



**AGENDA**  
**PLANNING AND ZONING COMMISSION MEETING**  
**NOVEMBER 18, 2025**  
**1371 WEST FM 550 - McLendon-Chisholm, Texas 75032 6:30 PM**

1. CALL TO ORDER
2. INVOCATION AND PLEDGE
3. RULES OF DECORUM
4. PUBLIC HEARING
  - 4.1. Public hearing to consider the establishment of the Willow Creek Planned Development District (PD) on approximately 360.30 acres of land located within and adjacent to the City limits of McLendon-Chisholm. The property is generally located behind City Hall, extending across portions of Klutts Road between Smith Road and State Highway 205, and includes a portion fronting FM 550.
5. CITIZEN COMMENTS
6. APPROVAL OF MINUTES
  - 6.1. Consider approval of the Minutes from Oct. 21, 2025 Planning and Zoning Meeting
7. ITEMS FOR CONSIDERATION AND ACTION
  - 7.1. Discuss and consider approval of the Willowcreek Planned Development District (PD) for a master-planned residential community consisting of 414 single-family lots, a master landscape trail system, and related community amenities, including a City park with associated amenities.
  - 7.2. Discuss and consider recommendation of approval of the Ordinance to amend Article 4 "Zoning Districts", Section 4-8 "GENERAL BUSINESS DISTRICT" of the McLendon-Chisholm Code of Ordinances by setting hours of operation, regulating noise and light and sound in the General Business ("GB") Zoning District for Restaurants.
8. COMMISSIONERS REPORTS AND ANNOUNCEMENTS
9. 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, Angela Jennings, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of McLendon-Chisholm, Texas was posted or before 5:00 p.m., Nov. 10, 2025 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



Minutes

PLANNING AND ZONING COMMISSION REGULAR MEETING

OCTOBER 21, 2025

1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032 6:30 PM

In Attendance:

Mark Kipphut, Chairman

Robert Rohde, Co-Chairman

Tommy Baugh, Commissioner

Chris Freeze, Commissioner

Gyle Dale, Commissioner

Tom Hritz, Commissioner

Anthony Crawford, Commissioner

Staff: Fabrice Kabona, City Manager

Peyton Sherman, City Planner

Angela Jennings, City Secretary

Eddie Stough, Fire Chief/Fire Marshal

1 . CALL TO ORDER

**Mr. Kipphut calls the meeting to order at 18:32 (6:32 PM)**

2. INVOCATION AND PLEDGE

**Mr. Kipphut leads the Invocation and the US & Texas Pledges.**

3. RULES OF DECORUM

4. CITIZEN COMMENTS

**There are no citizens comments**

## 5. APPROVAL OF MINUTES

- 5.1. Consider Approving Meeting Minutes from Planning and Zoning Commission meeting of Sept. 16, 2025

**Motion to approve**

**Made by: Chris Freeze**

**Seconded by: Gyle Dale**

**Motion passes: Unanimous**

## 6. ITEMS FOR CONSIDERATION AND ACTION

- 6.2. Discuss and consider approval of the request to construct a new residence and designate the existing structure as a detached guesthouse.

**Motion to discuss and consider approval**

**Made by: Tony Crawford**

**Seconded by: Chris Freeze**

**Peyton Sherman, City Planner gives his staff report and recommends approval.**

**Tony Crawford points out that the property is one of the nicest properties in the area and states he has no doubt the project will be beautiful.**

**There was no other discussion or questions. Mr Kipphut calls for a vote.**

**Motion Passes: Unanimous**

- 6.3. Discuss and consider approval of a final plat combining tract into one lot. This property is located in the Extra-Territorial Jurisdiction.

**Motion to discuss and consider approval**

**Made by: Chris Freeze**

**Seconded by: Gyle Dale**

**Mr. Sherman gives his staff report and recommends approval**

**There are no questions or comments by the commission.**

**Mr. Kipphut calls for a vote.**

**Motion passes: Unanimous**

- 6.4. Discuss and consider approval of a site plan for a convenience store with fuel sales. This site is located on the east side of the corner of SH 205 and FM 550. Rockwall CAD 1 1384

**Motion to discuss and consider approval**

**Motion made by: Chris Freeze**

**Seconded by: Tony Crawford**

Mr. Kipphut goes to the council for their comments and questions. Tony Crawford thanks the developer, Brian Berry for making the changes that had been requested.

Mr. Rohde asks about the engineering approval. Mr. Sherman explains what is meant by the engineering approval

Brian Berry the developer points out that this is just a site plan approval.

Mr. Kipphut's question to Mr. Berry or Peyton Sherman was to explain how this plan is in conformance with the original PD.

There were several statements from Mr. Berry and Mr. Sherman concerning the action taken by council and staff to move the project forward. Fabrice Kabona, also stated that the Mayor and himself had signed an administrative amendment.

Mr. Kipphut pointed out that he believed that the project must be in conformance and he does not believe this meets that requirement.

There was quite a lengthy back and forth between the council, the developer and the staff. Mr. Kipphut states he just can't get to the point that this shows compliance to the PD. He feels that the public should have been asked how they feel about the project. He feels it is a matter of interpretation and feels like city council has asked him to rubber stamp something he is not comfortable with.

Mayor McNeal asks to speak. He stated that action was not taken because of the language on the agenda. He stated that he and the City Manager signed the administrative amendment as per the City Attorney.

Mr. Rohde asks what would be required of the developer if we say no. Mr. Berry answers that the item will be on the next CC agenda to be considered.

Mr. Tommy Baugh clarifies that the issue here is internal not with the developer.

Chris Freeze states that his concern is setting a precedence for other applicants. He just doesn't think we can approve of this without going back through the proper channels.

There was more back and forth between the commission and staff about the Conformity issue. When asked by Mr. Freeze whether the Mayor and City Council said that by signing the amendment, it is stating that it is in conformance, Fabrice Kabona and Peyton Sherman both explain that our ordinance gives that authority to sign the administrative amendment to move forward with the project.

After several more minutes of back and forth between P&Z Commission and staff. Mr. Kabona tries to clarify the issue of the amendment and what it means.

Mr. Rohde wanted to clarify the reason the council could not make the decision and stated he believed that the agenda language being wrong was unacceptable. After questions about who wrote the agenda, who saw it before it went out, etc, Mr. Kipphut called for the vote.

**Motion Failed: Unanimous**

## 7. COMMISSIONERS REPORTS AND ANNOUNCEMENTS

Mr. Baugh states he thinks we need to make sure our internal documents and process need to be looked at so that we are not in this position again.

Peyton asks Mr. Baugh if he is referring to the PD. and explained what the PD is and why it is used. He states that it is not an internal document.

Mr. Kipphut reiterates that it is the process he is trying to protect. It is not a reflection on the project.

Several of the commissioners spoke on the different issues they had including not having all the information from the City Council Meeting.

Mr. Baugh clarifies what he feels should have been done, but only an opinion. They also wanted to know what the plan of action is going to be. Fabrice Kabona says that the applicant will move forward to City Council. There was a short discussion on next steps between commission and staff.

Gyle Dale comments that we are not trying to frustrate the developers, he applauded the staff but stated that they had to ask the questions to get the answers they need.

## 8. ADJOURN

Mr. Kipphut adjourns the meeting at 19:59



City of McLendon-Chisholm  
Staff Report

**Date:** November 18<sup>th</sup>, 2025

**Applicant:** Ty Young  
Skorburg Company,  
8214 Westchester Drive, Suite 900  
Dallas, Texas 75225

**Owner:** Willowcreek L.P.

**Agenda Item:** Discuss and consider approval of the Willowcreek Planned Development District (PD) for a master-planned residential community consisting of 414 single-family lots, a master landscape trail system, and related community amenities, including a City park with associated amenities.

**Background:**

This Planned Development District (PD) is established in conjunction with the annexation and development agreements for the subject property. The property comprises approximately 360 acres, with 246.620 acres currently within McLendon-Chisholm city limits and 113.676 acres in the City's extraterritorial jurisdiction (ETJ) proposed for annexation. The Planned Development District establishes the zoning designation for the subject property as required by the associated Development and Annexation Agreements and the Public Improvement District (PID) being considered for approval by City Council.

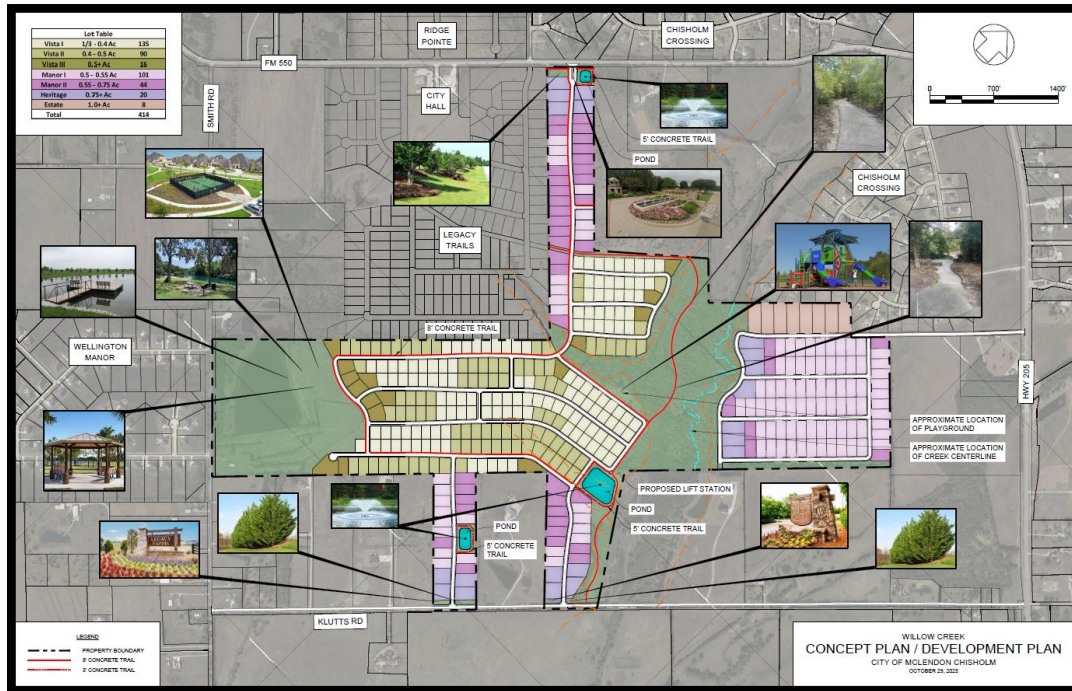
**Recommendation:** Approval.

**Attachments:**

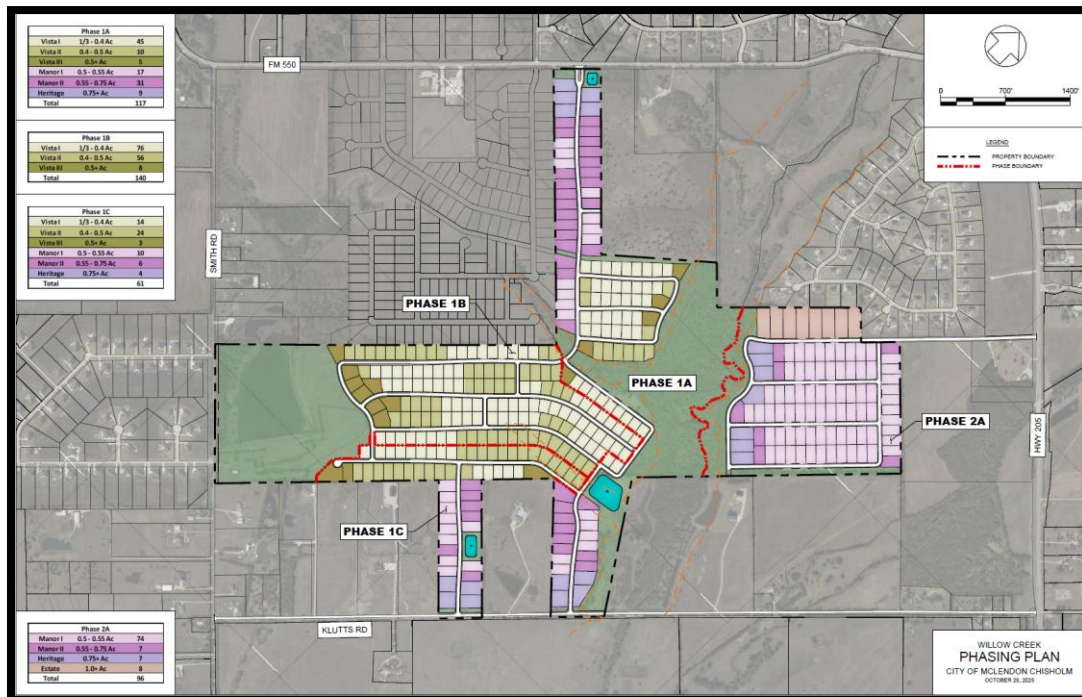
- Application
- Concept Plan
- Phasing Plan
- City Park Dedication Map

**Presenter:** Peyton Sherman

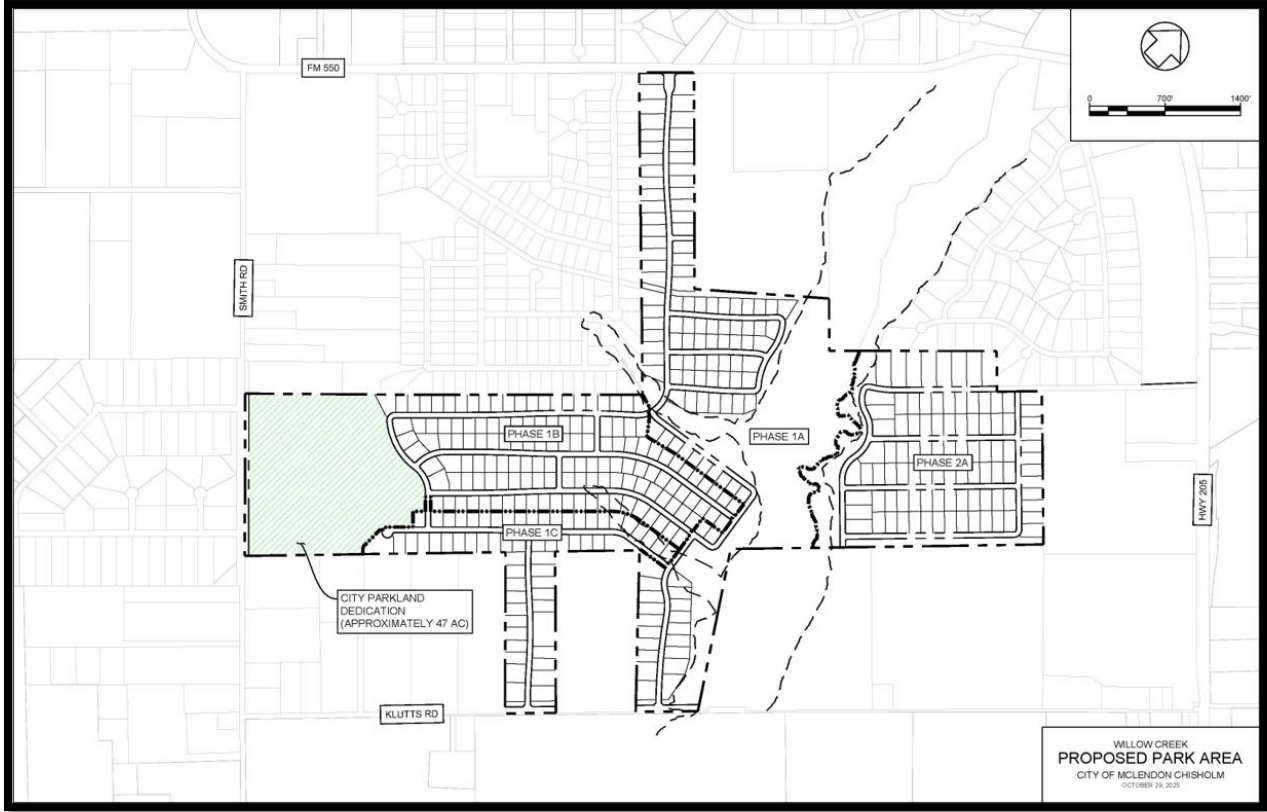
# Concept Plan:

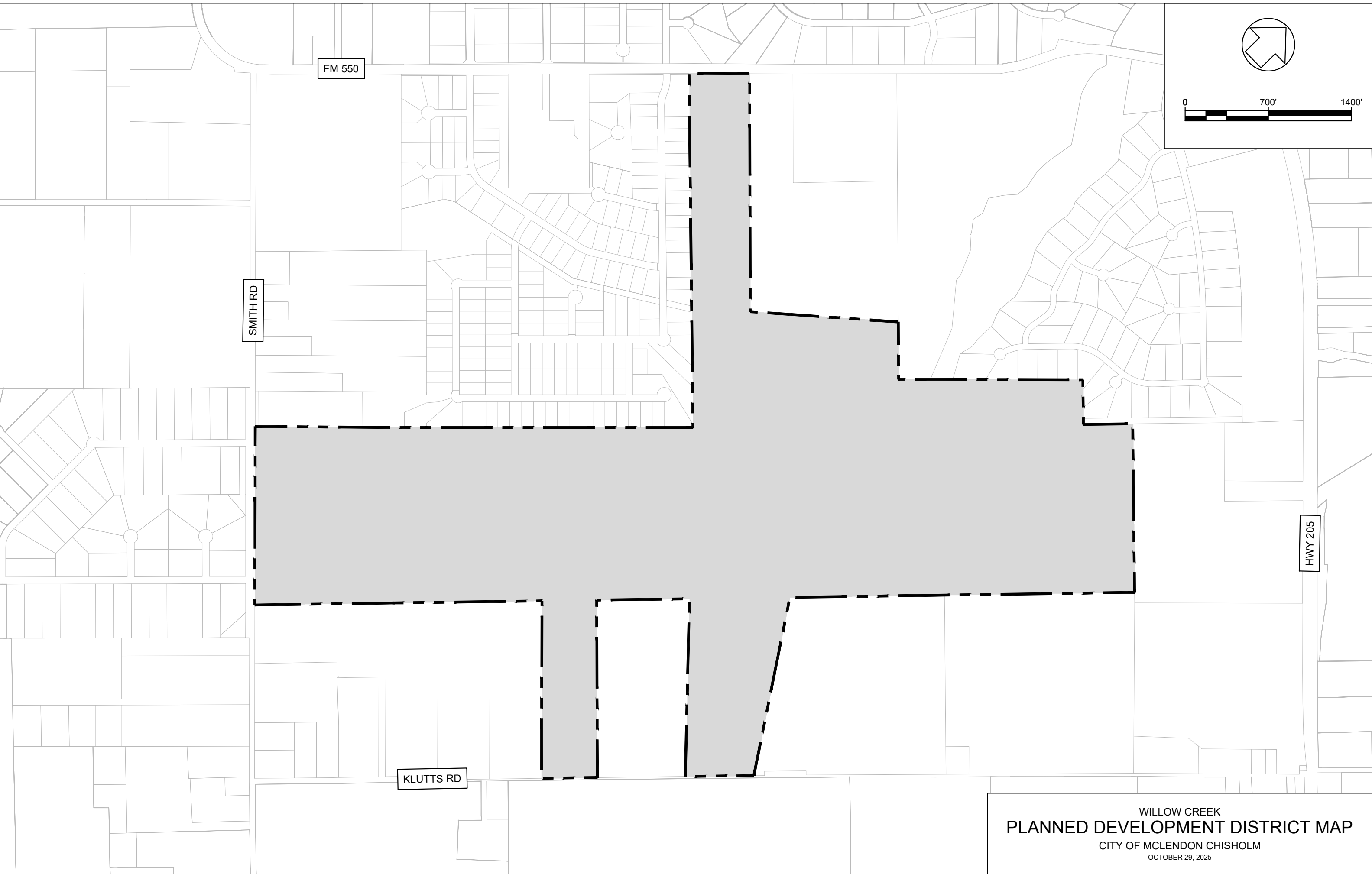
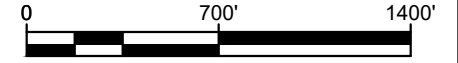
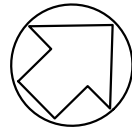


# Phasing Plan:



# City Park Dedication Map:





FM 550

SMITH RD

HWY 205

KLUTTS RD

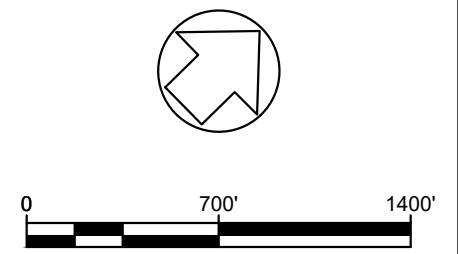
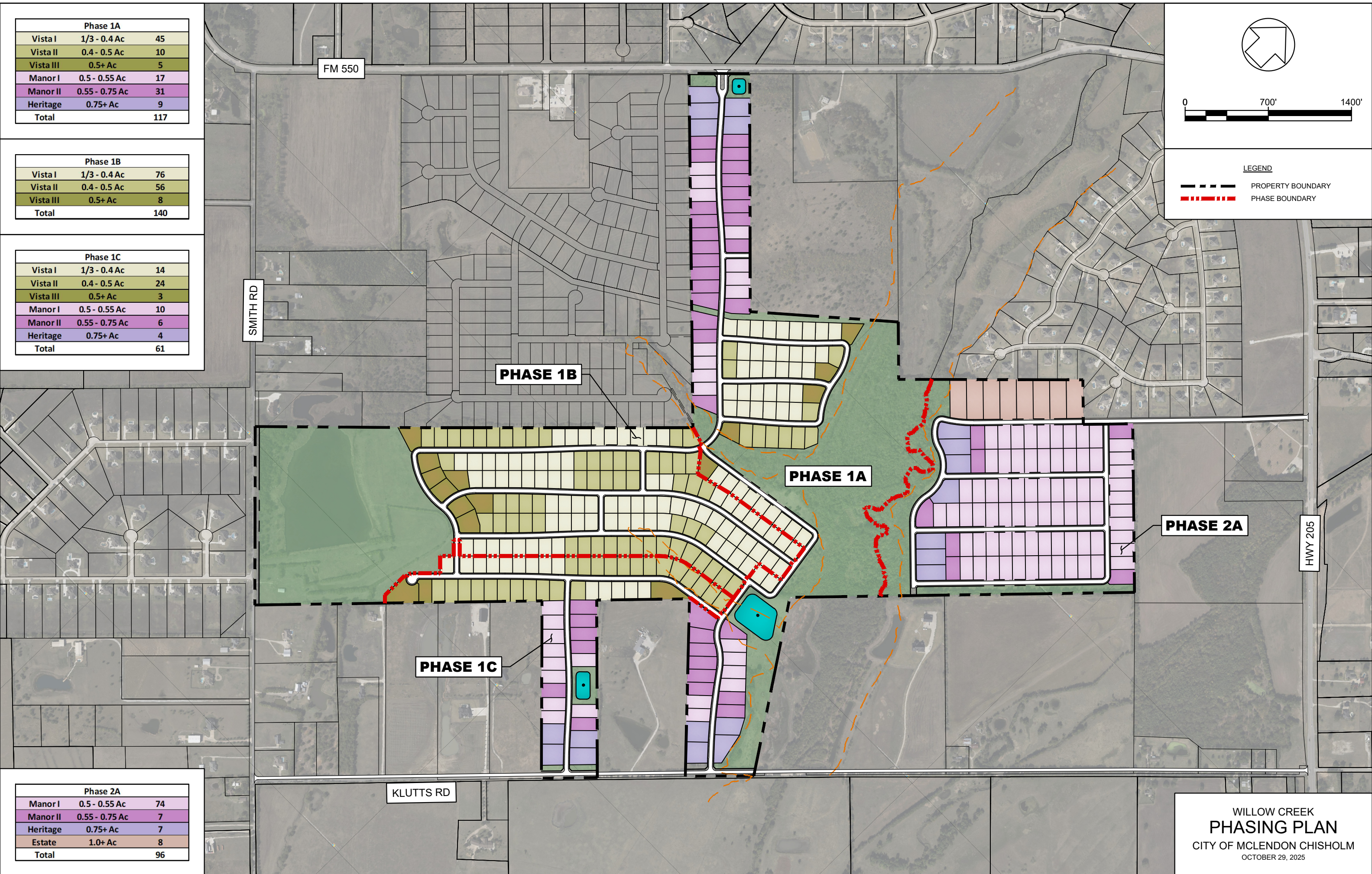
WILLOW CREEK  
**PLANNED DEVELOPMENT DISTRICT MAP**  
CITY OF MCLENDON CHISHOLM  
OCTOBER 29, 2025

Phase 1A		
Vista I	1/3 - 0.4 Ac	45
Vista II	0.4 - 0.5 Ac	10
Vista III	0.5+ Ac	5
Manor I	0.5 - 0.55 Ac	17
Manor II	0.55 - 0.75 Ac	31
Heritage	0.75+ Ac	9
<b>Total</b>		<b>117</b>

Phase 1B		
Vista I	1/3 - 0.4 Ac	76
Vista II	0.4 - 0.5 Ac	56
Vista III	0.5+ Ac	8
<b>Total</b>		<b>140</b>

Phase 1C		
Vista I	1/3 - 0.4 Ac	14
Vista II	0.4 - 0.5 Ac	24
Vista III	0.5+ Ac	3
Manor I	0.5 - 0.55 Ac	10
Manor II	0.55 - 0.75 Ac	6
Heritage	0.75+ Ac	4
<b>Total</b>		<b>61</b>

Phase 2A		
Manor I	0.5 - 0.55 Ac	74
Manor II	0.55 - 0.75 Ac	7
Heritage	0.75+ Ac	7
Estate	1.0+ Ac	8
<b>Total</b>		<b>96</b>



**LEGEND**

- PROPERTY BOUNDARY
- - - PHASE BOUNDARY

**PHASE 2A**

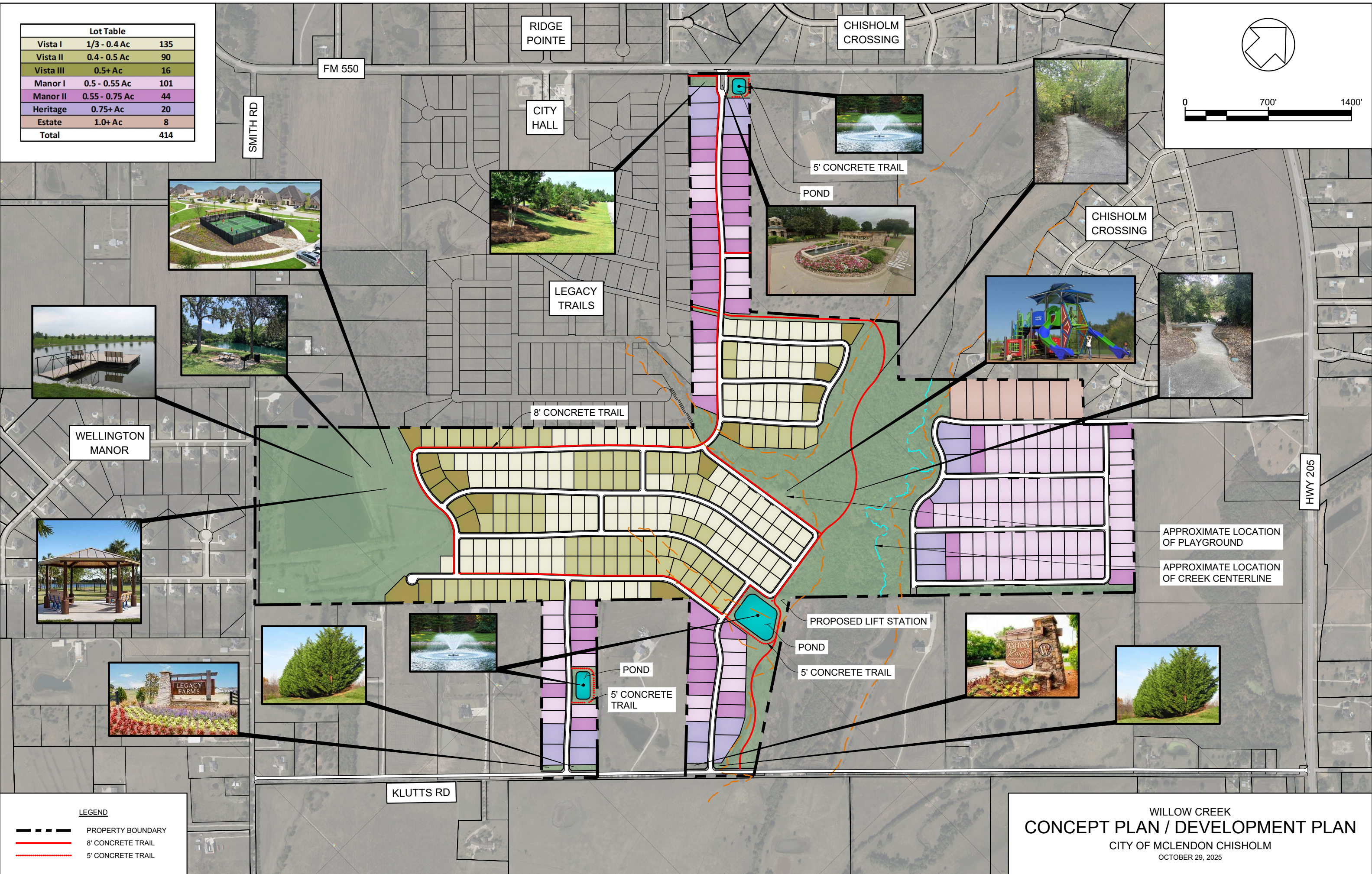
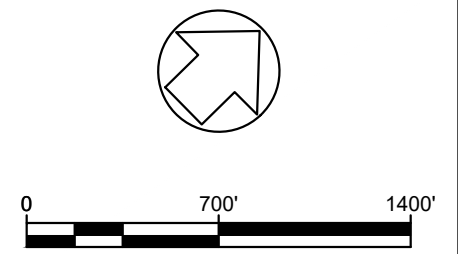
**PHASE 1A**

**PHASE 1B**

**PHASE 1C**

WILLOW CREEK  
**PHASING PLAN**  
 CITY OF MCLENDON CHISHOLM  
 OCTOBER 29, 2025

Lot Table		
Vista I	1/3 - 0.4 Ac	135
Vista II	0.4 - 0.5 Ac	90
Vista III	0.5+ Ac	16
Manor I	0.5 - 0.55 Ac	101
Manor II	0.55 - 0.75 Ac	44
Heritage	0.75+ Ac	20
Estate	1.0+ Ac	8
<b>Total</b>		<b>414</b>



WELLINGTON  
MANOR

8' CONCRETE TRAIL

5' CONCRETE TRAIL

POND

CHISHOLM  
CROSSING

LEGACY  
TRAILS

POND  
5' CONCRETE  
TRAIL

PROPOSED LIFT STATION

POND

5' CONCRETE TRAIL

APPROXIMATE LOCATION  
OF PLAYGROUND

APPROXIMATE LOCATION  
OF CREEK CENTERLINE

HWY 205

KLUTTS RD

**LEGEND**

	PROPERTY BOUNDARY
	8' CONCRETE TRAIL
	5' CONCRETE TRAIL

WILLOW CREEK  
**CONCEPT PLAN / DEVELOPMENT PLAN**  
CITY OF MCLENDON CHISHOLM  
OCTOBER 29, 2025



**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: 10/16/25 Receipt # \_\_\_\_\_

**Fee:** \$500 ~~per lot~~ + \$20 per acre (acreage rounded to the next whole acre)

Applicant's Name: TY YOUNG, SKORBURG COMPANY

Phone No. (214) 536-2323 Email: tyoung@skorburgcompany.com

Status of Applicant: Owner \_\_\_ or Authorized Agent

Applicant's Address:  
8214 WESTCHOSTER DR., SUITE 900, DALLAS, TX 75225

Owner's Address: \_\_\_\_\_

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

Signature of Owner:

\_\_\_\_\_ Date \_\_\_\_\_

Signature of Applicant:

\_\_\_\_\_ Date \_\_\_\_\_

Address and/or Location of Request:

FM 550, McLENDON CHISHOLM, TX 75032

Property Legal Description:

ATTACHED

County Parcel ID: 11395, 11394, 11435, 11378, 66006, 11399, 95758

Existing Zoning: PD, AG (ETS) Requested Zoning: PD

**Development Fees & Consulting Costs**

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.

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 \$8,720.00 to cover the cost of this application has been paid to the City of McLendon-Chisholm on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_.

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

Signature of Applicant (Owner/Authorized Agent): \_\_\_\_\_

City Secretary: \_\_\_\_\_

(Seal)



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

**Applicant:** City of McLendon-Chisholm

**Location:** General Business Zoning District

**Date:** November 18<sup>th</sup>, 2025

**Agenda Item:** Discuss and consider recommendation of approval of the Ordinance to amend Article 4 “Zoning Districts”, Section 4-8 “GENERAL BUSINESS DISTRICT” of the McLendon-Chisholm Code of Ordinances by setting hours of operation, regulating noise and light and sound in the General Business (“GB”) Zoning District for Restaurants.

**Background:** Public hearings regarding the proposed ordinance were held before the Planning and Zoning Commission on October 21st and before the City Council on October 27th. The ordinance has been submitted at the direction of Councilmember Towry.

**Attachments:**

- **Ordinance**

Zoning Map:



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS AMENDING THE ZONING ORDINANCE, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 4 “ZONING DISTRICTS”, SECTION 4-8 “GENERAL BUSINESS DISTRICT” BY SETTING HOURS OF OPERATION, REGULATING NOISE AND LIGHT AND SOUND IN THE GENERAL BUSINESS (“GB”) ZONING DISTRICT FOR RESTARAUNTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**Whereas**, the City Council has determined that establishing additional development standards for restaurants within the General Business District will promote compatibility with adjacent residential areas and protect the public’s health, safety, and welfare; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of two public hearings pursuant to Sec. 211.006(b) of the Texas Local Government Code; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the second public hearing for the requested rezoning, and the City Council deems it appropriate to grant the requested rezoning.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, THAT:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct and are fully incorporated into this Ordinance by reference.

**Section 2.** Chapter 14A, “Zoning Ordinance”, Article 4, “Zoning Districts”, Section 4-8, “General Business District”, is hereby amended by adding the following subsection 4-8(K) and which subsection shall read as follows:

Sec. 4-8 General Business District.

**(a) Purpose and Applicability**

This section establishes regulations for restaurants that do not serve alcoholic beverages and are located within **300 feet** of any parcel zoned for residential use. These provisions are intended to preserve neighborhood character, protect residents from late-night disturbances, and minimize adverse lighting and noise impacts. For the purposes of this section, “restaurant” shall mean an establishment primarily engaged in the preparation and sale of food for on-premises consumption and not licensed to serve alcoholic beverages.

**(b) Hours of Operation**

1. Restaurants in this section hours of operation for restaurants are limited to no later than 12:00 a.m. Restaurants subject to this section shall not operate later than 12:00 A.M. This limitation applies to dine-in, take-out, and drive-through services.

**(c) Noise and Sound Restrictions**

1. Outdoor amplified sound, including music, public address systems, or speaker systems, is prohibited after 10:00 PM on Sunday through Thursday and 11:00 PM Friday and Saturday.

2. At all times, noise levels at the nearest residential property line (measured from the property line on which the restaurant is located to the property line of the nearest residence) shall not exceed:

○ **85 dB(A)** between 7:00 a.m. and 10:00 p.m.

○ **70 dB(A)** between 10:00 p.m. and 7:00 a.m.

The above section (B)(2) does not apply to a food service establishment that is located within 300 feet of a residence that was occupied before any food service establishment was located on the property. For such establishments, noise levels at the nearest residential property line (measured from the property line on which the restaurant is located to the

property line of the nearest residence) shall not exceed: 85dB(A) between 7:00 AM and 10:00PM and 45dB(A) between 10:00 PM and 7:00AM.

### **Plainly Audible Standard**

After 10:00 p.m. on Sunday through Thursday and after 11:00 p.m. on Friday and Saturday, no person shall operate or permit any amplified sound, music, or other noise associated with a restaurant use that is plainly audible at or beyond the property line of any residentially zoned or occupied parcel. "Plainly audible" means any sound that can be clearly identified and understood, such as music, bass, lyrics, or spoken words, without the aid of a sound-level meter. This provision may be enforced independently of the decibel limits specified above.

### **(d). Exterior Lighting Regulations**

#### **1. Fixture Type and Mounting**

○ Pole-mounted lighting fixtures are prohibited restaurants located within 300 feet of a residentially zoned parcel.

All luminaires must be full cutoff. Floodlights must be aimed no higher than 45 degrees below horizontal. This can be accomplished using full-cutoff fixture design, shielding, visors, louvers or other devices.

Exterior lighting must have soft, indirect illumination concealed behind landscaping or placed in outdoor lighting fixtures that do not produce direct glare. Lighting must be focused on and provide the minimum amount of illumination required for safety.

On-site lighting design must be used to identify and illuminate entries, walks and parking areas. Site lighting used for building illumination must be down wall washing only.

Security lighting must be designed to avoid glare and must direct light toward the building or storage area instead of away. Security lighting must be designed to avoid glare and directed toward the building or on-site amenities, including but not limited to parking areas, walkways, or storage areas consistent with the standards set forth in this ordinance.

All building-mounted lighting installations associated with nonresidential concept plans, site plans, or planned developments shall be subject to city staff and board review.

#### **2. Light Trespass Limits**

No line of sight to a bulb is permitted five feet or more beyond a residential property line or public street right-of-way by an observer viewing from a position that is level with or higher

than the ground below the fixture. Compliance is achieved with full cutoff fixtures, fixture shielding, directional control designed into the fixture, fixture location, fixture height, fixture aim or a combination of these factors.

### **3. Hours of Operation for Lighting**

○ Non-security lighting must be turned off by 10:00 p.m., or within one hour after business closing, whichever is later.

○ Security lighting may remain operational but must be dimmed to 50% of normal output during overnight hours. Security lighting may remain on but must be dimmed to 50% of normal output overnight between 10:00 PM and 7:00 AM.

### **(e) Measurement and Enforcement**

1. **Distance Measurement:** Measured in a straight line from the restaurant's nearest property line to the nearest property line of the residentially zoned parcel. Measured in a straight line, without regard to intervening structures, from the nearest property line of the restaurant use to the nearest property line of the residentially zoned and/or occupied property line.

2. **Noise Measurement:** Taken with a calibrated sound level meter, using A-weighted decibels (dB(A)) in accordance with ANSI standards.

3. **Lighting Measurement:** Taken using a calibrated light meter in accordance with IESNA standards.

4. **Enforcement:** The City's Code Compliance Officer or Zoning Administrator is authorized to conduct inspections and enforce compliance.

### **(f) Variances**

In accordance with the provisions of the Chapter 211 of the Local Government Code, and this Zoning Ordinance, the Board of Adjustment (BOA) has the authority to hear and take final action on requests for a Variance from standards as set forth in this section.

**Section 3.** That all ordinances of the City of McLendon-Chisholm, Texas in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of McLendon-Chisholm, Texas not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 4.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of McLendon-Chisholm, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 5.** Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

**DULY PASSED** by the City Council of the City of McLendon-Chisholm, Texas, this the \_\_th day of \_\_\_\_ 2025.

**APPROVED:**

By:

Bryan McNeal, Mayor

**ATTEST:**

By:

Angela Jennings, City Secretary