

Planning and Zoning Commission  
January 29, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, January 29, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present:     Melissa Ballard, Vice Chairman  
                                 Betty Square Coleman  
                                 Bonney Ramsey  
                                 David Hudgins  
                                 Erik Test

Members Absent:     Rick Keeler, Chairman  
                                 Jim Phillips

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

**1.     Call to Order**

Vice Chairman Melissa Ballard called the meeting to order.

**2.     Invocation**

Mr. David Hudgins gave the invocation.

**3.     Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of January 8, 2019
- b. Minutes of the Planning and Zoning Commission briefing of January 8, 2019

**Action:**

*Mrs. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mrs. Betty Square Coleman seconded, All Ayes.*

**4.     Consider request by William Collard for a Preliminary Plat of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERISSA S SMITH (PP-18-0219)**

Mr. Colby Collins, Senior Planner, reported Nash-Forreston Water Supply has indicated they have adequate public facilities. He stated there are some formatting issues on the plat to be corrected prior to filing.

**Action:**

*Mr. David Hudgins moved to approve a request by William Collard for a Preliminary Plat of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey,*

*Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERISSA S SMITH (PP-18-0219). Mrs. Bonney Ramsey seconded, All Ayes.*

- 5. Consider request by William Collard for a Final Plat of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERISSA S SMITH (FP-18-0220)**

Mr. Collins reported the Final Plat is a companion case to the above Preliminary Plat and recommended approval.

**Action:**

*Mrs. Bonney Ramsey moved to approve a request by William Collard for a Final Plat of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERISSA S SMITH (FP-18-0220) subject to staff comments. Mr. Erik Test seconded, All Ayes.*

- 6. Public Hearing on a request by Khalid Ali, Aztec Renewable Energy, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 208 North Star Lane (Property ID 265846) – Owner: THOMAS M DAVIS (SU-18-0221)**

Vice Chairman Ballard opened the Public Hearing.

Mr. Collins reported the roof top panels will not front onto the right-of-way and recommended to approve.

There being no others to speak for or against SU-18-0221, Vice Chairman Ballard closed the Public Hearing.

- 7. Consider recommendation of Zoning Change No. SU-18-0221**

**Action:**

*Mr. David Hudgins moved to approve a request by Khalid Ali, Aztec Renewable Energy, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 208 North Star Lane (Property ID 265846) – Owner: THOMAS M DAVIS (SU-18-0221). Mrs. Bonney Ramsey seconded, All Ayes.*

- 8. Consider request by Grant Robinson, The Mark on 287 LLC, for a Final Plat of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (FP-18-0217)**

Mr. Collins reported the Preliminary Plat was approved in 2018. He stated staff did receive notice of applicant changing the existing right-of-way to Conquest Boulevard. Staff recommended approval.

**Action:**

*Mrs. Bonney Ramsey moved to approve a request by Grant Robinson, The Mark on 287 LLC, for a Final Plat of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (FP-18-0217) subject to staff comments. Mr. David Hudgins seconded, All Ayes.*

- 9. Consider request by Ladd Vien for a Replat of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Place Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-19-0006)**

Mr. Collins reported the Replat was approved in 2018 and at that time the City provided relief of the required dedicated twenty-three (23) feet of utility easement along the street frontage. He explained the City reduced the dedication of the utility easement to 18.5 feet. Mr. Collins stated the applicant has not filed the Replat and now has not agreed to the provisions of the utility easement along the street frontage.

Mr. Mark Ledford, 145 Park Lane, Waxahachie, representing the applicants, stated the applicant does not want to forfeit property.

**Action:**

*Mr. David Hudgins moved to deny a request by Ladd Vien for a Replat of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Place Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-19-0006). Mrs. Betty Square Coleman seconded, All Ayes.*

- 10. Continue Public Hearing on a request by Drew Dubocq, Bannister Engineering, for a Specific Use Permit (SUP) for Outside Storage use within a Heavy Industrial zoning district, located at 201 Butcher Road (Property ID 173464) – Owner: WAXAHACHIE ASSOCIATES LLC (SU-18-0194)**

Vice Chairman Ballard continued the Public Hearing.

Mr. Collins reported the Commission heard this case in December of 2018 and since that time the applicant has made some improvements. They propose to plant twenty-three (23) trees to landscape along the property and behind the proposed 6 foot wood fence. The proposed area will be used for outside storage for shingles and a truck loading area. He stated staff concerns is there are long-term improvements to the thoroughfare that will have high traffic in this area in a couple of years. Mr. Collins stated staff is concerned with the visibility of the outside storage from the highway and overpass. Staff recommended to deny.

The Commission held discussion with Mr. Drew Dubocq, Bannister Engineering, representing the applicant. Mr. Dubocq proposed the shingles will stack to eight (8) feet noting the materials will not be seen from Interstate 35.

There being no others to speak for or against SU-18-0194, Vice Chairman Ballard closed the Public Hearing.

**11. Consider recommendation of Zoning Change No. SU-18-0194**

**Action:**

*Mr. David Hudgins moved to approve a request by Drew Dubocq, Bannister Engineering, for a Specific Use Permit (SUP) for Outside Storage use within a Heavy Industrial zoning district, located at 201 Butcher Road (Property ID 173464) – Owner: WAXAHACHIE ASSOCIATES LLC (SU-18-0194) to store shingles only and not to be stored higher than the six (6) foot fence, and subject to staff comments. Mrs. Betty Square Coleman seconded, All Ayes.*

**12. Public Comments**

None

**13. Adjourn**

There being no further business, the meeting adjourned at 7:32 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary