



AGENDA
PLANNING & ZONING COMMISSION WORK SESSION
THURSDAY, FEBRUARY 20, 2020
1371 WEST FM 550 - MCLENDON-CHISHOLM, TEXAS 75032
6:30 PM

Page

1. CALL TO ORDER

2.

Welcome new P&Z Commissioner Alternate Shari London.

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

4. CITIZEN COMMENTS

5. ITEMS FOR CONSIDERATION

3 - 21

- 5.1. The City Planner will present information related to P&Z Commissioner roles and responsibilities and the development review process including purpose of the Comprehensive Plan as well as the zoning and subdivision process. General discussion and a question/answer session may follow the presentation.
[Orientation Presentation](#)

22 - 47

- 5.2. Review and discussion only regarding a request by Muhammed Polani on behalf of MSF Group, LLC, requesting a zoning change request from General Business (GB) to Planned Development (PD) for General Business on a 1.5 acre tract in the King Latham Survey, Rockwall CAD Property ID 10132, generally located at the south corner of FM 550 and State Highway 205. No action will be taken. Discussion is in preparation for the zoning change request scheduled for consideration during the regular P&Z Commission Meeting on February 27, 2020.
[Staff Report - Zoning Change Request](#)
[Preliminary Building Drawings](#)

6. ADJOURN

I, Shelly Green, do hereby certify that the above Notice of Meeting of the Planning & Zoning Commission of McLendon-Chisholm, Texas was posted on or before 5:00 p.m., February 20, 2020 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.

City of McLendon-Chisholm Planning, Zoning and Development

February 20, 2020



Karl A Crawley
Phone: 214.761.9197
Email: karl@masterplantexas.com

USA and TX Zoning Enabling Acts

- Allows cities to establish zoning districts and permitted uses and regulations to govern development
- Must be based on a comprehensive plan
- ...public health, safety, morals and general welfare...
- Light, air, space, density

Comprehensive Plan

- A guide that determines community goals and aspirations in terms of community development. Comprehensive plans are typically written with a 20 to 25-year vision, however, they should be evaluated every 5 years to determine if a modification is needed.
- Components: transportation, public facilities, land use, open space, community design standards, and housing.

City Boards

Planning and Zoning Commission

Appointed by CC; advisory

Board of Adjustment

Appointed by CC– (Quasi-judicial)

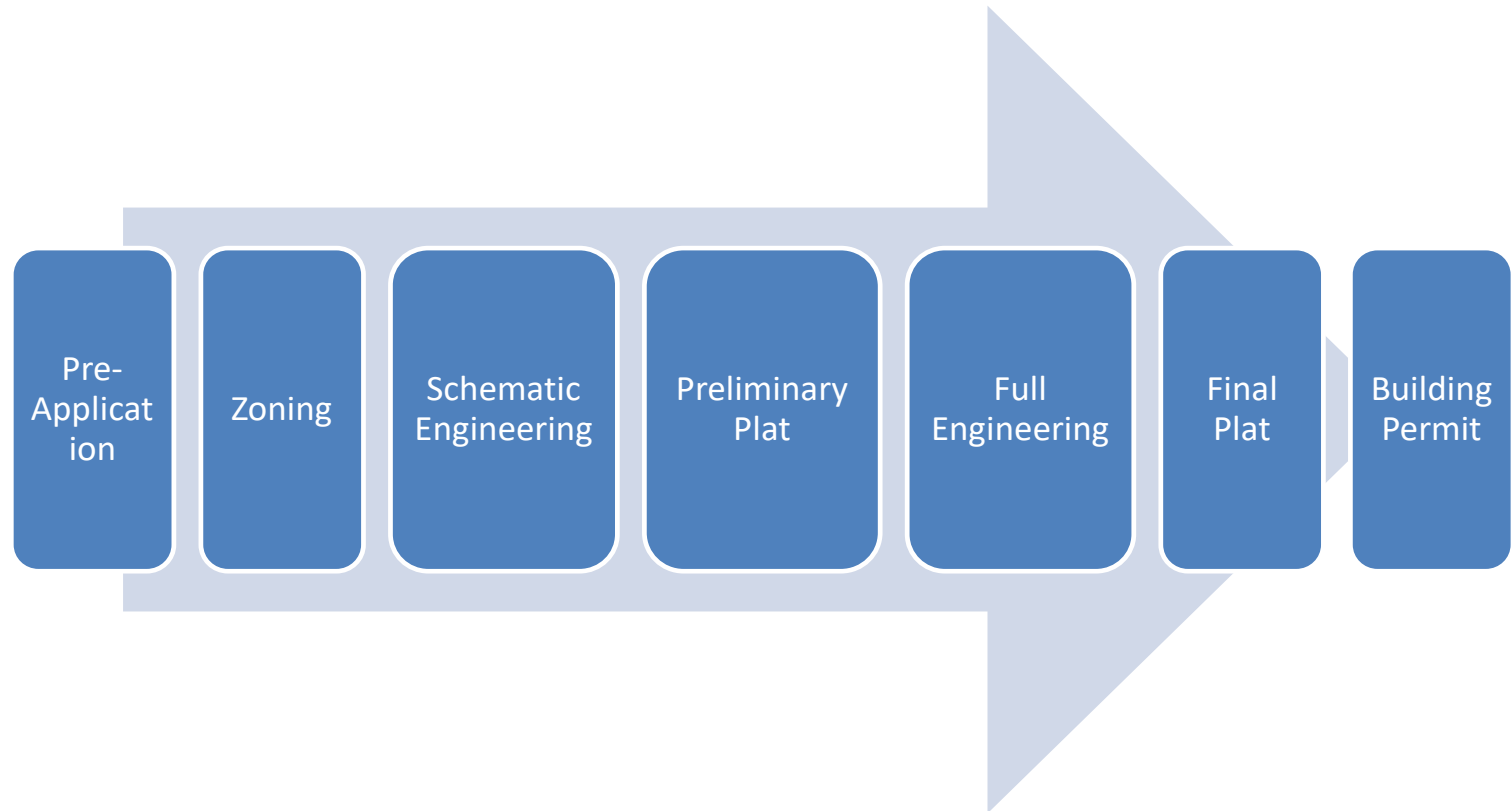
Planning and Zoning Commission

- Five citizens appointed by the City Council; three alternates; four members present for a quorum
- Qualifications: Citizens, don't owe back taxes
- Meets third Thursday of each month
- Strictly an advisory board
- Makes recommendations on:
 - Boundaries of zoning districts
 - Zoning text (new or amendments)
 - Changes of zoning, Specific Use Permits
 - Subdivision plats

Board of Adjustment

- Five citizens appointed by City Council
- Four concurring votes required
- Makes final decision on certain requests; appeals to District Court
- Hears variances and special exceptions to zoning and development standards
 - Non-conforming rights
 - Applicants can NOT lobby board members (Quasi-judicial)
 - Variance vs. special exceptions
 - Variance – unique characteristic of the site – slope, size, shape, natural feature
 - Literal interpretation would deny equal rights to enjoyment of the property.

Development Review Process



Zoning Districts

Abbreviated Designation	Zoning District Name
A	Agricultural District
SF5	Single-Family Residential (5 Acre Lots)
SF2.5	Single-Family Residential (2.5 Acre Lots)
SF1.5	Single-Family Residential (1.5 Acre Lots)
MH	Manufactured Home District
NC	Neighborhood Commercial District
GB	General Business District
CP	Commercial Planned Center District
O1	Office District
O2	Office District
LI	Light Industrial District
PD	Planned Development District
S	Specific Use Permit

Zoning Regulations

- Zoning regulations must be adopted in accordance with a comprehensive plan and must be designed to:
 - lessen congestion in the streets;
 - secure safety from fire, panic, and other dangers;
 - promote health and the general welfare;
 - provide adequate light and air;
 - prevent the overcrowding of land;
 - avoid undue concentration of population; or
 - facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

Zoning Regulations

- The governing body of a municipality may regulate:
 - the height, number of stories, and size of buildings and other structures;
 - the percentage of a lot that may be occupied;
 - the size of yards, courts, and other open spaces;
 - population density;
 - the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

Zoning/Development Requests before P&Z

- Majority vote required to approve zoning cases
- Action taken: approve, approve with conditions, deny with or without prejudice; hold over a case
- Requests are forwarded to the City Council with P&Z recommendation

Change of Zoning / SUPs

- P&Z reviews and make a recommendation to the City Council
- 200-foot notice requirement to adjacent property owners; newspaper notice
- Change of zoning: Impacts the permitted uses and development standards
- Specific Use Permit: A use that may be compatible with certain conditions (limit hours of operation, time limits on use, screening/buffering etc.); site and floor plan required

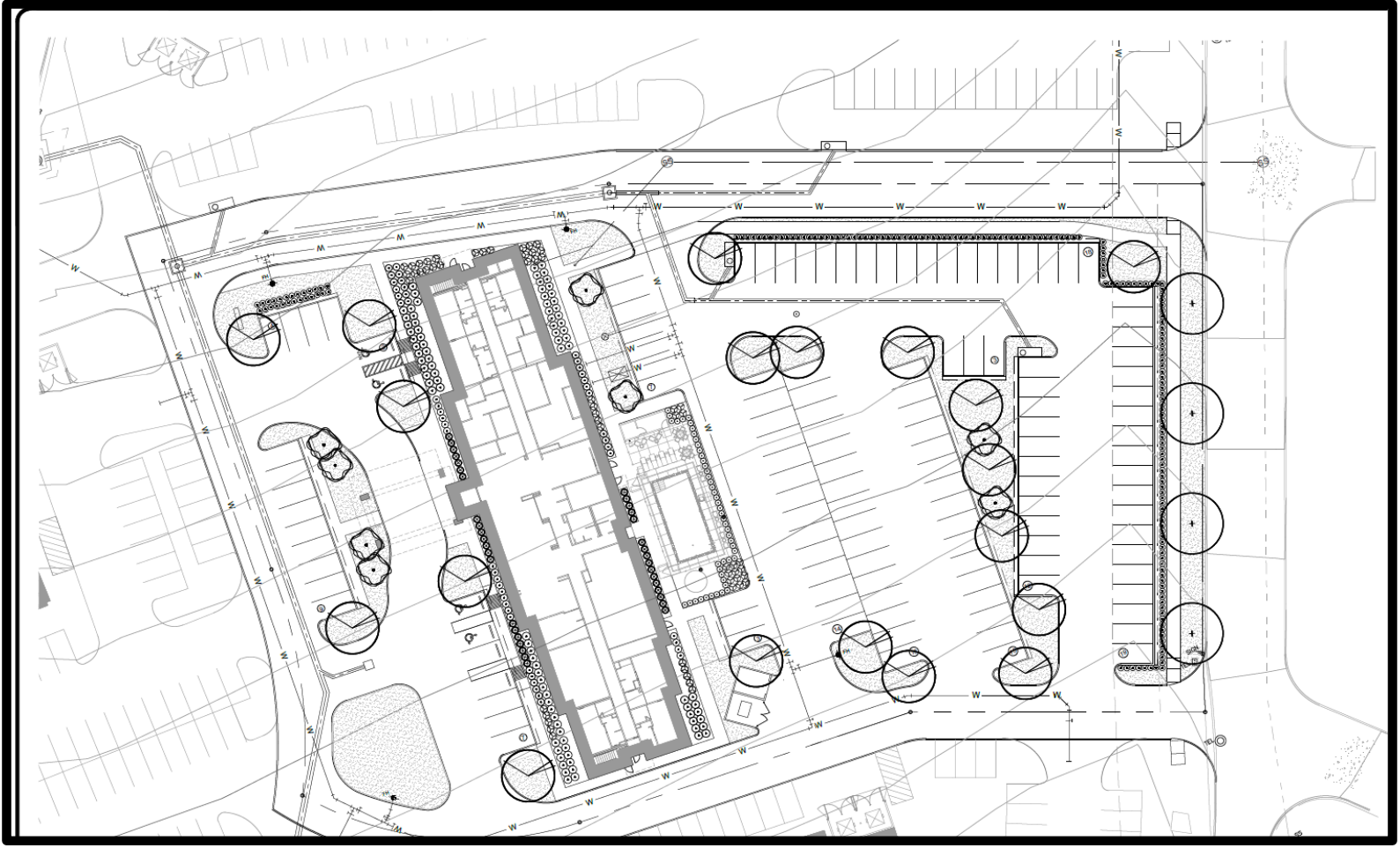
Planned Development Districts

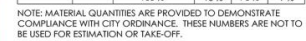
- Flexible zoning tool – negotiation
- Allows for deviation from standard zoning districts
- Gives City ability to review specific details including site plan, landscape plan and exterior building elevations

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Landscape Plan





COLOR & FINISH LEGEND	
	BRICK 1 - 140-SMOOTH STEEL GRAY/106403 MODULAR
	STUCCO 1 - DIGNITY BLUE SW 6804
	STUCCO 2 - REFUSE GRAY SW 7015
	STUCCO 3 - SNOWBOUND SW 7004
	STUCCO 4 - ACRES SW 9130
	NICHOLS FIBER CEMENT - VINTAGE WOOD CEDAR EPC252

GENERAL NOTES:

1. ALL ROOF TOP EQUIPMENT, PLUMBING, VENT, CONDENSING UNITS, EXHAUST FANS, BOILER FLUES, ETC. ARE TO BE CONCEALED FROM VIEW BEHIND PARAPET WALLS
2. DO NOT EXCEED (5) STRUCTURAL BAYS WITHOUT INTRODUCING A VERTICAL ELEMENT (I.E. BUILDING OFFSET, PLASTER, ETC.)

PRE SUBMITTAL CASE # - 181002-2

SHEET NUMBER
A200



**TYPE-SIX
DESIGN AND
DEVELOPMENT SERVICES**

300 E. ABRAM ST. #150
ARLINGTON, TX 76010

PROJECT MANAGER
james.justy@type-six.com
682-999-8154



1200 BEN DAVIS ROAD
GARLAND, TX 75040

T6_1907

ARCHITECT
D. HAYES HINKLE

ISSUE DATE
05-24-2019

ISSUED FOR

REVISIONS

SHEET NAME

SHEET NAME
EXTERIOR
ELEVATIONS



Subdivision of Land/Platting

- Subdivision: The division of a tract or parcel of land into two or more parts or lots for the purpose, whether immediate or future, of sale, building, development, or transfer of ownership, and shall include resubdivision.
- Defines property boundaries
- Land survey vs. plat of record
- Establishes a legal building site
- Can establish easements for access or utilities
- Plats MUST be approved if they comply with State and local subdivision regulations
- Types of plats: preliminary, final, re-plat, residential replat, amending plats, conveyance



Masterplan



CITY COUNCIL - CITY OF MCLENDON-CHISHOLM, TEXAS

DATE:

APPLICANT: MFS Group, LLC - Muhammed Polani
2357 Jupiter Road
Plano TX 75074

LOCATION: 5763 South State Highway 205

ZONING: GB General Business

REQUEST:

The applicant requests approval of a Planned Development District for GB General Business uses and a Conceptual Plan

PROPERTY OWNER: MFS Group, LLC
3645 Capstone Lane
Plano TX 75074

REPRESENTATIVE: Muhammed Polani

PLANNING & ZONING COMMISSION RECOMMENDATION: The Planning and Zoning Commission, by a vote of 3 to 1 (with one not voting), recommended denial of the proposed request.

STAFF RECOMMENDATION: APPROVAL, subject to the attached PD Conditions and Conceptual Plan.

BACKGROUND INFORMATION:

The request site is located at the corner of State Highway 205 and FM 550. It is located at the south of the intersection. The site is approximately 1.5 acres with approximately 230 feet of frontage on SH 205 and approximately 250 feet of frontage on FM 550.

The site and surrounding area are zoned GB General Business. The purpose of the GB District is to provide for a wide range of retail and service establishments for the community. The existing GB District allows a maximum height of 35 feet and a maximum lot coverage of 35%. These two

development standards are limiting factors, along with provisions of the Zoning Ordinance under the Commercial development standards which limits the overall size of any development. Under the existing GB District the maximum footprint of all buildings would be approximately 22,800 square feet. Current GB zoning would limit any one building to a maximum floor area for a single floor to 6,000 square feet however with a maximum height 35 feet, a two-story building could be erected bringing the likely maximum floor area of a single building (under the existing GB zoning) to 12,000 square feet. As mentioned earlier the maximum lot coverage (building footprint) for the site is approximately 22,800 square feet, thus with a two-story building the maximum floor area allowed on the site would be approximately 45,600 square feet. It is highly unlikely the site could be developed with anywhere near that much floor area because parking would have to accommodate that much building area.

Recent State Law changes, effective September 1, 2019, have precluded the City from enforcing certain provisions the Zoning Ordinance has it pertains to required exterior building materials. The City cannot dictate materials over and above the minimum standards required by the International Building Code (IBC). This basically means requiring masonry or other similar building materials if the IBC allows other materials which would meet minimum building code standards. How that is to be handled will be discussed later in this material. Other provisions of the Zoning Ordinance contained in the Commercial development standards can still be required. These include building articulation, building form, roof type (not material), architectural features and floor area and building size.

The request site is an important development site within the City and careful consideration should be given to any development on the site. The proposed PD for limited GB District uses along with the staff proposed conditions will help to protect the importance of this site and allow the development of a new and needed retail site. The requested PD will be conceptual in nature at this time and will require the developer to return to both the P&Z and City Council for approval of a Development Plan and Elevations prior to the issuance of a building permit. Part of the development process for the site includes the developer bringing sanitary sewer to the site. The developer is currently working with the City on a Development Agreement for both the required infrastructure improvements and development standards which will satisfy the architectural standards which the State no longer allows the City to enforce. Although this Development Agreement is not part of the zoning request, and should not be considered in making a decision on the request, it will play an important part of developing the site.

The staff proposed PD conditions (attached) would prohibit certain existing GB District uses which might not be appropriate for this intersection or this small of a site. With the developer proposing a small retail/office center with a possible restaurant use many uses are not appropriate. The PD would also modify the restaurant uses in order to limit size and require some outdoor seating area. This provision was inserted in order to discourage a large fast food drive-thru restaurant and to encourage the likelihood of a smaller sit-down restaurant with some outside seating. This is further encouraged by limiting the amount of parking required for outdoor covered seating for the first 200 square feet of area.

The existing Commercial development standards are also proposed to be modified in order to develop a small retail/office center. The maximum floor area for a single building has been

increased to 12,000 square feet but no single tenant maybe over 5,000 square feet; this would preclude a large single tenant building, by reference a stand-alone drug store is in the 6,000 square foot range. The maximum length of any wall would be increased to 200 feet. As mentioned earlier the exterior façade material portion of the standards has for the most part been eliminated (as required by State law). The off-street parking requirements have been modified in order to limit the rows of parking between the building and the street, this will eliminate the possibility of a 'sea' of parking.

Finally, since the applicant has submitted the request as a Conceptual PD, staff is in agreement with this portion of the request, a Development Plan and Elevations, as required by the Zoning Ordinance, will have to be approved at a later date. The PD modifies those requirements to include the P&Z in that process by reviewing and making a recommendation to the City Council.

COMPREHENSIVE PLAN: The Future Land Use Map of the Comprehensive Plan (see attached) recommends Commercial uses for this Site. The requested Plans comply with the Comprehensive Plan.

STAFF RECOMMENDATION: APPROVAL, subject to the attached PD Conditions and Conceptual Plan.

The proposed new PD for modified GB District uses and development standards and Conceptual Plan will allow the development of the site and provide protections to help ensure a quality development on this important site.

NOTE: If the City Council approves this request an ordinance for consideration by the City Council will be brought back at a later hearing.

PROPOSED PD CONDITIONS Zoning Case Z2019-03

PD FOR GB GENERAL BUSINESS USES at State Highway 205 and FM 550

USES: Those uses allowed in a GB General Business District with the following uses prohibited or restricted:

Amusement center, indoor (S)
Veterinarian office, large animal practice (S)
Auto repair garage
Auto sales, new and used
Auto service station
Farm machinery and implement sales and service
Motorcycle sales
Ambulance service
Auction house, indoor
Building material sales/lumber yard
Contractor, no outside storage permitted
Contractor outside storage, permitted
Contractor storage or equipment yard
Cosmetic tattoo establishment
Extended-stay hotel/motel
Exterminating service
Factory outlet, retail or wholesale store
Hotel or motel
Kennel
Landscape Service
Laundry, self service
Pawn shop
Mini-warehouse
Cargo container

The following uses are modified:

Restaurant, drive-in/drive-thru (allowed by right); limited to one with a maximum floor area of 3,000 square feet and include a minimum of 200 square feet of outdoor seating area,
Restaurant, with or without alcohol sales (allowed by right), must include a minimum of 200 square feet of outdoor seating area.

Density, area, yard, height and lot coverage requirements: Per GB District

Off-street parking and loading requirements: Off-street parking and loading requirements shall conform to the provisions of Section 6-7. Off-street parking and loading requirements, with the following exception. Covered seating in association with an allowed restaurant use does not require parking for the first 200 square feet of area; any additional covered seating must be parked per the requirements for a restaurant use.

Landscaping. Per GB District requirements.

Screening and buffering requirements. Per GB District requirements.

Masonry requirement. This provision does not apply in this PD.

Commercial Development Standards.

Any development on the Property must comply with Section 4-13 Commercial development standards of the Zoning ordinance with the following exceptions:

E. Building form. 1. The minimum area of a single floor shall be 2,500 sf. The maximum area allowed for a single floor shall be 12,000 sf, no single tenant may exceed 5,000 sf. The maximum length for any building wall shall be 200 ft. No single tenant may exceed 5,000 square feet in either a larger building or a stand-alone building.

G. External façade materials. Does not apply except as noted below:

1. Windows and glazing shall be a maximum of 30% of each building elevation.

K. Off-street parking and loading requirements.

2. No more than three (3) rows of angled or parallel parking shall be allowed between the primary building and the street right-of-way.

Development plan and elevations. A development plan that complies with Section 5.1D.2. must be submitted to and recommended by the Planning and Zoning Commission and approved by the City Council prior to the issuance of a building permit. Elevations illustrating compliance with Section 4-13, as modified in this Ordinance, must also be submitted to and recommended by the Planning and Zoning Commission and approved by the City Council prior to the issuance of a building permit.



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: 12/30/19

Receipt # _____

Fee: \$600 per lot + \$10 per acre (acreage rounded to the next whole acre) + ALL consultant Costs. Consultant costs includes City Planner, City Engineer, Legal Fees and any other outside consultant costs incurred by the City.

Address and/or Location of Request:

Hwy 205 / FM 550

Property Legal Description: BLOCK 1 LOT 1 at Hwy 205/550 FM

County Parcel ID: _____

Existing Zoning: NEIGHBORHOOD BUSINESSES Requested Zoning: RETAIL/RESTURANT

Applicant's Name: MFS GROUP LLC MUHAMMED POLANI

Phone No. 214 334-8165 Email: POLANIMI@MSN.COM

Status of Applicant: Owner ☒ or Authorized Agent _____

Applicant's Address:

2357 JUPITER RD PLANO TX 75074

Owner's Address: 3645 CAPSTONE LANE PLANO TX 75074

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

Signature of Owner:

[Signature]

Date 12/30/19

Signature of Applicant:

Date _____

Page 1 of 2

10/09/2017 Zoning Change Application and Checklist

Development Fees

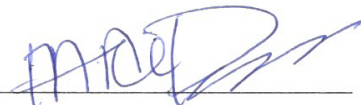
The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. 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 the consultants beginning work on their application. Should the actual consultant cost exceed the estimate, the applicant will be required to deposit additional monies with the City before work on their application continues. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

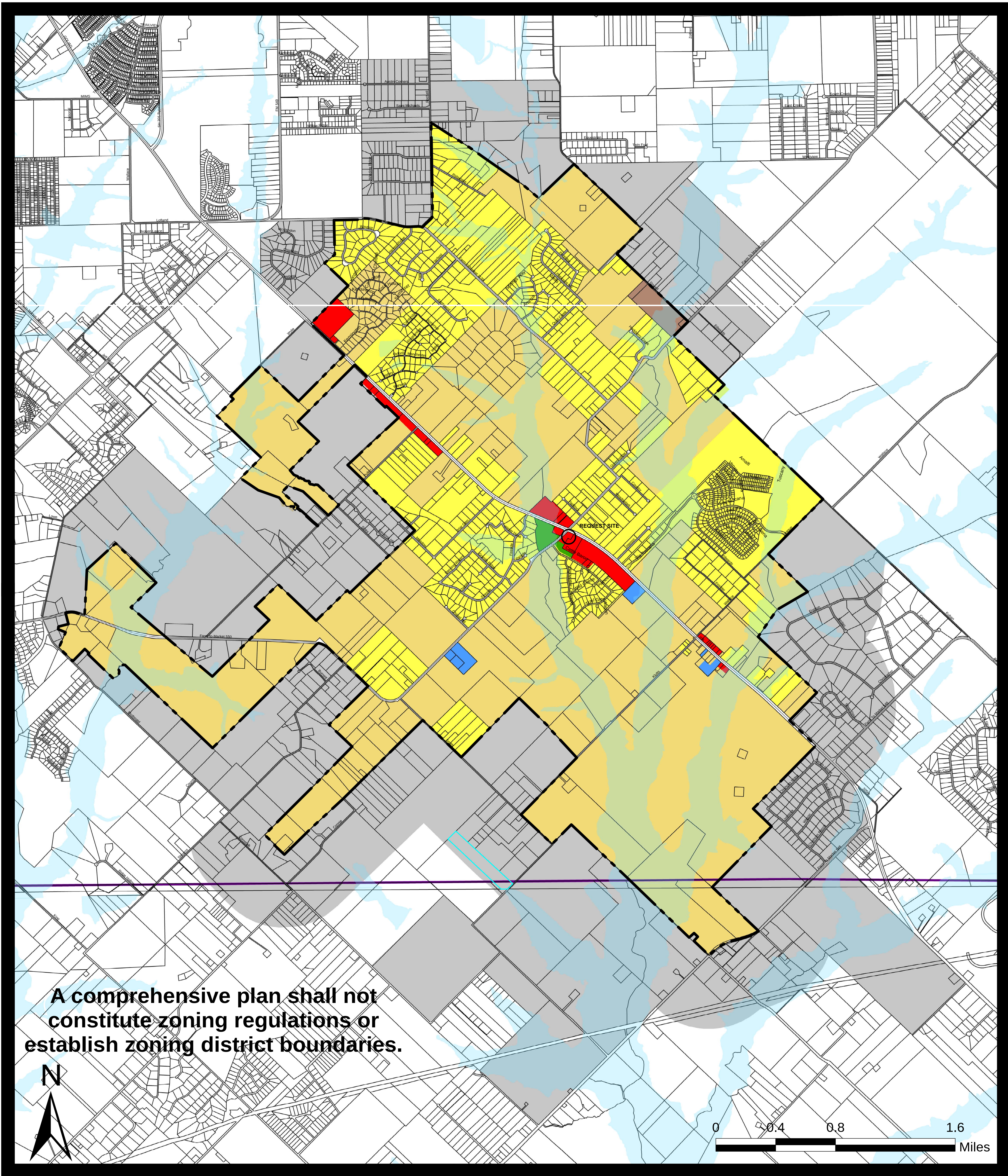
ALL Consulting Costs - Includes City Planning, City Engineer, Legal Fees and any other outside Consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA, nor will building permits be issued with fees outstanding.

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 \$ 600.00 to cover the cost of this application, has been paid to the City of McLendon-Chisholm on this _____ day of _____, 201__.

Further, I hereby certify that I understand and agree to the development and consulting fees and 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)



Legend

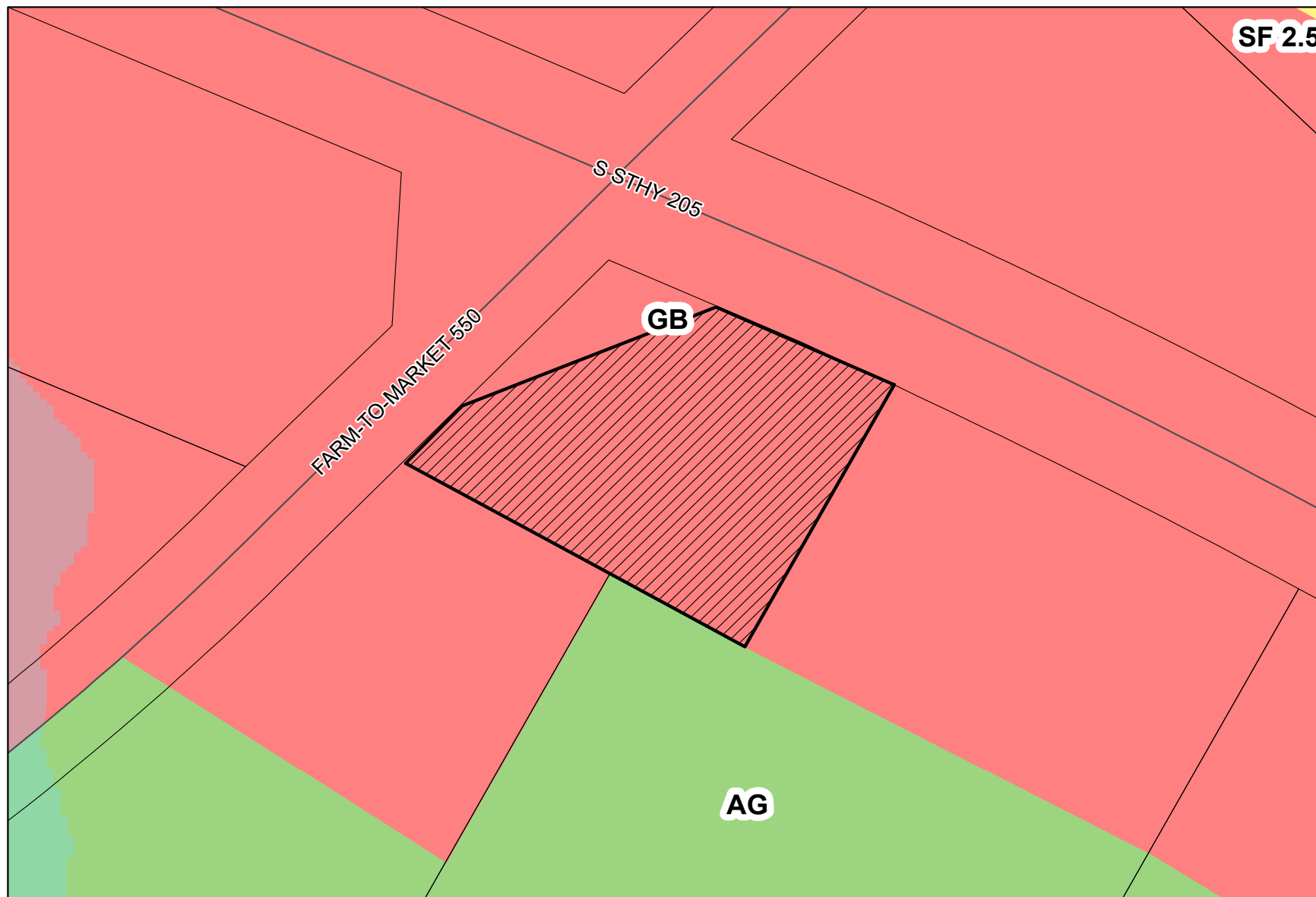
	McLendon-Chisholm City Limits		Agriculture		Institutional
	McLendon-Chisholm ETJ		Low Density Residential		Commercial
	County Line		Rural Residential		
	Floodplain		Multifamily		

City of McLendon-Chisholm Rockwall & Kaufman County Future Land Use Map December 2017

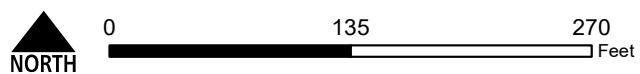


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the ground survey and represents only the approximate relative location of property boundaries. (Texas Government Code § 2051.102)

This map was created using Rockwall and Kaufman County GIS data and FEMA GIS data.



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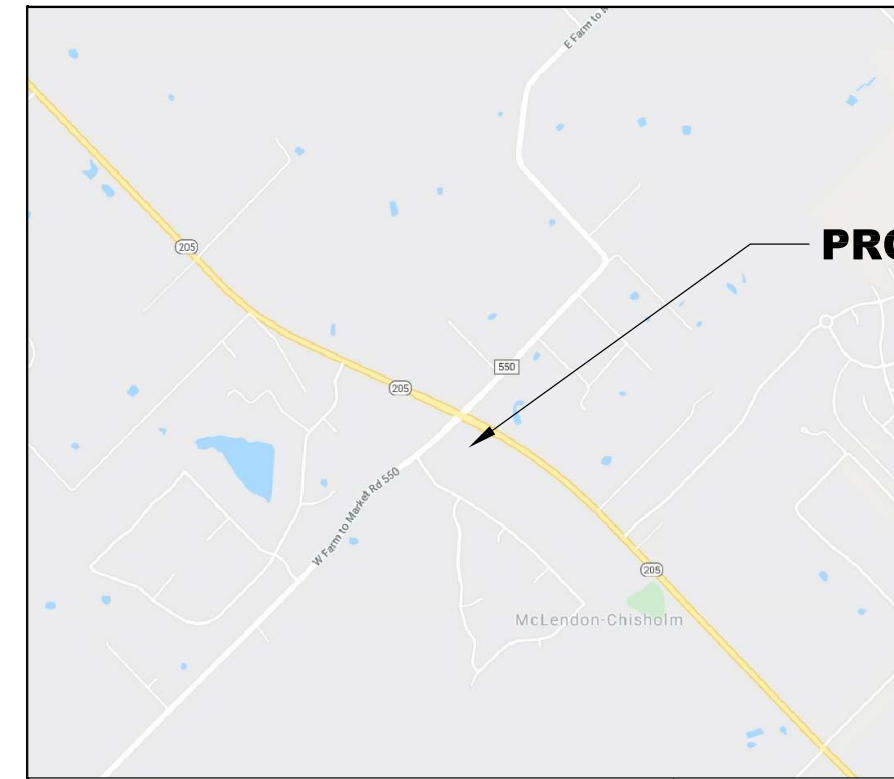
Zoning Map
Z 2019-03



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Aerial
Z 2019-03



VICINITY MAP

PROJECT LOCATION

F.M. NO. 550
(CALLED 80' R.O.W.)

S.H. NO. 205
(CALLED 120' R.O.W.)

LOT 1, BLOCK 1
65,571 SF
1.505 AC
SH 205/550 ADDITION
INSTRUMENT NUMBER
20190000009311
O.P.R.R.C.T.

LOT 2, BLOCK 1
SH 205/550 ADDITION
INSTRUMENT NUMBER
20190000009311
O.P.R.R.C.T.

TO BROOKSHIRE
GROCERY COMPANY
ACCESS EASEMENT
VOLUME 5270, PAGE 63
D.R.R.C.T.

BROOKSHIRE GROCERY COMPANY
VOLUME 5270, PAGE 57
D.R.R.C.T.

DATA

ZONING:	PD for General Business Uses
Land Area:	1.505 acres
Allowed uses:	See PD Ordinance
Maximum height:	Per GB District
Maximum Lot Coverage:	Per GB District
Maximum Floor Area:	See PD Ordinance
Setbacks:	Per Conceptual Plan
Parking:	Per Zoning Ordinance

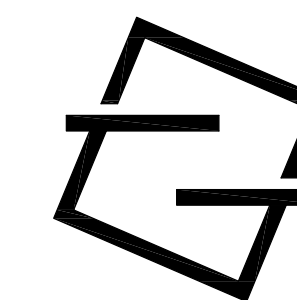
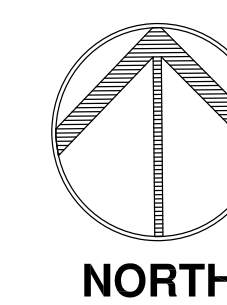
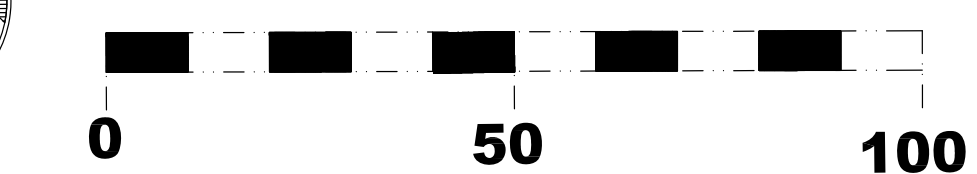
SIGN

10' LANDSCAPE
BUFFER

*** APPROXIMATE LOCATION
OF FUTURE ACCESS**

CONCEPTUAL PLAN

1" = 20'-0"

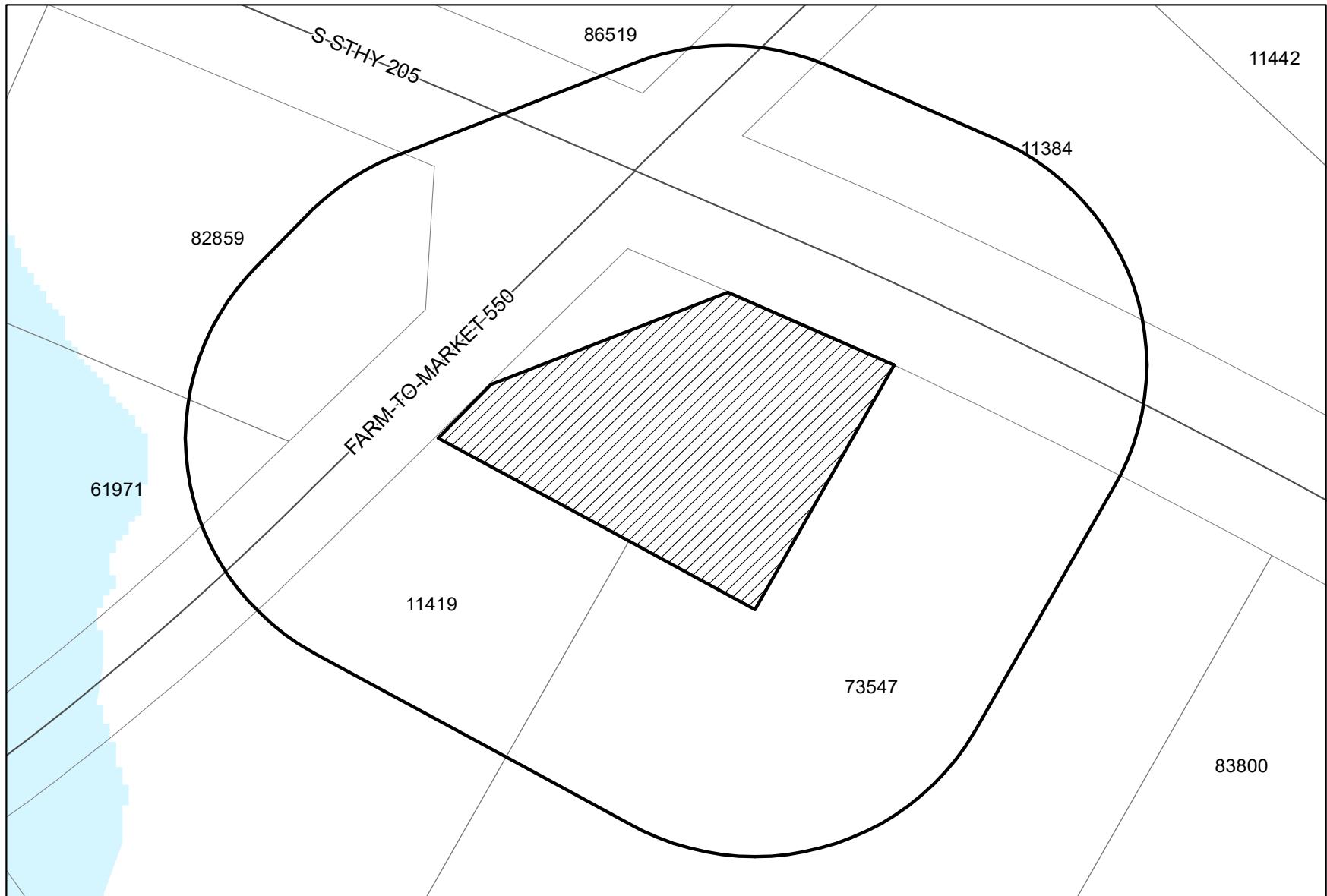


zstudio design
architectural solutions
972.897.3966
www.texas-permit-drawings.com

1-6-20



South view from W Farm to Market Rd 550 and State Hwy 205 corner (VACANT)



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0 145 290
Feet

200 Foot Norification
Z 2019-03

Parcel ID	Owner Name	Address
11419	MIL/WAY INVESTORS LLC	PO BOX 717 ROCKWALL, TX 75087-0717
11384	HOLT V R & BETTY REV LIVING TRUST	V R & BETTY HOLT TRUSTEES 141 S STATE HIGHWAY 205 ROCKWALL, TX 75032-6947 PO BOX 369
61971	MARIAH BAY DEVELOPMENT INC	ROCKWALL, TX 75087-0369
73547	BROOKSHIRE GROCERY CO	ATTN: REAL ESTATE DEPT 1600 W SOUTHWEST LOOP 323 TYLER, TX 75701-8532
82859	GROUP PACIFIC HOLDINGS LLC	6711 STARBUCK DR DALLAS, TX 75252-5945
86519	TEAM VAPP LLC	709 CORNELL DRIVE ROCKWALL, TX 75087

