

Planning and Zoning Commission
March 9, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, March 9, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Macey Martinez, Graduate Engineer
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. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of February 23, 2021
- b. Minutes of the Planning and Zoning Commission briefing of February 23, 2021

Action:

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

5. **Public Hearing on a request by Christopher Morris, for a Replat of Part of Lot 9, Block 106 and a Part of Lot 7, Block 158, Town Addition, to create Lot 1 and Lot 2, Block 1, Morris Addition, 0.581 acres (Property ID 171111) – Owner: CHRISTOPHER & AMY K. MORRIS (SUB-9-2021)**

Chairman Keeler opened the Public Hearing.

Senior Planner Colby Collins reviewed the case noting the applicant is requesting to replat the subject property into two lots for residential use and staff recommended approval as presented.

There being no others to speak for or against SUB-9-2021, Chairman Keeler closed the Public Hearing.

6. Consider approving SUB-9-2021

Action:

Mr. Jim Phillips moved to approve a request by Christopher Morris, for a Replat of Part of Lot 9, Block 106 and a Part of Lot 7, Block 158, Town Addition, to create Lot 1 and Lot 2, Block 1, Morris Addition, 0.581 acres (Property ID 171111) – Owner: CHRISTOPHER & AMY K. MORRIS (SUB-9-2021). Mr. David Hudgins seconded, All Ayes.

7. Public Hearing on a request by Sterling Reid, Reid Construction, LLC, for a Replat of Lot 14, Block 63, Town Addition, to create Lot 1 and Lot 2, Block 1, Sterling Addition, 0.371 acres (Property ID 170997) – Owner: REID CONSTRUCTION, LLC (SUB-183-2021)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting to replat the subject property into two (2) lots for residential use and requesting a petition of relief waiver for right-of-way (ROW) dedication. Mr. Collins explained staff believes a 10' ROW dedication for this property is sufficient.

Ms. Betty Square Coleman expressed her concern with incomplete development, landscape issues, and quality of work. She noted she is not in support of splitting the large lot to make two infill lots.

Chairman Keeler noted staff reviewed the size of the surrounding lots and the request is consistent and in compliance with all plat requirements.

Planning Director Shon Brooks explained the Zoning Ordinance identifies landscape requirements and the applicant will have to comply with building codes. He noted if there is an issue with the infill ordinance, it can be reevaluated by the Commission and City Council.

There being no others to speak for or against SUB-183-2021, Chairman Keeler closed the Public Hearing.

8. Consider approving SUB-183-2021

Action:

Mr. Jim Phillips moved to approve a request by Sterling Reid, Reid Construction, LLC, for a Replat of Lot 14, Block 63, Town Addition, to create Lot 1 and Lot 2, Block 1, Sterling Addition, 0.371 acres (Property ID 170997) – Owner: REID CONSTRUCTION, LLC (SUB-183-2021) and petition of relief waiver request. Ms. Bonney Ramsey seconded, the vote was as follows: Ayes: Rick Keeler, Bonney Ramsey, Jim Phillips, David Hudgins, and Erik Test. Noes: Betty Square Coleman.

The motion carried.

9. Public Hearing on a request by Regina Sias, Nina's House Child Care, for a Specific Use Permit (SUP) for Family Home use within a Planned Development – Single Family – 3 zoning district located at 205 Nottingham Drive (Property ID 220880) - Owner: CHRIS, SHERRIE, & DIANE CARLINO (ZDC-8-2021)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting to change the zoning of this property from Planned Development-43-Single-Family-3 (PD-43-SF-3) to Planned Development-43-Single-Family-3 with a Specific Use Permit for family home use for an in home day care. He explained the applicant is licensed with the State to care for a maximum of 12 children between ages of newborn to 5 years old.

Mr. Jim Phillips inquired about the length of operation at the current address.

Ms. Regina Sias, 205 Nottingham, noted she has been at the Nottingham location since December and was at her previous residence operating for more than 11 years.

There being no others to speak for or against ZDC-8-2021, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. ZDC-8-2021

Action:

Ms. Bonney Ramsey moved to approve a request by Regina Sias, Nina's House Child Care, for a Specific Use Permit (SUP) for Family Home use within a Planned Development – Single Family – 3 zoning district located at 205 Nottingham Drive (Property ID 220880) - Owner: CHRIS, SHERRIE, & DIANE CARLINO (ZDC-8-2021) as presented. Mr. Erik Test seconded, All Ayes.

11. Continue Public Hearing on a request by Islam Diab, ADTM Engineering & Construction Corp., for a Zoning Change from a General Retail and Planned Development-Single Family Residential-3 zoning district to Planned Development-General Retail, located at the SW corner of Farley Street at Highway 287 (Property ID 181802) - Owner: KSAM LLC (ZDC-186-2021)

Chairman Keeler continued the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting to construct three buildings consisting of an office, convenience store with gasolines sales, and a multi-tenant retail building with a drive-thru restaurant on two lots totaling 3.52 acres. He explained staff had concerns with the building façade/elevations presented at the February 23rd meeting and the applicant has proposed two options to meet staff concerns.

Option 1:

The applicant is proposing an Elevation/Façade Plan that depicts average percentages of nearly 75% brick and 25% stone. The applicant has removed stucco from this option.

Option 2:

The applicant is proposing an Elevation/Façade Plan that depicts average percentages of nearly 50% brick and 50% stone. In comparison to the Elevation/Façade Plan presented on February 23rd the stone replaces where the stucco material was originally presented. The applicant has removed stucco from this option.

Mr. Collins noted the applicant is asking for the following variances from the City of Waxahachie Zoning Ordinance:

- Location of the dumpster enclosure to be in the setback of Lot 1
- The rear setback of Lot 1 to be 20' instead of 25'

Mr. Mike Alturk, 1913 Middleton Drive, Mansfield, Texas, asked for the Commission's recommendation on the options for Elevation/Façade plan. It was the consensus of the Commission to recommend Option 1 including the awnings.

There being no others to speak for or against ZDC-186-2021, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. ZDC-186-2021

Action:

Mr. David Hudgins moved to approve a request by Islam Diab, ADTM Engineering & Construction Corp., for a Zoning Change from a General Retail and Planned Development-Single Family Residential-3 zoning district to Planned Development-General Retail, located at the SW corner of Farley Street at Highway 287 (Property ID 181802) - Owner: KSAM LLC (ZDC-186-2021) per Staff Comments, supporting variance request, and supporting Option 1. Ms. Betty Square Coleman seconded, All Ayes.

13. Adjourn

There being no further business, the meeting adjourned at 7:25 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary