

Planning and Zoning Commission  
November 12, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, November 12, 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  
Bonney Ramsey  
Jim Phillips  
David Hudgins  
Erik Test

Member Absent: Betty Square Coleman

Others Present: Shon Brooks, Director of Planning  
Colby Collins, Senior Planner  
Chris Webb, Planner  
Macey Martinez, Graduate Engineering  
Tommy Ludwig, Assistant City Manager  
Amber Villarreal, Acting 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. **Public Comments**

Ms. Judy Huff, 94 Elmwood Trail, spoke in opposition of the proposed apartment complex adjacent to her home (PD-19-0132).

4. **Reorganize the Commission**

**Action:**

*Ms. Bonney Ramsey moved to nominate Mr. Rick Keeler as Chairman and Ms. Melissa Ballard as Vice Chairman. Mr. David Hudgins seconded, **All Ayes.***

5. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of October 29, 2019
- b. Minutes of the Planning and Zoning Commission briefing of October 29, 2019

**Action:**

*Vice Chairman Melissa Ballard moved to approve items a. and b. on the Consent Agenda. Mr. David Hudgins seconded, **All Ayes.***

- 6. Public Hearing on a request by James Pool, Cross Development, for a Specific Use Permit (SUP) for Auto Repair (Major) use within a Commercial zoning district, located at 2001 Corporate Parkway (Property ID 273977) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0133)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue the request to the December 17, 2019 Planning and Zoning Commission meeting.

- 7. Consider recommendation of Zoning Change No. SU-19-0133**

**Action:**

*Vice Chairman Melissa Ballard moved to continue a Public Hearing on a request by James Pool, Cross Development, for a Specific Use Permit (SUP) for Auto Repair (Major) use within a Commercial zoning district, located at 2001 Corporate Parkway (Property ID 273977) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0133) to the December 17, 2019 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.*

- 8. Public Hearing on a request by Amanda Doty, B&M Assessment Services, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 403 Johnston Blvd (Property ID 174966) – Owner: GLYNNIE J & BILLY R STONE (SU-19-0129)**

Chairman Keeler opened the Public Hearing.

Planner Chris Webb reviewed the case noting the solar panels will not face the right-of-way and staff recommended approval as presented.

There being no others to speak for or against SU-19-0129, Chairman Keeler closed the Public Hearing.

- 9. Consider recommendation of Zoning Change No. SU-19-0129**

**Action:**

*Mr. David Hudgins moved to approve a request by Amanda Doty, B&M Assessment Services, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 403 Johnston Blvd (Property ID 174966) – Owner: GLYNNIE J & BILLY R STONE (SU-19-0129). Mr. Erik Test seconded, All Ayes.*

- 10. 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 Planned Development-Single Family-3 zoning district, located at 128 Garden Grove Drive (Property ID 272737) – Owner: ROLAND F & MARSHA L MAHARRY (SU-19-0130)**

Chairman Keeler opened the Public Hearing.

Mr. Webb reviewed the case noting the solar panels will not face the right-of-way and staff recommended approval as presented.

There being no others to speak for or against SU-19-0130, Chairman Keeler closed the Public Hearing.

**11. Consider recommendation of Zoning Change No. SU-19-0130**

**Action:**

*Ms. Bonney Ramsey moved to approve 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 Planned Development-Single Family-3 zoning district, located at 128 Garden Grove Drive (Property ID 272737) – Owner: ROLAND F & MARSHA L MAHARRY (SU-19-0130) subject to staff comments. Vice Chairman Melissa Ballard seconded, All Ayes.*

**12. Public Hearing on a request by Keri Blalock, My Own Power, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 305 Richmond Lane (Property ID 172239) – Owner: AVAMAE B & VAUGHN FRANKS (SU-19-0131)**

Chairman Keeler opened the Public Hearing.

Mr. Webb reviewed the case noting the solar panels will not face the right-of-way and staff recommended approval as presented.

There being no others to speak for or against SU-19-0131, Chairman Keeler closed the Public Hearing.

**13. Consider recommendation of Zoning Change No. SU-19-0131**

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Keri Blalock, My Own Power, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 305 Richmond Lane (Property ID 172239) – Owner: AVAMAE B & VAUGHN FRANKS (SU-19-0131) subject to staff comments. Mr. David Hudgins seconded, All Ayes.*

**14. Continue Public Hearing on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Single-Family Residential-3 and Planned Development-Two Family Residential, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (PD-19-0124)**

Chairman Keeler continued the Public Hearing.

Senior Planner Colby Collins reviewed the case noting the applicant is requesting approval for a zoning change to accommodate development of 127 (70 patio home lots and 57 single-family) mixed residential uses on 24.76 acres. He explained the applicant is not meeting all of the required development standards for the existing zoning. The Concept Plan includes elements such as walking trail and outdoor common area. Mr. Collins reviewed the following staff concerns noting staff recommended denial:

1. Lot Sizes

Within the development, the applicant is proposing a minimum lot area of 7,200 sq. ft. for the proposed Single-Family-3 housing. Per the City of Waxahachie Zoning Ordinance, the minimum lot area for the Single-Family-3 zoning district is 10,000 sq. ft.

2. Use of Property

Staff believes that the proposed development, specifically the proposed patio homes, is not the highest and best use for the property.

Mr. Jeff Crannell, CCM Engineering, noted the applicant is proposing blended zoning on the property due to the challenges of the property. He explained the patio homes would allow for property ownership as opposed to rental property through the current multi-family zoning.

Chairman Keeler noted he understands the challenges with the property but the development standards are not being met.

Mr. Jim Phillips noted non-compliance with single-family-3 zoning standards is not an improvement to the area or beneficial to the city.

There being no others to speak for or against PD-19-0124, Chairman Keeler closed the Public Hearing.

**15. Consider recommendation of Zoning Change No. PD-19-0124**

**Action:**

*Mr. Jim Phillips moved to deny a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Single-Family Residential-3 and Planned Development-Two Family Residential, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (PD-19-0124). Vice Chairman Melissa Ballard seconded, All Ayes.*

**16. Public Hearing on a request by Stuart Shaw, Cypress Creek Waxahachie LP, for a Zoning Change from a Single Family-2 and Planned Development District-49-General Retail, Multi-Family-Two Family zoning district to Planned Development-Multiple Family-2, with Concept Plan, located NW of Post Oak Drive at Highway 287 (Property ID 184249) - Owner: AMERITAI PARTNERSHIP (PD-19-0132)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reviewed the applicant's request to develop Cypress Creek Apartment homes, a 168 unit multi-family residential development within a Planned Development zoning district. The applicant seeks to extend the multi-family zoning northwest approximately 125 feet to allow for the construction of the road on the existing site. The Concept Plan depicts a residential development that includes elements such as sports court/field, laundry room, fitness center, and conference/business center.

Mr. Collins reviewed the following staff concerns noting staff recommended denial:

1. Attached Garages:  
The proposed development requires a minimum of 50% of the parking to be attached garages. Per the plan, the applicant is not providing any attached garage parking. As an alternative, the applicant is providing five separate structures, which include two garage spaces and storage space in each. The applicant is also proposing nine separate structures that will serve as carport space.
2. Wood Fence:  
Screening adjacent to single-family zoning requires masonry. Per the plan, the applicant is requesting to provide a wood fence adjacent to the single-family zoning.

Mr. Stuart Shaw, Bonner Carrington, explained the property is already zoned multi-family and it is the design of the project to connect people and provide a good neighbor to the adjacent residential neighborhood. He expressed his opposition for bottom floor garages due to the safety concerns of the residents living above.

Mr. Shaw and the Commission discussed the following variances to the project to meet the needs of the city and the applicant:

- Trail connectivity to Brown-Singleton Park
- 8 foot masonry wall adjacent to residential homes
- Ornamental iron for all remaining fences
- 70% masonry on all buildings
- 100 attached garages
- With approval of the Development Agreement

The applicant concurred with the requests of the Commission.

Vice Chairman Melissa Ballard inquired about crape myrtle trees on the landscape plan and Mr. Shaw noted he will exceed the city's minimum standards to provide adequate landscaping for the property.

There being no others to speak for or against PD-19-0132, Chairman Keeler closed the Public Hearing.

Mr. Erik Test asked if the property will use tax credit funding that was previously sought and Mr. Shaw explained this is no longer a tax credit project.

**17. Consider recommendation of Zoning Change No. PD-19-0132**

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Stuart Shaw, Cypress Creek Waxahachie LP, for a Zoning Change from a Single Family-2 and Planned Development District-49-General Retail, Multi-Family-Two Family zoning district to Planned Development-Multiple Family-2, with Concept Plan, located NW of Post Oak Drive at Highway 287 (Property ID 184249) - Owner: AMERITAI PARTNERSHIP (PD-19-0132) subject to the following: trail connectivity to Brown-Singleton Park, 8 foot masonry wall adjacent to residential homes, ornamental iron for all remaining fences, 70% masonry on all buildings, 100 detached garages, and with approval of the Development Agreement. Ms. Bonney Ramsey seconded, the vote was as follows: **Ayes:** Rick Keeler, Melissa Ballard, Bonney Ramsey, Jim Phillips, and David Hudgins. **Noes:** Erik Test. **The motion carried.***

**18. Adjourn**

There being no further business, the meeting adjourned at 8:41 p.m.

Respectfully submitted,

Amber Villarreal  
Acting City Secretary