

Planning and Zoning Commission  
April 9, 2014

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Wednesday, April 9, 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

Member Absent: Melissa Ballard

Others Present: Clyde Melick, Director of Planning  
Steve Chapman, City Attorney  
Lori Saunders, City Secretary  
Kevin Strength, Council Representative

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Chairman Jim Cooper called the meeting to order and Vice Chairman Betty Jefferson gave the invocation.

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**Mrs. Bonney Ramsey moved approval of the minutes of the regular Planning & Zoning Commission meeting of March 26, 2014.** Vice Chairman Betty Jefferson seconded, **All Ayes.**

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Chairman Jim Cooper opened the Public Hearing on a request Louis Gennarelli, for a Site Plan approval within a Planned Development-20-General Retail (PD-20-GR) Zoning District for University Plaza remodel located at 401 N. Hwy. 77, being 6.85 acres, 148 & 599 WM Baskins & J Johnson Survey- Owner: Windward Partners (ZA 2014-05).

Mr. Clyde Melick, Director of Planning, noted the Applicant is not present.

**Vice Chairman Betty Jefferson moved to continue the Public Hearing to the Planning and Zoning Commission meeting of April 23, 2014.** Ms. Mary Lou Shipley seconded, **All Ayes.**

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Chairman Cooper opened the Public Hearing on a request by Linda Alvarez, for a Zoning Amendment from Single Family-2 (SF-2) to General Retail (GR) to allow receptions and small events at the home located at 617 Solon Road, being 1.5 acres out of J B Bounds Survey, Abstract No. 99- Owner: Robert and Linda Alvarez (ZA 2014-06).

Mr. Robert Alvarez, 617 Solon Road, Waxahachie, reported last year in June a request was made for a Specific Use Permit within a Single-Family (SF) Zoning District to allow private and corporate special events at his residence. He explained City Council would not approve until amending of Zoning Ordinance pertaining to residential entertainment facilities has been approved. Mr. Alvarez stated approving from Single Family-2 to General Retail will allow receptions and small events at their home.

Mrs. Bonney Ramsey asked the quantity of events expected to be held. Mr. Alvarez stated approximately two per month and will accommodate groups up to 20 in attendance.

There being no others to speak for or against Zoning Amendment ZA 2014-06, Chairman Cooper closed the Public Hearing.

Mr. Clyde Melick, Director of Planning, reviewed the following Staff Comments:

- 1) Applicant requests a zoning change for a house to be used as a wedding and event venue.
- 2) The applicant will continue to live in the house
- 3) The adjacent land uses are Two-Family Residential Duplexes across the street, and neighboring properties are primarily Institutional, including a school, WISD maintenance facility, and nursing home.
- 4) This property on the Future Land Use plan is Low Density Residential, with Public/Semi-Public to the North and South.
- 5) Applicant shall provide 5 corrected copies of complete Site Plan to the Planning Department within 30 days of City Council approval.

**Mrs. Bonney Ramsey moved to approve Zoning Amendment from Single Family-2 (SF-2) to General Retail (GR) to allow receptions and small events at the home located at 617 Solon Road, being 1.5 acres out of J B Bounds Survey, Abstract No. 99- Owner: Robert and Linda Alvarez, (ZA 2014-06), subject to Staff Comments.** Mr. Anthony Mottla seconded, **All Ayes.**

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Chairman Cooper opened the Public Hearing on a request by Rob Baldwin, Baldwin Associates, for a Site Plan approval and Specific Use Permit within a Planned Development (PD) Zoning District to build a skilled nursing facility to be located on Country Meadows Boulevard– Owner: WCE 2013 Charitable Remainder Unitrust (ZA 2014-07). Chairman Cooper announced he received a notice of the Applicant requesting to postpone the hearing until the next Commission meeting.

**Ms. Mary Lou Shipley moved to continue the Public Hearing on a request by Rob Baldwin, Baldwin Associates, for a Site Plan approval and Specific Use Permit within a Planned Development (PD) Zoning District to build a skilled nursing facility to be located on Country Meadows Boulevard– Owner: WCE 2013 Charitable Remainder Unitrust (ZA 2014-07) to the Planning and Zoning Commission meeting of April 23, 2014.** Vice Chairman Betty Jefferson seconded, **All Ayes.**

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Mr. Karl Griffin, 3120 Sovereign Drive, Lansing, Michigan, requested approval of Preliminary Plat of Victory Park being 107.099 acres in the Allen W. Brown Survey, Abstract No. 102, Joseph Benson Survey, Abstract No. 104-Owner: Dartco of Texas, LLC (PLM 2014-02). He stated Dartco will take 7 acres that fronts Highway 77, divide the acres into 8 separate lots to sell. The remainder acres will be retained by Dartco for internal use.

Mr. Clyde Melick, Director of Planning, reviewed the following Staff Comments:

- 1) Applicant proposes the platting of Lots 1-3, Block A, Lots 1-3, Block B, Lots 1-2, Block C, and Lots 1-2, Block D
- 2) City Master Plan identifies a twelve (12") inch diameter water line along north property line east to west from WHY 77 to the BNSF railroad tracks. The 12" water line will then need to then go north (estimated 400 to 500 linear feet) and connect to the existing ten (10") inch diameter water line where it intersects the 14" water line along BNSR railroad.  
– This will be provided in Phase II
- 3) Distance to current driveway at Campuzanos should be provided, northernmost drive will not be allowed
- 4) All connections to Highway 77 shall be approved by TxDOT
- 5) Maximum impervious coverage for all lots will be 60% for all buildings and pavement
- 6) Non-residential park dedication of \$600.00 per acre is required
- 7) North Town Boulevard must extend to the northern limit of property
- 8) Northtown Boulevard does not extend to the northern limit of the tracts being platted. This street should be extended to the Northern limit of the property's being platted. The letter report from Atlas explains that there is apparently a narrow strip of land that is under other ownership
- 9) The letter goes on to explain that the northernmost strip is in a different phase. Solution; change the phase line and dedicate the right-of-way that is located in this strip, or place the ROW dedication language on the plat for the next phase
- 10) The subdivision ordinance in Section 4.2.b. stipulates that "it shall be the developer's responsibility to establish and identify the FMA. The FMA is defined in section 4.2.a. The creek that runs across this property will have to be studied and a LOMR will have to be completed. This requirement can also be found in the City's Flood Damage Prevention Ordinance
- 11) As this reach is analyzed the impact of this development will have to be determined. That will require that the configuration of the floodplain prior to development must be determined. This pre-development floodplain will have to be compared to the post-development floodplain and the impact of this development must be determined. Any negative impacts on the adjoining properties must be mitigated
- 12) The Traffic Impact Analysis limits their access to Hwy 77 from the warehouse site. The TIA only calls for Trucks to enter and exit the private drive and light at Dart Way. Any site plan for the warehouse that routes more than just employees to Hwy 77 will likely not be approved. The commercial development along the frontage is not configured to

allow semi-tractor access to the back. The two access drives are also not configured to provide semi-tractor trailer access

- 13) Within thirty (30) days after City Council approval provide City Planning Department with twelve (12) corrected copies

**Vice Chairman Betty Jefferson moved to approve Preliminary Plat of Victory Park being 107.099 acres in the Allen W. Brown Survey, Abstract No. 102, Joseph Benson Survey, Abstract No. 104-Owner: Dartco of Texas, LLC (PLM 2014-02), subject to Staff Comments.**

Mr. Anthony Mottla seconded, **All Ayes.**

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Mr. Jim Strawn, GenPro, 9615 Angleridge, Dallas, representing the Applicant, requested approval of Preliminary Plat of Oak Vista Estates Phase I, being a 6.615 acre addition in S.B. Orton Survey, Abstract No. 813 in the ETJ-Owner: Richard Miskimon ETAL (PLM 2014-07). He stated the proposed use of the property is to have five residential lots.

Mr. Clyde Melick, Director of Planning, reviewed the following Staff Comments:

- 1) Applicant proposes to plat 5 lots in the Extra Territorial Jurisdiction (ETJ) of Waxahachie
- 2) A proposed road is shown between lots 3 and 4. No right-of-way dedication is shown and no improvements are indicated. I am not certain of the impact of this
- 3) This proposed road is too close to FM 1446, 1000' feet is required between these roads, this is also the case between Oak Vista Road and the proposed road
- 4) Buena Vista Bethel SUD Water Service and within City of Waxahachie sanitary sewer master plan are for sanitary sewer system
- 5) Information is needed from Buena Vista Bethel Water Corporation that shows adequate fire protection is available according to ISO Guide for Determination of Needed Fire Flow
- 6) Within thirty (30) days after City Council approval provide City Planning Department with twelve (12) corrected copies

**Mr. Anthony Mottla moved to approve Preliminary Plat of Oak Vista Estates Phase I, being a 6.615 acre addition in S.B. Orton Survey, Abstract No. 813 in the ETJ-Owner: Richard Miskimon ETAL (PLM 2014-07), subject to Staff Comments.** Mrs. Bonney Ramsey seconded, **All Ayes.**

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Consider Preliminary Plat of Lot 1, Block A, Country Meadows being a 7.6393 acre addition in the Henri Levy Survey, Abstract No. 629-Owner: WCE 2013 Charitable Remainder Unitrust (PLM 2014-08).

Chairman Cooper stated the Applicant requested to postpone PLM 2014-08 to the Planning and Zoning Commission meeting of April 23, 2014.

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Mr. Melick referenced ZA 2014-05 previously postponed, and stated the Applicant is present to proceed with the Public Hearing.

**Ms. Mary Lou Shipley moved to amend the motion continuing the Public Hearing on ZA 2014-05 and proceed to hold the Public Hearing.** Vice Chairman Betty Jefferson seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request Louis Gennarelli, for a Site Plan approval within a Planned Development-20-General Retail (PD-20-GR) Zoning District for University Plaza remodel located at 401 N. Hwy. 77, being 6.85 acres, 148 & 599 WM Baskins & J Johnson Survey- Owner: Windward Partners (ZA 2014-05).

Mr. Richard Smith, 2909 Cole Avenue, Dallas, representing the Applicant, reported the remodel includes minimal façade renovations, arch ways, and a tower clock. He stated the alley way behind the plaza will be closed.

There being no others to speak for or against ZA 2014-05, Chairman Cooper closed the Public Hearing.

Mr. Clyde Melick, Director of Planning, reviewed the following Staff Comments noting landscaping to be added to the clock tower and parking lot.

- 1) Applicant is requesting approval of limited façade renovations
- 2) Based on the elevations and pictures there will be a clock tower added and limited façade changes
- 3) It is recommended that landscaping be added to compliment the new Aldi addition that is currently underway at the northern extent of this shopping center
- 4) Applicant to correct Site Plan and resubmit to Planning Department for filing

**Vice Chairman Betty Jefferson moved to approve Site Plan approval within a Planned Development-20-General Retail (PD-20-GR) Zoning District for University Plaza remodel located at 401 N. Hwy. 77, being 6.85 acres, 148 & 599 WM Baskins & J Johnson Survey- Owner: Windward Partners (ZA 2014-05), subject to Staff Comments.** Ms. Mary Lou Shipley seconded, **All Ayes.**

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Mr. Melick reported the road medians have reduced accidents by fifty percent.

Vice Chairman Jefferson complicated the downtown recycling center for being a clean business and stated the pavement is getting damaged by trucks turning. Mr. Melick stated Staff will be working with the owner to resolve the issue.

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There being no further business, the meeting adjourned at 5:16 p.m.

Respectfully submitted,

Lori Saunders

City Secretary