



AGENDA
PLANNING & ZONING COMMISSION REGULAR MEETING
AND ECONOMIC DEVELOPMENT COMMITTEE JOINT MEETING
THURSDAY, JANUARY 21, 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. CITIZEN COMMENTS

4. APPROVAL OF MINUTES

4 - 6

4.1. August 20, 2020 Regular Meeting
[08.20.20 P.Z. Minutes](#)

7 - 13

4.2. October 15, 2020 Regular Meeting
[10.15.20 P.Z. Minutes](#)

5. ITEMS FOR DISCUSSION

5.1.

City Planner Mike Coker will provide a report to the Commission regarding a request by Ryan Joyce for annexation of 77 acres currently located within the McLendon-Chisholm ETJ. An application for property annexation is pending consideration and approval by Council with a public hearing scheduled for February 9, 2021. The property is generally located at the southwest corner of the intersection of Pullen and Sinks Road.

6. PUBLIC HEARINGS

6.1.

Hold a Public Hearing to consider amending the Future Land Use Map of the Comprehensive Plan to include an additional 77 acres of land currently located within the McLendon-Chisholm ETJ. An application for property annexation is pending consideration and approval by Council with a public hearing scheduled for February 9, 2021. The property is generally located at the southwest corner of the intersection of Pullen and Sinks Road.

- 14 - 18 6.2. Hold a Public Hearing to consider amending the Future Land Use Map of the Comprehensive Plan to change the land use designation from rural residential to a new classification to be known as low density residential for 164.591-acre tract of land located generally at the southwest corner of Pullen Road and Sinks Road. [Rockwall CAD Nos. 10846; 10851; 53878; 53879; 10852; 51678; 10848; 10850; 69591; and 46003]. Approximately 77 acres are located within the McLendon-Chisholm ETJ with the remainder located within the city limits.

[Staff recommendation Joyce comp plan amendment 01182021](#)
[Draft ordinance amending the Comprehensive plan 01152021](#)

- 19 - 25 6.3. Hold a Public Hearing to consider a request by Ryan Joyce for a zoning change on 164.591 acres of land [Rockwall CAD Nos. 10846; 10851; 53878; 53879; 10852; 51678; 10848; 10850; 69591; and 46003] Approximately 77 acres are located within the McLendon-Chisholm ETJ with the remainder located within the city limits, generally located at the southwest corner of the intersection of Pullen and Sinks Road from Agriculture Zoning to Planned Development District Zoning that provides for a residential development with lot sizes not less than one-acre in size.

[Staff recommendation Joyce zoning 01182021](#)
[Draft ordinance Heritage at Pullen 01142021](#)

7. ADJOURN

Adjourn the Planning & Zoning Commission regular meeting

8. CALL TO ORDER

Call to Order the Planning and Zoning / Economic Development Joint Workshop - Immediately following the adjournment of the Regular Planning & Zoning Meeting

9. APPROVAL OF MINUTES

- 26 - 31 9.1. [12.10.20 Special Work Session](#)

10. ITEMS FOR DISCUSSION

- 10.1. Discussion between P&Z Members and Economic Development Committee members as related to updating the Comprehensive Plan to consider locations and other considerations related to commercial/general business zoning and/or a town center and related matters.
- 10.2. The Economic Development Committee will assign members to subgroups to begin preparing the Economic Development Plan as established by Council Resolution 2020-03. One subcommittee shall consider commercial land use zoning, regulations, and commercial development standards. A second subcommittee shall consider identifying and soliciting appropriate commercial business. Three regular members and one alternate shall be assigned to each subcommittee.

I, Rochelle Green, do hereby certify that the above Notice of Meeting of the Planning & Zoning Commission and Joint Planning & Zoning Commission and Economic Development Committee of McLendon-Chisholm, Texas was posted or before 5:00 p.m., January 18, 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, August 20, 2020**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Thursday, August 20, 2020 at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Lesley Schwalje	Vice Chairperson
	Jody Wright	Commissioner
	Daniel Tucker	Commissioner
	Brian Lane	Commissioner (Alternate)
Absent:	Daniela Swindoll	Commissioner
	Brad Martin	Commissioner (Alternate)
	Shari London	Commissioner
Staff Present:	Shelly Green	City Secretary
	Mike Coker	City Planner

1. CALL TO ORDER

Vice Chairperson Schwalje called the meeting to order at 6:32 p.m.

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

Commission Wright gave the invocation and Vice Chairperson Schwalje led the pledges.

3. CITIZEN COMMENTS

None

4. INTRODUCTION OF COMMISSIONERS

Each Commissioner introduced themselves and shared information about themselves.

5. ELECTION OF NEW CHAIRMAN

MOTION: Elect Lesley Schwalje as the new Chairperson of the Commission.

MADE BY: Commissioner Wright
SECONDED BY: Commissioner Lane
APPROVED: Unanimously by Members Present

MOTION: Elect Jody Wright as the new Vice Chairperson of the Commission.

MADE BY: Commissioner Tucker
SECONDED BY: Commissioner Lane
APPROVED: Unanimously by Members Present

6. APPROVAL OF MINUTES

6.1. Approval of February 20, 2020 Regular Meeting Minutes

MOTION: Approve the minutes of the February 20, 2020 regular meeting.

MADE BY: Commissioner Wright
SECONDED BY: Commissioner Lane
APPROVAL: Unanimously by Members Present

6.2. Approval of March 19, 2020 Regular Meeting Minutes.

MOTION: Approve the minutes of the March 19, 2020 regular meeting.

MADE BY: Commissioner Tucker
SECONDED BY: Commissioner Lane
APPROVAL: Unanimously by Members Present

7. ITEMS FOR CONSIDERATION

7.1. Discussion and action regarding the request of Leonard Raymond Larsen for approval of a final plat for a two-acre tract of land located at 1625 FM 1139.

City Planner Coker presented the staff report for this item.

APPLICANT: Steve Buis (Authorized representative for Leonard Raymond Larsen)

LOCATION: 1625 FM 1139

REQUEST:

The applicant is requesting approval of a final plat for a two-acre tract of land located at 1625 FM 1139.

PROPERTY OWNER: Leonard Raymond Larsen

REPRESENTATIVE: Steve Buis

STAFF RECOMMENDATIONS: Approval

BACKGROUND INFORMATION:

The subject property is a two-acre tract of land located at 1625 FM 1139. (Rockwall CAD No. 12033). The zoning district for the subject property is SF 2.5. The SF 2.5 zoning district requires a minimum lot size of 2.5 acres of land and minimum lot frontage of 300 feet adjacent to the street right of way. (The current zoning map shows the subject parcel in red.)

Earlier this year, Mr. Buis requested that the Board of Adjustment grant him two variances for the subject two-acre tract of land. The first request was to reduce the lot size required in the SF 2.5 zoning district from 2.5 acres to 2.0 acres. The Board of Adjustment granted that request.

The second request was to reduce the required frontage adjacent to the public way from 300 feet to 169 feet. The Board of Adjustment granted that request as well.

The singular condition required by the Board was to plat the two acres.

The subject tract of land is identified as Rockwall CAD #12033 (see following map with CAD number shown). Adjustment subject to the owner making application to plat the property in order to establish a building site.

The Board of Adjustment Report is attached to this report.

Thoroughfares/streets:

FM 1139 is shown as a two-lane undivided collector roadway.

**MOTION: APPROVE THE REQUEST LEONARD RAYMOND LARSEN FOR
 APPROVAL OF A FINAL PLAT FOR A TWO-ACRE TRACT OF LAND
 LOCATED AT 1625 FM 1139.**

**MADE BY: Vice Chairperson Wright
SECONDED BY: Commissioner Lane
APPROVED: Unanimously by Members Present**

5. ADJOURN

MOTION: ADJOURN THE MEETING

**MADE BY: Vice Chairperson Wright
SECONDED: Commissioner Lane
APPROVED: Unanimously by Members Present**

The meeting adjourned at 6:56 p.m.

ATTEST:

APPROVED:

Rochelle Green, City Secretary

Lesley Schwalje, Chairperson



**Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Thursday, October 15, 2020**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Thursday, October 15, 2020 at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Lesley Schwalje	Chairperson
	Jody Wright	Vice Chairperson
	Daniel Tucker	Commissioner
	Daniela Swindoll	Commissioner
	Shari London	Commissioner
Absent:	Brad Martin	Commissioner (Alternate)
	Brian Lane	Commissioner (Alternate)
Staff Present:	Lisa Palomba	City Administrator
	Shelly Green	City Secretary
	Mike Coker	City Planner

1. CALL TO ORDER

Chairperson Schwalje called the meeting to order at 6:30 p.m.

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

Charles Holt, Pastor of Chisholm Baptist Church gave the invocation and Chairperson Schwalje led the pledges.

3. CITIZEN COMMENTS

None

4. APPROVAL OF MINUTES OF AUGUST 20, 2020 MINUTES

Approval of Minutes was Tabled until the next meeting

5. ITEMS FOR CONSIDERATION

- 5.1. Hold a public hearing to consider the application of Letha Samuel requesting an amendment to a Specific Use Permit to allow Providence Academy, a classical, Christian, University Model School, to allow an enrollment of 175 children for use by Pre-K – 12th grade students and 40 staff members using the existing facilities at Chisholm Baptist Church located at 1388 South State Highway 205, McLendon-Chisholm, also described as Lot 1, Block 1 of Chisholm Baptist Church Addition currently zoned General Business.

Chairman Schwalje open the public hearing at 6:35 p.m.

Mike Coker, City Planner, presented his staff report regarding this item.

APPLICANT: Letha Samuel
LOCATION: 1388 South State Highway 205 (Chisholm Baptist Church)
P&Z HEARING DATE: October 15, 2020

REQUEST:

The applicant is requesting an amendment to the existing specific use permit that allows for a private school at the above stated location. The requested amendment would increase the student enrollment from 125 to 175; and increase administrator and teacher personnel from 20 to 40.

PROPERTY OWNER: Chisholm Baptist Church
REPRESENTATIVE: Letha Samuel (Chairperson of the Board of Directors)

STAFF RECOMMENDATION: Approval of the requested increase in enrollment, and staffing levels.

BACKGROUND INFORMATION:

The Providence Academy was originally granted a Specific Use Permit for a private school by Ordinance No. 2018-6, July 24, 2018. This SUP established operating standards and requirements including establishing a maximum student enrollment of 125 and a maximum number of administrators and teachers at 20 and limiting the grade levels from Kindergarten through eighth.

Then in 2019 by Ordinance 2019-01 grades Pre-kindergarten through twelfth were included, but there was no increase in approved students' enrollment or staffing.

The program has been very successful and is an asset to the McLendon-Chisholm community. As a result of the model of education provided by the school, interest in attendance has increased.

The School is requesting an increase in the total student enrollment from 125 to 175. The school is also requesting an increase in administrative and teacher staff from 20 to 40 to help with the increased student capacity.

There is sufficient classroom capacity on-site to accommodate the increase in student and staff population.

All traffic operations occur on the Church parking lot and are designed so as not to interfere with SH 205 traffic. There will be a nominal increase in traffic due to increased staffing.

The Church has advised that there is sufficient sanitary sewer capacity to comfortably accommodate the increase in students and staffing.

Letha Samuel presented information regarding Providence Academy and the request to amend the Specific Use Permit. She answered questions from the Commission.

Charles Holt, Pastor of Chisholm Baptist Church, was present to express his affirmative response to the request for an amendment to the Specific Use Permit as presented.

Chairperson Schwalje closed the public hearing at 6:45 p.m.

- 5.2. Discussion and action regarding an amendment to the specific use permit for Providence Academy a classical, Christian, University Model School, to allow an enrollment of 175 children for use by Pre-k – 12th grade students and 40 staff members using the existing facilities at Chisholm Baptist Church located at 1388 South State Highway 205, McLendon-Chisholm, also described as Lot 1, Block 1 of Chisholm Baptist Church Addition currently zoned General Business.

MOTION: APPROVE THE REQUEST FOR AN AMENDMENT TO THE SPECIFIC USE PERMIT TO ALLOW AN ENROLLMENT OF 175 CHILDREN AND 40 STAFF MEMBERS USING THE EXISTING FACILITIES AT CHISHOLM BAPTIST CHURCH.

MADE BY: COMMISSIONER WRIGHT
SECONDED BY: COMMISSIONER SWINDOLL
APPROVED: UNANIMOUS BY MEMBERS PRESENT

- 5.3. Hold a public hearing regarding a request to amend the Future Land Use Map of the McLendon-Chisholm Comprehensive Plan by changing the land use recommendation for a two-acre tract of land fronting on the west side of SH 205 at Davis Lane from Rural Residential to Commercial.

City Planner Coker presented his staff report regarding this request:

APPLICANT: Paul Davis
LOCATION: SH 205 at the intersection with Davis Lane
PZ HEARING DATE: October 15, 2020

REQUEST:

The applicant is requesting an amendment to the Future Land Use Map of the McLendon-Chisholm Comprehensive Plan. The requested amendment to the Future Land Use Map is to change the current future land use designation from Rural Residential to Commercial on a two-acre tract of land on the northwest corner of the intersection of SH 205 and Davis Lane. (See the attached legal description for the metes and bounds description of the property.)

An amendment to the Comprehensive Plan requires a public hearing and then consideration of the request and a recommendation from the Planning and Zoning Commission to the City Council regarding the requested amendment to the Plan.

PROPERTY OWNER: Paul Davis
REPRESENTATIVE: Paul Davis

STAFF RECOMMENDATION: Approval of the amendment to the Future Land Use Map changing the current future land use designation from Rural Residential to Commercial.

BACKGROUND INFORMATION:

The subject property is a two-acre tract of land located at SH 205 and Davis Lane. (Portions of Rockwall CAD Nos. 10820 and 10819, see the hand labelled drawing in this report.)

Mr. Davis has requested a zoning change on the two-acres of land from Agriculture to General Business.

Zoning must conform to the recommended land use described in the Comprehensive Plan. Since the Future Lane Use Map has identified the subject property as future Rural Residential, the zoning district that Mr. Davis has requested does not conform to the Future Land Use Map designation.

The application for the change in zoning designation is to be considered by the Planning and Zoning Commission after they hold the public hearing and after they have made a recommendation regarding the Future Lane Use Map amendment to the City Council. The public hearing for the zoning request follows this public hearing and action.

Mr. Coker explained that Mr. Davis is ill and could not attend the meeting, but he has sent a representative to answer any questions you might have.

Charles Holt introduced himself and further explained that Mr. Davis is ill, and he asked him to appear here to show his interest and take back any status report to him. If you have any questions, he will try to get you answers. I appreciate your consideration.

Chairperson Schwalje opened the public hearing at 6:59 p.m.

Chairperson Schwalje closed the public hearing at 7:00 p.m.

Chairperson Schwalje asked for clarification of where the property is located on the map.

The Commission discussed this request and Mr. Coker fielded their questions.

5.4. Discussion and action regarding a request to amend the Future Land Use Map of the McLendon-Chisholm Comprehensive Plan by changing the land use for a two-acre tract of land fronting on the west side of SH 205 at Davis Lane from Rural Residential to Commercial.

MOTION: APPROVE THE REQUEST TO AMEND THE FUTURE LAND USE MAP OF THE MCLENDON-CHISHOLM COMPREHENSIVE PLAN

**BY CHANGING THE LAND USE FOR A TWO-ACRE TRACT OF
LAND FRONTING ON THE WEST SIDE OF SH 205 AT DAVIS
LANE FROM RURAL RESIDENTIAL TO COMMERCIAL.**

MADE BY: Commissioner Tucker
SECONDED BY: Commission London
APPROVED: AYE VOTES – 3; NOES – 1 (SWINDOLL)

5.5. Hold a public hearing to consider the application of Paul Davis on behalf of PSB Indemnity Family Ltd Partnership, requesting a zoning change from Agriculture to General Business on a 2-acre tract in the WW Ford Survey, Rockwall CAD Property ID 10820 and 10819, generally located on Davis Lane and State Highway 205, McLendon-Chisholm, TX 75032.

City Planner presented his staff report on this item:

APPLICANT: Paul Davis
LOCATION: Hwy 205 at the intersection with Davis Lane
P&Z HEARING DATE: October 15, 2020

REQUEST:

The applicant is requesting a change in zoning district designation from AG Agriculture to GB General Business on two-acres of land located at the northwest corner of SH 205 and Davis Lane.

PROPERTY OWNER: Paul Davis
REPRESENTATIVE: Paul Davis

STAFF RECOMMENDATION: Approval of the requested change in zoning district classification from AG Agriculture to GB General Business for the two acres fronting on SH 205 at Davis Lane as described in the legal description attached to this report.

Zoning must conform to the recommended land use described in the Comprehensive Plan.

BACKGROUND INFORMATION:

The subject property is a two-acre tract of land located at SH 205 and Davis Lane. (Portions of Rockwall CAD Nos. 10820 and 10819, see the hand labelled drawing in this report.)

Mr. Davis has requested a zoning change on the two-acres of land from Agriculture to General Business.

The application for the change in zoning designation is to be considered by the Planning and Zoning Commission after they hold the public hearing and after they have made a recommendation regarding the Future Land Use Map amendment to the City Council.

SH 205 is a high-volume traffic conduit through the City with high visibility.

Chairperson Schwalje opened the public hearing at 7:20 p.m.

The public hearing was closed at 7:21 p.m.

- 5.6 Discussion and action regarding the application for a zoning change of Paul Davis on behalf of PSB Indemnity Family Ltd Partnership requesting a zoning change from Agriculture to General Business on a 2-acre tract in the WW Ford Survey, Rockwall CAD Property ID 10820 and 10819, generally located on Davis Lane and State Highway 205, McLendon-Chisholm, TX 75032.

MOTION: APPROVE THE APPLICATION FOR A ZONING CHANGE OF PAUL DAVIS ON BEHALF OF PSB INDEMNITY FAMILY LTD PARTNERSHIP REQUESTING A ZONING CHANGE FROM AGRICULTURE TO GENERAL BUSINESS ON A 2-ACRE TRACT IN THE WW FORD SURVEY, ROCKWALL CAD PROPERTY ID 10820 AND 10819, GENERALLY LOCATED ON DAVIS LANE AND STATE HIGHWAY 205, MCLENDON-CHISHOLM, TX 75032

MADE BY: Commissioner London
SECONDED BY: Commissioner Wright
APPROVED: AYES – 3; NO – 1 (Commissioner Swindoll)

- 5.7. Discussion regarding Comprehensive Plan, overview, possible updates, process, and related matters.

The Commission held discussion regarding the various components of this item.

6. ADJOURN

MOTION: ADJOURN THE MEETING

MADE BY: Commissioner Wright
SECONDED: Commissioner London
APPROVED: Unanimously by Members Present

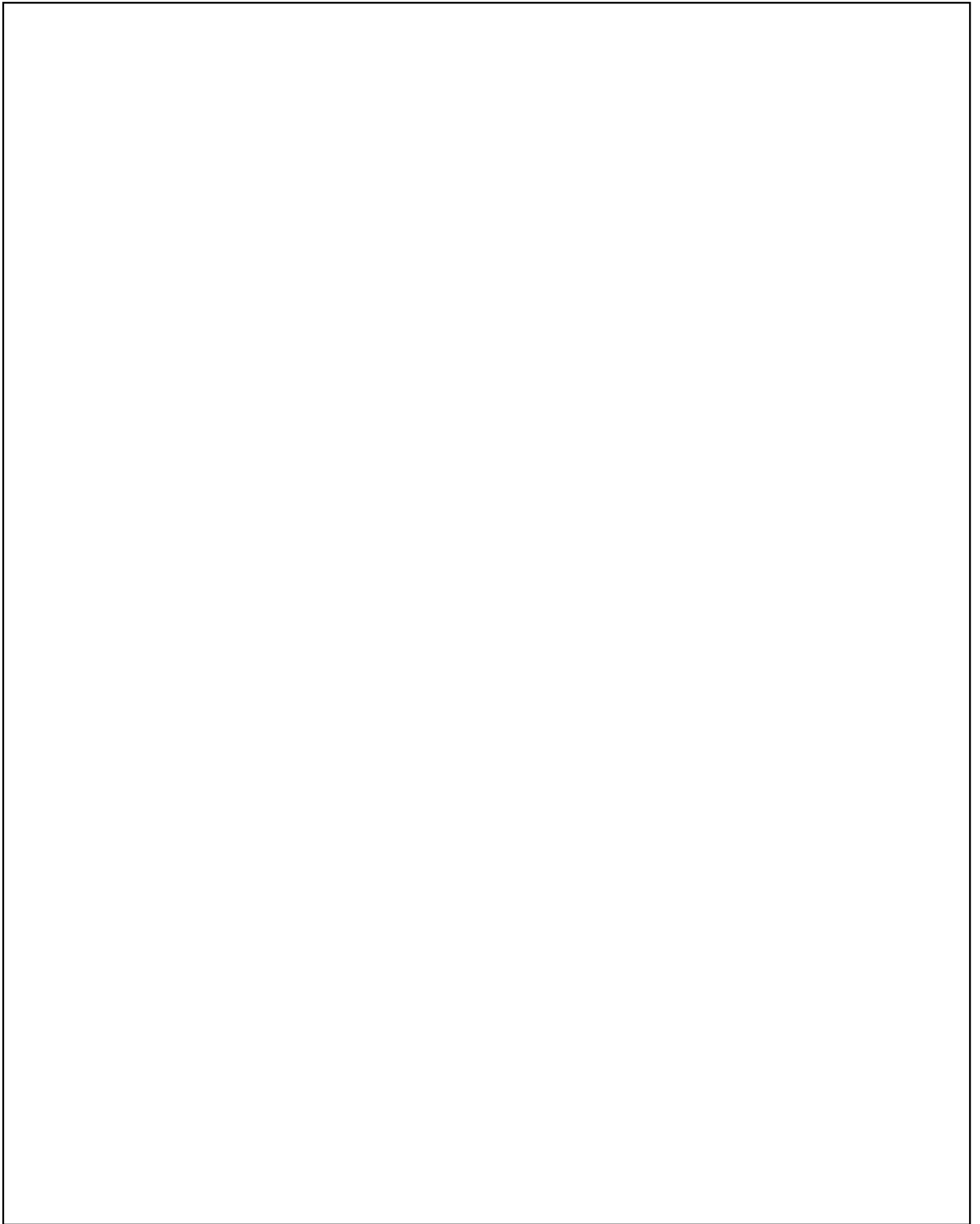
The meeting adjourned at 8:05 p.m.

ATTEST:

APPROVED:

Rochelle Green, City Secretary

Lesley Schwalje, Chairperson





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

DATE: January 18, 2021

APPLICANT: Ryan Joyce

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

PLANNING AND ZONING COMMISSION HEARING DATE: January 21, 2021

REQUEST:

The applicant is requesting approval of an amendment to the Comprehensive Plan, Future Land Uses section and Future Land Use Map. The proposed amendment will change the existing wording Goal A and Policy 3 of the Future Land Uses section from requiring: “one and one-half acres of land” to “one acre of land”. Then the Future Land Use Map will be amended changing the proposed future land use of “Rural Residential” to “Low Density Residential” on that portion of the 164.591 acres of land that is currently within the City Limits of McLendon-Chisholm and on that portion of the 164.591 acres of land that is currently withing the McLendon-Chisholm Extra Territorial Jurisdiction.

PROPERTY OWNERS: Charles Sinks and Reggie Hickerson

REPRESENTATIVE: Ryan Joyce

STAFF RECOMMENDATION: Approval

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]. Approximately 77 acres are located within the McLendon-Chisholm ETJ with the remainder located within the City Limits.

The applicant is requesting that the Comprehensive Plan and Future Land Use Map be amended to establish that the minimum lot size of property designated “Low Density Residential” be reduced from one and one-half acres to a minimum lot size of one acre of land.

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

Policy 12 of Section 5 of the McLendon-Chisholm Comprehensive Plan provides for the following amendment: "When a request for a change in land use is inconsistent with the Future Land Use Map [FLUM], a request to the city council must first be made to amend the FLUM. Then, if the FLUM is amended, the application may be made to change the land use. Further, if a request to change zoning is inconsistent with the Comprehensive Plan, the applicant should request a change in the Comprehensive Plan and if the Comprehensive Plan is amended by the City Council, then the applicant should request a change in zoning that is consistent with the revised Comprehensive Plan."

Following the consideration of the change in the Comprehensive Plan that reduces the minimum lot size for "Low Density Residential" from one and one-half acres to one acre, the applicant has a separate agenda item requesting a planned development district for 134 single family detached residential lots each having a minimum lot size of one acre.

There is a question regarding applying future land use standards to property that is not located within the City Limits of the City. The City Council is going to consider the annexation of the subject property that is currently in the ETJ [approximately 77 acres] on February 9, 2021. If the annexation is not approved, then the amendment to the Comprehensive Plan will not be considered by the City Council.

Chapter 14, Section 1-8 of the McLendon-Chisholm Zoning Ordinance, "Zoning of annexed territory" states "A. Permanent zoning concurrent with zoning. An area or areas being annexed to the City of McLendon-Chisholm shall ordinarily be given permanent zoning concurrently with the annexation."

Recommending an amendment to the Comprehensive Plan in advance of the consideration by the City Council of the annexation, provides the City Council upon recommendation of the Planning and Zoning Commission the opportunity to consider the permanent zoning concurrently with the annexation.

Thoroughfares/streets:

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

Ordinance No. 2021-

AN ORDINANCE OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AMENDING THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE MAP OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AS HERETOFORE AMENDED, BY GRANTING AN AMENDMENT TO CHAPTER FIVE-FUTURE LAND USES AND THE FUTURE LAND USE MAP OF THE CITY OF McLENDON-CHISHOLM, TEXAS, COMPREHENSIVE PLAN BY CHANGING THE LANGUAGE OF GOAL A. AND POLICY 3. TO ALLOW FOR A MAXIMUM RESIDENTIAL DENSITY OF ONE ACRE OF LAND FOR EACH SINGLE FAMILY DWELLING UNIT AND TO EXPAND AND AMEND THE FUTURE LAND USE DESIGNATION ON A 164.591 ACRE TRACT OF LAND GENERALLY LOCATED 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 FOR THE PRODUCTION OF AN AMENDED COMPREHENSIVE PLAN AND FUTURE LAND USE MAP, PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; 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 and with reference to amending the Comprehensive Plan, have given the requisite notice by publication and otherwise, an after holding due hearing and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the City of McLendon-Chisholm is of the opinion that said Comprehensive Plan and Future Land Use 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 Plan and the Future Land Use 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 Comprehensive Plan Chapter 5-Future Land Use, Goal A. and Policy 3. Reducing the minimum lot size from one and one-half acres to one acre and to amend the Future Land Use Map 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 "Rural Residential" to "Low Density Residential" as described in the Comprehensive Plan as amended.

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 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 Plan or the Future Land Use 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.

Passed and approved this day of February, 2021.

EXHIBIT A

**METES AND BOUNDS DESCRIPTION
CITY OF McLENDON-CHISOLM, COUNTY OF ROCKWALL**

BEING 164.59 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 108, (D.R.R.C.T.), ALL OF THE REGGIE HICKERSON CALLED 25.279 ACRE TRACT DESCRIBED AS TRACT 3 IN VOLUME 2388, PAGE 198, (D.R.R.C.T.), ALL OF THE REGGIE HICKERSON CALLED 36.384 ACRE TRACT DESCRIBED AS TRACT 4 IN VOLUME 2388, PAGE 198, (D.R.R.C.T.), ALL OF THE CHARLES SINKS, II CALLED 0.646 ACRE TRACT AS DESCRIBED IN VOLUME 2458, PAGE 261, (D.R.R.C.T.), ALL OF THE CHARLES SINKS II AND SANDRA SINKS CALLED 1.706 ACRE TRACT DESCRIBED AS TRACT TWO IN VOLUME 3414, PAGE 264, (D.R.R.C.T.), ALL OF THE REMAINDER OF THE CHARLES SINKS AND CHARLES SINKS II CALLED 24.375 ACRE TRACT DESCRIBED AS TRACT 3 IN VOLUME 844, PAGE 98, (D.R.R.C.T.), ALL OF THE REMAINDER OF THE CHARLES SINKS AND CHARLES SINKS II CALLED 24.481 ACRE TRACT DESCRIBED AS TRACT 2 IN VOLUME 844, PAGE 280, (D.R.R.C.T.), ALL OF THE REMAINDER OF THE CHARLES SINKS AND CHARLES SINKS II CALLED 24.581 ACRE TRACT DESCRIBED AS TRACT 1 IN VOLUME 844, PAGE 280, (D.R.R.C.T.) ALL OF THE CHARLES SINKS, II CALLED 5.00 ACRE TRACT AS DESCRIBED IN VOLUME 953, PAGE 272, (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH YELLOW CAP STAMPED "PRECISE LAND SURV" FOUND IN THE SOUTHWEST LINE OF SINKS ROAD (PRIVATE DRIVE) AT THE NORTH CORNER OF THE ABOVE-MENTIONED 25.279 ACRE TRACT;

THENCE SOUTH 45 DEGREES 28 MINUTES 46 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SINKS ROAD, A DISTANCE OF 1426.01 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE NORTH CORNER OF THE ABOVE-MENTIONED 0.646 ACRE TRACT, SAME BEING THE EAST CORNER OF SAID 25.279 ACRE TRACT;

THENCE SOUTH 45 DEGREES 28 MINUTES 46 SECONDS EAST, A DISTANCE OF 15.45 FEET TO A 3/8" IRON ROD FOUND IN THE NORTHWEST LINE OF THE ABOVE-MENTIONED 1.706 ACRE TRACT, SAME BEING THE EAST CORNER OF SAID 0.646 ACRE TRACT;

THENCE NORTH 46 DEGREES 59 MINUTES 13 SECONDS EAST, A DISTANCE OF 50.70 FEET TO A 1/2" IRON ROD FOUND AT THE NORTH CORNER OF SAID 1.706 ACRE TRACT;

THENCE SOUTH 45 DEGREES 42 MINUTES 10 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 1.706 ACRE TRACT AND THE ABOVE-MENTIONED 24.375 ACRE TRACT, A DISTANCE OF 1616.73 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE EAST CORNER OF THE JUST MENTIONED 24.375 ACRE TRACT;

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 51 DEGREES 00 MINUTES 55 SECONDS WEST, A DISTANCE OF 18.40 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 16 MINUTES 20 SECONDS WEST, A DISTANCE OF 643.50 FEET TO AN AXLE FOUND UNDER H-BRACE AT THE SOUTH CORNER OF SAID 24.581 ACRE TRACT;

THENCE NORTH 45 DEGREES 44 MINUTES 42 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID 24.581 ACRE TRACT, AT A DISTANCE OF 1185.96 FEET PASS 0.32 FEET LEFT OF 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 1652.75 FEET TO A 1/2" IRON ROD FOUND AT THE WEST CORNER OF SAID 5.00 ACRE TRACT, SAME BEING THE SOUTH CORNER OF SAID 0.646 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 WEST CORNER OF SAID 0.646 ACRE TRACT, SAME BEING THE SOUTH CORNER OF THE ABOVE-MENTIONED 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 YELLOW CAP STAMPED "PRECISE LAND 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 A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET AT THE WEST CORNER OF SAID 13.276 ACRE TRACT;

THENCE NORTH 44 DEGREES 02 MINUTES 01 SECONDS EAST, ALONG 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 SET 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 YELLOW CAP STAMPED "PRECISE LAND SURV" FOUND AT THE EAST CORNER OF SAID 15.613 ACRE TRACT;

THENCE NORTH 44 DEGREES 27 MINUTES 44 SECONDS EAST, A DISTANCE OF 781.17 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 164.59 ACRES OF LAND, MORE OR LESS.



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

DATE: January 18, 2021

APPLICANT: Ryan Joyce

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

PLANNING AND ZONING COMMISSION HEARING DATE: January 21, 2021

REQUEST:

The applicant is requesting a 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 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: Ryan Joyce

STAFF RECOMMENDATION: Approval of the requested planned development district and 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]. Approximately 77 acres are located within the McLendon-Chisholm ETJ with the remainder located within the City Limits.

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

Thoroughfares/streets:

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

Planned Development District Ordinance

Ordinance No. 2021-

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 134 SINGLE-FAMILY LOTS AND THREE 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 and with reference to amending the Comprehensive Zoning Ordinance and Zoning Map, have given the requisite notice by publication and otherwise, an after holding due hearing and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the City of McLendon-Chisholm is of the opinion that said Comprehensive Zoning Ordinance and 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 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.

Passed and approved this day of February, 2021.

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;

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 "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.

Planned Development District Standards

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 134 single-family residential lots with a minimum lot size of one acre of land and three 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. Corner lots may have the 10-foot side yard adjacent to the side street.

- f. Lot depth. 215 feet.
- g. Minimum Dwelling size. 2,300 square feet.
- h. 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.

Concept Plan





**Planning & Zoning/Economic Development
City of McLendon-Chisholm, Texas
Special Work Session Meeting Minutes
Thursday, December 10, 2020**

The Planning & Zoning Commission and Economic Development Committee of the City of McLendon-Chisholm convened in a Joint Special Work Session on Thursday, December 10, 2020 at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present Planning & Zoning Commission:

Lesley Schwalje	Chairperson
Daniel Tucker	Commissioner
Daniela Swindoll	Commissioner
Brad Martin	Commissioner (Alternate)

Absent:	Shari London	Commissioner
	Brian Lane	Commissioner (Alternate)

Members Present Economic Development Committee:

Jim Herren	Chairman
Mark Kipphut	Committee Member
Paul Day	Committee Member
Melody Osorio	Committee Member
Norine Childers	Committee Member
Christian Giadolor	Committee Member (Alternate)

Absent:	Tommy Baugh	Committee Member
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Staff Present:	Lisa Palomba	City Administrator
	Shelly Green	City Secretary
	Mike Coker	City Planner

1. CALL TO ORDER

P&Z Chairperson Schwalje called the meeting to order at 6:33 p.m.

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

P&Z Chairperson Schwalje gave the invocation and led the pledges.

3. CITIZEN COMMENTS

None

4. APPROVAL OF MINUTES

4.1. Action Regarding Approving the Minutes of November 19, 2020

MOTION: APPROVE THE MINUTES OF NOVEMBER 19, 2020 AS PRESENTED

MADE BY: Committee Member Kipphut
SECONDED BY: Commission Member Wright
APPROVAL: Unanimous

5. ITEMS FOR CONSIDERATION

5.1. Discussion regarding surveys as a means of obtaining citizen input.

City Planner Coker passed out information regarding public opinion surveys as follows:

A public opinion survey is an important tool for a public entity to engage the greater community, as well as its subsets, to agree upon managed growth solutions as well as maintaining a quality of life that's desired by all.

For an opinion survey to be "believable and accepted as accurate", it must be conducted with complete transparency and without bias. Questions cannot be written so that they "push a respondent" to answer with information and opinions that are most desired by the survey sponsor rather than the respondent's own perceptions and suggestions for making a community a better place in which to live.

In order for a public opinion survey to be accepted, with that acceptance leading to full participation, the following steps are important. **Not to do what is outlined below will most likely result in less than candid responses, a distrust of the survey sponsor and/or perceived self-serving purposes for conducting such research. In many cases, respondents are likely not to complete the survey.**

- Partner with or engage a communications specialist with experience in working through complicated matters utilizing public opinion survey tools.
- At the outset, communicate with the public about what the entity is studying and why. For example, if there is to be a review of a city's ordinances and zoning regulations, explain why this is being undertaken and why the public's opinions matter.
- Consistently emphasize that City leadership represents everyone looking to bolster the community's quality of life.
- Keep survey instruments short; easy to read and complete.

- Provide for various platforms so that more people will participate; i.e. online, mail, and even by phone.
- Translate the survey instrument into Spanish and make it available when it would encourage participation.
- Make public the survey's findings, with an explanation of what is found to be most helpful to sharing plans for moving forward.

The following are proven research tools, with several often being utilized during a major planning process.

- Surveys. Online and print.
- Public meetings facilitation.
- Intercept surveys.
- Focus groups. Homeowners, businesses, various community sectors, etc.
- One-on-one interviews with primary stakeholders.

Committee Member Herren asked what the relationship was between the Comprehensive Plan and the Future Land Use Map.

City Planner Coker explained the FLUM is a major component of the Comprehensive Plan.

Committee Member Herren confirmed that the FLUM is a major component of the Comprehensive Plan and they cannot divorce the two – both must be looked at.

Chairperson Herron suggested they discuss the survey first since that will play an important part in the completion of the comprehensive plan.

Committee Member Kipphut asked if there was any guidance from the Council regarding conducting a survey.

City Administrator Palomba stated they did not feel strongly about the survey right now.

Committee Member Kipphut stated it was his understanding there is no funding for conducting a survey.

City Administrator Palomba confirmed that is correct.

Committee Member Kipphut stated that in that case, they would have to depend on other means for public input – town hall meetings, coffees, etc.

Committee Chairman Herron stated he feels the question is whether the existing surveys are sufficient or do they indeed need to conduct a new survey. He also stated that whatever they decide, he feels it should be included in what they bid out for the Comprehensive Plan.

Committee Chairman Herron ask for a vote of who thinks the existing survey is sufficient or if they need to do a new one. The consensus of the two committees was that the existing survey is sufficient.

Committee Chairman Herron confirmed that it was the consensus of the two committees that they recommend to the City Council that they should include community engagement as part of the requirements for the comprehensive plan update for whoever they hire through the RFP process.

City Administrator Palomba stated she was going to include that in the RFP.

5.2. Discussion regarding City Center Concept.

City Planner Coker presented a report regarding a Town Center as follows:

What is a Town Center?

A town center is an enduring, walkable, and integrated open-air, multiuse development that is organized around a clearly identifiable and energized public realm where citizens can gather and strengthen their community bonds. It is anchored by retail, dining, and leisure uses, as well as by vertical or horizontal residential uses. At least one type of development is included in a town center, such as office, hospitality, civic, and cultural uses. Over time, a town center should evolve into the densest, most compact, and most diverse part of a community, with strong connections to its surroundings.

Ten Principles for Developing Successful Town Centers

1. Create an Enduring and Memorable Public Realm
2. Respect Market Realities
3. Share the Risk, Share the Reward
4. Plan for Development and Financial Complexity
5. Integrate Multiple Uses
6. Balance Flexibility with a Long-Term Vision
7. Capture the Benefits That Density Offers
8. Connect to the Community
9. Invest for Sustainability
10. Commit to Intensive On-Site Management and Programming

City Planner Coker presented examples of several town centers.

The committees held general discussion regarding this item.

5.3. Discussion regarding other Comprehensive Plan topics.

No topics were established.

5.4. Items for future meetings.

Continue to explore the Comprehensive Plan.

5.5. Establish dates for future meetings.

It was decided that since P&Z has business to discuss at their regular meeting on January 21, they will meet on that regular date and ED would meet on January 7.

6. ADJOURN

MOTION: ADJOURN THE MEETING

MADE BY: Commission Member Wright

SECONDED BY: Committee Member Kipphut

APPROVAL: Unanimous

The meeting adjourned at 8:25 p.m.

ATTEST:

APPROVED:

Rochelle Green, City Secretary

Lesley Schwalje, P&Z Chairperson

Jim Herren, ED Chairperson

