

**THIS IS NOT A VERBATIM TRANSCRIPTION
CITY OF CLEBURNE
PLANNING AND ZONING COMMISSION
MINUTES OF THE FEBRUARY 28, 2022 MEETING**

The Planning and Zoning Commission (P&Z) of the City of Cleburne held a Public Hearing on Monday, February 28, 2022, at 6:30 p.m. in the Council Chambers of City Hall, located at 10 N. Robinson Street, Cleburne, TX. Planning and Zoning Commission meetings are open to the public.

COMMISSION MEMBERS PRESENT:

Albert Archer, Sr. – Chair
Sonny Albertson – Vice-Chairman
Summerly Sherlock
Chris Saunders
Vance Castles
Robert Walker
Peter Svendsen

CITY STAFF PRESENT:

David Jones, Community Development
Director
David Jellen, Planner
Laura Melton, Asst. Director of Public Works
Colt Friedrich, Project Engineer
Lindsey Hale, City Attorney

CITY STAFF ABSENT:

Danielle Castillo, Planning Manager

CALL TO ORDER:

The meeting was called to order by Chairman Archer at 6:30 p.m. It was established that a quorum was present.

CITIZEN COMMENTS:

There were no citizen comments at this meeting.

APPROVAL OF MINUTES:

The minutes of the February 14, 2022 Planning and Zoning Commission meeting were considered.

Commissioner Svendsen made a motion to approve the minutes of the February 14, 2022 meeting and the motion was seconded by Commissioner Walker. **The motion to approve the minutes carried by a vote of 6-0.**

Commissioner Saunders arrived after the approval of minutes.

SECTION I: ZONING:

CONSIDER A REQUEST TO REZONE ±0.51 ACRES FROM SF-4 (SINGLE-FAMILY DWELLING DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT) FOR A DUPLEX RESIDENTIAL DEVELOPMENT, LOCATED AT 216 CLEVELAND STREET, AS REQUESTED BY MIRGON ENTERPRISES, REPRESENTED BY MARTHA MIRANDA, **CASE ZC22-004**

David Jellen, Planner, presented the case and briefed the Commission on the request.

Commissioner Castles questioned staff regarding the previously proposed development along Pittman Street to the east of the subject property.

Mr. Jellen responded that the recent rezoning request along Pittman Street was for duplexes and that it was recommended for approval by the Commission, but that it had been denied by the City Council with the preference to have it resubmitted as a Planned Development (PD).

Commissioner Walker questioned staff whether the two (2) developments were related.

Mr. Jellen responded that the two (2) developments were independent of each other.

Commissioner Walker questioned staff regarding the discrepancy between some of the proposed design standards and the elevations included with the PD.

Mr. Jellen responded that the applicant would be required to meet the proposed design standards as outlined in the PD ordinance, and that the elevations and pictures provided in the PD were intended only for illustrative purposes to provide general guidance.

Chairman Archer questioned staff regarding the alley located adjacent to the rear of the subject property.

David Jones, Community Development Director, explained that the alley at the rear of the property was originally platted as a 40-foot right-of-way (ROW).

Vice-Chairman Albertson questioned staff regarding the proposed fencing.

Mr. Jellen responded that he would defer the question to the applicant.

Commissioner Svendsen questioned staff regarding the proposed side-yard setback for the property.

Mr. Jellen explained that the applicant had requested a deviation to the side-yard setback in order to preserve several of the existing trees at the center of the property.

Commissioner Svendsen questioned staff whether the applicant intended to use the property as an investment property.

Mr. Jellen responded that he would defer the question to the applicant.

Chairman Archer opened the public hearing.

The applicant, Martha Miranda, 600 County Road 914, Burleson, TX, was present to brief the Commission on the request. She stated that the proposed development would add to the character of the existing community.

Vice-Chairman Albertson questioned the applicant regarding her plans for the property.

Ms. Miranda stated that the development would remain under her ownership and responsibility and that she was developing the property to add to her existing real estate portfolio. She stated that the proposed elevations would be updated to match the proposed design standards.

Chairman Archer questioned the applicant regarding the decision not to include garages with the proposed duplexes.

Ms. Miranda explained that excluding garages from the proposed duplexes would allow her to maximize living space with the proposed floorplan. She stated her concern that garages would end up being utilized as storage space and not for off-street parking.

Commissioner Svendsen questioned the applicant regarding on-site trash collection.

Ms. Miranda responded that there would be a gated pad area on the property for the trash cans.

Vice-Chairman Albertson questioned the applicant regarding the proposed fencing.

Ms. Miranda responded that the proposed fencing would divide the lots between each unit.

Vice-Chairman Albertson questioned the applicant regarding the 80 feet of space in the rear yard.

Ms. Miranda responded that she had no plans to extend the development further into the rear yard.

Chairman Archer questioned staff whether there were utilities in the ROW at the rear of the property.

Mr. Jones responded that there were no utility lines in the ROW at the rear of the property that the City was aware of.

Vice-Chairman Albertson questioned the applicant regarding maintenance of the property.

Ms. Miranda responded that she would be responsible for the maintenance of the property.

Vice-Chairman Albertson questioned the applicant if the property would have sprinklers.

Ms. Miranda responded that the property would not have sprinklers and that a maintenance company would maintain the landscaping.

Vice-Chairman Albertson questioned the applicant whether the property would be mulched.

Ms. Miranda responded that the property would be mulched.

Vice-Chairman Albertson questioned the applicant regarding the existing trees.

Ms. Miranda responded that she anticipated that she would be able to preserve six (6) or seven (7) of the existing trees at the center of the property.

Chairman Archer closed the public hearing.

Commissioner Castles expressed his support of the proposed request and noted that it would help to improve the existing character of the community.

Commissioner Saunders expressed his concern with the proposed development and noted his preference to see duplexes done as cluster developments.

There being no other questions or items for discussion, Chairman Archer called for a motion. Commissioner Albertson made a motion to approve the request as presented and Commissioner Castles seconded the motion. **The motion to approve carried by a vote of 4-3, with Commissioner Sherlock, Commissioner Saunders and Commissioner Svendsen voting against the motion.**

CONSIDER A REQUEST TO REZONE ±31.43 ACRES FROM IH (INTERIM HOLDING DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT) FOR A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, GENERALLY LOCATED ON THE EAST SIDE OF SOUTH NOLAN RIVER ROAD, WEST OF BROWNING LANE AND EMERSON DRIVE, AS REQUESTED BY M. SHARP FAMILY LP, REPRESENTED BY CORY MURRAY, **CASE ZC21-032**

David Jones, Community Development Director, presented the case and briefed the Commission on the request.

Vice-Chairman Albertson questioned staff regarding the extension of Park Boulevard.

Mr. Jones explained that Park Boulevard would be a 60-foot Collector Road and would extend from the Madeline Meadows development all the way to South Nolan River Road.

Commissioner Saunders questioned staff regarding South Nolan River Road.

Colt Friedrich, Project Engineer, responded that South Nolan River Road was classified as a Minor Arterial road with a 105-foot right-of-way (ROW).

Commissioner Svendsen questioned staff whether South Nolan River Road would ultimately be four (4) lanes.

Mr. Friedrich responded that South Nolan River Road would be four (4) lanes. He stated that University Drive would eventually be constructed in order to improve traffic conditions in the area.

Chairman Archer questioned staff regarding the spacing requirements for intersections along South Nolan River Road.

Mr. Friedrich explained that the planned development (PD) had originally included two (2) access roads onto South Nolan River Road, but that one (1) had been removed in order to improve the traffic impact of the proposed development.

Chairman Archer questioned staff regarding the proposed fence along South Nolan River Road.

Mr. Jones responded that a masonry wall would not be required along South Nolan River Road under the City's current Zoning Ordinance.

Commissioner Saunders questioned staff regarding the requirement to dedicate ROW for the expansion of South Nolan River Road.

Mr. Friedrich responded that ROW dedication would be required as part of the platting process. He stated that a traffic impact analysis would also be required as part of the civil plan approval process.

Commissioner Walker questioned staff regarding the garage construction materials in the PD.

Mr. Jones explained that the garage construction materials included in the PD referred to the garage door materials.

Commissioner Walker requested that staff revise the spelling of “hardie board” within the PD.

Mr. Jones responded that staff would make the requested revision.

Chairman Archer questioned staff regarding the two (2)-car garage requirement.

Mr. Jones responded that the two (2)-car garage requirement would be a minimum requirement for the proposed development.

Vice-Chairman Albertson questioned staff regarding the requirement for a water well in the proposed retention pond.

Chairman Archer stated that the Commission could recommend the condition that the retention pond maintain a constant water level.

Commissioner Svendsen questioned staff regarding the proposed retention pond fountain.

Mr. Friedrich responded that the retention pond fountain would be required.

Chairman Archer questioned staff regarding the limits of the floodplain.

Mr. Jones explained the location of the floodplain limits across the subject property.

Commissioner Sherlock questioned staff regarding the proposed open space amenities.

Mr. Jones responded that the open space amenities included a proposed trail and a proposed fountain for the retention pond, and that amenities could be included as part of the conditions for approval of the PD.

Commissioner Walker questioned staff regarding the proposed 25-foot front-yard setback.

Mr. Jones responded that the proposed setback would allow for a variety of floor plans, especially for single-story homes with larger floor plans. He also explained that there is a trend of smaller front yards that don’t consume as much of the lot or require as much maintenance.

Chairman Archer opened the public hearing.

Paula Christian, 1603 Browning Lane, expressed her desire to see amenities included with the PD, including a playground in the subdivision to prevent sex offenders from purchasing homes, requiring single-story homes for newly-created lots adjacent to existing homes, for the new homes to be designed to match the existing homes in the Winchester subdivision, including a requirement for red brick, for drainage plans to carry water from the Winchester subdivision through the proposed development so that the water does not back up to Browning Lane and Chaucer Drive, and for the proposed lots to be at the same elevation as the existing homes in Winchester.

Commissioner Svendsen questioned staff regarding the drainage plans for the proposed development.

Mr. Friedrich responded that the proposed development would be required to maintain the existing drainage levels on the property.

Commissioner Svendsen questioned staff about whether the reuse pipeline could be utilized to alleviate stormwater concerns.

Mr. Friedrich explained that the reuse pipeline would be constructed in conjunction the proposed development and was not designed to convey stormwater.

Commissioner Svendsen questioned Ms. Christian regarding the average home size of the existing homes.

Ms. Christian responded that the average home size was approximately 2,200 square feet.

Randy McCoy, 1619 South Nolan River Road, stated his opposition to the request and expressed his desire to see an eight (8) foot privacy fence along the northern portion of the subject property adjacent to his property. He explained several concerns he had about the development, including timing and phasing of construction, noise, and increased impacts from street lights.

The applicant, Cory Murray, 1000 East Highway 67, Alvarado, TX, was present to brief the Commission on the request. He stated that the minimum home size for the PD would be 2,200 square feet and that cameras and signs would be posted around the work site to increase security.

Chairman Archer questioned the applicant regarding the range of home sizes.

Mr. Murray responded that the homes would likely range from 2,200 square feet in size to 3,300 square feet.

Chairman Archer questioned the applicant regarding the requirement for homes to remain a single-story for those lots adjacent to existing lots.

Mr. Murray responded that he would allow the homebuilders to decide whether or not to build multi-story homes. He expressed his belief that most of the homes would end up being single-story throughout the development.

Chairman Archer questioned the applicant regarding the proposed lot irrigation and why the rear yards would not be irrigated at the time the home is occupied.

Mr. Murray responded that if the Commission requested it, he would continue irrigation to the rear yard.

Commissioner Castles questioned the applicant regarding the proposed homeowner's association (HOA).

Mr. Murray responded that the HOA would utilize a management company he had used on other projects, and that dues would likely end up being between \$55 and \$75 per month.

Commissioner Castles questioned the applicant regarding maintenance of the open space areas and amenities.

Mr. Murray responded that the HOA and management company would be responsible for maintenance of the open space areas and amenities.

Commissioner Saunders questioned the applicant regarding the proposed amenities.

Mr. Murray responded that many of the amenities had not yet been decided for the open space areas, but stated his interest in having a 9/11 or World War II memorial on one of the open space lots. He stated the lots would remain private.

Commissioner Walker questioned the applicant regarding the sodding of the lots.

Mr. Murray responded that the entirety of each lot would be covered with sod and that irrigation would be provided to the rear yards.

Vice-Chairman Albertson expressed his support for having a masonry wall located adjacent to South Nolan River Road. He stated that cementitious siding should be required on any second-story.

Chairman Archer questioned the applicant regarding the recommendation of a masonry wall located adjacent to South Nolan River Road.

Mr. Murray responded that he would need to evaluate the cost of substituting the proposed wood fence with a masonry wall in order to determine whether it would be viable for the development.

Commissioner Svendsen questioned the applicant regarding the location of the proposed retention pond.

Mr. Murray responded that the retention pond had been located at the southeast corner of the development in order to catch all of the drainage across the property.

Commissioner Saunders questioned the applicant whether the retention pond would have water year-round.

Mr. Murray responded that the retention pond would be metered in order to maintain a constant water level year-round.

Commissioner Saunders questioned the applicant regarding the size of the proposed lots adjacent to the existing Winchester subdivision.

Mr. Murray responded that the proposed lot sizes would help to provide variation and would increase the yield of the development.

Chairman Archer closed the public hearing.

Chairman Archer recommended that the proposed development require single-story homes adjacent to any existing home. He also recommended that the fence along South Nolan River Road be required to be made of masonry or brick material.

Commissioner Svendsen recommended that the wall include cement product.

Chairman Archer discussed several additional recommendations that he wanted to be included as part of the PD, including that the retention pond maintain a constant water level, that each home be fully irrigated, that a playground be included in one of the parks, and that a minimum 15-foot rear yard setback be required.

Vice-Chairman Albertson recommended that the PD also include a requirement for cementitious siding to be used on the second story of each home.

Chairman Archer re-opened the public hearing.

Randy McCoy, 1619 South Nolan River Road, expressed his desire to see an eight (8) foot privacy fence along the northern portion of the subject property adjacent to his property.

Commissioner Svendsen responded that he should work together with the applicant to come to an agreement.

Vice-Chairman Albertson questioned staff whether streetlights would be required.

Mr. Friedrich responded that streetlights would be required.

There being no other questions or items for discussion, Chairman Archer closed the public hearing and called for a motion. Commissioner Castles made a motion to approve the request with the following conditions:

1. That all homes backing up to existing homes be single-story;
2. That the proposed fence running along South Nolan River Road be constructed of brick with stone columns;
3. That the proposed retention pond maintain a constant water level year-round;
4. That irrigation be provided in the front and rear yards of all single-family lots;
5. That cementitious siding or similar material to be used on the second story of two-story homes;
6. That a playground be included as a park amenity; and,
7. That all lots have a minimum 15-foot rear yard setback.

Commissioner Walker seconded the motion. **The motion to approve with conditions carried by a vote of 7-0.**

SECTION II: OTHER BUSINESS:

UPDATE ON ACTIONS TAKEN BY THE CITY COUNCIL AT THEIR LAST MEETING ON PLANNING AND ZONING CASES:

- i. ZC21-002 – 207 Evans Street Rezone – M1 to SF-4
- ii. PC22-001 – Bates Ridge Addition – Preliminary Plat
- iii. GC22-002 – Cleburne Master Thoroughfare Plan Update
- iv. GC22-003 – Spring Carnival at Hulen Park – Special Event

Mr. Jones briefed the Commission on actions taken by the City Council at the February 22, 2022 meeting on the above listed Planning and Zoning cases.

THERE BEING NO OTHER BUSINESS, THE MEETING WAS ADJOURNED AT 8:21 PM.