

Planning and Zoning Commission
May 12, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, May 12, 2020 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
Erik Test

Others Present: Shon Brooks, Director of Planning
Chris Webb, Planner
Tommy Ludwig, Assistant City Manager
Amber Villarreal, Assistant 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 April 28, 2020

Action:

Ms. Bonney Ramsey moved to approve item a. on the Consent Agenda. Mr. David Hudgins seconded, All Ayes.

4. **Public Hearing on a request by Lance Rust for a Replat of Lot 11 Block A, Lone Elm Addition to create Lot 11 R-A and 11 R-B, Lone Elm Addition, 3.198 Acres (Property ID 275609) – Owner: Tres Group, LLC. (SUB-000018-2020)**

Chairman Keeler opened the Public Hearing.

Planner Chris Webb presented the case explaining the applicant is requesting a replat of the current lot to allow for an additional single-family residential lot and staff recommended approval as presented.

There being no others to speak for or against SUB-000018-2020, Chairman Keeler closed the Public Hearing.

5. **Consider approval of SUB-000018-2020**

Action:

Vice Chairman Melissa Ballard moved to approve a request by Lance Rust for a Replat of Lot 11 Block A, Lone Elm Addition to create Lot 11 R-A and 11 R-B, Lone Elm Addition, 3.198 Acres (Property ID 275609) – Owner: Tres Group, LLC. (SUB-000018-2020) subject to Staff Comments. Mr. David Hudgins seconded, All Ayes.

Action:

Due to technical difficulties, Vice Chairman Melissa Ballard moved to vacate the previous vote of approval. Ms. Betty Square Coleman seconded, All Ayes.

Assistant City Manager Tommy Ludwig noted the City Attorney's recommendation on the action for this case is to revoke the vacated vote due to the fact that notification was not sent out for a public hearing at the May 18, 2020 City Council meeting.

Action:

Vice Chairman Melissa Ballard moved to revoke the vacate motion. Mr. Jim Phillips seconded, All Ayes.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Lance Rust for a Replat of Lot 11 Block A, Lone Elm Addition to create Lot 11 R-A and 11 R-B, Lone Elm Addition, 3.198 Acres (Property ID 275609) – Owner: Tres Group, LLC. (SUB-000018-2020) subject to Staff Comments. Ms. Betty Square Coleman seconded, All Ayes.

- 6. Consider request by John Ed Justice, BKG Legacy Ranch 1, LLC for a Replat of Legacy Ranch Phase 1, Block A for 4 lots, being 2.540 acres situated in the J. Prince Survey, Abstract 844 (Property ID 267510, 279145, 267509, 279146) – Owner: BKG Legacy Ranch 1, LLC (SUB-000057-2020)**

Mr. Webb presented the case explaining the applicant has requested to replat this lot to adjust lot lines and update necessary easements and staff recommended approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by John Ed Justice, BKG Legacy Ranch 1, LLC for a Replat of Legacy Ranch Phase 1, Block A for 4 lots, being 2.540 acres situated in the J. Prince Survey, Abstract 844 (Property ID 267510, 279145, 267509, 279146) – Owner: BKG Legacy Ranch 1, LLC (SUB-000057-2020) subject to Staff Comments. Mr. Erik Test seconded, All Ayes.

- 7. Consider request by Milan Simic, A&M Real Estate Development, LTD, for a Plat of Collett Acres for 5 residential lots being 11.053 acres situated in the J. Collett Survey, Abstract 221 (Property ID 181649) in the Extra Territorial Jurisdiction – Owner: A&M Real Estate Development, LTD (SUB-000046-2020)**

Mr. Webb presented the case explaining the applicant is requesting to divide 11.053 acres of land in the ETJ into 5 single-family residential lots and staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Milan Simic, A&M Real Estate Development, LTD, for a Plat of Collett Acres for 5 residential lots being 11.053 acres situated in the J. Collett Survey, Abstract 221 (Property ID 181649) in the Extra Territorial Jurisdiction – Owner: A&M Real Estate Development, LTD (SUB-000046-2020) subject to Staff Comments. Ms. Bonney Ramsey seconded, All Ayes.

- 8. Consider request by Robert Scruggs for a Plat of Scruggs Estates for 3 residential lots being 8.458 acres situated in the S. Durrett Survey, Abstract 272 (Property ID 182107) – Owner: Robert Scruggs (SUB-000015-2020)**

Mr. Webb presented the case explaining the applicant is requesting to divide this lot into 2 lots for residential use and staff recommended approval as presented.

Action:

Mr. David Hudgins moved to approve a request by Robert Scruggs for a Plat of Scruggs Estates for 3 residential lots being 8.458 acres situated in the S. Durrett Survey, Abstract 272 (Property ID 182107) – Owner: Robert Scruggs (SUB-000015-2020). Vice Chairman Melissa Ballard seconded, All Ayes.

- 9. Public Hearing on a request by Sheila Hollis for a Replat of Lots 23, 24, and 25 Block 5, University Addition to create Lots 22R and 24R Block 5, University Addition, 0.517 Acres (Property ID 176226) – Owners: Sheila H. Hollis, Paulette Thompson, Judy T. Tidwell (SUB-000059-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case explaining the applicant is requesting to divide their property into two lots to allow for an additional single-family residence and staff recommended approval as presented.

Ms. Judy Tidwell, applicant, thanked city staff and the Commission for their consideration.

There being no others to speak for or against SUB-000059-2020, Chairman Keeler closed the Public Hearing.

- 10. Consider approval of SUB-000059-2020**

Action:

Vice Chairman Melissa Ballard moved to approve a request by Sheila Hollis for a Replat of Lots 23, 24, and 25 Block 5, University Addition to create Lots 22R and 24R Block 5, University Addition, 0.517 Acres (Property ID 176226) – Owners: Sheila H. Hollis, Paulette Thompson, Judy T. Tidwell (SUB-000059-2020) subject to Staff Comments. Ms. Bonney Ramsey seconded, All Ayes.

Action:

Due to technical difficulties, Vice Chairman Melissa Ballard moved to vacate the previous vote of approval. Ms. Betty Square Coleman seconded, All Ayes.

Assistant City Manager Tommy Ludwig noted the City Attorney's recommendation on the action for this case is to revoke the vacated vote due to the fact that notification was not sent out for a public hearing at the May 18, 2020 City Council meeting.

Action:

Vice Chairman Melissa Ballard moved to revoke the vacate motion. Mr. Jim Phillips seconded, All Ayes.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Sheila Hollis for a Replat of Lots 23, 24, and 25 Block 5, University Addition to create Lots 22R and 24R Block 5, University Addition, 0.517 Acres (Property ID 176226) – Owners: Sheila H. Hollis, Paulette Thompson, Judy T. Tidwell (SUB-000059-2020) subject to Staff Comments. Ms. Betty Square Coleman seconded, All Ayes.

- 11. Consider request by Vernon Witherspoon, First Look, for a Final Plat of Lakeridge II for 1 non-residential lot, being 2.684 acres situated in the Henry Levy Survey, Abstract 629 (Property ID 186874) – Owner: Ferris Avenue Baptist Church (SUB-000021-2020)**

Ms. Betty Square Coleman expressed her concern with the communication in relation to the teleconference noting she experienced issues when trying to hear the Commission during her call.

Mr. Webb presented the case explaining the applicant is requesting to plat this lot for the establishment of a medical office and staff recommended approval as presented.

Action:

Ms. Betty Square Coleman moved to approve a request by Vernon Witherspoon, First Look, for a Final Plat of Lakeridge II for 1 non-residential lot, being 2.684 acres situated in the Henry Levy Survey, Abstract 629 (Property ID 186874) – Owner: Ferris Avenue Baptist Church (SUB-000021-2020) subject to Staff Comments. Mr. Erik Test seconded, All Ayes.

- 12. Consider request by Matthew Martinez, for a Plat of Jackson Ranch Subdivision, for 2 lots being 3.941 acres situated in the T.R. Follet Survey, Abstract 373 (Property ID 183524) in the Extra Territorial Jurisdiction – Owner: Andrew Jackson (PL-19-0162)**

Mr. Webb presented the case explaining the applicant is requesting to plat their property into two lots, one of which will have a Dollar General located on it and staff recommended approval as presented.

Action:

Mr. David Hudgins moved to approve a request by Matthew Martinez, for a Plat of Jackson Ranch Subdivision, for 2 lots being 3.941 acres situated in the T.R. Follet Survey, Abstract 373 (Property ID 183524) in the Extra Territorial Jurisdiction – Owner: Andrew Jackson (PL-19-0162). Vice Chairman Melissa Ballard seconded, All Ayes.

- 13. Consider request by Wes Dorough, JH Development, LLC. for a Plat of Sheppard's Place Ph. 1 for 102 lots, being 24.735 acres situated in the E. Horton Survey, Abstract 466 (Property ID 185243) – Owner: Sheppard's Place Development Co LLC, Sandlin Homes (SUB-000055-2020)**

Mr. Webb presented the case explaining the applicant is requesting to plat this property to establish the first phase of a new subdivision and staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Wes Dorough, JH Development, LLC. for a Plat of Sheppard's Place Ph. 1 for 102 lots, being 24.735 acres situated in the E. Horton Survey, Abstract 466 (Property ID 185243) – Owner: Sheppard's Place Development Co LLC, Sandlin Homes (SUB-000055-2020) subject to Staff Comments. Ms. Bonney Ramsey seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Betty Square Coleman, Bonney Ramsey, David Hudgins, and Erik Test. Noes: Jim Phillips.

The motion carried.

- 14. Consider request by Brian Carrington, Stantec Consulting Services Inc. for a Final Plat of Buffalo Ridge Phase 5 for 230 residential lots and 9 'X' lots, being 60.798 acres situated in the W.C. Calder Survey, Abstract 235 and the W.T. Dunn Survey, Abstract 303 (Property ID 264869) – Owner: Bobby Samuel, GRBK Edgewood, LLC (SUB-000051-2020)**

Mr. Webb presented the case explaining the applicant is requesting to plat this property in order to establish a fifth phase of the Buffalo Ridge subdivision. He noted the applicant is seeking a variance for the utility easement setbacks to be 10' instead of 15' which was shown on the preliminary plat. Staff recommended approval as presented.

Mr. Bobby Samuel, applicant, explained the preliminary plat was done before final engineering and that is why they are requesting the variance. He noted the utilities are currently under construction and are in alignment with the easement.

Action:

Mr. David Hudgins moved to approve a request by Brian Carrington, Stantec Consulting Services Inc. for a Final Plat of Buffalo Ridge Phase 5 for 230 residential lots and 9 'X' lots, being 60.798 acres situated in the W.C. Calder Survey, Abstract 235 and the W.T. Dunn Survey, Abstract 303 (Property ID 264869) – Owner: Bobby Samuel, GRBK Edgewood, LLC (SUB-000051-2020) with the 10' utility easement variance. Ms. Bonney Ramsey seconded, All Ayes.

- 15. Public Hearing on a request by the City of Waxahachie to consider revoking, amending, or extending 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 case would continue to the next meeting due to technical difficulties.

- 16. Consider approval of ZDC-000007-2020**

Action:

Mr. David Hudgins moved to continue the Public Hearing on extending 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 the May 26, 2020 Planning & Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.

- 17. Adjourn**

There being no further business, the meeting adjourned at 7:56 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary