

Planning and Zoning Commission
March 22, 2016

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Tuesday, March 22, 2016 at 7:00 p.m. in the Council Chamber at 401 S. Rogers, Waxahachie, Texas.

Members Present: Jim Cooper, Chairman
Rick Keeler
Bonney Ramsey
Melissa Ballard
Jim Phillips
Rodney Bell

Member Absent: Betty Jefferson, Vice Chairman

Others Present: Darren Groth, Director of Planning
James Gaertner, City Engineer
Amber Villarreal, Assistant City Secretary
David Hill, Council Representative
Steve Chapman, City Attorney

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

Mrs. Bonney Ramsey moved approval of the minutes of the regular Planning & Zoning Commission meeting of March 8, 2016. Mr. Rodney Bell seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Dulce Trujillo, for a Specific Use Permit within a Planned Development-64-Single Family-3 (PD-64-SF-3) Zoning District for roof mounted pv solar system to be located at 1614 Wildflower Dr., being Lot 14, Block J, 0.129 acres in Country Meadows Phase 2– Owner: Jennifer Nichols (ZA 2016-05).

Planning Director Darren Groth reviewed the following Staff Comments:

Zoning: Planned Development-64-Single Family-3 (PD-64-SF-3)

REVIEW COMMENTS

1. Applicant proposes to install a solar-driven energy system that converts solar energy into electricity through photovoltaic panels onto the rooftop at 1614 Wildflower Drive per the property plan submitted by the applicant.
2. According to the submitted site layout drawings, the roof mounted PV solar system will be located on all sides of the roof line. The system will be visible from Wildflower Drive.

3. The installation must match the roof pitch and must leave no greater than six (6) inches between rooftops.
4. Chapter 3 of the Comp Plan encourages site planning that minimizes the need for continuously high levels of energy consumption. This proposal aligns with that goal.
5. Proper notifications were made in accordance with state law and the City's zoning ordinance.

APPLICANT REQUIREMENTS

If the zoning request is approved, a Building Permit is required prior to installing the system.

Those who spoke in favor:

Chris Barry, SolarCity

There being no others to speak for or against ZA 2016-05, Chairman Cooper closed the Public Hearing.

Mr. Jim Phillips moved to approve a request by Dulce Trujillo, for a Specific Use Permit within a Planned Development-64-Single Family-3 (PD-64-SF-3) Zoning District for roof mounted pv solar system to be located at 1614 Wildflower Dr., being Lot 14, Block J, 0.129 acres in Country Meadows Phase 2– Owner: Jennifer Nichols (ZA 2016-05), subject to Staff Comments. Ms. Melissa Ballard seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Brian Schrock/Panera, LLC, 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 2016-06).

Planning Director Darren Groth reviewed the following Staff Comments:

- Zoning:** Planned Development-36-Commercial (PD-36-C) [Ord No.1431]
Surrounding Zoning: This property is surrounded on the north and west by the same zoning district PD-36-C. To the east, across U.S. Hwy 77 is PD-72-C and to the south is PD-2-GR.
Future Land Use Plan: The future land use map designates this area as Commercial.

REVIEW COMMENTS

1. This is Panera's second request for a site plan at this location. The first request was processed under SP2015-29.
2. In the first request, staff's comments noted that the building materials did not conform to the 90 percent masonry requirement. In the previous site plan, masonry was 60 percent of the total exterior materials, stucco/wood was 25 percent, and glazing was 14 percent. The current request does not meet the 90 percent masonry requirement on the east or north elevations. The east elevation proposes 49 percent brick, with 10 percent wood tile, and

41 percent glazing. The north elevation proposes 69 percent brick, with 15 percent wood tile, and 16 percent glazing. The west and south elevations propose more than 90 percent masonry and will reach 100 percent and 98 percent, respectively.

3. The proposed Monument Sign does not meet setback requirement. The sign must be 15 feet away from any property/access easement line. Due to the configuration of the property, the proposed monument sign is not on the Panera property but on the Home Depot property on the Hwy 77 frontage, making it an “off-premise” signage. These are prohibited by ordinance. A solution to this may be a “unified lot” sign easement agreement, which is proposed to be added to the Sign Ordinance by staff proposed amendment.
4. This development will remove existing landscaping from the property and along U.S. Hwy 77, but the proposed landscaping does not match the removed in-kind. Street trees are required on frontage; we recommend leaving every-other existing mature crepe myrtle on this frontage.
5. Verify turning movements for refuse vehicles.
6. Verify parking lot grading to ensure slope does not exceed two percent.
7. Verify hydrant locations for existing and proposed.

APPLICANT REQUIREMENTS

Applicant to correct Site Plan and resubmit to Planning Department for filing.

Commissioner Ramsey expressed concern with the proposed landscape plan and the removal of the 25 year old crepe myrtles.

Commissioner Phillips inquired about the traffic impact and noted the original plat didn't identify an additional pad sites on the property.

Commissioner Keeler suggested a traffic impact analysis to consider acceleration or deceleration lanes to the location. Assistant City Manager Michael Scott noted the size of the proposed parcel doesn't meet the city's requirement for a traffic impact analysis.

Commissioner Ballard noted her concerns with the traffic, safety, and landscape.

Mr. Brian Schrock, Panera, LLC, 3630 S. Geyer Rd., St. Louis, MO, explained the pad site is for sale and whether or not it's Panera, there will be a business there eventually. He addressed the landscaping concerns.

Commissioner Ramsey introduced Parks and Recreation Director John Smith and he explained if properly uprooted, the crepe myrtles that will be removed can be transplanted to some of the city parks. Mr. Schrock explained his landscape architect said the survival rate is 50% after transplant. Mr. Smith suggested planting trees in the parks equal to the monetary value of those that will be removed from the Panera site. Mr. Schrock agreed to that.

There being no others to speak for or against ZA 2016-06, Chairman Cooper closed the public hearing.

Ms. Melissa Ballard moved to approve the request by Brian Schrock/Panera, LLC, 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 2016-06), subject to Staff Comments, including replacing the existing crepe myrtles with dwarf crepe myrtles and plant crepe myrtles in the city parks equal to the monetary value of those removed. Mr. Rick Keeler seconded, the vote was as follows:

Ayes: Jim Cooper
Rick Keeler
Bonney Ramsey
Melissa Ballard
Rodney Bell

Noes: Jim Phillips

Abstain: None

The motion carried.

Chairman Cooper opened the Public Hearing on a request by Glenn Engineering Corporation, T. John Casey, P.E., for approval of a Planned Development-Commercial (PD-C) in a Commercial (C), General Retail (GR), Single Family-1 (SF-1), and Planned Development-Multi-Family-2 (PD-MF-2) Zoning District for new Waxahachie High School, located at 3001 US Hwy. 287 Bypass, being Lot 1, Block, 1, 94.184 acres, New Waxahachie High School Addition–Owner: Waxahachie I.S.D. (ZA 2016-07).

Planning Director Darren Groth reviewed the following Staff Comments:

Zoning: PD-47-Multiple-Family Dwelling District - 2 (PD-47-MF-2) [Ord No. 1560]; General Retail (GR) District; Single-Family Residential-1 (SF-1); and Commercial (C) District

REVIEW COMMENTS

1. Applicant proposes to construct a new high school facility on an approximately 94-acre complex.
2. Include all of the requested special exceptions in the table on sheet CS1.01.
3. Identify building materials and articulation or whether these items are included in the table on sheet CS1.01. If included in the table, then identify the extent of the request.
4. Provide information pertaining to the remainder of the lot that is adjacent to the site.

Clyde Melick, Waxahachie I.S.D, requested the following variances: Building height, bicycle parking, lot landscaping, street trees, building materials, and building articulation. He noted the bicycle parking is not needed until the trail extension is complete. He explained this will be the largest building in Waxahachie and that is why it doesn't meet the articulation standards of the zoning ordinance. The landscape islands are removed to allow for band practice in the parking lot.

There being no others to speak for or against ZA 2016-07, Chairman Cooper closed the public hearing.

Mrs. Bonney Ramsey moved to approve the Glenn Engineering Corporation, T. John Casey, P.E., for approval of a Planned Development-Commercial (PD-C) in a Commercial (C), General Retail (GR), Single Family-1 (SF-1), and Planned Development-Multi-Family-2 (PD-MF-2) Zoning District for new Waxahachie High School, located at 3001 US Hwy. 287 Bypass, being Lot 1, Block, 1, 94.184 acres, New Waxahachie High School Addition—Owner: Waxahachie I.S.D. (ZA 2016-07), subject to Staff Comments. Mr. Jim Phillips seconded, **All Ayes.**

Mr. Groth presented a Preliminary Plat of Taylor Ridge Phase 4, in the Waxahachie Extra Territorial Jurisdiction (ETJ), being 23 residential lots of a 56.766 acre addition in the S.B. Orton Survey, Abstract No. 813—Ivan Brigman (PLM 2016-09). He reviewed the following Staff report:

1. On March 3, 2016, the applicant was emailed redline comments related to the preliminary plat and the preliminary water plan that pertained to lot width clarifications, detention pond sizing and locations, and both pavement width and radii.
2. Except for the minor comments, the preliminary plat is deemed to be satisfactory.
3. Texas Local Government Code (LCG), Section 212.005 requires that the municipal authority responsible for approving plats must approve a plat or replat that satisfies all applicable regulations.
4. If the staff comments are addressed, then the technical requirements of this plat will be met and the proposal will comply with the requirements of the City of Waxahachie's Code of Ordinances.

Mr. Rick Keeler moved to approve Preliminary Plat of Taylor Ridge Phase 4, in the Waxahachie Extra Territorial Jurisdiction (ETJ), being 23 residential lots of a 56.766 acre addition in the S.B. Orton Survey, Abstract No. 813 –Ivan Brigman (PLM 2016-09), subject to Staff Comments. Mrs. Bonney Ramsey seconded, **All Ayes.**

Mr. Groth presented a Replat of Waxahachie Crossing Subdivision Unit One, Block A, Lots 1A and 2A, being a replat of Block A Lot 1, being 13.295 acres - Owner: HD Development Properties LP (RP 2016-10). He reviewed the following Staff report:

1. As a replat of the current Lot 1, Block A; the proposal is to subdivide the parcel into Lots 1A and 2A. The title block should include the total acreage of the plat.
2. Provide information to clarify questions regarding access for both Lot 2A and refuse vehicles.
3. Make minor revisions to the face of the plat drawing in accordance with the redline comments.
4. Except for the minor comments, the plat is deemed to be satisfactory.
5. Texas Local Government Code (LCG), Section 212.005 requires that the municipal authority responsible for approving plats must approve a plat or replat that satisfies all applicable regulations.
6. If the staff comments are addressed, then the technical requirements of this plat will be met and the proposal will comply with the requirements of the City of Waxahachie's Code of Ordinances.

Mr. Groth explained all comments have been addressed and he is waiting on a revised plat.

Ms. Melissa Ballard moved to approve Replat of Waxahachie Crossing Subdivision Unit One, Block A, Lots 1A and 2A, being a replat of Block A Lot 1, being 13.295 acres - Owner: HD Development Properties LP (RP 2016-10), subject to Staff Comments. Mrs. Bonney Ramsey seconded, the vote was as follows:

Ayes: Jim Cooper
Rick Keeler
Bonney Ramsey
Melissa Ballard
Rodney Bell

Noes: Jim Phillips

Abstain: None

The motion carried.

Mr. Groth presented a Final Plat of Lots 22-44, Block 2; Lots 5-9, Block 4; Lots 1-10, Block 5; Lots 1-12, Block 6; and Lot 2, Block 7, Summit Estates Phase 2 being 82.917 acres of land, being a portion of 194.00 acres of land in the L.J. Irvin Survey, Abstract No. 548, being 50 lots in the Extra Territorial Jurisdiction (ETJ)-Owner: JHDMC, LLC (FP 2016-11). He reviewed the following Staff report:

1. Several dedications are missing recording information that needs to be provided.
2. Label the Right-of-Way (ROW) on the drawings.
3. Clarify if easements on Sheets 3 and 4 are dedicated by this plat or by separate instrument.
4. Correctly identify County Commissioners.
5. Revise easement and building lines.
6. Update the County's signature line to only include the one with OSSF statement.
7. On Lots 32-38, Ellis County has concerns about lots with large drainage easement is there room for the house and septic. Provide septic design for these lots when applying for building permits.
8. On March 14, 2016, the applicant was emailed the redline comments related to the plat.

Mr. Jim Phillips moved to approve Final Plat of Lots 22-44, Block 2; Lots 5-9, Block 4; Lots 1-10, Block 5; Lots 1-12, Block 6; and Lot 2, Block 7, Summit Estates Phase 2 being 82.917 acres of land, being a portion of 194.00 acres of land in the L.J. Irvin Survey, Abstract No. 548, being 50 lots in the Extra Territorial Jurisdiction (ETJ)-Owner: JHDMC, LLC (FP 2016-11), subject to Staff Comments. Mr. Rick Keeler seconded, **All Ayes.**

Mr. Groth presented a Preliminary Plat of New Waxahachie High School, being Lot 1, Block A, 94.184 acres situated in the J. Boyd Survey, Abstract No. 108; W.J. Boyd Survey, Abstract No. 109; E. Horton Survey, Abstract No. 466; W.C. Tunnell Survey, Abstract No. 1008-Owner: Waxahachie I.S.D. (PLM 2016-12). He reviewed the following Staff report:

1. The plat proposes to create one lot and leave a remainder. Staff comments asked for clarification regarding property access for the remaining property.
2. Easement and ROW dedication questions need to be satisfied.
3. Several items of clarification were requested in redline comments pertaining to the information block.
4. Texas Local Government Code (LCG), Section 212.005 requires that the municipal authority responsible for approving plats must approve a plat or replat that satisfies all applicable regulations.
5. If the staff comments are addressed, then the technical requirements of this plat will be met and the proposal will comply with the requirements of the City of Waxahachie's Code of Ordinances.

Mr. Groth noted some of the staff comments have been addressed.

Mr. Melick explained there is a small portion near the new school that isn't included in this plat, but the remaining land will be platted eventually.

City Engineer James Gaertner noted the Traffic Impact Analysis is needed for this property.

Ms. Melissa Ballard moved to approve Preliminary Plat of New Waxahachie High School, being Lot 1, Block A, 94.184 acres situated in the J. Boyd Survey, Abstract No. 108; W.J. Boyd Survey, Abstract No. 109; E. Horton Survey, Abstract No. 466; W.C. Tunnell Survey, Abstract No. 1008-Owner: Waxahachie I.S.D. (PLM 2016-12), subject to Staff Comments. Mr. Jim Phillips seconded, *All Ayes.*

Citizens' Petitions and Requests:

None

There being no further business, the meeting adjourned at 8:18 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary