

Planning and Zoning Commission
August 9, 2016

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Tuesday, August 9, 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
Rodney Bell

Members Absent: Melissa Ballard

Others Present: Darren Groth, Director of Planning
Nathan Warren, Planner
Steve Chapman, City Attorney
Lori Saunders, City Secretary
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 Planning & Zoning Commission meeting of July 26, 2016. Mr. Jim Phillips seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by DC Texas Construction, LLC for a Replat located at 113 McKenzie Street, being Lot 5-6B, Block 4, .045 acres, College Addition-Owner: Cody Skoda (RP 2016-20).

Planner Nathan Warren reviewed the following Staff Report:

CASE SUMMARY

The proposed replat fails to meet the standard called out in Section 2.3.G.1 titled “Standards for Approval” of the City of Waxahachie Subdivision Ordinance, No plat shall be approved unless, “The plat substantially conforms with the City’s Zoning Ordinance (including the proper zoning for the intended use) and its Comprehensive Plan...”

STAFF RECOMMENDATIONS

Staff recommends denial of the request as the proposed replat does not conform to Single Family-2 (SF-2) standards.

There being no others to speak for or against RP 2016-20, Chairman Cooper closed the Public Hearing.

Mr. Rick Keeler moved to deny on a request by DC Texas Construction, LLC for a Replat located at 113 McKenzie Street, being Lot 5-6B, Block 4, .045 acres, College Addition-Owner: Cody Skoda (RP 2016-20), subject to Staff Comments. Mr. Rodney Bell seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Dayne Ram for a Zoning Amendment from Light Industrial-2 (LI-2) and Commercial (C) to Planned Development-Commercial (PD-C) for a restaurant and retail, located at the intersection of Cardinal Road and US Hwy. 77, being Lot 1 and 2, Block A, 3.086 acres, Cardinal Plaza-Owner: Del Z Enterprises, LLC (ZA 2016-38).

Planner Nathan Warren reviewed the following Staff Report:

CASE SUMMARY

The Planned Development would provide relief to building setback requirements, while increasing minimum landscaping and building materials requirements.

PLANNING ANALYSIS

The applicant is requesting a zoning amendment to change the zoning from Light Industrial-2 (LI-2) and Commercial (C) to Planned Development-Commercial (PD-C). The Planned Development would provide relief to building setback requirements, while increasing minimum landscaping and building materials requirements. The current building standards for the portion of the property subject to Light Industrial-2 (LI-2) are a thirty (30) ft. minimum side yard setback and a twenty (20) ft. minimum rear yard setback. The current building standards for the portion of the property subject to Commercial (C) are a fifteen (15) ft. minimum side yard setback and a twenty (20) ft. minimum rear yard setback. The Planned Development will establish a ten (10) ft. minimum side and rear yard setback. In addition to standard landscaping requirements, the Planned Development will enhance the total landscaped area to a minimum of twenty (20) percent of the total lot size. Street yard spaces shall be no less than twenty- five (25) percent. Parking lot landscaping tree requirements will be one (1) tree per seven (7) parking spaces.

STAFF RECOMMENDATIONS

Staff recommends approval

Those who spoke against Zoning Amendment 2016-38:

Mr. Mike Diedrich, Plant Manager, Cardinal Glass Industries, 201 Cardinal Road, Waxahachie, expressed concern with a retail establishment in an industrial area. He noted there is high traffic with shift change, semi-tractors entering and exiting the industrial area and stated adding retail increases traffic. Mr. Diedrich stated retail doesn't seem appropriate.

Mrs. Bonney Ramsey confirmed there is one entrance into the retail pad. Mr. Darren Groth, Director of Planning concurred noting getting availability to exit off Highway 77 will be up to TxDot and will be unlikely.

Chairman Cooper expressed concern with the backup of truck traffic and only one entrance in and out of the retail area.

There being no others to speak for or against ZA 2016-38, Chairman Cooper closed the Public Hearing.

After further discussion, Mr. Jim Phillips moved to approve a request by Dayne Ram for a Zoning Amendment from Light Industrial-2 (LI-2) and Commercial (C) to Planned Development-Commercial (PD-C) for a restaurant and retail, located at the intersection of Cardinal Road and US Hwy. 77, being Lot 1 and 2, Block A, 3.086 acres, Cardinal Plaza-Owner: Del Z Enterprises, LLC (ZA 2016-38), subject to Staff Comments. Mrs. Bonney Ramsey seconded. The vote was as follows:

Ayes: Betty Jefferson
Rick Keeler
Bonney Ramsey
Jim Phillips
Rodney Bell

Noes: Jim Cooper

The motion carried.

Chairman Cooper opened the Public Hearing on a request by Brad Yates for a Zoning Amendment from Single Family-3 (SF-3) to Planned Development (PD) for duplexes, located at 200 Opal Street, being Lot 22, Block 14, 0.172 acres, South Park-Revised Addition-Owner: Loren Gray Investments, LLC (ZA 2016-39).

Planner Nathan Warren reviewed the following Staff Report:

CASE SUMMARY

Multifamily dwelling is not allowed outright in Single Family-3. The applicant is requesting relief to lot size and setbacks as described in the infill ordinance. Due to the request to replat, the subject property is ineligible to be considered a candidate for the relief provided under the infill ordinance. The applicant has not submitted a document to staff that calls out the specific conditions being requested through this Planned Development District, nor has a base zoning designation been identified.

PLANNING ANALYSIS

The applicant is requesting a zoning amendment to allow construction of a duplex on the subject property. The property is currently zoned Single Family-3 (SF-3). Duplexes are not allowed in single family zoning districts. However, the Future Land Use Plan designates the property and surrounding area for retail use. Duplexes are allowed outright in Office (O), Neighborhood Service (NS), General Retail-Limited (GRL), General Retail (GR), and Central Area (CA) Zoning Districts. These districts are compatible with retail uses. The applicant has also requested relief to lot size and setbacks as described in the infill ordinance. Due to the request to replat, the subject property is ineligible to be considered a candidate for the relief provided under the infill ordinance. The applicant has not submitted a document to staff that calls out the specific conditions being requested through this Planned Development District, nor has a base zoning designation been identified.

STANDARDS FOR PROPOSED LOT 22A

| <i>Development Standard</i> | <i>Single Family-3 (SF-3)</i> | <i>Planned Development (PD)</i> |
|-----------------------------------|-------------------------------|---------------------------------|
| Minimum Lot Width | 80 ft. | 50 ft. |
| Minimum Lot Depth | 100 ft. | 66.51 ft. |
| Minimum Lot Area | 10,000 sq. ft. | 3530 sq. ft. |
| Front Yard Setback | 30 ft. | 25 ft. |
| Side Yard Adjacent to Ruth Street | 15 ft. | 10 ft. |
| Minimum Interior Side Yard | 10 ft. | 5 ft. |
| Minimum Rear Yard | 25 ft. | 0 ft. |

STANDARDS FOR PROPOSED LOT22B

| <i>Development Standard</i> | <i>Single Family-3 (SF-3)</i> | <i>Planned Development (PD)</i> |
|-----------------------------|-------------------------------|---------------------------------|
| Minimum Lot Width | 80 ft. | 50 ft. |
| Minimum Lot Depth | 100 ft. | 67.83 ft. |
| Minimum Lot Area | 10,000 sq. ft. | 3593 sq. ft. |
| Front Yard Setback | 30 ft. | 10 ft. |
| Minimum Side Yard | 10 ft. | 0 ft. |
| Minimum Rear Yard | 25 ft. | 5 ft. |

RECOMMENDATION

Staff recommends approval per the following comments:

1. Address all staff comments
2. Provide a text document showing specific conditions requested in this Planned Development District.

Vice Chairman Betty Jefferson expressed concern with the infrastructure and water run-off.

Mr. Brad Yates, 108 East Farley, Waxahachie, stated the lot is difficult to build on and he will have one entrance from Opal Street and the other entrance from Ruth Street to get as much parking off street.

Mr. Darren Groth, Director of Planning, stated the request doesn't meet the infill ordinance standards and that is why the applicant is asking for Planned Development.

There being no others to speak for or against ZA 2016-39, Chairman Cooper closed the Public Hearing.

Mrs. Bonney Ramsey moved to approve a request by Brad Yates for a Zoning Amendment from Single Family-3 (SF-3) to Planned Development (PD) for duplexes, located at 200 Opal Street, being Lot 22, Block 14, 0.172 acres, South Park-Revised Addition-Owner: Loren Gray Investments, LLC (ZA 2016-39), subject to Staff Comments.

Vice Chairman Betty Jefferson seconded. The vote was as follows:

Ayes: Betty Jefferson
Rick Keeler
Bonney Ramsey
Jim Phillips
Rodney Bell

Noes: Jim Cooper

The motion carried.

Chairman Cooper opened the Public Hearing on a request by Brad Yates for a Replat located at 200 Opal Street, being Lot 22, Block 14, 0.172 acres, South Park-Revised Addition-Owner: Loren Gray Investments, LLC (RP 2016-29).

Planner Nathan Warren reviewed the following Staff Report:

CASE SUMMARY

The replat request does not conform with current Single Family-3 (SF-3) zoning standards. Staff recommendation is dependent on the action of ZA2016-39.

REVIEW COMMENTS

1. Must designate a Point of Beginning.
2. Show names of adjoining subdivisions for all contiguous properties.
3. The lot width, size, area measurements do not conform to Single Family-3 (SF-3) standards. A companion request changing the zoning from SF-3 to PD was submitted with this case as ZA2016-39 to modify the zoning lot size requirements. The minimum width is proposed to be reduced from 80 feet to 50 feet; the minimum area is proposed to be reduced from 10,000sf to 7,123sf; the front yard setback is proposed to be reduced from 30 feet to 25 feet along Opal Ave and 20 feet along the alley; and the side yard setback is proposed to be reduced from 15 feet to 10 feet along Ruth St and from 10 feet to 5 feet on the opposite side. The submitted plat would conform to the sizes identified in the PD.
4. Once replatted, the subject property will no longer be considered a qualifying property per the City's infill ordinance. In order to qualify for infill development, property must consist of lots initially platted prior to 1980 or transferred by metes and bounds before 1980.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends: Approval, per the following comments: 1. Staff recommendation is dependent on the action of ZA2016-39.

There being no others to speak for or against RP 2016-29, Chairman Cooper closed the Public Hearing.

Mr. Jim Phillips moved to approve a request by Brad Yates for a Replat located at 200 Opal Street, being Lot 22, Block 14, 0.172 acres, South Park-Revised Addition-Owner: Loren Gray Investments, LLC (RP 2016-29), subject to Staff Comments. Mr. Rodney Bell seconded. The vote was as follows:

Ayes: Betty Jefferson
Rick Keeler
Bonney Ramsey
Jim Phillips
Rodney Bell

Noes: Jim Cooper

The motion carried.

Chairman Cooper opened the Public Hearing on a request by Kylon Wilson for a Zoning Amendment from Single Family-2 (SF-2) to Planned Development-Multiple Family District-1 (PD-MF-1) for residential homes for adults with intellectual and developmental disabilities, located in the 800 block of Cantrell Street in the E.W. Rogers Survey, Abstract No. 896, Property ID 243706- Owner Diane Collard and Property ID 256879-Owner Breckenridge Group Waxahachie Texas LP (ZA 2016-40).

Planner Nathan Warren reported the Applicant requested to continue the Public Hearing to the Planning and Zoning Commission meeting of August 23, 2016.

Chairman Cooper closed the Public Hearing on Zoning Amendment 2016-40.

Vice Chairman Betty Jefferson moved to continue the Public Hearing on a request by Kylon Wilson for a Zoning Amendment from Single Family-2 (SF-2) to Planned Development-Multiple Family District-1 (PD-MF-1) for residential homes for adults with intellectual and developmental disabilities, located in the 800 block of Cantrell Street in the E.W. Rogers Survey, Abstract No. 896, Property ID 243706- Owner Diane Collard and Property ID 256879-Owner Breckenridge Group Waxahachie Texas LP (ZA 2016-40) to the Planning and Zoning Commission meeting of August 23, 2016. Mrs. Bonney Ramsey seconded, All Ayes.

Planner Nathan Warren presented Preliminary Plat of The Sanctuary being a 7.246 acres of land out of the Daniel Weaver Survey, Abstract No. 1138 in the Extra Territorial Jurisdiction (ETJ)-Owner: Mark D. & Melanie L. Brewer, Wyndell S. & Jennifer A. Wilson, John Houston Living Trust (PLM 2016-26). He reported the preliminary plat request will establish six (6) lots on 7.246 acres. Staff recommends approval.

Mr. Rodney Bell moved to approve Preliminary Plat of The Sanctuary being a 7.246 acres of land out of the Daniel Weaver Survey, Abstract No. 1138 in the Extra Territorial Jurisdiction (ETJ)-Owner: Mark D. & Melanie L. Brewer, Wyndell S. & Jennifer A. Wilson, John Houston Living Trust (PLM 2016-26), subject to Staff Comments. Vice Chairman Betty Jefferson seconded, All Ayes.

Planner Nathan Warren presented Preliminary Plat of Henry Estates being 3.522 acres of land out of the Henry Bingham Survey, Abstract No. 154 in the Extra Territorial Jurisdiction (ETJ)-Owner: JHH Property Acquisition Services, LLC (PLM 2016-27). He reported the preliminary plat request will establish two (2) lots on 3.522 acres. Staff recommends approval.

Mr. Rick Keeler moved to approve Preliminary Plat of Henry Estates being 3.522 acres of land out of the Henry Bingham Survey, Abstract No. 154 in the Extra Territorial Jurisdiction (ETJ)-Owner: JHH Property Acquisition Services, LLC (PLM 2016-27), subject to Staff Comments. Mr. Jim Phillips seconded, **All Ayes.**

Planner Nathan Warren presented Final Plat of Mustang Creek, Phase Four being 114 residential lots, 2 non-residential lots, being 39.493 acres situated in the Robert Russell Survey, Abstract No. 911-Owner: Bruce French (FP 2016-28). He reported the final plat request will establish 116 lots, 114 being residential lots, on 43.493 acres. Staff recommends approval

Mrs. Bonney Ramsey moved to approve Final Plat of Mustang Creek, Phase Four being 114 residential lots, 2 non-residential lots, being 39.493 acres situated in the Robert Russell Survey, Abstract No. 911-Owner: Bruce French (FP 2016-28), subject to Staff Comments. Mr. Rodney Bell seconded, **All Ayes.**

Chairman Cooper stated due to the Planning and Zoning Commission meetings of November 22, 2016 and December 27, 2016 being close to the holidays, he recommended cancelling those meetings.

Vice Chairman Betty Jefferson moved to cancel the Planning and Zoning Commission meetings of November 22, 2016 and December 27, 2016. Mrs. Bonney Ramsey seconded, **All Ayes.**

Citizens' Petitions and Requests:

None

There being no further business, the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Lori Saunders,
City Secretary