

CITY OF LAVON, TEXAS
ORDINANCE NO. 2013-12-14

Planned Development District No. 3

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING PLANNED DEVELOPMENT DISTRICT NUMBER 3, WHICH PROVIDES FOR RETAIL, RESTAURANT, TRADE CONTRACTOR OFFICES AND DISPATCH FACILITIES, WAREHOUSE AND DISTRIBUTION, ASSEMBLY OF PARTS AND EQUIPMENT, AND COMPUTER AND ELECTRONIC TECHNOLOGY USES ON A 4.617 ACRE TRACT OF LAND LOCATED GENERALLY AT THE NORTHEAST CORNER OF S.H. 205 AND LAVON CIRCLE; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF \$2,000 PER DAY; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its meeting held on the 30th day of December, 2013, the Planning & Zoning Commission considered and made recommendations on a certain request for a Planned Development District; and

WHEREAS, this zoning change is in accordance with the adopted Comprehensive Plan of the City of Lavon; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals and general welfare:

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

Section I. Definitions. Definitions shall be those contained in Ordinance 97-12-08, as amended unless specifically defined herein.

Section II. Permitted Uses. Planned Development District No. 3 is hereby created for a certain approximately 4.617 acre tract of land, both described and shown in the attached Exhibits A and B and located at the northeast corner of State Highway 205 and Lavon Circle, providing for the following uses:

- a. All principal and accessory uses which are allowed by right in the Retail "R" District as set forth in the Comprehensive Zoning Ordinance, as amended
- b. Trade Contractor Offices and Dispatch Facilities (excluding outside storage)

- c. Warehouse Distribution
- d. Assembly of Parts and Equipment contained wholly within a building
- e. Computer and Electronic Technology, Design and Engineering including data centers and software design

Section III. Prohibited Uses. The following uses shall be prohibited:

- a. Uses that are not Permitted Uses
- b. Outside storage that is accessory to Permitted Uses
- c. Outside storage as a primary use

Section IV. Landscape Standards. Landscaping shall be provided as required by Section 5.1 of the Comprehensive Zoning Ordinance, as amended.

Section V. Site Plan Required. The property may not be developed and no building may be constructed without a site plan having been approved by the City Council after receipt of a recommendation by the Planning & Zoning Commission.

Section VI. Development Standards. Development shall be in accordance with the general requirements contained in the Comprehensive Zoning Ordinance and the Subdivision Ordinance and the following special conditions, restrictions and regulations:

- a. Height – 100' maximum – not including cooling towers, roof gables, chimneys, vent stacks or mechanical equipment rooms which may exceed the maximum height by 12 feet.
- b. Setbacks
 - (1) Front – Minimum 20 feet. Accessory uses must be set back not less than 60 feet from the front property line.
 - (2) Side – Minimum 20 feet
 - (3) Rear – Minimum 20 feet
- c. Lot Coverage – Buildings shall not cover more than 50% of the Lot.
- d. Screening – A minimum 6 foot masonry or wood fence shall be constructed between any Permitted Use and any adjacent property zoned for a residential use.
- e. Parking
 - (1) Non-Retail or Restaurant Use - One (1) off-street parking space shall be provided for each 333 sq. feet of gross floor area
 - (2) Retail Use – One (1) off-street parking space for each 200 sq. feet of gross floor area
 - (3) Restaurant Use – One (1) off-street parking space for each 100 sq. feet of gross floor area
- f. Facade Requirements.
 - (1) Any building façade facing S.H. 205 shall be composed of not less than 80% masonry.
 - (2) Building facades facing on a street other than S.H. 205 shall be composed of not less than 50% masonry.
- g. Loading Areas. Loading areas shall not face a public street.

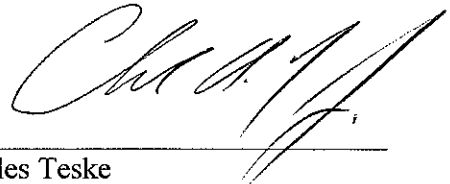
Section VII. The Comprehensive Zoning Ordinance and the Official Zoning Map are hereby amended to reflect the action taken herein.

Section VIII. Penalty Clause. Any person, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable by a fine not to exceed two thousand dollars (\$2000) per day.

Section IX. Savings Clause. Should any word, phrase, sentence or section contained herein be found to be invalid, such validity shall not affect any other portion of this ordinance.

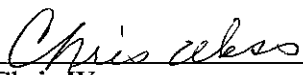
Section X. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED this 30th day of December 2013.



Charles Teske
Mayor, City of Lavon, Texas

ATTESTED:



Chris Wess
City Secretary, City of Lavon, Texas

EXHIBIT A

**4.617 ACRES OUT OF LOT 1
LAVON BUSINESS PARK II**

BEING ALL OF LOT 1, LAVON BUSINESS PARK II, AN ADDITION TO THE CITY OF LAVON, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2010 PAGE 318 OF THE PLAT RECORDS OF COLLIN COUNTY TEXAS.

SAVE AND EXCEPT THE FOLLOWING 2.313 ACRE TRACT

BEING A PART OF LOT 1, LAVON BUSINESS PARK II, AN ADDITION TO THE CITY OF LAVON, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2010 PAGE 318 OF THE PLAT RECORDS OF COLLIN COUNTY TEXAS AND THIS TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERN NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 88 DEGREES 01 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 30.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 00 DEGREES 35 MINUTES 02 SECONDS EAST A DISTANCE OF 28.50 FEET TO A POINT FOR CORNER AND **THE POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 89 DEGREES 24 MINUTES 58 SECONDS EAST A DISTANCE OF 250.00 FEET TO A POINT FOR CORNER;

THENCE SOUTH 00 DEGREES 35 MINUTES 02 SECONDS EAST AND PARALLEL TO THE UPPER WEST LINE OF SAID LOT 1, A DISTANCE OF 403.00 FEET TO A POINT FOR CORNER;

THENCE SOUTH 89 DEGREES 24 MINUTES 58 SECONDS WEST A DISTANCE OF 250.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 00 DEGREES 35 MINUTES 02 SECONDS WEST AND PARALLEL TO THE UPPER WEST LINE OF SAID LOT 1, A DISTANCE OF 403.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 100,750 SQUARE FEET OR 2.313 ACRES OF LAND.

EXHIBIT "B"
4.617 ACRES
LAVON BUSINESS PARK

