

**MINUTES
PLANNING AND ZONING COMMISSION
TUESDAY, APRIL 16, 2013**

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

The following Commissioners were present:

Ross Weaver	§	Chairman
Robert Seeds	§	Vice Chairman
Vicki Collins	§	Commissioner
Michael Griffith	§	Commissioner
Lynda Johnson	§	Commissioner
James Koehler	§	Commissioner

The following Commissioner was absent:

Brett Kemp	§	Commissioner
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The following staff member were present:

John Taylor, AICP	§	Development Services Director
Alberto Mares, AICP	§	Planning Manager
Marcos Narvaez	§	GIS Coordinator / Planner
Kathleen Hamilton	§	Administrative Assistant

PLANNING AND ZONING COMMISSION MEETING

Chairman Weaver called the Planning and Zoning Commission Meeting to order at 7:06 PM and called the first item on the agenda.

REGULAR AGENDA

- 1. Consider and act upon a request for a driveway variance for 750 Bluebonnet Lane.** Property contains ± 1.5 acres and generally located south of Bluebonnet Lane and ± 859 feet west of FM 663, in the City of Midlothian, Texas (Case No. M07-2012-34)

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

Vice-Chairman Seeds moved to recommend **approval** of this request as presented.

Motion was seconded by Commissioner Johnson.

Action Taken: (6-0) Approved

PUBLIC HEARING AGENDA

- 2. Continue a public hearing to act upon a replat of Pebble Creek Addition Phase Two, Lot 11, Block A,** containing 2.582 acres, into Pebble Creek Addition Phase Two, Lots 11R and 12-23, Block A. Property is located west of 9th Street and south of Pebble Creek Drive, in the City of Midlothian, Texas (Case No. RP01-2012-30)

Marcos Narvaez presented the agenda item and welcomed questions from the Commissioners.

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

Motion was seconded by Commissioner Koehler.

Action Taken: (6-0) Closed Public Hearing

Commissioner Koehler moved to **approve** this request with the conditions:

1. Lots 16 and 22 have an access easement
2. Lot 23 shall remain as an unbuildable lot dedicated as open space by a homeowners association.

Also, Commissioner Koehler moved to **approve** the variance to Section 6.14.3 to allow direct driveway connection to Lot 21 & 22.

Motion was seconded by Commissioner Johnson.

Action Taken: (6-0) Approved

PUBLIC HEARING (continued):

3. **Conduct a public hearing to consider and act upon a request to rezone ± 28.79 acres from the current Single Family Four (SF-4), Residential 2.5 (R2.5) and Medium Density One (MD-1) Districts to Community Retail (CR) and Single Family Four (SF-4) Districts.** Property is in the J.B. Littlepage Survey, Abstract No. 643 and the Allen Reeves Survey, Abstract No. 939, and is generally located north of US Hwy 67 and west of Overlook Drive, in the City of Midlothian, Texas (Case No. Z09-2012-50)

Marcos Narvaez presented the agenda item and welcomed questions from the Commissioners.

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

Motion was seconded by Commissioner Koehler.

Action Taken: (6-0) Close Public Hearing

Commissioner Griffith moved to recommend **approval** of this request as presented.

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Approved

4. **Conduct a public hearing to consider and act upon an ordinance for a Specific Use Permit (SUP) to allow a mobile telecommunication tower and equipment at 1050 US Highway 67.** Property is zoned Light Industrial (LI) District, containing ± 0.459 acres, and generally located south of US Highway 67 northbound service road and east of Green Acres, in the City of Midlothian, Texas (SUP04-2012-47)

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

Chairman Weaver addressed the audience for any input regarding this public hearing, with no speakers on this item Commissioner Koehler moved to **close** the public hearing.

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Close Public Hearing

Chairman Weaver moved to recommend **approval** of this request with the following conditions:

- 1) The tower shall be a monopole design and not exceed a height of 120 feet.
- 2) A 6-foot high chain-link fence with barbed wire on top shall be placed around the perimeter of the lease area.
- 3) The location of the tower and equipment shall be as stated in the site plan.
- 4) The communications tower shall adhere to all other applicable state and/or federal regulations and other requirement as stated in the lease agreement.
- 5) Additional antennas may be able to collocate on the tower with the permission of the City and Verizon.

Motion was seconded by Commissioner Griffith.

Action Taken: (6-0) Approved

5. **Conduct a public hearing and to consider and act upon an ordinance for a Specific Use Permit (SUP) to allow a non-profit donation collection facility at 250 Eric Street.** Property is zoned Planned Development 10, containing ± 0.6897 acres, and generally located south of Ave F and east of Eric Street, in the City of Midlothian, Texas. (Case No. SUP05-2012-49)

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:

Applicant: George Nessinger

Commissioner Johnson moved to **close** the public hearing.

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Closed Public Hearing

PUBLIC HEARING (continued):

Chairman Weaver moved to recommend **denial** of this request.

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Denied

6. Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 89-13, as amended, amending Section 7.4-8.3, Signs Located in the General Professional (GP), Community Retail (CR), or Commercial (C) Districts, incorporating changes to various, articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ04-2012-44)

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

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

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Closed Public Hearing

Chairman Weaver moved to **table** this request until the May 21, 2013, Planning and Zoning Meeting.

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Table

7. Conduct a public hearing to consider and act upon an Ordinance for a revised Zoning Ordinance to replace the current Ordinance 89-13, as amended, to reformat and reorganize the existing Zoning Ordinance by creating new sections and subsections, and including illustrations (Case No. OZ03-2012-43)

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

Chairman Weaver addressed the audience for any input regarding this public hearing, with no speakers on this item Chairman Weaver moved to **close** the public hearing.

Motion was seconded by Commissioner Griffith.

Action Taken: (6-0) Closed Public Hearing

Chairman Weaver moved to recommend **approval** of this request with the following changes:

- Allows staff to make minor corrections to adopted regulations as long as it doesn't change the intent of the adopted regulation and the change is reported to the Planning & Zoning Commission and City Council at the next available meeting (Section 1.06 e)
- Delete language regarding donation drop-off centers from Section 4.500

Motion was seconded by Commissioner Koehler.

Action Taken: (6-0) Approved

CONSENT AGENDA

All matters listed under Consent Agenda are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

6. **Consideration of Planning and Zoning Commission Minutes Dated:**

March 19, 2013

Vice-Chairman Seeds moved to **approve** the Consent Agenda Item.

Motion was seconded by Commissioner Collins.

Action Taken: (6-0) Approved

MISCELLANEOUS ITEMS

Adjourn – Commissioner Collins moved to **adjourn** the meeting, seconded by Vice-Chairman Seeds.

Meeting Adjourned at 8:50 pm


John Taylor, AICP,
Development Services Director **04/16/2013**