



REGULAR CITY COUNCIL MEETING AGENDA

JULY 10, 2018

5:00 PM

CITY HALL COUNCIL CHAMBERS

10 NORTH ROBINSON STREET

I. ROLL CALL AND CALL TO ORDER BY MAYOR

City Council:

- ✓ Scott Cain, Mayor
- ✓ Dr. Bob Kelly, SMD 1
- ✓ Gayle White, SMD 2
- ✓ Dale Sturgeon, Mayor Pro Tem
- ✓ John Warren, SMD 4

Administration:

- ✓ Steve Polasek, City Manager
- ✓ Fritz Quast, City Attorney

II. INVOCATION by Dr. David denHartog, Cleburne Bible Church

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

V. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

VI. CITIZENS COMMENTS

An opportunity for the public to make comments or address concerns not posted on the agenda.

CONSENT ITEMS

All of the following items on the Consent Agenda are considered to be routine and self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary prior to the beginning of the meeting.

M1. MINUTES FOR THE JUNE 26, 2018 COUNCIL MEETING.

OC1. FINAL PLAT OF BELCLAIRE, PHASE I (BEING 32.168 ACRES LOCATED ON S NOLAN RIVER RD); AS REQUESTED BY D.R. HORTON, REPRESENTED BY

MARK ALLEN.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: This is a request to create eighty-eight residential lots. On January 9, 2018, City Council approved the preliminary plat with a reduction of the front yard setback. The waiver granted a 25-foot front yard setback. This plat meets all additional platting requirements set in the City's Ordinance. The subject property is zoned SF-4 (Single-Family Dwelling District) and the Comprehensive Land Use Plan shows this area to be in the Community Commercial District. The Planning and Zoning Commission considered this request at their June 26, 2018 meeting and recommended approval of the plat by a vote of 4-0.

OC2. FINAL PLAT OF BELCLAIRE, PHASE II (BEING 15.484 ACRES LOCATED ON S NOLAN RIVER RD); AS REQUESTED BY D.R. HORTON, REPRESENTED BY MARK ALLEN.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: This is a request to create sixty-four residential lots. On January 9, 2018, City Council approved the preliminary plat with a reduction of the front yard setback. The waiver granted a 25-foot front yard setback. This plat meets all additional platting requirements set in the City's Ordinance. The subject property is zoned SF-4 (Single-Family Dwelling District) and the Comprehensive Land Use Plan shows this area to be in the Community Commercial District. The Planning and Zoning Commission considered this request at their June 26, 2018 meeting and recommended approval of the plat by a vote of 4-0.

OC3. FINAL PLAT OF LOTS 1-2, BLOCK 1, BROOKS ADDITION (BEING 10.0 ACRES LOCATED IN THE JOSEPH BAYLESS SURVEY IN THE CITY'S ETJ); AS REQUESTED BY JIMMIE & SANDRA BROOKS, REPRESENTED BY KIMBERLY PANNELL.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: This is a request to plat two residential lots in the City's extraterritorial jurisdiction. This plat meets all platting requirements set in the City's Ordinance. The Comprehensive Land Use Plan shows this area to be in the Future Traditional Neighborhoods District. The Planning and Zoning Commission considered this request at their June 26, 2018 meeting and recommended approval of the plat by a vote of 4-0.

OTHER COUNCIL MATTERS

OC4. FINAL PLAT OF LOT 1, BLOCK A, LITTLEJOHN ESTATES (BEING 0.224 ACRE TRACT LOCATED AT 201 STROUD ST); AS REQUESTED BY ANNETTE LITTLEJOHN.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: This is a request to create one residential lot. This plat meets all platting requirements set in the City's Ordinance with the exception to the waiver being requested of minimum lot width. The subject property is zoned SF-4 (Single-Family Dwelling District) and the

Comprehensive Land Use Plan shows this area to be in the City Center North District. The applicant has requested a waiver to the minimum lot width, given the development pattern in the immediate area. The subject property is located in an established neighborhood, with existing homes and structures on each adjacent lot. Therefore, the applicant cannot acquire the additional five feet of width. Section 154.008 Modifications and Waivers – permits the approval of a waiver where “...a distinct and unusual condition that does not prevail on other undeveloped land generally in the city, the Commission may approve a variance from specific standards to permit the equitable treatment of the land or tract in light of the unusual condition.” The Planning and Zoning Commission considered this request at their June 26, 2018 meeting and recommended approval of the plat, with a waiver to the minimum lot width, by a vote of 4-0.

ORDINANCES

OR1. AN ORDINANCE APPROVING PETITION FOR VOLUNTARY ANNEXATION OF APPROXIMATELY 100 ACRES LOCATED IN THE P.W. BREWER SURVEY (BEING 99.221 ACRES IN TRACT 1, ABSTRACT 38) GENERALLY LOCATED NORTH OF OLD FOAMY RD, EAST OF S NOLAN RIVER RD, AND SOUTH OF BROWNING LN AND SAID TRACT IS CONTIGUOUS TO THE CITY LIMITS AND EXCLUSIVELY IN THE CITY'S ETJ; AS REQUESTED BY SAM KERBEL OF KERBEL GROUP, LLC.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: A petition for voluntary annexation has been filed with the City by the owners of an approximately 100-acre tract of land, generally located north of Old Foamy Road, east of South Nolan River Road, and south of Browning Lane, contiguous to the City of Cleburne. The applicant is requesting that the property be annexed and become part of the City pursuant to Section 43.028 of the Texas Local Government Code. Pursuant to Section 43.063 of the Texas Local Government Code, the City Council is required to hold two public hearings before it may initiate annexation proceedings for the property. Public hearings were appropriately posted and held on June 12th and June 19th in compliance with state law.

The applicant has indicated the intent to develop a residential subdivision on the subject property. The subject property is located within the Sustainable Community District, and single-family residential uses are considered appropriate. The adjacent property to the north is currently developed with single-family residential homes, making the proposed land use consistent with the surrounding development patterns. The subject property appears to be adequately served by City water and sewer service.

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council Meeting.**

Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

ADJOURNMENT

ADJOURNED AT: