

Planning and Zoning Commission
June 14, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, June 14, 2022 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Members Absent: Melissa Ballard, Vice Chairman
Betty Square Coleman

Others Present: Jennifer Pruitt, Senior Director of Planning
Eleana Tuley, Senior Planner
Ashlie Jones, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, City Secretary
Chris Wright, 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 May 24, 2022
- b. Minutes of the Planning and Zoning Commission briefing of May 24, 2022

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 Juan Guerrero, for a Replat of a portion of Lot 1, Farrar Road Estates, to create Lot 1, Block A, Guerrero Addition, 1 Residential Lot, being 1.551 acres, located on Farrar Road, (Property ID 283877) – Owner: JUAN GUERRERO (SUB-46-2022)**

Senior Planner Ashlie Jones reviewed the case noting the applicant is requesting to replat a portion of Lot 1, Farrar Road Estates to create Lot 1, Block A, Guerrero Addition being a 1.151-acre residential lot and staff recommends approval as presented.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-46-2022, Chairman Keeler closed the Public Hearing.

6. Consider approval of SUB-46-2022

Action:

Mr. Jim Phillips moved to approve a request by Juan Guerrero, for a Replat of a portion of Lot 1, Farrar Road Estates, to create Lot 1, Block A, Guerrero Addition, 1 Residential Lot, being 1.551 acres, located on Farrar Road, (Property ID 283877) – Owner: JUAN GUERRERO (SUB-46-2022). Mr. David Hudgins seconded, All Ayes.

7. Public Hearing on a request by Pascual Mojica, Project Consulting, for a Replat of Blocks 100 & 104, Original Town of Waxahachie, to create Lots 1 & 2, Block 104, Original Town of Waxahachie, 2 Residential Lots, being 0.3657 acres, located at 105 Frierson St., (Property ID 171136, 171127) – Owner: B&B MANAGING & CONSULTING, LLC (SUB-37-2022)

Ms. Jones reviewed the case noting the applicant is requesting to replat Blocks 104 and 100, Original Town of Waxahachie to create Block 104, Lots 1 and 2 Original Town of Waxahachie, two residential lots, being 0.3657 acres located at 105 Frierson Street. She noted 37 notices were mailed and 5 letters of support were received. Ms. Jones explained the required right-of-way dedication was provided and staff recommends approval as presented.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-37-2022, Chairman Keeler closed the Public Hearing.

8. Consider approval of SUB-37-2022

Action:

Ms. Bonney Ramsey moved to approve a request by Pascual Mojica, Project Consulting, for a Replat of Blocks 100 & 104, Original Town of Waxahachie, to create Lots 1 & 2, Block 104, Original Town of Waxahachie, 2 Residential Lots, being 0.3657 acres, located at 105 Frierson St., (Property ID 171136, 171127) – Owner: B&B MANAGING & CONSULTING, LLC (SUB-37-2022) as presented. Mr. Erik Test seconded, All Ayes.

9. Public Hearing on a request by Tim Jackson, TRCS, LLC, for a Replat of Lots 10 and 11, Southwick Farm, to create Lots 10R1, 10R2 & 11R, Southwick Farm, 3 Residential Lots, being 9.517 acres, located at 240 Southwick Drive, in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 155847 and 155838) – Owner: MARTIN & MARIA CORONA AND DANNY J & KATHLEEN BROWN (SUB-20-2022)

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to subdivide the subject property into three lots for single-family uses and staff recommends approval as presented.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-20-2022, Chairman Keeler closed the Public Hearing.

10. Consider approval of SUB-20-2022

Action:

Mr. Erik Test moved to approve a request by Tim Jackson, TRCS, LLC, for a Replat of Lots 10 and 11, Southwick Farm, to create Lots 10R1, 10R2 & 11R, Southwick Farm, 3 Residential Lots, being 9.517 acres, located at 240 Southwick Drive, in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 155847 and 155838) – Owner: MARTIN & MARIA CORONA AND DANNY J & KATHLEEN BROWN (SUB-20-2022). Ms. Bonney Ramsey seconded, All Ayes.

11. Public Hearing on a request by Nic Paul, for a Specific Use Permit (SUP) for an Accessory Structure +700sf. use within a Planned Development – 23 – Single Family – 1 (PD-23-SF-1) zoning district located at 3359 Howard Rd (Property ID 242726) - Owner: DAN & LORI WALSER (ZDC-56-2022)

Ms. Jones reviewed the case noting the applicant is requesting to construct a 1,500 sq. ft. accessory structure to the rear of a single-family residential lot located at 3359 Howard Road. She noted 11 notices were mailed and staff received 3 letters of support and 1 letter of opposition. Staff recommends approval per the following staff comments:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The concrete shall be extended from the driveway to the accessory structure.
5. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-56-2022, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. ZDC-56-2022

Action:

Mr. Jim Phillips moved to approve a request by Nic Paul, for a Specific Use Permit (SUP) for an Accessory Structure +700sf. use within a Planned Development – 23 – Single Family – 1 (PD-23-SF-1) zoning district located at 3359 Howard Rd (Property ID 242726) - Owner: DAN & LORI WALSER (ZDC-56-2022) per staff comments. Mr. David Hudgins seconded, All Ayes.

13. Continue Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Commercial (PD-C) zoning district located at 2374 W US Hwy 287 BYP (Property ID 219310) - Owner: COWBOY BAPTIST CHURCH OF MIDLOTHIAN (ZDC-45-2022)

Planner Zack King reviewed the case noting the applicant is requesting to add a 72 square foot (6ft. x 12ft.) electronic message sign to an existing pole sign for the Cowboy Baptist Church located at 2374 W US Highway 287 Bypass. Due to staff concerns of adding an electronic message board to an existing pole sign, as opposed to a monument sign, staff recommends denial. He explained with the recent approval of the adjacent subdivision of Montclair Heights, staff is concerned with illumination and brightness adjacent to the residential development. Mr. King explained the applicant revised the initial proposal by adding Austin stone to the design to provide a closer look to a monument sign. If the Commission recommends approval, staff has a list of recommendations for inclusion in the motion.

Chairman Keeler continued the Public Hearing.

Chris Reeves, Quickway Signs, requested a variance from the Zoning Ordinance to allow for an electronic message sign on the existing pole sign due to the location on Highway 287. He explained the proposal will allow the electronic message sign to be seen from both sides of the highway.

Christopher Maddox, 2173 Marshall Road, Waxahachie, Texas, spoke on behalf of the church and explained the sign is needed to announce church services and events to the community. Mr. Maddox noted he was not agreeable to the staff's recommendation of restricting the sign between 8pm-8am. Mr. Maddox explained expanding the base of the sign for additional stone will impede the easement on the property.

Commissioner Jim Phillips explained the previously approved electronic message pole signs have a more modified monument sign appearance. He asked if the applicant would consider lowering the sign to 15 feet and Mr. Maddox explained the height is needed for visibility from the opposite side of Highway 287.

Chairman Keeler explained the Planning Department makes recommendations to the Commission based on the conformance to the Waxahachie Zoning Ordinance and the Commission has the opportunity to negotiate with the applicants.

Commissioner Phillips asked if the applicant is willing to expand the stone base of the proposed sign and Mr. Maddox expressed his concern with encroaching on an existing easement.

There being no others to speak for or against ZDC-45-2022, Chairman Keeler closed the Public Hearing.

Commissioner Phillips clarified the recommendation of denial from staff is based on the height of the sign at 18 ½ ft as opposed to 15 ft and the electronic message sign being placed on a pole sign as opposed to a monument sign or modified monument sign.

Ms. Pruitt explained if the Commission recommends to approve with the additional stone at the base, the encroachment will be evaluated by staff.

14. Consider recommendation of Zoning Change No. ZDC-45-2022

Action:

Mr. Jim Phillips moved to approve a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Commercial (PD-C) zoning district located at 2374 W US Hwy 287 BYP (Property ID 219310) - Owner: COWBOY BAPTIST CHURCH OF MIDLOTHIAN (ZDC-45-2022) subject to the following staff stipulations: (a) The sign shall not be illuminated between the hours of 10pm-8am. (b) The electronic message sign shall only provide information regarding the church and church events. (c) The electronic message sign shall not exceed a brightness level of 0.3-foot candles above ambient light. The sign shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness base on ambient light. (d) The sign shall not have flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts. (e) The electronic message sign shall not exceed 15 feet in height. (f) If the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use. (g) The base of the sign be consistent with the City of Waxahachie's Zoning Ordinance definition of a monument sign. Ms. Bonney Ramsey seconded, All Ayes.

15. Adjourn

Senior Planner Eleana Tuley announced the next Comprehensive Plan Advisory Committee is scheduled for Tuesday, June 21, 2022 and 6:30 p.m.

There being no further business, the meeting adjourned at 8:08 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary