



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Thursday, March 7, 2019**  
**6:30 p.m. – Regular Meeting**  
**Forney City Hall**  
**101 East Main Street**

**I. CALL TO ORDER**

Chair Brigham Wilcoxson called the meeting to order at 6:30 p.m. Present were Chair Brigham Wilcoxson, Vice-Chair Steve Cunningham and Commissioners Keith Wilkins, Misty Holler, Anthony Shimkus, Cecil Chambers and James Traylor. Also, present were Director of Community Development Peter Morgan, City Planner Alex Dixon and Commission Secretary Gladis Saldana.

**II. INVOCATION**

Commissioner Cunningham gave the invocation.

**III. CONSENT ITEMS**

1. Consider approval of the minutes from the February 7, 2019, Planning and Zoning Commission meeting.

Commissioner Wilkins made a motion to approve the minutes as presented. Commissioner Holler seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

**IV. ACTIONS ITEMS**

1. Discuss and consider approval of a site plan for the Larke Lopez Hair Salon, located at 112 Trinity Street.

Planner Alex Dixon introduced the item. Staff recommended approval of the site plan with the stipulation that the applicant provide a photometric plan to staff for review and approval. Commissioner Cunningham made a motion to approve and Commissioner Chambers seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

2. Discuss and consider approval of a preliminary plat for Forney Marketplace Addition, Block 1, Lot 1 and Lot 2, located northwest of the intersection of East U.S. Highway 80 and Marketplace Boulevard.

Planner Alex Dixon introduced the item. Staff recommended approval of the preliminary plat. The Commission had no questions on the item. Commissioner Wilkins made a motion to approve the preliminary plat and Commissioner Shimkus seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

3. Discuss and consider approval of a site plan for Panera Bakery Café, located northwest of the intersection of East U.S. Highway 80 and Marketplace Boulevard.

Planner Alex Dixon introduced the item. Mr. Dixon explained that the site plan included a single-story building with brick as primary exterior construction material, outdoor dining area, and a drive-through lane. Staff recommended approval of the site plan. Commissioner Wilcoxson questioned the access to Marketplace Blvd. Commissioner Wilkins questioned how the dumpsters were going to be enclosed. Ron Saloni with Panera Bakery Café confirmed that there will no direct access to the service road and the enclosed dumpster area would be compatible with the building. Commissioner Holler made a motion to approve the site plat and Commissioner Chambers seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

4. Discuss and consider approval of a preliminary plat for Gateway Phase 4, Block D, Lot 1, located east of North F.M. 548 and south of North Gateway Boulevard.

Planner Alex Dixon introduced the item and explained that the property would be subdivided for a new multi-family development of a new multi-family. Mr. Dixon also stated that the Parks and Recreation Board recommended acceptance of the plat. Staff recommended approval of the preliminary plan as presented. Commissioner Holler made a motion to approve the item and Commissioner Shimkus seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

5. Discuss and consider approval of a site plan for Gateway Phase 4, Block D, Lot 1, located east of F.M. 548 and south of North Gateway Boulevard.

Planner Alex Dixon introduced the item. Staff recommended approval of the site plan. Commissioner Wilkins made a motion to approve the site plat and Commissioner Holler seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

At 6:47 pm Commissioner Cunningham made a motion to move into Public Hearing. Commissioner Wilkins seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

## V. PUBLIC HEARING ITEMS

1. Hold a public hearing and discuss and consider a request to rezone a portion of 318 W. Buffalo Street, consisting of 0.433 acres of land, from the land, from the Single-Family (SF-6) District to the General Retail (GR) District.

Item was withdrawn from the agenda by the applicant prior to the meeting.

2. Hold a public hearing and discuss and consider an Ordinance amending the City of Forney Comprehensive Zoning Ordinance by amending Section 38, "Off Street Parking and Loading Requirements," to provide an exception to concrete paving requirements.
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Director Peter Morgan introduced the item and stated that the current Zoning Ordinance requires concrete paving for parking in all nonresidential districts. Approval of the amendment would allow a property owner to request an exception to the concrete paving requirements in nonresidential districts. City Council would review and determine the approval of the request. Staff recommended approval of the amendment. Commissioner Cunningham made a motion to close the Public Hearing and Commissioner Holler seconded the motion. The motion passed with a vote of 7 ayes and 0 nays. After a brief discussion Commissioner Wilkins made a motion to approve the item. Commissioner Cunningham seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

3. Hold a public hearing and discuss and consider a request to rezone 108.2 acres of land from the Mixed-Use District to a Planned Development District with single -family, multi-family and commercial uses. The property is located south of the U.S. Highway 80 and F.M. 460 intersection in the City of Forney.

Director Peter Morgan introduced the item and stated that the rezone would allow single-family, multi-family and commercial uses. The City of Forney Parks and Recreation Board recommended to accept park land for City purposes. Staff did receive a letter in opposition of the request from the Forney Power Plant. During public comment Jonathan Vinson, representing Vistra Energy, expressed his concerns with the compatibility of the proposed uses and concerns over the existing water lines and easements. Mr. Vinson stated that the Forney Power Plant is opposed to the request. Eddie Eckart, representing the property, owner spoke in favor of the request. Following a brief discussion, Commissioner Traylor made a motion to approve the item. Commissioner Shimkus seconded the motion. The motion passed by a vote of 4 ayes (Traylor, Shimkus, Holler and Chambers) and 3 nays (Cunningham, Wilkins and Wilcoxson).

## VI. ADJOURNMENT

There being no further business to bring before the commission, Commissioner Holler made a motion to adjourn and close the meeting at 7:28 p.m. Commissioner Cunningham seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

**PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF FORNEY, TEXAS, THIS 4<sup>th</sup> DAY OF APRIL 2019.**

  
Brigham Wilcoxson, Chair

ATTEST:

  
Gladis Saldana, City of Forney