

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, February 28, 2023 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
David Hudgins
Erik Test
Ron Ansell

Others Present: Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Eleana Tuley, Senior Planner
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 February 14, 2023

Action:

Vice Chairman Melissa Ballard moved to approve item a. on the Consent Agenda. Mr. Erik Test seconded, All Ayes.

- 5. Public Hearing on a request by the City of Waxahachie to adopt the Waxahachie Comprehensive Plan, including but not limited to the Future Land Use Plan, and Thoroughfare Plan**

Marshall Hines, Verdunity, explained the proposed Waxahachie Comprehensive Plan was created over a two (2) year period with input from the community including residents, stakeholder groups, City staff, and the Comprehensive Plan Advisory Committee. The Texas Local Government Code (Section 213.002) allows cities to adopt a comprehensive plan to guide the City's long-term growth and serve as the foundation for the City's development code. The plan helps a city become a more fiscally sustainable community. A comprehensive plan may include, but is not limited to, land use, transportation, and public facilities provisions. The plan is not a set of rules or procedures, but a guiding document for communities. It provides educational information to the public by explaining concepts and guiding principles for the community that reflects our values.

Mr. Hines explained there are five major sections in the document:

- Introduction: Provides overview of Waxahachie today and the economics of how land use works.
- Land Use and Growth: Provides the framework for guiding decisions and setting policy about what will be built, where, and when so the City can capitalize on near term opportunities while also ensuring long-term sustainability and affordability.
- Mobility and Connectivity: Provides overview of safe streets for cars and people. Identifies staff's recommendations for future roadways for connectivity. Serves as a guide to engineering when reviewing future developments.
- Neighborhoods and Downtowns: Provides the elements that make up specific neighborhoods and offers guidance to preserve and improve the neighborhoods in Waxahachie.
- Implementation: Provides an overview of incremental, iterative approach that makes meaningful progress toward bigger goals immediately with the resources the community has available.

The plan explains how development choices are affecting Waxahachie and identifies a fiscal focus on development patterns to help revenue meet maintenance needs the City is responsible for. It also addresses community concerns to make Waxahachie affordable to residents today and pay for needed improvements. The Future Land Use Map indicates diversity of place types without concentrating in one area, the Growth Map identifies areas where the city should invest in growth in regards to infrastructure, and the Thoroughfare Plan identifies where streets are necessary to accommodate growth.

Chairman Keeler opened the Public Hearing.

Those who spoke in favor:

Paul Christenson, 110 Williams, Street, Waxahachie, Texas

Kathleen Bowen, 527 W. Jefferson, Waxahachie, Texas

There being no others to speak for or against the Waxahachie Comprehensive Plan, Chairman Keeler closed the Public Hearing.

Chairman Keeler thanked Verdunity, Planning staff, the Planning and Zoning Commission, and citizens for their contributions in drafting the Waxahachie Comprehensive Plan over the last two (2) years. He encouraged citizens to review the plan on the city's website noting staff is available for questions and recommendations.

Commissioner Betty Square Coleman explained she supports the plan and acknowledged the deficit in regards to street improvements, especially in east Waxahachie.

6. Consider recommendation of Waxahachie Comprehensive Plan

Action:

Vice Chairman Melissa Ballard moved to recommend approval of the Waxahachie Comprehensive Plan, authorizing the City Manager and/or Mayor to execute all documents accordingly. Ms. Betty Square Coleman seconded, All Ayes.

7. Consider a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat for Fort Joe, Lot 1, Block A, being 5.0 acres, located at the southeast corner of South US Highway 77 and FM 55, situated in the C. Cobb Survey, Abstract 220, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 294883) – Owner: KATHRYN JORDAN (SUB-116-2022) Staff: Eleana Tuley

Eleana Tuley, Senior Planner, presented the case noting the applicant is requesting to plat a 5-acre tract located in the extra territorial jurisdiction (ETJ) at the southeast corner of US Highway 77 and FM 55. Ms. Tuley noted adequate water facilities are available to serve the site; however, the water service provider has confirmed that the subject property does not have sufficient water flow for firefighting and suppression services. The applicant has provided a note on the plat stating this deficiency. The plat complies with both City and County subdivision regulations and staff recommends approval as presented.

Action:

Ms. Bonney Ramsey moved to approve SUB-116-2022 for a Plat for Fort Joe, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Mr. David Hudgins seconded, All Ayes.

8. Consider a request by Jose M. Medina & Ana Maria Medina, for a Replat of Medina Estates, Lots 1-5, being a replat of lots 2R and 3R of Alfords Acres, located on Little Branch Road, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 138728) – Owner: JOSE M. & ANA MARIA MEDINA (SUB-65-2022) Staff: Zack King

Zack King, Senior Planner, presented the case noting the applicant is requesting to replat the subject property into five (5) lots for residential use in the ETJ. In conformance with the City of Waxahachie Thoroughfare Plan, the applicant is providing 10' of right-of-way (ROW) dedication along the north-south portion of Little Branch Road. The proposed lots meet or exceed all Ellis County lot size and dimension requirements and staff recommends approval as presented.

Action:

Mr. David Hudgins moved to approve SUB-65-2022, a Replat for Medina Estates, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Mr. Ron Ansell seconded, All Ayes.

9. Public Hearing on a request by Royce Barrington, N3 Commercial Real Estate, for a Specific Use Permit (SUP) for an Automotive Care Center use within the General Retail District (GR) a zoning district located at approximately 875 feet south of Butcher Road on the east side of US Highway 77 (Property ID 189379) - Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS, LP (ZDC-157-2022) Staff: Eleana Tuley

Ms. Tuley presented the case noting the applicant is requesting a specific use permit for a quick oil change facility (Strickland Brothers 10 Minute Oil Change) on a 0.57-acre tract located approximately 875 feet south of Butcher Road on the east side of US Highway 77. The quick oil change facility will consist of a 1,725-square-foot building. About 350 square feet will consist of an office and a customer lobby. The remainder of the building will consist of three drive-thru bays for the business to perform minor automotive care services including oil changes, state inspections, and routine service checkups. Standard service checkups include inspecting cabin air filters, wiper blades, anti-freeze/coolant, power steering fluid, windshield washer fluid, tire tread, engine air filter, and front and rear exterior lights.

Ms. Tuley explained the applicant has provided the minimum number of standard parking and stacking spaces. The zoning ordinance requires three stacking spaces for each drive-thru bay to optimize the use of space to safely and efficiently store and move vehicles waiting for service. The primary access to the site will be along US Highway 77. TxDOT has approved the driveway along 77. The driveway will be constructed with the O'Reilly Auto Parts development before construction for the quick oil change facility begins.

Ms. Tuley presented the two sets of architectural elevations for the west elevation, facing US Highway 77.

Option 1: The lower segment of the building is composed of a gray split-face CMU with a blue EIFS band. The remainder of the building is composed of gray stucco.

Option 2: The lower segment of the building is composed of a natural thin stone veneer. The remainder of the building comprises a 3-part stucco system with a brick pattern. The banding is blue, and the rest is a light gray color.

Ms. Tuley stated the applicant has satisfied the City's development standards in the zoning ordinance and staff recommends approval with the following conditions:

1. The Applicant agrees to execute a mutually agreed upon Development Agreement for the development.
2. The Applicant shall obtain a permit from the City of Waxahachie Building Department before construction.

The Commission discussed access to Highway 77 and Ms. Tuley explained there will be other businesses in this area with limited direct access to Highway 77.

Chairman Keeler opened the Public Hearing.

Brenda Wadleigh, 1625 Willow Glen Court, Keller, Texas, explained there will be no outside storage nor noisy services.

Commissioner Bonney Ramsey asked the applicant which elevation is preferred and Ms. Wadleigh noted Option 2.

Chairman Keeler inquired about the proposed signage and Ms. Tuley noted the signage complies with City specifications. She explained there will be a monument sign on Highway 77 and additional signage on the building.

There being no others to speak for or against ZDC-157-2022, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. ZDC-157-2022

Action:

Ms. Bonney Ramsey moved to recommend approval of ZDC-157-2022, a Specific Use Permit (SUP) for an Automotive Care Center use, subject to the conditions of the staff report, including elevation façade Option 2, and authorizing the City Manager and/or Mayor to execute all documents accordingly. Ms. Betty Square Coleman seconded, All Ayes.

11. Public Hearing on a request by Corey Vaughan, QT South, LLC, for a Specific Use Permit (SUP) for a Convenience Store with Gasoline Sales use (QuikTrip) within a General Retail zoning district located at 1342 Brown Street (Property ID: 295114 & 295115) – Owner: BUFFALO CREEK PLAZA LLC (ZDC-175-2022) Staff: Zack King (ZDC-175-2022) Staff: Zack King

Mr. King presented the case noting the applicant is proposing a Specific Use Permit (SUP) to allow for Convenience Store with Gasoline Sales (QuikTrip) in a General Retail (GR) zoning district. Per the City of Waxahachie Zoning Ordinance, both a Convenience Store use and a Gasoline Sales use within a GR zoning district requires a SUP to be approved by City Council. The subject property is currently situated on two (2) platted lots and a replat will be needed to facilitate the proposed development.

Per the Site Plan and Operational Plan provided by the applicant, QuikTrip is proposing to feature a 5,312-square-foot convenience store and eight gasoline pumps. The parking and building setbacks for the convenience store adhere to the requirements outlined in the Waxahachie Zoning Ordinance. The gasoline pumps are proposed in two groups of four pumps, each covered by a canopy. It is important to note that a Convenience Store and Gasoline Sales SUP was previously approved for this property in August of 2020. The specific approval was for a 7-Eleven gas station. Following approval, the developer opted not to pursue the development and the SUP expired.

The site is proposed to be accessed via a direct connection to Indian Drive to the south, a mutual access easement running along the rear of the property to the east, and a right-in-right-out (RIRO) only driveway connection to Brown Street. It is important to note that the mutual access easement to the rear of the property provides direct access from the site to the Highway 287 frontage road. TxDOT has provided written confirmation that RIRO connection to Brown Street will be acceptable.

The applicant provided three elevation/façade plans for consideration with this SUP. The applicant and staff prefer Option 1.

Option 1: Features three primary materials: Atlas Brick, Stone, and Window Glazing.

Option 2: Replaces the proposed stone with EIFS material designed to mimic the look of granite.
Option 3: Replaces the proposed stone with a porcelain stone tile.

The articulation of the proposed building meets the standards outlined in the Waxahachie Zoning Ordinance. Additionally, staff would like to note that the columns used for the gasoline canopies and the dumpster enclosure are proposed to utilize brick matching the convenience store.

It was the consensus of the Planning and Zoning Commission to select Option 1.

The proposed Landscape Plan meets all requirements for the site and the applicant has included twenty (20) Crape Myrtle trees.

In regards to signage, the applicant is proposing multiple wall signs located on both the convenience store and gasoline pump canopies. Additionally, the plan is proposing two (2) monument signs with electric gas price signs along Brown Street and Indian Drive which all adhere to the requirements of the Waxahachie Zoning Ordinance.

Mr. King explained the applicant is also proposing a 293-square-foot, 90' pole sign on-site which exceeds the maximum allowable height and minimum setback requirement of the Waxahachie Zoning Ordinance. The pole sign is proposed to be setback approximately 97' from the convenience store, approximately 78' from the eastern property line, and only 25' from the northern property line. The applicant originally intended to locate the proposed pole sign off-site, as per the Operational Plan; however, staff advised the applicant that off-site pole signs are not permitted by the Waxahachie Zoning Ordinance. The applicant has revised their proposal to locate the sign on-site, but has not opted to change the height of the proposed sign. There is space on the site to potentially accommodate a pole sign approximately 50' in height that meets the setback requirements of the Waxahachie Zoning Ordinance. However, a sign of this height would likely be obscured from traffic along Highway 287, thus defeating the purpose of a pole sign altogether.

Mr. King reviewed staff concerns regarding the pole sign proposed with this development noting the proposed sign is out of character for the surrounding area and does not meet the requirements of the Waxahachie Zoning Ordinance. If the applicant elected to proceed with a pole sign adhering to the requirements of the Waxahachie Zoning Ordinance, the sign would not be visible to drivers on Highway 287 until they had already passed the Brown Street exit. Due to this, staff is not supportive of the proposed pole sign and does not believe a pole sign is appropriate, or needed, with the development. Staff recommends the applicant remove the pole sign from the SUP request. Staff recommends approval of the SUP request with the following staff conditions:

1. The proposed pole sign will be removed from the SUP request and the Site Plan.
2. A mutually agreed upon Development Agreement shall be required for the development.
3. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.

Mr. King stated if the Planning & Zoning Commission opts to recommend approval of the pole sign, staff recommends the Commission require the pole sign to adhere to the minimum setback and maximum height & size requirements detailed in Section 5.08 of the Waxahachie Zoning Ordinance.

Commissioner Erik Test expressed his concern with market saturation of this use and recommended a restaurant might be a better use of the site.

Commissioner Ron Ansell inquired about the floodplain area and Mr. King explained there are areas of the development within the floodplain that the developer will have to work around.

The Commission inquired about 18-wheeler traffic to the site.

Corey Vaughan, QuickTrip, explained this location is not designed for 18 wheelers to get diesel, and noted only the 18 wheelers delivering fuel will be on-site. Mr. Vaughan requested approval of the proposed pole sign and explained the Highway 287 southbound visibility is obstructed without the height of the pole sign. He noted after working with their engineer that a 50-foot setback is attainable.

Chairman Keeler noted he is not supportive of the proposed pole sign as it is not in compliance with City regulations.

Mike Potter, QuickTrip, explained a pole sign is needed for the Highway 287 traffic and a monument sign will not suffice. He requested approval of a pole sign that would conform to City standards.

Chairman Keeler opened the Public Hearing.

Those who spoke in favor:

Joe Rust, 440 Gingerbread Lane, Waxahachie, Texas

There being no others to speak for or against ZDC-175-2022, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. ZDC-175-2022

Action:

Vice Chairman Melissa Ballard moved to recommend approval of ZDC-175-2022, a Specific Use Permit (SUP) request for a Convenience Store with Gasoline Sales (QuikTrip) use at Property ID: 295114 & 295115, subject to the conditions of the staff report, and allow a Pole Sign in compliance with the current sign ordinance. Ms. Betty Square Coleman seconded, All Ayes.

13. Adjourn

There being no further business, the meeting adjourned at 8:09 p.m.

Respectfully submitted,

Amber Villarreal,
City Secretary