

Planning and Zoning Commission
January 28, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, January 28, 2020 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: Colby Collins, Senior Planner
Chris Webb, Planner
Macey Martinez, Graduate Engineer
Tommy Ludwig, Assistant City Manager
Lori Cartwright, City Secretary
Mary Lou Shipley, Council Representative

Others Absent: Shon Brooks, Director of Planning

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 January 14, 2020
- b. Minutes of the Planning and Zoning Commission briefing of January 14, 2020

Action:

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

5. **Continue Public Hearing on a request by Michael Martin, Bannister Engineering, for a Zoning Change from a Light Industrial-1 and Heavy Industrial to Planned Development-General Retail and Planned Development-Multi Family-2, with Concept Plan, located SW of Butcher Road at N Highway 77 (Property ID 189377, 189370, and 239005) - Owner: DMJ Properties LTD, Saldena Properties LP, and Citizens National Bank in Waxahachie (PD-19-0175)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue PD-19-0175 to the Planning and Zoning Commission meeting of February 11, 2020.

6. Consider recommendation of Zoning Change No. PD-19-0175

Action:

Ms. Betty Square Coleman moved to continue the Public Hearing on a request by Michael Martin, Bannister Engineering, for a Zoning Change from a Light Industrial-1 and Heavy Industrial to Planned Development-General Retail and Planned Development-Multi Family-2, with Concept Plan, located SW of Butcher Road at N Highway 77 (Property ID 189377, 189370, and 239005) - Owner: DMJ Properties LTD, Saldena Properties LP, and Citizens National Bank in Waxahachie (PD-19-0175) to the Planning and Zoning Commission meeting of February 11, 2020. Vice Chairman Melissa Ballard seconded, All Ayes.

7. Public Hearing on a request by Brad Yates, Loren Gray Investments LLC, for a Replat of Lots 8A and 16A, Block 5, Town Addition, to create Lots 1 and 2, Block A, Yinger Addition, 0.2279 acres (Property ID 170607) – Owner: Loren Gray Investments LLC (RP-19-0167)

Chairman Keeler opened the Public Hearing.

Planner Chris Webb reported the applicant is requesting a replat to move an existing property line to allow for the construction of a single-family residence. Mr. Webb stated the lots adhere to the infill requirements as well as the Zoning and Subdivision Ordinances. Staff recommended approval.

The Commission held discussion and asked for clarification on the Lot numbers. It was determined a typo occurred and Lots 1 and 2 should reflect Lots 3A and 3B.

There being no others to speak for or against RP-19-0167, Chairman Keeler closed the Public Hearing.

8. Consider approval of RP-19-0167

Action:

Vice Chairman Melissa Ballard moved to approve a request by Brad Yates, Loren Gray Investments LLC, for a Replat of Lots 8A and 16A, Block 5, Town Addition, to create Lots 1 and 2, Block A, Yinger Addition, 0.2279 acres (Property ID 170607) – Owner: Loren Gray Investments LLC (RP-19-0167), subject to Lots 1 and 2 reflecting Lots 3A and 3B. Mrs. Bonney Ramsey seconded, All Ayes.

9. Public Hearing on a request by Chip G. Boyd, JH Development, for a Zoning Change from a Planned Development-23-Single Family-1 zoning district to a Single Family-1 zoning district located East of the intersection of Hunter Pass and FM 877 (Property ID 183566) - Owner: Bobby Lide Inc. (ZC-19-0152)

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZC-19-0152 to the Planning and Zoning Commission meeting of March 10, 2020.

10. Consider recommendation of Zoning Change No. ZC-19-0152

Action:

Mrs. Bonney Ramsey moved to continue the Public Hearing on a request by Chip G. Boyd, JH Development, for a Zoning Change from a Planned Development-23-Single Family-1 zoning district to a Single Family-1 zoning district located East of the intersection of Hunter Pass and FM 877 (Property ID 183566) - Owner: Bobby Lide Inc. (ZC-19-0152) to the Planning and Zoning Commission meeting of March 10, 2020. Vice Chairman Melissa Ballard seconded, All Ayes.

11. Consider request by Chip G. Boyd, JH Development, for a Plat of Sanctuary for 86 residential lots and 1 common area being 110.484 acres situated in the WC Coleman Survey, Abstract 204, AB Fluery Survey, Abstract 374, and the M Rafferty Survey, Abstract 898 (Property ID 183566) - Owner: Bobby Lide Inc. (PL-19-0153)

Chairman Keeler announced the applicant withdrew PL-19-0153.

12. Public Hearing on a request by Mark Thedford, Akamai Designs, for a Replat of Lot 7R, Block B, Indian Hills Addition, Unit VII to create Lots 1, 2, and 3, Block A, Stone Creek Estates, 1.787 acres (Property ID 221873) – Owner: Akamai Designs Inc. (RP-19-0157)

Chairman Keeler opened the Public Hearing.

Mr. Webb reported the requested lots meet the zoning requirements. He stated the City Engineer James Gaertner worked with the Civil Engineer to resolve the drainage issue and the result was the detention pond located in Indian Hills is not necessary. Mr. Webb stated the city received seven (7) letters of opposition within the 200 feet notification area and one (1) letter of approval within the 200 feet notification area. He stated the city received thirty-eight (38) letters of opposition outside the 200 feet notification area.

Mr. Gaertner stated the Civil Engineer for the developer is the same Civil Engineer for Indian Hills, Phase 7, which is the property the existing detention pond is located. He stated when the Estates of Garden Valley was developed, the design for the drainage included Indian Hills, Phase 7. Mr. Gaertner stated the detention pond in the Estates at Garden Valley was sized for fully developed Indian Hills, Phase 7.

Commissioner Jim Phillips confirmed, by right, the applicant is compliant with the Subdivision Ordinance. Senior Planner Colby Collins concurred.

Commissioner Betty Coleman confirmed the pond in Garden Valley replaced the pond in Indian Hills. Mr. Collins concurred.

Chairman Keeler stated the existing pond in Indian Hills was constructed and inhibits the water flow and explained the builder will need to find a way to get the water from the cul-de-sac to the detention pond. Mr. Gaertner concurred.

Chairman Keeler referenced the brick wall. Assistant City Manager Tommy Ludwig stated the wall is not in the right-of-way and is not in any wall easement. He explained the city will acknowledge the encroachment but will not maintain it.

Those who spoke against RP-19-0157:

Mrs. Melinda Miller, 160 Old Bridge Road, Waxahachie

There being no others to speak for or against RP-19-0157, Chairman Keeler closed the Public Hearing.

13. Consider approval of RP-19-0157

Action:

*Mr. Jim Phillips moved to approve a request by Mark Thedford, Akamai Designs, for a Replat of Lot 7R, Block B, Indian Hills Addition, Unit VII to create Lots 1, 2, and 3, Block A, Stone Creek Estates, 1.787 acres (Property ID 221873) – Owner: Akamai Designs Inc. (RP-19-0157). Vice Chairman Melissa Ballard seconded, **All Ayes.***

14. Adjourn

There being no further business, the meeting adjourned at 7:21 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary