

CITY OF LAVON, TEXAS

ORDINANCE NO. 2021-12-01

Special Use Permit – Temporary Concrete Batch Plant

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, AMENDING THE CODE OF ORDINANCES TO GRANT A SPECIAL USE PERMIT FOR CONSTRUCTION OF A TEMPORARY CONCRETE BATCH PLANT; PROVIDING SEVERABILITY AND CUMULATIVE CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lavon recognizes the need for ongoing development of the City, and that because of such development, an amendment of the zoning ordinance may occasionally be required; and

WHEREAS, the City of Lavon has received an application from Chris Harp Construction for a special use permit (SUP) to construct a Temporary Concrete Batch Plant in Bear Creek Phase 4, on 29.468 acres described as a part of the D. Anglin Survey, Abstract No. 2, Tract 140, City of Lavon, Texas located south of the intersection of Winterwood Dr. and Alder Dr. in Bear Creek Phase 4 and 156 feet west of CR 483, Lavon, Collin County, Texas; and

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Lavon, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Lavon, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the City of Lavon Code of Ordinances be amended as follows:

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

SECTION 1. Findings.

It is hereby officially determined that the findings and recitations contained above in the preamble of this ordinance are true and correct and are incorporated herein by reference.

SECTION 2. Authorization.

- A. The City of Lavon Code of Ordinances, Zoning Code, as heretofore amended, and the same is hereby amended so as grant a Special Use Permit on the property described herein to permit construction of a temporary concrete batch plant for the purpose of constructing infrastructure within the development and constructing, repairing, or reconstructing public infrastructure within the vicinity of the development as approved by the Director of Public Works.
- B. That the time period for the Special Use Permit shall be the earlier of eighteen (18) months from the effective date or the City's final acceptance of the improvements.
- C. That the applicant shall proactively maintain dust control related to batch plant operations at all times.
- D. That the plant hours of operations shall be limited to 7:00 a.m. to 8:00 p.m. seven days per week.

SECTION 3. Severability Clause.

It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance.

SECTION 4. Cumulative Clause.

This ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

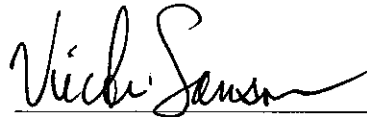
SECTION 5. Public Meeting.

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.

SECTION 6. Effective Date.

This ordinance shall be in full force and effect immediately upon its passage and approval by the City Council.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 7th day of December 2021.



Vicki Sanson
Mayor

ATTEST:



Rae Norton
City Secretary





CITY OF LAVON

120 School Road, P.O. Box 340, Lavon, TX 75166
(972) 843-4220
cityhall@lavontx.gov

APPLICATION FOR CONDITIONAL USE PERMIT (CUP)

<u>Chris Harp Construction</u>	<u>10/18/2021</u>
Applicant Name	Date
<u>Brian Cottle</u>	<u>O. 469-344-7686</u>
	<u>C. 469-576-7814</u>

Representative, Agent or Owner	Phone
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<u>Chris Harp Construction</u>	<u>brian@chrisharpconstruction.com</u>
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Company	Email address
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<u>17388 County Road 543</u>	<u>Nevada, TX 75173</u>
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Street	City, State, Zip
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New Subdivision - Bear Creek Phase 4

Address and Location of Property

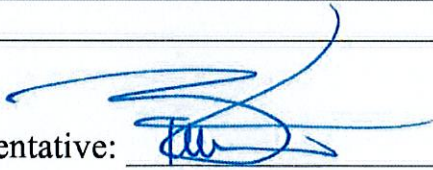
N/A

Legal Description of Property

Existing Zoning: N/A

REASON FOR REQUEST (Include the type of conditional use requested, dimensions, materials and elevations. Attach a separate sheet if necessary and include supporting documentation.)

Temporary Concrete Batch Plant

Signature of Applicant or Representative: 

For Office Use Only

Date Received: _____ Date Paid: _____ Fee Paid: _____

Next P & Z Meeting: _____ Next City Council Meeting: _____

P & C
 UMS
 ✓

CONSTRUCTION PLANS FOR GRADING, PAVING, WATER, SANITARY SEWER & DRAINAGE FACILITIES TO SERVE

BEAR CREEK PHASE FOUR

CITY OF LAVON
 COLLIN COUNTY, TEXAS

SEPTEMBER 2021

OWNER:

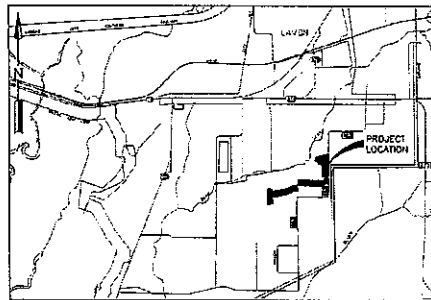
BLOOMFIELD HOMES, L.P.
 1050 EAST HIGHWAY 114, SUITE 210
 SOUTHLAKE, TEXAS 76092
 (817) 416-1572

DEVELOPER:

DOUGLAS PROPERTIES, INC.
 2309 K AVE, SUITE 100
 PLANO, TEXAS 75074
 (972) 422-1658

BEAR CREEK SUD

CAMILLE REAGAN - GENERAL MANAGER
 (972) 843-2101
 CHAD MARTIN - FIELD SUPERVISOR
 (972) 843-2101



VICINITY MAP
 1" = 2000'

ENGINEER:

LJA Engineering, Inc.

6060 North Central Expressway
 SUITE 400
 Dallas, Texas 75206

Phone 469.621.0710

FRN - F-1386



SHEET INDEX

- | | |
|--|--|
| <ul style="list-style-type: none"> 1. COVER SHEET 2. GENERAL NOTES 3. GENERAL NOTES 4. FINAL PLAN 5. FINAL PLAN 6. FINAL PLAN 7. WATER PLAN 8. WATER PROFILE W-1 & W-2 9. WATER PROFILE W-3 10. WATER PROFILE W-4 11. SANITARY SEWER PLAN 12. SANITARY SEWER PROFILE LINE A C H & S 13. SANITARY SEWER PROFILE LINE B H & P 14. SANITARY SEWER PROFILE LINE S H & D 15. SANITARY SEWER PROFILE LINE S 16. SANITARY SEWER PROFILE LINE S 17. EXISTING DRAINAGE AREA MAP 18. PROPOSED DRAINAGE AREA MAP 19. PROPOSED DRAINAGE AREA MAP 20. ULTIMATE DRAINAGE AREA MAP 21. HYDRAULIC CALCULATIONS 22. HYDRAULIC CALCULATIONS 23. STORM DRAIN PLAN & PROFILE 20-1 24. STORM DRAIN PLAN & PROFILE 20-2 25. STORM DRAIN PLAN & PROFILE 20-3 26. STORM DRAIN PLAN & PROFILE 20-4 27. STORM DRAIN PLAN & PROFILE 20-5 28. STORM MATERIALS LIST 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 29. STORM MATERIALS LIST 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 30. PAVING PLAN & PROFILE ALLEN DRIVE 31. PAVING PLAN & PROFILE ALLEN DRIVE & FORTHE BEND 32. PAVING PLAN & PROFILE ALLEN DRIVE & FORTHE BEND 33. PAVING PLAN & PROFILE CENTER DRIVE & LINDEN DRIVE 34. PAVING PLAN & PROFILE CENTER DRIVE & LINDEN DRIVE 35. PAVING PLAN & PROFILE CENTER DRIVE & LINDEN DRIVE 36. PAVING PLAN & PROFILE CENTER DRIVE & LINDEN DRIVE 37. STREET LIGHT & SIGNAGE PLAN | <ul style="list-style-type: none"> 38. GRADING PLAN 39. GRADING PLAN 40. GRADING PLAN 41. GRADING PLAN 42. GRADING PLAN 43. GRADING PLAN 44. GRADING PLAN 45. EROSION CONTROL PLAN 46. EROSION CONTROL PLAN 47. EROSION CONTROL PLAN 48. ALLEN DETAILS 49. ALLEN DETAILS 50. SANITARY SEWER DETAILS 51. SANITARY SEWER DETAILS 52. STORM DETAILS 53. STORM DETAILS 54. PAVING DETAILS 55. PAVING DETAILS 56. PAVING DETAILS 57. PAVING DETAILS 58. SIGNAGE DETAILS 59. SIGNAGE DETAILS |
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REVISION	DATE	BY	APP'D
1	09/01/21	JLA	JLA

BEAR CREEK PHASE FOUR ***JOB NO. 140029-04**



BEAR CREEK PHASE 3

BEAR CREEK PHASE 3

BEAR CREEK PHASE 4

BEAR CREEK PHASE 4

265'

1068'

Batch Plant Site

156'

BEAR CREEK PHASE 4

BEAR CREEK PHASE 5

423'

BEAR CREEK PHASE 5

COUNTY ROAD 483

COUNTY ROAD 483

ROAD 483

SVENSON TRACT