



**AGENDA**  
**AUGUST 7, 2018**  
**LAVON CITY COUNCIL**  
**5:40 P.M. TOUR - LAVON FIRE STATION**  
**501A LINCOLN, LAVON, TX**  
**6:00 P.M. BUDGET WORK SESSION**  
**7:00 P.M. REGULAR MEETING – EXECUTIVE SESSION**  
**CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS**  
*please note an earlier starting time*

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- 1. PRESIDING OFFICER TO CALL THE MEETING TO ORDER AND ANNOUNCE THAT A QUORUM IS PRESENT**
- 2. BUDGET WORK SESSION**  
Discussion regarding the financial status for current Fiscal Year (FY) 2017-18, budget calendar, anticipated commitments, departmental service proposals and requests and proposed budget for FY 2018-19.
- 3. PLEDGE OF ALLEGIANCE AND INVOCATION**
- 4. PRESENTATION**  
Lavon Police Department presentation of fallen Dallas Officer Jamie Givens' ceremonial last radio call.
- 5. CITIZENS COMMENTS**  
*Citizens may comment on items that are not on the agenda (3-minute time limit/person). The only response can be to request the items to be placed on a future agenda for discussion and consideration.*
- 6. ITEMS OF INTEREST/COMMUNICATIONS**  
*Members may identify community events, functions and other activities.*
  - August 11, 2018 – Community Independent School District Back to School Bash
  - September 4, 2018 – Ribbon Cutting at the Emergency Operations Center
- 7. CONSENT AGENDA**  
*Consent items are considered to be 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 July 17, 2018 meeting.
  - B.** Amend the minutes of the June 5, 2018 meeting to correct ordinance reference number **2018-06-04**.
  - C.** Approve Resolution No. **2018-08-01** calling a Special Election for the purpose of electing the Mayor and calling a General Election for the purpose of electing three (3) Council Members, one (1) for Place 1, one (1) for Place 3 and one (1) for Place 5 to be held jointly with other political subdivisions and administered by the Collin County Elections Administrator on Saturday, November 6, 2018 and providing for an Effective Date.
  - D.** Authorize the placement of orders for the lease purchase of radios and a brush truck for the Lavon Volunteer Fire Department (LVFD) in an amount not to exceed \$75,000.
  - E.** Authorize JoAnn Ramos with Utility Tax Service LLC to close Heritage PID #1 Tax Account #6195210825 and to open a Tax Account with Central Bank effective July 13, 2018 and authorize that the Mayor, City Administrator and Administrative Assistant be signatories on the Central Bank account.
- 8. ITEMS FOR CONSIDERATION**
  - A.** Discussion and action regarding LVFD progress, transition and implementation.

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- B. Discussion and action regarding LVFD appointments for the positions of Assistant Chief and Captain.
- C. Discussion and action regarding Resolution No. **2018-08-02** authorizing the Mayor to execute a professional services agreement with Caperton Construction Inspections for building inspection and plan review services.
- D. Public Hearing and discussion regarding the request of the owner of certain property to voluntarily annex 57.075 acres in the Drury Anglin Survey, Abstract No. 2, Sheet 3, Tr 73 (Collin County CAD ID # 1249973), Collin County generally located south of the Bear Creek Addition and east of CR 483 and the annexation of the adjacent county road and right-of-way into the City of Lavon.
  - 1) Presentation of request.
  - 2) **PUBLIC HEARING** to receive comments regarding the request.
  - 3) Discussion regarding the request.
- E. Public Hearing and discussion regarding the request of the owner of certain property to voluntarily annex 30.485 acres in the Drury Anglin Survey, Abstract No. 2, Sheet 3, Tr 84 (Collin County CAD ID # 1250096), Collin County generally located west of Traditions at Grand Heritage, east of Traditions at Grand Heritage West and south of Windmill Estates and the annexation of the adjacent road and right-of-way into the City of Lavon.
  - 1) Presentation of request.
  - 2) **PUBLIC HEARING** to receive comments regarding the request.
  - 3) Discussion regarding the request.
- F. Public hearing, discussion and action regarding the application of Bloomfield Homes, LP for a zoning change from Temporary Agricultural (A) to Planned Development–Single Family (PD-SF) zoning district for 111 lots on 30.485 acres situated in the Drury Anglin Survey, Abstract No. 2 described as Cape Cod Bank and Trust Company in Deed recorded in Vol. 2651, pg. 27, Collin County, TX, (CCAD ID# 1250096) situated west of Traditions at Grand Heritage, east of Traditions at Grand Heritage West, and south of Windmill Estates, Lavon, TX and accompanying ordinance.
  - 1) Presentation of request.
  - 2) **PUBLIC HEARING** to receive comments regarding the request.
  - 3) Discussion and action regarding the request.
- G. Public hearing, discussion and action regarding the application of Bloomfield Homes, LP for a zoning change from Commercial Planned Development (PD) zoning district created by Ordinance No. **2004-09-05** to Planned Development–Single Family (PD-SF) zoning district for a “Model Home Park” consisting of 4 lots on 0.889 acres being Commercial Tract No. 2, Grand Heritage Club Addition (CCAD Property ID 2612617) adjacent to and situated northeast of the intersection of Burnett Drive and SH 78, west of Lavonia Landing, Lavon, Collin County, TX and accompanying ordinance.
  - 1) Presentation of request.
  - 2) **PUBLIC HEARING** to receive comments regarding the request.
  - 3) Discussion and action regarding the request.
- H. Discussion and action regarding the Final Plat of the Bear Creek Amenity Center and Bridge addition, a 6.133 acre tract of land situated in the Drury Anglin Survey, Abstract No. 2, comprised of 2 non-residential lots south of Hoover Avenue and extending President’s Boulevard, Grand Heritage – East A2, City of Lavon, Collin County, Texas.
- I. Discussion and action regarding the Preliminary Plat of the Bear Creek Addition, Phases 3, 4 & 5 for 454 lots on 90.98 acres of land situated in the D. Anglin Survey, Abstract No. 2, Sheet 3, Tract 140, (Collin CAD# 2630457), located south of Bear Creek Phase 2 and west of CR 483, City of Lavon, Collin County, Texas.

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- J. Discussion and action regarding Resolution No. **2018-08-03** authorizing the Mayor to execute a Development Facilities Agreement with Pacesetter Homes, LLC for the Lavon Farms Addition.
- K. Discussion and action regarding the Final Plat of the Lavon Farms addition on 38.62 acres of land situated in the Drury Anglin Survey, Abstract No. 2, City of Lavon, Collin County, (CCAD ID #s 2653997, 2087762 and 2507840), generally located southwest of the intersection of FM 2755 and CR 483, City of Lavon, Collin County, Texas.
- L. Discussion and action regarding the nomination of candidates for the Texas Municipal League Multistate Intergovernmental Employee benefits Pool Board of Trustees.
- M. Discussion and action regarding board and commission appointments – Parks and Recreation Board.

## 9. EXECUTIVE SESSION

Pursuant to the following designated sections of Texas Government Code, Annotated, Subchapter 551, the City Council may enter into executive session (closed meeting) to discuss the following items:

Sections 551.071 (2) and 551.071 (1) 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 and Consultation with Attorney regarding pending litigation or settlement offer:

- 1) Proposed Agreement with the Nevada Volunteer Fire Department regarding Fire Protection Services, and
- 2) Application of City of Lavon to Obtain a Sewer Certificate of Convenience and Necessity (CCN), Public Utility Commission SOAH Docket No. 473-17-4339.WS, PUC Docket No. 46993.

## 10. RECONVENE FROM EXECUTIVE SESSION INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et seq., the City Council will reconvene into regular session to discuss and take any action necessary as a result of each item listed in executive session including:

- A. Discussion and action regarding an Agreement for Fire Protection Services with Nevada Volunteer Fire Department.
- B. Discussion and action regarding *Application of City of Lavon to Obtain a Sewer Certificate of Convenience and Necessity (CCN)*, Public Utility Commission SOAH Docket No. 473-17-4339.WS, PUC Docket No. 46993.

## 11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

*Council Members and staff may request items be placed on a future agenda or request a special meeting.*

- August 21 - Next regular meeting – Budget Work Session at 6:00
- September 4 – Emergency Operations Center (EOC) Ribbon-Cutting at 6:00 before the Council meeting

## 12. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

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

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This is to certify that this Agenda was duly posted at City Hall and on the City's website at [www.cityoflavon.com](http://www.cityoflavon.com) on or before 6:00 PM on August 3, 2018.



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Kim Dobbs, City Administrator | City Secretary

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**MINUTES**  
**JULY 17, 2018**  
**LAVON CITY COUNCIL**  
**CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS**  
**6:00 P.M. BUDGET WORK SESSION**  
**7:00 P.M. REGULAR MEETING – EXECUTIVE SESSION**

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ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, PLACE 1  
MIKE COOK, PLACE 2  
KAY WRIGHT, MAYOR PRO TEM, PLACE 3  
TIM DAVIS, PLACE 4 (arrived at 6:10 P.M.)  
MINDI SERKLAND, PLACE 5

**1. MAYOR VICKI SANSON CALLED THE WORK SESSION TO ORDER AT 6:03 P.M. AND ANNOUNCED A QUORUM PRESENT.**

**2. BOY SCOUT MILES SERKLAND LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MAYOR PRO TEM WRIGHT DELIVERED THE INVOCATION.**

**3. WORK SESSION-BUDGET**

City Administrator Kim Dobbs reviewed and discussed the budget and projections. Ms. Dobbs reviewed staffing needs in all departments. Ms. Serkland requested comp-time reports to help make decisions on staffing and the Council requested debt service schedules. Mr. Davis asked about Emergency Operations Center (EOC) technology upgrades and offered assistance in that area. Mayor Sanson concluded the work session and recessed the meeting at 6:51 p.m. The meeting reconvened at 6:57 p.m.

**4. CITIZENS COMMENTS**

There were none.

**5. ITEMS OF INTEREST/COMMUNICATIONS**

- Recap of the Babysitter- CPR Class and video presentation.
- July 19, 2018- Camp 911
- August 11, 2018 Community Independent School District Back to School Bash

**6. CONSENT AGENDA**

- A. Approve the minutes of the June 19, 2018 meeting (*typo correction distributed*).**
- B. Approve the minutes of the June 26, 2018 meeting.**
- C. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 6/30/2018 and authorize the payment of invoices included therein.**
- D. Direct the city staff to work with the Financial Advisor to prepare and advertise a Request for Proposal for Public Improvement District (PID) Administrator services and to solicit responses for city council consideration.**
- E. Approve Ordinance No. 2018-07-01 altering the prima facie speed limits established for vehicles under the provisions of Transportation Code, Section 545.356 upon State Highway 78 or parts thereof, within the incorporates limits of the City of Lavon, Texas as set out in this ordinance; and providing a penalty of a fine not to exceed \$200.00 for the violation of this ordinance.**
- F. Discussion and action regarding Ordinance No. 2018-07-02 clarifying the delivery of fire services and the position and duties of the Fire Marshal by repealing Ordinance No. 2005-02-02, Ordinance No. 2009-07-01 and Ordinance No. 2017-08-01, and amending the Code of**

**Regulations to replace references to the “Director of Health and Life Safety” with “Fire Marshal” and to replace references to the “Department of Health and Life Safety” with “Fire Marshal’s Office” and to add a section titled “Duties of the Fire Marshal”.**

- G. Approve Resolution No. 2018-07-01 designating authorized signatories for all Independent Bank accounts.**
- H. Approve Resolution No. 2018-07-02 designating authorized signatories for all TexStar accounts.**
- I. Approve Resolution No. 2018-07-03 amending the Bylaws of the Lavon Volunteer Fire Department as recommended by the Board of Directors.**

**MOTION: APPROVE THE CONSENT AGENDA AS AMENDED.**

**MOTION MADE: WRIGHT**

**SECONDED: DAVIS**

**APPROVED: UNANIMOUS**

Mr. Kell expressed appreciation for the good job done on the LVFD Bylaw updates.

## **7. STAFF REPORTS**

- A. Police Department – Chief Mike Jones provided reports regarding traffic stops, calls for service, call breakout information and monthly reserve participation report. Chief Jones updated the council on current community relations from Officer Vargas. Mr. Kell inquired about a Police Department Social Media Policy and Chief Jones advised there is one in place and that Officer Vargas handled all Social Media.**
- B. Fire Marshal’s Office – Fire Marshal Jon Scott provided a report regarding the Emergency Operations Center expansion progress and updated the council regarding the LVFD meetings and volunteers. Ms. Serkland asked about the final walk through of the Emergency Operations Center and Mr. Scott informed her that the walk through had been completed and all punch list items satisfied.**
- C. Public Works Department – Director of Public Works Sonny Mancias provided a report regarding general public works and street maintenance including mowing and trash collection, TxDOT projects, the public works facility construction update and sanitary sewer system maintenance efforts. Mr. Mancias noted that the City began repairs to two intersections in the Bear Creek neighborhood. Mr. Mancias answered questions regarding the roads and what may have possibly caused the problems.**
- D. Administration – Ms. Dobbs directed the Council to reports provided in the meeting packet regarding the Financial Outlook, Building Permits Report, CWD Recycling Report, Collin County Monthly Tax Collection Report and Sales Tax Report. Ms. Dobbs provided information regarding the Lavon Volunteer Fire Department (LVFD) Transition and Implementation Plan progress.**
- E. Garbage Service – Nicole Roemer, Account Manager, CWD answered questions regarding the recent rate increase and services in general. Mr. Kell inquired about lids left open after the polycarts are emptied and Ms. Roemer explained that is the standard operation for CWD drivers and they are trained to leave the lids open.**

## **8. ITEMS FOR CONSIDERATION**

- A. Public hearing, discussion and action regarding the Site Plan and Landscape Plan for O’Reilly’s Auto Store on Lot 1, Block A of the State Highway 205 Addition located on the south side of and in the vicinity of the 900 block of SH 78.**

### **1. Presentation of request.**

Ms. Dobbs and Lee Cope, Hutton provided background regarding the Site Plan and Landscape Plan for an O’Reilly’s Auto Parts Store.

### **2. PUBLIC HEARING to receive comments regarding the request.**

Mayor Sanson opened the public hearing at 7:27 p.m. and invited comments for or against the request. Roger Mazzaresse, 567 Avery Pt., requested clarification of the entrance and exit to the site. Ms. Dobbs indicated on the location exhibit where the entrance and exit would be. There being no further comments, Mayor Sanson closed the public hearing at 7:30 p.m.

**3. Discussion and action regarding the request.**

Planning and Zoning (P&Z) Commission Chairman David Rosenquist reported that the Commission voted unanimously to recommend approval of the request.

**MOTION: APPROVE THE SITE PLAN AND LANDSCAPE PLAN FOR O'REILLY'S AUTO PARTS STORE IN THE VICINITY OF THE 900 BLOCK OF SH 78.**

**MOTION MADE:** WRIGHT

**SECONDED:** COOK

**APPROVED:** UNANIMOUS

**B. Discussion and action regarding authorization of the Mayor's signature on the Preliminary Plat and Final Plat of the Bear Creek Amenity Center and Bridge Addition.**

Ms. Dobbs explained that to provide a safer and more desirable bridge crossing alignment, the developer requested to encroach onto a portion of the City's property in the design and plat. Ms. Dobbs further stated that the improvements would ultimately be dedicated to the City and approval was recommended.

**MOTION: AUTHORIZE THE MAYOR'S SIGNATURE ON THE PRELIMINARY PLAT AND FINAL PLAT OF THE BEAR CREEK AMENITY CENTER AND BRIDGE ADDITION.**

**MOTION MADE:** DAVIS

**SECONDED:** SERKLAND

**APPROVED:** UNANIMOUS

**C. Discussion and action regarding the Preliminary Plat of the Bear Creek Amenity Center and Bridge addition, a 6.133 acre tract of land situated in the Drury Anglin Survey, Abstract No. 2, comprised of 2 non-residential plots south of Hoover Avenue and extending President's Boulevard, Grand Heritage-East A2, City of Lavon, Collin County, Texas.**

Ms. Dobbs provided information regarding the proposed preliminary plat. Mr. Rosenquist reported that the P&Z Commission recommended approval. Kevin Kessler, Jacobs Engineering was present to answer questions. Mr. Davis and Mayor Sanson asked City Engineer Mark Hill, Freeman-Millican, Inc., if all of his concerns had been resolved. Mr. Hill advised the Council that his comments had been satisfactorily addressed.

**MOTION: APPROVE THE PRELIMINARY PLAT OF THE BEAR CREEK AMENITY CENTER AND BRIDGE ADDITION.**

**MOTION MADE:** KELL

**SECONDED:** SERKLAND

**APPROVED:** UNANIMOUS

**D. Discussion and action regarding the Final Plat of the Lavon 7-Eleven Addition on 2.492 acres of land situated in the W. H. Moore Survey, Abstract No. 638, Sheet 2, Tracts 4 and 28, City of Lavon, Collin County Texas, (Collin CAD# 2612693 and 2635513), located north of the intersection of State Highway (SH) 205 and SH 78 at 991 South SH 78, City of Lavon, Collin County, Texas.**

Ms. Dobbs provided background information regarding the proposed plat. Mr. Rosenquist reported that the P&Z Commission voted unanimously to recommend approval. Mr. Rosenquist further stated that concerns regarding the access at the SH 205 and SH 78 intersection had been addressed and resolved in their opinion. Mr. Hill recommended approval subject to drainage modifications. Carlos Salinas, Director of Civil Engineering, Dimension Group said the plans with requested modifications to the drainage design will be delivered to the city within a few days.

**MOTION MADE: APPROVE THE FINAL PLAT OF THE LAVON 7-ELEVEN ADDITION, SUBJECT TO THE CITY ENGINEER'S APPROVAL OF THE DRAINAGE DESIGN.**

**MOTION MADE:** WRIGHT

**SECONDED:** KELL

**APPROVED:** UNANIMOUS

- E. Discussion and action regarding Resolution No. 2018-07-04 authorizing the Mayor to execute a Letter of Engagement between the City of Lavon and Mike Ward Accounting and Financial Consulting, PLLC for the audit and preparation of the city's financial statements for the fiscal year ending September 30, 2018.**

Ms. Dobbs introduced Mike Ward, Principal, Mike Ward Accounting and Financial Consulting, PLLC. Mr. Ward provided information regarding his background and firm.

**MOTION: APPROVE RESOLUTION NO. 2018-07-04 AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF ENGAGEMENT BETWEEN THE CITY OF LAVON AND MIKE WARD ACCOUNTING AND FINANCIAL CONSULTING, PLLC FOR THE AUDIT AND PREPARATION OF THE CITY'S FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018.**

**MOTION MADE: DAVIS  
SECONDED: COOK  
APPROVED: UNANIMOUS**

- F. Discussion and action regarding Resolution No. 2018-07-05 authorizing the Mayor to execute a Municipal Services Agreement with Bloomfield Homes, LP, for the purpose of offering municipal services for property legally described as Abstract Number 2 in the Drury Anglin Survey, containing 57.075 acres, more or less, Collin County, Texas to be annexed into the corporate limits of the City of Lavon; calling for two public hearings.**

Ms. Dobbs provided information regarding recent changes in the state annexation laws, the process for voluntary annexations and the requested annexation. Tim Stewart, Vice President of Operations, Bloomfield Homes, LP spoke on behalf of the land owner and expressed their desire to annex this parcel and a 30 acre parcel into the City.

**MOTION: APPROVE RESOLUTION NO. 2018-07-05 AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL SERVICES AGREEMENT WITH BLOOMFIELD HOMES, LP, FOR THE PURPOSE OF OFFERING MUNICIPAL SERVICES FOR PROPERTY LEGALLY DESCRIBED AS ABSTRACT NUMBER 2 IN THE DRURY ANGLIN SURVEY, CONTAINING 57.075 ACRES, MORE OF LESS, COLLIN COUNTY, TEXAS TO BE ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF LAVON; CALLING FOR TWO PUBLIC HEARINGS ON AUGUST 7, 2018 AND AUGUST 21, 2018.**

**MOTION MADE: SERKLAND  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS**

- G. Discussion and action regarding Resolution No. 2018-07-06 authorizing the Mayor to execute a Municipal Services agreement with Bloomfield Homes, LP, for the purpose of offering municipal services for property legally described as Abstract Number 2 in the Drury Anglin Survey, containing 30.485 acres, more or less, Collin County, Texas to be annexed into the corporate limits of the City of Lavon, Texas; calling for two public hearings.**

Mr. Stewart commented that the landowner hoped to be able to preserve a natural buffer of trees on the east and west sides of the property where they abutted existing residential developments.

**MOTION: APPROVE RESOLUTION NO. 2018-07-06 AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL SERVICES AGREEMENT WITH BLOOMFIELD HOMES, LP, FOR THE PURPOSE OF OFFERING MUNICIPAL SERVICES FOR PROPERTY LEGALLY DESCRIBED AS ABSTRACT NUMBER 2 IN THE DRURY ANGLIN SURVEY, CONTAINING 30.485 ACRES, MORE OF LESS, COLLIN COUNTY, TEXAS TO BE ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS; CALLING FOR TWO PUBLIC HEARINGS ON AUGUST 7, 2018 AND AUGUST 21, 2018.**

**MOTION MADE: SERKLAND  
SECONDED: KELL  
APPROVED: UNANIMOUS**

- H. Discussion and action regarding Resolution No. 2018-07-07 authorizing the Mayor to execute Professional Services Agreements with Bloomfield Homes, LP.**

**MOTION: APPROVE RESOLUTION NO. 2018-07-07 AUTHORIZING THE MAYOR TO EXECUTE PROFESSIONAL SERVICES AGREEMENTS WITH BLOOMFIELD HOMES, LP.**

**MOTION MADE: DAVIS  
SECONDED: COOK  
APPROVED: UNANIMOUS**

- I. Discussion and action regarding Resolution No. 2018-07-08 authorizing the Mayor to execute the documents required for the transfer of ownership of the Emergency Operations Center at 501A Lincoln Street, Lavon, Texas.**

Ms. Dobbs provided an update on the completion of construction of the Emergency Operations Center (EOC) and reminded the Council that the transfer documents were contemplated in a previous agreement with Bloomfield Homes, LP. Mr. Stewart stated that Bloomfield was excited to be a part of the community as evidenced by their investments in Lavon and also commended construction superintendent Jason Wynns for his work on the project.

**MOTION: APPROVE RESOLUTION NO. 2018-07-08 AUTHORIZING THE MAYOR TO EXECUTE THE DOCUMENTS REQUIRED FOR THE TRANSFER OF OWNERSHIP OF THE EMERGENCY OPERATIONS CENTER AT 501A LINCOLN STREET, LAVON, TEXAS.**

**MOTION MADE: WRIGHT  
SECONDED: COOK  
APPROVED: UNANIMOUS**

- J. Discussion and action regarding Resolution No. 2018-07-09 authorizing the Mayor to execute a Professional Services Agreement with DFW Devco, LLC.**

Ms. Dobbs provided information regarding the proposed agreement.

**MOTION: APPROVE RESOLUTION NO. 2018-07-09 AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DFW DEVCO, LLC.**

**MOTION MADE: DAVIS  
SECONDED: KELL  
APPROVED: UNANIMOUS**

- K. Discussion and action regarding Ordinance No. 2018-07-03 amending Ordinance No. 2017-09-05 that approved and adopted a budget for the City for the Fiscal year October 1, 2017 through September 30, 2018, as amended, to amend adopted revenues and expenditures of the budget; and declaring an effective date.**

Ms. Dobbs noted that the proposed budget amendment items were discussed during the work session earlier in the meeting and that the amendment nets additional unassigned fund balance.

**MOTION MADE: APPROVE ORDINANCE NO. 2018-07-03 AMENDING ORDINANCE NO. 2017-09-05 THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR FISCAL YEAR OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018, AS AMENDED, TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.**

**MOTION MADE: KELL  
SECONDED: DAVIS  
APPROVED: UNANIMOUS**

- L. Discussion and action regarding board and commission appointments - Lavon Economic Development Corporation (LEDC) Board of Directors, Planning and Zoning Commission, Park Board and Reinvestment Zone #1 (TIF) Board of Directors.**

The City Council discussed the Boards and Commissions roster and volunteer applications.

**MOTION: ON THE LEDC BOARD OF DIRECTORS, REAPPOINT KAY WRIGHT - PLACE 1, VICKI SANSON - PLACE 3, DAVID PIEKARSKI - PLACE 7 AND APPOINT MANZELLE WILLIAMS - PLACE 2 AND DUSTIN COWIN - PLACE 5.**

**MOTION MADE:** SERKLAND

**SECONDED:** DAVIS

**APPROVED:** UNANIMOUS

**MOTION: REAPPOINT DEBORAH NABORS - PLACE 2 AND TOM ORMSBY - PLACE 4 TO THE PLANNING AND ZONING COMMISSION.**

**MOTION MADE:** SERKLAND

**SECONDED:** KELL

**APPROVED:** UNANIMOUS

It was noted that the Parks and Recreation Board has two vacancies and that City staff will post an invitation to apply on social media. Ms. Dobbs explained that former residents Mr. Teske and Mr. Kane were not disqualified from serving on the TIF Board as there is not a residency requirement for that board.

## **9. EXECUTIVE SESSION**

At 8:21 p.m., in accordance with Texas Government Code, Annotated, Subchapter 551, Mayor Sanson recessed the meeting to go into executive session (closed meeting) to discuss the following items:

Sections 551.071 (2) and 551.071 (1) 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 and Consultation with Attorney regarding pending litigation or settlement offer:

- 1) Proposed Agreement with the Nevada Volunteer Fire Department regarding Fire Protection Services, and
- 2) *Application of City of Lavon to Obtain a Sewer Certificate of convenience and Necessity (CCN)*, Public Utility Commission SOAH Docket No. 473. 17-4339. WS, PUC Docket No. 46993.

## **10. RECONVENE FROM EXECUTIVE SESSION INTO REGULAR SESSION**

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 8:52 p.m. and stated that no action was taken in executive session.

### **A. Discussion and action regarding an Agreement for Fire Protection Services with Nevada Volunteer Fire Department.**

**MOTION: AUTHORIZE THE CITY ADMINISTRATOR AND CITY ATTORNEY TO NEGOTIATE WITH NEVADA VOLUNTEER FIRE DEPARTMENT REGARDING A FIRE SERVICES AGREEMENT.**

**MOTION MADE:** SERKLAND

**SECONDED:** COOK

**APPROVED:** UNANIMOUS

### **B. Discussion and action regarding *Application of City of Lavon to Obtain a Sewer Certificate of Convenience and Necessity (CCN)*, Public Utility Commission SOAH Docket No. 473-17-4339.WS, PUC Docket No. 46993.**

No action was taken.

## **11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.**

- Next meeting will be August 7, 2018 with a Budget Work Session to be held at 6 p.m.

**12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:57 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 7<sup>th</sup> day of August, 2018

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Vicki Sanson, Mayor

**ATTEST:**

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Kim Dobbs, City Administrator-City Secretary

**MOTION MADE:** SANSON  
**SECONDED:** DAVIS  
**APPROVED:** UNANIMOUS  
Absent: COOK

- D. Discussion and action regarding the application of Alan Bain, Bear Creek Commercial Properties, LP, for a Preliminary Plat of a 73.268 acre tract of land situated in the W.A.S. Bohannon Survey, A-121 (CCAD tracts 10, 65 and 70, CCAD property ID's 2614673, 2110476 and 2624070 respectively), comprised of 13 commercial lots and 1 open space lot, bounded by and located southeast of the intersection of SH 205 and SH 78, such property generally referenced as Grand Heritage West Flex, Lavon, Collin County, TX.**

Ms. Dobbs provided location information about the proposed preliminary plat, advised that the proposal conforms to the zoning and comprehensive plan and introduced Bret Blankenship, P.E., JBI Partners, Inc. to present the proposed subdivision. Mr. Blankenship provided information and answered questions regarding ingress/egress, internal access, sanitary sewer service and fire lanes. Ms. Serkland asked about the developer's plans for the remainder lot to which Mr. Blankenship replied that he was informed that there are no specific plans for the property at this time. Ms. Wright clarified that the access easements would provide circulation through and about the subdivision.

**MOTION: APPROVE THE APPLICATION OF ALAN BAIN, BEAR CREEK COMMERCIAL PROPERTIES, LP FOR A PRELIMINARY PLAT OF 73.268 ACRE TRACT OF LAND SITUATED IN THE W.A.S. BOHANNON SURVEY, A-121 (CCAD TRACTS 10, 65 AND 70, CCAD PROPERTY ID'S 2614673, 2110476 AND 262470 RESPECTIVELY), COMPRIMISED OF 13 COMMERCIAL LOTS AND 1 OPEN SPACE LOT, BOUNDED BY AND LOCATED SOUTHEAST OF THE INTERSECTION OF SH 205 AND SH 78, SUCH PROPERTY GENERALLY REFERENCED AS GRAND HERITAGE WEST FLEX, LAVON, COLLIN COUNTY, TX.**

**MOTION MADE:** DAVIS  
**SECONDED:** SANSON  
**APPROVED:** UNANIMOUS  
Absent: COOK

- E. Discussion and action regarding Ordinance No. 2018-06-043 amending Ordinance No. 2008-07-02 to clarify the duty to maintain property to the edge of paving of a public roadway in Section 2, Subsection 3; providing a repealer clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of two hundred dollars (\$200.00); providing for publication of this caption; and providing an effective date.**

Ms. Dobbs explained that the first goal of code enforcement is voluntary compliance gained through communication with and education of property owners and that the clarification of this code is intended to improve enforcement efforts relating to property maintenance by removing ambiguity that could arise from the description in the existing code to more specific wording applicable city roads as well as state roadways throughout the city.

**MOTION: APPROVE ORDINANCE NO. 2018-06-034 AMENDING ORDINANCE NO. 2008-07-02 TO CLARIFY THE DUTY TO MAINTAIN PROPERTY TO THE EDGE OF PAVING OF A PUBLIC ROADWAY IN SECTION 2, SUBSECTION 3; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00); PROVIDING FOR PUBLICATION OF THIS CAPTION; AND PROVIDING AN EFFECTIVE DATE.**

**MOTION MADE:** SERKLAND  
**SECONDED:** DAVIS  
**APPROVED:** UNANIMOUS  
Absent: COOK





# **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 7-C**

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**Item:**

**Consent Agenda**

Approve Resolution No. **2018-08-01** calling a Special Election for the purpose of electing the Mayor and calling a General Election for the purpose of electing three (3) Council Members, one (1) for Place 1, one (1) for Place 3 and one (1) for Place 5 to be held jointly with other political subdivisions and administered by the Collin County Elections Administrator on Saturday, November 6, 2018 and providing for an Effective Date.

**Background:**

The General Election must be called no later than August 20, 2018.

**Financial Consideration:**

Funding for the election is included in the Annual Operating Budget for Fiscal Year 2018-2019 and will be conducted pursuant to a contract with the Collin County Elections Office.

**Attachments:**      Resolution  
                             Election Calendar  
                             Notice of Candidate Filing Deadline

August 3, 2018

**CITY OF LAVON, TEXAS**

**RESOLUTION NO. 2018-08-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS CALLING A GENERAL ELECTION AND SPECIAL ELECTION TO BE HELD JOINTLY WITH OTHER POLITICAL SUBDIVISIONS DESIGNATED BY THE COUNTY ELECTIONS ADMINISTRATOR AND ADMINISTERED BY THE COUNTY ELECTIONS ADMINISTRATOR ON TUESDAY, NOVEMBER 6, 2018, FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS, ONE (1) FOR PLACE 1, ONE (1) FOR PLACE 3 AND ONE (1) FOR PLACE 5 FOR TWO (2) YEAR TERMS EACH AND ELECTING A MAYOR FOR AN UNEXPIRED TERM OF ONE YEAR FOR SAID CITY RESPECTIVELY; PROVIDING FOR THE CONDUCT AND THE GIVING NOTICE OF THE ELECTION; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.**

**WHEREAS**, the City of Lavon, Texas ("City") is a Type A general-law municipality of the State of Texas; and

**WHEREAS**, the Texas Local Government Code provides a term of two years for elected officials of the City and that elections be held annually on an authorized uniform election date as provided by Chapter 41 of the Texas Election Code; and

**WHEREAS**, Chapter 41 of the Texas Election Code provides that the second Tuesday in November, being November 6, 2018, is an authorized uniform election date for municipal elections; and

**WHEREAS**, the Texas Election Code requires that the governing body of the City is responsible for ordering the general and special election of elected officials of the City; and

**WHEREAS**, by this Resolution, it is the intention of the City Council to call for said election to be held on said date, and establish and set forth procedures for conducting said election.

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

**Section 1. Findings.** That the recitals set forth in the WHEREAS clauses of this Resolution are true and correct, constitute findings and determinations by the City Council acting in its legislative capacity and are incorporated herein.

**Section 2. General Election Ordered.** That a General Election is hereby ordered to be held jointly with other jurisdictions as possible in and throughout the City on Tuesday, November 6, 2018, for the purpose of electing three (3) Council Members, one (1) for Place 1, one (1) for Place 3 and one (1) for Place 5 for two (2) year terms each and that notice be provided in accordance with the Code.

**Section 3. Special Election Ordered.** That a Special Election is hereby ordered to be held jointly with other jurisdictions as possible in and throughout the City on Tuesday, November 6,

2018, for the purpose of electing a person to the office of Mayor for an unexpired term of one year and that notice be provided in accordance with the Code.

**Section 4. Application for a Place on the General Election Ballot.** That in accordance with Section 143.007 of the Code, any eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the offices herein before set forth by filing his/her sworn application with the City Secretary not earlier than 8:00 am, July 21, 2018 and not later than 5:00 pm, August 20, 2017. Each such application shall be on a form as prescribed by Section 141.031 of the Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with the Code.

**Section 5. Application for a Place on the Special Ballot.** That in accordance with Section 143.007 of the Code, any eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the office of Mayor herein before set forth by filing his/her sworn application with the City Secretary not earlier than 8:00 am, July 24, 2018 and not later than 6:00 pm, August 23, 2017. Each such application shall be on a form as prescribed by Section 141.031 of the Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with the Code.

**Section 6. Voting System; Ballots.** That in all respects said election shall be conducted in accordance with the Texas Election Code. Direct Recording Electronic (DRE) voting machines shall be used in this Election for early voting by personal appearance and Election Day voting. Optical-scan ballots shall be used for early voting by mail. The ballots shall be prepared in accordance with the applicable provisions of V.T.C.A. Election Code.

**Section 7. Election Administration.** That the City agrees to conduct a joint election with the political subdivisions designated by the County Elections Officer and the election will be conducted by the County pursuant to the terms of the election contract between the City and the County, with Election Day polling location(s) and times for the voters in the City to be determined by the County, along with all early voting matters, in accordance with the laws of the State of Texas..

**Section 8. Precincts and Polling Places.** That the City shall be a single election precinct and the main polling place on Election Day shall be Lavon City Hall, 120 School Road, Lavon, Texas. Additional polling places may be designated by the Elections Administrator which conform to the Election Agreement and the Texas Election Code.

**Section 9. Early Voting.** That Early Voting shall begin on October 22, 2018. The main polling place for conducting early voting by personal appearance is 120 School Road, Lavon, Texas and the address for early voting by mail, for said election only is Collin County Early Voting Clerk, Collin County Elections Administration Office, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069; Facsimile: (972) 547-1914; E-mail: [election@collincountytx.gov](mailto:election@collincountytx.gov) . Additional polling places may be designated by the Elections Administrator which conform to the Election Agreement and the Texas Election Code and that the early voting ballots shall be canvassed by the Early Voting Ballot Board, which shall be appointed and designated in accordance with the provisions of the Election Agreement.

**Section 10. Persons Qualified to Vote.** That all resident qualified electors of said City shall be permitted to vote in said election.

**Section 11. Effective Date.** That this Resolution shall become effective immediately upon its passage.

**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas, on the 7<sup>th</sup> day of August 2018.

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Vicki Sanson, Mayor

**ATTEST:**

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Kim Dobbs, City Administrator | City Secretary

# **City of Lavon Calendar General and Special Election November 6, 2018**

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<u>June 21</u>	Deadline to Post Notice of Candidate Filing Deadline
<u>June 25</u>	Deadline to Post Notice of Candidate Filing Deadline - Special
<u>July 21</u>	First Day to File for a Place on the General Election Ballot
<u>July 24</u>	First Day to File for a Place on the Special Election Ballot
<u>Aug 7</u>	Order the General and Special Election
<u>Aug 7</u>	Order Designating Election Precincts and Polling Places
<u>Aug 8</u>	Post Notice of Election
<u>Aug 20</u>	Last Day to File for a Place on the General Election Ballot (5 PM)
<u>Aug 21</u>	Election Contract with Collin County, Appointment of Election Judges
<u>Aug 22</u>	Post Notice to Draw for Order of Names on Ballot
<u>Aug 23</u>	Last Day to File for a Place on the Special Election Ballot (6 PM)
<u>Aug 24</u>	Last Day to File a Declaration of Write-In Candidacy – General or Special
<u>Aug 27</u>	Draw for Order of Names on Ballot
<u>Sep 7</u>	Send Notice of Election to County Election Office / Voter Registrar
<u>Sep 18</u>	Order Designating Election Precincts and Polling Places Order Publication of Notice of Election
<u>Sep 21</u>	Post and Send Notice of Election to paper to publish between 10/7-27
<u>Oct 10</u>	Publish Notice of Election
<u>Oct 22</u>	First Day of Early Voting
<u>Nov 2</u>	Last Day of Early Voting
<u>Nov 6</u>	Election Day (7am-7pm)
<u>Nov 20</u>	Canvas the Results of the Election (last day possible)
<u>Nov 20</u>	Administer Oaths of Office

## NOTICE OF DEADLINE TO FILE APPLICATIONS FOR PLACE ON THE BALLOT

(AVISO DE FECHA LIMITE PARA PRESENTAR SOLICITUDES PARA  
UN LUGAR EN LA BOLETA)

Notice is hereby given that applications for a place on the City of Lavon November 6, 2018 Regular and Special Election ballot may be filed during the following times:

*(Se da aviso por la presente que las solicitudes para un lugar en la boleta de la Noviembre 6, 2018 Elección Regular y Special de Ciudad de Lavon, Texas se pueden presentar durante el siguiente horario:)*

### **REGULAR GENERAL ELECTION Filing Dates and Times:**

*(Fechas y Horario para Entregar Solicitudes)*

Start Date: July 21, 2018

*(Fecha Inicio: 21 de Julio de 2018)*

End Date: August 20, 2018

*(Fecha Límite: 20 de Agosto de 2018)*

Office Hours: 8:00 a.m. to 5:00 p.m. Monday - Friday

*(Horario de la Oficina 8:00 a.m. hasta 5:00 p.m. lunes hasta que viernes)*

### **SPECIAL ELECTION Filing Dates and Times:**

*(Fechas y Horario para Entregar Solicitudes)*

Start Date: July 24, 2018

*(Fecha Inicio: 24 de Julio de 2018)*

End Date: August 23, 2018

*(Fecha Límite: 23 de Agosto de 2018)*

Office Hours: 8:00 a.m. to 5:00 p.m. Monday – Friday;

8:00 a.m. to 6:00 p.m. on Friday 8-23-2018

*(Horario de la Oficina 8:00 a.m. hasta 5:00 p.m. lunes hasta que viernes y 6:00 p.m - 8-23-2018)*

Physical address for filing applications in person for place on the ballot:

*(Dirección a física para presentar las solicitudes en persona para un lugar en la boleta):*

Lavon City Hall, 120 School Rd., Lavon, TX 75166

*(Ciudad de Lavon, 120 Escuela Rd., Lavon, TX 75166)*

Address to mail applications for place on the ballot (if filing by mail):

*(Dirección a donde enviar las solicitudes para un lugar en la boleta (en caso de presentar por correo))*

City of Lavon – Elections

PO Box 340

Lavon, TX 75166

Kim Dobbs

Filing Officer (Nombre en letra de molde del Oficial de Archivos)



Signature of Filing Officer (Firma del Oficial de Archivos)

June 25, 2018

Date Posted (Fecha archivada)



# **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 7-D**

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**Item:**

**Consent Agenda**

Authorize the placement of orders for the lease purchase of radios and a brush truck for the Lavon Volunteer Fire Department (LVFD) in an amount not to exceed \$75,000

**Background:**

The specifications and details regarding the purchase of an apparatus for quick response and brush fires (Brush Truck) and radios to outfit the volunteer fire department have been compiled. The staff compared lease purchase proposal options and is working with Community Leasing Partners to prepare Lease Purchase Agreements.

**Financial Consideration:**

The first payments will not be due until FY 18-19. The funds for the purchases have been included in the draft proposed budget.

**Attachments:** Purchase Term Summaries

August 3, 2018



Phone: 888.777.7850  
Fax: 888.777.7875  
Cell: 785.313.3154  
215 S. Seth Child Road  
Manhattan, KS 66502  
[www.clpusa.net](http://www.clpusa.net)

July 24, 2018

**Customer Name:** Lavon, TX  
Jon Scott, Fire Marshal

Equipment: One 2019 Ford F-450 Crew Cab 4 X 4 XL  
Sales Representative: Caldwell Country  
Delivery: Estimated December 2018

Community Leasing Partners, a Division of *Community First National Bank*, is pleased to present the following financing options for your review and consideration.

**Option 1**

Total Cost:	\$ 55,163.00	Payment Frequency:	Annual
Down Payment:	\$ -	First Payment:	June 1, 2019
Trade In:	\$ -		
<b>Amount Financed:</b>	<b>\$ 55,163.00</b>		
Term in Years:	3	4	
Payment:	\$19,862.83	\$15,229.15	
Factor:	0.360075	0.276075	
Interest Rate:	4.39%	4.44%	

- **THERE ARE NO DOCUMENTATION OR CLOSING FEES ASSOCIATED WITH THIS PROPOSAL.**
- Fixed interest rate for the terms provided unless otherwise stated.
- This financing is to be executed and funded within 30 days of the date of the proposal, or Lessor reserves the right to adjust the interest rate. The proposal is subject to credit review and approval of mutually acceptable documentation.
- This proposal has been prepared assuming the lessee is bank qualified and that the proposed lease qualifies for Federal Income Tax Exempt Status for the Lessor under Section 103 of the IRS Code.

**Thank you for allowing Community Leasing Partners the opportunity to provide this proposal. If you have any questions regarding the options presented, need additional options, or would like to proceed with a financing, please contact me at 1-888-777-7850.**

Respectively,

Blake J. Kaus  
Vice President & Director of Leasing  
[blakekaus@clpusa.net](mailto:blakekaus@clpusa.net)

*A Division of Community First National Bank - Member FDIC*





Phone: 888.777.7850  
Fax: 888.777.7875  
Cell: 785.313.3154  
215 S. Seth Child Road  
Manhattan, KS 66502  
[www.clpusa.net](http://www.clpusa.net)

July 24, 2018

**Customer Name:** Lavon, TX  
**Jon Scott, Fire Marshal**

Equipment: Motorola Radios & Equipment  
Sales Representative: Motorola Solutions  
Delivery: TBD

**Community Leasing Partners, a Division of *Community First National Bank*, is pleased to present the following financing options for your review and consideration.**

**Option 1**

Total Cost:	\$	18,739.84	Payment Frequency:	Annual
Down Payment:	\$	-	First Payment:	June 1, 2019
Trade In:	\$	-		
<b>Amount Financed:</b>	<b>\$</b>	<b>18,739.84</b>		
Term in Years:		3		
Payment:		\$6,805.46		
Factor:		0.363155		
Interest Rate:		4.89%		

- **THERE ARE NO DOCUMENTATION OR CLOSING FEES ASSOCIATED WITH THIS PROPOSAL.**
- Fixed interest rate for the terms provided unless otherwise stated.
- This financing is to be executed and funded within 30 days of the date of the proposal, or Lessor reserves the right to adjust the interest rate. The proposal is subject to credit review and approval of mutually acceptable documentation.
- This proposal has been prepared assuming the lessee is bank qualified and that the proposed lease qualifies for Federal Income Tax Exempt Status for the Lessor under Section 103 of the IRS Code.

**Thank you for allowing Community Leasing Partners the opportunity to provide this proposal. If you have any questions regarding the options presented, need additional options, or would like to proceed with a financing, please contact me at 1-888-777-7850.**

Respectively,

Blake J. Kaus  
Vice President & Director of Leasing  
[blakekaus@clpusa.net](mailto:blakekaus@clpusa.net)

*A Division of Community First National Bank - Member FDIC*



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 7-E**

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**Item:**

**Consent Agenda**

Authorize JoAnn Ramos with Utility Tax Service LLC to close Heritage PID #1 Tax Account #6195210825 and to open a Tax Account with Central Bank effective July 13, 2018 and authorize that the Mayor, City Administrator and Administrative Assistant be signatories on the Central Bank account.

**Background:**

Utility Tax Services performs the assessment and collection functions for the Heritage Public Improvement District (PID) #1 on behalf of the City. Recent policy changes at the City's current bank Wells Fargo have necessitated a change in depository for the account. Utility Tax Services assured that Central Bank will fully collateralize the City's deposits in accordance with state law and city policy.

Additionally, signature cards are required to be updated to replace former Mayor Teske with Mayor Sanson.

**Attachments:** Correspondence

August 3, 2018



11500 Northwest Freeway | Suite 465 | Houston, Texas 77092 | Voice: 713-688-3855 | Fax: 713-688-3931

July 16, 2018

Heritage P.I.D. #1  
Attn: Ms. Kim Dobbs  
120 School Rd.  
Lavon, TX 75166  
Phone (972) 843-4220

Re: Central Bank Signature Cards

Dear Kim:

We have enclosed the following:

Wells Fargo letter to close Heritage PID #1 Tax Account & Central Bank Signature Cards to be signed in the marked areas. Please return as soon as completed. We have enclosed a FedEx return label for your convenience.

If further information is needed, please contact us at (1-877) 688-3855.

Sincerely,

Monica Peña, RTA  
Heritage P.I.D. #1

Encl:



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8-A**

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**Item:**

Discussion and action regarding LVFD progress, transition and implementation.

**Background:**

The LVFD continues to make progress in formation, organization and equipping.

A brief tour of the fire station is scheduled for 5:40 on Tuesday, August 7, 2018 before the budget work session.

The City and LVFD have been humbled and gratified by the tremendous outpouring of support in the community. In addition to a strong list of firefighter candidate applications, many support volunteers have reached out to offer assistance to the LVFD. We are very happily matching the tasks to be done with the talents of the many who want to volunteer.

LVFD Chief Jon Scott will present information regarding the latest developments.

August 3, 2018



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8-B**

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**Item:**

Discussion and action regarding LVFD appointments for the positions of Assistant Chief and Captain.

**Background:**

In accordance with the Bylaws of the LVFD, Chief Scott has submitted nominations for appointment to the offices of Assistance Fire Chief and Captain:

Assistant Fire Chief:	Steve Gammons
Captain:	Danny Anthony

I know Mr. Gammons and Mr. Anthony and upon reviewing their qualifications, I concur and support Chief Scott's nominations.

Approval is recommended.

**Attachments:**      Nomination  
                             Application Summary

August 3, 2018



**Lavon Volunteer Fire Department**  
501A Lincoln Avenue Lavon, Texas 75166

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To: Kim Dobb

July 24, 2018

From: Jon Scott

Ref.: Nomination for LVFD officer positions

Kim,

In accordance with the Bi-Laws and Constitution of the Lavon Volunteer Fire Department, I would respectfully request the following individuals be appointed to fill the newly created officer positions that are vacant.

Each member was selected based on their years of experience and past leadership abilities shown while working in the City of Lavon on the Emergency Response Staffing program. Both members are TCFP Firefighters and meet or exceed all requirements set forth in the bi-laws. In addition, both members are certified to train other new members in EMS and Fire operations.

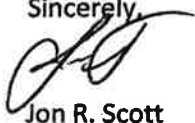
I am including each person's application with this request. Please note that personal information is contained on the application.

**Requested Appointments:**

Assistant Fire Chief	Steve Gammons
Captain	Danny Anthony

Thank you for your consideration of these fine members.

Sincerely,



Jon R. Scott



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8-B**

---

**Item:**

Discussion and action regarding LVFD appointments for the positions of Assistant Chief and Captain.

**Background:**

In accordance with the Bylaws of the LVFD, Chief Scott has submitted nominations for appointment to the offices of Assistance Fire Chief and Captain:

Assistant Fire Chief:	Steve Gammons
Captain:	Danny Anthony

I know Mr. Gammons and Mr. Anthony and upon reviewing their qualifications, I concur and support Chief Scott's nominations.

Approval is recommended.

**Attachments:**      Nomination  
                             Applications

August 3, 2018

**Lavon Volunteer Fire Department**  
**501-A Lincoln Ave.**  
**Lavon, TX, 75166**  
**PHONE: 972-843-4220**

MEMBERSHIP APPLICATION

Position Applying for: ☒ Volunteer Member

☒ Part Time/Stipend

Instructions: Each question should be fully and accurately answered. No action can be taken on this application until all questions have been answered. Use blank paper if you do not have enough room on this application blank.  
PLEASE PRINT, except for signatures on the application.

**PERSONAL DATA**

Last Name\* Gammans First Name\* Steven Middle Name\* Guy  
Street Address [REDACTED] City Nevada State Tx Zip Code 75173  
Cell Phone [REDACTED] Home Phone: \_\_\_\_\_ SSN: [REDACTED]  
Are you at least 18 years old? ☒ Yes/☐ No Date of Birth: [REDACTED] Place of Birth: [REDACTED]  
Email Address: [REDACTED] Web site/Facebook: \_\_\_\_\_  
\*As it appears on your drivers license

**GENERAL INFORMATION**

Driver's License Number: [REDACTED] State: Tx Class: B Restrictions: NONE  
EMS Certification? (Level) B TDH No. [REDACTED] Fire Certification? (Level) Adv. TCFP No. [REDACTED]

Have you ever been arrested? Yes/☒ No If yes, Explain \_\_\_\_\_  
Have you ever been convicted of a Class A Misdemeanor, Felony or Sex Offense of any kind? Yes/☒ No  
Have you received 3 Written Citations (tickets) or had 3 traffic accidents within the last 2 years? Yes/☒ No  
Has your Driver's License ever been suspended or revoked? Yes/☒ No  
Any offense other than minor traffic violations in last 3 years? Explain: N/A

**For FD/SO use only**

Application to CCSO: YES/NO	DATE: _____	
Approved: YES/NO	DATE: _____	By: _____
NOT Approved Reason: _____		



Name Steve Gammans

### SKILLS

Please indicate briefly explain any job-related skills or additional information you feel may be helpful to us in considering your application:

Officer with Princeton FD for 8 years, hired as FT Captain in 2015  
step up Ops Chief,

### REFERENCES

Give three references, not relatives or former employers.

Name	Address	Phone	Occupation
1. Tom Hanvey	225 Baron Grove	[REDACTED]	Fire Chief
2. Mike Stille	4011 Tower Circle	[REDACTED]	Fire Chief
3. Matt Hollingworth	1510 G Country	[REDACTED]	Firefighter

### FIRE/EMS EXPERIENCE

Previous Fire or EMS experience

Department/Company AMR Job: EMT-B End Date: 11/16

Reason for Leaving: Took FT job at PFD Supervisor: Deanna Wootman

Department/Company Nevada Fire Department Job: Firefighter End Date: 10/17

Reason for Leaving: stopped stipended program Supervisor: Jon Scott

### PERSONAL STATEMENT

Tell us about yourself and why you want to be a member of the Lavon Fire Department

I began my fire career in the volunteer service and helped build the PFD  
into a very responsible FD and have continued my education to become head  
of department.

**Lavon Volunteer Fire Department**  
**501-A Lincoln Ave.**  
**Lavon, TX, 75166**  
**PHONE: 972-843-4220**

MEMBERSHIP APPLICATION

Position Applying for: ☒ Volunteer Member ☒ Part Time/Stipend

Instructions: Each question should be fully and accurately answered. No action can be taken on this application until all questions have been answered. Use blank paper if you do not have enough room on this application blank.  
PLEASE PRINT, except for signatures on the application.

**PERSONAL DATA**

Last Name\* ANTHONY First Name\* DANNY Middle Name\* WAYNE  
Street Address [REDACTED] City NEVADA State TX Zip Code 75173  
Cell Phone [REDACTED] Home Phone: SAA SSN: [REDACTED]  
Are you at least 18 years old? ☒ Yes ☐ No Date of Birth: [REDACTED] Place of Birth: DALLAS, TX  
Email Address: DANNYANTHONY86@HOTMAIL.COM Web site/Facebook: \_\_\_\_\_  
\*As it appears on your drivers license

**GENERAL INFORMATION**

Driver's License Number: [REDACTED] State: TX Class: B CDL Restrictions: NONE  
EMS Certification? (Level) PARAMEDIC TDH No. [REDACTED] Fire Certification? (Level) ADVANCED FF TCFP No. [REDACTED]  
Have you ever been arrested? Yes ☐ No ☒ If yes, Explain N/A  
Have you ever been convicted of a Class A Misdemeanor, Felony or Sex Offense of any kind? Yes ☐ No ☒  
Have you received 3 Written Citations (tickets) or had 3 traffic accidents within the last 2 years? Yes ☐ No ☒  
Has your Driver's License ever been suspended or revoked? Yes ☐ No ☒  
Any offense other than minor traffic violations in last 3 years? Explain: N/A

**For FD/SO use only**

Application to CCSO: YES/NO

DATE: \_\_\_\_\_

Approved: YES/NO

DATE: \_\_\_\_\_

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

NOT Approved Reason: \_\_\_\_\_

Name DANNY W. ANTHONY

### SKILLS

Please indicate briefly explain any job-related skills or additional information you feel may be helpful to us in considering your application:

ADVANCED FF, FO II, DRIVER/OPERATOR, WILDLAND FF,  
HAZ-MAT TECH, LEVEL III INSTRUCTOR, CCP-C, NREMT-P  
SWIFT WATER, TRENCH RESCUE

### REFERENCES

Give three references, not relatives or former employers.

Name	Address	Phone	Occupation
1. <u>DAVID ENGLISH</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>CAPTAIN/RFD</u>
2. <u>STUART BURRELL</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>DRIVER/ENGINEER CFD</u>
3. <u>JEFF CHOQUETTE</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>DRIVER/ENGINEER PFD</u>

### FIRE/EMS EXPERIENCE

Previous Fire or EMS experience

Department/Company FAIRVIEW FD Job: CAPTAIN End Date: 01/15

Reason for Leaving: TO BE FLIGHT MEDIC Supervisor: JEFF BELL

Department/Company RICHARDSON FD Job: FF/EMT-P End Date: 02/08

Reason for Leaving: MOVED TO ALABAMA Supervisor: CURTIS POOVEY

### PERSONAL STATEMENT

Tell us about yourself and why you want to be a member of the Lavon Fire Department

I WOULD LIKE TO HELP START THIS FIRE DEPT, AND  
SEE WHAT IT GROWS TO BE.



# **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8-C**

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**Item:**

Discussion and action regarding Resolution No. 2018-08-02 authorizing the Mayor to execute a professional services agreement with Caperton Construction Inspections for building inspection and plan review services

**Background:**

In July, Lee Roberts informed the City that he wished to discontinue performing inspection services for the City and both parties agreed that as soon as the City could find a new provider, Mr. Roberts' agreement would terminate.

After considering several options for building inspection services, the City staff selected Wes Caperton, Caperton Construction Inspections to perform the plan review and building inspection functions for the City. Mr. Caperton holds the required licenses and submitted a competitive proposal. The City staff contacted two references, both of which were very positive.

Mr. Caperton agreed to a compensation framework based on a charge per inspection rather than the retainer framework in place with Mr. Roberts.

Approval is recommended.

**Attachments:** Resolution and Agreement

August 3, 2018

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2018-08-02**

Professional Services Agreement – Caperton Construction Inspections

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CAPERTON CONSTRUCTION INSPECTIONS FOR PROFESSIONAL SERVICES RELATING TO PLAN REVIEW AND BUILDING INSPECTIONS.**

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

**SECTION 1.** The City Council does hereby authorize the Mayor to execute a Professional Services Agreement with Caperton Construction Inspections for professional services relating to Plan Review and Building Inspections attached hereto 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 7<sup>th</sup> day of August, 2018.

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

ATTEST:

\_\_\_\_\_  
Kim Dobbs  
City Administrator | City Secretary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2018-08-02**

**EXHIBIT A**

**PROFESSIONAL SERVICES AGREEMENT**

## **PROFESSIONAL SERVICE AGREEMENT**

This is a **PROFESSIONAL SERVICES AGREEMENT** (this "Agreement") between the CITY of LAVON, Texas ("CITY") and Wes Caperton ("Caperton") on behalf of Caperton Construction Inspections ("CAPERTON AND CCI") (each individually a "party" or collectively the "parties"). The parties hereby agree that CAPERTON AND CCI shall provide professional services to CITY in accordance with the terms and conditions set forth below.

**NOW, THEREFORE**, the parties agree as follows:

### **1. Scope of Services**

CAPERTON AND CCI shall provide inspection services to CITY. In particular, CAPERTON AND CCI will conduct Residential and Commercial Building plan reviews, Residential and Commercial Building inspections, and any other services listed in Exhibit A, attached hereto and incorporated herein for all purposes. CAPERTON AND CCI shall be available to consult with the officers of CITY and its administrative staff concerning matters pertaining to the Services to be rendered by the CAPERTON AND CCI.

### **2. Compensation**

CITY will pay CAPERTON AND CCI in accordance with Exhibit A to this contract which is attached and incorporated as if fully set forth herein. CITY shall promptly review and approve the CAPERTON AND CAPERTON AND CCI's statements of services and make payment within thirty (30) days of submission of the statement. The CITY shall not be liable for any additional expenses of CAPERTON AND CCI not specified by this Agreement unless the CITY first approves such expenses in writing.

### **3. Term, Termination, and Cancellation**

This Agreement shall remain in effect from August 1, 2018 through July 31, 2019. Either party may terminate this Agreement by providing no less than thirty (30) days' written notice. At the time of such notice of termination, CAPERTON AND CCI shall complete all work in progress as if such notice of termination had not been given. The services should continue during the thirty (30) day notice period unless CAPERTON AND CCI and CITY agree to end the contract or any specific tasks sooner. If the parties elect to continue this contract at the end of the terms such terms as stated herein shall remain in effect from year to year, subject to the budgetary approval of the CITY.

In the event no funds or insufficient funds are appropriated by the CITY in any fiscal period for any payments due hereunder, CITY will notify CAPERTON AND CCI of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the CITY of any kind

whatsoever, except as to the portions of the payments herein agreed upon for which funds shall have been appropriated.

**4. Working Arrangements**

CITY will make a representative reasonably available to work with and answer questions relating to CAPERTON AND CCI's inspections in order to ensure a timely and complete product.

**5. Independent Contractor; Representations**

CAPERTON AND CCI agree that at all times during this assignment CAPERTON shall be considered an independent contractor of CITY. CAPERTON AND CCI shall be free from CITY's direction and control. CAPERTON AND CCI shall be exclusively responsible for the payment of any and all employment and other tax obligations arising out of payments from CITY. In addition, CAPERTON AND CCI acknowledge CAPERTON is entitled to no benefits available to CITY employees, including but not limited to worker's compensation or unemployment compensation. CAPERTON AND CCI also acknowledges that he is not employed by CITY in any other capacity and that he shall not hold any other position with CITY during the term of this Agreement. CAPERTON AND CCI acknowledges that the doctrine of *respondeat superior* shall not apply as between the CITY, its officers, agents, servants and employees, and CAPERTON AND CCI, its officers, agents, employees, servants, consultants and subcontractors.

CAPERTON AND CCI represent and warrants that he possesses the requisite experience and expertise to perform this obligation hereunder in accordance with the highest professional standards. In the event CAPERTON becomes sick, disabled, incapacitated or is otherwise unable to perform his/her assigned duties, CITY may, in its sole discretion, terminate this Agreement, suspend this Agreement, or take any other steps it deems appropriate.

**6. Confidential Information**

During the term of this Agreement and for a period of one year thereafter, CAPERTON AND CCI shall keep CITY'S information strictly confidential by using the same care and discretion that would be common in the industry, except where such disclosure is required by law.

**7. Intellectual Property**

All materials developed by CAPERTON AND CAPERTON AND CCI for CITY will belong exclusively to CITY, and will be deemed to have been developed and created by CAPERTON AND CAPERTON AND CCI for CITY as "work for hire". CAPERTON AND CAPERTON AND CCI will execute any and all documents necessary to assign and



transfer to CITY all intellectual property and other rights in materials and information created for CITY pursuant to this Agreement.

## **8. Conflict of Interest and Commitment**

During the term of this Agreement CAPERTON AND CCI agree that he shall avoid any conflict of interest, including but not limited to any situations in which financial or other personal considerations directly or significantly affect, or have the appearance of directly or significantly affecting his professional duties in carrying out his responsibilities under this Agreement.

## **9. Insurance**

CAPERTON AND CCI shall provide the CITY with certificate(s) of insurance documenting policies of the following minimum coverage limits that are to be in effect prior to commencement of any work pursuant to this Agreement:

### **9.1 Coverage and Limits**

- (a) Professional Liability  
\$1,000,000 Each Occurrence  
\$1,000,000 Aggregate

Professional Liability coverage may be provided through an endorsement to the Commercial General Liability (CGL) policy, or a separate policy specific to Professional E&O. Either is acceptable if coverage meets all other requirements. Coverage shall be claims-made and maintained for the duration of the contract. An annual certificate of insurance shall be submitted to the CITY to evidence coverage.

- (b) Automobile Liability  
\$500,000 Each accident on a combined single limit basis or  
\$250,000 Bodily injury per person  
\$500,000 Bodily injury per occurrence  
\$100,000 Property damage

Coverage shall be on any vehicle used by CAPERTON AND CCI, its employees, agents, representatives in the course of the providing services under this Agreement. "Any vehicle" shall be any vehicle owned, hired and non-owned.

- (c) Statutory Worker's Compensation and Employers' Liability Insurance requirements per the amount required by statute or an acceptable Waiver provided in accordance with state law and city requirements. CITY agrees to waive this requirement upon receipt of sufficient documentation from the CAPERTON AND CCI certifying that CAPERTON AND CCI is not required to maintain the requisite coverage in accordance with the statute.

## 9.2 Certificates.

Certificates of Insurance evidencing that the CAPERTON AND CCI has obtained all required insurance shall be delivered to the CITY prior to CAPERTON AND CCI proceeding with any work pursuant to this Agreement. All policies except Workers' Compensation and Professional Liability shall be endorsed to name the CITY as an additional insured thereon, as its interests may appear. All policies shall contain a Waiver of Subrogation for the benefit of the CITY of Lavon. The term CITY shall include its employees, officers, officials, agent, and volunteers in respect to the contracted services. Any failure on the part of the CITY to request required insurance documentation shall not constitute a waiver of the insurance requirement. A minimum of thirty (30) days' notice of cancellation or reduction in limits of coverage shall be provided to the CITY. Ten (10) days' notice shall be acceptable in the event of non-payment of premium. Such terms shall be endorsed onto CAPERTON AND CCI's insurance policies. Notice shall be sent to the City Administrator at the address listed in Section 10.

## 10. Notices

All notices, demands and other communications required or permitted hereunder or in connection herewith shall be in writing and shall be deemed to have been duly given and delivered (including by receipt verified facsimile transmission) or mailed in the Continental United States by first class mail, postage prepaid, to a party at the following address, or to such other address as such party may hereafter specify by notice:

### If to CITY:

CITY OF LAVON  
Attn: City Administrator  
P.O. Box 340  
Lavon, TX 75166  
972-853-0027 (Fax)

### If to CAPERTON AND CCI:

Wes Caperton  
14534 Tamerisk Lane  
Farmers Branch, TX 75234

## 11. Compliance with Laws, Ordinances, Rules and Regulations

CAPERTON AND CCI agrees to comply with all applicable federal, state and local laws, ordinances, rules and regulations. If the CITY notifies CAPERTON AND CCI of any

violation of such laws, ordinances, rules or regulations, CAPERTON AND CCI shall immediately desist from and correct the violation.

**12. Governmental Powers; Immunity**

It is understood and agreed that by execution of this Agreement, the CITY does not waive or surrender any of its governmental powers or immunity.

**13. Entire Agreement**

This Agreement and the documents incorporated by reference in this Agreement set forth the entire understanding between the parties hereto regarding the subject matter hereof and may not be amended except by an instrument in writing signed by both parties.

**14. No Waiver**

Neither the failure nor delay by either party to exercise any right, remedy, power or privilege under the Agreement shall operate or be construed as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power or privilege, nor shall any waiver with respect to any occurrence be construed as a waiver with respect to any other occurrence. No waiver of any right, remedy, power or privilege under this Agreement will be effective unless in writing signed by the party to be charged thereby.

**15. Venue**

The venue of any challenge to the validity of this Agreement and/or dispute over the terms and payment of monies referenced in this Agreement shall be in Collin County, Texas.

**16. Review of Counsel**

The parties acknowledge that each party and its counsel, if any, have reviewed and revised this Agreement and that the normal rules of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or exhibits hereto.

**17. Amendments / Modifications / Extensions**

No extension, modification or amendment of this Agreement shall be binding upon a party hereto unless such extension, modification, or amendment is set forth in a written instrument, which is executed by an authorized representative and delivered on behalf of such party.

**18. Counterparts**

This Agreement may be executed in one or more counterparts and each counterpart shall, for all purposes, be deemed an original, but all such counterparts shall together constitute one and the same instrument.

**19. Warranty of Services**

CAPERTON AND CCI warrants that its services will be of a professional quality and conform to generally prevailing industry standards. CITY must give written notice of any breach of this warranty within thirty (30) days from the date that the services are completed. In such event, at CAPERTON AND CCI's option, CAPERTON AND CCI shall either (a) use commercially reasonable efforts to re-perform the services in a manner that conforms to the warranty, or (b) refund the fees paid by the CITY to CAPERTON AND CCI for the nonconforming services.

**20. Informal Dispute Resolution**

Except in the event of termination pursuant to Section 3, if either CITY or CAPERTON AND CCI has a claim, dispute, or other matter in question for breach of duty, obligations, services rendered or any warranty that arises under this Agreement, the parties shall first attempt to resolve the matter through this dispute resolution process. The disputing party shall notify the other party in writing as soon as practicable after discovering the claim, dispute, or breach. The notice shall state the nature of the dispute and list the party's specific reasons for such dispute. Within ten (10) business days of receipt of the notice, both parties shall commence the resolution process and make a good faith effort, either through email, mail, phone conference, in person meetings, or other reasonable means to resolve any claim, dispute, breach or other matter in question that may arise out of, or in connection with this Agreement. If the parties fail to resolve the dispute within sixty (60) days of the date of receipt of the notice of the dispute, then the parties may submit the matter to non-binding mediation in Collin County, Texas, upon written consent of authorized representatives of both parties in accordance with the Industry Arbitration Rules of the American Arbitration Association or other applicable rules governing mediation then in effect. The mediator shall be agreed to by the parties. Each party shall be liable for its own expenses, including attorney's fees; however, the parties shall share equally in the costs of the mediation. If the parties cannot resolve the dispute through mediation, then either party shall have the right to exercise any and all remedies available under law regarding the dispute. Notwithstanding the fact that the parties may be attempting to resolve a dispute in accordance with this informal dispute resolution process, the parties agree to continue without delay all of their respective duties and obligations under this Agreement not affected by the dispute. Either party may, before or during the exercise of the informal dispute resolution process set forth herein, apply to a court having jurisdiction for a temporary restraining order or preliminary injunction where such relief is necessary to protect its interests.

**21. Severability**

If any provision of this Agreement is held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

This Agreement may be signed in two or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized representatives as of the day and year first above written.

CAPERTON AND CCI

CITY OF LAVON, TEXAS

\_\_\_\_\_  
WES CAPERTON

\_\_\_\_\_  
VICKI SANSON, MAYOR

Attest:

Attest:

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

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

Name:

Name:

Title:

Title:

**Exhibit “A”**

**CCI**  
**Caperton Construction Inspections**

**LIST OF SERVICES FOR LAVON**

**Building Inspections** – Perform all necessary inspections for compliance to adopted construction codes including building, plumbing, gas, mechanical, electrical, energy and zoning codes. Inspections would be performed generally within one working day of the request.

**Plan Review** – Perform plan examination on plans submitted for residential or commercial construction within the City. Plans would be checked for compliance with adopted construction and zoning codes. Residential plan review would generally be completed within 2 days of receipt of complete construction drawings. Commercial plan review would generally be completed within 5 days of receipt of complete construction drawings.

**Administration** including code review, recommending local amendments to address local conditions, documentation, permit tracking, inspection tracking, codes and ordinance interpretations. **Note:** historically I have not, or plan to, charge for my time with administrative actions, questions, interpretations or conversations or meetings with contractors or the general public.

***Current Rate Structure***

***Building Inspections include:***

- Residential Plan Review
- Electrical T-Pole
- Plumbing Rough-in
- Foundation
- Framing
- Plumbing Top out
- Gas Piping and Test (when installed)
- Mechanical
- Electrical Rough-in
- Insulation/Energy
- Driveway/Flat work
- Permanent Electrical Meter Release
- Final/C.O.

Agreed upon total fee per new home ..... \$400.00.

This cost does not include Re-Inspections.

Other Inspections.....\$40.00 each inspection

Re-inspections

Fence

Water Heater Change out

Gas Test

Mechanical Change out (A/C unit)

Residential Additions

Accessory Buildings

In Ground Pools.....\$40.00 each inspection

Plan Review

Plumbing Rough-in (P-Trap)

Belly Steel

Electrical Grounding

Electrical Wiring to Pool Light

Deck Steel

Final

Residential Plan Review.....\$40.00 each residence

Commercial Plan Review.....\$50.00 per hour





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 – D**

**Item:**

Public Hearing and discussion regarding the request of the owner of certain property to voluntarily annex 57.075 acres in the Drury Anglin Survey, Abstract No. 2, Sheet 3, Tr 73 (Collin County CAD ID # 1249973), Collin County generally located south of the Bear Creek Addition and east of CR 483 and the annexation of the adjacent county road and right-of-way into the City of Lavon.

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion regarding the request

**Background:**

On June 18, 2018, the City received a request from landowner Bloomfield Homes LP Collier for the voluntary annexation of 57.075 acres of land adjacent to the city limits. The property is presently vacant and undeveloped. On July 17, 2018, the City Council approved a Municipal Services Agreement with the property owner which has been fully executed.

***Code Excerpt:***

**TEXAS LOCAL GOVERNMENT CODE**

**SUBCHAPTER C-3. ANNEXATION OF AREA ON REQUEST OF OWNERS:  
TIER 2 MUNICIPALITIES**

Sec. 43.067. APPLICABILITY. This subchapter applies only to a tier 2 municipality.

Sec. 43.0671. AUTHORITY TO ANNEX AREA ON REQUEST OF OWNERS.  
Notwithstanding Subchapter C-4 or C-5, a municipality may annex an area if each owner of land in the area requests the annexation.

Sec. 43.0672. WRITTEN AGREEMENT REGARDING SERVICES. (a) The governing body of the municipality that elects to annex an area under this subchapter must first negotiate and enter into a written agreement with the owners of land in the area for the provision of services in the area.

(b) The agreement must include:

- (1) a list of each service the municipality will provide on the effective date of the annexation; and
  - (2) a schedule that includes the period within which the municipality will provide each service that is not provided on the effective date of the annexation.
- (c) The municipality is not required to provide a service that is not included in the agreement.

Sec. 43.0673. PUBLIC HEARINGS. (a) Before a municipality may adopt an ordinance annexing an area under this section, the governing body of the municipality must conduct at least two public hearings.

(b) The hearings must be conducted not less than 10 business days apart.

(c) During the first public hearing, the governing body must provide persons interested in the annexation the opportunity to be heard. During the final public hearing, the governing body may adopt an ordinance annexing the area.

(d) The municipality must post notice of the hearings on the municipality's Internet website if the municipality has an Internet website and publish notice of the hearings in a newspaper of general circulation in the municipality and in the area proposed for annexation. The notice for each hearing must be published at least once on or after the 20th day but before the 10th day before the date of the hearing. The notice for each hearing must be posted on the municipality's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing.

Added by Acts 2017, 85th Leg., 1st C.S., Ch. 6 (S.B. 6), Sec. 26, eff. December 1, 2017.

Pursuant to Texas Local Government Code, Section 43.1055, the City will undertake the annexation of any county road that is adjacent to or abutting the property proposed for annexation.

On July 17, 2018, the City Council directed that public hearings be scheduled for regular meetings on August 7, 2018 and August 21, 2018. This is the first of two public hearings. No action is scheduled.

The annexation ordinance may be adopted after the second public hearing on August 21, 2018.

- Attachments:**
1. Annexation Timeline
  2. Location Exhibit
  3. Request for Voluntary Annexation

August 3, 2018

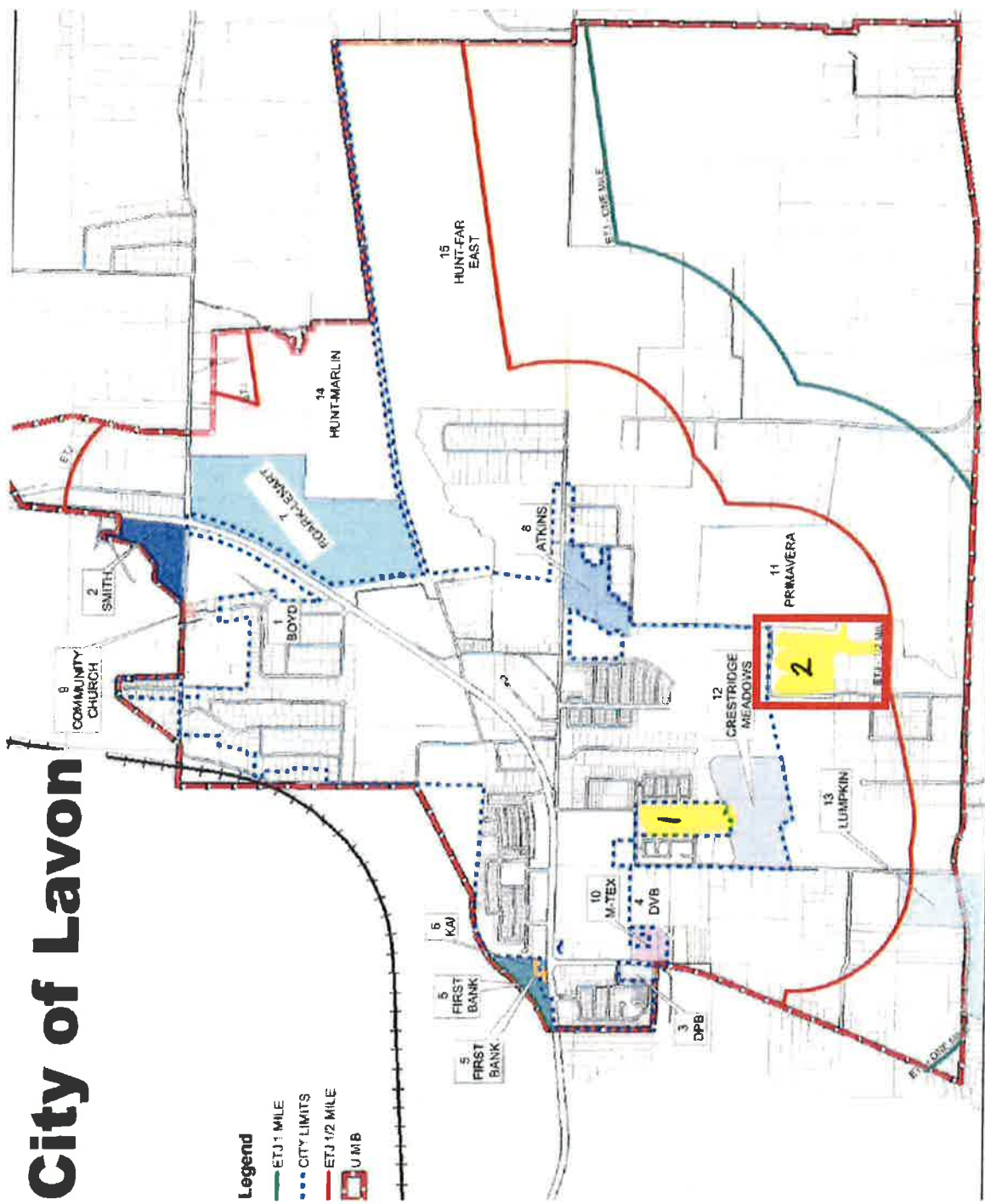


**City of Lavon, Texas**  
**57.075 acres**

**Tier 2 Municipality - Annexation of Area Exempt  
from the Annexation Plan Requirement  
including Annexation on Request of Area Landowners**

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- |        |  |
|--------|--|
| Jun 18 | Request for Annexation submitted by landowner to the City  |
| Jul 17 | Consider written service agreement   |
| Jul 17 | Resolution of the City Council regrading municipal services agreement and schedule public hearings. 8/7 and 8/21 (at least 10 business days apart) |
| Jul 20 | Send notice of public hearings to newspaper for publication 7/25 and 8/8 (no more than 20 or less than 10 days of hearing)                         |
| Jul 25 | Publish notice of first hearing. §43.0673 (d). Obtain required affidavit of publication from newspaper.  |
|        | Post notice of first public hearing on website. §43.0673(d).   |
|        | Send written notice to public school district in the area to be annexed. §43.905.  |
|        | Send written notice to Collin County, NVFD, EMS, BCSUD (§ 43.9051)   |
| Aug 3  | Post notice of first public hearing per Open Meetings Act.   |
| Aug 7  | Hold first public hearing. §43.063.  |
| Aug 8  | Publish notice of second hearing. §43.053. Obtain required affidavit of publication from newspaper.  |
|        | Post notice of second public hearing on website §43.063(c).  |
| Aug 17 | Post notice of second public hearing per Open Meetings Act.  |
| Aug 17 | Post notice of annexation ordinance consideration per Open Meetings Act.   |
| Aug 21 | Hold second public hearing. §43.063.   |
| Aug 21 | Consider Annexation Ordinance  |



**REQUEST FOR ANNEXATION**  
**BY AREA LANDOWNERS**

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF LAVON, TEXAS:

The undersigned owner(s) of the hereinafter described tract of land, which is vacant and without residents, hereby requests pursuant to Texas Local Government Code Section 43.0671 that your honorable Body extend the present city limits so as to include as part of the City of Lavon, Texas, the territory, described by metes and bounds in Exhibit A and depicted on the map in Exhibit B.

The owner(s) certify that the above described tract of land is contiguous and adjacent to the City of Lavon, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF Tarrant

BEFORE ME, the undersigned authority, on this day personally appeared Donald J. Dykstra, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



Given under my hand and seal of office, this 11th day of July, 2018.  
Morgan Hammonfree  
Notary Public in and for Tarrant County, Texas.

THE STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for \_\_\_\_\_ County, Texas.

THE STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for \_\_\_\_\_ County, Texas.

**EXHIBIT "A"**  
**Property Description and Depiction**

**BEING** a 57.075 Acre Tract of land situated in the D. Anglin Survey, Abstract Number 2, Collin County, Texas, and being all of a called 56.22 Acre Tract of land conveyed as "Tract One" to John Svenson, Traci Svenson, Orlin S. Svenson and Charles O. Svenson, in Volume 2651, Page 24; Volume 2651, Page 30; Volume 2651, Page 33 and Volume 2651, Page 36, Deed Records, Collin County, Texas. Said 57.075 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 5/8 inch iron rod with yellow plastic cap stamped "JACOBS" set for the Northeast corner of said 56.22 Acre Tract and the Southeast corner of a 92.296 Acre Tract of land conveyed as "Tract 1" to World Land Developers, LP, as recorded in County Clerk's file No. 20070913001271380, Official Public Records, Collin County, Texas;

**THENCE**, South 00 degrees 54 minutes 45 seconds West, along the East line of said 56.22 Acre Tract, a distance of 1637.22 feet to a point for a Southeast corner of said 56.22 Acre Tract, said point being on the North line of a 15.51 Acre Tract of land conveyed to James L. Brannon and Peggy m. Brannon, as recorded in County Clerk's file No. 20160919001247770, Official Public Records, Collin County, Texas, from which a 1/2 inch iron rod found for the Northeast corner of said 15.51 Acre Tract and a Southeast corner of the remainder of an 8.25 Acre Tract of land conveyed as "Second Tract" to W.W. Tollett, as recorded in Volume 105, page 280, Deed Records, Collin County, Texas bears South 89 degrees 02 minutes 07 seconds East, a distance of 174.02 feet;

**THENCE**, along the South line of said 56.22 Acre Tract and said North line of 15.51 Acre Tract, the following courses and distances:

North 89 degrees 02 minutes 07 seconds West, a distance of 240.24 feet to a 5/8 inch iron rod with plastic cap stamped "Boundary Sol" found for corner;

South 01 degrees 52 minutes 31 seconds West, a distance of 592.17 feet to a 1/2 inch iron rod found for corner;

North 87 degrees 36 minutes 12 seconds West, a distance of 363.54 feet to a 1/2 inch iron rod found for a Southwest corner of said 56.22 Acre Tract, said point being on the East line of East Hubbard Properties, an addition to Collin County, Texas, as recorded in Cabinet G, Page 22, Plat Records, Collin County, Texas;

**THENCE**, North 00 degrees 00 minutes 43 seconds East, along a West line of said 56.22 Acre Tract and said East line of East Hubbard Properties, a distance of 761.55 feet to a 1/2 inch iron rod found for the Northeast corner of said East Hubbard Properties;

**THENCE**, North 89 degrees 29 minutes 20 seconds West, along the South line of said 56.22 Acre Tract and the North line of said East Hubbard Properties, passing at a distance of 780.56 feet a 5/8 inch iron rod found for the Northwest corner of said East Hubbard Properties, continuing along said South line of said 56.22 Acre Tract, in all a total distance of 840.83 feet to a point for the Southwest corner of said 56.22 Acre Tract and the Southeast corner of a 90.00 Acre Tract of land conveyed as "Tract 1" to Roy Brian Webb and Andrea Kay Campbell, as recorded in Volume 4761, Page 200, Deed Records, Collin County, Texas, said point being on the North line of Lot 19, Block B of Meadow Creek Estates, an addition to Collin County, Texas, as recorded in Cabinet G, Page 485, Plat Records, Collin County, Texas and being on approximate West right-of-way line of County Road No. 483 (a variable width prescriptive right-of-way);

**THENCE**, North 00 degrees 32 minutes 30 seconds East, along the West line of said 56.22 Acre Tract, the East line of said 90.00 Acre Tract and said West right-of-way line of County Road No. 483, a distance of 1474.64 feet to a point for the Northwest corner of said 56.22 Acre Tract;

**THENCE**, South 88 degrees 40 minutes 46 seconds East, along the North line of said 56.22 Acre Tract, passing at a distance of 0.56 feet a 1/2 inch iron rod found for the Southwest corner of aforesaid 92.296 Acre Tract, continuing along said North line of 56.22 Acre Tract, the South line of said 92.296 Acre Tract and with the approximate centerline of aforesaid County Road No. 483, in all a total distance of 1475.98 feet to a the **POINT OF BEGINNING** and containing 57.075 acres land, more or less.





**City of Lavon, Texas - Resolution No. 2018**

"Exhibit B-1" - Map of Annexation Area - 57.075 Acres





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 – E**

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**Item:**

Public Hearing and discussion regarding the request of the owner of certain property to voluntarily annex 30.485 acres in the Drury Anglin Survey, Abstract No. 2, Sheet 3, Tr 84 (Collin County CAD ID # 1250096), Collin County generally located west of Traditions at Grand Heritage, east of Traditions at Grand Heritage West and south of Windmill Estates and the annexation of the adjacent road and right-of-way into the City of Lavon.

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion regarding the request

**Background:**

On June 18, 2018, the City received a request from landowner Bloomfield Homes LP Collier for the voluntary annexation of 30.485 acres of land adjacent to the city limits. The property is presently vacant and undeveloped. On July 17, 2018, the City Council approved a Municipal Services Agreement with the property owner which has been fully executed.

***Code Excerpt:***

**TEXAS LOCAL GOVERNMENT CODE**

**SUBCHAPTER C-3. ANNEXATION OF AREA ON REQUEST OF OWNERS:  
TIER 2 MUNICIPALITIES**

Sec. 43.067. APPLICABILITY. This subchapter applies only to a tier 2 municipality.

Sec. 43.0671. AUTHORITY TO ANNEX AREA ON REQUEST OF OWNERS.  
Notwithstanding Subchapter C-4 or C-5, a municipality may annex an area if each owner of land in the area requests the annexation.

Sec. 43.0672. WRITTEN AGREEMENT REGARDING SERVICES. (a) The governing body of the municipality that elects to annex an area under this subchapter must first

negotiate and enter into a written agreement with the owners of land in the area for the provision of services in the area.

(b) The agreement must include:

(1) a list of each service the municipality will provide on the effective date of the annexation; and

(2) a schedule that includes the period within which the municipality will provide each service that is not provided on the effective date of the annexation.

(c) The municipality is not required to provide a service that is not included in the agreement.

Sec. 43.0673. PUBLIC HEARINGS. (a) Before a municipality may adopt an ordinance annexing an area under this section, the governing body of the municipality must conduct at least two public hearings.

(b) The hearings must be conducted not less than 10 business days apart.

(c) During the first public hearing, the governing body must provide persons interested in the annexation the opportunity to be heard. During the final public hearing, the governing body may adopt an ordinance annexing the area.

(d) The municipality must post notice of the hearings on the municipality's Internet website if the municipality has an Internet website and publish notice of the hearings in a newspaper of general circulation in the municipality and in the area proposed for annexation. The notice for each hearing must be published at least once on or after the 20th day but before the 10th day before the date of the hearing. The notice for each hearing must be posted on the municipality's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing.

Added by Acts 2017, 85th Leg., 1st C.S., Ch. 6 (S.B. 6), Sec. 26, eff. December 1, 2017.

Pursuant to Texas Local Government Code, Section 43.1055, the City will undertake the annexation of any county road that is adjacent to or abutting the property proposed for annexation.

On July 17, 2018, the City Council directed that public hearings be scheduled for regular meetings on August 7, 2018 and August 21, 2018. This is the first of two public hearings. No action is scheduled.

The annexation ordinance may be adopted after the second public hearing on August 21, 2018.

**Attachments:**

1. Annexation Timeline
2. Location Exhibit
3. Request for Voluntary Annexation

August 3, 2018

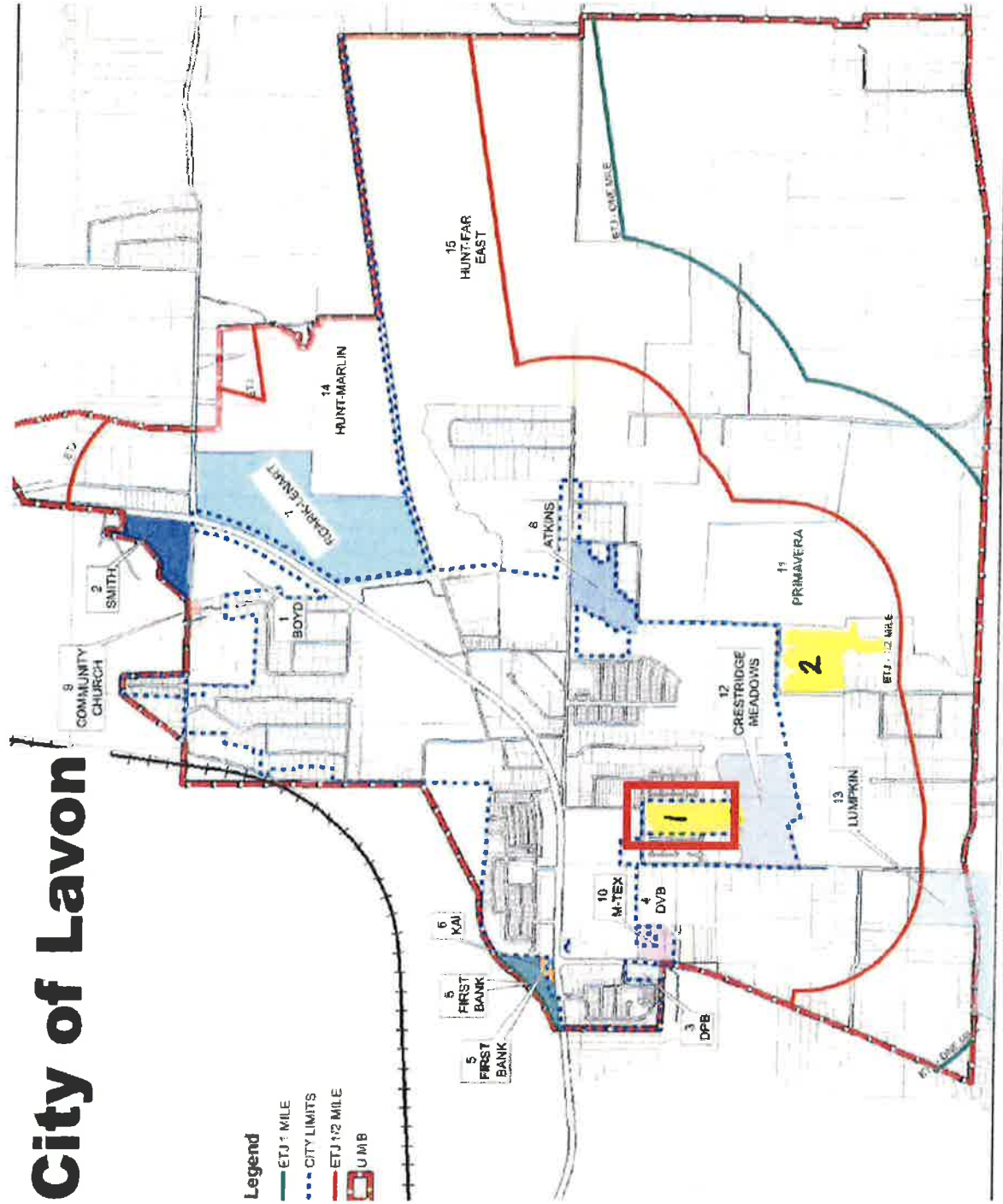


**City of Lavon, Texas**  
**30.485 acres**

**Tier 2 Municipality - Annexation of Area Exempt  
from the Annexation Plan Requirement  
including Annexation on Request of Area Landowners**

---

Jun 19	Request for Annexation submitted by landowner to the City
Jul 17	Consider written service agreement
Jul 17	Resolution of the City Council regrading municipal services agreement and schedule public hearings. 8/7 and 8/21 (at least 10 business days apart)
Jul 20	Send notice of public hearings to newspaper for publication 7/25 and 8/8 (no more than 20 or less than 10 days of hearing)
Jul 25	Publish notice of first hearing. §43.0673 (d). Obtain required affidavit of publication from newspaper.  Post notice of first public hearing on website. §43.0673(d).  Send written notice to public school district in the area to be annexed. §43.905.  Send written notice to Collin County, NVFD, EMS, BCSUD (§ 43.9051)
Aug 3	Post notice of first public hearing per Open Meetings Act.
Aug 7	Hold first public hearing. §43.063.
Aug 8	Publish notice of second hearing. §43.053. Obtain required affidavit of publication from newspaper.  Post notice of second public hearing on website §43.063(c).
Aug 17	Post notice of second public hearing per Open Meetings Act.
Aug 17	Post notice of annexation ordinance consideration per Open Meetings Act.
Aug 21	Hold second public hearing. §43.063.
Aug 21	Consider Annexation Ordinance



**REQUEST FOR ANNEXATION**  
**BY AREA LANDOWNERS**

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF LAVON, TEXAS:

The undersigned owner of the hereinafter described tract of land, which is vacant and without residents, hereby requests pursuant to Texas Local Government Code Section 43.0671 that your honorable Body extend the present city limits so as to include as part of the City of Lavon, Texas, the territory, described by metes and bounds in Exhibit A and depicted on the map in Exhibit B.

The owner certifies that the above described tract of land is contiguous and adjacent to the City of Lavon, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in the land.

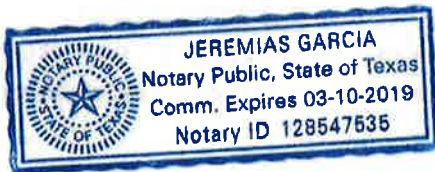
Bloomfield Homes, L.P.  
A Texas Limited Partnership  
By: Bloomfield Properties, Inc.,  
Texas Corporation, General Partner

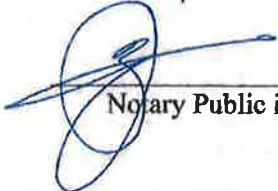
Signed:   
Stephen J. Corradi, Attorney in Fact

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF TARRANT   §

BEFORE ME, the undersigned authority, on this day personally appeared Stephen J Corradi, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 10 day of July, 2018.



  
\_\_\_\_\_  
Notary Public in and for the state of Texas

**EXHIBIT "A"**  
**FIELD NOTE DESCRIPTION OF AREA**

**BEING** a 30.485 acre tract of land situated in the Drury Anglin Survey, Abstract No. 2, Collin County, Texas, and being a parcel or tract of land described to Cape Cod Bank & Trust Company in deed recorded in Volume 2651, Page 27 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod with red cap stamped "USA INC" found for corner, said rod being the Northeast corner of Traditions At Grand Heritage West an addition to the City of Lavon, as recorded in Volume 2017, Page 900 of the Deed Records of Collins County, Texas, said point being a dedicated right-of-way for County Road F.M. 484;

**THENCE** North 00 degrees 47 minutes 17 seconds East a distance of 30.16 feet to a point for corner, said point being in the approximate centerline of said County Road F. M. 484, (currently a variable-width prescriptive-by-use public right-of-way);

**THENCE** South 89 degrees 22 minutes 38 seconds East, along the approximate centerline of County Road F. M. 484, a distance of 555.40 feet to a 1/2 inch iron rod with red cap stamped "USA INC." found for corner, said point being a point for the Southerly right-of-way line for Windmill Drive (50 foot right-of-way);

**THENCE** South 89 degrees 00 minutes 06 seconds East, along said Southerly right-of-way line of Windmill Drive a distance of 131.60 feet to a 1/2 inch iron rod with red cap stamped "USA INC" found for corner, said point being the Northwest corner of Traditions At Grand Heritage an addition to the City of Lavon, as recorded in Volume 2016, Page 689, of the Deed Records of Collins County, Texas;

**THENCE** South 00 degrees 47 minutes 17 seconds West departing the Southerly right-of-way line of said Windmill Drive, and along the Easterly line of said Cape Cod tract, and along the Westerly line of said Traditions At Grand Heritage, and passing a 1/2 inch iron rod with red cap stamped "USA INC" at a distance of 1,279.93 feet found for the Northwest corner of an H.O.A., P.A.E.D.E., S.S.E. & W.E tract, and passing a distance of 197.64 a 1/2 inch iron rod with red cap stamped "USA INC" for the Northwest corner of a tract of land described in deed to City of Lavon Collins County, Texas as recorded in Document Number 20060725001041390 of the Official Public Records, Collins County, Texas, for a total distance of 1,832.19 feet to a point for corner, said point being the Southeast corner of said Cape Cod tract and the Northerly line of a tract of and described in deed to John David Sanders as recorded in Volume 4589, Page 1490 of the Deed Records, Collins County, Texas, said point also being along the approximate centerline of Bear Creek;

**THENCE** South 74 degrees 24 minutes 58 seconds West along said approximate centerline of Bear Creek and the Northerly line of said Sanders tract and the Southerly line of said Cape Cod tract a distance of 716.06 feet to a point for corner, said point being in the Southwest corner of said Cape Cod tract and the Southeast line of a tract of land described in deed to Bear Creek

Windmill LP as recorded in Volume 5467, Page 695 of the Deed Records, Collins County, Texas;

**THENCE** North 00 degrees 47 minutes 17 seconds East passing a 1/2 inch iron rod with red cap stamped "USA INC" at a distance of 745.11 for the Southeast corner of said Traditions At Grand Heritage West said point being the Northeast corner of said Bear Creek Windmill LP tract and being along the Westerly line of said Cape Cod tract and being along the Easterly line of said Traditions At Grand Heritage West tract for a total distance of 2,002.75 feet to the **POINT OF BEGINNING** and containing 1,327,916 square feet or 30.485 acres of land, more or less.





City of Lavon, Texas - Resolution No. 2018 - Exhibit "B-1" - Map of Annexation Area - 30.485 Acres  
Write a description for your map.

Google Earth





## CITY OF LAVON CITY COUNCIL Agenda Brief

**MEETING:** August 7, 2018

**ITEM:** 8 – F

**Item:**

Public hearing, discussion and action regarding the application of Bloomfield Homes, LP for a zoning change from Temporary Agricultural (A) to Planned Development–Single Family (PD-SF) zoning district for 111 lots on 30.485 acres situated in the Drury Anglin Survey, Abstract No. 2 described as Cape Cod Bank and Trust Company in Deed recorded in Vol. 2651, pg. 27, Collin County, TX, (CCAD ID# 1250096) situated west of Traditions at Grand Heritage, east of Traditions at Grand Heritage West, and south of Windmill Estates, Lavon, TX and accompanying ordinance..

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion and action regarding the request.

**Background:**

**Application Information**

**Owner(s):** Bloomfield Homes, LP

**Applicant:** Mike Gavin.

**Location:** West of Traditions at Grand Heritage (GH), east of Traditions at GH West and South of Windmill Estates

**Description:** Drury Anglin Survey, Abstract No. 2, CCAD property ID 1250096  
Collin County, Texas (30.485 acres combined)

**Current Zoning:** Pending annexation, the property will be Temporary Agricultural

**Request:** Planned Development - Single Family (PD-SF) Residential

**Request Details**

The property owner requested annexation by the City of Lavon and the City Council called for public hearings to be set regarding the proposed annexation on August 7, 2018 and August 21, 2018. In conjunction with the annexation, the property owner has requested zoning to be processed concurrently. The Planning and Zoning Commission may conduct hearings, establish

findings and make recommendations regarding a zoning request related to property that has not yet been annexed. If the Zoning Case proceeds with a recommendation to the City Council, the case will be considered by the City Council on August 21, 2018 after annexation has been decided.

The applicant/owner developed the properties directly east and west of the subject property and has indicated a desire to develop the proposed development similarly. Both Traditions at GH and Traditions at GH West contain roads that were intentionally stubbed out to provide cross access to the proposed development. The property will not be a part of the Grand Heritage Public Improvement District or Tax Reinvestment Zone (TIF). The property owner has indicated a desire to join into the GH Homeowners Association and develop the property in keeping with the standards of the existing adjacent GH properties.

At the July 17, 2018 City Council meeting a representative of Bloomfield Homes stated that the owner hoped to be able to preserve a buffer of the existing trees on the eastern and western boundaries of the property.

***Zoning:*** A concept plan and development standards were submitted and have been reviewed. The applicant's engineer has worked with the City staff and engineer to address all review notes.

***Floodplain:*** The property that is subject of the request will not encroach into or reclaim existing floodplain.

***Road Connection:*** All road frontage for access is on CR 484 (Geren) and with internal connector streets. The location of the entry drive is one outstanding item. Installation of storm drainage facilities may serve to improve area drainage conditions.

#### **Staff Notes**

The requisite public hearing notice was published and posted, zoning change signs placed and seventy-two (72) neighbor notices were mailed to owners of property located within 200 feet of the applicant's property. Five (5) notices have been returned in opposition to the request.

#### ***Planning and Zoning Commission Action:***

**MOTION: RECOMMEND APPROVAL OF THE APPLICATION OF BLOOMFIELD HOMES, LP FOR A ZONING CHANGE FROM TEMPORARY AGRICULTURAL (A) TO PLANNED DEVELOPMENT-SINGLE FAMILY (PD-SF) ZONING DISTRICT FOR 111 LOTS ON 30.485 ACRES SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2 DESCRIBED AS CAPE COD BANK AND TRUST COMPANY IN DEED RECORDED IN VOL. 2651, PG. 27, COLLIN COUNTY, TX, (CCAD PROPERTY ID 1250096) SITUATED WEST OF TRADITIONS AT GRAND HERITAGE, EAST OF TRADITIONS AT GRAND HERITAGE WEST, AND SOUTH OF WINDMILL ESTATES, LAVON, TX.**

**MOTION MADE:** NABORS

**SECONDED:** TIEGS

**APPROVED:** UNANIMOUS (Absent ORMSBY)

- Attachments:**
1. Application
  2. Location Exhibits
  3. Review Notes and Correspondence
  4. Neighbor Notice and Database
  5. Neighbor Responses

August 3, 2018



# City of Lavon

## Planning and Zoning Commission

P.O. Box 340 120 School Rd.  
Lavon, TX 75166  
(972) 843-4220  
[www.cityoflavon.com](http://www.cityoflavon.com)

July 27, 2018

Honorable Mayor and City Council  
City of Lavon  
P.O. Box 340  
Lavon, TX 75166

RE: Application for Zoning Change – Traditions Phase 2

Dear Mayor Sanson and Members of the City Council,

At the July 24, 2018 Planning and Zoning Commission Meeting, the Planning and Zoning Commission conducted a public hearing, considered and voted unanimously as shown below.

Public hearing, discussion and action regarding the application of Bloomfield Homes, LP for a zoning change from Temporary Agricultural (A) to Planned Development–Single Family (PD-SF) zoning district for 111 lots on 30.485 acres situated in the Drury Anglin Survey, Abstract No. 2 described as Cape Cod Bank and Trust Company in Deed recorded in Vol. 2651, pg. 27, Collin County, TX, (CCAD Property ID 1250096) situated west of Traditions at Grand Heritage, east of Traditions at Grand Heritage West, and south of Windmill Estates, Lavon, TX.

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion and action regarding the request.

**MOTION: RECOMMEND APPROVAL OF THE APPLICATION OF BLOOMFIELD HOMES, LP FOR A ZONING CHANGE FROM TEMPORARY AGRICULTURAL (A) TO PLANNED DEVELOPMENT–SINGLE FAMILY (PD-SF) ZONING DISTRICT FOR 111 LOTS ON 30.485 ACRES SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2 DESCRIBED AS CAPE COD BANK AND TRUST COMPANY IN DEED RECORDED IN VOL. 2651, PG. 27, COLLIN COUNTY, TX, (CCAD PROPERTY ID 1250096) SITUATED WEST OF TRADITIONS AT GRAND HERITAGE, EAST OF TRADITIONS AT GRAND HERITAGE WEST, AND SOUTH OF WINDMILL ESTATES, LAVON, TX.**

**MOTION MADE: NABORS**

**SECONDED: TIEGS**

**APPROVED: UNANIMOUS (Absent ORMSBY)**

Respectfully submitted,

*David Rosenquist*

Chairman  
Planning and Zoning Commission



Timothy M. Stewart  
Vice President  
Bloomfield Properties  
General Partner

## CITY OF LAVON

120 School Road P.O. Box 340

Lavon, TX 75166

Phone (972) 843-4220 Fax (972) 843-0397

leann.mcclendon@cityoflavon.org

### Request for a Change in Zoning

Fee: \$300.00 plus \$10.00 per acre on a tract of land

**30.485 Acres x \$10 plus \$300 = \$604.85**

**Bloomfield Homes, LP**

**June 13, 2018**

Applicants Name

**Mike Gavin**

Date

**817-416-1572**

Representative or Agent

**1050 East Highway 114, Suite 210**

Phone Number

**Southlake, Texas 76092**

Street

City, State, Zip

**South of Intersection of Geren Road and Windmill Drive**

Location of Property

**30.485 Acres situated in the Drury Anglin Survey,**

**Abstract No. 2 described as the Cape Cod Bank and Trust**

**Agriculture**

**Company in Deed recorded in Vol. 2651, Pg. 27**

**Collin County, Texas**

Legal Description of Property

Current Zoning

Check which zoning category you wish to change to:

Lot Size: ☐ 1/2 acre or more

☐ 3/4 acre or more

☐ 1 acre or more

**X -Planned Development District**


**RECEIVED**

**JUN 19 2018**

**CITY OF LAVON**



Timothy M. Stewart  
Vice President  
Bloomfield Properties, Inc.  
General Partner

Signature of Applicant : 

\* Cost shall include: Actual cost to City plus a 10% administrative fee. These fees are in addition to required permit fee.

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**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 Fax (972) 843-0396


---

**Authorization of Representation**

Date: 6-14-18

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that ~~I~~ we, Bloomfield Homes, L.P.,  
~~am~~/are the owner(s) of record of the property described in the attached survey  
documentation, submitted with this form, and do hereby authorize  
\_\_\_\_\_ 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)



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The State of Texas  
County of Tarrant  
Timothy M. Stewart  
Vice President  
Bloomfield Properties, Inc.  
General Partner

Timothy M. Stewart  
Vice President  
Bloomfield Properties, Inc.  
General Partner

Before me, the undersigned authority, appeared \_\_\_\_\_,

on this the 14<sup>th</sup> day of June, 2018.



(notary seal)

Notary Public in and for Tarrant County, Texas

## CITY OF LAVON

120 School Road P.O. Box 340  
Lavon, TX 75166

Phone (972) 843-4220 Fax (972) 843-0397  
leann.mcclendon@cityoflavon.org

## Declaration of Ownership

Date: June 13, 2018

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that **Bloomfield Homes, LP** is the owner 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.





Timothy M. Stewart  
Vice President  
Bloomfield Properties, Inc.  
General Partner

Signature (Owner)

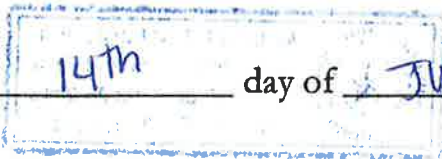
**Timothy M. Stewart**  
**Vice President**  
**Bloomfield Properties, Inc.**  
**General Partner**

The State of Texas

County of Tarrant

Before me, the undersigned authority, appeared \_\_\_\_\_,

on this the 14th day of June, 2018.



(notary seal)

Notary Public in and for Tarrant County, Texas





LOCATION MAP  
CITY OF LUFKIN



SIZE "A" LOTS



SIZE "B" LOTS



SIZE "C" LOTS

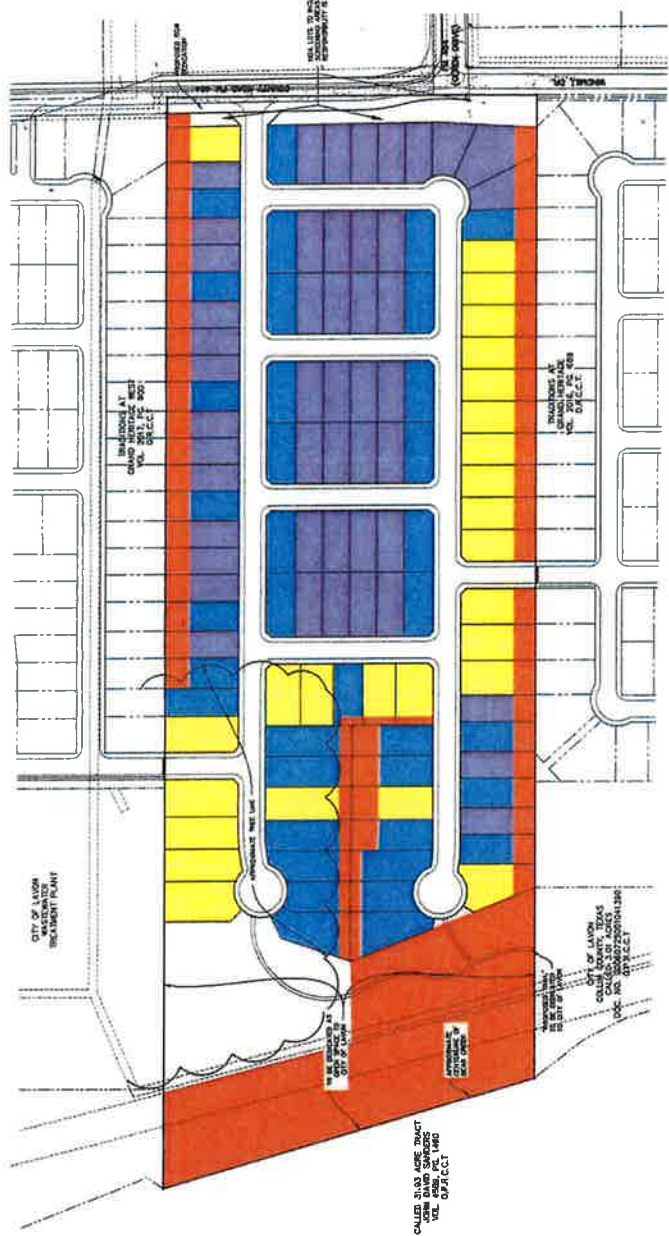


PROPOSED TREE PRESERVATION AREA

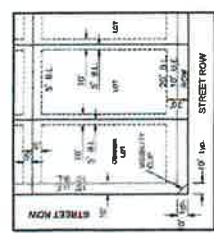


INFORMATIONAL NOTE:

1. LOT SIZE TYPES ARE SHOWN FOR APPROXIMATE OVERALL PERCENTAGES. EACH LOT TYPE SHALL BE COMPLETED WITH THE APPROVAL OF THE FINAL PLAT AND CONSTRUCTION PLANS.
2. THE PROPOSED TREE PRESERVATION AREAS ARE SHOWN WHERE IT IS CONTEMPLATED TO MAKE REASONABLE EFFORTS TO PRESERVE EXISTING TREES OF VALUE.



CALL 3143 ACRES TRACT  
CITY OF LUFKIN, TEXAS  
VOL. 0082, P. 100  
DATE 01/18/00



NOTE: PLOT IS ASSUMED TO BE PLACED ON LOT LINE  
ALL LOT LINES TO BE SHOWN AT CORNER LOT LINE  
ALL LOT LINES TO BE SHOWN AT CORNER LOT LINE  
AT WALL, MAINTAINANCE LINE OUTSIDE

NOTE:

THIS CONCEPT PLAN IS EXHIBIT "C" MADE A PART OF THE  
WHICH PLANNED DEVELOPMENT. ALL LOTS WILL BE  
COMPLETED WITH APPROVAL OF THE FINAL PLAT AND  
CONSTRUCTION PLANS.

OWNER / DEVELOPER:  
BLOOMFIELD HOMES, LP  
SANTA ANA, TEXAS 76072  
(817) 445-1572

ENGINEER & ARCHITECT:

USA PROFESSIONAL SERVICES GROUP, INC.  
THE ENGINEERS, ARCHITECTS, PLANNERS, AND LANDSCAPE ARCHITECTS  
FOR THE CITY OF LUFKIN, TEXAS  
TEXAS BOARD OF LAND SURVEYORS - REGISTERED FROM 1979-80  
1035 ALBERTA (214) 531-3300

PLANNED DEVELOPMENT  
EXHIBIT "C"  
CONCEPT PLAN  
TRADITIONS AT GRAND HERITAGE  
PHASE 2

88840 30.45 ACRES OF LAND SITUATED IN THE  
CITY OF LAFAYETTE, TEXAS  
VOLUME 250, PAGE 27 D.E.C.C.T.

111 RESIDENTIAL LOTS 2 OPEN SPACE (HOA)  
JULY 2018

## **PD- Planned Development District No. \_\_\_\_\_**

### **AKA - Traditions at Grand Heritage Phase 2 City of Lavon, Texas**

#### **I. GENERAL PURPOSE AND DESCRIPTION**

This Planned Development District ("PD") will allow for the development of a Single Family Subdivision that is similar in nature to that of the existing subdivisions directly adjacent to the east and west of subject property, being the Traditions at Grand Heritage and the Traditions at Grand Heritage West, respectively. The purpose of the PD is to allow for a mix of lot sizes, home sizes and styles. The Final Plat shall provide for land dedication to the City of Lavon on the south side of the property below the single family platted lots. Screening, landscape and becoming a part of the Grand Heritage Homeowners Association will be a part of this PD.

#### **II. PROPERTY DESCRIPTION**

This approximate 30.485 acre tract of land (the "Property") is located generally south of the intersection of Geren Road and Windmill Drive, between the Traditions at Grand Heritage and the Traditions at Grand Heritage West, as shown on the Location Map attached hereto, as **Exhibit "A"** and more particularly described by metes and bounds, attached hereto as **Exhibit "B"**.

#### **III. CONCEPT PLAN**

The Concept Plan attached as **Exhibit "C"** (as amended, the "Concept Plan") illustrates the general lot sizes, street/block layouts and City of Lavon land dedication. The City Manager or his/her designee may approve changes to the Concept Plan that do not alter the uses permitted or increase the density permitted by this PD, and that otherwise generally comply with all applicable zoning regulations.

#### **IV. DEVELOPMENT STANDARDS**

**A)** The design and development of the Property shall generally comply with the Concept Plan attached hereto as Exhibit "C" and the standards of this Planned Development Ordinance. The maximum number of single family lots contained within the PD metes and bounds will not exceed 115 lots.

There shall be three (3) single family residential lot sizes as follows: Sizes "A", "B" and "C". The general location of each of the lot sizes are shown on the Concept Plan, attached hereto as **Exhibit "C"**. The final lot size and location of each lot shall be determined as shown on the Final Plat.

The standards set forth below shall be the exclusive lot sizes, setbacks, building heights, lot coverages, and dwelling unit size regulations for the single family detached residential products within this development. Lot coverage shall be measured as the building slab footprint, roof eaves and all other minor ordinary building projections are excluded.

Fences, landscaping, retaining walls, lighting, HVAC units, utility meters, pedestals and other utility-related equipment may be located in the side yard.

### **1. SIZE "A" SINGLE FAMILY RESIDENTIAL LOT DEVELOPMENT STANDARDS**

Minimum Lot Width at Front Building Line = 60 feet

Minimum Lot Frontage at ROW = 30 feet

Minimum Lot Depth on Lot Perpendicular to Street = 105 feet

Minimum Lot Depth at Centerline of the Lot on Elbows/Curves = 95 feet

Minimum Gross Lot Area = 6,300 square feet

Minimum Front Yard Setback = 20 feet

Minimum Interior Side Yard = 5 feet

Minimum Side Yard on Corner Lot Adjacent to a Street ROW = 10 feet

Minimum Rear Yard Setback = 5 feet

Maximum Lot Coverage = Sixty Percent (60%)

Maximum Height = Thirty Five Feet (35') or 2 ½ Stories

Minimum Dwelling Unit Size = 1,500 air conditioned square feet

Porches, bay windows, awnings, balconies, masonry clad chimneys, or other such architectural features may encroach into the front yard setback no more than six feet (6') towards the adjacent Street ROW.

Front entry, enclosed two car garage shall be permitted on all Lots. Face of Garage Door to be a minimum of twenty feet (20') from ROW.

Minimum Percentage of Size "A" Lots = 15%

## **2. SIZE "B" SINGLE FAMILY RESIDENTIAL LOT DEVELOPMENT STANDARDS**

Lot Widths at Front Building Line = 51 feet to 59'  
Minimum Lot Frontage at ROW = 30 feet  
Minimum Lot Depth on Lot Perpendicular to Street = 105 feet  
Minimum Lot Depth at Centerline of the Lot on Elbows/Curves = 95 feet  
Minimum Gross Lot Area = 5,750 square feet  
Minimum Front Yard Setback Measured from the Street ROW = 20 feet  
Minimum Interior Side Yard = 5 feet  
Minimum Side Yard on Corner Lot Adjacent to a Street ROW = 10 feet  
Minimum Rear Yard Setback = 5 feet  
Maximum Lot Coverage = Sixty Percent (60%)  
Maximum Height = Thirty Five Feet (35') or 2-1/2 Stories  
Minimum Dwelling Unit Size = 1,500 air conditioned square feet  
Porches, bay windows, balconies, masonry clad chimneys, or other such architectural features may encroach into the front yard setback no more than six feet (6') towards the adjacent Street ROW.  
Front entry, enclosed two car garage shall be permitted on all Lots. Face of Garage Door to be a minimum of twenty feet (20') from ROW.  
Minimum Percentage of Size "B" Lots = 15%

## **3. SIZE "C" SINGLE FAMILY RESIDENTIAL LOT DEVELOPMENT STANDARDS**

Minimum Lot Width at Front Building Line = 50 feet  
Minimum Lot Frontage at ROW = 30 feet  
Minimum Lot Depth on Lot Perpendicular to Street = 105 feet  
Minimum Lot Depth at Centerline of Lot on Elbows/Curves = 95 feet  
Minimum Gross Lot Area = 5,250 square feet  
Minimum Front Yard Setback Measured from the Street ROW = 20 feet  
Minimum Interior Side Yard = 5 feet  
Minimum Side Yard on Corner Lot Adjacent to a Street ROW = 10 feet  
Minimum Rear Yard Setback = 5 feet  
Maximum Lot Coverage = Sixty Percent (60%)  
Maximum Height = Thirty Five Feet (35') or 2-1/2 stories  
Minimum Dwelling Unit Size = 1,500 air conditioned square feet  
Porches, bay windows, balconies, masonry clad chimneys, or other such architectural features may encroach into the front yard setback no more than six feet (6') towards the adjacent Street ROW.  
Front entry, enclosed two car garage shall be permitted on all Lots. Face of Garage Door to be a minimum of twenty feet (20') from ROW.  
Minimum Percentage of Size "C" Lots = 60%

**B) House Elevations** – The same home plan elevation shall not be repeated more frequently than every fourth lot on the same side of the street.

**C) Sidewalks** – The homebuilder will build sidewalks per the City of Lavon standards. The developer will build sidewalk along CR484 and along the frontage of any HOA lot within the addition per the City of Lavon standards.

**D) Residential Street Offsets** – The minimum distance from the centerline of an existing residential street to the centerline of a proposed residential street shall not be less than one hundred (100') feet.

**E) Screening, Landscaping along CR484** – A six (6') foot wooden fence with columns similar to the existing treatments completed on the adjacent subdivisions along with similar landscaping will be installed. HOA will maintain.

**F) Clearing** – Due to the natural ponding, overgrowth, topography and the amount of dead, fallen and root rotted trees on the property, the majority of all trees within the property shall be removed and disposed of by chipping or haul off. We have shown contemplated tree preservation areas on the Concept Plan where reasonable efforts will be utilized on trees of value.

**G) Residential Lot Landscaping** – The builder shall make available to each residential lot six (6) three gallon shrubs and six (6) one gallon shrubs in the front yard. Two trees, being three inch caliper, measured twelve inches from final grade shall be planted in the front yard. In addition, prior to the issuance of a certificate of occupancy, the entire front, side and rear yards will be sodded and irrigated as an upgraded addition.

**H) City of Lavon Land Dedication** - As generally depicted on the Concept Plan, the area south of the proposed lots for development shall be dedicated by Final Plat to the City of Lavon as open space with no improvements required to be installed by the developer other than a trail that will extend across the property as generally shown on the Concept Plan. The width and type of trail material will be approved with the final plat and construction plans.

## **V. RESIDENTIAL EXTERIOR BUILDING MATERIALS**

**A. Residential Structures.** Exterior construction materials for residential structures, (excluding accessory structures), shall consist of seventy-five percent (75%) brick, stone, or stucco on vertical surfaces, excluding windows, doors and other normal openings. Use of cementitious fiberboard is limited to the back and side elevations and architectural features that are not intended for occupancy on any elevation. (soffits)

**B. Chimneys.** Construction materials for a chimney built on the exterior wall shall

consist of 100% masonry. Construction materials for all other chimneys shall consist of cementitious fiberboard or equivalent

**C. Roofs.** Residential structures shall have a minimum 6:12 roof pitch. Roofs shall be constructed of composition shingles, tile or slate.

**D.** Community Mailboxes as required by the United States Postal Service shall be used.

## **VI. HOMEOWNERS ASSOCIATION (HOA)**

A Homeowners Association (HOA) shall be established or the property shall be annexed into the existing Grand Heritage HOA to maintain all private common open space areas within the Property. The HOA shall be established prior to the issuance of any residential building permits. A copy of the documents establishing or annexing the HOA shall be submitted to the City.

## **VII. RECORDATION OF PLANNED DEVELOPMENTS**

All Planned Development Districts approved in accordance with the provisions of the City Planned Development Ordinance shall be referenced on the City Zoning District Map, and a list of such Planned Development Districts, together with uses permitted therein, shall be maintained by the City.

This is a detailed plat map of a portion of the City of Providence, Rhode Island. The map shows a grid of lots, with street names and lot numbers clearly marked. A red rectangular highlight is placed on a specific lot, likely indicating the subject of the legal case. The map includes various features such as streets, lot boundaries, and a highlighted area.

**Streets and Roads:**

- MAIN (top horizontal street)
- ALANIS AVENUE (top left horizontal street)
- STUDENT STREET (top center horizontal street)
- PROVIDENCE AVENUE (bottom horizontal street)
- WATER STREET (left vertical street)
- WILKINSON STREET (right vertical street)
- WATER STREET (bottom left vertical street)
- WILKINSON STREET (bottom right vertical street)

**Lot Numbers and Identifiers:**

- Top row of lots: 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600.
- Bottom row of lots: 10332, 10336, 10339, 10446, 10482, 10526, 10572, 10628, 10675, 10690, 10735, 10736, 10737, 10738, 10739, 10740, 10741, 10742, 10743, 10744, 10745, 10746, 10747, 10748, 10749, 10750, 10751, 10752, 10753, 10754, 10755, 10756, 10757, 10758, 10759, 10760, 10761, 10762, 10763, 10764, 10765, 10766, 10767, 10768, 10769, 10770, 10771, 10772, 10773, 10774, 10775, 10776, 10777, 10778, 10779, 10780, 10781, 10782, 10783, 10784, 10785, 10786, 10787, 10788, 10789, 10790, 10791, 10792, 10793, 10794, 10795, 10796, 10797, 10798, 10799, 10800.

**Highlighted Area:**

A red rectangular highlight is placed on a lot in the center of the map, specifically on the lot numbered 533. This lot is located between Student Street and Water Street, and between Wilkinson Street and Water Street.



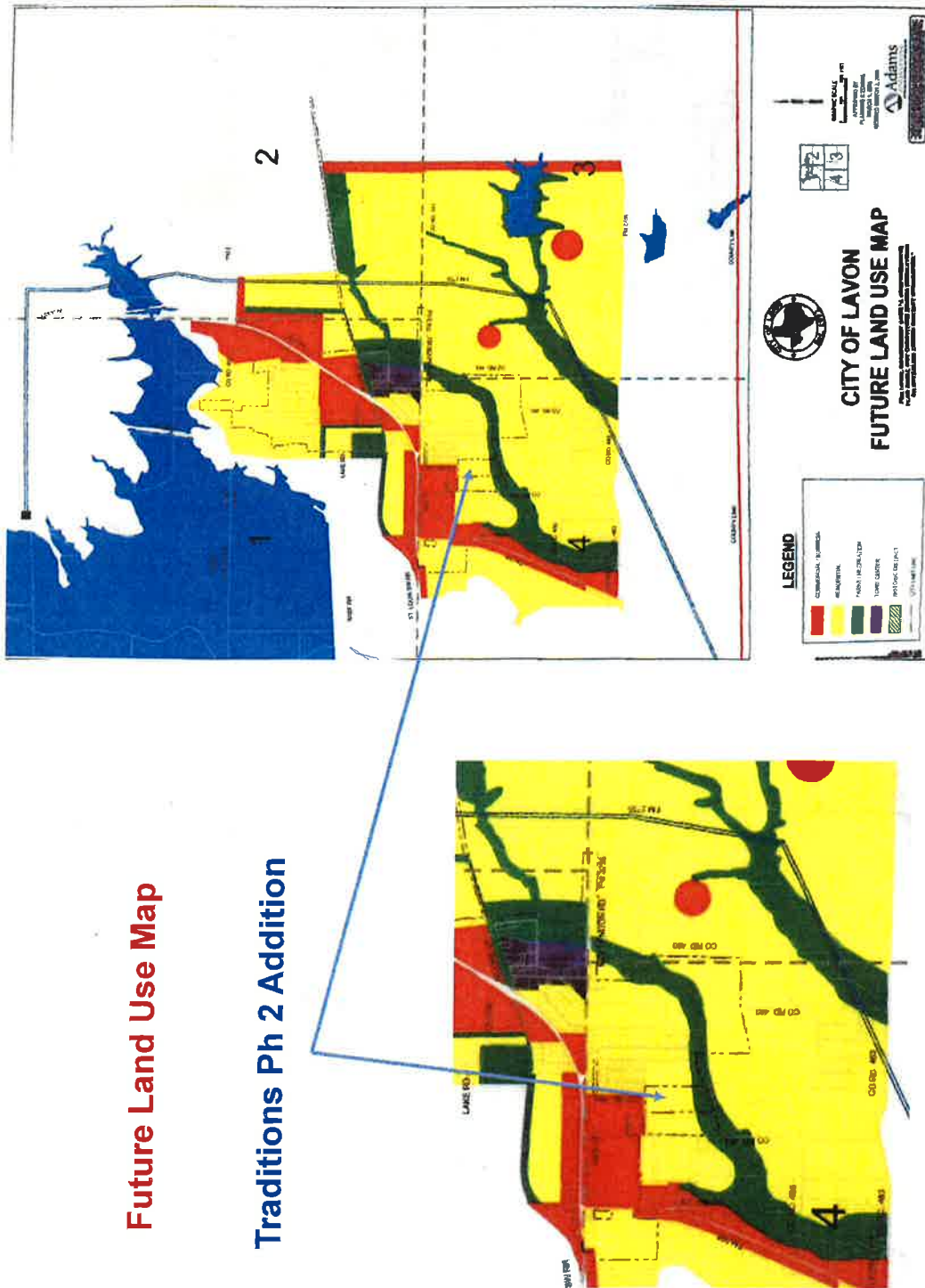
**Traditions Ph 2 – Location Exhibit**





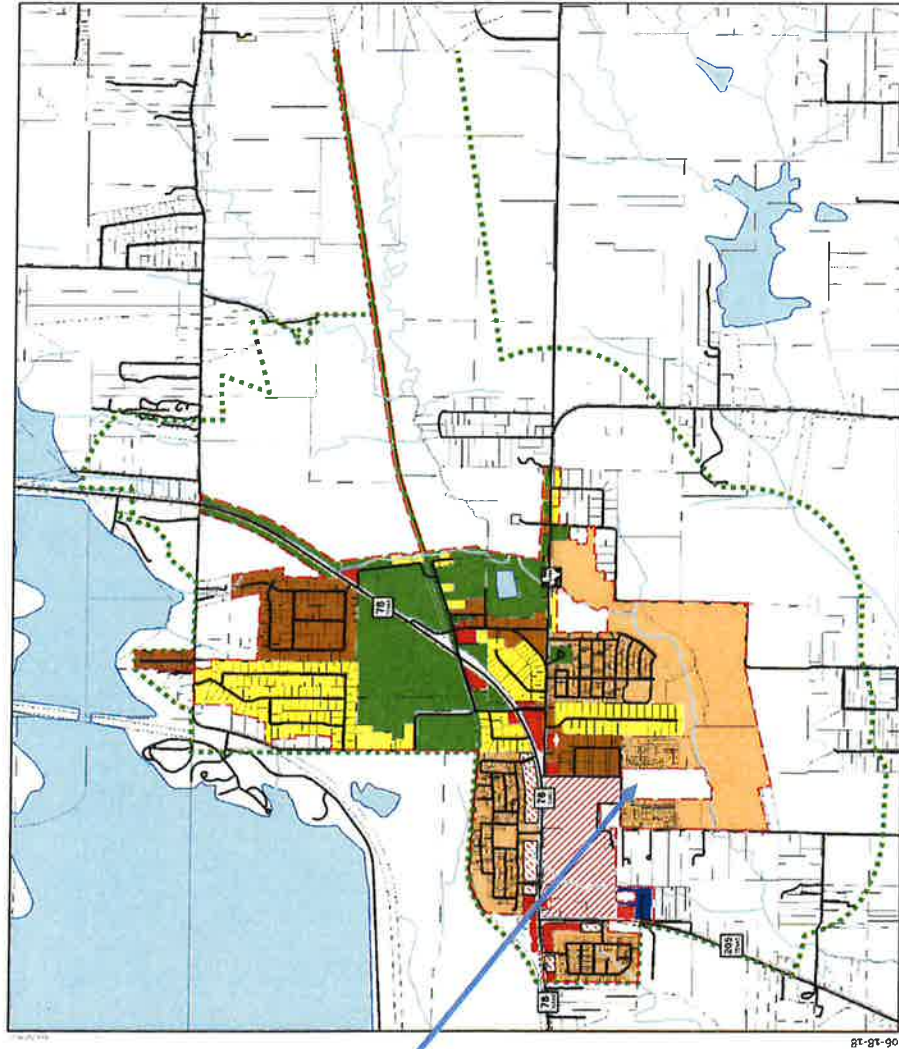
# Future Land Use Map

## Traditions Ph 2 Addition



# Zoning Map

## Traditions Ph 2 Addition



**ZONING MAP**  
Ordinance No. 2018-03-02  
March 30th, 2018



### Legend

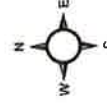
- Agricultural (A)
- Single Family-1 (SF-1)
- Single Family-2 (SF-2)
- Retail (R)
- Planned Development - Single Family (PD-SF)
- Planned Development - Mixed Use (PD-MU)
- Planned Development - Commercial (PD-C)
- Planned Development - Business (PD-B)
- Lavon City Limits

For Planned Development Regulations  
See the City of Lavon Ordinance applicable to the specific site.

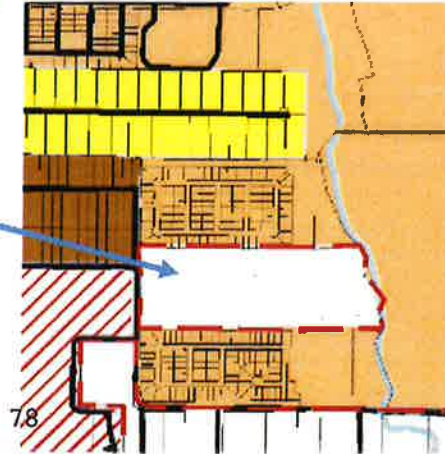
### Unassigned Zoning Districts

- Single-Family -4 (SF-4)
- Main Street
- Business Park District (B-2)

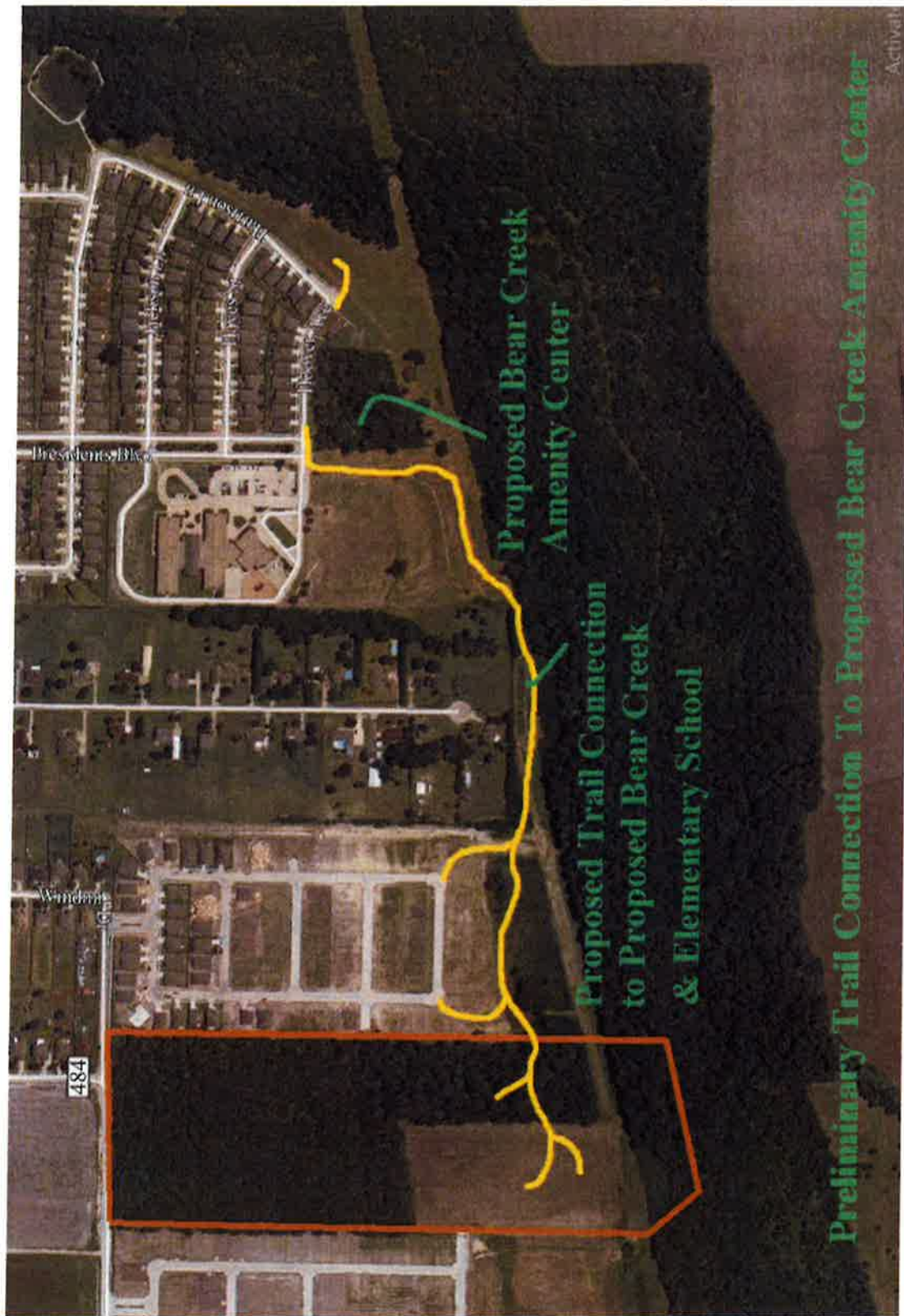
For General Regulations of these Zoning Districts  
see the City of Lavon Zoning Ordinance



0 0.2 0.4 0.8  
Miles







**From:** Kim Dobbs  
**Sent:** Wednesday, July 25, 2018 10:38 AM  
**To:** David Schnurbusch  
**Cc:** Jim Douglas; Mike Jones; Sonny Mancias; Jon Scott; 'Don Dykstra'  
**Subject:** FW: Letters, PD and Concept Drawings

Good morning Dave,

The City's traffic engineer and City Engineer have advised that the Traditions Phase 2 main entrance alignment as proposed will be acceptable (see below). The engineer's comments will be included in the brief for the information going forward to the City Council on August 7 with a staff note for the motion condition.

Any items (for either zoning application) that you wish to include in the meeting packet to provide to the Council in advance of the meeting should be submitted to me by August 1 if possible. Such items might include the aerial rendering of the conceptual trail layout and the Bloomfield Homes information.

Thank you,  
Kim

**Kim Dobbs**  
City Administrator | City Secretary  
City of Lavon  
972-843-4220  
[kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)

**From:** Mark Hill [mailto:[mdhill@fmi-dallas.com](mailto:mdhill@fmi-dallas.com)]  
**Sent:** Wednesday, July 25, 2018 10:10 AM  
**To:** Jody Short <[jshort@lee-eng.com](mailto:jshort@lee-eng.com)>; Kim Dobbs <[kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)>  
**Subject:** Re: Letters, PD and Concept Drawings

I agree with Jody's comments.

Also, we definitely need to add the road as a collector on the master plan.

Mark

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Jody Short <[jshort@lee-eng.com](mailto:jshort@lee-eng.com)>  
**Date:** 7/25/18 09:50 (GMT-06:00)  
**To:** Kim Dobbs <[kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)>  
**Cc:** Mark Hill <[mdhill@fmi-dallas.com](mailto:mdhill@fmi-dallas.com)>  
**Subject:** RE: Letters, PD and Concept Drawings

Kim,

A few thoughts:

The offset appears to be far enough that the two intersections will not interfere with each other.

CR 484 is not on the current or the Draft Thoroughfare plan we are working on. We should probably add it as a collector. As a collector, I don't think you need to be consolidating intersections for future signalization.

I also agree with several of the developers points (though some are a bit overstated) related to potential cut-thru traffic in the new neighborhood and the adjacent neighborhood to the west.

All that said, I am fine with the offset.

Jody

**JOSEPH T. SHORT, PE, PTOE**  
PRESIDENT

Lee Engineering, LLC  
3030 LBJ Freeway, Suite 1660  
Dallas, TX 75234  
(972) 248-3006 office  
(817) 713-6111 mobile  
(972) 248-3855 fax  
[www.leeengineering.com](http://www.leeengineering.com)



**From:** Kim Dobbs <[kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)>  
**Sent:** Tuesday, July 24, 2018 4:28 PM  
**To:** Jody Short <[jshort@lee-eng.com](mailto:jshort@lee-eng.com)>  
**Cc:** [mdhill@fmi-dallas.com](mailto:mdhill@fmi-dallas.com)  
**Subject:** FW: Letters, PD and Concept Drawings

Hi Jody,

Re a proposed subdivision, the City public safety staff recommended that the developer re-align his new subdivision entrance to form a four-way stop at Windmill, Geren (CR 484) and Geren. The developer wishes to keep the off-set entrance. Here are the developer's reasons for aligning as proposed:

- 1) The main entrance from CR 484 should be aligned in order to create a four-way intersection with Windmill, CR 484 and Geren.

*We considered this option with our initial planning concepts. After laying this intersection out, reviewing the projected traffic patterns it would create, the actual physical construction concerns and the fact it is not recommended in traffic management strategies where you have three interconnected "neighborhoods" like we have in Traditions, we ruled it out in this specific case. Specific rationale:*

- Increases typical traffic volumes, mainly non-residents, into neighborhood.
- Encourages cut-thru traffic of adjacent neighborhood residents
- Increases speed in neighborhood, confuses drivers on rights of way issues
- Does not accomplish neighborhood traffic calming patterns
- Creates health, safety and welfare issues for residents in this neighborhood
- Construction issues –prevents connection to existing water main as it is in steel encasement in this area, existing storm drainage conflicts and rideability issues.

Do you have any thoughts on this?

Thank you,

Kim

**Kim Dobbs**

City Administrator | City Secretary

City of Lavon

972-843-4220

[kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)



## CITY OF LAVON

P.O. Box 340 120 School Road

Lavon, TX 75166

(972) 843-4220

[www.cityoflavon.com](http://www.cityoflavon.com)

July 17, 2018

David Schnurbusch  
USA Professional Services Group, Inc.  
Dallas, TX

via email: [DSchnurbusch@usaengineers.com](mailto:DSchnurbusch@usaengineers.com)

RE: 30.845 Acres – Bloomfield Application to zone newly annexed property to PD-R

Dear Mr. Schnurbusch,

The development review committee (DRC) for the City of Lavon has reviewed the concept plan and design guidelines submitted on June 19, 2018 for the above-referenced development. The following comments were noted:

- 1) The main entrance from CR 484 should be aligned in order to create a four-way intersection with Windmill, CR 484 and Geren.

*We considered this option with our initial planning concepts. After laying this intersection out, reviewing the projected traffic patterns it would create, the actual physical construction concerns and the fact it is not recommended in traffic management strategies where you have three interconnected "neighborhoods" like we have in Traditions, we ruled it out in this specific case. Specific rationale:*

- *Increases typical traffic volumes, mainly non-residents, into neighborhood.*
- *Encourages cut-thru traffic of adjacent neighborhood residents*
- *Increases speed in neighborhood, confuses drivers on rights of way issues*
- *Does not accomplish neighborhood traffic calming patterns*
- *Creates health, safety and welfare issues for residents in this neighborhood*
- *Construction issues –prevents connection to existing water main as it is in steel encasement in this area, existing storm drainage conflicts and rideability issues.*

- 2) On the Concept Plan, identify the lot types "A", "B" and "C". If possible, provide a color exhibit with the lot types shown by color.

*This has been identified and shown as requested.*

- 3) In Section IV A) 2. Note if the Minimum Percentage of Size "B" Lots is 25% consistent with Sections 1 and 3.

*This note has been added as requested.*

- 4) Regarding Section IV E), it is preferred that the sidewalk along CR 484 be constructed with the development infrastructure.

*The sidewalk along CR 484 will be constructed with the development and has been stated as such in this section.*

30.845 Acres – Bloomfield Application to zone newly annexed property to PD-R City Comments

- 5) Regarding Section IV, E), will there be landscaping along the fence row along CR 484? Label or identify HOA owned and maintained landscape easement along CR 484. Also note on the Concept Plan that the HOA is responsible for maintenance of the fence.

*There will be landscaping and a screening fence along CR 484, it has been labeled as HOA lots (2) on the Concept Plan. We have also stated that the HOA will maintain all improvements within the HOA lots.*

- 6) In Section IV F), note the areas in the rear yards abutting the existing subdivisions where tree preservation is contemplated.

*The contemplated tree preservation areas have been color coded on the Concept Plan.*

- 7) In Section IV H), the developer will construct and dedicate an eight foot (8') concrete trail to be dedicated to the City the length of the development to connect existing or planned trails.

*This section has added a requirement that the developer will construct a trail to be dedicated to the City the length of the development. The type of surface and width will be determined and approved with the Final Plat and Plans.*

- 8) In Section IV I), this section should be removed from the zoning ordinance as it is not a zoning condition. This can be discussed in relation to platting. Without engineered plans, it is difficult to ordain this request.

*This section has been removed from the ordinance, as requested.*

- 9) Include visibility triangles or easements at street intersections to ensure they do not encroach into the building area.

*Visibility triangles at street intersections are shown on the Concept Plan, both at the intersections and in a detail section.*



Name	number	street	city	st	zip	Legal
North Texas Municipal Water District		PO Box 2408	Wylie	TX	75098-2408	ABS A0002 DRURY ANGLIN SURVEY, SHEET 3, TRACT 96, 5.68 ACRES
Bear Creek Commercial Properties LP	2101	Cedar Springs Rd. Ste 600	Dallas	TX	75098-1591	ABS A0002 DRURY ANGLIN SURVEY, SHEET 3, TRACT 90, 42.24 ACRES
Dick Lyndon Hargrove II	444	Geren Dr.	Lavon	TX	75166	WINDMILL ESTATES PHASE 1 (CLA), BLK A, LOT 12
Lonnie Forniglia	448	Geren Dr.	Lavon	TX	75166	WINDMILL ESTATES PHASE 1 (CLA), BLK A, LOT 13
David Close	448	Windmill Dr.	Lavon	TX	75166	WINDMILL ESTATES PHASE 1 (CLA), BLK A, LOT 14
Marlene & Meshach Baptiste	579	Avery Pointe	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 15
Richard & Deborah Harper	503	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 13
Dustin & Brandee Murphy	515	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 12
Aslam Alladin	527	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 11
Sharon Winston Edwards	539	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 10
Craig & Amber Jones	551	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 9
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 8
Charles Franklin	575	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 7
William & Debra Evans	587	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 6
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 5
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 4
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 3
Trevor Davis	625	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 2
Fidel Bernardes	637	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK F, LOT 1
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 32
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 31
Denise Delle	673	Weston Way	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 30
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 29
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 28
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 27
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 26
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 25
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 24
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 23
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 22
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 21
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 20
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 19
Cynthia Roberts	638	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 18
Stuart Bender	626	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 17
Cameron Jones	614	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 16
Matthies Hogue	602	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE (CLA), BLK A, LOT 15

Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 14
Anjali Pancholy	590	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 13
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 12
Bloomfield Homes LTD	1050	E. State Hwy 114 Ste 210	Southlake	TX	76092-5255	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 11
Vida Adoma Sackey	572	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 10
Chase & Krystal Foster	566	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 9
Daniel Kovacich	554	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 8
Joshua Daly	542	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 7
Michael Camlinata	530	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 6
Jordan Bannerman	518	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 5
Oscar Ulate	502	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 4
Larry Munson	707	Brookline Dr.	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 3
Pablo Rosales	719	Brookline Dr.	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 2
Lillian Ruiz	710	Brookline Dr.	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK A, LOT 1
Kale Worshman	705	Medford Dr.	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK C, LOT 1
Thomas Kennemore Jr.	704	Medford Dr.	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK C, LOT 10
Dragan Baresic	703	Lowell Dr.	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK D, LOT 1
Bloomfield Homes LTD	702	Lowell Dr.	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK D, LOT 10
Bloomfield Homes LTD	629	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLOCK B, LOT 21
Bloomfield Homes LTD	641	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLOCK B, LOT 22
Bloomfield Homes LTD	653	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLOCK B, LOT 23
Bloomfield Homes LTD	665	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLOCK B, LOT 24
Bloomfield Homes LTD	677	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLOCK B, LOT 25
Tyler Johnson	689	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK B, LOT 26
Bloomfield Homes LTD	697	Langdon St	Lavon	TX	75166	TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK B, LOT 27
Bloomfield Homes LTD						TRADITIONS AT GRAND HERITAGE WEST (CLA), BLK B, LOT 28



**CITY OF LAVON, TEXAS  
NOTICE OF PUBLIC HEARINGS BEFORE THE  
PLANNING AND ZONING COMMISSION  
AND THE CITY COUNCIL**

Notice is hereby given that the **Planning and Zoning Commission** of the City of Lavon, Texas will hold a public hearing at a meeting that begins at 7:00 p.m. on Tuesday, **July 24, 2018** at Lavon City Hall, 120 School Rd., Lavon, Texas.

Further notice is given that, a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the **City Council** at a meeting that begins at 7:00 pm on Tuesday, **August 7, 2018** at Lavon City Hall.

**REQUEST:** At such times and place, the Commission and the Council will hear and take action on the application of Bloomfield Homes, LP for a zoning change from Temporary Agricultural (A) to Planned Development-Single Family (PD-SF) zoning district for 111 lots on 30.485 acres. A request for annexation of the property is pending.

**PROPERTY DESCRIPTION:** 30.485 acres, Drury Anglin Survey, Abstract No. 2  
Cape Cod Bank and Trust Company in Deed recorded in Vol. 2651, pg. 27 Collin County, Texas; CCAD Prop. ID 1250096  
Adjacent to and situated east of Traditions at Grand Heritage West, and south of Windmill Estates, Lavon, TX

A copy of the proposed concept plan is on the reverse side of this notice. Information regarding the request may be obtained at [cityhall@cityoflavon.org](mailto:cityhall@cityoflavon.org) or at 972-843-4220. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

*Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.*

**Check one:**    ☐ I am in favor of the request.                      ☒ I am opposed to the request.

Reasons: (attach separate sheet(s) as needed)

Too much traffic  
Cut down too many trees  
Bad for wildlife armadillos

Signature: Nina Close                      David Close                      Daisy Close

Name (printed): Nina Close                      David Close                      Daisy Close

Address: 448 Windmill Dr                      Lavon TX 75166

Phone/Email Address (optional): 469 685 3985                      dc71@yahoo.com

*You may return this form to:*

**RECEIVED**

**JUL 24 2018**

**City of Lavon**  
**P.O. Box 340**  
**Lavon, Texas 75166**  
email [CityHall@cityoflavon.org](mailto:CityHall@cityoflavon.org)

Thank you,  
City of Lavon, Texas

**CITY OF LAVON**  
David Close  
448 Windmill Dr.  
Lavon TX 75166  
WINDMILL ESTATES PHASE 1 (CLA), BLK  
A, LOT 14



**CITY OF LAVON, TEXAS  
NOTICE OF PUBLIC HEARINGS BEFORE THE  
PLANNING AND ZONING COMMISSION  
AND THE CITY COUNCIL**

Notice is hereby given that the **Planning and Zoning Commission** of the City of Lavon, Texas will hold a public hearing at a meeting that begins at 7:00 p.m. on Tuesday, **July 24, 2018** at Lavon City Hall, 120 School Rd., Lavon, Texas.

Further notice is given that, a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the **City Council** at a meeting that begins at 7:00 pm on Tuesday, **August 7, 2018** at Lavon City Hall.

**REQUEST:** At such times and place, the Commission and the Council will hear and take action on the application of Bloomfield Homes, LP for a zoning change from Temporary Agricultural (A) to Planned Development-Single Family (PD-SF) zoning district for 111 lots on 30.485 acres. A request for annexation of the property is pending.

**PROPERTY DESCRIPTION:** 30.485 acres, Drury Anglin Survey, Abstract No. 2  
Cape Cod Bank and Trust Company in Deed recorded in Vol.  
2651, pg. 27 Collin County, Texas; CCAD Prop. ID 1250096  
Adjacent to and situated east of Traditions at Grand Heritage  
West, and south of Windmill Estates, Lavon, TX

A copy of the proposed concept plan is on the reverse side of this notice. Information regarding the request may be obtained at [cityhall@cityoflavon.org](mailto:cityhall@cityoflavon.org) or at 972-843-4220. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

---

*Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.*

**Check one:** ☐ I am in favor of the request.

☒ I am opposed to the request.

*Reasons: (attach separate sheet(s) as needed)*

---

---

**Signature:**

**Name (printed):**

**Address:**

**Phone/Email Address (optional):**

*Cynthia Roberts*  
*Cynthia Roberts*  
*638 Langdon St Lavon TX 75166*  
*cindi@roberts3306@verizon.net*

*You may return this form to:*

**City of Lavon**  
**P.O. Box 340**  
**Lavon, Texas 75166**  
*email [CityHall@cityoflavon.org](mailto:CityHall@cityoflavon.org)*

Thank you,  
City of Lavon, Texas

Cynthia Roberts + *Stephen Roberts*  
638 Langdon St  
Lavon TX 75166  
TRADITIONS AT GRAND HERITAGE  
WEST (CLA), BLK A, LOT 18

**RECEIVED**

**JUL 25 2018**

88 **CITY OF LAVON**





**CITY OF LAVON, TEXAS  
NOTICE OF PUBLIC HEARINGS BEFORE THE  
PLANNING AND ZONING COMMISSION  
AND THE CITY COUNCIL**

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Cape Cod Bank and Trust Company in Deed recorded in Vol. 2651, pg. 27 Collin County, Texas; CCAD Prop. ID 1250096  
Adjacent to and situated east of Traditions at Grand Heritage West, and south of Windmill Estates, Lavon, TX

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*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)

*We would like to see more of the trees saved. The lots look bigger so you should be able to do this. It would be nice to see a playground & a picnic area.*

Signature: *Mr. & Mrs. Evans*

Name (printed): *Debra Evans*

Address: *587 Weston Way*

Phone/Email Address (optional): *kukekeke@yahoo.com*

*You may return this form to:*

**City of Lavon  
P.O. Box 340  
Lavon, Texas 75166  
email [CityHall@cityoflavon.org](mailto:CityHall@cityoflavon.org)**

**RECEIVED**

**JUL 24 2018**

**CITY OF LAVON**

Thank you,  
City of Lavon, Texas



**CITY OF LAVON, TEXAS  
NOTICE OF PUBLIC HEARINGS BEFORE THE  
PLANNING AND ZONING COMMISSION  
AND THE CITY COUNCIL**

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---

*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)*

*Please see attached detailed letter.*

**Signature:**

**Name (printed):** Anjali Pancholy

**Address:** 590 Langdon St Lavon, Tx 75166

**Phone/Email Address (optional):** apancho1@gmail.com / 214-641-2720

*You may return this form to:*

*City of Lavon  
P.O. Box 340  
Lavon, Texas 75166  
email [CityHall@cityoflavon.org](mailto:CityHall@cityoflavon.org)*

Thank you,  
City of Lavon, Texas

Anjali Pancholy  
590 Langdon St  
Lavon TX 75166  
TRADITIONS AT GRAND HERITAGE  
WEST (CLA), BLK A, LOT 13

**RECEIVED**  
**JUL 24 2018**  
90  
**CITY OF LAVON**

City of Lavon  
P.O. BOX 340  
Lavon, TX 75166

07/23/2018

Dear City of Lavon Council Members:

I signed my contract in May of 2017 with Bloomfield Homes. I am one of the few that received a letter about the rezoning of the trees. I live at 590 Langdon St. First of all I am not against Bloomfield building homes in our subdivision. However, I do think that they need to keep more tree lines and not just 20 foot of tree lines. I love that the trees are there because it is giving shade to my backyard during the hot summer months. It also gives us privacy which I love. When I signed my contract Bloomfield had told us that there would be some sort of easement behind the houses. That way when they do build more homes the backyard fence is not touching another person's fence. If you are going to be building more homes I would love to see that easement there along with more tree lines. I would also love to see an amenities center which includes a gym and a pool or some type of a walking path or trail, or even a small park. This way we do not have to cross the main highway to use the facilities as we are doing now. Thank you for your time in reading this.

A handwritten signature in blue ink that reads "Anjali Pancholy". The signature is fluid and cursive, with a stylized flourish at the end.

Anjali Pancholy  
590 Langdon St  
Lavon, TX 75166  
[apanchol@gmail.com](mailto:apanchol@gmail.com)  
214-641-2720



RECEIVED

JUL 18 2018

CITY OF LAVON

**CITY OF LAVON, TEXAS  
NOTICE OF PUBLIC HEARINGS BEFORE THE  
PLANNING AND ZONING COMMISSION  
AND THE CITY COUNCIL**

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*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)*

*Environmental of Removing trees  
Environmental Impact of Removing trees  
Changes the balance of nature.*

**Signature:**

**Name (printed):**

**Address:**

**Phone/Email Address (optional):**

*You may return this form to:*

**City of Lavon**

**P.O. Box 340**

**Lavon, Texas 75166**

*email [CityHall@cityoflavon.org](mailto:CityHall@cityoflavon.org)*

Thank you,  
City of Lavon, Texas

Stuart Bender *Ivone Bender*  
626 Langdon St  
Lavon TX 75166  
TRADITIONS AT GRAND HERITAGE  
WEST (CLA), BLK A, LOT 17





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 – G**

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**Item:**

Public hearing, discussion and action regarding the application of Bloomfield Homes, LP for a zoning change from Commercial Planned Development (PD) zoning district created by Ordinance No. **2004-09-05** to Planned Development–Single Family (PD-SF) zoning district for a “Model Home Park” consisting of 4 lots on 0.889 acres being Commercial Tract No. 2, Grand Heritage Club Addition (CCAD Property ID 2612617) adjacent to and situated northeast of the intersection of Burnett Drive and SH 78, west of Lavonia Landing, Lavon, Collin County, TX and accompanying ordinance.

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion and action regarding the request.

**Background:**

**Application Information**

**Owner(s):** Bloomfield Homes, LP

**Applicant:** Mike Gavin.

**Location:** Adjacent to and northeast of the intersection of Burnett Drive and SH 78, west of Lavonia Landing.

**Description:** Grand Heritage Club, Commercial Tract 2, CCAD property ID 2612617  
Collin County, Texas (0.889 acres)

**Current Zoning:** Planned Development – Commercial (PD-C)

**Request:** Planned Development - Single Family (PD-SF) Residential

**Request Details**

Property owner Bloomfield Homes has constructed two subdivisions in Lavon and invested in developing two additional subdivisions. The company has expressed a desire to locate model homes in a visible location to attract potential homebuyers. Currently, Bloomfield has two model

homes on Austin in Grand Heritage (GH). The application requested four residential lots for four model home sites. The staff review and discussion with the applicant's engineer indicate that the application may be amended to three lots instead. If a revised concept plan is submitted it will be forwarded to the Commission upon receipt. An applicant may revise a request in a more restrictive manner without requiring additional notice and publication.

The change from PD-Commercial to Single Family would potentially provide a more compatible buffer for the residential properties located directly on Morrow Lane east of the site. The applicant has stated that the long-term intention of the owner is to convert the homes from model homes to regular homes when the model homes are no longer needed.

**Zoning:** A concept plan and development standards were submitted and have been reviewed. The applicant's engineer has worked with the City staff and engineer to address review notes.

**Floodplain:** The property that is subject of the request is not in a flood area. There are storm drain improvements installed on the site that would require modification and/or relocation. That action would be discussed in conjunction with preliminary and final platting and engineering design.

**Access:** The lots would be served by residential driveways. Parking in the close proximity to SH 78 would be restricted to preserve driver and pedestrian safety at the intersection.

### **Staff Notes**

The requisite public hearing notice was published, zoning change signs placed and twelve (12) neighbor notices were mailed to owners of property located within 200 feet of the applicant's property. One (1) notice was returned in opposition to the request and one (1) notice was returned in favor of the request.

### ***Planning and Zoning Commission Action:***

**MOTION: RECOMMEND APPROVAL OF THE APPLICATION OF BLOOMFIELD HOMES, LP FOR A ZONING CHANGE FROM COMMERCIAL PLANNED DEVELOPMENT (PD) ZONING DISTRICT CREATED BY ORDINANCE NO. 2004-09-05 TO PLANNED DEVELOPMENT-SINGLE FAMILY (PD-SF) ZONING DISTRICT FOR A "MODEL HOME PARK" CONSISTING OF 4 LOTS ON 0.889 ACRES BEING COMMERCIAL TRACT NO. 2, GRAND HERITAGE CLUB ADDITION (CCAD PROPERTY ID 2612617) ADJACENT TO AND SITUATED NORTHEAST OF THE INTERSECTION OF BURNETT DRIVE AND SH 78, WEST OF LAVONIA LANDING, LAVON, COLLIN COUNTY, TX.**

**MOTION MADE:** TIEGS

**SECONDED:** NABORS

**APPROVED:** FOR – NABORS, ROSENQUIST, TIEGS  
AGAINST - COKER  
(Absent ORMSBY)

**Attachments:**

1. Application
2. Location Exhibits
3. Review Notes and Correspondence
4. Neighbor Notice and Database
5. Neighbor Responses

August 3, 2018



## City of Lavon Planning and Zoning Commission

P.O. Box 340 120 School Rd.  
Lavon, TX 75166  
(972) 843-4220  
[www.cityoflavon.com](http://www.cityoflavon.com)

---

July 27, 2018

Honorable Mayor and City Council  
City of Lavon  
P.O. Box 340  
Lavon, TX 75166

RE: Application for Zoning Change – Grand Heritage Club, Commercial Tract 2

Dear Mayor Sanson and Members of the City Council,

At the July 24, 2018 Planning and Zoning Commission Meeting, the Planning and Zoning Commission conducted a public hearing, considered and voted as shown below.

Public hearing, discussion and action regarding the application of Bloomfield Homes, LP for a zoning change from Commercial Planned Development (PD) zoning district created by Ordinance No. 2004-09-05 to Planned Development–Single Family (PD-SF) zoning district for a “Model Home Park” consisting of 4 lots on 0.889 acres being Commercial Tract No. 2, Grand Heritage Club Addition (CCAD Property ID 2612617) adjacent to and situated northeast of the intersection of Burnett Drive and SH 78, west of Lavonia Landing, Lavon, Collin County, TX..

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion and action regarding the request.

**MOTION: RECOMMEND APPROVAL OF THE APPLICATION OF BLOOMFIELD HOMES, LP FOR A ZONING CHANGE FROM COMMERCIAL PLANNED DEVELOPMENT (PD) ZONING DISTRICT CREATED BY ORDINANCE NO. 2004-09-05 TO PLANNED DEVELOPMENT–SINGLE FAMILY (PD-SF) ZONING DISTRICT FOR A “MODEL HOME PARK” CONSISTING OF 4 LOTS ON 0.889 ACRES BEING COMMERCIAL TRACT NO. 2, GRAND HERITAGE CLUB ADDITION (CCAD PROPERTY ID 2612617) ADJACENT TO AND SITUATED NORTHEAST OF THE INTERSECTION OF BURNETT DRIVE AND SH 78, WEST OF LAVONIA LANDING, LAVON, COLLIN COUNTY, TX.**

**MOTION MADE: TIEGS**

**SECONDED: NABORS**

**APPROVED: FOR – NABORS, ROSENQUIST, TIEGS  
AGAINST - COKER  
(Absent ORMSBY)**

Respectfully submitted,

*David Rosenquist*

Chairman  
Planning and Zoning Commission

**CITY OF LAVON**

120 School Road P.O. Box 340  
Lavon, TX 75166  
Phone (972) 843-4220 Fax (972) 843-0397  
leann.mcclendon@cityoflavon.org

---

**Request for a Change in Zoning**

Fee: \$300.00 plus \$10.00 per acre on a tract of land

**0.889 Acres x \$10 plus \$300 = \$308.89**

**Bloomfield Homes, LP**

**June 13, 2018**

---

Applicants Name

**Mike Gavin**

---

Date

**817-416-1572**

---

Representative or Agent

**1050 East Highway 114, Suite 210**

---

Phone Number

**Southlake, Texas 76092**

---

Street

**Northeast Corner of Burnett Drive and Hwy 78**

---

City, State, Zip

---

Location of Property

**0.889 Acres being Commercial Tract No. Two**

**As filed in Grand heritage Club Doc. 2006-211**

**Map Records Collin County, Texas**

---

**Planned Development District No. 1**

**Planned Development Ordinance**

**No. 2004-09-05**

---

Legal Description of Property

---

Current Zoning

Check which zoning category you wish to change to:

Lot Size: ☐ 1/2 acre or more

☐ 3/4 acre or more

☐ 1 acre or more

**X -Amendment to Planned Development District No. 1**  
**Model Park for Residential Four Single Family Lots**

**RECEIVED**

**JUN 19 2018**

**CITY OF LAVON**



Timothy M. Stewart  
Vice President  
Bloomfield Properties, Inc.  
General Partner

Signature of Applicant : TS

\* Cost shall include: Actual cost to City plus a 10% administrative fee. These fees are in addition to required permit fee.

---

**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 Fax (972) 843-0396

---

**Authorization of Representation**

Date: June 18, 2018

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that **World Land Developers, LP** are the owner(s) of record of the property described in the attached survey documentation, submitted with this form, and do hereby authorize **Bloomfield Homes, LP** to represent us and our interests in the property described in the attached exhibits(s) only and specifically for the expressed purpose of this Zoning request.

Alan Bain

Signature (Owner)

Alan Bain, Vice President  
World Land Developers GP, LLC  
It's General Partner

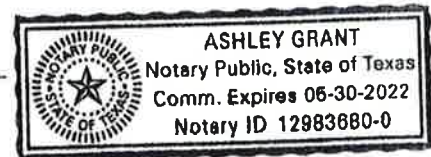


The State of Texas  
County of Dallas

Before me, the undersigned authority, appeared **Alan Bain, Vice President – World Land Developers GP, LLC –its General Partner** on this the 18<sup>th</sup> day of June, 2018.

*Ashley Grant*

(notary seal)



Notary Public in and for Dallas County, Texas

### **CITY OF LAVON**

120 School Road P.O. Box 340  
Lavon, TX 75166  
Phone (972) 843-4220 Fax (972) 843-0397  
leann.mcclendon@cityoflavon.org

---

### **Declaration of Ownership**

Date: June 18, 2018

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that **World Land Developers, LP** is the owner 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.





*Alan Bain*

Signature (Owner)  
**Alan Bain, Vice President**  
**World Land Developers GP, LLC**  
**It's General Partner**

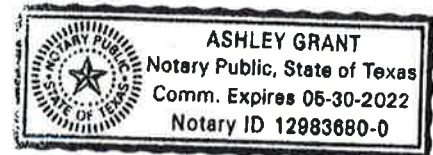
The State of Texas  
County of Dallas

Before me, the undersigned authority, appeared **Alan Bain, Vice President – World Land Developers GP, LLC –its General Partner** on this the 18<sup>th</sup> day of June, 2018.

(notary seal)

*Ashley Grant*

Notary Public in and for Dallas County, Texas



AUSTIN LANE

GRAND HERITAGE CLUB  
DOC. NO. 2006-211  
M.R.C.C.T.

BLOCK J

26

25

24

23

15' S.E. & W.M.E. (PER PLAT)

15' U.E. (PER PLAT)

15' S.E. & W.M.E. (PER PLAT)

15' U.E. (PER PLAT)

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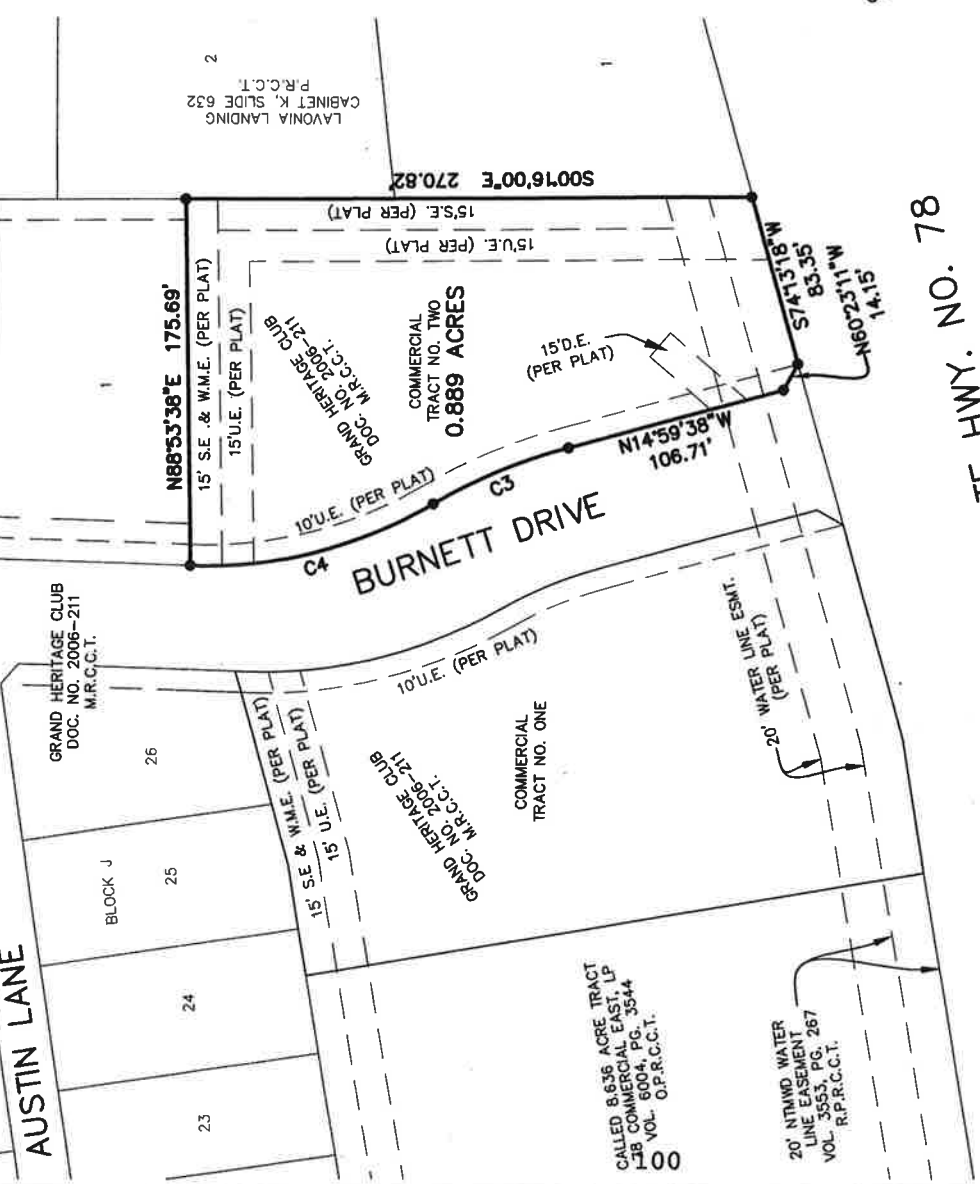
15' S.E. & W.M.E. (PER PLAT)

15' U.E. (PER PLAT)

15' S.E. & W.M.E. (PER PLAT)

15' U.E. (PER PLAT)

15' S.E. & W.M.E. (PER PLAT)



**LEGEND**  
D.E. = DRAINAGE EASEMENT  
S.E. = SANITARY EASEMENT  
U.E. = UTILITY EASEMENT  
W.M.E. = WALL MAINTENANCE EASEMENT

SCALE: 1" = 60'

# LEGAL DESCRIPTION

## COMMERCIAL TRACT NO. 2

Being known as Commercial Tract No. 2, Block N, of GRAND HERITAGE CLUB, an Addition to the City of Lamon, Collin County, Texas, according to the Plat thereof recorded in Document No. 2006-211 of the Map Records of Collin County, Texas.

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CH. BEARING
C3	15°41'23"	255.00'	69.83'	N27°50'20"W
C4	32°32'27"	213.50'	121.26'	N14°24'48"W
				CHORD
				69.61'
				119.63'

LEGAL DESCRIPTION  
**EXHIBIT "B"**  
**GRAND HERITAGE CLUB ADDITION**  
 BEING 0.889 ACRES OF LAND SITUATED IN THE  
 W.H. MOORE SURVEY, ABSTRACT NO. 638  
 CITY OF LAMON, COLLIN COUNTY, TEXAS



USA PROFESSIONAL SERVICES GROUP, INC.  
 CIVIL ENGINEERS - SURVEYORS - PLANNERS  
 LANDSCAPE ARCHITECTS

1525 VICEROY  
 DALLAS, TX 75235

(214) 634-3300 FAX (214) 634-3338

MAY 2018

2018005.00





City of Lavon, Texas - Amendment to Planned Development District No. 1 - Exhibit "A" - Map Of Area - 0.889 Acres

## **Amendment to PD- Planned Development District No. 1**

### **AKA – Commercial Tract Two Grand Heritage Club Model Park City of Lavon, Texas**

#### **I. GENERAL PURPOSE AND DESCRIPTION**

This Amendment to Planned Development District No. 1, Ordinance No. 2004-09-05 as allowed in Chapter 211 of the Local Government Code, is made to specifically allow for the development of a Residential Model Park with Three Single Family Residential lots to be located on Commercial Tract No. Two only within said PD. Bloomfield Homes, LP needs a centrally located Model Park from which to market their new single family home land acquisitions. This residential property will become a part of the Grand Heritage Homeowners Association.

#### **II. PROPERTY DESCRIPTION**

This approximate 0.889 acre tract of land (the "Property") is located generally at the northeastern intersection of Burnett Drive and Highway 78, as shown on the Location Map attached hereto, as **Exhibit "A"** and more particularly described by metes and bounds, attached hereto as **Exhibit "B"**.

#### **III. CONCEPT PLAN**

The Concept Plan attached as **Exhibit "C"** (as amended, the "Concept Plan") illustrates the general lot sizes for this property. The City Manager or his/her designee may approve changes to the Concept Plan that do not alter the uses permitted or increase the density permitted by this PD Amendment, and that otherwise generally comply with all applicable zoning regulations.

#### **IV. DEVELOPMENT STANDARDS**

**A)** The design and development of the Property shall generally comply with the Concept Plan attached hereto as **Exhibit "C"** and the standards of this Planned Development Ordinance Amendment. The maximum number of single family lots contained within this 0.889 Acres will not exceed Three (3) lots.

The standards set forth below shall be the exclusive lot sizes, setbacks, building heights, lot coverages, and dwelling unit size regulations for the single family detached residential products within this Model Park. Lot coverage shall be measured as the building slab footprint, roof eaves and all other minor ordinary building projections are excluded. Fences, landscaping, retaining walls, lighting, HVAC units, utility meters, pedestals and other utility-related equipment may be located in the side yard.

### **SINGLE FAMILY RESIDENTIAL LOT DEVELOPMENT STANDARDS**

Minimum Lot Width Measured at Front Building Line = 70 feet  
Minimum Lot Width Measured at Rear Property Line = 90 feet  
Minimum Lot Frontage at ROW = 50 feet  
Minimum Lot Depth on Lot Perpendicular to Street = 105 feet with the exception of the southerly lot line common with HWY 78 being 83 feet  
Minimum Gross Lot Area = 10,000 square feet  
Minimum Front Yard Setback = 20 feet  
Minimum Interior Side Yard = 5 feet  
Minimum Side Yard on Corner Lot Adjacent to a Hwy. 78 ROW = 40 feet  
Minimum Rear Yard Setback = 5 feet  
Maximum Lot Coverage = Sixty Percent (60%)  
Maximum Height = Thirty Five Feet (35') or 2 ½ Stories  
Minimum Dwelling Unit Size = 2,000 air conditioned square feet  
Porches, bay windows, awnings, balconies, masonry clad chimneys, or other such architectural features may encroach into the front yard setback no more than six feet (6') towards the adjacent Street ROW.  
Front entry, enclosed two car garage shall be permitted on all Lots. Face of Garage Door to be a minimum of twenty feet (20') from ROW.

**B) House Elevations** – The same home plan elevation shall not be repeated.

**C) Sidewalks** – The homebuilder will build sidewalks per the City of Lavon standards.

**D) Screening** – A cedar board on board fence of six (6') feet in height minimum with masonry columns shall be constructed along the rear lot lines of these three lots.

**E) Residential Lot Landscaping** – The builder shall make available to each residential lot six (6) three gallon shrubs and six (6) one gallon shrubs in the front yard. Two trees, being three inch caliper, measured twelve inches from final grade shall be planted in the front yard. In addition, prior to the issuance of a certificate of occupancy, the entire front, side and rear yards will be sodded and irrigated as an upgraded addition.

**F) Temporary Parking** – A temporary off-street parking area to be placed in conjunction with building a home along Burnett Drive will be allowed as a part of the Model Park.

**G) Vision Clearance** – Unless authorized by the City, no wall, berm, fence, structure, sign, tree, shrub, hedge, or other item taller than three (3) feet above the average street or private road grade may be placed or maintained:

(a) at the intersection of two public or private streets, within a triangular area determined by beginning at the intersecting point of the curb lines or pavement lines of the streets, the following each curb line or pavement line thirty-five (35) feet to two points, then connecting those two points be a straight line.

## **V) RESIDENTIAL EXTERIOR BUILDING MATERIALS**

- A. Residential Structures.** Exterior construction materials for residential structures, (excluding accessory structures), shall consist of seventy-five percent (75%) brick, stone, or stucco on vertical surfaces, excluding windows, doors and other normal openings. Use of cementitious fiberboard is limited to the back and side elevations and architectural features that are not intended for occupancy on any elevation. (soffits)
- B. Chimneys.** Construction materials for a chimney built on the exterior wall shall consist of 100% masonry. Construction materials for all other chimneys shall consist of cementitious fiberboard or equivalent
- C. Roofs.** Residential structures shall have a minimum 6:12 roof pitch. Roofs shall be constructed of composition shingles, tile or slate.
- D. Community Mailboxes,** if required, by the United States Postal Service shall be used for these three (3) lots. If not required the mailboxes shall be free standing and consist of a minimum of seventy (70) percent masonry materials.

## **VI. HOMEOWNERS ASSOCIATION (HOA)**

This residential property shall be annexed into the existing Grand Heritage HOA to maintain all private common open space areas within the residential Property. A copy of the documents annexing the HOA shall be submitted to the City.

## **VII. RECORDATION OF PLANNED DEVELOPMENTS**

All Planned Development Districts approved in accordance with the provisions of the City Planned Development Ordinance shall be referenced on the City Zoning District Map, and a list of such Planned Development Districts, together with uses permitted therein, shall be maintained by the City.





1. THERE IS CURRENTLY AN EXISTING Y-INLET AND DRAINAGE EASEMENT AS SHOWN ON THE PROPERTY. THE INTENT WAS FOR THIS PROPOSED STORM RUNOFF FROM THIS PORTION OF THE LOT, NOTING THAT A PORTION OF THE EXISTING STORAGE EASEMENT, AS SHOWN, WILL BE REMOVED AND ABANDONED. A JUNCTION WILL BE ADDED ALONG WITH EXTENDING A PRIVATE DRAIN AND INLET SYSTEM, AS SHOWN, TO PICK UP THE LOT DRAINAGE.

## 3 RESIDENTIAL LOTS

B.06 Y 2018

OWNER / DEVELOPER:  
**BLOOMFIELD HOMES, LP**  
1050 E HWY 114 #210  
SOUTH LAKE, TEXAS 76082



**USA PROFESSIONAL SERVICES GROUP, INC.**  
CIVIL ENGINEERS—SURVEYORS—PLANNERS—LANDSCAPE ARCHITECTS  
TEXAS BOARD OF PROFESSIONAL ENGINEERS—REGISTERED FIRM NO. F-1845  
TEXAS BOARD OF PROFESSIONAL SURVEYORS—REGISTERED FIRM NO. 10174-00  
TEXAS BOARD OF LAND SURVEYORS—REGISTERED FIRM NO. 10174-00  
1525 WECORRY DRIVE, DALLAS, TEXAS 75235  
(214) 634-3300

THIS CONCEPT PLAN IS EXHIBIT "C," MADE A PART OF THE SUBMITTAL FOR THE CONCEPT PLAN TO PLANNED DEVELOPMENT NO. 1. IT IS A GENERAL LAYOUT OF THE PROPOSED LOT, THE PROPOSED DRAINAGE AND UTILITY LAYOUTS HAVE BEEN ADDED FOR DISCUSSION AND INFORMATIONAL PURPOSES ONLY. ALL FINAL DESIGN SHALL BE DETERMINED UPON SUBMITTAL OF FINAL PLAN AND CONSTRUCTION PLANS.



NOTED: FENCE IS ALLOWED TO BE PLACED ON LOT LINE  
ALL INTERIOR LOTS SHALL HAVE A 3" DRAINAGE EASEMENT  
DESIGNED AS 2.5' ON EACH SIDE AT COMMON LOT LINE  
ALL LOTS WITH EXISTING RETAINING WALLS IN NEAR YARDS  
SHALL HAVE A SMALL MAINTENANCE POLY CARPAIN



## CITY OF LAVON

P.O. Box 340 120 School Road  
Lavon, TX 75166  
(972) 843-4220  
[www.cityoflavon.com](http://www.cityoflavon.com)

July 16, 2018

David Schnurbusch  
USA Professional Services Group, Inc.  
Dallas, TX

via email: [DSchnurbusch@usaengineers.com](mailto:DSchnurbusch@usaengineers.com)

RE: Grand Heritage Club Addition – Application to amend the Planned Development to change the zoning of Commercial Tract 2 to Residential

Dear Mr. Schnurbusch,

The development review committee (DRC) for the City of Lavon has reviewed the concept plan and design guidelines submitted on June 19, 2018 for the above-referenced development. The following comments were noted:

- 1) According to the final plat, the acreage for Grand Heritage Club that includes the above-referenced property is 88.735 acres with 352 residential lots. Adding four lots exceeds the density ratio of 4 units per acre outlined in the Planned Development Ordinance (PD) for this subdivision by one lot. *Our revised submittal now contains three (3) lots which conforms to the original PD density max. of four (4) units per acre.*
- 2) The proposed lots appear to have very little yard that is unencumbered by easements. The rear yards of the four proposed lots contain 30' of easements and the front yards contain 10' easements. The southernmost lot also has a major drainage easement and facility in the front yard that encroaches into the build lines. *The builder has products that will work on these lots and feels comfortable with the available yards. The existing y-inlet drainage structure along with a portion of the storm pipe and respective drainage easement is to be removed and abandoned so there will be no encroachment remaining into the building lines. We have shown this on the Concept Plan.*
- 3) The drainage facility and easement must be addressed. Please provide plans for how these items are proposed to be adjusted to accommodate the proposed zoning.  
*As stated in #2, above a portion of the drainage system will be abandoned and a private system will be installed and connected to it. We have described and illustrated this on the Concept Plan.*



## CITY OF LAVON

P.O. Box 340 120 School Road

Lavon, TX 75166

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### **Grand Heritage Club Addition - Application to amend the Planned Development to change the zoning of Commercial Tract 2 to Residential**

- 4) It is anticipated that on-street parking will not be allowed adjacent to Tract 2 as it is a secondary entrance to the subdivision and must remain open for clear vision and turn movements.**  
*The existing pavement in this area is approx. thirty-seven (37) feet wide before it transitions to thirty-one (31) feet interior to the subdivision which will allow for parking and traffic flow to continue. The Amendment also allows and the builder intends to install additional temporary parking spaces while the model homes are being used for marketing purposes.*
- 5) There will be a sewer manhole in the rear yard of one of the lots requiring unfettered access for routine maintenance and inspection.**  
*The builder will install a fence across this thirty (30) foot easement area on each lot with removable panels so that access will be provided across the back yards for inspection and maintenance as necessary.*
- 6) Section 3.4.1 of the current PD provides that residential lots in this location will be 90' width at the rear lot line and they will be 10,000 sq. ft.**  
*The revised Amendment to the PD now conforms to the ninety (90) foot width along the rear lot line and the 10,000 square foot size minimum.*
- 7) Section 3.4.1 of the current PD provides for 60% lot coverage. Please provide the lot coverage proposed.**  
*The Amendment to the PD as originally submitted called out for a sixty (60) % lot coverage.*
- 8) What is the Private Drain in the rear yards? Is it an existing or proposed facility? Please provide detail.**  
*This is a proposed private storm sewer drain with grate inlets to allow for the lot drainage runoff to be picked up and tied back into the original storm system. A note has been added to the Concept Plan.*
- 9) Section 1.1.2.1 provides for a masonry wall adjacent to the homes on Morrow Lane.**  
*We believe this is under section 3.11.2.1 of the current PD and states that lots that back up to areas outside of the PD should have a masonry wall. After a site visit to verify what was built on the existing lots adjacent to the north, it appears to be a standard fence although we could not get close enough to be certain.*
- 10) Section 3.6.1.4 in the current PD prohibits fences in the 35/35 visibility triangle which impacts the southernmost lot.**  
*We believe this to be in Section 3.7 of the current PD and have added the wordage from this section to our Amendment under Section IV (G). As defined this will not affect the southernmost lot.*

[illegible]



**Grand Heritage Club – Commercial Tr 2 – Location Exhibit**



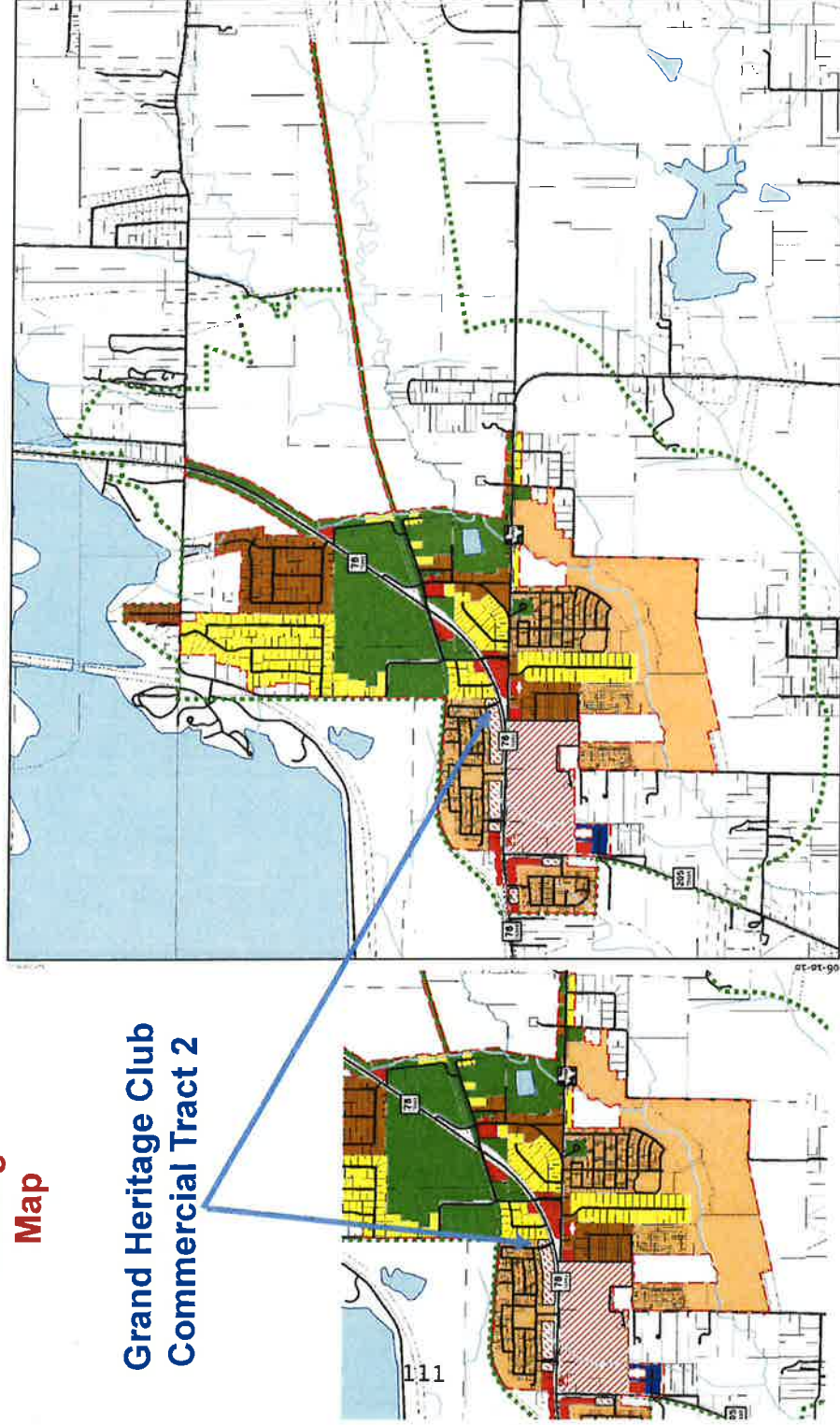
The map shows an aerial view of the Lake Road area in the City of San Jose, California. The map is oriented with Lake Road running vertically. A blue line indicates the proposed extension of Lake Road. A red circle marks a specific location on the map. The map includes various colored zones (yellow, red, green) and property boundaries. The text 'LAKE RD.' is visible on the map, along with other labels like 'CITY OF SAN JOSE' and 'CALIFORNIA'.





# Zoning Map

## Grand Heritage Club Commercial Tract 2



### ZONING MAP

Ordinance No. 2016-03-02  
March 6th, 2016

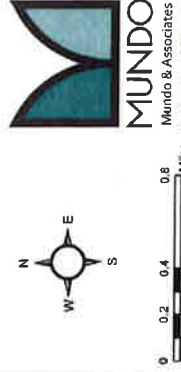


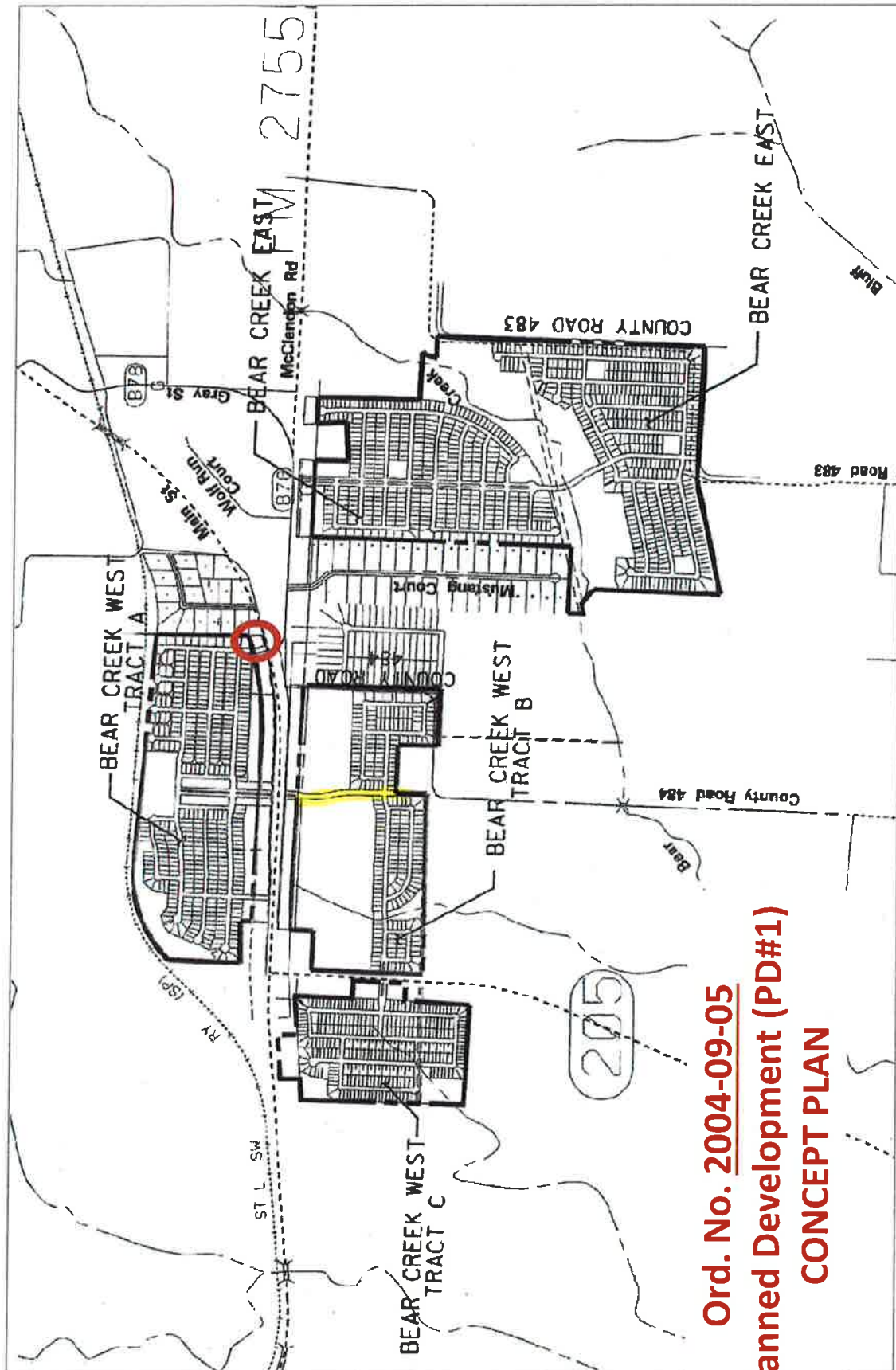
- Legend**
- Agricultural (A)
  - Single Family-1 (SF-1)
  - Single Family-2 (SF-2)
  - Retail (R)
  - Planned Development - Single Family (PD-SF)
  - Planned Development - Mixed Use (PD-MU)
  - Planned Development - Commercial (PD-C)
  - Planned Development - Business (PD-B)
  - Livon City Limits

For Planned Development Regulations  
See the City of Livon Ordinance applicable to the specific site.

#### Unassigned Zoning Districts

- Single-Family -4 (SF-4)
  - Main Street
  - Business Park District (B-2)
- For General Regulations of these Zoning Districts  
See the City of Livon Zoning Ordinance





**Ord. No. 2004-09-05**  
**Planned Development (PD#1)**  
**CONCEPT PLAN**

Neighbor Notices - July 2018  
Grand Heritage Club - Commercial Tract 2 Application

Name	number	street	city	st	zip	Legal
World Land Developers LP	2101	Cedar Springs Rd Ste 600	Dallas	TX	75201-159	GRAND HERITAGE CLUB (CLA), LOT 1
Carlos Araracap	504	Austin Ln	Lavon	TX	75166	GRAND HERITAGE CLUB (CLA), BLK J, LOT 24
Dario Ivankovic	502	Austin Ln	Lavon	TX	75166	GRAND HERITAGE CLUB (CLA), BLK J, LOT 25
Leon Chatman Jr.	500	Austin Ln	Lavon	TX	75166	GRAND HERITAGE CLUB (CLA), BLK J, LOT 26
Jessica & Jordan Williams	205	Burnett Dr.	Lavon	TX	75166	GRAND HERITAGE CLUB (CLA), BLKM, LOT 22
Sergion Salazar	212	Burnett Dr.	Lavon	TX	75166	GRAND HERITAGE CLUB (CLA), BLKN, LOT 3
Erick Darrenkamp	200	Burnett Dr.	Lavon	TX	75166	GRAND HERITAGE CLUB (CLA), BLKN, LOT 2
Luliane Omgba	168	Burnett Dr.	Lavon	TX	75166	GRAND HERITAGE CLUB (CLA), BLKN, LOT 1
Jeffrey Wilburn	105	Morrow Ln	Lavon	TX	75166	LAVONIA LANDING (CLA), BLK A, LOT 3
Bobby & Sheila Trout	103	Morrow Ln	Lavon	TX	75166	LAVONIA LANDING (CLA), BLK A, LOT 2
Larry Dale & Lana Hawkins	101	Morrow Ln	Lavon	TX	75166	LAVONIA LANDING (CLA), BLK A, LOT 1
E & W Enterprise LLC	2675	Orchid Dr	Richardson	TX	75082-424	Lavon Business Park, Blk A, Lot 1



**CITY OF LAVON, TEXAS  
NOTICE OF PUBLIC HEARINGS BEFORE THE  
PLANNING AND ZONING COMMISSION  
AND THE CITY COUNCIL**

Notice is hereby given that the **Planning and Zoning Commission** of the City of Lavon, Texas will hold a public hearing at a meeting that begins at 7:00 p.m. on Tuesday, **July 24, 2018** at Lavon City Hall, 120 School Rd., Lavon, Texas.

Further notice is given that, a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the **City Council** at a meeting that begins at 7:00 pm on Tuesday, **August 7, 2018** at Lavon City Hall.

**REQUEST:** At such times and place, the Commission and the Council will hear and take action on the application of Bloomfield Homes, LP for a zoning change from Commercial Planned Development (PD) zoning district created by Ordinance No. **2004-09-05** to Planned Development-Single Family (PD-SF) zoning district for a "Model Home Park" consisting of 4 lots on 0.889 acres.

**PROPERTY DESCRIPTION:** 0.889 acres, Commercial Tract 2, Grand Heritage Club Addition  
Lavon, Collin County, Texas  
CCAD property ID 2612617  
Adjacent to and situated northeast of the intersection of Burnett Drive and SH 78, west of Lavonia Landing

A copy of the proposed concept plan is on the reverse side of this notice. Information regarding the request may be obtained at [cityhall@cityoflavon.org](mailto:cityhall@cityoflavon.org) or at 972-843-4220. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

*Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.*

**Check one:** ☐ I am in favor of the request. ☒ I am opposed to the request.

Reasons: (attach separate sheet(s) as needed)

Adamantly opposed see att enclosed better

Signature: \_\_\_\_\_

Name (printed): \_\_\_\_\_

Address: 500 Austin Ln, Lavon, TX 75166

Phone/Email Address (optional): \_\_\_\_\_

*You may return this form to:*

City of Lavon  
P.O. Box 340  
Lavon, Texas 75166  
email [CityHall@cityoflavon.org](mailto:CityHall@cityoflavon.org)

**Leon Chatman Jr.**  
**500 Austin Ln**  
**Lavon TX 75166**  
**GRAND HERITAGE CLUB (CLA), BLK J,**  
**LOT 26**

**RECEIVED**

**JUL 24 2018**

**CITY OF LAVON**

Thank you,  
City of Lavon, Texas



July 17, 2018

Leon Chatman Jr  
500 Austin Ln  
Lavon, TX 75166

City of Lavon  
120 School Rd.  
Lavon, TX 75166

To Whom it May Concern:

This letter is being written to inform the City of Lavon of my opposition to the proposed rezoning at the corner of Burnet Ln. and State Hwy 78 in Lavon, TX. The idea that Bloomfield Homes is asking to build model homes in this location makes no sense. There are no available lots in Grand Heritage Main. Bloomfield Homes should build the models where they are going to build the homes. Our community should not have to endure 4 additional homes being built outside of the subdivision, so to speak, for a company to sell homes at a totally different location. The additional traffic at the intersection will cause issues for homeowners trying to enter and leave the community. The cars of potential homebuyers visiting the model homes will line the streets and it will be the same once the homes are sold. This will be a nuisance for anyone entering and leaving our neighborhood. During the building of these homes, trash and building materials will be scattered everywhere, not to mention the noise the building of these homes will create for homeowners. The model homes will no doubt be sold at some point and these homes will be completely out of place when compared to the rest of the community and will be an eyesore. It might also be difficult to sell these homes as well considering they will be only feet from the very busy State Hwy 78. These homes will increase property taxes higher than they already are. I believe the homeowners close to this location are all against this proposal.

That plot of land was zoned commercial and it should stay that way. There is no valid reason for the City to approve this rezoning. In addition, how will the city build a commercial tax base if it rezones commercial zones to residential? If Bloomfield wants to build homes in Lavon, let them build the models at the actual location of the homes themselves. Don't burden the homeowners of Grand Heritage to appease Bloomfield Homes. Thank you.

  
Leon Chatman Jr

**RECEIVED**

**JUL 24 2018**

**CITY OF LAVON**





**CITY OF LAVON, TEXAS  
NOTICE OF PUBLIC HEARINGS BEFORE THE  
PLANNING AND ZONING COMMISSION  
AND THE CITY COUNCIL**

Notice is hereby given that the **Planning and Zoning Commission** of the City of Lavon, Texas will hold a public hearing at a meeting that begins at 7:00 p.m. on Tuesday, **July 24, 2018** at Lavon City Hall, 120 School Rd., Lavon, Texas.

Further notice is given that, a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the **City Council** at a meeting that begins at 7:00 pm on Tuesday, **August 7, 2018** at Lavon City Hall.

**REQUEST:** At such times and place, the Commission and the Council will hear and take action on the application of Bloomfield Homes, LP for a zoning change from Commercial Planned Development (PD) zoning district created by Ordinance No. **2004-09-05** to Planned Development-Single Family (PD-SF) zoning district for a "Model Home Park" consisting of 4 lots on 0.889 acres.

**PROPERTY DESCRIPTION:** 0.889 acres, Commercial Tract 2, Grand Heritage Club Addition  
Lavon, Collin County, Texas  
CCAD property ID 2612617  
Adjacent to and situated northeast of the intersection of Burnett Drive and SH 78, west of Lavonia Landing

A copy of the proposed concept plan is on the reverse side of this notice. Information regarding the request may be obtained at [cityhall@cityoflavon.org](mailto:cityhall@cityoflavon.org) or at 972-843-4220. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

*Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.*

**Check one:** ☒ I am in favor of the request.

☐ I am opposed to the request.

*Reasons: (attach separate sheet(s) as needed)*

**Signature:**

**Name (printed):**

**Address:** 105 Morrow Lane Lavon, TX 75166

**Phone/Email Address (optional):** 214-236-4832 sjwilburn58@gmail.com

*You may return this form to:*

**City of Lavon  
P.O. Box 340  
Lavon, Texas 75166  
email [CityHall@cityoflavon.org](mailto:CityHall@cityoflavon.org)**

**Jeffrey Wilburn  
105 Morrow Ln  
Lavon TX 75166  
LAVONIA LANDING (CLA), BLK A, LOT 3**

**RECEIVED**

**JUL 24 2018**

116

**CITY OF LAVON**

Thank you,  
City of Lavon, Texas



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 – H**

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**Item:**

Discussion and action regarding the Final Plat of the Bear Creek Amenity Center and Bridge addition, a 6.133 acre tract of land situated in the Drury Anglin Survey, Abstract No. 2, comprised of 2 non-residential lots south of Hoover Avenue and extending President's Boulevard, Grand Heritage – East A2, City of Lavon, Collin County, Texas.

**Background:**

**Application Information**

**Owner(s):** World Land Developers, LP

**Applicant:** Kevin Kessler, Jacobs Engineering Group, Inc.

**Location:** South of Grand Heritage - East A2, commonly referred to as Grand Heritage Bear Creek, east of Phyllis NeSmith Elementary School, extending Presidents Boulevard, Lavon, Collin County, TX;

**Description:** Drury Anglin Survey, Abstract No. 2  
CCAD property ID's 2646510 and 2630457  
Collin County, Texas (73.268 acres combined)

**Current Zoning:** Planned Development – Single Family (PD-SF) for residential uses

**Request:** Final Plat

**Request Details**

The applicant is seeking approval of a Final Plat for the Bear Creek Amenity Center and Bridge addition south of Grand Heritage East A, commonly referred to as Grand Heritage Bear Creek. The development consists of 6.133 acres and is comprised of two lots, one for an Amenity Center to and one for the bridge extension of President's Boulevard across Bear Creek.

To provide for an optimal creek crossing, the plat includes a portion of the adjacent open space that is owned by the City of Lavon.

**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 Excerpt:***

**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.

***Staff Notes:***

On July 17, 2018, the City Council approved the preliminary plat for the Bear Creek Amenity Center and Bridge addition. The development will provide for the extension of public infrastructure systems for water, sanitary sewer and trails. Due to the scope of the development, a facilities development agreement is not being required.

The proposed final plat and construction plans were reviewed by the staff development review committee and the City Engineer. The city engineer's comments have been satisfied.

Approval of the final plat is recommended.

***Planning and Zoning Commission Action:***

**MOTION: RECOMMEND APPROVAL OF THE FINAL PLAT OF THE BEAR CREEK AMENITY CENTER AND BRIDGE ADDITION, A 6.133 ACRE TRACT OF LAND SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, COMPRISED OF 2 NON-RESIDENTIAL LOTS SOUTH OF HOOVER AVENUE AND EXTENDING PRESIDENT'S BOULEVARD, GRAND HERITAGE – EAST A2, CITY OF LAVON, COLLIN COUNTY, TEXAS.**

**MOTION MADE: COKER**

**SECONDED: NABORS**

**APPROVED: UNANIMOUS (Absent ORMSBY)**

- Attachments:**
1. Final Plat
  2. Location Exhibits
  3. Application
  4. Engineer's correspondence

August 3, 2018



## City of Lavon Planning and Zoning Commission

P.O. Box 340 120 School Rd.  
Lavon, TX 75166  
(972) 843-4220  
[www.cityoflavon.com](http://www.cityoflavon.com)

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July 27, 2018

Honorable Mayor and City Council  
City of Lavon  
P.O. Box 340  
Lavon, TX 75166

RE: Final Plat – Bear Creek Amenity Center and Bridge Addition

Dear Mayor Sanson and Members of the City Council,

At the July 24, 2018 Planning and Zoning Commission Meeting, the Planning and Zoning Commission conducted a public hearing, considered and voted as shown below.

**Discussion and action regarding the Final Plat of the Bear Creek Amenity Center and Bridge addition, a 6.133 acre tract of land situated in the Drury Anglin Survey, Abstract No. 2, comprised of 2 non-residential lots south of Hoover Avenue and extending President's Boulevard, Grand Heritage – East A2, City of Lavon, Collin County, Texas.**

**MOTION: RECOMMEND APPROVAL OF THE FINAL PLAT OF THE BEAR CREEK AMENITY CENTER AND BRIDGE ADDITION, A 6.133 ACRE TRACT OF LAND SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, COMPRISED OF 2 NON-RESIDENTIAL LOTS SOUTH OF HOOVER AVENUE AND EXTENDING PRESIDENT'S BOULEVARD, GRAND HERITAGE – EAST A2, CITY OF LAVON, COLLIN COUNTY, TEXAS.**

**MOTION MADE:** COKER

**SECONDED:** NABORS

**APPROVED:** UNANIMOUS (Absent ORMSBY)

Respectfully submitted,

*David Rosenquist*

Chairman  
Planning and Zoning Commission



## CITY OF LAVON

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

### PLAT APPLICATION

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

Company Making Submission		Property Owner			
Name:	Jacobs Engineering Group, Inc	Name:	World Land Developers, LP		
Address:	1999 Bryan Street, Suite 1200	Address:	2101 Cedar Springs Road, Suite 600		
City/State/Zip:	Dallas, TX, 75206	City/State/Zip:	Dallas, TX 75201		
Phone #:	214-920-8106	Fax #:			
Authorized Person:	Kevin Kessler	Authorized Person:	Alan Bain		
<b>Type of Submission</b>		<b>Check List of Items Submitted</b>			
<input type="checkbox"/> Preliminary Plat		<input checked="" type="checkbox"/> (two) full size sets of plats (24x36)			
<input checked="" type="checkbox"/> Final Plat 6/18/2018		<input type="checkbox"/> (two) full size construction sets (24x36)			
<input type="checkbox"/> Re-Submittal		<input type="checkbox"/> (one) half size sets of plats (11x17)			
<input type="checkbox"/> Construction Plans		<input type="checkbox"/> (ten) half size sets of plats with final submission (11x17)			
<input type="checkbox"/> Other		<input type="checkbox"/> (one) PDF plats (on separate CD's)			
		<input type="checkbox"/> (one) PDF construction plans (can be included on plat CD)			
<b>Pricing</b>					
Preliminary Plat: C*D*	\$325.00 plus \$5.00 per lot (Plus engineer review costs) 2 lots * \$5/lot = \$10				
Final Plat: C*D* \$974	\$325.00 plus \$5.00 per lot plus \$50.00 filing fee (Plus engineer review costs) + \$325 + \$500 + \$50 = \$885 * 10% = \$974				
Re-Plat: C*D*	\$325.00 plus \$5.00 per lot plus \$50.00 filing fee (Plus engineer review costs)				
Public Infrastructure Inspection: C*E*	4 percent of project or Cost (whichever is greater)				
<small>C* Costs shall include the actual costs to the City plus a 10 percent administrative fee. These fees shall be in addition to the permit fee required. D* A deposit of \$500.00 shall be required to cover engineers review, with additional costs to be billed upon engineers recommendation. Any portion of the deposit not used shall be refunded after the engineer's recommendation. E* An estimate of the testing and inspection shall be made at the time of the engineers review of construction plans and a deposit equal to that amount shall be due before any construction may begin, with additional costs to be billed when the costs are incurred.</small>					
<b>NOTICE TO APPLICANT:</b> Any approval will be issued based on the information furnished in this application and on any submitted plats. It is subject to the provisions and requirements of the City of Lavon Code of Ordinances (# 2002-01-03) and any other applicable ordinances of the City, regardless of information and/or plans submitted.					
Authorized Representative (Printed Name)		Authorized Representative (Signature)	Date:		
Kevin Kessler		[Signature]	6-18-18		
<b>To be completed by the City</b>					
In Takers Name:					
In takers Review Date:	PW Review Date:	COO Review Date:	Engineer Review Date:	P&Z Review Date:	Council Action Date:
<input type="checkbox"/> Accepted	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved
<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected
Comments:					





## CITY OF LAVON

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

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

### PLAT APPLICATION

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

#### APPLICANT STATEMENT (select one):

☒ I understand that the plat for BEAR CREEK A.C.  
AND BRIDGE FINAL PLAT will not be scheduled for consideration by the Planning & Zoning Commission until such time as all staff comments have been addressed. I hereby waive the requirement that the plat be acted on by the Planning and Zoning Commission and/or the City Council within 30 days under the provisions of the Texas Local Government Code, Section 212.009, and understand and agree that the plat will be considered when it is administratively complete which may be longer than 30 days after the plat is filed; or

☐ I hereby request that the plat for \_\_\_\_\_ be scheduled for consideration at the next Planning & Zoning Commission meeting, regardless of the review process and staff determination that the application is administratively complete. I understand that a staff recommendation for approval of an application is generally forthcoming only for submissions deemed administratively complete and for which all staff comments have been addressed. I further understand that if my application is not approved, new application fees will be required for reconsideration.

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

Signature:   
Owner / Authorized Agent

7.3.18  
Date

Printed Name: Kevin C. Kessler  
Owner / Authorized Agent

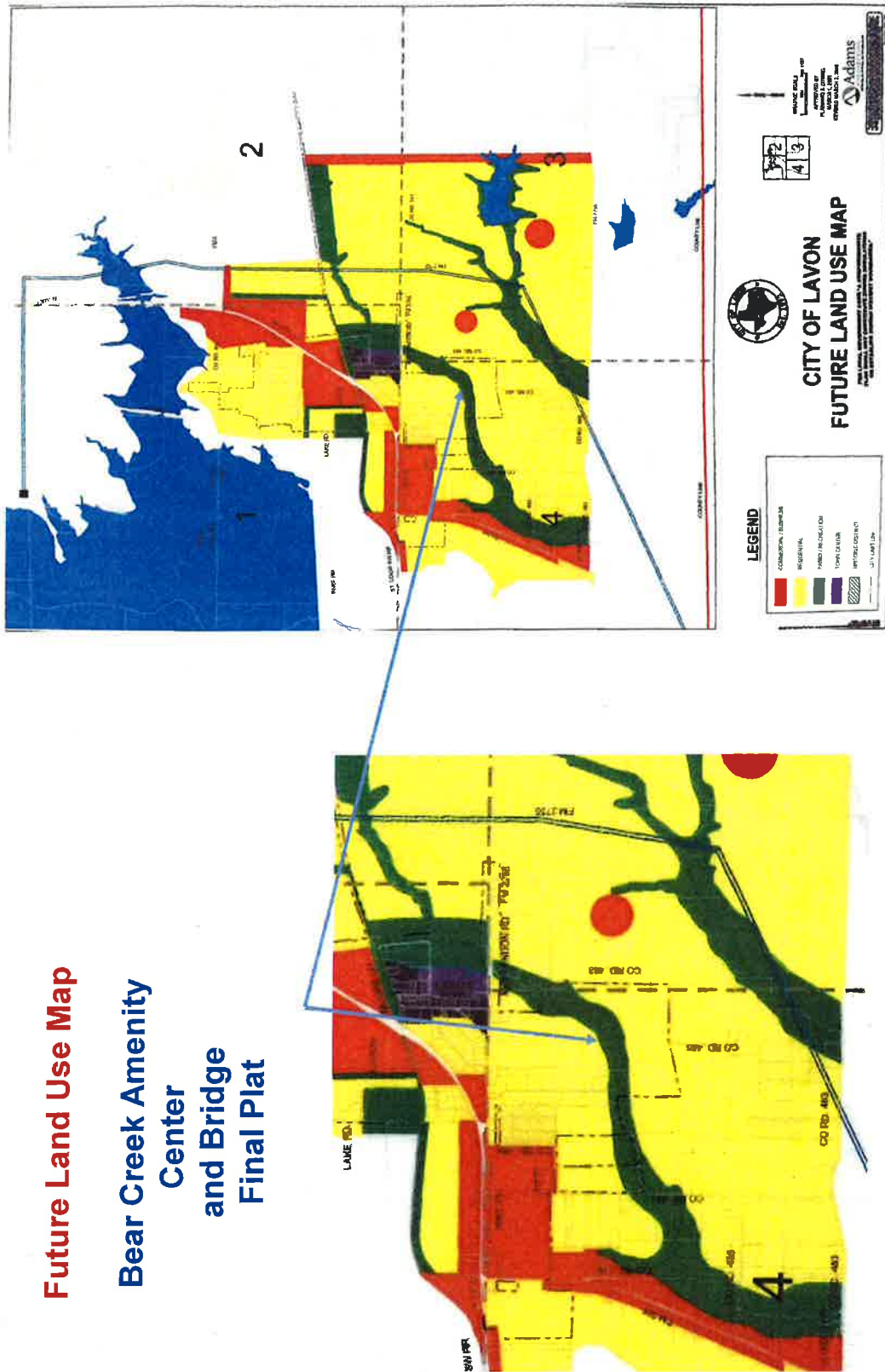
Title: ENGINEERING PROJECT MANAGER

Company: JACOBS ENGINEERING GROUP INC.



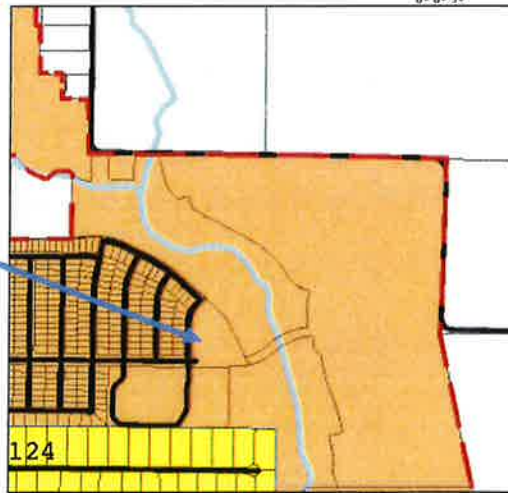
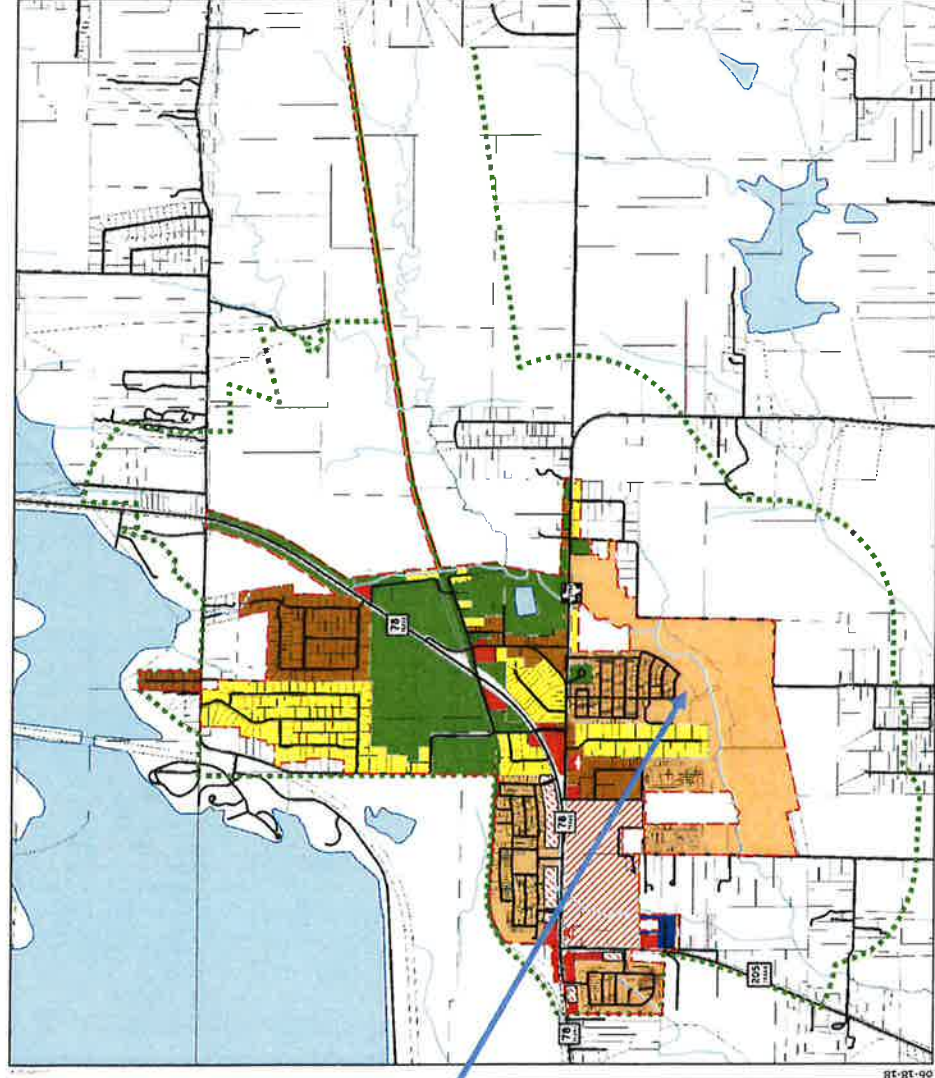
# Future Land Use Map

## Bear Creek Amenity Center and Bridge Final Plat



# Zoning Map

## Bear Creek Amenity Center and Bridge Final Plat



**ZONING MAP**  
Ordinance No. 2018-03-02  
March 6th, 2018

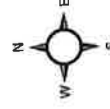


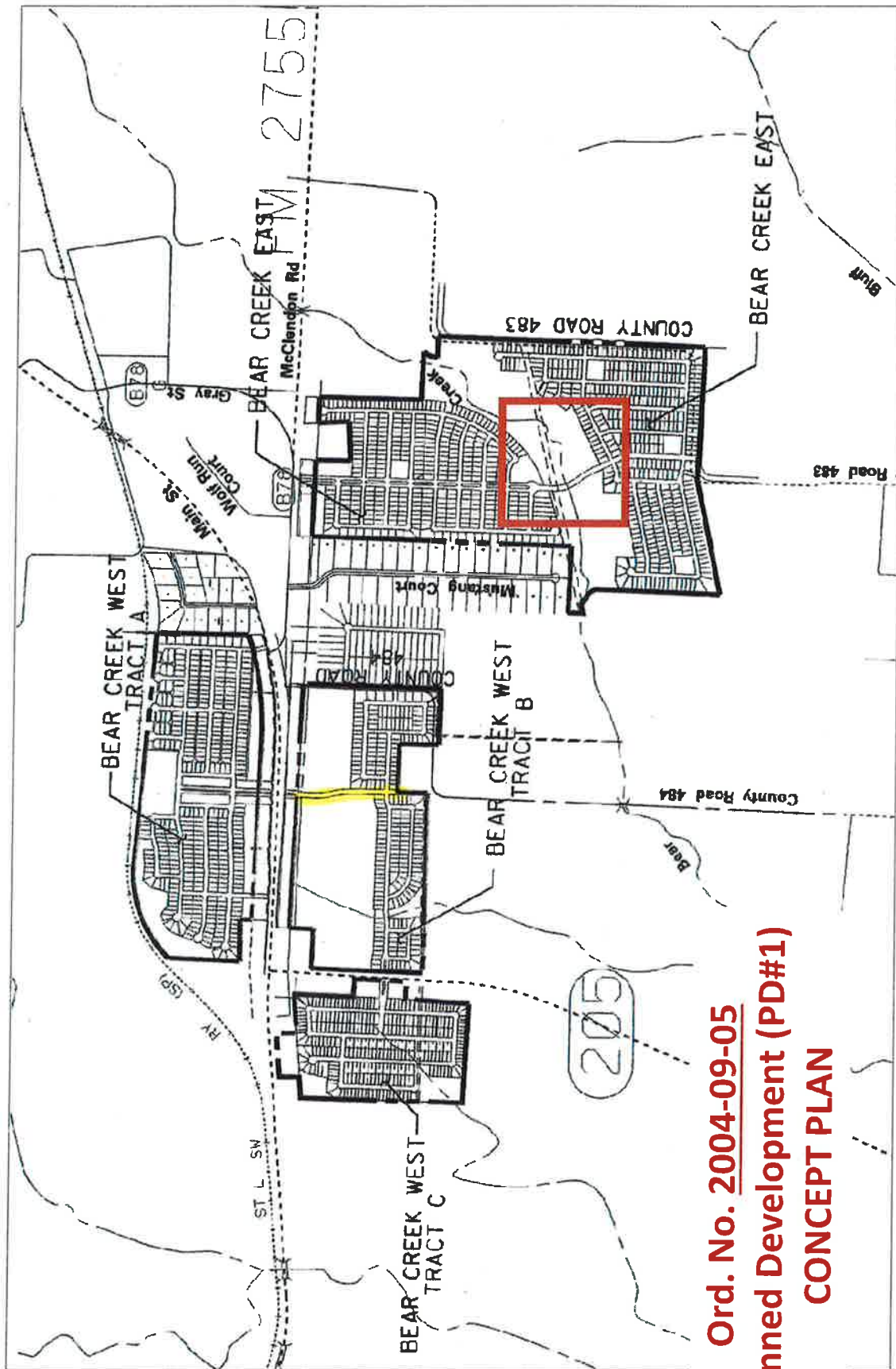
- Legend**
- Agricultural (A)
  - Single Family-1 (SF-1)
  - Single Family-2 (SF-2)
  - Retail (R)
  - Planned Development - Single Family (PD-SF)
  - Planned Development - Mixed Use (PD-MU)
  - Planned Development - Commercial (PD-C)
  - Planned Development - Business (PD-B)
  - LaVon City Limits

For Planned Development Regulations  
See the City of LaVon Ordinance applicable to the specific site.

### Unassigned Zoning Districts

- Single-Family - 4 (SF-4)
  - Main Street
  - Business Park District (B-2)
- For General Regulations of these Zoning Districts  
See the City of LaVon Zoning Ordinance



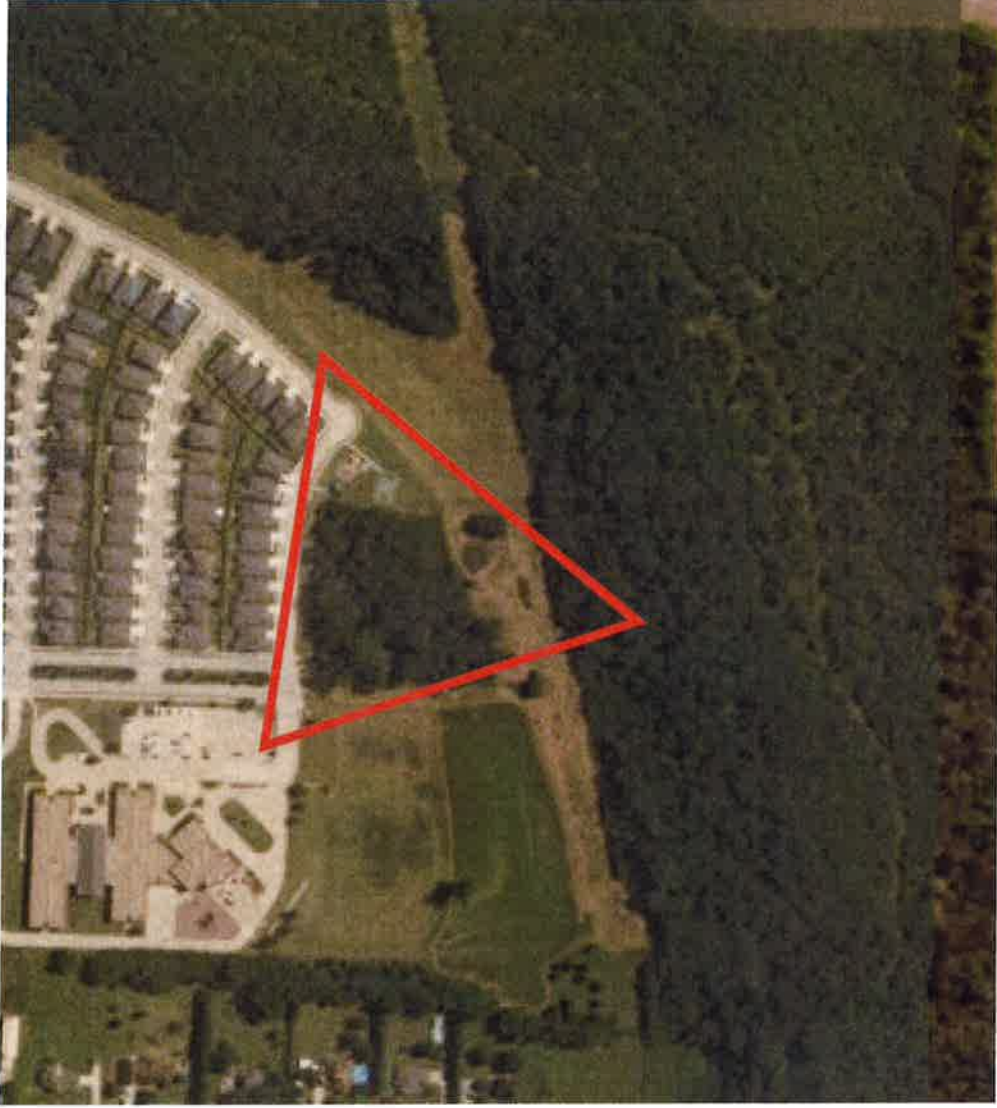


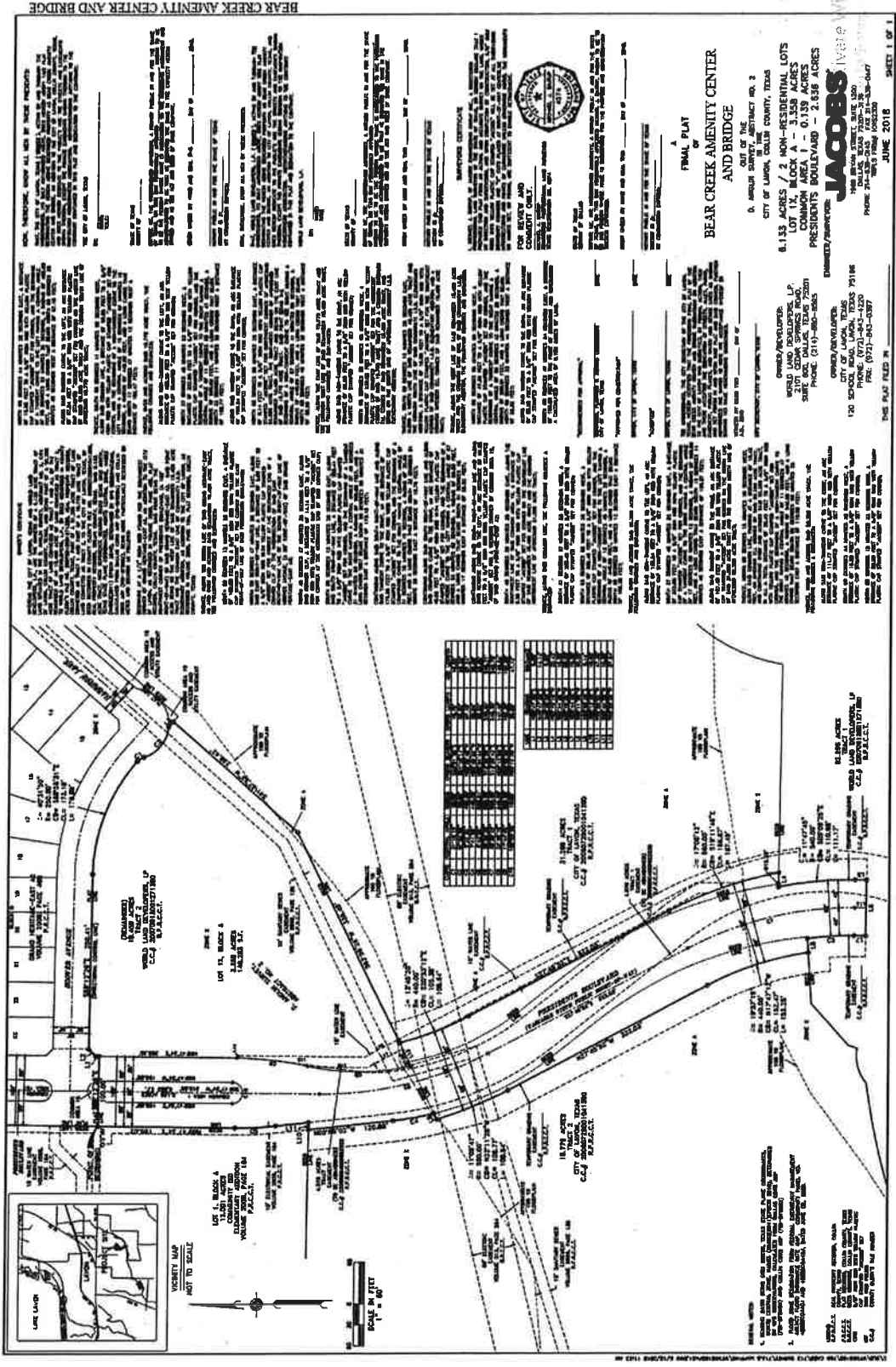
**Ord. No. 2004-09-05**  
**Planned Development (PD#1)**  
**CONCEPT PLAN**



## **Aerial View**

### **Bear Creek Amenity Center and Bridge Final Plat**





**BEAR CREEK AMENITY CENTER AND BRIDGE**

**FINAL PLAT**

**AND BRIDGE**

**OUT OF THE**

**0. AMERICAN TRUST, TRACT NO. 2**

**CITY OF LAMAR, DALLAS COUNTY, TEXAS**

**6.133 ACRES / 2 NON-RESIDENTIAL LOTS**

**LOT 17, BLOCK A - 3.558 ACRES**

**COMMON AREA 1 - 0.139 ACRES**

**PRESIDENTS BOULEVARD - 2.538 ACRES**

**JACOBS**

**100 SCHOLAR DRIVE, SUITE 100, DALLAS, TEXAS 75243**

**PHONE: (214) 843-1200**

**FAX: (214) 843-1201**

**DATE: JUNE 2018**

**SHEET 1 OF 1**

**DEEDS/RECORDS:**

**WORLD LAND DEVELOPMENT, LP**

**SUBJECT TO DALLAS COUNTY, TEXAS**

**PHONE: (214) 843-1200**

**100 SCHOLAR DRIVE, SUITE 100, DALLAS, TEXAS 75243**

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**SHEET 1 OF 1**

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**PHONE: (214) 843-1200**

**FAX: (214) 843-1201**

**DATE: JUNE 2018**

**SHEET 1 OF 1**

TERRY MILLICAN, R.P.L.S.  
VICTOR L. ACUY, P.E.  
RICHARD A. DORMIER, P.E.  
JOHN D. GATTIS, A.I.A.  
MARK D. HILL, P.E.  
DAMIR LULO, P.E.  
MICHAEL K. STACEY, P.E.  
LARRY J. FREEMAN, P.E.

August 2, 2018

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

Re: Bear Creek Amenity Center and Bridge, 2 Lots, 6.133 Acres  
Final Plat

Dear Ms. Dobbs:

As requested, we have reviewed the revised Final Plat and Construction Plans dated July 16, 2018, and revised sheet 15 dated August 2, 2018, as prepared by Jacobs Engineering Group, Inc. for the above referenced property. The property is located south of Grand Heritage East A2 and east of Community ISD Elementary Addition and includes the extension of Presidents Boulevard.

All previous comments have been satisfactorily addressed.

This concludes our review of the above referenced Final Plat and Construction Plans. **We recommend Approval of the Final Plat and Construction Plans.** Please note that this approval does not include the bridge structure itself, which will be reviewed separately.

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

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

Sincerely,  
FREEMAN-MILLICAN, INC.



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

Cc: Sonny Mancias, Mike Jones, Jon Scott, Kevin C. Kessler, P.E.

F:\17024 - LAV General Servies\9 - Review\Bear Creek Amenity & Bridge\Bear Creek Amenity & Bridge - Final Plat - Rev 1.docx







1999 Bryan Street, Suite 1200  
Dallas, Texas 75201  
United States  
T +1.214.583.8500  
F +1.214.638.0447  
www.jacobs.com

July 19, 2018

Kim Dobbs, City Administrator  
City of Lavon  
P.O. Box 340  
120 School Road  
Lavon, Texas 75166

**RE: Bear Creek Amenity Center & Bridge Final Plat Comment Response Letter**

Dear Ms. Dobbs:

Jacobs Engineering Group Inc. (Jacobs) is in receipt of Staff Comments, received July 12, 2018, on the Final Plat for Bear Creek Amenity Center & Bridge. Please see comment responses below:

**General**

1. The property is being platted into one lot (1X), one common area and Presidents Boulevard Right-of-Way. Lot 1X lot appears to be for an amenity center and the other area is the median on the Presidents Boulevard extension.

**Response: Acknowledged.**

**Cover Sheet (Sheet 1)**

2. No comments.

**Response: Acknowledged.**

**Final Plat (Sheet 2)**

3. The original access easement to FM 2755 is to be abandoned.

**Response: Acknowledged.**

4. A new sanitary sewer easement, by separate instrument, will need to be provided for the extension of the sanitary sewer to the northeast. This should extend to the edge of the temporary grading easement.

**Response: A sanitary sewer easement has been added to the Final Plat and extends to the temporary grading easement.**



July 19, 2018

RE: Bear Creek Amenity Center & Bridge Final Plat Comment Response Letter

#### **Grading (Sheet 4)**

5. Temporary grading easements are being acquired for grading activities outside of the platted boundary. It should be noted that permanent fill areas are to be located outside of the platted boundary, on City of Lavon property. In addition, some of this fill area is within the proposed waterline easement. We recommend that an easement be provide for the portion of fill area that lies within the waterline easement.

**Response: Slope easements have been added to the Final Plat. Documentation will be provided once separate instruments have been completed.**

#### **Paving Plan & Profile (Sheet 5)**

6. The Engineer should provide a copy of the referenced Geotechnical Report for City records.

**Response: Geotechnical Report for the Bear Creek Amenity Center and Bridge Plans has been provided to the city.**

7. The typical road section shows #3 bars @ 18" O.C.E.W. for reinforcement. This meets the regulations for PD No. 1. (Lavon standard is #4 bars)

**Response: Acknowledged.**

8. Type III barricades, meeting TxDOT standards, shall be in place during construction activities and shall remain in place until Bear Creek Phase 3,4,5 on south end of road is accepted by City.

**Response: Type III Barricades that meet TxDOT standards have been added to plan view.**

#### **Paving Plan & Profile (Sheet 6)**

9. The typical road section shows #3 bars @ 18" O.C.E.W. for reinforcement and a 5" crown. This meets the regulations for PD No. 1. (Lavon standard is #4 bars and 6" crown)

**Response: Acknowledge.**

10. There appears to be conflicts with the MBGF and sidewalks in 2 locations. This should be addressed.

**Response: The traffic rated railing has been provided in lieu of MBGF. Plans have been revised to reflect this change.**

11. The MBGF on the southwest approach appears to be missing. This should be addressed.

**Response: The traffic rated railing has been provided in lieu of MBGF. Plans have been revised to reflect this change.**

12. The Engineer should verify the 100 year water elevation at the bridge with the Flood Study.

**Response: Flood study in progress and will be resubmitted upon completion. The cross section information has been included in submittal package with 100 YR WSEL at 482.56.**



July 19, 2018

RE: Bear Creek Amenity Center & Bridge Final Plat Comment Response Letter

**Drainage Area Map (Sheet 7)**

13. No comments.

**Response: Acknowledged.**

**Drainage Calculations (Sheet 8)**

14. Lateral 2A is missing "OS3" in the "Contributing Area, System or Inlet" column. OS3 is included in the calculations.

**Response: OS3 area has been accounted for in Lateral 2A and noted accordingly.**

15. For clarity, we recommend that the inlet numbers shown in the inlet calculations be include in the plan sheets.

**Response: The inlet numbers have been added to the plan sheets for clarity.**

**Storm Drain Plan & Profile (Sheet 9)**

16. The sanitary sewer line should be shown in the plan view.

**Response: The sanitary sewer line has been added to the Storm Drain (SD-1) plan view.**

**Storm Drain Plan & Profile (Sheet 10)**

17. No comments.

**Response: Acknowledged.**

**Storm Drain Plan & Profile (Sheet 11)**

18. There appears to be discrepancy in the callout for the bend at Sta. 0+31.44 between the plan and profile. This should be corrected.

**Response: The callout discrepancy for the bend at Sta. 0+31.44 has been revised.**

19. Typically storm sewers are installed with the crown of the pipe matching instead of the flowline when pipe size changes. The Engineer should verify the proposed design as shown.

**Response: The proposed design took into account the vertical cover constraints in connecting upstream to the existing 54" RCP and downstream to the existing concrete flume which prompted the flowlines to match versus crowns to match.**

20. The Engineer should verify sufficient clearance of the 66" RCP with the proposed grade.

**Response: The pipe size has been adjusted to provide additional clearance.**



July 19, 2018

RE: Bear Creek Amenity Center & Bridge Final Plat Comment Response Letter

**Water Plan & Profile (Sheets 12 – 13)**

21. Please provide detail on Creek Bank restoration. The Engineer should consider grouted rip rap.

**Response:** Creek Bank restoration has been specified on the plans. The following note has been added: "Install 24" rock riprap 2' deep to be overcut to accomplish flush surface". Due to environmental impact, we respectfully request the use of standard riprap instead of grouted riprap.

22. The sanitary sewer stubout (Sheet 14) should be shown in the profile view of the waterline.

**Response:** Sanitary sewer stubout has been added to profile view.

**Sanitary Sewer Plan & Profile (Sheet 14)**

23. The existing pipeline extending west from the manhole at Sta. 0+00 is a 15" pipeline. This should be labeled correctly.

**Response:** The existing pipe has been labeled correctly as a 15" sanitary sewer pipe.

24. The manhole at Sta. 6+65.67 S1 should include a stubout for the future connection.

**Response:** A 15" stubout has been added for future extension.

25. Manholes within the 100-year floodplain limits should extend 24" above the flood elevation.

**Response:** Acknowledged, manholes within 100-year floodplain limits have been extended 24" above the 100 YR flood elevation.

26. Please provide detail on Creek Bank restoration. The Engineer should consider grouted rip rap.

**Response:** Creek Bank restoration has been specified on the plans. The following note has been added: "Install 24" rock riprap 2' deep to be overcut to accomplish flush surface". Due to environmental impact, we respectfully request the use of standard riprap instead of grouted riprap.

27. The section of pipe between 0+00 and 0+39.74 should be 15" to accommodate a future extension.

**Response:** Acknowledged, the pipe has been revised to show 15" to accommodate the future extension.

28. The manhole at Sta. 0+39.74 should include a 15" "stubout" extending to the edge of the grading easement (app. 30'). This will be at an approximate 92 degree angle and at 0.20% slope.

**Response:** Acknowledged, a 15" stubout has been added for future extension.



July 19, 2018

RE: Bear Creek Amenity Center & Bridge Final Plat Comment Response Letter

29. The 15" stubout will need be placed within a sanitary sewer easement that extends from the plat boundary to the grading easement boundary.

**Response: Acknowledged, a sanitary sewer easement has been added from the plat boundary to the grading easement boundary.**

**Erosion Control (Sheet 15)**

30. No comments.

**Response: Acknowledged.**

**Erosion Control Details (Sheet 16)**

31. No comments.

**Response: Acknowledged.**

**Standard Details (Sheets 17-21)**

32. The applicable City of Lavon Standard Construction Details sheets have been included.

**Response: Acknowledged.**

We appreciate this opportunity to respond to your comments. Please contact me or Kevin Kessler (kevin.kessler@jacobs.com) if you need additional information.

Sincerely,

JACOBS ENGINEERING GROUP INC.

A handwritten signature in black ink, reading "Kaitlyn Wurzbach".

**Kaitlyn Taylor-Wurzbach**

P.E.

832-351-6179

kaitlyn.taylor@jacobs.com





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 – I**

**Item:**

Discussion and action regarding the Preliminary Plat of the Bear Creek Addition, Phases 3, 4 & 5 for 454 lots on 90.98 acres of land situated in the D. Anglin Survey, Abstract No. 2, Sheet 3, Tract 140, (Collin CAD# 2630457), located south of Bear Creek Phase 2 and west of CR 483, City of Lavon, Collin County, Texas.

**Background:**

**Application Information**

**Owner(s):** World Land Developers, LP

**Applicant:** Kevin Kessler, Jacobs Engineering Group, Inc.

**Location:** South of Bear Creek Phase 2 and west of CR 483, Lavon, Collin County, TX;

**Description:** Drury Anglin Survey, Abstract No. 2, CCAD property ID 2630457  
Collin County, Texas (90.98 acres combined)

**Current Zoning:** Planned Development – Single Family (PD-SF) for residential uses

**Request:** Preliminary Plat

**Request Details**

The applicant is seeking approval of a Preliminary Plat for Phases 3, 4 & 5 of the Bear Creek Addition south of Bear Creek and Bear Creek Phase 2 and NE Smith Elementary School. The development consists of about 91 acres and is comprised of 454 residential lots. The addition had an approved Preliminary Plat that expired years ago. The proposed preliminary plat conforms to the established Planned Development zoning.

**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.

The proposed preliminary plat includes transportation alignments reflected in the concept plan and is a continuation of extension of President's Boulevard across Bear Creek.

***Infrastructure:***

Water

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

Sewer

The development will be connected to the City of Lavon sanitary sewer system. The developer will extend the connection to the sanitary sewer system existing main and participate in the costs for extension of the utility to the subdivision as needed.

Roads

The roads will be developed in accordance with City ordinances and policies.

Parkland

There are no specific park land dedications within the proposed preliminary plat. Trails and sidewalks will be included in accordance with city ordinances.

Floodplain

A final flood study will be reviewed with the final plat and include pre-developed and post-developed surface elevations.

***Staff Notes:***

The applicant met with City staff and has complied with staff and City Engineer review notes. Approval is recommended.

***Planning and Zoning Commission Action:***

**MOTION: RECOMMEND APPROVAL OF THE PRELIMINARY PLAT OF THE BEAR CREEK ADDITION, PHASES 3, 4 & 5 FOR 454 LOTS ON 90.98 ACRES OF LAND SITUATED IN THE D. ANGLIN SURVEY, ABSTRACT NO. 2, SHEET 3, TRACT 140, (COLLIN CAD# 2630457), LOCATED SOUTH OF BEAR CREEK PHASE 2 AND WEST OF CR 483, CITY OF LAVON, COLLIN COUNTY, TEXAS.**

**MOTION MADE:** NABORS

**SECONDED:** TIEGS

**APPROVED:** UNANIMOUS (Absent ORMSBY)

- Attachments:**
1. Application
  2. Proposed Preliminary Plat
  3. Concept Plan
  4. Location Exhibits and Comments
  5. Engineering Comments and Responses

August 3, 2018



## City of Lavon Planning and Zoning Commission

P.O. Box 340 120 School Rd.  
Lavon, TX 75166  
(972) 843-4220  
[www.cityoflavon.com](http://www.cityoflavon.com)

---

July 27, 2018

Honorable Mayor and City Council  
City of Lavon  
P.O. Box 340  
Lavon, TX 75166

RE: Preliminary Plat – Bear Creek Addition, Phases 3, 4 & 5

Dear Mayor Sanson and Members of the City Council,

At the July 24, 2018 Planning and Zoning Commission Meeting, the Planning and Zoning Commission conducted a public hearing, considered and voted as shown below.

**Discussion and action regarding the Preliminary Plat of the Bear Creek Addition, Phases 3, 4 & 5 for 454 lots on 90.98 acres of land situated in the D. Anglin Survey, Abstract No. 2, Sheet 3, Tract 140, (Collin CAD# 2630457), located south of Bear Creek Phase 2 and west of CR 483, City of Lavon, Collin County, Texas.**

**MOTION: RECOMMEND APPROVAL OF THE PRELIMINARY PLAT OF THE BEAR CREEK ADDITION, PHASES 3, 4 & 5 FOR 454 LOTS ON 90.98 ACRES OF LAND SITUATED IN THE D. ANGLIN SURVEY, ABSTRACT NO. 2, SHEET 3, TRACT 140, (COLLIN CAD# 2630457), LOCATED SOUTH OF BEAR CREEK PHASE 2 AND WEST OF CR 483, CITY OF LAVON, COLLIN COUNTY, TEXAS.**

**MOTION MADE: NABORS**

**SECONDED: TIEGS**

**APPROVED: UNANIMOUS (Absent ORMSBY)**

Respectfully submitted,

*David Rosenquist*

Chairman  
Planning and Zoning Commission



# CITY OF LAVON

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

## PLAT APPLICATION

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

Company Making Submission		Property Owner	
Name:	Jacobs Engineering Group, Inc	Name:	World Land Developers, LP
Address:	1999 Bryan Street, Suite 1200	Address:	2101 Cedar Springs Road, Suite 600
City/State/Zip:	Dallas, TX, 75206	City/State/Zip:	Dallas, TX 75201
Phone #:	214-920-8106	Fax #:	
Authorized Person:	Kevin Kessler	Authorized Person:	Alan Bain
<b>Type of Submission</b>		<b>Check List of Items Submitted</b>	
<input checked="" type="checkbox"/> Preliminary Plat		<input checked="" type="checkbox"/> (two) full size sets of plats (24x36)	
<input type="checkbox"/> Final Plat		<input type="checkbox"/> (two) full size construction sets (24x36)	
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<input type="checkbox"/> Construction Plans		<input type="checkbox"/> (ten) half size sets of plats with final submission (11x17)	
<input type="checkbox"/> Other		<input type="checkbox"/> (one) PDF plats (on separate CD's)	
		<input type="checkbox"/> (one) PDF construction plans (can be included on plat CD)	
<b>Pricing</b>			
		453 lots * \$5/lot = \$2,265	
Preliminary Plat: C*D* \$3399	\$325.00 plus \$5.00 per lot (Plus engineer review costs) + \$325 + \$500 = \$3090 * 10% = \$3399		
Final Plat: C*D*	\$325.00 plus \$5.00 per lot plus \$50.00 filing fee (Plus engineer review costs)		
Re-Plat: C*D*	\$325.00 plus \$5.00 per lot plus \$50.00 filing fee (Plus engineer review costs)		
Public Infrastructure Inspection: C*E*	4 percent of project or Cost (whichever is greater)		
<small>C* Costs shall include the actual costs to the City plus a 10 percent administrative fee. These fees shall be in addition to the permit fee required. D* A deposit of \$500.00 shall be required to cover engineers review, with additional costs to be billed upon engineers recommendation. Any portion of the deposit not used shall be refunded after the engineer's recommendation. E* An estimate of the testing and inspection shall be made at the time of the engineers review of construction plans and a deposit equal to that amount shall be due before any construction may begin, with additional costs to be billed when the costs are incurred.</small>			
<b>NOTICE TO APPLICANT:</b> Any approval will be issued based on the information furnished in this application and on any submitted plats. It is subject to the provisions and requirements of the City of Lavon Code of Ordinances (# 2002-01-03) and any other applicable ordinances of the City, regardless of information and/or plans submitted.			
Authorized Representative (Printed Name)		Authorized Representative (Signature)	
Kevin Kessler			
		Date: 6-18-18	
To be completed by the City			
In Takers Name:			
In takers Review Date:	PW Review Date:	COO Review Date:	Engineer Review Date:
<input type="checkbox"/> Accepted	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved
<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected
P&Z Review Date:			
<input type="checkbox"/> Approved			
<input type="checkbox"/> Rejected			
Council Action Date:			
<input type="checkbox"/> Approved			
<input type="checkbox"/> Rejected			
Comments:			



## CITY OF LAVON

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

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

### PLAT APPLICATION

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

#### APPLICANT STATEMENT (select one):

☒ I understand that the plat for BEAR CREEK REC. PLAT 3, 4, 5 will not be scheduled for consideration by the Planning & Zoning Commission until such time as all staff comments have been addressed. I hereby waive the requirement that the plat be acted on by the Planning and Zoning Commission and/or the City Council within 30 days under the provisions of the Texas Local Government Code, Section 212.009, and understand and agree that the plat will be considered when it is administratively complete which may be longer than 30 days after the plat is filed; or

☐ I hereby request that the plat for \_\_\_\_\_ be scheduled for consideration at the next Planning & Zoning Commission meeting, regardless of the review process and staff determination that the application is administratively complete. I understand that a staff recommendation for approval of an application is generally forthcoming only for submissions deemed administratively complete and for which all staff comments have been addressed. I further understand that if my application is not approved, new application fees will be required for reconsideration.

**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

7.3.18

Printed Name: \_\_\_\_\_

Owner / Authorized Agent

KEVIN KESSLER

Title: \_\_\_\_\_

ENGINEERING PROJECT MANAGER

Company: \_\_\_\_\_

JACOBS ENGINEERING GROUP INC.





## CITY OF LAVON

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

### PLAT APPLICATION

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

## Authorization of Representation

Date: 7-3-2018

To the City of Lavon  
Collin County, Texas

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

Alan Bain

Signature (Owner) Vice President of World  
Land Developers GP, LLC, general Partner

Signature (Owner)

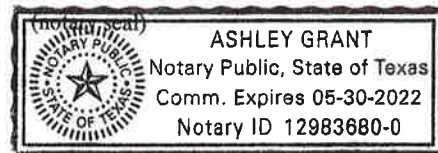
Signature (Owner)

The State of Texas

County of Dallas

Before me, the undersigned authority, appeared Alan Bain,  
on this the 3rd day of July, 2018.

Ashley Grant  
Notary Public in and for Dallas County, Texas





## CITY OF LAVON

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

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

### PLAT APPLICATION

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

## Declaration of Ownership

Date: 7-3-2018

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that I/we, World Land Developers, LP, 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.

Alan Bain

Signature (Owner) Vice President of World Land  
Developers GP, LLC, general partner

Signature (Owner)

Signature (Owner)

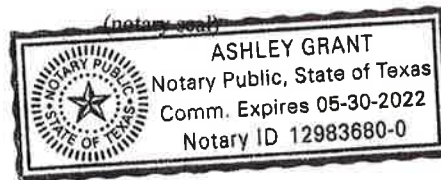
The State of Texas

County of Dallas

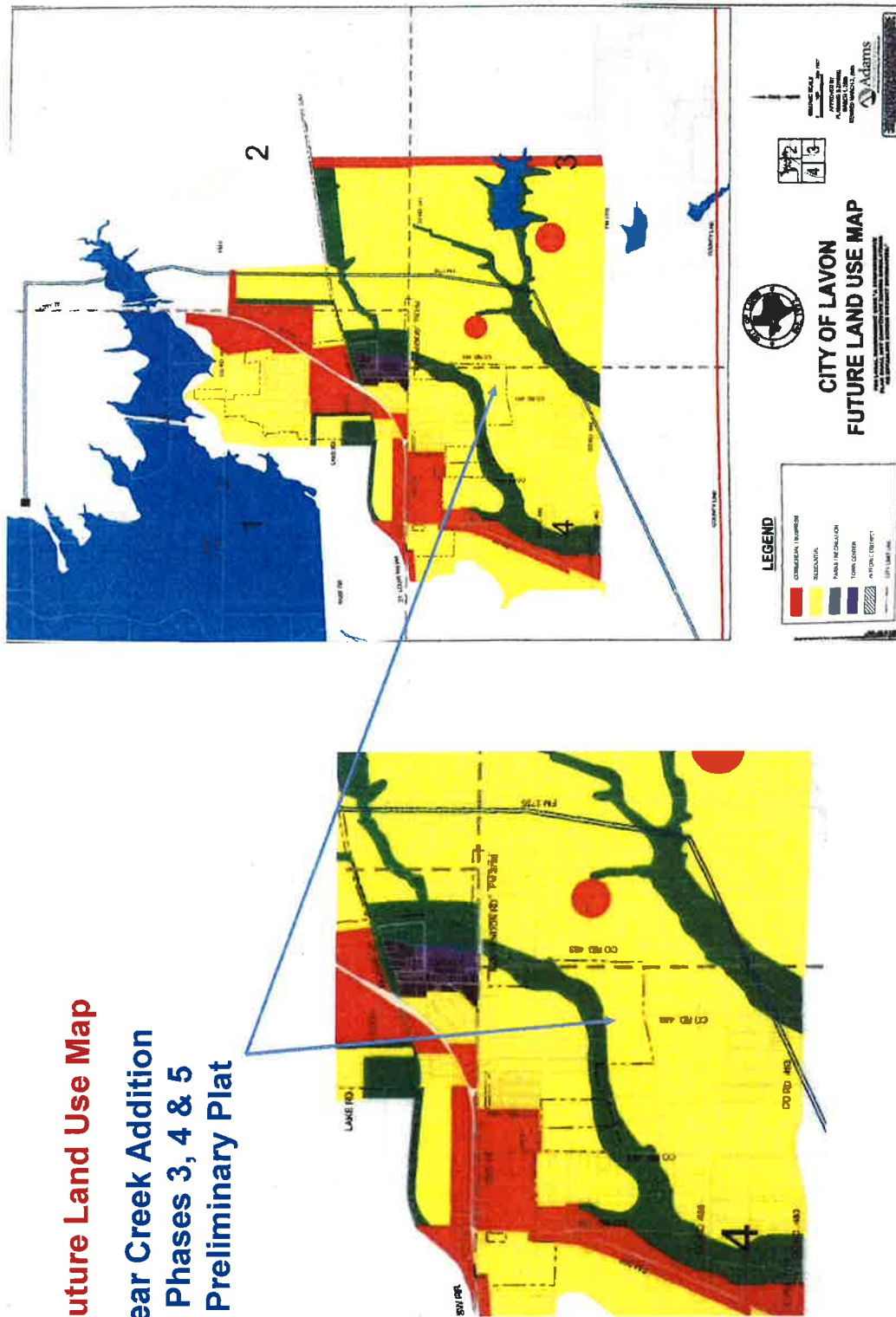
Before me, the undersigned authority, appeared Alan Bain,  
on this the 3rd day of July, 2018.

Ashley Grant

Notary Public in and for Dallas County, Texas

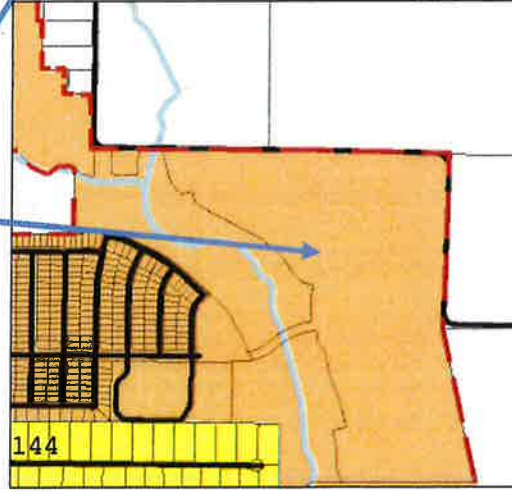
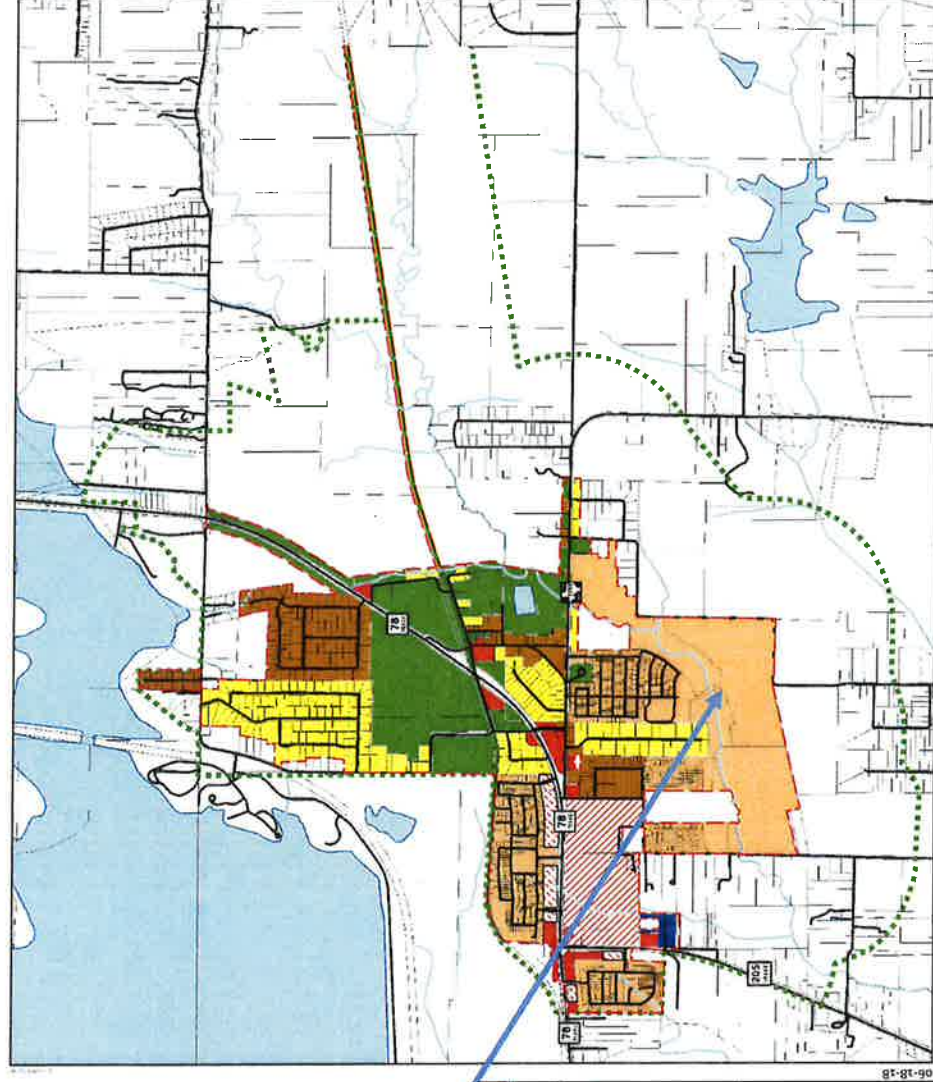


**Future Land Use Map**  
**Bear Creek Addition**  
**Phases 3, 4 & 5**  
**Preliminary Plat**



# Zoning Map

## Bear Creek Addition Phases 3, 4 & 5 Preliminary Plat



**ZONING MAP**  
Ordinance No. 2018-03-02  
March 6th, 2018



### Legend

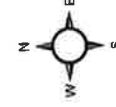
- Agricultural (A)
- Single Family-1 (SF-1)
- Single Family-2 (SF-2)
- Retail (R)
- Planned Development – Single Family (PD-SF)
- Planned Development – Mixed Use (PD-MU)
- Planned Development – Commercial (PD-C)
- Planned Development – Business (PD-B)
- Lavon City Limits

For Planned Development Regulations  
See the City of Lavon Ordinance applicable to the specific site.

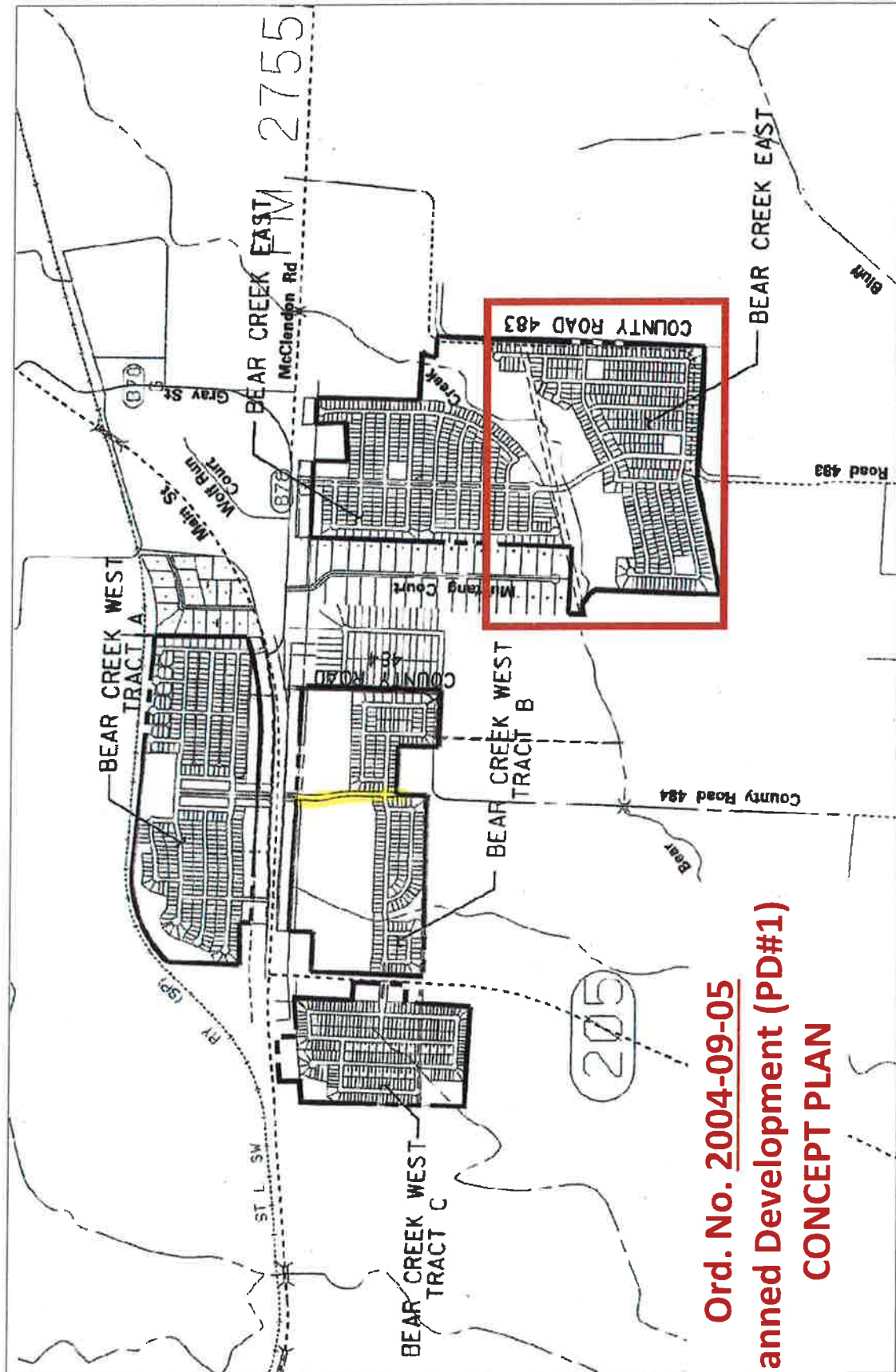
### Unassigned Zoning Districts

- Single-Family -4 (SF-4)
- Main Street
- Business Park District (B-2)

For General Regulations of these Zoning Districts  
see the City of Lavon Zoning Ordinance







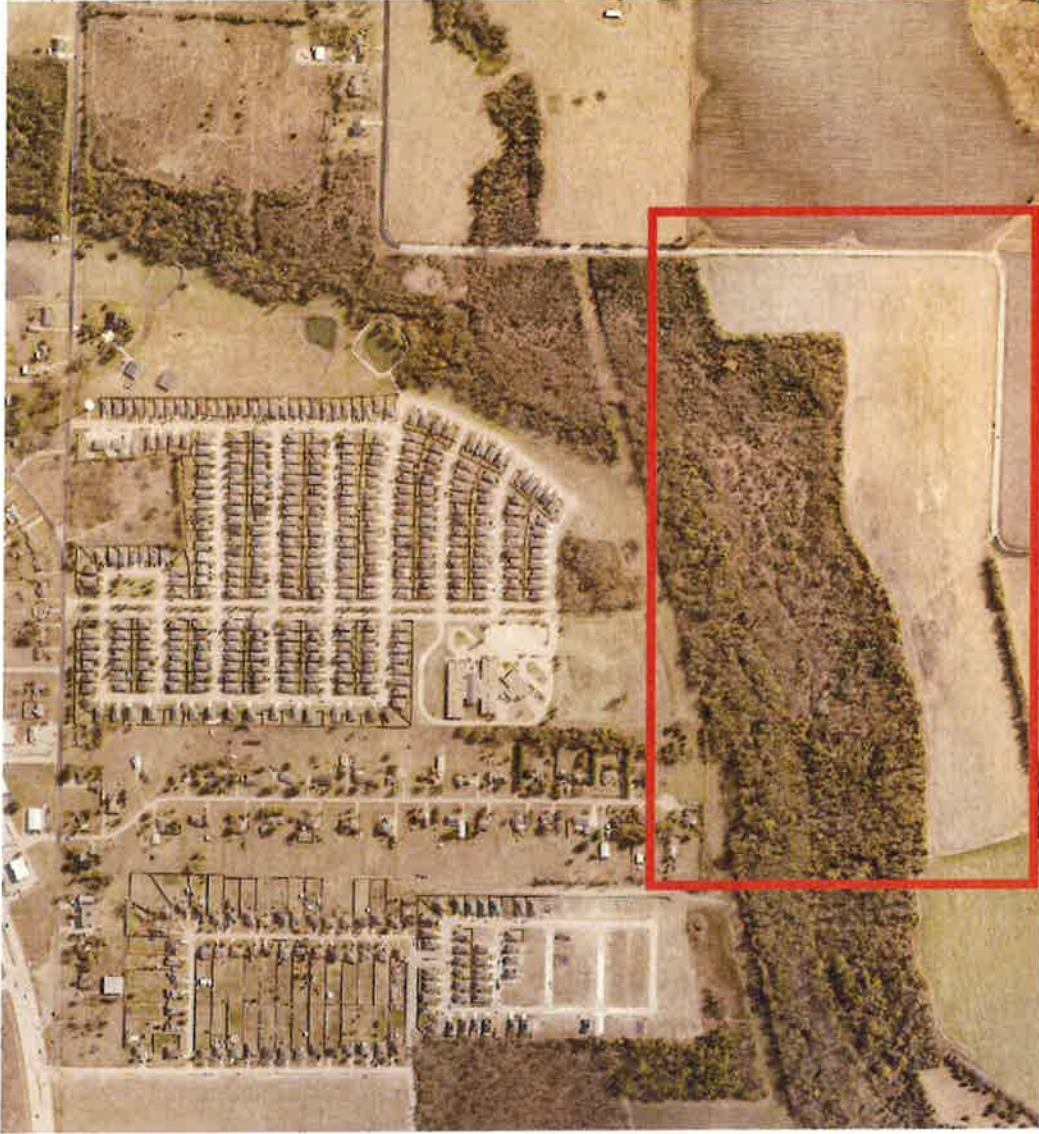
**Ord. No. 2004-09-05**  
**Planned Development (PD#1)**  
**CONCEPT PLAN**

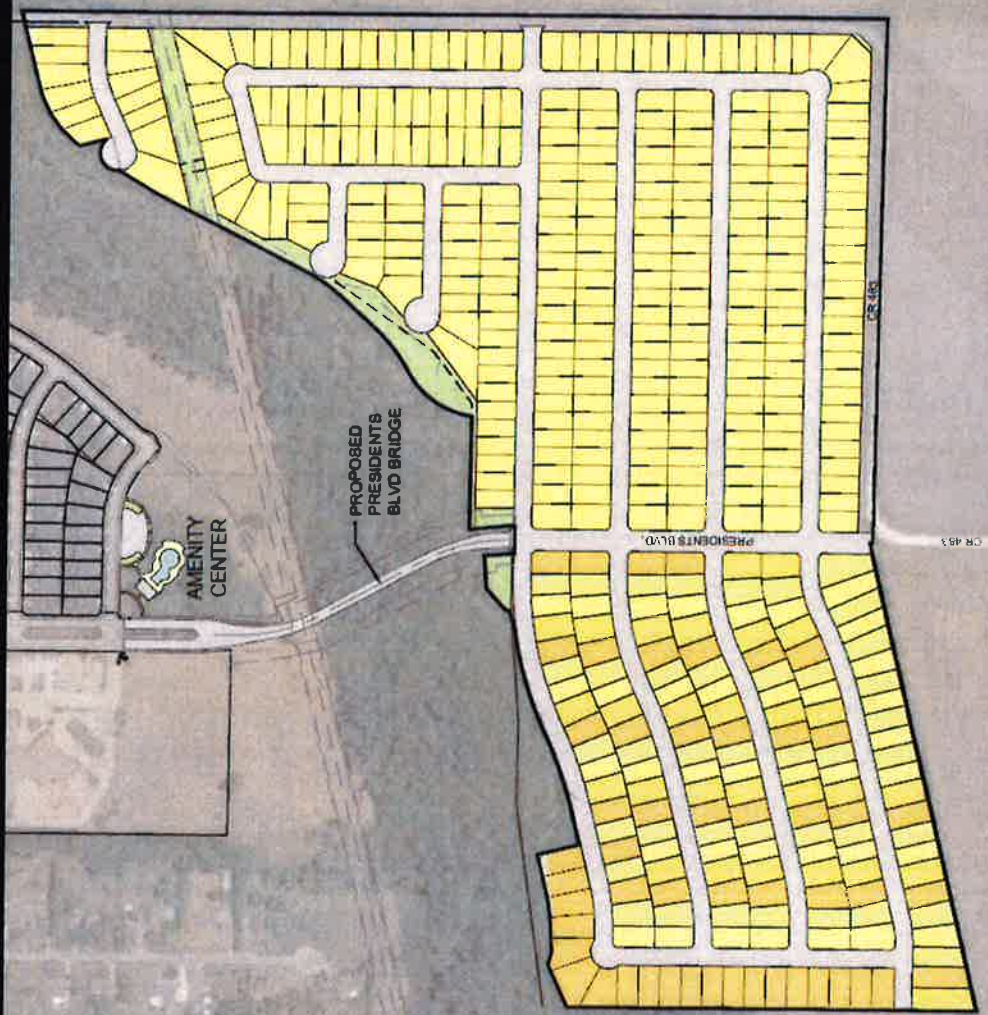




## **Aerial View**

### **Bear Creek Addition Phases 3, 4 & 5**





Lot Summary		
West Lot Size	Units	
50' x 110'	37	24%
55' x 120'	40	25%
60' x 130'	52	32%
65' x 110'	28	18%
<b>Subtotal</b>	<b>157</b>	
East Lot Size	Units	
50' x 110'	296	
<b>Total</b>	<b>453</b>	



# Bear Creek Phase 3, 4 & 5

NOTE: This plan is for informational purposes only and is not intended to be used for any other purpose. The plan is not a contract and is not a warranty. The plan is subject to change without notice. The plan is not a warranty. The plan is subject to change without notice. The plan is not a warranty. The plan is subject to change without notice.

Prepared by: Jacobs Engineering Group, Inc. 12345 Main Street, Suite 100, San Francisco, CA 94102. Date: July 2013. Project: Bear Creek Phase 3, 4 & 5.



LEGEND			TOTAL
	CLASSIC (SHEET)	ELEMENTS (SHEET)	
PHASE 1	11	82	163
PHASE 4	40	89	169
PHASE 5	42	109	181
<b>TOTAL</b>	<b>138</b>	<b>290</b>	<b>454</b>

**EXHIBIT B**  
**OF**  
**BEAR CREEK**

OF  
**BEAR CREEK**  
 PHASE 1, 4, & 8  
 90.982 ACRES / 454 LOTS / 4 OPEN SPACES  
 OUT OF THE  
 D. ANGLIN SURVEY, ABSTRACT NO. 2  
 IN THE  
 CITY OF LAMAR, COLLIN COUNTY, TEXAS

**DEVELOPER:**  
BLOOMFIELD HOMES, L.P.  
1050 E. HWY 114, #210  
SOUTH-EAST, TEXAS 76092  
PHONE 817-416-1572

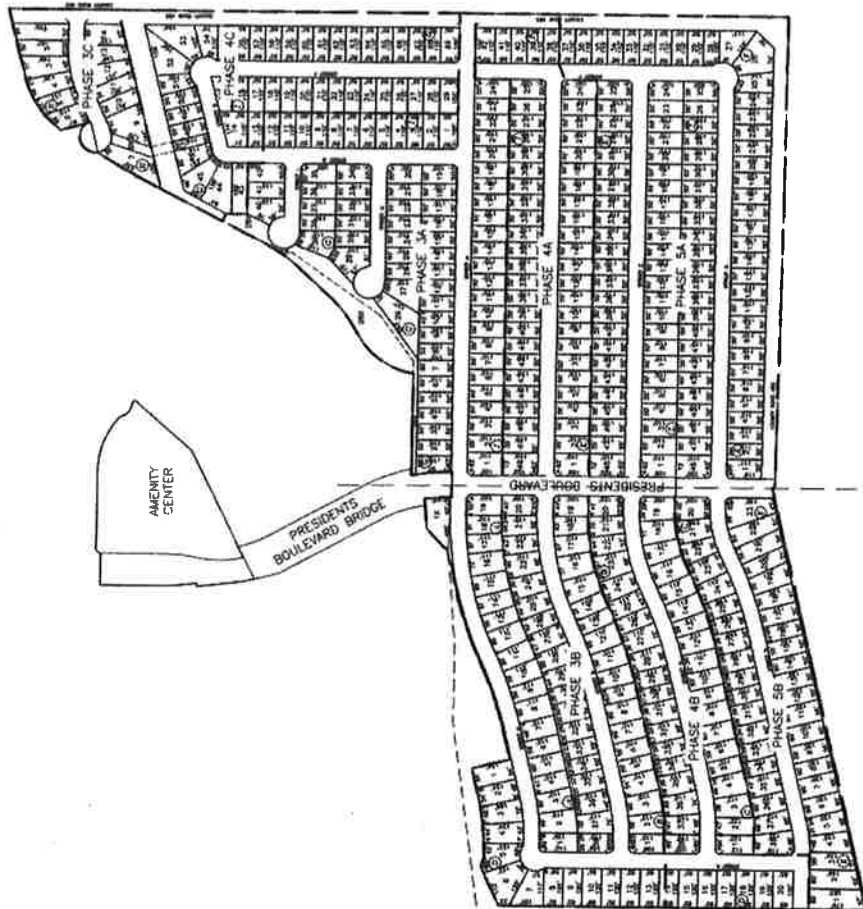
**OWNER:**  
WORLD LAND DEVELOPERS, LP  
2101 CEDAR SPRINGS ROAD,  
SUITE 600  
DALLAS, TEXAS 75201  
PHONE 214-880-8595

DEVELOPER: \_\_\_\_\_ ENGINEER: \_\_\_\_\_

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

JULY 2018 SCALE: 1"=100'

PROJECT NO. WFA08110



TERRY MILLICAN, R.P.L.S.  
VICTOR L. ACUY, P.E.  
RICHARD A. DORMIER, P.E.  
JOHN D. GATTIS, A.I.A.  
MARK D. HILL, P.E.  
DAMIR LULO, P.E.  
MICHAEL K. STACEY, P.E.  
LARRY J. FREEMAN, P.E.

August 3, 2018

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

Re: Bear Creek Phase 3, 4, & 5, 454 Lots, 4 Tracts, 90.98 Acres  
Preliminary Plat

Dear Ms. Dobbs:

As requested, we have reviewed the revised Preliminary Plat dated July 19, 2018 as prepared by Jacobs Engineering Group, Inc. for the above referenced property. The property is located south of Bear Creek with CR 483 on the east and south boundary and Crestridge on the west boundary.

All previous comments have been satisfactorily addressed. There is one new comment:

1. The radius of the cul-de-sac Right-of-Way should be a minimum 58.5' to accommodate a 96' pavement width per the International Fire Code. There are three (3) cul-de-sacs proposed.

It should be noted that the existing ROW of SH 483 and the proposed Presidents Boulevard alignment will need to be further reviewed during the Final Plat process of the later phases. This should not impact the approval of this Preliminary Plat.

In addition, the encroachment of Street J on the City of Lavon property will have to be finalized as part of the Final Plat process.

This concludes our review of the above referenced Preliminary Plat. **We recommend Approval of the Preliminary Plat for Bear Creek Phase 3, 4, & 5.**

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

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

Sincerely,  
FREEMAN-MILLICAN, INC.



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

Cc: Sonny Mancias, Mike Jones, Jon Scott, Kevin Kessler, P.E.

F:\17024 - LAV General Services\9 - Review\Bear Creek 3-4-5\Bear Creek 3-4-5 - Preliminary Plat - Rev 2.docx



1999 Bryan Street, Suite 1200  
Dallas, Texas 75201  
United States  
T +1.214.583.8500  
F +1.214.638.0447  
www.jacobs.com

July 19, 2018

Kim Dobbs, City Administrator  
City of Lavon  
P.O. Box 340  
120 School Road  
Lavon, Texas 75166

**RE: Bear Creek, Phase 3, 4 & 5 Preliminary Plat Comment Response Letter**

Dear Ms. Dobbs:

Jacobs Engineering Group Inc. (Jacobs) is in receipt of Staff Comments, received July 16, 2018, on the Preliminary Plat for Bear Creek Phase 3, 4, & 5. Please see comment responses below:

**General**

1. The property is being platted into 454 lots. There are also 4 "open spaces" (tracts).

**Response: Acknowledged.**

2. This property is identified as "East Residential B" and is part of Planned Development District No.1 as defined in Ordinance No 2004-09-05. Therefore, this PD will govern design standards.

**Response: Acknowledged.**

3. The property is zoned Planned Development – Single Family (PD-SF) per the Zoning Ordinance 2018-03-02.

**Response: Acknowledged.**

4. This property was previously included in the Preliminary Plat for Bear Creek East. This Preliminary Plat has expired.

**Response: Acknowledged.**

**Cover Sheet (Sheet 1)**

5. This property is within the Corporate Limits of Lavon, so "ETJ" should be removed from the title.

**Response: Acknowledged, "ETJ" has been removed from the title.**



July 19, 2018

RE: Bear Creek, Phase 3, 4 & 5 Preliminary Plat Comment Response Letter

**Preliminary Plat (Sheet 2 and 3)**

6. The Preliminary Plat should include phase lines, ROW width for all adjacent streets, Owner's Certificate, signature blocks and existing easements.

**Response: Phasing plan has been included, ROW widths have been labeled for adjacent streets, the Owner's Certificate and signature blocks have been added, and existing easements are shown and labeled.**

7. The Location Map should be 1" = 1000' scale and include an area within ½ mile of the property boundary and identify existing and proposed thoroughfares.

**Response: The location map has been revised to be at 1" = 1000' scale and includes approximately ½ mile of the property boundary. Major thoroughfares have been labeled.**

8. Dimensions should be placed on all building lines where the lot front is less than the minimum front lot width.

**Response: Dimensions have been added as noted.**

9. The proposed trail location should be shown, including connection points.

**Response: Approximate trail location is now shown. Exact location will be determined at time of Final Plat.**

10. Block D is shown as 60' lots on the approved Concept Plan. Some of the lots shown are less than 60' in width and should be corrected.

**Response: Block D has been modified to have all 60' lots.**

11. There is concern about the proximity of the 100-year floodplain and street A.

**Response: A revised flood study will be prepared to address possible concerns.**

12. The existing ROW of SH 483 should be shown in relation to Presidents Boulevard to verify alignment. In addition, we would like to see a basic intersection layout in this area to determine if the proposed alignment will work.

**Response: Refer to basic intersection detail provided.**

13. Visibility easements may be needed at connection points to CR 483.

**Response: Visibility easements have been added at CR 483 connection points.**

14. The Engineer should verify there is sufficient room for CR483, including any future improvements, at the southeast corner of the property.

**Response: Appropriate area is provided for existing intersection. Please provide additional information regarding future improvements.**





July 19, 2018

RE: Bear Creek, Phase 3, 4 & 5 Preliminary Plat Comment Response Letter

15. Sidewalks should be minimum 5' wide.

**Response: ROW details have been modified.**

16. A mountable curb should not be allowed on Presidents Boulevard (60' ROW) since this is a Collector Street.

**Response: Mountable curb has been removed from 60' ROW.**

17. We do not recommend mountable curbs on the residential streets (50' ROW), unless they are used as shown in the "Mountable Curb Detail – Plan View".

**Response: Mountable curb details have been removed. 50' ROW will not have mountable curb for consistency with previous phases.**

18. Block H, Lots 1-6 include a small strip of land on the rear of the lots that is designated as Tract 1X. It is unclear what the intended use of this strip of property is and/or why it is there.

**Response: This small strip has been removed.**

19. There are two (2) tracts along CR 483 identified as Tracts 1X and 15X, that incorporate the existing BCSUD 15' utility easement. It is unclear as to why these are labeled tracts in this location and not anywhere else along CR 483.

**Response: Lot 1X and 15X of Block H have been removed.**

20. The City should note that a portion of the cul-de-sac at the end of Street J encroaches into City of Lavon property. The Plat has notes that a possible property swap may be possible to account for this encroachment. This should be examined further.

**Response: Since this encroachment is into property owned by the City of Lavon, is there a possible scenario that simply allows access versus a formal dead swap? We agree options should be examined further.**

#### **Preliminary Water & Sewer Plan (Sheet 4 and 5)**

21. The sanitary sewer is shown to connect to the sanitary sewer extension being constructed as part of the Bear Creek Amenity Center & Bridge project.

**Response: Acknowledged.**

22. The portion of the sanitary sewer north and west of Block G will require a sanitary sewer easement.

**Response: Easement along back of lots has been provided.**



July 19, 2018

RE: Bear Creek, Phase 3, 4 & 5 Preliminary Plat Comment Response Letter

23. The sanitary sewer line north of Lot G is shown to connect to the 10" sanitary sewer being constructed as part of the Bear Creek Amenity Center & Bridge project by constructing a new manhole. We recommend that the manhole be constructed as part of the Bear Creek Amenity Center & Bridge project since this area will be under pavement.

**Response: We intend to now build the manhole with the Bear Creek Amenity Center and Bridge.**

24. The water system is shown to have a single connection to the 12" waterline being constructed as part of the Bear Creek Amenity Center & Bridge project.

**Response: A preliminary review by Bear Creek SUD has been provided and a second connection has been provided.**

25. The Engineer should verify if an existing waterline is located along CR 483. If so, it should be shown.

**Response: The existing 6" is now shown.**

26. It is unclear if the proposed waterline is connecting to an existing waterline at the south end of Presidents Boulevard at CR 483.

**Response: Plan has been revised to show a connection to the existing 6" waterline.**

27. The Engineer should verify if the proposed waterline will have a connection at Street A and CR 483.

**Response: The 8" waterline running through Street A will connect to the existing 6" waterline in CR 483.**

#### **Preliminary Drainage Plan (Sheets 6 and 7)**

28. The proposed storm sewer system is shown to include multiple discharge points into the Bear Creek area. No detention is being provided. This "developed" flow condition should be modeled in the Flood Study being prepared by the Engineer to determine if the projected flows adversely impact the floodplain limits and impact downstream.

**Response: A revised flood study is in process to analyze encroachments and detention. Preliminary findings indicate no detention will be required due to increase in time of concentration. However, should the detail analysis indicate otherwise, the overbank excavation and valley storage will be defined in the floodplain area at time of Final Plat.**



July 19, 2018

RE: Bear Creek, Phase 3, 4 & 5 Preliminary Plat Comment Response Letter

We appreciate this opportunity to respond to your comments. Please contact me or Kevin Kessler (kevin.kessler@jacobs.com) if you need additional information.

Sincerely,

JACOBS ENGINEERING GROUP INC.

A handwritten signature in black ink, reading "Kaitlyn Wurzbach".

**Kaitlyn Taylor-Wurzbach**

P.E.

832-351-6179

kaitlyn.taylor@jacobs.com



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 - J**

---

**Item:**

Discussion and action regarding Resolution No. **2018-08-03** authorizing the Mayor to execute a Development Facilities Agreement with Pacesetter Homes, LLC for the Lavon Farms Addition.

**Background:**

**Application Information**

**Owner(s):** Pacesetter Homes (Shepherd Place Homes, Inc. at application)  
**Developer:** Bob Tesch  
**Location:** Generally located southwest of the intersection of FM 2755 and CR 483, east of Bear Creek  
**Description:** CCAD Tracts 121, 113 and 123, Drury Anglin Survey, A-2, Collin County CAD ID #s 2653997, 2087762 and 2507840, respectively Collin County, Texas (38.62 acres combined)  
**Zoning:** Planned Development (PD) for residential uses consisting of 152 lots  
**Request:** Facilities Development Agreement

In connection with the final plat of the Lavon Farms Addition, a Facilities Development Agreement is provided for the Council's consideration. The agreement includes provisions relating to road repair recovery, offsite infrastructure and capacity.

The City Attorney has reviewed the agreement and approval is recommended.

**Attachments:** Resolution and Agreement

August 3, 2018

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2018-08-03**

Facilities Development Agreement – Lavon Farms

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LAVON, TEXAS AUTHORIZING THE MAYOR TO EXECUTE  
A FACILITIES DEVELOPMENT AGREEMENT WITH  
PACESETTER HOMES, LLC; AND PROVIDING FOR AN  
EFFECTIVE DATE.**

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

**SECTION 1.** The City Council has reviewed and desires to authorize the Mayor to execute the Facilities Development Agreement attached hereto 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 7<sup>th</sup> day of August, 2018.

---

Vicki Sanson  
Mayor

ATTEST:

---

Kim Dobbs  
City Administrator | City Secretary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2018-08-03**

**EXHIBIT A**

**Facilities Development Agreement**



## FACILITIES DEVELOPMENT AGREEMENT

**A FACILITIES DEVELOPMENT AGREEMENT** (the "Agreement") between the City of Lavon, Texas, a general law municipality located within Collin County, Texas, (the "City"), and the undersigned Developer, (the "Developer"), (the City and the Developer each individually, a "Party" and collectively the "Parties") of Lavon Farms, (the "Addition") to the City of Lavon, Collin County, Texas, for the installation of certain community facilities located therein and described herein, and to provide city services thereto. It is understood by and between the Parties that this Agreement is applicable to the 150 lots contained within the Addition and to the off-site improvements necessary to support the Addition to be effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2018 (the "Effective Date").

### RECITALS

WHEREAS, the City is a general law municipal corporation duly organized and validly existing under the laws of the State of Texas within Collin County, Texas; and

WHEREAS, the Developer is a Texas limited liability corporation whose principal office is located in Pflugerville, Texas; and

WHEREAS, the Developer plans to develop in an approximately 38.62-acre tract of land more particularly described by metes and bounds in Exhibit A and depicted on Exhibit B attached hereto (the "Property"); and

WHEREAS, as of the Effective Date, Pacesetter Homes, LLC owns the Property; and

WHEREAS, the Bear Creek Special Utility District ("BCSUD") holds a water certificate of convenience and necessity (a "CCN") for the property; and

WHEREAS, the parties intend for the City to be the retail provider of sewer service to the Property; and

WHEREAS, the development of the Property will require the following improvements to specific roads, sewer, water, drainage – attached hereto as Exhibit B; and

WHEREAS, the development of the property will require certain on-site public improvements including streets and roads; drainage; water; sanitary sewer and other utility systems; parks, open space, landscaping and trail systems; and land for on-site public improvements, described on Exhibit C (collectively, the "On-Site Public Improvements"); and

WHEREAS, certain off-site public improvements necessary to provide adequate access and bring water and sanitary sewer service to the Property, as further described on Exhibit D (collectively, the "Off-Site Public Improvements"); and

WHEREAS, the Off-Site Public Improvements will be constructed within existing right-of-way or will be constructed in easements; and

WHEREAS, the Parties have determined that they have the authority to enter into this Agreement; and

WHEREAS, it is the intent of this Agreement to establish certain legally binding restrictions and commitments to be imposed upon such Property; and the Parties are proceeding in reliance on the enforceability of this Agreement.

NOW, THEREFORE, for and in consideration of mutual agreements, covenants and conditions contained herein, and other good and valuable consideration, the Parties hereby agree as follows:

## **I. REPRESENTATIONS**

- A. Recitals. The recitals contained in this Agreement are true and correct as of the Effective Date and form the basis upon which the Parties negotiated and entered into this Agreement.
- B. Authority. The City represents and warrants that this Agreement has been approved and duly adopted by the City Council of the City in accordance with all applicable public meeting and public notice requirements (including, but not limited to, notices required by the Texas Open Meetings Act), and that the individual executing this Agreement on behalf of the City has been authorized to do so. The Developer represents and warrants that this Agreement has been approved by appropriate action of the Developer, and that the individual executing this Agreement on behalf of the Developer has been authorized to do so.

## **II. GENERAL REQUIREMENTS**

- A. It is agreed and understood by the Parties hereto that the Developer shall employ, at its sole cost, a civil engineer licensed to practice in the State of Texas for the design and preparation of the plans and specifications for the construction of all facilities covered by this Agreement.
- B. The Developer agrees to cause to be furnished to the City maintenance bonds, letters of credit or cash escrow amounting to 100% of the cost of construction of underground utilities and 100% of the construction cost for paving. These maintenance bonds, letters of credit or cash escrow will be for a period of two (2) years and will be issued prior to the final City acceptance of the public improvements. The maintenance bonds, letters of credit or cash escrow will be supplied to the City by the contractors performing the work, and the City will be named as the beneficiary if the contractors fail to perform any required maintenance.
- C. It is further agreed and understood by the Parties hereto that upon acceptance of City public infrastructure by the City, title to all facilities and improvements mentioned hereinabove shall be vested in the City and Developer hereby

relinquishes any right, title or interest in and to said facilities or any part thereof. It is further understood and agreed that until the City accepts such improvements, the City shall have no liability or responsibility in connection with any such facilities. Acceptance of the facilities shall occur at such time that the City, through its City Administrator or his duly authorized representative, provides Developer with a written acknowledgement that all facilities are complete, have been inspected and approved and are being accepted by the City. The Developer agrees that the exactions on this project are roughly the same as the improvements in the subdivision.

D. On all public facilities included in this Agreement for which Developer awards his own construction contract, Developer agrees to the following procedure:

1. Developer agrees to pay the following:
  - a. Inspection fees equal to three percent (3%) of the project cost of the street, drainage and sanitary sewer facilities, on all facilities included in this Agreement for which Developer awards his or her own construction contract, to be paid prior to construction of each phase and based on actual bid construction cost;
  - b. All Third-Party Laboratory Testing (e.g. subgrade density, concrete strength, pipeline testing, etc.);
  - c. The additional charge for inspections during Saturday, Sunday, holidays, and outside of normal working hours;
  - d. Any charges for re-testing as a result of failed tests;
  - e. All gradation tests required to insure proper cement and/or lime stabilization.
2. The Developer agrees to hire a City-approved laboratory to conduct the following and Developer will be billed directly by the vendor:
  - a. All nuclear density tests on the roadway subgrade ;
  - b. Technicians time for preparing concrete cylinders;
  - c. Concrete cylinder tests and concrete coring samples; and
  - d. Pipeline, manhole, related infrastructures tests, etc.

The City can delay connection of buildings to sanitary sewer service lines constructed under this Agreement until said sanitary sewer service lines have been completed to the satisfaction of and acceptance by the City. In addition, acceptance of the water mains by the BCSUD must be provided. In the event that such connection to sanitary sewer service lines is delayed by the City, the Developer agrees to release, indemnify and hold the City harmless from any and all damages, loss, or incidental or consequential damages resulting from any delays in providing sanitary sewer service.

E. The Developer and any third-party, independent entity engaged in the construction of houses, (hereinafter referred to as "Builder") will be responsible

for mowing all grass and weeds and otherwise reasonably maintaining the aesthetics of all land and lots in said Addition which have not been sold to third parties. After fifteen (15) days written notice, should the Developer or Builder fail in this responsibility, the City may contract for this service and bill the Developer or Builder for reasonable costs. Should such cost remain unpaid for 120 days after written notice, the City can file a lien on such property so maintained.

- F. Any guarantee of payment instrument (Performance Bond, Letter of Credit, etc.) submitted by the Developer or Contractor on a form other than the one which has been previously approved by the City as "acceptable" shall be submitted to the City Attorney and this Agreement shall not be considered in effect until such City Attorney has approved the instrument. Approval by the City shall not be unreasonably withheld or delayed.
- G. Any surety company through which a bond is written shall be a surety company duly authorized to do business in the State of Texas, provided that the City, through the City Administrator, shall retain the right to reject any surety company as a surety for any work under this or any other Developer's Agreement within the City regardless of such company's authorization to do business in Texas. Approval by the City shall not be unreasonably withheld or delayed.

### **III. FACILITIES**

#### **A. ON SITE WATER**

The Developer hereby agrees to install water facilities to service lots as shown on the final plat of the Addition. Water facilities will be installed in accordance with plans and specifications to be prepared by the Developer's engineer and released by the City after BCSUD review and approval. Further, the Developer agrees to complete this installation in accordance with the latest requirements of BCSUD, city ordinance or regulations and shall be solely responsible for all construction costs, materials and engineering.

#### **B. DRAINAGE**

Developer hereby agrees to construct the necessary drainage facilities within the Addition. These facilities shall be in accordance with the plans and specifications to be prepared by Developer's engineers, and approved by the City. Plans and specifications shall conform to current City Design Standards in effect at the time of Final Plat submission. The Developer hereby agrees to fully comply with all EPA and TCEQ requirements relating to the planning, permitting and management of storm water which may be in force at the time that development proposals are being presented for approval by the City. The Developer hereby agrees to comply with all provisions of the Texas Water Code. All drainage shall conform to current (at time of Final Plat submission) iSWMM standards as approved by the North Central Texas Council of Governments.

#### **C. LAW COMPLIANCE**

Developer hereby agrees to comply with all federal, state, and local laws that are applicable to development of this Addition.

#### **D. STREETS**

1. The street construction in the Addition shall conform to the requirements in accordance with plans and specifications to be prepared by the Developer's engineer and approved by the City. Plans and specifications shall conform to current City Design Standards in effect at the time of Final Plat submission.
2. The Developer will be responsible for:
  - a. Installation and one-year operation cost of street lights, which is payable to the City prior to final acceptance of the Addition; or an agreement with utility provider stating that no charge will be made for street lights for the one-year duration.
  - b. Installation of all street signs designating the names of the streets inside the Addition, said signs to be of a type, size, color and design standard to fully comply with City Ordinances.
  - c. Installation of all regulatory signs recommended based upon the Texas Manual of Uniform Traffic Control Devices (TMUTCD), latest edition, as prepared by the Developer's engineer by an engineering study or direction by the Director of Public Works. It is understood that Developer may put in signage having unique architectural features, however, should the signs be moved or destroyed by any means the City is only responsible for replacement of standard signage.
3. All street improvements will be subject to inspection and approval by the City. No work shall begin on any street included herein prior to complying with the requirements contained elsewhere in this Agreement. All water, sanitary sewer, and storm drainage utilities which are anticipated to be installed within the street or within the street right-of-way will be completed prior to the commencement of street construction on the specific section of street in which the utility improvements have been placed or for which they are programmed. It is understood by and between the Developer and the City that this requirement is aimed at substantial compliance with the majority of the pre-planned facilities.

It is understood that in every construction project a decision later may be made to realign a line or service which may occur after construction has commenced. The Developer hereby agrees to advise the City as quickly as possible when such a need has been identified and to work cooperatively with the City to make such utility change in a manner that will be least disruptive to street construction or stability.

#### **E. SANITARY SEWER FACILITIES**

The Developer hereby agrees to install sanitary sewer collection facilities to service lots as shown on the final plat of the Addition. Sanitary sewer facilities will be installed in accordance with the plans and specifications to be prepared by the Developer's engineer and approved by the City. Plans and specifications

shall conform to current City Design Standards in effect at the time of Final Plat submission. Further, the Developer agrees to complete this installation in compliance with all applicable city ordinances, regulations and codes and shall be responsible for all construction costs, materials and engineering. In the event that certain sewer lines are to be oversized because of City requirements, the City will reimburse the Developer for the oversize cost greater than the cost of a 12" line.

#### **F. EROSION CONTROL**

During construction of the Addition and after the streets have been installed, the Developer agrees to keep the streets free from soil build-up. The Developer agrees to use soil control measures, such as those included in the NCTCOG STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, Division 1000 EROSION AND SEDIMENT CONTROL to prevent soil erosion. It will be the Developer's responsibility to present to the City a soil control development plan that will be implemented for this Addition. When in the opinion of the Director of Public Works there is sufficient soil build-up on the streets or other drainage areas and notification has been given to the Developer, the Developer will have seventy-two (72) hours to clear the soil from the streets or affected areas. If the Developer does not remove the soil from the street within 72 hours, the City may cause the soil to be removed either by contract or City forces and place the soil within the Addition at the Developer's expense. All expenses must be paid to the City prior to acceptance of the Addition.

After construction of the Addition and prior to acceptance by the City, the Developer agrees to have a permanent erosion control plan prepared and approved by the City and have the plan installed and working, effectively, in the opinion of the Director of Public Works. This erosion control will prevent soil erosion from the newly created lots from washing into street rights of way, drainage ways or other private property.

#### **G. AMENITIES**

It is understood by and between the City and Developer that the Addition may incorporate a number of unique amenities and aesthetic improvements such as ponds, aesthetic lakes, unique landscaping, and walls and may incorporate specialty signage and accessory facilities. The Developer agrees to accept responsibility, at its sole cost, for the construction and maintenance of all such aesthetic or specialty item such as walls, vegetation, signage, and landscaping, street furniture, pond and lake improvements until such responsibility is turned over to a homeowners association.

#### **H. USE OF PUBLIC RIGHT-OF-WAY**

It is understood by and between the City and Developer that the Developer may provide unique amenities within public right-of-way, such as landscaping, irrigation, lighting, etc., for the enhancement of the Addition. The Developer agrees to maintain these amenities, at its sole cost, until such responsibility is turned over to a homeowners association. The Developer and his successors



and assigns understand that the City shall not be responsible for the replacement of these amenities under any circumstances and further agrees to release, indemnify and hold harmless the City from any and all damages, loss or liability of any kind whatsoever by reason of injury to property or third person occasioned by its use of the public right-of-way with regard to these improvements and the Developer shall, at its sole cost and expense, defend and protect the City against all such claims and demands.

#### **I. START OF CONSTRUCTION**

Before the construction of the streets, sanitary sewer, or drainage facilities can begin, the following shall take place:

1. Approved payment and performance bonds (or similarly acceptable letter of credit or cash escrow) must be submitted to the City in the name of the City prior to the commencement of any work.
2. At least three (3) sets of construction plans to be stamped "Released for Construction" by the Director of Public Works must be submitted.
3. All fees required to be paid to the City.
4. Developer Agreement must be executed.
5. The Developer, or contractor, shall furnish to the City a policy of general liability insurance, naming the City as co-insured, prior to commencement of any work. All insurance must meet the **Requirements of Contractor's Insurance** attached hereto as **Exhibit E** and incorporated herein for all purposes.
6. A pre-construction meeting between Developer and City is required. Developer or contractor shall furnish to the City a list of all subcontractors and suppliers, which will be providing greater than a \$1,000 value to the Addition.

#### **IV. GENERAL PROVISIONS**

##### **A. INDEMNIFICATION**

**DEVELOPER COVENANTS AND AGREES TO INDEMNIFY AND DOES HEREBY INDEMNIFY, HOLD HARMLESS AND DEFEND CITY, ITS OFFICERS, AGENTS, SERVANTS AND EMPLOYEES, FROM AND AGAINST ANY AND ALL CLAIMS OR SUITS FOR PROPERTY DAMAGE OR LOSS AND/OR PERSONAL INJURY, INCLUDING DEATH, TO ANY AND ALL PERSONS OF WHATSOEVER KIND OR CHARACTER, WHETHER REAL OR ASSERTED, (INCLUDING, WITHOUT LIMITATION, REASONABLE FEES AND EXPENSES OF ATTORNEYS, EXPERT WITNESSES AND OTHER CONSULTANTS), ARISING OUT OF OR IN CONNECTION WITH, DIRECTLY OR INDIRECTLY, THE CONSTRUCTION, MAINTENANCE, OCCUPANCY, USE, EXISTENCE OR LOCATION OF SAID IMPROVEMENT OR IMPROVEMENTS, AND SHALL FURTHER BE LIABLE FOR INJURY OR DAMAGE TO CITY PROPERTY, ARISING OUT OF OR IN CONNECTION WITH ANY AND ALL ACTS OR OMISSIONS OF DEVELOPER, ITS**

**OFFICERS, AGENTS, SERVANTS, EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, LICENSEES, OR INVITEES, SAID INDEMNIFICATION TO REMAIN IN EFFECT UNTIL THE CITY ACCEPTS THE ADDITION.**

**B. DEVELOPER'S ACKNOWLEDGEMENT OF THE CITY'S COMPLIANCE WITH FEDERAL AND STATE CONSTITUTIONS, STATUTES AND CASE LAW AND FEDERAL, STATE AND LOCAL ORDINANCES, RULES AND REGULATIONS/DEVELOPERS' WAIVER AND RELEASE OF CLAIMS FOR OBLIGATIONS IMPOSED BY THIS AGREEMENT.**

**(a) THE DEVELOPER ACKNOWLEDGES AND AGREES THAT:**

**(I) THE PUBLIC IMPROVEMENTS TO BE CONSTRUCTED UNDER THIS AGREEMENT, AND THE FEES TO BE IMPOSED BY THE CITY PURSUANT TO THIS AGREEMENT, REGARDING THE PROPERTY, IN WHOLE OR IN PART, DO NOT CONSTITUTE A:**

**(A) TAKING UNDER THE TEXAS OR UNITED STATES CONSTITUTION;**

**(B) VIOLATION OF THE TEXAS LOCAL GOVERNMENT CODE, AS IT EXISTS OR MAY BE AMENDED; AND/OR**

**(C) NUISANCE.**

**(II) ASSUMING NO DEFAULTS UNDER THIS AGREEMENT, THE AMOUNT OF THE DEVELOPER'S FINANCIAL AND INFRASTRUCTURE CONTRIBUTION FOR THE PUBLIC IMPROVEMENTS IS ROUGHLY PROPORTIONAL TO THE DEMAND THAT THE DEVELOPER'S ANTICIPATED IMPROVEMENTS AND DEVELOPER'S DEVELOPMENT OF THE PROPERTY PLACES ON THE CITY'S INFRASTRUCTURE.**

**(III) ASSUMING NO DEFAULTS UNDER THIS AGREEMENT, THE DEVELOPER HEREBY AGREES AND ACKNOWLEDGES, WITHOUT WAIVING CLAIMS RELATED SOLELY TO EXACTIONS NOT CONTEMPLATED BY THIS AGREEMENT, THAT: (A) ANY PROPERTY WHICH IT CONVEYS TO THE CITY OR ACQUIRES FOR THE CITY PURSUANT TO THIS AGREEMENT IS ROUGHLY PROPORTIONAL TO THE BENEFIT RECEIVED BY THE DEVELOPER FOR SUCH LAND, AND THE DEVELOPER HEREBY WAIVES ANY CLAIM THEREFOR THAT IT MAY HAVE; AND (B) ALL PREREQUISITES TO SUCH DETERMINATION OF ROUGH PROPORTIONALITY HAVE BEEN MET, AND ANY VALUE RECEIVED BY THE CITY RELATIVE TO SAID CONVEYANCE IS RELATED BOTH IN NATURE AND EXTENT TO THE IMPACT OF THE DEVELOPMENT OF THE PROPERTY ON THE CITY'S INFRASTRUCTURE. ASSUMING NO DEFAULTS UNDER THIS AGREEMENT, THE DEVELOPER FURTHER**

**AGREES TO WAIVE AND RELEASE ALL CLAIMS IT MAY HAVE AGAINST THE CITY UNDER THIS AGREEMENT RELATED TO ANY AND ALL: (A) CLAIMS OR CAUSES OF ACTION BASED ON ILLEGAL OR EXCESSIVE EXACTIONS; AND (B) ROUGH PROPORTIONALITY AND INDIVIDUAL DETERMINATION REQUIREMENTS MANDATED BY THE UNITED STATES SUPREME COURT IN DOLAN V. CITY OF TIGARD, 512 U.S. 374 (1994), AND ITS PROGENY, AS WELL AS ANY OTHER REQUIREMENTS OF A NEXUS BETWEEN DEVELOPMENT CONDITIONS AND THE PROJECTED IMPACT OF THE PUBLIC IMPROVEMENTS.**

**(b) THIS SECTION III(B) SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.**

- C. Venue of any action brought hereunder shall be in Lavon, Collin County, Texas.
- D. Approval by the Director of Public Works or other City employee of any plans, designs or specifications submitted by the Developer pursuant to this Agreement shall not constitute or be deemed to be a release of the responsibility and liability of the Developer, his engineer, employees, officers or agents for the accuracy and competency of their design and specifications. Such approval shall not be deemed to be an assumption of such responsibility and liability by the City for any defect in the design and specifications prepared by the consulting engineer, his officers, agents, servants or employees, it being the intent of the parties that approval by the Director of Public Works signifies the City's approval on only the general design concept of the improvements to be constructed.
- E. This Agreement or any part herein, or any interest herein, shall not be assigned by the Developer without the express written consent of the City Administrator, which shall not be unreasonably withheld or delayed.
- F. On all facilities included in this Agreement for which the Developer awards its own construction contract, the Developer agrees to employ a construction contractor who is approved by the City, and whose approval shall not be unreasonably withheld or delayed, said contractor to meet City and statutory requirements for being insured, licensed and bonded to do work in public streets and to be qualified in all respects to bid on public streets and to be qualified in all respects to bid on public projects of a similar nature in addition the Developer or contractor shall furnish the payment and performance bonds in the name of the city prior to the commencement of any work. A policy of general liability insurance is also required of the Contractor.
- G. Time is of the essence. Work performed under the Agreement shall be completed within two (2) years from the date thereof. In the event the work is not completed within the two (2) year period, the City may, at its election, draw on the performance bond, Letter of Credit, or other acceptable security provided by Developer and complete such work at Developer's expense, provided however, that if the construction under this Agreement shall have started within the two (2)

year period, the City may agree to renew the Agreement with such renewed Agreement to be in compliance with the City policies in effect at that time.

- H. The City is an exempt organization under Section 151.309, Tax Code, and the facilities constructed under this Agreement will be dedicated to public use and accepted by the City upon acknowledgement by the City of completion under Paragraph 1.F.
1. The purchase of tangible personal property, other than machinery or equipment and its accessories, repair, and replacement parts, for use in the performance of this Agreement is, therefore, exempt from taxation under Chapter 151, Tax Code, if the tangible property is:
    - a. necessary and essential for the performance of the Agreement; and
    - b. completely consumed at the job site.
  2. The purchase of a taxable service for use in the performance of this Agreement is exempt if the service is performed at the job site and if:
    - a. this Agreement expressly requires the specific service to be provided or purchased by the person performing the Agreement; or
    - b. the service is integral to the performance of the Agreement.
- I. Prior to final acceptance of the Addition, the Developer shall provide to the City two (2) hard copies and two (2) DVD or flash-drive type media of electronic (.pdf) of Record Drawings of the Addition, showing the facilities as actually constructed.
- J. Such drawings will be stamped and signed by a Texas registered professional civil engineer. In addition, the Developer shall provide CAD base map files showing all lot lines, easements, streets and utilities and tie in to the state Plane Coordinate System.
- K. All notices required or contemplated by this Agreement (or otherwise given in connection with this Agreement) shall be in writing, shall be signed by or on behalf of the Party giving the notice, and shall be effective as follows: (a) on or after the 10<sup>th</sup> business day after being deposited with the United States mail service, Certified Mail, Return Receipt Requested with a confirming copy sent by FAX; (b) on the day delivered by a private delivery or private messenger service (such as FedEx or UPS) as evidenced by a receipt signed by any person at the delivery address (whether or not such person is the person to whom the notice is addressed); or (c) otherwise on the day actually received by the person to whom the notice is addressed, including, but not limited to, delivery in person and delivery by regular mail or by E-mail (with a confirming copy sent by FAX). Notices given pursuant to this section shall be addressed as follows:

To the City:	Attn: City Administrator
	City of Lavon
	120 School Road
	Lavon, Texas 75166
	TEL: (972) 843-4220
	FAX: (972) 843-0397

With a copy to: Attn: Wm. Andrew Messer  
Messer, Rockefeller & Fort, P.L.L.C.  
6371 Preston Rd., Ste. 200  
Frisco, Texas 75034  
E-mail: [andy@txmunicipallaw.com](mailto:andy@txmunicipallaw.com)  
TEL: (972) 668-6400  
FAX: (972) 668-6414

To the Developer: Attn: Bob Tesch  
Tesch Development & Management, Co. LLC  
2 Greenside at Craig Ranch  
6950 TPC Drive, Suite 110  
McKinney, Texas 75070  
Email: [Bob@TeschAssociates.com](mailto:Bob@TeschAssociates.com)  
TEL: 469-795-6615

With a copy to: Attn: Ryan Joyce  
Tesch Development & Management, Co. LLC  
2 Greenside at Craig Ranch  
6950 TPC Drive, Suite 110  
McKinney, Texas 75070  
Email: [Ryan@TeschAssociates.com](mailto:Ryan@TeschAssociates.com)  
TEL: 512-965-6280

- L. The Parties acknowledge that each of them has been actively involved in negotiating this Agreement. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting Party will not apply to interpreting this Agreement. In the event of any dispute over the meaning or application of any provision of this Agreement, the provision will be interpreted fairly and reasonably and neither more strongly for nor against any Party, regardless of which Party originally drafted the provision.
- M. Each Party acknowledges and agrees that this Agreement is binding upon such Party and enforceable against such Party in accordance with its terms and conditions.
- N. This Agreement constitutes the entire agreement between the Parties and supersedes all prior agreements, whether oral or written, covering the subject matter of this Agreement. This Agreement shall not be modified or amended except in writing signed by the Parties. If any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable for any reason, such unenforceable provision shall be deleted from this Agreement, and the remainder of this Agreement shall remain in full force and effect and shall be

interpreted to give effect to the intent of the Parties.

- O. Any failure by a Party to insist upon strict performance by another Party of any material provision of this Agreement shall not be deemed a waiver thereof, and the Party shall have the right at any time thereafter to insist upon strict performance of any and all provisions of this Agreement. No provision of this Agreement may be waived except by writing signed by the Party waiving such provision. Any waiver shall be limited to the specific purposes for which it is given. No waiver by any Party of any term or condition of this Agreement shall be deemed or construed to be a waiver of any other term or condition or subsequent waiver of the same term or condition.
- P. This Agreement only inures to the benefit of, and may only be enforced by, the Parties. No other person or entity shall have any right, title, or interest under this Agreement or otherwise be deemed to be a third-party beneficiary of this Agreement.
- Q. 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 three business 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, including a detailed explanation of the force majeure and a description of the action that will be taken to remedy the force majeure and resume full performance at the earliest possible time. The term "force majeure" shall include events or circumstances that are not within the reasonable control of the Party whose performance is suspended and that could not have been avoided by such Party with the exercise of good faith, due diligence and reasonable care.
- R. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.
- S. The following Exhibits are attached to this Agreement and are part of this Agreement:

Exhibit A	Metes and Bounds Description of Property
Exhibit B	Depiction of Property
Exhibit C	On-Site Public Improvements
Exhibit D	Off-Site Public Improvements
Exhibit E	Insurance Requirements

## **V. OTHER ISSUES**

### **A. OFF-SITE DRAINAGE**



Improvements will be provided in accordance with the flood study as approved by the City Engineer.

**B. OFF-SITE SANITARY SEWER**

The Developer will construct at its sole cost a minimum 12" Sanitary Sewer line extending from the Addition to the existing 15" sanitary sewer line at Presidents Boulevard and will cause to be paid a \$667.00 per lot capital recovery fee to provide wastewater treatment capacity improvements. The capital recovery fee shall be collected at the time of building permit application. The Developer agrees to upsize the sanitary sewer line if requested by the City. The Developer shall be reimbursed by the City for upsizing costs were such upsizing is required by the City Engineer.

**C. OFF-SITE ACCESS**

To repair the Developer's fair share of damage resulting of construction relating to the development, to off-site roadway County Road 483, the Developer shall cause to be paid a \$1432.00 per lot capital recovery fee at the time of building permit application.

**D. PARK LAND**

The Developer shall construct, own and maintain, at its sole cost, an eight foot (8') concrete trail along FM 2755 and in the area 68X the length of the Addition. The trail design shall be approved by the City Engineer. The trails shall be owned and maintained by the Homeowners Association and shall be open to the public's use.

The Homeowners Association shall own and maintain the common areas, the landscape buffers abutting public roadways and the open space dedicated along the western boundary of the development.

*Signature Pages Follow*

SIGNED AND EFFECTIVE on the date last set forth below.

DEVELOPER: Tesch Development & Management Co., LLC

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

Title: Robert E. Tesch, President

Address: 2 Greenside at Craig Ranch  
6950 TPC Drive, Suite 110  
McKinney, Texas 75070

STATE OF TEXAS

COUNTY OF COLLIN

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

\_\_\_\_\_  
WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

(SEAL)

My commission expires: \_\_\_\_\_

CITY OF LAVON, TEXAS

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

Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

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

STATE OF TEXAS

COUNTY OF COLLIN

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

\_\_\_\_\_  
WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

(SEAL)

My commission expires: \_\_\_\_\_

## REQUIREMENTS FOR CONTRACTOR'S INSURANCE

### *Contractor's Insurance*

1. Without limiting any of the other obligations or liabilities of the CONTRACTOR, during the term of the Contract, the CONTRACTOR shall purchase and maintain the following minimum insurance coverages with companies duly approved to do business in the State of Texas and satisfactory to the CITY. In this section "Project" shall mean the public facilities to be constructed by Developer or under Developer's contract with a CONTRACTOR. Coverages shall be of the following types and not less than the specified amounts:

- a. Workers' compensation as required by Texas law, with the policy endorsed to provide a waiver of subrogation as to the CITY; employer's liability insurance of not less than the minimum statutory amounts.
- b. Commercial general liability insurance, including premises- operations; independent CONTRACTOR's liability, completed operations and contractual liability covering, but not limited to, the liability assumed under the indemnification provisions of this Contract, fully insuring CONTRACTOR's (or Subcontractor's) liability for injury to or death of CITY's employees and third parties, extended to include personal injury liability coverage with damage to property of third parties, broad form property damage, with minimum limits as set forth below:

General Aggregate ..... \$2,000,000

Bodily Injury \$1,000,000 Each Occurrence

Property Damage \$1,000,000 Each Occurrence

Products-Components/Operations Aggregate..\$ 1,000,000

Personal and Advertising Injury ..... \$ 1,000,000

(With Employment Exclusion deleted)

Each Occurrence ..... \$ 1,000,000

Contractual Liability:

Bodily Injury                      \$1,000,000      Each occurrence

Property Damage                \$1,000,000      Each occurrence

The policy shall include coverage extended to apply to completed operations, asbestos hazards (if this project involves work with asbestos) and ECU (explosion, collapse and underground) hazards. The completed operations coverage must be maintained for a minimum of one year after final completion and acceptance of the work, with evidence of same filed with CITY.

- c. Comprehensive automobile and truck liability insurance, covering owned, hired and non-owned vehicles, with a combined bodily injury and property damage minimum limit of \$1,000,000 per occurrence; or separate limits of \$500,000 for bodily injury (per person),

and \$500,000 for property damage. Such insurance shall include coverage for loading and unloading hazards.

d. **Property Insurance (Builder's All Risk)**

- (i) **CONTRACTOR shall purchase and maintain, at all times during the term of its Contract with the Developer property insurance written on a builder's risk "all-risk" or equivalent policy form in the amount of the initial contract price, plus value of subsequent contract modifications and cost of materials supplied or installed by others, comprising total value for the entire Project at the site on a replacement cost basis without optional deductibles. Such property insurance shall be maintained, unless otherwise in writing by all persons and entities who are beneficiaries of such insurance, until final payment has been made, or until no person or entity other than the CITY has an insurable interest in the property required by this paragraph to be covered, whichever is later. This insurance shall include interests of the CITY, the CONTRACTOR, Subcontractors and Sub-Subcontractors in the Project.**
- (ii) **Property insurance shall be on an "all-risk" or equivalent policy form and shall include, without limitation, insurance against the perils of fire (with extended coverage) and physical loss or damage including, without duplication of coverage, theft, vandalism, malicious mischief, collapse, earthquake, flood, windstorm, falsework, testing and startup, temporary buildings and debris removal including demolition occasioned by enforcement of any applicable legal requirements, and shall cover reasonable compensation for CONTRACTOR's services and expenses required as a result of such insured loss.**
- (iii) **If the insurance required by this paragraph requires deductibles, the CONTRACTOR shall pay costs not covered because of such deductibles.**
- (iv) **This property insurance shall cover portions of the Work stored off the site, and also portions of the Work in transit.**

d. **OWNER's Protective Liability Insurance:**

- (i) **CONTRACTOR shall obtain, pay for and maintain at all times during the prosecution of the work under the contract between the CONTRACTOR and the Developer, a CITY's protective liability insurance policy naming the CITY as insured for property damage and bodily injury, which may arise in the prosecution of the work or CONTRACTOR's operations under the contract.**
- (ii) **Coverage shall be on an "occurrence" basis, and the policy shall be issued by the same insurance company that carries the CONTRACTOR's liability insurance with a combined bodily injury**

and property damage minimum limit of \$1,000,000 per occurrence.

e. "Umbrella" Liability Insurance:

The CONTRACTOR shall obtain, pay for and maintain umbrella liability insurance during the term of the Contract between the CONTRACTOR and the Developer, insuring CONTRACTOR for an amount of not less than **\$5,000,000 per occurrence combined** limit for bodily injury and property damage that follows form and applies in excess of the primary liability coverages required herein above. The policy shall provide "drop down" coverage where underlying primary insurance coverage limits are insufficient or exhausted.



## *Policy Endorsements*

1. Each insurance policy to be furnished by CONTRACTOR shall include the following conditions by endorsement to the policy:
  - a. name the CITY as an additional insured as to all applicable policies;
  - b. each policy shall require that 30 days prior to cancellation, non-renewal or any material change in coverage, a notice thereof shall be given to CITY by certified mail. If the policy is canceled for nonpayment of premium, only 10 days written notice to CITY is required;
  - c. the term "CITY" shall include all authorities, boards, bureaus, commissions, divisions, departments and offices of the CITY and individual members, employees and agents thereof in their official capacities, and/or while acting on behalf of the CITY;
  - d. the policy phrase "other insurance" shall not apply to the CITY where the CITY is an additional insured on the policy.

## *2. Special Conditions*

- a. Insurance furnished by the CONTRACTOR shall be in accordance with the following requirements:
  - i. any policy submitted shall not be subject to limitations, conditions or restrictions deemed inconsistent with the intent of the insurance requirements to be fulfilled by CONTRACTOR. The CITY's decision thereon shall be final;
  - ii. all policies are to be written through companies duly licensed to transact that class of insurance in the State of Texas; and
  - iii. all liability policies required herein shall be written with an "occurrence" basis coverage trigger.
- b. CONTRACTOR agrees to the following:
  - i. **CONTRACTOR hereby waives subrogation rights for loss or damage to the extent same are covered by insurance. Insurers shall have no right of recovery or subrogation against the CITY, it being the intention that the insurance policies shall protect all parties to the contract and be primary coverage for all losses covered by the policies;**

- ii. companies issuing the insurance policies and CONTRACTOR shall have no recourse against the CITY for payment of any premiums or assessments for any deductibles, as all such premiums and deductibles are the sole responsibility and risk of the CONTRACTOR;
- iii. approval, disapproval or failure to act by the CITY regarding any insurance supplied by the CONTRACTOR (or any Subcontractors) shall not relieve the CONTRACTOR of full responsibility or liability for damages and accidents as set forth in the Contract Documents or this Agreement. Neither shall be bankruptcy, insolvency or denial of liability by the insurance company exonerate the CONTRACTOR from liability;
- v. deductible limits on insurance policies exceeding \$10,000 require approval of the CITY;
- vi. any of such insurance policies required under this paragraph may be written in combination with any of the others, where legally permitted, but none of the specified limits may be lowered thereby;
- vii. prior to commencement of operations pursuant to this Contract, the Developer or the Developer's CONTRACTOR shall furnish the CITY with satisfactory proof that he has provided adequate insurance coverage in amounts and by approved carriers as required by this Agreement;
- viii. CONTRACTOR shall provide notice of any actual or potential claim or litigation that would affect required insurance coverages to the CITY in a timely manner;
- ix. CONTRACTOR agrees to either require its Subcontractors to maintain the same insurance coverage and limits as specified for the CONTRACTOR or coverage of Subcontractors shall be provided by the Contract; and
- x. Prior to the effective date of cancellation, CONTRACTOR shall deliver to the CITY a replacement certificate of insurance or proof of reinstatement.



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 - K**

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**Item:**

Discussion and action regarding the Final Plat of the Lavon Farms addition on 38.62 acres of land situated in the Drury Anglin Survey, Abstract No. 2, City of Lavon, Collin County, (CCAD ID #s 2653997, 2087762 and 2507840), generally located southwest of the intersection of FM 2755 and CR 483.

**Background Information**

**Owner(s):** Pacesetter Homes (Shepherd Place Homes, Inc. at application)  
**Applicant:** Pat Atkins, K.P.A. Consulting, Inc.  
**Location:** Generally located southwest of the intersection of FM 2755 and CR 483, east of Bear Creek  
**Description:** CCAD Tracts 121, 113 and 123, Drury Anglin Survey, A-2, Collin County CAD ID #s 2653997, 2087762 and 2507840, respectively Collin County, Texas (38.62 acres combined)  
**Zoning:** Planned Development (PD) for residential uses consisting of 152 lots  
**Request:** Final Plat

**Request Details**

The applicant has submitted a final plat for a residential development consisting of 150 lots and common space areas east of the Bear Creek phase of the Grand Heritage subdivision and bounded by CR 483.

***Code Excerpt:***

**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.

***Staff Notes:***

On December 5, 2017, the City Council approved the preliminary plat for the Lavon Farms addition. The proposed development contains 150 residential lots and dedicated common space areas.

The development will provide for the extension of public infrastructure systems for water, sanitary sewer and trails. A facilities development agreement outlines specific public infrastructure requirements related to the development.

The proposed final plat and construction plans were reviewed by the staff development review committee and the City's consulting engineer. The city engineer's comments have been satisfied.

Approval is recommended.

***Planning and Zoning Commission Action:***

**MOTION: RECOMMEND APPROVAL OF THE FINAL PLAT OF THE LAVON FARMS ADDITION ON 38.62 ACRES OF LAND SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, CITY OF LAVON, COLLIN COUNTY, (CCAD ID #S 2653997, 2087762 AND 2507840), GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF FM 2755 AND CR 483, CITY OF LAVON, COLIN COUNTY, TEXAS.**

**MOTION MADE:** TIEGS

**SECONDED:** NABORS

**APPROVED:** UNANIMOUS

- Attachments:**
1. Final Plat
  2. Location Exhibits
  3. Application
  4. Engineer's correspondence

August 3, 2018



## City of Lavon Planning and Zoning Commission

P.O. Box 340 120 School Rd.  
Lavon, TX 75166  
(972) 843-4220  
[www.cityoflavon.com](http://www.cityoflavon.com)

---

July 5, 2018

Honorable Mayor and City Council  
City of Lavon  
P.O. Box 340  
Lavon, TX 75166

RE: Final Plat – Lavon Farms Addition

Dear Mayor Sanson and Members of the City Council,

At the June 26, 2018 Planning and Zoning Commission Meeting, the Planning and Zoning Commission considered and voted unanimously as shown below.

Discussion and action regarding the Final Plat of the Lavon Farms addition on 38.62 acres of land situated in the Drury Anglin Survey, Abstract No. 2, City of Lavon, Collin County, (CCAD ID #s 2653997, 2087762 and 2507840), generally located southwest of the intersection of FM 2755 and CR 483, City of Lavon, Collin County, Texas.

**MOTION: RECOMMEND APPROVAL OF THE FINAL PLAT OF THE LAVON FARMS ADDITION ON 38.62 ACRES OF LAND SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, CITY OF LAVON, COLLIN COUNTY, (CCAD ID #S 2653997, 2087762 AND 2507840), GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF FM 2755 AND CR 483, CITY OF LAVON, COLLIN COUNTY, TEXAS.**

**MOTION MADE: TIEGS**

**SECONDED: NABORS**

**APPROVED: UNANIMOUS**

Respectfully submitted,

*David Rosenquist*

Chairman  
Planning and Zoning Commission



## CITY OF LAVON

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

### PLAT APPLICATION

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

Company Making Submission		Property Owner			
Name:	<u>Engineering Concepts &amp; Design L.P.</u>	Name:	_____		
Address:	<u>201 Windco Circle</u>	Address:	_____		
City/State/Zip:	<u>Wylie TX 75098</u>	City/State/Zip:	_____		
Phone #:	<u>972-941-8400</u>	Phone #	_____		
Fax #:	<u>972-941-8401</u>	Fax #	_____		
Authorized Person:	<u>Todd Winters</u>	Authorized Person:	_____		
<b>Type of Submission</b>		<b>Check List of Items Submitted</b>			
<input type="checkbox"/> Preliminary Plat		<input checked="" type="checkbox"/> (3) full size sets of plats (24x36)			
<input checked="" type="checkbox"/> Final Plat		<input checked="" type="checkbox"/> (3) full size construction sets (24x36)			
<input type="checkbox"/> Re-Submittal		<input checked="" type="checkbox"/> (one) half size sets of plats (11x17)			
<input checked="" type="checkbox"/> Construction Plans		<input checked="" type="checkbox"/> (one) PDF plats (on separate CD's)			
<input type="checkbox"/> Other		<input checked="" type="checkbox"/> (one) PDF construction plans (can be included on plat CD)			
<input type="checkbox"/> Other		<input checked="" type="checkbox"/> (one) PDF construction plans (can be included on plat CD)			
<b>Pricing</b>					
Preliminary Plat: C*D*	\$325.00 plus \$5.00 per lot (Plus engineer review costs)				
Final Plat: C*D*	\$325.00 plus \$5.00 per lot plus \$50.00 filing fee (Plus engineer review costs)				
Re-Plat: C*D*	\$325.00 plus \$5.00 per lot plus \$50.00 filing fee (Plus engineer review costs)				
Public Infrastructure Inspection: C*E*	4 percent of project or Cost (whichever is greater)				
<small>C* Costs shall include the actual costs to the City plus a 10 percent administrative fee. These fees shall be in addition to the permit fee required. D* A deposit of \$500.00 shall be required to cover engineers review, with additional costs to be billed upon engineers recommendation. Any portion of the deposit not used shall be refunded after the engineer's recommendation. E* An estimate of the testing and inspection shall be made at the time of the engineers review of construction plans and a deposit equal to that amount shall be due before any construction may begin, with additional costs to be billed when the costs are incurred.</small>					
<b>NOTICE TO APPLICANT:</b> Any approval will be issued based on the information furnished in this application and on any submitted plats. It is subject to the provisions and requirements of the City of Lavon Code of Ordinances (# 2002-01-03) and any other applicable ordinances of the City, regardless of information and/or plans submitted.					
Authorized Representative (Printed Name)		Authorized Representative (Signature)	Date:		
<u>Todd Winters</u>		<u>Todd Winters</u>	<u>4-16-18</u>		
<b>To be completed by the City</b>					
In Takers Name:					
In takers Review Date:	PW Review Date:	COO Review Date:	Engineer Review Date:	P&Z Review Date:	Council Action Date:
<input type="checkbox"/> Accepted	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved
<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected	<input type="checkbox"/> Rejected
Comments:					

RECEIVED

APR 16 2018

CITY OF LAVON





## CITY OF LAVON

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

### PLAT APPLICATION

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

## Declaration of Ownership

Date: 4-16-18

To the City of Lavon  
Collin County, Texas

This letter will serve as notice that I/we, Robbie Hale, 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.

Shepherd Star Donger  
Robbie Hale  
Signature (Owner)

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

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

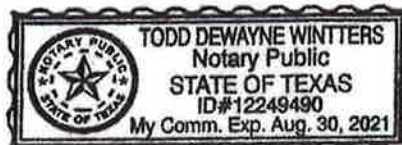
The State of Texas  
County of Collin

Before me, the undersigned authority, appeared Robbie Hale,  
on this the 16<sup>th</sup> day of April, 2018.

(notary seal)

Todd Winters

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 - Fax 972-843-0397 - Inspection 972-853-0855  
Email: leann.mcclendon@cityoflavon.org

### PLAT APPLICATION

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

#### APPLICANT STATEMENT (select one):

☒ I understand that the plat for Lavon Farms will not be scheduled for consideration by the Planning & Zoning Commission until such time as all staff comments have been addressed. I hereby waive the requirement that the plat be acted on by the Planning and Zoning Commission and/or the City Council within 30 days under the provisions of the Texas Local Government Code, Section 212.009, and understand and agree that the plat will be considered when it is administratively complete which may be longer than 30 days after the plat is filed; or

☐ I hereby request that the plat for \_\_\_\_\_ be scheduled for consideration at the next Planning & Zoning Commission meeting, regardless of the review process and staff determination that the application is administratively complete. I understand that a staff recommendation for approval of an application is generally forthcoming only for submissions deemed administratively complete and for which all staff comments have been addressed. I further understand that if my application is not approved, new application fees will be required for reconsideration.

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

Signature: \_\_\_\_\_

Owner / Authorized Agent

\_\_\_\_\_

4-16-18

Date

Printed Name: \_\_\_\_\_

Todd Winters

Owner / Authorized Agent

Title: \_\_\_\_\_

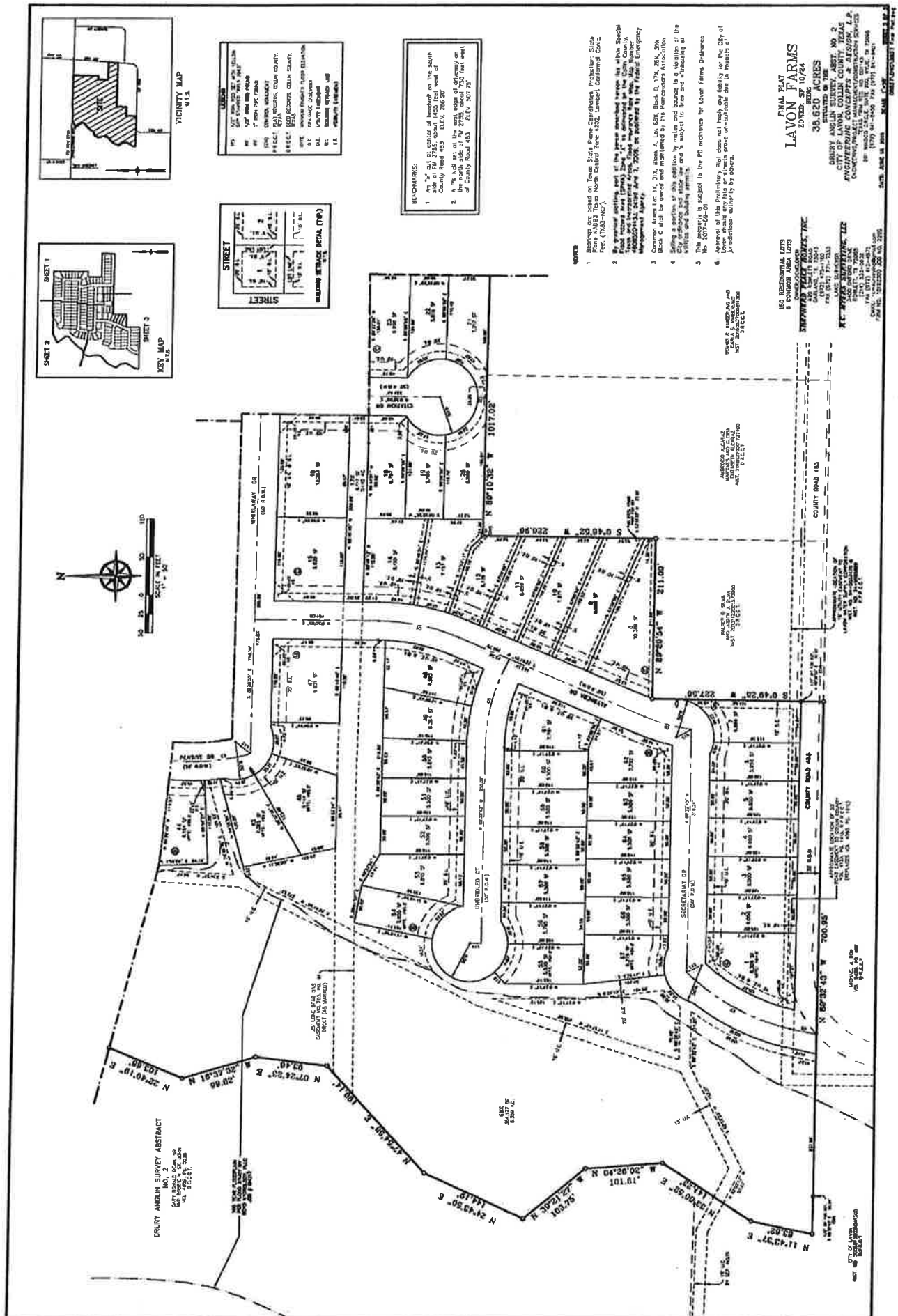
Project Engineer

Company: \_\_\_\_\_

Engineering Concepts



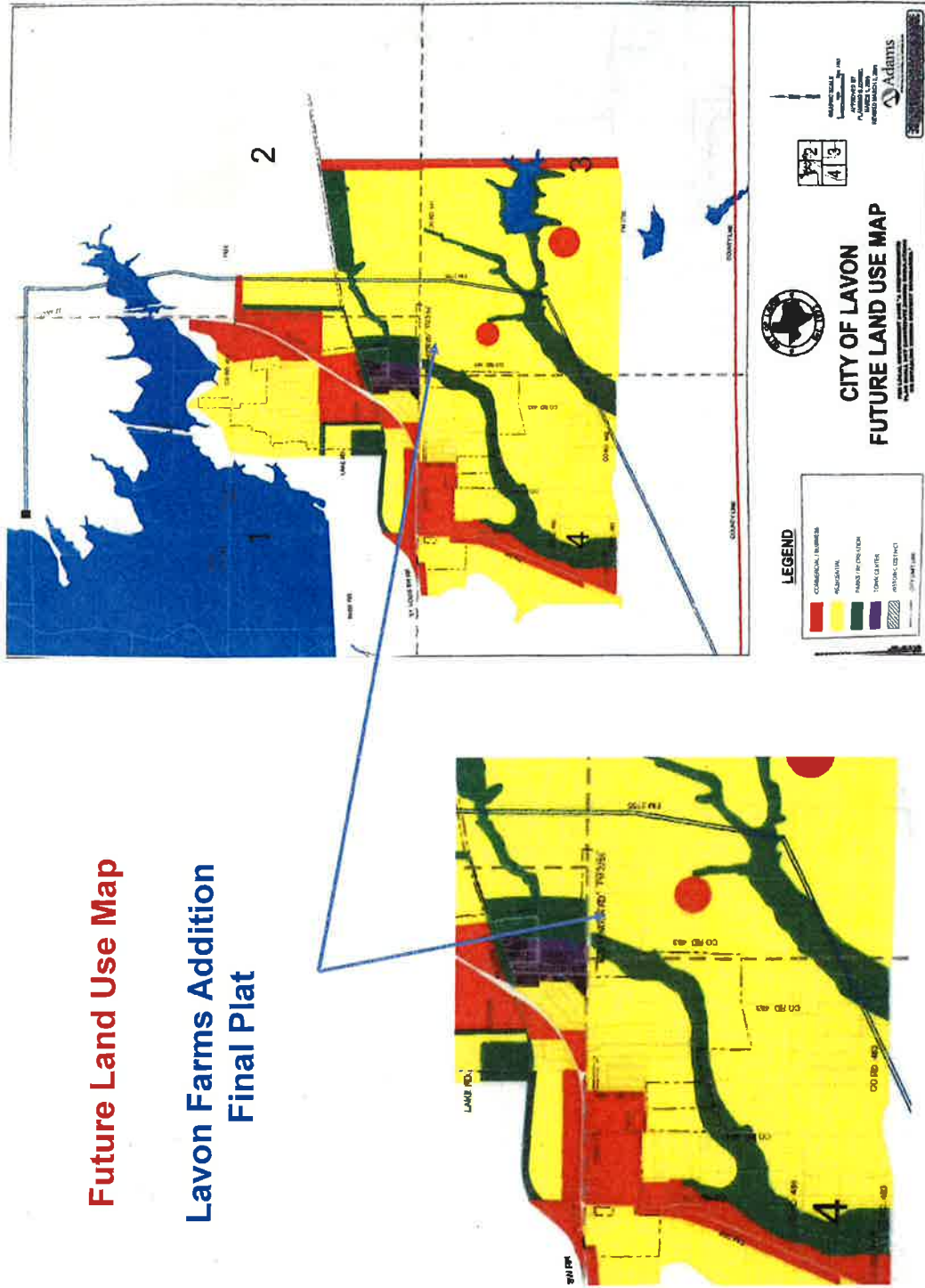






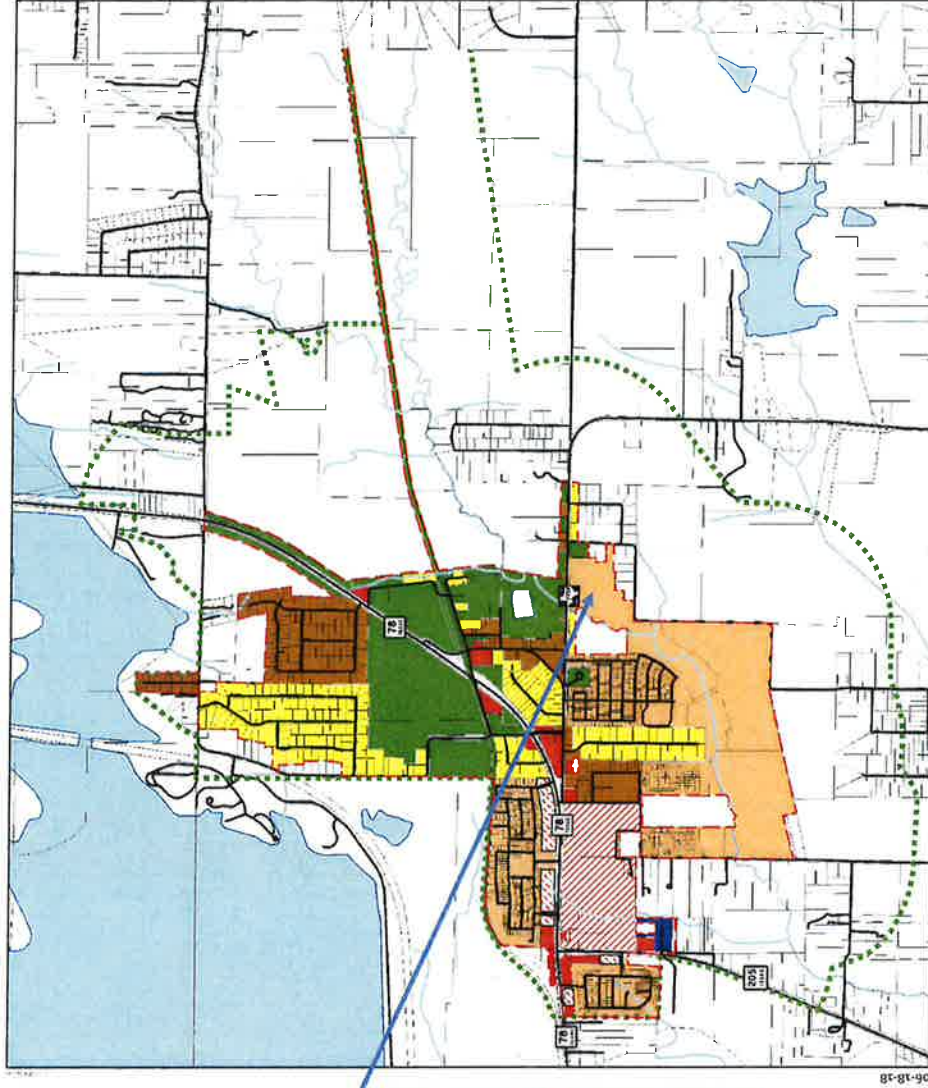
## Future Land Use Map

### Lavon Farms Addition Final Plat





# **Zoning Map** **Lavon Farms Addition Final Plat**



**ZONING MAP**  
Ordinance No. 2018-03-02  
March 6th, 2018



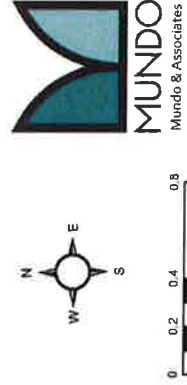
## **Legend**

- Agricultural (A)
- Single Family-1 (SF-1)
- Single Family-2 (SF-2)
- Retail (R)
- Planned Development - Single Family (PD-SF)
- Planned Development - Mixed Use (PD-MU)
- Planned Development - Commercial (PD-C)
- Planned Development - Business (PD-B)
- Lavon City Limits

For Planned Development Regulations  
See the City of Lavon Ordinance applicable to the specific site.

## **Unassigned Zoning Districts**

- Single-Family -4 (SF-4)
  - Main Street
  - Business Park District (B-2)
- For General Regulations of these Zoning Districts  
see the City of Lavon Zoning Ordinance

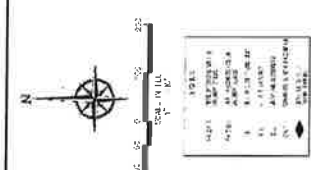
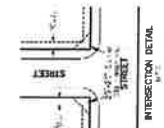


## Lavon Farms – Location Exhibit









TABLE

NO.	DESCRIPTION	AREA (AC.)	PERCENT
1	LOT 1	0.10	0.26
2	LOT 2	0.10	0.26
3	LOT 3	0.10	0.26
4	LOT 4	0.10	0.26
5	LOT 5	0.10	0.26
6	LOT 6	0.10	0.26
7	LOT 7	0.10	0.26
8	LOT 8	0.10	0.26
9	LOT 9	0.10	0.26
10	LOT 10	0.10	0.26
11	LOT 11	0.10	0.26
12	LOT 12	0.10	0.26
13	LOT 13	0.10	0.26
14	LOT 14	0.10	0.26
15	LOT 15	0.10	0.26
16	LOT 16	0.10	0.26
17	LOT 17	0.10	0.26
18	LOT 18	0.10	0.26
19	LOT 19	0.10	0.26
20	LOT 20	0.10	0.26
21	LOT 21	0.10	0.26
22	LOT 22	0.10	0.26
23	LOT 23	0.10	0.26
24	LOT 24	0.10	0.26
25	LOT 25	0.10	0.26
26	LOT 26	0.10	0.26
27	LOT 27	0.10	0.26
28	LOT 28	0.10	0.26
29	LOT 29	0.10	0.26
30	LOT 30	0.10	0.26
31	LOT 31	0.10	0.26
32	LOT 32	0.10	0.26
33	LOT 33	0.10	0.26
34	LOT 34	0.10	0.26
35	LOT 35	0.10	0.26
36	LOT 36	0.10	0.26
37	LOT 37	0.10	0.26
38	LOT 38	0.10	0.26
39	LOT 39	0.10	0.26
40	LOT 40	0.10	0.26
41	LOT 41	0.10	0.26
42	LOT 42	0.10	0.26
43	LOT 43	0.10	0.26
44	LOT 44	0.10	0.26
45	LOT 45	0.10	0.26
46	LOT 46	0.10	0.26
47	LOT 47	0.10	0.26
48	LOT 48	0.10	0.26
49	LOT 49	0.10	0.26
50	LOT 50	0.10	0.26
51	LOT 51	0.10	0.26
52	LOT 52	0.10	0.26
53	LOT 53	0.10	0.26
54	LOT 54	0.10	0.26
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56	LOT 56	0.10	0.26
57	LOT 57	0.10	0.26
58	LOT 58	0.10	0.26
59	LOT 59	0.10	0.26
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61	LOT 61	0.10	0.26
62	LOT 62	0.10	0.26
63	LOT 63	0.10	0.26
64	LOT 64	0.10	0.26
65	LOT 65	0.10	0.26
66	LOT 66	0.10	0.26
67	LOT 67	0.10	0.26
68	LOT 68	0.10	0.26
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79	LOT 79	0.10	0.26
80	LOT 80	0.10	0.26
81	LOT 81	0.10	0.26
82	LOT 82	0.10	0.26
83	LOT 83	0.10	0.26
84	LOT 84	0.10	0.26
85	LOT 85	0.10	0.26
86	LOT 86	0.10	0.26
87	LOT 87	0.10	0.26
88	LOT 88	0.10	0.26
89	LOT 89	0.10	0.26
90	LOT 90	0.10	0.26
91	LOT 91	0.10	0.26
92	LOT 92	0.10	0.26
93	LOT 93	0.10	0.26
94	LOT 94	0.10	0.26
95	LOT 95	0.10	0.26
96	LOT 96	0.10	0.26
97	LOT 97	0.10	0.26
98	LOT 98	0.10	0.26
99	LOT 99	0.10	0.26
100	LOT 100	0.10	0.26

PRELIMINARY PLAT  
**LAVON FARMS**  
 152 RESIDENTIAL LOTS @ PU STANDARDS  
 6 COMMON AREA LOTS (0.77 AC.)  
 BEING  
 38.820 ACRES

SITUATED IN THE  
 CITY OF LAVON, COLLIN COUNTY, TEXAS

OWNER: CITY OF LAVON, TEXAS

PREPARED FOR: CITY OF LAVON, TEXAS

DATE: 11/11/2011

APPROVED FOR: CITY OF LAVON, TEXAS

DESIGNED BY: SHETHTER PLACE HOMES, INC.

ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES  
 1000 W. WILSON ST. SUITE 100, DALLAS, TX 75201  
 (972) 941-9400 FAX (972) 941-9402

DATE: 11/11/2011

LOT NO.	AREA (AC.)	AREA (SQ. FT.)	PERCENT
1	0.10	6,917	0.26
2	0.10	6,917	0.26
3	0.10	6,917	0.26
4	0.10	6,917	0.26
5	0.10	6,917	0.26
6	0.10	6,917	0.26
7	0.10	6,917	0.26
8	0.10	6,917	0.26
9	0.10	6,917	0.26
10	0.10	6,917	0.26
11	0.10	6,917	0.26
12	0.10	6,917	0.26
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14	0.10	6,917	0.26
15	0.10	6,917	0.26
16	0.10	6,917	0.26
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27	0.10	6,917	0.26
28	0.10	6,917	0.26
29	0.10	6,917	0.26
30	0.10	6,917	0.26
31	0.10	6,917	0.26
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45	0.10	6,917	0.26
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70	0.10	6,917	0.26
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92	0.10	6,917	0.26
93	0.10	6,917	0.26
94	0.10	6,917	0.26
95	0.10	6,917	0.26
96	0.10	6,917	0.26
97	0.10	6,917	0.26
98	0.10	6,917	0.26
99	0.10	6,917	0.26
100	0.10	6,917	0.26

NOTES:

1. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
2. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
3. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
4. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
5. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
6. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
7. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
8. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
9. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.
10. The property is located in the City of Lavon, Texas, and is subject to the City of Lavon's Comprehensive Ordinance No. 1, which provides for the regulation of land use and development within the City.

## Kim Dobbs

---

**Subject:** FW: Lavon Farms

---

**From:** Dennis Lang [<mailto:dennis.lang@adams-engineering.com>]

**Sent:** Thursday, June 7, 2018 3:57 PM

**To:** Kim Dobbs

**Subject:** Lavon Farms

Kim,  
I reviewed the June 4 submittal documents. All comments were either addressed or acknowledged. The TIA mentions that the new streets will be 27 feet wide, but in reality they will be 31 feet wide. That discrepancy would not affect the conclusions of the report. The TIA has a number of empty Appendices (A through E) which would be backup for the conclusions. We recommend the contents of the Appendices be provided to the City of Lavon for the record. The flood study concludes that no detention is necessary and that no FEMA LOMR is required. We take no exception to the report.  
Thanks for the opportunity to review the response.  
-Dennis

Dennis Lang PE

**Adams** | Engineering & Development Consultants

Tyler | Dallas | Austin

O: 817.328.3200 | D: 817.328.3205  
8951 Cypress Waters Blvd., Suite 150  
Dallas, TX 75019

[fb](#) | [in](#) | [Website](#) | [Map](#)

---

**From:** Kim Dobbs [<mailto:kim.dobbs@cityoflavon.org>]

**Sent:** Monday, June 04, 2018 5:12 PM

**To:** Dennis Lang <[dennis.lang@adams-engineering.com](mailto:dennis.lang@adams-engineering.com)>

**Subject:** FW: Lavon Farms

Dennis,  
When you have had a chance to review, please let me know if this satisfies the engineer's review comments?  
Thank you,  
Kim

**Kim Dobbs**

City Administrator | City Secretary

City of Lavon

972-843-4220

[kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)

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**From:** Denny Wychulis [<mailto:denny@ecdip.com>]

**Sent:** Monday, June 04, 2018 5:04 PM

**To:** Kim Dobbs <[kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)>

**Cc:** [susan@ecdip.com](mailto:susan@ecdip.com); 'Todd Wintters' <[todd@ecdip.com](mailto:todd@ecdip.com)>; [pcargill@c-ei.com](mailto:pcargill@c-ei.com); [dennis.lang@adams-engineering.com](mailto:dennis.lang@adams-engineering.com);

Sonny Mancias <[sonny.mancias@cityoflavon.org](mailto:sonny.mancias@cityoflavon.org)>; Leann McClendon <[leann.mcclendon@cityoflavon.org](mailto:leann.mcclendon@cityoflavon.org)>;

[rob.adams@adams-engineering.com](mailto:rob.adams@adams-engineering.com); Ryan Joyce <[m\\_ryan\\_joyce@msn.com](mailto:m_ryan_joyce@msn.com)>

**Subject:** RE: Lavon Farms

Kim-

Attached are the comment response letters and next submittal of both the Final Plat and Engineering Construction Plans including the attachments. The Engineering Plans themselves will come in a separate email, which may be too large for some systems to receive. If you do not receive the subsequent email, you can follow the link below to download any/all of the attachments:

<https://www.dropbox.com/sh/tntjr0k8utpgacd/AACNq31mE5vW2uXWuSqAa-qba?dl=0>

Please let me know if you need anything further. Thanks.

**Denny Wychulis**



972-941-8406 Direct  
[denny@ecdip.com](mailto:denny@ecdip.com)



Please consider the environment, and print this email only if necessary.





June 4, 2018

Kim Dobbs  
City Administrator  
City of Lavon  
120 School Road  
Lavon, Texas 75166

RE: Lavon Farms – Final Plat Submittal  
Response to Adams Engineering Memorandum Dated 27-April-2018

Based on the comments received on 2-May-2018 from the City of Lavon via Adams Engineering Memorandum regarding the Final Plat submittal to determine if it is substantially complete in accordance with Ordinance 2000-02-01, Annexation Ordinance 2017-08-03, PD Ordinance 2017-09-01, and the previously approved Preliminary Plat we offer the following responses (*in italics*) and attached updated pdf of the Final Plat:

1. In accordance with the ordinance, Adams recommends that the City request of the applicant a copy of the traverse calculations of the subdivision confirming that the error of closure of the subdivision does not exceed one in ten thousand (1: 10,000).  
*Closure calculations are attached for your review.*
2. Street names should be compared against other street names in Lavon to insure they are sufficiently different in sound and spelling.  
*City of Lavon to check street names.*
3. Reference Lavon in the Surveyors Certificate on Page 2 instead of Wylie.  
*Correction made.*
4. Correct scrivener gaps in numbers within the metes and bounds description on Page 2. See markup.  
*Corrections made.*
5. The FEMA floodplain line on the plat does not match where it is shown in the construction plans. Coordination is needed.  
*Updated FEMA floodplain line provided to match plans. Flood study by Boyd Hydrology PLLC (BH Job #BH317) dated 30-May-2018 is being submitted with the construction plans.*
6. Delete notary data for Justin Webb unless he is going to sign it somewhere.  
*Note corrected for proper developer signature.*
7. Confirm name of developer. Did it change since Preliminary Plat was approved?  
*Developer name is correct.*
8. Minimum Finished Floor Elevations will need to be shown on the plat where lots are adjacent to the flood plain and shall be 2 feet above the Base flood elevation.  
*MFFE's added, as requested.*
9. It is recommended that the City of Lavon obtain from Atmos a letter documenting their concurrence with the plat as it impacts their 25' gas easement through the middle of the property. From construction plans, the existing gas line is not in the center of the 25' easement. It is between 5 and 6 feet away from Lot 27, Block C, for example.  
*ECD to coordinate any required documentation from Atmos. ECD has already coordinated line locates/depth check of the existing line with Atmos.*
10. Confirm whether the utility and 15' Bear Creek Special Utility District (BCSUD) easement will need to be relocated due to 30' County Road 483 right of way dedication at the east end of Collier's Way.  
*ECD will confirm with BCSUD.*
11. Lot 1X, Block A, and Lot 68X, Block B, (25' wide) include a 15' Utility Easement to BCSUD. Confirm required landscaping, irrigation, and 8' concrete trail can be built within the 10' that is left over.  
*Confirmed.*
12. Label the municipal sewer easement and width within the flood plain.  
*Sanitary sewer easement has been shown and labeled.*

13. Secretariat Drive tie-in at CR 483 is not normal.

*Acknowledged.*

14. Confirm that a Traffic Impact Analysis in accordance with Ordinance 2017-09-02 has been provided.

*TIA has been provided, and is attached.*

15. Provide the Flood Study to City of Lavon for review. The maintenance easement for detention area needs to be shown on the final plat.

*Flood Study has been provided, and is attached.*

Please let us know if there are any further comments on this Final Plat submitted and dated 4-Jun-2018.

Sincerely,



Todd D. Winters, P.E.  
Engineering Concepts & Design, L.P.

Attachments

cc: Dennis Lang      Adams Engineering  
Pat Atkins      Shepherd Place Homes

**TRAFFIC IMPACT ANALYSIS**  
**FOR**  
**LAVON FARMS**  
**IN**  
**LAVON, TEXAS**

Prepared for:  
ENGINEERING CONCEPTS & DESIGN LP

Representing:  
SADDLE STAR DEVELOPMENT

Prepared By:  
**G.T. (Tom) Walton, P.E.**  
**Consulting Traffic Engineer**

November, 2017

## **Executive Summary**

Saddle Star Development is planning to build the Lavon Farms subdivision in the City of Lavon Texas. Lavon Farms will be in the southwestern quadrant of the intersection of FM 2755, McClendon Rd and County Road 483 and its access will be by way of two streets. Two street intersections will be built on CR 483 and one on FM 2755. The development will contain 152 single family lots and is expected to be built out in five years.

In order to obtain approval of the plans for the new development by the City of Lavon, a Traffic Impact Analysis (TIA) must be completed. This TIA investigates the traffic operations on the roadways and intersections near the site.

Traffic counts were conducted on FM 2755 and CR 483 and their intersection.. Existing conditions were analyzed to determine the level of congestion on the roadways in 2017. Due to the fact that the development is expected to take 5years to fully develop, the traffic volumes for the year 2022 were calculated and the congestion situation analyzed.

Trip generation calculations were completed for the proposed single family homes to determine the amount of traffic increase the development will create. The increase in traffic was applied to the roadway and intersections and the resulting traffic congestion situation analyzed.

The Traffic Impact Analysis investigations produced the following results:

- CR 483 and FM 2755 and all of the movements at the intersections serving Lavon Farms at the buildout of the development were found to operate at “free flow”, LOS B conditions or better. .
- Comparison of projected right turn movements at the three subdivision intersections with the TxDOT thresholds for roadways like McClendon Rd indicates that the expected volumes are well below the threshold levels. Therefore no new separate right turn lanes are needed.



# **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 - L**

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**Item:**

Discussion and action regarding the nomination of candidates for the Texas Municipal League Multistate Intergovernmental Employee benefits Pool Board of Trustees.

**Background:**

The City of Lavon is a member of the Texas Municipal League Intergovernmental Employee Benefits Pool for the provision of group health insurance benefits to city employees. The pool is governed by a Board of Trustees elected by the members.

The City Council may elect to submit nominations. If the Council does not desire to submit nominations no action is required.

**Attachments:** Correspondence and Nomination Form

August 3, 2018



## **MEMORANDUM**

**TO:** TML MultiState Intergovernmental Employee Benefits Pool Members Region 13

**DATE:** July 3, 2018

**RE:** Board of Trustee Election - Call for Nominations

The Pool Trust Agreement provides for three (3) year staggered terms of office for Trustees. Terms expire for Trustees in TML Regions 12, 13, 14, 15 and 16 on September 30, 2018. The Trust Agreement provides that all Pool Members in an affected region have the opportunity to submit nominations.

Any employee or elected official of an incorporated city that is within your region and is a Member of the Pool may be nominated. For purposes of qualifying as a member of the Board of Trustees, a municipal "employee" is a person who holds a position of Department Head or higher; works at least 20 hours per week for an incorporated city; is paid by the city with incorporated city funds; and may be hired and fired only by another incorporated city official or by the incorporated city's governing body. Nominees may not be voting Board Members of the Texas Municipal League or the Texas Municipal League Intergovernmental Risk Pool.

Attached for your information are the Election Policy and a list of incorporated cities in TML Region 13.

**To be valid, nominations must certify that the vote was taken at an official meeting of the governing body and must give the date of the meeting.**

Nominations must be submitted on the enclosed form and received by Gunnar Seaquist, Board Secretary, Bickerstaff Heath Delgado Acosta LLP, 3711 S. MoPac Expressway, Building One, Suite 300, Austin, Texas 78746, by 5:00 p.m. (CST) on August 13, 2018. Nominations may be submitted to the Board Secretary by mail, by facsimile (512) 320-5638 or electronically to [GSeaquist@bickerstaff.com](mailto:GSeaquist@bickerstaff.com).

Ballots will be prepared and mailed to all Pool Members in TML Region 13 by August 17, 2018.

A handwritten signature in black ink that reads "Gunnar Seaquist".

Gunnar Seaquist  
Board Secretary

Attachments





**TML MULTISTATE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL**

## **NOMINATION SUBMISSION**

The governing body of \_\_\_\_\_ hereby submits for nomination \_\_\_\_\_ from the city of \_\_\_\_\_ as a qualified candidate to the TML MultiState IEBP Board of Trustees for Region \_\_\_\_\_. This nominee is either an employee or an elected official of an incorporated city within the State of Texas that is a member of the TML MultiState IEBP. If the nominee is an "employee", the governing body hereby certifies that the person holds a position of Department Head or higher; works at least 20 hours per week for an incorporated city; is paid by the incorporated city with incorporated city funds; and may be hired and fired only by another incorporated city official or by the incorporated city's governing body. This nominee is not a voting Board Member of the Texas Municipal League or the Texas Municipal League Intergovernmental Risk Pool.

We certify that this nomination is cast in accordance with official action taken at a duly called meeting on \_\_\_\_\_, 2018.

Name/Title \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

**Return by August 13, 2018 to**  
Gunnar Seaquist  
Board Secretary  
Bickerstaff Heath Delgado Acosta LLP  
3711 S. MoPac Expressway  
Building One, Suite 300  
Austin, Texas 78746

***Please complete the candidate summary on the reverse side.***

***Please complete the following biographical summary on the candidate.***

**Name**

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**Current Position**

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**Previously Held Positions**

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**Educational Background**

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**Community Service**

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**TML Affiliations**

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**Insurance/Benefits  
Experience**

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**Availability for Meetings** *(There are at least four Board Meetings/year and committees usually meet twice/year)*

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**Personal Information**

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## **ELECTION POLICY**

### ***PURPOSE***

The purpose of this Elections Policy is to assure that elections to the designated place on the TML MultiState Intergovernmental Employee Benefits Pool (IEBP) Board of Trustees are fair and in compliance with the provisions of the IEBP Trust Agreement.

### ***POLICY***

This policy applies to all elections to designated places, corresponding to the separate Texas Municipal League Regions 2-16, of the Board of Trustees of the IEBP. A copy of this Election Policy will be provided to all Members with the call for nominations and to all candidates.

### ***GENERAL GUIDELINES***

- All deadlines are at 5:00 p.m. (CST) on the designated date.
- Nominations and ballots must be submitted by mail, by facsimile, electronically, or by hand delivery to the Board Secretary on a Nomination Submission form or a Ballot form provided by the IEBP.
- Nominations must be received by the Board Secretary no less than fifty (50) days prior to the expiration of the term of office sought.
- Ballots must be received by the Board Secretary no later than September 30th of the year in which the term of office expires.
- An election will not be invalidated because an Employer Member failed to receive or failed to timely receive a call for nomination or a ballot.
- All election materials provided by the Board Secretary will be directed to the attention of the contact designated by the Employer Member under the terms of the Pool's Interlocal Agreement.
- Any Employer Member from the designated region may nominate a qualified candidate.
- The governing body of the Employer Member must authorize the nomination and the ballot at a duly called meeting.

### ***CANDIDATE QUALIFICATIONS***

A "qualified person" is one who is either an employee or an elected official of an incorporated city within the State of Texas that is a member of the IEBP. A municipal "employee" is a person who holds a position of Department Head or higher; works at least 20 hours per week for an incorporated city; is paid by the incorporated city with incorporated city funds; and may be hired and fired only by another incorporated city official or by the incorporated city's governing body.

Nominations must be accompanied by a statement that the nominated person holds a position of Department Head or higher, works at least 20 hours per week for an incorporated city, is paid by the incorporated city with incorporated city funds, and may be hired and fired only by another incorporated city official or by the incorporated city's governing body.

An individual may not be a voting member of the IEBP Board if they are a voting member of the Texas Municipal League Board or of the Texas Municipal League Intergovernmental Risk Pool Board.

Write-in candidates otherwise duly qualified shall be eligible for election.

### ***CAMPAIGNS***

Nominees may campaign for positions on the Board of Trustees.

Campaign contributions of any kind or nature shall not be accepted directly or indirectly by nominees.

Incumbent trustees shall not use IEBP stationary, supplies, or staff for campaign purposes.

No candidate shall represent that he or she has the backing, support or approval of the IEBP. Notwithstanding the foregoing, it is not a violation of this Election Policy for a candidate to state that he or she is a present or past Trustee of the IEBP if that is the case.

## ***ELECTION***

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The Board Secretary shall forward a ballot to each of the Employer Members of the Pool in the affected TML region at least forty-five (45) days prior to the date of expiration of the term of office of that region's Board of Trustee representative.

In the event that the Board Secretary determines, by the end of the first week of September, that a nominee has become ineligible to serve on the Board of Trustees, the Board Secretary will send a second ballot to the Employer Members in the region affected by the ineligibility to give those Members an opportunity to vote for another nominee. If the Board Secretary determines, after the end of the first week of September, that a nominee has become ineligible to serve on the Board of Trustees, amended ballots will not be mailed. An election will not be invalidated because the name of a person ineligible to serve on the Board of Trustees appears on the ballot. The eligible candidate with the majority of votes shall be deemed to have won the election.

If a candidate dies or withdraws from the election, the Board Secretary shall take the same action as though the candidate were determined to be ineligible for election.

A candidate who is not a "qualified person" on October 1 shall not be elected to the Board of Trustees.

## ***RESULTS***

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If more than two (2) candidates are running, the person receiving the largest number of votes shall be elected.

The Board Secretary shall tabulate ballots and declare results. The results shall be announced to all members in regions conducting elections by the Chairman of the Board of Trustees or the Executive Director of the IEBP no later than October 10th following the election. The person elected shall take office on October 1st following the election and serve for a term of three (3) years.

In the event of a tie vote, the Board Secretary will conduct a run-off election between the candidates with the same number of votes in the affected region. Ballots for the run-off election will be mailed to Employer Members in the affected region no later than October 3. Ballots must be submitted by the Employer Member and received by the Board Secretary no later than October 31st. The person receiving the largest number of votes shall be deemed to have won the election.



**NOMINATIONS TO THE BOARD OF TRUSTEES OF THE  
TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL**

June 26, 2018

TO: All TML Intergovernmental Risk Pool Members  
FROM: David Reagan – TMLIRP Board Secretary

The TML Intergovernmental Risk Pool Board of Trustees is comprised of fifteen voting members, twelve of whom are elected by the Pool's membership to serve staggered, six-year terms. Every even-numbered year, the term of office for one-third of the elected trustees expires and an election is held to fill those designated places.

Section 6 of the Pool's Bylaws sets forth the following election procedure:

“... Ninety (90) days prior to the date of the expiration of the term of office of any Board of Trustee member, all Employer Members shall be informed in writing of their opportunity to submit the name of a qualified person for election to that designated place. If an Employer Member wishes to submit the name of a qualified person for election, the name shall be submitted and received by the Board Secretary no less than (50) days prior to the expiration of the term of the office being sought. . . .”

Section 4 of the Pool's Bylaws sets forth the following qualifications for board members:

“Each member of the Board must be either an employee or official of the governing body of an Employer Member of the Fund at the time the Board member is elected or appointed. . . .” (In this context, “the Fund” is synonymous with the Pool.)

Terms for Trustees in Places 11-14 will expire October 1, 2018. Place 15 is an appointed public member and is not elected. Places 11, 12, 13 and 14 are currently being held by the following individuals:

Place 11 Randy Criswell, City Manager, Canyon  
Place 12 Michael Talbot, Board, Lost Pines Groundwater Conservation District  
Place 13 Byron Black, Chair, Central Appraisal District of Johnson County  
Place 14 Pat Norris, Executive Board, Nortex Regional Planning Commission

The composition of the present Board is listed on the back of this notice.

In accordance with Section 6 of the Pool Bylaws, any Employer Member may submit the name of a qualified person to be considered for the position of Trustee. A nomination should be mailed to:

Trustee Nomination  
Board Secretary  
P. O. Box 149194  
Austin, Texas 78714-9194

**ALL NOMINATIONS MUST REACH THE BOARD SECRETARY BY SUNDAY, AUGUST 12, 2018. EACH BOARD MEMBER IS ELECTED TO A DESIGNATED PLACE ON THE BOARD, AND ALL NOMINATIONS MUST SHOW ONE OF THE PLACES, 11 THROUGH 14, FOR WHICH THE NOMINATION IS MADE. A NOMINATION MAY BE FOR ANY ONE OF THE FOUR POSITIONS. THERE ARE NO RESIDENCY OR OTHER REQUIREMENTS APPLICABLE TO ANY PLACE. PLEASE INCLUDE A SHORT BIOGRAPHICAL SKETCH OF THE NOMINEE. THE BOARD SECRETARY WILL DISTRIBUTE A BALLOT TO EACH MEMBER BY AUGUST 17, 2018.**

Current Texas Municipal League Intergovernmental Risk Pool Board of Trustee Members and the date their terms expire include:

**Place 4** (Oct. 1, 2020)  
Peter H. Vargas, Chair  
City Manager, City of Allen

**Place 10** (Oct. 1, 2022)  
Carol Loughlin  
Appointed Public Member

**Place 2** (Oct. 1, 2020)  
John W. Fullen, Vice Chair  
Commissioner, Henderson Housing  
Authority

**Place 11** (Oct. 1, 2018)  
Randy Criswell  
City Manager, City of Canyon

**Place 1** (Oct. 1, 2020)  
Robert T. Herrera  
City Manager, City of Cibolo

**Place 12** (Oct. 1, 2018)  
Michael Talbot  
Board, Lost Pines Groundwater Cons. Dist.

**Place 3** (Oct. 1, 2020)  
Vacant

**Place 13** (Oct. 1, 2018)  
Byron Black  
Chair, Central Appraisal District of Johnson  
County

**Place 5** (Oct. 1, 2020)  
Leo Montalvo  
Appointed Public Member

**Place 14** (Oct. 1, 2018)  
Pat Norriss  
Executive Board, Nortex Reg. Planning Comm.

**Place 6** (Oct. 1, 2022)  
Mary Gauer  
Executive Board, Central Texas Council of  
Governments

**Place 15** (Oct. 1, 2018)  
Rickey Childers  
Appointed Public Member

**Place 7** (Oct. 1, 2022)  
Charles (C.J.) Wax  
Mayor, City of Rockport

**TML Representative**  
Henry Wilson  
Councilmember, City of Hurst

**Place 8** (Oct. 1, 2022)  
Larry Melton  
Board, Odessa Housing Authority

**TML Representative**  
Bennett Sandlin  
Executive Director, Texas Municipal League

**Place 9** (Oct. 1, 2022)  
Andres Garza, Jr.  
City Manager, City of Wharton

**TML MultiState Intergovernmental  
Employee Benefits Pool Representative**  
Mike Smith  
City Manager, City of Jacksboro





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 7, 2018**

**ITEM: 8 – M**

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**Item:**

Discussion and action regarding board and commission appointments – Parks and Recreation Board.

**Background:**

In addition to the elected City Council, several appointed boards and commissions provide invaluable contributions to the City through their service. The members of these boards are appointed by the City Council for specific terms of service.

- Parks and Recreation Board Members Chuck Teske and David Hawkins have resigned their positions.

A worksheet listing the members of the boards and commissions is provided for your convenience..

**Attachments:**          Spreadsheet – Boards & Commissions

August 3, 2018

# City of Lavon Boards & Commissions

## August 2018

Place	Elected / Appointed	Name	Term Expires	Appointment Notes
<b>City Council Members</b>				Elected
Mayor	6/19/2018	Vicki Sanson	11/2019*	<i>replaced C. Teske - Spec Election 11/18</i>
Place One	6/19/2018	John Kell	11/2018	<i>replaced V. Sanson</i>
Place Two	11/7/2017	Mike Cook	11/2019	
Place Three	11/21/2016	Kay Wright	11/2018	
Place Four	11/7/2017	Tim Davis	11/2019	
Place Five	11/21/2016	Mindi Serkland	11/2018	

<b>Economic Development Corp Board of Directors</b>			* LEDC Board has 7 members, 4 may be CC/staff	
Place 1, Chair		Kay Wright	7/15/2020	
Place 2	7/17/2018	Dustin Cowin	7/15/2019	<i>replaced C Kane</i>
Place 3	9/19/2017	Vicki Sanson	7/15/2020	
Place 4	5/1/2018	Larry Munson	7/15/2019	<i>replaced J Catravas</i>
Place 5	7/17/2018	Manzelle Williams	7/15/2020	<i>replaced F Molina</i>
Place 6	7/18/2017	John Kell	7/15/2019	
Place 7		David Piekarski	7/15/2020	
Council Liaison	ex officio			

<b>Planning &amp; Zoning Commission</b>				* per LCR, P&Z Commission
Seat 1	1/17/2017	Brad Tiegs	6/1/2019	has 5 members, residency is
Seat 2	7/19/2016	Deborah Nabors	6/1/2020	a requirement
Seat 3	9/6/2016	Cynthia Coker	6/1/2019	
Seat 4	11/3/2015	Tom Ormsby	6/1/2020	
Seat 5, Chair		David Rosenquist	6/1/2019	
	ex officio	Vicki Sanson	6/1/2019	<i>Council Liaison</i>

<b>Parks &amp; Recreation Board</b>				
Seat 1		Mike Gulino	1/1/2019	
Seat 2	1/16/2018	Kelly Turk	1/1/2020	
Seat 3	5/1/2018	Ashley Lambert	1/1/2019	<i>D. McCrary resigned</i>
Seat 4, Chair		Bradley Tiegs	1/1/2020	
Seat 5	1/17/2017	Chuck Teske	1/1/2019	<i>C. Teske resigned - Council Liaison</i>
First Alternate	1/16/2018	David Hawkins	1/1/2020	<i>D. Hawkins resigned</i>
				Council member; city resident

<b>TIF</b>				* TIF Board has 5 members
Seat 1	1/2/2009	David Hawkins	1/1/2020	Mayor appoints with
Seat 2	10/18/2016	Ryan Lisko	1/1/2019	Council consent and approval
Seat 3, Chair	1/6/2015	Chris Kane	1/1/2020	
Seat 4	1/17/2017	Chuck Teske	1/1/2019	
Seat 5	1/2/2009	Darlene Hurth	1/1/2020	

**Vacant Place**