



AGENDA

Planning & Zoning Commission Regular Meeting

Tuesday, April 16, 2024

1371 WEST FM 550 - McLendon-Chisholm, TEXAS 75032 6:30 PM

Page

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS**
3. **RULES OF DECORUM**
4. **CITIZEN COMMENTS**
5. **APPROVAL OF MINUTES**

- 5.1. Consider approval of the March 19, 2024, Planning and Zoning Regular Meeting

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[P & Z Meeting Minutes 03.19.24](#)

ADJOURN TO CAPITAL IMPROVEMENT ADVISORY COMMITTEE (CIAC)

RECONVENE TO PLANNING AND ZONING COMMISSION MEETING

6. ITEMS FOR CONSIDERATION AND ACTION

- 6.1. Zoning Ordinance Update (Planning & Zoning Commission Responsible) on timely reports and recommendations to better address the needs of the city.

7. **ADJOURN**

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session in order to see confidential legal advice from the City Attorney on any agenda item herein.

I, Angela Jennings, 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., April 12, 2024, 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
Tuesday, March 19, 2024**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Tuesday, March 19, 2024, at McLendon-Chisholm City Hall, 1371 W FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Mark Kipphut	Chairman
	Robert Rohde	Co-Chairman
	Chris Freeze	Commissioner
	Gyle Dale	Commissioner
	Michael Easter	Alternate

Absent:	Terry Eoff	Commissioner
	Thomas Hritz	

Staff Present:	Asa Woodberry	City Planner
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1. CALL TO ORDER

PAGE

Chairman Kipphut called the meeting to order at 6:30 pm.

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

Chairman Kipphut voiced the invocation and led the pledges to the Flags

3. RULES OF DECORUM

4. CITIZEN COMMENTS

NONE

5. APPROVAL OF MINUTES

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- 5.1. Consider approval of the February 20, 2024, Planning and Zoning Regular Meeting

[Minutes of February 20, 2024](#)

MOTION: Approve the Minutes of February 20, 2024, Planning & Zoning Regular Meeting and the 2024 Planning & Zoning Agenda Schedule.

Made by: Commissioner Freeze
Seconded by: Commissioner Dale
Approval: Passed - Unanimous

6. ITEMS FOR CONSIDERATION AND ACTION

- 6.1. Consideration and action of the request of Ryan Webb, Greenbriar Homes, for approval of a zoning district change from the SF 2.5 residential zoning district and a GB General Business zoning district to a planned development district for the development of eight single-family lots each with a lot size of two and one-half acres of land. This application is in conformity with the recommendations of the McLendon-Chisholm Comprehensive Plan. 9 - 17

[Staff Report](#)

Asa Woodberry, City Planner, presented Staff Report and recommended conditional approval. Planner then turned over presentation to the developer for further questions.

Developer, Ryan Webb, asked to make a statement. He explained that he first requested approval over 8 months ago after purchasing 20 acres that had 2 zoning types, 2.5 acres Residential and the general commercial. I applied for a PD at that time to use the residential portion for building homes and the commercial portion to start a small business. Many neighbors came out to voice their opposition to the plan of having a business off of League Road. So, I have now reapplied to change the commercial part of my land, which is only about 5 to 10% of the 20 acres, to residential to use for building custom homes. I have changed my plans to appease the neighbors, and approval of the plan will remove the option to put self-storage business on league road which was what the neighbors were against. City planner and staff recommend approval and have pointed out that the zoning change request conforms to the comprehensive plan. I ask that the P & Z Board recommend approval to the City Council.

MOTION: To approve with conditions

Made by: Commissioner Freeze
Seconded by: Commissioner Rohde

Chairman Kipphut had comments on dealing with exhibit B. Special provisions – he recommends that an item 2 be added that does not reduce the lot size or the residential lots and item 3 would state that it does not change from residential use. Also recommends on the next page, strike the 1 and 2 of the statement and to strike the language about the public meetings.

Approval: Passed - Unanimous

- 6.2. Consideration and action of the request of James Belt, Gardner Construction Group, for approval of a zoning district change from the SF 2.5 residential zoning district and a GB General Business zoning district to a GB General Business district for the development of two commercial lots each roughly 3 acres in size. This application is in conformity with the recommendations of the McLendon- Chisholm Comprehensive Plan.

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[Staff Report](#)

City Planner recommends approval with conditions.
There were no questions from the commissioners.

Motion: To Approve 6.2 based on conditions set forth by City planner in Staff Report

Made by: Commissioner Rohde

Seconded by: Commissioner Freeze

Chairman Kipphut also request the zoning application along the 205 corridors be reexamined making it less confusing to landowners. He also discussed the need to update maps for easier use by developers and staff.

Approval: Passed - Unanimous

- 6.3. Consideration and action of the site plan and landscape plan presented by Brian Berry.

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[Staff report](#)

Asa Woodberry, City Planner, recommends approval with conditions.
Mr. Berry, the Developer, explains the build out and Tex Dot approvals to commission, as well as spoke to confirmation conditions within the staff report.

Commissioner Rohde asked for clarification on which lots they are approving and whether they must come back with concept plans for the other lots in the development. City Planner explains that only Phase 1 is being approved and concept plans will have to be approved for the other Phases.

Motion: To Approve Site Plan For 3R1-3R2, 2R with conditions as set forth in Staff report by Mr. Woodberry. Commissioners also ask that they come back later with the Landscaping plan and plat.

Made by: Commissioner Rohde

Seconded by: Commissioner Freeze

Chairman Kipphut also questioned whether the easements were reflected on the documents provided. Information was confirmed by City Planner.

Approval: Passed - Unanimous

- 6.4. Zoning Ordinance Update (Planning & Zoning Commission Responsible) on timely reports and recommendations to better address the needs of the City.

Asa Woodberry, City Planner brought commissioner update on the water language on the preliminary plat. The City Council will have updates on the water service plan required. The changes made by the City Council in the upcoming meeting may affect other ordinances which we will be able to pinpoint changes in other ordinances.

7. COMMISSIONERS REPORTS AND ANNOUNCEMENTS

7.1. Chairman Kipphut

Directed to the audience and public at large, the county has initiated a strategic planning effort. It has had its golf meeting with its 2 consultants who have come together as a team. The city has 2 designated representatives to the CFC, the community committee that has been brought together to help guide the effort. There will be several public workshops that will be held in the month of May. There will be several workshops that the public will be invited to participate in. Announcements will be made but they will either be on Tuesday or Thursday. They will be at Liberty Hall at the county courthouse. There is a link on the County website for Strategic Planning Effort.

There is a meet the Candidate event on April 10 to meet those running for Mayor and City Council.

I have had some questions asked and would like to call your attention to Page 35, comprehensive plan, in general, the majority of the city will maintain the maximum 1 house per acre including floodplains, easements. As part of the Planning & Zoning Commission we are obligated to try to uphold the comprehensive plan.

Commissioner Easter suggested the P & Z Commission propose the City Council suggest writing an ordinance to the City Council, that says the petitioner who request a zoning change or variance must prove that the circumstance warrants a departure from the comprehensive plan. It could spell out with more certainty what that would entail.

7.2. Co-Chairman Rohde

No Report

7.3. Commissioner Freeze

Commissioner Freeze agrees with Commissioner Easter that we should have more clarification on what is required to change zoning and/or allow variances.

7.4. Commissioner Dale

No Report

7.5. Commissioner Easter (Alternate)
No Report

8. ADJOURN

MOTION: ADJOURN THE MEETING

MADE BY: Commissioner Dale

SECONDED BY: Commissioner Freeze

APPROVAL: Unanimous

The meeting was adjourned at 7:25 p.m.

ATTEST:

APPROVE:

Asa Woodberry, City Planner

Mark Kipphut, Chairman



**Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Tuesday, February 20, 2024**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Tuesday, February 20, 2024, at McLendon-Chisholm City Hall, 1371 W FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Robert Rohde	Co-Chairman
	Terry Eoff	Commissioner
	Gyle Dale	Commissioner
	Michael Easter	Alternate
	Thomas Hritz	Alternate

Absent:	Mark Kipphut	Chairman
	Chris Freeze	Commission

Staff Present:	Asa Woodberry	City Planner
	Shelly Green	City Secretary

1. CALL TO ORDER

Co-Chairman Rohde called the meeting to order at 6:30 p.m.

2. INVOCATION AND PLEDGES TO U.S. AND TEXAS FLAGS

Co-Chairman Rohde voiced the invocation and led the pledges to the Flags.

3. RULES OF DECORUM

Co-Chairman Rohde stated the rules of decorum are in order for this meeting.

4. CITIZEN COMMENTS

None

5. APPROVAL OF MINUTES

5.1 Consider approval of the January 20, 2024, Planning & Zoning Regular Meeting

**MOTION: APPROVE THE MINUTES OF JANUARY 20, 2024, PLANNING & ZONING
REGULAR MEETING.**

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MADE BY: Commissioner Eoff
SECONDED BY: Commissioner Easter
APPROVAL: Unanimous

6. PUBLIC HEARINGS

Co-Chairman Rohde explained a policy which was adopted by the Commission whereby they have a public hearing at one meeting and then they will do the consideration and action at the following meeting. He understands that the agenda says they are going to do a consideration and action tonight but we are not going to do 7.1 and 7.2.

- 6.1. Notice of a public hearing to be held by the McLendon-Chisholm Planning and Zoning Commission on February 20, 2024, at 6:30 p.m. at the McLendonChisholm City Hall located at 1371 W. FM 550, McLendon-Chisholm, Texas 75032. The public hearing will be held to receive public comment regarding a request by Greenbriar Homes to change the existing SF 2.5 [Single Family Zoning district requiring a minimum lot size of two and one-half acres of land] and a GB [General Business] Zoning District on approximately 20 acres of land to a Residential Zoning District with the required street frontage reduced from 300 feet to a minimum of 150 feet for street frontage, providing for eight two and one half-acre single-family residential lots. This property generally fronts on League Road east of the intersection of League Road and State Highway 205. The Rockwall Central Appraisal District Property identification numbers are 11404, 11408, and 11417.

Co-Chairman Rohde opened the public hearing at 6:35 p.m. and reported he had received two letters in opposition of this item which he will read into the minutes.

"Judy Moss, 525 League Rd. Greetings, Gentlemen, I am out of state attending a funeral, but would like you to hear my thoughts on Mr. Webb's latest request for 150 feet of road frontage.

The bottom line is, Mr. Webb simply invested in property in our neighborhood. He said he was told by persons on city staff and commercial developers that his project would be approved. When the commercial zoning plan didn't work, he changed to a new plan.

This is why I don't trust the "new" plan.

The signs on his property advertise 5 acre lots, not 2 ½ acre lots. There is also a sign on the one property closest to Hwy 205 advertising a "proposed zoning change." **Be very careful about his new plan.** He may come back to you on that 5-acre lot at a later date, wanting it changed to commercial property.

Take into consideration and be aware of all the deviations and inaccuracies that have been made for months to accommodate his project.

Now he wants 2 ½ acre lots with 150 feet of road frontage. Does that follow city ordinances which state 300 feet of road frontage?

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Let me direct your attention to the MC Zoning Ordinance,
On page 8 Zoning Board of Adjustments, p. 10 Variances,
page 11 section 2 states in part :
“granting a variance will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to arrant a variance from the comprehensive plan.” (The complete variance is below.)

Is there some special condition or hardship we aren't aware of where the 300 ft. road frontage should be changed for this request? Should we just throw out the ordinances and comprehensive plan?

When will Mr. Webb be accountable to follow the same rules the rest of us follow?

You don't have to settle for something outside the ordinances because the new plan doesn't include a mini-warehouse.

I am not against homes being built, just to the 150 feet of road frontage. If approved, these 150' road frontage lots would resemble **bowling lanes!** (Quote from a very smart man.)

I can't imagine who would want a 150 foot by 724-foot lot for a home. Surely there is another way to configure his 20 acres to get eight 2 ½ acre lots, but it will probably cost him more money.

I will not fight this further if you think his new plan is reasonable.

Thank you for reading my message. I really do appreciate the work all of you do on the Board.

Judy Moss

City of McLendon-Chisholm, TX / Code of Ordinances / Zoning Ordinance

ARTICLE 1 GENERAL PROVISIONS

§1-15 Zoning board of adjustment.

2 Authorize, upon appeal, whenever a property owner can show that a strict application of the terms of this ordinance relating to the construction or alteration of buildings or structures will impose upon him unusual and practical difficulties or particular hardship, such variances from the strict application of the terms of this ordinance as are in harmony with its own general purpose and intent, but only when the board is satisfied that granting of such variation will not merely serve as a convenience to the

applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the comprehensive plan as

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established by this ordinance and at the same time, the surrounding property will be properly protected.

A second response in opposition was received from Mr. GW Lovell, 1411 Highway 205. His response said he is opposed to changing the character of League Road. Houses on League are set on larger lots, preserving the rural atmosphere. [There was some confusion on Mr. Lovell's part regarding the number and size of the proposed lots.]

There being no one to speak, the public hearing was closed at 6:39 p.m.

6.2. Notice of a public hearing to be held by the McLendon-Chisholm Planning and Zoning Commission on February 20, 2024, at 6:30 p.m. at McLendon-Chisholm City Hall located at 1371 West FM 550, McLendon-Chisholm, Texas 75032. The public hearing will be held to receive public comment regarding a request by James Belt to change the existing SF 2.5 [Single Family Zoning district requiring a minimum lot size of two and one-half acres of land] and a GB [General Business] Zoning District on approximately 6.2 acres of land to a general Business District [GB]. This property generally fronts on State Highway 205 south of the intersection of FM 550 and State Highway 205. The Rockwall Central Appraisal District Property identification numbers are: 16824 and 16825.

Co-Chairman Rohde opened the public hearing at 6:40 p.m.

There being no one to speak, the public hearing was closed at 6:41 p.m.

7. ITEMS FOR CONSIDERATION AND ACTION

7.1. Consideration and action of the request of Ryan Webb, Greenbriar Homes, for approval of a zoning district change from the SF 2.5 residential zoning district and a GB General Business zoning district to a planned development district for the development of eight single-family lots each with a lot size of two and one-half acres of land. This application is in conformity with the recommendations of the McLendon-Chisholm Comprehensive Plan.

MOTION: TABLE THIS ACTION ITEM UNTIL THE NEXT PLANNING & ZONING COMMISSION MEETING ON MARCH 19, 2024.

MADE BY: Commissioner Eoff
SECONDED BY: Commissioner Easter
APPROVAL: Unanimous

7.2. Consideration and action of the request of James Belt, Gardner Construction Group, for approval of a zoning district change from the SF 2.5 residential zoning district and a GB General Business zoning district to a GB General Business district for the development of two commercial lots each roughly 3 acres in size. This application is in conformity with the recommendations of the McLendonChisholm Comprehensive Plan.

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**MOTION: TABLE THIS ACTION ITEM UNTIL THE NEXT PLANNING & ZONING
COMMISSION MEETING ON MARCH 19, 2024.**

MADE BY: Commissioner Dale
SECONDED BY: Commissioner Easter
APPROVAL: Unanimous

7.3. Zoning Ordinance Update (Planning & Zoning Commission Responsible) on timely reports and recommendations to better address the needs of the City.

City Planner Woodberry stated this item came from the January 27, 2024, joint session with the city council. This is just a discussion for us to have here. The thinking behind this is that every single P&Z meeting we have once a month, this will be a standing item on the agenda, and we would use this time now to discuss zoning ordinances, subdivision regulation ordinances. We may say we want to look at chapters 3, 4, and 5 for zoning ordinances and if nobody has an issue with chapters 3, 4, and 5, then we would just move on. But this will be the time to have the discussion on the zoning ordinance and subdivision regulations and things like that at every meeting. So, this will be a standing item at every meeting and it is my hope that we can have these conversations and start to update some of the subdivision regulations and zoning ordinances. We'll do this every month and then quarterly we'll make a report to city council. We're starting next month so our first one will be in March. I think our meeting is the 19th and I think then in June our first city council meeting and then we have our P&Z meeting to kind of tighten our things up and then on June 25th would be our first quarterly report to the city council on if we have any recommendations on how to update zoning ordinances or subdivision regulations.

8. Commissioners Reports and Announcements

8.1. Chairman Kipphut – Absent

8.2. Co-Chairman Rohde - None

8.3. Commissioner Eoff - None

6.4. Commissioner Freeze - Absent

8.5. Commissioner Dale - None

8.6. Commissioner Easter (Alternate) – Thanked Mr. Woodberry for putting this all together. He thinks it's going to be very important as we go through this to prioritize the most important ordinances and zoning requirements that we need to do in order to facilitate development and growth consistent with the comprehensive plan.

8.7. Commissioner Hritz (Alternate) - None

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9. **ADJOURN**

MOTION: ADJOURN THE MEETING

MADE BY: Commissioner Dale

SECONDED BY: Commissioner Freeze

APPROVAL: Unanimous

The meeting was adjourned at 7:40 p.m.

ATTEST:

Rochelle Green, City Secretary

APPROVED:

Rohde, Co-Chairman Robert

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

DATE: March 11, 2024

Applicant: Ryan Webb
Greenbriar Homes
137 Sawgrass Drive
Heath, Texas 75032

Representative: Ryan Webb

Property owner: Ryan Webb
Greenbriar Homes
137 Sawgrass Drive
Heath, Texas 75032

Location: The property is a 20-acre tract of land located east of the intersection of SH 205 and League Road, with frontage on League Road to the east of the existing retail buildings. The Rockwall CAD property identification numbers are: 11404, 11408, and 11417. PLANNING AND ZONING COMMISSION MEETING DATE: March 19, 2024

REQUEST:

The applicant is requesting approval of a zoning district change from the SF 2.5 residential zoning district and a GB General Business zoning district to a planned development district for the development of eight single-family lots each with a lot size of two and one half-acres of land. This application is in conformity with the recommendations of the McLendon-Chisholm Comprehensive Plan.

STAFF RECOMMENDATION: Approval subject to the following conditions:

Lots 1, 2, 3, 4, 5, 6, 7, and 8

- Reduce the required minimum street frontage and lot width from 300 linear feet to 150 linear feet for each of the eight residential lots.

Concept Plan for the requested Planned Development District

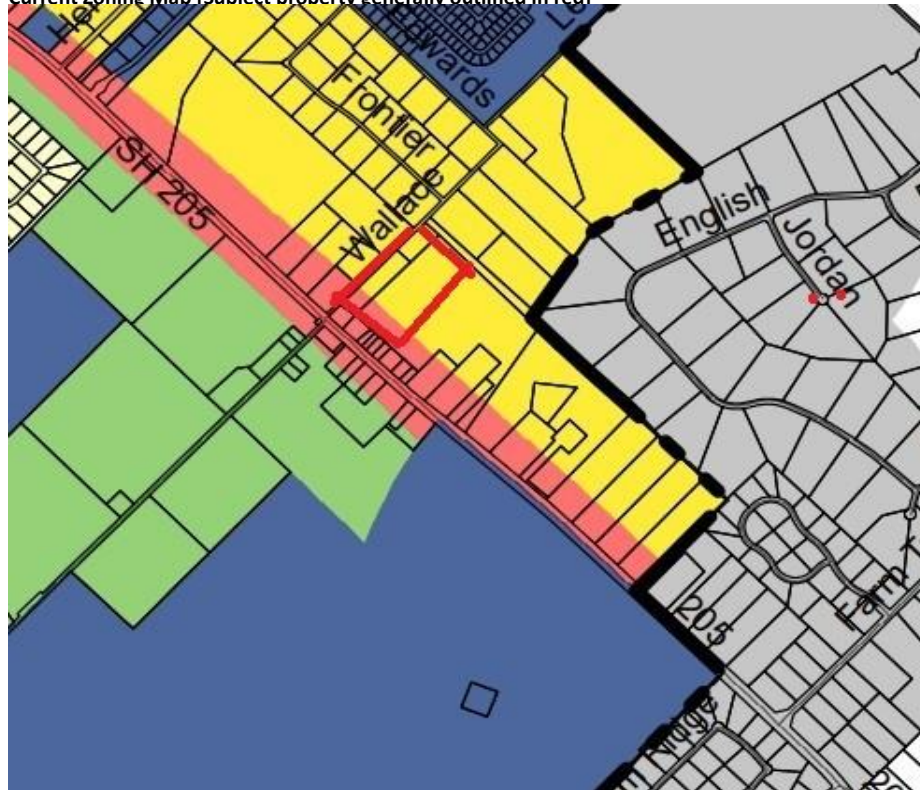


LOTS 1-8
APPROX. 2.5 ACRES EACH
APPROX. 151'X724' EACH

GREENBRIAR HOMES
214-663-4140
Ryan@GreenbriarDFW.com



Current Zoning Map [Subject property generally outlined in red]



General Business zoning district boundaries along SH 205 : Highway 205 distance limitations.

Unless otherwise established by specific ordinance or change in zoning the limit of the GB General Business District, when it is located adjacent to State Highway 205, shall be 350 feet measured from the centerline of S.H. 205. The following conditions shall also apply:

1.

The limit shall be extended to the property line if said property line is located within 100 feet of the 100 foot limit, but shall not be less than 350 feet unless otherwise zoned.

2.

The limit of the GB General Business District shall be interpreted by the zoning official, as designated by the mayor or his/her designee. The zoning official may differ interpretation of the distance to the city council.

3.

This provision does not limit the depth, size, or shape of any other parcel zoned as GB General Business District that is located anywhere else in the corporate limits of the City of McLendon-Chisholm.

Comprehensive Plan Recommendation: Agriculture [approximate location of subject property outlined in red]



The Texas Local Government Code requires that changes in zoning district classification comply with the Comprehensive Plan [Future Land Use Plan]. This application is consistent with the Future Land Use Plan recommendation for the subject property. However, the agricultural zoning district allows for minimum residential lot size of two and one-half acres of land. A change in zoning district classification for lots 1, 2, 3, 4, 5, 6, 7, and 8 from SF 2.5 and GB General Business to the PD Planned Development zoning district would allow this part of the application to comply with the recommendation of the Comprehensive Plan.

The staff recommendation for Lots 1, 2, 3, 4, 5, 6, 7, and 8 is a zoning district change from SF 2.5 and GB General Business to a PD Planned Development zoning district.

Future Land Use Legend



Applicant requested development standards:

EXHIBIT B

20 Acres League Rd.

PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS

For 20 Acres

City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

This Planned Development District provides for the development standards of 8 residential lots. Its regulations and use of land intend to be consistent with the zoning standards with moderate modifications for each lot's specified use. Lot regulations will be consistent with the city's

zoning regulations of a SF2.5 Single-Family Residential District. This development is 20 acres of land located on League Road and each lot will be a minimum of 2.5 acres.

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. Do not increase density;
 - ii. Do 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 explain the reason or reasons for the requested amendment. Requests for minor amendments shall pay a fee as established by the City Council for the review and processing of a minor amendment request.

3. Conceptual and Development Plan

In establishing this Planned Development District, the city council shall approve and file as part of the amending ordinance the provided Conceptual Plan and the Development Plan attached. The property owner is requesting the waiving of a separate public hearing for each plan separately.

4. Development Standards

- a. Development Standards are comparable to a SF2.5 single-family zoning district.
- b. Lots may be combined to form large tracts of land.
- c. Permitted uses. 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 SF2.5 Residential District.
- d. Area requirements.

Minimum Lot Area	2.5 Acres
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Minimum Lot Width	150 ft.
Minimum Lot Depth	200 ft.
Minimum Street Yard	75 ft. Front Street 75 ft. Side Street
Minimum Side Yard	25 ft.
Minimum Rear Yard	25 ft.
Minimum Dwelling Size	2,300 sq. ft.
Maximum Lot Coverage	15 %
Maximum Building Height	45 ft.

- e. 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.
- f. Accessory building and structure regulations. In addition to the following, regulations for accessory building or accessory structures shall be in compliance with section **6-3**, Accessory building regulations.
 - i. Accessory buildings and structures clearly incidental to the uses permitted in the SF5 Zoning District and located on the same lot therewith, not involving the conduct of a retail business except such customary home occupations as herein defined, including a private garage and bona fide servants quarters, not for rent but for the use of servants employed on the premises, when located not less than 100 feet from the front line, nor less than 25 feet from either side line; provided, accessory building when combined with the single-family dwelling and all other accessory buildings, shall not occupy more than 15 percent of the gross land area.
 - ii. When the accessory building is directly attached to the main building, it shall be considered as an integral part of the main building. When the accessory building is attached to the main building by a breezeway, the breezeway is considered part of the accessory building.
 - iii. Temporary metal buildings less than 800 square feet in size which are used for tool and supply storage are also permitted.

BACKGROUND INFORMATION:

SF 2.5 Zoning District requirements:

SF2.5 - Zoning District Area Requirements	
Minimum Lot Area	2 1/2 Acres
Minimum Lot Width	300 ft.
Minimum Lot Depth	200 ft.
Minimum Front Yard	75 ft.
Minimum Side Yard	25 ft. Interior 75 ft. Street
Minimum Rear Yard	25 ft.
Minimum Dwelling Size	2,300 sq. ft.
Maximum Lot Coverage	15 %
Maximum Building Height	45 ft.

Staff recommendation : reduce the minimum lot width from 300 feet to 150 feet. Other standards remain the same.

GB Zoning District requirements:

GB - Zoning District Area Requirements	
Minimum Lot Area	10,000 sq. ft.
Minimum Lot Width	100 ft.
Minimum Lot Depth	100 ft.
Minimum Street Yard	20 ft. Front Street 15 ft. Side Street
Minimum Side Yard	15 ft. abutting Non-Res 25 ft abutting Res.
Minimum Rear Yard	20 ft. abutting Non-Res 25 ft. abutting Res.
Maximum Lot Coverage	35 %
Maximum Building Height	35 ft.

Additional background information :

The current zoning district standards for the subject property are SF 2.5 which is a residential district requiring 2.5 acres of land for residential use. This section, however, requires a minimum street frontage and a lot width of 300 feet . **The staff recommends** a reduction in the required lot frontage and lot width from 300 feet to 150 feet as recommended by the Comprehensive Plan. The only way to make that adjustment is to create a planned development district that provides for the reduction in street frontage.

A request to the Board of Adjustment would not be appropriate since there is no hardship due to the size, shape or slope of the property.

Thoroughfares/streets:

League Road is a residential street.

Property legal description:

BEING a tract of land situated in the King Latham Survey, Abstract No. 133, Rockwall County, Texas, and being a portion of a tract of land conveyed to Gary Lovell, as recorded in Volume 6429, Page 290, Deed Records, Rockwall County, Texas, also being a portion of a tract of land conveyed to O B Lovell, as recorded in Volume 1027, Page 12, Deed Records, Rockwall County, Texas, as shown on this survey and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner, being the Northeast corner of a tract of land conveyed to James Adcox, as recorded in Instrument No. 20220000021336, Deed Records, Rockwall County, Texas, and being on the Southeast right-of-way line of League Road, also being the Northwest corner of said Lovell tract;

THENCE North 44 degrees 21 minutes 21 seconds East, a distance of 1,208.11 feet to a 1/2 inch yellow-capped iron rod set for corner;

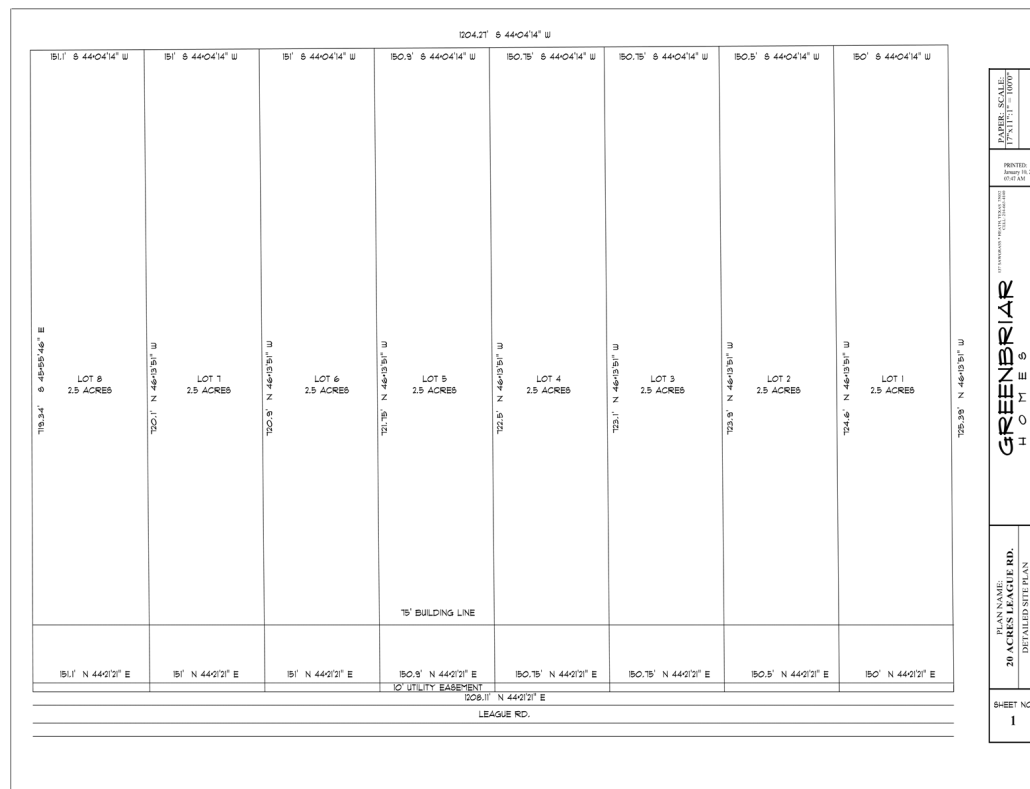
THENCE South 45 degrees 55 minutes 46 seconds east, a distance of 719.34 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE South 44 degrees 04 minutes 14 seconds West, a distance of 1,204.27 feet to a 1/2 inch yellow-capped iron rod set for corner;

THENCE North 46 degrees 13 minutes 51 seconds West, a distance of 725.39 feet to the PLACE OF BEGINNING and containing 20.00 acres of land.

Supplemental Applicant information:

Development Plan





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

DATE: March 11, 2024

Applicant: James Belt
Gardner Construction Group
10 Windsor Drive
Rockwall, Texas 75032

Representative: James Belt

Property owner: James Belt
Gardner Construction Group
10 Windsor Drive
Rockwall, Texas 75032

Location: The property is a 6-acre tract of land located north of the intersection of SH 205 and FM 550, with frontage on SH 205. Block A, Lot 1 constitutes approximately 3.12 acres and Block A, Lot 2 constitutes approximately 3.04 acres of land. The Rockwall CAD property identification numbers are: 16824 and 16825.

PLANNING AND ZONING COMMISSION MEETING DATE: March 19, 2024

REQUEST:

The applicant is requesting approval of a zoning district change from the SF 2.5 residential zoning district and a GB General Business zoning district to a GB General Business district for the development of two commercial lots each roughly 3 acres in size. This application is in conformity with the recommendations of the McLendon-Chisholm Comprehensive Plan.

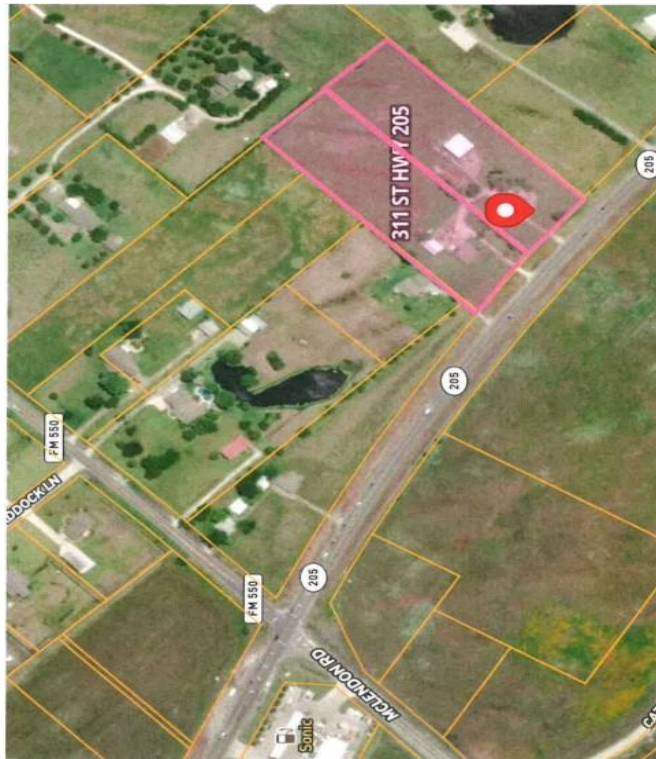
STAFF RECOMMENDATION: Approval subject to the following conditions:

Lots 1 & 2

- Expand both lots [currently both GB and SF 2.5] to the GB General Business zoning district boundary.
- Compliance with the existing GB General Business Zoning District Area is Required.
- Parking for the GB General Business development shall conform to the parking requirements of the Zoning Ordinance.

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Concept Plan for the requested General Business District



Current Zoning Map [Subject property generally outlined in blue]



General Business zoning district boundaries along SH 205 : Highway 205 distance limitations.

Unless otherwise established by specific ordinance or change in zoning the limit of the GB General Business District, when it is located adjacent to State Highway 205, shall be 350 feet measured from the centerline of S.H. 205. The following conditions shall also apply:

1.

The limit shall be extended to the property line if said property line is located within 100 feet of the 100 foot limit, but shall not be less than 350 feet unless otherwise zoned.

2.

The limit of the GB General Business District shall be interpreted by the zoning official, as designated by the mayor or his/her designee. The zoning official may differ interpretation of the distance to the city council.

3.

This provision does not limit the depth, size, or shape of any other parcel zoned as GB General Business District that is located anywhere else in the corporate limits of the City of McLendon-Chisholm.

Comprehensive Plan Recommendation: SH 205 Corridor [approximate location of subject property outlined in blue]



The Texas Local Government Code requires that changes in zoning district classification comply with the Comprehensive Plan [Future Land Use Plan]. This application is consistent with the Future Land Use Plan recommendation for the subject property. However, the SF 2.5 zoning district allows for minimum residential lot size of two and one-half acres of land. A change in zoning district

classification for lots 1 and 2 from SF 2.5 to the GB General Business zoning district would allow this part of the application to comply with the recommendation of the Comprehensive Plan.

The staff recommendation for both lots 1 and 2 is to allow for a zoning change that reflects the GB General Business zoning district standards.



Applicant requested development standards:

EXHIBIT B

6 Acres SH 205.

GENERAL BUSINESS DISTRICT DEVELOPMENT STANDARDS

For 6 Acres

City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

This GB General Business District provides for the development standards for 2 lots. It is intended to provide a wide range of retail and service establishments for the community. Its regulations and use of land are intended to be consistent with the zoning standards with minor modifications for each lot's specified use. Lot 1 and 2 regulations will be consistent with the city's zoning regulations of a GB General Business District. This development is approximately 6 acres of land located along SH 205 and each lot will be approximately 3 acres.

2. Special Provisions

This Exhibit includes the Concept Plan and the Site Plan both of which are included and made a part of the ordinance adopting the GB General Business Development District.

- a. The planning and zoning commission and the city council shall take into consideration the ability of nearby streets to handle traffic generated by the proposed development and shall take into consideration the effects upon the value and amenities of nearby residential properties.
 - i. The planning and zoning commission and city council shall weigh the equities between the two using the criterion of community service and maintaining the concept of city's land-use and zoning plan in assessing the position of the proposed development.
- b. Landscaping. Landscaping requirements shall comply with the provisions in section 6-10, Landscaping requirements.
- c. Screening and Buffer requirements. Screening and buffer requirements shall comply with the provisions in section 6-8, Screening and buffer requirements.
- d. Masonry requirements. Masonry requirements shall comply with the provisions in section 6-9, Construction materials.

3. Conceptual and Development Plan

In establishing this GB General Business Development District, the city council shall approve and file as part of the amending ordinance the provided Conceptual Plan and the Development Plan attached.

4. Development Standards

Lots 1, 2

- a. Lots 1 and 2 are located along the SH 205 corridor with some of the property zoned as SF 2.5 and other portions zoned as GB General Business.
- b. Permitted uses. Uses in the GB district shall be in accordance with section 3-1, Permitted use table.
- c. Density, area, yard, height, and lot coverage requirements. The requirements regulating the minimum lot size, minimum yard size (front, side, and rear), maximum building height (stories and feet), and maximum lot coverage, and minimum floor area, as it pertains to this district, shall conform with the provisions provided in the area requirements table for the GB Zoning District (below).
- d. Area requirements.

Minimum Lot Area	10,000 sq. ft.
Minimum Lot Width	100 ft.
Minimum Lot Depth	100 ft.
Minimum Street Yard	20 ft. Front Street 15 ft. Side Street
Minimum Side Yard	15 ft. abutting Non-Res. 25 ft. abutting Res.
Minimum Rear Yard	20 ft. abutting Non-Res. 25 ft. abutting Res.
Maximum Lot Coverage	35 %
Maximum Building Height	35 ft.

- e. Highway 205 distance limitations. Unless otherwise established by specific ordinance or change in zoning the limit of the GB General Business District, when it is located adjacent to State Highway 205, shall be 350 feet measured from the centerline of S.H. 205. The following conditions shall also apply:
- i. The limit shall be extended to the property line if said property line is located within 100 feet of the 100 foot limit, but shall not be less than 350 feet unless otherwise zoned.
 - ii. The limit of the GB General Business District shall be interpreted by the zoning official, as designated by the mayor or his/her designee. The zoning official may differ interpretation of the distance to the city council.
 - iii. This provision does not limit the depth, size, or shape of any other parcel zoned as GB General Business District that is located anywhere else in the corporate limits of the City of McLendon-Chisholm.

BACKGROUND INFORMATION:

SF 2.5 Zoning District requirements:

SF2.5 - Zoning District Area Requirements	
Minimum Lot Area	2 1/2 Acres
Minimum Lot Width	300 ft.
Minimum Lot Depth	200 ft.
Minimum Front Yard	75 ft.
Minimum Side Yard	25 ft. Interior 75 ft. Street
Minimum Rear Yard	25 ft.
Minimum Dwelling Size	2,300 sq. ft.
Maximum Lot Coverage	15 %
Maximum Building Height	45 ft.

GB Zoning District requirements:

GB - Zoning District Area Requirements	
Minimum Lot Area	10,000 sq. ft.
Minimum Lot Width	100 ft.
Minimum Lot Depth	100 ft.
Minimum Street Yard	20 ft. Front Street 15 ft. Side Street
Minimum Side Yard	15 ft. abutting Non-Res 25 ft abutting Res.
Minimum Rear Yard	20 ft. abutting Non-Res 25 ft. abutting Res.
Maximum Lot Coverage	35 %
Maximum Building Height	35 ft.

Additional background information :

The current zoning district standards for the subject property are both GB General Business and SF 2.5 which is a residential district requiring 2.5 acres of land for residential use. This section, however, requires a minimum street frontage of 300 feet. The staff recommendation is to zone the entirety of the property as GB General Business and remove the SF 2.5 zoning affecting the rear portion of the property.

Thoroughfares/streets:

SH 205 is a state highway currently maintained by the Texas Department of Transportation (TxDOT) and has been identified as a potential commercial hub for the city of McLendon-Chisholm.

Property legal description:

Lot 1: Rockwall CAD property identification number: 16824

Lot 2: Rockwall CAD property identification number: 16825

Supplemental Applicant information:

The site plan illustrates the layout of a proposed 10-building development. The site is bounded by 14th Avenue to the north, 15th Avenue to the south, 100th Street to the east, and 99th Street to the west. The plan shows the following details:

- Buildings:** Ten buildings are shown, each measuring 6,120 sq. ft. They are arranged in two rows of five. The buildings are labeled as follows:
 - Top Row (from left to right): Building #8, Building #9, Building #4, Building #2, Building #1.
 - Bottom Row (from left to right): Building #7, Building #6, Building #3, Building #5, Building #10.
- Parking:** There are two main parking areas. One is located to the west of the buildings, with spaces labeled (1) and (2). The other is located to the east of the buildings, with spaces labeled (1), (2), and (3). A total of 100 parking spaces are indicated.
- Site Dimensions:** The overall dimensions of the site are 144'-0" wide by 320'-0" deep. Individual building footprints are 60'-0" wide by 100'-0" deep.
- Other Features:** The plan includes various site lines, such as the 24' Fireline, and shows the location of existing and proposed structures.



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

DATE: March 11, 2024

Applicant: Brian Berry
3.85 Holdings LLC by Brian Berry
4210 Ridge Road, STE. 201
Heath, Texas 75032

Representative: Brian Berry

Property owner: Brian Berry
3.85 Holdings LLC by Brian Berry
4210 Ridge Road, STE. 201
Heath, Texas 75032

Location: The property is a 3.85-acre tract of land located on the East side of Cattle Barron Drive and South side of FM 550 with frontage along SH 205 and Cattle Barron Drive. Block 1, Lot 2R constitutes 1.2692 acres, Block 1, Lot 3R1 constitutes 1.2239 acres, and Block 1, Lot 3R2 constitutes 1.3565 acres of land. The Rockwall CAD property identification numbers are: 101322 and 101323.

PLANNING AND ZONING COMMISSION MEETING DATE: March 19, 2024

REQUEST:

The applicant is requesting approval of a site plan approval for the development of three commercial lots. Lot 2R constitutes 1.2692 acres, lot 3R1 constitutes 1.2239 acres, and lot 3R2 constitutes 1.3565 acres of land. The total acreage for the project is 3.85 acres. The development will be built in phases with phase 1 only including lot 3R1. This application is in conformity with the recommendations of the McLendon-Chisholm Comprehensive Plan.

STAFF RECOMMENDATION: Approval subject to the following conditions:

Lot 3R1

- Submission of an irrigation plan to city staff for review and approval prior to any project construction
- Confirmation that the 31' easement adjacent to the property will be needed by Brookshire's.
- Confirmation that all retail buildings are within the maximum fire hose lay per city fire code standards.

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Current Zoning Map [Subject property generally outlined in blue]



General Business zoning district boundaries along SH 205: Highway 205 distance limitations.

Unless otherwise established by specific ordinance or change in zoning the limit of the GB General Business District, when it is located adjacent to State Highway 205, shall be 350 feet measured from the centerline of S.H. 205. The following conditions shall also apply:

1.

The limit shall be extended to the property line if said property line is located within 100 feet of the 100 foot limit, but shall not be less than 350 feet unless otherwise zoned.

2.

The limit of the GB General Business District shall be interpreted by the zoning official, as designated by the mayor or his/her designee. The zoning official may differ interpretation of the distance to the city council.

3.

This provision does not limit the depth, size, or shape of any other parcel zoned as GB General Business District that is located anywhere else in the corporate limits of the City of McLendon-Chisholm.

Applicant requested development standards:

EXHIBIT B

3.85 Acres along Cattle Barron Drive and SH 205.

GENERAL BUSINESS DISTRICT DEVELOPMENT STANDARDS

For 3.85 Acres

City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

This GB General Business District provides for the development standards for lot 3R1. It is intended to provide a wide range of retail and service establishments for the community. Its regulations and use of land are intended to be consistent with the zoning standards with minor modifications for each lot's specified use. Lot 3R1 regulations will be consistent with the city's zoning regulations of a GB General Business District. This development is 3.85 acres of land located along Cattle Barron Drive and SH 205 with lot 3R1 representing 1.2239 acres of land to be developed in phase 1.

2. Special Provisions

This Exhibit includes the Site Plan and the Landscape Plan both of which are included and made a part of the ordinance adopting the GB General Business Development District.

- a. The planning and zoning commission and the city council shall take into consideration the ability of nearby streets to handle traffic generated by the proposed development and shall take into consideration the effects upon the value and amenities of nearby residential properties.

- i. The planning and zoning commission and city council shall weigh the equities between the two using the criterion of community service and maintaining the concept of city's land-use and zoning plan in assessing the position of the proposed development.
- b. Landscaping. Landscaping requirements shall comply with the provisions in section 6-10, Landscaping requirements.
- c. Screening and Buffer requirements. Screening and buffer requirements shall comply with the provisions in section 6-8, Screening and buffer requirements.
- d. Masonry requirements. Masonry requirements shall comply with the provisions in section 6-9, Construction materials.

3. Conceptual and Development Plan

In establishing this GB General Business Development District, the city council shall approve and file as part of the amending ordinance the provided Conceptual Plan and the Development Plan attached.

4. Development Standards

Lot 3R1

- a. Lot 3R1 is located along Cattle Barron Drive and the SH 205 corridor with the entire lot zoned as GB General Business.
- b. Permitted uses. Uses in the GB district shall be in accordance with section 3-1, Permitted use table.
- c. Density, area, yard, height, and lot coverage requirements. The requirements regulating the minimum lot size, minimum yard size (front, side, and rear), maximum building height (stories and feet), and maximum lot coverage, and minimum floor area, as it pertains to this district, shall conform with the provisions provided in the area requirements table for the GB Zoning District (below).
- d. Area requirements.

Minimum Lot Area	10,000 sq. ft.
Minimum Lot Width	100 ft.
Minimum Lot Depth	100 ft.
Minimum Street Yard	20 ft. Front Street 15 ft. Side Street
Minimum Side Yard	15 ft. abutting Non-Res. 25 ft. abutting Res.
Minimum Rear Yard	20 ft. abutting Non-Res. 25 ft. abutting Res.
Maximum Lot Coverage	35 %
Maximum Building Height	35 ft.

- e. Highway 205 distance limitations. Unless otherwise established by specific ordinance or change in zoning the limit of the GB General Business District, when it is located adjacent to State Highway 205, shall be 350 feet measured from the centerline of S.H. 205. The following conditions shall also apply:
 - i. The limit shall be extended to the property line if said property line is located within 100 feet of the 100 foot limit, but shall not be less than 350 feet unless otherwise zoned.
 - ii. The limit of the GB General Business District shall be interpreted by the zoning official, as designated by the mayor or his/her designee. The zoning official may differ interpretation of the distance to the city council.
 - iii. This provision does not limit the depth, size, or shape of any other parcel zoned as GB General Business District that is located anywhere else in the corporate limits of the City of McLendon-Chisholm.

BACKGROUND INFORMATION:

GB Zoning District requirements:

GB - Zoning District Area Requirements	
Minimum Lot Area	10,000 sq. ft.
Minimum Lot Width	100 ft.
Minimum Lot Depth	100 ft.
Minimum Street Yard	20 ft. Front Street 15 ft. Side Street
Minimum Side Yard	15 ft. abutting Non-Res 25 ft. abutting Res.
Minimum Rear Yard	20 ft. abutting Non-Res 25 ft. abutting Res.
Maximum Lot Coverage	35 %
Maximum Building Height	35 ft.

Additional background information:

The current zoning district standards for the subject property are GB General Business. The applicant has provided a site plan showing the layout of 3 lots; however, this project will be constructed in phases. Phase 1 will only include lot 3R1 for development. A site plan and landscape plan has been provided.

Thoroughfares/streets:

FM 550 is a two-lane road that is currently maintained by the Texas Department of Transportation (TxDOT) and has been identified as a potential commercial hub for the city of McLendon-Chisholm. SH 205 is a state highway currently maintained by the Texas Department of Transportation (TxDOT) and has been identified as a potential commercial hub for the city of McLendon-Chisholm.

Property legal description:

Lot 1: Rockwall CAD property identification number: 101322

Lot 2: Rockwall CAD property identification number: 101323

Supplemental Applicant information:

Landscape Plan

