



AGENDA
PLANNING & ZONING COMMISSION REGULAR MEETING
THURSDAY, DECEMBER 2, 2021
1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032
7:00 PM

	Page
1. CALL TO ORDER	
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS	
3. CITIZEN COMMENTS	
4. APPROVAL OF MINUTES	
4.1. September 9, 2021 Regular Planning & Zoning Meeting 09.09.21 Minutes	3 - 14
4.2. September 16, 2021 Regular Planning & Zoning Commission meeting 09.16.21 Minutes	15 - 16
5. PUBLIC HEARINGS	
5.1. A public hearing to consider the application of MC Trilogy Texas, LLC, requesting a change in zoning from "A" Agriculture to "PD" Planned Development District for two tracts of property: Tract 1 (109.907 acres) located North of FM 550 and generally east of Pullen Road; and Tract 2 (69.143 acres) located North of FM 550 and west of Pullen Road; further described as county ID numbers 12959 and 12960. Zoning of the subject property will amend the official Zoning Map of the City of McLendon-Chisholm.	
6. ITEMS FOR CONSIDERATION	
6.1. Discussion and action regarding approval of the application of MC Trilogy Texas, LLC, requesting a change in zoning from "A" Agriculture to "PD" Planned Development District for two tracts of property: Tract 1 (109.907 acres) located North of FM 550 and generally east of Pullen Road; and Tract 2 (69.143 acres) located North of FM 550 and west of Pullen Road; further described as county ID numbers 12959 and 12960. Zoning of the subject property will amend the official Zoning Map of the City of McLendon-Chisholm Application with Attachments	17 - 64
6.2. Discussion and action regarding the request of Brian and Elizabeth Watson, represented by Bryan Connally of CBG Surveying Texas, LLC.	65 - 79

for approval of a preliminary plat for a nine (9) residential lot subdivision totaling 27.11 acres of land in the Leonard Eastwood survey, Abstract 79, Rockwall CAD parcel identification numbers: 10783, 10782, and 45857, in the City of McLendon-Chisholm, Texas.

[Application](#)

[Staff Report](#)

- 6.3. Review and consideration of guidance provided by the recently adopted Comprehensive Plan related to policies and ordinances potentially affected by the adoption of the 2021 Comprehensive Plan. (Requested by Commissioner Kipphut)

80

[Staff Report](#)

7. ADJOURN

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

I, Rochelle Green, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., November 24, 2021 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



**Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Thursday, September 9, 2021**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Thursday, September 9, 2021, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Lesley Schwalje	Chairperson (Chairman)
	Shari London	Commissioner
	Daniela Swindoll	Commissioner
	Mark Kipphut	Commissioner
	Robert Rohde	Commissioner
Absent:	Jody Wright	Commissioner (Vice Chairman)
	Brad Martin	Commissioner (Alternate)
Staff Present:	Lisa Palomba	City Administrator
	Shelly Green	City Secretary
	Michael Coker	City Planner

1. CALL TO ORDER

Chairperson Schwalje called the meeting to order at 7:08 p.m.

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

Chairperson Schwalje voiced the invocation and led the pledges.

3. CITIZEN COMMENTS

None

4. ITEMS FOR CONSIDERATION

4.1. Election of Chairman and Vice Chairman

Chairman Schwalje reviewed the responsibilities of the chairman before nominations were made for new officers.

MOTION:	Nominate Lesley Schwalje as Chairman.
MADE BY:	Commissioner Kipphut
SECONDED BY:	Commissioner Rohde
APPROVAL:	Unanimous

Chairman Schwalje asked for nominations, or for a volunteer, for Vice Chairman.

Commissioner London volunteer to serve in this position.

- 4.2. Discussion and action regarding the request of Keiffer Living Trust for approval of a replat for a two-lot subdivision totaling 10 acres of land, located at 4047 West FM 550, McLendon-Chisholm, Texas, and acceptance of a 10-foot right of way dedication for the future expansion of FM 550 adjacent to the subject property.

City Planner Michael Coker presented his staff report:

Applicant: Luke Keiffer
Location: 4047 W. FM 550, McLendon-Chisholm, Texas

Request:

The applicant is requesting approval of a re-plat for a two- lot subdivision totaling 10 acres of land, located at 4047 West FM 550, McLendon-Chisholm, Texas and acceptance of a 10-foot right of way dedication for the future expansion of FM 550 adjacent to the subject properties.

Property Owner: Keiffer Living Trust
Representative: Luke Keiffer

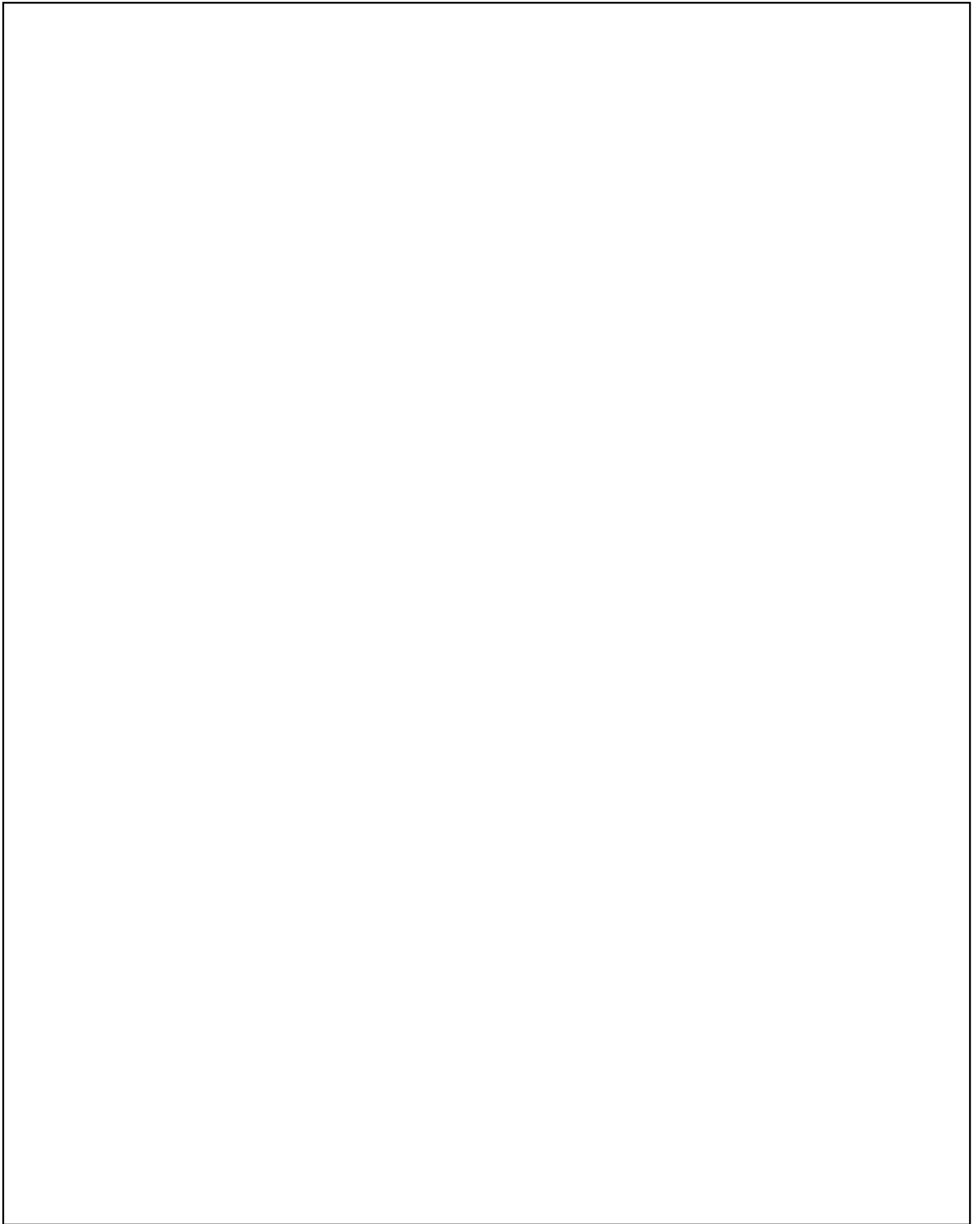
Staff Recommendation: Approval

Background Information:

The subject property is a ten [10] acre tract of land located at 4047 W. FM 550, [Rockwall CAD No. 21930]. This is currently a platted lot identified as Lot 1, Block A, Samples Subdivision. The requested replat provides for new Lot 1 and Lot 2, Block A, Samples Subdivision and a right of way dedication of 10 feet for the future expansion of FM 550.

The applicant requested a variance to the required street frontage for proposed lot 2 and the Board of Adjustment approved the requested 51.91-foot reduction to the required 300 feet of frontage subject to the condition that the applicant submit a replat for the property and provide the dedication of right of way for the future widening of FM 550.

The proposed two and one-half acre lot [Lot 1] will contain more than the required 300-foot minimum frontage on the public right of way. The larger lot [Lot 2] has two points of connection with the right of way separated by Lot 1 and the combined frontages of Lot 2 does not provide for the 300 feet of street frontage. The ordinance does not require that the 300 feet be contiguous, so a combination of linear frontages on the same lot would satisfy the code requirement if they equal 300 feet. In this case, the total combined linear footage adds up to 248.09 linear feet, leaving the lot 51.91 feet short of the required 300 feet.



Zoning:

The Agriculture zoning district requires a minimum residential lot size of 2.5 acres of land and minimum lot frontage of 300 feet adjacent to the street right of way.

The subject property is a ten-acre platted lot located on the south side of FM 550 just east of Rabbit Ridge Road.

Thoroughfares/streets:

FM 550 is a two-lane undivided thoroughfare. The Thoroughfare Plan calls for FM 550 to be a four-lane undivided thoroughfare with a right of way of 100 to 120 feet. Rockwall County maps show the existing right of way to be 80 feet adjacent to the subject property. When the property is re-platted into two lots, the City will require an additional 10 feet of right of way between the existing right of way and the new property line.

SUBDIVISION ORDINANCE FINAL PLAT SECTION

(b) Final plat. After approval of a preliminary plan by the city council, a final plat, prepared by a registered engineer and bearing his seal, shall be submitted to the city council by filing in the office of the city secretary. Such plat shall have all changes and alterations made on it that were required on the previously submitted preliminary plan.

(1) Sheet size and scale. All final plats shall be drawn in India ink or comparable on tracing cloth or plastic tracing sheets 24 inches by 30 inches and to a scale of one-inch equals 100 feet or in accordance with the county final plat requirements. Where more than one sheet is required, an index sheet of maximum size 18 inches by 27 inches shall be filed showing the entire subdivision.

(2) The final plat shall contain the following information:

a. Existing features inside subdivision.

- i. The existing boundary lines with accurate distances and bearings of the land to be subdivided. Boundary lines shall be drawn in heavy [lines] for easy identification.
- ii. The location of existing watercourses, railroads, and other similar drainage and transportation features.
- iii. True bearings and distances to the nearest established street lines, official monuments, or subdivision corners.
- iv. The location and width of existing streets, alleys, easements, rights-of-way, buildings, and structures to be retained.
- v. Topographical information with contour lines at one-foot intervals.
- vi. An accurate location of the subdivision in reference to the deed records of the county which shall include the volume and page of the deed of the property to be subdivided.

b. Existing features outside subdivision.

- i. The name and property lines of adjoining subdivisions and of the adjoining property owners, together with the respective plat or deed references.
- ii. The name and location of adjacent streets, alleys, driveways, easements, watercourses, etc.

All lines outside of subdivision boundaries shall be dashed.

- c. Streets, alleys, easements. Engineering construction standards for inspections are set forth in appendix 1.
The lines and names of all proposed streets or other ways or easements to be dedicated to public use shall be shown on the final plat with the following engineering data:
- i. For streets. Complete curve data (delta, length, radius, tangent, point of curve, point of reverse curve, point of tangent) shown on the centerline on each side of street; length and bearings of all tangents; dimensions from all angle points and points of curve to an adjacent side lot line.
 - ii. For watercourses and easements. Drainage easements will be provided covering all land within the subdivision that is subject to inundation by a 100-year storm. Lots that are adjacent to a major watercourse will show minimum finish flood elevations two feet above the calculated 100-year flood elevation.
- d. Lots and blocks. The lines and numbers of all proposed lots and blocks with complete bearings and dimensions for front, rear and side lot lines, and area of each lot.
- e. Reservations. The use and property dimensions of all special reservations, including sites for schools, churches, and parks.
- f. Monuments and control points.
- i. The description and location of all permanent survey monuments and control points.
 - ii. Suitable primary control points to which all dimension bearings and similar data shall be referred. Dimensions shall be shown in feet and decimals of a foot.
 - iii. Reference to source of bearing for legal description.
 - iv. Reference to existence of any floodplain indication on FEMA map.
- g. Key map. A key map showing relation of subdivision to well-known streets in all directions to a distance of at least one mile.
- h. Title, etc. The date, scale, north point and subdivision title, name and address, and seal of engineer.
- i. Dedications and certificates. Such dedications and certificates as are applicable.
- i. A certificate of dedication of all streets, public highways, alleys, parks, utility easements, and other land intended for public use forever, signed by the owner or owners and by all other parties who have a mortgage or lien interest in the property and acknowledged before a notary public . All deed restrictions that are to be filed with the final plat shall be shown or filed separately.
 - ii. A waiver of claim for damages against the city occasioned by the establishment of grades or the alteration of the surface of any portion of existing streets and alleys to conform to the grades established in the subdivision.
 - iii. Certification by a registered engineer or a licensed state land surveyor, duly licensed by the State of Texas, to the effect that the plan represents a survey made by him, and that all the necessary survey monuments are correctly shown therein.
 - iv. The following certificates shall be placed on the final plat, in a manner that will allow the filling in of the certificate by the property party:

1. "Approved:

Mayor
Date

2. Acknowledged:

This approval shall be invalid unless the approved Final Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas within ninety (90) days from said date of final approval.

Witness my hand this _____ day of _____, 20____.
City Secretary, City of McLendon-Chisholm, Texas"

- j. Special restrictions. Where restrictions of use of land, other than those given in these regulations, are to be imposed by the owner/subdivider, such restrictions shall be placed on the final plat or on a separate instrument filed with the plat.
 - k. Tax certificates showing that all ad valorem taxes have been paid are to be submitted concurrent with the final plat.
- (3) Submission. The city shall be furnished with ten legible prints and the original tracing of the final plat at least ten but not more than 21 consecutive calendar days before the next available meeting of the planning and zoning commission at which such final plat is to be considered. One additional copy of the final plat together with engineering plans shall be submitted to city staff for review at least ten days prior to the submission of the final plat to the city council. A final plat filed prior to the 21st days preceding the next succeeding regular meeting of the commission may be considered as having been filed on the 21st day preceding the meeting. A final plat filed within ten days of the next succeeding regular meeting shall be considered as having been filed on the 21st day preceding the second succeeding regular meeting. A plat which is not accompanied with the prescribed filing fees will not be considered as having been filed.
- (4) Approval. Final approval will expire one year after the city council action granting approval of any final plat unless that plat has been filed for record, except that if the owner/subdivider shall apply in writing prior to the end of such one-year period, stating reasons for needing the extension, this period may at the discretion of the city council be extended for another year but not beyond that period. The owner/subdivider may obtain approval of a portion or a section of a subdivision for which tentative or conditional approval was obtained on a preliminary plan provided he meets all the requirements of this article with reference to such portion or section in the same manner as is required by a complete addition. The final plat shall not be filed of record until the subdivision has been constructed and accepted by the city.
- (5) The owner/subdivider may, at his option, elect to combine his preliminary plan and final plat of a subdivision whenever the tract of land:
- a. Is to be resubdivided without a change of street locations, or is so situated that the pattern of streets in said tract is predetermined by streets of immediately adjacent adjoining recorded subdivision.

- b. The proposed development will be of the same use and of comparable density as adjacent existing or contemplated development; and
- c. Is a minimum of two and one-half acres in total area.

MOTION: APPROVE THE REQUEST OF KEIFFER LIVING TRUST FOR APPROVAL OF A TWO-LOT SUBDIVISION TOTALING 10 ACRES OF LAND, LOCATED AT 4047 WEST FM 550, McLENDON-CHISHOLM, TEXS, AND ACCEPTANCE OF A 10-FOOT RIGHT OF WAY DEDICATION FOR THE FUTURE EXPANSION OF FM 550 ADJACENT TO THE SUBJECT PROPERTY.

MADE BY: Commission London
SECONDED BY: Commission Swindoll
APPROVAL: Unanimous

- 4.3. Discussion and action regarding the request of Pamela C. Bazzell for a replat of four [4] residential lots [Lots 10, 11, 25, and 26. Frontier Meadows subdivision] and a 15-foot wide by 387foot long portion of Frontier Trail [fenced, gated, and being used as the private driveway for the house being claimed through adverse possession] into one 25.892-acre residential lot.

Chairman Schwalje reported four responses have been received on this item. Two response were in favor and two were in opposition.

City Planner Coker presented his staff report on this item:

Applicant: Pamela C. Bazzell
Location: 100 Serene Haven, McLendon-Chisholm, Texas

Request:

The applicant is requesting a replat of four [4] residential lots [Lots 10, 11, 25, and 26, Frontier Trail [fenced, gated, and being used as the private driveway for the house being claimed through adverse possession] into one 25.892 acres residential lot.

Property Owner: Pamela C. Bazzell
Representative: Pamela C. Bazzell

Staff Recommendation: Approval

Background Information:

The subject property is located at the northwesterly portion of Frontier Trail. It is currently comprised of four residential lots and a 15-foot-wide driveway [part of the platted Frontier Meadows right of way providing access to the current Lot 26].

The zoning district designation for the subject site and surrounding area is SF 2.5. This zoning district requires a minimum lot size of 2.5 acres of land. The total acreage of the

proposed replat of the existing four lots into one lot is a little less than 26 acres of land. The replated property will have a front yard adjacent to Frontier Trail for the entirety of current Lots 10 and 11.

The new lot will be identified as Lot 10R of the Frontier Meadows subdivision. This application is being considered as a final plat subsequent to the provisions of the Subdivision Regulations providing that the preliminary and final plats may be combined as shown highlighted in yellow in the Final Plat requirements shown later in this report.

[Note: The applicant made a request to the Board of Adjustment regarding accessory structures to be located within the front yard of the replated property. The staff report for that request is attached at the end of this report to provide additional information regarding this property. The Board of Adjustment approved the two variances requested.]

Requested replat

Inclusion of the 15 foot by 387-foot portion of the current Frontier Meadows subdivision shown as part of the access to the existing lot 25 is based upon the fact that this 15-foot access has been used by Lot 25 since construction of the house in 2008 and has been gated to restrict access to the right of way since that time.

Adverse possession requirements in the State of Texas: According to Texas Civil Practice & Remedies Code, Section 16.026, the claim of adverse possession may be claimed following at least ten [10] years of care of the property. In this case, the property has been gated and cared for by the owner of Lot 25 since at least 2008, more than 10 years.

Final plat. After approval of a preliminary plan by the city council, a final plat, prepared by a registered engineer and bearing his seal, shall be submitted to the city council by filing in the office of the city secretary. Such plat shall have all changes and alterations made on it that were required on the previously submitted preliminary plan.

- (1) Sheet size and scale. All final plats shall be drawn in India ink or comparable on tracing cloth or plastic tracing sheets 24 inches by 30 inches and to a scale of one-inch equals 100 feet or in accordance with the county final plat requirements. Where more than one sheet is required, an index sheet of maximum size 18 inches by 27 inches shall be filed showing the entire subdivision.

- (2) The final plat shall contain the following information:

- a. Existing features inside subdivision.
 - i. The existing boundary lines with accurate distances and bearings of the land to be subdivided. Boundary lines shall be drawn in heavy [lines] for easy identification.
 - ii. The location of existing watercourses, railroads, and other similar drainage and transportation features.
 - iii. True bearings and distances to the nearest established street lines, official monuments, or subdivision corners.

- iv. The location and width of existing streets, alleys, easements, rights-of-way, buildings, and structures to be retained.
- v. Topographical information with contour lines at one-foot intervals.
- vi. An accurate location of the subdivision in reference to the deed records of the county which shall include the volume and page of the deed of the property to be subdivided.
- b. Existing features outside subdivision.
 - i. The name and property lines of adjoining subdivisions and of the adjoining property owners, together with the respective plat or deed references.
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All lines outside of subdivision boundaries shall be dashed.
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 - iii. For streets. Complete curve data (delta, length, radius, tangent, point of curve, point of reverse curve, point of tangent) shown on the centerline on each side of street; length and bearings of all tangents; dimensions from all angle points and points of curve to an adjacent side lot line.
 - iv. For watercourses and easements. Drainage easements will be provided covering all land within the subdivision that is subject to inundation by a 100-year storm. Lots that are adjacent to a major watercourse will show minimum finish flood elevations two feet above the calculated 100-year flood elevation.
- d. Lots and blocks. The lines and numbers of all proposed lots and blocks with complete bearings and dimensions for front, rear and side lot lines, and area of each lot.
- e. Reservations. The use and property dimensions of all special reservations, including sites for schools, churches, and parks.
- f. Monuments and control points.
 - i. The description and location of all permanent survey monuments and control points.
 - ii. Suitable primary control points to which all dimension bearings and similar data shall be referred. Dimensions shall be shown in feet and decimals of a foot.
 - iii. Reference to source of bearing for legal description.
 - iv. Reference to existence of any floodplain indication on FEMA map.
- g. Key map. A key map showing relation of subdivision to well-known streets in all directions to a distance of at least one mile.
- h. Title, etc. The date, scale, north point and subdivision title, name and address, and seal of engineer.
- i. Dedications and certificates. Such dedications and certificates as are applicable.
 - i. A certificate of dedication of all streets, public highways, alleys, parks, utility easements, and other land intended for public use forever, signed by the owner or owners and by all other parties who have a mortgage or lien interest in the property and acknowledged before a notary public. All deed

restrictions that are to be filed with the final plat shall be shown or filed separately.

- ii. A waiver of claim for damages against the city occasioned by the establishment of grades or the alteration of the surface of any portion of existing streets and alleys to conform to the grades established in the subdivision.
- iii. Certification by a registered engineer or a licensed state land surveyor, duly licensed by the State of Texas, to the effect that the plan represents a survey made by him, and that all the necessary survey monuments are correctly shown therein.
- iv. The following certificates shall be placed on the final plat, in a manner that will allow the filling in of the certificate by the property party:

3. "Approved:

Mayor
Date

4. Acknowledged:

This approval shall be invalid unless the approved Final Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas within ninety (90) days from said date of final approval.

Witness my hand this _____ day of _____, 20____.

City Secretary, City of McLendon-Chisholm, Texas"

- j. Special restrictions. Where restrictions of use of land, other than those given in these regulations, are to be imposed by the owner/subdivider, such restrictions shall be placed on the final plat or on a separate instrument filed with the plat.
 - k. Tax certificates showing that all ad valorem taxes have been paid are to be submitted concurrent with the final plat.
- (3) Submission. The city shall be furnished with ten legible prints and the original tracing of the final plat at least ten but not more than 21 consecutive calendar days before the next available meeting of the planning and zoning commission at which such final plat is to be considered. One additional copy of the final plat together with engineering plans shall be submitted to city staff for review at least ten days prior to the submission of the final plat to the city council. A final plat filed prior to the 21st days preceding the next succeeding regular meeting of the commission may be considered as having been filed on the 21st day preceding the meeting. A final plat filed within ten days of the next succeeding regular meeting shall be considered as having been filed on the 21st day preceding the second succeeding regular meeting. A plat which is not accompanied with the prescribed filing fees will not be considered as having been filed.
- (4) Approval. Final approval will expire one year after the city council action granting approval of any final plat unless that plat has been filed for record, except that if the owner/subdivider shall apply in writing prior to the end of such one-year period, stating reasons for needing the extension, this period may at the discretion of the city council be extended for another year but not beyond that

period. The owner/subdivider may obtain approval of a portion or a section of a subdivision for which tentative or conditional approval was obtained on a preliminary plan provided he meets all the requirements of this article with reference to such portion or section in the same manner as is required by a complete addition. The final plat shall not be filed of record until the subdivision has been constructed and accepted by the city.

(5) The owner/subdivider may, at his option, elect to combine his preliminary plan and final plat of a subdivision whenever the tract of land:

- a. Is to be resubdivided without a change of street locations, or is so situated that the pattern of streets in said tract is predetermined by streets of immediately adjacent adjoining recorded subdivision.
- b. The proposed development will be of the same use and of comparable density as adjacent existing or contemplated development; and
- c. Is a minimum of two and one-half acres in total area.

MOTION: APPROVE THE REQUEST OF PAMELA C. BAZZELL FOR A REPLAT OF FOUR (4) RESIDENTIAL LOTS [LOTS 10, 11, 25, AND 26, FRONTIER MEADOWS SUBDIVISION AND A 15-FOOT WIDE BY 387-FOOT-LONG PORTION OF FRONTIER TRAIL [FENCED, GATED, AND BEING USED AS THE PRIVATE DRIVEWAY FOR THE HOUSE BEING CLAIMED THROUGH ADVERSE POSSESSION] INTO ONE 25.892 ACRE RESIDENTIAL LOT.

MADE BY: Commissioner Kipphut

SECONDED BY: Commissioner Rohde

APPROVAL: Unanimous

5. PUBLIC HEARING

- 5.1. The Planning & Zoning Commission will hold a public hearing to receive input on the proposed McLendon-Chisholm Comprehensive Plan, 2021-2040.

Chairman Schwalje opened the public hearing at 7:59.

Commissioner Kipphut introduced this item and called on Abra Nusser, project consultant with Kimley-Horn, to given overview of the draft Comprehensive Plan.

The following citizens spoke regarding the plan:

1. Kristen Hitchcock, 2770 Dowell Road
2. Justin Davis, 221 Hackberry Road
3. Buster Summers, 109 E. FM 550
4. Rick Hansken, 539 Smith Road

Chairman Schwalje closed the public hearing at 8:35 p.m.

6. ADJOURN

MOTION: ADJOURN MEETING

MADE BY: Commissioner London
SECONDED BY: Commissioner Rhode
APPROVAL: Unanimous

Commission Chairperson Schwalje adjourned the meeting at 8:38 p.m.

ATTEST:

APPROVED:

Rochelle Green, City Secretary

Lesley Schwalje, Chairperson



**Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Thursday, September 16, 2021**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Thursday, September 16, 2021, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Lesley Schwalje	Chairperson (Chairman)
	Shari London	Commissioner
	Daniela Swindoll	Commissioner
	Mark Kipphut	Commissioner
	Robert Rohde	Commissioner
Absent:	Jody Wright	Commissioner (Vice Chairman)
	Brad Martin	Commissioner (Alternate)
Staff Present:	Lisa Palomba	City Administrator
	Shelly Green	City Secretary

1. CALL TO ORDER

Chairperson Schwalje called the meeting to order at 7:00 p.m.

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

Chairperson Schwalje voiced the invocation and led the pledges.

3. CITIZEN COMMENTS

None

4. ITEMS FOR CONSIDERATION

- 4.1. Discussion and action regarding a recommendation to the City Council regarding adoption of the Comprehensive Plan

Abra Nusser, project consultant with Kimley-Horn, presented the changes she is proposing for the Comprehensive Plan.

Following Ms. Nusser's report, Commissioner Kipphut and Commissioner London presented their proposed changes.

**MOTION: ENDORSE PLAN TO CITY COUNCIL FOR ADOPTION SUBJECT TO
 CHANGES PROPOSED BY KIMLEY HORN, COMMISSIONER
 KIPPHUT, AND COMMISSIONER LONDON.**

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

5. ADJOURN

MOTION: ADJOURN MEETING

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

Commission Chairperson Schwalje adjourned the meeting at 8:18 p.m.

ATTEST:

APPROVED:

Rochelle Green, City Secretary

Lesley Schwalje, Chairperson



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

ZONING CHANGE APPLICATION

Date of Application: 11/1/2021

Receipt # _____

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

Address and/or Location of Request:

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

West of

Property Legal Description:

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

County Parcel ID: 12959 and 12960

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

Applicant's Name: MC TRILOGY TEXAS, LLC

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

Status of Applicant: Owner ☐ or Authorized Agent ☒

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

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

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

Signature of Owner:

Warrin J. Hodges

Date 10/28/21

Signature of Applicant:

Ebruni

Date 10/28/21

Page 1 of 2

02/25/2020 Zoning Change Application and Checklist

Development Fees

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

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

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

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$2,380.00 to cover the cost of this application, and an initial deposit of \$* for consulting fees has been paid to the City of McLendon-Chisholm on this 15th day of November, 2021.

** Consulting costs escrowed*

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

Signature of Applicant (Owner/Authorized Agent): *Clara Bruni*

City Secretary: *Rockelle Green*

(Seal)



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02/25/2020 Zoning Change Application and Checklist

Development Fees

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

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

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

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ 2,390.00 to cover the cost of this application, and an initial deposit of \$ * for consulting fees has been paid to the City of McLendon-Chisholm on this 15th day of November, 2021.

* Consulting costs escrowed

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

Signature of Applicant (Owner/Authorized Agent): _____

City Secretary: Rochelle Green

(Seal)



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02/25/2020 Zoning Change Application and Checklist

Exhibit A
Metes and Bounds Description of the Property

TRACT 1

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TRACT 2

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Exhibit B
Planned Development District Development Regulations

1. Definitions.

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

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

2. Governing Regulations.

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

3. Concept Plan; Development Plan.

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

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

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

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

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

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

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

10. Development Charges.

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

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

Exhibit C – Page 1

1580.039\97784.6

Exhibit D
Development Regulations

1. **Definitions.**

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

2. **Permitted Uses.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Table 1

Development Standards Table for Single Family Residential

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

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

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

³ See footnotes 1 and 2.

Table 2
Approved Plant Species List

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

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

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

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

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

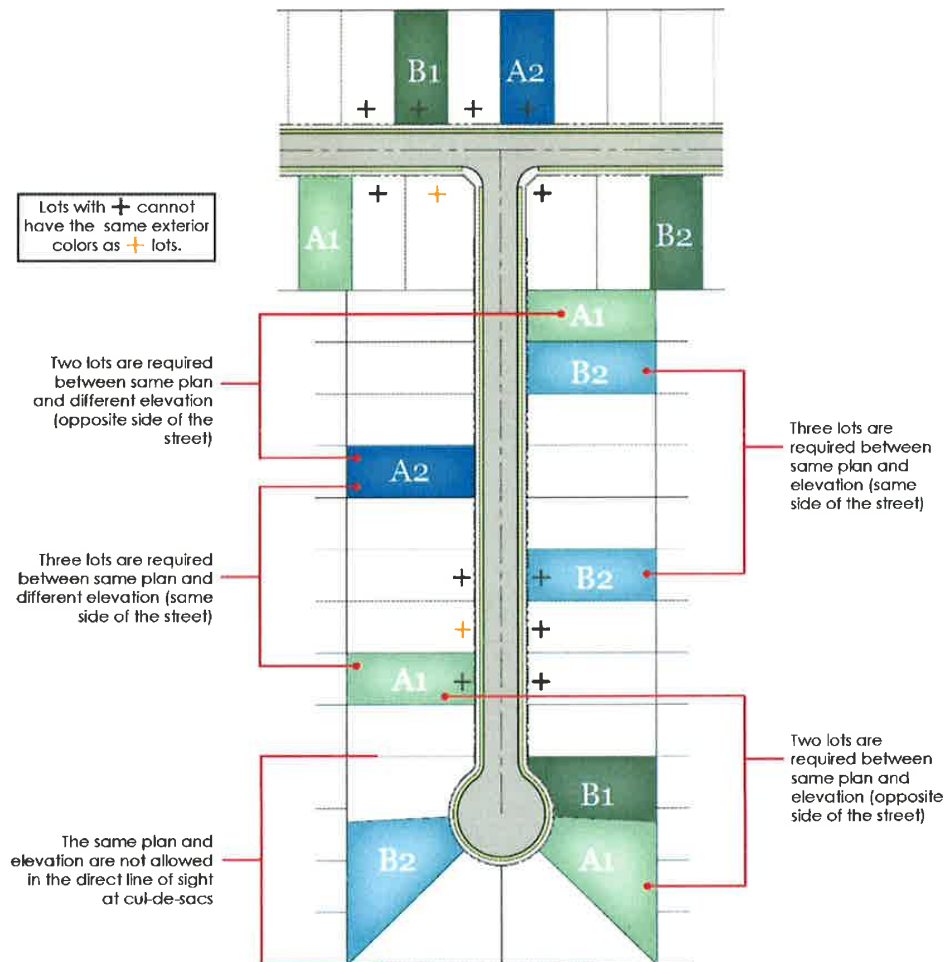
Crosse Vine	Purple Heart Wander Jew
Sweet Autumn Clematis	

An “*” indicates an approved street tree

Exhibit E
Special Regulations

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

Exhibit F Repetition Restrictions



Repetition Guidelines are as follows:

Same side of street -

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

Opposite side of the street -

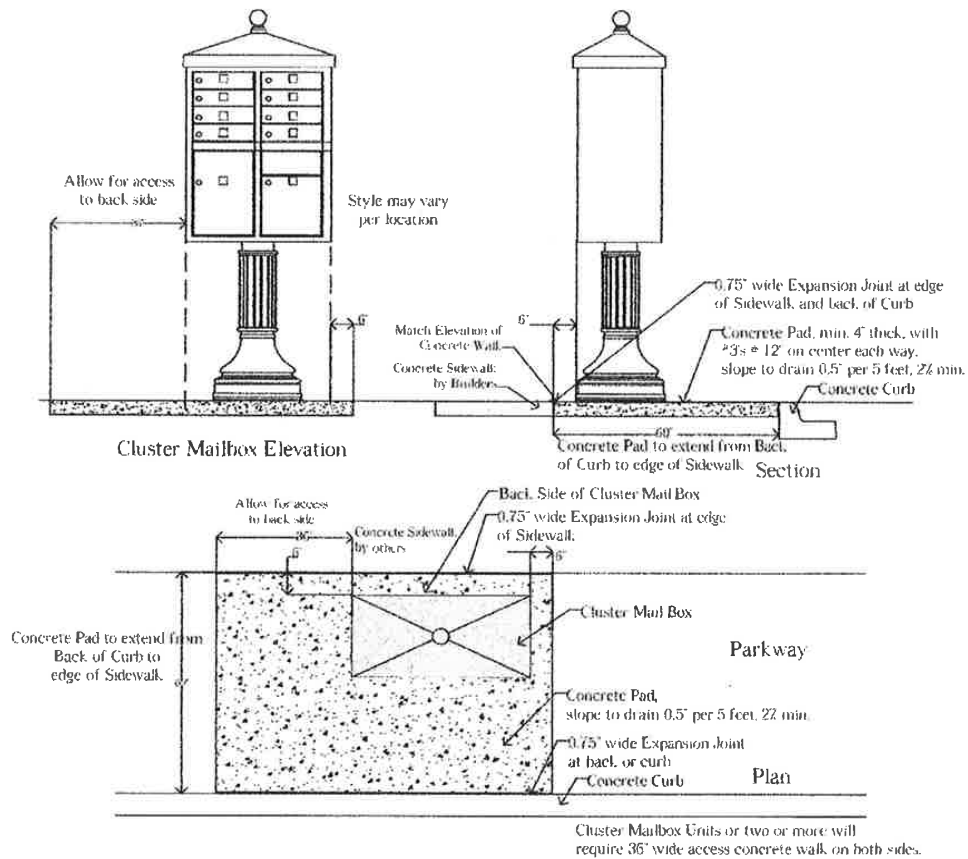
- Same plan, same elevation must have 2 complete lots in between.
- Same plan, different elevation must have 2 complete lot in between.

Exterior colors

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

Exhibit G
Mailbox Design

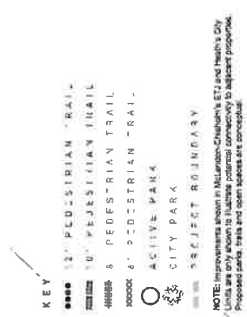
Mailbox Design



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

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

Exhibit H



1580.039\97784.6

100' MIN. R.O.W. - TRILOGY BOULEVARD

10' SIDEWALK
10' PARKING
10' MEDIAN
20' DRIVEWAY BACK-THRUWAY
100' MIN. R.O.W.
20' DRIVEWAY BACK-THRUWAY
20' PARKING
10' SIDEWALK
10' WATER LINE
STORM SEWER LINE

APR. 22, 2020

TRIOLOGY
PROJECT INFORMATION
PROJECT NO. 2020-001
SHEET NO. 101
DATE: 04/22/2020

50' R.O.W. RESIDENTIAL

50' R.O.W. MINOR COLLECTOR

tnp

1580.039\97784.6

Exhibit J
Architectural Guidelines

1. Design Standards.

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

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

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

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

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

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

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

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

f. Entries.

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

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

h. Transparency.

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

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

Exhibit K
Trash Can Pads

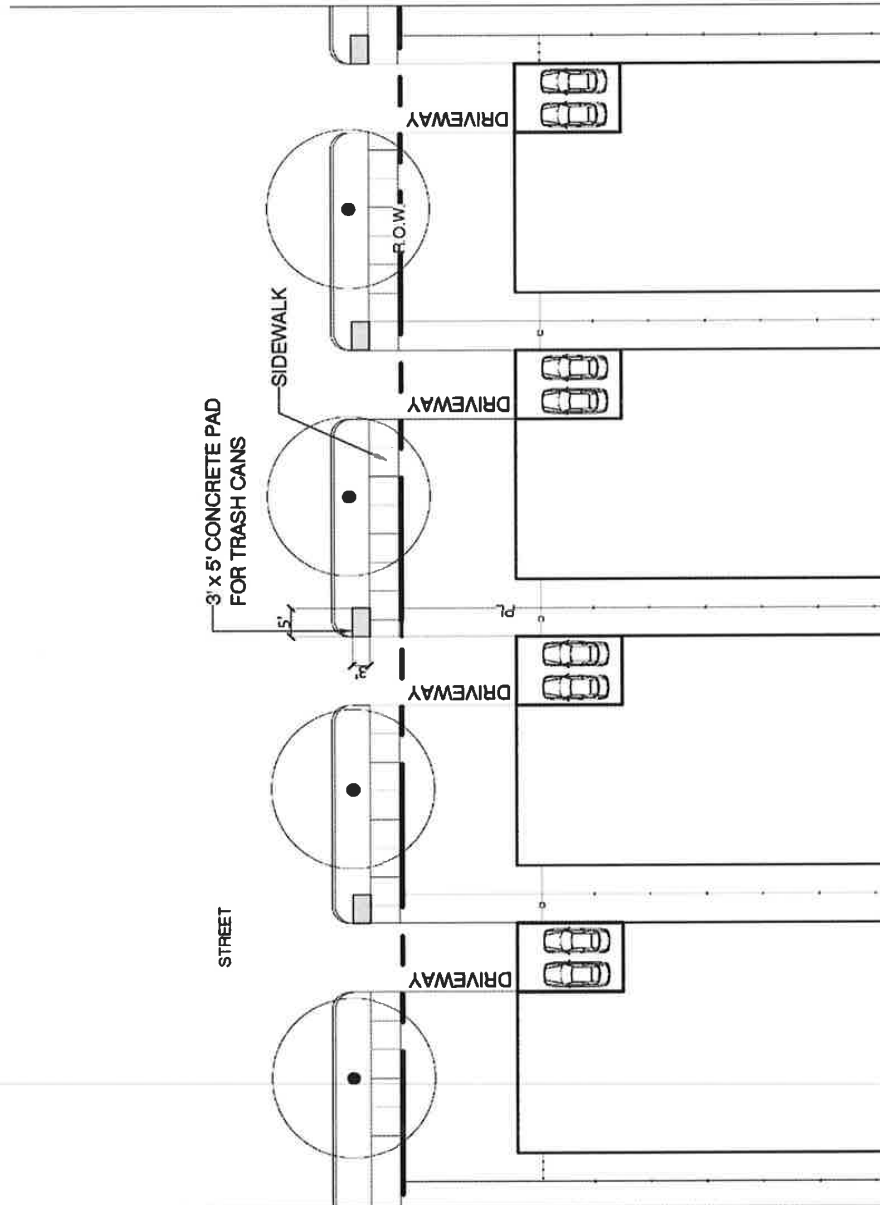


Exhibit K – Page 1

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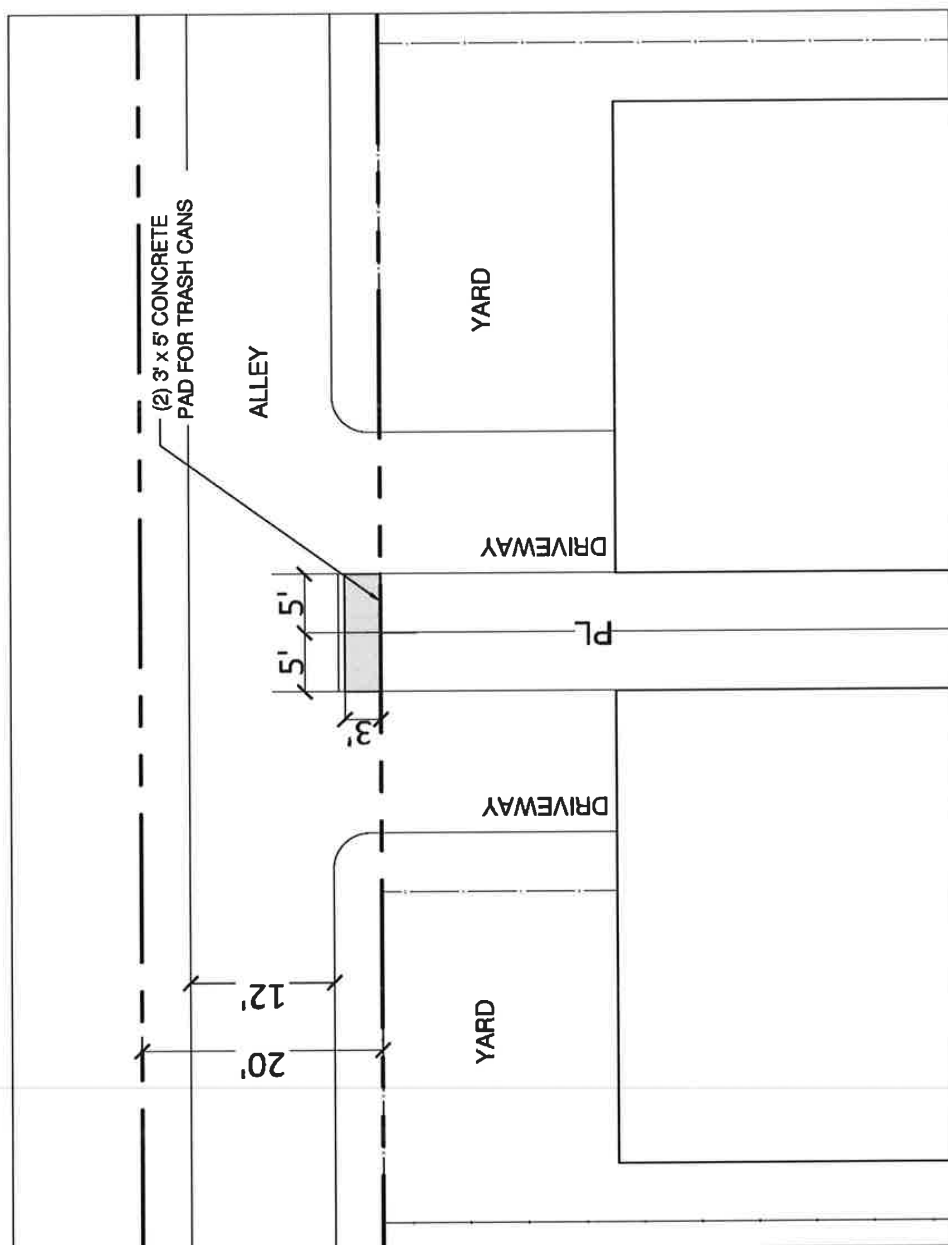


Exhibit K – Page 2

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Exhibit L
Address Plaques

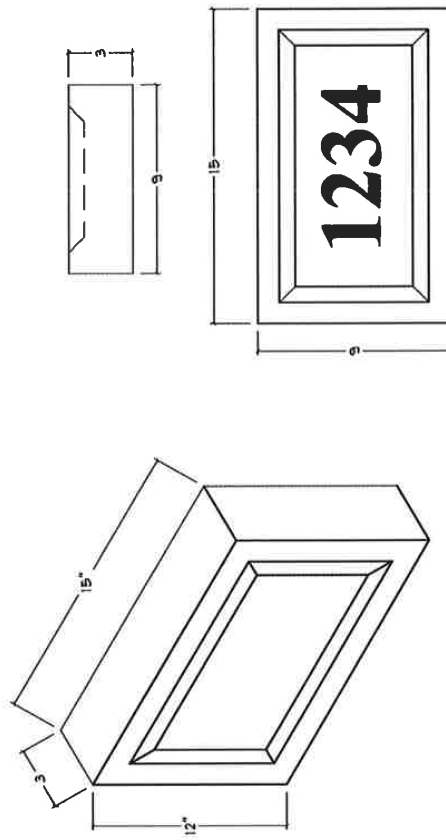
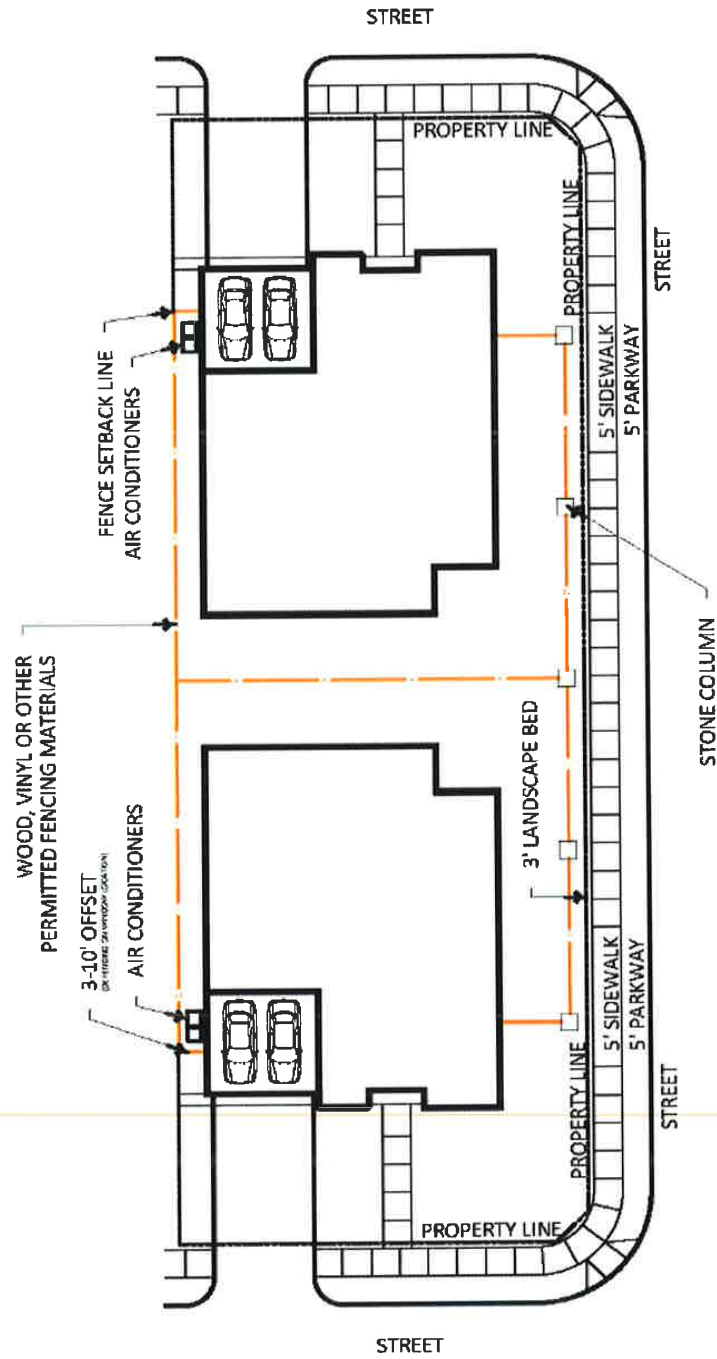
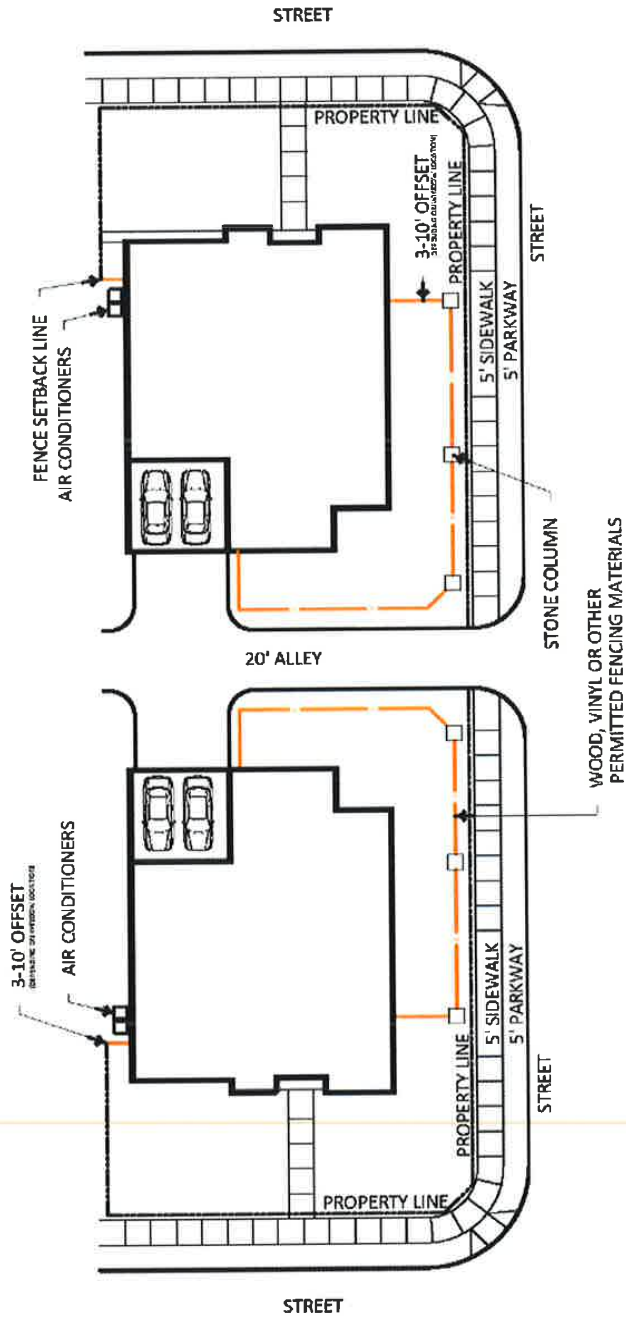


Exhibit L – Page 1

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Exhibit M
Fence Design for Single Family Detached





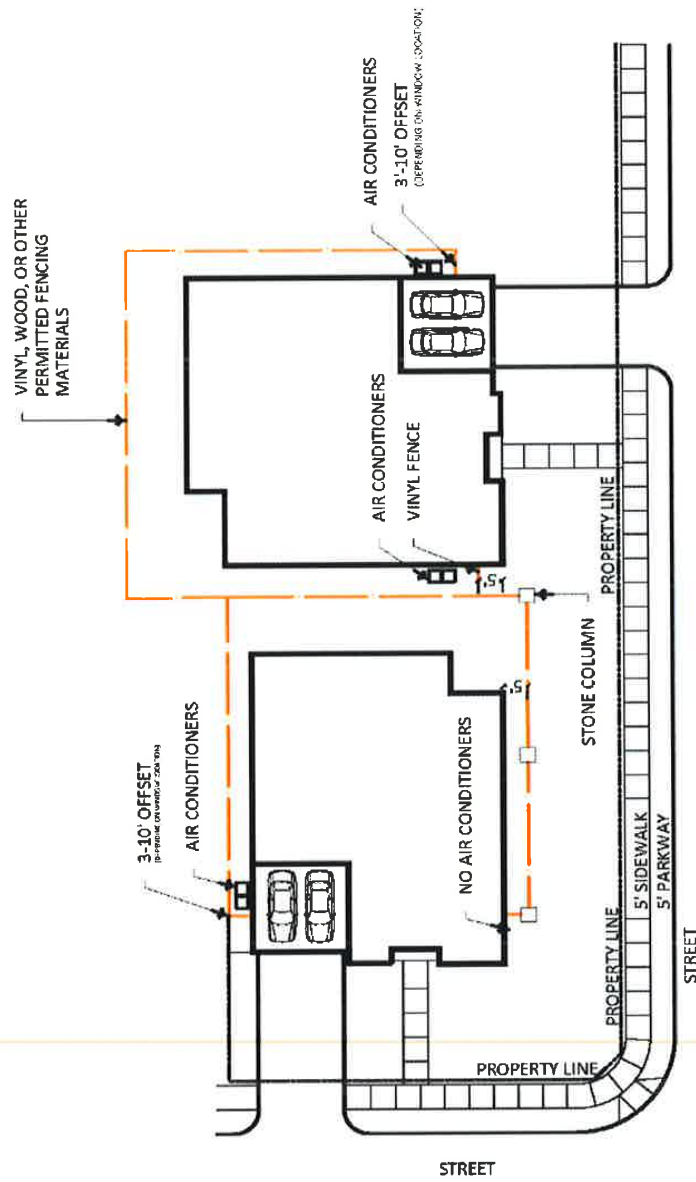


Exhibit N
Realtor and Builder Sign Specifications

TRILOGY



Exhibit O
Sidewalks

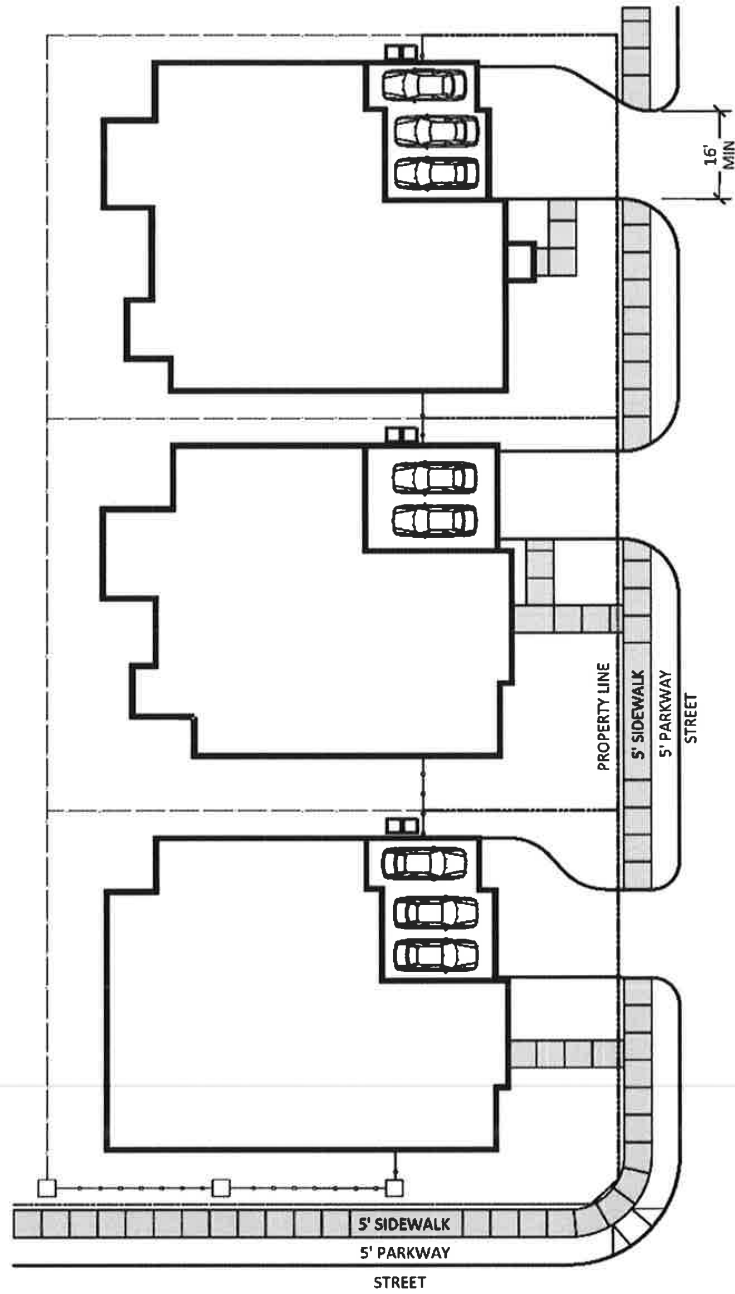
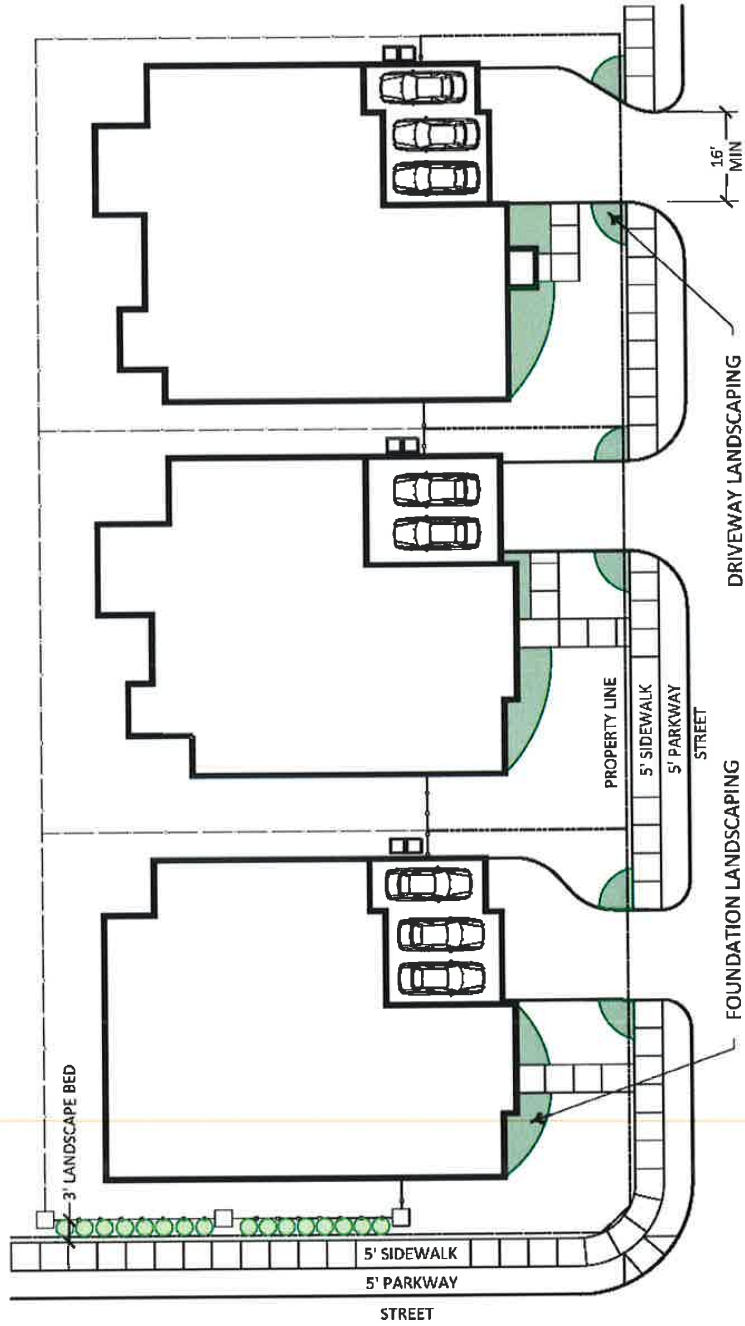


Exhibit P
Shrub Planting Locations





CITY OF McLENDON-CHISHOLM
PLAT APPLICATION

Application Date: 11-10-21

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): Watson Addition Current Zoning: SF 2.5 District

No. of Acres: 27.11 No. of Lots: 9 Proposed Zoning: SF 2.5

General Location of Property: FM 550 + FM 1139

Proposed Use for Property: Single Family Residential

Applicant Name: Bryan Connally

Company: CBG Surveying Texas LLC

Address: 12025 Shiloh Rd #240 City, State, Zip: Dallas TX 75228

Phone(s): 214-349-9485 Email: bryanc@cbgtxllc.com

Owner Name: Brian & Elizabeth Watson

Address: 1401 Wells Circle City, State, Zip: Rockwall TX 75082

Legal Description of the Property: 27.11 acres in the Leonard Eastwood Survey, Abst 79

County Parcel ID: 10783, 10782, & 445857

Other Information: _____

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 \$ 1,845.00 to cover the cost of this application, and an initial deposit of \$ 3600.00 for consulting fees has been paid to the City of McLendon-Chisholm on this 15th day of November, 2021.

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 ^{OWNER} Applicant: Bria With
City Secretary: Rochelle Green





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

DATE: November 24, 2021

APPLICANT: Brian and Elizabeth Watson

LOCATION: FM 550 at the southeast intersection with FM 1139, McLendon-Chisholm, Texas
Rockwall CAD Property ID #10783, 10782, 45857.

COMMISSION HEARING DATE: December 2, 2021

Note: This item is a ministerial function. The Planning and Zoning Commission has three options related to platting decisions: Approval; Approval with conditions; or disapproval. If disapproved, the reasons for the disapproval must be stated.

REQUEST:

The applicant is requesting approval of a preliminary plat for a nine (9) residential lot subdivision.

PROPERTY OWNER: Brian and Elizabeth Watson

REPRESENTATIVE: Brian Watson

STAFF RECOMMENDATION: Denial, the preliminary plat fails to comply with the requirements of the SF 2.5 zoning district nor with the requirements of the subdivision regulations. Specifically:

Zoning Ordinance non-compliance:

Section 4.3 subsection C.: the preliminary plat fails to provide for the minimum lot frontage of 300 feet on a street right of way. [see the requirements in the background information section]

Subdivision Regulations non-compliance:

Sec. 10.02.006 General requirements and design standards of the subdivision regulations:

Subsection (a)(7) Street right-of-way widths. Street width and street right-of-way width shall be measured from front lot line to front lot line of opposite lots.

A. Residential streets. Residential streets shall have a minimum right-of-way width of 60 feet. Paving shall be not less than 24 feet in width with three-foot shoulders without curbs or not less than 27 feet with curbs.

Planner note: The applicant is proposing a combination mutual access, utility and drainage easement with a 54 foot width as the means of providing the required street frontage for most of the lots. An access easement does not comply with this section of the subdivision regulations.

Subsection (a)(12) Dead-end streets/cul-de-sac.

- (A) Turnarounds. Turnarounds are to have a minimum right-of-way radius of 60 feet and a pavement radius of 45 feet.

Planner note: neither of the proposed cul-de-sacs have the required right of way radius of 60 feet.

- Subsection (b)(3)** Minimum width. Lots with radial side lines diverging toward the rear shall have a minimum of 200 feet width, 75 feet behind the front property line, and lots that have radial side lot lines convergent toward the rear shall have a minimum of 200 feet width, 250 feet behind the front property line.

Proposed lots 1, 8, 7 and 6 have no street frontage and do not satisfy the required 200 foot width at 75 behind the front property line.

Section 10.02.008 Landscape buffers

- (a) Street buffer. In all zoning districts, a 20-foot landscape edge or buffer must be provided along the entire length of the perimeter of a lot or subdivision where the perimeter is adjacent to a public or private street, exclusive of driveways and alleys. The paved and unpaved portion of any city right-of-way shall not be included in this 20-foot buffer.

Planner note: This preliminary plat does not provide for the 20 foot landscape edge or buffer adjacent to FM 550.

BACKGROUND INFORMATION:

The subject property is located on the east side of the intersection of FM 550 and FM 1139.

The zoning district designation for the subject site and surrounding area is SF 2.5. This zoning district requires a minimum lot size of 2.5 acres of land. The total acreage of the proposed preliminary plat includes 9 residential lots with a minimum acreage of two and one-half acres of land each all on a little over 27 acres of land. The zoning requirements for the SF 2.5 zoning district are included below.

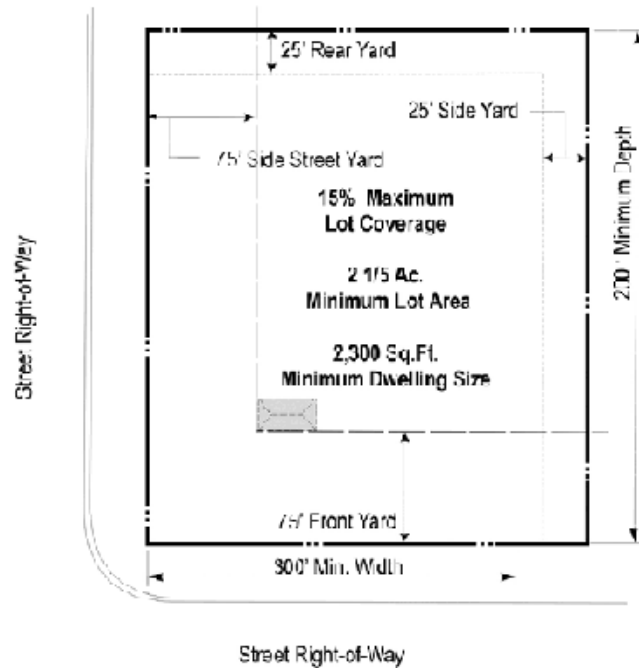
Sec. 4-3 SF2.5 Single-Family Residential District

A. General purpose and description. The Single-Family Residential District-SF2.5 is designed to accommodate lots that have a minimum size of two and one-half acres. Developments under this district will have a low density and development characteristics similar to those now existing in most platted subdivisions.

B. Permitted uses. In the SF2.5 Single-Family Residential 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.

C. Area requirements. The requirements regulating the minimum lot size, minimum yard size (front, side, and rear), maximum building height (stories and feet), and maximum lot coverage, and minimum

floor area, as it pertains to this district, shall conform with the provisions provided in the area requirements table for the SF2.5 Zoning District (below).



SF2.5 - Zoning District Area Requirements	
Minimum Lot Area	2 1/2 Acres
Minimum Lot Width	300 ft.
Minimum Lot Depth	200 ft.
Minimum Front Yard	75 ft.
Minimum Side Yard	25 ft. Interior
	75 ft. Street
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. All regulations for accessory building or accessory structures shall be in compliance with [section 6-3](#), Accessory building regulations.

(Ordinance 2008-07, sec. 3, 6-10-2008)

Sec. 10.02.006 General requirements and design standards

(a) Streets.

- (1) Conformity to major street plan. The width and location of streets shall conform to such major street plan as the city council may have adopted, both as to horizontal and vertical alignment and right-of-way widths.
- (2) Relation to adjoining street system. The proposed street system shall extend all existing major streets and such existing secondary and local-access streets as may be desirable for convenience of circulation. Where possible, the width and the horizontal and vertical alignment of extended streets shall be preserved.
- (3) Street jogs. Where off-sets in street alignment are, in the opinion of the city council, unavoidable, such off-sets may be employed provided the distance between centerlines is not less than 125 feet.
- (4) Large-lot subdivisions. If the lots in the proposed subdivision are large enough to suggest resubdivision in the future, or if part of the tract is not subdivided, consideration must be given to possible future street openings and access to future lots which could result from such resubdivision.
- (5) Through traffic. Local residential streets shall be designed so as to discourage high-speed or through traffic.
- (6) Topography. The street system shall bear a logical relationship to the natural topography of the ground.
- (7) Street right-of-way widths. Street width and street right-of-way width shall be measured from front lot line to front lot line of opposite lots.
 - (A) Residential streets. Residential streets shall have a minimum right-of-way width of 60 feet. Paving shall be not less than 24 feet in width with three-foot shoulders without curbs or not less than 27 feet with curbs.
 - (B) Collector streets. Collector streets shall have a minimum right-of-way width of 70 feet. Paving shall be not less than 24 feet in width with six-foot shoulders without curbs or not less than 37 feet with curbs.
 - (C) Major thoroughfare. The width of major thoroughfares shall be determined by the city council or the city's master thoroughfare plan; however, this classification carries a minimum right-of-way of 100 feet and a maximum of 120 feet.
- (8) Street horizontal alignment. The maximum deflection in alignment permitted without use of curve shall not exceed one degree.

- (9) Major street curves. Curves along street centerlines shall conform to the following standards, with exceptions to these standards granted only by the city council:

Classification	Design Speed (MPH)	Centerline Radius (feet)	
		Desirable	Minimum
Major	55	1,000	800
Secondary	40	550	425
Local	30	300	200

- (10) Reverse curves. Reverse curves whenever possible shall be separated by a minimum tangent of 100 feet.

- (11) Vertical curves. Vertical curves shall be provided for all grade changes greater than one degree (see [appendix 1](#)).

(12) Dead-end streets/cul-de-sac.

(A) Turnarounds. Turnarounds are to have a minimum right-of-way radius of 60 feet and a pavement radius of 45 feet.

(B) Maximum length. The maximum length of a dead-end street with a permanent turnaround or a cul-de-sac with a permanent turnaround shall be 600 feet.

(C) Temporary turnaround. A temporary turnaround is to be provided at the end of streets more than 400 feet long that will be extended in the future. The following note should be placed on the plat: Cross-hatched area is temporary easement for turnaround until street is extended [give direction] in a recorded plat.

(13) Street intersections.

(A) Angle of intersection. Except where existing conditions will not permit, all streets, major and minor, shall intersect at a 90-degree angle. Variations of more than ten degrees on minor streets and more than five degrees on major or secondary streets must first be approved by the city council.

(B) Radius at acute corners. Acute angle intersections approved by the city council are to have 25 foot or greater radii at acute corners.

(C) Centerline tie with existing streets. Each new street intersecting with or extending to meet an existing street shall be tied to the existing street on centerline with dimensions and bearings to show relationship.

- (14) Partial or half-streets. Partial or half-streets may be provided where the city council finds that a street should be located on a property line. The following note shall be used in all such dedications: "This _____ foot strip is dedicated as easement for all utility purposes including storm and sanitary sewers and shall automatically become dedicated for street

purposes when and insofar as a _____ foot strip adjacent to it is so dedicated and the required improvements are installed.”

(15) Reserve strips. Provisional one foot reserves may be used along the side or end of streets that abut acreage tracts, accompanied by a note on the plat that states as follows: “One foot reserve to become automatically dedicated for street purposes when adjacent property is subdivided in a recorded plat.”

(16) Street names. New streets shall be named so as to provide continuity of name with existing streets and so as to prevent conflict with identical or similar names in other parts of the city.

(17) Street and alley maintenance. The repair and maintenance of all streets and alleys shall be the responsibility of the abutting property owners or a valid and functioning association of homeowners or property owners within the subdivision. All applications for approval of any preliminary plan or final plat of a proposed residential subdivision in which the construction or placement of any streets or alleys is a component must be accompanied by true and correct copies of homeowner's association regulations or deed restrictions which require all street and alley maintenance to be the responsibility of a homeowner's association or abutting property owners.

(b) Lots.

(1) Use. All lots shown on the plat will be for residential purposes unless otherwise noted. The standards that follow apply to residential lots.

(2) Lot size. The minimum area of all lots shall conform with the city's comprehensive zoning ordinance. The minimum area of all lots shall be at least the size prescribed in the zoning regulations applicable to that district.

(3) Minimum width. Lots with radial side lines diverging toward the rear shall have a minimum of 200 feet width, 75 feet behind the front property line, and lots that have radial side lot lines convergent toward the rear shall have a minimum of 200 feet width, 250 feet behind the front property line.

(4) Minimum depth. No lot shall have a depth of less than 300 feet.

(5) Lots on drainage easements. Minimum usable lot depths for lots backing on natural drainage easements shall not be less than 100 feet measured between front lot line and drainage easement.

(6) Lot width definition. The lot width is the average of front and rear lot dimensions.

(7) Lot shape. Lots should be rectangular insofar as practicable. Sharp angles between lot lines should be avoided. The ratio of depth to width should not ordinarily exceed two and one-half times.

(8) Lot lines. Side lot lines should be perpendicular or radial to street frontage and the following note may be used in lieu of bearings: All side lot lines are either perpendicular or radial to street frontage unless otherwise noted.

(9) Lot facing.

(A) Street frontage. Each lot shall be provided with adequate street access.

(B) Front facing. In general, an arrangement placing adjacent lots at right angles to each other should be avoided.

(10) Lot numbering. All lots are to be numbered consecutively within each block. Lot numbering may be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner that has been approved on an overall preliminary plan.

(11) Driveway restrictions. Rear and side driveway access to major thoroughfares shall be prohibited.

Sec. 10.02.005 Preliminary plans and final plats

(a) Procedure.

(1) A preliminary plan of any proposed subdivision shall first be filed by the property owner or his duly appointed representative with the city secretary and submitted to the planning and zoning commission for review, study, and recommendation to the city council before the owner proceeds with the final plat of record. Following recommendation by the commission, the preliminary plan shall be submitted to the city council commission for review, study, and approval. This preliminary plan shall be drawn to a scale not to exceed 200 feet to the inch.

(2) The preliminary plat shall contain the following information:

(A) Existing features inside subdivision.

(i) The existing boundary lines of the land to be subdivided. Boundary lines shall be drawn in heavy [lines] for easy identification, complete with bearings and distances.

(ii) The location of existing watercourses, railroads, and other similar drainage and transportation features.

(iii) The location and width of existing streets, alleys, easements, pipelines, watercourses, location and site of any existing water or sewer mains.

(iv) An accurate legal description of the land to be subdivided.

(B) Existing features outside subdivisions.

(i) The name and property lines of adjoining property owners with legal file reference.

(ii) The name and location of adjacent subdivisions, streets, easements, pipelines, watercourses, and location and site of any existing water or sewer mains.

(C) New features inside subdivision.

(i) The proposed name of the subdivision.

(ii) The location, right-of-way width and names of proposed streets.

(iii) The approximate width and depth of all lots. If the side lines are not parallel, the approximate distance between them at the building line and at the narrowest point should be given.

(iv) The location of building lines, alleys and easements.

(v) The location and approximate size of sites for schools, churches, and parks and other special land uses, intended to be dedicated to public use or reserved for common use of owners in the subdivision.

(vi) The approximate acreage of the property to be subdivided.

(vii) A proposed utility plant should be included and where, unusual grade conditions exist, the city's engineer may require preliminary street grades.

(viii) The proposed use of any land contained in the subdivision that is not within the boundaries of lots or street right-of-way.

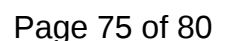
(D) Key map. A key map showing relation of subdivision of well-known streets in all directions to a distance of at least one mile.

(E) Title, etc. The date, scale, north point and title under which the plat is to be recorded, with the name of the owner and engineer platting the tract.

(3) Submission. The city shall be furnished with ten legible prints of the preliminary plan and with ten copies of a letter of transmittal stating briefly the type of street surfacing, drainage, results of site soil test reports, sanitary facilities, and water supply proposed, and the name and address of the owner or agent and engineer, together with a written application for approval on a form prescribed by the city. The prints, letters and application shall be filed with the city secretary at least ten but not more than 21 consecutive calendar days before the next available meeting of the planning and zoning commission at which such preliminary plan is to be considered. A preliminary plan application filed prior to the 21st day preceding the next succeeding regular meeting may be considered as having been filed on the 21st day preceding the meeting. A preliminary plan application filed within ten days of the next succeeding regular meeting shall be considered as having been filed on the 21st day

(4) Approval. The planning and zoning commission shall recommend that the preliminary plan be approved, conditionally approved or disapproved within 30 days of the date that the plan is considered to have been filed. The city council shall approve, conditionally approve or disapprove the preliminary plan within 30 days of the date that the commission makes its recommendation. Approval of the preliminary plan shall not constitute final acceptance of the final plat.

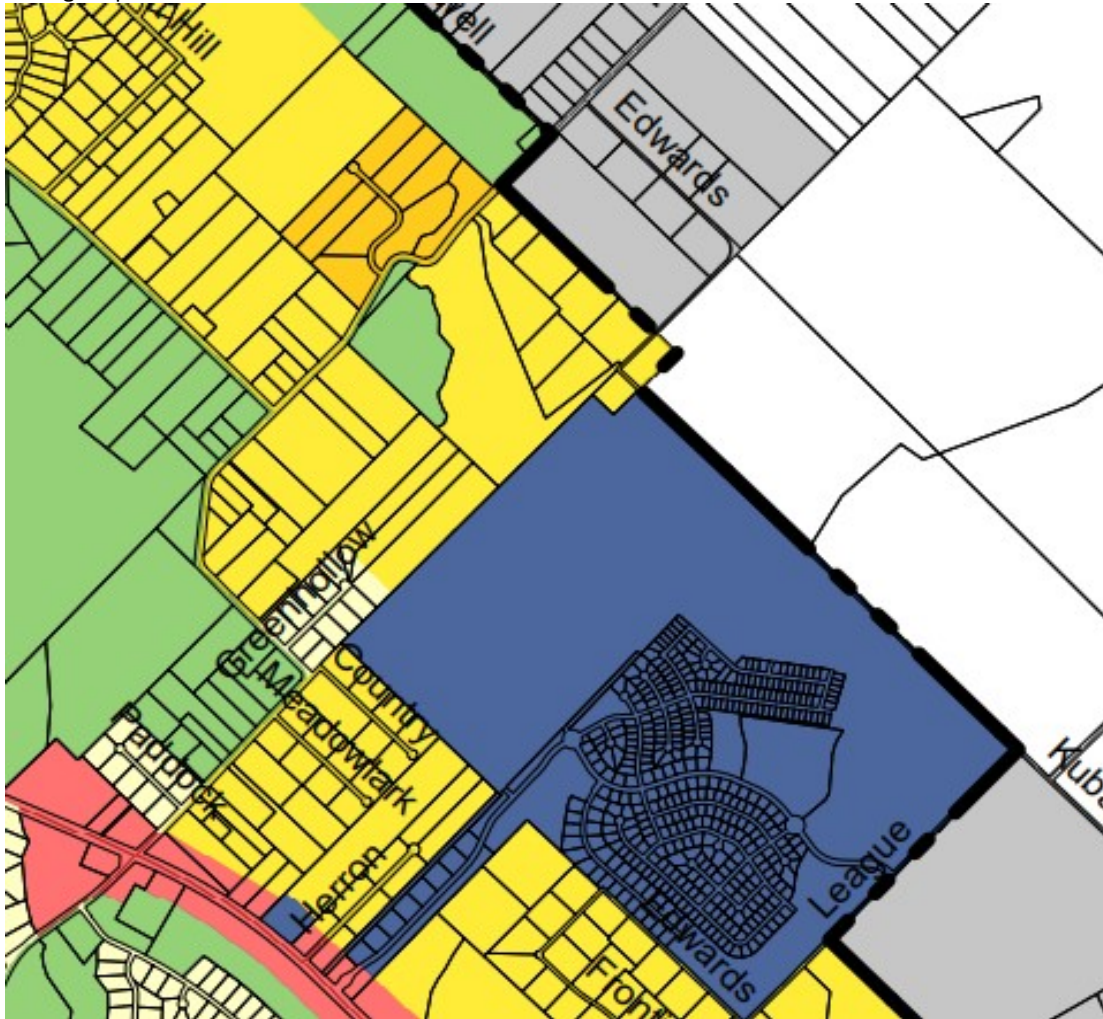
Requested preliminary plat page 1



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Page 76 of 80

Zoning Map



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Rockwall CAD Parcel ID #



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

DATE: November 9, 2021

PLANNING AND ZONING COMMISSION MEETING DATE: December 2, 2021

Agenda Item

The Chairperson of the Comprehensive Plan Advisory Committee has requested that an agenda item be placed on the December 2, 2021 agenda for review and consideration of guidance provided by the recently adopted Comprehensive Plan related to policies and ordinances potentially affected by the adoption of the 2021 Comprehensive Plan.

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

BACKGROUND INFORMATION:

The 2021 Comprehensive Plan was adopted September 29, 2021.

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

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

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