

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, June 13, 2017**

Pursuant to the provisions of Chapter 551 VTCA Government Code, notice is hereby given of a Regular Meeting of the Midlothian City Council, to be held in the City Council Chambers at Midlothian City Hall, 104 West Avenue E, Midlothian, Texas

**REGULAR AGENDA 6:00 p.m.**

Call to Order, Invocation and Pledge of Allegiance

2017-193 Citizens to be heard

**CONSENT AGENDA**

*All matters listed under Consent Agenda are considered to be routine by the City Council 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.*

2017-194 Consider and act upon minutes from the City Council meeting of May 23, 2017.

2017-195 Consider and act upon a resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of two cents (\$0.02) per capita to the Atmos Cities Steering Committee to fund regulatory and related activities connected to Atmos Energy Corporation.

**PUBLIC HEARINGS**

2017-196 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) authorizing an 1,824± square foot portion of a building on Lot 4R, Block A, Midwest Industrial Park (commonly known as 2104 Hwy. 67, presently zoned Light Industrial (LI) District to be used and developed for furniture construction shop (Case No. SUP08-2017-97).

2017-197 Conduct a public hearing and consider and act upon an ordinance to rezone 14.066± acres of land from Single Family One (SF-1) and Agricultural (A) District to Planned Development District No. 100 (PD-100) for Commercial (C) uses and granting a Specific Use Permit (SUP) for a mini-warehouse facility. Property is located in the Martha Brenan Survey, Abstract No. 43, generally located 900 feet north of McAlpin Road, East side of FM 663 (Case No. Z28-2017-105).

2017-198 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) to allow for the use of a gasoline station with retail sales and to consider a request for approval of the associated site plan, elevations, and landscape plans. Property contains ±1.01 acres, out of the Hawkins Meadows Development, City of Midlothian, Ellis County, generally located at FM 663 and Hawkins Run Rd. (SUP10-2017-99).

2017-199 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) to allow for the use of a grocery store and adopting the site plan, elevations, and landscape plans. Property contains ±2.3398 acres out of the John B. Gavin Survey, Abstract No. 402, City of Midlothian, Ellis County, generally located at Reindeer and Harvest Hill Drive. (SUP13-2017-104).

- 2017-200 Conduct a public hearing and consider and act upon an ordinance to rezone 7.458± acres of land from Agricultural (A) District to a Planned Development District No. 102 (PD-102) for Community Retail (CR) uses with outdoor sales, displays and storage use. Property is located in the J. Witherspoon Survey, Abstract No. 1136 and the J. Alford Survey, Abstract No. 7, generally located at the northwestern corner of Shady Grove Road and Plainview Road intersection and extends north to U.S. Hwy 287 (Case No. Z22-2017-80).
- 2017-201 Conduct a public hearing and consider and act upon an ordinance to rezone .1601 +/- acres of land from Residential Three (R3) District to an Urban Village Planned Development District (UVPD). Property is Lot 5, Block 37, Original Town of Midlothian, Sec. 2, generally located on South 5th Street and Avenue H (203 S. 5th Street). (Case No. Z27-2017-96).
- 2017-202 Conduct a public hearing and consider and act upon an ordinance amending the Use Table found in Section 2.04 of the Zoning Ordinance by adding a new use titled “Ice Kiosk Machines” to Section two (2) “Use Tables”, and by adding a definition to Section one (1) for the term ice kiosks. (Case No. OZ11-2017-112).

**REGULAR AGENDA**

- 2017-203 Consider and act upon approving a joint Memorandum of Understanding (MOU) between Midlothian Development Authority, the City of Midlothian and Jet Stream LLC for the development of a 375-Acre site at the RailPort Business Park for the purpose of building an industrial facility.
- 2017-204 Consider and act upon a bid award to Circle H Contractors, L.P. for the S. 14th Street (Ashford/Oak Tree Lane to McAlpin Road) Roadway Improvement Project in a bid amount of \$4,473,191.80, plus contingency funds in the amount of \$150,000, for a total project amount not to exceed \$4,623,191.80.
- 2017-205 Consider and act upon a Right of Way Use License and Hold Harmless Agreement for use of the northern 26 feet of the right of way for West Avenue H adjacent to 203 South 5th Street for parking (Case No. M27-2017-122).
- 2017-206 Consider and act upon a special exception request to the Zoning Ordinance, Section 6.14.7(b)(1), regarding driveway spacing requirements, relating to Wickcliffe Manor, being ± 14.407 acres of land situated in the B.F. Hawkins Survey, Abstract No. 464, and the B.G. Garvin Survey, Abstract No. 396, in the City of Midlothian, Ellis County generally located on South Midlothian Parkway at the intersection of Mt. Zion Road (Case No. M23-2017-110).
- 2017-207 Consider and act upon a request for a special exception to Section 3.5501 of the Zoning Ordinance to allow construction of a single-family house with masonry less than the minimum requirement of 90%. Property contains ± 31.861 acres of land situated in Lot 1, Block 1 of the Mayes Addition (commonly known as 4640 Stout Road) (M21-2017-106)
- 2017-208 Consider and act upon a request for a special exception to Section 3.5501 of the Zoning Ordinance to allow construction of a single-family house with a roof pitch less than the minimum requirement of 8:12. Property contains ± 31.861 acres of land situated in Lot 1, Block 1 of the Mayes Addition (commonly known as 4640 Stout Road) (Case No. M20-2017-106).

- 2017-209 Consider and act upon a resolution initiating proceedings to annex ± 118 acres of land (described as the Annexation Area and depicted in Exhibit A) out of the Coleman Jenkins Survey, Abstract No. 556; Ellis County, Texas by the City of Midlothian, Texas; authorizing and directing city staff to publish notice of such hearings, with the institution of the annexation proceedings, by adoption of the annexation ordinance, to occur at a regular and special called City Council session, and to prepare a service plan for the Annexation Area; said Annexation Area located to the north of Highway 287, between Primrose Drive and South Walnut Grove Road. (Case No. AX01-2017-123)
- 2017-210 Consider and act upon reallocating remaining funds from the Midlothian Community Development Corporation (Type B) 2015 grant for Wi-Fi at Jaycee Park project in the amount of \$14,691 to the parking improvements at Kimmel Park project.

### EXECUTIVE SESSION

*The City Council will convene into executive session pursuant to the following sections of the Texas Government Code. Executive Session items are discussed in closed session but any and all action is taken in regular open session.*

1. Section 551.071(2) Legal: Consultation with city attorney on any agenda item listed herein.

### REGULAR AGENDA

- 2017-211 Action resulting from Executive Session, Item #1: Legal
- 2017-212 Adjourn

I, Mary McDonald, Deputy City Secretary of the City of Midlothian, Texas, do hereby certify that this Notice of Meeting was posted on the front window of City Hall, 104 West Avenue E, Midlothian, Texas, at a place readily accessible to the general public at all times, no later than the 9<sup>th</sup> day of June, 2017 at or before 6:00 p.m.

  
Mary McDonald, Deputy City Secretary

**This facility is wheelchair accessible and accessible parking spaces are available.  
Requests for reasonable accommodations must be made 48 hours prior to this meeting.  
Please contact the City Secretary at 775-3481 for further information.**