

Planning and Zoning Commission
October 13, 2015

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Tuesday, October 13, 2015 at 7:00 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
Melissa Ballard
Jim Phillips
Rodney Bell

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

Others Absent: Derica Peters, Planning & Development
Coordinator

Vice Chairman Betty Jefferson called the meeting to order and Ms. Melissa Ballard gave the invocation.

Mrs. Bonney Ramsey moved approval of the minutes of the regular Planning & Zoning Commission meeting of September 23, 2015. Ms. Melissa Ballard seconded, **All Ayes.**

Vice Chairman Betty Jefferson continued the Public Hearing on a request by Cole & Associates, Inc. for a Site Plan approval in a Planned Development–36-Commercial (PD-36-C) Zoning District for a Panera Bread restaurant, located at 1319 N. Hwy 77, being 0.55 acres, Lot 1A, Waxahachie Crossing 1 Rev. – Owner: HD Development Properties LP (ZA 2015-29). She announced the applicant requested to continue the Public Hearing to the Planning and Zoning Commission meeting of October 27, 2015.

Ms. Melissa Ballard moved to continue a request by Cole & Associates, Inc. for a Site Plan approval in a Planned Development–36-Commercial (PD-36-C) Zoning District for a Panera Bread restaurant, located at 1319 N. Hwy 77, being 0.55 acres, Lot 1A, Waxahachie Crossing 1 Rev. – Owner: HD Development Properties LP (ZA 2015-29) to the Planning and Zoning Commission meeting of October 27, 2015. Mr. Rick Keeler seconded, **All Ayes.**

Vice Chairman Jefferson opened the Public Hearing on a request by Loran Wilson for a Zoning Amendment from a Single Family-2 (SF-2) to Commercial (C) Zoning District for the continued use of a retail sales and service business at the property located at 300 Jackson St, being Lot 9, 10 and part of Lot 11 Block B, Town Addition, being 1.368 acres – Owner: Trend Development Co. (ZA 2015-36).

Mr. Loran Wilson, 121 Fairway Drive, Waxahachie, representing Trend Development Co., reported the zoning amendment will bring the property into compliance with current use since it is being used as part of a retail sales and service business.

There being no others to speak for or against Zoning Amendment 2015-36, Vice Chairman Jefferson closed the Public Hearing.

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

Current Zoning:	Single Family -2 (SF-2)
Proposed Zoning:	Commercial
Surrounding Zoning:	Single Family -2
	Central Area
	Commercial

DEVELOPMENT REVIEW

Planning: The purpose of this zoning change is to bring the property into compliance with its current use, and continue operating a retail sales and service business.

Outdoor storage will need a Specific Use Permit that is not part of this application.

Mr. Jim Phillips moved to approve a request by Loran Wilson for a Zoning Amendment from a Single Family-2 (SF-2) to Commercial (C) Zoning District for the continued use of a retail sales and service business at the property located at 300 Jackson St, being Lot 9, 10 and part of Lot 11 Block B, Town Addition, being 1.368 acres – Owner: Trend Development Co. (ZA 2015-36), subject to Staff Comments. Mrs. Bonney Ramsey seconded, **All Ayes.**

Vice Chairman Jefferson opened the Public Hearing on a request by Pam Underwood for a Specific Use Permit in a Future Development (FD) Zoning District for a private stable and rodeo arena located at 2850 S. Hwy 287, being part of the M Rafferty Survey a-898, W.C. Coleman Survey a-2014, A.B. Fleury Survey a-374, and W.M. Griffin Survey a-391, being 229.92 acres – Owner: Reginal and Pamela Underwood (ZA 2015-37).

Mr. Reginal Underwood, 2850 S. Highway 287, Waxahachie, requested approval for a private stable and rodeo arena.

There being no others to speak for or against Zoning Amendment 2015-37, Vice Chairman Jefferson closed the Public Hearing.

Mr. Melick reviewed the following Staff Comments:

Current Zoning:	Future Development (FD)
Proposed Zoning:	Future Development (FD) with a Specific Use Permit for Private Stables
Surrounding Zoning:	Future Development (FD)

DEVELOPMENT REVIEW

The construction of private stables in a Future Development Zoning District requires approval by Specific Use Permit.

Private stables are defined as: “An area used solely for the owner's private purposes for the keeping of horses, mules or ponies, and not kept for remuneration, hire or sale. “

Applicant wishes to build a private stable and rodeo arena

- Dimensions are 130’ x 300’, being a total of 39,000 sq. ft.
- Height is 16’ to eave
- Roof is galvanized metal with a 2:12 pitch
- The side walls on two long sides will be open to roof
- It will be located approximately 300 ft back from front property line

Ms. Melissa Ballard moved to approve a request by Pam Underwood for a Specific Use Permit in a Future Development (FD) Zoning District for a private stable and rodeo arena located at 2850 S. Hwy 287, being part of the M Rafferty Survey a-898, W.C. Coleman Survey a-2014, A.B. Fleury Survey a-374, and W.M. Griffin Survey a-391, being 229.92 acres –Owner: Reginal and Pamela Underwood (ZA 2015-37), subject to Staff Comments. Mr. Rodney Bell seconded, **All Ayes.**

Vice Chairman Jefferson opened the Public Hearing on a request by Hodges & Associates, PLLC for a Site Plan review of a Master Sign Package in a Planned Development -42-Commercial (PD-42-C) Zoning District located at 1600-1760 N. Hwy 77, situated in the Waxahachie Towne Crossing Addition, Lots 1-8, being 26.325 acres –Owner: Wax 77 Investors, LP (ZA 2015-38).

Mr. Gary Luecke, Hodges & Associates, 1364 Omega, Dallas, Texas, requested approval to exceed the maximum wall area allowed for signs. He explained the increased signage is for the new Academy Sports and Outdoors store.

Mr. Melick stated its appropriate as requested based on the size and scale of the building. He reviewed the following Staff Comments:

Current Zoning: Planned Development -42-Commercial (PD-42-C)

Surrounding Zoning: Planned Development -42-Commercial (PD-42-C)

DEVELOPMENT REVIEW

Applicant is proposing a master sign package for the new Academy Sports & Outdoors Store and other retail stores within this shopping center.

This request is to be reviewed in a public hearing at Planning & Zoning Commission and City Council because the applicant wishes to exceed the maximum wall area allowed for signs, and this property is located in a Planned Development Zoning District.

Zoning Ordinance Section 43 – Signs states: “An attached sign located at a height of thirty-six feet (36') or less is limited to one (1) square foot of sign area for each lineal foot of building frontage for a single tenant building, or lease space frontage in a multiple tenant building, not to exceed two hundred and fifty (250) square feet, and a minimum of twenty five (25') square feet.”

Allowed Ratio of Sign Area to Lineal Foot of Frontage-	1:1
Proposed Ratio of Sign Area to Lineal Foot of Frontage-	2.57:1 - Academy
	5:3 - other retail stores

It appears that the Site Key Plan doesn't correspond accurately to the provided site plan – this needs to be clarified.

There being no others to speak for or against Zoning Amendment 2015-38, Vice Chairman Jefferson closed the Public Hearing.

After a brief discussion, Mrs. Bonney Ramsey moved to approve a request by Hodges & Associates, PLLC for a Site Plan review of a Master Sign Package in a Planned Development -42-Commercial (PD-42-C) Zoning District located at 1600-1760 N. Hwy 77, situated in the Waxahachie Towne Crossing Addition, Lots 1-8, being 26.325 acres –Owner: Wax 77 Investors, LP (ZA 2015-38), subject to Staff Comments. Mr. Rick Keeler seconded. The vote was as follows:

Ayes: Betty Jefferson
Bonney Ramsey
Melissa Ballard
Rick Keeler
Rodney Bell

Noes: Jim Phillips

The motion carried.

{Chairman Jim Cooper arrived at 7:17 p.m.}

Chairman Jim Cooper opened the Public Hearing on a request by Mikel J. Craig for a Specific Use Permit for an electronic message board sign in a Single Family-2 (SF-2) Zoning District located at Northside Elementary, 801 Brown St, situated in Columbia Northside School Addition, Lots 1-14 and 16-47—Owner: Waxahachie Independent School District (ZA 2015-39).

Mr. Mikel Craig, representing WISD, 411 N. Gibson, Waxahachie, requested approval for an electronic message board sign to be located at Northside Elementary School.

Mr. Melick stated the setback for the sign is 15 feet and adding a base such as brick will add value to it. He reviewed the following Staff Comments:

Current Zoning:	Single Family-2
Proposed Zoning:	Single Family-2 with a Specific Use Permit for an electronic message board sign
Surrounding Zoning:	Single Family-2

DEVELOPMENT REVIEW

Waxahachie Independent School District (WISD) is requesting a Specific Use Permit for an electronic message board sign.

The proposed sign meets requirements of a monument sign. It is proposed to be five feet (5)' high, by feet eight (8') wide, being a total of 40 square feet

It will be located at the southwest corner of the property.

This sign should have a masonry base to create a monument sign.

The Zoning Ordinance states:

- “Signs may be illuminated. Signs shall have no flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts.
- A maximum of 70% of the sign face may be devoted to changeable sign copy.
- Any marquee signs that are illuminated by artificial light or projects an electronic message through a changeable copy sign that is within 400 feet of a residence, park, playground, or scenic area as designated by a governmental agency having such authority shall not be lighted between the hours of 10:00 p.m. and 6:00 a.m.

- Such signs shall not exceed a brightness level of 0.3 foot candles above ambient light. In all zoning districts such signs shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light.”

There being no others to speak for or against Zoning Amendment 2015-39, Chairman Cooper closed the Public Hearing.

Vice Chairman Betty Jefferson moved to approve a request by Mikel J. Craig for a Specific Use Permit for an electronic message board sign in a Single Family-2 (SF-2) Zoning District located at Northside Elementary, 801 Brown St, situated in Columbia Northside School Addition, Lots 1-14 and 16-47–Owner: Waxahachie Independent School District (ZA 2015-39), subject to Staff Comments. Mr. Rodney Bell seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Mikel J. Craig for a Specific Use Permit for portable temporary buildings in a Light Industrial-1 (LI-1) Zoning District located at Dunaway Elementary, 600 N. Hwy 77, situated in the J.C. Armstrong Survey a-6, being 14.33 acres –Owner: Waxahachie Independent School District (ZA 2015-40).

Mr. Mikel Craig, representing WISD, 411 N. Gibson, Waxahachie, reported the portable buildings will accommodate students. He noted they will be needed until the new high school is built.

Mr. Melick stated the normal timeframe for allowing portable buildings is two (2) years, but due to the circumstances he recommended the timeframe of 2019. Mr. Melick reviewed the following Staff Comments:

Current Zoning:	Light Industrial -1
Proposed Zoning:	Light Industrial -1 with a Specific Use Permit for temporary portable buildings
Surrounding Zoning:	Single-Family 3

DEVELOPMENT REVIEW

Waxahachie Independent School District (WISD) is requesting a specific use permit for temporary portable buildings.

There will be three (3) buildings in total to be used for additional classroom space.

The buildings will be located behind the school.

There being no others to speak for or against Zoning Amendment 2015-40, Vice Chairman Jefferson closed the Public Hearing.

Ms. Melissa Ballard moved to approve a request by Mikel J. Craig for a Specific Use Permit for portable temporary buildings in a Light Industrial-1 (LI-1) Zoning District located at Dunaway Elementary, 600 N. Hwy 77, situated in the J.C. Armstrong Survey a-6, being 14.33 acres –Owner: Waxahachie Independent School District (ZA 2015-40), subject to Staff Comments and extending the timeframe of portable buildings to December 31, 2019. Mr. Rodney Bell seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing to receive citizen input on the update of the City of Waxahachie Thoroughfare Plan (an Amendment of the Comprehensive Plan).

Mr. Melick presented a map depicting proposed major and secondary thoroughfare roads. He noted a connector road was added between Loftland Road and Marshall Road.

There being no others to speak for or against citizen input on the update of the City of Waxahachie Thoroughfare Plan (an Amendment of the Comprehensive Plan), Chairman Cooper closed the Public Hearing.

Mrs. Bonney Ramsey moved to accept the update of the City of Waxahachie Thoroughfare Plan (an Amendment of the Comprehensive Plan) as presented. Vice Chairman Betty Jefferson seconded, **All Ayes.**

Mr. Ron Hirche, 432 North Beach St., Salt Lake City, Utah, requested approval of Preliminary Plat of Lone Star Subdivision for two commercial lots, situated in the J.C. Armstrong Survey a-6 being 3.851 acres –Owner: Waxahachie Investments, LLC (PLM 2015-29).

Mr. Melick reviewed the following Staff Comments:

Zoning: General Retail (GR)

DEVELOPMENT REVIEW

Utilities: Need to know sizes of the proposed water and sanitary sewer services and water meter size.

Roadway : Floodplain needs to be shown as a flood management easement. May not meet TXDOT spacing requirements for driveways onto either street.

Planning: Building lines are incorrect on the plat

Must get TxDOT approval for access prior to platting this lot

RECOMMENDATION

Deny per comments

APPLICANT REQUIREMENTS

Applicant to address comments with staff before corrected copies are provided.

After further discussion, Mr. Melick recommended approval.

Mr. Rick Keeler moved to approve Preliminary Plat of Lone Star Subdivision for two commercial lots, situated in the J.C. Armstrong Survey a-6 being 3.851 acres –Owner: Waxahachie Investments, LLC (PLM 2015-29), subject to Staff Comments. Ms. Melissa Ballard seconded, *All Ayes.*

Re-organization of the Commission:

Ms. Betty Jefferson nominated Mr. Jim Cooper to continue serving as Chairman. Mrs. Bonney Ramsey seconded, *All Ayes.*

Mrs. Bonney Ramsey nominated Ms. Betty Jefferson to continue serving as Vice Chairman. Ms. Melissa Ballard seconded, *All Ayes.*

Citizens' Petitions and Request:

None

There being no further business, the meeting adjourned at 7:42 p.m.

Respectfully submitted,

Lori Saunders
City Secretary