

**MINUTES
PLANNING AND ZONING COMMISSION
TUESDAY, MARCH 19, 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 to rezone ± 68.371 acres from the current Agricultural (A) District to a Planned Development (PD) with minimum lot sizes of 8,400 and 20,000 square feet. Property is in the WW Rawls Survey, Abstract No. 915 and located west of FM 663 and ± 670 feet south of Harvest Hill, in the City of Midlothian, Texas (Case No. Z03-2012-25)

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

Vice-Chairman Seeds moved to recommend **approval** this request with the following conditions:

- 1) This planned development shall contain no more than 196 residential lots with 5 different lot types (see breakdown below):

▪ 8,400 – 9,999 sf	139 lots
▪ 10,000 – 11,000 sf	17 lots
▪ 12,000 – 14,999 sf	9 lots
▪ 15,000 – 29,999 sf	20 lots
▪ 30,000 sf +	7 lots
- 2) All lots directly abutting Hunters Glen shall be a minimum 75-foot wide and a minimum 9,000 square feet. All lots along the south and west boundaries shall be a minimum 19,500 square feet.
- 3) An entrance to this development is proposed from FM 663 and will require approval from TX-DOT in order to ensure it meets their spacing requirements. In addition, at minimum, a traffic study will be required to determine the feasibility of an auxiliary lane and possibly a left turn lane will need to be provided along FM 663. This shall be coordinated with Tx-DOT and the City Engineer and may involve restriping this road.
- 4) A total of approximately 21 decorative streetlights shall be placed throughout this 68-acre development as indicated in the site development plan (every intersection and every 600 feet).
- 5) The enhanced streetscape features shall be included into the development from FM 663 to the first street intersection and along 3 major intersections along the Mt. Zion Rd. /Turning Leaf Lane corridor as indicated in the site development plan. All enhanced streetscaping shall be stamped and colored concrete.
- 6) The entrance to FM 663 shall be a flared divided intersection set to the specifications of the City Engineer and shall contain entrance monumentation.

REGULAR AGENDA CONTINUE

- 7) The minimum architectural requirements and elements shall apply within this development:
 - Minimum house size of 1,800 square feet and minimum garage size of 400 square feet (exclusive of house size)
 - At least 80% of all homes shall be a minimum 2,000 square feet
 - Minimum brick/stone coverage of 90%
 - Minimum roof pitch of 8:12 with multiple roof planes and laminate architectural 3-dimensional shingles and having a warranty of at least 30 years
 - No repetition of the same architectural style shall repeat for 5 lots on either side of the house or across the street
 - All lots over 20,000 square feet shall have side or rear entry garages
 - All developed lots shall also incorporate 3 additional architectural elements from the following list:
 - Coach lights
 - Brick mailboxes
 - 100 square feet of natural stone
 - Front/rear patio of 100 sf
 - Dormers
 - Bay window with 24-inch projection
 - Split-garage door
- 8) A total of 4.269 acres of open space, as shown on the development site plan, shall be maintained by the Autumn Run Homeowners Association.
- 9) A 15-foot tree preservation easement shall be placed along west & south boundaries during the platting stage. All trees greater than 6 inches in caliper shall remain, unless they need to be removed for utility construction or valid engineering purposes, as determined by the City Engineer. An inventory of all trees greater than 6 inches shall be provided in all tree preservation easements.
- 10) A 15-foot landscape easement along FM 663 with street trees placed every 40 feet shall be placed adjacent to a brick/masonry wall.
- 11) An expanded private park measuring 1.083 acres shall be placed, based on the development site plan, with a 14-foot high pavilion measuring 24 feet wide and a playground measuring approximately 2,300 square feet with slides, swings, climbers and complies with Consumer Product Safety Commission (CPSC), American Safety for Testing Materials (ASTM), and American with Disabilities Act (ADA) regulations
- 12) A detention area, measuring approximately 1.035 acres, shall also include a perimeter 6-foot wide concrete walking trail. The trail shall extend along the gas easement to connect to the private park (see Attachment 3).
- 13) All lots abutting a detention area, open space or private park shall require the installation of a non-opaque fence (i.e. wrought iron or architectural steel).

Motion was seconded by Commissioner Griffith.

Action Taken: (6-0) Approved

PUBLIC HEARING AGENDA

2. **Continue a public hearing and act upon a request for a Specific Use Permit (SUP) to allow a minor automotive repair garage at 418 W. Main Street.** Property is zoned Commercial (C) District, containing ± 0.158 acres, and generally located at the southeast intersection of W. Main St. and S. 5th Street, in the City of Midlothian, Texas (SUP03-2012-41)

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: Jose Pena, 1200 South Cooper, Arlington, Texas 76013

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

Motion was seconded by Commissioner Koehler.

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: (5-1) Approved

Commissioner Collins opposed the recommendation.

- 3. Conduct 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)

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

Chairman Weaver moved to **continue** the public hearing to the April 16, 2013 Planning and Zoning Commission Meeting.

Motion was seconded by Commissioner Johnson.

Action Taken: (6-0) Continued

- 4. Conduct a public hearing to consider and act upon a request for a Specific Use Permit (SUP) to allow a secondary dwelling unit on 1335 Tower Road.** Property is located in the Agricultural (A) District, contains \pm 2.173 acres and generally located north of Tower Road and \pm 3,204 feet east of F.M. 663, in the City of Midlothian, Texas (Case No. SUP02-2012-43)

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

Motion was seconded by Commissioner Koehler.

Action Taken: (6-0) Close Public Hearing

Vice-Chairman Seeds moved to recommend **approval** of this request as presented with the following recommendations:

- 1) Shall meet all the requirements of the City of Midlothian Zoning Ordinance, 89-13, as amended, Section 7.1-2 (I).
- 2) The secondary dwelling unit shall not exceed 1,800 square feet.
- 3) Deed restrictions shall be filed with the County Clerk prior to the issuance of a building permit stating the secondary dwelling unit cannot be used as commercial rental property and shall only be inhabited by a family member.
- 4) The existing barn/shed shall be removed and disposed in accordance with City Code.
- 5) The new second dwelling unit shall be constructed in approximately the same location of the existing barn/shed, while meeting all required setbacks.

Motion was seconded by Commissioner Griffith.

Action Taken: (6-0) Approved

- 5. Conduct a public hearing to consider and act upon a request for a Specific Use Permit (SUP) to allow a dog training facility at 2030 Starwashed Road.** Property is zoned Agricultural (A) District, containing \pm 2.5 acres, and generally located on eastside of Starwashed Road and 200 feet south of Walter Stephenson Road. (SUP04-2012-40)

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: Peggy Phelps, 2013 Starwashed Road, Midlothian, Texas 76065

Commissioner Collins 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 **approval** of this request as presented with the following recommendations:

- 1) This use shall be limited to a dog training facility located inside the existing metal structure. No outdoor training of any kind shall be allowed.
- 2) The existing metal structure shall not be expanded.
- 3) A building inspection shall be required to be passed prior to the issuance of a Certificate of Occupancy.
- 4) The maximum number of dogs that can be trained at any one time shall be 6.
- 5) A minimum 3 parking spaces shall be required on site.
- 6) Hours of operation shall be limited to 9am-8pm.
- 7) No permanent signage shall be allowed in the front of the house. Any signage placed shall be a sign on the door of the building and a small sign along the side of the building. Such signs shall to exceed a total of 20 square feet in area and cannot be located higher than 10 feet on the metal building.

Motion was seconded by Commissioner Griffith.

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:

February 19, 2013

February 28, 2013

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

Motion was seconded by Commissioner Koehler.

Action Taken: (6-0) Approved

MISCELLANEOUS ITEMS

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

Meeting Adjourned at 8:40 pm


John Taylor, AICP,
Development Services Director

03-19-2013