

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, June 25, 2019 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
Erik Test

Member Absent: David Hudgins

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Macey Martinez, Graduate Engineer
Albert Lawrence, Assistant City Manager
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 June 11, 2019
- b. Minutes of the Planning and Zoning Commission briefing of June 11, 2019

Action:

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

4. **Consider request by Araceli Aguirre for a Replat of Tract 1, Whispering Meadows, Unit 1, to create Lots 1A, 1B, 1C, and 1D, Whispering Meadows, Unit 1, 30.562 acres (Property ID 199206) in the Extra Territorial Jurisdiction – Owner: ROSA L AGUIRRE (RP-19-0069)**

Chairman Keeler announced the applicant requested to continue RP-19-0069 to the Planning and Zoning Commission meeting of July 9, 2019.

5. **Public Hearing on a request by Matt Moore, ClayMoore Engineering, Inc., for a Specific Use Permit (SUP) for Drive Through Establishment use within a Planned Development-42-Commercial zoning district, located at 1750 N Highway 77 (Property ID 263976) – Owner: WAX 77 INVESTORS LP (SU-19-0071)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue SU-19-0071 to the Planning and Zoning Commission meeting of July 9, 2019.

6. Consider recommendation of Zoning Change No. SU-19-0071

Action:

Vice Chairman Melissa Ballard moved to continue a request by Matt Moore, ClayMoore Engineering, Inc., for a Specific Use Permit (SUP) for Drive Through Establishment use within a Planned Development-42-Commercial zoning district, located at 1750 N Highway 77 (Property ID 263976) – Owner: WAX 77 INVESTORS LP (SU-19-0071) to the Planning and Zoning Commission meeting of July 9, 2019. Mr. Jim Phillips seconded, All Ayes.

7. Public Hearing on a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Planned Development-Single-Family Residential-1, with Concept Plan, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (PD-19-0072)

Chairman Keeler announced the applicant withdrew their application.

8. Consider recommendation of Zoning Change No. PD-19-0072

Action:

None

9. Consider request by Cory Murray, M. Sharp Family L.P., for a Final Plat of Murray Estates for 37 lots, being 39.60 acres situated in F.M. Woodward Survey, Abstract 1120 (Property ID 192138) in the Extra Territorial Jurisdiction – Owner: M SHARP FAMILY LIMITED PARTNERSHIP (FP-19-0068)

Senior Planner Colby Collins reported the Preliminary Plat was approved by City Council in 2017. He stated the request meets the Sub Division regulations and recommended approval per staff comments.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Cory Murray, M. Sharp Family L.P., for a Final Plat of Murray Estates for 37 lots, being 39.60 acres situated in F.M. Woodward Survey, Abstract 1120 (Property ID 192138) in the Extra Territorial Jurisdiction – Owner: M SHARP FAMILY LIMITED PARTNERSHIP (FP-19-0068) subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

10. Consider request by Christopher P. Holleman, Holleman Construction Co., for a Final Plat of Holleman Addition for 1 lot, being 7.085 acres situated in the Alfred Polk Survey, Abstract 827 (Property ID 189014) – Owner: HOLLEMAN CONSTRUCTION COMPANY INC (FP-19-0074)

Mr. Collins reported the Preliminary Plat was approved by City Council in 2017. He stated the request is consistent with City of Waxahachie regulations noting a letter of acceptance will be required from the City Public Works Department before filing the plat. Mr. Collins recommended approval per staff comments.

Action:

Mr. Jim Phillips moved to approve a request by Christopher P. Holleman, Holleman Construction Co., for a Final Plat of Holleman Addition for 1 lot, being 7.085 acres situated in the Alfred Polk Survey, Abstract 827 (Property ID 189014) – Owner: HOLLEMAN CONSTRUCTION COMPANY INC (FP-19-0074) subject to staff comments. Mr. Erik Test seconded, All Ayes

- 11. Consider request by Gunther Strength for a Replat of Lot 1, Block 13, Bullards Addition, to create Lots 1A and 1B, Bullards Addition, .3206 acres (Property ID 172392) – Owner: DONALD I & PEGGY E COLE REVOCABLE LIVING TRUST (RP-19-0075)**

Mr. Collins reported the applicant proposes to replat one lot into two lots. He stated the applicant will need to provide a letter stating the water and sewer services will be installed before the recording of the plat. Mr. Collins recommended approval per staff comments.

Action:

Mrs. Bonney Ramsey moved to approve a request by Gunther Strength for a Replat of Lot 1, Block 13, Bullards Addition, to create Lots 1A and 1B, Bullards Addition, .3206 acres (Property ID 172392) – Owner: DONALD I & PEGGY E COLE REVOCABLE LIVING TRUST (RP-19-0075) subject to staff comments. Mr. Erik Test seconded, All Ayes.

- 12. Consider request by Wes Dorough, JH Development LLC, for a Final Plat of The Haven Phase One for 101 residential lots and 2 open space lots, being 36.567 acres situated in the Robert Russell Survey, Abstract 911 (Property ID 274596) – Owner: JHH NORTH GROVE DEVELOPMENT LLC (FP-19-0067)**

Mr. Collins reported the Preliminary Plat was approved by City Council in 2016. He stated a letter of acceptance will be required from the City Public Works Department before filing the plat. Mr. Collins recommended approval per staff comments.

Action:

Mr. Jim Phillips moved to approve a request by Wes Dorough, JH Development LLC, for a Final Plat of The Haven Phase One for 101 residential lots and 2 open space lots, being 36.567 acres situated in the Robert Russell Survey, Abstract 911 (Property ID 274596) – Owner: JHH NORTH GROVE DEVELOPMENT LLC (FP-19-0067) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

- 13. Public Hearing on a request by Ron Barson, Ledbetter Real Estate LTD, for a Specific Use Permit (SUP) for Unified Lot Sign use within a Planned Development-General Retail zoning district, located at 2751 N Highway 77 (Property ID 273976) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0073)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the proposed monument sign will be consistent with the first sign located in the North Grove Business Park. He recommended approval subject to the maximum height for the sign shall not exceed 35 feet and the maximum square footage for the sign shall not exceed 385 square feet.

There being no others to speak for or against SU-19-0073, Chairman Keeler closed the Public Hearing.

14. Consider recommendation of Zoning Change No. SU-19-0073

Action:

Vice Chairman Melissa Ballard moved to approve a request by Ron Barson, Ledbetter Real Estate LTD, for a Specific Use Permit (SUP) for Unified Lot Sign use within a Planned Development-General Retail zoning district, located at 2751 N Highway 77 (Property ID 273976) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0073) subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

15. Continue Public Hearing on a request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

Chairman Keeler continued the Public Hearing.

Mr. Collins reported the proposed planned development is limited to transitional housing and retail. He stated the applicant is proposing the use of the first floor for a resale shop, Community Involvement Area, and Office. The second floor is proposed for transitional housing for women and children consisting of four bedrooms, two kitchens and two bathrooms. Mr. Collins stated the applicant originally proposed a capacity of thirteen and amended it to a capacity of ten. He noted the proposed parking will have eight parking spaces and additional proposals included 6 foot wood fencing, entrance gate, and a donation receptacle behind the property. Mr. Collins stated staff concern is it is inconsistent with the use of the surrounding neighborhood. He reported within the 200 foot notification area staff received 2 letters of support and 4 letters of opposition. Outside the 200 foot notification area staff received 6 letters of support and 2 letters of opposition. Staff recommended denial.

Mr. Ken Box, 109 West Marvin, Waxahachie, representing the applicant, asked for a continuance to the Planning and Zoning Commission meeting of July 23, 2019.

Those who spoke against PD-19-0066:

Mr. John Bryant, 107 McKenzie, Waxahachie

Mr. William Hannon, 508 N. College Street, Waxahachie

Mr. Jamie Mills, 516 N. College, Waxahachie

Those who spoke for PD-19-0066:

Ms. Janet Marusak, 109 Audra Avenue, Waxahachie
Ms. Melissa Rollins, 963 El Camino Road, Waxahachie
Mr. James Bell, 106 Chapman Circle, Waxahachie
Ms. Rose Cameron, 221 Patrick Street, Waxahachie
Mr. John Schneider, 414 N. College, Waxahachie
Ms. Joy Ranton, 121 Solon Road, Waxahachie
Pastor Bruce Zimmerman, 209 Brown Street, Waxahachie

16. Consider recommendation of Zoning Change No. PD-19-0066

Action:

Mr. Jim Phillips moved to continue a request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066) to the Planning and Zoning Commission meeting of July 23, 2019. Vice Chairman Melissa Ballard seconded, All Ayes.

17. Public Comments

None

18. Adjourn

Planning Director Shon Brooks thanked Ms. Macey Martinez, Graduate Engineer, for sitting in for City Engineer James Gaertner. He congratulated Ms. Martinez for recently passing her Engineering in Training (EIT) Exam.

Ms. Betty Square Coleman announced the Oak Lawn Reunion street dance will be held on July 4, 2019 and invited everyone to attend.

Mrs. Bonney Ramsey announced the upcoming Crape Myrtle Festival will be held July 3-4, 2019. On July 3rd at Lumpkins Stadium Parking Lot the tailgate party will start at 5:00 p.m. with entertainment at 7:30 p.m. followed by fireworks at 9:00 p.m. She announced the July 4th parade will be held downtown starting at 10:00 a.m. and encouraged all to reach out to the veterans to participate in the parade.

There being no further business, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary