



**Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Tuesday, July 18, 2023**

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

Members Present:	Mark Kipphut	Chairman
	Robert Rohde	Co-Chairman
	Terry Eoff	Commissioner
	Chris Freeze	Commissioner
	Gyle Dale	Commissioner
	Michael Easter	Alternate
	Thomas Hritz	Alternate
Members Absent:	Jose Velosquez	Alternate (out of town on business)
Staff Present:	Shelly Green	City Secretary
	Mike Coker	City Planner

1. CALL TO ORDER

Chairman Kipphut called the meeting to order at 6:30 p.m.

2. INVOCATION AND PLEDGES TO U.S. AND TEXAS FLAGS

Chairman Kipphut voiced the invocation and Commissioner Rohde led the pledges.

3. CITIZEN COMMENTS

Anthony Crawford, 104 Lavender Pl., McLendon-Chisholm. Thank you for the opportunity to address you tonight. I am here to make one simple request. That you as a governing body follow the desires of the people of this community and maintain growth outlined by the Comprehensive Plan approved by the city council on September 29, 2021. The main desire of the citizens of McLendon Chisholm was to maintain a country estate feel to our city.

This document specifically talks about the Heritage Center and states Maximum Density of one dwelling per acre for residential use. It is our understanding that current proposal is 335 homes on 145 acres. Their request is for lots to be 7200 square feet. I do not believe that the wording of minus parks, streets etc thereby reducing the lots smaller than one acre is in the true spirit of the desires of the citizens. I understand this is in the beginning stages and hopefully negotiations will take this to estate type lots. The same

developer has created neighborhoods north and west of city hall that are one acre and 1.5 acres lots. These neighborhoods have and will have very beautiful homes. Remember, you are our advocate and you as the P&Z Commission have complete control as to what is forwarded to the City Council. Why put 2000 square foot homes within 3000 to 6500 square foot homes anyway? This by itself lacks consistency.

Additionally, this request is being made before there has been any planning on what the Heritage Center of the comprehensive plan even looks like. It is my understanding that concept art cannot be located. Wait on any development in the Heritage Center until those plans can be determined and renderings can be viewed showing what it will look like.

The City Attorney stated at last weeks Council meeting that while Altura has purchased 335 sewer taps and that this allows the council to permit smaller lots, the council IS NOT obligated to grant that request and can maintain that each lot that has a dwelling be kept at one acre.

We are entrusting you and The City Council of McLendon Chisholm to protect our interests. I know that I, along with everyone concerned by the proposed development, moved here because of the Comprehensive Plan's outline to keep a country estate feel to McLendon Chisholm.

While I understand that a developer has to meet certain criteria to make a profit, Its not the city's issue that a developer can only make money off of small lots. They can rework the plan and increase the size of the homes for more profit or they can sell to someone who can make money off of one acre lots. Fast growth usually does not translate to good growth. That's why we have a plan.

The City of McLendon Chisholm has so many other issues to take care of before they can take on the responsibility of maintaining parks. Water being the chief among them. I am aware the proposed Altura development would be on High Point Water and not RCH. But as one council member stated last week about this proposal, "How can we tell citizens they cannot water their lawns and landscape while we water entire ballfields."

So I request that you table this proposal until such time as Heritage Center plans can be finalized and I further request that you please maintain the one residential dwelling per one acre lot as outlined by the comprehensive plan when forwarding recommendations to the city council.

4. APPROVAL OF MINUTES

4.1. Consider approval of the Minutes of the May 16, 2023, Planning & Zoning Meeting

MOTION: APPROVE THE MINUTES OF THE MAY 16, 2023, PLANNING & ZONING MEETING AS PRESENTED.

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

4.2. Consider approval of the Minutes of the June 20, 2023, Planning & Zoning Meeting

MOTION: APPROVE THE MINUTES OF THE JUNE 20, 2023, PLANNING & ZONING MEETING AS PRESENTED.

MADE BY: Commissioner Rohde

SECONDED BY: Commissioner Eoff

APPROVAL: Unanimous

4.3. Consider approval of the Minutes of the July 5, 2023, Planning & Zoning Meeting

MOTION: APPROVAL THE MINUTES OF THE JULY 5, 2023, PLANNING & ZONING MEETING AS PRESENTED.

MADE BY: Commissioner Dale

SECONDED BY: Commissioner Rohde

APPROVAL: Unanimous

5. PUBLIC HEARINGS

5.1. A public hearing to consider an application requesting a zoning district change from the AG Agriculture Zoning District that provides for a lot size of two and one-half acres to a planned development district [Ridge Pointe Estates] for the development of 83 single-family residential lots with a minimum lot size of one-acre of land.

City Planner Coker presented his staff report:

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

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

REPRESENTATIVE: Ricardo Dol

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

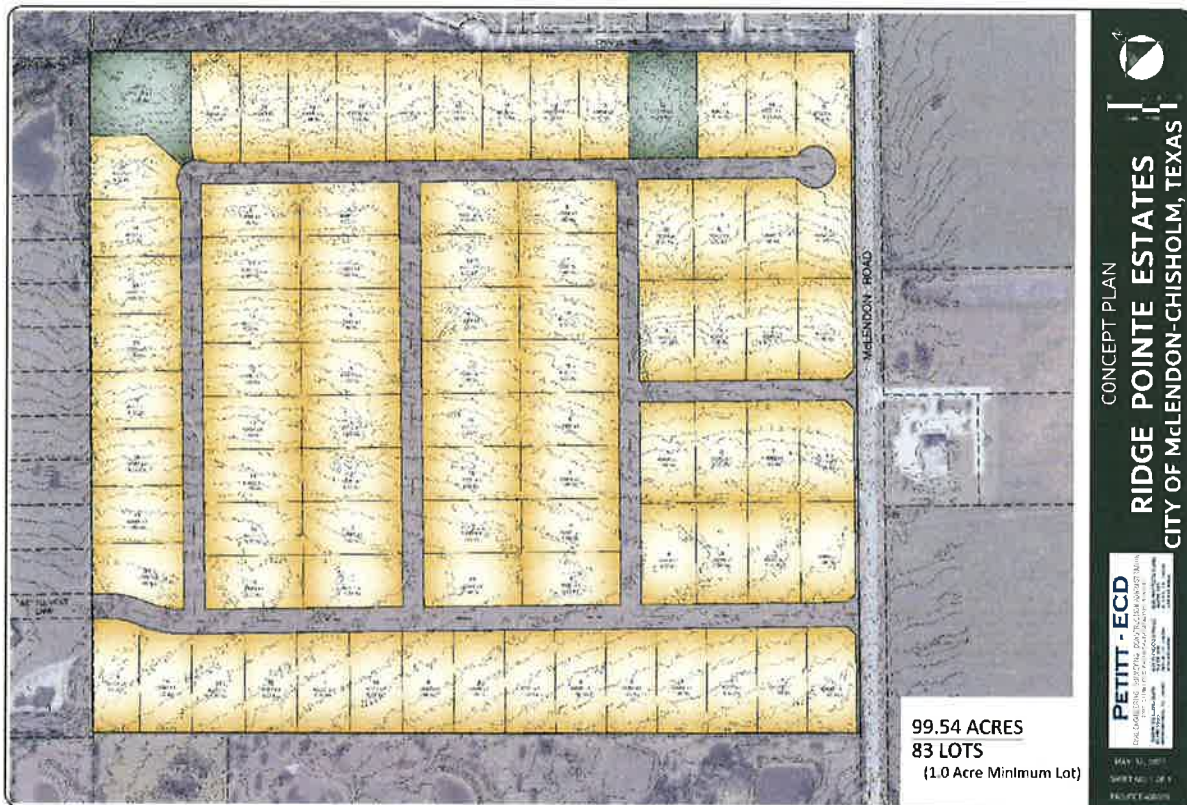
PLANNING AND ZONING COMMISSION MEETING DATE: July 18, 2023

REQUEST:

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

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

Concept Plan for Ridge Pointe Estates Planned Development District



Proposed development standards

EXHIBIT B

RIDGE POINTE ESTATES SUBDIVISION

PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS

For Approximately 99.54 Acres

City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

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

2. Special Provisions

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

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

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

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

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

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

3. Development Plan

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

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

4. Development Standards

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

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

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

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

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

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

Concept Plan

BACKGROUND INFORMATION:

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

Current Zoning Map

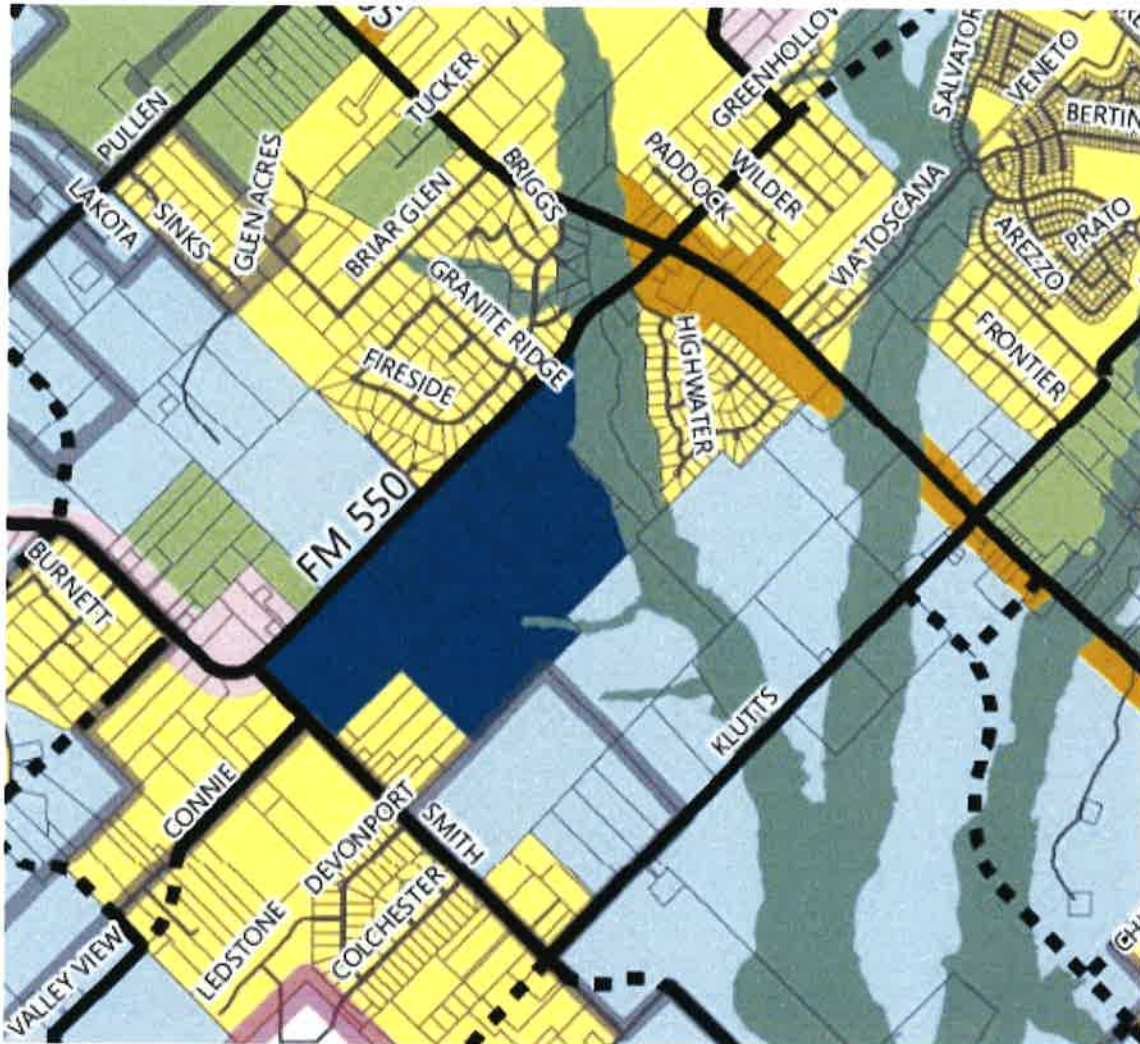


Additional background information:

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

Comprehensive Plan: Zoning must conform to the Comprehensive Plan.

Future Land Use Plan Map



The Future Land Use Plan shows the area fronting on FM 550 to be “Master Planned Community”. The Comprehensive Plan describes a Master Planned Community as follows:

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

Anticipated Land Uses:

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

Desired Development Characteristics:

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

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

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

Thoroughfares/streets:

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

Property legal description:

FIELD NOTE DESCRIPTION

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

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

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

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

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

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

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

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

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

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

RIDGE POINTE ESTATES

83 RESIDENTIAL LOTS

2 NON-RESIDENTIAL LOTS

BEING A 99.544 ACRE TRACT OF LAND

IN LESTER EASTERWOOD SURVEY

ABSTRACT NO. 79

CITY OF McLENDON-CHISHOLM

ROCKWALL COUNTY, TEXAS

PETITT - ECD

CIVIL ENGINEERING SURVEYING CONSTRUCTION ADMINISTRATION
TBPELS FIRM REGISTRATION

ENGINEERING FIRM #001145 - SURVEYING FIRM #10194792

1600 N. COLLINS BLVD
SUITE 3300
RICHARDSON, TX 75080
214.221.8955
DATE: MAY 2023

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

F:\X00_PECO\LP Projects\08828-00\PRELIM\08828000 Prelim Plat.dwg
May 24, 2023 9:39am

Ricardo Dol, PE, Petitt-ECD, 1600 N. Collins Blvd., Suite 3300, Richardson, TX 75080. Representing the applicant, Mr. Dol wanted to stress that the water supplier for this project is not RCH, it is provided by High Point SUD. One of the reasons they would like to have a PD on this project is, even though we're meeting the one acre requirement, they do have a number of lots that don't meet the minimum lot frontage required. The developer did ask Mr. Dol to ask the commission if they would agree to have the 16 lots on the front side of the project that abut FM 550, those would be lots one through eight in block A and lots one through eight in Block B, if you would agree to leave those 16 lots with an option to do the one acre residential or retail. The developer does have some interest in the property in those areas for retail but he also understands that you may not want to allow that possibility. But I would like to ask you to consider that and let me know. Otherwise, we'll just have strict residential.

Chairman Kipphut opened the Public Hearing at 6:44 p.m.

Three responses were received against the proposed change and one response received in favor.

Citizens speaking:

David Black – There's only two exits their development coming to 550, but they show another exit called Settlement Lane which is maybe a future thing. I'm just wondering is there a plan for that Settlement Lane. It's going to someone else's parcel so I don't know what it is. There's nothing there right now except dirt road. I noticed the approval mentioned the comprehensive plan which is great. It looks like to meets all the good stuff. Congratulations to the new guys and the new positions.

Cheryl Evans, 23 Fireside Drive. I just want to know what they said in addition to the one acre lots – I didn't hear that part. Mr. Coker responded they are asking for the front lots that run on 550 to also be available for retail.

Mike Hatcher, 175 E FM 550. The only question I have that you're not going to answer is, this is just zoning. Is the PD already approved?

The Public Hearing was closed at 6:50 p.m.

- 5.2. A public hearing to receive public comments regarding a request by Oak National Development, LLC. to change the existing planned development district on approximately 149.25 acres of land from the current zoning district classification of Planned Development District [Triple Creek] to a new Planned Development District [Legacy Park] containing 335 single-family residential lots and a city park. The Rockwall Central Appraisal District Property identification numbers are: 11447 and 11438.

City Planner Coker presented his staff report:

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

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

REPRESENTATIVE: Jay Webb

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

PLANNING AND ZONING COMMISSION MEETING DATE: July 18, 2023

REQUEST:

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

STAFF RECOMMENDATION: Approval.

Applicant Concept Plan for Legacy Park Planned Development District



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

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

1. Purpose and Intent

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

2. Special Provisions

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

- a. Minor amendments to the PD, including minor amendments to an approved Concept Plan or Development Plan, shall satisfy the following standards:
 - i. Do not increase density;
 - ii. Do not change the maximum structure height, reduce setbacks or parking requirements, or reduce the size of any residential lot.

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

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

3. Development Plan

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

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

4. Development Standards

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

- a. This is a single-family zoning district with a 44-acre park and trail system. [See concept plan]

- b. Permitted uses. In this zoning district, no building or land shall be used, and no building shall be constructed, reconstructed, altered or enlarged, unless otherwise permitted in accordance with section 3-1. Use of land and buildings of the City of McLendon-Chisholm Zoning Ordinance as shown for the SF 1.5 Residential District, except as amended by this ordinance. A park may include a museum, a heritage center, pavilions, maintenance shops, and assembly areas where the public may gather for park or city related events.
- c. Area requirements. Minimum residential lot size 7,200 square feet.
- d. Setbacks.
- | | |
|------------|---------|
| Front yard | 20 feet |
| Side yard | 5 feet |
| Rear yard | 20 feet |
- Front yard setbacks shall be consistent for the entire block face. Side yard setbacks shall be consistent for the entire block face. Corner lots having street frontages with front yards on both streets shall have the required front yard setback for the entire block.
- e. 1. Lot width. The minimum lot width is 60 feet.
- For lots fronting on a cul-de-sac or eyebrow, the minimum lot width shall be measured at the front setback line and may be measured along the arc of the cul-de-sac or eyebrow.
2. Lot depth. The minimum lot depth is 120 feet.
- f. Minimum Dwelling size. 2,000 square feet.
- g. Lot coverage. 70 percent.
- h. Maximum Height. 36 feet. [measured to the mid-point of hip, gable or gambrel roofs; to the top of the parapet on flat roofs. Other roof elements may not exceed 36 feet in height]
- i. Off-street parking. Shall conform to section 6-7, Off-street parking and loading requirements of the McLendon-Chisholm Zoning Ordinance.
- j. Accessory structures. Shall conform to the requirements of section 6-3 of the McLendon-Chisholm Zoning Ordinance.
- k. Landscape requirements shall conform to section 6-10 of the McLendon-Chisholm Zoning Ordinance.

PARK, TRAIL SYSTEM, OPEN SPACE

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

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

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

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

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

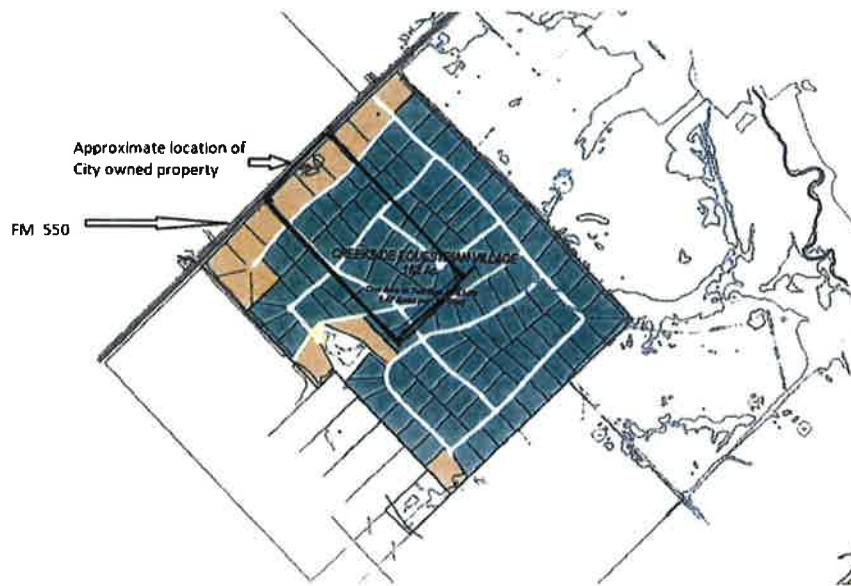
Current Zoning Map



Additional background information:

In 2009 the City Council adopted a new conceptual plan for the acreage around the current City Hall that included 163 acres of land and provided for 15 lots having one and one-half acres per lot and 106 lots having one-acre of land per lot. A portion of the 163 acres was given to the City and then the city purchased additional land for a total of 15 acres for City-related uses. The 15 acres of city owned land reduced the number of one and one-half acre lots and reduced the total number of one-acre lots and reduced the total acreage from 163 acres to 148 acres.

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



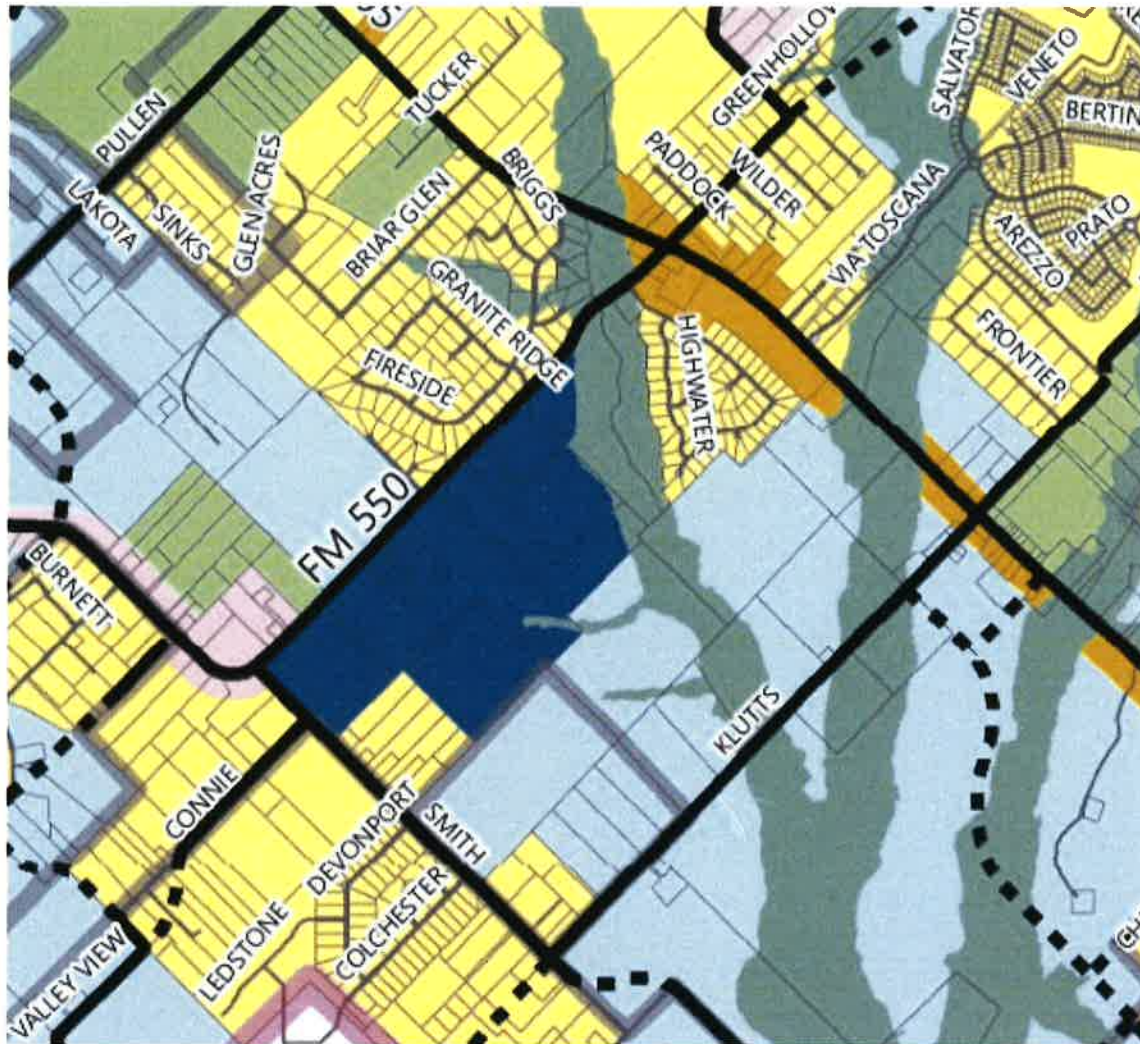
This approved 2009 concept plan had 15 one and one-half acre lots and 106 one-acre lots. The acquisition of 15 acres reduced the number of one and one-half acre lots by approximately four lots and reduced the number of one-acre lots by approximately 26 lots leaving approximately 91 single-family lots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

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

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

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

Future Land Use Plan Map



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

The Comprehensive Plan describes this Heritage Center as follows:

Heritage Center

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

Anticipated Land Uses:

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

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

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

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

Thoroughfares/streets:

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

Property legal description:

Legal Description

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

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

BEGINNING at a 1/2" iron rod found for corner in the southeast right-of-way line of F.M. 550, said point

being at the west corner of said 159.4006 acres tract of land;

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

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

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

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

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

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

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

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

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

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

TRACT 2

All that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being a part of a 10.00 acres tract of land as described in a Warranty deed

from Richard B. Skibell to Tyrone E. Davenport and Cheryl Anne Davenport, dated October 20, 2004 and being recorded in Volume 3742, Page 268 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found at the base of a 3" steel fence post in concrete at the east corner of

said 10.00 acres tract and at the south corner of a 159.4006 acres tract of land as described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated

March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas;

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

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

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

THENCE N. 45 deg. 35 min. 26 sec. E. along the northwest boundary line of said 10.00 acres tract of land,

a distance of 556.85 feet to a 1/2" iron rod with yellow plastic cap found for corner;

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

The public hearing was opened at 6:56 p.m.

Citizens speaking in opposition to the project:

Anthony Crawford, 104 Lavendar Place

Lisa Backs, 301 Smith Road

David Black, 1419 Siena Ln.
Bobby Stanley, 18 Fireside Dr.
Devin, 23 Fireside Dr.
Mike Hatcher, 175 E FM 550
Michael Davis, 106 Jenny Pl.
Daniella Swindoll, 321 Herron Circle

The public hearing will be held open until September 19, 2023.

6. ITEMS FOR CONSIDERATION AND ACTION

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

MOTION: APPROVE THE PRELIMINARY PLAT FOR A 1.5 ACRE TRACT OF LAND TO CREATE A BUILDING SITE.

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

- 6.2. Consideration of future agenda items and guidance for staff.

Chairman Kipphut proposals:

1. Have the City Attorney prepare a memorandum, or if he can attend the next Commission meeting, based on the latest legislative session and then any other considerations over the last few years. He is interested in him outlining to us, tools that can be used by the City for any developments partially or completely in the ETJ and what options we have beyond the interlocal agreements that are existing. I just want to make sure we're, especially with the new commissioners, so we all understand what our options are.
2. Due to recent legislative actions, what I'm interested in and, I guess Mr. Coker, I'd ask you, this is my request to you, at the next meeting, any specific recommendations you can make that we can then in turn make the city council, requiring and I'm specifically thinking about Chapter 10, Code of Ordinances and subdivisions and any changes that have to be made to our ordinances based on the most recent legislative session or any others that proceed that are not reflected in the ordinances and that way we can make the recommendation to Council if those need to be reviewed and updated. I just want to make sure we're current.
3. The last, and I guess again Mr. Coker this is to you related to the Heritage development that's on Pullen Road. Is there any request, what I'd as you to do is contact the developer and understand if there's any requests relative to the thoroughfare plan. I think that was an interesting point raised tonight, so I just want to make sure we understand the roadway considerations for any of those developments for an indication of connectors within the city.

Commissioner Hritz ask for an update on the 205 construction project and when water will open up. Also, do we have schedules for development? Chairman Kipphut ask the City Secretary if she had any recommendations on how to address this. She referred him to Council Member Tucker who is the council representative on the Road Consortium commission. Chairman Kipphut ask if the Commission could get copies of the printed report that is provided by that body.

7. ADJOURN

MOTION: ADJOURN THE MEETING

MADE BY: Commissioner Freeze

SECONDED BY: Commissioner Rohde

APPROVAL: Unanimous

The meeting adjourned at 7:25 p.m.

ATTEST:



Rochelle Green, City Secretary

APPROVED:



Mark Kipphut, Chairman