

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, July 27, 2021 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Commission Members: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of July 13, 2021
 - b. Minutes of the Planning and Zoning Commission briefing of July 13, 2021
5. ***Continue Public Hearing*** on a request by George Salvador, Waxahachie One, LLC, for a **Zoning Change** from a Single Family-1 to Single Family-3, located at 401 Ovilla Road (being Property ID 180391) - Owner: EIS DEVELOPMENT II, LLC (ZDC-84-2021)
6. ***Consider*** recommendation of Zoning Change No. ZDC-84-2021
7. ***Continue Public Hearing*** on a request by Shea Kirkman for a **Zoning Change** from a Commercial zoning district to Planned Development-Light Industrial, located just North of 1800 W Highway 287 Bypass (Property ID 279123) - Owner: SANDSTONE 93 PARTNERS, LTD (ZDC-58-2021)
8. ***Consider*** recommendation of Zoning Change No. ZDC-58-2021

9. **Public Hearing** on a request by Josh Dunlap for a **Zoning Change** from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)
10. **Consider** recommendation of Zoning Change No. ZDC-105-2021
11. **Consider** a **Plat** request by Todd Wintters, Engineering Concept and Design, L.P., for a **Plat** of Garden Valley Ranch Church for one (1) lot, being 1.017 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 231109) – Owner: The Church of Jesus Christ (SUB-86-2021)
12. **Public Hearing** on a request by Heather Fritz for a **Specific Use Permit (SUP)** for an **Accessory Building, Used as a Dwelling Unit** use within a Single Family-2 zoning district located at 605 W Main Street (Property ID 171009) - Owner: HEATHER M FRITZ (ZDC-103-2021)
13. **Consider** recommendation of Zoning Change No. ZDC-103-2021
14. **Public Hearing** on request by Kristy Smith, Signs Manufacturing & Maintenance Corporation, for a **Specific Use Permit (SUP)** for a **Pole Sign** use within a Commercial zoning district located at 624 Ovilla Road (Property ID 223977) - Owner: EPISCOPAL DIOCESE OF DALLAS (ZDC-96-2021)
15. **Consider** recommendation of Zoning Change No. ZDC-96-2021
16. **Public Hearing** on a request by Perry Thompson, Thompson Architectural Group, Inc., for a **Specific Use Permit (SUP)** for a **Heavy Machinery And Equipment Rental, Sales, Or Storage** use within a Commercial zoning district located at 1313 N Interstate 35 (Property ID 180355) - Owner: JP TYLER, LLC (ZDC-100-2021)
17. **Consider** recommendation of Zoning Change No. ZDC-100-2021
18. Adjourn

The P&Z reserves the right to go into Executive Session on any posted item.

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4005 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

(4a)

Planning and Zoning Commission
July 13, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, July 13, 2021 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, Planning Manager
Chris Webb, Senior Planner
Macey Martinez, Graduate Engineer
Zack King, Planner
Amber Villarreal, City Secretary
Melissa Olson, 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 June 29, 2021
- b. Minutes of the Planning and Zoning Commission briefing of June 29, 2021

Action:

Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Ms. Betty Square Coleman seconded, All Ayes.

5. **Continue Public Hearing on a request by Ross Graves, Triten Real Estate Partners, for a Specific Use Permit (SUP) for Auto Parking Lot, Trucks and Trailers & Outdoor Storage use within a Light Industrial-1 zoning district located at 7240 N I35 (Property ID 186924) - Owner: TPRF V/TREP ISF WAXA, LLC (ZDC-60-2021)**

Chairman Keeler announced the applicant requested to withdraw the case.

6. **Consider recommendation of Zoning Change No. ZDC-60-2021**

No action taken.

(4a)

7. **Consider a plat request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Gibson Place for one (1) lot being 3.111 acres situated in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: Ellis H&B, LLC. (SUB-56-2021)**

Senior Planner Chris Webb presented the case noting the applicant is requesting to plat the subject property into one lot for residential use and staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve plat request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Gibson Place for one (1) lot being 3.111 acres situated in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: Ellis H&B, LLC. (SUB-56-2021) as presented. Mr. David Hudgins seconded, All Ayes.

8. **Consider request by David Norris, Foresite Group, LLC, for a Final Plat of The Hamilton Addition, for 1 lot, being 7.7918 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 275562) – Owner: KALTERRA CAPITAL PARTNERS, LLC (SUB-92-2021)**

Mr. Webb presented the case noting the applicant is requesting to plat the subject property into one lot for multi-family residential use and staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by David Norris, Foresite Group, LLC, for a Final Plat of The Hamilton Addition, for 1 lot, being 7.7918 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 275562) – Owner: KALTERRA CAPITAL PARTNERS, LLC (SUB-92-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.

9. **Public Hearing on a request by Terri Atteberry, for a Specific Use Permit (SUP) for an Accessory Building +700 SF located at 131 Lakeshore Drive (Property ID 182032) - Owner: GERALD D SKINNER, JR & TERRI L ATTEBERRY (ZDC-94-2021)**

Chairman Keeler opened the Public Hearing.

Planning Manager Colby Collins presented the case noting the applicant is requesting to construct a +700 sq. ft. (1,095 sq. ft.) accessory structure on a single-family property and requesting a variance to side yard setback for the proposed structure. Mr. Collins explained the side yard setback requirement is 10 ft. and the applicant is proposing a minimum 7 ft. 2 in. side yard setback. He also noted 10 letters of support were received from the neighborhood. Staff recommended approval per the following staff comments:

1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
2. A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.

(4a)

Planning and Zoning Commission
July 13, 2021
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3. The structure shall not be used as a dwelling.

There being no others to speak for or against ZDC-94-2021, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. ZDC-94-2021

Action:

Vice Chairman Melissa Ballard moved to approve a request by Terri Atteberry, for a Specific Use Permit (SUP) for an Accessory Building +700 SF located at 131 Lakeshore Drive (Property ID 182032) - Owner: GERALD D SKINNER, JR & TERRI L ATTEBERRY (ZDC-94-2021) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

11. Adjourn

City Secretary Amber Villarreal introduced and welcomed Assistant City Secretary Jami Bonner.

There being no further business, the meeting adjourned at 7:07 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning and Zoning Commission
July 13, 2021

(467)

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, July 13, 2021 at 6:30 p.m. in the City Council Conference Room 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, Planning Manager
Chris Webb, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

Senior Planner Chris Webb reviewed the following cases:

- SUB-56-2021, staff recommended approval as presented.
- SUB-92-2021, staff recommended approval as presented.

Planning Manager Colby Collins reviewed the following cases:

- ZDC-60-2021, the applicant withdrew the case.
- ZDC-94-2021, staff recommended approval per staff comments.

3. Adjourn

There being no further business, the meeting adjourned at 6:38 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5+6)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: July 19, 2021

Re: ZDC-84-2021 – Dominion Park

On July 13, 2021, the applicant requested to withdraw case number ZDC-84-2021 from the July 27, 2021 Planning and Zoning meeting agenda and the August 2, 2021 City Council meeting agenda.

(7+8)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: July 22, 2021

Re: ZDC-58-2021 – Sandstone Industrial Development

On July 22, 2021, the applicant requested to withdraw case number ZDC-58-2021 from the July 27, 2021 Planning and Zoning Commission meeting agenda and the August 2, 2021 City Council meeting agenda.

(9+10)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: July 19, 2021

Re: ZDC-105-2021 – Gibson Crossing

On July 8, 2021, 2021 the applicant requested to continue case number ZDC-105-2021 from the July 27, 2021 Planning and Zoning Commission meeting agenda and the August 2, 2021 City Council meeting agenda to the August 10, 2021 Planning and Zoning Commission meeting agenda, and the August 16, 2021 City Council meeting agenda.

Planning & Zoning Department

Plat Staff Report

Case: SUB-86-2021



MEETING DATE(S)

Planning & Zoning Commission: July 27, 2021

CAPTION

Consider a plat request by Todd Wintters, Engineering Concept and Design, L.P., for a **Plat** of Garden Valley Ranch Church for one (1) lot, being 1.017 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 231109) – Owner: The Church of Jesus Christ (SUB-86-2021)

APPLICANT REQUEST

The applicant is requesting to plat this property into one (1) lot to allow for a church.

CASE INFORMATION

Applicant: Todd Wintters, Engineering Concept and Design, L.P.

Property Owner(s): The Church of Jesus Christ

Site Acreage: 1.017 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

Park Land Dedication: Cash in lieu of park land dedication is calculated to be \$610.20 (\$600.00/acre at 1.017 acres).

Adequate Public Facilities: Adequate public facilities are available to this site.

SUBJECT PROPERTY

General Location: 435 Broadhead Rd

Parcel ID Number(s): 231109

Current Zoning: General Retail

Existing Use: Undeveloped

Platting History: The subject property is situated in the J.B. & Ann Adams Survey, Abstract 5.

Site Aerial:



PLATTING ANALYSIS

Overview:

The applicant is requesting to plat the subject property into one lot for the establishment of a church on this site. As part of the plat, 50' of land has been dedicated for the use of Right-of-Way (ROW) along Broadhead Rd. Adequate public facilities are accessible to this site as well.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Disapproval
☒ Approval, as presented.

ATTACHED EXHIBITS

1. Plat Drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

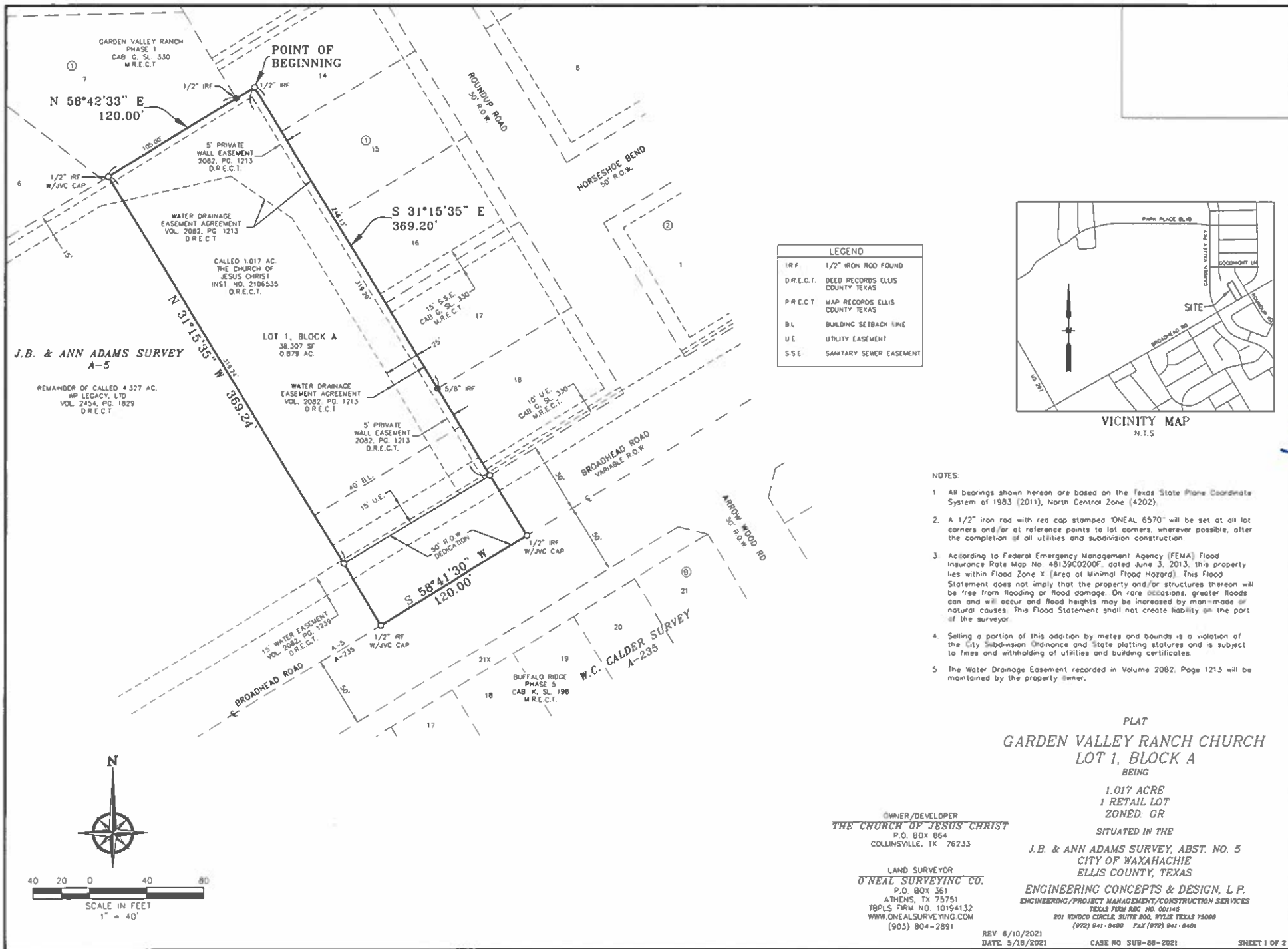
1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

(11)

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Senior Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



NOTES:

- All bearings shown hereon are based on the Texas State Plane Coordinate System of 1983 (2011), North Central Zone (4202).
- A 1/2" iron rod with red cap stamped "ONEAL 6570" will be set at all lot corners and/or at reference points to lot corners, wherever possible, after the completion of all utilities and subdivision construction.
- According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map No. 48139C0200F, dated June 3, 2013, this property lies within Flood Zone X (Area of Minimal Flood Hazard). This Flood Statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Flood Statement shall not create liability on the part of the surveyor.
- Selling a portion of this addition by metes and bounds is a violation of the City Subdivision Ordinance and State platting statutes and is subject to fines and withholding of utilities and building certificates.
- The Water Drainage Easement recorded in Volume 2082, Page 1213 will be maintained by the property owner.

PLAT GARDEN VALLEY RANCH CHURCH LOT 1, BLOCK A BEING

1.017 ACRE
1 RETAIL LOT
ZONED: GR

SITUATED IN THE

J.B. & ANN ADAMS SURVEY, ABST. NO. 5
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS REG. NO. 061145
201 WINDO CIRCLE, SUITE 100, P.O. BOX 75000
(972) 941-8400 FAX (972) 941-8401

OWNER/DEVELOPER
THE CHURCH OF JESUS CHRIST
P.O. BOX 864
COLLINSVILLE, TX 76233

LAND SURVEYOR
ONEAL SURVEYING CO.
P.O. BOX 361
ATHENS, TX 75751
TBP/S FIRM NO. 10194132
WWW.ONEALSURVEYING.COM
(903) 804-2891

REV 6/10/2021
DATE: 5/18/2021

CASE NO SUB-86-2021

SHEET 1 OF 2

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, THE CHURCH OF JESUS CHRIST, BEING THE OWNER OF a tract of land situated in the J.B. & Ann Adams Survey, Abstract No. 5, City of Waxahachie, Ellis County, Texas and being part of that tract of land described in Deed to THE CHURCH OF JESUS CHRIST, as recorded in Instrument Number 2106535, Deed Records, Ellis County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the common northeast corner of said The Church of Jesus Christ tract and an interior # corner of Garden Valley Ranch Phase 1, an Addition to the City of Waxahachie, Ellis County, Texas according to the Plat thereof recorded in Cabinet G, Page 330, Map Records, Ellis County, Texas:

THENCE South 31 degrees 15 minutes 35 seconds East, passing of a distance of 248.13 feet a 5/8 inch iron rod found for corner, and continuing in all for a total distance of 369.20 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" found in the northwest line of Broadhead Road, a 50 foot right-of-way, for the common southeast corner of said The Church of Jesus Christ tract and an exterior # corner of said Addition;

THENCE South 58 degrees 41 minutes 30 seconds West, with said northwest line, a distance of 120.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" found at the southwest corner of said The Church of Jesus Christ tract;

THENCE North 31 degrees 15 minutes 35 seconds West, leaving said northwest line, a distance of 369.24 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" found in the south line of said Addition at the northwest corner of said The Church of Jesus Christ tract;

THENCE North 58 degrees 42 minutes 33 seconds East, with said south line, passing at a distance of 105.00 feet a 1/2 inch iron rod found for corner, and continuing in all for a total distance of 120.00 feet to the POINT OF BEGINNING and containing 1.017 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That THE CHURCH OF JESUS CHRIST, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as GARDEN VALLEY RANCH CHURCH, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this the ____ day of _____, 2021

FOR: THE CHURCH OF JESUS CHRIST

BY: _____
NAME:
TITLE:

STATE OF TEXAS
COUNTY OF ELLIS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2021

Notary Public in and for the State of Texas
My Commission Expires:

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Daniel Chase O'Neal, do hereby certify that this plat was prepared under my supervision from an actual and accurate survey of the land and that the corner monuments shown thereon as set will be properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

Given under my hand and seal of office, this ____ day of _____, 2021

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE FOR FINAL PLAT REVIEW PURPOSES.

DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6570

APPROVAL CERTIFICATE

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

BY: _____
Chairperson Date
Attest _____
Date

PLAT
GARDEN VALLEY RANCH CHURCH
LOT 1, BLOCK A
BEING

1.017 ACRE
1 RETAIL LOT
ZONED: GR

OWNER/DEVELOPER
THE CHURCH OF JESUS CHRIST
P.O. BOX 864
COLLINSVILLE, TX 76233

LAND SURVEYOR
O'NEAL SURVEYING CO.
P.O. BOX 361
ATHENS, TX 75751
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SITUATED IN THE
J.B. & ANN ADAMS SURVEY, ABST. NO. 5
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ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001143
201 VENDOR CIRCLE, SUITE 100, WYLLIE, TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

REV: 6/10/2021
DATE: 5/18/2021

CASE NO. SUB-06-2021

SHEET 2 OF 2

(12)
15

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-103-2021



MEETING DATE(S)

Planning & Zoning Commission: July 27, 2021

City Council: August 2, 2021

CAPTION

Public Hearing on a request by Heather Fritz, for a **Specific Use Permit (SUP)** for an **Accessory Building, Used as a Dwelling Unit** use within a Single Family-2 zoning district located at 605 W Main Street (Property ID 171009) - Owner: HEATHER M FRITZ (ZDC-103-2021)

APPLICANT REQUEST

The applicant is requesting to amend Ordinance 1986 to alter an existing two story accessory structure (600 sq. ft.), to an accessory dwelling.

If approved, it would allow an accessory dwelling unit on the first floor with studio space on the second floor.

CASE INFORMATION

<i>Applicant:</i>	Heather Fritz
<i>Property Owner(s):</i>	Heather Fritz
<i>Site Acreage:</i>	0.223 acres
<i>Current Zoning:</i>	Single-Family-2 (Ord. 1986)
<i>Requested Zoning:</i>	Single Family-2

SUBJECT PROPERTY

<i>General Location:</i>	605 W Main Street
<i>Parcel ID Number(s):</i>	171009
<i>Existing Use:</i>	Single Family Residence
<i>Development History:</i>	On September 13, 1999, City Council approved Ordinance 1986 to allow a 600 sq. ft. accessory structure (garage) at the subject property.

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	GR	Single Family Residence/Carriage House Apartments
East	SF1	Sims Library
South	SF1	Single Family Residences
West	SF1	Single Family Residences

Future Land Use Plan:

Retail

Comprehensive Plan:

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than do other types of nonresidential land use (e.g., office, commercial).

Thoroughfare Plan:

The subject property is accessible via W. Main St. and alley access along S. Hawkins St.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to amend Ordinance 1986 to alter an existing two story accessory structure (600 sq. ft.), to an accessory dwelling. At the time of approval (September 13, 1999), the Ordinance (Ord. 1986) allowed the applicant to construct an accessory structure (garage) to exceed 200 sq. ft.

If approved, it would allow an accessory dwelling unit on the first floor with studio space on the second floor.

Ellis County Appraisal District states that the primary structure on the property is 2,328 sq. ft. Per the City of Waxahachie Zoning Ordinance, an accessory building used as a dwelling unit in Single Family-2 zoning requires a SUP to be approved by City Council.

(12)
+13

Proposed Use:

The applicant is requesting approval to alter an existing two-story three car garage consisting of 600 sq. ft. (30x20), to an accessory dwelling/mother-in-law unit. Proposed changes of the existing structure include(s):

- Alteration of the 2nd floor attic into a studio with full bath
- Open deck and new stairs down to the existing patio
- New ramp system will be constructed to provide access from the accessory dwelling to the primary structure.

Note: No new interior square footage is being added to the structure.

Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, the Building Inspections department will ensure construction complies with all regulations.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received one (1) letter of support for the proposed development.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ **Approval, per the following comments:**
 1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
 2. The accessory dwelling unit shall not be used for residence by a non-family member.
 3. The structure shall in any case not be leased or sold and shall not be separately metered.
 4. Any revisions not included in the Planned Development Amendment shall meet the Ordinance 1986 requirements.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Site Layout Plan
3. Ordinance 1986

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Planning Manager
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(12)
+13

PropertyID	Owner's Name	Acreage	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
170952	JENKINS CLAY L	0.144	LOT 1B BLK 73 TOWN 0.144 AC	516 W MAIN ST STE B	WAXAHACHIE	TX	75165	516 W MAIN ST WAXAHACHIE TX 75165
170959	POARCH PROPERTIES LLC	0.778	LOT 1A BLK 72 TOWN 778 AC	1119 W MARVIN AVE	WAXAHACHIE	TX	75165	605 W MAIN ST WAXAHACHIE TX 75165
170970	COURT APPOINTED SPECIAL ADVOCATES OF ELLIS COUNTY INC	0.179	LOT 2A BLK 72 TOWN 179 AC	601 WATER ST	WAXAHACHIE	TX	75165	601 WATER ST WAXAHACHIE TX 75165
171009	FRITZ HEATHER M	0.223	LOT 3 BLK 83 TOWN 223 AC	605 W MAIN ST	WAXAHACHIE	TX	75165	605 W MAIN ST WAXAHACHIE TX 75165
171017	RITCHEY PATRICK A & KRISTAN N	0.335	LOT 1 BLK 82 & LOT 4 BLK 83 TOWN 0.335 ACRES	604 W JEFFERSON ST	WAXAHACHIE	TX	75165	604 W JEFFERSON ST WAXAHACHIE TX 75165
171018	RILEY JAMES M & DENISE G	0.318	LOT 4 BLK 82 TOWN 318 AC	600 W JEFFERSON ST	WAXAHACHIE	TX	75165	600 W JEFFERSON ST WAXAHACHIE TX 75165
171019	GALIBAN MARY A	0.315	LOT 1 BLK 83 TOWN 315 AC	608 W JEFFERSON ST	WAXAHACHIE	TX	75165	608 W JEFFERSON ST WAXAHACHIE TX 75165
175476	AULETA FRANK J	0.285	LOT 2A.3 BLK 1 C P ROGERS ADDN 0.285 AC	705 W MAIN ST	WAXAHACHIE	TX	75165	705 W MAIN ST WAXAHACHIE TX 75165
175480	SOUTER PATRICK D & LORI	0.298	LOT 1R BLK 4 C P ROGERS ADDN 0.298 AC	700 W MAIN ST	WAXAHACHIE	TX	75165	700 W MAIN ST WAXAHACHIE TX 75165
175485	CROSS KATHRYN A	0.249	LOT 1 & 2B BLK 1 C P ROGERS ADDN 0.249 AC	701 WEST MAIN ST	WAXAHACHIE	TX	75165	701 W MAIN ST WAXAHACHIE TX 75165
193408	JENKINS CLAY L	0.682	LOT 1B & 2B BLK 72 TOWN 682 AC	516 W MAIN ST STE B	WAXAHACHIE	TX	75165	604 W MAIN ST WAXAHACHIE TX 75165
193795	SIMS LIBRARY	0.465	LOT 2 & 3 BLK 82 TOWN 465 AC	515 W MAIN ST	WAXAHACHIE	TX	75165	601 W MAIN ST WAXAHACHIE TX 75165
193804	SIMS LIBRARY	1.717	LOT PT BLK 80 TOWN 1.717 AC	515 W MAIN ST	WAXAHACHIE	TX	75165	515 W MAIN ST WAXAHACHIE TX 75165
207158	RUSHING KATHY A L/E RONALD HASKINS F II & EDD HASKINS B HASKINS	0.121	LOT 13R BLK 1 C P ROGERS ADDN 0.121 AC	110 S HAWKINS	WAXAHACHIE	TX	75165	110 S HAWKINS ST WAXAHACHIE TX 75165
207159	WILLIAMS SAVANNAH O	0.146	LOT 14R BLK 1 C P ROGERS ADDN 0.146 AC	108 S HAWKINS ST	WAXAHACHIE	TX	75165	108 S HAWKINS ST WAXAHACHIE TX 75165
207160	BOSHER EMILY & KIMBERLY BOSHER	0.115	LOT 15R BLK 1 C P ROGERS ADDN 0.115 AC	106 S HAWKINS ST	WAXAHACHIE	TX	75165	106 S HAWKINS ST WAXAHACHIE TX 75165
171020	PROPERTY OWNER			609 W MAIN ST	WAXAHACHIE	TX	75165	609 W MAIN ST WAXAHACHIE TX 75165



(12)
13

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-103-2021

RECEIVED JUL 15 2021

RITCHEY PATRICK A & KRISTAN N
604 W JEFFERSON ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 27, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 2, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Heather Fritz, for a Specific Use Permit (SUP) for an Accessory Building, Used as a Dwelling Unit use within a Single Family-2 zoning district located at 605 W Main Street (Property ID 171009) - Owner: HEATHER M FRITZ (ZDC-103-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-103-2021

City Reference: 171017

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Tuesday, July 20, 2021 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Signature

PATRICK RITCHEY - Homeowner
Printed Name and Title

Date

7/15/21
604 W. JEFFERSON ST
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

Schematic Design Exhibits For:

Alterations to and a Change of Use for the:

Manigrasso Residence

605 W. Main Waxahachie, Texas 75165

SUP Documents For The
Manigrasso Residence
605 W. Main Waxahachie, Texas 75165

3/11/21



308 East Market Avenue
Waxahachie, TX 75165
© 817 823 2289

Designed by	A. Mottla	Date
Drawn by	MM	Date
Checked by	A. Mottla	Date
C.A. by	A. Mottla	Date

www.mottlaarchitects.com

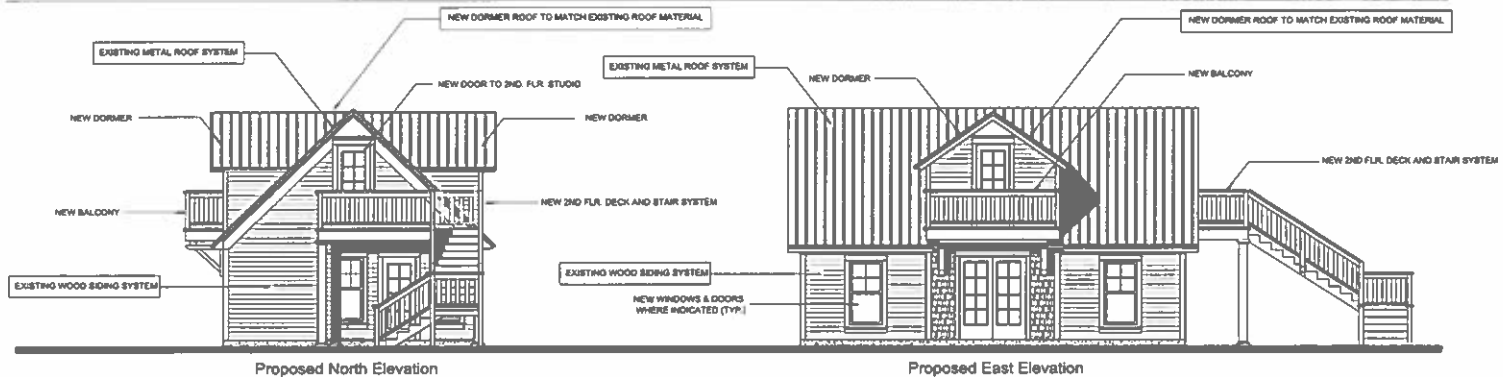
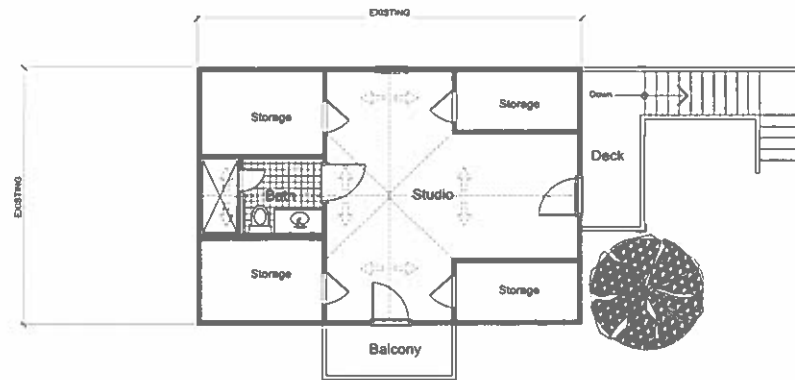


Cover

REVISED: 7.8.21

ISSUED: 10 June 2021

FOR GOVERNING BODY REVIEW & USE ONLY- NOT FOR CONSTRUCTION



COTTAGE EXTERIOR ELEVATIONS

REVISED: 7.8.21

A2.0 Schematic Cottage Plans & Elevations

SCALE: 1/4" = 1'-0"

SUP Documents For The
Manigrasso Residence
605 W. Main Waxahachie, Texas 75165

WAT



308 East Marsh Avenue
Waxahachie, TX 75165
(972) 823-2385

Designed by: A. Motla Date:
Drawn by: MS Date:
Checked by: A. Motla Date:
S.A. by: A. Motla Date:

www.motlaarchitects.com



A2.0

(17)
+13

ORDINANCE NO. 1986

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT FOR LOT 3, BLOCK 83, TOWN ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING FURTHER KNOWN AS 605 W. MAIN ST., BEING SINGLE FAMILY-2 (SF-2), FOR THE PURPOSE OF CONSTRUCTING AN ACCESSORY BUILDING GREATER THAN 200 SQUARE FEET (600 SQUARE FOOT GARAGE), SUBJECT TO CERTAIN CONDITIONS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and,

WHEREAS, the hereinbelow described property is classified in said ordinance and any amendments thereto as Single Family-2 (SF-2); and,

WHEREAS, proper application for a Specific Use Permit has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the issuance thereof; and,

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,


WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said Specific Use Permit,

NOW, THEREFORE, a Specific Use Permit for the purpose of constructing an accessory building greater than 200 square feet (600 square foot garage) as shown on Exhibit "A," is hereby authorized on the following property:

Being Lot 3, Block 83, Town Addition, an addition to the City of Waxahachie, Ellis County, Texas, being further known as 605 W. Main St., and being more specifically identified on Exhibit "A" attached hereto.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 13th day of September, 1999.

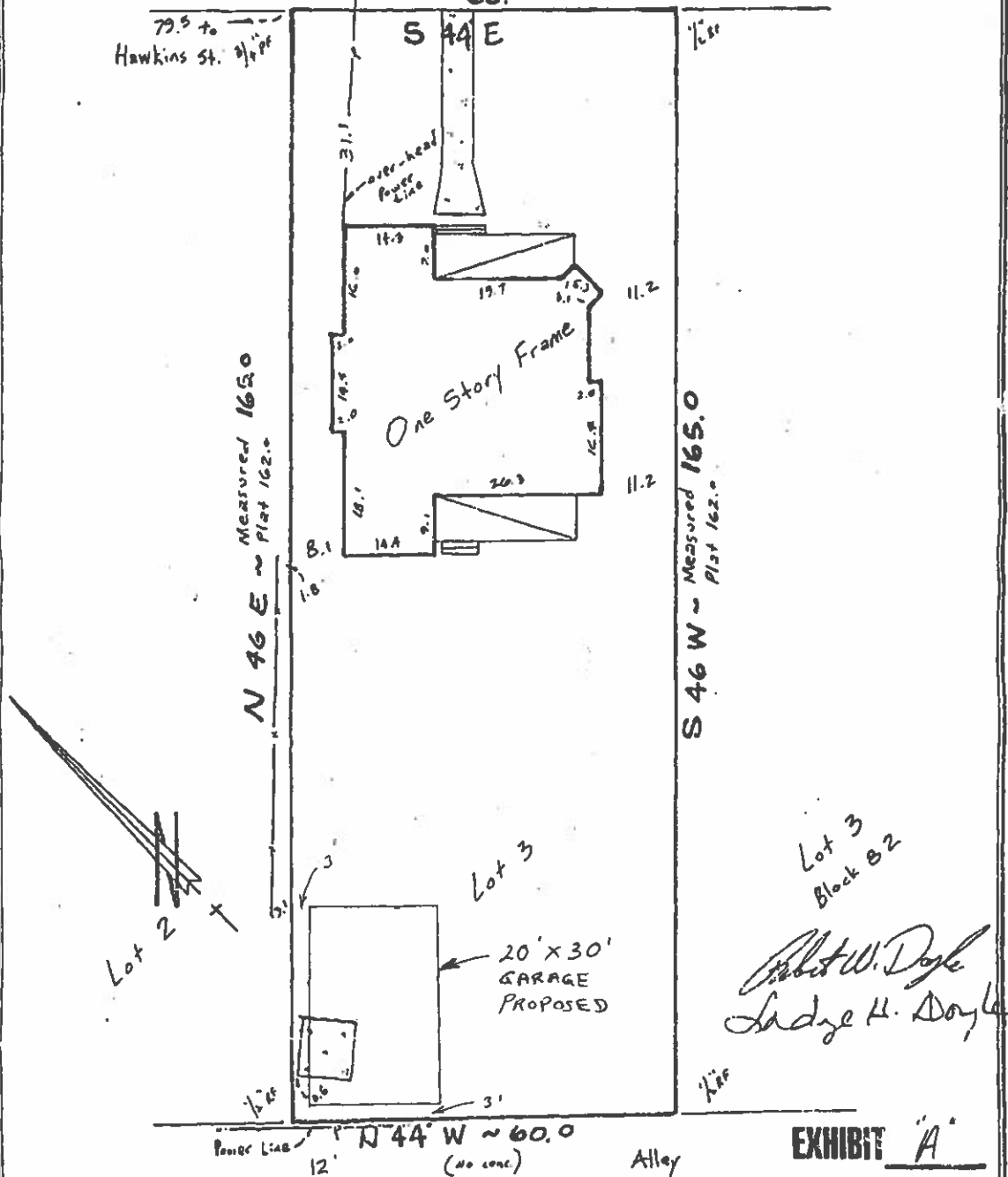

MAYOR

ATTEST:


City Secretary

$$\begin{pmatrix} 12 \\ +13 \end{pmatrix}$$

W. MAIN (60° R.O.W.) STREET
60.0



STATE OF
MISSISSIPPI
MICHAEL L. GON
4003

(14+16)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-96-2021



MEETING DATE(S)

Planning & Zoning Commission: July 27, 2021

City Council: August 2, 2021

CAPTION

Public Hearing on request by Kristy Smith, Signs Manufacturing & Maintenance Corporation, for a **Specific Use Permit (SUP)** for a **Pole Sign** use within a Commercial zoning district located at 624 Ovilla Road (Property ID 223977) - Owner: EPISCOPAL DIOCESE OF DALLAS (ZDC-96-2021)

APPLICANT REQUEST

The applicant is requesting to install a ground monument electronic message sign at St. Paul Episcopal Church (624 Ovilla Rd.).

- Note: The applicant originally proposed a pole sign (*as advertised in the Waxahachie Sun*) at the subject property, however, the proposal was revised to a ground monument sign to be more aesthetically pleasing to the site.

CASE INFORMATION

Applicant: Kristy Smith, Signs Manufacturing & Maintenance Corporation

Property Owner(s): Episcopal Diocese of Dallas

Site Acreage: 8.17 acres

Current Zoning: Commercial

Requested Zoning: Commercial w/ Specific Use Permit

SUBJECT PROPERTY

General Location: 624 Ovilla Rd.

Parcel ID Number(s): 223977

Existing Use: St. Paul Episcopal Church

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	-----	W. US Highway 287
East	PD-MUNR	Waxahachie Corporate Logistics Campus
South	C	Single Family Residences
West	C	Exxon Gas Station

Future Land Use Plan:**Mixed Use Non-Residential*****Comprehensive Plan:***

Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

Thoroughfare Plan:

The subject property is accessible via Ovilla Rd.

Site Image:**PLANNING ANALYSIS****Purpose of Request:**

The applicant intends to install a multi-tenant ground monument/electronic message sign for advertisement purposes at St. Paul Episcopal Church. Per the City of Waxahachie Zoning Ordinance, an Electronic Message Sign must be approved by City Council.

- Note: The applicant originally proposed a pole sign (*as advertised in the Waxahachie Sun*) at the subject property, however, the proposal was revised to a ground monument sign to be more aesthetically pleasing to the site.

(14+15)

Proposed Use:

The applicant is requesting approval of a Specific Use Permit (SUP) to construct a new ground monument electronic message sign for St. Paul Episcopal Church. The proposed sign will be 144 square feet and 12 ft. tall, and will be constructed of brick or stucco and stone. Per the City of Waxahachie Zoning Ordinance, all new electronic messaging signs shall have an approved SUP from City Council, and meet the following stipulations listed in Table 2 below:

Table 2: Sign Regulation Chart

Items highlighted in **bold are not consistent with the City of Waxahachie Zoning Ordinance*

Electronic Messaging Sign (City of Waxahachie)	St. Paul Episcopal Church
Signage shall not be located within the public right-of-way.	The sign is not located in the public ROW
Changeable message copy signs may not be used to display commercial messages relating to products or services that are not offered on the premises.	The electronic messaging sign will only provide information regarding the church.
Such signs shall not exceed a brightness level of 0.3 foot candles above ambient light. In all zoning districts such signs shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light.	The applicant has stated that the signs come with an automatic sensor that reduces the brightness of the sign at night. The sign shall not be illuminated between the hours of 10pm – 6am.
Max. Size= 80 sq. ft.	Proposed Size= 144 sq. ft.
Max. Height= 8 ft.	Proposed Height= 12 ft. tall
Setback= 15 ft. from public ROW	Proposed sign will be setback 15 ft. from public ROW

Table 3: Sign Comparison Chart

Standards	Pole Sign	Ground Monument/Electronic Messaging Sign	Applicant Proposing
Max. Size (Sq. Ft.)	300 sq. ft.	80 sq. ft.	144 sq. ft. (the sign is 80 sq. ft. total without the stone column support structures)
Max. Height	75 ft.	8 ft. tall	12 ft.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

SPECIAL EXCEPTION/VARIANCE REQUEST

Size

The maximum allowed size for a ground monument electronic message sign is 80 sq. ft.
The applicant is proposing a size of 144 sq. ft.

Height

The maximum allowed height for an electronic message sign is 8 ft.
The applicant is proposing a maximum height of 12 ft.

(14815)

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ **Approval, per the following comments:**
 1. Staff suggests that the applicant use brick, opposed to stucco, for the bottom portion of the monument sign.
 2. The monument shall not be located within a utility easement.
 3. The sign shall not be illuminated between the hours of 10pm – 6am.

ATTACHED EXHIBITS

1. Site Layout Plan
2. Sign Rendering

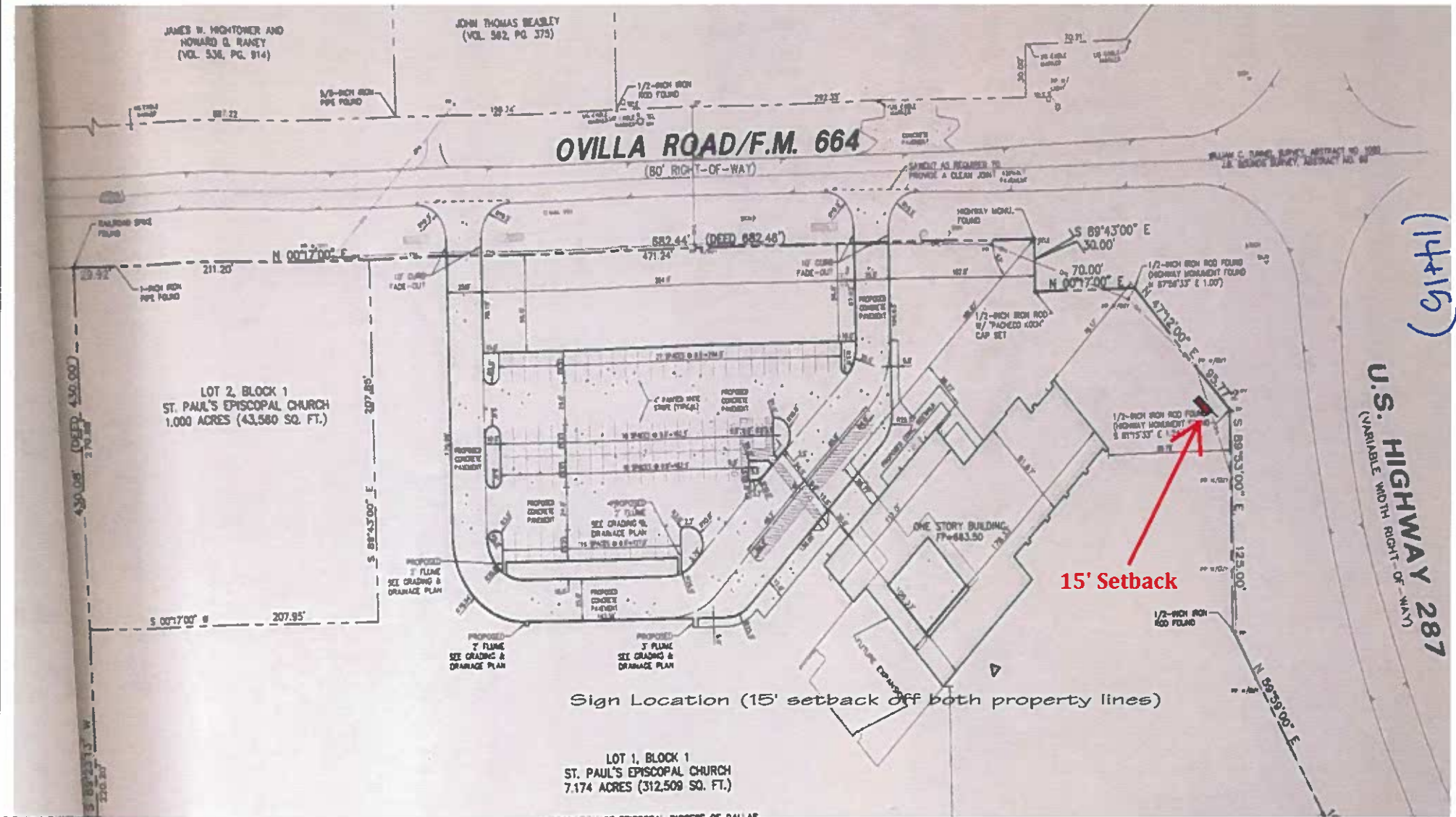
APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Planning Manager
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



St Pauls ar12 - Williams



THIS IS A PRELIMINARY DRAWING.
SOME DETAILS MAY BE MODIFIED IN PRODUCTION.
MAY NOT BE TO AN EXACT SCALE.

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Customer Approval



Harley Butker
214-687-7476

signs manufacturing
& Maintenance Corp.

Harley Butker
214-687-7476

(16+17)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: July 23, 2021
Re: ZDC-100-2021 – Sunbelt Rentals

On July 23, 2021, the applicant requested to continue case number ZDC-100-2021 from the July 27, 2021 Planning and Zoning Commission meeting agenda and the August 2, 2021 City Council meeting agenda to the August 24, 2021 Planning and Zoning Commission meeting agenda, and the September 7, 2021 City Council meeting agenda.