



AGENDA
CITY COUNCIL - SPECIAL MEETING
THURSDAY, APRIL 1, 2021
1371 WEST FM 550 - MCLENDON-CHISHOLM, TEXAS 75032
6:30 PM

Page

1. CALL TO ORDER

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

3. RULES OF DECORUM

4. CITIZEN COMMENTS

5. ITEMS FOR CONSIDERATION

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- 5.1. Discuss and consider the adoption of an Ordinance approving a request for a zoning change from Agricultural to Planned Development District for single family uses with a minimum lot size of one acre and approval of a concept plan for the development of 164.591 acres generally located at the southwest corner of Pullen Road and Sinks Road. [Rockwall CAD Nos. 10846, 10851, 53878, 53879, 10852, 51678, 10848, 10850, 69591, and 46003]

[Staff Report](#)

[Proposed Zoning Ordinance](#)

- 5.2. Discuss and consider establishing a Comprehensive Plan Advisory Committee and appointment of individuals to serve on the committee.

6. EXECUTIVE SESSION

- 6.1. Recess into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551:071(2) Consultation with City Attorney on a matter in which the duty of the attorney to the

governmental body under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding consideration of establishing a Comprehensive Plan Advisory Committee and appointment of individuals to serve on the committee.

6.2. Reconvene Regular Meeting

6.3. Executive Session Action

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 on or before 5:00 p.m., March 29, 2021 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



CITY COUNCIL – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: March 4, 2021

APPLICANT: Russell Phillips

LOCATION: Generally located at the southwest corner of Pullen Road and Sinks Road

CITY COUNCIL HEARING DATE: March 9, 2021

REQUEST:

The applicant is requesting 1. approval of a planned development district for single family uses with a minimum lot size of one acre and, 2. approval of a concept plan for the development of the property on 164.591 acres of land generally located at the southwest corner of the intersection of Pullen Road and Sinks Road.

PROPERTY OWNERS: Charles Sinks and Reggie Hickerson

REPRESENTATIVE: Russell Phillips

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Planning and Zoning Commission at their meeting of February 8, 2021 recommended denial of the zoning request and the concept plan without prejudice.

STAFF RECOMMENDATION: Approval of the revised planned development district and revised concept plan.

BACKGROUND INFORMATION:

The subject property is a 164.591 Acre tract of land located generally at southwest corner of Pullen Road and Sinks Road. [Rockwall CAD Nos. 10846; 10851; 53878; 53879; 10852; 51678; 10848; 10850; 69591; and 46003].

The Texas Local Government Code requires that zoning conform to the Comprehensive Plan.

Thoroughfares/streets:

Pullen Road is a collector street providing access to SH 205 and FM 550. Sinks Road is a gravel drive providing access to a portion of the subject property.

Ordinance No. 2021-05

AN ORDINANCE OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING DISTRICT FROM AG AGRICULTURE TO A PD PLANNED DEVELOPMENT ZONING DISTRICT PROVIDING FOR 130 SINGLE-FAMILY LOTS AND FOUR COMMON AREA LOTS ON A 164.591 ACRE TRACT OF LAND LOCATED GENERALLY AT THE SOUTHWEST CORNER OF THE INTERSECTION OF PULLEN ROAD AND SINKS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, IN THE CITY OF McLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS, PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of McLendon-Chisholm and the governing body of the City of McLendon-Chisholm, in compliance with state laws, specifically Chapter 211 of the Texas Local Government Code, the "Zoning and Enabling Act", and with reference to amending the Comprehensive Zoning Ordinance and Zoning Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearings to all property owners and interested persons generally, and, at which, during said hearings, several individuals, a large majority of said individuals not being City residents, spoke regarding the proposed zoning change, and the governing body of the City of McLendon-Chisholm is of the opinion that said Comprehensive Zoning Ordinance and Zoning Map should be amended as provided herein. Now therefore:

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of McLendon-Chisholm, Texas, heretofore duly passed by the governing body of the City of McLendon-Chisholm, as heretofore amended, be hereby amended by changing the Zoning District designation on the 164.591-acre tract of land more particularly described in Exhibit "A", attached hereto and incorporated herein, and herein referred to as the "Property" from AG Agriculture to a PD Planned Development District as described in Exhibit "B" Planned Development District Development Standards and amending the Official Zoning Map to reflect the approved change in zoning district.

SECTION 2. That all provisions of the ordinances of the City of McLendon-Chisholm in conflict with the provisions of this ordinance as applicable to the Property are hereby repealed and all

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other provisions of the ordinances of the City of McLendon-Chisholm not in conflict with the provisions of this ordinance shall remain in full force and effect.

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

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

SECTION 5. The Recitals to this Ordinance are incorporated herein by reference for all purposes.

Passed and approved this 1st day of April, 2021.

Approved:

Keith Short, Mayor

Attest:

Rochelle Green, City Secretary

EXHIBIT A
LEGAL DESCRIPTION FOR HERITAGE SUBDIVISION
PLANNED DEVELOPMENT DISTRICT

BEING 164.55 ACRES OF LAND LOCATED IN THE WILLIAM FORD SURVEY, ABSTRACT NUMBER 80, ROCKWALL COUNTY, TEXAS, BEING ALL OF THE REGGIE HICKERSON CALLED 13.276 ACRE TRACT AS DESCRIBED IN VOLUME 2006, PAGE 104, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.), ALL OF THE REGGIE HICKERSON CALLED 15.613 ACRE TRACT AS DESCRIBED IN VOLUME 2006, PAGE 111, (D.R.R.C.T.), ALL OF THE REGGIE HICKERSON CALLED 25.279 ACRE TRACT AS DESCRIBED IN VOLUME 2388, PAGE 198, (D.R.R.C.T.), ALL OF THE REGGIE HICKERSON CALLED 36.384 ACRE TRACT AS DESCRIBED IN VOLUME 2388, PAGE 202, (D.R.R.C.T.), ALL OF THE CHARLES SINKS II CALLED 5.00 ACRE TRACT AS DESCRIBED IN VOLUME 953, PAGE 272, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.), ALL OF THE REMAINDER OF THE CHARLES SINKS AND CHARLES SINKS II CALLED 24.581 ACRE TRACT AS DESCRIBED IN VOLUME 6422, PAGE 142, (D.R.R.C.T.), ALL OF THE CHARLES SINKS AND CHARLES SINKS II CALLED 24.481 ACRE TRACT AS DESCRIBED IN VOLUME 155, PAGE 780, (D.R.R.C.T.), AND ALL OF THE CHARLES SINKS AND CHARLES SINKS II CALLED 24.375 ACRE TRACT AS DESCRIBED IN VOLUME 1485, PAGE 98, (D.R.R.C.T.), A PORTION OF THE ROLAND AND BAKER TRUSTEE PROPERTY AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET IN THE APPROXIMATE CENTERLINE OF PULLEN ROAD AT THE WEST CORNER OF THE ABOVE-MENTIONED 13.276 ACRE TRACT;

THENCE NORTH 44 DEGREES 02 MINUTES 01 SECONDS EAST, ALONG THE APPROXIMATE CENTERLINE OF PULLEN ROAD AND THE NORTHWEST LINE OF SAID 13.276 ACRE TRACT AND THE ABOVE-MENTIONED 15.613 ACRE TRACT, A DISTANCE OF 1144.53 FEET TO A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET AT THE NORTH CORNER OF SAID 15.613 ACRE TRACT;

THENCE SOUTH 45 DEGREES 53 MINUTES 36 SECONDS EAST, A DISTANCE OF 1109.96 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "PRECISE SURV" FOUND AT THE EAST CORNER OF SAID 15.613 ACRE TRACT, SAME BEING THE NORTH CORNER OF THE ABOVE-MENTIONED 36.384 ACRE TRACT AND THE WEST CORNER OF THE ABOVE-MENTIONED 25.279 ACRE TRACT;

THENCE NORTH 44 DEGREES 27 MINUTES 44 SECONDS EAST, A DISTANCE OF 781.17 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "PRECISE SURV" FOUND IN THE SOUTHWEST LINE OF SINKS ROAD AT THE NORTH CORNER OF SAID 25.279 ACRE TRACT;

THENCE SOUTH 45 DEGREES 28 MINUTES 46 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SINKS ROAD, AT A DISTANCE OF 1426.01 FEET PASS THE EAST CORNER OF SAID 25.279 ACRE TRACT, AT A DISTANCE OF 1441.46 FEET PASS A 3/8" IRON ROD FOUND FOR REFERENCE, AND CONTINUING FOR A TOTAL DISTANCE OF 1442.75 FEET TO THE NORTHWEST LINE OF THE ABOVE-MENTIONED 24.375 ACRE TRACT;

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THENCE NORTH 45 DEGREES 32 MINUTES 11 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID 24.375 ACRE TRACT, A DISTANCE OF 50.66 FEET TO A 1/2" IRON ROD FOUND AT THE NORTH CORNER OF SAID 24.375 ACRE TRACT, SAME BEING THE WEST CORNER OF THE ISAAC LEVY AND SANDY K. LEVY CALLED 24.388 ACRE TRACT AS DESCRIBED IN VOLUME 3439, PAGE 85, (D.R.R.C.T.) AND THE SOUTH CORNER OF LOT 12, SOUTH RIDGE ADDITION, AN ADDITION RECORDED IN CABINET E, SLIDE 345, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE SOUTH 45 DEGREES 41 MINUTES 46 SECONDS EAST, A DISTANCE OF 1617.10 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE EAST CORNER OF SAID 24.375 ACRE TRACT, SAME BEING THE SOUTH CORNER OF THE ABOVE-MENTIONED 24.388 ACRE TRACT, AND FROM WHICH A 1/2" IRON ROD FOUND IN THE SOUTH LINE OF SAID 24.388 ACRE TRACT BEARS NORTH 50 DEGREES 45 MINUTES 26 SECONDS EAST, A DISTANCE OF 87.16 FEET;

THENCE ALONG THE SOUTHEAST LINE OF SAID 24.375 ACRE TRACT, THE ABOVE-MENTIONED 24.481 ACRE TRACT AND THE ABOVE-MENTIONED 24.581 ACRE TRACT, THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1) SOUTH 52 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 18.26 FEET TO A FENCE POST FOUND;
- 2) SOUTH 44 DEGREES 27 MINUTES 02 SECONDS WEST, A DISTANCE OF 615.41 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET;
- 3) SOUTH 44 DEGREES 31 MINUTES 45 SECONDS WEST, A DISTANCE OF 21.61 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE COMMON SOUTH CORNER OF SAID 24.375 ACRE TRACT AND SAID 24.481 ACRE TRACT;
- 4) SOUTH 44 DEGREES 31 MINUTES 41 SECONDS WEST, A DISTANCE OF 653.43 FEET TO A T-POST FOUND AT THE SOUTH COMMON CORNER OF SAID 24.481 ACRE TRACT AND SAID 24.581 ACRE TRACT;
- 5) SOUTH 44 DEGREES 20 MINUTES 30 SECONDS WEST, A DISTANCE OF 642.06 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE SOUTH CORNER OF SAID 24.581 ACRE TRACT;

THENCE NORTH 45 DEGREES 47 MINUTES 43 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID 24.581 ACRE TRACT, AT A DISTANCE OF 1185.20 FEET PASS A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5693" FOUND AT THE SOUTH CORNER OF THE ABOVE-MENTIONED 5.00 ACRE TRACT, AND CONTINUING FOR A TOTAL DISTANCE OF 1651.97 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5693" FOUND AT THE WEST CORNER OF SAID 5.00 ACRE TRACT, SAME BEING THE WEST CORNER OF SAID 24.581 ACRE TRACT;

THENCE NORTH 45 DEGREES 35 MINUTES 41 SECONDS WEST, A DISTANCE OF 14.14 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE SOUTH CORNER OF SAID 36.384 ACRE TRACT;

THENCE NORTH 46 DEGREES 04 MINUTES 27 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID 36.384 ACRE TRACT, A DISTANCE OF 732.10 FEET TO A 3/8" IRON ROD FOUND;

THENCE NORTH 45 DEGREES 52 MINUTES 14 SECONDS WEST, CONTINUING ALONG THE SOUTHWEST LINE OF SAID 36.384 ACRE TRACT, A DISTANCE OF 652.39 FEET TO A 1/2" IRON ROD WITH CAP STAMPED

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"PRECISE SURV" FOUND AT THE WEST CORNER OF SAID 36.384 ACRE TRACT, SAME BEING THE SOUTH CORNER OF THE ABOVE-MENTIONED 13.276 ACRE TRACT;

THENCE NORTH 46 DEGREES 26 MINUTES 34 SECONDS WEST, A DISTANCE OF 1110.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 164.55 ACRES OF LAND, MORE OR LESS.

EXHIBIT B
HERITAGE SUBDIVISION
PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS
For Approximately 164.50 Acres
City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

This Planned Development District provide for the development standards for a planned subdivision containing 130 single-family residential lots with a minimum lot size of one acre of land and four community owned common area lots. This development is approximately 164.50 acres of land generally located near the intersection of Pullen Road and Sinks Road.

2. Special Provisions

This Exhibit includes the PD Development Standards and the Concept Plan both of which are included and made a part of the ordinance adopting the Planned Development District.

- a. Minor amendments to the PD, including minor amendments to an approved Concept Plan or Development Plan, shall satisfy the following standards:
 - i. Does not increase density;
 - ii. Does not change the maximum structure height, reduce setbacks or parking requirements, or reduce the size of any residential lot.

Requests to amend the PD or the Concept or Development Plans that fail to satisfy the standards of i. ii. Above shall be considered as a change in zoning and shall be required to satisfy the requirements of an original request for a change in zoning.

- b. Minor amendments amendment to the PDD including approved Concept or Development plans may be approved by the Mayor and the City Administrator. No action is required by the Planning and Zoning Commission or the City Council.
- c. Requests for minor amendments shall be made in writing and shall justify the reason or reasons for the requested amendment.

3. Development Plan

Prior to development of any portion of this planned development district, the City Council shall consider a development plan upon recommendation from the Planning and Zoning Commission. Any development plan shall conform to the Concept Plan that has been approved and made a part of this ordinance.

This development may be constructed in phases. However, if constructed in phases, each phase shall have a development plan reviewed and recommended by the Planning and Zoning Commission and reviewed and approved by the City Council prior to any construction in that phase.

4. Development Standards

Lot layout shall conform to the Concept Plan that has been adopted and is part of this ordinance.

- a. This is a single-family zoning district.
- b. Permitted uses. In this zoning district, no building or land shall be used, and no building shall be constructed, reconstructed, altered or enlarged, unless otherwise permitted in accordance with section 3-1. Use of land and buildings of the City of McLendon-Chisholm Zoning Ordinance as shown for the SF 1.5 Residential District.
- c. Area requirements. Minimum residential lot size one acre.
- d. Setbacks.

Front yard	50 feet
Side yard	10 feet
Rear yard	20 feet

Front yard setbacks shall be consistent for the entire block face. Side yard setbacks shall be consistent for the entire block face.

- e. Lot width. Minimum lot width is 120 feet.

For lots fronting on a cul-de-sac or eyebrow, the minimum lot width shall be measured at the front setback line as measured from the right of way line of the cul-de-sac or eyebrow along both property side lot lines. Corner lots may have the 10-foot side yard adjacent to the side street.

- f. Minimum Lot depth. 215 feet.
- g. Minimum Dwelling size. 2,300 square feet [airconditioned space].
- h. Maximum Lot coverage. 20 percent.
- i. Maximum Height. 36 feet.
- j. Off-street parking. Shall conform to section 6-7, Off-street parking and loading requirements of the McLendon-Chisholm Zoning Ordinance.
- k. Accessory structures. Shall conform to the requirements of section 6-3 of the McLendon-Chisholm Zoning Ordinance.

Streets shall conform to the requirements of the subdivision regulations of the City of McLendon-Chisholm unless otherwise amended herein.

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Concept Plan

