

Planning and Zoning Commission
March 11, 2015

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Wednesday, March 11, 2015 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
 Jim Phillips

Others Present: Clyde Melick, Director of Planning
 Derica Peters, Planning & Development Coordinator
 Steve Chapman, City Attorney
 Lori Saunders, City Secretary
 David Hill, Council Representative

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

Mr. Rick Keeler moved approval of the minutes of the regular Planning & Zoning Commission meeting of February 25, 2015. Mr. Jim Phillips seconded, All Ayes.

Chairman Cooper opened the Public Hearing on a request by Dean McGuire, for a Specific Use Permit for temporary buildings in a General Retail (GR) Zoning District located at 701 Ovilla Rd., being Lot 1A and Lot 4A, Block 86 of Faith Family Academy Addition, 9.885 acres. Owner: Faith Family Academy (ZA 2015-05).

Mr. Dean McGuire, 1620 Falcon Drive, DeSoto, representing Owner, reported the school is expanding and requested portable buildings during the expansion.

There being no others to speak for or against Zoning Amendment 2015-05, Chairman Cooper closed the Public Hearing.

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

- 1) Applicant is applying for a zoning change from General Retail (GR) to General Retail with a Specific Use Permit for Portable Buildings
- 2) Requesting permit for four (4) buildings to be used as temporary portable classrooms
- 3) Buildings will be temporary and not permitted for a period of more than two (2) years
- 4) Must meet all applicable Building and Fire Codes

Mrs. Bonney Ramsey moved to approve a request by Dean McGuire, for a Specific Use Permit for temporary buildings in a General Retail (GR) Zoning District located at 701 Ovilla Rd., being Lot 1A and Lot 4A, Block 86 of Faith Family Academy Addition, 9.885 acres. Owner: Faith Family Academy (ZA 2015-05), subject to Staff Comments. Vice Chairman Betty Jefferson seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Brad Yates, for a Zoning Change from Single Family-3 (SF-3) to a Planned Development–Two Family (PD-2F) Zoning District located at 106 Jarrett Rd., being Lot 65 and 66, Block 181 of Town Addition, 0.172 acres. Owner: Loren Gray Investments, LLC (ZA 2015-06).

Mr. Brad Yates, 1025 W. Main, Waxahachie, reported the existing structure will be tore down and proposed a duplex that will be built on pier and beam. He stated the living units are on separate platted lots.

Those who spoke against ZA2015-06:

Ms. Barbara Turner, 406 Bluff Creek, Ovilla, Texas

There being no others to speak for or against Zoning Amendment 2015-06, Chairman Cooper closed the Public Hearing.

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

- 1) Applicant is applying for a zoning change from Single Family-3 to Planned Development Two Family (PD-2F)
- 2) Each living unit will be on a separate platted lot
- 3) Need proof of ownership or letter from owner granting
- 4) If possible, porch should wrap around to the South
- 5) Need North arrow on site plan
- 6) Each lot will have to have a separate water and sanitary sewer tap service

Vice Chairman Betty Jefferson and Mr. Anthony Mottla expressed concern with the proposed duplex and recommended building a single family house.

Mr. Yates explained he is building single family homes in this area and thought having a mix of single family and duplex will serve the needs of the community.

Audience member, Ms. Joyce Smith, 2426 Simpson Stuart Rd., Dallas spoke against ZA2015-06.

After further discussion, Mr. Jim Phillips moved to approve a request by Brad Yates, for a Zoning Change from Single Family-3 (SF-3) to a Planned Development–Two Family (PD-2F) Zoning District located at 106 Jarrett Rd., being Lot 65 and 66, Block 181 of Town Addition,

0.172 acres. Owner: Loren Gray Investments, LLC (ZA 2015-06), subject to Staff Comments.

Mrs. Bonney Ramsey seconded. The motion was as follows:

Ayes: Rick Keeler
Bonney Ramsey
Melissa Ballard
Jim Phillips

Noes: Jim Cooper
Betty Jefferson
Anthony Mottla

The motion carried.

Chairman Cooper opened the Public Hearing on a request by Brad Yates, for a Zoning Change from Single Family-3 (SF-3) to a Planned Development–Two Family (PD-2F) Zoning District located at 107 Opal being Lot 15, Block 1R and of Southpark Addition, 0.3330acres. Owner: Loren Gray Investments, LLC (ZA 2015-07).

Mr. Brad Yates, 1025 W. Main, Waxahachie, requested to build a duplex each being on their own lot.

There being no others to speak for or against Zoning Amendment 2015-07, Chairman Cooper closed the Public Hearing.

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

- 1) Applicant is applying for a zoning change from Single Family -3 to Planned Development Two Family (PD-2F)
- 2) Each duplex unit will be platted on individual lots; applicant is requesting Replat of Southpark Addition lot 15 block 1R
- 3) Need proof of ownership or letter of authorization from owner
- 4) Each lot will have to have a separate water and sanitary sewer tap service
- 5) Extend eastern driveway to the rear another 20 ft

After further discussion, Ms. Melissa Ballard moved to approve a request by Brad Yates, for a Zoning Change from Single Family-3 (SF-3) to a Planned Development–Two Family (PD-2F) Zoning District located at 107 Opal being Lot 15, Block 1R and of Southpark Addition, 0.3330acres. Owner: Loren Gray Investments, LLC (ZA 2015-07), subject to Staff Comments.

Mrs. Bonney Ramsey seconded. The motion was as follows:

Ayes: Jim Cooper
Rick Keeler

Bonney Ramsey
Melissa Ballard
Jim Phillips

Noes: Betty Jefferson
Anthony Mottla

The motion carried.

Mr. Brad Yates, 1025 W. Main, Waxahachie, requested approval of Replat of Lot 1R and 2, Block 1R of Southpark Addition, being 0.333 acres. - Owner: Loren Gray Investments, LLC. (RP 2015-06).

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

1. The applicant wishes to replat one lot into two; originally this one lot was two separate lots as proposed on this replat
2. Applicant will be building a duplex across these two lots
3. Each lot will have to have a separate water and sanitary sewer tap service
4. Acreage needs to be shown on plat
5. Signature Block should include Planning and Zoning Commissioner, Mayor, and Attest
6. Need Tax Certificates
7. Need proof of ownership or letter of authorization from owner
8. Applicant to submit twelve (12) additional corrected copies all with original signatures of property owners within thirty (30) days of City Council approval

Mr. Rick Keeler moved to approve Replat of Lot 1R and 2, Block 1R of Southpark Addition, being 0.333 acres. - Owner: Loren Gray Investments, LLC. (RP 2015-06), subject to Staff Comments. Ms. Melissa Ballard seconded. The vote was as follows:

Ayes: Jim Cooper
Rick Keeler
Bonney Ramsey
Melissa Ballard
Jim Phillips

Noes: Betty Jefferson
Anthony Mottla

The motion carried.

Chairman Cooper opened the Public Hearing on a request by Vaquero Ventures, for a Zoning Change from a Future Development (FD) to General Retail (GR) Zoning District located at 77 Janis Ln., being Lot 1, Block 1 of High Points Addition, being 1.03 acres. Owner: Alton Hinsley (ZA 2015-08).

Mr. Doak Ralston, 3211 W. 4th Street, Ft. Worth, Texas, reported the zoning is to allow a Dollar General Store to be constructed. He stated truck traffic is once every two weeks during business hours.

Those who spoke against ZA2015-08:

Mr. Donny Jernigan, 3466 Highway 77, Waxahachie
Mr. Terry Nay, 3390 N. Highway 77, Waxahachie

Those who spoke for ZA2015-089:

Mr. Alton Hinsley, 1109 Maree Drive, Waxahachie

There being no others to speak for or against Zoning Amendment 2015-08, Chairman Cooper closed the Public Hearing.

Mr. Clyde Melick, Director of Planning, presented the following Staff Comments noting the Commission is considering the zoning and not the store specifically:

- 1) Applicant is applying for a zoning change from Future Development to General Retail
- 2) Building line is mislabeled "LB"
- 3) Driveway must be approved and permitted through TXDOT
- 4) Site plan is not to scale, please correct on revised copies
- 5) Parallel parking spot not allowed at this location
- 6) Rear building line is 20 ft
- 7) Need to meet with Director of Utility to discuss water and sewer easements before construction
- 8) Must meet all other applicable city codes
- 9) Future Land Use Plan shows this area as Retail

Ms. Melissa Ballard moved to approve a request by Vaquero Ventures, for a Zoning Change from a Future Development (FD) to General Retail (GR) Zoning District located at 77 Janis Ln., being Lot 1, Block 1 of High Points Addition, being 1.03 acres. Owner: Alton Hinsley (ZA 2015-08), subject to Staff Comments. Vice Chairman Betty Jefferson seconded. The vote was as follows:

Ayes: Betty Jefferson
Rick Keeler
Bonney Ramsey
Anthony Mottla

Melissa Ballard

Jim Phillips

Noes: Jim Cooper

The motion carried.

Mr. Allen Bendorf, 203 Howard Road, Waxahachie requested approval on Replat of Lot 6CR Block 30 of Bullards Addition, being 0.766 acres. – Owner: Allen Bendorf (RP 2015-03).

Mr. Clyde Melick, Director of Planning, presented the following Staff Comments noting, after further review, number 4 of comments will be removed:

1. The applicant wishes to amend the plat to remove an easement
2. Need to provide at 15' utility easement across front of property
3. Need to provide more detail and label easement across northwest side of property
4. 20' of right-of-way dedication needed along Howard Rd; this is to meet the Comprehensive Plans requirement of a 90' right-of-way
5. Signature Block should include Planning and Zoning Commissioner, Mayor, and Attest
6. Applicant to submit twelve (12) additional corrected copies all with original signatures of property owners within thirty (30) days of City Council approval

Mrs. Bonney Ramsey moved to approve Replat of Lot 6CR Block 30 of Bullards Addition, being 0.766 acres. – Owner: Allen Bendorf (RP 2015-03), subject to Staff Comments striking comment number 4. Mr. Jim Phillips seconded, **All Ayes.**

Mr. Clyde Melick, Director of Planning announced the Planning and Zoning Commission meeting scheduled for Wednesday, March 25, 2015, has been cancelled due to lack of business.

There being no further business, the meeting adjourned at 5:46 p.m.

Respectfully submitted,

Lori Saunders
City Secretary