

**CITY OF LAVON**  
**ORDINANCE NO. 2026-04-02**

Planned Development Zoning – Heritage Square

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION FROM PLANNED DEVELOPMENT (PD) DISTRICT AS ESTABLISHED BY ORDINANCE NO. 2004-09-05, AS AMENDED, TO A PLANNED DEVELOPMENT DISTRICT FOR MIXED USES FOR COMMERCIAL AND MULTIFAMILY DEVELOPMENT ON APPROXIMATELY 110.12 ACRES OF LAND OUT OF THE W.A.S. BOHANNAN SURVEY, ABSTRACT NO. 121 AND THE DRURY ANGLIN SURVEY ABSTRACT NO. 2, SITUATED SOUTHEAST OF THE INTERSECTION OF SH 205 AND SH 78, BOUND BY SH 205, SH 78, GEREN DRIVE, AND TRADITIONS DRIVE; AND GRANTING AN ASSOCIATED WAIVER OF THE SUBDIVISION CODE FOR PARKLAND DEDICATION, CITY OF LAVON, COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “B” AND DEPICTED IN EXHIBIT “A”; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF \$2,000 PER DAY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR PUBLICATION.**

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

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

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

**WHEREAS**, the City Council amended Chapter 9, Article 9.03 of its Code of Ordinances, by adoption of and subsequent amendments to Ordinance No. 2004-09-05 that established the Grand Heritage Planned Development District (“PD”), also referred to as PD No. 1, to govern the use and development of the Property; and

**WHEREAS**, owners of the Property hereinafter defined have submitted an application to change the zoning from the PD established by Ordinance No. 2004-09-05, as amended, to a new PD District mixed uses for commercial and multifamily development on approximately 110.12 acres of land out of the W.A.S. Bohannon Survey, Abstract No.121 and the Drury Anglin Survey Abstract No. 2, situated southeast of the intersection of SH 205 and SH 78, bound by SH 205, SH 78, Geren Drive, and Traditions Drive, City of Lavon, Collin County, Texas, as more particularly described in **Exhibit “B”** and depicted in **Exhibit “A”** (the “**Property**”); and

**WHEREAS**, the City Council has investigated and found that this proposed zoning change is in accordance with the adopted comprehensive plan of the City; and

**WHEREAS**, this proposed zoning change necessitates a waiver of the Subdivision Code for parkland dedication and the City Council has considered and found that the criteria outlined in Section 9.02.010 “Waivers” of the Code of Ordinances exist and such waiver shall be granted; and

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

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

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

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

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

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

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lavon, Texas, as follows:

**SECTION 1. Incorporation of Premises.** That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

**SECTION 2. Definitions.** Definitions shall be those contained in the Zoning Ordinance, Division 3. “Definitions”, as amended, unless specifically defined herein.

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

|            |                                    |
|------------|------------------------------------|
| Exhibit A: | Property Location Map              |
| Exhibit B: | Legal Description                  |
| Exhibit C: | Concept Plan                       |
| Exhibit D: | Development Standards              |
| Exhibit E: | Phasing Exhibit                    |
| Exhibit F: | Park, Open Space, and Amenity Plan |

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

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

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


**Section 7. Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.


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

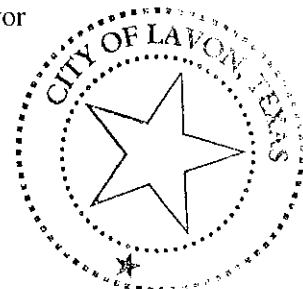
**SECTION 9. Open Meeting.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government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

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

**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas, on this 7<sup>th</sup> day of April 2026.

  
 Vicki Sanson, Mayor

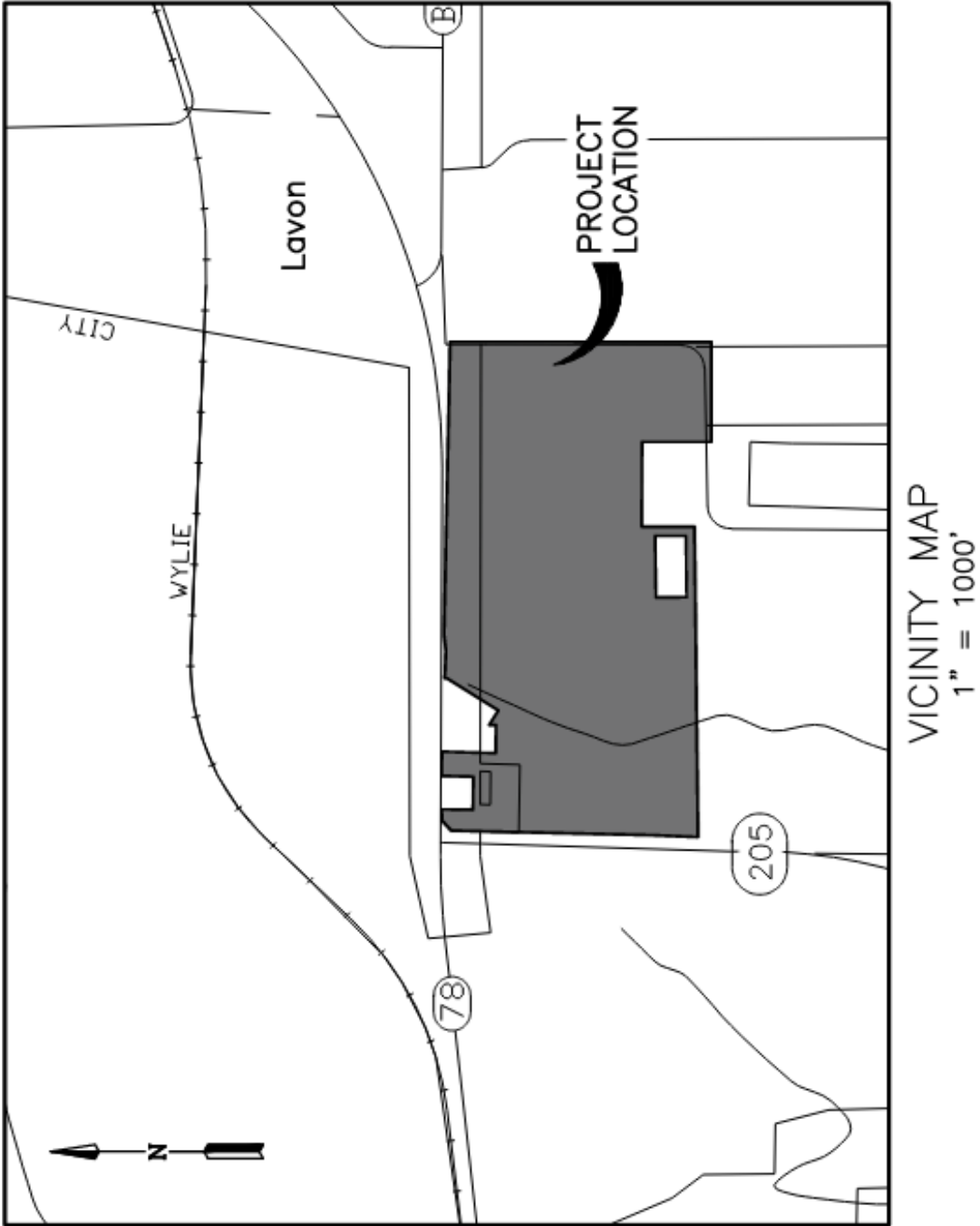
ATTEST:  
  
 Rae Norton, City Secretary



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**Exhibit A: Property Location Map**



## Exhibit B: Legal Description

### 110.118 ACRES

BEING A 110.118 ACRE TRACT OF LAND SITUATED IN THE W.A.S. BOHANNAN SURVEY, ABSTRACT NO. 121, AND THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, CITY OF LAVON, COLLIN COUNTY, TEXAS, AND BEING PART OF A 3.06 ACRE TRACT OF LAND CONVEYED BY DEED TO BEAR CREEK COMMERCIAL PROPERTIES LP, RECORDED IN COUNTY CLERKS FILE NO. 20070404000453370, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, PART OF A 3.005 ACRE TRACT OF LAND CONVEYED AS TRACT 1 AND PART OF A 4.802 ACRE TRACT CONVEYED AS TRACT 2 BY DEED TO BEAR CREEK COMMERCIAL PROPERTIES, LP, RECORDED IN VOLUME 5446, PAGE 3422, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, PART OF A 105.568 ACRE TRACT OF LAND CONVEYED BY DEED TO BEAR CREEK COMMERCIAL PROPERTIES, LP, RECORDED IN VOLUME 5376, PAGE 5572, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID 110.118 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011)EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT TXDOT ALUMINUM MONUMENT FOUND FOR THE NORTHEAST CORNER OF A 0.2981 ACRE TRACT OF LAND CONVEYED BY DEED TO THE STATE OF TEXAS, RECORDED IN COUNTY CLERK'S FILE NO. 20190705000786750, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, AN BEING ON THE NORTH LINE OF SAID 3.06 ACRE TRACT, BEING THE SOUTH CORNER OF A CORNER CLIP AT THE INTERSECTION OF STATE HIGHWAY NO. 205 (A VARIABLE WIDTH RIGHT-OF-WAY) AND STATE HIGHWAY NO. 78 (A VARIABLE WIDTH RIGHT-OF-WAY)

THENCE, NORTH 46 DEGREES 30 MINUTES 39 SECONDS EAST, A DISTANCE OF 84.55 FEET TO A 1/2" IRON ROD FOUND FOR NORTH CORNER OF SAID CORNER CLIP, BEING ON THE NORTH LINE OF SAID 3.06 ACRE TRACT AND THE COMMON SOUTH LINE OF SAID STATE HIGHWAY NO. 78 AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02 DEGREES 55 MINUTES 10 SECONDS, A RADIUS OF 1500.00 FEET, AND A LONG CHORD THAT BEARS NORTH 87 DEGREES 48 MINUTES 00 SECONDS EAST, A DISTANCE OF 76.42 FEET;

THENCE, ALONG COMMON LINE AND SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 76.43 FEET TO A 1/2" IRON ROD WITH FOUND FOR AN EXTERIOR ELL CORNER OF SAID 3.06 ACRE TRACT AND THE NORTHWEST CORNER OF A 1.00 ACRE TRACT OF LAND CONVEYED BY DEED TO L&D PROPERTY HOLDINGS, LLC, RECORDED IN COUNTY CLERK'S FILE NO. 20210201000208920, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;

THENCE, ALONG THE COMMON LINES OF SAID 3.06 ACRE TRACT AND SAID 1.00 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01 DEGREES 01 MINUTES 48 SECONDS WEST, A DISTANCE OF 200.42 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RPLS 5034" FOUND FOR COMMON CORNER;

SOUTH 89 DEGREES 33 MINUTES 41 SECONDS EAST, A DISTANCE OF 214.24 FEET TO A 1/2" IRON ROD FOUND FOR COMMON CORNER;

NORTH 01 DEGREES 28 MINUTES 37 SECONDS EAST, A DISTANCE OF 205.22 FEET TO A TXDOT ALUMINUM MONUMENT FOUND FOR CORNER ON THE SOUTH LINE OF SAID STATE HIGHWAY NO. 78 AND BEING THE SOUTHWEST CORNER OF A 0.0031 ACRE TRACT OF LAND CONVEYED BY DEED TO THE STATE OF TEXAS RECORDED IN COUNTY CLERK'S FILE NO. 20110706000697540, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;

THENCE, SOUTH 88 DEGREES 52 MINUTES 07 SECONDS EAST, ALONG THE SAID SOUTH LINE OF STATE HIGHWAY 78, PASSING AT A DISTANCE OF 50.00 FEET THE SOUTHEAST CORNER OF SAID 0.0031 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF 0.0201 ACRE TRACT OF LAND CONVEYED BY DEED TO THE STATE OF TEXAS RECORDED IN COUNTY CLERK'S FILE NO. 20110706000697490, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, THE COMMON EAST LINE OF SAID 3.06 ACRE TRACT AND THE WEST LINE OF AFORESAID 3.005 ACRE TRACT AND CONTINUING ALONG SAID SOUTH LINE OF STATE HIGHWAY 78, A TOTAL DISTANCE OF 156.95 FEET TO A POINT FOR CORNER, SAID POINT BEING THE NORTHWEST CORNER OF LOT 2, BLOCK A, OF HIGHWAY 205 TRACT, PHASE 2 ADDITION, AN ADDITION TO THE CITY OF LAVON, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 2024, PAGE 1041, MAP RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE, ALONG THE BOUNDARY LINE OF SAID LOT 2, BLOCK A, AND OVER AND ACROSS SAID 3.005 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES;

SOUTH 01 DEGREES 28 MINUTES 49 SECONDS WEST, A DISTANCE OF 348.14 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK A;

SOUTH 88 DEGREES 50 MINUTES 12 SECONDS EAST, A DISTANCE OF 182.35 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID LOT 2, BLOCK A;

NORTH 01 DEGREES 15 MINUTES 35 SECONDS EAST, A DISTANCE OF 45.07 FEET TO AN X CUT FOUND FOR THE SOUTHWEST CORNER OF LOT 1, BLOCK A, OF HIGHWAY 205 TRACT, PHASE 1 ADDITION, AN ADDITION TO THE CITY OF LAVON, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 2018, PAGE 916, MAP RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE, ALONG THE BOUNDARY LINE OF SAID LOT 1, BLOCK A, AND OVER AND ACROSS SAID 105.568 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCE:

SOUTH 58 DEGREES 14 MINUTES 05 SECONDS EAST, A DISTANCE OF 109.68 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "TMI" FOUND FOR CORNER;

NORTH 32 DEGREES 02 MINUTES 32 SECONDS EAST, A DISTANCE OF 391.85 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JBI" FOUND FOR CORNER;

NORTH 01 DEGREES 18 MINUTES 01 SECONDS EAST, A DISTANCE OF 12.99 FEET TO A POINT FOR CORNER ON THE AFORESAID SOUTH LINE OF SAID STATE HIGHWAY NO. 78 AND THE SOUTH LINE OF SAID 0.1333 ACRE TRACT;

THENCE, SOUTH 88 DEGREES 02 MINUTES 11 SECONDS EAST, ALONG THE SOUTH LINE OF SAID STATE HIGHWAY NO. 78 AND THE SOUTH LINE OF SAID 0.1333 ACRE TRACT AND OVER AND ACROSS SAID 105.568 ACRE TRACT, A DISTANCE OF 180.76 FEET TO A POINT FOR CORNER;

THENCE, NORTH 82 DEGREES 47 MINUTES 57 SECONDS EAST, CONTINUING ALONG THE SOUTH LINE OF SAID STATE HIGHWAY NO. 78 AND THE SOUTH LINE OF SAID 0.1333 ACRE TRACT AND OVER AND ACROSS SAID 105.568 ACRE TRACT, A DISTANCE OF 102.25 FEET TO A TXDOT ALUMINUM MONUMENT FOUND FOR CORNER;

THENCE, SOUTH 88 DEGREES 48 MINUTES 18 SECONDS EAST, ALONG THE SOUTH LINE OF SAID STATE HIGHWAY NO. 78 AND COMMON NORTH LINE OF SAID 105.568 ACRE TRACT A DISTANCE OF 1903.77 FEET TO A POINT FOR THE NORTHEAST CORNER OF SAID 105.568 ACRE TRACT, SAID POINT LYING IN COUNTY ROAD NO. 484 (A VARIABLE WIDTH RIGHT OF WAY;

THENCE, SOUTH 00 DEGREES 08 MINUTES 34 SECONDS WEST, ALONG THE EAST LINE OF SAID 105.568 ACRE TRACT AND WITH SAID COUNTY ROAD NO 484, A DISTANCE OF 1696.08 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID 105.568 ACRE TRACT;

THENCE, NORTH 89 DEGREES 51 MINUTES 49 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 105.568 ACRE TRACT AND WITH SAID COUNTY ROAD NO. 484, A DISTANCE OF 647.00 FEET TO A P.K. NAIL FOUND FOR AN EXTERIOR ELL CORNER OF SAID 105.568 ACRE TRACT AND BEING THE COMMON SOUTHEAST CORNER OF A 5.68 ACRE TRACT OF LAND CONVEYED TO BEAR CREEK SPECIAL UTILITY DISTRICT, BY DEED RECORDED IN COUNTY CLERK'S FILE NO. 20190321000294740, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY TEXAS;

THENCE, ALONG THE COMMON LINE OF SAID 105.568 ACRE TRACT AND SAID 5.68 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 00 DEGREES 09 MINUTES 37 SECONDS EAST, A DISTANCE OF 450.00 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "RPLS 5686" FOUND FOR THE NORTHEAST CORNER OF SAID 5.68 ACRE TRACT;

NORTH 89 DEGREES 50 MINUTES 23 SECONDS WEST, A DISTANCE OF 550.00 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "RPLS 5686" FOUND FOR THE NORTHWEST CORNER OF SAID 5.68 ACRE TRACT;

SOUTH 00 DEGREES 09 MINUTES 37 SECONDS WEST, A DISTANCE OF 341.95 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "RPLS 5686" FOUND FOR CORNER SAID POINT BEING THE NORTHEAST CORNER OF 10.00 ACRE TRACT OF LAND CONVEY BY DEED TO CHARLES STANLEY, RECORDED IN VOLUME 775, PAGE 47, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;

THENCE, SOUTH 89 DEGREES 23 MINUTES 18 SECONDS WEST, ALONG THE COMMON SOUTH LINE OF SAID 105.568 ACRE TRACT AND THE NORTH LINE OF SAID 10.00 ACRE TRACT, PASSING AT A DISTANCE OF 1314.57 FEET A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID 10.00 ACRE TRACT AND BEING THE COMMON NORTHEAST CORNER OF LOT 1, OF LAVON BUSINESS PARK, AN ADDITION TO THE CITY OF LAVON ACCORDING TO THE PLAT THEREOF RECORDED IN COUNTY CLERK'S FILE NO. 20150528010001700, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, PASSING AT A DISTANCE OF 1745.24 FEET THE NORTHWEST CORNER OF SAID LOT 1, AND BEING THE NORTHEAST CORNER OF A 2.94 ACRE TRACT OF LAND CONVEYED AS TRACT 2 BY DEED TO DPB INVESTMENTS, LP RECORDED IN COUNTY CLERK'S FILE NO. 2011060000576510, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, AND CONTINUING ALONG SAID COMMON LINES IN ALL A TOTAL DISTANCE OF 2013.46 FEET TO A POINT FOR

CORNER ON THE EAST LINE OF AFORESAID STATE HIGHWAY 205 AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02 DEGREES 19 MINUTES 32 SECONDS, A RADIUS OF 7075.00 FEET, AND A LONG CHORD THAT BEARS NORTH 02 DEGREES 28 MINUTES 20 SECONDS EAST, A DISTANCE OF 287.14 FEET;

THENCE, ALONG SAID EAST LINE OF STATE HIGHWAY NO. 205, ALONG THE EAST LINES OF A 0.5683 ACRE TRACT OF LAND CONVEYED BY DEED TO THE STATE OF TEXAS, RECORDED IN COUNTY, CLERK'S FILE NO. 20190703000786660, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, 0.5356 ACRE TRACT OF LAND CONVEYED BY DEED TO THE STATE OF TEXAS, RECORDED IN COUNTY, CLERK'S FILE NO. 20190703000786630, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, AND AFORESAID 0.2981 ACRE TRACT OF LAND CONVEYED BY DEED TO THE STATE OF TEXAS, ALONG SAID TANGENT CURVE TO THE LEFT, PASSING AT AN ARC DISTANCE OF 1.03 FEET A TXDOT ALUMINUM MONUMENT FOUND, AND CONTINUING ALONG SAID CURVE A TOTAL ARC DISTANCE OF 287.16 FEET TO A POINT FOR CORNER;

THENCE, NORTH 01 DEGREES 18 MINUTES 34 SECONDS EAST, ALONG THE SAID EAST LINE OF SAID STATE HIGHWAY NO. 205, PASSING AT A DISTANCE OF 367.85 FEET A TXDOT ALUMINUM MONUMENT FOUND FOR THE NORTHEAST CORNER OF SAID 0.5683 ACRE TRACT AND THE COMMON SOUTHEAST CORNER OF SAID 0.5356 ACRE TRACT, PASSING AT A DISTANCE OF 963.55 FEET A TXDOT ALUMINUM MONUMENT FOUND FOR THE NORTHEAST CORNER OF SAID 0.5356 ACRE TRACT AND THE COMMON SOUTHEAST CORNER OF SAID 0.2981 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 1311.23 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 111.949 ACRES OF LAND, MORE OR LESS.

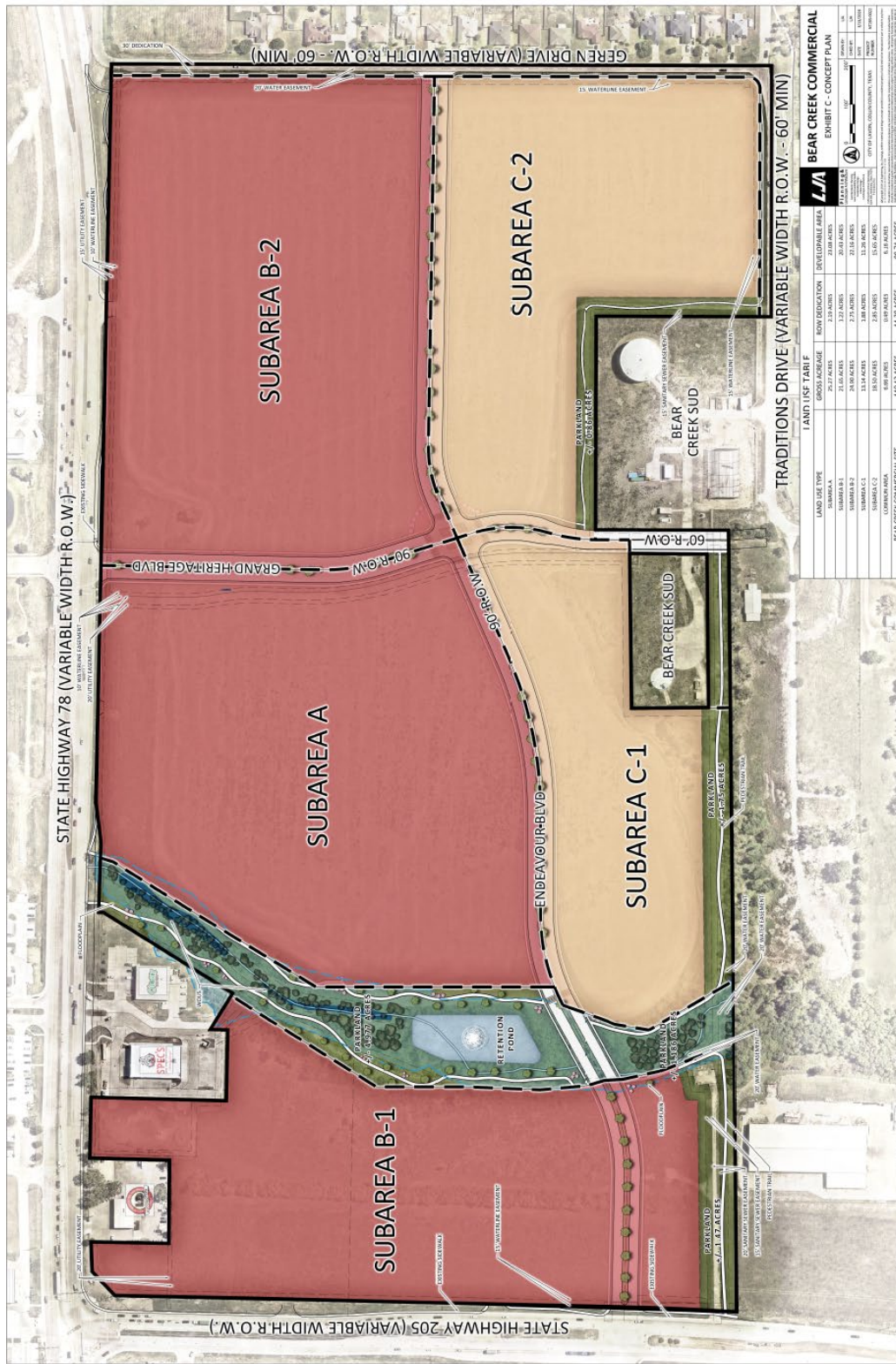
**SAVE AND EXCEPT**

**1.831 ACRES**

BEING A 1.831 ACRE TRACT OF LAND SITUATED IN THE W.A.S. BOHANNAN SURVEY, ABSTRACT NO. 121, CITY OF LAVON, COLLIN COUNTY, TEXAS, AND BEING ALL OF A 1.830 ACRE TRACT OF LAND, CONVEYED AS TRACT 1 TO LAVON SPECIAL UTILITY DISTRICT BY DEED RECORDED IN COUNTY CLERK'S FILE NO. 20130712000976760, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID 1.831 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83(2011)EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "RPLS 5686" FOUND AT THE NORTHWEST CORNER OF A 5.68 ACRE TRACT OF LAND CONVEYED TO BEAR CREEK SPECIAL UTILITY DISTRICT, BY DEED RECORDED IN COUNTY CLERK'S FILE NO. 20190321000294740, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY TEXAS, AND BEING A COMMON INTERIOR ELL CORNER OF A 105.568 ACRE TRACT OF LAND CONVEYED BY DEED TO BEAR CREEK COMMERCIAL PROPERTIES, LP, RECORDED IN VOLUME 5376, PAGE 5572, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS:

# Exhibit C: Concept Plan



## Exhibit D: Development Standards

### A. PURPOSE AND APPLICABILITY

1. Purpose: This Planned Development Ordinance (“PD”) is adopted to create a master planned development of retail, restaurant and service uses, as well as residential uses. For reference purposes, the subject property was referred to as “West Flex B” of “Grand Heritage” development of Planned Development 1, Ordinance 2004-09-05.
2. The PD District created herein shall apply to and govern the development of the tract(s) of land described in Exhibit "B" and depicted on Exhibit "C" (the "Property") attached hereto and incorporated herein by reference for all purposes allowed by law.

### B. DEFINITIONS

The following definitions apply to uses and development in the PD District. For terms not specifically defined under this subsection, the definitions of the City of Lavon Code of Ordinances apply.

- a. *Age-restricted living* means a multi-family living arrangement restricted to residents aged 55 and older. The facility typically offers senior-oriented amenities and services and may or may not offer specialized services assisting with daily living activities.
- b. *Commercial Drone Delivery Hub* means an area of land, structural surface, building, or structure with one or more designated drone staging areas for use by small, unmanned aircraft systems (sUAS) under 55 pounds total take-off weight or as defined in Section 44801 of Title 49, United States Code, as amended, whichever is the lesser, to distribute commercial goods by air. This includes any appurtenant areas used or intended for use for unmanned aircraft system buildings, structures, and other facilities.
- c. *E-Commerce Station* means an accessory use to a Retail Sales/Grocery facility of a minimum of 140,000 square feet in floor area whereby customers retrieve purchased goods from an outside on-site location.
- f. *Grocer* means a retail store that primarily sells groceries and consumable food items such as tobacco products sundries/toiletries, household and other non-food items, newspapers and magazines, candy and snacks, floral items, prepackaged convenience food items, in-house delicatessen and bakery prepared food items, and audio and video rentals for off-site use and consumption. The term includes on-site deli- and bakery food consumption provided that the dining areas comprise no more than twenty percent of the total sales floor area of the store.

g. *Hospital* means an institution currently licensed by the State of Texas as a General Hospital or Special Hospital that provides medical or surgical treatment of sick or injured patients on an in-patient basis, and may provide ancillary facilities for out-patient and emergency treatment, diagnostics, training, research administration and services to patients, employees and visitors.

h. *Museum* means a building or place where works of art, scientific specimens, or other objects of seemingly permanent value are kept and displayed for the public or private display and enjoyment.

i. *Office/showroom, studio, warehouse flex space* means a flexible space that may contain one or more activities including, but not limited to, office, showroom, R&D, trade services, creative studios, and warehouse/distribution activities.

j. *Private Parkland/Open Space* means privately owned outdoor premises that are the responsibility of and maintained by a property owner or property owner's association and made available for public use. A private park may containing recreational areas, park amenities, and pedestrian trails.

k. *Townhome Style Multi-family Unit* means a multi-story residential unit that is vertically separated by a demising wall from other multi-story residential unit(s) located on the same lot of record.

## **C. CONFLICTS**

For the purposes of land use and development, this article supersedes Planned Development 1 Ordinances No. 2004-09-05 and No. 2023-08-01. 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. In the event of a conflict between the exhibits and the PD Standards, the PD Standards control. In the event of a conflict between the PD and the City's Zoning Ordinance (in which case the PD Standards are silent on the matter), the City's Zoning Ordinance controls.

## **D. EXHIBITS**

The Development shall be developed generally according to the exhibits contained herein. The Concept Plan shall govern layout of land uses, roadway network/circulation, parks, open space, and trails. Where numbers, dimensions, or other items are specifically called out or stated,

compliance is strictly required. For subarea acreages, minor adjustments (within one acre) can be made to accommodate infrastructure-related construction specifications.

- Exhibit A – Location Map
- Exhibit B – Legal Description
- Exhibit C – Concept Plan
- Exhibit D – Development Standards
- Exhibit E – Phasing Exhibit
- Exhibit F – Park, Open Space and Amenity Plan

**E. GENERAL STANDARDS**

**1. PROPERTY OWNERS’ ASSOCIATIONS**

All common areas shall be owned and maintained by a Property Owners’ Association (POA), common to the development, and shall be open for public recreation and pedestrian access. Signage, pedestrian amenities, lighting, public art, and other furnishings within any common areas shall be owned and maintained by the POA.

**2. PERMITTED USES**

The following table is a summary of the permitted and conditional uses within the Subareas. Uses are listed as being permitted (P), permitted by conditional use permit (C), and not permitted (as signified by “-”).

| Uses  | Subarea A        | Subarea B-1    | Subarea B-2    | Subarea C-1    | Subarea C-2    |
|---|------------------|----------------|----------------|----------------|----------------|
| Retail, Commercial, and Personal Services   |                  |                |                |                |                |
| Alcohol: mixed beverage sales (on-premises consumption)                             | p <sup>2</sup>   | p <sup>2</sup> | p <sup>2</sup> | p <sup>2</sup> | p <sup>2</sup> |
| Alcohol: wine and malt beverage sales (on-premises consumption)                     | p <sup>2</sup>   | p <sup>2</sup> | p <sup>2</sup> | p <sup>2</sup> | p <sup>2</sup> |
| Alcohol: mixed beverage package store (on- and/or off-premises consumption)         | C <sup>2</sup>   | C <sup>2</sup> | C <sup>2</sup> | C <sup>2</sup> | C <sup>2</sup> |
| Alcohol: wine and malt beverage package store (on- and/or off-premises consumption) | p <sup>2,7</sup> | C <sup>2</sup> | C <sup>2</sup> | C <sup>2</sup> | C <sup>2</sup> |
| Amusement (“Commercial amusement”)  | C                | C              | C              | C              | C              |
| Assisted Living   | -                | -              | -              | P              | P              |

| Uses  | Subarea A      | Subarea B-1    | Subarea B-2    | Subarea C-1    | Subarea C-2    |
|---|----------------|----------------|----------------|----------------|----------------|
| Automobile fueling and gasoline filling station   | P              | -              | -              | -              | -              |
| Automobile Service Establishment  | P              | P              | -              | -              | -              |
| Baking, confectionary, retail establishment   | P              | P              | P              | P              | P              |
| Business service and sales  | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Commercial drone delivery hub   | P              | C              | C              | -              | -              |
| Commercial greenhouse or nursery  | P              | P              | P              | P              | P              |
| Dry-cleaning retail establishment with no processing on-site                            | P              | P              | P              | P              | P              |
| E-commerce station  | p <sup>5</sup> | C <sup>5</sup> | C <sup>5</sup> | C <sup>5</sup> | C <sup>5</sup> |
| Exercise and sports facility  | P              | P              | P              | P              | P              |
| Financial institution with or without a drive-through                                   | p <sup>6</sup> | p <sup>6</sup> | p <sup>6</sup> | p <sup>6</sup> | p <sup>6</sup> |
| Hospital  | C              | C              | C              | C              | C              |
| Home improvement center   | P              | P              | P              | P              | P              |
| Hotel   | P              | P              | P              | P              | P              |
| Insurance   | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Library   | P              | P              | P              | P              | P              |
| Medical and state licensed health services  | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Medical office or clinic  | P              | P              | P              | P              | P              |
| Merchandise rental  | C              | C              | C              | C              | C              |
| Museum  | C              | C              | C              | C              | C              |
| Nursery, garden, landscape material sales yard  | P              | P              | P              | P              | P              |
| Office  | P              | P              | P              | P              | P              |
| Office, showroom, warehouse/flex space  | C              | C              | C              | C              | C              |
| Outdoor drive in or drive-through sales or service activity, including rear yard patios | P              | P              | P              | P              | P              |
| Personal services   | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Pet grooming and care service   | C              | C              | C              | C              | C              |

| Uses  | Subarea A      | Subarea B-1    | Subarea B-2    | Subarea C-1    | Subarea C-2    |
|---|----------------|----------------|----------------|----------------|----------------|
| Pharmacy (with or without a drive-through)  | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Private club or organization  | C              | C              | C              | C              | C              |
| Professional service and sales  | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Real estate   | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Restaurant with or without a drive in or drive through service, including outdoor seating/dining serving areas and sidewalk cafes | P              | P              | P              | P              | P              |
| Retail sales  | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Second-hand/used goods/pawn shop  | C <sup>3</sup> | C <sup>3</sup> | C <sup>3</sup> | C <sup>3</sup> | C <sup>3</sup> |
| Storage, self-service   | -              | C              | C              | C              | C              |
| Tattoo service and similar body artwork   | C <sup>3</sup> | C <sup>3</sup> | C <sup>3</sup> | C <sup>3</sup> | C <sup>3</sup> |
| Technical service and sales   | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> | p <sup>1</sup> |
| Theater   | P              | P              | P              | P              | P              |
| Vehicle parking garage  | P              | P              | P              | P              | P              |
| Vertically mixed use commercial and residential   | P              | P              | P              | P              | P              |
| Veterinarian service, animal clinic, without outdoor kennels or outdoor runs  | C              | P              | P              | C              | C              |
| <b>Institutional</b>  |                |                |                |                |                |
| Church or place of worship  | P              | P              | P              | P              | P              |
| College, university of seminary   | C              | C              | C              | C              | C              |
| Community recreational use  | P              | P              | P              | P              | P              |
| Community swimming pool   | P              | P              | P              | P              | P              |
| Day care and educational – privately-owned  | P              | P              | P              | P              | P              |
| Federal, state or city owned or controlled facilities   | P              | P              | P              | P              | P              |
| Franchise-holding facilities and utilities holding a franchise under the authorization of the city                                | C              | C              | C              | C              | C              |
| Municipal uses  | P              | P              | P              | P              | P              |
| Private parkland/Open space reserves  | P              | P              | P              | P              | P              |

| Uses  | Subarea A      | Subarea B-1    | Subarea B-2    | Subarea C-1    | Subarea C-2    |
|---|----------------|----------------|----------------|----------------|----------------|
| Public parks or playgrounds   | P              | P              | P              | P              | P              |
| Public recreational facilities  | P              | P              | P              | P              | P              |
| Wind energy, utility or telecommunication tower   | C              | C              | C              | C              | C              |
| <b>Industrial</b>   |                |                |                |                |                |
| Alcohol: brewpub (on- and/or off-premises consumption)  | C <sup>2</sup> | C <sup>2</sup> | C <sup>2</sup> | C <sup>2</sup> | C <sup>2</sup> |
| Auto, tool or equipment rental  | P              | P              | P              | P              | P              |
| Outside sales and storage   | p <sup>4</sup> | p <sup>4</sup> | p <sup>4</sup> | p <sup>4</sup> | p <sup>4</sup> |
| <b>Residential</b>  |                |                |                |                |                |
| Age-restricted living (55+)   | -              | -              | -              | P              | P              |
| Single family attached - townhomes  | -              | -              | -              | P              | P              |
| Multi-family dwelling   | -              | -              | -              | P              | -              |
| Townhome style Multi-family Unit  |                |                |                | P              | P              |
| Real estate model home  | -              | -              | -              | C              | C              |
| Bed and Breakfast   | -              | -              | -              | P              | P              |
| Accessory structure with restrictions   | -              | -              | -              | P              | P              |
| Accessory uses within residential districts (parking garage, swimming pool, hobby shed, tennis court, unlit sports court)   | -              | -              | -              | P              | P              |
| <b>Footnotes</b>  |                |                |                |                |                |
| <p><sup>1</sup> Conducted entirely within the interior of a building. Where temporary, seasonal sales are proposed in parking areas, a Temporary Use Permit is required to demonstrate sufficient parking, circulation, screening, etc.</p> <p><sup>2</sup> 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).</p> <p><sup>3</sup> Provided the lot on which a similar establishment is located is more than one thousand (1,000) feet from the location of the proposed use; the one thousand (1,000) foot distance shall be measured between the lots and along the public street.</p> <p><sup>4</sup> Outside sales and storage only permitted when in conjunction with a permanent retail or home improvement center use and when approved through a site plan having a properly delineated space, with consideration of circulation, maintenance, and screening/fencing where applicable, subject to the review and approval of the City Manager or their designee.</p> <p><sup>5</sup> E-commerce Station only permitted as an accessory to Retail Sales/Grocer with a minimum of 140,000 square feet of floor area.</p> |                |                |                |                |                |

| Uses  | Subarea A | Subarea B-1 | Subarea B-2 | Subarea C-1 | Subarea C-2 |
|---|-----------|-------------|-------------|-------------|-------------|
| <sup>6</sup> A stand-alone bank ATM (kiosk only) with or without a drive-through is permitted by right up to a maximum of one per sub-area.<br><sup>7</sup> One Alcohol: mixed beverage package store (on- and/or off-premises consumption) is permitted by right in Subarea A. Additional stores can be considered through a Conditional Use Permit. |           |             |             |             |             |

### 3. OFF-STREET PARKING AND LOADING REGULATIONS:

1. Off-street parking site design requirements: Off-street parking site design requirements shall comply with Section 9.03.172 of the Zoning Ordinance, with the exception of the following regulations:
  - a. Parking shall be allowed within the front yard setback (but not within the required landscape buffer as specified herein, and only in conjunction with all required screening and landscaping).
  - b. For buildings located within 100 feet of a State Highway, no more than two rows of parking with a combined width of 62 feet shall be allowed in front of the principal building.
  - c. In Subareas A, B-1, and B-2, buildings with at least 7,500 square feet of floor area, and at least 200 feet from a State Highway, are exempt from Section 9.03.172 (a) parking restrictions.
  - d. In Subareas A, B-1 and B-2, parking is allowed between the principal building and the arterial roadways.
  - e. A maximum of 5% of the required parking for a lot is permitted to be compact parking with a minimum area of 144 square feet per space – measuring a minimum of eight feet by 18 feet.

2. Off-street parking requirements: Off-street parking shall comply with Section 9.03.173 of the Zoning Ordinance, with the exception of the following regulations:

| USE  | PARKING RATIO |
|--|---------------|
| Medical office or clinic                   | 1: 250 SF     |
| Personal services                          | 1: 250 SF     |
| Restaurant with or without a drive-through | 1: 100 SF     |
| Storage, self-service                      | 1: 12,000 SF  |

3. Off-street loading site design requirements: Off-street loading site design shall comply with Section 9.03.174, with the exception of the following regulations:
  - a. Setbacks

| LOADING TYPE              | ADJACENCY              | MINIMUM SETBACK |
|---------------------------|------------------------|-----------------|
| Loading dock or structure | Public street          | 50'             |
| Loading dock or structure | Single-family lot line | 200'            |
| Loading dock or structure | Non-residential        | 50'             |
| Loading dock or structure | Multi-family lot line  | 100'            |

|   |                          |     |
|---|--------------------------|-----|
| Loading area, not associated with dock or structure   | Public street            | 50' |
| Loading area, not associated with dock or structure   | Single-family lot line   | 50' |
| Loading area, not associated with a dock or structure | Multi-family lot line    | 50' |
| Loading area, not associated with a dock or structure | Non-residential lot line | 0'  |

b. Orientation

- i. Loading docks and structures shall be oriented away from State Highways 78 and 205.
- ii. Loading docks and structures are permitted to be oriented toward internal arterial roadways, provided screening is installed along all sides of the loading area as described in Subsection 5.3.c.

c. Screening

- i. 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.

4. Off-street loading space requirements: Off-street loading space requirements shall comply with Section 9.03.175 of the Zoning Ordinance, with the exception of the following regulations:

- a. Retail: One loading space plus one additional loading space for each 50,000 square feet of floor space over 25,000 square feet (or portion thereof).
- b. For Amusement establishment, health club, and similar uses: a minimum of one loading space is required.

**4. ACCESSORY STRUCTURES**

Accessory structure requirements shall comply with Section 9.03.083, with the exception of the following regulations:

- 1. Accessory structures associated with Automobile fueling and gasoline filling station and Financial Institution uses are permitted in front of the primary structure provided the accessory structures are setback a minimum of 40 feet from public rights-of-way.
- 2. There is no roof slope requirement for accessory structures.
- 3. The maximum building height for accessory structures for non-residential uses is 20 feet.

## 5. LANDSCAPING

Landscape standards shall comply with Sections 9.03.192 and 9.03.193, with the exception of the following regulations:

1. **Landscape buffer:** The minimum required width of landscape buffers along highways are as follows: Subareas A and B-1: a minimum 30-foot-wide landscape buffer shall be required along State Highways 78 and 205. In subarea B-2, a minimum 22-foot landscape buffer is required along State Highways 205 and 78. One large tree is required per 25 linear feet of buffer (excluding driveways and utility easements) is required along highways.
  - a. 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.
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.
3. Along all arterial streets, one canopy tree is required within every 50 feet of median exclusive of median breaks, turn lanes, or median areas less than 10 feet in width, in addition to standard street tree requirements.
4. A minimum of 10% of a lot shall be landscaped.
5. A minimum percentage of existing trees are not required to be preserved.
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.
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'   |
| A           | > 7,500-140,000          | 1/10  | 100'   |
| A           | ≤ 7,500                  | 1/7   | 75'  |
| B-1 and B-2 | ≤ 7,500                  | 1/7   | 75'  |
| B-1 and B-2 | > 7,500                  | 1/10  | 100'   |
| C-1 and C-2 | Entire subarea           | 1/10  | 100'   |

\*Parking spaces used for EV charging or online pick-up services are exempt from the parking lot tree requirements.

8. For townhome-style multi-family development, one site tree is required per dwelling unit. For multi-family development, one site tree is required for each 1.75 dwelling units. Required street, perimeter buffer and parking lot trees contribute to the site tree requirement. A maximum of 25% of required site trees may be replaced with two ornamental trees for each site tree required. Canopy trees are required for street buffer and parking lot tree requirements. The City Manager

may authorize the replacement of a required canopy tree for two ornamental trees in the event of a site conflict or unusual physical characteristic.

9. The City Engineer is permitted to approve alternative compliance for areas of conflict between plant material, utilities and hardscape.

10. For the purposes of complying with the landscaping and parkland planting requirements of this article large canopy trees shall be a minimum of three caliper inches and small ornamental trees shall be a minimum of two caliper inches at the time of planting.

## 6. MULTI-FAMILY

All multi-family development shall adhere to the following development standards:

1. Density. The maximum density in Subarea C-1 is 26 units per acre. The maximum density in Subarea C-2 is 12 units per acre.
2. Open space. All multi-family development shall provide a minimum of 10% of the gross acreage as useable open space. Useable open space is designed and intended to be used for outdoor living and/or recreation. Amenity courtyards, pools, sports courts, pocket parks, dog parks, or other amenity areas count toward usable open space. Useable open space excludes land within floodplain without being manicured, land that is too steep for normal recreation, landscape buffers without shaded trails, detention and retention ponds without programming/amenities, and private patios/fenced areas.
3. Maximum number of bedrooms per unit:
  - a. In Subarea C-1, no more than fifteen (15%) of the total multi-family units provided in each Subarea shall be 3-bedroom units.
  - b. In Subarea C-1, a minimum of fifty (50%) of the total multi-family units on any one lot shall be studio or one-bedroom units.
  - c. In Subarea C-2, each dwelling unit shall provide a minimum of two bedrooms.
4. Site plan approval is required per standard requirements in the Zoning Ordinance. Façade and siting approval shall be part of the overall site plan approval process. The site plan application shall include the orientation of buildings to the street, adjacency to single family residential developments and commercial buildings, location of open space, and programmed amenities.
5. Building Orientation and Layout:
  - a. In Subarea C-1, on-site parking is prohibited in the front yard along the east-west arterial public street.
  - b. In Subarea C-1, multi-family buildings shall be located no greater than 200 feet from a dumpster unless the community is served by a centralized trash compactor, with a minimum size of 20 cubic yards along with a valet style trash service.
  - c. In Subarea C-1, multi-family building elevations shall not exceed 300 feet in length.
  - d. In Subarea C-2, townhome style multi-family buildings shall contain no more than 6 units or exceed 200 feet in length.
6. Multi-family Exterior Building Design:

- a. A minimum of two masonry materials shall be used on all exterior facades.

| <b>Exterior Materials for Multi-family</b> |  |
|--|--|
| <b>Categories</b>                          |  |
| A  | Brick, Stone, or Manufactured Stone, except walls along patios and balcony elements                |
| B  | Split-face CMU, stucco, cementitious fiber board, treated engineered wood                          |
| Prohibited                                 | Plain Concrete Block, Aggregate, Vinyl, Plastic, Tilt Wall, Metal, Natural Wood, Tile, Glass, EIFS |

| <b>Required Percentages of Exterior Materials for Multi-family</b>   |  |   |
|--|--|---|
| <b>Facades</b>   | <b>Percentage Breakdown</b>                        | <b>Definition</b>   |
| Primary  | Minimum 50%, Category A<br>Maximum 50%, Category B | Exterior walls of buildings which face a street or parking area   |
| Secondary  | Minimum 30%, Category A<br>Maximum 70%, Category B | Exterior walls of buildings which are NOT clearly visible from a public street, such as an interior courtyard |
| <p><i>Note 1. Treated engineered wood or EIFS may be used for trim or soffit construction – the percentage of treated wood or EIFS must be subtracted from the percentage of other category materials so that the total percentage of any given façade remains as stated above.</i></p> <p><i>Note 2. Tilt wall is prohibited as an exterior material for multi-family structures.</i></p> |  |   |

- b. Uniform architectural style. All multi-family buildings within a Subarea shall have similar architectural styles, materials, colors and detailing; however, sufficient variations shall be incorporated to discourage exact duplicate buildings.
- c. Multi-family buildings fronting any public street shall have windows and other architectural features on the exterior wall which faces the street.
- d. Frosted or opaque spandrel glass is permitted, however, reflective glass is not permitted.
- e. Accessory building materials. Amenity centers, covered garages, and other accessory buildings shall have similar exterior material and design as the primary buildings and structures. If carports are provided, masonry cladding is not required on carport support posts.
- f. Roof design. Roofs shall be peaked either hip, gable or mansard design minimum one-to-four (1:4) pitch, or a wall or false mansard design with a minimum one-to-two (1:2) pitch is acceptable only if constructed around entire perimeter of a building so that none shall be visible from the public street. Accessory buildings and structures shall also have pitched roofs.
- g. Architectural features. In Subarea C-1, all multi-family buildings shall be designed to incorporate no less than three of the architectural features from the list below:
  - i. Canopies, awnings, porticos with colonnade or arcades

- ii. Raised pilaster cornices (end columns at corners), or quoined corners (any of various bricks of standard shape for forming corners of brick walls or wedge-shaped piece of wood, stone, or other material, used for various ornamental purposes at corners).
  - iii. Vertical elements (tower, cupola, lighthouse, turret, arches, etc.)
  - iv. Accented windows and doors framed with smooth cobblestone, cast stone, limestone, or other decorative masonry headers and sills, or dormer windows.
    - v. Decorative and repetitive ornamentation (non-signage) integrated into the building façade, such as corbels, medallions, functioning clocks, wrought iron, balconies, or rhythm patterned brickwork/stonework..
- h. The colors shall be earthtone and shall have visual interest and variation on each elevation.
- i. Building Articulation, Subarea C-1. Horizontal building articulation (façade depth) and vertical building articulation (façade height) is required on all street facing facades. All street facing multi-family units must include a patio or balcony, with a minimum 24 square feet in area. No building façade shall contain a continuous horizontal wall plane greater than 40 feet in length without incorporating a change in plane or one or more of the following architectural articulation elements:
- i. Wall plane offsets (projections or recesses)
  - ii. Stoops or entry features
  - iii. Changes in roofline height or form
  - iv. Vertical building elements such as towers or columns
  - v. Material or color changes coordinated with architectural features
- j. Building Articulation, Subarea C-2. Unarticulated, monolithic, or broad-flat wall must not exceed 30 feet in length. In Subarea C-2, all townhome-style multi-family buildings shall be designed to incorporate no less than three of the architectural features from the list below:
- i. Recessing or protruding a portion of the facade vertically or horizontally with at least two feet for each offset;
  - ii. Articulating offsets with architectural elements like porches, balconies, bay windows, covered entries, or other features; and
  - iii. Articulating the roof line by stepping the roof and by emphasizing dormers, chimneys, and other features.
  - iv. Canopies, awnings, porticos with colonnade or arcades
  - v. Raised pilaster cornices (end columns at corners), or quoined corners (any of various bricks of standard shape for forming corners of brick walls or wedge-shaped piece of wood, stone, or other material, used for various ornamental purposes at corners).
  - vi. Vertical elements (tower, cupola, lighthouse, turret, arches, etc.)

- vii. Accented windows and doors framed with smooth cobblestone, cast stone, limestone, or other decorative masonry headers and sills, or dormer windows.
- viii. Decorative and repetitive ornamentation (non-signage) integrated into the building façade, such as corbels, medallions, functioning clocks, wrought iron, balconies, or rhythm patterned brickwork/stonework.

7. Parking and Loading:

Multi-family developments shall comply with the following minimum parking regulations:

- a. The ratio of required parking spaces shall be as follows:

| Multi-family - Parking          |   |
|---------------------------------|---|
| Type of Unit                    | Number of Spaces  |
| Studio unit                     | 1   |
| 1 bedroom unit                  | 1.5   |
| 2 bedroom unit                  | 2   |
| 3+ bedroom unit                 | 2.5   |
| Total required spaces for units | Regardless of the parking requirement based on a unit type above, no less than 1.5 spaces per dwelling unit are required for the development overall. |
| “Townhome style”                | 2 per unit, plus 1 guest space per 4 units  |

- b. Garage doors shall not face public streets.
- c. Detached garages, parking spaces, and carports are prohibited between a multi-family building and a public street.
- d. Stacking spaces (tandem spaces between the garage door and fire lane) shall be counted at 50% of the required parking spaces and must meet minimum parking space dimensions outside of a fire lane.
- e. For Subareas C-1 and C-2 combined, a minimum of 50% of the total required parking spaces shall be covered parking, of which a minimum of 30% of total required parking spaces shall be in an enclosed garage. Enclosed garages shall count towards the total covered parking requirement. There shall be no less than 15% covered parking in either Subarea.

**7. PARKS, OPEN SPACE AND AMENITIES**

- 1. Private or public parkland and amenities shall be provided per the Park, Open Space and Amenity Plan, Exhibit F.
- 2. A minimum of 10.24 acres of the PD District shall be devoted as publicly accessible privately owned or public parkland as generally shown on Exhibit F. The following elements count toward the minimum publicly accessible parkland requirements:

- a. active or passive common areas;
  - b. dedicated landscape areas
  - c. private or public floodplain areas; and
  - d. publicly accessible privately owned or public parks or open space trail areas.
3. Parkland amenities shall meet or exceed the following minimum specifications:
- a. Pedestrian trails shall be provided, as shown on the Park, Open Space and Amenity Plan, Exhibit F. Dedicated pedestrian trails are required to be a minimum of eight feet wide.
  - b. A minimum of six benches are required along pedestrian trails. Benches shall be shaded with a canopy tree.
  - c. A minimum of two dog waste stations are required in the primary open space between Subareas A and B-1.
  - d. A minimum of two public art pieces shall be provided, as shown on the Parks, Open Space and Amenity Plan, Exhibit F.
  - e. An amenitized retention pond shall be provided within Subareas A and B-1, as shown on the Parks, Open Space and Amenity Plan, Exhibit F.
  - f. A minimum of eight lighted pedestrian bollards shall be provided at the parkland pedestrian crossing and trail intersection along Endeavour Boulevard.
  - g. Enhanced paving in the form of pavers or stamped and colored concrete is required at the pedestrian trails crossing with Endeavor Boulevard and at the vehicular intersection of Endeavor Boulevard and Grand Heritage Boulevard, as shown on the Parks, Open Space and Amenity Plan, Exhibit F.
  - h. One large canopy tree is required for each 5,000 square feet of parkland area not covered by utility easements or existing preserved trees. Three small ornamental trees may be planted in lieu of one large canopy tree for up to 25% of the parkland tree requirement.

## 8. SITE DESIGN

1. Lot area: The minimum lot area is 30,000 square feet.
2. Building size: There is no maximum building size for a main structure provided development adheres to lot coverage and parking regulations.
3. The minimum building size is 2,500 square feet except that a maximum of two buildings per subarea are permitted to be 1,000 square feet or greater.
4. Shopping cart screening. Screening of shopping cart areas is not required.
5. Internal arterial roadway intersection improvements. The intersection of Endeavor Boulevard and Grand Heritage Boulevard, within the PD area, shall be treated with enhanced paving, pavers, or stamped/treated concrete, crosswalks, and landscaping.

6. Required public sidewalks shall be constructed as follows:
  - a. 6 feet along State Highways (where re-construction is necessary to accommodate turn lane improvements)
  - b. 6 feet wide along Endeavor Boulevard
  - c. 6 feet wide on Grand Heritage Boulevard, north of Endeavor Boulevard
  - d. 6 feet wide on the west side of Grand Heritage Boulevard, south of Endeavor Boulevard
  - e. 6 feet wide on the east side of Grand Heritage Boulevard, south of Endeavor Boulevard
  - f. 6 feet wide along Geren Drive
7. Lighting. All outdoor lighting shall be shielded, with downward facing fixtures, and shall be compliant with all standards in the Code of Ordinances.
8. Where entrances are provided, along SH 78 and SH 205, right turn, deceleration lanes shall be provided at each.

## **F. SUBAREA A**

Development shall be in accordance with the standards established in Section 9.03.131, Retail district (R), with the exception of the following regulations:

1. Building height.
  - a. The maximum building height for a main structure is three stories, not to exceed 50 feet in height, except as follows:
    - i. Buildings located within 100 feet of State Highways 78 or 205 shall not exceed 2 stories or 35 feet height.
    - ii. Buildings located within 100 feet of a single- family residential lot line shall not exceed two stories or 35 feet in height.

## **G. SUBAREA B-1**

Development shall be in accordance with the standards established in Section 9.03.131, Retail district (R), with the exception of the following regulations:

1. Building height.
  - a. The maximum building height for a main structure is three stories, not to exceed 50 feet in height, except as follows:
    - i. Buildings located within 100 feet of State Highways 78 or 205 shall not exceed 2 stories or 35 feet height.
    - ii. Buildings located within 100 feet of a single- family residential lot line shall not exceed two stories or 35 feet in height.

## H. SUBAREA B-2

Development shall be in accordance with the standards established in Section 9.03.131, Retail district (R), with the exception of the following regulations:

1. Building height.
  - a. The maximum building height for a main structure is three stories, not to exceed 50 feet in height, except as follows:
    - i. Buildings located within 100 feet of State Highways 78 or 205 shall not exceed 2 stories or 35 feet height.
    - ii. Buildings located within 100 feet of a single- family residential lot line shall not exceed two stories or 35 feet in height.
2. Perimeter Screening.
  - a. A minimum six-foot tall masonry wall is required along the eastern perimeter; and
  - b. A landscape buffer area of at least twenty feet in width along the eastern property line, adjacent to Geren Road, with one canopy tree for each 30 linear feet or portion thereof of adjacent exposure. These trees shall not be clustered.
  - c. The masonry wall may be setback from the perimeter to avoid conflict with utilities and allow additional space for plant material.
2. Loading docks or areas facing a single-family use or district shall be screened as follows:
  - a. Earthen berm with solid evergreen screening that is a minimum of 12 feet in height, or
  - b. Solid evergreen screening that is a minimum of 12 feet in height.

## I. SUBAREA C-1

Except as provided in this article, development shall be in accordance with the standards established in Section E.8 of this PD if developed as multi-family or the development regulations of Section 9.03.131, Retail district (R).

1. Multi-family development shall comply with the following regulations in addition to other regulations herein and the Zoning Ordinance:
  - a. Building setbacks.

| Building Type                | Minimum setback from common property line with arterial roadway | Minimum setback from common property line (side or rear) | Minimum setback between buildings |
|------------------------------|---|--|-----------------------------------|
| Multi-family                 | 20'   | 10'  | 20'                               |
| Clubhouse                    | 20'   | 10'  | -                                 |
| Accessory structure, 1-story | -   | -  | -                                 |

- b. Building height. The maximum building height is 45 feet.
- c. Number of stories. The maximum number of stories is 3.
- c. Building Orientation and Layout: A minimum of 40% of the street frontage along the east-west arterial roadway shall be developed with multi-family buildings. Driveways, floodplain areas or easements, and utility easements shall be excluded from the building frontage calculation.

**J. SUBAREA C-2**

Except as provided in this article, development shall be in accordance with the standards established in Section E.8 of this PD if developed as multi-family or the development regulations of Section 9.03.131, Retail district (R).

- 1. Townhome style multi-family development shall comply with the following regulations in addition to other regulations herein and the Zoning Ordinance:
  - a. Building setbacks.

| Building Type                | Minimum setback from property line with arterial roadway | Minimum setback from common property line (side or rear) | Minimum setback from property line adjacent to or across the street from a Single-family residential use or zone | Minimum setback between buildings |
|------------------------------|--|--|--|-----------------------------------|
| Townhome style Multi-family  | 20'  | 10'  | 25'  | 10'                               |
| Clubhouse                    | 20'  | 10'  | 100'   | -                                 |
| Accessory structure, 1-story | -  | -  | 50'  | -                                 |

- b. Building height. The maximum building height for townhome style multi-family is 30 feet.
- c. Number of stories. The maximum number of stories for townhome style multi-family is 2.
- d. Building orientation and layout: A minimum of 60% of the street frontage along the east-west arterial roadway shall be developed with townhome-style multi-family buildings. In order to meet the street frontage requirement, the townhome buildings shall be no greater than 20 feet from the east-west arterial roadway and shall not have intervening driveways or parking lots. Drive approaches, floodplain areas or easements, and utility easements shall be excluded from the building frontage calculation.
- e. Townhome Style Multi-family units shall have no greater than six units per building, and fire/safety standards are met or exceeded.

- f. The front façade of all Townhome-Style Multi-family units, that are adjacent to Endeavor Boulevard and Geren Drive, shall face the adjacent public street in a stoop frontage configuration. The stoop frontage shall be aligned close to the right-of-way line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance shall be an exterior stair and landing.



# Exhibit F: Park, Open Space, and Amenity Plan

