



# Development Plan Process Nonresidential and Planned Developments

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## Getting Started

Prior to beginning a new development project, the applicant should insure the subject property is properly zoned and no variances are required to zoning, subdivision, or development regulations, or if a zoning change or variance is required. When the applicant has determined that all necessary zoning and/or variance approvals have been secured, a Development Application must be submitted to the City Clerk for approval prior to commencing design and/or construction of a proposed development project.

This document serves as a general guide and checklist for developers to use when planning a new development. Please make sure that you review all of the checklists provided on the City of Van Alstyne website ([www.cityofvanalstyne.us](http://www.cityofvanalstyne.us)) for specific requirements for each stage of development.

## Project Contact

Each applicant must designate a single individual who will act as the primary contact person for City staff during the Development Review process. This person's name and contact information must be provided on all required application forms.

## Submittal Deadlines

Submissions are due 20 days before the Planning and Zoning Commission Meeting during which you would like to have your plans considered.

## Planning and Zoning Commission Meetings

The Planning and Zoning Commission generally meets on the third Wednesday of each month at 6:30 PM at the Community Center, 262 N. Preston Street, Van Alstyne, TX, 75495. The project contact is required to attend the Planning and Zoning Commission meeting at which the project is to be considered.

## Creation of Building Site

No permit for the construction of a building or buildings upon any tract or plot shall be issued until a building site, building tract, or building lot has been created in compliance with one of the following conditions:

1. The lot or tract is part of a plat of record properly approved by the City Council and filed in the plat records of the county or counties in which the lot or tract is located.
2. The plot, tract or lot faces upon a dedicated street and was separately owned prior to annexation to the City of Van Alstyne, in which event a building permit for only one main building conforming to all the requirements of this chapter may be issued on each such original separately owned parcel without first complying with subsection 30.1.1 of the Subdivision Ordinance.
3. The plot or tract is all or part of a site plan officially approved by the City Council and compliance has been made with provisions and improvements approved on such site plan for all utility and drainage easements, dedication of streets, alleys and other public improvements required to meet the standards established for the platting of land. Any and all plots, tracts, or lots must be provided access via a public street or drive.

### City of Van Alstyne Planning Department

242 E. Jefferson Street | Van Alstyne, Texas | 903-482-5426 | [www.cityofvanalstyne.us](http://www.cityofvanalstyne.us)

## **Nonresidential and Planned Developments**

### **Conceptual Site Plan Submittal**

Prior to any subdivision of property in any nonresidential district, a conceptual site plan representing the general site assessment of the property shall be approved by the planning and zoning commission.

Please review the Conceptual Site Plan Checklist before submitting your Conceptual Site Plan to ensure that it is compliance with City of Van Alstyne Regulations.

### **Conceptual Site Plan Approval Process**

The Planning and Zoning Commission shall:

- Approve the Conceptual Site Plan
- Approve the Conceptual Site Plan with conditions or
- Disapprove the Conceptual Site Plan

Any development or subdivision of the property shall generally be consistent with the Conceptual Site Plan as approved or amended. No plat, building permit, or certificate of occupancy shall be issued for the property unless all construction and development generally conforms to the Conceptual Site Plan.

A Conceptual Site Plan shall expire five (5) years after its approval or amendment date if no building permits have been issued for the site or if a building permit has been issued but subsequently lapsed.

### **Site Plan Submittal**

Prior to the issuance of any building permit, a Site Plan drawn to scale shall be submitted for initiation of the review and approval process along with 4 copies of the plan or the number deemed necessary by the city to complete the required reviews or memorandums.

Approval of a Site Plan shall be required for all development proposals involving the following:

- A specific use permit
- Multiple family project
- Shopping centers
- Mobile home parks
- Principal permitted uses in all zoning districts, except as exempted in the Zoning Ordinance
- Any development where more than one main building or primary use is proposed on a single lot, building site, or tract
- A planned development

A Site Plan must conform to the standards outlined in the Site Plan Checklist, provided on the Van Alstyne Website.

### **Site Plan Approval Process**

The Planning and Zoning Commission shall review the proposed site plan and shall submit to the city council a recommendation of approval, approval with conditions, or disapproval. Prior to consideration of a site plan, the planning and zoning commission may hold a public hearing, with notice given according to the procedure for a change in a zoning district location or boundary.

City Council, Planning and Zoning Commission, and staff considerations shall include paving and layout of streets, alley and sidewalks, means of ingress and egress, provisions for drainage, parking spaces, protective screen and open spaces, as well as areas designated for landscaping, and any other aspect deemed necessary to consider in the interest of

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### Site Plan Approval Process Continued

promoting the public health, safety, order convenience, prosperity, and general welfare of the city.

If during the course of considering the Site Plan, Conceptual Site Plan, or Landscape Plan, the Planning and Zoning Commission is of the opinion that the proper recommendation cannot be made without additional information, the Planning and Zoning Commission is authorized to request that the applicant submit said information and is further authorized to withhold action on the Site Plan until submission of the information for the Planning and Zoning Commission's consideration.

A Site Plan shall expire two years after its approval or amendment date if no building permits have been issued for the site, or if a building permit has been issued but has subsequently lapsed. Expiration shall not apply to Site Plans submitted for a planned development or specific use permit.

It shall be unlawful to issue a building permit prior to approval of the site plan by the City Council, Planning and Zoning commission and/or planning division, as appropriate. No building permit shall be issued except in conformity with the approved site plan, including all conditions of approval.

During construction and upon completion, the project will be inspected to ensure that the approved Site Plan has been followed.

### Revision of Site Plan

It is recognized that final architectural and engineering design may necessitate some judgment in the determination of conformance to approved site plan. The City Manager shall have the authority to interpret conformance to an approved Site Plan, provided that such interpretations do not materially affect access, circulation, general building location on the site, or any conditions specifically attached as part of a City Council approval. The City Manager shall only approve minor changes that substantially conform to the approved Site Plan with all applicable city regulations.

Examples of revisions which may be approved by the City Manager include:

- Minor dimension and location adjustments
- Minor changes in the number of parking spaces, provided that minimum parking requirements are met
- Adjustments to sanitation container locations
- Minor revisions to approved elevations
- Substitution of similar materials on an approved landscape plan

Examples of revisions that may not be approved by the City Manager include:

- Major changes to type of screening materials
- Significant alterations to the building footprint
- Specific conditions of approval
- Any changes that may negatively impact adjacent properties

If, in the judgment of the City Manager, the proposed revisions exceed staff's approval authority, the revised Site Plan shall be forwarded to the Planning and Zoning Commission for consideration according to the procedures for Site Plan approval. If proposed revisions to the Site Plan have not been approved by the City Manager within 30 days of their final submission, they shall be scheduled for consideration by the Planning and Zoning Commission upon request by the applicant.