

Planning and Zoning Commission
August 10, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, August 10, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Absent Members: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Executive Director of Development Services
Colby Collins, Planning Manager
Chris Webb, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
Jami Bonner, Assistant City Secretary
Melissa Olson, Council Representative

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

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

A moment of silence was held for past City Secretary Lori Cartwright.

3. **Public Comments**

Mr. Chris Wright, 808 W. Marvin, Waxahachie, TX, stressed the importance of adequate road signage.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of July 27, 2021
- b. Minutes of the Planning and Zoning Commission briefing of July 27, 2021

Action:

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

5. **Continue Public Hearing on a request by Josh Dunlap, for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-105-2021 to the August 24th Planning and Zoning Commission meeting.

6. Consider recommendation of Zoning Change No. ZDC-105-2021

Action:

Mr. Jim Phillips moved to continue the Public Hearing on a request by Josh Dunlap, for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021) to the August 24, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.

7. Consider a request by Brian Wade, RLG, Inc. for a Plat of Lone Star Storage Addition for one (1) lot, being 3.0946 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: Connell Storage Partners #1, LLC. (SUB-93-2021)

Senior Planner Chris Webb presented the case noting the applicant is requesting to plat the subject property into one lot for the purpose of commercial use and staff recommended approval as presented.

Action:

Mr. David Hudgins moved to approve a request by Brian Wade, RLG, Inc. for a Plat of Lone Star Storage Addition for one (1) lot, being 3.0946 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: Connell Storage Partners #1, LLC. (SUB-93-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.

8. Consider a request by Dalton Bradbury, Southfork Capital LLC, for a Replat of Block 22 and 34, Town Addition, two (2) lots, being 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (SUB-50-2021)

Mr. Webb presented the case noting the applicant is requesting to replat the subject property into two (2) lots for the purpose of constructing an administration building for Ellis County. Mr. Webb stated this particular case will be for the first phase of Cathedral Addition which consists only of Lot 1. Staff recommends approval for Lot 1, as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Dalton Bradbury, Southfork Capital LLC, for a Replat of Block 22 and 34, Town Addition, two (2) lots, being 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (SUB-50-2021) as presented for Lot 1. Mr. Jim Phillips seconded, All Ayes.

9. Public Hearing on a request by Jaclyn Archer, Archer Recycling Inc., for a Specific Use Permit (SUP) for a Clothing Donation Box within a Planned Development General Retail zoning district located at 2100 Brown Street (Property ID 204843) - Owner: HUH HAYOUNG & LEE SANG HUH (ZDC-111-2021)

Chairman Keeler opened the Public Hearing.

Planner Zack King presented the case noting the applicant is requesting approval of a Specific Use Permit (SUP) to allow for the continued use of four clothing recycling bins in the parking lot of the Tiger Mart gas station at 2100 Brown St. Mr. King addressed staff concerns including the accumulation of donations and trash around the bin site and the locations of the bins currently being located in an utility easement and visibility easement. Mr. King stated that the applicant has informed staff that the bins are required to be maintained in an orderly state as per the applicant's franchise agreement. Due to staff concerns, staff recommends denial for the proposed use.

Jaclyn and Heath Archer, 2011 London Lane, Crowley, TX, introduced themselves as the owners of Archer Recycling, Inc. Ms. Archer addressed staff concerns by detailing weekly maintenance routines and stating the bins can be relocated as she and the site operator were unaware of the utility easement.

Mr. David Hudgins encouraged Mr. and Mrs. Archer to work with City staff to determine a solution.

Mr. Jim Phillips clarified the position of the Planning and Zoning Commission is to consider zoning and ordinance requests brought before the Commission. Mr. Phillips explained the land owner has entered into an agreement with the City of Waxahachie for a certain purpose and the current Specific Use Permit being requested does not meet the original intended purpose of the agreement.

There being no others to speak for or against ZDC-111-2021, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. ZDC-111-2021

Action:

Mr. Jim Phillips moved to deny a request by Jaclyn Archer, Archer Recycling Inc., for a Specific Use Permit (SUP) for a Clothing Donation Box within a Planned Development General Retail zoning district located at 2100 Brown Street (Property ID 204843) - Owner: HUH HAYOUNG & LEE SANG HUH (ZDC-111-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.

11. Public Hearing on a request by Jaclyn Archer, Archer Recycling Inc., for a Specific Use Permit (SUP) for a Clothing Donation Box within a Commercial zoning district located at 1713 W Hwy 287 Business (Property ID 201987) - Owner: RAJU CORPORATION (ZDC-112-2021)

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting a Specific Use Permit (SUP) to allow for one clothing bin to be located on site. Staff concerns include the accumulation of trash around the bin on the site and the bin is currently located in a TXDOT right-of-way. City staff received two letters of opposition for the proposed development. Due to staff concerns, staff recommends denial for the proposed use.

Jaclyn and Heath Archer, 2011 London Lane, Crowley, TX, addressed staff concerns reiterating the importance of the franchise agreement and notification by the land owner of a need to service the bin. Ms. Archer stated she was unaware the bin was not on the land owner's property and is willing to relocate to an appropriate location on the property

Mr. Jim Phillips noted that an SUP is typically requested by the land owner opposed to a sub-leasee.

Mr. David Hudgins noted the Planning and Zoning Commission indicated several concerns; however, more information is needed to respond to concerns appropriately.

Chairman Keeler stated the applicant's request will be considered at the City Council meeting. If needed, the applicant could re-submit their request and be heard again before the Planning and Zoning Commission with further information.

Chris Wright, 808 W. Marvin, Waxahachie, TX, expressed concern that the bins may be located in required parking spaces.

There being no others to speak for or against ZDC-112-2021, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. ZDC-112-2021

Action:

Mr. Jim Phillips moved to deny a request by Jaclyn Archer, Archer Recycling Inc., for a Specific Use Permit (SUP) for a Clothing Donation Box within a Commercial zoning district located at 1713 W Hwy 287 Business (Property ID 201987) - Owner: RAJU CORPORATION (ZDC-112-2021) as presented. Mr. David Hudgins seconded, All Ayes.

13. Public Hearing on a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store with Gasoline Sales (7-Eleven) within a General Retail zoning district located at 1851 N. Hwy 77 (Property ID 262430) - Owner: TRIUMPH SQUARE, LLC (ZDC-113-2021)

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting approval to allow a convenience store with gasoline sales on 1.52 acres. Mr. Webb stated an SUP submitted by the applicant was approved on August 17, 2020; however, after approval, 7-Eleven decided to not proceed with construction. The applicant is submitting a new design which includes increased square footage and a new 7-Eleven 2.0 prototype design. Staff recommends approval, per the following staff comments:

1. A mutually agreed upon development agreement.
2. Staff suggests the applicant incorporate a minimum of 40% masonry material.
3. Staff suggests the applicant provide more materials along the rear and right elevation.

4. The screening wall surrounding the dumpster shall be constructed of brick or stone material.
5. The canopy support poles for the fueling stations shall be constructed of brick and/or stone.
6. The base of the monument sign be constructed out of a masonry material.

Brad White, 2900 Wingate St., Ft. Worth, stated 7-Eleven is introducing the new 2.0 prototype store which will allow for a larger building that will provide a concept coffee bar, more food options, and new sandwiches. Mr. White stated he would need to address staff comments in regards to masonry materials with the tenant, 7-Eleven.

There being no others to speak for or against ZDC-113-2021, Chairman Keeler closed the Public Hearing.

14. Consider recommendation of Zoning Change No. ZDC-113-2021

Action:

Mr. Jim Phillips moved to continue a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store with Gasoline Sales (7-Eleven) within a General Retail zoning district located at 1851 N. Hwy 77 (Property ID 262430) - Owner: TRIUMPH SQUARE, LLC (ZDC-113-2021) to the August 24, 2021 Planning and Zoning Commission meeting. Mr. Erik Test seconded, All Ayes.

15. Public Hearing request by Anita Linney-Isaacson, HKS, Inc., for an Amendment to Ordinance No. 2649 to allow for an additional Medical Facility, within an approved commercial planned development located at 2400 N I-35 (Property IDs 180334) - Owner: BAYLOR HEALTH CARE SYSTEM (ZDC-110-2021)

Chairman Keeler opened the Public Hearing.

Planning Manager Colby Collins presented the case stating the applicant is requesting to amend Ordinance No. 2649 to allow for an additional medical facility for Baylor Scott & White. The proposed project will include an additional building to the site that will house a second hospital, medical office suites, and shell space that will be connected to the existing hospital with a second floor connector. Staff recommends approval per the following staff comments:

1. A mutually agreed upon development agreement must be signed by the applicant.
2. Any revisions not included in the planned development agreement shall meet the Ordinance 2649 requirements.

Anita Isaacson, 350 North St. Paul, Dallas, TX, responded to staff questions stating HKS, Inc. was the architect to construct the original Baylor Waxahachie building and the same materials used on the original building have been located.

There being no others to speak for or against ZDC-110-2021, Chairman Keeler closed the Public Hearing.

16. Consider recommendation of Zoning Change No. ZDC-110-2021

Action:

Ms. Bonney Ramsey moved to approve a request by Anita Linney-Isaacson, HKS, Inc., for an Amendment to Ordinance No. 2649 to allow for an additional Medical Facility, within an approved commercial planned development located at 2400 N I-35 (Property IDs 180334) - Owner: BAYLOR HEALTH CARE SYSTEM (ZDC-110-2021) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.

17. Adjourn

Executive Director of Development Services Shon Brooks thanked attendees at the Comprehensive Plan Community Meeting. Mr. Brooks encouraged citizens to provide input on www.waxahachieplan.com.

Planning Manager Colby Collins thanked citizens for participating in the Comprehensive Plan process. Mr. Collins recognized Planner Zack King for presenting at the meeting.

There being no further business, the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Jami Bonner
Assistant City Secretary