



AGENDA
PLANNING & ZONING COMMISSION REGULAR MEETING
TUESDAY, MAY 16, 2023
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. Consider approval of the Minutes of the April 18, 2023 Planning & Zoning Meeting
Minutes 04.18.23 | 3 - 22 |
| 5. ITEMS FOR CONSIDERATION AND ACTION | |
| 5.1. Discussion and action regarding approval of the application of MC Trilogy Texas, LLC, requesting initial zoning of "PD" Planned Development District and updating the Comprehensive Plan and Zoning Map for two tracts of land be annexed into the City of McLendon-Chisholm: an approximately 441.818-acre tract of land and an approximately 133.325-acre tract of land generally located north of FM 550 and east and west of Pullen Road and situated in the J. Simons Survey, Abstract No. 202, the W.W. Ford Survey, Abstract No. 80, and the A. Rodriguez Survey, Abstract No. 231, in Rockwall County, Texas, identified by county ID Numbers 11534 and 11535, and also being a portion of the property described in a deed to Hodges Ranch Partners, Ltd., as recorded in Volume 3828, Page 322 as Document Number 00319510 in the Official Public Records of Rockwall County, Texas.
Application
Staff recommendation | 23 - 36 |
| 6. ADJOURN | |

As authorized by Section 551.071(1) of the Texas Government Code, this meeting may be convened into closed Executive Session in order to seek confidential legal advice from the City Attorney on any agenda item herein.

I, Rochelle Green, do hereby certify that the above Notice of Meeting of the Planning & Zoning Commission of McLendon-Chisholm, Texas was posted or

before 5:00 p.m., May 12, 2023 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
Tuesday, April 18, 2023**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Tuesday, April 18, 2023, at McLendon-Chisholm City Hall, 1371 W FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Lesley Schwalje	Chairman
	Robert Rohde	Commissioner
	Brad Martin	Commissioner
	Mark Kipphut	Commissioner
	Daniela Swindoll	Commissioner
Staff Present:	Shelly Green	City Secretary
	Mike Coker	City Planner
	Konrad Hildebrandt	City Administrator (in audience)

1. CALL TO ORDER

Chairperson Schwalje called the meeting to order at 7:05 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

Mike Hatcher, 175 FM 550, Rockwall 75032. Regarding Item 5.2. The alcohol piece is not what I'm speaking on. Somehow, I don't know what happened on this site plan. As a commercial developer, there's some major holes in this plan. I don't know how it got through. It is something that you guys can revisit. The main issues are safety. So on this site plan, to maximize square footage for the developer, we're going to use an ingress and egress road which legal access to the property owner is unclear at best. But either way, we don't park along an ingress and egress road. Those are 30 foot-wide, they're meant for traffic to go into developments and then once we're in the developments, then we have driving lanes that give you access to the parking. This particular road, on top of that, if all the legalities were there, you want to dump a drive-through right into a merge lane on a highway, that's going to be an issue. Our preliminary talks with TxDOT, that road's not going to be allowed to be there anyways. If you look at most modern developments, a minimum of 450 foot from a major intersection, so TxDOT controls State highways, going to be 450 foot off the edges, you'll have ingress and egress roads that do not have parking on them. Once you're in those, then it is on the developer to put driving lanes, which by law have to be 24-foot wide, not 30, and then

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they can do their parking off of that. So safety, I'm trying to exit on a lane immediately out of a drive-through into a merge lane. That right there at 205 and 550 is going to be a merge lane for people getting on the 205. So, there's a good chance it's a yield sign, not a stop light you know for the merge. Just a lot of risk for our citizens. I live in this community. I've lived in Rockwall County for 25 years. I'm developing a significant portion of this intersection. Just being candid, I'm honest and most of you have met me at other P&Zs, there's a vision for this intersection that is McLendon-Chisholm. This development is not it. I would encourage you to look at previous developments from this developer. I would encourage you to look at other successful developments and how they're laid out throughout the City of Rockwall and other cities and you'll see what we're talking about. You know we're going to have a Brookshires there. If you go at Fresh, Starbucks is a major player. They don't have direct access to the highway, to the service road or to 551. Their traffic comes in on an ingress and egress road, 30 foot wide. Traffic then flows into their property. It's very typical of a development. So safety is a major concern. Aesthetics because of House Bill 2439 kind of limited on control you guys have, but flow and access you absolutely have. Really determining legal rights before we approve a site plan is pretty important because once grounds moved and buildings are built, it's a tough thing to fix. So I would highly encourage this council to listen to the citizens, think about this plan, look at other current developments you have. Some developers in this County, outside of me, that have developed some amazing properties that sure would be happy to consult with you to make sure what we're building is a nice piece of property. Thanks so much for your time.

Bev Stibbens, 279 Partridge, Rockwall, 75032. Regarding Item 5.2. Thank you for letting us speak tonight. I am here also to speak on Item 5.2. First, I just want to say I'm a little confused about the odd documents that were afforded to us in the agenda posting. There is a letter from Cameron Sloan that leads me to believe this is the information they are asking you for tonight which is the purpose of this SUP is to illustrate the proposed retail building and most especially the restaurant with an order ahead drive-up window. No where in this letter from him does it address consumption of on-site alcohol. In your staff report from your contracted planner, he states the applicant is requesting approval of its Specific Use Permit for a restaurant with an order ahead drive-up window and the ability to serve alcohol for on-premise consumption. So, unless you all know something that we don't, that was not shared with us in the packet, nowhere do I see that the developer is asking for on-site consumption of alcohol. As you know, as I spoke the last time, that is a very big concern for me, especially out a drive through window. This piece of property is nowhere near big enough for what they are proposing let alone a drive through window that you possibly can pass alcohol through. But, as you know, on-site consumption of alcohol cannot happen without a citizen election. This city has not held that election. So, if you choose to put on-site consumption in this specific use permit, I think you're opening a can of worms that you might not be able to close again. So I would encourage you to deny this Specific Use Permit because the drive-through window is not wanted by anybody here except possibly a developer. If they want carryout food and call ahead orders, I'm not too lazy to get out of my car and walk in and get food myself. I do not have to drive through and I do not ever want to see alcohol sold through the window. Thank you.

John Tauss, 216 Devonport, Rockwall, 75032. Regarding Item 5.1. I just want to talk about 5.1 in Trilogy. I just want to appeal to everybody's common sense here in

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planning and zoning. I have yet to see any improvements regarding water and the supply of water here in McLendon-Chisholm. We were all rationed last summer so I'm not sure how we're considering developments that not only we're adding developments that we can't supply, but increasing density that's not even part of the comprehensive plan. This just makes zero sense. I understand there's further development plans now around here to decrease their lot size too. So I'm not sure what's going on, how the wheels have come off the tract here but I just want to appeal to your senses to them back on, focus on what's important to the city, focus on what the mayor was elected and ran on about low density, high quality. Okay, Mr. Huffines came in here two weeks ago whatever it is, started talking about trailer parks, apartments, and all kinds of other stuff, very disrespectful, uncalled for and again, we want people to represent us, to represent our community, and we want high quality, low density. Thank you.

Gina Manis, 107 Chaney Pl., McLendon-Chisholm, 75032, Regarding Item 5.1. I've just made a list of points and just for the sake of time and so that I won't ramble we'll just stick to that and respect your time as well. Also speaking on the Trilogy 5.1. as a concerned homeowners in the area. First of all, the TOMA violations committed by the City of McLendon-Chisholm during the negotiations to the developer and after that have been upheld by the judge. So the lawsuit is still ongoing and none of our concerns about water have been addressed as already pointed out. Any recommendations or votes need to be postponed. You know, I will edit here and expound. Who would give the keys to a car to a three-year-old and folks we haven't been faithful with what we have. We have not taken care of our water needs. I think you all have pictures of your backyards with huge cracks in them that you paid a lot of money to have, because of a lack of water. We were in Colorado when everybody was told to shut off their water and our sprinkler systems were on once a week. This is ridiculous for our kind of community. We moved here thinking it was a commonsense community and land and beauty and to simply throw this in disregard. And violating, first of all, the ability even to sit in on this meeting and for Huffines to come in here bully, pretty much, what he said and speak down and threaten. First of all, McLendon-Chisholm's agreement is a moot point because it was in violation to the law. So, number one, this has to be postponed until that gets straightened out. Number one, do not recommend for them to move forward on this. We need to pause just breathe, get our water shortage fixed first. We're all about, you know, beautiful growth. Have another edition, but let's be ready for it instead of putting the cart literally before the horse. We are putting houses out there before we even take care of our own homes and you guys live here and you feel that. So, get the dollar signs out of their eyes and think commonsense. Let's take care of our community first. Citizens rights to open government were violated to get it moved into our community. Employees of Trilogy went into executive session, that should have never happened. So we need to scratch that, table, and say whoa, let's back up. Let's do this in accordance with the TOMA and then see what we come up with, when we're all get to be a part of this as law states. There were many many examples in the recent hearings that McLendon-Chisholm violated the open meetings act which means the public was denied their statutory rights to open government and they emphasized that members of the public have an interest in open government. We were denied that. It showed extensive calculations of cost to Heath and in other areas from the developments including 70% of the traffic from this development using Horizon Road and not meant to mention this road increasing that usage by ten thousand three hundred and seventeen plus trips a day and 3,765,705 plus a year. 385% increase and we haven't taken care of

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our water yet. Going to the technically, this original negotiations were in violation to the TOMAs should be thrown out, resubmitted according to TOMA. Number two, no solutions accomplished to the existing water shortage for current homeowners. Huffines admitted at the last P&Z meeting that RCH has told them they probably can't serve anymore houses. We keep hearing about McLendon-Chisholm going to take over RCH as if that's going to fix anything. In fact, Mayor Short had a chamber of commerce meeting recently stated that MC's plans are to take over RCH water and then go direct to NTWSD and get our water direct from them. What he's talking about is becoming a member city. For everybody who doesn't know about that, number one fact, RCH gets water from Rockwall, Rockwall gets their water from North Texas Municipal Water District because they are a member city. A member city, that along with ten other founding member cities started NTMWD more than six decades ago. So how many cities have they let in since then, how many cities have they let in since? Just three, 22 years ago, just three. Okay, Richardson in 1973, Allen in 1998 and Frisco in 2001. To become one of these it takes a lot of money and other member cities have to vote yes for a new city to join. So 13 other cities, including Plano, McKinney, would have to all vote yes to McLendon-Chisholm. Like that's really going to happen all right and of course we don't want the Terrell whole thing. Anyway, that's my point, let's take care of the water here first. Table everything. Please submit that. Thank you.

David Black, 1419 Siena Ln., McLendon-Chisholm, Regarding Item 5.1. To complete the thought on the water, Terrell was gonna, it was one of his suggestions. The question is, where did they get their water from? If we're going to add, say 5,000 people just for them and 10,000 for the other development and Terrell itself is only about 20,000 people, they just miraculously have a lot more water. So there's so many problems with the plans which maybe not existed. For instance, that we're going to vote on tomorrow, you might have said that was going to be delayed. I'm sure city council is to be voting on an agreement and concerning water. You know with Trilogy concerning water, it says see the development agreement. So I went to the development agreement. 5.1. is a sentence. It says this will be determined at a later time. So obviously, back in late 2021, they knew there's a water issue and there's still a water issue. I know some people are working on it but I have no idea how it's going to be solved and hopefully they're geniuses that can do it. But until then I don't think we should bother changing any zoning for anyone for such a huge development, it's gigantic. The stress to our infrastructure is horrible. Even the wastewater discussion in the development agreement went through several possibilities, but really concluded we'll do a temporary wastewater thing, you know. It's so haphazard. I don't know if you can not zone just because it destroys our comprehensive plan but it's against everything the citizens want. I don't know the council you know is the final word on that so good luck. Please vote to deny it. Thank you.

Bob Steinhagen, 304 Pheasant Hill Dr. Regarding Item 5.1. and 5.3. One of the things that is interesting to me is that there are people who tell me that I'm against development because I want to uphold our City's standards. Another thing I hear a lot is, you know I'm for property rights, I'm for landowner rights. What is meant by that because I consider myself someone who believes in landowner rights as well. I believe that when a developer comes into a city and sees the laws that are on the books before he purchases that property, he's got to determine whether or not he can live within the standards. For instance, my wife and I had lived in Dallas. I've never lived in an HOA

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until we moved to Quail Creek here in McLendon-Chisholm. Before we moved in, before we bought our house, the first thing I did was I looked at the city's laws then I looked at this, what's called the laws that govern the things that we can't do and I decided for myself whether or no I could live under those standards. Are my rights being violated because I willfully came and chose to live in an HOA. No, I could have chosen not to purchase there. Is a developer's rights being infringed upon because they want to basically circumvent the ordinances that are written that were written for a reason. To protect our wide-open spaces and more rural lifestyle. So I really am troubled by the fact that this annexation requires a public hearing and that public hearing is for a purpose because a public hearing comes before a decision. That's the purpose of a public hearing. But if you read the development agreement, the annexation is feta complete. It's required. There's nothing we can do about it. So why have a public hearing? It's simply an act of process. It shouldn't be that way. The first question I would ask and get answered before I would move to approve or deny this is how is that legal. How is legal to force a city for it for a city council to force something before a public hearing that has happened at planning and zoning and tomorrow night the city council is going to be considering a Services Agreement for the annexation services agreement. Now here's the question that I have on that. You've not seen this. The City Council is going to vote on it before they annex. Now my question is, if you annex property into the city, don't those citizens become part of the citizens of the City of McLendon-Chisholm? So why would they, why are they deserving of public services that the rest of us aren't. Why do they get a police department? It says here that we have we're required to have a police department, that we're required to have McLendon-Chisholm police department services. How is that possible? Why would we agree to that? Before you would act tonight, I would get some of these questions answered and tonight I'm asking that you postpone your decision for one more, for more and more meetings. Take time. Be cautious. Make sure that the steps that you take are thoughtful and considerate of all actions legal and for the community. Thank you all very much.

David Larsen, 3079 W FM 550, McLendon-Chisholm. I was in front of y'all several weeks back and thank all of y'all for listening to our grievances and how we felt about what was happening. I didn't think anybody was going to be able to speak tonight because I feel like it's just a done deal. I'm currently involved in a lawsuit with Heath against McLendon-Chisholm. This week, this coming week, I believe I'm scheduled for Saturday, I am being deposed, I have to do a deposition and I'm being deposed by the Huffines and by McLendon-Chisholm. All of you all are part of it not even aware of that. Why? Because I come to these meetings and I've spoken my mind and my frustration of what's happened in this bad deal that has been made. It's a safety thing and part of this deposition that I have to talk about, they're going to ask me over and over and over and over, you didn't receive anything back in 2021, any of the notices, anything about anything going on. I'm going to say no no no no no and they're gonna grill me grill me grill me and there's nothing like a deposition. As a former police officer who testified hundred of times in trials, it doesn't even scare me to be doing a deposition. I've had one before. It's not a pleasant time, but I'm ready for it. It's a bad deal. Bad deals happen. We had a president at one time who made one of the worst deals ever. Thank God we had a president Donald J. Trump who took care of that.

Britta Jo, 256 Stevens Rd., Rockwall, 75032. Regarding Item 5.1. I love this planning and zoning commission. You guys have always treated us with such kindness and

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respect. As someone who is also facing deposition tomorrow by your city and Huffines which I never thought I would have to face through just being a neighborhood activist and trying to protect the reasons why I moved out here. I wanted to share some things that I've learned that really concern me. Two weeks ago when Huffines spoke and he mentioned that they had been in conversation with the city for about two years figuring this deal out So I went back and looked at the city council's meetings. The first time Huffines showed up at your city council and presents in a public setting is August 24th and the development agreement get signed two months later at the end of October. So I don't know what was happening there because the first time we as a public got introduced to this was in October 24th of 2021. So I think you all should know that because I believe that's going to end up tying into the TOMA violations which are violations of not allowing Texas citizens rights to see open government happening. Okay, so you guys need to know that and I keep hearing that the lawsuit isn't happening. People keep saying it's over. We've been told by certain members of the opposition which is fine. I know we're divided in the city, that's cool, everybody cares about this. But saying that somehow it's over is not true. I am being deposed tomorrow over this and another citizen of your city. It is still very much involved. On top of that, I have, after going out and seeing Inspiration, because I happen to drive past it on Fridays, it's beautiful, I agree with Huffines. His developments are amazing. The problem is the water. If they can figure out the water and do this by the law, I think we'd all be for it. Okay, the water piece. I went and figured out what it takes to become a member city. It is a really big deal and it does not happen often. Rowlett has applied. Fate has applied. None of them have been accepted in. If you do become a member city, the North Texas water district pays for all the infrastructure for you. That's why if Huffines is involved in this still, he wants that for y'all. But here's what happens, if you don't become a member city, the city is on the hook because you will own RCH. You know have a public water company and you will be required, by law, to provide those hookups. So he doesn't have this in writing that you guys are going to be a member city, you annex that land, you're all gonna be on the hook for that and he can just sue you to make you do it. So please, slow down. If he really, if this member city he thinks gonna work, awesome. If Huffines is somehow gonna fund that, he knows somebody on the water district that's going to get you in, have it in writing. Just cover your bases because there's a lot of loose fast stuff flying around and it has been for two years. Thank you.

Citizen comments were closed.

4. APROVAL OF MINUTES

4.1. Consider approval of the Minutes of the March 21, 2023 Planning & Zoning Meeting

MOTION: APROVE MINUTES AS PRESENTED.

MADE BY: Commissioner Swindoll

SECONDED BY: Commissioner Rohde

APPROVAL: Unanimous

5. ITEMS FOR CONSIDERATION AND ACTION

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- 5.1. Discussion and action regarding approval of the application of MC Trilogy Texas, LLC, requesting initial zoning of "PD" Planned Development District and updating the Comprehensive Plan and Zoning Map for two tracts of land to be annexed into the City of McLendon-Chisholm: an approximately 441.818-acre tract of land and an approximately 133.325-acre tract of land generally located north of FM 550 and east and west of Pullen Road and situated in the J. Simons Survey, Abstract No. 202, the W.W. Ford Survey, Abstract No. 80, and the A. Rodriguez Survey, Abstract No. 231, in Rockwall County, Texas, identified by county ID Numbers 115324 and 115325, and also being a portion of the property described in a deed to Hodges Ranch Partners, Ltd., as recorded in Volume 3828, Page 322 as Document Number 00319510 in the Official Public Records of Rockwall County, Texas.

Chair Schwalje reminded the Commission they are discussing the zoning, not the annexation. We have no control or input into the annexation. What we are discussing here tonight is the zoning of this property.

City Planner Coker presented his staff report:

APPLICANT: Colin Huffines
MC Trilogy Texas, LLC
8200 Douglas Avenue
Suite 300
Dallas, Texas 75225

LOCATION: The property is generally bounded on the north by Rabbit Ridge Road, on the west by FM 550 as shown on the attached approved concept plan.
Rockwall Parcel ID# 115324 and 115325.

Owner: MC Trilogy Texas, LLC
8200 Douglas Avenue
Suite 300
Dallas, Texas 75225
Representative: Colin Huffines, Project Manager

PLANNING AND ZONING COMMISSION MEETING DATE: March 21, 2023

REQUEST:

1. The applicant is requesting approval of a planned development district on 575.143 acres of land currently in the City's Extra Territorial Jurisdiction. The subject property is part of an existing development agreement and an approved preliminary plat.

STAFF RECOMMENDATION: Approval. These zoning regulations are consistent with the approved Concept Plan, the Development Agreement [DA] and the Subdivision regulations as amended by Exhibit E of the DA.

BACKGROUND INFORMATION: In October 2021 the City of McLendon-Chisholm entered into an development agreement with MC Trilogy Texas, LLC for the future development of a quality, master-planned, mixed-use community providing parkland, open space, and other public and private amenities that will benefit and serve the present and future citizens of the City. This agreement establishes Governing Regulations for the development of all the property located within the boundary of MC Trilogy Texas. Approximately 179 acres of Trilogy are located within the City limits. In December 2021 the City Council approved the zoning ordinance for the In-City property. The remainder property is currently in the Extra Territorial Jurisdiction of the City.

Approved Concept Plan

Exhibit C
Concept Plan

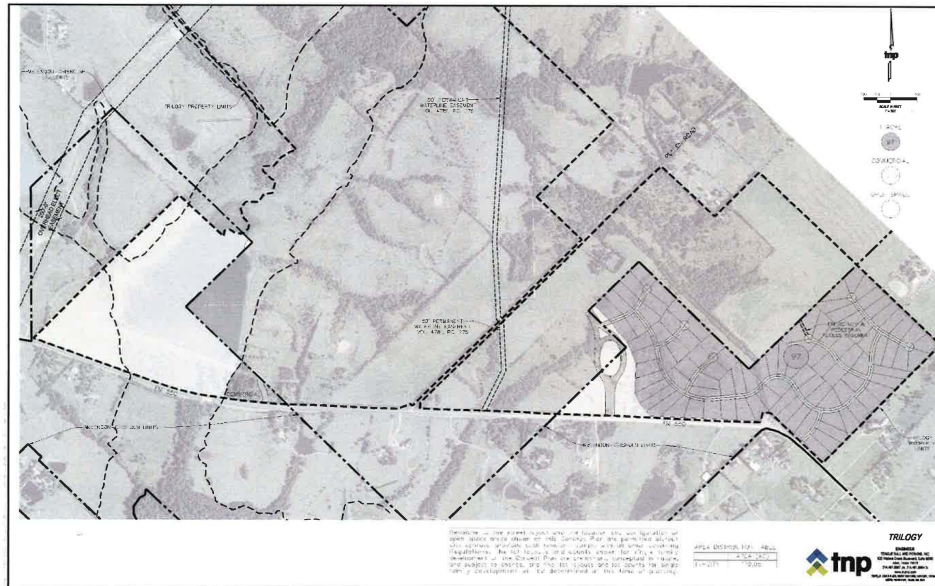


Exhibit C – Page 1

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The Planned Development District and supporting documents are available for review at McLendon-Chisholm City Hall.

MOTION: TABLE THIS ITEM UNTIL THE NEXT MEETING

Made By: Commissioner Swindoll
Seconded by: Commissioner Martin

Commissioner Swindoll: Some of the questions that she would like answered before we can make an approval or disapproval are including the following things the citizens have mention. Of course, mostly is the water. Where is the water going to come from. We need some in writing. Last meeting there was nothing set. I've asked that question before and there was not anything that was definite. I was told I was going to get answers and I have not gotten any answers. So until that's fully resolved in writing I could not in good faith approve or deny this until we get answers. Also, the litigation stuff is still happening. We have to get that resolved. However, any way it works out, we cannot make a decision one way or the other without the courts first. The court should rule before we made a decision on the following. Also, the wastewater treatment plant, how was the wastewater, how is the sewage going to work out. Those are questions I don't know. Maybe it's somewhere that I haven't seen yet, but I personally need to know those answers first before I can make an honest, educated decision. Whether it's approve or disapprove, I just need answers first. I guess this has to do with tomorrow's meeting, but the service agreement in tomorrow's meeting does say that McLendon-Chisholm Police Department. I don't know if that was awarded in a way where development is just going to receive police services the same as we do or does that imply that we have to provide a police department which we do not currently have.

Chairman Schwalje: Danielle, I would ask you to direct your questions to staff and let them answer them. We need to stay on topic.

Commissioner Swindoll: Anyway, the point being is that I would like to have questions answered before I can make a decision.

Commissioner Martin: Mr. Coker, we have discussed this in the past and one of the things brought up at a previous meeting, but is there, if we were going to do an approval, make it contingent on having the water agreement in place before agreeing to that.

Coker: The commission can apply any conditions that they see fit for a recommendation of approval.

Commissioner Rohde: I also, there's so many unanswered questions of things that were brought up tonight. Again, as our Chairperson said, we as the Planning & Zoning are looking at a narrow item if it complies with the concept plan, the comprehensive plan, those type of things, we are not saying anything from a standpoint of annexation. That is totally city council. That is not on our purview to do. As much as I would like to make a motion because a lot of the things you comply with, the comprehensive plan, future land use, the different things that we look at as a Planning & Zoning Commission and we're charged with. However, there are so many unanswered questions and so many things that are still undecided, I think we would do ourselves as well as the citizens of McLendon-Chisholm an injustice by making a recommendation at this point in time without those questions being answered, plus, without those questions becoming a document that can be incorporated for the city council to look at. I hear what you're saying and I agree with you. I live right on 550 and there's a lot of questions that I have. I'm really kind of surprised that the developer chooses not to address any of the issues that were brought up. Some of them I think were quite serious and some of them I think the citizens deserve an answer on. Gentlemen, I really do and you're sitting there you

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have an opportunity to speak but you choose not to. I just don't understand why you would not answer the citizens that you're going to be working with them. We as the commission would like the answers to some of those questions. What about water, what about safety, what about all the other things.

Phillip Huffines, 8200 Douglas Avenue, Dallas. If you are asking about water, as you know, maybe you don't know, but we've been meeting the last couple of years with RCH, High Point, Terrell, and Rockwall and everybody about water. So, I can tell you anything you want to know about the water and High Point, as of last week, said that they could serve three to five hundred units with the line that comes right here to City Hall. It's a twelve-inch line and they would be glad to do that. In addition, they said that if we spend another six or eight million dollars, they would provide additional water for the development. So, the question for us is where is the best source of water for the development. McLendon-Chisholm has no source of water as everybody knows. We've been working hard, for literally 18 months to get McLendon-Chisholm in the water business if that's what the city council chooses to do. We have already petitioned the state to decertify RCH from this property because we can serve the development with either High Point, we can serve the development by going all the way to Terrell, and we can serve possibly with Blackland. All of those are options and all of those in those water service corporations have been talked to and we've got the engineer right here to tell you anything you want to know about the water and the backup position is we can drill a well and that well produced somewhere around 700 gallons a minutes and doesn't need to be treated and we can serve probably 700 homes with one well. So, we have the ability to provide our own water at any time we want. Now whether or not McLendon-Chisholm chooses to get in the water business, as you know, RCH said they would acquiesce their CCN to McLendon-Chisholm and that's been going on for months. There seems to be some issues going on at the RCH about actually making t that happen. We don't know why, we don't know why RCH has been that way. We stepped back for the last eight months because RCH entered into an agreement that McLendon-Chisholm would take over the water service. What McLendon-Chisholm's been trying to determine from RCH is what is the cost of that. How much do you owe, what do we have to do and RCH has not been providing that information. So our goal is not to be in the water business. Our goal is to have a very nice and nicest development in all of Rockwall County and to get water and if we have to drill it, well we will. It's not the most economical situation. Going all the way to Terrell is millions and millions of dollars, but if we have to do that, then that's what we'll do. So, that's the situation on the water and you ask about sewer situation. On sewer, there's a gravity line that comes in on that 2500 feet, 5,000 feet from the property. The City of McLendon-Chisholm has the rights to produce with Rockwall, it's Rockwall's line. I think 15,000 housing units into that line and we have a will serve letter from McLendon-Chisholm that they'll allow us to tap into that line and we'll have a force main from our development to that gravity service line. As you guys probably known because the audience likes to focus on it, we did apply for a wastewater treatment permit that was a backup position if for some reason we didn't get access to that sewer line which is right there and McLendon-Chisholm says no you can't have access to that sewer line. So, we said fine. We terminated the wastewater treatment plan permit and have no longer been pursuing that for about a year. So, that's the water and the sewer. If you'd like to ask the engineer questions about the water, he'll be able to answer it in great detail. Matt, if you want to come up and just answer the question in the water please.

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Matt Atkins, TNP, 825 Water Street, Suite 300, Allen, Texas 75013. I'm glad to answer any further details on the water that you have. We've spoken with all three of those providers and all of them are just, as well as the well we were working on.

Mr. Rohde stated that in your statements you gave us a lot of possibilities and a lot of maybes. When will we know some actuality. When will we be able to say okay you have contracted with or you can tell us that xyz is going to be your provider so not only can it reassure our minds that we're making the right decision, but also assuring our public's mind that it is the right decision. I mean we're talking possibilities and we're talking this and this and this, it's how about some actuality. When can we know that, ok, Trilogy will have this water supply.

Mr. Huffines responded that from the citizens standpoint, is Trilogy going to affect the water system and their access to life. That's the question. I don't think they care, I don't think that the citizens care where we get water. So what you're asking is an engineering question. There's no way we can develop the property without water. RCH already said the only reason RCH initially told us they were going to serve 300 units and we could upgrade their system and we could go connect and get because they want to be. There's a difference the audience is confused. There's a difference between a member city and a direct connection to North Texas. We can resolve it on our own by drilling a well. I want to emphasize that we don't need Blackland or Highpoint, or RCH. We can drill the well and produce clean drinking water in the development.

Chairman Schwalje ask the audience to please try to control the comments.

I hope I have answered your questions. It's not a zoning issue. I can give you a document that says we're going to go get water from XYZ or ABC or whatever. First of all we don't know yet because we're still comparing costs. Each one of those entities that owns the water has been giving us different cost estimates on what they need to serve the property.

Commissioner Kipphut asked to brief back what he's hearing so he can make sure he understands it. So, the development would move forward, actual construction of homes would not start until the water sourcing was resolved, designed and approved by the City. That is okay and that's a future action that would take place and that would come to city council or would we see that as part of a platting process

City Planner Coker stated that the city requires before a building permit is issued for the construction of a new home that fire flow is available and that there is the capacity in the system report the construction that has to happen before the building permit is issued.

Commissioner Kipphut there is the specific action and this action is to approve an application to extend future zoning once a corporation occurs to create a PD for this 575 acres. That's the action, the sole action we are considering. All of these are very logical questions that should be answered but if this is independent of this action, I don't know how we slow this specific act or stop this specific action given the city already has entered into an agreement. Given the city has already and the developers already

pg. 11

submitted a preliminary plat that we have approved, this body has approved the recommendation to council who subsequently did approve. This is just creating the ordinance at once a future action by Council to annex into the city creates a requirement for zoning, zoning being the way we exercise those rights. I am for it and I'm for it for a very specific reason. If we don't approve it, Mr. Huffines is under his complete right to develop the property anyway even if it's a neat check. Then, our influence over the development will be significantly limited and they'll be operating under County. Now working predominantly under the County subdivision regulations to guide that correct and those subdivision regulations are nowhere as stringent as our subdivision regulations. While we can postpone this, I don't know what that does. I don't understand what we solve. I mean we've listened to the discussion about water. We know that will never, if we wait for the water to be resolved, that will never, I mean potentially could never be resolved because to get water resolution required agreements. North Texas Water provides all the water. All of our water for the most part comes from surface reservoirs. We've built one surface reservoir in the last 40 years until Ralph Hall was able to get Bois'd'Arc lake built. I'm very familiar with water because my good friend's father and grandfather were the founding workers to find and create more Texas work. I'm not for postponing this action. This action is not going to do good for the future of the city. It's only going to postpone it to move it. We can have a whole discussion around the legal issues. The judge was very clear in throwing out the case by Heath on all counts. The judge said you could pursue the TOMA violations if desired. There's another suit that is involved that was not part of that suit. That suit is a civil suit, very different as I understand it.

APPROVAL: Four to One

- 5.2. Consider approval of a Specific Use Permit for a restaurant to be located on a 1.5-acre tract in the King Latham Survey, Rockwall CAD Property ID 101321, generally located South of the intersection of FM 550 and State Highway 205, McLendon-Chisholm, Texas 75032.

City Planner Coker presented his staff report.

APPLICANT: Cameron Slown
TNP, Inc.
825 Watters Creek Blvd, Suite M300
Allen, Texas 75013

PROPERTY OWNER: MFS Group, LLC
2357 Jupiter Road
Plano, Texas 75074

REPRESENTATIVE: Cameron Slown

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

PLANNING AND ZONING COMMISSION MEETING DATE: March 21, 2023

REQUEST:

The applicant is requesting approval of a Specific Use Permit for a restaurant with an order ahead drive-up window and the ability to serve alcohol for on-premise consumption on a one and one-half acre tract of land located at the south corner of the intersection of FM 550 and SH 205.

STAFF RECOMMENDATION: Approval of the Specific Use Permit for a restaurant to serve alcohol for on-premise consumption **without a drive-up or Pick up window. Call ahead orders shall be picked up from designated parking spaces by way of the doorway to/from the restaurant.**

Conditions:

- Amend the site plan by removing the requested drive-up/pick up window.

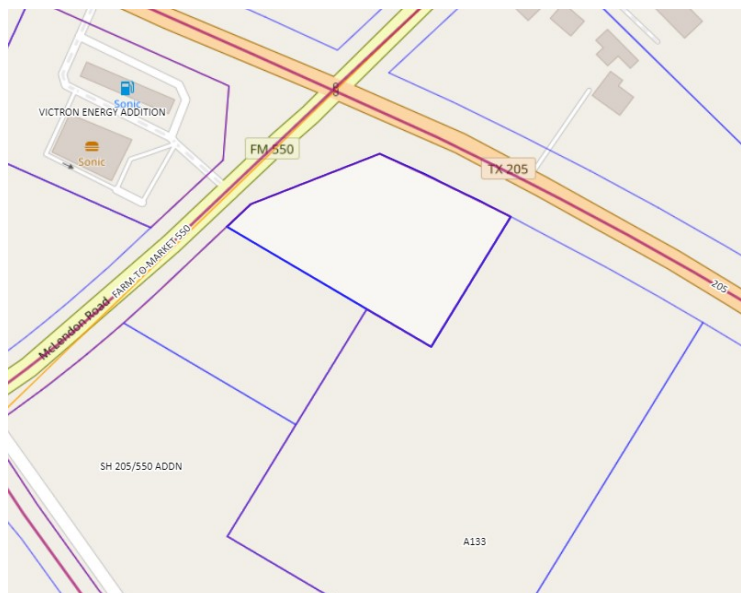
[note: full sized copies of the SUP Site Plan, are available at City Hall for inspection]

BACKGROUND INFORMATION:

The subject property is a 1.5-acre tract of land located at the south corner of the intersection of SH 205 and FM 550. [Rockwall CAD #101321]. A specific use permit for the development of a detached drive-up restaurant. The zoning district designation for this property is GB General Business. The General Business District requires a specific use permit for a restaurant with or without alcoholic beverage service and/or with or without a drive-thru lane.

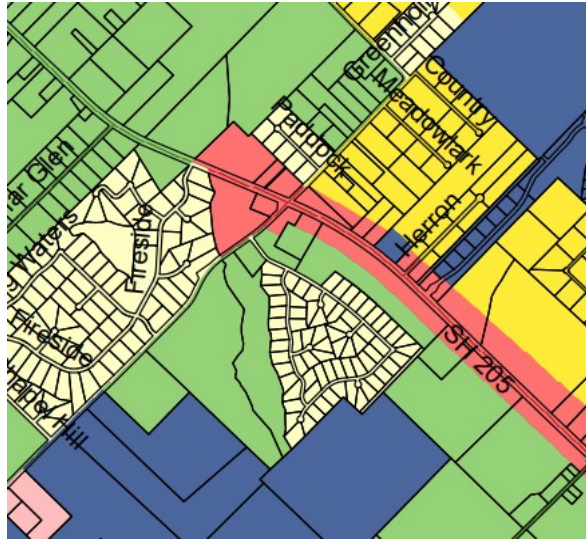
The City Council previously approved the site plan, landscape plan and elevations but denied the request for the drive-up/pick-up window, but did agree the customers could call or email ahead and pick up their orders from designated parking spaces that are accessed from the restaurant through the door but not through a window.

Rockwall CAD map showing property



pg. 13

City Zoning map for subject property [Red is General Business Zoning District]

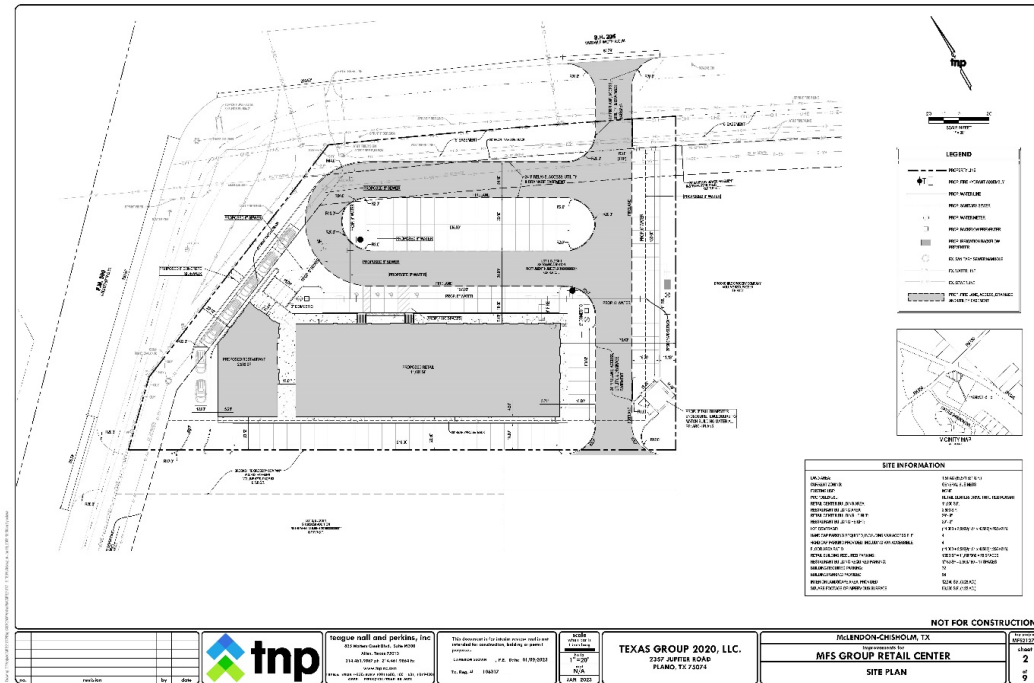


Thoroughfares/streets:

This property fronts both SH 205 and FM 550. Property dedications for the upcoming widening of SH 205 and intersection improvements with FM 550 have been provided. There is an existing access easement providing access to the subject property from FM 550 that is being constructed coincident with the development of this project. Driveway permits from TXDOT are required for the construction of the drives on FM 550 and SH 205.

Section 6-1 of the McLendon-Chisholm Zoning Ordinance prescribes the requirements for Site Plans.

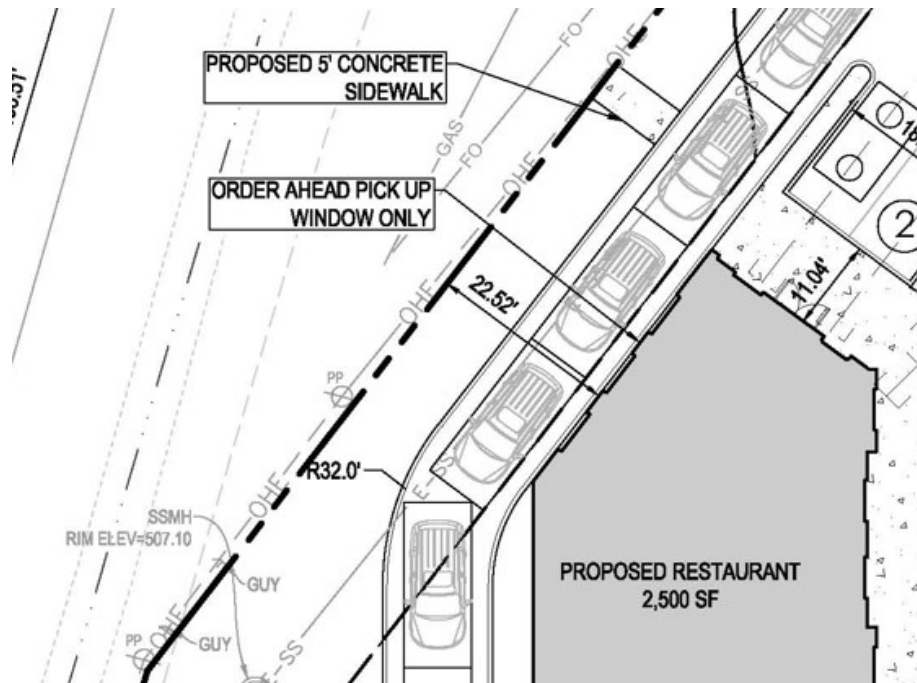
Applicant Site Plan



The site plan is consistent with the requirements of the Zoning Ordinance.

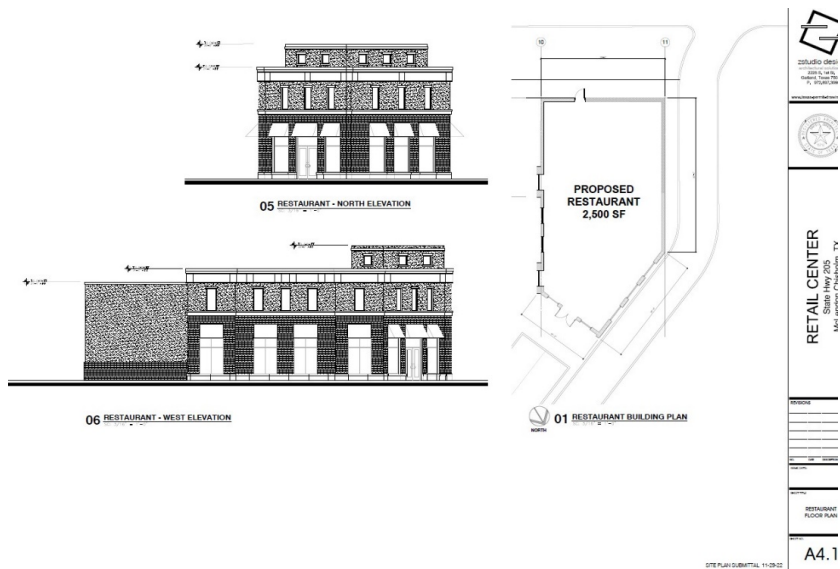
THIS AREA INTENTIONALLY LEFT BLANK

Portion of the site plan showing the requested drive-up window.

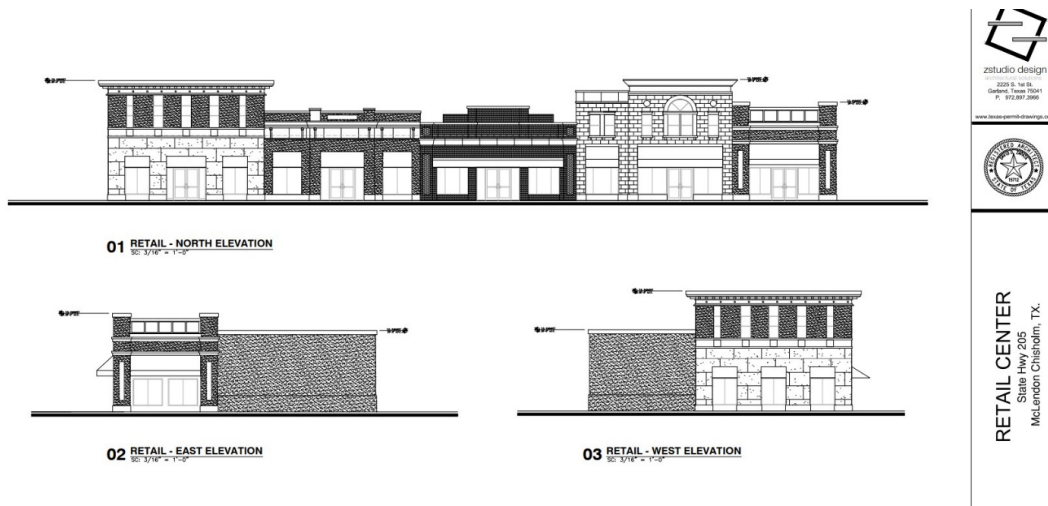


ELEVATIONS

RESTAURANT



RETAIL CENTER



Staff recommended approval of the restaurant without the drive-thru window.

MOTION: DENY THE SPECIAL USE PERMIT FOR A RESTAURANT TO BE LOCATED ON THE 1.5 ACRE TRACT IN THE KING LATHAM SURVEY, ROCKWALL CAD PROPERTY ID 101321, GENERALLY LOCATED SOUTH OF THE INTERSECTION OF FM 550 AND STATE HIGHWAY 205, MCLENDON-CHISHOLM, TEXAS 75032.

MADE BY: Commissioner Kipphut

SECONDED BY: Commissioner Rohde

Commissioner Kipphut stated that as he highlighted last week, the application is incomplete. It grants authority that's not in the application itself. That has to be fixed, in his opinion. Also, the applicant's site plan and elevation is not consistent with City Council's guidelines on the drive-up window. The application elevation still shows the drive-up window and specifies a drive-up. For those two reasons and for the lawsuit we've just discussed, the lawsuits taught me one thing, that for in all our deliberations for the city, that we have to have attention to detail because at some point in the future, there could be a question about the specific details. So, I want to see the application completely correct and include all of the various elements. I understand that the TCEQ rules very clearly. I've read the rules. I've done the research on the website. The alcohol commission, like the water commission is more or less a rubber stamp organization. It will approve whatever the city is. So, there are statewide alcohol laws, but local voters get to decide the types of alcoholic beverages that can be sold in their community through local elections. It's very clear. So we can use a special use permit to skirt the implied intent to allow the citizens to speak and if we do that, we're just, I believe, setting up problems. We'll just run through a discussion for that same specific reason if it's important. Take the time to do it appropriately. Hold the election. Actually the problem would be solved is a greater problem because we don't have to have a special use permit now for every applicant that comes forward. We can now have the ordinances. It specifies alcohol and you know how it can be served. Now it's a matter of how it's then applied and I think it gets to the citizens' comments and concerns.

Matt Atkins, TNP, 2185 Waters Creek, Allen, Texas 75013. I'm here on the behalf of the applicant. I just wanted to address some of the concerns that have been brought up. The applicant is entirely willing to have no alcohol. We were just going on the recommendations of the city attorney. So, with regards to the pickup lane and the pickup window, if you look at the site plan, we believe the site plan works better. It provides more access out to the parking lot with the lane there. In response to some of the concerns that we've heard, if you're willing to modify the lane a little bit to widen it out at the end to allow a left turn onto the road and can circle back around as widen it out brought a still out lane if there's folks in there, we believe it's a more efficient process for pickup. It will allow a larger pool of restaurants to come in and, yes, I understand there is not a restaurant identified yet, this is common for commercial developments such as this to be uniformly developed.

APPROVAL: Unanimous

- 5.3. A public hearing to consider the application of Oak National Development, LLC regarding a request to change the existing zoning district on approximately 148.25 acres from the current zoning district classification of Planned Development District (Triple Creek) to a new Planned Development District (Legacy Park Estates) containing 335 single-family residential lots and a city park. The Rockwall Central appraisal District Property Identification numbers are 11447 and 11438.

MOTION: Accept the recommendation to table the public hearing until a future date.

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

- 5.4. Discussion and action regarding approval of the application of Oak National Development, LLC. regarding a request to change the existing zoning district on approximately 148.25 acres of land from the current zoning district of Planned Development District (Triple Creek) to a new Planned Development District (Legacy Park Estates) containing 335 single-family residential lots and a city park. The Rockwall Central Appraisal District Property identification numbers are 11447 and 11438.

Commissioner Kipphut stated that he did not know they would ever consider to change the existing zoning district for 148.25 acres from the current zoning for a PD to a new PD that would include 335 single-resident homes and a city park absent any developers agreement that addresses all of the key issues associated with design infrastructure responsibilities of each of the parties, drainage, public safety, all of the things we had this conversation about. It's impossible for us to make a proper decision. I will add that it is not in compliance with the comprehensive plan so if it's not in compliance and we're asking to do something to change to approve zoning, that would not be in compliance absent any plan. It's impossible for us to evaluate.

REMOVED FROM AGENDA

- 5.5. Discussion and action regarding the requested approval of a final plat for the Bear Point subdivision of a 9.78-acre tract of land located on Dowell Road, north of the intersection of FM 550, in the City of McLendon-Chisholm Extraterritorial Jurisdiction.

MOTION: POSTPONE CONSIDERATION OF THIS PLAT REQUEST AND REQUIRE THE APPLICANT TO GO BACK TO THE CITY PLANNER TO ADDRESS THE FIFTEEN VARIANCES THAT NEED TO BE ADDRESSED PRIOR TO CONSIDERATION OF THE FINAL PLAT.

MADE BY: Commissioner Kipphut
SECONDED BY: Commissioner Rohde

City Planner pointed out that the commission can approve the plat with no conditions, you can approve the plat with conditions, I've listed them specifically in the docket, and I've recommended approval subject to compliance with the conditions, or you can disapprove and you can disapprove as long as you identify the areas where they fail to comply with the regulations which is the list that I have in this document. So you can't postpone it because you have a 30-day shot clock.

Commission Kipphut withdrew his motion and remade.

MOTION: DENY THE REQUEST THE FINAL PLAT BASED ON THE 15 STAFF RECOMMENDATIONS WHERE THE PLAT HAS SIGNIFICANT CONSIDERATIONS THAT NEED TO BE ADDRESSED.

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

6. ADJOURN

The meeting adjourned at 8:38 p.m.

ATTEST:

APPROVED:

Shelly Green
City Secretary

Lesley Schwalje, Chairperson



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

ZONING CHANGE APPLICATION

Date of Application: 1/25/23

Receipt # _____

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

Address and/or Location of Request:

See attached "Location Map" for the location of the property.

Property Legal Description:

See attached "Meets and Bounds Description of the Property" for the legal description.

County Parcel ID: 115324 and 115325

Existing Zoning: Agricultural District Requested Zoning: PD

Applicant's Name: MC Trilogy Texas LLC

Phone No. 214-532-9326 Email: colin@heiinc.com

Status of Applicant: Owner ☒ or Authorized Agent _____

Applicant's Address: _____

Owner's Address: 8200 Douglas Ave, Suite 300 Dallas, TX 75225

I certify that I am the owner of the property described in this petition/application and Not applicable is the authorized agent to file this application on my behalf.

Signature of Owner:

Colin Hei Date 1/25/23

Signature of Applicant:

Colin Hei Date 1/25/23

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.

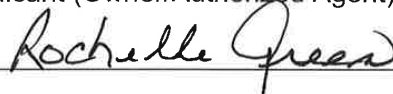
I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ N/A to cover the cost of this application, and an initial deposit of \$ N/A for consulting fees has been 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)



See attached supplement letter

Page 2 of 2

02/25/2020 Zoning Change Application and Checklist

CHECKLIST FOR ZONING CHANGE APPLICANT

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

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



January 25, 2023

City of McLendon-Chisholm
Mr. Konrad Hildebrant
City Administrator
1371 West FM 550
McLendon-Chisholm, Texas 75032

RE: Trilogy PD Application

Mr. Hildebrant,

On behalf of the property owner, MC Trilogy Texas, LLC ("Trilogy"), I am enclosing an application to zone as a Planned Development approximately 575.143 acres of land (the "Trilogy Property") that has been or will be annexed into the City's corporate limits. The enclosed PD application for the Trilogy Property is contemplated by and consistent with the terms of the Development Agreement entered between the City and Trilogy. Pursuant to Section 4.7 of the Development Agreement, zoning fees do not apply to this application.

The attorney for the applicant is Misty Ventura with Shupe Ventura, PLLC. Please feel free to contact her, as well, if you have questions or comments related to this application.

Sincerely,

Colin Huffines,
Project Manager

CC: Misty Ventura, misty.ventura@svlandlaw.com (via email)
Melissa Lindelow, melissa.lindelow@svlandlaw.com (via email)
Michael Halla, mhalla@hallalawfirm.com (via email)

Metes and Bounds Description of the Property

ETJ 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 RABBIT RIDGE ROAD, (A VARIABLE WIDTH RIGHT-OF-WAY), AT THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 44°16'29" E a distance of 89.26'to a point for corner;

THENCE N 44°15'17" E a distance of 1492.27'to a point for corner;

THENCE S 45°49'51" E a distance of 3464.03'to a point for corner;

THENCE N 45°15'27" E a distance of 845.37'to a point for corner;

THENCE S 45°20'50" E a distance of 770.32'to a point for corner;

THENCE S 45°52'07" E a distance of 371.76'to a point for corner;

THENCE S 45°39'45" E a distance of 866.70'to a point for corner;

THENCE S 45°04'02" E a distance of 400.01'to a point for corner;

THENCE S 44°19'52" W a distance of 614.77'to a point for corner;

THENCE S 44°19'52" W a distance of 618.71'to a point for corner;

THENCE S 45°40'08" E a distance of 706.56'to a point for corner;

THENCE S 44°23'53" W a distance of 1352.29'to a point for corner;

THENCE S 44°42'29" W a distance of 1349.67'to a point for corner;

THENCE N 45°05'00" W a distance of 30.40'to a point for corner;

THENCE S 68°20'00" W a distance of 151.80'to a point for corner;

THENCE N 88°15'00" W a distance of 274.51'to a point for corner;

THENCE N 88°15'00" W a distance of 102.49'to a point for corner;
THENCE N 87°05'36" W a distance of 499.42'to a point for corner;
THENCE N 88°20'23" W a distance of 365.10'to a point for corner;
THENCE N 45°00'00" W a distance of 1596.73'to a point for corner;
THENCE N 45°00'00" E a distance of 1050.00'to a point for corner;
THENCE N 45°00'00" W a distance of 150.87'to a point for corner;
THENCE N 48°33'57" E a distance of 83.82'to a point for corner;
THENCE N 08°18'57" E a distance of 54.00'to a point for corner;
THENCE N 43°11'03" W a distance of 104.00'to a point for corner;
THENCE N 12°41'03" W a distance of 111.00'to a point for corner;
THENCE N 39°33'57" E a distance of 93.00'to a point for corner;
THENCE S 89°11'03" E a distance of 140.00'to a point for corner;
THENCE N 33°48'57" E a distance of 108.00'to a point for corner;
THENCE N 81°48'57" E a distance of 98.00'to a point for corner;
THENCE N 13°18'57" E a distance of 143.00'to a point for corner;
THENCE N 61°11'03" W a distance of 57.00'to a point for corner;
THENCE N 44°56'03" W a distance of 123.00'to a point for corner;
THENCE N 08°56'03" W a distance of 57.00'to a point for corner;
THENCE N 86°18'57" E a distance of 129.00'to a point for corner;
THENCE N 40°03'57" E a distance of 128.00'to a point for corner;
THENCE N 57°03'57" E a distance of 110.00'to a point for corner;
THENCE N 69°48'57" E a distance of 81.15'to a point for corner;
THENCE N 41°14'57" W a distance of 2018.90'to a point for corner;
THENCE N 40°35'51" W A DISTANCE OF 1575.68' TO THE POINT OF BEGINNING, CONTAINING
19,245,590.6 SQUARE FEET, OR 441.818 ACRES OF LAND MORE OR LESS.

ETJ 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 CORNER IN PULLEN ROAD, (A VARIABLE WIDTH RIGHT-OF-WAY), AT THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 45°52'07" E a distance of 836.75' to a point for corner;

THENCE N 44°13'38" E a distance of 717.19' to a point for corner;

THENCE S 45°44'07" E a distance of 1529.00' to a point for corner;

THENCE S 45°00'00" W a distance of 1708.95' to a point for corner;

THENCE N 45°00'00" W a distance of 1750.00' to a point for corner;

THENCE S 45°00'00" W a distance of 800.00' to a point for corner;

THENCE S 45°00'00" E a distance of 600.00' to a point for corner;

THENCE S 45°00'00" W a distance of 1092.91' to a point for corner;

THENCE N 88°13'09" W a distance of 163.88' to a point for corner;

THENCE N 86°06'41" W a distance of 301.66' to a point for corner;

THENCE N 88°15'00" W a distance of 1073.00' to a point for corner;

THENCE N 01°45'00" E a distance of 65.55' to a point for corner;

THENCE N 44°34'36" E a distance of 928.59' to a point for corner;

THENCE N 44°31'40" E a distance of 151.79' to a point for corner;

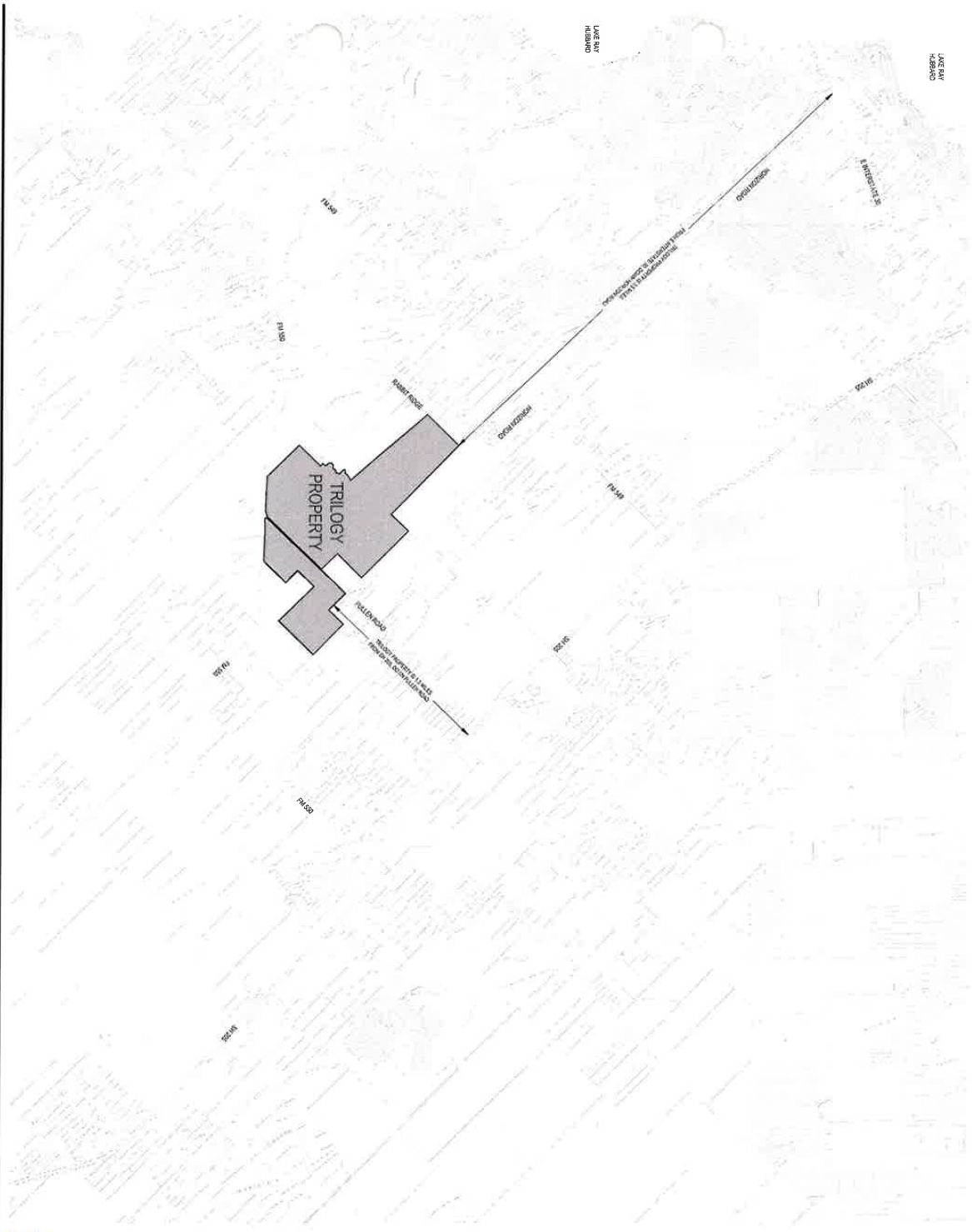
THENCE N 43°28'23" E a distance of 346.55' to a point for corner;

THENCE N 44°43'11" E a distance of 901.86' to a point for corner;

THENCE N 44°06'02" E a distance of 914.03' to a point for corner;

THENCE N 44°44'29" E a distance of 285.28' to a point for corner;

THENCE N 45°50'03" E A DISTANCE OF 322.68' TO THE POINT OF BEGINNING, CONTAINING
5,807,645.3 SQUARE FEET, OR 133.325 ACRES OF LAND MORE OR LESS.



TRIOLOGY
LOCATION MAP

TRIOLOGY
LOCATION MAP

TRIOLOGY CITY OF
MEMPHIS, TN

LEGEND

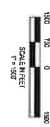




Exhibit A - Page 4

ADJACENT PROPERTIES[illegible][illegible][illegible]

TRUCKS, TRAILERS AND EQUIPMENT, INC.
625 WEST COLUMBIAN BLVD. SUITE 1000
ALLEN, TEXAS 75013
214/461-1000 or 214/461-1004
www.trte.com

TRILGY
ADJACENT PROPERTIES



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

DATE: March 16, 2023

APPLICANT: Colin Huffines
MC Trilogy Texas, LLC
8200 Douglas Avenue
Suite 300
Dallas, Texas 75225

LOCATION: The property is generally bounded on the north by Rabbit Ridge Road, on the west by FM 550 as shown on the attached approved concept plan.
Rockwall Parcel ID# 115324 and 115325.

Owner: MC Trilogy Texas, LLC
8200 Douglas Avenue
Suite 300
Dallas, Texas 75225
Representative: Colin Huffines, Project Manager

PLANNING AND ZONING COMMISSION MEETING DATE: March 21, 2023

REQUEST:

1. The applicant is requesting approval of a planned development district on 575.143 acres of land currently in the City's Extra Territorial Jurisdiction. The subject property is part of an existing development agreement and an approved preliminary plat.

STAFF RECOMMENDATION: Approval. These zoning regulations are consistent with the approved Concept Plan, the Development Agreement [DA] and the Subdivision regulations as amended by Exhibit E of the DA.

BACKGROUND INFORMATION: In October 2021 the City of McLendon-Chisholm entered into an development agreement with MC Trilogy Texas, LLC for the future development of a quality, master-planned, mixed-use community providing parkland, open space, and other public and private amenities that will benefit and serve the present and future citizens of the City. This agreement establishes Governing Regulations for the development of all the property located within the boundary of MC Trilogy Texas. Approximately 179 acres of Trilogy are located within the City limits. In December 2021 the City Council approved the zoning ordinance for the In-City property. The remainder property is currently in the Extra Territorial Jurisdiction of the City.

Approved Concept Plan

Exhibit C Concept Plan



Exhibit C – Page 1

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The Planned Development District and supporting documents are available for review at McLendon-Chisholm City Hall.

The PDD ordinance is included here: [double click the icon]