

MINUTES
PLANNING AND ZONING COMMISSION
TUESDAY, AUGUST 19, 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:

Ross Weaver	§	Chairman
Dan Altman	§	Commissioner
Vicki Collins	§	Commissioner
James Koehler	§	Commissioner

The following Commissioners were absent:

Lynda Johnson	§	Commissioner
Brett Kemp	§	Commissioner
Robert Seeds	§	Vice Chairman

The following staff member were present:

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

PLANNING AND ZONING COMMISSION MEETING

Chairman Weaver called the Planning and Zoning Commission Meeting to order at 7:05 PM and stated that several of the public hearing cases on tonight's Planning and Zoning Commissioner Meeting's Agenda will be either tabled or continued, due to the number of citizens to speak on those items Chairman Weaver moved to hear those cases first.

PUBLIC HEARING

11. **Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended**, by rezoning ± 213.897 acres from the current Agricultural (A) District to a Single Family One (SF-1) District. Property is located in the Shelby Smith Survey, Abstract 973, the J.W. Singleton Survey, Abstract 1246, the G. Garcia Survey, Abstract 419, the J.B. Orr Survey, Abstract 818, and the A.J Cornelius Survey, Abstract 1285. Property is generally located north of FM 875, in the City of Midlothian, Texas (Case No. Z21-2013-99)

Chairman Weaver announced that this case will be continued to the September 16, 2014, Planning and Zoning Meeting, to allow the applicant time to submit additional development standards for this project.

Chairman Weaver moved to **continue** this case to the September 16, 2014, Planning and Zoning Meeting. Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Continued

12. **Conduct a public hearing to consider and act upon a request to rezone Planned Development District No 62 (PD-62) for single family residential uses by expanding said PD-62, and its adopted regulations, with the addition of 63.789 acres of land** for residential uses (single family lots ranging from 8,000 SF to 14,000 SF) and open spaces. The subject 63.789 acre expansion property is currently zoned Agricultural (A) District and is generally located on the west side of Walnut Grove Road, approximately 2,300 feet south of FM 1387 in the City of Midlothian, Texas. (Case No. Z20-2013-96)

Chairman Weaver announced that this case will be tabled to the September 16, 2014, Planning and Zoning Meeting.

Chairman Weaver moved to **table** this case to the September 16, 2014, Planning and Zoning Meeting. Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Tabled

13. Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended, by rezoning ± 33.29 acres from the current Agricultural (A) District to a Planned Development (PD) District for residential uses (single family lots ranging from 9,600 SF to 18,000 SF +) and open spaces. Property is in the Asa Newton Survey, Abstract No. 802 and generally located at the northeast intersection of FM 663 and Tower Road, in the City of Midlothian, Texas (Case No. Z18-2013-89)

Chairman Weaver announced that this case will be continued to the September 16, 2014, Planning and Zoning Meeting, to allow the applicant time to submit additional development standards for this project.

Chairman Weaver moved to **continue** this case to the September 16, 2014, Planning and Zoning Meeting. Motion was seconded by Commissioner Koehler.

Action Taken: (4-0) Continued

14. Conduct a public hearing and act upon a replat of H.E. Redden Estates, Lots 2. Property contains ± 4.915 acres and located east of Bryson Lane and approximately 1,860 feet north of FM 1387 in the extraterritorial jurisdiction of City of Midlothian, Texas. (Case No. RP03-2013-98)

Chairman Weaver announced that this case will be tabled to the September 16, 2014, Planning and Zoning Meeting.

Chairman Weaver moved to **table** this case to the September 16, 2014, Planning and Zoning Meeting. Motion was seconded by Commissioner Altman.

Action Taken: (4-0) Tabled

CONSENT AGENDA

1. Consideration of Planning and Zoning Commission Minutes Dated:

- July 15, 2014
- July 29, 2014

2. Consider and act upon a final plat for Horizon Estates containing ± 25.576 acres. Property being out of the E. C. Newton Survey, Abstract 791 and is generally located on the north side of Cynthia Drive and east of Willow Crest Drive, in the City of Midlothian, Texas (Case No. FP12-2013-93)

3. Consider and act upon a final plat of the remaining phases of Lawson Farms. Property contains ± 91.589 acres being located east of FM 663 and ± 3,270 feet south of U.S. Highway 287, in the City of Midlothian, Texas (Case No. FP13-2013-102)

Chairman Weaver moved to **approve** the Consent Agenda Items. Motion was seconded by Commissioner Koehler.

Action Taken: (2-2-0) Approved

Commissioner's Altman and Collins abstained.

REGULAR AGENDA

4. Consider and act upon a Preliminary Plat of 212.027 acres zoned Planned Development (PD-69) District for all uses permitted in the Heavy Industrial (HI) District. Said property is located west and south of Miller Road and north and west of US Highway 67 in the City of Midlothian, Texas. (Case No. PP16-2013-95)

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

Commissioner Koehler moved to **approve** the preliminary plat as presented. Motion was seconded by Commissioner Altman.

Action Taken: (4-0) Approved

5. Consider and act upon a request for a minor plat (Case No. MP02-2013-104), a variance to Section 6.14.3 of the Subdivision Regulations regarding driveway access onto arterial thoroughfares (Case No. M18-2013-106), and a variance to Section 13.03.003 of the Midlothian Code of Ordinances regarding sewer connections (Case No. M017-2013-105), for McAlpin Manor, Phase 3 Addition.

Property being out of the J.E. Poindexter Survey, Abstract 882, and containing ± 3.829 acres and is located on the southwest side of McAlpin Road, approximately $\pm 1,721$ feet north of FM 875 in the City of Midlothian, Texas.

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

Chairman Weaver moved to **approve** the minor plat, the variance to Section 6.14.3 of the Subdivision Regulations regarding driveway access onto arterial thoroughfares with the appendage of condition #2, adequate driveway surface to allow vehicle turn around before exiting onto thoroughfare, and the septic waiver as presented.

Motion was seconded by Commissioner Altman.

Action Taken: (4-0) Approved

- 6. Consider and act upon a preliminary plat for Dove Creek containing ± 175.876 acres.** Property is in the A. Howell Survey, Abstract No. 525, the G. Garcia Survey, Abstract No. 419, the J.D. Enlow Survey, Abstract No. 346, and the M. Brenan Survey, Abstract 43. Property is generally located south of McAlpin Road and $\pm 2,500$ feet east of FM 663, in the City of Midlothian, Texas (Case No. PP14-2013-87)

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

Chairman Weaver moved to **approve** the preliminary plat as presented.

Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Approved

- 7. Consider and act upon the site plan, building elevations, and landscape plans for an addition to Life Church.** Property is zoned PD-10A and contains ± 6.804 acres, located at 620 N Highway 67, in the City of Midlothian, Texas (Case No. SP06-2013-97)

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

Commissioner Altman moved to **approve** the agenda item as presented.

Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Approved

- 8. Consider and act upon a request for a minor plat (Case No. MP03-2013-108) and a variance to Section 6.14.3 of the Subdivision Regulations (driveway access onto a minor thoroughfare) (Case No. M19-2013-109), for Lewis-Mt. Zion Addition.** Property being out of the B.G. Garvin Survey, Abstract 396, and containing ± 2.0 acres and is located north of the intersection of Mt. Zion Road and Somerset in the City of Midlothian, Texas.

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

Chairman Weaver moved to approve the minor plat and variance to Section 6.14.3 of the Subdivision Regulations (driveway access onto a minor thoroughfare) with the following condition:

1. Must provide adequate driveway surface to allow vehicle turn around before exiting onto thoroughfare.

Motion was seconded by Commissioner Koehler.

Action Taken: (4-0) Approved

With both Agenda Items 9 and 10 regarding the same tract of land, Chairman Weaver moved to hear Agenda Item 10 first.

PUBLIC HEARING CONTINUED

- 10. Conduct a public hearing to consider and act upon an amendment to the City of Midlothian Zoning Ordinance, 2013-24, as amended, to extend the boundaries and adopted regulations of Lawson Farms Planned Development (PD-21), approved under Ordinance 2003-49, as amended, by rezoning ± 20 acres from the current Agricultural (A) District to PD-21.** Property is located in the Martha Brennan, Survey Abstract No. 43 and located east of FM 663 and 600 feet north of Ashford Lane (south of the existing Lawson Farms subdivision and west of the Midlothian Community Park), in the City of Midlothian, Texas (Case No. Z22-2013-100)

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

The following spoke regarding this request:

1. Kim Gill – Project Developer
2. Tim Welch – Project Engineer
3. Linda Cohn – 421 Ashford Lane, Midlothian, TX 76065
4. William Harmon – 281 Ashford Lane, Midlothian, TX 76065

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

Motion was seconded by Commissioner Koehler.

Action Taken: (4-0) Close Public Hearing

Commissioner Altman moved to **approve** the amendment to Ordinance 2011-18, Planned Development (PD-21) District with the following conditions for the additional ± 20 acres, while keeping the rest of Ordinance 2011-18 in full force and effect:

Design/ Amenities

- 1) Architectural design and controls: Minimum roof pitch of 8:12; 100% masonry front facades; and, architectural variety shall not repeat for a minimum distance of five lots and 40% of the homes in this Planned Development (PD-21) District shall be constructed with swing entry garages.
- 2)

Total Lots:	60	
Minimum Lot Area:	9,000 square feet	
Greater than minimum:	9,216 square feet	24 lots (40%)
Corner/cul-de-sac lots:	10,800 + square feet	22 lots (36.67%)
Minimum Lot Width	75 feet	
Minimum Lot Depth	120 feet	
Front Yard Setback:	25 feet (one story)	
Side Yard Setback:	20 feet (street side); 5 feet (interior);	
Rear Yard Setback:	10 feet	
Total Lots (without school site)	602	
Gross Density	2.92du/acre	
% Lots 8999 sf or smaller	26%	
% Lots 9000 sf or larger	74%	
Minimum house size	2,000 square feet	
% Overall Masonry (brick/ stone)	90% minimum	
% Front Masonry	100%	
Max. % Impervious Area	60%	
- 3) Subsequent plats shall provide detailed design of landscaped entryways and park pathways (e.g., latter shall be paved and at least 10 feet wide).
- 4) Subsequent plats shall provide detailed design of streetscaping: Intersections shall have paver block or stained concrete crossings; all streets shall include pedestrian-scale lamp posts.

Traffic/ Transportation

- 5) Traffic impact studies may be required with the preliminary plat and/ or each final plat.

Recreation/ Open Space

- 6) Developer shall incorporate deed restrictions and/ or plat restrictions to limit fencing adjacent to common space/ open space areas to non-opaque architectural steel type fencing.

Engineering/ Utilities

- 7) Sewer Service. The developer is responsible for and shall bear the cost of removing the existing Allen Street lift station and constructing a new lift station on the eastern side of the development, along with a new gravity line from the abandoned lift station to the new lift station. This station and gravity line shall be designed in accordance with City

standards and requirements to adequately handle flow from the FM 663 sewer corridor, along with all phases of this development, and for future extension to the Southeast Sanitary Sewer System. Additional engineering comments including water, sewer and drainage needs are forthcoming at the platting stage.

Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Approved

REGULAR AGENDA

- 9. Consider and act upon a preliminary plat of Enclave at Lawson Farms.** Property contains ±20 acres in the M. B. Survey, Abstract No. 43 and located south of the existing Lawson Farms subdivision and west of the Midlothian Community Park in the City of Midlothian, Texas (Case No. PP17-2013-101)

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

Chairman Weaver moved to **approve** the preliminary plat as presented with the following additional condition:

1. Pedestrian easement to the City Park to the east will be up to the discretion of the Planning Director.

Motion was seconded by Commissioner Koehler.

Action Taken: (4-0) Approved

MISCELLANEOUS DISCUSSION

- Staff and Commissioner Announcements – none

Chairman Weaver moved to **adjourn** the meeting.

Motion was seconded by Commissioner Collins.

Action Taken: (4-0) Meeting Adjourned at 8:00 pm


Kevin Lasker, Planning Director

09/16/2014