

**THIS IS NOT A VERBATIM TRANSCRIPTION  
CITY OF CLEBURNE  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE AUGUST 9, 2021 MEETING**

The Planning and Zoning Commission (P&Z) of the City of Cleburne held a Public Hearing on Monday, August 9, 2021, at 6:30 p.m. in the Council Chambers of City Hall located at 10 N. Robinson. Planning and Zoning Commission meetings are open to the public with social distancing protocols in place.

**COMMISSION MEMBERS PRESENT:**

Dena Day – Chairwoman  
Albert Archer, Sr. – Vice-Chairman  
Vance Castles  
Robert Walker  
Sonny Albertson  
Chris Saunders

**CITY STAFF PRESENT:**

Danielle Castillo, Planning Manager  
David Jellen, Planner  
Laura Melton, Asst. Director of Public Works  
Colt Friedrich, Project Engineer  
Lindsey Hale, City Attorney

**COMMISSION MEMBERS ABSENT:**

Summerly Sherlock

**MEETING FORMAT:**

Mrs. Castillo, Ms. Hale, Mr. Jellen, Mr. Friedrich and Ms. Melton were present at the meeting in the Council Chambers.

Chairwoman Day, Vice-Chairman Archer, Commissioner Walker, Commissioner Saunders, Commissioner Castles and Commissioner Albertson were present at the meeting in the Council Chambers.

**CALL TO ORDER:**

The meeting was called to order by Chairwoman Day 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 July 26, 2021 Planning and Zoning Commission meeting were considered.

Commissioner Saunders made a motion to approve the minutes of the July 26, 2021 meeting and the motion was seconded by Commissioner Walker. **The motion to approve the minutes carried by a vote of 6-0.**

**SECTION I: ZONING:**

CONTINUE THE PUBLIC HEARING TO CONSIDER A REQUEST TO REZONE ±0.93 ACRES FROM SF-4 (SINGLE-FAMILY DWELLING DISTRICT) AND MH (MANUFACTURED HOUSING DISTRICT) TO MF (MULTIPLE-FAMILY HOUSING DISTRICT), LOCATED AT 1202 ALVARADO STREET, AS REQUESTED BY MOMPREMIER INC, REPRESENTED BY PAULEMOND MOMPREMIER, **CASE ZC21-010**

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

Vice-Chairman Archer questioned staff regarding drainage on the subject property.

Colt Friedrich, Project Engineer, explained that the portion of the property within the floodway would not be able to be developed. He explained that a grading plan would be required for each permit to address any drainage concerns.

Chairwoman Day opened the public hearing.

The applicant, Paulemond Mompremier, was present to brief the Commission on the request.

Chairwoman Day questioned the applicant whether he had taken into account the floodway requirements for development with regard to his development plans.

Mr. Mompremier responded that he would work with his engineer in order to keep his development out of the floodway.

Vice-Chairman Archer expressed his concern that the addition of two (2) duplexes would not fit on the lot. He questioned the applicant regarding the proposed location for each duplex.

Mr. Mompremier responded that each duplex would be located between Alvarado Street and the floodway boundary.

Concerned citizen, Bettie Trussell, 1201 Alvarado Street, submitted a speaker registration card in opposition to this rezoning request. Ms. Trussell was unable to be in attendance during the meeting and Mrs. Castillo recorded her concern on her behalf that the rezone request would not match the existing single-family character of the community.

Chairwoman Day closed the public hearing.

Commissioner Saunders expressed his concern that adding duplexes would not fit within the existing neighborhood.

Commissioner Castles stated that he agreed with Commissioner Saunders.

There being no other questions or items for discussion, Chairwoman Day called for a motion. Commissioner Saunders made a motion to deny the request as presented and Commissioner Albertson seconded the motion. **The motion to deny carried by a vote of 5-1, with Chairwoman Day voting against the motion.**

CONTINUE THE PUBLIC HEARING TO CONSIDER A REQUEST TO REZONE ±99.2 ACRES FROM IH (INTERIM HOLDING DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT), GENERALLY LOCATED APPROXIMATELY 3,200 FEET EAST OF SOUTH NOLAN RIVER ROAD, BETWEEN BROWNING LANE AND OLD FOAMY ROAD, AS REQUESTED BY SAM KERBEL, REPRESENTED BY TEMPUS DEVELOPMENT, LLC, **CASE ZC21-008**

Danielle Castillo, Planning Manager, presented the case and briefed the Commission on the request.

Commissioner Walker questioned staff regarding the proposed connection of Danbury Drive to the east and west.

Laura Melton, Assistant Director Public Works, responded that the developer was working on an agreement with the City in order to construct a connection between Danbury Drive and Park Boulevard. She noted that the agreement had not yet been agreed upon by the City Council.

Commissioner Albertson questioned staff whether the agreement would include improvements to Park Boulevard.

Ms. Melton responded that the agreement would not include any improvements to Park Boulevard.

Commissioner Walker questioned staff whether the connection would be included as part of the planned development (PD).

Lindsey Hale, City Attorney, responded that the Danbury Drive connection could not be included as a condition of approval for the proposed development.

Vice-Chairman Archer questioned staff regarding the timing of the agreement between the developer and City Council.

Mrs. Castillo responded that the agreement would be considered by the City Council at the meeting on Tuesday, August 10, 2021.

Vice-Chairman Archer questioned staff regarding the connection of Danbury Drive to Park Boulevard.

Ms. Melton explained that the City requires two (2) points of access within a subdivision. She stated that the connection of Danbury Drive to Park Boulevard was a request made by the developer in order to work with the residents of the existing neighborhoods.

Vice-Chairman Archer stated the importance for staff to provide the Commission upfront with all relevant information regarding ingress and egress requirements for any proposed development.

Chairwoman Day opened the public hearing.

Commissioner Albertson distributed the real estate data for homes sold in the neighboring subdivisions of the subject area for the last two (2) years to the Commission for their information. He compared the average selling price and size of each of the sold homes to the homes that were being proposed as part of the PD.

The applicants, Michael Martin and Adam Reeves, were present to brief the Commission on the request. Mr. Martin stated that they were working on an agreement with the City in order to build an eastern street connection from Danbury Drive to Park Boulevard. He explained that Danbury Drive would be built as a collector road in order to encourage traffic to move east and west.

Commissioner Albertson questioned the applicants regarding the western connection of Danbury Drive to Nolan River Road.

Mr. Martin responded that they had been unable to purchase the land to build a connection between Danbury Drive and Nolan River Road. He noted that the Traffic Impact Analysis (TIA) study recommended the connection to Park Boulevard.

Chairwoman Day questioned the applicants whether Danbury Drive would be stubbed out for a future connection to Nolan River Road.

Mr. Martin responded that Danbury Drive would be stubbed for a future connection to Nolan River Road.

Chairwoman Day questioned staff whether the development of the adjacent property to the west would be required to connect to Danbury Drive.

Mr. Friedrich responded that any development of the adjacent property to the west would be required to connect to Danbury Drive.

Mr. Martin stated that they had held a neighborhood meeting with the residents in the existing subdivision in order to discuss their concerns. He reviewed several of the updates that had been made to the PD and stated that the homes in the proposed development would range in price from \$325,000 to \$475,000.

Concerned citizen, Bryan Fipps, 1607 Browning Lane, stated his opposition to the request and expressed his concern with the traffic and flooding impact that would be created by the proposed development. He questioned the Commission regarding the timing of the TIA and expressed his concern that the existing utilities and schools would not be able to handle the new homes being built.

Concerned citizen, Patrick McHargue, 1613 Browning Lane, questioned the Commission regarding how the proposed development plan might change if it were denied.

Concerned citizen, Joy McHargue, 1613 Browning Lane, expressed her concern that the City had purchased the property to the west of the proposed development and that Danbury Drive would not be completed west to Nolan River Road. She expressed her concern that Browning Lane might become the principal east to west collector road if that were the case.

Concerned citizen, Vickie Kirkpatrick, 1507 Hyde Park Boulevard, expressed her concerns regarding the timing of the TIA and the existing floodplain.

Concerned citizen, Steven Shaffer, 1616 Wordsworth Drive, expressed his concerns that the proposed development would add traffic to Hyde Park Boulevard and that Old Foamy Road would not be able to handle the traffic impact of the construction vehicles.

Concerned citizen, Don Lozano, 1618 Twin Oaks Drive, stated his concern that Hyde Park Boulevard would not be able to handle the traffic impact created by the proposed development. He expressed his concern that the increased traffic would create a safety hazard.

Chairwoman Day closed the public hearing.

Chairwoman Day questioned the applicants regarding the floodplain.

Mr. Martin responded that the grading plan for the proposed development would move water away from Browning Lane.

Chairwoman Day questioned staff regarding the floodplain development requirements.

Mr. Friedrich responded that the City would only approve permits for homes within the floodplain area that had already received approval from the Federal Emergency Management Agency (FEMA). He explained the detention requirements that would need to be met by the development.

Mr. Martin stated that they would work with the City to ensure that the development met all of the City's requirements for development.

Chairwoman Day questioned the applicants regarding the timing of the TIA.

Mr. Martin responded that the TIA had been performed during March of 2021.

Mr. Friedrich stated that the TIA included an adjustment to the traffic numbers observed based on the impact of COVID-19.

Commissioner Saunders questioned the applicants regarding the traffic-counting method for the TIA.

Mr. Reeves responded that the traffic counts had been performed on the ground during April of 2021. He stated that the counts had been performed during peak traffic hours of the day in order to capture traffic generated by families on the way to school.

Commissioner Castles questioned staff whether the City had purchased the adjacent property to the west of the proposed development.

Mrs. Castillo responded that the City had not purchased the adjacent property to the west of the proposed development.

Ms. Melton explained that the City had purchased an easement in the vicinity for the installation of a water re-use line from the wastewater treatment plant to Lake Pat Cleburne.

Chairwoman Day questioned staff regarding the adjacent property to the west of the proposed development.

Mrs. Castillo explained that the adjacent property to the west of the proposed development is part of the City's Extraterritorial Jurisdiction (ETJ). She explained that the property would need to voluntarily annex into the City in order to be developed to the City's standards.

Commissioner Albertson questioned staff regarding Old Foamy Road.

Mr. Friedrich explained that the majority of Old Foamy Road is owned and maintained by Johnson County.

Commissioner Albertson questioned staff whether Johnson County would be required to make improvements to Old Foamy Road due to the impact of the proposed development.

Ms. Melton responded that Johnson County would not be required to make improvements to Old Foamy Road due to the impact of the proposed development.

Mr. Martin stated that the proposed development met the County requirements for right-of-way dedication for Old Foamy Road in order to be able to be expanded and improved at some point in the future.

Commissioner Castles questioned the applicants regarding the proposed homeowner association (HOA) fees.

Mr. Martin responded that the HOA fees would be determined by the property management company.

Vice-Chairman Archer questioned the applicants whether the proposed development would be natural gas or electric.

Mr. Reeves explained that the proposed development would be natural gas, in order to match the existing subdivisions.

Chairwoman Day stated that the proposal was the best product for the area.

Vice-Chairman Archer stated that FEMA would ensure that the development would meet all floodplain regulations. He expressed his concern that traffic issues would continue to persist in the area.

Commissioner Albertson expressed his desire to see the connection from Danbury Drive to Nolan River Road made promptly in the future.

Commissioner Saunders stated that the City needed to work on resolving the traffic problems and improving the roads in the area.

Mr. Friedrich stated that the City is in the process of updating its Master Thoroughfare Plan (MTP) with the goal to improve traffic patterns throughout the City.

Chairwoman Day stated that the City had anticipated growth to the north along Chisholm Trail Parkway. She stated that updates to the MTP were needed in order to plan for the growth within the City.

There being no other questions or items for discussion, Chairwoman Day called for a motion. Vice-Chairman Archer made a motion to approve the request as presented and Commissioner Albertson seconded the motion. **The motion to approve carried by a vote of 6-0.**

**THERE BEING NO OTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:51 PM.**