

**THIS IS NOT A VERBATIM TRANSCRIPTION
CITY OF CLEBURNE
PLANNING AND ZONING COMMISSION
MINUTES OF THE OCTOBER 26, 2020 MEETING**

The Planning and Zoning Commission (P&Z) of the City of Cleburne held a Public Hearing on Monday, October 26, 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
Stephanie Philips
Vance Castles
Robert Walker
Sonny Albertson

CITY STAFF PRESENT:

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

COMMISSION MEMBERS ABSENT:

Summerly Sherlock

MEETING FORMAT:

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

CALL TO ORDER:

The meeting was called to order by Chairwoman Day at 6:33 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 October 12, 2020 Planning and Zoning Commission meeting were considered.

Commissioner Castles made a motion to approve the minutes of the October 12, 2020 meeting and the motion was seconded by Vice-Chairman Archer. **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 ±4.39 ACRES FROM C3 (COMMERCIAL DISTRICT) TO C3/SUP (COMMERCIAL DISTRICT WITH A SPECIFIC USE PERMIT FOR MINIWAREHOUSE), LOCATED AT 1567 E. HENDERSON STREET, AS REQUESTED BY STATE STORAGE CLEBURNE, LLC, **CASE ZC20-022**

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

Chairwoman Day opened the public hearing.

The applicant, Abel Sng, was present to brief the Commission on the request. Present with the applicant was the engineer for the project, Courtney Coates.

Vice-Chairman Archer questioned the applicant if additional screening would be added along the property boundaries adjacent to Santa Fe Elementary School, noting his concern that if the school were to expand that it would be immediately adjacent to the subject property.

Mr. Sng responded that that the existing landscaping would continue to serve as screening between the subject property and the elementary school and that no additional screening would be added to the property boundary.

Vice-Chairman Archer expressed his concern that students from the elementary school would trespass onto the site without a fence along the northern and eastern property boundaries.

Chairwoman Day questioned the applicant regarding the height of the existing fence along the southern and western property boundaries.

Mr. Sng responded that the fence is four (4) feet high, not including the security wiring along the top of the fence. He stated that the landscaping has been a deterrent for any potential trespassers.

Chairwoman Day questioned the applicant if the landscaping along the property boundary would be impacted in any way during the construction of the proposed buildings.

Mr. Coates responded that the landscaping would not be impacted by the proposed construction.

Chairwoman Day questioned the applicant regarding the material that would be used for the development of the parking spaces.

Mr. Sng responded that he had not decided yet, but that it would be a compacted material.

Chairwoman Day questioned the applicant regarding the material that would be used for the development of the fire lanes.

Mr. Sng responded that he had not decided yet, but that the material would meet the requirements of the Fire Department.

Commissioner Castles questioned the applicant if the proposed recreational vehicle (RV) parking would be covered.

Mr. Sng responded that he had not decided yet.

Vice-Chairman Archer questioned the applicant for clarification regarding the proposed RV parking spaces.

Mr. Coates clarified that RV parking spaces would be developed as shown on the proposed site plan and that it had not been decided whether or not the spaces would be covered.

Vice-Chairman Archer stated that there would be a greater need to have secure fencing along the northern property boundary if the applicant left the RV parking spaces uncovered.

Commissioner Philips questioned Vice-Chairman Archer for clarification about his concern for the security of the site.

Vice-Chairman Archer clarified his concern that children from the elementary school would try to trespass onto the site without secure fencing. He noted that similar projects typically have secure fencing along each property line.

Mr. Sng noted that to date there has never been a trespassing incident on the property.

Chairwoman Day questioned staff regarding the applicable fence height regulations to the property.

Mrs. Castillo explained that there would not be any applicable fence height regulations for the property given that the property is not adjacent to any property designated within a residential zoning district.

Commissioner Philips stated that the security of the site would ultimately be determined by the customers of the business.

Chairwoman Day agreed, noting that the subject property is not located adjacent to any established residential neighborhoods.

Vice-Chairman Archer questioned the applicant regarding the fence along the western property boundary.

Mr. Sng responded that the fence is chain-link and that there is also some landscaping along the western property boundary.

Chairwoman Day questioned the applicant regarding the proposed green space near the entrance of the property.

Mr. Coates responded that the green space area was being proposed to meet City regulations for landscaping requirements.

Vice-Chairman Archer questioned staff if the variance to the parking requirements would still be applicable if future development were to occur at the site.

Mrs. Castillo explained that the variance would apply to the storage units indefinitely and that any future development would need to meet any applicable parking requirements for the scope of that development.

Chairwoman Day questioned staff if a condition would need to be added to the variance to require more parking if future development were to occur.

Mrs. Castillo responded that future development would require a building permit and that any applicable parking requirements would be required at that time.

Chairwoman Day closed the public hearing.

Chairwoman Day stated that she felt comfortable approving the variance and the request as presented. She questioned staff if it would be necessary to add a condition to the approval about the building material for the proposed fire lanes.

Mrs. Castillo explained that the Fire Department had reviewed the proposed site plan and that adding a condition for the proposed building material would not be necessary.

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 condition:

1. The waiver to reduce the parking requirement from 32 spaces to 14 spaces be approved as presented.

Commissioner Castles seconded the motion. **The motion to approve with conditions carried by a vote of 4-2, with Vice-Chairman Archer and Commissioner Albertson voting against the motion.**

CONDUCT A PUBLIC HEARING TO CONSIDER A REQUEST TO REZONE ±0.27 ACRES FROM SF-4 (SINGLE-FAMILY DWELLING DISTRICT) TO C3 (COMMERCIAL DISTRICT), LOCATED AT 200 S. MILL STREET, AS REQUESTED BY JARA PROPERTIES, LLC, REPRESENTED BY JOHN AINSWORTH, **CASE ZC20-023**

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

Commissioner Castles questioned staff if additional parking would be required for the future expansion of the restaurant.

Mrs. Castillo explained that there are no off-street parking requirements in the Downtown District. She stated that the City had advised the applicant to explore the option of entering into a shared parking agreement with some of the adjacent property owners.

Commissioner Albertson questioned staff regarding the parking lot across the street from the subject property.

Mrs. Castillo responded that the parking lot across the street is owned by Johnson County.

Chairwoman Day opened the public hearing.

Concerned citizen, Maxine Ammons, from the Cleburne Performing Arts Foundation, expressed her concern that an expansion to the business would add to the lack of parking in the area.

Concerned citizen, Randall Bentley, owner of the old Johnson County Jail, expressed his concern that customers parking and trying to access the subject property would negatively impact his property.

Concerned citizen, Brian Forrester, explained that the expansion of the building would include adding public restrooms and an outdoor dining area.

Chairwoman Day questioned Mr. Forrester if there were any plans to add parking to the subject property.

Mr. Forrester responded that he was not sure, but that he did not think there would be any parking spaces added to the property.

Chairwoman Day closed the public hearing.

Commissioner Philips stated that the rezoning request would allow the use of the property to conform with the correct zoning district. She stated that adjacent property owners have the legal right to regulate parking on their property.

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

CONDUCT A PUBLIC HEARING TO CONSIDER A REQUEST TO REZONE ±0.17 ACRES FROM M1 (LIGHT INDUSTRIAL DISTRICT) TO SF-4 (SINGLE-FAMILY DWELLING DISTRICT), LOCATED AT 880 SABINE AVENUE, AS REQUESTED BY CURTISS LOWRANCE, **CASE ZC20-024**

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

Chairwoman Day opened the public hearing.

The applicant, Curtiss Lowrance, was present to brief the Commission on the request.

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

CONDUCT A PUBLIC HEARING TO CONSIDER A REQUEST TO REZONE ±42.99 ACRES FROM PD (PLANNED DEVELOPMENT DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT), GENERALLY LOCATED NORTH OF 1601 EAST HENDERSON STREET, SOUTH OF C.R. 805, AND WEST OF FERGASON ROAD, AS REQUESTED BY MKP & ASSOCIATES, REPRESENTED BY HISTORYMAKER HOMES, LLC, **CASE ZC20-025**

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

Chairwoman Day opened the public hearing.

The applicant, Darrel Amen, was present to brief the Commission on the request.

Vice-Chairman Archer expressed his concern that the proposed variance to the front porch setback would allow for those porches to be enclosed at a future date.

Mrs. Castillo explained that enclosing the porch would require a building permit and that staff would not be able to approve that permit based on this ordinance.

There being no other questions or items for discussion, Chairwoman Day closed the public hearing and called for a motion. Commissioner Philips 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: PLATTING:

CONSIDER THE PRELIMINARY PLAT OF LOTS 2R1 AND 2R2, BLOCK 1, OF THE WRIGHT ADDITION, AN ADDITION TO THE CITY OF CLEBURNE, JOHNSON COUNTY, TEXAS, BEING ±1.73 ACRES OF LAND, LOCATED AT 1648 W. HENDERSON STREET, AS REQUESTED BY DWIGHT WOOTEN, SR, **CASE PC20-028**

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

Commissioner Walker noted that there was an inconsistency in the number of parking spaces that was being proposed and the number of spaces that were being shown on the concept plan.

Mrs. Castillo responded that the applicant would be required to provide the approved number of parking spaces and that staff would ensure consistency between what was approved and what was shown.

There being no requirement for a public hearing, Chairwoman Day called for a motion. Commissioner Philips made a motion to approve the request as presented and Commissioner Castles seconded the motion. **The motion to approve carried by a vote of 6-0.**

CONSIDER THE FINAL PLAT OF REMINGTON RIDGE, PHASE III, AN ADDITION TO THE CITY OF CLEBURNE, JOHNSON COUNTY, TEXAS, BEING ±8.62 ACRES OF LAND, LOCATED APPROXIMATELY 130 FEET WEST OF REMINGTON DRIVE AND ON THE SOUTH SIDE OF WOODARD AVENUE, AS REQUESTED BY FV DEVELOPMENT II, LLC, REPRESENTED BY MIKE VARRICHIO, **CASE PC20-032**

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

Vice-Chairman Archer questioned staff if the proposed variance to the right-of-way (ROW) dedication would be acceptable as presented.

Mrs. Castillo responded that the Engineering Department had worked with the applicant to come to a solution and that the proposed variance would be acceptable.

Chairwoman Day questioned staff regarding the dedication of the ROW at future phases of the development.

Mrs. Castillo responded that the full ROW dedication would be required at all future phases of development.

There being no requirement for a public hearing, Chairwoman Day called for a motion. Commissioner Walker made a motion to approve the request with the following condition:

1. The ROW dedication variance along Woodard Avenue be approved as presented.

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

CONSIDER THE PRELIMINARY PLAT OF CRAFTSMAN'S CORNER, AN ADDITION TO THE CITY OF CLEBURNE, JOHNSON COUNTY, TEXAS, BEING ±8.43 ACRES OF LAND, GENERALLY LOCATED ON THE EAST SIDE OF GRANBURY STREET, ON THE WEST SIDE OF MEADOWS DRIVE AND APPROXIMATELY 250 FEET SOUTH OF W. KILPATRICK AVENUE, AS REQUESTED BY M. SHARP FAMILY, LP, REPRESENTED BY CORY MURRAY, **CASE PC20-035**

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

Chairwoman Day questioned staff if the drainage study for the development had been started.

Colt Friedrich, Project Engineer, responded that preliminary drainage plans had been submitted but that full civil plans would be submitted following the approval of the preliminary plat.

There being no requirement for a public hearing, Chairwoman Day called for a motion. Commissioner Castles 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 III: OTHER BUSINESS:

Discuss the regular P&Z meeting schedule for the months of November and December.

Mrs. Castillo briefed the Commission regarding the P&Z meeting schedule for the months of November and December.

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

- i. ZC20-013 – Custard Tract PD Rezone
- ii. ZC20-019 – 155 Peacock Street Rezone – C1 to SF-4
- iii. ZC20-020 – 705 Granbury Street Rezone – C0 to SF-4
- iv. ZC20-021 – 614 N. Brazos Avenue Rezone – C1 to SF-4

Mrs. Castillo briefed the Commission on actions taken by the City Council at the October 13, 2020 meeting on the above listed Planning and Zoning cases.

THERE BEING NO OTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:55 PM.