

CITY OF LAVON

ORDINANCE NO. 2025-07-01

Planned Development Zoning – Amendment – Land Use Parcels 3-4

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING THE ELEVON PLANNED DEVELOPMENT ZONING REGULATIONS ON APPROXIMATELY ON 30.7 ACRES CONSISTING OF LAND USE PARCELS 3 AND 4 IN THE ELEVON ADDITION NORTHEAST AND SOUTHEAST OF THE INTERSECTION OF SH 78 AND ELEVON PARKWAY AND TO CHANGE THE ZONING FROM SINGLE FAMILY-1 ACRE (SF-1) TO ELEVON PLANNED DEVELOPMENT DISTRICT (LAND USE PARCELS 3) ON 2.058 ACRES OF PROPERTY AT 208 BOIS D ARC AND 0.816 ACRES OF PROPERTY AT 200 BOIS D ARC, BOTH PARCELS BEING IN THE S. M. RAINER SURVEY, ABSTRACT 740, SURVEY SHEET 1, TRACTS 55 AND 54, RESPECTIVELY, CITY OF LAVON, COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “B” AND DEPICTED IN EXHIBIT “A”; PROVIDING A PENALTY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR PUBLICATION.

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

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

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

WHEREAS, the City Council approved Ordinance No. 2022-10-03 setting out Planned Development District regulations for Elevon Commercial, Business Park, and Mixed Use areas; and

WHEREAS, owners of the Property hereinafter defined have submitted an application to amend the regulations adopted by Ordinance No. 2022-10-03 on 30.7 acres consisting of Land Use Parcels 3 and 4 in the Elevon Addition northeast and southeast of the intersection of SH 78 and Elevon Parkway and to change the zoning from Single Family-1 Acre (SF-1) to Elevon Planned Development District (Land Use Parcels 3) on 2.058 acres of property at 208 Bois D Arc and 0.816 acres of property at 200 Bois D Arc, both parcels being in the S. M. Rainer Survey, Abstract 740, Survey Sheet 1, Tracts 55 and 54, respectively, City of Lavon, Collin County, Texas, generally located as depicted on **Exhibit “A”** and as legally described in **Exhibit “B”** (the “Property”); and

WHEREAS, this proposed zoning code amendment is in accordance with the adopted comprehensive plan of the City; and

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

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

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

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

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

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

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

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

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

SECTION 3. Zoning Amendment. The Zoning Ordinance is hereby amended to amend the zoning of the Property as established in Exhibit C, which exhibit is incorporated as if fully set forth herein, and all applicable City ordinances and regulations governing except as may be modified by the Ordinance.

SECTION 4. Compliance Required. The Property shall be used only in the manner and for the

purposes provided for in this Ordinance and the Comprehensive Zoning Ordinance of the City, as amended.

SECTION 5. Severability Clause. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 7. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues.

SECTION 8. Open Meeting. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

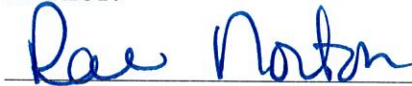
SECTION 9. Publication and Effective Date. That this Ordinance shall be in full force and effect immediately upon its adoption and its publication as required by law.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on this 1st day of July 2025.



Vicki Sanson, Mayor

ATTEST:



Rae Norton, City Secretary



EXHIBIT A. LOCATION MAP

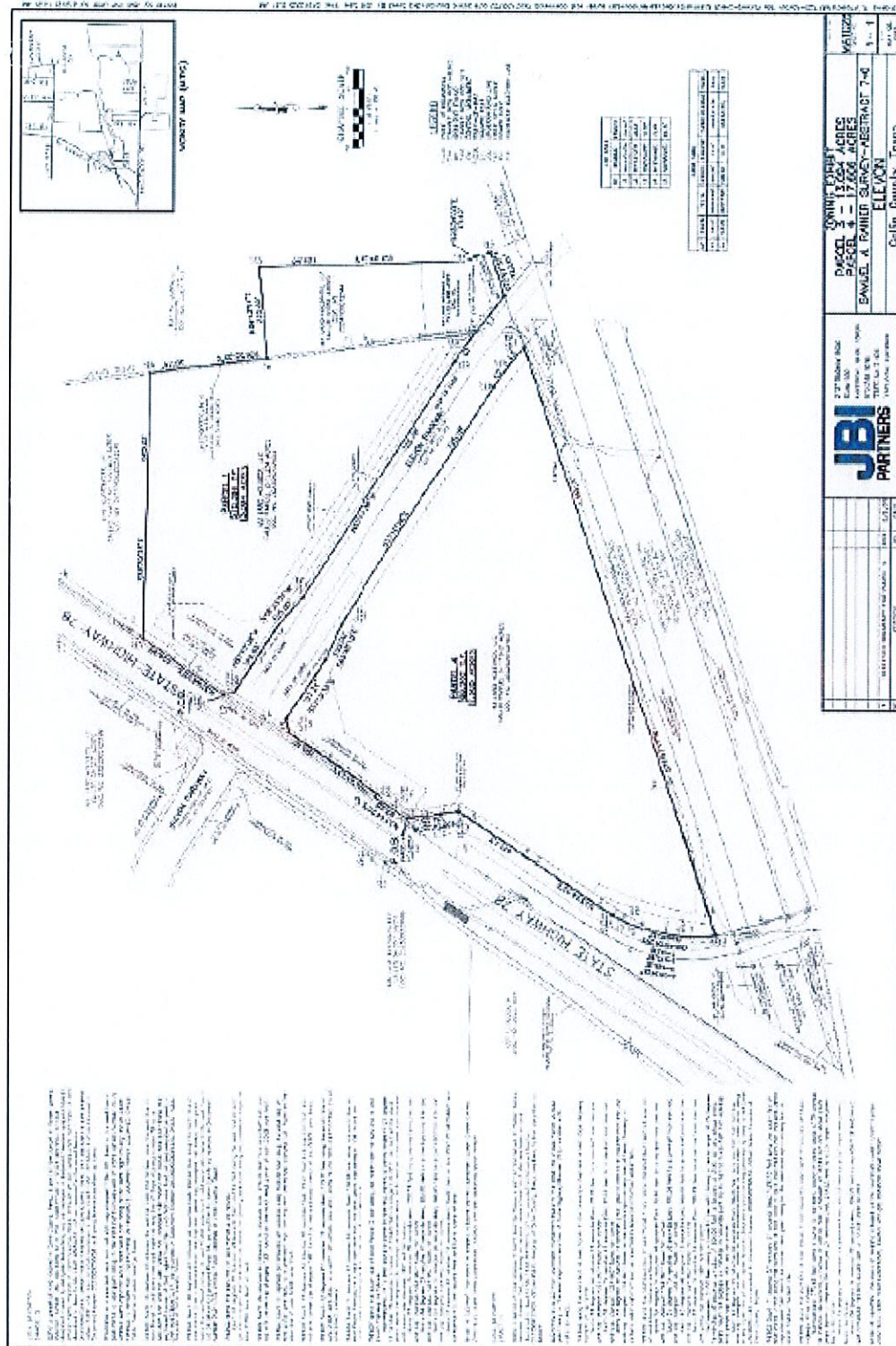


EXHIBIT B. LEGAL DESCRIPTION

LEGAL DESCRIPTION (PARCEL 3)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called Parcel 2—10.224 acre tract of land described indeed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152455 Official Public Records of Collin County, Texas, being all of that called 2.058 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2024000072044, Official Public Records of Collin County, Texas, and also being a part of that called 0.906 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2023000030638 and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "USA INC" found in the west line of said Parcel 2, said point being in the east right-of-way line of State Highway Number 78 (a variable width right-of-way), said point also being in the north right-of-way line of Elevon Parkway, a variable width right-of-way as recorded in Document Number 2023-925, Official Public Records of Collin County, Texas;

THENCE North 33 degrees 44 minutes 25 seconds East, 254.09 feet along the west line of said Parcel 2 and along the east right-of-way line of State Highway Number 78 to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being the southwest corner of that called Tract No. 2-5.1400 acre tract of land described in deed to DPB INVESTMENTS, LP, as recorded in Document Number 20110606000576510, Official Public Records of Collin County, Texas;

THENCE South 88 degrees 39 minutes 35 seconds East, 685.22 feet along the north line of said Parcel 2 to a one-half inch iron rod with yellow cap stamped "JBI" found, said point being the southeast corner of said 5.1400 acre tract, said point also being in the west line of Lot 5X, Block U Lakepoint Phase IIA, an addition to Collin County as recorded in Document Number 2021-713, Official Public Records of Collin County, Texas;

THENCE along the east line of said Parcel 2 as follows:

South 06 degrees 55 minutes 38 seconds East, 307.10 feet along the west line of said Lot 5X to a one-half inch iron rod found for corner, said point being the northwest corner of said 2.058 acre tract of land;

THENCE North 84 degrees 43 minutes 14 seconds East, 235.30 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the north east corner of said 2.058 acre tract;

THENCE South 01 degrees 54 minutes 29 seconds East, 529.89 feet along the east line of said 2.058 acre tract to a one-half inch iron rod with yellow cap stamped "JBI" found in the east line of said 0.906 acre tract;

THENCE South 23 degrees 34 minutes 55 seconds East, 73.42 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of said 0.906 acre tract;

THENCE South 72 degrees 07 minutes 37 seconds West, 123.81 feet along the south line of said 0.906 acre tract to a point for corner, said point being in the north right-of-way line of said Elevon Parkway;

THENCE North 51 degrees 55 minutes 50 seconds West, 136.90 feet along the north line of said Elevon Parkway to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the south line of said Parcel 2;

THENCE along the south line of said Parcel 2 and along the north right-of-way line of said Elevon Parkway as follows:

Northwesterly, 74.17 feet along a curve to the left, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 810.00 feet, a tangent of 37.11 feet and whose chord bears North 54 degrees 33 minutes 14 seconds West, 74.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 57 degrees 10 minutes 38 seconds West, 725.78 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 48 degrees 33 minutes 01 seconds West, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 57 degrees 10 minutes 38 seconds West, 199.85 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 11 degrees 43 minutes 12 seconds West, 28.06 feet to the POINT OF BEGINNING and containing 570,386 square feet or 13.094 acres of land.

BASIS OF BEARING: The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83) with grid distances shown hereon.

LEGAL DESCRIPTION

(TRACT 2)

BEING a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being all of that called Parcel 3—17.606 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2022000152455, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a 3.5 inch aluminum monument found in the west line of said Parcel 3, said point being in the east right-of-way line of State Highway Number 78 (a variable width right-of-way);

THENCE along the west line of said Parcel 3 and along the east line of said State Highway Number 78 as follows:

North 33 degrees 44 minutes 25 seconds East, 97.25 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 56 degrees 15 minutes 47 seconds East, 10.03 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

North 33 degrees 44 minutes 13 seconds East, 280.40 feet to a one-half inch iron rod with cap stamped "USA INC" found in the south right-of-way line of Elevon Parkway, a variable width right-of-way as recorded in Document Number 2023-925;

THENCE along the northeast line of said Parcel 3 and along the southwest right-of-way line of said Elevon Parkway as follows:

North 78 degrees 16 minutes 48 seconds East, 35.64 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

THENCE along the northeast line of said Parcel 3 and along the southwest right-of-way line of said Eleven Parkway as follows:

North 78 degrees 16 minutes 48 seconds East, 35.64 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 57 degrees 10 minutes 38 seconds East, 187.24 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 65 degrees 48 minutes 15 seconds East, 100.00 feet to a one-half inch iron rod with cap stamped "USA INC" found for corner;

South 57 degrees 10 minutes 38 seconds East, 725.78 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

Southeasterly, 63.18 feet along a curve to the right, having a central angle of 05 degrees 14 minutes 48 seconds, a radius of 690.00 feet, a tangent of 31.61 feet and whose chord bears South 54 degrees 33 minutes 14 seconds East, 63.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

South 51 degrees 55 minutes 50 seconds East, 65.33 feet to a one-half inch iron rod with cap stamped "USA INC" found at the southeast corner of said Parcel 3, said point being in the north line of that called Tract III—3.50 acre tract of land described in deed to MA LAND HOLDINGS, LLC as recorded in Document Number 2023000030638, Official Public Records of Collin County, Texas;

THENCE South 71 degrees 57 minutes 17 seconds West, 1,591.10 feet along the south line of said Parcel 3 and along the north line of said Tract III to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the said east right-of-way line of State Highway Number 78;

THENCE along the west line of said Parcel 3 and along the east right-of-way line of State Highway 78 as follows:

Northeasterly, 275.49 feet along a curve to the right, having a central angle of 38 degrees 34 minutes 06 seconds, a radius of 409.26 feet, a tangent of 143.19 feet and whose chord bears North 11 degrees 54 minutes 25 seconds East, 270.32 feet to a 3.5" brass monument found for corner;

North 33 degrees 44 minutes 25 seconds East, 471.73 feet to a 3.5" brass monument found for corner;

North 08 degrees 14 minutes 35 seconds West, 134.55 feet to the POINT OF BEGINNING and containing 766,902 square feet or 17.606 acres of land.

BASIS OF BEARING: The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83) with grid distances shown hereon.

EXHIBIT C. DEVELOPMENT STANDARDS

EXHIBIT A. LOCATION MAP



Exhibit A - LOCATION MAP
CITY OF LAVON, COLLIN COUNTY, TEXAS PART 10

ELEVON

MAKERS

MAKERS

EXHIBIT B. LEGAL DESCRIPTION

Land Use Parcels 3 and 4 (30.700 acres)

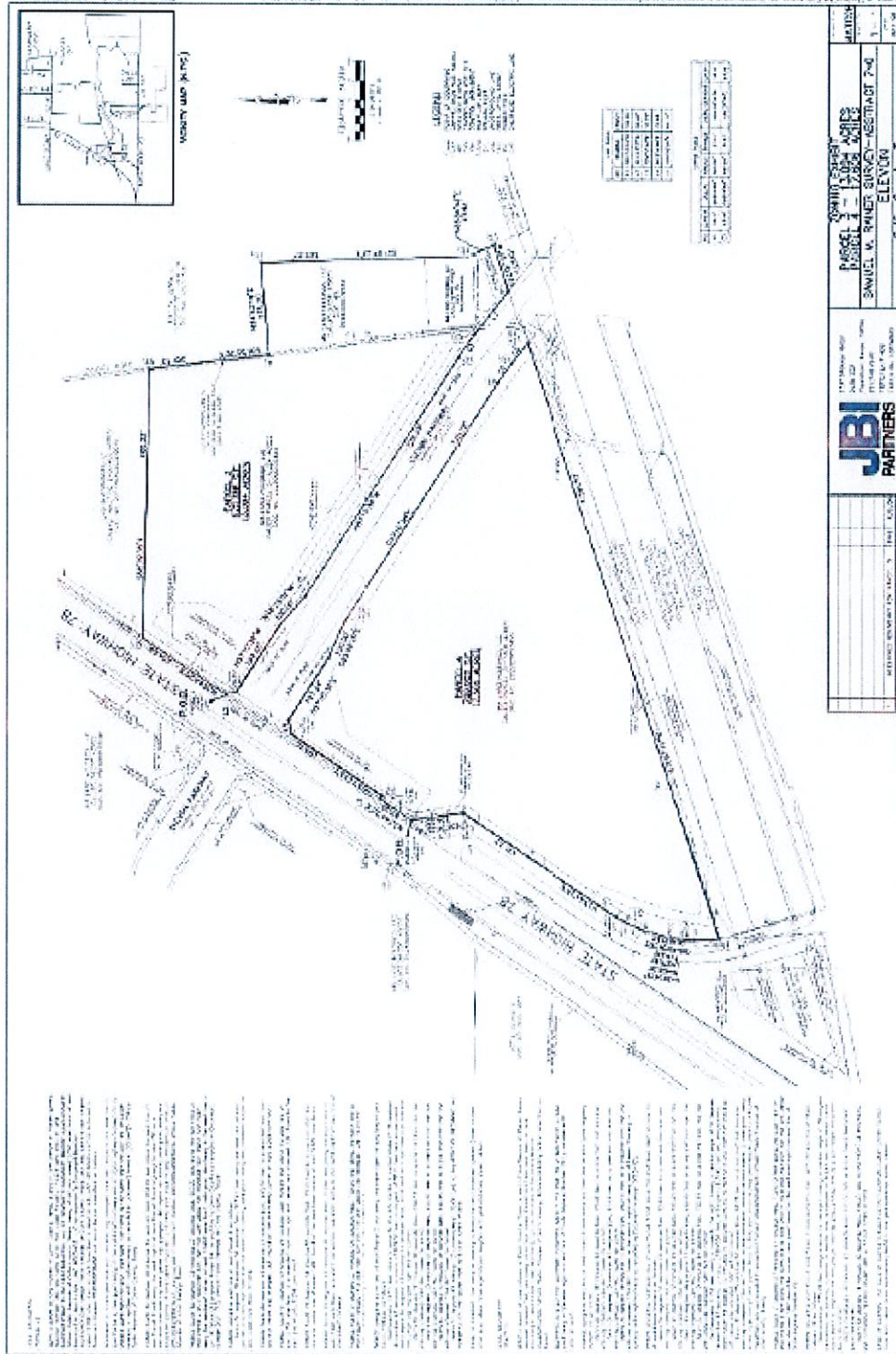
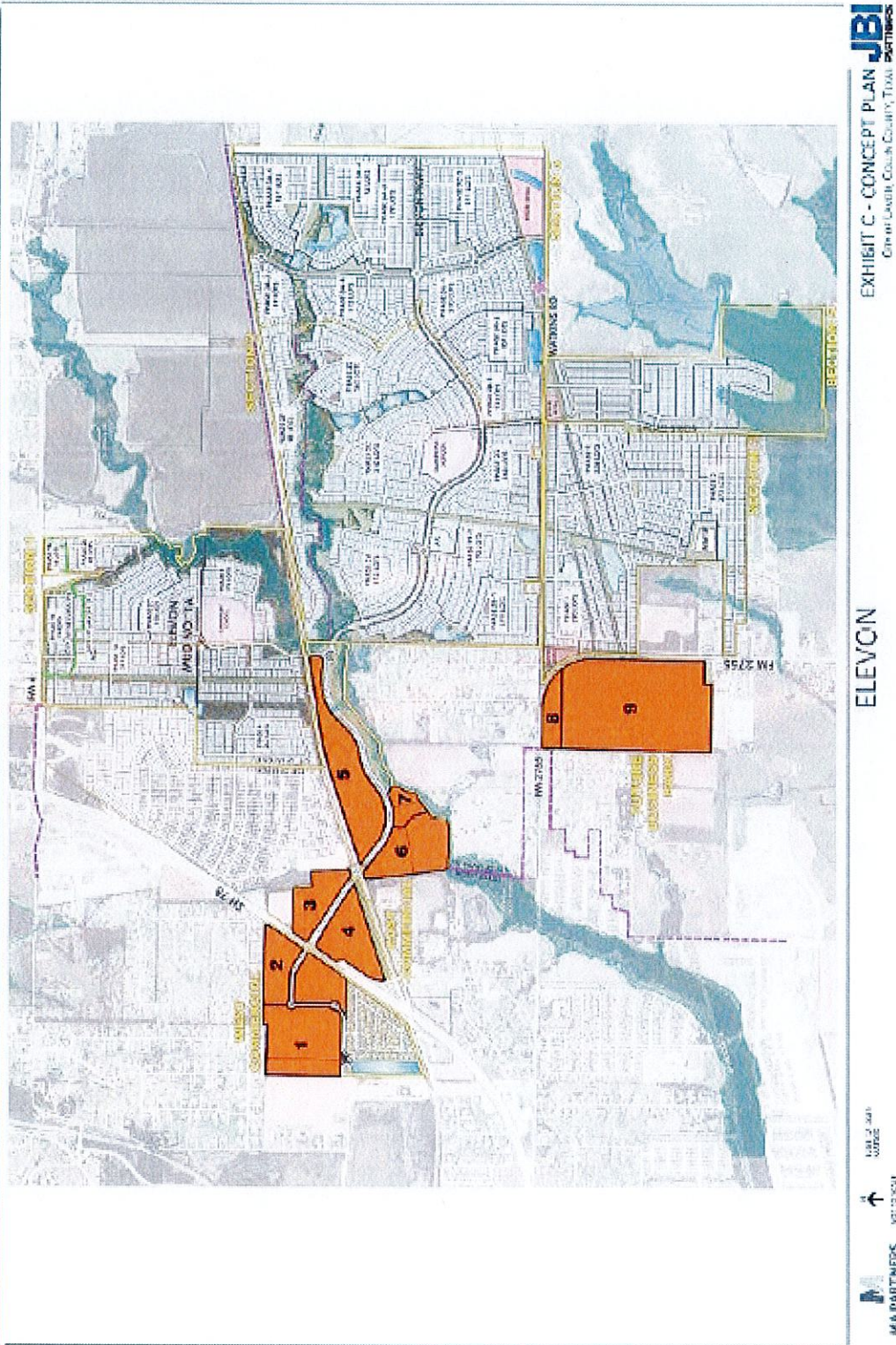


EXHIBIT C. CONCEPT PLAN



ELEVON

EXHIBIT C - CONCEPT PLAN
CITY OF LAMAR, COLLIN COUNTY, TEXAS

JBI
LAND USE
WATER
NORTH ARROW
SCALE BAR

EXHIBIT D. DEVELOPMENT STANDARDS

LAND USE PARCEL 3

1.3.27. Permitted Uses

1.3.27.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- ~~Automobile Fueling Station~~ * Remove from Parcel 3, Add to Parcel 4

LAND USE PARCEL 4

1.3.33. Permitted Uses

1.3.33.1. The following uses are permitted:

- Amenity Center
- Amusement Establishment
- Automobile Fueling Station * Removed from Parcel 3. Added to Parcel 4

EXHIBIT E. PARKS/OPEN SPACE

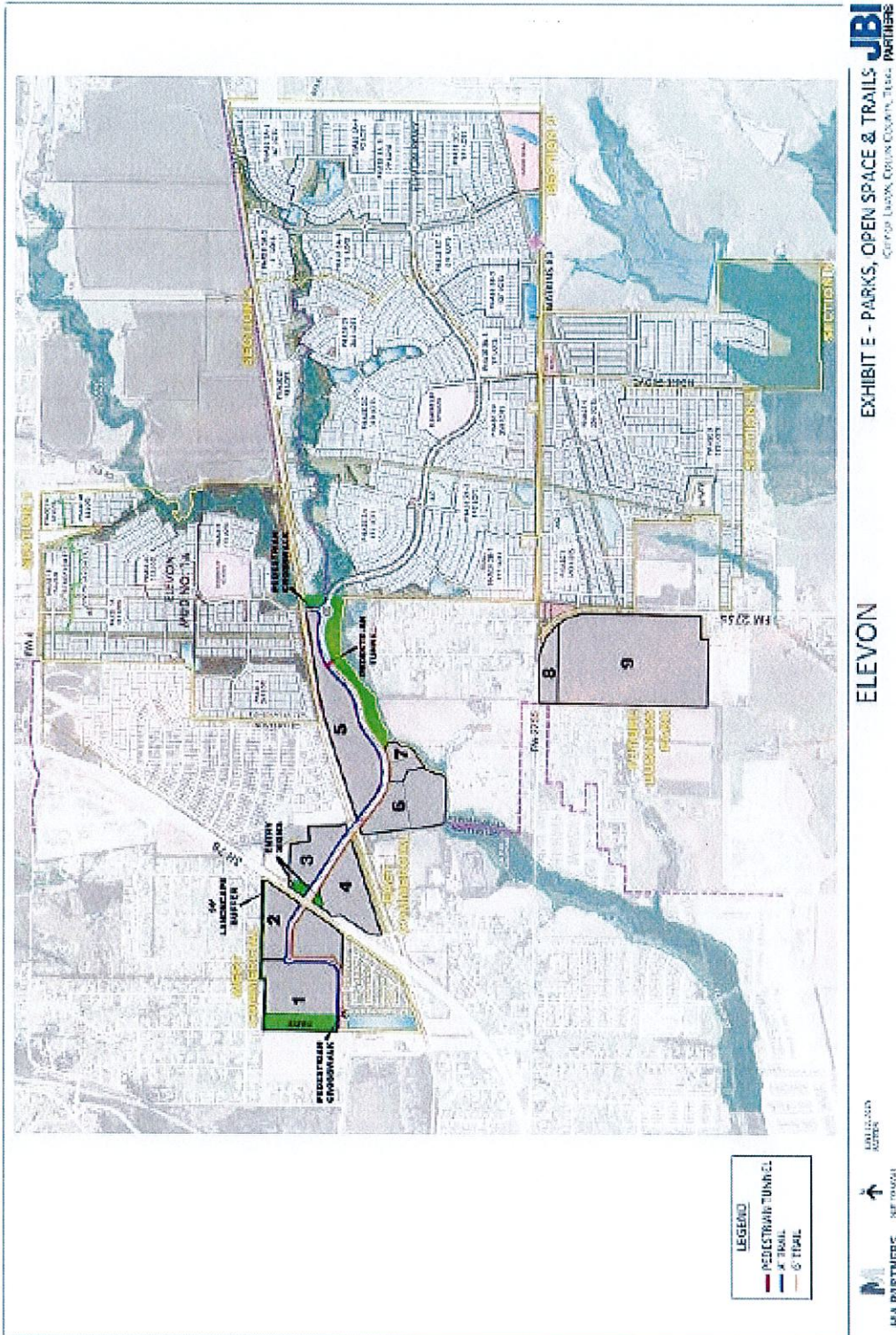
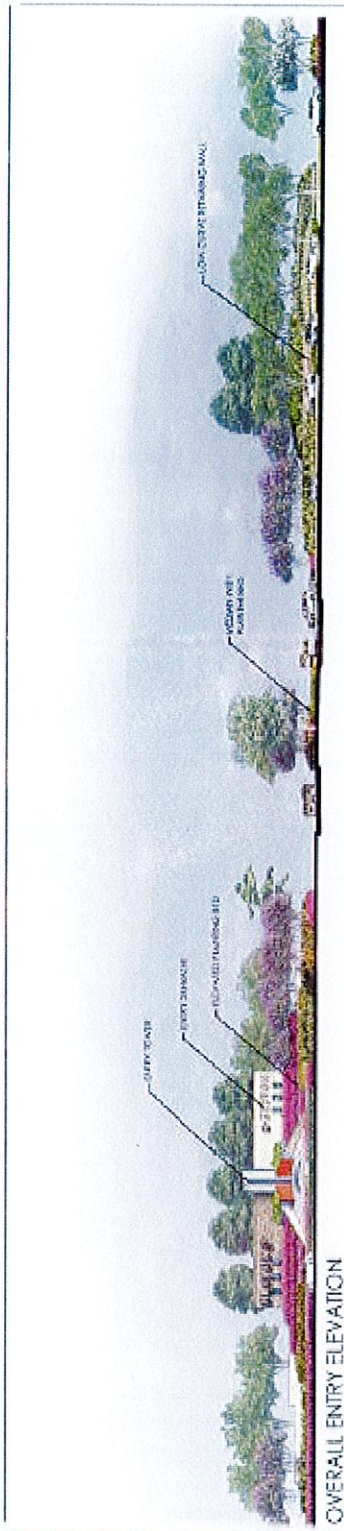
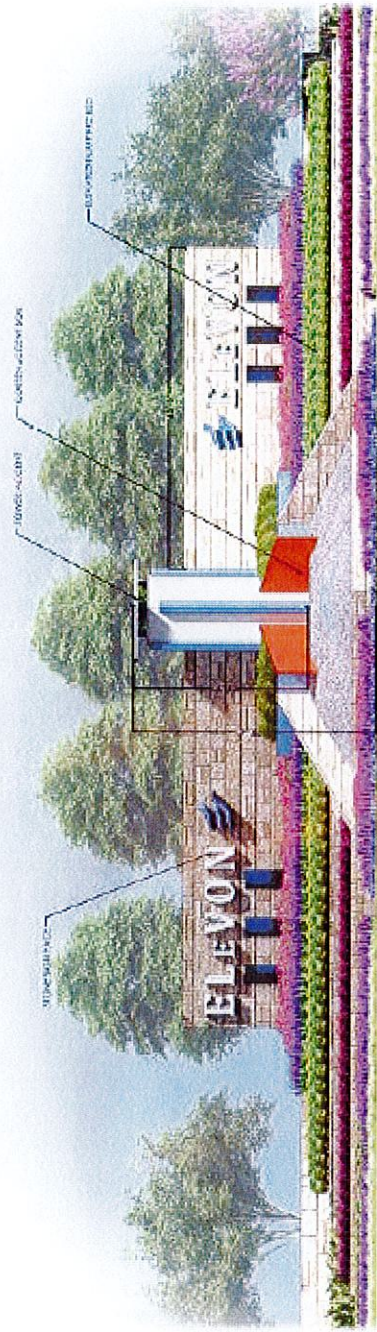


EXHIBIT F. PRIMARY ENTRY FEATURE





OVERALL ENTRY ELEVATION



ENTRY ELEVATION DETAIL

DESIGNED BY
JBI PARTNERS
ARCHITECTS

HWY 78 FEATURE - PRIMARY ENTRY SIGN

ELEVON HIGHWAY 78 ENTRY
City of Lenoir, Texas

JBI
PARTNERS