

**MINUTES
PLANNING AND ZONING COMMISSION
TUESDAY, FEBRUARY 17, 2015**

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

The following Commissioners were present:

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

The following Commissioners were absent:

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

PLANNING AND ZONING COMMISSION MEETING

Chairman Weaver called the Planning and Zoning Commission Meeting to order at 7:15 PM and addressed the Commissioners to move Consent Agenda Item 2 to be heard as a regular agenda item.

CONSENT AGENDA

1. Consideration of Planning and Zoning Commission Minutes Dated:

- January 20, 2015

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

Motion was seconded by Commissioner Johnson.

Action Taken: (5-0) Approved

REGULAR AGENDA

2. Consider and act upon a final plat of Hillstone Estates, being 76 residential lots, two (2) commercial lots, four (4) round-about lots, one (1) detention lot, and one (1) underground pipeline lot on 28.875 acres out of the Martha Brennan Survey, Abstract 43, located on the east side of FM 663, ± 480 feet south of Ashford Lane, in the City of Midlothian, Texas (Case No. FP02-2014-37)

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

Chairman Weaver made a motion to **approve** the final plat as presented.

Motion was seconded by Commissioner Koehler.

Action Taken: (4-0-1) Approved

Commissioner Altman abstained.

3. Consider and act upon a request for an on-site sewage facility (septic system) waiver for Country East Estates, Phase 1, Lots 4 & 5. Property contains ± 0.84 acres generally located at west of Daisy Road and 200 feet south of FM 1387, in the City of Midlothian, Texas (Case No. M10-2014-39)

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

Commissioner Johnson made a motion to **approve** this request for on-site sewage facility (septic system) with the following conditions:

1. The design of proposed septic system meets all Ellis County and TCEQ requirements.
2. No more than one septic system per lot or tract shall be permitted.
3. Connection to City sewer system is made within 18 months of availability to the site.

Motion was seconded by Commissioner Collins.

Action Taken: (5-0) Approved

4. **Consider and act upon a request for a masonry exemption for The Aviary subdivision.** Property contains ± 51.446 acres in the John Crane Survey, Abstract No. 246 and the Samuel Fredrick Survey, Abstract No. 357 and located at the southeast intersection of Shiloh Road and Walnut Grove Road, in the City of Midlothian, Texas (Case No. M09-2014-34)

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

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

1. To allow a minimum 60% masonry coverage (brick or stone) as defined in the City of Midlothian Zoning Ordinance 2013-24, as amended.
2. Developer to include a design booklet depicting architectural renderings (included in the staff report) within the The Aviary deed requirements.

Motion was seconded by Commissioner Altman.

Action Taken: (5-0) Approved

5. **Consider and act upon the site plan, landscaping, and building elevations** for Creekbend Plaza Addition, Lot 1R-B, Block 2, (Chicken Express) and containing ± 1.942 acres, located in the Planned Development 12 (PD-12) District and generally located at the southwest intersection of George Hopper Road and East Main Street, in the City of Midlothian, Texas. (Case No. SP01-2014-33)

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

Commissioner Koehler moved to **approve** the building elevation, site plan and landscaping plans and the parking variance to include 17 spaces above the required maximum (total of 27 spaces) as presented and to include the following condition:

1. A “right-in/right-out” driveway median be constructed at the proposed curb-cut at George Hopper Road.

Motion was seconded by Commissioner Collins.

Action Taken: (5-0) Approved

6. **Consider and act upon a preliminary plat of Skyview Addition.** Property contains ± 24.62 acres out of the, and the J.W. Kizziar Survey, Abstract 609 and generally located on the west side of Walter Stephenson Road and ± 620 feet west of Pecan Ridge Ct., in the City of Midlothian, Texas (Case No. PP06-2014-35)

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

Commissioner Altman moved to **approve** the preliminary plat of Skyview Addition with the following conditions:

1. The spacing variance along Walter Stephenson Road is granted based on the submitted preliminary plat.
2. Prepare and submit a preliminary traffic impact study prior to the acceptance of the final plat to determine peak-hour traffic at built-out to verify the need for any accel/decel lanes along Walter Stephenson Road.
3. Establishment of a Homeowners Association prior to the filing of a final plat to maintain the common lot.
4. For the final plat application, dedicate one-half of the major collector that runs northwest of Walter Stephenson Road.

Motion was seconded by Commissioner Koehler.

Action Taken: (5-0) Approved

PUBLIC HEARING

7. **Conduct a public hearing and act on a proposed ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended, by the addition of Section 11, Tree Preservation,** including the incorporation of modifications to various articles, sections and subsections of the Zoning Ordinance pertaining to landscaping; establishing a Midlothian Tree Mitigation Fund; providing a conflicts clause; providing a severability clause, providing for the enforcement of said amendments, establishing a penalty for violations, and providing for an effective date. (Case No. OZ01-2014-01)

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

Chairman Weaver moved to **recommend approval** this proposed draft ordinance, by amending the City of Midlothian Zoning Ordinance 2013-24, as amended.

Motion was seconded by Commissioner Altman.

Action Taken: (5-0) Approved

MISCELLANEOUS DISCUSSION

- Staff and Commissioner Announcements – Chairman Weaver announced the passing of former Planning and Zoning Commissioner Mike Griffith.
- Adjourn: Chairman Weaver moved to **adjourn** the meeting.
Commissioner Koehler seconded the motion.

Action Taken: (5-0) Meeting Adjourned at 8:25 pm

2/17/2015



Kevin Lasker, Planning Director