

Planning and Zoning Commission
October 13, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, October 13, 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
Colby Collins, Senior Planner
Chris Webb, Planner
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. **Public Comments**

None

4. **Reorganize the Commission**

Action:

*Mrs. 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 September 29, 2020
- b. Minutes of the Planning and Zoning Commission briefing of September 29, 2020

Action:

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

6. **Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat of D.V.D. Estates for one residential lot being 6.176 acres situated in the BBB & CRR Survey, Abstract 175 and the S. Wilson Survey, Abstract 1141 (Property ID 275526) in the Extra Territorial Jurisdiction – Owner: ROBERT CARLOS AND DENISSE MARTINEZ (SUB-112-2020)**

Planner Chris Webb reported the applicant request to create one (1) residential lot. He stated the property has the adequate public facilities. Staff recommended approval.

Action:

Mr. David Hudgins moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat of D.V.D. Estates for one residential lot being 6.176 acres situated in the BBB & CRR Survey, Abstract 175 and the S. Wilson Survey, Abstract 1141 (Property ID 275526) in the Extra Territorial Jurisdiction – Owner: ROBERT CARLOS AND DENISSE MARTINEZ (SUB-112-2020). Mr. Erik Test seconded, All Ayes.

- 7. Public Hearing on a request by Jaime Eagleson, Keller Williams, for a Zoning Change from a General Retail zoning district to Planned Development-General Retail, located at 2760 Venture Way (Property ID 273975) - Owner: ROUX PROPERTIES LLC (ZDC-126-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Webb reported the applicant is requesting a zoning change to allow for a convenience store with alcohol sales (Daiquiri Shop) and the drive-through sales of prepackaged, sealed beverages. Staff recommended approval.

Applicant Cody Herndon was available for questions.

There being no others to speak for or against ZDC-126-2020, Chairman Keeler closed the Public Hearing.

- 8. Consider recommendation of Zoning Change No. ZDC-126-2020**

Action:

Mrs. Bonney Ramsey moved to approve a request by Jaime Eagleson, Keller Williams, for a Zoning Change from a General Retail zoning district to Planned Development-General Retail, located at 2760 Venture Way (Property ID 273975) - Owner: ROUX PROPERTIES LLC (ZDC-126-2020) as presented. Ms. Betty Square Coleman seconded, All Ayes.

- 9. Continue Public Hearing on a request by John Kennedy, Bannister Engineering, for a Zoning Change from a Light Industrial-1 and Heavy Industrial to Planned Development-General Retail and Planned Development-Multi Family-2, with Concept Plan, located SW of Butcher Road at N Highway 77 (Property ID 189377, 189370, and 239005) - Owner: DMJ Properties LTD, Saldena Properties LP, and Citizens National Bank in Waxahachie (ZDC-117-2020)**

Chairman Keeler continued the Public Hearing.

Senior Planner Colby Collins reported the applicant intends to create a Planned Development to allow for retail, commercial, office, and townhome uses on 42.94 acres. He stated the proposed Taco Bell and Car Wash (drive-thru uses) for the development shall be allowed by right per the Planned Development. Any other use within the development that proposes a drive-thru shall

require a Specific Use Permit. The 2.71 acres reserved for restaurant/retail in the southeast corner of the development shall be reserved for sit down dining only. Mr. Collins reviewed changes from the 9/29/20 Planning and Zoning Commission meeting noting staff believes that the proposed development will be beneficial to the uses surrounding the subject property.

The Commission held a lengthy discussion with the applicant Mr. Muhammad Sherros, 3412 Ovilla Road, Ovilla, Texas and Mr. Chip Boyd, Engineer on the proposed development, 421 Century Way, Red Oak, Texas.

There being no others to speak for or against ZDC-117-2020, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. ZDC-117-2020

Action:

Vice Chairman Melissa Ballard moved to approve a request by John Kennedy, Bannister Engineering, for a Zoning Change from a Light Industrial-1 and Heavy Industrial to Planned Development-General Retail and Planned Development-Multi Family-2, with Concept Plan, located SW of Butcher Road at N Highway 77 (Property ID 189377, 189370, and 239005) - Owner: DMJ Properties LTD, Saldena Properties LP, and Citizens National Bank in Waxahachie (ZDC-117-2020) subject to the following:

- *A roundabout shall be provided at the intersection of Dena & Ali Dr. (with amenity fountain feature in the middle).*
- *Alcohol variances will be reviewed on a case by case basis.*
- *Phase sidewalks along Butcher Rd., as development is constructed.*
- *All front entry townhomes shall have architectural garage doors.*
- *The minimum front yard setback for townhomes shall be 9ft.*
- *The minimum rear yard setback for townhomes shall be 8ft.*
- *Townhomes within the development shall be minimum 69% alley entry and 31% front entry.*
- *No digital sign is allowed at the corner of Butcher Rd. and US 77. A multi-tenant ground monument sign, as approved by City Council, will be allowed at the intersection of Butcher Rd. and US 77.*
- *All townhomes shall be flat roofs.*
- *Multiple elevations for townhome buildings shall be provided within the development.*

Ms. Betty Square Coleman seconded, All Ayes.

11. Public Hearing on a request by Marshall Patton, KFM Engineering & Design, for a Zoning Change from a Planned Development-41-Commercial and Commercial zoning district to Planned Development-Mixed Use Non-Residential, located at the SW corner of I-35 and Highway 287 (Property ID 180322, 180349, and 189254) - Owner: LIDE FAMILY INC and FAYE J MOSELEY & ERNEST M HOWELL (ZDC-124-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant intends to create a Planned Development to allow for industrial, multi family, retail, and commercial uses on 124.92 acres.

Mr. Jim Knight, applicant, KFM Engineering, reported the development intends to provide uses such as a large corporate campus consisting of logistics, warehouse, and last mile delivery uses. The development will also include retail, restaurant, and a multi family site to support the needs of the anticipated corporate campus users, as well as the community in general.

The Commission held a lengthy discussion. Mr. Jim Whitten, builder for the development and Mr. Joe Hickman, Blue Star Land, were available for questions.

There being no others to speak for or against ZDC-124-2020, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. ZDC-124-2020

Action:

Mrs. Bonney Ramsey moved to approve a request by Marshall Patton, KFM Engineering & Design, for a Zoning Change from a Planned Development-41-Commercial and Commercial zoning district to Planned Development-Mixed Use Non-Residential, located at the SW corner of I-35 and Highway 287 (Property ID 180322, 180349, and 189254) - Owner: LIDE FAMILY INC and FAYE J MOSELEY & ERNEST M HOWELL (ZDC-124-2020) subject to staff comments and developers agreement. Mr. David Hudgins seconded. The vote was as follows:

*Ayes: Rick Keeler
Melissa Ballard
Betty Square Coleman
Bonney Ramsey
David Hudgins
Erik Test*

Noes: Jim Phillips

The motion carried.

13. Adjourn

There being no further business, the meeting adjourned at 9:18 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary