

**MINUTES
PLANNING AND ZONING COMMISSION
TUESDAY, MARCH 18, 2014**

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:

Robert Seeds	§	Vice Chairman
Vicki Collins	§	Commissioner
Lynda Johnson	§	Commissioner
Brett Kemp	§	Commissioner
James Koehler	§	Commissioner

The following Commissioners were absent:

Ross Weaver	§	Chairman
Michael Griffith	§	Commissioner

The following staff member were present:

Kevin Lasher	§	Director of Planning
Alberto Mares	§	Planning Manager
Marcos Narvaez	§	Planner/GIS Coordinator
Kathleen Hamilton	§	Planning Assistant

PLANNING AND ZONING COMMISSION MEETING

Vice Chairman Seeds called the Planning and Zoning Commission Meeting to order at 7:08 PM and called the first item on the agenda.

CONSENT AGENDA

1. Consideration of Planning and Zoning Commission Minutes Dated:

- March 18, 2014

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

Motion was seconded by Commissioner Kemp.

Action Taken: (5-0) Approved

Vice Chairman Seeds moved Agenda Item No. 2 to be heard as a Regular Agenda Item

REGULAR AGENDA

2. Consider and act upon a final plat for Waters Edge. Property is currently zoned Single Family One (SF-1) District and Agricultural (A) District, containing ±63.953 (±28.192 acres zoned SF-1 and ±35.761 acres zoned A) and is generally located west of North Walnut Grove road and ± 1,680 feet north of Mockingbird Lane, in the City of Midlothian, Texas (Case No. FP04-2013-40)

Staff presented the agenda item and welcomed questions from the Commissioners.

Commissioner Kemp moved to **approve** the final plat with the following conditions:

- 1) "Waters Edge Drive shall be dedicated as a 60' private roadway and public utility easement that shall be maintain by a mandatory home owner's association and shall not be publicly maintained. The association shall own and be responsible for the maintenance of the private roadway and public utility easement, parks and other Homeowner Association appurtenances."
- 2) All private roadway gate installations shall be approved by the Directors of Engineering and Public Works prior to installation. A Knox device shall be installed at the gate in a manner approved by the Fire Chief or designee, and shall be tested prior to the City's acceptance of the subdivision improvements.

Motion was seconded by Commissioner Johnson.

Action Taken: (5-0) Approved

3. Consider and act upon a preliminary plat (Case No. PP08-2013-43) and final plat (Case No. FP05-2013-44) for Windermere Estates containing ±58.171 acres. Property being out of the Granville Kirk Survey, Abstract 604, the Benjamin Monroe Survey, Abstract 700 and the W. J. Ely Survey, Abstract 1333 and is currently zoned Single Family-Four (SF-4) District and is generally located north of FM 1387 and ± 460 feet west of Kensington Drive, in the City of Midlothian, Texas

Staff presented the agenda item and asked that the Commissioners act separately regarding the Preliminary and Final Plats in this agenda item and welcomed questions from the Commissioners.

Commissioner Kemp moved to **approve** the Preliminary Plat as presented.

Motion was seconded by Commissioner Collins.

Action Taken: (5-0) Approved

Commissioner Collins moved to **approve** the Final Plat as presented.

Motion was seconded by Commissioner Johnson.

Action Taken: (5-0) Approved

PUBLIC HEARING AGENDA

4. Consider and act upon an ordinance amending Ordinance No. 2013-24 as amended, the Zoning Ordinance of the City of Midlothian, Texas, by rezoning ± 249.298 acres from Agricultural (A) District to a Planned Development (PD) District for all uses allowed in the Single Family – One (SF-1) District with amendments, said acreage being situated in the E.A. Braly Survey, Abstract 284, the J.P. Survey, Abstract 881, the J. Poindexter Survey, Abstract 882 and the E. Sullivan Survey, Abstract 1012, being located south of McAlpin Road and 950 feet west of Kolter Lane, in the City of Midlothian, Texas (Case No. Z09-2013-45)

Staff presented the agenda item and welcomed questions from the Commissioners.

Vice Chairman Seeds addressed the audience for any input regarding this public hearing case.

The following spoke in regards to this case:

1. Donald Shield
2. Max Seaton

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

Motion was seconded by Commissioner Kemp.

Action Taken: (5-0) Closed Public Hearing

Commissioner Johnson moved to **approve** this item with the following requirements that will be made a part of the Planned Development ordinance for this rezoning request:

- 1) Individual lot mailboxes shall be prohibited along LedgeStone. A consolidated mailbox kiosk will be required.
- 2) Lots that will directly access LedgeStone Lane will only be permitted one drive approach per lot, with circular drives being prohibited.
- 3) Only the following lots shall be permitted access from LedgeStone Lane:
 - Lots 1 and 2 of Block A,
 - Lots 1, 2 and 3 of Block B,
 - Lots 13 of Block C, and
 - Lots 1 thru 7 of Block D.
- 4) A temporary turnaround shall be required at the south end of LedgeStone Lane.
- 5) Updated roadway design details will apply for all roadway construction within the platted area. (i.e., thickened paving edge now required)
- 6) The Final Plat shall not be approved by the Planning and Zoning Commission until both the related annexation ordinance (under case file no. AX02-2013-23) and a related PD zoning ordinance have been adopted by the City Council.
- 7) The right-of-way dedication of 90-feet in width for LedgeStone Lane shall be dedicated with the Final Plat, as shown in the attached site plan.
- 8) A minor collector with a 60-foot wide right-of-way running east-west that traverses the southeastern portion of the subject property shall be dedicated with the Final Plat, as shown in the attached site plan.
- 9) The developer shall provide 2 enhanced entryways with stamped and stained concrete onto LedgeStone Lane.
- 10) A developer's agreement shall be drafted and executed for the required infrastructure and roadway improvements.
- 11) Minimum architectural requirements and elements shall be required for this Planned Development District:

<u>Zoning Provision</u>	<u>Requirement</u>
Minimum Lot Area	43,560 square feet
Number of Lots	151
Minimum Lot Width	150 feet
Minimum Lot Depth	250 feet
Lot Requirements along Ledgestone Lane	Driveways only permitted for 13 lots listed in paragraph 3) above.
Lot Coverage	40%
Minimum Masonry Coverage	100% First Floor 80% Second Floor
Minimum House Size	3,000 square feet for a maximum of 50 lots. 2,400 square feet for remaining lots.
Minimum Front Yard Setback	40 feet
Minimum Side Yard Setback (interior/corner)	10 feet / 20 feet
Minimum Rear Yard Setback	20 feet
Garage orientation	Side or rear orientation only. Front entry garages prohibited.
HOA	Mandatory HOA required
Minimum Roof Pitch	8:12 pitch with multiple roof planes
Roof Standards	All laminate architectural shingles w/3-dimensional appearance and 30-year warranty.
Elevations	Minimum of 3 planes along the front elevation. Cannot repeat for a distance of 5 lots on either side of house or across street.

- 12) A 15-foot landscape easement shall be provided along Ledgestone Lane with street trees placed every 40 feet adjacent to a 6-foot high brick/masonry wall (per fence standards outlined in the Midlothian Zoning Ordinance). Said 6-foot high brick/masonry wall shall not be required for those lot approved for driveway access off Ledgestone Lane.
- 13) Such 6-foot high brick/masonry wall fence shall be maintained by the Mandatory HOA and contain a three (3) foot maintenance easement. If a fence is installed between interior residential lots, a wooden fence is required (per fence standards outlined in the Midlothian Zoning Ordinance).
- 14) Decorative street signs will be placed wherever two streets intersect and/or wherever a street changes names.

Motion was seconded by Commissioner Koehler.

Action Taken: (4-1) Approved

Vice Chairman Seeds **opposed**.

5. Conduct a public hearing to consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance 2013-24, as amended, to rezone ± 1.0 acres from the current Single Family Four (SF-4) District to an Urban Village Planned Development (UVPD) District for residential and professional office uses. Property is addressed as 508 South 9th Street, being located east of 9th Street and ± 1,025 feet north of George Hopper Road, in the City of Midlothian, Texas (Case No.Z08-2013-41)

Staff presented the agenda item and welcomed questions from the Commissioners.

Vice Chairman Seeds addressed the audience for any input regarding this public hearing case.

The following spoke in regards to this case:

- 1. Karen Esberger
- 2. Stephen Hidlebaugh- Owner

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

Motion was seconded by Commissioner Kemp.

Action Taken: (4-0) Closed Public Hearing

Commissioner Collins moved to **approve** this item with the following requirements that will be made a part of the Planned Development ordinance for this rezoning request:

1. This proposed Planned Development shall be limited to owner-occupied residential and professional office-type uses only. Retail and other non-office uses are strictly prohibited.
2. Landscape plantings shall be native Texas species and drought-resistant and conform to the approved landscaping plan.
3. Any freestanding signage along 9th Street (F.M. 663) shall be limited to a monument sign with a maximum height of four (4) feet and a maximum area of 15 square feet on a stone, fully landscaped base and maximum building signage of six (6) square feet.
4. Any exterior pole lighting on this property shall be shielded and be of an architecturally distinct/decorative nature. A lighting plan shall be submitted that satisfies the following design requirements:
 - a. Fully shielded, downcast pole lighting in parking area,
 - b. Pedestrian scale, decorative lampposts and all along pedestrian pathways in interior parking lot.
 - c. Primary lighting in the parking lot shall be of a decorative design, subject to staff approval.
5. Any non-standard pavement surfaces must be approved by the Director of Engineering.
6. A total of six (6) parking spaces must be provided on site.
7. Decorative brick columns at the driveway entrance shall be setback 25 feet with a maximum height of six (6) feet.
8. Historic designation of the "Trotter House" with the Historic Preservation suffix "H", as presented and subject to all provisions in *Sections 5.400 of the City of Midlothian Zoning Ordinance 2013-24*.

Motion was seconded by Commissioner Koehler

Action Taken: (5-0) Approved

6. **Conduct a public hearing to consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance 2013-24, as amended,** to rezone ± 4.377 acres from the current Planned Development (PD-33) District (multi-family and retail uses) to a Planned Development District (PD) for residential use (townhomes). Property is located in the WM Hawkins Survey, Abstract 465, being located north of East Ridge Drive and ± 400 feet east of North 14th Street, in the City of Midlothian, Texas (Case No. Z06-2013-30)

Staff presented the agenda item and requested the Commissioners to **table** this rezone request to the next meeting of April 15, 2014 to allow the applicant time to submit additional information.

Commissioner Kemp moved to **table** this rezone request case.

Motion was seconded by Commissioner Collins.

Action Taken: (5-0) Approved

MISCELLANEOUS DISSCUSION

- Staff and Commissioner Announcements – none

Adjourn – Vice Chairman Seeds moved to **adjourn** the meeting.

Meeting Adjourned at 8:00 pm


Kevin Lasker, Planning Director

04/15/2014