



AGENDA
PLANNING & ZONING COMMISSION REGULAR MEETING
WEDNESDAY, OCTOBER 25, 2023
1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032
6:30 PM

	Page
1. CALL TO ORDER	
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS	
3. RULES OF DECORUM	
4. CITIZEN COMMENTS	
5. APPROVAL OF MINUTES	
5.1. Consider approval of the minutes of the September 19, 2023, Planning & Zoning Commission Meeting 09.19.23 Minutes	3 - 18
6. ITEMS FOR CONSIDERATION	
6.1. Discussion and action 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. Application Staff Recommendation - UPDATE PENDING	19 - 34
6.2. Discussion and action regarding request by Greenbriar Homes to change the existing SF 2.5 [Single Family Zoning district requiring a minimum lot size of two and one-half acres of land] and a GB [General Business] Zoning District on approximately 20 acres of land to a Mixed-Use Planned Development District providing for three five-acre single-family residential lots and one five-acre lot for a mii-warehouse facility. This property generally fronts on League Road east of the intersection of League Road and State Highway 205. The Rockwall Central Appraisal District Property identification numbers are 11404, 11408, and 11417. STAFF REPORT PENDING Application	35 - 45

- 6.3. Consider approval of a preliminary plat for 73.922 acres of land for the development of a 321-lot residential subdivision as submitted by Tellus-Mann, LLC. The property is located at the intersection of Mann Road and FM 548, Kaufman County, McLendon-Chisholm ETJ. KCAD PID #11030, 10984, and 11029. **STAFF REPORT PENDING**

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[Application](#)

[1B Preliminary Plat](#)

7. COMMISSIONER REPORTS AND ANNOUNCEMENTS

- 7.1. Chairman Kipphut
- 7.2. Co-Chairman Rohde
- 7.3. Commissioner Eoff
- 7.4. Commissioner Freeze
- 7.5. Commissioner Dale
- 7.6. Commissioner Easter (Alternate)
- 7.7. Commissioner Hritz (Alternate)
- 7.8. Commissioner Velosquez (Alternate)

8. CONSIDERATION OF FUTURE AGENDA ITEMS AND GUIDANCE TO STAFF

9. ADJOURN

As authorized by Section 551.071(a) of the Texas Government Code, this meeting may be convened into closed Executive Session in order to see 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., October 20, 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, September 19, 2023**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Tuesday, September 19, 2023, at McLendon-Chisholm City Hall, 1371 W FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Mark Kipphut	Chairman
	Terry Eoff	Commissioner
	Chris Freeze	Commissioner
	Gyle Dale	Commissioner
	Michael Easter	Alternate
	Thomas Hritz	Alternate
Members Absent:	Robert Rohde	Co-Chairman
	Jose Velosquez	Alternate
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 Eoff led the pledges.

3. CITIZEN COMMENTS

No Citizen Comments

4. APPROVAL OF MINUTES

- 4.1. Consider approval of the Minutes of the August 15, 2023, Planning & Zoning Meeting

MOTION: APPROVE THE MINUTES OF THE AUGUST 15, 2023, PLANNING & ZONING MEETING

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

5. PUBLIC HEARINGS

- 5.1. Continue 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.

Chairman Kipphut opened the public hearing at 6:33 p.m.

Gina Manis, 107 Chaney Pl., McLendon-Chisholm. We are very much against any homes that are built on less than one acre per the comprehensive plan. We live across the street, just over there and I do not want more traffic. We do not want crowds at ballfields. I absolutely do not want any kinds of fields whether they be lacrosse, chess, baseball, soccer, so we just don't want any of that. We just encourage you to stick to the comprehensive plan as you have stated already. I understand the plan was brought back the last time from the area around McLendon-Chisholm City Hall and it had not changed. It is not taking the homes and adding in the property of the fields and saying it is coming out to an average of one home per acre. No, if the lot size is anything under one acre for a home, absolutely not. That does not go by the comprehensive plan. I just encourage you to hold that standard as you have so well done and any developers need to go by that and abide by that and don't come to us unless it's that. We don't want the traffic, we don't want the noise, we don't want people coming in from all areas and I think I've made my point. Thank you for listening.

Anthony Crawford, 104 Lavender Pl., McLendon-Chisholm. My concern again is the same as the comprehensive plan would not be met by this development. One reason we moved out here was because of the comprehensive plan. We read it, you know we built on our lot which is an acre and a half. For that reason and we see developments by the same developer north of us that are one acre lots and west are an acre and a half and then there's going to be another development right across the street with one acre lots. So I don't understand the need to kind of cram homes in on this much acreage. The roads can't handle it right now, 550 is bad enough. We've already had a couple of wrecks. Just the last couple of times in fact we were up here last week at the council meeting there's a wreck on 550. So my concern is the use of it, the amount of traffic, the number of people that will be created there. Because of that and because of the traffic. The other thing is the ballfields. Everybody I've talked to in my neighborhood that have young kids have all said they all play soccer somewhere else. They have stated themselves even with kids that play soccer that they are against having ball fields, especially lighted ballfields. That it creates a lot of traffic again. I've had experience with ballfields in Dallas on my job and there's a lot of trash. You can have someone say that they'll take care of it, but that usually falls through and it turns into a fiasco. So, again, I don't think we can handle the traffic right now at this point in time and I would very much like to see the comprehensive plan followed by the book. Thank you.

Jay Webb. You know we wanted our town to benefit from tax revenue that way. In McLendon-Chisholm we've developed Kensington Park, we built all the homes in that subdivision. Additionally Altura built homes in Sonoma Verde, and Chisholm Crossing. Altura recently opened Heritage Estates on Pullen Road. We've purchased the property around the city hall. We're proposing donating approximately 40 acres, we value it at two million dollars to development McLendon-Chisholm's first city park. We've met with the city and attempted to design a neighborhood with a park acceptable to the city which complies with the spirit of the comprehensive plan. We revised our concept plan for the subdivision 44 times in response to city input. The property is part of the Heritage Center on the comp plan and among its anticipated uses are parks, trails, open green space, ponds and creeks. All these are included in our concept plan. Approximately half the property would be parks, trails, and open space including almost two miles of trails designed to connect to future developments. We will plant over 700 trees on the lots and green spaces and subdivisions. Our concept is to donate the park land to the city, develop a residential community that can pay for the park improvements. In order for the new neighborhood to be able to pay for the park, it's necessary to have density greater than one acre. The park would not impact the city budget, park maintenance would be paid by local youth sports clubs using the park's playing fields. There'd be landscape berms separating the residential areas from the park primarily to the entrance of the subdivision off 550 would be the landscape boulevard with upgraded signage. The property is served by High Point water supply and they've confirmed that they have a capacity to serve the subdivision. We believe that Legacy Park will contribute to building a sense of community in our town by providing trails that allow neighbors to meet while exercising, a community pavilion, an open space for city and community events, athletic fields, athletic courts, ponds for fishing that provide for town's children and adults to play and not be on their phones. So space for friends, family and neighbors to picnic and they can get to know each other. We ask for your support.

David Black, 1419 Siena Ln., McLendon-Chisholm. I just note that we've heard this before. Mr. Webb has spoken eloquently including his grandchildren and other things about how nice the parks are and the trails, but it is still not in the comprehensive plan whether it's called Heritage Park or not that you have a residence lots less than one acre. There's a reason for that for the community wants that. I just hope that there's not going to be some trade between this great free park we're getting and then the traffic that's going to happen because of the park and because of the high density lots. That's it.

Chairman Kipphut closed the public hearing at 6:45

- 5.2. Hold a public hearing to receive public comment regarding a request by Greenbriar Homes to change the existing SF 2.5 [Single Family Zoning district requiring a minimum lot size of two and one-half acres of land] and a GB [General Business] Zoning District on approximately 20 acres of land to a Mixed-Use Planned Development District providing for three five-acre single-family residential lots and one five-acre lot for a mini-ware facility. This property generally fronts on League Road east of the intersection of League Road and State Highway 205. The Rockwall Central Appraisal District Property identification numbers are 11404, 11408, and 11417.

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City Planner Coker gave a brief overview of the request.

Chairman Kipphut opened the public hearing at 7:07 p.m.

Ryan Webb, owner of Greenbriar Homes, presented his plans for this property and the reason for the proposed changes.

Brent Cornish, 250 League Rd., Rockwall. My road frontage is almost, but not quite, the same as Mr. Webb's, he's right across the street from me. I have no problem with the homes going in, I don't have a bit of problem with that at all. But, I'd like to object to switching from a single family to a commercial property. Mini storages, and I'm not disputing what Mr. Webb is saying, but mini storages around here have a habit of turning into an individual business for each garage or storage area. If you look at some of them on 276 and 205. So, I'm asking you folks if you will please not allow the first five acres that he's talking about to go from single family to commercial. Thank you.

James Adcox, 654 English Rd., Rockwall. My two sons live at 212 and 280 Adcox Lane in McLendon-Chisholm right off League Road. I also own the corner of League and 205 which those five acres we're discussing are the mini storages exactly directly behind my property. I looked at the comprehensive plan when we first bought and I saw the word you know country feel, green spaces and restaurants, all the different uses and mini storage fits nothing about living in the country. You don't go down a farm road and see a mini storage facility. We build a barn, we throw all our stuff in it. That's how it works in the country. So I'm adamantly opposed to mini storage. You want to build some nice houses on five acre lots, fantastic. Mini storage, terrible. I just met with my architect Friday and had plans to build a restaurant, a little patio, maybe a beauty salon and some stuff upstairs and I'm not sure what I'm going to do now. If there's a mini storage, nobody's going to want to sit on the patio and look at that and there was also something in the comprehensive about lighting, how we don't want lighting pollution and mini storage has a lot of lights in it. It's just cement. Going down League Road it looks like you're in the country. It's bad enough that we've got these subdivisions surrounding us. Tate Farms will be sold here in the next six months and that'll be a subdivision. That's exactly next door to where my two sons live. We don't need any more commercial mini storage facilities. I personally tried to purchase that acreage before it even went on the market. I just wanted the acre behind there so I could have some green space and maybe host some community events and they said no, we'd rather sell five acres and so I said I'll buy the whole five acres behind there, I just need the green space. They didn't take my offer and I offered them exactly what they asked. So now somebody bought it and are advertising five acre lots which it's not zoned for five acre lots yet and then one sign has contract pending. How can there be a contract pending, it's not even approved and who is that contract? Is that the mini storage facility and who's going to own it and operate it? It just seems like it was backwards. But I'm willing to invest in this community. We're raising our kids and grandkids in this community. We don't need a mini storage facility. It's not country, it's not a green space, it's nothing that this comprehensive plan calls for. I would urge you to please, you know, keep our community feeling like it's country and not put in any storage facility. Thank you so much.

Judy Moss, 525 League Rd., McLendon-Chisholm. I didn't object when the housing addition, Sonoma Verde came over the hill and is encroaching upon my land. I think that I can speak for our group that we are not an HOA but we are our neighborhood and we know each other. When this first started, you know when Sonoma Verde first started, that strip down the left-hand side of the entry was supposed to be for commercial use. But somehow it's turned into residential. Well we are a residential area, we don't want commercial coming in because once that is built, I wouldn't want to build a house next to it. I don't care how many trees you put up, I don't care how many fences you put up, I wouldn't want to be next to a commercial area. None of you want that at the entrance to your residential, your HOA. I'm going to call ours an HOA, it's our country HOA. That's just the way we were. At one time there was going to be a Dollar Store that wanted to come into our community but we didn't want that because it wasn't what we wanted for our community. We weren't that kind of community. Well, I think that this would also be something I don't want. We aren't that kind of a community where we live. I know we don't live in the big, fancy houses, well some of us do, but you know we just don't live like that. We live like the place everybody came to live, the wide-open spaces. The country feel. We're going to lose all that. I just think that once one property goes in and it has that kind of commercial designation, the next one would want to be a commercial designation. I'm not here to argue with people and I wish him all the luck in the world to find a place for his building, but you know 205 is full of areas where that can be built, that it's already designated as commercial property. I would like to just say I don't want to think I'm fighting a losing battle. I want to think I'm here to maintain the kind of place we all have lived in for so long and that 3,500 people have come to live in the way we want to live. So I know y'all are here to make smart decisions and I please ask you, don't do this. This is wrong. It's wrong for us. It would be wrong for your residential area where you live. Thank you.

Linda Fite, 1150 Frontier Trail. I agree with all my neighbors here. We moved here in 2004, we love the neighborhood and I don't think that a mini storage fits in with our residential area. On that property I totally support the five-acre homes. Frontier Meadows was made for a home environment and we want to keep it that way. So, I just want to give my support to everyone else that feels the same way I do. Thank you.

James H. Adcox, 212 Adcox Lane, McLendon-Chisholm. So to echo what my neighbors are saying, we purchased our property back in 2016, built our home on our 11 acres. Really that was the point of coming out here was to have the space, to spread out, to have the freedom to you know raise our own cattle, to you know do different types of projects, to garden, to you know maintain the land, to you know make it better to keep it preserved. There's so much development that constantly goes on around us. Part of my concern with having a commercial property like a mini storage facility is, just as Mr. Webb stated, you have RVs, you have boats, you have trailers, all these things that are going to a road that already has access issues to put it nicely. On any given day there can be three or four potential accidents just because the road access in that corner is so narrow that it's a hard time for just two passenger vehicles to get through there, let alone add a boat or a trailer or you know any sort of size of RVs that would be coming in and out of there. So, to me, it just presents a hazard on top of not living up to the community you know we all abide by. The five-acre homes sounds lovely. You know we went for property for the very same reason that those type of people would be looking to come out to the country and live that lifestyle. I have a hard time imagining that anyone

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would want to be neighbors with a mini storage facility, especially if there's 24/7 access to it. You know, people coming in in the middle of the night to hook up their boats to go on a family vacation is nice but do you really want to hear somebody hooking up a trailer in the middle of the night to get on the road at a decent time. Other than that, thank you for your time.

Kevin Fite, I live right down League Road. I've lived down League Road since the late 90s. I don't want to echo what everybody said, I think we've got our point across there. I think one thing we haven't said is when you drive through McLendon-Chisholm now there's not much there. You know there's the old city hall there, we've got the Country Store. Right now it's kind of basic and doesn't have anything going. Take it driving down like 276, you get into Blackland and you see all these trashy buildings on both sides of the road. It's not developed well, it looks like crap. I really don't want to see that coming in McLendon-Chisholm. I think it'll be nice to eventually find a way to develop that's got boutiques and things that people want to go to. You know, not driving through really kind of the focal part of our town and what we see is mini storage. I mean I'm pretty sure anybody who's been here a very long time, that's not something they want to see for the future of what we see when we go through town. So I just wanted to add that.

Chairman Kipphut closed the public hearing at 7:07 p.m. He did note that on this notice for the zoning change, we mailed out 13 notices, ten were signed for by the property owners, and five were returned, all were opposed, and then there are nine additional outside of the 200 foot notice area that submitted and they are also opposed.

6. ITEMS FOR CONSIDERTION AND ACTION

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

City Planner Coker presented his report on this item:

APPLICANT: Aaron Parker
1628 Luckenbach Place
Forney, Texas 75126

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

REPRESENTATIVE: Aaron Parker

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

PLANNING AND ZONING COMMISSION MEETING DATE: July 18, 2023

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

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

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

REQUEST:

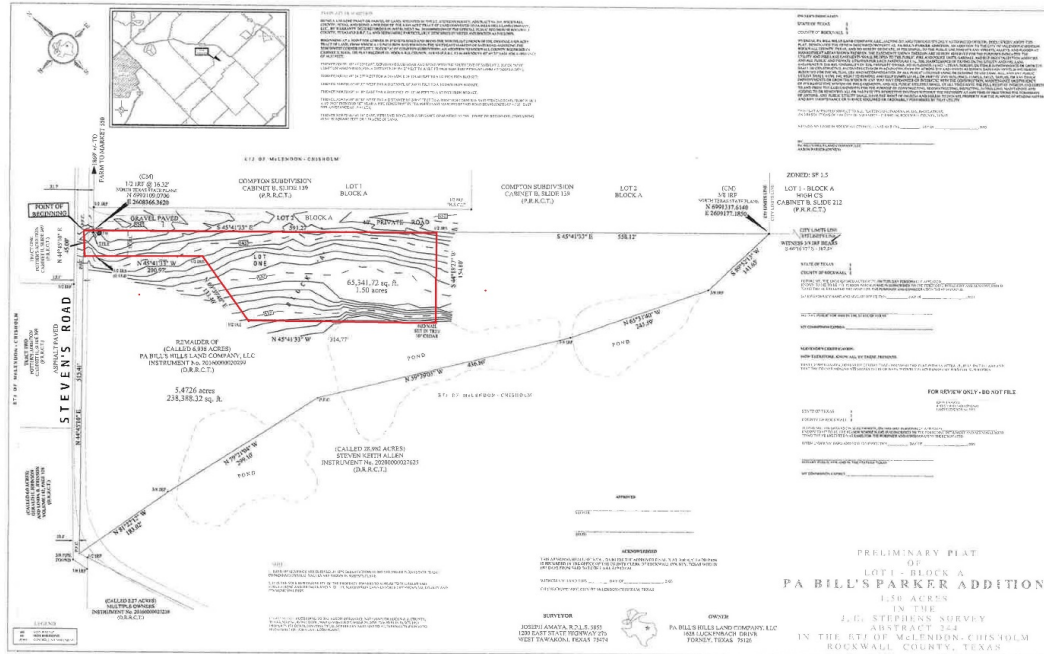
The applicant is requesting approval of a preliminary plat for a 1.5-acre tract of land to create a building site. Rockwall County requires a minimum lot size of 1.5 acres of land for an on-site sanitary sewer facility.

STAFF RECOMMENDATION: Approval

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

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Proposed Preliminary Plat [NEW LOT OUTLINED IN RED]



BACKGROUND INFORMATION:

Thoroughfares/streets:

Stevens Road is a local street.

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MOTION: APPROVE THE REQUEST FOR APPROVAL OF THE APPLICATION OF AARON PARKER (OWNER/APPLICANT) FOR A FINAL 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

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

6.2. Consider approval of a preliminary plat for a little over 16 acres of land for the development of a 25-lot residential subdivision with 9 open space/HOA lots as submitted by Tellus-Mann, LLC. The property is located at the intersection of Mann Road and FM 548, Kaufman County, McLendon-Chisholm ETJ. KCAD PID# 11030, 10984, and 11029.

City Planner Coker gave his staff report:

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

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

REPRESENTATIVE: Colton Smith

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

PLANNING AND ZONING COMMISSION MEETING DATE: September 19, 2023

NOTE: The preliminary plat for this subdivision was recently approved by the City Council with the condition that the main entry for the subdivision that commences at the intersection of FM 548 and Mann Road and the roadway conform to the requirements of the Interlocal agreement between McLendon-Chisholm and Kaufman County. The Owners' attorney sent a letter [included at the end of this memorandum] advising that a new state law became effective on September 1, 2023, that did not allow the City to require dedication of the roadway width required by the Kaufman County Thoroughfare Plan. The applicant requested withdrawal of the already approved preliminary plat, which was approved and the applicant submitted a new application for the same requested preliminary plat.

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

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

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REQUEST:

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

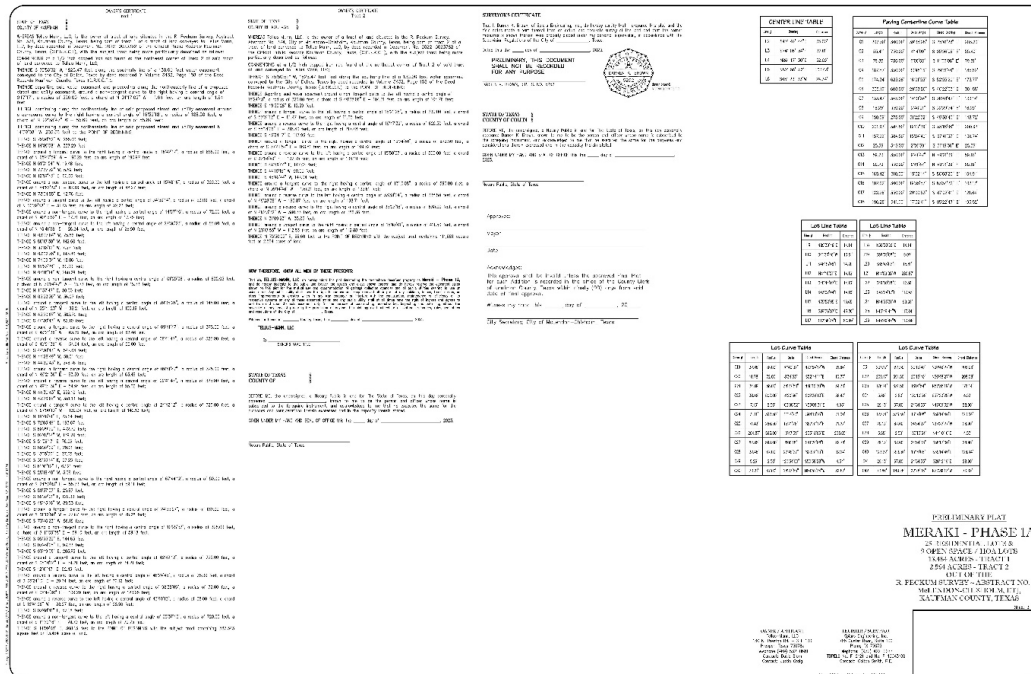
STAFF RECOMMENDATION: Disapproval, the proposed plat does not comply with the requirements of the City of McLendon-Chisholm subdivision regulations, specifically: Section 10.02.006, subsection (7)(A) Residential streets. Requires residential streets to have a minimum right of way width of 60 feet.

Given the operational characteristics of the proposed roadway, I recommend that the right-of-way width be no less than 70 feet because the proposed entry and main transportation artery will operate as a major collector.

The proposed preliminary plat does not define how fire apparatus access roadways conform to the Fire Code as adopted by the City. Street A [the main entry and roadway] purports to use Street B to provide a fire apparatus access road continuation to the original Mann Road right of way. However, the preliminary plat shows that Mann Road is to be abandoned. The applicant must describe how fire apparatus will operate in accordance with 2018 IFC as adopted by the City during construction and post development and construction of this phase.

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Proposed Preliminary Plat



BACKGROUND INFORMATION:

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

The subject property is a 16.048-acre tract of land in Kaufman County, McLendon-Chisholm ETJ.

Thoroughfares/streets:

The main entrance to the subdivision is a divided 60 foot right of way with 30 feet of right of way on both sides of the entrance/exit to the subdivision. As the proposed main entry roadway progresses to the north and west, the right of way is no longer separated and is reduced to 50 feet. The McLendon-Chisholm Subdivision Ordinance requires a minimum width of right of way for a local street to be at least 60 feet. Section 10.02.006, subsection (7)(A) Residential streets. Requires residential streets to have a minimum right of way width of 60 feet.

While the applicant has designed the main entrance to this subdivision as a residential street with a substandard right of way width, the actual operation of this roadway will operate like a major collector. The McLendon-Chisholm Comprehensive Plan identifies Major Collector: "Major Collectors provide both land access service and traffic circulation around and between residential neighborhoods and commercial areas and can also provide main "to and through" in large developments or subdivisions. They differ from the Arterial system in that Collectors distribute trips from the arterials to the local street system and vice versa. Conversely, Collectors also take traffic from local streets in neighborhoods and channel it into the Arterial system. Collectors should accommodate short trip lengths, and do not typically extend across Arterial thoroughfares, except in certain circumstances, or carry a high percentage of through trips. These roadways can serve as a "relief valve" when the Arterial system is congested."

This proposed development is a large development and this roadway is the main transportation spine to that development. The concept plan for the development is included below. At full development the subdivision is proposed to contain no less than 2,761 homes, schools and retail. This roadway should be redesigned to conform to the standards for a collector street as defined in Section 10.02.006 (7)(B)Collector Streets having a minimum right of way width of 70 feet.

Section 10.02.004 of the McLendon-Chisholm Subdivision Ordinance provides the "Purpose, authority and jurisdiction" of the City to regulate, among other things, "adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewage, and other facilities". I do not believe that a residential street provides for the adequate provision of traffic and transportation for a subdivision with the potential for over 2,700 homes, each home contributing 9.69 vehicle trips per day to the transportation system [roughly 26,000 trips per day].



meraki
FOURNEY, TEXAS

conceptual master plan
06/16/23

TELLUS

T66

Scale: 1" = 100' 0"



SHUPE VENTURA, PLLC
Attorneys and Counselors
9406 Biscayne Blvd. | Dallas, TX 75218

September 1, 2023

City of McLendon-Chisholm
Attn. Konrad Hildebrandt
City Administrator
1371 West FM 550
McLendon-Chisholm, TX 75032

Misty Ventura
214.328.1101
misty.ventura@svlandlaw.com

Re: Tellus Plat

Dear Mr. Hildebrandt,

This law firm represents Tellus-Mann, LLC in connection with the platting of the Meraki project in the City's extraterritorial jurisdiction. Enclosed is a new preliminary plat application. The enclosed application is not a resubmittal of a prior application, and as a new application, it is governed by the laws in effect on September 1, 2023, including HB 3699 (88th Texas Legislature). HB 3699 amends Chapter 212, Texas Local Government Code, and includes the following provision that prohibits the City from requiring Kaufman County's preferred right-of-way dedication on the enclosed plat application, as shown on the Kaufman County thoroughfare plan:

SECTION 12. Section 212.010, Local Government Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) The municipal authority responsible for approving plats may not require the dedication of land within a subdivision for a future street or alley that is:

- (1) not intended by the owner of the tract; and*
- (2) not included, funded, and approved in: (A) a capital improvement plan adopted by the municipality; or (B) a similar plan adopted by a county in which the municipality is located or the state.*

The enclosed plat complies with applicable requirements, and is required to be approved in accordance with law. Please contact me with any questions regarding this matter.

Sincerely,



Misty Ventura

cc: Mike Coker, City Planner
Michael Halla, City Attorney

MOTION: APPROVE A PRELIMINARY PLAT FOR A LITTLE OVER 16 ACRES OF LAND FOR THE DEVELOPMENT OF A 25-LOT RESIDENTIAL SUBDIVISION WITH 9 OPEN SPACE/HOA LOTS AS SUBMITTED BY TELLUS-MANN, LLC. THE PROPERTY IS LOCATED AT THE INTERSECTION OF MANN ROAD AND FM 548, KAUFMAN COUNTY, MCLENDON-CHISHOLM ETJ. KCAD PID #11030, 10984, AND 11029.

MADE BY: Commissioner Freeze
SECONDED BY: Commissioner Dale
APPROVAL: Unanimous

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6.3. Discussion of educational information regarding the standards and requirements for implementing a moratorium.

Chairman Kipphut presented an information memo:

Due to the impacts of the RCH imposed STAGE 5 EMERGENCY WATER SHORTAGE AND RESULTING WATER RESTRICTIONS, there have been a few calls by local residents to implement a building moratorium. The purpose of this agenda item is not to act on any such request but to discuss the terms and conditions under which a moratorium should be considered and the process to imposing one. As we discussed last month, emotions are running high and we should be very careful in any deliberation for imposing a moratorium because of the significant impact it would have on our city. As we discussed last meeting, we have several tools in our toolbox to rigorously review any proposed development to ensure any proposal brought forward is fully vetted.

Overall, we remind ourselves that McLendon-Chisholm is a Type A, General Law City and therefore must comply with Texas State Municipal Code Chapter 212, Local Government Code, Subchapter E, for implementing a Moratorium on Property Development. In the packet Chapter 212, Subchapter E was provided for your review.

A moratorium is just one way for cities to address specific municipal shortfalls created by development. Moratoriums can be used to allow a city to gain some “breathing room” to evaluate shortfalls while concurrently review, respond, and update land use regulations.

The justification for a moratorium must be based on a shortage of essential public facilities. The city must provide written findings explaining this shortage and explaining its impact. If a municipality adopts a moratorium on property development, the need must be clearly stated and evidence must be provided to demonstrate the extent of need beyond the estimated capability of existing essential public facilities and how this issue will be negatively impact the city’s ability to provide those services, and if the moratorium is not imposed, overcapacity would be detrimental to the health, safety and welfare of the residents of the municipality. The city must also demonstrate that alternative methods do not alleviate the problems that are the underlying motivation for imposing a moratorium. Geographic boundaries must be established for where the moratorium will be applied and how the shortfalls that are the basis for establishing a moratorium can be resolved.

A key point codified in code is, that out of an apparent concern that cities may overreach in their use of moratoriums, the Texas Legislature heavily regulates the use of a building moratorium as noted in Chapter 212.

For example, the Legislature has imposed stringent notice and hearing requirements on cities that seek to impose moratorium on development, including public hearings by Planning and Zoning and by the City Council.

Before the city can impose a moratorium on property development, it must conduct public hearings that provide municipal residents and affected parties the opportunity to be heard. The city must publish notice of the City Council hearing in a newspaper of general circulation.

pg. 15

Beginning on the fifth day after the city publishes notice, a temporary moratorium can be implemented and during the period of the temporary moratorium, the city may stop accepting permits, authorizations, and approvals necessary for the subdivision of, site planning of, or construction on real property to which the moratorium applies. The public hearing is used to allow citizen feedback before the council acts. The Code clearly implies that a municipality should take on a moratorium as a last resort after all other remedies have been exhausted.

By law, the council must act within 12 days after the date of the first public hearing, to make its final determination on the imposition of a moratorium. The Council must pass an ordinance to adopt a moratorium. This ordinance must be given at least two readings by Council. The readings must be separated by at least four days. If the municipality fails to adopt an ordinance imposing a moratorium within the period prescribed by this subsection, an ordinance imposing a moratorium may not be adopted, and the temporary moratorium imposed under Subsection (c) expires.

A moratorium expires 120 days after implementation unless an extension is made by the City Council that follows the same pathway as used to create the original moratorium.

With that said, I would like to open the discussion to the commission and allow Mr. Hildebrandt and or Mr. Coker to answer any questions. Thank you.

6.4. Consideration of future agenda items and guidance for staff.

No discussion.

7. ADJOURN

MOTION: ADJOURN THE MEETING

MADE BY: Commissioner Freeze

SECONDED BY: Commissioner Dale

APPROVAL: Unanimous

The meeting was adjourned at 7:40 p.m.

ATTEST:

APPROVED:

Rochelle Green, City Secretary

Mark Kipphut, Chairman



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

7-18-14
CC-25

ZONING CHANGE APPLICATION

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

Receipt # _____

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

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

Property Legal Description:
See Exhibit A attached

County Parcel ID: 11447 and 11438

Existing Zoning: PD Requested Zoning: PD

Applicant's Name: Oak National Development, LLC

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

Status of Applicant: Owner X or Authorized Agent _____

Applicant's Address: _____

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

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

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

[Signature] Date 3/2/2023

Signature of Applicant: _____

[Signature] Date _____

Page 1 of 2

02/25/2020 Zoning Change Application and Checklist

Development Fees

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

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

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

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

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

Signature of Applicant (Owner/Authorized Agent): _____

City Secretary: _____

(Seal)



Page 2 of 2

02/25/2020 Zoning Change Application and Checklist

CHECKLIST FOR ZONING CHANGE APPLICANT

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

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

TRACT 1

TRACT 1

DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

TRACT 2

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

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

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

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

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

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

NOTES

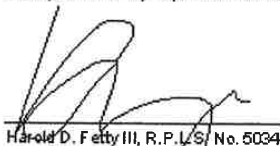
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C00110 L dated Sept. 26, 2008, this property lies in Zones A&X. Part of this property does appear to lie within a 100-year flood plain, as shown scaled from FIRM.

2) BEARING SOURCE: RECORDED PLAT.

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

SURVEYOR'S CERTIFICATE

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


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



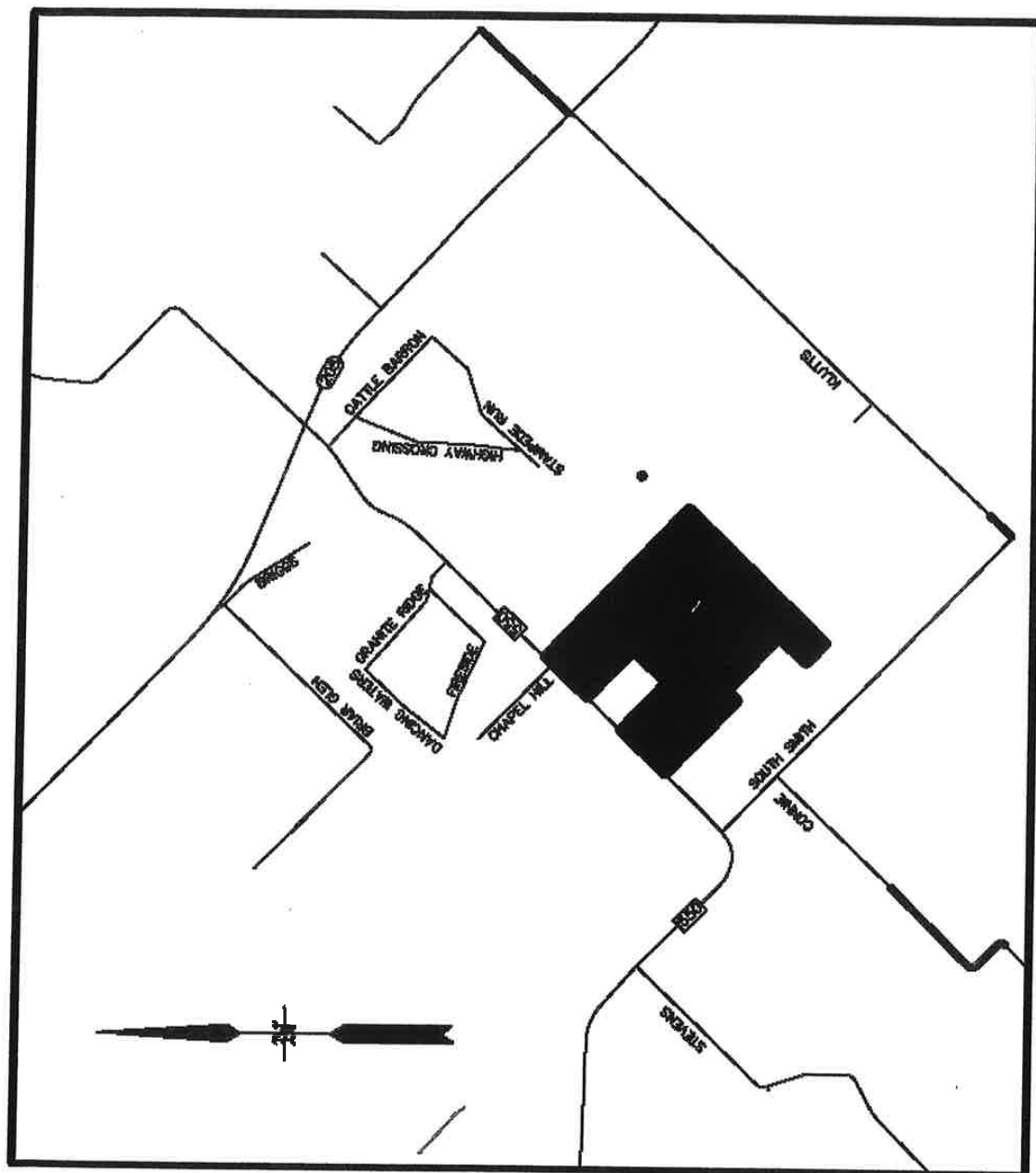
SYMBOL LEGEND	
	Survey Point
	Boundary Line
	Right-of-Way Line
	Easement
	Water
	Road
	Fence
	Building
	Utility Pole
	Survey Station
	Survey Line
	Survey Point

SURVEY DATE: AUGUST 12, 2019
SCALE: 1" = 200'
CLIENT: CHH, LLC
FILED: 2019-1895-3
OF P: 4000001201222

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 10160900

8770 FM 1505 ROYSE CITY, TX 75163 972-535-2255 PHONE tracy@hdfetty.com



VICINITY MAP
N.T.S.



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

DATE: July 12, 2023

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

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

REPRESENTATIVE: Jay Webb

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

PLANNING AND ZONING COMMISSION MEETING DATE: July 18, 2023

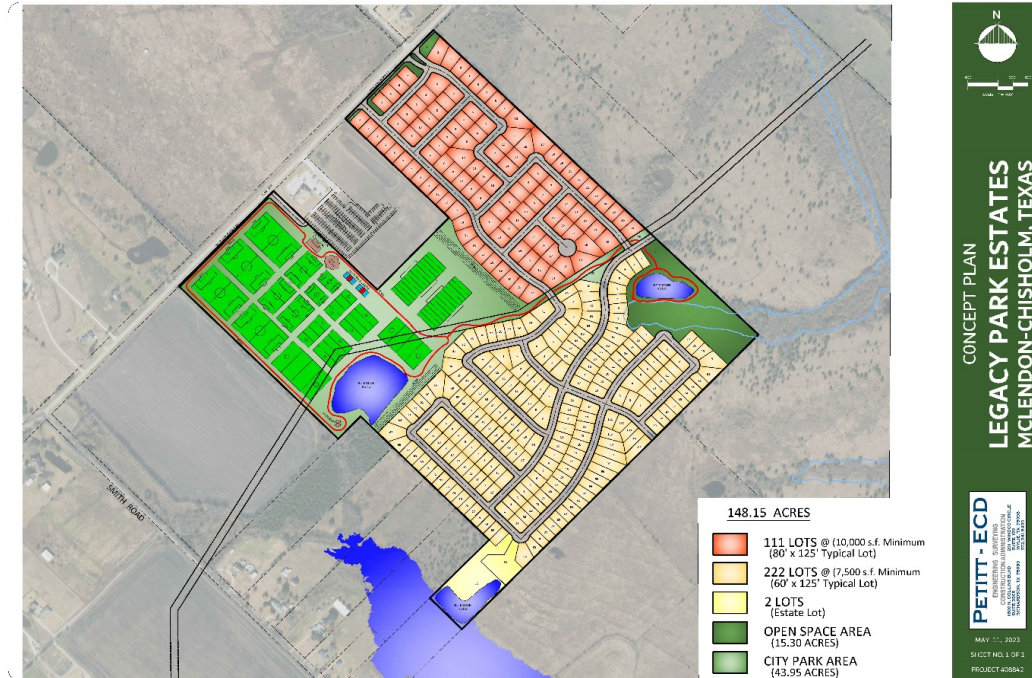
REQUEST:

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

STAFF RECOMMENDATION: Approval.

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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.

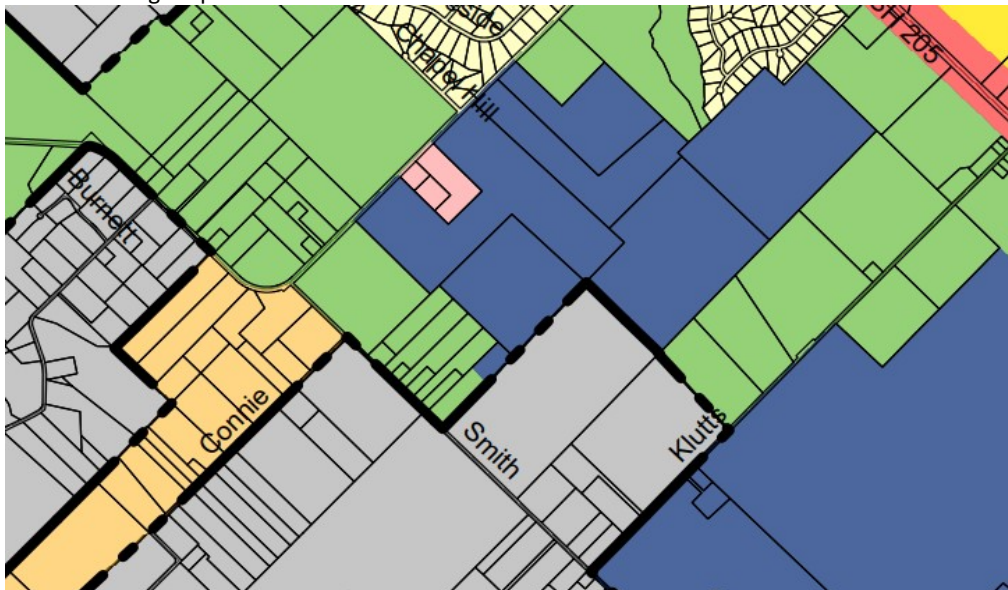
Areas labeled Open Space Area shall be owned by the HOA described herein. Owner/developer agree to dedicate to the HOA approximately 13.51 acres of open space (the "HOA Open Space") in the location shown on the Concept Plan attached hereto which may include floodplain. Owner/developer agrees that the 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

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.



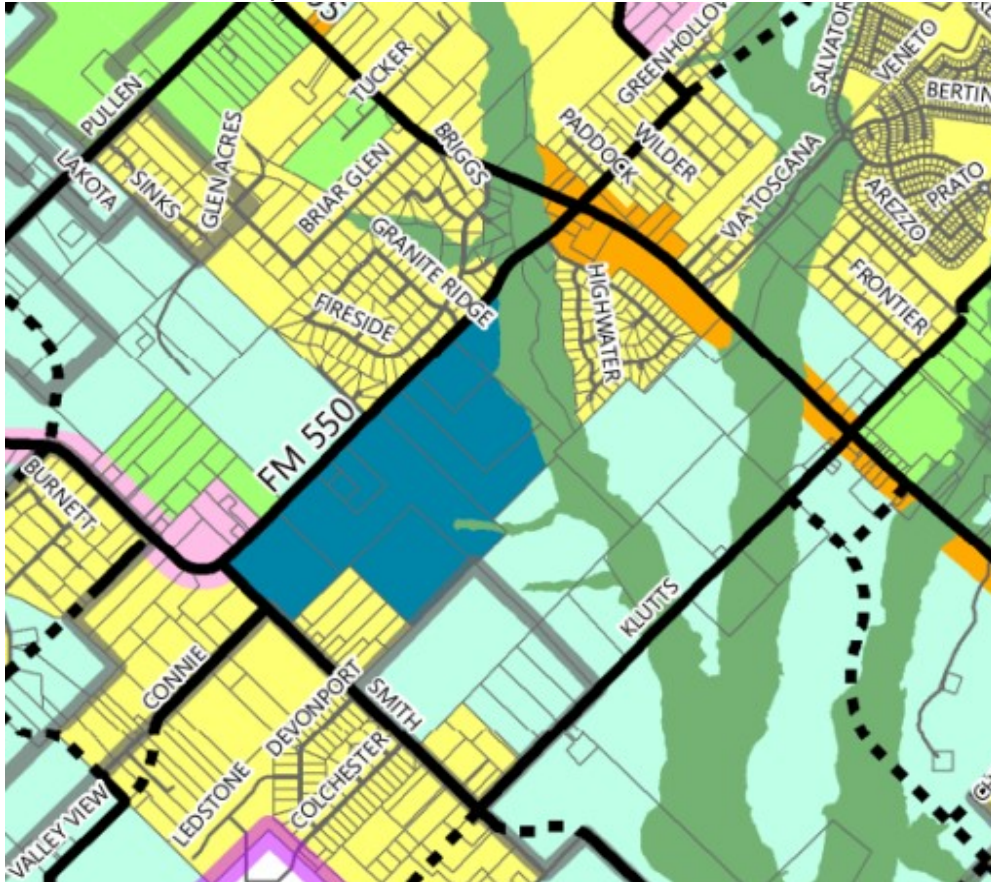
The applicant's request is to increase the residential density 335 dwelling units and to provide a 44 acre public park.

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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;

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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.



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: 7/31/2023 Receipt # _____

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

Address and/or Location of Request:
TBD League Road McLendon Chisholm, Texas 75032

Property Legal Description:
20 acres, K Latham Abstract, Abstract Number 133, Rockwall County, Texas

County Parcel ID: 11404, 11408, and a portion of 11417

Existing Zoning: SF2.5 and GB Requested Zoning: Planned Development

Applicant's Name: Ryan Webb - Greenbriar Homes

Phone No. 214-663-4140 Email: Ryan@Greenbriardfw.com

Status of Applicant: Owner ☒ or Authorized Agent _____

Applicant's Address:
137 Sawgrass Dr., Heath TX 75032

Owner's Address: 137 Sawgrass Dr., Heath TX 75032

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

Signature of Owner:
Ryan Webb Date 7/31/2023

Signature of Applicant:
Ryan Webb Date 7/31/2023

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 \$ 2600.00 to cover the cost of this application, and an initial deposit of \$ 200.00 for consulting fees has been paid to the City of McLendon-Chisholm on this 31st day of July, 2023.

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

Signature of Applicant (Owner/Authorized Agent):

City Secretary:

(Seal)



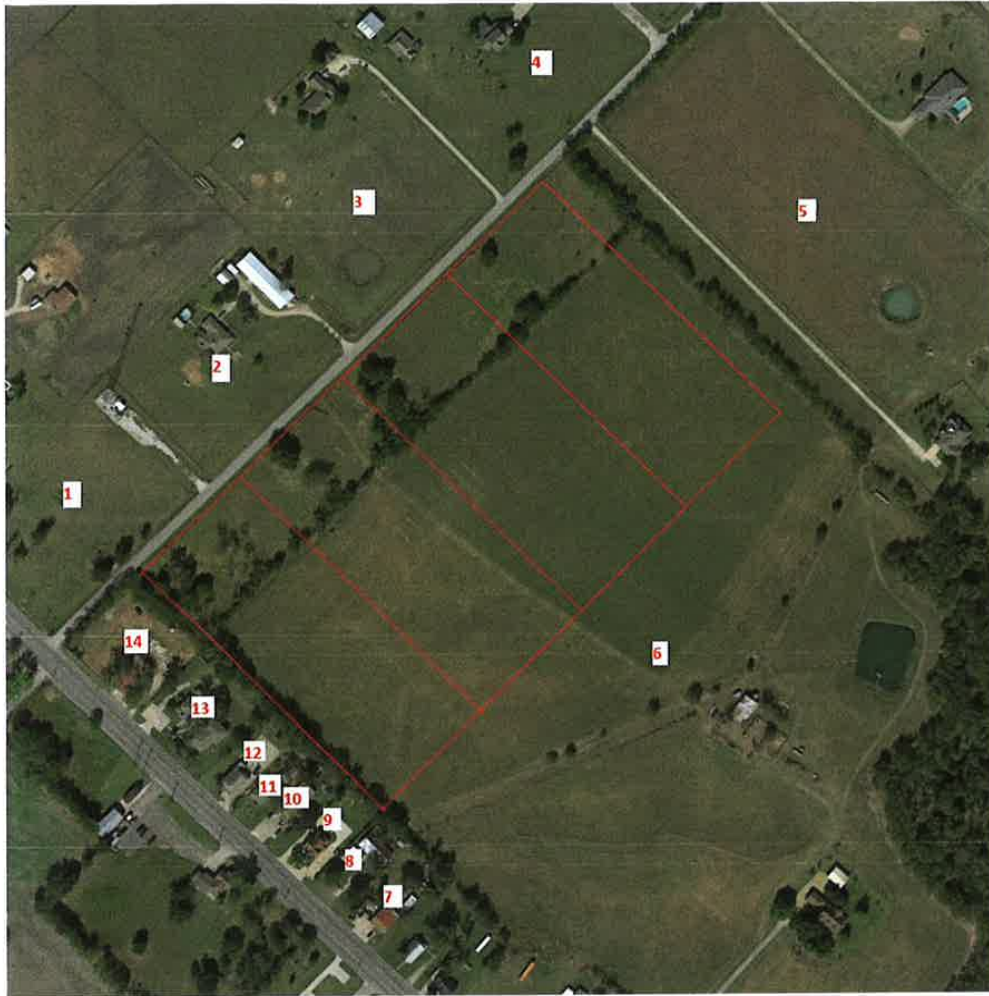
Page 2 of 2

02/25/2020 Zoning Change Application and Checklist

CHECKLIST FOR ZONING CHANGE APPLICANT

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

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



20 Acres League Rd - Contact Info for Landowners within 200'

Information from Rockwall County Appraisal District Address

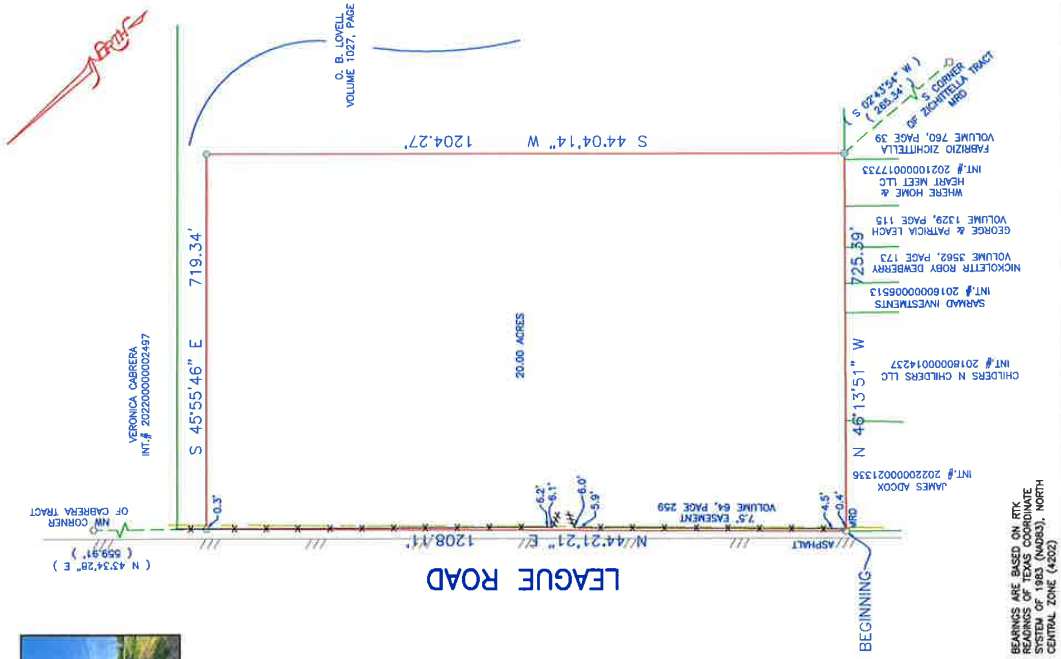
1. 1171 S. State Highway 205, Rockwall Tx 75032
2. 250 League Road, Rockwall Tx 75032
3. 260 League Road, Rockwall Tx 75032
4. 1200 Frontier Trail, Rockwall Tx 75032
5. 353 League Road, Rockwall Tx 75032
6. S State Highway 205, Rockwall Tx 75032
7. 1321 S. State Highway 205, Rockwall Tx 75032
8. 1321 S. State Highway 205, Rockwall Tx 75032
9. 1313 S. State Highway 205, Rockwall Tx 75032
10. 1301 S. State Highway 205, Rockwall Tx 75032
11. 1291 S. State Highway 205, Rockwall Tx 75032
12. 1271 S. State Highway 205, Rockwall Tx 75032
13. 1251 S. State Highway 205, Rockwall Tx 75032
14. 1211 S. State Highway 205, Rockwall Tx 75032

Owner Name

Rockwall County
Becland Family Ir
Becland Family Ir
Fite Frank E II
Cabrera Veronica
Gary Lovell
Fabrizio Zichittella
Fabrizio Zichittella
Where Home & Heart Meet LLC
Leach George
Dewberry Nickolett Roby
Sarmad Investments LLC
Childers N Childers LLC
Adcox James

Mailing Address

101 E. Rusk St. #101, Rockwall Tx 75032
250 League Rd., Rockwall Tx 75032
250 League Rd., Rockwall Tx 75032
1200 Frontier Trail, Rockwall Tx 75032
353 League Rd., Rockwall Tx 75032
1411 S. State Highway 205, Rockwall Tx 75032
1321 S. State Highway 205, Rockwall Tx 75032
1321 S. State Highway 205, Rockwall Tx 75032
1971 Jordan Ln, Rockwall Tx 75032
1301 S. State Highway 205, Rockwall Tx 75032
1291 S. State Highway 205, Rockwall Tx 75032
8719 Gladwood Ln, Dallas Tx 75243
4202 Watersedge Ct., Rowlett Tx 75088
654 English Rd., Rockwall Tx 75032



TEXAS 811 Know what's below. Call before you dig.

RHODES Surveying  WWW.RHODESSURVEYING.COM

TITLE SURVEY _____

QR Code 

BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940
 This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. _____, in the city of ROCKWALL, ROCKWALL COUNTY, Texas.
 LEAGUE ROAD

STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a tract of land situated in the King Latham Survey, Abstract No. 133, Rockwall County, Texas, and being a portion of a tract of land conveyed to Gary Lovell, as recorded in Volume 6429, Page 290, Deed Records, Rockwall County, Texas, also being a portion of a tract of land conveyed to O B Lovell, as recorded in Volume 1077, Page 12, Deed Records, Rockwall County, Texas, as shown on this survey and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 Inch iron rod found for corner, being the Northeast corner of a tract of land conveyed to James Adcox, as recorded in Instrument No. 20220000071336, Deed Records, Rockwall County, Texas, and being on the Southeast right-of-way line of League Road, also being the Northwest corner of said Lovell tract;

THENCE North 44 degrees 21 minutes 21 seconds East, a distance of 1,208.11 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 55 minutes 46 seconds east, a distance of 719.34 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 44 degrees 04 minutes 14 seconds West, a distance of 1,204.27 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE North 46 degrees 13 minutes 51 seconds West, a distance of 725.39 feet to the PLACE OF BEGINNING and containing 20.00 acres of land.

THIS TRACT MAY FALL UNDER THE REQUIREMENTS OF PLATING, ACCORDING TO THE PLATING LAWS OF THE STATE OF TEXAS AND ROCKWALL COUNTY, RHODES SURVEYING REQUESTS THAT THE AFFECTED PARTY (BUYER OR SELLER) CONTACT THEIR LOCAL COUNTY COMMISSIONER TO DETERMINE IF THIS TRACT WILL HAVE TO BE PLATED.

1425 N. 37E, SITE 108, GARLAND, TX 75043 - FIRM REGISTRATION NO 10194052

THIS TRACT IS BEING OFFERED FOR SALE AS A WHOLE. THE PROPERTY IS LOCATED AS indicated by the plat, the size, location and type of building and improvements as shown, all improvements being in place and in good condition. The property, set back and all improvements are being offered for sale as a whole and are not to be divided. THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCESSES AS SHOWN. TITLE AND ABSTRACTS WORK FURNISHED BY GARY LOVELL & STEWART TITLE

Scale: 1" = 200'

Date: 07/26/2023

G. F. No.: 202306075

Job No.: 112348

Drawn by: ASP

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR
CARY LEVEL & STEWART TITLE

EASEMENTS RECORDED IN THE FOLLOWING VOLUME & PAGES TO THE BEST OF MY KNOWLEDGE AND BELIEF DO NOT AFFECT THE ABOVE DESCRIBED PROPERTY. VOLUME 876, PAGE 70



BEARINGS ARE BASED ON RTK
READINGS OF TEXAS COORDINATE
SYSTEM OF 1983 (NAD83), NORTH
CENTRAL ZONE (4202)





20 ACRES

LOT 1 - Approx. 5 ACRES - 300'x725'
LOT 2 - Approx. 5 ACRES - 301'x724'
LOT 3 - Approx. 5 ACRES - 302'x722'
LOT 4 - Approx. 5 ACRES - 304'x720'

GREENBRIAR HOMES
214-663-4140

Ryan@GreenbriarDFW.com



CONCEPT PLAN
20 ACRES ON LEAGUE RD.
MCLENDON CHISHOLM, TEXAS

EXHIBIT B
20 Acres League Rd.
PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS
For 20 Acres
City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

This Planned Development District provides for the development standards of a mixed use of 4 lots. It's regulations and use of land intends to be consistent with the zoning standards with moderate modifications for each lot's specified use. Lot 2,3,4 regulations will be fairly consistent with the city's zoning regulations of a SF5 Single-Family Residential District. Lot 1 regulations will be fairly consistent with the city's zoning regulations of a GB General Business District with an allowed land use of mini-warehouses. This development is 20 acres of land located on League Road and each lot will be approximately 5 acres.

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. Conceptual and Development Plan

In establishing this Planned Development District, the city council shall approve and file as part of the amending ordinance the provided Conceptual Plan and the Development Plan attached. The property owner is requesting the waiving of a separate public hearing for each plan separately.

4. Development Standards

Lot 2, 3, 4

- a. Lots 2,3,4 are closely comparable to a SF5 single-family zoning district.
- b. Permitted uses. On Lots 2,3,4, 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 SF5 Residential District.
- c. Area requirements.

Minimum Lot Area	5 Acres
Minimum Lot Width	300 ft.
Minimum Lot Depth	200 ft.
Minimum Street Yard	75 ft. Front Street 75 ft. Side Street
Minimum Side Yard	25 ft.
Minimum Rear Yard	25 ft.
Minimum Dwelling Size	2,300 sq. ft.
Maximum Lot Coverage	15 %
Maximum Building Height	45 ft.
- d. Off-street parking and loading requirements. Off-street parking and loading requirements shall conform to the provisions of section 6-7, Off-street parking and loading requirements.
- e. Accessory building and structure regulations. In addition to the following, regulations for accessory building or accessory structures shall be in compliance with section 6-3, Accessory building regulations.
 - i. Accessory buildings and structures clearly incidental to the uses permitted in the SF5 Zoning District and located on the same lot therewith, not involving the conduct of a retail business except such customary home occupations as herein defined, including a private garage and bona fide servants quarters, not for rent but for the use of servants employed on the premises, when located not less than 100 feet from the front line, nor less than 25 feet from either side line; provided, accessory building when combined with the single-family dwelling and all other accessory buildings, shall not occupy more than 15 percent of the gross land area.
 - ii. When the accessory building is directly attached to the main building, it shall be considered as an integral part of the main building. When the accessory building is attached to the main building by a breezeway, the breezeway is considered part of the accessory building.

- iii. Temporary metal buildings less than 800 square feet in size which are used for tool and supply storage are also permitted

Lot 1

- a. Lots 1 is closely comparable to a General Business zoning district.
- b. Permitted uses. On Lot 1, Uses shall be in accordance with section 3-1, Permitted use table and allowed for use of mini-warehouses.
- c. Area requirements.

Minimum Lot Area	10,000 sq. ft.
Minimum Lot Width	100 ft.
Minimum Lot Depth	100 ft.
Minimum Street Yard	20 ft. Front Street 15 ft. Side Street
Minimum Side Yard	15 ft. abutting Non-Res 25 ft. abutting Red
Minimum Rear Yard	20 ft. abutting Non-Res 25 ft. abutting Red
Maximum Lot Coverage	40 %
Maximum Building Height	35 ft.

- d. Off-street parking and loading requirements. Off-street parking and loading requirements shall conform to the provisions of section 6-7, Off-street parking and loading requirements except with the land use of Mini-warehouses, there will be no permanent parking spots required.
- e. Landscaping. A total of 10% lot coverage is required to be landscaped. All credit provisions in section 6-10, Landscaping requirements will be deducted from the total lot coverage requirement.
- f. Screening and buffer requirements. Both side and rear property lines will be required to have a 6' stained wood fence with steel posts up to the front fence line. The front yard will have a 6' decorative black wrought iron fence and 2 gates with landscaping in front of the fence.
- g. Masonry requirement. The front wall of the first buildings facing League Rd. will be 100% masonry excluding doors/windows. All other walls of the buildings will be metal and painted.

Ordinance No. 2023-

AN ORDINANCE OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING DISTRICT FROM AG AGRICULTURE TO A PD PLANNED DEVELOPMENT ZONING DISTRICT PROVIDING FOR 4 MIXED USE LOTS ON A 20+ ACRE TRACT OF LAND LOCATED GENERALLY ON LEAGUE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, IN THE CITY OF McLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS, PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of McLendon-Chisholm and the governing body of the City of McLendon-Chisholm, in compliance with state laws and with reference to amending the Comprehensive Zoning Ordinance and Zoning Map, have given the requisite notice by publication and otherwise, an after holding due hearing and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the City of McLendon-Chisholm is of the opinion that said Comprehensive Zoning Ordinance and Map should be amended as provided herein. Now therefore:

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of McLendon-Chisholm, Texas, heretofore duly passed by the governing body of the City of McLendon-Chisholm, as heretofore amended, be hereby amended by changing the Zoning District designation on the 20-acre tract of land more particularly described in Exhibit "A", attached hereto and incorporated herein, and herein referred to as the "Property" from the existing zoning on the property to a PD Planned Development District as described in Exhibit "B" Planned Development District Development Standards and amending the Official Zoning Map to reflect the approved change in zoning district.

SECTION 2. That all provisions of the ordinances of the City of McLendon-Chisholm in conflict with the provisions of this ordinance as applicable to the Property are hereby repealed and all other provisions of the ordinances of the City of McLendon-Chisholm not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so

decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance or Map as a whole.

SECTION 4. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

Passed and approved this day of August, 2023.

BEING a tract of land situated in the King Latham Survey, Abstract No. 133, Rockwall County, Texas, and being a portion of a tract of land conveyed to Gary Lovell, as recorded in Volume 6429, Page 290, Deed Records, Rockwall County, Texas, also being a portion of a tract of land conveyed to O B Lovell, as recorded in Volume 1027, Page 12, Deed Records, Rockwall County, Texas, as shown on this survey and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner, being the Northeast corner of a tract of land conveyed to James Adcox, as recorded in Instrument No. 20220000021336, Deed Records, Rockwall County, Texas, and being on the Southeast right-of-way line of League Road, also being the Northwest corner of said Lovell tract;

THENCE North 44 degrees 21 minutes 21 seconds East, a distance of 1,208.11 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 55 minutes 46 seconds east, a distance of 719.34 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 44 degrees 04 minutes 14 seconds West, a distance of 1,204.27 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE North 46 degrees 13 minutes 51 seconds West, a distance of 725.39 feet to the PLACE OF BEGINNING and containing 20.00 acres of land.



CITY OF McLENDON-CHISHOLM
PLAT APPLICATION

Application Date: 10/5/23

Items Submitted. Check all that Apply:

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

General Information:

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

No. of Acres: 73.922 No. of Lots: 321 Proposed Zoning: N/A - ETJ

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

Proposed Use for Property: Single Family Residential

Applicant Name: Colton Smith

Company: Spiars Engineering and Surveying, Inc.

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

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

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

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

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

County Parcel ID: 11030, 10984, 11029, 10985, 10981

Other Information: _____

Page 1 of 2

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 \$ 56,915 to cover the cost of this application, and an initial deposit of \$ 3,000 for consulting fees has been paid to the City of McLendon-Chisholm on this 5th day of October, 2023.

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

Signature of Applicant:  (Seal)
City Secretary: _____

1002

TELLUS TEXAS II, LLC
130 N. PRESTON RD SUITE 130
PROSPER, TEXAS 75078

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

10/4/2023

PAY TO THE
ORDER OF

City of McLendon-Chisholm

Fifty-Nine Thousand Nine Hundred Fifteen and 00/100*****

\$ **59,915.00

DOLLARS

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

MEMO

Meraki - Phase 1 Plat Submittal



Lee K. Henry
AUTHORIZED SIGNATURE

⑈001002⑈

⑈11100061⑈

766037201⑈

TELLUS TEXAS II, LLC

City of McLendon-Chisholm

Meraki - Phase 1 Plat Submittal

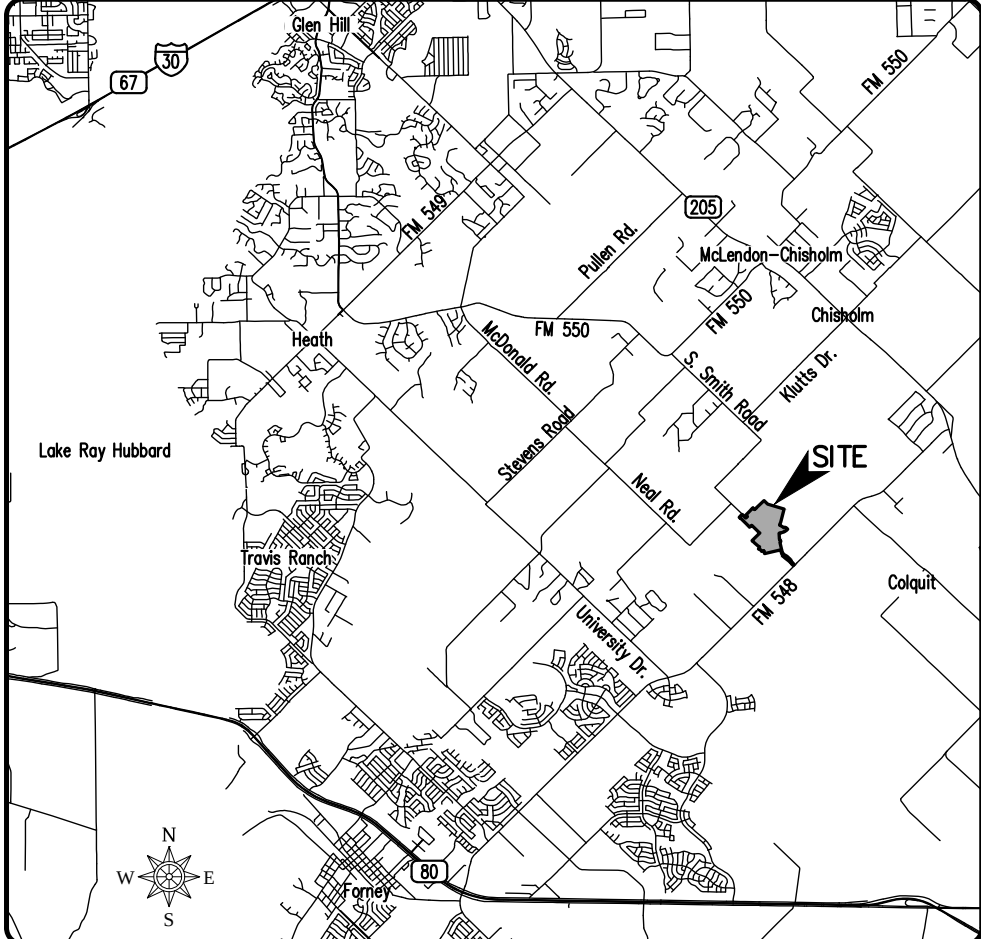
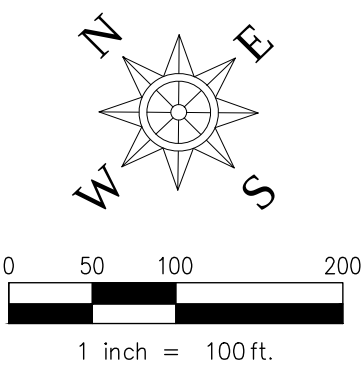
10/4/2023

59,915.00

1002

Boundary Line Table			Boundary Line Table			Boundary Line Table			Boundary Line Table		
Line #	Bearing	Distance	Line #	Bearing	Distance	Line #	Bearing	Distance	Line #	Bearing	Distance
BL1	N14°09'08"W	157.43'	BL16	N26°04'37"E	15.81'	BL31	N00°06'48"W	14.24'	BL46	S78°04'55"W	42.76'
BL2	S75°50'52"W	131.40'	BL17	N44°30'43"E	20.00'	BL32	N44°30'43"E	50.00'	BL47	S10°36'24"W	60.06'
BL3	S75°23'44"W	46.70'	BL18	N62°56'48"E	15.81'	BL33	S45°29'17"E	45.00'	BL48	S61°31'54"E	16.48'
BL4	N34°25'54"E	130.00'	BL19	N44°30'43"E	125.00'	BL34	S27°34'14"E	15.82'	BL49	N73°40'23"E	86.19'
BL5	N55°23'44"W	25.33'	BL20	N00°29'17"W	14.14'	BL35	S65°17'51"E	117.17'	BL50	N48°45'16"E	89.53'
BL6	N45°29'17"W	187.42'	BL21	N44°30'43"E	60.00'	BL36	S44°28'49"E	50.01'	BL51	S59°52'01"E	21.10'
BL7	N87°43'01"W	14.81'	BL22	N89°30'43"E	14.14'	BL37	N44°30'43"E	82.10'	BL52	S53°50'45"E	113.95'
BL8	N39°03'52"W	50.00'	BL23	S45°29'17"E	50.00'	BL38	S05°53'39"E	36.07'	BL53	N61°58'00"E	20.00'
BL9	N00°29'17"W	14.14'	BL24	S00°29'17"E	14.14'	BL39	S11°37'47"W	50.00'	BL54	S72°35'25"E	31.58'
BL10	S89°30'43"W	14.14'	BL25	N89°30'43"E	14.14'	BL40	S15°53'26"W	50.00'	BL55	S47°21'22"E	129.54'
BL11	S44°30'43"W	175.00'	BL26	N44°30'43"E	95.00'	BL41	S74°06'34"E	18.86'	BL56	S43°32'32"W	114.98'
BL12	N45°29'17"W	50.00'	BL27	N25°58'36"E	15.73'	BL42	S03°02'35"W	143.80'	BL57	S64°05'23"W	163.50'
BL13	N26°04'37"E	15.81'	BL28	N45°29'17"W	11.26'	BL43	S37°18'12"E	7.52'	BL58	S86°10'52"W	25.00'
BL14	S62°56'48"W	15.81'	BL29	S45°29'17"E	128.94'	BL44	N86°17'30"E	142.60'	BL59	N03°49'08"W	97.33'
BL15	N45°29'17"W	50.00'	BL30	N44°30'43"E	119.87'	BL45	S03°07'04"E	75.56'	BL60	N05°53'39"W	144.63'

Boundary Curve Table						Boundary Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance	Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
BC1	29.04'	275.00'	6°03'04"	N17°10'40"W	29.03'	BC15	63.46'	375.00'	9°41'47"	N49°21'36"E	63.39'
BC2	86.51'	145.00'	34°11'09"	N42°46'40"W	85.24'	BC16	100.19'	145.00'	39°35'28"	S25°41'23"E	98.21'
BC3	108.95'	1395.00'	4°28'30"	S67°37'59"W	108.92'	BC17	15.73'	634.94'	1°25'09"	S79°04'47"E	15.73'
BC4	334.60'	1935.00'	9°54'27"	N50°26'31"W	334.18'	BC18	26.50'	55.00'	27°36'23"	S10°41'08"W	26.24'
BC5	30.83'	275.00'	6°25'26"	N47°43'25"E	30.82'	BC19	17.75'	72.00'	14°07'40"	S40°15'52"W	17.71'
BC6	64.29'	140.00'	28°18'40"	N60°41'25"W	63.73'	BC20	32.23'	53.00'	34°50'14"	S60°39'48"W	31.73'
BC7	54.44'	110.00'	28°21'27"	N59°40'01"W	53.89'	BC21	90.77'	305.85'	17°00'12"	N84°43'07"W	90.43'
BC8	1.06'	455.00'	0°08'02"	S45°25'17"E	1.06'	BC22	5.59'	380.00'	0°50'34"	S77°27'32"E	5.59'
BC9	310.63'	325.00'	54°45'47"	S18°06'24"E	298.94'	BC23	190.97'	655.00'	16°42'18"	S05°47'59"E	190.29'
BC10	30.85'	275.00'	6°25'37"	S68°30'40"E	30.83'	BC24	78.28'	180.00'	24°55'07"	N61°12'50"E	77.67'
BC11	148.84'	325.00'	26°14'21"	S58°36'18"E	147.54'	BC25	101.07'	50.00'	11°54'45"	S85°56'22"E	84.72'
BC12	55.00'	325.00'	9°41'47"	S49°21'36"W	54.94'	BC26	288.70'	765.00'	21°37'21"	S71°23'54"W	286.99'
BC13	63.46'	375.00'	9°41'47"	S49°21'36"W	63.39'	BC27	59.18'	325.00'	10°25'57"	N11°06'38"W	59.10'
BC14	55.00'	325.00'	9°41'47"	N49°21'36"E	54.94'						



VICINITY MAP
Scale: 1"=10,000'

LEGEND	
(Not All Items May Be Applicable)	
○	1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPARSING" SET, UNLESS OTHERWISE NOTED
NOTE: IF DENSE TO SET ACTUAL LOT CORNER, A 5 FOOT OFFSET IRON ROD MAY BE SET WITH A PINK PLASTIC CAP STAMPED "SPARSING-5' O/S PC".	
BRF	IRON ROD FOUND
CRP	CAPPED IRON ROD FOUND
AMF	ALUMINUM MONUMENT FOUND
CM	CONTROL MONUMENT
Emit	EASEMENT
UE	DRAINAGE EASEMENT
UE	DRAINAGE AND UTILITY EASEMENT
UE	DRAINAGE EASEMENT
WE	WATER EASEMENT
SSE	SANITARY SEWER EASEMENT
SE	SEWER EASEMENT
SE	SEWER EASEMENT
FAE	PRELIMINARY ACCESS & UTILITY EASEMENT
WME	WALL MAINTENANCE EASEMENT
HBE	HIRE & BUREAU EASEMENT
VAM	VIOLATION, ACCESS & MAINTENANCE EASEMENT
BYD	BY THIS PLAT
ROW	RIGHT-OF-WAY
Mr. FF	MINIMUM FINISH FLOOR ELEVATION
BL	BUILDING LINE
ST	STREET NAME CHANGE
▲	BLOCK DESIGNATION
▲	LOT FRONTAGE
Cab.	CABINET
Vol.	VOLUME
Pg.	PAGE
No.	NUMBER
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
FIRM	FLOOD INSURANCE RATE MAP
SCS	SOIL CONSERVATION SERVICE
Ord. No.	ORDINANCE NUMBER
Inst./Doc.	INSTRUMENT OR DOCUMENT
OPRKT	OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS

- NOTES:
- According to Flood Insurance Rate Map (FIRM) Map No. 48257C0050D, Dated July 2, 2012, this property is located within Zone X, Zone A, and Zone AE floodplain.
 - Basis of bearing: Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983. Adjustment Realization 2011.
 - Selling a portion of this addition by metes and bounds is a violation of state law and is subject to fines and withholding of utilities and building permits.
 - All common areas, Lot B2, Lot C2, Lot D1, Lot F1, Lot G1, Lot H1, Lot K1, Lot L1, Lot L2, Lot M1, Lot M2, Lot S1, and Lot X2 to be owned and maintained by the HOA.
 - Lots B2, C2, D1, F1, G1, H1, K1, L1, L2, M1, M2, S1, and X2 to be used for sidewalks, trails, and landscaping. Easements for the uses are granted by this plat.
 - Lots H1, L1 and S1 to be Water and Sanitary Sewer easements granted by this plat.
 - All proposed roads are to be owned and maintained by Ledbetter Freshwater Supply District No. 1 of Kaufman County.

PRELIMINARY PLAT
MERAKI - PHASE 1B
321 RESIDENTIAL LOTS &
13 OPEN SPACE / HOA LOTS
70.715 ACRES TRACT 1
3.207 ACRES TRACT 2
OUT OF THE
R. PECKUM SURVEY ~ ABSTRACT NO. 374
McLENDON-CHISHOLM ETJ,
KAUFMAN COUNTY, TEXAS

Sheet 1 of 4

OWNER / APPLICANT
Tellus-Mann, LLC
130 N. Preston Rd. ~ STE 130
Prosper, Texas 75078
Telephone (469) 532-0681
Contact: Justin Craig

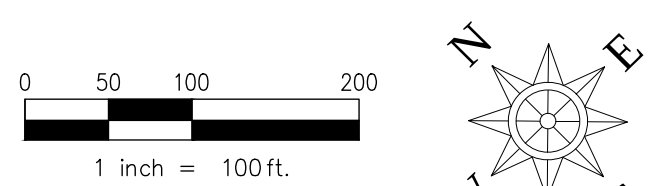
ENGINEER / SURVEYOR
Sparks Engineering, Inc.
765 Custer Road, Suite 100
Piano, TX 75075
Telephone: (972) 422-0077
TBPELS No. F-2123 and No. F-10043100
Contact: Colton Smith, P.E.

Scale: 1" = 100' September, 2023 SEI Job No. 22-211

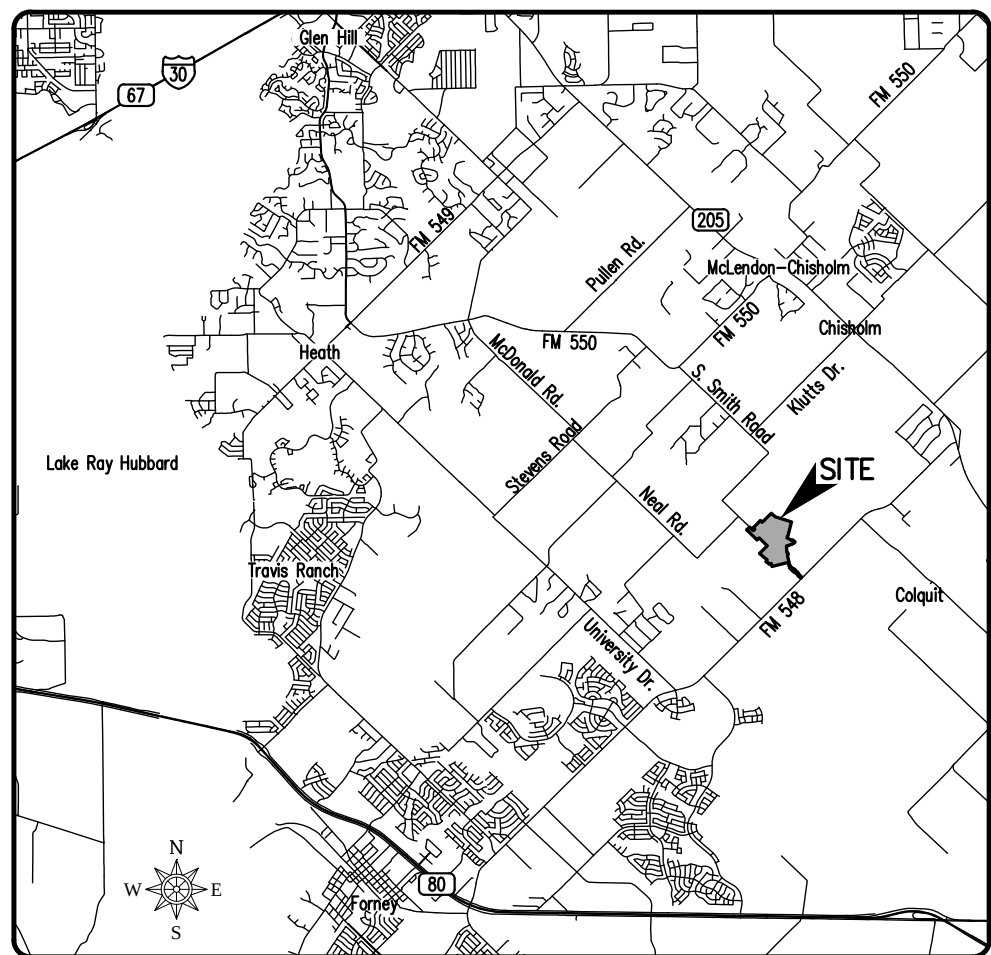
Boundary Line Table			Boundary Line Table			Boundary Line Table			Boundary Line Table		
Line #	Bearing	Distance	Line #	Bearing	Distance	Line #	Bearing	Distance	Line #	Bearing	Distance
BL1	N14°09'08"W	157.43'	BL16	N26°04'37"E	15.81'	BL31	N00°06'48"W	14.24'	BL46	S78°04'55"W	42.76'
BL2	S75°50'52"W	131.40'	BL17	N44°30'43"E	20.00'	BL32	N44°30'43"E	50.00'	BL47	S10°36'24"W	60.06'
BL3	N55°23'44"W	46.70'	BL18	N62°56'48"E	15.81'	BL33	S45°29'17"E	45.00'	BL48	S61°31'54"E	16.48'
BL4	N34°25'54"E	130.00'	BL19	N44°30'43"E	125.00'	BL34	S27°34'14"E	15.82'	BL49	N73°40'23"E	86.19'
BL5	N55°23'44"W	25.33'	BL20	N00°29'17"W	14.14'	BL35	S65°17'51"E	117.17'	BL50	N48°45'16"E	89.53'
BL6	N45°29'17"W	187.42'	BL21	N44°30'43"E	60.00'	BL36	S44°28'49"E	50.01'	BL51	S58°52'01"E	21.10'
BL7	N87°43'01"W	14.81'	BL22	N89°30'43"E	14.14'	BL37	N44°30'43"E	82.10'	BL52	S53°50'45"E	113.95'
BL8	N39°03'52"W	50.00'	BL23	S45°29'17"E	50.00'	BL38	S05°53'39"E	36.07'	BL53	N61°58'00"E	20.00'
BL9	N00°29'17"W	14.14'	BL24	S00°29'17"E	14.14'	BL39	S11°37'47"W	50.00'	BL54	S72°35'25"E	31.58'
BL10	S89°30'43"W	14.14'	BL25	N89°30'43"E	14.14'	BL40	S15°53'26"W	50.00'	BL55	S47°21'22"E	129.54'
BL11	S44°30'43"W	175.00'	BL26	N44°30'43"E	95.00'	BL41	S74°06'34"E	18.86'	BL56	S43°32'32"W	114.98'
BL12	N45°29'17"W	50.00'	BL27	N25°58'36"E	15.73'	BL42	S03°02'35"W	143.80'	BL57	S64°05'23"W	163.50'
BL13	N26°04'37"E	15.81'	BL28	N45°29'17"W	11.26'	BL43	S37°18'12"E	7.52'	BL58	S86°10'52"W	25.00'
BL14	S62°56'48"W	15.81'	BL29	S45°29'17"E	128.94'	BL44	N86°17'30"E	142.60'	BL59	N03°49'08"W	97.33'
BL15	N45°29'17"W	50.00'	BL30	N44°30'43"E	119.87'	BL45	S03°07'04"E	75.56'	BL60	N05°53'39"W	144.63'

Boundary Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
BC1	29.04'	275.00'	6°03'04"	N17°10'40"W	29.03'
BC2	86.51'	145.00'	34°11'09"	N42°46'40"W	85.24'
BC3	108.95'	1395.00'	4°28'30"	N57°37'59"W	108.92'
BC4	334.60'	1935.00'	9°54'27"	N50°26'31"W	334.18'
BC5	30.83'	275.00'	6°25'26"	N47°43'25"E	30.82'
BC6	64.29'	140.00'	26°18'40"	N60°41'25"W	63.73'
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BC8	1.06'	455.00'	0°08'02"	S45°25'17"E	1.06'
BC9	310.63'	325.00'	54°45'47"	S18°06'24"E	298.94'
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BC11	148.84'	325.00'	26°14'21"	S58°36'18"E	147.54'
BC12	55.00'	325.00'	9°41'47"	S49°21'36"W	54.94'
BC13	63.46'	375.00'	9°41'47"	S49°21'36"W	63.39'
BC14	55.00'	325.00'	9°41'47"	N49°21'36"E	54.94'

Boundary Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
BC15	63.46'	375.00'	9°41'47"	N49°21'36"E	63.39'
BC16	100.19'	145.00'	39°35'28"	S25°41'23"E	98.21'
BC17	15.73'	634.94'	1°25'09"	S79°04'47"E	15.73'
BC18	26.50'	55.00'	27°36'23"	S10°41'08"W	26.24'
BC19	17.75'	72.00'	14°07'40"	S40°15'52"W	17.71'
BC20	32.23'	53.00'	34°50'14"	S60°39'48"W	31.73'
BC21	90.77'	305.85'	17°00'12"	N84°43'07"W	90.43'
BC22	5.59'	380.00'	0°50'34"	S77°27'32"E	5.59'
BC23	190.97'	655.00'	16°42'18"	S05°47'59"E	190.29'
BC24	78.28'	180.00'	24°58'07"	N61°12'50"E	77.67'
BC25	101.07'	50.00'	11°54'45"	S85°56'22"E	84.72'
BC26	288.70'	765.00'	21°37'21"	S71°23'54"W	286.99'
BC27	59.18'	325.00'	10°25'57"	N11°06'38"W	59.10'



- NOTES:
1. According to Flood Insurance Rate Map (FIRM) Map No. 48257C00500, Dated July 2, 2012, this property is located within Zone X, Zone A, and Zone AE floodplain.
 2. Basis of bearing: Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983. Adjustment Redaction 2011.
 3. Selling a portion of this addition by metes and bounds is a violation of state law and is subject to fines and withholding of utilities and building permits.
 4. All common areas, Lot B2, Lot C2, Lot D1, Lot F1, Lot G1, Lot H1, Lot K1, Lot L1, Lot L2, Lot M1, Lot M2, Lot S1, and Lot X2 to be owned and maintained by the HOA.
 5. Lots B2, C2, D1, F1, G1, H1, K1, L1, L2, M1, M2, S1, and X2 to be used for sidewalks, trails, and landscaping. Easements for the uses are granted by this plat.
 6. Lots H1, L1 and S1 to be Water and Sanitary Sewer easements granted by this plat.
 7. All proposed roads are to be owned and maintained by Ledbetter Freshwater Supply District No. 1 of Kaufman County.



VICINITY MAP
Scale: 1"=10,000'

LEGEND	
(Not All Items May Be Applicable)	
○	1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPARSING" SET, UNLESS OTHERWISE NOTED
NOTE: IF UNABLE TO SET ACTUAL LOT CORNER, A 5 FOOT OFFSET IRON ROD MAY BE SET WITH A PINK PLASTIC CAP STAMPED "SPARSING-5' O/S P.C."	
IRF	IRON ROD FOUND
CRF	CAPPED IRON ROD FOUND
AMF	ALUMINUM MONUMENT FOUND
CM	CONTROL MONUMENT
Emil	EASEMENT
UHL	UTILITY
DE	DRAINAGE EASEMENT
DUE	DRAINAGE AND UTILITY EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SSE	SANITARY SEWER EASEMENT
SE	SEWER EASEMENT
STE	STREET EASEMENT
FAE	FIRELAME, ACCESS, & UTILITY EASEMENT
WME	WALL MAINTENANCE EASEMENT
HBE	HIKE & BIKE TRAIL EASEMENT
VAM	VEHICLE ACCESS & MAINTENANCE EASEMENT
(BTP)	BY THIS PLAT
ROW	RIGHT-OF-WAY
Min. FF	MINIMUM FINISH FLOOR ELEVATION
BL	BUILDING LINE
◆	STREET NAME CHANGE
◆	BLOCK DESIGNATION
▲	LOT FRONTAGE
Cab.	CABINET
Vol.	VOLUME
Pa.	PAGE
No.	NUMBER
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
FIRM	FLOOD INSURANCE RATE MAP
SSS	SOIL CONSERVATION SERVICE
Ord. No.	ORDINANCE NUMBER
Inst./Doc.	INSTRUMENT OR DOCUMENT
DRCT	DEED RECORDS, KAUFMAN COUNTY, TEXAS
OPRCKT	OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS

PRELIMINARY PLAT

MERAKI - PHASE 1B

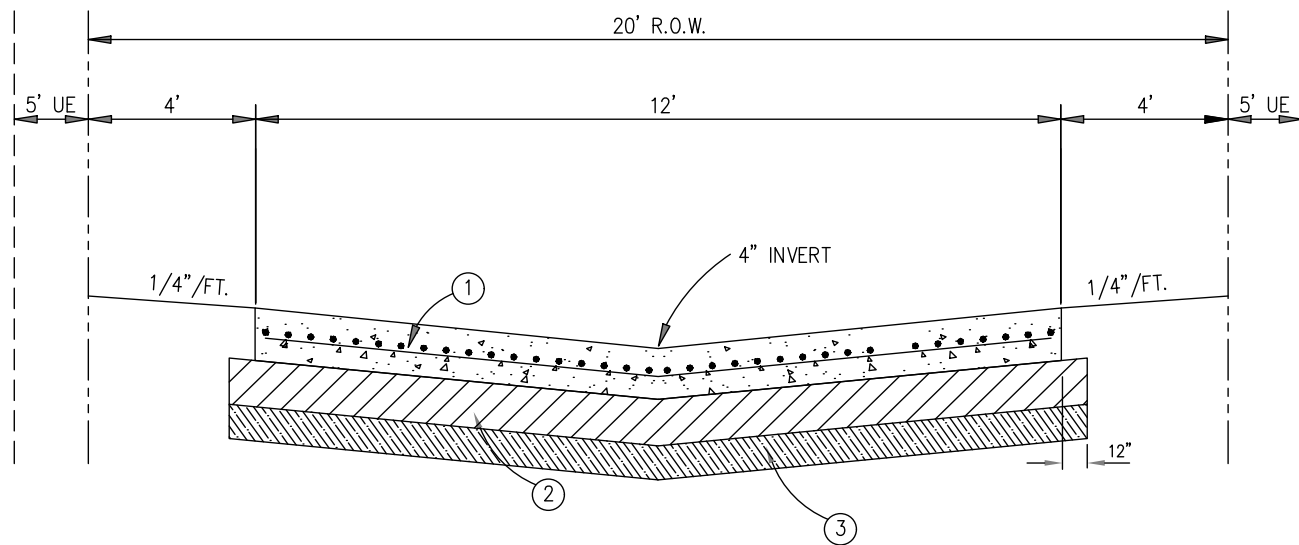
321 RESIDENTIAL LOTS &
13 OPEN SPACE / HOA LOTS
70.715 ACRES TRACT 1
3.207 ACRES TRACT 2

OUT OF THE
R. PECKUM SURVEY ~ ABSTRACT NO. 374
McLENDON-CHISHOLM ETJ,
KAUFMAN COUNTY, TEXAS

OWNER / APPLICANT
Tellus-Mann, LLC
130 N. Preston Rd. - STE 130
Prosper, Texas 75078x
Telephone (469) 532-0681
Contact: Justin Craig

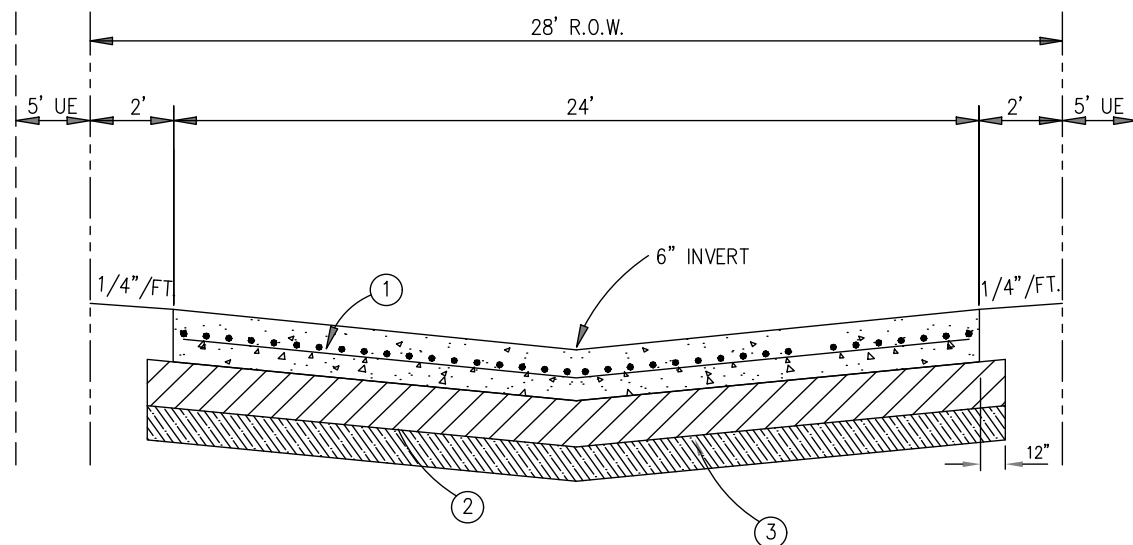
ENGINEER / SURVEYOR
Spars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPELS No. F-2121 and No. F-10043100
Contact: Colton Smith, P.E.

Scale: 1" = 100' September, 2023 SEJ Job No. 22-211



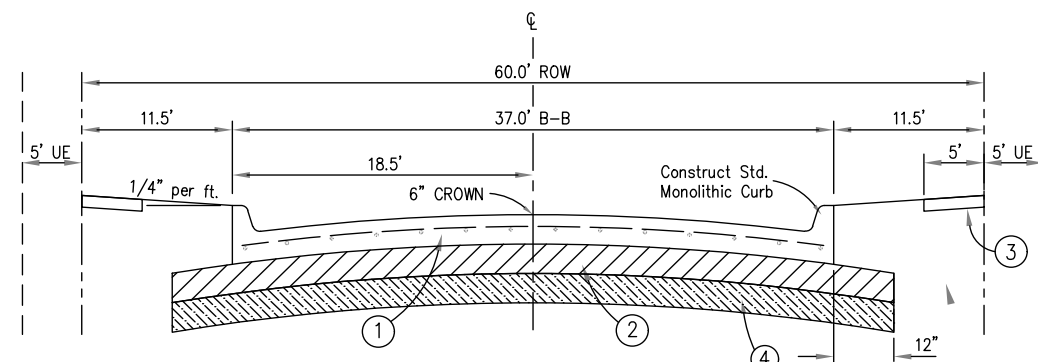
**20' ALLEY RIGHT-OF-WAY
12' PAVEMENT SECTION
NTS**

- 1 6" Thk.~4000 P.S.I. Concrete Reinforced (6 Sack Per Cubic Yard) w/No. 4 Bars on 24" Centers, Both Ways.
- 2 Subgrade to be stabilized per District standards in conformance with geotech report.



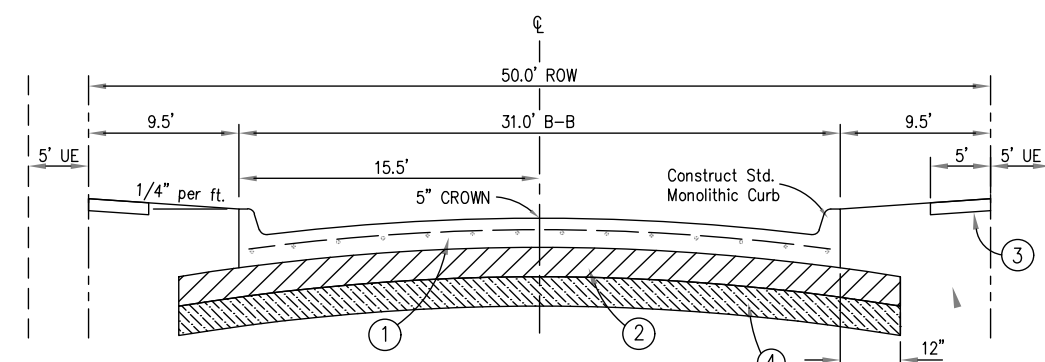
**28' ALLEY RIGHT-OF-WAY
24' PAVEMENT SECTION
NTS**

- 1 6" Thk.~4000 P.S.I. Concrete Reinforced (6 Sack Per Cubic Yard) w/No. 4 Bars on 24" Centers, Both Ways.
- 2 Subgrade to be stabilized per District standards in conformance with geotech report.



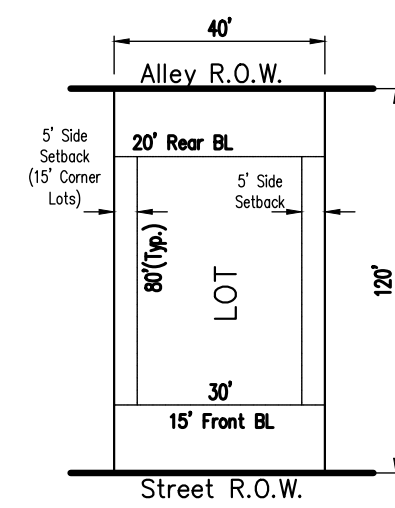
**60' RIGHT-OF-WAY
37' B-B PAVEMENT SECTION
NTS**

- 1 7" Thk.~4000 P.S.I. Concrete Reinforced (6 Sack Per Cubic Yard) w/No. 4 Bars on 18" Centers, Both Ways.
- 2 Subgrade to be stabilized per District standards in conformance with geotech report.
- 3 5' Sidewalk Per Detail Unless Shown Otherwise On Landscape Plans.

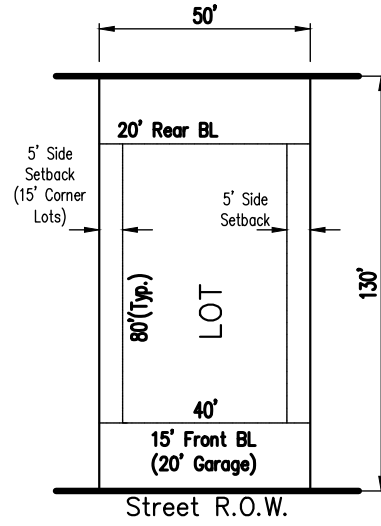


**50' RIGHT-OF-WAY
31' B-B PAVEMENT SECTION
NTS**

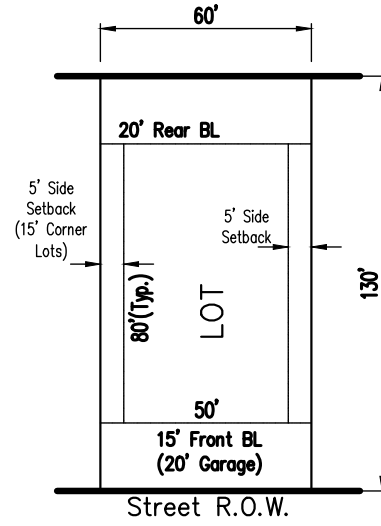
- 1 6" Thk.~4000 P.S.I. Concrete Reinforced (6 Sack Per Cubic Yard) w/No. 4 Bars on 24" Centers, Both Ways.
- 2 Subgrade to be stabilized per District standards in conformance with geotech report.
- 3 5' Sidewalk Per Detail Unless Shown Otherwise On Landscape Plans.



**Type I
Typical Lot Detail
123 Lots
Not To Scale**



**Type II
Typical Lot Detail
97 Lots
Not To Scale**



**Type III
Typical Lot Detail
101 Lots
Not To Scale**

NOTES:

1. According to Flood Insurance Rate Map (FIRM) Map No. 48257C00500, Dated July 2, 2012, this property is located within Zone X, Zone A, and Zone AE Floodplain.
2. Basis of bearing: Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983. Adjustment Realization 2011.
3. Selling a portion of this addition by metes and bounds is a violation of state law and is subject to fines and withholding of utilities and building permits.
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OWNER / APPLICANT
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130 N. Preston Rd. - STE 130
Prosper, Texas 75078x
Telephone (469) 532-0681
Contact: Justin Craig

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPELS No. F-2121 and No. F-10043100
Contact: Colton Smith, P.E.

September, 2023 SEI Job No. 22-211

PRELIMINARY PLAT

MERAKI - PHASE 1B

321 RESIDENTIAL LOTS &
13 OPEN SPACE / HOA LOTS
70.715 ACRES TRACT 1
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McLendon-Chisholm ETJ,
KAUFMAN COUNTY, TEXAS

Sheet 3 of 4

