

Planning and Zoning Commission
August 23, 2016

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Tuesday, August 23, 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
Melissa Ballard
Jim Phillips
Rodney Bell

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.

Mr. Rick Keeler moved approval of the minutes of the Planning & Zoning Commission meeting of August 9, 2016. Mrs. Bonney Ramsey seconded, **All Ayes.**

Chairman Cooper continued 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 reviewed the following Staff Report:

CASE SUMMARY

The applicant is requesting a zoning change from Single Family-2 (SF-2) and Planned Development- Multiple Family District-1 (PD-MF-1) to Planned Development-Multiple Family District-1 (PD-MF-1) for residential homes for adults with intellectual and developmental disabilities. The request for a new Planned Development District will include a larger area, unify the total property under one zoning district, speak more specifically to the vision of the applicant and the unique proposed use for the land, and supersede the reversionary clause in the current ordinance.

A similar request was submitted and processed last year, which resulted in the adoption of City Ordinance Number 2820 on October 5, 2015. The existing PD, however, includes a reversionary clause that requires the specific 'Resident Home for Adults with Intellectual and Development Disabilities' use to be used by September 1, 2016 or the zoning will revert to the previous PD-91-R. The PD-91-R was approved on May 21, 2007 for Single Family Residential uses under City Ordinance Number 2408. Since the use cannot be in place by the date stipulated in Ordinance 2820, this request will repeal and replace said ordinance with a new PD zoning district.

Notable changes from Section 18 and 34 in the Ordinance:

- Density of dwelling units per acre
- Inclusion of a definition for 'Resident Home for Adults with Intellectual and Development Disabilities'
- Maximum height requirement
- Relief to building separation requirements
- Public streets exclusively become the indicator for front yard setbacks
- Relief to parking regulation requirements
- An alternative to the to refuse and service facilities requirements
- Relief to minimum masonry requirements
- Adjustments to various architectural elements such as roof pitch

STAFF RECOMMENDATIONS

Staff recommends APPROVAL of this request, per the following:

- Provide adequate fire hydrants
- Provide adequate water line to service both fire and domestic requirements

There being no others to speak for or against ZA 2016-40, Chairman Cooper closed the Public Hearing.

Ms. Melissa Ballard moved to approve 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), subject to Staff Comments. Mr. Jim Phillips seconded. The vote was as follows:

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

Noes: Jim Cooper

The motion carried.

Planner Nathan Warren presented Preliminary Plat of Aspen Heights being Lot 1, Block A, 17.820 acres situated in the Emory W. Rogers Survey, Abstract No. 896-Owner: Diane Collard and Breckenridge Group Waxahachie Texas, LP (PLM 2016-30). He reviewed the following Staff Report:

CASE SUMMARY

No park land is dedicated on the plat. If, ultimately, the City Council determines that the subject property is unsuitable in whole or part for park land dedication, payment of park fees in lieu of land dedication may be required at a rate of \$400.00 per dwelling unit.

STAFF RECOMMENDATIONS

Staff recommends APPROVAL of this request, per the following:

- Must address staff comments.
- Staff recommends cash in lieu of park land dedication

After further discussion, Mr. Jim Phillips moved to approve Preliminary Plat of Aspen Heights being Lot 1, Block A, 17.820 acres situated in the Emory W. Rogers Survey, Abstract No. 896-Owner: Diane Collard and Breckenridge Group Waxahachie Texas, LP (PLM 2016-30), subject to Staff Comments. Mrs. Bonney Ramsey seconded. The vote was as follows:

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

Noes: Jim Cooper
Betty Jefferson

The motion carried.

Chairman Cooper opened the Public Hearing on a request by Chris Acker for a Zoning Amendment from Planned Development-General Retail (PD-GR) to General Retail (GR) located at the intersection of Butcher Road and US Hwy. 77 in the T Selby Survey, Abstract 1002, Property ID 191097- Owner: Cruz Erwin A Family Limited Partnership (ZA2016-42).

Planner Nathan Warren reviewed the following Staff Report:

CASE SUMMARY

The applicant is requesting a zoning change from Planned Development-General Retail (PD-GR) to General Retail (GR). The existing zoning dates back to the 1997 Zoning Ordinance. This request will require compliance with current General Retail zoning standards. The request aligns with the Comprehensive Plan as the subject property is designated for Retail use according to the Future Land Use Plan.

RECOMMENDATION

Staff recommends APPROVAL of this request as submitted

There being no others to speak for or against ZA2016-42, Chairman Cooper closed the Public Hearing.

After further discussion, Mrs. Bonney Ramsey moved to approve a request by Chris Acker for a Zoning Amendment from Planned Development-General Retail (PD-GR) to General Retail (GR) located at the intersection of Butcher Road and US Hwy. 77 in the T Selby Survey, Abstract 1002, Property ID 191097- Owner: Cruz Erwin A Family Limited Partnership (ZA2016-42), subject to Staff Comments. Vice Chairman Betty Jefferson seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Chris Acker for a Site Plan for professional office building, located at the intersection of Butcher Road and US Hwy. 77 in the T Selby Survey, Abstract 1002, Property ID 191097- Owner: Cruz Erwin A Family Limited Partnership (ZA2016-41).

Planner Nathan reported due to the size of the acreage, the Site Plan doesn't fit the requirements of the city ordinance and therefore recommended denial of ZA2016-41.

Mr. Chris Acker, 5100 Honeysuckle Road, Midlothian, Texas, representing the applicant, stated the acreage is 0.687 and explained the city ordinance requires one (1) acre for an aerobics septic system. He stated the owner us going to purchase additional acreage in order to meet the requirement of the city ordinance.

After a brief discussion, Mr. Rick Keeler moved to deny a request by Chris Acker for a Site Plan for professional office building, located at the intersection of Butcher Road and US Hwy. 77 in the T Selby Survey, Abstract 1002, Property ID 191097- Owner: Cruz Erwin A Family Limited Partnership (ZA2016-41). Ms. Melissa Ballard seconded, **All Ayes.**

Director of Planning, Darren Groth, stated at the previous Planning and Zoning Commission meeting the November 22nd and December 27th meeting were cancelled due to being close to the holidays. He requested to move the regular scheduled meeting of November 8th to November 15th to comply the state guidelines of acting on a plat within 30 days.

Vice Chairman Betty Jefferson moved to change the Planning and Zoning Commission meeting of November 8th to November 15th as presented. Mrs. Bonney Ramsey seconded, **All Ayes.**

Citizens' Petitions and Requests:

None

There being no further business, the meeting adjourned at 7:32 p.m.

Respectfully submitted,

Lori Saunders,
City Secretary