



**AGENDA  
CITY COUNCIL MEETING  
TUESDAY, JULY 25, 2023  
1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032  
6:30 PM**

Page

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS
3. RULES OF DECORUM
4. PRESENTATIONS
  - 4.1. Presentation of the American Legion Terry Fisher Post 117 Great American Award to Mr. and Mrs. Gary Lovell. This recognition of their tireless work and efforts in support of the Rockwall County Veteran community.
5. CITIZEN COMMENTS
6. PUBLIC HEARINGS
  - 6.1. A public hearing to consider an application requesting a zoning district change from the AG Agriculture Zoning District that provides a lot size of two and one-half acres to a planned development district [Ridge Pointe Estates] for the development of 83 single-family residential lots with a minimum lot size of one-acre of land. Property location is 99.544 acres of land located generally across FM 550 from McLendon-Chisholm City Hall, 1371 West FM 550; Rockwall CAD Property ID #10767.

4 - 17

[Application](#)  
[Staff Recommendation](#)
  - 6.2. A public hearing to receive public comment regarding a request by Oak National Development, LLC to change the existing planned development district on approximately 148.25 acres of land from the current zoning district classification of Planned Development District [Triple Creek] to a new Planned Development District [Legacy Park] containing 335 single-family residential lots and a city park. The Rockwall County Appraisal District Property identification numbers are: 11447 and 11438.

18 - 33

[Application](#)  
[Staff Recommendation](#)

|      |                                                                                                                                                                                                                                                                                                                                                      |           |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 7.   | CONSENT AGENDA                                                                                                                                                                                                                                                                                                                                       |           |
| 7.1. | Building Official Report - June 2023<br><a href="#">Monthly Report - TCS</a>                                                                                                                                                                                                                                                                         | 34 - 40   |
| 7.2. | Community Waste Disposal Report - June 2023<br><a href="#">June Report</a>                                                                                                                                                                                                                                                                           | 41 - 45   |
| 7.3. | Fire/Rescue Report - June 2023<br><a href="#">Calls by District</a><br><a href="#">Calls by Incident Type</a>                                                                                                                                                                                                                                        | 46 - 49   |
| 7.4. | Sheriff's Report - June 2023<br><a href="#">Sheriff's Report</a>                                                                                                                                                                                                                                                                                     | 50 - 56   |
| 7.5. | Code Compliance Report - June 2023<br><a href="#">Code Compliance</a>                                                                                                                                                                                                                                                                                | 57 - 60   |
| 7.6. | Animal Control Report - June 2023<br><a href="#">Animal Control</a>                                                                                                                                                                                                                                                                                  | 61        |
| 7.7. | Ordinance adopting the most recent official city maps of incorporated municipal boundaries (city limits) and extraterritorial jurisdiction.<br><a href="#">Ordinance 2023-03 - Official City Map</a><br><a href="#">Staff Recommendation</a>                                                                                                         | 62 - 76   |
| 7.8. | Action regarding the Minutes of June 27, 2023 City Council Meeting<br><a href="#">06.27.23</a>                                                                                                                                                                                                                                                       | 77 - 95   |
| 7.9. | Action regarding the Minutes of the July 11, 2023 City Council Meeting<br><a href="#">07.11.23</a>                                                                                                                                                                                                                                                   | 96 - 108  |
| 8.   | ITEMS FOR CONSIDERATION AND ACTION                                                                                                                                                                                                                                                                                                                   |           |
| 8.1. | Consider approval of a preliminary plat for a little over 16 acres of land for the development of a 25-lot residential subdivision with 9 open space/HOA lots as submitted by Colton Smith, Spiars Engineering and Surveying, Inc., on behalf of Tellus-Mann, property owner.<br><a href="#">Application</a><br><a href="#">Staff Recommendation</a> | 109 - 122 |
| 8.2. | Discussion and action for approval of an Architect RFP for Heritage Center to produce concept ideas to consider. The goal is to have the architect present ideas so that citizenry will be able to weigh in on what they would like to see. (Mayor Pro Tem Balkum)                                                                                   |           |
| 8.3. | Receive update on the status of the Section 13.255 petition to be filed with the PUC to take over the RCH Water Supply, Inc. water system and all matters related there. (Mayor Pro Tem Balkum)                                                                                                                                                      |           |
| 8.4. | Discussion and action regarding request for approval to use public safety capital funds in the amount of \$69,711.52 for purchase of two Life Pak 15's. This purchase will allow us to stay on schedule for implementing new ALS EMS program. (Fire Chief Simmons)                                                                                   |           |

- 8.5. Discussion and action regarding the request for approval of the application of Aaron Parker (owner/applicant) for a preliminary plat for a 1.5 acre tract of land to create a building site. Rockwall County requires a minimum lot size of 1.5 acres of land for an on-site sanitary sewer facility. 123 - 127

[Application](#)

[Staff Recommendation](#)

9. UPDATES, DISCUSSION AND DIRECTION TO STAFF
10. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

The City Council will have an opportunity to address items of community interest including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of McLendon-Chisholm; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of McLendon-Chisholm that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of McLendon-Chisholm; and announcements involving an imminent threat to the public health and safety of people in the City of McLendon-Chisholm that has arisen after posting the agenda.

- 10.1. Mayor Short
- 10.2. Mayor Pro Tem Balkum
- 10.3. Council Member Tucker
- 10.4. Council Member Hoffman
- 10.5. Council Member McLendon
- 10.6. Council Member McNeal

11. ADJOURN

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session in order to seek confidential legal advice from the City Attorney on any agenda item herein.

I, Rochelle Green, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., July 21, 2023, on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



City of McLendon-Chisholm  
1371 West FM 550 - McLendon-Chisholm, Texas 75032  
TEL: (972)524-2077 FAX: (972)524-9128

**ZONING CHANGE APPLICATION**

Date of Application: June 26, 2023

Receipt # \_\_\_\_\_

**Fee:** \$600 per lot + \$10 per acre (acreage rounded to the next whole acre) + ALL consultant Costs. Consultant costs includes City Planner, City Engineer, Legal Fees and any other outside consultant costs incurred by the City.

Address and/or Location of Request:

Across from McLendon-Chisholm City Hall & Fire Station

Property Legal Description:

RIDGE POINTE ESTATES - 99.544 Acre Tract, Lelsler Easterwood Survey, Abstract No. 79

County Parcel ID: 10767

Existing Zoning: AG

Requested Zoning: Planned Development (PD)

Applicant's Name: Ricardo Doi, PE

Phone No. 813-355-1012

Email: rdoi@pelit-eed.com

Status of Applicant: Owner ☐ or Authorized Agent ☒

Applicant's Address:

1600 N. Collins Blvd. Suite 3300, Richardson, TX 75080

Owner's Address: Terrell 176 Partners LLC - P.O. Box 818, Terrell, TX 75160

I certify that I am the owner of the property described in this petition/application and Ricardo Doi, PE is the authorized agent to file this application on my behalf.

Signature of Owner:

Date 6/21/23

Signature of Applicant:

Date 6/13/23

Page 1 of 2

02/25/2020 Zoning Change Application and Checklist

### **CHECKLIST FOR ZONING CHANGE APPLICANT**

The following items must be submitted along with the completed application before processing and scheduling.

1. Completed Application
2. Legal Description and plat of the subject site. Two (2) copies of field note description typed and attached on a separate sheet (plain bond paper) and the subdivision name with lot and block number.
3. A location map clearly showing the site in relation to adjacent streets and distance to nearest thoroughfare.
4. Filing Fee of \$600.00 for the requested change of property + 10 per acre + ALL consultant costs.
5. Names and Addresses of Legal Property Owners within 200 feet of property. (The City will need to send these out 11 Days or more giving notice of the Public Hearing)
6. If not the owner of the property, have a letter from the owner stating that the applicant is authorized to file the application.
7. Post signs of Proposed Zoning Change at the property site. (City)

#### FIELD NOTE DESCRIPTION

Being a 99.544 acre tract of land situated in the LESTER EASTERWOOD SURVEY, ABSTRACT No. 79, Rockwall County, Texas, being all of a called 99.544 tract of land described in deed to Terrell 176 Partners LLC, recorded in Volume 2021, Page 25176, Official Public Records of Rockwall County, Texas (OPRRCT) and being more particularly described as follows:

Beginning at 1/2-inch iron rod found for the south corner of said 99.544 acre tract, also being the east corner of a called 15.95 acre tract of land described in deed to Callie Sue and Zachary Steven Hamilton recorded in Instrument Number 20190000014746 (OPRRCT);

THENCE North 45°12'32" West, with the common line of said 99.544 acre tract, said Hamilton tract, a distance of 1054.27 feet to a 3/4-inch iron pipe found for corner;

THENCE North 44°59'42" West with the common line of said 99.544 acre tract, and said Hamilton tract, passing at 388.31 feet a 1/2-inch iron rod with cap stamped "RSCI RPLS 5034" found for the north corner of said Hamilton tract and the east corner of a called 17.059 acre tract of land described in deed to Liechty Ranch, LLC, recorded in Instrument Number 20210000005014, (OPRRCT), continuing with the common line of said 99.544 acre tract and said Liechty Ranch Tract, a total distance of 776.35 to a 3/8-inch iron rod found for the north corner of said Liechty Ranch Tract, and the east corner of a tract of land described in deed to Fred and Vivian Kay McCurley, recorded in Instrument Number 20040000297696 (OPRRCT);

THENCE North 44°59'25" West, with the common line of said 99.544 acre tract, and said McCurley tract, a distance of 387.11 feet to a 1/2-inch iron rod found for the west corner of said 99.544 acre tract, from which an axle found bears South 45°41'30" West a distance of 15.35 feet, said 1/2-inch corner also being the north corner of McCurley tract and being the south corner of a called 73.896 acre tract of land described in deed to Oak National Development LLC, recorded in Instrument Number 20210000011007 (OPRRCT);

THENCE North 44°24'28" East, with the common line of said 99.544 acre tract and said Oak National tract, a distance of 1281.54 feet to a 1/2-inch iron rod with cap stamped "O'Neal 6570" found for corner;

THENCE North 44°39'27" East, continuing with said common line of a distance of 655.35 feet to a 1/2-inch iron rod with cap stamped "O'Neal 6570" found for the south corner of a called 24.617 acre tract of land described in deed to Prairie Hill LLC recorded in Instrument Number 20210000029472, (OPRRCT);

THENCE North 45°38'24" East, with the common line of said 99.544 acre tract, and said Prairie Hill tract, a distance of 19.62 feet to a 1/2-inch iron rod found for the north corner of said 99.544 acre tract, and the west corner of Chisholm Crossing Phase II, an addition to the City of McLendon-Chisholm, Rockwall County, Texas according to the Final Plat thereof recorded in Cabinet G, Page 91, Plat Records of Rockwall County, Texas (PRRCT);

South 45°08'19" East, with the common line of said 99.544 acre tract and said Chisholm Crossing, a distance of 2208.41 feet to a 5/8-inch iron rod with cap marked "PETITT-ECD 6134" set in the north right-of-way line of Farm to Market Road 550, from which a 1/2-inch iron rod found bears South 08°34'13" West a distance of 8.16 feet;

THENCE South 45°08'19" West, with the common line of said 99.544 acre tract and the northern right-of-way line of Farm to Market Road 550, a distance of 1958.24 feet to the POINT OF BEGINNING, containing 99.544 acres of land, more or less.

## RIDGE POINTE ESTATES

83 RESIDENTIAL LOTS  
2 NON-RESIDENTIAL LOTS  
BEING A 99.544 ACRE TRACT OF LAND  
IN LESTER EASTERWOOD SURVEY  
ABSTRACT NO. 79  
CITY OF McLENDON-CHISHOLM  
ROCKWALL COUNTY, TEXAS

## PETITT - ECD

CIVIL ENGINEERING SURVEYING CONSTRUCTION ADMINISTRATION  
TBPES FIRM REGISTRATION

ENGINEERING FIRM #001145 - SURVEYING FIRM #10194792

1600 N. COLLINS BLVD  
SUITE 3300  
RICHARDSON, TX 75080  
214.221.9955  
DATE: MAY 2023

JOB NO. 08829-00

201 WINDCO CIRCLE  
SUITE 100  
WYLIE, TX 75098  
972.941.8400  
SCALE: NA

F:\00 PEDCLP Projects\08829-00\PRELIM\0882900 Prelim Plat.dwg  
May 24, 2023 - 9:39am

EXHIBIT B

RIDGE POINTE ESTATES SUBDIVISION

PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS

For Approximately 99.54 Acres

City of McLendon-Chisholm, Rockwall County, Texas

**1. Purpose and Intent**

This Planned Development District provide for the development standards for a planned subdivision containing 83 single-family residential lots with a minimum lot size of one acre of land and two community owned common area lots. This development is approximately 99.54 acres of land generally located near intersection of McLendon Rd (FM 550) and Chapel Hill Ln.

**2. Special Provisions**

This Exhibit includes the PD Development Standards and the Concept Plan both of which are included and made a part of the ordinance adoption the Planned Development District.

**a. Minor Amendments to the PD, including minor amendments to an approved Concept Plan or Development Plan, shall satisfy the following standards:**

- i. Does not increase density;**
- ii. Does not change the maximum structure height, reduce setbacks or parking requirements, or reduce the size of any residential lots.**

Requests to amend the PD or the Concept or Development Plans that fail to satisfy the standards of i. ii. Above shall be considered as a change in zoning and shall be required to satisfy the requirements of an original request for a change in zoning.

**b. Minor amendments amendment to the PDD including approved Concept or Development plans may be approved by the Mayor and the City Administrator No action is required by the Planning and Zoning Commission or the City Council.**

**c. Requests for minor amendments shall be made in writing and shall justify the reason or reasons for the requested amendment.**

**3. Development Plan**

Prior Development of any portion of this planned development district, the City Council shall consider a development plan upon recommendation from the Planning and Zoning Commission. Any development plan shall conform to the Concept Plan that has been approved and made a part of this ordinance.

This development may be constructed in phases. However, if constructed in phases, each phase shall have a development plan reviewed and recommended by the Planning and Zoning Commission and reviewed and approved by the City Council prior to any construction in that phase.

#### **4. Development Standards**

Lot layout shall conform to the Concept Plan that has been adopted and is part of this ordinance.

- a. This is a single-family zoned district.
- b. Permitted uses. In this zoning district, no building or land shall be used, and no building shall be constructed, reconstructed, altered or enlarged, unless otherwise permitted in accordance with section 3-1. Use of land and buildings of the City of McLendon-Chisholm Zoning Ordinance as shown for the SF 1.5 Residential District.
- c. Area requirements. Minimum residential lot size one acre.
- d. Setbacks.
  - Front yard – 50 feet
  - Side yard – 10 feet
  - Back yard – 20 feet

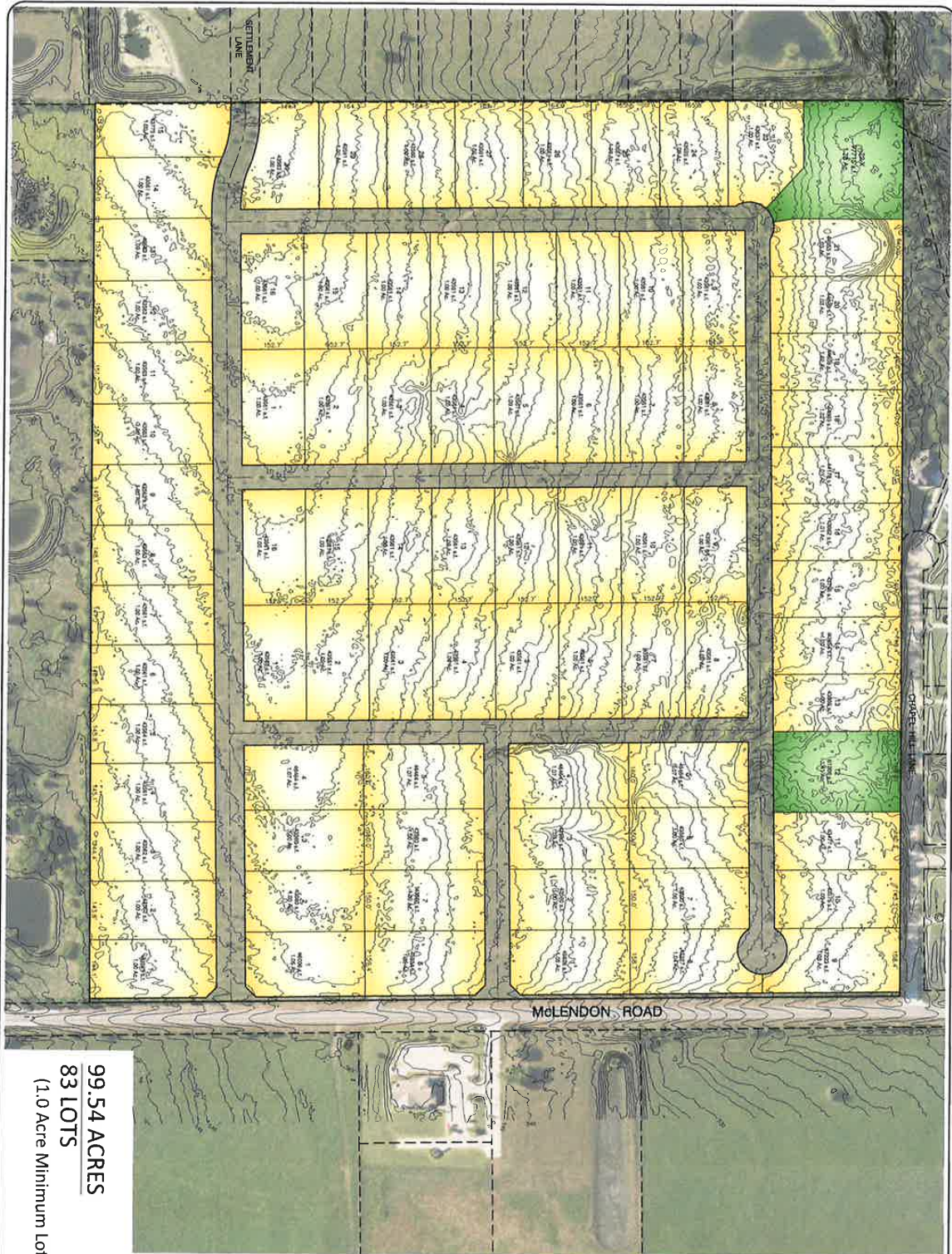
Front yard setbacks shall be consistent for the entire block face. Side yard setbacks shall be consistent for the entire block face.

- e. **Lot width. Minimum lot width is 135 feet.**

For lots fronting on a cul-de-sac or eyebrow, the minimum lot width shall be measured at the front setback line. Corner lots may have the 15-foot side yard adjacent to the side street.

- f. **Lot depth: 215 feet**
- g. **Minimum Dwelling size: 2,300 square feet**
- h. **Lot coverage: 20 percent**
- i. **Maximum Height: 36 feet**
- j. **Off-street parking: Shall conform to section 6-7, Off-street parking and loading requirements of the McLendon-Chisholm Zoning Ordinance.**
- k. **Accessory structures: Shall conform to the requirements of section 6-3 of the McLendon-Chisholm Zoning Ordinance.**

**Concept Plan**



**99.54 ACRES**  
**83 LOTS**  
 (1.0 Acre Minimum Lot)

MAY 12, 2023  
 SHEET NO. 1 OF 1  
 PROJECT #20829

# **PETITT - ECD**

CIVIL ENGINEERING SURVEYING CONSTRUCTION ADMINISTRATION  
 1600 N. COLLINS BLVD. SUITE 300 RICHARDSON, TX 75080  
 972.941.8800

800 WINDWOOD CIRCLE SUITE 100 WYLLIE, TX 75098  
 972.941.8800

800 WATERS ROAD SUITE 100 ALLEN, TX 75013  
 214.521.9929

CONCEPT PLAN

## **RIDGE POINTE ESTATES** CITY OF McLENDON-CHISHOLM, TEXAS





PLANNING AND ZONING COMMISSION – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: July 13, 2023

APPLICANT: Ricardo Dol, PE  
Petitt-ECD  
1600 N. Collins Boulevard  
Suite 3300  
Richardson, Texas 75080

PROPERTY OWNER: Terrel 178 Partners, LLC  
PO Box 818  
Terrell, Texas 75160

REPRESENTATIVE: Ricardo Dol

LOCATION: 99.544 acres of land located generally across FM 550 from McLendon-Chisholm City Hall  
1371 West FM 550 [McLendon-Chisholm City Hall] McLendon-Chisholm, Texas.  
Rockwall CAD Property ID #10767.

PLANNING AND ZONING COMMISSION MEETING DATE: July 18, 2023

---

**REQUEST:**

The applicant is requesting approval of a zoning district change from the AG Agriculture Zoning District that provides for lot sizes of two and one-half acres to a planned development district [Ridge Pointe Estates] for the development of 83 single-family lots each with a minimum lot size of one-acre of land.

**STAFF RECOMMENDATION:** Approval. This application conforms to the Comprehensive Plan.

**THIS AREA INTENTIONALLY LEFT BLANK**

## Concept Plan for Ridge Pointe Estates Planned Development District



THIS AREA INTENTIONALLY LEFT BLANK

## Proposed development standards

### EXHIBIT B

#### RIDGE POINTE ESTATES SUBDIVISION

#### PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS

For Approximately 99.54 Acres

City of McLendon-Chisholm, Rockwall County, Texas

#### 1. Purpose and Intent

This Planned Development District provide for the development standards for a planned subdivision containing 83 single-family residential lots with a minimum lot size of one acre of land and two community owned common area lots. This development is approximately 99.54 acres of land generally located near intersection of McLendon Rd (FM 550) and Chapel Hill Ln.

#### 2. Special Provisions

This Exhibit includes the PD Development Standards and the Concept Plan both of which are included and made a part of the ordinance adoption the Planned Development District.

**a. Minor Amendments to the PD, including minor amendments to an approved Concept Plan or Development Plan, shall satisfy the following standards:**

- i. Does not increase density;
- ii. Does not change the maximum structure height, reduce setbacks or parking requirements, or reduce the size of any residential lots.

Requests to amend the PD or the Concept or Development Plans that fail to satisfy the standards of i. ii. Above shall be considered as a change in zoning and shall be required to satisfy the requirements of an original request for a change in zoning.

**b. Minor amendments amendment to the PDD including approved Concept or Development plans may be approved by the Mayor and the City Administrator No action is required by the Planning and Zoning Commission or the City Council.**

**c. Requests for minor amendments shall be made in writing and shall justify the reason or reasons for the requested amendment.**

#### 3. Development Plan

Prior Development of any portion of this planned development district, the City Council shall consider a development plan upon recommendation from the Planning and Zoning Commission. Any development plan shall conform to the Concept Plan that has been approved and made a part of this ordinance.

This development may be constructed in phases. However, if constructed in phases, each phase shall have a development plan reviewed and recommended by the Planning and Zoning Commission and reviewed and approved by the City Council prior to any construction in that phase.

#### **4. Development Standards**

Lot layout shall conform to the Concept Plan that has been adopted and is part of this ordinance.

- a. This is a single-family zoned district.
- b. Permitted uses. In this zoning district, no building or land shall be used, and no building shall be constructed, reconstructed, altered or enlarged, unless otherwise permitted in accordance with section 3-1. Use of land and buildings of the City of McLendon-Chisholm Zoning Ordinance as shown for the SF 1.5 Residential District.
- c. Area requirements. Minimum residential lot size one acre.
- d. Setbacks.
  - Front yard – 50 feet
  - Side yard – 10 feet
  - Back yard – 20 feet

Front yard setbacks shall be consistent for the entire block face. Side yard setbacks shall be consistent for the entire block face.

- e. **Lot width. Minimum lot width is 135 feet.**

For lots fronting on a cul-de-sac or eyebrow, the minimum lot width shall be measured at the front setback line. Corner lots may have the 15-foot side yard adjacent to the side street.

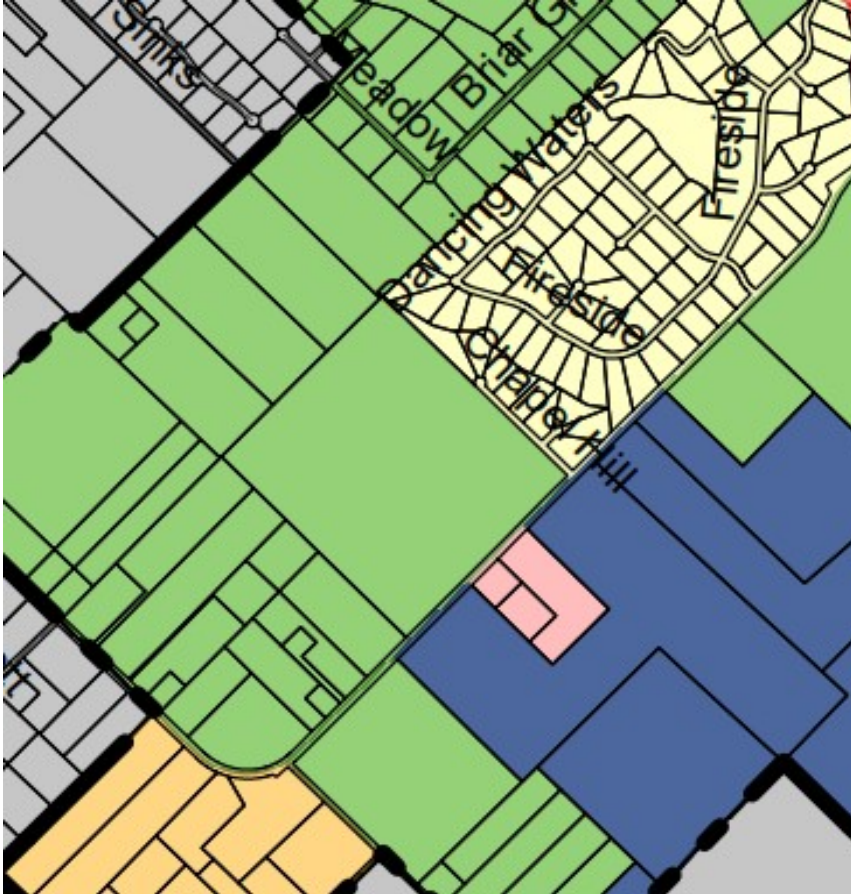
- f. **Lot depth: 215 feet**
- g. **Minimum Dwelling size: 2,300 square feet**
- h. **Lot coverage: 20 percent**
- i. **Maximum Height: 36 feet**
- j. **Off-street parking: Shall conform to section 6-7, Off-street parking and loading requirements of the McLendon-Chisholm Zoning Ordinance.**
- k. **Accessory structures: Shall conform to the requirements of section 6-3 of the McLendon-Chisholm Zoning Ordinance.**

Concept Plan

**BACKGROUND INFORMATION:**

**Current Zoning:** The request is to change the zoning district designation from AG Agriculture [Shown as green in the map below] to a planned development district for the development of 83 single-family residential lots and two HOA [homeowner association] lots.

Current Zoning Map

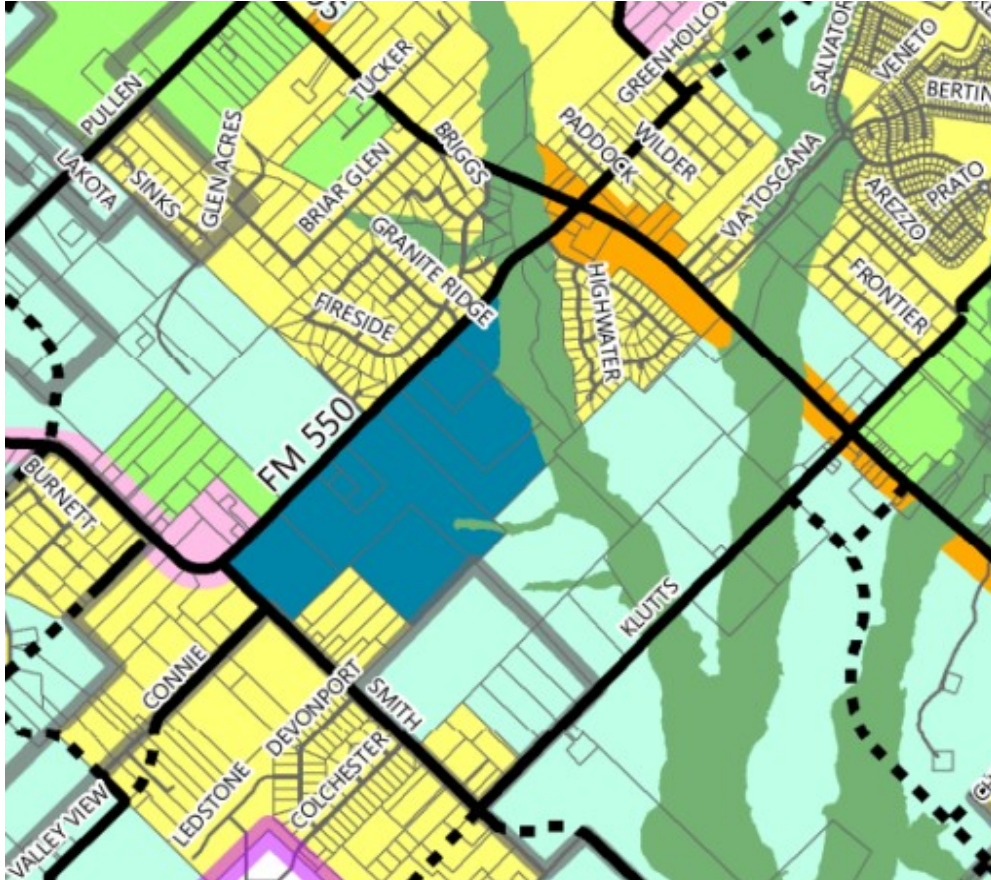


**Additional background information:**

This property backs up to the Heritage Subdivision that has access from Pullen Road. The Concept Plan for this new planned development district has a potential roadway connection to the Heritage Subdivision at Settlement Lane. Heritage Subdivision is currently having homes constructed.

**Comprehensive Plan: Zoning must conform to the Comprehensive Plan.**

**Future Land Use Plan Map**



**The Future Land Use Plan shows the area fronting on FM 550 to be “Master Planned Community”.**

The Comprehensive Plan describes a Master Planned Community as follows:

This Future Land Use Designation is for areas anticipated to develop as planned developments or master planned communities of varying sizes, types, and uses.

**Anticipated Land Uses:**

- Conservation development with primarily single-family residential uses with one or more neighborhood centers for gathering space, parks, and/or low-intensity commercial uses;
- Some limited areas of mixed-use development (combinations of residential, office, restaurant/retail, entertainment, and/or arts/culture) with a rural/country feel; and/or
- Farming or agrihood-type uses.

**Desired Development Characteristics:**

- Minimum lot size of one acre for residential uses, exclusive of floodplains and rights-of-way. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable.
- Minimum 150-foot lot width for residential uses;
- Preserved open space integrated into the neighborhood, including use of floodplains and existing greenbelts to create attractive common areas that showcase a rural feel;
- Where commercial uses are included, at least 90 percent of gross land area per development should be residential and/or green space/floodplain/park;
- Peaceful and quiet design that portrays a retreat from urban life through various elements, such as water features, calm colors, sophisticated architecture, and luxurious “off spots” for informal sitting and dining;
- Development that Diversifies the Tax Base and provides areas for people to enjoy Grassroots Community Events or entertainment where the noise or activity can be appropriately distanced from residential uses;
- Shaded, lighted, and landscaped trail system to connect destinations and neighborhoods.
- One story typical with two stories maximum.

This property is located across FM 550 from City Hall and the City Fire Station.

**NOTE:** The minimum lot size for a residential lot with on-site sanitary sewer facilities is one-acre of land within the City of McLendon-Chisholm.

**Thoroughfares/streets:**

FM 550 is shown on the McLendon-Chisholm Thoroughfare Plan to be an existing principal arterial adjacent to the applicant’s property. A principal arterial is proposed to be a four-lane divided thoroughfare with 100 to 150 feet of right of way. Adjacent to the subject property FM 550 is a two-lane undivided thoroughfare with 60 feet of right of way. At the time of platting, it is the City’s policy to acquire one half of the deficit right of way from the applicant. The City has been acquiring additional right of way along FM 550 to widen the right of way from 60 feet to 100 feet. That usually means a dedication of 20 additional feet of right of way adjacent to the applicant’s property.

**THIS AREA INTENTIONALLY LEFT BLANK**

## Property legal description:

### FIELD NOTE DESCRIPTION

Being a 99.544 acre tract of land situated in the LESTER EASTERWOOD SURVEY, ABSTRACT No. 79, Rockwall County, Texas, being all of a called 99.544 tract of land described in deed to Terrell 176 Partners LLC, recorded in Volume 2021, Page 25176, Official Public Records of Rockwall County, Texas (OPRRCT) and being more particularly described as follows:

Beginning at 1/2-inch iron rod found for the south corner of said 99.544 acre tract, also being the east corner of a called 15.95 acre tract of land described in deed to Callie Sue and Zachary Steven Hamilton recorded in Instrument Number 20190000014746 (OPRRCT);

THENCE North 45°12'32" West, with the common line of said 99.544 acre tract, said Hamilton tract, a distance of 1054.27 feet to a 3/4-inch iron pipe found for corner;

THENCE North 44°59'42" West with the common line of said 99.544 acre tract, and said Hamilton tract, passing at 388.31 feet a 1/2-inch iron rod with cap stamped "RSCI RPLS 5034" found for the north corner of said Hamilton tract and the east corner of a called 17.059 acre tract of land described in deed to Liechty Ranch, LLC, recorded in Instrument Number 20210000005014, (OPRRCT), continuing with the common line of said 99.544 acre tract and said Liechty Ranch Tract, a total distance of 776.35 to a 3/8-inch iron rod found for the north corner of said Liechty Ranch Tract, and the east corner of a tract of land described in deed to Fred and Vivian Kay McCurley, recorded in Instrument Number 20040000297696 (OPRRCT);

THENCE North 44°59'25" West, with the common line of said 99.544 acre tract, and said McCurley tract, a distance of 387.11 feet to a 1/2-inch iron rod found for the west corner of said 99.544 acre tract, from which an axle found bears South 45°41'30" West a distance of 15.35 feet, said 1/2-inch corner also being the north corner of McCurley tract and being the south corner of a called 73.896 acre tract of land described in deed to Oak National Development LLC, recorded in Instrument Number 20210000011007 (OPRRCT);

THENCE North 44°24'28" East, with the common line of said 99.544 acre tract and said Oak National tract, a distance of 1281.54 feet to a 1/2-inch iron rod with cap stamped "O'Neal 6570" found for corner;

THENCE North 44°39'27" East, continuing with said common line of a distance of 655.35 feet to a 1/2-inch iron rod with cap stamped "O'Neal 6570" found for the south corner of a called 24.617 acre tract of land described in deed to Prairie Hill LLC recorded in Instrument Number 20210000029472, (OPRRCT);

THENCE North 45°38'24" East, with the common line of said 99.544 acre tract, and said Prairie Hill tract, a distance of 19.62 feet to a 1/2-inch iron found for the north corner of said 99.544 acre tract, and the west corner of Chisholm Crossing Phase II, an addition to the City of McClendon-Chisholm, Rockwall County, Texas according to the Final Plat thereof recorded in Cabinet G, Page 91, Plat Records of Rockwall County, Texas (PRRCT);

South 45°08'19" East, with the common line of said 99.544 acre tract and said Chisholm Crossing, a distance of 2208.41 feet to a 5/8-inch iron rod with cap marked "PETITT-ECD 6134" set in the north right-of-way line of Farm to Market Road 550, from which a 1/2-inch iron rod found bears South 08°34'13" West a distance of 8.16 feet;

THENCE South 45°08'19" West, with the common line of said 99.544 acre tract and the northern right-of-way line of Farm to Market Road 550, a distance of 1958.24 feet to the POINT OF BEGINNING, containing 99.544 acres of land, more or less.

## RIDGE POINTE ESTATES

83 RESIDENTIAL LOTS

2 NON-RESIDENTIAL LOTS

BEING A 99.544 ACRE TRACT OF LAND  
IN LESTER EASTERWOOD SURVEY

ABSTRACT NO. 79

CITY OF McLENDON-CHISHOLM  
ROCKWALL COUNTY, TEXAS

## PETITT - ECD

CIVIL ENGINEERING SURVEYING CONSTRUCTION ADMINISTRATION  
TBPELS FIRM REGISTRATION

ENGINEERING FIRM #001145 - SURVEYING FIRM #10194792

1600 N. COLLINS BLVD  
SUITE 3300  
RICHARDSON, TX 75080  
214.221.9955  
DATE: MAY 2023

JOB NO. 08829-00

201 WINDCO CIRCLE  
SUITE 100  
WYLIE, TX 75098  
972.941.8400  
SCALE: NA

F:\00 PECOLP Projects\08829-00\PRELIM\0882900 Prelim Plat.dwg  
May 24, 2023 - 9:39am



City of McLendon-Chisholm  
1371 West FM 550 - McLendon-Chisholm, Texas 75032  
TEL: (972)524-2077 FAX: (972)524-9128

7-18-14  
CC-25

**ZONING CHANGE APPLICATION**

6/9  
Date of Application: 2/23/2023

Receipt # \_\_\_\_\_

**Fee:** \$600 per lot + \$10 per acre (acreage rounded to the next whole acre) + ALL consultant Costs. Consultant costs includes City Planner, City Engineer, Legal Fees and any other outside consultant costs incurred by the City.

Address and/or Location of Request:  
Adjacent to McLendon-Chisholm City Hall

Property Legal Description:  
See Exhibit A attached

County Parcel ID: 11447 and 11438

Existing Zoning: PD Requested Zoning: PD

Applicant's Name: Oak National Development, LLC

Phone No. 214-502-1021 Email: jayw@alturahomes.com

Status of Applicant: Owner X or Authorized Agent \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Owner's Address: 5763 S. State Highway 205, Rockwall, TX 75032

I certify that I am the owner of the property described in this petition/application and \_\_\_\_\_ is the authorized agent to file this application on my behalf.

Signature of Owner: Oak National Development, LLC; by Jay Webb

[Signature] Date 3/2/2023

Signature of Applicant: \_\_\_\_\_

[Signature] Date \_\_\_\_\_

Page 1 of 2

02/25/2020 Zoning Change Application and Checklist

### Development Fees

The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. These complimentary consultation(s) will be arranged by City Staff. Limit of one complimentary consultation per property.

The applicant must pay the actual fee (very small & simple projects) or deposit the estimated fee with the City prior to consultant review of any application. Should the actual consultant cost exceed the estimate, the applicant will be invoiced for amounts owed. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

**ALL Consulting Costs** - Includes City Planning, City Engineer, City Attorney and any other outside consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA. Consultants invoice the City monthly after work is completed, so it is possible for plat applicants to receive notice of outstanding fees after a plat has been considered. The City will invoice for any remaining consulting charges. Building permits be not be issued with fees outstanding.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$2,090.00 to cover the cost of this application, and an initial deposit of \$3,000.00 for consulting fees has been paid to the City of McLendon-Chisholm on this 2nd day of March, 2023.

Further, I hereby certify that I understand and agree to the development and consulting fees and costs as stated above and agree to pay all outstanding fees and costs to the City prior to the application being placed on the agenda for consideration by the Planning & Zoning Commission and/or City Council.

Signature of Applicant (Owner/Authorized Agent): \_\_\_\_\_

City Secretary: \_\_\_\_\_

(Seal)



Page 2 of 2

02/25/2020 Zoning Change Application and Checklist

### **CHECKLIST FOR ZONING CHANGE APPLICANT**

The following items must be submitted along with the completed application before processing and scheduling.

1. Completed Application
2. Legal Description and plat of the subject site. Two (2) copies of field note description typed and attached on a separate sheet (plain bond paper) and the subdivision name with lot and block number.
3. A location map clearly showing the site in relation to adjacent streets and distance to nearest thoroughfare.
4. Filing Fee of \$600.00 for the requested change of property + 10 per acre + ALL consultant costs.
5. Names and Addresses of Legal Property Owners within 200 feet of property. (The City will need to send these out 11 Days or more giving notice of the Public Hearing)
6. If not the owner of the property, have a letter from the owner stating that the applicant is authorized to file the application.
7. Post signs of Proposed Zoning Change at the property site. (City)

## TRACT 1

## DESCRIPTION

All that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being a part of a 159.4006 acres tract of land as described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the southeast right-of-way line of F.M. 550, said point being at the west corner of said 159.4006 acres tract of land;

THENCE N. 45 deg. 00 min. 00 sec. E. along said right-of-way line, a distance of 900.74 feet to a 1/2" iron rod with yellow plastic cap found for corner at the west corner of a 2.00 acres tract of land as described in a Deed from The Chiefton 2X, LP to The City of McLendon-Chisholm, Texas, as recorded in Volume 7229, Page 249 of the Official Public Records of Rockwall County, Texas;

THENCE S. 45 deg. 00 min. 00 sec. E. a distance of 960.00 feet to a 1/2" iron rod with yellow plastic cap found for corner at the south corner of a 10.00 acres tract of land as described in a Deed from The Chiefton 2X, LP to The City of McLendon-Chisholm, Texas, as recorded in Document no. 20130000499209 of the Official Public Records of Rockwall County, Texas;

THENCE N. 45 deg. 00 min. 00 sec. E. along the southeast line of said 10.00 acres tract, a distance of 681.00 feet to a 1/2" iron rod with yellow plastic cap found for corner at the east corner of same;

THENCE N. 45 deg. 00 min. 00 sec. W. along the northeast line of said 10.00 acres tract, a distance of 960.00 feet to a 1/2" iron rod with yellow plastic cap found for corner in the southeast right-of-way line of F.M. 550;

THENCE N. 45 deg. 00 min. 00 sec. E. along said right-of-way line, a distance of 840.00 feet to a 1/2" iron rod found for corner in an old road bed, at the north corner of said 159.4006 acres tract;

THENCE S. 45 deg. 25 min. 58 sec. E. along said old road bed and northeast boundary of said tract, a distance of 2883.44 feet to a 1/2" iron rod found for corner;

THENCE S. 45 deg. 15 min. 03 sec. W. along said old road bed and passing a 1" iron pipe at a turn in same at 794.39 feet and continuing for a total distance of 2243.27 feet to a 3/8" iron rod found for corner at base of 3" steel fence post in concrete at the south most corner of said 159.4006 acres tract of land;

THENCE N. 44 deg. 44 min. 43 sec. W. a distance of 1494.36 feet to a 1" iron pipe found for corner;

THENCE S. 45 deg. 05 min. 25 sec. W. a distance of 212.95 feet to a 1/2" iron rod found for corner;

THENCE N. 44 deg. 47 min. 44 sec. W. a distance of 1478.86 feet to the POINT OF BEGINNING and containing 144.41 acres of land.

## TRACT 2

All that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being a part of a 10.00 acres tract of land as described in a Warranty deed from Richard B. Skibell to Tyrone E. Davenport and Cheryl Anne Davenport, dated October 20, 2004 and being recorded in Volume 3742, Page 258 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found at the base of a 3" steel fence post in concrete at the east corner of said 10.00 acres tract and at the south corner of a 159.4006 acres tract of land as described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas;

THENCE S. 45 deg. 27 min. 19 sec. W. along the southeast line of said 10.00 acres tract, a distance of 559.20 feet to a point in edge of water for corner;

THENCE N. 44 deg. 17 min. 46 sec. W. a distance of 300.60 feet to a point in edge of water for corner in the northwest boundary line of said 10.00 acres tract of land;

THENCE N. 45 deg. 35 min. 26 sec. E. along the northwest boundary line of said 10.00 acres tract of land, a distance of 556.85 feet to a 1/2" iron rod with yellow plastic cap found for corner;

THENCE S. 44 deg. 44 min. 43 sec. E. a distance of 299.28 feet to the POINT OF BEGINNING and containing 3.84 acres of land.

## NOTES

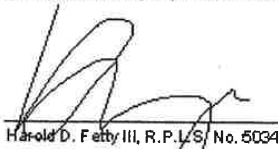
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C00110 L dated Sept. 26, 2008, this property lies in Zones A&X. Part of this property does appear to lie within a 100-year flood plain, as shown scaled from FIRM.

2) BEARING SOURCE: RECORDED PLAT.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS " RPLS 5034."

## SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CHICAGO TITLE COMPANY and OAK NATIONAL HOLDINGS, LLC at FM 550, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 12th day of August, 2019.

  
Harold D. Fetty III, R.P.L.S. No. 5034



| SYMBOL LEGEND |                    |
|---------------|--------------------|
|               | Survey Point       |
|               | Iron Rod           |
|               | Yellow Plastic Cap |
|               | Survey Line        |
|               | Survey Boundary    |
|               | Survey Area        |
|               | Survey Note        |
|               | Survey Station     |
|               | Survey Marker      |
|               | Survey Flag        |
|               | Survey Tape        |
|               | Survey Chain       |
|               | Survey Wheel       |
|               | Survey Compass     |
|               | Survey Instrument  |
|               | Survey Tool        |
|               | Survey Equipment   |
|               | Survey Material    |
|               | Survey Object      |
|               | Survey Feature     |
|               | Survey Detail      |
|               | Survey Annotation  |
|               | Survey Label       |
|               | Survey Title       |
|               | Survey Date        |
|               | Survey Scale       |
|               | Survey Client      |
|               | Survey Project     |
|               | Survey Location    |
|               | Survey Area        |
|               | Survey Boundary    |
|               | Survey Point       |

**H.D. Fetty Land Surveyor, LLC**

Firm Registration no. 10150900

6770 FM 1505 HOUSTON CITY, TX 75119 872-655-2255 PHONE [tracy@hdfetty.com](mailto:tracy@hdfetty.com)

## TRACT 1

## DESCRIPTION

All that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being a part of a 159.4006 acres tract of land as described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the southeast right-of-way line of F.M. 550, said point being at the west corner of said 159.4006 acres tract of land;

THENCE N. 45 deg. 00 min. 00 sec. E. along said right-of-way line, a distance of 900.74 feet to a 1/2" iron rod with yellow plastic cap found for corner at the west corner of a 2.00 acres tract of land as described in a Deed from The Chiefton 2X, LP to The City of McLendon-Chisholm, Texas, as recorded in Volume 7229, Page 249 of the Official Public Records of Rockwall County, Texas;

THENCE S. 45 deg. 00 min. 00 sec. E. a distance of 980.00 feet to a 1/2" iron rod with yellow plastic cap found for corner at the south corner of a 10.00 acres tract of land as described in a Deed from The Chiefton 2X, LP to The City of McLendon-Chisholm, Texas, as recorded in Document no. 20130000499299 of the Official Public Records of Rockwall County, Texas;

THENCE N. 45 deg. 00 min. 00 sec. E. along the southeast line of said 10.00 acres tract, a distance of 681.00 feet to a 1/2" iron rod with yellow plastic cap found for corner at the east corner of same;

THENCE N. 45 deg. 00 min. 00 sec. W. along the northeast line of said 10.00 acres tract, a distance of 960.00 feet to a 1/2" iron rod with yellow plastic cap found for corner in the southeast right-of-way line of F.M. 550;

THENCE N. 45 deg. 00 min. 00 sec. E. along said right-of-way line, a distance of 840.00 feet to a 1/2" iron rod found for corner in an old road bed, at the north corner of said 159.4006 acres tract;

THENCE S. 45 deg. 25 min. 58 sec. E. along said old road bed and northeast boundary of said tract, a distance of 2983.44 feet to a 1/2" iron rod found for corner;

THENCE S. 45 deg. 15 min. 03 sec. W. along said old road bed and passing a 1" iron pipe at a turn in same at 784.39 feet and continuing for a total distance of 2243.27 feet to a 3/8" iron rod found for corner at base of 3" steel fence post in concrete at the south most corner of said 159.4006 acres tract of land;

THENCE N. 44 deg. 44 min. 43 sec. W. a distance of 1494.36 feet to a 1" iron pipe found for corner;

THENCE S. 45 deg. 05 min. 25 sec. W. a distance of 212.95 feet to a 1/2" iron rod found for corner;

THENCE N. 44 deg. 47 min. 44 sec. W. a distance of 1478.86 feet to the POINT OF BEGINNING and containing 144.41 acres of land.

## TRACT 2

All that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being a part of a 10.00 acres tract of land as described in a Warranty deed from Richard B. Skibell to Tyrone E. Davenport and Cheryl Anne Davenport, dated October 20, 2004 and being recorded in Volume 3742, Page 268 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found at the base of a 3" steel fence post in concrete at the east corner of said 10.00 acres tract and at the south corner of a 159.4006 acres tract of land as described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas;

THENCE S. 45 deg. 27 min. 19 sec. W. along the southeast line of said 10.00 acres tract, a distance of 559.20 feet to a point in edge of water for corner;

THENCE N. 44 deg. 17 min. 46 sec. W. a distance of 300.60 feet to a point in edge of water for corner in the northwest boundary line of said 10.00 acres tract of land;

THENCE N. 45 deg. 35 min. 26 sec. E. along the northwest boundary line of said 10.00 acres tract of land, a distance of 556.85 feet to a 1/2" iron rod with yellow plastic cap found for corner;

THENCE S. 44 deg. 44 min. 43 sec. E. a distance of 299.28 feet to the POINT OF BEGINNING and containing 3.84 acres of land.

## NOTES

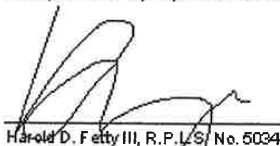
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C00110 L dated Sept. 26, 2008, this property lies in Zones A&X. Part of this property does appear to lie within a 100-year flood plain, as shown scaled from FIRM.

2) BEARING SOURCE: RECORDED PLAT.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS" RPLS 5034."

## SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CHICAGO TITLE COMPANY and OAK NATIONAL HOLDINGS, LLC at F.M. 550, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 12th day of August, 2019.

  
Harold D. Fetty III, R.P.L.S. No. 5034



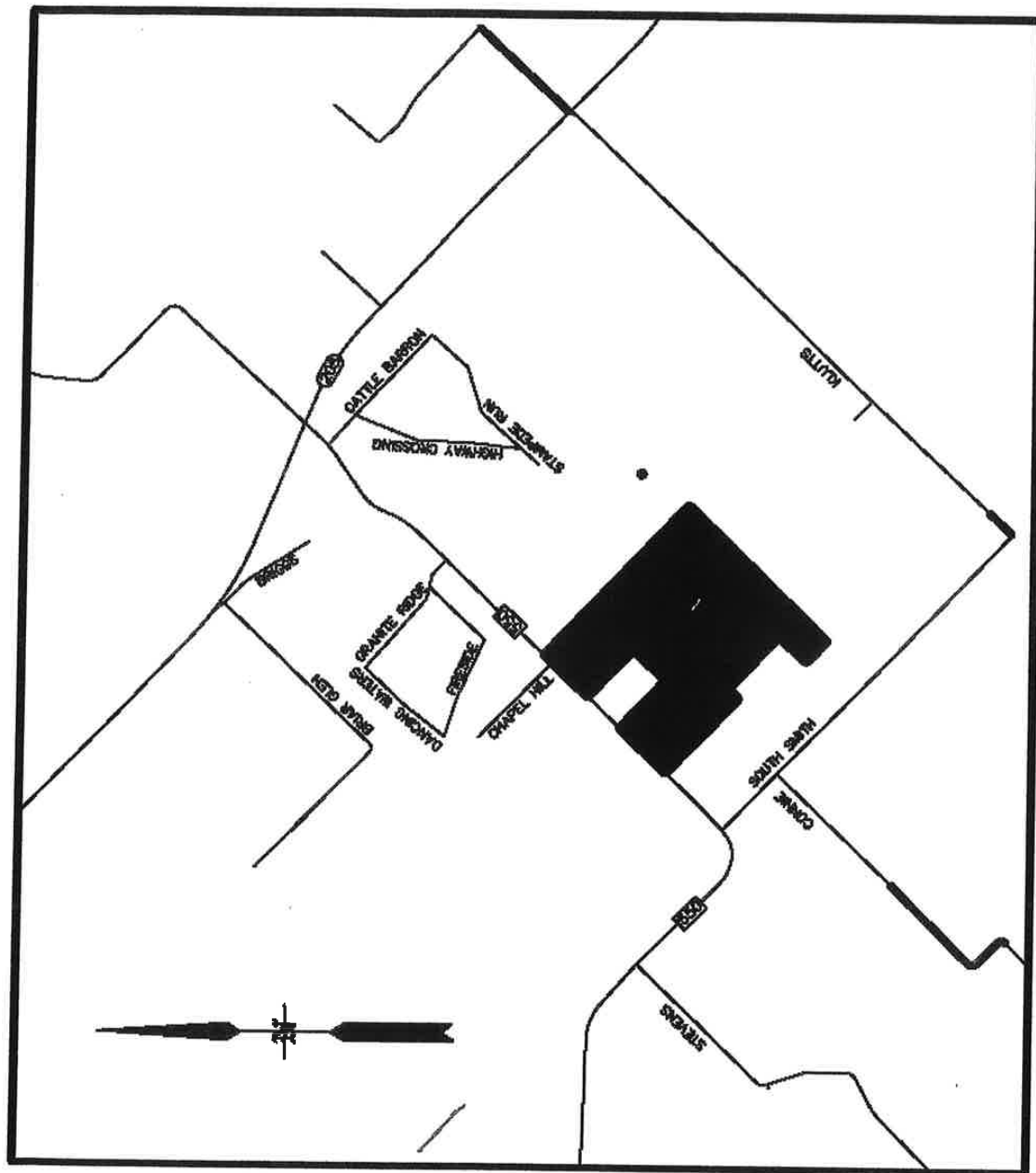
| SYMBOL LEGEND |                         |
|---------------|-------------------------|
|               | Survey Line             |
|               | Right-of-Way Line       |
|               | Easement Line           |
|               | Boundary Line           |
|               | Corner Mark             |
|               | Iron Rod                |
|               | Yellow Plastic Cap      |
|               | Steel Fence Post        |
|               | Iron Pipe               |
|               | Survey Point            |
|               | Survey Station          |
|               | Survey Line Extension   |
|               | Survey Line Termination |

SURVEY DATE: AUGUST 12, 2019  
SCALE: 1" = 200'  
CLIENT: CHICAGO TITLE COMPANY  
FILED: 2019-08-13  
OF P: 4000001201222

**H.D. Fetty Land Surveyor, LLC**

Firm Registration no. 10160900

8770 FM 1505 ROYSE CITY, TX 75183 972-535-2255 PHONE [tracy@hdfetty.com](mailto:tracy@hdfetty.com)



VICINITY MAP  
N.T.S.



PLANNING AND ZONING COMMISSION – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: July 12, 2023

APPLICANT: Oak National Development, LLC  
5763 SH 205  
Rockwall, Texas 75032

PROPERTY OWNER: Oak National Development, LLC  
5763 SH 205  
Rockwall, Texas 75032

REPRESENTATIVE: Jay Webb

LOCATION: 148.25 acres of land located generally around three sides of 1371 West FM 550  
[McLendon-Chisholm City Hall] McLendon-Chisholm, Texas. Rockwall CAD Property ID  
#11447 and 11438.

PLANNING AND ZONING COMMISSION MEETING DATE: July 18, 2023

---

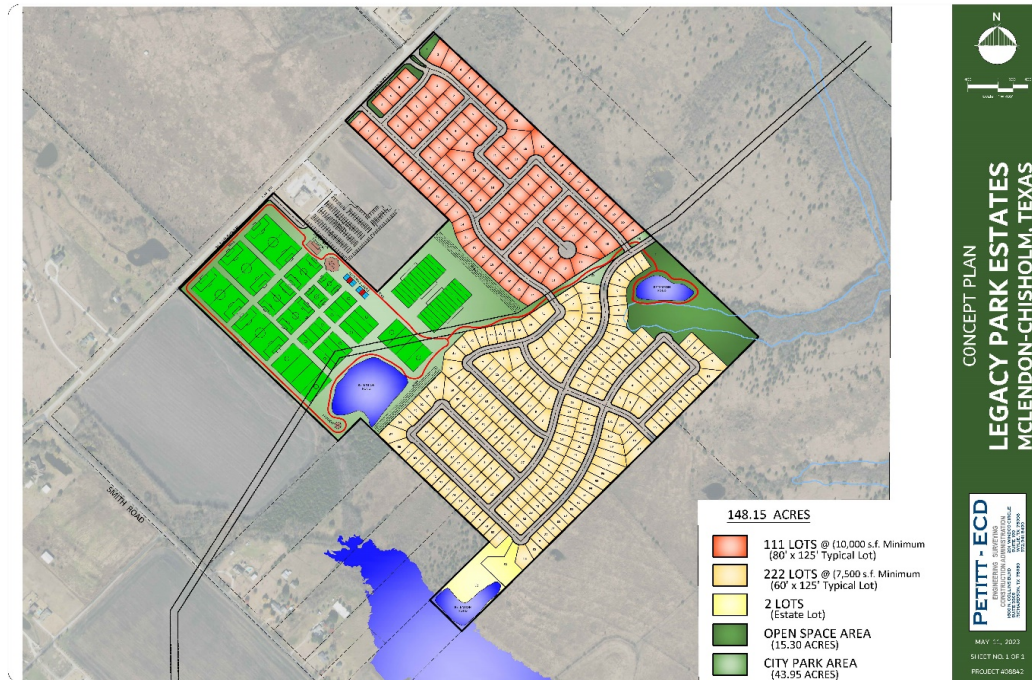
**REQUEST:**

The applicant is requesting approval of a zoning district change from Triple Creek Planned Development District that provides for lot sizes of one-acre to one and one-half acre to a new planned development district [Legacy Park] for the development of 335 single-family lots and a 44-acre public park.

**STAFF RECOMMENDATION:** Approval.

**THIS AREA INTENTIONALLY LEFT BLANK**

## Applicant Concept Plan for Legacy Park Planned Development District



### Proposed development standards [as edited by city planner additions underlined>

#### LEGACY PARK ESTATES PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS For Approximately 148.15 Acres City of McLendon-Chisholm, Rockwall County, Texas

### 1. Purpose and Intent

This Planned Development District provides the development standards for a planned subdivision containing 335 single-family residential lots with a minimum lot size of seven thousand two hundred square feet of land and a city park. This development is approximately 148.15 acres of land generally located near the existing McLendon-Chisholm City Hall on FM 550.

## **2. Special Provisions**

This Exhibit includes the PD Development Standards and the Concept Plan both of which are included and made a part of the ordinance adopting the Planned Development District.

- a. Minor amendments to the PD, including minor amendments to an approved Concept Plan or Development Plan, shall satisfy the following standards:

- i. Do not increase density;
  - ii. Do not change the maximum structure height, reduce setbacks or parking requirements, or reduce the size of any residential lot.

Requests to amend the PD or the Concept or Development Plans that fail to satisfy the standards of i. ii. above shall be considered as a change in zoning and shall be required to satisfy the requirements of an original request for a change in zoning.

- b. Minor amendments amendment to the PDD including approved Concept or Development plans may be approved by the Mayor and the City Administrator. No action is required by the Planning and Zoning Commission or the City Council.
- c. Requests for minor amendments shall be made in writing and shall explain the reason or reasons for the requested amendment. Requests for minor amendments shall pay a fee as established by the City Council for the review and processing of a minor amendment request.

## **3. Development Plan**

Prior to development of any portion of this planned development district, the City Council shall consider a development plan upon recommendation from the Planning and Zoning Commission. Development plans shall comply with Section 6-1 Site plan requirements of the McLendon-Chisholm Zoning Ordinance and Section 5-1 D. 2. of the McLendon-Chisholm Zoning Ordinance. Any development plan shall conform to the Concept Plan that has been approved and made a part of this ordinance.

This development may be constructed in phases. However, if constructed in phases, each phase shall have a development plan reviewed and recommended by the Planning and Zoning Commission and reviewed and approved by the City Council prior to any construction in that phase.

## **4. Development Standards**

Lot layout shall conform to the Concept Plan that has been adopted and is part of this ordinance. An earthen berm not less than four feet in height when measured from grade and approved by the City Engineer; containing a mix of shrubs and ground covers shall be required to be installed between any residential use in this planned development district and the detention pond on the City property and between any residential use and any parking lot or activity area located on the City owned property adjacent to the planned development district.

- a. This is a single-family zoning district with a 44-acre park and trail system. [See concept plan]
- b. Permitted uses. In this zoning district, no building or land shall be used, and no building shall be constructed, reconstructed, altered or enlarged, unless otherwise permitted in accordance with section 3-1. Use of land and buildings of the City of McLendon-Chisholm Zoning Ordinance as shown for the SF 1.5 Residential District, except as amended by this ordinance. A park may include a museum, a heritage center, pavilions, maintenance shops, and assembly areas where the public may gather for park or city related events.
- c. Area requirements. Minimum residential lot size 7,200 square feet.
- d. Setbacks.
 

|            |         |
|------------|---------|
| Front yard | 20 feet |
| Side yard  | 5 feet  |
| Rear yard  | 20 feet |

Front yard setbacks shall be consistent for the entire block face. Side yard setbacks shall be consistent for the entire block face. Corner lots having street frontages with front yards on both streets shall have the required front yard setback for the entire block.

- e. 1. Lot width.      The minimum lot width is 60 feet.  
  
 For lots fronting on a cul-de-sac or eyebrow, the minimum lot width shall be measured at the front setback line and may be measured along the arc of the cul-de-sac or eyebrow.
- 2. Lot depth.              The minimum lot depth is 120 feet.
- f. Minimum Dwelling size. 2,000 square feet.
- g. Lot coverage.              70 percent.
- h. Maximum Height.        36 feet. [measured to the mid-point of hip, gable or gambrel roofs; to the top of the parapet on flat roofs. Other roof elements may not exceed 36 feet in height]
- i. Off-street parking.        Shall conform to section 6-7, Off-street parking and loading requirements of the McLendon-Chisholm Zoning Ordinance.
- j. Accessory structures.     Shall conform to the requirements of section 6-3 of the McLendon-Chisholm Zoning Ordinance.
- k. Landscape requirements shall conform to section 6-10 of the McLendon-Chisholm Zoning Ordinance.

**PARK, TRAIL SYSTEM, OPEN SPACE**

Owner/Developer shall donate to the City the land labeled City Park Area and the land shown in red as trails on the concept plan upon completion of the Park improvements by owner/developer.

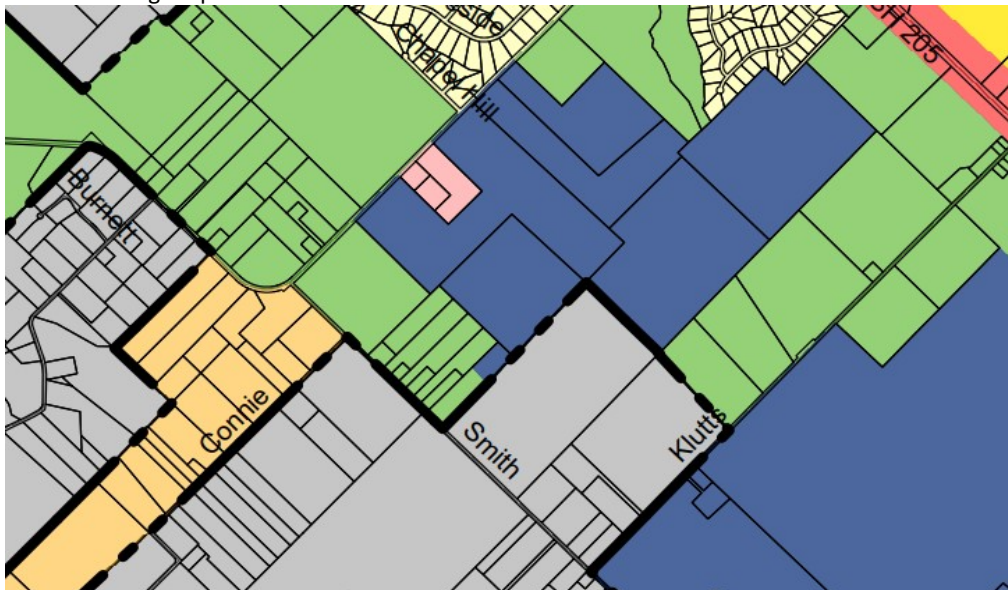
Areas labeled Open Space Area shall be owned by the HOA described herein. Owner/developer agree to dedicate to the HOA approximately 13.51 acres of open space (the "HOA Open Space") in the location shown on the Concept Plan attached hereto which may include floodplain. Owner/developer agrees that the Neighborhood Open Space will include preservation of existing ponds, development of trails and other amenities as required by this planned development district. All maintenance and cost thereof within the Neighborhood Open Space shall be the responsibility of the HOA. All expenses for construction, maintenance and operation shall be paid by the Owner/developer until transferred to the HOA. At time of transfer to the HOA, all costs of maintenance and operation shall be borne solely by the HOA.

To the extent easements or rights-of-way are needed within this planned development district, they shall be dedicated by Owner/developer to the City or HOA at no cost to the City.

**BACKGROUND INFORMATION:** A development agreement was negotiated between McLendon-Chisholm and the developers of Triple Creek. The DA was executed in 2006 and the Triple Creek property was annexed into the City. Triple Creek Planned Development District was approved in 2007 and was amended in 2009. The Development Agreement was extended several times by the City Council at the request of the developer. The development agreement expired last year, but the zoning district is still applicable to the underlying land areas.

**Current Zoning:** The current request is a portion of the Triple Creek Planned Development District. The overall Triple Creek Planned Development District provides for a total of 1750 single-family lots with 167 lots having one-acre or larger and the remaining lots much smaller on a total of 1,583 acres of land. The gross density in 2009 was about 0.9 acres per lot. Triple Creek Ranch has three creeks that proceed through the property, significantly reducing the developable land from the 1, 583 acres included in the planned development district by about 30 percent to approximately 1108 acres of developable land. The net density then is about 0.63 units per developable acre.

Current Zoning Map



**Additional background information:**

In 2009 the City Council adopted a new conceptual plan for the acreage around the current City Hall that included 163 acres of land and provided for 15 lots having one and one-half acres per lot and 106 lots having one-acre of land per lot. A portion of the 163 acres was given to the City and then the city purchased additional land for a total of 15 acres for City-related uses. The 15 acres of city owned land

reduced the number of one and one-half acre lots and reduced the total number of one-acre lots and reduced the total acreage from 163 acres to 148 acres.

The 2009 approved Concept Plan [below] for the 148 acres is the area that is the subject of this request. The dark black rectangle is the approximate location of the City-owned land.



This approved 2009 concept plan had 15 one and one-half acre lots and 106 one-acre lots. The acquisition of 15 acres reduced the number of one and one-half acre lots by approximately four lots and reduced the number of one-acre lots by approximately 26 lots leaving approximately 91 single-family lots in the area of request.

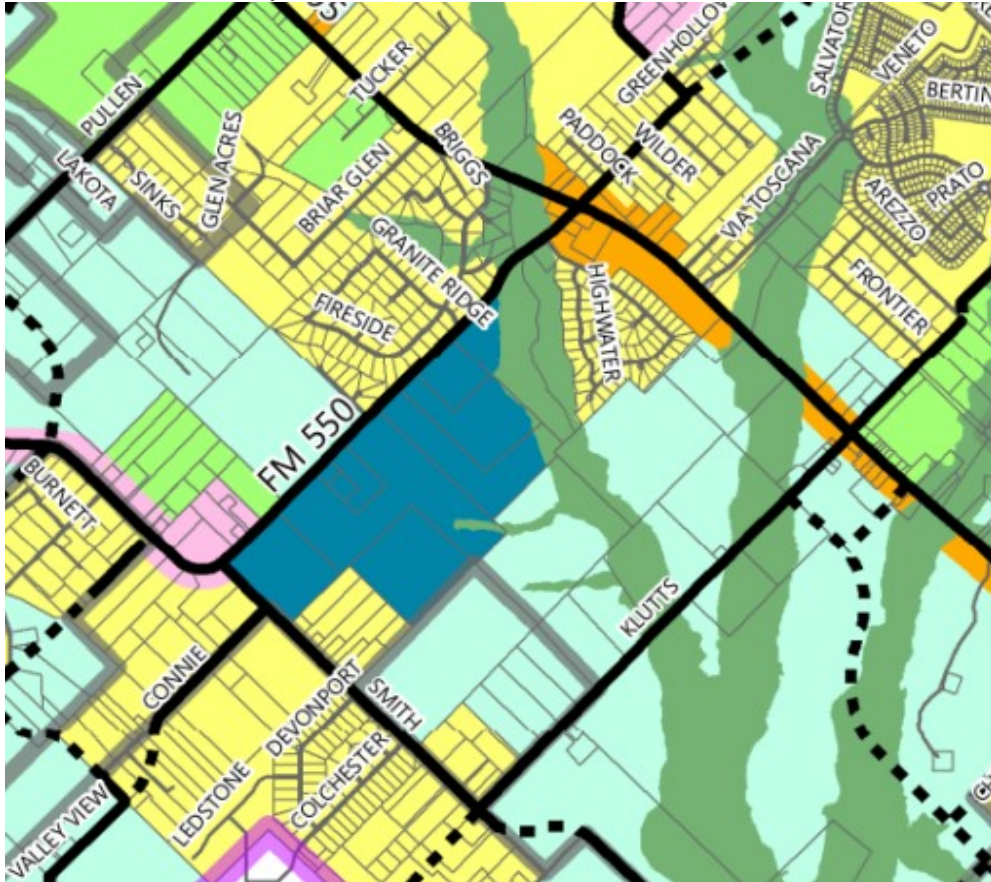
The applicant's request is to increase the residential density 335 dwelling units and to provide a 44 acre public park.

**THIS AREA INTENTIONALLY LEFT BLANK**

**Comprehensive Plan: Zoning must conform to the Comprehensive Plan.** This application satisfies many of the anticipated land uses as identified in the Heritage Center description [below].

- Mixed use environment
- Parks, trails, open/green space, and ponds or creeks.
- Park to include cultural/historic elements related to McLendon-Chisholm

**Future Land Use Plan Map**



**The Future Land Use Plan shows the area fronting on FM 550 to be “Heritage Center”.**

The Comprehensive Plan describes this Heritage Center as follows:

**Heritage Center**

This Future Land Use Designation is located on land with the new City Hall and Fire Station, in addition to private and School District-owned land and is intended to be a node of development that showcases the City’s Rural Heritage, Green Spaces, and Natural Areas in a Country Living Activity Center.

**Anticipated Land Uses:**

- Institutional uses associated with the City, County, and/or School District;

- Mixed-use development (combinations of residential, office, restaurant/retail, entertainment, and arts/culture) with a rural/country feel;
- Uses relating to McLendon-Chisholm's heritage and/or history or arts and culture; and/or
- Parks, trails, open/green space, and ponds or creeks.

Desired Development Characteristics: [These characteristics are not required, but desired]

- Maximum density of one dwelling unit per acre for residential uses, exclusive of floodplains and rightsof-way. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable.
- Conservation development that groups buildings/structures and provides beautiful green/natural areas which showcase McLendon-Chisholm's Country Feel.
- Development that Diversifies the Tax Base and provides areas for people to enjoy Grassroots Community Events or entertainment.
- Extensive, shaded, lighted, and landscaped trail system to connect the Country Living Activity Center.
- One story typical with two stories maximum.

**NOTE:** The minimum lot size for a residential lot with on-site sanitary sewer facilities is one-acre of land within the City of McLendon-Chisholm. For developments with off-site sanitary sewer availability, smaller lots may be considered. The applicant/developer in this application has secured 335 off-site sewer taps that will provide connection to the City's sanitary sewer system.

#### **Thoroughfares/streets:**

FM 550 is shown on the McLendon-Chisholm Thoroughfare Plan to be an existing principal arterial adjacent to the applicant's property. A principal arterial is proposed to be a four-lane divided thoroughfare with 100 to 150 feet of right of way. Adjacent to the subject property FM 550 is a two-lane undivided thoroughfare with 60 feet of right of way. At the time of platting, it is the City's policy to acquire one half of the deficit right of way from the applicant. The City has been acquiring additional right of way along FM 550 to widen the right of way from 60 feet to 100 feet. That usually means a dedication of 20 additional feet of right of way adjacent to the applicant's property.

#### **Property legal description:**

##### **Legal Description**

All that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being a part of a 159.4006 acres tract of land as described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated

March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the southeast right-of-way line of F.M. 550, said point being at the west corner of said 159.4006 acres tract of land;

THENCE N. 45 deg. 00 min. 00 sec. E. along said right-of-way line, a distance of 900.74 feet to a 1/2" iron rod with yellow plastic cap found for corner at the west corner of a 2.00 acres tract of land as described in a Deed from The Chiefton 2X, LP to The City of McLendon-Chisholm, Texas, as recorded in Volume 7229, Page 249 of the Official Public Records of Rockwall County, Texas;

THENCE S. 45 deg. 00 min. 00 sec. E. a distance of 960.00 feet to a 1/2" iron rod with yellow plastic cap found for corner at the south corner of a 10.00 acres tract of land as described in a Deed from The Chiefton 2X, LP to The City of McLendon-Chisholm, Texas, as recorded in Document no. 20130000499269 of the Official Public Records of Rockwall County, Texas;

THENCE N. 45 deg. 00 min. 00 sec. E. along the southeast line of said 10.00 acres tract, a distance of 681.00 feet to a 1/2" iron rod with yellow plastic cap found for corner at the east corner of same;

THENCE N. 45 deg. 00 min. 00 sec. W. along the northeast line of said 10.00 acres tract, a distance of 960.00 feet to a 1/2" iron rod with yellow plastic cap found for corner in the southeast right-of-way line of F.M. 550;

THENCE N. 45 deg. 00 min. 00 sec. E. along said right-of-way line, a distance of 840.00 feet to a 1/2" iron rod found for corner in an old road bed, at the north corner of said 159.4006 acres tract;

THENCE S. 45 deg. 25 min. 58 sec. E. along said old road bed and northeast boundary of said tract, a distance of 2983.44 feet to a 1/2" iron rod found for corner;

THENCE S. 45 deg. 15 min. 03 sec. W. along said old road bed and passing a 1" iron pipe at a turn in same at 784.39 feet and continuing for a total distance of 2243.27 feet to a 3/8" iron rod found for corner at base of 3" steel fence post in concrete at the south most corner of said 159.4006 acres tract of land;

THENCE N. 44 deg. 44 min. 43 sec. W. a distance of 1494.36 feet to a 1" iron pipe found for corner;

THENCE S. 45 deg. 05 min. 25 sec. W. a distance of 212.95 feet to a 1/2" iron rod found for corner;

THENCE N. 44 deg. 47 min. 44 sec. W. a distance of 1478.86 feet to the POINT OF BEGINNING and containing 144.41 acres of land.

#### TRACT 2

All that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being a part of a 10.00 acres tract of land as described in a Warranty deed from Richard B. Skibell to Tyrone E. Davenport and Cheryl Anne Davenport, dated October 20, 2004 and being recorded in Volume 3742, Page 268 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found at the base of a 3" steel fence post in concrete at the east corner of said 10.00 acres tract and at the south corner of a 159.4006 acres tract of land as described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas;

THENCE S. 45 deg. 27 min. 19 sec. W. along the southeast line of said 10.00 acres tract, a distance of 559.20 feet to a point in edge of water for corner;

THENCE N. 44 deg. 17 min. 46 sec. W. a distance of 300.60 feet to a point in edge of water for corner in

the northwest boundary line of said 10.00 acres tract of land;

THENCE N. 45 deg. 35 min. 26 sec. E. along the northwest boundary line of said 10.00 acres tract of land,  
a distance of 556.85 feet to a 1/2" iron rod with yellow plastic cap found for corner;

THENCE S. 44 deg. 44 min. 43 sec. E. a distance of 299.28 feet to the POINT OF BEGINNING and  
containing 3.84 acres of land.



## TEXAS COMPLIANCE SOLUTIONS

Harold (Buddy) Markham Jr.

972-935-3655

Email: [buddy@texascompliancesolutions.com](mailto:buddy@texascompliancesolutions.com)

### SERVICE REPORT

During the month of June 2023, Texas Compliance Solutions completed the following services for the City of McLendon-Chisholm:

Plan Reviews (PRC): 22

- (10) Approved
- (12) Denied

Permits Issued: 10

- (3) New Single Family
- (7) Accessory

Inspections: 95

- (32) stage inspections
- (63) simple inspections

Please let us know if you have any questions or need any further information. We appreciate the opportunity to provide our services to your city.

**Encl:**

Monthly Permit Report

Weekly Report 6.1-6.2.2023

Weekly Report 6.5-6.9.2023

Weekly Report 6.12-6.16.2023

Weekly Report 6.19-6.23.2023

Weekly Report 6.26-6.30.2023

**TCS MONTHLY PERMIT REPORT**  
**CITY OF MCLENDON-CHISHOLM**

June 2023

| NSF           |                    |                |         |            |
|---------------|--------------------|----------------|---------|------------|
| ADDRESS       | BUILDER            | VALUATION      | SQ FEET | PERMIT FEE |
| 1118 Saffron  | Texas Best Builder | \$1,200,000.00 | 7,219   |            |
| 1907 Frediano | Highland Homes     |                | 3,436   |            |
| 1416 Arezzo   | Perry Homes        | \$842,900.00   | 6,169   |            |
|               |                    |                |         |            |

**NSF permits YTD = 60**

| ACCESSORY              |                        |             |       |            |
|------------------------|------------------------|-------------|-------|------------|
| ADDRESS                | BUILDER/OWNER          | VALUATION   | TYPE  | PERMIT FEE |
| 524 Highwater Crossing | AAPNS                  |             | Pool  |            |
| 1914 Sicilia           | Shawn Risinger         |             | Patio |            |
| 395 FM 550             | Nelson Torres          |             | Barn  |            |
| 2160 FM 550            | Freedom Solar Power    | \$98,483.00 | Solar |            |
| 1549 Vista             | Pool Stop              | \$90,000.00 | Pool  |            |
| 1294 Livorno           | Rockwall Heating & Air | \$6,720.00  | HVAC  |            |
| 1312 Livorno           | Rockwall Heating & Air | \$6,160.00  | HVAC  |            |
|                        |                        |             |       |            |
|                        |                        |             |       |            |
|                        |                        |             |       |            |
|                        |                        |             |       |            |

\* Accessory permits include HVAC, Patios, Pools, Solar, Workshops, etc

**TCS WEEKLY REPORT**  
**CITY OF McLendon-Chisholm**  
**WEEK OF: June 1 - 2, 2023**

| ADDRESS          | SERVICES       | STATUS | NOTES |
|------------------|----------------|--------|-------|
| 1288 Somerset    | Patio Cover    | Green  |       |
| 1188 Lucca Dr    | Patio Pre Pour | Green  |       |
| 1991 Frediano    | Stage 3        | Green  |       |
| 1859 Moscatel    | Stage 5        | Green  |       |
| 1620 Ripasso Way | Tpole          | Green  |       |
| 1614 Ripasso Way | Tpole          | Green  |       |
|                  |                |        |       |
|                  |                |        |       |
|                  |                |        |       |
|                  |                |        |       |
|                  |                |        |       |
|                  |                |        |       |
|                  |                |        |       |
|                  |                |        |       |
|                  |                |        |       |
|                  |                |        |       |

**TCS WEEKLY REPORT**  
**CITY OF McLendon-Chisholm**  
**WEEK OF: June 5-9, 2023**

| ADDRESS          | SERVICES         | STATUS | NOTES |
|------------------|------------------|--------|-------|
| 212 Heirloom     | Flatwork         | Green  |       |
| 216 Heirloom     | Flatwork         | Green  |       |
| 1509 Ripasso Way | Flatwork         | Green  |       |
| 204 Heirloom     | Flatwork         | Green  |       |
| 1608 Ripasso Way | Flatwork         | Green  |       |
| 1916 Frediano Ln | Perm Elec        | Green  |       |
| 1522 Ripasso Way | Stage 3          | Green  |       |
| 2738 Dowell Rd   | Tpole            | Green  |       |
| 1100 Kingston Ct | Tpole            | Green  |       |
| 1627 Ripasso Way | Flatwork         | Green  |       |
| 1105 FM 50       | Flatwork         | Green  |       |
| 1110 Warwick Ct  | Flatwork         | Green  |       |
| 1509 Via Toscana | Pool Underground | Green  |       |
| 2738 Dowell Rd   | Stage 2          | Green  |       |
| 1533 Ripasso Way | Stage 3          | Green  |       |
| 1844 Moscatel    | Stage 3          | Green  |       |
| 1422 Arezzo      | Stage 3          | Green  |       |
| 1843 Navarre Way | Stage 5          | Green  |       |
| 1927 Rondinella  | Stage 5          | Green  |       |

**TCS WEEKLY REPORT**  
**CITY OF McLendon-Chisholm**  
**WEEK OF: June 12-16, 2023**

| ADDRESS                | SERVICES     | STATUS       | NOTES           |
|------------------------|--------------|--------------|-----------------|
| 1118 Saffron           | PRC 1        | Approved     |                 |
| 1907 Frediano          | PRC 1        | Approved     |                 |
| 524 Highwater Crossing | PRC 1        | Approved     | Pool            |
| 121 Fairfield          | PRC 1        | Not Approved | Detached Garage |
| 621 E FM 550           | Elec Upgrade | Green        |                 |
| 1100 Kingston          | Stage 2      | Green        |                 |
| 1509 Via Toscano       | Pool Decking | Green        |                 |
| 1513 Pisa Ct           | Stage 2      | Green        |                 |
| 1740 Salvatore         | Perm Elec    | Green        |                 |
| 1615 Ripasso           | Tpole        | Green        |                 |
| 1816 Navarre           | Stage 3      | Green        |                 |
| 1864 Navarre           | Stage 3      | Green        |                 |
| 1534 Vista Ct          | Pool Final   | Green        |                 |
| 621 Glen Acres         | Elec Upgrade | Green        |                 |
| 31 Windsor             | Pool Decking | Green        |                 |
| 1660 Salvatore         | Tpole        | Green        |                 |
| 1831 Moscatel          | Stage 5      | RED          |                 |
| 1931 Frediano          | Stage 2      | Green        |                 |
| 1931 Frediano          | Tpole        | Green        | Reinspect       |
| 1715 Godello           | Perm Elec    | Green        |                 |
| 1831 Moscatel          | Stage 5      | Green        | Reinspect       |
| 1545 Ripasso           | Perm Elec    | Green        |                 |
| 1740 Salvatore         | Flatwork     | Green        |                 |
| 1521 Ripasso           | Perm Elec    | Green        |                 |
| 1761 San Donato        | Stage 2      | Green        |                 |
| 1931 Frediano          | Flatwork     | Green        |                 |
| 118 Endowment          | Stage 3      | Green        |                 |
| 395 FM 550             | PRC 2        | Not Approved | Barn            |
| 1416 Arezzo            | PRC 1        | Approved     |                 |
| 121 Fairfield          | PRC 2        | Not Approved | Garage          |
| 1914 Sicilia           | PRC 2        | Not Approved | Patio           |

**TCS WEEKLY REPORT**  
**CITY OF McLendon-Chisholm**  
**WEEK OF: June 19-23, 2023**

| ADDRESS        | SERVICES              | STATUS       | NOTES     |
|----------------|-----------------------|--------------|-----------|
| 1914 Sicilia   | PRC 3                 | Approved     | Patio     |
| 611 Meadow     | PRC 1                 | Not Approved | Carport   |
| 395 FM 550     | PRC 3                 | Approved     | Barn      |
| 816 Abington   | PRC 1                 | Not Approved | RV Garage |
| 1633 Ripasso   | Flatwork              | Green        |           |
| 1652 Vista Ct  | Framing               | RED          |           |
| 1608 Ripasso   | Perm Elec             | Green        |           |
| 1509 Ripasso   | Perm Elec             | Green        |           |
| 467 McDonald   | Pool Belly Steel      | Green        |           |
| 1100 Kingston  | Retaining Wall Footer | Green        |           |
| 1427 Arezzo    | Stage 3               | Green        |           |
| 1540 Ripasso   | Stage 3               | RED          |           |
| 1546 Ripasso   | Stage 5               | Green        |           |
| 1811 Navarre   | Stage 5               | Green        |           |
| 1533 Vista     | Pool Deck             | Green        |           |
| 31 Windsor     | Pool Pre Plaster      | Green        |           |
| 305 Pioneer Ct | Generator Final       | Green        |           |
| 1608 Ripasso   | Perm Elec             | Green        |           |
| 1614 Ripasso   | Stage 2               | Green        |           |
| 1620 Ripasso   | Stage 2               | Green        |           |
| 1615 Ripasso   | Stage 2               | Green        |           |
| 1515 Ripasso   | Stage 3               | Green        |           |
| 2160 FM 550    | PRC 1                 | Not Approved | Solar     |

**TCS WEEKLY REPORT**  
**CITY OF McLendon-Chisholm**  
**WEEK OF: June 26-30, 2023**

| ADDRESS                | SERVICES                          | STATUS       | NOTES         |
|------------------------|-----------------------------------|--------------|---------------|
| 2160 FM 550            | PRC 2                             | Approved     | Solar         |
| 1549 Vista             | PRC 1                             | Approved     | Pool          |
| 1294 Livorno           | PRC 1                             | Approved     | HVAC          |
| 1312 Livorno           | PRC 1                             | Approved     | HVAC          |
| 1652 Vista Ct          | Stage 3                           | Green        | Re-inspection |
| 317 Pheasant Hill      | Stage 2                           | Green        |               |
| 152 Settlement         | Tpole                             | Green        |               |
| 140 Settlement         | Tpole                             | Green        |               |
| 148 Settlement         | Tpole                             | Green        |               |
| 141 Settlement         | Tpole                             | Green        |               |
| 147 Settlement         | Tpole                             | Green        |               |
| 136 Settlement         | Tpole                             | Green        |               |
| 144 Settlement         | Tpole                             | Green        |               |
| 135 Settlement         | Tpole                             | Green        |               |
| 208 Heirloom           | Tpole                             | Green        |               |
| 1100 Kingston          | Flatwork                          | Green        |               |
| 524 Highwater Crossing | Pool Belly Steel/Underground Elec | Green        |               |
| 1603 Ripasso Way       | Stage 3                           | Green        |               |
| 1416 Arrezzo           | Tpole                             | Green        |               |
| 31 Windsor             | Pool Final                        | Green        |               |
| 1818 Moscatel          | Stage 5                           | Green        |               |
| 1734 San Donato        | Stage 5                           | Green        |               |
| 1509 Via Toscana       | Pool Pre Plaster                  | Green        |               |
| 1923 Frediano          | Stage 5                           | Green        |               |
| 1808 Amalfi            | PRC 1                             | Not Approved | Pool          |
| 1808 Amalfi            | PRC 1                             | Not Approved | Patio         |
| 1724 Salvatore         | PRC 1                             | Not Approved | Solar         |
| 816 Abington           | PRC 2                             | Not Approved | RV Garage     |
| 1007 S Hwy 205         | PRC 1                             | Not Approved |               |
| 1652 Vista Ct          | Solar Final                       | Green        |               |
| 1100 Kingston          | Dumpster Pad                      | Green        |               |
| 1627 Ripasso           | Perm Elec                         | Green        |               |
| 1509 Via Toscano       | Pool Final                        | Green        |               |
| 1843 Verona            | Pool Final                        | Green        |               |
| 1323 Prato             | Pool Decking                      | Green        |               |
| 1549 Vista             | Flatwork                          | Green        |               |
| 1741 San Donato        | Tpole                             | Green        |               |
| 1188 Lucca Dr          | Patio Cover                       | Green        |               |



# Community Waste Disposal Monthly Report to the City of McLendon-Chisholm

Jason Roemer *Vice President*





# Municipal Recycling Program



## Single Stream Recycling

Participation in the Residential Curbside Recycling Program continues to demonstrate that residents of the City of McLendon-Chisholm are dedicated to the preservation of the Texas environment for future generations.

The chart below details the statistics of the CWD Residential Curbside Recycling Program.

|                       | Jun-2023 | May-2023 | Apr-2023 | Mar-2023 | Feb-2023 | Jan-2023 | Dec-2022 | Nov-2022 | Oct-2022 | Sep-2022 | Aug-2022 | Jul-2022 |
|-----------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Homes                 | 1,465    | 1,465    | 1,355    | 1,355    | 1,299    | 1,299    | 1,299    | 1,299    | 1,299    | 1,299    | 1,299    | 1,223    |
| Resi Rcy Tonnage      | 39.22    | 31.92    | 46.33    | 52.37    | 8.83     | 40.27    | 32.62    | 28.71    | 20.46    | 23.58    | 38.81    | 38.62    |
| Pounds / Home / Month | 53.54    | 43.58    | 68.38    | 77.30    | 13.60    | 62.00    | 50.22    | 44.20    | 31.50    | 36.30    | 59.75    | 63.16    |



# Municipal Service Inquiries



## Residential Solid Waste Services

The Solid Waste Industry has a standard service inquiry ratio of 1.0 inquiries per 1,000 service opportunities.

|                        | Jun-2023 | May-2023 | Apr-2023 | Mar-2023 | Feb-2023 | Jan-2023 | Dec-2022 | Nov-2022 | Oct-2022 | Sep-2022 | Aug-2022 | Jul-2022 |
|------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Service Opportunities  | 12,210   | 12,210   | 11,734   | 11,734   | 11,249   | 11,249   | 11,249   | 11,249   | 11,249   | 11,249   | 11,249   | 10,591   |
| Service Inquiries      | 9        | 10       | 12       | 37       | 7        | 7        | 6        | 11       | 16       | 22       | 16       | 11       |
| Per 1,000 Service Opps | 0.74     | 0.82     | 1.02     | 3.15     | 0.62     | 0.62     | 0.53     | 0.98     | 1.42     | 1.96     | 1.42     | 1.04     |



# Customer Service Inquiries - Detail



## Good Service is Good Business

CWD's Customer Service Community is available to provide solutions via phone or online. Our efficient team is here to support the City of McLendon-Chisholm and we continually strive for top-notch performance to ensure residents receive the most value out of their waste and recycling services.

### City Account Grievances for the Period of 06/01/2023 - 06/30/2023

| Date       | Account     | Address                    | Service Type | Service Code                 |
|------------|-------------|----------------------------|--------------|------------------------------|
| 06/01/2023 | 108255-2028 | 505 WILD GEESE CT          | RESI-BULK    | RESI R/L BULK                |
|            |             |                            |              | <b>Total RESI-BULK: 1</b>    |
| 06/02/2023 | 108255-1776 | JUSTIN & STACEY DUCZKOWSKI | RESI-RECYCLE | SERVICE RCYCART              |
|            |             |                            |              | <b>Total RESI-RECYCLE: 1</b> |
| 06/02/2023 | 108255-584  | DOIGG, STANLEY             | RESI-TRASH   | SERVICE TRASH CART           |
| 06/02/2023 | 108255-1964 | ERNESTO VARGAS             | RESI-TRASH   | SERVICE TRASH CART           |
| 06/12/2023 | 108255-689  | DARLENE PUTMAN             | RESI-TRASH   | SERVICE TRASH CART           |
| 06/23/2023 | 108255-1921 | TAYLOR FRANKS              | RESI-TRASH   | SERVICE TRASH CART           |

|            |             |               |            |                            |
|------------|-------------|---------------|------------|----------------------------|
| 06/23/2023 | 108255-1822 | DARREN HUGHES | RESI-TRASH | SERVICE TRASH CART         |
| 06/23/2023 | 108255-1822 | DARREN HUGHES | RESI-TRASH | SERVICE TRASH CART         |
| 06/29/2023 | 108255-1922 | DEE DIERKES   | RESI-TRASH | SERVICE TRASH CART         |
|            |             |               |            | <b>Total RESI-TRASH: 7</b> |
|            |             |               |            | <b>Total Inquiries: 9</b>  |

**Alarm Date between 2023-06-01 and 2023-06-30**

**Total Calls by District**

| <b>District</b>     | <b>2023-06-01</b> | <b>Total</b> |
|---------------------|-------------------|--------------|
| City Limit District | 27                | <b>27</b>    |
| County District     | 27                | <b>27</b>    |
| <b>Total</b>        | <b>54</b>         | <b>54</b>    |

Incident Date between 2023-06-01 and 2023-06-30

| Incident Date | Incident Number | NFIRS Number | Incident Type Code | Incident Type                                      | District            | Status |
|---------------|-----------------|--------------|--------------------|----------------------------------------------------|---------------------|--------|
| 6/1/2023      | 2023-00000228   | 0000235      | 324                | Motor vehicle accident with no injuries.           | City Limit District | 1      |
| 6/1/2023      | 2023-00000229   | 0000236      | 622                | No incident found on arrival at dispatch address   | City Limit District | 1      |
| 6/2/2023      | 2023-00000230   | 0000237      | 321                | EMS call, excluding vehicle accident with injury   | City Limit District | 1      |
| 6/2/2023      | 2023-00000231   | 0000238      | 321                | EMS call, excluding vehicle accident with injury   | County District     | 1      |
| 6/2/2023      | 2023-00000232   | 0000240      | 311                | Medical assist, assist EMS crew                    | City Limit District | 1      |
| 6/3/2023      | 2023-00000233   | 0000242      | 322                | Motor vehicle accident with injuries               | City Limit District | 1      |
| 6/4/2023      | 2023-00000235   | 0000241      | 311                | Medical assist, assist EMS crew                    | City Limit District | 1      |
| 6/5/2023      | 2023-00000236   | 0000243      | 743                | Smoke detector activation, no fire - unintentional | City Limit District | 1      |
| 6/6/2023      | 2023-00000237   | 0000244      | 321                | EMS call, excluding vehicle accident with injury   | County District     | 1      |
| 6/7/2023      | 2023-00000238   | 0000245      | 311                | Medical assist, assist EMS crew                    | County District     | 1      |
| 6/8/2023      | 2023-00000239   | 0000248      | 324                | Motor vehicle accident with no injuries.           | City Limit District | 1      |
| 6/8/2023      | 2023-00000240   | 0000247      | 311                | Medical assist, assist EMS crew                    | County District     | 1      |
| 6/8/2023      | 2023-00000241   | 0000246      | 311                | Medical assist, assist EMS crew                    | City Limit District | 1      |
| 6/9/2023      | 2023-00000242   | 0000249      | 321                | EMS call, excluding vehicle accident with injury   | County District     | 1      |
| 6/9/2023      | 2023-00000243   | 0000250      | 321                | EMS call, excluding vehicle accident with injury   | County District     | 1      |
| 6/10/2023     | 2023-00000245   | 0000251      | 522                | Water or steam leak                                | City Limit District | 1      |
| 6/11/2023     | 2023-00000246   | 0000252      | 311                | Medical assist, assist EMS crew                    | County District     | 1      |
| 6/12/2023     | 2023-00000247   | 0000262      | 321                | EMS call, excluding vehicle accident with injury   | City Limit District | 1      |
| 6/12/2023     | 2023-00000248   | 0000253      | 444                | Power line down                                    | City Limit District | 1      |
| 6/13/2023     | 2023-00000249   | 0000254      | 311                | Medical assist, assist EMS crew                    | County District     | 1      |
| 6/13/2023     | 2023-00000250   | 0000255      | 311                | Medical assist, assist EMS crew                    | County District     | 1      |
| 6/13/2023     | 2023-00000251   | 0000256      | 324                | Motor vehicle accident with no injuries.           | City Limit District | 1      |

|           |               |         |     |                                                    |                     |   |
|-----------|---------------|---------|-----|----------------------------------------------------|---------------------|---|
| 6/14/2023 | 2023-00000252 | 0000257 | 311 | Medical assist, assist EMS crew                    | City Limit District | 1 |
| 6/14/2023 | 2023-00000253 | 0000258 | 311 | Medical assist, assist EMS crew                    | County District     | 1 |
| 6/15/2023 | 2023-00000254 | 0000261 | 321 | EMS call, excluding vehicle accident with injury   | County District     | 1 |
| 6/15/2023 | 2023-00000255 | 0000260 | 321 | EMS call, excluding vehicle accident with injury   | County District     | 1 |
| 6/15/2023 | 2023-00000256 | 0000259 | 321 | EMS call, excluding vehicle accident with injury   | County District     | 1 |
| 6/16/2023 | 2023-00000257 | 0000263 | 321 | EMS call, excluding vehicle accident with injury   | County District     | 1 |
| 6/16/2023 | 2023-00000258 | 0000264 | 321 | EMS call, excluding vehicle accident with injury   | City Limit District | 1 |
| 6/16/2023 | 2023-00000259 | 0000265 | 743 | Smoke detector activation, no fire - unintentional | City Limit District | 1 |
| 6/17/2023 | 2023-00000260 | 0000266 | 743 | Smoke detector activation, no fire - unintentional | City Limit District | 1 |
| 6/17/2023 | 2023-00000261 | 0000267 | 162 | Outside equipment fire                             | City Limit District | 1 |
| 6/17/2023 | 2023-00000262 | 0000268 | 611 | Dispatched & canceled en route                     | County District     | 1 |
| 6/17/2023 | 2023-00000263 | 0000269 | 311 | Medical assist, assist EMS crew                    | City Limit District | 1 |
| 6/18/2023 | 2023-00000264 | 0000273 | 611 | Dispatched & canceled en route                     | City Limit District | 1 |
| 6/19/2023 | 2023-00000265 | 0000274 | 611 | Dispatched & canceled en route                     | City Limit District | 1 |
| 6/19/2023 | 2023-00000266 | 0000270 | 321 | EMS call, excluding vehicle accident with injury   | County District     | 1 |
| 6/20/2023 | 2023-00000267 | 0000272 | 321 | EMS call, excluding vehicle accident with injury   | County District     | 1 |
| 6/22/2023 | 2023-00000268 | 0000276 | 611 | Dispatched & canceled en route                     | County District     | 1 |
| 6/22/2023 | 2023-00000269 | 0000275 | 311 | Medical assist, assist EMS crew                    | County District     | 1 |
| 6/24/2023 | 2023-00000270 | 0000277 | 622 | No incident found on arrival at dispatch address   | County District     | 1 |
| 6/24/2023 | 2023-00000271 | 0000278 | 324 | Motor vehicle accident with no injuries.           | City Limit District | 1 |
| 6/25/2023 | 2023-00000272 | 0000279 | 321 | EMS call, excluding vehicle accident with injury   | City Limit District | 1 |
| 6/25/2023 | 2023-00000273 | 0000280 | 321 | EMS call, excluding vehicle accident with injury   | County District     | 1 |
| 6/26/2023 | 2023-00000274 | 0000281 | 321 | EMS call, excluding vehicle accident with injury   | County District     | 1 |
| 6/27/2023 | 2023-00000275 | 0000282 | 311 | Medical assist, assist EMS crew                    | County District     | 1 |
| 6/27/2023 | 2023-00000276 | 0000283 | 311 | Medical assist, assist EMS crew                    | County District     | 1 |

|           |               |         |     |                                                  |                     |   |
|-----------|---------------|---------|-----|--------------------------------------------------|---------------------|---|
| 6/28/2023 | 2023-00000277 | 0000286 | 631 | Authorized controlled burning                    | County District     | 1 |
| 6/28/2023 | 2023-00000278 | 0000284 | 611 | Dispatched & canceled en route                   | County District     | 1 |
| 6/28/2023 | 2023-00000279 | 0000285 | 324 | Motor vehicle accident with no injuries.         | City Limit District | 1 |
| 6/29/2023 | 2023-00000280 | 0000287 | 311 | Medical assist, assist EMS crew                  | City Limit District | 1 |
| 6/29/2023 | 2023-00000281 | 0000289 | 622 | No incident found on arrival at dispatch address | City Limit District | 1 |
| 6/29/2023 | 2023-00000282 | 0000288 | 311 | Medical assist, assist EMS crew                  | County District     | 1 |
| 6/29/2023 | 2023-00000283 | 0000290 | 531 | Smoke or odor removal                            | City Limit District | 1 |
| 6/30/2023 | 2023-00000284 | 0000291 | 651 | Smoke scare, odor of smoke                       | City Limit District | 1 |

**Report Time:** 07/10/2023 08:36:23  
**Incident Number:**  
**From Date:** 06/01/2023 00:00:00  
**Last Name:**  
**Plate #:**  
**Type:**  
**Disposition:**  
**Narrative:**

**Login ID:** county\sburks  
**Call Number:**  
**To Date:** 06/30/2023 23:59:59  
**First Name:**  
**Plate State:**  
**Priority:**  
**Unit:**

**Jurisdiction:**  
**Agencies:** Police, Fire, EMS  
**Phone Number:**  
**Location:**  
**Include Canceled:** No  
**Source:**  
**Officer:**

| Create Date/Time | Call Type           | Police Call Type | Fire Call Type      | EMS Call Type  |
|------------------|---------------------|------------------|---------------------|----------------|
| 6/30/2023 22:38  | Extra Patrol        | Extra Patrol     |                     |                |
| 6/30/2023 21:14  | Business Check      | Business Check   |                     |                |
| 6/30/2023 20:29  | Extra Patrol        | Extra Patrol     |                     |                |
| 6/30/2023 18:25  | Person w/Gun        | Person w/Gun     |                     |                |
| 6/30/2023 13:29  | Smoke Investigation |                  | Smoke Investigation |                |
| 6/30/2023 11:39  | Welfare Check       | Welfare Check    |                     |                |
| 6/29/2023 22:00  | Extra Patrol        | Extra Patrol     |                     |                |
| 6/29/2023 21:33  | Business Check      | Business Check   |                     |                |
| 6/29/2023 16:50  | Medical Call        | Medical Call     | Medical Call        | Medical Call   |
| 6/29/2023 13:12  | Meet Complainant    | Meet Complainant |                     |                |
| 6/29/2023 9:51   | Stabbing            |                  | Stabbing            |                |
| 6/29/2023 8:18   | Medical Call        |                  | Medical Call        | Medical Call   |
| 6/29/2023 4:47   | Extra Patrol        | Extra Patrol     |                     |                |
| 6/29/2023 4:23   | Extra Patrol        | Extra Patrol     |                     |                |
| 6/29/2023 4:18   | Extra Patrol        | Extra Patrol     |                     |                |
| 6/29/2023 2:52   | Extra Patrol        | Extra Patrol     |                     |                |
| 6/29/2023 1:48   | Extra Patrol        | Extra Patrol     |                     |                |
| 6/29/2023 1:27   | Traffic Stop        | Traffic Stop     |                     |                |
| 6/28/2023 19:43  | Disturbance         | Disturbance      |                     |                |
| 6/28/2023 18:12  | Accident Major      | Accident Major   | Accident Major      | Accident Major |
| 6/28/2023 17:03  | Fraud               | Fraud            |                     |                |
| 6/27/2023 23:37  | Traffic Stop        | Traffic Stop     |                     |                |
| 6/27/2023 23:27  | Extra Patrol        | Extra Patrol     |                     |                |

**Report Time:** 07/10/2023 08:36:23  
**Incident Number:**  
**From Date:** 06/01/2023 00:00:00  
**Last Name:**  
**Plate #:**  
**Type:**  
**Disposition:**  
**Narrative:**

**Login ID:** county\sburks  
**Call Number:**  
**To Date:** 06/30/2023 23:59:59  
**First Name:**  
**Plate State:**  
**Priority:**  
**Unit:**

**Jurisdiction:**  
**Agencies:** Police, Fire, EMS  
**Phone Number:**  
**Location:**  
**Include Canceled:** No  
**Source:**  
**Officer:**

| Create Date/Time | Call Type        | Police Call Type   | Fire Call Type | EMS Call Type  |
|------------------|------------------|--------------------|----------------|----------------|
| 6/27/2023 21:01  | Extra Patrol     | Extra Patrol       |                |                |
| 6/27/2023 13:29  | Traffic Stop     | Traffic Stop       |                |                |
| 6/27/2023 0:46   | Traffic Stop     | Traffic Stop       |                |                |
| 6/26/2023 21:27  | Extra Patrol     | Extra Patrol       |                |                |
| 6/26/2023 4:06   | Extra Patrol     | Extra Patrol       |                |                |
| 6/25/2023 23:06  | Medical Call     | >Choose Call Type< | Medical Call   | Medical Call   |
| 6/25/2023 8:52   | Medical Call     | Medical Call       | Medical Call   | Medical Call   |
| 6/24/2023 22:38  | Business Check   | Business Check     |                |                |
| 6/24/2023 21:51  | Welfare Check    | Welfare Check      |                |                |
| 6/24/2023 18:45  | Accident Minor   | Accident Minor     | Accident Minor |                |
| 6/24/2023 15:47  | Alarm            | Alarm              |                |                |
| 6/24/2023 14:47  | Meet Complainant | Meet Complainant   |                |                |
| 6/24/2023 8:53   | Ciminal Mischief | Ciminal Mischief   |                |                |
| 6/24/2023 7:50   | Follow Up        | Follow Up          |                |                |
| 6/24/2023 6:35   | Property Damage  | Property Damage    |                |                |
| 6/24/2023 3:29   | Business Check   | Business Check     |                |                |
| 6/23/2023 21:14  | Reckless Driver  | Reckless Driver    |                |                |
| 6/23/2023 20:28  | Business Check   | Business Check     |                |                |
| 6/23/2023 2:32   | Business Check   | Business Check     |                |                |
| 6/22/2023 20:45  | Business Check   | Business Check     |                |                |
| 6/22/2023 16:52  | Reckless Driver  | Reckless Driver    |                |                |
| 6/22/2023 12:34  | Medical Call     |                    | Medical Call   | Medical Call   |
| 6/21/2023 22:04  | Accident Minor   | Accident Minor     | Accident Minor | Accident Minor |

**Report Time:** 07/10/2023 08:36:23  
**Incident Number:**  
**From Date:** 06/01/2023 00:00:00  
**Last Name:**  
**Plate #:**  
**Type:**  
**Disposition:**  
**Narrative:**

**Login ID:** county\sburks  
**Call Number:**  
**To Date:** 06/30/2023 23:59:59  
**First Name:**  
**Plate State:**  
**Priority:**  
**Unit:**

**Jurisdiction:**  
**Agencies:** Police, Fire, EMS  
**Phone Number:**  
**Location:**  
**Include Canceled:** No  
**Source:**  
**Officer:**

| Create Date/Time | Call Type              | Police Call Type   | Fire Call Type         | EMS Call Type |
|------------------|------------------------|--------------------|------------------------|---------------|
| 6/21/2023 17:04  | 911 Hang up            | 911 Hang up        |                        |               |
| 6/21/2023 15:28  | Alarm                  | Alarm              |                        |               |
| 6/21/2023 11:52  | Alarm                  | Alarm              |                        |               |
| 6/20/2023 22:26  | Extra Patrol           | Extra Patrol       |                        |               |
| 6/20/2023 18:42  | Disturbance            | Disturbance        |                        |               |
| 6/20/2023 3:32   | Extra Patrol           | Extra Patrol       |                        |               |
| 6/20/2023 3:23   | Extra Patrol           | Extra Patrol       |                        |               |
| 6/19/2023 22:12  | Extra Patrol           | Extra Patrol       |                        |               |
| 6/19/2023 22:01  | Extra Patrol           | Extra Patrol       |                        |               |
| 6/19/2023 17:01  | Neighborhood Check     | Neighborhood Check |                        |               |
| 6/19/2023 12:11  | Welfare Check          | Welfare Check      |                        |               |
| 6/19/2023 11:41  | Medical Call           |                    | Medical Call           | Medical Call  |
| 6/19/2023 11:38  | Welfare Check          | Welfare Check      |                        |               |
| 6/19/2023 10:12  | Alarm                  | Alarm              |                        |               |
| 6/19/2023 4:20   | Neighborhood Check     | Neighborhood Check |                        |               |
| 6/19/2023 4:12   | Extra Patrol           | Extra Patrol       |                        |               |
| 6/19/2023 2:35   | Neighborhood Check     | Neighborhood Check |                        |               |
| 6/18/2023 21:48  | Alarm Residential Fire |                    | Alarm Residential Fire |               |
| 6/18/2023 19:56  | Traffic Stop           | Traffic Stop       |                        |               |
| 6/18/2023 19:15  | Traffic Stop           | Traffic Stop       |                        |               |
| 6/18/2023 11:29  | Alarm                  | Alarm              |                        |               |
| 6/17/2023 20:17  | Medical Call           |                    | Medical Call           | Medical Call  |
| 6/17/2023 15:26  | Alarm                  | Alarm              |                        |               |

**Report Time:** 07/10/2023 08:36:23  
**Incident Number:**  
**From Date:** 06/01/2023 00:00:00  
**Last Name:**  
**Plate #:**  
**Type:**  
**Disposition:**  
**Narrative:**

**Login ID:** county\sburks  
**Call Number:**  
**To Date:** 06/30/2023 23:59:59  
**First Name:**  
**Plate State:**  
**Priority:**  
**Unit:**

**Jurisdiction:**  
**Agencies:** Police, Fire, EMS  
**Phone Number:**  
**Location:**  
**Include Canceled:** No  
**Source:**  
**Officer:**

| Create Date/Time | Call Type              | Police Call Type       | Fire Call Type         | EMS Call Type          |
|------------------|------------------------|------------------------|------------------------|------------------------|
| 6/17/2023 15:20  | Fight                  | Fight                  |                        |                        |
| 6/17/2023 14:42  | Fire                   |                        | Fire                   |                        |
| 6/17/2023 10:51  | Suicide Attempt/Threat | Suicide Attempt/Threat |                        | Suicide Attempt/Threat |
| 6/17/2023 8:48   | Alarm Residential Fire |                        | Alarm Residential Fire |                        |
| 6/17/2023 4:43   | Business Check         | Business Check         |                        |                        |
| 6/16/2023 15:11  | Alarm Residential Fire | >Choose Call Type<     | Alarm Residential Fire |                        |
| 6/16/2023 14:57  | Mental Person          | Mental Person          |                        |                        |
| 6/16/2023 11:52  | Traffic Stop           | Traffic Stop           |                        |                        |
| 6/16/2023 10:40  | Medical Call           | Medical Call           | Medical Call           | Medical Call           |
| 6/15/2023 23:57  | Alarm                  | Alarm                  |                        |                        |
| 6/15/2023 23:14  | Alarm                  | Alarm                  |                        |                        |
| 6/15/2023 23:10  | Alarm                  | Alarm                  |                        |                        |
| 6/15/2023 21:59  | Business Check         | Business Check         |                        |                        |
| 6/15/2023 21:02  | Meet Complainant       | Meet Complainant       |                        |                        |
| 6/15/2023 15:48  | Disturbance Family     | Disturbance Family     |                        |                        |
| 6/15/2023 12:04  | Lift Assist            |                        | Lift Assist            | Lift Assist            |
| 6/14/2023 21:46  | Traffic Stop           | Traffic Stop           |                        |                        |
| 6/14/2023 21:16  | Traffic Stop           | Traffic Stop           |                        |                        |
| 6/14/2023 8:54   | Medical Call           |                        | Medical Call           | Medical Call           |
| 6/13/2023 18:21  | Solicitor              | Solicitor              |                        |                        |
| 6/13/2023 17:36  | Accident Minor         | Accident Minor         | Accident Minor         |                        |
| 6/13/2023 4:06   | Alarm                  | Alarm                  |                        |                        |
| 6/13/2023 0:41   | Traffic Stop           | Traffic Stop           |                        |                        |

**Report Time:** 07/10/2023 08:36:23  
**Incident Number:**  
**From Date:** 06/01/2023 00:00:00  
**Last Name:**  
**Plate #:**  
**Type:**  
**Disposition:**  
**Narrative:**

**Login ID:** county\sburks  
**Call Number:**  
**To Date:** 06/30/2023 23:59:59  
**First Name:**  
**Plate State:**  
**Priority:**  
**Unit:**

**Jurisdiction:**  
**Agencies:** Police, Fire, EMS  
**Phone Number:**  
**Location:**  
**Include Canceled:** No  
**Source:**  
**Officer:**

| Create Date/Time | Call Type                 | Police Call Type          | Fire Call Type            | EMS Call Type |
|------------------|---------------------------|---------------------------|---------------------------|---------------|
| 6/13/2023 0:28   | Traffic Stop              | Traffic Stop              |                           |               |
| 6/12/2023 16:17  | Reckless Driver           | Reckless Driver           |                           |               |
| 6/12/2023 15:21  | Medical Call              |                           | Medical Call              | Medical Call  |
| 6/12/2023 15:19  | Motorist Assist           | Motorist Assist           |                           |               |
| 6/12/2023 15:03  | Traffic Stop              | Traffic Stop              |                           |               |
| 6/12/2023 14:59  | Motorist Assist           | Motorist Assist           |                           |               |
| 6/11/2023 17:53  | Reckless Driver           | Reckless Driver           |                           |               |
| 6/11/2023 14:41  | Neighborhood Check        | Neighborhood Check        |                           |               |
| 6/11/2023 5:23   | Neighborhood Check        | Neighborhood Check        |                           |               |
| 6/11/2023 5:18   | Neighborhood Check        | Neighborhood Check        |                           |               |
| 6/11/2023 5:16   | Business Check            | Business Check            |                           |               |
| 6/10/2023 23:24  | Extra Patrol              | Extra Patrol              |                           |               |
| 6/10/2023 20:38  | Extra Patrol              | Extra Patrol              |                           |               |
| 6/10/2023 19:47  | Shots Fired               | Shots Fired               |                           |               |
| 6/10/2023 17:47  | Assist Public             | Assist Public             | Assist Public             |               |
| 6/10/2023 16:18  | Fight                     | Fight                     |                           |               |
| 6/10/2023 2:39   | Alarm Residential Fire    |                           | Alarm Residential Fire    |               |
| 6/9/2023 23:54   | Suspicious Person/Vehicle | Suspicious Person/Vehicle |                           |               |
| 6/9/2023 15:57   | Harassment/Threat         | Harassment/Threat         |                           |               |
| 6/9/2023 15:35   | Reckless Driver           | Reckless Driver           |                           |               |
| 6/9/2023 14:28   | Medical Call              |                           | Medical Call              | Medical Call  |
| 6/9/2023 10:42   | Suspicious Person/Vehicle | Suspicious Person/Vehicle | Suspicious Person/Vehicle |               |
| 6/9/2023 8:49    | Alarm                     | Alarm                     |                           |               |

**Report Time:** 07/10/2023 08:36:23  
**Incident Number:**  
**From Date:** 06/01/2023 00:00:00  
**Last Name:**  
**Plate #:**  
**Type:**  
**Disposition:**  
**Narrative:**

**Login ID:** county\sburks  
**Call Number:**  
**To Date:** 06/30/2023 23:59:59  
**First Name:**  
**Plate State:**  
**Priority:**  
**Unit:**

**Jurisdiction:**  
**Agencies:** Police, Fire, EMS  
**Phone Number:**  
**Location:**  
**Include Canceled:** No  
**Source:**  
**Officer:**

| Create Date/Time | Call Type          | Police Call Type   | Fire Call Type | EMS Call Type |
|------------------|--------------------|--------------------|----------------|---------------|
| 6/9/2023 4:53    | Neighborhood Check | Neighborhood Check |                |               |
| 6/9/2023 4:51    | Neighborhood Check | Neighborhood Check |                |               |
| 6/9/2023 4:45    | Neighborhood Check | Neighborhood Check |                |               |
| 6/9/2023 4:39    | Neighborhood Check | Neighborhood Check |                |               |
| 6/9/2023 4:35    | Neighborhood Check | Neighborhood Check |                |               |
| 6/8/2023 16:52   | Medical Call       |                    | Medical Call   | Medical Call  |
| 6/8/2023 16:26   | Medical Call       |                    | Medical Call   | Medical Call  |
| 6/8/2023 14:57   | Meet Complainant   | Meet Complainant   |                |               |
| 6/8/2023 2:44    | Alarm              | Alarm              |                |               |
| 6/8/2023 2:44    | Alarm              | Alarm              |                |               |
| 6/7/2023 10:11   | CPS Referral       | CPS Referral       |                |               |
| 6/7/2023 8:11    | Alarm              | Alarm              |                |               |
| 6/7/2023 2:42    | Extra Patrol       | Extra Patrol       |                |               |
| 6/7/2023 1:00    | Extra Patrol       | Extra Patrol       |                |               |
| 6/6/2023 18:15   | Alarm              | Alarm              |                |               |
| 6/6/2023 9:51    | Traffic Stop       | Traffic Stop       |                |               |
| 6/6/2023 4:46    | Extra Patrol       | Extra Patrol       |                |               |
| 6/6/2023 4:02    | Extra Patrol       | Extra Patrol       |                |               |
| 6/6/2023 3:00    | Extra Patrol       | Extra Patrol       |                |               |
| 6/6/2023 2:09    | Extra Patrol       | Extra Patrol       |                |               |
| 6/5/2023 16:12   | Alarm Medical      |                    | Alarm Medical  | Alarm Medical |
| 6/5/2023 8:34    | Traffic Stop       | Traffic Stop       |                |               |
| 6/5/2023 8:27    | Traffic Stop       | Traffic Stop       |                |               |

**Report Time:** 07/10/2023 08:36:23  
**Incident Number:**  
**From Date:** 06/01/2023 00:00:00  
**Last Name:**  
**Plate #:**  
**Type:**  
**Disposition:**  
**Narrative:**

**Login ID:** county\sburks  
**Call Number:**  
**To Date:** 06/30/2023 23:59:59  
**First Name:**  
**Plate State:**  
**Priority:**  
**Unit:**

**Jurisdiction:**  
**Agencies:** Police, Fire, EMS  
**Phone Number:**  
**Location:**  
**Include Canceled:** No  
**Source:**  
**Officer:**

| Create Date/Time | Call Type                 | Police Call Type          | Fire Call Type | EMS Call Type      |
|------------------|---------------------------|---------------------------|----------------|--------------------|
| 6/5/2023 1:26    | Extra Patrol              | Extra Patrol              |                |                    |
| 6/5/2023 1:08    | Alarm                     | Alarm                     |                |                    |
| 6/5/2023 1:02    | Alarm                     | Alarm                     |                |                    |
| 6/4/2023 21:44   | Extra Patrol              | Extra Patrol              |                |                    |
| 6/4/2023 17:45   | Medical Call              |                           | Medical Call   | Medical Call       |
| 6/3/2023 8:49    | Suspicious Person/Vehicle | Suspicious Person/Vehicle |                |                    |
| 6/3/2023 0:50    | Accident Major            | Accident Major            | Accident Major | Accident Major     |
| 6/2/2023 23:16   | Traffic Stop              | Traffic Stop              |                |                    |
| 6/2/2023 22:55   | Alarm                     | Alarm                     |                |                    |
| 6/2/2023 21:31   | Business Check            | Business Check            |                |                    |
| 6/2/2023 20:06   | Medical Call              |                           | Medical Call   | Medical Call       |
| 6/2/2023 19:53   | Business Check            | Business Check            |                |                    |
| 6/2/2023 13:43   | Alarm                     | Alarm                     |                |                    |
| 6/2/2023 12:30   | Runaway                   | Runaway                   |                |                    |
| 6/2/2023 10:21   | Medical Call              |                           | Medical Call   | Medical Call       |
| 6/1/2023 22:45   | Meet Complainant          | Meet Complainant          |                |                    |
| 6/1/2023 20:57   | Disturbance Family        | Disturbance Family        |                | Disturbance Family |
| 6/1/2023 19:39   | Follow Up                 | Follow Up                 |                |                    |
| 6/1/2023 15:50   | Assault                   | Assault                   |                |                    |
| 6/1/2023 12:44   | Meet Complainant          | Meet Complainant          |                |                    |
| 6/1/2023 7:57    | Meet Complainant          | Meet Complainant          |                |                    |

**Mark Woodruff**

Year: 2023

|                              | JUNE |   |   |   |   |   |   |   |   |   |   |   | TOTAL |
|------------------------------|------|---|---|---|---|---|---|---|---|---|---|---|-------|
| Builder Const-Time Violation | 2    |   |   |   |   |   |   |   |   |   |   |   | 2     |
| Total Violations             | 141  |   |   |   |   |   |   |   |   |   |   |   | 141   |
| Total Inspections            | 145  |   |   |   |   |   |   |   |   |   |   |   | 145   |
| Total Reinspections          | 149  |   |   |   |   |   |   |   |   |   |   |   | 149   |
| Extensions Granted           | 1    |   |   |   |   |   |   |   |   |   |   |   | 1     |
| Voluntary Compliance         | 140  |   |   |   |   |   |   |   |   |   |   |   | 140   |
| Notification Letters (NOVs)  | 9    |   |   |   |   |   |   |   |   |   |   |   | 9     |
| Door-tags (DTs)              | 131  |   |   |   |   |   |   |   |   |   |   |   | 131   |
| Total Complaints             | 11   |   |   |   |   |   |   |   |   |   |   |   | 11    |
| Valid Complaints             | 8    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8     |
| Invalid Complaints           | 3    |   |   |   |   |   |   |   |   |   |   |   | 3     |
| City Abatements (CWOs)       | 0    |   |   |   |   |   |   |   |   |   |   |   | 0     |
| Substandard Structures       | 0    |   |   |   |   |   |   |   |   |   |   |   | 0     |
| Citations Issued             | 0    |   |   |   |   |   |   |   |   |   |   |   | 0     |
| Municipal Court Cases        | 0    |   |   |   |   |   |   |   |   |   |   |   | 0     |
| Transferred to Other Dept.   | 2    |   |   |   |   |   |   |   |   |   |   |   | 2     |

Mark Woodruff - Citations

| Month | Citation # | Property Address | Citation Issued To | Reset Court Date | Reset to Trial | Full Fine | Reduced Fine | Fine Amount | FTA |
|-------|------------|------------------|--------------------|------------------|----------------|-----------|--------------|-------------|-----|
|       | 00100      |                  |                    |                  |                |           |              |             |     |
|       | 00101      |                  |                    |                  |                |           |              |             |     |
|       | 00102      |                  |                    |                  |                |           |              |             |     |
|       | 00103      |                  |                    |                  |                |           |              |             |     |
|       | 00104      |                  |                    |                  |                |           |              |             |     |
|       | 00105      |                  |                    |                  |                |           |              |             |     |
|       | 00106      |                  |                    |                  |                |           |              |             |     |
|       | 00107      |                  |                    |                  |                |           |              |             |     |
|       | 00108      |                  |                    |                  |                |           |              |             |     |
|       | 00109      |                  |                    |                  |                |           |              |             |     |
|       | 00110      |                  |                    |                  |                |           |              |             |     |

**Mark Woodruff - Problem Properties/ MISC.**

| Property Address                | Property Owner           | Occupant                   | Vacant?<br>Yes or No | Case Type       | Date of<br>Last Action |
|---------------------------------|--------------------------|----------------------------|----------------------|-----------------|------------------------|
| 701 Frontier Trl                | Juan & Veronica Garcia   | N/A                        | Y                    | HWG & JV        | 6.01.23                |
| 1450 W, FM 550                  | Maureen Madubuike        | N/A                        | Y                    | Working w/o Per | 6.02.23                |
| Artesia and Wells Circle        | City (street-stop sign)  | N/A                        | N/A                  | Sign Repair     | 6.12.23                |
| 2080 FM 1139                    | James M. Lugo            | None                       | Y                    | HWG & Trash     | 6.12.23                |
| Klutts Drive                    | City Streets             | N/A                        | N/A                  | Road Repair     | 6.14.23                |
| Edwards Road                    | City - Sign Installation | N/A                        | N/A                  | Sign Placement  | 6.14.23                |
| Dowell Road (citizen complaint) | City Streets             | N/A                        | N/A                  | Road Repair     | 6.19.23                |
| Livorno & Siena                 | City of MC               | N/A                        | N/A                  | Sign Repair     | 6.21.23                |
| Corvina Ct. & Navarre Way       | City of MC               | N/A                        | N/A                  | Clogged Storm D | 6.26.23                |
| 720 S. SH 205                   | Chase Horn               | N/A (Vacant Tract .5 Acre) | N/A                  | High Grass      | 6.26.23                |
| Highway 205 (RCAD 82800         | R. Whittle               | N/A                        | N/A                  | High Grass      | 6.27.23                |
| Smith Road @ FM 550             | Rockwall Rangers LLC     | N/A                        | N/A                  | High Grass      | 6.27.23                |
|                                 |                          |                            |                      |                 |                        |
|                                 |                          |                            |                      |                 |                        |
|                                 |                          |                            |                      |                 |                        |
|                                 |                          |                            |                      |                 |                        |

| Comments                                                                                                     |
|--------------------------------------------------------------------------------------------------------------|
| High Grass & Junked Vehicle. New construction project sitting idle for over 1 yr. Observed code violations   |
| Observed Workers - Demo - No current permit/ expired permit 2021; Issued Stop Work Order on the spot.        |
| Michelle filed a complaint for leaning street sign. I made the necessary repairs - pproject completed        |
| High grass and Downed tree Limbs(trash); waged complaint and emailed both to property owner.                 |
| Filled five (5) potholes from SH 205 to 500 block of Klutts Drive (complaint by anonymous)                   |
| Purchased two 35pmh regulatory signs and installed both. 1 for NB traffic & 1 for SB traffic.                |
| Elongated deep stress crack in road; repaired using 200 lb. of asphalt patched. Project completed.           |
| Street Sign on ground. Grabbed the sign - got tools and replaced - secured the sign. Project completed.      |
| Storm Water Drain Clogged; Stephen Davis, Developer will get this issue resolved; I will continue to minotor |
| High Grass - Forced Mow - Property Owner did not pay invoice. Filed Lien at Rockwall County Clerk's Office   |
| Complaint HWG; sent (2) notifications and property owner mowed. Complaint was Resolved and case closed       |
| High Grass; PO mowed the required buffer zone to meet code requirements. Case is closed as abated            |
|                                                                                                              |
|                                                                                                              |
|                                                                                                              |
|                                                                                                              |

| Location                                           | Notes                                                                                                                                                          | Code           |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Jun 27, 2023 12:57 PM<br>1371 w fm 550             | Patrolled city focusing on stray animals. spoke to chief simmons                                                                                               | Animal Control |
| Jun 23, 2023 3:47 PM<br>1371 w fm 550              | Patrolled city focusing on stray animals. no one in left a card                                                                                                | Animal Control |
| Jun 21, 2023 4:46 PM<br>via toscana @ arezzo<br>In | report of a small breed dog in the area of this intersection. caller stated it would not come to her. we patrolled the area but did not find any loose animals | Animal Control |
| Jun 8, 2023 4:21 PM<br>1371 w fm 550               | Patrolled city focusing on stray animals. spoke to shelly                                                                                                      | Animal Control |
| Jun 8, 2023 8:21 AM<br>frontier trail              | report of a loose dog running in the roadway. we drove the area but did not find any loose dogs while we were there                                            | Animal Control |
| Jun 1, 2023 4:05 PM<br>1371 w fm 550               | Patrolled city focusing on stray animals. spoke to judy                                                                                                        | Animal Control |

**ORDINANCE NO. 2023-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, ADOPTING THE MOST RECENT OFFICIAL CITY MAPS OF INCORPORATED MUNICIPAL BOUNDARIES (CITY LIMITS) AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF MCLENDON-CHISHOLM; REQUIRING THAT A COPY OF THE MAP BE FILED IN THE OFFICE OF THE CITY SECRETARY AND THE OFFICE OF THE CITY ENGINEER; PROVIDING A SAVINGS CLAUSE; SEVERABILITY CLAUSE; EFFECTIVE DATE, OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City Council of the City of McLendon-Chisholm (City Council) desires to adopt the most current Official City Map to reflect the City Limits and Extraterritorial Jurisdiction, as includes recent annexations and disannexations, and shown in Exhibit "A" and

**WHEREAS**, Section 41.001 of the Texas Local Government Code also requires the City to maintain an official city map, copies of which shall be kept in the Office of the City Secretary and Office of the City Engineer; and

**WHEREAS**, the City Council requires copies of the Official City Map filed in the Office of the City Secretary and in the Office of the City Engineer, and the map attached as Exhibit "A" was prepared by engineers at the request of the City Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, THAT:**

**SECTION 1. FINDINGS.** All of the above premises and recitals are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2. OFFICIAL CITY MAP.** The Official City Map is hereby updated so as to read in accordance with Exhibit "A" which is attached hereto and incorporated into this Ordinance for all intents and purposes including the City Limits and Extraterritorial Jurisdiction. A copy of the Official City Map adopted by this Ordinance shall be filed in the Office of the City Secretary and the Office of the City Engineer.

**SECTION 3. SAVINGS CLAUSE.** To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby

repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**SECTION 4. SEVERABILITY CLAUSE.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable. If any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or ultra vires by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately from and after its adoption and the publication of the caption, as the law in such cases provides.

**SECTION 6. OPEN MEETINGS.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**DULY PASSED** by the City Council of the City of McLendon-Chisholm, Texas, on the \_\_ day of \_\_\_\_ 2023.

ATTEST:

APPROVED:

\_\_\_\_\_  
Rochelle Green, City Secretary

\_\_\_\_\_  
Keith Short, Mayor

**EXHIBIT “A”**



CITY COUNCIL – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: July 5, 2023

APPLICANT: Colton Smith  
Spiars Engineering and Surveying, Inc.  
765 Custer Road  
Plano, Texas 75075

PROPERTY OWNER: Tellus-Mann, LLC.  
130 N. Preston Road  
Suite 130  
Prosper, TX 75078

REPRESENTATIVE: Colton Smith

LOCATION: 16.048 acres of land located at the intersection of Mann Road and FM 548 Kaufman County, McLendon-Chisholm ETJ. Parts of KCAD PID# 11030, 10984, 11029

CITY COUNCIL MEETING DATE: July 25, 2023

---

This application is located within the extra territorial jurisdiction of McLendon-Chisholm.

The City Council has one of three possible decisions to make: Approval; Approval with conditions [the conditions must be specific citing the portion of the Subdivision Regulations with which the application fails to comply; or disapproval. [If disapproved, the specific sections of the Subdivision Regulations not complying with the code must be cited].

**REQUEST:**

The applicant is requesting approval of a preliminary plat for a little over 16 acres of land for the development of a 25-lot residential subdivision with 9 open space/HOA Lots.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** Approval with the following condition: Compliance with the Kaufman County Thoroughfare Plan for Mann Road. This is a requirement of the Interlocal agreement the City has with Kaufman County regarding platting in the City's ETJ located within Kaufman County. The ILA is attached to this report at the end of the report.

**STAFF RECOMMENDATION: Approval with conditions:**

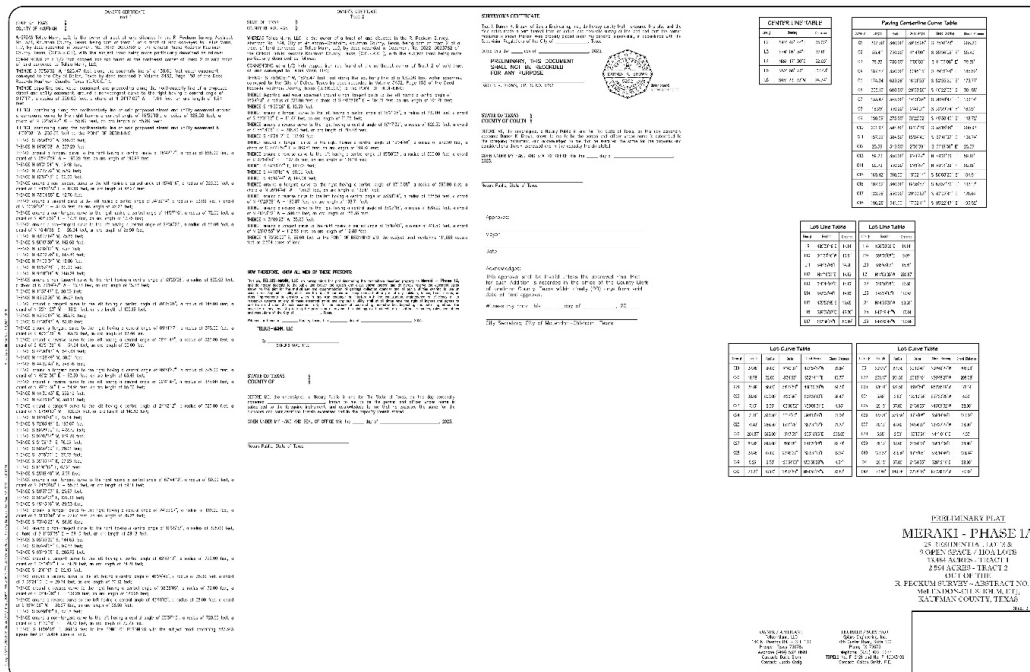
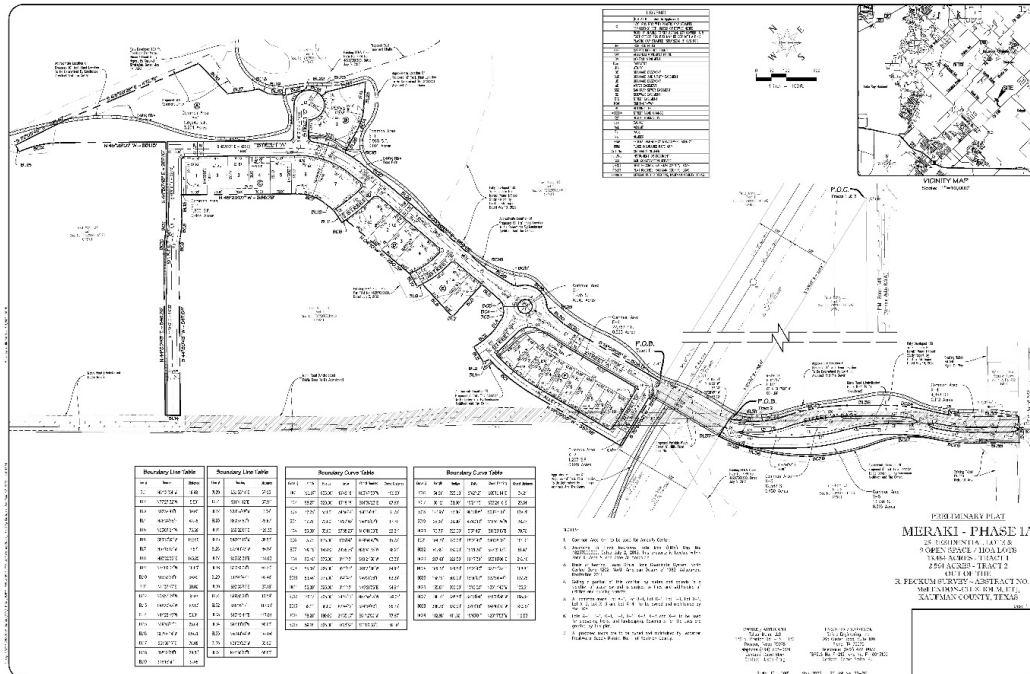
- Revise to comply with Interlocal Agreement between the City and Kaufman County. The Kaufman County Thoroughfare Plan calls for Mann Road to have an 80 foot right of way. The preliminary plat only shows a 60 foot right of way. [Note: Kaufman County is considering an amendment to the ILA to allow for the City of McLendon-Chisholm Thoroughfare Plan to be

utilized instead of the Kaufman County Thoroughfare Plan. County staff has advised me that that they should have an answer from the Commissioners Court by tomorrow. If the Commissioners Court is amenable to McLendon-Chisholm using their Thoroughfare Plan, then the staff recommendation will be for approval without conditions.]

**[note: full sized copies of the preliminary plat are available at City Hall for inspection]**

**THIS AREA INTENTIONALLY LEFT BLANK**

## Proposed Preliminary Plat



This is the first of many plat applications the City expects to receive on the Tellus-Mann Project.

**Thoroughfares/streets:**

Page 68 of 127

Kaufman County Thoroughfare Map Legend



THIS AREA INTENTIONALLY LEFT BLANK

## Applicant letter of transmittal



765 CUSTER ROAD, SUITE 100 | PLANO, TEXAS 75075  
972.422.0077 | FAX 972.422.0075  
TBPE NO. F-2121 | TBPLS NO. F-10043100

May 24, 2023

City of McLendon-Chisolm  
1371 W FM 550  
Rockwall, Texas 75032

Re: **Preliminary Plat Letter of Transmittal**  
**Meraki Phase 1A**  
**McLendon-Chisolm ETJ**  
**Kaufman County, Texas**  
**SEI Project No. 22-211**

To Whom It May Concern,

This letter of transmittal accompanies a preliminary plat submittal for Meraki Phase 1A, a proposed development located in McLendon Chisolm ETJ, Kaufman County, Texas. The proposed development contains 16.048 acres and includes 25 residential lots and 8 open space lots.

The proposed improvements will consist of concrete curb and gutter roads with underground storm infrastructure. Subsurface conditions vary across the site with potential vertical movement ranging from 5 inches to 9 inches. Sanitary sewer service will be provided via a proposed wastewater treatment plant to be owned and operated by Ledbetter Freshwater Supply District No. 1 of Kaufman County. The site is currently within Highpoint's CCN, but alternate options for water through the City of McLendon-Chisolm in partnership with Terrell are being explored.

Sincerely,  
**Spiars Engineering, Inc.**

A handwritten signature in black ink, appearing to read 'Colton Smith'.

Colton Smith, P.E.  
765 Custer Road  
Plano, TX 75075

CC: Justin Craig  
Tellus Group  
130 N Preston Road, Ste. 130  
Prosper, TX 75078

COURT ORDER NO. 030221-05

**INTERLOCAL COOPERATION AGREEMENT**  
**ETJ AUTHORITY – LAND USE REGULATIONS**

This **INTERLOCAL COOPERATION AGREEMENT** (“Agreement”) is entered into in accordance with the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code and §242.001, Texas Local Government Code as amended by House Bill 1445 (“H.B. 1445”), enacted by the Texas Legislature during its 77<sup>th</sup> Legislative Session, by and between the **CITY OF MCLENDON-CHISHOLM, TEXAS** (“City”), a political subdivision of the State of Texas and **Kaufman County, Texas** (“Kaufman County”), also a political subdivision of the State of Texas.

**WHEREAS**, the Interlocal Cooperation Act allows local governments to contract with one another for the purpose of performing governmental functions including, but not limited to, platting and approval of related permits; and

**WHEREAS**, the City and Kaufman County mutually desire to be subject to the provisions of Texas Government Code, Chapter 791, the Interlocal Cooperation Act, specifically §791.001 regarding contracts to perform governmental functions and services; and

**WHEREAS**, H.B. 1445 requires the City and Kaufman County to enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and to approve related permits in the extraterritorial jurisdiction (“ETJ”) of the City of McLendon-Chisholm; and

**WHEREAS**, it is the expressed desire of both the City and Kaufman County that *City be granted exclusive jurisdiction* to regulate subdivision plats and to approve related permits in City’s ETJ as provided in the Interlocal Cooperation Act and H.B. 1445; and

**WHEREAS**, both the City and Kaufman County mutually desire to amend and replace the previous Interlocal Agreement related to the ETJ entered into under the provisions of Texas Government Code §242.001 on N/A, by entering into this new **INTERLOCAL COOPERATION AGREEMENT**.

**NOW THEREFORE**, the City and Kaufman County, for the mutual consideration stated herein, agree and understand as follows:

**AGREEMENTS**

*1. Term of Agreement and Certification*

- (a) The City and Kaufman County mutually agree that the term of this Agreement shall be from the date it is formally and duly executed by both City and Kaufman County until September 30th, 2021. This Agreement shall automatically renew every two (2) years on October 1<sup>st</sup>, unless otherwise terminated (at any time) in writing by either party following ninety (90) days’ notice.

COURT ORDER NO. \_\_\_\_\_

- (b) The City and Kaufman County mutually certify that this Agreement complies with the requirements and provisions of Texas Local Government Code, Chapter 242.

2. *City's Jurisdiction.* City is granted exclusive jurisdiction to regulate all subdivision platting in City's ETJ under the provisions of Chapter 212 of the Texas Local Government Code together with all other statutes applicable to municipalities.

Kaufman County shall not exercise any of the above functions within City's ETJ. City specifically agrees to coordinate with Kaufman County regarding permitting or platting that will impact county-maintained infrastructure.

3. *Kaufman County's Responsibilities.* Notwithstanding the grant of exclusive jurisdiction by Kaufman County to City above, Kaufman County will continue to enforce the following requirements of Kaufman County as they may be amended or updated from time to time:

- (a) Fire Code. Kaufman County shall enforce its Fire Code and issue all related permitting.
- (b) Building Permits. Kaufman County shall accept/enforce building permits pursuant to the Kaufman County Subdivision and Land Development Regulations except - McLendon-Chisholm shall accept/enforce building permits pursuant to City Subdivision Regulations for any area under a valid development agreement identifying McLendon-Chisholm as the permitting authority prior to the date of this agreement.
- (c) On-site Sewage Facilities. Kaufman County retains exclusive jurisdiction under this Agreement to review/issue permits for and oversee construction of on-site sewage facilities, including enforcement, under the provisions of Texas Health and Safety Code Chapter 366; 30 Texas Administrative Code ("TAC"), Chapter 285; and Kaufman County's OSSF Order.
- (d) Floodplain. Kaufman County is responsible for issuing permits pursuant to the Kaufman County Floodplain Order, including enforcement.
- (e) Driveway Culverts. Kaufman County is responsible for issuing permits for driveway culverts, including enforcement, pursuant to the Kaufman County Subdivision and Land Development Regulations except culverts which are part of subdivisions that have filed platting applications with the City and have been approved by the City of McLendon-Chisholm. Kaufman County shall regulate and issue permits for driveway permits for existing homes in the County and all driveways fronting Kaufman County roads.
- (f) 9-1-1 Addressing. Kaufman County is responsible for issuing 911 addressing and related permitting, pursuant to the Kaufman County Subdivision and Land Development Regulations.
- (g) County Property. Kaufman County retains exclusive jurisdiction under this Agreement to permit any/all construction activity regarding its county-maintained

COURT ORDER NO. \_\_\_\_\_

roadways and right-of-way, pursuant to the Kaufman County Subdivision and Land Development Regulations.

4. *ETJ Defined.* For the limited purposes of this Agreement, City's ETJ is described by the area indicated in Exhibit "A", attached hereto and made a part hereof for all purposes. The recognition of the ETJ shall not be deemed an admission by City or Kaufman County in any dispute with any other person or municipality regarding the boundaries of City's ETJ.
5. *ETJ Expansion or Reduction.* In the event City's ETJ expands, City and Kaufman County agree that City shall continue to be granted exclusive jurisdiction as specified in paragraph 2 above in its new, lawful ETJ. In the event that City's ETJ expands, City shall provide appropriate and timely notice of such expansion to Kaufman County who shall abide by updated mapping information as provided by City. In the event that City's ETJ is reduced, both City and Kaufman County agree that Kaufman County shall have exclusive jurisdiction to regulate subdivision plats and approve related permits in areas in the County that are no longer in City's ETJ until such time as Exhibit "A" to this Agreement is amended to take into account such ETJ reduction. In the event of such expansion or reduction of its ETJ, City agrees to notify Kaufman County of such expansion or reduction within thirty days by sending Kaufman County a copy of the applicable ordinance together with an amended Exhibit "A". Kaufman County shall have fifteen (15) days from its receipt of the amended Exhibit "A" to review said amended Exhibit "A" and present any objections to the accuracy of same to City. For the purposes of this Agreement, the "Date of Amendment" of Exhibit "A" shall be: (1) the fifteenth (15<sup>th</sup>) day after Kaufman County receives the amended exhibit provided Kaufman County does not object to its accuracy; or (2) in the event Kaufman County objects to its accuracy, upon resolution by the parties of such objection. Upon final approval by both Parties of any such Amendment to Exhibit "A" as described above, the same shall be deemed an amendment to this Agreement by the parties pursuant to Texas Local Government Code §242.001(c).
6. *Notice of Plat Submittals and Approvals.*
  - (a) City shall notify Kaufman County of all subdivision plat applications for property located within City's ETJ within thirty (30) days after receipt of a completed application. City shall use its best efforts to comply with this provision; however, failure to comply shall not affect the validity of any subdivision plat.
  - (b) City shall notify Kaufman County of the approval of plats for property located in City's ETJ within Kaufman County. A copy of the approved plat and any engineering plans shall be sent to Kaufman County at the address set out in Section 12(f) below within thirty (30) days of City's approval. After notice of approval is given, Kaufman County shall assign addresses to each lot within an approved subdivision.
  - (c) Nothing in this Agreement is intended to interfere with the recordation requirements of state law nor with the authority and duty of the County Clerk to collect filing and recording fees.

COURT ORDER NO. \_\_\_\_\_

7. *Collection of Fees and Costs.* All costs involved with the approval of subdivision plats under this Agreement, including but not limited to engineer reviews and inspections of public improvements, shall be borne by City and payable out of its current revenues. All fees relating to subdivision plat approval shall be collected and retained by City unless otherwise agreed in writing by both City and Kaufman County.
8. *County Roads*
  - (a) City shall only plat private roads and/or access easements and shall take no action to create any city or county road within its ETJ. Kaufman County shall, at its expense, continue to maintain roads within City's ETJ that have been accepted by the Commissioner's Court into Kaufman County's road-maintenance system unless otherwise provided by agreement. Requests for acceptance, abandonment, alterations, etc. of county roads within City's ETJ shall be submitted to County for approval pursuant to Kaufman County's Land Use Regulations.
  - (b) In order to be considered by Kaufman County for acceptance as a county road within City's ETJ and, as such, be eligible for county maintenance, the developer must have the proposed new road inspected and tested in order to establish that the proposed new road meets or exceeds City's most stringent road specifications as specified by the City Engineer. Required engineering review, testing and related costs shall be borne by the developer. The acceptance for maintenance of a new road as a county road that meets or exceeds City's most stringent road specifications lies solely within the discretion of the Commissioners Court. No other entity and no individual Kaufman County official has the authority to bind Kaufman County. Nothing in this Agreement binds Kaufman County to accept a road for maintenance, nor restricts the County's governmental authority to abandon a road or abandon maintenance of a road after it has been accepted.
9. *Thoroughfare Plan.* City shall require compliance with the Kaufman County Thoroughfare Plan.
10. *Effective Date.* The Effective Date of this Agreement shall be the date upon which both parties have approved and fully executed the same.
11. *Applicable Regulations.* The subdivision rules and regulations currently enacted by City and extended to the ETJ are hereby established as the set of regulations to be enforced by City within the ETJ. City will provide Kaufman County with copies of all amendments to City's subdivision rules and regulations proposed after the Effective Date as set forth in paragraph 10 above and will notify Kaufman County of all public hearings on any proposed amendments. In the event that City's Council updates a standard or standards, both City and Kaufman County agree that the most recent and up to date standard or standards shall be applied to any new application or project within City's ETJ.
12. *Miscellaneous Provisions.*
  - (a) This Agreement expresses the entire agreement between the parties hereto regarding the subject matter contained therein and may not be modified or amended except by written agreement duly executed by both parties.

COURT ORDER NO. \_\_\_\_\_

- (b) This Agreement has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party.
- (c) This Agreement shall be construed in accordance with the laws of the State of Texas with venue for all purposes hereunder residing within Kaufman County, Texas.
- (d) If any provision hereof is determined by any court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be fully severable here from and this Agreement shall be construed and enforced as if such invalid, illegal or unenforceable provision never comprised a part hereof with the remaining provisions continuing to be in full force and effect.
- (e) This Agreement is not intended to extend the liability of the parties beyond that provided by law. Neither City nor Kaufman County waives any immunity or defense that would otherwise be available to it against claims by third parties.
- (f) All notices required to be given by virtue of this Agreement shall be addressed as follows and delivered by certified mail, postage prepaid or by hand delivery.

CITY OF MCLENDON-CHISHOLM:

City of McLendon-Chisholm, Texas  
Attn: City Administrator  
1371 West FM 550  
McLendon-Chisholm, Texas 75032

KAUFMAN COUNTY:

Kaufman County, Texas  
Attn: County Judge  
100 West Mulberry Street  
Kaufman, Texas 75142

With copies to:      Development Services Department  
Kaufman County Courthouse  
100 West Mulberry Street  
Kaufman, Texas 75142

COURT ORDER NO. \_\_\_\_\_

District Attorney's Office – Civil Division  
Attn: Civil Chief  
Kaufman County Courthouse  
100 West Mulberry Street  
Kaufman, Texas 75142

**PASSED AND APPROVED BY THE MCLENDON-CHISHOLM CITY COUNCIL** on this  
the 11<sup>TH</sup> day of November 2020.

**CITY OF MCLENDON-CHISHOLM, TEXAS**

  
\_\_\_\_\_  
Keith Short, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Rochelle Green, City Secretary

**APROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael Halla, City Attorney

**PASSED AND APPROVED BY THE KAUFMAN COUNTY COMMISSIONERS COURT**

on this the 9<sup>th</sup> day of March, 2020.

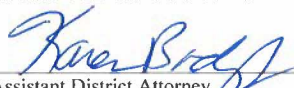
**KAUFMAN COUNTY, TEXAS**

  
\_\_\_\_\_  
Hal Richards, County Judge

**ATTEST:**

  
\_\_\_\_\_  
Laura Hughes, County Clerk by BSB

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Assistant District Attorney





**CITY COUNCIL MEETING  
CITY OF MCLENDON-CHISHOLM, TEXAS  
MEETING MINUTES  
JUNE 27, 2023**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, June 27, 2023, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

|                |                     |                    |
|----------------|---------------------|--------------------|
| ATTENDING:     | Keith Short         | Mayor              |
|                | Adrienne Balkum     | Mayor Pro Tem      |
|                | Daniel Tucker       | Council Member     |
|                | Jennifer Hoffman    | Council Member     |
|                | Bryan McNeal        | Council Member     |
|                | Floyd McLendon, Jr. | Council Member     |
| Staff Present: | Konrad Hildebrandt  | City Administrator |
|                | Shelly Green        | City Secretary     |
|                | Michael Halla       | City Attorney      |
|                | Michael Coker       | City Planner       |
|                | Jim Simmons         | Fire Chief         |

**1. CALL TO ORDER**

Mayor Short called the meeting to order at 6:30 p.m.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS**

Council Member Hoffman delivered the invocation and Council Member McNeal led the pledge of allegiance to the U.S. and Texas Flags.

**3. RULES OF DECORUM**

Mayor Short announced the Rules of Decorum are in place and are to be observed throughout the meeting.

**4. PRESENTATIONS**

Presentation of the American Legion Terry Fisher Post 117 Great American Award to Mr. and Mrs. Gary Lovell. This award is in recognition of their tireless work and efforts in support of the Rockwall County Veteran community.

Placed on agenda in error and will be included in the July 25, 2023 agenda.

## **5. CITIZEN COMMENTS**

Bev Stibbens, 279 Partridge Dr., Rockwall. Spoke on Item 7.3. which is Board of Adjustment positions. She is the current chair of the Board of Adjustments. There are three openings and we have three of our members who have agreed to be re-appointed, Gary Nichols and Herb Harker are on the regular Board of Adjustments and have been re-appointed if Council approves. David Cross is a current alternate who is recommended to be moved to regular position.

Dick Demen, 1240 Coastal, Rockwall. Addressed the Council regarding the solid waste hauling contract.

David Black, 1419 Siena Ln. Addressed Council with questions regarding items 7.5 and 7.7.

## **6. CONSENT AGENDA**

- 6.1. Building Official Report – May 2023
- 6.2. CWD Report – May 2023
- 6.3. Sheriff's Report – May 2023
- 6.4. Code Compliance Report – May 2023
- 6.5. Animal Control Report – May 2023
- 6.6. Fire Chief Report – May 2023
- 6.4. Action Regarding the Minutes of June 13, 2023, City Council Meeting

**MOTION: APPROVE CONSENT AGENDA AS PRESENTED**

**MADE BY:** Council Member Tucker  
**SECONDED BY:** Mayor Pro Tem Balkum  
**APPROVAL:** Unanimous

Citizen Comments closed at 6:42 p.m.

## **7. ITEMS FOR CONSIDERTION AND ACTION**

- 7.1. Discussion and action regarding removing members of the Planning & Zoning Commission from office.

**MOTION: REMOVE COMMISSIONERS SWINDOLL AND MARTIN FROM THE PLANNING & ZONING COMMISSION**

**MADE BY:** Council Member McNeal  
**SECONDED BY:** Council Member Hoffman  
**ROLL CALL VOTE:** Council Member Tucker AYE  
Council Member Hoffman AYE  
Council Member McLendon AYE  
Council Member McNeal AYE  
Mayor Pro Tem Balkum AYE

**MOTION APPROVED UNANIMOUSLY**

7.2. Appointment to Planning & Zoning Commission

**MOTION: APPOINT THE FOLLOWING TO REGULAR POSITIONS ON THE PLANNING & ZONING COMMISSION:**

**MARK KIPPHUT – 2 YEARS**  
**ROBERT ROHDE – 2 YEARS**  
**TERRY EOFF – 2 YEARS**  
**CHRIS FREEZE 1 YEAR**  
**GYLE DALE – 1 YEAR**

**APPOINT THE FOLLOWING TO ALTERNATE POSITIONS:**

**MICHAEL EASTER – 2 YEARS**  
**JOSE VELOSQUEZ – 2 YEARS**  
**THOMAS D. HRITZ – 1 YEAR**

**MADE BY:** Council Member Tucker  
**SECONDED BY:** Council Member Hoffman  
**ROLL CALL VOTE:** Council Member Tucker AYE  
Council Member Hoffman AYE  
Council Member McLendon AYE  
Council Member McNeal AYE  
Mayor Pro Tem Balkum AYE

**MOTION APPROVED UNANIMOUSLY**

7.3. Appointments to Board of Adjustment

**MOTION: APPOINT THE FOLLOWING TO REGULAR, TWO YEAR POSITIONS, ON THE BOARD OF ADJUSTMENT:**

**GARY NICKEL**  
**DAVID CROSS**  
**HERB HARKER**

**APPOINT THE FOLLOWING AS AN ALTERNATE FOR A TWO YEAR POSITION:**

**Clark Bowering**

**MADE BY:** Council Member Hoffman  
**SECONDED BY:** Council Member McLendon

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <b>ROLL CALL VOTE:</b> | <b>Council Member Hoffman</b>  | <b>AYE</b> |
|                        | <b>Council Member Hoffman</b>  | <b>AYE</b> |
|                        | <b>Council Member McLendon</b> | <b>AYE</b> |
|                        | <b>Council Member McNeal</b>   | <b>AYE</b> |
|                        | <b>Mayor Pro Tem Balkum</b>    | <b>AYE</b> |

**MOTION APPROVED UNANIMOUSLY**

**7.4. Consider Renewal of City-Wide Solid Waste and Recycling Contract**

City Administrator Hildebrandt presented this item:

The City Council requested staff to evaluate the prior city contract agreement with Community Waste Disposal (CWD), as evaluate bid providers.

The Mayor and two (2) City Council members have met with the Community Waste Disposal (CWD) owner/president, vice president, CWD supervisor and operation manager responsible directly for MC. Substantial information was received, and issues addressed.

The current provider (CWD), based on current contractual requirement, must be notified by June 30, 2023, of the city's intent to go out to bid OR automatically have the current provider for 5 more years.

If the City decides to continue with the current provider, we can definitely sit down and negotiate certain contract provisions.

The City also still has the option to go out for competitive bidding on a new contract. There is definitely interest from other providers to bid on a new contract.

**MOTION: RENEW THE CONTRACT WITH COMMUNITY WASTE DISPOSAL WITH DIRECTION TO REVIEW THE COMPLETE CONTRACT FOR POSSIBLY CHANGES.**

**MADE BY: Mayor Pro Tem Balkum**

**SECONDDDED BY: Council Member Tucker**

**APPROVAL: ROLL CALL VOTE:**

|                                |            |
|--------------------------------|------------|
| <b>Council Member Hoffman</b>  | <b>AYE</b> |
| <b>Council Member Hoffman</b>  | <b>AYE</b> |
| <b>Council Member McLendon</b> | <b>AYE</b> |
| <b>Council Member McNeal</b>   | <b>AYE</b> |
| <b>Mayor Pro Tem Balkum</b>    | <b>AYE</b> |

**MOTION APPROVED UNANIMOUSLY**

**7.5. Petition for Consent to Addition of Land to a Municipal Utility District for River Rock Trails Municipal Utility District No. 2.**

City Planner Coker presented background information:

The applicant has requested consideration of a petition to add 297.247 acres of land to the existing municipal utility district [River Rocks Trails] and approval of a resolution confirming the authorization to add the subject property to the boundary of the River Rocks Trails Municipal Utility District #2 [formerly known as Rockwall County Water Control and Improvement District#2 ]. Subsequent to consideration of the Petition the applicant has requested approval of the attached resolution granting approval of the addition of the 297.247 acres of land as described in the attached Exhibit A: Legal Description.

The property described within the Petition, the Resolution, and Exhibit A lies within the extra territorial jurisdiction of the City of McLendon-Chisholm.

**No Action**

7.6. Update on County Committees

Council Member McNeal stated the EMS board had not had a meeting this month.

Council Member Tucker stated the Road Consortium met in May.

7.7. Discussion and possible action regarding the Development Agreement between Oak National Development LLC and the City of McLendon-Chisholm which is generally located adjacent to McLendon-Chisholm City Hall (County Parcel IDS 11447 and 11438).

**No Action – A meeting will be held on June 3, 2023 at 9:00 a.m. to discuss.**

**Mayor Short called a recess at 8:09 p.m. and returned to regular session at 8:15 p.m.**

7.8. Consider approval of a preliminary plat for a little over 16 acres of land for the development of a 25-lot residential subdivision with 9 open space/HOA lots.

City Planner Coker presented his staff report:

APPLICANT: Colton Smith  
Spiars Engineering and Surveying, Inc.  
765 Custer Road  
Plano, Texas 75075

PROPERTY OWNER: Tellus-Mann, LLC.  
130 N. Preston Road  
Suite 130  
Prosper, TX 75078

REPRESENTATIVE: Colton Smith

LOCATION: 16.048 acres of land located at the intersection of Mann Road and FM 548 Kaufman County, McLendon-Chisholm ETJ. Parts of KCAD PID# 11030, 10984, 11029

PLANNING AND ZONING COMMISSION MEETING DATE: July 5, 2023

---

This application is located within the extra territorial jurisdiction of McLendon-Chisholm.

The Planning and Zoning Commission has one of three possible recommendations to make: Approval; Approval with conditions [the conditions must be specific citing the portion of the Subdivision Regulations with which the application fails to comply; or disapproval. [If disapproved, the specific sections of the Subdivision Regulations not complying with the code must be cited].

**REQUEST:**

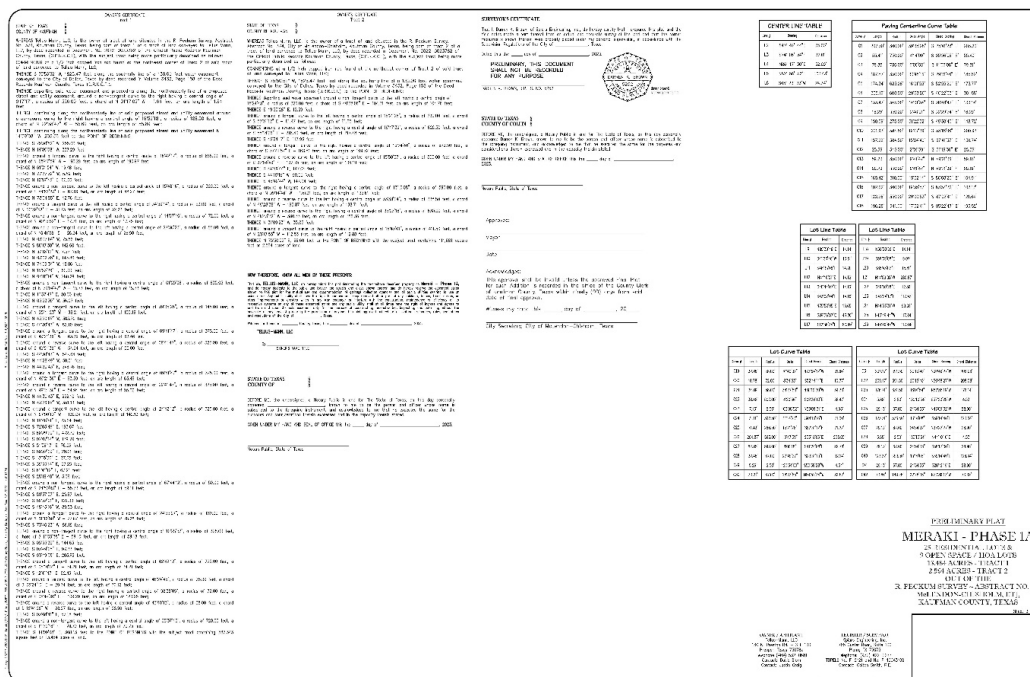
The applicant is requesting approval of a preliminary plat for a little over 16 acres of land for the development of a 25-lot residential subdivision with 9 open space/HOA Lots.

**STAFF RECOMMENDATION: Approval with conditions:**

- Revise to comply with Interlocal Agreement between the City and Kaufman County. The Kaufman County Thoroughfare Plan calls for Mann Road to have an 80 foot right of way. The preliminary plat only shows a 60 foot right of way. [Note: Kaufman County is considering an amendment to the ILA to allow for the City of McLendon-Chisholm Thoroughfare Plan to be utilized instead of the Kaufman County Thoroughfare Plan. County staff has advised me that that they should have an answer from the Commissioners Court by tomorrow. If the Commissioners Court is amenable to McLendon-Chisholm using their Thoroughfare Plan, then the staff recommendation will be for approval without conditions.]

[note: full sized copies of the preliminary plat are available at City Hall for inspection]

**Proposed Preliminary Plat**

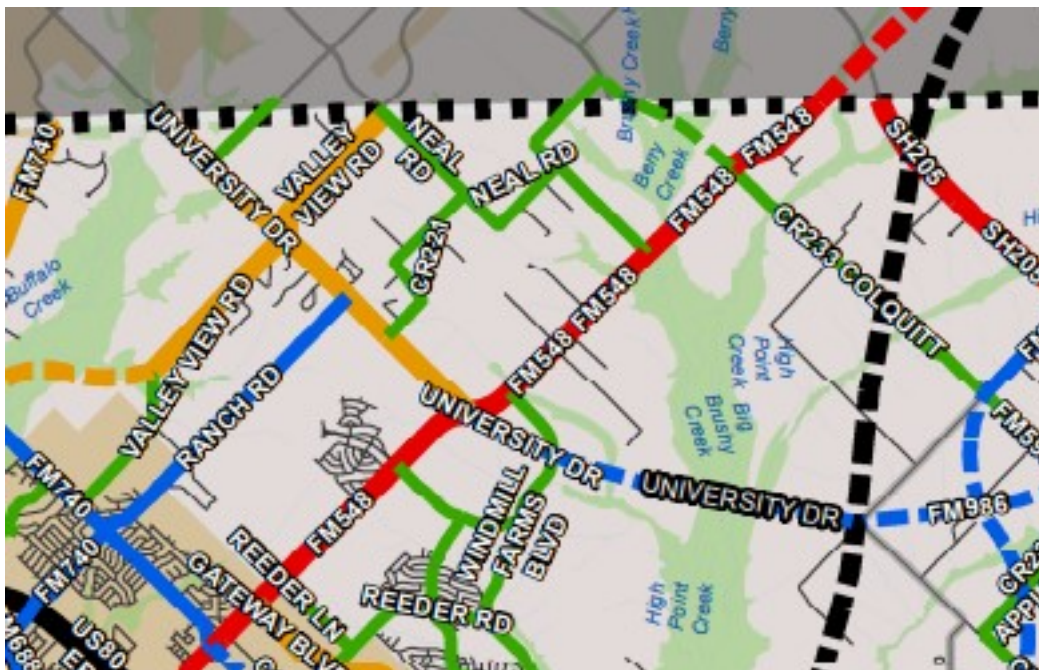


7

The subject property is a 16.048 acre tract of land that includes parts of three property identification numbers in Kaufman County, McLendon-Chisholm ETJ.

**Thoroughfares/streets:**

Below is a portion of the Kaufman County Thoroughfare Map showing Mann Road as a collector road requiring a minimum of 80 feet of right of way. The preliminary plat only shows a 60 foot right of way. Also, the management district for the Tellus-Mann project will be responsible for the construction and maintenance of the street system within the project. These roads will not be dedicated to the city or the county.



**THIS AREA INTENTIONALLY LEFT BLANK**

**Kaufman County Thoroughfare Map Legend**



**THIS AREA INTENTIONALLY LEFT BLANK**

## Applicant letter of transmittal



765 CUSTER ROAD, SUITE 100 | PLANO, TEXAS 75075  
972.422.0077 | FAX 972.422.0075  
TBPE NO. F-2121 | TBPLS NO. F-10043100

May 24, 2023

City of McLendon-Chisolm  
1371 W FM 550  
Rockwall, Texas 75082

Re: **Preliminary Plat Letter of Transmittal**  
**Meraki Phase 1A**  
**McLendon-Chisolm ETJ**  
**Kaufman County, Texas**  
**SEI Project No. 22-211**

To Whom It May Concern,

This letter of transmittal accompanies a preliminary plat submittal for Meraki Phase 1A, a proposed development located in McLendon Chisolm ETJ, Kaufman County, Texas. The proposed development contains 16.048 acres and includes 25 residential lots and 8 open space lots.

The proposed improvements will consist of concrete curb and gutter roads with underground storm infrastructure. Subsurface conditions vary across the site with potential vertical movement ranging from 5 inches to 9 inches. Sanitary sewer service will be provided via a proposed wastewater treatment plant to be owned and operated by Ledbetter Freshwater Supply District No. 1 of Kaufman County. The site is currently within Highpoint's CCN, but alternate options for water through the City of McLendon-Chisolm in partnership with Terrell are being explored.

Sincerely,  
**Spiars Engineering, Inc.**

A handwritten signature in black ink, appearing to read 'Colton Smith', is positioned above the printed name.

Colton Smith, P.E.  
765 Custer Road  
Plano, TX 75075

CC: Justin Craig  
Tellus Group  
130 N Preston Road, Ste. 130  
Prosper, TX 75078

COURT ORDER NO. 030221-05

**INTERLOCAL COOPERATION AGREEMENT**  
**ETJ AUTHORITY – LAND USE REGULATIONS**

This **INTERLOCAL COOPERATION AGREEMENT** (“Agreement”) is entered into in accordance with the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code and §242.001, Texas Local Government Code as amended by House Bill 1445 (“H.B. 1445”), enacted by the Texas Legislature during its 77<sup>th</sup> Legislative Session, by and between the **CITY OF MCLENDON-CHISHOLM, TEXAS** (“City”), a political subdivision of the State of Texas and **Kaufman County, Texas** (“Kaufman County”), also a political subdivision of the State of Texas.

**WHEREAS**, the Interlocal Cooperation Act allows local governments to contract with one another for the purpose of performing governmental functions including, but not limited to, platting and approval of related permits; and

**WHEREAS**, the City and Kaufman County mutually desire to be subject to the provisions of Texas Government Code, Chapter 791, the Interlocal Cooperation Act, specifically §791.001 regarding contracts to perform governmental functions and services; and

**WHEREAS**, H.B. 1445 requires the City and Kaufman County to enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and to approve related permits in the extraterritorial jurisdiction (“ETJ”) of the City of McLendon-Chisholm; and

**WHEREAS**, it is the expressed desire of both the City and Kaufman County that *City be granted exclusive jurisdiction* to regulate subdivision plats and to approve related permits in City’s ETJ as provided in the Interlocal Cooperation Act and H.B. 1445; and

**WHEREAS**, both the City and Kaufman County mutually desire to amend and replace the previous Interlocal Agreement related to the ETJ entered into under the provisions of Texas Government Code §242.001 on N/A, by entering into this new **INTERLOCAL COOPERATION AGREEMENT**.

**NOW THEREFORE**, the City and Kaufman County, for the mutual consideration stated herein, agree and understand as follows:

**AGREEMENTS**

*1. Term of Agreement and Certification*

- (a) The City and Kaufman County mutually agree that the term of this Agreement shall be from the date it is formally and duly executed by both City and Kaufman County until September 30th, 2021. This Agreement shall automatically renew every two (2) years on October 1<sup>st</sup>, unless otherwise terminated (at any time) in writing by either party following ninety (90) days’ notice.

COURT ORDER NO. \_\_\_\_\_

- (b) The City and Kaufman County mutually certify that this Agreement complies with the requirements and provisions of Texas Local Government Code, Chapter 242.

- 2. *City's Jurisdiction.* City is granted exclusive jurisdiction to regulate all subdivision platting in City's ETJ under the provisions of Chapter 212 of the Texas Local Government Code together with all other statutes applicable to municipalities.

Kaufman County shall not exercise any of the above functions within City's ETJ. City specifically agrees to coordinate with Kaufman County regarding permitting or platting that will impact county-maintained infrastructure.

- 3. *Kaufman County's Responsibilities.* Notwithstanding the grant of exclusive jurisdiction by Kaufman County to City above, Kaufman County will continue to enforce the following requirements of Kaufman County as they may be amended or updated from time to time:

- (a) Fire Code. Kaufman County shall enforce its Fire Code and issue all related permitting.
- (b) Building Permits. Kaufman County shall accept/enforce building permits pursuant to the Kaufman County Subdivision and Land Development Regulations except - McLendon-Chisholm shall accept/enforce building permits pursuant to City Subdivision Regulations for any area under a valid development agreement identifying McLendon-Chisholm as the permitting authority prior to the date of this agreement.
- (c) On-site Sewage Facilities. Kaufman County retains exclusive jurisdiction under this Agreement to review/issue permits for and oversee construction of on-site sewage facilities, including enforcement, under the provisions of Texas Health and Safety Code Chapter 366; 30 Texas Administrative Code ("TAC"), Chapter 285; and Kaufman County's OSSF Order.
- (d) Floodplain. Kaufman County is responsible for issuing permits pursuant to the Kaufman County Floodplain Order, including enforcement.
- (e) Driveway Culverts. Kaufman County is responsible for issuing permits for driveway culverts, including enforcement, pursuant to the Kaufman County Subdivision and Land Development Regulations except culverts which are part of subdivisions that have filed platting applications with the City and have been approved by the City of McLendon-Chisholm. Kaufman County shall regulate and issue permits for driveway permits for existing homes in the County and all driveways fronting Kaufman County roads.
- (f) 9-1-1 Addressing. Kaufman County is responsible for issuing 911 addressing and related permitting, pursuant to the Kaufman County Subdivision and Land Development Regulations.
- (g) County Property. Kaufman County retains exclusive jurisdiction under this Agreement to permit any/all construction activity regarding its county-maintained

COURT ORDER NO. \_\_\_\_\_

roadways and right-of-way, pursuant to the Kaufman County Subdivision and Land Development Regulations.

4. *ETJ Defined.* For the limited purposes of this Agreement, City's ETJ is described by the area indicated in Exhibit "A", attached hereto and made a part hereof for all purposes. The recognition of the ETJ shall not be deemed an admission by City or Kaufman County in any dispute with any other person or municipality regarding the boundaries of City's ETJ.
5. *ETJ Expansion or Reduction.* In the event City's ETJ expands, City and Kaufman County agree that City shall continue to be granted exclusive jurisdiction as specified in paragraph 2 above in its new, lawful ETJ. In the event that City's ETJ expands, City shall provide appropriate and timely notice of such expansion to Kaufman County who shall abide by updated mapping information as provided by City. In the event that City's ETJ is reduced, both City and Kaufman County agree that Kaufman County shall have exclusive jurisdiction to regulate subdivision plats and approve related permits in areas in the County that are no longer in City's ETJ until such time as Exhibit "A" to this Agreement is amended to take into account such ETJ reduction. In the event of such expansion or reduction of its ETJ, City agrees to notify Kaufman County of such expansion or reduction within thirty days by sending Kaufman County a copy of the applicable ordinance together with an amended Exhibit "A". Kaufman County shall have fifteen (15) days from its receipt of the amended Exhibit "A" to review said amended Exhibit "A" and present any objections to the accuracy of same to City. For the purposes of this Agreement, the "Date of Amendment" of Exhibit "A" shall be: (1) the fifteenth (15<sup>th</sup>) day after Kaufman County receives the amended exhibit provided Kaufman County does not object to its accuracy; or (2) in the event Kaufman County objects to its accuracy, upon resolution by the parties of such objection. Upon final approval by both Parties of any such Amendment to Exhibit "A" as described above, the same shall be deemed an amendment to this Agreement by the parties pursuant to Texas Local Government Code §242.001(c).
6. *Notice of Plat Submittals and Approvals.*
  - (a) City shall notify Kaufman County of all subdivision plat applications for property located within City's ETJ within thirty (30) days after receipt of a completed application. City shall use its best efforts to comply with this provision; however, failure to comply shall not affect the validity of any subdivision plat.
  - (b) City shall notify Kaufman County of the approval of plats for property located in City's ETJ within Kaufman County. A copy of the approved plat and any engineering plans shall be sent to Kaufman County at the address set out in Section 12(f) below within thirty (30) days of City's approval. After notice of approval is given, Kaufman County shall assign addresses to each lot within an approved subdivision.
  - (c) Nothing in this Agreement is intended to interfere with the recordation requirements of state law nor with the authority and duty of the County Clerk to collect filing and recording fees.

COURT ORDER NO. \_\_\_\_\_

7. *Collection of Fees and Costs.* All costs involved with the approval of subdivision plats under this Agreement, including but not limited to engineer reviews and inspections of public improvements, shall be borne by City and payable out of its current revenues. All fees relating to subdivision plat approval shall be collected and retained by City unless otherwise agreed in writing by both City and Kaufman County.
8. *County Roads*
  - (a) City shall only plat private roads and/or access easements and shall take no action to create any city or county road within its ETJ. Kaufman County shall, at its expense, continue to maintain roads within City's ETJ that have been accepted by the Commissioner's Court into Kaufman County's road-maintenance system unless otherwise provided by agreement. Requests for acceptance, abandonment, alterations, etc. of county roads within City's ETJ shall be submitted to County for approval pursuant to Kaufman County's Land Use Regulations.
  - (b) In order to be considered by Kaufman County for acceptance as a county road within City's ETJ and, as such, be eligible for county maintenance, the developer must have the proposed new road inspected and tested in order to establish that the proposed new road meets or exceeds City's most stringent road specifications as specified by the City Engineer. Required engineering review, testing and related costs shall be borne by the developer. The acceptance for maintenance of a new road as a county road that meets or exceeds City's most stringent road specifications lies solely within the discretion of the Commissioners Court. No other entity and no individual Kaufman County official has the authority to bind Kaufman County. Nothing in this Agreement binds Kaufman County to accept a road for maintenance, nor restricts the County's governmental authority to abandon a road or abandon maintenance of a road after it has been accepted.
9. *Thoroughfare Plan.* City shall require compliance with the Kaufman County Thoroughfare Plan.
10. *Effective Date.* The Effective Date of this Agreement shall be the date upon which both parties have approved and fully executed the same.
11. *Applicable Regulations.* The subdivision rules and regulations currently enacted by City and extended to the ETJ are hereby established as the set of regulations to be enforced by City within the ETJ. City will provide Kaufman County with copies of all amendments to City's subdivision rules and regulations proposed after the Effective Date as set forth in paragraph 10 above and will notify Kaufman County of all public hearings on any proposed amendments. In the event that City's Council updates a standard or standards, both City and Kaufman County agree that the most recent and up to date standard or standards shall be applied to any new application or project within City's ETJ.
12. *Miscellaneous Provisions.*
  - (a) This Agreement expresses the entire agreement between the parties hereto regarding the subject matter contained therein and may not be modified or amended except by written agreement duly executed by both parties.

Interlocal Agreement  
City of McLendon-Chisholm / Kaufman County, Texas - Page 4

COURT ORDER NO. \_\_\_\_\_

- (b) This Agreement has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party.
- (c) This Agreement shall be construed in accordance with the laws of the State of Texas with venue for all purposes hereunder residing within Kaufman County, Texas.
- (d) If any provision hereof is determined by any court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be fully severable here from and this Agreement shall be construed and enforced as if such invalid, illegal or unenforceable provision never comprised a part hereof with the remaining provisions continuing to be in full force and effect.
- (e) This Agreement is not intended to extend the liability of the parties beyond that provided by law. Neither City nor Kaufman County waives any immunity or defense that would otherwise be available to it against claims by third parties.
- (f) All notices required to be given by virtue of this Agreement shall be addressed as follows and delivered by certified mail, postage prepaid or by hand delivery.

CITY OF MCLENDON-CHISHOLM:

City of McLendon-Chisholm, Texas  
Attn: City Administrator  
1371 West FM 550  
McLendon-Chisholm, Texas 75032

KAUFMAN COUNTY:

Kaufman County, Texas  
Attn: County Judge  
100 West Mulberry Street  
Kaufman, Texas 75142

With copies to:      Development Services Department  
Kaufman County Courthouse  
100 West Mulberry Street  
Kaufman, Texas 75142

COURT ORDER NO. \_\_\_\_\_

District Attorney's Office – Civil Division  
Attn: Civil Chief  
Kaufman County Courthouse  
100 West Mulberry Street  
Kaufman, Texas 75142

**PASSED AND APPROVED BY THE MCLENDON-CHISHOLM CITY COUNCIL** on this  
the 11<sup>TH</sup> day of November 2020.

**CITY OF MCLENDON-CHISHOLM, TEXAS**

  
\_\_\_\_\_  
Keith Short, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Rochelle Green, City Secretary

**APROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael Halla, City Attorney

**PASSED AND APPROVED BY THE KAUFMAN COUNTY COMMISSIONERS COURT**

on this the 9<sup>th</sup> day of March, 2020.

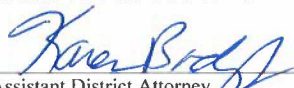
**KAUFMAN COUNTY, TEXAS**

  
\_\_\_\_\_  
Hal Richards, County Judge

**ATTEST:**

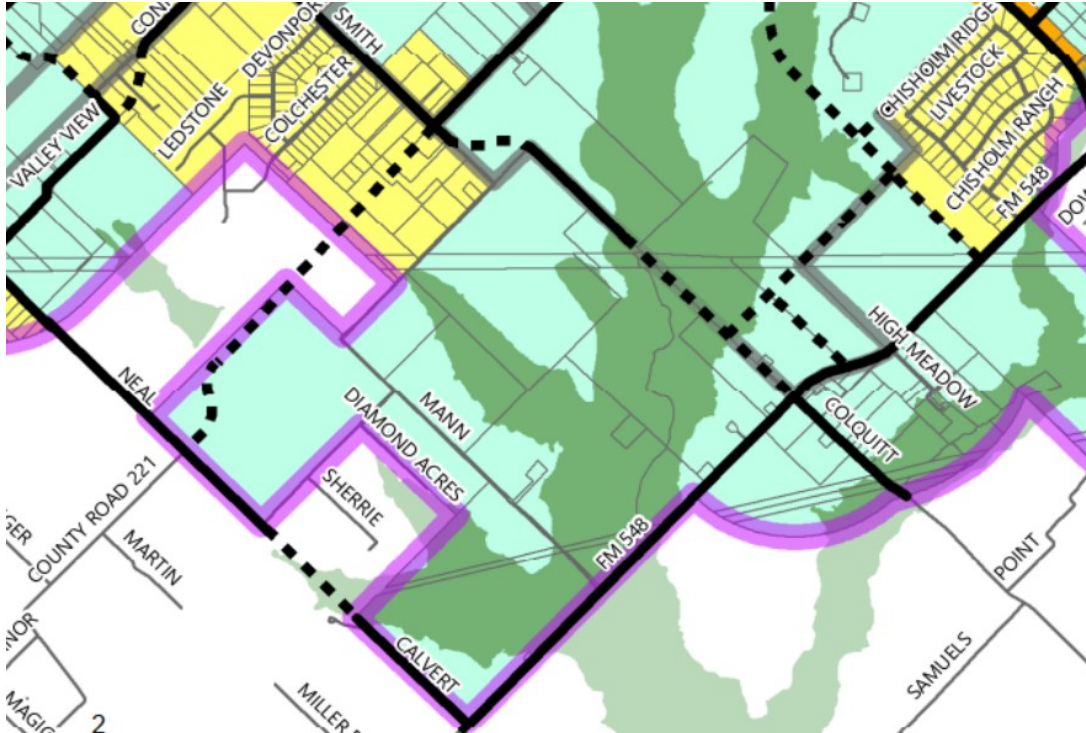
  
\_\_\_\_\_  
Laura Hughes, County Clerk by BSB

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Assistant District Attorney



**McLendon-Chisholm Thoroughfare Plan for subject property:**



**No Action – Special Planning & Zoning Meeting on June 5, 2023 at 7:00 p.m. for action.**

**8 UPDATES, DISCUSSION AND DIRECTION TO STAFF**

**9. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS**

Mayor Short reminded everyone of the upcoming 4<sup>th</sup> of July Holiday.

Mayor Pro Tem Balkum – RCH

Council Member Hoffman – would like to see activities which reach the entire community. She is helping set up a “Dress for Success” drive through even to benefit WIN.

**10. ADJOURN**

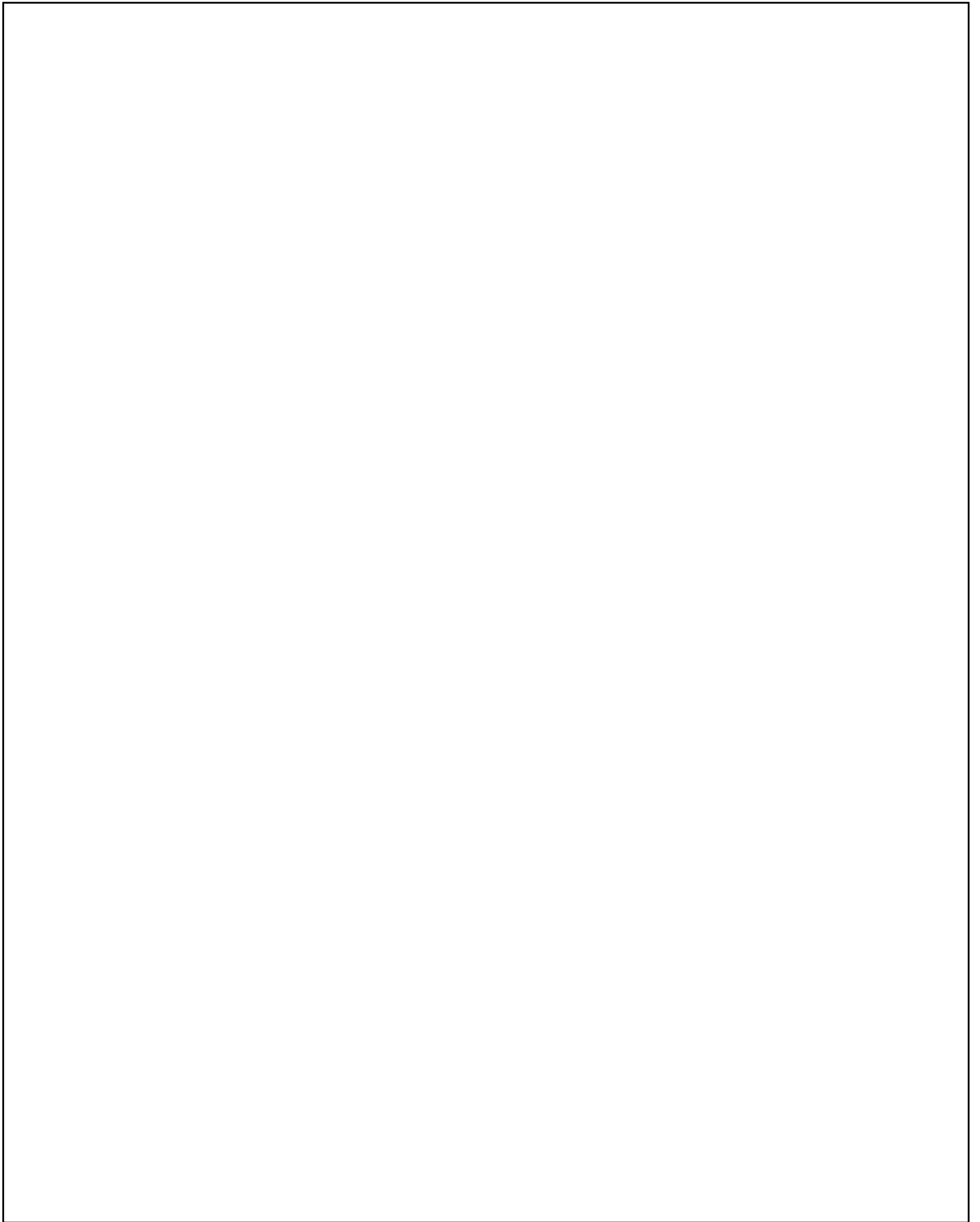
There being no further business to discuss, Mayor Pro Tem adjourned the meeting at 8:37 p.m.

APPROVED:

\_\_\_\_\_  
Mayor Keith Short

ATTEST:

\_\_\_\_\_  
Rochelle Green, City Secretary





**CITY COUNCIL MEETING  
CITY OF MCLENDON-CHISHOLM, TEXAS  
MEETING MINUTES  
JULY 11, 2023**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, July 11, 2023, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

|                |                     |                    |
|----------------|---------------------|--------------------|
| ATTENDING:     | Keith Short         | Mayor              |
|                | Adrienne Balkum     | Mayor Pro Tem      |
|                | Daniel Tucker       | Council Member     |
|                | Jennifer Hoffman    | Council Member     |
|                | Bryan McNeal        | Council Member     |
|                | Floyd McLendon, Jr. | Council Member     |
| Staff Present: | Konrad Hildebrandt  | City Administrator |
|                | Shelly Green        | City Secretary     |
|                | Michael Halla       | City Attorney      |

**1. CALL TO ORDER**

Mayor Short called the meeting to order at 6:30 p.m.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS**

Council Member Hoffman delivered the invocation and Council Member McLendon led the pledge of allegiance to the U.S. and Texas Flags.

**3. RULES OF DECORUM**

Mayor Short announced the Rules of Decorum are in effect and are to be observed throughout the meeting.

**4. CITIZEN COMMENTS**

Stuart Maberry, 21 Fireside Dr., McLendon-Chisholm. Addressed Items 5.2. and 5.3. Several years ago a neighbor and I attended several RCH board meetings. Every week they would have a meeting and we would try to go to as many of them as we could. Even with their upgrades to the delivery pipe system that they made several years ago, we realized with the amount of water coming through the two pipes that they replaced the one pipe with was not going to do what we need to do with this development we got down here and with other developments going on. Trying to talk to them was, I mean they couldn't even tell us how much we were paying

Rockwall for their water and that's how bad it was. I mean they were nice people but totally unresponsive. Now with the 29 June letter statement, they had excluded the two point, or exceeded the 2.1 million gallon limit with Rockwall and the current severe weather restrictions in place, residents could lose thousands of dollars into the landscaping, pools, housing, cracked cement, you name it. I mean it's right and I know that we're going to have bad weather. We're going to have dry weather here, this is Texas. But the blame doesn't fall at all solely on RCH. McLendon-Chisholm should also share responsibility for this issue by continuing to approve developments that do not conform to our one acre dwelling which used to be one and a half acres and it's dwindling. Several years ago, a developer tried to add areas to a flood plan to the total acres, thereby increase the number of homes based on total acreage, not buildable coverage. That's something we need to watch if we can. Now, we have Meraki Phase 1 and I'm not a math major as you know Mr. Mayor. I'm just a simple intel guy so my fingers I ran out of them real quick. We've got 16 acres for 25 homes without taking any property out for common area, sidewalks, roads, whatever. This equates to a house on every 0.64 acres. Then you come to Oak National which really scared the heck out. I mean Oak National wants 335 homes on 148.15 acres which equals 0.44 acres per lot. Half an acre or less than a half an acre. Then out of the 335 or 148 acres, they're going to take 57 acres, one third of the 148.15 acres, will be used for parks and trails, common areas. Reducing the lot sizes to 0.27, a quarter of an acre or less. So they can build bigger homes on bigger lots and smaller homes on smaller ones. They do have a minimum lot size, but 0.27 acres is Rockwall and we don't want to be Rockwall. Your document says this development will promote economic development, businesses, and commercial activity. The same thing was said of Sonoma Verde when they've got about a half a mile or more land on each side of their entryway that was reserved for businesses. I'm not seeing it. I see a donut shop on 205 and one other business, but that's it. We're saying that this little 148 acres here is going to increase the economic development. I don't think so. McLendon-Chisholm is changing and not for the better. Issues such as the water shortage won't go away, but can be managed. We currently buy our water from Rockwall who gets it from North Texas Municipal Water District and we need to cut out the middleman. I know we're looking at taking over RCH which I think is a good idea, but we need to look out for exactly what they've done in the past. What five foot infrastructure is there because it is not going to, I do not believe it will sustain what we're trying to do here in McLendon-Chisholm. When my neighbor and I discussed this with RCH, this idea as far as going to the Municipal Water District, because I did was just missed out of hand. Of course, they're making better profit than they would if they get it straight from the supplier. Bottom line, keeping McLendon-Chisholm McLendon-Chisholm. If people want small lots and congestion, buy a home in the Shores. That's where they belong, they don't need to be out here. I moved here for those 1.5 acre minimum and if we have a minimum lot size on the books, abide by it. Keep this one acres in mind and don't change it. Don't reduce it again, please. Thank you.

Lorna Kipphut, 31 Fireside Dr., McLendon-Chisholm. Good evening. Tonight my comments are related to agenda item 5.3 which is the development that's located adjacent to City Hall. I look forward personally to hearing tonight's discussion as I feel the development agreement that was provided to Council and the citizens in the packet is lawfully inadequate for both the public and Council to glean what this is all about. I'm 100% certain that Council will do their due diligence and get the developer to fill in the blanks such as funding, density, road construction and maintenance, landscaping and tree mitigation, just to mention a few. Our future is dramatically changing as Mr. Mayberry said. Just by looking at tonight's agenda, we have developers all around us purchasing land from our long-time farmers and landowners and they want to put in

acres and acres of homes. I would respectfully suggest the hiring of an on staff full-time planner is mandatory at this point in time to be put into the budget if it is feasible for next fiscal year. Mr. Coker, our outside contractor, just so everyone knows, he is a contractor paid by the city, has done a great job. But I believe that now is the time that we get a dedicated full-time planner to assist our city administrator navigate the swarm of invading developers. Someone that can take the comprehensive plan that we worked on so diligently and put it into operation use. Thank you.

Scott Keeton, 7 Granite Ridge Dr., Rockwall. I think Stu covered a lot of the points that I was going to say so this will be short and sweet. Last year we dealt with the water shortage that came to our attention because of the lack of any water in all of our homes. Shortly after that I asked a question, who is responsible for determining how much water we get and who determines how many homes we have to take that water. I didn't get an answer. So I believe this is actually part of the city council's job. Right, you should figure out how much water we need based off the number of residents we have and realize we have a different water usage than maybe some of the other towns that are close by. If there's no one determining how much water we need, how do you determine how many homes we can have in our city. We have not had a change in the amount of water from RCH and admittedly RCH has its own problems. But the city has a responsibility. I think the responsibility is, don't over develop with the resources that we have available. So if you can figure out how much water we need and how many homes we can provide to that, that would be super helpful in your plan. We do have the comprehensive plan. It limits the size of the home on the lot, right, where the number of lots that we have available within the city limits. Please go by that and figure out what the amount of water is we're going to have. Admittedly, RCH is probably going to go away. If the city is going to be able to take over that situation, that's doubly responsible now for you as to how much water we have as residents of this city. It affects all of us. Please consider that.

Anthony J. Crawford, 104 Lavendar Pl., McLendon-Chisholm. Thank you for the opportunity to address you tonight. I'm hear to make one simple request that you, as our governing body, follow the desires of the people of this community and maintain growth according to the plan approved by this Council on September 29, 2021. The main desire of the citizens of McLendon-Chisholm was to maintain a country estate field to our city. This document specifically talks about the Heritage Center which is the area right here for those that are behind me don't know. It states maximum density of one dwelling per acre for residential use, not messing with the math because of homes or anything like that. We're not that smart, but we're smart enough to know that can be manipulated. It is our understanding that the current proposal is 335 homes on 145 acres. The request is for the lots to be 7,200 square feet. I understand this is in the beginning stages and hopefully negotiations will take this to an estate type instead of 7,200 square feet. The same developer has created neighborhoods north of us and west of us of the city hall here that are at one acre to the north and one and a half acres over here. Remember, you are our advocates and you as a council have the ability to control what is going on, especially in our city limits. Additionally, this request is being made before there has been any planning on what the Heritage Center is in the Comprehensive Plan. It is my understanding that concept art cannot be located at this time. In my 35 years with the Dallas Police Department, the one statement that sent my blood boiling was I pay your salary. I took this with a grain of salt because it usually stated, it was stated right after the first click of the handcuffs and I usually answered well, then give me a raise. I wouldn't do this governing body the disservice of saying the same thing to you, but I soon realized in my profession when I put my pride aside, that I did work for the people I

protected and it wasn't because they paid taxes. It was because I took an oath to protect them and they in turn entrusted me to carry out that protection. I did it with integrity. We are entrusting you, the City Council of McLendon-Chisholm to protect our interests with integrity. While developers can and will make promises of grand parks and other amenities, they, in most cases, do not live here. We do. It is not the city's issue that a developer can only make money off of small lots. They can sell to someone else who can make money off of big lots. Fast growth usually does not translate to good growth. That's why we have a plan. So, I request that you please keep all residential developments within the city limits to one home per acre. Thank you.

Michael Davis, 106 Chaney Pl., Rockwall. I don't think I'm going to say anything that's new. I don't think I'm going to say anything you guys haven't already thought of and that obviously the audience here most likely is aware of as well. We don't have water. We haven't had enough water for a decade. We continue to add more and more to it and when we get to the point of you know is there enough water to do this, do we have control of that, we don't. So, I recognize we don't have control over the water and that's a different problem. It's a problem that still needs to be solved. In the meantime, we have more houses on the edge in development of planning phases to double the population of McLendon-Chisholm. The city survived with far less houses than we have now, so we can't say that we need to do this. This growth is going to be driven by budget. If it gives you money, you're going to take that money. You're going to spend that money you know. So I can come here and I can say hey, let's do this for the honor of it. I can come here and say let's do this because we don't have enough water. But economically do we need to put on a public works division for dealing with the landscaping of a city park. I was part of our long-term vision of what we wanted to do with the city. We said things like black sky community. Citizens live here and work here because we said it is country. It's close enough to the city, but we still want to have that. That's what we're drawing on. That's where we're getting that price premium. We said things like we are the jewel of Rockwall. If we're willing to just take any house, any citizen, any amount of growth. Because when you put in the case of one of these lots, 148 acres, they're gonna put in 335 houses. We can very quickly say that 700 cars coming down this road going into that stop light. That stoplight and if anybody who lives here knows that's not practical, anybody who lives here and tries to go in or out of town at commuting times knows it is a ridiculous commute to go six miles to the highway. Six miles and that'll be 20 minutes. It might be 30 minutes because there is not, and we don't have control over that road either. So that road will expand, 205 will expand when it's ready to expand. 550 will expand when it's ready to expand. In the meantime, we can put up braces, we can say we're not going to take every single developer who wants to come in here and build. We want that money, that's great. People want to move here, I agree with them. When I moved here, we didn't have a thousand houses. You know we've got developers planning 5,000 house neighborhoods. We've got to put a stop in here at some point until we have what control we get to get into because, I'm sorry, I have no interest in living in a community with million dollar houses and no water. It's ridiculous the county we live in, the money that is in this County, that's in this City, and we have problems like we can't get water, and we want to look at putting in hundreds and thousands of new houses in an environment like that. Not to mention the law enforcement, the fire response will have to grow with that, the code enforcement that will have to grow with that, the parks and recs that will have to go with that to maintain that. If you put in a playground or a park or city park and baseball fields, who maintains that. Where's the cost of that? That's an additional cost to a neighborhood of people that said we built here so we had a playground in our backyard. If I want a ballfield, I go out back. I have a ballfield in the backyard. That's what most of the large lot

houses came out here, there are estate homes for a reason, because we didn't need to go into a regular city and have a common area. I appreciate that. We have a couple of neighborhoods that come in and eventually we will lose. Eventually these will come in and they will push the rest of us out like they pushed out the ranchers, the second generation, third generation that are saying hey I'm going to get out, the money's too high. But we can delay them, we can defer that until we can put in the infrastructure and the utilities to make this something that's practical. Otherwise you're just going to force out the people that live here. We're gonna have to go find somewhere else and I don't want to have to be forced out because I can't water the yard, I can't fill up my pool. I mean that's the problem that community values down the road you're gonna have 5,000 houses and not a drop of water to put in them. Thank you.

Gina Maris, 107 Chaney Pl., McLendon-Chisholm. Thanked the council for their hard, especially Mayor Pro Tem Balkum who has portrayed extreme patience with a thousand questions, not just from me, and not just from nice people. They're nice people but they forget that from behind the scenes they're talking to a person and I appreciate her professionalism, her patience and someone who has worked on this since September 28<sup>th</sup>. I'm talking about 5.6, the notice of intent that we'll get to. I do think you should take all of us through just a quick synopsis. As I listened in on the RCH board the other day, some people don't even realize regarding the meters being twice as much allotted from what is the water was planned for or the seven-year-old contract that was never. So I think you laying out since you know the summer when RCH came to MC saying we want you to take over our water, we know we have a problem. We've gone too long and you know, hats off to them, they did great, well you know they had time and during all of those years but then it just outgrew them and they just didn't take. So, I appreciate you guys laying out the plan, the agreement, but RCH reneged on that back, you know, April 5<sup>th</sup> of this year they were still saying hey come on, you know we want you, here's the agreement and then it stopped. I have publicly, I have made an open records request of RCH. They went way over the 10 days and open records in Austin contacted me today and said they will be contacting RCH for things that we need as members, that they so like to put that, what are the financial records, where is the audit, what did you do with our money. Has an audit been done, has the equipment been managed, has it been maintained, so we know all of those things have been done. Now they're looking at some, on the way here I read complaint, after complaint, after complaint from Aqua, their little golden child that's going to, supposedly, take, that they want to take over. That also needs to be explained, business to business, versus municipality in business and how you guys now are forced because they went over 180 days of finalizing the agreement that you gave them September 28<sup>th</sup>, and now that you're following the water code and the next step. So that will be very valuable to all of us to walk us through that because we know that there's a water problem. We know that you have an answer and a very excellent plan and we just need to know about it. I invited the gentlemen to join us tonight. I don't see them because that would have been a great opportunity. Maybe they're listening online. Hey guys, you know listen in because you're going to get a lot of answers tonight and if not, Adrian has been so patient through all of the social media because sometimes that's all the information people get unfortunately. But, bless her heart, there's nobody else out there. I don't see any RCH leadership answering any questions online and she's done it very excellently. Now my other point is I am against the density neighborhoods as I expressed before. I went to my very first meeting, Trilogy I should say with, now they backed it down to half the houses but now and ETJ all that, but now we have in our backyard and I see less than an acre lot per house. I need that explained. I heard somewhere that it has something to do with something, with making something non-applicable. Is there anything

making our one-acre requirement non-applicable where somebody in McLendon-Chisholm could do something, like is there some reason why that made non-applicable, the one-acre lot. Is it sewage, tie-ins, is it they are bringing other things to benefit MC. I don't know, but we need to know that because it's on the agenda tonight and I don't know one person here that's for that. But please, you know it would help us, we're here to gain information. All right, we don't want to beat up on y'all, but we do deserve answers. Well anyway, I know you guys are going to have the great answers, but just hear our answers, I mean hear our hearts and we appreciate your answers and all your hard work. Thank you.

## **5. ITEMS FOR CONSIDERTION AND ACTION**

### **5.1. Presentation – Glen Acres Estates Road Update – Tom Milner, HOA President**

Mr. Milner, 641 Glen Acres Dr., appeared before the Council requesting assistance from the City for improvements to the roads in Glen Acres Estates. He presented some background about the subdivision. HOA bylaws were filed on September 9, 1986. The HOA was formed as a non-profit with the State of Texas on April 1, 1988. There was also a document filed in May of 1988 stating that the HOA does not have the authority to place a lien on the property of any delinquent dues. Currently there are 35 households within the subdivision. Each household pays \$300 a year for a total of \$10,500 and this is solely used for road maintenance. 2014 was the most recent time that the roads were chip sealed at a cost of fifty to fifty-eight thousand dollars, which half of this was financed. Currently they can find no lender that will loan the HOA funding for road repairs.

There is currently a petition being circulated in the subdivision asking the city's assistance with establishing a special improvement district. This has been attempted in the past with no success. The subdivision has also hired counsel to draft a letter to the city administrator requesting the city's assistance in establishing a special utility district solely for the purpose of road upgrades within our subdivision. Our residents seek to have our roads up to the best city standards possible and if we can get that with this SID and pay it out over a long length of time to reduce the burden on the homeowners.

Our subdivision would be willing to deed the road to the city once it's at the city standards. With that, I'll have the attorney draft a letter to you when he has this opportunity.

Mayor Pro Tem Balkum asked City Attorney Halla if he would be able to speak with their legal counsel if they produce a letter from him. Mr. Halla indicated he would.

### **5.2. Consider approval of a preliminary plat for a little over 16 acres of land for the development of a 25-lot residential subdivision with 9 open space/HOA lots located at the intersection of Mann Road and FM 548, Kaufman County, McLendon-Chisholm ETJ, on behalf of Meraki Phase 1A (Proposed)**

This item was pulled from the agenda.

- 5.3. Presentation and action on a development agreement with Oak National Development LLC, for approximately 148.15 acres of land generally located adjacent to McLendon-Chisholm City Hall.

Mr. Jay Webb presented an overview of the proposed Development Agreement for Legacy Park Estates, focusing on the future proposed park improvements.

Council offered comments and concerns.

No Action

- 5.4. Discussion and action regarding an ordinance concerning the annual Service and Assessment Plan (SAP) for the Public Improvement District (PID) - Zachary Little, PID 3

City Administrator Hildebrandt presented his staff report regarding this item.

Background: The SAP is an annually updated version of the Service and Assessment Plan for the Public Improvement District (PID). This document includes any updates of the status of authorized improvements, parcel subdivisions, lot and home sales by a developer or homebuilder, outstanding levied assessment, annual installments that will be due by January 31, 2023, partial/full prepayments of the levied assessments, bond funds, five year budget forecast, and an assessment roll depicting the annual installments for each parcel located in the PID.

This is a housekeeping process required by the bond issuance.

Mr. Zachary Little, P3, is the PID Administrator, and was present to address any questions.

Ordinance No. 2023-04

An Ordinance of the City Council of the City of McLendon-Chisholm, Texas, accepting and approving the 2023 Annual Service Plan Update, including the assessment roll for the Sonoma Public Improvement District in accordance with Chapter 372, Texas Local Government Code, as amended; making and adopting findings; and providing an effective date.

**MOTION: APPROVE, BY ORDINANCE, THE SERVICE AND ASSESSMENT (SAP) FOR THE PUBLIC IMPROVEMENT DISTRICT.**

**MADE BY: Mayor Pro Tem Balkum**

**SECONDED BY: Council Member Hoffman**

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <b>ROLL CALL VOTE:</b> | <b>Council Member Tucker</b>   | <b>AYE</b> |
|                        | <b>Council Member Hoffman</b>  | <b>AYE</b> |
|                        | <b>Council Member McLendon</b> | <b>AYE</b> |
|                        | <b>Council Member McNeal</b>   | <b>AYE</b> |
|                        | <b>Mayor Pro Tem Balkum</b>    | <b>AYE</b> |

**MOTION APPROVED UNANIMOUSLY**

**Mayor Short adjourned the meeting into Executive Session at 7:46 p.m.**

**The meeting reconvened into Regular Session at 8:26 with No Action being taken.**

- 5.5. Petition for Consent to Addition of Land to a Municipal Utility District for River Rock Trails Municipal Utility District No. 2.

City Planner Coker's report was presented by City Administrator Hildebrandt.

SUBJECT: Petition and resolution for consent to add land to an existing municipal utility district

LOCATION: South quadrant of the intersection of FM 550 and State Highway 205

APPLICANT: DMDS Land Company, LLC  
1501 Alta Drive  
Fort Worth, Texas 76107

REPRESENTATIVE: Elizabeth Veale  
Coats/Rose Lawfirm  
14755 Preston Road, Suite 600  
Dallas, Texas 75254

**BACKGROUND INFORMATION:** The applicant has requested consideration of a petition to add 297.247 acres of land to the existing municipal utility district [River Rocks Trails] and approval of a resolution confirming the authorization to add the subject property to the boundary of the River Rocks Trails Municipal Utility District #2 [formerly known as Rockwall County Water Control and Improvement District #2]. Subsequent to consideration of the Petition the applicant has requested approval of the attached resolution granting approval of the addition of the 297.247 acres of land as described in the attached EXHIBIT A: Legal Description.

The property described within the Petition, the Resolution and EXHIBIT A, lies within the extra territorial jurisdiction of the City of McLendon-Chisholm.

**Resolution 2023-07**

A resolution of the City Council of the City of McLendon-Chisholm, Texas, consenting to the addition of certain land into River Rock Trails Municipal Utility District No. 2; and providing an effective date.

**MOTION: APPROVE A RESOLUTION ADDING LAND TO THE EXISTING MUD WITH THE CONDITION OF A FIRE DISTRICT CONTRACT WHICH WILL INCLUDE A SUBSTATION AND ADDITIONAL INDIVIDUAL FUNDING FOR FIRE SERVICE.**

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <b>MADE BY:</b>        | <b>Mayor Pro Tem Balkum</b>    |            |
| <b>SECONDED BY:</b>    | <b>Council Member McLendon</b> |            |
| <b>ROLL CALL VOTE:</b> | <b>Council Member Tucker</b>   | <b>NO</b>  |
|                        | <b>Council Member Hoffman</b>  | <b>AYE</b> |
|                        | <b>Council Member McLendon</b> | <b>AYE</b> |
|                        | <b>Council Member McNeal</b>   | <b>NO</b>  |
|                        | <b>Mayor Pro Tem Balkum</b>    | <b>AYE</b> |

**MOTION APPROVED BY A VOTE OF 3-2**

5.6. Discuss and consider delivering a Notice of Intent to RCH Water Supply Corp. pursuant to the Texas Water Code 13.254 and 13.255.

Mayor Pro Tem Balkum explained she has a very comprehensive double page document that talks about the entire timeline so I'm going to mix between that and my bullet points.

- July 13, 2022, RCH Water Corporation customers experienced the water shortage. This was the day we found out that RCH has been violating their Rockwall wholesale water agreement. We learned that they were supposed to find an alternative water source. They were supposed to make improvements as they started to add a certain amount of connections and they were supposed to communicate with the City of Rockwall annually to request an increase of water capacity. The agreement was for 1,359 connections for 2.1 million gallons a day. At the time, no one really knew what was the amount of connections and we learned it was around approximately 2,400 connections. I immediately forwarded the agreement to our Mayor, our fire chief, city administration, and city council.
- On July 18, 2022, the Mayor, Council Member Brian McNeal, and former Mayor Pro Tem Trudy Woessner, and I, went to the City of Rockwall and we informed them that we're going to be holding RCH accountable.
- On August 9, 2022, the president was asked to submit a copy of RCH's annual certified audit to our city administrator.
- On September 7, 2022, RCH passed a motion to meet with the City of McLendon-Chisholm.
- On September 15, 2022, there was a meeting with the RCH president and director who met with City officials to start the discussion for an RCH transfer.
- On September 27, 2022, the city council passed a resolution to approve transfer of assets and customers.
- On September 28, 2022, Konrad, our City Administrator, emailed the documents to Mr. Jackie Pullen and requested to add to the next board agenda.
- On October 5, 2022, the RCH board meeting included a transfer agreement from McLendon-Chisholm and then they forwarded it to their attorney, Art Rodriguez.
- On November 7, 2022, the water attorney stated that the election is needed and an annual meeting would be conducted in January. At the annual meeting is where you hold elections.
- On January 4, 2023, Steve Hatfield, the director, addressed the attendees about the election process and included that there was going to be information that was going to be

included in the February billing cycle and that the annual meeting was set for March 29, 2023.

- On February 24<sup>th</sup> customers received in their March billing statement a letter from the RCH board expressing themselves about where they are, where they've come from and they were basically saying you have outlived this time on the system and it was a good idea to transfer everything over to McLendon-Chisholm and there was going to be an election process.
- March 1<sup>st</sup>, they're still figuring it out.
- March 10<sup>th</sup>, there was no ballot measure. There was no ballot measure on the actual ballot itself that was mailed out, even though we were told that there was going to be a ballot measure.
- March 29<sup>th</sup>, when we had the annual meeting, there were still no ballot measure addressed.
- April 5<sup>th</sup>, RCH board passed from McLendon-Chisholm to inspect the RCH water system and, according to our city administrator, I'm understanding that they sent out in emails requesting a time and they had a list of questions of what they wanted to try to achieve for engineering plans, logs, any type of information that will help us identify the needs to address the management of the system. Like, you know, work logs, improvements, the pumping station, you know all these details and we did not get any type of confirmation from anyone from RCH confirming that our consultants can come in there.
- May 3<sup>rd</sup>, there was resignations and the staff quit.

I'm just trying to give you the short version of this because, like I said, it's double page. So, now at this point, where we're at is that we've created an agenda item on May 24<sup>th</sup>. On this agenda, it was a resolution to offer an interim agreement which was basically to hand, you know, take care of the day-to-day business activities. Any immediate needs that we needed at the pumping station to handling the service of the issues of meter reading, replacing the meters and things of that nature and we put all it encompasses into an interim agreement but with the condition that they had to sign the original asset transfer agreement that was provided to them a year ago, back in September.

So, there have been multiple conversations. The person that was responsible for putting the agenda together was the President, Naylor, for RCH and he chose not to put it on the agenda for June 7<sup>th</sup>. We requested this information. We sent several letters. We've emailed. We had response back, so we know that they got it. So, instead of them putting it on the agenda for us to have an open discussion about any of this stuff, they decided to go and violate TOMA after their executive session and claimed that they received a consultation from an attorney that advised them to do an RFP, which is request for proposals.

Now we are at the stage of talking about the Texas Water Code 13.524 and 13.255. This is the next step and I'm going to explain it to you in just really simple terms. Essentially the water code is basically kind of like a guideline for us to be able to acquire the system. We have to use a lawful process. There's an entity called the Public Utility Commission. Those are the people, the agency, that approved the CCNs, or who can be able to provide service of water. We don't have that CCN. To get that you have to get to the Public Utility Commission. So now we're at that process. We're going to give them notice because they have failed to have the agreement executed within that time frame. So now we're giving them notice and the next step would be to

10

get a date with the Public Utility Commission for a state of administration hearing and they will be contacted and they would have to appear just like we would and we would have to state our case, what we're trying to achieve in acquiring all the service area, not just here inside of the City Limits but we're going and taking the entire system.

So, if the process goes well, addressing the cost of the system itself, there's a formula that will be created, an assessment, a third party assessment will be done to determine what that cost is. Then the actual portion of the property itself would have to go to Texas to support or Travis County, one of the two, and that's where we actually go and present our case to be able to acquire this system. Until the funding and all that stuff is taken care of at that end, that's whenever we actually have this, once a judgement is made.

The 13.254 is basically discussing about the decertification process which basically municipalities technically don't have to have a CCN, but this is a process that our water attorney has advised that she would like to proceed on this. This will be an additional letter. So, again, this is the lawful process that we have to go through. I hope I have addressed many of the questions that came here tonight.

**MOTION: DELIVER A NOTICE OF INTENT TO RCH WATER SUPPLY CORP. PURSUANT TO THE TEXAS WATER CODE 13.254 AND 13.255.**

**MADE BY: Council Member McLendon**

**SECONDED BY: Council Member McNeal**

|                        |                                |            |
|------------------------|--------------------------------|------------|
| <b>ROLL CALL VOTE:</b> | <b>Council Member Tucker</b>   | <b>AYE</b> |
|                        | <b>Council Member Hoffman</b>  | <b>AYE</b> |
|                        | <b>Council Member McLendon</b> | <b>AYE</b> |
|                        | <b>Council Member McNeal</b>   | <b>AYE</b> |
|                        | <b>Mayor Pro Tem Balkum</b>    | <b>AYE</b> |

**MOTION APPROVED UNANIMOUSLY**

#### 5.7. City-Wide Photo Contest

City Administrator Hildebrandt presented this item:

Fiscal Impact: \$1,000 – 4 categories – 1<sup>st</sup> Place \$150; 2<sup>nd</sup> place \$75 – frames

Background: A city wide photo contest – residents are encouraged to submit one (1) 8x10 photo (in a cardboard frame). Black and White or Color Photos. No computer generation is allowed. Photos must be taken from a phone camera or a regular camera. Only one photo is allowed per person. Theme for the photos: [Why is McLendon-Chisholm a great place to live?](#)

The contest will be open for residents to submit photos from July 12 – August 11, 2023.

**MAYOR SHORT CALLED FOR A VOTE FROM THE COUNCIL:**

|                                |            |
|--------------------------------|------------|
| <b>Council Member Tucker</b>   | <b>AYE</b> |
| <b>Council Member Hoffman</b>  | <b>AYE</b> |
| <b>Council Member McLendon</b> | <b>AYE</b> |
| <b>Council Member McNeal</b>   | <b>AYE</b> |
| <b>Mayor Pro Tem Balkum</b>    | <b>AYE</b> |

**THE PROPOSED CONTEST IS APPROVED UNANIMOUSLY**

**6 UPDATES, DISCUSSION AND DIRECTION TO STAFF**

**7. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS**

7.1. Mayor Short - None

7.2. Mayor Pro Tem Balkum – Town Hall Meeting regarding water, August 1, 2023

7.3. Council Member Tucker – Road Consortium Meeting next week. Urged everyone to be cognizant of water usage.

7.1. Council Member Hoffman – Asked for ideas for future community events.

7.5. Council Member McNeal – ES Meeting in July.

9.6. Council Member McLendon – None

**10. ADJOURN**

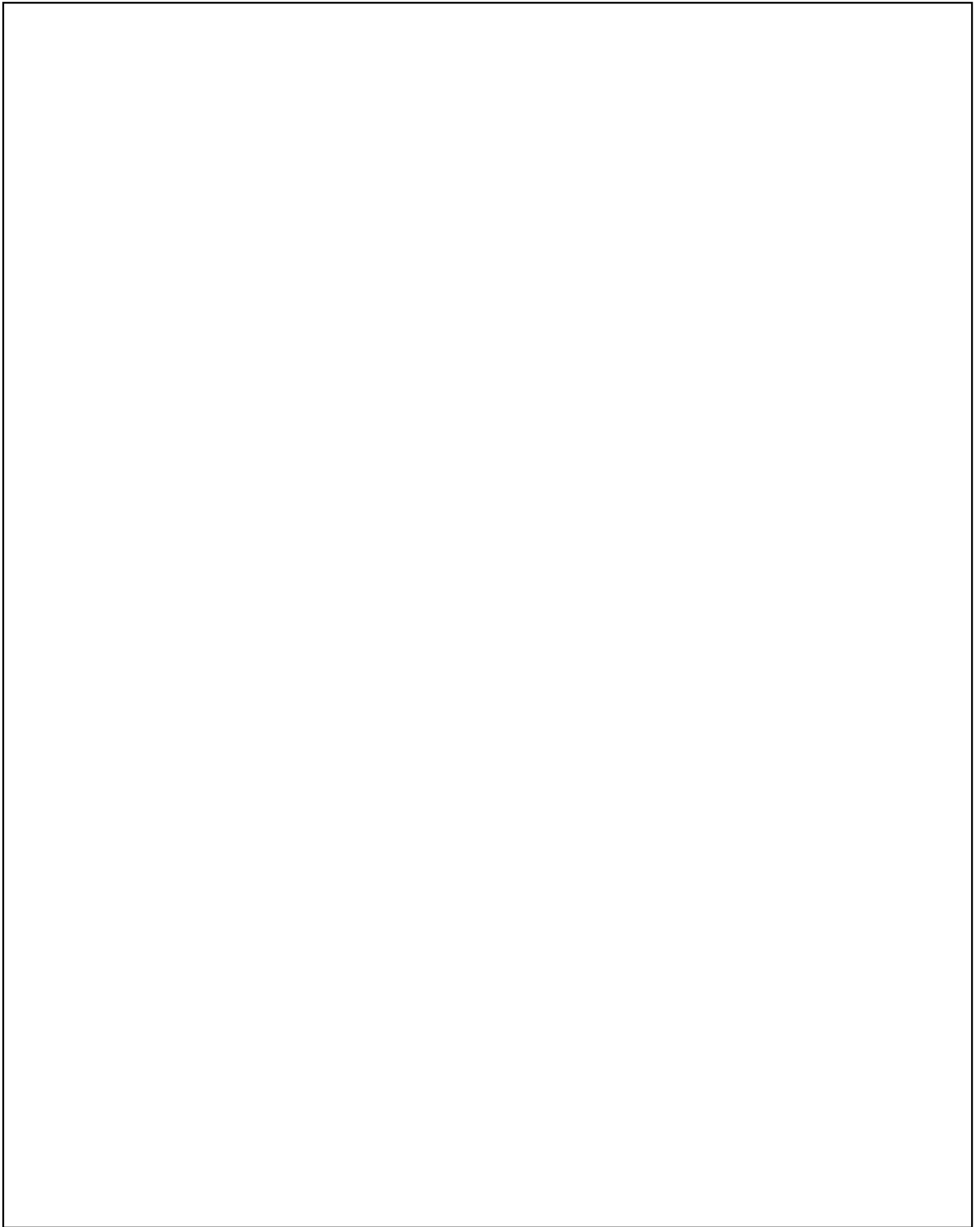
There being no further business to discuss, Mayor Short adjourned the meeting at 9:00 p.m.

APPROVED:

\_\_\_\_\_  
Mayor Keith Short

ATTEST:

\_\_\_\_\_  
Rochelle Green, City Secretary





**CITY OF McLENDON-CHISHOLM  
PLAT APPLICATION**



**Application Date:** 6/6/23

**Items Submitted. Check all that Apply:**

- ☒ Preliminary Plat: \$175 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Final Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Replat/ Amended Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Digital Copy of Submitted Plat/Plan (required)
- ☐ Site Plan
- ☐ Concept Plan
- ☐ Planned Development
- ☐ Vacation of Plat

**General Information:**

Addition Name (if platted): Meraki Phase 1A (Proposed) Current Zoning: N/A - ETJ

No. of Acres: 16.048 No. of Lots: 25 Proposed Zoning: N/A - ETJ

General Location of Property: Intersection of FM 548 and Mann Road

Proposed Use for Property: Single Family Residential

Applicant Name: Colton Smith

Company: Spiars Engineering and Surveying, Inc.

Address: 765 Custer Road City, State, Zip: Plano, TX 75075

Phone(s): 4697661778 Email: colton.smith@spiarsengineering.com

Owner Name: Tellus-Mann, LLC Contact: David Blom; Jutin Craig

Address: 130 N Preston Road, Suite 130 City, State, Zip: Prosper, TX 75078

Legal Description of the Property: Ruth Peckum, 183.0 Acres; Ruth Peckum, 222.123 Acres; Ruth Peckum, 3.71 Acres, & House

County Parcel ID: 11030, 10984, 11029

Other Information: \_\_\_\_\_

### **Development Fees**

The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. These complimentary consultation(s) will be arranged by City Staff. Limit of one complimentary consultation per property.

The applicant must pay the actual fee (very small & simple projects) or deposit the estimated fee with the City prior to consultant review of any application. Should the actual consultant cost exceed the estimate, the applicant will be invoiced for amounts owed. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

**ALL Consulting Costs** - Includes City Planning, City Engineer, City Attorney and any other outside consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA. Consultants invoice the City monthly after work is completed, so it is possible for plat applicants to receive notice of outstanding fees after a plat has been considered. The City will invoice for any remaining consulting charges. Building permits be not be issued with fees outstanding.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ 4,535 to cover the cost of this application, and an initial deposit of \$ 3,000 for consulting fees has been paid to the City of McLendon-Chisholm on this 9th day of June, 2023

Further, I hereby certify that I understand and agree to the development and consulting fees and costs as stated above and agree to pay all outstanding fees and costs to the City prior to the application being placed on the agenda for consideration by the Planning & Zoning Commission and/or City Council.

Signature of Applicant: \_\_\_\_\_

*Justin Gray*  
*Rochelle Green*

(Seal)

City Secretary: \_\_\_\_\_



Page 2 of 2

Plat Application Revised 01/28/2020



CITY COUNCIL – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: July 5, 2023

APPLICANT: Colton Smith  
Spiars Engineering and Surveying, Inc.  
765 Custer Road  
Plano, Texas 75075

PROPERTY OWNER: Tellus-Mann, LLC.  
130 N. Preston Road  
Suite 130  
Prosper, TX 75078

REPRESENTATIVE: Colton Smith

LOCATION: 16.048 acres of land located at the intersection of Mann Road and FM 548 Kaufman County, McLendon-Chisholm ETJ. Parts of KCAD PID# 11030, 10984, 11029

CITY COUNCIL MEETING DATE: July 25, 2023

---

This application is located within the extra territorial jurisdiction of McLendon-Chisholm.

The City Council has one of three possible decisions to make: Approval; Approval with conditions [the conditions must be specific citing the portion of the Subdivision Regulations with which the application fails to comply; or disapproval. [If disapproved, the specific sections of the Subdivision Regulations not complying with the code must be cited].

**REQUEST:**

The applicant is requesting approval of a preliminary plat for a little over 16 acres of land for the development of a 25-lot residential subdivision with 9 open space/HOA Lots.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** Approval with the following condition: Compliance with the Kaufman County Thoroughfare Plan for Mann Road. This is a requirement of the Interlocal agreement the City has with Kaufman County regarding platting in the City's ETJ located within Kaufman County. The ILA is attached to this report at the end of the report.

**STAFF RECOMMENDATION: Approval with conditions:**

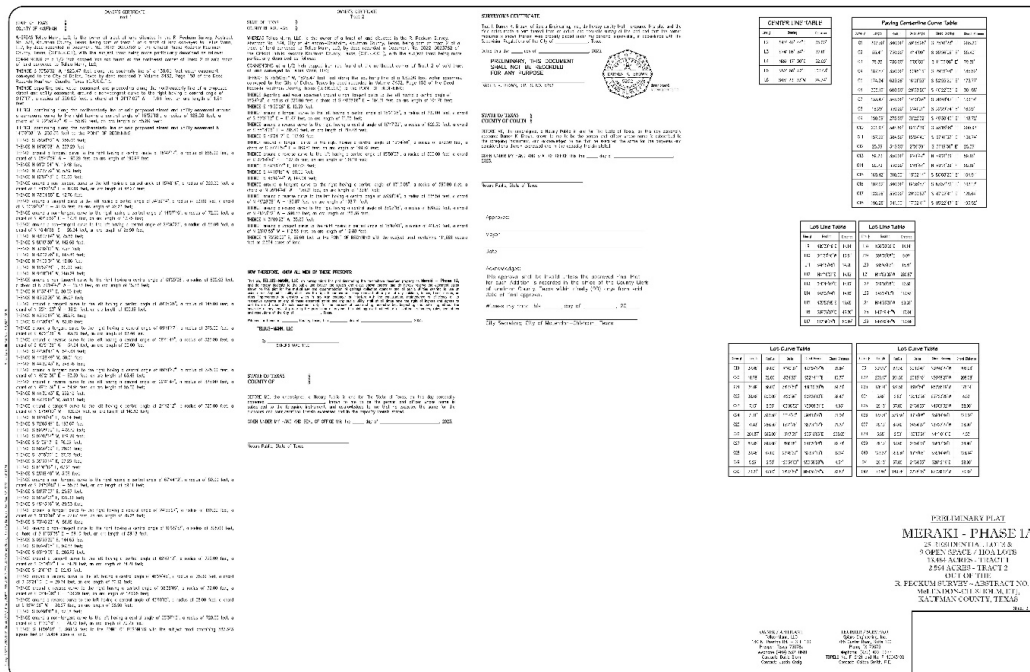
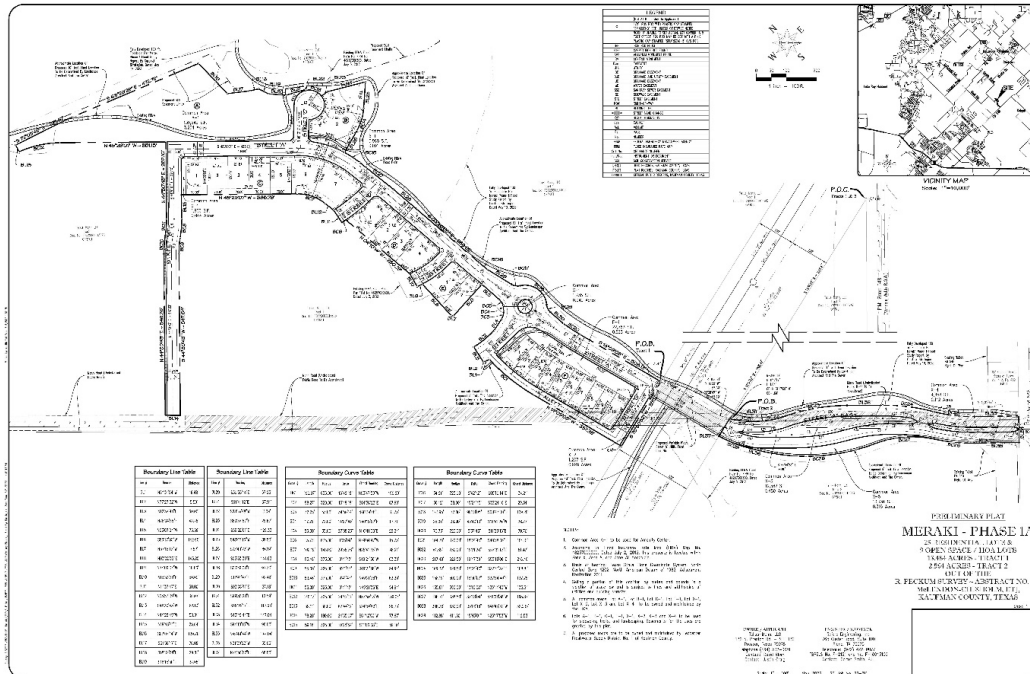
- Revise to comply with Interlocal Agreement between the City and Kaufman County. The Kaufman County Thoroughfare Plan calls for Mann Road to have an 80 foot right of way. The preliminary plat only shows a 60 foot right of way. [Note: Kaufman County is considering an amendment to the ILA to allow for the City of McLendon-Chisholm Thoroughfare Plan to be

utilized instead of the Kaufman County Thoroughfare Plan. County staff has advised me that that they should have an answer from the Commissioners Court by tomorrow. If the Commissioners Court is amenable to McLendon-Chisholm using their Thoroughfare Plan, then the staff recommendation will be for approval without conditions.]

**[note: full sized copies of the preliminary plat are available at City Hall for inspection]**

**THIS AREA INTENTIONALLY LEFT BLANK**

## Proposed Preliminary Plat



This is the first of many plat applications the City expects to receive on the Tellus-Mann Project.

**Thoroughfares/streets:**

The map displays the University Drive corridor in Austin, Texas, with various streets and landmarks. Key streets shown include University Dr, Valley View Rd, Neal Rd, Reeder Rd, Windmill Farms Blvd, Gateway Blvd, and FM 548. The map also shows the location of the University of Texas at Austin and the proposed light rail line. The map is color-coded to show different types of roads and transit routes. A dashed line indicates the proposed light rail alignment, which runs along University Drive and then turns south on FM 548. The map also shows the location of the University of Texas at Austin and the proposed light rail line. The map is color-coded to show different types of roads and transit routes. A dashed line indicates the proposed light rail alignment, which runs along University Drive and then turns south on FM 548.

Page 114 of 127

Kaufman County Thoroughfare Map Legend



THIS AREA INTENTIONALLY LEFT BLANK

## Applicant letter of transmittal



765 CUSTER ROAD, SUITE 100 | PLANO, TEXAS 75075  
972.422.0077 | FAX 972.422.0075  
TBPE NO. F-2121 | TBPLS NO. F-10043100

May 24, 2023

City of McLendon-Chisolm  
1371 W FM 550  
Rockwall, Texas 75032

Re: **Preliminary Plat Letter of Transmittal**  
**Meraki Phase 1A**  
**McLendon-Chisolm ETJ**  
**Kaufman County, Texas**  
**SEI Project No. 22-211**

To Whom It May Concern,

This letter of transmittal accompanies a preliminary plat submittal for Meraki Phase 1A, a proposed development located in McLendon Chisolm ETJ, Kaufman County, Texas. The proposed development contains 16.048 acres and includes 25 residential lots and 8 open space lots.

The proposed improvements will consist of concrete curb and gutter roads with underground storm infrastructure. Subsurface conditions vary across the site with potential vertical movement ranging from 5 inches to 9 inches. Sanitary sewer service will be provided via a proposed wastewater treatment plant to be owned and operated by Ledbetter Freshwater Supply District No. 1 of Kaufman County. The site is currently within Highpoint's CCN, but alternate options for water through the City of McLendon-Chisolm in partnership with Terrell are being explored.

Sincerely,  
**Spiars Engineering, Inc.**

A handwritten signature in black ink, appearing to read 'Colton Smith'.

Colton Smith, P.E.  
765 Custer Road  
Plano, TX 75075

CC: Justin Craig  
Tellus Group  
130 N Preston Road, Ste. 130  
Prosper, TX 75078

COURT ORDER NO. 030221-05

**INTERLOCAL COOPERATION AGREEMENT**  
**ETJ AUTHORITY – LAND USE REGULATIONS**

This **INTERLOCAL COOPERATION AGREEMENT** (“Agreement”) is entered into in accordance with the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code and §242.001, Texas Local Government Code as amended by House Bill 1445 (“H.B. 1445”), enacted by the Texas Legislature during its 77<sup>th</sup> Legislative Session, by and between the **CITY OF MCLENDON-CHISHOLM, TEXAS** (“City”), a political subdivision of the State of Texas and **Kaufman County, Texas** (“Kaufman County”), also a political subdivision of the State of Texas.

**WHEREAS**, the Interlocal Cooperation Act allows local governments to contract with one another for the purpose of performing governmental functions including, but not limited to, platting and approval of related permits; and

**WHEREAS**, the City and Kaufman County mutually desire to be subject to the provisions of Texas Government Code, Chapter 791, the Interlocal Cooperation Act, specifically §791.001 regarding contracts to perform governmental functions and services; and

**WHEREAS**, H.B. 1445 requires the City and Kaufman County to enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and to approve related permits in the extraterritorial jurisdiction (“ETJ”) of the City of McLendon-Chisholm; and

**WHEREAS**, it is the expressed desire of both the City and Kaufman County that *City be granted exclusive jurisdiction* to regulate subdivision plats and to approve related permits in City’s ETJ as provided in the Interlocal Cooperation Act and H.B. 1445; and

**WHEREAS**, both the City and Kaufman County mutually desire to amend and replace the previous Interlocal Agreement related to the ETJ entered into under the provisions of Texas Government Code §242.001 on N/A, by entering into this new **INTERLOCAL COOPERATION AGREEMENT**.

**NOW THEREFORE**, the City and Kaufman County, for the mutual consideration stated herein, agree and understand as follows:

**AGREEMENTS**

*1. Term of Agreement and Certification*

- (a) The City and Kaufman County mutually agree that the term of this Agreement shall be from the date it is formally and duly executed by both City and Kaufman County until September 30th, 2021. This Agreement shall automatically renew every two (2) years on October 1<sup>st</sup>, unless otherwise terminated (at any time) in writing by either party following ninety (90) days’ notice.

COURT ORDER NO. \_\_\_\_\_

- (b) The City and Kaufman County mutually certify that this Agreement complies with the requirements and provisions of Texas Local Government Code, Chapter 242.

- 2. *City's Jurisdiction.* City is granted exclusive jurisdiction to regulate all subdivision platting in City's ETJ under the provisions of Chapter 212 of the Texas Local Government Code together with all other statutes applicable to municipalities.

Kaufman County shall not exercise any of the above functions within City's ETJ. City specifically agrees to coordinate with Kaufman County regarding permitting or platting that will impact county-maintained infrastructure.

- 3. *Kaufman County's Responsibilities.* Notwithstanding the grant of exclusive jurisdiction by Kaufman County to City above, Kaufman County will continue to enforce the following requirements of Kaufman County as they may be amended or updated from time to time:

- (a) Fire Code. Kaufman County shall enforce its Fire Code and issue all related permitting.
- (b) Building Permits. Kaufman County shall accept/enforce building permits pursuant to the Kaufman County Subdivision and Land Development Regulations except - McLendon-Chisholm shall accept/enforce building permits pursuant to City Subdivision Regulations for any area under a valid development agreement identifying McLendon-Chisholm as the permitting authority prior to the date of this agreement.
- (c) On-site Sewage Facilities. Kaufman County retains exclusive jurisdiction under this Agreement to review/issue permits for and oversee construction of on-site sewage facilities, including enforcement, under the provisions of Texas Health and Safety Code Chapter 366; 30 Texas Administrative Code ("TAC"), Chapter 285; and Kaufman County's OSSF Order.
- (d) Floodplain. Kaufman County is responsible for issuing permits pursuant to the Kaufman County Floodplain Order, including enforcement.
- (e) Driveway Culverts. Kaufman County is responsible for issuing permits for driveway culverts, including enforcement, pursuant to the Kaufman County Subdivision and Land Development Regulations except culverts which are part of subdivisions that have filed platting applications with the City and have been approved by the City of McLendon-Chisholm. Kaufman County shall regulate and issue permits for driveway permits for existing homes in the County and all driveways fronting Kaufman County roads.
- (f) 9-1-1 Addressing. Kaufman County is responsible for issuing 911 addressing and related permitting, pursuant to the Kaufman County Subdivision and Land Development Regulations.
- (g) County Property. Kaufman County retains exclusive jurisdiction under this Agreement to permit any/all construction activity regarding its county-maintained

COURT ORDER NO. \_\_\_\_\_

roadways and right-of-way, pursuant to the Kaufman County Subdivision and Land Development Regulations.

4. *ETJ Defined.* For the limited purposes of this Agreement, City's ETJ is described by the area indicated in Exhibit "A", attached hereto and made a part hereof for all purposes. The recognition of the ETJ shall not be deemed an admission by City or Kaufman County in any dispute with any other person or municipality regarding the boundaries of City's ETJ.
5. *ETJ Expansion or Reduction.* In the event City's ETJ expands, City and Kaufman County agree that City shall continue to be granted exclusive jurisdiction as specified in paragraph 2 above in its new, lawful ETJ. In the event that City's ETJ expands, City shall provide appropriate and timely notice of such expansion to Kaufman County who shall abide by updated mapping information as provided by City. In the event that City's ETJ is reduced, both City and Kaufman County agree that Kaufman County shall have exclusive jurisdiction to regulate subdivision plats and approve related permits in areas in the County that are no longer in City's ETJ until such time as Exhibit "A" to this Agreement is amended to take into account such ETJ reduction. In the event of such expansion or reduction of its ETJ, City agrees to notify Kaufman County of such expansion or reduction within thirty days by sending Kaufman County a copy of the applicable ordinance together with an amended Exhibit "A". Kaufman County shall have fifteen (15) days from its receipt of the amended Exhibit "A" to review said amended Exhibit "A" and present any objections to the accuracy of same to City. For the purposes of this Agreement, the "Date of Amendment" of Exhibit "A" shall be: (1) the fifteenth (15<sup>th</sup>) day after Kaufman County receives the amended exhibit provided Kaufman County does not object to its accuracy; or (2) in the event Kaufman County objects to its accuracy, upon resolution by the parties of such objection. Upon final approval by both Parties of any such Amendment to Exhibit "A" as described above, the same shall be deemed an amendment to this Agreement by the parties pursuant to Texas Local Government Code §242.001(c).
6. *Notice of Plat Submittals and Approvals.*
  - (a) City shall notify Kaufman County of all subdivision plat applications for property located within City's ETJ within thirty (30) days after receipt of a completed application. City shall use its best efforts to comply with this provision; however, failure to comply shall not affect the validity of any subdivision plat.
  - (b) City shall notify Kaufman County of the approval of plats for property located in City's ETJ within Kaufman County. A copy of the approved plat and any engineering plans shall be sent to Kaufman County at the address set out in Section 12(f) below within thirty (30) days of City's approval. After notice of approval is given, Kaufman County shall assign addresses to each lot within an approved subdivision.
  - (c) Nothing in this Agreement is intended to interfere with the recordation requirements of state law nor with the authority and duty of the County Clerk to collect filing and recording fees.

COURT ORDER NO. \_\_\_\_\_

7. *Collection of Fees and Costs.* All costs involved with the approval of subdivision plats under this Agreement, including but not limited to engineer reviews and inspections of public improvements, shall be borne by City and payable out of its current revenues. All fees relating to subdivision plat approval shall be collected and retained by City unless otherwise agreed in writing by both City and Kaufman County.
8. *County Roads*
  - (a) City shall only plat private roads and/or access easements and shall take no action to create any city or county road within its ETJ. Kaufman County shall, at its expense, continue to maintain roads within City's ETJ that have been accepted by the Commissioner's Court into Kaufman County's road-maintenance system unless otherwise provided by agreement. Requests for acceptance, abandonment, alterations, etc. of county roads within City's ETJ shall be submitted to County for approval pursuant to Kaufman County's Land Use Regulations.
  - (b) In order to be considered by Kaufman County for acceptance as a county road within City's ETJ and, as such, be eligible for county maintenance, the developer must have the proposed new road inspected and tested in order to establish that the proposed new road meets or exceeds City's most stringent road specifications as specified by the City Engineer. Required engineering review, testing and related costs shall be borne by the developer. The acceptance for maintenance of a new road as a county road that meets or exceeds City's most stringent road specifications lies solely within the discretion of the Commissioners Court. No other entity and no individual Kaufman County official has the authority to bind Kaufman County. Nothing in this Agreement binds Kaufman County to accept a road for maintenance, nor restricts the County's governmental authority to abandon a road or abandon maintenance of a road after it has been accepted.
9. *Thoroughfare Plan.* City shall require compliance with the Kaufman County Thoroughfare Plan.
10. *Effective Date.* The Effective Date of this Agreement shall be the date upon which both parties have approved and fully executed the same.
11. *Applicable Regulations.* The subdivision rules and regulations currently enacted by City and extended to the ETJ are hereby established as the set of regulations to be enforced by City within the ETJ. City will provide Kaufman County with copies of all amendments to City's subdivision rules and regulations proposed after the Effective Date as set forth in paragraph 10 above and will notify Kaufman County of all public hearings on any proposed amendments. In the event that City's Council updates a standard or standards, both City and Kaufman County agree that the most recent and up to date standard or standards shall be applied to any new application or project within City's ETJ.
12. *Miscellaneous Provisions.*
  - (a) This Agreement expresses the entire agreement between the parties hereto regarding the subject matter contained therein and may not be modified or amended except by written agreement duly executed by both parties.

COURT ORDER NO. \_\_\_\_\_

- (b) This Agreement has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party.
- (c) This Agreement shall be construed in accordance with the laws of the State of Texas with venue for all purposes hereunder residing within Kaufman County, Texas.
- (d) If any provision hereof is determined by any court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be fully severable here from and this Agreement shall be construed and enforced as if such invalid, illegal or unenforceable provision never comprised a part hereof with the remaining provisions continuing to be in full force and effect.
- (e) This Agreement is not intended to extend the liability of the parties beyond that provided by law. Neither City nor Kaufman County waives any immunity or defense that would otherwise be available to it against claims by third parties.
- (f) All notices required to be given by virtue of this Agreement shall be addressed as follows and delivered by certified mail, postage prepaid or by hand delivery.

CITY OF MCLENDON-CHISHOLM:

City of McLendon-Chisholm, Texas  
Attn: City Administrator  
1371 West FM 550  
McLendon-Chisholm, Texas 75032

KAUFMAN COUNTY:

Kaufman County, Texas  
Attn: County Judge  
100 West Mulberry Street  
Kaufman, Texas 75142

With copies to:      Development Services Department  
Kaufman County Courthouse  
100 West Mulberry Street  
Kaufman, Texas 75142

COURT ORDER NO. \_\_\_\_\_

District Attorney's Office – Civil Division  
Attn: Civil Chief  
Kaufman County Courthouse  
100 West Mulberry Street  
Kaufman, Texas 75142

**PASSED AND APPROVED BY THE MCLENDON-CHISHOLM CITY COUNCIL** on this  
the 11<sup>TH</sup> day of November 2020.

**CITY OF MCLENDON-CHISHOLM, TEXAS**

  
Keith Short, Mayor

**ATTEST:**

  
Rochelle Green, City Secretary

**APROVED AS TO FORM:**

  
Michael Halla, City Attorney

**PASSED AND APPROVED BY THE KAUFMAN COUNTY COMMISSIONERS COURT**

on this the 9<sup>th</sup> day of March, 2020.

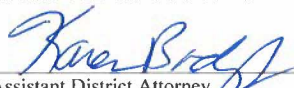
**KAUFMAN COUNTY, TEXAS**

  
Hal Richards, County Judge

**ATTEST:**

 by BSB  
Laura Hughes, County Clerk

**APPROVED AS TO FORM:**

  
Assistant District Attorney





**CITY OF McLENDON-CHISHOLM  
PLAT APPLICATION**

**Application Date:** 6/28/23

**Items Submitted. Check all that Apply:**

- ☒ Preliminary Plat: \$175 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Final Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Replat/ Amended Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Digital Copy of Submitted Plat/Plan (required)
- ☐ Site Plan
- ☐ Concept Plan
- ☐ Planned Development
- ☐ Vacation of Plat

**General Information:**

Addition Name (if platted): PA Bill's Parker addition Current Zoning: residential

No. of Acres: 0.15 No. of Lots: 1 Proposed Zoning: residential

General Location of Property: 499 Stevew Rd Rockwall TX 75082

Proposed Use for Property: Home site

Applicant Name: Aaron Parker

Company: PA Bills Hills

Address: 1628 Luckenbach Dr City, State, Zip: Forney TX 75126

Phone(s): 214-243-7830 Email: atp7829@yahoo.com

Owner Name: PA Bills Hills

Address: 1628 Luckenbach Dr City, State, Zip: Forney TX 75126

Legal Description of the Property: \_\_\_\_\_

County Parcel ID: 29177

Other Information: \_\_\_\_\_

### **Development Fees**

The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. These complimentary consultation(s) will be arranged by City Staff. Limit of one complimentary consultation per property.

The applicant must pay the actual fee (very small & simple projects) or deposit the estimated fee with the City prior to consultant review of any application. Should the actual consultant cost exceed the estimate, the applicant will be invoiced for amounts owed. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

**ALL Consulting Costs** - Includes City Planning, City Engineer, City Attorney and any other outside consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA. Consultants invoice the City monthly after work is completed, so it is possible for plat applicants to receive notice of outstanding fees after a plat has been considered. The City will invoice for any remaining consulting charges. Building permits be not be issued with fees outstanding.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ 193.60 to cover the cost of this application, and an initial deposit of \$ 600.00 for consulting fees has been paid to the City of McLendon-Chisholm on this 28<sup>th</sup> day of June, 2023.

Further, I hereby certify that I understand and agree to the development and consulting fees and costs as stated above and agree to pay all outstanding fees and costs to the City prior to the application being placed on the agenda for consideration by the Planning & Zoning Commission and/or City Council.

Signature of Applicant: \_\_\_\_\_

City Secretary: \_\_\_\_\_

(Seal)







PLANNING AND ZONING COMMISSION – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: July 13, 2023

APPLICANT: Aaron Parker  
1628 Luckenbach Place  
Forney, Texas 75126

PROPERTY OWNER: PA Bills Hills  
1628 Luckenbach Place  
Forney, Texas 75126

REPRESENTATIVE: Aaron Parker

LOCATION: 1.5 acres of land located at 499 Stevens Road, McLendon-Chisholm ETJ.  
Rockwall CAD PID#29177

PLANNING AND ZONING COMMISSION MEETING DATE: July 18, 2023

---

Note: Full sized copies of the preliminary plat are available at City Hall for inspection.

This application is located within the extra territorial jurisdiction of McLendon-Chisholm.

The Planning and Zoning Commission has one of three possible recommendations to make: Approval; Approval with conditions [the conditions must be specific citing the portion of the Subdivision Regulations with which the application fails to comply; or disapproval. [If disapproved, the specific sections of the Subdivision Regulations not complying with the code must be cited].

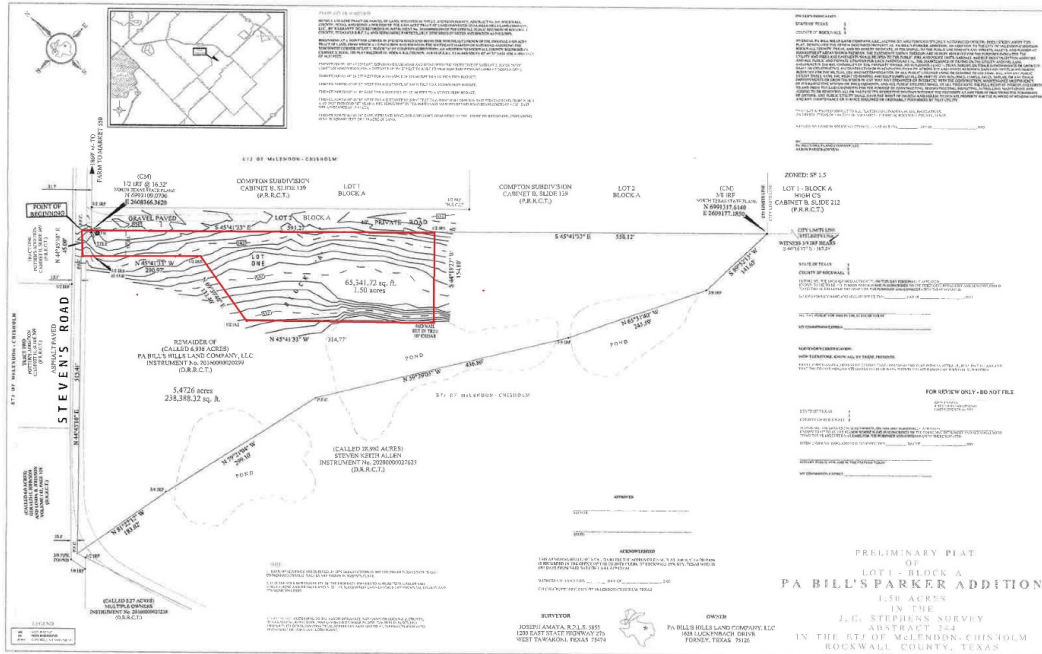
**REQUEST:**

The applicant is requesting approval of a preliminary plat for a 1.5 acre tract of land to create a building site. Rockwall County requires a minimum lot size of 1.5 acres of land for an on-site sanitary sewer facility.

**STAFF RECOMMENDATION: Approval**

**[note: full sized copies of the preliminary plat are available at City Hall for inspection]**

## Proposed Preliminary Plat [NEW LOT OUTLINED IN RED]



## BACKGROUND INFORMATION:

### Thoroughfares/streets:

Stevens Road is local street.

THIS AREA INTENTIONALLY LEFT BLANK