

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, November 27, 2018 at 4:00 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, 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**
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 November 13, 2018
- b. Minutes of the Planning and Zoning Commission briefing of November 13, 2018

Action:

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

4. **Public Hearing on a request by Michael Lee, CASCO + R5, for a Zoning Change from a Light Industrial-1 zoning district to Planned Development-Light Industrial-1 with Concept Plan, located at 200 Butcher Road (Property ID 204043) - Owner: INTERNATIONAL PAPER COMPANY (PD-18-0170)**

Chairman Keeler opened the Public Hearing.

Mr. Colby Collins, Senior Planner, reported the applicant proposes a 155,000 square foot building addition to the existing approximately 95,000 square foot building on the site. The lot coverage will be exceeded by 12%. He stated the applicant is in compliance with other city development standards and staff recommends approval.

Mr. Michael Lee, CASCO, reported the purpose in expanding the operations is to produce the actual boxes at the facility noting this takes advantage of the facility with the material and allows packaging to be utilized in this general market. Mr. Lee stated the expansion will be closer to the

road and they will get rid of the trailer parking and they will install a more classic tilt wall and change the color for contrast. He stated the expansion will provide for 50 more jobs.

Mrs. Bonney Ramsey asked Mr. Lee to incorporate crape myrtle trees in the landscape.

There being no others to speak for or against PD-18-0170, Chairman Keeler closed the Public Hearing.

5. Consider recommendation of Zoning Change No. PD-18-0170

Action:

Mr. Jim Phillips moved to approve a request by Michael Lee, CASCO + R5, for a Zoning Change from a Light Industrial-1 zoning district to Planned Development-Light Industrial-1 with Concept Plan, located at 200 Butcher Road (Property ID 204043) - Owner: INTERNATIONAL PAPER COMPANY (PD-18-0170). Mr. David Hudgins seconded, All Ayes.

6. Consider request by Vik Reddy, TVR Management LLC, for a Replat of Lot 1R, Block C, Victory Park Revised, to create Lot 1R-1, Block C, Victory Park, 1.964 acres (Property ID 262424) – Owners: TVR MANAGEMENT LLC (RP-18-0164)

Mr. Collins reported the property is just over 2.5 acres and the applicant seeks the Replat for potential retail development in the future. Staff recommended approval.

Action:

Mr. Jim Phillips moved to approve a request by Vik Reddy, TVR Management LLC, for a Replat of Lot 1R, Block C, Victory Park Revised, to create Lot 1R-1, Block C, Victory Park, 1.964 acres (Property ID 262424) – Owners: TVR MANAGEMENT LLC (RP-18-0164). Mr. David Hudgins seconded, All Ayes.

7. Public Hearing on a request by Brandon Edgley, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 231 Colt Drive (Property ID 241253) – Owner: GEORGE & DANA HOLLER (SU-18-0168)

Chairman Keeler opened the Public Hearing and announced the applicant requests to continue the Public Hearing to the Planning and Zoning Commission meeting of December 11, 2018.

8. Consider recommendation of Zoning Change No. SU-18-0168

Action:

Mrs. Bonney Ramsey moved to continue a request by Brandon Edgley, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 231 Colt Drive (Property ID 241253) – Owner: GEORGE & DANA HOLLER (SU-18-0168) to the Planning and Zoning Commission meeting of December 11, 2018. Ms. Betty Square Coleman seconded, All Ayes.

9. **Public Hearing on a request by Troy Elison, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-27-Single Family-2 zoning district, located at 209 Hacienda Drive (Property ID 174301) – Owner: STEPHANIE YBARBO & ROGELIO MEJIA JR (SU-18-0169)**

Chairman Keeler opened the Public Hearing and announced the applicant requests to continue the Public Hearing to the Planning and Zoning Commission meeting of December 11, 2018.

10. **Consider recommendation of Zoning Change No. SU-18-0169**

Action:

Mr. Jim Phillips moved to continue a request by Troy Elison, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-27-Single Family-2 zoning district, located at 209 Hacienda Drive (Property ID 174301) – Owner: STEPHANIE YBARBO & ROGELIO MEJIA JR (SU-18-0169) to the Planning and Zoning Commission meeting of December 11, 2018. Vice Chairman Melissa Ballard seconded, All Ayes.

11. **Consider request by Tim Cummings for a Preliminary Plat of Ike Farms for 16 lots plus a remainder tract, being 121.583 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 186241 and 186239) in the Extra Territorial Jurisdiction – Owner: 122 IKERD LLC (PP-18-0125)**

Mr. Collins reported the applicant seeks to develop residential lots. The property is located at FM 878 and Ike Road. Staff recommended approval.

Action:

Mrs. Bonney Ramsey moved to approve a request by Tim Cummings for a Preliminary Plat of Ike Farms for 16 lots plus a remainder tract, being 121.583 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 186241 and 186239) in the Extra Territorial Jurisdiction – Owner: 122 IKERD LLC (PP-18-0125) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

12. **Consider request by Trey Fuller, Fuller Engineering & Land Surveying, for a Preliminary Plat of Murray Estates for 37 lots, being 39.60 acres situated in the F.M. Woodward Survey, Abstract 1120 (Property ID 192138) – Owner: M SHARP FAMILY LIMITED PARTNERSHIP (PP-18-0167)**

Mr. Collins reported the applicant seeks to develop residential lots. The property is located at 650 Wilson Road. Staff recommended approval.

Action:

Mr. David Hudgins moved to approve a request by Trey Fuller, Fuller Engineering & Land Surveying, for a Preliminary Plat of Murray Estates for 37 lots, being 39.60 acres situated in the F.M. Woodward Survey, Abstract 1120 (Property ID 192138) – Owner: M SHARP FAMILY LIMITED PARTNERSHIP (PP-18-0167) subject to staff comments. Vice Chairman Melissa Ballard seconded, All Ayes.

13. Public Hearing on a request by Alan Lauhoff, Atlas Associates, Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single Family-3 and General Retail, with Concept Plan, located South of Blue Bonnet Trails Phases 1 & 2 being 290 B B DAVIS 9.31 AC and 290 B B DAVIS 40.469 ACRES (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-18-0119)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the development will consist of 130 Single Family-3 residential lots. He stated the minimum lot area for the proposed zoning is 10,000 square feet and the applicant is proposing to construct minimum lots of 6,600 square feet. Mr. Collins reported out of seven Single Family-3 standards the applicant complies with two. He stated staff has concerns with the proposal due to the difference in standards required. Staff recommended to deny.

Mr. Alan Lauhoff, 200 West Main, Milford, Texas, representing owner, stated the applicant is proposing to match what is adjacent to them on the frontage road. He stated the existing ditch was built in phase 1 and 2 and the HOA will maintain the ditch as part of phase 3. He stated there is no park land dedication due to the City not wanting it so they turned the land into lots. Mr. Lauhoff stated 80% of the lots are in the flood plain.

Mr. James Moon, 101 Vintage Drive, Red Oak, Texas, applicant, stated the concept was originally approved in 2014 and the developers were moving to smaller lots. He stated builders are wanting smaller lots because the customers are wanting more house on a smaller lot. He stated the key parts of phase 3 is to give additional access easement to Highway 287 service road noting that will open for retail along Highway 287 and will be a thoroughfare improvement.

Chairman Keeler stated the City provided the Commission statistics of platted lots per the Comprehensive Plan and we learned since 2014, 70% of lots platted have been within the Comprehensive Plan. He noted the City has not reduced their standards over the past 4 years. Chairman Keeler referenced the easement and access road noting the primary benefit is for phase 3.

Mr. Brett Hess, 327 Blue Ribbon Road, Waxahachie, stated he has been involved since 2014 and stated builders like John Houston Homes and Lillian Homes report smaller lot homes are what is in demand. Mr. Hess stated he would like to see a park in this area.

Mr. Shon Brooks, Director of Planning, stated throughout the length of this development, there is access to Highway 287.

Mr. James Gaertner, City Engineer, stated with every 200 lots the requirement is 2 access points and more than 201 lots, a 3rd access point is required. He explained one way around that is with a Traffic Impact Analysis which is not applicable with the zoning change request.

After further discussion, the applicant requested to continue the Public Hearing to a later date.

14. Consider recommendation of Zoning Change No. PD-18-0119

Action:

Mr. Jim Phillips moved to continue a request by Alan Lauhoff, Atlas Associates, Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single Family-3 and General Retail, with Concept Plan, located South of Blue Bonnet Trails Phases 1 & 2 being 290 B B DAVIS 9.31 AC and 290 B B DAVIS 40.469 ACRES (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-18-0119) to the Planning and Zoning Commission meeting of December 11, 2018. Vice Chairman Melissa Ballard seconded, All Ayes.

15. Consider request by Chris Acker for a Preliminary Plat of Crossroads Business Park for 1 lot, being 3.512 acres out of the John B. Bounds Survey, Abstract 99 (Property ID 180414) – Owner: SANCHEZ COREY & JULIE (PP-18-0149)

Mr. Collins reported the request is for potential development of office use in the future. Staff recommended approval.

{Mr. Erik Test left at 4:49 p.m.}

Action:

Vice Chairman Melissa Ballard moved to approve a request by Chris Acker for a Preliminary Plat of Crossroads Business Park for 1 lot, being 3.512 acres out of the John B. Bounds Survey, Abstract 99 (Property ID 180414) – Owner: SANCHEZ COREY & JULIE (PP-18-0149). Mrs. Bonney Ramsey seconded, All Ayes.

{Mr. Erik Test returned at 5:01 p.m.}

16. Public Hearing on a request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located to the East of 400 Dr Martin Luther King Jr Blvd (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0174)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant seeks to build 18 dwelling units with exterior being 100% brick with cast stone and 33 open space parking. The applicant requests relief for garages and the front yard setback. Mr. Collins explained the relief on garages is in hopes to match what is in the downtown area while also continuing to promote walkability to the downtown restaurants, shops, and events. He reported staff received one letter in support of PD-18-0174 and none in opposition. Mr. Chris Acker, 5100 Honeysuckle Road, Midlothian, Texas, presented a rendering of the multi-family dwelling noting 50% of the owners will enter from the front and 50% will enter from the back.

Mr. Jim Phillips expressed concern with parking along MLK Boulevard. After further discussion, Mr. Acker stated he can provide for covered parking.

There being no others to speak for or against PD-18-0174, Chairman Keeler closed the Public Hearing.

17. Consider recommendation of Zoning Change No. PD-18-0174

Action:

Mrs. Bonney Ramsey moved to approve a request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located to the East of 400 Dr Martin Luther King Jr Blvd (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0174) to include covered parking. Vice Chairman Melissa Ballard seconded, All Ayes.

18. Consider request by Chris Acker, Acker Construction for a Replat of a portion of Block 62, Town Addition, to create Lot 1, Block A, Crescent Creek Villas, 1.071 acres (Property ID 224114) – Owner: SOUTHFORK CAPITAL LLC (RP-18-0191)

Mr. Collins stated RP-18-0191 accompanies PD-18-0174 and recommended approval.

Action:

Mr. Jim Phillips moved to approve a request by Chris Acker, Acker Construction for a Replat of a portion of Block 62, Town Addition, to create Lot 1, Block A, Crescent Creek Villas, 1.071 acres (Property ID 224114) – Owner: SOUTHFORK CAPITAL LLC (RP-18-0191) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

19. Public Hearing on a request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 and a Commercial zoning district to Planned Development-Mixed Use Residential and Planned Development-Multiple-Family Residential-2, with Concept Plan, located at 319 E Main, 101 Kaufman, and 401 Dr Martin Luther King Jr Blvd (Property ID 170536, 170777, and 170858) - Owner: RONALD C HOLMES & ROBERT B FOGARTY (PD-18-0175)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the proposed mixed use development will consist of townhome residential as well as mixed use retail lots. He stated the applicant will meet the design development standards for the Downtown Neighborhood zoning district.

Mr. Brooks reported when the applicant came to discuss the development with Staff it was proposed by the City Engineer to straighten Kaufman giving the location 4 corners. He explained Mr. Acker will give the City land for the new street and the City will give him existing land from the street. Mr. Brooks stated a Developers Agreement will be presented to City Council for consideration.

Mr. Acker presented a proposed drawing of the development noting it will have gated access with rear entry garages. He stated the first floor and some second floor will be retail. Mr. Acker introduced his partners on this project Mr. Chris Holmes and Mr. Robert Fogarty.

There being no others to speak for or against PD-18-0175, Chairman Keeler closed the Public Hearing.

20. Consider recommendation of Zoning Change No. PD-18-0175

Action:

Vice Chairman Melissa Ballard moved to approve a request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 and a Commercial zoning district to Planned Development-Mixed Use Residential and Planned Development-Multiple-Family Residential-2, with Concept Plan, located at 319 E Main, 101 Kaufman, and 401 Dr Martin Luther King Jr Blvd (Property ID 170536, 170777, and 170858) - Owner: RONALD C HOLMES & ROBERT B FOGARTY (PD-18-0175) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

- 21. Consider request by Chris Acker, Acker Construction, for a Preliminary Plat of Kaufman Township West for 7 lots, being 0.8738 acres situated in Block 43, Town Addition (Property ID 170536, 170777) – Owner: RONALD C HOLMES & ROBERT B FOGARTY (PP-18-0178)**

Mr. Collins reported PP-18-0178 accompanies PD-18-0175 and recommended approval.

Action:

Mr. Jim Phillips moved to approve a request by Chris Acker, Acker Construction, for a Preliminary Plat of Kaufman Township West for 7 lots, being 0.8738 acres situated in Block 43, Town Addition (Property ID 170536, 170777) – Owner: RONALD C HOLMES & ROBERT B FOGARTY (PP-18-0178). Mr. David Hudgins seconded, All Ayes.

- 22. Consider request by Chris Acker, Acker Construction, for a Replat of a portion of Block 43, Town Addition, to create Lots 1-5, Block B, Kaufman Township East, 0.504 acres (Property ID 170858) – Owner: RONALD C HOLMES & ROBERT B FOGARTY (RP-18-0190)**

Mr. Collins reported RP-18-0190 accompanies PD-18-0175 and recommended approval.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Chris Acker, Acker Construction, for a Replat of a portion of Block 43, Town Addition, to create Lots 1-5, Block B, Kaufman Township East, 0.504 acres (Property ID 170858) – Owner: RONALD C HOLMES & ROBERT B FOGARTY (RP-18-0190) subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

- 23. Public Comments**

None

- 24. Adjourn**

There being no further business, the meeting adjourned at 5:48 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary