



AGENDA
City Council
Wednesday, December 8, 2021
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. CITIZEN COMMENTS
5. PUBLIC SAFETY BUILDING STATUS REPORT
 - 5.1. Sean Spyres, AGCM Project Manager, will provide an update regarding status of the Fire Station construction project.
6. CONSENT AGENDA
 - 6.1. Action regarding the Minutes of November 9, 2021 CC Meeting 4 - 7
[11.09.21 CC Meeting](#)
 - 6.2. Action regarding the Minutes of November 30, 2021 Special City Council Meeting 8 - 10
[11.30.21 Special CC Meeting](#)
 - 6.3. Budget Report October 2021 11 - 27
[Budget Report October](#)
 - 6.4. McLendon-Chisholm Fire Rescue Report October 2021 28 - 30
[Calls by District October 2021](#)
[Calls by Incident October 2021](#)
 - 6.5. Building Official Report October 2021 31 - 36
[MC Permit Count Report-October 2021](#)
[North East Texas Inspection Report-October 2021](#)
 - 6.6. Animal Control Report October 2021 37
[All American Dogs Monthly Report-October](#)
 - 6.7. CWD Report October 2021 38 - 42
[CWD Municipal Report](#)
 - 6.8. Sheriff's Report October 2021 43 - 48
[Sheriff's Report](#)

7. PUBLIC HEARINGS

- 7.1. A public hearing to consider the application of MC Trilogy Texas, LLC, requesting a change in zoning from "A" Agriculture to "PD" Planned Development District for two tracts of property: Tract 1 (109.907 acres) located North of FM 550 and generally east of Pullen Road; and Tract 2 (69.143 acres) located North of FM 550 and west of Pullen Road; further described as county ID numbers 12959 and 12960. Zoning of the subject property will amend the official Zoning Map of the City of McLendon-Chisholm.

8. ITEMS FOR CONSIDERATION

- 8.1. Discussion and action regarding approval of the application of MC Trilogy Texas, LLC, requesting a change in zoning from "A" Agriculture to "PD" Planned Development District for two tracts of property: Tract 1 (109.907 acres) located North of FM 550 and generally east of Pullen Road; and Tract 2 (69.143 acres) located North of FM 550 and west of Pullen Road; further described as county ID numbers 12959 and 12960. Zoning of the subject property will amend the official Zoning Map of the City of McLendon-Chisholm 49 - 144
[Staff Report](#)
[Application with Attachments](#)
- 8.2. Action regarding adopting an ordinance approving the Zoning for a Planned Development District for Trilogy LLC. 145 - 192
[Ordinance 2021-15 Approving the Planned Development District for the MC Trilogy, LLC Project](#)
- 8.3. Request from Community Waste Disposal for a Market Adjustment effective January 01, 2022. 193 - 213
[Presentation](#)
[CWD - 2022 Rate Adjustment](#)
- 8.4. Discussion of future law enforcement needs. (Requested by Council Member Tucker).
- 8.5. Ordinance adopting 2021-2040 Comprehensive Plan (Requested by Green) 214 - 217
[Staff Report](#)
[Ord. 2021-14 Adopting Comprehensive Plan](#)
- 8.6. Discussion and direction regarding accepting applications for new Board of Adjustment alternate members. (Requested by Green) 218
[Staff Report](#)
- 8.7. Discussion regarding warning sirens. (Requested by Council Member Tucker)
- 8.8. Consider a proposal to create a Land Bank and dedicate a percentage of revenue towards funding this. (Requested by Council Member Tucker)

- 8.9. Discuss and consider a process for developing plans for roadway maintenance projects in the City and take necessary action. (Requested by Crowley) 219 - 220

[Street Improvement Initiative](#)

- 8.10. Recommendation by Planning & Zoning Commission regarding a review of the recently adopted Comprehensive Plan related to policies and ordinances potentially affected by the adoption of the 2021 Comprehensive Plan. 221

[Staff Report](#)

9. EXECUTIVE SESSION

- 9.1. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551:074(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Employment of permanent City Administrator and City Planner.

- 9.2. Reconvene Regular Meeting

- 9.3. Executive Session Action

10. UPDATES, DISCUSSION AND DIRECTION TO STAFF

11. 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.

12. 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., December 3, 2021, on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



**CITY COUNCIL MEETING
City of McLendon-Chisholm, Texas
Meeting Minutes
November 9, 2021**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, November 9, 2021, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Keith Short	Mayor
	Lorna Kipphut	Mayor Pro Tem
	Trudy Woessner	Council Member
	Daniel Tucker	Council Member
	Brian Davis	Council Member
ABSENT:	Norman Willis	Council Member
Staff Present:	Shelly Green	City Secretary
	Jim Simmons	Fire Chief
	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

Mayor Pro Tem Kipphut delivered the invocation and Council Member Tucker 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. CITIZEN COMMENTS

Robert Steinhagen, 304 Pheasant Hill Ln. Discussed miscellaneous items of interest regarding land use and development.

5. APPROVAL OF MINUTES

5.1. Action regarding the Minutes of October 27, 2021 CC Meeting

MOTION: APPROVE THE MINUTES OF OCTOBER 27, 2021 CC MEETING AS PRESENTED.

MADE BY: Council Member Davis
SECONDED BY: Council Member Tucker
APPROVAL: Unanimous

6. ITEMS FOR CONSIDERATION

6.1. Discussion and action regarding approval of a Resolution of the City Council of the City of McLendon-Chisholm, Texas, to cast votes for candidates to serve as a member of the 2022-2023 Rockwall Central Appraisal District Board of Directors.

RESOLUTION NO. 2021-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, TO CAST VOTES FOR CANDIDATES TO SERVE AS A MEMBER OF THE 2022-2023 ROCKWALL CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

MOTION: APPROVE A RESOLUTION CASTING MCLENDON-CHISHOLM'S 15 VOTES FOR JOHN BRANDT TO SERVE AS A MEMBER OF THE 2022-2023 ROCKWALL CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

MADE BY: Council Member Kipphut
SECONDED BY: Council Member Davis
APPROVAL: Unanimous

6.2. Discussion and action regarding reimbursement to MCFD New Station budget for resealing concrete seams and curbs.

Chief Simmons presented this item and explained that this is to replace all caulking and the saw cuts you see in the concrete expansion joints, the sidewalk expansion and then around the base of the building because we've had so many issues with water building up in the pit, the subfloor. We think that would probably prevent some of that. This is to replace everything around city hall.

MOTION: APPROVE A REIMBURSEMENT TO MCFD NEW STATION BUDGET FROM THE CITY BUILDING FUND FOR RESEALING CONCRETE SEAMS AND CURBS IN THE AMOUNT OF \$9,961.00.

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MADE BY: Council Member Davis
SECONDED BY: Council Member Woessner
APPROVAL: Unanimous

6.3. Consider hiring an Interim City Administrator and approving an employment contract.

MOTION: APPROVE HIRING RICK CROWLEY AS INTERIM CITY ADMINISTRATOR AND APPROVING AN EMPLOYMENT CONTRACT.

MADE BY: Council Member Willis
SECONDED BY: Council Member Woessner
APPROVAL: Unanimous

Mr. Crowley stepped to the podium and gave a brief history of his career.

6.4. Discussion and action regarding approving a Letter of Engagement from Murrey Paschall & Caperton, P.C. for preparing Audited Financial Statements for FY 2020-2021.

MOTION: APPROVE THE LETTER OF ENGAGEMENT FROM MURREY PASCHALL & CAPERTON, P.C. FOR PREPARING AUDITED FINANCIAL STATEMENTS FOR FY 2020-2021.

MADE BY: Council Member Tucker
SECONDED BY: Council Member Kipphut
APPROVAL: Unanimous

7. EXECUTIVE SESSION

7.1. Recess into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.074(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Interim and/or permanent replacement of the City Administrator and consideration of an Employment Contract.

Council recessed into Executive Session at 6:50 p.m.

7.2. Reconvene Regular Meeting

Council reconvened the regular meeting at 7:05 p.m.

7.3. Executive Session Action

No Action Taken

8. UPDATES, DISCUSSION AND DIRECTION TO STAFF

Mayor Short reminded everyone of the upcoming Veterans' Day event. It will be held on Veterans' Day, November 11, 2021, at 11:00 a.m.

Council Member Woessner reported she is working on the Christmas event and is looking for volunteers to help with the event.

Council Member Tucker reported he attended an ED Seminar and received a lot of good information.

Council Member Kipphut again announced the Veterans' Day event on November 11th at 11:00 a.m. She also announced they are planning a shower for the new fire station.

9. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

None

10. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 7:32 p.m.

APPROVED:

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary



**CITY COUNCIL – SPECIAL MEETING
City of McLendon-Chisholm, Texas
Meeting Minutes
November 30, 2021**

The City Council of the City of McLendon-Chisholm convened in Special Session on Tuesday, November 30, 2021, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Keith Short	Mayor
	Lorna Kipphut	Mayor Pro Tem
	Trudy Woessner	Council Member
	Daniel Tucker	Council Member
	Brian Davis	Council Member
	Norman Willis	Council Member

Staff Present:	Shelly Green	City Secretary
	Rick Crowley	Interim City Administrator
	Michael Halla	City Attorney (By Telephone)

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 Tucker delivered the invocation and Mayor Pro Tem Kipphut 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. CITIZEN COMMENTS

None

5. ITEMS FOR CONSIDERATION

- 5.1. Action regarding approval of a Resolution concerning the validity of a property tax rate rollback petition to call an election to repeal the increase pursuant to Texas Tax Code Section 26.075.

City Secretary Green presented her staff report:

Background of Issue:

A petition calling for a rollback election was delivered to the City Secretary on November 12, 2021. Steps followed to validate the petition are as follows:

1. A current Voter Registration List was requested which showed 2,906 active and suspended voters on the McLendon-Chisholm voter registration list. Forty-nine suspended voters were listed on the most current voter list. This number is subtracted from the total to result in 2,857 active voters.
2. Signatures of 3% of the registered voters were required for a valid petition. Eighty-six signatures were required to meet the 3% rule.
3. The petition included 169 signatures with 24 being rejected for the following reasons:
 - a. No Birthday – 10 signatures
 - b. Name/Signature not legible – two signatures
 - c. Signers not registered – 12
4. 145 signatures were verified.

This petition is verified as being complete and valid.

RECOMMENDATION:

Approval recommended.

RESOLUTION NO. 2021-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS CONCERNING THE VALIDITY OF A PROPERTY TAX RATE ROLLBACK PETITION TO CALL AN ELECTION TO REPEAL INCREASE PURSUANT TO TEXAS TAX CODE SECTION 26.075.

MOTION: APPROVE THE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS CONCERNING THE VALIDITY OF A PROPERTY TAX RATE ROLLBACK PETITION TO CALL AN ELECTION TO REPEAL INCREASE PURSUANT TO TEXAS TAX CODE SECTION 26.075.

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MADE BY: Council Member Davis
SECONDED BY: Council Member Woessner
APPROVAL: Unanimous

6. EXECUTIVE SESSION

- 6.1. Recess into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.071(2) Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding: Petition for the Rollback Election

Council recessed into Executive Session at 6:41 p.m.

- 6.2. Reconvene Regular Meeting

Council reconvened the regular meeting at 7:36 p.m.

- 6.3. Executive Session Action

No Action Taken

7. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 7:36 p.m.

APPROVED:

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary

City of McLendon Chisholm
General Fund Financial Summary
For the one month ended October 31, 2021

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	Oct 2021 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	Oct 2020 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
Revenue								
302 · Franchise Income	\$ 813	\$ 813	0%	\$ 200,000	\$ 731	\$ 731	0%	\$ 195,000
303 · Development Income	3,270	3,270	5%	68,000	2,115	2,115	14%	15,000
304 · Building Permit Income	11,963	11,963	1%	808,000	109,418	109,418	16%	696,127
305 · Municipal Court Income		-	- %	-	-	-	0%	500
306 · Interest Income	89	89	1%	8,000	1,031	1,031	- %	25,000
307 · Sign Permit Income		-	- %	-	-	-	- %	-
308 · Septic Fees	1,375	1,375	11%	13,000	1,200	1,200	11%	11,000
309 · Food Enforcement		-	0%	1,200	-	-	0%	1,200
310 · Sales Tax Revenue	84,845	84,845	20%	430,000	27,361	27,361	8%	341,608
311 · PID Admin Expense Reimbursement		-	- %	-	-	-	- %	-
313 · Donations		-	- %	-	(250)	(250)	-50%	500
314 · Copies Public Inf. Income		-	- %	-	-	-	- %	100
315 · Miscellaneous Income		-	- %	-		-	- %	118,000
317 · Ad Valorem Tax	25,855	25,855	3%	976,883	21,858	21,858	4%	551,083
318 · Tax Certifications		-	- %	-	-	-	- %	-
321 · Credit Card Fee Revenue	241	241	14%	1,750	531	531	67%	790
325 · Hotel Occupancy Tax		-	- %	3,400				-
Transfer from Fire Capital Fund		-	- %	-				410,465
Transfer from Unassigned Surplus			- %	-				50,835
Total Revenue	\$ 128,450	\$ 128,450	5%	\$ 2,510,233	\$ 163,994	\$ 163,994	5%	\$ 2,417,208
Expenditures								
Operating Expenditures								
401 · Municipal Court	\$ -	\$ -	0%	\$ 1,000	\$ -	\$ -	- %	\$ 1,000
402 · Election Expense	-	-	0%	10,000	-	-	- %	25,000
410 · Building Inspections	20,400	20,400	12%	168,000	29,425	29,425	18%	167,264
411 · Environment Regulation Expense	1,450	1,450	- %	-	900	900	17%	5,375

City of McLendon Chisholm
General Fund Financial Summary
For the one month ended October 31, 2021

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	Oct 2021 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	Oct 2020 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
41202 · CE Salary	2,970	2,970	5%	54,379	450			30,000
41203 · CE Fuel		-	- %	750	-			-
41204 · CE Vehicle Repairs & Maint		-	- %	525	-			-
41205 · CE Supplies & Other Expenses	2,324	2,324	- %	31,050	-			-
41301 · City Planner Salary & Benefits				80,912				
41302 · City Planner Supplies & Other Expenses				5,000				
414 · Animal Control	1,590	1,590	8%	19,080	1,590	1,590	- %	19,196
415 · Section 380 Grant Program		-	0%	84,700	-	-	- %	7,800
416 · Bad Debt		-	- %	-	-	-	- %	-
418 · Membership Fees		-	0%	2,000	200	200	10%	2,000
422 · Public Notice Expense	332	332	3%	9,800	964	964	8%	11,750
423 · Community Functions		-	0%	3,000	-	-	0%	1,000
426 · Appraisal District Collection		-	0%	8,535	-	-	0%	7,500
429 · Street Lights	251	251	7%	3,400				2,900
Total 400 Operating Expenditures	\$ 29,317	\$ 29,317	6%	\$ 482,131	\$ 33,529	\$ 33,529	12%	\$ 280,785
Occupancy Expenditures								
502 · Electricity	\$ 424	\$ 424	14%	\$ 3,000	\$ 253	253	9%	\$ 2,900
506 · Water	273	273	8%	3,500	296	296	3%	10,239
510 · Propane Gas		-	- %	-		-	- %	870
512 · Trash Pick up		-	0%	-		-	- %	-
514 · Building Maint/Improvements	10,399	10,399	71%	14,600	1,181	1,181	10%	12,000
516 · Lawn Maintenance	685	685	46%	1,500	685	685	9%	8,000
518 · Janitorial		-	- %	-	-	-	- %	-
520 · Telephone & Internet	790	790	9%	9,000	692	692	8%	8,300
522 · Website Expense	120	120	1%	12,000	120	120	5%	2,500
522.1 · Website Design/Redesign		-	- %	-				10,000
522.2 · Audio/Video Chamber Updates		-	- %	-				42,280

City of McLendon Chisholm
General Fund Financial Summary
For the one month ended October 31, 2021

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	Oct 2021 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	Oct 2020 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
Total 500 Occupancy Expenditures	\$ 12,692	\$ 12,692	29%	\$ 43,600	\$ 3,226	\$ 3,226	29%	\$ 97,089
General & Administrative Expenditures								
603 · Citizen Recognition	-	-	- %	-	-	-	- %	-
604 · Municipal Manuals, Books & Maps		-	0%	500		-	0%	500
606 · Employee Costs	27,985	27,985	12%	235,081	25,840	25,840	12%	222,187
618 · Liability Insurance	6,242	6,242	96%	6,500	5,563	5,563	96%	5,821
619 · Software Subscriptions	7,453	7,453	23%	32,600	2,957	2,957	8%	37,100
621 · IT Support	900	900	9%	10,200	775	775	11%	7,000
622 · Office Supplies - City Hall	146	146	2%	6,000	516	516	15%	3,500
623 · Office Equipment	149	149	7%	2,150	405	405	5%	8,900
624 · Office Equip Maintenance		-	0%	4,200	100	100	2%	4,500
625 · Printed Materials		-	0%	2,000	-	-	0%	2,000
626 · Postage-City Hall	240	240	15%	1,650	95	95	6%	1,500
628 · Bank Fees	747	747	44%	1,700	222	222	11%	2,000
630 · Legal & Professional								
63001-Accounting & Payroll services	5,000	5,000	8%	60,000	5,000	5,000	8%	60,000
63002 - Financial Audit		-	0%	17,000		-	0%	16,000
63003 - Legal	2,500	2,500	7%	36,000	2,935	2,935	7%	40,000
63005 - City Planner	3,000	3,000	- %	-	6,225	6,225	25%	25,000
63005.1 - Comprehensive Plan		-	- %	-				71,950
63008 - Consultants	289	289	0%	71,000	965	965	- %	26,000
63009 - Engineering		-	0%	10,000		-	- %	25,000
632 · Emergency Management		-	- %	-		-	- %	-
645 · Transcription Services		-	- %	-		-	- %	-
646 · Mileage Expense		-	0%	750		-	0%	750
647 · Council Meetings & Development		-	0%	800		-	0%	800

City of McLendon Chisholm
General Fund Financial Summary
For the one month ended October 31, 2021

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	Oct 2021 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	Oct 2020 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
648 · Training	(70)	(70)	-1%	7,000	345	345	5%	7,000
649 · Expense Account - City Administrator		-	- %	-		-	0%	-
650 · Expense Account - Mayor		-	- %	-		-	0%	-
652 · Staff Appreciation	159	159	20%	800		-	0%	800
655 · Code of Ordinance		-	0%	3,500		-	0%	4,000
699 · Miscellaneous Expense		-	- %	210		-	0%	-
		-				-		
Total G & A Expenditures	\$ 54,740	\$ 54,740	11%	\$ 509,641	\$ 51,944	51,944	11%	\$ 572,308
700 · Capital Expenditures - Public Safety	\$ -	\$ -	- %	\$ -	\$ -	\$ -	0%	\$ 410,465
700 · Capital Expenditures - Operating	-	-	0%	185,000	3,145	3,145	6%	55,000
Transfer to Public Safety Fund	118,519	118,519	15%	789,525	103,303	103,303		581,318
Transfer to Capital Projects Fund	-	-	- %	-	2,350	2,350	-	420,243
Total Capital Expenditures	\$ 118,519	\$ 118,519	12%	\$ 974,525	\$ 108,798	\$ 108,798	7%	\$ 1,467,026
Total Expenditures	\$ 215,267	\$ 215,267	11%	\$ 2,009,897	\$ 197,497	\$ 197,497	11%	\$ 2,417,208
Surplus (Deficit)	\$ (86,817)	\$ (86,817)	0%	\$ 500,336	\$ (33,502)	\$ (33,502)	0%	\$ -

City of McLendon Chisholm
Utility Fund Financial Summary
For the one months ended October 31, 2021

	Current Period Revenue & Expenditures				Prior Period Revenue & Expenditures			
	Oct 2021 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	Oct 2020 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
Revenue								
306 · Interest Income	\$ 16	\$ 16	2%	\$ 786	\$ 122	\$ 122	2%	\$ 6,000
Sewer Utility Revenue								
32200 · Sewer Usage Fees	\$ 36,560	\$ 36,560	7%	530,414	\$ 35,935	35,935	12%	306,625
32201 · Sewer Tap Fees	18,000	18,000	5%	355,500	69,000	69,000	21%	327,000
32204 · Sewer Deposit Refunds	(659)	(659)	28%	(2,345)	(236)	(236)	28%	(845)
Total Revenue	\$ 53,917	\$ 53,917	6%	\$ 884,355	\$ 104,822	\$ 104,822	16%	\$ 638,780
Expenditures								
Operation & Maintenance Expenditures								
Sewer Operation & Maintenance								
41304 · O&M Agreement	\$ 4,009	\$ 4,009	8%	\$ 47,750	\$ 3,555	\$ 3,555	8%	\$ 46,000
41305 · O&M Maintenance	10,194	10,194	22%	\$ 46,377	1,528	1,528	4%	\$ 39,500
41308 · Electricity	9	9	8%	108	9	9	0%	150
41310 · Sewer Treatment		-	0%	322,518	22,991	22,991	8%	304,000
41312 · Tap Fee Developer Rebate	10,800	10,800	5%	213,300	41,400	41,400	21%	196,200
Total Operations Expenditures	\$ 25,012	\$ 25,012	4%	\$ 630,053	\$ 69,483	\$ 69,483	12%	\$ 585,850
600 · General & Administrative Exp	\$ 1,274	\$ 1,274	8%	\$ 15,323	\$ 1,274	\$ 1,274	8%	\$ 15,293
Total Expenditures	\$ 26,286	\$ 26,286	4%	\$ 645,376	\$ 70,757	\$ 70,757	12%	\$ 601,143
Surplus (Deficit)	\$ 27,631	\$ 27,631	12%	\$ 238,979	\$ 34,065	\$ 34,065	0%	\$ 37,637

City of McLendon Chisholm
Interest Sinking Fund Financial Summary
For the one month ended October 31, 2021

	Current Period Revenue & Expenditures				Prior Period Revenue & Expenditures			
	Oct 2021 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Budget	Oct 2020 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Budget
Revenue								
Ad Valorem Tax								
317 · Ad Valorem Tax	\$ 3,225	3,225	3%	\$ 109,568	\$ 5,874	5,874	4%	\$ 147,552
306 · Interest Income	1	1	0%	3,375	174	174	- %	6,900
Transfer from Excess Bond Proceeds		-	- %	-		\$ -	- %	-
Transfer From Interest & Sinking Surplus	-	-	- %	-	-	-	- %	-
Total Revenue and Transfers In	\$ 3,226	\$ 3,226	3%	\$ 112,943	\$ 6,048	\$ 6,048	4%	\$ 154,452
Expenditures								
628 · Bank Fees Expense		\$ -		\$ 525		\$ -		\$ 5,850
660 · Bond Interest Expense	4,539	4,539	8%	\$ 54,463	4,693	4,693	8%	\$ 56,312
802 · Bond Cost Amortization		-	- %			\$ -	- %	-
803 · Bond Premium Amortization		-	- %		(757)	(757)	- %	-
Transfer To Bond Principal		-	- %	95,000		\$ -	0%	90,000
Transfer to Early Redemption Sinking Fund			- %	-			- %	-
Total Expenditures and Transfers Out	\$ 4,539	\$ 4,539	3%	\$ 149,988	\$ 3,936	\$ 3,936	3%	\$ 152,162
Surplus (Deficit)	\$ (1,313)	\$ (1,313)	4%	\$ (37,045)	\$ 2,112	\$ 2,112	4%	\$ 2,290

City of McLendon Chisholm
Capital Projects Fund Financial Summary
For the one month ended October 31, 2021

	Current Period Revenue & Expenditures				Prior Period Revenue & Expenditures			
	Oct 2021 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	Oct 2020 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Budget
Revenue								
315 · Miscellaneous Income	\$ -	\$ -		\$ -	\$ -	\$ -		\$ -
Total Revenue		-				\$ -		
						\$ -		
700 · Capital Expenditures - Public Safety	\$ 13,450	13,450	- %	\$ -	\$ 92,405	\$ 92,405	2%	\$ 4,054,935
700 · Capital Expenditures - Utility Fund		-	- %	-	2,350	\$ 2,350	1%	420,243
Total Expenditures	\$ 13,450	\$ 13,450	- %	\$ -	\$ 94,755	\$ 94,755	2%	\$ 4,475,178
Surplus/(Deficit)	\$ (13,450)	\$ (13,450)	- %	\$ -	\$ (94,755)	\$ (94,755)	2%	\$ (4,475,178)

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City of McLendon Chisholm
 ARPA Special Fund Financial Summary
 For the one month ended October 31, 2021

	Current Period Revenue & Expenditures				Prior Period Revenue & Expenditures			
	Oct 2021 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Budget	Oct 2020 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Budget
Revenue								
319.1 - ARPA Grant Revenue	\$ -	\$ -		-	\$ -	\$ -		-
Total Revenue		-		-		-		0
Total ARPA Fund Revenue	\$ -	\$ -		-	\$ -	\$ -		-
Surplus/(Deficit)	\$ -	\$ -		-				

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City of McLendon Chisholm
Public Safety Detail Report
For the one month ended October 31, 2021

	Oct-21	YTD
Revenue		
306 · Interest Income		
30600 · Alliance Interest Income	34.33	34.33
Total 306 · Interest Income	34.33	34.33
Total Income	34.33	34.33
Gross Profit	34.33	34.33
Expense		
430 · Public Safety		
43001 · Liability Insurance	9,946.20	9,946.20
43002 · Fuel	1,294.49	1,294.49
43003 · Maintenance & Repair - Vehicles	563.75	563.75
43004 · Maintenance & Repair - Station	267.98	267.98
43005 · Gear and Supplies	3,979.89	3,979.89
43006 · Compliance	1,153.88	1,153.88
43009 · Training	631.08	631.08
43030 · EMS	2,027.82	2,027.82
Total 430 · Public Safety	19,865.09	19,865.09
500 · Occupancy Expenditures		
502 · Electricity	344.04	344.04
506 · Water	1,127.80	1,127.80
520 · Telephone & Internet	636.69	636.69
Total 500 · Occupancy Expenditures	2,108.53	2,108.53
600 · General & Administrative Exp		
606 · Employee Costs		
60601 · Staff Salaries	56,015.52	56,015.52
60602 · Hourly PTO 0 - 36 months	839.04	839.04
60604 · Holiday Pay	2,114.16	2,114.16
60609 · Payroll Tax Expense	4,422.90	4,422.90
60612 · Retirement Plan Contributions	3,412.64	3,412.64
60613 · Health Insurance Expense	4,959.58	4,959.58
60614 · Dental Insurance Expense	410.97	410.97
60615 · Vision Insurance	47.20	47.20

City of McLendon Chisholm
Public Safety Detail Report
For the one month ended October 31, 2021

60616 · Disability Insurance	2,198.39	2,198.39
Total 606 · Employee Costs	74,420.40	74,420.40
618 · Insurance		
61803 · Workmen's Comp Ins	19,800.90	19,800.90
Total 618 · Insurance	19,800.90	19,800.90
619 · Software Subscriptions	2,357.94	2,357.94
Total 600 · General & Administrative Exp	96,579.24	96,579.24
Total Expense	118,552.86	118,552.86
Net Ordinary Income	-118,518.53	-118,518.53
Net Surplus/(Deficit)	-118,518.53	-118,518.53

City of McLendon Chisholm
Detail Statement of Revenue & Expenditures by Fund
For the Month of October, 2021

	ARPA Fund	Capital Projects Fund	General Fund	Interest and Sinking Fund	Public Safety	Utilities Fund
Revenue						
302 · Franchise Income						
30204-1 · DirecTV		0.00	559.29	0.00	0.00	0.00
30213-1 · Community Waste Disposal		0.00	254.02	0.00	0.00	0.00
Total 302 · Franchise Income		0.00	813.31	0.00	0.00	0.00
303 · Development Income						
30302 · Zoning Change		0.00	50.00	0.00	0.00	0.00
30304 · Plat Income		0.00	3,220.00	0.00	0.00	0.00
Total 303 · Development Income		0.00	3,270.00	0.00	0.00	0.00
304 · Building Permit Income						
30401 · Contractor Registration Fee Inc		0.00	900.00	0.00	0.00	0.00
30404 · Inspection Income		0.00	2,025.00	0.00	0.00	0.00
30405 · Building Permit & Plan Review		0.00	8,187.54	0.00	0.00	0.00
30407 · Demolition Permit Income		0.00	250.00	0.00	0.00	0.00
30408 · Swimming Pool Permits		0.00	600.00	0.00	0.00	0.00
Total 304 · Building Permit Income		0.00	11,962.54	0.00	0.00	0.00
306 · Interest Income						
30600 · Alliance Interest Income		0.00	32.95	0.00	34.33	3.05
30602 · Logic Interest Income		0.00	55.23	0.94	0.00	13.12
30603 · Tex Pool Interest Income		0.00	0.59	0.00	0.00	0.00
Total 306 · Interest Income		0.00	88.77	0.94	34.33	16.17
308 · Septic Fees						
30801 · OSSF Fee Income		0.00	1,375.00	0.00	0.00	0.00
Total 308 · Septic Fees		0.00	1,375.00	0.00	0.00	0.00
310 · Sales Tax Revenue		0.00	84,844.79	0.00	0.00	0.00
317 · Ad Valorem Tax						
31701 · Ad Valorem Tax - M&O		0.00	26,009.94	0.00	0.00	0.00
31702 · Ad Valorem Tax - City Hall		0.00	0.00	3,234.10	0.00	0.00
31703 · Ad Valorem Refunds - M&O		0.00	-208.22	0.00	0.00	0.00
31705 · Ad Valorem Tax - Prior Years		0.00	27.96	28.46	0.00	0.00
31706 · Ad Valorem Tax - Penalty		0.00	3.36	3.41	0.00	0.00
31708 · Ad Valorem Refunds - City Hall		0.00	0.00	-55.76	0.00	0.00
31709 · Ad Valorem Tax - Interest		0.00	21.66	15.23	0.00	0.00
31710 · Ad Valorem Tax - Misc Adj		0.00	0.00	0.00	0.00	0.00

City of McLendon Chisholm
Detail Statement of Revenue & Expenditures by Fund
For the Month of October, 2021

	Capital Projects Fund	Interest and Sinking Fund	Public Safety	Utilities Fund
ARPA Fund	General Fund			
37112 · Ad Valorem Business Property	0.00	0.00	0.00	0.00
Total 317 · Ad Valorem Tax	0.00	25,854.70	3,225.44	0.00
321 · Credit Card Fee Revenue	0.00	240.56	0.00	0.00
322 · Sewer Utility Revenue				
32200 · Sewer Usage Fees	0.00	0.00	0.00	36,560.21
32201 · Sewer Tap Fees	0.00	0.00	0.00	18,000.00
32204 · Sewer Deposit Refunds	0.00	0.00	0.00	-658.72
Total 322 · Sewer Utility Revenue	0.00	0.00	0.00	53,901.49
Total Income	0.00	128,449.67	3,226.38	53,917.66
Gross Profit	0.00	128,449.67	3,226.38	53,917.66
Expense				
400 · Operating Expenditures				
410 · Building Inspections				
41003 · Building Inspections	0.00	20,400.00	0.00	0.00
Total 410 · Building Inspections	0.00	20,400.00	0.00	0.00
411 · Environment Regulation Expense				
41101 · Septic Inspection Fee	0.00	1,450.00	0.00	0.00
Total 411 · Environment Regulation Expense	0.00	1,450.00	0.00	0.00
412 · Code Enforcement Administration				
41202 · CE Salary	0.00	2,970.00	0.00	0.00
41205 · CE Supplies & Other Expenses	0.00	2,323.52	0.00	0.00
Total 412 · Code Enforcement Administration	0.00	5,293.52	0.00	0.00
414 · Animal Control	0.00	1,590.42	0.00	0.00
422 · Public Notice Expense	0.00	331.69	0.00	0.00
Total 400 · Operating Expenditures	0.00	29,065.63	0.00	0.00
413 · Sewer Operation & Maintenance				
41304 · O&M Agreement	0.00	0.00	0.00	4,008.75
41305 · Nonstandard O&M Expense	0.00	0.00	0.00	10,194.23
41308 · Electricity	0.00	0.00	0.00	9.11
41312 · Tap Fee Developer Rebate	0.00	0.00	0.00	10,800.00
Total 413 · Sewer Operation & Maintenance	0.00	0.00	0.00	25,012.09
429 · Street Lights	0.00	250.97	0.00	0.00
430 · Public Safety				
43001 · Liability Insurance	0.00	0.00	9,946.20	0.00
43002 · Fuel	0.00	0.00	1,294.49	0.00

City of McLendon Chisholm
Detail Statement of Revenue & Expenditures by Fund
For the Month of October, 2021

	Capital Projects Fund	Interest and Sinking Fund	Public Safety	Utilities Fund
ARPA Fund	General Fund			
43003 · Maintenance & Repair - Vehicles	0.00	0.00	563.75	0.00
43004 · Maintenance & Repair - Station	0.00	0.00	267.98	0.00
43005 · Gear and Supplies	0.00	0.00	3,979.89	0.00
43006 · Compliance	0.00	0.00	1,153.88	0.00
43009 · Training	0.00	0.00	631.08	0.00
43030 · EMS	0.00	0.00	2,027.82	0.00
Total 430 · Public Safety	0.00	0.00	19,865.09	0.00
500 · Occupancy Expenditures				
502 · Electricity	0.00	424.19	344.04	0.00
506 · Water	0.00	273.30	1,127.80	0.00
514 · Building Maint/Improvements	0.00	10,399.00	0.00	0.00
516 · Lawn Maintenance	0.00	684.94	0.00	0.00
520 · Telephone & Internet	0.00	790.43	636.69	0.00
522 · Website Expense	0.00	120.00	0.00	0.00
Total 500 · Occupancy Expenditures	0.00	12,691.86	2,108.53	0.00
600 · General & Administrative Exp				
606 · Employee Costs				
60601 · Staff Salaries	0.00	19,584.61	56,015.52	0.00
60602 · Hourly PTO 0 - 36 months	0.00	0.00	839.04	0.00
60604 · Holiday Pay	0.00	0.00	2,114.16	0.00
60609 · Payroll Tax Expense	0.00	1,861.85	4,422.90	0.00
60610 · Payroll Processing Fees	0.00	95.57	0.00	0.00
60612 · Retirement Plan Contributions	0.00	1,731.10	3,412.64	0.00
60613 · Health Insurance Expense	0.00	1,561.12	4,959.58	0.00
60614 · Dental Insurance Expense	0.00	58.71	410.97	0.00
60615 · Vision Insurance	0.00	13.68	47.20	0.00
60616 · Disability Insurance	0.00	1,285.35	2,198.39	0.00
60618 · Salary PTO 0 - 36 months				
60618.1 · Salary PTO 37 - 84 months	0.00	1,792.76	0.00	0.00
Total 60618 · Salary PTO 0 - 36 months	0.00	1,792.76	0.00	0.00
Total 606 · Employee Costs	0.00	27,984.75	74,420.40	0.00
618 · Insurance				
61801 · General Liability Insurance Exp	0.00	848.68	0.00	0.00
61802 · Property Insurance	0.00	4,704.98	0.00	0.00
61803 · Workmen's Comp Ins	0.00	0.00	19,800.90	0.00

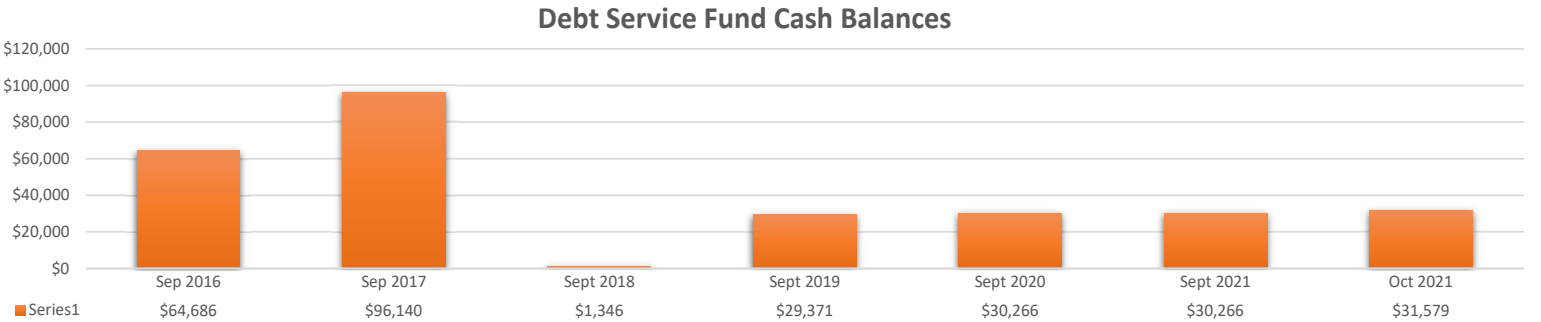
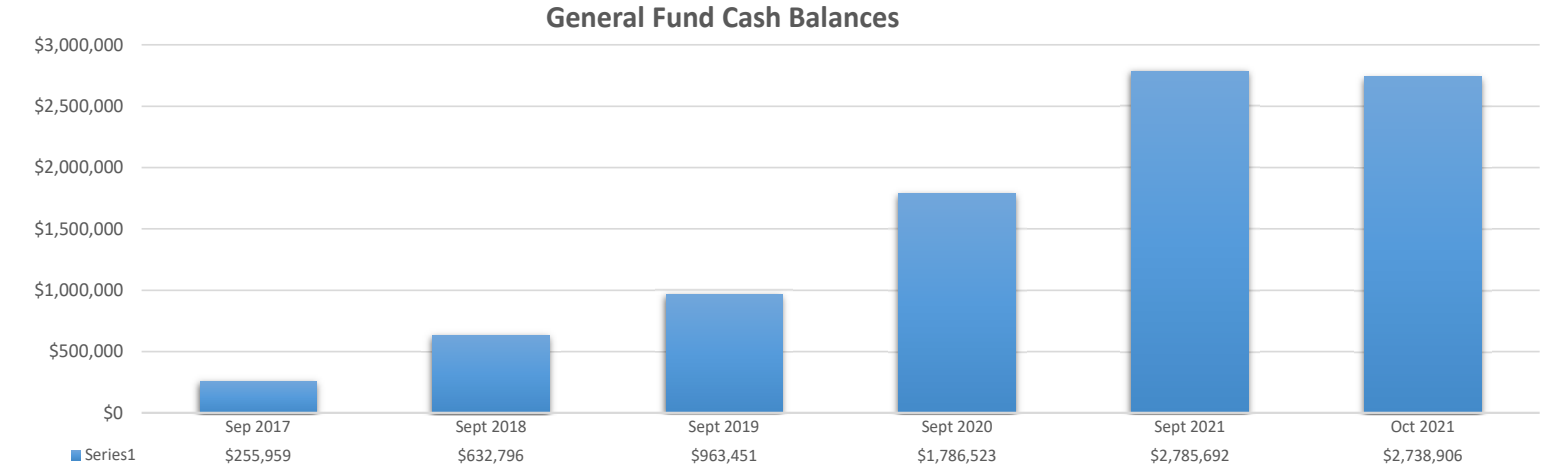
City of McLendon Chisholm
Detail Statement of Revenue & Expenditures by Fund
For the Month of October, 2021

	ARPA Fund	Capital Projects Fund	General Fund	Interest and Sinking Fund	Public Safety	Utilities Fund
61804 · Other Ins		0.00	688.28	0.00	0.00	0.00
Total 618 · Insurance		0.00	6,241.94	0.00	19,800.90	0.00
619 · Software Subscriptions		0.00	7,453.09	0.00	2,357.94	0.00
621 · IT Support		0.00	900.00	0.00	0.00	0.00
622 · Office Supplies - City Hall		0.00	146.04	0.00	0.00	0.00
623 · Office Equipment		0.00	149.49	0.00	0.00	0.00
626 · Postage-City Hall		0.00	239.81	0.00	0.00	0.00
628 · Bank Fees						
62801 · Service Charges		0.00	746.51	0.00	0.00	0.00
Total 628 · Bank Fees		0.00	746.51	0.00	0.00	0.00
630 · Legal & Professional						
63001 · Accounting & Payroll Services		0.00	5,000.00	0.00	0.00	1,274.00
63003 · Legal		0.00	2,500.00	0.00	0.00	0.00
63005 · City Planner		0.00	3,000.00	0.00	0.00	0.00
63008 · Financial Consulting		0.00	288.75	0.00	0.00	0.00
Total 630 · Legal & Professional		0.00	10,788.75	0.00	0.00	1,274.00
646 · Mileage Expense		0.00	0.00	0.00	0.00	0.00
648 · Training		0.00	-70.00	0.00	0.00	0.00
652 · Staff Appreciation		0.00	159.13	0.00	0.00	0.00
660 · Bond Interest Expense		0.00	0.00	4,539.00	0.00	0.00
Total 600 · General & Administrative Exp		0.00	54,739.51	4,539.00	96,579.24	1,274.00
700 · Capital Expenditures						
70006 · New Fire Station		13,649.97	0.00	0.00	0.00	0.00
Total 700 · Capital Expenditures		13,649.97	0.00	0.00	0.00	0.00
Total Expense		13,649.97	96,747.97	4,539.00	118,552.86	26,286.09
Net Ordinary Income		-13,649.97	31,701.70	-1,312.62	-118,518.53	27,631.57
Net Surplus/(Deficit)0		-13,649.97	31,701.70	-1,312.62	-118,518.53	27,631.57

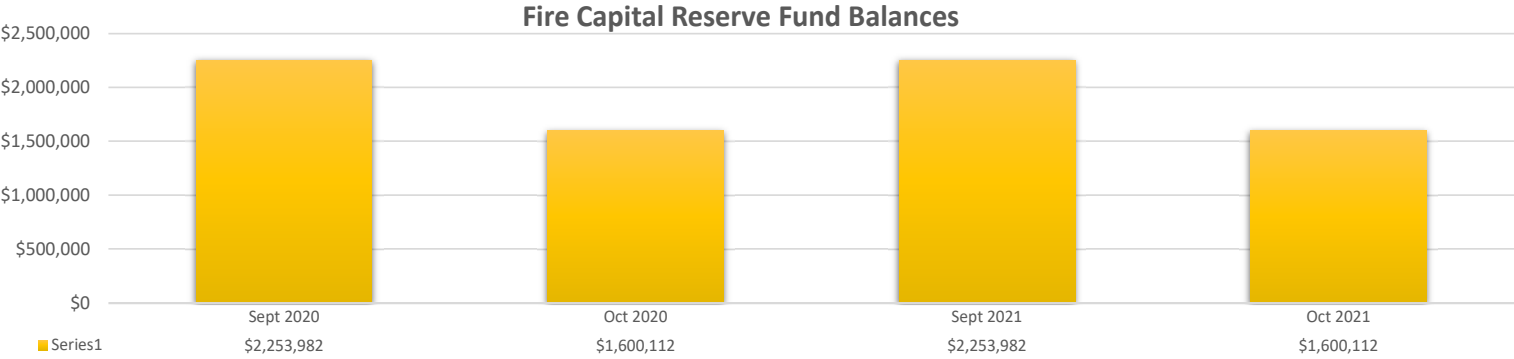
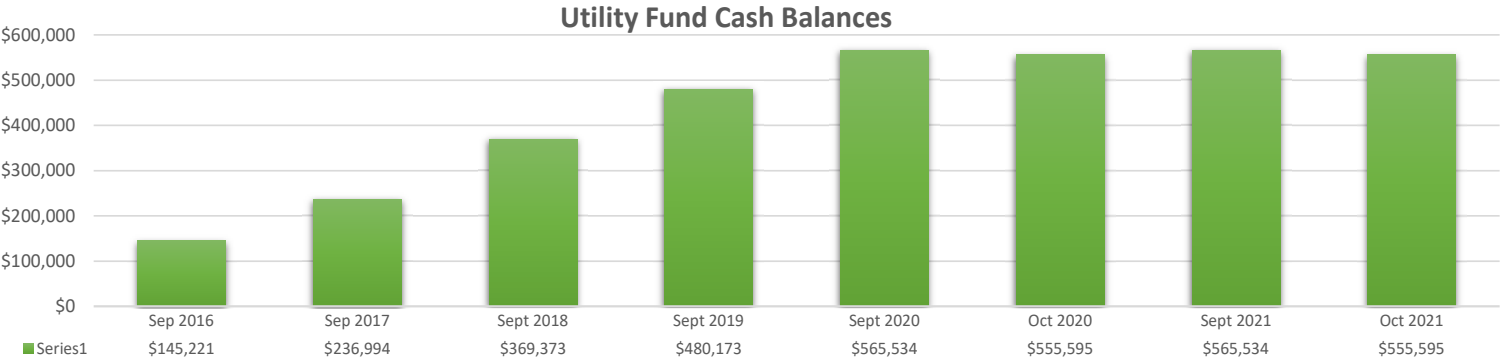
**City of McLendon Chisholm
Cash Account Balances**

Fund	Account	Sept 30,21	Oct 31,21
I&S	130 · 9003 Logic I&S Fund	30,266	31,579
I&S Total		30,266	31,579
General	100 · 3738 - Alliance Operating	1,645,699	1,215,351
General	103 · Texpool 300001	19,143	19,144
General	125 · Logic - 9001 General Fund Reserves	301,869	301,878
General	127 · 9004 Logic Operating	818,981	1,202,533
General Total		2,785,692	2,738,906
Utility	106 · 5071 - Alliance Utility Fund	135,102	125,151
Utility	126 · Logic - 9002 Utility Fund	430,432	430,445
Utility Total		565,534	555,595
Fire Capital Reserve	102 · 634 Alliance Construction	1,680,627	1,411,578
Fire Capital Reserve	128 · 9005 Logic Fire Dept Reserve	573,355	188,533
Reserves Total		2,253,982	1,600,112
Total		5,635,474	4,926,192

**City of McLendon Chisholm
Cash Balance Report
As of October 31, 2021**



**City of McLendon Chisholm
Cash Balance Report
As of October 31, 2021**



Alarm Date between 2021-10-01 and 2021-10-31

Total Calls by District

District	2021-10-01	Total
County District	17	17
City Limit District	18	18
County Mutual Aid	1	1
Total	36	36

Incident Date between 2021-10-01 and 2021-10-31

Incident Date	Incident Number	NFIRS Number	Incident Type Code	Incident Type	District	Status
10/19/2021	2020-00416	0000400	321	EMS call, excluding vehicle accident with injury	City Limit District	1
10/1/2021	2021-00399	0000384	412	Gas leak (natural gas or LPG)	County District	1
10/2/2021	2021-00400	0000385	321	EMS call, excluding vehicle accident with injury	City Limit District	1
10/2/2021	2021-00401	0000386	812	Flood assessment	City Limit District	1
10/3/2021	2021-00402	0000387	321	EMS call, excluding vehicle accident with injury	County District	1
10/4/2021	2021-00403	0000388	321	EMS call, excluding vehicle accident with injury	County District	1
10/6/2021	2021-00404	0000389	321	EMS call, excluding vehicle accident with injury	County District	1
10/6/2021	2021-00405	0000390	321	EMS call, excluding vehicle accident with injury	County District	1
10/6/2021	2021-00406	0000391	622	No incident found on arrival at dispatch address	City Limit District	1
10/9/2021	2021-00407	0000392	322	Motor vehicle accident with injuries	County District	1
10/10/2021	2021-00409	0000393	111	Building fire	County District	1
10/13/2021	2021-00410	0000394	321	EMS call, excluding vehicle accident with injury	City Limit District	1
10/13/2021	2021-00411	0000395	321	EMS call, excluding vehicle accident with injury	City Limit District	1
10/16/2021	2021-00412	0000396	321	EMS call, excluding vehicle accident with injury	County District	1
10/17/2021	2021-00413	0000397	743	Smoke detector activation, no fire - unintentional	City Limit District	1
10/17/2021	2021-00414	0000398	743	Smoke detector activation, no fire - unintentional	County District	1
10/19/2021	2021-00415	0000399	321	EMS call, excluding vehicle accident with injury	County District	1
10/21/2021	2021-00417	0000401	745	Alarm system activation, no fire - unintentional	City Limit District	1
10/21/2021	2021-00418	0000402	321	EMS call, excluding vehicle accident with injury	County District	1
10/21/2021	2021-00419	0000403	322	Motor vehicle accident with injuries	County District	1
10/21/2021	2021-00420	0000404	745	Alarm system activation, no fire - unintentional	City Limit District	1
10/22/2021	2021-00421	0000405	321	EMS call, excluding vehicle accident with injury	County District	1

10/24/2021	2021-00422	0000406	321	EMS call, excluding vehicle accident with injury	County District	1
10/25/2021	2021-00423	0000407	324	Motor vehicle accident with no injuries.	City Limit District	1
10/25/2021	2021-00424	0000408	554	Assist invalid	City Limit District	1
10/25/2021	2021-00425	0000409	324	Motor vehicle accident with no injuries.	City Limit District	1
10/27/2021	2021-00426	0000410	554	Assist invalid	City Limit District	1
10/27/2021	2021-00427	0000411	324	Motor vehicle accident with no injuries.	County District	1
10/27/2021	2021-00428	0000412	324	Motor vehicle accident with no injuries.	City Limit District	1
10/29/2021	2021-00429	0000413	740	Unintentional transmission of alarm, other	City Limit District	1
10/29/2021	2021-00430	0000414	746	Carbon monoxide detector activation, no CO	City Limit District	1
10/29/2021	2021-00431	0000415	611	Dispatched & canceled en route	County Mutual Aid	1
10/29/2021	2021-00432	0000416	554	Assist invalid	County District	1
10/30/2021	2021-00433	0000417	745	Alarm system activation, no fire - unintentional	City Limit District	1
10/30/2021	2021-00434	0000418	554	Assist invalid	County District	1
10/30/2021	2021-00435	0000419	631	Authorized controlled burning	City Limit District	1
10/31/2021	2021-00437	0000421	321	EMS call, excluding vehicle accident with injury	County District	1

October 2021 New SFR	Valuation	Square ft.	Fee	Builder
1702 corvina court	\$ 445,672.00	3944	\$ 1,025.00	highland
1706 Corvina court	\$ 384,426.00	3402	\$ 875.00	highland
1827 Della Dr.	\$ 354,368.00	3136	\$ 875.00	highland
1831 Della Dr.	\$ 434,598.00	3846	\$ 1,025.00	highland
1733 salvatore ln.	\$ 388,268.00	3436	\$ 875.00	highland
1703 veneto	\$ 514,635.00	3672	\$ 1,025.00	highland
1718 veneto	\$ 445,672.00	3944	\$ 1,025.00	highland
1995 Frediano ln.	\$ 388,042.00	3434	\$ 875.00	highland
1707 veneto dr.	\$ 302,162.00	2674	\$ 875.00	highland
1999 frediano	\$ 354,368.00	3136	\$ 875.00	highland
1952 Frediano	\$ 397,647.00	3519	\$ 875.00	highland
1737 salvatore	\$ 459,990.00	3775	\$ 1,025.00	highland
1956 Frediano lane	\$ 485,195.00	3076	\$ 875.00	highland
1130 via toscana	\$ 494,940.00	4380	\$ 1,025.00	perry
106 paddock	\$ 340,000.00	2876	\$ 875.00	jsl builders
1450 w. fm 550	\$ 281,000.00	2586	\$ 875.00	m. maduik
1105 E. FM 550	million +	13835	\$ 1,025.00	s. smith
			\$ 15,925.00	

Accessory permits October 2021	Project	Valuation	Fee
1454 siena	pool	\$ 40,000.00	\$375.00
2033 corleone	pool	\$76,000.00	\$375.00
1613 firenza	pool	\$65,000.00	\$375.00
1199 livorno	pool	\$70,000.00	\$375.00
1472 corrara	pool	\$65,000.00	\$375.00
1021 kingsbridge	pool	\$68,000.00	\$375.00
691 frontier trl.	pool	\$70,000.00	\$375.00
291 state hwy 205	electric	\$2,000.00	\$75.00
805 abington	concrete	\$2,000.00	\$75.00
401 wagon court	acc. Building	\$100,000.00	\$425.00
1320 somerset	generator	\$6,911.00	\$75.00
10 chapel hill	water heater	\$1,485.00	\$75.00
108 rose marie	pool	\$67,725.00	\$375.00
1795 amalfi	patio cover	\$11,000.00	\$225.00
913 yorkhouse	pool	\$67,000.00	\$375.00
820 frontier trl.	acc. Building	\$17,000.00	\$150.00
			\$4,475.00

October 2021 Onsite inspections actual

1300 siena	pool gas
1199 livorno	pool gas
90 windsor pool	belly steel
24 fireside	frame
1096 fm 1139	elect. Meter
1539 via toscana	pool gas
1619 salvatore	final co
1200 artesia	pool final
1730 puglia	frame mep
1910 sicilia	frame mep
539 smith	pool belly steel
1539 via toscana	pool belly steel
1454 siena	pool belly steel
24 fireside	elect. Meter
1814 abruzzo	final co
1507 pisa	flatwork
1136 via toscana	flatwork
1454 siena	pool belly steel
291 hwy 205	elect. Meter
1842 abruzzo	frame mep
539 smith	flatwork
1454 siena	pool belly steel
1901 recioto	solar
1150 livorno	elect. Meter
627 stampede run	solar
805 abington	approach
1915 galenda	gas meter
1915 galenda	elect. Meter
772 kensington	pool final
1652 salvatore	flatwork
539 smith	pool belly steel
539 smith	driveway
1749 amarone	flatwork
1199 livorno	pool belly steel
1915 galenda	flatwork
1204 springs way	pool belly steel
539 s. smith	pool belly steel
1902 galenda	plmbg rough
1721 amarone	final co
1749 amarone	frame mep
539 smith	pool belly steel
1719 voltera	pool belly steel
1915 galenda	flatwork
1902 galenda	plmbg rough
1915 galenda	gas meter
1915 galenda	elect. Meter

1118 via toscana	gas meter
1118 via toscana	elect. Meter
firestation	above ceiling
539 smith	pool belly steel
1501 corrara	gas meter
1150 livorno	gas meter
1130 via toscana	plmbg rough
1615 salvatore	final co
1726 puglia	frame mep
1518 vista crt.	pool final
1124 via toscana	t-pole
1124 via toscana	plmbg rough
691 frontier trl.	frame mep
1130 via toscana	plmbg rough
1919 galenda	gas meter
772 kensington	pool deck/bond
1501 corrara	elect. meter
1810 abruzzo	frame mep
1919 galenda	electric meter
1110 alvington	pool final
1118 via toscana	flatwork
1742 amarone	gas meter
1501 corrara	electric meter
1324 somerset	flatwork
1324 somerset	gas meter
1110 alvington	pool final
1073 kingsbridge	flatwork
1725 amarone	electric meter
1749 amarone	frame mep
1701 pieneze	pool final
691 frontier trl.	frame mep
1706 puglia	final co
1742 amarone	gas meter
790 e fm 550	electric meter
1309 somerset	final co
1309 somerset	final co
1701 pieneze	pool final
1628 vista crt.	flatwork
1729 amarone	final co
1130 via toscana	t-pole
1721 amarone	gas meter
1726 puglia	frame mep
1730 puglia	frame mep
1829 amarone	pool belly steel
1729 amarone	final co
1806 abruzzo	gas meter
1903 galenda	frame mep

1806 abruzzo	electric meter
24 fireside	pier insp.
1612 amalfi	patio cover
1751 fn 1139	complaint
1501 corrara	final co
1150 livorno	final co
90 windsor	belly steel
1919 galenda	final co
1204 springs way	belly steel
103 parade point	belly steel
1742 amarone	final co
1300 siena	pool final
1701 pieneze	pool final
1814 abruzzo	final co

North East Texas Inspections

638 Chisholm Ranch Dr. Rockwall, Texas 75032, 972-998-3415

There were 17 new single family residential home permits issued in October, 2021. The attached addendum reflects the home address, valuation, square footage and name of the Builder.

There were 16 new accessory projects permitted including single trades, swimming pools, outdoor living, shop buildings and other accessory endeavors that are also attached.

Permits to date: 62

Thank you for choosing North East Texas Inspections for your Building Services provider.

October 2021

David Ellis, Building Official

Location	Notes	Code
Oct 25, 2021 10:47 AM 1371 w fm 550	Patrolled city focusing on stray animals. spoke to shelly at city hall	Animal Control
Oct 25, 2021 10:41 AM 1180 klutts	we picked up a contained stray dog	Animal Control
Oct 20, 2021 10:09 AM 1371 w fm 550	Patrolled city focusing on stray animals. spoke to shelly, jim and mark at city hall	Animal Control
Oct 13, 2021 9:38 AM 1371 w fm 550	Patrolled city focusing on stray animals. spoke to shelly at city hall	Animal Control
Oct 6, 2021 12:17 PM 1125 s hwy 205	we received a complaint from city hall about this property having too many animals, they were found to be in compliance	Animal Control
Oct 6, 2021 12:15 PM 1371 w fm 550	Patrolled city focusing on stray animals. spoke to jim at city hall	Animal Control
Oct 1, 2021 12:03 PM 720 e fm 550	we picked up a sick kitten at this address	Animal Control



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.

	Oct-2021	Sep-2021	Aug-2021	Jul-2021	Jun-2021	May-2021	Apr-2021	Mar-2021	Feb-2021	Jan-2021	Dec-2020	Nov-2020
Homes	1,186	1,186	1,186	1,192	1,192	1,196	1,196	1,146	1,146	1,146	965	965
Resi Rcy Tonnage	42.77	58.34	27.22	34.21	26.00	36.83	65.28	29.24	23.30	50.18	36.07	38.47
Pounds / Home / Month	72.12	98.38	45.90	57.40	43.62	61.59	109.16	51.03	40.66	87.57	74.76	79.73



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.

	Oct-2021	Sep-2021	Aug-2021	Jul-2021	Jun-2021	May-2021	Apr-2021	Mar-2021	Feb-2021	Jan-2021	Dec-2020	Nov-2020
Service Opportunities	10,270	10,270	10,270	10,322	10,322	10,357	10,357	9,924	0	9,924	8,356	8,356
Service Inquiries	15	7	6	10	8	8	25	15	0	8	6	8
Per 1,000 Service Opps	1.46	0.68	0.58	0.97	0.78	0.77	2.41	1.51	0.00	0.81	0.72	0.96



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 10/01/2021 - 10/31/2021

Date	Account	Address	Service Type	Service Code
10/07/2021	108255-020	MARK MEEKER		
10/12/2021	108255-1340	ANNA HIGGINS		
10/14/2021	108255-1554	KERRY FINLEY		
10/14/2021	108255-020	MARK MEEKER		
				Total : 4
10/07/2021	108255-241	ERIK CLAPP	RESI-BULK	RESI R/L BULK
				Total RESI-BULK: 1
10/22/2021	108255-117	DAVENPORT, BRYAN & DEBORAH	RESI-RECYCLE	SERVICE RCYCART

					Total RESI-RECYCLE: 1
10/01/2021	108255-1577	RYAN BASINGER	RESI-TRASH	SERVICE TRASH CART	
10/01/2021	108255-1248	KELI STEVENS	RESI-TRASH	SERVICE TRASH CART	
10/08/2021	108255-1577	RYAN BASINGER	RESI-TRASH	SERVICE TRASH CART	
10/11/2021	108255-1577	RYAN BASINGER	RESI-TRASH	SERVICE TRASH CART	
10/22/2021	108255-1572	CORTNEY THORTON	RESI-TRASH	SERVICE TRASH CART	
10/22/2021	108255-1577	RYAN BASINGER	RESI-TRASH	SERVICE TRASH CART	
10/22/2021	108255-253	ANDREW DILLON	RESI-TRASH	SERVICE TRASH CART	
10/28/2021	108255-550	LINDA GARRETT	RESI-TRASH	SERVICE TRASH CART	
10/29/2021	108255-904	DAMIAN BUSIO	RESI-TRASH	SERVICE TRASH CART	
					Total RESI-TRASH: 9
					Total Inquiries: 15

ROCKWALL COUNTY SHERIFF
972 TL TOWNSEND ROCKWALL , TX 75087

CC.IncDate Between '10/01/2021' And '10/31/2021' AND CC.District = '41' AND
IsNull(CC.Jurisdiction, 'Default') = 'Default'

CFS History Search
Public Report

CFS #	Create When	Location	CallType Disposition
2021-030426	10/31/2021 10:40:04 AM		UUMV RSO REPORT TAKEN
2021-030374	10/30/2021 7:42:34 PM		MEET COMPLAINANT ASSIGNMENT CO
2021-030366	10/30/2021 6:16:16 PM		SMOKE INVESTIGATION ASSIGNMENT (
2021-030362	10/30/2021 3:52:02 PM		RECKLESS DRIVER WARNING
2021-030352	10/30/2021 12:38:20 PM		ALARM ASSIGNMENT COMPLETE
2021-030350	10/30/2021 11:59:49 AM		ALARM ASSIGNMENT COMPLETE
2021-030306	10/30/2021 12:04:11 AM		ALARM RESIDENTIAL FIRE FALSE ALAF
2021-030159	10/28/2021 8:36:03 PM		ALARM ASSIGNMENT COMPLETE
2021-030119	10/28/2021 2:21:46 PM		TRAFFIC HAZARD ASSIGNMENT COMPI
2021-030078	10/28/2021 9:24:13 AM		ALARM FALSE ALARM
2021-030059	10/28/2021 5:14:02 AM		ALARM FALSE ALARM
2021-030021	10/27/2021 5:41:25 PM		ACCIDENT MAJOR ASSIGNMENT COMP
2021-029953	10/27/2021 9:39:14 AM		LIFT ASSIST ASSIGNMENT COMPLETE
2021-029851	10/26/2021 9:47:31 AM		WELFARE CHECK UTL
2021-029834	10/26/2021 6:37:38 AM		TRAFFIC HAZARD ASSIGNMENT COMPI
2021-029762	10/25/2021 12:15:18 PM		LIFT ASSIST ASSIGNMENT COMPLETE
2021-029758	10/25/2021 11:37:53 AM		ACCIDENT MAJOR ACCIDENT REPORT
2021-029567	10/23/2021 9:06:38 PM		MEET COMPLAINANT ASSIGNMENT CO
2021-029555	10/23/2021 6:50:21 PM		SUSPICIOUS ACTIVITY ASSIGNMENT C
2021-029494	10/23/2021 7:40:03 AM		ANIMAL LOOSE LIVESTOCK ASSIGNME
2021-029235	10/21/2021 9:45:13 AM		ALARM RESIDENTIAL FIRE FALSE ALAF
2021-029052	10/19/2021 8:19:21 PM		MEDICAL CALL ASSIGNMENT COMPLET
CAD Report 71			

CFS #	Create When		CallType Disposition
2021-029050	10/19/2021 7:34:50 PM		CITY ORDINANCE VIOLATION ASSIGNM
2021-028963	10/18/2021 4:49:09 PM		CIVIL MATTER ASSIGNMENT COMPLET
2021-028958	10/18/2021 3:53:25 PM		HARASSMENT/THREAT NO REPORT
2021-028956	10/18/2021 3:22:07 PM		ALARM FALSE ALARM
2021-028948	10/18/2021 2:20:08 PM		BURGLARY RESIDENCE ASSIGNMENT
2021-028850	10/17/2021 2:45:07 PM		RECOVERED PROPERTY ASSIGNMENT
2021-028831	10/17/2021 9:57:02 AM		THEFT ASSIGNMENT COMPLETE
2021-028776	10/16/2021 8:03:44 PM		MEDICAL CALL ASSIGNMENT COMPLET
2021-028710	10/16/2021 9:37:53 AM		PARKING ENFORCEMENT ASSIGNMEN
2021-028642	10/15/2021 7:58:00 PM		ALARM ASSIGNMENT COMPLETE
2021-028472	10/14/2021 10:54:03 AM		CRIMINAL MISCHIEF RSO REPORT TAK
2021-028398	10/13/2021 10:02:58 PM		MEDICAL CALL ASSIGNMENT COMPLET
2021-028311	10/13/2021 8:13:53 AM		SUSPICIOUS PERSON/VEHICLE ASSIGN
2021-028177	10/12/2021 3:02:18 AM		RECKLESS DRIVER ARREST
2021-028149	10/11/2021 9:48:25 PM		ASSIST ASSIGNMENT COMPLETE
2021-028105	10/11/2021 12:45:03 PM		CITY ORDINANCE VIOLATION UTL
2021-028014	10/10/2021 2:10:40 PM		SUSPICIOUS PERSON/VEHICLE UTL
2021-027918	10/9/2021 1:34:46 PM		BURGLARY VEHICLE RSO REPORT TAK
2021-027873	10/9/2021 2:35:00 AM		MISCELLANEOUS ASSIGNMENT COMPL
2021-027864	10/9/2021 1:35:10 AM		ALARM FALSE ALARM
2021-027823	10/8/2021 3:12:27 PM		DECEASED PERSON ASSIGNMENT COM
2021-027743	10/8/2021 12:52:02 AM		ALARM FALSE ALARM
2021-027409	10/5/2021 6:22:49 AM		ANIMAL LOOSE LIVESTOCK UTL
2021-027406	10/5/2021 5:13:50 AM		ALARM COMMERCIAL FIRE ASSIGNMEN
2021-027374	10/4/2021 11:47:50 PM		ALARM FALSE ALARM
2021-027335	10/4/2021 3:47:27 PM		FOLLOW UP NO REPORT
2021-027334	10/4/2021 3:42:25 PM		RECOVERED PROPERTY ASSIGNMENT
CAD Report 71			

CFS #	Create When		CallType Disposition
2021-027314	10/4/2021 11:58:11 AM		RECOVERED PROPERTY ASSIGNMENT
2021-027306	10/4/2021 10:26:08 AM		BURGLARY VEHICLE RSO REPORT TAK
2021-027301	10/4/2021 9:46:50 AM		ALARM ASSIGNMENT COMPLETE
2021-027300	10/4/2021 9:29:30 AM		MEET COMPLAINANT ASSIGNMENT CO
2021-027298	10/4/2021 9:19:00 AM		MEET COMPLAINANT ASSIGNMENT CO
2021-027296	10/4/2021 8:37:58 AM		MEET COMPLAINANT ASSIGNMENT CO
2021-027292	10/4/2021 8:03:48 AM		THEFT RSO REPORT TAKEN
2021-027287	10/4/2021 7:10:57 AM		BURGLARY VEHICLE RSO REPORT TAK
2021-027281	10/4/2021 6:38:58 AM		CRIMINAL MISCHIEF RSO REPORT TAK
2021-027278	10/4/2021 5:20:32 AM		BURGLARY VEHICLE ASSIGNMENT COI
2021-027264	10/4/2021 2:18:54 AM		SUSPICIOUS PERSON/VEHICLE UTL
2021-027187	10/3/2021 2:58:31 PM		HARASSMENT/THREAT ASSIGNMENT C
2021-027178	10/3/2021 12:22:20 PM		ALARM FALSE ALARM
2021-027098	10/2/2021 5:05:21 PM		PROPERTY DAMAGE ASSIGNMENT COI
2021-027082	10/2/2021 1:00:57 PM		MEDICAL CALL ASSIGNMENT COMPLET
2021-027046	10/2/2021 5:03:08 AM		SHOTS FIRED UTL
2021-027044	10/2/2021 3:26:06 AM		EXTRA PATROL ASSIGNMENT COMPLE
Total: 66			

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CITY COUNCIL – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: December 3, 2021

APPLICANT: MC Trilogy Texas, LLC

LOCATION: North of FM 550, containing 179 acres of land in two tracts, one tract east of Pullen Road, the other tract east of Rabbit Ridge Road.

CITY COUNCIL HEARING DATE: December 8, 2021

REQUEST:

The applicant is requesting a planned development district for single family uses with a minimum lot size of one acre and approval of a concept plan for the development of the property on 179 acres of land in two tracts: Tract 1 containing 109.907 acres of land and Tract 2 containing 69.143 acres of land. Both tracts are within the city limits of McLendon-Chisholm on the north side of FM 550.

PROPERTY OWNERS: Hodges Partnership, 1511 Pullen Road, Rockwall, Texas 75032

REPRESENTATIVE: Matt Adkins, Teague, Nall & Perkins

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval of the requested planned development district and concept plan.

BACKGROUND INFORMATION:

The subject property is two tracts of land totaling 179 acres of land located generally north of FM 550 between Rabbit Ridge Road and Stevens Road, in the city limits of McLendon-Chisholm. The City has entered into a developer agreement with MC Trilogy Texas LLC for the ultimate development of the 179 acres of land within the city limits.

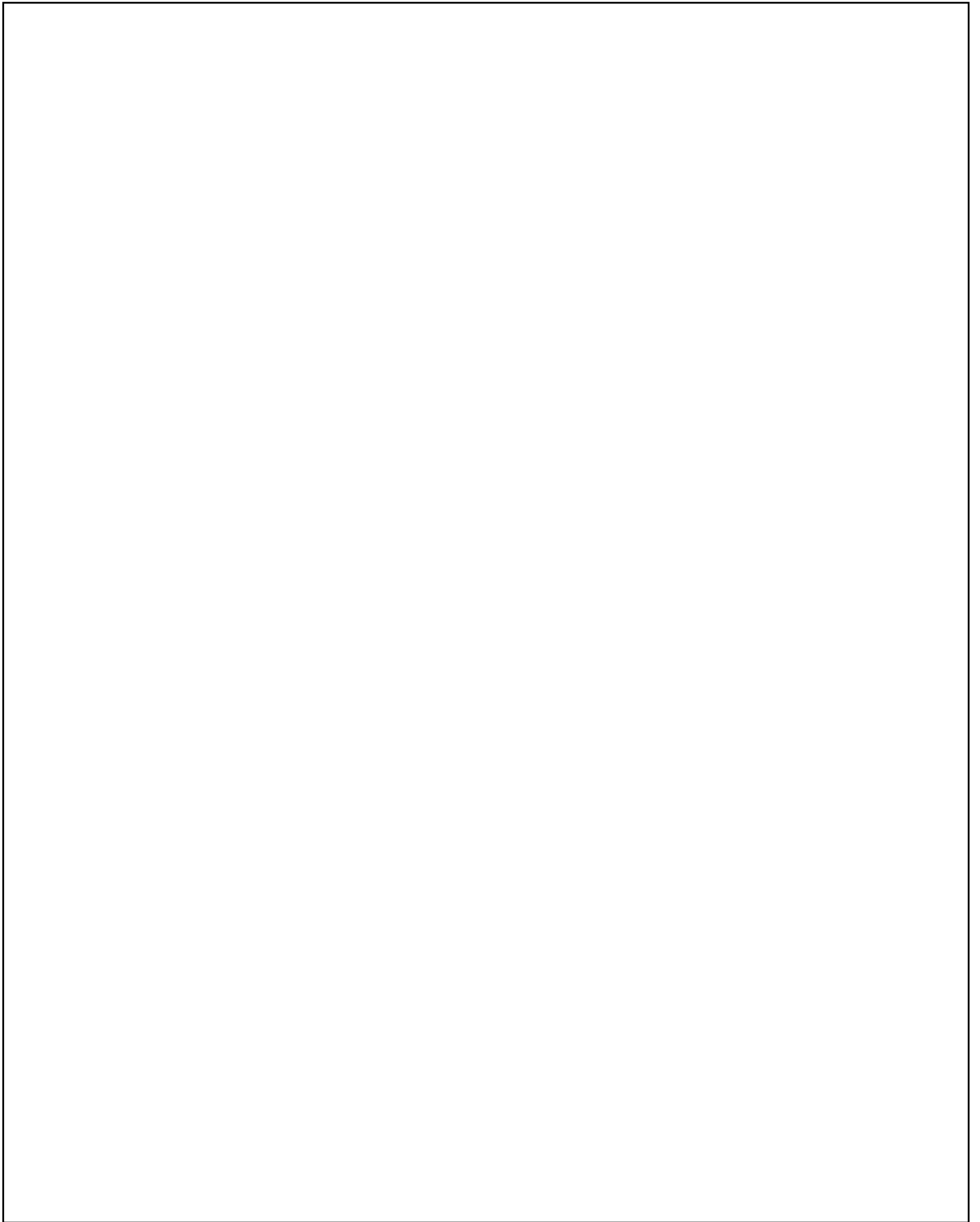
The applicant has requested that a planned development district be adopted providing for a minimum residential lot size of one-acre of land for each residential lot. The proposed language is included at the end of this report.

The Texas Local Government Code requires that zoning conform to the Comprehensive Plan. This application conforms to the Comprehensive Plan.

A graphic showing the two in-city tracts of land is shown below.



This area intentionally left blank



Legal Description of the two In-City tracts, Exhibit A

Exhibit A
Metes and Bounds Description of the Property

TRACT 1

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J. SIMMONS SURVEY, ABSTRACT NO. 202, THE W.W. FORD SURVEY, ABSTRACT NO. 80, AND THE A. RODRIGUEZ SURVEY, ABSTRACT NO. 231, IN ROCKWALL COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED TO HODGES RANCH PARTNERS, LTD., AS RECORDED IN VOLUME 3828 AT PAGE 322 ALSO KNOWN AS DOCUMENT NUMBER 00319510 ON DECEMBER 4TH 2004 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING SUBJECT TO A MEMORANDUM OF INTEREST WITH REGARD TO OWNERSHIP OF REAL PROPERTY RECORDED UNDER COUNTY CLERKS FILE NUMBER 20160000014831 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550 (VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN VOLUME 41 AT PAGES 545 565 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS AT THE RECOGNIZED SOUTHWEST CORNER OF SAID TRACT;

THENCE NORTH 44° 03' 50" EAST A DISTANCE OF 1,220.15 FEET TO A POINT FOR CORNER, SAID POINT BEING THE SOUTH CORNER OF A CALLED 58.110 ACRE TRACT OF LAND DESCRIBED IN DEED TO DONALD R. HOLLOWAY RECORDED UNDER COUNTY CLERKS FILE NUMBER 2011-00444931 (VOL. 6347, PG. 221) OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 44° 24' 01" EAST AND FOLLOWING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 258.18 FEET TO A POINT FOR CORNER;

THENCE NORTH 45°44'54" EAST AND CONTINUING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 353.97 FEET TO A POINT FOR CORNER;

THENCE NORTH 44° 38' 21" EAST AND CONTINUING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 485.74 FEET TO A POINT FOR THE MOST EASTERLY CORNER OF SAID HOLLOWAY 58.110 ACRE TRACT AT ITS INTERSECTION WITH THE SOUTHWEST LINE OF A CALLED 89.287 ACRE TRACT OF LAND DESCRIBED IN DEED TO HOLLOWAY FAMILY LIMITED PARTNERSHIP AS RECORDED UNDER COUNTY CLERKS FILE NUMBER 20150000020975 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 46° 15' 24" EAST AND FOLLOWING ALONG THE SOUTHWEST LINE OF SAID HOLLOWAY FAMILY LIMITED PARTNERSHIP 89.287 ACRE TRACT A DISTANCE OF 685.89 FEET TO THE MOST SOUTHERLY CORNER OF SAID 89.287

Exhibit A - Page 1

1580.039\97784.6

ACRE TRACT, SAID POINT BEING IN A SOIL CONSERVATION LAKE AND CALLED IN THE OLD MEANDERS OF LONG BRANCH CREEK;

THENCE FOLLOWING ALONG THE SOUTHEASTERLY LINE OF SAID HOLLOWAY FAMILY LIMITED PARTNERSHIP 89.287 ACRE TRACT AND ALONG THE CALLED OLD MEANDERS OF LONG BRANCH CREEK AS FOLLOWS;

- (1) NORTH 09° 48' 57" EAST A DISTANCE OF 71.41 FEET TO A POINT CORNER;
- (2) NORTH 81° 03' 57" EAST A DISTANCE OF 56.00 FEET TO A POINT FOR CORNER;
- (3) SOUTH 56° 56' 03" EAST A DISTANCE OF 69.00 FEET TO A POINT FOR CORNER;
- (4) SOUTH 83° 11' 03" EAST A DISTANCE OF 85.00 FEET TO A POINT FOR CORNER;
- (5) NORTH 48° 33' 57" EAST, A DISTANCE OF 10.18 FEET TO A POINT FOR CORNER;

THENCE DEPARTING THE CALLED OLD MEANDERS OF LONG BRANCH CREEK AND THROUGH THE INTERIOR OF SAID PREMISES AS FOLLOWS;

- (1) SOUTH 45° 00' 00" EAST, A DISTANCE OF 150.87 FEET TO A POINT FOR CORNER;
- (2) SOUTH 45° 00' 00" WEST, A DISTANCE OF 1050.00 FEET TO A POINT FOR CORNER;
- (3) SOUTH 45° 00' 00" EAST, A DISTANCE OF 1596.73 FEET TO A POINT FOR CORNER ON THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550;

THENCE NORTH 88° 20' 23" WEST AND ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 135.23 FEET TO A POINT FOR CORNER;

THENCE NORTH 84° 16' 25" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 405.48 FEET TO A POINT FOR CORNER;

THENCE NORTH 81° 36' 51" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 451.13 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2,846.18 FEET, WITH A CENTRAL ANGLE OF 09° 17' 58", AND A CHORD BEARING NORTH 74°08'20" WEST AT A DISTANCE OF 461.45 FEET;

THENCE WESTERLY AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550 AND SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 461.95 FEET TO A POINT FOR CORNER;

Exhibit A - Page 2

1580.039\97784.6

THENCE NORTH 69° 29' 21" WEST CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550A DISTANCE OF 1,496.23 FEET TO THE POINT OF BEGINNING CONTAINING 3,011,847 SQUARE FEET, OR 69.143 ACRES OF LAND MORE OR LESS.

TRACT 2

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J. SIMMONS SURVEY, ABSTRACT NO. 202, THE W.W. FORD SURVEY, ABSTRACT NO. 80, AND THE A. RODRIGUEZ SURVEY, ABSTRACT NO. 231, IN ROCKWALL COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED TO HODGES RANCH PARTNERS, LTD., AS RECORDED IN VOLUME 3828 AT PAGE 322 ALSO KNOWN AS DOCUMENT NUMBER 00319510 ON DECEMBER 4TH 2004 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING SUBJECT TO A MEMORANDUM OF INTEREST WITH REGARD TO OWNERSHIP OF REAL PROPERTY RECORDED UNDER COUNTY CLERKS FILE NUMBER 20160000014831 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR THE RECOGNIZED EAST CORNER OF THIS TRACT IN THE SOUTHWEST LINE OF A 25.279 ACRE TRACT OF LAND DESCRIBED IN DEED TO REGGIE L. HICKERSON RECORDED UNDER VOLUME 2388, PAGE 198 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, SAID POINT BEING THE MOST NORTHERLY CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO RONALD PRICE AND SHARON DUBACK RECORDED UNDER VOLUME 1591, PAGE 111 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 43° 56' 42" WEST AND DEPARTING THE SOUTHWEST LINE OF SAID 2.79 ACRE TRACT TO REGGIE L. HICKERSON AND FOLLOWING ALONG THE NORTHWEST LINE OF SAID RONALD PRICE AND SHARON DUBACK TRACT A DISTANCE OF 1,902.97 FEET TO A POINT FOR CORNER; SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID RONALD PRICE AND SHARON DUBACK TRACT;

THENCE NORTH 45° 35' 00" WEST A DISTANCE OF 819.44 FEET TO A POINT FOR CORNER IN THE NORTHEAST RIGHT-OF-WAY LINE OF F.M. ROAD 550 (VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN VOLUME 41 AT PAGES 545 565 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 86° 58' 39" WEST AND CONTINUING ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 89.89 FEET TO A POINT FOR CORNER;

THENCE SOUTH 14° 01' 34" WEST AND CONTINUING ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 113.82 FEET TO A POINT FOR CORNER;

THENCE NORTH 88° 27' 27" WEST AND FOLLOWING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 445.63 FEET TO A POINT FOR CORNER;

THENCE NORTH 87° 13' 22" WEST AND FOLLOWING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 1,052.71 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 5,769.60 FEET, A CENTRAL ANGLE OF 01° 08' 00", AND A CHORD BEARING NORTH 87°39'09" WEST AT A DISTANCE OF 114.12 FEET;

THENCE WESTERLY AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 AND FOLLOWING ALONG SAID CURVE FOR AN ARC DISTANCE OF 114.12 FEET;

THENCE NORTH 88° 13' 09" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 669.98 FEET TO A POINT FOR CORNER;

THENCE DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 AND THROUGH THE INTERIOR OF SAID PREMISES AS FOLLOWS;

(1) NORTH 45° 00' 00" EAST, A DISTANCE OF 1,092.91 FEET TO A POINT FOR CORNER;

(2) NORTH 45° 00' 00" WEST, A DISTANCE OF 600.00 FEET TO A POINT FOR CORNER;

(3) NORTH 45° 00' 00" EAST, A DISTANCE OF 800.00 FEET TO A POINT FOR CORNER;

(3) SOUTH 45° 00' 00" EAST, A DISTANCE OF 1,750.00 FEET TO A POINT FOR CORNER;

(4) NORTH 45° 00' 00" EAST, A DISTANCE OF 1,708.95 FEET TO A POINT FOR CORNER ON THE RECOGNIZED NORTHEAST LINE OF THIS TRACT;

THENCE SOUTH 45° 44' 07" EAST ALONG SAID RECOGNIZED LINE, A DISTANCE OF 1317.93 FEET TO THE POINT OF BEGINNING CONTAINING 4,787,547 SQUARE FEET, OR 109.907 ACRES OF LAND MORE OR LESS.

Comprehensive Plan:

The Comprehensive Plan calls for the subject property to be a Master Planned Community. Page 44

Master Planned Community

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:

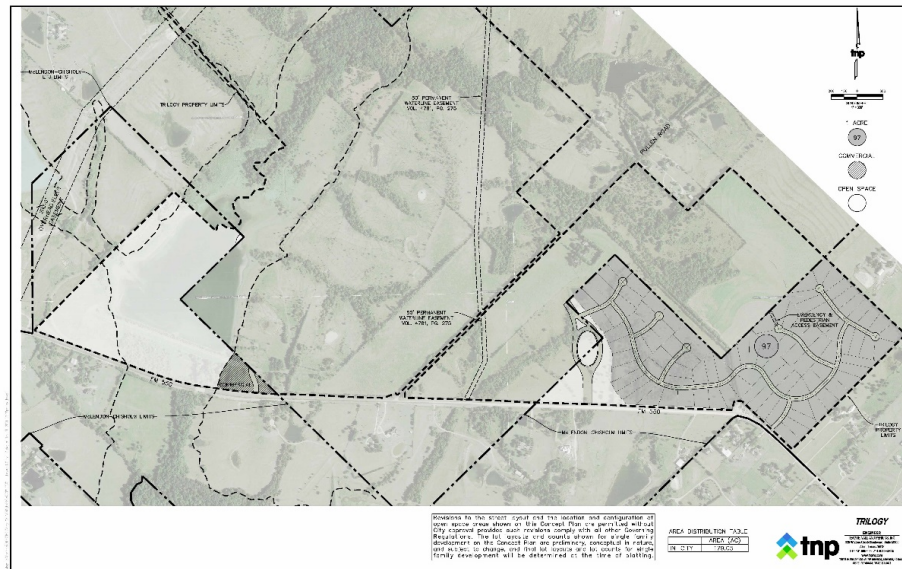
- Minimum lot size of one acre for residential uses, exclusive of floodplains and rights-of-way. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable.
- Minimum 150-foot lot width for residential uses;
- Preserved open space integrated 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.

The proposed planned development district conforms to the Comprehensive Plan.

Thoroughfares/streets:

The roadway adjacent to both of the subject tracts is FM 550. The current City Thoroughfare Plan shows FM 550 to be an Existing Principal Arterial. A principal arterial requires between 100 and 150 feet of right of way.

Planned Development District Concept Plan



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Planned Development District Ordinance

Exhibit B **Planned Development District Development Regulations**

1. Definitions.

- a. Building Permit Fees is defined in Section 10(c) of this Ordinance.
- b. City Fees is defined in Section 10(e) of this Ordinance.
- c. Concept Plan means the Concept Plan attached as **Exhibit C** of this Ordinance, as amended from time to time in accordance with this Ordinance.
- d. District means Rockwall County Municipal Utility District No. 10 or any municipal utility district resulting from the division of Rockwall County Municipal Utility District No. 10.
- e. Development Agreement means that certain Development Agreement between the City and MC Trilogy Texas, LLC approved by the City Council on [REDACTED], 2021.
- f. End-Buyer means the end-buyer of a fully developed and improved lot within the Property.
- g. Fees is defined in Section 10(g) of this Ordinance.
- h. Flood Study Fee is defined in Section 10(d) of this Ordinance.
- i. Governing Regulations is defined in Section 2 of this Ordinance.
- j. Ordinance means this Ordinance No. [REDACTED] zoning the Property as a planned development district.
- k. Owner means "Owner" as defined in the Development Agreement or an "Assignee" as defined in the Development Agreement.
- l. Plan Review Fees is defined in Section 10(b) of this Ordinance.
- m. Plat Review Fees is defined in Section 10(a) of this Ordinance.
- n. Property means the property described on **Exhibit A** of this Ordinance.
- o. Public Infrastructure means water, wastewater, drainage, roadway, and other public infrastructure to serve the Property in accordance with the Development Agreement.
- p. Public Safety Fees is defined in Section 10(f) of this Ordinance.
- q. Structure means every structure designed or intended for human occupancy and every accessory structure intended for human occupancy.
- r. TCEQ means Texas Commission on Environmental Quality.

- s. Zoning Ordinance means the City's comprehensive zoning ordinance in effect on the date of the adoption of this Ordinance.

2. Governing Regulations.

- a. Development of the Property shall be governed solely by the following regulations (collectively, the "Governing Regulations"): (i) the Zoning Ordinance, as amended by this Ordinance (the "Development Regulations"); (ii) the following building codes adopted by the City and in effect on the Effective Date: the provisions of the International Building Code (2018 edition), the International Residential Code (2018 edition), the International Energy Conservation Code (2018 edition), the International Mechanical Code (2018 edition), the International Plumbing Code (2018 edition), the International Fuel Gas Code (2018 edition), the International Property Maintenance Code (2018 edition), and the National Electrical Code (2020 edition), the International Fire Code (2018 edition) excluding all cul-de-sac size and dimension requirements, as well as amendments thereto adopted by Ordinance No. 2020-03 (the "Building Codes"); and (iii) the subdivision regulations of the City in effect on the Effective Date (the "Subdivision Regulations"), as amended by the special regulations set forth on Exhibit E of this Ordinance (the "Special Regulations").
- b. The Governing Regulations are exclusive, and no other City-adopted ordinances, rules, regulations, standards, policies, orders, guidelines, or other City-adopted or City-enforced requirements of any kind apply to the use or development of the Property.

3. Concept Plan; Development Plan.

- a. The Concept Plan attached as Exhibit C satisfies the requirements of Section 5-1 of the Zoning Ordinance for the approval of a conceptual plan with the establishment of a new planned development district. Revisions to the street layout and the location and configuration of open space areas shown on Exhibit C are permitted without City approval provided such revisions comply with all other Governing Regulations. The lot layouts and counts shown for single family development on the Concept Plan are preliminary, conceptual in nature, and subject to change, and final lot layouts and lot counts for single family development will be determined at the time of platting. Any amendment to the Concept plan that is approved on a plat is deemed to be a City-approved amendment to the Concept Plan. All other revisions to the Concept Plan require the approval of the City Council.
- b. A development plan (also known as a detailed site plan), as required by 5-1 of the Zoning Ordinance is required for all development; however, pursuant to Section 5-1 of the Zoning Ordinance, no signage plan or architectural plans are required for a development plan for single family development or an amenity center. A development plan shall be approved if it satisfies the Governing Regulations. No public hearing is required for a development plan for single family development or an amenity center.

4. Conflicts. In the event of any conflict between this Ordinance and any other ordinance, rule, regulation, standard, policy, order, guideline or other City-adopted or City-enforced requirement, whether existing on the date of the adoption of this Ordinance or hereinafter adopted, this Ordinance shall control. In the event of a conflict between this Ordinance (including any exhibit attached hereto) and the Zoning Ordinance, the Building Codes, or the Subdivision Regulations, this Ordinance (including all exhibits attached hereto) shall control. In the event of a conflict between an exhibit attached to this Ordinance and the text of this Ordinance, the text of this Ordinance shall control.

5. Plats. Subdivision of the Property requires approval of plats by the City in accordance with the Governing Regulations.

6. Public Infrastructure. The Public Infrastructure must be designed to comply with the Governing Regulations, and no construction or installation of Public Infrastructure shall begin until plans and specifications have been approved by the City (which approvals must not be unreasonably withheld or delayed). Nothing herein is intended to waive or modify any applicable requirements for retail or wholesale providers to review and approve any water or wastewater construction plans.

7. Inspections. The City acknowledges that all Public Infrastructure must be inspected as required by the rules of the TCEQ to the extent the costs and expenses paid or incurred by Owner in connection with such infrastructure will be reimbursable to Owner from bonds issued by the District or other funds legally available to the District. In order to avoid the duplication of time and expense of dual inspection and testing of Public Infrastructure, in lieu of City inspections, the engineer for the District shall perform inspections of all Public Infrastructure and issue certifications to confirm compliance with City requirements and TCEQ requirements, and file copies of his or her reports with the City. Alternatively, at the City's option, the City's engineer may perform all inspections of Public Infrastructure, in which case the City shall require its engineer to issue certifications to confirm compliance with City requirements and TCEQ requirements.

8. Building Permits. No Structure shall be constructed unless a building permit has been issued by the City, and permits shall not be unreasonably withheld, conditioned, or delayed. A building permit must be issued for any Structure that complies with the Governing Regulations. Except for model homes, no building permit may be issued for a Structure unless a final plat has been recorded for the lot on which the Structure is being constructed. Building permits must be issued for model homes prior to the recordation of a final plat if the Public Infrastructure to serve the model homes has been completed and inspected (including fire protection and excluding sewer); however, no model home may be sold to any End-Buyer until a final plat has been recorded.

9. Certificate of Occupancy. Except for model homes, no Structure may be occupied until a certificate of occupancy has been issued by the City certifying that the Structure has been constructed in compliance with the Governing Regulations, which certificates shall not be unreasonably withheld, conditioned, or delayed. Model homes may be occupied for the sole purpose of sales and marketing; however, no model home may be sold to or occupied by an End-Buyer until a certificate of occupancy has been issued.

10. Development Charges.

- a. Plat Review Fees. Development of the Property shall be subject to payment to the City of the following fees (the "Plat Review Fees"): (a) for a preliminary plat, \$280 per acre (or fraction thereof) within the plat plus the City's costs to hire a consultant to review the preliminary plat if City staff is not able to review the plat; and (b) for a final plat, \$250 plus \$5 per lot within the final plat, plus the City's costs to hire a consultant to review the final plat if City staff is not able to review the plat.
- b. Plan Review Fees. Development of the Property shall be subject to payment to the City of the reasonable and lawful costs to hire a consultant to review the District's plans and specifications for Public Infrastructure (the "Plan Review Fees").
- c. Building Permit Fees. Development of the Property shall be subject to payment to the City of the reasonable and lawful fees and charges applicable to the City's review of building construction plans, issuance of building permits, inspection of buildings, and issuance of certificates of occupancy (the "Building Permit Fees") according to the fee schedule adopted by the City Council and in effect on the date of submittal of a building permit application. The fee schedule applicable to the Property shall be uniformly applicable to all development within the corporate limits of the City.
- d. Flood Study Fee. A fee equal to the actual cost of the City's engineer's review of a new flood study for the Property shall be paid to the City in connection with the City's analysis of any new flood study that is required by the Governing Regulations (the "Flood Study Fee"), which fee is required to be a reasonable market rate fee for a licensed professional engineer to review a flood study of a comparable scope.
- e. City Fees. The Parties agree that the City may collect a \$1,500 wastewater fee per dwelling unit from each building permit applicant at the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Wastewater City Fees"), which is a fee that shall be used to fund administrative and facility operation and maintenance costs associated with providing wastewater service to the Property. If the City is the retail water provider to the Property, the Parties agree that the City may collect a \$1,000 water fee per dwelling unit per dwelling unit from each building permit applicant at the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Water City Fees"), which is a fee that shall be used to fund administrative and facility operation and maintenance costs associated with providing water service to the Property. The City agrees that no impact fees adopted pursuant to Chapter 395 of the Texas Local Government Code will be collected in connection with the development or use of the Property.
- f. Public Safety Fees. The City may collect a \$250 public safety fee per dwelling unit from each building permit applicant at the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Public Safety Fees"), which fees shall be used to fund the City's provision of public safety services to the Property.

- g. Exclusive Fees. Except for Plat Review Fees, Plan Review Fees, Building Permit Fees, Flood Study Fee, and Wastewater City Fees, the Water City Fees, and the Public Safety Fees (collectively, the "Fees"), no other fees or charges of any kind are due and payable to the City in connection with the development of the Property.
11. Manufactured Housing. Notwithstanding any other provision of this Ordinance or the Governing Regulations to the contrary, HUD-certified manufactured homes may be located within the Property, from time to time, for any purpose necessary for the creation or administration of the District (including, but not limited to, providing qualified voters within the District or qualifying persons to serve on the Board of Directors of the District). Owner will notify the City of the location of, make and model of, HUD number for, and 911 address of each home within 30 days after the home is occupied. Manufactured homes permitted by this Agreement: (a) are not required to be located on a platted lot; (b) do not require a building permit; (c) do not require a certificate of occupancy; (d) do not otherwise have to comply with the Governing Regulations; (e) do not require any permit or other approval by the City; (f) are not subject to payment of any of the Fees; and (g) will be promptly removed when no longer needed for the creation or administration of the District. Manufactured homes permitted by this Ordinance must have adequate access for fire protection.
12. Water Wells. Water wells may be drilled within the Property to provide irrigation water and water for domestic use, including, but not limited to, use by the residents of the manufactured housing described in the prior section; subject, however, to all applicable rules and regulations of Rockwall County and the TCEQ.
13. Director Qualifying Lots. Notwithstanding any other provision of this Ordinance or the Governing Regulations to the contrary, the conveyance, from time to time, by metes and bounds or otherwise of any portion of the Property to any person for the purpose of qualifying such person to be a member of the board of directors of the District shall not be considered a subdivision of land requiring a plat or otherwise requiring the approval of the City; provided, however, no Structure, other than manufactured housing authorized by this Ordinance, shall be constructed on any property conveyed for such purpose unless and until a plat of such portion has been approved by the City in accordance with the Governing Regulations.

Exhibit D
Development Regulations

1. Definitions.

- a. Alley means a publicly or privately owned access way that provides access to the rear of a lot and functions as a traditional alley.
- b. City Administrator means the City Administrator or his or her designee.
- c. Concept Plan means the concept plan attached to this Ordinance as **Exhibit C**, as amended in accordance with this Ordinance.
- d. Front entry garage means a garage accessed from the street in front of a single family detached home. This term does not include side entry or j-swing garages.
- e. Open space means generally undeveloped property that can be used for active or passive recreation, is publicly or privately owned and maintained, is accessible by the residents of the Property or by the general public, and is designated as open space on an approved final plat.
- f. Property means the property described on **Exhibit A** of this Ordinance.
- g. Single family detached means a single dwelling unit on a platted lot that is not physically attached to any other dwelling unit (excluding an accessory dwelling unit).

2. Permitted Uses.

- a. The following uses shall be permitted in the areas designated "Residential Zone" on the Concept Plan:
 - i. Single family detached.
 - ii. Public safety buildings.
 - iii. School, public or private (elementary, middle, or high school, home school, day care).
 - iv. Model homes.
 - v. Accessory uses and structures, including, but not limited to buildings, garages, patio covers, pergolas, decks, carports, fences, signs, swimming pools, spas, antenna, satellite dishes, game courts, flagpoles).
 - vi. Accessory dwelling units that are accessory to single family detached uses located on lots with a width greater than 59 feet. An accessory dwelling unit shall not exceed 750 square feet in floor area, and shall be located on the same

lot as the principal use. A separate meter is permitted, but not required, for the accessory secondary living units.

- vii. Accessory home occupations, which shall conform to the Zoning Ordinance with respect to regulations specific to accessory home occupations.
 - viii. Sales office.
 - ix. Amenity Centers. Accessory private community center is permitted as an accessory use to an amenity center. An accessory private community center may include a restaurant or coffee shop open to members and their guests and may include a banquet facility that may be rented for special occasions, such as wedding receptions and parties. This use may include recreational uses and amenities, including, but not limited to, swimming pools and tennis courts. An amenity center may include one or more food trucks.
 - x. Temporary Residential Sales Office, Temporary Construction Office, and Model Homes. A residential real estate sales office and/or construction office, located on a platted lot, may be permitted within a subdivision for which building permits have been issued and may be located either in a model home, in a temporary building, or in a portable trailer. Model homes are permitted within a subdivision for which building permits have been issued. A permit for a temporary residential sales office, construction office, or a model home may be issued for no more than one year, but shall be automatically extended for so long as the builder maintains active and continuous sales or construction activities within the subdivision and a minimum of five lots in the subdivision remain unsold. Such sales office shall be used for sales in the subject subdivision only and not for sales in any other subdivision.
 - xi. Farmers market.
- b. The following uses shall be permitted in the areas designated "Commercial Zone" on the Concept Plan:
- i. The following nonresidential uses:
 - A. All uses permitted by right in the NC Neighborhood Commercial District pursuant to the Zoning Ordinance are permitted by right without conditions.
 - B. All uses permitted by SUP in the NC Neighborhood Commercial District pursuant to the Zoning Ordinance are permitted by SUP.
 - C. Restaurant, drive-in or drive-thru
 - D. Restaurant/refreshment stand (temporary or seasonal)
 - E. Retail uses of any type and size

- F. Service uses of any type, such as nail salons, hair salons, and similar uses providing services to the public
 - G. Pharmacy
 - H. Office (business, professional, or medical)
 - I. Fuel sales, with or without a convenience store
 - J. Furniture repair
 - K. Bank or other financial institution
 - L. Accessory banking
 - M. Florist
 - N. Veterinary clinic or hospital with or without outside kennels and boarding
 - O. Day care
 - P. Farmers market
 - Q. Accessory uses and structures
- c. In the area designated "Open Space" on the Concept Plan, as well as any other location within this planned development, parks, trails, active and passive open space, and other recreational amenities, uses, and improvements are permitted, including, but not limited to, all uses and structures referenced in Section 8 below.
 - d. Agricultural uses are permitted at any location within the Property, and may include, but are not limited to, raising crops and livestock, livestock services (including horses), and landscape/horticulture services.
 - e. Real estate development field offices and sales offices are permitted at any location without any time limit, and may be located in a temporary building or portable trailer.
 - f. Temporary construction yards are permitted during ongoing construction within the Property, and locations shall be approved by the City Administrator, with such approval not to be unreasonably withheld, conditioned, or delayed.
 - g. Concrete or asphalt batch plant, temporary associated with development of the Property, are permitted at any location, and the locations shall be approved by the City Administrator with such approval not to be unreasonably withheld, conditioned, or delayed.

4. Residential Development Standards. The requirements in this Section 4 shall apply to single family residential development:

- a. Table 1 below contains the exclusive lot size, setback, lot coverage, density, garage orientation, building height, and dwelling unit size requirements for residential development.
- b. Single family detached homes and duplexes shall comply with the anti-repetition requirements on **Exhibit F**. At least 10 percent of an elevation must be different, or it will be considered to be a repeated elevation.
- c. Each single family detached home shall be serviced by a central cluster mailbox located at a street intersection as approved by the US Postal Service. Mailbox designs shall be similar to the design shown on **Exhibit G**.
- d. All streets shall have street lights chosen from the standard street lighting guide of the electric provider.
- e. The front most portion of a residential front entry garage shall not extend more than three feet in front of the front facade or the front porch of a single family detached home.
- f. All residential rear entry garage doors must be a minimum of 20 feet from the edge of the right-of-way.
- g. All residential side and front entry garage doors for all permitted uses must be a minimum of 22 feet from the edge of the right-of-way.
- h. Each single family detached home shall have a minimum of two enclosed garage parking spaces.
- i. Front entry garage doors on a single family detached home shall be recessed a minimum of six inches into the building facade in which they are located.
- j. Residential garage doors shall be clad with faux wood. Metal garage doors are prohibited on residences.

5. Non-Residential Development Standards. The requirements in this Section 5 shall apply to non-residential development:

- a. The minimum front yard building setback shall be 25 feet, measured from all streets. All other yards shall be considered side yards, and shall have a minimum building setback of 15 feet, unless adjacent to an existing residential use, in which case the minimum building setback shall be 25 feet and a six foot solid fence or screening wall shall be constructed on the non-residential lot line where residential adjacency exists.

- b. The maximum lot coverage shall be 35 percent, measured as the building footprint.
- c. The minimum lot size for a non-residential use shall be 10,000 square feet.
- d. The maximum building height shall be two stories and 40 feet.
- e. An amenity center is considered non-residential development for purposes of this Section 5.

6. Residential Landscaping, Fencing, and Screening. The following requirements shall be the exclusive landscaping requirements applicable to residential development:

- a. Except as otherwise provided below in this paragraph, chain link, barbed wire, pipe, and razor wire fences are prohibited. This restriction does not apply to temporary construction fencing, fencing around a lift station or other utility uses, barbed wire fencing around cattle or other agricultural uses. The City Administrator may permit these materials for limited use in other specific circumstances if the Director finds the use of these materials to be appropriate. Vinyl and polywood fencing and manufactured fencing materials are permitted on residential lots. Vinyl coated chain link fencing is permitted in connection with a dog park or open space. Wrought iron fencing or similar open metal fencing is required where lots abut an open space or park designated on a final plat.
- b. A minimum of one three-inch caliper canopy tree shall be planted on each residential lot or in the adjacent parkway for every 35 feet in street frontage, excluding driveways.
- c. In addition to the requirements in subsection (b) above, each corner lot with a single family detached home shall have landscape enhancements along the side street as follows:
 - i. A three-inch caliper trees shall be planted every 35 feet within the parkway, and a minimum of one five-gallon evergreen shrub shall be planted every five feet on center along the fence facing the side street.
 - ii. Trees may be planted between a sidewalk and curb. When trees are planted within the parkway, there shall be a minimum of five feet between the curb and sidewalk.
- d. Shrubs are required to be planted in the areas shown on Exhibit P.
- e. Berms, shrubs, trees, and groundcover are permitted in medians.
- f. When the back or side of a single family residence abuts a collector road, screening will be provided in the form of a minimum six-foot tall board on board fence with the finished side facing the street, which shall be constructed by the home builder and shall have consistent materials and a consistent design along all

collector streets. A collector road shall be defined as a road having a divided two-lane boulevard connecting major off-site roadways. The term "divided" means divided by a raised median.

- g. A minimum of one three-inch caliper ornamental or canopy tree, or three eight-foot tall ornamental trees, shall be planted for every 50 linear feet of street frontage or fraction thereof along perimeter arterial and collector thoroughfares in the parkway. Trees may be planted in clusters to create a natural appearance along perimeter arterial and collector streets.
- h. Entryways into and exits from the Property shall be landscaped with grass, shrubs, and trees.
- i. Landscaping at entryways into the Property shall be designed so as to avoid an impairment of visibility of operators of motor vehicles entering and exiting the subdivision when the plant materials reach full maturity.
- j. The developer and/or a homeowners' association shall be responsible for the perpetual maintenance and upkeep of all landscaped areas that are not contained within residential lots.
- k. Landscaped areas at entryways into the Property shall be planted with at least one shade tree (minimum four inches in caliper measured at four feet above natural grade and 16 feet in height at time of planting) for each 55 linear feet or portion thereof of adjacent exposure.
 - a. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article, but shall be permitted in addition to required landscaping. Synthetic or artificial lawn or plant material shall be permitted within an amenity center lot.
 - b. All required landscaped area shall be permanently landscaped with living plant material, and shall have an irrigation system installed.
 - c. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.
 - d. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.
 - e. Plant materials which die shall be replaced with plant material of similar variety and size within 90 days period, with a one time extension not exceeding 90 days being provided upon approval of the city council.
 - f. All landscaping shall be completed and installed in accordance with the landscape plan within 90 days of a certificate of occupancy being granted. A one-time

extension not to exceed 90 days may be granted upon approval of the City Administrator or his/her designee.

- g. All required landscaping shall be from the approved plant list on Table 2 of this **Exhibit D**. The City Administrator may approve the use of additional plants that are not on Table 2 to satisfy landscaping requirements.

7. Non-Residential Landscaping and Screening. The following requirements shall be the exclusive landscaping requirements applicable to non-residential development:

- a. A minimum of 20 percent of each platted lot developed with a non-residential use shall be landscaped with a combination of grass, shrubs and trees. Where the construction is to be a single phase of a multi-phase development, only the area being constructed in the current phase need be subject to the landscape regulations. However, each phase will be required to meet the landscaping requirements as they are being developed.
- b. A minimum of ten percent of the gross area within a parking lot shall be planted with living plant material. Gross parking area shall be measured from the edge of the parking and/or driveway paving and sidewalks. Such landscaping shall be counted towards satisfaction of the requirements in Section 7(a) above. Landscape material which is located within the interior of a parking lot shall be surrounded by a curb of four inches in height.
- c. All required landscaped area shall be permanently landscaped with living plant material, and shall have an irrigation system installed. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article, except for an amenity center lot.
- d. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.
- e. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.
- f. Plant materials which die shall be replaced with plant material of similar variety and size within 90 days period, with a one time extension not exceeding 90 days being provided upon approval of the city council.
- g. All landscaping shall be completed and installed in accordance with the landscape plan within 90 days of a certificate of occupancy being granted. A one-time extension not to exceed 90 days may be granted upon approval of the City Administrator or his/her designee.
- h. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article unless part of an amenity center lot.

- i. An amenity center is considered non-residential development for purposes of this Section 7.
 - j. All required landscaping shall be from the approved plant list on Table 2 of this **Exhibit D**. The City Administrator may approve the use of additional plants that are not on Table 2 to satisfy landscaping requirements.
8. Parks and Open Space. The parks, trails and open space requirements of the Development Agreement shall be the sole and exclusive parks, trails, and open space requirements for the Property, except that **Exhibit H** of this Ordinance represents the Parks, Open Space, and Trail Plan for the Property. No other park land dedication, park fee, or park improvement requirements shall apply to the Property.
9. Street Sections. Non-standard street sections are permitted as shown on **Exhibit I**. Minimum median width may be ten feet.
10. Street Signs.
- a. Street signs shall be maintained by the homeowners association or the District until the subdivision is accepted by the City.
 - b. Alternative street signs may include a non-standard color, font, and text size that varies from standard City street signs. Alternative street signs shall be reviewed and approved by city staff and must follow the Manual on Uniform Traffic Control Devices (MUTCD).
11. Miscellaneous.
- a. Front entry and rear entry (alley-served) residential types are permitted.
 - b. The master developer and homeowners association ("HOA") are hereby granted a license to use the public right of way within the Property boundaries for the exclusive purpose of constructing, operating, repairing and maintaining the following improvements and any improvements reasonably related thereto or necessary for the operation thereof: street and pedestrian lighting, public seating areas, landscaping and related amenities, including fountains, monuments, statues, or other public artwork, street furniture, including benches, drinking fountains, trash containers, tunnels; security cameras, bollards, temporary construction barricades, underground duct banks, pedestrian bridges and overpasses, arches, string lighting or other decorative lighting, wiring, and similar improvements. The removal of improvements for maintenance and replacement of utilities, pavement, drainage structures, and sidewalks shall be at the developer's or HOA's expense. Prior to installing any improvement within the right-of-way, the developer or HOA shall obtain the City Administrator's approval, which approval shall not be unreasonably withheld or delayed if the improvement does not unreasonably interfere with the public use of the right-of-way.
 - c. Development shall comply with the architectural guidelines on **Exhibit J**.

- d. Trash can pads shall be provided as shown on Exhibit K.
- e. Address plaques will be installed on each home in a design similar to that shown on Exhibit L.
- f. Residential fencing details shall comply with Exhibit M.
- g. Realtor and builder sign design shall conform to the specifications on Exhibit N.
- h. Sidewalks shall comply with Exhibit O.

Table 1

Development Standards Table for Single Family Residential

Minimum Lot Area	One acre
Minimum Lot Width	100 ft
Minimum Lot Depth	225 ft
Minimum Front Yard Building Setback ¹	75 ft
Minimum Side Yard Building Setback ²	
Interior Side Yard - 100'-130' Width	10 ft
Interior Side Yard - Greater than 130' Width	25 ft
Side Street (Corner Side Yard)	50 ft
Minimum Rear Yard Building Setback ³	25 ft
Minimum Dwelling Size (air conditioned floor area)	2,300 square feet
Maximum Lot Coverage (measured as building footprint only)	40%

¹ Permitted encroachments into minimum building setbacks: porches (up to eight feet into front yard setback and corner side yard setback, provided, however, no less than a 12-foot setback from the property line shall be permitted on any lot that requires a 12-foot or larger front yard setback); fireplaces and box windows up to two feet into all setbacks; balconies, awnings, overhang eaves up to two feet into all setbacks; bay windows up to four feet into front and rear yard setbacks; stoops and stairs up to five feet into front and rear yard setbacks; suspended planter or flower boxes up to 24 inches into all setbacks; and foundation encroachments of up to six inches in all setbacks for architectural details such as brick ledges.

² Exception to minimum setback: Minimum side yard building setback to detached garages or accessory buildings may be reduced to three feet when a greater setback would otherwise be required. See also footnote 1. Swimming pools shall have a minimum five-foot setback from rear and side property lines; however, such setback only applies to the swimming pool, and not to associated decking or paving around a swimming pool.

³ See footnotes 1 and 2.

Table 2
Approved Plant Species List

Approved/Recommended Plant List⁴	
Common Name	Scientific Name
Canopy Trees	
Ash, Texas	Fraxinus texensis
Cedar Elm	Ulmus crassifolia
Cedar, Eastern Red	Juniperus virginiana
Cypress, Bald	Taxodium distichum
Elm*, Lace Bark	Ulmus parvifolia
Magnolia, Southern	Magnolia grandiflora
Maple, Bigtooth	Acer gradidentatum
Maple, Caddo	Acer saccharum
Oak, Bur	Quercus macrocarpa
Oak, Chinquapin	Quercus muhlenbergii
Oak, Escarpment Live	Quercus fusi formis
Oak, Lacey	Quercus glaucoides
Oak, Live	Quercus virginiana (Escarpment)
Oak, Post	Quercus stellata
Oak, Red	Quercus shumardi
Oak, Texas Red	Quercus texana
Osage Orange	Maclura pomifera (thornless and fruitless)
Pecan (native)	Carya illinoensis
Pistache*, Chinese	Pistacia chinensis
Soapberry, Western	Sapindus drummondii
Walnut, Black	Juglans nigra
Ornamental Trees	
Buckeye, Mexican	Ungnadia speciosa

⁴ The list in Table 2 also includes cultivars of all listed plant types.

Buckeye, Texas	Aesculus glabra var. arguta
Buckthorn, Carolina	Rhamnus caroliniana
Chaste Tree*	Vitex agnus-castus
Crabapple, Prairie	Pyrus ioensis
Crape Myrtle*	Lagerstroemia indica
Eves Necklace	Sophora affinis
Goldenball Leadtree	Leucaena rietusa
Hawthorne*	Crataegus phaenopyrum
Hawthorne*	Crataegus crus-galli
Hawthorne*	Crataegus reverchonii
Holly, Possumhaw	Ilex deciduas
Indigo, False	Amorpha fruticosa var. angustipolic
Mountain Laurel, Texas	Sophora secundiflora
Persimmon, Texas	Diospyros texana
Plum, Mexican	Prunus mexicana
Redbud	Cercis canadensis
Smoketree	Cotinus obovatus
Smoketree*	Cotinus caggyria
Sumac, Prairie Flame-leaf	Rhus lanceolata
Viburnum, Rusty Blackhow	Viburnum rufidulum
Wax Myrtle	Myrica cerifera
Willow, Desert	Chilopsis linearis
Yaupon Holly	Ilex vomitoria
Brodie Juniper	Eastern Red Cedar
Arizona Cypress	Spartan Juniper
Taylor Juniper	Canaert Juniper
Shrubs	
Agarita	Berberis trifoliolata
Althea	Hibiscus syriacus
American Beautyberry	Callicarpa americana`
Aspidistra	Aspidistra eliator

Barberry, Red	<i>Berberis thunbergii</i>
Barberry, Texas	<i>Berberis thunbergii</i>
Bayberry	<i>Myrica pensylvanica</i>
Bird of Paradise	<i>Caesalpinia gilliesii</i>
Burning Bush	<i>Euonymus alata compacta</i>
Butterfly Bush	<i>Buddleia</i> sp.
Cactus, Prickly Pear	<i>Opuntia phaeacantha</i>
Cenizo	<i>Leucophyllum frutescens</i>
Chokeberry, Red	<i>Aronia arbutifolia</i>
Coralberry	<i>Symphoricarpos obiculatus</i>
Dogwood, Rough Leaf	<i>Cornus drummondii</i>
Elaeagnus	<i>Elaeagnus macrophylla</i>
Forsythia	<i>Forsythia</i> sp.
Germander, Upright	<i>Teucrium chamaedrys</i>
Holly, Dazzler	<i>Ilex cornuta</i> 'Dazzler'
Holly, Dwarf yaupon	<i>Ilex vomitoria</i>
Holly, Nellie R. Stevens	<i>Ilex</i> x 'Nellie R. Stevens'
Honeysuckle, Bush	<i>Lonicera fragrantissima</i>
Hydrangea, Oakleaf	<i>Hydrangea quercifolia</i>
Hypericum, Upright	<i>Hypericum patulum</i>
Jasmine, Italian	<i>Jasmine nudiflorum</i>
Lantana	<i>Lantana horrida</i>
Mahonia, Leatherleaf	<i>Mahonia bealeii</i>
Mimosa, Fragrant	<i>Mimosa borealis</i>
Nandina, Compact	<i>Nandina domestica compacta</i>
Nandina, Gulfstream	N.d. 'Gulfstream'
Nandina, Standard	<i>N. domestica</i>
Pavonia	<i>Pavonia lasiopetala</i>
Photinia, Chinese	<i>Photinia serrulata</i>
Privet, Southern River	<i>Ligustrum vulgare</i>
Privet, Variegated	<i>Ligustrum lucidum</i> 'variegata'

Quince, Flowering	Chaenomeles japonica
Sage, Cherry	Salvia greggii
Spiraea, Bridal Wreath	Spiraea sp.
Spiraea, Anthony Waterer	Spiraea x bumalda 'goldflame'
Spiraea, Goldflame	Spiraea x bumalda 'goldflame'
Spiraea, Little Princess	Spiraea x bumalda 'Little Princess'
Spiraea, Shirobana	Spiraea japonica 'Shirobana'
Sumac, Aromatic	Rhus aromatica
Sumac, Evergreen	Rhus virens
Sumac, Smooth	Rhus glabra
Turk's Cap	Malvaviscus drummondii
Viburnum, Cranberry Bush	Viburnum opulus
Viburnum, Small Leaf	Viburnum obavatum
Viburnum, Snowball	Viburnum opulus
Virginia Sweetspire	Itea virginica
Wax Myrtle, Dwarf	Myrica pusilla
Yucca, Red	Hesperaloe parviflora
Eagleston Holly	Texas Sage
Abelia	Agave varieties
Seagreen juniper	Juniper varieties
Hawthorne	
Ornamental Grasses	
Maiden Grass	Feather Reed Grass
Zebra Grass	Bluestem
Pampass Grass	Liriope
Gulf Muhly	Berkley Sedge
Blue Gramma Grass	Giant Bermuda
Weeping Love Grass	Inland Sea Oats
Vines	
Carolina Jessamine	Asian Jasmine
Butterfly Vine	Purple Wintercreeper

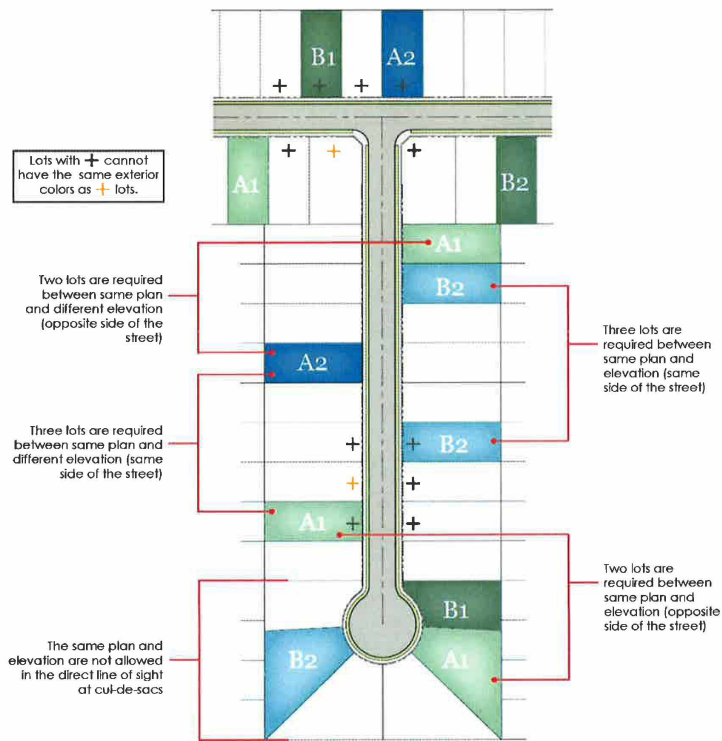
Crosse Vine	Purple Heart Wander Jew
Sweet Autumn Clematis	

An “ * ” indicates an approved street tree

Exhibit E
Special Regulations

The "Special Regulations" as defined and set forth in the Development Agreement shall apply to the Property, and shall control in the event of any conflict with the Subdivision Regulations. In addition, lots may be platted to the centerline of a street.

Exhibit F Repetition Restrictions



Repetition Guidelines are as follows:

Same side of street -

- Same plan, same elevation must have 3 lots in between.
- Same plan, different elevation must have 3 lot in between

Opposite side of the street -

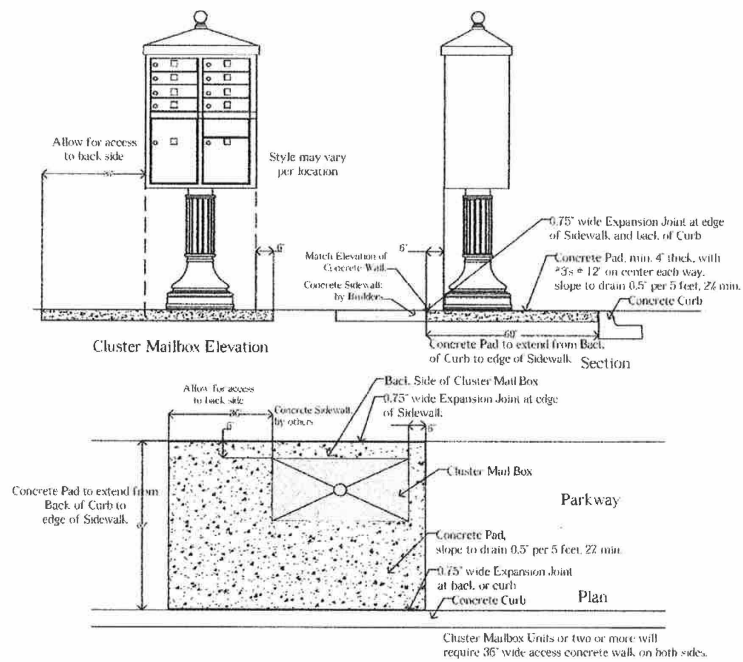
- Same plan, same elevation must have 2 complete lots in between.
- Same plan, different elevation must have 2 complete lot in between.

Exterior colors

- Exterior colors may not be the same side by side, or in direct line of sight, regardless of plan or elevation. Direct line of sight refers to the 3 lots directly across the street.

Exhibit G
Mailbox Design

Mailbox Design



Manufacturer:
Brandon Industries
1601 Wilmet Road
McKinney, Texas 75069
214-542-3000

Color: Black
Style: Cluster Box Units (CBU)
Type: Depending on location and number of Tenants and Parcels
Top Style: Sloped with ball cap
Base: Decorative
Include: Required Anchor Bolts

[illegible]

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Exhibit I
Street Sections

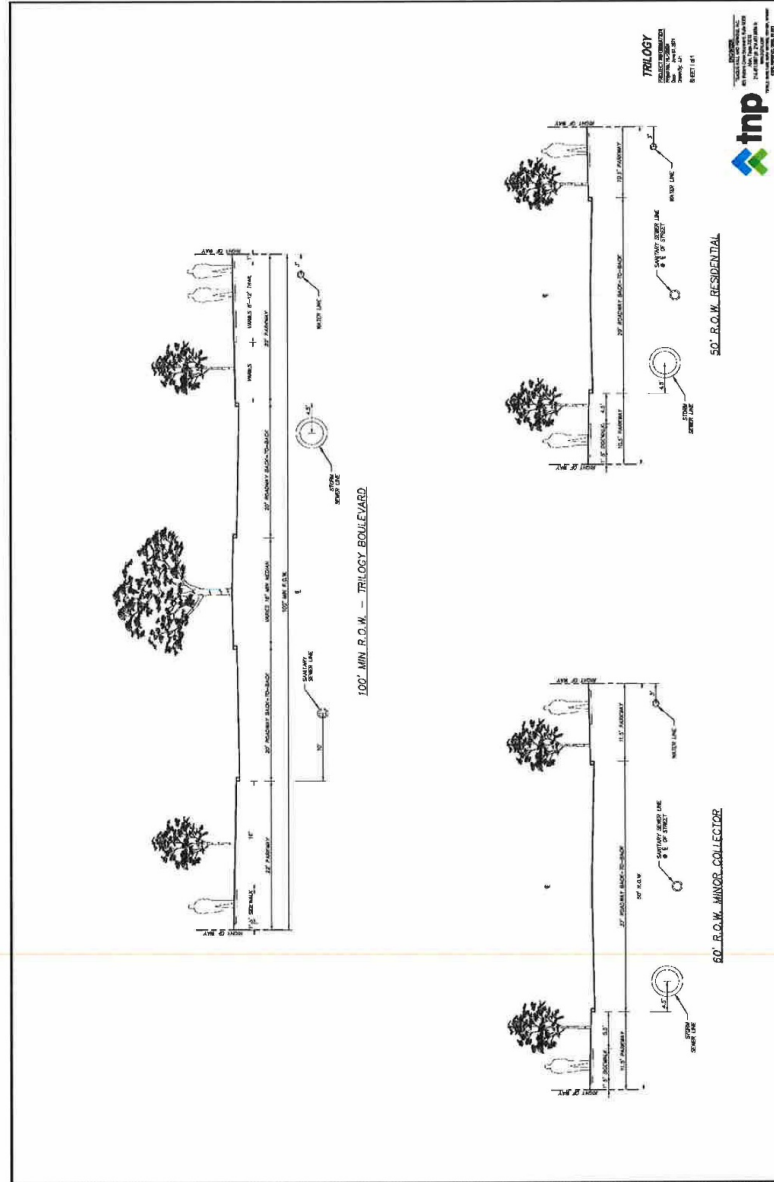


Exhibit I - Page I

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Exhibit J
Architectural Guidelines

1. Design Standards.

- a. Applicability of Other Design Standards. The design standards in this section are the exclusive design standards applicable to the Property, and apply only to principal buildings. An accessory building shall be designed consistent with the building materials used for the principal building on the same lot, but shall not otherwise be regulated by the design standards in this section.
- b. Approved Building Materials. In the context of approved building materials, a facade does not include doors, fascia, windows, chimneys, dormers, window box-outs, bay windows, soffits, eaves, and outdoor fireplaces. Multiple buildings on the same lot will each be deemed to have separate facades.
 - i. A minimum of 90 percent of each exterior building facade shall consist of one or more of the following building materials (subject to further restrictions in facade area set forth below for cementitious fiber board and EIFS):
 - 1. Stone, brick or tile laid up unit by unit and set in mortar;
 - 2. Stucco (exterior Portland cement plaster with three coats over metal lath or wire fabric lath or other methods approved by the City Administrator as equal or better quality in durability);
 - 3. Natural stone, cultured stone, or cast stone;
 - 4. Architecturally finished block (i.e. burnished block or split faced concrete laid up unit by unit and set in mortar), which shall be limited to the amenity center and other non-residential buildings;
 - 5. Cementitious fiber board. Cementitious fiber board is permitted subject to the following conditions: the style and color of a building using this product must be approved as part of a site plan, no more than 20 percent of the residential buildings in the Property may have a facade that is predominantly composed of this product unless the style of the home dictates more such as a Cape Cod, Craftsman or Victorian style home.
 - 6. Exterior Insulation and Finish System (EIFS), which shall be limited to the amenity center and other non-residential buildings. EIFS may be used only on that portion of a façade that is four feet or higher above grade. A maximum of 50 percent of all sides of a building visible from the street and not ultimately screened by another building or other device may consist of EIFS;

7. LEED-certified materials;
8. Glass; or
9. An alternative material approved by the City Administrator based on a finding that it is of a quality equal to or better than the materials listed above in durability.

- ii. A maximum of ten percent of a facade may include accent materials not listed above, except that aluminum siding, vinyl siding, unfinished concrete block, reflective glass, and galvanized steel are prohibited. The use of reflective glass and galvanized steel may be approved by the City Administrator for use on an amenity center or on other non-residential structures in unique circumstances in order to comply with green building techniques.
- iii. The following requirement shall apply to a minimum of 50 percent of all single family residences at the time of full build out of the Property: A minimum of 25 percent of each exterior building façade shall consist of natural, cultured, or cast stone.
- iv. The building material requirements in this section shall not apply to buildings in open space areas, including, but not limited to, an amenity center.

c. Roofing Design and Materials.

- i. Roofing materials for sloped roofs shall be selected from the following list:
 1. Asphalt shingles;
 2. Industry approved synthetic shingles;
 3. Standing seam metal roofs;
 4. Tile roofs;
 5. Slate roofs;
 6. LEED-certified roofing materials; or
 7. An alternative material approved by the City Administrator based on a finding that it is of a quality equal to or better than the materials listed above in durability.
- ii. Amenity centers and other non-residential buildings may have flat roofs or pitched roofs. All pitched roofs of non-residential buildings shall have a

minimum pitch of 4:12. Roofs covering porches and other architectural elements are excluded from this requirement. The City Administrator may approve a roof that does not meet these requirements based on a finding that a different roof pitch is appropriate for the proposed architectural style.

- iii. All pitched roofs of residential buildings shall have a minimum pitch of 6:12. Roofs covering porches, bay windows, box windows and other architectural elements are excluded from this requirement. The City Administrator may approve a roof that does not meet these requirements based on a finding that a different roof pitch is appropriate for the proposed architectural style.
- iv. Flat roofs require parapet screening that adheres to vertical articulation requirements for the facade.
- v. Parapets shall require cornice detailing.
- vi. Each single-family detached home will have a 30-year dimensional shingle, tile, composite or metal seam roof.

d. Design Features for Certain Residential Buildings. A minimum of four of the following design features are required on the exterior of each single family detached residential structure:

- i. Dormers;
- ii. Cupolas;
- iii. Gables;
- iv. Recessed entries (minimum three feet);
- v. Balconies;
- vi. Covered front porches (minimum 70 square feet in area and seven feet in depth);
- vii. Courtyards;
- viii. Box windows or bay windows;
- ix. Architectural pillars or posts;
- x. Exterior chimneys;
- xi. Varied roof heights;
- xii. Archways;

- xiii. Porte cocheres;
 - xiv. Porticos;
 - xv. Shutters (functional or decorative);
 - xvi. Fireplaces with chimneys;
 - xvii. Minimum eight-foot tall front doors; or
 - xviii. Articulated cornice lines.
- e. Design Features for Non-Residential Buildings. Non-residential buildings shall comply with the following requirements:
- i. Cladding materials used on a facade shall extend a minimum of 20 feet around building corners onto adjacent facades, other than facades abutting an alley.
 - ii. All buildings must include at least four of the following design features, and buildings that are greater than 20,000 square feet in floor area must include at least six of the following design features:
 - A. Canopies, archways, covered walkways, or porticos;
 - B. Awnings;
 - C. Arcades;
 - D. Courtyards;
 - E. Cupolas;
 - F. Balconies;
 - G. Tower elements;
 - H. Recesses, projections; columns; pilasters projecting from the planes; offsets; reveals; or projecting ribs used to express architectural or structural bays;
 - I. Varied roof heights for pitched, peaked, sloped, or flat roof styles;
 - J. Articulated cornice line;
 - K. Arches;
 - L. Display windows, faux windows, or decorative glass windows;

- M. Architectural details, such as tile work and molding, or accent materials integrated into the building facade;
- N. Integrated planters or wing walls that incorporate landscaping and sitting areas or outdoor patios;
- O. Integrated water features; or
- P. Other similar architectural features approved by the City Administrator.

f. Entries.

- i. All non-residential buildings shall comply with the following requirements:
 - 1. All ground floor entrances shall be covered or inset.
 - 2. Building entrances shall be articulated with architectural elements such as columns, porticos, porches, and overhangs.
- ii. All non-residential buildings over 20,000 square feet in floor area shall incorporate elements such as arcades, roofs, alcoves, porticos, and awnings that protect pedestrians from sun and weather for a minimum of 50 percent of the length of the building frontage along a street.

g. Building Articulation. All non-residential building facades adjacent to and facing a street or open space shall include changes in relief such as columns, cornices, bases, fenestration, and fluted masonry at least every 50 feet along a building facade. This provision shall not apply to buildings in open space areas, including, but not limited to, an amenity center.

h. Transparency.

- i. Residential Uses. At least 25 percent of each front residential facade facing the street shall contain windows or doorways. If a lot is located on a corner, only one street-facing facade is required to meet this requirement, which shall be the street that the front facade of the home faces.
- ii. Non-Residential Uses. At least 50 percent of each front non-residential facade facing the street shall contain windows or doorways. If a lot is located on a corner, both street-facing facades are required to meet this requirement. This provision shall not apply to buildings in open space areas, including, but not limited to, an amenity center.

Note: For purposes of this exhibit, an amenity center is considered a non-residential building.

Exhibit K
Trash Can Pads

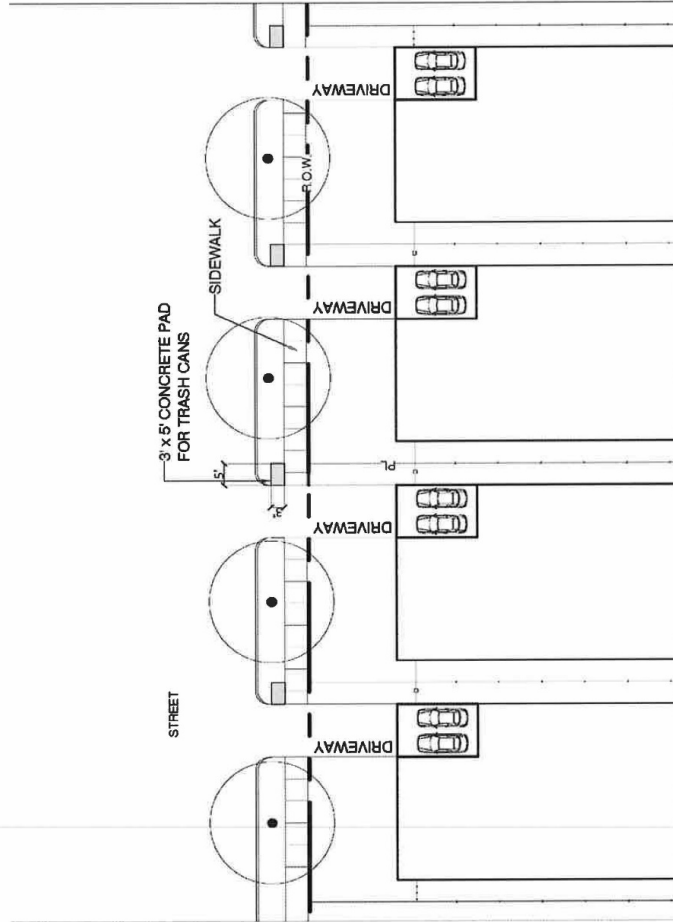


Exhibit K – Page 1

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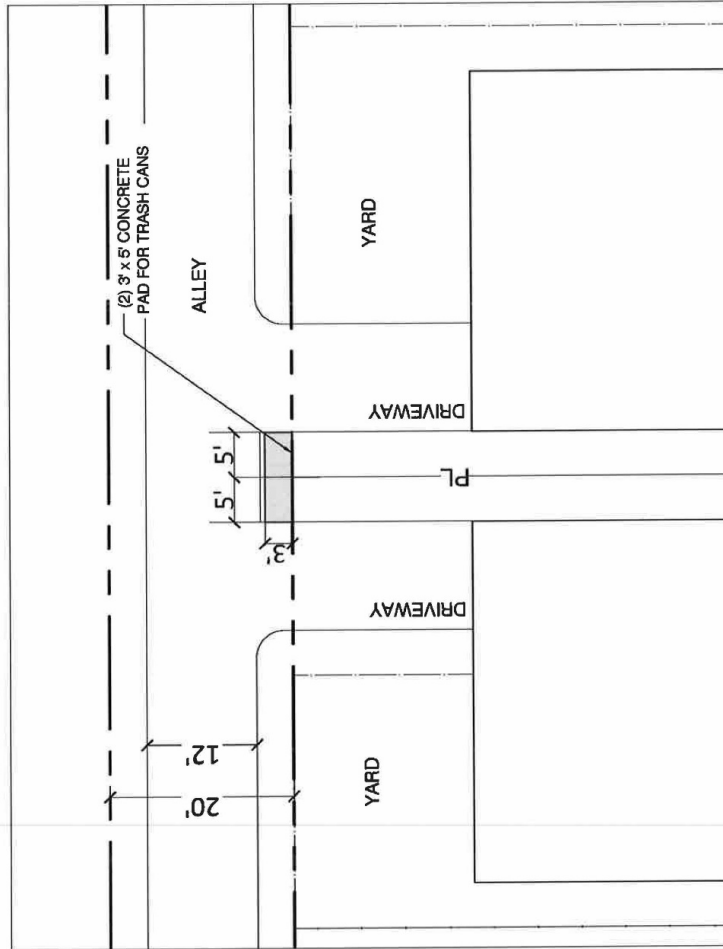


Exhibit K - Page 2

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Exhibit L
Address Plaques

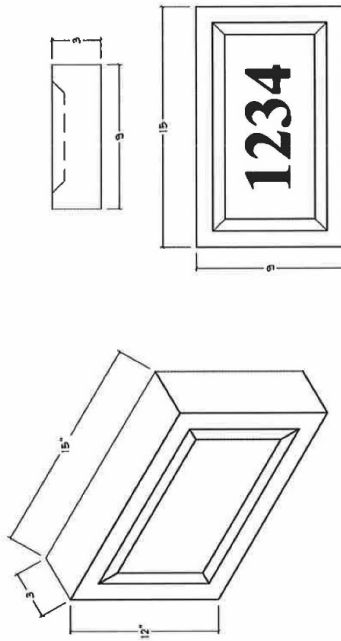


Exhibit L – Page 1

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Exhibit M
Fence Design for Single Family Detached

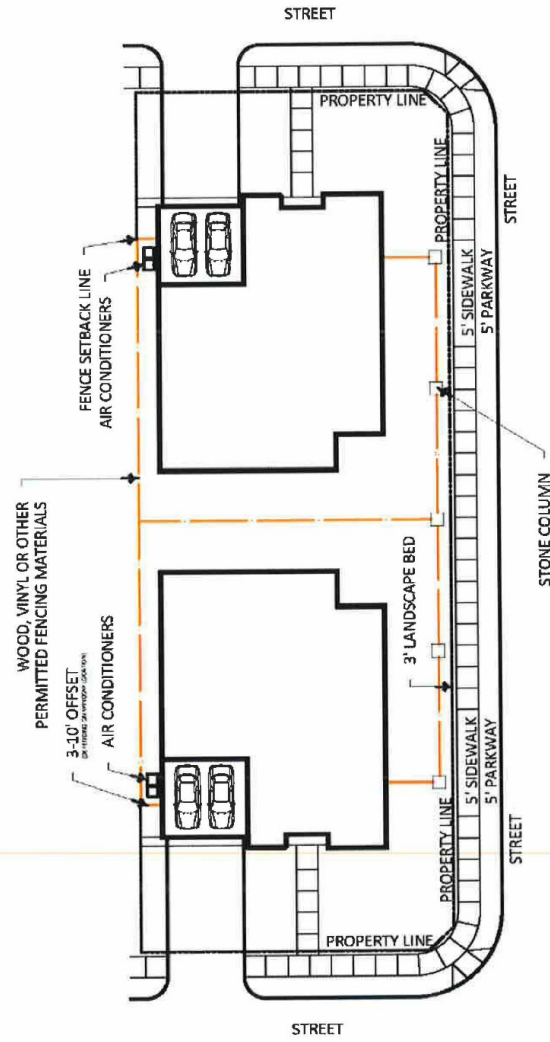


Exhibit M – Page 1

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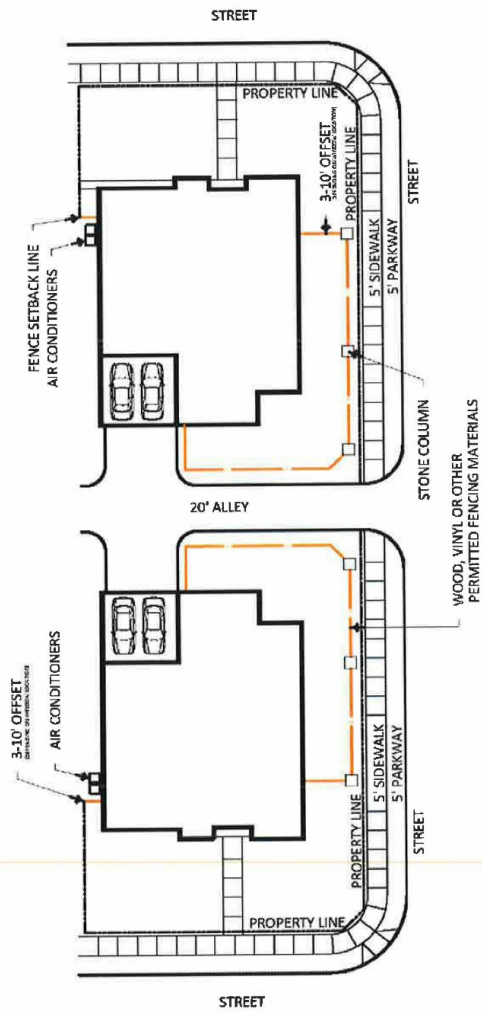


Exhibit M – Page 2

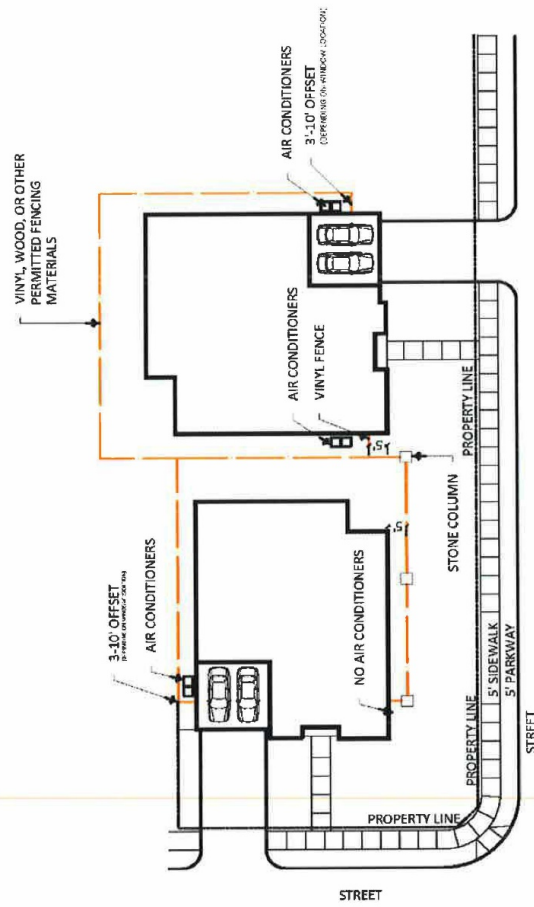


Exhibit M – Page 3

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Exhibit N
Realtor and Builder Sign Specifications

TRILOGY

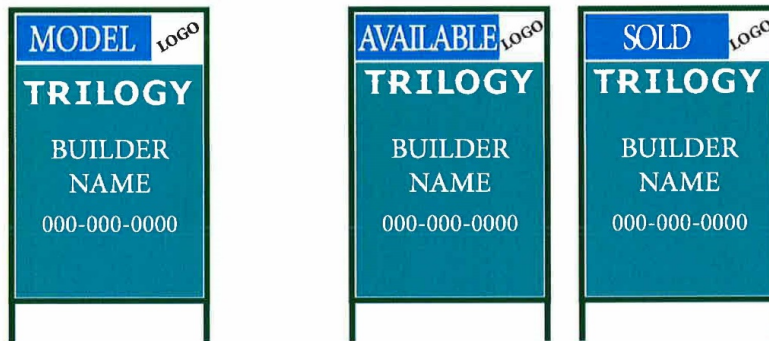


Exhibit O
Sidewalks

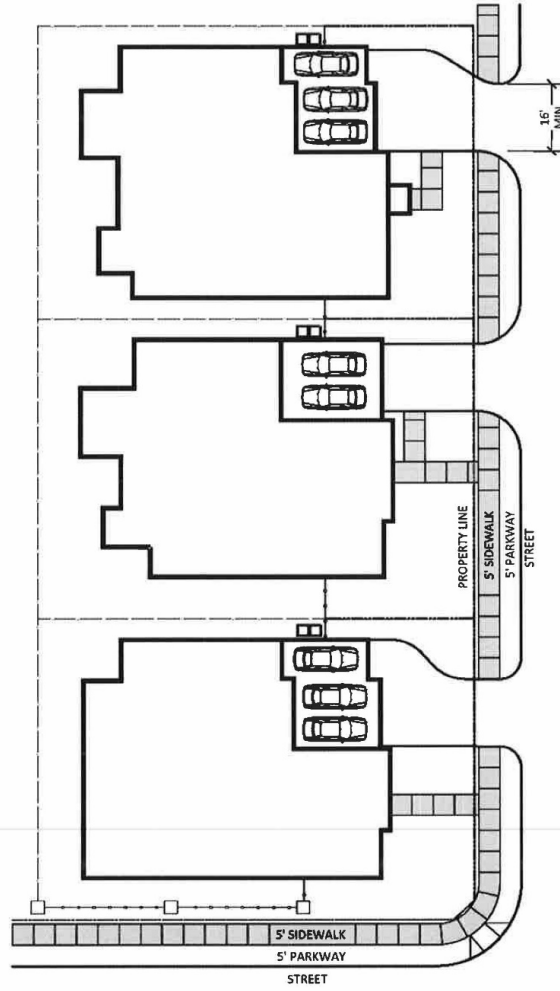


Exhibit O – Page 1

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Exhibit P
Shrub Planting Locations

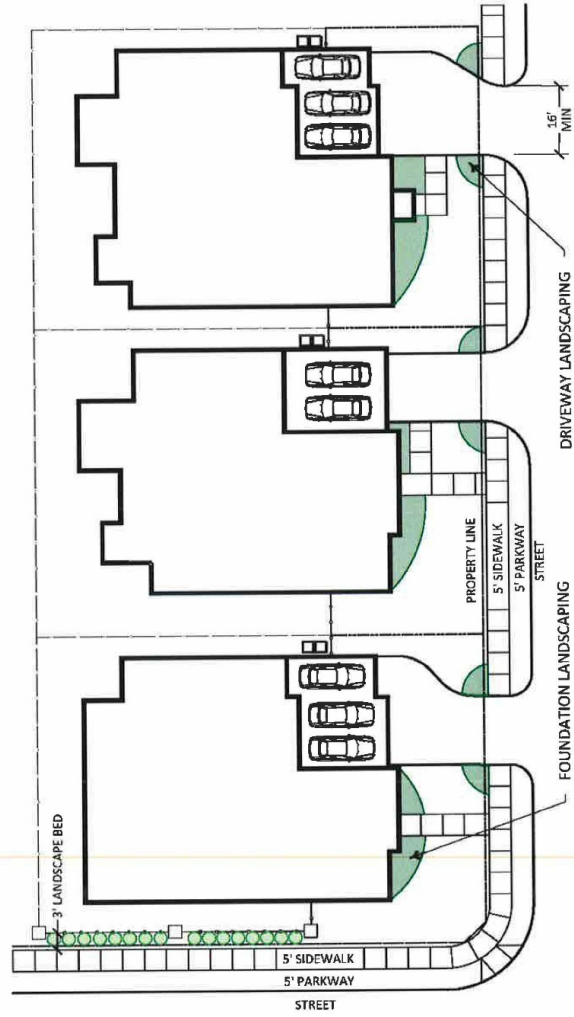


Exhibit P – Page 1

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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: 11/1/2021

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:

Tract 1 (109.907 acres) located North of FM 550 and generally east of Pullen Road.
Tract 2 (69.143 acres) located North of FM 550 and south anwes to Pullen Road.

West of

Property Legal Description:

Two tracts totalling 179.050 acres in A023 A Rodriguez Tract 27 & 27-1 (legal description attached) *Exhibit 'A'*

County Parcel ID: 12959 and 12960

Existing Zoning: Agriculture Requested Zoning: PD - (One Acre Lots)

Applicant's Name: MC TRILOGY TEXAS, LLC

Phone No. 972 860-3139 Email: ebruni@huffinescommunities.com

Status of Applicant: Owner ☐ or Authorized Agent ☒

Applicant's Address: 8200 Douglas Avenue STE 300 Dallas TX. 75225

Owner's Address: Hodges partnership 1511 Pullen Road Rockwall, Texas 75032

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

Signature of Owner:

Warrin J. Hodges

Date 10/28/21

Signature of Applicant:

Ebruni

Date 10/28/21

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 \$2,380.00 to cover the cost of this application, and an initial deposit of \$* for consulting fees has been paid to the City of McLendon-Chisholm on this 15th day of November, 2021.

** Consulting costs escrowed*

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): *Clara Bruni*

City Secretary: *Rockelle Green*

(Seal)



Page 2 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 \$ 2,390.00 to cover the cost of this application, and an initial deposit of \$ * for consulting fees has been paid to the City of McLendon-Chisholm on this 15th day of November, 2021.

* Consulting costs escrowed

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: Rochelle Green

(Seal)



Page 2 of 2

02/25/2020 Zoning Change Application and Checklist

Exhibit A
Metes and Bounds Description of the Property

TRACT 1

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J. SIMMONS SURVEY, ABSTRACT NO. 202, THE W.W. FORD SURVEY, ABSTRACT NO. 80, AND THE A. RODRIGUEZ SURVEY, ABSTRACT NO. 231, IN ROCKWALL COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED TO HODGES RANCH PARTNERS, LTD., AS RECORDED IN VOLUME 3828 AT PAGE 322 ALSO KNOWN AS DOCUMENT NUMBER 00319510 ON DECEMBER 4TH 2004 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING SUBJECT TO A MEMORANDUM OF INTEREST WITH REGARD TO OWNERSHIP OF REAL PROPERTY RECORDED UNDER COUNTY CLERKS FILE NUMBER 20160000014831 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550 (VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN VOLUME 41 AT PAGES 545 565 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS AT THE RECOGNIZED SOUTHWEST CORNER OF SAID TRACT;

THENCE NORTH 44° 03' 50" EAST A DISTANCE OF 1,220.15 FEET TO A POINT FOR CORNER, SAID POINT BEING THE SOUTH CORNER OF A CALLED 58.110 ACRE TRACT OF LAND DESCRIBED IN DEED TO DONALD R. HOLLOWAY RECORDED UNDER COUNTY CLERKS FILE NUMBER 2011-00444931 (VOL. 6347, PG. 221) OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 44° 24' 01" EAST AND FOLLOWING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 258.18 FEET TO A POINT FOR CORNER;

THENCE NORTH 45°44'54" EAST AND CONTINUING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 353.97 FEET TO A POINT FOR CORNER;

THENCE NORTH 44° 38' 21" EAST AND CONTINUING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 485.74 FEET TO A POINT FOR THE MOST EASTERLY CORNER OF SAID HOLLOWAY 58.110 ACRE TRACT AT ITS INTERSECTION WITH THE SOUTHWEST LINE OF A CALLED 89.287 ACRE TRACT OF LAND DESCRIBED IN DEED TO HOLLOWAY FAMILY LIMITED PARTNERSHIP AS RECORDED UNDER COUNTY CLERKS FILE NUMBER 20150000020975 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 46° 15' 24" EAST AND FOLLOWING ALONG THE SOUTHWEST LINE OF SAID HOLLOWAY FAMILY LIMITED PARTNERSHIP 89.287 ACRE TRACT A DISTANCE OF 685.89 FEET TO THE MOST SOUTHERLY CORNER OF SAID 89.287

ACRE TRACT, SAID POINT BEING IN A SOIL CONSERVATION LAKE AND CALLED IN THE OLD MEANDERS OF LONG BRANCH CREEK;

THENCE FOLLOWING ALONG THE SOUTHEASTERLY LINE OF SAID HOLLOWAY FAMILY LIMITED PARTNERSHIP 89.287 ACRE TRACT AND ALONG THE CALLED OLD MEANDERS OF LONG BRANCH CREEK AS FOLLOWS;

- (1) NORTH 09° 48' 57" EAST A DISTANCE OF 71.41 FEET TO A POINT CORNER;
- (2) NORTH 81° 03' 57" EAST A DISTANCE OF 56.00 FEET TO A POINT FOR CORNER;
- (3) SOUTH 56° 56' 03" EAST A DISTANCE OF 69.00 FEET TO A POINT FOR CORNER;
- (4) SOUTH 83° 11' 03" EAST A DISTANCE OF 85.00 FEET TO A POINT FOR CORNER;
- (5) NORTH 48° 33' 57" EAST, A DISTANCE OF 10.18 FEET TO A POINT FOR CORNER;

THENCE DEPARTING THE CALLED OLD MEANDERS OF LONG BRANCH CREEK AND THROUGH THE INTERIOR OF SAID PREMISES AS FOLLOWS;

- (1) SOUTH 45° 00' 00" EAST, A DISTANCE OF 150.87 FEET TO A POINT FOR CORNER;
- (2) SOUTH 45° 00' 00" WEST, A DISTANCE OF 1050.00 FEET TO A POINT FOR CORNER;
- (3) SOUTH 45° 00' 00" EAST, A DISTANCE OF 1596.73 FEET TO A POINT FOR CORNER ON THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550;

THENCE NORTH 88° 20' 23" WEST AND ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 135.23 FEET TO A POINT FOR CORNER;

THENCE NORTH 84° 16' 25" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 405.48 FEET TO A POINT FOR CORNER;

THENCE NORTH 81° 36' 51" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 451.13 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2,846.18 FEET, WITH A CENTRAL ANGLE OF 09° 17' 58", AND A CHORD BEARING NORTH 74°08'20" WEST AT A DISTANCE OF 461.45 FEET;

THENCE WESTERLY AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550 AND SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 461.95 FEET TO A POINT FOR CORNER;

THENCE NORTH 69° 29' 21" WEST CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550A DISTANCE OF 1,496.23 FEET TO THE POINT OF BEGINNING CONTAINING 3,011,847 SQUARE FEET, OR 69.143 ACRES OF LAND MORE OR LESS.

TRACT 2

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J. SIMMONS SURVEY, ABSTRACT NO. 202, THE W.W. FORD SURVEY, ABSTRACT NO. 80, AND THE A. RODRIGUEZ SURVEY, ABSTRACT NO. 231, IN ROCKWALL COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED TO HODGES RANCH PARTNERS, LTD., AS RECORDED IN VOLUME 3828 AT PAGE 322 ALSO KNOWN AS DOCUMENT NUMBER 00319510 ON DECEMBER 4TH 2004 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING SUBJECT TO A MEMORANDUM OF INTEREST WITH REGARD TO OWNERSHIP OF REAL PROPERTY RECORDED UNDER COUNTY CLERKS FILE NUMBER 20160000014831 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR THE RECOGNIZED EAST CORNER OF THIS TRACT IN THE SOUTHWEST LINE OF A 25.279 ACRE TRACT OF LAND DESCRIBED IN DEED TO REGGIE L. HICKERSON RECORDED UNDER VOLUME 2388, PAGE 198 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, SAID POINT BEING THE MOST NORTHERLY CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO RONALD PRICE AND SHARON DUBACK RECORDED UNDER VOLUME 1591, PAGE 111 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 43 °56' 42" WEST AND DEPARTING THE SOUTHWEST LINE OF SAID 2.79 ACRE TRACT TO REGGIE L. HICKERSON AND FOLLOWING ALONG THE NORTHWEST LINE OF SAID RONALD PRICE AND SHARON DUBACK TRACT A DISTANCE OF 1,902.97 FEET TO A POINT FOR CORNER; SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID RONALD PRICE AND SHARON DUBACK TRACT;

THENCE NORTH 45° 35' 00" WEST A DISTANCE OF 819.44 FEET TO A POINT FOR CORNER IN THE NORTHEAST RIGHT-OF-WAY LINE OF F.M. ROAD 550 (VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN VOLUME 41 AT PAGES 545 565 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 86° 58' 39" WEST AND CONTINUING ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 89.89 FEET TO A POINT FOR CORNER;

THENCE SOUTH 14° 01' 34" WEST AND CONTINUING ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 113.82 FEET TO A POINT FOR CORNER;

THENCE NORTH 88° 27' 27" WEST AND FOLLOWING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 445.63 FEET TO A POINT FOR CORNER;

THENCE NORTH 87° 13' 22" WEST AND FOLLOWING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 1,052.71 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 5,769.60 FEET, A CENTRAL ANGLE OF 01° 08' 00", AND A CHORD BEARING NORTH 87°39'09" WEST AT A DISTANCE OF 114.12 FEET;

THENCE WESTERLY AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 AND FOLLOWING ALONG SAID CURVE FOR AN ARC DISTANCE OF 114.12 FEET;

THENCE NORTH 88° 13' 09" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 669.98 FEET TO A POINT FOR CORNER;

THENCE DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 AND THROUGH THE INTERIOR OF SAID PREMISES AS FOLLOWS;

(1) NORTH 45° 00' 00" EAST, A DISTANCE OF 1,092.91 FEET TO A POINT FOR CORNER;

(2) NORTH 45° 00' 00" WEST, A DISTANCE OF 600.00 FEET TO A POINT FOR CORNER;

(3) NORTH 45° 00' 00" EAST, A DISTANCE OF 800.00 FEET TO A POINT FOR CORNER;

(3) SOUTH 45° 00' 00" EAST, A DISTANCE OF 1,750.00 FEET TO A POINT FOR CORNER;

(4) NORTH 45° 00' 00" EAST, A DISTANCE OF 1,708.95 FEET TO A POINT FOR CORNER ON THE RECOGNIZED NORTHEAST LINE OF THIS TRACT;

THENCE SOUTH 45° 44' 07" EAST ALONG SAID RECOGNIZED LINE, A DISTANCE OF 1317.93 FEET TO THE POINT OF BEGINNING CONTAINING 4,787,547 SQUARE FEET, OR 109.907 ACRES OF LAND MORE OR LESS.

Exhibit B
Planned Development District Development Regulations

1. Definitions.

- a. Building Permit Fees is defined in Section 10(c) of this Ordinance.
- b. City Fees is defined in Section 10(e) of this Ordinance.
- c. Concept Plan means the Concept Plan attached as **Exhibit C** of this Ordinance, as amended from time to time in accordance with this Ordinance.
- d. District means Rockwall County Municipal Utility District No. 10 or any municipal utility district resulting from the division of Rockwall County Municipal Utility District No. 10.
- e. Development Agreement means that certain Development Agreement between the City and MC Trilogy Texas, LLC approved by the City Council on [REDACTED], 2021.
- f. End-Buyer means the end-buyer of a fully developed and improved lot within the Property.
- g. Fees is defined in Section 10(g) of this Ordinance.
- h. Flood Study Fee is defined in Section 10(d) of this Ordinance.
- i. Governing Regulations is defined in Section 2 of this Ordinance.
- j. Ordinance means this Ordinance No. [REDACTED] zoning the Property as a planned development district.
- k. Owner means "Owner" as defined in the Development Agreement or an "Assignee" as defined in the Development Agreement.
- l. Plan Review Fees is defined in Section 10(b) of this Ordinance.
- m. Plat Review Fees is defined in Section 10(a) of this Ordinance.
- n. Property means the property described on **Exhibit A** of this Ordinance.
- o. Public Infrastructure means water, wastewater, drainage, roadway, and other public infrastructure to serve the Property in accordance with the Development Agreement.
- p. Public Safety Fees is defined in Section 10(f) of this Ordinance.
- q. Structure means every structure designed or intended for human occupancy and every accessory structure intended for human occupancy.
- r. TCEQ means Texas Commission on Environmental Quality.

- s. Zoning Ordinance means the City's comprehensive zoning ordinance in effect on the date of the adoption of this Ordinance.

2. Governing Regulations.

- a. Development of the Property shall be governed solely by the following regulations (collectively, the "Governing Regulations"): (i) the Zoning Ordinance, as amended by this Ordinance (the "Development Regulations"); (ii) the following building codes adopted by the City and in effect on the Effective Date: the provisions of the International Building Code (2018 edition), the International Residential Code (2018 edition), the International Energy Conservation Code (2018 edition), the International Mechanical Code (2018 edition), the International Plumbing Code (2018 edition), the International Fuel Gas Code (2018 edition), the International Property Maintenance Code (2018 edition), and the National Electrical Code (2020 edition), the International Fire Code (2018 edition) excluding all cul-de-sac size and dimension requirements, as well as amendments thereto adopted by Ordinance No. 2020-03 (the "Building Codes"); and (iii) the subdivision regulations of the City in effect on the Effective Date (the "Subdivision Regulations"), as amended by the special regulations set forth on Exhibit E of this Ordinance (the "Special Regulations").
- b. The Governing Regulations are exclusive, and no other City-adopted ordinances, rules, regulations, standards, policies, orders, guidelines, or other City-adopted or City-enforced requirements of any kind apply to the use or development of the Property.

3. Concept Plan; Development Plan.

- a. The Concept Plan attached as Exhibit C satisfies the requirements of Section 5-1 of the Zoning Ordinance for the approval of a conceptual plan with the establishment of a new planned development district. Revisions to the street layout and the location and configuration of open space areas shown on Exhibit C are permitted without City approval provided such revisions comply with all other Governing Regulations. The lot layouts and counts shown for single family development on the Concept Plan are preliminary, conceptual in nature, and subject to change, and final lot layouts and lot counts for single family development will be determined at the time of platting. Any amendment to the Concept plan that is approved on a plat is deemed to be a City-approved amendment to the Concept Plan. All other revisions to the Concept Plan require the approval of the City Council.
- b. A development plan (also known as a detailed site plan), as required by 5-1 of the Zoning Ordinance is required for all development; however, pursuant to Section 5-1 of the Zoning Ordinance, no signage plan or architectural plans are required for a development plan for single family development or an amenity center. A development plan shall be approved if it satisfies the Governing Regulations. No public hearing is required for a development plan for single family development or an amenity center.

4. Conflicts. In the event of any conflict between this Ordinance and any other ordinance, rule, regulation, standard, policy, order, guideline or other City-adopted or City-enforced requirement, whether existing on the date of the adoption of this Ordinance or hereinafter adopted, this Ordinance shall control. In the event of a conflict between this Ordinance (including any exhibit attached hereto) and the Zoning Ordinance, the Building Codes, or the Subdivision Regulations, this Ordinance (including all exhibits attached hereto) shall control. In the event of a conflict between an exhibit attached to this Ordinance and the text of this Ordinance, the text of this Ordinance shall control.

5. Plats. Subdivision of the Property requires approval of plats by the City in accordance with the Governing Regulations.

6. Public Infrastructure. The Public Infrastructure must be designed to comply with the Governing Regulations, and no construction or installation of Public Infrastructure shall begin until plans and specifications have been approved by the City (which approvals must not be unreasonably withheld or delayed). Nothing herein is intended to waive or modify any applicable requirements for retail or wholesale providers to review and approve any water or wastewater construction plans.

7. Inspections. The City acknowledges that all Public Infrastructure must be inspected as required by the rules of the TCEQ to the extent the costs and expenses paid or incurred by Owner in connection with such infrastructure will be reimbursable to Owner from bonds issued by the District or other funds legally available to the District. In order to avoid the duplication of time and expense of dual inspection and testing of Public Infrastructure, in lieu of City inspections, the engineer for the District shall perform inspections of all Public Infrastructure and issue certifications to confirm compliance with City requirements and TCEQ requirements, and file copies of his or her reports with the City. Alternatively, at the City's option, the City's engineer may perform all inspections of Public Infrastructure, in which case the City shall require its engineer to issue certifications to confirm compliance with City requirements and TCEQ requirements.

8. Building Permits. No Structure shall be constructed unless a building permit has been issued by the City, and permits shall not be unreasonably withheld, conditioned, or delayed. A building permit must be issued for any Structure that complies with the Governing Regulations. Except for model homes, no building permit may be issued for a Structure unless a final plat has been recorded for the lot on which the Structure is being constructed. Building permits must be issued for model homes prior to the recordation of a final plat if the Public Infrastructure to serve the model homes has been completed and inspected (including fire protection and excluding sewer); however, no model home may be sold to any End-Buyer until a final plat has been recorded.

9. Certificate of Occupancy. Except for model homes, no Structure may be occupied until a certificate of occupancy has been issued by the City certifying that the Structure has been constructed in compliance with the Governing Regulations, which certificates shall not be unreasonably withheld, conditioned, or delayed. Model homes may be occupied for the sole purpose of sales and marketing; however, no model home may be sold to or occupied by an End-Buyer until a certificate of occupancy has been issued.

10. Development Charges.

- a. Plat Review Fees. Development of the Property shall be subject to payment to the City of the following fees (the "Plat Review Fees"): (a) for a preliminary plat, \$280 per acre (or fraction thereof) within the plat plus the City's costs to hire a consultant to review the preliminary plat if City staff is not able to review the plat; and (b) for a final plat, \$250 plus \$5 per lot within the final plat, plus the City's costs to hire a consultant to review the final plat if City staff is not able to review the plat.
- b. Plan Review Fees. Development of the Property shall be subject to payment to the City of the reasonable and lawful costs to hire a consultant to review the District's plans and specifications for Public Infrastructure (the "Plan Review Fees").
- c. Building Permit Fees. Development of the Property shall be subject to payment to the City of the reasonable and lawful fees and charges applicable to the City's review of building construction plans, issuance of building permits, inspection of buildings, and issuance of certificates of occupancy (the "Building Permit Fees") according to the fee schedule adopted by the City Council and in effect on the date of submittal of a building permit application. The fee schedule applicable to the Property shall be uniformly applicable to all development within the corporate limits of the City.
- d. Flood Study Fee. A fee equal to the actual cost of the City's engineer's review of a new flood study for the Property shall be paid to the City in connection with the City's analysis of any new flood study that is required by the Governing Regulations (the "Flood Study Fee"), which fee is required to be a reasonable market rate fee for a licensed professional engineer to review a flood study of a comparable scope.
- e. City Fees. The Parties agree that the City may collect a \$1,500 wastewater fee per dwelling unit from each building permit applicant at the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Wastewater City Fees"), which is a fee that shall be used to fund administrative and facility operation and maintenance costs associated with providing wastewater service to the Property. If the City is the retail water provider to the Property, the Parties agree that the City may collect a \$1,000 water fee per dwelling unit per dwelling unit from each building permit applicant at the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Water City Fees"), which is a fee that shall be used to fund administrative and facility operation and maintenance costs associated with providing water service to the Property. The City agrees that no impact fees adopted pursuant to Chapter 395 of the Texas Local Government Code will be collected in connection with the development or use of the Property.
- f. Public Safety Fees. The City may collect a \$250 public safety fee per dwelling unit from each building permit applicant tat the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Public Safety Fees"), which fees shall be used to fund the City's provision of public safety services to the Property.

- g. Exclusive Fees. Except for Plat Review Fees, Plan Review Fees, Building Permit Fees, Flood Study Fee, and Wastewater City Fees, the Water City Fees, and the Public Safety Fees (collectively, the "Fees"), no other fees or charges of any kind are due and payable to the City in connection with the development of the Property.
11. Manufactured Housing. Notwithstanding any other provision of this Ordinance or the Governing Regulations to the contrary, HUD-certified manufactured homes may be located within the Property, from time to time, for any purpose necessary for the creation or administration of the District (including, but not limited to, providing qualified voters within the District or qualifying persons to serve on the Board of Directors of the District). Owner will notify the City of the location of, make and model of, HUD number for, and 911 address of each home within 30 days after the home is occupied. Manufactured homes permitted by this Agreement: (a) are not required to be located on a platted lot; (b) do not require a building permit; (c) do not require a certificate of occupancy; (d) do not otherwise have to comply with the Governing Regulations; (e) do not require any permit or other approval by the City; (f) are not subject to payment of any of the Fees; and (g) will be promptly removed when no longer needed for the creation or administration of the District. Manufactured homes permitted by this Ordinance must have adequate access for fire protection.
12. Water Wells. Water wells may be drilled within the Property to provide irrigation water and water for domestic use, including, but not limited to, use by the residents of the manufactured housing described in the prior section; subject, however, to all applicable rules and regulations of Rockwall County and the TCEQ.
13. Director Qualifying Lots. Notwithstanding any other provision of this Ordinance or the Governing Regulations to the contrary, the conveyance, from time to time, by metes and bounds or otherwise of any portion of the Property to any person for the purpose of qualifying such person to be a member of the board of directors of the District shall not be considered a subdivision of land requiring a plat or otherwise requiring the approval of the City; provided, however, no Structure, other than manufactured housing authorized by this Ordinance, shall be constructed on any property conveyed for such purpose unless and until a plat of such portion has been approved by the City in accordance with the Governing Regulations.

[illegible]

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Exhibit D
Development Regulations

1. **Definitions.**

- a. Alley means a publicly or privately owned access way that provides access to the rear of a lot and functions as a traditional alley.
- b. City Administrator means the City Administrator or his or her designee.
- c. Concept Plan means the concept plan attached to this Ordinance as **Exhibit C**, as amended in accordance with this Ordinance.
- d. Front entry garage means a garage accessed from the street in front of a single family detached home. This term does not include side entry or j-swing garages.
- e. Open space means generally undeveloped property that can be used for active or passive recreation, is publicly or privately owned and maintained, is accessible by the residents of the Property or by the general public, and is designated as open space on an approved final plat.
- f. Property means the property described on **Exhibit A** of this Ordinance.
- g. Single family detached means a single dwelling unit on a platted lot that is not physically attached to any other dwelling unit (excluding an accessory dwelling unit).

2. **Permitted Uses.**

- a. The following uses shall be permitted in the areas designated "Residential Zone" on the Concept Plan:
 - i. Single family detached.
 - ii. Public safety buildings.
 - iii. School, public or private (elementary, middle, or high school, home school, day care).
 - iv. Model homes.
 - v. Accessory uses and structures, including, but not limited to buildings, garages, patio covers, pergolas, decks, carports, fences, signs, swimming pools, spas, antenna, satellite dishes, game courts, flagpoles).
 - vi. Accessory dwelling units that are accessory to single family detached uses located on lots with a width greater than 59 feet. An accessory dwelling unit shall not exceed 750 square feet in floor area, and shall be located on the same

lot as the principal use. A separate meter is permitted, but not required, for the accessory secondary living units.

- vii. Accessory home occupations, which shall conform to the Zoning Ordinance with respect to regulations specific to accessory home occupations.
 - viii. Sales office.
 - ix. Amenity Centers. Accessory private community center is permitted as an accessory use to an amenity center. An accessory private community center may include a restaurant or coffee shop open to members and their guests and may include a banquet facility that may be rented for special occasions, such as wedding receptions and parties. This use may include recreational uses and amenities, including, but not limited to, swimming pools and tennis courts. An amenity center may include one or more food trucks.
 - x. Temporary Residential Sales Office, Temporary Construction Office, and Model Homes. A residential real estate sales office and/or construction office, located on a platted lot, may be permitted within a subdivision for which building permits have been issued and may be located either in a model home, in a temporary building, or in a portable trailer. Model homes are permitted within a subdivision for which building permits have been issued. A permit for a temporary residential sales office, construction office, or a model home may be issued for no more than one year, but shall be automatically extended for so long as the builder maintains active and continuous sales or construction activities within the subdivision and a minimum of five lots in the subdivision remain unsold. Such sales office shall be used for sales in the subject subdivision only and not for sales in any other subdivision.
 - xi. Farmers market.
- b. The following uses shall be permitted in the areas designated "Commercial Zone" on the Concept Plan:
- i. The following nonresidential uses:
 - A. All uses permitted by right in the NC Neighborhood Commercial District pursuant to the Zoning Ordinance are permitted by right without conditions.
 - B. All uses permitted by SUP in the NC Neighborhood Commercial District pursuant to the Zoning Ordinance are permitted by SUP.
 - C. Restaurant, drive-in or drive-thru
 - D. Restaurant/refreshment stand (temporary or seasonal)
 - E. Retail uses of any type and size

- F. Service uses of any type, such as nail salons, hair salons, and similar uses providing services to the public
 - G. Pharmacy
 - H. Office (business, professional, or medical)
 - I. Fuel sales, with or without a convenience store
 - J. Furniture repair
 - K. Bank or other financial institution
 - L. Accessory banking
 - M. Florist
 - N. Veterinary clinic or hospital with or without outside kennels and boarding
 - O. Day care
 - P. Farmers market
 - Q. Accessory uses and structures
- c. In the area designated "Open Space" on the Concept Plan, as well as any other location within this planned development, parks, trails, active and passive open space, and other recreational amenities, uses, and improvements are permitted, including, but not limited to, all uses and structures referenced in Section 8 below.
 - d. Agricultural uses are permitted at any location within the Property, and may include, but are not limited to, raising crops and livestock, livestock services (including horses), and landscape/horticulture services.
 - e. Real estate development field offices and sales offices are permitted at any location without any time limit, and may be located in a temporary building or portable trailer.
 - f. Temporary construction yards are permitted during ongoing construction within the Property, and locations shall be approved by the City Administrator, with such approval not to be unreasonably withheld, conditioned, or delayed.
 - g. Concrete or asphalt batch plant, temporary associated with development of the Property, are permitted at any location, and the locations shall be approved by the City Administrator with such approval not to be unreasonably withheld, conditioned, or delayed.

4. Residential Development Standards. The requirements in this Section 4 shall apply to single family residential development:

- a. Table 1 below contains the exclusive lot size, setback, lot coverage, density, garage orientation, building height, and dwelling unit size requirements for residential development.
- b. Single family detached homes and duplexes shall comply with the anti-repetition requirements on Exhibit F. At least 10 percent of an elevation must be different, or it will be considered to be a repeated elevation.
- c. Each single family detached home shall be serviced by a central cluster mailbox located at a street intersection as approved by the US Postal Service. Mailbox designs shall be similar to the design shown on Exhibit G.
- d. All streets shall have street lights chosen from the standard street lighting guide of the electric provider.
- e. The front most portion of a residential front entry garage shall not extend more than three feet in front of the front facade or the front porch of a single family detached home.
- f. All residential rear entry garage doors must be a minimum of 20 feet from the edge of the right-of-way.
- g. All residential side and front entry garage doors for all permitted uses must be a minimum of 22 feet from the edge of the right-of-way.
- h. Each single family detached home shall have a minimum of two enclosed garage parking spaces.
- i. Front entry garage doors on a single family detached home shall be recessed a minimum of six inches into the building facade in which they are located.
- j. Residential garage doors shall be clad with faux wood. Metal garage doors are prohibited on residences.

5. Non-Residential Development Standards. The requirements in this Section 5 shall apply to non-residential development:

- a. The minimum front yard building setback shall be 25 feet, measured from all streets. All other yards shall be considered side yards, and shall have a minimum building setback of 15 feet, unless adjacent to an existing residential use, in which case the minimum building setback shall be 25 feet and a six foot solid fence or screening wall shall be constructed on the non-residential lot line where residential adjacency exists.

- b. The maximum lot coverage shall be 35 percent, measured as the building footprint.
- c. The minimum lot size for a non-residential use shall be 10,000 square feet.
- d. The maximum building height shall be two stories and 40 feet.
- e. An amenity center is considered non-residential development for purposes of this Section 5.

6. Residential Landscaping, Fencing, and Screening. The following requirements shall be the exclusive landscaping requirements applicable to residential development:

- a. Except as otherwise provided below in this paragraph, chain link, barbed wire, pipe, and razor wire fences are prohibited. This restriction does not apply to temporary construction fencing, fencing around a lift station or other utility uses, barbed wire fencing around cattle or other agricultural uses. The City Administrator may permit these materials for limited use in other specific circumstances if the Director finds the use of these materials to be appropriate. Vinyl and polywood fencing and manufactured fencing materials are permitted on residential lots. Vinyl coated chain link fencing is permitted in connection with a dog park or open space. Wrought iron fencing or similar open metal fencing is required where lots abut an open space or park designated on a final plat.
- b. A minimum of one three-inch caliper canopy tree shall be planted on each residential lot or in the adjacent parkway for every 35 feet in street frontage, excluding driveways.
- c. In addition to the requirements in subsection (b) above, each corner lot with a single family detached home shall have landscape enhancements along the side street as follows:
 - i. A three-inch caliper trees shall be planted every 35 feet within the parkway, and a minimum of one five-gallon evergreen shrub shall be planted every five feet on center along the fence facing the side street.
 - ii. Trees may be planted between a sidewalk and curb. When trees are planted within the parkway, there shall be a minimum of five feet between the curb and sidewalk.
- d. Shrubs are required to be planted in the areas shown on **Exhibit P.**
- e. Berms, shrubs, trees, and groundcover are permitted in medians.
- f. When the back or side of a single family residence abuts a collector road, screening will be provided in the form of a minimum six-foot tall board on board fence with the finished side facing the street, which shall be constructed by the home builder and shall have consistent materials and a consistent design along all

collector streets. A collector road shall be defined as a road having a divided two-lane boulevard connecting major off-site roadways. The term "divided" means divided by a raised median.

- g. A minimum of one three-inch caliper ornamental or canopy tree, or three eight-foot tall ornamental trees, shall be planted for every 50 linear feet of street frontage or fraction thereof along perimeter arterial and collector thoroughfares in the parkway. Trees may be planted in clusters to create a natural appearance along perimeter arterial and collector streets.
- h. Entryways into and exits from the Property shall be landscaped with grass, shrubs, and trees.
- i. Landscaping at entryways into the Property shall be designed so as to avoid an impairment of visibility of operators of motor vehicles entering and exiting the subdivision when the plant materials reach full maturity.
- j. The developer and/or a homeowners' association shall be responsible for the perpetual maintenance and upkeep of all landscaped areas that are not contained within residential lots.
- k. Landscaped areas at entryways into the Property shall be planted with at least one shade tree (minimum four inches in caliper measured at four feet above natural grade and 16 feet in height at time of planting) for each 55 linear feet or portion thereof of adjacent exposure.
 - a. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article, but shall be permitted in addition to required landscaping. Synthetic or artificial lawn or plant material shall be permitted within an amenity center lot.
 - b. All required landscaped area shall be permanently landscaped with living plant material, and shall have an irrigation system installed.
 - c. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.
 - d. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.
 - e. Plant materials which die shall be replaced with plant material of similar variety and size within 90 days period, with a one time extension not exceeding 90 days being provided upon approval of the city council.
 - f. All landscaping shall be completed and installed in accordance with the landscape plan within 90 days of a certificate of occupancy being granted. A one-time

extension not to exceed 90 days may be granted upon approval of the City Administrator or his/her designee.

- g. All required landscaping shall be from the approved plant list on Table 2 of this **Exhibit D**. The City Administrator may approve the use of additional plants that are not on Table 2 to satisfy landscaping requirements.

7. **Non-Residential Landscaping and Screening**. The following requirements shall be the exclusive landscaping requirements applicable to non-residential development:

- a. A minimum of 20 percent of each platted lot developed with a non-residential use shall be landscaped with a combination of grass, shrubs and trees. Where the construction is to be a single phase of a multi-phase development, only the area being constructed in the current phase need be subject to the landscape regulations. However, each phase will be required to meet the landscaping requirements as they are being developed.
- b. A minimum of ten percent of the gross area within a parking lot shall be planted with living plant material. Gross parking area shall be measured from the edge of the parking and/or driveway paving and sidewalks. Such landscaping shall be counted towards satisfaction of the requirements in Section 7(a) above. Landscape material which is located within the interior of a parking lot shall be surrounded by a curb of four inches in height.
- c. All required landscaped area shall be permanently landscaped with living plant material, and shall have an irrigation system installed. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article, except for an amenity center lot.
- d. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.
- e. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.
- f. Plant materials which die shall be replaced with plant material of similar variety and size within 90 days period, with a one time extension not exceeding 90 days being provided upon approval of the city council.
- g. All landscaping shall be completed and installed in accordance with the landscape plan within 90 days of a certificate of occupancy being granted. A one-time extension not to exceed 90 days may be granted upon approval of the City Administrator or his/her designee.
- h. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article unless part of an amenity center lot.

- i. An amenity center is considered non-residential development for purposes of this Section 7.
 - j. All required landscaping shall be from the approved plant list on Table 2 of this **Exhibit D**. The City Administrator may approve the use of additional plants that are not on Table 2 to satisfy landscaping requirements.
8. **Parks and Open Space**. The parks, trails and open space requirements of the Development Agreement shall be the sole and exclusive parks, trails, and open space requirements for the Property, except that **Exhibit H** of this Ordinance represents the Parks, Open Space, and Trail Plan for the Property. No other park land dedication, park fee, or park improvement requirements shall apply to the Property.
9. **Street Sections**. Non-standard street sections are permitted as shown on **Exhibit I**. Minimum median width may be ten feet.
10. **Street Signs**.
- a. Street signs shall be maintained by the homeowners association or the District until the subdivision is accepted by the City.
 - b. Alternative street signs may include a non-standard color, font, and text size that varies from standard City street signs. Alternative street signs shall be reviewed and approved by city staff and must follow the Manual on Uniform Traffic Control Devices (MUTCD).
11. **Miscellaneous**.
- a. Front entry and rear entry (alley-served) residential types are permitted.
 - b. The master developer and homeowners association ("HOA") are hereby granted a license to use the public right of way within the Property boundaries for the exclusive purpose of constructing, operating, repairing and maintaining the following improvements and any improvements reasonably related thereto or necessary for the operation thereof: street and pedestrian lighting, public seating areas, landscaping and related amenities, including fountains, monuments, statues, or other public artwork, street furniture, including benches, drinking fountains, trash containers, tunnels; security cameras, bollards, temporary construction barricades, underground duct banks, pedestrian bridges and overpasses, arches, string lighting or other decorative lighting, wiring, and similar improvements. The removal of improvements for maintenance and replacement of utilities, pavement, drainage structures, and sidewalks shall be at the developer's or HOA's expense. Prior to installing any improvement within the right-of-way, the developer or HOA shall obtain the City Administrator's approval, which approval shall not be unreasonably withheld or delayed if the improvement does not unreasonably interfere with the public use of the right-of-way.
 - c. Development shall comply with the architectural guidelines on **Exhibit J**.

- d. Trash can pads shall be provided as shown on **Exhibit K**.
- e. Address plaques will be installed on each home in a design similar to that shown on **Exhibit L**.
- f. Residential fencing details shall comply with **Exhibit M**.
- g. Realtor and builder sign design shall conform to the specifications on **Exhibit N**.
- h. Sidewalks shall comply with **Exhibit O**.

Table 1

Development Standards Table for Single Family Residential

Minimum Lot Area	One acre
Minimum Lot Width	100 ft
Minimum Lot Depth	225 ft
Minimum Front Yard Building Setback ¹	75 ft
Minimum Side Yard Building Setback ²	
Interior Side Yard - 100'-130' Width	10 ft
Interior Side Yard - Greater than 130' Width	25 ft
Side Street (Corner Side Yard)	50 ft
Minimum Rear Yard Building Setback ³	25 ft
Minimum Dwelling Size (air conditioned floor area)	2,300 square feet
Maximum Lot Coverage (measured as building footprint only)	40%

¹ Permitted encroachments into minimum building setbacks: porches (up to eight feet into front yard setback and corner side yard setback, provided, however, no less than a 12-foot setback from the property line shall be permitted on any lot that requires a 12-foot or larger front yard setback); fireplaces and box windows up to two feet into all setbacks; balconies, awnings, overhang eaves up to two feet into all setbacks); bay windows up to four feet into front and rear yard setbacks; stoops and stairs up to five feet into front and rear yard setbacks; suspended planter or flower boxes up to 24 inches into all setbacks; and foundation encroachments of up to six inches in all setbacks for architectural details such as brick ledges.

² Exception to minimum setback: Minimum side yard building setback to detached garages or accessory buildings may be reduced to three feet when a greater setback would otherwise be required. See also footnote 1. Swimming pools shall have a minimum five-foot setback from rear and side property lines; however, such setback only applies to the swimming pool, and not to associated decking or paving around a swimming pool.

³ See footnotes 1 and 2.

Table 2
Approved Plant Species List

Approved/Recommended Plant List⁴	
Common Name	Scientific Name
Canopy Trees	
Ash, Texas	Fraxinus texensis
Cedar Elm	Ulmus crassifolia
Cedar, Eastern Red	Juniperus virginiana
Cypress, Bald	Taxodium distichum
Elm*, Lace Bark	Ulmus parvifolia
Magnolia, Southern	Magnolia grandiflora
Maple, Bigtooth	Acer gradidentatum
Maple, Caddo	Acer saccharum
Oak, Bur	Quercus macrocarpa
Oak, Chinquapin	Quercus muhlenbergil
Oak, Escarpment Live	Quercus fusi formis
Oak, Lacey	Quercus glaucoides
Oak, Live	Quercus virginiana (Escarpment)
Oak, Post	Quercus stellata
Oak, Red	Quercus shumardi
Oak, Texas Red	Quercus texana
Osage Orange	Maclura pomifers (thornless and fruitless)
Pecan (native)	Carya illinoensis
Pistache*, Chinese	Pistacia chinensis
Soapberry, Western	Sapindus drummondii
Walnut, Black	Juglans nigra
Ornamental Trees	
Buckeye, Mexican	Ungnadia speciosa

⁴ The list in Table 2 also includes cultivars of all listed plant types.

Buckeye, Texas	<i>Aesculus glabra</i> var. <i>arguta</i>
Buckthorn, Carolina	<i>Rhamnus caroliniana</i>
Chaste Tree*	<i>Vitex agnus-castus</i>
Crabapple, Prairie	<i>Pyrus ioensis</i>
Crape Myrtle*	<i>Lagerstroemia indica</i>
Eves Necklace	<i>Sophora affinis</i>
Goldenball Leadtree	<i>Leucaena rietusa</i>
Hawthorne*	<i>Crataegus phaenopyrum</i>
Hawthorne*	<i>Crataegus crus-galli</i>
Hawthorne*	<i>Crataegus reverchonii</i>
Holly, Possumhaw	<i>Ilex deciduas</i>
Indigo, False	<i>Amorpha fruticosa</i> var. <i>angustipolic</i>
Mountain Laurel, Texas	<i>Sophora secundiflora</i>
Persimmon, Texas	<i>Diospyros texana</i>
Plum, Mexican	<i>Prunus mexicana</i>
Redbud	<i>Cercis canadensis</i>
Smoketree	<i>Cotinus obovatus</i>
Smoketree*	<i>Cotinus caggyria</i>
Sumac, Prairie Flame-leaf	<i>Rhus lanceolata</i>
Viburnum, Rusty Blackhow	<i>Viburnum rufidulum</i>
Wax Myrtle	<i>Myrica cerifera</i>
Willow, Desert	<i>Chilopsis linearis</i>
Yaupon Holly	<i>Ilex vomitoria</i>
Brodie Juniper	Eastern Red Cedar
Arizona Cypress	Spartan Juniper
Taylor Juniper	Canaert Juniper
Shrubs	
Agarita	<i>Berberis trifoliolata</i>
Althea	<i>Hibiscus syriacus</i>
American Beautyberry	<i>Callicarpa americana</i>
Aspidistra	<i>Aspidistra eliator</i>

Barberry, Red	<i>Berberis thunbergii</i>
Barberry, Texas	<i>Berberis thunbergii</i>
Bayberry	<i>Myrica pensylvanica</i>
Bird of Paradise	<i>Caesalpinia gilliesii</i>
Burning Bush	<i>Euonymus alata compacta</i>
Butterfly Bush	<i>Buddleia</i> sp.
Cactus, Prickly Pear	<i>Opuntia phaeacantha</i>
Cenizo	<i>Leucophyllum frutescens</i>
Chokeberry, Red	<i>Aronia arbutifolia</i>
Coralberry	<i>Symphoricarpos obiculatus</i>
Dogwood, Rough Leaf	<i>Cornus drummondii</i>
Elaeagnus	<i>Elaeagnus macrophylla</i>
Forsythia	<i>Forsythia</i> sp.
Germander, Upright	<i>Teucrium chamaedrys</i>
Holly, Dazzler	<i>Ilex cornuta</i> 'Dazzler'
Holly, Dwarf yaupon	<i>Ilex vomitoria</i>
Holly, Nellie R. Stevens	<i>Ilex</i> x 'Nellie R. Stevens'
Honeysuckle, Bush	<i>Lonicera fragrantissima</i>
Hydrangea, Oakleaf	<i>Hydrangea quercifolia</i>
Hypericum, Upright	<i>Hypericum patulum</i>
Jasmine, Italian	<i>Jasmine nudiflorum</i>
Lantana	<i>Lantana horrida</i>
Mahonia, Leatherleaf	<i>Mahonia bealeii</i>
Mimosa, Fragrant	<i>Mimosa borealis</i>
Nandina, Compact	<i>Nandina domestica compacta</i>
Nandina, Gulfstream	N.d. 'Gulfstream'
Nandina, Standard	N. domestica
Pavonia	<i>Pavonia lasiopetala</i>
Photinia, Chinese	<i>Photinia serrulata</i>
Privet, Southern River	<i>Ligustrum vulgare</i>
Privet, Variegated	<i>Ligustrum lucidum</i> 'variegata'

Quince, Flowering	Chaenomeles japonica
Sage, Cherry	Salvia greggii
Spiraea, Bridal Wreath	Spiraea sp.
Spiraea, Anthony Waterer	Spiraea x bumalda 'goldflame'
Spiraea, Goldflame	Spiraea x bumalda 'goldflame'
Spiraea, Little Princess	Spiraea x bumalda 'Little Princess'
Spiraea, Shirobana	Spiraea japonica 'Shirobana'
Sumac, Aromatic	Rhus aromatica
Sumac, Evergreen	Rhus virens
Sumac, Smooth	Rhus glabra
Turk's Cap	Malvaviscus drummondii
Viburnum, Cranberry Bush	Viburnum opulus
Viburnum, Small Leaf	Viburnum obavatum
Viburnum, Snowball	Viburnum opulus
Virginia Sweetspire	Itea virginica
Wax Myrtle, Dwarf	Myrica pusilla
Yucca, Red	Hesperaloe parviflora
Eagleston Holly	Texas Sage
Abelia	Agave varieties
Seagreen juniper	Juniper varieties
Hawthorne	
Ornamental Grasses	
Maiden Grass	Feather Reed Grass
Zebra Grass	Bluestem
Pampass Grass	Liriope
Gulf Muhly	Berkley Sedge
Blue Gramma Grass	Giant Bermuda
Weeping Love Grass	Inland Sea Oats
Vines	
Carolina Jessamine	Asian Jasmine
Butterfly Vine	Purple Wintercreeper

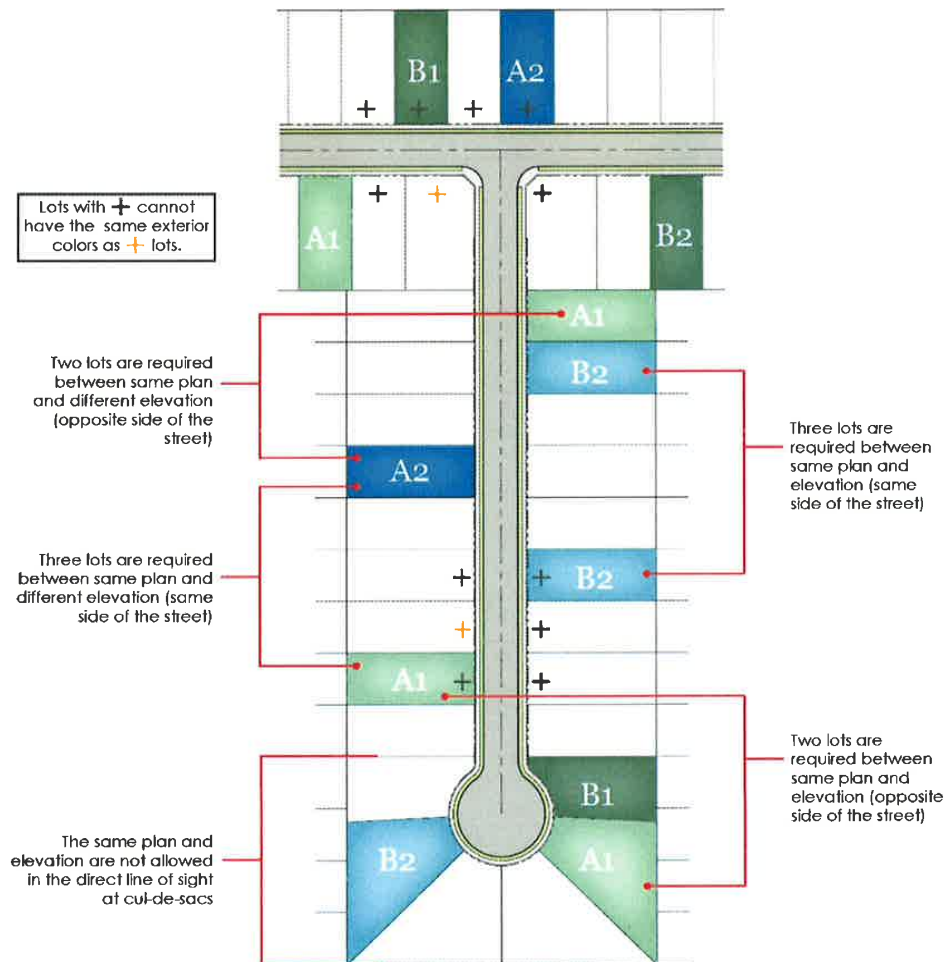
Crosse Vine	Purple Heart Wander Jew
Sweet Autumn Clematis	

An “*” indicates an approved street tree

Exhibit E
Special Regulations

The "Special Regulations" as defined and set forth in the Development Agreement shall apply to the Property, and shall control in the event of any conflict with the Subdivision Regulations. In addition, lots may be platted to the centerline of a street.

Exhibit F Repetition Restrictions



Repetition Guidelines are as follows:

Same side of street -

- Same plan, same elevation must have 3 lots in between.
- Same plan, different elevation must have 3 lot in between

Opposite side of the street -

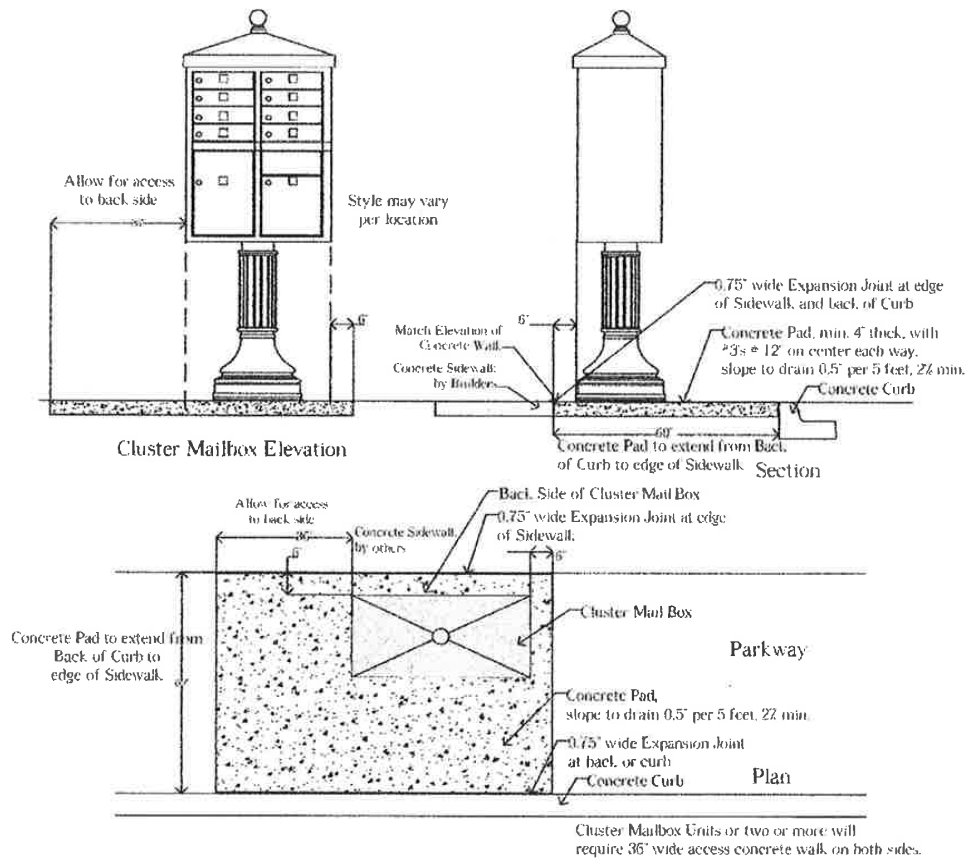
- Same plan, same elevation must have 2 complete lots in between.
- Same plan, different elevation must have 2 complete lot in between.

Exterior colors

- Exterior colors may not be the same side by side, or in direct line of sight, regardless of plan or elevation. Direct line of sight refers to the 3 lots directly across the street.

Exhibit G
Mailbox Design

Mailbox Design



Manufacturer:
Brandon Industries
1601 Wilmet Road
McKinney, Texas 75069
214-542-3000

Color: Black
Style: Cluster Box Units (CBU)
Type: Depending on location and number of Tenants and Parcels
Top Style: Sloped with ball cap
Base: Decorative
Include: Required Anchor Bolts

Exhibit H **Parks, Open Space, and Trail Plan**

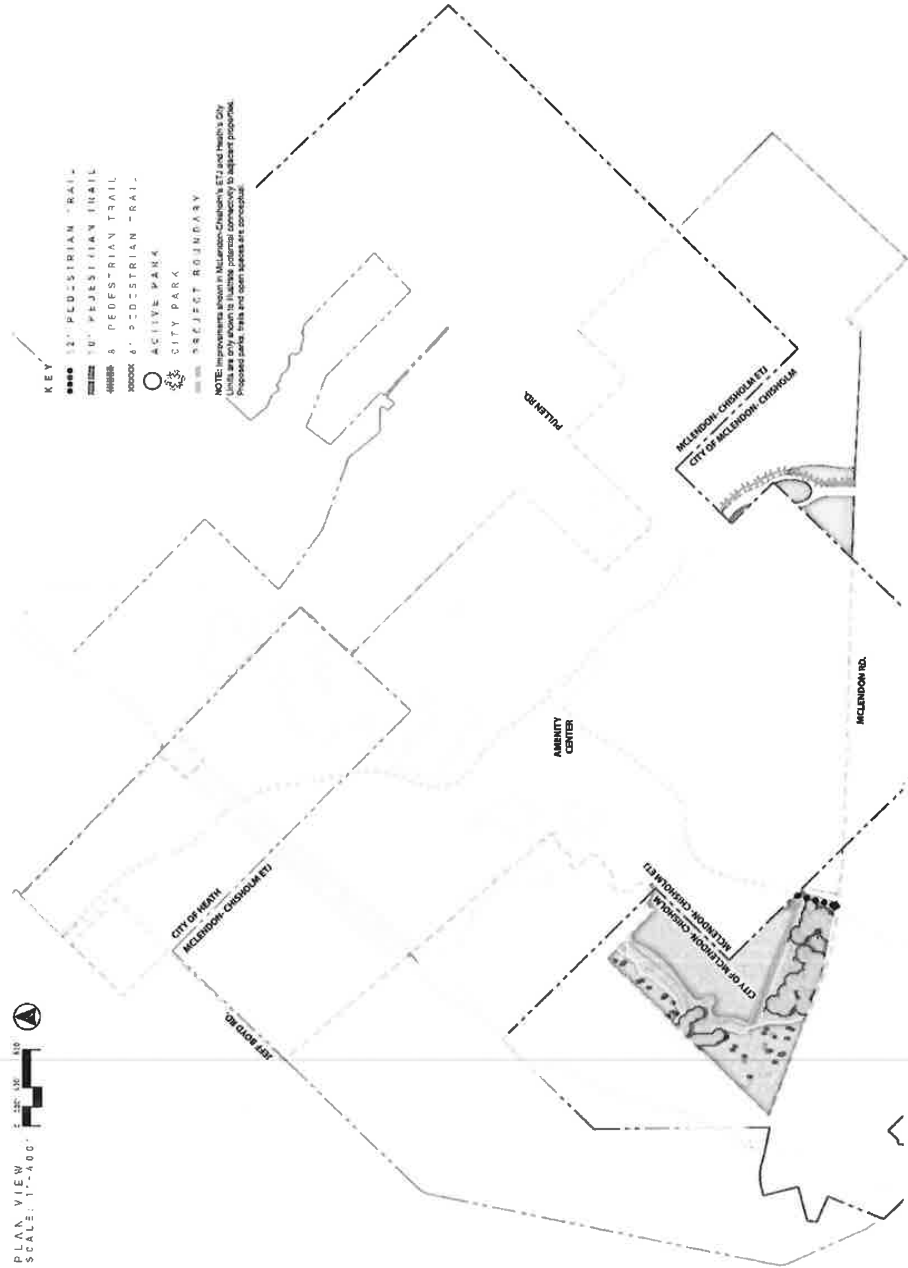


Exhibit I **Street Sections**

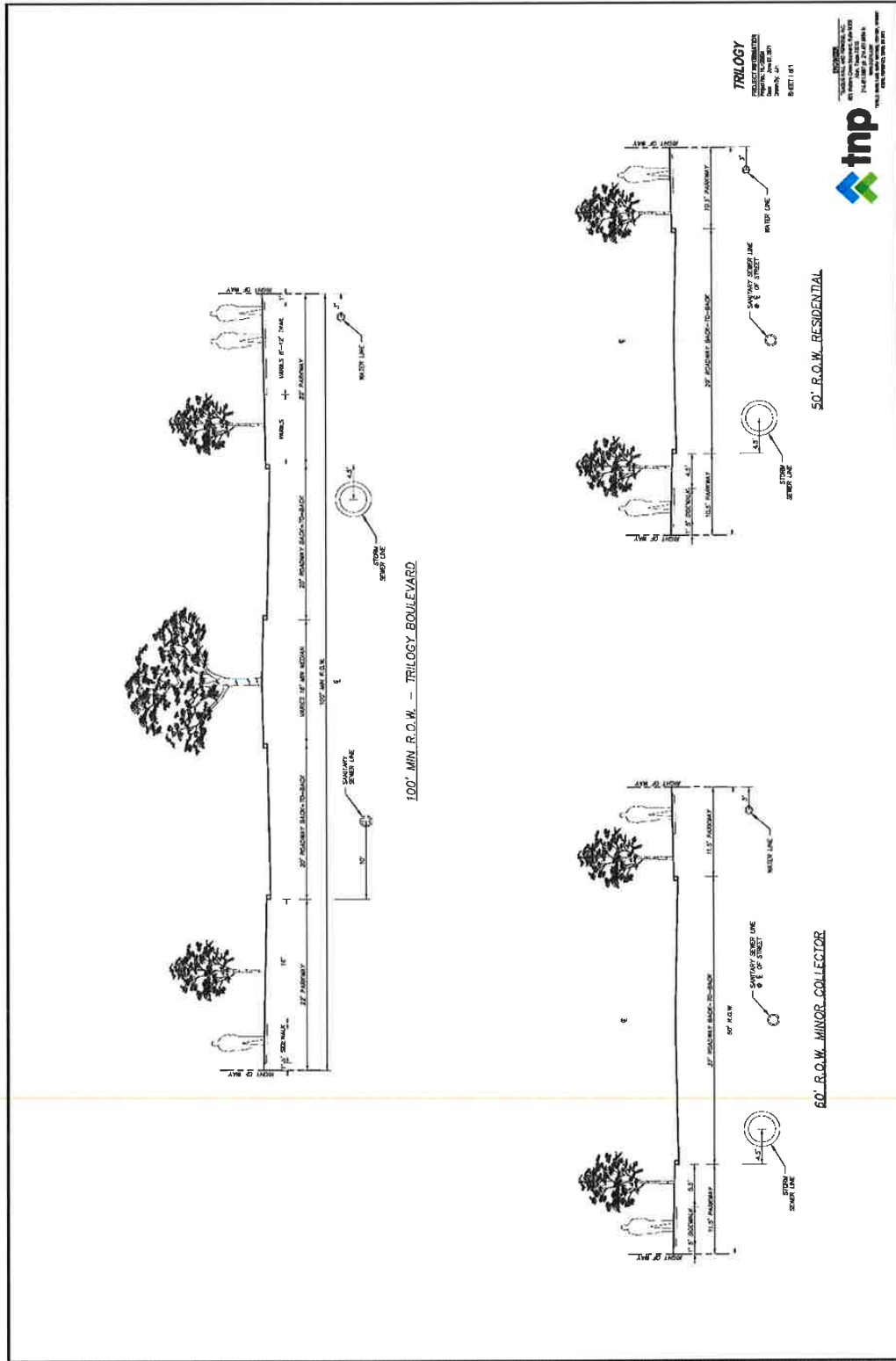


Exhibit I – Page 1

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Exhibit J
Architectural Guidelines

1. Design Standards.

- a. Applicability of Other Design Standards. The design standards in this section are the exclusive design standards applicable to the Property, and apply only to principal buildings. An accessory building shall be designed consistent with the building materials used for the principal building on the same lot, but shall not otherwise be regulated by the design standards in this section.
- b. Approved Building Materials. In the context of approved building materials, a facade does not include doors, fascia, windows, chimneys, dormers, window box-outs, bay windows, soffits, eaves, and outdoor fireplaces. Multiple buildings on the same lot will each be deemed to have separate facades.
 - i. A minimum of 90 percent of each exterior building facade shall consist of one or more of the following building materials (subject to further restrictions in facade area set forth below for cementitious fiber board and EIFS):
 - 1. Stone, brick or tile laid up unit by unit and set in mortar;
 - 2. Stucco (exterior Portland cement plaster with three coats over metal lath or wire fabric lath or other methods approved by the City Administrator as equal or better quality in durability);
 - 3. Natural stone, cultured stone, or cast stone;
 - 4. Architecturally finished block (i.e. burnished block or split faced concrete laid up unit by unit and set in mortar), which shall be limited to the amenity center and other non-residential buildings;
 - 5. Cementitious fiber board. Cementitious fiber board is permitted subject to the following conditions: the style and color of a building using this product must be approved as part of a site plan, no more than 20 percent of the residential buildings in the Property may have a facade that is predominantly composed of this product unless the style of the home dictates more such as a Cape Cod, Craftsman or Victorian style home.
 - 6. Exterior Insulation and Finish System (EIFS), which shall be limited to the amenity center and other non-residential buildings. EIFS may be used only on that portion of a facade that is four feet or higher above grade. A maximum of 50 percent of all sides of a building visible from the street and not ultimately screened by another building or other device may consist of EIFS;

7. LEED-certified materials;
 8. Glass; or
 9. An alternative material approved by the City Administrator based on a finding that it is of a quality equal to or better than the materials listed above in durability.
- ii. A maximum of ten percent of a facade may include accent materials not listed above, except that aluminum siding, vinyl siding, unfinished concrete block, reflective glass, and galvanized steel are prohibited. The use of reflective glass and galvanized steel may be approved by the City Administrator for use on an amenity center or on other non-residential structures in unique circumstances in order to comply with green building techniques.
 - iii. The following requirement shall apply to a minimum of 50 percent of all single family residences at the time of full build out of the Property: A minimum of 25 percent of each exterior building façade shall consist of natural, cultured, or cast stone.
 - iv. The building material requirements in this section shall not apply to buildings in open space areas, including, but not limited to, an amenity center.
- c. Roofing Design and Materials.
- i. Roofing materials for sloped roofs shall be selected from the following list:
 1. Asphalt shingles;
 2. Industry approved synthetic shingles;
 3. Standing seam metal roofs;
 4. Tile roofs;
 5. Slate roofs;
 6. LEED-certified roofing materials; or
 7. An alternative material approved by the City Administrator based on a finding that it is of a quality equal to or better than the materials listed above in durability.
 - ii. Amenity centers and other non-residential buildings may have flat roofs or pitched roofs. All pitched roofs of non-residential buildings shall have a

minimum pitch of 4:12. Roofs covering porches and other architectural elements are excluded from this requirement. The City Administrator may approve a roof that does not meet these requirements based on a finding that a different roof pitch is appropriate for the proposed architectural style.

- iii. All pitched roofs of residential buildings shall have a minimum pitch of 6:12. Roofs covering porches, bay windows, box windows and other architectural elements are excluded from this requirement. The City Administrator may approve a roof that does not meet these requirements based on a finding that a different roof pitch is appropriate for the proposed architectural style.
 - iv. Flat roofs require parapet screening that adheres to vertical articulation requirements for the facade.
 - v. Parapets shall require cornice detailing.
 - vi. Each single-family detached home will have a 30-year dimensional shingle, tile, composite or metal seam roof.
- d. Design Features for Certain Residential Buildings. A minimum of four of the following design features are required on the exterior of each single family detached residential structure:
- i. Dormers;
 - ii. Cupolas;
 - iii. Gables;
 - iv. Recessed entries (minimum three feet);
 - v. Balconies;
 - vi. Covered front porches (minimum 70 square feet in area and seven feet in depth);
 - vii. Courtyards;
 - viii. Box windows or bay windows;
 - ix. Architectural pillars or posts;
 - x. Exterior chimneys;
 - xi. Varied roof heights;
 - xii. Archways;

- xiii. Porte cocheres;
- xiv. Porticos;
- xv. Shutters (functional or decorative);
- xvi. Fireplaces with chimneys;
- xvii. Minimum eight-foot tall front doors; or
- xviii. Articulated cornice lines.

e. Design Features for Non-Residential Buildings. Non-residential buildings shall comply with the following requirements:

- i. Cladding materials used on a facade shall extend a minimum of 20 feet around building corners onto adjacent facades, other than facades abutting an alley.
- ii. All buildings must include at least four of the following design features, and buildings that are greater than 20,000 square feet in floor area must include at least six of the following design features:
 - A. Canopies, archways, covered walkways, or porticos;
 - B. Awnings;
 - C. Arcades;
 - D. Courtyards;
 - E. Cupolas;
 - F. Balconies;
 - G. Tower elements;
 - H. Recesses, projections; columns; pilasters projecting from the planes; offsets; reveals; or projecting ribs used to express architectural or structural bays;
 - I. Varied roof heights for pitched, peaked, sloped, or flat roof styles;
 - J. Articulated cornice line;
 - K. Arches;
 - L. Display windows, faux windows, or decorative glass windows;

- M. Architectural details, such as tile work and molding, or accent materials integrated into the building facade;
- N. Integrated planters or wing walls that incorporate landscaping and sitting areas or outdoor patios;
- O. Integrated water features; or
- P. Other similar architectural features approved by the City Administrator.

f. Entries.

- i. All non-residential buildings shall comply with the following requirements:
 - 1. All ground floor entrances shall be covered or inset.
 - 2. Building entrances shall be articulated with architectural elements such as columns, porticos, porches, and overhangs.
- ii. All non-residential buildings over 20,000 square feet in floor area shall incorporate elements such as arcades, roofs, alcoves, porticos, and awnings that protect pedestrians from sun and weather for a minimum of 50 percent of the length of the building frontage along a street.

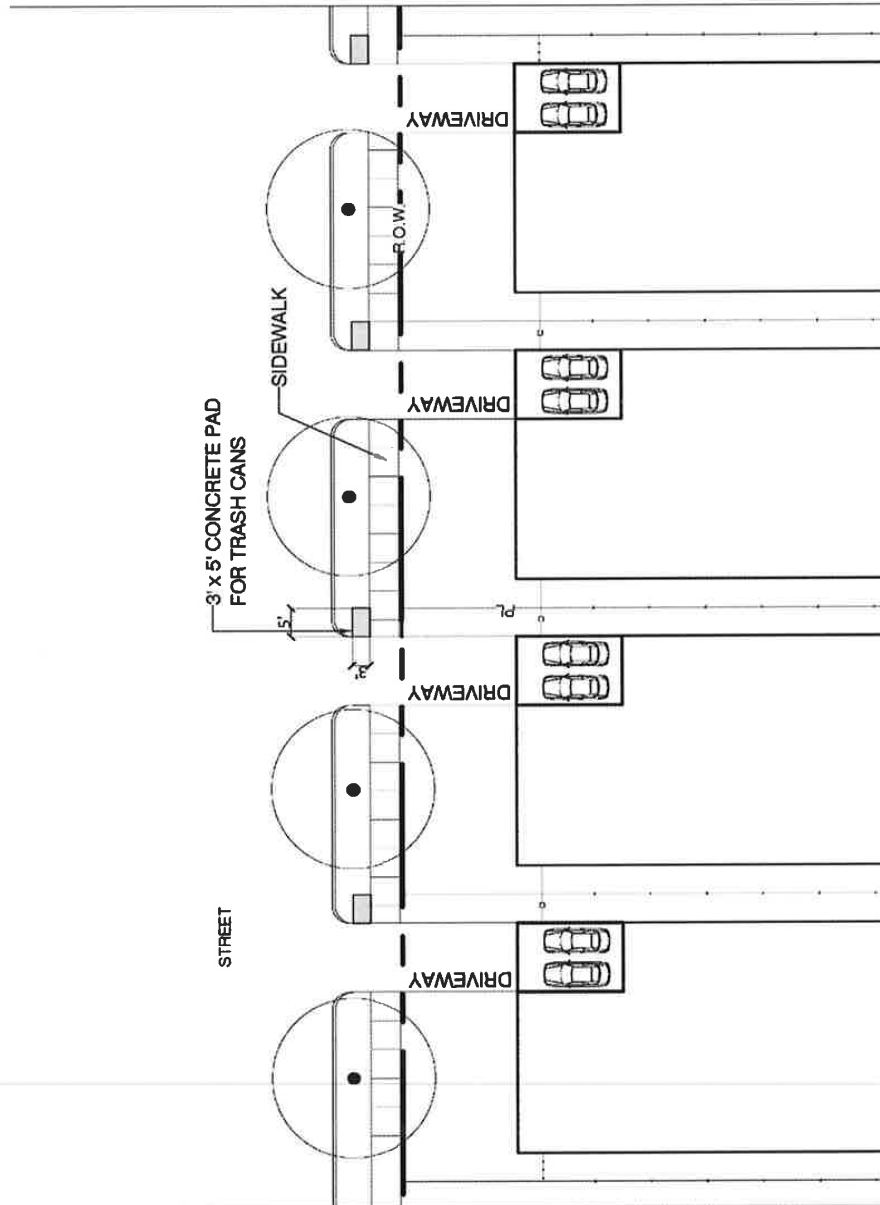
g. Building Articulation. All non-residential building facades adjacent to and facing a street or open space shall include changes in relief such as columns, cornices, bases, fenestration, and fluted masonry at least every 50 feet along a building facade. This provision shall not apply to buildings in open space areas, including, but not limited to, an amenity center.

h. Transparency.

- i. Residential Uses. At least 25 percent of each front residential facade facing the street shall contain windows or doorways. If a lot is located on a corner, only one street-facing facade is required to meet this requirement, which shall be the street that the front facade of the home faces.
- ii. Non-Residential Uses. At least 50 percent of each front non-residential facade facing the street shall contain windows or doorways. If a lot is located on a corner, both street-facing facades are required to meet this requirement. This provision shall not apply to buildings in open space areas, including, but not limited to, an amenity center.

Note: For purposes of this exhibit, an amenity center is considered a non-residential building.

Exhibit K
Trash Can Pads



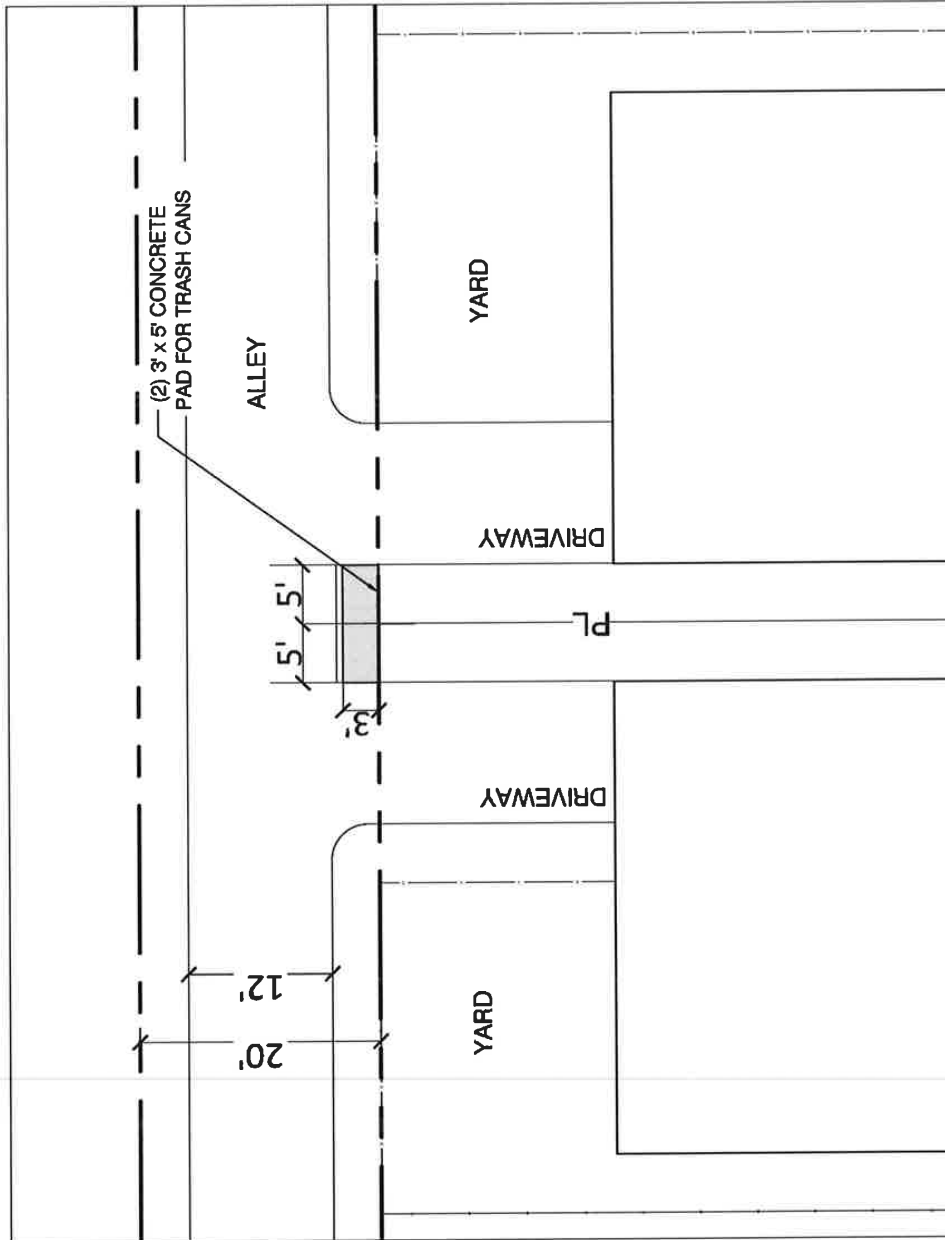


Exhibit L
Address Plaques

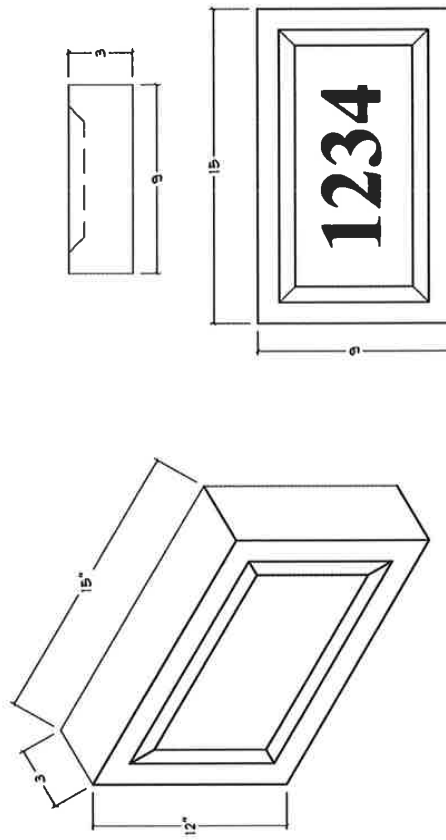
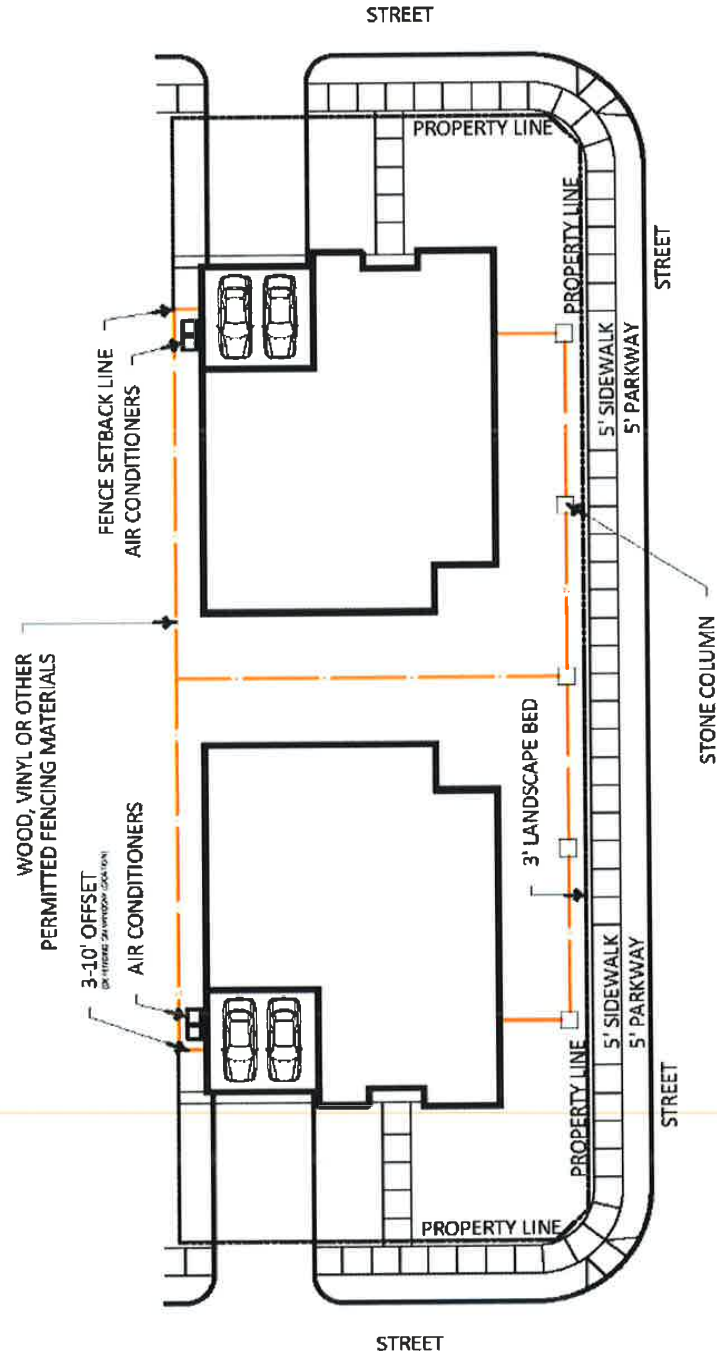
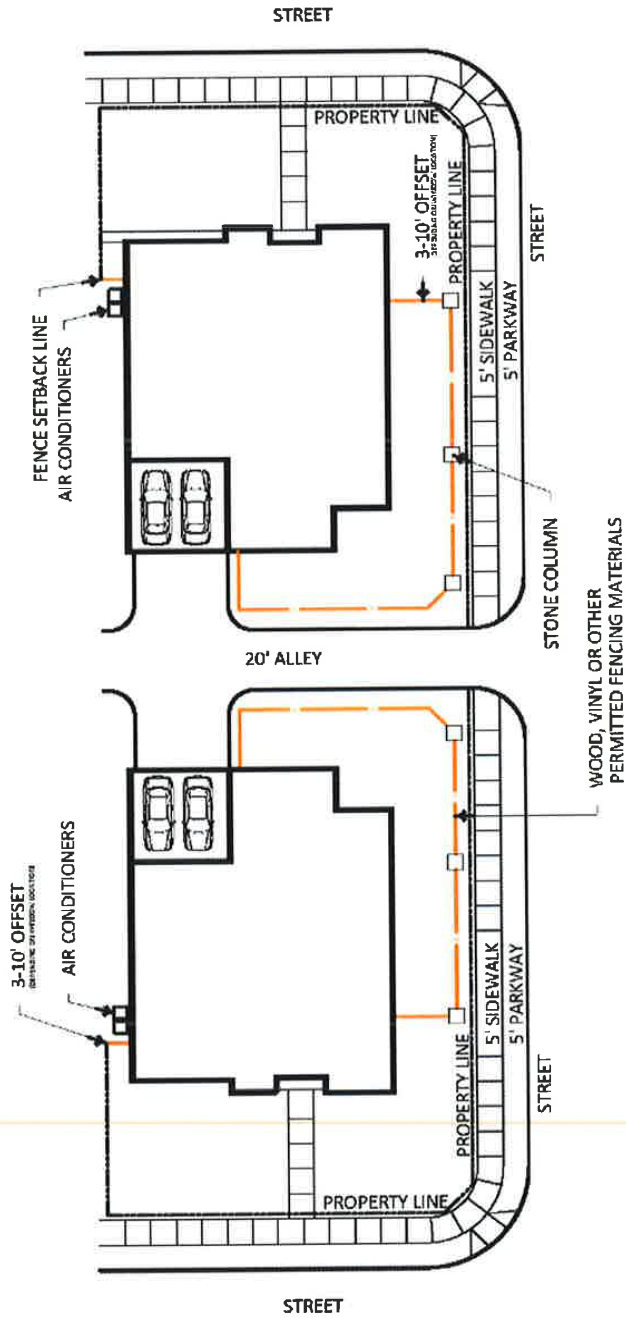


Exhibit L – Page 1

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Exhibit M
Fence Design for Single Family Detached





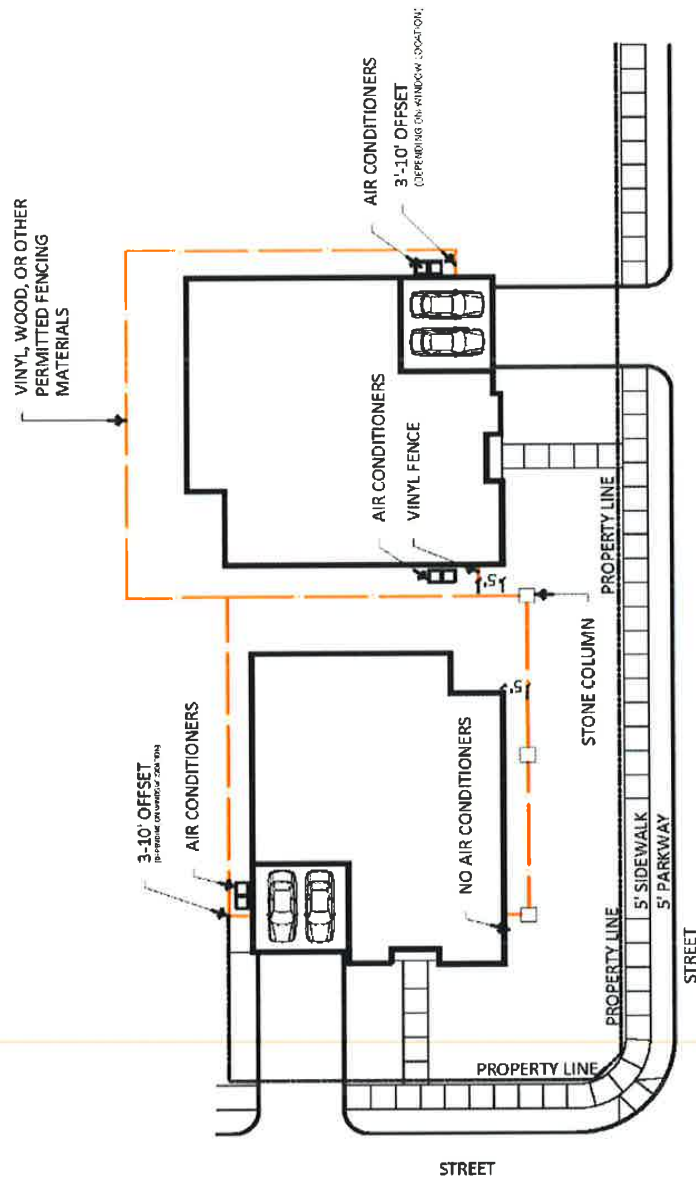


Exhibit N
Realtor and Builder Sign Specifications

TRILOGY

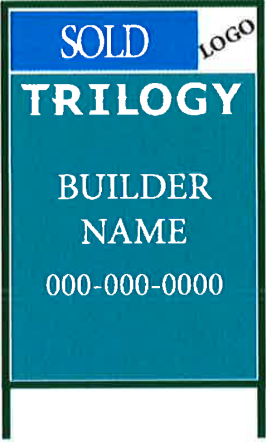
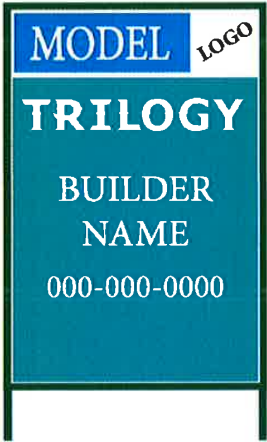


Exhibit O
Sidewalks

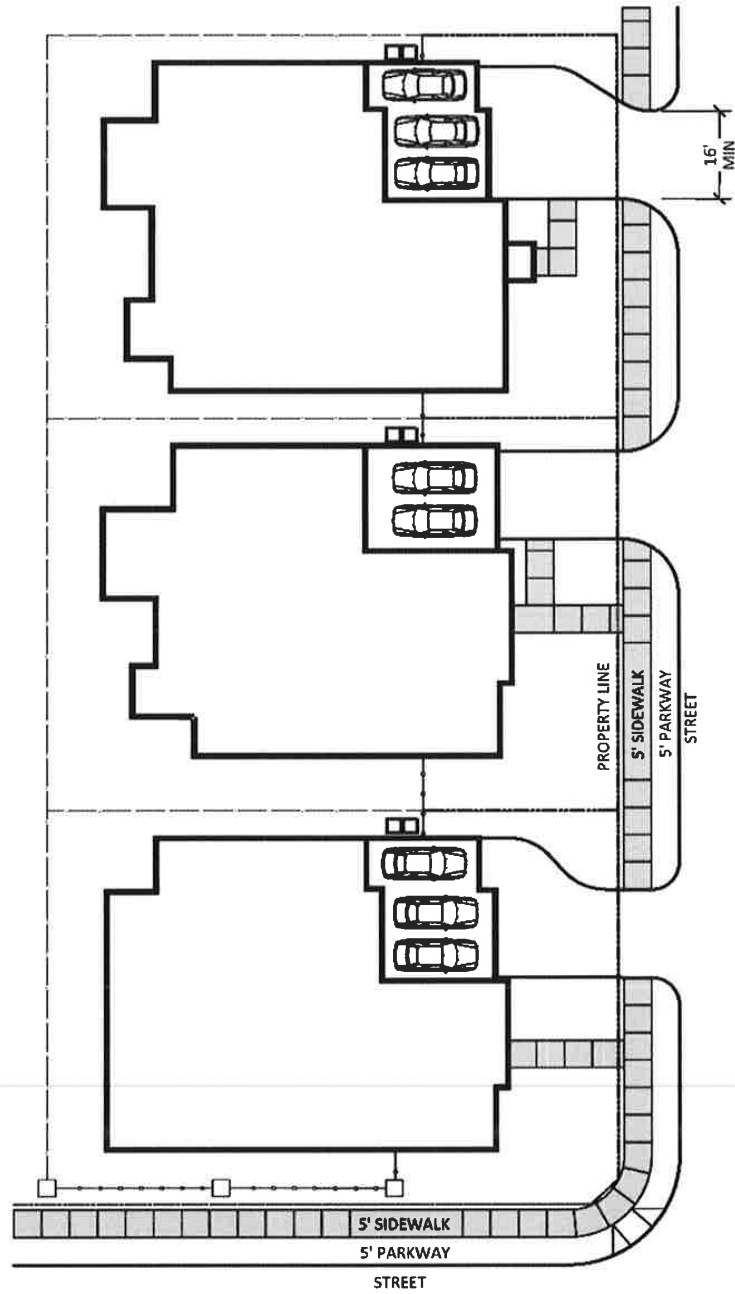
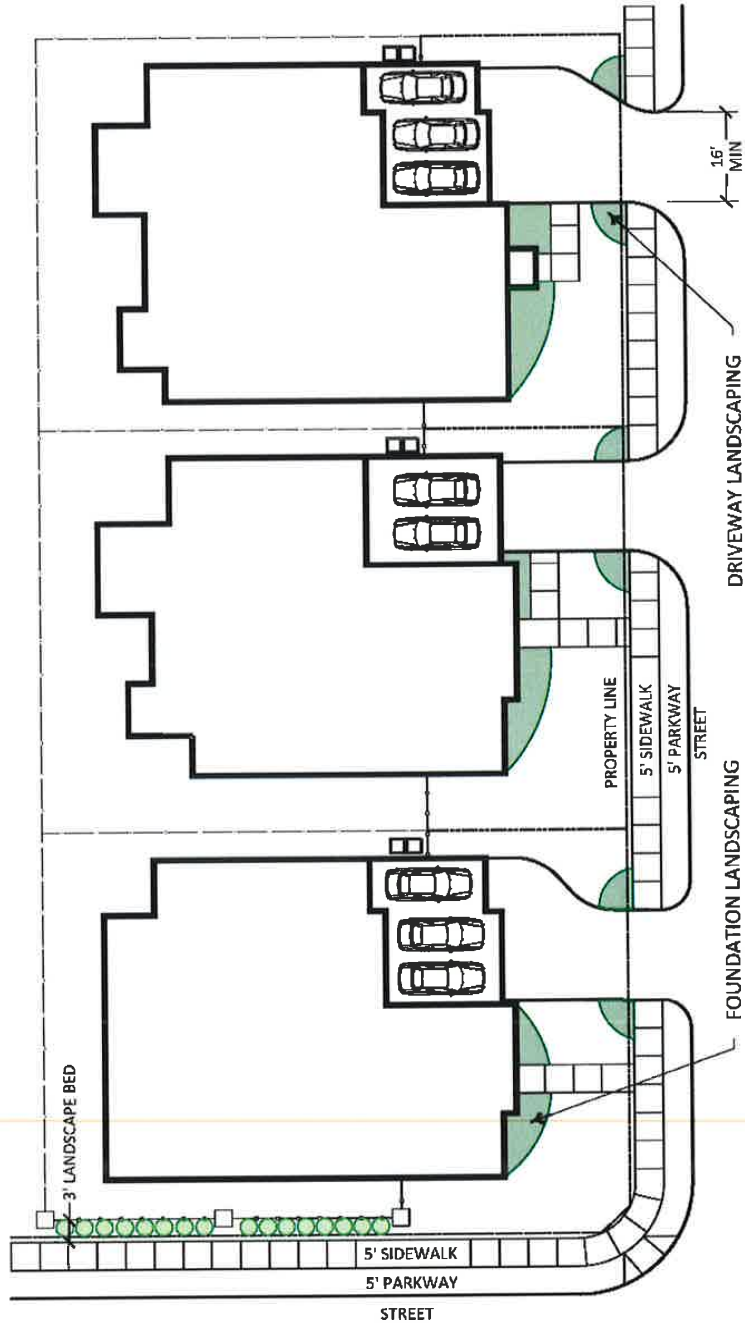


Exhibit O – Page 1

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Exhibit P
Shrub Planting Locations



ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MCLENDON-CHISHOLM, TEXAS AND THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, BEING ORDINANCE NO. ORDINANCE 2007-10, ADOPTED BY THE CITY COUNCIL ON JULY 23, 2007, AS AMENDED THROUGH THE DATE OF THIS ORDINANCE, SO THAT AN APPROXIMATELY 179.05-ACRE PROPERTY DESCRIBED BY METES AND BOUNDS ON EXHIBIT A ATTACHED HERETO IS ZONED TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW FOR SINGLE FAMILY RESIDENTIAL USES AND CERTAIN COMMERCIAL USES, AND TO MODIFY THE DEVELOPMENT STANDARDS FOR SUCH 179.05-ACRE PROPERTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR A CONFLICTS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of McLendon-Chisholm has considered the rezoning of an approximately 179.05-acre property, which is more fully described and depicted on Exhibit A attached hereto (the "Property"), to "PD" – Planned Development District, generally to allow for a mix of residential on the Property and to modify the development standards for the Property; and

WHEREAS, the City Council finds that this Ordinance is consistent with the City's comprehensive plan; and

WHEREAS, after notice of the required rezoning as required by law and holding the public hearings required by law, the City Council is of the opinion that the change in zoning district should be made.

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

Section 1: That the Zoning Ordinance and Map of the City of McLendon-Chisholm, Texas, duly passed by the governing body of the City of McLendon-Chisholm, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Agriculture District ("A") to a Planned Development ("PD") described herein, of approximately 179.05 acres located in the W.W. Ford Survey, Abstract No. 80, the A. Rodriguez Survey, Abstract No. 231, and the J. Simmon Survey, Abstract No. 202, in Rockwall County, generally located north of FM 550

and east and west of Pullen Road and being more particularly described in Exhibit "A," which is attached hereto and incorporated herein.

Section 2: Use and development of the subject property shall conform to this Ordinance. All attached exhibits are incorporated herein for all purposes.

Section 3: If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 4: It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McLendon-Chisholm to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

Section 5: This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of McLendon-Chisholm, Texas and the McLendon-Chisholm Zoning Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such codes, in which event the conflicting provision of such ordinance and such codes are hereby repealed.

Section 6: That all recitals contained in this Ordinance are fully incorporated herein as if fully written.

Section 7: The caption of this Ordinance shall be published as required by law, and this Ordinance shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, ON THE 2nd DAY OF DECEMBER 2021.

CITY OF MCLENDON-CHISHOLM, TEXAS

Name: KEITH SHORT
Title: Mayor

ATTEST:

Name: ROCHELLE GREEN
Title: City Secretary
Date:

Exhibit A
Metes and Bounds Description of the Property

TRACT 1

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J. SIMMONS SURVEY, ABSTRACT NO. 202, THE W.W. FORD SURVEY, ABSTRACT NO. 80, AND THE A. RODRIGUEZ SURVEY, ABSTRACT NO. 231, IN ROCKWALL COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED TO HODGES RANCH PARTNERS, LTD., AS RECORDED IN VOLUME 3828 AT PAGE 322 ALSO KNOWN AS DOCUMENT NUMBER 00319510 ON DECEMBER 4TH 2004 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING SUBJECT TO A MEMORANDUM OF INTEREST WITH REGARD TO OWNERSHIP OF REAL PROPERTY RECORDED UNDER COUNTY CLERKS FILE NUMBER 20160000014831 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550 (VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN VOLUME 41 AT PAGES 545 565 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS AT THE RECOGNIZED SOUTHWEST CORNER OF SAID TRACT;

THENCE NORTH 44° 03' 50" EAST A DISTANCE OF 1,220.15 FEET TO A POINT FOR CORNER, SAID POINT BEING THE SOUTH CORNER OF A CALLED 58.110 ACRE TRACT OF LAND DESCRIBED IN DEED TO DONALD R. HOLLOWAY RECORDED UNDER COUNTY CLERKS FILE NUMBER 2011-00444931 (VOL. 6347, PG. 221) OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 44° 24' 01" EAST AND FOLLOWING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 258.18 FEET TO A POINT FOR CORNER;

THENCE NORTH 45°44'54" EAST AND CONTINUING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 353.97 FEET TO A POINT FOR CORNER;

THENCE NORTH 44° 38' 21" EAST AND CONTINUING ALONG THE SOUTHEAST LINE OF SAID HOLLOWAY 58.110 ACRE TRACT A DISTANCE OF 485.74 FEET TO A POINT FOR THE MOST EASTERLY CORNER OF SAID HOLLOWAY 58.110 ACRE TRACT AT ITS INTERSECTION WITH THE SOUTHWEST LINE OF A CALLED 89.287 ACRE TRACT OF LAND DESCRIBED IN DEED TO HOLLOWAY FAMILY LIMITED PARTNERSHIP AS RECORDED UNDER COUNTY CLERKS FILE NUMBER 20150000020975 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 46° 15' 24" EAST AND FOLLOWING ALONG THE SOUTHWEST LINE OF SAID HOLLOWAY FAMILY LIMITED PARTNERSHIP 89.287 ACRE TRACT A DISTANCE OF 685.89 FEET TO THE MOST SOUTHERLY CORNER OF SAID 89.287

ACRE TRACT, SAID POINT BEING IN A SOIL CONSERVATION LAKE AND CALLED IN THE OLD MEANDERS OF LONG BRANCH CREEK;

THENCE FOLLOWING ALONG THE SOUTHEASTERLY LINE OF SAID HOLLOWAY FAMILY LIMITED PARTNERSHIP 89.287 ACRE TRACT AND ALONG THE CALLED OLD MEANDERS OF LONG BRANCH CREEK AS FOLLOWS;

- (1) NORTH 09° 48' 57" EAST A DISTANCE OF 71.41 FEET TO A POINT CORNER;
- (2) NORTH 81° 03' 57" EAST A DISTANCE OF 56.00 FEET TO A POINT FOR CORNER;
- (3) SOUTH 56° 56' 03" EAST A DISTANCE OF 69.00 FEET TO A POINT FOR CORNER;
- (4) SOUTH 83° 11' 03" EAST A DISTANCE OF 85.00 FEET TO A POINT FOR CORNER;
- (5) NORTH 48° 33' 57" EAST, A DISTANCE OF 10.18 FEET TO A POINT FOR CORNER;

THENCE DEPARTING THE CALLED OLD MEANDERS OF LONG BRANCH CREEK AND THROUGH THE INTERIOR OF SAID PREMISES AS FOLLOWS;

- (1) SOUTH 45° 00' 00" EAST, A DISTANCE OF 150.87 FEET TO A POINT FOR CORNER;
- (2) SOUTH 45° 00' 00" WEST, A DISTANCE OF 1050.00 FEET TO A POINT FOR CORNER;
- (3) SOUTH 45° 00' 00" EAST, A DISTANCE OF 1596.73 FEET TO A POINT FOR CORNER ON THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550;

THENCE NORTH 88° 20' 23" WEST AND ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 135.23 FEET TO A POINT FOR CORNER;

THENCE NORTH 84° 16' 25" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 405.48 FEET TO A POINT FOR CORNER;

THENCE NORTH 81° 36' 51" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. ROAD 550 A DISTANCE OF 451.13 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2,846.18 FEET, WITH A CENTRAL ANGLE OF 09° 17' 58", AND A CHORD BEARING NORTH 74°08'20" WEST AT A DISTANCE OF 461.45 FEET;

THENCE WESTERLY AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550 AND SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 461.95 FEET TO A POINT FOR CORNER;

THENCE NORTH 69° 29' 21" WEST CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF F.M. ROAD 550A DISTANCE OF 1,496.23 FEET TO THE POINT OF BEGINNING CONTAINING 3,011,847 SQUARE FEET, OR 69.143 ACRES OF LAND MORE OR LESS.

TRACT 2

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J. SIMMONS SURVEY, ABSTRACT NO. 202, THE W.W. FORD SURVEY, ABSTRACT NO. 80, AND THE A. RODRIGUEZ SURVEY, ABSTRACT NO. 231, IN ROCKWALL COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED TO HODGES RANCH PARTNERS, LTD., AS RECORDED IN VOLUME 3828 AT PAGE 322 ALSO KNOWN AS DOCUMENT NUMBER 00319510 ON DECEMBER 4TH 2004 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING SUBJECT TO A MEMORANDUM OF INTEREST WITH REGARD TO OWNERSHIP OF REAL PROPERTY RECORDED UNDER COUNTY CLERKS FILE NUMBER 20160000014831 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR THE RECOGNIZED EAST CORNER OF THIS TRACT IN THE SOUTHWEST LINE OF A 25.279 ACRE TRACT OF LAND DESCRIBED IN DEED TO REGGIE L. HICKERSON RECORDED UNDER VOLUME 2388, PAGE 198 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, SAID POINT BEING THE MOST NORTHERLY CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO RONALD PRICE AND SHARON DUBACK RECORDED UNDER VOLUME 1591, PAGE 111 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 43° 56' 42" WEST AND DEPARTING THE SOUTHWEST LINE OF SAID 2.79 ACRE TRACT TO REGGIE L. HICKERSON AND FOLLOWING ALONG THE NORTHWEST LINE OF SAID RONALD PRICE AND SHARON DUBACK TRACT A DISTANCE OF 1,902.97 FEET TO A POINT FOR CORNER; SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID RONALD PRICE AND SHARON DUBACK TRACT;

THENCE NORTH 45° 35' 00" WEST A DISTANCE OF 819.44 FEET TO A POINT FOR CORNER IN THE NORTHEAST RIGHT-OF-WAY LINE OF F.M. ROAD 550 (VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN VOLUME 41 AT PAGES 545 565 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 86° 58' 39" WEST AND CONTINUING ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 89.89 FEET TO A POINT FOR CORNER;

THENCE SOUTH 14° 01' 34" WEST AND CONTINUING ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 113.82 FEET TO A POINT FOR CORNER;

THENCE NORTH 88° 27' 27" WEST AND FOLLOWING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 445.63 FEET TO A POINT FOR CORNER;

THENCE NORTH 87° 13' 22" WEST AND FOLLOWING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 1,052.71 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 5,769.60 FEET, A CENTRAL ANGLE OF 01° 08' 00", AND A CHORD BEARING NORTH 87°39'09" WEST AT A DISTANCE OF 114.12 FEET;

THENCE WESTERLY AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 AND FOLLOWING ALONG SAID CURVE FOR AN ARC DISTANCE OF 114.12 FEET;

THENCE NORTH 88° 13' 09" WEST AND CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 A DISTANCE OF 669.98 FEET TO A POINT FOR CORNER;

THENCE DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID F.M. 550 AND THROUGH THE INTERIOR OF SAID PREMISES AS FOLLOWS;

(1) NORTH 45° 00' 00" EAST, A DISTANCE OF 1,092.91 FEET TO A POINT FOR CORNER;

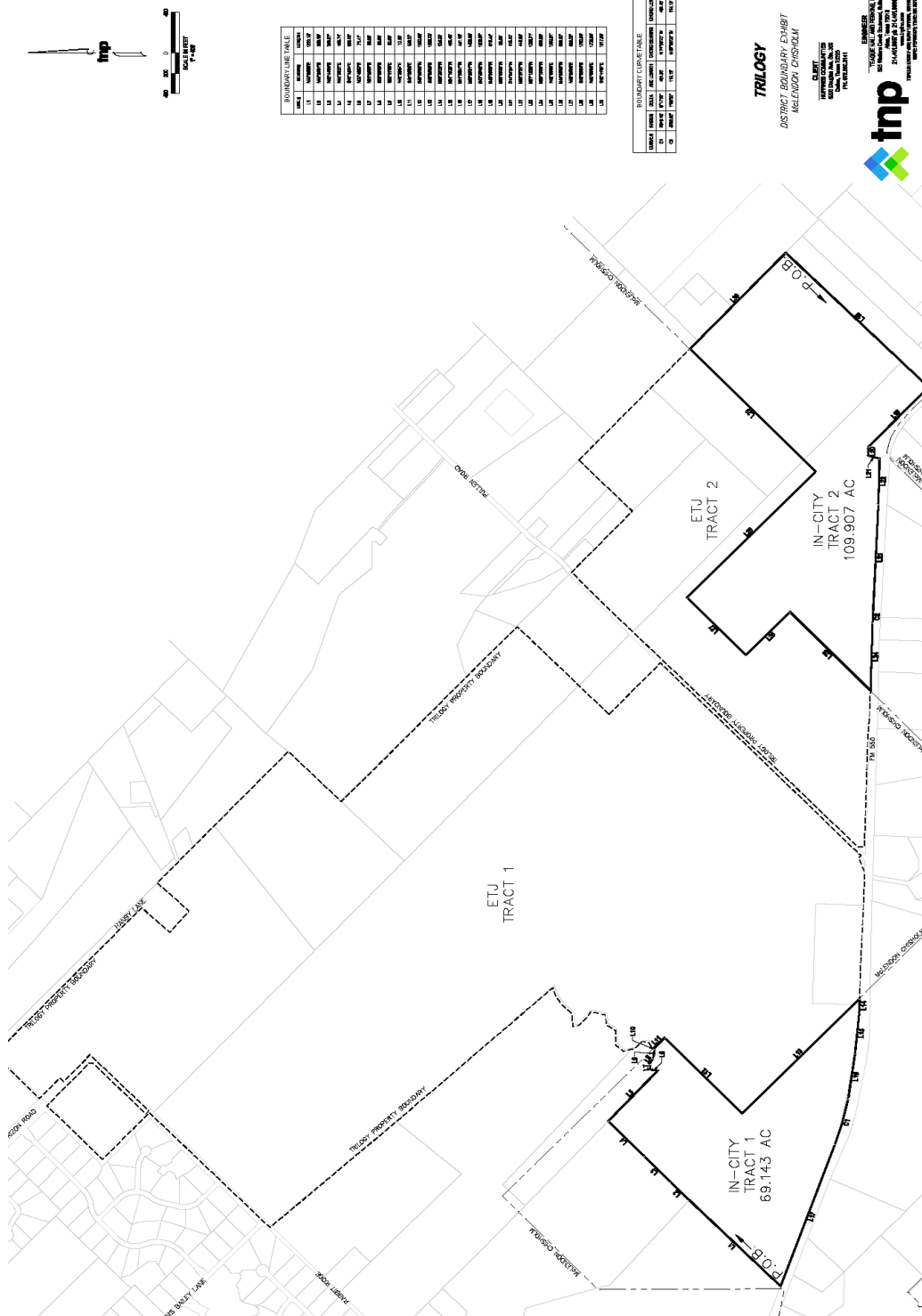
(2) NORTH 45° 00' 00" WEST, A DISTANCE OF 600.00 FEET TO A POINT FOR CORNER;

(3) NORTH 45° 00' 00" EAST, A DISTANCE OF 800.00 FEET TO A POINT FOR CORNER;

(3) SOUTH 45° 00' 00" EAST, A DISTANCE OF 1,750.00 FEET TO A POINT FOR CORNER;

(4) NORTH 45° 00' 00" EAST, A DISTANCE OF 1,708.95 FEET TO A POINT FOR CORNER ON THE RECOGNIZED NORTHEAST LINE OF THIS TRACT;

THENCE SOUTH 45° 44' 07" EAST ALONG SAID RECOGNIZED LINE, A DISTANCE OF 1317.93 FEET TO THE POINT OF BEGINNING CONTAINING 4,787,547 SQUARE FEET, OR 109.907 ACRES OF LAND MORE OR LESS.



BOUNDARY LINE TABLE			
STATION	BEARING	DISTANCE	CUMULATIVE DISTANCE
1	N 89° 58' 00" E	100.00	100.00
2	N 89° 58' 00" E	100.00	200.00
3	N 89° 58' 00" E	100.00	300.00
4	N 89° 58' 00" E	100.00	400.00
5	N 89° 58' 00" E	100.00	500.00
6	N 89° 58' 00" E	100.00	600.00
7	N 89° 58' 00" E	100.00	700.00
8	N 89° 58' 00" E	100.00	800.00
9	N 89° 58' 00" E	100.00	900.00
10	N 89° 58' 00" E	100.00	1000.00
11	N 89° 58' 00" E	100.00	1100.00
12	N 89° 58' 00" E	100.00	1200.00
13	N 89° 58' 00" E	100.00	1300.00
14	N 89° 58' 00" E	100.00	1400.00
15	N 89° 58' 00" E	100.00	1500.00
16	N 89° 58' 00" E	100.00	1600.00
17	N 89° 58' 00" E	100.00	1700.00
18	N 89° 58' 00" E	100.00	1800.00
19	N 89° 58' 00" E	100.00	1900.00
20	N 89° 58' 00" E	100.00	2000.00
21	N 89° 58' 00" E	100.00	2100.00
22	N 89° 58' 00" E	100.00	2200.00
23	N 89° 58' 00" E	100.00	2300.00
24	N 89° 58' 00" E	100.00	2400.00
25	N 89° 58' 00" E	100.00	2500.00
26	N 89° 58' 00" E	100.00	2600.00
27	N 89° 58' 00" E	100.00	2700.00
28	N 89° 58' 00" E	100.00	2800.00
29	N 89° 58' 00" E	100.00	2900.00
30	N 89° 58' 00" E	100.00	3000.00

SOUTHERN CROSS TABLE			
STATION	BEARING	DISTANCE	CUMULATIVE DISTANCE
1	N 89° 58' 00" E	100.00	100.00
2	N 89° 58' 00" E	100.00	200.00
3	N 89° 58' 00" E	100.00	300.00
4	N 89° 58' 00" E	100.00	400.00
5	N 89° 58' 00" E	100.00	500.00
6	N 89° 58' 00" E	100.00	600.00
7	N 89° 58' 00" E	100.00	700.00
8	N 89° 58' 00" E	100.00	800.00
9	N 89° 58' 00" E	100.00	900.00
10	N 89° 58' 00" E	100.00	1000.00
11	N 89° 58' 00" E	100.00	1100.00
12	N 89° 58' 00" E	100.00	1200.00
13	N 89° 58' 00" E	100.00	1300.00
14	N 89° 58' 00" E	100.00	1400.00
15	N 89° 58' 00" E	100.00	1500.00
16	N 89° 58' 00" E	100.00	1600.00
17	N 89° 58' 00" E	100.00	1700.00
18	N 89° 58' 00" E	100.00	1800.00
19	N 89° 58' 00" E	100.00	1900.00
20	N 89° 58' 00" E	100.00	2000.00
21	N 89° 58' 00" E	100.00	2100.00
22	N 89° 58' 00" E	100.00	2200.00
23	N 89° 58' 00" E	100.00	2300.00
24	N 89° 58' 00" E	100.00	2400.00
25	N 89° 58' 00" E	100.00	2500.00
26	N 89° 58' 00" E	100.00	2600.00
27	N 89° 58' 00" E	100.00	2700.00
28	N 89° 58' 00" E	100.00	2800.00
29	N 89° 58' 00" E	100.00	2900.00
30	N 89° 58' 00" E	100.00	3000.00

TRILOGY
DISTRICT BOUNDARY SURVEY
ALEXANDRIA, VIRGINIA

tnp
ENGINEER
10000 LEE ROAD, SUITE 100
FALLS CHURCH, VA 22041
TEL: 703.261.2411

CLINT
10000 LEE ROAD, SUITE 100
FALLS CHURCH, VA 22041
TEL: 703.261.2411

CHUCK
10000 LEE ROAD, SUITE 100
FALLS CHURCH, VA 22041
TEL: 703.261.2411

Exhibit A - Page 5

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Exhibit B
Planned Development District Development Regulations

1. Definitions.
 - a. Building Permit Fees is defined in Section 10(c) of this Ordinance.
 - b. City Fees is defined in Section 10(e) of this Ordinance.
 - c. Concept Plan means the Concept Plan attached as **Exhibit C** of this Ordinance, as amended from time to time in accordance with this Ordinance.
 - d. District means Rockwall County Municipal Utility District No. 10 or any municipal utility district resulting from the division of Rockwall County Municipal Utility District No. 10.
 - e. Development Agreement means that certain Development Agreement between the City and MC Trilogy Texas, LLC approved by the City Council on October 27, 2021.
 - f. End-Buyer means the end-buyer of a fully developed and improved lot within the Property.
 - g. Fees is defined in Section 10(g) of this Ordinance.
 - h. Flood Study Fee is defined in Section 10(d) of this Ordinance.
 - i. Governing Regulations is defined in Section 2 of this Ordinance.
 - j. Ordinance means this Ordinance No. [REDACTED] zoning the Property as a planned development district.
 - k. Owner means "Owner" as defined in the Development Agreement or an "Assignee" as defined in the Development Agreement.
 - l. Plan Review Fees is defined in Section 10(b) of this Ordinance.
 - m. Plat Review Fees is defined in Section 10(a) of this Ordinance.
 - n. Property means the property described on **Exhibit A** of this Ordinance.
 - o. Public Infrastructure means water, wastewater, drainage, roadway, and other public infrastructure to serve the Property in accordance with the Development Agreement.
 - p. Public Safety Fees is defined in Section 10(f) of this Ordinance.
 - q. Structure means every structure designed or intended for human occupancy and every accessory structure intended for human occupancy.
 - r. TCEQ means Texas Commission on Environmental Quality.

- s. Zoning Ordinance means the City's comprehensive zoning ordinance in effect on the date of the adoption of this Ordinance.

2. Governing Regulations.

- a. Development of the Property shall be governed solely by the following regulations (collectively, the "Governing Regulations"): (i) the Zoning Ordinance, as amended by this Ordinance (the "Development Regulations"); (ii) the following building codes adopted by the City and in effect on the Effective Date: the provisions of the International Building Code (2018 edition), the International Residential Code (2018 edition), the International Energy Conservation Code (2018 edition), the International Mechanical Code (2018 edition), the International Plumbing Code (2018 edition), the International Fuel Gas Code (2018 edition), the International Property Maintenance Code (2018 edition), and the National Electrical Code (2020 edition), the International Fire Code (2018 edition) excluding all cul-de-sac size and dimension requirements, as well as amendments thereto adopted by Ordinance No. 2020-03 (the "Building Codes"); and (iii) the subdivision regulations of the City in effect on the Effective Date (the "Subdivision Regulations"), as amended by the special regulations set forth on **Exhibit E** of this Ordinance (the "Special Regulations").
- b. The Governing Regulations are exclusive, and no other City-adopted ordinances, rules, regulations, standards, policies, orders, guidelines, or other City-adopted or City-enforced requirements of any kind apply to the use or development of the Property.

3. Concept Plan; Development Plan.

- a. The Concept Plan attached as **Exhibit C** satisfies the requirements of Section 5-1 of the Zoning Ordinance for the approval of a conceptual plan with the establishment of a new planned development district. Revisions to the street layout and the location and configuration of open space areas shown on **Exhibit C** are permitted without City approval provided such revisions comply with all other Governing Regulations. The lot layouts and counts shown for single family development on the Concept Plan are preliminary, conceptual in nature, and subject to change, and final lot layouts and lot counts for single family development will be determined at the time of platting. Any amendment to the Concept plan that is approved on a plat is deemed to be a City-approved amendment to the Concept Plan. All other revisions to the Concept Plan require the approval of the City Council.
- b. A development plan (also known as a detailed site plan), as required by 5-1 of the Zoning Ordinance is required for all development; however, pursuant to Section 5-1 of the Zoning Ordinance, no signage plan or architectural plans are required for a development plan for single family development or an amenity center. A development plan shall be approved if it satisfies the Governing Regulations. No public hearing is required for a development plan for single family development or an amenity center.

4. Conflicts. In the event of any conflict between this Ordinance and any other ordinance, rule, regulation, standard, policy, order, guideline or other City-adopted or City-enforced requirement, whether existing on the date of the adoption of this Ordinance or hereinafter adopted, this Ordinance shall control. In the event of a conflict between this Ordinance (including any exhibit attached hereto) and the Zoning Ordinance, the Building Codes, or the Subdivision Regulations, this Ordinance (including all exhibits attached hereto) shall control. In the event of a conflict between an exhibit attached to this Ordinance and the text of this Ordinance, the text of this Ordinance shall control.

5. Plats. Subdivision of the Property requires approval of plats by the City in accordance with the Governing Regulations.

6. Public Infrastructure. The Public Infrastructure must be designed to comply with the Governing Regulations, and no construction or installation of Public Infrastructure shall begin until plans and specifications have been approved by the City (which approvals must not be unreasonably withheld or delayed). Nothing herein is intended to waive or modify any applicable requirements for retail or wholesale providers to review and approve any water or wastewater construction plans.

7. Inspections. The City acknowledges that all Public Infrastructure must be inspected as required by the rules of the TCEQ to the extent the costs and expenses paid or incurred by Owner in connection with such infrastructure will be reimbursable to Owner from bonds issued by the District or other funds legally available to the District. In order to avoid the duplication of time and expense of dual inspection and testing of Public Infrastructure, in lieu of City inspections, the engineer for the District shall perform inspections of all Public Infrastructure and issue certifications to confirm compliance with City requirements and TCEQ requirements, and file copies of his or her reports with the City. Alternatively, at the City's option, the City's engineer may perform all inspections of Public Infrastructure, in which case the City shall require its engineer to issue certifications to confirm compliance with City requirements and TCEQ requirements.

8. Building Permits. No Structure shall be constructed unless a building permit has been issued by the City, and permits shall not be unreasonably withheld, conditioned, or delayed. A building permit must be issued for any Structure that complies with the Governing Regulations. Except for model homes, no building permit may be issued for a Structure unless a final plat has been recorded for the lot on which the Structure is being constructed. Building permits must be issued for model homes prior to the recordation of a final plat if the Public Infrastructure to serve the model homes has been completed and inspected (including fire protection and excluding sewer); however, no model home may be sold to any End-Buyer until a final plat has been recorded.

9. Certificate of Occupancy. Except for model homes, no Structure may be occupied until a certificate of occupancy has been issued by the City certifying that the Structure has been constructed in compliance with the Governing Regulations, which certificates shall not be unreasonably withheld, conditioned, or delayed. Model homes may be occupied for the sole purpose of sales and marketing; however, no model home may be sold to or occupied by an End-Buyer until a certificate of occupancy has been issued.

10. Development Charges.

- a. Plat Review Fees. Development of the Property shall be subject to payment to the City of the following fees (the "Plat Review Fees"): (a) for a preliminary plat, \$280 per acre (or fraction thereof) within the plat plus the City's costs to hire a consultant to review the preliminary plat if City staff is not able to review the plat; and (b) for a final plat, \$250 plus \$5 per lot within the final plat, plus the City's costs to hire a consultant to review the final plat if City staff is not able to review the plat.
- b. Plan Review Fees. Development of the Property shall be subject to payment to the City of the reasonable and lawful costs to hire a consultant to review the District's plans and specifications for Public Infrastructure (the "Plan Review Fees").
- c. Building Permit Fees. Development of the Property shall be subject to payment to the City of the reasonable and lawful fees and charges applicable to the City's review of building construction plans, issuance of building permits, inspection of buildings, and issuance of certificates of occupancy (the "Building Permit Fees") according to the fee schedule adopted by the City Council and in effect on the date of submittal of a building permit application. The fee schedule applicable to the Property shall be uniformly applicable to all development within the corporate limits of the City.
- d. Flood Study Fee. A fee equal to the actual cost of the City's engineer's review of a new flood study for the Property shall be paid to the City in connection with the City's analysis of any new flood study that is required by the Governing Regulations (the "Flood Study Fee"), which fee is required to be a reasonable market rate fee for a licensed professional engineer to review a flood study of a comparable scope.
- e. City Fees. The Parties agree that the City may collect a \$1,500 wastewater fee per dwelling unit from each building permit applicant at the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Wastewater City Fees"), which is a fee that shall be used to fund administrative and facility operation and maintenance costs associated with providing wastewater service to the Property. If the City is the retail water provider to the Property, the Parties agree that the City may collect a \$1,000 water fee per dwelling unit per dwelling unit from each building permit applicant at the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Water City Fees"), which is a fee that shall be used to fund administrative and facility operation and maintenance costs associated with providing water service to the Property. The City agrees that no impact fees adopted pursuant to Chapter 395 of the Texas Local Government Code will be collected in connection with the development or use of the Property.
- f. Public Safety Fees. The City may collect a \$250 public safety fee per dwelling unit from each building permit applicant at the time of building permit issuance as a condition to issuance of the building permit for the dwelling unit (the "Public Safety Fees"), which fees shall be used to fund the City's provision of public safety services to the Property.

- g. Exclusive Fees. Except for Plat Review Fees, Plan Review Fees, Building Permit Fees, Flood Study Fee, and Wastewater City Fees, the Water City Fees, and the Public Safety Fees (collectively, the "Fees"), no other fees or charges of any kind are due and payable to the City in connection with the development of the Property.
- 11. Manufactured Housing. Notwithstanding any other provision of this Ordinance or the Governing Regulations to the contrary, HUD-certified manufactured homes may be located within the Property, from time to time, for any purpose necessary for the creation or administration of the District (including, but not limited to, providing qualified voters within the District or qualifying persons to serve on the Board of Directors of the District). Owner will notify the City of the location of, make and model of, HUD number for, and 911 address of each home within 30 days after the home is occupied. Manufactured homes permitted by this Agreement: (a) are not required to be located on a platted lot; (b) do not require a building permit; (c) do not require a certificate of occupancy; (d) do not otherwise have to comply with the Governing Regulations; (e) do not require any permit or other approval by the City; (f) are not subject to payment of any of the Fees; and (g) will be promptly removed when no longer needed for the creation or administration of the District. Manufactured homes permitted by this Ordinance must have adequate access for fire protection.
- 12. Water Wells. Water wells may be drilled within the Property to provide irrigation water and water for domestic use, including, but not limited to, use by the residents of the manufactured housing described in the prior section; subject, however, to all applicable rules and regulations of Rockwall County and the TCEQ.
- 13. Director Qualifying Lots. Notwithstanding any other provision of this Ordinance or the Governing Regulations to the contrary, the conveyance, from time to time, by metes and bounds or otherwise of any portion of the Property to any person for the purpose of qualifying such person to be a member of the board of directors of the District shall not be considered a subdivision of land requiring a plat or otherwise requiring the approval of the City; provided, however, no Structure, other than manufactured housing authorized by this Ordinance, shall be constructed on any property conveyed for such purpose unless and until a plat of such portion has been approved by the City in accordance with the Governing Regulations.

Exhibit C
Concept Plan



Exhibit D
Development Regulations

1. **Definitions.**

- a. Alley means a publicly or privately owned access way that provides access to the rear of a lot and functions as a traditional alley.
- b. City Administrator means the City Administrator or his or her designee.
- c. Concept Plan means the concept plan attached to this Ordinance as **Exhibit C**, as amended in accordance with this Ordinance.
- d. Front entry garage means a garage accessed from the street in front of a single family detached home. This term does not include side entry or j-swing garages.
- e. Open space means generally undeveloped property that can be used for active or passive recreation, is publicly or privately owned and maintained, is accessible by the residents of the Property or by the general public, and is designated as open space on an approved final plat.
- f. Property means the property described on **Exhibit A** of this Ordinance.
- g. Single family detached means a single dwelling unit on a platted lot that is not physically attached to any other dwelling unit (excluding an accessory dwelling unit).

2. **Permitted Uses.**

- a. The following uses shall be permitted in the areas designated "Residential Zone" on the Concept Plan:
 - i. Single family detached.
 - ii. Public safety buildings.
 - iii. School, public or private (elementary, middle, or high school, home school, day care).
 - iv. Model homes.
 - v. Accessory uses and structures, including, but not limited to buildings, garages, patio covers, pergolas, decks, carports, fences, signs, swimming pools, spas, antenna, satellite dishes, game courts, flagpoles).
 - vi. Accessory dwelling units that are accessory to single family detached uses located on lots with a width greater than 59 feet. An accessory dwelling unit shall not exceed 750 square feet in floor area, and shall be located on the same

lot as the principal use. A separate meter is permitted, but not required, for the accessory secondary living units.

- vii. Accessory home occupations, which shall conform to the Zoning Ordinance with respect to regulations specific to accessory home occupations.
 - viii. Sales office.
 - ix. Amenity Centers. Accessory private community center is permitted as an accessory use to an amenity center. An accessory private community center may include a restaurant or coffee shop open to members and their guests and may include a banquet facility that may be rented for special occasions, such as wedding receptions and parties. This use may include recreational uses and amenities, including, but not limited to, swimming pools and tennis courts. An amenity center may include one or more food trucks.
 - x. Temporary Residential Sales Office, Temporary Construction Office, and Model Homes. A residential real estate sales office and/or construction office, located on a platted lot, may be permitted within a subdivision for which building permits have been issued and may be located either in a model home, in a temporary building, or in a portable trailer. Model homes are permitted within a subdivision for which building permits have been issued. A permit for a temporary residential sales office, construction office, or a model home may be issued for no more than one year, but shall be automatically extended for so long as the builder maintains active and continuous sales or construction activities within the subdivision and a minimum of five lots in the subdivision remain unsold. Such sales office shall be used for sales in the subject subdivision only and not for sales in any other subdivision.
 - xi. Farmers market.
- b. The following uses shall be permitted in the areas designated "Commercial Zone" on the Concept Plan:
- i. The following nonresidential uses:
 - A. All uses permitted by right in the NC Neighborhood Commercial District pursuant to the Zoning Ordinance are permitted by right without conditions.
 - B. All uses permitted by SUP in the NC Neighborhood Commercial District pursuant to the Zoning Ordinance are permitted by SUP.
 - C. Restaurant, drive-in or drive-thru
 - D. Restaurant/refreshment stand (temporary or seasonal)
 - E. Retail uses of any type and size

- F. Service uses of any type, such as nail salons, hair salons, and similar uses providing services to the public
 - G. Pharmacy
 - H. Office (business, professional, or medical)
 - I. Fuel sales, with or without a convenience store
 - J. Furniture repair
 - K. Bank or other financial institution
 - L. Accessory banking
 - M. Florist
 - N. Veterinary clinic or hospital with or without outside kennels and boarding
 - O. Day care
 - P. Farmers market
 - Q. Accessory uses and structures
- c. In the area designated "Open Space" on the Concept Plan, as well as any other location within this planned development, parks, trails, active and passive open space, and other recreational amenities, uses, and improvements are permitted, including, but not limited to, all uses and structures referenced in Section 8 below.
 - d. Agricultural uses are permitted at any location within the Property, and may include, but are not limited to, raising crops and livestock, livestock services (including horses), and landscape/horticulture services.
 - e. Real estate development field offices and sales offices are permitted at any location without any time limit, and may be located in a temporary building or portable trailer.
 - f. Temporary construction yards are permitted during ongoing construction within the Property, and locations shall be approved by the City Administrator, with such approval not to be unreasonably withheld, conditioned, or delayed.
 - g. Concrete or asphalt batch plant, temporary associated with development of the Property, are permitted at any location, and the locations shall be approved by the City Administrator with such approval not to be unreasonably withheld, conditioned, or delayed.

4. Residential Development Standards. The requirements in this Section 4 shall apply to single family residential development:

- a. Table 1 below contains the exclusive lot size, setback, lot coverage, density, garage orientation, building height, and dwelling unit size requirements for residential development.
- b. Single family detached homes and duplexes shall comply with the anti-repetition requirements on **Exhibit F**. At least 10 percent of an elevation must be different, or it will be considered to be a repeated elevation.
- c. Each single family detached home shall be serviced by a central cluster mailbox located at a street intersection as approved by the US Postal Service. Mailbox designs shall be similar to the design shown on **Exhibit G**.
- d. All streets shall have street lights chosen from the standard street lighting guide of the electric provider.
- e. The front most portion of a residential front entry garage shall not extend more than three feet in front of the front facade or the front porch of a single family detached home.
- f. All residential rear entry garage doors must be a minimum of 20 feet from the edge of the right-of-way.
- g. All residential side and front entry garage doors for all permitted uses must be a minimum of 22 feet from the edge of the right-of-way.
- h. Each single family detached home shall have a minimum of two enclosed garage parking spaces.
- i. Front entry garage doors on a single family detached home shall be recessed a minimum of six inches into the building facade in which they are located.
- j. Residential garage doors shall be clad with faux wood. Metal garage doors are prohibited on residences.

5. Non-Residential Development Standards. The requirements in this Section 5 shall apply to non-residential development:

- a. The minimum front yard building setback shall be 25 feet, measured from all streets. All other yards shall be considered side yards, and shall have a minimum building setback of 15 feet, unless adjacent to an existing residential use, in which case the minimum building setback shall be 25 feet and a six foot solid fence or screening wall shall be constructed on the non-residential lot line where residential adjacency exists.

- b. The maximum lot coverage shall be 35 percent, measured as the building footprint.
 - c. The minimum lot size for a non-residential use shall be 10,000 square feet.
 - d. The maximum building height shall be two stories and 40 feet.
 - e. An amenity center is considered non-residential development for purposes of this Section 5.
6. Residential Landscaping, Fencing, and Screening. The following requirements shall be the exclusive landscaping requirements applicable to residential development:
- a. Except as otherwise provided below in this paragraph, chain link, barbed wire, pipe, and razor wire fences are prohibited. This restriction does not apply to temporary construction fencing, fencing around a lift station or other utility uses, barbed wire fencing around cattle or other agricultural uses. The City Administrator may permit these materials for limited use in other specific circumstances if the Director finds the use of these materials to be appropriate. Vinyl and polywood fencing and manufactured fencing materials are permitted on residential lots. Vinyl coated chain link fencing is permitted in connection with a dog park or open space. Wrought iron fencing or similar open metal fencing is required where lots abut an open space or park designated on a final plat.
 - b. A minimum of one three-inch caliper canopy tree shall be planted on each residential lot or in the adjacent parkway for every 35 feet in street frontage, excluding driveways.
 - c. In addition to the requirements in subsection (b) above, each corner lot with a single family detached home shall have landscape enhancements along the side street as follows:
 - i. A three-inch caliper trees shall be planted every 35 feet within the parkway, and a minimum of one five-gallon evergreen shrub shall be planted every five feet on center along the fence facing the side street.
 - ii. Trees may be planted between a sidewalk and curb. When trees are planted within the parkway, there shall be a minimum of five feet between the curb and sidewalk.
 - d. Shrubs are required to be planted in the areas shown on **Exhibit P**.
 - e. Berms, shrubs, trees, and groundcover are permitted in medians.
 - f. When the back or side of a single family residence abuts a collector road, screening will be provided in the form of a minimum six-foot tall board on board fence with the finished side facing the street, which shall be constructed by the home builder and shall have consistent materials and a consistent design along all

collector streets. A collector road shall be defined as a road having a divided two-lane boulevard connecting major off-site roadways. The term "divided" means divided by a raised median.

- g. A minimum of one three-inch caliper ornamental or canopy tree, or three eight-foot tall ornamental trees, shall be planted for every 50 linear feet of street frontage or fraction thereof along perimeter arterial and collector thoroughfares in the parkway. Trees may be planted in clusters to create a natural appearance along perimeter arterial and collector streets.
- h. Entryways into and exits from the Property shall be landscaped with grass, shrubs, and trees.
- i. Landscaping at entryways into the Property shall be designed so as to avoid an impairment of visibility of operators of motor vehicles entering and exiting the subdivision when the plant materials reach full maturity.
- j. The developer and/or a homeowners' association shall be responsible for the perpetual maintenance and upkeep of all landscaped areas that are not contained within residential lots.
- k. Landscaped areas at entryways into the Property shall be planted with at least one shade tree (minimum four inches in caliper measured at four feet above natural grade and 16 feet in height at time of planting) for each 55 linear feet or portion thereof of adjacent exposure.
 - a. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article, but shall be permitted in addition to required landscaping. Synthetic or artificial lawn or plant material shall be permitted within an amenity center lot.
 - b. All required landscaped area shall be permanently landscaped with living plant material, and shall have an irrigation system installed.
 - c. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.
 - d. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.
 - e. Plant materials which die shall be replaced with plant material of similar variety and size within 90 days period, with a one time extension not exceeding 90 days being provided upon approval of the city council.
 - f. All landscaping shall be completed and installed in accordance with the landscape plan within 90 days of a certificate of occupancy being granted. A one-time

extension not to exceed 90 days may be granted upon approval of the City Administrator or his/her designee.

- g. All required landscaping shall be from the approved plant list on Table 2 of this **Exhibit D**. The City Administrator may approve the use of additional plants that are not on Table 2 to satisfy landscaping requirements.

7. Non-Residential Landscaping and Screening. The following requirements shall be the exclusive landscaping requirements applicable to non-residential development:

- a. A minimum of 20 percent of each platted lot developed with a non-residential use shall be landscaped with a combination of grass, shrubs and trees. Where the construction is to be a single phase of a multi-phase development, only the area being constructed in the current phase need be subject to the landscape regulations. However, each phase will be required to meet the landscaping requirements as they are being developed.
- b. A minimum of ten percent of the gross area within a parking lot shall be planted with living plant material. Gross parking area shall be measured from the edge of the parking and/or driveway paving and sidewalks. Such landscaping shall be counted towards satisfaction of the requirements in Section 7(a) above. Landscape material which is located within the interior of a parking lot shall be surrounded by a curb of four inches in height.
- c. All required landscaped area shall be permanently landscaped with living plant material, and shall have an irrigation system installed. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article, except for an amenity center lot.
- d. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.
- e. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.
- f. Plant materials which die shall be replaced with plant material of similar variety and size within 90 days period, with a one time extension not exceeding 90 days being provided upon approval of the city council.
- g. All landscaping shall be completed and installed in accordance with the landscape plan within 90 days of a certificate of occupancy being granted. A one-time extension not to exceed 90 days may be granted upon approval of the City Administrator or his/her designee.
- h. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements of this article unless part of an amenity center lot.

- i. An amenity center is considered non-residential development for purposes of this Section 7.
 - j. All required landscaping shall be from the approved plant list on Table 2 of this **Exhibit D**. The City Administrator may approve the use of additional plants that are not on Table 2 to satisfy landscaping requirements.
- 8. **Parks and Open Space.** The parks, trails and open space requirements of the Development Agreement shall be the sole and exclusive parks, trails, and open space requirements for the Property, except that **Exhibit H** of this Ordinance represents the Parks, Open Space, and Trail Plan for the Property. No other park land dedication, park fee, or park improvement requirements shall apply to the Property.
- 9. **Street Sections.** Non-standard street sections are permitted as shown on **Exhibit I**. Minimum median width may be ten feet.
- 10. **Street Signs.**
 - a. Street signs shall be maintained by the homeowners association or the District until the subdivision is accepted by the City.
 - b. Alternative street signs may include a non-standard color, font, and text size that varies from standard City street signs. Alternative street signs shall be reviewed and approved by city staff and must follow the Manual on Uniform Traffic Control Devices (MUTCD).
- 11. **Miscellaneous.**
 - a. Front entry and rear entry (alley-served) residential types are permitted.
 - b. The master developer and homeowners association ("**HOA**") are hereby granted a license to use the public right of way within the Property boundaries for the exclusive purpose of constructing, operating, repairing and maintaining the following improvements and any improvements reasonably related thereto or necessary for the operation thereof: street and pedestrian lighting, public seating areas, landscaping and related amenities, including fountains, monuments, statues, or other public artwork, street furniture, including benches, drinking fountains, trash containers, tunnels; security cameras, bollards, temporary construction barricades, underground duct banks, pedestrian bridges and overpasses, arches, string lighting or other decorative lighting, wiring, and similar improvements. The removal of improvements for maintenance and replacement of utilities, pavement, drainage structures, and sidewalks shall be at the developer's or HOA's expense. Prior to installing any improvement within the right-of-way, the developer or HOA shall obtain the City Administrator's approval, which approval shall not be unreasonably withheld or delayed if the improvement does not unreasonably interfere with the public use of the right-of-way.
 - c. Development shall comply with the architectural guidelines on **Exhibit J**.

- d. Trash can pads shall be provided as shown on **Exhibit K**.
- e. Address plaques will be installed on each home in a design similar to that shown on **Exhibit L**.
- f. Residential fencing details shall comply with **Exhibit M**.
- g. Realtor and builder sign design shall conform to the specifications on **Exhibit N**.
- h. Sidewalks shall comply with **Exhibit O**.

Table 1

Development Standards Table for Single Family Residential

Minimum Lot Area	One acre
Minimum Lot Width	100 ft
Minimum Lot Depth	225 ft
Minimum Front Yard Building Setback ¹	75 ft
Minimum Side Yard Building Setback ²	
Interior Side Yard - 100'-130' Width	10 ft
Interior Side Yard - Greater than 130' Width	25 ft
Side Street (Corner Side Yard)	50 ft
Minimum Rear Yard Building Setback ³	25 ft
Minimum Dwelling Size (air conditioned floor area)	2,300 square feet
Maximum Lot Coverage (measured as building footprint only)	40%

¹ Permitted encroachments into minimum building setbacks: porches (up to eight feet into front yard setback and corner side yard setback, provided, however, no less than a 12-foot setback from the property line shall be permitted on any lot that requires a 12-foot or larger front yard setback); fireplaces and box windows up to two feet into all setbacks; balconies, awnings, overhang eaves up to two feet into all setbacks); bay windows up to four feet into front and rear yard setbacks; stoops and stairs up to five feet into front and rear yard setbacks; suspended planter or flower boxes up to 24 inches into all setbacks; and foundation encroachments of up to six inches in all setbacks for architectural details such as brick ledges.

² Exception to minimum setback: Minimum side yard building setback to detached garages or accessory buildings may be reduced to three feet when a greater setback would otherwise be required. See also footnote 1. Swimming pools shall have a minimum five-foot setback from rear and side property lines; however, such setback only applies to the swimming pool, and not to associated decking or paving around a swimming pool.

³ See footnotes 1 and 2.

Table 2
Approved Plant Species List

Approved/Recommended Plant List⁴	
Common Name	Scientific Name
Canopy Trees	
Ash, Texas	Fraxinus texensis
Cedar Elm	Ulmus crassifolia
Cedar, Eastern Red	Juniperus virginiana
Cypress, Bald	Taxodium distichum
Elm*, Lace Bark	Ulmus parvifolia
Magnolia, Southern	Magnolia grandiflora
Maple, Bigtooth	Acer gradidentatum
Maple, Caddo	Acer saccharum
Oak, Bur	Quercus macrocarpa
Oak, Chinquapin	Quercus muhlenbergii
Oak, Escarpment Live	Quercus fusi formis
Oak, Lacey	Quercus glaucoides
Oak, Live	Quercus virginiana (Escarpment)
Oak, Post	Quercus stellata
Oak, Red	Quercus shumardi
Oak, Texas Red	Quercus texana
Osage Orange	Maclura pomifera (thornless and fruitless)
Pecan (native)	Carya illinoensis
Pistache*, Chinese	Pistacia chinensis
Soapberry, Western	Sapindus drummondii
Walnut, Black	Juglans nigra
Ornamental Trees	
Buckeye, Mexican	Ungnadia speciosa

⁴ The list in Table 2 also includes cultivars of all listed plant types.

Buckeye, Texas	Aesculus glabra var. arguta
Buckthorn, Carolina	Rhamnus caroliniana
Chaste Tree*	Vitex agnus-castus
Crabapple, Prairie	Pyrus ioensis
Crape Myrtle*	Lagerstroemia indica
Eves Necklace	Sophora affinis
Goldenball Leadtree	Leucaena rietusa
Hawthorne*	Crataegus phaenopyrum
Hawthorne*	Crataegus crus-galli
Hawthorne*	Crataegus reverchonii
Holly, Possumhaw	Ilex deciduas
Indigo, False	Amorpha fruticosa var. angustipolic
Mountain Laurel, Texas	Sophora secundiflora
Persimmon, Texas	Diospyros texana
Plum, Mexican	Prunus mexicana
Redbud	Cercis canadensis
Smoketree	Cotinus obovatus
Smoketree*	Cotinus caggyria
Sumac, Prairie Flame-leaf	Rhus lanceolata
Viburnum, Rusty Blackhow	Viburnum rufidulum
Wax Myrtle	Myrica cerifera
Willow, Desert	Chilopsis linearis
Yaupon Holly	Ilex vomitoria
Brodie Juniper	Eastern Red Cedar
Arizona Cypress	Spartan Juniper
Taylor Juniper	Canaert Juniper
Shrubs	
Agarita	Berberis trifoliolata
Althea	Hibiscus syriacus
American Beautyberry	Callicarpa americana`
Aspidistra	Aspidistra eliator

Barberry, Red	<i>Berberis thunbergii</i>
Barberry, Texas	<i>Berberis thunbergii</i>
Bayberry	<i>Myrica pensylvanica</i>
Bird of Paradise	<i>Caesalpinia gilliesii</i>
Burning Bush	<i>Euonymus alata compacta</i>
Butterfly Bush	<i>Buddleia</i> sp.
Cactus, Prickly Pear	<i>Opuntia phaeacantha</i>
Cenizo	<i>Leucophyllum frutescens</i>
Chokeberry, Red	<i>Aronia arbutifolia</i>
Coralberry	<i>Symphoricarpos obiculatus</i>
Dogwood, Rough Leaf	<i>Cornus drummondii</i>
Elaeagnus	<i>Elaeagnus macrophylla</i>
Forsythia	<i>Forsythia</i> sp.
Germander, Upright	<i>Teucrium chamaedrys</i>
Holly, Dazzler	<i>Ilex cornuta</i> 'Dazzler'
Holly, Dwarf yaupon	<i>Ilex vomitoria</i>
Holly, Nellie R. Stevens	<i>Ilex</i> x 'Nellie R. Stevens'
Honeysuckle, Bush	<i>Lonicera fragrantissima</i>
Hydrangea, Oakleaf	<i>Hydrangea quercifolia</i>
Hypericum, Upright	<i>Hypericum patulum</i>
Jasmine, Italian	<i>Jasmine nudiflorum</i>
Lantana	<i>Lantana horrida</i>
Mahonia, Leatherleaf	<i>Mahonia bealeii</i>
Mimosa, Fragrant	<i>Mimosa borealis</i>
Nandina, Compact	<i>Nandina domestica compacta</i>
Nandina, Gulfstream	N.d. 'Gulfstream'
Nandina, Standard	<i>N. domestica</i>
Pavonia	<i>Pavonia lasiopetala</i>
Photinia, Chinese	<i>Photinia serrulata</i>
Privet, Southern River	<i>Ligustrum vulgare</i>
Privet, Variegated	<i>Ligustrum lucidum</i> 'variegata'

Quince, Flowering	Chaenomeles japonica
Sage, Cherry	Salvia greggii
Spiraea, Bridal Wreath	Spiraea sp.
Spiraea, Anthony Waterer	Spiraea x bumalda 'goldflame'
Spiraea, Goldflame	Spiraea x bumalda 'goldflame'
Spiraea, Little Princess	Spiraea x bumalda 'Little Princess'
Spiraea, Shirobana	Spiraea japonica 'Shirobana'
Sumac, Aromatic	Rhus aromatica
Sumac, Evergreen	Rhus virens
Sumac, Smooth	Rhus glabra
Turk's Cap	Malvaviscus drummondii
Viburnum, Cranberry Bush	Viburnum opulus
Viburnum, Small Leaf	Viburnum obavatum
Viburnum, Snowball	Viburnum opulus
Virginia Sweetspire	Itea virginica
Wax Myrtle, Dwarf	Myrica pusilla
Yucca, Red	Hesperaloe parviflora
Eagleston Holly	Texas Sage
Abelia	Agave varieties
Seagreen juniper	Juniper varieties
Hawthorne	
Ornamental Grasses	
Maiden Grass	Feather Reed Grass
Zebra Grass	Bluestem
Pampass Grass	Liriope
Gulf Muhly	Berkley Sedge
Blue Gramma Grass	Giant Bermuda
Weeping Love Grass	Inland Sea Oats
Vines	
Carolina Jessamine	Asian Jasmine
Butterfly Vine	Purple Wintercreeper

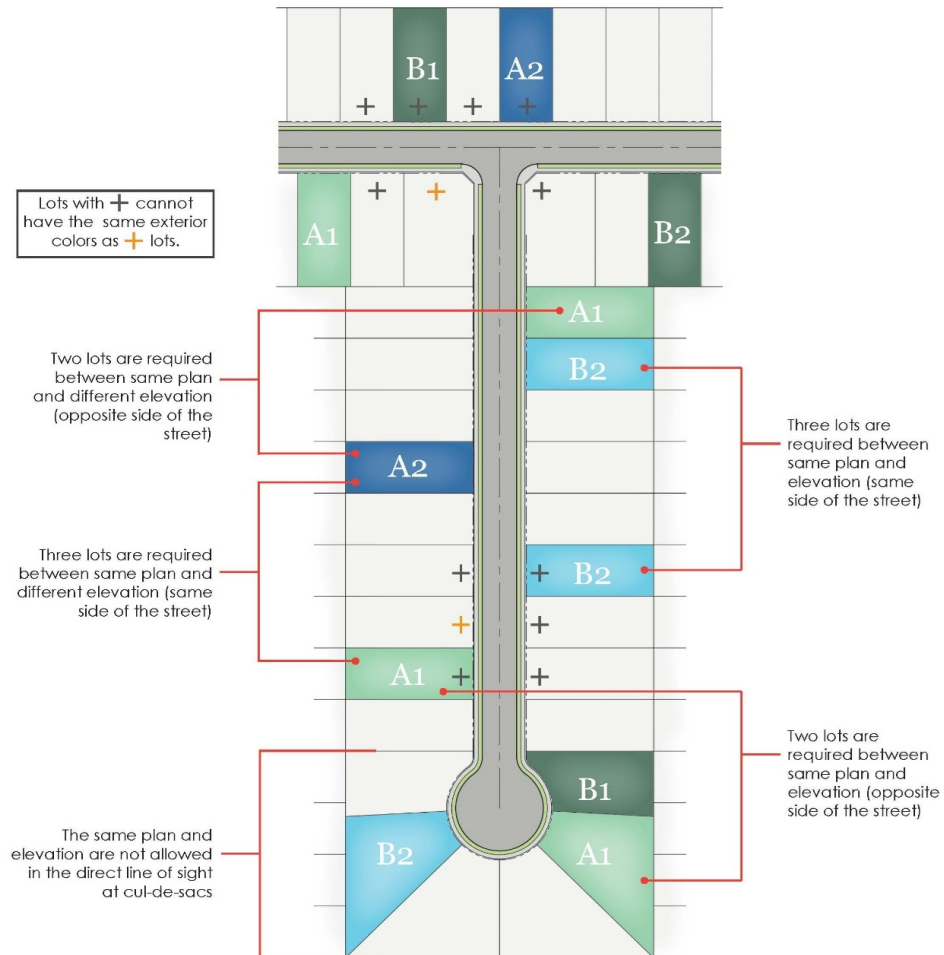
Crosse Vine	Purple Heart Wander Jew
Sweet Autumn Clematis	

An “*” indicates an approved street tree

Exhibit E
Special Regulations

The "Special Regulations" as defined and set forth in the Development Agreement shall apply to the Property, and shall control in the event of any conflict with the Subdivision Regulations. In addition, lots may be platted to the centerline of a street.

Exhibit F **Repetition Restrictions**



Repetition Guidelines are as follows:

Same side of street -

- Same plan, same elevation must have 3 lots in between,
- Same plan, different elevation must have 3 lot in between

Opposite side of the street -

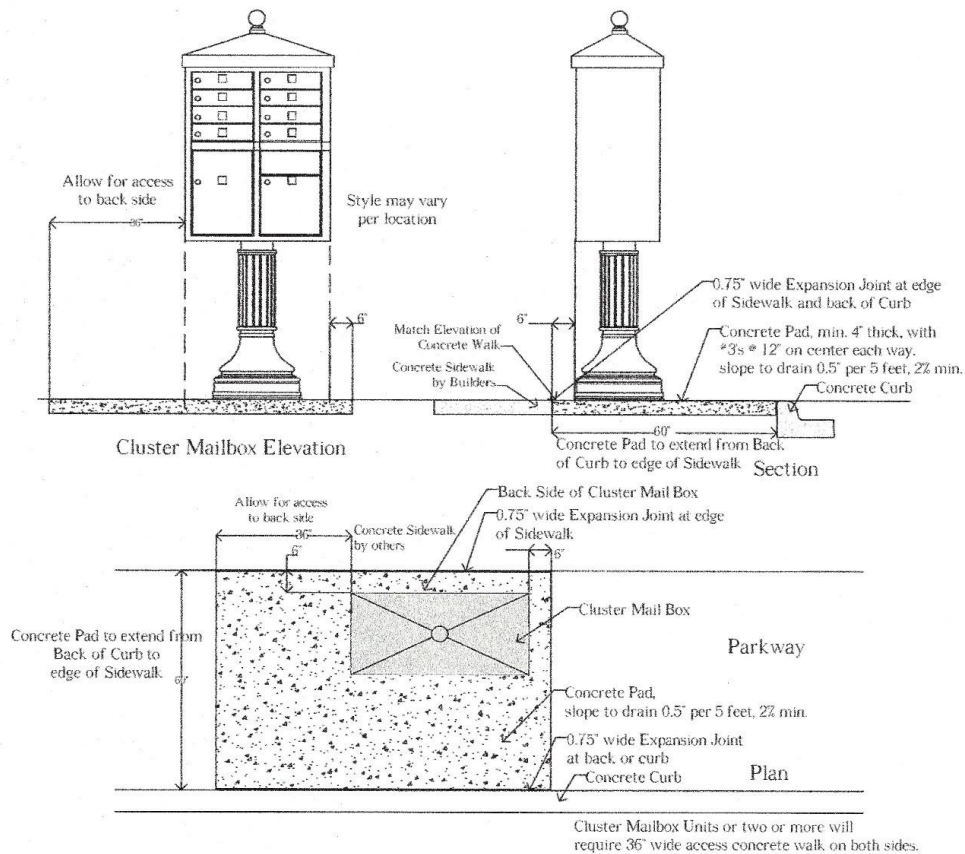
- Same plan, same elevation must have 2 complete lots in between.
- Same plan, different elevation must have 2 complete lot in between.

Exterior colors

- Exterior colors may not be the same side by side, or in direct line of sight, regardless of plan or elevation. Direct line of sight refers to the 3 lots directly across the street.

Exhibit G
Mailbox Design

Mailbox Design



Manufacturer:
Brandon Industries
1601 Wilmeth Road
McKinney, Texas 75069
214-542-3000

Color: Black
Style: Cluster Box Units (CBU)
Type: Depending on location and
number of Tenants and Parcels
Top Style: Sloped with ball cap
Base: Decorative
Include: Required Anchor Bolts

Exhibit H Parks, Open Space, and Trail Plan



Exhibit I Street Sections

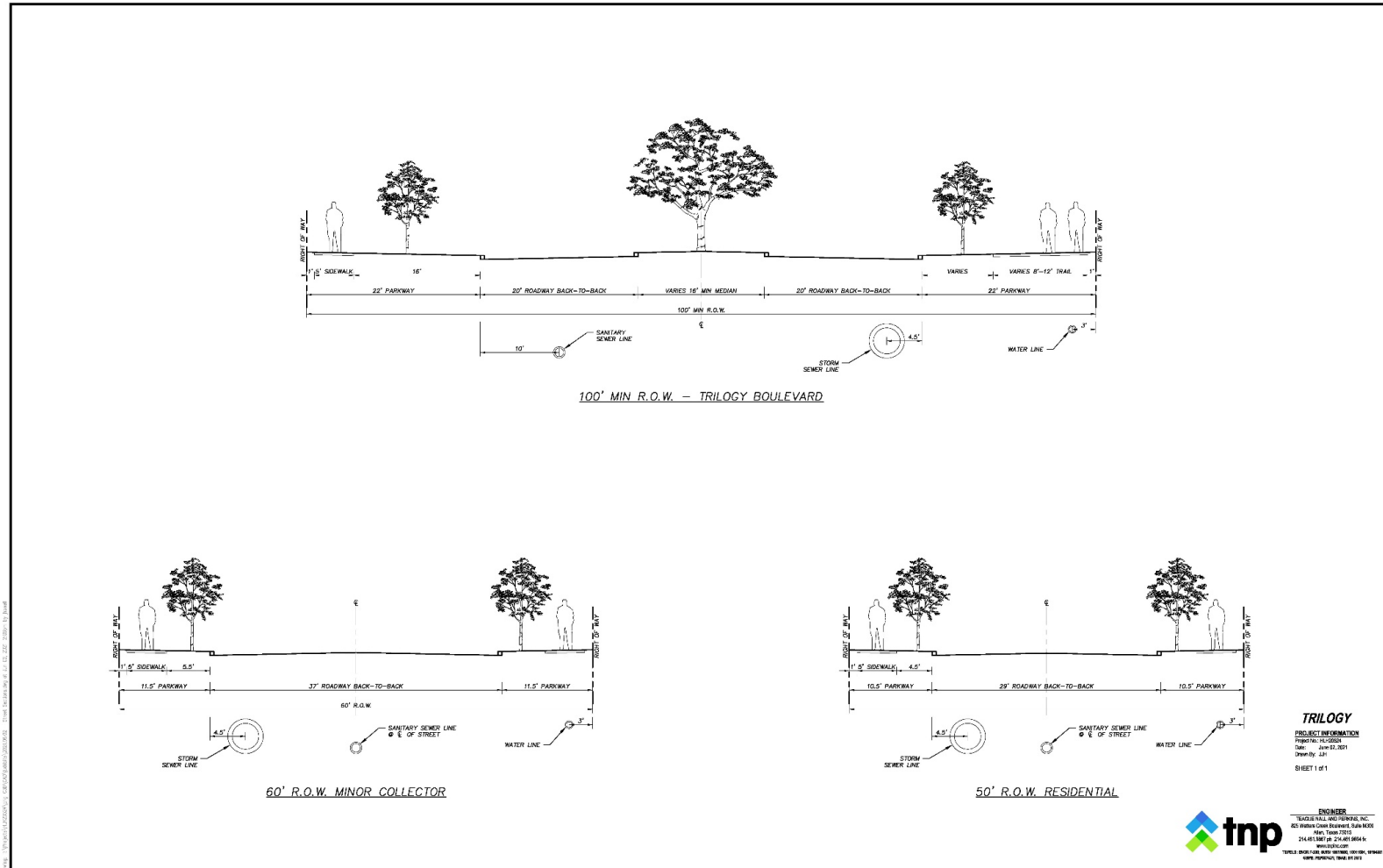


Exhibit J
Architectural Guidelines

1. Design Standards.

- a. Applicability of Other Design Standards. The design standards in this section are the exclusive design standards applicable to the Property, and apply only to principal buildings. An accessory building shall be designed consistent with the building materials used for the principal building on the same lot, but shall not otherwise be regulated by the design standards in this section.
- b. Approved Building Materials. In the context of approved building materials, a facade does not include doors, fascia, windows, chimneys, dormers, window box-outs, bay windows, soffits, eaves, and outdoor fireplaces. Multiple buildings on the same lot will each be deemed to have separate facades.
 - i. A minimum of 90 percent of each exterior building facade shall consist of one or more of the following building materials (subject to further restrictions in facade area set forth below for cementitious fiber board and EIFS):
 - 1. Stone, brick or tile laid up unit by unit and set in mortar;
 - 2. Stucco (exterior Portland cement plaster with three coats over metal lath or wire fabric lath or other methods approved by the City Administrator as equal or better quality in durability);
 - 3. Natural stone, cultured stone, or cast stone;
 - 4. Architecturally finished block (i.e. burnished block or split faced concrete laid up unit by unit and set in mortar), which shall be limited to the amenity center and other non-residential buildings;
 - 5. Cementitious fiber board. Cementitious fiber board is permitted subject to the following conditions: the style and color of a building using this product must be approved as part of a site plan, no more than 20 percent of the residential buildings in the Property may have a facade that is predominantly composed of this product unless the style of the home dictates more such as a Cape Cod, Craftsman or Victorian style home.
 - 6. Exterior Insulation and Finish System (EIFS), which shall be limited to the amenity center and other non-residential buildings. EIFS may be used only on that portion of a facade that is four feet or higher above grade. A maximum of 50 percent of all sides of a building visible from the street and not ultimately screened by another building or other device may consist of EIFS;

7. LEED-certified materials;
 8. Glass; or
 9. An alternative material approved by the City Administrator based on a finding that it is of a quality equal to or better than the materials listed above in durability.
- ii. A maximum of ten percent of a facade may include accent materials not listed above, except that aluminum siding, vinyl siding, unfinished concrete block, reflective glass, and galvanized steel are prohibited. The use of reflective glass and galvanized steel may be approved by the City Administrator for use on an amenity center or on other non-residential structures in unique circumstances in order to comply with green building techniques.
 - iii. The following requirement shall apply to a minimum of 50 percent of all single family residences at the time of full build out of the Property: A minimum of 25 percent of each exterior building façade shall consist of natural, cultured, or cast stone.
 - iv. The building material requirements in this section shall not apply to buildings in open space areas, including, but not limited to, an amenity center.
- c. Roofing Design and Materials.
- i. Roofing materials for sloped roofs shall be selected from the following list:
 1. Asphalt shingles;
 2. Industry approved synthetic shingles;
 3. Standing seam metal roofs;
 4. Tile roofs;
 5. Slate roofs;
 6. LEED-certified roofing materials; or
 7. An alternative material approved by the City Administrator based on a finding that it is of a quality equal to or better than the materials listed above in durability.
 - ii. Amenity centers and other non-residential buildings may have flat roofs or pitched roofs. All pitched roofs of non-residential buildings shall have a

minimum pitch of 4:12. Roofs covering porches and other architectural elements are excluded from this requirement. The City Administrator may approve a roof that does not meet these requirements based on a finding that a different roof pitch is appropriate for the proposed architectural style.

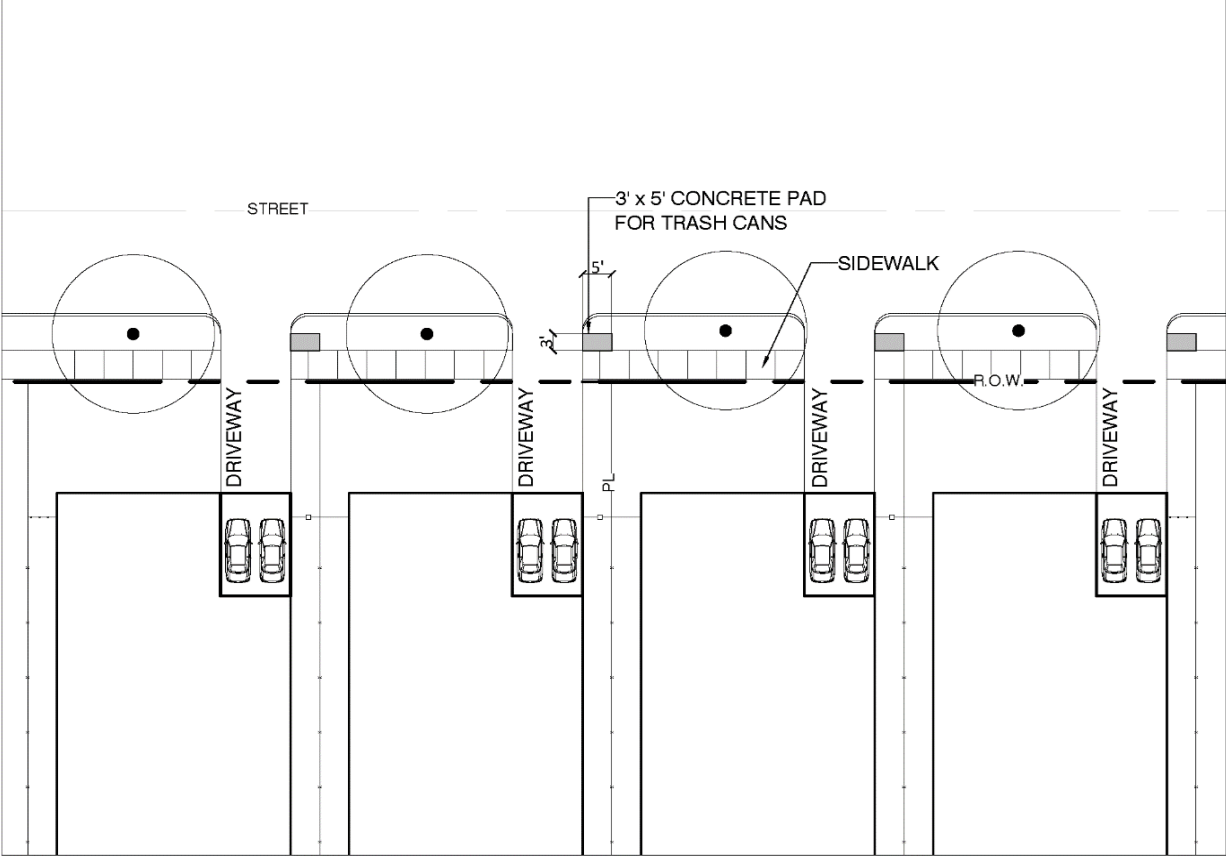
- iii. All pitched roofs of residential buildings shall have a minimum pitch of 6:12. Roofs covering porches, bay windows, box windows and other architectural elements are excluded from this requirement. The City Administrator may approve a roof that does not meet these requirements based on a finding that a different roof pitch is appropriate for the proposed architectural style.
 - iv. Flat roofs require parapet screening that adheres to vertical articulation requirements for the facade.
 - v. Parapets shall require cornice detailing.
 - vi. Each single-family detached home will have a 30-year dimensional shingle, tile, composite or metal seam roof.
- d. Design Features for Certain Residential Buildings. A minimum of four of the following design features are required on the exterior of each single family detached residential structure:
- i. Dormers;
 - ii. Cupolas;
 - iii. Gables;
 - iv. Recessed entries (minimum three feet);
 - v. Balconies;
 - vi. Covered front porches (minimum 70 square feet in area and seven feet in depth);
 - vii. Courtyards;
 - viii. Box windows or bay windows;
 - ix. Architectural pillars or posts;
 - x. Exterior chimneys;
 - xi. Varied roof heights;
 - xii. Archways;

- xiii. Porte cocheres;
 - xiv. Porticos;
 - xv. Shutters (functional or decorative);
 - xvi. Fireplaces with chimneys;
 - xvii. Minimum eight-foot tall front doors; or
 - xviii. Articulated cornice lines.
- e. Design Features for Non-Residential Buildings. Non-residential buildings shall comply with the following requirements:
- i. Cladding materials used on a facade shall extend a minimum of 20 feet around building corners onto adjacent facades, other than facades abutting an alley.
 - ii. All buildings must include at least four of the following design features, and buildings that are greater than 20,000 square feet in floor area must include at least six of the following design features:
 - A. Canopies, archways, covered walkways, or porticos;
 - B. Awnings;
 - C. Arcades;
 - D. Courtyards;
 - E. Cupolas;
 - F. Balconies;
 - G. Tower elements;
 - H. Recesses, projections; columns; pilasters projecting from the planes; offsets; reveals; or projecting ribs used to express architectural or structural bays;
 - I. Varied roof heights for pitched, peaked, sloped, or flat roof styles;
 - J. Articulated cornice line;
 - K. Arches;
 - L. Display windows, faux windows, or decorative glass windows;

- M. Architectural details, such as tile work and molding, or accent materials integrated into the building facade;
 - N. Integrated planters or wing walls that incorporate landscaping and sitting areas or outdoor patios;
 - O. Integrated water features; or
 - P. Other similar architectural features approved by the City Administrator.
- f. Entries.
- i. All non-residential buildings shall comply with the following requirements:
 - 1. All ground floor entrances shall be covered or inset.
 - 2. Building entrances shall be articulated with architectural elements such as columns, porticos, porches, and overhangs.
 - ii. All non-residential buildings over 20,000 square feet in floor area shall incorporate elements such as arcades, roofs, alcoves, porticos, and awnings that protect pedestrians from sun and weather for a minimum of 50 percent of the length of the building frontage along a street.
- g. Building Articulation. All non-residential building facades adjacent to and facing a street or open space shall include changes in relief such as columns, cornices, bases, fenestration, and fluted masonry at least every 50 feet along a building facade. This provision shall not apply to buildings in open space areas, including, but not limited to, an amenity center.
- h. Transparency.
- i. Residential Uses. At least 25 percent of each front residential facade facing the street shall contain windows or doorways. If a lot is located on a corner, only one street-facing facade is required to meet this requirement, which shall be the street that the front facade of the home faces.
 - ii. Non-Residential Uses. At least 50 percent of each front non-residential facade facing the street shall contain windows or doorways. If a lot is located on a corner, both street-facing facades are required to meet this requirement. This provision shall not apply to buildings in open space areas, including, but not limited to, an amenity center.

Note: For purposes of this exhibit, an amenity center is considered a non-residential building.

Exhibit K
Trash Can Pads



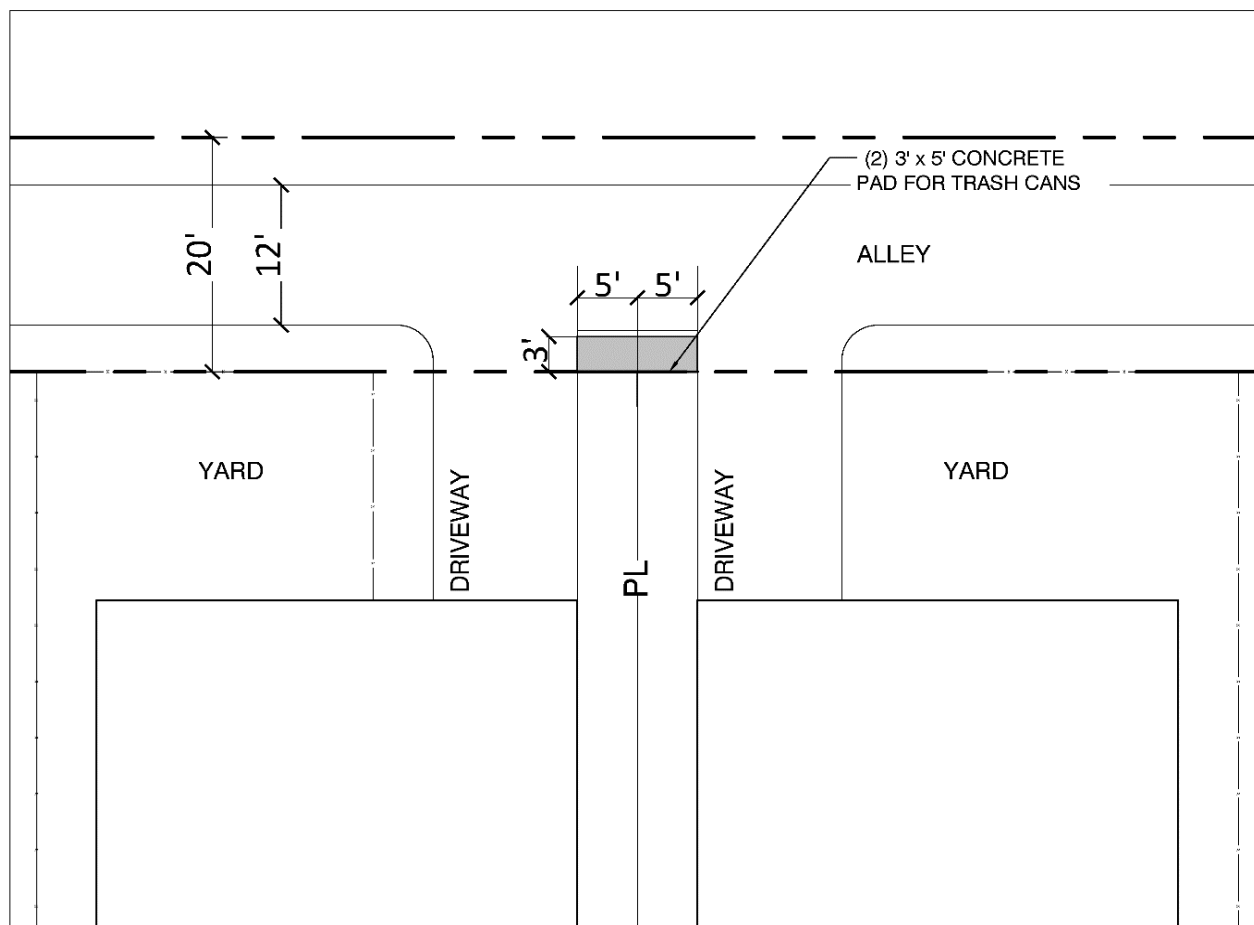


Exhibit L
Address Plaques

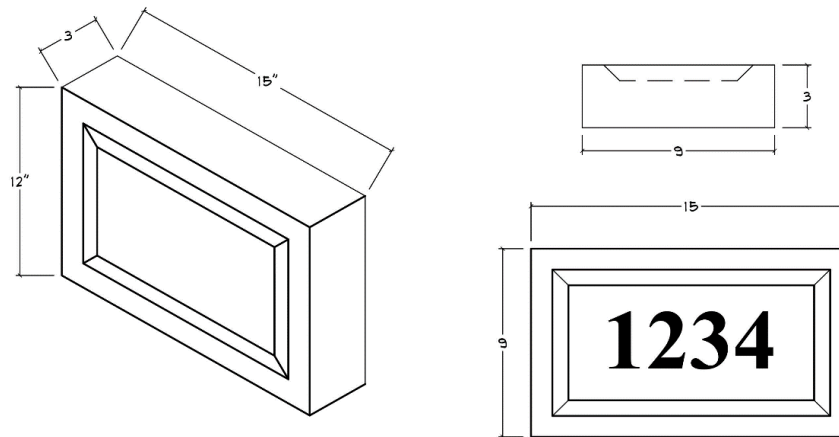
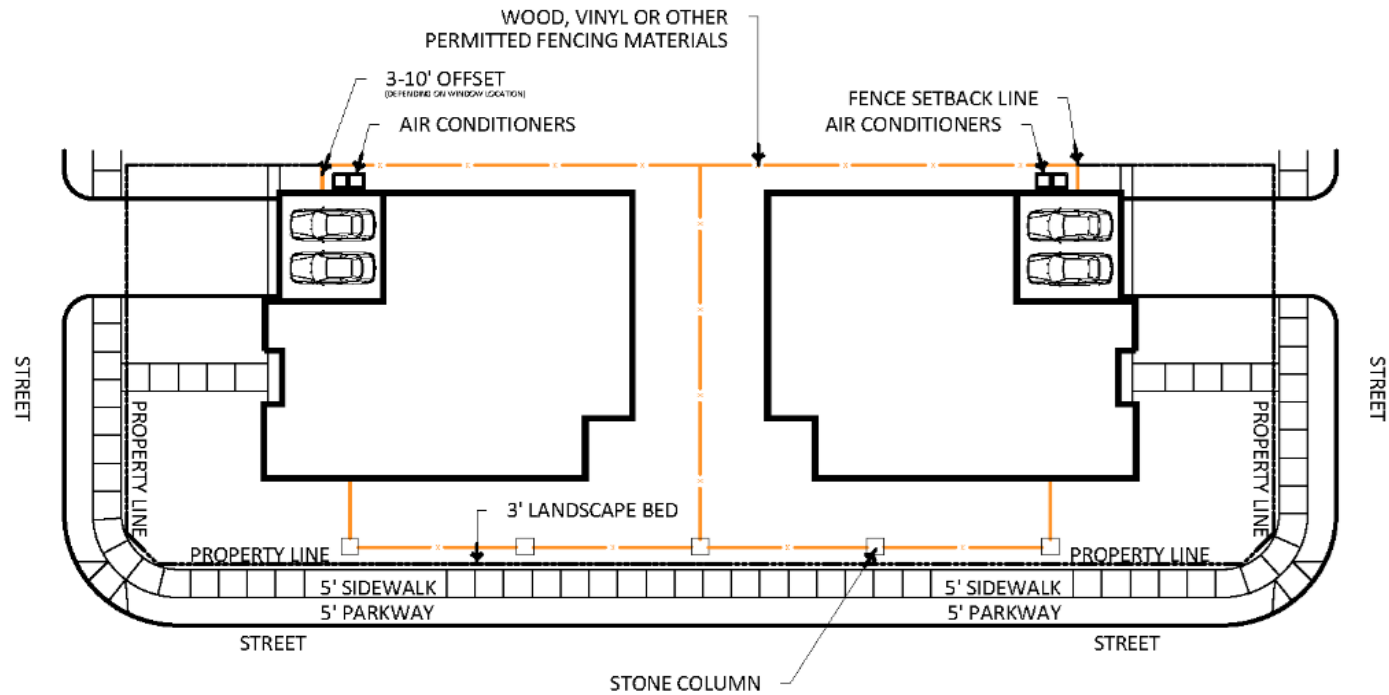
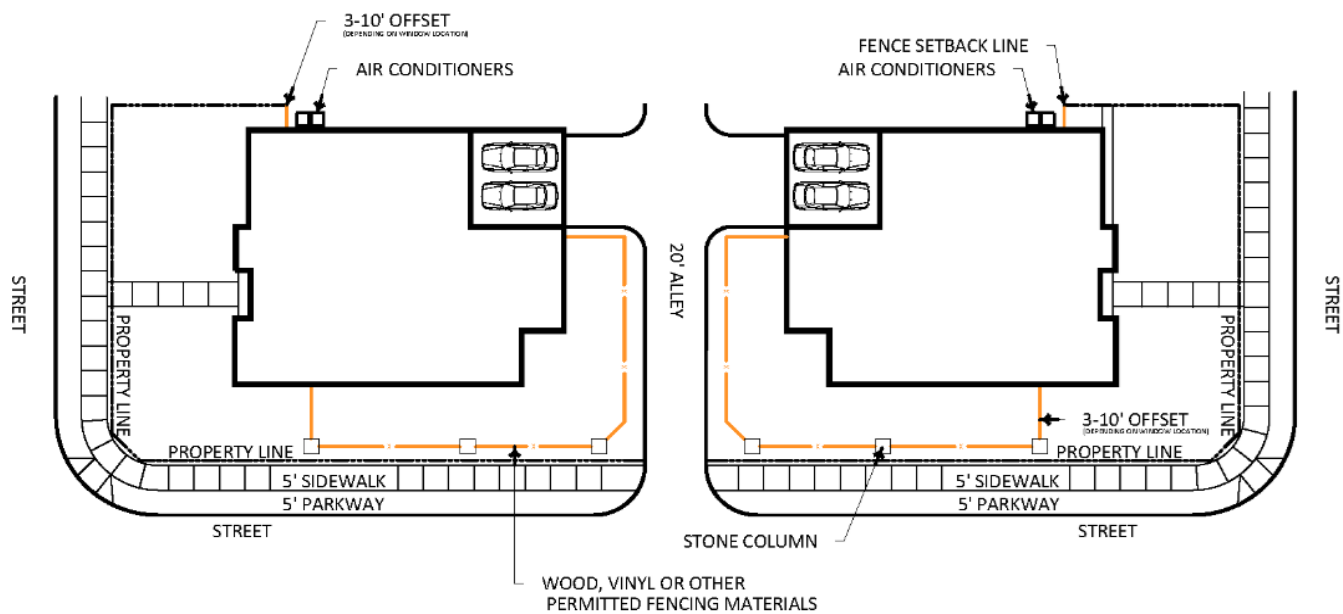


Exhibit M
Fence Design for Single Family Detached





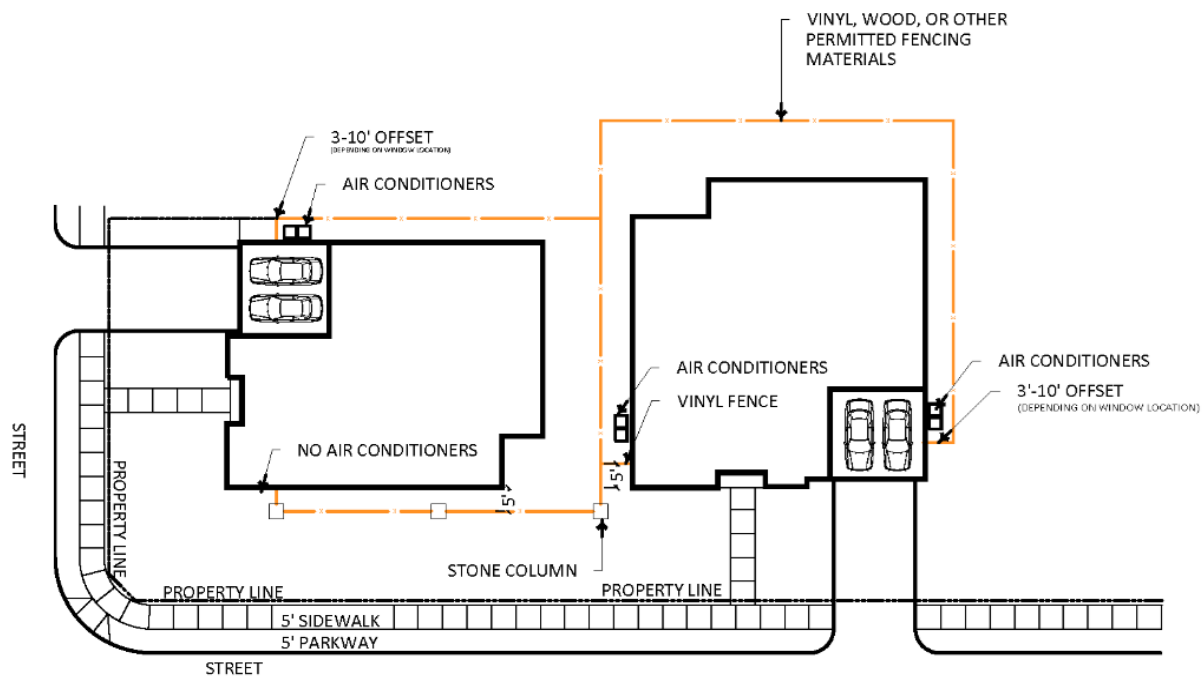


Exhibit N
Realtor and Builder Sign Specifications

TRILOGY



Exhibit O
Sidewalks

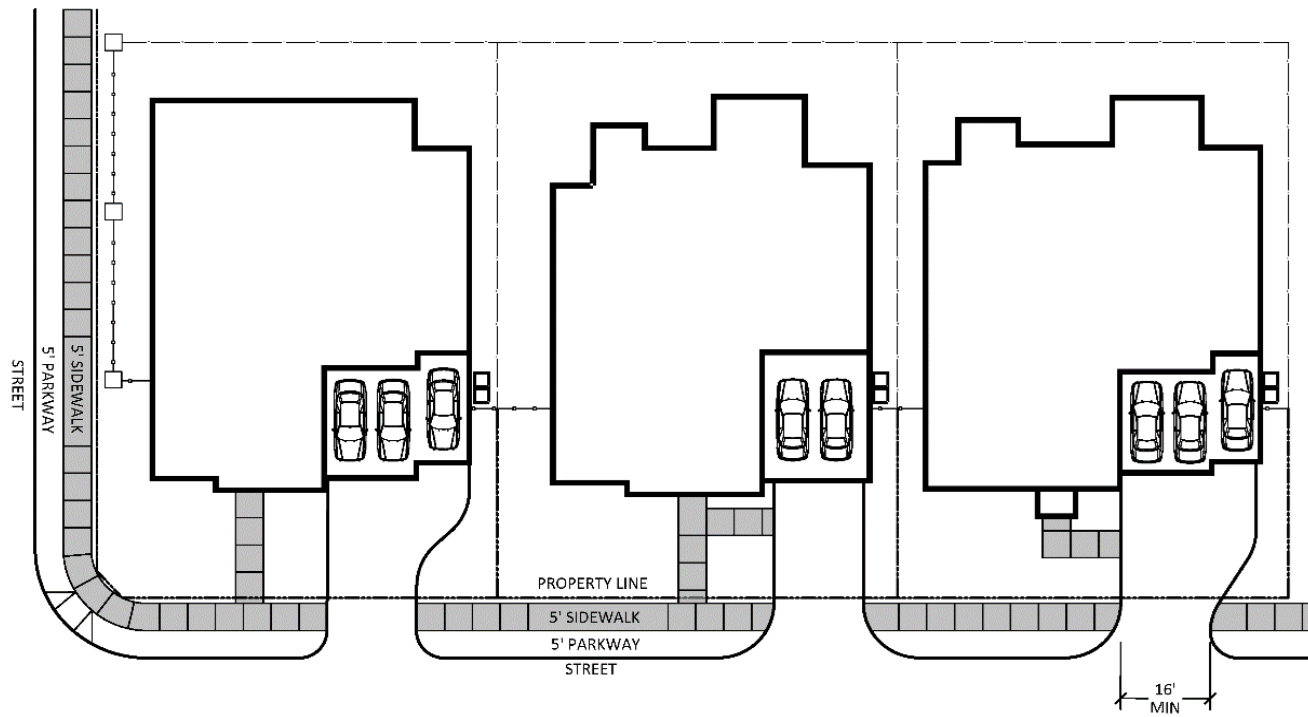
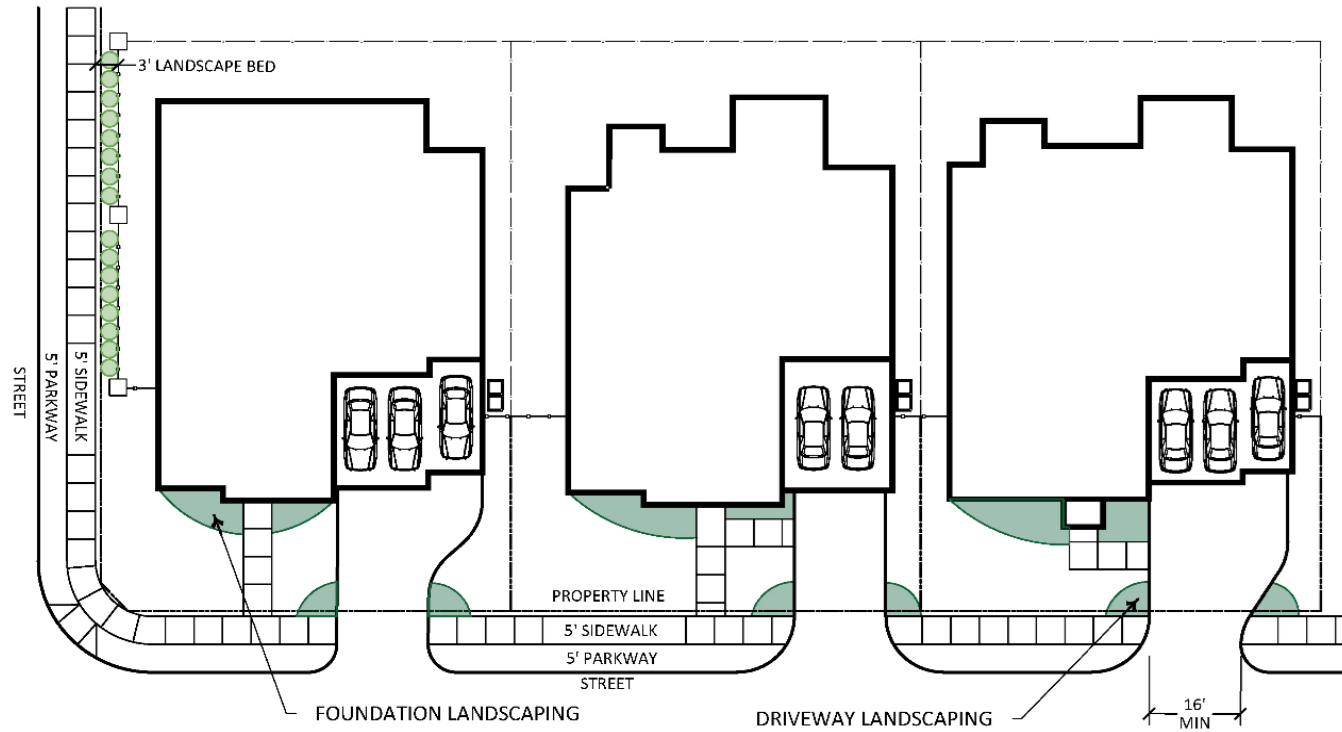


Exhibit P
Shrub Planting Locations





Partners Since 2019



Annual Rate Adjustment

INFORMATION FOR THE CITY OF MCLENDON-CHISHOLM

Greg Roemer
President



Community Waste Disposal.com
Since 1984

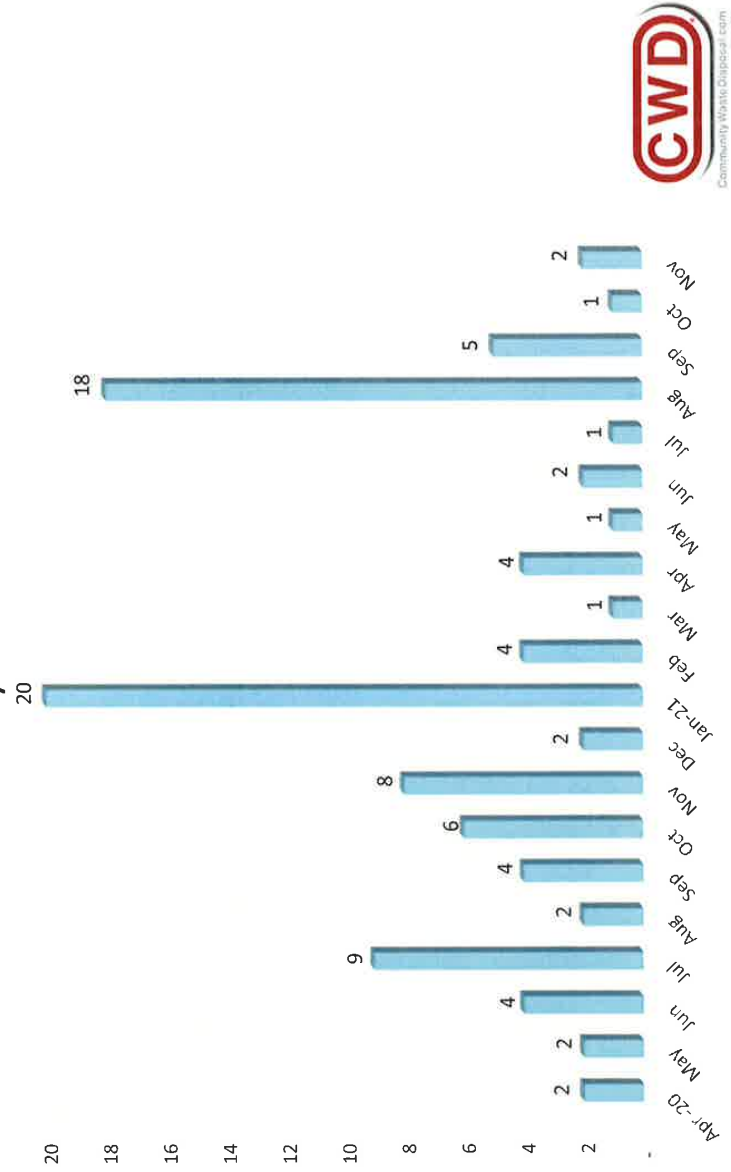
CWD Challenges

- Pandemic
- Residential Trash Volumes
- February 2021 FEMA-Declared Disaster
- Labor Shortage



Pandemic Effects

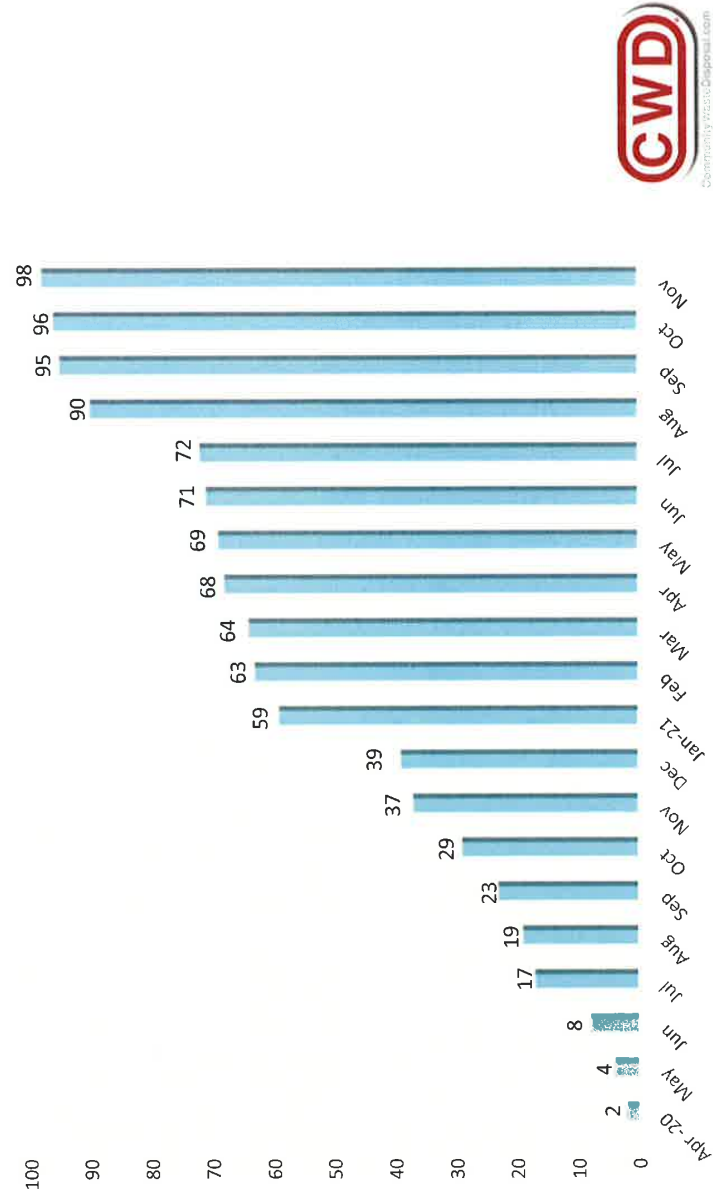
CWD Monthly COVID Cases



Through 11-30-21

Pandemic Effects

CWD Cumulative COVID Cases



Through 11-30-21

Residential Trash Volume

All CWD DFW Metroplex Cities

- CWD services 187,000 homes
- CWD utilizes 85 collection vehicles
- CWD volumes up 18%



February FEMA-Declared Disaster

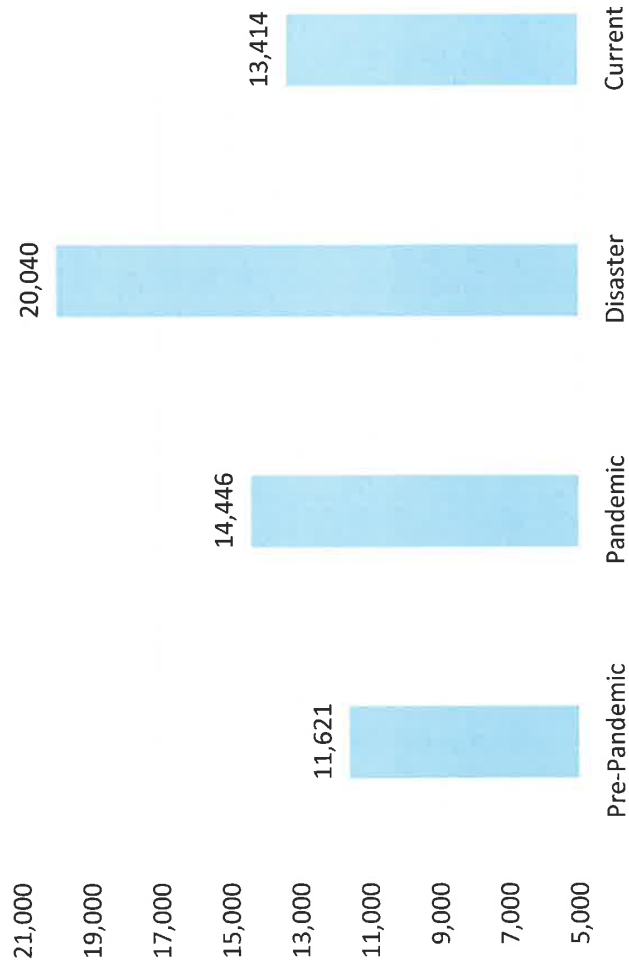
All CWD DFW Metroplex Cities

- 6 weeks before 23,426 tons
- 6 weeks after 31,357 tons
- **+ 34%**



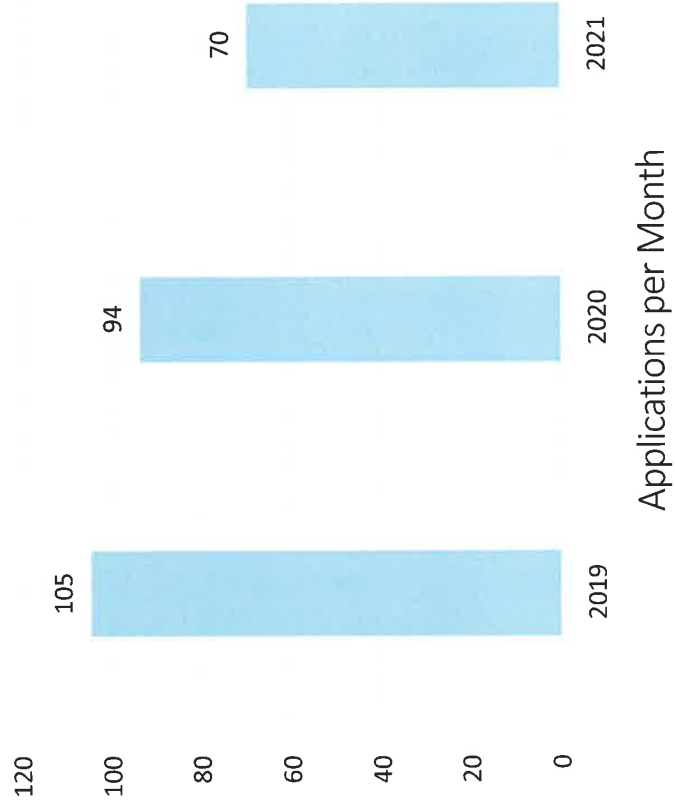
February FEMA-Declared Disaster

Total Customer Service Calls by Month



Labor Shortage

Unprecedented Vacancies



City of McLendon-Chisholm Data

- Trash Tonnage (avg. tons per month)

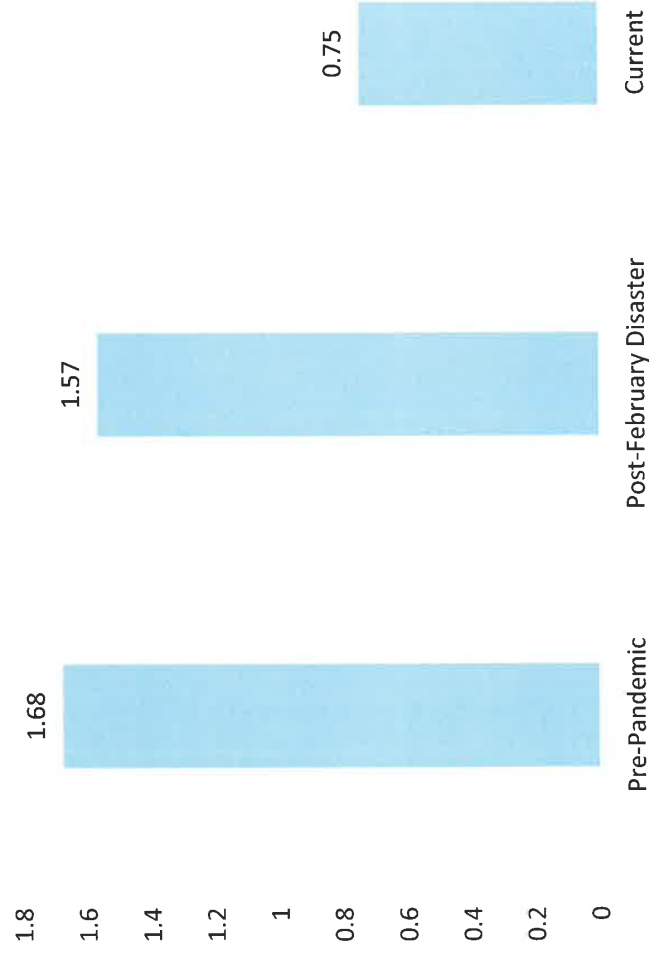
- Pre-pandemic trash tonnage **94.86**
- Post-pandemic trash tonnage **104.14**
 - + **9.8%**

- Post-February disaster trash tonnage **131.35**
 - + **38.5%**



City of McLendon-Chisholm Data

Grievances per 1,000 Service Opportunities



CWD Recovery Plan

- Letter dated April 21, 2021
- June 18% Driver Helper Wage Increase
- June 25% Customer Service Wage Increase
- April-August 215% Recruitment Advertising Increase
- April/May 5 New Residential Trucks Purchased
- July 100% Increase in Customer Service Staffing
- Letter dated November 11, 2021



City of McLendon-Chisholm

January 1, 2022 Annual Rate Adjustment

- Terms of Contract

- 3 Public Indices

- CPI-U (DFW Less Energy)
- Fuel (Gulf Coast Diesel)
- Disposal (Garland)

- 2020 – 2021 Index Changes

- CPI-U = 4.4%
- Fuel (Gulf Coast Diesel) = 46.61%
- Disposal (Garland) = 0.00%



City of McLendon-Chisholm January 1, 2022 Annual Rate Adjustment

2021 Residential Rate \$23.82

2022 Residential Rate \$26.62

2021 Residential 2nd Trash Cart \$9.89

2022 Residential 2nd Trash Cart \$10.79



Questions?





November 11, 2021

Shelly Green
City Secretary
City of McLendon-Chisholm
1371 West FM 550
McLendon-Chisholm, TX 75032

RE: Request for Market Adjustment Effective January 01, 2022

Shelly:

In accordance with the Collection of Solid Waste & Recyclables Materials contract, Community Waste Disposal (CWD) may request an annual market adjustment. This notice is to inform you of our request for a Market Adjustment effective January 01, 2022. Attached is a new 2022 Exhibit "A" outlining the changes in rates as well as the market adjustment worksheet and backup for the changes in disposal, fuel and landfill.

The information below reflects a sample of the adjustments for McLendon-Chisholm.

2020 Residential rate	\$ 23.82	2020 Commercial 1x8x1	\$ 183.37
2022 Residential rate	\$ 26.62	2022 Commercial 1x8x1	\$ 199.41

If you have any question concerning this matter, please contact CWD's Municipal Coordinator, Jason Roemer at 972.392.9300 ext. 3220 or on his cell at 214.418.5017.

Sincerely,

David Dalrymple
Accounts Receivable Manager

Enc: CPI Statistical Summary Data
DOE Regional Diesel Fuel Prices
Market Adjustment Worksheet
Exhibit A

CC: Greg Roemer
Dale Pound
Jason Roemer

2010 California Crossing Road
Dallas, Texas 75220-2310
Telephone
972.392.9300 or 817.795.9300
Facsimile
972.392.9301

2020 CITY of McLENDON-CHISHOLM Exhibit "A"

McLendon-Chisholm Solid Waste Collection and Recycling Services		Jan 2020 Net Rate to CWD	Jan 2020 Customer Rate	CPI Adjustment	Fuel Adjustment	Disposal Adjustment	Total Adjustment	Jan 2022 Net Rate to CWD	Jan 2022 Customer Rate
				4.40%	46.61%	0.00%			
<i>Note: CWD considers this material as proprietary rate information that could affect their competitiveness if the waste services contract goes to competitive bid process. Therefore, CWD requests that their market adjustment, extension request letters and all associated discussion information to be exempt from public disclosure. CWD request this information is exempt from Public Records, and is only allowed to be part of Public Records, after a ruling of the Attorney General of Texas.</i>									
Residential Collection									
	Percent of Adjustment			48%	20%	32%			
Residential Single Family Trash Rate (once a week) (once per week collection of up to 1cy of bulk/brush)	\$15.83	\$14.25	\$0.30		\$1.33	\$0.00	\$1.63	\$15.88	\$17.64
Additional Residential Trash Cart Pricing (each)	\$7.06	\$6.35	\$0.13		\$0.59	\$0.00	\$0.72	\$7.07	\$7.86
	Percent of Adjustment			69%	20%	11%			
Residential Recycling Rate (once a week)	\$6.99	\$6.29	\$0.19		\$0.59	\$0.00	\$0.78	\$7.07	\$7.86
	Percent of Adjustment			69%	20%	11%			
Residential X-treme Green Event	\$1.00	\$0.90	\$0.03		\$0.08	\$0.00	\$0.11	\$1.01	\$1.12
	Percent of Adjustment			48%	20%	32%			
Special Collection Rate for Collection of Unusual Accumulations	\$17.64	\$15.88	\$0.34		\$1.48	\$0.00	\$1.82	\$17.70	\$19.67
	Percent of Adjustment			100%	0%	0%			
Replace lost/stolen Recycle Cart (each)	\$85.67	\$77.10	\$3.39		\$0.00	\$0.00	\$3.39	\$80.49	\$89.43
Disaster Management Rates									
	Percent of Adjustment			80%	20%	0%			
Roll off Truck and Container (per haul) *	N/A	\$263.06	\$9.26		\$24.52	\$0.00	\$33.78	\$296.84	N/A
Rate per Hour - Grapple Truck *	N/A	\$165.67	\$5.83		\$15.44	\$0.00	\$21.27	\$186.94	N/A
Rate per Hour - Rear Loader with Crew *	N/A	\$165.67	\$5.83		\$15.44	\$0.00	\$21.27	\$186.94	N/A
	Percent of Adjustment			0%	0%	100%			
* Disposal (per ton)	N/A	\$43.45	\$0.00		\$0.00	\$0.00	\$0.00	\$43.45	N/A
Commercial Cart									
	Percent of Adjustment			48%	20%	32%			
First Trash Poly-Cart (once a week service)	\$29.42	\$26.48	\$0.56		\$2.47	\$0.00	\$3.03	\$29.51	\$32.79
Price for Each Additional Trash Poly-Cart	\$23.53	\$21.18	\$0.45		\$1.97	\$0.00	\$2.42	\$23.60	\$26.22
Front Load Commercial Trash Container Services									
	Percent of Adjustment			57%	13%	30%			
2 Cubic Yard Container									
One time per week	\$118.76	\$106.88	\$2.68		\$6.48	\$0.00	\$9.16	\$116.04	\$128.93
3 Cubic Yard Container									
One time per week	\$131.28	\$118.15	\$2.96		\$7.16	\$0.00	\$10.12	\$128.27	\$142.52
4 Cubic Yard Container									
One time per week	\$139.61	\$125.65	\$3.15		\$7.61	\$0.00	\$10.76	\$136.41	\$151.57
6 Cubic Yard Container									
One time per week	\$164.64	\$148.18	\$3.72		\$8.98	\$0.00	\$12.70	\$160.88	\$178.76
8 Cubic Yard Container									
One time per week	\$183.67	\$165.30	\$4.15		\$10.02	\$0.00	\$14.17	\$179.47	\$199.41
Extra Pick-Ups and Reloads									
2 cu. Yd. Containers	\$40.19	\$36.17	\$0.91		\$2.19	\$0.00	\$3.10	\$39.27	\$43.63
3 cu. Yd. Containers	\$41.38	\$37.24	\$0.93		\$2.26	\$0.00	\$3.19	\$40.43	\$44.92
4 cu. Yd. Containers	\$42.56	\$38.30	\$0.96		\$2.32	\$0.00	\$3.28	\$41.58	\$46.20
6 cu. Yd. Containers	\$44.93	\$40.44	\$1.01		\$2.45	\$0.00	\$3.46	\$43.90	\$48.78
8 cu. Yd. Containers	\$46.10	\$41.49	\$1.04		\$2.51	\$0.00	\$3.55	\$45.04	\$50.04
Commercial Special Services									
	Percent of Adjustment			100%	0%	0%			
Container Inside Four Side Enclosures - Per Pick-Up, Per Container	\$4.29	\$3.86	\$0.17		\$0.00	\$0.00	\$0.17	\$4.03	\$4.48
Caster - (<4 cu. Yd.) Per Pick-up, Per Container	\$4.29	\$3.86	\$0.17		\$0.00	\$0.00	\$0.17	\$4.03	\$4.48
Locks - Per Pick Up, Per Container	\$4.29	\$3.86	\$0.17		\$0.00	\$0.00	\$0.17	\$4.03	\$4.48
One Container Inside Gated Property - Per Pick-Up, Per Container	\$4.29	\$3.86	\$0.17		\$0.00	\$0.00	\$0.17	\$4.03	\$4.48
Two Containers Inside Gated Property - Per Pick-Up, Per Container	\$2.86	\$2.57	\$0.11		\$0.00	\$0.00	\$0.11	\$2.68	\$2.98
Three or More Containers Inside Gated Property - Per Pick-Up, Per Container	\$1.43	\$1.29	\$0.06		\$0.00	\$0.00	\$0.06	\$1.35	\$1.50

2020 CITY of McLENDON-CHISHOLM Exhibit "A"

McLendon-Chisholm Solid Waste Collection and Recycling Services		Jan 2020 Net Rate to CWD	Jan 2020 Customer Rate	CPI Adjustment	Fuel Adjustment	Disposal Adjustment	Total Adjustment	Jan 2022 Net Rate to CWD	Jan 2022 Customer Rate
				4.40%	46.61%	0.00%			
<i>Note: CWD considers this material as proprietary rate information that could affect their competitiveness if the waste services contract goes to competitive bid process. Therefore, CWD requests that their market adjustment, extension request letters and all associated discussion information to be exempt from public disclosure. CWD request this information is exempt from Public Records, and is only allowed to be part of Public Records, after a ruling of the Attorney General of Texas.</i>									
Open Top Rolloff Containers									
	Percent of Adjustment			80%	20%	0%			
Delivery - weekday	\$206.38	\$185.74	\$6.54	\$17.31	\$0.00	\$23.85	\$209.59	\$232.88	
Delivery - weekend	\$239.86	\$215.87	\$7.60	\$20.12	\$0.00	\$27.72	\$243.59	\$270.66	
Trip Charge (Dry Run) - weekday	\$206.38	\$185.74	\$6.54	\$17.31	\$0.00	\$23.85	\$209.59	\$232.88	
Trip Charge (Dry Run) - weekend	\$239.86	\$215.87	\$7.60	\$20.12	\$0.00	\$27.72	\$243.59	\$270.66	
	Percent of Adjustment			100%	0%	0%			
Weekly Rental	\$39.98	\$35.98	\$1.58	\$0.00	\$0.00	\$1.58	\$37.56	\$41.73	
Monthly Rental	\$171.33	\$154.20	\$6.78	\$0.00	\$0.00	\$6.78	\$160.98	\$178.87	
	Percent of Adjustment			37%	13%	50%			
30 Cubic Yard Per Haul - weekday ** +	\$482.49	\$434.24	\$7.07	\$26.31	\$0.00	\$33.38	\$467.62	\$519.58	
30 Cubic Yard Per Haul - weekend ** +	\$519.10	\$467.19	\$7.61	\$28.31	\$0.00	\$35.92	\$503.11	\$559.01	
	Percent of Adjustment			0%	0%	100%			
** Plus Disposal Per Ton if over 8,000 lb.'s	\$47.78	\$43.00	\$0.00	\$0.00	\$0.00	\$0.00	\$43.00	\$47.78	
+ Excess Payload for Trucks Over 27 Tons	\$122.11	\$109.90	\$0.00	\$0.00	\$0.00	\$0.00	\$109.90	\$122.11	
Special Collections									
Other Charges									
Returned Checks	N/A	\$35.00	\$0.00	\$0.00	\$0.00	\$0.00	\$35.00	N/A	
City Free Services									
Solid Waste Removal Service at:									
City Facility (4 x 95 Trash & 4 x 95 Recycle carts - serviced 1 x per week)	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	
Various Roll Off Hauls(30 x 30 yard open top - 30 hauls per year)	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	
Christmas Trees Recycling (1 x 30 yard open top - 1 x per year)	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	

McLENDON-CHISHOLM MARKET ADJUSTMENT WORKSHEET

Note: CWD considers this material as proprietary rate information that could affect their competitiveness if the waste services contract goes to competitive bid process. Therefore, CWD requests that their extension request letters and all associated discussion information to be exempt from public disclosure. CWD request this information is exempt from Public Records, and is only allowed to be part of Public Records, after a ruling of the Attorney General of Texas.

Fuel worksheet		
	Aug, Sept & Oct of 2020	Aug, Sept & Oct of 2021
Week 1	2.175	3.097
Week 2	2.183	3.083
Week 3	2.177	3.073
Week 4	2.174	3.038
Week 5	2.188	3.060
Week 6	2.184	3.104
Week 7	2.172	3.099
Week 8	2.157	3.119
Week 9	2.154	3.142
Week 10	2.141	3.203
Week 11	2.148	3.335
Week 12	2.143	3.422
Week 13	2.146	3.483
Average	2.165	3.174
Dollar Change		1.009
Percent of Change		46.61%

Landfill Information	
Landfill Prior	42.00
Current	42.00
Difference in \$	-
Percentage	0.00%

CPI Information	
CPI Sept 20	248.120
CPI Sept 21	259.068
Change	10.948
Percentage	4.4%

INDEX CHANGE	
CPI%	4.4%
Fuel %	46.61%
Disposal %	0.00%

	F/L	R/O	Weight	Resi Trash	Resi Rcy
CPI	57%	37%	0%	48%	69%
Fuel	13%	13%	0%	20%	20%
Disposal	30%	50%	100%	32%	11%
	100%	100%	100%	100%	100%

	F/L	R/O	Weight	Resi Trash	Resi Rcy
CPI	2.51%	1.63%	0.00%	2.11%	3.04%
Fuel	6.06%	6.06%	0.00%	9.32%	9.32%
Disposal	0.00%	0.00%	0.00%	0.00%	0.00%
Total	8.57%	7.69%	0.00%	11.43%	12.36%

P:\123DATA\David Dalrymple\Cities\McLendon-Chisholm\Market Adjustments\Annual adjustment worksheet



U.S. BUREAU OF LABOR STATISTICS

Databases, Tables & Calculators by Subject

Change Output Options:

From: 2011

To: 2021

☐ include graphs☐ include annual averages[More Formatting Options](#) ➔

Data extracted on: October 13, 2021 (10:23:50 AM)

CPI for All Urban Consumers (CPI-U)

Series Id: CUURS37ASA0LE, CUUSS37ASA0LE

Not Seasonally Adjusted

Series Title: All items less energy in Dallas-Fort Worth-Arlington, TX, all urban consumers, not seasonally adjusted

Area: Dallas-Fort Worth-Arlington, TX

Item: All items less energy

Base Period: 1982-84=100

Download: [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2011	204.112		206.036		206.064		206.418		207.691		209.171		206.797	205.596	207.998
2012	209.278		210.745		211.017		211.076		212.619		213.603		211.587	210.496	212.679
2013	214.034		215.132		214.590		215.479		216.630		216.241		215.472	214.706	216.239
2014	216.948		218.185		218.293		218.085		218.872		219.281		218.398	217.903	218.893
2015	219.851		221.760		221.630		221.408		222.473		223.021		221.817	221.209	222.425
2016	224.102		225.823		226.910		227.315		227.995		228.292		226.940	225.868	228.013
2017	228.486		229.667		230.934		231.424		233.624		234.845		231.645	229.824	233.467
2018	234.774		235.907		237.847		237.289		238.686		240.358		237.587	236.353	238.822
2019	241.185		242.060		241.921		243.642		245.477		244.604		243.399	242.075	244.724
2020	244.920		246.282		245.301		247.299		248.120		247.458		246.709	245.580	247.838
2021	249.525		252.804		256.633		258.483		259.068					253.500	

12-Month Percent Change

Series Id: CUURS37ASA0LE, CUUSS37ASA0LE

Not Seasonally Adjusted

Series Title: All items less energy in Dallas-Fort Worth-Arlington, TX, all urban consumers, not seasonally adjusted

Area: Dallas-Fort Worth-Arlington, TX

Item: All items less energy

Base Period: 1982-84=100

Download: [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2011	0.2		1.2		1.6		2.5		2.0		3.0		1.8	1.2	2.5
2012	2.5		2.3		2.4		2.3		2.4		2.1		2.3	2.4	2.3
2013	2.3		2.1		1.7		2.1		1.9		1.2		1.8	2.0	1.7
2014	1.4		1.4		1.7		1.2		1.0		1.4		1.4	1.5	1.2
2015	1.3		1.6		1.5		1.5		1.6		1.7		1.6	1.5	1.6
2016	1.9		1.8		2.4		2.7		2.5		2.4		2.3	2.1	2.5
2017	2.0		1.7		1.8		1.8		2.5		2.9		2.1	1.8	2.4
2018	2.8		2.7		3.0		2.5		2.2		2.3		2.6	2.8	2.3
2019	2.7		2.6		1.7		2.7		2.8		1.8		2.4	2.4	2.5
2020	1.5		1.7		1.4		1.5		1.1		1.2		1.4	1.4	1.3
2021	1.9		2.6		4.6		4.5		4.4					3.2	

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Weekly Gulf Coast No 2 Diesel Ultra Low Sulfur (0-15 ppm) Retail Prices (Dollars per G... Page 3 of 3

Year-Month	Week 1		Week 2		Week 3		Week 4		Week 5	
	End Date	Value	End Date	Value	End Date	Value	End Date	Value	End Date	Value
2016-Jun	06/06	2.278	06/13	2.307	06/20	2.296	06/27	2.285		
2016-Jul	07/04	2.282	07/11	2.261	07/18	2.262	07/25	2.242		
2016-Aug	08/01	2.224	08/08	2.184	08/15	2.179	08/22	2.249	08/29	2.269
2016-Sep	09/05	2.264	09/12	2.256	09/19	2.242	09/26	2.230		
2016-Oct	10/03	2.250	10/10	2.317	10/17	2.357	10/24	2.353	10/31	2.353
2016-Nov	11/07	2.340	11/14	2.316	11/21	2.296	11/28	2.290		
2016-Dec	12/05	2.361	12/12	2.371	12/19	2.410	12/26	2.421		
2017-Jan	01/02	2.451	01/09	2.448	01/16	2.429	01/23	2.414	01/30	2.408
2017-Feb	02/06	2.403	02/13	2.424	02/20	2.433	02/27	2.433		
2017-Mar	03/06	2.429	03/13	2.419	03/20	2.380	03/27	2.378		
2017-Apr	04/03	2.414	04/10	2.446	04/17	2.458	04/24	2.458		
2017-May	05/01	2.435	05/08	2.410	05/15	2.382	05/22	2.384	05/29	2.423
2017-Jun	06/05	2.417	06/12	2.368	06/19	2.329	06/26	2.305		
2017-Jul	07/03	2.307	07/10	2.311	07/17	2.324	07/24	2.342	07/31	2.359
2017-Aug	08/07	2.410	08/14	2.410	08/21	2.408	08/28	2.428		
2017-Sep	09/04	2.615	09/11	2.647	09/18	2.639	09/25	2.624		
2017-Oct	10/02	2.615	10/09	2.599	10/16	2.612	10/23	2.614	10/30	2.639
2017-Nov	11/06	2.668	11/13	2.697	11/20	2.689	11/27	2.712		
2017-Dec	12/04	2.713	12/11	2.705	12/18	2.697	12/25	2.708		
2018-Jan	01/01	2.774	01/08	2.785	01/15	2.825	01/22	2.815	01/29	2.868
2018-Feb	02/05	2.874	02/12	2.851	02/19	2.818	02/26	2.797		
2018-Mar	03/05	2.793	03/12	2.782	03/19	2.786	03/26	2.823		
2018-Apr	04/02	2.851	04/09	2.844	04/16	2.910	04/23	2.936	04/30	2.946
2018-May	05/07	2.955	05/14	3.012	05/21	3.055	05/28	3.054		
2018-Jun	06/04	3.055	06/11	3.037	06/18	3.016	06/25	2.978		
2018-Jul	07/02	3.002	07/09	3.004	07/16	3.004	07/23	2.993	07/30	2.997
2018-Aug	08/06	2.995	08/13	2.990	08/20	2.981	08/27	3.004		
2018-Sep	09/03	3.035	09/10	3.039	09/17	3.056	09/24	3.052		
2018-Oct	10/01	3.079	10/08	3.169	10/15	3.172	10/22	3.152	10/29	3.117
2018-Nov	11/05	3.106	11/12	3.085	11/19	3.045	11/26	3.035		
2018-Dec	12/03	2.989	12/10	2.934	12/17	2.900	12/24	2.869	12/31	2.841
2019-Jan	01/07	2.821	01/14	2.788	01/21	2.790	01/28	2.789		
2019-Feb	02/04	2.779	02/11	2.776	02/18	2.809	02/25	2.849		
2019-Mar	03/04	2.870	03/11	2.881	03/18	2.869	03/25	2.876		
2019-Apr	04/01	2.872	04/08	2.879	04/15	2.899	04/22	2.917	04/29	2.939
2019-May	05/06	2.927	05/13	2.905	05/20	2.907	05/27	2.893		
2019-Jun	06/03	2.875	06/10	2.843	06/17	2.820	06/24	2.797		
2019-Jul	07/01	2.803	07/08	2.804	07/15	2.805	07/22	2.804	07/29	2.793
2019-Aug	08/05	2.787	08/12	2.763	08/19	2.751	08/26	2.744		
2019-Sep	09/02	2.740	09/09	2.745	09/16	2.761	09/23	2.858	09/30	2.827
2019-Oct	10/07	2.804	10/14	2.805	10/21	2.802	10/28	2.806		
2019-Nov	11/04	2.795	11/11	2.795	11/18	2.792	11/25	2.776		
2019-Dec	12/02	2.779	12/09	2.759	12/16	2.763	12/23	2.763	12/30	2.808
2020-Jan	01/06	2.828	01/13	2.810	01/20	2.797	01/27	2.773		
2020-Feb	02/03	2.710	02/10	2.675	02/17	2.658	02/24	2.654		
2020-Mar	03/02	2.627	03/09	2.577	03/16	2.504	03/23	2.438	03/30	2.363
2020-Apr	04/06	2.325	04/13	2.289	04/20	2.272	04/27	2.208		
2020-May	05/04	2.169	05/11	2.178	05/18	2.175	05/25	2.175		
2020-Jun	06/01	2.171	06/08	2.172	06/15	2.174	06/22	2.197	06/29	2.194
2020-Jul	07/06	2.204	07/13	2.198	07/20	2.198	07/27	2.183		
2020-Aug	08/03	2.175	08/10	2.183	08/17	2.177	08/24	2.174	08/31	2.188
2020-Sep	09/07	2.184	09/14	2.172	09/21	2.157	09/28	2.154		
2020-Oct	10/05	2.141	10/12	2.148	10/19	2.143	10/26	2.146		
2020-Nov	11/02	2.131	11/09	2.132	11/16	2.180	11/23	2.210	11/30	2.254
2020-Dec	12/07	2.276	12/14	2.307	12/21	2.379	12/28	2.393		
2021-Jan	01/04	2.398	01/11	2.429	01/18	2.461	01/25	2.483		
2021-Feb	02/01	2.500	02/08	2.566	02/15	2.627	02/22	2.722		
2021-Mar	03/01	2.837	03/08	2.929	03/15	2.988	03/22	2.991	03/29	2.955
2021-Apr	04/05	2.934	04/12	2.924	04/19	2.923	04/26	2.917		
2021-May	05/03	2.924	05/10	2.968	05/17	3.029	05/24	3.029	05/31	3.027
2021-Jun	06/07	3.034	06/14	3.040	06/21	3.042	06/28	3.044		
2021-Jul	07/05	3.076	07/12	3.083	07/19	3.083	07/26	3.079		
2021-Aug	08/02	3.097	08/09	3.083	08/16	3.073	08/23	3.038	08/30	3.060
2021-Sep	09/06	3.104	09/13	3.099	09/20	3.119	09/27	3.142		
2021-Oct	10/04	3.203	10/11	3.335	10/18	3.422	10/25	3.483		
2021-Nov	11/01	3.486	11/08	3.482						

- = No Data Reported; -- = Not Applicable; NA = Not Available; W = Withheld to avoid disclosure of individual company data.

Release Date: 11/8/2021
Next Release Date: 11/15/2021

Referring Pages:

- [Gulf Coast \(PADD 3\) Gasoline and Diesel Retail Prices](#)
- [Retail Prices for Ultra Low Sulfur Diesel](#)



City of McLendon-Chisholm

Discussion and action regarding approval of an Ordinance adopting the Comprehensive Plan. (Requested by Green)

DATE:

December 8, 2021

BACKGROUND OF ISSUE:

On September 29, 2021 the City Council heard a presentation and held discussion and action regarding adoption of the proposed City of McLendon-Chisholm Comprehensive Plan. A motion was made to approve the adoption of the 2021-2040 Comprehensive Plan and was passed unanimously.

Our City Planner, Mike Coker, recently asked me for a copy of the Ordinance adopting the Plan. Upon review, I discovered there was no Ordinance prepared for the adoption.

Chapter 213 of the Texas Local Government Code requires that Comprehensive Plans be adopted by ordinance [Section 213.003] and that amendments to the Comprehensive Plan also be adopted by ordinance.

RECOMMENDATION:

In order to comply with the requirements of the Texas Local Government Code, it is recommended that Ordinance 2021-14 adopting the Comprehensive Plan be approved. Upon approval of the ordinance, the caption will be published and all requirements will be satisfied.

Shelly Green
City Secretary

ORDINANCE NO. 2021-14

AN ORDINANCE OF THE CITY OF McLENDON-CHISHOLM, TEXAS, APPROVING AND ADOPTING THE 2021-2040 COMPREHENSIVE PLAN; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 213 of the Texas Local Government Code authorizes a municipality to adopt a Comprehensive Plan and amendments thereto; and

WHEREAS, a Comprehensive Plan serves as a guideline for the long-range development of a municipality and promotes sound development and the public health, safety and welfare; and

WHEREAS, the City of McLendon-Chisholm (“City”) last updated its Comprehensive Plan in February 2015 and the City Council determined the Comprehensive Plan was in need of updating; and

WHEREAS, the City’s Planning and Zoning Commission, with the assistance of the City’s professional land use planner and City Staff and after much work and consideration, prepared the 2021-2040 Comprehensive Plan, attached to this Ordinance as Exhibit 1 and incorporated herein by reference and which is on file with the City Secretary, and recommended to the City Council the approval and adoption of the 2021-2040 Comprehensive Plan; and

WHEREAS, the public hearing required by law was held and the public given the opportunity to give testimony and present written evidence regarding the 2021-2040 Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission, City Staff and the City Council have reviewed the 2021-2040 Comprehensive Plan which was presented to the City Council for approval and adoption; and

WHEREAS, the City Council finds approval and adoption of the 2021-2040 Comprehensive Plan furthers the public health, safety and welfare and is in the best interest of the City. Now, therefore:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF McLENDON-CHISHOLM, TEXAS:

SECTION 1. The recitals set forth in the WHEREAS clauses of this Ordinance are true and correct, constitute findings and determinations by the City Council acting in its legislative capacity and are incorporated herein.

SECTION 2. The City Council hereby approves and adopts the 2021-2040 Comprehensive Plan in its entirety, intending that the 2021-2040 Comprehensive Plan

shall amend, supersede, and replace the City's existing Comprehensive Plan, and any related documents.

SECTION 3. As set forth in more detail in the 2021-2040 Comprehensive Plan, the Comprehensive plan shall serve as a guideline for the City's adoption of, or amendment(s) to, the City's various development regulations. To the extent required by state law, zoning regulations and amendments thereto shall hereafter be adopted in accordance with the 2021-2040 Comprehensive Plan, and any zoning regulation(s) or part thereof that may deviate in any way from or add to the 2021-2040 Comprehensive Plan shall be deemed to automatically amend the 2021-2040 Comprehensive Plan, whether or not reference be made to the 2021-2040 Comprehensive Plan in the ordinance adopting or amending such zoning regulation(s). With respect to any such zoning regulation that automatically amends the 2021-2040 Comprehensive Plan, any requirement under state law that a comprehensive plan be amended after public hearing and after review by the Planning and Zoning Commission shall be deemed to have been satisfied by the public hearing(s) and Planning and Zoning Commission review-and-recommendation procedures set forth in the City's zoning regulations, as amended, in accordance with Chapter 211 of the Texas Local Government Code, as amended.

SECTION 4. The 2021-2040 Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries, nor shall it limit the City's ability to prepare other plans, policies or strategies as needed or required.

SECTION 5. All provisions of the ordinances of the City in conflict with the provisions of this Ordinance are repealed to the extent of such conflict, except that this Ordinance by itself shall not affect any change to any existing zoning districts, zoning classifications, or other zoning regulations or designations of current zoning which, along with all other provisions of the Ordinances of the City of McLendon-Chisholm not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 6. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 7. It is hereby officially found and determined that the meeting at which this Ordinance was 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

SECTION 8. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, if the law in such cases provides.

Ordinance No. 2021-14
Adopted 12.8.2021

DULY PASSED and APPROVED by the City Council of the City of McLendon-Chisholm, Texas, on the 8th day of December 2021.

APPROVED:

Keith Short, Mayor

ATTEST:

Rochelle Green
City Secretary



City of McLendon-Chisholm

Discussion and direction regarding accepting applications for new Board of Adjustment alternate members (Requested by Green)

DATE:

December 8, 2021

BACKGROUND OF ISSUE:

A Board of Adjustment was established in accordance with the provisions of Texas Local Government Code, §211.008, as amended, regarding the powers and duties as provided in said Code. The BOA consists of five citizens of McLendon-Chisholm, each to be appointed or re-appointed and confirmed by the City Council.

In addition, the City Council may appoint four alternate members of the board who shall serve in the absence of one or more of the regular members when requested to do so by the chairperson of the board, so that all cases to be heard by the board will always be heard by a minimum number of four members. These alternate members, when appointed, shall serve for the same period as the regular members.

A vote of four members is required to decide in favor of an applicant on a matter on which the board is required to pass.

An application for a variance was recently submitted and a meeting set up to hear the request. There was no quorum present for this meeting. This meeting was rescheduled, and once again, there was not a quorum present to act on the request. A third meeting was scheduled, and the Board was able to act on the request. A quorum shall consist of three members to convene and conduct administrative action. However, four members are necessary to hear testimony and action on any quasi-judicial matter before the board.

RECOMMENDATION:

In order to hear requests, it is recommended that the Council authorize accepting applications to fill the alternate positions. At this time, there is only one alternate and he is very dedicated to being present at the meetings. The Council may appoint four alternate members to serve in the absence of one or more regular members. Staff recommends filling additional alternate members to ensure a quorum for future meetings.

Shelly Green
City Secretary

MEMORANDUM

December 1, 2021

TO : Mayor and Council
FROM : Rick Crowley, Interim City Administrator
SUBJECT : City Street Maintenance Initiative

The Mayor and Council Members have individually indicated an interest to me in pursuing an initiative to evaluate and make improvements to the City's public streets. I propose that the Council consider authorizing a City street maintenance initiative designed to improve the City's public streets. While the Mayor and Council should ultimately select the streets that should be targeted for improvement, the process described below, if approved, should provide the information needed for those decisions to be made.

Given the current relatively small number of City streets, it is reasonable to assume that all of these streets can be evaluated as to their current condition and what will be required to best improve them for our Citizens' use. This will provide not only the needed information for the Mayor and Council to determine priorities and to select the streets for the current effort but will also provide information that will allow the City to plan for future improvement projects.

I recommend that the council consider authorizing the following:

Ask City Engineer Dub Douprhate, Chief Jim Simmons, and County Road and Bridge Engineer Pat Nesmith to work together to:

- Complete an initial evaluation of our public streets
- Provide recommendations as to what type of work each street needs
- Provide a preliminary estimate of repair costs
- Report findings to the Mayor and City Council

After receiving the report, the Mayor and Council will have the information needed to consider, based on community needs, selecting projects and directing that more detailed work on the selected projects be initiated.

Certainly, there are a number of other processes that the Mayor and Council may prefer as an alternative to that proposed above. If that is the case, we can discuss those at the meeting and proceed accordingly if the Mayor and Council are interested in the initiative.

For your reference the 2022 Annual Operating Budget includes the following with regard to work on public streets:

Participation in work on Edwards Road	\$100,000
Other street related work	75,000

Frankly, I still need to better understand the situation with regard to jurisdiction and funding for the various sections of Edwards Road. I am currently working on getting that better understanding.

If the Mayor and Council have an interest in being more aggressive with street work, an analysis of the City's reserve would indicate that consideration might be given to amending the current budget to add expenditures from the City's reserve for this purpose. If there is an interest in that, this option can be more fully discussed at your convenience.



City of McLendon-Chisholm

Recommendation by Planning and Zoning Commission regarding a review of the recently adopted Comprehensive Plan related to policies and ordinances potentially affected by the adoption of the 2021 Comprehensive Plan.

DATE:

December 8, 2021

The Planning & Zoning Commission met on December 2, 2021. Commissioner Kipphut, who also served as the Chairperson of the Comprehensive Plan Advisory Committee, requested that an agenda item be placed on the December 2, 2021 agenda for review and consideration of guidance provided by the recently adopted Comprehensive Plan related to policies and ordinances potentially affected by the adoption of the 2021 Comprehensive Plan.

BACKGROUND INFORMATION:

The 2021 Comprehensive Plan was adopted September 29, 2021.

Chapter 6 of the Plan is labeled: Implementation and Monitoring. This section provides an Action Prioritization Matrix of potential actions ranging from Short-Term [actions that may be completed within three years]; Mid-Term [actions that may require four to six years for completion]; and Long-Term [actions that may require in excess of seven years to complete].

In addition to the Action Prioritization Matrix in Chapter 6, you may find more in-depth descriptions of the recommended actions in the individual Chapters. For instance on Pages 29 and 30 there are descriptions of recommended actions related to Chapter 2: Fiscal & Economic Vitality.

RECOMMENDATION:

Motion was made, by Commissioner Kipphut, seconded by Commissioner Rohde, to advise the City Council they should undertake a review of existing ordinances with respect to the Comprehensive Plan and deliver back a recommendation on a way to move that forward quickly and what that plan would look like to do that, how to accomplish the review. The motion passed unanimously.

Shelly Green
City Secretary