

Planning and Zoning Commission  
October 11, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, October 11, 2022 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  
David Hudgins  
Erik Test  
Ron Ansell

Member Absent: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Senior Director of Planning  
Eleana Tuley, Senior Planner  
Macey Martinez, Graduate Engineer  
Jami Bonner, Assistant City Secretary

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:**

*Ms. Bonney Ramsey moved to nominate Rick Keeler as Chairman and 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 27, 2022
- b. Minutes of the Planning and Zoning Commission briefing of September 27, 2022

**Action:**

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

6. **Present Proclamation proclaiming October 2022 as Community Planning Month**

Chairman Keeler presented Proclamation proclaiming October 2022 as Community Planning Month and presented it to the P&Z Commission and City staff on behalf of Mayor Hill.

**7. Recognize Mr. Jim Phillips for his service on the Planning & Zoning Commission**

Chairman Keeler announced Jim Phillips was unable to attend and would be recognized at a future meeting.

**8. Public Hearing on a request by Reginald Levingston, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 3 (SF-3) zoning district located at 110 Elder St (Property ID 171560) - Owner: REGINALD LEVINGSTON (ZDC-93-2022) Staff: Ashlie Jones**

Chairman Keeler opened the Public Hearing.

Senior Director of Planning Jennifer Pruitt reviewed the case noting the applicant is requesting a Specific Use Permit for an existing metal carport structure exceeding 700+ sq. ft. Staff recommended approval per 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 applicant shall obtain a permit from the City of Waxahachie Building Department.

There being no others to speak for or against ZDC-93-2022, Chairman Keeler closed the Public Hearing.

**9. Consider recommendation of Zoning Change No. ZDC-93-2022**

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Reginald Levingston, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 3 (SF-3) zoning district located at 110 Elder St (Property ID 171560) - Owner: REGINALD LEVINGSTON (ZDC-93-2022) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.*

**10. Consider a request by Priya Acharya, Wier & Associates, Inc, for a Replat of Lot 3, Block 2, Interstate Industrial Park Addition, two (2) lots, being 3.454 acres, located at 3348 S Interstate 35E, (Property ID 284599) – Owner: DML LAND, LLC (SUB-113-2022) Staff: Eleana Tuley**

Senior Planner Eleana Tuley reviewed the case noting the applicant is requesting to replat the subject property into two (2) lots for commercial use. She noted the applicant is proposing a mutual access easement that is not reflected on the proposed Plat, but will be recorded as a separate instrument. Staff recommended approval as presented with the condition the Plat is revised to include the mutual access easement recording information prior to the Plat being filed with Ellis County.

**Action:**

*Mr. David Hudgins moved to approve a request by Priya Acharya, Wier & Associates, Inc, for a Replat of Lot 3, Block 2, Interstate Industrial Park Addition, two (2) lots, being 3.454 acres, located at 3348 S Interstate 35E, (Property ID 284599) – Owner: DML LAND, LLC (SUB-113-2022) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.*

- 11. Consider a request by Mike Davis, Bannister Engineering, for a Plat of Victron Park, eight (8) commercial lots and four (4) open space lots, being 21.228 acres, located southwest of the intersection of Butcher Road and US Highway 77, situated in the Albert Pruitt Survey, Abstract 848, the John Shaver Survey, Abstract 1000, and the Peter B. Stout Survey, Abstract 1003, an addition to the City of Waxahachie (Property ID: 189377) – Owner: DMJ Properties LTD (SUB-96-2022) Staff: Zack King**

Ms. Pruitt presented the case noting the applicant is requesting to plat the subject property into eight (8) commercial lots and four (4) open space lots as part of the Victron Park Planned Development. She noted the applicant is providing a 10' right-of-way dedication along Butcher Road. Staff recommended approval per the following comments:

1. The plat will be updated to include the recording information for Dena Drive, Ali Drive, Venture Way, and the adjacent Villaggio at Victron park prior to plat filing.

**Action:**

*Mr. David Hudgins moved to approve a request by Mike Davis, Bannister Engineering, for a Plat of Victron Park, eight (8) commercial lots and four (4) open space lots, being 21.228 acres, located southwest of the intersection of Butcher Road and US Highway 77, situated in the Albert Pruitt Survey, Abstract 848, the John Shaver Survey, Abstract 1000, and the Peter B. Stout Survey, Abstract 1003, an addition to the City of Waxahachie (Property ID: 189377) – Owner: DMJ Properties LTD (SUB-96-2022) per staff comment. Ms. Bonney Ramsey seconded, All Ayes.*

- 12. Consider a request by Mike Davis, Bannister Engineering, for a Plat of Victron Park, Lot 2, Block 6, one (1) commercial lot, being 0.882 acres, 171 W Butcher Road, situated in the Albert Pruitt Survey, Abstract 848, an addition to the City of Waxahachie (Property ID: 289909) – Owner: KUMAR INVESTMENTS PROP-CO TX LLC (SUB-97-2022) Staff: Zack King**

Ms. Pruitt reviewed the case noting the applicant is requesting to plat the subject property into one (1) lot for commercial use as a Taco Bell. Staff recommends approval as presented.

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Mike Davis, Bannister Engineering, for a Plat of Victron Park, Lot 2, Block 6, one (1) commercial lot, being 0.882 acres, 171 W Butcher Road, situated in the Albert Pruitt Survey, Abstract 848, an addition to the City of Waxahachie (Property ID: 289909) – Owner: KUMAR INVESTMENTS PROP-CO TX LLC (SUB-97-2022) as presented. Mr. Erik Test seconded, All Ayes.*

### **13. Adjourn**

Commissioners welcomed newly appointed P&Z Commissioner Ron Ansell.

Chairman Keeler and Mr. Hudgins thanked Eleana Tuley for the comprehensive plan work session during the Briefing.

Mr. Ron Ansell thanked the P&Z Commissioners and staff for their welcome and recognized the continued discussions around Highway 77.

Executive Director of Development Services Shon Brooks recognized Eleana Tuley for her leadership on the comprehensive plan and welcomed Ron Ansell to the P&Z Commission.

There being no further business, the meeting adjourned at 7:18 p.m.

Respectfully submitted,

Jami Bonner  
Assistant City Secretary