



AGENDA

PLANNING & ZONING Commission Regular Meeting

Thursday, April 21, 2022

1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032 7:00 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. March 17, 2022 Planning & Zoning Minutes 2 - 6
[Minutes 3.17.22](#)
5. ITEMS FOR CONSIDERATION
 - 5.1. Request of a preliminary plat on one acre of land to create a building site for a new RCH Water Supply Corporation water tower. 7 - 13
[Plat Application](#)
[Preliminary Plat](#)
[Staff Recommendation](#)
6. ADJOURN

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 Planning & Zoning Commission of McLendon-Chisholm, Texas was posted on or before 12:00 Noon, April 15, 2022, on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



**Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Thursday, March 17, 2022**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Thursday, March 17, 2022, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Lesley Schwalje	Chairperson
	Shari London	Vice-Chairperson
	Mark Kippshut	Commissioner
	Robert Rohde	Commissioner
	Daniela Swindoll	Commissioner

Members Absent:	Jody Wright	Alternate
	Brad Martin	Alternate

Staff Present:	Shelly Green	City Secretary
	Mike Coker	City Planner

1. CALL TO ORDER

Chairperson Schwalje called the meeting to order at 7:00 p.m.

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

Chairperson Schwalje voiced the invocation and led the pledges.

3. CITIZEN COMMENTS

Kyle & Amber Peoples, 1370 Pullen Rd. Appeared to discuss the new development and construction off of Pullen Road.

4. APPROVAL OF MINUTES

4.1. February 17, 2022, Planning & Zoning Minutes

MOTION: APPROVE THE MINUTES OF THE FEBRUARY 17, 2022, PLANNING & ZONING MEETING AS CORRECTED.

MADE BY:	Commissioner London
SECONDED BY:	Commissioner Rohde
APPROVAL:	Unanimous

5. ITEMS FOR CONSIDERATION

- 5.1. Discussion and possible action regarding approval of a preliminary plat for a nine (9) residential lot subdivision.

City Planner Coker presented his staff report:

Staff Report

Applicant: Bryan Connally
CBG Surveying Texas, LLC
12025 Shiloh Road, Suite 240
Dallas, Texas 75228

Location: FM 550 and FM 1139, Rockwall Property ID #10783, 10782 & 45857

This item is a ministerial function. The Planning and Zoning Commission has three options related to platting decisions: Approval; Approval with conditions; or, disapproval. If approved with conditions, the conditions must be specified. If disapproved, the reasons for the disapproval must be stated.

Request:

The applicant is requesting approval of a preliminary plat for a nine-lot subdivision on a 27.11-acre tract of land in the Leonard Easterwood Survey, Abstract 79, Rockwall County, Texas.

Property Owner: Brian and Elisabeth Watson
1401 Wells Circle
Rockwall, Texas 75032

Representative: Bryan Connally

STAFF RECOMMENDATION: Disapproval

This application fails to comply with:

1. Zoning District minimum 300-foot frontage on a street right of way.
2. Subdivision Ordinance, Section 10.02.006(a)(12) both proposed dead end/cul-de-sac streets are in excess of 600 feet.

BACKGROUND INFORMATION:

The subject property is a 27.11-acre tract of land located southwest of the intersection of FM 1139 and FM 550 with 1,055.98 linear feet of frontage adjacent to FM 550. The application is for a nine (9) lot subdivision. Lot sizes range from 2.6 acres to five acres. The zoning district is SF 2.5. The SF 2.5 zoning district requires a minimum lot size of two and one-half acres of land.

The applicant is proposing that all access to the interior of the subdivision be provided by a 54-foot-wide mutual access easement.

The Subdivision Ordinance defines a street as: “Street. A way for vehicular traffic whether designated a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.” A mutual access easement satisfies this definition.

Section 10.02.006(a)(12) Dead-end streets/cul-de-sac sets the maximum length of a dead-end street with a cul-de-sac as 600 feet. The distance from the proposed entrance on FM 550 to the cul-de-sac that is the farthest from FM 550 is over 1000 feet in length.

“(12) Dead-end streets/cul-de-sacs

(A) Turnarounds. Turnarounds are to have a minimum right-of-way radius of 60 feet and a pavement radius of 45 feet.

(B) Maximum length. The maximum length of a dead-end street with a permanent turnaround or a cul-de-sac with a permanent turnaround shall be 600 feet.”

Zoning SF 2.5

Lots 1, 5, 7 & 8 do not have the required frontage on a street right of way.

Thoroughfares/streets:

FM 550 is identified as an existing major collector. The preliminary plat shows that FM 550 adjacent to the subject property has an 80 foot right of way. The Thoroughfare Plan [page 51 of the McLendon-Chisholm Comprehensive Plan] indicates that the right of way requirement for a major collector is 60 feet to 80 feet.

Sec. 10.02.005 Preliminary plans and final plats

(a) Procedure:

(1) A preliminary plan of any proposed subdivision shall first be filed by the property owner or his duly appointed representative with the city secretary and submitted to the planning and zoning commission for review, study, and recommendation to the city council before the owner proceeds with the final plat of record. Following recommendations by the commission, the preliminary plan shall be submitted to the city council commission for review, study, and approval. This preliminary plan shall be drawn to a scale not to exceed 200 feet to the inch.

(2) The preliminary plat shall contain the following information:

(A) Existing features inside subdivision

- i. The existing boundary lines of the land to be subdivided. Boundary lines shall be drawn in heavy [lines] for easy identification, complete with bearings and distances.
- ii. The location of existing watercourses, railroads, and other similar drainage and transportation features.

- iii. The location and width of existing streets, alleys, easements, pipelines, watercourses, location and site of any existing water or sewer mains.
 - iv. An accurate legal description of the land to be subdivided
 - (B) Existing features outside subdivision
 - i. The name and property lines of adjoining property owners with legal file references.
 - ii. The name and location of adjacent subdivisions, streets, easements, pipelines, watercourses, and location and site of any existing water or sewer mains.
 - (C) New features inside subdivision
 - i. The proposed name of the subdivision.
 - ii. The location, right-of-way width and names of proposed streets.
 - iii. The approximate width and depth of all lots. If the side lines are not parallel, the approximate distance between them at the building line and at the narrowest point should be given.
 - iv. The location of building lines, alleys and easements.
 - v. The location and approximate size of sites for schools, churches, and parks and other specific land uses, intended to be dedicated to public use or reserved for common use of owners in the subdivision.
 - vi. The approximate acreage of the property to be subdivided.
 - vii. A proposed utility plant should be included and where, unusual grade conditions exist, the city's engineer may require preliminary street grades.
 - viii. The proposed use of any land contained in the subdivision that is not within the boundaries of lots or street right-of-way.
 - (D) Key map. A key map showing relation of subdivision of well-known streets in all directions to a distance of at least one mile.
 - (E) Title, etc. The date, scale, north point and title under which the plat is to be recorded, with the name of the owner and engineer platting the tract.
- (3) Submission. The city shall be furnished with ten legible prints of the preliminary plan and with ten copies of a letter of transmittal stating briefly the types of street surfacing, drainage, results of site soil test reports, sanitary facilities, and water supply proposed, and the name and address of the owner or agent and engineer, together with a written application for approval on a form prescribed by the city. The prints, letters and application shall be filed with the city secretary at least ten days but not more than 21 consecutive calendar days before the next available meeting of the planning and zoning commission at which such preliminary plan is to be considered. A preliminary plan application filed prior to the 21st day preceding the next succeeding regular meeting may be considered as having been filed on the 21st day preceding the meeting. A preliminary plan application filed within ten days of the next succeeding regular meeting shall be considered as having been filed on the 21st day preceding the second succeeding regular meeting. A plan application which is not accompanied with the prescribed filing fees will not be considered as having been filed.
- (4) Approval. The planning and zoning commission shall recommend that the preliminary plan be approved, conditionally approved or disapproved within 30 days of the date that the plan is considered to have been filed. The city council

shall approve, conditionally approve or disapprove the preliminary plan within 30 days of the date that the commission makes its recommendation. Approval of the preliminary plan shall not constitute final acceptance of the final plat.

Preliminary approval will expire six months after the approval by the city council of the preliminary plan or final sections thereof, except that if the owner shall apply in writing prior to the end of such six-month period setting forth reasons for needing the extension, this period may be extended for another six months but not beyond a total of one year.

MOTION: RECOMMEND DISAPPROVAL OF THE PRELIMINARY PLAT ACCORDING TO THE APPLICATION NOT COMPLYING WITH: 1. ZONING DISTRICT MINIMUM 300 FOOT FRONTAGE ON A STREET RIGHT OF WAY; AND, 2. SUBDIVISION ORDINANCE, SECTION 10.02.006(a)(12) BOTH PROPOSED DEAD END/CUL-DE-SAC STREETS ARE IN EXCESS OF 600 FEET.

MADE BY: Commissioner Rohde
SECONDED BY: Commissioner Kipphut
APPROVAL: Unanimous

6. ADJOURN

MOTION: ADJOURN THE MEETING

MADE BY: Commissioner London
SECONDED BY: Commissioner Rohde
APPROVAL: Unanimous

The meeting adjourned at 7:23 p.m.

ATTEST:

APPROVED:

Rochelle Green, City Secretary

Lesley Schwalje, Chairperson



CITY OF McLENDON-CHISHOLM
PLAT APPLICATION

Application Date: 04/01/2022

Items Submitted. Check all that Apply:

- ☒ Preliminary Plat: \$175 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Final Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Replat/ Amended Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☒ Digital Copy of Submitted Plat/Plan (required)
- ☐ Site Plan
- ☐ Concept Plan
- ☐ Planned Development
- ☐ Vacation of Plat

General Information:

Addition Name (if platted): _____ Current Zoning: PD

No. of Acres: 1.0 No. of Lots: 1 Proposed Zoning: PD

General Location of Property: North of League Road and West of Edwards Road

Proposed Use for Property: Utility Service

Applicant Name: Jacob Dupuis

Company: Dunaway Associates

Address: 118 McKinney St. City, State, Zip: Farmersville, TX, 75442

Phone(s): 972-782-4003 Email: JDupuis@dunaway.com

Owner Name: RCH Water Supply Corporation

Address: 5763 SH 205 City, State, Zip: Rockwall, TX, 75032

Legal Description of the Property: ABS A0133, K LATHAM, TRACT 9-1, 184.7271 ACRES

County Parcel ID: 79963

Other Information: _____

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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 consultant review of any application. Should the actual consultant cost exceed the estimate, the applicant will be invoiced for amounts owed. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

ALL Consulting Costs - Includes City Planning, City Engineer, City Attorney 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. Consultants invoice the City monthly after work is completed, so it is possible for plat applicants to receive notice of outstanding fees after a plat has been considered. The City will invoice for any remaining consulting charges. Building permits be not 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 \$ 185.00 to cover the cost of this application, and an initial deposit of \$ 2,000.00 for consulting fees has been paid to the City of McLendon-Chisholm on this 1st day of April, 2022.

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: _____

(Seal)

City Secretary: _____



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Plat Application Revised 01/28/2020



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

DATE: April 14, 2022

APPLICANT: Jacob Dupuis
Dunaway Associates
118 McKinney Street
Farmersville, TX 75442

LOCATION: Northwest corner of Sonoma Verde subdivision and adjacent to Edwards Road

PLANNING AND ZONING COMMISSION HEARING DATE: April 22, 2022

REQUEST:

The applicant is requesting approval of a preliminary plat on one acre of land to create a building site for a new RCH Water Supply Corporation water tower.

PROPERTY OWNERS: RCH Water Supply Corporation
5763 SH 205
Rockwall, TX 75032

REPRESENTATIVE: Jacob Dupuis

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission for the City of McLendon-Chisholm recommend approval of the application for the preliminary plat of one-acre tract of land for the creation of a building site for the construction of an elevated water supply tank to the City Council subject to conditions contained in this report.

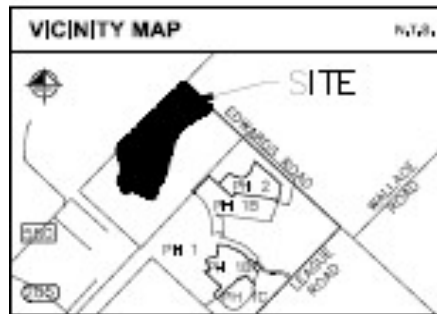
Conditions:

A detailed development and landscape plan is submitted for review and recommendation by the Planning and Zoning Commission and is reviewed and approved by the City Council prior to submittal of the final plat.

BACKGROUND INFORMATION:

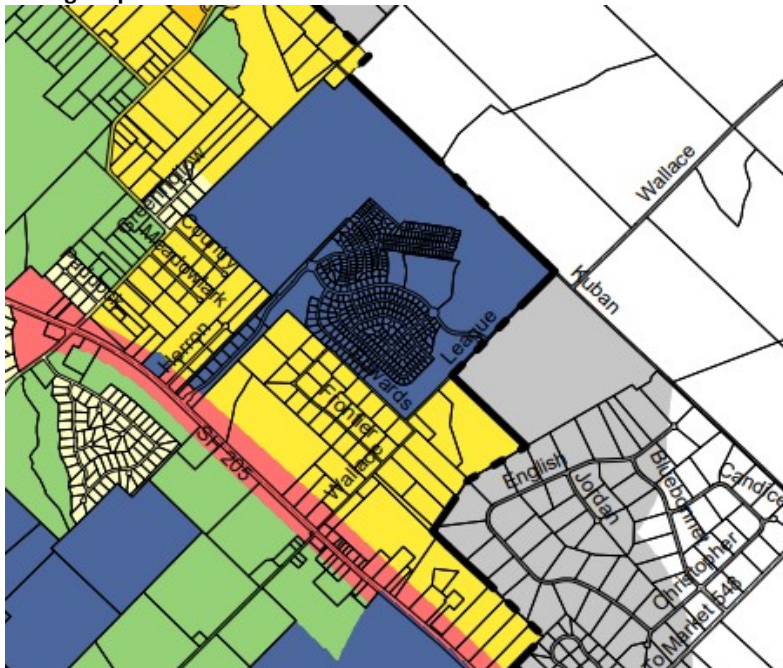
The subject property is a One- Acre tract of land located generally at northwest corner of Sonoma Verde Subdivision, partially adjacent to Edwards Road, in McLendon-Chisholm, Texas. The applicant has provided a special warranty deed showing that the RCH Water Supply Corporation has acquired the property.

The property owner is a 40 foot access easement along the perimeter of the property adjacent to Edwards Road and adjacent to League Road.



The subject property is a portion of a larger planned development district located north of League Road, west of Edwards Road, east of SH 205, and south of FM 550.

Zoning Map



The development of the subject property is regulated by the City of McLendon-Chisholm subdivision regulations; the Development agreement dated June 11, 2007, and development agreement amendments one and two [amendment two having been approved by the City Council September 25, 2012]; and Ordinance #2007-20, the planned development district zoning regulations for Sonoma Verde, and a revised concept development plan dated April 2015. Utilities are permitted uses in the planned development district.

The preliminary plat application for this tract is consistent with the amended development plan, the zoning regulations for the Planned Development District and the applicable subdivision regulations.

Thoroughfares/streets:

This phase of Sonoma Verde is adjacent to Edwards Road. The McLendon-Chisholm Thoroughfare Plan indicates that Edwards Road is a Minor 4-Lane Undivided Thoroughfare. A four-lane undivided minor thoroughfare requires 100 to 120 feet of right of way. However, the Developer Agreement for this property defines the required right of way for a 4-lane undivided collector to be 80 feet. The applicant should provide a dedication of right of way along Edwards to provide one-half of the specified right of way width from the assumed center-line of Edwards Road. This requirement is achieved by the inclusion of the 40 foot access easement on both Edwards and League.

Detailed development plan-Article 5, Special Districts, McLendon-Chisholm Zoning Ordinance:

“2. Development plan or detailed site plan. This plan shall set forth the final plans for development of the Planned Development District and shall conform to the data presented and approved on the conceptual plan. The development plan may be submitted for the total area of the PD or for any section to the city council. A public hearing on approval of the development plan shall be required at the Council level, unless such a hearing is waived pursuant to [section 5-1 D.](#), Conceptual and development plan, at the time of conceptual plan approval in the original amending ordinance. The development plan shall include:

(a) A site inventory analysis including a scale drawing, existing vegetation, natural watercourses, creeks or bodies of water, and an analysis of planned changes in such natural features as a result of the development. This should include a delineation of any flood prone areas.

(b) A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with the topographical contour interval of two or not more than five feet at location of entry slope as determined by the city.

(c) A site plan for proposed building complexes showing the location of separate buildings, and between buildings and property lines, street lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision for off-street parking.

(d) A landscape plan showing screening walls, ornamental planting, wooded areas, and trees to be planted.

(e) An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two family may be required by the city council if deemed appropriate. Any or all of the required information may be incorporated on a single drawing if such drawing is clear and can be evaluated by the mayor or his/her designee.”