



**PLANNING & ZONING COMMISSION
McLENDON-CHISHOLM, TEXAS
REGULAR MEETING MINUTES
April 3, 2008**

Convene into Open Session
Pledge to Flag

Commissioners Present: Troy Reich - Chairman
Jerry Packer
Jay Webb
Mike Miller
Karla Clark
Lee Nichols
Chuck Samples

Commissioners Absent: Mark Coleman

Staff Present: Dave Butler City Administrator
Deborah Sorensen City Secretary
Dan Boutwell City Planner

Workshop

1. Convene in open session

Chairman Troy Reich called the workshop of the Planning & Zoning Commission of the City of McLendon-Chisholm, Texas to order at 6:32 pm.

2. Workshop to discuss;

a. Agenda Items

Item II. Receive report from Chris Cuny regarding change of zoning to Planned Development of Chisholm Crossing Phase 4 - Chris Cuny requested a joint public hearing of the Planning & Zoning Commission and the City Council of the City of McLendon-Chisholm regarding this zoning change. The preliminary plat was approved by this Commission last November (November 2007). This plat consisted of a total of 172 acres with 90 lots and a net density of 1.76 acres per unit. This Phase 4 is part of the Master Plan Community presented in 2001. Once the preliminary plat was approved, they started working on the engineering and got the survey. Part of what this is going to require is floodplain reclamation. They know that the city has a drainage ordinance and the tree ordinance that has some sub standards which they will be able to comply with. Part of the problem is there are a number of the trees that will have to be taken out to do the reclamation. They understand that they have to plant them back and make sure that they are protected. Chris Cuny thought that it would be more desirable if they could leave the whole ban area open and not touch it at all. If it is left as it is, they would not have to study it, do any reclamation, or tree removal. Whittle Development would lose 25 to 30

lots by doing this based upon the current zoning. Chris Cuny presented a concept plan for a planned development on 1 acre lots, instead of the original 1.5 acre lots. By doing this, the developer would have 83 lots instead of 90 lots, therefore only losing 7 lots. The net density would also change from 1.76 acre per unit to 2.07 acre per unit. If this zoning is approved, the developer will go by all the standards of a 1.5 acre lot except for the set back requirements because the lots are smaller. They will also provide curb and gutter roads versus the bar ditch like the previous phases. The homes will still be custom builders and masonry constructions. It will be all the same exact building standards and building sites as the Chisholm Crossing across FM 550. The only difference will be 1 acre lots instead of 1.5 acre lots. Chris Cuny feels like this is a better plan for the City and everyone. If this is denied, then they will go back to original preliminary plat.

Jerry Packer asked if the greenbelt area would be maintained by the Home Owners' Association (HOA). Chris Cuny stated it would. He further stated at such time the City gets a parks department, if the City would like it to be dedicated to the City, they would. The lakes on the concept plan are not currently there, but they would construct them and create a water feature. Dan Boutwell stated that if you want to have the possibility of land going to the City, it needs to be written into the HOA document. Otherwise, the HOA would have to vote on it to amend it. Dan further stated the Planning & Zoning Commission and the City Council can ask for the HOA document to be submitted with the final plat submittal.

Chuck Samples expressed concerned over the entry on the northeast side of the creek as to the sufficient width or design, if it would be difficult for emergency vehicles to use. Chris Cuny stated that both areas will be divided median entrances for that purpose.

Item IV. Discussion of creation of a park and open space ordinance – Troy Reich stated that since we are the type of community that we don't have alot of high density development, within the city itself, that is going to have alot of parks and recreation areas. Anything that comes in seems like it is going to be within a planned development, just like the one presented earlier. Because of this, he doesn't know if the Planning & Zoning Commission wants to spend alot of time on developing a park and open space ordinance. He asked Dan Boutwell to work with Dave Butler to get a copy of a park and open space ordinance of a community like ours that they can review. Dan Boutwell stated that a park plan or an ordinance development will depend on what the City's views are. Troy asked if there is a way to always protect the floodplain areas so that they can not be developed or reclaimed. Dan answered there are many cities that will not allow development of floodplain areas. You can leave it natural. A city similar to ours is Northlake. They have large lot zoning and have claimed all their open space to be in their floodplain areas and they do not allow development there. Most ordinances based the amount of land that is required to be developed on density on a number of acres. The old rule of thumb use to be 10 acres for every thousand people. He has an ordinance that is very restrictive. Most of these types of ordinances require the developer provides land or provides funds in lieu of land. This is based upon the amount of units or population he contributes to the city. Based upon the city's current situation, the city will probably get all of the land it needs from the development agreements. The fund in lieu of land allows the city to buy land in the areas that it needs. Troy asked Dan and Dave to work together and get a plan for the Planning & Zoning Commission to review. Dan stated that there are ways to write an ordinance for park land dedication when it reaches a critical density level that until that level you do not have to have it. Jay Webb confirmed as long as we don't change our ordinances, anything less than a 1.5 acre has to be a planned development. In a planned

development, we are open to negotiate for anything the city wants. Chuck Samples asked in regards to the planned development being proposed now, can they ask to put certain trails in the open space now or later. Dan answered that whatever you want, ask for it now. Once it is in the planned development, it has to be carried out. Jay feels we need to be vigilant to protect the city and open space. We also need to make sure enough available land for active parks.

Item V. Consider and Act on report from City Administrator regarding Spring Fest – Dave Butler reported Spring Fest will be held on May 31, 2008, which is the same day as Founder's Day in Rockwall. The idea is to have an opportunity for a gathering of people in the community for fellowship. Some of the activities that are planned are a bounce house, inflatable obstacle course, face painter, and the Lions' Club will host a steak cook-off and will sell tickets for a steak dinner. There will be a DJ, which will also conduct the precious pooch contest. The Volunteer Fire Department will cook hot dogs and hamburgers. Congressman Ralph Hall and State Representative Jodie Laubenberg will attend. Dave asked the Planning & Zoning Commission for involvement of an activity for the kids.

Troy Reich stated the Mayor asked about the Commissioners doing an activity for the kids. He gave examples of a bubble blowing contest or three legged race. Karla Clark stated she is willing to help. She will check her calendar. She is not good coming up with ideas but will help with the event. Jay Webb also volunteered to help. Chuck Samples said to give him a couple of days to come up with some ideas. Troy requested that everyone think about suggestions and email him within the next week.

Item III. Consider and Act on report from Uptown District Sub-Committee – Chuck Samples reported the Downtown District Sub-Committee had to reschedule their last meeting to this Monday. They will draft the preliminary report and meet on Thursday to review it. They should have final draft by April 16th. He will email the final draft to Dave Butler and Dave can forward it to the Planning & Zoning Commission. Troy Reich requested that the final draft be presented at the next meeting so that they can review it and then present it to City Council.

Item II. Receive report from Chris Cuny regarding change of zoning to Planned Development of Chisholm Crossing Phase 4 - Troy Reich asked about the procedure for the joint public hearing with the City Council. Dave Butler explained the procedures and options. Karla Clark asked when do we ask about fences and amenities. She wants more details, would like to see something in writing and more information about the entrances. Jerry Packer expressed concerns that a couple of times, individuals will come into an area to bring in a subdivision, and then high volume builder will come in and build. Dan Boutwell reassured that any builder that comes to build will have to build according to the planned development. Jay Webb wants to limit the number same floor plan and have a living screen on the cul-de-sac on FM 550. Chuck Samples prefers not to have wood fences in the planned development. Dan will send a review letter to Chris Cuny addressing the concerns. He feels that the city is getting a much better product than what was before. The planned development can be as detailed or not detailed as you want. Jay further stated that Dan can send the letter and if the developer presents a plan they don't like, then they can table it after the public hearing. It is not unreasonable to table the zoning request at the special meeting and look at it again at the next regular meeting. Troy agreed and stated that if they are not comfortable with the planned development, then it will be tabled and review it at the next meeting.

3. Adjourn Workshop

Jay Webb made a motion to adjourn the workshop. Karla Clark seconded the motion. **Motion carried 7-0.** The workshop was adjourned at 8:00 pm.

Regular Meeting

I. Approve Meeting Minutes of Regular Meeting held on March 6, 2008

Jay Webb made a motion to approve the minutes of the March 6, 2008 meeting. Chuck Samples seconded the motion. **Motion passed 7-0.**

II. Receive report from Chris Cuny regarding change of zoning to Planned Development of Chisholm Crossing Phase 4

Troy Reich stated that the Commission received the report from Chris Cuny in the workshop. They will be meeting in a joint session and public hearing with the City Council on April 22, 2008. The City Planner and City Administrator will get the documents that we need to review as quickly as possible before that meeting so that we will be able to address any questions or what that planned development will consist of. We will have an opportunity to listen to Mr. Cuny again at that time, more specifically on the planned development. We will make recommendation then.

III. Consider and Act on report from Uptown District Sub-Committee

Troy Reich stated that the Downtown District Sub-Committee will have documents ready for us on the 16th of this month to review. From that we will provide input back to the Sub-Committee so we can review the final at our next meeting and make recommendations to City Council.

IV. Discussion of creation of a park and open space ordinance

None

V. Consider and Act on report from City Administrator regarding Spring Fest

Troy Reich stated that the Commission will come up with ideas that they would like to participate and get back with him within the next week.

VI. New Business

None

VII. Public Discussion

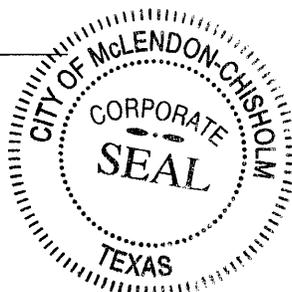
None

VIII. Adjourn

Karla Clark made a motion to adjourn the meeting. Chuck Samples seconded the motion. **Motion passed 7-0.** The meeting was adjourned at 8:04 p.m.

ATTEST:


Deborah Sorensen, City Secretary




Troy Reich, Chairman