

Planning and Zoning Commission  
November 13, 2018

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, November 13, 2018 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  
Jim Phillips  
David Hudgins  
Erik Test

Member Absent: Betty Square Coleman

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 October 23, 2018
- b. Minutes of the Planning and Zoning Commission briefing of October 23, 2018

**Action:**

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

4. **Continue Public Hearing on a request by Jon Garrett, Lone Star Events, for a Specific Use Permit (SUP) for Private Club use within a Commercial zoning district, located at 1300 W Main Street, Suite 101, being 1 & 2B 12 WEST END 0.589 ACRES (Property ID 176701) - Owner: HARDEN ROBERT N & ELIZABETH K (SU-18-0155)**

Chairman Keeler announced the applicant withdrew their application and therefore the case will not be heard.

5. **Consider recommendation of Zoning Change No. SU-18-0155**

**Action:**

*None – Applicant withdrew application.*

6. **Consider request by Anthony Lohden for a Replat of Lot 4, Block 4, College Addition to create Lots 4A & 4B, Block 4, College Addition, 0.366 acres (Property ID 172822) – Owners: ANTHONY COLE AND ANNA MICHELLE LOHDEN (RP-18-0165)**

Chairman Keeler announced the applicant withdrew their application and therefore the case will not be heard.

**Action:**

*None - Applicant withdrew application.*

7. **Consider request by Ivan Brigman, Tree Hill Homes., for a Replat of Lots 11 and 12, Block D, Taylor Ridge Addition, Phase 4 to create Lots 11R and 12R, Block D, Taylor Ridge Addition, Phase 4, 12.431 acres (Property ID 270124 and 270125) in the Extra Territorial Jurisdiction – Owner: TREE HILL HOMES LP (RP-18-0138)**

Mr. Colby Collins, Senior Planner, reported it is a simple replat request establishing lot lines under the Ellis County requirements. Staff recommended approval.

**Action:**

*Mr. David Hudgins moved to approve a request by Ivan Brigman, Tree Hill Homes., for a Replat of Lots 11 and 12, Block D, Taylor Ridge Addition, Phase 4 to create Lots 11R and 12R, Block D, Taylor Ridge Addition, Phase 4, 12.431 acres (Property ID 270124 and 270125) in the Extra Territorial Jurisdiction – Owner: TREE HILL HOMES LP (RP-18-0138). Vice Chairman Melissa Ballard seconded, All Ayes.*

8. **Public Hearing on a request by Jeremiah Mikel, Ruffin & Mikel Investments, Inc., for a Zoning Change from a Planned Development-25-General Retail zoning district to Planned Development-General Retail, with Concept Plan, located at 2100 Brown Street (Property ID 204843) - Owner: HAYOUNG & LEE SANG HUH (PD-18-0162)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant seeks to open a Dry-Cleaning Establishment, where the actual process of dry-cleaning is conducted off-site. He stated this site would be drop-off and pick-up of dry-cleaning only. Mr. Collins stated Staff received one letter in support and none in opposition. Staff recommended approval as presented.

Mr. Jeremiah Mikel, Ruffin & Mikel Investments, Inc., stated this would be his second location in Waxahachie.

There being no others to speak for or against PD-18-0162, Chairman Keeler closed the Public Hearing.

9. **Consider recommendation of Zoning Change No. PD-18-0162**

**Action:**

*Mrs. Bonney Ramsey moved to approve a request by Jeremiah Mikel, Ruffin & Mikel Investments, Inc., for a Zoning Change from a Planned Development-25-General Retail zoning district to Planned Development-General Retail, with Concept Plan, located at 2100 Brown Street (Property ID 204843) - Owner: HAYOUNG & LEE SANG HUH (PD-18-0162) with the stipulation that PD-18-0162 can only have drop-off and pick-up of dry cleaning. Vice Chairman Melissa Ballard seconded, All Ayes.*

- 10. Public Hearing on a request by William Stern, TAC Services LLC, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 228 Hackney (Property ID 267574) – Owner: KEITH A & DEANNA KERR (SU-18-0163)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant seeks to install solar panels on the roof of their home. He stated they will be located on the sides of the house and not be in the front view visible from the street. Staff recommended approval as presented.

There being no others to speak for or against SU-18-0163, Chairman Keeler closed the Public Hearing.

- 11. Consider recommendation of Zoning Change No. SU-18-0163**

**Action:**

*Mr. Jim Phillips moved to approve a request by William Stern, TAC Services LLC, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 228 Hackney (Property ID 267574) – Owner: KEITH A & DEANNA KERR (SU-18-0163), subject to staff comments. Mr. David Hudgins seconded, All Ayes.*

- 12. Consider request by Mark Thedford, Akamai Designs, 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 Retail Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-18-0166)**

Mr. Collins reported the applicant seeks to replat two lots into one lot. He stated the applicant seeks to dedicate 18.5 feet rather than the 23 feet requirement to reach full Right of Way width due to the existing building extending into the would be dedication area. Mr. Collins stated the utility easement must be located along Ferris Avenue. He stated Staff received one letter in support and none in opposition. Staff recommend approval subject to staff comments.

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Mark Thedford, Akamai Designs, 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 Retail Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-18-0166), subject to staff comments. Mr. Jim Phillips seconded, All Ayes.*

**13. Continue Public Hearing on a request by Terry Weaver, TJVC Inc. dba Sterling Development Co., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and North of Highway 287 Business, being 101 E BELLOW & 466 E HORTON 79.91 ACRES (Property ID 180391) - Owner: WALKER DON GORDON (PD-18-0156)**

Chairman Keeler continued the Public Hearing.

Mr. Collins reported the applicant seeks to rezone the property to account for the development of a single family residential neighborhood. The property is located in an area close to the new high school, in a section of town that the City anticipates will largely convert to residential neighborhoods. The existing zoning for this site is Single Family-1 (SF-1) zoning. This zoning district requires minimum lot sizes of 16,000 square feet and minimum home size of 2,200 square feet. The applicant's request to SF-1 zoning with significant deviations is of concern. The development proposes to reduce the SF-1 requirements to a minimum lot size of 8,400 square feet for the majority of the lots, with 10,000 square feet lots being located primarily along the borders of the property. This proposal calls for a minimum DUA of 2,000 square feet on 8,400 square feet and 10,000 square feet lots and 2,200 square feet on 16,000 square feet lots. Mr. Collins reported the City is concerned about the type and quality of amenities proposed to be provided to residents and the landscaping along Ovilla Road remains concerning.

Mr. Terry Weaver, TJVC, Inc., 815 W. Main Street, Midlothian, stated the applicant is only zoning the front 60 acres and they seek to amend SF-1 by changing lot sizes noting the proposed changes is what is being requested to be marketable.

There being no others to speak for or against PD-18-0156, Chairman Keeler closed the Public Hearing.

Mr. Shon Brooks, Director of Planning, stated the city requires park fees and impact fees for this area.

Chairman Keeler stated he hopes Mr. Weaver can appreciate the Commission's duty to adhere to the Comprehensive Plan. He stated being a Zoning Commission they cannot take the market place into consideration. He explained the Commission's charge is to zone the property the way they believe it should be zoned noting while some amenities may offset lot sizes, the Zoning Ordinance needs to be followed.

**14. Consider recommendation of Zoning Change No. PD-18-0156**

**Action:**

*Mr. Jim Phillips moved to deny a request by Terry Weaver, TJVC Inc. dba Sterling Development Co., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and North of Highway 287 Business, being 101 E BELLOW & 466 E HORTON 79.91 ACRES (Property ID 180391) - Owner: WALKER DON GORDON (PD-18-0156). Mr. David Hudgins seconded. The vote was as follows:*

*Ayes: Rick Keeler  
Bonney Ramsey  
Jim Phillips  
David Hudgins  
Erik Test*

*Noes: Melissa Ballard*

**The motion carried.**

**15. Public Comments**

None

**16. Adjourn**

There being no further business, the meeting adjourned at 7:39 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary