

Planning and Zoning Commission  
June 13, 2017

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

Members Absent: Rick Keeler  
Melissa Ballard  
Erik Barnard

Others Present: Darren Groth, Director of Planning  
Lori Saunders, City Secretary  
Kelly Dent, Planner  
David Hill, Council Representative

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

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**CONSENT AGENDA:**

- a. Minutes of the regular P&Z meeting of May 23, 2017
- b. Final Plat of Lots 1 and 2, Rosser Addition, being a 10.006-acre tract of land out of the P. Olivari Survey, Abstract No. 812 in the Extra Territorial Jurisdiction (ETJ)- Owner: ROSSER WILLIAM R (FP-17-0061)
- c. Final Plat of Lots 1 through 4, Duenas Acres, being 11.020 acres in the John Collett Survey, Abstract 221 in the Extra Territorial Jurisdiction (ETJ) - Owner: DUENAS JUAN SR ETAL (FP-17-0062)
- d. Final Plat of Oak Vista Estates Phase 2, a 45.986 acre addition in the S.B. Orton Survey, Abstract 813 in the Extra Territorial Jurisdiction (ETJ) – Owner: MISKIMON RICHARD ETAL (FP-17-0068)

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

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Chairman Cooper opened the Public Hearing on a request by Gerald R. Parsons, Covenant Life Christian Center, Inc., for a Zoning Change from Single Family-1 and Planned Development-28-Office (SF1 and PD-28-O) zoning districts to Office (O), located at 423 N. College, being LOT 1 BLK 1 COLLEGE STREET CHURCH OF CHRIST ADDN 3.123 AC - Owner: COVENANT LIFE CENTER INC DBA COVENANT LIFE CHURCH (ZC-17-0069).

Ms. Kelly Dent, Planner, reported the site currently has two different zoning categories, SF-1 at the rear of the site, and PD-28-O at the front of the site. The applicant seeks to obtain a single zoning category, O, for the entire site. The site is currently located in a PD-O and is in an area where office, Residential and Commercial districts meet.

Pastor Gerald Parsons, Applicant, stated the congregation desire is to have one zoning category for the entire site and to have a daycare to serve the community and be in compliance with city standards.

Those who spoke against ZC-17-0069:

Mr. John Bailey, 513 N. Rogers (he presented 14 opposing letter from surrounding neighbors)  
Mr. Enrique Bernal, 507 N. Rogers  
Mr. Karl Goss, 603 N. Rogers

Those who spoke for ZC-17-0069:

Mr. Thomas Glen Ledbetter, 404 Spring Creek Drive  
Ms. Elizabeth Taylor, 214 Bryson Meadows

There being no others to speak for or against ZC-17-0069, Chairman Cooper closed the Public hearing.

**After further discussion, Mr. Jim Phillips move to approve a request by Gerald R. Parsons, Covenant Life Christian Center, Inc., for a Zoning Change from Single Family-1 and Planned Development-28-Office (SF1 and PD-28-O) zoning districts to Office (O), located at 423 N. College, being LOT 1 BLK 1 COLLEGE STREET CHURCH OF CHRIST ADDN 3.123 AC - Owner: COVENANT LIFE CENTER INC DBA COVENANT LIFE CHURCH (ZC-17-0069).**

The motion died due to lack of second.

**Vice Chairman Betty Jefferson moved to deny a request by Gerald R. Parsons, Covenant Life Christian Center, Inc., for a Zoning Change from Single Family-1 and Planned Development-28-Office (SF1 and PD-28-O) zoning districts to Office (O), located at 423 N. College, being LOT 1 BLK 1 COLLEGE STREET CHURCH OF CHRIST ADDN 3.123 AC - Owner: COVENANT LIFE CENTER INC DBA COVENANT LIFE CHURCH (ZC-17-0069).**

Chairman Jim Cooper seconded. The vote was as follows:

Ayes: Jim Cooper  
Betty Jefferson  
Bonney Ramsey

Noes: Jim Phillips

**The motion carried.**

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Chairman Cooper opened the Public Hearing on a request by Shannon Williams, Fire House Kids, LLC, for a Specific Use Permit (SUP) to allow a Child Day Care Center use within a Planned Development-28-Office (PD-28-O) zoning district, located at 423 N. College, being LOT 1 BLK 1 COLLEGE STREET CHURCH OF CHRIST ADDN 3.123 AC – Owner: COVENANT LIFE CENTER INC DBA COVENANT LIFE CHURCH (SU-17-0057).

Mr. Darren Groth, Director of Planning explained this case cannot be approved without approving the above companion case ZC-17-0069 that was denied.

**Vice Chairman Betty Jefferson moved to deny a request by Shannon Williams, Fire House Kids, LLC, for a Specific Use Permit (SUP) to allow a Child Day Care Center use within a Planned Development-28-Office (PD-28-O) zoning district, located at 423 N. College, being LOT 1 BLK 1 COLLEGE STREET CHURCH OF CHRIST ADDN 3.123 AC – Owner: COVENANT LIFE CENTER INC DBA COVENANT LIFE CHURCH (SU-17-0057).** Ms.

Bonney Ramsey seconded. The vote was as follows:

Ayes: Jim Cooper  
Betty Jefferson  
Bonney Ramsey  
Noes: Jim Phillips

**The motion carried.**

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Chairman Cooper opened the Public Hearing on a request by Blake Blakely, Go Solar Go, Inc., for a Specific Use Permit (SUP) to allow a Small In-Ground Solar Panel System and a Rooftop Solar Panel System use within a General Retail (GR) zoning district, located at 303 Matthews, being 1 A P & D RAILROAD 0.829 ACRES - Owner: HUDGINS DAVID & PAULA E (SU-17-0058).

Ms. Kelly Dent, Planner, reported the small in-ground solar panel system is not in the rear yard, therefore, does not comply with the city Ordinance and recommended to deny request. She stated roof top solar panel system to be mounted on an existing structure in the rear yard complies with Code of Ordinances. Ms. Dent stated the system does face the front of the house, but is completely within the rear yard, and is not visible from the street.

Mr. Blake Blakeley, Go Solar Go, Inc., presented a picture depicting the location of the in-ground solar panel system noting it will be 3 feet below grade and will be hidden behind an attached garage and detached garage. He stated the proposed locations of these panels will receive approximately 7 hours of sun and if moved to the opposite side of the yard it will receive approximately 2 hours of sun in the summer and 1 hour in the winter.

There being no others to speak for or against SU-17-0058, Chairman Cooper closed the Public Hearing.

**After a brief discussion, Mr. Jim Phillips moved to approve a request by Blake Blakely, Go Solar Go, Inc., for a Specific Use Permit (SUP) to allow a Small In-Ground Solar Panel System and a Rooftop Solar Panel System use within a General Retail (GR) zoning district, located at 303 Matthews, being 1 A P & D RAILROAD 0.829 ACRES - Owner: HUDGINS DAVID & PAULA E (SU-17-0058).** Vice Chairman Betty Jefferson seconded, **All Ayes.**

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Chairman Cooper opened the Public Hearing on a request by Dwayne Whitten for a Specific Use Permit (SUP) to allow an Accessory Building (Residential) greater or equal to 700 S.F. use within a Single Family-1 (SF1) zoning district, located at 260 Brookbend Drive, being 27 BROOKBEND GROVE PH II 1.005 ACRES - Owner: WHITTEN DEWAYNE N & TRACI (SU-17-0060).

Ms. Kelly Dent, Planner reported the applicant seeks to build a detached two-car garage of 1,589 square feet that will be hidden behind the currently standing house, and extend the driveway to this new garage. She explained per the Code of Ordinances, accessory buildings, including detached garages, is permitted in SF-1 districts, but shall not occupy more than fifty percent of the minimum required rear yard. SF-1 residential districts set a maximum lot coverage of thirty percent for main and accessory structures.

Ms. Dent recommended approval per the following staff comments:

1. Planning comments
  - a. Plans shall be drawn to a scale of 1" = 100' or 1" = 50' unless approved in advance by the City
  - b. Title block in lower right hand corner including: subdivision name with lot and block number; area in acres; City and County
  - c. Name, address and telephone number of the owner, applicant, and surveyor or engineer
  - d. Vicinity map
  - e. Written scale, graphic scale, and north arrow
  - f. Approximate distance to the nearest street
  - g. Site data summary table including: zoning; proposed use; building area (gross square footage); building height (feet and inches)
  - h. Existing improvements within 75 feet of the subject property
  - i. Land use, zoning, subdivision name, recording information and adjacent owners
  - j. Distances between existing and proposed driveways
  - k. Locations, widths and types of existing and proposed easements
2. Engineering comments
  - a. Provide a current survey that delineates the floodplain. Show that the proposed building is outside the floodplain and the minimum elevation of the proposed building is a minimum 1-foot (recommended 2-feet) above the 100-year floodplain elevation

There being no others to speak for or against SU-17-0060, Chairman Cooper closed the Public Hearing.

**Mrs. Bonney Ramsey moved to approve a request by Dwayne Whitten for a Specific Use Permit (SUP) to allow an Accessory Building (Residential) greater or equal to 700 S.F. use within a Single Family-1 (SF1) zoning district, located at 260 Brookbend Drive, being 27 BROOKBEND GROVE PH II 1.005 ACRES - Owner: WHITTEN DEWAYNE N & TRACI (SU-17-0060), subject to staff comments.** Mr. Jim Phillips seconded, All Ayes.

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Chairman Cooper opened the Public Hearing on a request by Amy Landry, Lobsinger & Potts Structural Engineering, Inc., for a Specific Use Permit (SUP) to allow a Restaurant or Eating Place with Drive-In Service use within a General Retail (GR) zoning district, located on Highway 77 in Phase 1 of the North Grove Business Park, being Property ID 189301 - Owner: SAP PROPERTIES, LLC (SU-17-0067).

Ms. Kelly Dent, Planner, reported the applicant seeks to construct a drive-thru at a restaurant in the North Grove Business Park Phase 1. She explained the restaurant is permitted within a General Retail zoning district, but a drive-thru requires a Specific Use Permit.

There being no others to speak for or against SU-17-0067, Chairman Cooper closed the Public Hearing.

**Mr. Jim Phillips moved to approve on a request by Amy Landry, Lobsinger & Potts Structural Engineering, Inc., for a Specific Use Permit (SUP) to allow a Restaurant or Eating Place with Drive-In Service use within a General Retail (GR) zoning district, located on Highway 77 in Phase 1 of the North Grove Business Park, being Property ID 189301 - Owner: SAP PROPERTIES, LLC (SU-17-0067) as presented.** Mrs. Bonney Ramsey seconded, All Ayes.

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**Citizens' Petitions and Requests:**

None

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There being no further business, the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Lori Saunders  
City Secretary