

**MINUTES
PLANNING AND ZONING COMMISSION
TUESDAY FEBRUARY 20, 2024**

The Planning and Zoning Commission for the City of Midlothian met on Tuesday evening, in the City Hall Council Chambers located at 104 West Avenue E, Midlothian, Texas.

The following Commissioners were present:

Scott Koehler	§	Vice-Chairman
Lee Skinner	§	Commissioner
Ross Weaver	§	Commissioner
Ron Bland	§	Commissioner
Mark Hill	§	Commissioner
Dan Altman	§	Commissioner
Maurice Osborn	§	Chairman

**Commissioner (Ron) Bland joined the meeting at 6:04pm.*

REGULAR AGENDA

Call to Order and Determination of Quorum.

- 001 Citizens to be heard- The Planning & Zoning Commission invites members of the to address the Commission on any topic not scheduled for consideration for action on action on this agenda and present it to City Staff prior to the meeting. In accordance with the Texas with the Texas Open Meetings Act, the Commission cannot act on items not listed on the agenda.**

There were no citizens to be heard.

- 002 Staff review of the cases that were heard by City Council in the last sixty (60) days.**

- 003 Election of Officers**

Commissioner Weaver motioned for Chairman Osbourne to be elected as Chairman. Motion was seconded by Commissioner Skinner and carried unanimously (7-0). Commissioner Hill motioned for Commissioner Koehler to be elected as Vice Chairman. Motion was seconded by Commissioner Weaver and carried unanimously (7-0).

CONSENT AGENDA

- 004 Consider the minutes for the Planning and Zoning Commission meeting dated:**
 • January 16, 2024

Staff presented the consent agenda and welcomed questions from the Commissioners. Commissioner Skinner moved to approve consent agenda as presented. Motion was seconded by Commissioner Koehler and carried unanimously (7-0).

REGULAR AGENDA

- 005 Consider and act upon the extension for the recording of the final plat for Midlothian Midtowne Phase 10, being ±25.092 acres being a portion of a tract situated in the B.F. Hawkins Survey, Abstract 464. The property is located between South 9th Street and South 14th Street, south of George Hopper Road. (M01-2024-009)**

Agenda item 005 was pulled from the Consent Agenda Commissioner Hill moved to approve regular agenda as presented. Motion was seconded by Commissioner Skinner and carried unanimously (7-0). Chairman Osbourne moved some agenda items up in the agenda.

PUBLIC HEARINGS

- 010** Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 20.849+/- acres of land situated in the J Powers Survey, Abstract 838 and by amending the use and development regulations of Planned Development 98 (PD-98) to allow additional uses including but not limited to a grocery store, convenience store with fuel pumps, mini-warehouse, restaurants over 1,000 square feet, and other uses with drive thru service; adopting development regulations including a conceptual site plan, sign elevations, outdoor display, landscape plan and elevation/façade plan. The property is generally located on the northeast corner of South Walnut Grove Road and FM 1387. (Z36-2023-135)

Staff presented the agenda item and applicant Anna Carrilo welcomed questions from the Commissioners. Public speakers in opposition were Pamela Conine, Fran Laukaitis, Michael Bowman, Kimberly Lane Clark, Tristan Dunn, Larry Jenkins and Cole Sheldon. Public speakers in favor were David Hardin, Jack Freeman III, Wanda Wilkerson, Danny Tutt and Dora Trillo. Commissioner Altman moved to close the public hearing. Motion was seconded by Commissioner Skinner and carried unanimously (7-0). Commissioner Altman moved to approve agenda Item# 010 with changes made by staff to limit the height of the main sign to 15 feet and any others at 10ft. Commissioner Weaver made a friendly amendment to add drive thru allowed by right for one bank, one grocery store and one restaurant with 8 spaces of queuing required. Motion was seconded by Commissioner Skinner and carried unanimously (7-0).

- 008** Conduct a public hearing and consider and act upon an ordinance relating to the use and development of +/- 4.486 acres of land being Lot 43, Block M of M Brennan, respectively and commonly known as 1141 Apple Court, and by changing the zoning from Agricultural (A) District to an Urban Village Planned Development (UVPD) District for construction of one additional residential dwelling. (Z03-2024-10)

Staff presented the agenda item and welcomed questions from the Commissioners. Public speakers in opposition were Donna Winser and Arritina Ward of Midlothian, TX. Commissioner Weaver motioned to close the public hearing. Motion was seconded by Commissioner Koehler and carried unanimously (7-0). Commissioner Weaver moved to deny agenda Item #008. Motion was seconded by Commissioner Skinner and carried unanimously (7-0).

REGULAR AGENDA

- 006** Consider and act upon a request for a Waiver from section 13.03.003 "Utilities" of the Code of Ordinances from having to connect to the sanity sewer system and a special exception from the Subdivision Ordinance from Section 6.16 "Improvement Standards and Requirements" pertaining to the use of an alternative paving material for a drop yard, being +/-30.535 acres of land, situated in the MEP and P Railroad Company Survey, Abstract 758. The property is commonly known as 1800 Dove Lane. (M02-2024-10)

Staff presented the agenda item and welcomed questions from the Commissioners. Commissioner Weaver moved to approve agenda item #006 limiting approval to area on site plan with septic approval. Motion was seconded by Commissioner Hill and carried unanimously (7-0).

PUBLIC HEARINGS

- 007** Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) authorizing an exception to Planned Development No. 69 (PD-69) to

allow a building wall sign on the front façade of the building. The property is located on ±70.537 acres, Lot 2, Block A of Midlothian Business Park. (commonly known as 3201 Challenger Drive) (Case No. SUP04-2024- 008).

Staff presented the agenda item and welcomed questions from the Commissioners. Commissioner Altman moved to close the public hearing. Motion was seconded by Commissioner Skinner and carried unanimously (7-0). Commissioner Skinner moved to approve agenda Item# 007 as presented. Motion was seconded by Commissioner Weaver and carried unanimously (7-0).

009 Conduct a public hearing and consider and act upon an ordinance changing the zoning of 19.937+ acres out of the George F. Holman Survey, Abstract No. 460, and the H.F. Hinckley Survey, Abstract No. 459, from Planned Development District No. 76 (PD-76) for mixed-use retail and commercial uses to Planned Development District No 176 (PD-176) for Commercial (C) uses; adopting development and use regulations, a Conceptual Site Plan, Landscaping Plan, and Building Elevations. The property is generally located on the north side of U.S. Highway 67, situated about 370 feet north of Church Street. (Case No. Z02-2024-006)

Staff presented the agenda item and applicant Jay Childs welcomed questions from the Commissioners. Commissioner Weaver moved to close the public hearing. Motion was seconded by Commissioner Skinner and carried unanimously (7-0). Commissioner Bland moved to approve agenda Item# 009. Motion was seconded by Commissioner Skinner and carried unanimously (7-0).

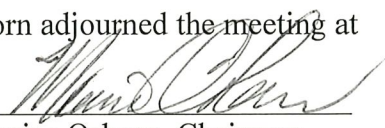
011 Conduct a public hearing and consider and act upon an ordinance amending the city of Midlothian Zoning Ordinance by amending Section 3.5300 “Home Occupations” relating to the regulation of home occupations: and amending Section 100. 100” “General Definitions” by deleting the definition for “Home Occupations.” (Case No. OZ05-2023-94).

Staff presented the agenda and welcomed questions from the Commissioners. Commissioner Altman moved to close the public hearing. Motion was seconded by Commissioner Skinner and carried unanimously (7-0). Commissioner Skinner moved to approve agenda Item# 011. Motion was seconded by Commissioner Altman and carried unanimously (7-0).

MISCELLANEOUS DISCUSSION.

- Staff and Commissioner Announcements
- Adjourn

With there being no further business to discuss, Chairman Osborn adjourned the meeting at 9:24 p.m.


Maurice Osborn, Chairman

ATTEST:


Mary Elliott, Planning Director