

**THIS IS NOT A VERBATIM TRANSCRIPTION
CITY OF CLEBURNE
PLANNING AND ZONING COMMISSION
MINUTES OF THE OCTOBER 12, 2020 MEETING**

The Planning and Zoning Commission (P&Z) of the City of Cleburne held a Public Hearing on Monday, October 12, 2020, 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
Summerly Sherlock
Robert Walker
Stephanie Philips

CITY STAFF PRESENT:

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

MEETING FORMAT:

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

Mr. Friedrich tuned into the meeting remotely.

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

Commissioner Sherlock tuned into the meeting remotely.

CALL TO ORDER:

The meeting was called to order by Chairwoman Day at 6:41 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 September 28, 2020 Planning and Zoning Commission meeting were considered.

Vice-Chairman Archer made a motion to approve the minutes of the September 28, 2020 meeting and the motion was seconded by Commissioner Castles. **The motion to approve the minutes carried by a vote of 6-0.**

SECTION I: ZONING:

CONDUCT A PUBLIC HEARING TO CONSIDER A REQUEST TO REZONE ±22.81 ACRES FROM SF-4 (SINGLE-FAMILY DWELLING DISTRICT) AND C3 (COMMERCIAL DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT), GENERALLY LOCATED ON THE SOUTH SIDE OF WOODARD AVENUE AND APPROXIMATELY 485 FEET EAST OF DOTY ROAD, AS REQUESTED BY SHELBY MICKEY AND TRACY KLINT, REPRESENTED BY TEMPUS DEVELOPMENT, LLC, **CASE ZC20-016**

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

Commissioner Walker questioned staff if the proposed covered patios would be connected to each home.

Mrs. Castillo responded that the covered patios would be connected to each home.

Commissioner Walker expressed his concern that the covered patios would eventually be enclosed and encroach into the rear setback.

Mrs. Castillo responded that enclosing a covered patio would require a building permit and that enclosing the covered patio would be restricted in the planned development ordinance.

Chairwoman Day questioned staff if all of the proposed building elevations had been included in the staff report.

Mrs. Castillo responded that all of the proposed building elevations were included with the staff report.

Vice-Chairman Archer questioned staff if improvements would be made to Woodard Avenue.

Colt Friedrich, Project Engineer, responded that a Traffic Impact Analysis (TIA) would be required and that there would be right-of-way dedicated to the City.

Vice-Chairman Archer responded that he anticipated improvements to Woodard Avenue would be needed.

Chairwoman Day opened the public hearing.

The applicant, Michael Martin, was present to brief the Commission on the request. Present with the applicant was the developer for the project, Mark Allen.

Vice-Chairman Archer questioned the applicant regarding maintenance of the proposed detention pond.

Mr. Martin responded that the area around the pond would be sodded and that the area would be maintained by the Homeowners Association (HOA).

Vice-Chairman Archer questioned the applicant if they planned to modify the pond.

Mr. Martin explained that the pond would be dredged and that the developer would do some maintenance along the edge of the pond.

Vice-Chairman Archer questioned the applicant regarding the depth of the pond.

Mr. Martin responded that the average pond depth is between ten (10) and twelve (12) feet.

Commissioner Walker questioned the applicant if construction around the pond would inhibit the natural drainage patterns.

Mr. Martin explained that the streets within the development would have culverts to help manage the drainage and that specific lots would be designated as open space lots to help reduce the drainage impact of the development.

Commissioner Walker questioned the applicant if the current drainage pattern was flowing into or out of the detention pond.

Mr. Martin responded that the current drainage pattern is flowing into the pond and that the drainage pattern would be maintained as it currently is.

Commissioner Castles questioned the applicant regarding the HOA fees.

Mr. Martin responded that the HOA fees had not yet been decided.

Commissioner Castles questioned the applicant if the HOA would be managed by a third party.

Mr. Martin responded that the HOA would be managed by a third party.

Vice-Chairman Archer stated that the HOA would be very important in maintaining the detention pond and open space lots.

Mr. Martin responded that having a third party manage the HOA would bring experience and help keep projects throughout the community organized and effective.

Chairwoman Day questioned the applicant when the HOA would be set up during the development process.

Mr. Martin responded that the HOA would be set up before the application for the first building permit.

Mr. Allen clarified that the HOA would be set up during the final phase of development and that fees would be decided at that time. He stated that the detention pond would include a well with a float system and that it would be similar to the Belclaire Subdivision.

Vice-Chairman Archer questioned the applicant when the development process would begin.

Mr. Allen responded that the development process would begin following approval of the Planned Development (PD), Preliminary Plat, and Construction Plans. He stated that they hoped to begin construction by the beginning of 2021.

Chairwoman Day expressed her concern that the request for reduced lot size would create lots without any space for yards.

Mr. Allen responded that some of the homes would be two-stories and that the reduction in lot size would allow for a greater variety in house size throughout the development.

Mr. Martin stated that the average lot size throughout the development would be 6,100 square feet.

Chairwoman Day questioned staff regarding garages and the proposed ten (10) foot front-yard setback.

Mrs. Castillo explained that for lots on cul-de-sacs, the garages would be required to be twenty (20) feet from the front property line in order to provide adequate space for off-street parking.

Mr. Martin stated that the current housing market demand is for smaller lots with larger homes.

Chairwoman Day closed the public hearing.

Vice-Chairman Archer expressed his concern that the detention pond would need to be regularly maintained.

Chairwoman Day stated that it would be important to have the Developer maintain the open space around the detention pond until the HOA could be set up and able to maintain the common areas.

Chairwoman Day reopened the public hearing.

Mr. Allen stated that the HOA would be set up with the application for the first building permit and that he would be responsible to maintain the common areas until the HOA can fund itself.

Vice-Chairman Archer questioned the applicant if the development would be built in one phase.

Mr. Allen responded that it would be developed in one phase.

Vice-Chairman Archer questioned the applicant if there would be street lighting throughout the development.

Mrs. Castillo responded that street lighting would be required throughout the development, but that examples of the street lighting fixtures had not been provided by the applicant.

Mr. Allen responded that the street lighting fixtures would be standard metal poles.

Chairwoman Day expressed her concern regarding the funding of the HOA once development commenced.

Chairwoman Day closed the public hearing.

Mr. Friedrich stated that the water well would need to be approved by the City Council prior to its establishment.

Chairwoman Day questioned staff if the water well could be approved as part of the PD Ordinance.

Bradley Anderle, City Attorney, responded that approval of the water well could be included with the PD Ordinance.

Vice-Chairman Archer questioned staff if a Traffic Impact Analysis (TIA) and drainage study would be required.

Mrs. Castillo responded that both studies would be required as part of the development process.

There being no other questions or items for discussion, Chairwoman Day called for a motion. Commissioner Philips made a motion to approve the request with the following conditions:

1. Establish a water well with a float system to maintain the drainage level of the pond; and
2. The HOA to be set up before the first building permit is applied for and the Developer will fund the HOA until it can fund itself.

Commissioner Walker seconded the motion. **The motion to approve with conditions carried by a vote of 6-0.**

SECTION II: PLATTING:

CONDUCT A PUBLIC HEARING TO CONSIDER THE MINOR REPLAT OF LOT 5R, BLOCK 59, OF THE OFFICIAL MAP CITY OF CLEBURNE, AN ADDITION TO THE CITY OF CLEBURNE, JOHNSON COUNTY, TEXAS, BEING ±0.32 ACRES OF LAND AND LOCATED AT 515 N. ANGLIN STREET, AS REQUESTED BY J FOX INVESTMENTS, REPRESENTED BY TRANS TEXAS SURVEYING, **CASE PC20-029**

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

Commissioner Walker questioned staff regarding the requested variance to the right-of-way (R.O.W) width.

Mrs. Castillo responded that the variance would allow the applicant more space to build on their lot.

Commissioner Philips questioned staff regarding the substandard lot provision in the City's Ordinance.

Mrs. Castillo explained that the subject property did not meet the requirements of the substandard lot provision and that a plat is required, and the variance to the R.O.W width required approval from the City Council.

Vice-Chairman Archer questioned staff if the applicant would be responsible for improving the R.O.W.

Mr. Friedrich responded that the applicant would not be responsible for improving the R.O.W.

Chairwoman Day questioned staff if the R.O.W for the lots adjacent to the subject property had been improved.

Mr. Friedrich responded that the R.O.W did not have any improvements adjacent to the subject property.

Commissioner Walker questioned staff regarding the variance request and the approval of the plat.

Mrs. Castillo responded that the variance for the R.O.W dedication would be the only portion of the lot receiving a variance from the subdivision regulations and that all other regulations would be applicable to the subject property.

Chairwoman Day opened the public hearing.

The applicant, Laura Bower, was present to brief the Commission on the request.

Concerned citizen, Susan Hejl, 509 N. Anglin Street, expressed her concern that the lot would not be developed consistent with the historic character of the neighboring homes.

Chairwoman Day responded that the applicant would be able to develop the lot within the regulations of the Zoning Ordinance. She questioned the applicant if there were any development plans for the subject property at this time.

Ms. Bower responded that there were no development plans for the subject property at this time.

Vice-Chairman Archer questioned staff regarding the zoning of the subject property.

Mrs. Castillo responded that the subject property was zoned MF (Multiple-Family Housing District).

There being no other questions or items for discussion, Chairwoman Day closed the public hearing and made a motion to approve the 30-day plat approval extension per the applicant as requested. Commissioner Castles seconded the motion. **The motion to approve carried by a vote of 6-0.**

Commissioner Philips then made a motion to approve the request with the following condition:

1. The R.O.W. dedication variance along E. Wilson Street be approved as requested.

Commissioner Walker seconded the motion. **The motion to approve with conditions carried by a vote of 6-0.**

THERE BEING NO OTHER BUSINESS, THE MEETING WAS ADJOURNED AT 8:04 PM.