

Planning and Zoning Commission
January 22, 2014

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Wednesday, January 22, 2014 at 4:30 p.m. in the Council Chamber at 401 S. Rogers, Waxahachie, Texas.

Members Present: Jim Cooper, Chairman
Betty Jefferson, Vice Chairman
Rick Keeler
Bonney Ramsey
Mary Lou Shipley
Anthony Mottla
Melissa Ballard

Member Absent: None

Others Present: Clyde Melick, Director of Planning
Amber Villarreal, Assistant City Secretary
Steve Chapman, City Attorney

Chairman Jim Cooper called the meeting to order. Ms. Melissa Ballard gave the invocation.

Ms. Melissa Ballard moved to approve the minutes of the Planning & Zoning Commission regular meeting of January 8, 2014. Mrs. Bonney Ramsey seconded, the vote was as follows:

Ayes: Jim Cooper
Rick Keeler
Bonney Ramsey
Mary Lou Shipley
Anthony Mottla
Melissa Ballard

Noes: None

Absent: Betty Jefferson

The motion carried.

Chairman Jim Cooper opened the Public Hearing on a request by Burger Engineering, LLC c/o Bryan M. Burger, P.E., for a Specific Use Permit for a Grocery Store and Site Plan approval within a Planned Development–General Retail (PD-GR) Zoning District for Aldi Food Market to be located at 401 N. Highway, being Lot 2, 2.05 acres in 148 & 599 WM Baskins & J Johnson Survey- Owner: Winward Partners X (ZA 2013-40).

Bryan Burger, Burger Engineering, 17103 Preston Road, Dallas, requested approval of the site plan and Specific Use Permit for an Aldi Food Market.

Planning Director Clyde Melick reviewed the following Staff Comments:

- 1) Applicant requests approval of site plan to renovate the previous location of Big Lots into a grocery store, a Specific Use Permit is needed at this location for a grocery store and this site plan if approved can also suffice for the Specific Use Permit
- 2) Signs shown on architectural drawings to scale do not match measurement descriptions, clarification should be provided
- 3) All signs that are not detailed on site plan must adhere to city standards
- 4) Required off street parking is 97 spaces, 95 are provided, it appears there is enough surrounding parking to adequately park this store
- 5) Owner needs to verify where existing fire line connection is on City Main
- 6) Applicant to correct Site Plan and resubmit to Planning Department for filing

Mr. Burger noted the applicant has reviewed the staff comments and is in agreement. Mr. Rick Keeler asked if the applicant is going to repave and Mr. Burger stated they are.

There being no others to speak for or against Zoning Amendment Request 2013-40, Chairman Cooper closed the public hearing.

Mr. Rick Keeler moved to approve the request by Burger Engineering, LLC c/o Bryan M. Burger, P.E., for a Specific Use Permit for a Grocery Store and Site Plan approval within a Planned Development–General Retail (PD-GR) Zoning District for Aldi Food Market to be located at 401 N. Highway, being Lot 2, 2.05 acres in 148 & 599 WM Baskins & J Johnson Survey- Owner: Winward Partners X (ZA 2013-40), subject to Staff Comments. Ms. Mary Lou Shipley seconded, **All Ayes.**

Chairman Jim Cooper opened the Public Hearing on a request by Sterling Development Co., for a Zoning Amendment from Single Family-1 to Planned Development–Single Family-1 (PD-SF1) for mixed use and residential development located between Highway 77 and FM 813, being approximately 455 acres- Owner: Various (ZA 2013-41).

Terry Weaver, President of Sterling Development, Midlothian, noted there are additional parcels that since the application filing, have requested to be included in the zoning change. Mr. Weaver presented the planned development community noting it is pedestrian friendly with lots of green space with limited commercial area near Highway 77 and FM 813.

Commissioner Ramsey asked if the park space presented would be maintained by a Homeowner's Association or the City Parks Department. Mr. Weaver noted it could be maintained by both or a possible Public Improvement District.

City Attorney Steve Chapman noted this is a large project and is very new to the city. He mentioned there are several legal issues that need to be resolved. The project can blend with city ordinances, but must be done with caution.

Commissioner Anthony Mottla inquired about the build out projections. Mr. Melick noted his projection is a 20 year build out with about 10,000-12,000 people. Commissioner Mottla asked at what point does TxDOT come in, because he doesn't believe FM 813 has the capacity to absorb the traffic. Mr. Melick noted TxDOT will be involved because they have jurisdiction over Highway 77 and FM 813. He noted FM 813 is on the list for Roadway Impact Fees and will be updated by the city in the future.

Vice Chairman Jefferson asked if additional traffic lighting will be required and Mr. Melick noted during the platting process a traffic impact analysis will be done.

Commissioner Shipley asked Mr. Melick if he feels this is an effective way to develop this property and he noted he does. As mentioned by the applicant, the neighborhoods will flow better and have design guidelines that make for beautiful neighborhoods.

Commissioner Rick Keeler voiced his concern about lot sizes being too large without smaller lots included and Mr. Melick noted that would be limited to certain areas of the development.

Planning Director Clyde Melick recommended continuing the public hearing to the February 12, 2014 meeting to allow for time to properly notify the additional property owners as required by law.

Planning Director Clyde Melick reviewed the following Staff Comments:

- 1) Applicant requests approval of zoning change on 455 acres of open land for creation of a single family and multi-use development
- 2) This Planned Development came about by talking to various land owners who were close to developing their property. Also talking to landowners who were not necessarily ready to develop their property but who were willing to establish a Planned Development on this property. The city then enlisted TBG Partners, a planning consultant team that we have worked with in the past. TBG held a three day charrette with the landowners, developers, representatives with the P & Z, City Council and staff. The result of this charrette is the governing document for the Planned Development.
- 3) In the beginning the Planned Development was for over 950 acres, however this application is just for 450 acres. For the majority of this property this is not a problem. For a portion that is the current Country Meadows subdivision this creates a problem. Currently the current Country Meadows has high density development along with 50 foot frontage lots. One point of discussion was that for the Nelson Farms tract we would give the developer the overall increase in density if the developer was willing to forgo some of the density in the Country Meadows tract. (these tracts are controlled by one owner) This application does not lessen the density of the Country Meadows tract but it does increase the density of the Nelson Farms tract. Staff would recommend that both these tracts are rezoned at the same time.

- 4) Proposed Single Family development dwelling sizes are larger or equal to current city standards, however lot sizes offer developer flexibility to be reduced below current zoning standards
- 5) All exterior materials used throughout development will comply with City standards
- 6) Additional information is contained within the “North Grove Planned Development Standards”

Those who spoke in opposition with concerns:

Ms. Carol Forkowitz, 3000 Brown Street, Waxahachie

Ms. Colleen Beasom, 209 Brown Street, Waxahachie

Vice Chairman Betty Jefferson moved to continue the Public Hearing on the request by Sterling Development Co., for a Zoning Amendment from Single Family-1 to Planned Development–Single Family-1 (PD-SF1) for mixed use and residential development located between Highway 77 and FM 813, being approximately 455 acres- Owner: Various (ZA 2013-41) to the February 12, 2014 meeting. Ms. Mary Lou Shipley seconded, **All Ayes.**

Citizens’ Petitions and Requests

None

There being no further business, the meeting adjourned at 5:25 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary