

**MINUTES
PLANNING AND ZONING COMMISSION
TUESDAY, MAY 21, 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:

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 7:07 PM and called the first item on the agenda.

PUBLIC HEARING

- 1. Conduct a public hearing to act upon a replat of Duvall Place Addition, Lot 1, Block 1**, containing 6.4622 acres, into Duvall Place Addition, Lots 1R & 4R, Block 1. Property is located west of Plainview Road, in the Extra Territorial Jurisdiction (ETJ) of the City of Midlothian, Texas (Case No. RP02-2012-61)

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

Motion was seconded by Commissioner Koehler.

Action Taken: (6-0) Closed Public Hearing

Vice-Chairman Seeds moved **approve** as presented with the variances to Section 6.14.3 for Lot 4R to allow access through an ingress-egress easement along the south side of Lot 1R, until Ledgestone Lane is built through this area.

Motion was seconded by Commissioner Griffith.

Action Taken: (6-0) Approved

- 2. Conduct a public hearing and act upon a request to rezone ± 0.8793 acres from Community Retail (CR), Medium Density One (MD-1) and Residential Three (R3) to a Residential Three (R3) District for Maxwell Addition, Lots 1A-R and 1B-R.** Property is located on South 5th Street approximately 50 feet south of the BNSF Railroad, in the City of Midlothian, Texas (Case No. Z10-2012-67)

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 Commissioner Johnson.

Action Taken: (6-0) Closed Public Hearing

Chairman Weaver moved to **approve** as presented

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Approved

PUBLIC HEARING CONTINUED

3. **Conduct a public hearing to act upon a replat of Maxwell Addition, Lot 1, containing 0.8793 acres**, into Maxwell Addition, Lots 1AR & 1BR. Property is located east of South 5th Street and 590 ft. south of W. Ave. E in City of Midlothian, Texas (Case No. RP03-2012-66)

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 Vice-Chairman Seeds moved to **close** the public hearing.

Motion was seconded by Commissioner Griffith.

Action Taken: (6-0) Closed Public Hearing

Commissioner Collins moved to **approve** as presented.

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Approved

REGULAR HEARING

4. **Consider and act upon the site, building elevations, landscape plans for the MidTowne assisted living and memory care facility**, containing \pm 3.5 acres, located on the east side of South 9th Street and approximately 150 feet south of George Hopper Road, in the City of Midlothian, Texas (Case No. SP03-2012-60)

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

Chairman Weaver moved to **table** this request till the June 18, 2013, Planning and Zoning Commissioners meeting.

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Tabled

5. **Consider and act upon a preliminary plat of Kensington Park North, 50.268 acres** in the A.W. Tucker Survey, Abstract 1096 and is generally located west of Walnut Grove and \pm 500 feet south of Mockingbird Lane, in the City of Midlothian, Texas (Case No. PP02-2012-62)

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

Commissioner Koehler moved to **approve** this request as presented.

Motion was seconded by Commissioner Johnson.

Action Taken: (6-0) Approved

6. **Consider and act upon a final plat of Kensington Park North Phase 1, \pm 23.380 acres** in the A.W. Tucker Survey, Abstract 1096 and is generally located west of Walnut Grove and \pm 1,192 feet south of Mockingbird Lane, in the City of Midlothian, Texas (Case No. FP03-2012-63)

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

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

Motion was seconded by Commissioner Koehler.

Action Taken: (6-0) Approved

7. **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)

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

REGULAR HEARING CONTINUED

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

- *Section 7.4-8-3 Signs Located in General Professional (GP), Community Retail (CR), or Commercial (C) Districts:*
 - a.2)-i) Freestanding Buildings - For each one linear foot of primary building face (façade facing public street), three square feet of wall sign is allowed up to a cap. This cap changes based on the building footprint identified in the table below. A minimum threshold of 100 square feet for small freestanding building is also provided. This means that a small building that does not have enough frontage to get to 100 square feet based on the formula may go to 100 square feet of building signage is desired. These signs can go on any wall but may not exceed a cumulative maximum square footage. This table defines the **maximum** sign area allowed based on the square footage of the building footprint:

<i>Building Footprint</i>	<i>Maximum Sign Area</i>
<i>11,999 square feet or less</i>	<i>150 square feet</i>
<i>12,000 to 49,999 square feet</i>	<i>300 square feet</i>
<i>50,000 square feet or more</i>	<i>600 square feet</i>
 - ii) Lease spaces – For each one linear foot of lease space façade two square feet of building sign is allowed with maximum of 200 sq. ft.
- a.6) To ensure separation between building signs, wall signage for lease spaces may not exceed 75% of the linear lease space façade width. Signage shall be centered within the lease space width.

Motion was seconded by Vice-Chairman Seeds.

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.

8. Consideration of Planning and Zoning Commission Minutes Dated:

April 16, 2013

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

Motion was seconded by Vice-Chairman Seeds.

Action Taken: (6-0) Approved

MISCELLANEOUS DISCUSSION

- Staff and Commissioner Announcements
 - Monthly reports to the Planning & Zoning Commission

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

Meeting Adjourned at 750 pm


John Taylor, AICP,
Development Services Director

04/16/2013