

Planning and Zoning Commission
September 13, 2016

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Tuesday, September 13, 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
Bonney Ramsey
Melissa Ballard
Jim Phillips

Members Absent: Rick Keeler
Rodney Bell

Others Present: Darren Groth, Director of Planning
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 August 23, 2016. Ms. Melissa Ballard seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Wayne and Jane Shipp for a Specific Use Permit for roof mounted solar panels, located at 203 Spring Creek Drive, being Lot 9 Block 1 Spring Creek Farm, 1.12 acres- Owner: SHIPP WAYNE N & JANE A (ZA 2016-33).

Director of Planning Darren Groth reported the system will be located on the roof line to not face the street. The installation must match the roof pitch and must leave no greater than six inches between rooftops. He recommended approval.

There being no others to speak for or against ZA 2016-33, Chairman Cooper closed the Public Hearing.

Ms. Melissa Ballard moved to approve a request by Wayne and Jane Shipp for a Specific Use Permit for roof mounted solar panels, located at 203 Spring Creek Drive, being Lot 9 Block 1 Spring Creek Farm, 1.12 acres- Owner: SHIPP WAYNE N & JANE A (ZA 2016-33), subject to Staff Comments. Mr. Jim Phillips seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by DC Texas Construction LLC, for a Site Plan Review within a Planned Development-General Retail Zoning District (PD-92-GR), located at 115 Park Place Blvd, being Lot 3A, Block A, Park Place Professional Center, 1.213 acres- Owner: COLWELL JIM W & MELINDA A (ZA 2016-37).

Director of Planning Darren Groth reported the Planned Development Ordinance requires a 25-foot setback along public streets. Applicant seeks 20-foot setback along Park Place Blvd. Representatives for the Colwell's stated they will have to cut the building back five (5') feet in order to meet the 25-foot setback. Mr. Groth stated the 25-foot setback complies with the zoning ordinance.

There being no others to speak for or against ZA 2016-37, Chairman Cooper closed the Public Hearing.

Mrs. Bonney Ramsey moved to approve a request by DC Texas Construction LLC, for a Site Plan Review within a Planned Development-General Retail Zoning District (PD-92-GR), located at 115 Park Place Blvd, being Lot 3A, Block A, Park Place Professional Center, 1.213 acres- Owner: COLWELL JIM W & MELINDA A (ZA 2016-37), subject to Staff Comments.
Vice Chairman Betty Jefferson seconded, **All Ayes.**

Public Hearing on a request by Ziad Dekelbab, Future Signs Inc. for a Specific Use Permit for an electronic message sign, located at 2971 N Highway 77, being Lot 2, Block A, DMJ Business Centre Unit 1, 1.976 acres- Owner: CITIZENS NATIONAL BANK IN WAXAHACHIE (ZA 2016-44).

Director of Planning Darren Groth reported the development is underway for the new Sonic Restaurant. In accordance with City Ord. 2608, submitted plans indicate the request will comply with the following stipulations:

- ≤70% of sign face devoted to changeable copy
- May not display off-premise commercial messages
- If 400 feet of residence, park/playground, or scenic area shall not be lighted between 10 p.m. to 6 a.m.
- Cannot exceed 0.3 foot candles above ambient light
- Shall be equipped with automatic dimming technology

There being no others to speak for or against ZA 2016-44, Chairman Cooper closed the Public Hearing.

Mr. Jim Phillips moved to approve a request by Ziad Dekelbab, Future Signs Inc. for a Specific Use Permit for an electronic message sign, located at 2971 N Highway 77, being Lot 2, Block A, DMJ Business Centre Unit 1, 1.976 acres- Owner: CITIZENS NATIONAL BANK IN WAXAHACHIE (ZA 2016-44), subject to Staff Comments. Vice Chairman Betty Jefferson seconded. The vote was as follows:

Ayes: Jim Cooper
Betty Jefferson
Bonney Ramsey
Jim Phillips

Abstained: Melissa Ballard

The motion carried.

Chairman Cooper opened the Public Hearing on a request by DC Texas Construction LLC, for a Zoning Amendment from Single-family Residential District-2 (SF-2) to Planned Development-Single-family Residential District-2 (PD-SF-2), located at 113 McKenzie Street, being Lot 5-6B, Block 4, College Addition, 0.45 acres- Owner: CODY SKODA (ZA 2016-45).

Director of Planning Darren Groth reported this has been before the Commission and applicant is back for a proposed Planned Development with proposed use being residential for two (2) cottage style homes side by side. He stated the site is located within the City's Infill overlay and explained it is not a qualifying property for infill (redevelopment and not infill development). The proposed PD will establish site specific zoning regulations similar to infill ordinance. He recommended approval.

There being no others to speak for or against ZA 2016-45, Chairman Cooper closed the Public Hearing.

Ms. Melissa Ballard moved to approve a request by DC Texas Construction LLC, for a Zoning Amendment from Single-family Residential District-2 (SF-2) to Planned Development-Single-family Residential District-2 (PD-SF-2), located at 113 McKenzie Street, being Lot 5-6B, Block 4, College Addition, 0.45 acres- Owner: CODY SKODA (ZA 2016-45), subject to Staff Comments. Vice Chairman Betty Jefferson seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request Jimmy Pogue, Stadia Land Surveying, for a Replat located at 3221 Black Champ Road, being Lot 7AR, Block A, Roe Estates Phase 2, 2.0 acres, - Owner: MICHAEL S LINDSEY (RP 2016-33).

Director of Planning Darren Groth reported the applicant will create 2 lots on 2 acres. He presented the red-line Plat and explained it will need to be corrected and stated applicant must submit 7 final plat drawings to the Planning Department.

Property owner Mr. Michael Lindsey, 4410 Black Champ Road, and his builder stated they were not aware of the red-line plat. Mr. Lindsey stated their surveyor submitted the application. Mr. Groth stated the red-line plat would have been sent to the applicant.

There being no others to speak for or against RP 2016-33, Chairman Cooper closed the Public Hearing.

Mr. Jim Phillips moved to approve a request Jimmy Pogue, Stadia Land Surveying, for a Replat located at 3221 Black Champ Road, being Lot 7AR, Block A, Roe Estates Phase 2, 2.0 acres, - Owner: MICHAEL S LINDSEY (RP 2016-33), subject to Staff Comments. Mrs. Bonney Ramsey seconded, **All Ayes.**

Director of Planning Darren Groth presented Final Plat of Legacy Ranch, Phase One being 10.590 acre addition in the Jonathan Prince Survey, Abstract No. 844-Owner: BKG LEGACY RANCH 1, LLC (FP 2016-34) noting this will create 6 lots. He reported the preliminary plat (PLM2014-32) was brought to the Commission on 11/12/2014 and approved by City Council 11/17/2014. Final Preliminary Plat drawings were never submitted for signatures. The applicant must submit 7 final plat drawings to the Planning Department. Staff recommends approval of this request as per the following: Show compliance and acceptance of Preliminary Plat.

Mr. Jim Phillips moved to approve Final Plat of Legacy Ranch, Phase One being 10.590 acre addition in the Jonathan Prince Survey, Abstract No. 844-Owner: BKG LEGACY RANCH 1, LLC (FP 2016-34), subject to Staff Comments. Ms. Melissa Ballard seconded, **All Ayes.**

Director of Planning Darren Groth presented Final Plat of Lone Star Subdivision, 2 lots, being 3.851 acre addition in the J.C. Armstrong Survey, Abstract No. 6-Owner: RON HIRSCHI (FP 2016-35) noting the applicant submitted revised drawings on August 23, 2016. Applicant must submit 7 final plat drawings to the Planning Department. He recommended approval.

Mrs. Bonney Ramsey moved to approve Final Plat of Lone Star Subdivision, 2 lots, being 3.851 acre addition in the J.C. Armstrong Survey, Abstract No. 6-Owner: RON HIRSCHI (FP 2016-35), subject to Staff Comments. Vice Chairman Betty Jefferson seconded, **All Ayes.**

Director of Planning Darren Groth presented Final Plat of Triple T Ranch, Lot 1, being a 2.9668 acre addition in the Joseph Steel Survey, Abstract No. 991 in the Extra Territorial Jurisdiction (ETJ)-Owner: DAN GUS (FP 2016-36) noting the Plat will dedicate a portion of Panorama Loop, currently prescriptive easement to Ellis County. Applicant must submit 7 final plat drawings to the Planning Department.

City Engineer James Gaertner reported the applicant received a redlined plat and resubmitted the corrected plat.

Ms. Melissa Ballard moved to approve Final Plat of Triple T Ranch, Lot 1, being a 2.9668 acre addition in the Joseph Steel Survey, Abstract No. 991 in the Extra Territorial Jurisdiction (ETJ)-Owner: DAN GUS (FP 2016-36), subject to Staff Comments. Mr. Jim Phillips seconded, **All Ayes.**

Director of Planning Darren Groth presented Lot 9A and 9C, Block 2, Hugh McDaniel Subdivision being a Replat of Lots 9A and 8C, Block 2, Hugh McDaniel Subdivision in the Extra Territorial Jurisdiction (ETJ) – Owner: ASHLEY ALVAREZ AND STEPHEN WINKLES (RP 2016-37). He reported there are multiple comments from Planning, City Engineer, and Ellis County and all are awaiting resubmittal. Applicant must submit 7 final plat drawings to the Planning Department.

After further discussion, Mr. Jim Phillips moved deny without prejudice Lot 9A and 9C, Block 2, Hugh McDaniel Subdivision being a Replat of Lots 9A and 8C, Block 2, Hugh McDaniel Subdivision in the Extra Territorial Jurisdiction (ETJ) – Owner: ASHLEY ALVAREZ AND STEPHEN WINKLES (RP 2016-37). Vice Chairman Betty Jefferson seconded, All Ayes.

Director of Planning Darren Groth presented Final Plat of Bob White Estates being a 99.9987 acre addition in the Mary Powers Survey, Abstract No. 843, W.C. Berry Survey, Abstract No. 73, being 69 family lots in the Extra Territorial Jurisdiction (ETJ)-Owner: RVG INVESTMENTS, LLC (FP2016-38) noting the applicant resubmitted revised drawings on August 24, 2016, Midlothian addressed ETJ area, and applicant must submit 7 final plat drawings to the Planning Department. He recommended approval.

Mr. Jim Phillips moved to approve Final Plat of Bob White Estates being a 99.9987 acre addition in the Mary Powers Survey, Abstract No. 843, W.C. Berry Survey, Abstract No. 73, being 69 family lots in the Extra Territorial Jurisdiction (ETJ)-Owner: RVG INVESTMENTS, LLC (FP2016-38), subject to Staff Comments. Mrs. Bonney Ramsey seconded, All Ayes.

Citizens' Petitions and Requests:

None

There being no further business, the meeting adjourned at 7:39 p.m.

Respectfully submitted,

Lori Saunders,
City Secretary