

Planning and Zoning Commission  
October 23, 2018

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, October 23, 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  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
David Hudgins

Member Absent: Erik Test

Others Present: Shon Brooks, Director of Planning  
Kelly Dent, Planner  
James Gaertner, City Engineer  
Tommy Ludwig, Executive Director of Development Services  
Amber Villarreal, Assistant City Secretary  
Mary Lou Shipley, Council Representative

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

Chairman Rick Keeler called the meeting to order at 7:00 p.m. and gave the invocation.

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of October 9, 2018
- b. Minutes of the Planning and Zoning Commission briefing of October 9, 2018

**Action:**

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

4. **Public Hearing on a request by Dianne Moriarty, Global Signs, Inc., for a Specific Use Permit (SUP) for Electronic Message Sign use within a Planned Development-General Retail zoning district, located at 2831 N Highway 77, being LOT 2 BLK A NORTH GROVE BUSINESS PARK PH 1 & 3 1.148 AC (Property ID 272778) - Owner: KEITH MOORE LLC (SU-18-0159)**

Chairman Keeler announced the applicant withdrew the request.

5. **Consider recommendation of Zoning Change No. SU-18-0159**

**Action:**

*No action taken.*

6. **Public Hearing on a request by Terence Young, Winkelmann & Associates, Inc., for a Zoning Change from a Planned Development-36-Commercial zoning district to Planned Development-Commercial, with Detailed Site Plan, located at 1441 N Highway 77, being LOT PT 1 BLK A WAXAHACHIE CROSSING SUBDIVISION UNIT 2 6.731 AC (Property ID 239940) - Owner: JC PENNEY PROPERTIES INC (PD-18-0158)**

Chairman Keeler announced the applicant withdrew the request.

7. **Consider recommendation of Zoning Change No. PD-18-0158**

**Action:**

*No action taken.*

8. **Consider request by Jewel Chadd, JPH Land Surveying Inc., for a Replat of Lot 3, Block A, RVG Plaza to create Lot 3R, Block A, RVG Plaza for 11.478 acres (Property ID 238264) – Owner: HUNTERS COVE LAKESIDE APARTMENTS I LLC & HUNTERS COVE LAKESIDE APARTMENTS II LLC (RP-18-0157)**

Planner Kelly Dent presented RP-18-0157 noting the replat is to relocate a drainage and utility easement in the northwestern corner of the lot, due to the fact that a building was constructed over the easement. Staff recommended approval per the following staff comments:

1. Submit a clear copy of the first page of the Atmos, AT&T, and Charter releases. The first pages are blurred.
2. Filing fees of \$100.00 remain outstanding.

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Jewel Chadd, JPH Land Surveying Inc., for a Replat of Lot 3, Block A, RVG Plaza to create Lot 3R, Block A, RVG Plaza for 11.478 acres (Property ID 238264) – Owner: HUNTERS COVE LAKESIDE APARTMENTS I LLC & HUNTERS COVE LAKESIDE APARTMENTS II LLC (RP-18-0157) subject to Staff Comments. Mr. David Hudgins seconded, All Ayes.*

9. **Continue Public Hearing on a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 zoning district to Planned Development-Single Family-3, with Concept Plan, located at 1308 Wyatt Street, being LOT 3A BLK 184 TOWN ADDN-REV 2.512 AC (Property ID 270088) - Owner: GRANTAVA INC (PD-18-0152)**

Chairman Keeler continued the Public Hearing.

Ms. Dent presented PD-18-0152 noting the applicant seeks to establish a planned development district that encompasses nine lots along Wyatt Street. These lots will range in size from 6,472 SF to 17,432 SF. She explained the applicant committed to have the nine homes be constructed exclusively of brick and/or stone, have two enclosed attached parking spaces, no elevation will be duplicated on any lot in this addition, the homes will be of craftsman style with raised front

porches, a five foot wide sidewalk will be installed from the corner of Wyatt at Peters to the eastern most point of this addition, and all HVAC units will be concealed from public ROW via landscaping and/or fencing.

Executive Director of Development Services Tommy Ludwig reported he and the Public Works Director Jeff Chambers observed traffic in the area. He explained city staff cannot recommend restricting street parking in a residential neighborhood. The city will provide striping on Wyatt Street and move the stop sign back to allow for better maneuverability.

Ms. Betty Square Coleman inquired about restricting semi-truck traffic on residential roads. Mr. Chambers explained truck traffic is allowed on any Right-of-Way as long as their destination is on that route.

There being no others to speak for or against PD-18-0152, Chairman Keeler closed the Public Hearing.

**10. Consider recommendation of Zoning Change No. PD-18-0152**

**Action:**

*Mr. David Hudgins moved to approve a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 zoning district to Planned Development-Single Family-3, with Concept Plan, located at 1308 Wyatt Street, being LOT 3A BLK 184 TOWN ADDN-REV 2.512 AC (Property ID 270088) - Owner: GRANTAVA INC (PD-18-0152) subject to Staff Comments. Ms. Betty Square Coleman seconded, All Ayes.*

**11. 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 opened the Public Hearing.

Ms. Dent presented PD-18-0156 explaining the proposed development will increase traffic onto Ovilla Rd., perhaps spurring TxDOT's widening of Ovilla to account for the number of households that will be dependent on Ovilla to get into and out of their neighborhoods. One letter of opposition was received. She reviewed the following staff concerns:

1. The City's minimum lot size for SF3 is 10,000 SF.
2. The City would like to see a minimum DUA of 2,200 SF.

Ms. Dent explained the applicant seeks to reduce lot sizes from the SF3 standard size of 10,000 SF to a minimum lot size of 7,400 SF, with 9,000 SF lots included along the boundaries of the site. Staff recommended denial.

Mr. Terry Weaver, 815 W. Main, Midlothian, Texas, explained this is a transitional tract noting house size is more important than lot size when considering the tax base for Waxahachie. He noted he is willing to work with staff to increase lot and house sizes that is economically feasible and requested a continuance.

The Commission expressed concern with not staying in alliance with the City's Comprehensive Plan and keeping this development close to the current zoning of Single Family-1.

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

**Action:**

*Ms. Melissa Ballard moved to continue 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) to the November 13, 2018 Planning and Zoning Commission meeting. Ms. Bonney Ramsey seconded. The vote was as follows: **Ayes:** Melissa Ballard, Betty Square Coleman, Bonney Ramsey, Jim Phillips, David Hudgins. **Noes:** Rick Keeler. **The motion carried 5-1***

**13. 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 opened the Public Hearing.

Ms. Dent presented SU-18-0155 noting the applicant seeks to establish an event center business on this property. She explained a site visit on September 24, 2018 confirmed there are a number of site concerns including parking, dumpster screening, and overall maintenance of the site. Staff recommended additional consideration:

1. Other than two parking spaces striped and signed as belonging to Suite 101, City staff can find no evidence of further parking reserved for this applicant. Because this is not a use type that can share parking with another use type, enough parking for this use type must be reserved for this tenant. Therefore, it appears this site is significantly under-parked.
2. The site must come into compliance regarding screening of the refuse storage container.

The Commission expressed parking concerns.

Mr. Robert Harden, 313 Lakewood Drive, Waxahachie, Texas, explained there is enough parking for about twenty-five vehicles on and around the property.

Ms. Alyssa Garrett, 403 Gingerbread Lane, Waxahachie, Texas, explained the venue will only seat fifty people and stand seventy-five. She also noted no food or alcohol will be made or sold on site.

After a lengthy discussion, Ms. Garrett requested to continue the public hearing to allow additional time to work with staff on their concerns.

Those who spoke in opposition:

Mr. Tom Opalach, 1307 W. Main, Waxahachie, Texas

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

**Action:**

*Ms. Betty Square Coleman moved to continue 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) to the November 13, 2018 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.*

**15. Public Comments**

None

**16. Adjourn**

There being no further business, the meeting adjourned at 8:09 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary