traffic Impact Analysis (TIA) and Drainage Study have been prepared and reviewed. Improvements will generally be constructed as prescribed by the TIA and as approved by the city engineer.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE FINAL PLAT OF THE NICHOLSON RANCH PHASE 2A ADDITION CONSISTING OF 187 RESIDENTIAL LOTS AND 4 COMMON AREA LOTS ON 37.761 ACRES IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, A PART OF COLLIN COUNTY MUD NO. 6 WEST OF FM 2755 ON NICHOLSON RANCH TRAIL IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS.

MOTION:	**CLIFTON**
SECONDED:	**VALLEJO**
APPROVED:	**UNANIMOUS**

Staff Notes:

The final plat meets the technical requirements and complies with the subdivision regulations. Approval is recommended.

Attachments:
1. Application and Final Plat
2. Location Exhibits
3. Engineers' 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.

Company Making Submission	Property Owner
Name: KIMLEY-HORN	Name: GRBK EDGEWOOD LLC
Address: 400 N. OKLAHOMA DRIVE, SUITE 105	Address: 5501 HEADQUARTERS DRIVE, STE 300W
City/State/Zip: CELINA, TX 75009	City/State/Zip: PLANO, TX 75024
Phone #: 469-501-2200 Fax #:	Phone # 972-946-1350 Fax #
Authorized Person: ALEXANDRA N. DOLLAHITE	Authorized Person: BRIAN HUNNICUTT

Type of Submission	Date
☐ Preliminary Plat	
☐ Final Plat	
☐ Re-Submittal	
☒ Construction Plans	
☐ Other (eg. Replat; Development Plat; Short-Form Plat)	

Check List of Items Submitted

- ☐ (two) full size sets of plats (24x36)
- ☒ (two) full size construction sets (24x36)
- ☐ (one) half size sets of plats (11x17)
- ☐ (ten) half size sets of plats with final submission (11x17)
- ☐ (one) PDF plats (on separate CD's)
- ☒ (one) PDF construction plans (can be included on plat CD)

Per Conversation with LeAnn 7/17 CD submittals are electronic through MyGov

Application Fees

Preliminary Plat	Per Fee Schedule
Final Plat	Per Fee Schedule
Re-Plat	Per Fee Schedule
Public Infrastructure Inspection	Per Fee Schedule

To complete the plat please sign up as a collaborator in the MyGov system https://public.mygov.us/lavon_tx request access to the City of Lavon. Make a new request for the plat and upload these forms along with plans.

NOTICE TO APPLICANT: 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.

Authorized Representative (Printed Name)	Authorized Representative (Signature)	Date:
ALEXANDRA N. DOLLAHITE	Alexandra Dollahite	JULY 20, 2026

To be completed by the City

In Takers Name:

In takers Review Date:	PW Review Date:	COO Review Date:	Engineer Review Date:	P&Z Review Date:	Council Action Date:
☐ Accepted ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected	☐ Approved ☐ Rejected

Comments:

www.cityoflavon.com

CITY OF LAVON

P.O. Box 340 – 120 School Rd. – Lavon, TX 75166
Office 972-843-4220 – – Inspection 972-853-0855
Email: l.mcclendon@lavontx.gov

PLAT APPLICATION

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

Authorization of Representation

Date: JULY 20, 2026

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, BRIAN HUNNICUTT, GRBK EDGEWOOD 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 ALEXANDRA N. DOLLAHITE, KIMLEY-HORN 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 Collin

Before me, the undersigned authority, appeared Brian Hunnicutt,
on this the 20th day of July, 2026.

Nicole Wallace

NICOLE WALLACE (seal)
Notary ID #129684448
My Commission Expires
June 16, 2029

Notary Public in and for Collin County, Texas

CITY OF LAVON

P.O. Box 340 – 120 School Rd. – Lavon, TX 75166
Office 972-843-4220 – Inspection 972-853-0855
Email: l.mcclendon@lavontx.gov

PLAT APPLICATION

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

Declaration of Ownership

Date: JULY 20, 2026

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, BRIAN HUNNICUTT, GRBK EDGEWOOD 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 Collin

Before me, the undersigned authority, appeared Brian Hunnicutt,
on this the 20th day of July, 20 26.

NICOLE WALLACE
Notary ID #129684448
My Commission Expires
June 16, 2029

(notary seal)

Notary Public in and for Collin County, Texas

Kimley»Horn

Memorandum

To: Kim Dobbs, City Manager - City of Lavon

From: Alexandra Dollahite, P.E., Engineering Consultant – Nicholson Ranch Development

Date: 07/01/2026

Subject: Nicholson Ranch 2A & 2B – Layout Adjustments and Lot Yield Reconciliation

---

This memorandum documents minor layout adjustments within Phases 2A and 2B of Nicholson Ranch and summarizes the resulting impacts to lot yield and conformance with the approved preliminary plat. The proposed revisions maintain compliance with block length requirements, preserves the overall development layout, and remains consistent with the approved preliminary plat.

The approved preliminary plat included a street stub at the northeast corner of Phase 2B extending toward the adjacent Sargent property. During final design, grading constraints associated with existing topography, property line tie-ins, and adjacent TxDOT right-of-way were identified. These conditions limit the functionality of the originally preliminary platted street stub for future connectivity. Coordination has been initiated with the adjacent property owner, Michael
Sargent, regarding proposed improvements in this area.

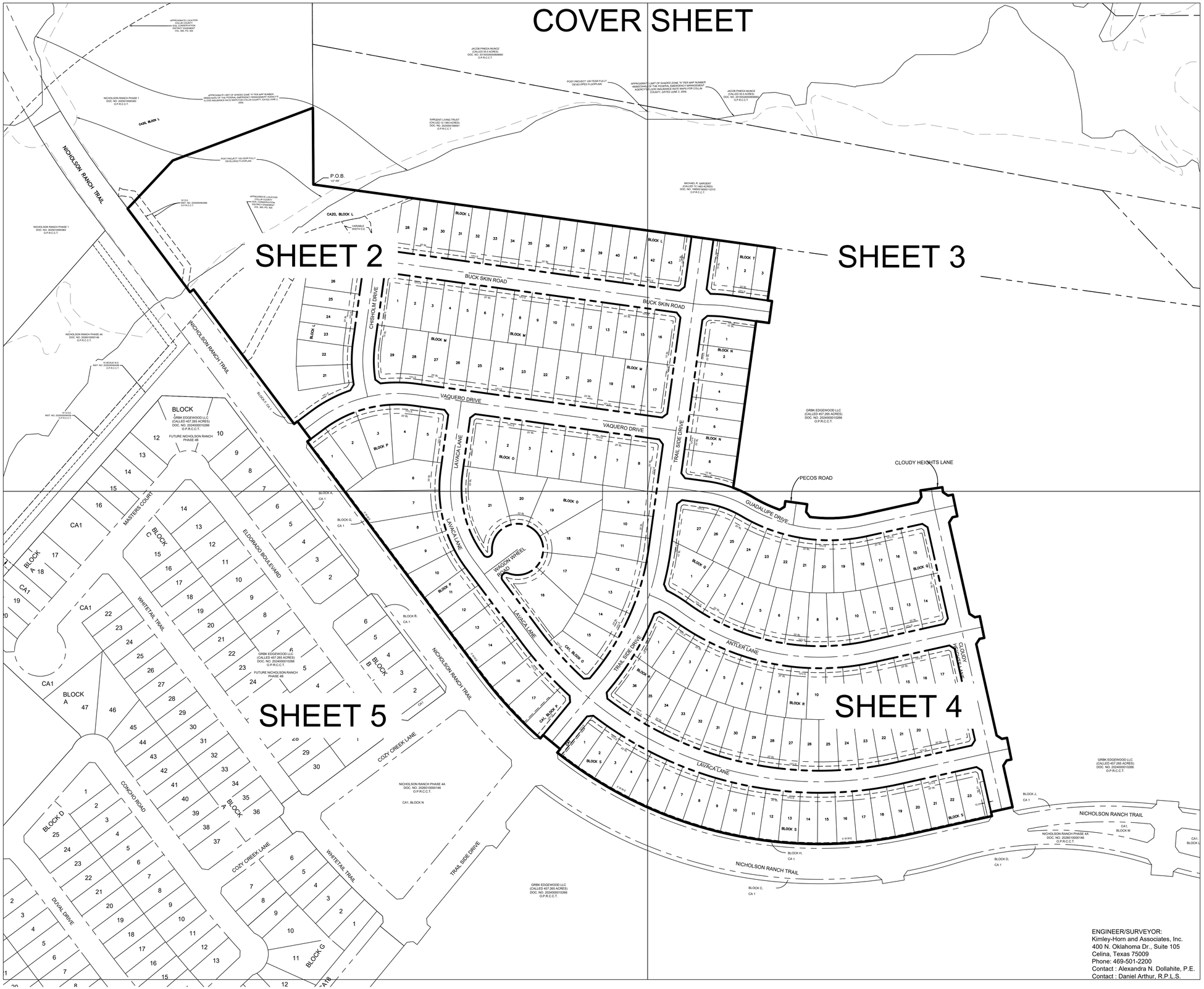
- Proposed Phase 2B Modification
    - Relocate the street stub approximately 275 LF west, remaining within Phase 2B
      - Introduce knuckle geometry to improve alignment and future connectivity
      - Maintain compliance with applicable block length requirements
    - This modification results in the removal of two (2) residential lots within Phase 2B.

- Phase 2A Lot Yield Adjustment
    - Add a short block of residential lots within Phase 2A to make developer whole for the two lot drop In Phase 2B as well as adding an additional five lots to keep a balanced look, as opposed to only two lots that would visually stand out.
    - This adjustment adds seven (7) residential lots within Phase 2A. (two from Phase 2B and five new lots)

Revised Lot Summary
Previous Total Lot Count: 1,635 lots
Proposed Total Lot Count: 1,640 lots
Net Change: +5 lots overall

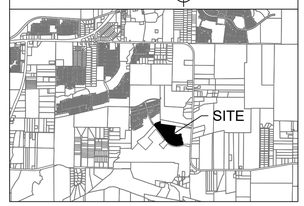
Attachments
Exhibit 1 – Updated Street Stub Location (Phase 2B)
Exhibit 2 – Proposed Lot Additions (Phase 2A)

COVER SHEET



VICINITY MAP

1" = 5000'



NORTH

GRAPHIC SCALE IN FEET

100 0 50 100 200

1" = 100' @ 24X36

LEGEND

P.O.B.	POINT OF BEGINNING
IRFC ●	IRON ROD W/ CAP FOUND
R.R. SPIKE	RAIL ROAD SPIKE
B.L.	BUILDING LINE
A.E.	ACCESS EASEMENT
E.E.	ELECTRIC EASEMENT
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
W.E.	WATER LINE EASEMENT
W.M.E.	WALL MAINTENANCE EASEMENT
CA	HOME OWNER'S ASSOCIATION
R.O.W.	RIGHT-OF-WAY
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
BCSUD	BEAR CREEK SPECIAL UTILITY DISTRICT

LINE TYPE LEGEND

———	BOUNDARY LINE
— — —	EASEMENT LINE
———	LOT LINE
— - —	ADJOINER LINE
———	BUILDING SETBACK
— — —	ROADWAY CENTERLINE

FINAL PLAT
OF
NICHOLSON RANCH PHASE 2A

187 RESIDENTIAL LOTS
4 COMMON AREA (CA) LOTS

BEING 37.761 ACRES
IN THE
DRURY ANGLIN SURVEY, ABSTRACT NO. 2
CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

Kimley»Horn
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FIRM # 10115500
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SPA	DRA	9/4/2026	064537575	1 OF 6

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GRBK EDGEWOOD LLC
5501 Headquarters Dr,
Suite 300W
Plano, Texas 75024
Phone: 817-658-2112
Contact : Bobby L. Samuel III

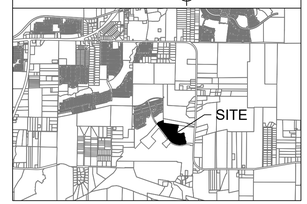
ENGINEER/SURVEYOR:
Kimley-Horn and Associates, Inc.
400 N. Oklahoma Dr., Suite 105
Celina, Texas 75009
Phone: 469-501-2200
Contact : Alexandra N. Dollahite, P.E.
Contact : Daniel Arthur, R.P.L.S.

DWG NAME: K:\CEL_SURVEY\064537575\7-NICH\DWG\064537575 - NICHOLSON RANCH 2A.DWG PLOTTED BY: ALLEN, STEPHEN 9/4/2026 8:32 AM LAST SAVED: 9/3/2026 5:59 PM Copyright © 2026 Kimley-Horn and Associates, Inc. All rights reserved.

Bearing system for this survey is based upon NAD 83-Texas North Central Zone, Horizontal Adjustment to NAD 83 (1993). To convert the Surface distances to Grid values, multiply the distances by a Combined Scale Factor of 0.999847313.

VICINITY MAP

1" = 5000'



NORTH

GRAPHIC SCALE IN FEET

50 0 25 50 100

1" = 50' @ 24X36

APPROXIMATE LOCATION COLLIN COUNTY SOIL CONSERVATION DISTRICT EASEMENT VOL. 565, PG. 505

NICHOLSON RANCH PHASE 1 DOC. NO. 20250100000383 O.P.R.C.C.T.

APPROXIMATE LIMIT OF SHADED ZONE "A" PER MAP NUMBER 48085C0445J OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR COLLIN COUNTY, DATED JUNE 2, 2009.

JACOB PINEDA MUNOZ (CALLED 55.0 ACRES) DOC. NO. 20150526000608660 O.P.R.C.C.T.

SARGENT LIVING TRUST (CALLED 12.1483 ACRES) DOC. NO. 20250000168091 O.P.R.C.C.T.

POST PROJECT 100-YEAR FULLY DEVELOPED FLOODPLAIN

5/8" IRFC "KHA"

CA20, BLOCK L

N69°24'14"E 338.85'

S0°20'54"E 173.61'

P.O.B. 1/2" IRF

N45°09'19"E 149.46'

NICHOLSON RANCH TRAIL

15' D.E. INST. NO. 20250000064586 O.P.R.C.C.T.

N36°46'49"W 235.94'

S82°10'08"E 1054.36'

231.34'

BLOCK L

BUCK SKIN ROAD

S82°10'08"E 726.83'

CHISHOLM DRIVE

BLOCK M

VAQUERO DRIVE

LAVACA LANE

BLOCK O

BLOCK P

BLOCK F, CA1

CA1

S53°13'11"W 10.00'

N53°13'11"E 7.77'

N36°46'49"W 390.00'

N53°13'11"E 12.23'

S53°13'11"W 9.50'

N36°46'49"W 50.00'

N53°13'11"E 9.50'

S53°13'11"W 10.00'

BLOCK A

GRBK EDGEWOOD LLC (CALLED 457.265 ACRES) DOC. NO. 20240000010266 O.P.R.C.C.T.

FUTURE NICHOLSON RANCH PHASE 4B

NICHOLSON RANCH PHASE 4A DOC. NO. 20260100000146 O.P.R.C.C.T.

15' BCSUD W.E. INST. NO. 20250000064588 O.P.R.C.C.T.

15' S.S.E. INST. NO. 20250000094559 O.P.R.C.C.T.

20' S.S.E.

CONTINUATION LINE - SEE SHEET 5

CONTINUATION LINE - SEE SHEET 3

LEGEND

P.O.B.	POINT OF BEGINNING
IRFC ●	IRON ROD W/ CAP FOUND
R.R. SPIKE	RAIL ROAD SPIKE
B.L.	BUILDING LINE
A.E.	ACCESS EASEMENT
E.E.	ELECTRIC EASEMENT
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
W.E.	WATER LINE EASEMENT
W.M.E.	WALL MAINTENANCE EASEMENT
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BCSUD	BEAR CREEK SPECIAL UTILITY DISTRICT

LINE TYPE LEGEND

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	EASEMENT LINE
	LOT LINE
	ADJOINER LINE
	BUILDING SETBACK
	ROADWAY CENTERLINE

FINAL PLAT OF NICHOLSON RANCH PHASE 2A

187 RESIDENTIAL LOTS
4 COMMON AREA (CA) LOTS

BEING 37.761 ACRES
IN THE
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5501 Headquarters Dr,
Suite 300W
Plano, Texas 75024
Phone: 817-658-2112
Contact : Bobby L. Samuel III

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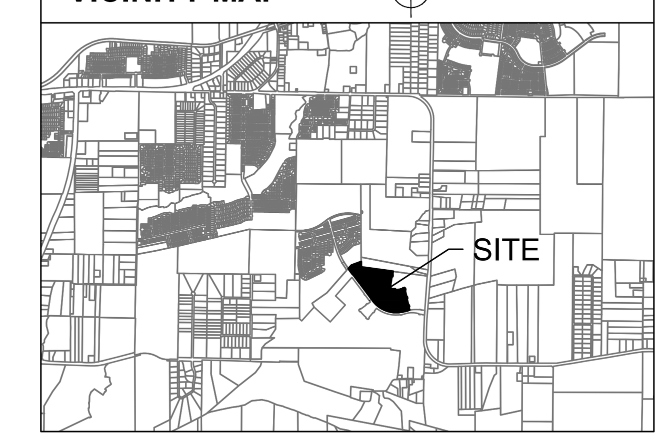
LINE TABLE

NO.	BEARING	LENGTH
L1	N12°55'36"W	15.50'
L2	S37°10'14"E	28.28'
L3	S30°37'50"W	15.05'
L4	S53°51'35"E	14.45'
L5	N52°49'52"E	14.14'
L6	S37°10'08"E	14.14'
L7	N52°49'52"E	14.14'
L8	S40°17'45"E	13.35'
L9	S50°11'01"W	14.78'
L10	N52°49'52"E	14.14'
L11	S37°10'08"E	14.14'
L12	S37°10'08"E	14.14'
L13	N52°49'52"E	14.14'
L14	S57°32'00"E	14.15'
L15	N32°28'00"E	14.14'
L16	S57°32'00"E	14.15'
L17	N32°28'00"E	14.14'
L18	S57°32'00"E	14.15'
L19	N83°42'08"E	14.32'
L20	S04°14'55"E	14.46'
L21	S85°50'05"W	13.79'
L22	S06°20'38"E	13.95'
L23	N68°56'12"E	13.40'
L24	S24°32'50"E	15.34'
L25	N52°49'52"E	14.14'
L26	S37°10'08"E	14.14'
L27	S68°13'23"W	31.42'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	44°36'41"	300.00'	233.59'	S75°31'31"W	227.73'
C2	20°45'28"	300.00'	108.69'	S02°32'52"E	108.09'
C3	7°24'07"	300.00'	38.76'	S85°52'12"E	38.73'
C4	7°24'07"	300.00'	38.76'	N85°52'12"W	38.73'
C5	22°51'36"	250.00'	99.75'	N70°44'20"W	99.09'
C6	43°12'10"	365.00'	275.22'	S80°54'37"E	268.75'
C7	5°30'21"	500.00'	48.05'	S09°48'07"E	48.03'
C8	1°06'10"	1738.00'	33.45'	S78°02'23"W	33.45'
C9	1°18'55"	1456.00'	33.42'	S78°08'46"W	33.42'
C10	48°38'49"	532.00'	451.69'	S78°11'17"E	438.25'
C11	15°37'41"	300.00'	81.83'	N61°40'43"W	81.57'
C12	31°36'13"	590.00'	325.44'	N23°37'58"E	321.33'
C13	1°38'55"	1174.00'	33.78'	S78°18'46"W	33.78'
C14	65°43'52"	814.00'	933.84'	S69°38'46"E	883.47'
C15	44°36'41"	275.00'	214.12'	S14°28'29"E	208.75'
C16	94°29'21"	50.00'	82.46'	S76°25'43"W	73.43'
C17	148°30'32"	10.50'	27.22'	N68°41'35"E	20.21'
C18	148°47'07"	10.50'	27.27'	S37°36'44"W	20.23'
C19	297°33'58"	58.00'	301.22'	N36°46'42"W	60.12'
C20	4°12'15"	581.65'	42.68'	N78°54'22"E	42.67'

VICINITY MAP 1" = 5000'



NORTH

GRAPHIC SCALE IN FEET

50 0 25 50 100

1" = 50' @ 24X36

LEGEND

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B.L.	BUILDING LINE
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Contact : Alexandra N. Dollahite, P.E.
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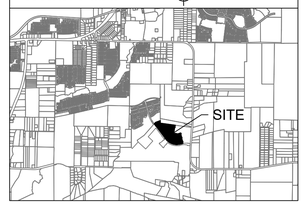
GRBK EDGEWOOD LLC
(CALLED 457.265 ACRES)
DOC. NO. 2024000010266
O.P.R.C.C.T.

CONTINUATION LINE - SEE SHEET 3

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VICINITY MAP

1" = 5000'



NORTH

GRAPHIC SCALE IN FEET
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1" = 50' @ 24X36

LINE TABLE		
NO.	BEARING	LENGTH
L1	N12°55'36"W	15.50'
L2	S37°10'14"E	28.28'
L3	S30°37'50"W	15.05'
L4	S53°51'35"E	14.45'
L5	N52°49'52"E	14.14'
L6	S37°10'08"E	14.14'
L7	N52°49'52"E	14.14'
L8	S40°17'45"E	13.35'
L9	S50°11'01"W	14.78'
L10	N52°49'52"E	14.14'
L11	S37°10'08"E	14.14'
L12	S37°10'08"E	14.14'
L13	N52°49'52"E	14.14'
L14	S57°32'00"E	14.15'
L15	N32°28'00"E	14.14'
L16	S57°32'00"E	14.15'
L17	N32°28'00"E	14.14'
L18	S57°32'00"E	14.15'
L19	N83°42'08"E	14.32'
L20	S04°14'55"E	14.46'
L21	S85°50'05"W	13.79'
L22	S06°20'38"E	13.95'
L23	N68°56'12"E	13.40'
L24	S24°32'50"E	15.34'
L25	N52°49'52"E	14.14'
L26	S37°10'08"E	14.14'
L27	S68°13'23"W	31.42'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	44°36'41"	300.00'	233.59'	S75°31'31"W	227.73'
C2	20°45'28"	300.00'	108.69'	S02°32'52"E	108.09'
C3	7°24'07"	300.00'	38.76'	S85°52'12"E	38.73'
C4	7°24'07"	300.00'	38.76'	N85°52'12"W	38.73'
C5	22°51'36"	250.00'	99.75'	N70°44'20"W	99.09'
C6	43°12'10"	365.00'	275.22'	S80°54'37"E	268.75'
C7	5°30'21"	500.00'	48.05'	S09°48'07"E	48.03'
C8	1°06'10"	1738.00'	33.45'	S78°02'23"W	33.45'
C9	1°18'55"	1456.00'	33.42'	S78°08'46"W	33.42'
C10	48°38'49"	532.00'	451.69'	S78°11'17"E	438.25'
C11	15°37'41"	300.00'	81.83'	N61°40'43"W	81.57'
C12	31°36'13"	590.00'	325.44'	N23°37'58"E	321.33'
C13	1°38'55"	1174.00'	33.78'	S78°18'46"W	33.78'
C14	65°43'52"	814.00'	933.84'	S69°38'46"E	883.47'
C15	44°36'41"	275.00'	214.12'	S14°28'29"E	208.75'
C16	94°29'21"	50.00'	82.46'	S76°25'43"W	73.43'
C17	148°30'32"	10.50'	27.22'	N68°41'35"E	20.21'
C18	148°47'07"	10.50'	27.27'	S37°36'44"W	20.23'
C19	297°33'58"	58.00'	301.22'	N36°46'42"W	60.12'
C20	4°12'15"	581.65'	42.68'	N78°54'22"E	42.67'

LEGEND

P.O.B.	POINT OF BEGINNING
IRFC ●	IRON ROD W/ CAP FOUND
R.R. SPIKE	RAIL ROAD SPIKE
B.L.	BUILDING LINE
A.E.	ACCESS EASEMENT
E.E.	ELECTRIC EASEMENT
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
W.E.	WATER LINE EASEMENT
W.M.E.	WALL MAINTENANCE EASEMENT
CA	HOME OWNER'S ASSOCIATION
R.O.W.	RIGHT-OF-WAY
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
BCSUD	BEAR CREEK SPECIAL UTILITY DISTRICT

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	LOT LINE
	ADJOINER LINE
	BUILDING SETBACK
	ROADWAY CENTERLINE

GRBK EDGEWOOD LLC
(CALLED 457.265 ACRES)
DOC. NO. 2024000010266
O.P.R.C.C.T.

NICHOLSON RANCH PHASE 4A
DOC. NO. 2026010000146
O.P.R.C.C.T.

FINAL PLAT
OF
NICHOLSON RANCH PHASE 2A

187 RESIDENTIAL LOTS
4 COMMON AREA (CA) LOTS

BEING 37.761 ACRES
IN THE
DRURY ANGLIN SURVEY, ABSTRACT NO. 2
CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

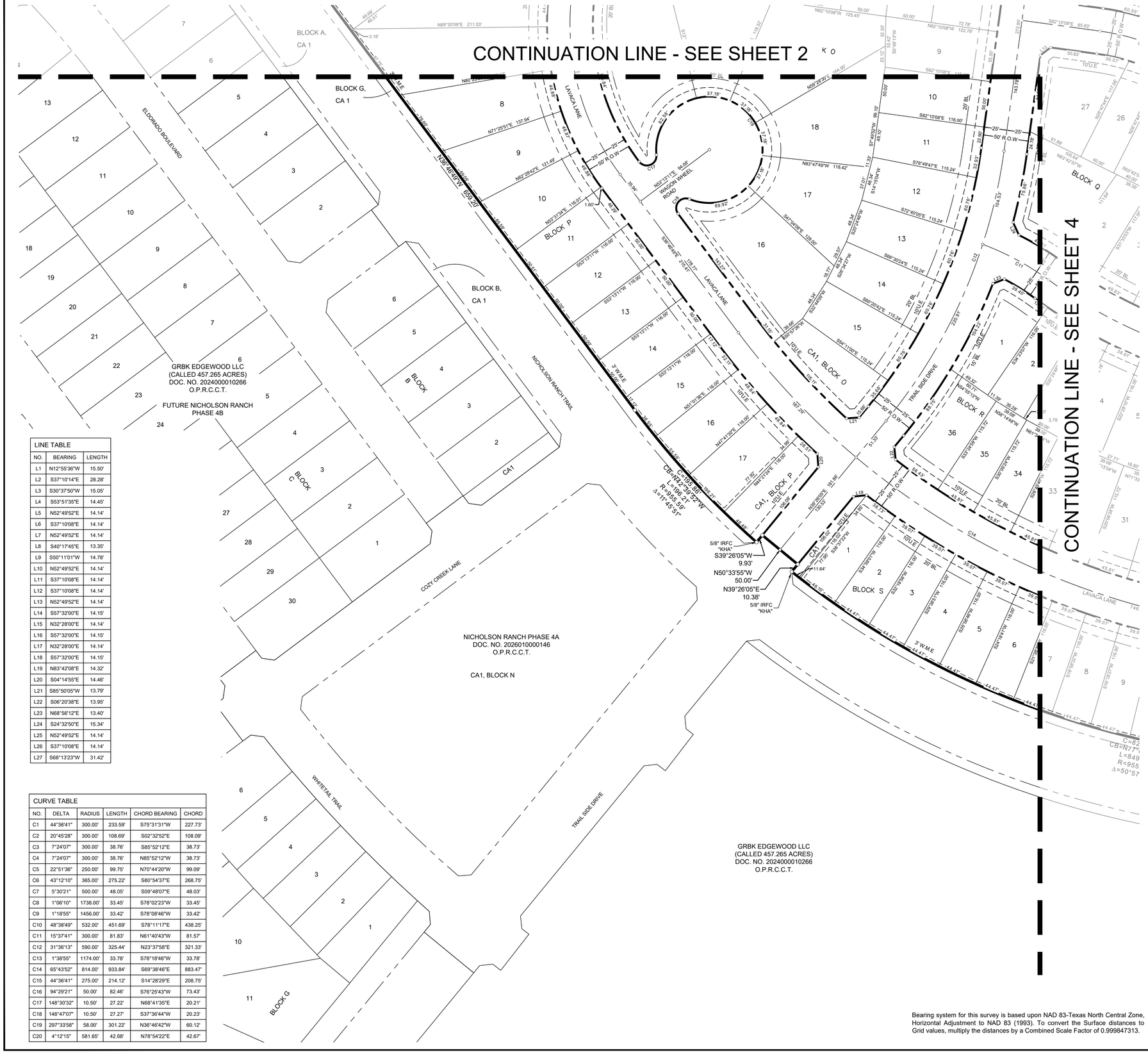
Kimley»Horn
400 North Oklahoma Dr., Suite 105
Celina, Texas 75009
FIRM # 10115500
Tel. No. (469) 501-2200
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	SPA	DRA	9/4/2026	064537575	4 OF 6

OWNER/DEVELOPER:
GRBK EDGEWOOD LLC
5501 Headquarters Dr,
Suite 300W
Plano, Texas 75024
Phone: 817-658-2112
Contact : Bobby L. Samuel III

ENGINEER/SURVEYOR:
Kimley-Horn and Associates, Inc.
400 N. Oklahoma Dr., Suite 105
Celina, Texas 75009
Phone: 469-501-2200
Contact : Alexandra N. Dollahite, P.E.
Contact : Daniel Arthur, R.P.L.S.

DWG NAME: K:\CEL_SURVEY\064537575\NICH\3_SGN RANCH\DWG\064537575 - NICHOLSON RANCH 2A.DWG PLOTTED BY: ALLEN, STEPHEN | 9/4/2026 8:32 AM LAST SAVED: 9/3/2026 5:59 PM Copyright © 2026 Kimley-Horn and Associates, Inc. All rights reserved.

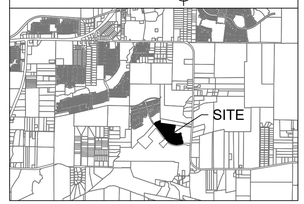


LINE TABLE		
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L27	S68°13'23"W	31.42'

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NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
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C4	7°24'07"	300.00'	38.76'	N85°52'12"W	38.73'
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C6	43°12'10"	365.00'	275.22'	S80°54'37"E	268.75'
C7	5°30'21"	500.00'	48.05'	S09°48'07"E	48.03'
C8	1°06'10"	1738.00'	33.45'	S78°02'23"W	33.45'
C9	1°18'55"	1456.00'	33.42'	S78°08'46"W	33.42'
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C18	148°47'07"	10.50'	27.27'	S37°36'44"W	20.23'
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C20	4°12'15"	581.65'	42.68'	N78°54'22"E	42.67'

VICINITY MAP

1" = 5000'



NORTH

GRAPHIC SCALE IN FEET

50 0 25 50 100

1" = 50' @ 24X36

LEGEND

P.O.B.	POINT OF BEGINNING
IRFC ●	IRON ROD W/ CAP FOUND
R.R. SPIKE	RAIL ROAD SPIKE
B.L.	BUILDING LINE
A.E.	ACCESS EASEMENT
E.E.	ELECTRIC EASEMENT
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
W.E.	WATER LINE EASEMENT
W.M.E.	WALL MAINTENANCE EASEMENT
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R.O.W.	RIGHT-OF-WAY
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
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BCSUD	BEAR CREEK SPECIAL UTILITY DISTRICT

LINE TYPE LEGEND

———	BOUNDARY LINE
— — —	EASEMENT LINE
———	LOT LINE
— - —	ADJOINER LINE
———	BUILDING SETBACK
— — —	ROADWAY CENTERLINE

FINAL PLAT
OF
NICHOLSON RANCH PHASE 2A

187 RESIDENTIAL LOTS
4 COMMON AREA (CA) LOTS

BEING 37.761 ACRES
IN THE
DRURY ANGLIN SURVEY, ABSTRACT NO. 2
CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

Bearing system for this survey is based upon NAD 83-Texas North Central Zone, Horizontal Adjustment to NAD 83 (1993). To convert the Surface distances to Grid values, multiply the distances by a Combined Scale Factor of 0.999847313.

ENGINEER/SURVEYOR:
Kimley-Horn and Associates, Inc.
400 N. Oklahoma Dr., Suite 105
Celina, Texas 75009
Phone: 469-501-2200
Contact : Alexandra N. Dollahite, P.E.
Contact : Daniel Arthur, R.P.L.S.

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	SPA	DRA	9/4/2026	064537575	5 OF 6

OWNER/DEVELOPER:
GRBK EDGEWOOD LLC
5501 Headquarters Dr,
Suite 300W
Plano, Texas 75024
Phone: 817-658-2112
Contact : Bobby L. Samuel III

DWG NAME: K:\CEL_SURVEY\064537575-NICH\05.SSN RANCH\DWG\064537575 - NICHOLSON RANCH 2A.DWG PLOTTED BY: ALLEN, STEPHEN 9/4/2026 8:32 AM LAST SAVED: 9/3/2026 5:59 PM Copyright © 2026 Kimley-Horn and Associates, Inc. All rights reserved.

NICHOLSON RANCH PHASE 2A DESCRIPTION

37.761 - ACRES

BEING a tract of land situated in the Drury Anglin Survey, Abstract No. 2, City of Lavon ETJ, Collin County, Texas and being a portion of a called 457.265-acre tract of land conveyed to GRBK Edgewood LLC, according to the document filed of record in Document No. 20240000010266 Official Public Records, Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for an internal corner of said 457.265 acre tract, same being the southwest corner of a called 12.1483 acre tract of land conveyed to Sargent Living Trust, recorded in Document No. 20250001680911 O.P.R.C.C.T.;

THENCE South 82°10'08" East, with a north line of said 457.265 acre tract, same being the south line of said 12.1483 acre tract, a distance of 1,054.36 feet to a point for corner;

THENCE over and across said 457.265 acre tract the following bearings and distances:

South 07°49'52" West, a distance of 120.00 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 82°10'08" East, a distance of 10.00 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 07°49'52" West, a distance of 50.00 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

North 82°10'08" West, a distance of 29.40 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 07°49'52" West, a distance of 380.76 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the right with a radius of 275.00 feet, a central angle of 10°14'34", and a chord bearing and distance of South 64°25'49" East, 49.10 feet;

With said non-tangent curve to the right, an arc distance of 49.16 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a reverse curve to the left with a radius of 340.00 feet, a central angle of 11°21'42", and a chord bearing and distance of South 64°59'23" East, 67.31 feet;

With said reverse curve to the left, an arc distance of 67.42 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

North 58°09'28" East, a distance of 12.77 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

North 07°49'52" East, a distance of 12.71 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 82°10'08" East, a distance of 50.00 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 07°49'52" West, a distance of 17.60 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 36°55'10" East, a distance of 14.20 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the left with a radius of 340.00 feet, a central angle of 19°59'50", and a chord bearing and distance of North 87°29'13" East, 118.06 feet;

With said non-tangent curve to the left, an arc distance of 118.67 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

North 77°29'18" East, a distance of 129.27 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

North 34°06'21" East, a distance of 14.54 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the right with a radius of 525.00 feet, a central angle of 01°37'42", and a chord bearing and distance of North 07°55'04" West, 14.92 feet;

With said non-tangent curve to the right, an arc distance of 14.92 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

North 81°48'18" East, a distance of 50.01 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the left with a radius of 475.00 feet, a central angle of 01°21'03", and a chord bearing and distance of South 07°39'51" East, 11.20 feet;

With said non-tangent curve to the left, an arc distance of 11.20 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 55°26'22" East, a distance of 13.77 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the right with a radius of 1,763.00 feet, a central angle of 00°21'32", and a chord bearing and distance of North 78°24'25" East, 11.04 feet;

With said non-tangent curve to the right, an arc distance of 11.04 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 11°44'19" East, a distance of 50.00 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the left with a radius of 1,713.00 feet, a central angle of 00°22'02", and a chord bearing and distance of South 78°24'44" West, 10.98 feet;

With said non-tangent curve to the left, an arc distance of 10.98 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 32°45'11" West, a distance of 14.07 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 12°33'18" East, a distance of 212.01 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 57°11'55" East, a distance of 14.23 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the right with a radius of 1,481.00 feet, a central angle of 00°26'44", and a chord bearing and distance of North 78°34'27" East, 11.52 feet;

With said non-tangent curve to the right, an arc distance of 11.52 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 11°35'24" East, a distance of 50.00 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the left with a radius of 1,431.00 feet, a central angle of 00°25'39", and a chord bearing and distance of South 78°35'48" West, 10.68 feet;

With said non-tangent curve to the left, an arc distance of 10.68 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 32°48'50" West, a distance of 14.05 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 12°33'18" East, a distance of 212.01 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 57°06'53" East, a distance of 14.25 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the right with a radius of 1,199.00 feet, a central angle of 00°33'45", and a chord bearing and distance of North 78°50'44" East, 11.77 feet;

With said non-tangent curve to the right, an arc distance of 11.77 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 11°21'03" East, a distance of 50.00 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the left with a radius of 1,149.00 feet, a central angle of 00°32'05", and a chord bearing and distance of South 78°52'50" West, 10.72 feet;

With said non-tangent curve to the left, an arc distance of 10.72 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 32°54'16" West, a distance of 14.03 feet to a 5/8-inch iron rod set with cap stamped "KHA" for corner;

South 12°33'18" East, a distance of 96.39 feet to a 5/8-inch iron rod found with cap stamped "KHA" in the northwest corner of Block J, CA1 of Nicholson Ranch Phase 4A, an addtion to the City of Lavon ETJ, according to the Plat filed of record in Document No. 2026010000146 O.P.R.C.C.T.;

THENCE with the northerly boundary of said Nicholson Ranch Phase 4A the following bearings and distances:

South 77°26'42" West, a distance of 50.00 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

South 12°33'18" East, a distance of 9.51 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

South 77°29'18" West, a distance of 187.53 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner at the beginning of a tangent curve to the right with a radius of 955.01 feet, a central angle of 50°57'32", and a chord bearing and distance of North 77°01'55" West, 821.67 feet;

With said tangent curve to the right, an arc distance of 849.39 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

North 39°26'05" East, a distance of 10.38 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

North 50°33'55" West, a distance of 50.00 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

South 39°26'05" West, a distance of 9.93 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner at the beginning of a non-tangent curve to the right with a radius of 955.59 feet, a central angle of 11°45'51", and a chord bearing and distance of North 42°39'52" West, 195.86 feet;

With said non-tangent curve to the right, an arc distance of 196.21 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

North 36°46'49" West, a distance of 659.20 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

North 53°13'11" East, a distance of 9.50 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

North 36°46'49" West, a distance of 50.00 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

South 53°13'11" West, a distance of 9.50 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

North 36°46'49" West, a distance of 380.00 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

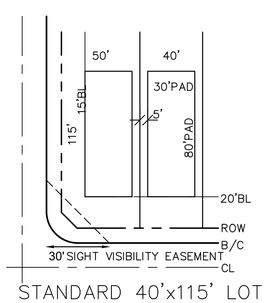
South 53°13'11" West, a distance of 10.00 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

North 36°46'49" West, a distance of 235.94 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

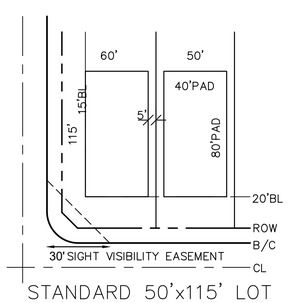
THENCE North 43°09'19" East, a distance of 149.46 feet to a 5/8-inch iron rod found with cap stamped "KHA" for the southwest corner of Block L, CA 20 of Nicholson Ranch Phase 1, an addition to the City of Lavon ETJ, according to the Plat filed of record in Document No. 2025010000383 O.P.R.C.C.T.;

THENCE North 69°24'14" East, with the south line of said lot CA 20, a distance of 338.85 feet to a 5/8-inch iron rod found with cap stamped "KHA" for corner;

THENCE South 00°20'54" East, continuing with said south line, a distance of 173.61 feet to the **POINT OF BEGINNING** and containing 1,644,874 square feet or 37.761 acres of land.



STANDARD 40'x115' LOT



STANDARD 50'x115' LOT

OWNER'S DEDICATION STATEMENT

STATE OF TEXAS §

COUNTY OF COLLIN §

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT GRBK EDGEWOOD, LLC, acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein described tract as **NICHOLSON RANCH PHASE 2A**, an addition to the City of Lavon ETJ, Collin County, Texas, and do hereby dedicate to the public use, including the use by the City of Lavon ETJ, forever, the streets and easements shown thereon. **GRBK EDGEWOOD LLC,** does hereby certify the following:

1. The streets and right-of-way are dedicated to the public for street purposes and for sanitary sewer purposes. Collin County Municipal Utility District No. 6 (the "District") will maintain the streets, sidewalks, barrier free ramps, signage, drainage, and striping within the rights-of-way.
2. All public improvements and dedications shall be free and clear of all debts, liens, and/or encumbrances.
3. The easements as shown are dedicated for the public use, including specifically for City of Lavon and BCSUD forever for the purposes indicated on the plat.
4. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed within PUEs as coordinated with franchise companies.
5. BCSUD and City of Lavon are not responsible for replacing any improvements in, under or over any easements caused by maintenance or repair.
6. Utility easements may also be used for the mutual 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 being subordinate to the public and BCSUD and subject to offset specifications for any existing utilities.
7. The District, BCSUD, City of Lavon, 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 growth which may in any way endanger or interfere with construction, maintenance, or efficiency of their respective systems in the easements.
8. The District, BCSUD, City of Lavon, and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of construction, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone. Repair and replacement of street pavement shall be the responsibility of the Developer of the District, unless and except, repairs or replacement of a public utility results in pavement removal in which instance the pavement replacement shall be the sole responsibility of the public utility's owner.
9. All modifications to this document shall be by means of Plat and approved by the City of Lavon, unless said modifications pertain to Bear Creek Special Utility District Facilities, at which time the Special Utility District shall also review and approve.
10. The HOA will be required to maintain all open space "CA" lots/tracts.
11. The Homeowner is responsible for the lateral to the right-of-way line. The District is responsible for the lateral from the right-of-way line to the sanitary sewer main.

Witness, my hand this the _____ day of _____, 2026.

GRBK EDGEWOOD LLC
a Texas limited liability company

By: _____

Name: _____

Title: _____

STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on _____, 2026, by _____, _____ of **GRBK EDGEWOOD LLC**, a Texas limited liability company, on behalf of the limited liability company.

_____
Notary Public, State of Texas

NOTES:

1. All corners are 5/8 inch iron rods with red plastic caps stamped "KHA" unless otherwise noted.
2. Bearing system for this survey is based upon NAD 83-Texas North Central Zone, Horizontal Adjustment to NAD 83 (1993). To convert the Surface distances to Grid values, multiply the distances by a Combined Scale Factor of 0.999847313.
3. According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48085C0445J, for COLLIN County, Texas and incorporated areas, dated JUNE 2, 2009 this property is located within Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"; and Zone A defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (No Base Flood Elevations determined)"
4. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
5. The water system is owned and operated by Bear Creek Special Utility District. All Construction related to water service shall be done per BCSUD specifications and general notes.
6. Homeowner assumes responsibility for maintaining, at its sole cost and expense, that portion of the drainage easement on its property to ensure that the grade of the soil is not changed, altered, and/or modified in any way that negatively impacts or precludes drainage as contemplated and designed in the grading and drainage plans for the lots depicted in the plat attached hereto. In the event homeowner fails to satisfy its responsibility to maintain its portion of the drainage easement, the HOA may cause such drainage easement maintenance to be performed in a manner determined by the HOA board, in its sole and absolute discretion. If the HOA causes any such drainage easement maintenance to be performed due to a homeowner's failure to do so, the homeowner otherwise responsible therefore will be liable to the HOA for all cost and expenses incurred by the HOA for effecting such maintenance work. Under no circumstances will the City of Lavon be responsible or liable for future repairs to, maintenance of, enforcement of, property owner disputes regarding, and/or damage of any kind caused by a homeowner's failure to maintain its portion of the drainage easement as contemplated herein, such responsibility and/or liability falling on the homeowner responsible for maintaining said portion of the drainage easement.
7. Common Areas shall be owned and maintained by the Homeowners Association.
8. Common Areas shall include pedestrian and recreation access.
9. The stormwater management facility serves all lots within the subdivision, regardless of ownership. The City or their contractor/agent may access the facility to periodically inspect if the facility is maintained in proper working condition and meets design standards and other provisions established by the Lavon Code of Ordinances.

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

BEAR CREEK SPECIAL UTILITY DISTRICT
16881 County Road 541
Lavon, Texas 75166

Name/Title: _____

Date: _____

The undersigned, the City Secretary of the City of Lavon, Texas, hereby certifies that the foregoing final plat of the Nicholson Ranch Phase 2A Subdivision or addition to the City of Lavon ETJ 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/her name as hereinabove subscribed.

Witness my hand this _____ day of _____, A.D., 2026

_____
City Secretary
City of Lavon, Texas

STATE OF TEXAS §

COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS

That I, Daniel Arthur, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my supervision.

_____
Daniel Arthur
Registered Professional Land Surveyor
Texas Registration No. 5933
Kimley-Horn and Associates, Inc.
400 North Oklahoma Drive, Suite 105
Celina, TX 75009
(469) 501-2200
daniel.arthur@kimley-horn.com

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

STATE OF TEXAS §

COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Daniel Arthur, 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 _____, 2026.

_____
Notary Public in and for the State of Texas

_____
Printed Name

_____
My Commission Expires

"RECOMMENDED FOR APPROVAL"

_____ Date: _____
Chairman, Planning & Zoning Commission
City of Lavon, Texas

"APPROVED FOR CONSTRUCTION"

_____ _____ Date: _____
Mayor
City of Lavon, Texas

FINAL PLAT
OF
NICHOLSON RANCH PHASE 2A

187 RESIDENTIAL LOTS
4 COMMON AREA (CA) LOTS

BEING 37.761 ACRES
IN THE
DRURY ANGLIN SURVEY, ABSTRACT NO. 2
CITY OF LAVON ETJ,
COLLIN COUNTY, TEXAS

Kimley»Horn
400 North Oklahoma Dr., Suite 105
Celina, Texas 75009
FIRM # 10115500
Tel. No. (469) 501-2200
www.kimley-horn.com

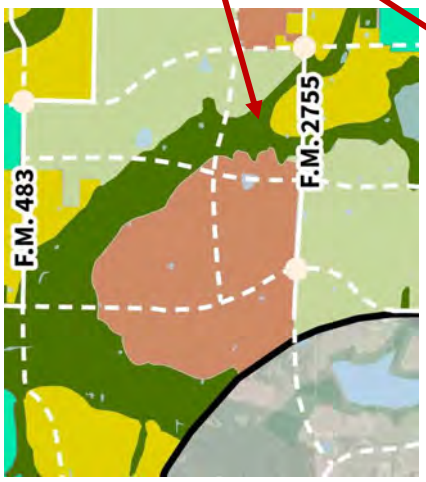
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SPA	DRA	9/4/2026	064537575	6 OF 6

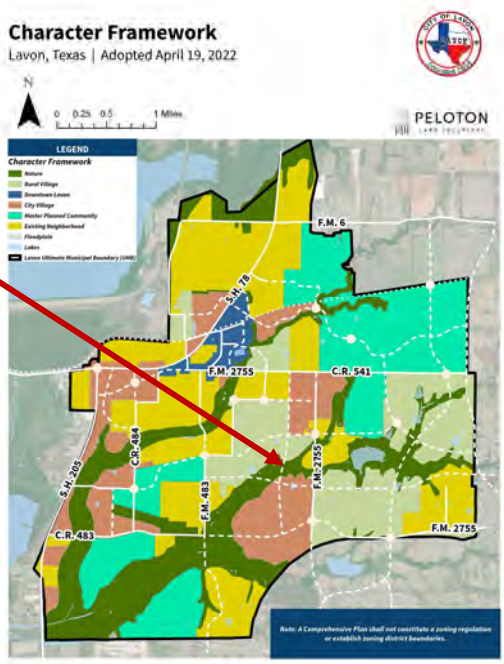
OWNER/DEVELOPER:
GRBK EDGEWOOD LLC
5501 Headquarters Dr,
Suite 300W
Plano, Texas 75024
Phone: 817-658-2112
Contact : Bobby L. Samuel III

ENGINEER/SURVEYOR:
Kimley-Horn and Associates, Inc.
400 N. Oklahoma Dr., Suite 105
Celina, Texas 75009
Phone: 469-501-2200
Contact : Alexandra N. Dollahite, P.E.
Contact : Daniel Arthur, R.P.L.S.

DWG NAME: K:\CEL_SURVEY\064537575\NICHOLSON RANCH\DWG\064537575 - NICHOLSON RANCH 2A.DWG PLOTTED BY: ALLEN, STEPHEN 9/4/2026 6:32 AM LAST SAVED: 9/3/2026 5:09 PM Copyright © 2026 Kimley-Horn and Associates, Inc. All rights reserved.

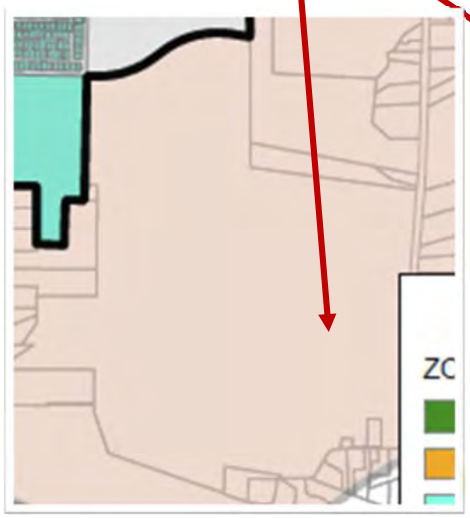
Future Land Use Plan

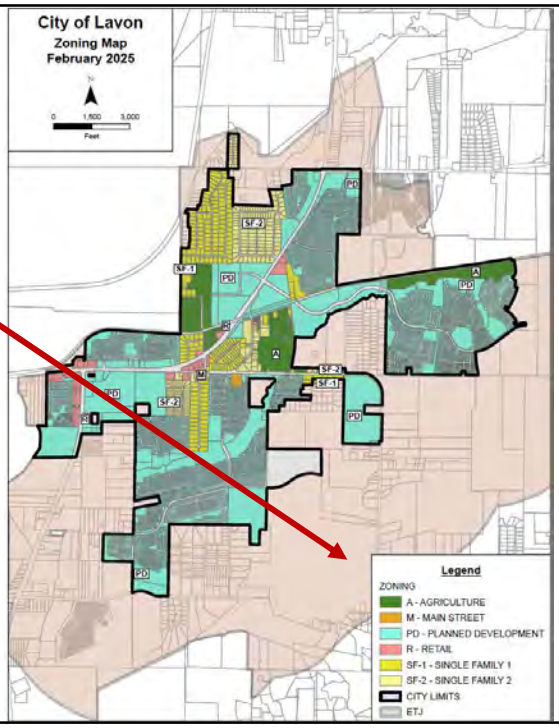




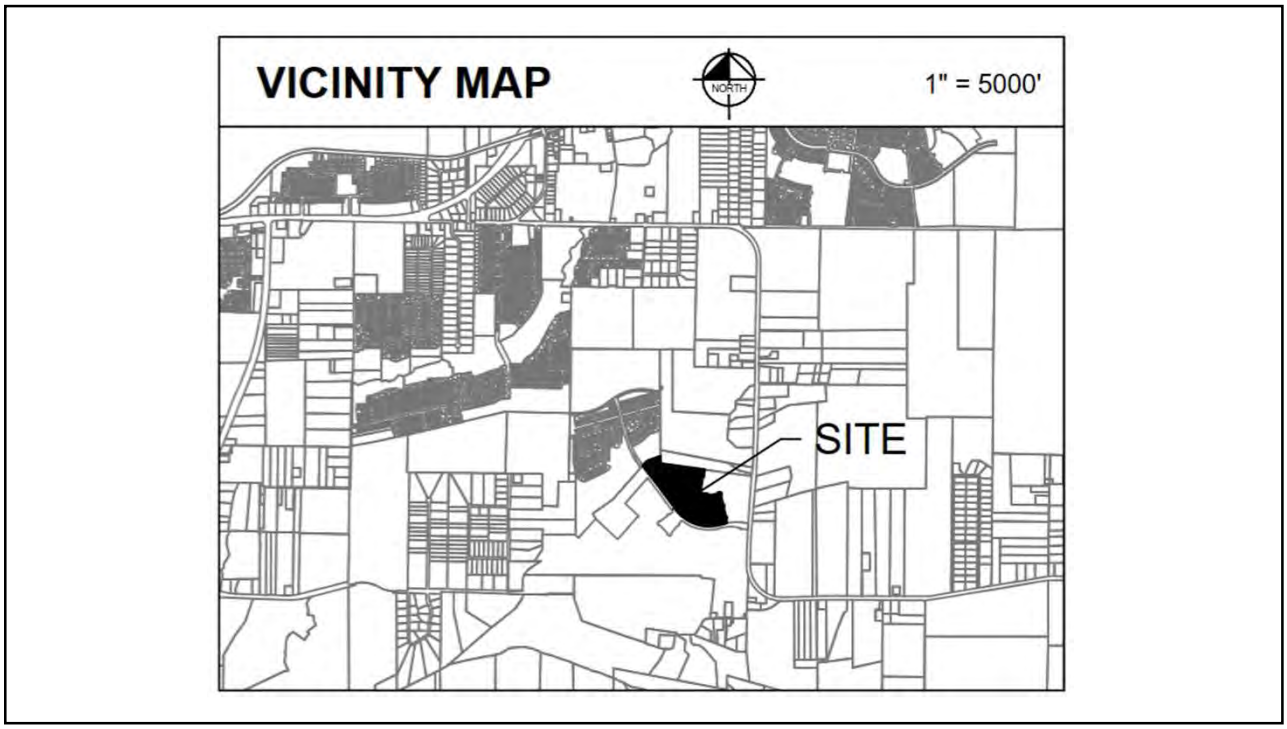
29

Zoning Map





30


VICINITY MAP
NORTH
1" = 5000'
SITE

31


CONCEPT PLAN
Nicholson Lavon Tract
Collin County, Texas
July 2021
Kimley»Horn

32

September 15, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Nicholson Ranch Ph 2A – 191 Lots, 37.761 Acres
Final Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat dated September 4, 2026, and revised Civil Construction Plans dated September 4, 2026 as prepared by, Kimley-Horn and Associates, Inc. for the above referenced property. The property is generally located north of Nicholson Ranch Trail and west of FM 2755 in the City of Lavon ETJ. City Planning comments may be provided. FMI comments should be considered supplemental to the City Planners comments. Our comments are as follows:

FINAL PLAT

1. All previous comments have been satisfactorily addressed.

CIVIL CONSTRUCTION PLANS

2. All previous comments have been satisfactorily addressed.

This concludes our review of the above-referenced revised Final Plat and revised Civil Plans. **We recommend APPROVAL of the Final Plat and Civil Plans.**

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.

Sincerely,
FREEMAN-MILLICAN, INC.

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

Attachments

F:\17024 - LAVON General Services\9 - Review\Nicholson Tract\Phase 2A\Nicholson Ranch Ph 2A - Final Plat - Rev 1.docx

September 11, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Nicholson Ranch, Phase 2A
Final Plat Review
LJA Job No. NTP-3880
MyGov Submittal: September 4, 2026

LJA, 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,



Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

Kimley»Horn

September 4, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: ***Nicholson Ranch Ph 2A – 187 Lots, 37.761 Acres***
Final Plat Review

Dear Ms. Dobbs:

This letter is in response to your team's comments dated August 6, 2026. The following items have been addressed as per the referenced review:

General

1. The development is within Collin County Municipal District (CCMUD6) and the City of Lavon ETJ.

   Response: Comment Addressed.

2. Water service is by BCSUD.

   Response: Comment Addressed.

3. Wastewater service will be provided by CCMUD6 with a new treatment plant under pending permit #WQ0016204001.

   Response: Permit has been approved.

Final Plat

4. The limits of the FEMA flood plain (Zone A) should be shown in addition to the SCS boundary. Any Studied post-project floodplain should also be shown.

   Response: Comment Addressed, floodplain shown on corresponding sheets.

5. The title block should identify the Lavon ETJ.

   Response: Title block updated, comment addressed.

6. Match line locations do not match between the sheets.

   Response: Match lines updated, comment addressed.

7. Intersections at Nicholson Ranch Trail should have 30' visibility easements.

   Response: Visibility easements have been provided on the standard lot details of the Final Plat.

8. Streets and easements should not be dedicated to the City of Lavon.

   Response: Understood. All easements have been correctly dedicated.

9. Note 12 in the Dedication is not applicable.

   Response: Comment Addressed.

Civil Construction Plans

10. We recommend the floodplain(s) be shown on the drainage sheets.

    Response: FEMA Floodplain and 100-yr post project floodplain added to drainage sheets.

11. Engineer should verify that proposed flows fully conform to the Bluff Creek LOMR request study.

    Response: Verified.

12. Sheet C-43 – The floodplain elevation should be shown, if applicable. If submerged outfall, Engineer to verify the submerged condition is accounted for in the hydraulic calculations.

    Response: Floodplains are shown and labeled. Outfall is not submerged.

13. Sheet C-43 – We recommend that the riprap be dimensioned to facilitate construction. In addition, the rip-rap limits should be shown in profile.

    Response: Riprap dimensioned and shown in profile.

14. Sheet C-63 – 30' visibility easements should be provided at the intersection with Nicholson Ranch Trail

    Response: Visibility easements have been provided on the standard lot details of the Final Plat.

15. Sheet C-64 – Rock check or other erosion control device should be considered at the outfall. Silt fence is not recommended.

    Response: Additional riprap has been added at the outfall and extended to the SWCD easement to further reduce erosion.

16. Sheets C-66, C-67, C-69, & C-70 – The latest City Standard sheets should be provided (2024-06-01).

    Response: Details updated.

Please contact me at (469)-501-2192 or Acacio.Escada@kimley-horn.com should you have any questions or need any additional information.

Sincerely,



Acacio Escada, P.E.

August 6, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Nicholson Ranch Ph 2A – 191 Lots, 37.761 Acres
Final Plat Review

Dear Ms. Dobbs:

As requested, we have reviewed the Final Plat dated July 14, 2026, and Civil Construction Plans dated July 14, 2026 as prepared by, Kimley-Horn and Associates, Inc. for the above referenced property. The property is generally located north of Nicholson Ranch Trail and west of FM 2755 in the City of Lavon ETJ. City Planning comments may be provided. FMI comments should be considered supplemental to the City Planners comments. Our comments are as follows:

General

1. The development is within Collin County Municipal District 6 (CCMUD6) and the City of Lavon ETJ.

2. Water service is by BCSUD.

3. Wastewater service will be provided by CCMUD6 with a new treatment plant under pending permit #WQ0016204001.

FINAL PLAT

4. The limits of the FEMA flood plain (Zone A) should be shown in addition to the SCS boundary. Any studied post-project floodplain should also be shown.

5. The title block should identify the Lavon ETJ.

6. Match line locations do not match between the sheets.

7. Intersections at Nicholson Ranch Trail should have 30’ visibility easements.

8. Streets and easements should not be dedicated to the City of Lavon.

9. Note 12 in the Dedication is not applicable.

CIVIL CONSTRUCTION PLANS

10. We recommend the floodplain(s) be shown on the drainage sheets.

11. Engineer should verify that proposed flows fully conform to the Bluff Creek LOMR request flood study.

12. Sheet C-43 – The floodplain elevation should be shown, if applicable. If submerged outfall, Engineer to verify the submerged condition is accounted for in the hydraulic calculations.

13. Sheet C-43 – We recommend that the rip-rap be dimensioned to facilitate construction. In addition, the rip-rap limits should be shown in the profile.

14. Sheet C-63 – 30' visibility easements should be provided at the intersection with Nicholson Ranch Trail.

15. Sheete C-64 – Rock check or other erosion control device should be considered at the outfall. Silt fence is not recommended.

16. Sheets C-66, C-67, C-69, & C-70 – The latest City Standard sheets should be provided (2024-06-01).

This concludes our review of the above-referenced Final Plat and Civil Plans. A copy of sheets with markups is attached for your convenience. These markups should be considered general or typical in nature and not be construed as a complete markup set.

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.

Sincerely,
FREEMAN-MILLICAN, INC.

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

Attachments

F:\17024 - LAV General Servies\9 - Review\Nicholson Tract\Phase 2A\Nicholson Ranch Ph 2A - Final Plat - Rev 0.docx

Kimley»Horn

September 4, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: ***Nicholson Ranch Phase 2A Subdivision – 187 Lots, 37.761 Acres***
Initial Plan Submittal Review

Dear Ms. Dobbs:

This letter is in response to your team's comments dated July 28, 2026. The following items have been addressed as per the referenced review:

General

1. Revise the Final Plat to relabel the lots within Block S to begin with Lot 1 and end with Lot 23.

   Response: Plat revised as requested.

2. Revise the Final Plat to split Block L at the common area at CA20, Block L (in between currently labeled Lots 20 and 21), creating two separate blocks. Alternatively, Lot 14, Block L could be relabeled to Block 20, Block L and the rest of the lot could be relabeled accordingly.

   Response: The CA20 designation in Block L is intended to continue the common area numbering established on the Nicholson Ranch Phase 1 Final Plat and has been carried forward for consistency across phases.

3. Revise the Final Plat to relabel CA16, Block O to CA1, Block O. Relabel the remaining lots in Block O accordingly.

   Response: Plat revised as requested.

4. Revise the Final Plat to relabel CA18, Block P to CA1, Block P. Relabel the remaining lots in Block P accordingly.

   Response: Plat revised as requested.

5. Revise the Final Plat to add the following note:

   "The stormwater management facility serves all lot within the subdivision, regardless of ownership. The City or their contractor/agent may access the facility to periodically inspect if the facility is maintained in proper working condition and meets design standards and other provision established by the Lavon Code of Ordinances."

   Response: Note added.

6. Upon resubmittal, please provide a comment response letter indicating acknowledgment or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

   Response: Comment response letter provided.

Please contact me at (469)-501-2192 or Acacio.Escada@kimley-horn.com should you have any questions or need any additional information.

Sincerely,



Acacio Escada, P.E.

July 28, 2026

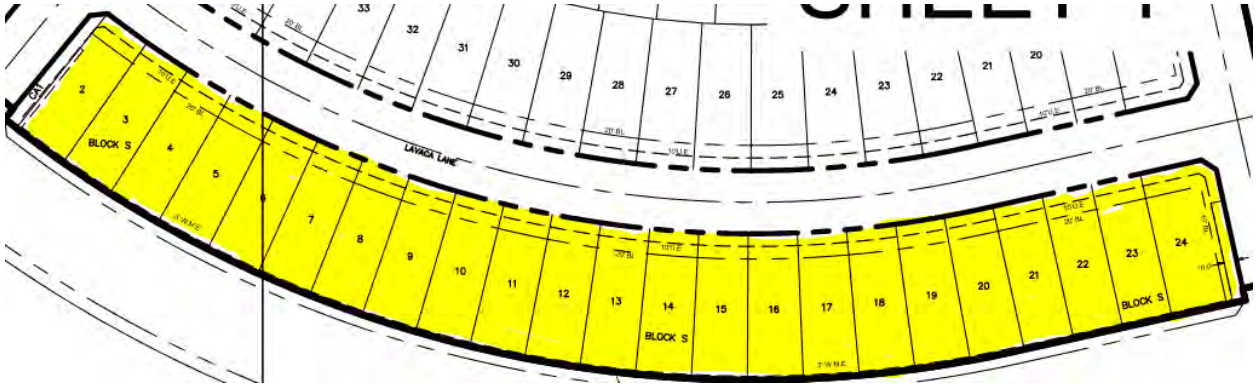
Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Nicholson Ranch, Phase 2A
Final Plat Review
LJA Job No. NTP-3880
MyGov Submittal: July 21, 2026

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. Revise the Final Plat to relabel the lots within Block S to begin with Lot 1 and end with Lot 23.



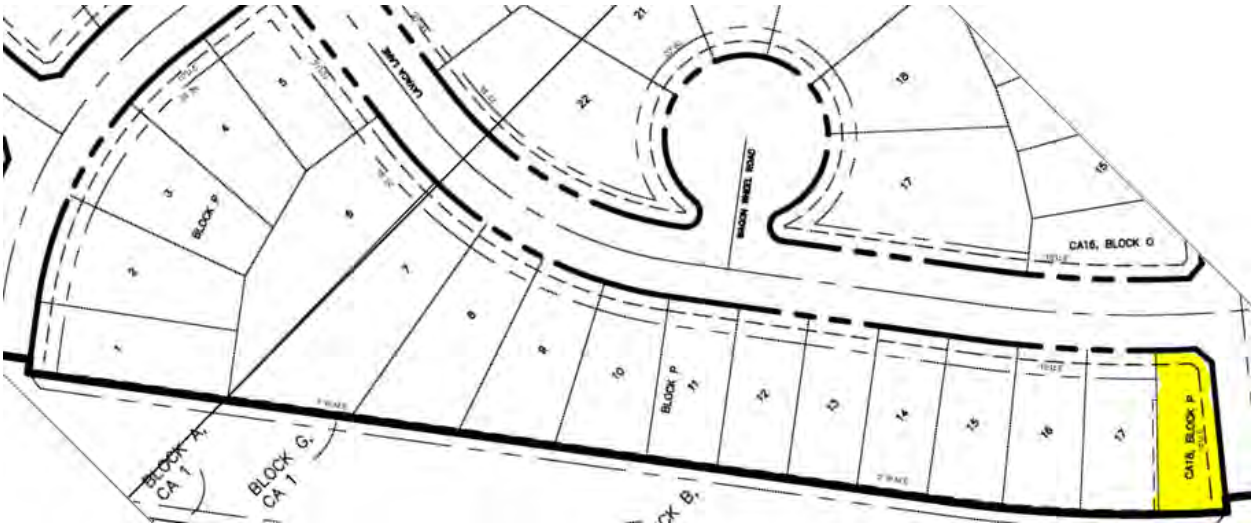
2. Revise the Final Plat to split Block L at the common area at CA20, Block L (in between currently labeled Lots 20 and 21), creating two separate blocks. Alternatively, Lot 14, Block L could be relabeled to Block 20, Block L and the rest of the lots could be relabeled accordingly.



3. Revise the Final Plat to relabel CA16, Block O to CA1, Block O. Relabel the remaining lots in Block O accordingly.



4. Revise the Final Plat to relabel CA18, Block P to CA1, Block P. Relabel the remaining lots in Block P accordingly.



5. Revise the Final Plat to add the following note:

   "The stormwater management facility serves all lots within the subdivision, regardless of ownership. The City or their contractor/agent may access the facility to periodically inspect if the facility is maintained in proper working condition and meets design standards and other provisions established by the Lavon Code of Ordinances."

6. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

Comments prepared and compiled by:

Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _6 - C__**

CONSENT AGENDA

Approve a Resolution approving and authorizing execution of the renewal of a 2017 Chapter 380 economic development agreement with Bloomfield Homes L.P. relating to use tax receipts for the purchase of items using a Texas Direct Payment Permit to generate economic development and local use tax revenue for the City, that would otherwise not be available to the City; and providing an effective date.

Background

On January 12, 2017, the City Council approved a Chapter 380 economic development agreement with Bloomfield Homes whereby the builder would use the Direct Payment Permit to report and remit sales tax in the City of Lavon and the City would rebate back a portion of the sales tax receipts for a ten-year period. Bloomfield has proposed to renew the terms of the agreement.

Without the agreement, no sales tax would be paid to the City for Bloomfield construction.

The State of Texas receives 6.25% of the total 8.25% sales tax rate charged. The City receives 2% of the total sales tax rate charged as follows: City General Fund 1%, City Street Maintenance Fund 0.5%, and Lavon 4B Corporation (LEDC) 0.5%. Note the voters approved at respective elections the City Street Maintenance Fund and LEDC sales tax rates.

Under the agreement, Bloomfield assumes all administrative expenses and receives a grant of 80% of the City's General Fund 1% while the City retains 20% of the 1% and 100% of the Street Maintenance 0.5% and 100% of the LEDC 0.5% tax receipts.

Of the $305,377 total sales tax paid by Bloomfield to the City of Lavon over the last five and one-half years, the City of Lavon retained $179,562 that the City would not have received without the agreement.

Code Excerpts:

TEXAS LOCAL GOVERNMENT CODE
§ 380.001. PLAT REQUIRED

Sec. 212.004. ECONOMIC DEVELOPMENT PROGRAMS. (a) The governing body of a municipality may establish and provide for the administration of one or more programs, including programs for making loans and grants of public money and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality.

Financial Consideration:

The net result to the City of 1% of sales tax that the City would not otherwise receive.

Staff Notes:

The city attorney has reviewed the proposed renewal. Approval is recommended.

Attachments: 1. Program Information
2. Proposed Resolution and Agreement

Texas Local Sales Tax Sourcing on Homebuilder Building Materials

Since 1979, the State of Texas has required retailers of tangible personal property, including building materials, such as lumber, trusses, siding, doors, brick, stone, windows, appliances, drywall, etc., to collect and remit sales tax from customers based on the supplier's place of business.

Chapter 321 of the Texas Municipal code defines a place of business of a retailer as follows:

"Place of business of the retailer" means an established outlet, office, or location operated by the retailer or the retailer's agent or employee for the purpose of receiving orders for taxable items and includes any location at which **three or more orders are received by the retailer during a calendar year**. A warehouse, storage yard, or manufacturing plant is **not** a "place of business of the retailer" unless at least three orders are received by the retailer during the calendar year **at the warehouse, storage yard, or manufacturing plant**.

Based on current law, local sales taxes are NOT collected based on where materials are delivered, so Cities without large retailers of building materials with "places of business" inside City limits, will NOT receive new local sales taxes from materials used to construct new homes. However, if a homebuilder voluntarily agrees to obtain a Texas Direct Payment Permit and to self-assess and pay state and local use taxes based on where materials are first used to construct new homes, Cities can benefit by receiving new local sales/use taxes while **NOT** incurring new costs.

Homebuilders sell improvements to real property, which is not subject to Texas sales tax, and they are not required to obtain sales/use tax permits or to file sales/use tax returns each month, so obtaining **a Texas Direct Payment Permit is VOLUNTARY, NOT REQUIRED**. When a homebuilder accepts liability for paying sales/use taxes on building materials at job sites using a Direct Payment Permit, they must make significant changes to accounting systems to track materials to job sites, compute local taxes due at various locations, file monthly sales/use tax returns and pay taxes each month and be subjected to sales/use tax audits; none of which is required if they merely pay sales tax to suppliers at the supplier's place of business. These new costs can easily exceed $1MM or more for larger builders with complex accounting systems.

A homebuilder must fulfill **all obligations of a Chapter 380 Agreement** before receiving any benefits, in the form of grants, from a City, including:

1) self-assessing and paying new local sales taxes to the City, then confirming amounts remitted on a semi-annual basis to the City by providing copies of confidential tax returns. Using **semi-annual** grants prevents a City from paying **monthly** grants when a homebuilder's tax returns are legally due and paid; which results in 2 grants per year, versus 12.
2) the City must receive new local sales/use tax allocations from the Comptroller and
3) the City retains the ability to adjust grants if any local taxes are overpaid or underpaid during the term of the Agreement (as a result of future audits or adjustments).

Since all obligations and almost all costs are placed on a homebuilder to receive a grant using this approach, the grants typically represent a larger percentage of local taxes since **costs** are disproportionately placed on a homebuilder.

City grants often range between 80% to 100% of a **1% General Fund tax** (with NO grants due from a City's CDC or EDC portion of taxes), or alternatively, 40% - 50% of a **2% General Fund tax,** which allows new tax revenues to be generated for the City with very few costs.

Future sales/use tax revenues are often split where roughly 50 - 60% of future tax revenues are retained by a City, but where **almost ALL costs and obligations are placed on a homebuilder.** These costs include:

1) filing for and obtaining a Texas Direct Payment Permit, then issuing exemption certificates to specific suppliers to prevent suppliers from collecting / remitting taxes on future purchases;
2) modifying current accounting systems / processes to allow suppliers to be paid for materials without sales tax, then tracking state and local taxes due on all materials to individual job sites;
3) reporting and paying state and local sales taxes and filing Direct Payment Permit tax returns once per month with the Comptroller's Office as opposed to paying taxes directly to suppliers;
4) due to the level of taxable purchases (often 10's of millions of dollars per year or more) almost all Direct Payment Permit holders are subjected to future Comptroller audits, which would not be required if homebuilders paid sales taxes directly to suppliers.
5) Accumulate and send semi-annual invoices (Use Tax Certificates) including copies of confidential sales/use tax returns for each month within a semi-annual grant period to a City and allow the City to ensure **receipt** of all local taxes within the grant period, from Comptroller local tax allocations, before the City is required to pay any grant to a homebuilder.
6) a homebuilder is also required to pay all state and local taxes to the Comptroller, then request a semi-grant based on 98 cents per dollar of local taxes paid. The Comptroller assesses a 2% fee **to the City** to audit taxpayers on the City's behalf, including any homebuilder. Effectively, a homebuilder pays a 2% fee to be audited for proper compliance with Texas sales/use tax requirements while Cities pay grants based on the "net" local taxes received.

Due to the excessive costs placed on a homebuilder for the items above, there is little risk for a City to enter into a Chapter 380 Agreement with a homebuilder since almost all risks and all costs are placed on a homebuilder. If a homebuilder does not fulfill all of its obligations identified within a Chapter 380 Agreement, **NO** grants are due from the City.

Terms and conditions of the Chapter 380 Agreement almost always represent 10 years to help a homebuilder recover many of the up-front and significant costs over-time while a City has few, if any, up-front costs to recover. As a result of tax sharing agreements, a City can receive new local sales/use taxes a City would not otherwise receive if sales taxes continue to be paid to a supplier based on the supplier's place of business.

CITY OF LAVON, TEXAS

RESOLUTION NO. _____

Renew Chapter 380 Agreement – Bloomfield Homes L.P.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING EXECUTION OF THE RENEWAL OF A 2017 CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH BLOOMFIELD HOMES L.P. RELATING TO USE TAX RECEIPTS FOR THE PURCHASE OF ITEMS USING A TEXAS DIRECT PAYMENT PERMIT TO GENERATE ECONOMIC DEVELOPMENT AND LOCAL USE TAX REVENUE FOR THE CITY, THAT WOULD OTHERWISE NOT BE AVAILABLE TO THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 380 of the Texas Local Government Code ("Chapter 380") authorizes the City to establish and provide economic development programs to promote state or local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, Texas Local Government Code Section 380.001 and Article III, Section 52-a, of the Texas Constitution authorizes the City to establish an economic development program and the City Council hereby finds it in the best interests of the citizens of Lavon to establish such a program whereby, in exchange for Developer's performance of obligations as further described in this Agreement, the City agrees to grant public monies to Developer in the form of grants to advance the public purposes of stimulating business and commercial activity in the City, and expanding commerce to and through the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, THAT:

SECTION 1. The City Council does hereby approve and authorize execution of the renewal of a 2017 Chapter 380 economic development agreement with Bloomfield Homes L.P. relating to use tax receipts for the purchase of items using a Texas Direct Payment Permit to generate economic development and local use tax revenue for the City, that would otherwise not be available to the City, attached hereto nd incorporated herein as Exhibit "A".

SECTION 2. 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 6th day of October 2026.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. _____

EXHIBIT A

AGREEMENT

CHAPTER 380 GRANT AGREEMENT BY AND BETWEEN THE CITY OF LAVON, TEXAS AND BLOOMFIELD HOMES, L.P.

This **CHAPTER 380 GRANT AGREEMENT** ("Agreement") is entered into this 24 day of January, 2017 between The City of Lavon, Texas, a municipal corporation organized and existing pursuant to the laws of the State of Texas ("City") and Bloomfield Homes, L.P., a Texas limited partnership (the "Company") (each a "Party" and collectively the "Parties"), each acting by and through their respective authorized officers and representatives.

WHEREAS, the City Council of the City of Lavon, Texas ("City Council") has investigated and determined that it is in the best interest of the City and its citizens to encourage programs, including programs for making loans and grants of public money to promote local economic development and stimulate business and commercial activity in the City pursuant to Chapter 380, Texas Local Government Code, as amended ("Chapter 380"); and

WHEREAS, the Company will be engaged in the business of purchasing building materials for its use on construction projects within the City; and

WHEREAS, the Company has advised that it would like to partner with the City, and that a contributing factor that would induce the Company to purchase items using a Texas Direct Payment Permit and generate economic development and local use tax revenue for the City, that would otherwise not be available to the City, would be an agreement by the City to provide an economic development grant to the Company; and

WHEREAS, the Company desires to purchase and use new building materials within the City that will generate additional economic development and use tax revenue for the City; and

WHEREAS, the City Council has investigated and determined that the Company meets the criteria for providing the grants (hereinafter defined), pursuant to Chapter 380, based on, among other things, the Company: (i) acquiring properties for development, and constructing improvements; (ii) adding taxable improvements to real property in the City; and (iii) creating employment opportunities for the citizens of Lavon ("Approved Project"); and

WHEREAS, the City has concluded that the Approved Project qualifies for a Grant under Chapter 380; and

WHEREAS, with the approval of this Agreement, the City hereby establishes a program authorized by Chapter 380 of the Texas Local Government Code to encourage and induce the generation of local use tax; and

WHEREAS, the City has determined that making an economic development grant to the Company in accordance with this Agreement will further the objectives of the City, will benefit the City and the City's inhabitants and will promote local economic development and stimulate business and commercial activity in the City;

NOW THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, the sufficiency of which is hereby acknowledged, the parties agree as follows:

ARTICLE I
DEFINITIONS

1.01 For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

"Agreement" means this Chapter 380 Grant Agreement, together with all exhibits, schedules and attachments that are attached to this Agreement from time to time, if any.

"City" shall mean The City of Lavon, Texas.

"Company" shall mean Bloomfield Homes, L.P.

"Commencement Date" shall mean January 1, 2017.

"Effective Date" shall mean January 1, 2017.

"Direct Payment Permit" also referred to herein as a "Texas Direct Payment Permit" shall mean that permit issued by the State of Texas authorizing Company to self-assess and pay applicable state and local use taxes directly to the State of Texas related to selected portions of Company's taxable purchases. Texas Rule 3.288 of the Texas Administrative Code defines the requirements and responsibilities of Texas Direct Payment Permit holders along with any amendments, permutations, or recodifications of such Code or Rules whether renaming such permits or otherwise modifying such provisions.

"Event of Bankruptcy or Insolvency" shall mean the dissolution or termination (other than a dissolution or termination by reason of a party merging with an affiliate) of a party's existence as a going business, insolvency, appointment of receiver for any part of a party's property and such appointment is not terminated within ninety (90) business days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against a party and in the event such proceeding is not voluntarily commenced by the party, such proceeding is not dismissed within ninety (90) business days after the filing thereof.

"Force Majeure" shall mean any delays due to strikes, riots, acts of God, shortages of labor or materials, war, terrorism, governmental approvals, laws, regulations, or restrictions, or any other cause of any kind whatsoever which is beyond the reasonable control of the party.

"Program" shall mean the economic incentive program established by the City pursuant to Chapter 380 of the Texas Local Government Code together with any amendments, permutations, or recodifications of such Code provisions whether renaming such economic incentive or other modifications thereof.

"Program Grant" shall mean the periodic payments paid by the City to the Company in accordance with Section 3 of this Agreement.

"Grant Period" shall mean consecutive six (6) month periods during the term of this Agreement, except that the first Grant Period shall begin on the Effective Date and continue through and include the last day of June 2017 following the Effective Date. For illustration purposes, assume the Effective Date is January 1, 2017 then the first Grant Period would begin on January 1, 2017 and continue through and include June 30, 2017. The next Grant Period would begin on July 1, 2017 and continue through and include December 31, 2017. The final Grant Period for the initial 10-year term of the Agreement would be from July 1, 2026 and end on December 31, 2026.

"Taxable Items" shall have the same meaning assigned by Sections 151.010 and 151.0101, TEX. TAX CODE, as amended.

"Impositions" shall mean all use taxes that may be imposed by public or governmental authority on the Company or any taxable items purchased and used by Company within the City.

"Use Tax Receipts" shall mean the City's net receipts from the State of Texas from the collection of one percent (1%) general City use tax imposed by the City pursuant to Chapter 321 of the Texas Tax Code, attributed to the collection of use tax by Company associated with the issuance of Company's Texas Direct Payment for Taxable Items used or consumed in the City.

"Use Tax Certificate" shall mean a certificate or other statement in a form reasonably acceptable to the City setting forth the Company's collection of use tax imposed by and received by the City from the State of Texas, for the use of Taxable Items by Company in the City for the applicable calendar month during a Grant Period which are to be used to determine Company's eligibility for a Grant, together with such supporting documentation required herein, and as City may reasonably request.

ARTICLE II
TERM

2.01 Term. The term of this Agreement shall begin on the Effective Date and continue for a ten (10) year period.

2.02 This Agreement shall remain in effect until City has made the Program Grants set forth in Section 3 of the Agreement, or until otherwise terminated under the provisions of this Agreement.

2.03 This Agreement may be extended for an additional period of time on terms mutually acceptable to both parties by a written agreement executed by both parties.

ARTICLE III
ECONOMIC DEVELOPMENT GRANT

3.01 Grant. Subject to the Company's continued compliance with: (a) all the terms and conditions of this Agreement, and (b) all of the City's codes, rules and regulations regarding the development of property within the City's corporate limits and the extraterritorial jurisdiction, the City agrees to provide Company with an economic development grant from lawful available funds payable as provided herein in an amount equal to 80% of the Use Tax Receipts, as previously defined herein (the "Grant"). The Grant will be paid semi-annually at the end of June and the end of December with the potential exception of the final Grant Period during the ten (10) year period following the execution of the Agreement, commencing January 1, 2017. The Grant will never include any monies the Company pays or owes to the State of Texas for any penalties for late payments, failures to report in a timely manner, and the like, related to the Use Tax Receipts.

3.02 Grant Payment. City shall pay the Grant for the applicable Grant Period within forty-five (45) days after receipt of a Use Tax Certificate from Company following the end of each Grant Period, pursuant to Section 4.01. Company shall submit Use Tax Certificates to City within thirty (30) days following the end of the applicable Grant Period, beginning with the first Grant Period. For illustration purposes, assume the first Grant Period begins on January 1, 2017 and continues through and includes June 30, 2017. Company would submit a Use Tax Certificate to City for the first Grant Period by July 30, 2017 and City would pay the first Grant within forty-five (45) days after receipt of the Use Tax Certificate and after receiving all of the net Use Tax Receipts within the Grant Period. Further assume that the Use Tax Receipts for the first Grant Period equal Five Thousand Dollars ($5,000.00), then the amount of the first Grant would be Four Thousand Dollars ($4,000.00).

3.03 Amended Returns and Audits. In the event the Company files an amended use tax return, or report, or if additional use tax is due and owing, as a result of an audit conducted by the State of Texas that increases the Use Tax Receipts for a previous period covered within the term of this agreement, the Grant payment for the Grant Period immediately following such State approved amendment shall be adjusted accordingly, provided the City must have received the Use Tax Receipts attributed to such adjustment. As a condition precedent to payment of such adjustment, Company shall provide City with a copy of such amended use tax report, tax return or audit adjustment, and the approval thereof by the State of Texas.

3.04 Refunds. In the event the State of Texas determines that the City erroneously received Use Tax Receipts, or that the amount of use tax paid to the City exceeds the correct amount of use tax for a previous Grant paid to the Company, the Company shall, within thirty (30) days after receipt of notification thereof from the City specifying the amount by which such Grant exceeded the amount to which the Company was entitled pursuant to such State of Texas determination, pay such amount to the City. The City may at its option adjust the Grant payment for the Grant Period immediately following such State of Texas determination to deduct there from the amount of the overpayment. As a condition precedent to payment of such refund, the City shall provide Company with a copy of such determination by the State of Texas.

3.05 Limitation on Grants. Under no circumstances shall the obligations of City hereunder be deemed to create any debt within the meaning of any constitutional or statutory provision. Further, the City shall not be obligated to pay any commercial bank, lender or similar institution for any loan or credit agreement made by the Company. None of the obligations of City under this Agreement shall be pledged or otherwise encumbered in favor of any commercial lender and/or similar financial institution.

ARTICLE IV
DOCUMENTATION SUPPORTING THE ECONOMIC DEVELOPMENT GRANT

The conditions contained in this Article IV are conditions precedent to the City's obligation to make any Grant payment.

4.01 Use Tax Certificate. During the term of this Agreement, the Company shall within thirty (30) days after the end of each Grant Period, provide the City with a Use Tax Certificate relating to Use Tax Receipts paid during the Grant Period. The City shall have no duty to calculate the Use Tax Receipts or determine Company's entitlement to any Grant for a Grant Period, or pay any Grant during the term of this Agreement until such time as Company has provided the City a Use Tax Certificate for such Grant Period and the City has received the actual Use Tax Receipts from the State of Texas attributable to such calendar months within the Grant Period. Company shall provide such additional documentation as may be reasonably requested by City to evidence, support and establish the use tax paid directly to the State of Texas pursuant to Company's Direct Payment Permit. The Use Tax Certificate for each Grant Period shall at a minimum contain, include or be accompanied by the following:

a. A copy of all Texas Direct Payment Permit and self-assessment use tax returns and reports during the applicable Grant Period, use tax audit assessments or credits, including amended use tax returns or reports, filed by the Company during the Grant Period showing use tax paid directly to the State of Texas related to Company's operations for the Grant Period; and

b. Information concerning any refund or credit received by the Company of use tax paid by the Company which has previously been reported by the Company as use tax paid for a previous Grant Period within the term of this agreement.

Company will provide to City the Use Tax Certificates from time to time pursuant to the terms of the Agreement, which are confidential ("Confidential Information") and, except as otherwise provided herein, may not be disclosed to a third party without the Company's consent. To the extent that any disclosure of the Confidential Information may be required by law, City will use reasonable efforts to inform Company of the request in sufficient time for Company to assert any objection it may have to such disclosure to an appropriate judicial or administrative body.

4.02 As a condition to the payment of any Grant hereunder, City must have received a Use Tax Certificate for the months within the Grant Period for which payment of a Grant is requested, and City must have received the actual Use Tax Receipts for all calendar months within the Grant Period. If Company fails to submit the Use Tax Certificate contemplated by Section 4.01

before the end of the next Grant Period, the Company's right to receive the Grant Payment for the earlier Grant Period shall be forever forfeited and City shall never have an obligation to make a Grant Payment for such Grant Period. Company shall, however, be able to receive future Grant Payments in accordance with the terms of this Agreement.

4.03 The Company intends to issue its Texas Direct Payment Permit to specific suppliers or vendors that provide large quantities of building materials or other tangible personal property.

4.04 The Company shall provide the City with a true and correct copy of its Texas Direct Payment Permit, which permit shall be kept in full force and effect throughout the term of the Agreement.

4.05 Company or the City shall not have an uncured material breach or default of this Agreement.

ARTICLE V
TERMINATION

5.01 This Agreement may be terminated upon any one of the following:

(a) by mutual written agreement of the parties;

(b) by City or Company, respectively, if the other party defaults or breaches any of the terms or conditions of this Agreement in any material respect and such default or breach is not cured within thirty (30) days after written notice thereof by the City or Company, as the case may be;

(c) by City, if any Impositions owed to the City or the State of Texas by Company shall have become delinquent (provided, however, Company retains the right to timely and properly protest and contest any such Impositions);

(d) by City, if Company suffers an Event of Bankruptcy or Insolvency;

(e) by City or Company, respectively, if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable; or

(f) by Company, if the City does not pay the applicable Grant amount within 45 days of receipt of the Use Tax Receipts as required herein covered by a valid Use Tax Certificate issued by Company or fails to cure this breach within an additional 30 days and so long as the Company is not in default, or;

(g) expiration of the term, or any subsequent renewal of the term.

The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the termination of this Agreement except for any rights, responsibilities and/or liabilities that accrued prior to such termination.

ARTICLE VI
INDEMNIFICATION

THE COMPANY AGREES TO DEFEND, INDEMNIFY AND HOLD THE CITY AND ITS RESPECTIVE OFFICERS, OFFICIALS, REPRESENTATIVES, CONSULTANTS, AGENTS AND EMPLOYEES (COLLECTIVELY FOR THE PURPOSE OF THIS PARAGRAPH, THE "CITY") HARMLESS FROM AND AGAINST ANY AND ALL REASONABLE LIABILITIES, DAMAGES, CLAIMS, LAWSUITS, JUDGMENTS, ATTORNEY FEES, COSTS, EXPENSES, AND DEMANDS BY THE STATE OF TEXAS THAT THE CITY HAS BEEN PAID ERRONEOUSLY, OVER-PAID OR INCORRECTLY ALLOCATED USE TAX RECEIPTS ATTRIBUTED TO THE SALE AND/OR USE OF TAXABLE ITEMS BY COMPANY CONSUMMATED WITHIN THE CORPORATE BOUNDARIES AND EXTRATERRITORIAL JURISDICTION OF THE CITY FOR ANY PERIOD DURING THE TERM OF THIS AGREEMENT OR DURING ANY TAX REPORTING PERIOD (COLLECTIVELY, A "CLAIM"). IT BEING THE INTENTION OF THE PARTIES THAT THE COMPANY SHALL BE RESPONSIBLE FOR THE REPAYMENT OF ANY USE TAX GRANTS PAID TO THE COMPANY HEREIN BY THE CITY THAT INCLUDES USE TAX RECEIPTS THAT THE STATE OF TEXAS HAS DETERMINED WERE PAID ERRONEOUSLY, COLLECTED, DISTRIBUTED, OR ALLOCATED TO THE CITY. THIS INDEMNIFICATION SHALL NOT APPLY TO ANY LIABILITY RESULTING SOLELY FROM THE ERRORS OR OMISSIONS OF THE CITY. THE PROVISIONS OF THIS PARAGRAPH SHALL SURVIVE TERMINATION OF THIS AGREEMENT. THE PROVISIONS OF THIS PARAGRAPH ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND DO NOT CREATE ANY OBLIGATIONS FROM OR GRANT ANY CONTRACTUAL OR OTHER RIGHTS TO ANY OTHER PERSON OR ENTITY, OTHER THAN OBLIGATIONS, IF ANY, THAT ARISE FROM COMPANY TO THE CITY TO PERFORM OBLIGATIONS CREATED BY THIS PARAGRAPH.

ARTICLE VII
MISCELLANEOUS

7.01 Binding Agreement. The terms and conditions of this Agreement are binding upon the parties to this agreement and their respective successors and permitted assigns. This Agreement may not be assigned without the express written consent of City, which consent shall not be unreasonably withheld or delayed.

7.02 Limitation on Liability. It is understood and agreed between the parties that the Company and City, in satisfying the conditions of this Agreement, have acted independently, and City assumes no responsibilities or liabilities to third parties in connection with these actions. The Company agrees to indemnify and hold harmless the City from all such claims, suits, and causes

of actions, liabilities and expenses, including reasonable attorney's fees, of any nature whatsoever by a third party arising out of the Company's performance of the conditions under this Agreement.

7.03 Employment of Undocumented Workers. During the term of this Agreement, Company agrees not to knowingly employ any undocumented workers. In the event Company is convicted of a violation under 8 U.S.C. Section 1324a (f), Company shall repay the amount of the Grant received from the City as of the date of such violation within one hundred and twenty (120) business days after the date Company is notified by the City of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid.

7.04 No Joint Venture. It is acknowledged and agreed by the parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture between the parties.

7.05 Authorization. Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

7.06 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered sent via fax.

If intended for City, to:

Attn: Kim Dobbs
City Administrator | City Secretary
120 School Road
Lavon, TX 75166

With a copy to:

Attn: Wm. Andrew Messer
Messer, Rockefeller & Fort, PLLC
6351 Preston Rd., Ste. 350
Frisco, TX 75034
Facsimile: 972-668-6414

If intended for the Company:

Attn: Accounting Department
Don Dykstra
President
Bloomfield Homes, L.P.
1050 East Hwy 114, Ste. 210
Southlake, TX 76092

With a copy to:

Attn:

7.07 Force Majeure. Each Party shall use good faith, due diligence and reasonable care in the performance of its respective obligations under this Agreement, and time shall be of the essence in such performance; however, in the event a Party is unable, due to Force Majeure, to perform its obligations under this Agreement, then the obligations affected by the Force Majeure shall be temporarily suspended. Within ten (10) days after the occurrence of a Force Majeure, the Party claiming the right to temporarily suspend its performance, shall give notice to all the Parties that includes a detailed explanation of the Force Majeure, a description of the action that will be taken to remedy the Force Majeure and resume full performance at the earliest possible time, and the length of time needed to resume full performance. Any other Party may object in writing to the length of time claimed to be needed to resume performance by the Party suffering the event of Force Majeure if it provides a commercially reasonable explanation regarding how full performance could be reasonably resumed at an earlier date, in which case full performance shall resume at the earlier date.

7.08 Entire Agreement. This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the parties that in any manner relates to the subject matter of this Agreement.

7.09 Governing Law. The laws of the State of Texas shall govern the Agreement; and this Agreement is fully performable in Lavon, Collin County, Texas with exclusive venue for any action concerning this Agreement being in a court of competent jurisdiction in Collin County, Texas.

7.10 Amendment. This Agreement may only be amended by the mutual written agreement of the parties.

7.11 Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and

enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

7.12 Recitals. The recitals to this Agreement are incorporated as if fully set forth herein and relied upon by the Parties in deciding to enter into this Agreement.

7.13 No Third Party Beneficiaries. Nothing in this Agreement shall be construed to create any right in any third party not a signatory to this Agreement, and the parties do not intend to create any third party beneficiaries by entering into this Agreement.

7.14 Miscellaneous Drafting Provisions. This Agreement shall be deemed drafted equally by all parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any party shall not apply. Headings in this Agreement are for the convenience of the parties and are not intended to be used in construing this document.

7.15 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument and any such counterparts shall be deemed to be incorporated herein.

7.16 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

7.17 Sovereign Immunity. The parties agree that the City has not waived its sovereign immunity by entering into and performing its obligations under this Agreement.

7.18 Dispute Resolution. Any controversy or claim arising from or relating to this Agreement, or a breach thereof shall be subject to non-binding mediation, as a condition precedent to the institution of legal or equitable proceedings by any party unless the institution of such legal or equitable proceeding is necessary to avoid the running of an applicable statute of limitation. The parties shall endeavor to resolve their claims by mediation. City and Company shall share the costs of mediation equally. The mediation shall be held in Lavon, Texas, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

[SIGNATURE PAGES FOLLOW]

EXECUTED as of the 24 day of January, 2017.

THE CITY OF LAVON, TEXAS

By: _____
Charles Teske, Jr., Mayor

ATTEST:

_____
Kim Dobbs, City Administrator | Secretary

CITY OF LAVON, TEXAS

EXECUTED as of the 18th day of JANUARY 2017.

Bloomfield Homes, L.P.
a Texas Limited Partnership

By: Bloomfield Properties, Inc.
a Texas Corporation,
its General Partner

By: _____
Name: Don Dykstra
Title: President

ACKNOWLEDGMENTS

STATE OF TEXAS §
§
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 23 day of January, 2017 by Charles Teske, Jr., Mayor of The City of Lavon, Texas, on behalf of said city.

RAE L NORTON
My Notary ID # 130713012
Expires June 23, 2020

Name: Rae L Norton

Notary Public, State of Texas

My commission expires: June 23, 2020

STATE OF TEXAS §
§
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 18 day of January, 2017 by Don Dykstra, President of Bloomfield Properties, Inc., General Partner of Bloomfield Homes, L.P., a Texas limited partnership, on behalf of said limited partnership.

ADRIAN SULLIVAN
Notary Public, State of Texas
My Commission Expires
June 22, 2019

Name: _____

Notary Public - State of Texas

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: 7 - A**

Item:

Public hearing, discussion and action regarding an application for a Conditional Use Permit as specified in the Lake Breeze Planned Development regulations and Article 9.03 Zoning, of the Code of Ordinances, Section 9.03.131 Retail District (R) (c)(4) for approval of a commercial building with a drive-through lane facing a public street at 616 Cedar St., on Lot 4, Block F of the Replat of Lake Breeze Estates Block A, Lot 32C Addition on 1.22 acres out of the Samuel M. Rainer Survey, Abstract No. 740, northwest of the intersection of N. SH 78 and Cedar St./LakePointe Blvd., City of Lavon, Collin County, Texas (CCAD Property ID 2918093).

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.

Application Information

Owner(s): Georgeos Nemeh

Applicant: Bob Nguyen

Location: 616 Cedar St., located northwest of the intersection of SH 78 and Cedar St.

Description: Lot 4, Block F of the Lake Breeze Block A, Lot 32C Addition Replat in the Lake Breeze Planned Development District (CCAD Property ID 2918093).

Current Zoning: Planned Development (PD)

Request: Conditional Use Permit (CUP) for a Drive Through Facing a Public Street

Request Details

The applicant is seeking approval of a conditional use permit to allow a drive through that faces a public street.

A site plan for a multi-tenant commercial building that is approximately 10,490 square feet in area.t was approved by the City Council on February 17, 2026. The applicant has added a drive-through to the proposed project.

A drive through is permitted by the PD regulations; however, pursuant to the Zoning Ordinance, the addition of a drive through facing a public street necessitates the approval of a conditional use permit.

Building façades, a queuing analysis, a truck route, and a photometric plan have been provided and reviewed.

The site will be developed in accordance with the Lake Breeze Planned Development District regulations, Ordinance No. **2020-04-04**, as amended that established the Planned Development zoning for the property.

Code Excerpt:

LAVON CODE OF ORDINANCES – ZONING ORDINANCE
DIVISION 6 – REGULATIONS APPLICABLE TO MIXED USE ABD NONRESIDENTIAL DISTRICTS

9.03.131 RETAIL DISTRICT (R)

c) Conditional Uses

4) Outdoor, drive-in or drive-through sales or service activity

ORDINANCE NO. 2020-04-04

Lake Breeze Planned Development

Retail District Standards

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.	Permitted upon approval of CUP

Members of the Planning and Zoning Commission expressed concern that the drive-thru user was not identified with the queuing data being generic at best and voted to recommend denial.

Pursuant to the City's Zoning Ordinance, a vote of three-fourths of the City Council or 4 members would be required to overturn the recommendation.

Code Excerpt:

LAVON CODE OF ORDINANCES – ZONING ORDINANCE
DIVISION 2 – DISTRICTS AND ZONING DISTRICT MAP

9.03.034 AMENDMENTS TO THE OFFICIAL ZONING ORDINANCE AND ZONING DISTRICT MAP.

(h) A written recommendation of the planning and zoning commission shall be forwarded to the city council. If the planning and zoning commission recommends that a proposed change to a regulation or boundary be denied, a vote of at least three-fourths (3/4) of all the members of the city council shall be required to overrule such recommendation.

Following the Planning and Zoning Commission Meeting, the applicant submitted two additional proposals for the City Council consideration to address the concerns expressed by the Commission:

1) Proposal for potential tenant to provide queuing analysis prior to any lease.
2) Proposal for specific enhanced landscape to further screen the drive-through lane from the

public street.

Planning and Zoning Commission Report:

MOTION: RECOMMEND DENIAL OF AN APPLICATION FOR A CONDITIONAL USE PERMIT AS SPECIFIED IN THE LAKE BREEZE PLANNED DEVELOPMENT REGULATIONS AND ARTICLE 9.03 ZONING, OF THE CODE OF ORDINANCES, SECTION 9.03.131 RETAIL DISTRICT (R) (C)(4) FOR APPROVAL OF A COMMERCIAL BUILDING WITH A DRIVE-THROUGH LANE FACING A PUBLIC STREET AT 616 CEDAR ST., ON LOT 4, BLOCK F OF THE REPLAT OF LAKE BREEZE ESTATES BLOCK A, LOT 32C ADDITION ON 1.22 ACRES OUT OF THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740, NORTHWEST OF THE INTERSECTION OF N. SH 78 AND CEDAR ST./LAKEPOINTE BLVD., CITY OF LAVON, COLLIN COUNTY, TEXAS SUBJECT TO FINAL REVIEW AND APPROVAL OF THE CITY PLANNER, FIRE MARSHAL AND CITY ENGINEER.

MOTION:	**NABORS**
SECONDED:	**ROSENQUIST**
FOR:	**NABORS, CLIFTON, VALLEJO, ROSENQUIST**
AGAINST:	**MCCLENDON**
DENIED:	**4-1**

Staff Notes:

The required public hearing notice was published in the newspaper and on the website and six (6) notices were provided to the owners of property located within 200 feet of the proposed site. Signs were properly posted on the property. No notices were returned in favor of or in opposition to the proposed application.

The proposed application was reviewed by the planning consultant, fire marshal, and city engineer.

If the City Council makes a motion to approve the request, it may incorporate the conditions submitted and the motion should be made subject to the final review and approval of the city engineer, fire marshal, and planner.

Attachments:

1. Application
2. Location exhibits
3. Planning and Engineering Review comments
4. Neighbor Notice
   (a data source of property owners who were mailed notices is available upon request from cityhall@lavontx.gov)

CITY OF LAVON

120 School Road, P.O. Box 340, Lavon, TX 75166
(972) 843-4220
cityhall@lavontx.gov

APPLICATION FOR CONDITIONAL USE PERMIT (CUP)

Bob Nguyen — Applicant Name
08/13/2026 — Date

Pann Sribhen — Representative, Agent or Owner
(813)-390-4115 — Phone

NamGroup Construction — Company
[redacted] — Email address

425 Pinson Rd, Ste M #1015 — Street
Forney, TX, 75126 — City, State, Zip

NORTHWEST CORNER OF CEDAR ST. & SH 78
Address and Location of Property

LOT 4 BLOCK F, LAKE BREEZE ESTATES
Legal Description of Property

Existing Zoning: PD-MU

REASON FOR REQUEST (Include the type of conditional use requested, dimensions, materials and elevations. Attach a separate sheet if necessary and include supporting documentation.)

Amend approve site plan to include Restaurant Drive through lane.

Signature of Applicant or Representative: _____

For Office Use Only

Date Received: _____ Date Paid: _____ Fee Paid: _____

Next P & Z Meeting: _____ Next City Council Meeting: _____

CITY OF LAVON

DRIVE-THROUGH SCREENING & LANDSCAPING COMMITMENT

Applicant: Georgeos Nemeh
Project: Lavon Retail Shopping Center – 10,450 SF

I am submitting this statement as part of my application and would like to confirm my commitment to providing substantial landscaping to screen the proposed drive-through from the adjacent public street.

Landscaping Commitment

The drive-through side facing the public street will be fully screened through landscaping and appropriate site design. I commit to installing mature shrubs and/or landscape plantings selected to provide an effective visual screen of drive-through vehicles.

The landscaping will be designed to achieve a mature screening height of approximately **6 feet**, or another height approved by the City, and will be installed and maintained in accordance with the City's approved landscape plan.

I am willing to work with City staff on the final plant selection, spacing, and screening design to ensure the landscaping provides the intended visual buffer while maintaining safe vehicle circulation, pedestrian access, and fire-lane access.

I respectfully request that this commitment be included with my application materials for consideration by the City Council.

Respectfully submitted,

Georgeos Nemeh
Applicant

PROPOSED CUP CONDITION

Future Drive-Through Restaurant User – Tenant-Specific Queuing Analysis

The applicant requests that the City approve the Conditional Use Permit (CUP) for the proposed drive-through restaurant area based upon the submitted site plan and general/conservative drive-through queuing analysis, recognizing that a specific restaurant tenant has not yet been selected.

Prior to execution of a lease for the drive-through restaurant space, the property owner shall submit information identifying the proposed restaurant user and its anticipated drive-through operation to the City for review.

The future restaurant tenant shall provide a tenant-specific drive-through queuing analysis, prepared by a qualified traffic/civil engineer, based on the proposed restaurant's anticipated traffic volumes, peak-hour demand, service times, vehicle stacking requirements, and operational characteristics.

The City shall review the proposed tenant's drive-through operation to confirm that it can operate within the drive-through layout and stacking capacity shown on the approved site plan without adversely affecting public streets, fire lanes, required parking, pedestrian access, or circulation for the other tenants of the shopping center.

If modifications to the drive-through layout are required to accommodate the proposed tenant, the owner and tenant shall address those modifications through the City's applicable site-plan/tenant finish-out review process before construction or opening of the restaurant.

No restaurant tenant shall begin operation until the required tenant-specific review and applicable City approvals have been completed.

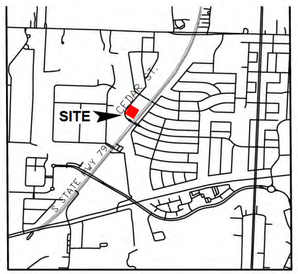
This condition is intended to allow the shell building and overall site plan to proceed without requiring the applicant to identify a specific restaurant tenant before construction, while preserving the City's ability to review the actual restaurant user's drive-through demand and queuing requirements before the restaurant opens.

Applicant: Georgeos Nemeh

Project: Lavon Retail / Shell Building

Purpose: Proposed condition for inclusion with the CUP/site-plan application

ORIGINAL SHEET SIZE: 24" X 36" (AR



STATE HIGHWAY 78
RIGHT-OF-WAY VARIES

GENERAL		
Case Number		
Name of Project/Development		
Proposed Use	Resturant with Drive-Through, C-Store, Retail Store , Dentist, Cell Phone Store	
Existing Zoning District	PD-MU	
Proposed Zoning District	PD-MU	
County (Central Appraisal District)	Collin County	
Property ID	2918093	
Legal Description	BLK F, LOT 4	
Site Address	Lake Breeze Estates, Cedar Street and S Hwy 78, Lavon,Texas	
ZONING DISTRICT REGULATIONS		
Minimum Lot Area, Width & Depth	1 acre (43,560 sf)	
Minimum Front Yard	25 Ft.	
Minimum Side Yard	7 feet except adjoining residential where side yard shall be 15 feet	
Minimum Rear Yard	None except adjoining residential where rear yard shall be 15 feet	
Maximum Lot Coverage	80%	
Maximum Building Height	25' - 0"	
Building Height Proposed	25' - 0"	
AREA CALCULATIONS		
Gross Site Area	53,435 Sq. Ft.	1.227 Acre(s)
Total Building Area	10,490 Sq. Ft.	
Provided Building Coverage on Lot	19.63%	
Permitted Maximum Impervious Surface Area	90%	
Impervious Surface Area Provided	40,559 Sq. Ft.	75.90%
Pervious Surface Area Provided	12,876 Sq. Ft.	24.10%
PARKING DATA		
Resturant	1/100	20
C-Store (Retail)	1/200	13
Retail	1/200	8
Medical Office	1/200	10
Cell Phone Retail	1/200	13
Parking Spaces Required	63	
Total Parking Spaces Provided	64	
Standard Parking Spaces Provided	63	

SITE PLAN NOTES:

1. *ALL CONSTRUCTION, TESTING, AND MATERIALS SHALL CONFORM TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION, UNLESS THE CITY OF LAVON STANDARDS SPECIFY STRICTER REQUIREMENTS.*
2. *CONTRACTOR SHALL VERIFY LOCATIONS, ELEVATIONS, AND DIMENSIONS OF EXISTING UTILITIES (WATER, SANITARY, STORM, ELECTRIC, GAS, TELECOM) PRIOR TO CONSTRUCTION AND IS RESPONSIBLE FOR PROTECTING THEM. DAMAGES RESULTING FROM CONSTRUCTION SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.*
3. *A RE-CONSTRUCTION CONFERENCE WILL BE REQUIRED PRIOR TO BEGINNING ANY CONSTRUCTION.*
4. *ALL SITE IMPROVEMENTS (STREETS, PARKING, FIRE LANES, SIDEWALKS, CURB & GUTTER) SHALL MEET CITY OF LAVON STANDARDS FOR PAVEMENT STRENGTH, CONCRETE MIX, AND ADA COMPLIANCE. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.*
5. *FIRE HYDRANTS, WATER SERVICE LOCATIONS, AND ALL UTILITY EASEMENTS SHALL BE INSTALLED PER APPROVED SITE PLAN AND COORDINATED WITH BEAR CREEK SUD AND APPLICABLE UTILITY PROVIDERS. SANITARY SEWER SERVICE SHALL BE COORDINATED WITH CITY OF LAVON.*
6. *ALL GROUND-BASED HVAC EQUIPMENT SHALL BE SCREENED WITH LIVE SCREENING OR A MASONRY ENCLOSURE. MASONRY SCREENING SHALL MATCH THE MATERIALS OF THE MAIN BUILDING.*
7. *ALL ROOF-MOUNTED MECHANICAL UNITS AND/OR EQUIPMENT SHALL BE FULLY SCREENED FROM PUBLIC VIEW.*
8. *DUMPSTER ENCLOSURES SHALL BE CLAD IN A MATERIAL MATCHING THE MAIN BUILDING AND REQUIRE A SEPARATE BUILDING PERMIT.*
9. *ALL FUTURE TENANT SIGNAGE SHALL BE PERMITTED SEPARATELY AND IS NOT INCLUDED WITH THIS SITE PLAN APPROVAL.*
10. *APPROVAL OF THIS SITE PLAN SHALL NOT WAIVE OR SUPERSEDE ANY REQUIREMENT OF THE CITY OF LAVON CODE OF ORDINANCES.*

ALL FULL DEPTH SAWCUTS TO REMOVE A MINIMUM OF 12" EXISTING PAVEMENT FOR ACCESS DRIVE CONNECTIONS.

"DANGER"
811 Know what's below. Call before you dig.
(@ LEAST 72 HRS PRIOR TO DIGGING)

REVISION

NO.	DATE	BY

REMARK:
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SITE PLAN
FOR
LOT 4, BLOCK F,
SITUATED AT THE NORTHWEST CORNER
OF CEDAR ROAD & SH 78
LAVON, TEXAS

DEVELOPER / G.C.
NAMGROUP CONSTRUCTION
BOB NGUYEN
425 PINSON RD, STE M#1015
FORNEY, TX. 75126
813-390-4335
www.namgroupcorp.com

09-02-26

STATE OF TEXAS
PANSAK SRIBHEN
40320
LICENSED
PROFESSIONAL ENGINEER

ASA ENGINEERING
18383 PRESTON ROAD, SUITE 422
DALLAS, TEXAS 75252
(972) 248-8651 FAX (972) 248-9681
TX. T.B.P.E. REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: CE
CHECKED: PSS

PSA JOB NO. 22632.CSL

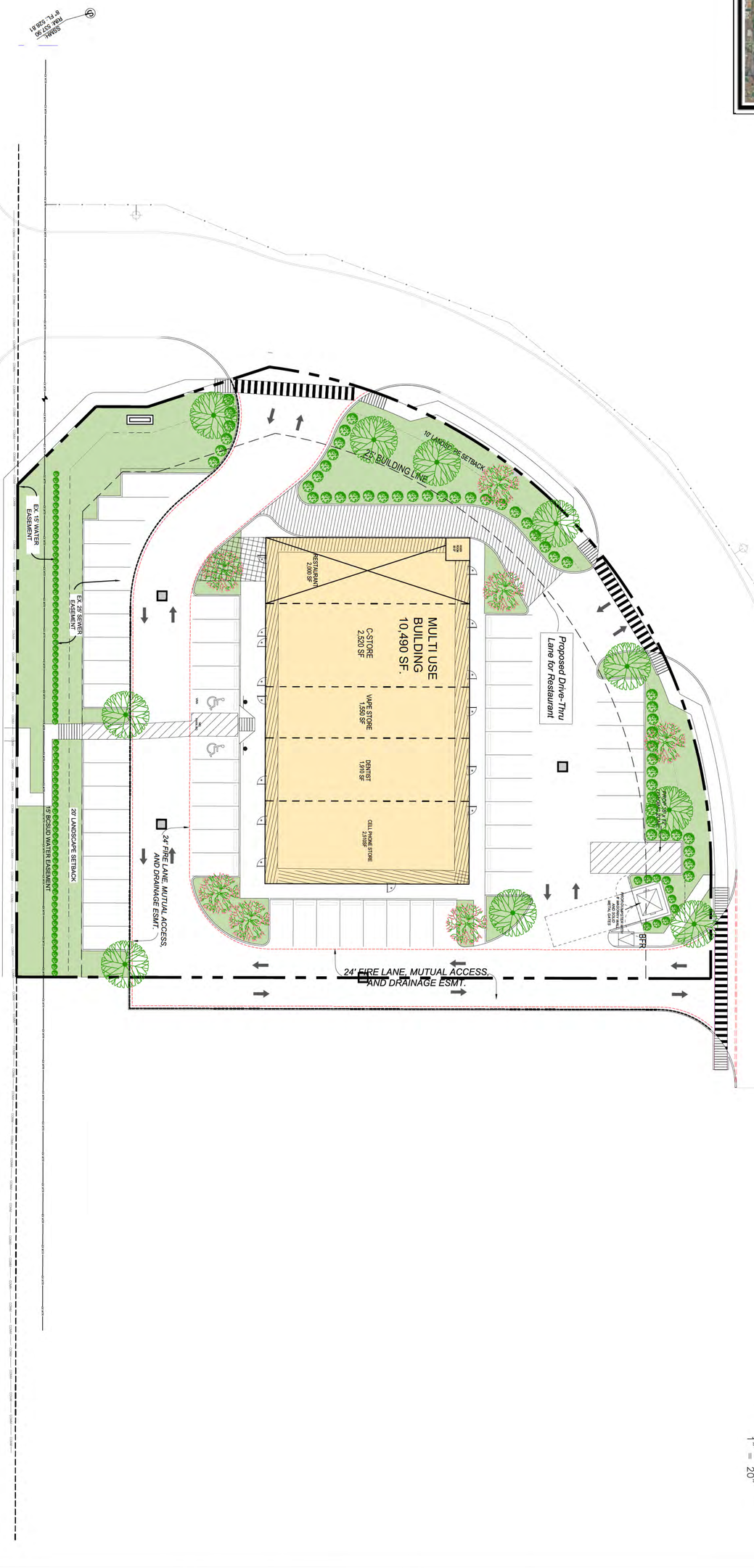
DATE: 9/16/2026

SHEET: C-1.0

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ORIGINAL SHEET SIZE: 24" X 36" (AR





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811
Know what's below.
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SHEET:	DATE: 7/8/2026	PSA JOB NO. 22222.??? CITY CASE ????-????	DESIGNED: PSG (DRAFTER'S INITIALS) DRAWN: CHECKED: PSG	SCALE: AS SHOWN

PSA ENGINEERING
17819 DAVENPORT ROAD, SUITE 215
DALLAS, TEXAS 75252
(972) 248-9651 FAX (972) 248-9681
TX T.B.P.E REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

PRELIMINARY
NOT FOR CONSTRUCTION

DEVELOPER
[COMPANY NAME]
[STREET ADDRESS]
[CITY, STATE ZIP CODE]
CONTACT: [AGENT'S NAME]
[AGENT'S EMAIL]
[AGENT'S PHONE NO.]

SITE PLAN
FOR
LOT _, BLOCK _, _____ ADDITION
SITUATED AT THE _____ CORNER OF
_____ ROAD & _____ ROAD
[CITY, STATE]

NO.	DATE	REVISION	BY
		REMARK: REVISIONS MADE HEREON DO NOT APPEAR ON ALL DRAWING SHEETS.	

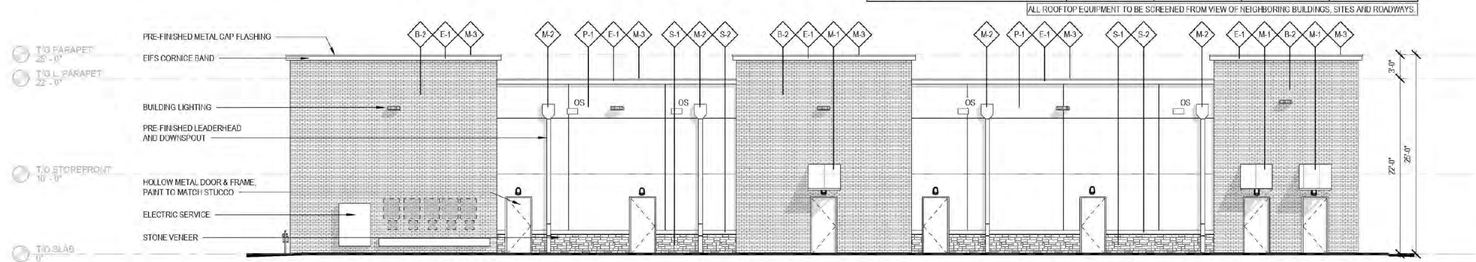
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FINISH MATERIAL SCHEDULE

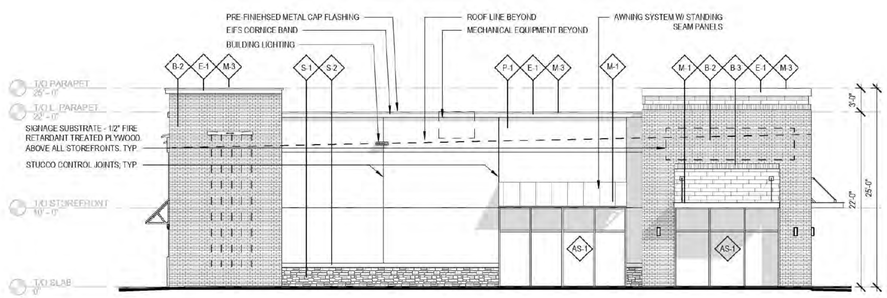
SYMBOL	DESCRIPTION	NOTE	SYMBOL	DESCRIPTION	NOTE	SYMBOL	DESCRIPTION	NOTE
B-1	MODULAR SIZE BRICK RIDGEMAR - VELOUR (SKU: 105401) MANUF. ACME BRICK	MORTAR: TYPE N, INTEGRALLY COLORED LIGHT GRAY, MATCH APPROVED SAMPLE PANEL	S-2	WAINSCOT SILL GRAY LUEDERS SILL, SAWN MANUF. TBD THICKNESS: 2"	PROVIDE 90 DEGREE CORNER	M-2	PRE-FINISHED METAL DOWNSPOUT CHARCOAL GRAY (MATCH SW7674 PEPPERCORN) MANUF: METAL SALES	GUTTERS AND DOWNSPOUTS
B-2	ACCENT MODULAR SIZE BRICK CHARCOAL GRAY - VELOUR (SKU: 122236) MANUF. ACME BRICK		P-1	ACRYLIC STUCCO FINISH SEMI-SMOOTH IC110 CLOUD COVER	OMEGA 3 - COAT SYSTEM - OR APPROVED EQUAL	M-3	PRE-FINISHED CAP FLASHING CHARCOAL GRAY (MATCH SW7674 PEPPERCORN)	
B-3	BRICK SILL CHARCOAL GRAY - VELOUR (SKU: 122236) MANUF. ACME BRICK		AS-1	ALUMINUM STOREFRONT SYSTEM DARK BRONZE ANODIZED YKK AP INDUSTRIES YES 45 FI SYSTEM OR APPROVED EQUAL	W/ 1" LOW-E INSULATED GLASS (REF. WINDOW ELEVATIONS)	CB-1	WOOD LOOK FIBER CEMENT BOARD VINTAGEWOOD; SPRUCE MANUF: NICHIHA	
S-1	THIN STONE VENEER GRAY LUEDERS, SONOMA MANUF. TBD THICKNESS: 1"	2-6" HEIGH, PROVIDE CORNER RETURNS MINIMUM 4"	M-1	PRE-FINISHED METAL AWNINGS STANDING SEAM CHARCOAL GRAY (MATCH SW7674 PEPPERCORN) MANUF: METAL SALES/ BERRIDGE M. CO.	METAL AWNINGS	E-1	EIFS SYSTEM DECORATIVE ARCHITECTURAL SHAPES; CUSTUM PAINT COLOR: 131 GULL GRAY; FINESSE MANUF. DRYVIT	REF. WALL SECTIONS AND DETAILS

ELEVATION MATERIAL	ELEVATIONS SF (%) FRONT	SIDE	SIDE	BACK
BRICK	1,886 SF (59%)	291 SF (16%)	471 SF (25%)	1,534 SF (49%)
WOOD LOOK FIBER CEMENT BOARDS	237 SF (7%)	85 SF (5%)	153 SF (8%)	-
STUCCO / EIFS	49 SF (1%)	1,027 SF (56%)	842 SF (45%)	1,293 SF (41%)
STONE VENEER	-	107 SF (6%)	102 SF (6%)	136 SF (4%)
STOREFRONT / HM DOORS	972 SF (31%)	292 SF (16%)	264 SF (14%)	167 SF (5%)
METAL PANELS	57 SF (2%)	21 SF (1%)	36 SF (2%)	-
TOTAL	3,188 SF	1,823 SF	1,868 SF	3,130 SF

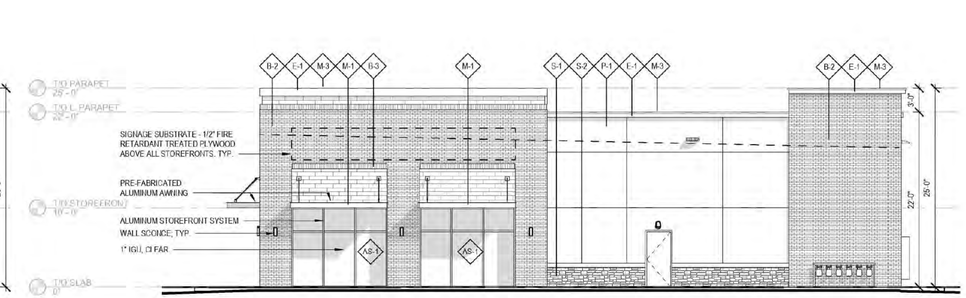
ALL ROOFTOP EQUIPMENT TO BE SCREENED FROM VIEW OF NEIGHBORING BUILDINGS, SITES AND ROADWAYS.



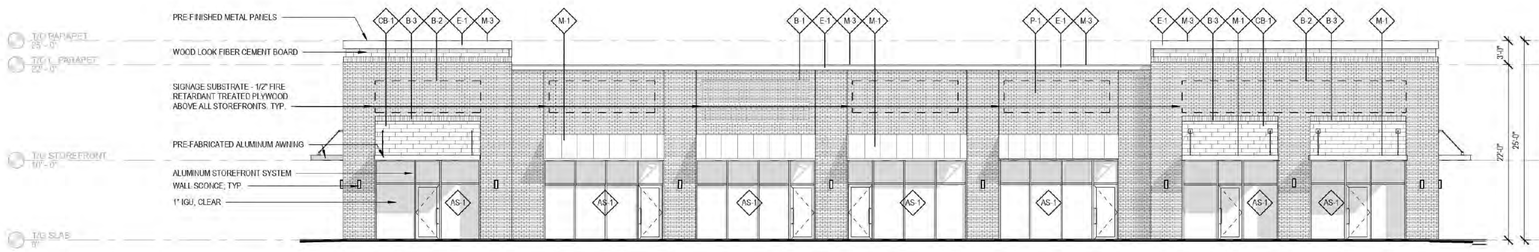
4 BACK ELEVATION
1/8" = 1'-0"



3 SIDE ELEVATION
1/8" = 1'-0"



2 SIDE ELEVATION
1/8" = 1'-0"



1 FRONT ELEVATION
1/8" = 1'-0"

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CIVIL SET

REVISION

NO.	DATE	BY

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Studio HMA

Studio HMA LLC

Dardan Hoxha
dardan.hoxha.ra@gmail.com
469-463-4845

REGISTERED ARCHITECT DARDAN HOXHA 27269 STATE OF TEXAS

04/20/2026

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ELEVATIONS
FOR
LOT 4, BLOCK F,
SITUATED AT THE NORTHWEST CORNER
OF CEDAR ROAD & SH 78
LAVON, TEXAS

DEVELOPER / G.C.
NAMGROUP CONSTRUCTION
BOB NGUYEN
425 PINSON RD. STE M#1015
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469-556-1447
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09.02.26

ASA ENGINEERING
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TX T.B.P.E. REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

Project
LAVON RETAIL
616 CEDAR STREET
LAVON, TX 75166

Prepared for: GEORGE NEMEH

ISSUE/REVISION		
No.	Description	Date
	ISSUED FOR CONSTRUCTION	04.20.2026

Sheet Title:
EXTERIOR ELEVATIONS

Original is 36 x 24. Do not scale contents of this drawing.
Sheet Number:
A5.1

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: CE
CHECKED: PSS

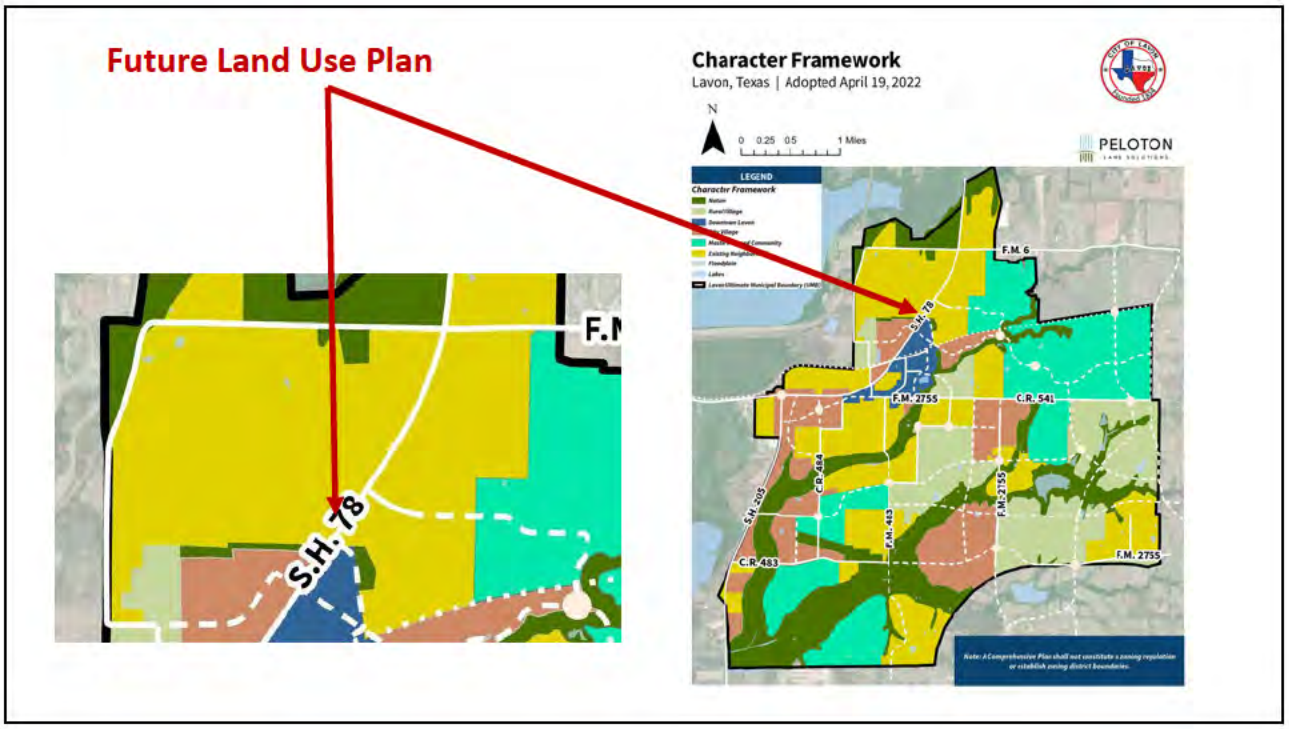
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DATE: 9/15/2026

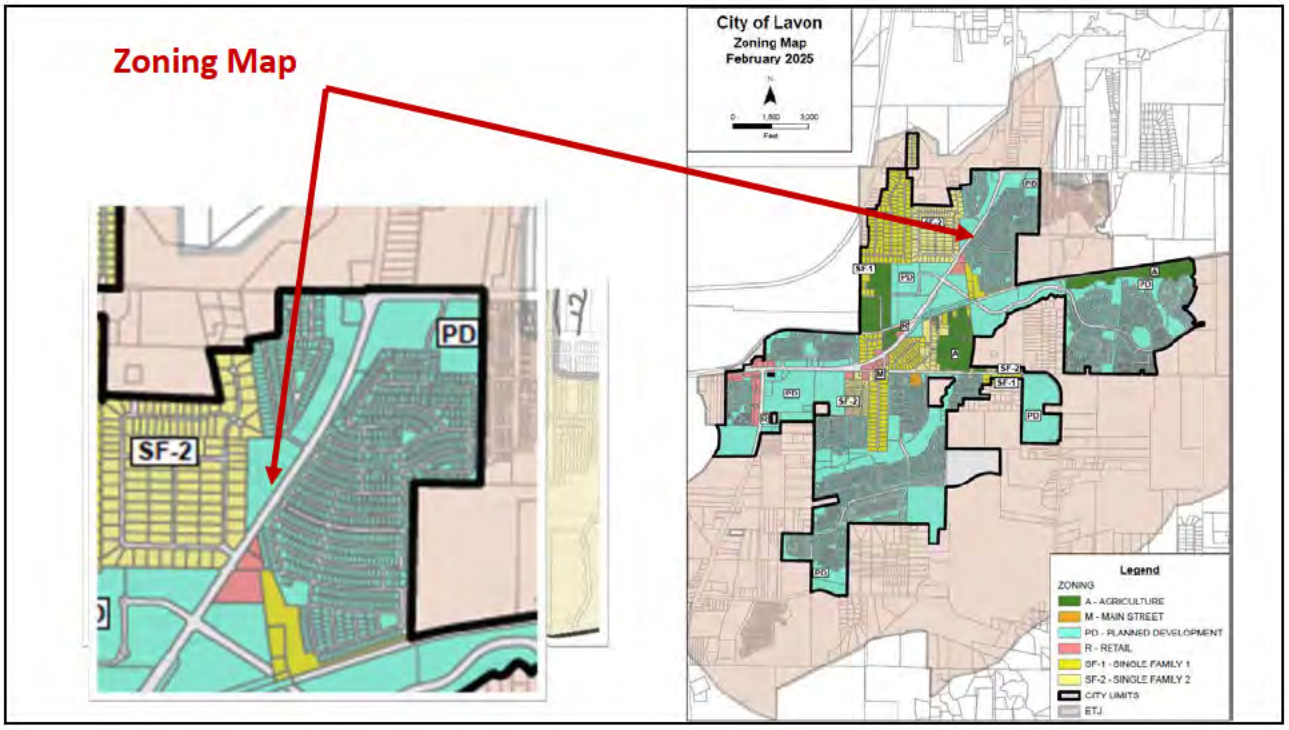
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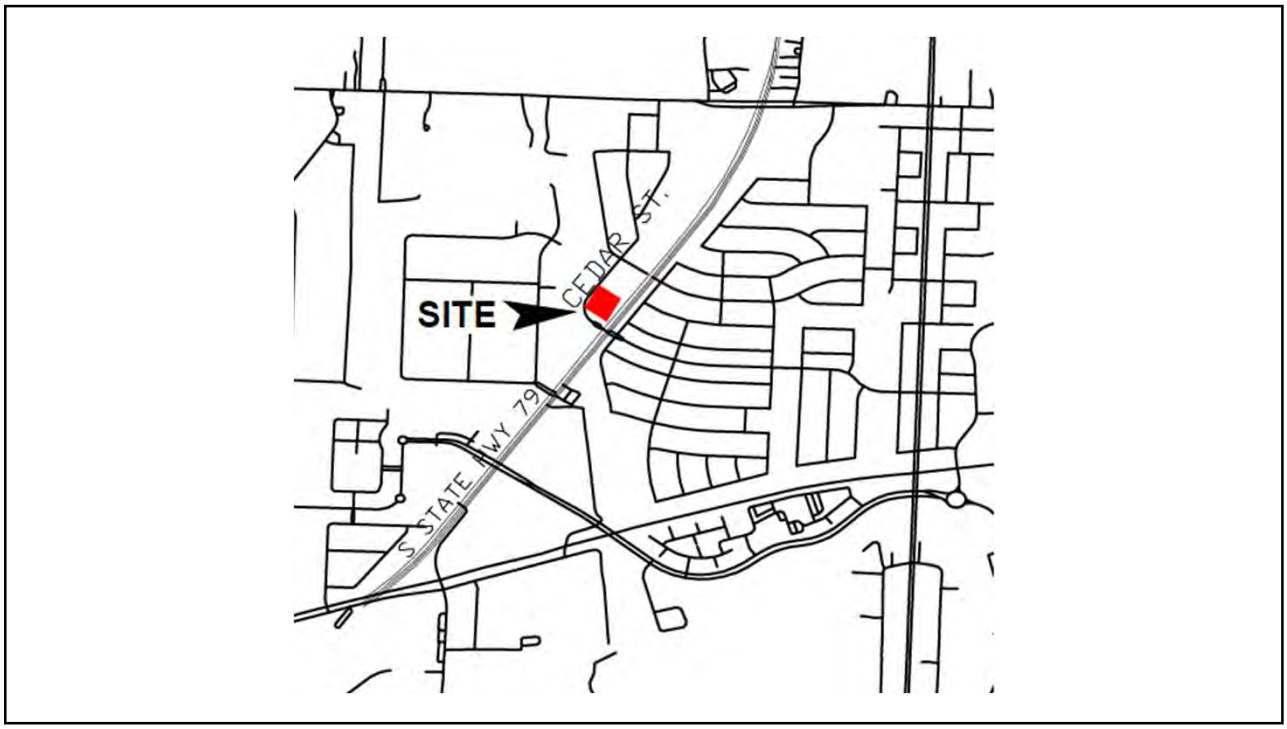
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Future Land Use Plan
Character Framework
Lavon, Texas | Adopted April 19, 2022
N
0 0.25 0.5 1 Miles
PELOTON
LEGEND
Character Framework
F.M. 6
S.H. 78
F.M. 2755
C.R. 541
C.R. 484
S.H. 205
F.M. 2755
F.M. 483
C.R. 483
F.M. 2755
S.H. 78

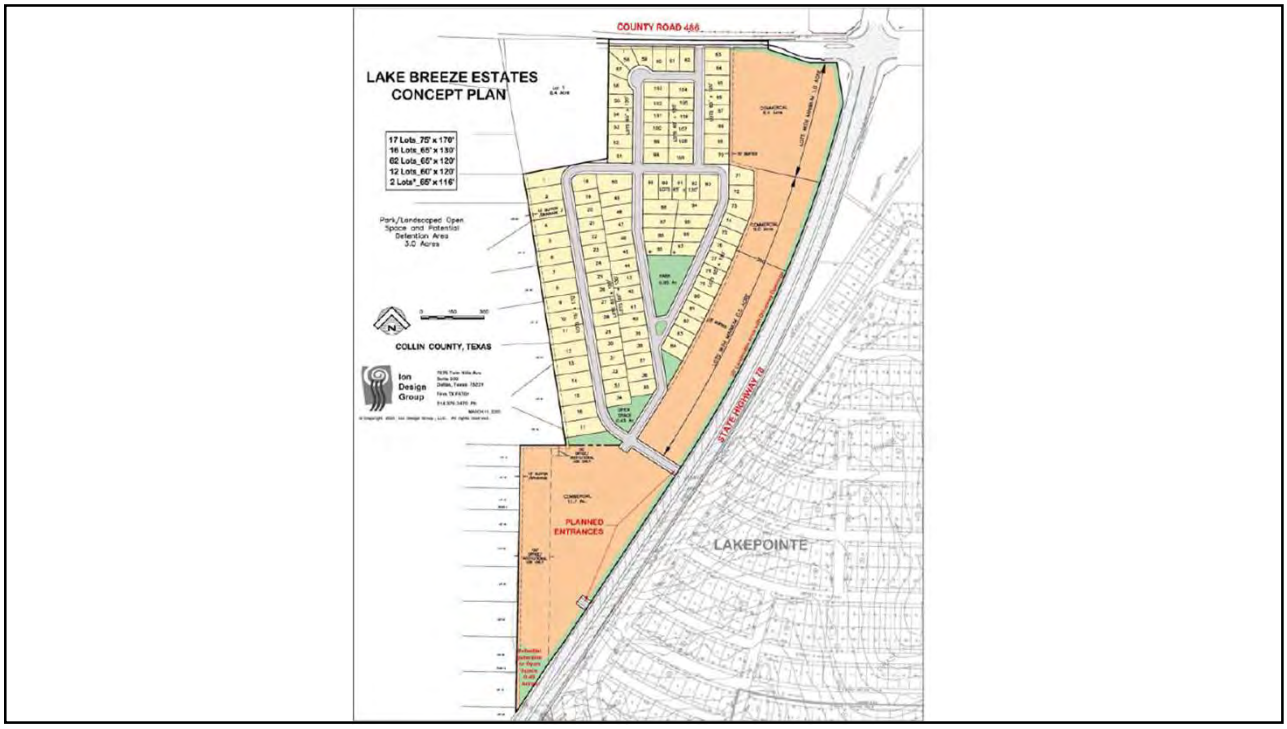
18


Zoning Map
City of Lavon
Zoning Map
February 2025
PD
SF-2
Legend
ZONING
A - AGRICULTURE
M - MAIN STREET
PD - PLANNED DEVELOPMENT
R - RETAIL
SF-1 - SINGLE FAMILY 1
SF-2 - SINGLE FAMILY 2
CITY LIMITS
ETJ

19


SITE
CEDAR ST.
S STATE HWY 79

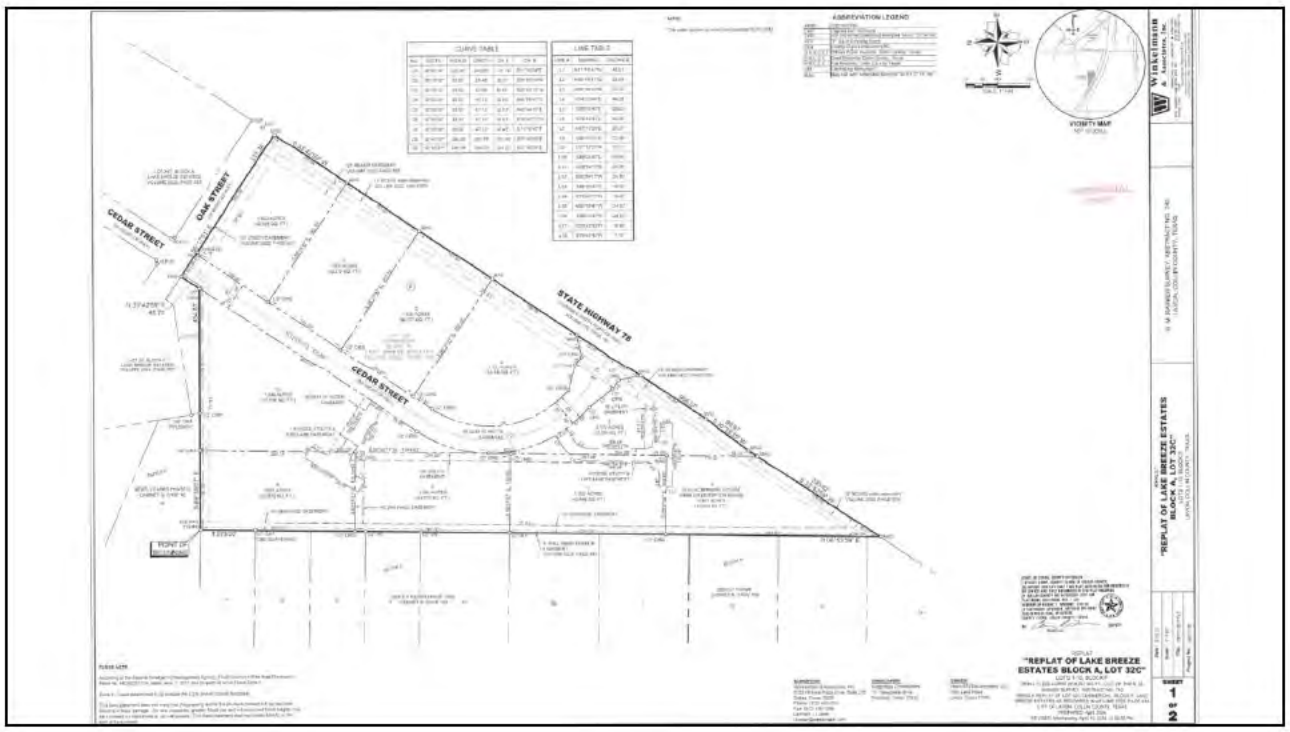
20


COUNTY ROAD 488
LAKE BREEZE ESTATES
CONCEPT PLAN
17 Lots_70' x 170'
16 Lots_65' x 130'
62 Lots_65' x 120'
12 Lots_60' x 120'
2 Lots*_65' x 116'
Park/Landscaped Open Space and Potential Detention Area 3.0 Acres
COLLIN COUNTY, TEXAS
Ion Design Group
STATE HIGHWAY 78
PLANNED ENTRANCES
LAKEPOINTE

21


Gage Rd
Teal Ln
WATERCROSS RESIDENCES
MORGAN ADDITION
Pine St
78
Cedar St
Spruce St
LAKE BREEZE ESTATES
PHASE THREE
Rolling Meadow Dr
Water View Dr
LAKEPOINTE PH
Waters Ridge Dr
LAKEPOINTE PHASE IIB
Oak Creek Dr
Clear Lake Dr
Colt Dr
Brookview Dr
PHASE TWO

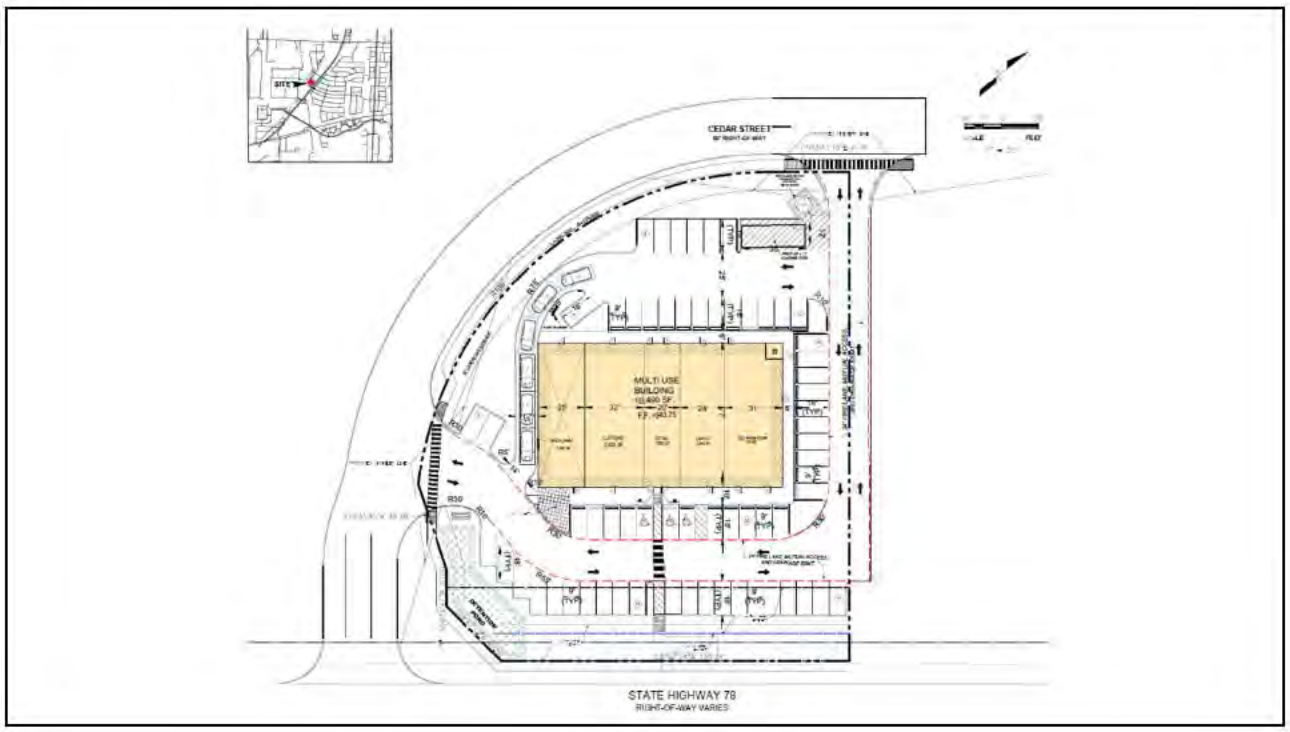
22


CEDAR STREET
OAK STREET
STATE HIGHWAY 78
"REPLAT OF LAKE BREEZE ESTATES BLOCK A, LOT 32C"

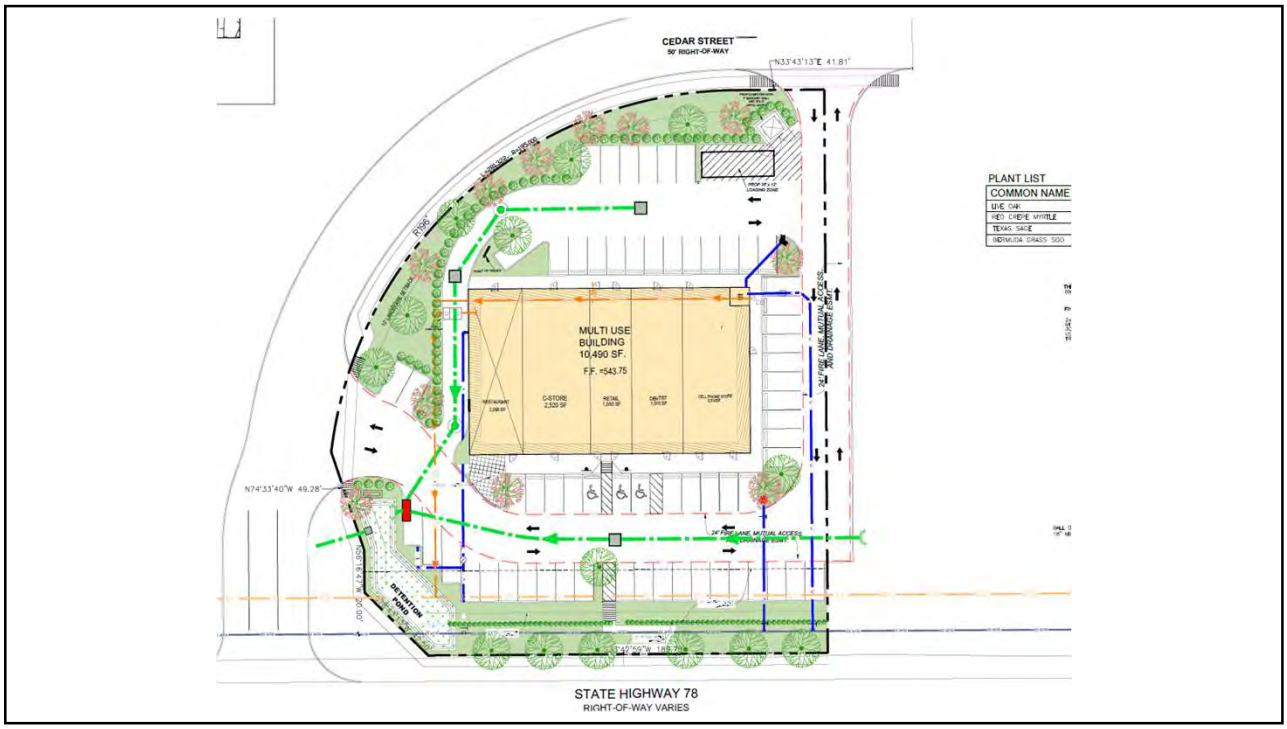
23


OAK STREET
CEDAR STREET
STATE HIGHWAY 78
20' SEWER EASEMENT
VOLUME 2022, PAGE 555
10' BCSUD water easement
VOLUME 2022, PAGE 555
10' UTILITY EASEMENT
VOLUME 2022, PAGE 033
1.000 ACRES
(43,559 SQ. FT.)
1.000 ACRES
(43,577 SQ. FT.)
1.227 ACRES
(53,430 SQ. FT.)
1.649 ACRES
(71,816 SQ. FT.)
BCSUD 15' WATER EASEMENT
ACCESS, UTILITY & FIRE LANE EASEMENT
15' UTILITY EASEMENT
1.092 ACRES
(47,555 SQ. FT.)
1.003 ACRES
(43,643 SQ. FT.)
5.033 ACRES
(219,672 SQ. FT.)
6.779 ACRES
(53,653 SQ. FT.)
BCSUD 15' WATER EASEMENT
15' UTILITY EASEMENT
ACCESS, UTILITY & FIRE LANE EASEMENT
454.80'
S 00°17'01" E
S 00°55'07" E
S 89°54'13" W 3,044.60'
L11 N89°54'13"E 24.00'
L12 S00°54'13"W 24.00'
L13 S89°01'47"E 15.00'
L14 S53°43'13"W 15.00'
L15 N36°16'47"W 34.00'
L16 S89°15'47"E 24.00'
L17 S53°43'13"W 15.00'
L18 S78°43'13"W 7.17'

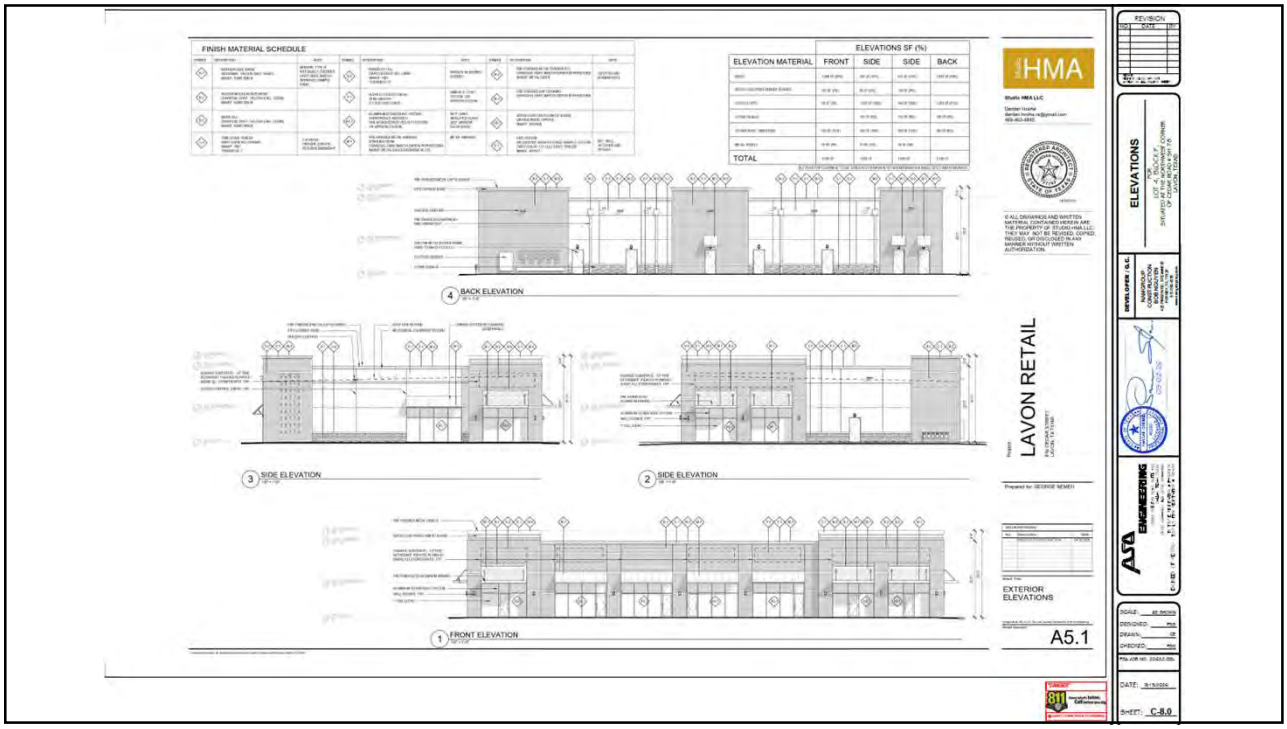
24


SITE
CEDAR STREET
MULTI USE BUILDING
STATE HIGHWAY 78
RIGHT-OF-WAY VARIES

25


CEDAR STREET
50' RIGHT-OF-WAY
N33°43'13"E 41.81'
PLANT LIST
COMMON NAME
LIVE OAK
RED CREPE MYRTLE
TEXAS SAGE
BERMUDA GRASS SOD
MULTI USE BUILDING
10,490 SF.
F.F. =543.75
RETAIL
DAILTET
CELL PHONE STORE
24' FIRE LANE, MUTUAL ACCESS & DRAINAGE EASEMENT
N74°33'40"W 49.28'
DETENTION POND
STATE HIGHWAY 78
RIGHT-OF-WAY VARIES

26


FINISH MATERIAL SCHEDULE
ELEVATIONS SF (%)
ELEVATION MATERIAL
FRONT
SIDE
SIDE
BACK
TOTAL
4 BACK ELEVATION
3 SIDE ELEVATION
2 SIDE ELEVATION
1 FRONT ELEVATION
HMA
LAVON RETAIL
EXTERIOR ELEVATIONS
A5.1
ELEVATIONS
ASTA ENGINEERING
DATE: 9/17/2026
SHEET: C-8.0

27


FOUNDRY LANE
LAKE BREEZE DENTAL
BLUME
1 FRONT ELEVATION
4 BACK ELEVATION

28


2 SIDE ELEVATION
3 SIDE ELEVATION

29

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TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 17, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Conditional Use Permit Review
LJA Job No. NTP-3880
MyGov Submittal: September 17, 2026

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

1. On the CUP Site Plan Exhibit, provide the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access Easement by separate instrument.

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

Thank you,

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

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September 17, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Revised Site Plan Review
LJA Job No. NTP-3880
MyGov Submittal: September 16, 2026

LJA, 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. **REPEAT COMMENT:** Submit Building Elevations and Photometric Plan that match the revised site layout and building configuration.

   The Photometric Plan has been revised to match the revised Site Plan. However, the Building Elevations appear to show six tenant spaces while the Site Plan shows five tenant spaces. Please confirm the number of tenants and revise the associated plans according.



2. **REPEAT COMMENT:** Revise the Landscape Plan to provide canopy trees along SH78 as shown on the approved Landscape Plan. If there are any utilities lines not included on the Landscape Plan please include them in the next revision and ensure that all proposed trees are a minimum of eight feet from public utility lines.

   The Landscape Plan has been revised to provide canopy trees along SH78 at a rate of 1 per 25 feet. However, these trees are approximately 4 feet from the existing water line. Additionally, the legend indicates that the canopy trees shown on the Landscape Plan are either Live Oak or Canadian Maple, and the shrubs are Nandina Sienna Sunrise. Canadian Maples canopy trees and Nandina Sienna Sunrise shrubs are not on the approved plant list per § 9.03.193(m) of the Lavon Code of Ordinances. Revise the Landscape Plan to ensure that all proposed trees are a minimum of eight feet from public utility lines and all plant materials are from the approved plant list.

3. **REPEAT COMMENT:** Revise the Site Plan to provide the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access.

   The filing information does not appear to be included. Revise the Site Plan to include the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access Easement by separate instrument.

4. **REPEAT COMMENT:** The parking ratio for restaurant and retail have changed since the prior Site Plan was approved. Revise the Site Data Table to reflect the following parking requirements per § 9.03.032 Permitted Use and Parking Table. The Site is required to have 63 parking spaces total. Revise the Site Plan and Landscape Plan to provide the minimum number of required parking spaces accordingly.

   The Site Plan has been revised to provide the required number of parking spaces. However, the Project Site Data Table shows incorrect ratios. Revise the Project Site Data Table to reflect the updated parking ratios. See table below.

Use	Ratio	Parking Required
Restaurant	1:100	20
C-Store (Retail)	1:200	13
Retail	1:200	8
Dentist (Medical Office)	1:200	10
Cell Phone (Retail)	1:200	13
Total Parking Required	-	63
Total Parking Provided	-	64

5. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

Comments prepared and compiled by:



Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
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September 17, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Conditional Use Permit Review
LJA Job No. NTP-3880
MyGov Submittal: September 16, 2026

LJA, 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. Submit Building Elevations and Photometric Plan that match the revised site layout and building configuration.

   Applicant Response: Addressed the building and altered from arch drawing, Site Photometrics have been updated.

   The Photometric Plan has been revised to match the revised Site Plan. However, the Building Elevations appear to show six tenant spaces while the Site Plan shows five tenant spaces. Please confirm the number of tenants and revise the associated plans according.
   Addressed and Updated on plan
2. **REPEAT COMMENT**: Since the Site Plan is required to be finalized prior to CUP consideration and will be an exhibit to the CUP, revisions addressing the Revised Site Plan comments are required.

   Applicant Response: Noted and included in submittal

   Additional, revisions required to the Site Plan, Landscape Plan, and Building Elevations.
   Noted
3. **REPEAT COMMENT:** Submit a compliant Site Plan and Landscape Plan, per the associated 9//26 Revised Site Plan submittal comments.

   Applicant Response Noted and included in Submittal

   Submit compliant Site Plan, Landscape Plan, and Building Elevations, per the associated 9/17 Revised Site Plan submittal comment letter.
   Addressed and submitted.
4. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

Comments prepared and compiled by:



Preston Loper
Planner at LJA
Email: ploper@lja.com
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On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP
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September 17, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Conditional Use Permit Review
LJA Job No. NTP-3880
MyGov Submittal: September 16, 2026

LJA, 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. Submit Building Elevations and Photometric Plan that match the revised site layout and building configuration.

   Applicant Response: Addressed the building and altered from arch drawing, Site Photometrics have been updated.

   The Photometric Plan has been revised to match the revised Site Plan. However, the Building Elevations appear to show six tenant spaces while the Site Plan shows five tenant spaces. Please confirm the number of tenants and revise the associated plans according.

2. **REPEAT COMMENT**: Since the Site Plan is required to be finalized prior to CUP consideration and will be an exhibit to the CUP, revisions addressing the Revised Site Plan comments are required.

   Applicant Response: Noted and included in submittal

   Additional, revisions required to the Site Plan, Landscape Plan, and Building Elevations.

3. **REPEAT COMMENT:** Submit a compliant Site Plan and Landscape Plan, per the associated 9//26 Revised Site Plan submittal comments.

   Applicant Response Noted and included in Submittal

   Submit compliant Site Plan, Landscape Plan, and Building Elevations, per the associated 9/17 Revised Site Plan submittal comment letter.

4. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

Comments prepared and compiled by:



Preston Loper
Planner at LJA
Email: ploper@lja.com
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On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP
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On behalf of the City of Lavon, TX

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September 14, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Conditional Use Permit Review
LJA Job No. NTP-3880
MyGov Submittal: September 11, 2026

LJA, 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. Since the Site Plan is required to be finalized prior to CUP consideration and will be an exhibit to the CUP, revisions addressing the Revised Site Plan comments are required.
   Noted and included in submittal
2. Submit Building Elevations and Photometric Plan that match the revised site layout and building configuration.
   Addressed the building and altered from arch drawing, Site Photometrics have been updated.
3. Submit a compliant Site Plan and Landscape Plan, per the associated 9/4/26 Revised Site Plan submittal comments.
   Noted and included in Submittal
4. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.
   Noted

Comments prepared and compiled by:

Preston Loper

Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R Nusser

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On behalf of the City of Lavon, TX

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September 14, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Conditional Use Permit Review
LJA Job No. NTP-3880
MyGov Submittal: September 11, 2026

LJA, 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. Since the Site Plan is required to be finalized prior to CUP consideration and will be an exhibit to the CUP, revisions addressing the Revised Site Plan comments are required.

2. Submit Building Elevations and Photometric Plan that match the revised site layout and building configuration.

3. Submit a compliant Site Plan and Landscape Plan, per the associated 9/4/26 Revised Site Plan submittal comments.

4. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

Comments prepared and compiled by:

Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

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6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 4, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Conditional Use Permit Review
LJA Job No. NTP-3880
MyGov Submittal: September 3, 2026

LJA, 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. **REPEAT COMMENT:** A CUP is required for the location of the proposed drive-through, and could be required for any potential alcohol sales. Furthermore, "Vapor smoking services" is not a permitted use. Revise the Site Plan to remove the Vape Store from the tenant label and Site Data Table.

   Revise the Site Plan to remove the Vape Store from the tenant label and Site Data Table.

   Applicant Response: Addressed and updated.

   Site Plan has been revised to remove the Vape Store from the tenant label and Site Data Table. However, a CUP could be required for any potential alcohol sales. Please confirm if any proposed tenants will sell alcohol.
   No proposed tenants will sell alcohol, so a CUP for alcohol sales is not anticipated.
2. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

Comments prepared and compiled by:

Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: 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 public hearings at a meeting starting at **6:30 PM on September 22, 2026** at Lavon City Hall, 120 School Road, Lavon, Texas. Further notice is given that the City Council will hold public hearings at **6:30 PM on October 6, 2026** at Lavon City Hall. At such times and place, the Commission and the Council will receive testimony and consider:

> **Request and Property Description**: an application for a conditional use permit as specified in the Lake Breeze Planned Development regulations and Article 9.03 Zoning, of the Code of Ordinances, Section 9.03.131 Retail District (R) (c)(4) for approval of a commercial building with a drive-through lane facing a public street at 616 Cedar St., on Lot 4, Block F of the Replat of Lake Breeze Estates Block A, Lot 32C Addition on 1.22 acres out of the Samuel M. Rainer Survey, Abstract No. 740, northwest of the intersection of N. SH 78 and Cedar St./LakePointe Blvd., City of Lavon, Collin County, Texas (CCAD Property ID 2918093).

Additional information regarding the request may be obtained at 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.

Proposed preliminary concepts for informational purposes only are on the back of this Notice.

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
P.O. Box 340
Lavon, Texas 75166

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _7 - B_**

Item:

Discussion and action regarding the site plan and landscape plan of the Lavon Retail Project at 616 Cedar Street on Lot 4, Block F of the Replat of Lake Breeze Estates Block A, Lot 32C Addition on 1.22 acres out of the Samuel M. Rainer Survey, Abstract No. 740, northwest of the intersection of S.H. 78 and Cedar Street, City of Lavon, Collin County, Texas (CCAD Property ID 2918093).

Application Information

Owner(s): Georgeos Nemeh

Applicant: Bob Nguyen

Location: 616 Cedar St., located northwest of the intersection of SH 78 and Cedar St.

Description: Lot 4, Block F of the Lake Breeze Block A, Lot 32C Addition Replat in the Lake Breeze Planned Development District (CCAD Property ID 2918093).

Current Zoning: Planned Development (PD)

Request: Revised Site Plan and Landscape Plan

Request Details

The applicant is seeking approval of the site plan and landscape plan for a multi-tenant commercial building that is approximately 10,490 square feet in area. A site plan for the project was approved by the City Council on February 17, 2026.

The applicant has added a drive-through to the proposed project. Although a drive through is permitted by the PD regulations, pursuant to the Zoning Ordinance, the addition of a drive through facing a public street necessitates the approval of a conditional use permit.

In a revised application, the applicant is proposing approximately 6,580 square feet for retail, 1,910 square feet for medical/service, and 2,000 for restaurant with a drive-through.

Building façades and a photometric plan have been provided and reviewed.

The site will be developed in accordance with the Lake Breeze Planned Development District regulations,

Ordinance No. **2020-04-04**, as amended that established the Planned Development zoning for the property.

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 and landscape plan are generally prepared in conformance with the approved zoning requirements.

Platting: The property is platted.

Access: Access is provided in two places on Cedar Street. A queuing analysis has been provided and reviewed.

Utilities: The site will be served water by the Bear Creek Special Utility District and sanitary sewer by the City of Lavon.

Screening and Landscaping: Screening and landscaping are generally provided in accordance with the zoning requirements.

Planning and Zoning Commission Report:

MOTION: RECOMMEND DENIAL OF THE SITE PLAN AND LANDSCAPE PLAN OF THE LAVON RETAIL PROJECT AT 616 CEDAR ST. ON LOT 4, BLOCK F OF THE REPLAT OF LAKE BREEZE ESTATES BLOCK A, LOT 32C ADDITION ON 1.22 ACRES OUT OF THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740, NORTHWEST OF THE INTERSECTION OF N. SH 78 AND CEDAR ST./LAKEPOINTE BLVD., CITY OF LAVON, COLLIN COUNTY.
MOTION: VALLEJO
SECONDED: MCCLENDON
DENIED: UNANIMOUS

Regarding the associated and preceding application for a conditional use permit, the members of the Planning and Zoning Commission expressed concern that the drive-thru user was not identified with the queuing data being generic at best and voted to recommend denial.

Following the Planning and Zoning Commission Meeting, the applicant submitted two additional proposals for the City Council consideration to address the concerns expressed by the Commission:

1) Proposal for potential tenant to provide queuing analysis prior to any lease.
2) Proposal for specific enhanced landscape to further screen the drive-through lane from the public street.

Staff Notes:

The proposed applications were reviewed by the planning consultant, fire marshal, and city engineer.

If the conditional use permit is approved, a motion to approve of the site plan and landscape plan may be made subject to incorporation of the conditions and subject to the final review and approval of the city engineer, fire marshal, and planner.

Attachments:

1. Application and Site Plan; Building Elevations
2. Landscape Plan
3. Location exhibits
4. 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 : Bob Nguyen

Address : 435 Pinson Road, Forncy, Tx 75126

Telephone Number : (813)-390-4338

Email Address : [redacted]

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)
Lot 4, BLK F, Lake Breeze Estates, Eagle Surveying, LLC.

616 Cedar Street and S HWY 78, Lavon Texas.

SUBDIVISION NAME: (approved plat is prerequisite) Lake Breeze Estates

ZONING: PD 2020-04-04, Lake Breeze Estates PD2020-04-04

LEGAL OWNER OF PROPERTY INVOLVED: Georgeos Nemeh, Owner

[redacted] (214)-6[redacted]

If Applicant is NOT the Owner, Relationship to Owner: Authorized Agent

I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE ABOVE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.

Signature: _____ 7-7-26
Owner / Authorized Agent — Date

Printed Name: Bob Nguyen
Owner / Authorized Agent

Title: General Manager

Company: _____

City Office Use Only:

Fee paid (*due at time of application*) Cost $200 plus - $500 deposit	**Amount:** **Check #** **or Cash** _____
Required items submitted	
Development Engineer Comments	
Development Review Committee Comments	
Comments Addressed by Applicant	
Planning & Zoning Action	
City Council Action	

PROPOSED CUP CONDITION

Future Drive-Through Restaurant User – Tenant-Specific Queuing Analysis

The applicant requests that the City approve the Conditional Use Permit (CUP) for the proposed drive-through restaurant area based upon the submitted site plan and general/conservative drive-through queuing analysis, recognizing that a specific restaurant tenant has not yet been selected.

Prior to execution of a lease for the drive-through restaurant space, the property owner shall submit information identifying the proposed restaurant user and its anticipated drive-through operation to the City for review.

The future restaurant tenant shall provide a tenant-specific drive-through queuing analysis, prepared by a qualified traffic/civil engineer, based on the proposed restaurant's anticipated traffic volumes, peak-hour demand, service times, vehicle stacking requirements, and operational characteristics.

The City shall review the proposed tenant's drive-through operation to confirm that it can operate within the drive-through layout and stacking capacity shown on the approved site plan without adversely affecting public streets, fire lanes, required parking, pedestrian access, or circulation for the other tenants of the shopping center.

If modifications to the drive-through layout are required to accommodate the proposed tenant, the owner and tenant shall address those modifications through the City's applicable site-plan/tenant finish-out review process before construction or opening of the restaurant.

No restaurant tenant shall begin operation until the required tenant-specific review and applicable City approvals have been completed.

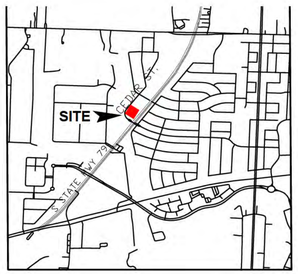
This condition is intended to allow the shell building and overall site plan to proceed without requiring the applicant to identify a specific restaurant tenant before construction, while preserving the City's ability to review the actual restaurant user's drive-through demand and queuing requirements before the restaurant opens.

Applicant: Georgeos Nemeh

Project: Lavon Retail / Shell Building

Purpose: Proposed condition for inclusion with the CUP/site-plan application

ORIGINAL SHEET SIZE: 24" X 36" (AR



STATE HIGHWAY 78
RIGHT-OF-WAY VARIES

20 10 0 20
SCALE FEET
1" = 20"

GENERAL		
Case Number		
Name of Project/Development		
Proposed Use	Resturant with Drive-Through, C-Store, Retail Store , Dentist, Cell Phone Store	
Existing Zoning District	PD-MU	
Proposed Zoning District	PD-MU	
County (Central Appraisal District)	Collin County	
Property ID	2918093	
Legal Description	BLK F, LOT 4	
Site Address	Lake Breeze Estates, Cedar Street and S Hwy 78, Lavon,Texas	
ZONING DISTRICT REGULATIONS		
Minimum Lot Area, Width & Depth	1 acre (43,560 sf)	
Minimum Front Yard	25 Ft.	
Minimum Side Yard	7 feet except adjoining residential where side yard shall be 15 feet	
Minimum Rear Yard	None except adjoining residential where rear yard shall be 15 feet	
Maximum Lot Coverage	80%	
Maximum Building Height	25' - 0"	
Building Height Proposed	25' - 0"	
AREA CALCULATIONS		
Gross Site Area	53,435 Sq. Ft.	1.227 Acre(s)
Total Building Area	10,490 Sq. Ft.	
Provided Building Coverage on Lot	19.63%	
Permitted Maximum Impervious Surface Area	90%	
Impervious Surface Area Provided	40,559 Sq. Ft.	75.90%
Pervious Surface Area Provided	12,876 Sq. Ft.	24.10%
PARKING DATA		
Resturant	1/100	20
C-Store (Retail)	1/200	13
Retail	1/200	8
Medical Office	1/200	10
Cell Phone Retail	1/200	13
Parking Spaces Required	63	
Total Parking Spaces Provided	64	
Standard Parking Spaces Provided	63	

SITE PLAN NOTES:

1. *ALL CONSTRUCTION, TESTING, AND MATERIALS SHALL CONFORM TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION, UNLESS THE CITY OF LAVON STANDARDS SPECIFY STRICTER REQUIREMENTS.*
2. *CONTRACTOR SHALL VERIFY LOCATIONS, ELEVATIONS, AND DIMENSIONS OF EXISTING UTILITIES (WATER, SANITARY, STORM, ELECTRIC, GAS, TELECOM) PRIOR TO CONSTRUCTION AND IS RESPONSIBLE FOR PROTECTING THEM. DAMAGES RESULTING FROM CONSTRUCTION SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.*
3. *A RE-CONSTRUCTION CONFERENCE WILL BE REQUIRED PRIOR TO BEGINNING ANY CONSTRUCTION.*
4. *ALL SITE IMPROVEMENTS (STREETS, PARKING, FIRE LANES, SIDEWALKS, CURB & GUTTER) SHALL MEET CITY OF LAVON STANDARDS FOR PAVEMENT STRENGTH, CONCRETE MIX, AND ADA COMPLIANCE. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.*
5. *FIRE HYDRANTS, WATER SERVICE LOCATIONS, AND ALL UTILITY EASEMENTS SHALL BE INSTALLED PER APPROVED SITE PLAN AND COORDINATED WITH BEAR CREEK SUD AND APPLICABLE UTILITY PROVIDERS. SANITARY SEWER SERVICE SHALL BE COORDINATED WITH CITY OF LAVON.*
6. *ALL GROUND-BASED HVAC EQUIPMENT SHALL BE SCREENED WITH LIVE SCREENING OR A MASONRY ENCLOSURE. MASONRY SCREENING SHALL MATCH THE MATERIALS OF THE MAIN BUILDING.*
7. *ALL ROOF-MOUNTED MECHANICAL UNITS AND/OR EQUIPMENT SHALL BE FULLY SCREENED FROM PUBLIC VIEW.*
8. *DUMPSTER ENCLOSURES SHALL BE CLAD IN A MATERIAL MATCHING THE MAIN BUILDING AND REQUIRE A SEPARATE BUILDING PERMIT.*
9. *ALL FUTURE TENANT SIGNAGE SHALL BE PERMITTED SEPARATELY AND IS NOT INCLUDED WITH THIS SITE PLAN APPROVAL.*
10. *APPROVAL OF THIS SITE PLAN SHALL NOT WAIVE OR SUPERSEDE ANY REQUIREMENT OF THE CITY OF LAVON CODE OF ORDINANCES.*

ALL FULL DEPTH SAWCUTS TO REMOVE A MINIMUM OF 12" EXISTING PAVEMENT FOR ACCESS DRIVE CONNECTIONS.

"DANGER"
811 Know what's below. Call before you dig.
(@ LEAST 72 HRS PRIOR TO DIGGING)

REVISION

NO.	DATE	BY

REMARK:
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SITE PLAN

FOR
LOT 4, BLOCK F,
SITUATED AT THE NORTHWEST CORNER
OF CEDAR ROAD & SH 78
LAVON, TEXAS

DEVELOPER / G.C.

NAMGROUP CONSTRUCTION
BOB NGUYEN
425 PINSON RD, STE M#1015
FORNEY, TX. 75126
813-390-4335
www.namgroupcorp.com

09-02-26

STATE OF TEXAS
PANSAK SRIBHEN
40320
LICENSED
PROFESSIONAL ENGINEER

ASA ENGINEERING
18383 PRESTON ROAD, SUITE 422
DALLAS, TEXAS 75252
(972) 248-8651 FAX (972) 248-9681
TX. T.B.P.E. REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: CE
CHECKED: PSS

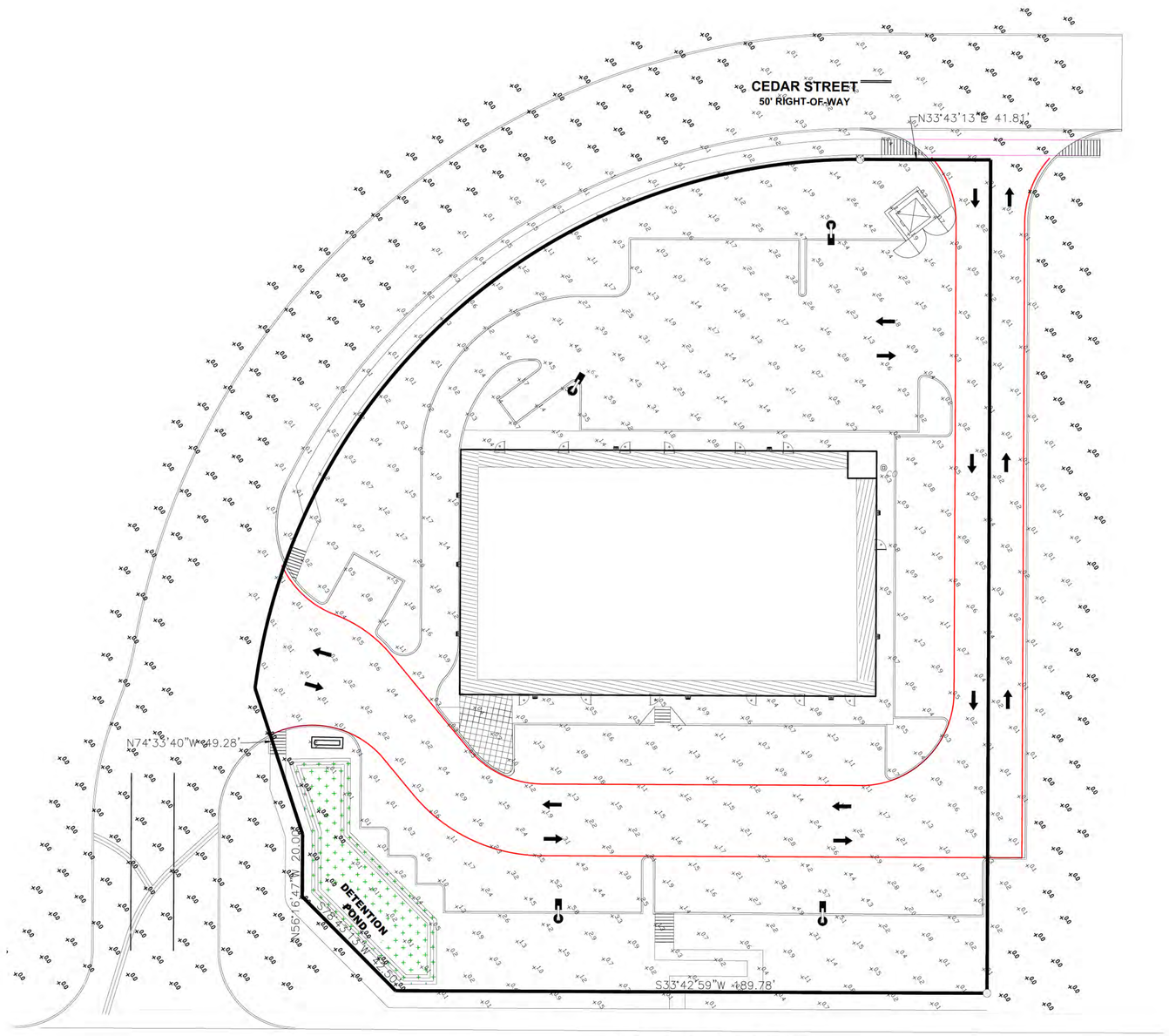
PSA JOB NO. 22632.CSL

DATE: 9/16/2026

SHEET: C-1.0

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Plotted: Sep 17, 2026 at 3:23:13 PM by chadp

ORIGINAL SHEET SIZE: 24" X 36" (ARCH D)



EXTERIOR PHOTOMETRIC NOTES

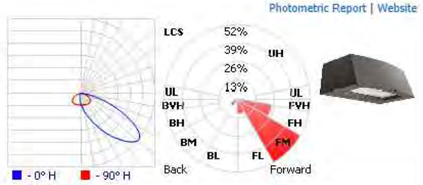
1. ACTUAL PHOTOMETRICS WILL VARY DEPENDING ON COLOR OF WALLS, SURFACE TEXTURE AND LANDSCAPING.
2. ACTUAL FIXTURE LAYOUT AND PHOTOMETRICS MAY VARY BASED ON FINAL LOCATION OF FIXTURES. FIXTURES WILL NEED TO BE FIELD ADJUSTED BASED ON ACTUAL BUILDING AND SITE CONDITIONS.
3. PHOTOMETRIC READINGS BASED ON THE FOLLOWING HEIGHTS ABOVE FINISHED FLOOR (A.F.F.):
   LUMINAIRE "A" (POLE-MOUNTED FIXTURE): 20 FEET
   LUMINAIRE "B" (WALL PACK): 8 FEET
4. IES RECOMMENDS THE FOLLOWING MINIMUM FOOT CANDLES ON PAVEMENT FOR GENERAL PARKING AND PEDESTRIAN AREAS.

   HIGH LEVEL OF ACTIVITY: 0.9 F.C. MIN.
   MEDIUM LEVEL OF ACTIVITY: 0.6 F.C. MIN.
   LOW LEVEL OF ACTIVITY: 0.2 F.C. MIN.

LUMINAIRE SPECIFICATIONS (A)

Photometric Report | Website

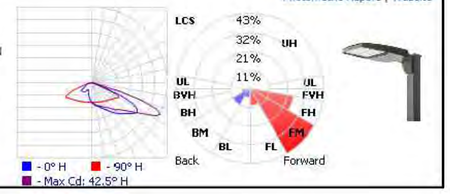
MANUFACTURER: LITHONIA LIGHTING
CATALOG: ARC2 LED P1 30K
DESCRIPTION: ARC2 LED WITH P1 - PERFORMANCE PACKAGE, 3000K
LAMP OUTPUT: TOTAL LUMINAIRE LUMENS: 1501.9
INPUT WATTAGE: 10.6112
DISTRIBUTION: TYPE III, VERY SHORT, BUG RATING: B0 - U0 - G1



LUMINAIRE SPECIFICATIONS (B)

Photometric Report | Website

MANUFACTURER: LITHONIA LIGHTING
CATALOG: RSX2 LED P1 40K R3S
DESCRIPTION: RSX AREA LUMINAIRE SIZE 2 P1 LUMEN PACKAGE 4000K CCT TYPE R3S DISTRIBUTION
LAMP OUTPUT: TOTAL LUMINAIRE LUMENS: 11285.6
INPUT WATTAGE: 72.0642
DISTRIBUTION: TYPE III, SHORT, BUG RATING: B2 - U0 - G2



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REVISION

NO.	DATE	BY

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SITE LIGHTING PLAN

FOR
LOT 4, BLOCK F,
SITUATED AT THE NORTHWEST CORNER
OF CEDAR ROAD & SH 78
LAVON, TEXAS

DEVELOPER / G.C.

NAMGROUP CONSTRUCTION
BOB NGUYEN
425 PINSON RD. STE M#1015
FORNEY, TX. 75126
817-900-4455
www.namgroupcc.com

PANSAK SRIBHEN 40320 LICENSED PROFESSIONAL ENGINEER
STATE OF TEXAS
09-02-26

ASA ENGINEERING
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DALLAS, TEXAS 75252
(972) 248-9681 FAX (972) 248-9681
TX T.B.P.E REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: CE
CHECKED: PSS

PSA JOB NO. 22632.CSL

DATE: 9/15/2026

SHEET: **C-9.0**

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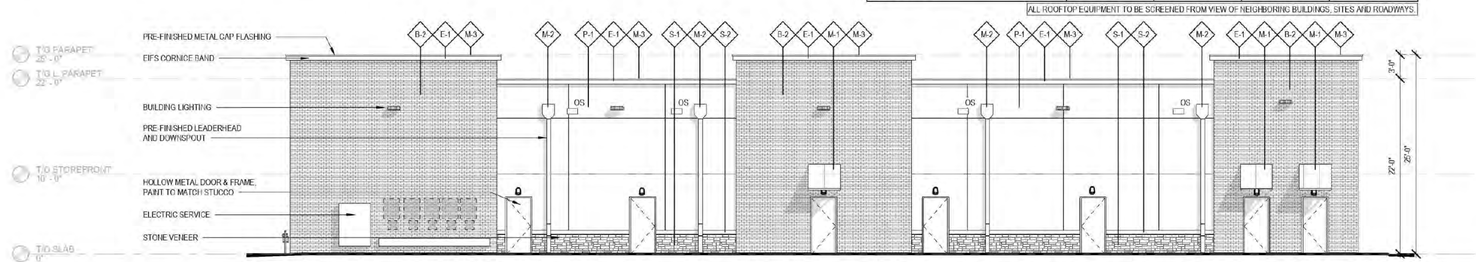
ORIGINAL SHEET SIZE: 24" X 36" (ARCH D)

FINISH MATERIAL SCHEDULE

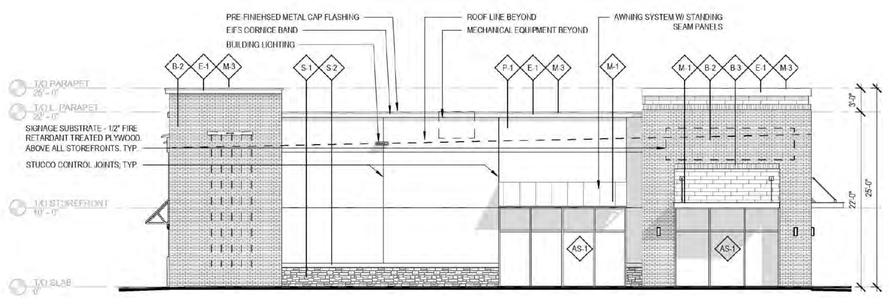
SYMBOL	DESCRIPTION	NOTE	SYMBOL	DESCRIPTION	NOTE	SYMBOL	DESCRIPTION	NOTE
B-1	MODULAR SIZE BRICK RIDGEMAR - VELOUR (SKU: 105401) MANUF. ACME BRICK	MORTAR: TYPE N, INTEGRALLY COLORED LIGHT GRAY, MATCH APPROVED SAMPLE PANEL	S-2	WAINSCOT SILL GRAY LUEDERS SILL, SAWN MANUF. TBD THICKNESS: 2"	PROVIDE 90 DEGREE CORNER	M-2	PRE-FINISHED METAL DOWNSPOUT CHARCOAL GRAY (MATCH SW7674 PEPPERCORN) MANUF: METAL SALES	GUTTERS AND DOWNSPOUTS
B-2	ACCENT MODULAR SIZE BRICK CHARCOAL GRAY - VELOUR (SKU: 122236) MANUF. ACME BRICK		P-1	ACRYLIC STUCCO FINISH SEMI-SMOOTH IC110 CLOUD COVER	OMEGA 3 - COAT SYSTEM - OR APPROVED EQUAL	M-3	PRE-FINISHED CAP FLASHING CHARCOAL GRAY (MATCH SW7674 PEPPERCORN)	
B-3	BRICK SILL CHARCOAL GRAY - VELOUR (SKU: 122236) MANUF. ACME BRICK		AS-1	ALUMINUM STOREFRONT SYSTEM DARK BRONZE ANODIZED YKK AP INDUSTRIES YES 45 FI SYSTEM OR APPROVED EQUAL	W/ 1" LOW-E INSULATED GLASS (REF. WINDOW ELEVATIONS)	CB-1	WOOD LOOK FIBER CEMENT BOARD VINTAGEWOOD; SPRUCE MANUF: NICHIHA	
S-1	THIN STONE VENEER GRAY LUEDERS, SONOMA MANUF. TBD THICKNESS: 1"	2-6" HEIGH, PROVIDE CORNER RETURNS MINIMUM 4"	M-1	PRE-FINISHED METAL AWNINGS STANDING SEAM CHARCOAL GRAY (MATCH SW7674 PEPPERCORN) MANUF: METAL SALES/ BERRIDGE M. CO.	METAL AWNINGS	E-1	EIFS SYSTEM DECORATIVE ARCHITECTURAL SHAPES; CUSTUM PAINT COLOR: 131 GULL GRAY; FINESSE MANUF. DRYVIT	REF. WALL SECTIONS AND DETAILS

ELEVATION MATERIAL	ELEVATIONS SF (%) FRONT	SIDE	SIDE	BACK
BRICK	1,886 SF (59%)	291 SF (16%)	471 SF (25%)	1,534 SF (49%)
WOOD LOOK FIBER CEMENT BOARDS	237 SF (7%)	85 SF (5%)	153 SF (8%)	-
STUCCO / EIFS	49 SF (1%)	1,027 SF (56%)	842 SF (45%)	1,293 SF (41%)
STONE VENEER	-	107 SF (6%)	102 SF (6%)	136 SF (4%)
STOREFRONT / HM DOORS	972 SF (31%)	292 SF (16%)	264 SF (14%)	167 SF (5%)
METAL PANELS	57 SF (2%)	21 SF (1%)	36 SF (2%)	-
TOTAL	3,188 SF	1,823 SF	1,868 SF	3,130 SF

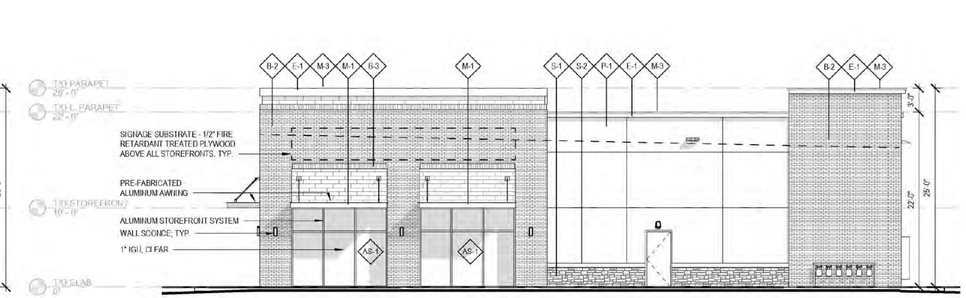
ALL ROOFTOP EQUIPMENT TO BE SCREENED FROM VIEW OF NEIGHBORING BUILDINGS, SITES AND ROADWAYS.



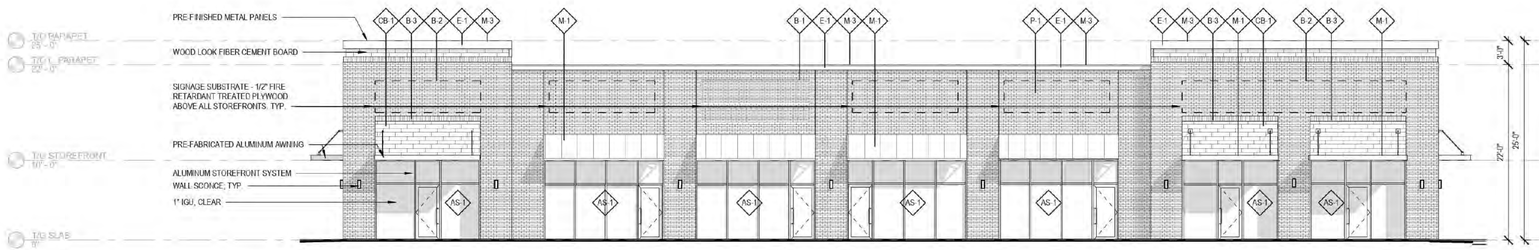
4 BACK ELEVATION
1/8" = 1'-0"



3 SIDE ELEVATION
1/8" = 1'-0"



2 SIDE ELEVATION
1/8" = 1'-0"



1 FRONT ELEVATION
1/8" = 1'-0"

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REVISION

NO.	DATE	BY

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Studio HMA LLC

Dardan Hoxha
dardan.hoxha.ra@gmail.com
469-463-4845

REGISTERED ARCHITECT DARDAN HOXHA 27269 STATE OF TEXAS

04/20/2026

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ELEVATIONS
FOR
LOT 4, BLOCK F,
SITUATED AT THE NORTHWEST CORNER
OF CEDAR ROAD & SH 78
LAVON, TEXAS

DEVELOPER / G.C.
NAMGROUP CONSTRUCTION
BOB NGUYEN
425 PINSON RD. STE M#1015
FORNEY, TX. 75126
(469) 556-1447
www.namgroupcorp.com

09.02.26

ASA ENGINEERING
18383 PRESTON ROAD, SUITE 422
DALLAS, TEXAS 75252
(972) 248-9681 FAX (972) 248-9651
TX T.B.P.E. REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

Project
LAVON RETAIL
616 CEDAR STREET
LAVON, TX 75166

Prepared for: GEORGE NEMEH

ISSUE/REVISION		
No.	Description	Date
	ISSUED FOR CONSTRUCTION	04.20.2026

Sheet Title:
EXTERIOR ELEVATIONS

Original is 36 x 24. Do not scale contents of this drawing.
Sheet Number:
A5.1

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: CE
CHECKED: PSS

PSA JOB NO. 22632.CSL

DATE: 9/15/2026

SHEET: C-8.0

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Plotted: Sep 17, 2026 at 3:26:55 PM by chadp

CITY OF LAVON
LANDSCAPE PLAN APPLICATION

P.O. Box 340 120 School Rd., Lavon, TX 75166
Office (972) 843-4220 Fax (972) 843-0397

APPLICATION INFORMATION

Name: Bob Nguyen

Address: 435 Pinson Road, Forncy, Tx 75126

Telephone Number: (81[redacted]

Email Address: [redacted]n

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)
Lot 4, BLK F, Lake Breeze Estates, Eagle Surveying, LLC.
616 Cedar Street and S HWY 78, Lavon Texas.

SUBDIVISION NAME: (*approved plat is prerequisite*) Lake Breeze Estates

ZONING: PD 2020-04-04, Lake Breeze Estates PD2020-04-04

LEGAL OWNER OF PROPERTY INVOLVED: Georgeos Nemeh, Owner
[redacted] (214[redacted]

If Applicant is NOT the Owner, Relationship to Owner: Authorized Agent

I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE ABOVE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.

Signature: _____ 7-7-26
Owner / Authorized Agent — Date

Printed Name: Bob Nguyen
Owner / Authorized Agent

Title: General Manager

Company: _____

City Office Use Only:

Fee paid (*due at time of application*) Cost plus admin fee - $500 deposit	**Amount:** **Check #** **or Cash** _____
Required items submitted	
Development Engineer Comments	
Development Review Committee Comments	
Comments Addressed by Applicant	
Planning & Zoning Action	
City Council Action	

CITY OF LAVON

DRIVE-THROUGH SCREENING & LANDSCAPING COMMITMENT

Applicant: Georgeos Nemeh
Project: Lavon Retail Shopping Center – 10,450 SF

I am submitting this statement as part of my application and would like to confirm my commitment to providing substantial landscaping to screen the proposed drive-through from the adjacent public street.

Landscaping Commitment

The drive-through side facing the public street will be fully screened through landscaping and appropriate site design. I commit to installing mature shrubs and/or landscape plantings selected to provide an effective visual screen of drive-through vehicles.

The landscaping will be designed to achieve a mature screening height of approximately **6 feet**, or another height approved by the City, and will be installed and maintained in accordance with the City's approved landscape plan.

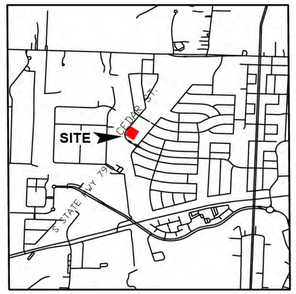
I am willing to work with City staff on the final plant selection, spacing, and screening design to ensure the landscaping provides the intended visual buffer while maintaining safe vehicle circulation, pedestrian access, and fire-lane access.

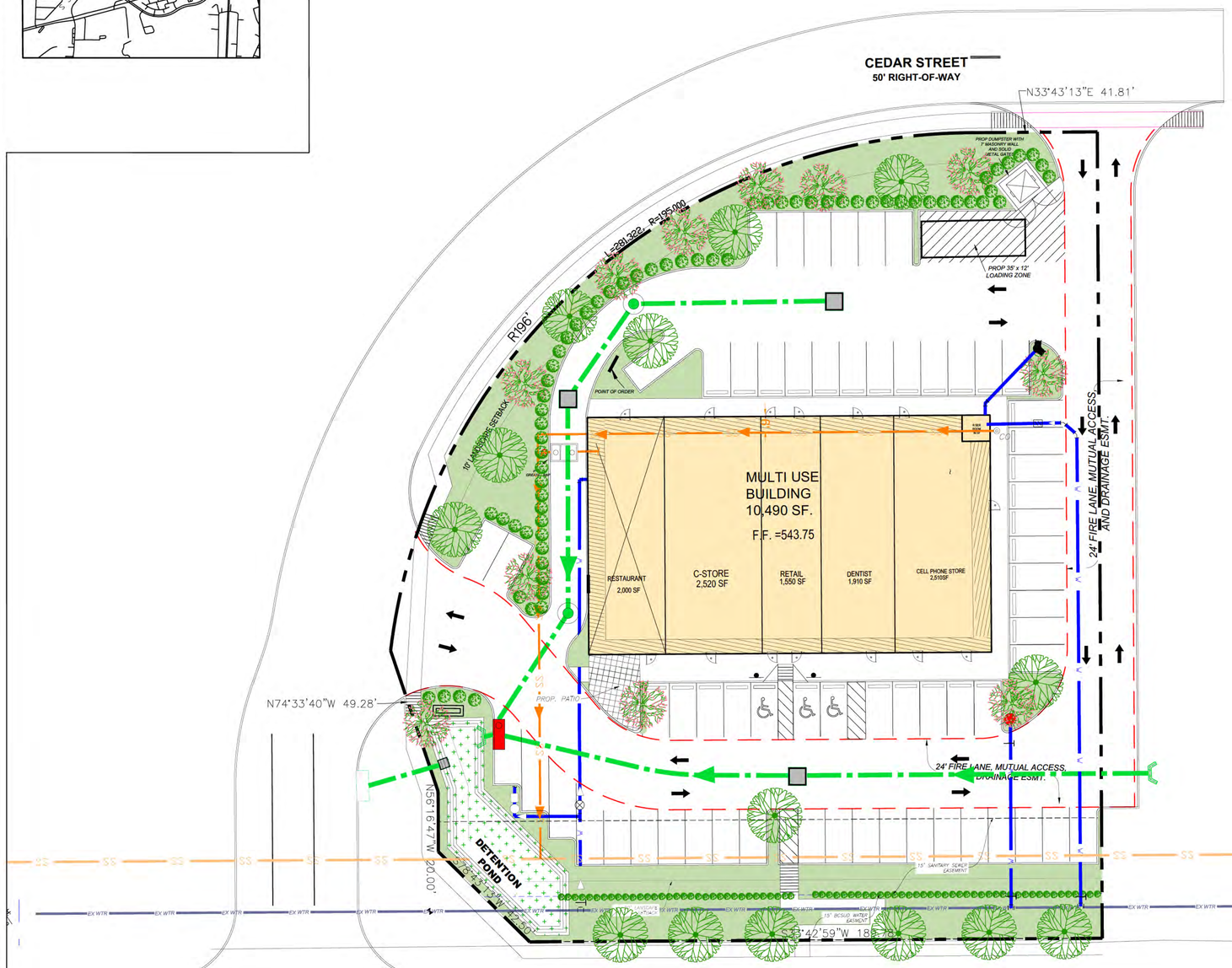
I respectfully request that this commitment be included with my application materials for consideration by the City Council.

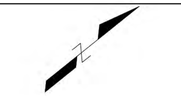
Respectfully submitted,

Georgeos Nemeh
Applicant

ORIGINAL SHEET SIZE: 24" X 36" (ARCH D)





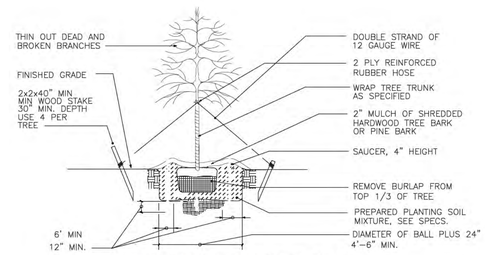


LEGEND

- LIVE OAK TREE, 4" CAL. (SHADE)
- CRAPE MYRTLE 'WATERMELON RED', 3" CAL. (ORNAMENTAL)
- TEXAS SAGE, 3 GAL. (SHRUB)
- BERMUDA GRASS (SOD)

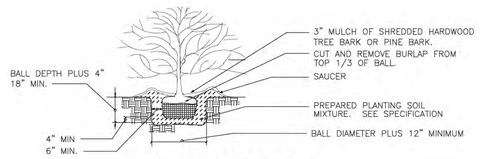
PLANT LIST

COMMON NAME	BOTANICAL NAME	QTY.	SIZE
LIVE OAK	QUERCUS VIRGINIANA	16	4" CAL.
RED CREPE MYRTLE	LAGERSTROEMIA INDICA 'WATERMELON RED'	12	3" CAL.
TEXAS SAGE	LEUCOPHYLLUM FRUTESCENS	134	3 GAL.
BERMUDA GRASS SOD	CYNODON DACTYLON	12,876 SF.	



LARGE TREE STAKING DETAIL

NOT TO SCALE FOR TREES UNDER 3 1/2" CALIPER



SHRUB PLANTING DETAIL

NOT TO SCALE

IRRIGATION NOTES

1. IRRIGATION PLAN SHALL BE PROVIDED AT THE TIME OF BUILDING PERMIT BY THE IRRIGATION CONTRACTOR.
2. UNDERGROUND IRRIGATION PLANS SHALL CONFORM TO THE CITY OF LAVON STANDARDS.
3. ALL LANDSCAPE AREAS MUST BE IRRIGATED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM EQUIPPED WITH OPERATING RAIN AND FREEZE SENSORS.
4. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED TO MAINTAIN ALL LANDSCAPE AREAS. SPRAY OVER ON STREETS AND WALKS IS PROHIBITED.
6. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR DESIGN AND SUBMIT IRRIGATION PLANS TO THE ENGINEER FOR APPROVAL PRIOR TO SUBMITTAL TO THE CITY FOR THE IRRIGATION PERMIT.

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LANDSCAPE PLAN

FOR
LOT 4, BLOCK F,
SITUATED AT THE NORTHWEST CORNER
OF CEDAR ROAD & SH 78
LAVON, TEXAS

DEVELOPER / G.C.
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ENGINEER OF RECORD
PANSAK SRIBHEN
40320
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09-02-26
STATE OF TEXAS

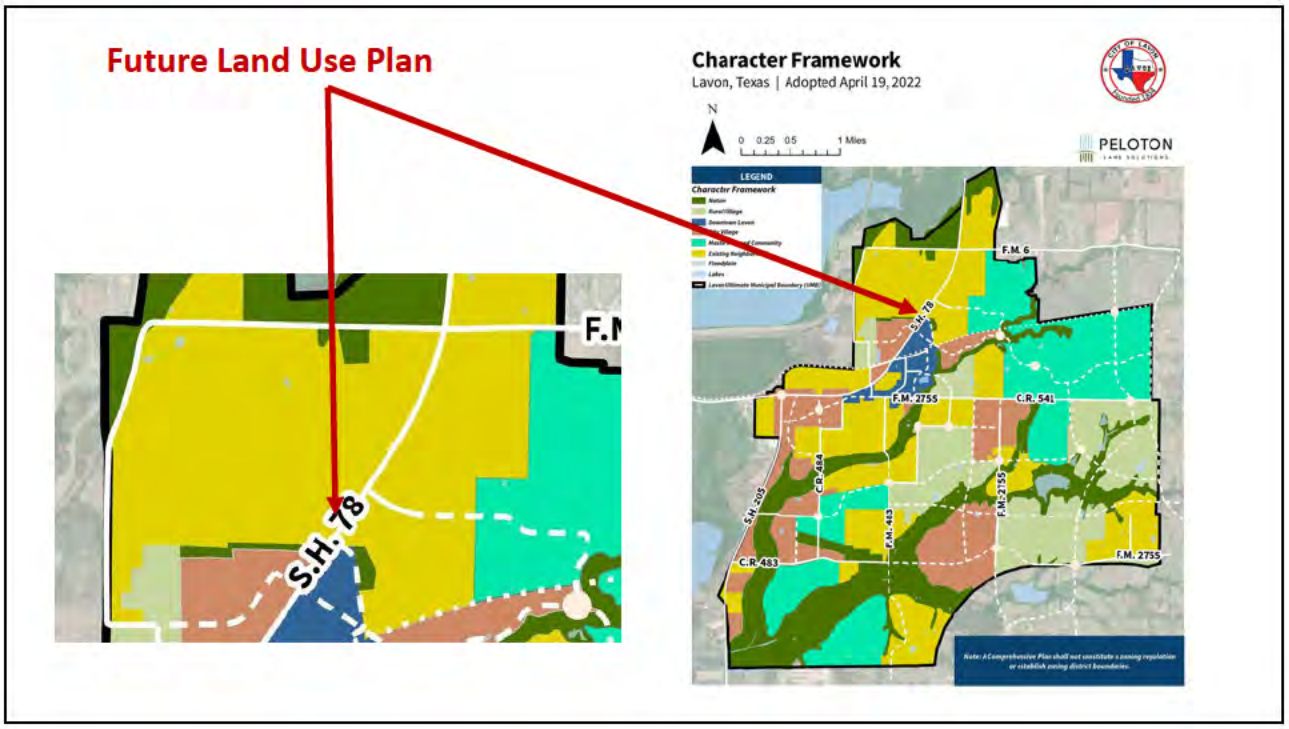
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T.B.P.L.S. FIRM REGISTRATION # 100433

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: CE
CHECKED: PSS

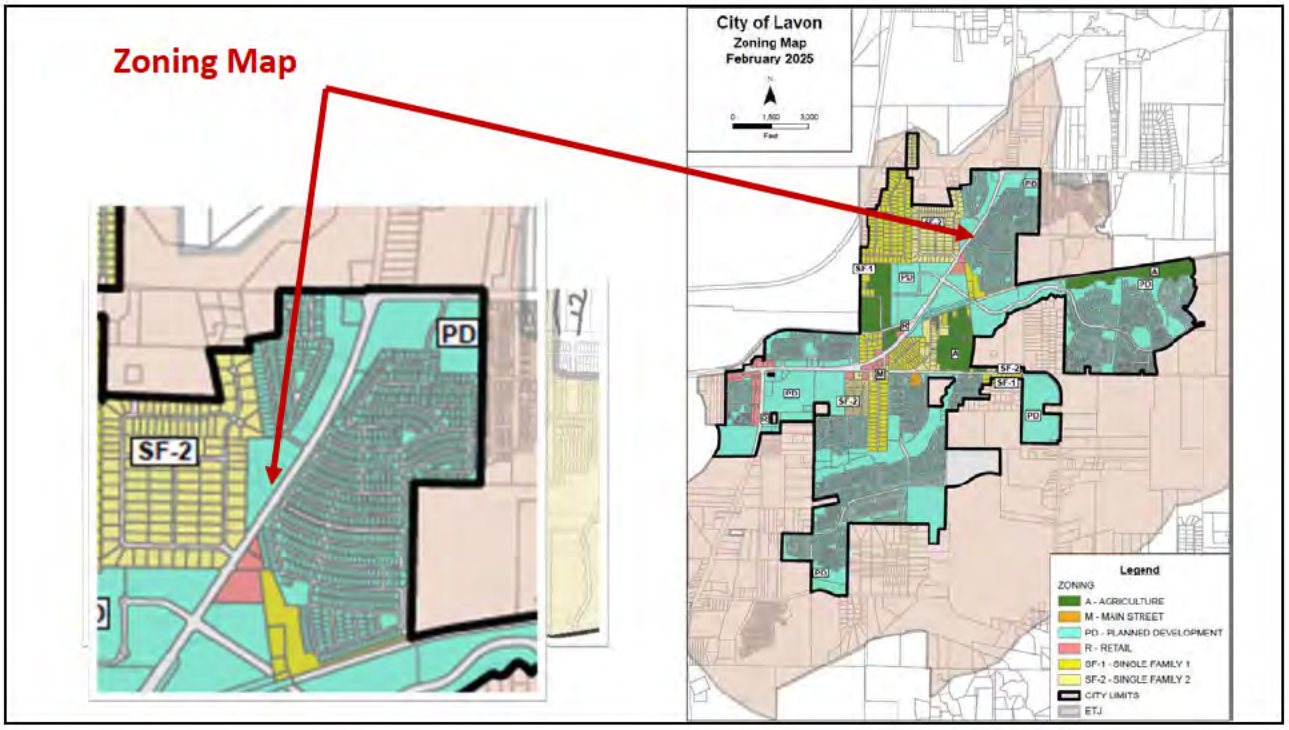
PSA JOB NO. 22632.CSL

DATE: 9/17/2026

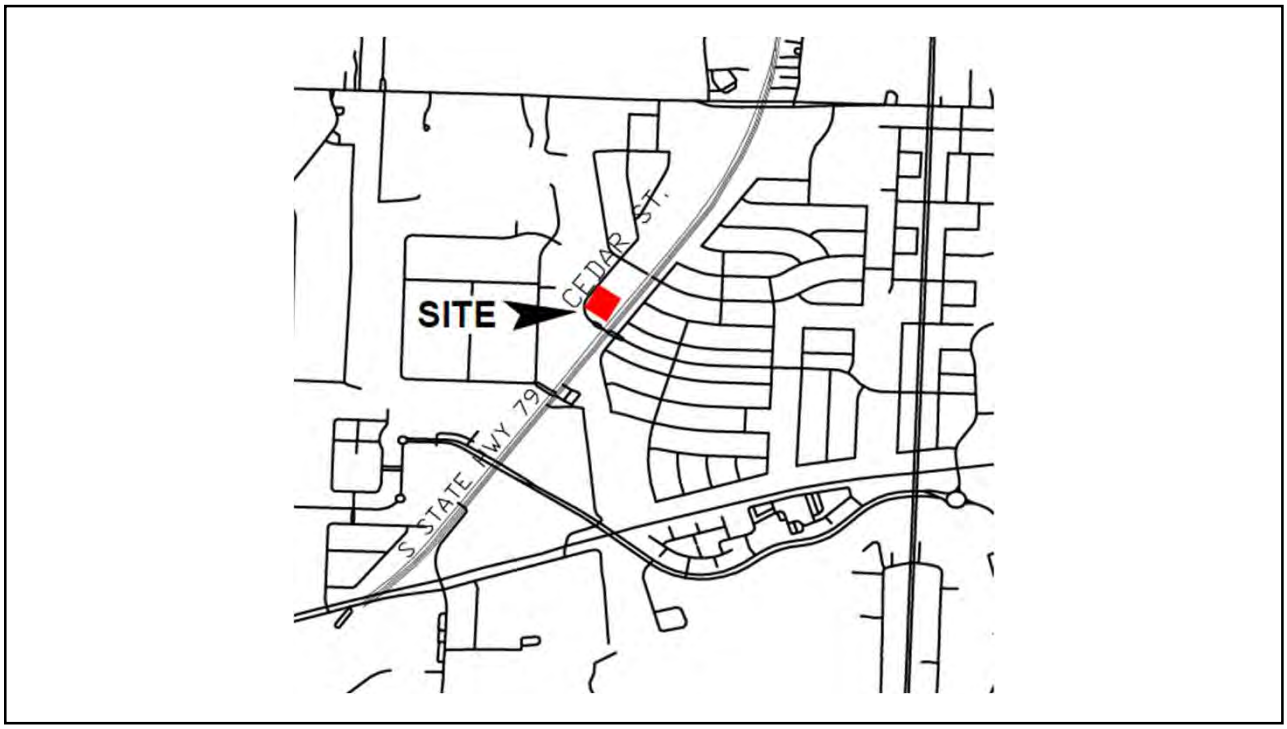
SHEET: C-10.0


Future Land Use Plan
Character Framework
Lavon, Texas | Adopted April 19, 2022
N
0 0.25 0.5 1 Miles
PELOTON
LEGEND
Character Framework
F.M. 6
S.H. 78
F.M. 2755
C.R. 541
C.R. 484
S.H. 205
F.M. 2755
F.M. 483
C.R. 483
F.M. 2755
S.H. 78

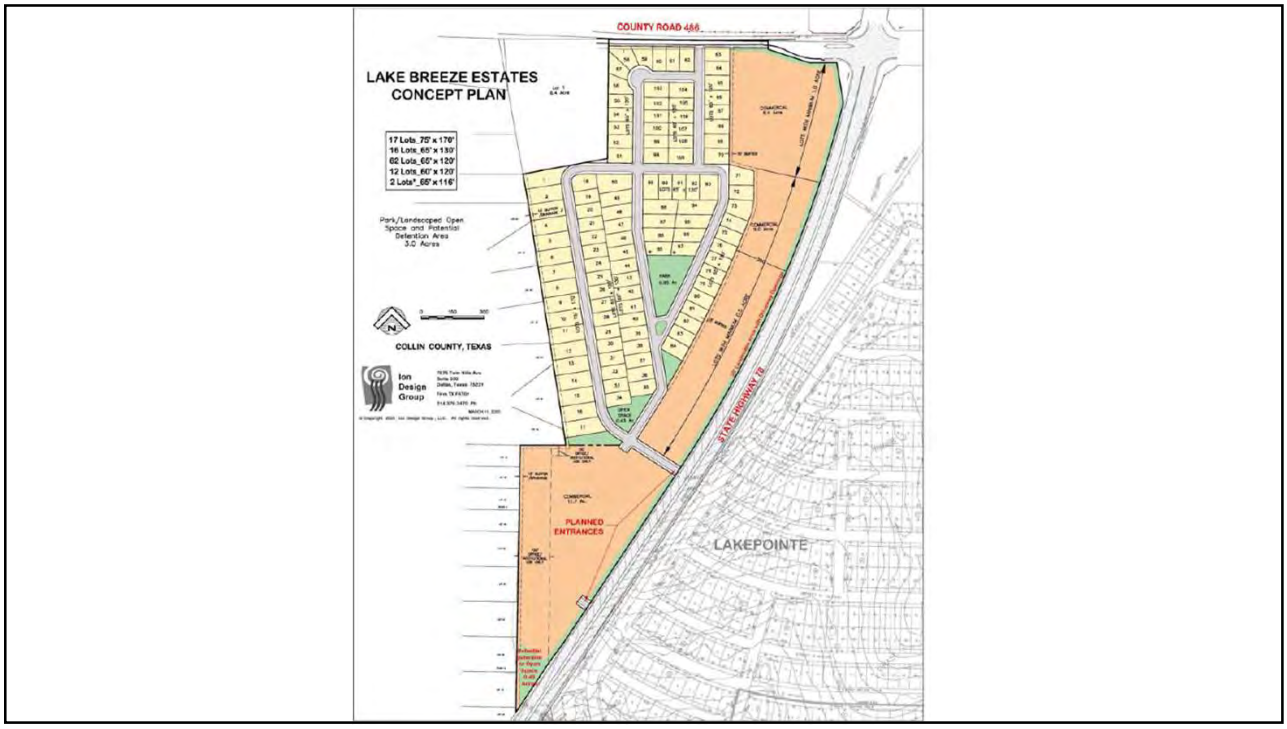
18


Zoning Map
City of Lavon
Zoning Map
February 2025
PD
SF-2
Legend
ZONING
A - AGRICULTURE
M - MAIN STREET
PD - PLANNED DEVELOPMENT
R - RETAIL
SF-1 - SINGLE FAMILY 1
SF-2 - SINGLE FAMILY 2
CITY LIMITS
ETJ

19


SITE
CEDAR ST.
S STATE HWY 79

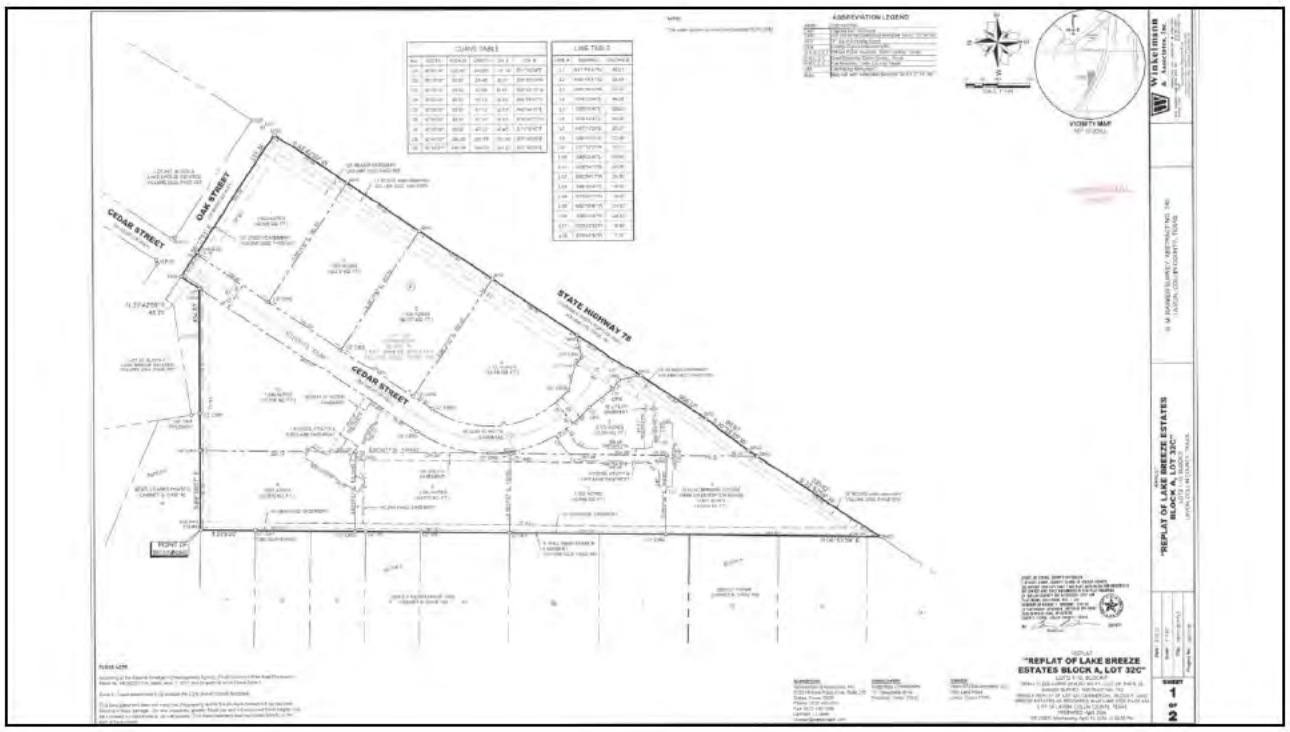
20


COUNTY ROAD 488
LAKE BREEZE ESTATES
CONCEPT PLAN
17 Lots_70' x 170'
16 Lots_65' x 130'
62 Lots_65' x 120'
12 Lots_60' x 120'
2 Lots*_65' x 116'
Park/Landscaped Open Space and Potential Detention Area 3.0 Acres
COLLIN COUNTY, TEXAS
Ion Design Group
STATE HIGHWAY 78
PLANNED ENTRANCES
LAKEPOINTE

21


Gage Rd
Teal Ln
WATERCROSS RESIDENCES
MORGAN ADDITION
Pine St
78
Cedar St
Spruce St
LAKE BREEZE ESTATES
Water View Dr
Silver
PHASE THREE
Rolling Meadow Dr
LAKEPOINTE PH
Waters Ridge Dr
LAKEPOINTE PHASE IIB
Oak Creek Dr
Clear Lake Dr
Colt Dr
PHASE TWO
Brookview Dr

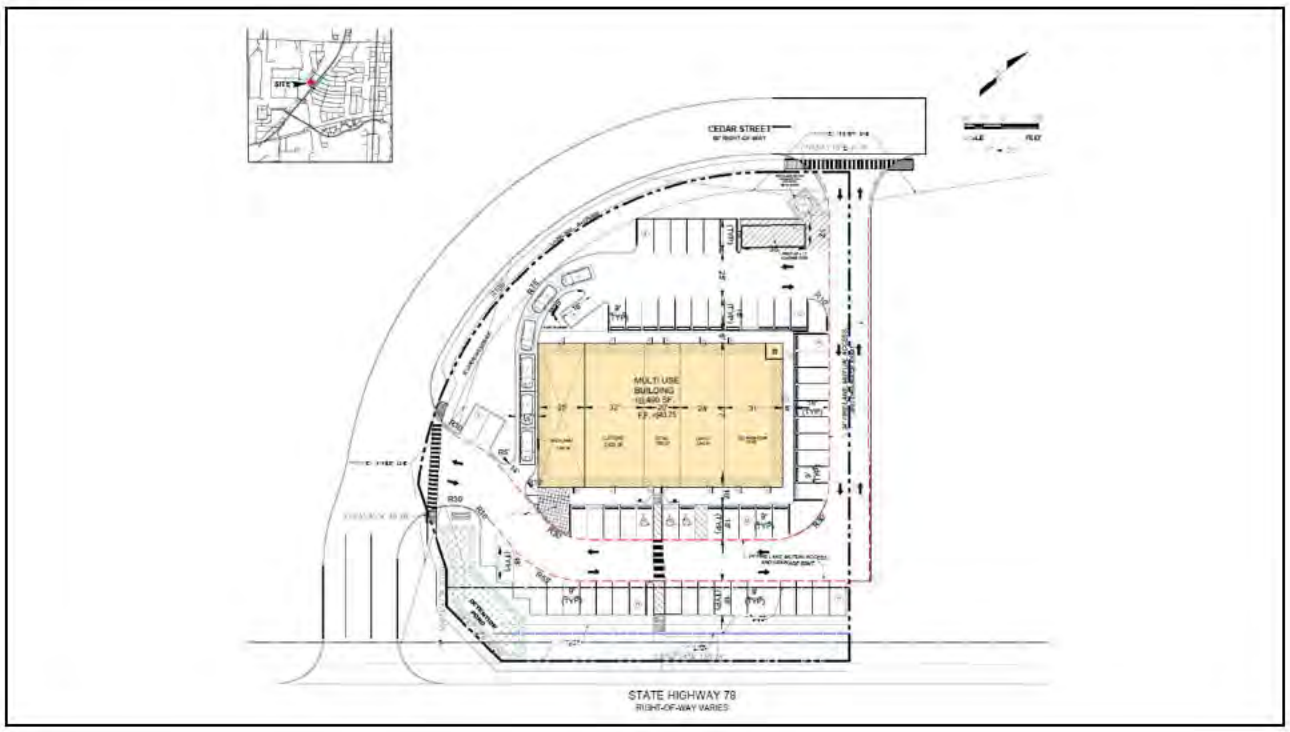
22


CEDAR STREET
OAK STREET
STATE HIGHWAY 78
CEDAR STREET
"REPLAT OF LAKE BREEZE ESTATES BLOCK A, LOT 32C"

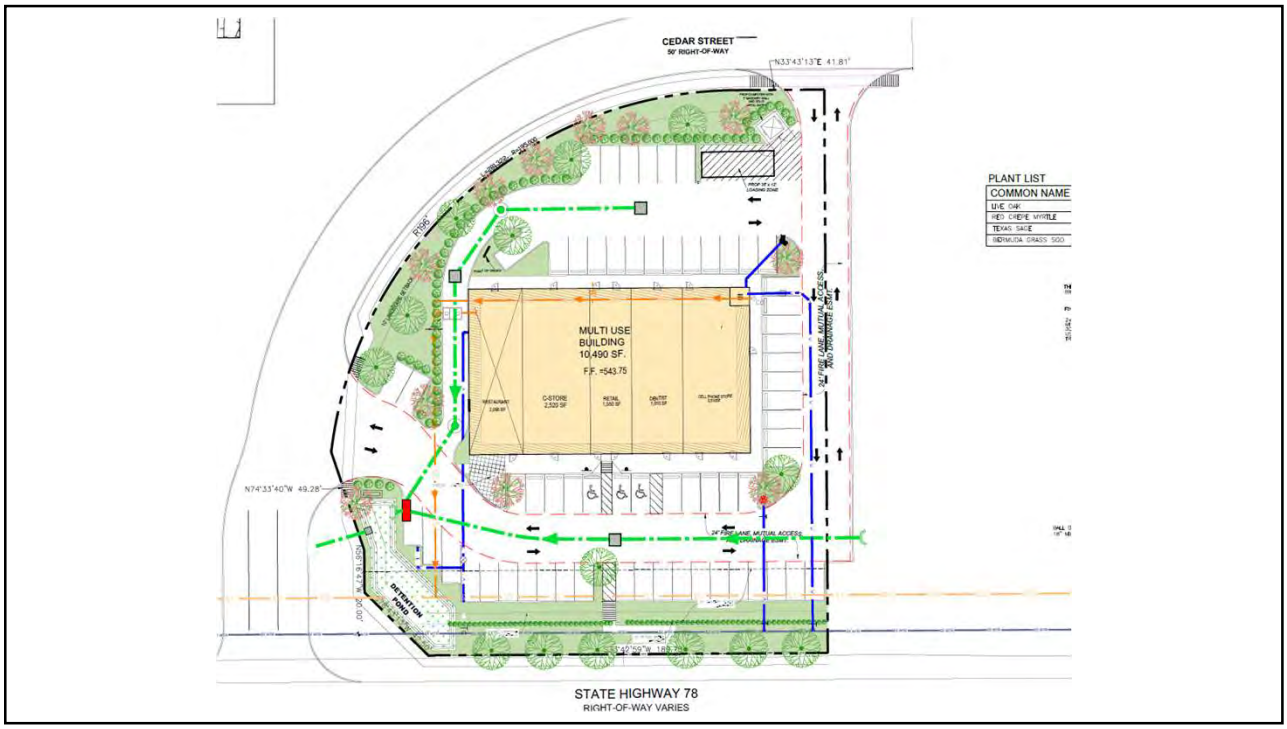
23


OAK STREET
CEDAR STREET
STATE HIGHWAY 78
20' SEWER EASEMENT
VOLUME 2022, PAGE 555
10' BCSUD water easement
VOLUME 2022, PAGE 555
10' UTILITY EASEMENT
VOLUME 2022, PAGE 033
1.000 ACRES
(43,559 SQ. FT.)
1.000 ACRES
(43,677 SQ. FT.)
1.227 ACRES
(53,430 SQ. FT.)
1.649 ACRES
(71,815 SQ. FT.)
BCSUD 15' WATER EASEMENT
ACCESS, UTILITY & FIRE LANE EASEMENT
15' UTILITY EASEMENT
1.092 ACRES
(47,555 SQ. FT.)
1.033 ACRES
(44,972 SQ. FT.)
1.000 ACRES
(43,643 SQ. FT.)
6.779 ACRES
(33,653 SQ. FT.)
454.80'
392.70'
S 89°55'07" E
S 89°55'07" W 3,044.60'
N 00°54'13" E
105.93'
S 00°54'13" W
491.00'
L11 N89°54'13"E 24.00'
L12 S00°54'13"W 24.00'
L13 S89°01'47"E 15.00'
L14 S53°43'13"W 15.00'
L15 N36°16'47"W 34.00'
L16 S89°15'47"E 24.00'
L17 S53°43'13"W 15.00'
L18 S78°43'13"W 7.17'

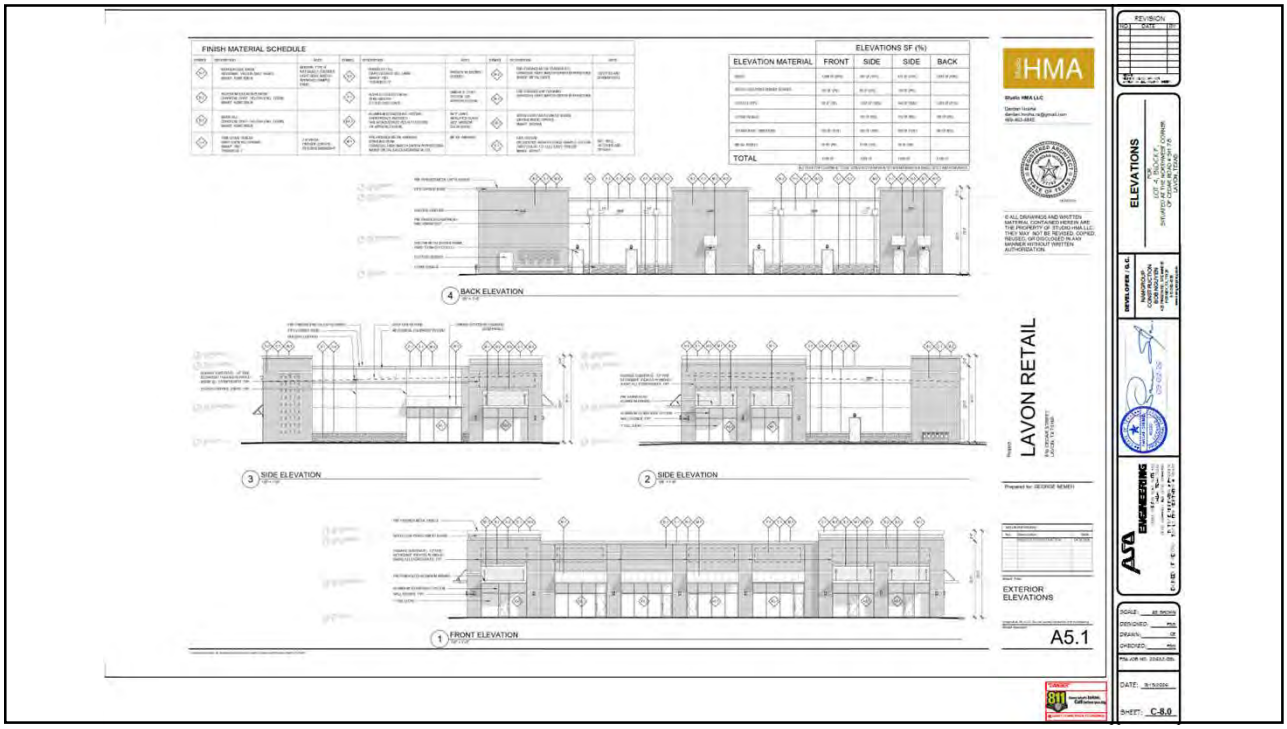
24


SITE
CEDAR STREET
MULTI USE BUILDING
STATE HIGHWAY 78
RIGHT-OF-WAY VARIES

25


CEDAR STREET
50' RIGHT-OF-WAY
N33°43'13"E 41.81'
PLANT LIST
COMMON NAME
LIVE OAK
RED CREPE MYRTLE
TEXAS SAGE
BERMUDA GRASS SOD
MULTI USE BUILDING
10,490 SF.
F.F. =543.75
RESTAURANT 2,000 SF
CATORS 2,520 SF
RETAIL 1,500 SF
DENTIST 1,500 SF
CELL PHONE STORE 2,000
24' FIRE LANE MUTUAL ACCESS
N74°33'40"W 49.28'
DETENTION POND
STATE HIGHWAY 78
RIGHT-OF-WAY VARIES

26


FINISH MATERIAL SCHEDULE
ELEVATIONS SF (%)
ELEVATION MATERIAL
FRONT
SIDE
SIDE
BACK
TOTAL
HMA
4 BACK ELEVATION
3 SIDE ELEVATION
2 SIDE ELEVATION
1 FRONT ELEVATION
LAVON RETAIL
EXTERIOR ELEVATIONS
A5.1
REVISION
ELEVATIONS
ASTA ENGINEERING
DATE: 9/15/2026
SHEET: C-8.0

27


FOUNDRY LANE
LAKE BREEZE DENTAL
BLUME
1 FRONT ELEVATION
4 BACK ELEVATION

28


2 SIDE ELEVATION
3 SIDE ELEVATION

29

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 17, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Revised Site Plan Review
LJA Job No. NTP-3880
MyGov Submittal: September 17, 2026

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

1. Revise the Site Plan to provide the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access Easement by separate instrument.

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

Thank you,

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 17, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

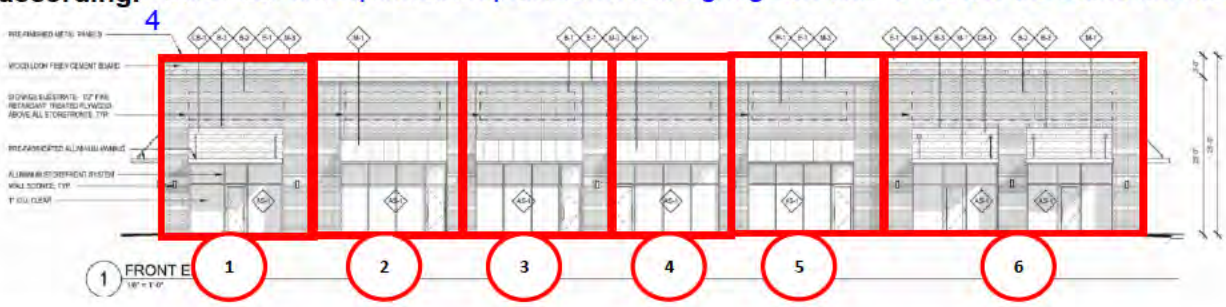
Re: Lake Breeze, Lot 4
Revised Site Plan Review
LJA Job No. NTP-3880
MyGov Submittal: September 16, 2026

LJA, 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. **REPEAT COMMENT:** Submit Building Elevations and Photometric Plan that match the revised site layout and building configuration.

   The Photometric Plan has been revised to match the revised Site Plan. However, the Building Elevations appear to show six tenant spaces while the Site Plan shows five tenant spaces. Please confirm the number of tenants and revise the associated plans according. Addressed and updated on plan. removed signage on unit "3" as it is the same unit as 4



2. **REPEAT COMMENT:** Revise the Landscape Plan to provide canopy trees along SH78 as shown on the approved Landscape Plan. If there are any utilities lines not included on the Landscape Plan please include them in the next revision and ensure that all proposed trees are a minimum of eight feet from public utility lines.

   The Landscape Plan has been revised to provide canopy trees along SH78 at a rate of 1 per 25 feet. However, these trees are approximately 4 feet from the existing water line. Additionally, the legend indicates that the canopy trees shown on the Landscape Plan are either Live Oak or Canadian Maple, and the shrubs are Nandina Sienna Sunrise. Canadian Maples canopy trees and Nandina Sienna Sunrise shrubs are not on the approved plant list per § 9.03.193(m) of the Lavon Code of Ordinances. Revise the Landscape Plan to ensure that all proposed trees are a minimum of eight feet from public utility lines and all plant materials are from the approved plant list.

   Addressed and updated on the plan to list approved plants and adjusted plant to meet the 8 foot requirement

3. **REPEAT COMMENT:** Revise the Site Plan to provide the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access.

   The filing information does not appear to be included. Revise the Site Plan to include the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access Easement by separate instrument.

   Filing information for the common easement will be provided on site approval

4. **REPEAT COMMENT:** The parking ratio for restaurant and retail have changed since the prior Site Plan was approved. Revise the Site Data Table to reflect the following parking requirements per § 9.03.032 Permitted Use and Parking Table. The Site is required to have 63 parking spaces total. Revise the Site Plan and Landscape Plan to provide the minimum number of required parking spaces accordingly.

   The Site Plan has been revised to provide the required number of parking spaces. However, the Project Site Data Table shows incorrect ratios. Revise the Project Site Data Table to reflect the updated parking ratios. See table below.

Use	Ratio	Parking Required
Restaurant	1:100	20
C-Store (Retail)	1:200	13
Retail	1:200	8
Dentist (Medical Office)	1:200	10
Cell Phone (Retail)	1:200	13
Total Parking Required	-	63
Total Parking Provided	-	64

   Addressed and updated on the plan.

5. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

   Noted

Comments prepared and compiled by:

Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 17, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Revised Site Plan Review
LJA Job No. NTP-3880
MyGov Submittal: September 16, 2026

LJA, 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. **REPEAT COMMENT:** Submit Building Elevations and Photometric Plan that match the revised site layout and building configuration.

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Retail	1:200	8
Dentist (Medical Office)	1:200	10
Cell Phone (Retail)	1:200	13
Total Parking Required	-	63
Total Parking Provided	-	64

5. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

Comments prepared and compiled by:



Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

April 30, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Lake Breeze South Commercial – Lot 4 - 1 Lot, 1.227 Acres
Lavon Retail
Site Plan Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Site Plan dated July 7, 2026 as prepared by PSA Engineering, LLC for the above referenced property. The property is located on the northwest corner of SH 78 and Cedar Street. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the City Planner's comments. Our comments are as follows:

1. The sheet must include the name and license number of the responsible engineer per TBPELS regulations.
   Addressed and updated
2. The information in the title block should be completed.
   Addressed and updated
3. There is a misspelling in Note 3.
   Addressed and updated
4. The loading area does not appear to be positioned in such a manner that delivery trucks can utilize it due to turning movement restrictions when cars are present. This should be resolved.
   Addressed and updated
5. Due to the driveways being located on a curve, the site distance for a 25 mph street should be verified. Landscaping should be adjusted to prevent growth greater than 3.5' within the visibility triangle.
   Addressed and updated
6. Revised civil plans should be provided to address previous comments and adjustments for the revised site plan.
   Addressed and updated
7. A queuing analysis should be provided to verify stacking in the drive thru provided is sufficient. Stack vehicles cannot extend into the travel lane or street. The point of ordering should be identified with the appropriate associated queuing
   Addressed and updated

This concludes our review of the above-referenced revised Site Plan. A copy of markups are provided for your convenience. These markups should be considered typical in nature and NOT be considered a comprehensive markup set.

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.

Sincerely,
FREEMAN-MILLICAN, INC.

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

Attachments

F:\17024 - LAV General Servies\9 - Review\Lake Breeze Estates\Commercial\South Commercial - Lot 4\Lake Breeze South Commercial - Lot 4 Retail - Site Plan - Rev 2.docx

ORIGINAL SHEET SIZE: 24" X 36" (AR



PROJECT SITE DATA

GENERAL		
Case Number		
Name of Project/Development		
Proposed Use	Resturant with Drive-Through, C-Store, Smoke Shop, Dentist, Cell Phone Store	
Existing Zoning District	PD-MU	
Proposed Zoning District	PD-MU	
County (Central Appraisal District)	Collin County	
Property ID	2378093	
Legal Description	BLK F, LOT 4	
Site Address	Lake Breeze Estates; Cedar Street and S Hwy 78, Lavon, Texas	
ZONING DISTRICT REGULATIONS		
Minimum Lot Area, Width & Depth	1 acre (43,560 sf)	
Minimum Front Yard	25 Ft.	
Minimum Side Yard	7 feet except adjoining residential where side yard shall be 15 feet	
Minimum Rear Yard	None except adjoining residential where rear yard shall be 15 feet	
Maximum Lot Coverage	80%	
Maximum Building Height	N/A	
Building Height Proposed	N/A	
AREA CALCULATIONS		
Gross Site Area	53,435 Sq. Ft.	1.227 Acre(s)
Total Building Area	10,490 Sq. Ft.	
Provided Building Coverage on Lot	13.63%	
Permitted Maximum Impervious Surface Area	90%	
Impervious Surface Area Provided	40,559 Sq. Ft.	75.90%
Pervious Surface Area Provided	12,876 Sq. Ft.	24.10%
PARKING DATA		
Parking Ratio (Resturant)	(1/3 SEATS+1.5/STAFF)	
Parking Ratio (Retail)	1/250 SF of floor area	
Parking Ratio (Medical)	1/200 SF of floor area	
Parking Ratio (Surface Provider)	1/300 SF of floor area	
Parking Spaces Required	55	
Total Parking Spaces Provided	57	
Standard Parking Spaces Provided	55	
ADA Parking Spaces Provided	2	

SITE PLAN NOTES:

1. *ALL CONSTRUCTION, TESTING, AND MATERIALS SHALL CONFORM TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION, UNLESS THE CITY OF LAVON STANDARDS SPECIFY STRICTER REQUIREMENTS.*
2. *CONTRACTOR SHALL VERIFY LOCATIONS, ELEVATIONS, AND DIMENSIONS OF EXISTING UTILITIES (WATER, SANITARY, STORM, ELECTRIC, GAS, TELECOM) PRIOR TO CONSTRUCTION AND IS RESPONSIBLE FOR PROTECTING THEM. DAMAGES RESULTING FROM CONSTRUCTION SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.*
3. *A RECONSTRUCTION CONFERENCE WILL BE REQUIRED PRIOR TO BEGINNING ANY CONSTRUCTION.*
4. *ALL SITE IMPROVEMENTS (STREETS, PARKING, FIRE LANES, SIDEWALKS, CURB & GUTTER) SHALL MEET CITY OF LAVON STANDARDS FOR PAVEMENT STRENGTH, CONCRETE MIX, AND ADA COMPLIANCE. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.*
5. *FIRE HYDRANTS, WATER SERVICE LOCATIONS, AND ALL UTILITY EASEMENTS SHALL BE INSTALLED PER APPROVED SITE PLAN AND COORDINATED WITH BEAR CREEK SUD AND APPLICABLE UTILITY PROVIDERS. SANITARY SEWER SERVICE SHALL BE COORDINATED WITH CITY OF LAVON.*
6. *ALL GROUND-BASED HVAC EQUIPMENT SHALL BE SCREENED WITH LIVE SCREENING OR A MASONRY ENCLOSURE. MASONRY SCREENING SHALL MATCH THE MATERIALS OF THE MAIN BUILDING.*
7. *ALL ROOF-MOUNTED MECHANICAL UNITS AND/OR EQUIPMENT SHALL BE FULLY SCREENED FROM PUBLIC VIEW.*
8. *DUMPSTER ENCLOSURES SHALL BE CLAD IN A MATERIAL MATCHING THE MAIN BUILDING AND REQUIRE A SEPARATE BUILDING PERMIT.*
9. *ALL FUTURE TENANT SIGNAGE SHALL BE PERMITTED SEPARATELY AND IS NOT INCLUDED WITH THIS SITE PLAN APPROVAL.*
10. *APPROVAL OF THIS SITE PLAN SHALL NOT WAIVE OR SUPERSEDE ANY REQUIREMENT OF THE CITY OF LAVON CODE OF ORDINANCES.*
    ALL FULL DEPTH SAWCUTS TO REMOVE A MINIMUM OF 12" EXISTING PAVEMENT FOR ACCESS DRIVE CONNECTIONS.

"DANGER"
811 Know what's below. Call before you dig
(@ LEAST 72 HRS PRIOR TO DIGGING)

REVISION NO.	DATE	BY

REMARK: REVISION CLOUD MAY NOT APPEAR ON ALL DRAWING SHEETS.

SITE PLAN
FOR
LOT ____, BLOCK ____, ____ ADDITION
SITUATED AT THE ____ CORNER OF ROAD & ROAD #
____ [CITY, STATE]

DEVELOPER
[COMPANY NAME]
[STREET ADDRESS]
[CITY, STATE ZIP CODE]
CONTACT: [AGENT'S NAME]
[AGENT'S EMAIL]
[AGENT'S PHONE NO.]

PRELIMINARY
NOT FOR CONSTRUCTION

ASA ENGINEERING
17819 DAVENPORT ROAD, SUITE 215
DALLAS, TEXAS 75252
(972) 248-9651 FAX (972) 248-9681
TX T.B.P.E. REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: [DRAFTER'S INITIALS]
CHECKED: PSS

PSA JOB NO. 22???.???
CITY CASE ?????-????

DATE: 7/7/2026

SHEET: ____

Z:\2026\22632.CSL C-Store at Lavon\DESIGN\Base Site pLan\Base Site Plan v3.dwg
Plotted: Jul 07, 2026 at 1:15:35 PM by May

September 16, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Lake Breeze South Commercial – Lot 4 - 1 Lot, 1.227 Acres
Lavon Retail
Site Plan Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Site Plan dated September 15, 2026 as prepared by PSA Engineering, LLC for the above referenced property. The property is located on the northwest corner of SH 78 and Cedar Street. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the City Planner's comments. Our comments are as follows:

1. There is a misspelling in Note 3.

This concludes our review of the above-referenced revised Site Plan. **We recommend APPROVAL of the Site Plan.**

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.

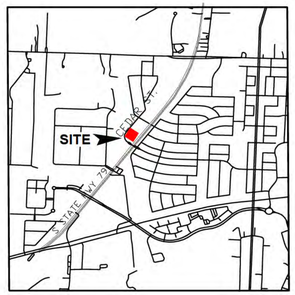
If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmi-dallas.com.

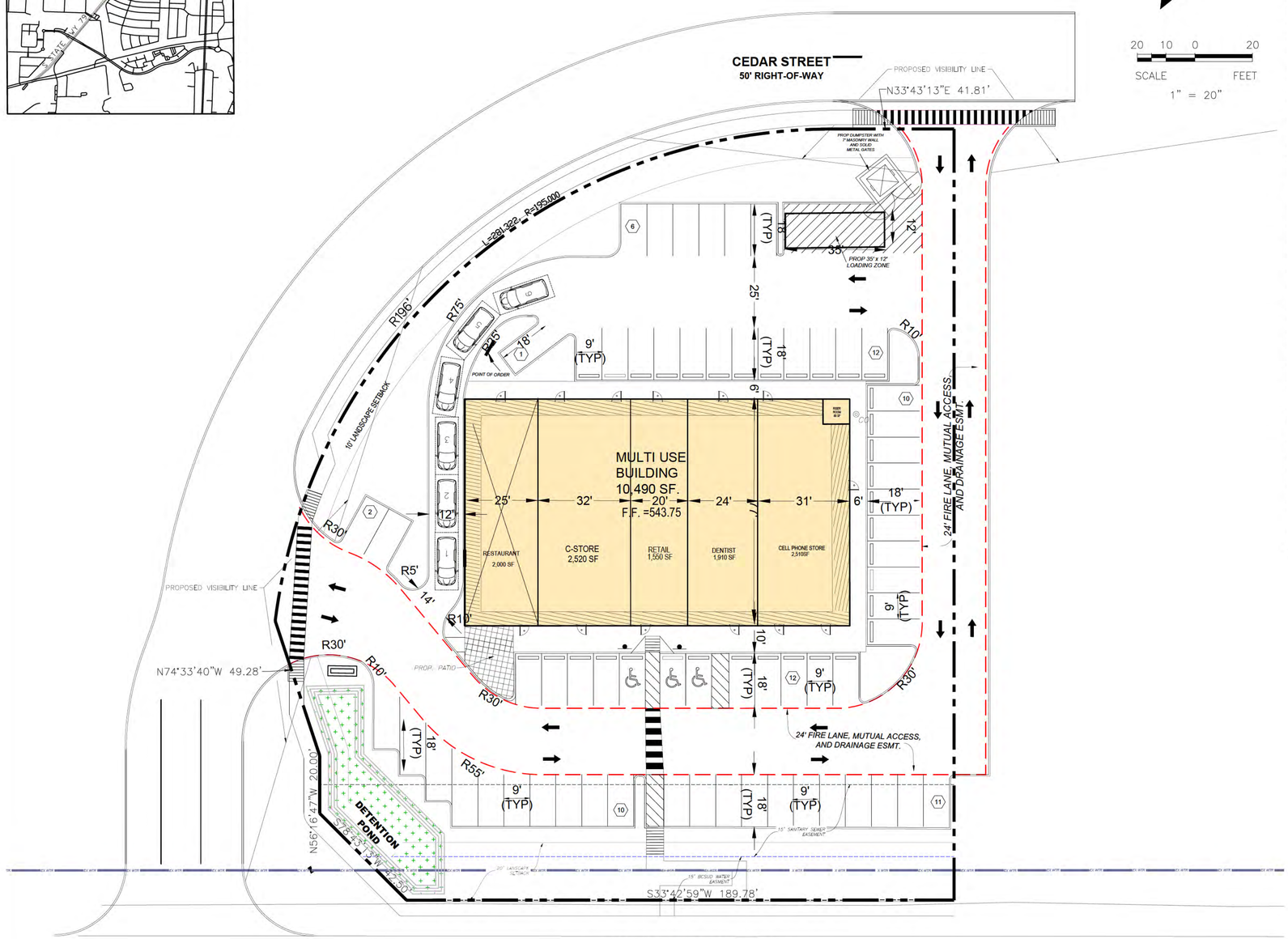
Sincerely,
FREEMAN-MILLICAN, INC.

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

F:\17024 - LAVON General Services\9 - Review\Lake Breeze Estates\Commercial\South Commercial - Lot 4\Lake Breeze South Commercial - Lot 4 Retail - Site Plan - Rev 3.docx

ORIGINAL SHEET SIZE: 24" X 36" (ARCH D)





20 10 0 20
SCALE FEET
1" = 20"

PROJECT SITE DATA

GENERAL		
Case Number		
Name of Project/Development		
Proposed Use	Resturant with Drive-Through, C-Store, Retail Store , Dentist, Cell Phone Store	
Existing Zoning District	PD-MU	
Proposed Zoning District	PD-MU	
County (Central Appraisal District)	Collin County	
Property ID	2918093	
Legal Description	BLK F, LOT 4	
Site Address	Lake Breeze Estates, Cedar Street and S Hwy 78, Lavon,Texas	
ZONING DISTRICT REGULATIONS		
Minimum Lot Area, Width & Depth	1 acre (43,560 sf)	
Minimum Front Yard	25 Ft.	
Minimum Side Yard	7 feet except adjoining residential where side yard shall be 15 feet	
Minimum Rear Yard	None except adjoining residential where rear yard shall be 15 feet	
Maximum Lot Coverage	80%	
Maximum Building Height	25' - 0"	
Building Height Proposed	25' - 0"	
AREA CALCULATIONS		
Gross Site Area	53,435 Sq. Ft.	1.227 Acre(s)
Total Building Area	10,490 Sq. Ft.	
Provided Building Coverage on Lot	19.63%	
Permitted Maximum Impervious Surface Area	90%	
Impervious Surface Area Provided	40,559 Sq. Ft.	75.90%
Pervious Surface Area Provided	12,876 Sq. Ft.	24.10%
PARKING DATA		
Parking Ratio (Resturant)	(1/3 SEATS+1.5/STAFF)	
Parking Ratio (Retail)	1/250 SF of floor area	
Parking Ratio (Medical)	1/200 SF of floor area	
Parking Ratio (Surface Provider)	1/300 SF of floor area	
Parking Spaces Required	63	
Total Parking Spaces Provided	64	
Standard Parking Spaces Provided	61	
ADA Parking Spaces Provided	3	

SITE PLAN NOTES:

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ALL FULL DEPTH SAWCUTS TO REMOVE A MINIMUM OF 12" EXISTING PAVEMENT FOR ACCESS DRIVE CONNECTIONS.

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(@ LEAST 72 HRS PRIOR TO DIGGING)

CIVIL SET

REVISION

NO.	DATE	BY

REMARK:
REVISION CLOUD MAY NOT APPEAR ON ALL DRAWING SHEETS.

SITE PLAN
FOR
LOT 4, BLOCK F,
SITUATED AT THE NORTHWEST CORNER
OF CEDAR ROAD & SH 78
LAVON, TEXAS

DEVELOPER / G.C.
NAMGROUP CONSTRUCTION
BOB NGUYEN
425 PINSON RD. STE M#1015
FORNEY, TX. 75126
817-900-4455
www.namgroupcc.com

09-02-26

ASA ENGINEERING
18383 PRESTON ROAD, SUITE 422
DALLAS, TEXAS 75252
(972) 248-9651 FAX (972) 248-9681
TX T.B.P.E REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: CE
CHECKED: PSS

PSA JOB NO. 22632.CSL

DATE: 9/15/2026

SHEET: C-1.0

Z:\2026\22632.CSL C-Store at Lavon\SHEET SET\CIVIL\site plan.dwg
Plotted: Sep 16, 2026 at 1:44:09 PM by chadp

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 4, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lake Breeze, Lot 4
Revised Site Plan Review
LJA Job No. NTP-3880
MyGov Submittal: September 3, 2026

LJA, 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. **REPEAT COMMENT:** A CUP is required for the location of the proposed drive-through, and could be required for any potential alcohol sales. Furthermore, "Vapor smoking services" is not a permitted use. Revise the Site Plan to remove the Vape Store from the tenant label and Site Data Table.

   Revise the Site Plan to remove the Vape Store from the tenant label and Site Data Table.

   Applicant Response: Addressed and updated.

   Site Plan has been revised to remove the Vape Store from the tenant label and Site Data Table. However, a CUP could be required for any potential alcohol sales. Please confirm if any proposed tenants will sell alcohol.
   There is to be no any alcohol sales on the site
2. **REPEAT COMMENT:** Submit Building Elevations and Photometric Plan that match the revised site layout and building configuration.

   The Photometric Plan and Elevations do not match the revised site layout. Submit four-sided color Building Elevations and Photometric Plan that match the revised site layout and building configuration.

   Applicant Response: Addressed and updated.

   The Photometric Plan does not match the revised site layout. Revise the Photometric Plan to match the site layout. Further, it appears the Building Elevations have not been revised. Revise the Building Elevations to match the site layout.
The building and the elevation hasn't changed at all from ARCH drawing , Site photometric have been updated on set
3. **REPEAT COMMENT:** Revise the Site Plan to remove all plant materials and utilities as they are shown on the Landscape Plan and Master Utility Plans. Revise the Landscape Plan to include utilities.

   Applicant Response: Addressed and updated.

This comment was not addressed or updated. Revise the Site Plan to remove all plant materials and utilities as they are shown on the Landscape Plan and Master Utility Plans. Further, please remove the contour lines from the Site Plan.

Addressed and we have removed both on both sheets

4. **REPEAT COMMENT:** Revise the Landscape Plan to provide canopy trees along SH78 as shown on the approved Landscape Plan. If there are any utilities lines not included on the Landscape Plan please include them in the next revision and ensure that all proposed trees are a minimum of eight feet from public utility lines.

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   The tree spacing along SH 78 is approximately 1 per 30 feet. Revise the tree spacing along SH 78 to 1 per 25 feet as required in section § 9.03.193(b)(1) of the Lavon Code of Ordinances.

   Addressed and changed to meet requirements

5. **REPEAT COMMENT:** Revise the Site Plan to provide the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access.

   Revise the Site Plan to provide the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access.

   Applicant Response: Addressed and updated.

   The filing information does not appear to be included. Revise the Site Plan to include the filing information for the onsite portion of the 24' Fire Lane, Drainage, and Mutual Access Easement by separate instrument.

   Common Easment will file upon approval of Site Plan

6. The parking ratio for restaurant and retail have changed since the prior Site Plan was approved. Revise the Site Data Table to reflect the following parking requirements per § 9.03.032 Permitted Use and Parking Table. The Site is required to have 63 parking spaces total. Revise the Site Plan and Landscape Plan to provide the minimum number of required parking spaces accordingly.

   Addressed and updated to meet requirements

Use	Ratio	SqFt	Parking Required
Restaurant	1:100	2,000	20
C-Store (Retail)	1:200	2,520	12.6
Retail	1:200	1,550	7.75
Dentist (Medical Office)	1:200	1,910	9.55
Cell Phone (Retail)	1:200	2,510	12.55
			63

7. The proposed loading space is located in front of the building. Per § 9.03.174(a) of the Lavon Code of Ordinances "exterior loading space(s) shall be located to the rear or side of the

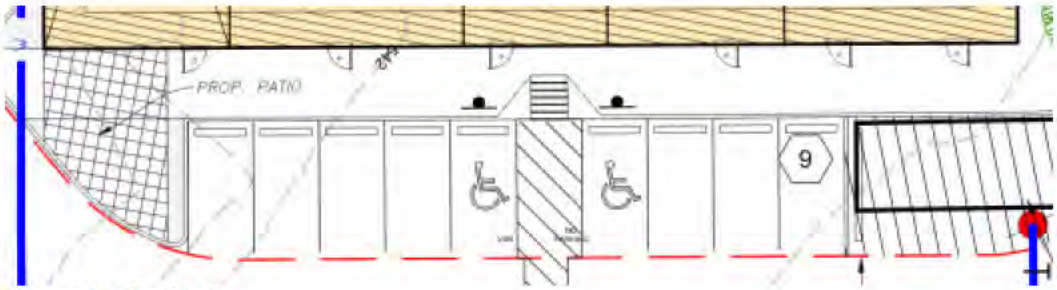
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Addressed and update to be in the rear side of the building

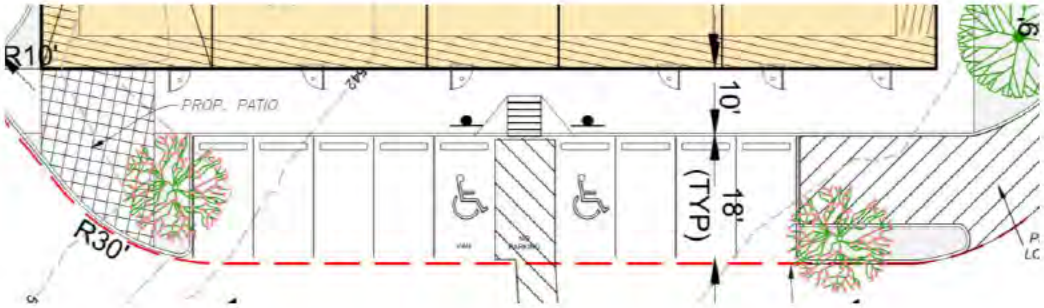
8. Revise the Site Data Table to include the maximum height of the building.

   Addressed and updated on the plan

9. Revise the Landscape Plan to provide terminus trees in the following locations, as shown on the previously submitted Landscape Plan.



Recent submittal



Previous submittal

Addressed and Updated on the plan

10. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

    Addressed

Comments prepared and compiled by:

Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
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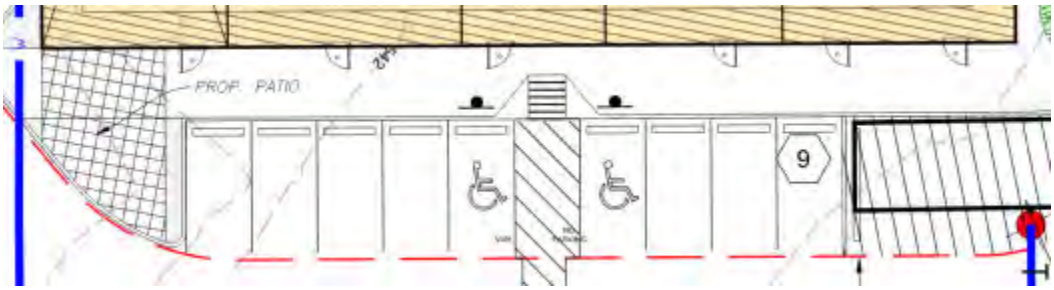
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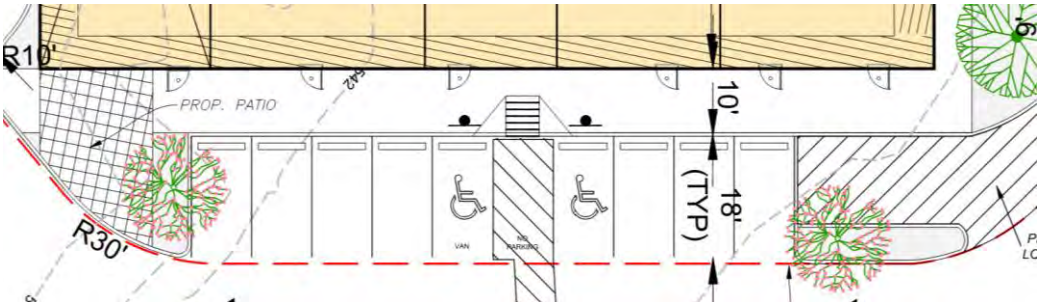
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Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

Plan Review Report

Project Name:

Address:	616 Cedar St
City:	City of Lavon
Status:	In Review
Date:	05-19-2026
Plans Examiner:	Payne Randell TSBPE 4080

Comments. Please provide a response document to this comment report addressing each of the following comments with updated applicable sheets:

Building:

- Payne Randell TSBPE 4080

Provide engineered foundation, framing, and lateral/wind bracing plans prepared, signed, and sealed by the responsible registered design professional. (Secs. 107.2.1 and 1604; 2021 IBC)

Provide a Statement of Special Inspections identifying required inspections, testing, and responsible parties. (Sec. 1704.3; 2021 IBC)

Electrical:

- Payne Randell TSBPE 4080

No comments.

Mechanical:

- Payne Randell TSBPE 4080

N/A

Plumbing:

- Payne Randell TSBPE 4080

Provide grease interceptor/trap sizing calculations, specifications, and installation details for future restaurant/food service tenant spaces. Grease interceptor requirements shall be addressed under separate tenant finish-out permits. (Secs. 1003.3 and 1003.3.4; 2021 IPC)

Other:

- Payne Randell TSBPE 4080

This review does not include Civil, Fire, Fire Sprinkler, Fire Alarm, or Site review unless specifically noted. Separate permits shall be required.

Please note: Future tenant finish-outs shall be submitted under separate permits.

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July 20, 2026

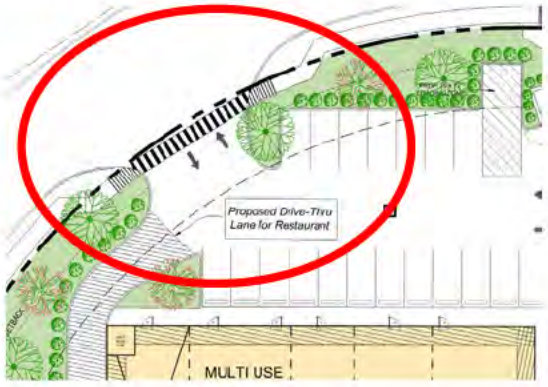
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Re: Lake Breeze, Lot 4
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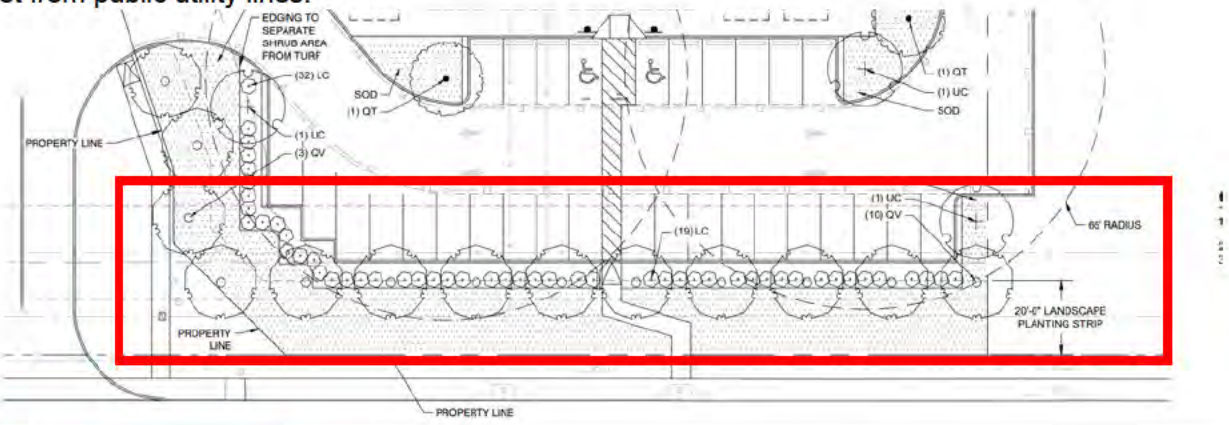
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Addressed and updated

7. Revise the Landscape Plan to meet or exceed the following standards:
   a. Planting strip.

      1. Along each public street, a minimum twenty (20) foot wide landscaped planting strip shall be required in all districts except in the main street district where the planning [planting] strip shall be a minimum ten (10) feet wide. The planting strip excludes driveways and access ways at points of ingress and egress to and from a property. The planting strip may be within the front yard. The planting strip may include some or all of the sidewalk. The planting strip shall not be located within all or any portion of the public right-of-way.

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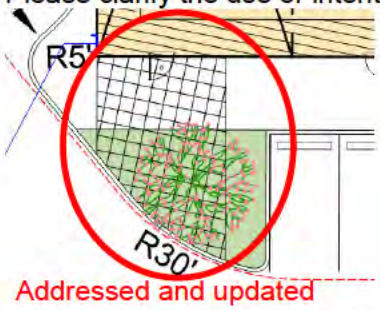
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      For all development where off-street parking is required, the following standards shall apply:
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      3. Landscape islands are required at the terminus of every parking row.

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9. Please clarify the use or intent of the following site plan feature.



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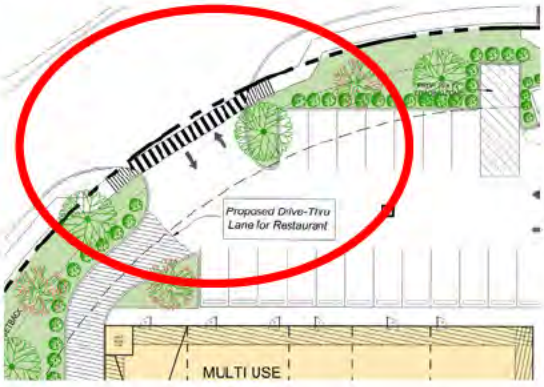
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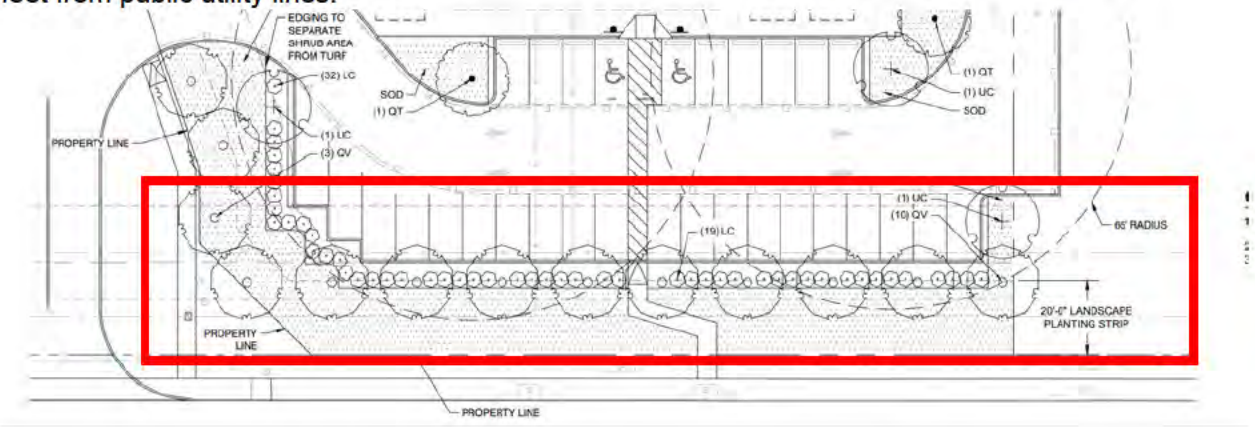


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April 30, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
Lavon, TX 75166

Re: Lake Breeze South Commercial – Lot 4 - 1 Lot, 1.227 Acres
Lavon Retail
Site Plan Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Site Plan dated July 7, 2026 as prepared by PSA Engineering, LLC for the above referenced property. The property is located on the northwest corner of SH 78 and Cedar Street. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the City Planner's comments. Our comments are as follows:

1. The sheet must include the name and license number of the responsible engineer per TBPELS regulations.

2. The information in the title block should be completed.

3. There is a misspelling in Note 3.

4. The loading area does not appear to be positioned in such a manner that delivery trucks can utilize it due to turning movement restrictions when cars are present. This should be resolved.

5. Due to the driveways being located on a curve, the site distance for a 25 mph street should be verified. Landscaping should be adjusted to prevent growth greater than 3.5' within the visibility triangle.

6. Revised civil plans should be provided to address previous comments and adjustments for the revised site plan.

7. A queuing analysis should be provided to verify stacking in the drive thru provided is sufficient. Stack vehicles cannot extend into the travel lane or street. The point of ordering should be identified with the appropriate associated queuing

This concludes our review of the above-referenced revised Site Plan. A copy of markups are provided for your convenience. These markups should be considered typical in nature and NOT be considered a comprehensive markup set.

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.

Sincerely,
FREEMAN-MILLICAN, INC.

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

Attachments

F:\17024 - LAV General Servies\9 - Review\Lake Breeze Estates\Commercial\South Commercial - Lot 4\Lake Breeze South Commercial - Lot 4 Retail - Site Plan - Rev 2.docx

ORIGINAL SHEET SIZE: 24" X 36" (AR



PROJECT SITE DATA

GENERAL		
Case Number		
Name of Project/Development		
Proposed Use	Resturant with Drive-Through, C-Store, Smoke Shop, Dentist, Cell Phone Store	
Existing Zoning District	PD-MU	
Proposed Zoning District	PD-MU	
County (Central Appraisal District)	Collin County	
Property ID	2378093	
Legal Description	BLK F, LOT 4	
Site Address	Lake Breeze Estates, Cedar Street and S Hwy 78, Lavon, Texas	
ZONING DISTRICT REGULATIONS		
Minimum Lot Area, Width & Depth	1 acre (43,560 sf)	
Minimum Front Yard	25 Ft.	
Minimum Side Yard	7 feet except adjoining residential where side yard shall be 15 feet	
Minimum Rear Yard	None except adjoining residential where rear yard shall be 15 feet	
Maximum Lot Coverage	80%	
Maximum Building Height	N/A	
Building Height Proposed	N/A	
AREA CALCULATIONS		
Gross Site Area	53,435 Sq. Ft.	1.227 Acre(s)
Total Building Area	10,490 Sq. Ft.	
Provided Building Coverage on Lot	13.63%	
Permitted Maximum Impervious Surface Area	90%	
Impervious Surface Area Provided	40,559 Sq. Ft.	75.90%
Pervious Surface Area Provided	12,876 Sq. Ft.	24.10%
PARKING DATA		
Parking Ratio (Resturant)	(1/3 SEATS+1.5/STAFF)	
Parking Ratio (Retail)	1/250 SF of floor area	
Parking Ratio (Medical)	1/200 SF of floor area	
Parking Ratio (Surface Provider)	1/300 SF of floor area	
Parking Spaces Required	55	
Total Parking Spaces Provided	57	
Standard Parking Spaces Provided	55	
ADA Parking Spaces Provided	2	

SITE PLAN NOTES:

1. *ALL CONSTRUCTION, TESTING, AND MATERIALS SHALL CONFORM TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION, UNLESS THE CITY OF LAVON STANDARDS SPECIFY STRICTER REQUIREMENTS.*
2. *CONTRACTOR SHALL VERIFY LOCATIONS, ELEVATIONS, AND DIMENSIONS OF EXISTING UTILITIES (WATER, SANITARY, STORM, ELECTRIC, GAS, TELECOM) PRIOR TO CONSTRUCTION AND IS RESPONSIBLE FOR PROTECTING THEM. DAMAGES RESULTING FROM CONSTRUCTION SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.*
3. *A RECONSTRUCTION CONFERENCE WILL BE REQUIRED PRIOR TO BEGINNING ANY CONSTRUCTION.*
4. *ALL SITE IMPROVEMENTS (STREETS, PARKING, FIRE LANES, SIDEWALKS, CURB & GUTTER) SHALL MEET CITY OF LAVON STANDARDS FOR PAVEMENT STRENGTH, CONCRETE MIX, AND ADA COMPLIANCE. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.*
5. *FIRE HYDRANTS, WATER SERVICE LOCATIONS, AND ALL UTILITY EASEMENTS SHALL BE INSTALLED PER APPROVED SITE PLAN AND COORDINATED WITH BEAR CREEK SUD AND APPLICABLE UTILITY PROVIDERS. SANITARY SEWER SERVICE SHALL BE COORDINATED WITH CITY OF LAVON.*
6. *ALL GROUND-BASED HVAC EQUIPMENT SHALL BE SCREENED WITH LIVE SCREENING OR A MASONRY ENCLOSURE. MASONRY SCREENING SHALL MATCH THE MATERIALS OF THE MAIN BUILDING.*
7. *ALL ROOF-MOUNTED MECHANICAL UNITS AND/OR EQUIPMENT SHALL BE FULLY SCREENED FROM PUBLIC VIEW.*
8. *DUMPSTER ENCLOSURES SHALL BE CLAD IN A MATERIAL MATCHING THE MAIN BUILDING AND REQUIRE A SEPARATE BUILDING PERMIT.*
9. *ALL FUTURE TENANT SIGNAGE SHALL BE PERMITTED SEPARATELY AND IS NOT INCLUDED WITH THIS SITE PLAN APPROVAL.*
10. *APPROVAL OF THIS SITE PLAN SHALL NOT WAIVE OR SUPERSEDE ANY REQUIREMENT OF THE CITY OF LAVON CODE OF ORDINANCES.*
    ALL FULL DEPTH SAWCUTS TO REMOVE A MINIMUM OF 12" EXISTING PAVEMENT FOR ACCESS DRIVE CONNECTIONS.

"DANGER"
811 Know what's below. Call before you dig
(@ LEAST 72 HRS PRIOR TO DIGGING)

REVISION NO.	DATE	BY

REMARK: REVISION CLOUD MAY NOT APPEAR ON ALL DRAWING SHEETS.

SITE PLAN
FOR
LOT _____, BLOCK _____, _____ ADDITION
SITUATED AT THE _____ CORNER OF
ROAD # _____ & _____ ROAD
[CITY, STATE]

DEVELOPER
[COMPANY NAME]
[STREET ADDRESS]
[CITY, STATE ZIP CODE]
CONTACT: [AGENT'S NAME]
[AGENT'S EMAIL]
[AGENT'S PHONE NO.]

PRELIMINARY
NOT FOR CONSTRUCTION

ASA ENGINEERING
17819 DAVENPORT ROAD, SUITE 215
DALLAS, TEXAS 75252
(972) 248-9651 FAX (972) 248-9681
TX T.B.P.E. REGISTRATION # F-006974
T.B.P.L.S. FIRM REGISTRATION # 100433
ENGINEER OF RECORD

SCALE: AS SHOWN
DESIGNED: PSS
DRAWN: [DRAFTER'S INITIALS]
CHECKED: PSS

PSA JOB NO. 22???.???
CITY CASE ?????-????

DATE: 7/7/2026

SHEET: _____

Z:\2026\22632.CSL C-Store at Lavon\DESIGN\Base Site pLan\Base Site Plan v3.dwg
Plotted: Jul 07, 2026 at 1:15:35 PM by May

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: 7 - C**

Item:

Public hearing, discussion and action regarding an application to amend the Elevon Planned Development District as provided by Ordinance No. **2022-10-03** for commercial and mixed use development, as amended, for non-residential development on 62.183 acres comprised of Land Use Parcel 2 (22.38 ac), Land Use Parcel 4 (21.03 ac) and portions of Land Use Parcels 3 (11.76 ac), 5 (3.05 ac) and 7 (3 ac), adjacent to Elevon Parkway in the vicinity of the intersection of Elevon Parkway and N. SH 78 and west of Inspiration Grove in the S. M Rainer Survey Abstract No. 740, City of Lavon, Collin County Texas, (CCAD Property ID's 2542828, 2868716, 2542829, 2882922 and 2918195).

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.

Application Information

Owner(s): MA Land Holdings, LLC

Applicant: Daniel Dewey, JBI Partners

Location: East and west of the intersection of N. SH 78 and Elevon Parkway, and generally in the vicinity of and east of 455 Elevon Parkway and south of 445 Elevon Parkway.

Description: 62.183 acres located in Land Use Parcels 2, 3, 4, 5, and 7 of the Elevon Planned Development, situated in Elevon East Commercial Addition, Elevon West Commercial Addition, east of Elevon Multifamily Addition, and Elevon Parkway West Addition, (CCAD Property ID's 2542828, 2868716, 2542829, 2882922 and 2918195).

Current Zoning: Planned Development (PD)

Request: Amendment of the regulations established in Ordinance No. **2022-10-03**, as amended to amend requirements relating to parking, landscaping, signage, general dimensional standards, dimensional standards adjacent to open space, permitted use for Retail Sales including "Alcohol: Wine and Malt Beverage Package Store (on-and/or off premises consumption" associated with a Grocery Store, and removal of residential uses in Land Use Parcels 2 and 4.

Request Details

The applicant is seeking approval of a zoning amendment to update and amend regulations in commercial areas for Land Use Parcel 2 (22.38 ac), Land Use Parcel 4 (21.03 ac) and portions of Land Use Parcels 3 (11.76 ac), 5 (3.05 ac) and 7 (3 ac), adjacent to Elevon Parkway in the vicinity of the intersection of Elevon Parkway and N. SH 78.

The complete proposed amendment is included in the packet. A brief overview of the proposed amendment generally provides for the following:

- In Nonresidential Regulations, additional language is proposed pertaining to parking adjacent to perimeter roads, for a variance provision for parking island tree configuration and requirements, anticipated to accommodate a primary anchor site for a grocer; and to adjust setback requirements for signs.

- In Land Use Parcel 2, amendments are proposed to adjust the building footprint, generally reduce the height of commercial structures, impose a two-story limit, adjust setbacks, and remove residential uses.

- In Land Use Parcel 3, amendments are proposed to adjust the building footprint, generally reduce the height of commercial structures, impose a two-story limit, and adjust setbacks.

- In Land Use Parcel 4, amendments are generally proposed to accommodate a primary anchor grocer, to increase the building footprint, generally reduce the height of commercial structures, impose a two-story limit, adjust setbacks, permit Wine and Malt Beverage Package Store (on- and/or off premises consumption) associated with a Grocery Store , and remove residential uses.

- In Land Use Parcel 5, amendments are proposed to setbacks.

- In Land Use Parcel 7, amendments are proposed to setbacks and to increase maximum structure height.

No amendments are proposed for regulations in Land Use Parcels 1, 6, 8, or 9.

The required public hearing notice was published in the newspaper and on the website and thirty-five (35) notices were provided to the owners of property located within 200 feet of the proposed site. Signs were properly posted on the property. No notices were returned in favor of or in opposition to the proposed application.

The proposed application was reviewed by the planning consultant, fire marshal, and city engineer.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF AN APPLICATION TO AMEND THE ELEVON PLANNED DEVELOPMENT DISTRICT AS PROVIDED BY ORDINANCE NO. 2022-10-03 FOR COMMERCIAL AND MIXED USE DEVELOPMENT, AS AMENDED, FOR NON-RESIDENTIAL DEVELOPMENT ON 62.183 ACRES COMPRISED OF LAND USE PARCEL 2 (22.38 AC), LAND USE PARCEL 4 (21.03 AC) AND PORTIONS OF LAND USE PARCELS 3 (11.76 AC), 5 (3.05 AC) AND 7 (3 AC), ADJACENT TO ELEVON PARKWAY IN THE VICINITY OF THE INTERSECTION OF ELEVON PARKWAY AND N. SH 78 AND WEST OF INSPIRATION GROVE IN THE S. M RAINER SURVEY ABSTRACT NO. 740, CITY OF LAVON, COLLIN COUNTY TEXAS SUBJECT TO FINAL REVIEW AND APPROAL OF THE CITY PLANNER.
MOTION: **ROSENQUIST**
SECONDED: **VALLEJO**
APPROVED: **UNANIMOUS**

Staff Notes:

Approval of the proposed amendment is recommended, subject to the final review and approval of the planner.

Attachments:

1. Application
2. Location exhibits
3. Planning and Engineering Review comments
4. Neighbor Notice
   (a data source of property owners who were mailed notices is available upon request from cityhall@lavontx.gov)

Request for a Change in
Zoning District Classification

Complete and submit via MyGov at www.cityoflavon.com

MA Land Holdings, LLC — Applicants Name

04-09-2026 — Date

JBI Partners - Daniel Dewey, P.E. — Representative or Agent

469-964-9222 — Phone Number

2121 Midway Road, Suite 300 — Street

Carrollton, Texas 75007 — City, State, Zip

Elevon Parkway & SH 78 Intersection — Location of Property

Property is within existing PD Ordinance No. 2022-10-03 — Legal Description of Property

PD — Current Zoning

Check which zoning category you wish to change to:

- [ ] Residential Single Family – 1-acre (SF-1)
- [ ] Residential Single Family – 2 (SF-2)
- [ ] Residential Single Family – 4 (SF-4)
- [X] Planned Development (PD) Edit to existing Commercial PD Ordinance No. 2022-10-03
- [ ] Special or Conditional Use Permit
- [ ] Retail (R)
- [ ] Main Street (M)
- [ ] Business Park (B)
- [X] Other: PD Amendment

Signature of Applicant or Representative: _____

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

Authorization of Representation

Date: 01/06/2026

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 23rd day of January, 2026.

RUISHU XIE
Notary Public, State of Texas
Comm. Expires 07-07-2029
Notary ID 131164942

(notary seal)

Notary Public in and for Dallas County, Texas

Rev 12-04-2023

CITY OF LAVON

120 School Road - P.O. Box 340
Lavon, TX 75166
Phone (972) 843-4220
lmcclendon@lavontx.gov

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Date: 01/06/2026

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Signature (Owner)

Signature (Owner)

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- [ ] Business Park (B)
- [X] Other: PD Amendment

Signature of Applicant or Representative: _____

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

Authorization of Representation

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Collin County, Texas

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Signature (Owner)

Signature (Owner)

The State of Texas
County of Dallas

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Rev 12-04-2023

CITY OF LAVON

120 School Road - P.O. Box 340
Lavon, TX 75166
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lmcclendon@lavontx.gov

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Signature (Owner)

Signature (Owner)

The State of Texas
County of Dallas

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Notary Public, State of Texas
Comm. Expires 07-07-2029
Notary ID 131164942

(notary seal)

Notary Public in and for Dallas County, Texas

Rev 12-04-2023

August 11, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
120 School Road
Lavon, TX 75166

Re: Elevon Commercial Zoning Amendment Narrative

Dear Ms. Dobbs

Per City Ordinance 9.03.034, a request narrative has been prepared for the tract known as Elevon Commercial as part of the zoning amendment submittal.

(A) Contact Information of the owner and applicant:

Applicant Information:
Daniel Dewey, P.E.
JBI Partners
972-738-0243
[redacted]

Owner Information:
MA Land Holdings, LLC

(B) Acreage of subject property:
91.586 acres

(C) Existing zoning district:
PD (Ordinance No. 2022-10-03)

(D) Proposed zoning district:
PD Amendment

(E) Description of request:
Zoning amendment request is to modify the following sections of the PD document:

- 1.3.5.4. Parking
  - Defined the number of continuous spaces allowed before a parking island
- 1.3.9. Signs
  - Expanded the sign definitions, sizing, placements, provided details and examples and provided a sign location map.
- Land Use Parcel 2, 3, 4, 5 & 7
  - Modified dimensional standards for minimum setbacks and structure heights
  - Removed need for CUP for building sizes larger than 30,000 sf to allow for grocery store, fitness gyms and other uses that would require a larger building size
  - Revised permitted uses to include grocery store and eliminated SF attached and detached residential

(F) Comprehensive plan consistency - use, character, and design:
The amendment submittal is consistent with the current PD.

(G) Special consideration or unique characteristics of the property/proposed development (if any):
None.

(H) Detailed justification and/or supporting documentation as to why the applicant is requesting to rezone the subject property to a specific zoning district:
Request is for an amendment, a rezone will not be needed. Intended use is to remain the same.

(I) Description of development and/or zoning change impacts on drainage, water utilities, sanitation, sanitary sewer utilities, roadways, and traffic:
None. No additional impact is being proposed.

(J) Description of development and/or zoning change impacts on city services, such as building inspection, development, police, and fire:
None. No additional impact is being proposed.

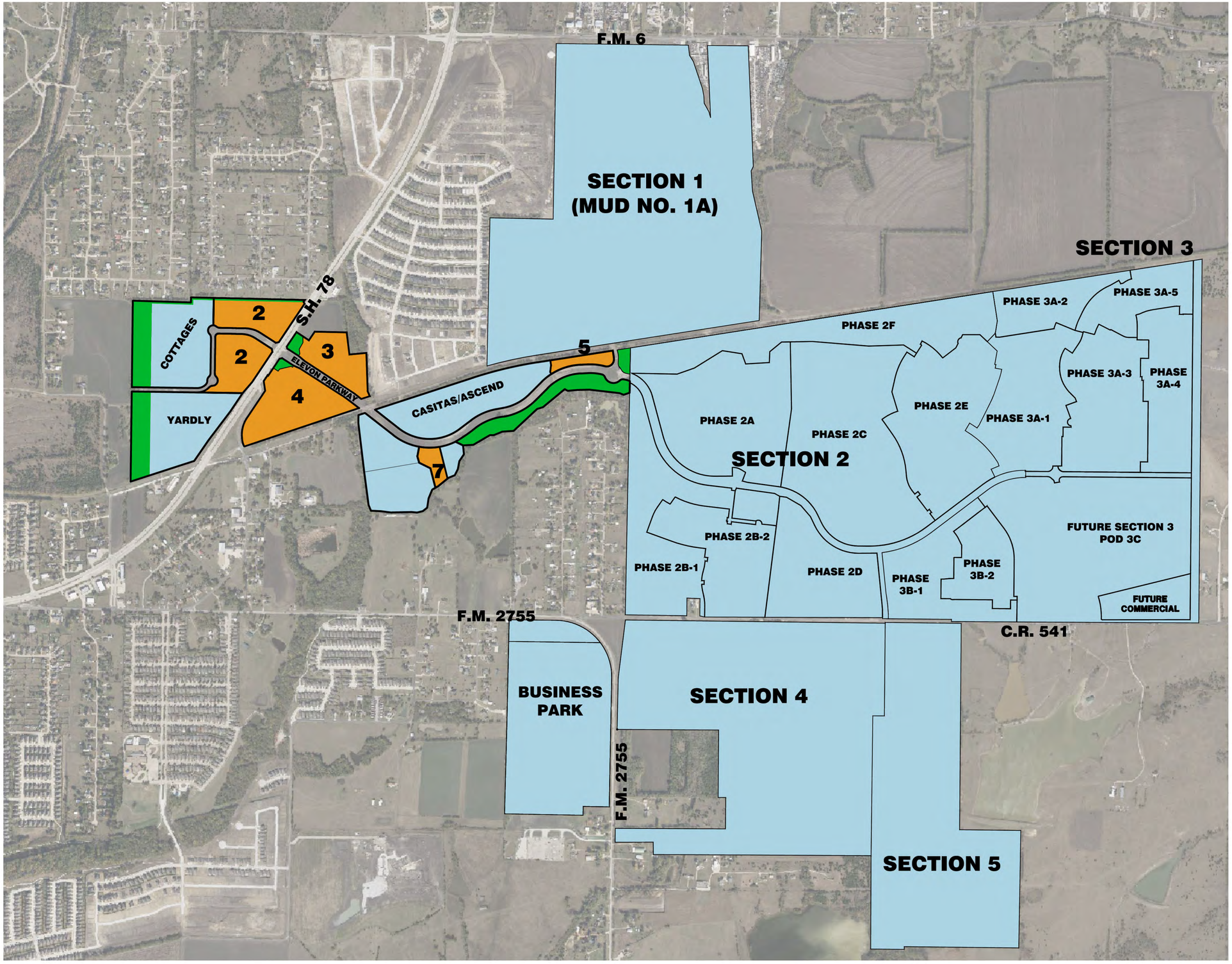
(K) Architecturally or historically significant features that are proposed or existing to remain (if any):
None.

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.



MA PARTNERS

N

NOT TO SCALE

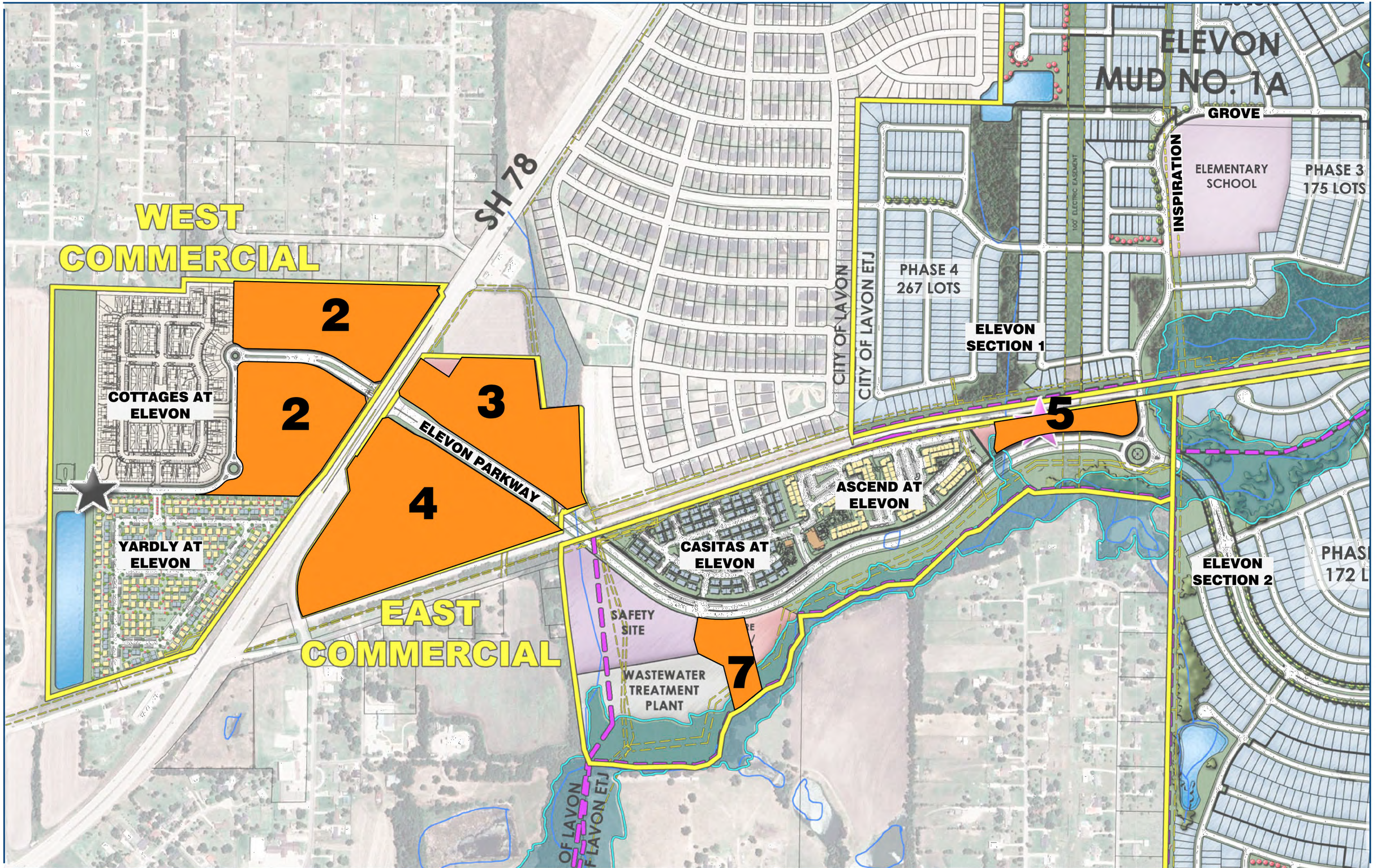
AUGUST 25, 2026
MAT029

ELEVON

EXHIBIT A - LOCATION MAP

CITY OF LAVON, COLLIN COUNTY, TEXAS

JBI PARTNERS



MA PARTNERS

N

NOT TO SCALE

AUGUST 25, 2026
MAT029

ELEVON

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

JBI PARTNERS

EXHIBIT D. DEVELOPMENT STANDARDS

DEFINITIONS

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

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

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

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:

Article 14.02, Part Three, Table 1
Setbacks and Landscape Buffers Adjacent to Single Family

Structures - Number of Stories	Setback from Adjacency to SF	Buffer Width within Setback
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:

Multi-family Parking Spaces per Unit Size	
Type of Unit	**Number of Spaces**
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.

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

Required Percentages of Exterior Materials for Multi-family		
Facades	**Percentage Breakdown**	**Definition**
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 with either hip, gable or mansard design with a minimum one-to-four (1:4) pitch, or a parapet wall or false mansard design with a minimum one-to-two (1:2) pitch is acceptable only if constructed around the entire perimeter of a building so that no flat roof shall be visible from a public street.



1.3.2.7. Roof materials. Any accessory structure (such as a garage, carport, or amenity 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.



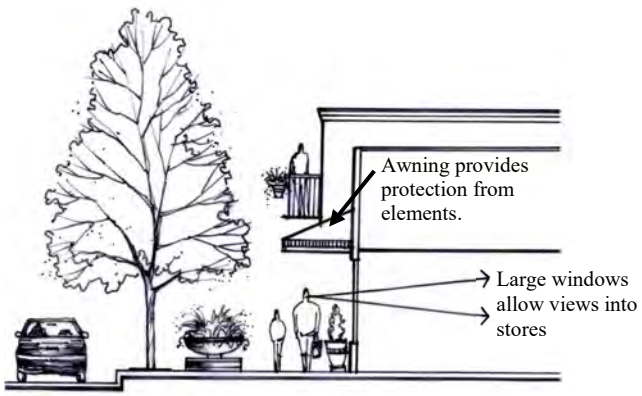
- Avoid rooflines running in continuous planes more than 65 feet (65'). Offset or jog the roof planes for better visual interest.

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.

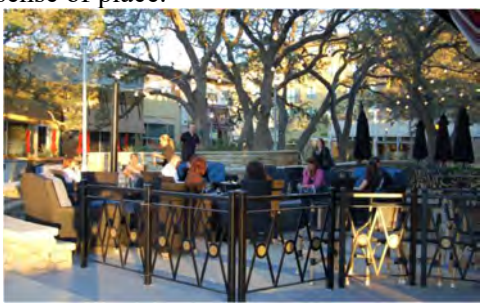


1.3.4.1. Open Space Connectivity

- 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.
- Parking adjacent to perimeter roads (Elevon Parkway, Villas Drive, and State Highway 78) shall have a tree every 10 spaces and a continuous evergreen shrub screen.



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 facilities 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 of Project Identification and Tenant Signs

- 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.
- Signs shall be setback eight (8') feet from the front property line and shall be located a minimum of six (6') feet from adjoining private property lines and a minimum of sixty

(60') feet from any other freestanding sign.

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

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 **EXHBIT 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 s**hall comply with the following Dimensional Standards:

TABLE A

DEVELOPMENT STANDARD	
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

DEVELOPMENT STANDARD	
Minimum Distance Between Buildings	10’[1]
Minimum Masonry Content	25% of Front and Side Walls
Maximum Building Height	36’/2 Story

[1] *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

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.

1.3.20. Maximum Building ~~Size~~Footprint: 30,000 square feet with a maximum building height of two stories and 35 feet (each story could be a maximum of 30,000 square feet). Should a larger or taller 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.

1.3.20.1. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet (25').
- Minimum Side Yard setback is 25 feet (25').
- Minimum Side Yard setback internal lot line is zero feet (0').
- Minimum Rear Yard setback is 25 feet (25'), unless the rear yard is a common area dedicated for landscaping or detention, in which case the rear yard setback is 5 feet (5').
- No minimum lot width, depth, or size.
- 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~~35 feet (~~45~~35') with the exception of hotel uses, which shall be ~~65~~45 feet (~~65~~45'). Proximity slope shall be provided: for the first 50 feet (50') adjacent to single family residential, the maximum height shall be 30 feet (30').

1.3.21. Location and Types

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

1.3.22. Permitted Uses

1.3.22.1. 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 (excluding residential uses)
- Veterinarian Service, Animal Clinic*

**Conditional Use*

1.3.23. Prohibited Uses

1.3.23.1. 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

1.3.24. Dimensional Standards

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

DIMENSIONAL STANDARDS	
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard corner	25'
Minimum Internal Side Yard Setback	0'
Minimum Rear Yard Setback	25'
Minimum Rear Yard Setback adjacent to Open Space	5'
Maximum Lot Coverage	75%
Maximum Main Structure Height	~~40'~~35'
Maximum Accessory Structure Height	~~40'~~35'

LAND USE PARCEL 3

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

1.3.25. Uses

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

1.3.26. 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.

1.3.27. Maximum Building ~~Size~~Footprint: 30,000 square feet with a maximum building height of two stories and 35 feet (each story could be a maximum of 30,000 square feet). Should a larger or taller 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.

1.3.27.1. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet (25').
- Minimum Side Yard setback is 25 feet (25').
- Minimum Side Yard setback internal lot line is zero feet (0').
- Minimum Rear Yard setback is 25 feet (25'), unless the rear yard is a common area dedicated for landscaping or detention, in which case the rear yard setback is 5 feet (5').
- ~~-~~No minimum lot width, depth, or size.
- 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~~35 feet (~~45~~35') with the exception of hotel uses, which shall be ~~65~~45 feet (~~65~~45'). Proximity slope shall be provided: for the first 50 feet (50') adjacent to single family residential, the maximum height shall be 30 feet (30').

1.3.28. Location

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

1.3.29. Permitted Uses

1.3.29.1. 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*

1.3.30. Prohibited Uses

1.3.30.1. 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.

1.3.31. Dimensional Standards

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

DIMENSIONAL STANDARDS	
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard corner	25'
Minimum Internal Side Yard Setback	0'
Minimum Rear Yard Setback	25'
Minimum Rear Yard Setback adjacent to Open Space	5'
Maximum Lot Coverage	75%
Maximum Main Structure Height	~~40'~~35'
Maximum Accessory Structure Height	~~40'~~35'

LAND USE PARCEL 4

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

1.3.32. Uses

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

1.3.33. 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.

1.3.34. Maximum Building ~~Size~~Footprint: ~~3~~60,000 square feet with a maximum building height of two stories and 35 feet (each story could be a maximum of 6~~3~~0,000 square feet). Should a larger or taller 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.

1.3.34.1. Building Placement, Orientation and Site Design:

- Minimum Front Yard setback is 25 feet (25').
- Minimum Side Yard setback is 25 feet (25').
- Minimum Side Yard setback internal lot line is zero feet (0').
- Minimum Rear Yard setback is 25 feet (25'), unless the rear yard is a common area dedicated for landscaping or detention, in which case the rear yard setback is 5 feet (5').
- No minimum lot width, depth, or size.
- 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~~35 feet (~~45~~35') with the exception of hotel uses, which shall be ~~65~~45 feet (~~65~~45'). Proximity slope shall be provided: for the first 50 feet (50') adjacent to single family residential, the maximum height shall be 30 feet (30').
- Landscape islands are required at the terminus of every parking row. Landscape islands shall be required at a rate of one (1) canopy tree for every seven (7) parking spaces (based on the total number of parking spaces), but 13 of the required trees can be placed in any internal parking area within the PD's Land Use Parcel 4. Every parking space shall be located within a maximum 120 feet from a tree.

1.3.35. Location and Types

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

1.3.36. Permitted Uses

1.3.36.1. 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 including "Alcohol: Wine and Malt Beverage Package Store (on- and/or off premises consumption" associated with a Grocery Store
- ~~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*

1.3.37. Prohibited Uses

1.3.37.1. 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.

1.3.38. Dimensional Standards

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

DIMENSIONAL STANDARDS	
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	25'
Minimum Side Yard corner	25'
Minimum Internal Side Yard Setback	0'
Minimum Rear Yard Setback	25'
Minimum Rear Yard Setback adjacent to Open Space	5'
Maximum Lot Coverage	75%
Maximum Main Structure Height	~~40'~~35'
Maximum Accessory Structure Height	~~40'~~35'

LAND USE PARCEL 5

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

1.3.39. Uses

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

1.3.40. 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.

1.3.40.1. 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.

1.3.40.2. 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.

1.3.41. Location and Types

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

1.3.42. Permitted Uses

1.3.42.1. 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.

1.3.43. 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:

DIMENSIONAL STANDARDS	
Minimum Front Yard Setback	25’
Minimum Side Yard Setback	25’
Minimum Side Yard corner	25’
Minimum Internal Side Yard Setback	0’
Minimum Rear Yard Setback	25’
Minimum Rear Yard Setback adjacent to Open Space	5’
Maximum Lot Coverage	75%
Maximum Main Structure Height	40’
Maximum Accessory Structure Height	40’

LAND USE PARCEL 6

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

1.3.44. Uses

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

1.3.45. 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.

1.3.46. Location and Types

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

1.3.47. Permitted Uses

1.3.47.1. The following uses are permitted:

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

1.3.48. 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

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

1.3.49. Uses

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

1.3.50. 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.

1.3.50.1. 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.

1.3.50.2. 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').

1.3.51. Location and Types

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

1.3.52. Permitted Uses

1.3.52.1. 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*

1.3.53. Prohibited Uses

1.3.54. Dimensional Standards

The tract designated as **LAND USE PARCEL 7** 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 Internal Side Yard Setback	0’
Minimum Rear Yard Setback	25’
Minimum Rear Yard Setback adjacent to Open Space	5’
Maximum Lot Coverage	75%
Maximum Main Structure Height	~~40’~~45’
Maximum Accessory Structure Height	~~40’~~45’

LAND USE PARCEL 8

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

1.3.55. Uses

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

1.3.56. 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.

1.3.56.1. 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.

1.3.56.2. 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').

1.3.57. Location and Types

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

1.3.58. Permitted Uses

1.3.58.1. 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*

1.3.59. 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

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

1.3.60. Uses

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

1.3.61. 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.

1.3.62. 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.

1.3.63. Location and Types

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

1.3.64. Permitted Uses

1.3.64.1. 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*

1.3.65. Dimensional Standards

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

Dimensional Standards	
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’

PD AMENDMENT ORDINANCE NO._____ – 62.183 ACRES

PORTION OF TRACT 2

ELEVON WEST COMMERCIAL ADDITION (10.752 ACRES) AND ELEVON SOUTHWEST COMMERCIAL ADDITION (11.625 ACRES), 22.377 ACRES OF THE ORIGINAL TRACT 2

Elevon West Commercial Addition

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 2023000100199, Official Public Records of Collin County, Texas and being all of that called 1.621 acre tract of land described in deed to BBD ELEVON RETAIL DEVELOPMENT #1, LLC as recorded in Document Number 2026000000004, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped "JBI" found at the west corner of Lot 2, Block B Elevon West Commercial Phase 3, as recorded in Document Number 2025010000180, Official Public Records of Collin County, Texas, said point being in the north right-of-way line of Elevon Parkway, a variable width right-of-way as recorded in Document Number 2023-923, Official Public Records of Collin County, Texas;

THENCE along the north right-of-way line of said Elevon Parkway as follows:

Northwesterly, 215.21 feet along a curve to the left having a central angle of 31 degrees 37 minutes 01 seconds West, 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 of 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 for corner, said point being in the west line of said 28.327 acre tract, said point being also in the east line of that called 22.777 acre tract of land described in deed to ONML COTTAGES AT LAKE LAVON, LLC, as recoded in Document Number 2023000146220, Official Public Records of Collin County, Texas;

THENCE North 00 degrees 51 minutes 32 seconds East, 378.33 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being the northwest corner of said 28.327 acre tract, said point being at the northeast corner of said 22.777 acre tract, said point also being in the south line of Lot 8, Block A, of Bently 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 said Bently 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, 487.19 feet to a one-half inch iron rod with yellow cap stamped “JBI” found for corner, said point being the south corner of said 1.621 acre tract, said point also being the east corner of Lot 2, Block B Elevon West Commercial, Phase 3, an addition to the City of Lavon;

THENCE North 57 degrees 11 minutes 17 seconds West, 284.22 feet to a one-half inch iron rod with yellow cap stamped “JBI” found at the west corner of said 1.621 acre tract, said point also being the north corner of said Lot 2, Block B;

THENCE South 33 degrees 17 minutes 57 seconds West, 180.01 feet to the POINT OF BEGINNING and containing 468,372 square feet or 10.752 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.

Elevon Southwest Commercial Addition 11.625 Acres

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 in the east line of said 28.327 acre tract, said point being, said point being in the west right-of-way line of State Highway 78 (a variable width right-of-way), said point also being in the south right-of-way of Elevon Parkway, a divided right-of-way as recorded in Document Number 2023-923, Official Public Records of Collin County, Texas;

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 45 minutes 11 seconds West, 502.44 feet to a one-half inch iron rod with yellow cap stamped “JBI” found for corner;

South 40 degrees 52 minutes 06 seconds West, 201.55 feet to a one-half inch iron rod with yellow cap stamped “JBI” found at the southeast corner of said 28.327 acre tract, said point being the northeast corner of Lot 1, Block A, Elevon West Commercial, Phase 1, as recorded in Document Number 2023010000520, Official Public Records of Collin County, Texas;

THENCE North 89 degrees 08 minutes 28 seconds West, 630.18 feet along the south line of said 28.327 acre tract and along the north line of said Lot 1 to a one-half inch iron rod with yellow cap stamped “JBI” found in the southeast line of Villas Drive, a 60 foot wide right-of-way as recorded in Document Number 2023010000520, Official Public Records of Collin County, Texas;

THENCE along the southeast right-of-way line of said Villas Drive as follows:

Northeasterly, 189.99 feet along a curve to the left, having a central angle of 47 degrees 19 minutes 44 seconds, a radius of 230.00 feet, a tangent of 100.79 feet and whose chord bears North 67 degrees 11 minutes 40 seconds East, 184.63 feet to a one-half inch iron rod with yellow cap stamped “JBI” found for corner;

Northeasterly, 53.28 feet along a curve to the right, having a central angle of 44 degrees 33 minutes 46 seconds, a radius of 68.50 feet, a tangent of 28.07 feet and whose chord bears North 65 degrees 48 minutes 41 seconds East, 51.94 feet to a point for corner;

Northeasterly, 166.78 feet along a curve to the left, having a central angle of 132 degrees 43 minutes 03 seconds, a radius of 72.00 feet, a tangent of 164.48 feet and whose chord bears North 21 degrees 44 minutes 03 seconds East, 131.91 feet to a point for corner;

Northwesterly, 54.38 feet along a curve to the right, having a central angle of 45 degrees 29 minutes 21 seconds, a radius of 68.50 feet, a tangent of 28.72 feet and whose chord bears North 21 degrees 52 minutes 48 seconds West, 52.97 feet to a point for corner;

North 00 degrees 51 minutes 52 seconds East, 490.80 feet to a point for corner;

Northeasterly, 46.06 feet along a curve to the right, having a central angle of 37 degrees 42 minutes 09 seconds, a radius of 70.00 feet, a tangent of 23.90 feet and whose chord bears North 19 degrees 42 minutes 56 seconds East, 45.24 feet to a point for corner;

Northeasterly, 36.74 feet along a curve to the right, having a central angle of 52 degrees 37 minutes 41 seconds, a radius of 40.00 feet, a tangent of 19.78 feet and whose chord bears North 64 degrees 52 minutes 52 seconds East, 35.46 feet to a point for corner in the south right-of-way line of said Elevon Parkway;

THENCE along the south line of said Elevon Parkway as follows:

South 88 degrees 48 minutes 18 seconds East, 315.54 feet to a point for corner;

Southeasterly, 198.66 feet along a curve to the right, having a central angle of 31 degrees 37 minutes 01 seconds, a radius of 360.00 feet, a tangent of 101.93 feet and whose chord bears South 72 degrees 59 minutes 47 seconds East, 196.14 feet to a point for corner;

South 57 degrees 11 minutes 17 seconds East 271.39 feet to a point for corner;

South 11 degrees 43 minutes 03 seconds East, 42.08 feet to the POINT OF BEGINNING and containing 506,398 square feet or 11.625 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.

PORTION OF TRACT 3

ELEVON NORTHEAST COMMERCIAL ADDITION (11.764 ACRES) AND CA1, BLOCK A, ELEVON ENTRY ADDITION (0.960 ACRES), 12.724 ACRES OF THE ORIGINAL TRACT 3, MINUS 0.37 ACRES CONVEYED TO LAVON LANDINGS NORTH OF THE ELEVON SIGN LOCATED ON CA1, BLOCK A, ELEVON ENTRY ADDITION.

Elevon Northeast Commercial Addition (11.764 acres)

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 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 0.906 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, and also being al 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 being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped “JBI” found 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, said point also being the southeast corner of CA1, Block A Elevon East Commercial Addition, Phase 1, as recorded in Document Number 2024-235, Official Public Records of Collin County, Texas;

THENCE along the east line of said Elevon East Commercial Addition as follows:

North 32 degrees 49 minutes 22 seconds East, 32.38 feet to a one-half inch iron rod with yellow cap stamped “JBI” found for corner;

North 07 degrees 45 minutes 12 seconds West, 65.62 feet to a one-half inch iron rod with yellow cap stamped “JBI” found for corner;

North 29 degrees 40 minutes 21 seconds East, 105.05 feet to a one-half inch iron rod with yellow cap stamped “JBI” found for corner;

North, 85.33 feet to a one-half inch iron rod with yellow cap stamped “JBI” found for corner;

THENCE South 56 degrees 23 minutes 16 seconds East, 98.12 feet to a point for corner;

THENCE North 33 degrees 44 minutes 26 seconds East, 143.96 feet to a point for corner in the north line of said 10.224 acre tract;

THENCE South 88 degrees 40 minutes 47 seconds East, 441.48 feet to a one-half inch iron rod found at the north east corner of said 10.224 acre tract of land, 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 South 06 degrees 55 minutes 38 seconds East, 307.34 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 northeast 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 10.224 acre tract;

THENCE along the south line of said 10.224 acre tract 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, 13.39 feet to the POINT OF BEGINNING and containing 512,442 square feet or 11.764 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.

Elevon Entry Addition, CA1, Block A (0.960 acres)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part 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 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 10.224 acre tract, 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, 240.33 feet along the west line of said 10.224 acre tract 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” set for corner;

THENCE South 56 degrees 23 minutes 16 seconds East, 107.57 feet to a one-half inch iron rod with yellow cap stamped “JBI” set for corner;

THENCE South 85.33 feet to a one-half inch iron rod with yellow cap stamped “JBI” set for corner;

THENCE South 29 degrees 40 minutes 21 seconds West, 105.05 feet to a one-half inch iron rod with yellow cap stamped “JBI” set for corner;

THENCE South 07 degrees 45 minutes 12 seconds East, 65.62 feet to a one-half inch iron rod with yellow cap stamped “JBI” set for corner;

THENCE South 32 degrees 49 minutes 22 seconds West, 32.38 feet to a one-half inch iron rod with yellow cap stamped “JBI” set for corner in the south line of said 10.224 acre tract, said point being in the north right-of-way line of said Elevon Parkway;

THENCE along the common line of said 10.224 acre tract and the north right-of-way line of said Elevon Parkway as follows:

North 57 degrees 10 minutes 38 seconds West, 186.46 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 41,803 square feet or 0.960 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.

TRACT 4
ELEVON SOUTHEAST COMMERCIAL ADDITION (21.029 ACRES)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part 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, being part 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 and being all of that CA1, Block B, Elevon East Commercial Addition, Phase 1, Document Number 2024-235, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped "JBI" found in the northeast line of said 17.606 acre tract, said point being in the southwest line of Elevon Parkway, a variable width right-of-way as recorded in Document Number 2023-925, Official Public Records of Collin County, Texas, said point also being the east corner of said CA1, Block B Elevon East Commercial Addition, Phase 1;

THENCE along the northeast line of said 17.606 acre tract and along the southwest right-of-way line of said Elevon Parkway as follows:

South 65 degrees 48 minutes 15 seconds East, 100.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" 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" found 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" found for corner;

South 51 degrees 55 minutes 50 seconds East, 155.35 feet to a one-half inch iron rod with yellow cap stamped "JBI" found in the east line of said 3.50 acre tract;

THENCE South 00 degrees 54 minutes 55 seconds West, 18.07 feet to a one-half inch iron rod with yellow cap stamped "JBI" found in the southeast line of said 3.50 acre tract, said point being in the northwest right-of-way line of Northeast Texas Rural Rail District, as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE South 71 degrees 57 minutes 09 seconds West, 1,640.01 feet along the southeast line of said 3.50 acre tract and along the northwest right-of-way line of said Northeast Texas Rural Rail District to a one-half inch iron rod with yellow cap stamped "JBI" found for corner in the west line of said 3.50 acre tract;

THENCE along the west line of said 3.50 acre tract as follows:

North 16 degrees 49 minutes 38 seconds West, 47.66 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Northwesterly, 44.42 feet along a curve to the right, a central angle of 06 degrees 59 minutes 11 seconds, a radius of 364.26 feet, a tangent of 22.24 feet and whose chord bears North 13 degrees 24 minutes 55 seconds West, 44.39 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of said

3.50 acre tract, said point being the southwest corner of said 17.606 acre tract, said point being in the east right-of-way line of Business 78 (Main Street);

THENCE along the west line of said 17.606 acre tract and along the east right-of-way line of Business 78 (Main Street) 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 a one-half inch iron rod with yellow cap stamped "JBI" found for corner in the east right-of-way line of State Highway 78;

THENCE continuing along the west line of said 17.606 acre tract and along the east right-of-way line of said State Highway 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 14 seconds East, 280.40 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the northwest corner of said CA1, Block B, said point being in the southwest right-of-way line of said Elevon Parkway;

THENCE along the north line of said CA1, Block 1 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 yellow cap stamped "JBI" found for corner;

South 57 degrees 10 minutes 38 seconds East, 187.24 feet to the POINT OF BEGINNING and containing 916,032 square feet or 21.029 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.

TRACT 5 -

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 Parcel 1-29.925 acre tract of land described in deed to MA Land Holdings, LLC as recorded in Document Number 2022000152456 Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "JBI" found at the northeast corner of said 29.925 acre tract;

THENCE along the east and south line of said 29.925 acre tract as follows:

South 08 degrees 50 minutes 13 seconds East, 81.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southeasterly, 40.81 feet along a curve to the right, having a central angle of 08 degrees 39 minutes 37 seconds, a radius of 270.00 feet, a tangent of 20.44 feet and whose chord bears South 04 degrees 30 minutes 23 seconds East, 40.77 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southwesterly, 179.26 feet along a curve to the right, having a central angle of 104 degrees 48 minutes 08 seconds, a radius of 98.00 feet, a tangent of 127.26 feet and whose chord bears South 52 degrees 13 minutes 29 seconds West, 155.29 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Northwesterly, 244.67 feet along a curve to the left, having a central angle of 17 degrees 18 minutes 25 seconds, a radius of 810.00 feet, a tangent of 123.28 feet and whose chord bears North 84 degrees 01 minutes 39 seconds West 243.74 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 87 degrees 19 minutes 08 seconds West, 96.13 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

Southwesterly, 428.59 feet along a curve to the left, having a central angle of 30 degrees 18 minutes 59 seconds, a radius of 810.00 feet, a tangent of 219.44 feet and whose chord bears South 72 degrees 09 minutes 38 seconds West, 423.61 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner at the southeast corner of Lot 2, Block A, Elevon Multifamily Addition, as recorded in Document Number 2025-623, Official Public Records of Collin County, Texas;

THENCE along the east line of said Lot 2 as follows:

North 26 degrees 29 minutes 22 seconds West, 33.24 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 07 degrees 10 minutes 45 seconds East, 95.89 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

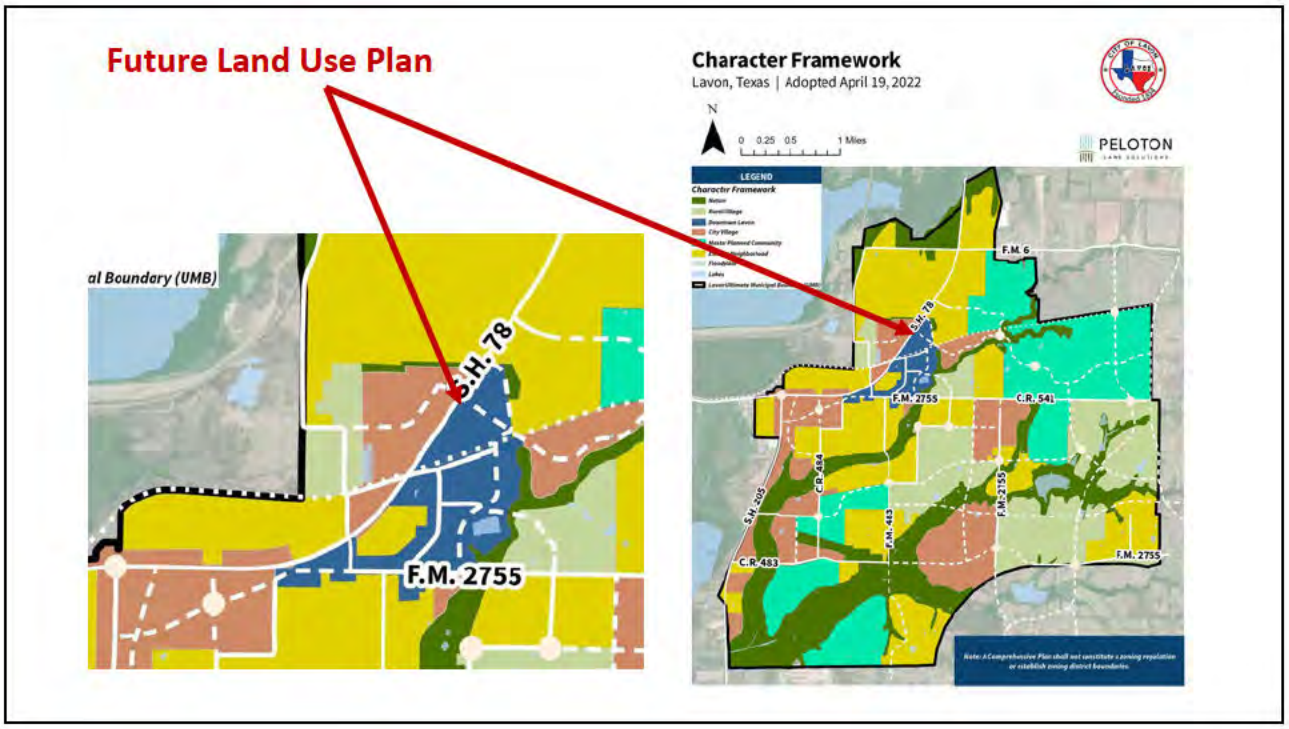
North 08 degrees 50 minutes 12 seconds West, 66.90 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner in the north line of said 29.925 acre tract, said point also being in the south right-of-way line of Northeast Texas Rural Rail Transportation District line;

THENCE North 81 degrees 09 minutes 48 seconds East, 872.24 feet along the north line of said 29.925 acre tract and along the south right-of-way line of Northeast Texas Rural Rail Transportation District line to the POINT OF BEGINNING and containing 132,952 square feet or 3.052 acres of land.

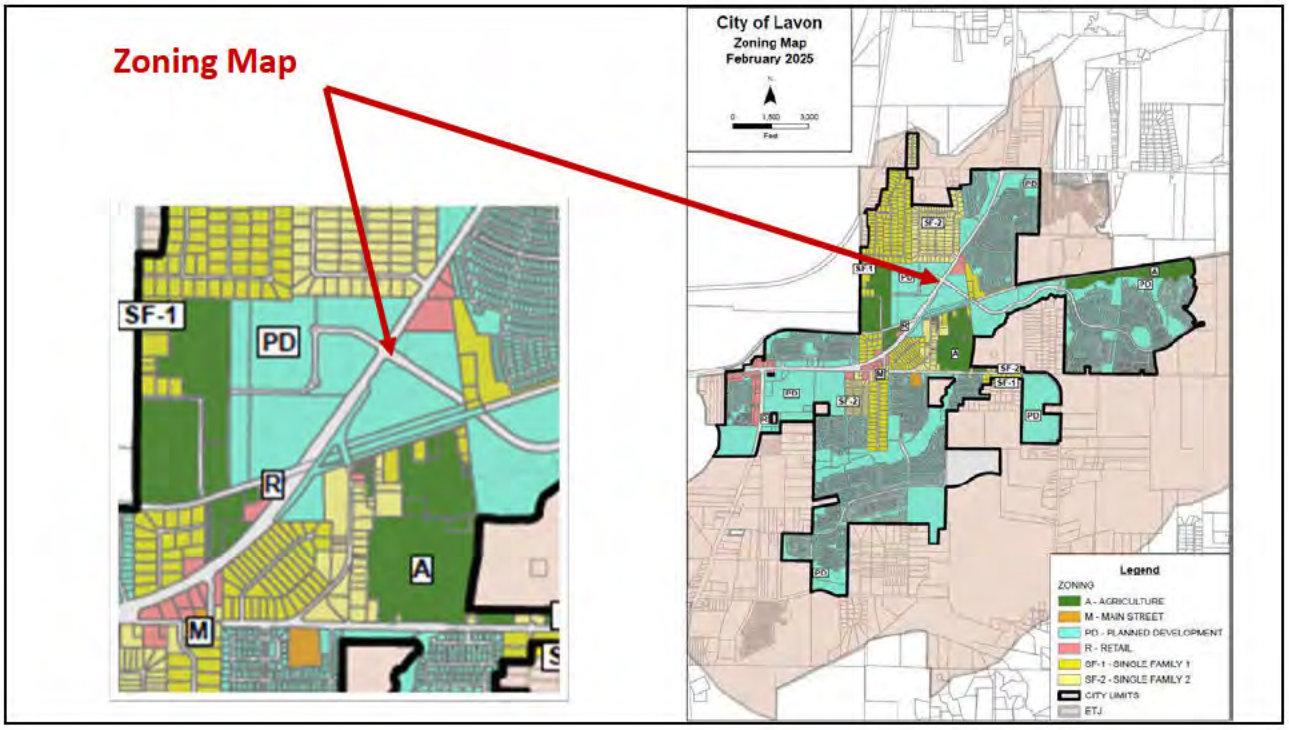
BASIS OF BEARING:

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.

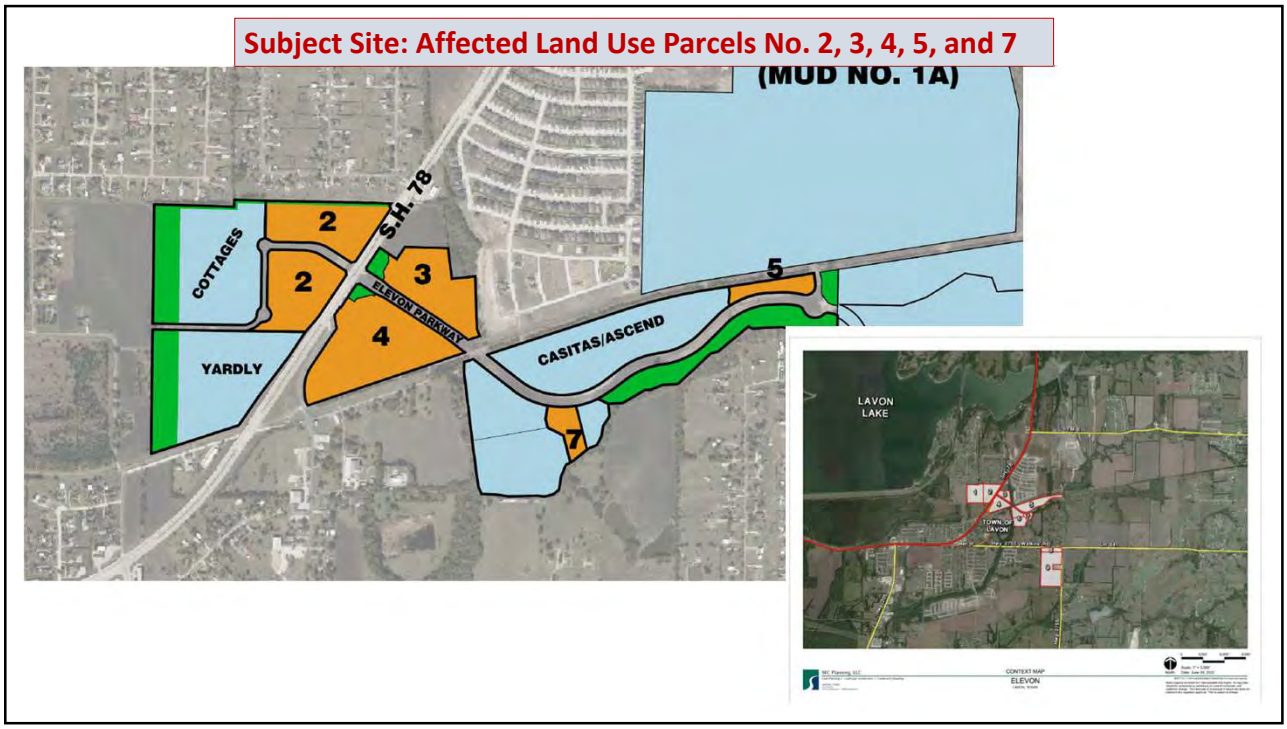
TRACT 7 – LOT 2R, BLOCK A, ELEVON PARKWAY WEST AS RECORDED IN PLAT BOOK 2024, PAGE 567 – 130,736 SQUARE FEET OR 3.001 ACRES


Future Land Use Plan
al Boundary (UMB)
S.H. 78
F.M. 2755
Character Framework
Lavon, Texas | Adopted April 19, 2022
N
0 0.25 0.5 1 Miles
PELOTON
LEGEND
Character Framework
F.M. 6
S.H. 78
F.M. 2755
C.R. 541
C.R. 484
S.H. 205
F.M. 2755
F.M. 483
C.R. 483
F.M. 2755

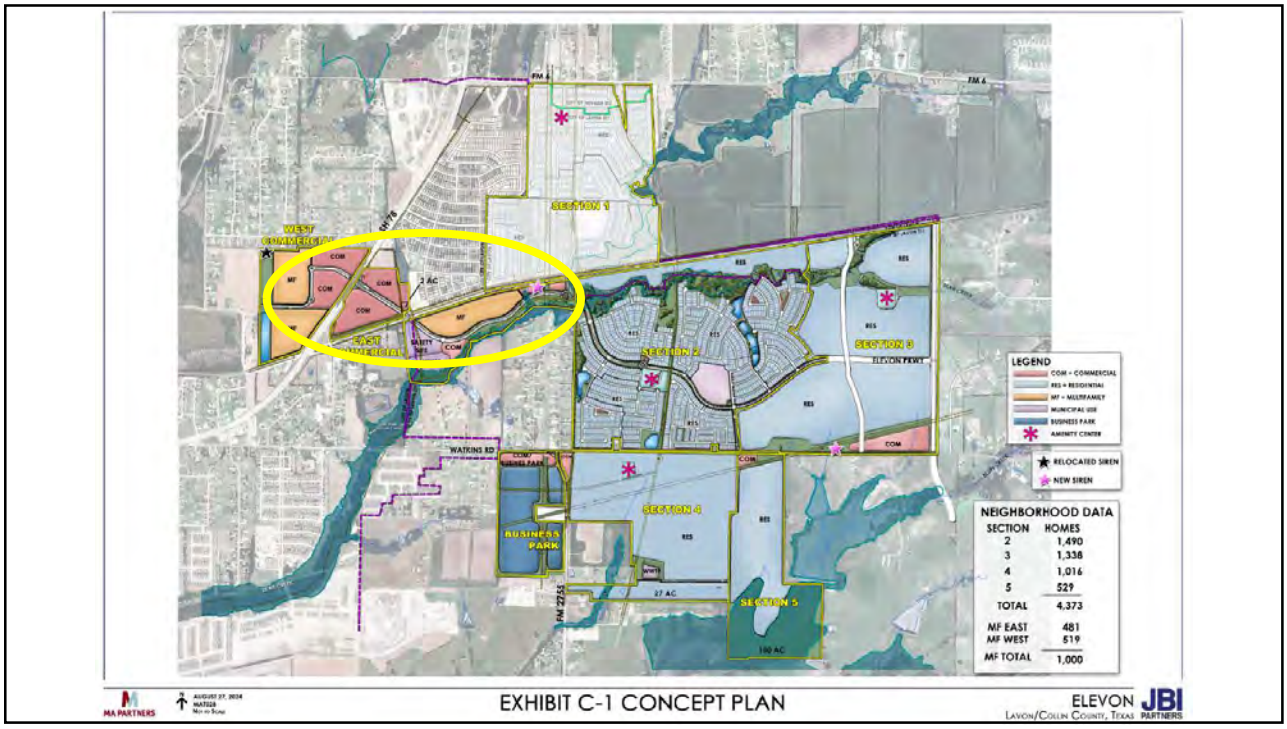
31


Zoning Map
SF-1
PD
R
A
M
City of Lavon
Zoning Map
February 2025
Legend
ZONING
A - AGRICULTURE
M - MAIN STREET
PD - PLANNED DEVELOPMENT
R - RETAIL
SF-1 - SINGLE FAMILY 1
SF-2 - SINGLE FAMILY 2
CITY LIMITS
ETJ

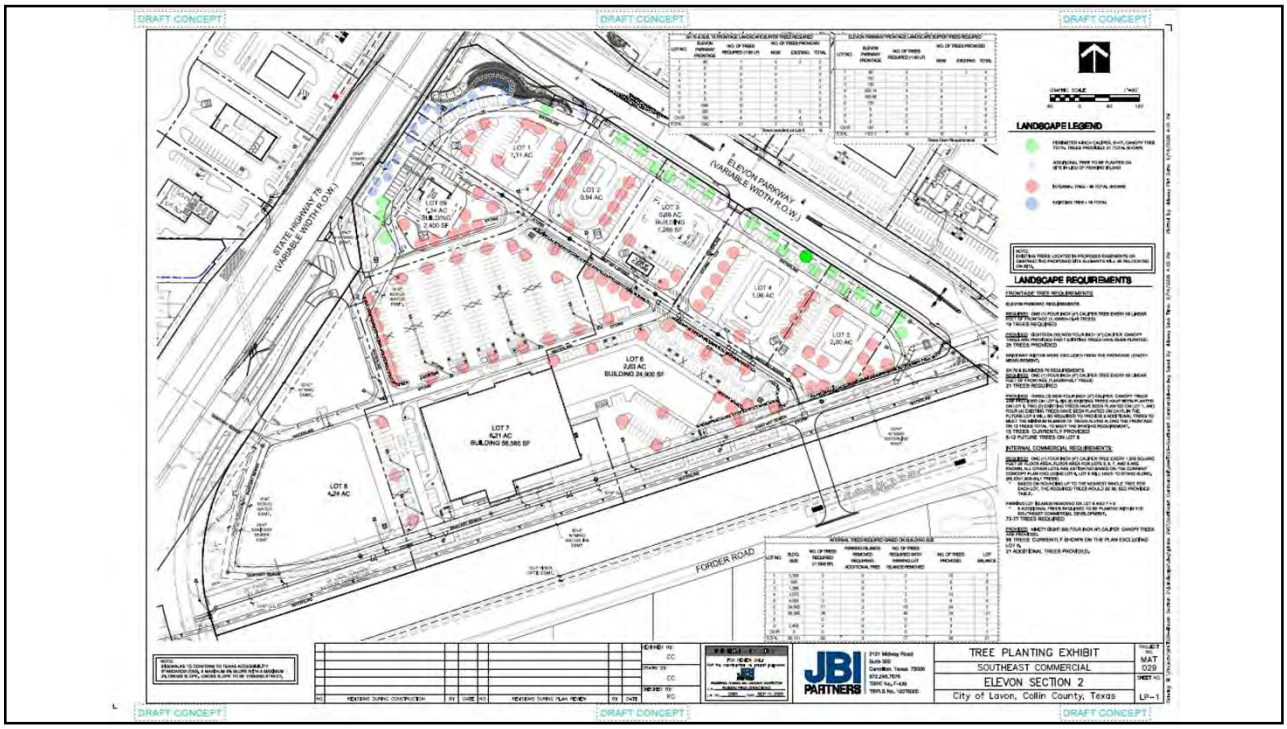
32


Subject Site: Affected Land Use Parcels No. 2, 3, 4, 5, and 7
(MUD NO. 1A)
S.H. 78
COTTAGES
2
2
3
4
5
7
ELEVON PARKWAY
CASITAS/ASCEND
YARDLY
LAVON LAKE
TOWN OF LAVON
CONTEXT MAP
ELEVON

33


SECTION 1
SECTION 2
SECTION 3
SECTION 4
SECTION 5
WEST COMMERCIAL
EAST COMMERCIAL
BUSINESS PARK
WATKINS RD
ELEVON PKWY
LEGEND
COM = COMMERCIAL
RES = RESIDENTIAL
MF = MULTIFAMILY
MUNICIPAL USE
BUSINESS PARK
AMENITY CENTER
RELOCATED SIREN
NEW SIREN
NEIGHBORHOOD DATA
SECTION HOMES
2 1,490
3 1,338
4 1,016
5 529
TOTAL 4,373
MF EAST 481
MF WEST 519
MF TOTAL 1,000
EXHIBIT C-1 CONCEPT PLAN
ELEVON
LAVON/COLLIN COUNTY, TEXAS
JBI PARTNERS
MA PARTNERS

34


DRAFT CONCEPT
DRAFT CONCEPT
DRAFT CONCEPT
STATE HIGHWAY 78
(VARIABLE WIDTH R.O.W.)
ELEVON PARKWAY
(VARIABLE WIDTH R.O.W.)
FORDER ROAD
LOT 1
1.11 AC
LOT 2
0.94 AC
LOT 3
0.86 AC
BUILDING
1,288 SF
LOT 4
1.06 AC
LOT 5
2.00 AC
LOT 6
2.83 AC
BUILDING 24,900 SF
LOT 7
4.21 AC
BUILDING 56,585 SF
LOT 8
4.24 AC
LANDSCAPE LEGEND
LANDSCAPE REQUIREMENTS
FRONTAGE TREE REQUIREMENTS
INTERNAL COMMERCIAL REQUIREMENTS
JBI PARTNERS
TREE PLANTING EXHIBIT
SOUTHEAST COMMERCIAL
ELEVON SECTION 2
City of Lavon, Collin County, Texas
LP-1
DRAFT CONCEPT
DRAFT CONCEPT
DRAFT CONCEPT

35

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 21, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to *kdobbs@lavontx.gov*

Re: Elevon Parkway Commercial
PD Amendment Review
LJA Job No. NTP-3880
MyGov Submittal Date: September 18, 2026

LJA, 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,

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 17, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Elevon Commercial
PD (2022-10-03) Amendment
Elevon Parkway Commercial PD Amendment
LJA Job No. NTP-3880
MyGov Submittal: September 15, 2026

LJA, 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 Word document representing the remaining comments/questions is attached.

2. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the PD that were not specifically requested.

Comments prepared and compiled by:

Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

August 26, 2026

Ms. Kim Dobbs
City of Lavon
PO Box 340
120 School Road
Lavon, TX 75166

Re: Elevon Commercial PD Amendment

Dear Ms. Dobbs

JBI Partners received your comments via email form on August 21, 2026 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. Incorporate changes into a PD redline document upon resubmittal. A Word version of the PD is attached for your use.
   The PD word document has been revised with the changes we are proposing and also addresses the new changes requested by Planning. Edits to the document are redlined.

2. The proposed changes appear to be inconsistent with anticipated development on Land Use Parcels 5 and 7. Please remove these parcels from the PD amendment or clarify the purpose of including the proposed changes in Land Use Parcels 5 and 7.
   We are including Parcels 5 and 7 to this amendment because we are requesting edits to the setback requirements table. The remaining tracts in Parcels 5 and 7 back into open space lots (creek and easements) so our setback requirement request would allow for rearyard setback to be adjusted to 5'.

3. The application does not include modification to Land Use Parcels 1, 6, 8, or 9. Submit a revised Exhibit A: Location Map and Exhibit C: Concept Plan (with all applicable labels) that show just the intended Land Use Parcel in this amendment. Additionally, provide only the legal descriptions and total acreages for the Land Use Parcels in this amendment.
   Exhibits A and C have been revised to only highlight the parcels being revised with this amendment. The corresponding legal descriptions of the tracts affected are now included.
   The PD word document provided (per comment #1) did not include all pages, so exhibits are being provided separately.

4. Remove the additional signage provisions in Section 1.3.9 and accompanying Signage Exhibits. Proposed signage should be submitted as a separate Master Sign Plan submittal.
   Noted. We have excluded all the additional signage provisions and sign details in the revised PD document. We will work on putting together the Master Sign Plan submittal and will be submitting that via MyGov as a new plan review request separate from this PD amendment.

5. Refer to the attached redline document for comments related to the submitted Exhibit D. Development Standards.
The comments provided in the redline have been addressed in the revised PD document except for the internal parking island requirements. Below is a summary of the redline comments from Planning and how they were addressed in the PD document:

Parking

Request: Add "and a continuous evergreen shrub screen" to the perimeter parking sentence
Edit: Added sentence as per comment
Request: Revise the internal parking landscape island spacing back to 10 continuous spaces
Edit: We have maintained the requirement at 25 continuous parking spaces. The proposed revision to the parking island requirement is one of the primary reasons for the PD amendment request. As we have started developing preliminary site plans for the four commercial corners with various retailers, including the grocery store proposed for Parcel 4, we believe that 25 continuous spaces provides an appropriate and adequate spacing for the internal parking areas. This is also consistent with existing retail developments in comparable locations.

Signs

Request: Remove new sign provisions being proposed
Edit: Removed

Parcel 2

Request: Bring back the maximum building size section and add a maximum building height of two stories (35').
Edit: Added as per comment
Request: Modify the maximum building height to 35' and hotels to 45'.
Edit: Revised as per comment.
Request: Remove "Grocery Store" from the permitted uses lists since that is categorized under "Retail Sales".
Edit: Removed
Request: Remove "Single Family Attached Residential (townhomes)" and "Single Family Detached Residential" from the permitted uses lists.
Edit: Removed
Request: Modify the dimensional standards table to bring back the minimum side yard corner setback requirement of 25' and reduce the maximum main structure height and maximum accessory structure height to 35'
Edit: Revised as per comment.

Parcel 3

Request: Bring back the maximum building size section and add a maximum building height of two stories (35').
Edit: Added as per comment
Request: Modify the maximum building height to 35' and hotels to 45'.
Edit: Revised as per comment.
Request: Remove "Grocery Store" from the permitted uses lists since that is categorized under "Retail Sales".
Edit: Removed
Request: Modify the dimensional standards table to bring back the minimum side yard corner setback requirement of 25' and reduce the maximum main structure height and maximum

accessory structure height to 35'
Edit: Revised as per comment.

Parcel 4

Request: Bring back the maximum building size section and add a maximum building height of two stories (35').
Edit: Added as per comment
Request: Modify the maximum building height to 35' and hotels to 45'.
Edit: Revised as per comment
Request: If a "Fueling Station" is intended in Parcel 4, staff recommends removing the Conditional Use requirement with this PD amendment.
Edit: Removed asterisk (indicating the need for a CUP) from Automobile Fueling Station
Request: Adjust the request for alcohol sales from Grocery Store to Retail Sales.
Edit: Revised as per comment
Request: Remove "Single Family Attached Residential (townhomes)" and "Vertically Mixed Use Retail and Multi Family Residential" from the permitted uses lists.
Edit: Removed
Request: Modify the dimensional standards table to bring back the minimum side yard corner setback requirement of 25' and reduce the maximum main structure height and maximum accessory structure height to 35'
Edit: Revised as per comment.

6. Due to the nature of the comments, additional comments may be forthcoming upon review of the resubmittal.
   We have made the requested edits to the PD document to avoid delaying the review timeline. However, we would like to schedule a call with the review staff to discuss certain requirements, including the maximum building size and height limitations. Our initial submittal was structured to accommodate the size requirements of retailers we know will be coming to the development. We would therefore appreciate the review staff's input on the best approach for addressing these requirements—whether through this PD amendment or if a Conditional Use Permit would still be required.

7. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgment or clarification of how each comment has been addressed, as well as indicating any revisions made to the PD that were not specifically requested.
   Provided.

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.

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

August 21, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Elevon Commercial
PD (2022-10-03) Amendment
Elevon Parkway Commercial PD Amendment
LJA Job No. NTP-3880
MyGov Submittal: August 12, 2026

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. Incorporate changes into a PD redline document upon resubmittal. A Word version of the PD is attached for your use.

2. The proposed changes appear to be inconsistent with anticipated development on Land Use Parcels 5 and 7. Please remove these parcels from the PD amendment or clarify the purpose of including the proposed changes in Land Use Parcels 5 and 7.

3. The application does not include modification to Land Use Parcels 1, 6, 8, or 9. Submit a revised *Exhibit A: Location Map* and *Exhibit C: Concept Plan* (with all applicable labels) that show just the intended Land Use Parcels in this amendment. Additionally, provide only the legal descriptions and total acreages for the Land Use Parcels in this amendment.

4. Remove the additional signage provisions in Section 1.3.9 and accompanying Signage Exhibits. Proposed signage should be submitted as a separate Master Sign Plan submittal.

   An application for approval of a Master Sign Plan shall include or be accompanied by:
   a. A sign application;
   b. An application fee;
   c. A project narrative describing the proposed Master Sign Plan; and
   d. Master Sign Plan submittal containing the following information:
      i. Elevations of the signs, illustrating the materials of construction, colors, lighting, fonts of letters and dimensions of the signs. If the sign is to be attached to a building, the elevation shall be a composite of the sign and the building;
      ii. Elevations depicting the size of the signs in relation to the size of the buildings within the development;

iii. An approved Site Plan illustrating the location of existing and proposed signs on the property and, if required by City Staff, on adjacent properties; and
iv. Other information to illustrate the consistency and uniformity of the signs under the plan.

5. Refer to the attached redline document for comments related to the submitted Exhibit D. Development Standards.

6. Due to the nature of the comments, additional comments may be forthcoming upon review of the resubmittal.

7. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the PD that were not specifically requested.

Comments prepared and compiled by:



Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

August 31, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Elevon Commercial
PD (2022-10-03) Amendment
Elevon Parkway Commercial PD Amendment
LJA Job No. NTP-3880
MyGov Submittal: August 26, 2026

LJA, 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. Incorporate revised changes into a updated PD redline document upon resubmittal. A Word document representing the remaining comments/questions is attached.

2. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the PD that were not specifically requested.

3. FYI - We received your request to schedule a call to discuss certain PD requirements, including the proposed maximum building size and height limitations. We will coordinate with Kim to identify a meeting time that works for everyone. Kim will be out of the office until September 4. Once she returns, we will reach out with available times to meet.

Comments prepared and compiled by:



Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP
Senior Director at LJA
Email: 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 public hearings at a meeting starting at **6:30 PM on September 22, 2026** at Lavon City Hall, 120 School Road, Lavon, Texas. Further notice is given that the City Council will hold public hearings at **6:30 PM on October 6, 2026** at Lavon City Hall. At such times and place, the Commission and the Council will receive testimony and consider:

> **Request and Property Description**: an application to amend the Elevon Planned Development District as provided by Ordinance 2022-10-03, as amended, for non-residential development on 62.183 acres comprised of Land Use Parcel 2 (22.38 ac), Land Use Parcel 4 (21.03 ac) and portions of Land Use Parcels 3 (11.76 ac), 5 (3.05 ac) and 7 (3 ac), adjacent to Elevon Parkway in the vicinity of the intersection of Elevon Parkway and N. SH 78 and east of Inspiration Grove in the S. M Rainer Survey Abstract No. 740, City of Lavon, Collin County Texas, (CCAD Property ID's 2542828, 2868716, 2542829, 2882922 and 2918195). Location exhibits on the reverse.

Additional information regarding the request may be obtained at 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.

Proposed preliminary concepts for informational purposes only are on the back of this Notice.

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*) _____

_____

_____

_____

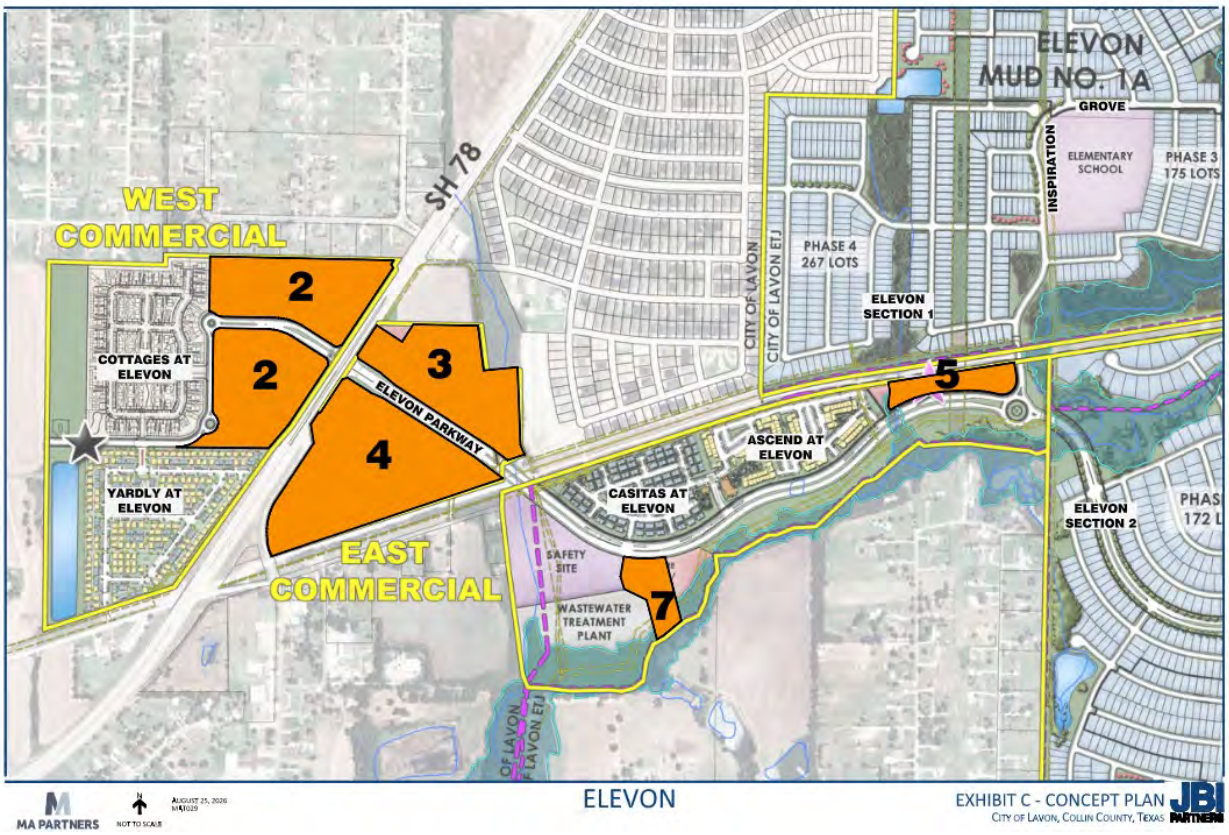
Signature: _____

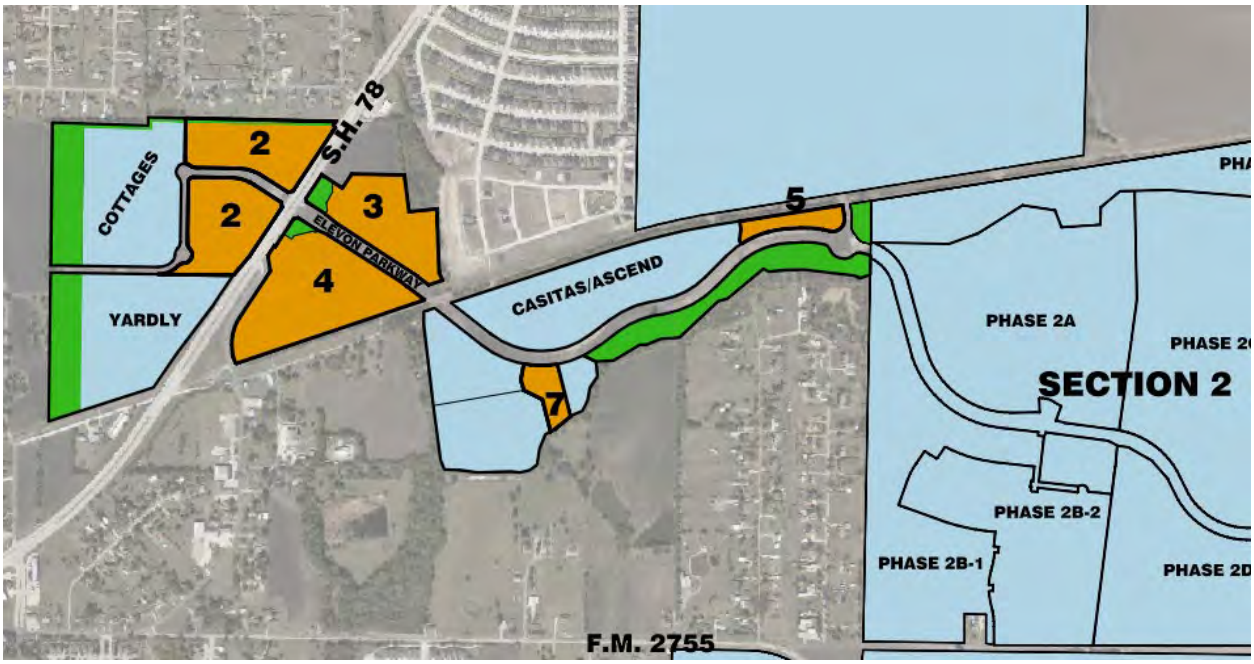
Name (printed): _____

Address:_____

Phone:_____ Email Address: _____

You may return this form to: ***City of Lavon*** *or via email to:* CityHall@lavontx.gov
P.O. Box 340
Lavon, Texas 75166


ELEVON MUD NO. 1A
GROVE
INSPIRATION
ELEMENTARY SCHOOL
PHASE 3 175 LOTS
WEST COMMERCIAL
SH 78
CITY OF LAVON
CITY OF LAVON ETJ
PHASE 4 267 LOTS
ELEVON SECTION 1
2
2
3
4
5
COTTAGES AT ELEVON
ELEVON PARKWAY
ASCEND AT ELEVON
CASITAS AT ELEVON
YARDLY AT ELEVON
ELEVON SECTION 2
EAST COMMERCIAL
SAFETY SITE
WASTEWATER TREATMENT PLANT
7
MA PARTNERS
NOT TO SCALE
ELEVON
EXHIBIT C - CONCEPT PLAN
CITY OF LAVON, COLLIN COUNTY, TEXAS
JBI PARTNERS


S.H. 78
COTTAGES
2
2
3
4
5
7
ELEVON PARKWAY
CASITAS/ASCEND
YARDLY
PHASE 2A
SECTION 2
PHASE 2B-2
PHASE 2B-1
F.M. 2755

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _7 – D_**

Item:

Discussion and action regarding the site plan and landscape plan of a Whataburger commercial project on Commercial Tract 1R, Block A, 78 Commercial East Addition at 597 S. SH 78, northwest of the intersection of S. SH 78 and Burnett Dr., City of Lavon, Collin County, Texas (CCAD Property ID 2913476).

Application Information

Owner(s): Vaquero Lavon Partners, LP

Applicant: Bill Sorrells, Pape-Dawson

Location: 597 S. Grand Heritage Blvd., located northwest of the intersection of S. SH 78 and Burnett Dr.

Description: Commercial Tract 1R, Block A, 78 Commercial East Addition, on 1.283 acres (CCAD Property ID 2913476).

Current Zoning: Planned Development (PD)

Request: Site Plan and Landscape Plan

Request Details

The applicant is seeking approval of the site plan and landscape plan for a 3,317 square foot Whataburger restaurant with indoor dining and a drive through on 1.283 acres.

Building façades, vehicle circulation, a queuing analysis, noise impacts, a photometric plan, and traffic impacts have been provided and reviewed.

The site will be developed in accordance with the Grand Heritage Planned Development District regulations, Ordinance No. **2004-09-05**, as amended, that established the Planned Development zoning for the property.

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 and landscape plan are generally prepared in conformance with the approved zoning requirements.

Platting: The property has been platted.

Access: Access is provided from Burnett Dr. and from cross access easements connecting to S. SH 78. A queuing analysis has been provided and reviewed.

Utilities: The site will be served water by the Bear Creek Special Utility District and sanitary sewer by the City of Lavon.

Screening and Landscaping: Screening and landscaping are generally provided in accordance with the zoning requirements.

The proposed applications were reviewed by the planning consultant, fire marshal, and city engineer.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE SITE PLAN AND LANDSCAPE PLAN OF A WHATABURGER COMMERCIAL PROJECT ON COMMERCIAL TRACT 1R, BLOCK A, 78 COMMERCIAL EAST ADDITION AT 597 S. SH 78, NORTHWEST OF THE INTERSECTION OF S. SH 78 AND BURNETT DR., CITY OF LAVON, COLLIN COUNTY, TEXAS SUBJECT TO FINAL REVIEW AND APPROVAL OF THE CITY PLANNER, FIRE MARSHAL AND CITY ENGINEER.
MOTION: MCCLENDON
SECONDED: CLIFTON
APPROVED: UNANIMOUS

Staff Notes:

Approval of the site plan and landscape plan are recommended, subject to the final review and approval of the city engineer, fire marshal, and planner.

Attachments:

1. Application and Site Plan; Building Elevations
2. Landscape Plan
3. Location exhibits
4. 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: Freddie Rojas

Address: 201 Main Street, Suite 901, 76102

Telephone Number:

Email Address: [redacted]

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)

1.28 Acres 55,889 SQ. FT. Tract 1 Lot 1R Block A 78 Commercial East
Vol. 2024, PG 520 P.R.C.C.T.

SUBDIVISION NAME: (*approved plat is prerequisite*) Commercial Tract Number 1R & 5,
Block A 78 Commercial East

ZONING: Planned Development

LEGAL OWNER OF PROPERTY INVOLVED:

If Applicant is NOT the Owner, Relationship to Owner: Civil Engineer for Proposed
Whataburger Development (Lot 1R Block A)

I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE ABOVE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.

Signature: Bill Sorrells — Owner / Authorized Agent

Date: 11/14/25

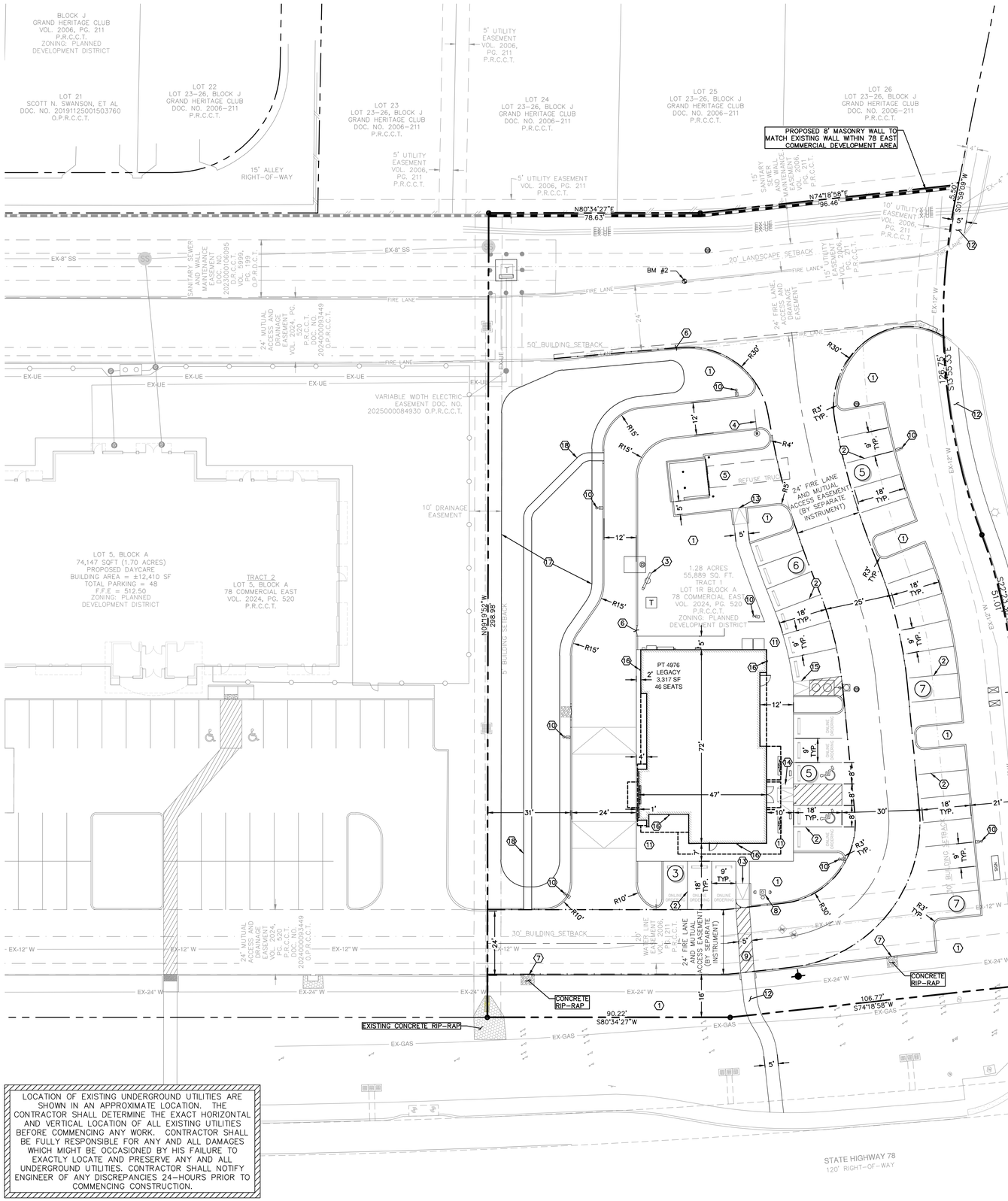
Printed Name: Bill Sorrells
Owner / Authorized Agent

Title: Engineer II

Company: Pape-Dawson

City Office Use Only:

Fee paid (*due at time of application*)	**Amount:** **Check #** **or Cash**
Required items submitted	
Development Engineer Comments	
Development Review Committee Comments	
Comments Addressed by Applicant	
Planning & Zoning Action	
City Council Action	



SITE DATA TABLE

SITE GROSS AREA	55,889 SF (1.28 AC)
LOT COVERAGE BY BUILDING	3,044 SF (0.07 AC) / 5.4%
LOT COVERAGE BY IMPERVIOUS SURFACE	31,429 SF (0.72 AC) / 56%
LOT COVERAGE BY LANDSCAPING	24,460 SF (0.56 AC) / 44%
TOTAL PARKING SPACES	33

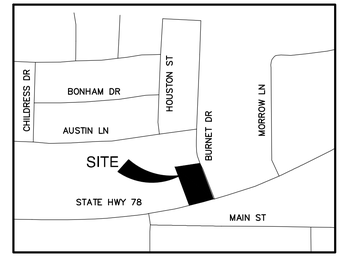
*LOT COVERAGE BY BUILDING IS INCLUDED IN THE IMPERVIOUS SURFACE CALCULATION

BENCHMARKS

BM 1	BM 2	BM 3
X–CUT	X–CUT	X–CUT
N: 7061241.0	N: 7061414.5	N: 7061355.7
E: 2598532.6	E: 2598306.3	E: 2597992.2
ELEV: 512.0'	ELEV: 511.4'	ELEV: 511.4'

NOTES

1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND VERIFY THE BOUNDARY MONUMENTATION AND THE PROJECT BENCHMARKS PRIOR TO COMMENCING CONSTRUCTION. THE BOUNDARY MONUMENTATION SHALL BE USED AS HORIZONTAL PROJECT CONTROL AND SHALL BE PROTECTED BY THE CONTRACTOR DURING ALL PHASES OF CONSTRUCTION.
2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
3. THE CONTRACTOR SHALL REFER TO BUILDING PLANS FOR ACTUAL BUILDING DIMENSIONS AND FOR DETAILED DIMENSIONING OF ENTRANCE FEATURES.
4. COORDINATES PROVIDED INDICATE THE DESIGN INTENT OF THE ENGINEER. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY INCONSISTENCIES OR DISCREPANCIES FOUND DURING CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL COORDINATES DURING CONSTRUCTION LAYOUT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
5. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO AND THROUGHOUT CONSTRUCTION.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION PHASE SURVEYING INCLUDING LOCATING AND VERIFYING PROJECT BENCHMARKS.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN NEAT AND ACCURATE CONSTRUCTION RECORDS. THE CONTRACTOR SHALL PROVIDE CLEAN AND ACCURATE FULL–SIZE RECORD DRAWINGS WHICH CLEARLY DESCRIBE ANY DEVIATIONS FROM THE PLANS.
8. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE FOLLOWING, IN ORDER OF PRECEDENCE, (1) CITY STANDARD DETAILS AND SPECIFICATIONS, (2) DETAILS SHOWN IN THESE PLANS AND SPECIFICATIONS, (3) TEXAS DEPARTMENT OF TRANSPORTATION – "STANDARD SPECIFICATIONS FOR CONSTRUCTION OF HIGHWAY, STREETS AND BRIDGES."
9. IN AREAS WHICH ARE TO REMAIN UNDISTURBED, THE CONTRACTOR SHALL PRESERVE, PROTECT AND/OR RESTORE ALL AREAS DISTURBED BY THE CONSTRUCTION TO ORIGINAL CONDITION OR BETTER AT CONTRACTOR'S SOLE EXPENSE.
10. IN THE EVENT THAT EXISTING PRIVATE UTILITY SERVICES SUCH AS WATER, GAS, TELEPHONE, ELECTRIC, ETC. MUST BE TAKEN OUT OF SERVICE TO FACILITATE CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE TEMPORARY UTILITIES TO THE SATISFACTION OF THE OWNER.
11. THE CONTRACTOR IS RESPONSIBLE FOR THE VERIFICATION OF THE ACCURACY OF THE DIMENSION CONTROL FURNISHED HEREIN. THE CONTRACTOR IS REQUIRED TO VERIFY ALL THE COORDINATES FOR ACCURACY AND CONFIRM THE LOCATIONS OF ALL UTILITIES TO BE CONSTRUCTED, BOTH HORIZONTALLY AND VERTICALLY. DISCREPANCIES FOUND BY THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY.
12. THE ENGINEER IS NOT RESPONSIBLE FOR CONSTRUCTION SAFETY.
13. THE LOCATION AND DIMENSIONS SHOWN ON THE PLANS RELATIVE TO EXISTING UTILITIES ARE BASED ON THE BEST RECORDS AND/OR FIELD INFORMATION AVAILABLE. ALL DAMAGE TO UTILITIES RESULTING FROM CONTRACTOR'S OPERATIONS SHALL BE RESTORED AT HIS EXPENSE.
14. THE CONTRACTOR SHALL PROTECT ALL PROPERTY CORNER MARKERS, AND IF DISTURBED, THEY SHALL BE RESET AT THE EXPENSE OF THE CONTRACTOR.
15. IN THE EVENT THAT OTHER CONTRACTORS ARE DOING WORK IN THE SAME AREA SIMULTANEOUSLY WITH THIS PROJECT, THE CONTRACTOR SHALL COORDINATE HIS PROPOSED CONSTRUCTION WITH THAT OF THE OTHER CONTRACTORS.
16. ALL MATERIALS TO BE REMOVED FROM THE SITE INCLUDING UNSUITABLE SPOIL MATERIAL, REFUSE AND OTHER DEBRIS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE LAWFULLY REMOVED & DISPOSED OF OUTSIDE THE LIMITS OF THE PROJECT.
17. THE CONTRACTOR SHALL MAKE A FINAL CLEAN–UP OF ALL PARTS OF THE WORK AND PREPARE THE SITE IN AN ORDERLY MANNER OF APPEARANCE BEFORE ACCEPTANCE BY THE DEVELOPER OR HIS REPRESENTATIVE.
18. HAUL ROADS, ACCESS ROUTES AND THE LOCATION OF ALL STAGING AREAS AND STORAGE AREAS SHALL BE SUBJECT TO THE APPROVAL OF THE ENGINEER, CITY AND/OR OWNER.



LOCATION MAP

NOT–TO–SCALE

SCALE: 1"= 20'

0' 20' 40' 60'

SITE LEGEND

- 500 — EXISTING MAJOR CONTOUR
- 500 — EXISTING MINOR CONTOUR
- PROPERTY BOUNDARY
- RIGHT–OF–WAY
- EASEMENT
- CONCRETE CURB
- 8' MASONRY SCREEN WALL
- WHEEL STOP
- # — PARKING COUNT
- ADA PARKING W/ SIGNAGE & STRIPING
- SIGN — MONUMENT SIGN (SEE STRUCT. & ARCH. SHEETS FOR DETAIL)
- SS — SANITARY SEWER LINE
- SANITARY SEWER GREASE TRAP
- SANITARY SEWER CLEANOUT
- DW — DOMESTIC WATER LINE
- WATER METER/VAULT
- FIRE HYDRANT
- UE — UNDERGROUND ELECTRIC LINE
- GAS — GAS LINE
- COMM — TELECOMM LINE
- EX–SS — EXISTING SANITARY SEWER LINE
- EXISTING SANITARY SEWER MANHOLE
- EX–W — EXISTING WATER LINE W/ VALVES
- EXISTING STORM DRAIN
- EXISTING STORM DRAIN CURB INLET
- EXISTING STORM DRAIN GRATE INLET
- EXISTING LIGHT POLE
- T — EXISTING TRANSFORMER
- EXISTING WOOD PRIVACY FENCE
- FIRE LANE — EXISTING FIRE LANE

KEY NOTES

1. LANDSCAPE AREA (SEE LANDSCAPE PLANS FOR DETAILS)
2. 4" WHITE STRIPE FOR PARKING STALL (TYP.)
3. MENU BOARD W/ CANOPY (SEE ARCH. PLANS FOR DETAIL)
4. HEADACHE BAR (SEE STRUCT. & ARCH. PLANS FOR DETAIL)
5. DUMPSTER ENCLOSURE & STRUCTURAL SLAB WITH MIN. 6' TALL MASONRY WALL W/ SOLID GATE (SEE STRUCT. & ARCH. PLANS FOR DETAIL)
6. 2FT CURB V–NOTCH
7. 4FT CURB CUT
8. FLAG POLE WITH BEACON DOWN LIGHT, UNITED FLAG AND BANNER OR OWNER APPROVED EQUAL, 30' X 5' X 0.125" WALL THICKNESS. 1–PC TAPERED ALUMINUM COMMERCIAL FLAGPOLE. BRUSHED SATIN ALUMINUM FINISH WITH 14 GAUGE ALUMINUM BALL FINIAL. INCLUDE ALUMINUM ROLLER AND SLEEVE HARDWARE TO INCLUDE STATIONARY TRUCK, NYLON FLAGSNAPS AND HALYARD. ENTIRE ASSEMBLY (INCLUDING FOUNDATION) TO CONFIRM TO APPLICABLE CODES, INCLUDING WIND LOADS.
9. CROSSWALK STRIPING (SEE STRIPING DETAIL)
10. AREA LIGHT WITH POLE AND BASE (SEE STRUCT. SHEETS FOR DETAILS)
11. BUILDING PERIMETER SIDEWALK WITH TURNDOWN CURB
12. SIDEWALK
13. PERPENDICULAR CURB RAMP
14. DOUBLE FLARED CURB RAMP
15. LOADING RAMP
16. WALL–MOUNTED AREA LIGHT (SEE STRUCT. SHEETS FOR DETAILS)
17. DETENTION AREA
18. 3' CONCRETE SWALE

LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE LOCATION. THE CONTRACTOR SHALL DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING ANY WORK. CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES 24–HOURS PRIOR TO COMMENCING CONSTRUCTION.

REVISIONS: SYM. | DATE | DESCRIPTION | BY

PROJECT:
PT4976 BUILDING TYPE
NWC STATE HIGHWAY 78 & BURNETT DRIVE
LAVON, TEXAS

PAPE–DAWSON
201 MAIN ST., STE 901 | FT. WORTH, TX 76102 | 817.870.3668
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10025800

WHATABURGER
300 CONCORD PLAZA DR.
SAN ANTONIO, TEXAS
210–476–6000 ZIP 78216

THIS DRAWING IS THE PROPERTY OF WHATABURGER, SAN ANTONIO, TEXAS AND MAY NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESSED WRITTEN CONSENT OF WHATABURGER.

SHEET TITLE:
SITE PLAN

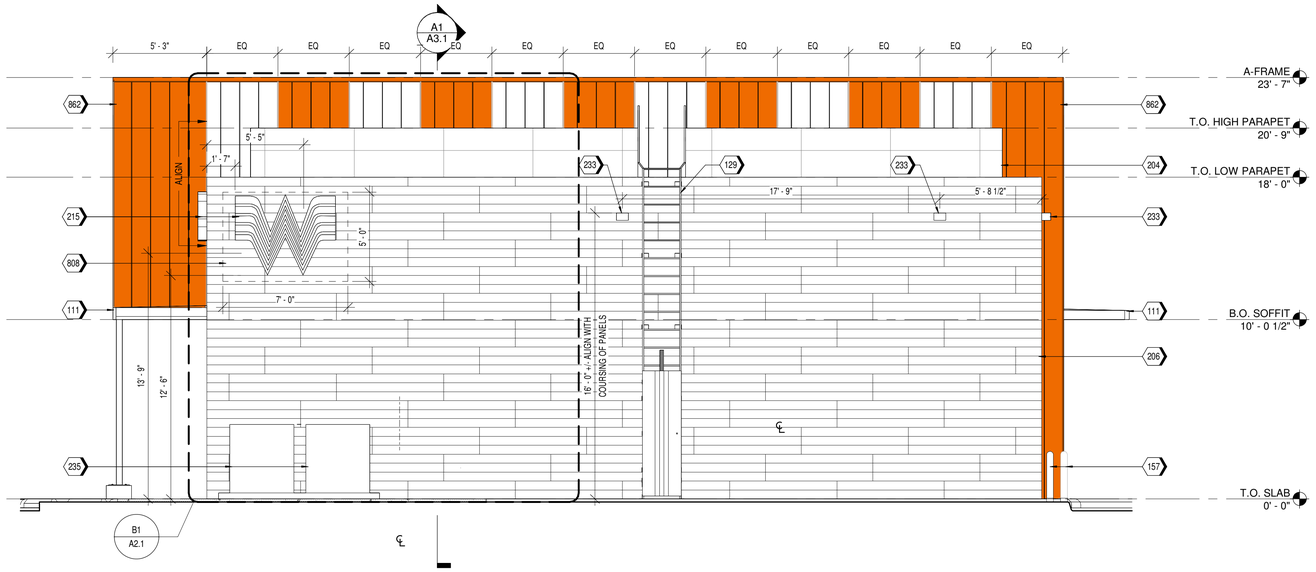
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DESIGNED BY: CH
CHECKED BY: MM

SHEET NO:
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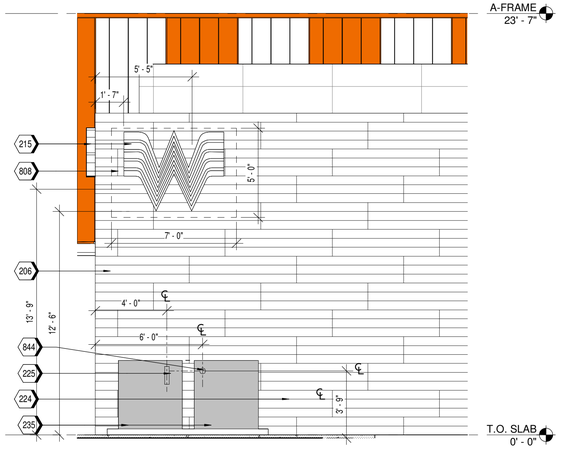
WHATABURGER

Date: August 7, 2025, 1:24 PM – User ID: mmaly
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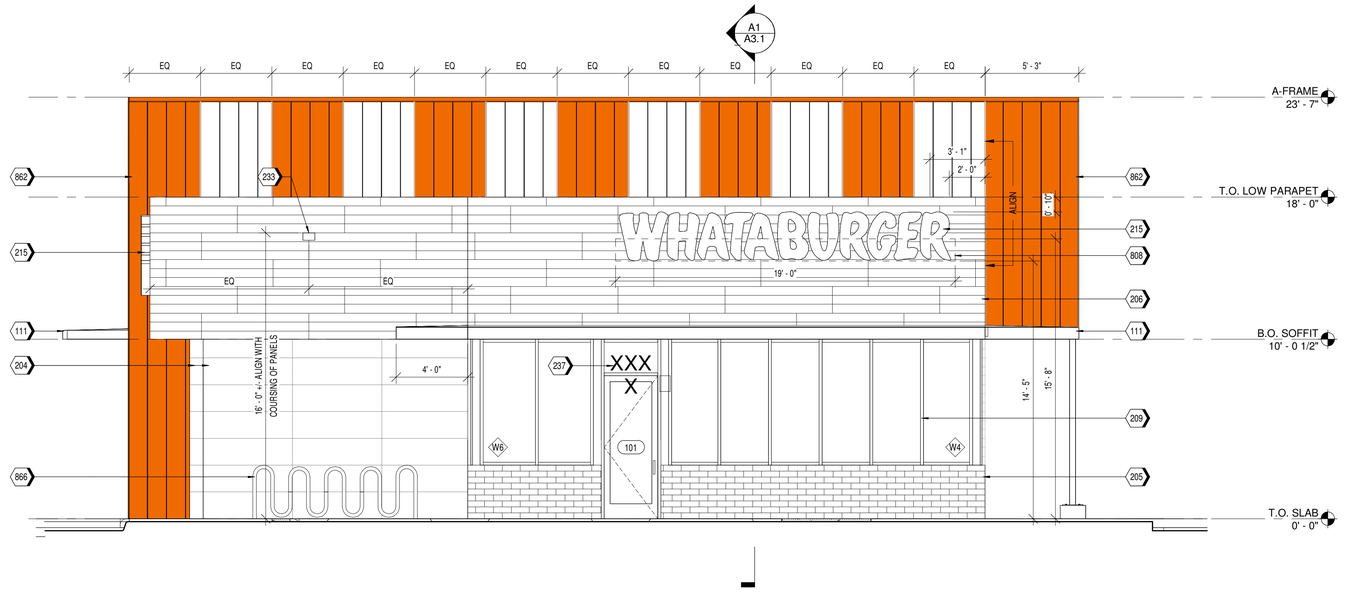
FOR PERMIT REVIEW



A1 NORTH ELEVATION
SCALE 1/4" = 1'-0"



B1 NORTH ELEVATION
SCALE 1/4" = 1'-0"



A2 SOUTH ELEVATION
SCALE 1/4" = 1'-0"

EXTERIOR METAL

MC01 METAL COPING (MC01)
SPECIFICATION SECTION: 07 71 00
MANUFACTURER: BERRIDGE OR EQUIVALENT
PRODUCT NAME: PARAPET COPING
MATERIAL: METALLIC COATED STEEL
COLOR: LEAD-COTE
SIZE: VARIES
LOCATION: SEE ELEVATIONS

MC03 METAL COPING (MC03)
SPECIFICATION SECTION: 07 71 00
MANUFACTURER: BERRIDGE OR EQUIVALENT
PRODUCT NAME: PARAPET COPING
MATERIAL: METALLIC COATED STEEL
COLOR: MEDIUM BRONZE
SIZE: VARIES
LOCATION: SEE ELEVATIONS

MR01 METAL ROOF (STANDING SEAM) (MR01)
SPECIFICATION SECTION: 07 71 00
MANUFACTURER: BERRIDGE
PRODUCT NAME: TEE - PANEL
MATERIAL: 24 GAUGE STEEL
COLOR: NEW WHATABURGER ORANGE AND WHITE (NEW WHATABURGER ORANGE BY AKZO FORMULA, TONER: B60HG-1,224g, B616-5.2g, B610-668.4g, B622-1,069.5g, B641-1,118.1g)
LOCATION: ROOF AT A-FRAME
NOTES: 12" COVERAGE BETWEEN SEAMS

MP01 METAL PANEL (MP01)
SPECIFICATION SECTION: 07 71 00
MANUFACTURER: BERRIDGE
PRODUCT NAME: L-PANEL, SMOOTH
MATERIAL: 24 GAUGE
COLOR: NEW WHATABURGER ORANGE (AKZO FORMULA, TONER: B60HG-1,224g, B616-5.2g, B610-668.4g, B622-1,069.5g, B641-1,118.1g)
LOCATION: SOFFIT AT A-FRAME
NOTES: 11 5/8" COVERAGE BETWEEN SEAMS

MP02 METAL PANEL (MP02)
SPECIFICATION SECTION: 07 71 00
PRODUCT NAME: MBCI
PRODUCT NUMBER: FW-120-1 WITH BEAD
COLOR: NEW WHATABURGER ORANGE (AKZO FORMULA, TONER: B60HG-1,224g, B616-5.2g, B610-668.4g, B622-1,069.5g, B641-1,118.1g)
LOCATION: SOFFIT AT CANOPIES

MC01 METAL CLADDING (MC01)
SPECIFICATION SECTION: 07 42 93
PRODUCT NAME: ACM
COLOR: NEW WHATABURGER ORANGE (AKZO FORMULA, TONER: B60HG-1,224g, B616-5.2g, B610-668.4g, B622-1,069.5g, B641-1,118.1g)
LOCATION: AT CANOPIES

FIBER CEMENT

FC02 FIBER CEMENT PANELS (FC02)
SPECIFICATION SECTION: 07 46 46
MANUFACTURER: NICHIHA
PRODUCT NAME: CANYON BRICK
COLOR: SHALE BROWN

FC05 FIBER CEMENT PANELS (FC05)
SPECIFICATION SECTION: 07 46 46
MANUFACTURER: NICHIHA
PRODUCT NAME: ARCHITECTURAL BLOCK
PRODUCT NUMBER: 1818
COLOR: GRAY

FC03 FIBER CEMENT PANELS (FC03)
SPECIFICATION SECTION: 07 46 46
MANUFACTURER: NICHIHA
PRODUCT NAME: VINTAGEWOOD
PRODUCT NUMBER: 1818
COLOR: CEDAR

EXTERIOR PAINT

PT-5 EXTERIOR PAINTING (PT-5)
SPECIFICATION SECTION: 09 91 13
MANUFACTURER: SHERWIN WILLIAMS
PRODUCT NUMBER: SW 7067
COLOR: CITYSCAPE
LOCATION: RE: ELEVATIONS
NOTES: FLAT FINISH. INTERIOR SIDE OF DOORS/FRAMES EGGSHELL FINISH.

PT-7 EXTERIOR PAINTING (PT-7)
SPECIFICATION SECTION: 09 91 13
MANUFACTURER: SHERWIN WILLIAMS
PRODUCT NUMBER: SW 9098
COLOR: BAKED COOKIE
LOCATION: RE: DETAILS

GLAZING

GL01 GLAZING (GL01)
SPECIFICATION SECTION: 08 80 00
ITEM: IGU VISION GLASS
MANUFACTURER: VITRO
PRODUCT NAME: SOLARBAN Z75/70 (2) OPTIBLUE + CLEAR IGU
SIZE: VARIES
LOCATION: EXTERIOR WALL
NOTES: VLT 46% U-VALUE .28 SHGC .23 LSG 2.00

GL03 GLAZING (GL03)
SPECIFICATION SECTION: 08 80 00
ITEM: IGU OPAQUE SPANDREL GLASS
MANUFACTURER: VITRO
PRODUCT NAME: OPACI-COAT-300
FINISH: #3-5323 OLD EAGLE
SIZE: VARIES
LOCATION: SEE ELEVATIONS

SS01 STOREFRONT SYSTEM (SS01)
SPECIFICATION SECTION: 08 41 13
MANUFACTURER: OLDCASTLE
PRODUCT NAME: FG-3000 THERMAL
FINISH: DARK BRONZE
SIZE: VARIES
LOCATION: SEE ELEVATIONS

NOTES

1. EXTERIOR SIGNAGE TO BE PERMITED UNDER A SEPARATE SIGN PERMIT SET.

KEYNOTES

111	PRE-MANUFACTURED CANOPY ABOVE, BY GENERAL CONTRACTOR
129	ROOF ACCESS LADDER. 3M DBI-SALA LAD-SAF CABLE VERTICAL SAFETY SYSTEM
157	PIPE BOLLARDS: IDEAL SHIELD. RE: CIVIL. PAINT PANTONE 2336 XGC, URBAN BRONZE. RE D3/S5.1
204	NICHIHA; ARCHITECTURAL BLOCK, FC05, GRAY
205	NICHIHA; CANYON BRICK, FC02, CANYON BRICK
206	NICHIHA; VINTAGEWOOD, FC03, VINTAGEWOOD
209	SS-01, DARK BRONZE; ALUMINUM STOREFRONT SYSTEM
215	ILLUMINATED SIGNAGE BY OTHERS, G.C. TO PROVIDE PLYWOOD BLOCKING AS NEEDED TO ATTACH SIGNAGE
224	WALL HYDRANT
225	STAINLESS STEEL GREASE SHIELD W/ 2 1/2" HOLE THROUGH WALL FOR GREASE TANK
233	EXTERIOR LIGHT FIXTURE, RE: ELECTRICAL. RE: A1.3 FOR DIMENSIONS
235	OIL TANK, RE: MEP & KITCHEN
237	BUILDING ADDRESS 6"HIGH WHITE VINYL NUMBERS WITH 1" STROKE, 10' A.F.G. TO TOP OF SIGNAGE
808	PROVIDE BLOCKING FOR SIGNAGE AS REQUIRED
844	6" CHASE FOR RTI SYSTEM. ADD 2X6 FRAMING TO CREATE CHASE. 10" WIDE-FULL HEIGHT STAINLESS STEEL COVER OVER OPENING, COORDINATE WITH INSTALLER FOR PROPER SEALING AROUND PIPE
862	STANDING SEAM METAL ROOF, MR01
866	BIKE RACK. REFER TO SPECIFICATIONS

WHATABURGER

Lavon TX
NWC State Hwy 78 & Burnett Dr.

ROUCH architects

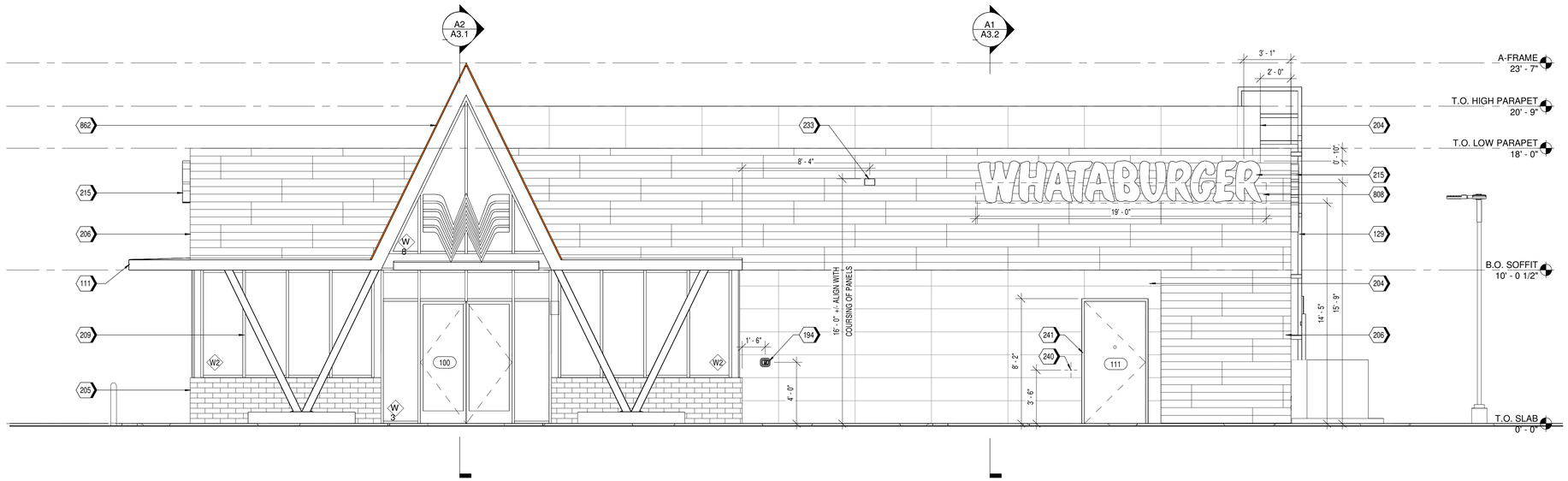
Prototype Version
PT4976 LEGACY

1201 MAIN ST.
SUITE 1750
DALLAS, TEXAS 75202
214.997.6029
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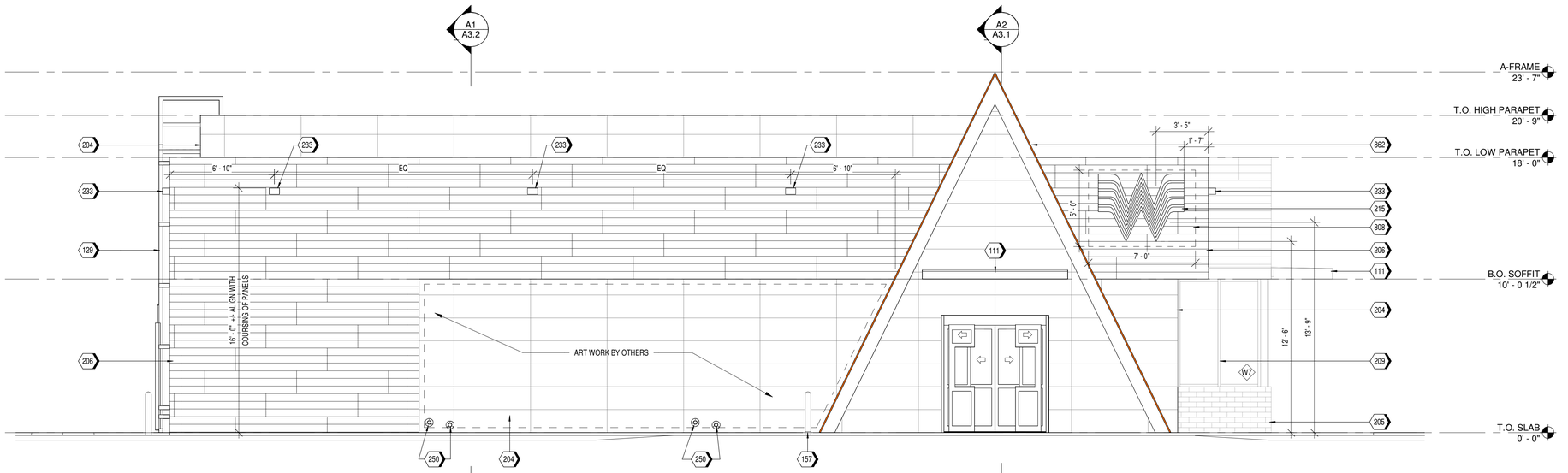
REGISTERED ARCHITECT
DAVID E. SANDOVAL
26590
STATE OF TEXAS

REVISIONS

ISSUE DATE: 7/10/26
JOB #: 122.1025.101
SHEET NAME: EXTERIOR ELEVATIONS
SHEET: A2.1



A1 EAST ELEVATION
SCALE 1/4" = 1'-0"



A2 WEST ELEVATION
SCALE 1/4" = 1'-0"

EXTERIOR METAL

MC01 METAL COPING (MC01)
SPECIFICATION SECTION: 07 71 00
MANUFACTURER: BERRIDGE OR EQUIVALENT
PRODUCT NAME: PARAPET COPING
MATERIAL: METALLIC COATED STEEL
COLOR: LEAD-COTE
SIZE: VARIES
LOCATION: SEE ELEVATIONS

MC03 METAL COPING (MC03)
SPECIFICATION SECTION: 07 71 00
MANUFACTURER: BERRIDGE OR EQUIVALENT
PRODUCT NAME: PARAPET COPING
MATERIAL: METALLIC COATED STEEL
COLOR: MEDIUM BRONZE
SIZE: VARIES
LOCATION: SEE ELEVATIONS

MR01 METAL ROOF (STANDING SEAM) (MR01)
SPECIFICATION SECTION: 07 71 00
MANUFACTURER: BERRIDGE
PRODUCT NAME: TEE - PANEL
MATERIAL: 24 GAUGE STEEL
COLOR: NEW WHATABURGER ORANGE AND WHITE (NEW WHATABURGER ORANGE BY AKZO FORMULA, TONER: B60HG-1,224g, B616-5.2g, B610-668.4g, B622-1,069.5g, B641-1,118.1g)
LOCATION: ROOF AT A-FRAME
NOTES: 12" COVERAGE BETWEEN SEAMS

MP01 METAL PANEL (MP01)
SPECIFICATION SECTION: 07 71 00
MANUFACTURER: BERRIDGE
PRODUCT NAME: L-PANEL, SMOOTH
MATERIAL: 24 GAUGE
COLOR: NEW WHATABURGER ORANGE (AKZO FORMULA, TONER: B60HG-1,224g, B616-5.2g, B610-668.4g, B622-1,069.5g, B641-1,118.1g)
LOCATION: SOFFIT AT A-FRAME
NOTES: 11 5/8" COVERAGE BETWEEN SEAMS

MP02 METAL PANEL (MP02)
SPECIFICATION SECTION: 07 71 00
PRODUCT NAME: MBCI
PRODUCT NUMBER: FW-120-1 WITH BEAD
COLOR: NEW WHATABURGER ORANGE (AKZO FORMULA, TONER: B60HG-1,224g, B616-5.2g, B610-668.4g, B622-1,069.5g, B641-1,118.1g)
LOCATION: SOFFIT AT CANOPIES

MC01 METAL CLADDING (MC01)
SPECIFICATION SECTION: 07 42 93
PRODUCT NAME: ACM
COLOR: NEW WHATABURGER ORANGE (AKZO FORMULA, TONER: B60HG-1,224g, B616-5.2g, B610-668.4g, B622-1,069.5g, B641-1,118.1g)
LOCATION: AT CANOPIES

FIBER CEMENT

FC02 FIBER CEMENT PANELS (FC02)
SPECIFICATION SECTION: 07 46 46
MANUFACTURER: NICHIHA
PRODUCT NAME: CANYON BRICK
COLOR: SHALE BROWN

FC05 FIBER CEMENT PANELS (FC05)
SPECIFICATION SECTION: 07 46 46
MANUFACTURER: NICHIHA
PRODUCT NAME: ARCHITECTURAL BLOCK
PRODUCT NUMBER: 1818
COLOR: GRAY

FC03 FIBER CEMENT PANELS (FC03)
SPECIFICATION SECTION: 07 46 46
MANUFACTURER: NICHIHA
PRODUCT NAME: VINTAGEWOOD
PRODUCT NUMBER: 1818
COLOR: CEDAR

EXTERIOR PAINT

PT-5 EXTERIOR PAINTING (PT-5)
SPECIFICATION SECTION: 09 91 13
MANUFACTURER: SHERWIN WILLIAMS
PRODUCT NUMBER: SW 7067
COLOR: CITYSCAPE
LOCATION: RE: ELEVATIONS
NOTES: FLAT FINISH. INTERIOR SIDE OF DOORS/FRAMES EGGSHELL FINISH.

PT-7 EXTERIOR PAINTING (PT-7)
SPECIFICATION SECTION: 09 91 13
MANUFACTURER: SHERWIN WILLIAMS
PRODUCT NUMBER: SW 9098
COLOR: BAKED COOKIE
LOCATION: RE: DETAILS

GLAZING

GL01 GLAZING (GL01)
SPECIFICATION SECTION: 08 80 00
ITEM: IGU VISION GLASS
MANUFACTURER: VITRO
PRODUCT NAME: SOLARBAN Z75/70 (2) OPTIBLUE + CLEAR IGU
SIZE: VARIES
LOCATION: EXTERIOR WALL
NOTES: VLT 46% U-VALUE .28 SHGC .23 LSG 2.00

GL03 GLAZING (GL03)
SPECIFICATION SECTION: 08 80 00
ITEM: IGU OPAQUE SPANDREL GLASS
MANUFACTURER: VITRO
PRODUCT NAME: OPACI-COAT-300
FINISH: #3-5323 OLD EAGLE
SIZE: VARIES
LOCATION: SEE ELEVATIONS

SS01 STOREFRONT SYSTEM (SS01)
SPECIFICATION SECTION: 08 41 13
MANUFACTURER: OLDCASTLE
PRODUCT NAME: FG-3000 THERMAL
FINISH: DARK BRONZE
SIZE: VARIES
LOCATION: SEE ELEVATIONS

NOTES
1. EXTERIOR SIGNAGE TO BE PERMITED UNDER A SEPARATE SIGN PERMIT SET.

KEYNOTES

111	PRE-MANUFACTURED CANOPY ABOVE, BY GENERAL CONTRACTOR
129	ROOF ACCESS LADDER. 3M DBI-SALA LAD-SAF CABLE VERTICAL SAFETY SYSTEM
157	PIPE BOLLARDS: IDEAL SHIELD. RE: CIVIL. PAINT PANTONE 2335 XGC, URBAN BRONZE. RE D3/SS.1
194	KNOX BOX
204	NICHIHA: ARCHITECTURAL BLOCK, FC05, GRAY
205	NICHIHA: CANYON BRICK, FC02, CANYON BRICK
206	NICHIHA: VINTAGEWOOD, FC03, VINTAGEWOOD
209	SS-01, DARK BRONZE; ALUMINUM STOREFRONT SYSTEM
215	ILLUMINATED SIGNAGE BY OTHERS, G.C. TO PROVIDE PLYWOOD BLOCKING AS NEEDED TO ATTACH SIGNAGE
233	EXTERIOR LIGHT FIXTURE, RE: ELECTRICAL. RE: A1.3 FOR DIMENSIONS
240	DOOR BUZZER
241	PAINT (PT-5) EXTERIOR DOORS.
250	DOWNSPOUT NOZZLE 6" FROM BOTTOM ABOVE INTERIOR FINISH FLOOR
808	PROVIDE BLOCKING FOR SIGNAGE AS REQUIRED
862	STANDING SEAM METAL ROOF, MR01

WHATABURGER

Lavon TX
NWC State Hwy 78 & Burnett Dr.

ROUCH architects

Prototype Version

PT4976 LEGACY

1201 MAIN ST.
SUITE 1750
DALLAS, TEXAS 75202
214.997.6029

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REGISTERED ARCHITECT
DAVID E. SANDOVAL
26590
STATE OF TEXAS

REVISIONS

ISSUE DATE: 7/10/26
JOB #: 122.1025.101
SHEET NAME: EXTERIOR ELEVATIONS
SHEET: A2.2



WHATABURGER

Lavon TX

NWC State Hwy 78 & Burnett Dr.

ROUCH architects

Prototype Version

PT4976 LEGACY

1201 MAIN ST.
SUITE 1750
DALLAS, TEXAS 75202
214.997.6029

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DAVID E. SANDOVAL
26590
STATE OF TEXAS

REVISIONS

ISSUE DATE: 7/10/26

JOB #: 122.1025.101

SHEET NAME: EXTERIOR RENDERINGS

SHEET: A2.3



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Lavon TX

NWC State Hwy 78 & Burnett Dr.

ROUCH architects

Prototype Version

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26590
STATE OF TEXAS

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ISSUE DATE: 7/10/26

JOB #: 122.1025.101

SHEET NAME: EXTERIOR RENDERINGS

SHEET: A2.4



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STATE OF TEXAS

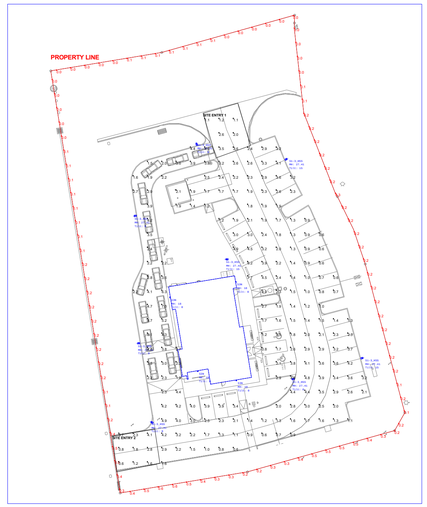
REVISIONS

ISSUE DATE: 7/10/26

JOB #: 122.1025.101

SHEET NAME: EXTERIOR RENDERINGS

SHEET: A2.5



Scale: 1 inch= 50 Ft.

DESIGN NOTES:
1. MOUNTING HEIGHTS: SEE FIXTURE LOCATIONS & LUMINAIRE SCHEDULE
2. MEASUREMENTS TAKEN AT:@ GRADE
3. SURFACE REFLECTANCE: 0.2

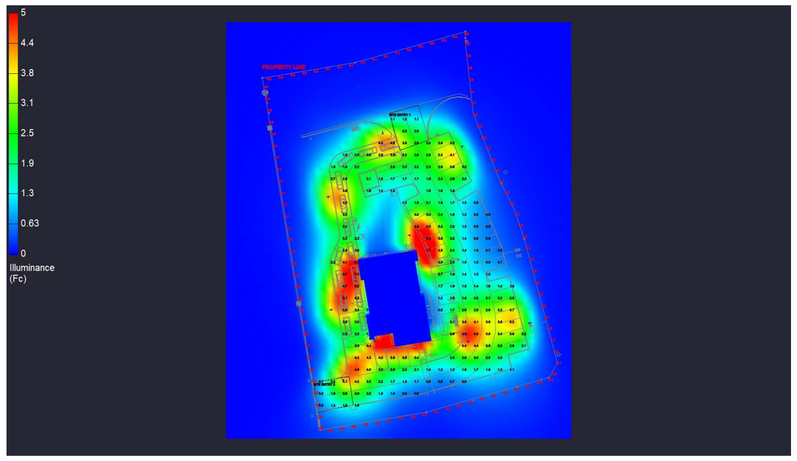
LIGHTING DETAILS:

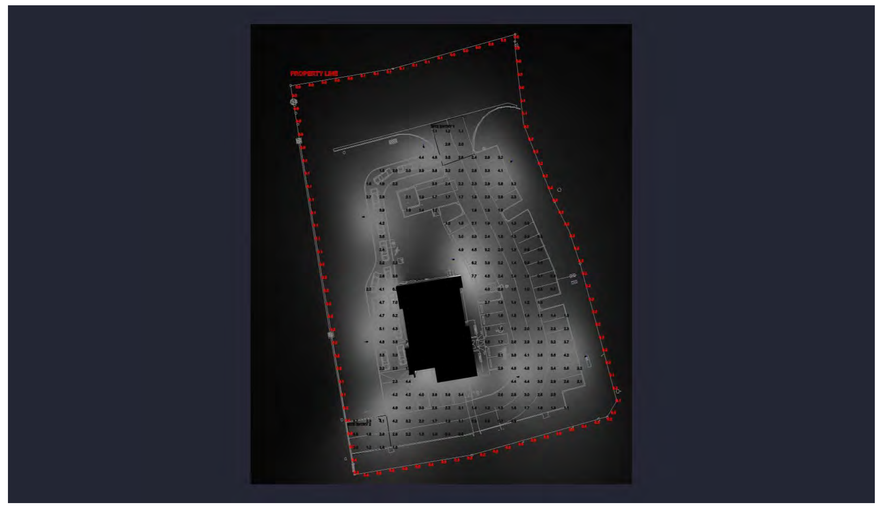
Luminaire Schedule

Label	Symbol	Qty	LLF	[MANUFAC]	Description	Arrangement Watts	Arrangement Luminaire Lumens	Mounting Height
S1-3_HSS		8	0.900	ENVISION LED LIGHTING	LED-ARL3-OPT-5P100-40K - T3-HSS	97.936	10452	27.41
S3N		4	0.900	ENVISION	LED-WPFC-FL-5P60W-TRI-BZ-PC	61.59	8061	18

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Grid Z
PARKING AND DRIVE	Illuminance	Fc	2.51	7.7	0.6	4.18	12.83	0
PROPERTY LINE	Illuminance	Fc	0.19	0.6	0.0	N.A.	N.A.	N.A.
SITE ENTRY 1	Illuminance	Fc	2.01	3.5	1.1	1.83	3.18	
SITE ENTRY 2	Illuminance	Fc	1.90	4.1	0.6	3.17	6.83	





Note on this Design:
This report makes no representations in regard to Lighting Design or Specification, rather it attempts to accurately reflect the photometric results of a design,as approved by others.

Note on these Photometric Calculations:
This analysis is a mathematical model and can be only as accurate as is permitted by the third-party software and the IES standards used. All digital CAD data appear to be accurate, however, this apparent accuracy is an artifact of the techniques used to generate it and is in no way intended to imply accuracy in the real world.

There are many factors that will impact the actual performance of Lighting in the constructed space, including: the accuracy of the original source (.ies) files supplied by the manufacturer, input voltage ballast variances, actual finish values in the constructed environment, manufacturing variations in both the source (lamp) and the luminaire, final luminaire placement, obstructions, and installation quality. Further, field measurement itself is subject to errors arising from measuring methods and/or technology selected, and the knowledge/ability of the measuring party. While the creator of this lighting study makes every effort to ensure accuracy, they cannot be held liable for any errors. The recipient of this lighting study understands and accepts that the likelihood of scaling error increases when no .DWG file or other properly-dimensioned drawing is provided to the designer.

Reflective Values have a significant effect on light levels, the end-user of the document should confirm these values before accepting the results of any photometric report. The managing contractor/ architect/engineer is responsible for ensuring compliance to all relevant lighting ordinance(s) and energy codes required on this project.

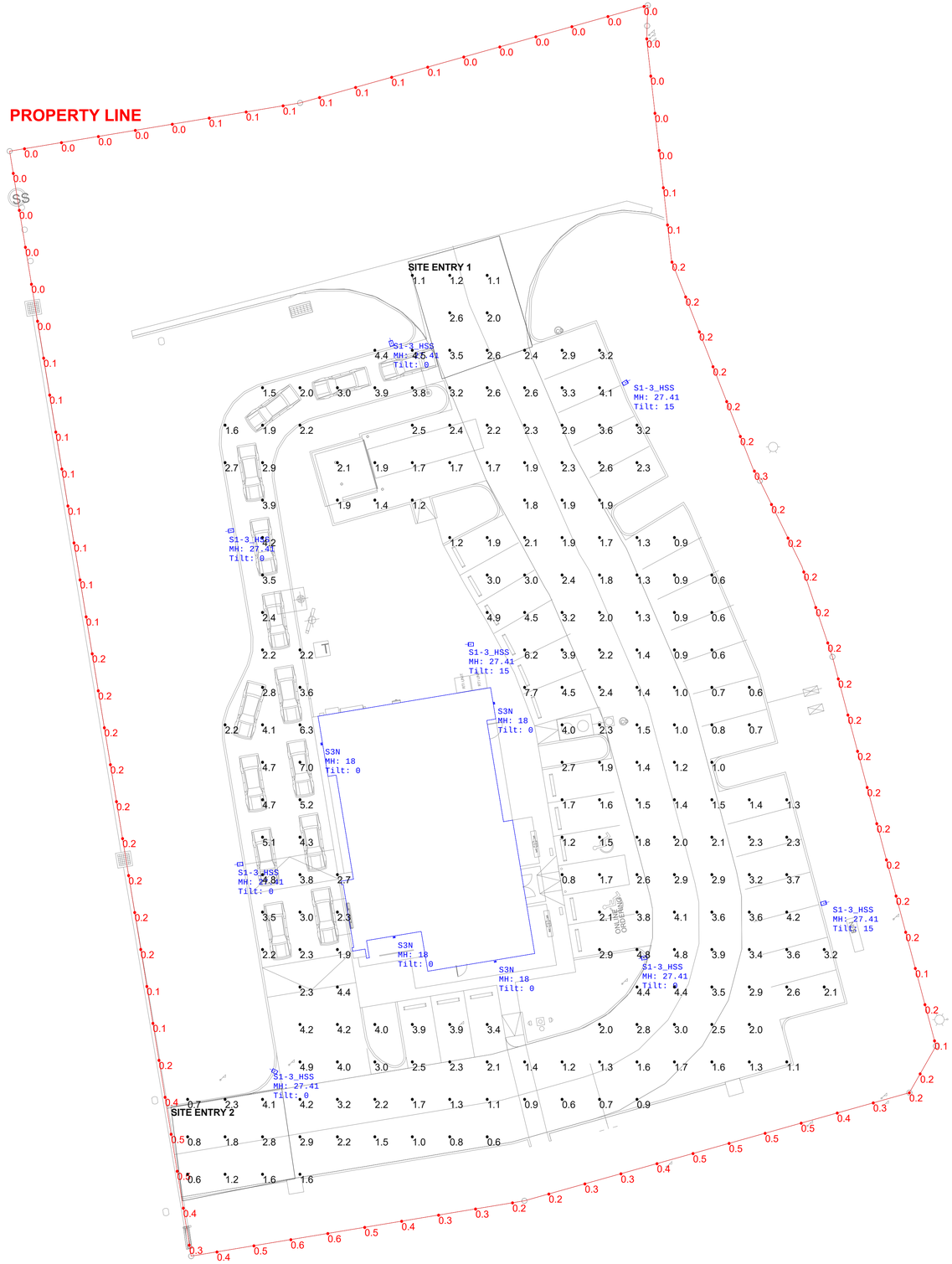
EnVisionLED

Whataburger - Lavon, Texas

Date:2026. 08. 04.

Drawn By: RF

Revision #: 0



Scale: 1 inch= 16 Ft.

EnVisionLED

Whataburger - Lavon, Texas

Date:2026. 08. 04.

Drawn By: RF

Revision #: 0

Page 2 of 2

CITY OF LAVON
LANDSCAPE PLAN APPLICATION

P.O. Box 340 120 School Rd., Lavon, TX 75166
Office (972) 843-4220 Fax (972) 843-0397

APPLICATION INFORMATION

Name: Freddie Rojas

Address: 201 Main Street, Suite 901, 76102

Telephone Number: 817-870-3668

Email Address: [redacted]

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)

1.28 Acres 55,889 SQ. FT. Tract 1 Lot 1R Block A 78 Commercial East
Vol. 2024, PG 520 P.R.C.C.T.

SUBDIVISION NAME: (*approved plat is prerequisite*) Commercial Tract Number 1R & 5, Block A 78 Commercial East

ZONING: Planned Development

LEGAL OWNER OF PROPERTY INVOLVED:

If Applicant is NOT the Owner, Relationship to Owner: Civil Engineer for Proposed Whataburger Development (Lot 1R Block A)

I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE ABOVE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.

Signature: Bill Sorrells — Owner / Authorized Agent

11/14/25 — Date

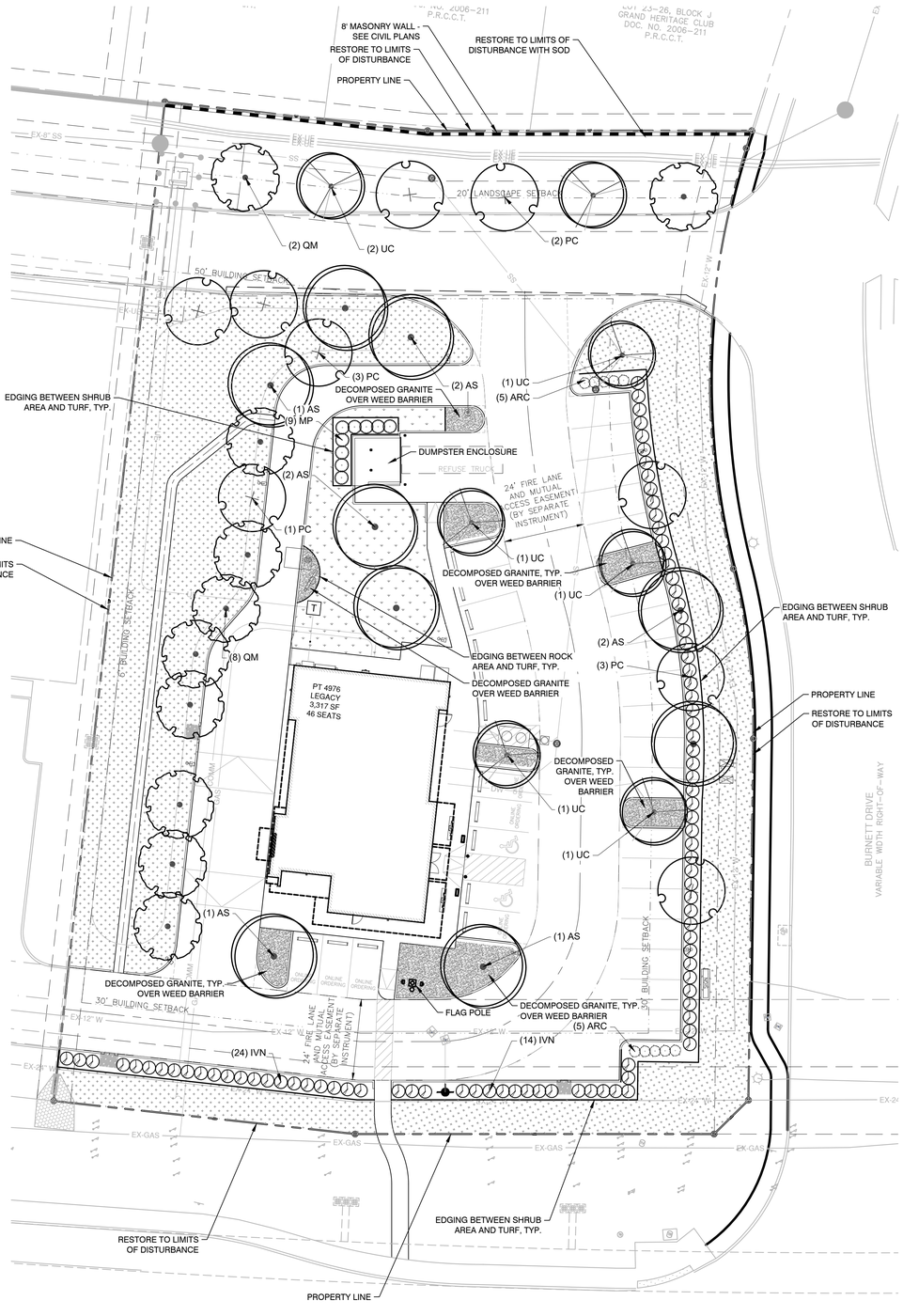
Printed Name: Bill Sorrells
Owner / Authorized Agent

Title: Engineer II

Company: Pape-Dawson

City Office Use Only:

Fee paid (*due at time of application*)	**Amount:** **Check #** **or Cash**
Required items submitted	
Development Engineer Comments	
Development Review Committee Comments	
Comments Addressed by Applicant	
Planning & Zoning Action	
City Council Action	



PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME	CAL.	CONT.	SIZE	QTY
TREES						
	AS	Acer saccharum `Caddo` Caddo Maple	4" Cal.	Cont. or B&B	8` HT MIN	9
	PC	Pistacia chinensis Chinese Pistache	4" Cal.	Cont. or B&B	8` HT MIN	9
	QM	Quercus muehlenbergii Chinkapin Oak	4" Cal.	Cont. or B&B	8` HT MIN	10
	UC	Ulmus crassifolia Cedar Elm	4" Cal.	Cont. or B&B	8` HT MIN	7

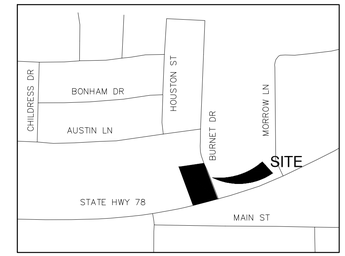
SYMBOL	CODE	BOTANICAL / COMMON NAME	CONTAINER	SPACING	SIZE	QTY
SHRUBS						
	ARC	Abelia x `Rose Creek` Rose Creek Abelia	5 gal.	36" OC	18" Min. Ht.	10
	IVN	Ilex vomitoria `Nana' Dwarf Yaupon Holly	5 gal.	48" OC	18" Min. Ht.	91
	MP	Myrica cerifera `Pumila` Dwarf Wax Myrtle	5 gal.	36" OC	18" Min. Ht.	9

SYMBOL	CODE	BOTANICAL / COMMON NAME	CONT	SPACING	SIZE	QTY
GROUND COVERS						
	BG	Cynodon dactylon Bermuda Grass	hydro			14,127 sf
	CT	Cynodon dactylon `Tif 419` Bermuda Grass	sod			1,999 sf
ROCK / STONE						
	GR	Decomposed Granite 1/2" Screened - Over Weed Barrier	3" Depth			1,265 sf

LANDSCAPE CALCULATIONS

ZONING	PD
STREET TREES	197 LF
STATE HIGHWAY 78	
TREES REQUIRED:	8 TREES (1 / 25 LF)
TREES PROVIDED:	8 TREES*
BURNETT DRIVE	290 LF
TREES REQUIRED:	12 TREES (1 / 25 LF)
TREES PROVIDED:	12 TREES*
SITE TREES	2,816 SF FLOOR AREA
TREES REQUIRED:	2 TREES (1 / 1,500 SF FLOOR AREA)
TREES PROVIDED:	2 TREES
PARKING LOT LANDSCAPE	
PARKING SPACES:	33 SPACES
PARKING ISLANDS REQUIRED:	5 ISLANDS *(1 ISLAND PER 7 SPACES)*
PARKING ISLANDS PROVIDED:	6 ISLANDS
PARKING ISLAND TREES REQUIRED:	6 CANOPY TREES *(1 CANOPY TREE PER ISLAND)*
PARKING ISLAND TREES PROVIDED:	6 CANOPY TREES
EACH SPACE WITHIN 65' OF TREE:	PROVIDED
PARKING LOT SCREENING REQUIRED	3' CONTINUOUS SHRUBS PROVIDED
NORTH LANDSCAPE BUFFER	175 LF
20' BUFFER	PROVIDED
TREES REQUIRED:	6 TREES (1 / 30 LF)
TREES PROVIDED:	6 TREES

*TREES PLACED IN ALTERNATE LOCATIONS DUE TO CONFLICTS WITH UTILITY EASEMENTS



LOCATION MAP
NOT-TO-SCALE

GENERAL GRADING AND PLANTING NOTES

1. BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
2. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN).
3. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
   a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
   b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
   c. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (**BASED ON A SOIL TEST**, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
   d. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
   e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
   f. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
4. ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
   a. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
   b. **NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT.** IF SOME OF THE PLANTS ARE NOT AVAILABLE THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
   c. THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS.
5. THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
6. SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

IRRIGATION CONCEPT

1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
2. THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
3. ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
4. ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
5. THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), MOISTURE, RAIN/FREEZE SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1-1/2" SHREDDED WOOD MULCH, NATURAL (UNDYED), OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).

CONTRACTOR TO VERIFY ELEVATION AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY NEW CONSTRUCTION

TEXAS811 NOTIFICATION SYSTEM
CALL BEFORE YOU DIG!!!
www.texas811.org
Texas811 or 1-800-545-6005



09-28-2026

LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE LOCATION. THE CONTRACTOR SHALL DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING ANY WORK. CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES 24-HOURS PRIOR TO COMMENCING CONSTRUCTION.



Scale 1" = 20'

National Presence. Local Expertise.
EVERGREEN DESIGN GROUP
800.680.6630
www.evergreendesigngroup.com
LANDSCAPE ARCHITECTURE
LAND PLANNING IRRIGATION DESIGN

REVISIONS:
SYM | DATE | DESCRIPTION | BY

PROJECT:
PT22S BUILDING TYPE
NWC STATE HIGHWAY 78 & BURNETT DRIVE
LAVON, TEXAS

PAPE-DAWSON
201 MAIN ST., STE 901 | FT. WORTH, TX 76102 | 817.870.3668
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

WHATABURGER
300 CONCORD PLAZA DR.
SAN ANTONIO, TEXAS
210-476-6000 ZIP 78216

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SHEET TITLE:
LANDSCAPE PLANTING

DATE: 09/28/2026
SCALE:
DESIGNED BY: EMS
CHECKED BY: CS

SHEET NO:
LP-1

WHATABURGER

Date: August 7, 2025, 11:34 AM - User ID: eshep
File: P:\Shared\Projects\2025\Whataburger\Whataburger - Lavon Tx - Hwy 78 & Burnett Dr\Whataburger Lavon 2026-09-28.dwg

PROJECT MILESTONE

PLANTING SPECIFICATIONS

GENERAL

A. QUALIFICATIONS OF LANDSCAPE CONTRACTOR
1. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE PLANTING.
2. A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
3. THE LANDSCAPE CONTRACTOR SHALL HOLD A VALID NURSERY AND FLORAL CERTIFICATE ISSUED BY THE TEXAS DEPARTMENT OF AGRICULTURE, AS WELL AS OPERATE UNDER A COMMERCIAL PESTICIDE APPLICATOR LICENSE ISSUED BY EITHER THE TEXAS DEPARTMENT OF AGRICULTURE OR THE TEXAS STRUCTURAL PEST CONTROL BOARD.
3. THE LANDSCAPE CONTRACTOR SHALL HOLD A VALID CONTRACTOR'S LICENSE ISSUED BY THE APPROPRIATE LOCAL JURISDICTION.

B. SCOPE OF WORK
1. WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND / OR SHOWN ON THE LANDSCAPE PLANS, NOTES, AND DETAILS.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS.
3. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK.

PRODUCTS

A. ALL MANUFACTURED PRODUCTS SHALL BE NEW.

B. CONTAINER AND BALLED-AND-BURLAPPED PLANTS:
1. FURNISH NURSERY-GROWN PLANTS COMPLYING WITH ANSI Z60.1-2014. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. ALL PLANTS WITHIN A SPECIES SHALL HAVE SIMILAR SIZE, AND SHALL BE OF A FORM TYPICAL FOR THE SPECIES. ALL TREES SHALL BE OBTAINED FROM SOURCES WITHIN 200 MILES OF THE PROJECT SITE, AND WITH SIMILAR CLIMACTIC CONDITIONS.
2. ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED ROOT SYSTEMS, NON-POT-BOUND, FREE FROM ENCIRCLING AND/OR GIRDLING ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHAPED ROOTS).
3. TREES MAY BE PLANTED FROM CONTAINERS OR BALLED-AND-BURLAPPED (B&B), UNLESS SPECIFIED ON THE PLANTING LEGEND. BARE-ROOT TREES ARE NOT ACCEPTABLE.
4. ANY PLANT DEEMED UNACCEPTABLE BY THE LANDSCAPE ARCHITECT OR OWNER SHALL BE IMMEDIATELY REMOVED FROM THE SITE AND SHALL BE REPLACED WITH AN ACCEPTBLE PLANT OF LIKE TYPE AND SIZE AT THE CONTRACTOR'S OWN EXPENSE. ANY PLANTS APPEARING TO BE UNHEALTHY, EVEN IF DETERMINED TO STILL BE ALIVE, SHALL NOT BE ACCEPTED. THE LANDSCAPE ARCHITECT AND OWNER SHALL BE THE SOLE JUDGES AS TO THE ACCEPTABILITY OF PLANT MATERIAL.
5. ALL TREES SHALL BE STANDARD IN FORM, UNLESS OTHERWISE SPECIFIED. TREES WITH CENTRAL LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING.
6. CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SIX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TWELVE INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER.
7. MULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL. WHERE CALIPER MEASUREMENTS ARE USED, THE CALIPER SHALL BE CALCULATED AS ONE-HALF OF THE SUM OF THE CALIPER OF THE THREE LARGEST TRUNKS.
8. ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOIL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.

C. SOD: PROVIDE WELL-ROOTED SOD OF THE VARIETY NOTED ON THE PLANS. SOD SHALL BE CUT FROM HEALTHY, MATURE TURF WITH SOIL THICKNESS OF 3/4" TO 1". EACH PALLET OF SOD SHALL BE ACCOMPANIED BY A CERTIFICATE FROM SUPPLIER STATING THE COMPOSITION OF THE SOD.

D. SEED: PROVIDE BLEND OF SPECIES AND VARIETIES AS NOTED ON THE PLANS, WITH MAXIMUM PERCENTAGES OF PURITY, GERMINATION, AND MINIMUM PERCENTAGE OF WEED SEED AS INDICATED ON PLANS. EACH BAG OF SEED SHALL BE ACCOMPANIED BY A TAG FROM THE SUPPLIER INDICATING THE COMPOSITION OF THE SEED.

E. TOPSOIL: SANDY TO CLAY LOAM TOPSOIL, FREE OF STONES LARGER THAN ½ INCH, FOREIGN MATTER, PLANTS, ROOTS, AND SEEDS.

F. COMPOST: WELL-COMPOSTED, STABLE, AND WEED-FREE ORGANIC MATTER, pH RANGE OF 5.5 TO 8; MOISTURE CONTENT 35 TO 55 PERCENT BY WEIGHT; 100 PERCENT PASSING THROUGH 3/4-INCH SIEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISIEMENS/M; NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SUBSTANCES TOXIC TO PLANTINGS. NO MANURE OR ANIMAL-BASED PRODUCTS SHALL BE USED.

G. PLANTING MIX FOR POTS: AN EQUAL PART MIXTURE OF TOPSOIL, SAND AND COMPOST. INCORPORATE "GELSCAPE", AS MADE BY AMEREQ, INC., (800) 832-8788, AT THE RATE OF 3 LB. PER CUBIC YARD OF PLANTING MIX.

H. FERTILIZER: GRANULAR FERTILIZER CONSISTING OF NITROGEN, PHOSPHORUS, POTASSIUM, AND OTHER NUTRIENTS IN PROPORTIONS, AMOUNTS, AND RELEASE RATES RECOMMENDED IN A SOIL REPORT FROM A QUALIFIED SOIL-TESTING AGENCY (SEE BELOW).

I. PALM MAINTENANCE SPIKES: AS MANUFACTURED BY THE LUTZ CORP, (800) 203-7740, OR APPROVED EQUAL.

J. MULCH: SIZE AND TYPE AS INDICATED ON PLANS, FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS.

K. TREE STAKING AND GUYING
1. STAKES: 6' LONG GREEN METAL T-POSTS.
2. GUY AND TIE WIRE: ASTM A 641, CLASS 1, GALVANIZED-STEEL WIRE, 2-STRAND, TWISTED, 0.106 INCH DIAMETER.
3. STRAP CHAFING GUARD: REINFORCED NYLON OR CANVAS AT LEAST 1-1/2 INCH WIDE, WITH GROMMETS TO PROTECT TREE TRUNKS FROM DAMAGE.

L. STEEL EDGING: PROFESSIONAL STEEL EDGING, 14 GAUGE THICK X 4 INCHES WIDE, FACTORY PAINTED DARK GREEN. ACCEPTABLE MANUFACTURERS INCLUDE COL-MET OR APPROVED EQUAL.

M. PRE-EMERGENT HERBICIDES: ANY GRANULAR, NON-STAINING PRE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. PRE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURER'S LABELED RATES.

METHODS

A. SOIL PREPARATION
1. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST.
2. SOIL TESTING:
   a. AFTER FINISH GRADES HAVE BEEN ESTABLISHED, CONTRACTOR SHALL HAVE SOIL SAMPLES FROM THE PROJECT'S LANDSCAPE AREAS TESTED BY AN ESTABLISHED SOIL TESTING LABORATORY. EACH SAMPLE SUBMITTED TO THE LAB SHALL CONTAIN NO LESS THAN ONE QUART OF SOIL, TAKEN FROM BETWEEN THE SOIL SURFACE AND 6" DEPTH. IF NO SAMPLE LOCATIONS ARE INDICATED ON THE PLANS, THE CONTRACTOR SHALL TAKE A MINIMUM OF THREE SAMPLES FROM VARIOUS REPRESENTATIVE LOCATIONS FOR TESTING.
   b. THE CONTRACTOR SHALL HAVE THE SOIL TESTING LABORATORY PROVIDE RESULTS FOR THE FOLLOWING: SOIL TEXTURAL CLASS, GENERAL SOIL FERTILITY, pH, ORGANIC MATTER CONTENT, SALT (CEC), LIME, SODIUM ADSORPTION RATIO (SAR) AND BORON CONTENT.
   c. THE CONTRACTOR SHALL ALSO SUBMIT THE PROJECT'S PLANT LIST TO THE LABORATORY ALONG WITH THE SOIL SAMPLES.
   d. THE SOIL REPORT PRODUCED BY THE LABORATORY SHALL CONTAIN RECOMMENDATIONS FOR THE FOLLOWING (AS APPROPRIATE): SEPARATE SOIL PREPARATION AND BACKFILL MIX RECOMMENDATIONS FOR GENERAL ORNAMENTAL PLANTS, XERIC PLANTS, TURF, AND NATIVE SEED, AS WELL AS PRE-PLANT FERTILIZER APPLICATIONS AND RECOMMENDATIONS FOR ANY OTHER SOIL RELATED ISSUES. THE REPORT SHALL ALSO PROVIDE A FERTILIZER PROGRAM FOR THE ESTABLISHMENT PERIOD AND FOR LONG-TERM MAINTENANCE.
3. THE CONTRACTOR SHALL INSTALL SOIL AMENDMENTS AND FERTILIZERS PER THE SOILS REPORT RECOMMENDATIONS. ANY CHANGE IN COST DUE TO THE SOIL REPORT RECOMMENDATIONS, EITHER INCREASE OR DECREASE, SHALL BE SUBMITTED TO THE OWNER WITH THE REPORT.
4. FOR BIDDING PURPOSES ONLY, THE SOIL PREPARATION SHALL CONSIST OF THE FOLLOWING:
   a. TURF: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
   i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
   ii. PREPLANT TURF FERTILIZER (10-20-10 OR SIMILAR, SLOW RELEASE, ORGANIC) - 15 LBS PER 1,000 S.F.
   iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
   b. TREES, SHRUBS, AND PERENNIALS: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
   i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
   ii. 12-12-12 FERTILIZER (OR SIMILAR, ORGANIC, SLOW RELEASE) - 10 LBS. PER CU. YD.
   iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
   iv. IRON SULPHATE - 2 LBS. PER CU. YD.
5. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
   a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
   b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
   c. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (**BASED ON A SOIL TEST**, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
   d. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
   e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
   f. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
6. ONCE SOIL PREPARATION IS COMPLETE, THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT THERE ARE NO DEBRIS, TRASH, OR STONES LARGER THAN 1" REMAINING IN THE TOP 6" OF SOIL.

B. SUBMITTALS
1. THE CONTRACTOR SHALL PROVIDE SUBMITTALS AND SAMPLES, IF REQUIRED, TO THE LANDSCAPE ARCHITECT, AND RECEIVE APPROVAL IN WRITING FOR SUCH SUBMITTALS BEFORE WORK COMMENCES.
2. SUBMITTALS SHALL INCLUDE PHOTOS OF PLANTS WITH A RULER OR MEASURING STICK FOR SCALE, PHOTOS OR SAMPLES OF ANY REQUIRED MULCHES, AND SOIL TEST RESULTS AND PREPARATION RECOMMENDATIONS FROM THE TESTING LAB (INCLUDING COMPOST AND FERTILIZER RATES AND TYPES, AND OTHER AMENDMENTS FOR TREE/SHRUB, TURF, AND SEED AREAS AS MAY BE APPROPRIATE).
3. SUBMITTALS SHALL ALSO INCLUDE MANUFACTURER CUT SHEETS FOR PLANTING ACCESSORIES SUCH AS TREE STAKES AND TIES, EDGING, AND LANDSCAPE FABRICS (IF ANY).
4. WHERE MULTIPLE ITEMS ARE SHOWN ON A PAGE, THE CONTRACTOR SHALL CLEARLY INDICATE THE ITEM BEING CONSIDERED.

C. GENERAL PLANTING
1. REMOVE ALL NURSERY TAGS AND STAKES FROM PLANTS.
2. EXCEPT IN AREAS TO BE PLANTED WITH ORNAMENTAL GRASSES, APPLY PRE-EMERGENT HERBICIDES AT THE MANUFACTURER'S RECOMMENDED RATE.
3. TRENCHING NEAR EXISTING TREES:
   a. CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2" AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1' FOR EVERY 1" OF TRUNK DIAMETER-AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
   b. ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCHING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
   c. ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2" AND LARGER IN DIAMETER. WHERE TREE ROOTS 1-1/2" AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST. CLOSE ALL TRENCHES WITHIN THE CANOPY DRIP LINES WITHIN 24 HOURS.
   d. ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND PAINTS.

C. TREE PLANTING
1. TREE PLANTING HOLES SHALL BE EXCAVATED TO MINIMUM WIDTH OF TWO TIMES THE WIDTH OF THE ROOTBALL, AND TO A DEPTH EQUAL TO THE DEPTH OF THE ROOTBALL LESS TWO TO FOUR INCHES.
2. SCARIFY THE SIDES AND BOTTOM OF THE PLANTING HOLE PRIOR TO THE PLACEMENT OF THE TREE. REMOVE ANY GLAZING THAT MAY HAVE BEEN CAUSED DURING THE EXCAVATION OF THE HOLE.
3. FOR CONTAINER AND BOX TREES, TO REMOVE ANY POTENTIALLY GIRDLING ROOTS AND OTHER ROOT DEFECTS, THE CONTRACTOR SHALL SHAVE A 1" LAYER OFF OF THE SIDES AND BOTTOM OF THE ROOTBALL OF ALL TREES JUST BEFORE PLACING INTO THE PLANTING PIT. DO NOT "TEASE" ROOTS OUT FROM THE ROOTBALL.
4. INSTALL THE TREE ON UNDISTURBED SUBGRADE SO THAT THE TOP OF THE ROOTBALL IS TWO TO FOUR INCHES ABOVE THE SURROUNDING GRADE.
5. BACKFILL THE TREE HOLE UTILIZING THE EXISTING TOPSOIL FROM ON-SITE. ROCKS LARGER THAN 1" DIA. AND ALL OTHER DEBRIS SHALL BE REMOVED FROM THE SOIL PRIOR TO THE BACKFILL. SHOULD ADDITIONAL SOIL BE REQUIRED TO ACCOMPLISH THIS TASK, USE STORED TOPSOIL FROM ON-SITE OR IMPORT ADDITIONAL TOPSOIL FROM OFF-SITE AT NO ADDITIONAL COST TO THE OWNER. IMPORTED TOPSOIL SHALL BE OF SIMILAR TEXTURAL CLASS AND COMPOSITION IN THE ON-SITE SOIL.
6. TREES SHALL NOT BE STAKED UNLESS LOCAL CONDITIONS (SUCH AS HEAVY WINDS OR SLOPES) REQUIRE STAKES TO KEEP TREES UPRIGHT. SHOULD STAKING BE REQUIRED, THE TOTAL NUMBER OF TREE STAKES (BEYOND THE MINIMUMS LISTED BELOW) WILL BE LEFT TO THE LANDSCAPE CONTRACTOR'S DISCRETION. SHOULD ANY TREES FALL OR LEAN, THE LANDSCAPE CONTRACTOR SHALL STRAIGHTEN THE TREE, OR REPLACE IT SHOULD IT BECOME DAMAGED. TREE STAKING SHALL ADHERE TO THE FOLLOWING GUIDELINES:
   a. 1"-2" TREES — TWO STAKES PER TREE
   b. 2-1/2"-4" TREES — THREE STAKES PER TREE
   c. TREES OVER 4" CALIPER — GUY AS NEEDED
   d. MULTI-TRUNK TREES — THREE STAKES PER TREE MINIMUM, QUANTITY AND POSITIONS AS NEEDED TO STABILIZE THE TREE
   e. #15 CONT. - 24" BOX TREES — TWO STAKES PER TREE
   f. 36"-48" BOX TREES — THREE STAKES PER TREE
   g. OVER 48" BOX TREES — GUY AS NEEDED
   h. MULTI-TRUNK TREES — THREE STAKES PER TREE MINIMUM, QUANTITY AND POSITIONS AS NEEDED TO STABILIZE THE TREE
7. UPON COMPLETION OF PLANTING, CONSTRUCT AN EARTH WATERING BASIN AROUND THE TREE. COVER THE INTERIOR OF THE TREE RING WITH THE WEED BARRIER CLOTH AND TOPDRESS WITH MULCH (TYPE AND DEPTH PER PLANS).

D. SHRUB, PERENNIAL, AND GROUNDCOVER PLANTING
1. DIG THE PLANTING HOLES TWICE AS WIDE AND 2" LESS DEEP THAN EACH PLANT'S ROOTBALL. INSTALL THE PLANT IN THE HOLE. BACKFILL AROUND THE PLANT WITH SOIL AMENDED PER SOIL TEST RECOMMENDATIONS.
2. INSTALL THE WEED BARRIER CLOTH, OVERLAPPING IT AT THE ENDS. UTILIZE STEEL STAPLES TO KEEP THE WEED BARRIER CLOTH IN PLACE.
3. WHEN PLANTING IS COMPLETE, INSTALL MULCH (TYPE AND DEPTH PER PLANS) OVER ALL PLANTING BEDS, COVERING THE ENTIRE PLANTING AREA.

E. SODDING
1. SOD VARIETY TO BE AS SPECIFIED ON THE LANDSCAPE PLAN.
2. LAY SOD WITHIN 24 HOURS FROM THE TIME OF STRIPPING. DO NOT LAY IF THE GROUND IS FROZEN.
3. LAY THE SOD TO FORM A SOLID MASS WITH TIGHTLY FITTED JOINTS. BUTT ENDS AND SIDES OF SOD STRIPS - DO NOT OVERLAP. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES.
4. ROLL THE SOD TO ENSURE GOOD CONTACT OF THE SOD'S ROOT SYSTEM WITH THE SOIL UNDERNEATH.
5. WATER THE SOD THOROUGHLY WITH A FINE SPRAY IMMEDIATELY AFTER PLANTING TO OBTAIN AT LEAST SIX INCHES OF PENETRATION INTO THE SOIL BELOW THE SOD.

F. MULCH
1. INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE, IN ALL PLANTING AREAS AND TREE RINGS.
2. DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE AND WITHIN 24" OF HABITABLE STRUCTURES, EXCEPT AS MAY BE NOTED ON THESE PLANS. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL.

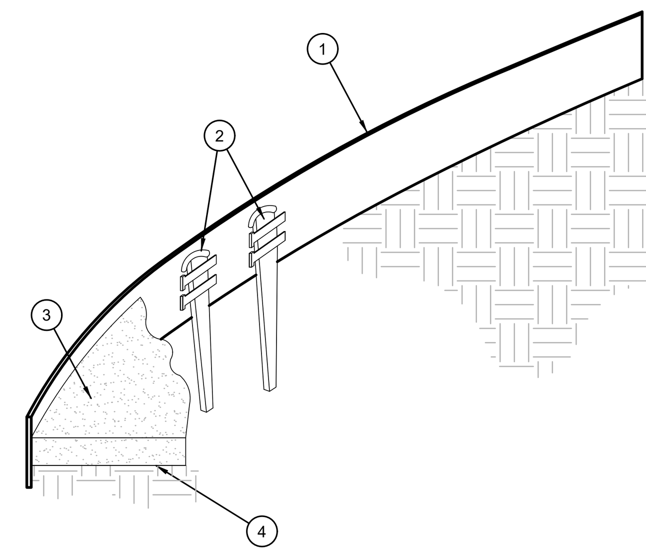
G. CLEAN UP
1. DURING LANDSCAPE PREPARATION AND PLANTING, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
2. DISPOSED LEGALLY OF ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.

H. INSPECTION AND ACCEPTANCE
1. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
2. WHEN THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE LANDSCAPE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
3. THE LANDSCAPE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE LANDSCAPE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.

I. LANDSCAPE MAINTENANCE
1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTING OF PLANTS THAT HAVE SETTLED, MOWING AND AERATION OF LAWNS, WEEDING, RESEEDING AREAS WHICH HAVE NOT GERMINATED WELL, TREATING FOR INSECTS AND DISEASES,REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
2. SHOULD SEEDED AND/OR SODDED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL, HEALTHY STAND OF PLANTS AT NO ADDITIONAL COST TO THE OWNER.
3. TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
   a. THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
   b. ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
   c. SODDED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A MINIMUM HEIGHT OF 1 1/2 INCHES BEFORE FIRST MOWING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN TWELVE SQUARE INCHES MUST BE RESODDED OR RESEEDED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SODDED TURF SHALL BE NEATLY MOWED.

J. WARRANTY PERIOD, PLANT GUARANTEE AND REPLACEMENTS
1. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL TREES, SHRUBS, PERENNIALS, SOD, SEEDED/HYDROMULCHED AREAS, AND IRRIGATION SYSTEMS FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE OWNER'S FINAL ACCEPTANCE (90 DAYS FOR ANNUAL PLANTS). THE CONTRACTOR SHALL REPLACE, AT HIS OWN EXPENSE AND TO THE SATISFACTION OF THE OWNER, ANY PLANTS WHICH DIE IN THAT TIME, OR REPAIR ANY PORTIONS OF THE IRRIGATION SYSTEM WHICH OPERATE IMPROPERLY.
2. AFTER THE INITIAL MAINTENANCE PERIOD AND DURING THE GUARANTEE PERIOD, THE LANDSCAPE CONTRACTOR SHALL ONLY BE RESPONSIBLE FOR REPLACEMENT OF PLANTS WHEN PLANT DEATH CANNOT BE ATTRIBUTED DIRECTLY TO OVERWATERING OR OTHER DAMAGE BY HUMAN ACTIONS.

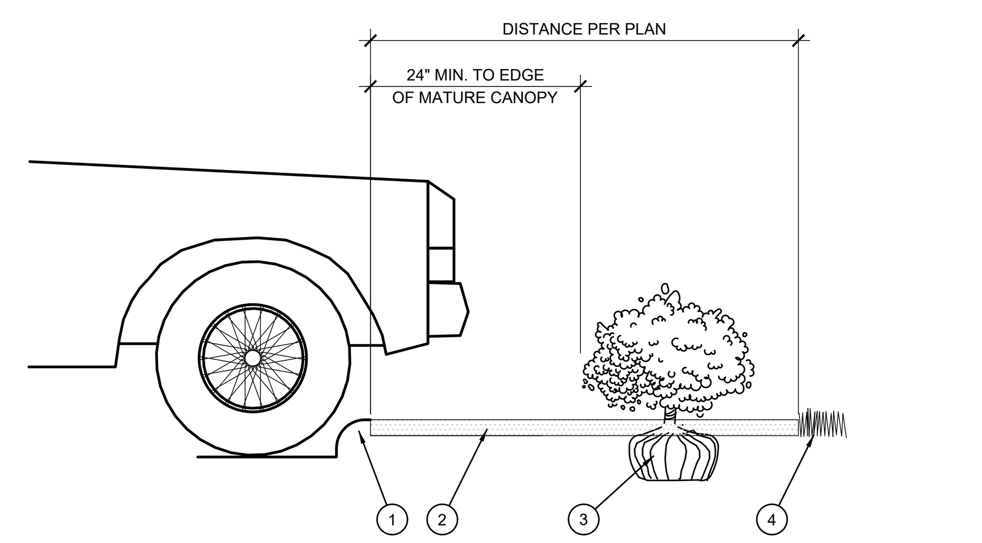
K. PROVIDE A MINIMUM OF (2) COPIES OF RECORD DRAWINGS TO THE OWNER UPON COMPLETION OF WORK. A RECORD DRAWING IS A RECORD OF ALL CHANGES THAT OCCURRED IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDA, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.



1. ROLLED-TOP STEEL EDGING PER PLANS.
2. TAPERED STEEL STAKES.
3. MULCH, TYPE AND DEPTH PER PLANS.
4. FINISH GRADE.

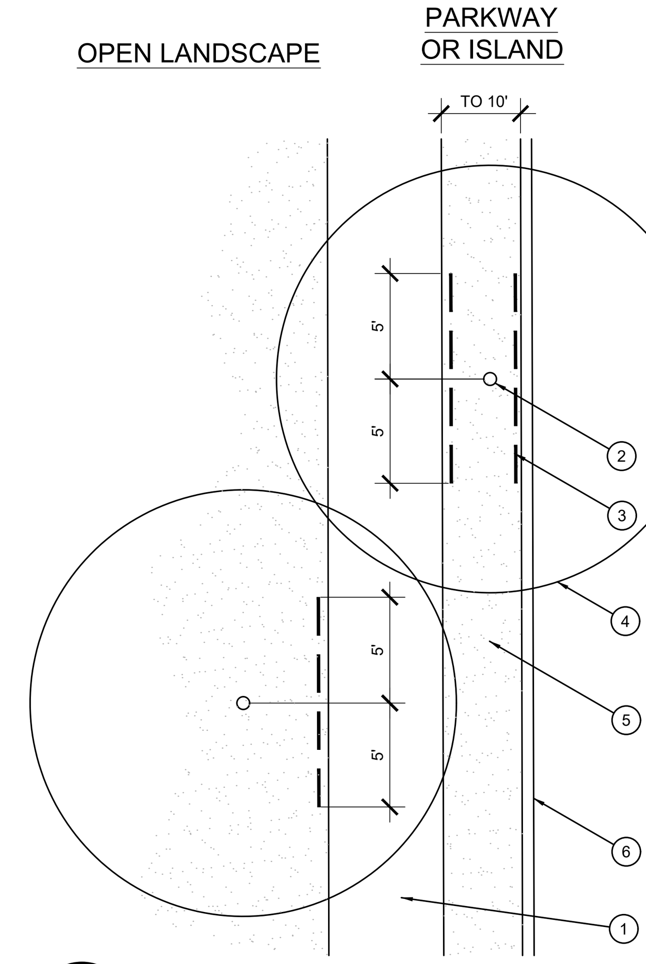
NOTES:
1) INSTALL EDGING SO THAT STAKES WILL BE ON INSIDE OF PLANTING BED.
2) BOTTOM OF EDGING SHALL BE BURIED A MINIMUM OF 1" BELOW FINISH GRADE.
3) TOP OF MULCH SHALL BE 1" LOWER THAN TOP OF EDGING.

D STEEL EDGING
SCALE: NOT TO SCALE



1. CURB.
2. MULCH LAYER.
3. PLANT.
4. TURF (WHERE SHOWN ON PLAN).

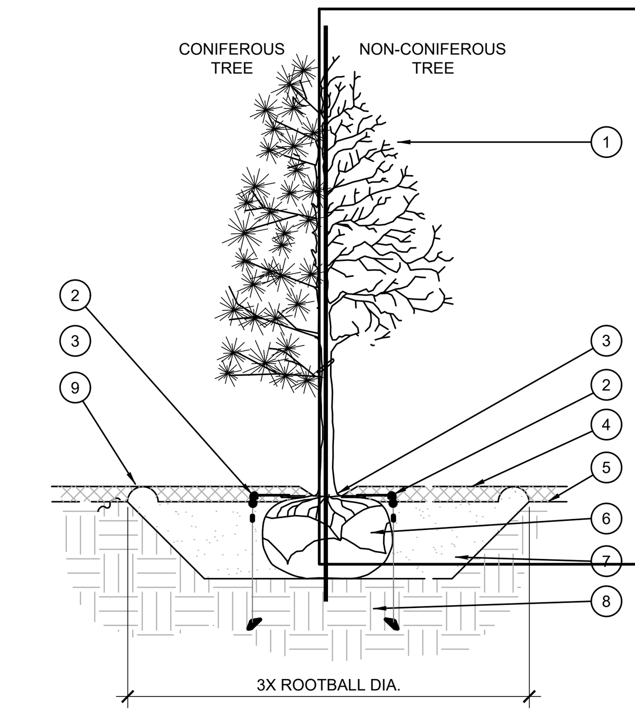
E PLANTING AT PARKING AREA
SCALE: NOT TO SCALE



1. TYPICAL WALKWAY OR PAVING
2. TREE TRUNK
3. LINEAR ROOT BARRIER MATERIAL. SEE PLANTING NOTES FOR TYPE AND MANUFACTURER. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
4. TREE CANOPY
5. TYPICAL PLANTING AREA
6. TYPICAL CURB AND GUTTER

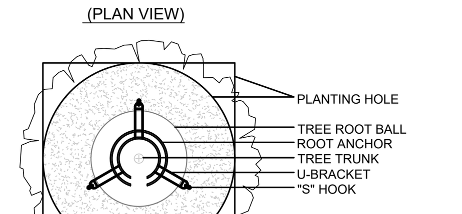
NOTES:
1) INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS.
2) BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

F ROOT BARRIER - PLAN VIEW
SCALE: NOT TO SCALE



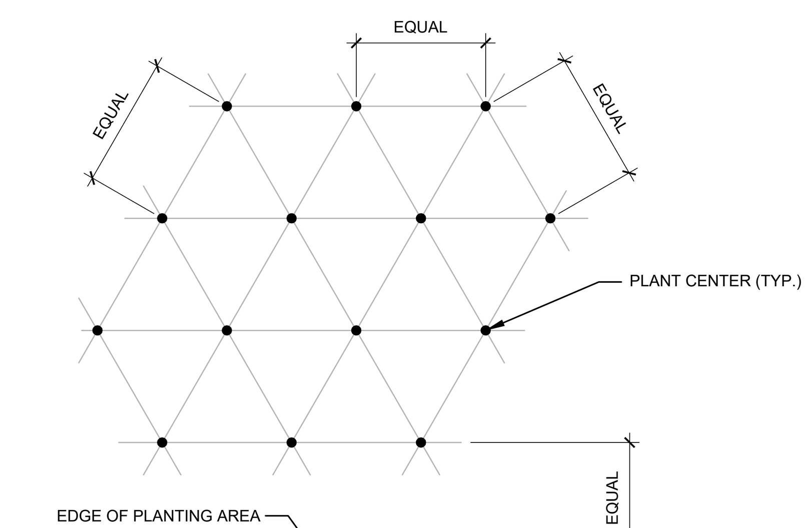
1. TREE CANOPY.
2. ROOT ANCHOR (OR SIMILAR) BY TREE STAKE SOLUTIONS
   Rosharon, Texas
   281-778-1400
   www.treestakesolutions.com
3. TRUNK FLARE.
4. MULCH, TYPE AND DEPTH PER PLANS. DO NOT PLACE MULCH WITHIN 6" OF TRUNK.
5. FINISH GRADE.
6. ROOT BALL.
7. BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
8. UNDISTURBED NATIVE SOIL.
9. 4" HIGH EARTHEN WATERING BASIN.

(PLAN VIEW)



NOTES:
1. SCARIFY SIDES OF PLANTING PIT PRIOR TO SETTING TREE.
2. REMOVE EXCESS SOIL APPLIED ON TOP OF THE ROOTBALL THAT COVERS THE ROOT FLARE. THE PLANTING HOLE DEPTH SHALL BE SUCH THAT THE ROOTBALL RESTS ON UNDISTURBED SOIL, AND THE ROOT FLARE IS 2"-4" ABOVE FINISH GRADE.
3. FOR B&B TREES, CUT OFF BOTTOM 1/3 OF WIRE BASKET BEFORE PLACING TREE IN HOLE, CUT OFF AND REMOVE REMAINDER OF BASKET AFTER TREE IS SET IN HOLE, REMOVE ALL NYLON TIES, TWINE, ROPE, AND OTHER PACKING MATERIAL. REMOVE AS MUCH BURLAP FROM AROUND ROOTBALL AS IS PRACTICAL.
4. REMOVE ALL NURSERY STAKES AFTER PLANTING.
5. FOR TREES 36" BOX/2.5" CAL. AND LARGER, USE THREE STAKES OR DEADMEN (AS APPROPRIATE), SPACED EVENLY AROUND TREE.
6. STAKING SHALL BE TIGHT ENOUGH TO PREVENT TRUNK FROM BENDING, BUT LOOSE ENOUGH TO ALLOW SOME TRUNK MOVEMENT IN WIND.

A
SCALE: NOT TO SCALE



NOTE: ALL PLANTS SHALL BE PLANTED AT EQUAL TRIANGULAR SPACING (EXCEPT WHERE SHOWN ON PLANS AS INFORMAL GROUPINGS). REFER TO PLANT LEGEND FOR SPACING DISTANCE BETWEEN PLANTS.

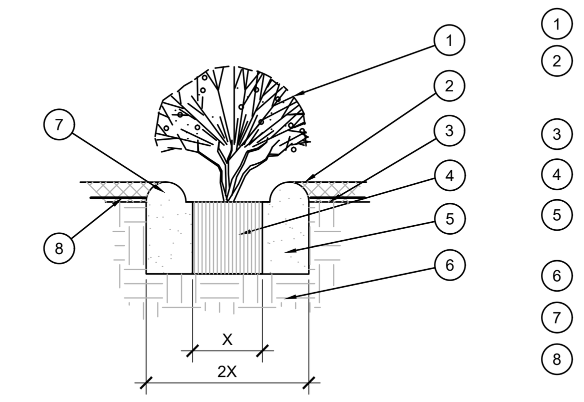
1) STEP 1: DETERMINE TOTAL PLANTS FOR THE AREA WITH THE FOLLOWING FORMULA:
TOTAL AREA / AREA DIVIDER = TOTAL PLANTS

PLANT SPACING	AREA DIVIDER	PLANT SPACING	AREA DIVIDER
6"	0.22	18"	1.95
8"	0.39	24"	3.46
10"	0.60	30"	5.41
12"	0.87	36"	7.79
15"	1.35		

2) STEP 2: SUBTRACT THE ROW (S) OF PLANTS THAT WOULD OCCUR AT THE EDGE OF THE PLANTED AREA WITH THE FOLLOWING FORMULA: TOTAL PERIMETER LENGTH / PLANT SPACING = TOTAL PLANT SUBTRACTION

EXAMPLE: PLANTS AT 18" O.C. IN 100 SF PLANTING AREA, 40 LF PERIMETER
STEP 1: 100 SF/1.95 = 51 PLANTS
STEP 2: 51 PLANTS - (40 LF / 1.95 = 21 PLANTS) = 30 PLANTS TOTAL

B PLANT SPACING
SCALE: NTS



1. SHRUB, PERENNIAL, OR ORNAMENTAL GRASS.
2. MULCH, TYPE AND DEPTH PER PLANS. PLACE NO MORE THAN 1" OF MULCH WITHIN 6" OF PLANT CENTER.
3. FINISH GRADE.
4. ROOT BALL.
5. BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
6. UNDISTURBED NATIVE SOIL.
7. 3" HIGH EARTHEN WATERING BASIN.
8. WEED FABRIC UNDER MULCH.

C SHRUB AND PERENNIAL PLANTING
SCALE: NTS

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REGISTERED LANDSCAPE ARCHITECT
ERIC M. SHEPLEY
3537
STATE OF TEXAS
09-28-2026

LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE LOCATION. THE CONTRACTOR SHALL DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING ANY WORK. CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES 24-HOURS PRIOR TO COMMENCING CONSTRUCTION.

REVISIONS: SYM.	DATE	DESCRIPTION	BY

PROJECT:
PT22S BUILDING TYPE
NWC STATE HIGHWAY 78
& BURNETT DRIVE
LAVON, TEXAS

PAPE-DAWSON
201 MAIN ST, STE 901 I FT. WORTH, TX 76102 I 817.870.3668
TEXAS ENGINEERING FIRM #470 I TEXAS SURVEYING FIRM #10028800

WHATABURGER
300 CONCORD PLAZA DR.
SAN ANTONIO, TEXAS
210-476-6000 ZIP 78216

THIS DRAWING IS THE PROPERTY OF WHATABURGER, SAN ANTONIO, TEXAS AND MAY NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESSED WRITTEN CONSENT OF WHATABURGER.

SHEET TITLE:
LANDSCAPE DETAILS & SPECIFICATIONS

DATE: 09/28/2026
SCALE:
DESIGNED BY: EMS
CHECKED BY: CS

SHEET NO:
LP-2

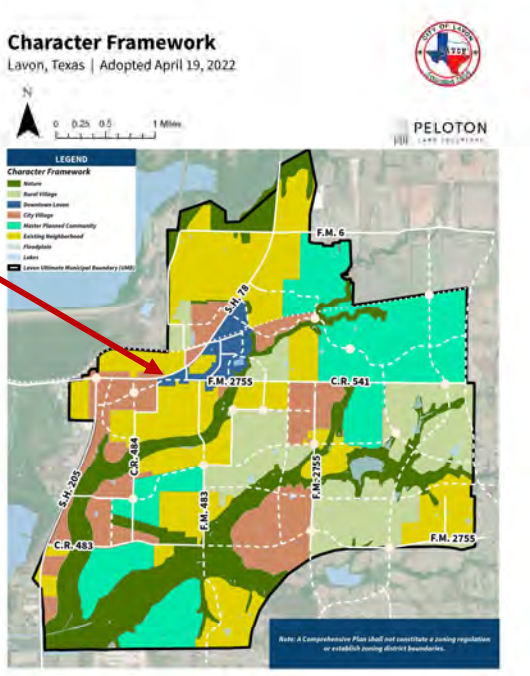
WHATABURGER

Date: August 7, 2025, 6:30 AM — User ID: eshep
File: P:\Shared\Projects\2025\Whataburger\Whataburger — Lavon Tx — Hwy 78 & Burnett Dr\Xrefs\TB-6155800.dwg

PROJECT MILESTONE

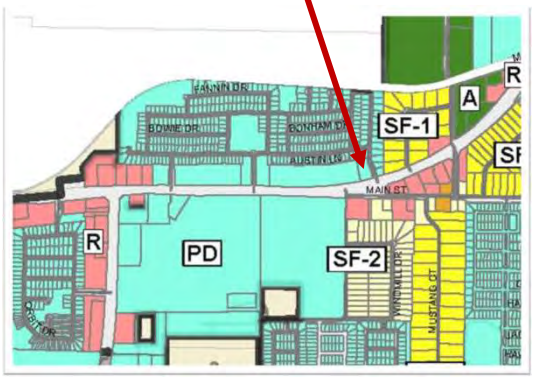
Future Land Use Plan

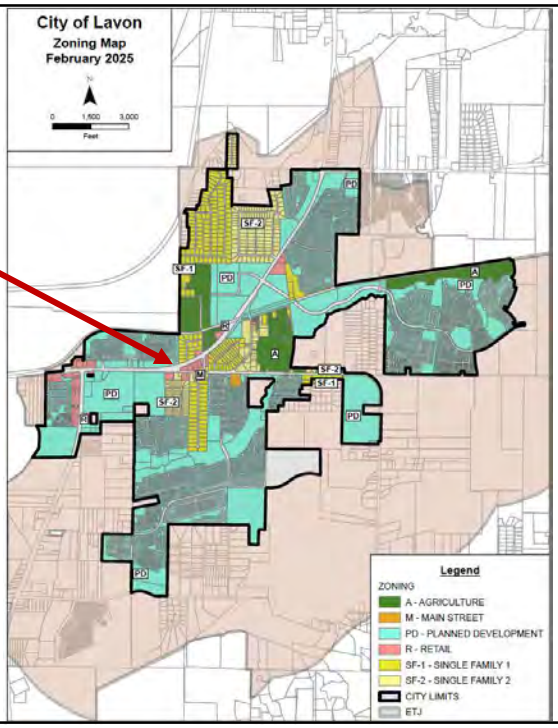




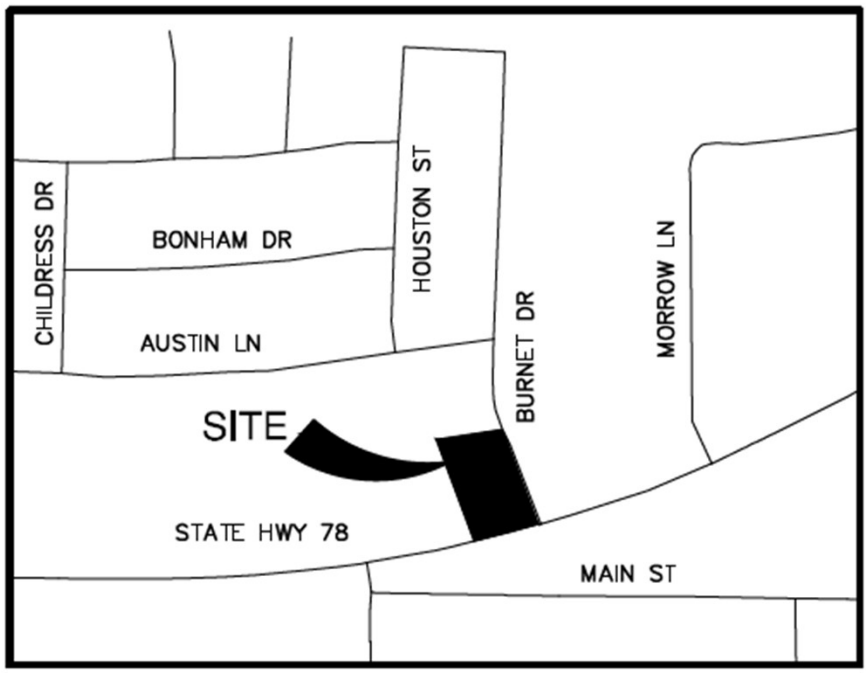
50

Zoning Map



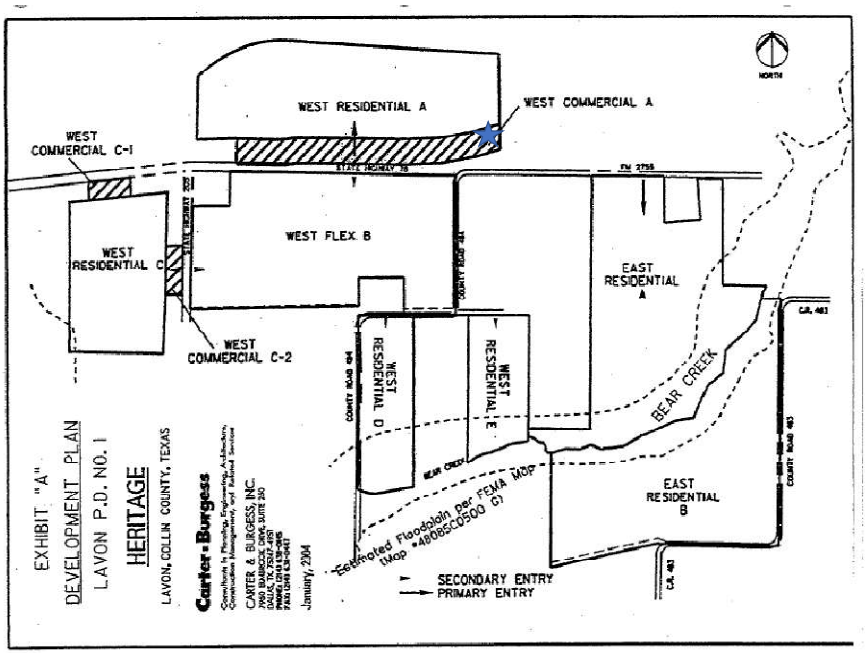


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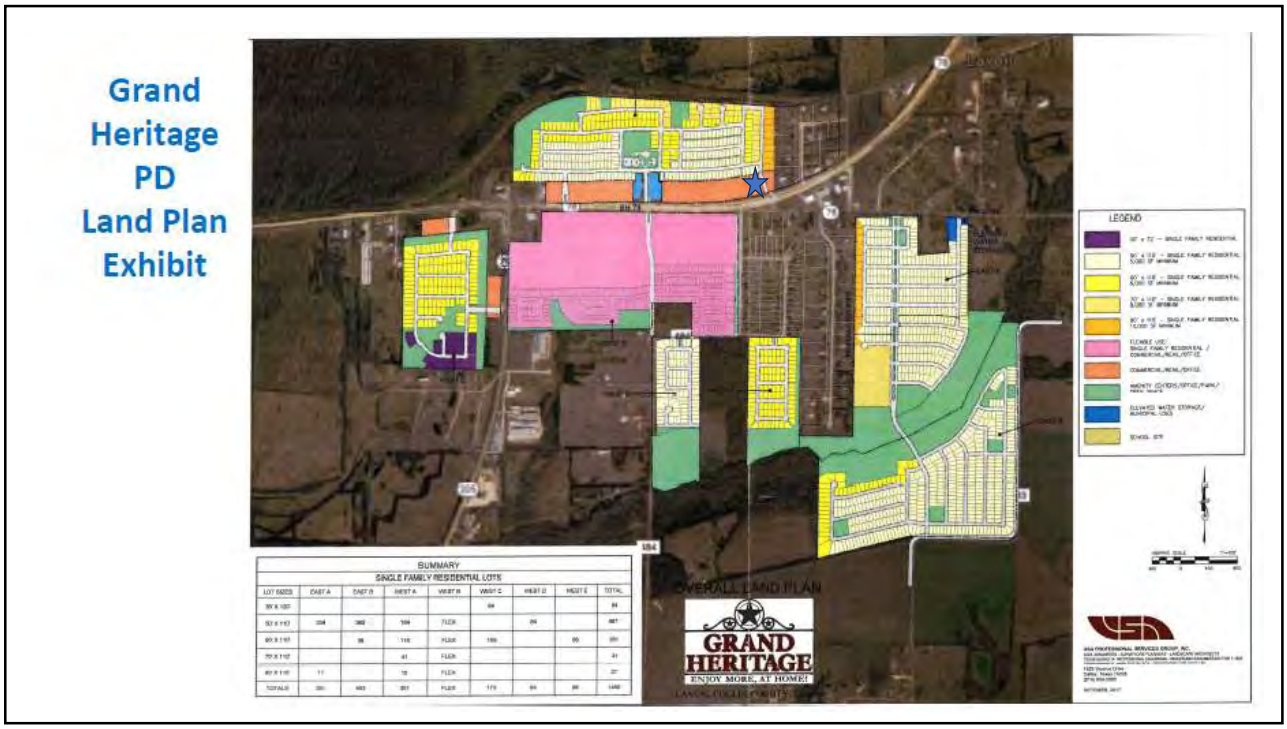


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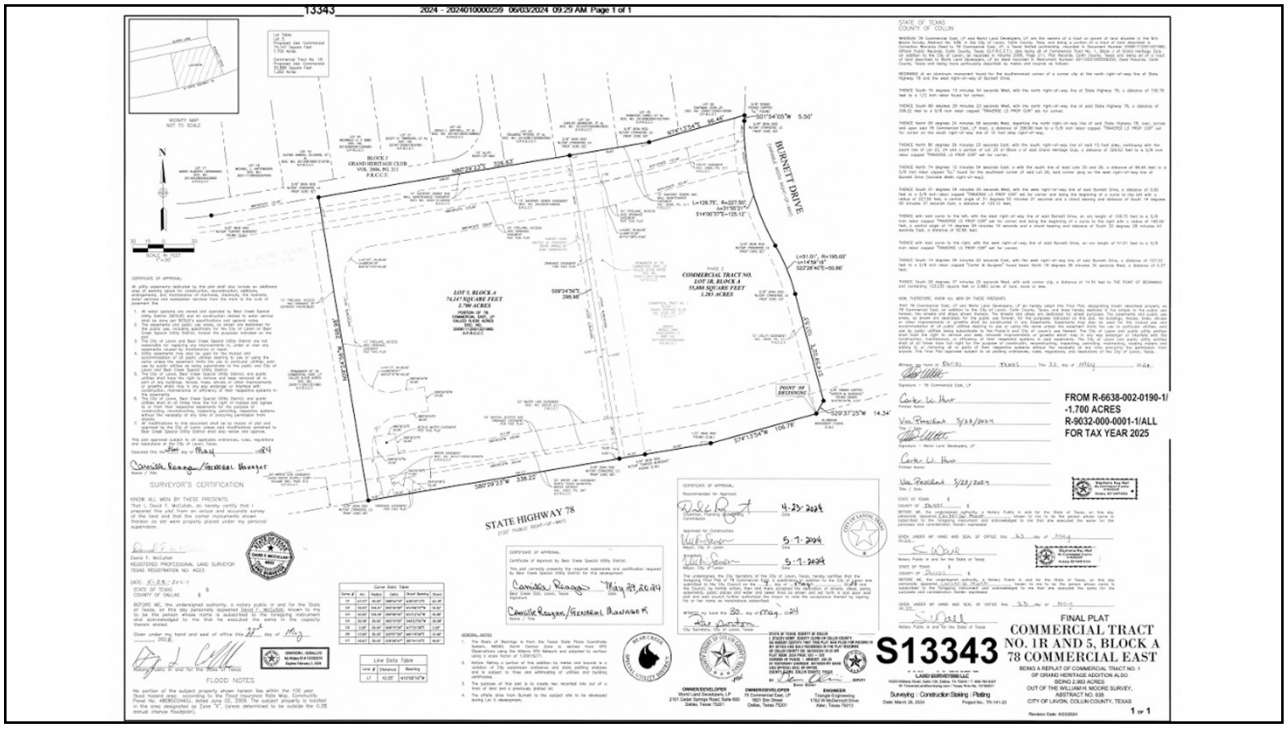
Grand Heritage PD Development Plan



53


Grand Heritage PD Land Plan Exhibit
SUMMARY
SINGLE FAMILY RESIDENTIAL LOTS
OVERALL LAND PLAN
GRAND HERITAGE
ENJOY MORE, AT HOME!
LEGEND

54


13343
2024 - 20240100002S9 06/03/2024 09:29 AM Page 1 of 1
BURNETT DRIVE
STATE HIGHWAY 78
FROM R-6638-002-0190-1/
-1.700 ACRES
R-9032-000-0001-1/ALL
FOR TAX YEAR 2025
S13343
FINAL PLAT
COMMERCIAL TRACT
NO. 1R AND 5, BLOCK A
78 COMMERCIAL EAST
BEING A REPLAT OF COMMERCIAL TRACT NO. 1
OF GRAND HERITAGE ADDITION ALSO
BEING 0.993 ACRES
OUT OF THE WILLIAM M. MOORE SURVEY,
ABSTRACT NO. 638
CITY OF LAVON, COLLIN COUNTY, TEXAS
1 of 1

55

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

September 15, 2026

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

Re: 78 Commercial East Addition, Whataburger, Lot 1R, Block A, 1.283 Acres
Site Plan Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Site Plan dated August 31, 2026 as prepared by Pape-Dawson for the above referenced property. The property is generally located east of ARKA Montessori and west of Burnett Dr. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the City Planner's comments. Our comments are as follows:

SITE PLAN

1. The storm water is shown to enter the TxDOT ROW and storm sewer system. TxDOT policy requires that all stormwater discharge to their system not exceed the equivalent undeveloped flow. Therefore, detention may be required. Undeveloped flow is considered flow with a "C" factor of 0.30. The referenced TxDOT drainage plan sheets are not relevant based upon current TxDOT policy. In the event detention is required to meet TxDOT requirements, there appears to be sufficient space available on the west side of the property. Addition of detention in this area should not impact the basic site plan layout. This can be resolved as part of the full civil plan review.

2. A TxDOT permit will be required for the drainage, grading and sidewalks within the TxDOT ROW. The Developer/Engineer will be responsible for preparing the TxDOT permit application packet per TxDOT requirements. The packet will be provided to the City of Lavon for submission to TxDOT.

3. A queuing analysis dated August 28, 2026 as prepared by Zeetek Engineering, Inc. has been provided. It shows that there is sufficient stacking capacity within the drive through configuration. In the event that the traffic results in excessive vehicles, queue management options have been provided.

4. A Traffic Impact Analysis dated August 28, 2026 as prepared by Zeetek Engineering, inc. has been provided. This TIA shows that this development does not warrant any additional improvements to the adjacent streets and intersections and has minimal impact on traffic.

This concludes our review of the above-referenced revised Site Plan. **We recommend APPROVAL of the Site Plan.**

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.

Sincerely,
FREEMAN-MILLICAN, INC.

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

F:\17024 - LAVON General Services\9 - Review\78 Commercial East\Whataburger\78 Commercial East - Whataburger - Site Plan - Rev 2.docx

September 3, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Whataburger – NWC SH 78 + Burnett Drive
Site Plan Review
LJA Job No. NTP-3880
MyGov Submittal: August 31, 2026

LJA has reviewed the submittal referenced above per your request. We **recommend approval with the following condition**:

1. Revise the Site Plan to provide the filing information for the 24' Fire Lane and Mutual Access easement by separate instrument in the label of the easement.

2. FYI – All signage to be reviewed and considered separately under a sign permit application.

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

Thank you,

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

August 27, 2026

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

Re: Comments regarding 78 Commercial East Addition – Whataburger - Lot 1R, Block A - 1.283 Acres - Site Plan - 2nd Review.

Dear Ms. Dobbs:

Enclosed is our response to the comments dated July 20, 2026, 78 Commercial East Addition – Whataburger - Lot 1R, Block A - 1.283 Acres - Site Plan - 2nd Review.

SITE PLAN

1. The 24-foot Fire Lane and Mutual Access easement will need to be provided by a separate instrument or replat.

   Response: The fire lane and mutual access easement will be provided by separate instrument. This has been labeled on the site plan/civil plans.

2. Regarding Note 8 – In the event of conflict, City Standards shall control. We recommend City Standard Details be included with the Civil Plans.

   Response: Note 8 on the Site Plan has been revised to ensure the City Standards shall control.

3. The proposed masonry wall on the north property line should match the existing wall within the 78 Commercial East development area.

   Response: Understood. The masonry wall label has been revised to ensure this.

4. The site plan shows a proposed storm sewer connecting to the existing storm sewer system. The drainage plans will need to verify that the existing system can accept the proposed drainage.

   Response: The drainage design has been revised to remove the connection to the adjacent 12" HDPE storm line. Per the approved daycare plans by Triangle Engineering, the capacity of the 12" HDPE "STM B" line is 0.68 cfs. For the proposed Whataburger project, drainage area OS-1 is the only additional drainage being sent into the adjacent 12" HDPE pipe. Area OS-1 has a Q_{100} of 0.27 cfs; therefore, the line has adequate capacity. Please see sheets C10 and C11 included in this resubmittal for full calculations.

5. The stormwater is shown to enter the TxDOT ROW and storm sewer system. TxDOT policy requires that all stormwater discharged to their system not exceed the equivalent undeveloped flow. Therefore, detention may be required.

   Response: TxDOT SH78 plans indicate the project area was accounted for as developed runoff using a runoff coefficient of C=0.70. The proposed site drainage calculations result in a weighted runoff coefficient of C=0.68. Therefore, the proposed Whataburger development is not anticipated to exceed the runoff condition assumed in the TxDOT drainage design. Please see TxDOT as-built plans and sheets C10 & C11 included in this resubmittal.

6. A TxDOT permit will be required for the drainage, grading, and sidewalks within the TxDOT ROW. The Developer/Engineer will be responsible for preparing the TxDOT permit application packet per TxDOT requirements. The packet will be provided to the City of Lavon for submission to TxDOT.

   Response: The completed and signed TxDOT form is included in this resubmittal to be submitted to TxDOT by the City of Lavon.

7. A queuing analysis will be required to verify sufficient stacking length of the drive through lane without vehicles backing up into the fire lane.

   Response: A queueing analysis is included in this resubmittal.

8. A study of the impact of traffic generated by the proposed improvements will need to be provided. This will need to include the connections to Burnet and SH 78 as well as nearby intersections (SH 78 and Grand Heritage, SH 78 and Burnet).

   Response: A traffic impact analysis is included in this resubmittal.

If you have any further questions or need additional information, please contact me at mmaly@pape-dawson.com or 817-870-3668.

Sincerely,
Pape-Dawson Consulting Engineers, LLC

Matthew L. Maly, P.E.
Associate Vice President

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August 27, 2026

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

Re: Comments regarding Whataburger – NWC SH 78 and Burnett Drive - Site Plan 2nd Review - LJA Job No. NTP-3880.

Dear Ms. Dobbs:

Enclosed is our response to the comments dated July 17, 2026, Whataburger – NWC SH 78 and Burnett Drive - Site Plan 2nd Review - LJA Job No. NTP-3880.

PLANNING AND DESIGN COMMENTS

1. REPEAT COMMENT: A minimum 20-foot landscape buffer is also required along the northern property boundary, including a canopy tree every 30 linear feet, per the PD. Revise the Landscape Plan, Sheet LP-1, to include landscaping materials and trees as required on the north side of the property, adjacent to the existing residential properties. Coordinate with the city engineer as this area also includes utilities.
   Response: A 20-foot landscape buffer has been added as requested.

   The spacing of the canopy trees within the 20-foot landscape buffer along the northern property line, should not be clustered. Revise the Landscape Plan to increase the spacing of the canopy trees to one (1) per 30 linear feet without conflicting with existing utilities. All proposed trees must be a minimum of eight (8) feet from public utility lines.

   Response: The trees within the 20' landscape buffer have been spread out to avoid being clustered. The three western-most trees are spaced at 7' from the trunk to the proposed private sanitary service line to keep them within the buffer. However, this sanitary line is not public, and there are not concerns with the spacing.

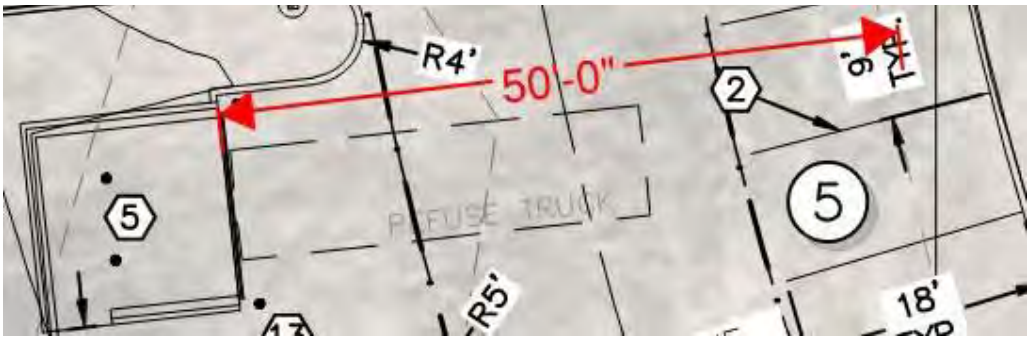
2. Revise the Site Plan to remove the topographic contour lines, utility lines, and aerial background. Utility lines should continue to be shown on the Landscape Plan.

   Response: Contour lines, underground utility lines, and the aerial have been removed from the Site Plan sheet. Utility lines are still shown on the landscape plan.

3. Limit light trespass to no more than 0.1 footcandle at the property line, at six (6) feet, six (6) inches above the ground on adjacent residential property. The nearest measurements on the north side of the property indicate 0.7-foot candle. Revise the Photometric Plan to be fully compliant with the outdoor lighting ordinance § 4.07.003(f).

Response: The footcandle along the northern property line are 0.1 or less. Please see the updated photometric plan included in this resubmittal.

4. Revise the Site Plan and Landscape Plan to provide 50 feet of unobstructed backing distance as measured from the front gates of the enclosure, to accommodate maneuverability for a waste service truck.

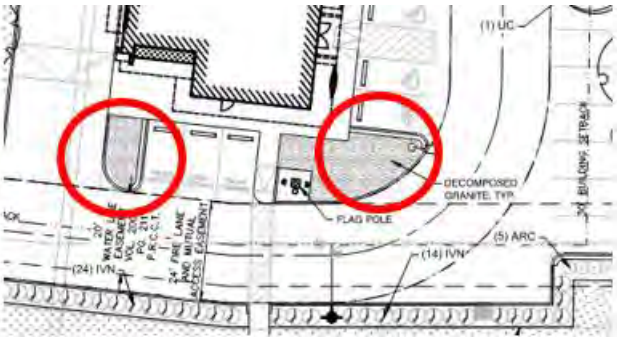


Response: The site plan has been updated to accommodate the 50' backing distance for the waste truck.

5. Staff recommends providing wheel stops for all parking spaces.

Response: Comment noted. Wheel stops are not proposed on parking spaces along Burnett Drive as those provide standard parking spaces and curb protection. Wheel stops are proposed adjacent to the building and sidewalk to prevent vehicle overhangs from impeding pedestrian foot traffic.

6. Staff recommends adding trees at the terminus of all parking rows.



Response: Trees have been added in these areas as recommended.

7. Staff recommends adding evergreen shrubs from the approved plant list around the exterior of the dumpster enclosure walls.

Response: Shrubs have been added around the dumpster enclosure as recommended.

8. Upon resubmittal, please provide a comment response letter indicating acknowledgement or clarification of how each comment has been addressed, as well as indicating any revisions made to the plans that were not specifically requested.

Response: Comment addressed.

If you have any further questions or need additional information, please contact me at mmaly@pape-dawson.com or 817-870-3668.

Sincerely,
Pape-Dawson Consulting Engineers, LLC

Matthew L. Maly, P.E.
Associate Vice President

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July 20, 2026

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

Re: 78 Commercial East Addition, Whataburger, Lot 1R, Block A, 1.283 Acres
Site Plan Review

Dear Ms. Dobbs:

As requested, we have reviewed the revised Site Plan dated July 7, 2026 as prepared by Pape-Dawson for the above referenced property. The property is generally located east of ARKA Montessori and west of Burnett Dr. Additional comments may be provided by City Planning. FMI comments should be considered supplemental to the City Planner's comments. Our comments are as follows:

SITE PLAN

1. The 24' Fire Lane & Mutual Access easement will need to be provide by separate instrument or Replat.

2. Regarding Note 8 – In the event of conflict City Standards shall control. We recommend City Standard Details be included with the Civil Plans.

3. The proposed masonry wall on the north property line should match the existing wall within the 78 East Commercial development area.

4. The site plan shows a proposed storm sewer connecting to the existing storm sewer system. The drainage plans will need to verify that he existing system can accept the proposed drainage.

5. The storm water is shown to enter the TxDOT ROW and storm sewer system. TxDOT policy requires that all stormwater discharge to their system not exceed the equivalent undeveloped flow. Therefore, detention may be required.

6. A TxDOT permit will be required for the drainage, grading and sidewalks within the TxDOT ROW. The Developer/Engineer will be responsible for preparing the TxDOT permit application packet per TxDOT requirements. The packet will be provided to the City of Lavon for submission to TxDOT.

7. A queuing analysis will be required to verify sufficient stacking length of the drive through lane without vehicles backing up into the fire lane.

8. A study of the impact of traffic generated by the proposed improvements will need to be provided. This will need to include the connections to Burnet and SH 78 as well as nearby intersections (SH 78 & Grand Heritage, SH 78 & Burnet).

This concludes our review of the above-referenced revised Site Plan. A copy of the Site Plan, with markups, is attached for your review.

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.

Sincerely,
FREEMAN-MILLICAN, INC.

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

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July 7th, 2026

Mr. Mark D. Hill, P.E.
Consulting City Engineer
City of Lavon
120 School Road
Lavon, TX 75166

Re: Comments regarding 78 Commercial East Addition – Whataburger - Lot 1R, Block A - 1.283 Acres - Site Plan Review.

Dear Mr. Hill:

Enclosed is our response to the comments dated November 21, 2025, 78 Commercial East Addition – Whataburger - Lot 1R, Block A - 1.283 Acres - Site Plan Review.

SITE PLAN

1. The 24-foot mutual access easement will need to be extended through the site to connect to the existing access road on the north side of the property.

   Response: The 24' mutual access easement has been extended.

2. Since the fire lane is along the north side of the property and Burnett Dr is on the east side, an additional fire lane will be required within the property to obtain the minimum 150' hose lay length.

   Response: A fire lane has been included within the proposed drive.

3. It is preferred that the sanitary sewer line to be extended to the property and terminated at a manhole. This will be part of the city system. The service line would connect at that point.

   Response: The sanitary sewer connection to the northeast within Burnet Drive has been coordinated with Mark Hill on 3/25/26. Please see site plan for revised/proposed sewer alignment.

4. Trees located within the rear landscape buffer shall be located at a minimum of eight (8) feet from the sanitary sewer line.

   Response: Trees along the rear landscape buffer have been revised.

5. The drainage and sidewalk within the TxDOT ROW will require a permit. The developer/engineer shall prepare the permit application documents to be provided to the city. The city will be responsible for sending the application to TxDOT.

Response: Please see the completed TxDOT form attached to this resubmittal.

If you have any further questions or need additional information, please contact me at mmaly@pape-dawson.com or 817-870-3668.

Sincerely,
Pape-Dawson Consulting Engineers, LLC

Matthew L. Maly, P.E.
Associate Vice President

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July 7, 2026

Ms. Amber Pollan, AICP
Associate Studio Lead at LJA
City of Lavon
120 School Road
Lavon, TX 75166

Re: Comments regarding Whataburger – NWC SH 78 and Burnett Dr - Site Plan Review - LJA Job No. NTP-40467.

Dear Ms. Pollan:

Enclosed is our response to the comments dated November 21, 2025, Whataburger – NWC SH 78 and Burnett Dr - Site Plan Review - LJA Job No. NTP-40467.

PLANNING AND DESIGN COMMENTS

1. The Site Data Table on Sheet SP contains several errors. Revise the table to remove the "Dwelling Units" row, as it does not apply to this project. Revise the "Lot Coverage" cell to indicate building coverage and percentage. The "Lot Coverage by Impervious Surface" and "Landscaping" cells must include verified calculations for square footages and percentages. Edit the last line to indicate "Total Parking Spaces," as the current phrase is incomplete, and a loading space is not indicated on the plan. Please also include the building height in the Site Data Table.

SITE DATA TABLE	
SITE GROSS AREA	55,889sq.ft. (1.28ac)
DWELLING UNITS (NO.)	1
LOT COVERAGE (%)	40%
LOT COVERAGE BY IMPERVIOUS SURFACE (%)	40%
LANDSCAPING (%)	60%
TOTAL PARKS & LOADING SPACES	32

Response: The site data table has been corrected to avoid confusion.

2. It is recommended that a 12-foot by 35-foot loading space be provided.

Response: This is not preferred by Whataburger and is not proposed on the site plan.

3. Revise the site plan to ensure that all turning radii are a minimum of 30 feet.

Response: Comment addressed.

4. Revise the site plan to remove Note 4.

   Response: Note 4 has been removed.

5. Coordinate with the fire marshal for any fire lane requirements.

   Response: Comments have been received & addressed from the fire marshal.

6. The elevations on Sheets A2.1 and A2.2 have incorrect elevation direction labels. Revise the East, West, North, and South labels to correspond with the correct elevations. Please provide a color elevation submittal.

   Response: Revised building elevations for the updated prototype are included in this resubmittal.

7. The building parapet does not provide adequate screening of the rooftop mechanical equipment. The Grand Heritage PD requires that exterior walls have a minimum 95% masonry coverage, exclusive of windows, doors, and openings. Masonry is defined in the PD as brick, stone, cast stone, concrete, glass block, split-face concrete, masonry unit, stucco, or other masonry materials approved by the council. The current elevations include a single brick style and gray metal panels. Revise the building elevations/design to provide full screening of the rooftop mechanical equipment and to provide for the appropriate material allowances.

   Because the building lacks architectural features and visual interest, it is recommended that incorporating additional architectural variation, like the Whataburger design shown below, to increase masonry features and surface area.



Response: Please see revised building elevations per the updated prototype included in this resubmittal.

8. An eight (8) foot masonry wall is required along the northern property boundary adjacent to existing residential properties. Revise the site and landscape plan to include and label the masonry wall.

Response: A masonry screen wall has been added and labeled to the site and landscape plan.

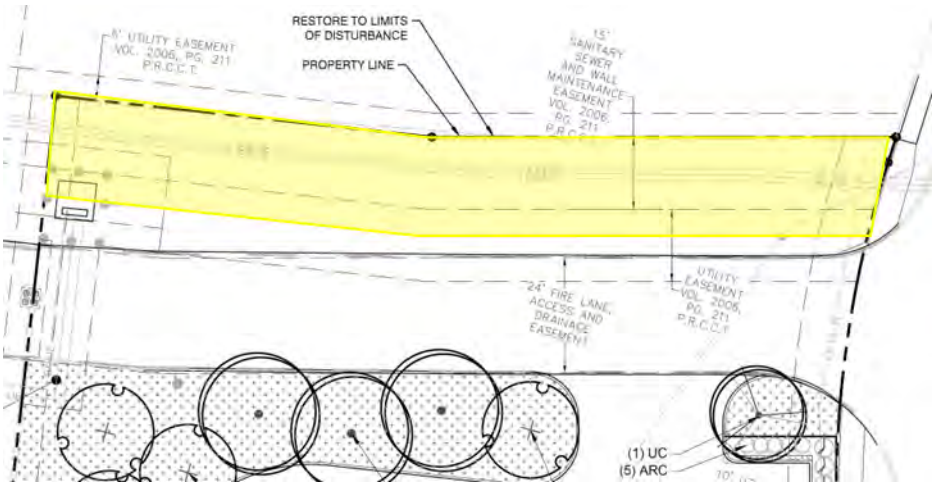
9. Provide a label on the site and landscape plan for the dumpster enclosure. A dumpster enclosure must be a minimum of six (6) foot tall masonry wall with a solid gate.

Response: Label has been added.

10. An outdoor seating area is recommended.

Response: This is not a preference from Whataburger and is not proposed on the site plan.

11. A minimum 20-foot landscape buffer is also required along the northern property boundary, including a canopy tree every 30 linear feet per PD. Revise the landscape plan, Sheet LP-1, to include landscaping materials and trees as required on the north side of the property, adjacent to the existing residential properties. Coordinate with the city engineer as this area also includes utilities.



Response: A 20' landscape buffer has been added as requested.

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

Response: Comment addressed.

If you have any further questions or need additional information, please contact me at mmaly@pape-dawson.com or 817-870-3668.

Sincerely,
Pape-Dawson Consulting Engineers, LLC

Matthew L. Maly, P.E.
Associate Vice President

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CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _7 - E_**

Item:

Discussion and action regarding the site plan and landscape plan for a 181,372 square foot Walmart retail store and fueling station on 20.803 acres on Lot 7, Block A of the preliminary plat of the Heritage Square project at 225 S. Grand Heritage Blvd., also referred to as 840 S. SH 78, southeast of the intersection of SH 78 and SH 205, southwest of the intersection of S. SH 78 and Grand Heritage Blvd., and northeast of the intersection of SH 205 and Endeavour, City of Lavon, Collin County, Texas (CCAD Property ID 2624070).

Application Information

Owner(s): Bear Creek Commercial Properties LP

Applicant: David Upton, Kimley Horn

Location: 255 S. Grand Heritage Blvd., formerly temporary address 840 S. SH 78, located southwest of the intersection of S. SH 78 and S. Grand Heritage Blvd.

Description: Lot 7, Block A of the proposed Heritage Square Addition, on 20.803 acres in the Heritage Square Planned Development District (CCAD Property ID 2624070).

Current Zoning: Planned Development (PD)

Request: Site Plan and Landscape Plan

Request Details

The applicant is seeking approval of the site plan and landscape plan for a 181,372 square foot Walmart retail store and fueling station on 20.803 acres.

Building façades, truck and vehicle circulation, a photometric plan, and traffic impacts have been provided and reviewed.

The site will be developed in accordance with the Heritage Square Planned Development District regulations, Ordinance No. **2026-04-02**, that established the Planned Development zoning for the property.

The PD zoning ordinance established the phasing of the public infrastructure, consisting of roads, storm sewer, sanitary sewer, and parks to be completed in Phase 1 of development. The roads will provide

connections from CR 484 to Grand Heritage Blvd. at S. SH 78 and from Geren Dr. to SH 205. The PD further provides that once roads are completed, the connection of Geren Dr. and Main St. (Bus 78) will be removed.

The proposed project is situated in Phase 2 of development.

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 and landscape plan are generally prepared in conformance with the approved zoning requirements.

Platting: The preliminary plat has been approved and the final plat application is presently in review.

Access: Access is provided from new road construction extending from SH 78 and SH 205. A queuing analysis has been provided and reviewed.

Utilities: The site will be served water by the Bear Creek Special Utility District and sanitary sewer by the City of Lavon.

Screening and Landscaping: Screening and landscaping are generally provided in accordance with the zoning requirements.

The proposed applications were reviewed by the planning consultant, fire marshal, and city engineer.

Note, in reply to a question from the Planning and Zoning Commission, the applicant confirmed that no drone activity is planned for this site.

Planning and Zoning Commission Report:

MOTION: RECOMMEND APPROVAL OF THE SITE PLAN AND LANDSCAPE PLAN FOR A 181,372 SQUARE FOOT WALMART RETAIL STORE AND FUELING STATION ON 20.803 ACRES ON LOT 7, BLOCK A OF THE PRELIMINARY PLAT OF THE HERITAGE SQUARE PROJECT AT 840 S. SH 78, SOUTHEAST OF THE INTERSECTION OF SH 78 AND SH 205, SOUTHWEST OF THE INTERSECTION OF SH 78 AND GRAND HERITAGE BLVD., AND NORTHEAST OF THE INTERSECTION OF SH 205 AND ENDEAVOUR, CITY OF LAVON, COLLIN COUNTY, TEXAS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER, FIRE MARSHAL AND PLANNER AND SUBJECT TO APPROVAL OF THE FINAL PLAT.
MOTION: VALLEJO
SECONDED: MCCLENDON
APPROVED: UNANIMOUS

Staff Notes:

Approval of the site plan and landscape plan are recommended, with the motion to acknowledge the applicant stated there is no plan for drone use and subject to the final review and approval of the city engineer, fire marshal, and planner.

Attachments:
1. Application and Site Plan; Building Elevations
2. Landscape Plan
3. Location exhibits
4. 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: David Upton

Address: 6160 Warren Pkwy, Frisco, Texas 75034

Telephone Number: 972-474-7670

Email Address: [redacted]

LEGAL DESCRIPTION: (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address)

20.803 Acres Lot 7, Block A of a Preliminary Plat of Bear Creek Commercial

SUBDIVISION NAME: (*approved plat is prerequisite*)

Bear Creek Commercial

ZONING: Ordinance No. 2026-04-02 Planned Development - Heritage Square

LEGAL OWNER OF PROPERTY INVOLVED:

Bear Creek Commercial Properties LP

If Applicant is NOT the Owner, Relationship to Owner: Authorized by owner to make required submittals for development on Lot 7, Block A. See attached Letter of Authorization

I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE ABOVE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.

Signature: _____ _____
Owner / Authorized Agent Date

Printed Name: David Upton
Owner / Authorized Agent

Title: _____

Company: Kimley-Horn

City Office Use Only:

Fee paid (*due at time of application*) Cost $200 plus - $500 deposit	**Amount:** **Check #** **or Cash** _____
Required items submitted	
Development Engineer Comments	
Development Review Committee Comments	
Comments Addressed by Applicant	
Planning & Zoning Action	
City Council Action	

Kimley»Horn

May 13, 2026

City of Lavon, TX

RE: ***Letter of Authorization***
Lot 7, Block A Bear Creek Commercial – 20.803 A.C.
Lavon, Texas

Dear City of Lavon,

I, an authorized signatory of BEAR CREEK COMMERCIAL PROPERTIES LP, am the owner of the 20.803 acre property located at the southeast corner of SH78 and SH205 in the City of Lavon, Collin County, Texas. I am aware that Kimley-Horn and Associates, Inc., will be submitting a Site plan and any other required submittals for the development on Lot 7, Block A, and do hereby grant them permission to make the required submittals. I also authorize them to serve as representatives for public hearings to obtain approvals for the project.

Sincerely,

BEAR CREEK COMMERCIAL PROPERTIES LP
Property Owner

Property Owners Signature

By: Carter W. Hunt

Title: Vice President

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

TX-78
(VARIABLE WIDTH RIGHT-OF-WAY)

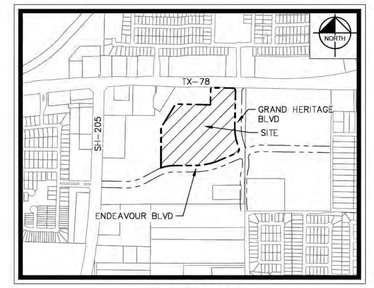
EXISTING TRAFFIC SIGNAL
100.00' TAPER
315.00' STORAGE
PROP. RIGHT-TURN LANE
15' UTILITY EASEMENT C.C.# 94-0085627 O.P.R.C.C.T.
RIGHT-TURN LANE BY OTHERS
PROP. LOADING SPACE
PROP. MONUMENT SIGN
25' BUILDING SETBACK
PROP. FUEL TANKS
30' LANDSCAPE SETBACK
15' SANITARY SEWER EASEMENT BY OTHERS
24' FIRE LANE, MUTUAL ACCESS AND UTILITY EASEMENT BY OTHERS
15' SANITARY SEWER EASEMENT BY FINAL PLAT
FUTURE 8" SANITARY SEWER LINE BY OTHERS
PROP. 15" W.E.
PROP. 10 FUEL PUMPS
LOT 5 BLOCK A
ZONING: PD – HERITAGE SQUARE
PROPOSED USE: RETAIL
1.09 ACRES
LOT 6 BLOCK A
ZONING: PD – HERITAGE SQUARE
PROPOSED USE: RETAIL
1.187 ACRES
PROP. 10" W.E.
PROP. WATER METER
15' DRAINAGE EASEMENT BY OTHERS
24' FIRE LANE, MUTUAL ACCESS AND UTILITY EASEMENT.
PROP. DUMPSTER ENCLOSURE WITH 6' TALL MASONRY SCREENING WALL
1,556 S.F. FUEL KIOSK
PROP. 5' SW
PROPOSED GRAND HERITAGE WORK DONE BY OTHERS
PROP. TRANSFORMER
20' UTILITY EASEMENT C.C.# 20071017001427290 O.P.R.C.C.T.
DRAINAGE EASEMENT C.C.# 20181206001488440 O.P.R.C.C.T.
PROP. DRAINAGE EASEMENT
CART CORRAL (TYP.)
LOT 3 BLOCK A
ZONING: PD – HERITAGE SQUARE
PROPOSED USE: RETAIL
14.04 ACRES
EXISTING 100-YR PRE-DEVELOPED FLOODPLAIN
7' BUILDING SETBACK
PROP. 10' W.E.
PROP. ELECTRIC VEHICLE-PARKING SPACES (8)
GRAND HERITAGE BOULEVARD (90' RIGHT-OF-WAY)
LOT 8 BLOCK C
ZONING: PD – HERITAGE SQUARE
PROPOSED USE: RETAIL
13.73 ACRES
PROP. 5' SIDEWALK
PROP. 100-YR POST-DEVELOPED FLOODPLAIN
10" WATERLINE EASEMENT C.C.# 20190411000385040 O.P.R.C.C.T.
15' SANITARY SEWER EASEMENT VOL. 5999, PG. 119 O.P.R.C.C.T.
GARDEN CENTER
GENERAL MERCHANDISE
GROCERY
LOADING ZONE
PROP. DRIVE-THRU PHARMACY WITH CANOPY
12.00' DRIVE-THRU LANE
12.00' DRIVE-THRU LANE
12.00' ESCAPE LANE
OUTDOOR STORAGE RACKS FOR MULCH
10' LANDSCAPE SETBACK
PROP. 10' WATER EASEMENT
LOT 7
ZONING: PD – HERITAGE SQUARE
20.8 ACRES
PROP. PARKLAND AND TRAILS BY OTHERS
RETAIL STORE
TOTAL BUILDING AREA = ±181,372 SF
F.F.E. = 504.00
OUTDOOR STORAGE RACKS FOR MULCH
EXISTING WATER LINES
LOT CA4
ZONING: PD – HERITAGE SQUARE
PROPOSED USE: COMMON AREA
4.977 ACRES
FULFILLMENT CENTER ±10,000 SF
TRUCK DOCK WITH 10' TALL MASONRY SCREENING WALL TO MATCH BUILDING
AUTO SERVICE CENTER (3 BAYS)
PROP. RETENTION POND BY OTHERS
2 TRUCK LOADING SPACES
3 TRUCK LOADING SPACES
TRASH COMPACTOR WITH 10' TALL MASONRY SCREENING WALL TO MATCH BUILDING
PROP. WATER LINE BY OTHERS
PROP. DRAINAGE EASEMENT
FIRE RISER ROOM
PROP. TRANSFORMER
PROP. FH
PROP. MONUMENT SIGN
25' BUILDING SETBACK
10' LANDSCAPE SETBACK
PROP. FDC
PROP. 10'X38' W.E.
STRIPING FOR TRUCK MANEUVERING
120'X12' BALE AND PALLET STORAGE AREA WITH 10' TALL MASONRY SCREENING WALL TO MATCH BUILDING
PROPOSED ENDEAVOUR BLVD WORK DONE BY OTHERS
PROP. WATER LINE BY OTHERS
ENDEAVOUR BOULEVARD
(90' RIGHT-OF-WAY)
LOT 3 BLOCK B
ZONING: PD – HERITAGE SQUARE
PROPOSED USE: RESIDENTIAL
13.73 ACRES
PROPOSED ENDEAVOUR BLVD WORK DONE BY OTHERS

NORTH

GRAPHIC SCALE IN FEET
0 30 60 120
SCALE: 1" = 60'

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- BUILD NG SETBACK
- LANDSCAPE SETBACK
- EASEMENT LINE
- FIRE LANE
- PROPOSED CONCRETE CURB
- (27) PROPOSED PARKING SPACES
- CC CC CART CORRAL
- LS LANDSCAPE AREA
- BFR BARRIER FREE RAMP
- SW SIDEWALK
- WATER METER
- FIRE HYDRANT



VICINITY MAP
SCALE: 1" = 1000'

SITE NOTES

1. ALL CURBED RADII ARE TO BE 2' OR 10' UNLESS OTHERWISE NOTED.

SITE DATA SUMMARY TABLE

	RETAIL LOT	FUEL LOT
LOT DESIGNATION	LOT 7	
EXISTING ZONING	PD - HERITAGE SQUARE	
PROPOSED USE	BIG BOX RETAIL	GAS STATION WITH RETAIL SALES
LOT AREA / SQ. FT. AND AC	906,187 SQ. FT. 20.8 AC	
BU LDING FOOTPR NT (RETAIL STORE)	171,372 SQ. FT.	1,556 SQ. FT.
FULFILLMENT CENTER FOOTPRINT	10,000 SQ. FT.	
BU LDING HEIGHT	28.6 FT. MAX	15.5 FT. MAX
MAX. ALLOWABLE LOT COVERAGE	80%	
ACTUAL LOT COVERAGE	20 8%	
TOTAL MPERVIOUS AREA	14 91 ACRES (649,479 SF)	
TOTAL PERVIOUS AREA	5 89 ACRES (256,568 SF)	
TOTAL LANDSCAPE AREA	5 89 ACRES (256,568 SF)	
TOTAL PARKING REQU RED		
RETA L STORE (1 SPACE PER 250 SF)	726 SPACES	7 SPACES
TOTAL ADA REQU RED	16 SPACES	1 SPACES
PARKING PROVIDED		
STANDARD PARKING	670 SPACES	7 SPACES
TOTAL ADA PROVIDED	21 SPACES	1 SPACES
EV PARKING	8 SPACES	
FULFILLMENT CENTER PARKING	47 SPACES	
TOTAL PARK NG PROVIDED	746 SPACES	8 SPACES
PROPOSED PARKING RATIO	1 SPACE PER 243 SF	1 SPACE PER 195 SF

No.	REVISIONS	DATE

Kimley»Horn
© 2026 KIMLEY-HORN AND ASSOCIATES, INC.
6160 WARREN PKWY, SUITE 210, FRISCO, TX 75034
PHONE: 972-335-3580
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM F-928

PRELIMINARY
FOR REVIEW ONLY
Not for construction or permit purposes.
Kimley»Horn
Engineer DAVID LIPTON
P.E. No. 146794 Date 09/09/2026

SCALE AS SHOWN
DESIGNED BY MJL
DRAWN BY MJL
CHECKED BY DCU

SITE PLAN

CITY OF LAVON, TE AS

DATE 08/21/2026
PROJECT NO. -
SHEET NUMBER 6020

LANDSCAPE NOTES:

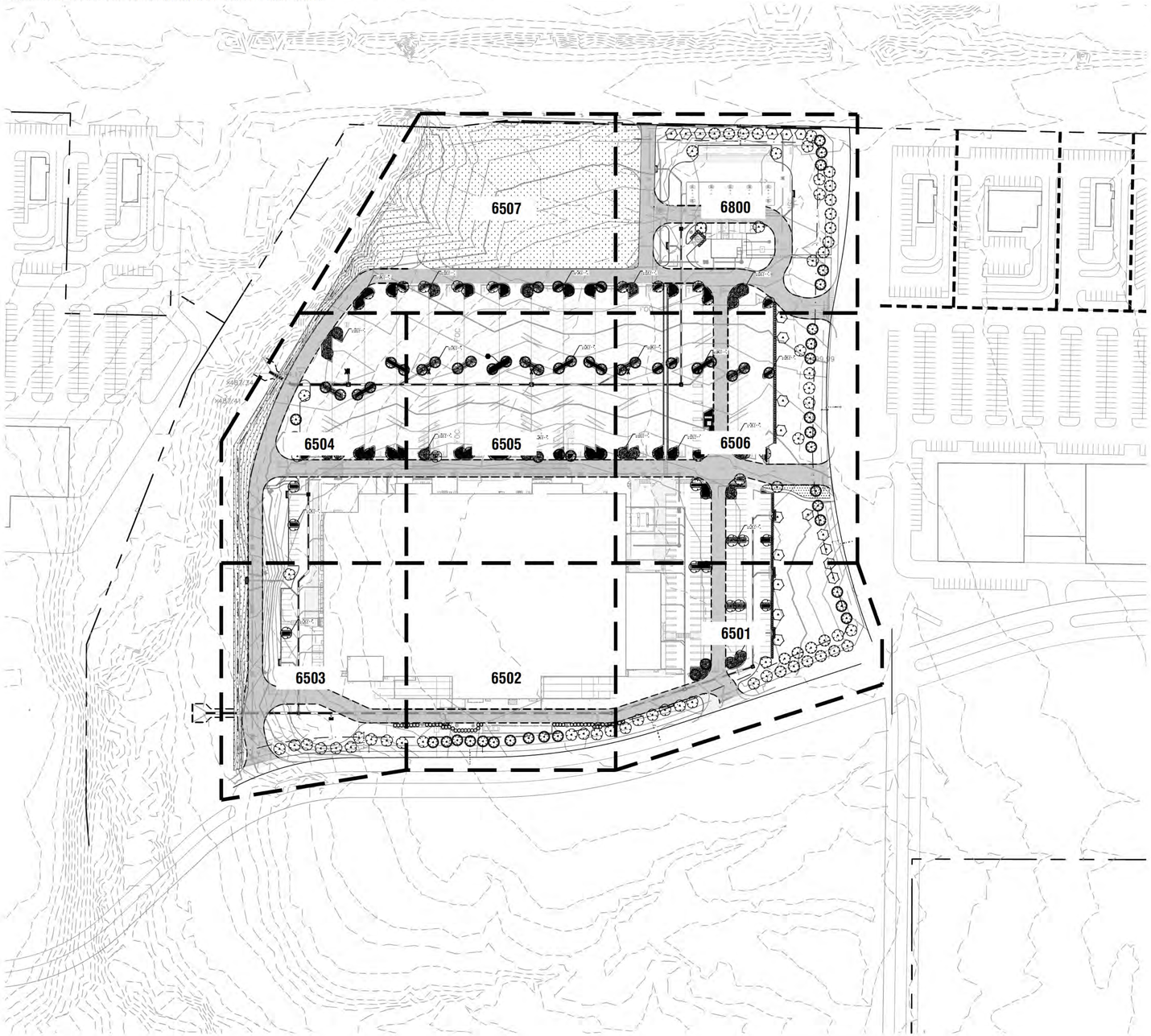
1. ALL LANDSCAPED AREAS ARE TO RECEIVE A MINIMUM OF 4" OF TOPSOIL. SEE 2900 SPECIFICATION.
2. ALL PLANT MATER AL SHALL BE HEALTHY, VIGOROUS, AND FREE OF PESTS AND DISEASE.
3. ALL PLANT MATER AL SHALL BE CONTAINER GROWN OR BALLED AND BUR LAPPED AS INDICATED IN THE PLANT LIST.
4. ALL TREES SHALL HAVE A STRAIGHT TRUNK AND FULL HEAD AND MEET ALL REQUIREMENTS SPECIFIED.
5. ALL MATER ALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER INSTALLATION.
6. ALL TREES MUST BE GUYED OR STAKED AS SHOWN IN THE DETAILS.
7. ALL PLANTING AREAS SHALL BE COMPLETELY MULCHED AS SPECIFIED.
8. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. LOCATIONS OF EXISTING BURIED UTILITY LINES SHOWN ON THE PLANS ARE BASED UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR 1) TO VERIFY THE LOCATIONS OF UTILITY LINES AND ADJACENT TO THE WORK AREA 2) TO PROTECT OF ALL UTILITY LINES DURING THE CONSTRUCTION PERIOD 3) TO REPAIR ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE CONSTRUCTION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR DELIVERY SCHEDULE AND PROTECTION BETWEEN DELIVERY AND PLANTING PER SPECIFICATIONS TO MAINTAIN HEALTHY PLANT CONDITIONS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FULLY MAINTAINING (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTIL ZING, ETC.) ALL OF THE PLANT MATERIALS AND LAWN FOR THE PERIOD OF TIME SHOWN IN THE 02900 SPEC.
12. ANY PLANT MATER AL WHICH IS DISEASED, DISTRESSED, DEAD, OR REJECTED (PRIOR TO SUBSTANT AL COMPLETION) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND S ZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
13. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATER AL FOR A PERIOD DEFINED IN THE 02900 SPEC. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS DURING THE NORMAL PLANTING SEASON.
14. AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
15. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATER AL.
16. WHERE SHOWN ON THE PLANS AND DETAILS, PLANTING BEDS ARE TO BE COMPLETELY COVERED WITH A #ROCK MULCH FROM A LOCAL SOURCE HARVESTED IN A SUSTAINABLE MANNER TO A MINIMUM DEPTH OF FOUR INCHES.
17. REFER TO WALMART SPECIFICATIONS FOR INFORMATION NEEDED FOR IMPLEMENTATION OF PLANTING PLANS.
18. WEED MAT IS REQUIRED IN LANDSCAPED ISLANDS AS SPECIFIED.
19. ALL PLANT MATER AL QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE OF ALL PLANTING BEDS AT SPACING SHOWN.
20. THIS PLAN IS TO BE IMPLEMENTED COOPERATIVELY WITH SWPPP PLAN, AS NEEDED, TO MAXIM ZE THE EFFECTIVENESS OF THE SWPPP PLAN FOR THIS SITE.
21. THE CONTRACTOR IS ENCOURAGED TO COMPLETE TEMPORARY OR PERMANENT SEEDING OR SODDING IN STAGES FOR SOIL STABIL ZATION AS AREAS ARE COMPLETED AFTER GRADING.
22. THIS PLAN DOES NOT PRESENT ANY TEMPORARY STABIL ZATION REQUIRED AS PART OF SWPPP PLAN.
23. ALL INVASIVE / EXOTIC SPECIES AND PROHIBITED TREE SPECIES SHALL BE REMOVED FROM SITE, INCLUDING ROOT BALLS TO THE EXTENT POSSIBLE WITH NO DAMAGE TO ADJACENT EXISTING TREES.
24. EXISTING TREES TO BE CORRECTIVELY PRUNED BY A CERTIFIED ARBORIST WITH THE DIRECTION OF THE LANDSCAPE ARCHITECT.

NOTE: ALL PROPOSED LANDSCAPE PLANT NG AREAS TO BE EXCAVATED TO A MINIMUM DEPTH OF 24" AS NECESSARY TO CONTAIN APPROPRIATE PLANTING MIX AS SPECIFIED N SECTION 2900, PART 2 5 TOPSO L. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ALL EXISTING UTILITIES, IRRIGATION LINES, WIRING, STRUCTURES, LANDSCAPE, ETC. WHICH ARE SCHEDULED TO BE RETA NED/ REUSED.

NOTE: CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND D MENSIONS OF VESTIBULE, SLOPED PAVING, EXIT PORCHES, RAMPS AND TRUCK DOCKS, PRECISE BU LDING D MENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.

NOTE: PLANT QUANTIT ES ARE PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF A DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.

NOTE: PLANTS ARE SPEC FIED BY HEIGHT AND SPREAD, NOT CONTAINER SIZE. ALL PLANT NGS ARE EXPECTED TO MEET ALL SPECIFICATIONS PROVIDED.



City of Lavon

Landscape Requirements Table 2026-24-17 PD Zoning – Heritage Square

3. OFF-STREET PARKING AND LOADING REGULATIONS:			
Off-street loading site design requirements:			
In addition to required wing walls, loading docks and associated loading areas that are within 200 feet of an internal arterial roadway, shall be screened as follows: • Earthen berm with solid evergreen screening that is a minimum of 10 feet in height, or • Solid evergreen screening that is a minimum of 10 feet in height.		YES	YES
5. LANDSCAPING		**Required**	**Provided**
Landscape standards shall comply with Sections 9.03.192 and 9.03.193, with the exception of the following regulations:			
5.1	Landscape buffer: The minimum required width of landscape buffers along highways are as follows:		
	A minimum 30-foot-wide landscape buffer shall be required along SH 78.	14	14
	One large tree is required per 25 linear feet of buffer (excluding driveways and utility easements) is required along highways. The landscape buffers are permitted to overlap utility easements, provided there is a minimum of 8 feet of landscape buffer free and clear of easements for planting purposes.	14	14
5.2	A minimum 10' wide landscape buffer with one large tree per 30 linear feet of buffer (excluding driveways and utility easements) is required along public streets. (Grand Heritage Boulevard and Endeavour Boulevard)	82	82
5.4	A minimum of 10% of a lot shall be landscaped.	90,618 SF	148,779 SF
5.6	For sub-districts based on the Retail District, a minimum of one tree is required for each 6,000 square feet gross lot area excluding areas encumbered by utility easements. Required street (excluding ROW medians), perimeter buffer, or parking lot trees contribute to the site tree requirement.	151	206
5.7	Parking lot tree requirements are as follows:	66	66
SUBAREA	BUILDING FLOOR AREA (SF) | TREE/PARKING ISLAND PER PARKING SPACE RATIO | MAXIMUM SPACING OF A TREE FROM A PARKING SPACE	**Required**	**Provided**
A	>140,000 1/15 130'	YES	YES
Lavon Code of Ordinances § 9.03.172 Off-street parking site design requirements.			
g.	No landscaped area within the parking lot shall be less than one hundred (100) square feet.	YES	YES
h.	Landscape islands, medians, perimeter curbs and sidewalks shall contain an eighteen (18) inch wide concrete or decorative paver curb along the inside of the feature that abuts parking stalls to allow patrons to avoid treading over landscaping.	YES	YES
§ 9.03.193 Required landscaping standards.		**Required**	**Provided**
b.2.	Trees cannot be planted closer than four (4) feet to a right-of-way line or closer than eight (8) feet to any public water line, wastewater line, fire protection connection, or drainage line. If tree locations cannot meet this distance requirement or there is a similar prohibiting utility-related factor, an alternate planting location may be approved by the city manager or their designee.	YES	YES
b.2.	Trees cannot be planted closer than four (4) feet to a right-of-way line or closer than eight (8) feet to any public water line, wastewater line, fire protection connection, or drainage line. If tree locations cannot meet this distance requirement or there is a similar prohibiting utility-related factor, an alternate planting location may be approved by the city manager or their designee.	YES	YES
g.	Planting strips less than six (6) feet wide are prohibited.	YES	YES
i.	Vegetative matter shall cover seventy-five (75) percent of any landscape area.	YES	YES
j.	Parking rows. For all development where off-street parking is required, the following standards shall apply:		
1.	Parking rows located along public rights-of-way shall be screened with low, evergreen shrubs that are a minimum height of two (2) feet at the time of planting and form a continuous hedge.	YES	YES
2.	Landscape islands shall contain one (1) canopy tree.	108	108
3.	Landscape islands are required at the terminus of every parking row.	41	41
k.	All required plant material shall be from the approved plant list below, or as considered and approved by the city manager or their designee upon formal request:	YES	YES

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
TREES					
	PC	48	Pistacia chinensis / Chinese Pistache	4" cal, 12 -14 ht, 5 -6 spr	Full, Straight, Single Leader
	QM	20	Quercus macrocarpa / Burr Oak	4" cal, 12 -14 ht, 5 -6 spr	Full, Straight, Single Leader
	QS	60	Quercus shumardii / Shumard Red Oak	4" cal, 12 -14 ht, 5 -6 spr	Full, Straight, Single Leader
	UC	76	Ulmus crassifolia / Cedar Elm	4" cal, 12 -14 ht, 5 -6 spr	Full, Straight, Single Leader
SHRUBS					
	ILB	91	Ilex cornuta Burfordii / Burford Holly	36" ht, 30" spr, 42" oc	Full
	LEU	74	Leucophyllum frutescens / Texas Sage	36" ht, 24" spr, 48" oc	Full
	TD2	47	Thuja occidentalis 'Green Giant' / Green Giant Arborvitae	10' ht, 60" spr, 96" oc	Full
GROUND COVERS					
	LHG	1,156	Lantana x New Gold / New Gold Lantana	12" ht, 12" spr, 18" oc	Full, 1 gallon min.
	LVT	2,127	Liriope muscari Variegata / Variegated Lily Turf	12" ht, 12" spr, 18" oc	Full, 1 gallon min.
	PCC	6,997	Phlox stolonifera / Creeping Phlox	4" ht, 12" spr, 12" oc	Full, 1 gallon min.

MISC	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS
	SM	TBD	Stone Mulch	2"- 4" at a 6" depth min, refer to details
	SOD	TBD	Common dactlyon/ Common bermuda	Solid Sod, rolled tight with sand filled joints, 100% weed, disease, and pest free
	STEEL EDGE	TBD	Steel Edging	ref. to specs for color
	SEED	TBD	Seed	Common Bermuda

GRAPHIC SCALE IN FEET
0 50 100 200

NORTH

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No	REVISIONS	DATE

Kimley»Horn
© 2014 KIMLEY-HORN AND ASSOCIATES, INC.
5750 GENESIS COURT, SUITE 200, FRISCO, TX 75034
PHONE: 972-335-3580
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM F-928

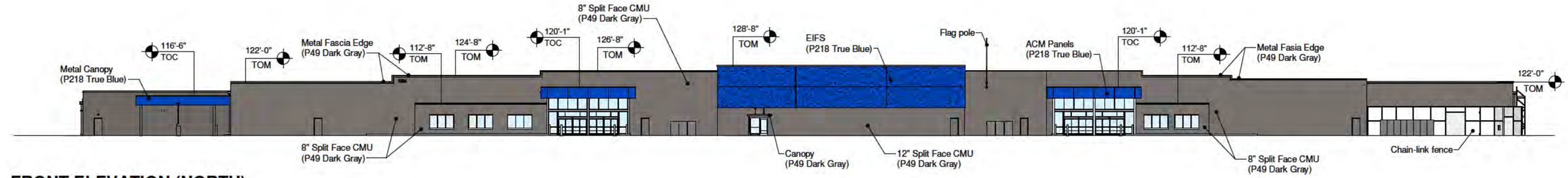
PRELIMINARY
FOR REVIEW ONLY
Not for construction or permit purposes.
Kimley»Horn
P.E.A. _____ LEAH M. CAMPBELL
L.A. No. _____ Date _____ 09/01/2026

SCALE AS SHOWN
DESIGNED BY BM
DRAWN BY BM
CHECKED BY LMC

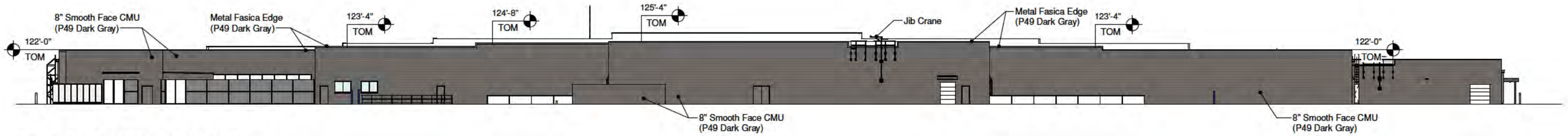
OVERALL LANDSCAPE PLAN

Walmart STORE #7909-1000
C-171-SGL-QL
CITY OF LAVON, TEXAS

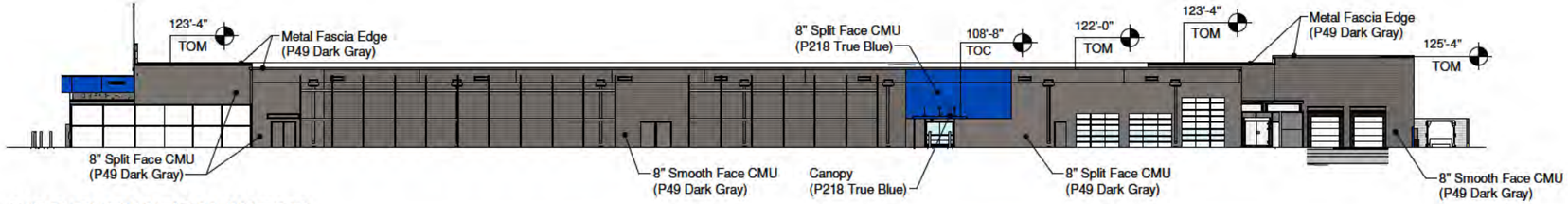
DATE 09/01/2026
PROJECT NO. -
SHEET NUMBER 6500



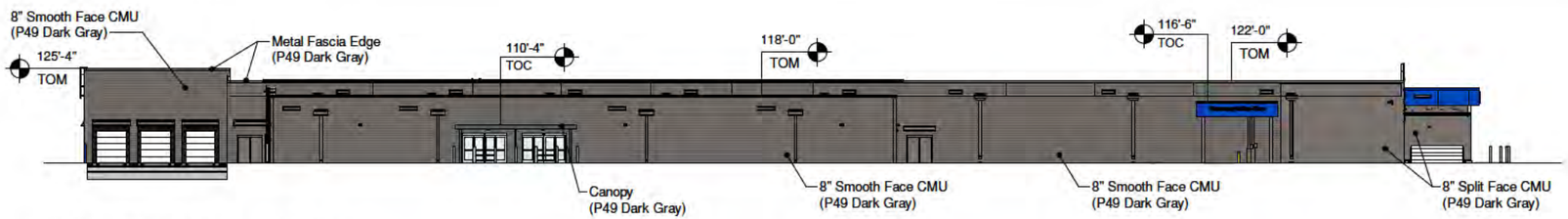
FRONT ELEVATION (NORTH)



REAR ELEVATION (SOUTH)

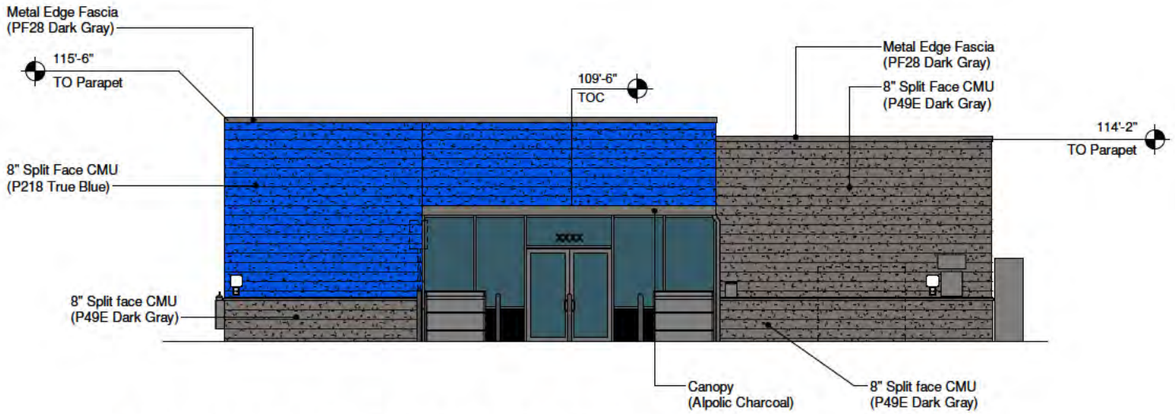


SIDE ELEVATION (WEST)

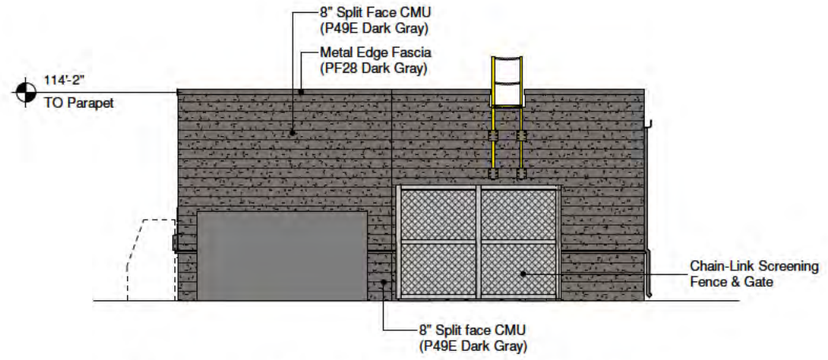


SIDE ELEVATION (EAST)

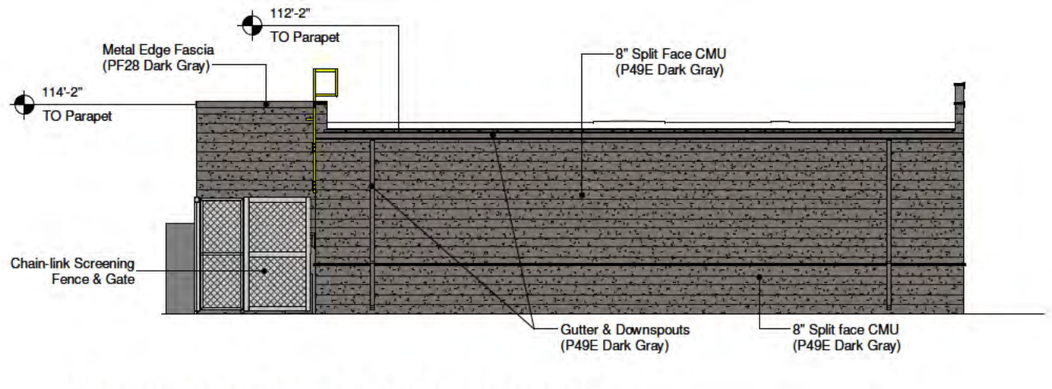




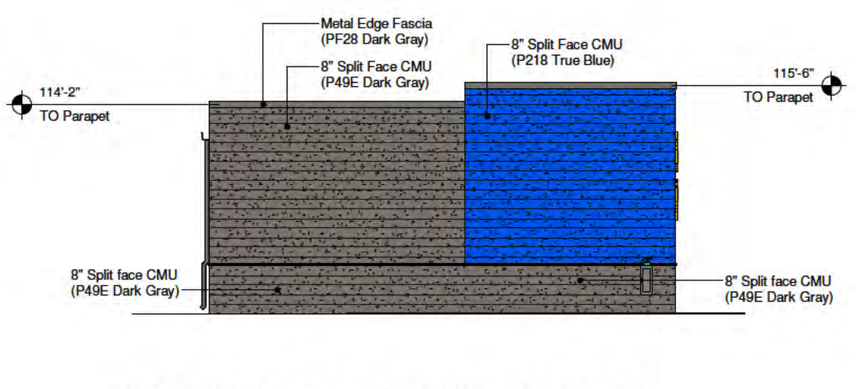
FUEL BUILDING ELEVATION FRONT (SOUTH)



FUEL BUILDING ELEVATION RIGHT (EAST)

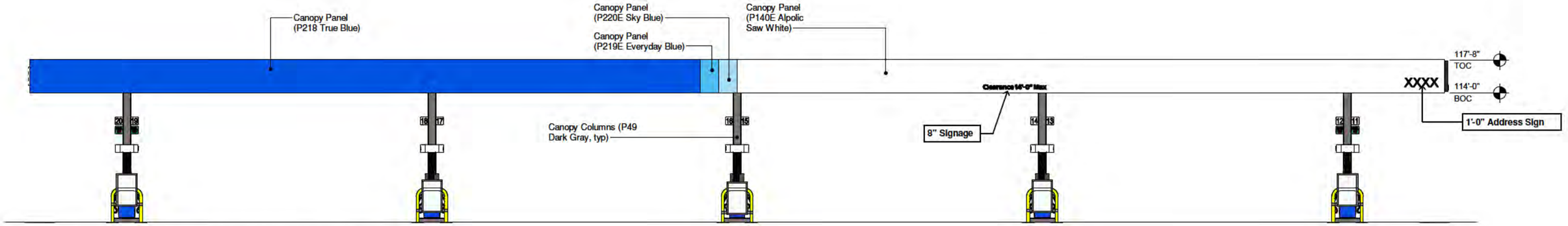


FUEL BUILDING ELEVATION REAR (NORTH)

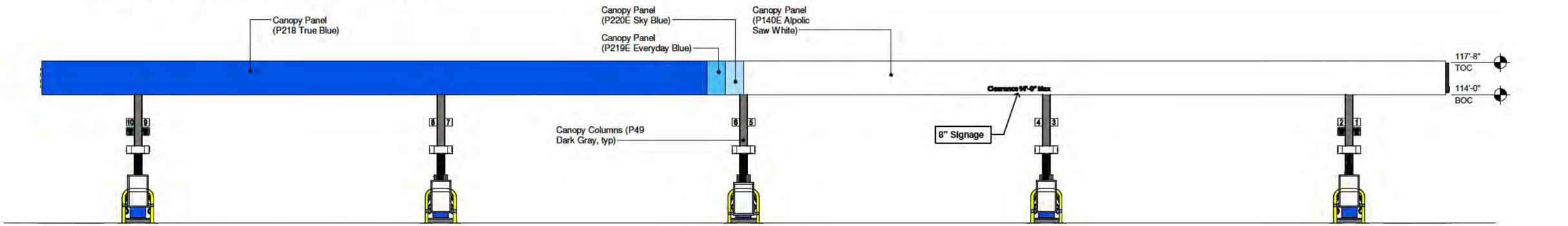


FUEL BUILDING ELEVATION LEFT (WEST)

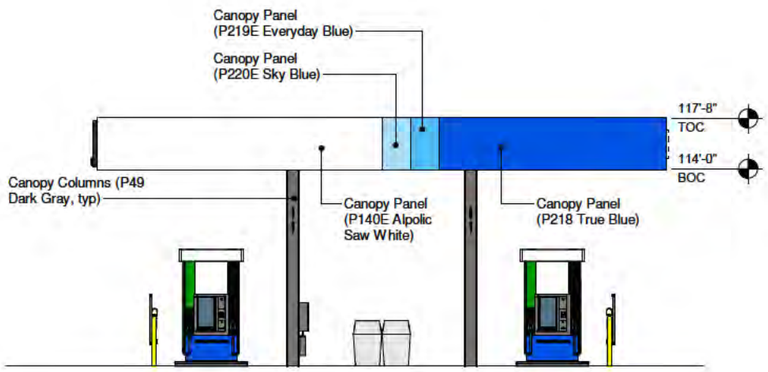




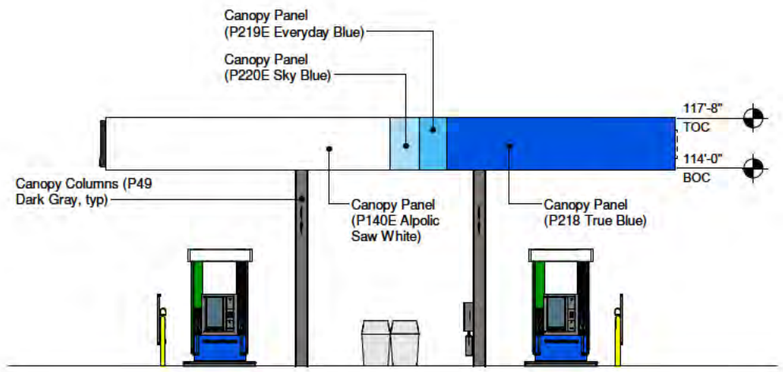
FUEL CANOPY ELEVATION FRONT (SOUTH)



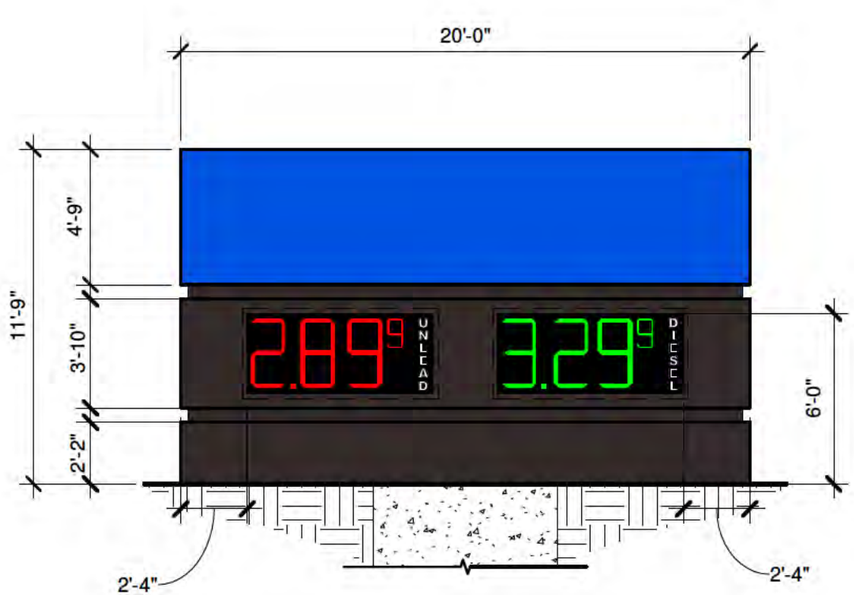
FUEL CANOPY ELEVATION REAR (NORTH)



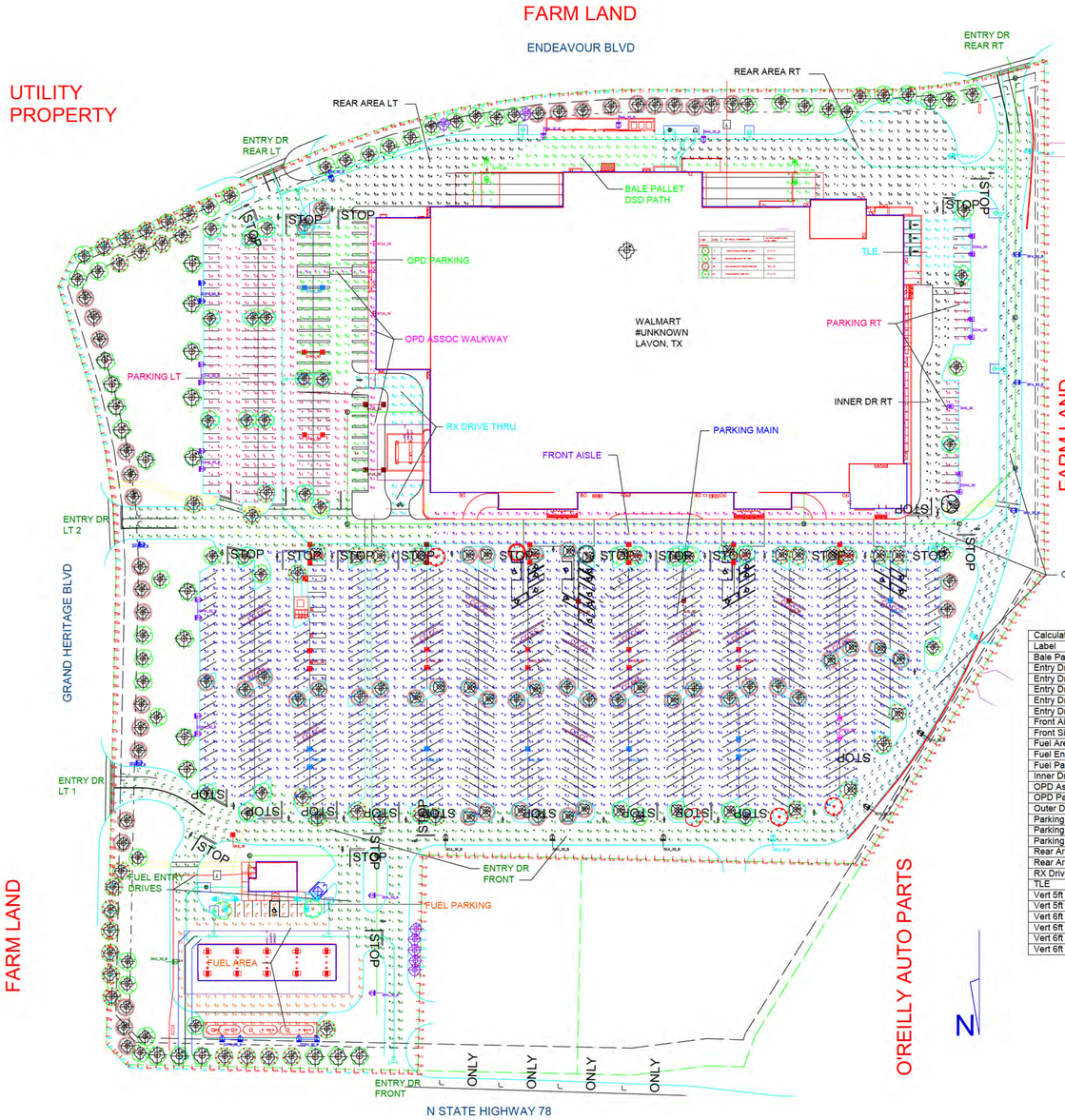
FUEL CANOPY ELEVATION LEFT (WEST)



FUEL CANOPY ELEVATION RIGHT (EAST)



NEW MONUMENT SIGN WITH READERS - Sanitized



LED STATISTICS SHOWN ARE AT 50000 HOURS L93, L96 & L97 RATING (~12 YEARS @ 12 HRS/DAY)

L93 = OPERATING HOURS AT WHICH AN AVERAGE OF 7% OF INITIAL LUMENS HAVE BEEN LOST N A TESTED POPULATION OF LED PLATFORMS. THE POPULATION ST LL EMITS 93% OF INITIAL LUMENS. THE LUM NAIRE HAS NOT FAILED. IT IS STILL OPERATING WITH A REDUCED LIGHT OUTPUT.
L96 = OPERATING HOURS AT WHICH AN AVERAGE OF 4% OF INITIAL LUMENS HAVE BEEN LOST N A TESTED POPULATION OF LED PLATFORMS. THE POPULATION ST LL EMITS 96% OF INITIAL LUMENS. THE LUM NAIRE HAS NOT FAILED. IT IS STILL OPERATING WITH A REDUCED LIGHT OUTPUT.
L97 = OPERATING HOURS AT WHICH AN AVERAGE OF 3% OF INITIAL LUMENS HAVE BEEN LOST N A TESTED POPULATION OF LED PLATFORMS. THE POPULATION ST LL EMITS 97% OF INITIAL LUMENS. THE LUM NAIRE HAS NOT FAILED. IT IS STILL OPERATING WITH A REDUCED LIGHT OUTPUT.

N COMPARISON, NON-LED LUMINAIRES ARE RATED WITH MEAN LUMENS MEASURED AT 40-50% OF RATED L IFE, DEPENDING ON TECHNOLOGY, AND RATED LIFE OF B50, WHERE B50 = OPERATING HOURS AT WHICH 50% OF A TESTED POPULATION OF LAMPS HAVE F A LED.

Current Luminaire Schedule

Symbol	Qty	Label	Arrangement	LLF	Description	Arr. Watts	Arr. Lum. Lumens	BUG Rating
	1	D1D3_30	Back-Back	0.873	2-EALS045D3AW750NDD1BLCKF 27ft pole on 3ft base	126	21000	B2-U0-G2
	2	D1F2_30	Back-Back	0.873	2-EALS045F2AN750NDD1BLCKF 27ft pole on 3ft base	192	32702	B3-U0-G3
	3	D1H5_30	Back-Back	0.864	2-EALS045H5SM750NDD1BLCKF 27ft pole on 3ft base	246	41198	B4-U0-G2
	3	D1J5_30	Back-Back	0.864	2-EALS045J5SM750NDD1BLCKF 27ft pole on 3ft base	312	51498	B5-U0-G3
	12	D1K5_30	Back-Back	0.864	2-EALS045K5SM750NDD1BLCKF 27ft pole on 3ft base	382	61798	B5-U0-G3
	3	D2F4_30_B	ROTATED OPTICS	0.873	1-EALS045F4AF750NDD1BLCKFS1 & 1-EALS045F4AF750NDD1BLCKFS2 w/ 1-ELS-EAL-RBL-BLCK 27ft pole on 3ft base	192	28200	B2-U0-G3
	3	D2H4_30	ROTATED OPTICS	0.864	1-EALS045H4AF750NDD1BLCKFS1 & 1-EALS045H4AF750NDD1BLCKFS2 27ft pole on 3ft base	246	41202	B3-U0-G3
	4	D2H4_30_B	ROTATED OPTICS	0.864	1-EALS045H4AF750NDD1BLCKFS1 & 1-EALS045H4AF750NDD1BLCKFS2 w/ 2- ELS-EAL-FBL-BLCK 27ft pole on 3ft base	246	38000	B2-U0-G3
	5	SC4_30_B	Single	0.873	1-EALS045C4AF750NDD1BLCKF W/ 1-ELS-EAL-RBL-BLCK 27ft pole on 3ft base	46	7100	B1-U0-G2
	5	SD4_30_B	Single	0.873	1-EALS045D4AF750NDD1BLCKF w/ 1-ELS-EAL-RBL-BLCK 27ft pole on 3ft base	63	9400	B1-U0-G2
	6	SF4_30_B	Single	0.873	1-EALS045F4AF750NDD1BLCKF w/ 1-ELS-EAL-RBL-BLCK 27ft pole on 3ft base	96	14100	B2-U0-G3
	1	SH2_30_B	Single	0.864	1-EALS045H2AN750NDD1BLCKF w/ 1-ELS-EAL-NBL-BLCK 27ft pole on 3ft base	123	20000	B3-U0-G3
	1	SH4_30	Single	0.864	1-EALS045H4AF750NDD1BLCKF 27ft pole on 3ft base	123	20601	B3-U0-G3
	5	SH4_30_B	Single	0.864	1-EALS045H4AF750NDD1BLCKF w/ 1- ELS-EAL-FBL-BLCK 27ft pole on 3ft base	123	19000	B2-U0-G3
	4	SH5_30	Single	0.864	1-EALS045H5SM750NDD1BLCKF 27ft pole on 3ft base	123	20599	B4-U0-G2
	3	SJ5_30	Single	0.864	1-EALS045J5SM750NDD1BLCKF 27ft pole on 3ft base	156	25749	B5-U0-G3
	1	SK5_30	Single	0.864	1-EALS045K5SM750NDD1BLCKF 27ft pole on 3ft base	191	30899	B5-U0-G3
	2	T1D4_30	3 @ 90°	0.873	3-EALS045D4AF750NDD1BLCKF 27ft pole on 3ft base	189	30900	B2-U0-G2
	2	WC4_16	Single	0.837	1-EWAS010C4AF740N1FMBLCK on wall 16ft	56	7500	B1-U0-G2

Calculation Summary Illuminance Foot-candles

Label	Avg	Max	Min	Avg/Min	Max/Min	# Pts
Bale Pallet DSD Path	3.23	7.4	1.4	2.31	5.29	106
Entry Dr Front	1.08	3.3	0.4	2.70	8.25	265
Entry Dr Lt 1	1.67	3.5	0.5	3.34	7.00	51
Entry Dr Lt 2	2.57	6.2	0.5	5.14	12.40	147
Entry Dr Rear Lt	1.19	2.8	0.4	2.98	7.00	52
Entry Dr Rear Rt	1.04	1.9	0.4	2.60	4.75	51
Front Aisle	3.81	6.7	1.6	2.38	4.19	159
Front Sidewalk	2.29	2.9	0.9	2.54	3.22	53
Fuel Area	3.50	8.8	2.1	1.67	4.19	106
Fuel Entry Drives	2.30	3.7	0.9	2.56	4.11	75
Fuel Parking	3.12	3.7	2.4	1.30	1.54	18
Inner Dr Rt	3.39	5.3	2.2	1.54	2.41	61
OPD Assoc Walkway	4.61	7.7	1.6	2.88	4.81	40
OPD Parking	5.01	8.5	1.8	2.78	4.72	156
Outer Dr Rt	1.33	3.3	0.4	3.33	8.25	217
Parking Lt	4.08	8.6	0.9	4.53	9.56	351
Parking Main	3.06	7.5	0.7	4.37	10.71	2068
Parking Rt	4.10	7.4	1.6	2.56	4.63	40
Rear Area Lt	1.55	7.1	0.3	5.17	23.67	105
Rear Area Rt	1.33	5.5	0.2	6.65	27.50	209
RX Drive Thru	4.01	7.3	1.8	2.23	4.06	42
TLE	3.67	6.6	1.1	3.34	6.00	42
Vert 5ft Parking IN	3.46	5.2	2.3	1.50	2.26	17
Vert 5ft Parking OUT	3.77	5.0	3.0	1.26	1.67	16
Vert 6ft 6in PL Spill Front	0.11	0.25	0.00	N.A.	N.A.	106
Vert 6ft 6in PL Spill Lt	0.05	0.21	0.00	N.A.	N.A.	89
Vert 6ft 6in PL Spill Rear	0.05	0.25	0.00	N.A.	N.A.	116
Vert 6ft 6in PL Spill Rt	0.11	0.25	0.01	11.00	25.00	95

Notes:
New acad site/landscape plan 20260901-xSite provided 9-1-26.

Local ordinance: shielded, 25ft max. mtg. ht. within 100ft of residential property line 30ft max. mtg. ht. otherwise. Max spill 0.1fc towards adjacent residential property, 0.25fc max otherwise with all spill measured at 6.5ft above ground.

This site uses 30ft mounting heights, no residential property adjacent.

Wall packs (2) at 16ft in OPD required to meet assoc walkway minimum fc and this requires coordination of the architectural building plans & civil lighting plan throughout design completion of OTB and the construction documents.

This calculation includes trees modeled as approved Walmart objects at average 10yr mature size provided. Trees require more poles, fixtures and staggered pole pattern to get light around all the trees and can have adverse effects on uniformity.

No spill exceeds 0.25fc max.

Otherwise, the Walmart's latest spec is applied.

Scale: 1 inch= 80 Ft.
THIS IS A D SIZE SHEET. THE NOTED SCALE IS NOT VALID IF PRINTED AS ANY OTHER SIZE.

Current

The magnitude of the differences between detailed analysis methods and field measurements varies. In general, differences of less than 20% can be expected, but in extreme cases, where a calculation method cannot handle the complexity of the lighting system, they may be greater. A more complete discussion of the uncertainties is available.

ANSI / IES LS-6-20
Lighting Science: Calculation of Light and its Effects

Provided for:
Michael Gaskey
Kimley-Horn
Patick Kelly-Current

Provided BY:
Application Solution Center
apps@currentlighting.com
1-828-393-3774

3010 Spartanburg Hwy.,
East Flat Rock, NC 28726

Designer: Debbie Johnson
Date:9/8/2026
Drawing #: A260867C.AGI

WALMART SC #7909
Lavon, TX
Evolve LED Area EALS04 5000K 30ft
Evolve LED Wall Pack EWAS01 4000K 16ft
Local Ordinance & Walmart Lighting Spec Applied
Horizontal FC's at grade & vert at 5ft
Values at 50000 hours

TX-78
(VARIABLE WIDTH RIGHT-OF-WAY)

GRAND HERITAGE BOULEVARD
(90' RIGHT-OF-WAY)

ENDEAVOUR BOULEVARD
(90' RIGHT-OF-WAY)

NORTH

GRAPHIC SCALE IN FEET
0 30 60 120
SCALE: 1" = 60'

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- BUILD NG SETBACK
- LANDSCAPE SETBACK
- EASEMENT LINE
- FIRE LANE
- PROPOSED CONCRETE CURB
- (27) PROPOSED PARKING SPACES
- CC CC CART CORRAL
- NGRESS
- EGRESS

No.	REVISIONS	DATE

Kimley»Horn
© 2026 KIMLEY-HORN AND ASSOCIATES, INC.
6160 WARREN PKWY, SUITE 210, FRISCO, TX 75034
PHONE: 972-335-3580
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM F-928

PRELIMINARY
FOR REVIEW ONLY
Not for construction or permit purposes.
Kimley»Horn
Engineer DAVID LIPTON
P.E. No. 146794 Date 05/26/2026

SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
AS SHOWN	MJL	MJL	DCU

CIRCULATION EXHIBIT

CITY OF LAVON, TE AS

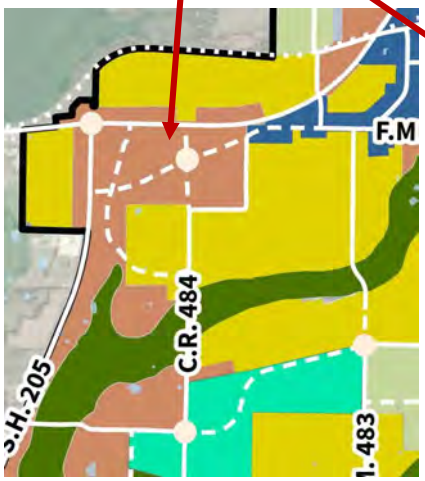
DATE
05/26/2026

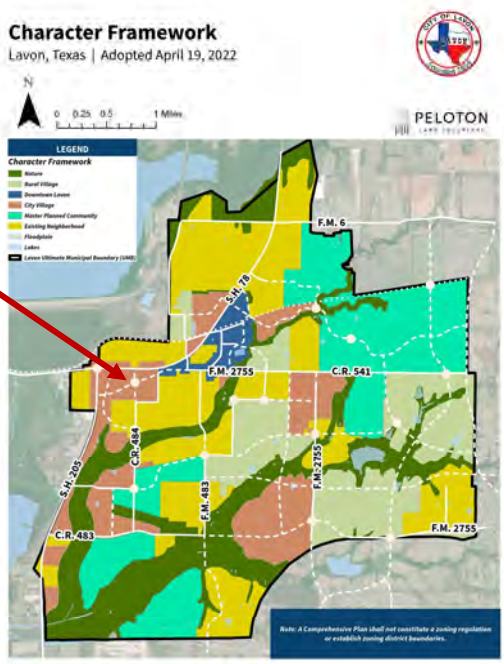
PROJECT NO.
-

SHEET NUMBER
1 OF 1

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

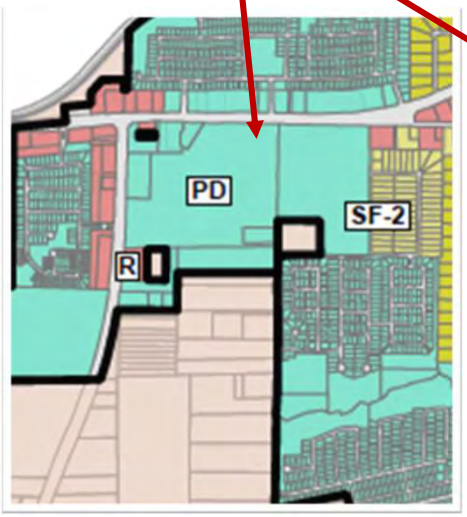
Future Land Use Plan

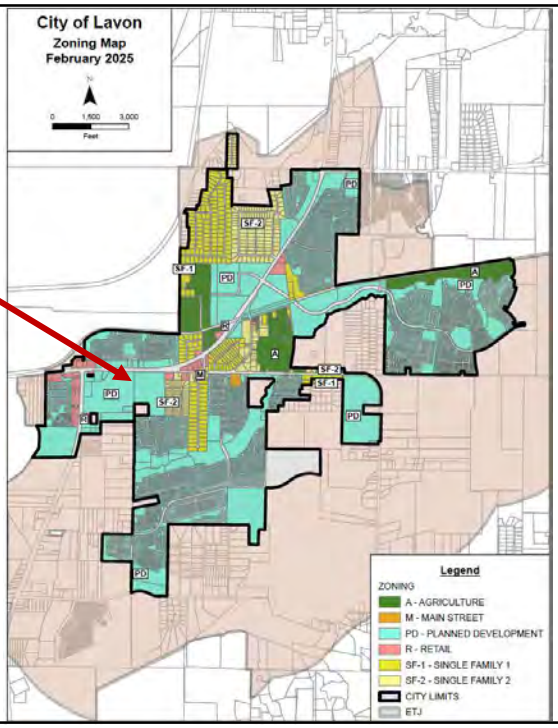




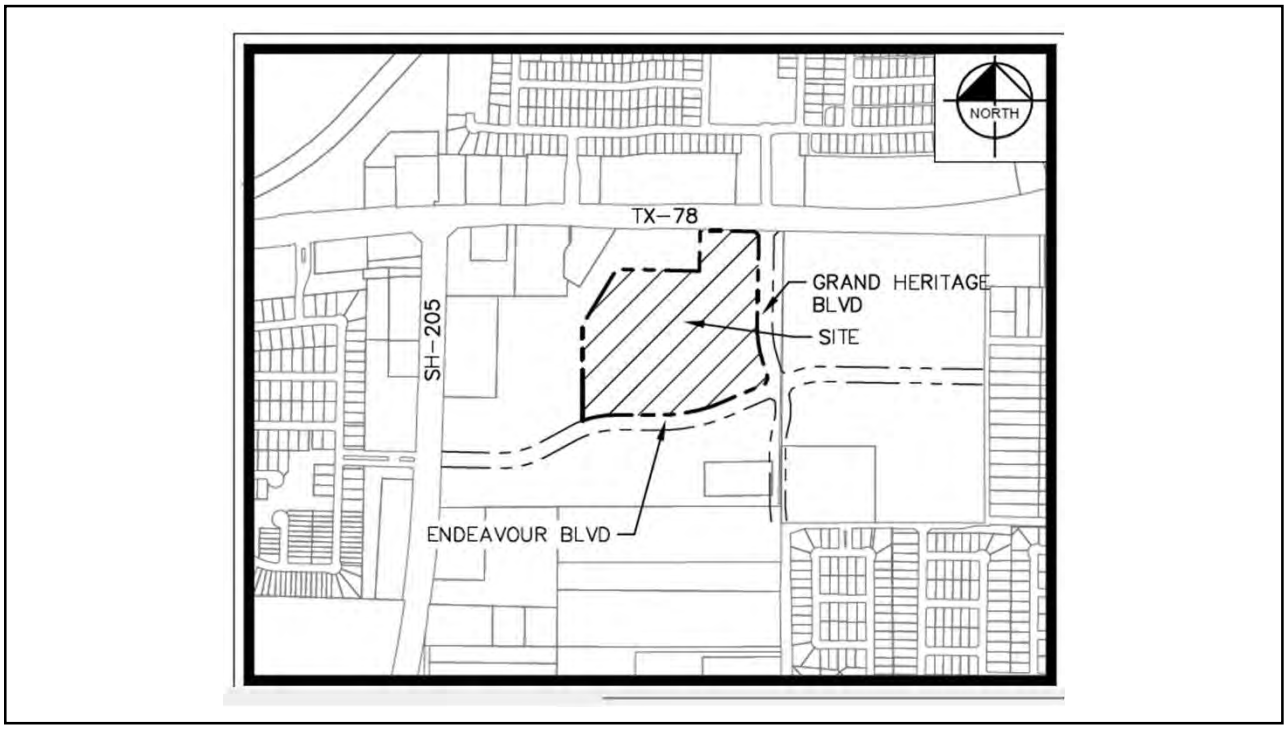
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Zoning Map

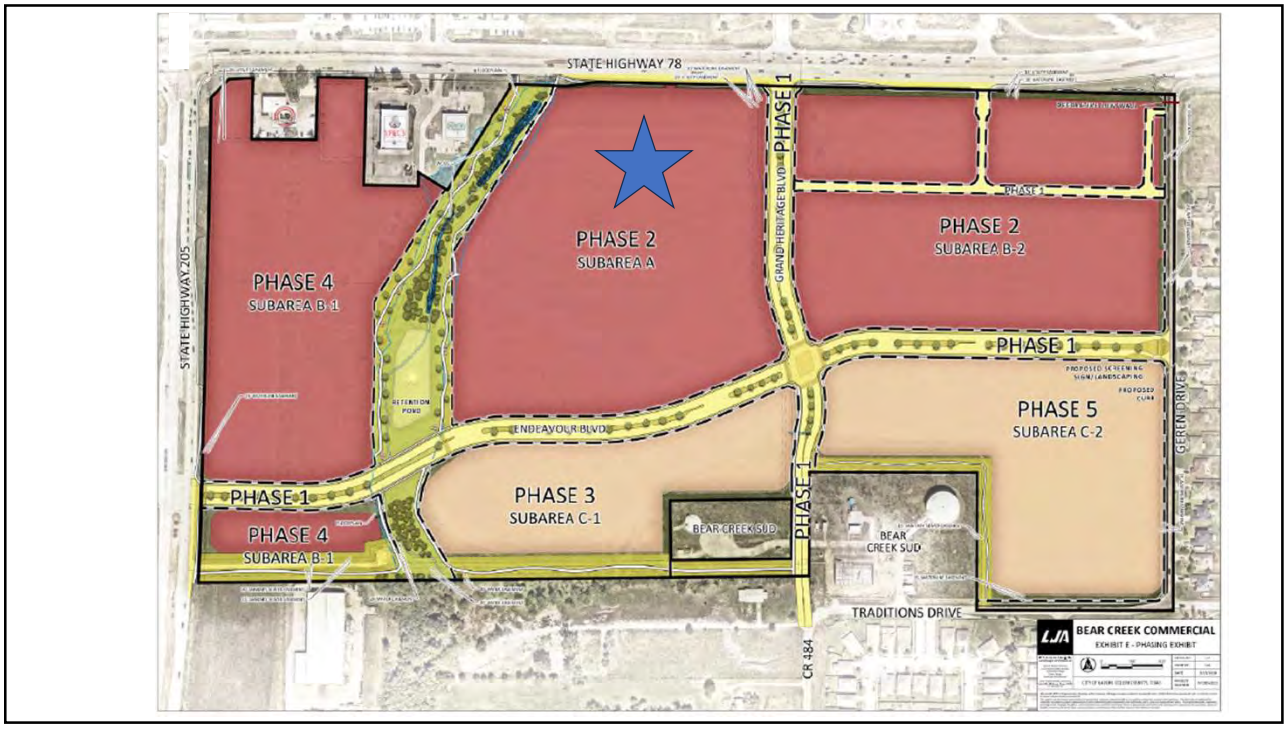




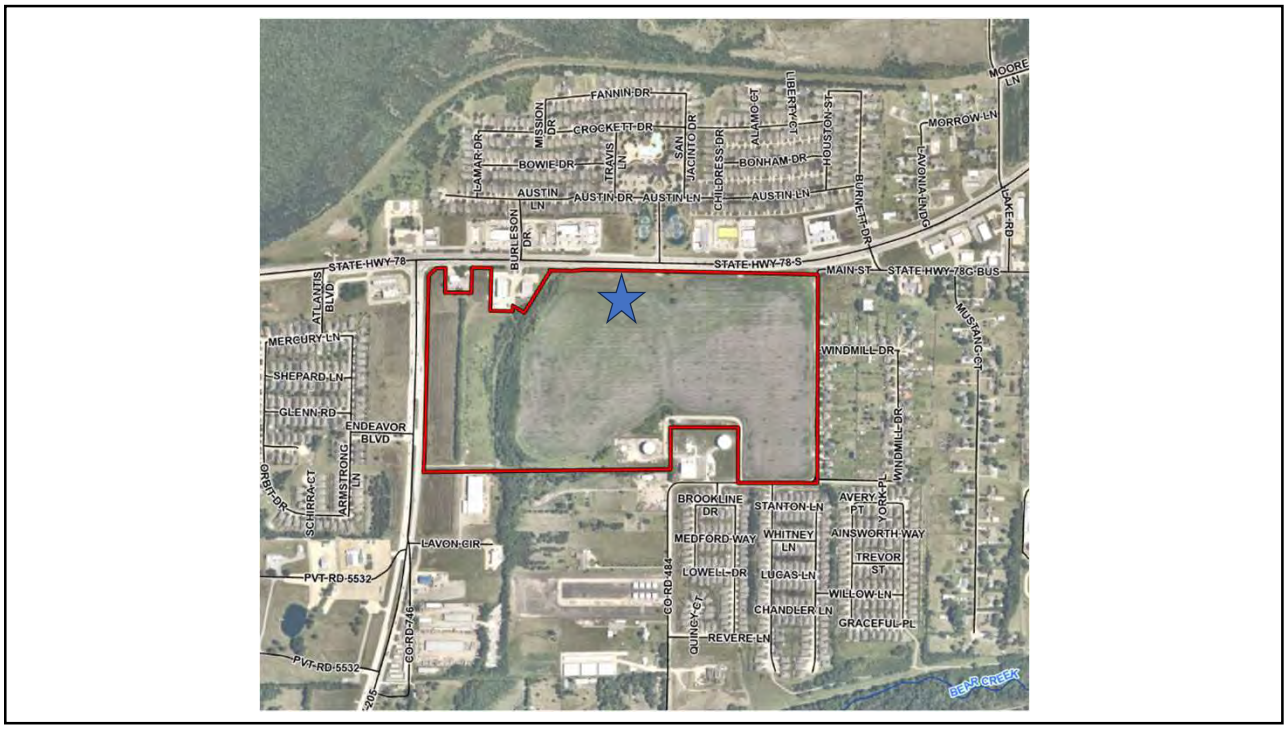
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NORTH
TX–78
SH–205
GRAND HERITAGE BLVD
SITE
ENDEAVOUR BLVD

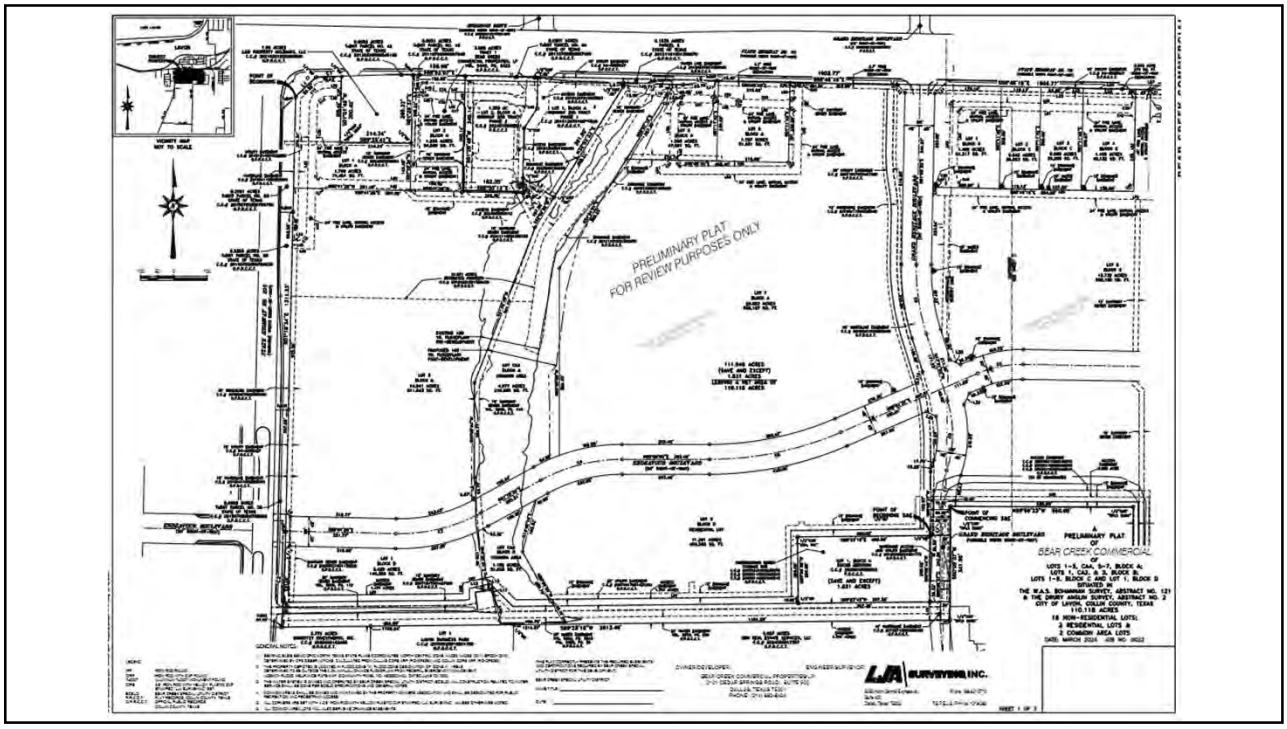
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STATE HIGHWAY 78
PHASE 1
GRAND HERITAGE BLVD
PHASE 2
SUBAREA A
PHASE 2
SUBAREA B-2
PHASE 1
PHASE 4
SUBAREA B-1
STATE HIGHWAY 205
RETENTION POND
ENDEAVOUR BLVD
PHASE 5
SUBAREA C-2
GEREN DRIVE
PHASE 1
PHASE 3
SUBAREA C-1
BEAR CREEK SUD
PHASE 1
PHASE 4
SUBAREA B-1
BEAR CREEK SUD
TRADITIONS DRIVE
CR 184
BEAR CREEK COMMERCIAL
EXHIBIT E - PHASING EXHIBIT

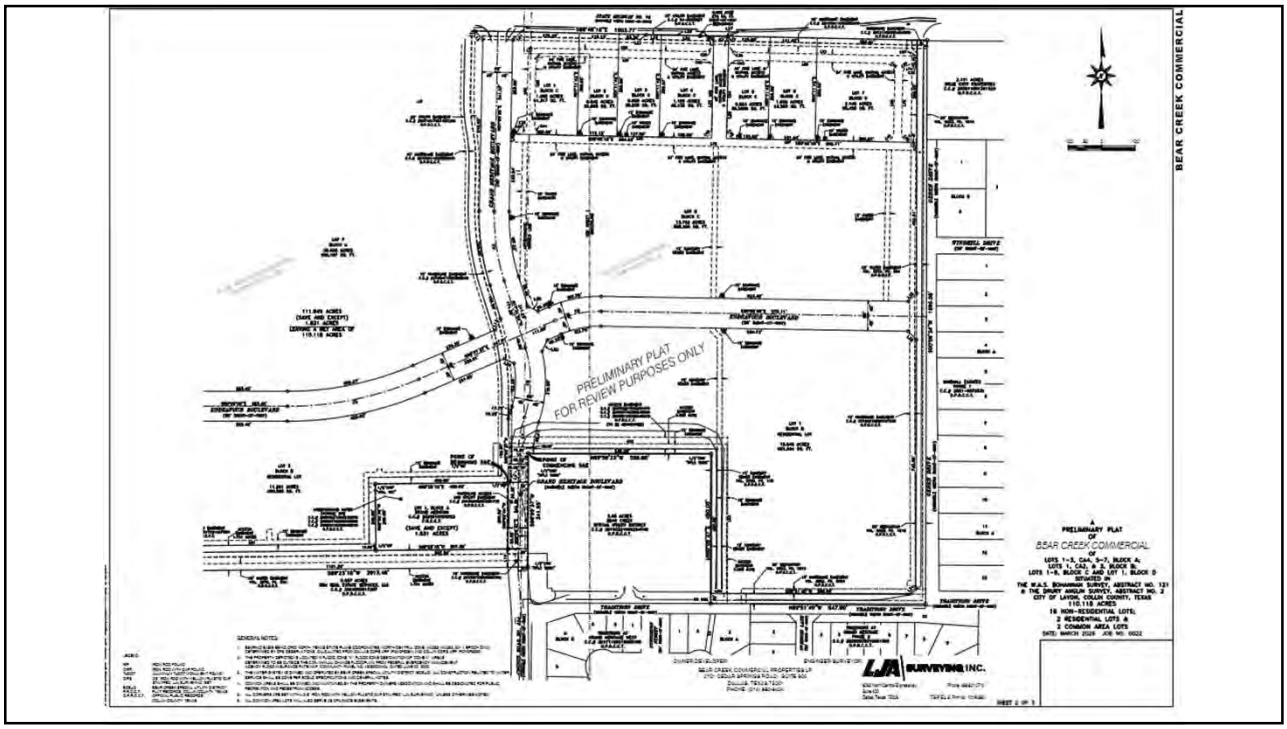
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FANNIN DR
MISSION DR
CROCKETT DR
LAMAR DR
BOWIE DR
TRAVIS LN
SAN JACINTO DR
ALAMO CT
LIBERTY CT
HOUSTON ST
CHILDRESS DR
BONHAM DR
BURNET DR
MORROW LN
MOORE LN
LAKE RD
AUSTIN LN
AUSTIN DR
AUSTIN LN
AUSTIN LN
BURLESON DR
STATE HWY 78
STATE HWY 78 S
MAIN ST
STATE HWY 78 BUS
ATLANTIS BLVD
MERCURY LN
SHEPARD LN
GLENN RD
ENDEAVOR BLVD
ARMSTRONG LN
SCHIRRA CT
ORBIT DR
LAVON CIR
PVT RD 5532
PVT RD 5532
CO RD 746
CO RD 484
WINDMILL DR
MUSTANG CT
WINDMILL DR
YORK PL
AVERY PT
BROOKLINE DR
STANTON LN
MEDFORD WAY
WHITNEY LN
AINSWORTH WAY
TREVOR ST
LOWELL DR
LUGAS LN
WILLOW LN
CHANDLER LN
GRACEFUL PL
QUINCY CT
REVERE LN
BEAR CREEK

57


PRELIMINARY PLAT
FOR REVIEW PURPOSES ONLY
PRELIMINARY PLAT
OF
BEAR CREEK COMMERCIAL
LA SURVEYING, INC.

58


BEAR CREEK COMMERCIAL
PRELIMINARY PLAT
FOR REVIEW PURPOSES ONLY
PRELIMINARY PLAT
OF
BEAR CREEK COMMERCIAL
LJA SURVEYING INC.

59

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

September 17, 2026

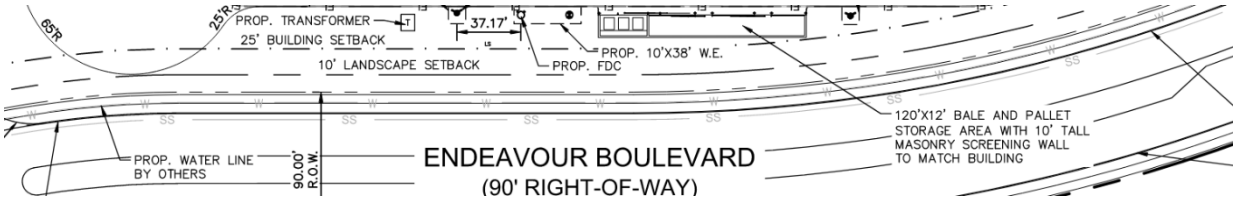
Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

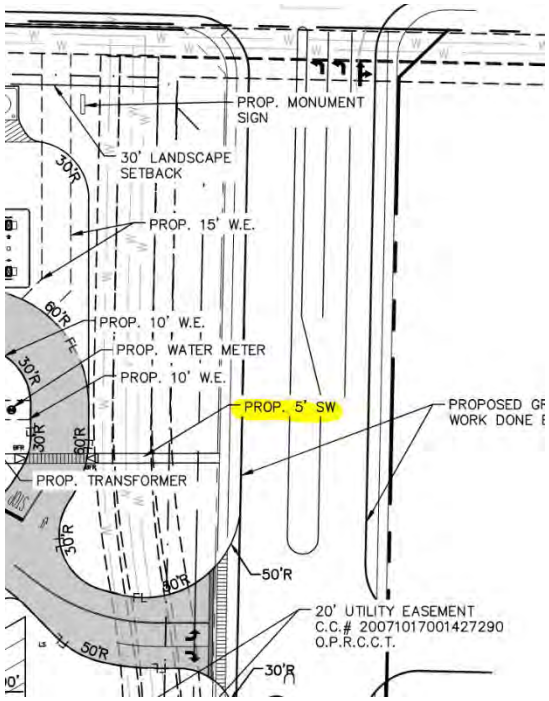
Re: Heritage Square, Walmart
Site Plan Review
LJA Job No. NTP- 3880
MyGov Submittal: September 14, 2026

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

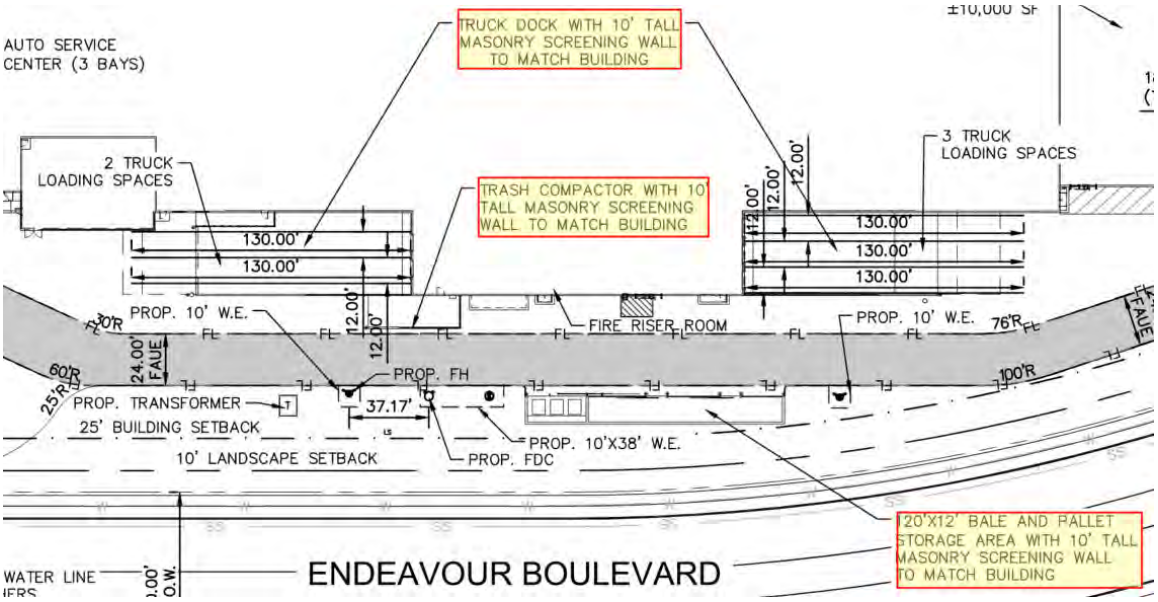
1. Please revise the Site and Landscape Plans to have the same subject property boundary. Consider removing CA4 (the park) from the subject property boundary, as currently reflected on the Landscape Plan. If the CA4 remains in the subject property boundary, either match the CA4 details exactly as shown in the Civil Package or remove the level of detail currently shown in the park area. Please also ensure that the subject property boundary does not include adjacent rights-of-way (but keep them shown).

2. Revise the Site Plan to show 6-foot sidewalks along Endeavor Blvd and Grand Heritage. See screenshots below.





3. It appears that some of the arrows may be pointed to things other than were 10-foot masonry walls are proposed. Revise the Site Plan and Building Elevations to clarify, accordingly.



4. Revise the Site Plan to remove all “by others” indications on easement labels, which are shown on the associated Final Plat, and required for this site.

5. FYI – the associated plat must be filed for record prior to the issuance of a building permit.

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

Thank you,

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

August 27, 2026

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

Re: Heritage Square (Bear Creek Commercial), Lot 7 (20.8 acres total)
Site Plan

Dear Ms. Dobbs:

As requested, we have reviewed the revised Site Plan dated August 21, 2026, and revised Preliminary Engineering Plans dated August 21, 2026 as prepared by Kimley Horn and Associates, Inc. for the above referenced property. The property is generally on the southeast corner of SH 78 and SH 205 bounded by future Grand Heritage on the east and future Endeavour Blvd on the south. Comments may be provided by the City Planner. FMI comments considered should be considered supplemental to the Planner comments. Our comments are as follows:

1. There are several offsite easements associated with development of this lot. These should be provided prior to any construction activities.

2. The Engineer has stated that a flood study is being performed to define the proposed 100-year flood plain along the west property line.

3. The Engineer has stated that an easement or other written permission from the adjacent property owner will be provided as part of the construction drawing submittal. A copy of the document should be provided to the City for its records prior to any construction activities.

4. A note has been added that the storm sewer and appurtenances shall be owned and maintained by the property owner.

5. The Engineer has acknowledged that both lots are discharging into the adjacent drainage way on the west side of the property, this drainage way includers a proposed detention pond and **this pond will be required to be completed prior to going vertical on these lots.**

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

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.

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

Sincerely,
FREEMAN-MILLICAN, INC.



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

F:\17024 - LAVON General Services\9 - Review\Heritage Square (Bear Creek Comm)\Walmart\Heritage Square Lot 7 - Site Plan - Rev 2.docx

August 27, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Heritage Square, Walmart
Site Plan Review
LJA Job No. NTP- 3880
MyGov Submittal: August 25, 2026

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

1. **REPEAT COMMENT:** The Landscape Requirements Table does not include all applicable PD standards for landscaping. An updated Landscape Requirements Table template has been attached to these comments for your use and reference. Revise the Landscape Plan to remove the Landscape Requirements Table from the main Landscape Plan sheet, and provide the updated/revised Landscape Requirements Table (which is longer) on a separate sheet with all updated required specs and provided specs.

   Updated Landscape Requirements table has been added to the plans.

   Sheet 6506 of the Landscape Plan includes an outdated Landscape Requirement Table which covers portions of the Landscape Plan drawing. Revise sheet 6506 of the Landscape Plan to remove the prior Landscape Requirements Table which references the City of Lavon Landscape Requirements not the PD.

2. **REPEAT COMMENT**: The site configuration on the Photometric Plan does not match the Site Plan. In addition, light levels along the western property line of Lot 7 must measure 0.25 footcandles or less. Revise the Photometric Plan accordingly.

   Updated photometric plan has been provided with this submittal.

   The Photometric Plan does not reflect the current Walmart Site Plan/ Landscape Plan layouts. Revise the Photometric Plan to include the correct Site Plan and Landscape Plan. Additionally, The site configuration on the Photometric Plan appears to be rotated 180 degrees and has resulted in mislabeled road names. Revise the Photometric Plan to include a North arrow to clarify the orientation of the Site and place the following road labels in the appropriate location.

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

Thank you,



Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

August 3, 2026

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

Re: Heritage Square (Bear Creek Commercial), Lot 7 (20.8 acres total)
Site Plan

Dear Ms. Dobbs:

As requested, we have reviewed the revised Site Plan dated July 22, 2026, and revised Preliminary Engineering Plans dated July 22, 2026 as prepared by Kimley Horn and Associates, Inc. for the above referenced property. The property is generally on the southeast corner of SH 78 and SH 205 bounded by future Grand Heritage on the east and future Endeavour Blvd on the south. Comments may be provided by the City Planner. FMI comments considered should be considered supplemental to the Planner comments. Our comments are as follows:

1. The Site Plan has been revised to provide a single lot.

2. The proposed sanitary sewer easement in the north side of the project is identified to be provided “By Others”. This easement should be provided with the Final Plat of Lot 7.

3. The sewer line shown is labeled as “Existing”. However, the engineering plans identify it as “Future”. The labels should match.

4. A sanitary sewer easement should be shown for the offsite portion of the sanitary sewer line (outside utility easement shown).

5. The driveway location on SH 78 has been conceptually approved by TxDOT.

6. The Engineer has stated that a flood study is being performed to define the proposed 100-year flood plain along the west property line.

7. The Engineer has stated that an easement or other written permission from the adjacent property owner will be provided as part of the construction drawing submittal. A copy of the document should be provided to the City for its records prior to any construction activities.

8. The proposed storm sewer and appurtenances will be considered private. Easements are to be provided for the outfalls on adjacent Lot CA4. No easement is required within Lot 7. A note should be added that the storm sewer and appurtenances shall be owned and maintained by the property owner.

9. The Engineer has acknowledged that both lots are discharging into the adjacent drainage way on the west side of the property, this drainage way includers a proposed detention pond and **this pond will be required to be completed prior to going vertical on these lots.**

This concludes our review of the above referenced revised Site Plan and revised Preliminary Engineering. A copy of the sheets with markups is provide 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.

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

Sincerely,
FREEMAN-MILLICAN, INC.



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

F:\17024 - LAV General Servies\9 - Review\Heritage Square (Bear Creek Comm)\Walmart\Heritage Square Lot 7 - Site Plan - Rev 1.docx

Fire Site Comments:

Below are comments that need to be addressed.

Provide the location of the fire sprinkler riser room and Fire Department Connection (FDC) on the site plan. Show the FDC location in relation to the nearest fire hydrant and fire apparatus access.

Thanks,

Payne Randell, CBO, CFM
Atlas Municipal Services
(267) 459-3212
TSBPE 4080
TCFP Certified

Kimley»Horn

July 21, 2026

Kim Dobbs
City of Lavon, TX

Re: ***Proposed Big Box Grocery Store – Bear Creek Commercial***
1st Site Plan Review Comment Response

This letter is in response to the1st review of the site plan comments received on 6/23/26

Planning and Design Comments

1. This site is designated as Lot 7, Block A on the Bear Creek Commercial Preliminary Plat. The Site Plan shows a proposed subdivision of Lot 7 into two lots. A revised Preliminary Plat will be required to change the lot configuration from Lot 7 to Lots 7 and 7B. A subsequent Final Plat(s), to include the subject property and all Phase 1 infrastructure and Park/drainage improvements, is required to be approved/filed prior to the issuance of a Building Permit for these uses/lots.

Response: The property line between the fuel station and main store has been removed. The site is on one Lot now, which is Lot 7 of the Bear Creek Commercial Preliminary Plat.

2. There are proposed utilities on the Preliminary Utility Plan, such as Storm Pipe (Sheet Number 6140) and Fiber Optic Conduit (Sheet Number 6160), that do not show associated easements on the Site Plan. Revise the Site Plan to show easements for these utilities, if applicable.

Response: Drainage easements were added to the storm lines that run offsite to the west. Since the fuel station and main store are on one lot, a drainage easement was not added as shown.

3. Clarify which radii are being referred to in the Site Note Shown below.

Response: All radii that are not labeled on the site plan are either 2' or 10'.

4. There is an indication of a Future Building Expansion on the Site Plan, Future site improvements will be reviewed, as a separate Site Plan submittal, at the time the modifications are ready to be developed. Revise the Site Plan to remove line work and notes related to the Future Building Expansion or provide the ultimate site layout with the building expansion included.

Response: Acknowledged, any future expansion will require a new site plan submittal. Future expansion callout and linework has been removed.

5. The Site Plan indicates that 751 parking spaces are provided on the Walmart retail site. Our review indicated a count of 744 space. Revise the Site Plan to correct the Site Data Summary Table to list the correct number of parking spaces provided.

Response: Site data summary table revised to show correct number of parking spaces.

6. Parking areas are required to include pedestrian amenities, such as sidewalks and pedestrian ways, perpendicular ways, perpendicular to the main building. Revise the Site Plan to include a sidewalk or pedestrian pathway through the parking areas tat allow for north-south pedestrian travel. Other Walmart Example below:

Response: A 5' sidewalk has been added to the middle of the parking field leading up to the fuel station.

7. Revise the Site and Landscape Plans to connect the fire lane, at the point identified below, to provide continuous cross-access.

Response: Fire lane has been revised to have continuous cross access.

8. The southern driveway access, from the site to Grand Heritage Boulevard, does not have turning radii labeled. A minimum turning radius of 30 feet is required. Revise the Site Plan to ensure the turning radius is at least 30 feet and labeled at this location.

Response: These turning radii are 30'. Radii labels have been added to the site plan

9. There is a hatched area, which is not labeled on the eastern driveway, along Endeavor Boulevard. Revise the Site Plan to label the intent of the hatched area and provide a minimum 30-foot radius on the eastern side of the driveway.

Response: The intent of this striped area is for easier truck maneuvering. This has been labeled on the site plan.

10. The PD requires loading docks to be screened with an earthen berm, with solid evergreen screening, that is a minimum of 10 feet in height, in addition to a masonry screening wall. Revise the Landscape Plan to provide the berm/landscaping., in addition to the masonry screen wall, along Endeavour Boulevard.

Response: Solid Evergreen shrubs that are 10' tall have been provided behind the store as screening. There is not enough room at the back of the store for an earthen berm. The shrubs and the masonry wall will be provided as screening.

11. Revise the Site plan to label the striping area, on the north side of the proposed fuel lot, as a loading space.

Response: Site plan has been revised to call this out as a loading space.

12. A minimum of five loading spaces (12 feet x 35 feet) are required for the proposed retail use. Please clarify the loading spaces provided by labeling the dimensioned spaces accordingly.

Response: 5 loading spaces are proposed at the rear of the store. The site plan has been revised to call these out.

13. Revise the Landscape Plan to label and dimension the landscape buffers.

Response: Landscape buffers have been labeled on the landscape plans.

14. 75% of any landscape area is required to be a vegetative matter. There are various landscape areas that do not appear to meet this requirement (example shown below). Revise the Landscape Plan to provide planting in these areas.

Response: Landscape plans have been revised so that all landscape areas are at least 75% vegetative.

15. The Landscape Requirements Table references the City of Lavon Landscape Requirements but does not incorporate the landscape requirements from the PD. The Table also indicates items as "Provided", such as four-inch caliper tress, that are not provided and vary from the specifications of the PD. Revise the Landscape Requirements Table to incorporate the applicable PD standards for landscaping and revise the required and provided columns to correspond to the standards accordingly.

Response: Trees have been revised to be 4" caliper. PD standards have been added to the Landscape Requirements Table

16. A continuous evergreen shrub screen is required along all public roads. The Landscape Plan Requirements Table indicates this shrub screen has been provided; however they are not reflected on the plan sheets. Revise the Landscape Plan to provide the shrub screening.

Response: Shrubs have been added adjacent to parking along public streets.

17. Revise the Landscape Plan to remove utility easements. Only existing and proposed utility lines should be shown on the Landscape Plan (easements should be shown on the Site Plan).

Response: Utility easements have been removed from the Landscape Plans.

18. Revise the Landscape Plan to show/label proposed irrigation lines

Response: Irrigation plans will be submitted with the construction drawings. All proposed landscaping will be irrigated.

19. The dumpster enclosure is to be screened with evergreen shrubs (from the approved plant list), a minimum three (3) feet tall at the time of planting and spaced a maximum three (3) feet apart on center. The dumpster enclosure, located adjacent to the Fuel kiosk, does not include any landscaped screening Revise the Landscape Plan to include the required evergreen shrubs.

Response: Landscape plan has been revised to show screening of the dumpster enclosure with evergreen shrubs.

20. The proposed building elevations do not appear to be consistent with the newest local Walmart architecture (example below). Please revise the building elevations to be of a higher quality and reflect variation in material, color, or features. Roofline silhouettes should be broken up through the use of large cornices, changes in parapet heights, or other techniques such as awnings, bulb-outs, and relief. At least 50 percent of the total façade should use features, such as windows, awnings, entryways, columns, architectural relief to discourage long expanses of bare wall. Additionally, exterior walls should be constructed of a minimum of 95% masonry material (i.e brick, stone, or stucco).

Response: Architect is still currently working on revised building elevations. These will be provided in the next resubmittal.

21. The maximum height of accessory structures for non-residential uses is 20 feet, per the PD. Revise the Site Plan to include canopy height information, within the Site Summary Table, and revise the Building Elevations to dimension the canopy elevation.

Response: Site Summary Table has been revised to show a maximum height of 20' for the fuel station. Building elevations will be revised in the next resubmittal.

22. The site configuration on the Photometric Plan does not match the Site Plan. In addition, light levels along the western property line of Lot 7 must measure 0.25 footcandles or less. Revise the Photometric Plan accordingly.

Response: Photometric plan currently being revised. Will be submitted with the next resubmittal.

23. FYI - All outdoor lighting shall be shielded, with downward facing fixtures.

Response: Acknowledged. All proposed lighting will be shielded and downward facing.

24. FYI – Confirm driveway spacing on SH 78 with City Engineer.

Response: We will work with the City Engineer to confirm the driveway spacing with TxDOT.

25. FYI – Signage is reviewed as a separate application.

Response: Acknowledged. A separate sign application will be submitted.

Engineering Comments

1. The Site Plan shows that Lot 7 is to be divided into two (2) lots (7 and 7B). This will require platting.

Response: Lot line has been removed to not subdivide Lot 7 into two lots.

2. All driveway approaches and fire lanes shall have a minimum radius of 30'. All radii should be labeled.

Response: All radii on approaches and fire lanes are a minimum of 30'. Site plan has been revised to include these labels.

3. The fire lane at the southwest corner area of Lot 7B should be contiguous.

Response: Fire lane has been revised to be continuous.

4. There is a 15' sanitary sewer easement shown on Lot 7B. The use for this easement is not clear.

Response: A 8" Sanitary sewer line is being proposed by others on the adjacent lot to the west. They will be providing a sanitary sewer stub to Lot 7 within this easement. Site plan has been revised to call out this easement.

6. It should be noted that the proposed driveway at SH 78 requires approval from TxDOT due to proposed driveway spacing requirements for the overall development. Therefore, the location of the driveway may change.

Response: Acknowledged. We will work to coordinate this with TxDOT.

7. The site plan shows a proposed 100-year flood plain along the west property line. Any change to the existing delineated flood plain will require a flood study to modify the flood plain

Response: Flood study for this site/ area is being prepared by LJA.

8. The Preliminary Grading Plan shows grading activities outside the property boundary. This will require an easement or other written permission from the property owner. A copy of the document should be provided to the City for its records prior to any construction activities.

Response: Acknowledged. Any required easements/ written permission will be provided during the construction drawing submittal.

9. The Preliminary Drainage Plan shows a storm sewer extending from Lot 7B through Lot 7. An easement will be required on Lot 7 to accommodate the shared storm sewer. Both storm sewer pipelines and facilities shown will be considered private.

Response: Lot line has been removed so the fuel station is now on Lot 7. Drainage easement has not been provided as the storm pipe now does not cross lot lines.

10. Both lots are discharging into the adjacent drainage way on the west side of the property. This drainage way includes a proposed detention pond. **This pond will be required to be completed prior to going vertical on these lots.**

Response: Acknowledged.

11. The TIA Addendum modified the trip generation estimate in the original TIA to reflect the current site plan. The net result of the modification is the number of trips is reduced from the original TIA estimates.

Response: Correct.

12. The TIA Addendum includes a queuing analysis for the proposed drive-thru pharmacy. The analysis shows there is sufficient area provided for the anticipated queuing without impacting the adjacent drive isles and parking area.

Response: Acknowledged

Please contact me at (972-474-7670) or david.upton@kimley-horn.com should you have any questions or need any additional information.

Sincerely,

David Upton, P.E.

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

June 31, 2026

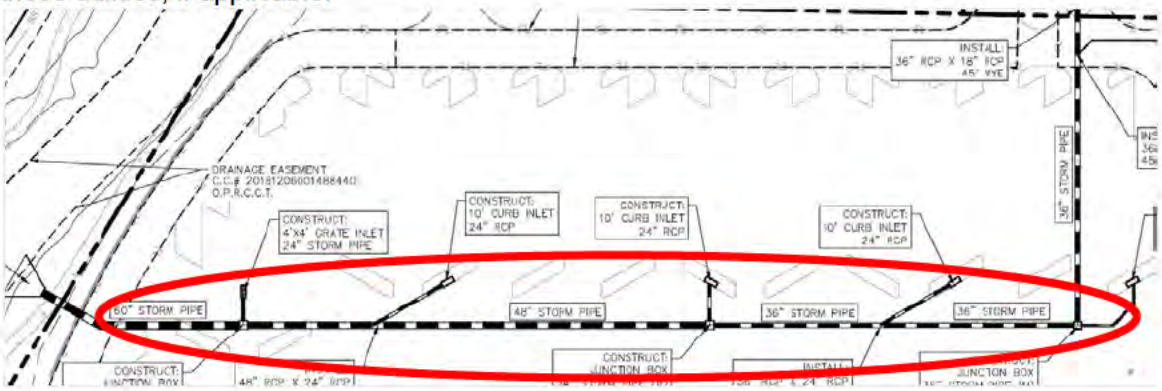
Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

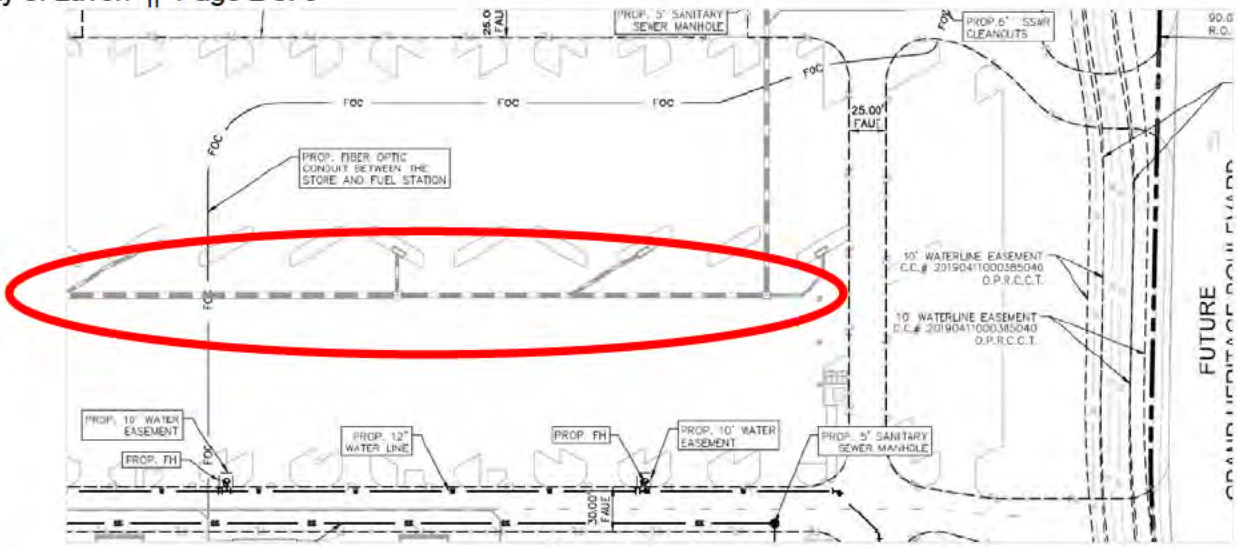
Re: Heritage Square, Walmart
Site Plan Review
LJA Job No. NTP- 3880
MyGov Submittal: June 22, 2026

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. **REPEAT COMMENT**: There are proposed utilities on the Preliminary Utility Plan, such as Storm Pipe (Sheet Number 6140) and Fiber Optic Conduit (Sheet Number 6160), that do not show associated easements on the Site Plan. Revise the Site Plan to show easements for these utilities, if applicable.





Drainage easements were added to the storm lines that run offsite to the west. Since the fuel station and main store are on one lot, a drainage easement was not added as shown.

This comment appears unaddressed. Please ensure all public utility lines are within easements that are shown, labeled, and included on any legend if necessary or applicable.

KH Response: The storm line circled is a private line. It is stated in the engineering review that an easement will not be required for this line, besides at the outfall on the adjacent lot, which is provided. The utilities mentioned above are also private and an easement will not be provided.

2. **REPEAT COMMENT**: The Site Plan indicates that 751 parking spaces are provided on the Walmart retail site. Our review indicated a count of 744 spaces. Revise the Site Plan to correct the Site Data Summary Table to list the correct number of parking spaces provided.

   Site data summary table revised to show correct number of parking spaces.

   It appears that the Site Plan now indicates 748 spaces provided on the retail site, while the Site Table indicates 746. Please confirm or revise the Site Data Summary Table to list the correct number of parking spaces provided.

   KH Response: 746 parking spaces is the correct amount of parking spaces. A callout was covering a cart corral which was probably being counted in your parking count.

3. **REPEAT COMMENT**: A minimum of five loading spaces (12 feet x 35 feet) are required for the proposed retail use. Please clarify the loading spaces provided by labeling the dimensioned spaces accordingly.

   5 loading spaces are proposed at the rear of the store. The site plan has been revised to call these out.

   The proposed loading spaces have been labeled, however they do not appear to meet the dimensional standards requirements. Revise the Site Plan to dimension a minimum of five loading spaces (12 feet x 35 feet).

KH Response: Loading spaces have been dimensioned. They do meet the minimum dimension standards of 12' x 35'

4. **REPEAT COMMENT:** The Landscape Requirements Table references the City of Lavon Landscape Requirements but does not incorporate the landscape requirements from the PD. The Table also indicates items as "Provided", such as four-inch caliper trees, that are not provided and vary from the specifications of the PD. Revise the Landscape Requirements Table to incorporate the applicable PD standards for landscaping and revise the required and provided columns to correspond to the standards accordingly.

   Trees have been revised to be 4" caliper. PD standards have been added to the Landscape Requirements Table

   The Landscape Requirements Table does not include all applicable PD standards for landscaping. An updated Landscape Requirements Table template has been attached to these comments for your use and reference. Revise the Landscape Plan to remove the Landscape Requirements Table from the main Landscape Plan sheet, and provide the updated/revised Landscape Requirements Table (which is longer) on a separate sheet with all updated required specs and provided specs.

   KH Response: Updated Landscape Requirements table has been added to the plans.

5. **REPEAT COMMENT**: The proposed building elevations do not appear to be consistent with the newest local Walmart architecture (example below). Please revise the building elevations to be of a higher quality and reflect variation in material, color, or features. Roofline silhouettes should be broken up through the use of large cornices, changes in parapet heights, or other techniques such as awnings, bulb-outs, and relief. At least 50 percent of the total façade should use features, such as windows, awnings, entryways, columns, architectural relief to discourage long expanses of bare wall. Additionally, exterior walls should be constructed of a minimum 95% masonry material (i.e. brick, stone, or stucco).

   Architect is still currently working on revised building elevations. These will be provided in the next resubmittal.

   Acknowledged. The building elevations will be reviewed upon resubmittal, but the comment is still applicable.

   KH Response: After careful consideration, our client has expressed a preference to develop the store in a manner that fully complies with the City's development standards while maintaining consistency with their established brand prototype. The client is committed to meeting all applicable requirements of the City's code and ordinances and believes that the proposed design achieves that objective.

   The client respectfully requests consideration of provided elevations on compliance with the City's standards rather than expectations for architectural features beyond those required by ordinance. They remain committed to delivering a high-quality development that will serve the community while adhering to the approved design framework and operational requirements of their retail prototype.

   We appreciate the City's time and consideration and look forward to continuing to work collaboratively through the review process. Please let us know if there are any specific code-related concerns that need to be addressed.

6. **Repeat Comment:** The maximum height of accessory structures for non-residential uses is 20 feet, per the PD. Revise the Site Plan to include canopy height information, within the Site Summary Table, and revise the Building Elevations to dimension the canopy elevation.

Site Summary Table has been revised to show a maximum height of 20' for the fuel station. Building elevations will be revised in the next resubmittal.

Acknowledged. The building elevations will be reviewed upon resubmittal. Revise the Site Data Table to provide the actual heights of the structures, not the max heights, associated with the retail and fuel lots.

KH Response: Actual building height of structures has been added to the site data table. Building elevations revised to dimension canopy elevations.

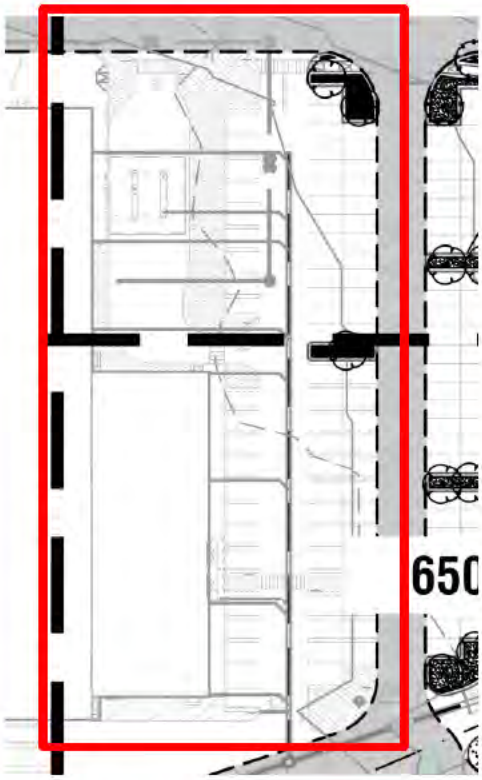
7. **REPEAT COMMENT**: The site configuration on the Photometric Plan does not match the Site Plan. In addition, light levels along the western property line of Lot 7 must measure 0.25 footcandles or less. Revise the Photometric Plan accordingly.

   Photometric plan currently being revised. Will be submitted with the next resubmittal.

   Acknowledged. The Photometric Plan will be reviewed upon resubmittal. This comment is still applicable.

   KH Response: Updated photometric plan has been provided with this submittal.

8. The area near the pharmacy is striped instead of landscaped, but this area should provide additional landscaping, terminus trees, etc. in coordination with applicable landscaping standards.



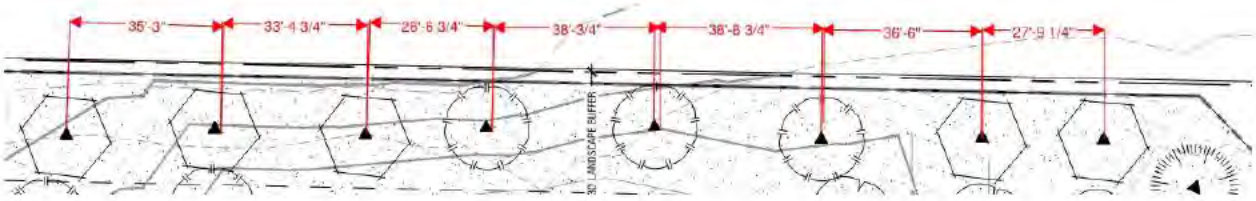
   KH Response: This area is used for pick-up parking. The client prefers these areas be striped to provide a safer path of travel for associates accessing the pick-up parking stalls.

9. Please confirm no drone field/area is proposed on the site.

   KH Response: Drone delivery is not currently being proposed with this project.

10. One large tree is required per 25 linear feet along SH 78. Revise the Landscape Plan to reduce the distance between the trees along SH78, as required by the PD.

KH Response: Landscape plan has been revised to provide a tree every 25' along SH 78.

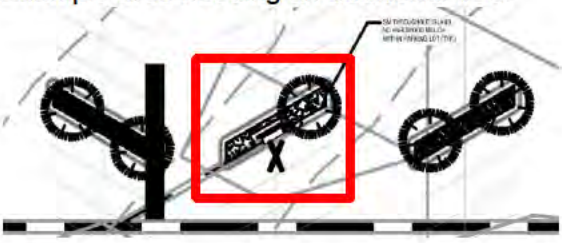


11. One large tree per 30 linear feet of buffer is required along public streets. The frontage along Grand Heritage Boulevard is compliant, but the frontage along Endeavor Boulevard has a gap of approximately 111 feet where no street trees are proposed in the buffer. Revise the Landscape Plan to increase the number of trees provided along the section of landscaped buffer along Endeavour Boulevard shown below, as required by the PD.



KH Response: Landscape plan has been revised to provide a tree every 30 LF along Endeavor Boulevard.

12. The parking lot tree requirement in Subarea A calls for one tree/parking island per 15 parking spaces. Revise the Landscape Plan to add additional trees in the parking lot landscape islands, where only one tree is proposed, to meet this requirement as required by the PD. Example area needing an additional tree:



KH Response: Landscape plan revised to show one tree per every 15 parking spaces.

13. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed.

KH Response: Acknowledged.

Landscape Requirements Table		
2026-24-17 PD Zoning – Heritage Square	**Required**	**Provided**
3. OFF-STREET PARKING AND LOADING REGULATIONS:		
Off-street loading site design requirements:		
In addition to required wing walls, loading docks and associated loading areas that are within 200 feet of an internal arterial roadway, shall be screened as follows: • Earthen berm with solid evergreen screening that is a minimum of 10 feet in height, or • Solid evergreen screening that is a minimum of 10 feet in height.		
5. LANDSCAPING *Landscape standards shall comply with Sections 9.03.192 and 9.03.193, with the exception of the following regulations:*	**Required**	**Provided**
5.1 Landscape buffer: The minimum required width of landscape buffers along highways are as follows:		
A minimum 30-foot-wide landscape buffer shall be required along SH 78.		
One large tree is required per 25 linear feet of buffer (excluding driveways and utility easements) is required along highways. The landscape buffers are permitted to overlap utility easements, provided there is a minimum of 8 feet of landscape buffer free and clear of easements for planting purposes.		
5.2 A minimum 10' wide landscape buffer with one large tree per 30 linear feet of buffer (excluding driveways and utility easements) is required along public streets. **(Grand Heritage Boulevard and Endeavour Boulevard)**		
5.4 A minimum of 10% of a lot shall be landscaped.		
5.6 For sub-districts based on the Retail District, a minimum of one tree is required for each 6,000 square feet gross lot area excluding areas encumbered by utility easements. Required street (excluding ROW medians), perimeter buffer, or parking lot trees contribute to the site tree requirement.		

5.7 Parking lot tree requirements are as follows:					
SUBAREA	BUILDING FLOOR AREA (SF)	TREE/PARKING ISLAND PER PARKING SPACE RATIO	MAXIMUM SPACING OF A TREE FROM A PARKING SPACE		
A	>140,000	1/15	130’		
Lavon Code of Ordinances					
§ 9.03.172 Off-street parking site design requirements.					
g. No landscaped area within the parking lot shall be less than one hundred (100) square feet.					
h. Landscape islands, medians, perimeter curbs and sidewalks shall contain an eighteen (18) inch wide concrete or decorative paver curb along the inside of the feature that abuts parking stalls to allow patrons to avoid treading over landscaping.					
§ 9.03.193 Required landscaping standards.				**Required**	**Provided**
b.2. Trees cannot be planted closer than four (4) feet to a right-of-way line or closer than eight (8) feet to any public water line, wastewater line, fire protection connection, or drainage line. If tree locations cannot meet this distance requirement or there is a similar prohibiting utility-related factor, an alternate planting location may be approved by the city manager or their designee.					
b.2. Trees cannot be planted closer than four (4) feet to a right-of-way line or closer than eight (8) feet to any public water line, wastewater line, fire protection connection, or drainage line. If tree locations cannot meet this distance requirement or there is a similar prohibiting utility-related factor, an alternate planting location may be approved by the city manager or their designee.					
g. Planting strips less than six (6) feet wide are prohibited.					
i. Vegetative matter shall cover seventy-five (75) percent of any landscape area.					
j. Parking rows. For all development where off-street parking is required, the following standards shall apply:					
1. Parking rows located along public rights-of-way shall be screened with low, evergreen shrubs that are a minimum height of two (2) feet at the time of planting and form a continuous hedge.					
2. Landscape islands shall contain one (1) canopy tree.					
3. Landscape islands are required at the terminus of every parking row.					
k. All required plant material shall be from the approved plant list below, or as considered and approved by the city manager or their designee upon formal request:					

Comments prepared and compiled by:



Preston Loper
Planner at LJA
Email: ploper@lja.com
Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:



Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

August 3, 2026

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

Re: Heritage Square (Bear Creek Commercial), Lot 7 (20.8 acres total)
Site Plan

Dear Ms. Dobbs:

As requested, we have reviewed the revised Site Plan dated July 22, 2026, and revised Preliminary Engineering Plans dated July 22, 2026 as prepared by Kimley Horn and Associates, Inc. for the above referenced property. The property is generally on the southeast corner of SH 78 and SH 205 bounded by future Grand Heritage on the east and future Endeavour Blvd on the south. Comments may be provided by the City Planner. FMI comments considered should be considered supplemental to the Planner comments. Our comments are as follows:

1. The Site Plan has been revised to provide a single lot.

2. The proposed sanitary sewer easement in the north side of the project is identified to be provided "By Others". This easement should be provided with the Final Plat of Lot 7.

   KH Response: Acknowledged. Site Plan has been changed to indicate this easement to be dedicated by Final Plat.

3. The sewer line shown is labeled as "Existing". However, the engineering plans identify it as "Future". The labels should match.

   KH Response: Labels revised to indicate as a "Future" sanitary sewer line.

4. A sanitary sewer easement should be shown for the offsite portion of the sanitary sewer line (outside utility easement shown).

   KH Response: Sanitary sewer easement has been provided.

5. The driveway location on SH 78 has been conceptually approved by TxDOT.

   KH Response: Acknowledged.

6. The Engineer has stated that a flood study is being performed to define the proposed 100-year flood plain along the west property line.

7. The Engineer has stated that an easement or other written permission from the adjacent property owner will be provided as part of the construction drawing submittal. A copy of the document should be provided to the City for its records prior to any construction activities.

8. The proposed storm sewer and appurtenances will be considered private. Easements are to be provided for the outfalls on adjacent Lot CA4. No easement is required within Lot 7. A note should be added that the storm sewer and appurtenances shall be owned and maintained by the property owner.

KH Response: Acknowledged. Drainage easements have been provided at the outfalls on Lot CA4. Note has been added to the storm plans stating that all storm sewer and appurtenances shall be owned and maintained by the property owner.

9. The Engineer has acknowledged that both lots are discharging into the adjacent drainage way on the west side of the property, this drainage way includers a proposed detention pond and **this pond will be required to be completed prior to going vertical on these lots.**

   KH Response: Acknowledged.

This concludes our review of the above referenced revised Site Plan and revised Preliminary Engineering. A copy of the sheets with markups is provide for your convenience.

9330 LYNDON B. JOHNSON FREEWAY, SUITE 1225 DALLAS, TEXAS, 75243 TELEPHONE: (214) 503-0555
TEXAS REGISTERED ENGINEERING FIRM F-2827 TEXAS PROFESSIONAL LAND SURVEYING FIRM REGISTRATION NO. 10116400
TEXAS REGISTERED ARCHITECTURE FIRM NO. BR1360

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.

If there are any questions, please contact me at 214-503-0555 x115 or by email at mdhill@fmidallas.com.

Sincerely,
FREEMAN-MILLICAN, INC.

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

F:\17024 - LAV General Servies\9 - Review\Heritage Square (Bear Creek Comm)\Walmart\Heritage Square Lot 7 - Site Plan - Rev 1.docx

469.621.0710
TBPELS F-1386
TBPELS 10110501
www.LJA.com
6060 North Central Expressway, Suite 400, Dallas, Texas 75206

June 31, 2026

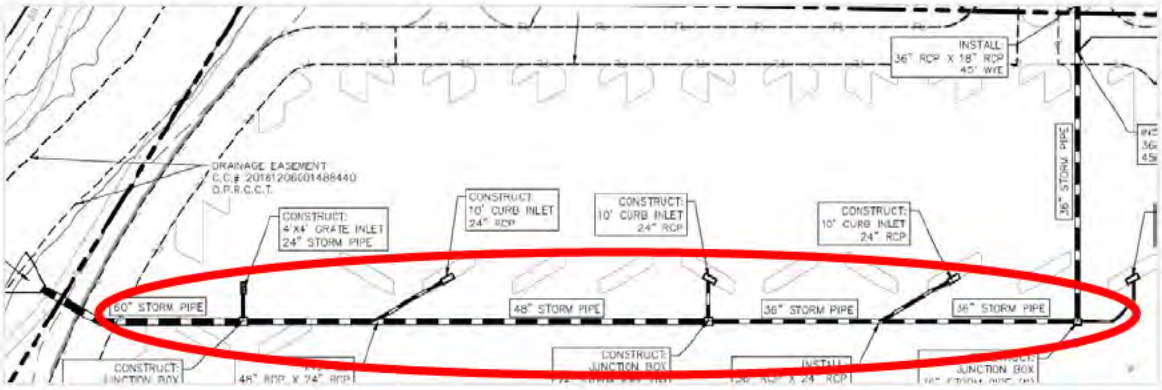
Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

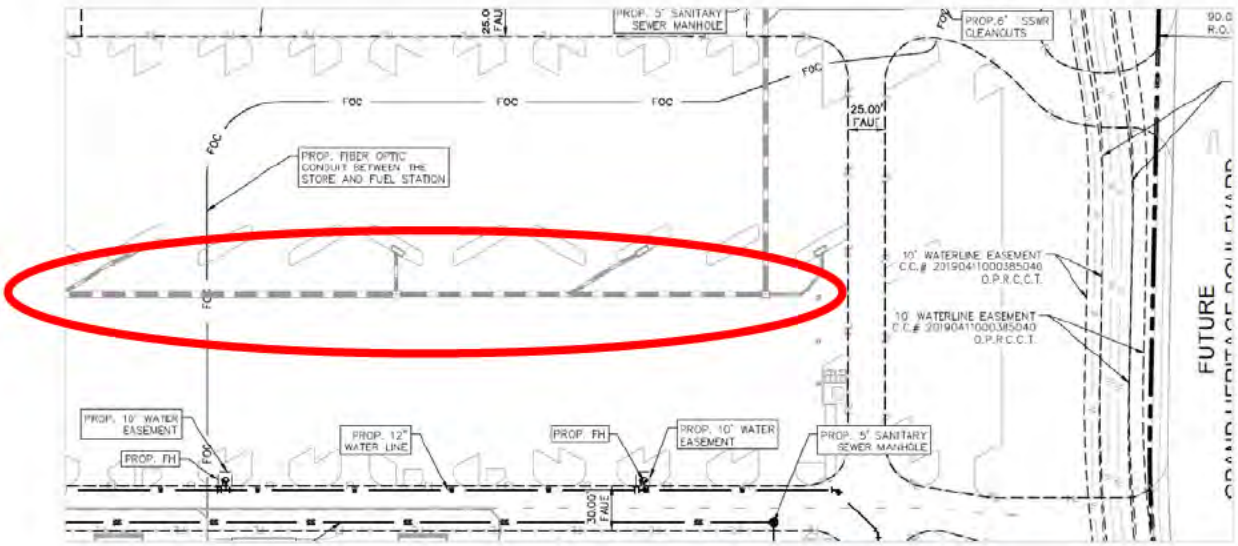
Re: Heritage Square, Walmart
Site Plan Review
LJA Job No. NTP- 3880
MyGov Submittal: June 22, 2026

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. **REPEAT COMMENT**: There are proposed utilities on the Preliminary Utility Plan, such as Storm Pipe (Sheet Number 6140) and Fiber Optic Conduit (Sheet Number 6160), that do not show associated easements on the Site Plan. Revise the Site Plan to show easements for these utilities, if applicable.





Drainage easements were added to the storm lines that run offsite to the west. Since the fuel station and main store are on one lot, a drainage easement was not added as shown.

This comment appears unaddressed. Please ensure all public utility lines are within easements that are shown, labeled, and included on any legend if necessary or applicable.

2. **REPEAT COMMENT**: The Site Plan indicates that 751 parking spaces are provided on the Walmart retail site. Our review indicated a count of 744 spaces. Revise the Site Plan to correct the Site Data Summary Table to list the correct number of parking spaces provided.

   Site data summary table revised to show correct number of parking spaces.

   It appears that the Site Plan now indicates 748 spaces provided on the retail site, while the Site Table indicates 746. Please confirm or revise the Site Data Summary Table to list the correct number of parking spaces provided.

3. **REPEAT COMMENT**: A minimum of five loading spaces (12 feet x 35 feet) are required for the proposed retail use. Please clarify the loading spaces provided by labeling the dimensioned spaces accordingly.

   5 loading spaces are proposed at the rear of the store. The site plan has been revised to call these out.

   The proposed loading spaces have been labeled, however they do not appear to meet the dimensional standards requirements. Revise the Site Plan to dimension a minimum of five loading spaces (12 feet x 35 feet).

4. **REPEAT COMMENT:** The Landscape Requirements Table references the City of Lavon Landscape Requirements but does not incorporate the landscape requirements from the PD. The Table also indicates items as "Provided", such as four-inch caliper trees, that are not provided and vary from the specifications of the PD. Revise the Landscape Requirements Table to incorporate the applicable PD standards for landscaping and revise the required and provided columns to correspond to the standards accordingly.

   Trees have been revised to be 4" caliper. PD standards have been added to the Landscape Requirements Table

The Landscape Requirements Table does not include all applicable PD standards for landscaping. An updated Landscape Requirements Table template has been attached to these comments for your use and reference. Revise the Landscape Plan to remove the Landscape Requirements Table from the main Landscape Plan sheet, and provide the updated/revised Landscape Requirements Table (which is longer) on a separate sheet with all updated required specs and provided specs.

5. **REPEAT COMMENT**: The proposed building elevations do not appear to be consistent with the newest local Walmart architecture (example below). Please revise the building elevations to be of a higher quality and reflect variation in material, color, or features. Roofline silhouettes should be broken up through the use of large cornices, changes in parapet heights, or other techniques such as awnings, bulb-outs, and relief. At least 50 percent of the total façade should use features, such as windows, awnings, entryways, columns, architectural relief to discourage long expanses of bare wall. Additionally, exterior walls should be constructed of a minimum 95% masonry material (i.e. brick, stone, or stucco).

   Architect is still currently working on revised building elevations. These will be provided in the next resubmittal.

   Acknowledged. The building elevations will be reviewed upon resubmittal, but the comment is still applicable.

6. **Repeat Comment:** The maximum height of accessory structures for non-residential uses is 20 feet, per the PD. Revise the Site Plan to include canopy height information, within the Site Summary Table, and revise the Building Elevations to dimension the canopy elevation.

   Site Summary Table has been revised to show a maximum height of 20’ for the fuel station. Building elevations will be revised in the next resubmittal.

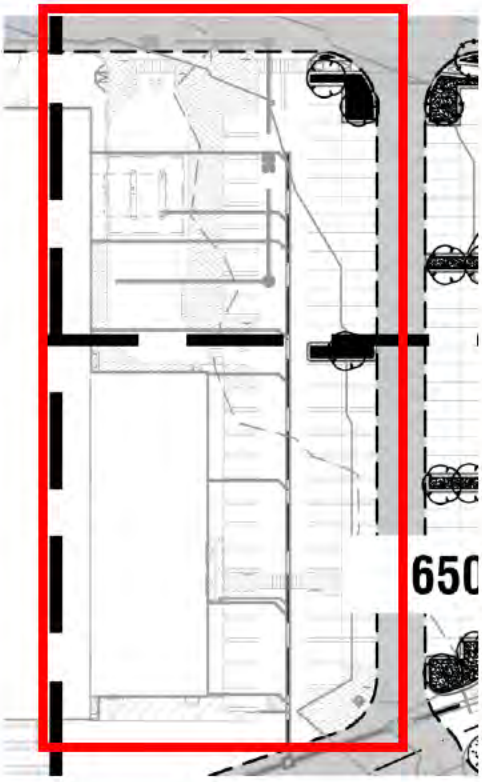
   Acknowledged. The building elevations will be reviewed upon resubmittal. Revise the Site Data Table to provide the actual heights of the structures, not the max heights, associated with the retail and fuel lots.

7. **REPEAT COMMENT**: The site configuration on the Photometric Plan does not match the Site Plan. In addition, light levels along the western property line of Lot 7 must measure 0.25 footcandles or less. Revise the Photometric Plan accordingly.

   Photometric plan currently being revised. Will be submitted with the next resubmittal.

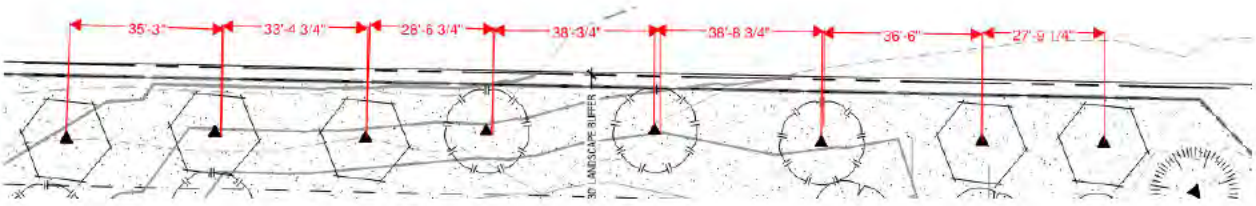
   Acknowledged. The Photometric Plan will be reviewed upon resubmittal. This comment is still applicable.

8. The area near the pharmacy is striped instead of landscaped, but this area should provide additional landscaping, terminus trees, etc. in coordination with applicable landscaping standards.

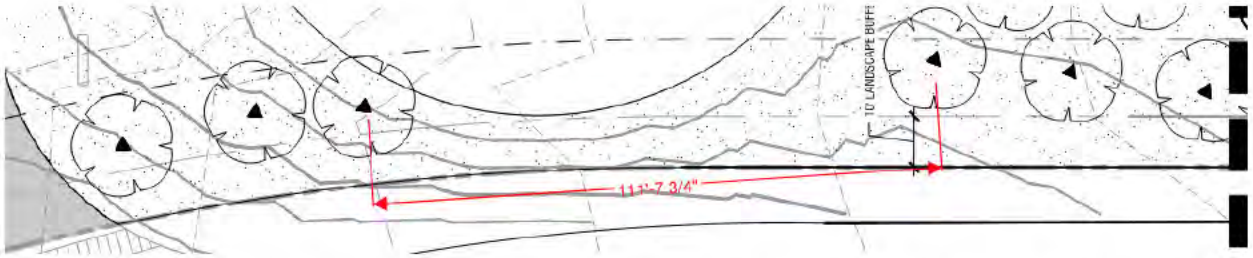


9. Please confirm no drone field/area is proposed on the site.

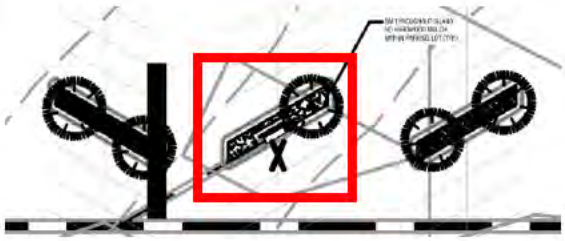
10. One large tree is required per 25 linear feet along SH 78. Revise the Landscape Plan to reduce the distance between the trees along SH78, as required by the PD.



11. One large tree per 30 linear feet of buffer is required along public streets. The frontage along Grand Heritage Boulevard is compliant, but the frontage along Endeavor Boulevard has a gap of approximately 111 feet where no street trees are proposed in the buffer. Revise the Landscape Plan to increase the number of trees provided along the section of landscaped buffer along Endeavour Boulevard shown below, as required by the PD.



12. The parking lot tree requirement in Subarea A calls for one tree/parking island per 15 parking spaces. Revise the Landscape Plan to add additional trees in the parking lot landscape islands, where only one tree is proposed, to meet this requirement as required by the PD. Example area needing an additional tree:



13. Upon resubmittal, please provide a Comment Response Letter indicating acknowledgement or clarification of how each comment has been addressed.

Landscape Requirements Table					
2026-24-17 PD Zoning – Heritage Square				**Required**	**Provided**
3. OFF-STREET PARKING AND LOADING REGULATIONS:					
Off-street loading site design requirements:					
In addition to required wing walls, loading docks and associated loading areas that are within 200 feet of an internal arterial roadway, shall be screened as follows: • Earthen berm with solid evergreen screening that is a minimum of 10 feet in height, or • Solid evergreen screening that is a minimum of 10 feet in height.					
5. LANDSCAPING *Landscape standards shall comply with Sections 9.03.192 and 9.03.193, with the exception of the following regulations:*				**Required**	**Provided**
5.1 Landscape buffer: The minimum required width of landscape buffers along highways are as follows:					
A minimum 30-foot-wide landscape buffer shall be required along SH 78.					
One large tree is required per 25 linear feet of buffer (excluding driveways and utility easements) is required along highways. The landscape buffers are permitted to overlap utility easements, provided there is a minimum of 8 feet of landscape buffer free and clear of easements for planting purposes.					
5.2 A minimum 10' wide landscape buffer with one large tree per 30 linear feet of buffer (excluding driveways and utility easements) is required along public streets. **(Grand Heritage Boulevard and Endeavour Boulevard)**					
5.4 A minimum of 10% of a lot shall be landscaped.					
5.6 For sub-districts based on the Retail District, a minimum of one tree is required for each 6,000 square feet gross lot area excluding areas encumbered by utility easements. Required street (excluding ROW medians), perimeter buffer, or parking lot trees contribute to the site tree requirement.					
5.7 Parking lot tree requirements are as follows:					
SUBAREA	BUILDING FLOOR AREA (SF)	TREE/PARKING ISLAND PER PARKING SPACE RATIO	MAXIMUM SPACING OF A TREE FROM A PARKING SPACE		
A	>140,000	1/15	130'		
Lavon Code of Ordinances					
§ 9.03.172 Off-street parking site design requirements.					

g. No landscaped area within the parking lot shall be less than one hundred (100) square feet.		
h. Landscape islands, medians, perimeter curbs and sidewalks shall contain an eighteen (18) inch wide concrete or decorative paver curb along the inside of the feature that abuts parking stalls to allow patrons to avoid treading over landscaping.		
§ 9.03.193 Required landscaping standards.	**Required**	**Provided**
b.2. Trees cannot be planted closer than four (4) feet to a right-of-way line or closer than eight (8) feet to any public water line, wastewater line, fire protection connection, or drainage line. If tree locations cannot meet this distance requirement or there is a similar prohibiting utility-related factor, an alternate planting location may be approved by the city manager or their designee.		
b.2. Trees cannot be planted closer than four (4) feet to a right-of-way line or closer than eight (8) feet to any public water line, wastewater line, fire protection connection, or drainage line. If tree locations cannot meet this distance requirement or there is a similar prohibiting utility-related factor, an alternate planting location may be approved by the city manager or their designee.		
g. Planting strips less than six (6) feet wide are prohibited.		
i. Vegetative matter shall cover seventy-five (75) percent of any landscape area.		
j. Parking rows. For all development where off-street parking is required, the following standards shall apply:		
1. Parking rows located along public rights-of-way shall be screened with low, evergreen shrubs that are a minimum height of two (2) feet at the time of planting and form a continuous hedge.		
2. Landscape islands shall contain one (1) canopy tree.		
3. Landscape islands are required at the terminus of every parking row.		
k. All required plant material shall be from the approved plant list below, or as considered and approved by the city manager or their designee upon formal request:		

Comments prepared and compiled by:

Preston Loper
Planner at LJA
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Phone: 703.801.2886
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

June 23, 2026

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

Re: Heritage Square (Bear Creek Commercial), Lot 7 (10.8 acres total)
Site Plan

Dear Ms. Dobbs:

As requested, we have reviewed the Site Plan dated May 26, 2026, and Preliminary Engineering Plans dated May 26, 2026 as prepared by Kimley Horn and Associates, Inc. for the above referenced property. In addition, an Traffic Impact Analysis addendum dated May 26, 2026 as prepared by Kimley Horn & Associates, Inc. has been provided. The property is generally on the southeast corner of SH 78 and SH 205 bounded by future Grand Heritage on the east and future Endeavour Blvd on the south. Comments may be provided by the City Planner. FMI comments considered should be considered supplemental to the Planner comments. Our comments are as follows:

1. The Site Plan shows that Lot 7 is to be divided into two (2) lots (7 and 7B). This will require platting.

2. All driveway approaches and fire lanes shall have a minimum radius of 30’. All radii should be labeled.

3. The fire lane at the southwest corner area of Lot 7B should be contiguous.

4. Ther is a 15’ sanitary sewer easement shown on Lot 7B. The use for this easement is not clear.

5. A sidewalk (accessible route) should be located from the fuel kiosk to the sidewalk on Grand Heritage.

6. It should be noted that the proposed driveway at SH 78 requires approval from TxDOT due to proposed driveway spacing requirements for the overall development. Therefore, the location of the driveway may change.

7. The site plan shows a proposed 100-year flood plain along the west property line. Any change to the existing delineated flood plain will require a flood study to modify the flood plain.

8. The Preliminary Grading Plan shows grading activities outside the property boundary. This will require an easement or other written permission from the property owner. A copy of the document should be provide to the City for its records prior to any construction activities.

9. The Preliminary Drainage Plan shows a storm sewer extending from Lot 7B through Lot 7. An easement will be required on Lot 7 to accommodate the shared storm sewer. Both storm sewer pipelines and facilities shown will be considered private.

10. Both lots are discharging into the adjacent drainage way on the west side of the property. This drainage way includers a proposed detention pond. **This pond will be required to be completed prior to going vertical on these lots.**

11. The TIA Addendum modified the trip generation estimate in the original TIA to reflect the current site plan. The net result of the modification is the number of trips is reduced from the original TIA estimates.

12. The TIA Addendum includes a queuing analysis for the proposed drive-thru pharmacy. The analysis shows there is sufficient area provided for the anticipated queuing without impacting the adjacent drive aisles and parking area.

This concludes our review of the above referenced Site Plan and Preliminary Engineering and Traffic Impact Analysis Addendum. A copy of the sheets with markups is provide 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.

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

Sincerely,
FREEMAN-MILLICAN, INC.

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

F:\17024 - LAV General Servies\9 - Review\Heritage Square (Bear Creek Comm)\Walmart\Heritage Square Lot 7 - Site Plan - Rev 0.docx

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6060 North Central Expressway, Suite 400, Dallas, Texas 75206

June 22, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

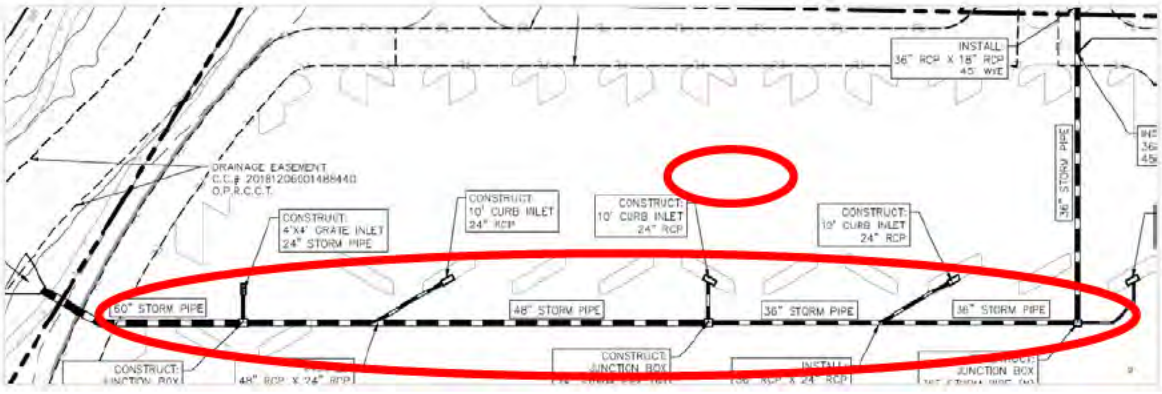
Re: Heritage Square, Subarea A
Site Plan Review
LJA Job No. NTP-40467
MyGov Submittal: May 28, 2026

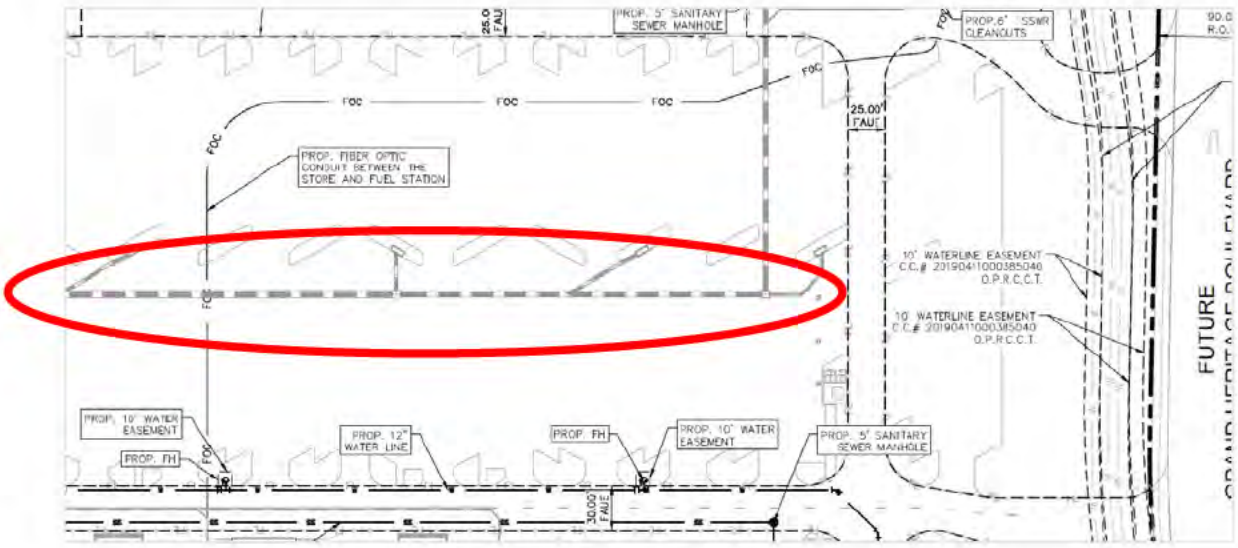
LJA Engineering, Inc. has reviewed the submittal referenced above per your request. Provided below are comments relating to planning and design. Please do not hesitate to let us know if you have any questions.

PLANNING + DESIGN COMMENTS

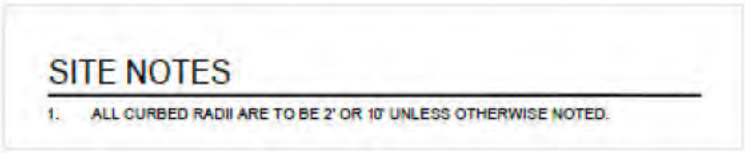
1. This site is designated as Lot 7, Block A on the Bear Creek Commercial Preliminary Plat. The Site Plan shows a proposed subdivision of Lot 7 into two lots. A revised Preliminary Plat will be required to change the lot configuration from Lot 7 to Lots 7 and 7B. A subsequent Final Plat(s), to include the subject property and all Phase 1 infrastructure and Park/drainage improvements, is required to be approved/filed prior to the issuance of a Building Permit for these uses/lots.

2. There are proposed utilities on the Preliminary Utility Plan, such as Storm Pipe (Sheet Number 6140) and Fiber Optic Conduit (Sheet Number 6160), that do not show associated easements on the Site Plan. Revise the Site Plan to show easements for these utilities, if applicable.

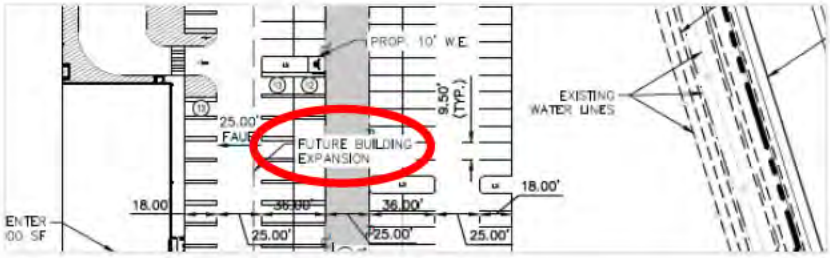




3. Clarify which radii are being referred to in the Site Note shown below.



4. There is an indication of a Future Building Expansion on the Site Plan. Future site improvements will be reviewed, as a separate Site Plan submittal, at the time the modifications are ready to be developed. Revise the Site Plan to remove line work and notes related to the Future Building Expansion or provide the ultimate site layout with the building expansion included.



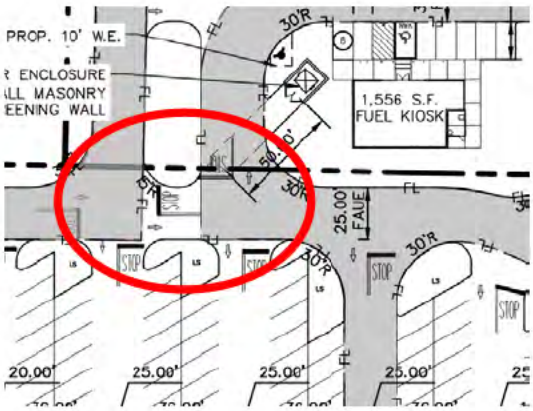
5. The Site Plan indicates that 751 parking spaces are provided on the Walmart retail site. Our review indicated a count of 744 spaces. Revise the Site Plan to correct the Site Data Summary Table to list the correct number of parking spaces provided.

6. Parking areas are required to include pedestrian amenities, such as sidewalks and pedestrian ways, perpendicular to the main building. Revise the Site Plan to include a sidewalk or pedestrian pathway through the parking areas that allow for north-south pedestrian travel. Other Walmart example below:

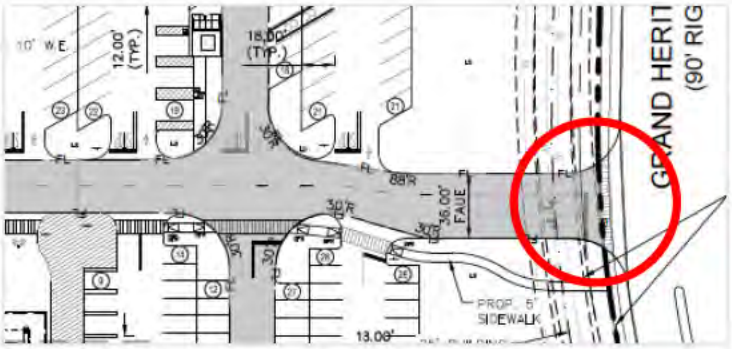




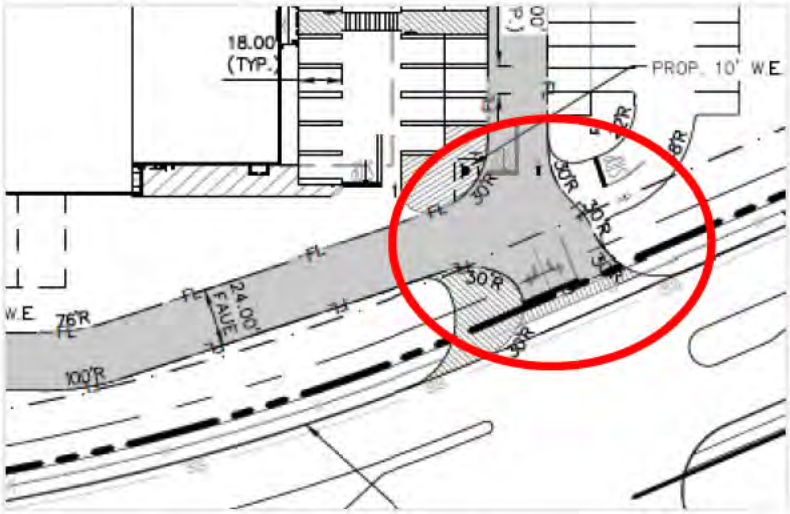
7. Revise the Site and Landscape Plans to connect the fire lane, at the point identified below, to provide continuous cross-access.



8. The southern driveway access, from the site to Grand Heritage Boulevard, does not have turning radii labeled. A minimum turning radius of 30 feet is required. Revise the Site Plan to ensure the turning radius is at least 30 feet and labeled at this location.



9. There is a hatched area, which is not labeled on the eastern driveway, along Endeavour Boulevard. Revise the Site Plan to label the intent of the hatched area and provide a minimum 30-foot radius on the eastern side of the driveway.



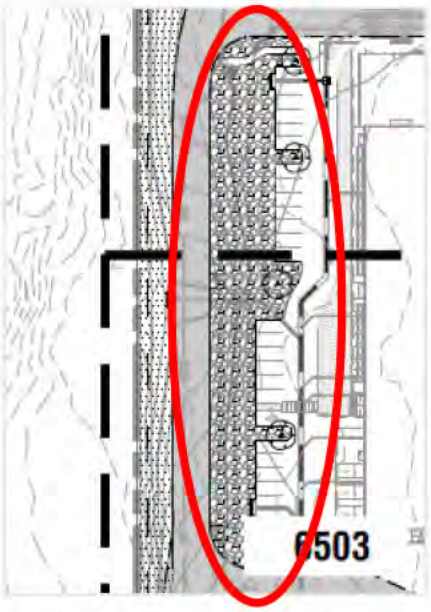
10. The PD requires loading docks to be screened with an earthen berm, with solid evergreen screening, that is a minimum of 10 feet in height, or solid evergreen screening that is a minimum of 10 feet in height, in addition to a masonry screening wall. Revise the Landscape Plan to provide the berm/landscaping, in addition to the masonry screening wall, along Endeavour Boulevard.

11. Revise the Site Plan to label the striped area, on the north side of the proposed fuel lot, as a loading space.

12. A minimum of five loading spaces (12 feet x 35 feet) are required for the proposed retail use. Please clarify the loading spaces provided by labeling the dimensioned spaces accordingly.

13. Revise the Landscape Plan to label and dimension the landscape buffers.

14. 75% of any landscape area is required to be vegetative matter. There are various landscape areas that do not appear to meet this requirement (example shown below). Revise the Landscape Plan to provide planting in these areas.



15. The Landscape Requirements Table references the City of Lavon Landscape Requirements but does not incorporate the landscape requirements from the PD. The Table also indicates items as "Provided", such as four-inch caliper trees, that are not provided and vary from the specifications of the PD. Revise the Landscape Requirements Table to incorporate the applicable PD standards for landscaping and revise the required and provided columns to correspond to the standards accordingly.

CITY OF LAVON LANDSCAPE REQUIREMENTS		
LANDSCAPE AREA (124,313 SF / 25.07.007	REQUIRED	PROVIDED
Along each public street, a minimum twenty (20) foot wide landscaped planting strip shall be required in all districts except in the main street district where the planning [planting] strip shall be a minimum ten (10) feet wide.	YES	YES
A minimum five (5) foot wide landscaped area shall be provided where parking or drive aisles abut a property line, except where a mutual access easement (shared drive aisle) is located on a property line, or a wider landscape buffer is required.	YES	YES

16. A continuous evergreen shrub screen is required along all public roads. The Landscape Plan Requirements Table indicates this shrub screening has been provided, however they are not reflected on the plan sheets. Revise the Landscape Plan to provide this shrub screening.

17. Revise the Landscape Plan to remove utility easements. Only existing and proposed utility lines should be shown on the Landscape Plan (easements should be shown on the Site Plan).

18. Revise the Landscape Plan to show/label proposed irrigation lines.

19. The dumpster enclosure is to be screened with evergreen shrubs (from the approved plant list), a minimum three (3) feet tall at the time of planting and spaced a maximum three (3) feet apart on center. The dumpster enclosure, located adjacent to the Fuel Kiosk, does not

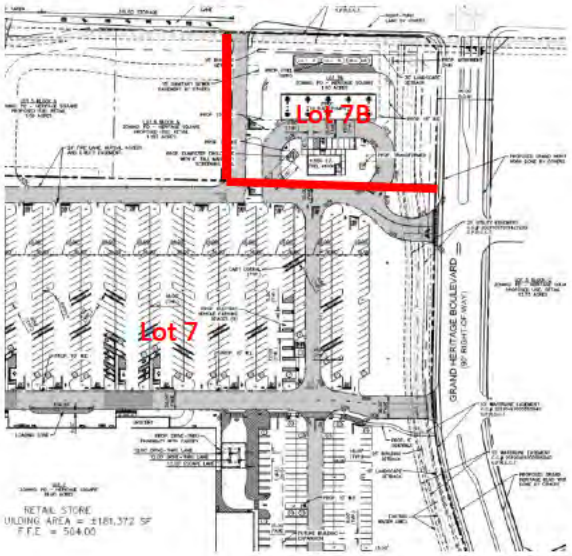
include any landscaped screening. Revise the Landscape Plan to include the required evergreen shrubs.

20. The proposed building elevations do not appear to be consistent with the newest local Walmart architecture (example below). Please revise the building elevations to be of a higher quality and reflect variation in material, color, or features. Roofline silhouettes should be broken up through the use of large cornices, changes in parapet heights, or other techniques such as awnings, bulb-outs, and relief. At least 50 percent of the total façade should use features, such as windows, awnings, entryways, columns, architectural relief to discourage long expanses of bare wall. Additionally, exterior walls should be constructed of a minimum 95% masonry material (i.e. brick, stone, or stucco).



21. The maximum height of accessory structures for non-residential uses is 20 feet, per the PD. Revise the Site Plan to include canopy height information, within the Site Summary Table, and revise the Building Elevations to dimension the canopy elevation.

22. The site configuration on the Photometric Plan does not match the Site Plan. In addition, light levels along the western property line of Lot 7 must measure 0.25 footcandles or less. Revise the Photometric Plan accordingly.



23. FYI – All outdoor lighting shall be shielded, with downward facing fixtures.
24. FYI – Confirm driveway spacing on SH 78 with the City Engineer.
25. FYI – Signage is reviewed as a separate application.
26. 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
Phone: 469.348.6571
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: 7 - F**

Item:

Public hearing, discussion, and action regarding an Ordinance approving a petition of the landowner to add 82.427 acres of property to the City's extraterritorial jurisdiction and adding the hereinafter described property known as: parcel of land located in Collin County, Texas, a part of the Samual M. Rainer Survey, Abstract Number 740, and being a part of that called 46.17 acre tract of land described in deed to Louise B. Akin as recorded in Document Number 20201112002008460, Official Public Records of Collin County, Texas, and being a part of that called 1.648 acre tract of land described in deed to Joe Akin & Louise Akin as recorded in Volume 4070, Page 2740, Official Public Records of Collin County, Texas, and being a part of that called 54.28 acre tract of land described in deed to Maurice Williams, Kimberly Williams Barnett, and Kristi Williams Neyes as recorded in Document Number 20110207000130110, Official Public Records of Collin County, Texas; and any right-of-way adjacent to said property; into of the City's extraterritorial jurisdiction, and updating the official map.

1) Presentation of proposed petition.
2) **PUBLIC HEARING** to receive comments regarding the proposed petition.
3) Discussion and action regarding the proposed petition and accompanying Ordinance.

Background:

The City received a petition from the owners of property northeast of the current city limits requesting inclusion in the City of Lavon extraterritorial jurisdiction.

Code Excerpt:

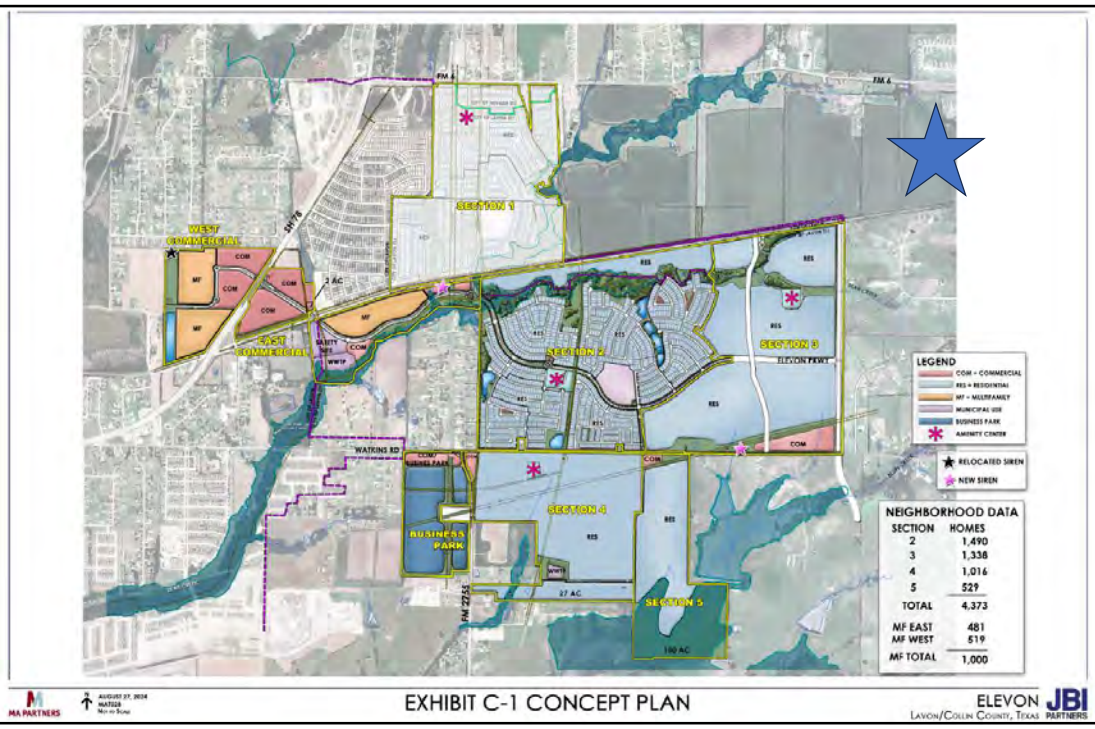
TEXAS LOCAL GOVERNMENT CODE
SECTION 42.105 (e)

(e) Notwithstanding any other law, an area released from a municipality's extraterritorial jurisdiction under this section may not be included in the extraterritorial jurisdiction or the corporate boundaries of a municipality, unless the owner or owners of the area subsequently request that the area be included in the municipality's extraterritorial jurisdiction or corporate boundaries.

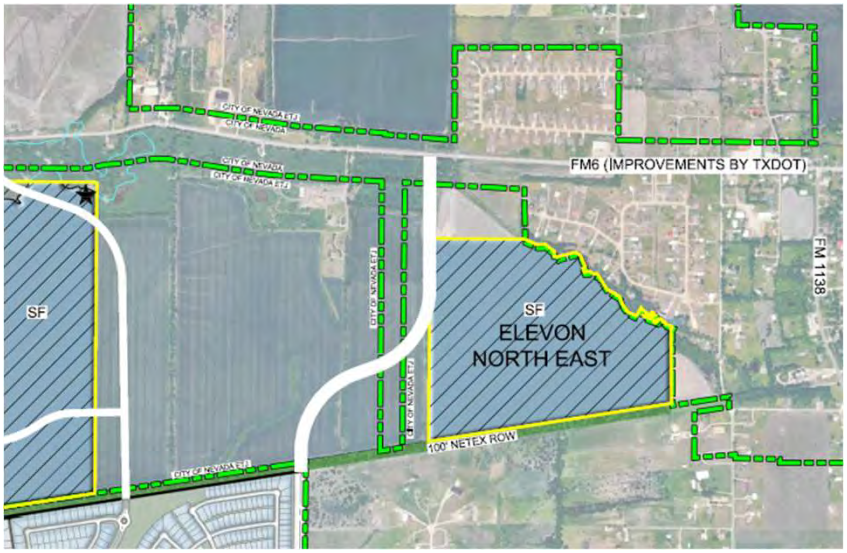
Staff Notes:

The city attorney has reviewed the petition and ordinance. Approval is recommended.

Attachments:
1. Location exhibit
2. Proposed Ordinance and Petition


SECTION 1
SECTION 2
SECTION 3
SECTION 4
SECTION 5
WEST COMMERCIAL
EAST COMMERCIAL
BUSINESS PARK
WATKINS RD
FM 2755
LEGEND
NEIGHBORHOOD DATA
SECTION HOMES
2 1,490
3 1,338
4 1,016
5 529
TOTAL 4,373
MF EAST 481
MF WEST 519
MF TOTAL 1,000
EXHIBIT C-1 CONCEPT PLAN
ELEVON
LAVON/COLLIN COUNTY, TEXAS

8


FM6 (IMPROVEMENTS BY TXDOT)
FM 1138
SF
SF
ELEVON
NORTH EAST
100' NETEX ROW

9

CITY OF LAVON, TEXAS

ORDINANCE NO. _____

Petition for ETJ Inclusion – 82.427 acres

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, EXPANDING THE EXTRATERRITORIAL JURISDICTION OF THE CITY TO INCLUDE AN AREA BEING AN APPROXIMATE 82.427 ACRE TRACT OF LAND NOT CURRENTLY WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY, SAID TRACT BEING SITUATED IN THE SAMUAL M. RAINER SURVEY, ABSTRACT NO. 740, COLLIN COUNTY, TEXAS, AND GENERALLY LOCATED SOUTH OF W. FM NO. 6 AND WEST OF WEST STREET; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENT OF THE OFFICIAL MAP AND BOUNDARIES OF THE CITY'S EXTRATERRITORIAL JURISDICITION; PROVIDING FILING INSTRUCTIONS; PROVIDING SEVERABILITY AND CUMULATIVE CLAUSES; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS ADOPTED WAS LAWFULLY HELD IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lavon, Texas (the "City") is a home-rule municipality located in Collin County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas and the Lavon City Charter; and

WHEREAS, the City received a petition (the "Petition") from Maurice Williams, Kimberly Williams, Kristi Neyses and the Louise B. Akin Revocable Trust, the property owners (the "Owner"), of an approximate 82.427 acre tract land (the "Property") situated in the Samual M. Rainer Survey, Abstract No. 740, Collin County, Texas, further described in the Petition for Inclusion of Lands in the Extraterritorial Jurisdiction, attached hereto and incorporated herein as **Exhibit "A"**, requesting expansion to include the Property into the ETJ of the City; and

WHEREAS, the Property was previously in the ETJ of the City of Neveda, but the Owner petitioned the City of Neveda to remove the Property from Neveda's ETJ pursuant to Subchapter D, Chapter 42, Texas Local Government Code; and

WHEREAS, Section 42.105(e) of the Texas Local Government Code states that the owner of property removed from the ETJ of a City may request that their property be included in the ETJ of a municipality; and

WHEREAS, the City Council of the City (the "City Council") has determined that the Petition of the Owner is a valid Petition to add the Property into the City's ETJ and hereby approves the Petition; and

WHEREAS, the City Council finds and determines that expansion of the City's ETJ to include the Property as requested by the Owner, is in the best interests of the City and the Owner.

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

SECTION 1. Findings. It is hereby officially determined that the findings and recitations contained above in the preamble of this Ordinance are true and correct and are incorporated herein by reference.

SECTION 2. ETJ Expansion. Pursuant to Section 42.105(e) of the Texas Local Government Code, and other applicable law, and at the request of the Owner, the Petition is approved and the ETJ of the City is hereby expanded to include the Property, as more particularly described in the Petition and depicted in **Exhibit "B"**. From and after the effective date of this Ordinance, the Property shall be included within the ETJ of the City, and the entirety of the Property described and depicted in **Exhibit "A"** and **Exhibit "B"** shall be located within the ETJ of the City.

SECTION 3. Official Map. The official map depicting the boundaries of the City's ETJ is hereby amended to reflect the expansion of the City's ETJ to include the Property. The City Secretary is authorized and directed to take all actions necessary to cause the City's official maps and records to reflect the expansion approved by this Ordinance.

SECTION 4. Filing Instructions. The City Secretary is hereby directed and authorized to file a certified copy of this Ordinance with the County Clerk of Collin County, Texas, and with other appropriate officials and agencies as required by state and federal law.

SECTION 5. Severability Clause. It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this Ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this Ordinance.

SECTION 6. Cumulative Clause. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 7. Public 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, Texas Government Code.

SECTION 8. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, this 6th day of October 2026.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

Exhibit A
Voluntary Petition Expanding the ETJ including Property Description



PETITION FOR INCLUSION OF LANDS
IN THE EXTRATERRITORIAL JURISDICTION

THE STATE OF TEXAS §

COUNTY OF COLLIN §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LAVON, TEXAS:

COMES NOW the undersigned (collectively, the "Petitioner"), and hereby requests and petitions the City of Lavon, Texas (the "City") to include the lands described in Exhibit A attached hereto and incorporated herein for all purposes (the "Property") into the extraterritorial jurisdiction of the City, pursuant to the City's authority under Section 42.022 and Section 42.105 of the Texas Local Government Code, as amended (the "TLGC"). In support of the foregoing, the Petitioner would respectfully show the following:

I.

The Property totals 82.427 acres and is located wholly within Collin County and outside of any city's municipal limits or extraterritorial jurisdiction. The Property was previously in the extraterritorial jurisdiction of the City of Neveda, but was removed after the Petitioner petitioned for release under Subchapter D, Chapter 42, Texas Local Government Code. Petitioners now submit this Petition to the City pursuant to Section 42.105(e), Texas Local Government Code.

II.

The Petitioner is the owner of 100% of the Property in acreage and assessed value, as indicated by the current tax rolls of the Collin Central Appraisal District.

III.

The entities executing this Petition are duly authorized and have the corporate authority to execute this Petition and the undersigned request the annexation of the Property into the extraterritorial jurisdiction of the City. This Petition shall be filed with the Secretary of the City.

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that the City Council of the City:

(1) duly consider this Petition, and perform such actions as may be required pursuant to Section 42.022 and Section 42.105 of the TLGC to consider this petition and the inclusion of the Property into the City's extraterritorial jurisdiction; and

(2) grant all matters requested in this Petition.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, this Petition has been executed by the duly authorized representatives of the Petitioner on the 28 day of August, 2026.

PETITIONER

MAURICE WILLIAMS,
an individual

THE STATE OF TEXAS §
COUNTY OF Collin §

This instrument was acknowledged before me on this day, August 28th, 2026, by Maurice Williams.

CRISTIAN MAURICIO MONGE HERNANDEZ
Notary Public, State of Texas
Comm. Expires 03-13-2029
Notary ID 135506416

Notary Public, State of Texas

(SEAL)

KIMBERLY WILLIAMS,
an individual

By: Kimberly Williams

Name: _____

Title: _____

STATE OF TEXAS §
COUNTY OF Collin §

This instrument was acknowledged before me on this day, August 28th, 2026, by Kimberly Williams.

[SEAL]

ZAVIER LAMAR GIPSON
Notary Public, State of Texas
Comm. Expires 05-29-2030
Notary ID 135559189

Zavier Gipson
Notary Public
Commission Expires: 05-29-2030

KRISTI NEYSES,
an individual

By: Kristi Neyses

Name: _____

Title: _____

STATE OF TEXAS §
COUNTY OF Collin §

This instrument was acknowledged before me on this day, August 28th, 2026, by Kristi Neyses.

[SEAL]

ZAVIER LAMAR GIPSON
Notary Public, State of Texas
Comm. Expires 05-29-2030
Notary ID 135559189

Zavier Gipson

Notary Public
Commission Expires: 05-29-2030

LOUISE B. AKIN REVOCABLE TRUST

By: Louise B. Akin
Name: Louise B. Akin
Title: Trustee

THE STATE OF TEXAS §
COUNTY OF Dallas §

This instrument was acknowledged before me on this day, August 29th, 2026, by Louise B. Akin, Trustee of Louise B. Akin Revocable Trust, on behalf of said trust.

Notary Public, State of Texas

(SEAL)

Monica Herrera
My Commission Expires
6/4/2028
Notary ID 130451344

EXHIBIT "A"

LEGAL DESCRIPTION OF LANDS TO BE ANNEXED INTO THE CITY

LEGAL DESCRIPTION
(82.427 ACRES-MMD EAST)

BEING a parcel of land located in Collin County, Texas, a part of the Samual M. Rainer Survey, Abstract Number 740, and being a part of that called 46.17 acre tract of land described in deed to Louise B. Akin as recorded in Document Number 20201112002008460, Official Public Records of Collin County, Texas, and being a part of that called 1.648 acre tract of land described in deed to Joe Akin & Louise Akin as recorded in Volume 4070, Page 2740, Official Public Records of Collin County, Texas, and being a part of that called 54.28 acre tract of land described in deed to Maurice Williams, Kimberly Williams Barnett, and Kristi Williams Neyes as recorded in Document Number 20110207000130110, Official Public Records of Collin County, Texas, and being further described as follows:

COMMENCINING at a PK nail found at the northeast corner said 1.648 acre tract, said point being in the approximate centerline of West Street, from which point bears North 73 degrees 13 minutes 16 seconds West, 26.06 feet a one-half inch iron rod with cap stamped "OWENS RPLS 5387" found at the southeast corner of Lot 11, Oak Bend Estates, an addition to Collin County as recorded in Cabinet Q, Page 479, Official Public Records of Collin County, Texas;

THENCE South 00 degrees 22 minutes 10 seconds West, 524.64 feet to a one-half inch iron rod with yellow cap stamped "JBI" set at the southeast corner of said 46.17 acre tract, said point also being in the north right-of-way line of that tract of land described in deed to Northeast Texas Rural Rail Transportation District as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE South 81 degrees 07 minutes 34 seconds West, 494.55 feet along the north right-of-way line of said Northeast Texas Rural Rail Transportation District to a point for corner in the west City Limit Line of Nevada, Texas, said point also being the POINT OF BEGINNING of this tract of land;

THENCE continuing along the north right-of-way line of said Northeast Texas Rural Rail Transportation District as follows:

South 81 degrees 07 minutes 34 seconds West, 1,090.55 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the south line of said 46.17 acre tract;

South 81 degrees 07 minutes 37 seconds West, 1,294.77 feet to a point for corner, said point being the southwest corner of said 54.28 acre tract;

THENCE North 00 degrees 28 minutes 58 seconds East, 1,964.79 feet along the west line of said 54.28 acre tract to a point for corner;

THENCE South 89 degrees 31 minutes 02 seconds East, 918.59 feet to a point for corner in the east line of said 54.28 acre tract, said point being the northwest corner of said 46.17 acre tract, said point being the southwest corner of Lot 22, said Oak Bend Estates, said point also being in the approximate centerline of a creek;

THENCE along the approximate centerline of said creek and the south line of said Oak Bend Estates as follows:

South 65 degrees 58 minutes 18 seconds East, 129.92 feet to a point for corner;
North 88 degrees 17 minutes 55 seconds East, 78.35 feet to a point for corner;
South 52 degrees 30 minutes 07 seconds East, 115.55 feet to a point for corner;
South 06 degrees 43 minutes 25 seconds West, 46.22 feet to a point for corner;
South 75 degrees 20 minutes 36 seconds East, 33.82 feet to a point for corner;
North 62 degrees 09 minutes 14 seconds East, 22.07 feet to a point for corner;
North 76 degrees 15 minutes 14 seconds East, 162.65 feet to a point for corner;
South 55 degrees 19 minutes 49 seconds East, 52.39 feet to a point for corner;
South 23 degrees 55 minutes 38 seconds East, 112.46 feet to a point for corner;
South 01 degrees 51 minutes 17 seconds West, 21.12 feet to a point for corner;
South 70 degrees 49 minutes 38 seconds West, 17.63 feet to a point for corner;
South 21 degrees 36 minutes 22 seconds East, 33.54 feet to a point for corner;
North 84 degrees 42 minutes 21 seconds East, 35.97 feet to a point for corner;
South 83 degrees 05 minutes 59 seconds East, 18.61 feet to a point for corner;
South 61 degrees 44 minutes 19 seconds East, 45.75 feet to a point for corner;
North 85 degrees 13 minutes 47 seconds East, 31.12 feet to a point for corner;
South 32 degrees 11 minutes 41 seconds East, 176.50 feet to a point for corner;
South 59 degrees 38 minutes 18 seconds East, 144.80 feet to a point for corner;
South 08 degrees 40 minutes 22 seconds East, 27.77 feet to a point for corner;
South 25 degrees 30 minutes 30 seconds East, 54.78 feet to a point for corner;
South 34 degrees 50 minutes 24 seconds East, 89.38 feet to a point for corner;
South 66 degrees 39 minutes 00 seconds East, 87.46 feet to a point for corner;
North 30 degrees 00 minutes 36 seconds East, 93.34 feet to a point for corner;
South 36 degrees 42 minutes 18 seconds East, 31.03 feet to a point for corner;
South 52 degrees 08 minutes 17 seconds East, 82.80 feet to a point for corner;
North 31 degrees 38 minutes 12 seconds East, 38.07 feet to a point for corner;
South 60 degrees 22 minutes 31 seconds East, 20.91 feet to a point for corner;
South 03 degrees 03 minutes 34 seconds West, 14.38 feet to a point for corner;
South 63 degrees 18 minutes 54 seconds East, 14.61 feet to a point for corner;
South 58 degrees 23 minutes 07 seconds West, 22.11 feet to a point for corner;
North 82 degrees 54 minutes 49 seconds West, 94.20 feet to a point for corner;
South 26 degrees 53 minutes 26 seconds East, 12.34 feet to a point for corner;

South 69 degrees 21 minutes 29 seconds East, 96.32 feet to a point for corner;
South 21 degrees 29 minutes 33 seconds East, 20.57 feet to a point for corner;
South 55 degrees 08 minutes 41 seconds East, 15.23 feet to a point for corner;
North 58 degrees 09 minutes 37 seconds East, 15.35 feet to a point for corner;
North 52 degrees 27 minutes 23 seconds West, 16.12 feet to a point for corner;
North 57 degrees 57 minutes 01 seconds East, 20.78 feet to a point for corner;
North 71 degrees 15 minutes 45 seconds East, 34.77 feet to a point for corner;
South 38 degrees 23 minutes 26 seconds East, 43.92 feet to a point for corner;
South 73 degrees 24 minutes 35 seconds East, 19.62 feet to a point for corner;
South 15 degrees 28 minutes 15 seconds East, 16.61 feet to a point for corner;
South 80 degrees 23 minutes 39 seconds East, 13.64 feet to a point for corner;
South 73 degrees 13 minutes 16 seconds East, 57.22 feet to a point for corner in the north line of said 1.648 acre tract, said point also being in the west City Limit Line of Nevada, Texas;

THENCE along the west City Limit Line of Nevada, Texas as follows:
South 30 degrees 19 minutes 56 seconds West, 37.01 feet to a point for corner;
South 00 degrees 26 minutes 14 seconds East, 713.35 feet to the POINT OF BEGINNING and containing 3,590,501 square feet or 82.427 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.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Exhibit B
Property Depiction



CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: 7 - G**

Item:

Public hearing, discussion, and action regarding an Ordinance approving a petition of the landowner to add 186.342 acres of property to the City's extraterritorial jurisdiction and adding the hereinafter described property known as: parcel of land located in Collin County, Texas, a part of the Samual M. Rainer Survey, Abstract Number 740, and being a part of that called 132.70 acre tract of land described in deed to Lavon 78 Development LLC as recorded in Document Number 2022000088387, Official Public Records of Collin County, Texas, and being all of that called 41.79 acre tract of land and all of that called 46.66 acre tract of land described in deed to Bank Site Acquisition Corporation as recorded in Document Number 20060221000229620, Official Public Records of Collin County, Texas, and being a part of that called 162.075 acre tract of land described in deed to Milford Founders, LTD as recorded in Volume 5549, Page 4476, Official Public Records of Collin County, Texas; and any right-of-way adjacent to said property; into of the City's extraterritorial jurisdiction, and updating the official map.

1) Presentation of proposed petition.
2) **PUBLIC HEARING** to receive comments regarding the proposed petition.
3) Discussion and action regarding the proposed petition and accompanying Ordinance.

Background:

The City received a petition from the owners of property northeast of the current city limits requesting inclusion in the City of Lavon extraterritorial jurisdiction.

Code Excerpt:

TEXAS LOCAL GOVERNMENT CODE
SECTION 42.105 (e)

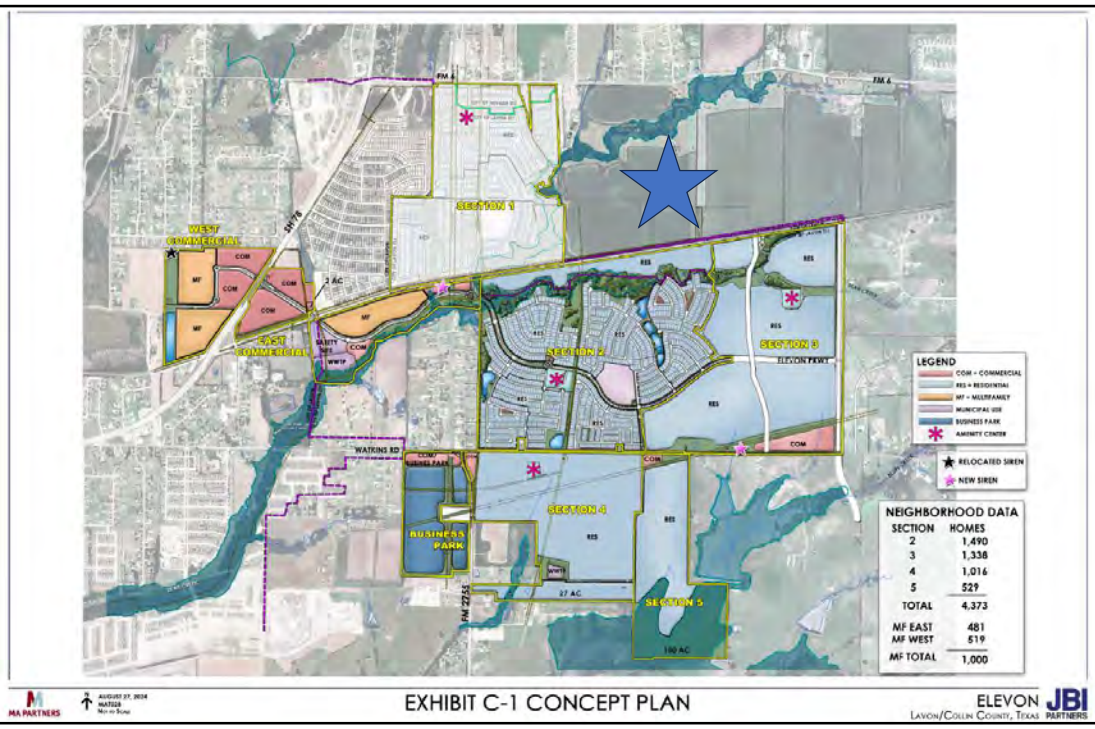
(e) Notwithstanding any other law, an area released from a municipality's extraterritorial jurisdiction under this section may not be included in the extraterritorial jurisdiction or the corporate boundaries of a municipality, unless the owner or owners of the area subsequently request that the area be included in the municipality's extraterritorial jurisdiction or corporate boundaries.

Staff Notes:

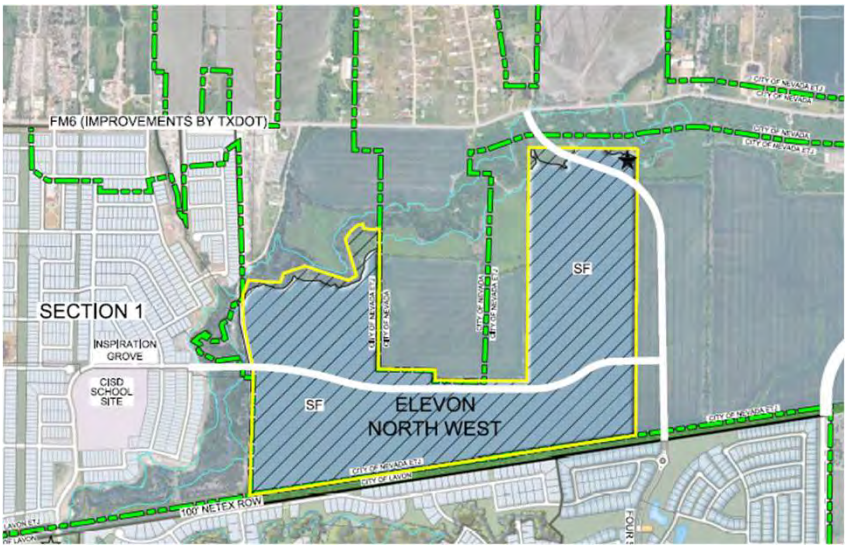
The city attorney has reviewed the petition and ordinance. Approval is recommended.

Attachments:

1. Location exhibit
2. Proposed Ordinance and Petition


SECTION 1
SECTION 2
SECTION 3
SECTION 4
SECTION 5
WEST COMMERCIAL
EAST COMMERCIAL
BUSINESS PARK
WATKINS RD
FM 2253
LEGEND
COM = COMMERCIAL
RES = RESIDENTIAL
MF = MULTIFAMILY
MUNICIPAL USE
BUSINESS PARK
AMENITY CENTER
RELOCATED SIREN
NEW SIREN
NEIGHBORHOOD DATA
SECTION HOMES
2 1,490
3 1,338
4 1,016
5 529
TOTAL 4,373
MF EAST 481
MF WEST 519
MF TOTAL 1,000
EXHIBIT C-1 CONCEPT PLAN
ELEVON
LAVON/COLLIN COUNTY, TEXAS
JBI PARTNERS
MA PARTNERS

11


FM6 (IMPROVEMENTS BY TXDOT)
SECTION 1
INSPIRATION GROVE
CISD SCHOOL SITE
SF
SF
ELEVON NORTH WEST
100' NETEX ROW

12

CITY OF LAVON, TEXAS

ORDINANCE NO. _____

Petition for ETJ Inclusion – 186.342 acres

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, EXPANDING THE EXTRATERRITORIAL JURISDICTION OF THE CITY TO INCLUDE AN AREA BEING AN APPROXIMATE 186.342 ACRE TRACT OF LAND NOT CURRENTLY WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY, SAID TRACT BEING SITUATED IN THE SAMUAL M. RAINER SURVEY, ABSTRACT NO. 740, COLLIN COUNTY, TEXAS, AND GENERALLY LOCATED SOUTH OF W. FM NO. 6 AND WEST OF WEST STREET; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENT OF THE OFFICIAL MAP AND BOUNDARIES OF THE CITY'S EXTRATERRITORIAL JURISDICITION; PROVIDING FILING INSTRUCTIONS; PROVIDING SEVERABILITY AND CUMULATIVE CLAUSES; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS ADOPTED WAS LAWFULLY HELD IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lavon, Texas (the "City") is a home-rule municipality located in Collin County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas and the Lavon City Charter; and

WHEREAS, the City received a petition (the "Petition") from Lavon 78 Development, LLC, the property owner (the "Owner"), of an approximate 186.342 acre tract land (the "Property") situated in the Samual M. Rainer Survey, Abstract No. 740, Collin County, Texas, further described in the Petition for Inclusion of Lands in the Extraterritorial Jurisdiction, attached hereto and incorporated herein as **Exhibit "A"**, requesting expansion to include the Property into the ETJ of the City; and

WHEREAS, the Property was previously in the ETJ of the City of Neveda, but the Owner petitioned the City of Neveda to remove the Property from Neveda's ETJ pursuant to Subchapter D, Chapter 42, Texas Local Government Code; and

WHEREAS, Section 42.105(e) of the Texas Local Government Code states that the owner of property removed from the ETJ of a City may request that their property be included in the ETJ of a municipality; and

WHEREAS, the City Council of the City (the "City Council") has determined that the Petition of the Owner is a valid Petition to add the Property into the City's ETJ and hereby approves the Petition; and

WHEREAS, the City Council finds and determines that expansion of the City's ETJ to include the Property as requested by the Owner, is in the best interests of the City and the Owner.

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

SECTION 1. Findings. It is hereby officially determined that the findings and recitations contained above in the preamble of this Ordinance are true and correct and are incorporated herein by reference.

SECTION 2. ETJ Expansion. Pursuant to Section 42.105(e) of the Texas Local Government Code, and other applicable law, and at the request of the Owner, the Petition is approved and the ETJ of the City is hereby expanded to include the Property, as more particularly described in the Petition and depicted in **Exhibit "B"**. From and after the effective date of this Ordinance, the Property shall be included within the ETJ of the City, and the entirety of the Property described and depicted in **Exhibit "A"** and **Exhibit "B"** shall be located within the ETJ of the City.

SECTION 3. Official Map. The official map depicting the boundaries of the City's ETJ is hereby amended to reflect the expansion of the City's ETJ to include the Property. The City Secretary is authorized and directed to take all actions necessary to cause the City's official maps and records to reflect the expansion approved by this Ordinance.

SECTION 4. Filing Instructions. The City Secretary is hereby directed and authorized to file a certified copy of this Ordinance with the County Clerk of Collin County, Texas, and with other appropriate officials and agencies as required by state and federal law.

SECTION 5. Severability Clause. It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this Ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this Ordinance.

SECTION 6. Cumulative Clause. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 7. Public 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, Texas Government Code.

SECTION 8. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, this 6th day of October 2026.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

Exhibit A
Voluntary Petition Expanding the ETJ including Property Description

COPY

RECEIVED
SEP 22 2026
By

PETITION FOR INCLUSION OF LANDS IN THE EXTRATERRITORIAL JURISDICTION

THE STATE OF TEXAS §

COUNTY OF COLLIN §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LAVON, TEXAS:

COMES NOW the undersigned (collectively, the "Petitioner"), and hereby requests and petitions the City of Lavon, Texas (the "City") to include the lands described in Exhibit A attached hereto and incorporated herein for all purposes (the "Property") into the extraterritorial jurisdiction of the City, pursuant to the City's authority under Section 42.022 and Section 42.105 of the Texas Local Government Code, as amended (the "TLGC"). In support of the foregoing, the Petitioner would respectfully show the following:

I.

The Property totals 186.342 acres and is located wholly within Collin County and outside of any city's municipal limits or extraterritorial jurisdiction; but adjacent to the City's current extraterritorial jurisdiction. The Property was previously in the extraterritorial jurisdiction of the City of Neveda, but was removed after the Petitioner petitioned for release under Subchapter D, Chapter 42, Texas Local Government Code. Petitioners now submit this Petition to the City pursuant to Section 42.105(e), Texas Local Government Code.

II.

The Petitioner is the owner of 100% of the Property in acreage and assessed value, as indicated by the current tax rolls of the Collin Central Appraisal District.

III.

The entities executing this Petition are duly authorized and have the corporate authority to execute this Petition and the undersigned request the annexation of the Property into the extraterritorial jurisdiction of the City. This Petition shall be filed with the Secretary of the City.

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that the City Council of the City:

(1) duly consider this Petition, and perform such actions as may be required pursuant to Section 42.022 and Section 42.105 of the TLGC to consider this petition and the inclusion of the Property into the City's extraterritorial jurisdiction; and

(2) grant all matters requested in this Petition.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, this Petition has been executed by the duly authorized representatives of the Petitioner on the 21 day of September, 2026.

PETITIONER

LAVON 78 DEVELOPMENT, LLC,
a Texas limited liability company

By: _____
Name: IMTIAZ AHMED
Title: Manager

THE STATE OF ~~TEXAS~~ Illinois §
COUNTY OF _____ §

This instrument was acknowledged before me on this day, ~~August~~ Sep 21, 2026, by Imtiaz Ahmed, Manager of Lavon 78 Development, LLC, a Texas limited liability company, on behalf of said company.

_____
Notary Public, State of ~~Texas~~ Illinois

(SEAL)

OFFICIAL SEAL
JULIANA NKECHINYERE EKWONWA
Notary Public, State of Illinois
Commission No. 1013046
My Commission Expires
July 03, 2028

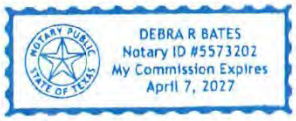
SAFE HARBOR HOLDINGS III, LLC,

a Texas limited liability company

By: _____
Name: J. Michael Tibbals
Title: Attorney-in-Fact for Randall L. Clark, Manager

THE STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this day, August 31, 2026, by J. Michael Tibbals, Attorney-in-Fact for Randall L. Clark, Manager of Safe Harbor Holdings III, LLC, a Texas limited liability company, on behalf of said company.



_____
Notary Public, State of Texas

(SEAL)

BANK SITE ACQUISITION CORP.,
a Texas corporation

By: _____
Name: J. Michael Tibbals
Title: President

THE STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this day, August 31, 2026, by J. Michael Tibbals, President of Bank Site Acquisition Corp., a Texas corporation, on behalf of said corporation.

DEBRA R BATES
Notary ID #5573202
My Commission Expires
April 7, 2027

_____
Notary Public, State of Texas

(SEAL)

MILFORD FOUNDERS LTD.,
a Texas limited partnership

By: _____
Name: J. Michael Tibbals
Title: Manager

THE STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this day, August 31, 2026, by J. Michael Tibbals, Manager of Milford Founders Ltd., a Texas limited partnership, on behalf of said company.

DEBRA R BATES
Notary ID #5573202
My Commission Expires
April 7, 2027

_____
Notary Public, State of Texas

(SEAL)

EXHIBIT "A"

LEGAL DESCRIPTION OF LANDS TO BE INCLUDED IN THE EXTRATERRITORIAL JURISDICTION

LEGAL DESCRIPTION
(186.342 ACRES-MMD WEST)

BEING a parcel of land located in Collin County, Texas, a part of the Samual M. Rainer Survey, Abstract Number 740, and being a part of that called 132.70 acre tract of land described in deed to Lavon 78 Development LLC as recorded in Document Number 2022000088387, Official Public Records of Collin County, Texas, and being all of that called 41.79 acre tract of land and all of that called 46.66 acre tract of land described in deed to Bank Site Acquisition Corporation as recorded in Document Number 20060221000229620, Official Public Records of Collin County, Texas, and being a part of that called 162.075 acre tract of land described in deed to Milford Founders, LTD as recorded in Volume 5549, Page 4476, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod found at the southwest corner of said 41.79 acre tract of land, said point being the southeast corner of CA-31X, Block O, Elevon Section 1, Phase 3, an addition to Collin County as recorded in Document Number 2025-305, Official Public Records of Collin County, Texas, said point also being in the north right-of-way line of that tract of land described in deed to Northeast Texas Rural Rail Transportation District as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE North 01 degrees 36 minutes 17 seconds East, 1,233.43 feet to a one-half inch iron rod found for corner, said point being the northwest corner of said 41.79 acre tract, said point being the most westerly southwest corner of said 46.66 acre tract, said point being the northeast corner of said CA-31X, said point also being the southeast of that called 5.4259 acre tract of land described in deed to Amber L. Huck as recorded in Document Number 20061010001464130, Official Public Records of Collin County, Texas;

THENCE North 00 degrees 30 minutes 10 seconds East, 111.77 feet along the east line of said 5.4259 acre tract to a one-half inch iron rod with cap stamped "TOPOGRAPHIC" found at the most northerly northwest corner of said 46.66 tract, said point also being the southwest corner of said 132.70 acre tract;

THENCE along the west line of said 132.70 acre tract as follows:

North 12 degrees 30 minutes 25 seconds West, 457.95 feet to a one-half inch iron rod with cap stamped "TOPOGRAPHIC" found for corner;

North 02 degrees 05 minutes 30 seconds West, 313.63 feet to a one-half inch iron rod with cap stamped "TOPOGRAPHIC" found for corner;

North 22 degrees 38 minutes 17 seconds East, 165.23 feet to a one-half inch iron rod with cap stamped "TOPOGRAPHIC" found for corner;

THENCE South 84 degrees 56 minutes 29 seconds East, 232.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner within the floodplain limits;

THENCE South 88 degrees 38 minutes 24 seconds East, 100.00 feet to a point for corner within the floodplain limits;

THENCE North 19 degrees 56 minutes 12 seconds East, 100.00 feet to a point for corner within the floodplain limits and in close proximity of a creek;

THENCE along and in close proximity of a creek and within the floodplain limits as follows;

North 71 degrees 47 minutes 19 seconds East, 240.00 feet to a point for corner;
South 71 degrees 48 minutes 55 seconds East, 475.00 feet to a point for corner;
North 61 degrees 51 minutes 24 seconds East, 100.00 feet to a point for corner;
North 17 degrees 11 minutes 01 seconds West, 400.00 feet to a point for corner;
North 32 degrees 42 minutes 19 seconds East, 100.00 feet to a point for corner;
North 49 degrees 26 minutes 15 seconds East, 100.00 feet to a point for corner;
North 78 degrees 45 minutes 46 seconds East, 56.00 feet to a point for corner;
South 06 degrees 18 minutes 10 seconds East, 45.00 feet to a point for corner;
South 83 degrees 04 minutes 11 seconds East, 100.00 feet to a point for corner;
North 79 degrees 04 minutes 45 seconds East, 70.70 feet to a point for corner in the west City Limit Line of Nevada, Texas;

THENCE South 00 degrees 27 minutes 29 seconds West, 1,475.90 feet along the west City Limit Line of Nevada, Texas to a point for corner in the south line of said 132.70 acre tract, said point also being in the north line of said 46.66 acre tract of land;

THENCE along the common line of said 132.70 acre tract and said 46.66 acre tract as follows:

South 89 degrees 11 minutes 18 seconds East, 596.15 feet to a to a point for corner;
South 00 degrees 40 minutes 20 seconds West, 111.48 feet to a point for corner;
South 89 degrees 38 minutes 24 seconds East, 571.01 feet to a point for corner, said point being the southeast corner of said 132.70 acre tract;

THENCE South 89 degrees 42 minutes 31 seconds East, 392.04 feet to a point for corner in the north line of said 46.66 acre tract, said point also being the west line of said 162.075 acre tract;

THENCE North 00 degrees 29 minutes 36 seconds East, 2,448.21 feet to along the west line of said 162.075 acre tract to a point for corner;

THENCE South 89 degrees 30 minutes 24 seconds East, 1,142.38 feet to a point for corner in the east line of said 162.075 acre tract;

THENCE South 00 degrees 30 minutes 08 seconds West, 350.43 feet along the east line of said 162.075 acre tract to a point for corner;

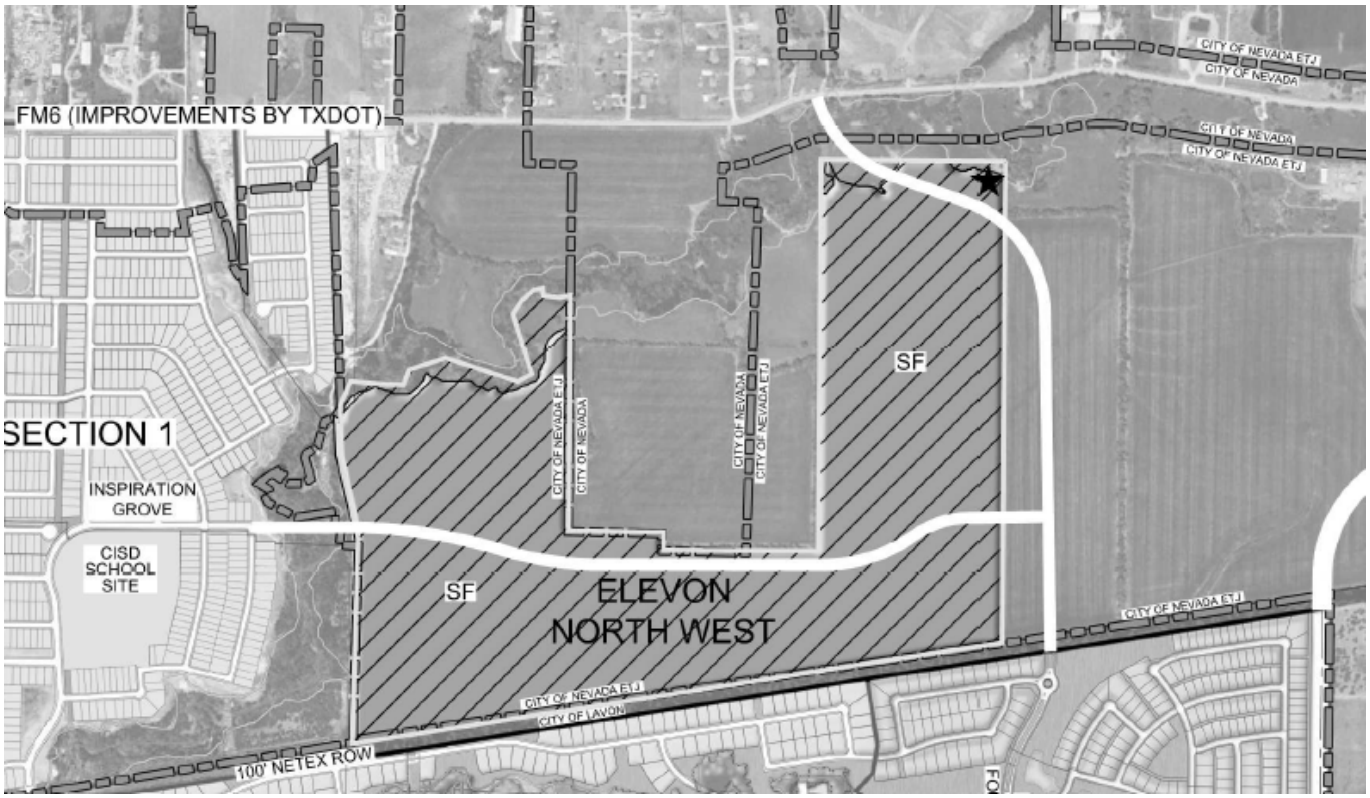
THENCE South 00 degrees 24 minutes 19 seconds West, 2,659.40 feet to the southeast corner of said 46.66 acre tract;

THENCE South 81 degrees 10 minutes 29 seconds West, 4,098.31 feet along the north line of said Northeast Texas Rural Rail Transportation District Tract to the POINT OF BEGINNING and containing 8,117,066 square feet or 186.342 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.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Exhibit B
Property Depiction



CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _7 - H_**

Item:

Discussion and action regarding the Elevon North development agreement between the City, MA Land Holdings, LLC, et. al. related to the development, annexation and creation of a municipal management district for approximately 268.769 acres of land generally located south of FM 6 and north of Elevon Parkway in the extraterritorial jurisdiction of the City.

Background:

The developer proposed to expand the boundaries of Elevon to include property north of NETEX and south of FM 6.

The expansion provides key infrastructure connections for Elevon to FM 6 and provides opportunity for expanded Community Independent School District facilities, if appropriate. The proposed agreement contains provisions for the extension of city services and provisions relating to the financing of public infrastructure.

Agreement Summary Points:

- The property is east of Elevon, Section 1, north of Elevon Sections 2-F and 3, and south of FM 6, adjacent to the cities of Lavon and Nevada.
- The proposed development agreement is based upon and closely tracks the Amended and Restated Development Agreement for Elevon.
- The property will ultimately be annexed into the City of Lavon.
- At least three Master Thoroughfare Plan roads are contemplated to improve traffic circulation and public safety access.
- The property will be developed primarily for single family residential uses and potential school uses. There are no provisions for multi-family, mixed use, or commercial development in the project.
- Design Guidelines modeled on the current Elevon Planned Development – Residential regulations have been provided for the project.
- The developer proposes to finance development of public infrastructure utilizing a Municipal Management District (MMD), not to be confused with a Municipal Utility District (MUD) or

Municipal Development District (MDD), utilizing assessments and a Tax Reinvestment Zone (TIRZ), similar to TIRZ No. 2 for a slightly shorter term.

- Once constructed, public infrastructure will be dedicated to the City of Lavon and the applicable special utility district(s).

- The proposed Development Agreement provides for expanded parks and recreation amenities and a site for public safety or other municipal facilities.

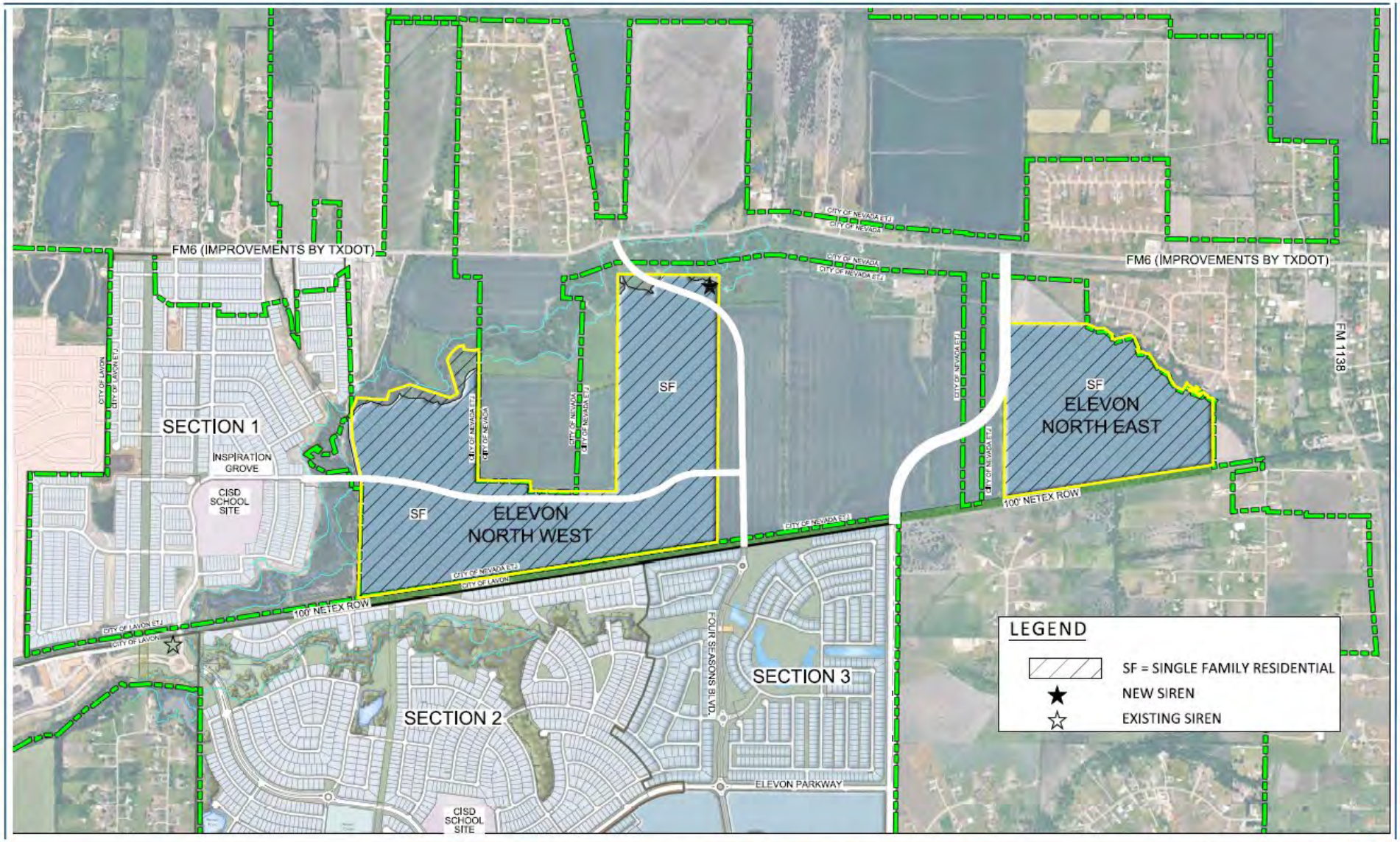
- Residents of the project will be incorporated into the Elevon Homeowner's Association.

The developer could develop the property utilizing a Municipal Utility District and remain in unincorporated Collin County. City regulations and services would not be applicable.

Staff Notes:

The city attorney and consulting team have reviewed the proposed agreement. Approval is recommended.

Attachments: 1. Location exhibits



MA PARTNERS

0 450 900
1" = 450'

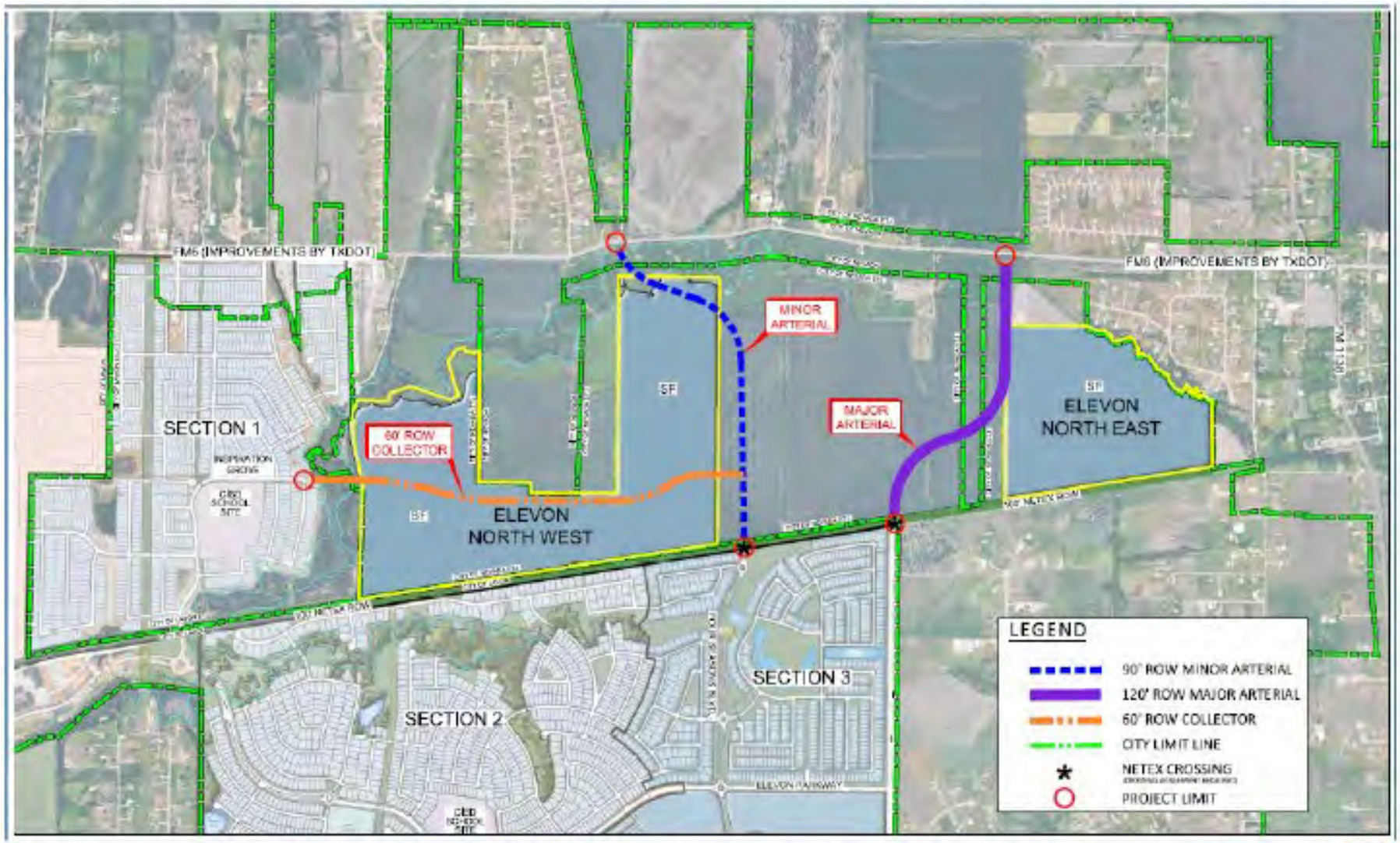
N

SEP 24, 2026
MAT028NV
*ALL PLANS ARE CONCEPTUAL TILL FINAL PLATS ARE APPROVED.

EXHIBIT C-1 - CONCEPT PLAN

ELEVON NORTH
COLLIN COUNTY, TEXAS

JBI PARTNERS



MA PARTNERS

EXHIBIT C-2 - ROAD PLAN

ELEVON NORTH
COLLIN COUNTY, TEXAS
JBI PARTNERS

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _7 - I_**

Item:

Discussion and action regarding a Resolution consenting to the creation of a municipal management district to be known as the Elevon North Municipal Management District No. 1 of Collin County over approximately 268.769 acres of land generally located south of FM 6 and north of Elevon Parkway in the extraterritorial jurisdiction of the City.

Background:

The developer proposed to expand the boundaries of Elevon to include property north of NETEX and south of FM 6. The expansion provides key infrastructure connections for Elevon to FM 6 and provides opportunity for expanded Community Independent School District facilities, if appropriate. The proposed agreement contains provisions for the extension of city services and provisions relating to the financing of public infrastructure.

The developer proposes to finance development of public infrastructure utilizing a Municipal Management District (MMD), not to be confused with a Municipal Utility District (MUD) or Municipal Development District (MDD), utilizing assessments and a Tax Reinvestment Zone (TIRZ), similar to TIRZ No. 2 for a slightly shorter term.

The developer could develop the property utilizing a Municipal Utility District or some other form of special district and remain in unincorporated Collin County where city regulations and services would not be applicable.

Staff Notes:

The city attorney and consulting team have reviewed the proposed consent. Approval is recommended.

Attachments: 1. Proposed Resolution

CITY OF LAVON, TEXAS

RESOLUTION NO. 2026-10-02

Consent to Creation of Elevon North MMD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, CONSENTING TO THE CREATION OF A MUNICIPAL MANAGEMENT DISTRICT TO BE KNOWN AS THE ELEVON NORTH MUNICIPAL MANAGEMENT DISTRICT NO. 1 OF COLLIN COUNTY

WHEREAS, MA Land Holdings, LLC, a Texas limited liability company ("MA Land Holdings"), Milford Founders, Ltd., a Texas limited partnership ("Milford"), Louise B. Akin Revocable Trust, a trust ("Louise B. Akin"), Maurice Williams, an individual ("Maurice Williams"), Kimberly Williams, a individual ("Kimberly Williams"), Kristi Neyses, an individual ("Kristi Neyses"), Lavon 78 Development, LLC, a Texas limited liability company ("Lavon 78" and collectively with MA Land Holdings, Milford, Louise B. Akin, Maurice Williams, Kimberly Williams, Kristi Neyses, and Lavon 78, the "Landowners") are the owners of approximately 286.769 acres of land located within the extraterritorial jurisdiction of the City of Lavon, Texas (the "City"), which is described in the attached Exhibit "A" (the "Land"); and

WHEREAS, the Landowners and MA Elevon North, LLC, a Texas limited liability company (the "Developer") intend to either (i) cause the introduction of legislation for the creation of the District by special act of the Texas Legislature, or (ii) petition the Texas Commission on Environmental Quality (the "TCEQ") for the creation of the District; and

WHEREAS, the City, the Developer, and the Landowners have entered into that certain Elevon North Development Agreement (the "Development Agreement"), with respect to the Land to be included in a municipal management district; and

WHEREAS, the City wishes to evidence its consent to creation of such municipal management district by the TCEQ or by the Texas Legislature and to support the creation of the Elevon North Municipal Management District No. 1 of Collin County ("District") on the Land within its extraterritorial jurisdiction, subject to the conditions contained in this resolution and the Development Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS:

SECTION 1. That the City Council of the City hereby grants its consent to the creation of the District by the TCEQ or by special act of the Texas Legislature ("District Legislation"), and the inclusion of the Land within the District. The District will operate pursuant to Chapter 375, Texas Local Government Code and the applicable District Legislation.

SECTION 2. That the City Council further states that this consent is provided subject to and in reliance upon the terms and conditions of the Development Agreement. The District shall execute a joinder and become a party to the Development Agreement.

SECTION 3. That the Mayor and the City Manager are hereby authorized to execute any documents necessary to effectuate this Resolution.

SECTION 4. That this resolution takes effect immediately from and after its passage.

DULY RESOLVED by the City Council of the City of Lavon, Texas, on the 6th day of October, 2026.

_____
Mayor

ATTEST:

_____
City Secretary

EXHIBIT A
PROPERTY DESCRIPTION AND MAP

268.769 ACRES CONSIST OF THE FOLLOWING TWO LEGAL DESCRIPTIONS

LEGAL DESCRIPTION
(186.342 ACRES-MMD WEST)

BEING a parcel of land located in Collin County, Texas, a part of the Samual M. Rainer Survey, Abstract Number 740, and being a part of that called 132.70 acre tract of land described in deed to Lavon 78 Development LLC as recorded in Document Number 2022000088387, Official Public Records of Collin County, Texas, and being all of that called 41.79 acre tract of land and all of that called 46.66 acre tract of land described in deed to Bank Site Acquisition Corporation as recorded in Document Number 20060221000229620, Official Public Records of Collin County, Texas, and being a part of that called 162.075 acre tract of land described in deed to Milford Founders, LTD as recorded in Volume 5549, Page 4476, Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod found at the southwest corner of said 41.79 acre tract of land, said point being the southeast corner of CA-31X, Block O, Elevon Section 1, Phase 3, an addition to Collin County as recorded in Document Number 2025-305, Official Public Records of Collin County, Texas, said point also being in the north right-of-way line of that tract of land described in deed to Northeast Texas Rural Rail Transportation District as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE North 01 degrees 36 minutes 17 seconds East, 1,233.43 feet to a one-half inch iron rod found for corner, said point being the northwest corner of said 41.79 acre tract, said point being the most westerly southwest corner of said 46.66 acre tract, said point being the northeast corner of said CA-31X, said point also being the southeast of that called 5.4259 acre tract of land described in deed to Amber L. Huck as recorded in Document Number 20061010001464130, Official Public Records of Collin County, Texas;

THENCE North 00 degrees 30 minutes 10 seconds East, 111.77 feet along the east line of said 5.4259 acre tract to a one-half inch iron rod with cap stamped “TOPOGRAPHIC” found at the most northerly northwest corner of said 46.66 tract, said point also being the southwest corner of said 132.70 acre tract;

THENCE along the west line of said 132.70 acre tract as follows:

North 12 degrees 30 minutes 25 seconds West, 457.95 feet to a one-half inch iron rod with cap stamped “TOPOGRAPHIC” found for corner;

North 02 degrees 05 minutes 30 seconds West, 313.63 feet to a one-half inch iron rod with cap stamped “TOPOGRAPHIC” found for corner;

North 22 degrees 38 minutes 17 seconds East, 165.23 feet to a one-half inch iron rod with cap stamped “TOPOGRAPHIC” found for corner;

THENCE South 84 degrees 56 minutes 29 seconds East, 232.74 feet to a one-half inch iron rod with yellow cap stamped “JBI” set for corner within the floodplain limits;

THENCE South 88 degrees 38 minutes 24 seconds East, 100.00 feet to a point for corner within the floodplain limits;

THENCE North 19 degrees 56 minutes 12 seconds East, 100.00 feet to a point for corner within the floodplain limits and in close proximity of a creek;

THENCE along and in close proximity of a creek and within the floodplain limits as follows;
North 71 degrees 47 minutes 19 seconds East, 240.00 feet to a point for corner;
South 71 degrees 48 minutes 55 seconds East, 475.00 feet to a point for corner;
North 61 degrees 51 minutes 24 seconds East, 100.00 feet to a point for corner;
North 17 degrees 11 minutes 01 seconds West, 400.00 feet to a point for corner;
North 32 degrees 42 minutes 19 seconds East, 100.00 feet to a point for corner;
North 49 degrees 26 minutes 15 seconds East, 100.00 feet to a point for corner;
North 78 degrees 45 minutes 46 seconds East, 56.00 feet to a point for corner;
South 06 degrees 18 minutes 10 seconds East, 45.00 feet to a point for corner;
South 83 degrees 04 minutes 11 seconds East, 100.00 feet to a point for corner;
North 79 degrees 04 minutes 45 seconds East, 70.70 feet to a point for corner in the west City Limit Line of Nevada, Texas;

THENCE South 00 degrees 27 minutes 29 seconds West, 1,475.90 feet along the west City Limit Line of Nevada, Texas to a point for corner in the south line of said 132.70 acre tract, said point also being in the north line of said 46.66 acre tract of land;

THENCE along the common line of said 132.70 acre tract and said 46.66 acre tract as follows:
South 89 degrees 11 minutes 18 seconds East, 596.15 feet to a to a point for corner;
South 00 degrees 40 minutes 20 seconds West, 111.48 feet to a point for corner;
South 89 degrees 38 minutes 24 seconds East, 571.01 feet to a point for corner, said point being the southeast corner of said 132.70 acre tract;

THENCE South 89 degrees 42 minutes 31 seconds East, 392.04 feet to a point for corner in the north line of said 46.66 acre tract, said point also being the west line of said 162.075 acre tract;

THENCE North 00 degrees 29 minutes 36 seconds East, 2,448.21 feet to along the west line of said 162.075 acre tract to a point for corner;

THENCE South 89 degrees 30 minutes 24 seconds East, 1,142.38 feet to a point for corner in the east line of said 162.075 acre tract;

THENCE South 00 degrees 30 minutes 08 seconds West, 350.43 feet along the east line of said 162.075 acre tract to a point for corner;

THENCE South 00 degrees 24 minutes 19 seconds West, 2,659.40 feet to the southeast corner of said 46.66 acre tract;

THENCE South 81 degrees 10 minutes 29 seconds West, 4,098.31 feet along the north line of said Northeast Texas Rural Rail Transportation District Tract to the POINT OF BEGINNING and containing 8,117,066 square feet or 186.342 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.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

LEGAL DESCRIPTION
(82.427 ACRES-MMD EAST)

BEING a parcel of land located in Collin County, Texas, a part of the Samual M. Rainer Survey, Abstract Number 740, and being a part of that called 46.17 acre tract of land described in deed to Louise B. Akin as recorded in Document Number 20201112002008460, Official Public Records of Collin County, Texas, and being a part of that called 1.648 acre tract of land described in deed to Joe Akin & Louise Akin as recorded in Volume 4070, Page 2740, Official Public Records of Collin County, Texas, and being a part of that called 54.28 acre tract of land described in deed to Maurice Williams, Kimberly Williams Barnett, and Kristi Williams Neyes as recorded in Document Number 20110207000130110, Official Public Records of Collin County, Texas, and being further described as follows:

COMMENCINING at a PK nail found at the northeast corner said 1.648 acre tract, said point being in the approximate centerline of West Street, from which point bears North 73 degrees 13 minutes 16 seconds West, 26.06 feet a one-half inch iron rod with cap stamped “OWENS RPLS 5387” found at the southeast corner of Lot 11, Oak Bend Estates, an addition to Collin County as recorded in Cabinet Q, Page 479, Official Public Records of Collin County, Texas;

THENCE South 00 degrees 22 minutes 10 seconds West, 524.64 feet to a one-half inch iron rod with yellow cap stamped “JBI” set at the southeast corner of said 46.17 acre tract, said point also being in the north right-of-way line of that tract of land described in deed to Northeast Texas Rural Rail Transportation District as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE South 81 degrees 07 minutes 34 seconds West, 494.55 feet along the north right-of-way line of said Northeast Texas Rural Rail Transportation District to a point for corner in the west City Limit

Line of Nevada, Texas, said point also being the POINT OF BEGINNING of this tract of land;

THENCE continuing along the north right-of-way line of said Northeast Texas Rural Rail Transportation District as follows:

South 81 degrees 07 minutes 34 seconds West, 1,090.55 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the south line of said 46.17 acre tract;

South 81 degrees 07 minutes 37 seconds West, 1,294.77 feet to a point for corner, said point being the southwest corner of said 54.28 acre tract;

THENCE North 00 degrees 28 minutes 58 seconds East, 1,964.79 feet along the west line of said 54.28 acre tract to a point for corner;

THENCE South 89 degrees 31 minutes 02 seconds East, 918.59 feet to a point for corner in the east line of said 54.28 acre tract, said point being the northwest corner of said 46.17 acre tract, said point being the southwest corner of Lot 22, said Oak Bend Estates, said point also being in the approximate centerline of a creek;

THENCE along the approximate centerline of said creek and the south line of said Oak Bend Estates as follows:

South 65 degrees 58 minutes 18 seconds East, 129.92 feet to a point for corner;
North 88 degrees 17 minutes 55 seconds East, 78.35 feet to a point for corner;
South 52 degrees 30 minutes 07 seconds East, 115.55 feet to a point for corner;
South 06 degrees 43 minutes 25 seconds West, 46.22 feet to a point for corner;
South 75 degrees 20 minutes 36 seconds East, 33.82 feet to a point for corner;
North 62 degrees 09 minutes 14 seconds East, 22.07 feet to a point for corner;
North 76 degrees 15 minutes 14 seconds East, 162.65 feet to a point for corner;
South 55 degrees 19 minutes 49 seconds East, 52.39 feet to a point for corner;
South 23 degrees 55 minutes 38 seconds East, 112.46 feet to a point for corner;
South 01 degrees 51 minutes 17 seconds West, 21.12 feet to a point for corner;
South 70 degrees 49 minutes 38 seconds West, 17.63 feet to a point for corner;
South 21 degrees 36 minutes 22 seconds East, 33.54 feet to a point for corner;
North 84 degrees 42 minutes 21 seconds East, 35.97 feet to a point for corner;
South 83 degrees 05 minutes 59 seconds East, 18.61 feet to a point for corner;
South 61 degrees 44 minutes 19 seconds East, 45.75 feet to a point for corner;
North 85 degrees 13 minutes 47 seconds East, 31.12 feet to a point for corner;
South 32 degrees 11 minutes 41 seconds East, 176.50 feet to a point for corner;
South 59 degrees 38 minutes 18 seconds East, 144.80 feet to a point for corner;
South 08 degrees 40 minutes 22 seconds East, 27.77 feet to a point for corner;
South 25 degrees 30 minutes 30 seconds East, 54.78 feet to a point for corner;
South 34 degrees 50 minutes 24 seconds East, 89.38 feet to a point for corner;
South 66 degrees 39 minutes 00 seconds East, 87.46 feet to a point for corner;
North 30 degrees 00 minutes 36 seconds East, 93.34 feet to a point for corner;
South 36 degrees 42 minutes 18 seconds East, 31.03 feet to a point for corner;
South 52 degrees 08 minutes 17 seconds East, 82.80 feet to a point for corner;

North 31 degrees 38 minutes 12 seconds East, 38.07 feet to a point for corner;
South 60 degrees 22 minutes 31 seconds East, 20.91 feet to a point for corner;
South 03 degrees 03 minutes 34 seconds West, 14.38 feet to a point for corner;
South 63 degrees 18 minutes 54 seconds East, 14.61 feet to a point for corner;
South 58 degrees 23 minutes 07 seconds West, 22.11 feet to a point for corner;
North 82 degrees 54 minutes 49 seconds West, 94.20 feet to a point for corner;
South 26 degrees 53 minutes 26 seconds East, 12.34 feet to a point for corner;
South 69 degrees 21 minutes 29 seconds East, 96.32 feet to a point for corner;
South 21 degrees 29 minutes 33 seconds East, 20.57 feet to a point for corner;
South 55 degrees 08 minutes 41 seconds East, 15.23 feet to a point for corner;
North 58 degrees 09 minutes 37 seconds East, 15.35 feet to a point for corner;
North 52 degrees 27 minutes 23 seconds West, 16.12 feet to a point for corner;
North 57 degrees 57 minutes 01 seconds East, 20.78 feet to a point for corner;
North 71 degrees 15 minutes 45 seconds East, 34.77 feet to a point for corner;
South 38 degrees 23 minutes 26 seconds East, 43.92 feet to a point for corner;
South 73 degrees 24 minutes 35 seconds East, 19.62 feet to a point for corner;
South 15 degrees 28 minutes 15 seconds East, 16.61 feet to a point for corner;
South 80 degrees 23 minutes 39 seconds East, 13.64 feet to a point for corner;
South 73 degrees 13 minutes 16 seconds East, 57.22 feet to a point for corner in the north line of said 1.648 acre tract, said point also being in the west City Limit Line of Nevada, Texas;

THENCE along the west City Limit Line of Nevada, Texas as follows:

South 30 degrees 19 minutes 56 seconds West, 37.01 feet to a point for corner;

South 00 degrees 26 minutes 14 seconds East, 713.35 feet to the POINT OF BEGINNING and containing 3,590,501 square feet or 82.427 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.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°19'01"E	1,320.47'
L2	N89°38'59"E	111.77'
L3	S27°30'28"E	457.58'
L4	S02°09'52"W	313.53'
L5	N22°38'11"E	193.23'
L6	S89°56'08"E	232.74'
L7	S88°36'34"E	150.00'
L8	N19°41'17"E	150.00'
L9	N71°17'17"E	240.00'
L10	S71°18'58"E	475.00'
L11	N81°51'04"E	150.00'
L12	N17°17'17"E	450.00'
L13	N26°42'58"E	150.00'
L14	N48°28'15"E	150.00'
L15	N78°49'48"E	86.00'
L16	S26°51'17"E	45.00'
L17	S63°34'11"E	150.00'
L18	N19°04'49"E	75.77'
L19	S00°27'22"W	1,475.00'
L20	N89°11'10"E	598.11'
L21	S00°48'22"W	111.48'
L22	S89°38'16"E	611.28'
L23	S89°42'31"E	350.54'
L24	N00°27'36"E	2,648.27'
L25	S89°37'34"E	1142.38'

LINE TABLE		
NO.	BEARING	LENGTH
L26	S00°19'06"W	356.43'
L27	S89°34'18"W	2658.49'
L28	S89°10'39"W	1098.31'
L29	S89°49'48"E	179.62'
L30	N89°17'07"E	78.35'
L31	S89°21'00"E	115.55'
L32	S89°21'00"E	46.22'
L33	S76°31'36"E	33.86'
L34	N62°59'14"E	22.51'
L35	N78°12'14"E	162.60'
L36	S89°19'48"E	50.36'
L37	S23°55'38"E	112.46'
L38	S01°51'17"W	21.12'
L39	S75°49'28"W	17.82'
L40	S21°39'22"E	33.84'
L41	N89°49'48"E	35.97'
L42	S01°51'17"W	18.61'
L43	S01°44'19"E	45.75'
L44	N89°21'41"E	31.12'
L45	S32°11'47"E	176.52'
L46	S23°38'16"E	144.80'
L47	S89°16'33"E	21.17'
L48	S00°31'30"E	34.78'
L49	S24°50'24"E	86.36'
L50	S89°39'09"E	87.46'

LINE TABLE		
NO.	BEARING	LENGTH
L51	N89°07'34"E	83.04'
L52	S89°42'18"E	31.55'
L53	S82°06'17"E	50.80'
L54	S89°42'18"E	36.62'
L55	S89°32'37"E	20.94'
L56	S89°56'34"W	14.98'
L57	S89°49'54"E	14.87'
L58	S89°33'37"W	33.11'
L59	N02°34'46"W	84.22'
L60	S89°53'38"E	12.28'
L61	S89°17'49"E	86.32'
L62	S21°39'22"E	20.51'
L63	S89°56'34"E	15.22'
L64	N89°53'37"E	15.35'
L65	N62°27'22"W	16.42'
L66	S71°17'17"E	24.77'
L67	S89°53'38"E	43.82'
L68	S89°53'38"E	19.82'
L69	S73°34'38"E	16.62'
L70	S19°39'41"E	12.04'
L71	S89°53'38"E	67.22'
L72	S73°57'41"E	21.07'
L73	S89°49'54"W	21.07'
L74	S89°39'41"E	73.53'

"This document was prepared under 22 TAC 663.33, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

MMD PROPERTY EXHIBIT
PORTION OF PROPERTY WITHIN CITY OF NEVADA ETJ

PROPERTY	SQUARE FEET	ACRES
WEST	8,117,066	186.342
EAST	3,590,501	82.427
TOTAL =	11,707,567	268.769

NO.	REVISION	BY	DATE
PREPARED BY: XXX	CHECKED BY: XXX	DATE: XX/XX/2008	

JBI PARTNERS
2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-439
TBPLS No. 10075600

EXHIBIT A
ELEVON NORTH DEVELOPMENT AGREEMENT
PROPERTY EXHIBIT–268.769 ACRES
JAMES OSGOOD SURVEY, ABSTRACT 673
SAMUEL M. RAINER SURVEY–ABSTRACT 740
Collin County, Texas

PROJECT NO. MA17028.NV
SHEET NO. 1 of 1
DATE August 28, 2008

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _7 - J_**

Item:

Discussion and action regarding a Chapter 380 economic development agreement between the City, the Lavon Economic Development Corporation and Bear Creek Commercial Properties to promote local economic development, secure the extension of public infrastructure, and stimulate business and commercial activity in the City relating to the Heritage Square development on 110.1 acres of land located southeast of the intersection of SH 205 and SH 78 in the City.

Background:

The subject site containing 110.1 acres was part of the original 2004 Grand Heritage Development Project subject to the original and amended Development Agreements, governed by the Planned Development regulations established in Ordinance **2004-09-05,** and included in Tax Increment Reinvestment Zone (TIRZ) No. 1. The site is located southeast of the intersection of SH 78 and SH 205.

In August 2020, the owner and City agreed to terminate TIRZ No. 1 that included the site. Although it was an option, the site was not ever included in the Grand Heritage Public Improvement District. Since the termination of TIRZ No. 1, the site has not been included in any other form of special tax or financing district.

On April 7, 2026, pursuant to the owner's application to amend the zoning, the zoning was changed and the Heritage Square PD was adopted for the site. Zoning regulations may be downloaded by clicking on the subject site on the City's Interactive Zoning Map here: https://lavontx.gov/maps/ or by downloading Ordinance No. **2026-04-02** here: https://lavontx.gov/codes-and-ordinances/ or here: 2026-04-02 PD Zoning - Heritage Square.pdf .

The project consists of sites for a primary retail anchor, two junior retail anchors, roughly ten-twelve pad sites, a major office or retail complex and smaller office area facing SH 205, and two multi-family projects that are slated for the final phases of the development.

A ten-acre park and connected trail system are included as part of the development project.

The developer will donate the right of way and construct two key alignments of the City's Master Thoroughfare Plan that will open up traffic circulation for the southwest segment of the City, create more options, potentially mitigate traffic demand at the SH 78 and SH 205 intersection, and significantly improve traffic safety in the area. The alignments include construction of a traffic signal at SH 205 and Endeavour, providing a key desired signal that has not met TxDOT warrants in the past due to the lack of traffic volume.

The development plans call for construction of roughly $16 million in infrastructure to serve the region and the project.

Preliminary estimates of tax value that the commercial development will produce over a twenty year period, excluding ad valorem and sales tax from the primary anchor or multifamily, are projected to be $174 million in total taxes generated for the City of Lavon, in addition to the tax revenues generated for the school district, county, and community college.

The anticipated economic activity planned for the site has already served as a catalyst for investment and interest in surrounding areas that is difficult to quantify with a value. It is a pebble in the pond. Retail, dining, medical, service, and possible entertainment options are anticipated for residents.

The phasing of the project requires that the public infrastructure, consisting of roads, storm sewer, sanitary sewer, water, and parkland will be constructed in the first phase PRIOR to the opening of any businesses constructed within.

The property owner is serving as the master developer and has proposed a Chapter 380 Agreement for city participation in reimbursing a portion of the costs of infrastructure construction.

Code Excerpts:

TEXAS LOCAL GOVERNMENT CODE
§ 380.001. PLAT REQUIRED

Sec. 212.004. ECONOMIC DEVELOPMENT PROGRAMS. (a) The governing body of a municipality may establish and provide for the administration of one or more programs, including programs for making loans and grants of public money and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality.

The proposed agreement contemplates the City's reimbursement of up to $9 million to come from future ad valorem and future sales tax receipts generated directly by the project. Project performance is required for the reimbursement to occur. If the 15-year term expires before reimbursement has been completed, no further reimbursement will be due. In addition to the City contributing to the capital reimbursement, the City and LEDC will share in sales tax reimbursement contributions. Sales tax proceeds to the Street Maintenance Road Fund will not be utilized.

The primary anchor has a separate agreement and is not subject to the proposed agreement. The multifamily segment of the project is also excluded from incentive.

Financial Consideration:

The program is a substantial net positive for the City. The property owner stated that without the incentive, the development project would not move forward as they have other investment projects in line with reimbursement partners willing to participate.

No existing tax revenue will fund the agreement. Reimbursement is incremental to the development of the site performing to specific standards.

Staff Notes:

The city attorney and consulting team have reviewed the proposed agreement. Approval is recommended.

Attachments: Location exhibits

HERITAGE SQUARE



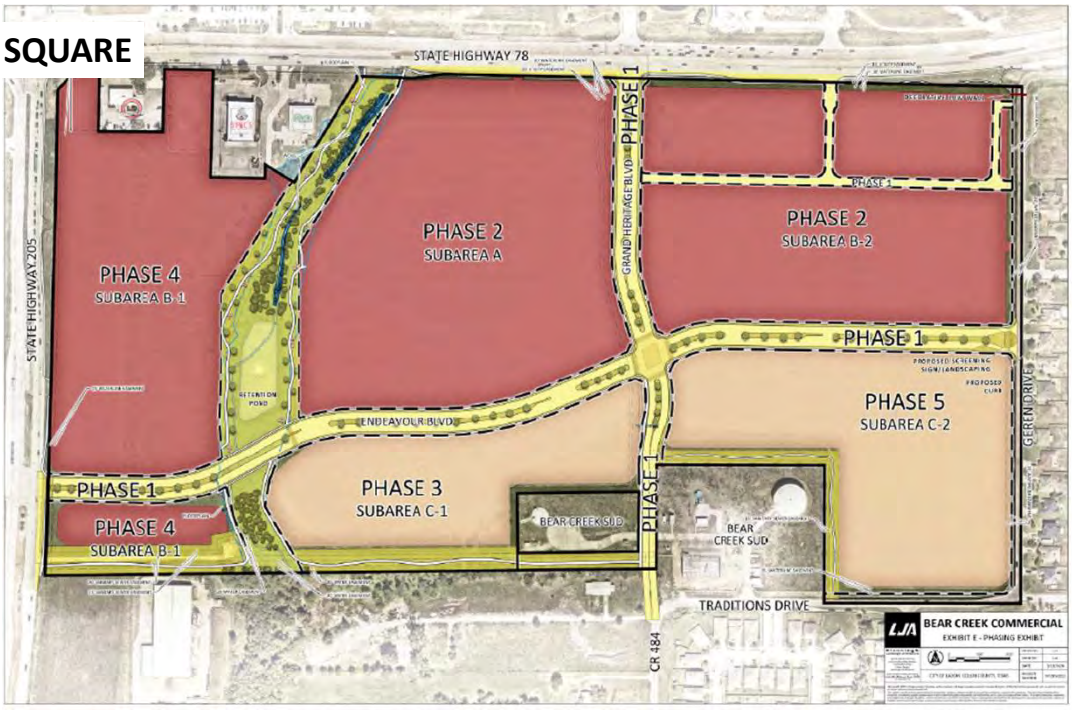
60

HERITAGE SQUARE



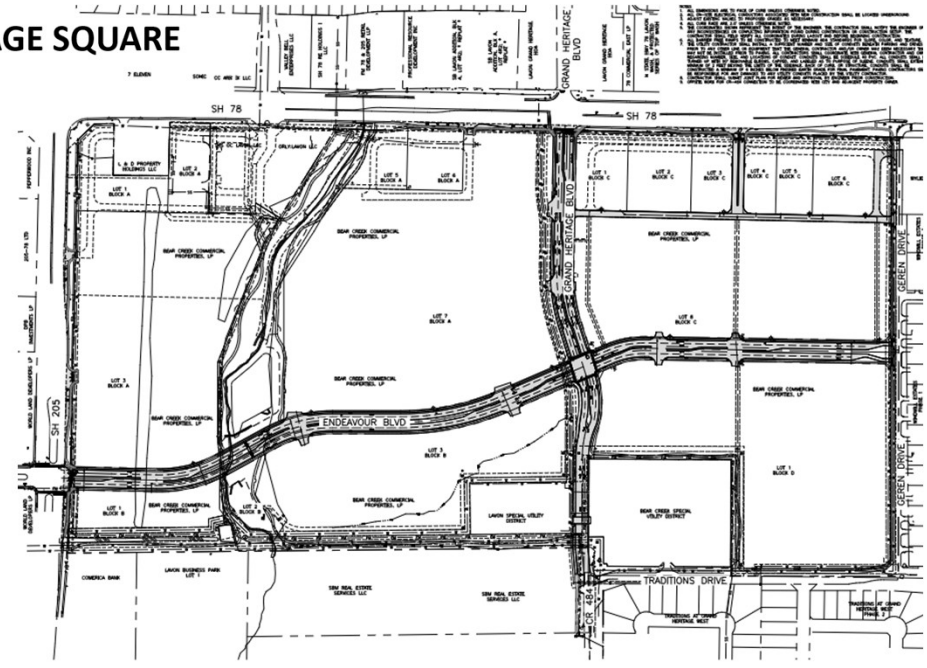
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HERITAGE SQUARE

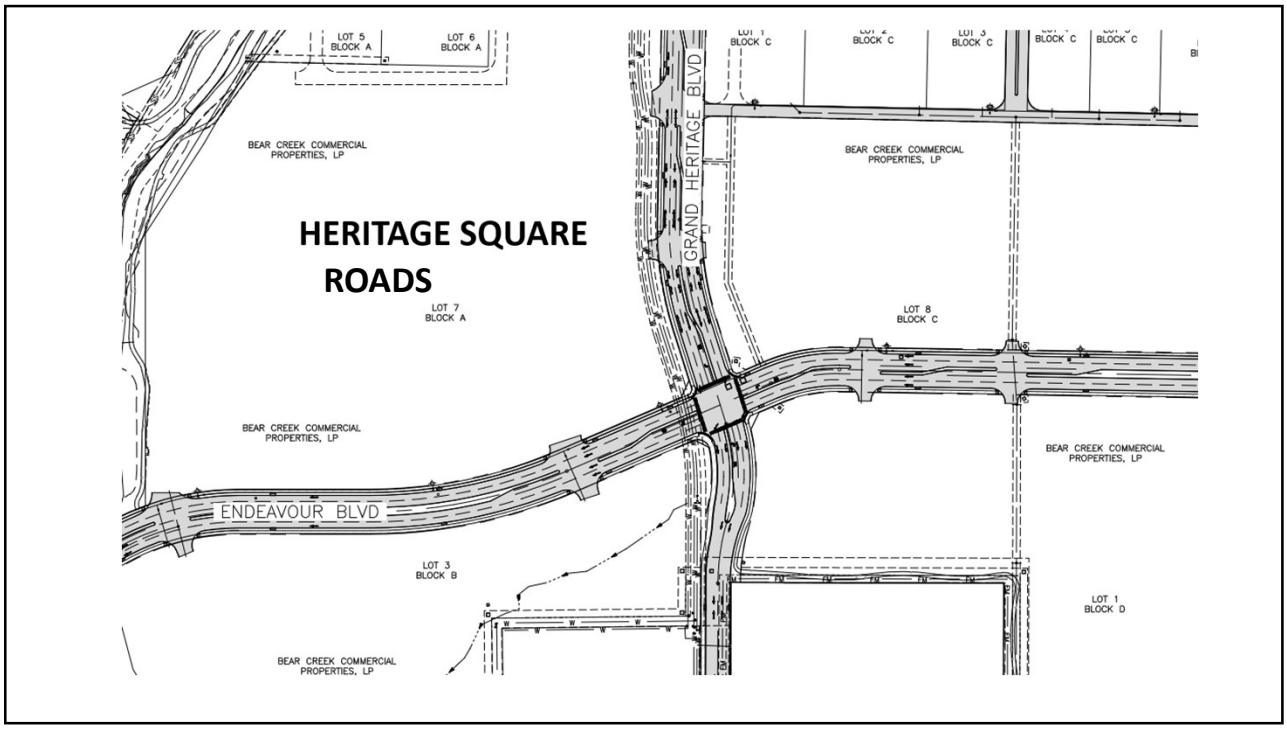


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HERITAGE SQUARE



63


HERITAGE SQUARE
ROADS
GRAND HERITAGE BLVD
ENDEAVOUR BLVD
LOT 5
BLOCK A
LOT 6
BLOCK A
LOT 7
BLOCK A
LOT 8
BLOCK C
LOT 3
BLOCK B
LOT 1
BLOCK D
BEAR CREEK COMMERCIAL
PROPERTIES, LP

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CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: 7 – K**

Item:

Discussion and action regarding a Resolution approving and authorizing execution of Change Order No. 1 for the Bently Farms Phase 3 Paving and Storm Drain (CIP-44) construction project in the amount of $88,877.50 and the addition of 36 calendar days for the addition of high early concrete, additional concrete repairs on Crockett Dr. and Orbit Dr., extended storm drain repairs, and addition of flex base; and providing an effective date.

Background:

February 17, 2026, the City Council awarded a construction contract to Pridemore Construction LLC, for the City of Lavon Bently Farms Phase 3 Paving and Storm Drain (CIP-44) construction project in the amount of $740,587.53.

During the course of construction, modifications were made to the construction plans for the Bently Farms project and paving repairs were negotiated for two additional areas. Specifically, the proposed Change Order provides for:

1) High early Concrete Upgrade for the intersection of Meadow Hill Drive and Shoreview Drive to speed up construction and minimize driveway access disruption to residents to 25 hours instead of 3-5 days.
2) Intersection Replacement at Crockett as requested by the City.
3) Orbit Drive repairs/replacement as requested by the City.
4) Additional 39 LF of 18” RCP based on the existing conditions of the existing storm sewer observed in the field.
5) Addition of Flex base at the intersection of Rolling Meadow and Meadow Hill since there is no existing subgrade at this intersection.

For the most part, the project construction has been completed for Phase 3 and the project is wrapping up.

Financial Implications:

Funding for the change order will come from the Series 2023 Certificates of Obligation. Funding is allocated in the CIP FY 2025-26 and FY 2026-27 Program Budget.

Staff Notes:

The city engineer has reviewed the change order and approval is recommended.

Attachments: Proposed Resolution and Change Order

CITY OF LAVON, TEXAS

RESOLUTION NO. _____

Change Order No. 1 – Bently Farms Paving and Storm Ph 3 (CIP-44)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH PRIDEMORE CONSTRUCTION LLC FOR THE CITY OF LAVON BENTLY FARMS PAVING AND DRAINAGE IMPROVEMENTS PHASE 3 CONSTRUCTION PROJECT (CIP-44) IN AN AMOUNT NOT TO EXCEED $88,877.50 AND THE ADDITION OF 36 CALENDAR DAYS FOR THE ADDITION OF HIGH EARLY CONCRETE, ADDITIONAL CONCRETE REPAIRS ON CROCKETT DR. AND ORBIT DR., EXTENDED STORM DRAIN REPAIRS, AND ADDITION OF FLEX BASE; AND PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 17, 2026, the City Council awarded a construction contract to Pridemore Construction LLC, for the City of Lavon Bently Farms Phase 3 Paving and Storm Drain (CIP-44) construction project in the amount of $740,587.53; and

WHEREAS, the City Council has considered and determined that the proposed change order to the contract is in the best interest of the general health, welfare, and safety of the citizens of Lavon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, THAT:

SECTION 1. The City Council does hereby approve and authorize the execution of Change Order No. 1 to the construction contract with Pridemore Construction LLC for the Bently Farms Phase 3 Paving and Storm Drain (CIP-44) construction project in the amount of $88,877.50 and the addition of 36 calendar days for the addition of high early concrete, additional concrete repairs on Crockett Dr. and Orbit Dr., extended storm drain repairs, and addition of flex base, attached hereto and incorporated herein as Exhibit “A”.

SECTION 2. The City Council hereby finds, determines, and declares that the meeting, at which this resolution is passed, approved, and adopted, was open to the public, and that the public notice of time, place, and subject matter to be considered was posted as required by law.

SECTION 3. 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 6th day of October 2026.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. _____

EXHIBIT A

CHANGE ORDER No. 1

ENGINEER'S Project No.: **25018**
PROJECT: **BENTLY FARMS PAVING & DRAINAGE IMPROVEMENTS PH 3 [CIP-44]**
CONTRACTOR: **Pridemore Construction, LLC**
ORIGINAL CONTRACT Amount: **$ 740,587.53** CONTRACT Date: February 17, 2026

TO: **Pridemore Construction, Inc.**
CONTRACTOR

You are directed to make the changes noted below in the subject Contract:

City of Lavon
Owner

By: _____

Dated: _____

NATURE OF CHANGES:

A. High early Concrete Upgrade for the intersection of Meadow Hill Drive and Shoreview Drive to speed up construction and minimize driveway access disruption to residents to 25 hours instead of 3-5 days.
B. Intersection Replacement at Crockett as requested by the City.
C. Orbit Drive repairs/replacement as requested by the City.
D. Additional 39 LF of 18" RCP based on the existing conditions of the existing storm sewer observed in the field.
E. Addition of Flex base at the intersection of Rolling Meadow and Meadow Hill since there is no existing subgrade at this intersection.

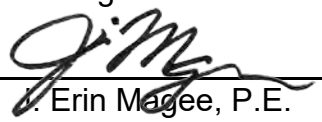
See attached for use of contingencies fund and change order.

These changes result in the following adjustment of Contract Price and Contract Time:

Original Contract Price:	$ 740,587.53
Change Order No. 1:	$ 88,877.50
New Contract Price:	$ 829,465.03
Percent Change:	12.0%
Original Calendar Days:	120
Change Order 1:	36
Revised Calendar Days:	156

The Above Changes are Recommended for Approval:

Freeman-Millican, Inc.
Engineer

By: 
J. Erin Magee, P.E.

Dated: 09/30/2026

Pridemore Construction, LLC
Contractor

By: Pamela Pridemore

Dated: 09/30/2026

PRIDEMORE
CONSTRUCTION
903-495-2488

Explanation of Charges – Oncor Delay

Due to delays associated with Oncor's utility work at the project site, Pridemore Construction experienced an approximately three-week delay to the affected project activities. During this period, work could not proceed as scheduled; however, Pridemore Construction continued to incur equipment, project management, coordination, and site supervision costs necessary to maintain the project and prepare for work to resume.

1. Extended Excavator Cost – $3,462.53
The excavator remained allocated to the project throughout the three-week Oncor delay and was unavailable for reassignment to other work. Pridemore Construction's monthly cost for the excavator is $4,616.71. The three-week portion being applied to the contingency allowance is **$3,462.53**.

2. Additional Project Management & Coordination – $900.00
Additional project management and coordination were required throughout the delay period, including monitoring the status of Oncor's work, communicating regarding the utility conflict and relocation, adjusting the project schedule, coordinating affected activities, and planning for the resumption of work once the conflict was cleared.

3. Additional Site Supervision & Progress Checks – $637.47
Additional site supervision and periodic progress checks were required during the three-week delay to monitor site conditions, evaluate Oncor's progress, verify the status of the affected work area, and determine when Pridemore Construction could safely resume operations.

Total Charge to Contingency Allowance: $5,000.00

These charges represent additional costs associated with the approximately three-week project delay caused by the Oncor utility conflict. No additional field production labor is included in this charge, as regular field operations were reduced during the affected period.

Respectfully,

Pamela Pridemore

Pridemore Construction, LLC

PRIDEMORE CONSTRUCTION, LLC

Bently Farms Project

September 8, 2026

RE: Request to Utilize Remaining Contingency Balance - $5,637.47

Pridemore Construction, LLC is requesting authorization to utilize and bill the remaining $5,637.47 contingency balance on the Bently Farms project toward the removal and replacement of the affected areas of high-early concrete that have experienced cracking.

The use of high-early concrete was specifically requested by the City in order to accelerate the construction schedule and allow the affected areas to be returned to service sooner. Following placement, cracking developed in localized areas of the high-early concrete.

Prior to placement of the high-early concrete, the prepared subgrade/base underwent the required compaction and density testing, and the tested areas passed the applicable requirements. Pridemore Construction proceeded with concrete placement following those satisfactory test results.

Photographs of the affected areas are attached for documentation and show the location, extent, and nature of the observed cracking. While cracking is present, Pridemore Construction has not been provided with testing, an engineering evaluation, or other documentation establishing that the cracking resulted from defective workmanship or improper installation by Pridemore Construction.

Pridemore Construction is willing to remove and replace the affected areas in order to complete the project to the City's satisfaction. However, considering the satisfactory pre-placement compaction and density test results, the City's request for the use of high-early concrete, and the environmental conditions to which the concrete was exposed following placement, we do not believe it is reasonable for Pridemore Construction to bear 100% of the cost associated with this corrective work.

We are therefore requesting authorization to bill the remaining $5,637.47 in project contingency and apply those funds toward the removal and replacement of the affected high-early concrete. We believe this provides a reasonable allocation of the additional cost while allowing the corrective work to proceed promptly.

Pridemore Construction remains committed to addressing the affected areas and completing the project in accordance with the City's expectations. Please provide written authorization for Pridemore Construction to bill the remaining contingency balance of $5,637.47 and apply those funds toward this work.

Thank you,

Pamela Pridemore

Secretary/Treasurer

Pridemore Construction, LLC

PHOTO EXHIBIT

Bently Farms - High-Early Concrete Cracking



Photo 1 - Wide view showing the location and extent of observed cracking.



Photo 2 - Closer view showing the nature of the observed cracking.

PRIDEMORE CONSTRUCTION, LLC
600 CR 22920
PARIS TEXAS
75460

CO #1

PRIDEMORE CONSTRUCTION
903-495-2488

City of Lavon
Bently Farms Paving Phase III

Hi-Early Concrete request

BID

Bid # 0000085

Bid Date 04/16/2026

Item	Description	Unit Price	Quantity	Amount
	Hi Early Concrete Upgrade	6.00	265.00	1,590.00
	Labor Increase	1136.50	18.00	20,457.00
	Expansion Joints	425.00	1.00	425.00
	Dial Rods	1600.00	1.00	1,600.00

NOTES: *Per UES Testing, no additional testing will be needed.
This could cause a potential schedule impact- additional 14-21 days will be needed.

*Will you be requesting the 4 Way area to be paved with Hi-Early concrete? If so, the 4 way is not included in this estimate.

Subtotal	24,072.00
Total	24,072.00
Amount Paid	0.00
Bid	$24,072.00

PRIDEMORE CONSTRUCTION, LLC
600 CR 22920
PARIS TEXAS
75460

CO #2

PRIDEMORE CONSTRUCTION
903-495-2488

City of Lavon
120 School Road
Lavon, Texas 75166

Mission & Crockett Intersection

BID

Bid # 0000094

Bid Date 07/06/2026

Item	Description	Unit Price	Quantity	Amount
	Materials	8615.00	1.00	8,615.00
	Equipment	7070.00	1.00	7,070.00
	Labor	8312.00	1.00	8,312.00

NOTES: This estimate includes all necessary equipment, material and labor needed to excavate and replace current 42'x30'x6" concrete intersection located at Mission and Crockett. It also includes excavation and replacement of 63 LF of Curb and Gutter.

Subtotal	23,997.00
Total	23,997.00
Amount Paid	0.00
Bid	$23,997.00

Construction, Pridemore
600 CR 22920
PARIS TEXAS
75460

CO #3

PRIDEMORE CONSTRUCTION
903-495-2488

City of Lavon
120 School Road
Lavon, Texas 75166

Installation of 6" Flex Base at Rolling Meadow and Meadow Hill

WORK ORDER

Work Order # LavonFlexBase

Date 07/16/2026

Item	Description	Unit Price	Quantity	Amount
	Additional excavation of unsuitable subgrade	2090.00	1.00	2,090.00
	Haul-off and disposal	1140.00	1.00	1,140.00
	Furnish TxDOT Flex Base	4987.50	1.00	4,987.50
	Place and Grade	1805.00	1.00	1,805.00

NOTES: Scope of Work

Provide all labor, equipment, materials, trucking, and incidentals necessary to excavate an additional 6 inches of unsuitable subgrade as directed by the Engineer. Haul and properly dispose of unsuitable material off site. Furnish, place, moisture condition, grade, and compact TxDOT Flex Base to the required lines and grades in preparation for paving. All work shall be completed in accordance with the project plans, specifications, and direction of the Engineer.

Subtotal	10,022.50
Total	10,022.50
Amount Paid	0.00
W.O. Total	$10,022.50

Construction, Pridemore
600 CR 22920
PARIS TEXAS
75460



City of Lavon
120 School Road
Lavon, Texas 75166

RCP Pipe

CHANGE ORDER

Work Order # 0000003

Date 07/16/2026

Item	Description	Unit Price	Quantity	Amount
	Additional Pipe Footage	166.80	41.00	6,838.80

NOTES: The original bid tabulation only calls for 39 LF of 18" RCP Pipe.
It has been requested to install a total of 80 LF of the RCP Pipe.

This unit price is the original unit price per LF of pipe.
This includes materials and installation.

Subtotal	6,838.80
Total	6,838.80
Amount Paid	0.00
W.O. Total	$6,838.80

PRIDEMORE CONSTRUCTION, LLC
600 CR 22920
PARIS TEXAS
75460

CO #5

PRIDEMORE CONSTRUCTION
903-495-2488

City of Lavon
120 School Road
Lavon, Texas 75166

Orbit Drive

BID

Bid # 0000096

Bid Date 07/09/2026

Item	Description	Unit Price	Quantity	Amount
	Equipment	4591.00	1.00	4,591.00
	Materials	10842.20	1.00	10,842.20
	Labor	8514.00	1.00	8,514.00

NOTES: This estimate includes all necessary equipment, materials and labor for demo, haul off and repour for the 24'x32'x6" section on Orbit Drive.
All traffic control barricades are also included. We will use barricades to maintain one open lane for traffic.

**Additional square footage requested. An additional 12'x16' were requested to be added onto this job scope, along with 12' of curb.
This estimate shows the changes per 8/3/2026**

Subtotal	23,947.20
Total	23,947.20
Amount Paid	0.00
Bid	$23,947.20

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _ 7 – L__**

Item:

Discussion and action regarding the acceptance of Bently Farms Phase 3 Paving and Storm Drain (CIP-44) construction project improvements.

Background:

The City of Lavon recently completed the Bently Farms Phase 3 Paving and Storm Drain (CIP-44) construction project. 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

September 30, 2026

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

Re: Bently Farms Paving & Drainage Improvements Phase 3
[CIP-44] Final Acceptance

Dear Ms. Dobbs:

This project involves the reconstruction of Meadow Hill, the western portion of Shoreview and the Rolling Meadow/Meadow Hill intersection within Bently Farms.

The Inspector and Engineer have looked at the project. All items identified to be corrected have been satisfactorily addressed.

Final paperwork is being prepared by the Contractor:

1. Affidavit of Bills Paid.
2. Surety Release
3. As-Built drawings
4. Final Pay Application (retainage)

We recommend acceptance of Bently Farms Phase 3 project [CIP-44]. However, final payment should not be made until completion of all required paperwork.

The 2-year Maintenance Warranty, which is covered in the Performance Bond, will commence upon final 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.

Sincerely,
FREEMAN-MILLICAN, INC.

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

Cc: David Carter, Matt Policano

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CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: 7 - M**

Item:

Discussion and action regarding a Resolution awarding and authorizing the negotiation and execution of a contract for an Indefinite Delivery, Indefinite Quantity (IDIQ) Concrete Street Hot Mix Asphalt Concrete (HMAC) Street And Concrete Sidewalk Repair for the 2026-2027 program year, at an estimated value of $250,000.00 minimum; and providing an effective date.

Background:

On September 22, 2026, the City opened competitive bids for an Annual IDIQ Concrete Street HMAC Street and Concrete Sidewalk Repair (2026-2027) program.

Two (2) bids were received and opened. The project involves the Indefinite Delivery Indefinite Quantity (IDIQ) bid for concrete and Hot Mix Asphalt (HMAC) streets and concrete sidewalk repairs within the city. The bid consists of unit costs for the various items related to the street and sidewalk repairs.

The Contract will be valued at a minimum of $250,000.00. The actual amount will be based upon the actual work performed. The contract is an annual contract with the right to renew.

The contract will enable to City to respond to street and sidewalk maintenance needs more promptly and efficiently.

Freeman-Millican, Inc. verified the bid documents and checked references, and the city engineer recommends that the City award the contract to the lowest responsible bidder, VLEX Construction, LLC.

Financial Implication:

Funding for the project will come from the Designated Street Maintenance Fund and is provided for in the FY 2026-27 Annual Budget.

Staff Notes:

Approval is recommended.

Attachments: 1) Engineer's Recommendation for Award and Bid Tabulation
2) Proposed Resolution

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS

September 30, 2026

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

Re: Recommendation of Award
Annual IDIQ Concrete Street HMAC Street And Concrete Sidewalk Repair (2026-2027)

Dear Ms. Dobbs:

Sealed bids for the above referenced project were received on September 22, 2026, at 2:00 p.m. at Lavon City Hall. A total of nineteen (19) plan holders identified as General Contractor downloaded the bid package. A total of two (2) bids were received and accepted. A complete bid tabulation is attached.

This project involves the Indefinite Delivery Indefinite Quantity (IDIQ) bid for concrete and Hot Mix Asphalt (HMAC) streets and concrete sidewalk repairs within the city. The bid consists of unit costs for the various items related to the street and sidewalk repairs. The Contract will be valued at a minimum of $250,000.00. The actual amount will be based upon the actual work performed. This is an annual contract with the right to renew.

Of the two bids received, VLEX has successfully completed one project and is currently finishing another project for the City. For major items the unit costs provided by VLEX are generally lowest.

We recommend the award of the IDIQ project to VLEX Construction LLC.

Sincerely,
FREEMAN - MILLICAN, INC.



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

Attachment

F:\26030 - LAVON IDIQ Paving\6 - Bidding\26030 Ltr of Recommendation - IDIQ Paving.docx

BID TABULATION

OWNER:	City of Lavon			Contractor	Vlex Construction LLC	Contractor	Dallas Harmonoy Construction LLC
PROJECT:	ANNUAL IDIQ CONCRETE STREET HMAC STREET AND CONCRETE SIDEWALK REPAIR (2026-2027)			Address	3586 Bent Oak St	Address	2300 Valley View Ln, Ste 1040
ENGINEER:	FREEMAN-MILLICAN, INC.			City, State	Greenville, TX 75401	City, State	Irving, TX 75062
BID DATE:	September 22, 2026			Phone	(469) 422-1832	Phone	(518) 227-6717
ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
BASE BID							
P.1	SAW-CUT, REMOVAL, AND PROPER DISPOSAL OF EXISTING SUBGRADE, PAVEMENT AND/OR 24-INCH CURB AND GUTTER	1	SY	$22.00	$22.00	$30.13	$30.13
P.2	SAW-CUT, REMOVAL, AND PROPER DISPOSAL OF EXISTING SIDEWALK PAVEMENT	1	SY	$18.00	$18.00	$29.81	$29.81
P.3	SIDEWALK LEVELING SAND	1	SY	$6.00	$6.00	$6.00	$6.00
P.4	SOLID GRASS SOD MATCHING EXISTING	1	SY	$12.00	$12.00	$5.25	$5.25
P.5	HYDROMULCH SEEDING	1	SY	$3.00	$3.00	$2.00	$2.00
P.6	DITCH EXCAVATION	1	CY	$22.00	$22.00	$45.70	$45.70
P.7	DITCH GRADING	1	LF	$6.00	$6.00	$2.50	$2.50
P.8	FLEXIBLE BASE	1	CY	$72.00	$72.00	$80.00	$80.00
P.9	CEMENT STABILIZED BASE	1	CY	$189.00	$189.00	$13.00	$13.00
P.10	LIME-STABILIZED BASE (6% LIME)	1	CY	$189.00	$189.00	$13.00	$13.00
P.11	6" CONCRETE PAVEMENT (4,000 PSI), #4 BARS @ 18-INCH O.C.E.W.,	1	SY	$85.00	$85.00	$78.00	$78.00
P.12	6" CONCRETE PAVEMENT (4,000 PSI), HES, #4 BARS @ 18-INCH O.C.E.W	1	SY	$98.00	$98.00	$85.00	$85.00
P.13	8" CONCRETE PAVEMENT (4,000 PSI), #4 BARS @ 18-INCH O.C.E.W.,	1	SY	$90.00	$90.00	$95.00	$95.00
P.14	8" CONCRETE PAVEMENT (4,000 PSI), HES, #4 BARS @ 18-INCH O.C.E.W	1	SY	$110.00	$110.00	$120.00	$120.00
P.15	10" CONCRETE PAVEMENT (4,000 PSI), #4 BARS @ 18-INCH O.C.E.W.,	1	SY	$100.00	$100.00	$102.00	$102.00
P.16	10" CONCRETE PAVEMENT (4,000 PSI), HES, #4 BARS @ 18-INCH O.C.E.W	1	SY	$120.00	$120.00	$145.00	$145.00
P.17	3-INCH TYPE D HMAC PAVEMENT	1	SY	$32.00	$32.00	$50.00	$50.00
P.18	4-INCH TYPE D HMAC PAVEMENT	1	SY	$42.00	$42.00	$60.00	$60.00
P.19	6-INCH TYPE D HMAC PAVEMENT	1	SY	$60.00	$60.00	$70.00	$70.00
P.20	2-INCH TYPE D HMAC PAVEMENT	1	SY	$28.00	$28.00	$30.00	$30.00
P.21	TACK COAT	1	LF	$1.50	$1.50	$3.25	$3.25
P.22	6-INCH CONCRETE CURB	1	LF	$15.00	$15.00	$25.56	$25.56
P.23	24-INCH INTEGRAL CONCRETE GUTTER WITH 6-INCH CURB	1	LF	$45.00	$45.00	$45.56	$45.56
P.24	CONCRETE PAVEMENT EXPANSION JOINT	1	LF	$6.00	$6.00	$7.00	$7.00
P.25	NO. 6 SMOOTH DOWELS @ 12” O.C.	1	LF	$10.00	$10.00	$7.00	$7.00
P.26	NO. 8 SMOOTH DOWELS @ 12” O.C	1	LF	$12.00	$12.00	$9.00	$9.00
P.27	CONCRETE STREET HEADER	1	LF	$10.00	$10.00	$20.00	$20.00
P.28	PAVEMENT SAWCUTTING	1	LF	$3.00	$3.00	$1.00	$1.00
P.29	4' WIDE, 4-INCH THICK CONCRETE SIDEWALK, 3,000 PSI, #3 @ 18-INCH O.C.E.W.,	1	LF	$28.00	$28.00	$40.00	$40.00
P.30	5' WIDE, 4-INCH THICK CONCRETE SIDEWALK, 3,000 PSI, #3 @ 18-INCH O.C.E.W.,	1	LF	$33.00	$33.00	$50.00	$50.00
P.31	8' WIDE, 4-INCH THICK CONCRETE SIDEWALK, 3,000 PSI, #3 @ 18-INCH O.C.E.W.,	1	LF	$51.00	$51.00	$80.00	$80.00
P.32	24"×48" PREFABRICATED DETECTABLE WARNING PANEL WITH TRUNCATED DOMES	1	EA	$380.00	$380.00	$800.00	$800.00
P.33	TYPE III BARRICADES	1	DAY	$100.00	$100.00	$500.00	$500.00
P.34	TRAFFIC CONTROL DELINEATORS, DRUMS, AND/OR CONES,	1	DAY	$150.00	$150.00	$600.00	$600.00
P.35	4-INCH WHITE PAVEMENT MARKING WITH GLASS BEADS	1	LF	$4.00	$4.00	$1.06	$1.06
P.36	6-INCH WHITE PAVEMENT MARKING WITH GLASS BEADS	1	LF	$4.50	$4.50	$1.25	$1.25
P.37	8-INCH WHITE PAVEMENT MARKING WITH GLASS BEADS	1	LF	$5.00	$5.00	$1.35	$1.35
P.38	24-INCH WHITE PAVEMENT MARKING WITH GLASS BEADS	1	LF	$11.00	$11.00	$3.50	$3.50
P.39	4-INCH YELLOW PAVEMENT MARKING WITH GLASS BEADS	1	LF	$4.00	$4.00	$1.06	$1.06
P.40	6-INCH YELLOW PAVEMENT MARKING WITH GLASS BEADS	1	LF	$4.50	$4.50	$1.25	$1.25
P.41	WHITE ARROW (LEFT, RIGHT, THROUGH)	1	EA	$500.00	$500.00	$190.00	$190.00
P.42	TYPE II YELLOW-YELLOW RAISED PAVEMENT MARKERS @ 24-INCH O.C.	1	LF	$7.00	$7.00	$2.45	$2.45
P.43	TYPE II WHITE-RED RAISED PAVEMENT MARKERS @ 24-INCH O.C.	1	LF	$7.00	$7.00	$2.45	$2.45
P.44	TYPE II WHITE-WHITE RAISED PAVEMENT MARKERS @ 24-INCH O.C	1	LF	$7.00	$7.00	$2.45	$2.45
P.45	YPE II YELLOW-YELLOW RAISED PAVEMENT MARKERS	1	EA	$5.00	$5.00	$5.00	$5.00
P.46	TYPE II WHITE-RED RAISED PAVEMENT MARKERS	1	EA	$5.00	$5.00	$5.00	$5.00
P.47	TYPE II WHITE-WHITE RAISED PAVEMENT MARKERS	1	EA	$5.00	$5.00	$5.00	$5.00

CITY OF LAVON, TEXAS

RESOLUTION NO. _____

Award IDIQ Concrete Street HMAC Repair – Vlex Construction LLC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AWARDING AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT FOR AN INDEFINITE DELIVERY, INDEFINITE QUANTITY (IDIQ) CONCRETE STREET HOT MIX ASPHALT CONCRETE (HMAC) STREET AND CONCRETE SIDEWALK REPAIR FOR THE 2026-2027 PROGRAM YEAR, AT AN ESTIMATED VALUE OF $250,000.00 MINIMUM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon, Texas (the "City Council") advertised and accepted competitive bids for the construction proposal in accordance with state law; and

WHEREAS, the City Council finds that awarding and authorizing the negotiation and execution of a contract for an Indefinite Delivery, Indefinite Quantity (IDIQ) Concrete Street Hot Mix Asphalt Concrete (HMAC) Street And Concrete Sidewalk Repair for the 2026-2027 program year with Vlex Construction LLC, at an estimated value of $250,000.00 minimum, serves the best interest of the City and the public health, safety, and welfare of the citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS:

SECTION 1: The City Council hereby awards and authorizes the negotiation and execution of a contract for an Indefinite Delivery, Indefinite Quantity (IDIQ) Concrete Street Hot Mix Asphalt Concrete (HMAC) Street And Concrete Sidewalk Repair for the 2026-2027 program year with Vlex Construction LLC, at an estimated value of $250,000.00 minimum, subject to the city attorney's and city engineer's approval; and

SECTION 2. The City Council hereby finds, determines, and declares that the meeting, at which this resolution is passed, approved, and adopted, was open to the public, and that the public notice of time, place and subject matter to be considered was posted as required by law.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 6th day of October 2026.

_____
Vicki Sanson
Mayor

ATTEST:

_____
Rae Norton
City Secretary

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: 7 - N**

Item:

Discussion and action regarding an Ordinance amending Ordinance No. **2025-08-06**, as amended, that approved and adopted a budget for the City for the fiscal year October 1, 2025 through September 30, 2026, for which links can be found on the homepage of the City website lavontx.gov directly and under Financial Transparency, to amend adopted revenues and expenditures; affirming that the budget amendment will have no direct impact on property taxes; and declaring an effective date.

Background:

The amendment is prepared to generally incorporate revenues that have exceeded projected levels and expenditures that have been incurred or will be incurred at the direction of City Council to expand current services or opportunities, and that may have otherwise been necessary and incidental to general or routine operations.

Financial Implications:

The proposed amendment represents and allocates funding appropriately.

Staff Notes:

Approval is recommended.

Attachments: 1) Proposed Ordinance

CITY OF LAVON, TEXAS

ORDINANCE NO. _____

Budget Amendment #3 - Fiscal Year 2025-2026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING ORDINANCE NO. 2025-08-06, AS AMENDED, THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2025 THROUGH SEPTEMBER 30, 2026, TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET; AFFIRMING THAT THE BUDGET AMENDMENT WILL HAVE NO DIRECT IMPACT ON PROPERTY TAXES; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon, Texas has adopted and approved a budget of the expenditures and revenues of all City Departments, Divisions and Offices for the Fiscal Year 2025-26; and

WHEREAS, pursuant to the Home Rule Charter of the City, the laws of the State of Texas and Section 102.010 of the Local Government Code, the City Council has determined that it will be beneficial and advantageous to the citizens of Lavon to amend the City's 2025-26 fiscal year budget, as amended and as set forth herein for municipal purposes; and

WHEREAS, the City Council upon full consideration of the matter, has determined that the amendment to the budget hereinafter set forth is proper and should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS:

Section 1. That the chart of accounts, revenues and appropriations as designated for the payment of expenses for the operation of the City government, hereinafter itemized by a true and correct copy of the Budget Document hereto attached as **Exhibit A,** are hereby approved.

Section 2. That the expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance, unless otherwise authorized by a duly enacted ordinance of the City, said budget document being on file for public inspection in the office of the City Secretary.

Section 3. That the budget amendment will have no direct impact on property taxes.

Section 4. That the necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such case provides.

Section 5. 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.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 6th day of October 2026.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

ORDINANCE NO. _____

EXHIBIT A

Budget Amendment 3

City of Lavon
Budget Amendment 3
10/6/2026

	Adopted/ Amended	Proposed Amendment	Change
TIRZ 2 Fund			
Revenue	231,500	493,040	261,540
Expenses	25,000	667,865	642,865

TIRZ/TIF FUND		Adopted/ Amended 2025-26	Proposed Amendment	Change
ESTIMATED BEGINNING RESOURCES		179,226	185,233	
TIRZ/TIF Fund Revenue				
24-00-4001	Property Taxes	230,000	-	(230,000)
24-00-4519	Logic - Interest	1,500	1,500	-
24-00-4810	Transfer TIRZ 2 Property Tax	-	491,540	491,540
Total TIRZ/TIF Fund Revenue		**231,500**	**493,040**	**261,540**
TIRZ/TIF Fund Expenditure				
24-00-5440	Professional Services - Other	25,000	25,000	-
24-00-5960	Public Project Costs Reimbursement	-	642,865	642,865
Total TIRZ/TIF Expenditure		**25,000**	**667,865**	**642,865**
ESTIMATED ENDING RESOURCES (Net)		**385,726**	**10,408**	

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: __7 - O__**

Item:

Discussion and action regarding a Resolution approving and authorizing execution of an agreement with All American Animal Control for provision of animal control services; and providing an effective date

Background:

In 2006, the City entered into an Interlocal Agreement with Collin County for Animal Control and Animal Shelter Services. Each year, the City Council extended the term of the Agreement. Last year, Collin County billed $6,250 for the combined services.

Over the past few years, staff began researching alternative service options. Other are cities contract with All American Dogs and all references were very good. Although the proposed contract costs substantially more than the City had previously paid; the service levels will be considerably higher with an actual routine presence in the City. The level of services for residents involved in the process will be much higher.

In August, Collin County notified the City that the proposed fees for continued service would be billed $33,013.

Financial Consideration:

The total annual proposed contract amount is $80,475.00. Funding for the service was allocated as a budget enhancement in the FY 2026-27 Annual Budget. Opportunities for partnership, cost saving, and expansion have been identified and will be further investigated after the first quarter of service.

Staff Notes:

The city attorney has reviewed the contract. Approval is recommended.

Attachments: Resolution and Proposed Contract

CITY OF LAVON, TEXAS

RESOLUTION NO. _____

Contract for Animal Control and Animal Shelter Services

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ALL AMERICAN ANIMAL CONTROL FOR PROVISION OF ANIMAL CONTROL SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council wishes to provide enhanced animal control and animal shelter services than previously contracted with Collin County; and

WHEREAS, the City Council finds it is in the best interests of the City of Lavon to approve the attached contract for animal control and animal shelter services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, THAT:

SECTION 1. That the City Council does hereby approve and authorize the execution of an agreement with All American Animal Control for provision of animal control services, including animal shelter services, which is attached hereto and labeled "Exhibit A";

SECTION 2. 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 6th day of October 2026.

_____
Vicki Sanson, Mayor

ATTEST:

_____
Rae Norton, City Secretary

CITY OF LAVON, TEXAS

RESOLUTION NO. _____

EXHIBIT A

Contract for Animal Control and Animal Shelter Services



12860 Tischler Rd. Pilot Point TX 76258 (972) 382-DOGS

THIS AGREEMENT (hereinafter referred to as the "Agreement") is made and entered into by Robert Matthews, a private contractor, d/b/a All American Animal Control, a division of All American Dogs (hereinafter referred to as "AAAC") and the City of Lavon, Texas, a municipal corporation (hereinafter referred to as "Lavon" or the "City".

RECITALS

WHEREAS, Lavon is desirous of providing for residents and businesses with full-time animal control services, and

WHEREAS, AAAC is desirous of furnishing full-time animal control services to Lavon, and

WHEREAS, the parties hereto desire to enter into this Agreement to provide animal control services at the highest level possible to Lavon in accordance with the terms and conditions set forth herein, and

WHEREAS, all payments to be made hereunder shall be made from current revenues available to the paying party, and

WHEREAS, the parties have concluded that this Agreement fairly compensates the performing party for the services being provided hereunder, and is in the best interest of each party.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND CONSIDERATION PROVIDED FOR HEREIN, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY CONFIRMED, THE PARTIES HERETO AGREE TO THE FOLLOWING:

Section 1: All matters stated above in the preamble are found to be true and correct and are incorporated herein by references as if copies in their entirety.

Section 2: Term: This Agreement shall commence on October 1, 2026 and end upon 30 days written notice by Lavon or AAAC.

Section 3: Scope of Services: AAAC hereby agrees to provide Lavon the following services, personnel, and facilities:

a. Patrol Services: AAAC will provide a minimum of one (1) patrol per week for the enforcement of ordinances set forth in the Lavon animal control ordinance and any amendments. Under this section, "patrol" shall mean a minimum of two (2) hours per calendar week of active, mobile visual surveillance conducted within Lavon's city limits. Time spent responding to service calls shall not count toward the minimum weekly patrol time requirement.

b. Service Calls: AAAC will provide unlimited field service calls per month in this all-inclusive contract.

Routine service calls will be answered between the hours of 8:00AM and 5:00PM Monday through Friday. Only emergency calls for service will be answered after these hours. Routine service calls must be viable calls which the animal control officer (hereinafter referred to as "ACO") will be able to pro-vide an immediate proper disposition. Some examples of viable service calls include, but are not limited to:

A contained stray animal which the ACO is guaranteed to impound;
A deceased domestic animal in the roadway;
A complaint which requires immediate ACO intervention.

Emergency service calls will be answered 24 hours a day, 7 days a week and may include the following:

A felony arrest where an animal is present;
An injured domestic animal when the owner is not known or present;
A domestic animal bite to a human when the owner is not known or present;
Loose livestock in the roadway causing a hazard to motorists,
A domestic animal which is showing aggressive or dangerous tendencies.

A law enforcement officer or their designee must respond prior to any emergency call to confirm the need for an ACO.

Non-emergency after-hours service calls (Weekdays 5pm- 8am and all day on weekends) will be billed separately at $225 per call. Examples would be cat in a tree, friendly dog walking down the street or deceased animal not impeding traffic. These calls must be approved by the City's designee prior to ACO dispatch.

c. Monthly Reports: AAAC will supply a monthly report to the City Secretary of Lavon. The report shall summarize all animal control activity within the City borders from the previous month.

d. Animal Bites: An ACO will make an incident report and have the animal's owner verify that rabies vaccination is current. An ACO will respond and oversee proper quarantine procedures ser forth by state law.

e. Dead Animal Removal: AAAC agrees to provide removal of dead animals, excluding livestock, on any public property and on private property when an animal owner is unidentified within the City limits. Removal of such will be discussed and approved on a case by case basis. In the event of dead livestock, AAAC may contract an outside resource to provide removal services at the further expense of the City. In the event the owner of a deceased animal is identified, AAAC will charge said owner a fee for any removal for dispositioning services.

f. Impoundment and Boarding: An ACO is authorized to capture and impound any animal upon having probable cause to believe the animal to be in violation of any provision of Ordinances related to Animal Control or state law, which authorizes or requires the animal's capture and impoundment. AAAC shall collect and retain any impoundment fees from the enforcement of this ordinance.

If, by identification tag or microchip, the owner of an impounded animal can be identified, the ACO will make every attempt to return the animal to its home and notify the owner of any violations witnessed by the ACO. Written warnings and/or citations may be issued to owners of said animal.

All impounded animals shall be kept for not less than five (5) days by AAAC. After this period of time, the animal shall become the property of AAAC and be released to a humane organization, placed for adoption, or humanely destroyed at the discretion of AAAC. No record shall be kept by the City as to the disposition of an animal after release is made to the facility.

Any animal, whether licensed or unlicensed, which is the professional judgment of AAAC and its employees, is in great pain and suffering due to injury from which the animal probably will not recover, and/or which is at large and is posing an imminent danger to human beings or to other animals, may be destroyed by the ACO on scene in a humane manner.

The ACO may impound any animal which, in the professional opinion of the ACO, appears to be rabid, or is showing the clinical signs of rabies. The ACO will provide humane euthanasia so that the animal may be submitted to the Texas Department of Health for proper rabies testing.

g. Animal Cruelty and Neglect Calls: AAAC will respond to animal cruelty or neglect calls and take appropriate actions according to state law. A law enforcement officer may be called to assist the ACO on any such call.

h. Education: AAAC will provide information to residents on pet responsibility, local and state animal control laws, rabies and coping with wildlife issues. Professional advice will be given to solve most animal related problems.

i. Other Services: The City of Lavon agrees to allow AAAC to provide its complete line of Animal Related Services to the residents of Lavon as individual clients at no other cost to the City. Such services include, but are not limited to:

Lost Pet Recovery Services
Humane Euthanasia
Deceased Pet Removal, Cremation, and Burial Services
Nuisance Wildlife Rescue & Control (Trapping)
Escape Prevention

The resident would be considered a client of AAAC and would be solely responsible for any fees incurred.

j. Schedule of Fees: These fees shall be charged to the residents of Lavon. The City is not responsible for these fees:

Animal Impoundment Fee:	$75.00 each impoundment
Boarding Fee:	$18 per day or portion thereof
Flea & Tick Medicine	$20 Per Dose (If Needed)
Deworming Medicine	$20 Per Dose (If Needed)

These fees may be changed upon approval of the governing body of Lavon upon adoption or a change of City Ordinance.

Section 4: City of Lavon Obligations: Lavon agrees to the following:

Pay an all-inclusive yearly fee of $72,975.00 for all animal control patrol and services. An annual infrastructure fee of $7,500 is due at the start of every fiscal year. The monthly payment will be $6,081.25.

The fee will remain fixed and will not be adjusted until September 30, 2027. Commencing on that date and continuing annually on the first day of October, AAAC may adjust the all-inclusive fee by the lesser of 3.5% of the then-current all-inclusive fee or the percentage change in the CPI for the 12 month period ending on September 30th before the effective date of the annual adjustment. The current population of Lavon at the time of this contract is 15,000. If the population increases, the contract will increase an additional $7.50 per new resident per year.

All-inclusive fees do not include the following situations:

Quarantine fees as required by Texas Department of Heath when an owner is not known or available;
Specimen shipment fees on applicable animals;
Medical & veterinary fees as needed.

Any fees not covered under the all-inclusive contract must be approved by the City designee.

Section 5: Revenues Retained: City shall retain all fines, forfeitures, etc. that may be generated by performing ordinance enforcement duties within the City's boundary.

Section 6: Termination:

a. This Agreement may be terminated at any time, by either party, giving thirty (30) days written notice to the other party to the addresses proved herein. In the event of such termination by either party, AAAC will be compensated for all services performed to termination date, which will be the date one (1) month after the date of the notice of termination, together with any payments then due and as authorized by this Agreement.

b. If the City fails to make payment to AAAC within thirty (30) days after the date of billing for any invoiced amounts, AAAC may suspend services and identify a date on which the services will be suspended and will notify City Hall by telephone and in writing of the date services will be suspended.

c. Failure of AAAC to furnish any services under this Agreement, the City shall have the right to make appropriate reduction in any fee paid (as determined by mutual agreement of the parties) or terminate this Agreement by giving proper notice.

Section 7: Notice and Payments: All written notices, payments, or refunds shall be sent to the following addresses:

All American Dogs	City of Lavon
12860 Tischler Rd.	120 School Rd
Pilot Point, TX 76258	Lavon, TX 75166

Section 8: Dispute Resolution: In order to ensure an effective relationship between the parties and to provide the best possible services, it is mutually agreed that all questions arising under this Agreement shall be handled and resolved between the City and the owner of AAAC.

Section 9: Jurisdiction: By this Agreement, Lavon grants full and complete authorization and jurisdiction to AAAC for all services provided by AAAC as contained in this Agreement. Said jurisdiction shall apply to the City limits of Lavon.

Section 10: Venue: Venue for any legal dispute arising pursuant to this Agreement shall be in Collin County, Texas. In any suit alleging breach of this Agreement the prevailing party is entitled to an aware of reasonable and necessary attorney's fees.

Section 11: Supervision/Certification: At all times during the term of this Agreement, all Animal Control Officers shall be under the supervision and control of a representative AAAC. Also, all officers shall be certified in their respective areas of expertise to carry out their duties. All Animal Control vehicles shall be properly marked and identified. ACO vehicles shall be considered as Authorized Emergency Vehicles in accordance with the Uniform Traffic Code.

Section 12: Performance: Both parties mutually agree that AAAC is an independent contractor, and shall have exclusive control of performance hereunder, and that employees of AAAC in no way are to be considered employees of the City.

Section 13: Indemnification: AAAC agrees to hold harmless, save and indemnify the City and its Officers for any and all claims for damages, personal injury and/or death that may be asserted against Lavon arising from AAAC negligence or its performance hereunder, save and except intentional acts of gross negligence by Lavon . The foregoing notwithstanding, the parties hereto reserve the right to all available legal defenses and all protections and limitations of liability provided by the Texas Tort Claims Act and the Texas Constitution relative to these parties. The provisions of this indemnification are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

Section 14: Insurance: AAAC agrees to procure and maintain, at a minimum, $1,000,000 liability insurance policy providing coverage against any and all claims for personal injury or property damage arising out of acts, errors, or omissions of AAAC, its officers, employees, or agents under or pursuant to this Agreement. The City shall be named as a certificate holder and shall be notified if this policy is cancelled for any reason.

IN WITNESS WHEREOF, we have hereunto set out hands this the ___ day of _____, 2026 in the duplicate originals.

All American Animal Control	City of Lavon
_____	_____
By: Robert M. Matthews, Jr.	by: Vicki Sanson, Mayor
Attest:	Attest:
_____	_____
By: Witness	By: Witness

CITY OF LAVON
Agenda Brief

MEETING: October 6, 2026 **ITEM: _7 - P_**

Item:

NOTE: The applicant was unable to attend the Planning and Zoning Commission and requested that the public hearing be opened and continued with no action taken by the Commission or City Council.

Public hearing, discussion and action regarding an application for a Conditional Use Permit (CUP) to permit "Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)" and "Alcohol: mixed beverage package store (on- and/or off-premises consumption)" uses at 955 N. SH 78 on Lot 25C-R, Block E of Lake Breeze Estates, located southwest of the intersection of N. SH 78 and Gage Rd./FM 6, City of Lavon, Texas, (CCAD Property ID 2923353).

1) Presentation of proposed application.
2) Open and continue the **PUBLIC HEARING** to receive comments regarding the proposed application to a meeting beginning at 6:30 p.m. on November 3, 2026.
3) Discussion and action regarding the proposed application and accompanying Ordinance.

Application Information

Owner(s): Kiranpal Singh

Applicant: Roberto Nunez, Alchemi Development Partners

Location: 955 N. SH 78, located southwest of the intersection of N. SH 78 and Gage Rd./FM 6

Description: Lot 25C-R, Block E of Lake Breeze Estates Addition in the Lake Breeze Planned Development District (CCAD Property ID 2923353).

Current Zoning: Planned Development (PD)

Request: Conditional Use Permit (CUP) for Two Alcohol Related Uses

Request Details

The applicant is seeking approval of conditional use permits to allow two alcohol related uses on the site: 1) beer and wine sales in a convenience store associated with a fueling station and 2) a liquor store.

A site plan for a multi-tenant commercial building that is approximately 9,917 square feet in area was approved by the City Council on February 6, 2024.

Construction is in progress on the site.

Code Excerpt:

LAVON CODE OF ORDINANCES – ZONING ORDINANCE
DIVISION 6 – REGULATIONS APPLICABLE TO MIXED USE ABD NONRESIDENTIAL DISTRICTS

9.03.131 RETAIL DISTRICT (R)

c) Conditional Uses

(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)*

* 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).

The required public hearing notice was published in the newspaper and on the website and six (6) notices were provided to the owners of property located within 200 feet of the proposed site. Signs were properly posted on the property. One notice was returned in favor of and none were returned in opposition to the proposed application.

The proposed application was reviewed by the planning consultant, fire marshal, and city engineer.

Staff Notes:

No action is recommended until after completion of the public hearing process.

Approval of the proposed CUP for a convenience store is recommended.

The Planning and Zoning Commission and City Council may consider the proximity of the proposed alcohol-related uses, to others in Lavon, for potential over-saturation in consideration of the second proposed use.

Attachments:

1. Application
2. Location exhibits
3. Planning and Engineering Review comments
4. Neighbor Notice
   (a data source of property owners who were mailed notices is available upon request from cityhall@lavontx.gov)

APPLICATION FOR CONDITIONAL USE PERMIT (CUP)

KIRANPAL SINGH — 07/22/2026

Applicant Name — Date

ROBERTO NUNEZ (ALCHEMI DEVELOPMENT PARTNERS) — 806-570-4867

Representative, Agent or Owner — Phone

ALCHEMI DEVELOPMENT PARTNERS — [redacted]

Company — Email address

4740 W MOCKINGBIRD LN — DALLAS, TEXAS 75219

Street — City, State, Zip

955 N STATE HWY. 78, LAVON, TEXAS 75166

Address and Location of Property

UNKNOWN AT THIS TIME, WE WILL PROVIDE IT DURING REVIEW

Legal Description of Property

Existing Zoning: NON-RESIDENTIAL (R)

REASON FOR REQUEST (Include the type of conditional use requested, dimensions, materials and elevations. Attach a separate sheet if necessary and include supporting documentation.)

REQUEST FOR NEW CUP IN ORDER TO SALE BEER AND WINE FOR THE CONVENIENCE STORE AND LIQUOR FOR THE PACKAGED LIQUOR STORE. OUR DEVELOPMENT INCLUDES A SUITE FOR A CONVENIENCE STORE, A LIQUOR STORE SUITE, AND TWO OPEN LEASE SUITES, CURRENTLY UNOCCUPIED. THE PROJECT IS CURRENTLY UNDER CONSTRUCTION, WE APPLIED AND WERE APPROVED FOR A CONSTRUCTION PERMIT, OUR PROJECT MEETS THE REQUIREMENTS AS THERE ARE NO RESIDENTIAL PROJECTS WITHIN THE STATE REQUIRED DISTANCES OF 300 FEET DOOR TO DOOR FOR BEER AND WINE (OFF-PREMISE COMSUMPTION) AND 300 FEET PROPERTY LINE TO PROPERTY LINE FOR PACKAGED LIQUOR STORE. THIS DEVELOPMENT WILL HELP THE FUTURE DEVELOPMENT PLAN FOR THE CITY OF LAVON, AS THIS WILL PROVIDE RESIDENTS WITH MULTIPLE GOODS AND SERVICES; BESIDES THE GOODS FROM THE CONVENIENCE STORE GOODS, THE LIQUOR STORE WILL MAKE AVAILABLE GOODS THAT CUSTOMERS WILL OTHERWISE NOT HAVE ACCESS TO. THE OTHER TWO SUITES WILL FOLLOW CITY OF LAVON REGULATIONS AS FAR AS LAND USES ALLOWED AND THEREFORE COULD PROVIDE PERSONAL SERVICES USES, AND, OR OFFICE LAND USE, SO ON. OUR DEVELOPMENT WILL ALSO FOLLOW ALL CITY OF LAVON REGULATIONS FOLLOWING ALL THE EXTERIOR IMPROVEMENTS, FACADE FINISHES, AND LANDSCAPE IMPROVEMENTS.

Signature of Applicant or Representative: Robert Nunez

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
lmcclendon@lavontx.gov

Declaration of Ownership

Date: 07/22/2026

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, Kiranpal Singh, 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 Rockwall

Before me, the undersigned authority, appeared Kiranpal Singh,
on this the 28 day of July, 20 26

Makayla Lane Dilday
My Commission Expires
8/22/2029
Notary ID 135529473

(notary seal)

Notary Public in and for Rockwall County, Texas

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

Authorization of Representation

Date: 07/22/2026

To the City of Lavon
Collin County, Texas

This letter will serve as notice that I/we, Kiranpal Singh, am/are the owner (s) of record of the property described in the attached survey documentation, submitted with this form, and do hereby authorize ROGER TO NUNEZ (ALC HEMI DEVELOPMENT 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 Rockwall

Before me, the undersigned authority, appeared Kiranpal Singh,
on this the 28 day of July, 20 26

Makayla Lane Dilday
My Commission Expires
6/22/2029
Notary ID 135529479

(notary seal)

Notary Public in and for Rockwall County, Texas

Rev 12-04-2023

Alchemi Development Partners
A Dallas-Fort Worth Company

August 19, 2026

To: City of Lavon Development Department

RE: Conditional Use Permit Commercial (CUPC) 26-001117

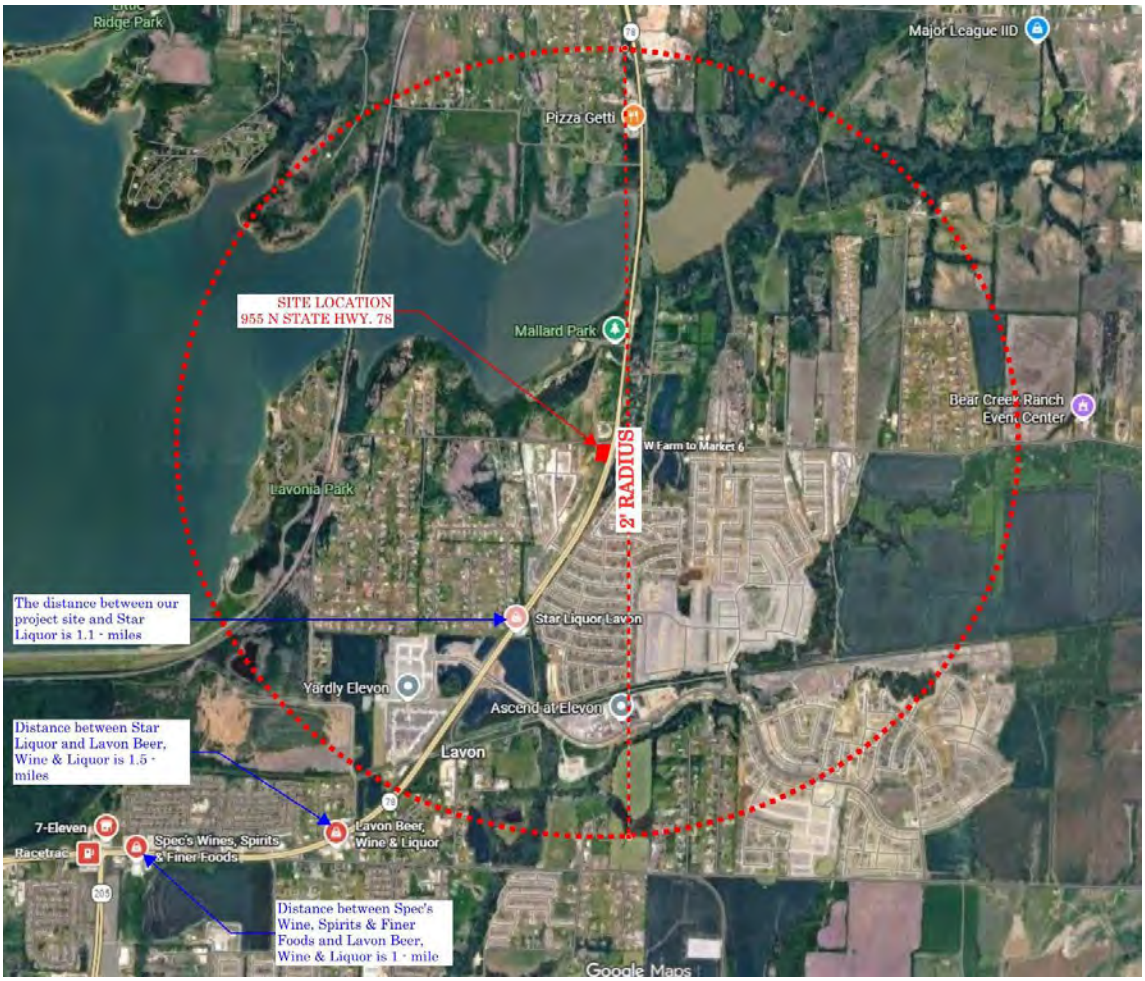
Our request for a new Conditional Use Permit (CUP) In order to sale beer and wine in a future convenience store. A suite for a future packaged liquor. Both permits will require off-site consumption, consumption of beer and wine or packaged liquor will not be allowed.

This new development is currently under construction including a suite for a convenience store, a packaged liquor store, and a suite for a future tenant, but currently, we don't have a tenant.

Our project meets the requirements, as there are no residential projects within the State that require 300 feet property line to property line proximity distance. This development will help the future of Lavon, Texas by providing a vast supply of goods, as well as a future suite that could serve the public by providing a barber shop, retail shop, beauty supply, or office space. Our shopping center will follow all city of Lavon design standards, our facades will be constructed with modern design finishes, we intend on designing a beautiful building that will enhance and improve the city of Lavon development standards. The shopping center will include new landscaping, sidewalks that will connect the community and provide an urban walkable environment.

Because of the proximity to the surrounding communities, our shopping center will make it convenient for residents to shop their needs. Please look at our map showing the locations of the nearest liquor and convenient stores.

`



Our development will follow all Federal, State, and City regulations Our client is here to assure the city of Lavon this development will improve and enhance the community.

Sincerely,

Roberto Nunez, **M. Architecture**
Alchemi Development Partners
Managing Partner
Alchemidp@outlook.com
Alchemidp.com

SITE INFORMATION TABLE				
LOT AREA	93287.00	SF	2.14 ACRES	
IMPERVIOUS COVER EXISTING	0.0	SF	0.0 ACRES	(0.0%)
IMPERVIOUS COVER PROPOSED	45206.71	SF	1.04 ACRES	(48.46%)
LANDSCAPE AREA	32970.98	SF	0.76 ACRES	(35.34%)
BUILDING AREA	9916.52	SF	0.23 ACRES	(10.63%)
SIDEWALK	3272.79	SF		(3.50%)
CAR WASH BUILDING FOOT PRINT	1920.00	SF		(2.06%)
CAR WASH DOUBLE STORY	3840.00	SF		
ZONING	R/S (RETAIL SERVICES)			
PROPOSED USAGE	C-STORE, RESTAURANT, GAS STATION & RETAIL			

BUILDING INFORMATION TABLE	
BUILDING COVERAGE	9916.52 SF (10.63%)
BUILDING ROOF AREA	9315.00 SF
NUMBER OF STORIES	1
TYPE OF CONSTRUCTION	II-B (STEEL STRUCTURE)
MAX. BUILDING HEIGHT	27'-9"
ALLOWABLE BUILDING HEIGHT	35'-0"
ALLOWABLE STRUCTURE COVERAGE	40%
OCCUPANCY CLASSIFICATION	M

PARKING TABLE	
TOTAL PARKING SPACES REQUIRED	39.6
C-STORE&RETAIL 9916.52/250sf	39.6

SUMMARY OF PARKING SPACES	
PROVIDED STANDARD SPACES	27
PROVIDED HANDICAP VAN	2
PROVIDED STANDARD HANDICAP	4
EV CHARGING SPACE	5
VACUUM ,AIR & WATER SPACE	4
TOTAL LOADING SPACE PROVIDED	1
TOTAL PARKING SPACES	43

PROPERTY BOUNDARY

EASEMENT

NUMBER OF PARKING STALLS PER ROW ④

PROPOSED HANDICAPPED PARKING ONLY

PROPOSED PAVEMENT

PROPOSED SIDEWALK

PROPOSED BERMUDA GRASS

PROPOSED 6" WIDE CONCERTE CURB 1

PROPOSED LEVEL ACCESS AISLE 2

HANDICAP ACCESSIBLE RAMP WITH DETECTA WARNING SURFACE (YELLOW) 3

PROPOSED ACCESSIBLE PARKING SIGNAGE 4

Heavy Duty Concrete Paving 5

GREEN AREA 6

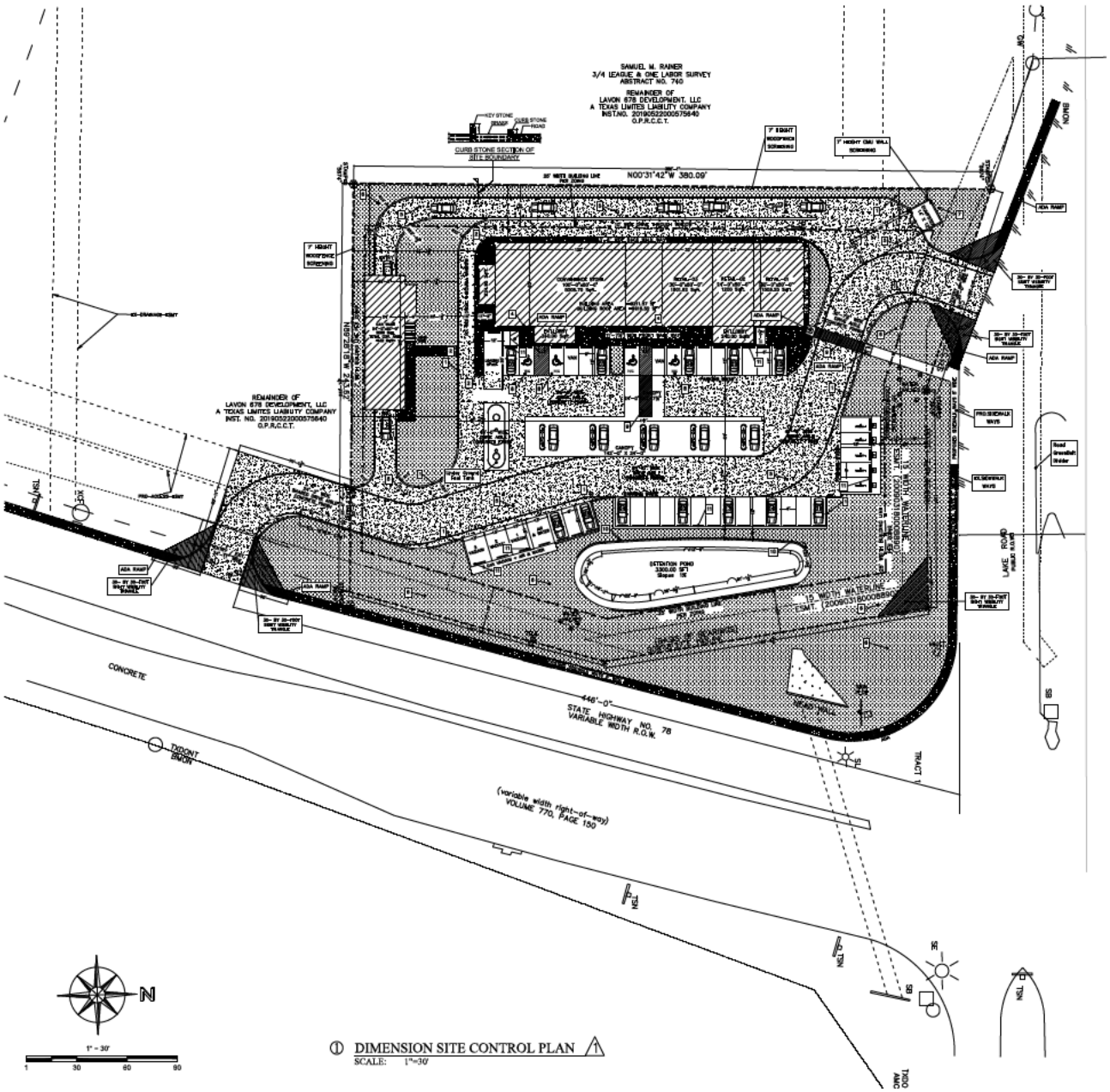
Heavy duty dumpster concrete 7

HANDICAP 8

PEDESTRIAN CROSSING 9

3'-0" HEIGHT WROUGHT IRON FENCING 10

WHEEL STOPS 11



① DIMENSION SITE CONTROL PLAN
SCALE: 1"=30'

INNOVATIVE DESIGN, CONCEPT, AND ANALYTICS, LLC
TBPE FIRM NUMBER: F-24211
555 Republic Dr Suite 312A, Plano,TX 75074,
PHONE: 469-662-5248
E-MAIL: mohmednofal@gmail.com

ISSUE RECORD:

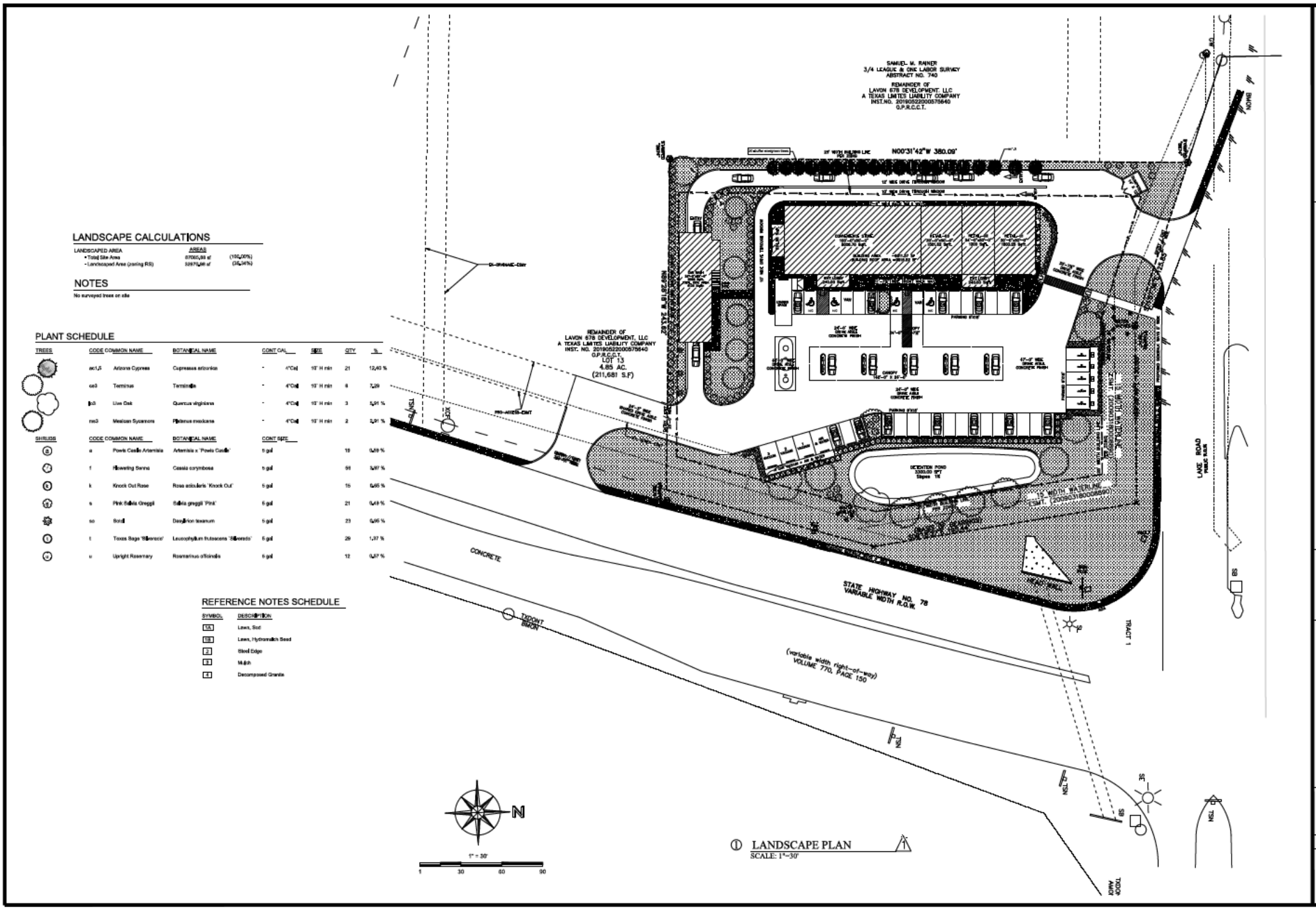
DATE:	ISSUED FOR:	COMMENTS:

991 N STATE HWY 78,
LAVON, TX 75166, USA

SHEET CONTENTS:
DIMENSION SITE CONTROL PLAN

DATE: 19-Jan-2024

C-1.3



LANDSCAPE CALCULATIONS

LANDSCAPED AREA	AREAS	
• Total Site Area	87065,88 sf	(100,00%)
• Landscaped Area (zoning RS)	32975,88 sf	(36,34%)

NOTES

No surveyed trees on site

PLANT SCHEDULE

TREES	CODE	COMMON NAME	BOTANICAL NAME	CONT.CAL.	SIZE	QTY	%
	ac1,5	Arizona Cypress	Cupressus arizonica	-	4"Cal	10' H min	21	12,40 %
	ce3	Terminus	Terminalia	-	4"Cal	10' H min	6	7,29
	qv3	Live Oak	Quercus virginiana	-	4"Cal	10' H min	3	5,91 %
	ms3	Mexican Sycamore	Platanus mexicana	-	4"Cal	10' H min	2	5,91 %

SHRUBS	CODE	COMMON NAME	BOTANICAL NAME	CONT.SIZE		
B	a	Powis Castle Artemisia	Artemisia x 'Powis Castle'	5 gal	19	0,69 %
A	f	Flowering Senna	Cassia corymbosa	5 gal	55	3,97 %
D	k	Knock Out Rose	Rosa adscularis 'Knock Out'	5 gal	15	0,65 %
C	s	Pink Salvia Greggii	Salvia greggii 'Pink'	5 gal	21	0,49 %
	so	Sotol	Dasylirion texanum	5 gal	23	0,95 %
E	t	Texas Sage 'Rio Bravo'	Leucophyllum frutescens 'Rio Bravo'	5 gal	29	1,37 %
F	u	Upright Rosemary	Rosmarinus officinalis	5 gal	12	0,87 %

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
SOD	Lawn, Sod
SEED	Lawn, Hydromulch Seed
2	Steel Edge
3	Mulch
4	Decomposed Granite

① LANDSCAPE PLAN
SCALE: 1"=30'

ISSUE RECORD:

DATE:	ISSUED FOR:	COMMENTS:

INNOVATIVE DESIGN, CONCEPT, AND ANALYTICS, LLC
TBPE FIRM NUMBER: F-24211
555 Republic Dr Suite 312A, Plano,TX 75074,
PHONE: 469-662-5248
E-MAIL: mohmmednofal@gmail.com

Firm Registration F-24211
Cert. of Reg Exp 2/29/24

991 N STATE HWY 78,
LAVON, TX 75166, USA

SHEET CONTENTS:
LANDSCAPE PLAN

DATE: 19-Jan-2024

L-1.1

MATERIAL LEGEND:

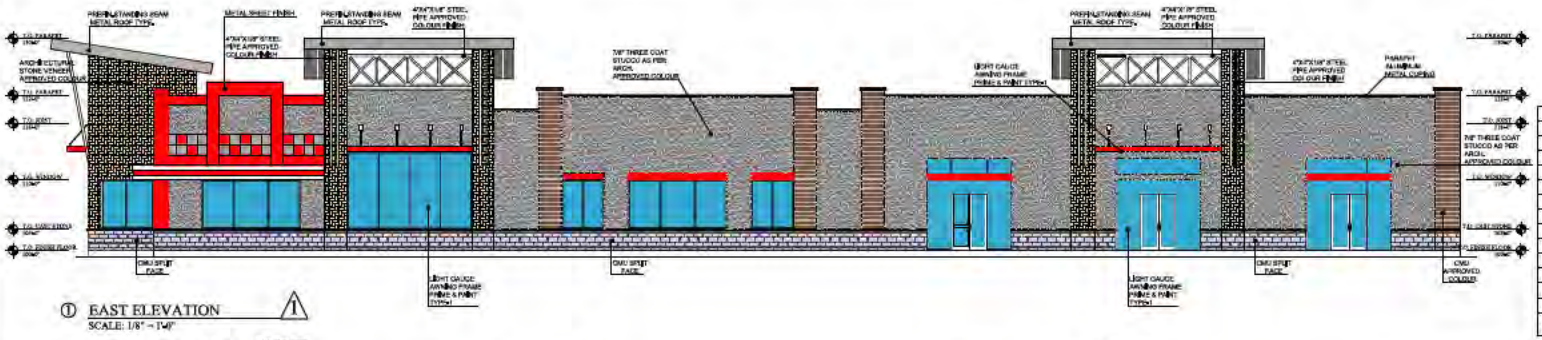
4.1	APR. ROUGH STONE.	4.6	ARCHITECTURAL STONE VENEER 2x COLOUR FINISH	5.1	ARCHITECTURE STONE VENNER APPROVED COLOUR.	7.4	PREFINISHED MTL SCUPPER & DOWNSPOUT, COLOR: MATCH 7.2.
4.2	3" CAST STONE WATERTABLE, COLOR: ORIGINAL.	4.7	PREFIN. STANDING SEAM METAL ROOF TYP.	5.2	PAINTED GALV. STEEL ROOF ACCESS LADDER. PER STEEL CONTRACTOR.	8.1	PREFINISHED ALUMINUM STOREFRONT SYSTEM: U.S. ALUMINUM 451 OR APPROVED EQUAL., COLOR: MATCH 7.2
4.3	ARCHITECTURE STONE VENNER APPROVED COLOUR	4.8	3"X3"X1/8" STEEL FRAME APPROVED COLOUR FINISH	7.1	PARAPET ALUMINUM METAL COPING COLOR: GREY PAINT	8.3	INSULATED HOLLOW MTL DOOR COLOR: TO MATCH 8.1.
4.4	7/8" THREE COAT STUCCO AS PER ARCH. APPROVED COLOUR	4.9	6"X4"X1/8" STEEL PIPE APPROVED COLOUR FINISH	7.2	LIGHT GAUGE AWNING FRAME PRIME & PAINT TYPE-1	16.1	DECORATIVE EXTERIOR LIGHT FIXTURE, COLOR: MATCH 7.2
4.5	WOOD TEXTURED STONE VENEER	4.10	METAL SHEET FINISH	7.3	LIGHT GAUGE AWNING FRAME PRIME & PAINT TYPE-2		

EXTERIOR CAVITY WALL NOTES:

1. ALL EXTERIOR STUDS TO BE HOT DEEP GALVANIZED 16 GAGE METAL STUDS AT 16" O.C. (ASTM A525).
2. ALL EXTERIOR STUD SCREWS AND FASTENERS TO BE STAINLESS STEEL WITH NEOPRENE WASHERS.
3. ALL METAL FLASHING ABOVE WINDOWS AND WHERE INDICATED TO BE STAINLESS STEEL.
4. ALL EXTERIOR SHEATHING USED IN CAVITY WALLS TO BE GYPSUM SHEATHING W/ FIBERGLASS FACING (ex: DENS-GLASS SHEATHING).
5. VERTICAL BRICK MOVEMENT JOINTS TO BE 20' O.C. MAX, UNLESS NOTED OTHERWISE, AND SHALL NOT CROSS LINTELS OR BRICK SHELF ANGLES.
6. VAPOR BARRIER USED OVER SHEATHING TO BE WRAPPED ABOVE FLASHING AT THE BASE AND ABOVE WINDOW LOCATIONS.
7. APPLY MASONRY SEALER OVER EXTERIOR STONE VENEERS.

GENERAL NOTES:

1. METAL STUD SUPPLIER SHALL DESIGN AND DETAIL ALL METAL STUDS, BRACING, CONNECTIONS, AND ATTACHMENTS TO MAIN STRUCTURE AND SUBMIT STRUCTURAL CALCULATIONS AND SHOP DRAWINGS FOR APPROVAL BY STRUCTURAL ENGINEER.
2. ALL COLUMNS, BEAMS, STRUCT., CONNECTIONS, AND CANOPY DETAILS SHALL BE BUILT BASED ON STRUCTURAL DRAWINGS.
3. PROVIDE FIREPROOFING AT ALL REQUIRED INTERIOR STEEL STRUCTURES.
4. INTERIOR FINISHES, PARTITION WALLS, RESTROOMS, MILLWORK, ETC. ARE NOT INCLUDED IN THIS PLAN SET. ABOVE MENTIONED ITEMS ARE THE RESPONSIBILITY OF THE FUTURE TENANTS.
5. STORE FRONT WINDOW SUPPLIER SHALL PROVIDE NECESSARY DETAILS AND SHOP DRAWINGS FOR APPROVAL BY DESIGNER.



① EAST ELEVATION
SCALE: 1/8" = 1'-0"

EAST ELEVATION		4836.47	
4.1	APR. ROUGH STONE	466.19 SqFt.	9.64 %
4.2	3" CAST STONE WATERTABLE, COLOUR: ORIGINAL.	76.66 SqFt.	1.59 %
4.3	ARCHITECTURE STONE VENNER APPROVED COLOUR	748.90 SqFt.	15.49 %
4.4	7/8" THREE COAT STUCCO AS PER ARCH. APPROVED COLOUR	1977.24 SqFt.	40.89 %
4.5	WOOD TEXTURED STONE VENEER	399.62 SqFt.	8.26 %
4.6	ARCHITECTURAL STONE VENEER 2x COLOUR FINISH	76.70 SqFt.	1.59 %
4.7	PREFIN. STANDING SEAM METAL ROOF TYP.	27.67 SqFt.	0.57 %
4.8	3"X3"X1/8" STEEL FRAME APPROVED COLOUR FINISH	17.61 SqFt.	0.37 %
4.9	6"X4"X1/8" STEEL PIPE APPROVED COLOUR FINISH	44.10 SqFt.	0.91 %
4.10	METAL SHEET FINISH	10.68 SqFt.	0.22 %
7.2	PARAPET ALUMINUM METAL COPING APPROVED COLOR	53.59 SqFt.	1.11 %
7.3	PARAPET ALUMINUM METAL COPING APPROVED COLOR	7.67 SqFt.	1.24 %
7.1	LIGHT GAUGE AWNING FRAME PRIME & PAINT TYPE-1	74.15 SqFt.	1.53 %
8.1	PREFINISHED ALUMINUM STOREFRONT SYSTEM: U.S. ALUMINUM 451 OR APPROVED EQUAL, COLOR: MATCH 7.2	999.99 SqFt.	20.68 %

② SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

SOUTH ELEVATION		1662.79 SqFt.	
4.1	APR. ROUGH STONE	4.27 SqFt.	0.26 %
4.2	3" CAST STONE WATERTABLE, COLOUR: ORIGINAL.	8.24 SqFt.	0.50 %
4.3	ARCHITECTURE STONE VENNER APPROVED COLOUR	226.74 SqFt.	13.63 %
4.4	7/8" THREE COAT STUCCO AS PER ARCH. APPROVED COLOUR	967.24 SqFt.	58.18 %
4.6	ARCHITECTURAL STONE VENEER 2x COLOUR FINISH	74.58 SqFt.	4.49 %
4.7	PREFIN. STANDING SEAM METAL ROOF TYP.	79.47 SqFt.	4.78 %
4.8	3"X3"X1/8" STEEL FRAME APPROVED COLOUR FINISH	7.68 SqFt.	0.46 %
4.9	6"X4"X1/8" STEEL PIPE APPROVED COLOUR FINISH	7.68 SqFt.	0.46 %
4.10	METAL SHEET FINISH	7.68 SqFt.	0.46 %
7.3	LIGHT GAUGE AWNING FRAME PRIME & PAINT TYPE-2	15.36 SqFt.	0.91 %
8.1	PREFINISHED ALUMINUM STOREFRONT SYSTEM: U.S. ALUMINUM 451 OR APPROVED EQUAL, COLOR: MATCH 7.2	147.68 SqFt.	8.84 %

③ NORTH ELEVATION
SCALE: 1/8" = 1'-0"

NORTH ELEVATION		1265.00 SqFt.	
4.1	APR. ROUGH STONE	19.59 SqFt.	1.55 %
4.2	3" CAST STONE WATERTABLE, COLOUR: ORIGINAL.	7.67 SqFt.	0.61 %
4.3	ARCHITECTURE STONE VENNER APPROVED COLOUR	71.65 SqFt.	5.67 %
4.4	7/8" THREE COAT STUCCO AS PER ARCH. APPROVED COLOUR	956.23 SqFt.	75.58 %
4.7	PREFIN. STANDING SEAM METAL ROOF TYP.	24.68 SqFt.	1.95 %
7.2	PARAPET ALUMINUM METAL COPING APPROVED COLOR	5.67 SqFt.	0.45 %

④ WEST ELEVATION
SCALE: 1/8" = 1'-0"

WEST ELEVATION		4358.37 SqFt.	
4.1	APR. ROUGH STONE	66.38 SqFt.	1.52 %
4.2	3" CAST STONE WATERTABLE, COLOUR: ORIGINAL.	24.24 SqFt.	0.56 %
4.3	ARCHITECTURE STONE VENNER APPROVED COLOUR	273.13 SqFt.	6.27 %
4.4	7/8" THREE COAT STUCCO AS PER ARCH. APPROVED COLOUR	2339.08 SqFt.	53.67 %
4.7	PREFIN. STANDING SEAM METAL ROOF TYP.	39.47 SqFt.	0.91 %
4.10	METAL SHEET FINISH	21.68 SqFt.	0.50 %
5.1	PAINTED GALV. STEEL ROOF ACCESS LADDER. PER STEEL CONTRACTOR.	65.63 SqFt.	1.51 %
7.2	PARAPET ALUMINUM METAL COPING APPROVED COLOR	10.11 SqFt.	0.23 %
7.3	LIGHT GAUGE AWNING FRAME PRIME & PAINT TYPE-2	33.60 SqFt.	0.81 %
7.4	PREFINISHED MTL SCUPPER & DOWNSPOUT, COLOR: MATCH 7.2.	14.35 SqFt.	1.81 %
8.1	PREFINISHED ALUMINUM STOREFRONT SYSTEM: U.S. ALUMINUM 451 OR APPROVED EQUAL, COLOR: MATCH 7.2	25.23 SqFt.	0.58 %
8.3	INSULATED HOLLOW MTL DOOR COLOR: TO MATCH 8.1.	11.11 SqFt.	0.25 %

ISSUE RECORD:

DATE:	ISSUED FOR:	COMMENTS:

NME
17630 DAVENPORT RD SUITE 109
DALLAS, TX 75252
Phone: 469-662-5248

991 N STATE HWY 78,
LAVON, TX 75166, USA

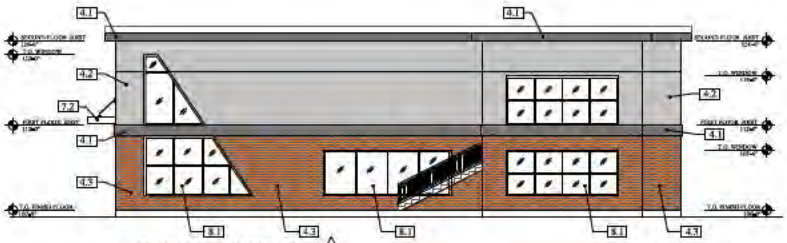
SHEET CONTENTS:
Elevations

DATE: 17-Jan-2024

A4.1

MATERIAL LEGEND:

4.1	7/8" THREE COAT STUCCO-1 AS PER ARCH. APPROVED COLORS	7.1	PARAPET ALUMINUM METAL COPING COLOR: GREY PAINT
4.2	7/8" THREE COAT STUCCO-2 AS PER ARCH. APPROVED COLORS	7.2	LIGHT GAUGE AWNING FRAME PRIME & PAINT TYPE-1
8.1	PREFINISHED ALUMINUM STOREFRONT SYSTEM: U.S. ALUMINUM 451 OR APPROVED EQUAL, COLOR: MATCH 7.2		
8.2	INSULATED HOLLOW MTL DOOR COLOR: TO MATCH 8.1.		



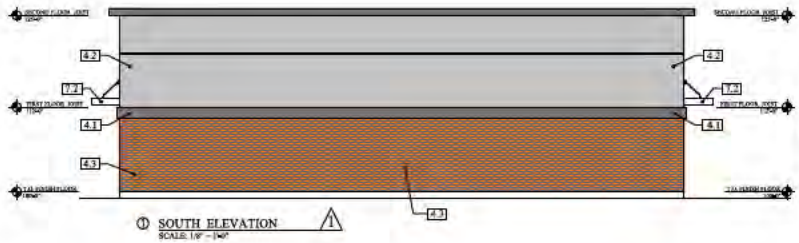
① NORTH ELEVATION
SCALE: 1/8" = 1'-0"



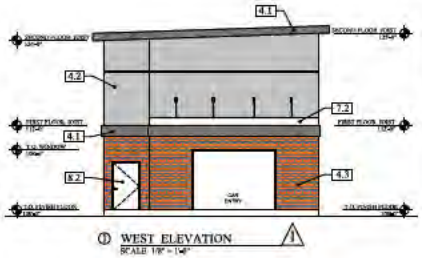
① EAST ELEVATION
SCALE: 1/8" = 1'-0"

NORTH ELEVATION	1975.07 Sqft.
4.1	
4.2	
7.2	
8.1	
8.2	

EAST ELEVATION	1975.07 Sqft.
4.1	
4.2	
7.2	
8.1	
8.2	



① SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



① WEST ELEVATION
SCALE: 1/8" = 1'-0"

WEST ELEVATION	675.46 Sqft.
4.1	
4.2	
7.2	
8.1	
8.2	

SOUTH ELEVATION	2091.75 Sqft.
4.1	
4.2	
7.2	
8.1	
8.2	

ISSUE RECORD:

DATE:	ISSUED FOR:	COMMENTS:

NME

17630 DAVENPORT RD SUITE 109
DALLAS, TX 75252
Phone: 469-662-5248

991 N STATE HWY 78,
LAVON, TX 75166, USA

SHEET CONTENTS:
CAR WASH ELEVATIONS

DATE: 17-Jan-2024

A3.3


CAR WASH DRIVE WAY
ENTRY
DRIVE THROUGH WINDOW
ENTRY
FIRELANE
FIRELANE
SHARED DRIVE WAY
FIRELANE


FIRELANE
FIRELANE

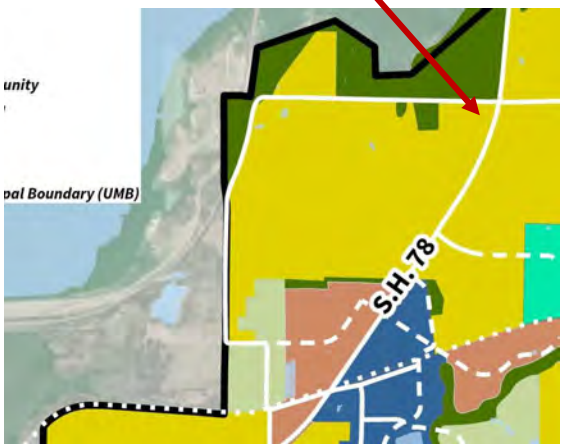

FIRELANE
FIRELANE
SHARED DRIVE WAY

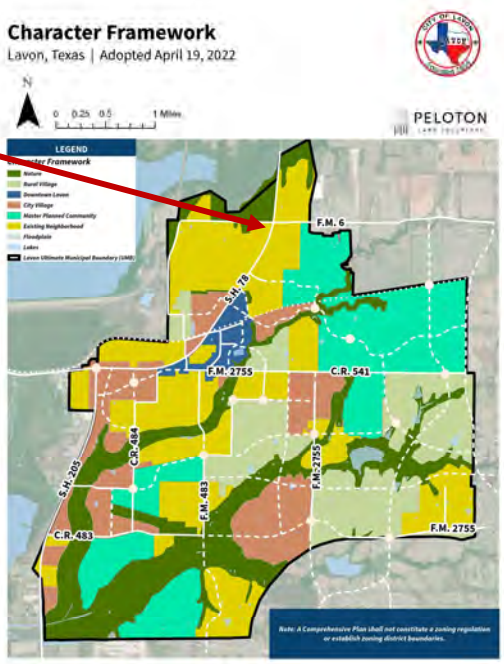

FIRE LANE





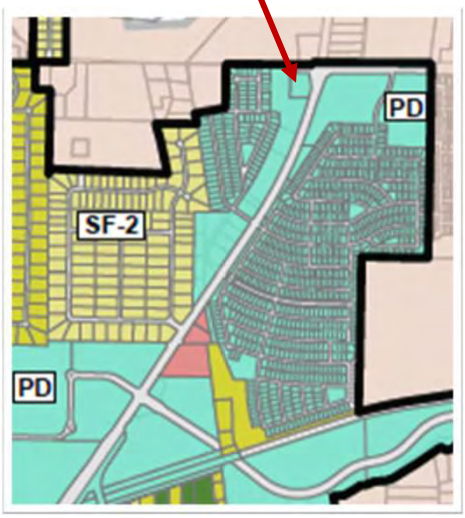
Future Land Use Plan

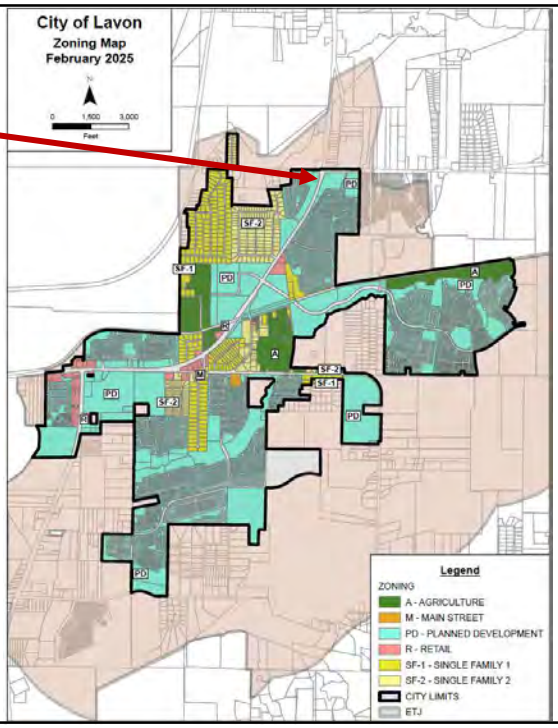




5

Zoning Map

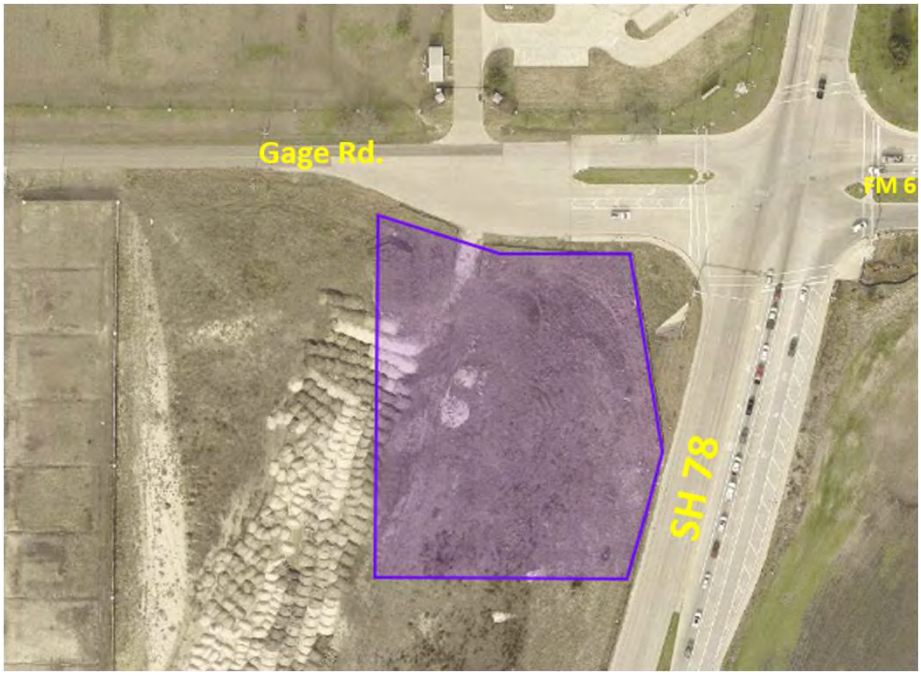




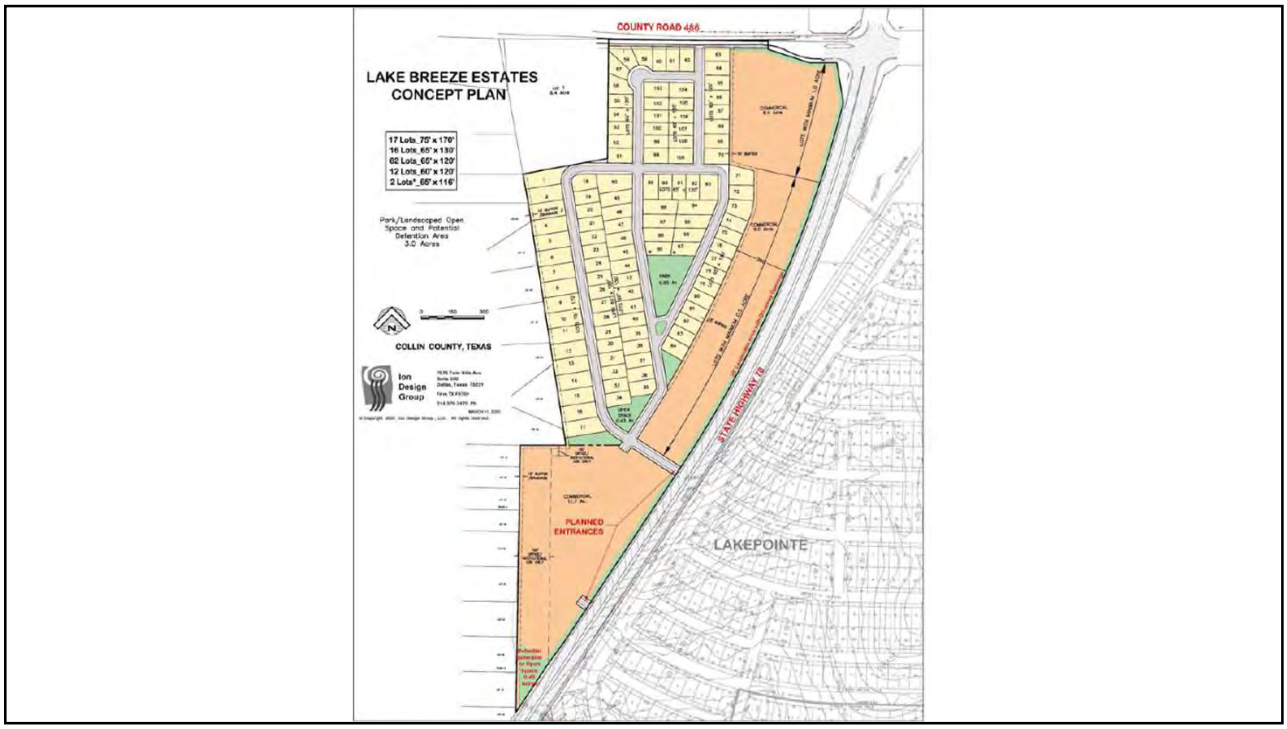
6


Gage Rd
Teal Ln
WATERCROSS RESIDENCES
MORGAN ADDITION
Pine St
78
Cedar St
Spruce St
LAKE BREEZE ESTATES
Silver
Water View Dr
PHASE THREE
LAKEPOINTE PH
Waters Ridge Dr
LAKEPOINTE PHASE IIB
Rolling Meadow Dr
Oak Creek Dr
Clear Lake Dr
Colt Dr
PHASE TWO
Brookview Dr

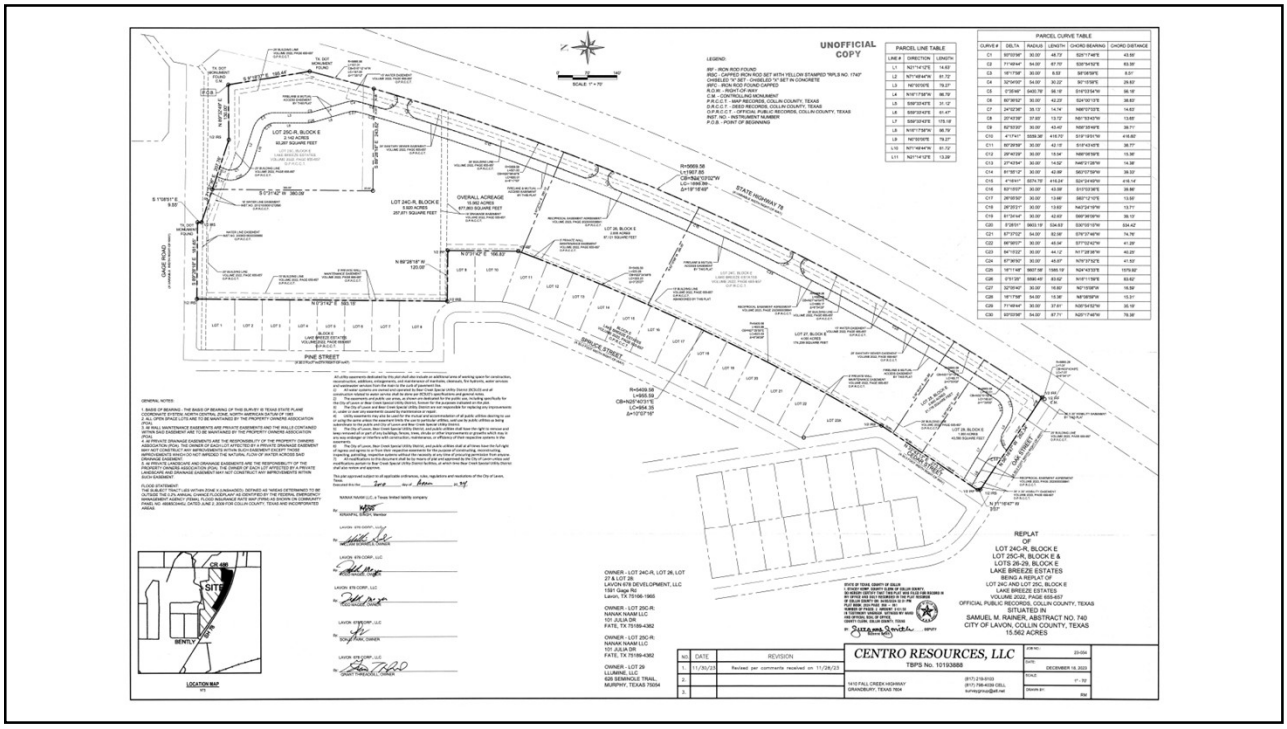
7


Gage Rd.
FM 6
SH 78

8


COUNTY ROAD 486
LAKE BREEZE ESTATES
CONCEPT PLAN
17 Lots_75' x 170'
16 Lots_65' x 130'
02 Lots_60' x 120'
12 Lots_60' x 120'
2 Lots*_65' x 116'
Park/Landscaped Open Space and Potential Detention Area 3.0 Acres
COLLIN COUNTY, TEXAS
Ion Design Group
STATE HIGHWAY 78
PLANNED ENTRANCES
LAKEPOINTE

9


UNOFFICIAL COPY
REPLAT
OF
LOT 24C-R, BLOCK E
LOT 25C-R, BLOCK E &
LOTS 28-29, BLOCK E
LAKE BREEZE ESTATES
BEING A REPLAT OF
LOT 24C AND LOT 25C, BLOCK E
LAKE BREEZE ESTATES
VOLUME 2022, PAGE 605-607
OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
SITUATED IN
SAMUEL M. RAINER, ABSTRACT NO. 740
CITY OF LAVON, COLLIN COUNTY, TEXAS
15.562 ACRES
CENTRO RESOURCES, LLC
TBPS No. 10193888
STATE HIGHWAY 78
PINE STREET
LAKE ROAD
SPRUCE STREET
LOCATION MAP

10

August 24, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lavon Food and Fuel (955 N. SH 78)
Conditional Use Permit Review
LJA Job No. NTP3880
MyGov Submittal: August 20, 2026

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

The review of this CUP application is complete. The CUP will be considered by the Planning and Zoning Commission and City Council with the following recommended conditions:

1. Staff is recommending the following conditions with the CUP:
    a. For "Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)":
        i. Security cameras covering entrances, exits, and parking zones shall be provided.
    b. For "Alcohol: mixed beverage package store (on- and/or off-premises consumption)":
        i. Security cameras covering entrances, exits, and parking zones shall be provided.

2. Revise the Proximity Graphic to correct the unit measurement label for the alcohol-related uses from "2' Radius" to the actual distance radius.

3. Lavon has six alcohol-related uses (with two additional alcohol-related uses also proposed and moving forward). The Planning and Zoning Commission and City Council will consider the proximity of the proposed alcohol-related uses, to others in Lavon, for potential over-saturation.

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

Thank you,

Abra R. Nusser, AICP
Senior Director, LJA
Email: anusser@lja.com
Phone: 972.339.8186
On behalf of the City of Lavon, TX

August 3, 2026

Kim Dobbs
City of Lavon, TX
Via Email Delivery to kdobbs@lavontx.gov

Re: Lavon Food and Fuel (955 N. SH 78)
Conditional Use Permit Review
LJA Job No. NTP3880
MyGov Submittal: July 29, 2026

LJA 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. Submit a completed and signed CUP application.
2. Submit a statement describing the proximity of the site to other similar alcohol-related uses, as required per § 9.03.211(e) of the Zoning Ordinance.
3. FYI: A Site Plan was submitted with this application. However, there are elements on that Site Plan that appear different from the approved Site Plan. The approved Site Plan for this site (approved on 2/6/24) will be incorporated into the Conditional Use Permit ordinance.
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
Studio Lead, Placemaking + Resilience at LJA
Email: tmcleod@lja.com
Phone: 214.688.5814
On behalf of the City of Lavon, TX

Quality check by:

Abra R. Nusser, AICP
Senior Director at LJA
Email: 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

RECEIVED
SEP 14 2026
By

Notice is hereby given that the Planning and Zoning Commission will hold public hearings at a meeting starting at **6:30 PM on September 22, 2026** at Lavon City Hall, 120 School Road, Lavon, Texas. Further notice is given that the City Council will hold public hearings at **6:30 PM on October 6, 2026** at Lavon City Hall. At such times and place, the Commission and the Council will receive testimony and consider:

Request and Property Description: an application for a Conditional Use Permit (CUP) to permit "Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)" and "Alcohol: mixed beverage package store (on- and/or off-premises consumption)" uses at 955 N. SH 78 on Lot 25C-R, Block E of Lake Breeze Estates, located southwest of the intersection of N. SH 78 and Gage Rd./FM 6, City of Lavon, Texas, (CCAD Property ID 2923353).

Additional information regarding the request may be obtained at 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.

Proposed preliminary concepts for informational purposes only are on the back of this Notice.

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: Charles W. Smith

Name (printed): Charles W. Smith

Address: [redacted] Sachse, TX 75048

Phone: 214-[redacted] Email Address: _____

You may return this form to: ***City of Lavon*** *or via email to:* CityHall@lavontx.gov
P.O. Box 340
Lavon, Texas 75166

LAKEVIEW CEMETERY ADDITION (GCN), BLK 1, LOT 1