



AGENDA
PLANNING & ZONING COMMISSION REGULAR MEETING
THURSDAY, OCTOBER 15, 2020
1371 WEST FM 550 - MCLENDON-CHISHOLM, TEXAS 75032
6:30 PM

Page

1. CALL TO ORDER

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

3. CITIZEN COMMENTS

4. APPROVAL OF MINUTES

- 4.1. Approval of August 20, 2020 Minutes of Planning & Zoning Regular Meeting

5. ITEMS FOR CONSIDERATION

- 5.1. Hold a public hearing to consider the application of Letha Samuel requesting an amendment to a Specific Use Permit to allow Providence Academy, a classical, Christian, University Model School, to allow an enrollment of 175 children for use by Pre-K - 12th grade students and 40 staff members using the existing facilities at Chisholm Baptist Church located at 1388 South State Highway 205, McLendon-Chisholm, also described as Lot 1, Block 1 of Chisholm Baptist Church Addition currently zoned General Business.

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- 5.2. Discussion and action regarding an amendment to the specific use permit for Providence Academy a classical, Christian, University Model School, to allow an enrollment of 175 children for use by Pre-K - 12th grade students and 40 staff members using the existing facilities at Chisholm Baptist Church located at 1388 South State Highway 205, McLendon-Chisholm, also described as Lot 1, Block 1 of Chisholm

Baptist Church Addition currently zoned General Business.

[Staff Report - Providence Academy](#)

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- 5.3. Hold a public hearing regarding a request to amend the Future Land Use Map of the McLendon-Chisholm Comprehensive Plan by changing the land use recommendation for a two acre tract of land fronting on the west side of SH 205 at Davis Lane from Rural Residential to Commercial.
- 5.4. Discussion and action regarding a request to amend the Future Lane Use Map of the McLendon-Chisholm Comprehensive Plan by changing the land use for a two acre tract of land fronting on the west side of SH 205 at Davis Lane from Rural Residential to Commercial.
[FLUM Request](#)
- 5.5. Hold a public hearing to consider the application of Paul Davis on behalf of PSB Indemnity Family Ltd Partnership, requesting a zoning change from Agriculture to General Business on a 2-acre tract in the WW Ford Survey, Rockwall CAD Property ID 10820 and 10819, generally located on Davis Lane and State Highway 205, McLendon-Chisholm, TX 75032.
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- 5.6. Discussion and action regarding the application for a zoning change of Paul Davis on behalf of PSB Indemnity Family Ltd Partnership requesting a zoning change from Agriculture to General Business on a 2-acre tract in the WW Ford Survey, Rockwall CAD Property ID 10820 and 10819, generally located on Davis Lane and State Highway 205, McLendon-Chisholm, TX 75032.
[Staff Report](#)
- 5.7. Discussion regarding Comprehensive Plan, overview, possible updates, process, and related matters.

6. ADJOURN

I, Rochelle Green, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted on or before 12:00 Noon, October 12, 2020 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: October 9, 2020

APPLICANT: Letha Samuel

LOCATION: 1388 South State Highway 205 [Chisholm Baptist Church]

PLANNING AND ZONING COMMISSION HEARING DATE: October 15, 2020

REQUEST:

The applicant is requesting an amendment to the existing specific use permit that allows for a private school at the above stated location. The requested amendments would increase the student enrollment from 125 to 175; and increase administrator and teacher personnel from 20 to 40.

PROPERTY OWNER: Chisholm Baptist Church

REPRESENTATIVE: Letha Samuel [Chairperson of the Board of Directors]

STAFF RECOMMENDATION: Approval of the requested increase in enrollment, and staffing levels.

BACKGROUND INFORMATION:

The Providence Academy was originally granted a Specific Use Permit for a private school by Ordinance No. 2018-06, July 24, 2018. This SUP established operating standards and requirements including establishing a maximum student enrollment of 125 and a maximum number of administrators and teachers at 20 and limiting the grade levels from Kindergarten through eight.

Then in 2019 by Ordinance 2019-01 grades Pre-kindergarten through twelfth were included, but there was no increase in approved student enrollment or staffing.

The program has been very successful and is an asset to the McLendon-Chisholm community. As a result of the model of education provided by the school, interest in attendance has increased.

The School is requesting an increase in the total student enrollment from 125 to 175. The school is also requesting an increase in administrative and teacher staff from 20 to 40 to help with the increased student capacity.

There is sufficient classroom capacity on-site to accommodate the increase in student and staffing population.

All traffic operations occur on the Church parking lot and are designed so as not to interfere with SH 205 traffic. There will be a nominal increase in traffic due to increased staffing.

The Church has advised that there is sufficient sanitary sewer capacity to comfortably accommodate in the increase in students and staffing.



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

DATE: October 9, 2020

APPLICANT: Paul Davis

LOCATION: SH 205 at the intersection with Davis Lane

PLANNING AND ZONING COMMISSION HEARING DATE: October 15, 2020

REQUEST:

The applicant is requesting an amendment to the Future Land Use Map of the McLendon-Chisholm Comprehensive Plan. The requested amendment to the Future Land Use Map is to change the current future land use designation from Rural Residential to Commercial on a two-acre tract of land on the northwest corner of the intersection of SH 205 and Davis Lane. [See the attached legal description for the metes and bounds description of the property.]

An amendment to the Comprehensive Plan requires a public hearing and then consideration of the request and a recommendation from the Planning and Zoning Commission to the City Council regarding the requested amendment to the Plan.

PROPERTY OWNER: Paul Davis

REPRESENTATIVE: Paul Davis

STAFF RECOMMENDATION: Approval of the amendment to the Future Land Use Map changing the current future land use designation from Rural Residential to Commercial.

BACKGROUND INFORMATION:

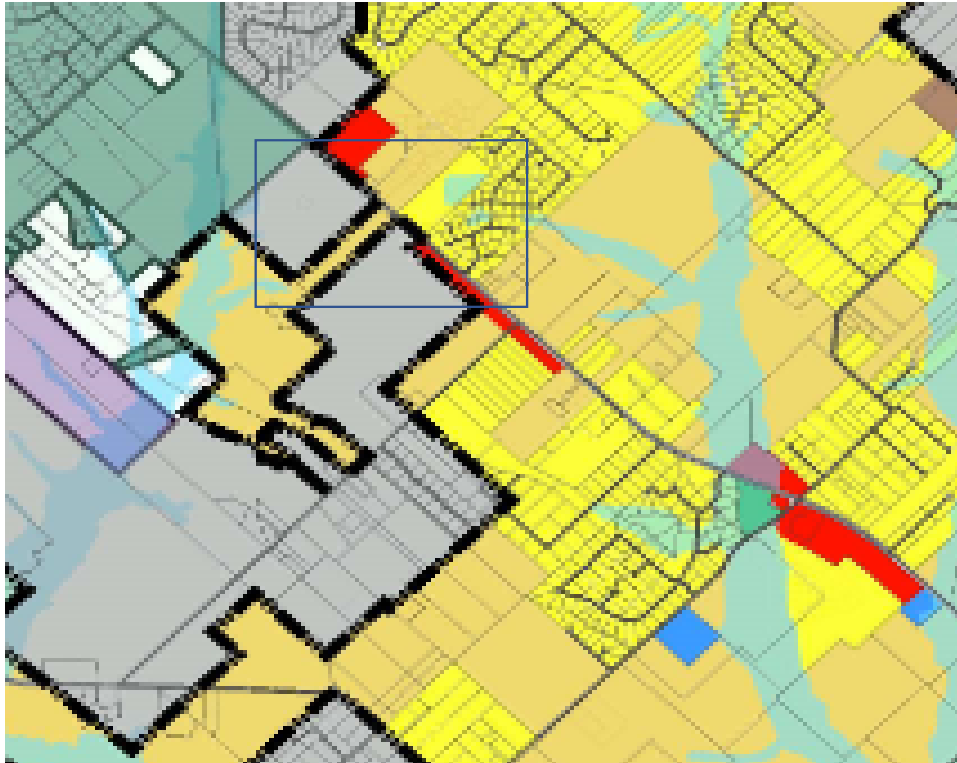
The subject property is a two Acre tract of land located at SH 205 and Davis Lane. [Portions of Rockwall CAD Nos. 10820 and 10819, see the hand labelled drawing in this report].

Mr. Davis has requested a zoning change on the two-acres of land from Agriculture to General Business.

Zoning must conform to the recommended land use described in Comprehensive Plan. Since the Future Land Use Map has identified the subject property as future Rural Residential, the zoning district that Mr. Davis has requested does not conform to the Future Land Use Map designation.

The application for the change in zoning designation is to be considered by the Planning and Zoning Commission after they hold the public hearing and after they have made a recommendation regarding the Future Land Use Map amendment to the City Council. The public hearing for the zoning change request follows this public hearing and action.

Future Land Use Map portion showing subject property land use designation.



Policy 12 from the Future Land Use Element of the Comprehensive Plan:

12. When a request for a change in land use is inconsistent with the Future Land Use Map [FLUM], a request to the city council must first be made to amend the FLUM. Then, if the FLUM is amended, the application may be made to change the land use. Further, if a request to change zoning is inconsistent with the Comprehensive Plan, the applicant should request a change in the Comprehensive Plan and if the Comprehensive Plan is amended by the City Council, then the applicant should request a change in zoning that is consistent with the revised Comprehensive Plan.

EXHIBIT "A"

Legal Description for Zoning Change

Whereas, PSB, Indemnity Family LTD. Partnership is the owner of a 25.93 acre tract of land in the William W. Ford Survey, Abstract No. 80 as filed in Volume 4370, Pg. 53 (O.P.R.R.C.T.) and the following description of land as follows for exhibit of change of zoning;

BEGINNING at a fence corner post found at the intersection of the South R.O.W. line of State Highway No. 205 (120'R.O.W.) with the Northwestern most corner of said 25.93 acre tract said point also being the Northeasterly most corner of a 125 acre tract of land owned by Joseph Edward Baumann, Trustee of the Harry E. Baumann (Irrevocable Trust) as filed in Volume 6288, Page 64 (O.P.R.R.C.T.);

THENCE, S45°35'02"E, along the said south line of S.H. 205, for a distance of 497.90 feet to a point for a corner at the intersection of said S.H. 205 and Davis Lane (50' R.O.W.);

THENCE, S44°12'57"W, along the northwesterly line of said Davis Lane, for a distance of 174.97 feet to a point for a corner;

THENCE, N45°39'14"W, departing said northwesterly line of Davis Lane for a distance of 497.90 feet to a point for a corner in the southeast property line of said 125.0 acre tract of land;

THENCE, N44°12'57"E, along said southeast property line and said northwest property line of the said 25.93 acre tract, for a distance of 174.97 feet to the Point of Beginning, having 2.0 acres or 87,120 square feet of land more or less.

Comprehensive Plan Direction:

Future Land Uses: Goal C: Encourage retail development in areas where there are high traffic volumes and accessibility.

Policies: 9. Identify other commercial areas within the corporate limits that might serve to provide more retail and commercial land use dispersal within the community.





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

DATE: October 9, 2020

APPLICANT: Paul Davis

LOCATION: SH 205 at the intersection with Davis Lane

PLANNING AND ZONING COMMISSION HEARING DATE: October 15, 2020

REQUEST:

The applicant is requesting a change in zoning district designation from AG Agriculture to GB General Business on two-acres of land located at the northwest corner of SH 205 and Davis Lane.

PROPERTY OWNER: Paul Davis

REPRESENTATIVE: Paul Davis

STAFF RECOMMENDATION: Approval of the requested change in zoning district classification from AG Agriculture to GB General Business for the two acres fronting on SH 205 at Davis Lane as described in the legal description attached to this report.

Zoning must conform to the recommended land use described in the Comprehensive Plan.

BACKGROUND INFORMATION:

The subject property is a two Acre tract of land located at SH 205 and Davis Lane. [Portions of Rockwall CAD Nos. 10820 and 10819, see the hand labelled drawing in this report].

Mr. Davis has requested a zoning change on the two-acres of land from Agriculture to General Business.

The application for the change in zoning designation is to be considered by the Planning and Zoning Commission after they hold the public hearing and after they have made a recommendation regarding the Future Land Use Map amendment to the City Council.

SH 205 is a high volume traffic conduit through the City with high visibility.

Comprehensive Plan Direction:

Future Land Uses: Goal C: Encourage retail development in areas where there are high traffic volumes and accessibility.

Policies: 9. Identify other commercial areas within the corporate limits that might serve to provide more retail and commercial land use dispersal within the community.

EXHIBIT "A"

Legal Description for Zoning Change

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