

Planning and Zoning Commission
May 10, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, May 10, 2022 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
Erik Test

Members Absent: Melissa Ballard, Vice Chairman
David Hudgins

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Ashlie Jones, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, City Secretary
Melissa Olson, 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 April 26, 2022
- b. Minutes of the Planning and Zoning Commission briefing of April 26, 2022

Action:

Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mr. Erik Test seconded, All Ayes.

5. **Public Hearing on a request by Dolores Hernandez, Martin Texas Properties LLC, for a Replat of Lots E & F, Block 194, Town Addition, to create Lot E-R, Original Town, one lot, being 0.177 acres (Property ID 171409) – Owner: MARTIN TEXAS PROPERTIES (SUB-127-2021)**

Planner Zack King presented the case noting the applicant is requesting to replat the subject property into one (1) lot for single-family residential use and staff recommends approval as presented.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-127-2021, Chairman Keeler closed the Public Hearing.

6. Consider approval of SUB-127-2021

Action:

Mr. Jim Phillips moved to approve a request by Dolores Hernandez, Martin Texas Properties LLC, for a Replat of Lots E & F, Block 194, Town Addition, to create Lot E-R, Original Town, one lot, being 0.177 acres (Property ID 171409) – Owner: MARTIN TEXAS PROPERTIES (SUB-127-2021). Ms. Bonney Ramsey seconded, All Ayes.

7. Consider request by Terrance Jobe, Alluvium Development, Inc., for a Plat of Montclair Heights, 384 residential lots, 12 common area lots, 1 open space lot, and 4 general retail lots, being 188.456 acres, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185972, 185978, 185886) – Owner: CAROLYN J HAMAN L/E (SUB-23-2022)

Mr. King presented the case noting the applicant is requesting to plat the subject property into 384 single-family residential lots, 10 common area lots, 4 general retail lots, and 3 open space lots. He explained the plat is in compliance with the Planned Development zoning approved for the site. Staff recommends approval as presented.

Action:

Mr. Erik Test moved to approve a request by Terrance Jobe, Alluvium Development, Inc., for a Plat of Montclair Heights, 384 residential lots, 12 common area lots, 1 open space lot, and 4 general retail lots, being 188.456 acres, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185972, 185978, 185886) – Owner: CAROLYN J HAMAN L/E (SUB-23-2022). Ms. Bonney Ramsey seconded, All Ayes.

8. Public Hearing on a request by Dean Settlemyer, Just Settle Investments, LLC for a Replat of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022).

Senior Planner Ashlie Jones presented the case noting the applicant is requesting to replat the subject property into one (1) lot for commercial use. Ms. Jones noted all City of Waxahachie lot size and dimension requirements have been met and the applicant is providing a 15' right-of-way (ROW) dedication along U.S. Highway 287 in conformance with the Thoroughfare Plan. The City of Waxahachie Thoroughfare Plan identifies 110' thoroughfare running along the eastern boundary of the subject property and as part of the platting process, the applicant is required to provide a 55' ROW dedication along the eastern property line in conformance with the Thoroughfare Plan and has met the requirement. The applicant is also required to provide a 15' Utility, Water and Wastewater Easement and is seeking a variance to allow for elimination of that requirement due to the 15' easement being excessive and will create site layout obstacles.

Staff recommends disapproval:

- Per section 3.1 of the Subdivision Ordinance, the property owner shall provide a minimum 15' utility easement for gas, electric, and other utilities approved by the City. It is staff's belief that the utility easement should only be eliminated by the proposed structure location with the 15' utility easement remaining for the remainder of the ROW frontage.

Chairman Keeler opened the Public Hearing.

Dean Settlemyer, 101 Brookside, Waxahachie, Texas, explained the other existing buildings on West Main do not have the same setback requirements as his proposed new building and stated the right-of-way requirement is impractical and asked the City to re-evaluate the requirement.

Chairman Keeler explained the 110' ROW means there is a 60' road with 25' of additional ROW on each side for sidewalks. The 110' ROW does not mean there is 110' of road pavement.

Shon Brooks, Executive Director of Development Services, explained staff has worked with the applicant on the setback requirements; however, without the 15' utility easement from the applicant, staff recommends denial of the plat.

The Commission recessed at 7:27 p.m. and reconvened at 7:32 p.m.

Jennifer Pruitt, Senior Director of Planning, clarified the applicant is asking for a variance to the required 15' utility easement and Mr. Settlemyer is proposing a 5' utility easement only. Ms. Pruitt explained the Thoroughfare Plan is currently being reviewed by staff and the consultant and at this time there is no recommendation to change the area's current plan to expand the road in the future.

The Commission, staff, and the applicant discussed the current City requirements regarding the ROW easement and setbacks. Mr. Settlemyer requested to continue the Public Hearing to allow for additional time to comply with City requirements.

9. Consider approval of SUB-35-2022

Action:

After a lengthy discussion, Mr. Jim Phillips moved to continue the Public Hearing on a request by Dean Settlemyer, Just Settle Investments, LLC for a Replat of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022) to the May 24, 2022 Planning and Zoning Commission meeting. Mr. Erik Test seconded, All Ayes.

10. Adjourn

Senior Director of Planning Jennifer Pruitt announced the Impact Fee Capital Improvements Advisory Committee meeting will be on Tuesday, May 24, 2022. She also announced Planning Technician Morgan Massey's last day with the City will be on Friday, May 13, 2022.

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Chairman Rick Keeler thanked Council Member Melissa Olson for serving as liaison to the Commission.

Council Member Melissa Olson thanked the Planning and Zoning Commission for their service.

There being no further business, the meeting adjourned at 8:07 p.m.

Respectfully submitted,

Amber Villarreal

City Secretary