

Planning and Zoning Commission
November 10, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, November 10, 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
Macey Martinez, Graduate Engineer
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. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of October 27, 2020
- b. Minutes of the Planning and Zoning Commission briefing of October 27, 2020

Action:

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

5. **Public Hearing on a request by Phillip Fisher, Macatee Engineering LLC, for a Zoning Change from a Future Development and General Retail zoning district to Planned Development-Mixed-Use Residential, located W of 2374 W Highway 287 Bypass (Property IDs 185971, 185972, 185886, 185978) - Owner: CAROLYN J HAMAN (ZDC-72-2020)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-72-2020 to the Planning and Zoning Commission meeting of December 15, 2020.

6. Consider recommendation for Zoning Change No. ZDC-72-2020

Action:

Mrs. Bonney Ramsey moved to continue the Public Hearing on a request by Phillip Fisher, Macatee Engineering LLC, for a Zoning Change from a Future Development and General Retail zoning district to Planned Development-Mixed-Use Residential, located W of 2374 W Highway 287 Bypass (Property IDs 185971, 185972, 185886, 185978) - Owner: CAROLYN J HAMAN (ZDC-72-2020) to the Planning and Zoning Commission meeting of December 15, 2020. Mr. Jim Phillips seconded, All Ayes.

7. Consider request by Laura Bower, Trans Texas Surveying, for a Plat of James Hardie Building Products Manufacturing Site for 1 lot being 54.295 acres situated in the A Brown Survey, Abstract 102, A Pruett Survey, Abstract 848, J Shaver Survey, Abstract 1000, and the J Starrett Survey, Abstract 1024 (Property ID 142110, 189384) – Owner: JAMES HARDIE BUILDING PRODUCTS INC (SUB-138-2020)

Planner Chris Webb reported the applicant is requesting to replat two properties into one (1) commercial lot. Mr. Webb stated in lieu of Park Land Dedication fees totaling \$32,577.00, the city is requesting the applicant establish improved screening and vegetation along the portion of their property adjacent to Highway 77. Should the applicant decline to screen the property, they will be required to pay the full Park Land dedication fee. Staff recommended approval.

Action:

Mr. David Hudgins moved to approve a request by Laura Bower, Trans Texas Surveying, for a Plat of James Hardie Building Products Manufacturing Site for 1 lot being 54.295 acres situated in the A Brown Survey, Abstract 102, A Pruett Survey, Abstract 848, J Shaver Survey, Abstract 1000, and the J Starrett Survey, Abstract 1024 (Property ID 142110, 189384) – Owner: JAMES HARDIE BUILDING PRODUCTS INC (SUB-138-2020) as presented. Mrs. Bonney Ramsey seconded, All Ayes.

8. Public Hearing on a request by Jeri Thomas, Thomas & Burns, for a Replat of Lot 43, Ferris Second Addition, to create Lots 43A and 43B, Ferris Second Addition, 0.425 acres (Property ID 173386) – Owner: JERI A THOMAS (SUB-131-2020)

Chairman Keeler opened the Public Hearing.

Mr. Webb reported the applicant is requesting a replat to divide Lot 43, Ferris Second Addition into Lot 43A and 43B with Lot 43A fronting Ferris Avenue and Lot 43B consisting of the shop in the backyard. for the The applicant is also requesting that a petition of hardship waiver be granted by City Council to allow establishment of Lot 43B and allow the proposed lot from Cow Alley without establishing direct access to Ferris Avenue. Mr. Webb reviewed staff concerns which does not have right-of-way access to the proposed lots. He recommended disapproval based on the applicant not being in compliance with the City of Waxahachie Subdivision Ordinance.

Mr. Larry Burns, applicant, 1316 Ferris Avenue, Waxahachie, requested a petition of hardship waiver from City Council to allow for the replat of the proposed property, and allow Lot 43B to front Cow Alley instead of providing access to the proposed Lot 43B from Ferris Avenue.

There being no others to speak for or against SUB-131-2020, Chairman Keeler closed the Public Hearing.

9. Consider approval of SUB-131-2020

Action:

Vice Chairman Melissa Ballard moved to disapprove a request by Jeri Thomas, Thomas & Burns, for a Replat of Lot 43, Ferris Second Addition, to create Lots 43A and 43B, Ferris Second Addition, 0.425 acres (Property ID 173386) – Owner: JERI A THOMAS (SUB-131-2020) per staff comments. Ms. Bonney Ramsey seconded, All Ayes.

10. Public Hearing on a request by Kimberly Caldwell for a Specific Use Permit (SUP) for Family Home use within a Planned Development-Single Family Residential-2 zoning district located at 137 Valley Ranch Drive (Property ID 232345) - Owner: KIMBERLY CALDWELL and RICHARD & CELESTE GRAY (ZDC-140-2020)

Chairman Keeler opened the Public Hearing.

Planner Colby Collins reported during a city health inspection, staff noticed the applicant did not have the required Specific Use Permit approval to operate the existing Family Home. He noted the owner was not aware of the required SUP. The Family Home has been legally licensed and regulated by the Texas Department of Health and Human Services for years. Staff recommended approval.

There being no others to speak for or against ZDC-140-2020, Chairman Keeler closed the Public Hearing.

11. Consider recommendation of Zoning Change No. ZDC-140-2020

Action:

Mrs. Bonney Ramsey moved to approve a request by Kimberly Caldwell for a Specific Use Permit (SUP) for Family Home use within a Planned Development-Single Family Residential-2 zoning district located at 137 Valley Ranch Drive (Property ID 232345) - Owner: KIMBERLY CALDWELL and RICHARD & CELESTE GRAY (ZDC-140-2020). Mr. Erik Test seconded, All Ayes.

12. Public Hearing on a request by Anthony Hopkins, Waxahachie Golf Club, for a Specific Use Permit (SUP) for Private Country Club use within a Single Family Residential-1 zoning district located at 1920 W Highway 287 Business (Property ID 179581) - Owner: VARGAS SUMMIT II LLC (ZDC-142-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting approval for a Specific Use Permit to allow the operation of a Private Country Club use with the sale of alcohol. He noted approval will bring the property in compliance and staff recommended approval.

There being no others to speak for or against ZDC-142-2020, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. ZDC-142-2020

Action:

Mr. David Hudgins moved to approve a request by Anthony Hopkins, Waxahachie Golf Club, for a Specific Use Permit (SUP) for Private Country Club use within a Single Family Residential-1 zoning district located at 1920 W Highway 287 Business (Property ID 179581) - Owner: VARGAS SUMMIT II LLC (ZDC-142-2020). Vice Chairman Melissa Ballard seconded, All Ayes.

14. Public Hearing on a request by Christopher Anderson, JC's, for a Specific Use Permit (SUP) for Convenience Store use within a General Retail zoning district located at 211 Ennis Street, Suite A (being a portion of Property ID 171493) - Owner: DAVID TERRY JR (ZDC-135-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting approval to allow a convenience store within an existing retail building. He stated the current two-suite building consists of a barbershop in Suite B and Suite A is vacant. The applicant intends to occupy the vacant suite to operate a convenience store. Staff recommended approval.

Mr. Christopher Anderson, applicant, 616 Martin Luther King Boulevard, Waxahachie, stated he is looking to better his community by providing a convenience store noting he has the required parking spaces for the location.

There being no others to speak for or against ZDC-135-2020, Chairman Keeler closed the Public Hearing.

15. Consider recommendation of Zoning Change No. ZDC-135-2020

Action:

Mr. Jim Phillips moved to approve a request by Christopher Anderson, JC's, for a Specific Use Permit (SUP) for Convenience Store use within a General Retail zoning district located at 211 Ennis Street, Suite A (being a portion of Property ID 171493) - Owner: DAVID TERRY JR (ZDC-135-2020). Ms. Betty Square Coleman seconded, All Ayes.

16. Public Hearing on a request by Akhila Gondi, Triangle Engineering LLC, for a Specific Use Permit (SUP) for Auto Parts and Accessory Sales use within a Planned Development-General Retail zoning district located S of 2980 N Highway 77 (being a portion of Property ID 189379) - Owner: CRYSTAL S SHRIDHARANI (ZDC-137-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting approval to allow an Auto Parts and Accessory Sales store on one (1) acre being an O'Reilly's Auto Parts. He stated staff's concern is the sewer should be installed in the utility easement and not the TxDOT right of way. Mr. Collins stated a mutually agreed upon Development Agreement is required for the property.

There being no others to speak for or against ZDC-137-2020, Chairman Keeler closed the Public Hearing.

17. Consider recommendation of Zoning Change No. ZDC-137-2020

Action:

Vice Chairman Melissa Ballard moved to approve a request by Akhila Gondi, Triangle Engineering LLC, for a Specific Use Permit (SUP) for Auto Parts and Accessory Sales use within a Planned Development-General Retail zoning district located S of 2980 N Highway 77 (being a portion of Property ID 189379) - Owner: CRYSTAL S SHRIDHARANI (ZDC-137-2020) per staff comments and development agreement. Ms. Betty Square Coleman seconded, All Ayes.

18. Public Hearing on a request by Keri Illauer for a Specific Use Permit (SUP) for Accessory Building +700 SF use within a Single Family Residential-2 zoning district located at 103 Poplar Street (Property ID 176750) - Owner: KERI GODDARD (ZDC-147-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting to construct an accessory structure in the rear of a single-family zoned property. The applicant intends to use the accessory structure as a pool house and accessory dwelling unit. Staff recommended approval per the following comments:

- Improvements are made to the primary structure prior to beginning construction for the accessory structure
- Staff suggests that the applicant lower the proposed roof pitch to be in character with the surrounding area
- The accessory dwelling cannot be used to rent to outside tenants

After a lengthy discussion with the applicant, Ms. Keri Illauer-Goddard, 103 Poplar Street, Waxahachie, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. ZDC-147-2020

Action:

Mr. David Hudgins moved to approve a request by Keri Illauer for a Specific Use Permit (SUP) for Accessory Building +700 SF use within a Single Family Residential-2 zoning district located at 103 Poplar Street (Property ID 176750) - Owner: KERI GODDARD (ZDC-147-2020) subject to staff comments. Mr. Erik Test seconded, All Ayes.

- 20. Continue Public Hearing on a request by Paula Justice, Secure More Storage, for a Zoning Change from a Light Industrial-2 and Single-Family Residential-2 zoning district to Planned Development-Light Industrial-2, located at 602 Cantrell Street (Property ID 189795) - Owner: SECURE MORE STORAGE CORP (ZDC-130-2020)**

Chairman Keeler announced the applicant withdrew ZDC-130-2020.

- 21. Consider recommendation of Zoning Change No. ZDC-130-2020**

Action:

None

- 22. Adjourn**

There being no further business, the meeting adjourned at 7:49 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary