



**Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Monday, February 8, 2021**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Monday, February 8, 2021, 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 6:35 p.m.

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

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

3. CITIZEN COMMENTS

None

4. APPROVAL OF MINUTES

4.1. August 20, 2020 Regular Meeting

MOTION:	Approve minutes as presented.
MADE BY:	Commissioner London
SECONDED BY:	Commissioner Wright
APPROVAL:	Unanimous

4.2. October 15, 2020 Regular Meeting

MOTION: Approve Minutes as presented.
MADE BY: Commissioner Wright
SECONDED BY: Commissioner Swindoll
APPROVAL: Unanimous

4.3. December 10, 2020 Planning & Zoning/Economic Development Meeting

MOTION: Approve Minutes as presented.
MADE BY: Commissioner Tucker
SECONDED BY: Commissioner
APPROVAL: Unanimous

5. ITEMS FOR CONSIDERATION

City Planner Mike Coker presented a report to the Commission regarding a request by Ryan Joyce for annexation of 90.10 acres, more or less, 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 change the land use designation from rural residential to a new classification to be known as low density residential for a 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 90.10 acres, ore or less, are located within the McLendon-Chisholm ETJ with the remainder located within the city limits.

City Planner Mike Coker presented his staff report:

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 for 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 Lane 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 within 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 90.10 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 90.10 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.

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

The following citizens spoke in opposition of the amendment:

1. Lisa Rainey, 397 Pullen Rd., deferred her time to Chris Burleson
2. Chris Burleson, 825 Pullen Rd.
3. Peter Barter, 173 Savannah Hill
4. Vanessa Fradenburg, 567 Savannah Hill
5. Ron Pinkerton, 484 Savannah
6. Erica Hilton, 126 Savannah Hill

The following citizen spoke in favor of the amendment:

1. Mark Kipphut, 31 Fireside

Commission Chairperson Schwalje closed the public hearing at 7:40 p.m.

6.2. 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 43003]. Approximately 90.10 acres, more or less, 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.

City Planner Coker presented his staff report:

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 90.10 acres, more or less, are located within the McLendon-Chisholm ETJ with the remainder located within the City Limits.

The Texas Local Government Code requires the 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.

Commissioner Chairperson Schwalje opened the public hearing at 7:40 with no additional citizens requesting to speak.

Commissioner Chairperson Schwalje closed the public hearing at 7:45 p.m.

7. ITEMS FOR CONSIDERATION

7.1. Consider recommendation to City Council for approval/denial of request for 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 a 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 90.10 acres, more or less, are located within the McLendon-Chisholm ETJ with the remainder located within the City Limits.

MOTION:	Recommend denial of request to City Council.
MADE BY:	Commissioner Wright
SECONDED BY:	Commissioner Tucker
APPROVAL:	Unanimous

7.2. Consider recommendation to City Council for approval/denial of request 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 90.10 acres, more or less, 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 Road and Sinks Road from Agriculture Zoning to Planned Development District Zoning that provides for a residential development lot sizes not less than one-acre in size.

MOTION: Recommend denial without prejudice to City Council.
MADE BY: Commissioner London
SECONDED BY: Commissioner Swindoll
APPROVAL: Unanimous

8. ADJOURN

Commission Chairperson Schwalje adjourned the meeting at 8:10 p.m.

ATTEST:



Rochelle Green, City Secretary

APPROVED:



Lesley Schwalje, Chairperson

