

12



# NAVARRO COUNTY PLANNING & DEVELOPMENT

Stanley Young - Director

601 N. 13<sup>th</sup> Street Suite 1  
Corsicana, Texas 75110

Phone: (903) 875-3312

## APPLICATION FOR A ZONING DISTRICT CHANGE

Name of applicant: Elm Flats Solar, LLC  
Address: 2650 Locust Street Suite 100  
City, state, zip code: St. Louis, MO, 63103  
Phone number: (484) 707-1715

Address or location where zoning change is being requested: (a survey plat or deed with property description must be attached) PIDs 43298 and 55830 - collectively, "The Property". Deeds attached.

**Current zoning classification:** Agricultural

**Proposed zoning classification:** Industrial

**Proposed use of property:** Solar Project

**Reason for zoning change:** These parcels are a prime location for a solar project, which is not a permitted use under the current classification. The Property is under an Option to Purchase agreement with Elm Flats Solar, LLC and will remain in agricultural use until formally purchased by Elm Flats Solar. As such, we are requesting the rezone is contingent upon and take effect when the subject property is owned by Elm Flats Solar.

Name of property owner: Ritchie Farms LTD

Address: P.O. Box 162650

City, state, zip code: Austin, TX, 78716

Phone number: (512) 426-7602

In lieu of representing this request myself as owner of the subject property, I hereby authorize the person designated below, to act in the capacity as my agent for the application, processing, representation and/or presentation of this request. Must be accompanied by attached affidavit.

**I understand that it is necessary for me or my authorized agent to be present at the Planning and Zoning Commission public hearing.**

Signature of Owner: Wendy C. Ritchie, President Ritchie Farms, LTD.

Signature of Agent: Signed by:  
*Chris Morqueal*  
902002CAT13E41B

Address of Agent: 2650 Locust Street Suite 100, St. Louis, MO, 63103

Phone number of Agent: (484) 707-1715



# NAVARRO COUNTY PLANNING & DEVELOPMENT

Stanley Young - Director

601 N. 13<sup>th</sup> Street Suite 1  
Corsicana, Texas 75110

Phone: (903) 875-3312

Date of Planning and Development Hearing: \_\_\_\_\_

Date of Commissioners Court Hearing: \_\_\_\_\_

Case Number: \_\_\_\_\_ Fee: \$300

This request will not be scheduled for public hearing until the attached application is completed, the fee paid and returned to the office of Planning and Development.

Application must be accompanied by a list of all property owners within 200 feet of the boundaries of subject tract.

Legal description of property: (legal description must be attached)

Deeds attached.

Survey Name: PID 43298: J. DeArman, PID 55830: A. Sanchez Abstract Number: PID 43298: 211. PID 55830: 782.

Name Deed recorded in: Ritchie Farms, LTD.

Volume and page number: PID 43298: 2016, 3136. PID 55830: 2022, 2384.

Change in Zoning from: Agricultural to Industrial

State of existing neighborhood character:

- a. Predominant land use:  
Single Family ☐ Multifamily ☐ Commercial ☐ Industrial ☐ Vacant ☐ Agricultural ☒
- b. Conditions: Sound ☒ Deteriorating ☐ Mixed ☐
- c. Are there deed restrictions which could prevent this property from being used in the manner herein proposed? Yes ☐ No ☒
- d. Have all persons having any financial interest in the request been listed or are signatories to this application? Yes ☒ No ☐
- e. Will the area have any through traffic? Yes ☐ No ☒
- f. Are there any pollution or environmental hazards or other objectionable hazards affecting the proposed use? Yes ☐ No ☒
- g. Is the site located in a floodplain? Yes ☐ No ☒
- h. Is it in the watershed of any flood control structure? Yes ☐ No ☒
- i. What is the predominant zoning in the area? Agricultural
- j. Is the area developed the same as it is zoned? Yes
- k. Will the requested change alter a logical transition between zoning patterns? Yes ☐ No ☒
- l. Are there any peculiarities of the proposed use that are likely to affect neighboring properties, such as unusual or long hours, heavy traffic, lights, noise or trash? Yes ☒ No ☐
- m. If yes, explain. The construction of the project will take approximately 8 months. During construction, minimal traffic and noise will be present during the day but will cease at night. Once operational, noise, traffic, and light will be largely nonexistent, as further detailed in the attached documentation.

Signature of owner: Wesley B. Meadows, President Date: 4-8-25

Ritchie Farms, LTD.





## NAVARRO COUNTY PLANNING & DEVELOPMENT

Stanley Young - Director

601 N. 13<sup>th</sup> Street Suite 1  
Corsicana, Texas 75110

Phone: (903) 875-3312

### AFFIDAVIT FOR AUTHORIZED AGENT

Description of property: (legal description must be attached)

Deed attached.

This is to be completed only if a person other than the owner is representing this application.

I, Ritchie Farms, Ltd. hereby certify that I am the record owner of the property listed above and I hereby authorize Elm Flats Solar, LLC to act on my behalf in the application process for a Zoning Change on this property.

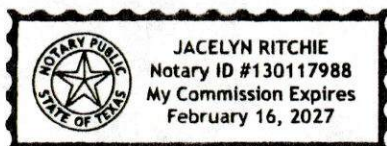
Signature: Wesley G. Ritchie, President Date: 4-8-25

STATE OF TEXAS  
COUNTY OF NAVARRO  
KNOW ALL MEN BY THESE PRESENTS:

Before me, the undersigned authority, a notary public in and for the State, on this day personally appeared, Wesley G. Ritchie, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purpose herein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE  
THIS THE 8 DAY OF May, 2025.

Jacelyn Ritchie MY COMMISSION EXPIRES February 16, 2027  
NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS



**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

**Date:** May 5, 2016

**Grantor:** Harriett Emerson (undivided one-half interest); and Citizens National Bank, Trustee of the Euphemia Richey Testamentary Trust (undivided one-half interest)

**Grantor's Mailing Address (including county):**

Harriett Emerson  
P. O. Box 204  
Powell, Texas 75153  
Navarro County

Citizens National Bank  
400 West Collin St.  
Corsicana, Texas 75151  
Navarro County

**Grantee:** Ritchie Farms, Ltd., a Texas limited partnership

**Grantee's Mailing Address (including County):**

2112 Rio Grande  
Austin, Texas 78705  
Travis County

**Consideration:**

TEN AND NO/ONE HUNDRED DOLLARS (\$10.00) and other good and valuable consideration.

**Property (including any improvements):**

All that certain lot, tract or parcel of land situated in the J. DeArman Abstract 211, Navarro County, Texas, more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

**Reservations From Conveyance:** Grantor, Harriett Emerson, reserves for her lifetime all of the interest in the Mineral Estate that is owned by Harriett Emerson. Grantor, the Euphemia Richey Testamentary Trust, reserves all of the interest in the Mineral Estate that is owned by the Euphemia Richey Testamentary Trust for the lifetime only of Harriett Emerson. All such reserved rights shall expire on the death of Harriett Emerson as if the full mineral estate without reservations was conveyed to Grantee on the date of this Deed. Any royalties or other monies thereafter payable by Lessee of the Mineral Estate or other debtor to the Mineral Estate shall be payable to Grantee or Grantee's successors and assigns. Notwithstanding the foregoing reservations, during the life of

Harriett Emerson, Grantors shall provide Grantee with a copy of all proposed Oil and Gas Leases covering the Property and afford Grantee with an opportunity to review and make comments with respect to the terms of any such proposed Leases. As further consideration for these mineral reservations, Grantors agree that the primary terms of any such Oil and Gas Leases shall not exceed two (2) years absent the written consent of Grantee.

Grantors additionally reserve and retain implied rights of ingress and egress and of reasonable use of the Property (including surface materials) for mining, drilling, exploring, operating, developing, and removing oil, gas and other minerals with the same expiration provisions as set out in the preceding paragraph.

"Mineral Estate", as used above, means all oil, gas and other minerals, in or under the Property, any royalty under any existing or future lease covering any part of the Property, surface rights (including rights of ingress and egress), production and drilling rights, lease payments, and all related benefits. The Mineral Estate DOES NOT include water, sand, gravel, limestone, building stone, caliche, surface shale, near-surface lignite, and iron, but DOES include the reasonable use of these surface materials, with the exception of water for mining, drilling exploring, operating, developing, or removing the oil, gas and other minerals from the Property. Any water use rights must be purchased from Grantee.

**Exceptions to Conveyance and Warranty:**

This conveyance is subject to all easements, rights of way and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and taxes for the current year.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee, "AS IS", the property, together with all and singular the rights and appurtenances thereto in any wise belonging; to have and hold it to Grantee, Grantee's heirs, executor, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, except as to the reservations from and exceptions to conveyance and warranty.

When context requires, singular nouns and pronouns include the plural.

  
Harriett Emerson

Citizens National Bank,  
Trustee of the Euphemia Richey  
Testamentary Trust

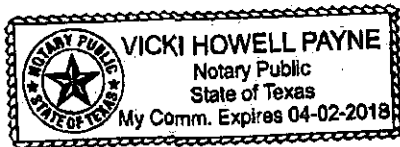
By: Larry Turner  
Larry Turner, Senior Vice-President and Trust Officer

**ACKNOWLEDGMENT**

STATE OF TEXAS )

COUNTY OF NAVARRO )

This instrument was acknowledged before me on May 5, 2016, by Harriett Emerson.



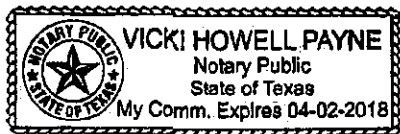
Vicki Howell Payne  
Notary Public, State of Texas

**ACKNOWLEDGMENT**

STATE OF TEXAS )

COUNTY OF NAVARRO )

This instrument was acknowledged before me on May 5, 2016 by Larry Turner, Sr. Vice-President and Trust Officer of Citizens National Bank, Trustee of the Euphemia Richey Testamentary Trust.



Vicki Howell Payne  
Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**

Navarro County Abstract Co.  
1200 West 2<sup>nd</sup> Avenue  
Corsicana, Texas 75110

**EXHIBIT "A"**

**All that certain tract or parcel of land situated in the J. DeArman Survey Abstract 211, Navarro County, Texas and being a certain tract of land described by deed recorded in Volume 363, page 463 of the Deed Records of Navarro County, Texas. Said tract or parcel of land being more fully described by metes and bounds as follows:**

**Beginning at the northwest corner of this tract located in the east R.O.W. of F.M. 633; Witness: N60° 01' 38" E 2.0 feet, a found 3" iron pipe.**

**THENCE N60° 01' 38" E 3100.74 feet to the northeast corner of this tract; Witness: S30° 24' 05" E 64.24 feet, a set 3/8" iron rod;**

**THENCE S30° 24' 05" E 1129.91 feet to a set 3/8" iron rod for the southeast corner of this tract;**

**THENCE S58° 51' 39" W 3108.80 feet to a set 3/8" iron rod for the southwest corner of this tract located in said east R.O.W. of F.M. 633'**

**THENCE with said R.O.W. N30° 01' 22" W 1193.16 feet to the place of beginning and containing 82.783 acres of land.**

Return to  
Navarro County Abstract  
1200 W 2nd Ave.  
Corsicana, TX 75110

Filed for Record in:  
Navarro County

On: May 09, 2016 at 02:21P

As a  
Recordings

Document Number: 00003136

Amount: 38.00

Receipt Number - 72054

By:  
Dolly Whitehead

STATE OF TEXAS

COUNTY OF NAVARRO

I hereby certify that this instrument was  
filed on the date and time stamped hereon by me and  
was duly recorded and stamped hereon by me.

May 09, 2016

Sherry Dowd, COUNTY CLERK  
Navarro County



### Exhibit 3 - Deed for PID 55830 (Tract 4)

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

#### **SPECIAL WARRANTY DEED**

Date: March 1, 2022

Grantor: WESLEY G. RITCHIE, Independent Administrator of the Estate of Harriett Anne Emerson

Grantor's Mailing Address: P.O. Box 162650  
Austin, Travis County, Texas 78716-2650

Grantee: RITCHIE FARMS, LTD.

Grantee's Mailing Address: P.O. Box 162650  
Austin, Travis County, Texas 78716-2650

Consideration:

Ten Dollars (\$10.00) and other good and valuable consideration.

Property (including improvements):

All of the right, title and interest of the Estate of Harriett Anne Emerson in and to the real property in Navarro County, Texas, that is described in Exhibit "A" attached hereto.

Reservations from and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded instruments, including liens and conveyances that affect the property; taxes for the current year, and all prior years based upon any tax rollbacks, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys the Property to Grantee, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee and Grantee's successors or

assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through or under Grantor, but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

Estate of Harriett Anne Emerson

By:

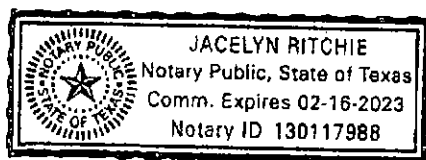
Wesley G. Ritchie, Independent Administrator

STATE OF TEXAS

§  
§  
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 4 day of March 2022, by Wesley G. Ritchie, Independent Administrator of the Estate of Harriett Anne Emerson, in the capacity stated.



Jacelyn Ritchie  
Notary Public, State of Texas

Notary's commission expires:

2/16/23

After recording return to:

Wesley G. Ritchie  
Ritchie Farms, Ltd.  
P.O. Box 162650  
Austin, Texas 78716-2650

### Exhibit A

All of the right, title and interest of the Estate of Harriett Anne Emerson, Deceased, in the following-described lands in Navarro County, Texas

#### Tract 1:

107 acres of land, more or less, out of the W. W. Clark Survey, Abstract 181, and being all of that land as described in Deed from Euphemia Richey to Pearl Emerson dated December 30, 1967, recorded in Volume 756, Page 768, Deed Records of Navarro County, Texas; SAVE and EXCEPT that certain 5.0 acre tract of land conveyed by Wesley G. Ritchie, et al., to Ozella Hudson Hailey and Robert Leon Winston by Special Warranty Deed recorded as Document No. 013428 in the Official Real Property Records of Navarro County, Texas.

#### Tract 2:

119 acres of land, more or less, in the A. Sanchez Survey, Abstract 782, in Navarro County, Texas, and being described in Deed from Pearl Emerson to Harriett Emerson dated December 5, 1973, recorded in Volume 832, Page 233, Deed Records of Navarro County, Texas.

#### Tract 3:

116 acres of land, more or less, in the A. Sanchez Survey, Abstract 782, in Navarro County, Texas, and being described in Deed from Harriett Emerson to Pearl Emerson dated July 17, 1975, recorded in Volume 852, Page 700, Deed Records of Navarro County, Texas.

#### Tract 4: PID 55830

100.33 acres of land, more or less, out of the A. Sanchez Survey, Abstract 782, in Navarro County, Texas, and being described in Deed from Harriett Emerson to the Euphemia Richey Trust dated July 13, 1984, recorded in Volume 1032, Page 835, Deed Records of Navarro County, Texas.

Tract 5: Undivided 1/2 mineral interest in 99.91 acres of land, more or less, located in the Francisco Procello Survey, A-636, Navarro County, Texas, and being the same land described in that certain Warranty Deed dated April

27, 1987 from InterFirst Bank of Corsicana, Trustee of the Euphemia Richey Testamentary Trust and Harriett Emerson to Tarrant County Water Control and Improvement District No. 1, recorded in Volume 1095, Page 724, Official Public Records of Navarro County, Texas.

**Tract 6:** All of the right, title and interest of the Estate of Harriett Anne Emerson in and to any and all other lands in Navarro County, Texas not described hereinabove; as well as all right, title, and interest of the Estate of Harriett Anne Emerson in and to any oil, gas and other minerals in Navarro County, Texas, not specifically described hereinabove. **It being the intention of Grantor to convey to Grantee by this Deed all of the real property interests owned by the Estate of Harriett Anne Emerson in Navarro County, Texas, whether or not specifically described herein.**

FILED ELECTRONICALLY

**THE STATE OF TEXAS  
COUNTY OF NAVARRO**

I hereby certify that this instrument was FILED on the  
date and the time stamped hereon by me and was duly  
RECORDED in the Records of Navarro County, Texas.

2022-002384 SWD

03/09/2022 10:56:38 AM Total Fees: \$38.00

Sherry Dowd, County Clerk  
Navarro County, Texas







BIRCH CREEK

# Elm Flats Solar

40 MWac Solar Energy Facility  
Navarro County, TX  
Application for Zoning District Change



Submitted April 10th, 2025





## **EXECUTIVE SUMMARY**

Elm Flats Solar, LLC, (the “Applicant”), has prepared this application for a change of zoning from Agricultural to Industrial for two parcels within Richland Chambers zoning boundaries. This rezone is intended to allow for these parcel to be included in a 40 MW Solar Energy Facility in Navarro County, Texas (the “County”). This Project, proposed by Elm Flats Solar, LLC, will provide a valuable energy resource for Navarro County and the State of Texas. The 40 MW AC project is anticipated to produce approximately 95,000 MWhs of energy annually. This amount of energy will power approximately 12,000 homes. This 40 MW Solar Energy Facility may be referred to herein as “Elm Flats Solar” or the “Project.” Applicant respectfully submits the following information, exhibits, and materials which are hereby incorporated into and made part of the Application below in order to comply with the County’s Zoning District Change application requests.

The Applicant is a limited liability company that is indirectly owned by Birch Creek Energy, LLC (“Birch Creek”). Since its founding in 2019, Birch Creek Energy has developed over 1,000 MWs of Solar and BESS projects throughout the United States. The company currently has 14.5 GWs of Solar and BESS projects in the development stage and expects to bring over 500 MWs of projects online each year between now and 2030. Prior to leading Birch Creek, the management team oversaw the development, financing, construction, and operation of thousands of MWs of projects through leadership positions at U.S Bank, Cypress Creek Renewables, Dufour Law, and various other energy companies. Birch Creek Energy is proud to partner with Utilities, Corporate entities, and communities throughout the U.S for the safe, responsible, and efficient development of local energy resources.

## **PROJECT SUMMARY**

Applicant is requesting a Zoning District Change for two parcels to allow their participation in a solar project. While only two parcels are within Richland Chambers boundaries, the entire project is expected to cover up to 630 acres over nine parcels in Navarro County, Texas (the “Project Site”). The project is expected to be no more than 10 feet tall once constructed and will be fully fenced in. The Project Site and anticipated Solar Development Area are displayed in the attached site plan (Exhibit 1). The parcels in Richland Chambers Zoning are under an Option to Purchase agreement with Elm Flats Solar, LLC. The current owner, Ritchie Farms LTD, will continue to use the land for agricultural purposes until the property is formally purchased by Elm Flats Solar, LLC. As such, we are requesting the rezone is contingent upon and take effect when the subject property is owned by Elm Flats Solar, LLC.

This Project site is located approximately 8 Miles East of Corsicana, near the city of Powell. Taking numerous factors into consideration, the Property was selected as a desirable location for the Project. First and foremost, the location provides an excellent solar resource. Based on initial studies completed by the applicant, the Project is projected to produce over 95,000 MWhs of energy annually. The Project also has direct access to Oncor’s Briar Creek to Powell high voltage transmission line, which minimizes the need to construct additional interconnection facilities and will result in an efficient, cost effective, and immediate transfer and contribution of energy to the grid. The existing transmission line will be the point of interconnection for the



## BIRCH CREEK

Project. The Project is progressing through Oncor's interconnection process to allow for up to 40 MWs AC. The Project's interconnection equipment includes protective devices, switchgears, inverters, transformers, relays and other devices, which will be assembled to create the Project Substation in order to safely and efficiently transfer the electricity from the Project to Oncor's 138kV transmission system. The project substation will be fully enclosed in fencing per NERC requirements and located in the "Substation Area", as depicted in Exhibit 1. Finally, the Project site was chosen to minimize environmental and social impacts. The project also currently avoids all regulated wetlands and does not expect any adverse impacts to these features through construction or operation.

The Project will utilize rows of Photovoltaic ("PV") cell modules mounted on posts set in the ground. These rows of modules are referred to as "solar arrays." Birch Creek typically mounts the solar arrays on a tracking system, which allows them to follow the sun throughout the day. In the tracking configuration, the modules face East in the morning, are horizontal at midday, and face West in the afternoon. Solar components will comply with the current edition of the National Electric Code, be UL listed (or equivalent), and be designed with an anti-reflective coating. All solar modules will be sourced from Tier 1 manufacturers as rated on the Bloomberg New Energy Finance PV Module Maker Tiering System.

Pending completion of all required permitting and project design, construction of the Project is expected to commence Summer of 2026 and be completed in the Spring of 2027. Birch Creek has contracted environmental consultants to perform field investigations, literature reviews, and agency consultants to assist with this additional permitting and design work including, identification and assessment of existing environmental conditions at the Project Site. Information derived from the environmental diligence has been and will continue to be used by Birch Creek to avoid and minimize effects on environmental resources during the design process.

The Property is currently designated as "Agricultural". In accordance with County regulations, Applicant is seeking a zoning district change to "Industrial" for Solar and energy development. As discussed further in the application, the Project will be a low-impact development requiring little to no local municipal services. The following Application illustrates that this Project will not negatively impact public safety or general welfare, nor will it affect the comfort and convenience of the public in Navarro County. Further, full compliance with federal, state, and local regulations will ensure the Project will not result in adverse impacts to environmental resources.

Birch Creek is proud to be part of the Navarro County community and looks forward to a continued partnership with the community through working with the Navarro County Planning and Development office.



**I. Zoning District Change Application Contents****A. Legal and General Description of Property**

The Property is located near the intersection of FM 633 and SE County Road 0120 in the Northeast portion of Richland Chambers zoning boundaries. The lands Applicant is seeking a Zoning District Change for are more specifically and legally described in the table below and the attached deeds in Exhibit 2 and Exhibit 3 (referred to in this Application as the "Property"):

<b>Parcel Owner</b>	<b>PID</b>	<b>Legal Description</b>	<b>Deed</b>
Ritchie Farms, LTD	43298	ABS A10211 J DEARMAN ABST TRACT 4 82.783 ACRES	Exhibit 2
Ritchie Farms, LTD	55830	ABS A10782 A SANCHEZ ABST TRACT 9 100.33 ACRES	Exhibit 3

**B. Property Owners Within 200 Feet of the Affected Property**

The following table includes the names and addresses of all owners of property within 200 feet of the affected Property in this Application:

<b>Parcel Owner</b>	<b>Mailing Address</b>	<b>PID(s)</b>
Tom Heidorf	PO Box 75, Powell TX 75153	43299
Harriet B Ray Estate	219 Northwood Blvd, Corsicana TX 75110	43490, 43491
Dennis Lynn & Kimberly Kay Bancroft	PO Box 314, Powell TX 75153	43489
Wayne & Starlett Cotten	PO Box 28, Powell TX 75153	121411, 43297, 40317
Patricia Jo Kenner Harper	608 Mills Place, Corsicana TX 75110	53898
Jim D Bush	803 Cantrell St, Waxahachie TX 75165	43505
Oliver G Jackson	PO Box 6012, Corsicana TX 75151	82632
William Edens Cunningham Jr	3938 S Highway 287, Corsicana TX 75109	44924



## II. Additional Information to Support the Application

In addition to the information above, Applicant provides the following additional information regarding the proposed Project and requested Zoning District Change.

- **Rural Addressing:** The Project will obtain an address approved by the Navarro County GIS prior to the start of construction.
- **Time Schedule for Development:** Applicant anticipates that construction for the Project will begin in July 2026 and take approximately 8 months, with full operation commencing in May 2027.
- **Job Creation:** The Project anticipates the creation of over 125 jobs during the 8-month construction period. Construction will start with a limited crew for civil and electrical work, then increasing to the full work force for pile driving and PV installation. The full crew is anticipated to be on site for approximately 3 months, while a limited crew will be on the remainder of the time. Furthermore, the Project anticipates the creation of 3-5 long-term local jobs for the operation and maintenance of the facility. These individuals will be responsible for the on-going safety, functionality, and communication on behalf of the Project.
- **Tax Revenue:** The Project is anticipated to bring over \$6.2 Million to the County and State through tax payments within 15 years of the Project reaching operation.
- **Access:** Prior to the start of construction, legal and physical access is available to the Property through public roads, or private roads, which Applicant has authorization to use through leasehold or other agreements. For access during construction, the Applicant plans to seek and enter into a Road Use Agreement with Navarro County for construction vehicles, prior to the start of construction.
- **Lighting:** Applicant anticipates limited lighting facilities needed in order to comply with NERC safety standards at all entrances and exits for the facility. Any lighting that is required will be downward facing and minimized to the extent possible.
- **Relationship to Existing Uses:** The Project is sited on land which is primarily classified as "Agricultural" and surrounding land uses are similarly farmlands used for agriculture or grazing. Elm Flats Solar will be contained within a fence within the Property and will have





## BIRCH CREEK

no impact and will not interfere or affect the enjoyment or current uses of surrounding or adjacent lands.

- **Additional Permits:** Prior to construction, the Project will receive all necessary Federal, State, and Local permits.
- **Restoration:** Within 18 months of termination of the Project, the land will be restored to a reasonably similar condition as the property existed prior to the commencement of construction.

If additional information would be helpful regarding the Project or contemplated construction or operation activities, Applicant is willing to provide or meet to further discuss.

### III. **Conclusion**

In summary, Elm Flats Solar, LLC is applying for issuance of a Zoning District Change from Agricultural to Industrial, therefore authorizing solar and energy development on the Property for the uses specified in this Application. We request that the issuance is subject to the final purchase of the property by Elm Flats Solar, LLC.

If you have any questions or require any additional information regarding this Application, or the Project, please contact me at the following information. I would be more than happy to schedule a meeting to discuss this Application in detail.

For any questions regarding this proposal, Project, or the applicant, please contact:

Fred Short  
[short@birchcreekdev.com](mailto:short@birchcreekdev.com)  
484-707-1715  
Elm Flats Solar  
2650 Locust St.  
Suite 100  
St. Louis, Missouri 63103



BIRCH CREEK

**Exhibit List**

- Exhibit 1 — Site Plan
- Exhibit 2 — Deed for Parcel 43298
- Exhibit 3 — Deed for Parcel 55830







