

Planning and Zoning Commission
April 14, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, April 14, 2020 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

Members Present: Rick Keeler, Chairman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Via Teleconference: Betty Square Coleman

Member Absent: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
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 March 24, 2020

Action:

Mrs. Bonney Ramsey moved to approve item a. on the Consent Agenda. Mr. Jim Phillips seconded, All Ayes.

4. **Public Hearing on a request by the City of Waxahachie to consider revoking a Specific Use Permit (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed. (ZDC-000007-2020)**

Chairman Keeler opened the Public Hearing and announced the applicant ask to continue ZDC-000007-2020 to the Planning and Zoning Commission meeting of May 12, 2020.

5. **Consider recommendation of Zoning Change No. ZDC-000007-2020**

Action:

Mr. David Hudgins moved to continue the Public Hearing on a request by the City of Waxahachie to consider revoking a Specific Use Permit (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed (ZDC-000007-2020) to May 12, 2020. Ms. Betty Square Coleman seconded, All Ayes.

6. **Consider request by Norma Villegas for a Replat of Billings Subdivision for 2 residential lots being 10.442 acres situated in the James Chapman Survey, Abstract 214 and the Robert Chapman Survey, Abstract 215 (Property IDs 200172, 270572) in the Extra Territorial Jurisdiction – Owners: Jose Gonzalez, Christina Gonzalez, Norma Villegas (SUB-37-2020)**

Planner Colby Collins stated the applicant meets all the adequate requirements and recommended approval.

Action:

Mr. David Hudgins moved to approve a request by Norma Villegas for a Replat of Billings Subdivision for 2 residential lots being 10.442 acres situated in the James Chapman Survey, Abstract 214 and the Robert Chapman Survey, Abstract 215 (Property IDs 200172, 270572) in the Extra Territorial Jurisdiction – Owners: Jose Gonzalez, Christina Gonzalez, Norma Villegas (SUB-37-2020) Mrs. Bonney Ramsey seconded, All Ayes.

7. **Consider request by Leslie Porterfield for a Replat of Tract 3, Allen Family Estates, to create Tracts 3A and 3B, Allen Family Estates, 4.833 acres (Property ID 147329) in the Extra Territorial Jurisdiction – Owner: LESLIE PORTERFIELD (SUB-000038-2020)**

Mr. Collins reported the applicant does not want to dedicate the right-of-way dedication. He stated the Commission saw this before and the applicant, at that time did not want to dedicate the right-of-way. Staff recommended denial.

Action:

Mrs. Bonney Ramsey moved to deny a request by Leslie Porterfield for a Replat of Tract 3, Allen Family Estates, to create Tracts 3A and 3B, Allen Family Estates, 4.833 acres (Property ID 147329) in the Extra Territorial Jurisdiction – Owner: LESLIE PORTERFIELD (SUB-000038-2020). Ms. Betty Square Coleman seconded, All Ayes.

8. **Consider request by Will Sisco, Turley Associates, Inc. for a Replat of Villas at Country Lane Phase II for 8 multi-family lots and 1 vacant lot being 8.0376 acres situated in the John Harris survey, Abstract 430 (Property ID 241958) – Owner: Kenneth H. Mitchell (SUB-20-2020)**

Mr. Collins reported the applicant is requesting the replat to construct multi-family duplex for senior living.

Those who spoke for SUB-20-2020:

Mr. Kenneth Mitchell, via telephone conference, stated the duplexes will be for ownership and not rental.

Action:

Mr. David Hudgins moved to approve a request by Will Sisco, Turley Associates, Inc. for a Replat of Villas at Country Lane Phase II for 8 multi-family lots and 1 vacant lot being 8.0376 acres situated in the John Harris survey, Abstract 430 (Property ID 241958) – Owner: Kenneth H. Mitchell (SUB-20-2020) Mrs. Bonney Ramsey seconded, All Ayes.

- 9. Public Hearing on a request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant meets all the requirements for the proposed development. He showed a rendering of the facility noting the applicant will meet the brick requirements through a Development Agreement. Mr. Collins stated the city received four letters of support and seven letters in opposition.

Those who spoke for ZCD-000022-2020:

Via telephone conference, Architect Anthony Mottla

Via telephone conference, Ms. Barbara Clark, Hope Clinic

There being no others to speak for or against ZDC-000022-2020, Chairman Keeler closed the Public Hearing.

- 10. Consider recommendation of Zoning Change No. ZDC-000022-2020**

Action:

Mr. David Hudgins moved to approve a request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020) and with a Development Agreement. Ms. Betty Square Coleman seconded, All Ayes.

- 11. Public Hearing on a request by Robert G. Scruggs for a Zoning Change from a Future Development zoning district to Single Family Residential-1, located at 3273 Howard Road (being a portion of Property ID 182107) - Owner: ROBERT G AND SUSAN C SCRUGGS (ZDC-000031-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting a zoning change to construct three (3) single-family residences. Staff recommended approval with a development agreement.

There being no others to speak for or against ZDC-000031-2020, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. ZDC-000031-2020

Action:

Mr. Jim Phillips moved to approve a request by Robert G. Scruggs for a Zoning Change from a Future Development zoning district to Single Family Residential-1, located at 3273 Howard Road (being a portion of Property ID 182107) - Owner: ROBERT G AND SUSAN C SCRUGGS (ZDC-000031-2020) to include a Development Agreement. Mr. David Hudgins seconded, All Ayes.

13. Public Hearing on a request by Randy Eardley, Wier and Associates, for a Specific Use Permit (SUP) for a Medical Facility use within a Planned Development-1-Commercial zoning district located at the corner of RVG Parkway at 287 (Property ID 238268) – Owner: CRUX INVESTMENTS (ZDC-000042-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the city requires a 20 foot setback and applicant request a 15 foot setback. Sidewalks were discussed and the applicant would like to install landscaping instead. Staff suggested that the applicant provide sidewalks surrounding the medical facility. Staff noted a Development Agreement would accompany the proposal.

Those who spoke for ZDC-000042-2020:

Via telephone conference, Mr. Colby Rodgers, representing applicant

There being no others to speak for or against ZDC-000042-2020, Chairman Keeler closed the Public Hearing.

14. Consider recommendation of Zoning Change No. ZDC-000042-2020

Action:

Mr. Jim Phillips moved to approve a request by Randy Eardley, Wier and Associates, for a Specific Use Permit (SUP) for a Medical Facility use within a Planned Development-1-Commercial zoning district located at the corner of RVG Parkway at 287 (Property ID 238268) – Owner: CRUX INVESTMENTS (ZDC-000042-2020) to include a Development Agreement and sidewalks on all four side of new facility. Ms. Betty Square Coleman seconded, All Ayes.

15. Consider request by Randy Eardley, Wier and Associates, for a Replat of Lot 1 and a portion of Lot 2, Block B, RVG Plaza, to create Lot 1R, Block B, RVG Plaza, 2.693 acres (Property ID 238268) – Owner: CRUX INVESTMENTS (SUB-000043-2020)

Mr. Collins reported SUB-000043-2020 is the Replat for ZDC-00042-2020 and recommended approval.

Action:

Ms. Betty Square Coleman moved to approve a request by Randy Eardley, Wier and Associates, for a Replat of Lot 1 and a portion of Lot 2, Block B, RVG Plaza, to create Lot 1R, Block B, RVG Plaza, 2.693 acres (Property ID 238268) – Owner: CRUX INVESTMENTS (SUB-000043-2020). Mr. David Hudgins seconded, All Ayes.

- 16. Public Hearing on a request by Alan Lauhoff, P.E., Atlas Associates Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 and 2 (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (ZDC-000030-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is not meeting several of the city requirements being lot sizes, rear setbacks, etc. They have concerns with the proposed development with townhomes and 75% masonry requirements. He stated this is the 3rd time the Commission has reviewed this case.

Those who spoke for: ZDC-000030-2020:

Via telephone conference, Mr. James Moon, Attorney for applicant

Via telephone conference, Mr. Brett Hess, spoke on behalf of applicant

After a lengthy discussion the Commission asked for specifics on the following:

- Minimum square footage
- Architectural garage doors
- J-swing and side entries (possible 50)
- Masonry wall fencing
- Remove the townhomes to allow for 11 more lots
- Minimum lot size

- 17. Consider recommendation of Zoning Change No. ZDC-000030-2020**

Action:

Mr. Jim Phillips moved to continue ZDC-000030-2020, a request by Alan Lauhoff, P.E., Atlas Associates Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 and 2 (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (ZDC-000030-2020) to the Planning and Zoning meeting of April 28, 2020. Mr. David Hudgins seconded, All Ayes.

- 18. Public Hearing on a request by Clyde Hargrove, WP Legacy LTD, for a Zoning Change from Planned Development-23-Single Family Residential-1 to Single Family Residential-1 situated generally on FM 877 just Southeast of Lake Waxahachie (Property ID 183566) - Owner: CLYDE HARGROVE (ZDC-000040-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant meets all requirements and recommended approval.

Those who spoke for ZDC-000040-2020:

Via telephone conference, Mr. Clyde Hargrove, Developer

There being no others to speak for or against ZDC-000040-2020, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. ZDC-000040-2020

Action:

Mr. Erik Test moved to approve a request by Clyde Hargrove, WP Legacy LTD, for a Zoning Change from Planned Development-23-Single Family Residential-1 to Single Family Residential-1 situated generally on FM 877 just Southeast of Lake Waxahachie (Property ID 183566) - Owner: CLYDE HARGROVE (ZDC-000040-2020) to include a Development Agreement. Mr. David Hudgins seconded, All Ayes.

20. Consider request Clyde Hargrove, WP Legacy LTD, for a Plat of Lakeway Estates for 86 residential lots and 1 common area lot, being 110.484 acres situated in the WC Coleman Survey, Abstract 204, the AB Fleury Survey, Abstract 374, and the M Rafferty Survey, Abstract 898 (Property ID 183566) – Owner: CLYDE HARGROVE (SUB-000041-2020)

Action:

Mr. Jim Phillips moved to approve a request Clyde Hargrove, WP Legacy LTD, for a Plat of Lakeway Estates for 86 residential lots and 1 common area lot, being 110.484 acres situated in the WC Coleman Survey, Abstract 204, the AB Fleury Survey, Abstract 374, and the M Rafferty Survey, Abstract 898 (Property ID 183566) – Owner: CLYDE HARGROVE (SUB-000041-2020) Mr. Erik Test seconded, All Ayes.

Those who spoke for: ZDC-000041-2020:

Via telephone conference, Mr. Clyde Hargrove, Developer

21. Public Hearing on a request by Michael Westfall, Westfall Engineering, for a Zoning Change from Future Development to Planned Development-Single Family Residential-3, with Concept Plan, located on the West side of Broadhead Road at Youngblood Road (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-000024-2020, Chairman Keeler closed the Public Hearing.

22. Consider recommendation of Zoning Change No. ZDC-000024-2020

Mr. Collins stated the applicant proposes approval for a zoning change to accommodate a development of a single family residential development consisting of 236 dwelling unit lots; 8 open/space common area lots, located on 98.7 acres located at the West side of Broadhead Road at Youngblood Road. Staff recommended approval based on a Developers Agreement.

Those who spoke for ZDC-000024-2020:

Via telephone conference, Mr. Michael Westfall, Westfall Engineering

Via telephone conference, Mr. Clyde Hargrove, original developer of Garden Valley

Those who spoke against ZDC-000024-2020:

Via telephone conference, Mr. Brett Daughtrey

Via telephone conference Scott Diermann

Via telephone conference, Mr. Tim Burleson

Action:

Mr. Jim Phillips moved to approve a request by Michael Westfall, Westfall Engineering, for a Zoning Change from Future Development to Planned Development-Single Family Residential-3, with Concept Plan, located on the West side of Broadhead Road at Youngblood Road (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020) subject to 50% of homes to be above 3,000 square feet and 30% to be J-swing. Mr. Erik Test seconded, All Ayes.

23. Adjourn

There being no further business, the meeting adjourned at 9:57 p.m.

Respectfully submitted,

Lori Cartwright

City Secretary