

**MINUTES  
PLANNING AND ZONING COMMISSION  
TUESDAY, OCTOBER 21, 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
Vicki Collins	§	Commissioner
Lynda Johnson	§	Commissioner
James Koehler	§	Commissioner

**The following Commissioners were absent:**

Robert Seeds	§	Vice Chairman
Dan Altman	§	Commissioner
Brett Kemp	§	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
Jennifer Penn	§	Administrative Assistant

**PLANNING AND ZONING COMMISSION MEETING**

Chairman Weaver called the Planning and Zoning Commission Meeting to order at 7:09 PM.

**CONSENT AGENDA**

**1. Consideration of Planning and Zoning Commission Minutes Dated:**

- September 16, 2014

**2. Consider and act upon an extension of the preliminary plat of SomerCrest.** Property contains ± 65.10 acres in the Alexander S. Jenkins Survey, Abstract No. 554, and located ± 170 feet east of Somerset Street and south of Mt. Zion Road, in the City of Midlothian, Texas (Case No. M01-2014-02)

**3. Consider and act upon a final plat of ± 212.027 acres zoned Planned Development (PD-69) District for all uses permitted in the Heavy Industrial (HI) District and un-zoned extra territorial jurisdiction (ETJ).** 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. FP15-2013-126)

Commissioner Koehler moved to **approve** the three Consent Agenda Items as presented.  
Motion was seconded by Commissioner Collins.

**Action Taken: (4-0) Approve**

**REGULAR AGENDA**

**4. Consider and act upon a request for a masonry exemption from the City of Midlothian Zoning Ordinance 2013-24, Section 4.5502, for 4191 U.S. Highway 67.** Property is currently zoned Light Industrial (LI) District and contains ± 17.89 acres, and located west of U.S. Highway 67, and ± 1,750 feet south of Shiloh Road, in the City of Midlothian, Texas (Case No. M24-2013-127)

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

Chairman Weaver moved to **table** this case to the November 18, 2014 Planning and Zoning Commissioners meeting.

Motion was seconded by Commissioner Johnson.

**Action Taken: (4-0) Tabled**

- 5. Consider and act upon the building elevations, site plan, and landscape plan for MidTowne Pharmacy and future retail space.** Property is currently zoned as a Planned Development (PD-42) and contains ±1.12 acres in the in the William Hawkins Survey, Abstract No. 465 and located on the south side of George Hopper Lane and ± 107 feet west of South 14<sup>th</sup> Street, in the City of Midlothian, Texas (Case No. SP09-2013-118)

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

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

1. All parking stall widths not mentioned in PD-42 shall conform to the City's Non-Residential Parking Regulations.
2. Landscape planting near on-street parking stalls shall be designed to provide unobstructed visibility, particularly at the intersection of Skye Lane and George Hopper Road.
3. Trees may be permitted in the area mentioned above (#2) provided they are trimmed in such a manner that no limbs or foliage extends into the visibility area for on-street parking stalls.

Motion was seconded by Commissioner Johnson.

**Action Taken: (4-0) Approved**

### PUBLIC HEARING

- 6. Conduct a public hearing to consider and act upon a request to rezone Planned Development (PD-62) District for single family residential uses by amending and 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, ± 2,300 feet south of FM 1387 in the City of Midlothian, Texas. (Case No. Z20-2013-96)

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

Chairman Weaver moved to **close the public hearing**.

Motion was seconded by Commissioner Koehler.

**Action Taken: (7-0) Closed Public Hearing**

Chairman Weaver moved to **approve** this case with the following conditions:

- 1) The original boundary of Planned Development 62-A (70 acres) shall contain no more than 204 residential lots and minimum of 3 open space/amenity lots.
- 2) The expanded boundary of Planned Development 62-A (63.789 acres) shall contain no more than 172 residential lots and a minimum of 6 common area/open space lots including a combined drainage easement and pedestrian trail element.
- 3) There shall be no less than five (5) proposed product types consisting of lots sizes ranging from 8,000 – 9,000 square feet (101 lots); 9,000 – 10,000 square feet (96 lots); 10,000 – 12,000 square feet (76 lots); 12,000 – 14,000 square feet (22 lots) and, 14,000 + square feet (26 lots).
- 4) Ninety (90) feet of right-of-way shall be dedicated for Walnut Grove Road at the platting stage as shown in the site plan.

A ten-foot (10') wide landscape easement shall be provided along Walnut Grove Road with street trees placed every forty feet (40') inside said easement. Said 10-foot landscape easement shall be dedicated as a separate lot on the final plat of the subject property and be under the owner of the Grove Homeowners Association or assigns.

- a) A six-foot (6') high brick/masonry wall (per fence standards outlined in the Midlothian Zoning Ordinance) shall be constructed along the inside line of said 10-foot landscape easement, which adjoins the residential lot lines, for all platted lots that adjoin said easement.
- b) A five-foot (5') wide fence maintenance easement shall be dedicated along the inside of said masonry wall on the platted residential lot.
- c) All trees and turf within said 10-foot landscape easement shall be *irrigated and maintained by The Grove Homeowners Association* or assigns.

- 5) The right-of-way for Arbor Grove Trail shall be fifty (50) feet. The right-of-way for Grove Branch Boulevard shall be eighty (80) feet. No alleys shall be provided in this development.
  - a) A fifteen foot (15') wide landscape easement shall be provided along Grove Branch Boulevard with street trees placed every 40 feet adjacent to a six-foot (6') high wrought iron type fence along the thoroughfare. Said 15-foot landscape easement shall be dedicated as a separate lot on the final plat of the subject property and be under the owner of the Grove Homeowners Association or assigns.
  - b) *An earthen berm shall be constructed within said fifteen-foot (15') wide landscape easement. The height of said berm, as measured from the adjacent paved grade of Grove Branch Boulevard, shall be a minimum of three feet (3').*
  - c) *The slope of said earthen berm shall not exceed 3:1 and shall be stabilized by grass turf that is irrigated and maintained by The Grove Homeowners Association or assigns.*
  - d) *No driveway access shall be permitted along Grove Branch Boulevard.*
- 6) A northern access point shall be extend to the MISD property. The location shall be determined by the school district. If the access point is not feasible, a pedestrian walkway/easement to the MISD site shall be provided. Should a pedestrian easement be provided, such walkway/easement shall be fenced on each side by a wrought-iron type fence for the purpose of facilitating improved visibility and security.
- 7) A minimum 16 decorative streetlights shall be placed throughout the development as indicated in the development site plan. A more detailed plan shall be submitted during the preliminary plat to indicate exact locations.
- 8) The development shall provide 3 enhanced entryways with stamped and stained concrete from Walnut Grove Road, which shall also be designed as flared intersections to provide better traffic-turning circulation set to the specifications set forth by the City Engineer.
- 9) The minimum architectural requirements and elements shall apply within this development:
  - a) Minimum house size of 1,600-1,800 square feet for a maximum 30% of homes with the remaining 70% of homes having a minimum house size over 1,800 square feet. All shall require a minimum garage size of 400 square feet (exclusive of house size).
  - b) Minimum brick/stone coverage of 90%.
  - c) Maximum lot coverage of 50%.
  - d) Minimum roof pitch of 8:12 with multiple roof planes and 3-dimensional laminate architectural shingles having a warranty of at least 30 years.
  - e) No repetition of the same architectural style shall repeat for 5 lots on either side of the house or across the street.
  - f) Minimum 3 planes along the front elevation.
  - g) A minimum of three (3) additional architectural elements from the following list shall be required:
    - i) Coach lights.
    - ii) Brick mailboxes (no individual mailboxes along Arbor Grove Trail should it be re-established as a designated thoroughfare).
    - iii) 100 square feet of natural stone on the street facing facade.
    - iv) Front/rear patio of 100 square feet.
    - v) Dormer windows on street facing facade.
    - vi) Bay window with 24-inch projection.
    - vii) Split-garage door with a masonry column providing the separation between doors.
  - h) Building Setbacks:
    - i) Front yard setback shall be twenty-five feet (25').
    - ii) Front yard setback for lots backing up to (and adjoining) Walnut Grove Road shall be fifteen feet (15') for the main residential structure, and twenty feet (20') for the front facing garage door.
    - iii) Rear yard setback shall be twenty feet (20').
    - iv) Interior side yard setback shall be six feet (6').
    - v) Side yard setback for an exterior corner lot shall be fifteen feet (15').

- vi) The required front yard setback may be reduced by ten feet (10') for the construction and location of opened (roof covered) front yard porch structures, that are attached to the front (street facing) façade of the residence, with said setback reduction being allowed only for those opened porches constructed with a minimum depth of seven feet (7'), and a minimum roof covered floor area of seventy square feet (70 SF).
- 10) A minimum 35% of all lots shall have side or rear-entry garages. All homes shall provide upgraded wooded garage doors with a decorative design.
- 11) A minimum of 10.69 acres of open space shall be provided (including the acreage of open space within the TRWD water line easement) and shall be maintained by The Grove Homeowners Association or assigns.
- 12) The herein required ten-foot (10') wide landscape easement along Walnut Grove Road shall be planted with street trees placed every forty feet (40') on center adjacent to the required six-foot (6') high brick/masonry. The masonry fence and landscaping standards shall meet the standards set forth in the Landscaping and Fencing Regulations of the Midlothian Zoning Ordinance.
  - a) *The easement and parkway areas within the adjoining road rights-of-way shall be stabilized by grass turf that is irrigated in accordance with the requirements of the Midlothian Zoning Ordinance.*
  - b) *The easement area, required street trees, and the parkway area within the adjoining road rights-of-way shall be maintained by The Grove Homeowners Association or assigns.*
- 13) Interior park site, as shown on the attached Exhibit C, shall be provided and maintained by The Grove Homeowners Association. Said park site shall contain a playground measuring approximately 12,000 square feet with slides, swings, climbers, etc. that complies with the Consumer Product Safety Commission (CPSC), American Safety for Testing Materials (ASTM), and American with Disabilities Act (ADA) regulations. Additional access points shall be placed per the specifications of the City Engineer.
  - a) A minimum of eight (8) paved off-street parking spaces shall be provided at said park site location.
- 14) Open area lots, as shown on the attached Exhibit C, shall serve as detention ponds for this development and shall meet all requirements set forth by the City Engineer.
- 15) A 6-foot wide walking trail shall be placed along the length of the Tarrant Regional Water District line.
- 16) All lots abutting a detention pond, open space, pedestrian walking trail, or private park, shall require the installation of a non-opaque fence (i.e. wrought iron or architectural steel).
- 17) A combined drainage easement and pedestrian trail element shall be provided on the south 63.789 acre tract that extends northward to a connection with the TRWD water line easement as shown on the attached Exhibit C. No fences or structures shall be placed on the easement itself.
- 18) A Traffic Impact Analysis (TIA) shall be required on Walnut Grove Road to determine the type of road improvements needed in conjunction with this development. Such analysis shall be required with the submittal of the Preliminary Plat application for the development.
- 19) A development agreement shall be required that addresses construction, cost-sharing and phasing of roadway improvements for Walnut Grove Road and Grove Branch Boulevard including construction of left turn lanes along Walnut Grove Road as deemed necessary by the TIA and City Engineer.

Motion was seconded by Commissioner Koehler

**Action Taken: (4-0) Recommended Approval**

- 7. **Conduct a public hearing and act upon a Specific Use Permit (SUP) request from US Polyco to allow a polymer blending operations at MidTexas International Center.** Property is currently zoned Light Industrial (LI) District and contains ± 0.696 acres within MidTexas International Center Block 1, Lot 1, in the City of Midlothian, Texas. (Case No. SUP06-2013-129)

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

Chairman Weaver moved to **close the public hearing.**

Motion was seconded by Commissioner Johnson.

**Action Taken: (4-0) Closed Public Hearing**

Chairman Weaver moved to **approve** this case with the following conditions:

- 1) This SUP shall be exclusively for an approximate 30,000-square foot polymer blending processing plant as shown in Exhibit B and shall be limited to the 0.696 acres as shown in Exhibit C.
- 2) All buildings shall not exceed the maximum height of 35 feet (to the top of the roof plate) and shall have an all-metal exterior. All other structures shall not exceed a height of 50 feet.
- 3) A minimum total 17 spaces shall be provided for this use.
- 4) This site shall be exempt from the City's Landscaping Regulations.
- 5) Any ground sign or building signage installed shall meet the City's adopted Sign Regulations.
- 6) All fire-related codes, state and federal regulations, and industry-related guidelines related to safety shall be followed at all times.

Motion was seconded by Commissioner Johnson.

**Action Taken: (4-0) Recommended Approval**

8. **Conduct a public hearing to receive public comment 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; 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 **continue** this case to the November 18, 2014 Planning and Zoning Commissioners meeting.

Motion was seconded by Commissioner Johnson.

**Action Taken: (4-0) Continued to November 18, 2014**

**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 8:30 pm**



Kevin Lasker, Planning Director

**11/18/2014**