

Planning and Zoning Commission  
August 9, 2022

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, August 9, 2022 at 6:00 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman  
Melissa Ballard, Vice Chairman  
Bonney Ramsey  
Jim Phillips  
David Hudgins  
Erik Test

Member Absent: Betty Square Coleman

Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Senior Director of Planning  
Zack King, Senior Planner  
Eleana Tuley, Senior Planner  
Ashlie Jones, Senior Planner  
Jami Bonner, Assistant City Secretary  
Chris Wright, Council Representative

**1. Call to Order**

Chairman Rick Keeler called the meeting to order.

**2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting**

Senior Planner Zack King reviewed the following cases:

- SUB-11-2022, the applicant is requesting to plat the subject property into one (1) lot for single family residential use. He noted the proposed plat provides a twenty-five (25) right-of-way (ROW) dedication along Dr. MLK Jr. Boulevard in conformance with the City of Waxahachie Thoroughfare Plan and meets all size and dimension requirements. Staff recommends approval as presented.
- SP-55-2022, the applicant is requesting Site Plan approval to construct a two-story assisted living facility on 5.215 acres with units including 78 dwelling units for independent senior living, 59 assisted living beds, 28 memory care beds, and several amenities. He noted the western portion of the property is covered by an 80 foot TXU electric easement. The applicant has received permission from Oncor to place a dog park and additional parking spaces within the easement. The applicant is proposing to provide a sidewalk easement along Highway 77 in order to provide sidewalks that comply with City of Waxahachie requirements. Staff recommends approval as presented.

Senior Planner Ashlie Jones reviewed the following cases:

- SUB-58-2022, the applicant is requesting to plat one (1) residential lot in the Rhodes Addition, being 1.00 acres. The applicant is requesting a variance for a 25' Front Building Line setback due to an existing structure encroaching into the required 40' Front Building Line setback. All City lot size and dimension requirements have been met. Staff recommends approval as presented.

- ZDC-76-2022, the applicant is requesting a Specific Use Permit to utilize an existing accessory structure as an accessory dwelling unit. The accessory structure has been used as an accessory dwelling unit for several years, but was just recently brought to the attention of code enforcement. Staff recommends approval per staff comments.
- ZDC-83-2022, the applicant is requesting a Specific Use Permit to construct a +700 sq. ft. accessory structure to the rear of a single-family residential lot to be used as a barn for livestock and storage. Staff recommends approval per staff comments.

Senior Planner Eleana Tuley reviewed the following cases:

- ZDC-47-2022, the applicant is requesting a Specific Use Permit to modify the drive-through circulation and configuration for the existing Chick-fil-A located at 996 W. Highway 287. Staff recommends approval per staff comments.
- ZDC-52-2022, the applicant is requesting a Specific Use Permit to expand an existing heavy machinery and equipment sales and rental business. She noted the applicant is requesting a variance to allow for gravel along the perimeter of the new storage area intended to be used to park and store heavy equipment. The remainder of the expansion will be paved. The applicant is also requesting a variance to not screen the outdoor storage along the western property line since the property on the west currently uses that area for outdoor storage, as well. Staff recommends approval per staff comments.
- ZDC-80-2022, the applicant is requesting to rezone approximately 1.98 acres of land located at 206 and 208 North Jackson Street from Single Family Residential-2 (SF-2) to Central Area (CA) district to potentially use the location for indoor entertainment. The property owner has a prospective tenant that is interested in relocating his haunted house business to downtown Waxahachie. The plan is to operate a haunted house in October and use the facility as a skate park the remainder of the year. Ms. Tuley noted the applicant does not plan on making any exterior changes to the building or site improvements even with the opportunity to utilize Tax Increment Reinvestment Zone #1 (TIRZ) public funding; however, the tenant intends to make interior changes to occupy the building. If the request for zoning change is approved, the applicant would not be required to provide onsite parking. Although staff recognizes that the zoning change from SF-2 to CA is appropriate, staff is concerned with the use of the site, lack of enhancements and improvements to the existing building and site, and the property's proximity to the downtown core which should contribute to the character of the downtown area. Ms. Tuley noted the request is a straight zoning request. If approved, all uses allowed in the use chart for Central Area District would be allowed for this location. Due to staff concerns, staff recommends denial.

Commissioner Melissa Ballard noted that the appraisal district does not indicate the property to be zoned residential. Ms. Tuley explained that the appraiser will go off the use of the property which was a cabinet shop for many years. The City's 1984 zoning maps indicate the property was zoned light industrial; however, the next zoning maps from 1997 indicate the zoning was changed to SF-2.

Commissioner Bonney Ramsey expressed concern in regards to parking of surrounding businesses being utilized for the prospective tenant. Commissioner David Hudgins recognized that the property does have space that could potentially be used for parking if the applicant would consider improving the site.

Commissioner Jim Phillips stated that while he understands there may be concerns with the potential use, the Planning and Zoning Commission is solely considering the zoning change.

The Commissioners and staff discussed opportunities to implement a Planned Development (PD) and possibly requiring site plan approval for the applicant.

Ms. Tuley explained potential voting options to consider as follows:

- Consider as straight zoning request.
- Consider implementing a PD which would allow the P&Z Commission to strike out some uses.
- Consider implementing a PD, strike some uses, and require a site plan. However, the site plan would only be required if the applicant expands the building or improves the property.

### **3. Adjourn**

There being no further business, the meeting adjourned at 6:46 p.m.

Respectfully submitted,

Jami Bonner  
Assistant City Secretary