

CITY OF LAVON

ORDINANCE NO. 2026-08-08

Planned Development – Take 5 Oil Change

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING A PLANNED DEVELOPMENT (PD) DISTRICT FOR COMMERCIAL USE ON A 1.383 ACRE TRACT OF LAND DESCRIBED HEREIN AND LOCATED GENERALLY NORTH OF STATE HIGHWAY 78 AND WEST OF BURLESON DRIVE; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY CLAUSE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Lavon (hereinafter referred to as "City") is a Home Rule municipality organized under the Constitution and laws of the State of Texas; and; and

WHEREAS, Chapter 211 "Municipal Zoning Authority" of the Texas Local Government Code authorizes a city to adopt ordinances regulating the zoning of property within the City; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City has recommended to the City Council the adoption of the amendment to the Comprehensive Zoning Ordinance and Map as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before the City Council at which the City Council considered the recommendation of the Planning and Zoning Commission, and among other things, the necessity for orderly and appropriate regulations of the use of land and the erection of structures thereon, and having considered the proposed amendment to the Comprehensive Zoning Ordinance and Map and the appropriateness of the amendment, the City Council does hereby find that the amendment to the Comprehensive Zoning Ordinance and Map approved hereby accomplishes such objectives.

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

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. FINDINGS. After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the

City Council has concluded that the adoption of this Ordinance is in the best interests of the City, and of the public health, safety, and welfare of its citizens.

SECTION 3. EXHIBITS. The Comprehensive Zoning Ordinance and Official Zoning Map of the City of Lavon are hereby amended to reflect the action taken herein. Specifically, the Zoning Classification for and the Zoning Map depicting the property, described in "**Exhibit A**" attached hereto, are hereby amended to incorporate the Concept Plan, attached hereto as "**Exhibit B**", Landscape Plan, attached hereto as "**Exhibit C**", and Building Elevations, attached hereto as "**Exhibit D**".

SECTION 4. ZONING USES AND DESIGN REGULATIONS. The granting of the Planned Development Zoning Classification to the property described in "Exhibit A" hereto is subject to the regulations of the City of Lavon except as provided herein:

- 1) Section 9.03.032. Permitted use table for Retail, Commercial, Personal Service Uses shall be amended as follows:
-- Automobile service establishment is Permitted.
- 2) Section 9.03.174(c). Off-street loading site design requirements shall be amended as follows:
-- Drive-through service bays are permitted adjacent to a residential zone or residential property.
- 3) Development of the property shall generally conform to "**Exhibit B**" Concept Plan, "**Exhibit C**" Landscape Plan, and "**Exhibit D**" Building Elevations.

SECTION 5. 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. This Ordinance shall not repeal, alter, or amend, or be interpreted as conflicting with any ordinance having created a planned development district prior to this Ordinance.

SECTION 6: SEVERABILITY. 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, 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: PENALTY. Any person, firm, corporation, or entity violating this Ordinance or any provision of the City's Zoning Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Two Thousand Dollars (\$2000.00). Each continuing days' violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 8: PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption and its publication as required by law.

SECTION 9. OPEN MEETING. That it is hereby 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 Chapter 551, Texas Government Code.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Collin County, Texas, on this the 18th day of August 2026.


Vicki Sanson, Mayor

ATTEST:


Rae Norton, City Secretary



EXHIBIT A

Property Description

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS 78 LAVON LP, ACTING BY AND THROUGH THE UNDERSIGNED, THEIR DULY AUTHORIZED AGENT, IS THE OWNER OF THE HEREIN DESCRIBED PROPERTY TO WIT:

PLAT METES AND BOUNDS DESCRIPTION

BEING A 1.383 ACRE TRACT OF LAND SITUATED IN THE W. H. MOORE SURVEY, ABSTRACT NUMBER 638, LOCATED IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS, BEING ALL OF A CALLED 1.383 ACRE TRACT OF LAND DESCRIBED AS LOT 2, BLOCK 1 IN THE FINAL PLAT OF LOTS 1 & 2, BLOCK 1, LAVON 7-ELEVEN ADDITION, RECORDED IN VOLUME 2019, PAGE 257, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, ALSO BEING A PORTION OF THE LANDS CONVEYED TO 78 LAVON LP IN A SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NO. 20070831001219060, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND MAG-NAIL AND WASHER INSCRIBED "YPASSOCIATES.COM" AT THE SOUTHEAST CORNER OF THE AFOREMENTIONED LOT 2, ALSO BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 78 (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) AS SHOWN ON SAID FINAL PLAT OF LOTS 1 & 2, BLOCK 1, LAVON 7-ELEVEN ADDITION, ALSO BEING THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, AS SHOWN IN THE PLAT OF LAVON SONIC ADDITION, RECORDED IN INSTRUMENT NO. 2003-0071138, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS;

THENCE, ALONG SAID RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

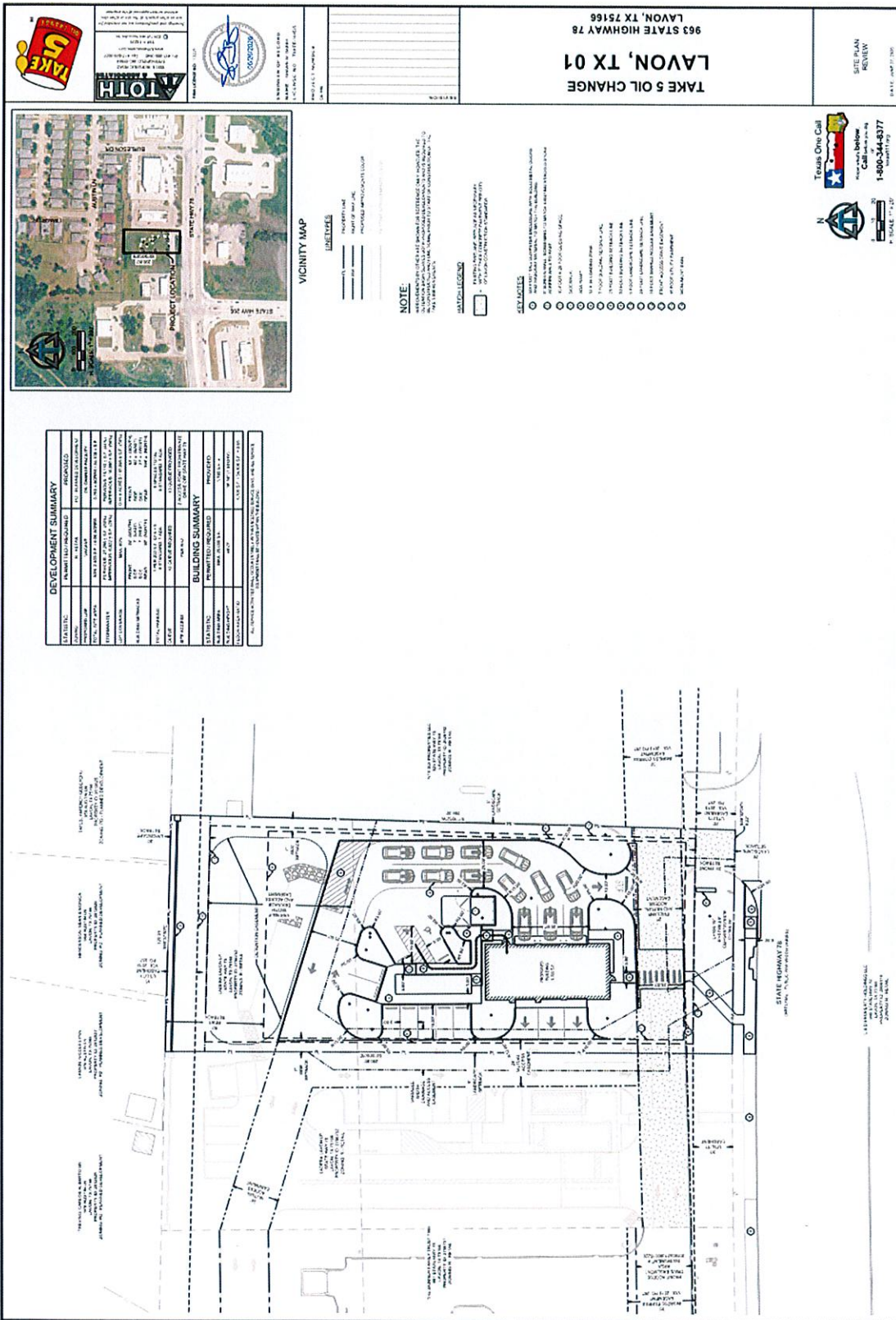
- 1.) NORTH 89 DEGREES 02 MINUTES 06 SECONDS WEST A DISTANCE OF 8.22 FEET TO A FOUND MAG-NAIL WITH BROKEN WASHER;
- 2.) WITH A CURVE TURNING TO THE LEFT WITH A RADIUS OF 5,789.58 FEET, AN ARC LENGTH OF 194.30 FEET, A CHORD BEARING OF NORTH 89 DEGREES 46 MINUTES 09 SECONDS WEST, AND A CHORD LENGTH OF 194.30 FEET TO A FOUND 1/2 INCH REBAR WITH CAP INSCRIBED "YPASSOCIATES.COM" AT THE SOUTHWESTERLY CORNER OF THE AFOREMENTIONED LOT 2, ALSO BEING THE SOUTHEASTERLY CORNER OF LOT 1 AS SHOWN ON SAID FINAL PLAT OF LOTS 1 & 2, BLOCK 1, LAVON 7-ELEVEN ADDITION;

THENCE, DEPARTING SAID RIGHT-OF-WAY LINE, ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 1, NORTH 00 DEGREES 32 MINUTES 32 SECONDS WEST A DISTANCE OF 293.44 FEET TO A FOUND 1/2 INCH REBAR WITH CAP INSCRIBED "RPLS 4701," BEING THE NORTHEASTERLY CORNER OF SAID LOT 1, ALSO BEING A POINT ON THE SOUTHERLY BOUNDARY LINE OF LOT 11, BLOCK A, AS SHOWN IN A PLAT OF GRAND HERITAGE CLUB RECORDED IN INSTRUMENT NO. 20060412010001400, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS;

THENCE, ALONG SAID SOUTHERLY LINE OF THE GRAND HERITAGE CLUB ADDITION, SOUTH 88 DEGREES 37 MINUTES 50 SECONDS EAST A DISTANCE OF 211.82 FEET TO A FOUND 1/2 INCH REBAR WITH CAP INSCRIBED "RPLS 4701" AT THE NORTHWESTERLY CORNER OF THE AFOREMENTIONED LOT 1, BLOCK 1 OF LAVON SONIC ADDITION;

THENCE, ALONG THE WESTERLY LINE OF SAID LOT 1, SOUTH 01 DEGREES 16 MINUTES 52 SECONDS WEST A DISTANCE OF 289.36 FEET TO THE POINT OF BEGINNING, CONTAINING THEREIN AN AREA OF 60,241 SQUARE FEET, OR 1.383 ACRES, MORE OR LESS

Concept Plan



Landscape Plan

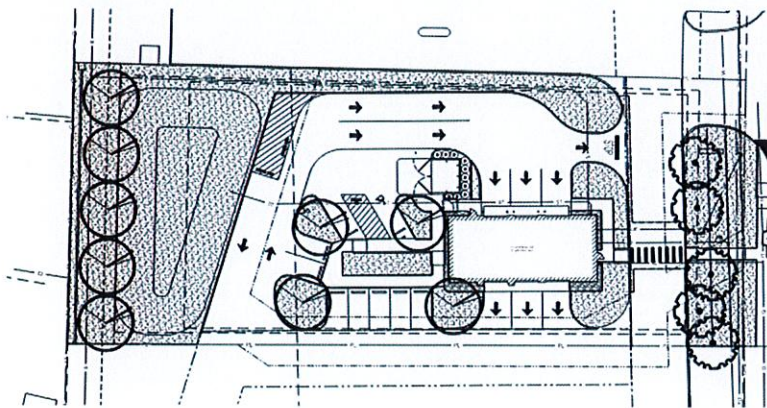


EXHIBIT D

Building Elevations

