

**THIS IS NOT A VERBATIM TRANSCRIPTION
CITY OF CLEBURNE
PLANNING AND ZONING COMMISSION
MINUTES OF THE OCTOBER 25, 2021 MEETING**

The Planning and Zoning Commission (P&Z) of the City of Cleburne held a Public Hearing on Monday, October 25, 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:

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

CITY STAFF PRESENT:

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

COMMISSION MEMBERS ABSENT:

Dena Day – Chairwoman

CALL TO ORDER:

The meeting was called to order by Vice-Chairman Archer at 6:32 p.m. It was established that a quorum was present.

CITIZEN COMMENTS:

Concerned citizen, Roy Meek, 1214 Hillsboro Street, expressed his concern with the construction work occurring on the property adjacent to his.

Commissioner Walker recommended that Mr. Meek file a complaint with the City Marshal's Office.

APPROVAL OF MINUTES:

The minutes of the October 11, 2021 Planning and Zoning Commission meeting were considered.

Commissioner Walker made a motion to approve the minutes of the October 11, 2021 meeting and the motion was seconded by Commissioner Saunders. **The motion to approve the minutes carried by a vote of 6-0.**

SECTION I: PLATTING:

CONSIDER THE PRELIMINARY PLAT OF LANKFORD FARMS, BEING ±121.18 ACRES, GENERALLY LOCATED NEAR THE SOUTHWEST INTERSECTION OF EAST SECOND STREET AND SOUTH BRAZOS AVENUE, AS REQUESTED BY FV DEVELOPMENT III, LLC, REPRESENTED BY MIKE VARRICHIO, **CASE PC21-045**

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

Commissioner Albertson questioned staff regarding the 60-foot minimum lot width requirement.

Mrs. Castillo explained that the 60-foot lot width requirement is measured at the front building line and not at the street frontage. She stated that staff would review the proposed plat to ensure that all lots met the minimum lot width requirement.

Commissioner Walker questioned staff regarding Oak Hill Road on the proposed plat.

Mrs. Castillo responded that staff would have Oak Hill Road updated to South Brazos Avenue.

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

SECTION II: ZONING:

CONSIDER A REQUEST TO REZONE ±0.11 ACRES FROM C1 (LOCAL BUSINESS DISTRICT) TO SF-4 (SINGLE-FAMILY DWELLING DISTRICT), LOCATED AT 707 NORTH BRAZOS AVENUE, AS REQUESTED BY JOSE CORTES VIDAL, **CASE ZC21-024**

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

Commissioner Albertson questioned staff regarding the setback regulations.

Mr. Jellen responded that any development would need to meet the setback regulations.

Vice-Chairman Archer opened the public hearing.

Concerned citizen, Vernon Rolla, 624 Oak Street, questioned the Commission regarding the request.

Commissioner Saunders responded that the proposed request would change only the zoning of the subject property.

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

CONSIDER A REQUEST TO REZONE ±84.73 ACRES FROM C0 (NON-RETAIL DISTRICT) AND SF-4 (SINGLE-FAMILY DWELLING DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT), GENERALLY LOCATED APPROXIMATELY 1,700 FEET WEST OF NOLAN RIDGE DRIVE, BETWEEN WEST KILPATRICK AVENUE AND US HIGHWAY 67, AS REQUESTED BY BATES FARMS LP, REPRESENTED BY CLAYMOORE ENGINEERING, **CASE ZC21-021**

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

Commissioner Saunders questioned staff regarding the proposed collector road.

Colt Friedrich, Project Engineer, responded that the proposed collector road did not meet the intent of the City's Master Thoroughfare Plan due to the proposed number of driveway connections onto the proposed road.

Vice-Chairman Archer questioned staff regarding the traffic along the proposed collector road.

Mr. Friedrich responded that his concern was that the proposed collector road would function more as a neighborhood road rather than as a collector road due to the number of driveway connections onto the proposed road.

Commissioner Albertson questioned staff regarding the proposed alignment change for the collector road.

Mr. Friedrich responded that the proposed alignment change for the collector road had been initiated by the applicant.

Vice-Chairman Archer opened the public hearing.

The applicants, Drew Donosky, Kyle Gill and Kim Gill, were present to brief the Commission on the request. Present with the applicants was the engineer for the project, Christy Lambeth.

Ms. Lambeth made a presentation of the traffic impact analysis (TIA) results to the Commission.

Commissioner Albertson expressed his concern that larger vehicles would not be able to utilize the on-street parking along the proposed collector road due to the short distance between neighboring driveways.

Ms. Lambeth responded that larger vehicles would be able to utilize the on-street parking.

Mr. Kyle Gill stated that there would only be a portion of the proposed collector road that would be fronted by the proposed 40-foot wide lots.

Commissioner Albertson expressed his concern with the proposed housing density.

Mr. Kyle Gill stated that proposed housing density was due to the size constraints of the subject property.

Commissioner Castles questioned the applicants regarding the proposed home prices.

Mr. Kyle Gill responded that the homes would be priced in the mid \$200,000 to mid \$400,000 range.

Commissioner Castles questioned the applicants regarding the pricing of the proposed patio homes.

Mr. Kyle Gill explained that the proposed patio homes would start closer to the mid \$200,000 range and that the larger lots would start closer to the mid \$400,000 range.

Commissioner Castles questioned the applicants regarding the proposed maximum home size.

Mr. Kyle Gill responded that there was not a proposed maximum home size.

Vice-Chairman Archer questioned the applicants regarding the proposed home owners association (HOA).

Mr. Kyle Gill responded that the HOA would ultimately be run privately by the residents of the development.

Commissioner Castles questioned the applicant regarding the proposed number of homes.

Mr. Kyle Gill responded that the reason for the proposed number of homes was to make the development work economically.

Commissioner Walker questioned the applicants regarding the proposed landscaping.

Mr. Donosky responded that the proposed landscaping requirements were intentionally kept minimal in order to allow for more customization with each home and lot.

Commissioner Albertson questioned the applicants regarding the proposed alignment change for the collector road.

Mr. Kyle Gill responded that the proposed alignment change would allow for the City to complete the road sooner.

Commissioner Castles questioned the applicants whether they would be responsible for constructing their portion of the proposed collector road.

Mr. Kyle Gill responded that they would be responsible for constructing their portion of the proposed collector road.

Commissioner Castles expressed his concern for the proposed housing density.

Mr. Kyle Gill stated that the proposed development would be unique due to the variety in housing product.

Commissioner Sherlock questioned the applicants regarding the proposed open space areas and amenities.

Mr. Kyle Gill responded that the open space areas would have on-street parking spaces available and that the amenities would include a dog park and a playground area.

Commissioner Sherlock questioned the applicants regarding the size of the proposed dog park.

Mr. Kyle Gill responded that the proposed dog park would be a little less than an acre.

Commissioner Sherlock questioned the applicants regarding the fencing of the open space areas.

Mr. Kyle Gill responded that there would be fencing surrounding the detention area.

Commissioner Albertson questioned the applicants regarding the maintenance of the open space areas.

Mr. Kyle Gill responded that the open space areas would be maintained by the HOA.

Vice-Chairman Archer questioned the applicants regarding the locations of the open space areas.

Mr. Donosky responded that the open space areas had been located strategically to service the proposed development in multiple areas.

Vice-Chairman Archer questioned the applicants regarding the detention area.

Mr. Donosky responded that the detention area would be large enough to serve the proposed development.

Vice-Chairman Archer questioned the applicants regarding the proposed trail connection to the school.

Mr. Donosky responded that they were working with the school to establish the trail to and from the proposed development.

Vice-Chairman Archer questioned staff regarding the points of access to the proposed development.

Mr. Friedrich responded that the Fire Department reviewed the development plan and that the proposed points of access to the development were sufficient.

Vice-Chairman Archer questioned the applicants regarding the proposed 40-foot wide lots.

Mr. Donosky responded that half of the front yard of the proposed 40-foot wide lots would be covered by the driveway.

Mr. Kim Gill stated that the proposed collector road would meet the intent of the City's Master Thoroughfare Plan and that the proposed development would be an asset to the City.

Concerned citizen, June Bates, 1209 CR 1217, stated her support for the request and stated that the proposed development would be a benefit to the City.

Concerned citizen, Phil Brown, 419 North Anglin Street, stated his opposition to the request.

Concerned citizen, John Long, 409 South Mill Street, stated his opposition to the request.

Vice-Chairman Archer closed the public hearing.

Mr. Donosky requested that the Commission table the item to the December 13th Planning and Zoning Commission Meeting to make revisions.

Commissioner Saunders expressed his concern that the proposed development did not meet the housing demand of the City.

Mr. Donosky questioned the Commission regarding the proposed development.

Commissioner Saunders expressed his desire for larger lots at a higher price point.

Commissioner Castles expressed his concern for the proposed housing density, particularly along the proposed collector road.

Commissioner Albertson expressed his support of the proposed home elevations and stated that the proposed housing density needed to be decreased.

There being no other questions or items for discussion, Vice-Chairman Archer called for a motion. Commissioner Albertson made a motion to table the item to the December 13, 2021 Planning and Zoning Commission Meeting. Commissioner Castles seconded the motion.

The motion to table the item to the December 13, 2021 Planning and Zoning Commission Meeting carried by a vote of 6-0.

EXECUTIVE SESSION:

Pursuant to Section 551.071, Texas Government Code, the Commission reserves the right to convene in Executive Session(s) from time to time as deemed necessary during this meeting to receive advice from its attorney on any posted agenda item:

Vice-Chairman Archer convened into Executive Session to receive advice from the City Attorney at 7:55 P.M.

Vice-Chairman Archer closed the Executive Session at 8:13 P.M. and the meeting reconvened into open session.

SECTION III: ORDINANCES:

CONSIDER AN ORDINANCE AMENDING CHAPTER THREE: "PLAN COMPONENTS" OF THE CITY OF CLEBURNE'S 2014 COMPREHENSIVE PLAN, PLAN CLEBURNE; THE CLEBURNE COMPREHENSIVE PLAN, A VISION FOR THE FUTURE, A ROADMAP FOR GROWTH, BY REPEALING AND REPLACING THE "FUTURE LAND USE PLAN" SECTION IN ITS ENTIRETY.

Mrs. Castillo introduced the project and the consultants to present the case.

Daniel Harrison, Consultant for Freese and Nichols, Inc., presented the case and briefed the Commission on the request.

Vice-Chairman Archer opened the public hearing.

Concerned citizen, Teresa Blackwell, 1812 North Wilhite Street, stated her opposition to the request and expressed her concern for the proposed overlay districts, tax rates, water pressure and traffic concerns.

Concerned citizens, Janet Fisher and Wendell Dempsey, 1317 Hemphill Drive, stated their opposition to the request and expressed their concern for grandfathered businesses.

Concerned citizen, Dan Roberts, 302 North Anglin Street, questioned the Commission regarding the proposed zoning districts, specifically the commercial zoning districts conversion to the Neighborhood Commercial District.

Concerned citizen, Truman Johnson, 206 Watters Street, stated his opposition to the request and expressed his concern for grandfathered businesses.

Commissioner Walker responded that grandfathered businesses would be allowed to continue operating after the adoption of the proposed Zoning Ordinance.

Concerned citizen, Ben Haden, 1900 South Highway 171, stated his opposition to the request.

Concerned citizen, Phil Brown, 419 North Anglin Street, stated his opposition to the request and expressed his concern for the location of the Downtown Transition overlay, the design standards in the Downtown Core and Planned Developments in the City.

Concerned citizen, Trey Smith, 415 North Anglin Street, stated his opposition to the request and expressed his concern for multi-family developments in traditional single-family neighborhoods.

Concerned citizen, Johnnie Braddock, 6404 Amundson Road, questioned the Commission regarding the continued use of her home.

Commissioner Walker stated that any existing use of a property would be allowed to continue after the adoption of the proposed Zoning Ordinance.

Commissioner Albertson stated that property owners would only be required to rezone their property to change the use of the property.

Concerned citizen, Daniel VanStone, 1803 North Wilhite Street, stated his opposition to the request and expressed his concern for multi-family developments in traditional single-family neighborhoods.

Concerned citizen, Dale Bowersox, 2201 South Main Street, questioned the Commission regarding the construction of an accessory structure on his property.

Concerned citizen, Taylor Norris, 940 East Henderson Street, stated her opposition to the request and expressed her concern for grandfathered businesses and the prohibited uses proposed within the Henderson Street Overlay.

Commissioner Walker responded that any discontinued business would be able to apply for a variance with the City's Zoning Board of Adjustment in order to restore their business.

Concerned citizens, Austin Godfrey and Susan Hoyler, 108 Boone Court, expressed their concern that they would not be allowed to continue using their home.

Commissioner Walker responded that the continued use of a home would be allowed following the adoption of the proposed Zoning Ordinance.

Concerned citizen, Chris Smith, 803 Meadow View Drive, expressed his concern that the proposed overlay districts would require him to make significant changes to his church building if he were ever to construct an addition.

Commissioner Walker stated that the expansion of the church would likely require updated landscaping and parking on the subject property.

Commissioner Castles stated that the aim of the proposed Zoning Ordinance was to take a "common sense" approach to development.

Commissioner Albertson stated that property owners would be able to apply for a variance with the City's Zoning Board of Adjustment if necessary.

Concerned citizen, Jesus Ramirez, 1207 East Chambers Street, stated his opposition to the request and questioned the Commission regarding the use of his property.

Commissioner Albertson responded that the use of the property would have to be permitted by the underlying zoning district.

Vice-Chairman Archer expressed his support for the proposed Zoning Ordinance and stated that it would benefit development within the City.

Concerned citizen, Jocelyn Morgan, 414 North Main Street, stated her opposition to the request and questioned the Commission if she could opt out of the Downtown Overlay.

Vice-Chairman Archer responded that she could request to opt out of the Downtown Overlay from the City Council.

Concerned citizen, Janet Fisher, 1317 Hemphill Drive, expressed her concern that the proposed Zoning Ordinance did not align with the vision of the City's residents.

Concerned citizen, Jesus Vargas, 909 North Main Street, expressed his concern that the businesses adjacent to his were using his dumpsters without his permission.

Concerned citizen, Katherine Salmon, 906 South Caddo Street, questioned the Commission regarding the zoning on her property.

Mrs. Castillo stated that she may contact staff to find out the zoning of her property.

Concerned citizen, Vernon Rolla, 624 Oak Street, questioned the Commission regarding the zoning on his property.

Vice-Chairman Archer stated that anyone would be able to verify the zoning on their property from City Staff.

Vice-Chairman Archer closed the public hearing.

Commissioner Walker expressed his support for the proposed Zoning Ordinance and stated that it would address many of the concerns of the City's residents.

Vice-Chairman Archer reopened the public hearing.

Concerned citizen, Teresa Blackwell, 1812 North Wilhite Street, expressed her concern for redevelopment in traditional single-family neighborhoods within the City.

Commissioner Castles responded that the proposed overlay districts would help to address redevelopment and growth within the City.

Concerned citizen, Rusty Patterson, 103 Locust Street, expressed his concern that the City's infrastructure would not be able to support the growth of the City.

Concerned citizen, Clara Grant, 409 East Willingham Street, did not wish to speak but wanted to record her opposition to the request.

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

CONSIDER AN ORDINANCE AMENDING TITLE XV, "LAND USAGE," OF THE CODE OF ORDINANCES OF THE CITY OF CLEBURNE, BY REPEALING AND REPLACING CHAPTER 155, "ZONING," IN ITS ENTIRETY, AND BY REVISING THE ZONING DISTRICT MAP OF THE CITY OF CLEBURNE.

Vice-Chairman Archer opened the public hearing.

There being no questions or items for discussion, Vice-Chairman Archer closed the public hearing and called for a motion. Commissioner Saunders 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.**

SECTION IV: OTHER BUSINESS:

Update on actions taken by the City Council at their last meeting on Planning and Zoning Cases:

- i. PC21-041 – River Ridge Addition – Preliminary Plat
- ii. ZC21-017 – 415 Elmo Street Rezone – M1 to SF-4
- iii. ZC21-018 – Villages at Mayfield PD Amendment

Mrs. Castillo briefed the Commission on actions taken by the City Council at the October 12, 2021 meeting on the above listed Planning and Zoning cases.

THERE BEING NO OTHER BUSINESS, THE MEETING WAS ADJOURNED AT 10:07 PM.