AMENDED AGENDA
PLANNING & ZONING COMMISSION REGULAR MEETING
THURSDAY, JANUARY 20, 2022
1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032
7:00 PM

Page

1. CALL TO ORDER

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

3. CITIZEN COMMENTS

4. APPROVAL OF MINUTES

4.1. December 2, 2021 Planning & Zoning Minutes 3 - 60
Minutes 12.2.21

5. PUBLIC HEARING

5.1. A public hearing to consider the application of Alissa Mauldin requesting an amendment to a Specific Use Permit to allow Providence Academy, a classical, Christian, University Model School, to allow an enrollment of 350 children for use by Kindergarten - 12th grade students and 50 staff members using the existing facilities at Chisholm Baptist Church, plus an additional two temporary buildings that will house 4 additional classrooms in order to expand our capacity for the 2022-2023 school year, to be located at Chisholm Baptist Church, located at 1388 South State Highway 205, McLendon-Chisholm, also described as Lot 1, Block 1 of Chisholm Baptist Church Addition currently zoned General Business.

6. ITEMS FOR CONSIDERATION

6.1. Consideration and possible action regarding the application of Alissa Mauldin requesting an amendment to a Specific Use Permit to allow Providence Academy, a classical, Christian, University Model School, to allow an enrollment of 350 children for use by Kindergarten - 12th grade students and 50 staff members using the existing facilities at Chisholm Baptist Church, plus an additional two temporary buildings that will house 4 additional classrooms in order to expand our capacity for the 2022-2023 school year, to be located at Chisholm Baptist Church, located at 1388 South State Highway 205, McLendon-Chisholm, also described as Lot 1, Block 1 of Chisholm Baptist Church Addition currently zoned General Business. 61 - 90
Application

Staff Report

6.2. Consider setting up work sessions to establish a plan to scrub city ordinances as they are related to the comprehensive plan. Various tasks should be reviewed, the ones that are short term, mid-term, and long-term, and determine what can be done in-house and what potential additional resources outside the city may be needed.

7. 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 AMENDED Notice of Meeting of the Planning & Zoning Commission of McLendon-Chisholm, Texas was posted or before 12:00 Noon, January 17, 2022, on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.

Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Thursday, December 2, 2021

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Thursday, December 2, 2021, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Lesley Schwalje	Chairperson (Chairman)
	Shari London	Commissioner (Arrived at 7:25 p.m.)
	Mark Kipphut	Commissioner
	Robert Rohde	Commissioner
Absent:	Jody Wright	Commissioner (Alternate)
	Brad Martin	Commissioner (Alternate)
	Daniela Swindoll	Commissioner
Staff Present:	Rick Crowley	Interim City Administrator
	Shelly Green	City Secretary
	Mike Coker	City Planner

1. CALL TO ORDER

Chairperson Schwalje called the meeting to order at 7:25 p.m.

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

Chairperson Schwalje voiced the invocation and led the pledges.

3. CITIZEN COMMENTS

None

4. APPROVAL OF MINUTES

4.1. September 9, 2021 Regular Planning & Zoning Meeting

MOTION: Approve minutes as presented.

MADE BY: Commissioner Kipphut
SECONDED: Commissioner Rohde
APPROVAL: Unanimous (by members present)

4.2. September 16, 2021 Regular Planning & Zoning Meeting

MOTION: Approve minutes as presented.

MADE BY: Commissioner Kipphut
SECONDED BY: Commissioner Rohde

APPROVAL: Unanimous (by members present)

5. PUBLIC HEARINGS

5.1. 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.

Commission Chairperson Schwalje opened the public hearing at 7:28 p.m.

Ron LaRoux, 3401 W FM 550. Requested information about what the plans are, what the infrastructure changes would be, specifically the roadways; concern about property values.

Jarrod Kennedy, 3307 W FM 550. Discussed what the plans are.

Chairperson Schwalje closed the meeting at 7:33 p.m.

6. ITEMS FOR CONSIDERATION

6.1. 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.

City Planner presented his staff report:

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.

PLANNING AND ZONING COMMISSION HEARING DATE: December 2, 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: Chris Cuny, Teague, Nall & Perkins

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 and for the development of an additional 675 acres contained in two tracts located within the ETJ of the City.

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.

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

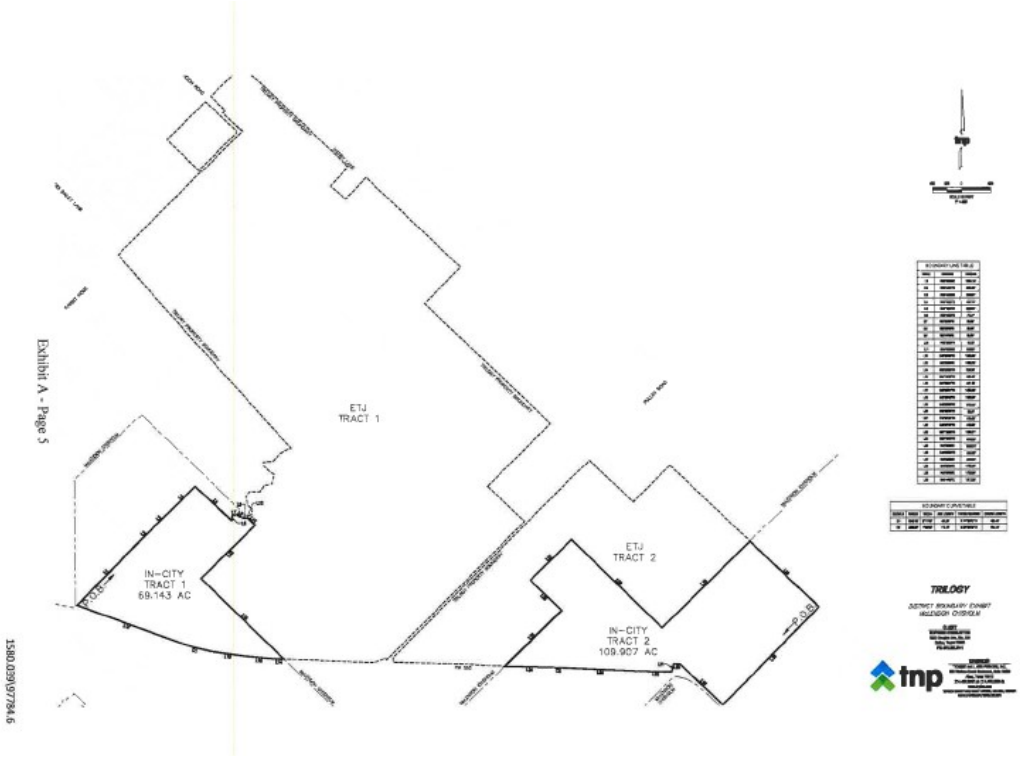

Exhibit A - Page 5

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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. HOLLAWAY 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 A - Page 4

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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 Agri hood-type uses.

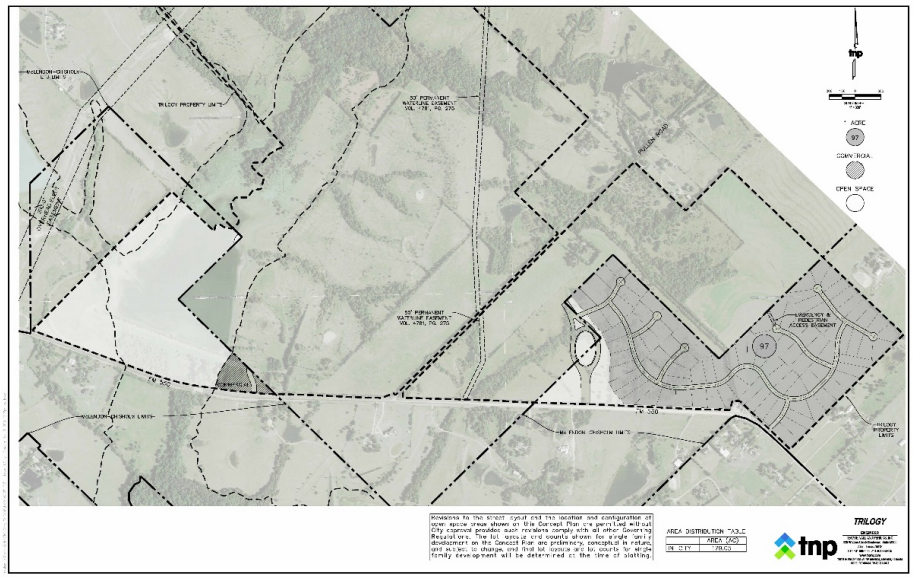
Desired Development Characteristics:
• Minimum lot size of one acre for residential uses, exclusive of floodplains and rights-of-way. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable.
• Minimum 150-foot lot width for residential 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 _____, 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. _____ 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.

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 List[4]	
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 andfruitless)
Pecan (native)	Carya illinoinensis
Pistache*, Chinese	Pistacia chinenis
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*	Largerstroemia indica
Eves Necklace	Sophora affinis
Goldenball Leadtree	Leucaena rietusa
Hawthorne*	Crataegus phaenopyrum
Hawthorne*	Cratoegus crus-galli
Hawthorne*	Cratoegus 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	Viburum 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	Berberis thunbergii
Barberry, Texas	Berberis thunbergii
Bayberry	Myrica pensylvanica
Bird of Paradise	Caesalpinia gilliesii
Burning Bush	Euonymus alata compacta
Butterfly Bush	Buddleia sp.
Cactus, Prickly Pear	Opuntia phaceacantha
Cenizo	Leucophyllum frutescens
Chokeberry, Red	Aronia arbutifolia
Coralberry	Symphoricarpos obiculatus
Dogwood, Rough Leaf	Cornus drummondii
Elaeagnus	Elaeanus macrophylla
Forsythia	Forsythia sp.
Germander, Upright	Teucrium chamaedrys
Holly, Dazzler	Ilex cornuta 'Dazzler'
Holly, Dwarf yaupon	Ilex vomitoria
Holly, Nellie R. Stevens	Ilex x 'Nellie R. Stevens'
Honeysuckle, Bush	Lonicera fragrantissima
Hydrangea, Oakleaf	Hydrangea quercifolia
Hypericum, Upright	Hypericum patulum
Jasmine, Italian	Jasmine nudiflorum
Lantana	Lantana horrida
Mahonia, Leatherleaf	Mahonia bealeii
Mimosa, Fragrant	Mimosa borealis
Nandina, Compact	Nandina domestica compacta
Nandina, Gulfstream	N.d. 'Gulfstream'
Nandina, Standard	N. domestica
Pavonia	Pavonia lasiopetala
Photinia, Chinese	Photinia serrulata
Privet, Southern River	Ligustrum vulgare
Privet, Variegated	Ligustrum luicidum 'variegata'

Quince, Flowering	Chaenomeles japonica
Sage, Cherry	Salvia greggii
Sjpiraea, 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	Hespenaloe paruiflora
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

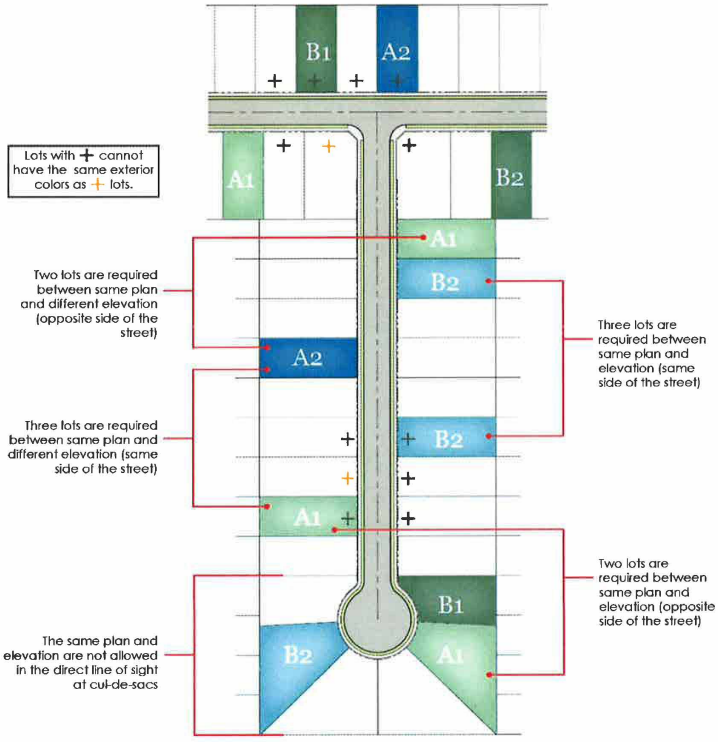
Crosse Vine	Purple Heart Wander Jew
Sweet Autumn Clematis	

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.

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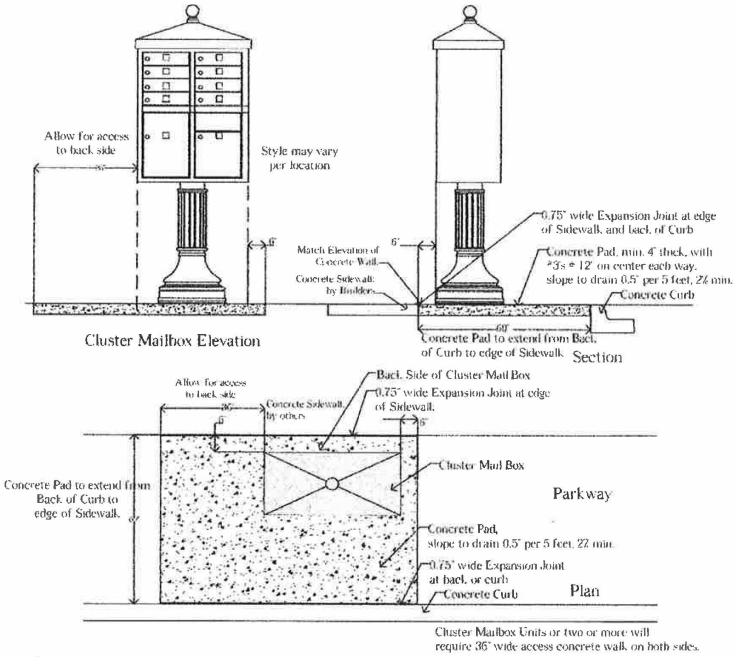
Exhibit G
Mailbox Design

Mailbox Design



Manufactuer:
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

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Exhibit H
Parks, Open Space, and Trail Plan

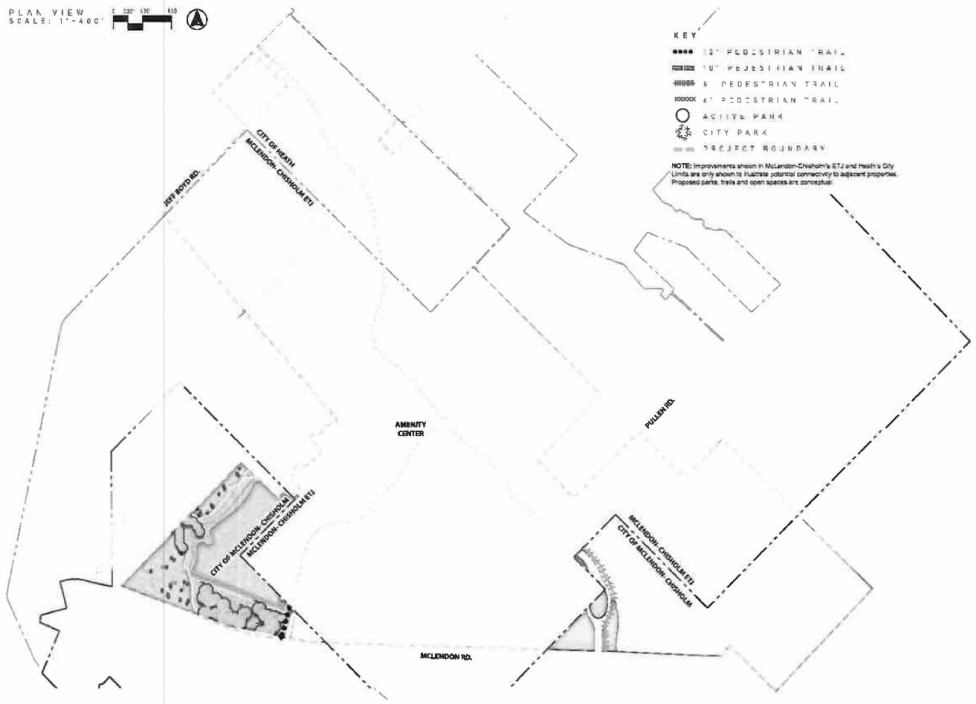

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Exhibit I
Street Sections

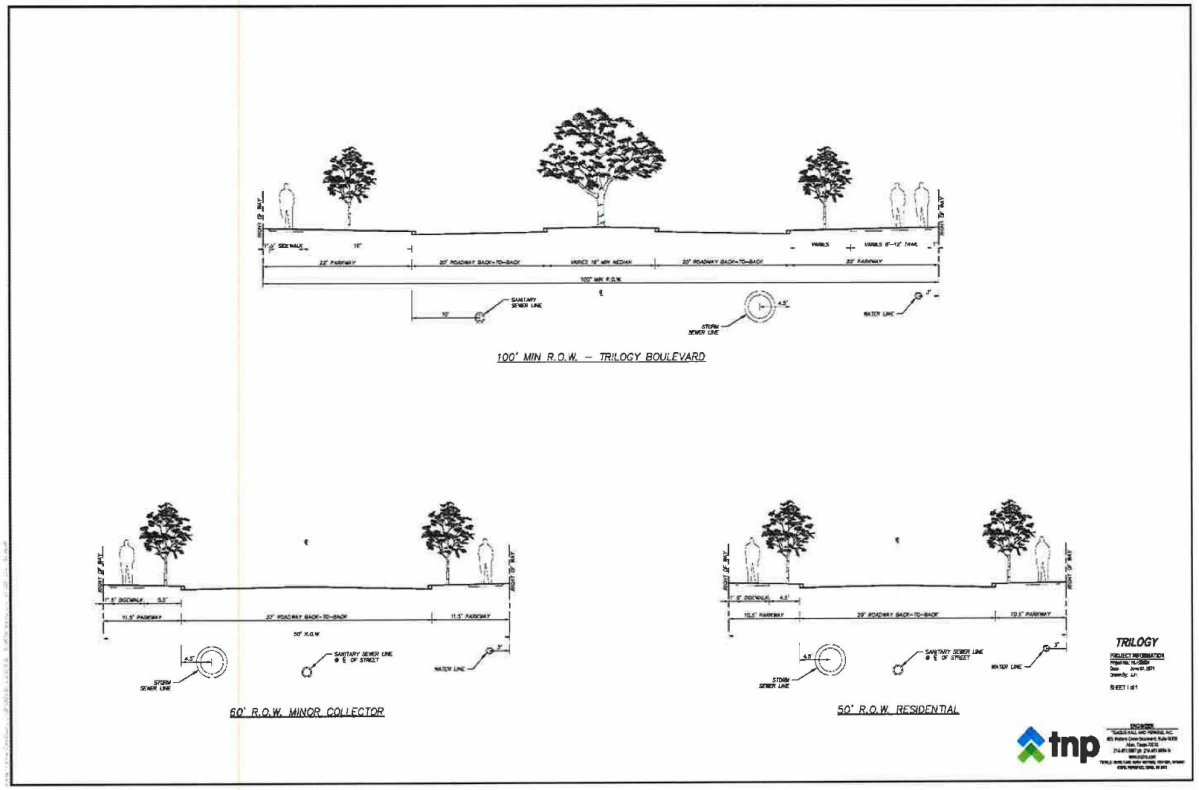

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Exhibit J
Architectural Guidelines

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 m 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.

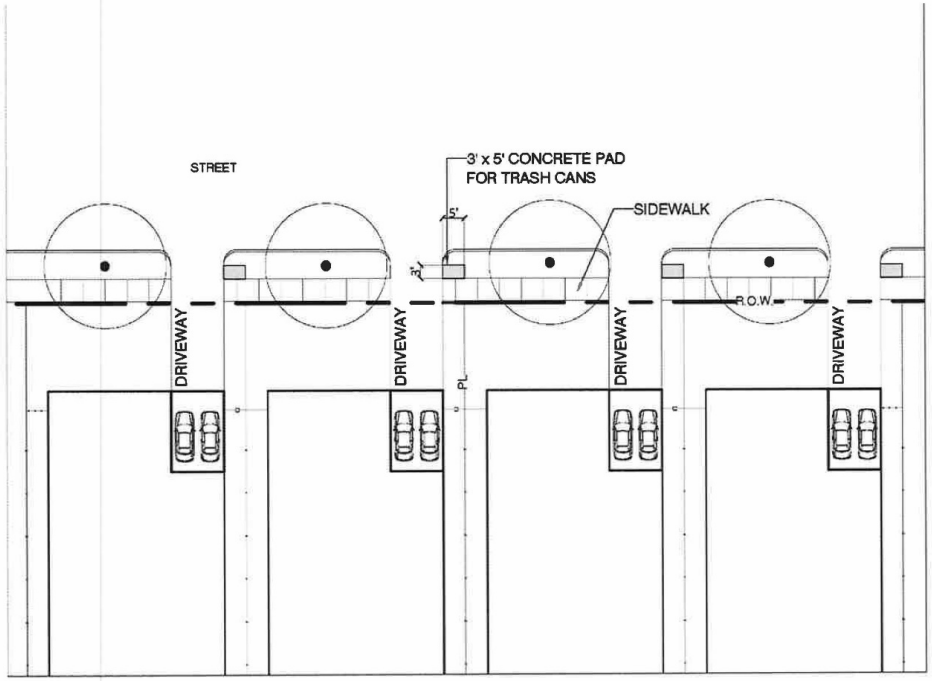
h. Transparency.

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



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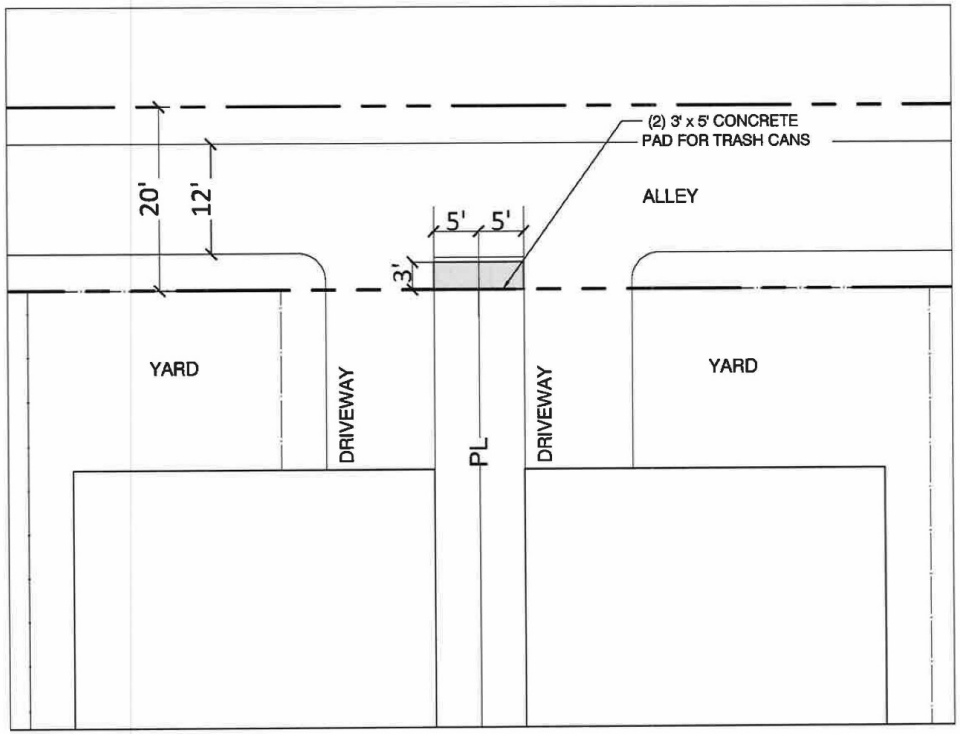

Exhibit K – Page 2

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Exhibit L
Address Plaques

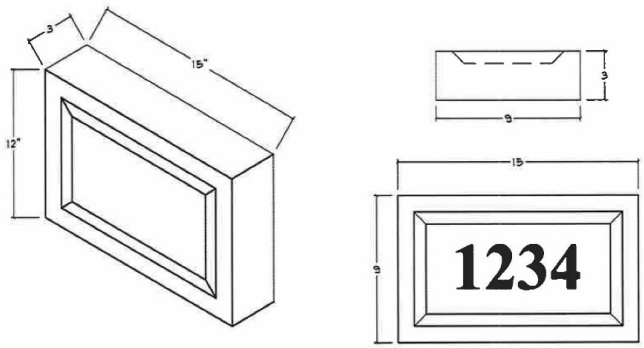
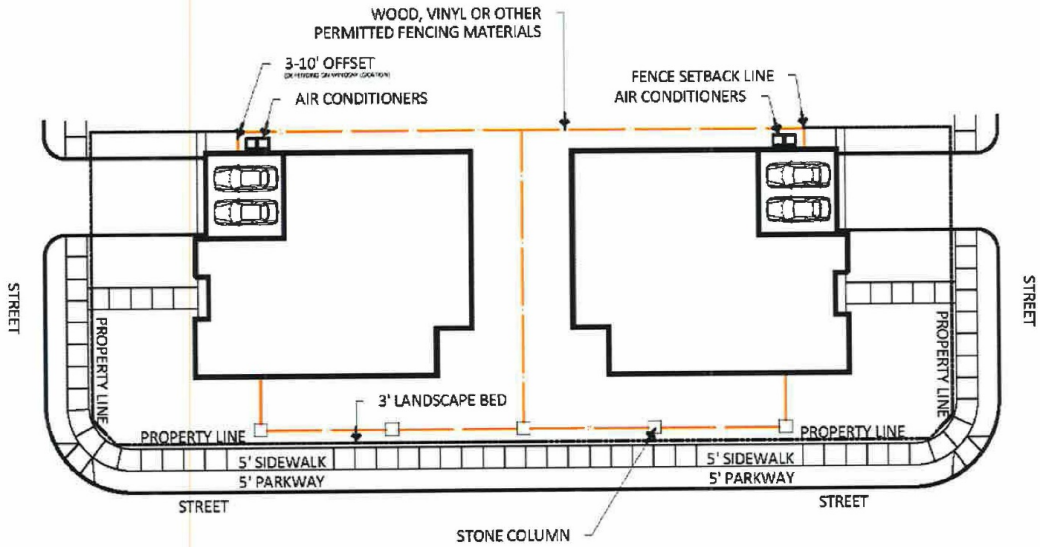


Exhibit M
Fence Design for Single Family Detached



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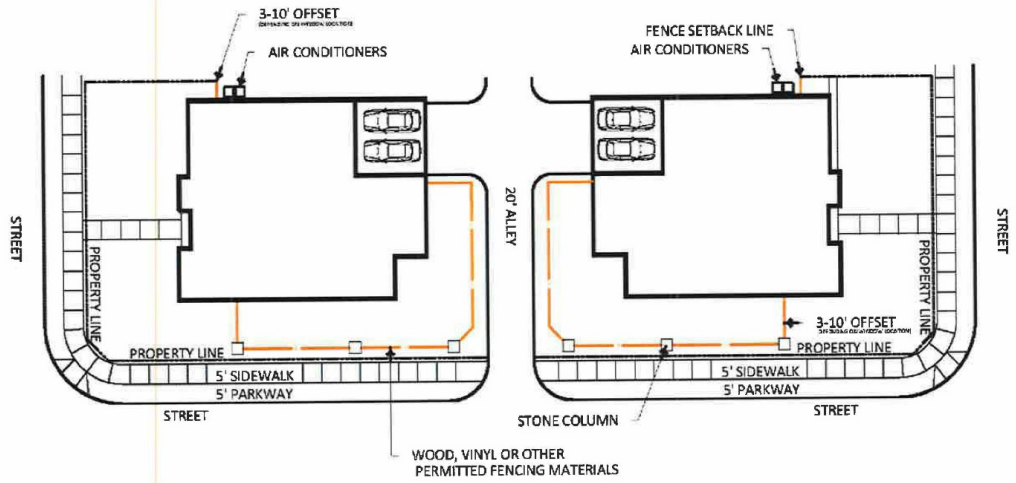

Exhibit M – Page 2

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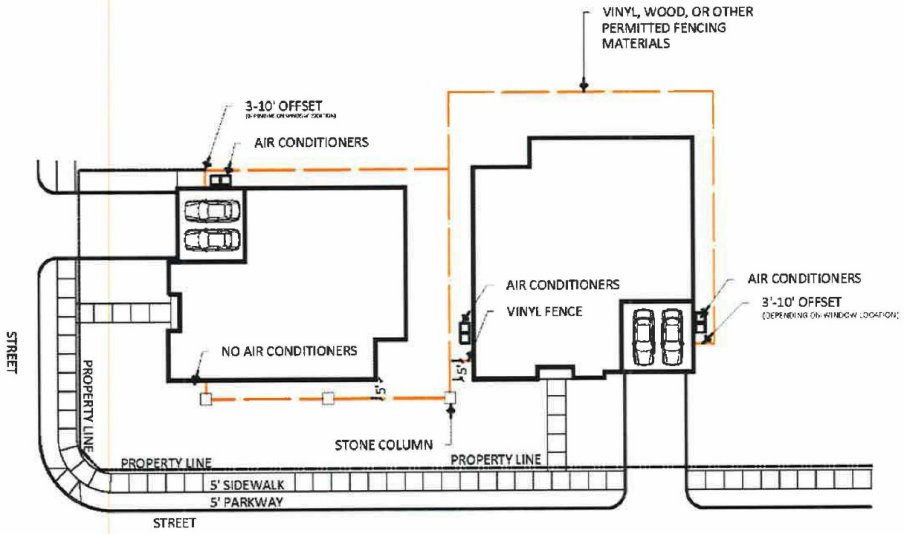

Exhibit M – Page 3

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Exhibit N
Realtor and Builder Sign Specifications

TRILOGY

Exhibit O
Sidewalks

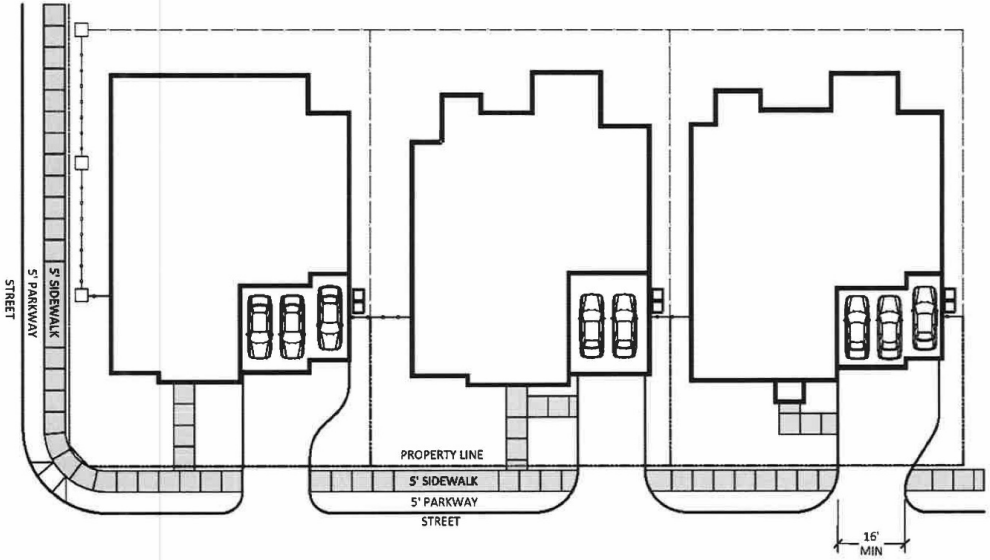

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Exhibit P
Shrub Planting Locations

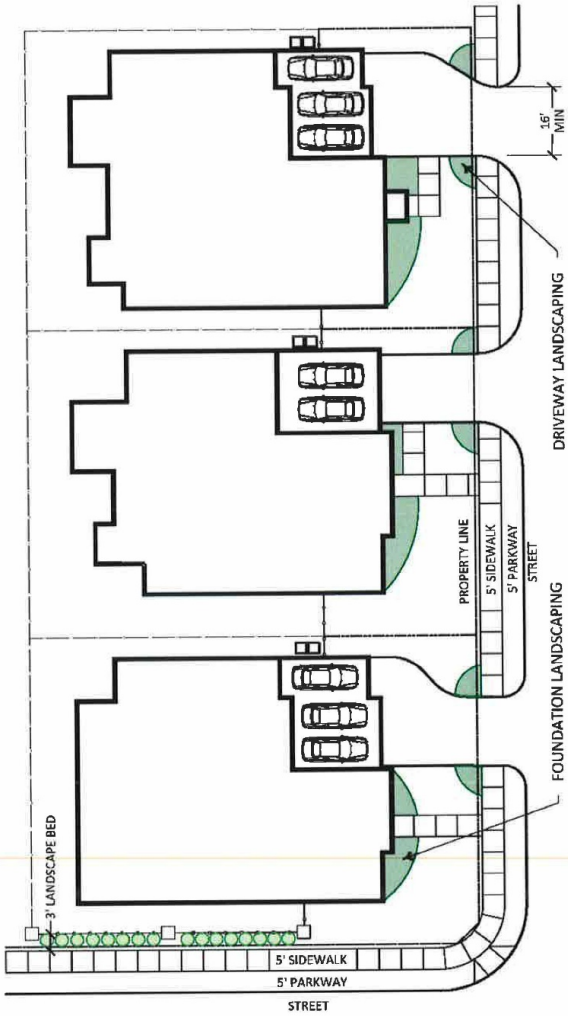

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Exhibit P – Page 1

The following Exhibit E is directly from the adopted Developer Agreement

Exhibit E
Special Regulations

1. If a plat complies with the Concept Plan for the Property or the applicable zoning regulations for the In-City Property, it shall be deemed to comply with all of the City's plans, including, but not limited to, the City's master plan (also known as the comprehensive plan) and major street plan (also known as the master thoroughfare plan). This Agreement shall control in the event of a conflict with the City's master plan or master thoroughfare plan.

2. The term preliminary plan means a preliminary plat.

3. No plat shall be required for a division of land into parts greater than five acres, where each part has access, and no public improvement is being dedicated.

4. A preliminary plat may include all or any portion of the Property or the In-City Property.

5. A final plat may include all or any portion of an approved preliminary plat. A final plat may include minor changes to an approved preliminary plat.

6. An approved preliminary plat shall not expire if an application for a final plat for all or a portion of the land shown on the approved preliminary plat is submitted to the City within two years.

7. All water, wastewater, roadway, and drainage Public Infrastructure will be dedicated to, owned by, and maintained by the District unless the retail provider opts to own and maintain the water or wastewater Public Infrastructure, at its sole option. Parks and open space will be owned and maintained by the property owner, the District, or a homeowner's association consistent with the Development Regulations. The owner's dedication language on each plat will be customized to reflect ownership and maintained as described in this paragraph.

8. The City will not be required to own or maintain any Public Infrastructure; therefore, maintenance bonds shall not be required to be provided to the City.

9. Final plat approval shall expire two years after the date of approval unless the final plat has been filed of record by the end of such two-year period. The City Council may grant a request for an extension of up to one additional year.

10. A final plat shall not be filed of record until the subdivision has been constructed and accepted by the City unless the subdivider provides the City with adequate security for completion of all final plat improvements in the form of an escrow, a letter of credit, or a bond in the amount of the estimated cost to complete all final plat improvements. A building permit may be issued prior to plat recordation provided the water and roadway improvements necessary to provide fire protection to the building are complete prior to building permit issuance.

11. In the event of a conflict with the Subdivision Regulations, the development processes and fee provisions set forth in Article III and Article IV of this Agreement shall control.

12. Thoroughfares and Traffic Impact Study.

a. The only thoroughfare improvements required for the development of the Property are the on-site thoroughfare improvements shown on the Concept Plan, which consist of the on-site portions of Pullen Road and Trilogy Boulevard, which shall be constructed according to the street sections on **Exhibit J** and shall be constructed in phases as portions of the Property adjacent to, or including, the roadways are final platted. Nothing herein shall prohibit the Owner from constructing either thoroughfare in a single phase earlier than required by this paragraph.

b. A traffic impact study shall be submitted with the application for the first preliminary plat for all or any portion of the Property, and the scope of such study shall be limited to studying traffic impacts from the development of the Property on adjacent portions of roads along the perimeter of the Property. No other traffic impact study, traffic impact analysis, or other traffic related studies or analyses shall be required in connection with the development of the Property or the In-City Property.

c. No off-site roadway improvements are required with the exception of any adjacent perimeter roadway improvements that are recommended by the traffic impact study.

13. Roadways shall be designed in accordance with the Concept Plan and the street sections contained in this Agreement.

14. Turnarounds shall have a minimum right-of-way radius of 50 feet and a pavement radius of 40.5 feet.

15. The maximum length of a dead-end street with a permanent turnaround or a cul-de-sac with a permanent turnaround shall be 1,200 feet.

16. Sections 10.02.006(b), (c), (d), and (e) of the Subdivision Regulations [Lots, Building Lines, Alleys, and Easements] shall not apply.

17. Section 10.02.008 of the Subdivision Regulations [Landscape Buffers] shall not apply and the exclusive landscaping requirements shall be those set forth in the Development Regulations in the case of the Property and those set forth in the applicable zoning regulations in the case of the In-City Property. A homeowner's association shall be created to perpetually maintain all landscaped areas located with parkways, medians, open space, and other common areas.

18. Section 10.02.0010 of the Subdivision Regulations [Drainage Requirements] shall be modified to delete subsection (c)(5) and revise subsection (c)(6) to read in its entirety as follows: In areas where downstream pipes or channels are inadequate to handle proposed increased flows, the city as one alternative may accept cash payment in lieu of actual drainage improvements. The developer must show that the proposed pipe system to handle the flow from his development would not function

properly without substantial downstream improvements. Prior to permitting any development that will significantly increase flood heights downstream or upstream, a hearing before the planning and zoning commission is required with special notice to the adjacent property owners.

19. Detention is permitted.

20. Floodplain reclamation is permitted.

21. Section 10.02.010 of the Subdivision Regulations is amended in its entirety to read as follows in italics:

Sec. 10.02.010 Drainage requirements

(a) General policy.

(1) The commission shall not recommend for approval any plat, development plan, or subdivision which does not make adequate provision for stormwater or floodwater runoff channels or basins and the city council may not approve such plats, development plans, or subdivisions without such provisions. Drainage provisions shall ensure the health and safety of the public and property in times of flood and such drainage facilities shall not cause excessive increases in flood heights or velocities, particularly to adjacent and downstream properties. When calculations indicate that curb capacities are exceeded at a point, ~~no further allowance shall be made for flow beyond that point~~,storm drains shall be designed to intercept a portion of the stormwater, and basins shall be used to intercept flow at that point.

~~*(2) The owner/subdivider or applicant may be required by the planning and zoning commission or city council as a condition of preliminary plan and/or final plat approval to carry away by pipe or open ditch any spring or surface water that exists either previous to, or as a result of, the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the construction standards and specifications of the town.*~~

(b) General design standards. For all subdivisions consisting of more than ten lots, the following requirements must be demonstrated as a condition for the approval of any preliminary plan or final plat, and must be shown on the face of the plan or plat or by separate document filed contemporaneously with the application for approval of the plan or plat:

~~*(1) Coordination with any comprehensive master drainage plan adopted by the city council is required and shall be demonstrated in the preliminary plan and/or final plat.*~~

(2) The complete drainage system is composed of:

(A) The initial system, consisting of inlets, storm drains, and the associated appurtenances to convey the initial storm runoff (ten-year); and

(B) The major system of the major runoff (~~100~~-50-year), which consists of swales, creeks, channels, floodways and emergency overflows to prevent water encroachment into residential and commercial facilities.

~~(3) Channels are to be concrete-lined at least to the ten-year frequency channel flow level with additional height to carry the 25-year flow. 100-year flow is to be contained within the building lines of the channel. Unlined channels will be considered and may be approved for quantities of floodwater larger than the equivalent flow of a 72-inch pipe.~~

(4) Utilization of retention ponds and dispersion areas and preservation of major floodplains, etc., shall be strongly encouraged and may be required if a proposed drainage improvement is found to create actual or potential upstream, adjacent or downstream property damage due to the creation of excessive flood velocities or heights.

~~(5) The city's major drainage floodplains that are still functioning in a natural or semi-natural state will require special drainage and other preservation considerations. To implement this policy of the natural 100-year floodplain for flooding areas draining one square mile or more, it may be recommended that these areas be zoned for planned development when zoning requests are made so that channel improvements and preservation efforts will be coordinated and defined on the site plan before detailed plans are submitted.~~

(6) Criteria for pipes.

(A) Minimum velocity with the pipe flowing full shall be ~~three~~ two feet per second.

(B) The minimum storm drainpipe diameter shall be ~~15~~ 18 inches.

(C) Pipe diameters shall not normally decrease downstream.

(D) Pipe crowns at change in sizes should be set at the same elevation.

(7) Vertical curves in the conduit will not be permitted~~, and horizontal curves will be permitted only with the approval of the town engineer~~.

(8) Inverted crown sections will be permitted only in alleys.

(9) At streets with culverts or bridges, an emergency overflow shall be provided to contain the ~~100~~50-year channel flow ~~within~~ outside the building lines.

(10) Detention ponds may be used to control the increase in runoff between the development and undeveloped areas ~~if approved by the city council~~.

(c) Off-site drainage.

(1) The owner or developer of property to be developed shall be responsible for all storm drainage flowing on his property. This responsibility includes the drainage directed to that property by ultimate development as well as drainage naturally flowing through the property by reason of topography.

(2) Adequate consideration shall be given by the owner in the development of property to determine how the discharge leaving the proposed development will affect adjacent and downstream property.

(3) On lots or tracts of three acres or more where stormwater runoff has been collected or concentrated, ~~it shall not be permitted to drain onto adjacent property except in existing creeks, channels or storm sewers unless proper drainage easements or notarized letters of permission from the affected property owners are provided. If necessary easements or letters of permission cannot be obtained, the city engineer will review the downstream damage potential and make recommendations to the commission and city council~~ it shall not be permitted to be discharged except in a manner consistent with sound engineering practices.

(4) ~~The owner/subdivider shall pay for the cost of all drainage improvements required for the development of the subdivision, including any necessary off-site channels or storm sewers and acquisition of the required easements~~ The developer or subdivider shall pay for the cost of all drainage improvements required for the development of the subdivision, including necessary off-site channels or storm sewers and acquisition of the required easements, unless the off-site drainage improvements are part of a regional drainage improvement area in which case the developer or subdivider shall pay its proportionate share (based on capacity) of such regional improvements.

(5) ~~Where it is anticipated that additional runoff incidental to the development of the subdivision will overload an existing downstream drainage facility, whether natural or manmade, the commission or city council may withhold approval of the subdivision, and the city may refuse to issue building, construction or development permits, until improvements including storm sewer systems, channel grading, driveway adjustments, culvert improvements, etc., are made.~~

(6) In areas where downstream pipes or channels are ~~adequate~~ inadequate to handle proposed increased flows, the city as one alternative may consider accepting cash payment in lieu of actual drainage improvements. The developer must show that the proposed pipe system to handle the flow from his development would not function properly without substantial downstream improvements. Prior to permitting any development that will significantly increase flood heights downstream or upstream, a hearing before the planning and zoning commission is required with special notice to the adjacent property owners.

(d) Drainage easements.

(1) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.

(2) When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat or

other instrument as approved by the city. In the case of clear public interest, the city may participate in easement acquisition by power of condemnation.

(3) The owner/subdivider shall dedicate an appropriate drainage easement either in fee or by drainage easement or by conservation easement of land on both sides of existing watercourses to a distance to be determined by the planning and zoning commission or city council.

22. Section 10.02.009 of the Subdivision Regulations is amended in its entirety to read as follows in italics: ~~*No permanent structures shall be built within any floodplain at an elevation below the 100-year flood line. The finished floor pad shall be a minimum two feet above the 100-year flood level. No septic tanks or on-site septic systems shall be built, located or situated in areas designated as a floodplain.*~~ *All floodplain areas designated as a Zone A on FEMA's most current flood insurance rate maps may be removed from the Property or redefined through the process of a conditional letter of map revision ("CLOMR") or a letter of map revision ("LOMR"). Non-residential permanent structures, amenities, trails, sports fields and park improvements may be placed within floodplain areas without requiring either a CLOMR or a LOMR. The finished floor pad shall be a minimum two feet above the 100-year flood level. No septic tanks or on-site septic systems shall be built, located or situated in areas designated as a floodplain.*

23. Park restrooms shall be connected to a sanitary sewer system.

24. Section 10.02.012 of the Subdivision Regulations [Reservations] shall not apply.

25. Building setback lines are not required to be shown on a plat.

26. Oversizing of Public Infrastructure to serve land outside of the boundaries of the Property shall not be required. Section 3 of Appendix 1 of the Subdivision Regulations [Street Improvements and Oversizing] shall not apply unless oversizing is funded by the City or a third party.

27. Section 4 of Appendix 1 of the Subdivision Regulations [Off-Site Access Roadways] shall not apply.

28. Section 5 of Appendix 1 of the Subdivision Regulations [Street Lighting] shall not apply.

29. For a residential street, the minimum radii requirements at the centerline of streets is 50 feet, and the maximum design speed is 25 miles per hour.

30. Section 9 of Appendix 1 of the Subdivision Regulations [Drainage and Storm Sewers] controls over any conflicting provisions in the Subdivision Regulations.

31. Section 10, item 4 of Appendix 1 of the Subdivision Regulations is amended to allow fittings to be ductile iron.

32. In the event of a conflict between the requirements of any retail provider of water or wastewater service and the Subdivision Regulations, the retail provider's requirements for Public Infrastructure shall control. Section 13.01.001 of the Subdivision Regulations [Water Treatment Plant Must Be Approved by Water District] shall not apply.

33. Section 10.03.007 of the Subdivision Regulations [Street Arrangement] is amended in its entirety to read as follows: "(a) All streets shall be laid out so that they intersect at right angles with a maximum tolerance of plus or minus ~~five~~ 15 percent. (b) Cul-de-sacs shall not be longer than ~~2,000~~ 1,200 feet from the nearest intersecting street~~, and shall provide a turnaround having an outside roadway diameter of at least 80 feet in areas zoned SF2 and SF3. Cul-de-sacs shall not be longer than 3,000 feet in areas zoned SF1~~."

34. A six-inch thickness of concrete pavement on a compacted subbase shall be required for street paving. The concrete must have a 28-day compressive strength of 3,600 pounds per square inch (ppsi). All steel reinforcing shall be deformed No. 3 bars on 18-inch centers both ways.

35. In the event of a conflict between the Subdivision Regulations and Chapter 212, Texas Local Government Code, as amended, the latter shall control.

36. The park, open space, amenity center, and trail requirements in **Exhibit D** of this Agreement fully satisfy all open space, parkland dedication, and park improvement requirements for the In-City Property and the Property, and no separate open space, parkland dedication, or park improvement ordinances or other regulations outside of this Agreement shall apply to the Property or the In-City Property.

Chairperson Schwalje opened this item up for discussion during which time several members of the commission expressed dissatisfaction with some of the items in the development agreement, especially the turn-a-rounds for cul-de-sacs. The development agreement allows for 40.5-degree turn-a-rounds which commission members were totally opposed to.

Misty Ventura, representing the property owner, addressed their concerns and explained how these decisions were made through negotiations. Compromises were made on both parties to the agreement and that agreement has been approved by the City.

Commissioner Kipphut stated, for the record, that he doesn't think they should ever compromise on a question of public safety. Commissioner Rohde asked if the fire chief was involved in these negotiations and did he say it was okay? City Planner responded that he was not part of the negotiations.

City Planner Coker recommended they make their recommendation for approval or denial based on this application and add requirements they feel are necessary, such as the roadways.

MOTION: **Approve 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 of**

12959 and 12960. Zoning of the subject property will amend the official Zoning Map of the City of McLendon-Chisholm.

MADE BY: **Commissioner Kipphut**
SECONDED BY: **Commissioner London**
APPROVAL: **Unanimous (by members present)**

6.2. Discussion and action regarding the request of Brian and Elizabeth Watson, represented by Bryan Connally of CBG Surveying Texas, LLC. for a nine (9) residential lot subdivision totaling 27.11 acres of land in the Leonard Eastwood survey, Abstract 79, Rockwall CAD parcel identification numbers: 10782, 10782, and 45857.

PULLED FROM AGENDA

6.3. 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.

City Planner Coker presented a staff report on this item:

Agenda Item

The Chairperson of the Comprehensive Plan Advisory Committee has 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.

The Planning and Zoning Commission may recommend that the City Council initiate the action of one or more recommended actions at this meeting.

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 related to Chapter 2: Fiscal & Economic Vitality.

A review of the 2021 Comprehensive Plan is recommended to prepare for the December 2, 2021 Planning Zoning Commission meeting.

Commissioner Kipphut reported that with the adoption of the Comprehensive Plan it has, as highlighted in the staff report, a Chapter 6 which is Implementation and Monitoring and within

that there are ten specific planning and zoning actions that fall into the short-term actions. There are a few others as well. Predominantly these would be around ordinance review, subdivision regulations and zoning to make sure the ordinances for the city match what is occurring within the Comprehensive Plan. He requests guidance from staff on how to best do that.

Interim City Administrator Crowley stated his recommendation would be if they want to propose that, based on this item, to consider a motion to Council asking that they direct staff to do that. He feels that would be the best way to do it. There can be a whole lot more priority placed on that item if you will make your recommendation to the Council and then them to us.

MOTION: **Advise 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 like to do that, how to accomplish the review.**

MADE BY: **Commissioner Kipphut**
SECONDED BY: **Commissioner Rohde**
APPROVAL: **Unanimous**

5. ADJOURN

MOTION: ADJOURN MEETING

MADE BY: **Commissioner London**
SECONDED BY: **Commissioner Rohde**
APPROVAL: **Unanimous**

Commission Chairperson Schwalje adjourned the meeting at 8:13 p.m.

ATTEST:

_____
Rochelle Green, City Secretary

APPROVED:

_____
Lesley Schwalje, Chairperson

RECEIVED
- 110821 -

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

SPECIFIC USE PERMIT APPLICATION

Date of Application: 10-27-21 Receipt #_____

Fee: $400 + 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:
1388 South State Highway 205
Rockwall, TX 75032

Property Legal Description:
Chisholm Baptist Church Addn, Block, Lot 1

County Parcel ID: 58542

Existing Zoning: General Business Requested Zoning: N/A

Applicant's Name: Alissa Mauldin

Phone No. 469-500-3150 Email: amauldin@providencelions.org

Status of Applicant: Owner ___ or Authorized Agent X

Applicant's Address:
3021 Ridge Rd. A22, Rockwall, TX 75032

Owner's Address: 1388 South State Hwy 205, Rockwall, TX 75032

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

Signature of Owner: _____ Date 10/29/2021

Signature of Applicant: Alissa Mauldin Date 10/29/2021

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 $_____ to cover the cost of this application, and an initial deposit of $3000.00 for consulting fees has been paid to the City of McLendon-Chisholm on this _____day of_____, 202_.

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

Signature of Applicant (Owner/Authorized Agent): _____

City Secretary: _____

(Seal)

PROVIDENCE
ACADEMY

November 5, 2021

City of McLendon-Chisholm Officials:

This letter is to request a change for the SUP for Chisholm Baptist Church for a Private School. Our school, Providence Academy, has been at this location for over three years, and we have experienced increased interest each year in our model of schooling.

We have an excellent relationship with Chisholm Baptist Church, and we have their full support as we plan to make the church our permanent location through a long - term lease. We are currently at capacity using the existing buildings on the property, and we are planning to construct a new building to accommodate the growth in enrollment that we are experiencing and anticipating in the future. The new building would contain 10 new classrooms as well as a multipurpose center with a gymnasium. We would like to have the building completed and ready for use by August of 2023.

Our current SUP allows us to have 175 students and 40 staff members. We are requesting an increase to our SUP to allow for 350 students and 50 staff members. While the new building is under construction, we are requesting permission to install 2 temporary buildings that will house 4 additional classrooms in order to expand our capacity for the 2022-2023 school year. These temporary buildings may possibly be utilized in 2023-2024 if construction is delayed. The temporary buildings will be removed once construction of the new building is completed.

We are attaching several documents to this application for your consideration. The documents include:

- Letter of authorization from Chisholm Baptist Church
- Letter of intent from Chisholm Baptist Church
- Boundary and Improvement Survey
- Topographic Survey
- Preliminary Plot/Site Plan
- Septic System Plan for new building

- Renderings and elevations of proposed building
- Preliminary Floor Plan Overview
- Traffic Map
- Traffic Data

Special Notes:

- RCH informed us that there is an 8" and 10" supply line in the front of the property which is more than sufficient for our water supply needs.
- We have commissioned a Traffic Impact Assessment, and we should receive the results within 4-6 weeks.
- Please note that we are a University-Model school and our students and staff are only on campus on Mondays, Wednesdays, and Fridays.

We look forward to serving the families in this community for many years to come. We appreciate your consideration of our request.

Thank you,

Alissa Mauldin
Head of School
amauldin@providencelions.org
469.500.3150

CBC CHISHOLM BAPTIST CHURCH

His Church –

Welcome Home

To Whom it may concern, November 3, 2021

As Pastor representing the full membership of Chisholm Baptist Church, owners of the property under consideration, do hereby give our permission for Alissa Mauldin to complete and file the necessary SUP application for consideration of the building project related to Providence Academy at this present site.

Thank you in Advance for your cooperation and consideration of this matter. We appreciate the city's working with us to further the growth of Providence Academy and the McClendon-Chisholm community. If you have any questions regarding this matter you may contact me at 972-563-0230 (Church Office) or 972-757-2792 (cell).

Thomas Stroud
Senior Pastor
Chisholm Baptist Church

1388 South State Highway 205 ▪ Rockwall, Texas ▪ 75032
Church Office: 972-563-0230 ▪ Pastor's Cell: 214-674-8826

CBC CHISHOLM BAPTIST CHURCH

His Church –

Welcome Home

August 20, 2021

Thomas P. Stroud
Pastor
Chisholm Baptist Church
1388 S. State Highway 205
Rockwall, Texas 75032

Dear Providence Academy,

This letter is to confirm the intent of Chisholm Baptist Church to enter into a long term ground lease agreement with the school for the purpose of the continued growth of the school. This agreement includes the use of the current facilities of the church located at 1388 S. State Highway 205 (Main Sanctuary and Secondary Building), as well as the property on the north end of the parking lot for the construction of a new facility to further in the development of the school.

While no specific period has been defined under the term "long term" at present the church has agreed in conference to a period no less than 50 years and open to an even longer term agreement of up to 99 years in discussions. The exact timing of what is meant by long term will be established in future negotiations between the church and school prior to the end of the current lease agreement. This letter is intended to give you the assurance that the church is committed to the future of the school and in agreement with the construction needed to facilitate the needs of the school.

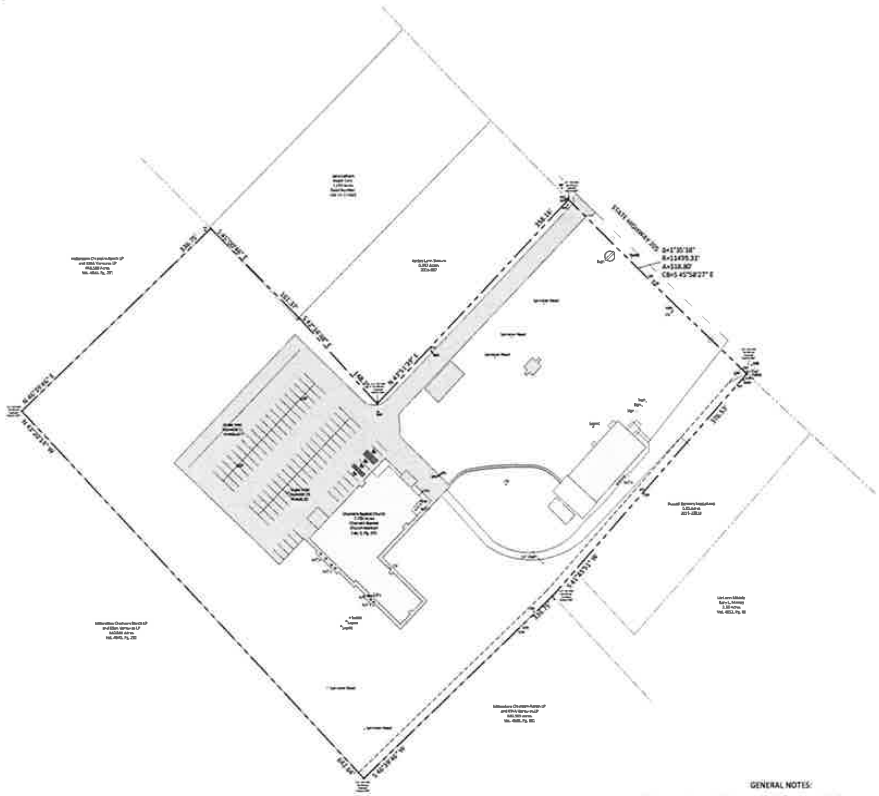
The church has given its permission for the current use of the land north of the parking lot for the purpose of constructing any new facility required which will be detailed in the future agreement. Our church is in full agreement that there is a great need for Christ centered education in our communities and with this understanding we value the relationship we have with the school and what it provides to this area.

God's blessing upon you and our prayer is that He will prosper you and provide for the needs according to His will and grace.

In Christ's Service,

Thomas P. Stroud
Pastor
Chisholm Baptist Church

1388 South State Highway 205 ▪ Rockwall, Texas ▪ 75032
Church Office: 972-563-0230 ▪ Pastor's Cell: 214-674-8826



Being Lot 1, Block 1, CHISHOLM BAPTIST CHURCH ADDITION, an Addition to the City of McLendon-Chisholm, Rockwall County, Texas, according to the final plat thereof recorded in Cabinet E, Slide 265, Plat Records, Rockwall, County, Texas.

Surveyor's Certification

To:

I, Frank R. Owens, a Registered Professional Land Surveyor in the State of Texas do hereby certify that an on the ground survey of the property shown was made under my supervision and that this map correctly represents the facts found at the time of survey and that this survey conforms to the current Minimum Standard Detail Requirements for a Category 1A, Condition II, land Title Survey as specified by the latest edition of the "Manual of Practice for Land Surveying in Texas" 2006 Revised Eleventh Edition prepared by the Texas Society of Professional Surveyors

Date: August 24, 2021

Frank R. Owens
Registered Professional Land Surveyor No. 5287
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

GENERAL NOTES:

THE USE OF THE WORD "CERTIFY" OR "CERTIFICATE" HEREIN CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF INQUIRY WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

UTILITY NOTES:

The location of utilities shown hereon are from observed evidence of above ground appurtenances only. The surveyor was not provided with underground plans or surface ground markings to determine the location of any subterranean uses.

GENERAL NOTES:

All elevations shown hereon are based on the assumed Finished Floor of the existing building.

Bench Mark, Finished Floor of the existing building. Assumed Elevation = 408.90

Point of Bearings: Bearings are based on the Plat of Lot 1, Block 1, Chisholm Baptist Church Addition, recorded in Cabinet E, Slide 265, Plat Records, Rockwall County, Texas.

© 2021 STATCHECK®. According to Community Panel No. 48397C0130L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map the property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

BOUNDARY & IMPROVEMENT SURVEY
7.739 ACRES
LOT 1, BLOCK 1

KING LATHAM SURVEY, ABSTRACT NO. 133
CITY OF MCLENDON-CHISHOLM
ROCKWALL COUNTY, TEXAS

Client: HIGHLAND HOMES
1416 VIA TOSCANA LANE
MCLENDON-CHISHOLM, TX 75032

Scale:	1" = 60'
Date:	August 11, 2021
Technician:	Spaulding/Bedford
Drawn By:	Spaulding/Bedford
Checked By:	F.R. Owens
P.C.J.	Spaulding/Cruse
File:	PROVIDENCE ACADEMY
Job. No.	751-001
GF No.	?

FRANK R. OWENS
5287
STATE OF TEXAS

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedford@sbcglobal.net

Sheet: 1 of: 1

A J Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10018200

Being Lot 1, Block 1, CHISHOLM BAPTIST CHURCH ADDITION, an Addition to the City of McLendon-Chisholm, Rockwall County, Texas, according to the final plat thereof recorded in Cabinet E, Slide 295, Plat Records, Rockwall, County, Texas.

Vicinity Map
(Not to Scale)

UTILITY NOTES:

The location of utilities shown hereon are from observed evidence of above ground appurtenances only. The surveyor was not provided with underground plans or surface ground markings to determine the location of any subterranean uses.

GENERAL NOTES:

All elevations shown hereon are based on the City of Dallas Water Department Benchmark.

Bench Mark: Standard City of Dallas Water Department Benchmark set on a curb inlet on the northwest corner of Mission Drive and Lake Ann Road. Published Elevation = 505.08

Basis of Bearings: Bearings are based on the Plat of Lot 1, Block 1, Chisholm Baptist Church Addition, recorded in Cabinet E, Slide 295, Plat Records, Rockwall County, Texas.

FLOOD STATEMENT: According to Community Panel No. 48397C0130L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. It has also a mid-zone as identified (zone) flood hazard area, this flood assessment does not imply that the property and/or the structures therein will be free from flooding or flood damage. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not imply liability on the part of the Surveyor.

GENERAL NOTE:

THE USE OF THE WORD "CERTIFY OR CERTIFICATE" USED HEREON CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION BASED ON THE FACTS OF KNOWLEDGE WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

TOPOGRAPHIC SURVEY
7.739 ACRES
LOT 1, BLOCK 1

KING LATHAM SURVEY, ABSTRACT NO. 133
CITY OF MCLENDON-CHISHOLM
ROCKWALL COUNTY, TEXAS

Client: HIGHLAND HOMES
1418 VIA TOSCANA LANE
MCLENDON-CHISHOLM, TX 75032

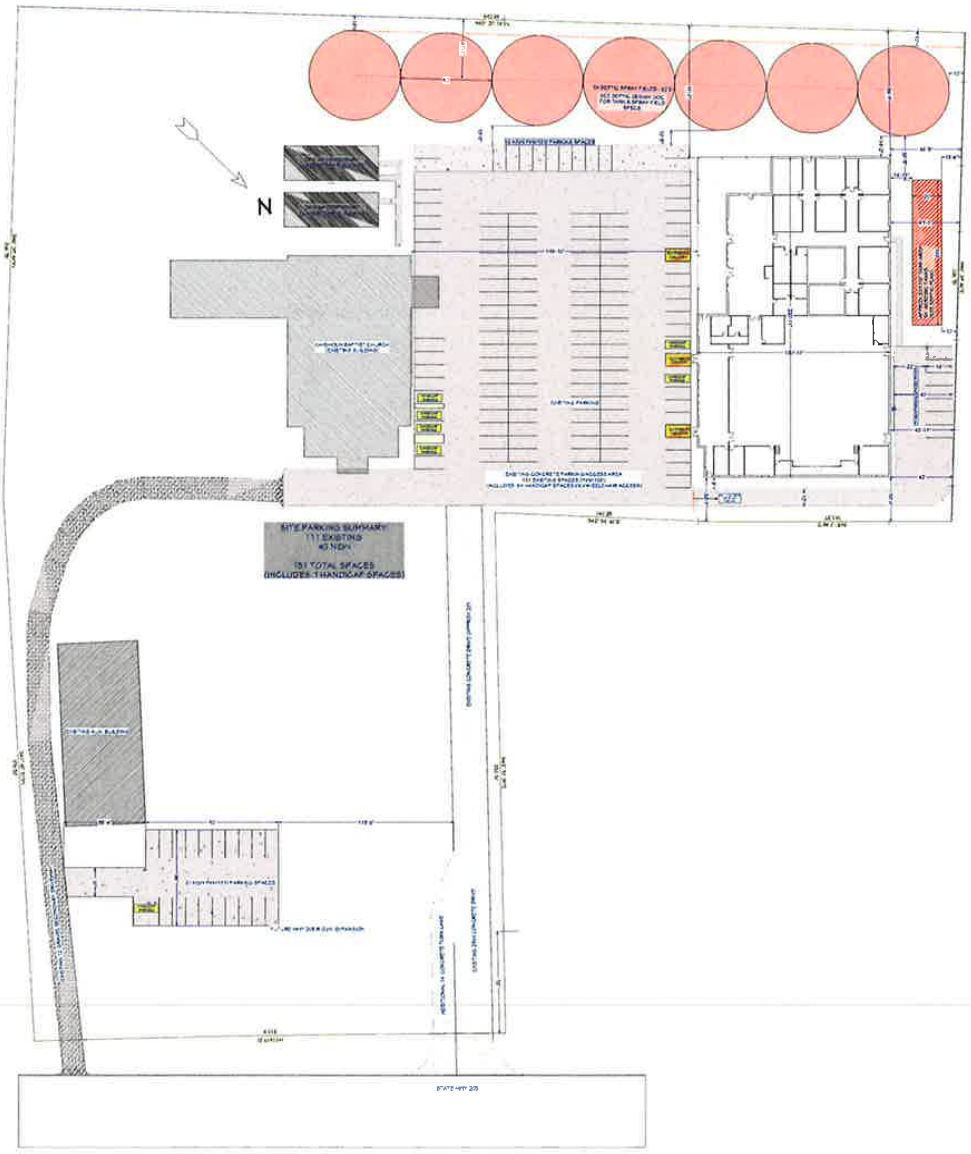
Scale: 1" = 60'	Checked By:	F.R. Owens
Date: August 13, 2021	P.C.:	Spreckling/Cruse
Technician: Spreckling/Bedford	File:	PROVIDENCE ACADEMY
Drawn By: Spreckling/Bedford	Job. No.	751-001
	GF No.	?

302 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com

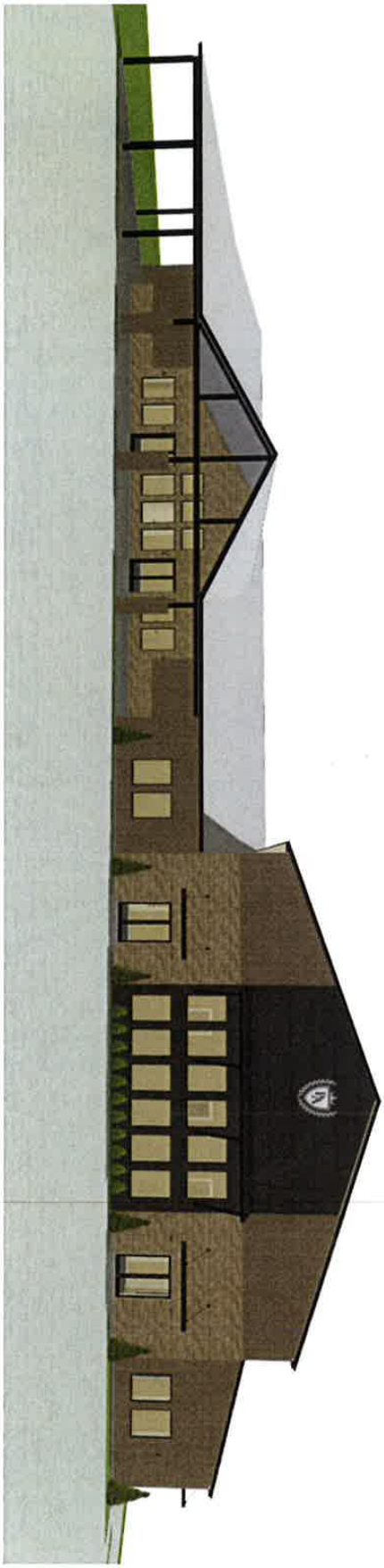
Sheet: 1 OF: 1

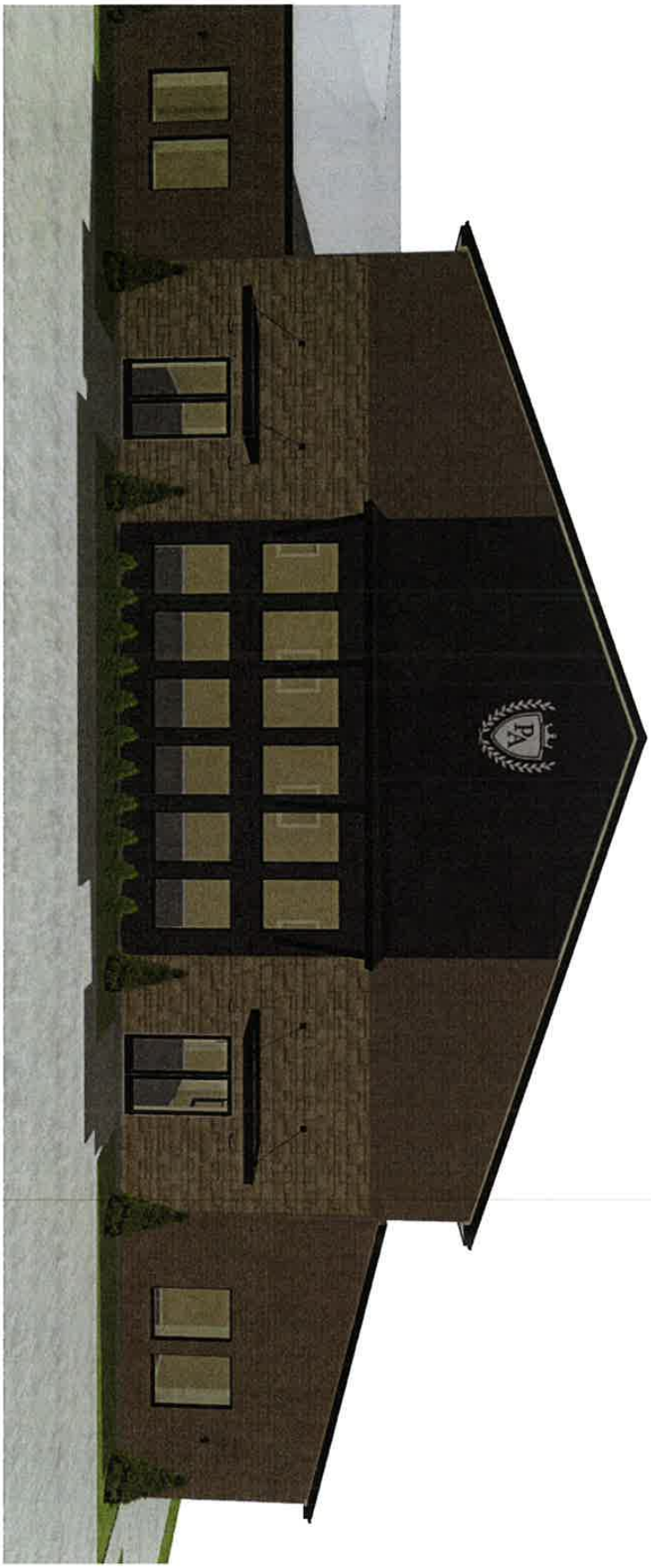
AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS #10018200

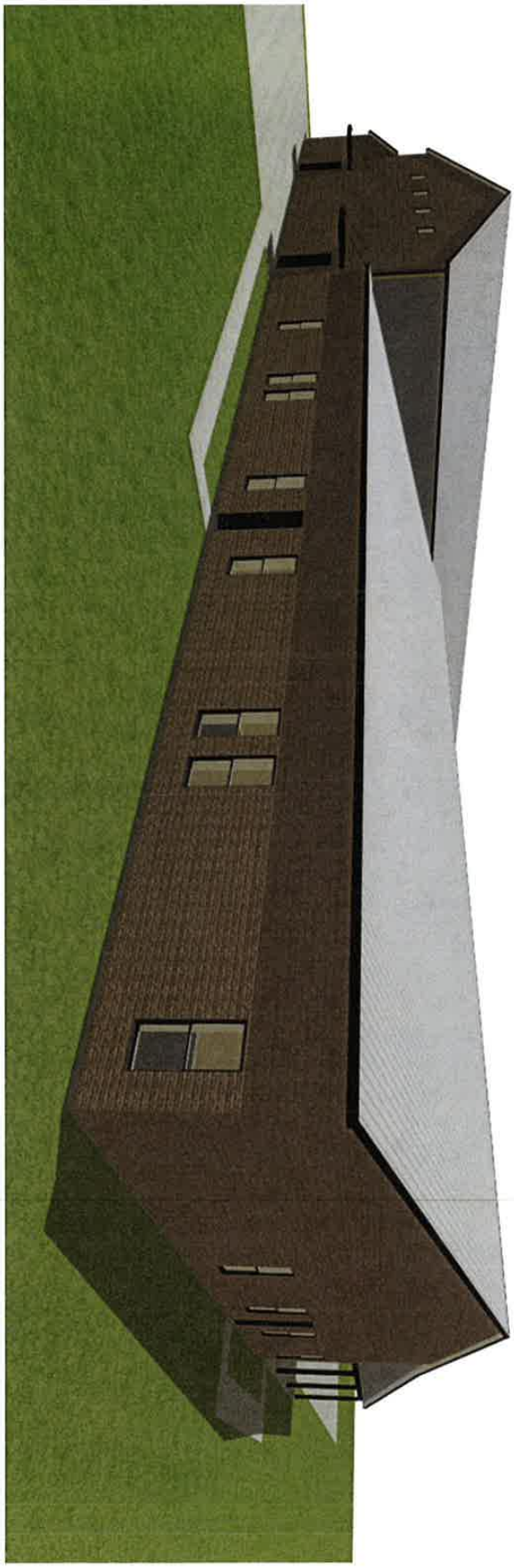
SHEET: 2	SCALE: 1/4"=1'	DATE: 10/6/2021	Hamilton HANDCRAFTED	PROVIDENCE ACADEMY 1388 S HWY 205 ROCKWALL, TX 75032	PRELIM PLOT/SITE PLAN (SAT)	HOME DESIGNED BY: AARON HAMILTON HAMILTON HANDCRAFTED ROYSE CITY, TX / 972-533-0459 AARON@HAMILTONHANDCRAFTED.COM	REV 05

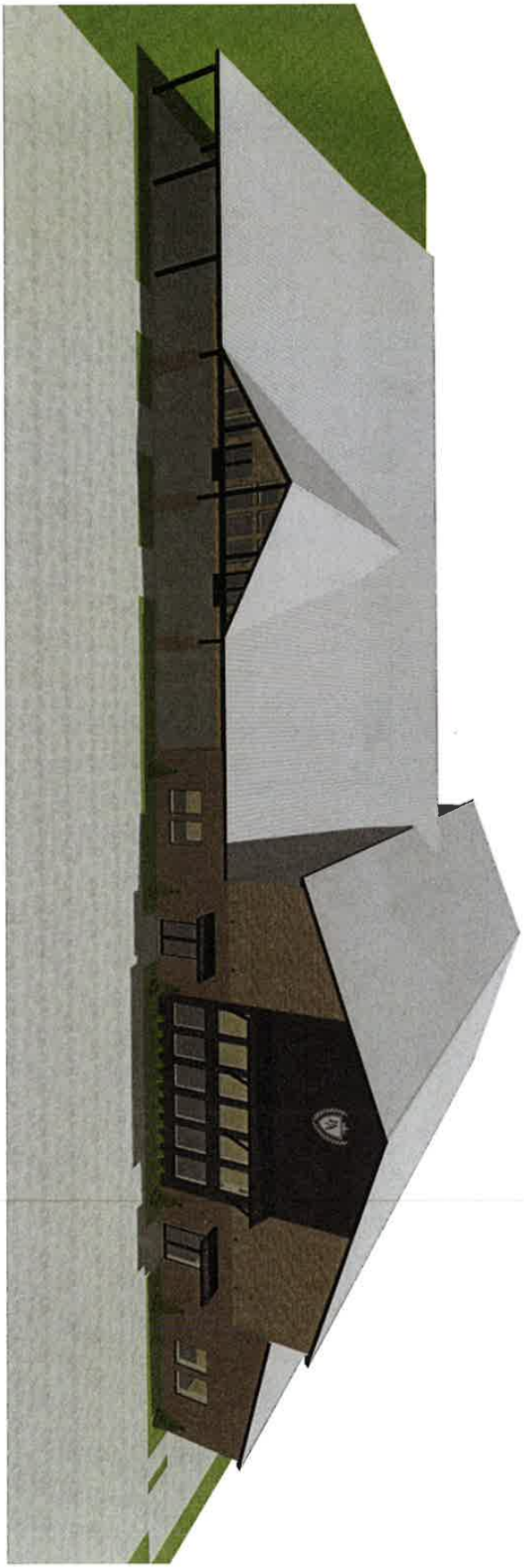


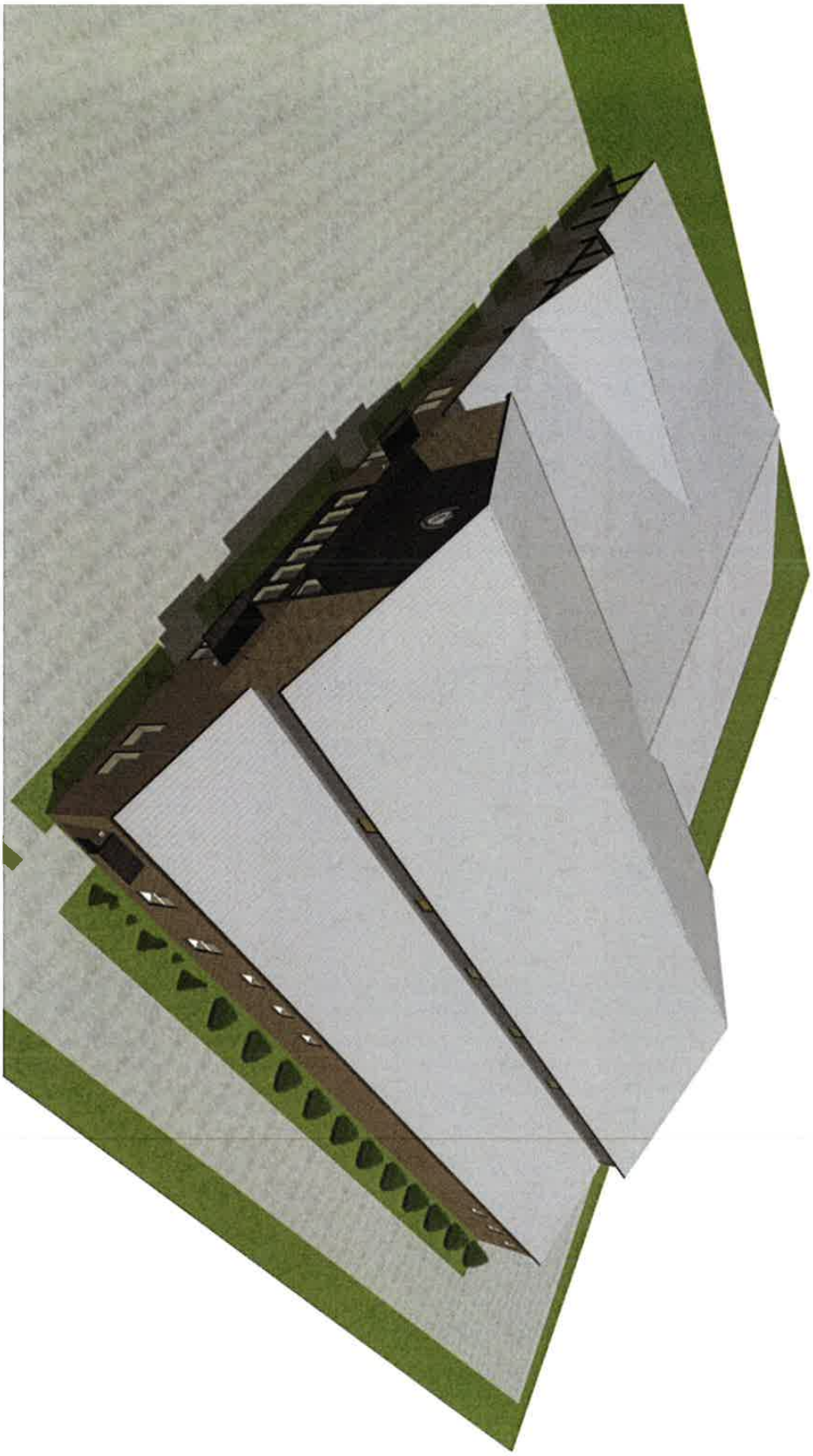
SHEET: 3	SCALE: 1/4"=1'	DATE: 10/6/2021	Hamilton HANDCRAFTED	PROVIDENCE ACADEMY 1388 S HWY 205 ROCKWALL, TX 75032	PRELIM PLOT/SITE PLAN	HOME DESIGNED BY: AARON HAMILTON HAMILTON HANDCRAFTED ROYSE CITY, TX / 972-593-0959 AARON@HAMILTONHANDCRAFTED.COM	REV 05











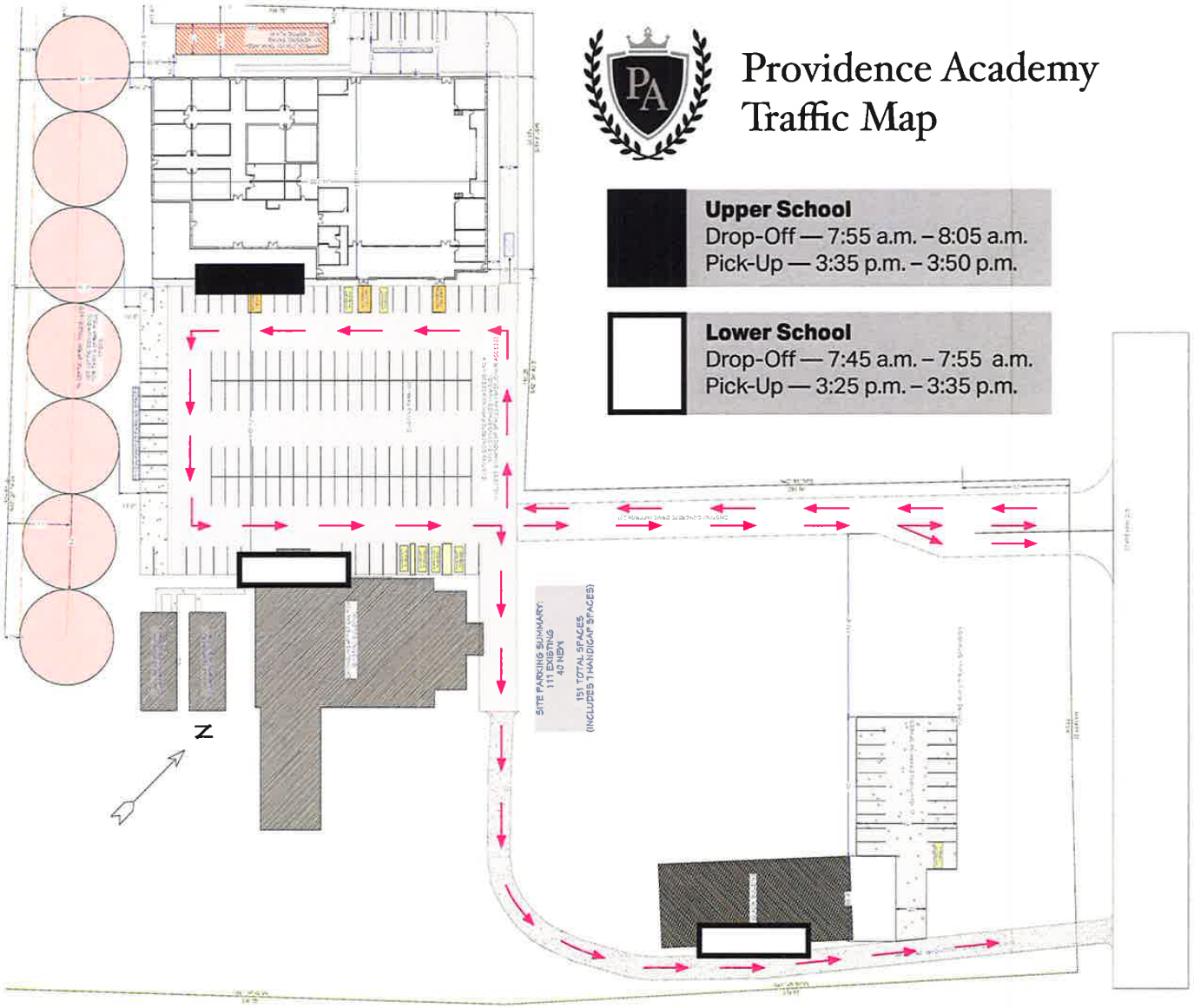
TOTAL FOOTPRINT: 220' X 130'
28,600 SF

SHEET: 1	SCALE: 1/4"=1'	DATE: 9/16/2021	Hamilton HANDCRAFTED	PROVIDENCE ACADEMY 1388 S HWY 205 ROCKWALL, TX 75032	PRELIM FLOORPLAN OVERVIEW	HOME DESIGNED BY: AARON HAMILTON HAMILTON HANDCRAFTED ROYSE CITY, TX / 972-533-0959 AARON@HAMILTONHANDCRAFTED.COM	REV 04

Providence Academy Traffic Map

Upper School
Drop-Off — 7:55 a.m. – 8:05 a.m.
Pick-Up — 3:35 p.m. – 3:50 p.m.

Lower School
Drop-Off — 7:45 a.m. – 7:55 a.m.
Pick-Up — 3:25 p.m. – 3:35 p.m.



PROVIDENCE
ACADEMY

Traffic Data

Arrival Time	Departure Time	Current Facilities and Enrollment
7:30 am	4:00 pm	*30 staff cars
7:55-8:05 am	3:35-3:50 pm	63 family cars
7:55-8:05 am	3:35-3:50 pm	2 student drivers

Arrival Time	Departure Time	After Construction of New Building
7:30-7:40 am	4:00 pm	*50 staff cars
7:45-7:55 am	3:25-3:35 pm	75 family cars
7:55-8:05 am 7:55-8:05 am	3:35-3:50 pm 4:30-5:00 pm	35 family cars 25 family cars (after school sports/activities)
7:55-8:05 am 7:55-8:05 am	3:35-3:50 pm 4:30-5:00 pm	10 student drivers 20 student drivers (after school sports/activities)

Notes:
Our plan is to have staggered start and end times for Upper and Lower School after construction is complete. Lower School hours: 7:55 am-3:25 pm. Upper School hours: 8:05am-3:35pm.

*Not all staff members arrive and depart at the same time. Currently, 12 staff members arrive to teach their classes and then depart when their class is over. The number of staff members with staggered arrivals and departures is estimated to increase to 20 after new construction.

1047

Providence Academy
3021 Ridge Rd A22
Rockwall, TX 75032-5830
469.500.3150

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com
32-61/1110

11/01/2021

PAY TO THE ORDER OF City of McClendon-Chisholm $*3,400.00

Three thousand four hundred and 00/100********** DOLLARS

Security features. Details on back.

City of McClendon-Chisholm

MEMO

AUTHORIZED SIGNATURE

⑈001047⑈ ⑆111000614⑆ 793879321⑈

Providence Academy

1047

11/01/2021 **City of McClendon-Chisholm**

Date	Type	Reference	Original Amount	Balance Due	Payment
11/01/2021	Bill	SUP21	3,400.00	3,400.00	3,400.00
		Check Amount			3,400.00

Chase 9321 3,400.00

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

DATE: January 11, 2022

APPLICANT: Alissa Mauldin
3021 Ridge Road
Rockwall, Texas 75032

LOCATION: 1388 South State Highway 205 [Chisholm Baptist Church]

PLANNING AND ZONING COMMISSION HEARING DATE: January 20, 2022

REQUEST: **Amendments to the existing specific use permit**: Increase the student enrollment capacity from 175 to 350. Increase the staffing level from 40 to 50. Construct a new building to accommodate 10 new classrooms, multi-purpose center with a gymnasium. Approval of two temporary classrooms to be installed on the property during construction of the new classrooms and multi-purpose center.

PROPERTY OWNER: Chisholm Baptist Church
1388 S. SH 205
McLendon-Chisholm, Texas

REPRESENTATIVE: Alissa Mauldin, Head of School

STAFF RECOMMENDATION: Approval of the requested increase in enrollment, staffing levels and facility expansion and the installation and use of two temporary classrooms during construction of the new building for 10 classrooms and a multi-purpose center subject to the following conditions:

1. Compliance with a revised site plan that complies with the Fire Code [**note-this would bring the revised site plan back to the Planning and Zoning Commission for consideration and recommendation and then would go to the City Council for consideration and action. This approach will allow the application to move forward with the all of the rest of the requests being acted upon by the Commission and the Council**];
2. Compliance with the attached traffic management plan;
3. Provision of an authorization letter from the church allowing use of the toilet and bathroom facilities in the current church facilities to be used by the school until the temporary classrooms are removed from the property;
4. Applicant must apply for required building permits for temporary and permanent structures;
5. An on-site sanitary sewer facility must be approved by the City and installed and inspected for the new building;
6. Temporary classrooms shall be removed within 90 days following completion and final inspection of the new classrooms and multi-purpose center.

BACKGROUND INFORMATION:

The Providence Academy was originally granted a Specific Use Permit for a private school by Ordinance No. 2018-06, July 24, 2018.

This Specific Use Permit has been modified twice since first approval. The first amendment increased the grades from Pre-K through 8 to Pre-k through 12. [2019]

The second amendment increased the student enrollment population from 125 to 175 and increased the staffing levels from 20 to 40. [2020]

Proposed site plan

New construction occurs at the northern end of the parking lot. Site plan to be revised to satisfy the requirements of the Fire Code. The two temporary classrooms are located behind the main church sanctuary in the southwest area of the site.

The program has been very successful and is an asset to the McLendon-Chisholm community. As a result of the model of education provided by the school, interest in attendance has increased and the school is currently at enrollment capacity of 175 students.

Current enrollment		Proposed enrollment		
Grades:	Student	Grades	Classes	Students
K4	8	K4	2	20
Kindergarten	23	Kindergarten	2	24
1st	15	1st	2	28
2nd	12	2nd	2	28
3rd	15	3rd	2	30
4th	15	4th	2	30
5th	14	5th	2	30
6th	14	6th	2	32
7th	13	7th	2	32
8th	22	8th	1	16
9th	7	9th	1	16
10th	11	10th	2	32
11th	5	11th	1	16
12th	1	12th	1	16
	175			350

Current and proposed hours of operation: 7:55 AM TO 3;35 PM Monday, Wednesday, Friday. No classes held on Tuesday or Thursday.
All grades meet on Monday and Wednesday.
Grades 6 through 12 additionally meet on Friday, but not grades K4 – 5.

Parking provided: 176 Existing

Parking required: 12 by code

Required parking is regulated by Section 6-7 of the Zoning Ordinance. The land use is identified as Schools and provides the required parking as a ratio of parking spaces to a number of students in Elementary, Junior High and Senior High.

The ratio for elementary is one parking space for each 25 students
The ratio for Junior High is one parking space for each 18 students
The ratio for Senior High is one parking space for each 5 students. For this assessment elementary school will include K4 through Grade 6. Junior High School will include grades 7 through 9. And High School will include grades 10 through 12.

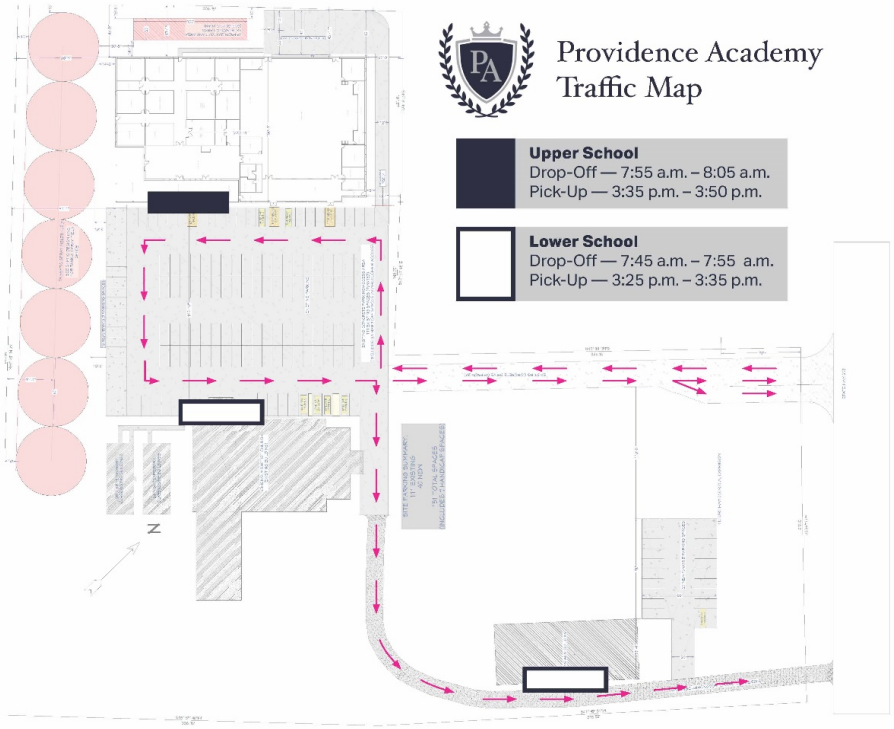
Current parking requirements for existing 175 student enrollment and based upon the breakdown in the chart above is as follows:

K4-6 116 students/25 students per parking space = 5 spaces
7-9 42 students/18 students per parking space = 3 spaces
10-12 17 students/5 students per parking space = 4 spaces

Total 12 parking spaces required per code.

There is sufficient parking on-site to accommodate the increase in parking generated by the additional staffing and student enrollment.

All traffic operations occur on the Church parking lot and are designed so as not to interfere with SH 205 traffic. There will be a nominal increase in traffic due to increased staffing.



PROVIDENCE ACADEMY

Traffic Data

Arrival Time	Departure Time	Current Facilities and Enrollment
7:30 am	4:00 pm	*30 staff cars
7:55-8:05 am	3:35-3:50 pm	63 family cars
7:55-8:05 am	3:35-3:50 pm	2 student drivers

Arrival Time	Departure Time	After Construction of New Building
7:30-7:40 am	4:00 pm	*50 staff cars
7:45-7:55 am	3:25-3:35 pm	75 family cars
7:55-8:05 am 7:55-8:05 am	3:35-3:50 pm 4:30-5:00 pm	35 family cars 25 family cars (after school sports/activities)
7:55-8:05 am 7:55-8:05 am	3:35-3:50 pm 4:30-5:00 pm	10 student drivers 20 student drivers (after school sports/activities)

Notes:
Our plan is to have staggered start and end times for Upper and Lower School after construction is complete. Lower School hours: 7:55 am-3:25 pm. Upper School hours: 8:05am-3:35pm.

*Not all staff members arrive and depart at the same time. Currently, 12 staff members arrive to teach their classes and then depart when their class is over. The number of staff members with staggered arrivals and departures is estimated to increase to 20 after new construction.

The Church has advised the applicant that there is sufficient sanitary sewer capacity to comfortably accommodate the nominal increase in students and staffing and the City of McLendon-Chisholm

Building Official has approved the use of the existing sanitary facilities by students and staff during the construction of the new facility. There will not be plumbing within the temporary classrooms.

WILLIAMS SCOTSMAN

68' x 24' CLASSROOM

Dimensions

- 68' Long (including hitch)
- 64' Box size
- 24' Wide
- 8' Ceiling height

Exterior Finish

- Aluminum or wood siding
- I-Beam frame
- Standard drip rail gutters

Interior Finish

- Vinyl covered gypsum walls
- Carpet or vinyl floors
- Gypsum ceiling

Electric

- Fluorescent ceiling lights
- Breaker panel

Heating/Cooling

- Central HVAC

Windows/Doors

- Horizontal slider windows
- Vision panel doors with standard locks

Other

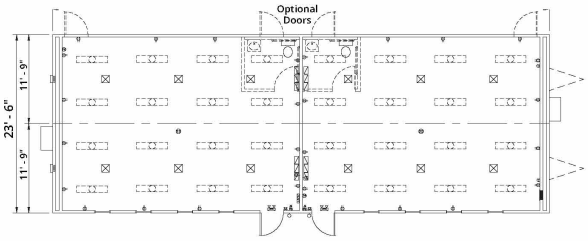
- Chalk boards, dry-erase boards and tack boards available
- Wide open shells available
- Optional restroom

In addition to your instructional solution, we can provide additional products and services that complete your space- creating a more productive, comfortable, and safe learning environment.

CHOOSE FROM A VARIETY OF OPTIONS:

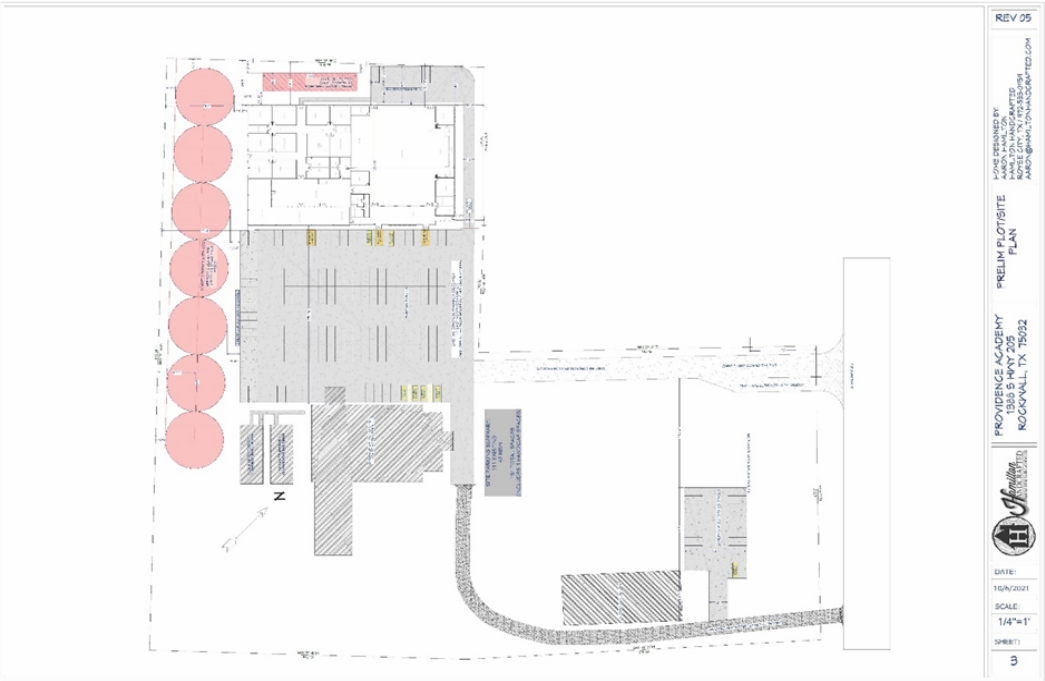
- Steps + Ramps
- Furniture + Appliances
- Technology
- Loss Protection

PRODUCT FLOOR PLAN



** Photos are representational; actual products vary. Additional floor plans and specifications may vary from those shown and are subject to in-stock availability*

800-782-1500 | willscot.com



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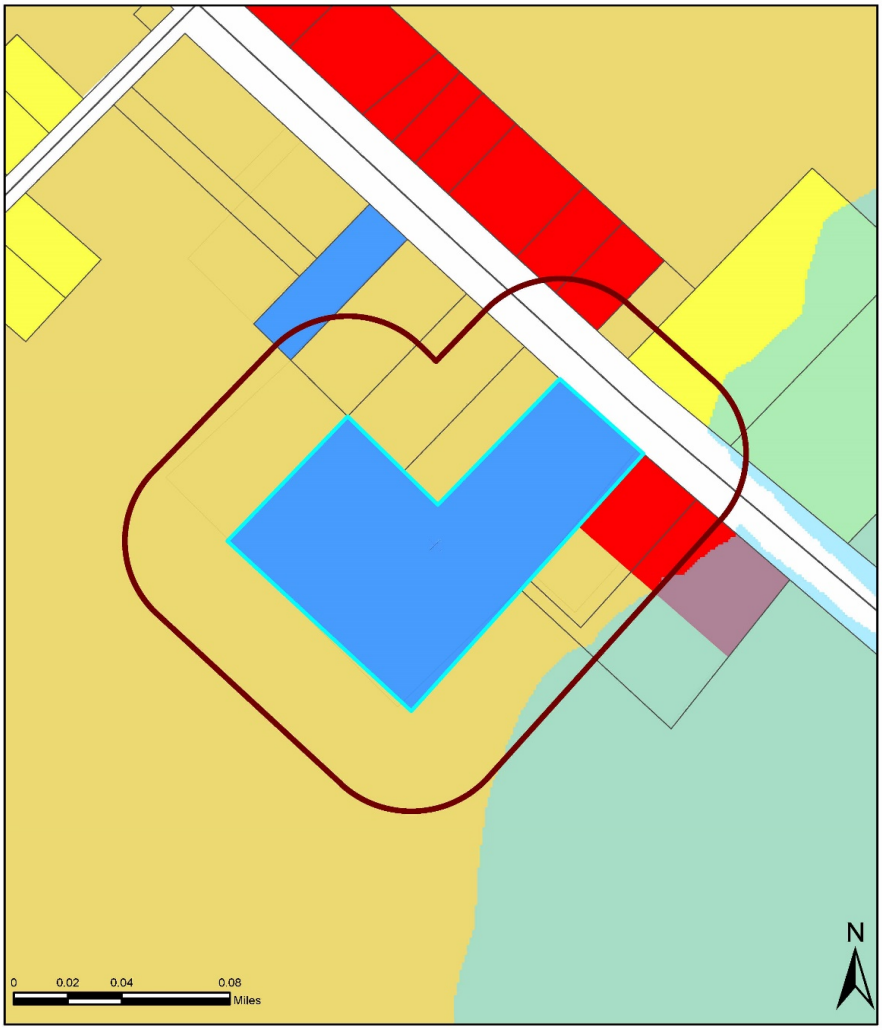
1388 Highway 205
McLendon-Chisholm, Texas
200' Notice Area



This map was created using Rockwall and Kaufman County GIS data and FEMA GIS data. This map does not represent an on the ground survey.