

Planning and Zoning Commission
August 13, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, August 13, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

Members Present: Rick Keeler, Chairman
Bonney Ramsey
David Hudgins
Erik Test

Members Absent: Melissa Ballard, Vice Chairman
Betty Square Coleman
Jim Phillips

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
James Gaertner, City Engineer
Lori Cartwright, City Secretary
Mary Lou Shipley, Council Representative

1. **Call to Order**
2. **Invocation**

Chairman Rick Keeler called the meeting to order and gave the invocation.

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of July 23, 2019
- b. Minutes of the Planning and Zoning Commission briefing of July 23, 2019

Action:

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

4. **Consider request by William Jilbert for a Preliminary Plat of Breezy Meadows for 2 lots, being 10.011 acres situated in the E. Balch Survey, Abstract 89 (Property ID 201198) in the Extra Territorial Jurisdiction – Owner: WILLIAM R & VIRGINIA L JILBERT (PP-19-0092)**

Senior Planner Colby Collins reported the applicant proposed a Preliminary Plat to divide one lot into two lots. He stated staff received a letter from Rockett SUD depicting adequate services could be provided to the property. Mr. Collins recommended approval.

Action:

Mr. David Hudgins moved to approve a request by William Jilbert for a Preliminary Plat of Breezy Meadows for 2 lots, being 10.011 acres situated in the E. Balch Survey, Abstract 89 (Property ID 201198) in the Extra Territorial Jurisdiction – Owner: WILLIAM R & VIRGINIA L JILBERT (PP-19-0092). Mr. Erik Test seconded, All Ayes.

5. **Consider request by William Jilbert for a Final Plat of Breezy Meadows for 2 lots, being 10.011 acres situated in the E. Balch Survey, Abstract 89 (Property ID 201198) in the Extra Territorial Jurisdiction – Owner: WILLIAM R & VIRGINIA L JILBERT (FP-19-0093)**

Mr. Collins reported the Final Plat is a companion to PP-19-0092 and recommended approval.

Action:

Mrs. Bonney Ramsey moved to approve a request by William Jilbert for a Final Plat of Breezy Meadows for 2 lots, being 10.011 acres situated in the E. Balch Survey, Abstract 89 (Property ID 201198) in the Extra Territorial Jurisdiction – Owner: WILLIAM R & VIRGINIA L JILBERT (FP-19-0093). Mr. Erik Test seconded, All Ayes.

6. **Public Hearing on a request by Chris Cooper, Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-3 zoning district, located at 636 Oliver Lane (Property ID 230582) – Owner: JAIME MUNOZ (SU-19-0086)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is proposing solar panels and according to the current site plan submitted by the applicant, there will be no solar panel systems facing the public right-of-way. Staff recommended approval.

There being no others to speak for or against SU-19-0086, Chairman Keeler closed the Public Hearing.

7. **Consider recommendation of Zoning Change No. SU-19-0086**

Action:

Mr. Erik Test moved to approve a request by Chris Cooper, Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-3 zoning district, located at 636 Oliver Lane (Property ID 230582) – Owner: JAIME MUNOZ (SU-19-0086). Mrs. Bonney Ramsey seconded, All Ayes.

8. **Public Hearing on a request by Jerimiah Read, Kosmos Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 210 Goodnight Lane (Property ID 232289) – Owner: GERALD CORNWELL (SU-19-0094)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is proposing solar panels and according to the current site plan submitted by the applicant, there will be no solar panel systems facing the public right-of-way. He stated staff received 2 letters of support, 1 letter of opposition and 1 incomplete letter. Mr. Collins recommended approval.

There being no others to speak for or against SU-19-0094, Chairman Keeler closed the Public Hearing.

9. Consider recommendation of Zoning Change No. SU-19-0094

Action:

Mrs. Bonney Ramsey moved to approve a request by Jerimiah Read, Kosmos Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 210 Goodnight Lane (Property ID 232289) – Owner: GERALD CORNWELL (SU-19-0094). Mr. David Hudgins seconded, All Ayes.

10. Public Hearing on a request by Tracy Leonard, Razor Signs, for a Specific Use Permit (SUP) for Electronic Message Center use within a General Retail zoning district, located at 2471 Brown Street (Property ID 230757) – Owner: COLLEGE STREET CHURCH OF CHRIST (SU-19-0087)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant proposes to replace the existing monument sign with an electronic message ground monument sign. He stated the applicant meets the Zoning Ordinance stipulations and recommended approval.

There being no others to speak for or against SU-19-0087, Chairman Keeler closed the Public Hearing.

11. Consider recommendation of Zoning Change No. SU-19-0087

Action:

Mr. David Hudgins moved to approve a request by Tracy Leonard, Razor Signs, for a Specific Use Permit (SUP) for Electronic Message Center use within a General Retail zoning district, located at 2471 Brown Street (Property ID 230757) – Owner: COLLEGE STREET CHURCH OF CHRIST (SU-19-0087). Mr. Erik Test seconded, All Ayes.

12. Public Hearing on a request by Megan Silva, PE, Wantman Group, Inc., for a Specific Use Permit (SUP) for Outdoor Storage use within a Light Industrial-1 zoning district, located at 103 E. Sterrett (Property ID 209624) – Owner: MAGNABLEND INC. (SU-19-0091)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented slides of the proposed site plan depicting the outside storage location to store roofing materials. He stated the agenda packet reflects to deny and prior to the meeting the applicant submitted a revision with screening of Live Oak trees and Crape Myrtle trees along IH35 and Arizona Cyprus trees around the water tank noting when planted they will be twelve feet tall. The revised fencing is a six foot masonry wall on one side of the storage area and chain link fencing on the other side. Mr. Collins recommended approval as amended.

Mr. Grayson Hughs, Wantman Group, Inc., 8144 Walnut Hill Lane, Dallas, representing the applicant was present for questions.

Chairman Keeler confirmed the applicant is amenable with the changes made prior to the meeting. Mr. Hughs concurred noting the storage area is concrete as well as the fire lane. Chairman Keeler asked the height of the water tank. Mr. Grayson stated the tower is approximately 20 feet tall. Chairman Keeler confirmed the storage will not exceed the height of the fencing. Mr. Grayson agreed.

There being no others to speak for or against SU-19-0091, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. SU-19-0091

Action:

Mr. David Hudgins moved to approve a request by Megan Silva, PE, Wantman Group, Inc., for a Specific Use Permit (SUP) for Outdoor Storage use within a Light Industrial-1 zoning district, located at 103 E. Sterrett (Property ID 209624) – Owner: MAGNABLEND INC. (SU-19-0091) subject to all stipulations per staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

14. Public Hearing on a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Single-Family Residential-2, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (ZC-19-0089)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant proposes the zoning change to allow construction of residential homes. He presented a layout of the new single family residences and the residential development standards for Single-Family-2 noting the City requires a minimum lot size of 12,500 sq. ft. and the applicant proposes 12,562 square feet. The City requires a minimum living area of 1,600 square feet and the applicant proposes 2,600 square feet. Mr. Collins reported inside the required 200' notification area the city received two letters of support and nine letters of opposition. He stated fifty letters of opposition were received outside the required 200' notification area. Staff recommended to approve.

The Commission held discussion and Director of Planning Shon Brooks stated currently the request is for straight zoning of Single-Family- 2 (SF-2) with a minimum living area of 1,600 square feet. He explained if the Commission wants to put stipulations such as increasing the square footage of the home they would have to make it a Planned Development SF-2 (PD-SF-2).

Mr. Erik Test referenced the drainage noting it will be addressed during the Preliminary Plat process. City Engineer James Gaertner stated the Preliminary Plat will lay out the lots and infrastructure such as water, sewer, and drainage. He stated the applicant will have to provide approved civil construction plans whereas the applicant will have to provide a study showing it will not impact adjacent properties.

Mr. Mark Thedford, Akamai Designs, Inc., 145 Royal Park Lane, Waxahachie, stated he is available for questions.

Chairman Keeler asked the applicant if he is amenable to stipulate a Planned Development SF-2 with a minimum of at least 2,600 square foot homes. Mr. Thedford concurred and stated the brick screening wall is on the city property. Mr. Thedford stated he will be donating to the City one foot of land for the future thoroughfare.

Those who spoke against ZC-19-0089:

Melinda Miller, 160 Old Bridge Road, Waxahachie
Macel Whitfield, 323 Osage Drive, Waxahachie
John Scott, 126 Old Bridge Road, Waxahachie
Mark Kimble, 120 Oak Ridge Road, Waxahachie
Jacob Vincent, 148 Old Bridge Road, Waxahachie
Greg Burdette, 103 Cattail Court, Waxahachie
Wendell Howard, 118 Santa Fe Trail, Waxahachie
Janice Emmert-Dolezalik, 112 Old Bridge Road, Waxahachie
Sherry Sims, 107 Waters Garden Drive, Waxahachie

Those who spoke for ZC-19-0089:

Rodney Lacy, 108 Santa Fe Trail, Waxahachie
Wendy Lacy, 108 Santa Fe Trail, Waxahachie
Cecil Taylor, 321, Osage Drive, Waxahachie
Michael Hester, 110 Water Garden Drive, Waxahachie

There being no others to speak for or against ZC-19-0089, Chairman Keeler closed the Public Hearing.

15. Consider recommendation of Zoning Change No. ZC-19-0089

Action:

Mr. Erik Test moved to approve a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Single-Family Residential-2, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (ZC-19-0089) subject to it being a Planned Development Single-Family-2 with minimum dwellings of 2,800 square feet per dwelling and subject to staff comments. Mr. David Hudgins seconded, All Ayes.

16. Consider request by Mark Thedford, Akamai Designs, for a Preliminary Plat of Fountain Court Addition for 5 lots, being a 1.74 acre addition in the JB & A Adams Survey, Abstract 5 (Property ID 221873) – Owner: AKAMAI DESIGNS INC (PP-19-0090)

Mr. Collins reported the Preliminary Plat is a companion case to ZC-19-0089 and recommended approval per the following staff comments:

- Upon approval of this plat and before the acceptance of Civil Plans, a drainage study will need to be conducted on this site by a licensed engineer

- Proposed utilities need to be included on any future civil plans and will need to be drawn by a licensed engineer
- Legal access to the site from Garden Valley Parkway must be confirmed

Action:

Mr. David Hudgins moved to approve a request by Mark Thedford, Akamai Designs, for a Preliminary Plat of Fountain Court Addition for 5 lots, being a 1.74 acre addition in the JB & A Adams Survey, Abstract 5 (Property ID 221873) – Owner: AKAMAI DESIGNS INC (PP-19-0090) subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

17. Public Comments

Mr. Wendell Howard, 118 Santa Fe Trail, Waxahachie, stated he is disappointed in the Commission for approving ZC-19-0089 and PP-19-0090.

Mr. Mark Thedford, Akamai Designs, Inc., 145 Royal Park Lane, Waxahachie, stated the house he is currently building is 2,900 square feet. He stated an eight foot brick fence will be installed.

18. Adjourn

Planning Director Shon Brooks stated the above cases are scheduled for the City Council meeting of August 19, 2019.

City Engineer James Gaertner stated the property owner understands he needs to go through the due diligence to get the Final Plat approved.

There being no further business, the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary