



AGENDA
PLANNING & ZONING COMMISSION REGULAR MEETING
THURSDAY, AUGUST 15, 2019
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. ITEMS FOR CONSIDERATION |
| 3 - 9 | 3.1. Consider Approval of Minutes for May 16, 2019 Planning & Zoning Commission Regular Meeting
May 16, 2019 P&Z Draft Minutes |
| 10 - 18 | 3.2. Consider Approval of Minutes for July 17, 2019 Planning & Zoning Commission Regular Meeting
July 18, 2019 P&Z Draft Minutes |
| 19 - 43 | 3.3. Public Hearing, discussion and action considering the application of J.K. Webb Properties requesting an amendment to the existing Kingsbridge Planned Development Office 1 Zoning District to change the rear building setback to 15' and to allow a maximum lot coverage requirement of 80% for a purchasing office to be built. The property location is described as 1.065 acres, also described as 5763 South State Highway 205, as described in Exhibit D of the Kingsbridge Planned Development District, McLendon-Chisholm, requested by Kevin Webb.
Staff Report - Zoning Change Request |
| 44 - 47 | 3.4. Discussion and action regarding a Development Plan and Landscape Plan for property related to the application of J.K. Webb Properties requesting an amendment to the existing Kingsbridge Planned Development Office 1 Zoning District for a purchasing office to be built. The property location is described as 1.065 acres, also described as 5763 South State Highway 205, as described in Exhibit D of the Kingsbridge Planned Development District, McLendon-Chisholm, requested by Kevin Webb.
Staff Report - Development and Landscape Plan Request |

3.5. Schedule Future Meetings

4. ADJOURN

I, Lisa Palomba, do hereby certify that the above Notice of Meeting of the Planning & Zoning Commission of the City Council of McLendon-Chisholm, Texas was posted on or before 7:00 p.m., August 9, 2019 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



**MINUTES
McLENDON-CHISHOLM, TEXAS
Planning & Zoning Commission Regular Meeting
May 16, 2019**

The Planning and Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Thursday, May 16, 2019, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Robert Rohde	Chairman
Lesley Schwalje	Vice Chairperson
Tommy Baugh	Commission Member
Scott Weaver	Commission Member

Staff Present: Lisa Palomba City Administrator/City Secretary

1. CALL TO ORDER

Chairman Rhode called the meeting to order at 6:30 p.m.

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

Chairman Rhode led the pledge of allegiance to the U.S. and Texas Flags.

3. ITEMS FOR CONSIDERATION

**3.1. Discussion and action regarding approval of Minutes for the April 18, 2019
Planning & Zoning Commission Meeting Minutes**

MOTION: Approve the minutes for the April 18, 2019 Planning & Zoning
Commission Meeting as presented.

MADE BY: Vice Chairperson Schwalje
SECONDED BY: Commission Member Weaver
APPROVAL: Unanimously

**3.2. Public Hearing – The Planning & Zoning Commission will hear the request
of Todd Winters on behalf of Oak National Holdings LLC requesting an
amendment to the Future Land Use Map from Flood Plain to Commercial
for a 3-acre tract in the King Latham Survey, Abstract 133, Rockwall CAD
Property ID 84990, generally located at the SW corner of FM 550 and Cattle
Barron Drive.**

Withdrawn from Agenda

Chairman Rhode open the public hearing in order to allow citizen comment on this item. He explained that if the applicant reapplies, it will be reposted and the same procedures will be followed.

Janice Nolley, 500 Highwater Crossing., which is the backyard where they want to make the commercial. My husband and I would not have purchased that property a year and a half ago if we had not been lied to by Altura Homes. I moved here from the Colony and hoped to find a community that I could live in and not look out my back door and have a building. I think this would be a very bad decision for the community and for the property value. We have invested in our home on the presumption that this was going to stay agricultural. We have just built a detached garage and we were going to live out our days in this home. Basically, that is it in a nutshell. I don't think this would be right for the community. There are plenty of places on 205 to build a building. Altura already as an office building on 205. Why does this particular place have to be commercial? Why can't we still make this a community?

Valerie Bodart. I am the HOA president for Chisholm Crossing Phase IV and I live on Cattle Barron. What she said is exactly what I think most of the homeowners in our neighborhood feel and a lot of us feel like we are being duped. When Altura approached me and the board through our property management in January, they wanted to know what we wanted from them when they decided to build their office building. They brought me a picture, they brought the plat and everything and wanted a list of our wants from them. Then listening to the rest of the politics that are going on in this community, it's really got me totally concerned about this. It seems they are playing us to get what they want because I was told that if we submit our desires for improvements or upgrades to that area, then that would say that we support them in this endeavor. So, we have not submitted any list to them. We have come up with ideas in case it does work out to our advantage, but there are so many things about this plan of theirs that is not good for our neighborhood. In January, we had to ask them how they are going to separate their parking lot from the yards. The original plan was to have their exit and entrance to the parking lot on Cattle Barron. I told them to stop right there because they cannot do that because that is our street and we are responsible for that maintenance and upkeep. So, they did come back and say that they did get permission from the Department of Transportation to have their entrance and exit off of 550. But still, with everything going on, I don't know that I can believe them on that. So, I just wanted to let you know that we are being very vigilant about this and we will be watching. The meeting that they decide to come to, we will attend.

Candace Vaughn, 303 Pioneer Court. How many times can they continue to attempt or apply to make this change? This is twice and we have kind of always come in and it always gets pulled. If they never show up, nothing ever gets done. They never get told no, they just walk away as we are trying to fight them.

Mike Coker, City Planner. They can ask as often as they want to pay for it until the City Planning Commission or the City Council makes a decision. Once there's a decision, whether it's for, against, or for with conditions, they have to wait a minimum of a year before they can make the next application. Last year they applied, it was advertised, they withdrew. This time they applied, it was advertised, and they withdrew.

Richard Rogers, 504 Highwater Crossing. I can't add much more to what they've already said other than the fact that I've been there about four and a half years and when we bought that house it was sold at a premium. It was sold that there was nothing ever going to be back there. We paid extra for those lots and it's in my backyard also. I think we will be stronger in our attempt to keep this from happening.

Phillip Nolley, 500 Highwater Crossing. My property literally backs up to the plan. That is a floodplain. You put something there and excess water is going to go into my back yard, into my septic system and overflow it. You're going to have raw sewage flowing around that field. Is that what you want? Is that the way you want to treat your citizens?

Scott Turnbull, 1117 Newkirk Ct. I would urge the Planning & Zoning Commission to consider asking the City Council to do a land swap with Altura for the acreage immediately across the street from the building here that is already zoned Office 1. It would help the citizens that live in that community and it is possible that it would be one of the better locations for the future fire department building. I don't know if they want a fire department at their backdoor or not. If it can't be used for that, it could be used as a permanent green space for the City and additionally the Economic Development Committee, and you folks in the City Council have not done anything to the future land use map, the changes that everybody's been talking about for months. They haven't decided where they want to put the commercial area so moving ahead with this now or at any time in the future, would be a mistake. I think there is a better location for this building than where it's currently being requested.

Adrienne Balkum, 1518 Firenze Ct. The population growth estimated in the comprehensive plan is expected to reach as many as 2,362 by year 2020. We have currently passed that estimation. I know this based on my own knowledge from residential data for the newsletter and publishing a citizens' survey. The Commission and the City Council are in a position where we can control growth. Remember, the comprehensive plan was created by a handful of people. The former P&Z chairperson was Jay Webb who was not a taxpaying citizen at that time. He is related to Justin Webb, the president of Altura Homes as well as another name of James V. Webb, president of Oak National Holdings. Even the city planner shared how in the future of reviewing the Comprehensive Plan it would be best to include input from the citizenry. All the city planners and city engineers that the City Council interviewed all supported the citizen survey and even incorporated the past surveys in their presentations to solicit their services to the City Council. That was just a few months ago. So, the citizens survey speaks volumes of input of hundreds of thousands citizen responses who took the time to share their input. So even in your planning and zoning brief if you notice there was a recommendation that said it appears consistent with the spirit of the

standards established from the comprehensive plan. So please consider the source and let's do the job of representing all citizenry. We need to value their input by acknowledging that the people want to see a centralized business district on Highway 205. I appreciate what Mr. Winters did by taking the time to do the application and providing those documents to be reviewed. It's a beautiful design that is similar to one off of 205. I'm still analyzing the 2018-2019 citizen survey, but here are some results that you may find on page 29, in the second citizen survey, out of 471 respondents that answered this question, "When it comes to locations inside our city limits, future business should be". Thirty-four percent (34%) said it should be contained on SH 205; 26% answered it should be contained inside a centralized business district; 18% contained along a centralized portion of the frontage of FM 550 near the city hall building; 10% allowed anywhere along the entire frontage road of SH 205; 3% allowed anywhere along the entire frontage of FM 550. Let's get back to utilizing this information to make a recommendation to the City Council. There's a lot of work ahead for you to facilitate future citizen summits by taking the time now to wait for a new and improved guide for future development seems to be the best approach. So, in the future we need to make sure we're asking the right questions

Chairman Rhode closed the public hearing.

- 3.3. Discussion and action regarding a request of Todd Winters on behalf of Oak National Holdings LLC requesting an amendment to the Future Land Use Map from Flood Plain to Commercial for a 3-acre tract in the King Latham Survey, Abstract 133, Rockwall CAD Property ID 84990, generally located at the SW corner of FM 550 and Cattle Barron Drive.**

Withdrawn From Agenda

- 3.4. Public Hearing – The Planning & Zoning Commission will hold a public hearing to hear the request of Todd Winters on behalf of Oak National Holdings LLC, requesting a zoning change from Agricultural to Office 1 for a 3-acre tract of land in the King Latham Survey, Abstract 133, Rockwall CAD Property ID 84990. The tract is generally located at the southwest corner of FM 550 and Cattle Barron Drive, McLendon-Chisholm.**

Withdrawn From Agenda

- 3.5. Discussion and action regarding the request of Todd Winters on behalf of Oak National Holdings LLC, requesting a zoning change from Agricultural to Office 1 for a 3-acre tract in the King Latham Survey, Abstract 133, Rockwall CAD Property ID 84990. The tract is generally located at the southwest corner of FM 550 and Cattle Barron Drive, McLendon-Chisholm.**

Withdrawn From Agenda

3.6. Public Hearing – The Planning and Zoning Commission will receive input regarding the request of C&G Ros Development LLC, seeking approval of a Preliminary Plat for Rosini Vineyards Addition, Tract 63-2, 25 acres, also described as 411 State Hwy 205.

City Planner Michael Coker presented the following staff report:

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

LOCATION: 411 S. State Highway 205/Rockwall County ID# 11440/on the east side of SH 205

SIZE OF REQUEST: 25.01 acres of land

REQUEST:

Request for approval of a final plat creating two lots on 25.01 acres of land located on the east side of SH 205, Rockwall County Appraisal District Parcel Identification No. 11440, Rosini Addition, Block A, Lots 1 and 2.

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

REPRESENTATIVE: Carol Rosini

STAFF RECOMMENDATION:

I have reviewed the final plat and the preliminary civil engineering and find that they are consistent with the comprehensive plan, the zoning ordinance and the requirements of the subdivision regulations for the subject property.

I recommend that the Planning and Zoning Commission recommend approval of the preliminary plat subject to the conditions listed in this report.

CONDITIONS:

Prior to the issuance of any authorization for construction of infrastructure, drainage, or structures, the final civil engineering plans be reviewed and approved by the City's Engineer.

Provide written verification from the Texas Department of Transportation of approval of the location and design of the shared access driveway prior to the issuance of any permit for construction on the subject property.

BACKGROUND INFORMATION:

In 2018 C&G Ros Development LLC requested a change in zoning on the subject property from General business and single family residential to a planned development district to allow for a Winery and Wine Tasting Room with supporting outdoor deck and barrel room to be located on the front 352 feet of the subject property. The requested change in zoning was approved by the City Council as recommended by the Planning and Zoning Commission.

The subject property is not platted and any new construction requires that property be platted in order to conform to the requirement to create a building site. The property owners are moving forward with the development of the Winery and need to create a conforming building site in order to receive construction permits.

The Planned Development District establishes the shared access driveway to connect SH 205 to proposed Lot 2. The preliminary plat establishes the shared access driveway to Lot 2 from SH 205.

The applicant is also dedicating fifteen (15) feet of additional right of way for the future widening of SH 205.

The Subdivision Ordinance provides for the combination of the preliminary and final plats into one submission providing that the application complies with certain conditions. This application satisfies all of the requirements for consideration as a final plat.

Chairman Rhode opened the public hearing at 6:51 p.m.

Scott Turnbull, 1117 Newkirk Ct. I encourage you to accept the plat and to allow the Rosinis' to move ahead. I had the privilege of working with them the last two years and they've been very accommodating. They've done everything that we've asked to be good citizens so my recommendation is to accept the request.

Greg Rosini, 309 Wincrest. My wife and I are here submitting our plat for review and are excited to get our project moving. If there are any questions we can answer, we will be happy to do so.

Chairman Rhode closed the public hearing at 6:53 p.m.

3.7. Discussion and action regarding a request by C&G Ros Development LLC seeking approval of a Preliminary Plat for Rosini Vineyards Addition, Tract 63-2, 25 acres. Also described as 411 State Hwy 205.

Vice Chairperson Schwalge asked the City Planner for clarification of what they are approving tonight. Are they looking at the plat dividing the property into two parcels?

City Planner Coker stated that is correct. He did get some information from the City Engineering asking for some additional information. It's basically text changes related to the text on the plat. The geography and the easements are all correct. So, you're acting on the preliminary plat today and the final engineering will be coming back through for you to consider along with their site plan.

MOTION: APPROVE THE FINAL PLAT CREATING TWO LOTS ON 25.01 ACRES OF LAND LOCATED ON THE EAST SIDE OF SH 205, ROCKWALL COUNTY APPRAISAL DISTRICT PARCEL IDENTIFICATION NO. 11440, ROSINI ADDITION, BLOCK A, LOTS 1 AND 2, WITH THE FOLLOWING CONDITIONS AS SET FORTH BY STAFF:

1. PRIOR TO THE ISSUANCE OF ANY AUTHORIZATION FOR CONSTRUCTION OF INFRASTRUCTURE, DRAINAGE, OR STRUCTURES, THE FINAL CIVIL ENGINEERING PLANS BE REVIEWED AND APPROVED BY THE CITY'S ENGINEER.
2. PROVIDE WRITTEN VERIFICATION FROM THE TEXAS DEPARTMENT OF TRANSPORTATION OF APPROVAL OF THE LOCATION AND DESIGN OF THE SHARED ACCESS DRIVEWAY PRIOR TO THE ISSUANCE OF ANY PERMIT FOR CONSTRUCTION ON THE SUBJECT PROPERTY.

MADE BY: VICE CHAIRPERSON SCHWALGE
SECONDED BY: COMMISSION MEMBER BAUGH
APPROVED: UNANIMOUSLY

4. ADJOURN REGULAR MEETING

MOTION: ADJOURN THE REGULAR MEETING

MADE BY: VICE CHAIRPERSON SCHWALGE
SECONDED BY: COMMISSION MEMBER BAUGH
APPROVED: UNANIMOUSLY

ATTEST:

APPROVED:

Lisa Palomba, City Secretary

Robert Rhode, Chairman



**Planning & Zoning Commission
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
Thursday, July 18, 2019**

The Planning & Zoning Commission of the City of McLendon-Chisholm convened in Regular Session on Thursday, July 18, 2019, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Members Present:	Lesley Schwalge Jody Wright Daniel Tucker Daniela Swindoll	Vice Chairperson Commissioner Commissioner Commissioner (Alternate)
Members Absent:	Robert Rhode Tommy Baugh Jason Linscott	Chairperson Commissioner Commissioner (Alternate)
Staff Present:	Lisa Palomba Maxwell Fisher	City Administrator/City Secretary City Planner (Masterplan)

1. CALL TO ORDER

Commissioner Schwalge called the meeting to order at 6:33 p.m.

2. Commissioner Schwalge led the Pledge of Allegiance to the U.S. and Texas Flags.

3. ITEMS FOR CONSIDERATION

3.1. Consider appointment of Chairperson and Vice Chairperson

MOTION: Nominate Robert Rohde as Chairman and Lesley Schwalje as Vice Chairman.

MADE BY: Commissioner Schwalje
SECONDED BY: Commissioner Wright
APPROVED: Unanimously by members present

3.2. Public hearing, discussion and action regarding a request by C&G Ros Development, LLC, seeking approval of a Final Plat for Rosini Vineyards Addition, two lots on 25.01 acres of land located on the east side of SH 205, Rockwall CAD Parcel ID No. 11440, also described as 411 State Hwy 205.

City Planner, Maxwell Fisher, presented the following report:

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

LOCATION: 411 S. State Highway 205/Rockwall County ID# 11440/ on the east of SH 205

ZONING: Planned Development District and SF 2.5

REQUEST:

Approval of a final plat for two lots on 25.01 acres of land located on the east side of SH 205, Rockwall County appraisal district parcel Identification No.11440 Rosini Addition, Block A, Lots 1 and 2.

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

REPRESENTATIVE: Carol Rosini

STAFF RECOMMENDATION: APPROVAL, The plat meets all technical requirements and complies with zoning and subdivision regulations.

CONDITIONS:

Prior to the issuance of any authorization for construction of infrastructure, drainage, or structures, the final civil engineering plans be reviewed and approved by the City's Engineer.

Provide written verification from Texas Department of Transportation of approval of the location and design of the shared access driveway prior to the issuance of any permit for construction on the subject property.

BACKGROUND INFORMATION:

In 2018 C&G Ros Development LLC requested a change in zoning on the subject property from General Business and Single Family residential to a planned development district to allow for a Winery and Wine tasting Room with supporting outdoor deck and barrel room to be located on the front 352 feet of the subject property. The requested

change in zoning was approved by the City Council as recommended by the Planning and Zoning Commission.

The subject property is not platted and any new construction requires that property be platted in order to conform to the requirement to create a building site. The property owners are moving forward with the development of the Winery and need to create a conforming building site in order to receive construction permits.

The proposed/attached Final Plat meets the requirements for approval in the Subdivision Ordinance.

Commissioner Wright – Maybe I'm just not clear. I understand there is an actual zoning conversation, but in reviewing the background information it appears that in 2018 this was rezoned from a residential area to a planned development inclusive of to allow for the winery. Now the June information is requesting both the right for the winery but also for residential and I'm trying to understand where the zoning reoccurred for it to be back residential if in 2018 the zoning was changed.

City Planner Fisher – The scope of the zoning change was only for the smaller parcel up front where the vineyard and the winery are going to go. It did not include the part zoned single family at the back because they did not want to change that, it will remain single family. That's why the PD scope was limited to the smaller acreage at the front and the balance of the property to the rear would remain single family zoning.

Commissioner Wright – Does that comply with all our zoning regulations of 1½ acres?

City Planner Fisher – It's 2½ acres and the lots are larger than that and comply with the zoning.

Vice Chairperson Schwalje opened the public hearing at 6:40 p.m.

Greg Rosini, owner of the property at 411 S. Hwy 205. I'm here to answer any questions you have regarding the planning and the project.

Mark Kipphut, 31 Fireside. I am a member of the Economic Development Panel. I completely agree with bringing economic development into the City and the desire to expand our tax base and to include commercial development. Given the action that's before you, I would encourage you to approve the plat, but I do want to take this opportunity to direct some comments to the Rosinis. I think in all fairness to your fellow neighbors that it would be an appropriate consideration for you to fully assess and understand the impacts of your current business plan as you move forward and how the property is utilized. The City encourages the development to include the development of a vineyard/winery. I think the pathway to get there that you've chosen right now is not the best for the sake of the City.

Jeremy Skinner, 261 Meadow Park, which is adjacent to the Rosini's property. I understand that we are past the zoning phase. I would like a little bit of clarification from the Commission, however. Back to your zoning question, my understanding was that

the original 25 acres passed the commercially zoned mark was for agriculture use. Why is 2½ acres agricultural?

City Planner Fisher – The zoning has been Single Family Residential 2.5 so it allows for single family development with a minimum lot size of 2.5 acres.

Jeremy Skinner – My other question is about the plat itself. Is the plat approval based upon the designated use of the plat or can they come in and build a concrete plant there if they want to now that it's zoned commercial or can they only come in and build the winery that they've designated in their paperwork?

City Planner Fisher – The Planned Development zoning that was approved was specifically approved for the winery and vineyard. There's a site plan and a landscape plan tied to that ordinance so they have to adhere to those conditions that are in the PD ordinance and the site plan and the landscaping and buffering and whatever else is in the code unless it says otherwise in the PD.

Jeremy Skinner – Last year we were given a site plan that included development on the entire 25 acres. Has there been a revised site plan that was not distributed that we did not receive any notification of?

City Planner Fisher – I'm not aware of any site plan for non-residential development outside of the PD site which is on the south side. You might want to verify that with the applicant.

Jeremy Skinner – I guess the last thing I would bring up here is that I've only lived in this house for a year and this is something I learned about two days after I moved in. I wouldn't have moved there if I had known this was going to happen. We fought the zoning and this board voted against it and they passed anyway. The plat calls for a winery. The Rosini's are not building a winery. I have every definition of a winery right here and I'll be happy to submit it into the record. A winery is a place where wine is made, where grapes are distilled and grapes are made into wine. They are growing ornamental grapes. They have no intention of making wine. What they want to do is have a bar where wine is served. They want to have a place where people can go have parties just like the unlicensed event venue they are renting right now as a rental house and advertising for weddings and events. Their goal is to host events. It's not a winery by any stretch of the definition of winery. They are opening a bar and that is inconsistent with the plat they have provided and they should not be allowed to do so.

Robert Quinn, 1401 Correra. My question is in regard to the limitations about single family zoning. Does that allow you to use that as a venue? As a wedding venue if it's zoned single family?

City Planner Fisher – the PD allows for vineyard/winery. If they are going to serve alcohol, they still have to meeting TABC regulations.

Robert Quinn – The single-family portion?

City Planner Fisher – Single family is not protected from alcohol.

Robert Quinn – So the single-family portion, as it is zoned, cannot be a corporate venue or a wedding venue.

City Planner Fisher – Correct, you cannot use the single-family portion as a wedding venue or something that would not be classified as single-family.

Jeremy Skinner – I would like to add, however, that it can, under the current laws, can be used as a rental property, as little as one night, for parties and other events like the house on the property is currently being used.

Greg Rosini – I've heard a lot of things and I understand a lot of things that are being said and I appreciate a lot of the things that are being said. I want to address the winery. You're 100% incorrect that it's not going to be a winery, but is going to be a bar. I'm completing my education at Grayson Community College. I make wine now and have made wine for a long time. It's very good wine. The property does have the ability to make wine. He is correct in some regards in that the vineyard I have growing now is an ornamental grape. I do hope to make wine out of those but it would be a very small batch because McLendon-Chisholm is not a great place for growing grapes so my first vineyard is experimental. I do plan to grow future grapes if these grapes are successful. However, he is incorrect that a winery grows grapes. That is not correct. A winery makes wine. A winery can serve wine and we will be doing that. But we get our grapes mainly from the high plains. I'm making wine now for when the building opens. I have tanks that will be on the property and plan to have a production room that will be on the property. This is to be a winery. It is not to be a wedding venue. It is not to be a party room. I can understand the concerns because we do have a rental property on there right now that has short-term rentals and in the very beginning when we started renting things on Air B and B we had some people who came in and rented our place that we were not appreciative of, who did not treat our property right and did not treat the neighbors right. I respect that. We have put restrictions on that property, the single-family residence. There are two separate plats and we do want to be part of the city so I do want a solution to fix that. I do want to be part of the solution before you disband it. I would be happy to stay after today and talk to anybody who wants to reasonably discuss that with me.

Commissioner Wright – What are your projected hours for the winery?

Greg Rosini – Thursday through Sunday, noon to nine Thursday through Saturday and noon to six on Sunday.

Commissioner Tucker – Do you know the number of neighbors you have around your property?

Greg Rosini – On the whole 25 acres I believe there's ten adjacent homes.

Commissioner Wright – What is the intention of the short-term rental when this is fully operational?

Greg Rosini - The house was remodeled and we were renting it out mainly on Air B and B and we require a two-night stay. We are very strict about putting in our contract that noise is to stop at 9:00 p.m. I know there have been some issues on that and my sad part is that nobody has called me on it except for one woman who called us recently. I was only made aware of a petition that was going around or a letter that was going around only within the last week and anybody who would like my personal phone number that's adjacent to that property, believe me if you call me and somebody's on my property, I will run them off myself because I have had some very excellent people rent. My wife could read from our guest book of some of the very wonderful people that have stayed there. Most of the people are coming in for family reunions. They've come in for weddings and recently for funerals. We advertised the home as being able to sleep up to eleven people. We are usually seeing two or three family members and different groups of families coming in from out of town or usually one member is local and two are coming in from out of town and they'll use the place. They'll have a family reunion there. We've never had a wedding there, but we've had wedding parties stay there. There are about six wedding venues around and so people will come and stay at the house. I don't believe we have had very many unruly people there. I do know we have had a couple of unruly people and it is our desire to reduce that strictly and really regulate that. When the winery opens, we would like to raise our price quite a bit and I think that would limit some of those people coming. I would say that I'm seeing more bachelorette parties, maybe a small group but not huge parties. That's not what we're really about and we don't want to be that.

Mrs. Rosini talked about some of the families who have stayed at their house and how appreciative they have been to have a place where they can bring family members from out of town or out of state and have a meaningful family time. She shared comments from their guest book. She stated they spent a lot of money on the house and they want to be a five-star place to stay.

Jeremy Skinner – I would like to respond to that as someone who stays in Air B and Bs all over the country on a regular basis, generally very quietly with my family on vacations. It's loud. They can talk about all the nice people they have there. Nice people can be loud. He has seen way more than eleven people over there especially on Friday, Saturday, and Sunday. There will be music going on all day. The rental property is the same as the winery. Intentions do not matter, reality matters. It's affecting my life, it's affecting my property value, it's affecting the future of a home that I invested a great deal in. Regardless of what they say, the facts are all that matter.

Commissioner Tucker – How do we resolve a problem like this? I'm having some problems with believing him and believing you guys at the same time.

Greg Rosini – I appreciate the comments and I do want to make this a positive thing for the city. I don't want it to be negative.

Vice Chairman Schwalje closed the public hearing at 7:17 p.m.

MOTION: Approval of a final plat for two acres on 25.01 acres of land located at 411 S. State Highway 205/Rockwall County ID #11440/on the east side of SH 205 including the conditions as recommended by staff.

MADE BY: Commissioner Tucker
SECONDED BY: Commissioner Wright
APPROVED: Unanimously by members present

3.3. Public hearing, discussion and action regarding a request by Anthony Crowley on behalf of Ty Davenport, seeking approval of a Preliminary Plat for Davenport Estates, 6.188 acres, part of Rockwall CAD Parcel ID No. 11452, K. Latham Survey, Tract 67, generally located on Smith Road, south of FM 550.

City Planner, Maxwell Fisher, presented the following staff report:

APPLICANT: Anthony Crowley
1121 Dallas Dr. Ste. 6
Denton, TX 76205

LOCATION: Smith Road & FM 550 / Rockwall County ID# 11452

ZONING: AG District

REQUEST:

The applicant requests approval of a preliminary plat of a 6.88-acre property to construct a single-family residence on the portion of the property zoned A District with frontage on Smith Road.

PROPERTY OWNER: Ty Davenport
1730 S. Hwy 205
McLendon-Chisholm, TX 75032

REPRESENTATIVE: Anthony Crowley

BACKGROUND INFORMATION:

The proposed plat consists of one proposed lot of record in the A District. The applicant has conveyed the purpose of the plat is to create one legal building site for a single-family residence. In the A District, Single Family is an allowed use. The width of the parcel existed before the adoption of the Zoning Ordinance in 2007, and as such, is legal non-conforming. The proposed plat complies with the following zoning regulations of the A District:

DEVELOPMENT STANDARD	A DISTRICT (minimum)	PROPOSAL
Lot area	2.5 acres	5.981 acres*
Lot width	300 feet	299.6 feet**
Lot depth	200 feet	898.7 feet

*Excludes 0.206-acre portion of property to be dedicated to the city for Smith Road.

** Legal non-conforming.

STAFF RECOMMENDATION: APPROVAL.

The preliminary plat meets all technical requirements and complies with zoning and subdivision regulations.

CONDITIONS:

1. Access: The proposed plat would leave a 3.85-acre remainder not part of the proposed plat. In order to ensure future access to this remainder, the applicant has agreed to dedicate a 20-foot wide access easement, by separate instrument, from the remainder parcel to FM 205. Said easement must be recorded by separate instrument at Rockwall County, and the recordation information must be cited on the final plat. It is the city's understanding that the remainder parcel will be incorporated into adjacent parcels and will have permanent access to public right-of-way in the future.
2. Engineering/Utility Connection: Prior to the issuance of any authorization for construction of infrastructure, drainage, or structures, the final civil engineering plans be reviewed and approved by the City's Engineer.
3. Thoroughfare/Streets: The applicant is dedicating 30 feet of property to the centerline to align with a proposed right-of-way of 60 feet for Smith Road. The right-of-way dedication will leave 5.981 acres for private development.
4. Final Plat: Approval of a final plat is required and must be filed with Rockwall County prior to issuance of a building permit

Commissioner Wright asked who would be responsible for maintaining that road.

City Planner Fisher stated it is an easement that basically says that the owner of the remaining parcel has rights to access and that they would have to build and improve the road to city standards. It doesn't mean the road is going to get built right away because there may not be a need to access the property. It may just be an open field until it develops.

Vice Chairman Schwalje opened the public hearing at 7:25 p.m.

Ty Davenport stated this proposal should not be a problem. The land is being surveyed as we speak. I own the 144 acres that surrounds the City Hall. I own this land also. You

cannot get to the backside of this land because of the lake that goes through there. So, I had them divide it in half because nobody wanted to buy the back half.

Vice Chairman Schwalje asked Mr. Davenport if he had reviewed the conditions as set forth by the City Planner. Mr. Davenport's granddaughter, Bethany, stated they have no problem with the conditions.

Vice Chairman Schwalje closed the public hearing at 7:30 p.m.

MOTION: APPROVE THE PRELIMINARY PLAT FOR DAVENPORT ESTATES, 6.188 ACRES, PART OF ROCKWALL CAD PARCEL ID NO. 11452, K LATHAM SURVEY, TRACT 67, GENERALLY LOCATED ON SMITH ROAD, SOUTH OF FM 550.

MADE BY: Commissioner Wright
SECONDED BY: Commissioner Tucker
APPROVED: Unanimously by members present

3.4. Schedule Future Meetings

Vice Chairman Schwalje stated that the next meeting will be scheduled for August 15th, this is the third Thursday. Meetings were tentatively set for the third Thursday of the month.

4. ADJOURN

MOTION: There being no further business to discuss, motion was made to adjourn the meeting.

MADE BY: Commissioner Tucker
SECONDED BY: Commissioner Wright
APPROVED: Unanimously by members present

The meeting adjourned at 7:30 p.m.

ATTEST:

APPROVED:

Lisa Palomba, City Secretary

Lesley Schwalje, Vice Chairman



PLANNING AND ZONING COMMISSION CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: August 15, 2019

APPLICANT: J. K. Webb Properties
5763 South State Highway 205
Rockwall TX 75032

LOCATION: 5763 South State Highway 205

ZONING: PD (Kingsbridge)

REQUEST:

The applicant requests approval of an amendment to a portion of the existing Planned Development District for Office (PD-O1)

PROPERTY OWNER: J. K. Webb Properties
5763 South State Highway 205
Rockwall TX 75032

REPRESENTATIVE: Kevin Webb

BACKGROUND INFORMATION:

The request site is a portion of the larger PD for Kingsbridge which contains approximately 227 acres of land. Contained in the overall PD are separate Land Use Classifications which were established with defined areas in Exhibits attached to the PD. This site is located in the area designated as Office (PD-O1) and contains approximately 13.34 areas of land as described in Exhibit D in the PD.

The PD-O1 area is defined as permitting the development of low intensity office buildings and associated accessory uses. Land uses allowed in PD-O1 are those allowed in the City's O1 zoning district. The development standards are defined in the PD. The O1 area of this PD allows a maximum height of 35 feet and a maximum lot coverage of 50% of the lot area which includes buildings, parking spaces or other impervious materials.

The existing Zoning Ordinance for the City of McLendon Chisholm defines lot coverage as “the percentage of the total lot area of a lot occupied by the base (first story or floor) of buildings located on a lot.” This definition differs from that contained in the exiting PD. The proposed amendment would create a new tract within the PD-O1 portion of the large Kingsbridge PD that would be regulated separately from the remainder of the existing PD-O1 tract.

The proposed subarea would allow lot coverage by the same standards as the O1 District in the remainder of McLendon Chisholm. The maximum lot coverage in the O1 District is 40% and would be defined as in the zoning ordinance, i.e. limited to area of the first floor of the building. The existing PD-O1 tract established development standards based on those in an O1 District with some exceptions which the existing development and proposed new building must currently follow. Included in your docket material is a Site Plan for illustrative purpose only. The PD requires a Site Plan to be reviewed by the P&Z and approved by the City Council prior to the issuance of a building permit. The attached Site Plan does not contain enough information to qualify as a Development Plan and one will be required prior to issuance of a building permit. The existing PD has its own development standards and therefore the commercial development standards contained in Section 4-13 do not apply in this instance.

The proposed development of an additional office building is appropriate at this location. The existing land use to the northwest is a commercial development, the Oasis Beach and Tennis Club; the other surrounding areas are undeveloped and either are contained in the same PD-O1 tract or outside the City limits. The scale of the proposed office building is of the same character as the existing building and will blend in with the surroundings. The proposed change in development standards for lot coverage is in keeping with that allowed in the existing O1 district found in the Zoning Ordinance.

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

STAFF RECOMMENDATION: APPROVAL.

The proposed new ‘subarea’ within the PD-O1 portion of the larger Kingsbridge PD is appropriate for this location and the proposed office building is of the scale of the existing building.

Amending conditions for PD-O1; Subarea 1 within PD-O1 for the Kingsbridge PD will consist of Lot 1, Block A of Kingsbridge Phase 2A.

Existing Office (PD-O1) Regulations

Buildings, structure and land within the O1 Area shall be developed in accordance with area and dimensional regulations as provided in the O1 District, with the following exceptions:

- a. **Maximum height:** 35 feet
- b. **Maximum lot coverage:** 50% of the lot area is the maximum area to be covered by buildings, parking spaces or other impervious materials, except that Subarea 1 within the O1 Area will have a maximum lot coverage of 40% as defined in the zoning ordinance of the City of McLendon Chisholm.
- c. In Subarea 1, those provisions contained in the Zoning Ordinance, Section 4-13 Commercial Development Standards, E.1. Building Form for maximum single floor area and maximum length of any building wall do not apply.
- d. In Subarea 1, parking must comply with Section 6-7 Off-street parking and loading requirements, except for the use listed as Other Office or Professional Business must provide parking at a ratio of one space per 330 sq. ft. of floor area.



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: 7/29/19 Receipt # 237216

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:

5763 S. State Hwy 205
Rockwall, Tx 75032

Property Legal Description:

Kingsbridge Ph 2A, Block A Lot 1

County Parcel ID: 83213

Existing Zoning: PO Requested Zoning: PO

Applicant's Name: JK Webb Properties,

Phone No. 214 729 1968 Email: KevinW@Alturahomes.com

Status of Applicant: Owner ☒ or Authorized Agent ☐

Applicant's Address: 5763 S State Hwy 205 Rockwall Tx 75032

Owner's Address: _____

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

Signature of Owner: [Signature] - CFO Date 7/29/19

Signature of Applicant: [Signature] Date 7/29/19

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 to cover the cost of this application, has been paid to the City of McLendon-Chisholm on this 29th day of July, 2019.

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)



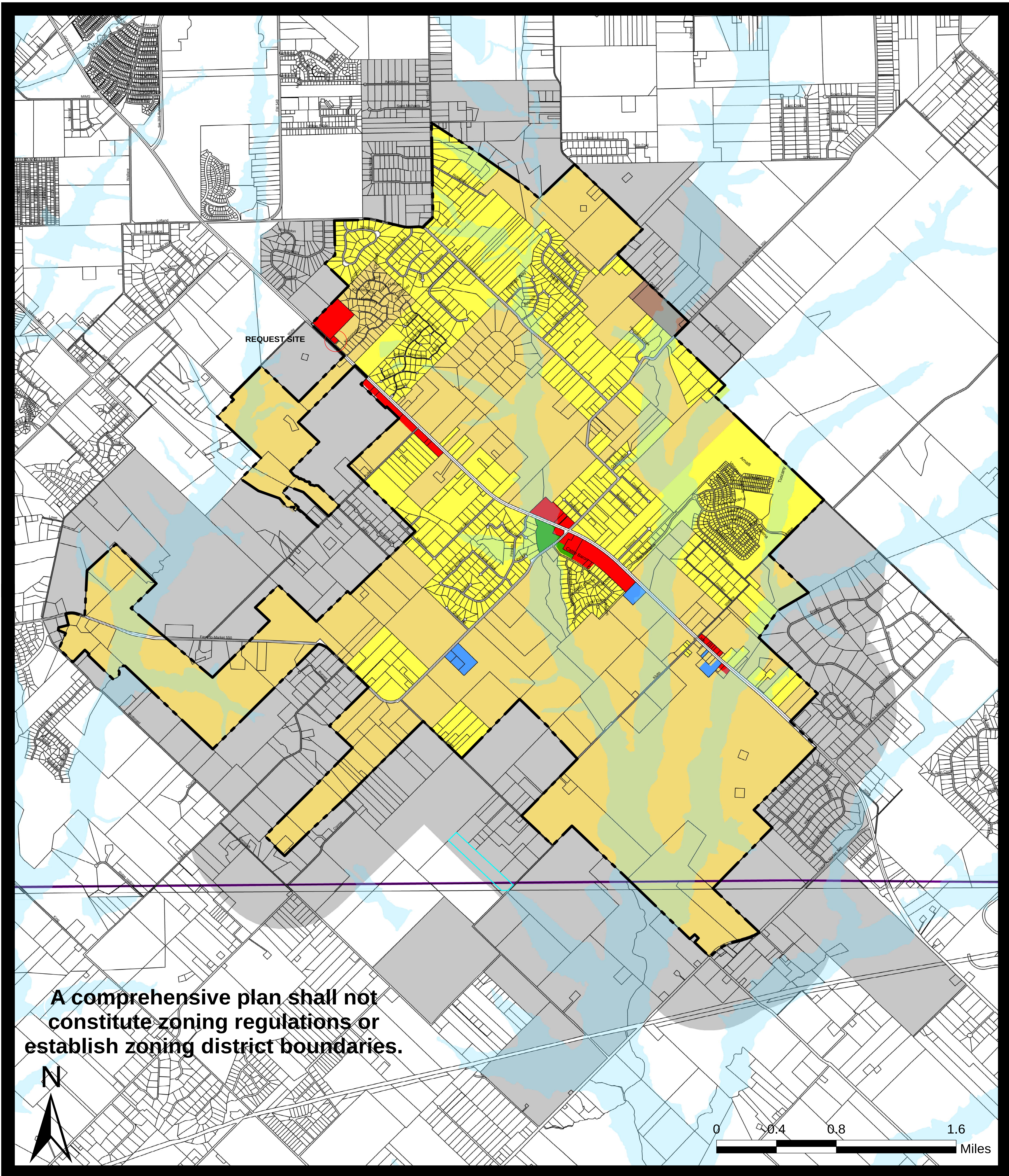
Page 2 of 2

10/09/2017 Zoning Change Application and Checklist

We are requesting amending the PD pertaining to the Office portion of the PD specifically the rear setback to 15 feet and the maximum lot coverage to 80%.

Thank you,

JK Webb Properties, LLC



Legend

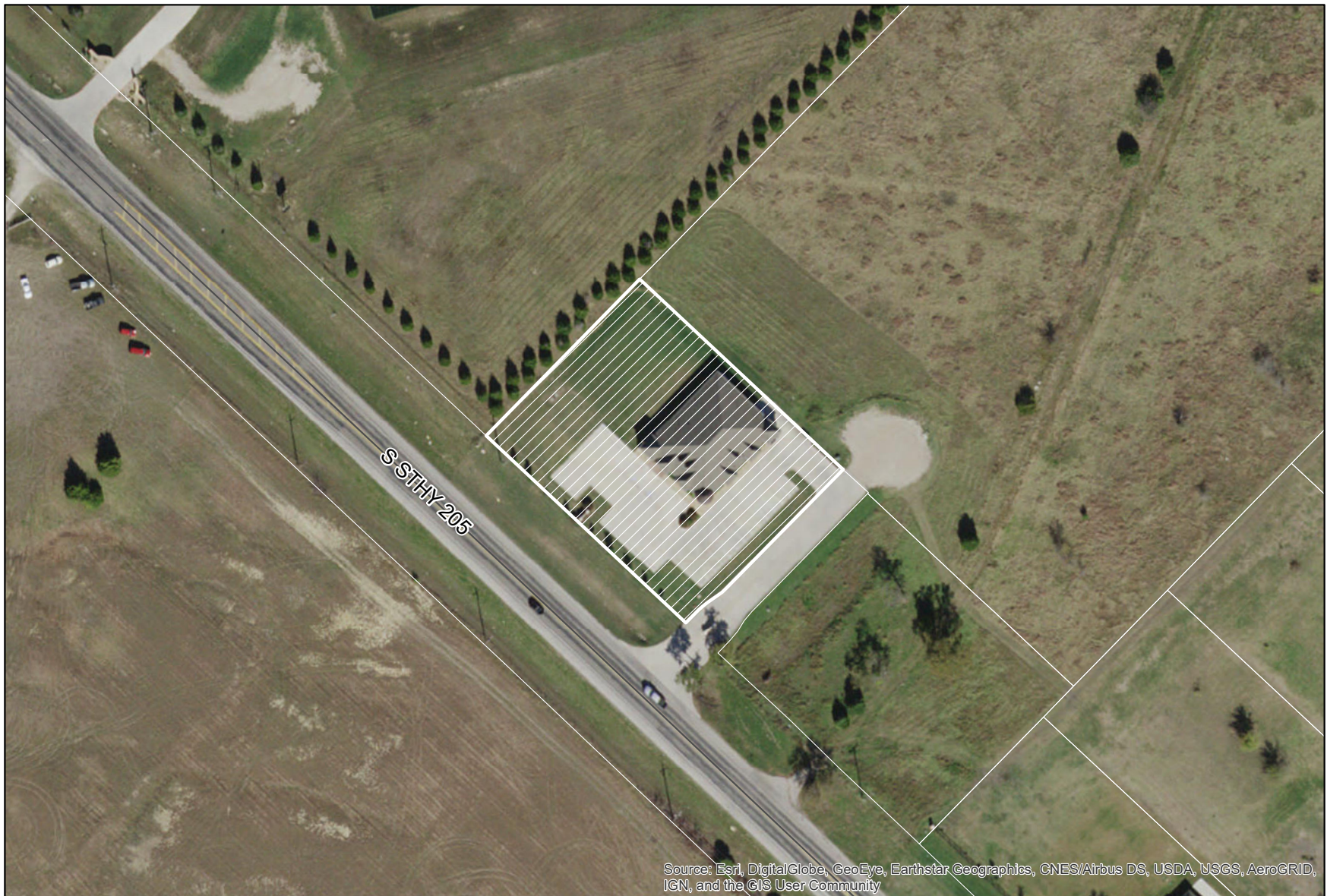
- | | | |
|-------------------------------|-------------------------|---------------|
| McLendon-Chisholm City Limits | Agriculture | Institutional |
| McLendon-Chisholm ETJ | Low Density Residential | Commercial |
| County Line | Rural Residential | |
| Floodplain | Multifamily | |

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)

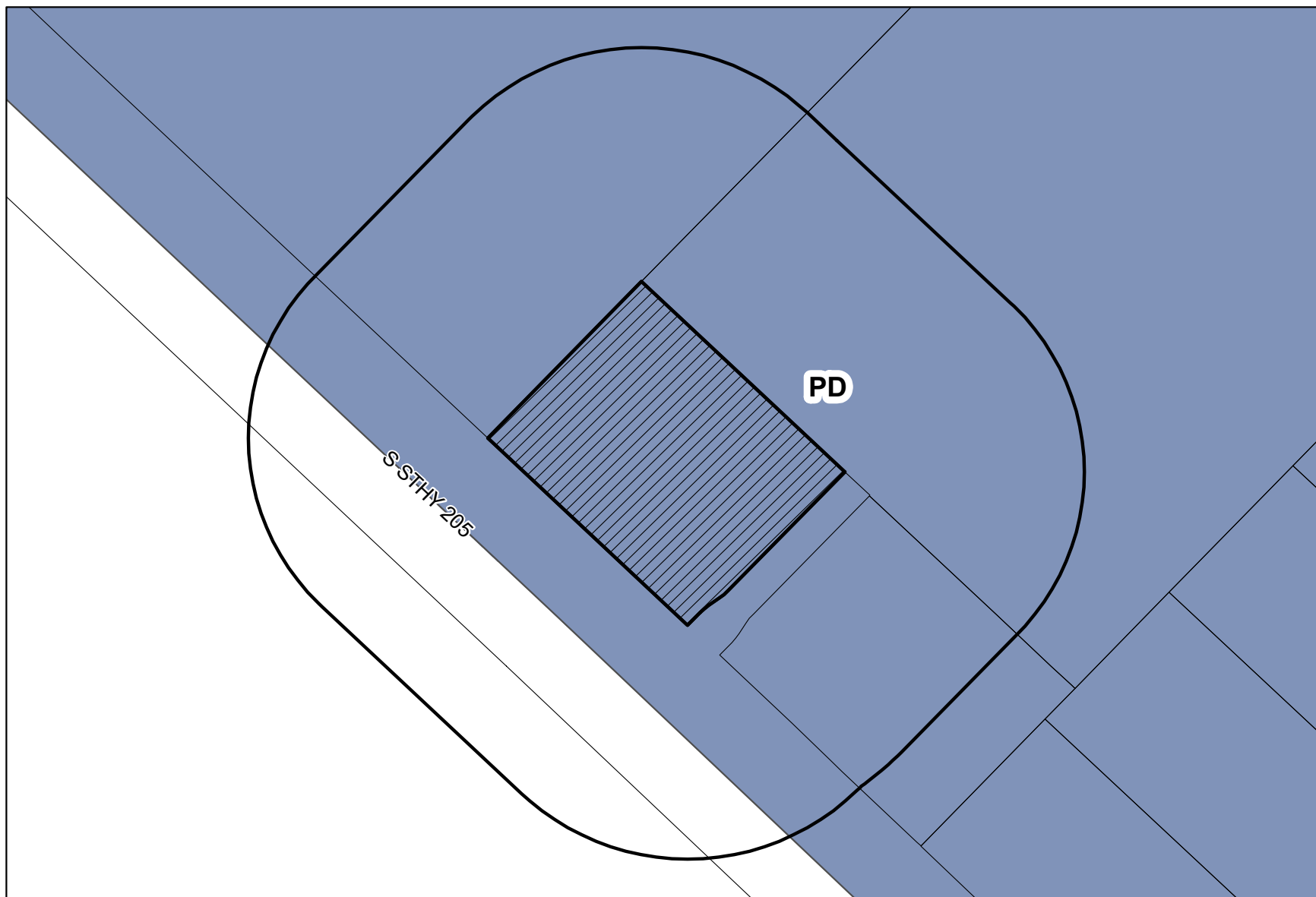
This map was created using Rockwall and Kaufman County GIS data and FEMA GIS data.



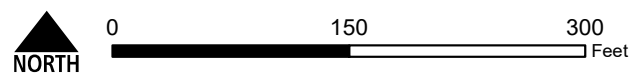
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the ground survey and represents only the approximate relative location of property boundaries. (Texas Government Code § 2051.102)



Aerial
Z 2019-01



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)



Zoning Map
Z 2019-01

**KINGSBRIDGE
MCLENDON-CHISHOLM, TEXAS**

REGULATIONS FOR PLANNED DEVELOPMENT ZONING DISTRICT

Section 1. Subject Property; Purpose and Intent.

1.1 Total Area.

The area within this Planned Development Zoning District (the "District") is 227.311 acres of land (the "Total Area") in the City of McLendon-Chisholm, Rockwall County, Texas (the "City"), which fronts on SH 205 in two areas beginning at the northern boundary of the City. The property is further described by metes and bounds in Exhibit "A" to these Regulations.

The first 90 lot phase of Kingsbridge has been developed, and there is 151.883 acres of land which remains undeveloped from the original 227.311 acres of land in the original planned development District, which 151.883 acres is described by metes and bounds in Exhibit "A -2" to these amended Regulations (the "Future Phase Land").

1.2 Development Plan.

The Future Phase Land shall be developed in conformity with the Amended Development Plan attached as Exhibit "B" to these Regulations, which amends the Development Plan originally approved for the District with respect to only the Future Phase Land (the Development Plan as amended is herein referred to as the "Development Plan"). The single family residences in the Future Phase Land may be developed in two or more phases, and separate preliminary and final plats shall be submitted for each phase.

1.3 Purpose and Intent.

The purpose and intent of this Planned Development Zoning District is to provide for new and innovative concepts in the utilization of the property which will enable the City and the developer to create a master planned subdivision covering a large area at the northern entrance to the City, which is of a quality and with amenities not yet being developed in the Rockwall County area. Use of the planned development district will permit growth and flexibility in the use and design of this property where specific provisions of these Regulations are not contrary to the intent and purpose of the City's Comprehensive Zoning Ordinance or significantly inconsistent with the planning on which it is based and will not be harmful to the neighborhood, but instead will be very beneficial to the community and the City and will further and promote the general health, safety, morals and general welfare of the City.

Section 2. Land Uses.

2.1 Land Use Classification.

The following land use classifications are established for this Planned Development Zoning District (the “District”):

2.1.1 Single Family Residential (PD-SF). This classification is established to permit the development of single-family detached residences and associated accessory uses. The area covered by PD-SF is the Total Area in the District, although certain areas as designated below have alternative uses.

2.1.2 Neighborhood Commercial (PD-NC). This classification is established to permit the development of a tennis center and clubhouse and associated accessory uses. The area covered by PD-NC is the 25 acres described in Exhibit “C” to these amended Regulations (the “NC Area”).

2.1.3 Office (PD-01). This classification is established to permit the development of low intensity office buildings and associated accessory uses. The area covered by PD-O is the 13.34 acres described in Exhibit “D” to these amended Regulations (the “O1 Area”).

2.1.4 Single Family/Expansion Neighborhood Commercial (PD-SF/Expansion NC). This classification is established to permit the development of single-family detached residences and associated accessory uses and alternatively an expansion of the tennis center and clubhouse uses described in Section 2.1.2. The area covered by PD-SF/NC is the 10 acres described in Exhibit “E” to these amended regulations (the “SF/Expansion NC Area”).

2.2 Permitted Land Uses.

Buildings, structures, and land within this District shall be used in accordance with the following land use classification:

2.2.1 Single Family Residential (PD-SF). The land uses permitted within this district are those set forth in the City’s SF-1.5 Single Family Residential District Regulations (the “SF-1.5 District”) (SF-4 District was the reference zoning district for Phase I, which has been subsequently replaced with the SF-1.5 District), as found in City’s Zoning Ordinance, together with related accessory uses, amenities and recreational areas described in the Development Plan. The amenity center described below may be used as a workout facility and meeting and recreation area for the residents of the District.

Buildings, structures, and land within the Future Phase Land may be used in accordance with Section 2.2.1 Single Family Residential or the following land use classifications if applicable:

2.2.2 Neighborhood Commercial (PD-NC and PD-SF/Expansion NC). The land uses permitted within the NC Area and the SF/Expansion NC Area are those set forth in the City’s NC Neighborhood Commercial District Regulations (the “NC District”), as found in Section 4-7 of the City’s Zoning Ordinance, together with related accessory uses, amenities and recreational areas described in the Development Plan. Those uses may also include the following: indoor tennis courts (which may be a pavilion or a building) and the uses in the definition of “Country Club” in the City’s Zoning Ordinance

without the requirement of a golf course or of being only for private membership and with tennis courts, sports courts, volleyball courts and basketball courts.

2.2.3 Office (PD-O1). The land uses permitted within the O1 Area are those set forth in the City's O1 Office District Regulations (the "O1 District"), as found in Section 4-10 of the City's Zoning Ordinance, together with related accessory uses and amenities described in the Development Plan.

Section 3. Area and Dimensional Regulations

3.1A Single Family Residential (PD-SF) Regulations.

Buildings, structures and land within this Planned Development Zoning District shall be developed in accordance with area and dimensional regulations as provided in the SF-1.5 District, with the following exceptions and/or variances:

- a. Minimum lot area for dwelling** one acre, provided that the density for all of the area developed for single family residences shall not be less than a density of one residential lot for each 1.3 acres of land in such area (which is the density of Phase I). No future development phase in the SF areas shall be permitted to increase the density above the maximum density ratio of one residential lot per 1.3 acres of land, when the new development is included with the SF areas that are already developed.
- b. Minimum lot width** 150 feet as measured at the building line, except for 75 feet minimum as measured at the building line on cul-de-sac lots; also for cul-de-sac lots there shall be a minimum lot width of 50 feet measured along the street upon which the lot fronts; Section 6.02(3) of the Subdivision Regulations of the City dealing with width shall not be applicable to the District.
- c. Minimum average lot depth** 200 feet.
- d. Minimum front setback** 50 feet from the front lot boundary to the front building line for main building and any accessory building (and not from any easement line), but 75 feet minimum between such points if a 2 acre minimum lot; where lots have a double frontage, running through from one street to another, the required front yard shall be provided on both streets, unless a building line for accessory buildings has been established along one frontage

on the plat or by ordinance. No required parking shall be allowed within the required front yard.

- c. Minimum rear setback** 25 feet from the rear lot line for main building and any accessory building (not from any easement line), provided that there shall be at least a 75 feet minimum setback for the main building for lots situated on the eastern boundary and southern boundary of the District.
- f. Minimum side yard setback** 25 feet from each side lot line for main building, any pool and any accessory building (not from any easement line), provided that for a cul-de-sac lot such minimum side yard setback shall be 15 feet from each side lot line for main building, any pool and any accessory building (not from any easement line).
- g. Corner lot minimum side yard setback** For corner lots, 25 feet from the side street lot line for main building, any pool and any accessory building (not from any easement line) and 50 feet from the front lot boundary to the front building line for main building and any accessory building (and not from any easement line).
- h. Maximum lot coverage** 30%; this is the percentage of the total lot area covered by the area of the main building, accessory buildings, driveways and parking.
- i. Minimum dwelling size** 3,000 square feet, except 4,000 square feet minimum on lots of 2 or more acres; minimum is exclusive of garages, breezeways and porches.
- j. Accessory buildings** In no event shall the total area of all accessory buildings combined exceed 30% of the square footage of air-conditioned space of the main building.
- k. Parking regulations** 3 covered enclosed parking spaces behind the front building line are required. Access to these spaces shall be paved with concrete. The paved access area shall be a minimum of 20 feet at the street frontage with the drive area being a minimum of 12 feet.

3.1B Neighborhood Commercial (PD-NC and PD-SF/Expansion NC) Regulations.

Buildings, structures and land within the NC Area and the SF/Expansion NC Area shall be developed in accordance with area and dimensional regulations as provided in the NC District, with the following exceptions:

- a. **Maximum Height:** 35 feet, except for indoor tennis courts, which is 45 feet
- b. **Maximum Lot Coverage:** 50% of the lot area is the maximum area to be covered by buildings, parking spaces or other impervious materials.
- c. **Building Materials:** Outside façade materials as provided in the City's Zoning Ordinance, but wood may be used on up to 30% of a building façade.

Any area within the NC Area or SF/Expansion NC Area which is developed for single family residential use shall be governed by Section 3.1A.

3.1C Office (PD-O1) Regulations.

Buildings, structures and land within the O1 Area shall be developed in accordance with area and dimensional regulations as provided in the O1 District, with the following exceptions:

- a. **Maximum Height:** 35 feet
- b. **Maximum Lot Coverage:** 50% of the lot area is the maximum area to be covered by buildings, parking spaces or other impervious materials.

Any area within the O1 Area which is developed for single family residential use shall be governed by Section 3.1A.

3.2 Variance List from the Subdivision and Zoning Ordinances.

Subsections (a) through (h) and (k) of this Section 3.1A, and subsections (l) and (o) of Section 4.1 below contain variances from the requirements in the SF-1.5 District (SF-4 District was the reference zoning district for Phase I, which has been subsequently replaced with the SF-1.5 District); additional variances to the minimum lot area are the sizes of the areas on which the amenity center, entry guard buildings and park improvements are built, which will each be less than the minimum lot area specified above. Also to the extent that any of the provisions of the Subdivision Regulations of the City (the "Subdivision Regulations") or the City's Comprehensive Zoning Ordinance are inconsistent with these Regulations, then the provisions of these Regulations shall control over such inconsistent provisions (for example, the lot depth provided herein will control over the greater one provided in Section 6.02 (4) of the Subdivision Regulations). Subsections 2.2.2, 3.1B(a), (b) and (c), 3.1C(a) and (b), and 4.2(a) contain variances from the requirements in the NC District and O1 District, respectively, and Subsection 4.2(d) contains a variance from the subdivision ordinances. In the event that these Regulations do not include a standard or regulation that is otherwise required for similar or comparable uses by the City's Subdivision Regulations or Comprehensive Zoning Ordinance or other ordinances, then the standard or regulation required by the City's ordinances shall be applicable to development, uses, structures and activities on the Property.

3.3 Accessory Uses.

Development regulations for accessory uses shall be in accordance with those of the SF-1.5 District as shown in the Zoning Ordinance except as described above. For uses permitted in the NC Area, development regulations for accessory uses shall be in accordance with those of the NC District as shown in the Zoning Ordinance except as described in these Regulations or the Development Plan. For uses permitted in the O1 Area, development regulations for accessory uses shall be in accordance with those of the O1 District as shown in the Zoning Ordinance except as described in these Regulations or the Development Plan.

Section 4. Other Development Regulations

4.1 Single Family Residential (PD-SF) Regulations.

Buildings, structures, and land within this Planned Development district shall be developed in accordance with the regulations for the SF-1.5 District, as found in the Zoning Ordinance, as of this date, except as follows:

- a. **Amenity Center with Workout Facility.** The District will contain an amenity center with a workout facility substantially similar to the one described in the drawing attached as Exhibit "F" to these Regulations. Adequate off-street parking shall be provided to meet the anticipated requirements of the customers, guests, and employees of the center. There shall be a minimum of three (3) parking spaces per 1,000 square feet of overall floor area of the center. All refuse areas, outside storage areas, and loading and service areas shall be screened from public view.
- b. **Entry Guardhouses.** The District will contain an entry guardhouse at each of the north and south entries of the District substantially similar to those respectively described in the drawings attached as Exhibit "G" to these Regulations. The portion of the Future Phase Land which is developed for single family residences shall contain an entry guardhouse similar to the one at the entry to Phase I of Kingsbridge.
- c. **Entry Gates and Walls.** The District will contain entry gates and walls substantially similar to those described in the drawing attached as Exhibit "H" to these Regulations.
- d. **Major Landscape Buffers and Fencing along SH 205.** The District will contain landscaped buffers of at least 30 feet along SH 205 as shown on the Development Plan, which will also contain a mixture of berms and walls of stone and wrought iron.
- e. **Neighborhood Park with Playground Equipment.** The Future Phase Land will contain a neighborhood park next to a lake. The Amenity Center in Phase I was also developed with a park area with playground equipment.
- f. **Lakes and Bridges.** The District will contain at least 3 developed lakes and one bridge similar to the one described in the drawing attached as Exhibit "I" to these Regulations.

- g. **Landscaped Medians.** The District will contain landscaped medians in the two east-west entry boulevards in the areas shown in the Development Plan.
- h. **Upgraded Street Lamps and Signs.** Street lamps shall utilize architectural grade poles and fixtures, which may be chosen from those available from the electric service provider. The street signs shall also be upgraded; and the street lamps and signs shall reflect a consistent architectural theme throughout the neighborhood.
- i. **Wrought Iron Fencing.** Wood fencing will not be allowed in the District and screening in interior residential yards shall be done by landscaping or wrought iron fencing, which may have stone or masonry columns, bases or accents.
- j. **Curb and Gutter Streets.** Only curb and gutter streets will be used in the District. Streets shall be concrete and shall have a parabolic crown
- k. **Curved streets with Cul-de-sac Lots.** The streets shall be generally of a curvilinear design with many lots fronting on cul-de-sacs as shown on the Development Plan. Streets with cul-de-sacs can be longer than 600 feet, provided that at least every 600 feet there shall be a turn area which has at least the minimum turn area required in a cul-de-sac. Streets shall be concrete, built in accordance with the City's regulations, and shall be private streets.
- l. **6-Foot Walking Path through Development.** A concrete walking path and trail with a minimum width of 6 feet shall be provided from the south entry of the District through the District to the north entry of the District.
- m. **Architectural Review.** An Architectural Review Board shall be established within a Homeowners Association ("HOA"), which will review and enforce architectural standards of the District as established in these Regulations and in the covenants and restrictions created for the HOA.
- n. **Addition of Contiguous Land to PD.** Up to 50 acres of contiguous land may be added to this District by the owner of the original property in the District, which additional land may contain single family lots meeting the requirements of the District as provided in these regulations. If acquired and incorporated into this District, the development of this additional property shall have lots of at least 2 acre lots adjacent to the boundary with SH 205, provided that instead of the requirement on the minimum number of 1.5 and 2 acre lots provided in Section 3(a) above, there shall be the same proportionate number of minimum 1.5 lots and minimum 2 acre lots relative to the number of minimum 1 acre lots, as required in Section 3.1(a). This additional property may only be from the property which is surrounded by the property in the District on 3 sides (north, east and south) and by SH 205 on the west.
- o. **Garage Opening Orientation.** Garages may be detached and located to the side and/or behind the dwelling, without any minimum separation and a walkway or breezeway between them may be covered, which may include a port-a-cache design.

- p. **Sidewalks.** Concrete sidewalks with a minimum width of 4 feet shall be required across each lot other than lots which are crossed by the 6-foot walking path described above.
- q. **Restriction on Propane Tanks.** Any propane tanks allowed in the District must be buried.
- r. **Eastern Boundary.** The sparse areas in the tree line along the eastern boundary of the District shall be filled in with cedar trees.
- s. **Southern Boundary.** The fence along the southern boundary shall be left in place behind each lot until the lot owner replaces the section behind such lot with a wrought iron fence.
- t. **Mandatory Homeowner's Association.** There shall be established an association of property/home owners within the District in accordance with recorded covenants, conditions and restrictions, and membership in such association by all property owners shall be mandatory. The association shall be permanent, shall have the authority to assess dues and impose and foreclose liens on properties for nonpayment of dues, and shall have the perpetual responsibility of maintenance and repair of all interior streets, fences, drainage facilities, amenity buildings and structures, and common areas. All common areas and community facilities, including but not limited to the amenity center and entry guardhouses, shall be owned in fee simple by the association.
- u. **Gated Subdivision.** If the District is to be gated, unrestricted access shall be allowed to law enforcement and public safety personnel and City officials engaged in official City business. Gate operation systems and plans will be reviewed and approved by the City and the Fire Marshal so as to allow emergency vehicles unrestricted access to the property. Space shall be provided at the access point for any gate to allow a minimum of four (4) cars to queue up for the gate and be clear of any interference with any public street.
- v. **Utilities and Drainage.** All internal electric utility lines installed within the residential portion of the development shall be located below ground. Storm drainage pipes and culverts shall be designed and constructed of reinforced concrete pipe.

4.2 Neighborhood Commercial (PD-NC and PD-SF/Expansion NC) Regulations.

Buildings, structures, and land within the NC Area and the SF/Expansion NC Area which are for NC District uses shall be developed in accordance with the regulations for the NC District, as found in the Zoning Ordinance, as of this date, except as follows:

- a. **Tennis Center Clubhouse.** The NC Area will contain a tennis center clubhouse similar to the one described in the drawing provided to the City Council with these Regulations. Adequate off-street parking shall be provided to meet the anticipated requirements of the customers, guests, and employees of the center. The parking requirement for the NC Area and SF/Expansion NC Area shall be a minimum of 3 parking spaces per 1,000 square feet of overall floor area of the center and 2 parking spaces for each tennis court.

All refuse areas, outside storage areas, and loading and service areas shall be screened from public view.

- b. **Restriction on Propane Tanks.** Any propane tanks allowed in the NC Area must be buried.
- c. **Utilities and Drainage.** All internal electric utility lines installed within the residential portion of the development shall be located below ground. Storm drainage pipes and culverts shall be designed and constructed of reinforced concrete pipe.
- d. **Drives.** The drive for the access to the tennis center shall have a width of at least 24 feet. For purposes of fire apparatus access, the drive will extend to at least within 300 feet of all of the exterior walls of the building if the building is sprinklered (and within 150 feet if not sprinklered).
- e. **Traffic Analysis.** A traffic analysis study shall be completed for any drive intersecting with SH 205, to determine the need for a turn lane, an acceleration lane and a deceleration lane.
- f. **Site plans.** A site plan shall be required to be approved by the City Council for any lot developed in the NC Area and SF/Expansion NC Area prior to obtaining a building permit; the Planning and Zoning Commission shall review a site plan and make a recommendation to the City Council. The NC Area shall be developed in conformity with the site plan attached as Exhibit "J" to these amended Regulations. Amendments to a site plan shall be required to be approved by the City Council as provided above, but minor amendments meeting the definition in Section 6.1 of these Regulations for minor amendments to a Development Plan may be approved by the City Administrator, unless the City Council provides for a different designated representative from time to time.

4.3 Office (PD-O1) Regulations.

Buildings, structures, and land within the O1 Area which are for O1 District uses shall be developed in accordance with the regulations for the O1 District, as found in the Zoning Ordinance, as of this date, except as follows:

- a. **Curb and Gutter Streets.** Only curb and gutter streets will be used in the District. Streets shall be concrete and shall have a parabolic crown. The streets shall have a width of at least 29 feet.
- b. **Curved streets with Cul-de-sac Lots.** The streets shall be generally of a curvilinear design with many lots fronting on cul-de-sacs as shown on the Development Plan. Streets shall be concrete, built in accordance with the City's regulations, and shall be private streets.
- c. **Restriction on Propane Tanks.** Any propane tanks allowed in the NC Area must be buried.

- d. **Utilities and Drainage.** All internal electric utility lines installed within the residential portion of the development shall be located below ground. Storm drainage pipes and culverts shall be designed and constructed of reinforced concrete pipe.
- e. **Traffic Analysis.** A traffic analysis study shall be completed for any drive intersecting with SH 205, to determine the need for a turn lane, an acceleration lane and a deceleration lane.
- f. **Entrance.** An entrance monument will be placed at the intersection of the entry drive and SH 205, and there shall be a divided entrance with a median at the entry point.
- g. **Parking.** Parking shall be permitted in front of the office buildings.
- h. **Signs.** All signage will be limited to monument signs and signs placed on the face of the front wall of the buildings. No sign may be internally lighted.
- i. **Lighting.** Parking lot light poles shall not be more than 20 feet in height. All parking lot lighting shall be fully shielded with 80-degree cut-off. Foot candle measurements at the base of the pole may not exceed 10 foot-candles, and all light measurements at the property line adjoining the PD-SF area shall be 0.00 foot-candles. No flood lighting shall be permitted. Accent lighting for landscape and buildings may be up-lighted but shall not exceed 45 watts. In addition, site plans shall be accompanied by a photometric map of the developed area or such map shall be provided with the application for a building permit.
- j. **Building Materials.** Building materials on the exterior of the main building shall be 100% masonry construction as defined by Section 6-9 of the Zoning Ordinances.
- k. **Site plans.** A site plan shall be required to be approved by the City Council for any lot developed in the OI Area prior to obtaining a building permit; the Planning and Zoning Commission shall review a site plan and make a recommendation to the City Council. Amendments to a site plan shall be required to be approved by the City Council as provided above, but minor amendments meeting the definition in Section 6.1 of these Regulations for minor amendments to a Development Plan may be approved by the City Administrator, unless the City Council provides for a different designated representative from time to time.

Section 5. Landscaping; Tree Preservation.

Prior to or contemporaneously with the submission of the preliminary plat/plan application, a Landscape Plan shall also be submitted for review and approval by the City. The Plan shall show the location, identification and arrangement of plant materials and landscape features. Trees which are within the definition of "Tree, Protected" in Section 2 of the City's Tree Preservation Ordinance and which are six (6) caliper inches or larger in diameter, measured at a height of four and one-half feet (4.5') above natural grade, will be preserved as much as possible, unless the tree impedes public safety or greatly affects the overall development. Before any trees are removed, a tree removal plan shall be submitted and approved by the City. Any tree larger



Existing office building.



“Club” use to the northwest vacant area for proposed building.



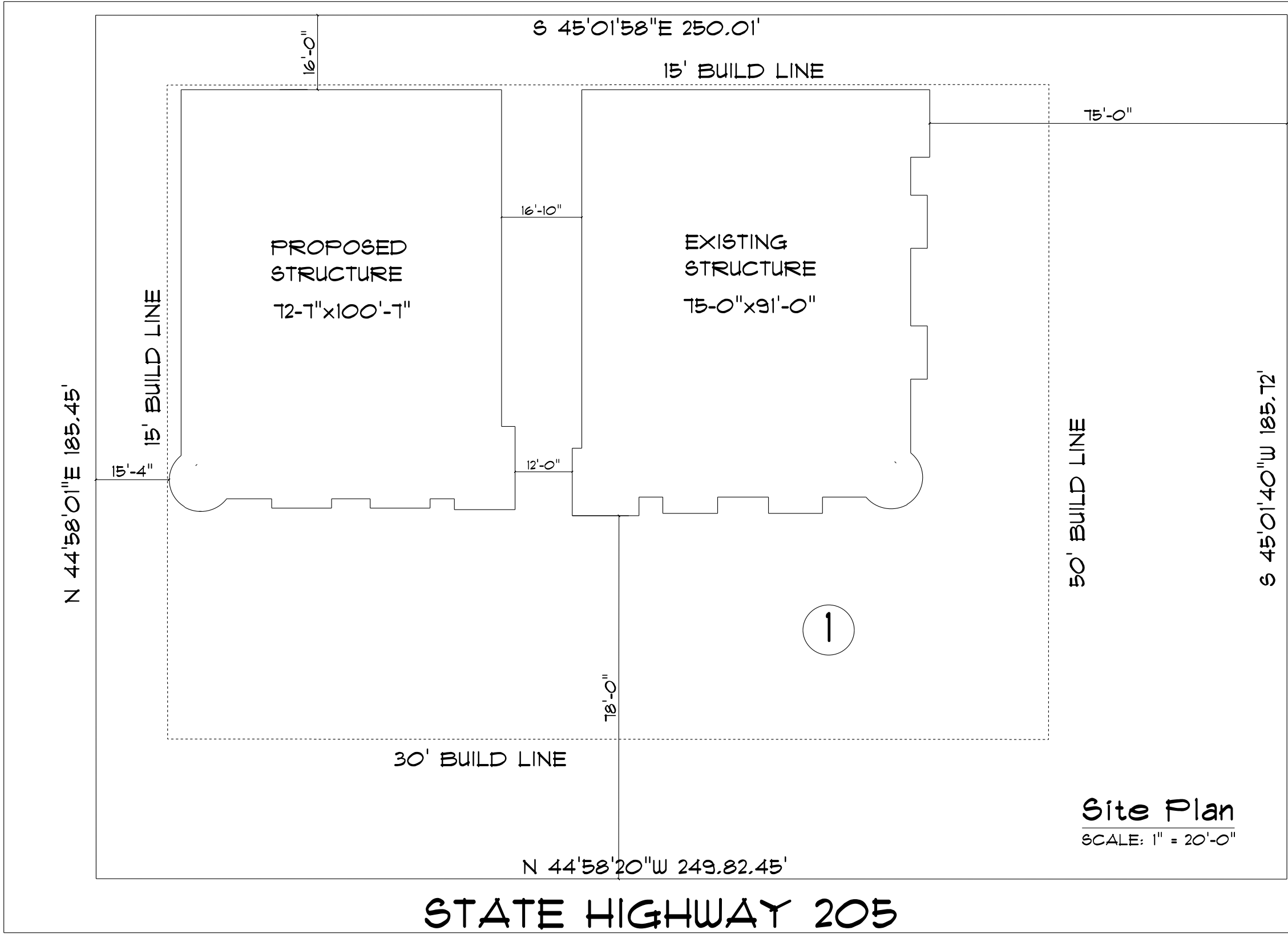
Vacant land to the south in same PD. Residential further southeast.



Vacant tract to the northeast in same PD.



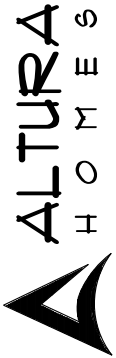
Looking southwest across SH 205.



PAPER: 34"x22": 17"x11": 11"x8-1/2":
SCALE: 1/4" = 1'0": 1/8" = 1'0": 3/32" = 1'0"

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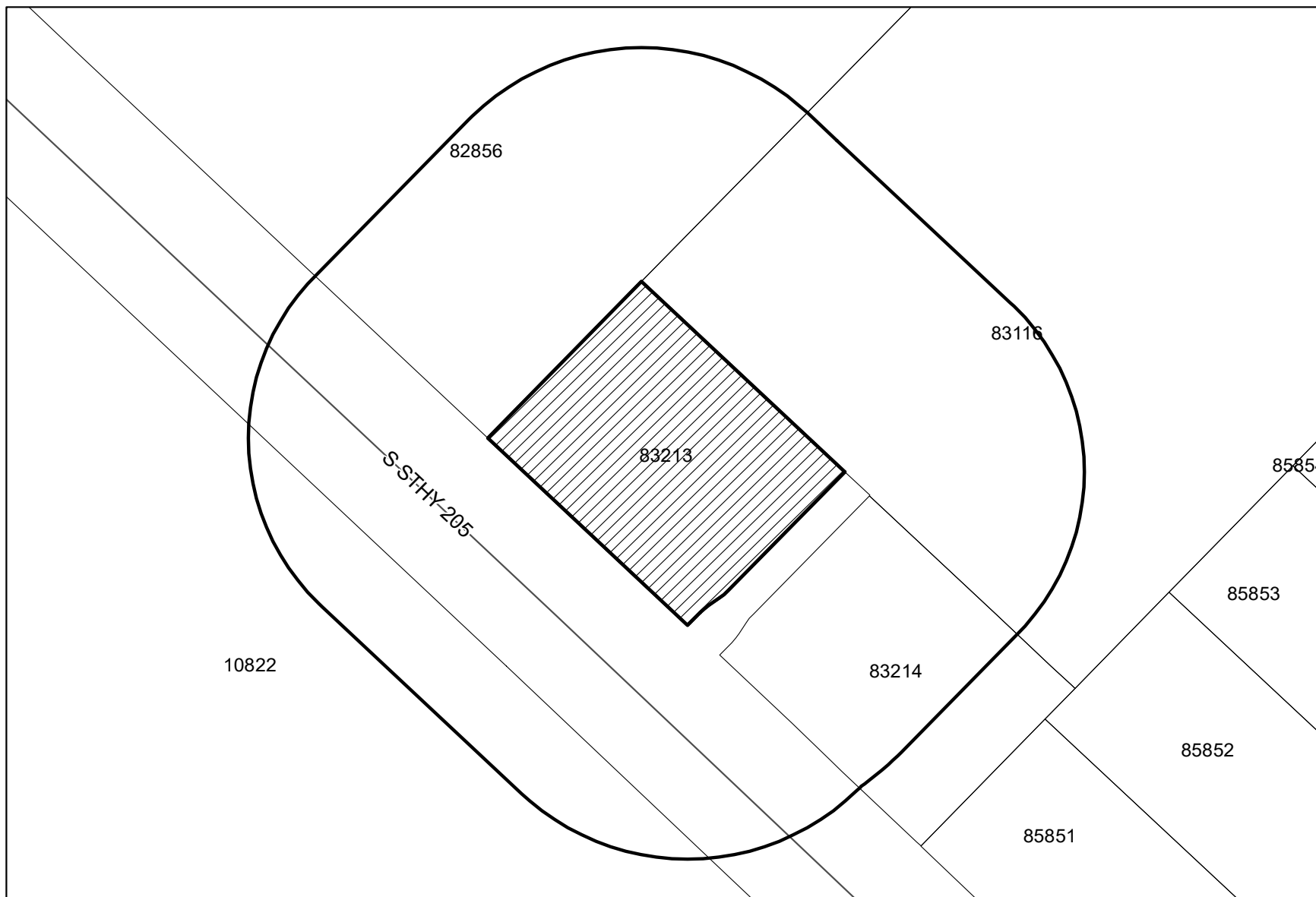
5763 State Hwy 205, Ste 100
* ROCKWALL, TEXAS 75032
VOICE: 972-772-1829
* FAX: 972-772-1801



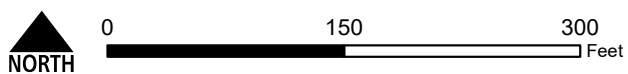
Siteplan
PLAN NAME:
Altura Office

SHEET NO.

1



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)



200 Foot Notifications
Z 2019-01

PROP ID	Shape Area	Percent	Owner	Address	City, State & ZipCode
10822	30767.1083422	0.10	BAUMANN JOSEPH EDWARD TRUSTEE	2321 LINE FERRY RD	TEXARKANA, AR 71854-7859
83116	78581.7448278	0.27	EQUITY TRUST COMPANY DBA STERLING TRUST FBO R LAMBERTH IRA	480 SMIRL DR	HEATH, TX 75032
83214	31491.0715585	0.11	DANETTE MCNEW	1300 E RALPH HALL PARKWAY SUITE 114	ROCKWALL, TX 75032
82856	68466.338958	0.23	DCR SITE MANAGEMENT LLC	2412 VERSAILLES DRIVE	HEATH, TX 75032



PLANNING AND ZONING COMMISSION CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: August 15, 2019

APPLICANT: J. K. Webb Properties
5763 South State Highway 205
Rockwall TX 75032

LOCATION: 5763 South State Highway 205

ZONING: PD (Kingsbridge)

REQUEST:

The applicant requests approval of a Development Plan and Landscape Plan for a portion of the existing Planned Development District for Office (PD-O1)

PROPERTY OWNER: J. K. Webb Properties
5763 South State Highway 205
Rockwall TX 75032

REPRESENTATIVE: Kevin Webb

BACKGROUND INFORMATION:

The request site is a portion of the larger PD for Kingsbridge which contains approximately 227 acres of land. Contained in the overall PD are separate Land Use Classifications which were established with defined areas in Exhibits attached to the PD. This site is located in the area designated as Office (PD-O1) and contains approximately 13.34 areas of land as described in Exhibit D in the PD.

The PD-O1 area is defined as permitting the development of low intensity office buildings and associated accessory uses. Land uses allowed in PD-O1 are those allowed in the City's O1 zoning district. The existing PD (and amendment proposed by the applicant) requires approval of a Development Plan and Landscape Plan by the City Council after a recommendation by the Planning and Zoning Commission.

The proposed Development Plan calls for a new one-story office building with approximately 7200 square feet of floor area. The proposed Plan complies the parking requirements in the existing Zoning Ordinance and the setbacks in both the existing Zoning ordinance and as proposed in the amendment.

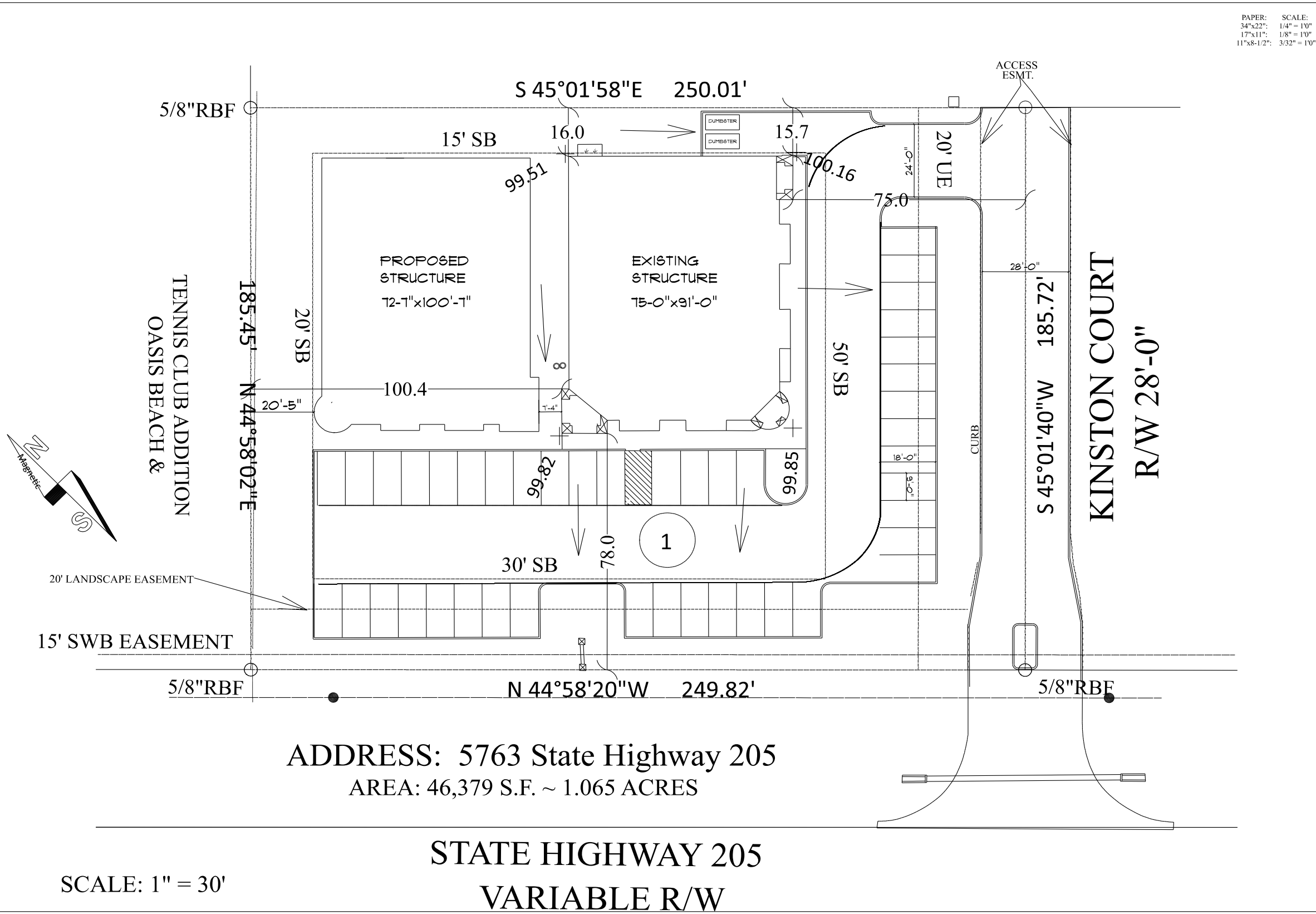
The proposed Landscape Plan delineates the existing landscaping/trees on the site and added landscaping in conjunction with the proposed building. .

The proposed development of an additional office building is appropriate at this location. The existing land use to the northwest is a commercial development, the Oasis Beach and Tennis Club; the other surrounding areas are undeveloped and either are contained in the same PD-O1 tract or outside the City limits. The scale of the proposed office building is of the same character as the existing building and will blend in with the surroundings. The proposed change in development standards for lot coverage is in keeping with that allowed in the existing O1 district found in the Zoning Ordinance.

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

STAFF RECOMMENDATION: APPROVAL.

The proposed new 'subarea' within the PD-O1 portion of the larger Kingsbridge PD is appropriate for this location and the proposed office building is of the scale of the existing building.



Development Plan	
PLAN NAME: Kinston Court	
SHEET NO. 1	
PRINTED: 8/8/2019 09:33 PM	
5763 State Hwy 205, Ste 100 * ROCKWALL, TEXAS 75082 VOICE: 972-772-1829 * FAX: 972-772-1801	
ALTURA H O M E S	

