Planning and Zoning Commission December 13, 2016

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Tuesday, December 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

Rick Keeler Bonney Ramsey Melissa Ballard Jim Phillips Erik Barnard

Others Present: Darren Groth, Director of Planning

James Gaertner, City Engineer Steve Chapman, City Attorney Lori Saunders, City Secretary

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

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Ms. Bonney Ramsey moved approval of the minutes of the Planning & Zoning Commission meeting of November 15, 2016. Ms. Melissa Ballard seconded, All Ayes.

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Chairman Cooper opened the Public Hearing on a request by Alyssa Martel, Solar City, for a Specific Use Permit (SUP) for a Rooftop Solar Panel System within a Planned Development-67-Single Family-2 (PD-67-SF-2) zoning district, located at 210 Range Road, being LOT 21 BLK 8 GARDEN VALLEY RANCH PH2- Owner: LEAMON CHERYL Y & DANIEL W & CARROL E YOUNG (ZA2016-60).

Director of Planning Darren Groth stated the solar panels will not be facing the street. He provided the following Staff Comments:

- SUP request is for a Rooftop Solar Panel System
- If SUP approved, a permit must be obtained from the Building Inspections Department prior to installing the system
- Staff recommends APPROVAL, as per staff comments

There being no others to speak for or against ZA 2016-60, Chairman Cooper closed the Public Hearing.

Mr. Jim Phillips moved to approve a request by Alyssa Martel, Solar City, for a Specific Use Permit (SUP) for a Rooftop Solar Panel System within a Planned Development-67-Single Family-2 (PD-67-SF-2) zoning district, located at 210 Range Road, being LOT 21 BLK 8 GARDEN VALLEY RANCH PH2- Owner: LEAMON CHERYL Y & DANIEL W & CARROL E YOUNG (ZA2016-60), subject to Staff Comments. Mr. Rick Keeler seconded, All Ayes.

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Chairman Cooper opened the Public Hearing on a request by Trivikram Reddy, TVR Management, LLC, for a Zoning Amendment from a Light Industrial-1 (LI-1) zoning district to a Commercial (C) zoning district, located between 2167 N Highway 77 and 1795 N Town Blvd, being Property ID 262424, 262425, 262426, 262427, 262428, 262430, and 262431-Owner: TVR MANAGEMENT LLC (ZA2016-61).

Mr. Groth reviewed the following case summary:

Uses Permitted in Commercial, but prohibited in General Retail

**GENERAL USES:** School, Business; Water Treatment Plant (Public); Stables (Private); Signs, Special Height; Animal Humane Society

**AUTO USES**: Auto Glass, Seat Cover/Upholstery and Muffler Shop; Tire Retreading or Capping; Ambulance Service

COMMERCIAL USES: Bakery or Confectionery (Wholesale or Commercial); Book Binding; Bottling Works (Wholesale); Building Materials Sales; Cabinet and Upholstery Shop; Clothing Manufacture or Light Compounding or Fabrication; Drapery or Furniture Upholstery Shop; Dry Cleaning Establishment; Feed and Grain Store; Furniture Manufacture and Refinishing Shop; Glass Cutting; Heating and Air Conditioning Sales; Job Printing or Newspaper Printing; Laboratory, Scientific or Research; Landscape Service Installation; Light Manufacturing and Assembly; Maintenance and Repair Services for Buildings; Milk Depot, Dairy or Ice Cream Plant; Office Showroom/Warehouse; Plumbing Shop; Storage or Wholesale Warehouse; Tattoo or Body Piercing Shop; Wholesale Office and Sample Room

## Uses Permitted in Commercial, but prohibited in General Retail

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AUTO USES: Auto Glass, Seat Cover/Upholstery and Muffler Shop; Tire Retreading or Capping; Ambulance Service

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Mr. Groth noted the Future Land Use Plan designates this property along U.S. Highway 77 as Retail and recommended approval subject to the following comment:

• In accordance with the Comprehensive Plan, a change in zoning to General Retail instead of Commercial would be more fitting.

Mr. Alan Johns, 7410 Prime Rose, Irving, Texas, representing TRV Management, LLC, stated the purpose of Commercial is due to landscape requirements and the onsite drainage affects how large a building can be so a 10% difference between Commercial and General Retail would hinder the size of a building.

Mr. Hugo Monsanto, Architect for applicant, 200 S. Rogers, Waxahachie, stated the small lot of approximately 10,000 square feet will be used for office space and the other lots will be retail. He stated the purpose of Commercial versus General Retail is so the applicant will not have to go through the process of requesting a Specific Use Permit on each buildout.

Mr. Groth stated the requirements of landscaping and setbacks are different between General Retail and Commercial and a change to Commercial would allow the applicant any uses under Commercial without coming back to the Commission for approval.

There being no others to speak for or against ZA 2016-61, Chairman Cooper closed the Public Hearing.

After further discussion, Mr. Rick Keeler moved to deny a request by Trivikram Reddy, TVR Management, LLC, for a Zoning Amendment from a Light Industrial-1 (LI-1) zoning district to a Commercial (C) zoning district, located between 2167 N Highway 77 and 1795 N Town Blvd, being Property ID 262424, 262425, 262426, 262427, 262428, 262430, and 262431-Owner: TVR MANAGEMENT LLC (ZA2016-61). Mrs. Bonney Ramsey seconded, All Ayes.

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Chairman Cooper opened the Public Hearing on a request by Brad Yates, Colonial Restoration, for a Zoning Amendment from an Office (O) zoning district to Planned Development-Office

(PD-O), with Concept Plan, located at 1312 W Jefferson, being 6D;7A 6 WEST END 0.382 ACRES- Owner: CRUX JEFFERSON LLC (ZA2016-62).

Mr. Groth reviewed the following case summary:

- 12/06/2010: Ord. 2596 created the infill overlay
- Per Ord. 2596, the massing, scale, and materials shall be appropriate to the neighborhood
- Ord. 2596 also requires 2 off-street parking areas behind the front building plane
- PD proposes 1 off-street parking per dwelling

Mr. Brad Yates, P.O. Box 2868, Waxahachie, presented the following concept of the proposed townhomes:

- Overall general concept is craftsman themed townhome structures with density and parking to maximize the existing lot. Units to have a common wall separation. With the location, close to the city park the project will be encouraging pedestrian traffic or less dependence on the automobile.
- Lot size to remain as per existing survey
- Provide minimum of one off street parking per dwelling
- Side yard setback to be 5 foot
- Rear yard setback to be 5 foot
- Front yard (Jefferson St. side) setback to be 10 foot
- Accessory or covered parking areas to complement main structure
- Building height not to exceed 45'
- Fences to be wood with metal posts or masonry/stone no greater than 8' to separate PO from residential neighbors at rear and side yards
- Exterior materials-shall include wood, masonry, stone and or hardi
- Roofing materials shall consist of slate, slate alternative, metal, tile, tile alternative, composition (laminated 30-year minimum)
- Infill lot language to apply
- Mailbox receptacles to be placed on the structure for a walking delivery method or as determined of the USPS
- Minimum dwelling size 700 sq. ft. with at least 50% of structures greater than 900 sq. ft. excluding garages, enclosed patios, and/or porches
- Exterior lighting is intended for illumination of parking area and security of residents

Mr. Groth recommended approval per the following staff comments:

- Provide parking at the ratios identified under the City's MF1 zoning district regulations.
- Change the underlying base zoning from Office to Multi-Family-1.

There being no others to speak for or against ZA 2016-62, Chairman Cooper closed the Public Hearing.

After further discussion, Ms. Melissa Ballard moved to approve a request by Brad Yates, Colonial Restoration, for a Zoning Amendment from an Office (O) zoning district to Planned Development-Office (PD-O), with Concept Plan, located at 1312 W Jefferson, being 6D;7A 6 WEST END 0.382 ACRES- Owner: CRUX JEFFERSON LLC (ZA2016-62), subject to the following Staff Comments:

- Provide parking at the ratios identified under the City's MF1 zoning district regulations.
- Change the underlying base zoning from Office to Multi-Family-1.

Mrs. Bonney Ramsey seconded, *All Ayes*.

Chairman Cooper opened the Public Hearing on a request by Will Winkelmann, Winkelmann & Associates, Inc., for a Specific Use Permit (SUP) for a Pole Sign within a Planned Development-1-Commercial (PD-1-C) zoning district, located between 1150 W Highway 287 and 1090 W Highway 287 on a portion of Property ID 245307- Owner: WAXAHACHIE CROSSING II LLC

(ZA2016-63) and stated applicant requested to continue ZA2016-23 to the Planning and Zoning Commission meeting of January 10, 2017.

Vice Chairman Betty Jefferson moved to continue a request by Will Winkelmann, Winkelmann & Associates, Inc., for a Specific Use Permit (SUP) for a Pole Sign within a Planned Development-1-Commercial (PD-1-C) zoning district, located between 1150 W Highway 287 and 1090 W Highway 287 on a portion of Property ID 245307- Owner: WAXAHACHIE CROSSING II LLC (ZA2016-63 to the Planning and Zoning Commission meeting of January 10, 2017. Mr. Jim Phillips seconded, All Ayes.

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Chairman Cooper opened the Public Hearing on a request by Bryan Burger, Burger Engineering, LLC, for a Specific Use Permit (SUP) for a Restaurant or Eating Place (Drive-in Service) within a Planned Development-3-General Retail (PD-3-GR) zoning district, located at 996 W Highway 287, 1 A HARRIS ADDN 1.66 ACRES-Owner: CHICK FIL A INC (ZA2016-64).

Mr. Groth reviewed the following staff comments:

- SUP request is to expand the kitchen and drive-through service of the existing Chick-fil-A restaurant.
- Staff emailed the review comments on November 22, 2016.
- The applicant responded and adequately addressed all outstanding concerns.
- If approved, within 30 days the applicant shall provide one revised electronic plan set that incorporates all comments.
- Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
- If not satisfied, then applicant will make corrections
- If satisfied, applicant provides 5 signed plats
- Staff recommends approval

Mr. Bryan Burger, Burger Engineering, LLC, 17103 Preston Road, Dallas, Texas, reported the expansion is an all kitchen expansion. The parking in front of the building will be eliminated to provide for double drive-thru lanes which will increase the speed of service.

There being no others to speak for or against ZA 2016-64, Chairman Cooper closed the Public Hearing.

Mrs. Bonney Ramsey moved to approve a request by Bryan Burger, Burger Engineering, LLC, for a Specific Use Permit (SUP) for a Restaurant or Eating Place (Drive-in Service) within a Planned Development-3-General Retail (PD-3-GR) zoning district, located at 996 W Highway 287, 1 A HARRIS ADDN 1.66 ACRES-Owner: CHICK FIL A INC (ZA2016-64), subject to Staff Comments. Vice Chairman Betty Jefferson seconded, All Ayes.

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Mr. Groth presented a Replat of Waxahachie Crossing-Unit 4 Lots 1R-3A & 1R-3B, Block A, being a Replat of Lot 1R-3, Block A Waxahachie Crossing-Unit 3 in the Henry Levey Survey, Abstract No. 629 & Robert Parks Survey, Abstract No. 851-Owner: WAXAHACHIE CROSSING II, LLC (RP 2016-52). He presented the following staff comments:

- Replat to subdivide 1 existing lot in the Waxahachie Crossing Addition into 2 lots
- On December 2, 2016, the applicant submitted revised plans to address the staff comments
- If approved, within 30 days the applicant shall provide one revised electronic plan set that incorporates all comments.
- Once the revised plans are provided, staff will verify all outstanding comments were satisfied
- If not satisfied, then applicant will make corrections
- If satisfied, applicant provides 5 signed plats
- Staff recommends approval

Mr. Rick Keeler moved to approve a Replat of Waxahachie Crossing-Unit 4 Lots 1R-3A & 1R-3B, Block A, being a Replat of Lot 1R-3, Block A Waxahachie Crossing-Unit 3 in the Henry

<u>Levey Survey, Abstract No. 629 & Robert Parks Survey, Abstract No. 851-Owner: WAXAHACHIE CROSSING II, LLC (RP 2016-52), subject to staff comments.</u> Mr. Jim Phillips seconded, <u>All Ayes.</u>

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Mr. Groth referenced the Commission's discussion and vote at their meeting of November 15, 2016 to change their meeting time effective January 2017. He referenced the minutes of the City Council meeting of July 6, 2015 whereas a vote was taken to change the Planning and Zoning Commission meeting to the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday at 7:00 p.m. Mr. Groth stated the vote by Council stands at 7:00 p.m. The Commission expressed frustration and discussed meeting with Council to consider a time change.

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## **Citizens' Petitions and Requests:**

None

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There being no further business, the meeting adjourned at 8:13 p.m.

Respectfully submitted,

Lori Saunders City Secretary