

Planning and Zoning Commission  
June 28, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, June 28, 2022 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  
Jim Phillips  
David Hudgins

Members Absent: Bonney Ramsey  
Erik Test

Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Senior Director of Planning  
Eleana Tuley, Senior Planner  
Ashlie Jones, Senior Planner  
Macey Martinez, Graduate Engineer  
Amber Villarreal, City Secretary  
Chris Wright, 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 June 14, 2022
- b. Minutes of the Planning and Zoning Commission briefing of June 14, 2022

**Action:**

*Vice Chairman Melissa Ballard moved to approve items a. and b. on the Consent Agenda. Ms. Betty Square Coleman seconded, All Ayes.*

5. **Consider request by Jamie Gallagher, Hart Gaugler & Associates, for a Plat of the Kelley Bend Addition, Lots 1 & 2, being 6.632 acres, located at 850 S Interstate 35, situated in the J. Barker Survey, Abstract 40, the J. Prince Survey, Abstract 845, and the A. Polk Survey, Abstract 827, an addition to the City of Waxahachie (Property ID: 179533) – Owner: City of Waxahachie (SUB-145-2021).**

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to plat the subject property into two (2) lots for commercial and municipal facility use. Staff recommended approval as presented.

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Jamie Gallagher, Hart Gaugler & Associates, for a Plat of the Kelley Bend Addition, Lots 1 & 2, being 6.632 acres, located at 850 S Interstate 35, situated in the J. Barker Survey, Abstract 40, the J. Prince Survey, Abstract 845, and the A. Polk Survey, Abstract 827, an addition to the City of Waxahachie (Property ID: 179533) – Owner: City of Waxahachie (SUB-145-2021) as presented. Mr. David Hudgins seconded, All Ayes.*

**6. Public Hearing on a request by Brad Yates, Loren Gray Investments LLC, for a Replat of Lots 18 and 19, Block 180, of the Oak Lawn Addition, to create Lot 18R, Block 180, of the Oak Lawn Addition, 1 Residential Lot, being 0.1036 acres, located at 319 Henry Street, (Property ID 175110) – Owner: LOREN GRAY INVESTMENTS LLC (SUB-60-2022)**

Ms. Tuley presented the case noting the applicant is requesting to replat the subject property into one (1) lot for single-family residential use and is also requesting a Petition of Relief Waiver for a right-of-way and utility easement dedication along Henry Street. Ms. Tuley explained staff is supportive of the variance request for right-of-way dedication due to the lot remaining consistent with the surrounding properties and the provision of a sidewalk easement. Staff recommends approval of the plat and approval of the Petition of Relief Waivers per the following staff comment:

1. The applicant shall provide letters from the franchise utilities serving the subject property stating that a 10' easement is an acceptable alternative to the typical 15' utility easement.

Chairman Keeler opened the Public Hearing.

Brad Yates, 626 Kaufman, Waxahachie, Texas, noted he agrees with the conditions and will build the sidewalk as requested.

Commissioner Betty Square Coleman expressed her support for adding the sidewalk on the property even though there are no other sidewalks along Henry Street. She noted sidewalks are needed throughout the City.

There being no others to speak for or against SUB-60-2022, Chairman Keeler closed the Public Hearing.

**7. Consider approval of SUB-60-2022**

**Action:**

*Ms. Betty Square Coleman moved to approve a request by Brad Yates, Loren Gray Investments LLC, for a Replat of Lots 18 and 19, Block 180, of the Oak Lawn Addition, to create Lot 18R, Block 180, of the Oak Lawn Addition, 1 Residential Lot, being 0.1036 acres, located at 319 Henry Street, (Property ID 175110) – Owner: LOREN GRAY INVESTMENTS LLC (SUB-60-2022) subject to staff comments. Mr. David Hudgins seconded, All Ayes.*

**8. Public Hearing on a request by Dustin Phillipp, J. Volk Consulting, Inc. for a Plat of The Place at North Grove, lots 10, 11, 12X Block 1, being 10.67 acres, located at northwest corner of North Grove Boulevard and Washington Avenue, situated in the John B. and Ann Adams Survey, Abstract No. 5, Robert Russell Survey, Abstract No. 911, and Henry Sange Survey, Abstract No. 1009, an addition to the City of Waxahachie (Property ID 283993) – Owner: North Grove 12.5 LLC Series 1 (SUB-15-2022)**

Ms. Tuley presented the case noting the applicant is proposing to plat approximately 10.67 acres of land into three (3) lots. Lot 10 is for mixed-use, Lot 11 is for retail and commercial uses, and Lot 12X is an open space common area. Additionally, the applicant is requesting a variance to reduce the utility easement along North Grove Boulevard and Washington Avenue from 15 feet to 10 feet. She noted the applicant has provided letters of support for the variance from the franchise utility providers and staff recommends approval of the plat and variance per the following staff comments:

1. The applicant receive approval of a variance to reduce the utility easement along North Grove Boulevard and Washington Avenue from 15 feet to 10 feet.
2. All public improvements must be constructed, inspected, and accepted by the Public Works and Engineering Department before the plat is recorded with the County Clerk's Office.
3. The applicant must sign and execute the associated development agreement for the subject property before recording the plat with the County Clerk's Office.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-15-2022, Chairman Keeler closed the Public Hearing.

**9. Consider recommendation of SUB-15-2022**

**Action:**

*Mr. David Hudgins moved to approve a request by Dustin Phillipp, J. Volk Consulting, Inc. for a Plat of The Place at North Grove, lots 10, 11, 12X Block 1, being 10.67 acres, located at northwest corner of North Grove Boulevard and Washington Avenue, situated in the John B. and Ann Adams Survey, Abstract No. 5, Robert Russell Survey, Abstract No. 911, and Henry Sange Survey, Abstract No. 1009, an addition to the City of Waxahachie (Property ID 283993) – Owner: North Grove 12.5 LLC Series 1 (SUB-15-2022) subject to staff comments. Vice Chairman Melissa Ballard seconded, All Ayes.*

**10. Continue Public Hearing on a request by Chad Adams, Oak Hull Investments, for a Replat of Lots 8, 9, & 10, Block 11, University Annex Addition, to create Lots 8A-10B, Block 11, University Annex Addition, 6 Residential Lots, being 1.129 acres, located at 107 Olive St and 510 Cynisca St., (Property ID 176473 & 176474) – Owner: STONEDALE DEVELOPMENT LLC (SUB-28-2022)**

Senior Planner Ashlie Jones presented the case noting the applicant is requesting to revise property lines resulting in six (6) residential lots and is also requesting approval of a Petition of Relief Waiver to reduce the required 15' utility easement to 8' along the Cynisca Street and Floyd Street frontage. The standard 15' utility easement will be provided along Olive Street. The applicant provided letters of support for the variance from the franchise utility providers and staff recommends approval of the plat and variance.

Chairman Keeler continued the Public Hearing.

There being no others to speak for or against SUB-28-2022, Chairman Keeler closed the Public Hearing.

#### **11. Consider recommendation of SUB-28-2022**

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Chad Adams, Oak Hull Investments, for a Replat of Lots 8, 9, & 10, Block 11, University Annex Addition, to create Lots 8A-10B, Block 11, University Annex Addition, 6 Residential Lots, being 1.129 acres, located at 107 Olive St and 510 Cynisca St., (Property ID 176473 & 176474) – Owner: STONEDALE DEVELOPMENT LLC (SUB-28-2022) as presented. Ms. Betty Square Coleman seconded, All Ayes.*

#### **12. Public Hearing on a request by Tom Wright, Heart-In-Hand, for a Zoning Change from a Central Area (CA) zoning district to a Planned Development – Central Area (PD-CA) zoning district, located at 212 S Rogers Street, (Property ID 170517) - Owner: Waxahachie 100F Lodge (ZDC-54-2022)**

Ms. Tuley presented the case noting the applicant is requesting approval of a Planned Development District (PD) with a base zoning of Central Area District (CA) to allow for a tattoo shop at 212 S. Rogers Street. Staff recommended the following proposed Development Standards:

- A tattoo shop may occupy up to 800 square feet of the first-floor building area within Heart-In-Hand.
- The property owner will need Planning and Zoning Commission and City Council approval to expand the floor area of the use.
- A tattoo shop may operate from 10 am to 10 pm Wednesday through Saturday. The property owner will need Planning and Zoning Commission and City Council approval to modify hours of operation.
- A tattoo shop shall require a license by the Texas Department of State Health Services (DSHS) at all times.
- All exterior signage shall require a sign permit from the Building Department.

Staff recommended approval per the following staff comments:

1. The subject property comply with the development standards proposed with the zoning request.

2. The applicant receive approval of the necessary building permits necessary to establish and operate a tattoo shop.

Ms. Tuley noted no letters of opposition have been received.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-54-2022, Chairman Keeler closed the Public Hearing.

**13. Consider recommendation of Zoning Change No. ZDC-54-2022**

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Tom Wright, Heart-In-Hand, for a Zoning Change from a Central Area (CA) zoning district to a Planned Development – Central Area (PD-CA) zoning district, located at 212 S Rogers Street, (Property ID 170517) - Owner: Waxahachie 100F Lodge (ZDC-54-2022) as presented. Mr. David Hudgins seconded, All Ayes.*

**14. Adjourn**

Commissioner Melissa Ballard announced upcoming Crape Myrtle Festival activities July 3-4, 2022.

Mayor Pro Tem Chris Wright announced HEB donated \$10 million to build a new elementary school in Uvalde, Texas.

There being no further business, the meeting adjourned at 7:19 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary