

Planning and Zoning Commission
October 25, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, October 25, 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
Bonney Ramsey
David Hudgins
Erik Test

Members Absent: Betty Square Coleman
Ron Ansell

Others Present: Shon Brooks, Executive Director of Development Services
James Gaertner, Executive Director of Public Works & Utilities
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Eleana Tuley, Senior Planner
Macey Martinez, City Engineer
Amber Villarreal, City Secretary
Chris Wright, Council Representative
Robert Brown, City Attorney

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 October 11, 2022
- b. Minutes of the Planning and Zoning Commission briefing of October 11, 2022

Action:

Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Vice Chairman Melissa Ballard seconded, All Ayes.

5. **Recognize Mr. Jim Phillips for his service on the Planning & Zoning Commission**

Chairman Keeler read a plaque recognizing and thanking Mr. Jim Phillips' service on the Planning and Zoning Commission from 2014-2022.

6. **Convene into Executive Session for consultation with attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code**

Chairman Keeler announced at 7:03 p.m. the Planning and Zoning Commission would convene into Executive Session for consultation with attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code.

7. Reconvene and take any necessary action

The meeting reconvened at 7:27 p.m.

Action:

No action taken.

8. Consider a request by Christopher Hernandez, Kimley-Horn & Associates, Inc., for a Plat of Haven Ranch Phase 1, 172 Residential Lots & 10 Open Space HOA X Lots, being 190.6221 acres, located west of the intersection of Harrington Road and Hunter Pass, situated in the William Stewart Survey, Abstract 956, the James Young Survey, abstract 1199, and the Norman H. Whittenberg Survey, Abstract 1128, an addition to the City of Waxahachie and the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 183003, 192730, 236610, 236611, 236612, 289474, 289475, 289476, & 289477) – Owner: GRBK EDGEWOOD LLC (SUB-126-2022) Staff: Zack King

Zack King, Senior Planner, reported the applicant resubmitted the plat last week; however, due to the agenda packet deadline, the resubmittal is still under review by staff and will not be referenced in today's presentation. Mr. King reviewed the case noting the applicant is requesting to plat the subject property into 172 residential lots and 10 open space HOA lots. Mr. King explained a small portion of the subject property is located within the Waxahachie city limits; however, all residential lots proposed with the plat are located within the Waxahachie ETJ. Mr. King reviewed staff concerns noting the plat application is currently deemed to be incomplete and not filed due to the applicant's failure to provide the supplemental documentation required with the plat and address the plat comments identified below:

Supplemental Documentation:

- No information has been provided to demonstrate the provision of adequate water and wastewater services for the subject property and the proposed lots as required by Section 2.4(c)(13) & 5.1 of the Waxahachie Subdivision Ordinance and Section V – Special District Regulations of the Ellis County Subdivision and Development Standards.
- A Traffic Impact Analysis (TIA), as per Section 31 of the Waxahachie Subdivision Ordinance.
- A signed Waiver of Takings Impact Assessment document required as part of the Ellis County Plat Application.

Plat Comments:

- Since no information has been provided to demonstrate the provision of water and wastewater services to the property, all proposed lots within the ETJ have been reviewed under Vol. I Section IV – General Requirements of the Ellis County Subdivision and Development Standards. The lots & build lines proposed with this plat do not meet

minimum size or dimensions required by the Ellis County Subdivision and Development Standards.

- The Point of Beginning (POB) survey monument coordinates for the plat do not match the location of the POB shown on the plat. Correct coordinates for the POB survey monument is required by Section 2.4 of the Waxahachie Subdivision Ordinance.
- A minimum utility easement fifteen (15) feet wide or wider is required along adjacent to all street right-of-way (ROW). The proposed plat only provides a 10-foot utility easement for residential lots and no utility easement for open space HOA X lots.
- The subject property includes 4 existing platted lots which are part of the Harrington Acres #2 plat. Due to this, the application needs to be amended to address the existing plat. The existing platted lots either need to be replatted or vacated as per Section 2.6 or 2.8 of the Waxahachie Subdivision Ordinance.
- The plat does not include street width labels or street names for all proposed streets as required by Section 2.4(c)(4) of the Waxahachie Subdivision Ordinance.
- The plat does not include curve details for all proposed lots as required by Section 2.4(c)(18) of the Waxahachie Subdivision Ordinance.

Staff recommends disapproval due to the staff concerns listed above.

Daniel Box, attorney with Winstead, P.C., 2728 N. Harwood Street, Dallas, Texas, noted he was available for questions or comments.

Action:

Vice Chairman Melissa Ballard moved to disapprove SUB-126-2022 with conditions as per the staff report. Mr. David Hudgins seconded, All Ayes.

- 9. Consider a request by John Ed Justice, BKG Legacy Ranch I, LLC, for a Replat of Lot 1, Block A, Legacy Ranch, Phase One, two lots, being 1.390 acres, located at 1000 Legacy Ranch Road (Property ID 267508) – Owner: BKG LEGACY RANCH I LLC (SUB-122-2022) Staff: Eleana Tuley**

Eleana Tuley, Senior Planner, presented the case noting the applicant is requesting to subdivide an existing lot (1.390 acres) into two (2) lots for professional office and commercial use. The plat complies with the City's zoning and subdivision requirements and staff recommends approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by John Ed Justice, BKG Legacy Ranch I, LLC, for a Replat of Lot 1, Block A, Legacy Ranch, Phase One, two lots, being 1.390 acres, located at 1000 Legacy Ranch Road (Property ID 267508) – Owner: BKG LEGACY RANCH I LLC (SUB-122-2022) per staff report. Mr. Erik Test seconded, All Ayes.

- 10. Consider a request by Erik Shoquist, for a Replat of Cardinal I G Addition, Lots 1R and 2R, Block A, 2 Industrial Lots, being 66.456 acres, located at 201 & 203 Cardinal Road, situated in the Allen W. Brown Survey, Abstract 102, an addition in the City of Waxahachie (Property ID: 209418, 226867, 285601 & 285602) – Owner: CARDINAL I G COMPANY (SUB-40-2022) Staff: Jennifer Pruitt**

Jennifer Pruitt, Senior Director of Planning, presented the case noting the applicant is requesting to replat the subject property from one (1) lot into two (2) lots for industrial use. All City of Waxahachie lot size and dimension requirements have been met and staff recommends approval as presented. With this replat, the applicant is dedicating 110' of right-of-way for Cardinal Road in conformance with the City of Waxahachie Thoroughfare Plan. Ms. Pruitt noted a development agreement was drafted at the request of the applicant to allow the property owner to privately utilize the right-of-way dedication until the City extends Cardinal Road and it will be presented to City Council for consideration.

Action:

Mr. David Hudgins moved to approve a request by Erik Shoquist, for a Replat of Cardinal I G Addition, Lots 1R and 2R, Block A, 2 Industrial Lots, being 66.456 acres, located at 201 & 203 Cardinal Road, situated in the Allen W. Brown Survey, Abstract 102, an addition in the City of Waxahachie (Property ID: 209418, 226867, 285601 & 285602) – Owner: CARDINAL I G COMPANY (SUB-40-2022). Vice Chairman Melissa Ballard seconded, All Ayes.

11. Public Hearing on a request by Rodney & Suzie Bell, Cove Construction, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 601 N. Grand Ave (Property ID 176840) - Owner: THOMAS A. & VERONICA SCHAEFFER (ZDC-121-2022) Staff: Jennifer Pruitt

Ms. Pruitt presented the case noting the applicant is requesting a Specific Use Permit to expand an existing pool house (324 sq. ft.) to 972 sq. ft. to accommodate a bathroom and kitchenette. Ms. Pruitt noted the applicant has been adamant that the accessory dwelling will only be used for entertainment purposes and not as an additional dwelling unit. 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 applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-121-2022, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. ZDC-121-2022

Action:

Ms. Bonney Ramsey moved to approve a request by Rodney & Suzie Bell, Cove Construction, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 601 N. Grand Ave (Property ID 176840) - Owner: THOMAS A. & VERONICA SCHAEFFER (ZDC-121-2022). Mr. Erik Test seconded, All Ayes.

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13. Adjourn

There being no further business, the meeting adjourned at 7:42 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary