

Planning and Zoning Commission
March 28, 2017

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Tuesday, March 28, 2017 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
Erik Barnard

Member Absent: Melissa Ballard

Others Present: Darren Groth, Director of Planning
James Gaertner, City Engineer
Steve Chapman, City Attorney
Amber Villarreal, Assistant City Secretary
David Hill, Council Representative
Kelly Dent, Planner

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

CONSENT AGENDA:

- a. Minutes of the regular P&Z meeting of March 14, 2017
- b. Final Plat of First Baptist Church of Waxahachie Addition, being 17.384 acres of land in the J.B. & ANN ADAMS SURVEY, ABSTRACT NO. 5 – Owner: FIRST BAPTIST CHURCH OF WAXAHACHIE (FP-17-0026)
- c. Final Plat of The Cove Phase 1B for 75 residential lots and 1 open space lot, being 20.482 acres of land in the HENRI LEVY SURVEY, ABSTRACT NO. 629 and the ROBERT RUSSELL SURVEY, ABSTRACT NO. 911 – Owner: MORITZ INTERESTS INC (FP-17-0027)
- d. Preliminary Plat of Arbors Business Park, being a 12.9862-acre addition in the H. SANGE SURVEY, ABSTRACT NO. 1009 – Owner: WAXAHACHIE I J/V (PP-17-0031)

Mrs. Bonney Ramsey moved to approve items a. through d. on the Consent Agenda. Mr. Rick Keeler seconded, **All Ayes.**

Chairman Cooper continued the Public Hearing on a request by Karl Hansen, for a Specific Use Permit (SUP) for a Garage Accessory Dwelling within a Single Family-2 (SF2) zoning district, located at 201 Cynisca Street, being 11;12 11 UNIVERSITY 0.344 ACRES – Owner: HANSEN KARL G (SU-17-0005).

{Vice Chairman Betty Jefferson arrived at 7:02 p.m.}

Planner Kelly Dent presented the following case summary:

- Applicant would like to build a two-story garage accessory dwelling.
- Per the included drawings, the accessory building will be 23' 1½", roughly four (4) feet taller than the main structure on the lot.
- Based on the current status of the revised plans, staff recommends APPROVAL as presented

Mr. Karl Hansen, 201 Cynisca, Waxahachie, explained he plans to plant a tree in the front yard so the accessory building's height isn't as noticeable.

There being no others to speak for or against SU-17-0005, Chairman Cooper closed the Public Hearing.

Mr. Rick Keeler asked if the engineering issues were resolved and City Engineer James Gaertner noted they were.

Mr. Jim Phillips moved to approve a request by Karl Hansen, for a Specific Use Permit (SUP) for a Garage Accessory Dwelling within a Single Family-2 (SF2) zoning district, located at 201 Cynisca Street, being 11; 12 11 UNIVERSITY 0.344 ACRES – Owner: HANSEN KARL G (SU-17-0005), subject to staff comments. Vice Chairman Betty Jefferson seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Yongfei Lin, Waxahachie Foot, for a Specific Use Permit (SUP) to permit a **Medical Facility** use to allow a massage establishment [foot spa] within a Planned Development-20-General Retail (PD-20-GR) zoning district, located at 401 N Highway 77, Suite 11B, being Property ID 180818 - 148 & 599 WM BASKINS & J JOHNSON 6.85 ACRES - Owner: WINDWARD PARTNERS X. (SU-17-0023).

Planner Kelly Dent presented the following case summary:

- Per Ord. #2919 (01/17/17), a *Medical Facility* use is permissible in GR zoning with an SUP.
- Request is for one of the sub-types contained in the definition of a Medical Facility.
 1. *Dental, medical, or chiropractic clinic;*
 2. *Dental office or doctor's office;*
 3. *Massage establishment;*
 4. *Public health center;*
 5. *Sanitarium; or*
 6. *Surgical out-patient facility.*
- Staff recommends approval, as presented.

There being no others to speak for or against SU-17-0023, Chairman Cooper closed the Public Hearing.

Mr. Keeler asked if the original Planned Development allows for any use and Planning Director Darren Groth noted the original ordinance specifically states any uses allowed under General Retail.

Mrs. Bonney Ramsey moved to approve a request by Yongfei Lin, Waxahachie Foot, for a Specific Use Permit (SUP) to permit a Medical Facility use to allow a massage establishment [foot spa] within a Planned Development-20-General Retail (PD-20-GR) zoning district, located at 401 N Highway 77, Suite 11B, being Property ID 180818 - 148 & 599 WM BASKINS & J JOHNSON 6.85 ACRES - Owner: WINDWARD PARTNERS X. (SU-17-0023) as presented. Vice Chairman Jefferson seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Tabitha Tabor, Circle L Solar, for a Specific Use Permit (SUP) to permit a **Rooftop Solar Panel System** within a Planned Development-54-Single Family-2 (PD-54-SF2) zoning district, located at 3064 Carlton Parkway, being LOT 8 BLK 6 WINDCHASE EAST PH II SECT II 0.174 ACRES - Owner: CURNES DONALD R REVOCABLE LIVING TRUST. (SU-17-0025).

Planner Kelly Dent presented the following case summary:

- 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 presented.

Mr. Donald Curnes, 3064 Carlton Parkway, Waxahachie, requested approval for a rooftop solar panel system.

There being no others to speak for or against SU-17-0025, Chairman Cooper closed the Public Hearing.

Mr. Rick Keeler moved to approve a request by Tabitha Tabor, Circle L Solar, for a Specific Use Permit (SUP) to permit a Rooftop Solar Panel System within a Planned Development-54-Single Family-2 (PD-54-SF2) zoning district, located at 3064 Carlton Parkway, being LOT 8 BLK 6 WINDCHASE EAST PH II SECT II 0.174 ACRES - Owner: CURNES DONALD R REVOCABLE LIVING TRUST. (SU-17-0025), as presented. Mr. Jim Phillips seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Clyde Hargrove, Hargrove Real Estate, for a Zoning Change from Planned Development-73-Single Family-1 (PD-73-SF1) and Planned Development-73-Single Family-2 (PD-73-SF2) zoning districts to a **Freestanding Planned Development (PD), with Concept Plan** for a single-family development located East of existing Buffalo Ridge Addition, being Property ID 264869 - Owner: WP LEGACY LTD. (PD-17-0028).

Chairman Cooper announced the applicant requested to continue the public hearing for PD-17-0028 to the Planning & Zoning Commission meeting of April 25, 2017.

A representative from JGW Partners, LTD, 120 Indian Hills Dr., Waxahachie, asked the reason for the continuation and Commissioner Phillips explained the applicant requested to continue the public hearing; therefore, no discussion or other action on the case will take place today.

Mr. Groth confirmed additional notices will not be mailed out since the commission will make a motion to continue the public hearing to a specific date.

Cheryl Lewis, Edinburg, Texas, asked about details of the single family development and Mr. Groth directed her to contact his office for details on the development.

Mr. Rick Keeler moved to continue the Public Hearing on a request by Clyde Hargrove, Hargrove Real Estate, for a Zoning Change from Planned Development-73-Single Family-1 (PD-73-SF1) and Planned Development-73-Single Family-2 (PD-73-SF2) zoning districts to a Freestanding Planned Development (PD), with Concept Plan for a single-family development located East of existing Buffalo Ridge Addition, being Property ID 264869 - Owner: WP LEGACY LTD. (PD-17-0028) to the Planning & Zoning Commission meeting of April 25, 2017. Mrs. Bonney Ramsey seconded, All Ayes.

Chairman Cooper opened the Public Hearing on a request by Alyssa Martel, Solar City, for a Specific Use Permit (SUP) to permit a **Rooftop Solar Panel System** within a Planned Development-64-Single Family-3 (PD-64-SF3) zoning district, located at 1575 Sandhurst Drive, being LOT 26 BLK B COUNTRY MEADOWS PH I 0.126 ACRES – Owner: GAINES MATTHEW & ALLISON. (SU-17-0030).

Planner Kelly Dent presented the following case summary:

- 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, per the following comment:
 - Relocate panels that extend past the front building plane of the home, i.e., above the garage.

There being no others to speak for or against SU-17-0030, Chairman Cooper closed the Public Hearing.

Mr. Rick Keeler moved to approve a request by Alyssa Martel, Solar City, for a Specific Use Permit (SUP) to permit a Rooftop Solar Panel System within a Planned Development-64-Single Family-3 (PD-64-SF3) zoning district, located at 1575 Sandhurst Drive, being LOT 26 BLK B COUNTRY MEADOWS PH I 0.126 ACRES – Owner: GAINES MATTHEW &

ALLISON. (SU-17-0030) provided the panels are relocated as requested by staff comments.
Mr. Erik Barnard seconded, **All Ayes.**

Chairman Cooper opened the Public Hearing on a request by Matthew Barnes, Body in Balance Chiropractic, for a Specific Use Permit (SUP) to permit a **Medical Facility** use to allow a chiropractic clinic/massage establishment within a Planned Development-1-Commercial (PD-1-C) zoning district, located at 1332 Highway 287, Suite 4, being LOT 5R-D BLK A RVG PLAZA 0.6864 ACRES - Owner: ADEMM-1 FAMILY LP LTD. (SU-17-0034).

Planner Kelly Dent presented the following case summary:

- Per Ord. #2919 (01/17/17), a *Medical Facility* use is permissible in C zoning with an SUP.
- Request is for two of the sub-types contained in the definition of a Medical Facility.
 1. *Dental, medical, or chiropractic clinic;*
 2. *Dental office or doctor's office;*
 3. *Massage establishment;*
 4. *Public health center;*
 5. *Sanitarium; or*
 6. *Surgical out-patient facility.*
- Staff recommends APPROVAL, as presented.

Commissioner Keeler asked if any medical facilities are approved by right and Mr. Groth explained council approved an ordinance in January requiring all medical facilities to have a Specific Use Permit (SUP).

There being no others to speak for or against SU-17-0034, Chairman Cooper closed the Public Hearing.

Commissioner Phillips inquired about an engineering plan that would allow for accessibility to the property from the back. City Engineer Gaertner noted he would need to review the property to determine if it is an alley or a street and mentioned there is a private road that runs behind the property. Mr. Groth explained access from the access easement from the back wasn't reviewed because the use of the location didn't change.

Commissioner Ramsey asked if the parking is adequate. Mr. Groth explained currently it is based on the spec of the building, but as tenants come in they are evaluated on a case by case basis.

Mr. Jim Phillips moved to approve a request by Matthew Barnes, Body in Balance Chiropractic, for a Specific Use Permit (SUP) to permit a Medical Facility use to allow a chiropractic clinic/massage establishment within a Planned Development-1-Commercial (PD-1-C) zoning district, located at 1332 Highway 287, Suite 4, being LOT 5R-D BLK A RVG PLAZA 0.6864 ACRES - Owner: ADEMM-1 FAMILY LP LTD. (SU-17-0034), subject to staff comments. Vice Chairman Jefferson seconded, **All Ayes.**

Citizens' Petitions and Requests:

None

Mr. Jim Phillips suggested a joint workshop with City Council to discuss townhomes and condominiums. It was the consensus of the commission to have a joint workshop with City Council after city staff has finished redlining the zoning ordinance and subdivision ordinance with proposed changes.

There being no further business, the meeting adjourned at 7:46 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary