

Planning and Zoning Commission
April 9, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, April 9, 2019 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
Erik Test

Member Absent: David Hudgins

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
James Gaertner, City Engineer
Tommy Ludwig, Assistant City Manager
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. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of March 26, 2019
- b. Minutes of the Planning and Zoning Commission briefing of March 26, 2019

Action:

Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Vice Chairman Melissa Ballard seconded, All Ayes.

4. **Consider request by Robert Hill, P&R Builders, for a Preliminary Plat of Country Meadows Estates, Phase 3 for 36 lots, being 45.068 acres situated in the George W. Younger Survey, Abstract 1195 (Property ID 192620) in the Extra Territorial Jurisdiction – Owner: ANDEN INC (PP-19-0042)**

Chairman Keeler announced the applicant withdrew their request.

5. **Public Hearing on a request by Brandon Bolin, GFH Arden Hill Seniors, Ltd., for a Zoning Change from a Planned Development-Multiple Family Residential-2 zoning district to Planned Development-Multiple Family Residential-2, with Concept Plan, located in the 400 Block of Alliance Boulevard (Property ID 189266) - Owner: SOUTHFORK CAPITAL LLC (PD-19-0035)**

Chairman Keeler announced the applicant withdrew their request.

6. Consider recommendation of Zoning Change No. PD-19-0035

No action taken.

7. Public Hearing on a request by Bonny Cain, Waxahachie ISD, for a Zoning Change from a Single-Family Residential-1 zoning district to Planned Development-Commercial, Planned Development-General Retail, and Planned Development-Single-Family Residential-3, with Concept Plan, located South and East of new Waxahachie High School (Property ID 180503) - Owner: WAXAHACHIE ISD (PD-19-0033)

Chairman Keeler announced the applicant withdrew their request.

8. Consider recommendation of Zoning Change No. PD-19-0033

No action taken.

9. Consider request by Dennis Little for a Preliminary Plat of Hidden Falls Addition for 4 lots, being 20.944 acres situated in the I. Glaze Survey, Abstract 397, the BBB & CRR Survey, Abstract 175, and the S. Wilson Survey, Abstract 1141 (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (PP-19-0020)

Senior Planner Colby Collins presented PP-19-0020 noting staff recommended approval subject to the following staff comments:

1. Before the plat is filed, the applicant shall add a County Approval Block to the plat sheet.

Action:

Mr. Jim Phillips moved to approve a request by Dennis Little for a Preliminary Plat of Hidden Falls Addition for 4 lots, being 20.944 acres situated in the I. Glaze Survey, Abstract 397, the BBB & CRR Survey, Abstract 175, and the S. Wilson Survey, Abstract 1141 (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (PP-19-0020) subject to staff comments. Vice Chairman Melissa Ballard seconded, All Ayes.

10. Consider request by Dennis Little for a Final Plat of Hidden Falls Addition for 4 lots, being 20.944 acres situated in the I. Glaze Survey, Abstract 397, the BBB & CRR Survey, Abstract 175, and the S. Wilson Survey, Abstract 1141 (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (FP-19-0021)

Mr. Collins presented FP-19-0021 noting staff recommended approval subject to the following staff comments:

1. A 45' ROW dedication needs to be added to Youngblood Rd instead of the 30' that is currently shown on the plat.

Action:

Ms. Bonney Ramsey moved to approve a request by Dennis Little for a Final Plat of Hidden Falls Addition for 4 lots, being 20.944 acres situated in the I. Glaze Survey, Abstract 397, the BBB & CRR Survey, Abstract 175, and the S. Wilson Survey, Abstract 1141 (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (FP-19-0021) subject to staff comments. Mr. Erik Test seconded, All Ayes.

- 11. Consider request by Todd Wintters, Engineering Concepts & Design, LP, for a Final Plat of Settler's Glen Addition, Phase 6 for 100 lots, being 18.912 acres situated in the William Paine Survey, Abstract 835 (Property ID 189178) – Owner: SETTLER'S GLEN LTD (FP-19-0030)**

Mr. Collins presented FP-19-0030 noting staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Todd Wintters, Engineering Concepts & Design, LP, for a Final Plat of Settler's Glen Addition, Phase 6 for 100 lots, being 18.912 acres situated in the William Paine Survey, Abstract 835 (Property ID 189178) – Owner: SETTLER'S GLEN LTD (FP-19-0030) subject to staff comments. Ms. Bonney Ramsey seconded, All Ayes.

- 12. Consider request by Dalton Bradbury, Acker Construction, for a Final Plat of Crossroads Business Park for 1 lot, being 3.512 acres out of the John B. Bounds Survey, Abstract 99 (Property ID 180414) – Owner: COREY & JULIE SANCHEZ (FP-19-0038)**

Mr. Collins presented FP-19-0038 noting staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve a request by Dalton Bradbury, Acker Construction, for a Final Plat of Crossroads Business Park for 1 lot, being 3.512 acres out of the John B. Bounds Survey, Abstract 99 (Property ID 180414) – Owner: COREY & JULIE SANCHEZ (FP-19-0038). Mr. Erik Test seconded, All Ayes.

- 13. Consider request by Jeff Whanger, RLG, Inc., for a Preliminary Plat of CSP1 Addition for 2 lots, being 2.531 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: CONNELL STORAGE PARTNERS #1 LLC (PP-19-0037)**

Mr. Collins presented PP-19-0037 noting staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Jeff Whanger, RLG, Inc., for a Preliminary Plat of CSP1 Addition for 2 lots, being 2.531 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: CONNELL STORAGE PARTNERS #1 LLC (PP-19-0037) subject to staff comments. Ms. Bonney Ramsey seconded, All Ayes.

- 14. Consider request by Tim Cummings, 122 Ike Rd LLC, for a Final Plat of Ike Farms for 16 lots, being 19.290 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 186239) in the Extra Territorial Jurisdiction – Owner: 122 IKE RD LLC (FP-19-0041)**

Mr. Collins presented FP-19-0041 noting staff recommended approval subject to the following staff comments:

1. Staff is recommending approval pending the applicant addresses the 10” centerline dedicated easement along Ike Road per Rockett SUD.
2. A new plat shall be submitted to staff detailing a resolution to the drainage easement before the plat is filed with the County.

Action:

Mr. Jim Phillips moved to approve a request by Tim Cummings, 122 Ike Rd LLC, for a Final Plat of Ike Farms for 16 lots, being 19.290 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 186239) in the Extra Territorial Jurisdiction – Owner: 122 IKE RD LLC (FP-19-0041) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

- 15. Consider request by Chris Acker, Acker Construction, for a Replat of part of Lot 1 and Lot 2, Block 7, Nora Alexander’s Subdivision to create Lot 1R, Block 7, Nora Alexander’s Subdivision, 0.415 acres (Property ID 172037) – Owner: JUAN P & MARISOL TAVERA RICO (RP-19-0034)**

Mr. Collins presented RP-19-0034 noting staff recommended approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Chris Acker, Acker Construction, for a Replat of part of Lot 1 and Lot 2, Block 7, Nora Alexander’s Subdivision to create Lot 1R, Block 7, Nora Alexander’s Subdivision, 0.415 acres (Property ID 172037) – Owner: JUAN P & MARISOL TAVERA RICO (RP-19-0034) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

- 16. Consider request by Harlan Lowrance for a Replat of a part of Lots 1, 2 and 5, Block 5, and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032)**

Mr. Collins presented RP-19-0032 noting staff recommended approval as presented. He noted the applicant requested to waive the 15 foot easement requirement. City Engineer James Gaertner explained the city does not have an issue waiving the 15 foot right-of-way easement but requests to keep the 10 foot utility easement.

Action:

Ms. Betty Square Coleman moved to approve a request by Harlan Lowrance for a Replat of a part of Lots 1, 2 and 5, Block 5, and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032) subject to staff comments, requiring the 10 foot utility easement, and waiving the 15 foot right-of-way easement. Vice Chairman Melissa Ballard seconded, All Ayes.

- 17. Consider request by Joshua Trees, Cross Fence Development, LLC, for a Preliminary Plat of The Cross Fence at Oak Vista for 173 lots, being 248.575 acres situated in the S.B. Orton Survey, Abstract 813, J. Fifer Survey, Abstract 352, and the D.M. McNeil Survey, Abstract 717 (Property ID 188040 and 183375) in the Extra Territorial Jurisdiction – Owner: CROSS FENCE DEVELOPMENT LLC (PP-19-0036)**

Mr. Collins presented PP-19-0036 noting staff recommended approval subject to the following staff comments:

1. Applicant still needs to provide detail about how the detention pond will be handled for the previous development.
2. There are remaining outstanding comments with Ellis County that still needs to be addressed by the applicant before the plat is filed.

Action:

Mr. Jim Phillips moved to approve a request by Joshua Trees, Cross Fence Development, LLC, for a Preliminary Plat of The Cross Fence at Oak Vista for 173 lots, being 248.575 acres situated in the S.B. Orton Survey, Abstract 813, J. Fifer Survey, Abstract 352, and the D.M. McNeil Survey, Abstract 717 (Property ID 188040 and 183375) in the Extra Territorial Jurisdiction – Owner: CROSS FENCE DEVELOPMENT LLC (PP-19-0036) subject to staff comments. Ms. Bonney Ramsey seconded, All Ayes.

- 18. Public Hearing on a request by Dusty Autrey for a Zoning Change from a Light Industrial-2 zoning district to Planned Development-Central Area, with Concept Plan, located at 421 S. College Street (Property ID 220752) - Owner: DAJP Holdings, LLC (PD-19-0029)**

{Mr. Jim Phillips left the meeting}

Chairman Keeler opened the Public Hearing.

Mr. Collins presented PD-19-0029 noting Commissioner Phillips recused himself from this item due to a conflict of interest. Mr. Collins noted the applicant is upgrading the building and color to be more aesthetically pleasing. He noted staff recommended approval as presented.

Mr. Dusty Autrey, 113 Magnolia Drive, explained the building elevation will be raised to remove it from the floodplain.

Chairman Keeler asked if the new deck will be handicap accessible and Mr. Autrey noted it will.

Ms. Bonney Ramsey suggested the applicant work with the Heritage Preservation Chairman to update the building.

There being no others to speak for or against PD-19-0029, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. PD-19-0029

Action:

Ms. Bonney Ramsey moved to approve a request by Dusty Autrey for a Zoning Change from a Light Industrial-2 zoning district to Planned Development-Central Area, with Concept Plan, located at 421 S. College Street (Property ID 220752) - Owner: DAJP Holdings, LLC (PD-19-0029) subject to staff comments. Mr. Erik Test seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Betty Square Coleman, Bonney Ramsey, and Erik Test. Noes: none. Abstain: Jim Phillips

The motion carried.

{Mr. Phillips returned to the meeting}

20. Public Hearing on a request by Mike Siefert, Lookout Development Group, for a Planned Development Amendment for the purpose of removing the height restriction for hotels located adjacent to the Waxahachie Civic Center (Property ID 208655, 208656, and 227433) – Owner: LOOKOUT PARTNERS LP (PD-19-0039)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented PD-19-0039 explaining the applicant is requesting no height restrictions on future hotels on the property. He explained staff is open to increasing the height to a maximum of six (6) stories to maintain the area of the district.

Mr. Brian Brooks, 735 Rainbow Drive, Dallas, explained the applicant has no issues with staff's recommendation of a six story max.

There being no others to speak for or against PD-19-0039, Chairman Keeler closed the Public Hearing.

21. Consider recommendation of Zoning Change No. PD-19-0039

Action:

Mr. Jim Phillips moved to approve a request by Mike Siefert, Lookout Development Group, for a Planned Development Amendment for the purpose of removing the height restriction for hotels located adjacent to the Waxahachie Civic Center (Property ID 208655, 208656, and 227433) – Owner: LOOKOUT PARTNERS LP (PD-19-0039) with the stipulation that buildings be no more than six (6) stories tall.

Mr. Erik Test amended the motion to include requesting a detailed site plan be submitted to the Planning and Zoning Commission and City Council for approval. Mr. Jim Phillips accepted the amended motion. Mr. Erik Test seconded, All Ayes.

22. Continue Public Hearing on a request by Ron Barson, Ledbetter Real Estate, Ltd., for a Specific Use Permit (SUP) for Mini-Warehouse or Self-Storage Facility use within a Commercial zoning district, located at 2050 Corporate Parkway (Property ID 273979) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0026)

Chairman Keeler continued the Public Hearing.

Mr. Collins presented SU-19-0026 noting staff recommended approval subject to the following staff comments:

1. The applicant shall provide a masonry screening wall, minimum 6 ft. (maximum 8 ft.), to help provide a visual and protective barrier between surrounding properties.

The commission discussed additional landscaping options and the barbed wire fencing. Mr. Gaertner explained additional landscaping couldn't be added to the rear of the property due to a city water line.

Mr. Brett Hess, 327 Blue Ribbon Road, explained the barbed wire fencing was included to add additional security to the storage units.

Mr. Phillips asked if the applicant is willing to increase to an eight (8) foot fence without the barbed wire and Mr. Hess concurred.

There being no others to speak for or against SU-19-0026, Chairman Keeler closed the Public Hearing.

23. Consider recommendation of Zoning Change No. SU-19-0026

Action:

Vice Chairman Melissa Ballard moved to approve a request by Ron Barson, Ledbetter Real Estate, Ltd., for a Specific Use Permit (SUP) for Mini-Warehouse or Self-Storage Facility use within a Commercial zoning district, located at 2050 Corporate Parkway (Property ID 273979) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0026) subject to staff comments, not allowing barbed wire fencing, and increasing the chain link fence to 8 feet. Ms. Bonney Ramsey seconded, All Ayes.

24. Public Hearing on a request by Josh Spoerl, Arrive Architecture Group, for a Zoning Change from a Planned Development-General Retail-Mixed Use Residential zoning district to Planned Development-Multiple Family Residential-2 and Planned Development-General Retail, with Concept Plan, located at the NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES and 911 R RUSSELL 10.6200 ACRES (Property ID 227073 and 138302) - Owner: LYONS AMERICAN SECURITIES INC (PD-19-0031)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented PD-19-0031 noting staff recommended denial due to the following staff comments:

- Due to staff concerns regarding the applicant not providing attached garages and a landscape buffer adjacent to Mustang Creek Phase I subdivision (along Tract 6), staff is recommending denial for the proposed Planned Development Amendment.
- *If approved, due to staff not receiving sufficient information regarding the proposed Assisted Living development, staff suggests that the site plan for the Assisted Living development be reviewed by the Planning and Zoning Commission and City Council.*

Mr. Collins explained the original zoning change for this location was approved in July 2018 and included a detention pond as an amenity for the development and neighborhood. Mr. Collins reviewed the following changes:

Tract 1:

2018 – Tract 1 which is 8.645 acres will be a 220-unit Mixed Use Residential complex site. This tract will be zoned under the PD with a base zoning of Multiple Family District-2 (MF-2)

2019 – Tract 1 which is 6.44 acres will be a 220-unit Mixed Use Residential complex site. This tract will be zoned under the PD with a base zoning of Multiple Family District-2 (MF-2)

Tract 2:

2018 – Tract 2 which is 3.097 acres will be a 100-bed (+/-), 4-story hotel site. This tract will keep the base zoning of General Retail (GR)

2019 – Tract 2 which is 2.19 acres will be a 16,000 sq. ft. (+/-) general retail/office space site. This tract will keep the base zoning of General Retail (GR)

Tract 3:

2018 – Tract 3 which is 2.537 acres will be a 12,000 sq. ft. (+/-) Multi-restaurant site. This tract will keep the base zoning of General Retail (GR)

2019 – Tract 3 which is .98 acres will be a 10,700 sq. ft. (+/-) general retail/office space site. This tract will keep the base zoning of General Retail (GR)

Tract 4:

2018 – Tract 4 which is 2.678 acres will be general retail/office space site. This tract will keep the base zoning of General Retail (GR)

2019 – Tract 4 which is 1.17 acres will be a 10,700 sq. ft. (+/-) general retail/office space site. This tract will keep the base zoning of General Retail (GR)

Tract 5:

2018 – N/A

2019 – Tract 5 which is 2.42 acres will be a 100-bed (+/-), 4-story hotel site. This tract will keep the base zoning of General Retail (GR)

Tract 6:

2018 – N/A

2019 – Tract 6 which is 3.73 acres will be a 106 unit/ 120-bed (+/-), 2-story Assisted-Living and Memory Care building. This tract will keep the base zoning of General Retail (GR)

Mr. Collins noted two letters of opposition were received. He noted since the meeting packets were distributed, the applicant has agreed to comply with providing a landscape buffer between the development and the neighboring subdivision as well as double sided retail as requested by staff.

Mr. Richard Rozier, 4250 Black Champ Road, explained he offered no objections to staff concerns and the applicant is willing to work with staff to meet expectations. He asked to remove the assisted living from the concept plan and explained the detention pond was removed from the original plan and additional retail was added to the site.

After a brief discussion of questions and concerns from staff and the commission, the applicant requested to continue the public hearing to revise their plan to address elevations, screening to the subdivision, parking, tuck under garages, and eliminate assisted living.

Action:

Ms. Betty Square Coleman moved to continue a request by Josh Spoerl, Arrive Architecture Group, for a Zoning Change from a Planned Development-General Retail-Mixed Use Residential zoning district to Planned Development-Multiple Family Residential-2 and Planned Development-General Retail, with Concept Plan, located at the NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES and 911 R RUSSELL 10.6200 ACRES (Property ID 227073 and 138302) - Owner: LYONS AMERICAN SECURITIES INC (PD-19-0031) to the May 14, 2019 Planning and Zoning Commission meeting. Vice Chairman Melissa Ballard seconded, All Ayes.

25. Consider recommendation of Zoning Change No. PD-19-0031

No action taken.

26. Public Comments

None

27. Adjourn

There being no further business, the meeting adjourned at 8:32 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary