

**MINUTES
PLANNING AND ZONING COMMISSION
TUESDAY, NOVEMBER 20, 2012**

The Planning and Zoning Commission for the City of Midlothian met on Tuesday evening, at City Hall located at 104 West Avenue E, Midlothian, Texas.

The following Commissioners were present:

Ross Weaver	§	Chairman
Vicki Collins	§	Commissioner
Michael Griffith	§	Commissioner
Lynda Johnson	§	Commissioner

The following Commissioners were absent:

Robert Seeds	§	Vice Chairman
Brett Kemp	§	Commissioner
James Koehler	§	Commissioner

The following staff member was present:

John Taylor, AICP	§	Director of Planning
Alberto Mares, AICP	§	Planning Manager
Kathleen Hamilton	§	Administrative Assistant

PLANNING AND ZONING COMMISSION MEETING

Chairman Weaver called the Planning and Zoning Commission Meeting to order at 7:05 and called the first item on the agenda.

PUBLIC HEARING AGENDA

- 1. Continue a public hearing to consider and act upon a request to rezone ± 61.30 acres from the current Agricultural (A) District to a Single Family Four (SF-4) District.** Property is in the W.M. Rawls Survey, Abstract No. 915 and located west of FM 663 and ± 670 feet south of Harvest Hill, in the City of Midlothian, Texas (Case No. Z11-2011-80)

Alberto Mares addressed the commissioners stating that the applicant Charles Jowells has requested this agenda item be withdrawn, per email dated November 14, 2012.

Chairman Weaver addressed the audience for any input regarding this public hearing, with no public response; Commissioner Griffith moved to **close** the public hearing.

Motion was seconded by Commissioner Johnson.

Action Taken: (4-0) Closed Public Hearing

No action was taken on the case because it was withdrawn.

- 2. Conduct a public hearing to consider and act upon an ordinance amending Ordinance 2011-16, the MidTowne Planned Development Ordinance (PD-42), to allow a skilled nursing facility, memory care, and assisted care living facility on approximately ± 6.8 acres.** Property is located at the southeast intersection of George Hopper Road and FM 663 (Case No. Z01-2012-08)

Alberto Mares presented the agenda item and welcomed questions from the Commissioners.

Chairman Weaver addressed the audience for any input regarding this public hearing, the following spoke regarding this item.

Monty Anderson – Developer
Mark Donica – Applicant

PUBLIC HEARING (continued):

Commissioner Johnson moved to **close** the public hearing.
Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Closed Public Hearing

Commissioner Collins moved to **approve** this request as presented by staff.
Motion was seconded by Commissioner Griffith.

Action Taken: (4-0) Recommended approval

3. **Consider and act upon a request to rezone ± 0.3844 acres from Multi-family (MF) District to a Commercial (C) District at 402 E. Main Street.** Property is located on the south side of E. Main Street and ± 478 feet southeast of 11th Street, in the City of Midlothian, Texas (Case No. Z02-2012-16)

Alberto Mares presented the agenda item and welcomed questions from the Commissioners.

Chairman Weaver addressed the audience for any input regarding this public hearing, the following spoke regarding this item.

Tom Heraty – Applicant representative

Commissioner Griffith moved to **close** the public hearing.
Motion was seconded by Commissioner Johnson.

Action Taken: (4-0) Closed Public Hearing

Commissioner Collins moved to **approve** this request as presented by staff.
Motion was seconded by Commissioner Johnson.

Action Taken: (4-0) Recommended approval

REGULAR AGENDA

4. **Consider and act upon a preliminary plat of Shiloh Manor, containing ± 77.682 acres** in the Jesse Bielmas Survey, Abstract 144, and the VG Rust Survey, Abstract 948 and generally located at the northeast intersection of Shiloh Road and Joe Wilson Road, in the Extraterritorial Jurisdiction (ETJ) of the City of Midlothian, Texas and a request for two variances to the Midlothian Subdivision Regulations Ord. 88-14, as amended. (Case No. PP01-2012-11)

Alberto Mares presented the agenda item and welcomed questions from the Commissioners.

Commissioner Collins moved to **approve** this request with the following conditions:

1. Variance to the Subdivision Regulations, *Section 6.11.4* allowing Patti Way and Lindy Court to have 700-foot cul-de-sac length.
2. Variances to the Subdivision Regulation *Section 6.14.3* allowing 2 lots to have direct drive way access along Joe Wilson Road and 1 lot along Shiloh Road with the condition they align with existing drive cuts.

Motion was seconded by Commissioner Griffith.

Action Taken: (4-0) Approved

5. **Consider and act upon the site, building elevations, landscape plans for Midlothian Plaza Shopping Center, Lot 4B-R-2, Block 1,** containing ± 0.989 acres, located in a Commercial (C) District, and generally located north of George Hopper Road and ± 432 feet west of West Main Street, in the City of Midlothian, Texas (Case No. SP02-2012-14)

REGULAR AGENDA (*continued*):

Alberto Mares presented the agenda item and welcomed questions from the Commissioners.

Commissioner Johnson moved to **approve** this request as presented by staff.

Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Approved

- 6. Consider and act upon a request for a masonry exemption for Lot 1B of the North Midlothian Industrial Park.** Property containing \pm 1.975 acres, and is generally located east of US Hwy. 67 and \pm 320 feet north of Gifco Road, in the City of Midlothian, Texas (Case No. M03-2012-13) (*This caption is being amended to correct an error in a legal description; changing Lot 1A to Lot 1B*)

Alberto Mares presented the agenda item and welcomed questions from the Commissioners.

The applicant Tammy Wimbish and owner Carrie Smith provided the Commissioners with a brief background Liberty Cheer All Star and answered questions from the Commissioners.

Chairman Weaver moved to **approve** this request with the following conditions:

1. Front Façade 100 % brick.
2. Four foot wainscoting along the north and south.
3. Overall coverage 60% excluding the rear/eastern façade.

Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Approved

- 7. Consider and act upon the site plan and landscape plans for Lot 1B of the North Midlothian Industrial Park,** containing \pm 1.975 acres, and is generally located east of US Hwy. 67 and \pm 320 feet north of Gifco Road, in the City of Midlothian, Texas (Case No. SP01-2012-12) (*This caption is being amended to correct an error in a legal description; changing Lot 1A to Lot 1B*)

Alberto Mares presented the agenda item and welcomed questions from the Commissioners.

Commissioner Collins moved to **approve** this request as presented by staff.

Motion was seconded by Commissioner Johnson.

Action Taken: (4-0) Approved

CONSENT AGENDA

- 8. Discussion and Consideration on Planning and Zoning Commission Minutes Dated:**

October 9, 2012

- 9. Discussion and Consideration on Planning and Zoning Commission Minutes Dated:**

October 16, 2012

- 10. Approve the 2013 regular scheduled meeting dates for the Planning & Zoning Commission**

- 11. Consider and act upon a request for a septic approval for 1304 Curtis Court.** Property contains \pm 10.344 acres in the R.M. Craig Survey, Abstract No. 252, and generally located southeast of Curtis Court, in the City of Midlothian, Texas (Case No. M02-2012-09)

- 12. Consider and act upon a request for a septic approval for Lot 1B of the North Midlothian Industrial Park.** Property containing \pm 1.975 acres, and generally located east of US Hwy. 67 and \pm

CONSENT AGENDA (*continued*):

320 feet north of Gifco Road, in the City of Midlothian, Texas (Case No. M04-2012-17) (*This caption is being amended to correct an error in a legal description; changing Lot 1A to Lot 1B*)

Commissioner Collins moved to **approve** the Consent Agenda Items.

Motion was seconded by Commissioner Griffith.

Action Taken: (4-0) Approved

MISCELLANEOUS ITEMS

- Staff discussed the following items with the Commissioners:
 - Input on new staff report formats was given.
 - Site plan approval will now be administratively approved if it meets all zoning requirements. In its place, staff will provide monthly reports to the P&Z Commission to allow them to know about development activity.

- Adjourn – Commissioner Johnson moved to **adjourn** the meeting, seconded by Commissioner Griffith.

Meeting Adjourned at 8:20 pm



John M. Taylor
Director of Planning

John M. Taylor, AICP
Director of Development Services

12-18-2012