



AGENDA

Planning & Zoning Commission Regular Meeting

Thursday, February 25, 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
 - 4.1. Action Regarding the Minutes of February 8, 2021 Planning & Zoning Meeting
[02.08.21](#) 2 - 7
5. ITEMS FOR CONSIDERATION
 - 5.1. Discussion and action regarding the application of C&G Ros Development LLC [Carol Rosini] requesting an amendment to the approved Concept Plan for the Rosini Winery planned development district to allow an increase to the covered square footage currently authorized by the Concept Plan. This request is also submitting a new site plan as required by the Planned Development District language.
[Staff Report](#) 8 - 13
 - 5.2. Discussion regarding Comprehensive Plan.
6. ADJOURN

FOOTER

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 or before 5:00 p.m., February 22, 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
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:

APPROVED:

Rochelle Green, City Secretary

Lesley Schwalje, Chairperson



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

DATE: February 20, 2021

APPLICANT: C & G Ros Development LLC
3095 Wincrest Drive
Rockwall, Texas 75032

LOCATION: 411 South State Highway 205, McLendon-Chisholm

PLANNING AND ZONING COMMISSION HEARING DATE: February 25, 2021

REQUEST:

The applicant is requesting to amend the approved Concept Plan for the Rosini Winery planned development district to allow an increase to the covered square footage currently authorized by the Concept Plan. This request is also submitting a new site plan as required by the Planned Development District language.

If approved by the City Council, the addition of a 26 foot long by 18 foot wide covered seating pavilion with a fire place would be added to the authorized square footage.

PROPERTY OWNERS: C & G Ros Development LLC
3095 Wincrest Drive
Rockwall, Texas 75032

REPRESENTATIVE: Carol Rosini

STAFF RECOMMENDATION:

Approval of the requested amendment to the concept plan and approval of the submitted site plan subject to the following conditions:

- The covered pavilion must be constructed as shown on the site plan submitted with this application.
 - The construction must be in accordance with the elevations submitted with this application.
 - The applicant must obtain a building permit for the construction of the covered pavilion/fireplace prior to commencement of construction.
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BACKGROUND INFORMATION:

The Rosini Winery zoning district allows for the addition of an accessory seating area [see the Accessory Uses section of the PDD below]. Each phase of the winery development requires a site plan to be reviewed by the Planning and Zoning Commission with a recommendation made to the City Council.

The applicant wants to add a covered seating area with outside fireplace as an accessory use to the site plan.

This is the only revision to the Concept Plan for this phase of development. Section 5-1 PD Planned Development District regulations of the City of McLendon-Chisholm Zoning Ordinance Subsection D (c) requires the conceptual plan be amended if the proposed amendment increases density. The addition of 468 square feet is an increase in density.

If the City Council approves the request to amend the Concept Plan, then the attached site plan will become the new concept plan for the planned development district.

Thoroughfares/streets:

State Highway 205 is a principal thoroughfare through the city. It is currently a two-lane undivided roadway. The current City Thoroughfare Plan shows SH 205 commencing at FM 550 and heading south to be a future four-lane divided arterial. However, the Rockwall County Thoroughfare Plan, adopted in 2019 shows SH 205 to be six-lane divided principal arterial.

The city acquired additional right of way for the future widening of SH 205 when the applicant previously platted the subject property for either the four-lane version or the six-lane version.

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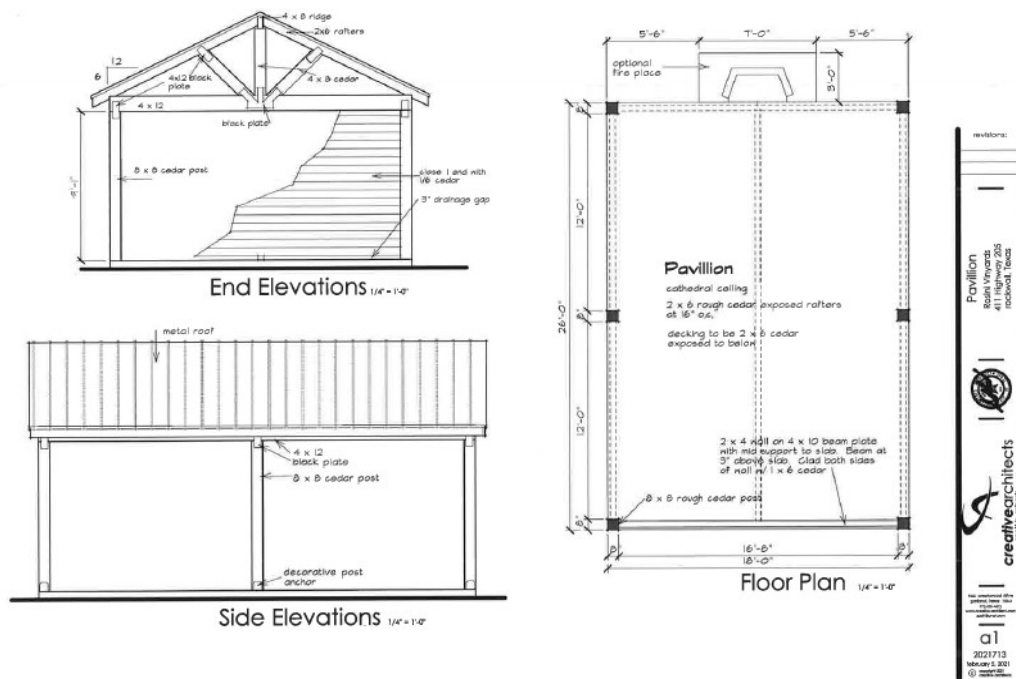
Site Plan showing the proposed open air pavilion and existing building. The plan includes a 24' ACCESS EASEMENT, a 15' BLOWN SEDIMENT area, and a VINEYARD. The proposed pavilion is located adjacent to the existing building. The plan also shows the 24' ACCESS EASEMENT, the 15' BLOWN SEDIMENT area, and the VINEYARD. The proposed pavilion is located adjacent to the existing building. The plan also shows the 24' ACCESS EASEMENT, the 15' BLOWN SEDIMENT area, and the VINEYARD.

Site Plan 1" = 30'-0"

[illegible]

Page 10 of 13

Elevations:



Planned Development District Ordinance Conditions:

Uses allowed:

The only uses allowed in this planned development district are:

LAND USE

PARKING REQUIRED

Those uses allowed in the McLendon-Chisholm General Business Zoning District and:

Winery with tasting room

[this use must conform to Chapter 16

One space for each 200 square feet of retail space

One space for each 100 square feet of tasting room

Of the Texas Alcoholic Beverage Code]

One space for each 4000 square feet of fermenting, processing, bottling or storage of wine production or storage facility [this includes a barrel room].

Accessory Uses that are customarily incidental to any land use authorized by this planned development district may not exceed five (5) percent of the land use to which they are customarily incidental, however an outdoor seating deck when adjacent to or accessory to a winery or wine tasting room is not restricted five (5) percent of the main use.

Required Parking:

Parking spaces shall conform to the size and shape requirements of the Zoning Ordinance.

Minimum parking shall be provided in accordance to the parking shown above.

Required parking spaces may be shared between and by all uses on the property.

For all General Business Zoning District uses parking shall be provided in accordance with the requirements of the City of McLendon-Chisholm Zoning Ordinance.

Setbacks:

Setback in this planned development district shall be as shown below:

Front yard 75 feet

Side yard 25 feet

Rear yard 25 feet

Note: entry or exit drives and architectural entry features may be placed within the required setbacks but they must be shown on any required site plan. Additionally, any driveway adjacent to State Highway 205 shall have been issued a permit from the Texas Department of Public Safety a copy of which shall be submitted concurrently with any request for development or construction. Driveways and entry features must provide sufficient distance from any adjacent property so as not to be a hazard to the vehicular travelling public.

Height:

The maximum height of a building shall not exceed 45 feet.

Stories:

There is no maximum number of stories.

Screening:

Visual screening shall be provided between commercial buildings and parking areas when adjacent to residential uses. Visual screening shall be a minimum of six feet in height and may be living and irrigated hedge materials or constructed in accordance with Section 6-8 of the McLendon-Chisholm Zoning Ordinance. All dumpsters shall be screened from State Highway 205 and from adjacent residential property by solid screening that complies with the Section 6-8 of the McLendon-Chisholm Zoning Ordinance. If visual screening is used, a landscape plan shall be reviewed by the Planning and Zoning Commission and approved by the City Council.

Site Plan:

A site plan that conforms to Section 6-1 of the McLendon-Chisholm Zoning Ordinance is required for every phase of development for all uses permitted by this planned development district. Required site plans shall be approved by the Planning and Zoning Commission and by the City Council prior to the issuance of a certificate occupancy or construction or development permit. The site plan approval process shall include elevations of all structures existing or to be built within this planned development district.

Site plans must show emergency apparatus/vehicle access roads and turnarounds that conform to the adopted Fire Code.

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