

Planning and Zoning Commission
April 12, 2016

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Tuesday, April 12, 2016 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
Jim Phillips

Members Absent: Melissa Ballard
Rodney Bell

Others Present: Michael Scott, Assistant City Manager
Darren Groth, Director of Planning
Lori Saunders, 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 approval of the minutes of the regular Planning & Zoning Commission meeting of March 22, 2016. Mr. Jim Phillips seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Dulce Trujillo, for a Specific Use Permit within a Planned Development-54-Single Family-3 (PD-54-SF-3) Zoning District for roof mounted PV solar system to be located at 209 Commonwealth Circle, being Lot 12, Block 8, Wind chase East Phase II, Section II – Owner: Heidi Bornholm (ZA 2016-08).

Planning Director Darren Groth reviewed the following Staff Report:

DEVELOPMENT SUMMARY

1. The request is to install a solar-driven energy system that converts solar energy into electricity through photovoltaic panels onto the rooftop at 209 Commonwealth Circle, per the property plan submitted by the applicant.
2. According to the site layout drawings, the roof mounted PV solar system will be located on the south side of the roof line. The system may be visible from Commonwealth Circle.
3. Proper notifications were made in accordance with state law and the City's zoning ordinance.

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.

REVIEW COMMENTS

1. The installation must match the roof pitch.
2. The installation must leave no greater than six (6) inches between rooftops.

APPLICANT REQUIREMENTS

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

Mr. Groth reviewed the following summary:

1. The installation must match the roof pitch and must leave no greater than six inches between rooftops.
2. 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.
3. Proper notifications were made in accordance with state law and the City's Zoning Ordinance.
4. If the request is approved, a Building Permit from Building and Community Services is required.

There being no others to speak for or against ZA 2016-08, Chairman Cooper closed the Public Hearing.

Mr. Chris Berry, Solar City stated he was available for questions.

Ms. Bonney Ramsey asked how many buildings they have put solar systems on. Mr. Berry stated 3 homes.

Mr. Jim Phillips moved to approve a request by Dulce Trujillo, for a Specific Use Permit within a Planned Development-54-Single Family-3 (PD-54-SF-3) Zoning District for roof mounted PV solar system to be located at 209 Commonwealth Circle, being Lot 12, Block 8, Wind chase East Phase II, Section II – Owner: Heidi Bornholm (ZA 2016-08), subject to Staff Comments. Mr. Rick Keeler seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Kimley-Horn and Associates, Inc., for a Zoning Amendment from Commercial (C) to Planned Development-Commercial (PD-C) Zoning District for a warehouse located at the southwest quadrant of Loveland Drive and IH35E, being approximately 47 acres-Owner: Owens Corning Insulating Systems (ZA 2016-09).

Planning Director Darren Groth reviewed the following Staff Report:

DEVELOPMENT SUMMARY

1. The request is to change the zoning from a Commercial (C) zoning district to a Planned Development-Commercial (PD-C) district.
2. This specific PD zoning district is proposed to facilitate an expansion of the existing Owens Corning Facility in Waxahachie.
3. The following specific zoning conditions are proposed for this property:
 - a. In addition to “C” uses; open storage, display, or work areas for merchandise or machinery uses are allowed by right.
 - a. The maximum building height above grade adjacent to the building is 50 feet;
 - b. The maximum lot coverage for the main structure is 50 percent.
 - c. Required parking ratios for passenger vehicles can be supported by a parking study reflecting building occupation at time of shift change to be provided at time of Building Permit Submittal.
 - d. 24-hour operation, propane storage, and tarping of loaded flatbed trailers are allowed by right.
 - e. Poles signs are prohibited.
 - F. Allowable outside storage in the Planned Development may include parked trailers without cabs. Such trailers and other outside storage shall be screened from view from public rights of way by a living screen, screening wall, fence, or combination of these elements.
 - g. The following modifications to the Landscaping Ordinance shall apply:
 - a. Trailer parking spaces are exempt from the parking lot tree coverage requirement for passenger cars;
 - B. Three inch caliper is the allowable minimum for canopy trees, based on the planting spacing reflected in the exhibit provided by the Applicant (labeled as Exhibit C);
 - c. Required landscape area and planting count ratios shall be based on the available planting area (areas not obligated to building, parking, and other functional hardscape); and
 - d. Upon building expansion, the same available landscape area shall be planted in the same manner shown on Exhibit C.
 - h. The unique function of this building type necessitates the following building articulation elements:
 - a. The horizontal articulation zone is limited to 100 feet measured from the building corners of the ultimate expansion building footprint. Building corners where the zone is used for dock doors and intended for future building expansion are exempt from horizontal articulation.
 - b. Within the 100 foot horizontal articulation zone, no building wall may extend more than two (2) times the wall’s height before having an offset of a minimum of 10% of the wall height. The new plane must extend for a minimum of twenty (20) percent of the length of the first plane.
 - c. Vertical articulation is limited to the horizontal articulation zone and the building elevations not utilized for dock doors.

- d. Within the vertical articulation zone, no horizontal wall shall extend for a distance greater than two (2) times the wall height without changing height by a minimum of five (5) percent of the wall's height.
4. The applicant also proposed specific procedural stipulations for this zoning district, which include:
 - a. Concept Plans approved under this Planned Development expire 24 months after approval by City Council; and
 - b. Approval of the Concept Plan constitutes approval of the Site Plan by City Council. Site Plan modifications, following the intent and spirit of the Concept Plan, may be approved by City Staff.
5. Proper notifications were made in accordance with state law and the City's zoning ordinance.
6. 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.

REVIEW COMMENTS

1. Site access along the Interstate Hwy 35E frontage road will require coordination with TXDOT.
2. Site landscaping must conform to the ordinance language and submitted concept plan.
3. Parking turnaround will be further reviewed and may require revisions at construction plan phase.

APPLICANT REQUIREMENTS

If the zoning request is approved, site platting and the submittal of construction plans will be required prior to development. In addition, a Building Permit will be required prior to any vertical construction.

DEVELOPMENT SUMMARY

1. The request is to change the zoning from a Commercial (C) zoning district to a Planned Development-Commercial (PD-C) district.
2. This specific PD zoning district is proposed to facilitate an expansion of the existing Owens Corning Facility in Waxahachie.
3. The following specific zoning conditions are proposed for this property:
 - a. In addition to "C" uses; open storage, display, or work areas for merchandise or machinery uses are allowed by right.
 - a. The maximum building height above grade adjacent to the building is 50 feet;
 - b. The maximum lot coverage for the main structure is 50 percent.
 - c. Required parking ratios for passenger vehicles can be supported by a parking study reflecting building occupation at time of shift change to be provided at time of Building Permit Submittal.
 - d. 24-hour operation, propane storage, and tarping of loaded flatbed trailers are allowed by right.
 - e. Poles signs are prohibited.
 - F. Allowable outside storage in the Planned Development may include parked trailers without cabs. Such trailers and other outside storage shall be screened

- from view from public rights of way by a living screen, screening wall, fence, or combination of these elements.
- g. The following modifications to the Landscaping Ordinance shall apply:
 - a. Trailer parking spaces are exempt from the parking lot tree coverage requirement for passenger cars;
 - B. Three inch caliper is the allowable minimum for canopy trees, based on the planting spacing reflected in the exhibit provided by the Applicant (labeled as Exhibit C);
 - c. Required landscape area and planting count ratios shall be based on the available planting area (areas not obligated to building, parking, and other functional hardscape); and
 - d. Upon building expansion, the same available landscape area shall be planted in the same manner shown on Exhibit C.
 - h. The unique function of this building type necessitates the following building articulation elements:
 - a. The horizontal articulation zone is limited to 100 feet measured from the building corners of the ultimate expansion building footprint. Building corners where the zone is used for dock doors and intended for future building expansion are exempt from horizontal articulation.
 - b. Within the 100 foot horizontal articulation zone, no building wall may extend more than two (2) times the wall's height before having an offset of a minimum of 10% of the wall height. The new plane must extend for a minimum of twenty (20) percent of the length of the first plane.
 - c. Vertical articulation is limited to the horizontal articulation zone and the building elevations not utilized for dock doors.
 - d. Within the vertical articulation zone, no horizontal wall shall extend for a distance greater than two (2) times the wall height without changing height by a minimum of five (5) percent of the wall's height.
4. The applicant also proposed specific procedural stipulations for this zoning district, which include:
 - a. Concept Plans approved under this Planned Development expire 24 months after approval by City Council; and
 - b. Approval of the Concept Plan constitutes approval of the Site Plan by City Council. Site Plan modifications, following the intent and spirit of the Concept Plan, may be approved by City Staff.
 5. Proper notifications were made in accordance with state law and the City's zoning ordinance.
 6. 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.

REVIEW COMMENTS

1. Site access along the Interstate Hwy 35E frontage road will require coordination with TXDOT.
2. Site landscaping must conform to the ordinance language and submitted concept plan.

APPLICANT REQUIREMENTS

If the zoning request is approved, site platting and the submittal of construction plans will be required prior to development. In addition, a Building Permit will be required prior to any vertical construction.

Mr. Groth reviewed the following considerations:

- Property designated as Highway Commercial
- In addition to “C” uses; open storage, display, or work areas for merchandise or machinery uses are allowed by right.
- PD will create specific land use control unique to this zoning district.
- Bldg. height/articulation, lot coverage, parking, outside storage, screening, and landscaping
- Specific language included in proposed ordinance.
- Applicant is proposing to restrict pole signs.
- Specific procedural stipulations also proposed:
- Concept plan (CP) expires in 24 months; and
- CP approval constitutes Site Plan approval. Site Plan modifications, may be approved by Staff.

SUMMARY

- The request is to change the zoning from C to PD-C, for an expansion of the Owens Corning Facility.
- Proper notifications were made in accordance with state law and the City’s Zoning Ordinance.
- If approved; platting, the submittal of construction plans, and building permits will be required.

Mr. Dan Grant, Kimley-Horn and Associates, Inc., 12750 Merit Dr., Dallas, TX, representing Owens Corning, reported he has worked with City Staff since October 2015 and concurs with all staff comments.

Mr. Jim Phillips expressed concern with the design and placement of retention pond. City Engineer James Gaertner stated that level of level of detail has not been review yet.

Mr. Rick Keeler referenced the Applicant’s proposed concept plans and asked if the Commission approves, they are approving the PD and concept plan and won’t see this again. Mr. Groth stated the Commission will see a Plat that will address the drainage and explained any changes to the concept plan for this site layout can be approved administratively.

Vice Chairman Betty Jefferson asked if the request lines up with the Comprehensive Plan. Mr. Groth stated its Planned Development-Commercial which allows a warehouse as a use and is consistent with the Comprehensive Plan.

There being no others to speak for or against ZA 2016-09, Chairman Cooper closed the Public Hearing.

Vice Chairman Betty Jefferson moved to approve a request by Kimley-Horn and Associates, Inc., for a Zoning Amendment from Commercial (C) to Planned Development-Commercial (PD-C) Zoning District for a warehouse located at the southwest quadrant of Loveland Drive and IH35E, being approximately 47 acres-Owner: Owens Corning Insulating Systems (ZA 2016-09), subject to Staff Comments and Landscape Plan consistent with the Site Plan. Mrs. Bonney Ramsey seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Craig & Deborah Smith for a Replat of Trinity Heights Addition, Lot 10R, Block 1 being a revision of Lots 10, 11 and 12, Block 1, Trinity Heights Addition- Owner: Craig & Deborah Smith (RP 2016-15).

Planning Director Darren Groth reviewed the following Staff Report:

DEVELOPMENT SUMMARY

1. The plat proposes to combine three existing residential lots to create one lot.
2. 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.
3. 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.

REVIEW COMMENTS

1. A previous request was submitted for this site to combine Lots 10, 11 and 12, Block 1, Trinity Heights Addition into Lots 10R and 12R. As the second request for the subject property, no review comments were associated with the submitted drawings.

RECOMMENDATION

Staff recommends APPROVAL of the plat.

APPLICANT REQUIREMENTS

Submit ten (10) signed, corrected copies of the plat drawing to the Planning Department.

There being no others to speak for or against RP 2016-15, Chairman Cooper closed the Public Hearing.

Mrs. Bonney Ramsey moved to approve a request by Craig & Deborah Smith for a Replat of Trinity Heights Addition, Lot 10R, Block 1 being a revision of Lots 10, 11 and 12, Block 1, Trinity Heights Addition- Owner: Craig & Deborah Smith (RP 2016-15), subject to Staff Comments. Vice Chairman Betty Jefferson seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by RD Kajawah, for a Replat of University Addition, Lot 4A and 5A, Block 15, being a revision of Lot 4 and Lot 5, Block 15, University Addition Owner: Abby Kujawa (RP 2016-16).

Planning Director Darren Groth reviewed the following Staff Report:

DEVELOPMENT SUMMARY

1. The plat proposes to replat two lots by moving the existing lots lines for Lots 4A and 5A to create new lot boundaries.
2. 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.
3. 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.

REVIEW COMMENTS

1. Include setbacks on the drawing.
2. Identify the FEMA floodplain.
3. Revise the approval block to the Subdivision Ordinance standard for a replat.
4. Provide the point of beginning for the legal description.

RECOMMENDATION

Staff recommends APPROVAL of the plat, per the comments.

APPLICANT REQUIREMENTS

Submit ten (10) signed, corrected copies of the plat drawing to the Planning Department.

Those who spoke for RP 2016-16:

Brad Yates, 108 Farley Street, Waxahachie

There being no others to speak for or against RP 2016-16, Chairman Cooper closed the Public Hearing.

Mr. Jim Phillips moved to approve a request by RD Kujawa, for a Replat of University Addition, Lot 4A and 5A, Block 15, being a revision of Lot 4 and Lot 5, Block 15, University Addition Owner: Abby Kujawa (RP 2016-16), subject to Staff Comments. Mr. Rick Keeler seconded, **All Ayes.**

Planning Director Darren Groth presented Preliminary Plat of Kent's Prairie Addition being Lot 1, Block 1, 3.1167 acres in the J. Higgins Survey, Abstract No. 530 in the Extra Territorial Jurisdiction (ETJ) – Owner: George Kent (PLM 2016-13). He reviewed the following Staff Report:

DEVELOPMENT SUMMARY

1. The plat proposes to create one 3.1167-acre residential lot.
2. 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.
3. 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.

REVIEW COMMENTS

1. The name of the subdivision requires amendment because a Kent's Prairie Addition already exists in Ellis County.
2. The site location requires clarification on the plat document, specifically the location map.
3. Ellis County requires a letter requesting a variance to the 6-inch water line. According to Buena Vista Water, a 3-inch line currently exists; however, this line will not support a fire hydrant.

RECOMMENDATION

Staff recommends APPROVAL of the plat, per the comments.

APPLICANT REQUIREMENTS

Submit ten (10) signed, corrected copies of the plat drawing to the Planning Department.

After further discussion, Mr. Jim Phillips moved to approve Preliminary Plat of Kent's Prairie Addition being Lot 1, Block 1, 3.1167 acres in the J. Higgins Survey, Abstract No. 530 in the Extra Territorial Jurisdiction (ETJ)– Owner: George Kent (PLM 2016-13), subject to Staff Comments. Mrs. Bonney Ramsey seconded, ***All Ayes.***

Planning Director Darren Groth presented Final Plat of Kent's Prairie Addition being Lot 1, Block 1, 3.1167 acres in the J. Higgins Survey, Abstract No. 530 in the Extra Territorial Jurisdiction (ETJ)-Owner: George Kent (FP 2016-14). He reviewed the following Staff Report:

DEVELOPMENT SUMMARY

1. The plat proposes to create one 3.1167-acre residential lot.

2. 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.
3. 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.

REVIEW COMMENTS

1. Label the road names.
2. The name of the subdivision requires amendment because a Kent's Prairie Addition already exists in Ellis County.
3. The site location requires clarification on the plat document, specifically the location map.
4. Ellis County requires a letter requesting a variance to the 6-inch water line. According to Buena Vista Water, a 3-inch line currently exists; however, this line will not support a fire hydrant.

RECOMMENDATION

Staff recommends APPROVAL of the plat, per the comments.

APPLICANT REQUIREMENTS

Submit ten (10) signed, corrected copies of the plat drawing to the Planning Department.

After further discussion, Mr. Jim Phillips moved to approve Final Plat of Kent's Prairie Addition being Lot 1, Block 1, 3.1167 acres in the J. Higgins Survey, Abstract No. 530 in the Extra Territorial Jurisdiction (ETJ)-Owner: George Kent (FP 2016-14), subject to Staff Comments. Mr. Rick Keeler seconded, All Ayes.

Planning Director Darren Groth presented Final Plat of Aday Estates Addition Lots 1-4, Block A, Lots 1-16, Block B, Lots 1-8, Block C, & Lots 1-8, Block D situated in the J. Drinkard Survey, Abstract No.273 being 43.900 acres in the Extra Waxahachie Extra Territorial Jurisdiction (ETJ)-Owner: Steve Donosky (FP 2016-17). He presented the following Staff Report:

DEVELOPMENT SUMMARY

1. The plat proposes to create 36 residential lots.
2. Each lot will be greater than one-acre in size.
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.

REVIEW COMMENTS

1. Clarify the right-of-way type for the intended roadway.
2. Add dimension information for the wall easement.

RECOMMENDATION

Staff recommends APPROVAL of the plat, per the comments.

APPLICANT REQUIREMENTS

Submit ten (10) signed, corrected copies of the plat drawing to the Planning Department.

Mr. Groth stated he sent red-line comments to the Applicant identifying the right-of-way dedication and to label the wall maintenance and easement. He stated the Applicant has been in his office and will provide corrections on the submittal. Mr. Groth stated there were some additional comments regarding masonry wall, landscaping and other improvements and they all require acceptance. Next steps require Ellis County approval.

Mr. Jim Phillips moved to approve Final Plat of Aday Estates Addition Lots 1-4, Block A, Lots 1-16, Block B, Lots 1-8, Block C, & Lots 1-8, Block D situated in the J. Drinkard Survey, Abstract No.273 being 43.900 acres in the Extra Waxahachie Extra Territorial Jurisdiction (ETJ)-Owner: Steve Donosky (FP 2016-17), subject to Staff Comments.

Citizens' Petitions and Request

Director of Planning Darren Groth introduced Mr. Nathan Warren, a new planner in the Planning Department. He announced there will not be a Planning and Zoning Commission on Tuesday, April 26, 2015.

Assistant City Manager Michael Scott announced Staff sent out the revised Comprehensive Plan draft and asked the Commission to be reviewing it before the upcoming joint meeting with City Council on April 18th at 5:00 p.m.

Vice Chairman Betty Jefferson reported the intersection of Marvin and Kauffman Street has damage due to trucks going in and out of the construction site of the new Catholic Church.

Mrs. Bonney Ramsey introduced Ms. Jamie Green, Leadership Waxahachie, and stated as part of the leadership program students are required to attend a Planning and Zoning Commission meeting.

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There being no further business, the meeting adjourned at 7:43 p.m.

Respectfully submitted,

Lori Saunders

City Secretary