

## Kaufman County developer turning things around

Leman Development works to rebuild reputation among homeowners

10:04 AM CST on Sunday, March 26, 2006

By JIM GETZ / The Dallas Morning News

Once an unbeliever that Windmill Farms could do anything right – from fixing its poor-tasting well water and stinky sewer to changing a management he considered uncaring – the homeowner in the master-planned Kaufman County community now has faith that Leman Development Ltd. is turning things around.

"I was angry – or, to put it in a polite way, passionate – at the annual meeting last May," the 34-year-old recalled. And he wasn't alone. "It was kind of a bloodbath," he said, and it alerted Leman that homeowners beyond the 671-lot Phase 1 were upset. The residents' complaints were a call to change, to listen, to respond. And, Mr. Evans said, management company and moving to address comp



Silvano Perez (left) preps the foundation for a house at Windmill Farms, near Forney

Windmill Farms has made believers of other developers as well.

"I think there was some skepticism early on that a community that far out ... would be able to draw traffic," said Ted Wilson of Residential Strategies, a consultant to Leman and other developers. "But it was off to the races."

By proving five years ago that people would move 25 miles east of downtown Dallas, Mr. Wilson said, Windmill Farms paved the way for such developments as Travis Ranch, between Heath and Forney; Chestnut Meadows, on Forney's south side; and the coming Heartland, near Crandall.

Plans call for 10,000 homes to eventually inhabit the 3,852 acres of Windmill Farms, which Mr. Wilson said would rank the housing development among the five biggest in North Texas.

If that vision becomes reality, it may be partly because the development's leaders sought redemption after transgressions that led many residents to sue, picket and, like Mr. Evans, yell at homeowners' association meetings.

"The other people there are benefiting from the actions we have taken," said lawyer Chris Duvall of The Schiller Firm, which represents first-phase homeowners. He said the developers made improvements only in response to a lawsuit, "and that's why the lawsuit continues."

Greg Rich, one of the developers in Leman, and Cleveland Clinton, Leman's attorney, deny that litigation was the main spur to action. Mr. Rich said that a pipeline that will deliver Forney water to Windmill Farms next month had been planned even before ground was broken in early 2000 but that the city's politics weren't amenable. By 2005, they were.

And once Leman realized the development was overwhelming its sewage plant, he said, it jumped to fix it, though it lost six to eight months when the first replacement machinery was inadequate.

"The impression is we didn't do anything," Mr. Rich said. "That's not true. It was all hands on deck."

County Commissioner Ken Leonard acknowledged that Leman reacted – but he said that was the problem.

"Relying on necessity to be the mother of invention is not planning," he said.

Mr. Rich said Windmill Farms was a victim of its own success: Five years ago, Leman expected to sell a couple of hundred homes a year, but in the first year it sold 715. The 559-lot Phase 2, which was to have begun in January 2005, began in June 2002.

"Our marketing program worked," Mr. Rich said. "But what we needed was communication."

Communication was lacking, in the view of many homeowners, who filed a suit charging that the development district overseeing Windmill Farms had imposed "hidden" assessments of up to \$1,500 a year per household.

#### Moving out

Some who had budgeted tightly to move in had to sell and leave. Kenny Jones eventually declared bankruptcy. Now living in a three-bedroom, 1,000-square-foot duplex in Lancaster with his wife and four children, he says his damaged credit has kept him from buying another home.

"It's been years now since it hit, and we still haven't gotten everything totally worked out," he said.

For other residents, such complaints ring hollow. Nathan Delahoussaye, 30, who moved from Arlington in fall 2002, said he knew about the assessments. "But the way I looked at it, I was not paying city taxes out here," he said.

"I figured, if you're not happy, sell your home and leave. There are a lot of people happy to live here. I also figured there were some lawyers telling them they'd get a lot of money."

#### Plans for change

Other than refunds of early assessments, no such money has materialized. But improvements, whether spurred by lawsuits or not, are happening:

- The pipeline from Forney is supposed to enable Windmill Farms to blend well water with city water by April 30.
- The Texas Commission on Environmental Quality is likely to approve using a \$65,000 fine for earlier sewage violations to restore 25 acres of native habitat within the new Shenandoah Park.

- Blackburn Elementary School opened in 2004; a new middle school will be ready in the fall. (Forney school district enrollment is growing by 20 percent a year, with one-third of the increase attributable to Windmill Farms.)

- Two developer-appointed members of the Fresh Water Supply District board that governs Phase 1 will step down, and for the first time, two Windmill Farms residents will run for the seats in May – a major goal of a lawsuit filed in late January.

The third of 10 homebuilding phases is under way. With more residents arriving each month, the ferocity of the original complaints is fading, the developers say, creating a greater sense of community for such events as a fall festival and efforts to help Hurricane Katrina victims.

As a former Kaufman County commissioner from Terrell, Ivan Johnson heard about some of Windmill Farms' problems before he moved there in late 2004. "But ... I have not experienced any adverse circumstances," he said. "I can only guess that they've improved things. I'm totally happy."

"There were a lot of moving parts," Mr. Rich said. "You can't stay the course. You have to ebb and flow as your community matures. It's just that ours matured a lot faster. We can still adhere to the plan, but can we right the ship and its course?"

Mr. Wilson of Residential Strategies says yes. "My take on Windmill Farms is it had a couple of bumps in the road, but it's done well," he said. "They're going to have more competition, but that's because success breeds success."

Mr. Leonard, the current county commissioner, said success is occurring in part because of lessons learned from Windmill Farms. Because special districts need county approval to tax for road building, the county is using its leverage to persuade developers to pay for law enforcement and land for schools and parks.

"We learned to look beyond pretty drawings and dig into the meat of the plan," he said, "to get everybody at the table on the front end before it's built."

As for Mr. Evans, he's waiting to see whether others have been converted as he has: "I'm real curious this May to see how our annual meeting goes."

E-mail [jgetz@dallasnews.com](mailto:jgetz@dallasnews.com)

---

Online at: [http://www.dallasnews.com/s/dws/news/localnews/stories/DN-windmill\\_26met.ART0.North.Edition2.3f3975d.html](http://www.dallasnews.com/s/dws/news/localnews/stories/DN-windmill_26met.ART0.North.Edition2.3f3975d.html)