



AGENDA

Planning & Zoning Commission Special Meeting

Thursday, August 29, 2024

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

Page

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS
3. RULES OF DECORUM
4. CITIZEN COMMENTS
5. ITEMS FOR CONSIDERATION AND ACTION
 - 5.1. Consideration and action on the request of Jared Riggenback, McLendon-Chisholm Commercial Holdings, Inc, for approval of a final plat that provides for the development of one commercial lot which, at buildout, shall be an O'Reilly's Auto Parts store.
[O'Reilly's Staff Report PZ 8.29.24](#)
[Final Plat Application - O'Reilly McLendon-Chisholm Addition - signed](#)
[Final Plat of O'Reilly McLendon-Chisholm Addition - 08-15-24](#)
6. COMMISSIONERS REPORTS AND ANNOUNCEMENTS
7. ADJOURN

2 - 12

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

I, Angela Jennings, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., August 26, 2024 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



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

DATE: August 26, 2024

Applicant: Jared Riggerbach
Baseline Corporation
1750 Seamist Drive, STE. 160
Houston, Texas 77008

Representative: Jared Riggerbach

Property owner: McLendon-Chisholm Commercial Holdings, Inc.
P.O. Box 369
Rockwall, Texas 75087

Location: The property is a 1.0051-acre tract of land immediately adjacent to the south side of the Brookshire's Grocery property, south of the intersection of SH205 and FM 550. Lot 1, Block 1, King Latham Survey, Tract 41-03 constitutes 1.0051 of 31.504 total acres. The Rockwall CAD property identification number is #83800.

PLANNING AND ZONING COMMISSION SPECIAL MEETING DATE: August 29, 2024

REQUEST:

The applicant is requesting approval of a final plat that provides for the development of one commercial lot which, at build out, will be an O'Reilly's auto parts store totaling approximately 7,480 square feet in size. This development is located south of the intersection of SH205 and FM550, immediately adjacent to Brookshire's Grocery property.

STAFF RECOMMENDATION: Approval subject to the following condition(s):

- That no construction can proceed until all engineering requirements, design, and temporary drainage easements have been approved.

[illegible]

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

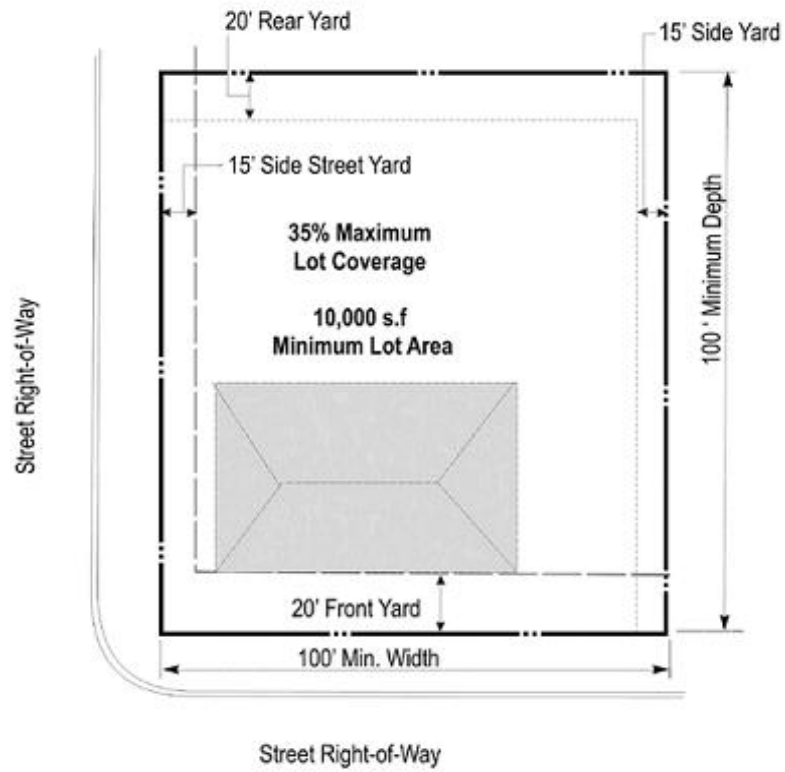
The limit shall be extended to the property line if said property line is located within 100 feet of the 100 foot limit, but shall not be less than 350 feet unless otherwise zoned.

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

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

BACKGROUND INFORMATION:

GB Zoning District requirements:



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

Additional background information:

The current zoning district standards for the subject property are GB General Business. The applicant has provided a preliminary plat, site plan, and proposed store elevations for the commercial development.

On December 13, 2023, at 7:00pm, the City of McLendon-Chisholm, Texas; Board of Adjustment held a public hearing in the McLendon-Chisholm City Hall located at 1371 West FM 550, McLendon-Chisholm, Texas 75032 to receive public input regarding the request of O'Reilly Auto Enterprises LLC. For special exception requests to the requirements of McLendon-Chisholm Zoning Ordinance, **Section 4-13** Commercial Development Standards, **Subsection E.1.** Building form and **Subsection E.3.** Articulation.

Subsection E.1. Building Form: this subsection of the Ordinance provides that the maximum area allowed for a single floor shall be 6,000 square feet and the maximum all length shall not exceed 80 feet. **The request for the special exception was to increase the square footage from 6,000 square feet to 7,480 square feet and to increase the maximum wall length from 80 feet to 87 feet 8 inches for the entire building and;**

Subsection E.3. Horizontal Articulation: this subsection requires that: No building wall shall extend for a distance equal to 3 times the wall's height without having an off-set of 25 percent of the wall's height, and that new plane shall extend for a distance equal to at least 25 percent of the maximum length of the first plane. **The request was to eliminate the required wall off set and to retain the wall in a straight line.**

Both requests were approved by the City of McLendon-Chisholm, Texas, Board of Adjustment.

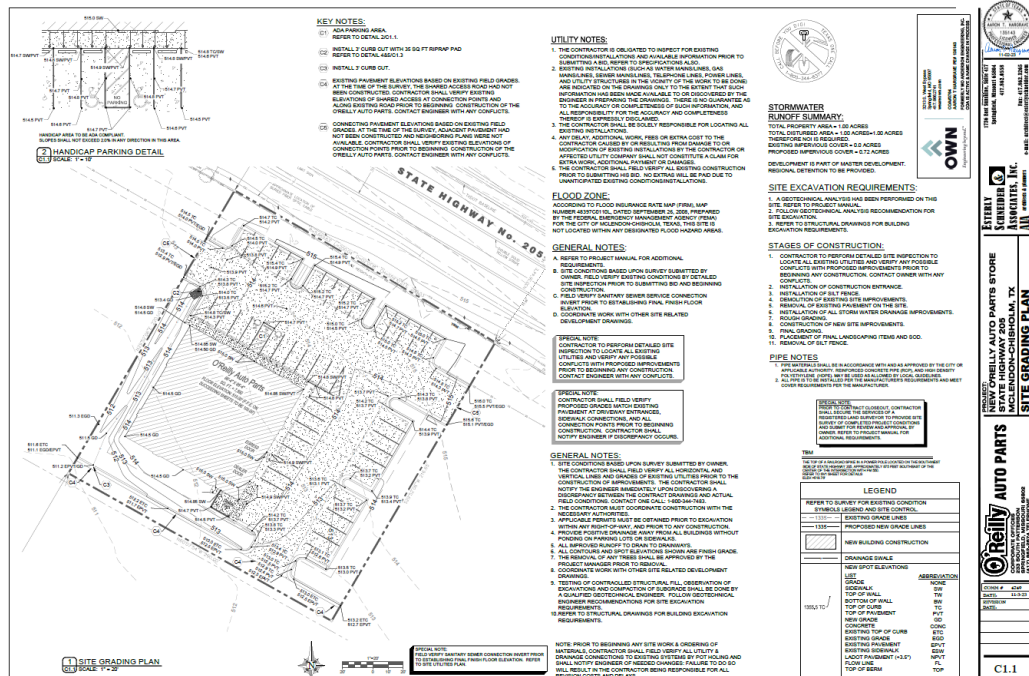
Thoroughfares/streets:

SH205 is an existing highway and major thoroughfare within the city. FM 550 is an existing principal arterial and Cattle Barron Drive is a residential street.

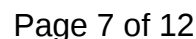
Property legal description:

Lot 1, Block 1, King Latham Survey, Tract 41-03. 1.0051 acres out of 31.504 acres.

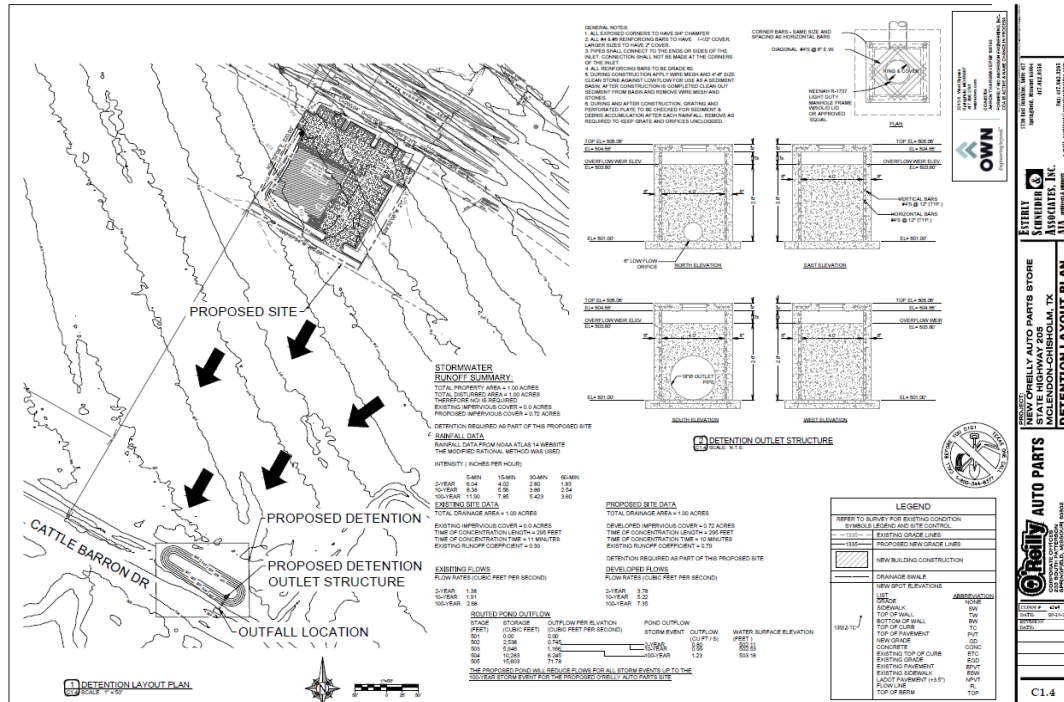
Site Plan



Utilities Site Plan



Site Drainage Plan



Proposed Store Elevations



CITY OF McLENDON-CHISHOLM
PLAT APPLICATION

Application Date: July 10, 2024

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): O'Reilly McLendon-Chisholm Addition Current Zoning: GB

No. of Acres: 1.0051 No. of Lots: 1 Proposed Zoning: GB

General Location of Property: Southwest side of SH 205, approx. 800' southeast of FM 550

Proposed Use for Property: Retail auto parts store (O'Reilly Auto Parts)

Applicant Name: Jared Riggensbach

Company: Baseline Corporation

Address: 1750 Seamist Dr., Suite 160 City, State, Zip: Houston, TX 77008

Phone(s): 713-869-0155x1331 Email: jriggenschach@baselinesurveyors.net

Owner Name: McLendon-Chisholm Commercial Holdings, Inc.

Address: P.O. Box 369 City, State, Zip: Rockwall, TX 75087

Legal Description of the Property: 1.0051 Acres of land in the King Lathem Survey, A-133

County Parcel ID: 83800

Other Information: A part of a 31.504 acre tract of land described in 2013-00480567

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Development Fees

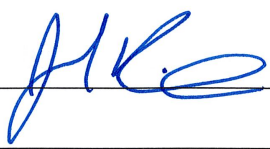
The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. 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.

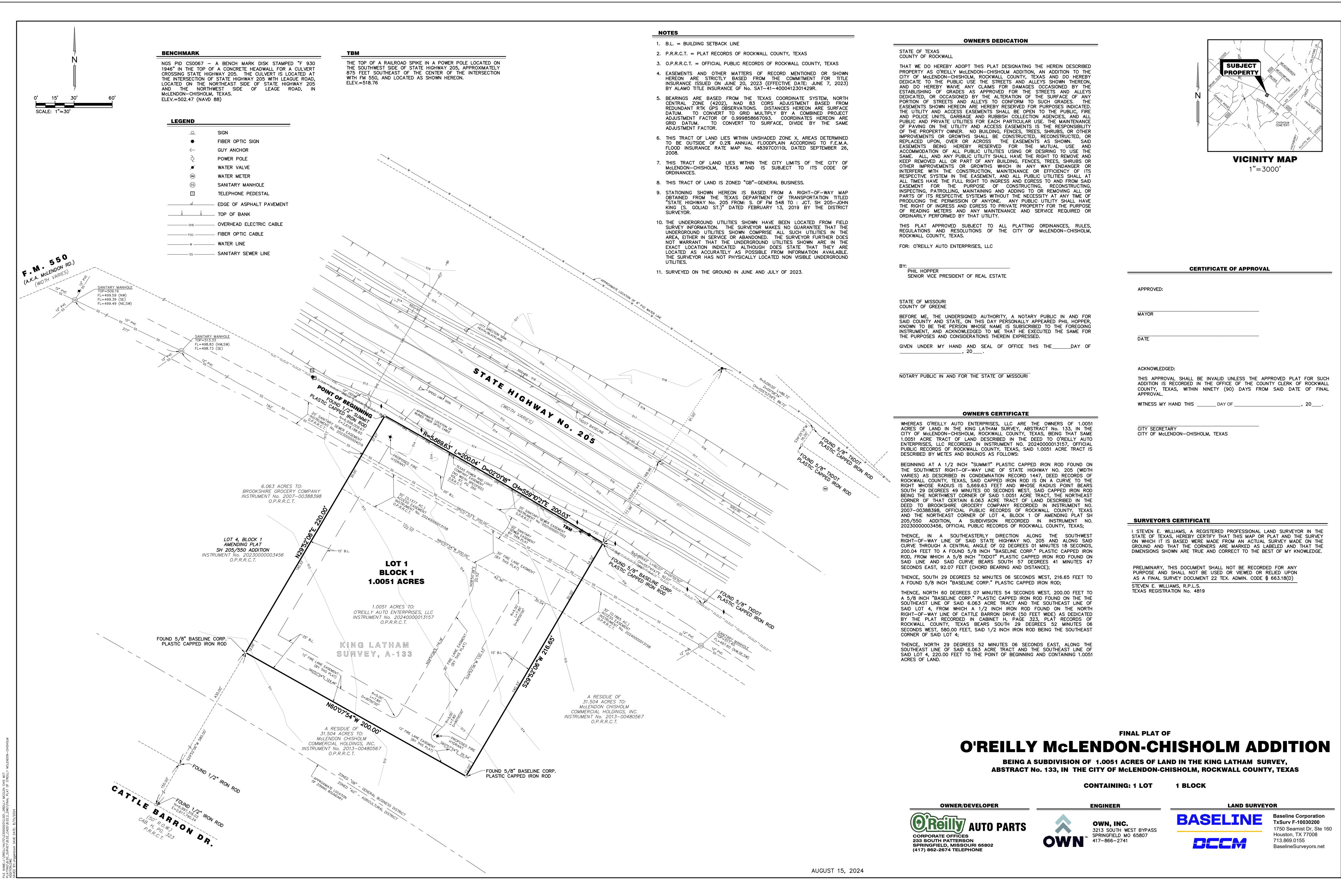
ALL Consulting Costs - Includes City Planning, City Engineer, City Attorney and any other outside consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA. Consultants 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 \$ 160 to cover the cost of this application, and an initial deposit of \$ 0 for consulting fees has been paid to the City of McLendon-Chisholm on this 10th day of July, 2024.

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:  07.10.24 (Seal)

City Secretary: _____



THIS PLAT WAS PREPARED BY THE SURVEYOR AND THE SURVEYOR CERTIFIES THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, TEXAS. THE SURVEYOR'S CERTIFICATE OF QUALITY IS ATTACHED TO THIS PLAT.

NOTES

- B.L. = BUILDING SETBACK LINE
- P.R.R.C.T. = PLAT RECORDS OF ROCKWALL COUNTY, TEXAS
- O.P.R.R.C.T. = OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS
- EASEMENTS AND OTHER MATTERS OF RECORD MENTIONED OR SHOWN HEREON ARE STRICTLY BASED FROM THE COMMITMENT FOR TITLE INSURANCE ISSUED ON JUNE 20, 2023 (EFFECTIVE DATE: JUNE 7, 2023) BY ALAMCO TITLE INSURANCE OF No. SAT-41-4000412301429R.
- BEARINGS ARE BASED FROM THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD 83 CORRS ADJUSTMENT BASED FROM REDUNDANT RTK GPS OBSERVATIONS. DISTANCES HEREON ARE SURFACE DATUM. TO CONVERT TO GRID MULTIPLY BY A COMBINED PROJECT ADJUSTMENT FACTOR OF 0.999858667093. COORDINATES HEREON ARE GRID DATUM. TO CONVERT TO SURFACE, DIVIDE BY THE SAME ADJUSTMENT FACTOR.
- THIS TRACT OF LAND LIES WITHIN UNSHADED ZONE X, AREAS DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL FLOODPLAIN ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP No. 48397C0101L DATED SEPTEMBER 26, 2006.
- THIS TRACT OF LAND LIES WITHIN THE CITY LIMITS OF THE CITY OF McLENDON-CHISHOLM, TEXAS AND IS SUBJECT TO ITS CODE OF ORDINANCES.
- THIS TRACT OF LAND IS ZONED "GB"-GENERAL BUSINESS.
- STATIONING SHOWN HEREON IS BASED FROM A RIGHT-OF-WAY MAP OBTAINED FROM THE TEXAS DEPARTMENT OF TRANSPORTATION TITLED "STATE HIGHWAY No. 205 FROM S. OF FM 548 TO + JCT. SH 205-JOHN KING (S. GOLIAD ST.)" DATED FEBRUARY 13, 2019 BY THE DISTRICT SURVEYOR.
- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED NON VISIBLE UNDERGROUND UTILITIES.
- SURVEYED ON THE GROUND IN JUNE AND JULY OF 2023.

OWNER'S DEDICATION

STATE OF TEXAS
 COUNTY OF ROCKWALL

THAT WE DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS O'REILLY McLENDON-CHISHOLM ADDITION, AN ADDITION TO THE CITY OF McLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS AND DO HEREBY DEDICATE TO THE PUBLIC USE THE STREETS AND ALLEYS SHOWN THEREON, AND DO HEREBY WAIVE ANY CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED FOR THE STREETS AND ALLEYS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE OF ANY PORTION OF STREETS AND ALLEYS TO CONFORM TO SUCH GRADES. THE EASEMENTS SHOWN HEREON ARE HEREBY RESERVED FOR PURPOSES INDICATED. THE UTILITY AND ACCESS EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND ACCESS EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED, OR REPLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE THE SAME. ALL, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM IN THE EASEMENT, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT TO INGRESS AND EGRESS TO AND FROM SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PRODUCING THE PERMISSION OF ANYONE. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE AND SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF McLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS.

FOR: O'REILLY AUTO ENTERPRISES, LLC

BY:

PHIL HOPPER
 SENIOR VICE PRESIDENT OF REAL ESTATE

STATE OF MISSOURI
 COUNTY OF GREENE

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED PHIL HOPPER, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF MISSOURI

OWNER'S CERTIFICATE

WHEREAS O'REILLY AUTO ENTERPRISES, LLC ARE THE OWNERS OF 1.0051 ACRES OF LAND IN THE KING LATHAM SURVEY, ABSTRACT No. 133, IN THE CITY OF McLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS, BEING THAT SAME 1.0051 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO O'REILLY AUTO ENTERPRISES, LLC RECORDED IN INSTRUMENT No. 20240000013157, OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, SAID 1.0051 ACRE TRACT IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH "SUMMIT" PLASTIC CAPPED IRON ROD FOUND ON THE SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 205 (WIDTH VARIES) AS DESCRIBED IN CONDEMNATION RECORD 1447, DEED RECORDS OF ROCKWALL COUNTY, TEXAS, SAID CAPPED IRON ROD IS ON A CURVE TO THE RIGHT WHOSE RADIUS IS 5,669.63 FEET AND WHOSE RADIUS POINT BEARS SOUTH 29 DEGREES 49 MINUTES 00 SECONDS WEST, SAID CAPPED IRON ROD BEING THE NORTHWEST CORNER OF SAID 1.0051 ACRE TRACT, THE NORTHEAST CORNER OF THAT CERTAIN 6.063 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO BROOKSHIRE GROCERY COMPANY RECORDED IN INSTRUMENT No. 2007-00388398, OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS AND THE NORTHEAST CORNER OF LOT 4, BLOCK 1 OF AMENDING PLAT SH 205/550 ADDITION, A SUBDIVISION RECORDED IN INSTRUMENT No. 20230000003456, OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE, IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 205 AND ALONG SAID CURVE THROUGH A CENTRE ANGLE OF 02 DEGREES 01 MINUTES 16 SECONDS, 200.04 FEET TO A FOUND 5/8 INCH "BASELINE CORP." PLASTIC CAPPED IRON ROD, FROM WHICH A 5/8 INCH "TODOT" PLASTIC CAPPED IRON ROD FOUND ON SAID LINE AND SAID CURVE BEARS SOUTH 57 DEGREES 41 MINUTES 47 SECONDS EAST, 92.07 FEET (CHORD BEARING AND DISTANCE);

THENCE, SOUTH 29 DEGREES 52 MINUTES 06 SECONDS WEST, 216.65 FEET TO A FOUND 5/8 INCH "BASELINE CORP." PLASTIC CAPPED IRON ROD;

THENCE, NORTH 60 DEGREES 07 MINUTES 54 SECONDS WEST, 200.00 FEET TO A 5/8 INCH "BASELINE CORP." PLASTIC CAPPED IRON ROD FOUND ON THE THE SOUTHEAST LINE OF SAID 6.063 ACRE TRACT AND THE SOUTHEAST LINE OF SAID LOT 4, FROM WHICH A 1/2 INCH IRON ROD FOUND ON THE NORTH RIGHT-OF-WAY LINE OF CATTLE BARRON DRIVE (50 FEET WIDE) AS DEDICATED BY THE PLAT RECORDED IN CABINET H, PAGE 323, PLAT RECORDS OF ROCKWALL COUNTY, TEXAS BEARS SOUTH 29 DEGREES 52 MINUTES 06 SECONDS WEST, 580.00 FEET, SAID 1/2 INCH IRON ROD BEING THE SOUTHEAST CORNER OF SAID LOT 4;

THENCE, NORTH 29 DEGREES 52 MINUTES 06 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAID 6.063 ACRE TRACT AND THE SOUTHEAST LINE OF SAID LOT 4, 220.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.0051 ACRES OF LAND.

FINAL PLAT OF

O'REILLY McLENDON-CHISHOLM ADDITION

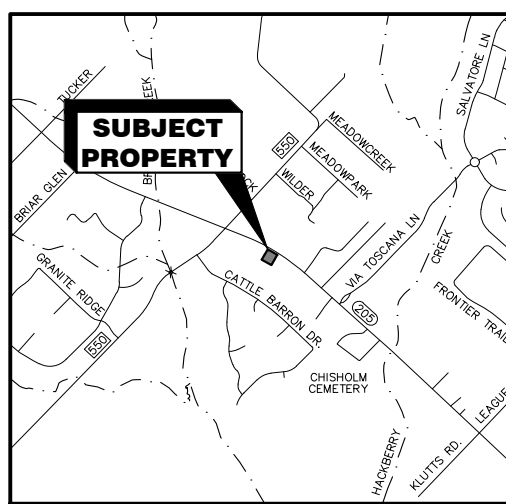
BEING A SUBDIVISION OF 1.0051 ACRES OF LAND IN THE KING LATHAM SURVEY, ABSTRACT No. 133, IN THE CITY OF McLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS

CONTAINING: 1 LOT 1 BLOCK

OWNER/DEVELOPER
O'Reilly AUTO PARTS
 CORPORATE OFFICES
 233 SOUTH PATTERSON
 SPRINGFIELD, MISSOURI 65802
 (417) 862-2674 TELEPHONE

ENGINEER
OWN, INC.
 3213 SOUTH WEST BYPASS
 SPRINGFIELD MO 65807
 417-866-2741

LAND SURVEYOR
BASeline
DCCM
 Baseline Corporation
 TxSurv F-10030200
 1750 Seamist Dr, Ste 160
 Houston, TX 77008
 713.869.0155
 BaselineSurveyors.net



VICINITY MAP

1"=3000'

CERTIFICATE OF APPROVAL

APPROVED:

MAYOR

DATE

ACKNOWLEDGED:

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL COUNTY, TEXAS, WITHIN NINETY (90) DAYS FROM SAID DATE OF FINAL APPROVAL.

WITNESS MY HAND THIS _____ DAY OF _____, 20____.

CITY SECRETARY
 CITY OF McLENDON-CHISHOLM, TEXAS

SURVEYOR'S CERTIFICATE

I STEVEN E. WILLIAMS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND AND THAT THE CORNERS ARE MARKED AS LABELED AND THAT THE DIMENSIONS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT 22 TEX. ADMIN. CODE § 663.18(D)

STEVEN E. WILLIAMS, R.P.L.S.
 TEXAS REGISTRATION No. 4819

AUGUST 15, 2024