

Planning and Zoning Commission
January 26, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, January 26, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Test

Member Absent: David Hudgins

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Chris Webb, Planner
Macey Martinez, Graduate Engineer
Tommy Ludwig, Assistant City Manager
Lori Cartwright, City Secretary
Mary Lou Shipley, Council Representative

1. **Call to Order**
2. **Invocation**

Chairman Rick Keeler called the meeting to order and gave the invocation.

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of January 12, 2021
- b. Minutes of the Planning and Zoning Commission briefing of January 12, 2021

Action:

Mrs. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Ms. Betty Square Coleman seconded, All Ayes.

5. **Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Garcia Estates for one (1) residential lot being 5.000 acre situated in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: Julio Menchaca and Alma Rios (SUB-136-2020)**

Planner Chris Webb reported the applicant is requesting to plat a 5-acre tract for residential use. He stated all staff comments have been addressed and recommended approval.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Garcia Estates for one (1) residential lot being 5.000 acre situated in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: Julio Menchaca and Alma Rios (SUB-136-2020) subject to staff comments. Mr. Jim Phillips seconded, All Ayes.

- 6. Consider request by Lisa Martinkus for a Plat of Martinkus Addition for one (1) residential lot being 1.000 acre situated in the T.R. Follett Survey, Abstract 373 (Property ID 183567) in the Extra Territorial Jurisdiction – Owner: Anthony C. Martinkus and Lisa Martinkus (SUB-162-2020)**

Mr. Webb reported the applicant is requesting to plat Martinkus Addition for one (1) residential lot. A water letter from Rockett SUD states that an existing tap already exists at this location and recommended approval.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Lisa Martinkus for a Plat of Martinkus Addition for one (1) residential lot being 1.000 acre situated in the T.R. Follett Survey, Abstract 373 (Property ID 183567) in the Extra Territorial Jurisdiction – Owner: Anthony C. Martinkus and Lisa Martinkus (SUB-162-2020) subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

- 7. Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Garcia Addition for one (1) residential lot being 6.221 acres situated in the B.B.B. & C.C.R. Survey, Abstract 175 and the S.S. Wilson Survey, Abstract 1141 (Property ID 275526) in the Extra Territorial Jurisdiction – Owner: Eduardo Garcia (SUB-141-2020)**

Mr. Webb reported the applicant is requesting to replat the property into one lot for residential use. He stated the property is located in the ETJ, and has adequate domestic water service available to the site. Mr. Webb reported all staff comments have been met and recommended approval.

Action:

Mrs. Bonney Ramsey moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Garcia Addition for one (1) residential lot being 6.221 acres situated in the B.B.B. & C.C.R. Survey, Abstract 175 and the S.S. Wilson Survey, Abstract 1141 (Property ID 275526) in the Extra Territorial Jurisdiction – Owner: Eduardo Garcia (SUB-141-2020). Mr. Erik Test seconded, All Ayes.

- 8. Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Pole Sign use within a Light Industrial-1 zoning district located at 7240 Interstate 35E (Property ID 186924) - Owner: 7240 I35 EAST LLC (ZDC-177-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Webb reported the applicant is requesting a Specific Use Permit to allow for the construction of a pole sign for USA Trucks located at 7240 Interstate 35E. The pole sign will be set thirty-five feet (35) back from the roadway and will have a height of twenty (20) feet. The proposed sign will have two (2) poles with underground concrete footing to provide support. Staff recommended approval.

There being no others to speak for or against ZDC-177-2020, Chairman Keeler closed the Public Hearing.

9. Consider recommendation of Zoning Change No. ZDC-177-2020

Action:

Mr. Jim Phillips moved to approve a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Pole Sign use within a Light Industrial-1 zoning district located at 7240 Interstate 35E (Property ID 186924) - Owner: 7240 I35 EAST LLC (ZDC-177-2020). Vice Chairman Melissa Ballard seconded, All Ayes.

10. Public Hearing on a request by Kellen Robertson, RLG Consulting Engineers, for a Zoning Change from a Planned Development-Commercial zoning district to Planned Development-Commercial, located at 2460 Interstate 35E (Property ID 261917) - Owner: BAYLOR SCOTT & WHITE PROFESSIONAL PLAZA I (ZDC-181-2020)

Chairman Keeler opened the Public Hearing.

Mr. Webb reported the applicant is requesting to amend the existing Planned Development (Ordinance 2649) in order to move the current billboard approximately eight (8) feet east of its present location. Mr. Webb explained the request is due to TxDOT widening Interstate 35E. Staff recommended approval.

There being no others to speak for or against ZDC-181-2020, Chairman Keeler closed the Public Hearing.

11. Consider recommendation of Zoning Change No. ZDC-181-2020

Action:

Mrs. Bonney Ramsey moved to approve a request by Kellen Robertson, RLG Consulting Engineers, for a Zoning Change from a Planned Development-Commercial zoning district to Planned Development-Commercial, located at 2460 Interstate 35E (Property ID 261917) - Owner: BAYLOR SCOTT & WHITE PROFESSIONAL PLAZA I (ZDC-181-2020). Ms. Betty Square Coleman seconded, All Ayes.

12. Public Hearing on a request by Ben Talley, LJA Engineering, for an Amendment to Ordinance No. 2302 for Saddlebrook Estates to increase the Maximum Lot Coverage from 35% to 50% by main building and accessory structures in the remaining South Tract and Central Tract West (ZDC-180-2020)

Chairman Keeler opened the Public Hearing.

Planner Colby Collins reported the applicant intends to amend Ordinance 2302 to increase the maximum lot coverage from 35% to 50% in the Villages of Mustang Creek for Saddlebrook Estates. He reviewed the proposed Site Plan and recommended approval.

There being no others to speak for or against ZDC-180-2020, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. ZDC-180-2020

Action:

Mr. Erik Test moved to approve a request by Ben Talley, LJA Engineering, for an Amendment to Ordinance No. 2302 for Saddlebrook Estates to increase the Maximum Lot Coverage from 35% to 50% by main building and accessory structures in the remaining South Tract and Central Tract West (ZDC-180-2020). Vice Chairman Melissa Ballard seconded, All Ayes.

14. Public Hearing on a request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting to construct a +700 square foot (6,000 square feet) multi-purpose accessory building for the Southwestern Assemblies of God University baseball team. He reviewed the proposed Site Plan and recommended approval.

There being no others to speak for or against ZDC-176-2020, Chairman Keeler closed the Public Hearing.

15. Consider recommendation of Zoning Change No. ZDC-176-2020

Action:

Vice Chairman Melissa Ballard moved to approve a request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020). Mr. Jim Phillips seconded, All Ayes.

16. Public Hearing on a request by Joshua Ward for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 125 Homestead Lane (Property ID 269684) - Owner: JOSHUA WARD & SABRINA HULL-WARD (ZDC-175-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting to construct a +700 square feet (3,600 square feet) accessory structure in the rear of a single-family property. He noted 1,600 square feet would be used as covered patio space. The applicant intends to use the accessory structure for storage of supplies and vehicles, and workshop space. Mr. Collins reported the primary structure on the property is 3,019 square feet. He stated staff's concern is the proposed accessory building is larger than the primary structure and recommended the applicant reduce the size of the proposed structure. After further discussion, it was determined to reduce the accessory structure to 3,100 square feet.

There being no others to speak for or against ZDC-175-2020, Chairman Keeler closed the Public Hearing.

17. Consider recommendation of Zoning Change No. ZDC-175-2020

Action:

Ms. Betty Square Coleman moved to approve a request by Joshua Ward for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 125 Homestead Lane (Property ID 269684) - Owner: JOSHUA WARD & SABRINA HULL-WARD (ZDC-175-2020) subject to staff recommendation to reduce the accessory structure to 3,100 square feet and comments. Vice Chairman Melissa Ballard seconded, All Ayes.

18. Public Hearing on a request by Joseph Ray, D&R Solutions LLC, for a Zoning Change from a Single-Family Residential-3 zoning district to Two-Family Residential-Duplex (2F), located at 200 Peters Street (Property ID 283063) - Owner: D & R SOLUTIONS LLC (ZDC-182-2020)

Chairman Keeler opened the Public Hearing.

Planner Chris Webb reported the applicant is requesting a zoning change from single-family-3 (SF3) to two-family residential (2F) to allow a duplex. Staff reported currently, the applicant has renovated nearly 75% to help enhance the subject property. Senior Planner Colby Collins stated the city has not released building permits to the applicant for construction. Staff will recommend denial.

Mr. Joseph Ray, D&R Solutions, LLC, applicant, 1861 Brown Blvd., Arlington, Texas, reported he was told it was a duplex at the time of purchase. Staff reported permits were issued for cosmetics such as painting, flooring, etc.; however, permits have not been issued for the zoning change to proceed with construction noting the applicant proceeded with construction.

There being no others to speak for or against ZDC-182-2020, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. ZDC-182-2020

Action:

Mr. Jim Phillips moved to deny a request by Joseph Ray, D&R Solutions LLC, for a Zoning Change from a Single-Family Residential-3 zoning district to Two-Family Residential-Duplex (2F), located at 200 Peters Street (Property ID 283063) - Owner: D & R SOLUTIONS LLC (ZDC-182-2020). Ms. Betty Square Coleman seconded, All Ayes.

20. Public Hearing on a request by George Salvador, Lilian Custom Homes, for a Zoning Change from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020)

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-179-2020 to the Planning and Zoning Commission meeting of February 9, 2021.

21. Consider recommendation of Zoning Change No. ZDC-179-2020

Action:

Mrs. Bonney Ramsey moved to continue a request by George Salvador, Lilian Custom Homes, for a Zoning Change from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020) to the Planning and Zoning Commission meeting of February 9, 2021. Vice Chairman Melissa Ballard seconded, All Ayes.

22. Adjourn

There being no further business, the meeting adjourned at 7:43 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary