

Planning and Zoning Commission
August 23, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, August 23, 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
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Eleana Tuley, Senior Planner
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 August 9, 2022
- b. Minutes of the Planning and Zoning Commission briefing of August 9, 2022

Action:

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

5. **Continue Public Hearing on a request by Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022) Staff: Zack King**

Chairman Keeler announced the applicant requested to withdraw SUB-73-2022.

6. **Consider recommendation of SUB-73-2022**

Action:

No action taken.

7. **Consider a request by Chad Adams, Levante Partners, LP, for a Plat of Levante, Lot 1X, Block A, Lots 1-6, 7X, 8-20, Block B, Lots 1-8, 9X, 10-11, Block C, Lots 1-17, Block D, Lots 1-18, Block E, Lots 1X, 2-10, Block F, Lots 1-26, Block G, Lots 1-9, Block H, Lots 1-13, Block I, being 150.59 acres, located on the west side of Howard Road (FM 877) across from 3175 Howard Road, situated in the S.M. Durrett Survey, Abstract No. 272, an addition to the City of Waxahachie (Property ID 182020) – Owner: LEVANTE PARTNERS, LP (SUB-66-2022) Staff: Eleana Tuley**

Chairman Keeler announced the applicant requested to continue SUB-66-2022.

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Chad Adams, Levante Partners, LP, for a Plat of Levante, Lot 1X, Block A, Lots 1-6, 7X, 8-20, Block B, Lots 1-8, 9X, 10-11, Block C, Lots 1-17, Block D, Lots 1-18, Block E, Lots 1X, 2-10, Block F, Lots 1-26, Block G, Lots 1-9, Block H, Lots 1-13, Block I, being 150.59 acres, located on the west side of Howard Road (FM 877) across from 3175 Howard Road, situated in the S.M. Durrett Survey, Abstract No. 272, an addition to the City of Waxahachie (Property ID 182020) – Owner: LEVANTE PARTNERS, LP (SUB-66-022) to the September 27, 2022 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.

8. **Public Hearing on a request by Espire Enterprises, LLC for a Replat of the Original Town of Waxahachie, lots 7, 8, 9C Block 51A, being 0.1251 acres, located at 100 Coats Street, situated in the AM Keen Survey, Abstract 596, an addition to the City of Waxahachie (Property ID 170885) – Owner: ESPIRE ENTERPRISES, LLC (SUB-59-2022) Staff: Eleana Tuley**

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to replat three existing lots (approximately 0.12 acres) into one lot for single-family use. The applicant is also requesting two variances regarding right-of-way dedication and minimum lot size. Ms. Tuley explained the applicant is requesting a variance not to dedicate 13' of right-of-way. Staff is supportive of the request due to the challenge of obtaining the necessary right-of-way dedication from adjoining properties with existing homes in proximity to the road. The applicant is also requesting a variance to not comply with the minimum lot size required in the Infill Ordinance and staff is supportive of this request due to the site's physical constraints. Ms. Tuley noted the replat conforms with subdivision requirements and staff recommends approval of the plat and variance requests.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-59-2022, Chairman Keeler closed the Public Hearing.

9. Consider recommendation of SUB-59-2022

Action:

Mr. Jim Phillips moved to approve a request by Espire Enterprises, LLC for a Replat of the Original Town of Waxahachie, lots 7, 8, 9C Block 51A, being 0.1251 acres, located at 100 Coats Street, situated in the AM Keen Survey, Abstract 596, an addition to the City of Waxahachie (Property ID 170885) – Owner: ESPIRE ENTERPRISES, LLC (SUB-59-2022) and approve both variance requests by the applicant. Ms. Bonney Ramsey seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Bonney Ramsey, Jim Phillips, David Hudgins, and Erik Test. Noe: Betty Square Coleman.

The motion carried.

10. Consider a request by Shawne Walker, for a Plat of Butcher Addition, 1 Residential Lot, being 3.123 acres, located at Butcher Rd., (Property ID 289912) – Owner: JORGE MONTES (SUB-61-2022) Staff: Ashlie Jones

Senior 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. Mr. King explained the plat provides a 10.27' right-of-way dedication in conformance with the City of Waxahachie Thoroughfare Plan.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Shawne Walker, for a Plat of Butcher Addition, 1 Residential Lot, being 3.123 acres, located at Butcher Rd., (Property ID 289912) – Owner: JORGE MONTES (SUB-61-2022) as presented. Mr. Jim Phillips seconded, All Ayes.

11. Public Hearing on a request by Debbie Manning, Capitola Builders, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 195 Brookbend Drive (Property ID 208145) - Owner: HIGGINBOTHAM REVOCABLE TRUST (ZDC-79-2022) Staff: Ashlie Jones

Mr. King presented the case noting the applicant is requesting to construct a +700 sq. ft. (1,361 sq. ft.) accessory structure to the rear of a single-family residential lot and staff recommends approval per the following staff comments:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The concrete will be extended from the driveway to the accessory structure.
5. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-79-2022, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of ZDC-79-2022

Action:

Ms. Bonney Ramsey moved to approve a request by Debbie Manning, Capitola Builders, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 195 Brookbend Drive (Property ID 208145) - Owner: HIGGINBOTHAM REVOCABLE TRUST (ZDC-79-2022) per staff comments. Mr. Erik Test seconded, All Ayes.

13. Consider a request by Stan Lewis, for a Plat of Lewis Estates, 5 Residential Lots, being 5.897 acres, located on E. Haven Road, in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 190521,) – Owner: STANLEY LEWIS (SUB-58-2020) Staff: Ashlie Jones

Mr. King presented the case noting the applicant is requesting to plat the subject property into five (5) lots for single-family residential use and staff recommends approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Stan Lewis, for a Plat of Lewis Estates, 5 Residential Lots, being 5.897 acres, located on E. Haven Road, in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 190521,) – Owner: STANLEY LEWIS (SUB-58-2020) as presented. Mr. David Hudgins seconded, All Ayes.

14. Adjourn

Ms. Tuley invited the public to visit waxahachieplan.com to learn more about the current process of updating the Waxahachie Comprehensive Plan. She announced the Comprehensive Plan Advisory Committee's next meeting is tentatively scheduled for September 13, 2022.

There being no further business, the meeting adjourned at 7:14 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary