

Planning and Zoning Commission
May 28, 2014

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Wednesday, May 28, 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
Anthony Mottla
Melissa Ballard

Member Absent: None

Others Present: Clyde Melick, Director of Planning
Johnny Bray, Building Official
Amber Villarreal, Assistant City Secretary
Steve Chapman, City Attorney
David Hill, Council Representative

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

Mrs. Bonney Ramsey moved to approve the minutes of the Planning & Zoning Commission regular meeting of May 14, 2014. Vice Chairman Betty Jefferson seconded, the vote was as follows:

Ayes: Jim Cooper
Betty Jefferson
Bonney Ramsey
Anthony Mottla
Melissa Ballard

Noes: None

Absent: Rick Keeler

The motion carried.

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).

Mr. Alan Naul, 3232 Mckinney Ave., Dallas, TX, presented a 3D rendering of the proposed skilled nursing facility showing the 2 types of hardy material that will be used.

Planning Director Clyde Melick reviewed the following Staff Comments:

- 1) This request is to build a Skilled Nursing Facility in the Planned Development- General Retail zoning
- 2) Elevations show the building to be 52% masonry and 48% Hard-Plank, our requirement is 90% masonry
- 3) Any masonry veneer used must be three and five-eighths inches thick.
- 4) Horizontal articulation should also be addressed
- 5) Landscape calculations must be provided
- 6) Applicant should meet with City staff to review comments above along with proposed site plan mark-up notes and resubmit corrected plats for processing

Mr. Anthony Mottla asked if the applicant is requesting a variance of the 90% masonry requirement. Mr. Melick noted the applicant is asking for a variance during the site plan phase.

There being no others to speak for or against ZA 2014-07, Chairman Cooper closed the Public Hearing.

After a brief discussion, Mr. Anthony Mottla moved to recommend approving the 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), subject to Staff Comments, omitting Item #2 relieving the masonry requirement, and add additional architectural features . Mrs. Bonney Ramsey seconded, All Ayes.

Chairman Cooper opened the Public Hearing on a request by Greg and Tammy Wimbish for a Specific Use Permit within a Future Development (FD) Zoning District to build a barn to house animals located between 2011 Black Champ Road and 1435 Black Champ Rd., being 12.102 acres in the O.F. Gregg Survey, Abstract No. 426– Owner: Greg and Tammy Wimbish (ZA 2014-14).

Greg and Tammy Wimbish, 3631 Mindy Ln., Midlothian, TX, requested a Specific Use Permit to build a barn to house animals. Mrs. Wimbish noted there are no structures currently on the 12 acres and the barn will be built near the trees and will not be visible from the road.

Planning Director Clyde Melick reviewed the following Staff Comments:

- 1) Applicant requests approval of a specific use permit for a 4,800 sq ft barn
- 2) Any finished floor should be a minimum of one (1') foot above the nearby floodplain.
- 3) Side yard will be fifty feet from street right of way
- 4) No living quarters shall be built in the barn

Mr. Kevin Finch, Finch FP LTD, Plano, TX, inquired about city regulation of animals and Mr. Melick noted animals will be regulated by other city departments and not through the zoning.

There being no others to speak for or against ZA 2014-14, Chairman Cooper closed the Public Hearing.

Ms. Melissa Ballard moved to approve the request by Greg and Tammy Wimbish for a Specific Use Permit within a Future Development (FD) Zoning District to build a barn to house animals located between 2011 Black Champ Road and 1435 Black Champ Rd., being 12.102 acres in the O.F. Gregg Survey, Abstract No. 426– Owner: Greg and Tammy Wimbish (ZA 2014-14), subject to Staff Comments. Vice Chairman Betty Jefferson seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by John W. Harrell, for a Site Plan approval within a Planned Development-112-Heavy Industrial (PD-112-HI) Zoning District to review new building located at 100 Singleton Rd., being 2 acres, Lot 2, Block B, Waxahachie Business and Industrial Park-Owner: QuickTurn Technology, Inc. (ZA 2014-15).

Mr. Steve Tunnell, 685 Dawson Road, Waxahachie, TX, noted changes have been made to the original site plan approved about 1 ½ years ago.

Mr. Melick noted variances were granted with the original site plan and the new changes now need approval.

Vice Chairman Betty Jefferson asked if the elevation and roof pitch are the only changes and Mr. Melick noted yes and he believes the changes will improve the look of the surrounding industrial area.

Planning Director Clyde Melick reviewed the following Staff Comments:

- 1) Applicant request and amended site plan to build a machine shop in a Heavy Industrial Area
- 2) Applicant request additional relief of the 90% masonry requirement and 6:12 roof pitch
- 3) Fifteen (15') foot sanitary sewer easement is required along Singleton Drive
- 4) Hammerhead turnaround must be able to accommodate firefighting apparatus, twenty four (24') feet width is required
- 5) Any radius on fire lane should be a minimum 25'
- 6) Additional trees should be placed to the rear of the building due to the proximity to Solon Road
- 7) Impact fees will be determined at time of building permit issuance
- 8) Within 30 days of approval by City Council, applicant to provide City Building and Development Department with five complete corrected copies of Site Plan

There being no others to speak for or against ZA 2014-15, Chairman Cooper closed the Public Hearing.

Mr. Rick Keller moved to approve the request by John W. Harrell, for a Site Plan approval within a Planned Development-112-Heavy Industrial (PD-112-HI) Zoning District to review new building located at 100 Singleton Rd., being 2 acres, Lot 2, Block B, Waxahachie Business and Industrial Park-Owner: QuickTurn Technology, Inc. (ZA 2014-15), subject to Staff Comments. Mr. Anthony Mottla seconded, **All Ayes.**

Chairman Cooper announced PLM 2014-19 was denied at the last P&Z meeting and was inadvertently added to this agenda.

Mr. Terry Weaver, 815 W. Main, Midlothian, TX, requested approval of the Preliminary Plat of Country Meadows Phase 3-5, being Lot 19, Block A; Lots 17-29, Block C; Lots 1-17, Block D; Lots 1-17, Block E; Lots 1-16, Block F; Lots 1-18, Block G; Lots 1-6, Block H; Lots 1-5, Block K; Lots 11-15, Block L; Lots 1-28, Block M; Lots 1-3, Block N; Lots 2-27, Block O; Lots 1-3, Block P; Lots 1-19, Block Q; Lots 1-12, Block R; Lots 1-22, Block S; Lots 1-12, Block T; Lots 1-8, Block U; Lots 1-7, Block V; Lots 1-13, Block W; Lots 1-16, Block X; Lot 1, Block Y; Lots 1-10, Block Z; Lots 1-14, Block AA; and Lot 1, Block AB; being 83.186 acres of land in the Henri Levy Survey, Abstract No. 629 and the Robert Russell Survey, Abstract No. 911-Owner: Moritz Interest, LTD (PLM 2014-13). Mr. Weaver noted he has made all adjustments to the platting process and will comply with the new zoning requirements. He mentioned the development area is in the process of being renamed to The Cove.

Mr. Anthony Mottla inquired about the open space/park requirements. Mr. Melick noted there is plenty of open space surrounding the property in the North Grove Development that was recently approved.

Planning Director Clyde Melick reviewed the following Staff Comments:

- 1) Applicant proposes the platting of 297 lots for Country Meadows phases 3-5
- 2) The southern portion of this development will flow to existing sewer with capacity, at this point the northern portion will have to wait until additional infrastructure is in place.
- 3) Add 8 fire hydrants
- 4) This is a continuation of the now platted Country Meadows Addition, Phase I. The title of this preliminary plat should be revised to show the proper phase of this addition.
- 5) The northern basin flows are conveyed to a point in proposed "C", discharging to an undefined system to the west of this addition.
- 6) Within thirty (30) days after City Council approval provide City Planning Department with twelve (12) corrected copies

Mrs. Bonney Ramsey moved to approve the Preliminary Plat of Country Meadows Phase 3-5, being Lot 19, Block A; Lots 17-29, Block C; Lots 1-17, Block D; Lots 1-17, Block E; Lots 1-16, Block F; Lots 1-18, Block G; Lots 1-6, Block H; Lots 1-5, Block K; Lots 11-15, Block L; Lots 1-28, Block M; Lots 1-3, Block N; Lots 2-27, Block O; Lots 1-3, Block P; Lots 1-19, Block Q;

Lots 1-12, Block R; Lots 1-22, Block S; Lots 1-12, Block T; Lots 1-8, Block U; Lots 1-7, Block V; Lots 1-13, Block W; Lots 1-16, Block X; Lot 1, Block Y; Lots 1-10, Block Z; Lots 1-14, Block AA; and Lot 1, Block AB; being 83.186 acres of land in the Henri Levy Survey, Abstract No. 629 and the Robert Russell Survey, Abstract No. 911-Owner: Moritz Interest, LTD (PLM 2014-13), subject to revised Staff Comments. Ms. Melissa Ballard seconded, **All Ayes.**

Chairman Cooper announced the applicant requested to postpone the Preliminary Plat of Saddlebrook Estates Phase 1B-1, 1B-2, and 1B-3, 121 residential lots and 1 public open space, being 112.571 acres out of the M. Raffery Survey, Abstract No. 898 and the G. Carpenter Survey, Abstract No. 190-Owner: 287 Waxahachie, L.P. (PLM 2014-14) to the June 11, 2014 P&Z meeting.

Vice Chairman Betty Jefferson moved to postpone the Preliminary Plat of Saddlebrook Estates Phase 1B-1, 1B-2, and 1B-3, 121 residential lots and 1 public open space, being 112.571 acres out of the M. Raffery Survey, Abstract No. 898 and the G. Carpenter Survey, Abstract No. 190-Owner: 287 Waxahachie, L.P. (PLM 2014-14) to the June 11, 2014 P&Z meeting. Mr. Rick Keeler seconded, **All Ayes.**

Planning & Development Coordinator Derica Peters presented the following memo:

Memorandum

To: Planning & Zoning Commission
CC: Clyde Melick
From: Derica Peters
Date: 6/13/2014
Re: Food Trucks

Food truck owners have attempted to perform their due diligence by requesting permission to operate in the City of Waxahachie. However, you will find that our current policy doesn't allow this type of establishment. Currently, we only allow these mobile-food vendors with a Special Events permit, and they may not operate for more than 14 days out of the year. We believe food trucks can provide a great service to our residents, workforce, and tourists. This proposed Pilot Program will temporarily allow for the operation of food trucks. The duration of this program is indefinite.

Pilot Program

- Allow limited amount of licensed Food Trucks at city-sponsored Special Events
- Food truck operator must notify staff in advance to ensure that it is considered a Special event, and ensure adequate space
- Private property: Existing businesses may allow food trucks to operate on their property

- Permitting: Food Truck operator must show proof of current permit in the City of Dallas or Fort Worth, which we will accept as evidence of responsibility and acceptable conditions

The food truck pilot program will show the potential benefits of these new establishments. Depending on the public's interest in patronizing these establishments, we may move forward to discuss the incorporation of food trucks into our Code of Ordinances. The development of an ordinance would determine how to regulate and accommodate these units in a way that is best for the City of Waxahachie.

Downtown Development Director noted the Downtown Merchants Association is excited about the pilot program. At this point, the food trucks would only be allowed at designated events in Downtown portion of Waxahachie.

Mr. Mottla expressed his enthusiasm for the pilot program noting he thinks it will be positive for Waxahachie. He suggested not designating just one location for the food trucks, but allow them to set up where there is a demand.

Ms. Melissa Ballard noted the Rotary Club is excited about partnering with the program for the Waxahachie Cow Creek Country Classic Bike Ride.

Building Official Johnny Bray noted food trucks are currently allowed at events, and the pilot program would allow them to expand.

Mrs. Bonney Ramsey supported starting the pilot program before getting into details with an ordinance.

Vice Chairman Betty Jefferson asked what rules would the pilot program start off with and Mr. Melick suggested limiting the food trucks to the Downtown area at this point and discuss permitting issues.

Citizens' Petitions and Requests

Mr. Greg Langston, 513 Becky Lane, Waxahachie, TX, requested renaming the section of street in front of Dart Container to reduce confusion when trying to get to the new hospital.

There being no further business, the meeting adjourned at 5:38 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary