

A regular meeting of the Planning and Zoning Commission of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Tuesday, July 11, 2017 at 7:00 p.m.

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
Kelly Dent, Planner
James Gaertner, City Engineer
Lori Saunders, City Secretary
David Hill, Council Representative

1. **Call to Order**
2. **Invocation**

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

3. **Consent Agenda**

- a. Minutes of the regular Planning and Zoning Commission meeting of June 27, 2017

Action:

Mrs. Bonney Ramsey moved to approve item a. on the Consent Agenda. Mr. Erik Barnard seconded, All Ayes.

4. **Consider request by Chris Acker, Acker Construction, for a Replat of Lot 1, Block A, Ronny's Corner, a 0.6828 acre addition in the Thomas Selby Survey, Abstract 1002 - Owner: RGR SONY PROPERTIES LLC-77 & BUTCHER ROAD SERIES (RP-17-0064)**

Ms. Kelly Dent, Planner, announced the applicant withdrew the request for RP-17-0064.

Action:

No action

5. **Consider request by David Hargrove, Legacy Grove Development, for a Preliminary Plat of Garden Valley Meadows, being 86 residential lots with 1 open space lot, on a 27.5447 acre tract of land situated in the J.B. and Ann Adams Survey, Abstract Number 5 - Owner: WP LEGACY LTD (PP-17-0077)**

Ms. Dent presented a site image and recommended approval per staff report.

Action:

Ms. Melissa Ballard moved to approve a request by David Hargrove, Legacy Grove Development, for a Preliminary Plat of Garden Valley Meadows, being 86 residential lots with 1 open space lot, on a 27.5447 acre tract of land situated in the J.B. and Ann Adams Survey, Abstract Number 5 - Owner: WP LEGACY LTD (PP-17-0077), subject to any staff comments. Mr. Jim Phillips seconded, All Ayes.

{Betty Jefferson arrived}

6. **Consider request by Chris Acker, Acker Construction, for a Replat of a 0.2050 acre portion of Lot 1R in Block 214 of Town Addition - Owner: SOUTHFORK CAPITAL LLC (RP-17-0079)**

Ms. Dent reported the plat does not comply with Subdivision Ordinance Section 2.7.b, specifically the replat is not signed and acknowledged by all affected property owners. She stated Staff recommends denial.

Mr. Chris Acker, Acker Construction, 5100 Honeysuckle Road, Midlothian, stated he is aware of the denied recommendation and will submit to City Council to request a hardship waiver.

Mr. Noel Portent, 811 S. Central Express Way, Dallas, reported the property is currently in litigation as well as the surrounding three (3) lots.

Action:

After a brief discussion, Mr. Rick Keeler moved to deny the request by Chris Acker, Acker Construction, for a Replat of a 0.2050 acre portion of Lot 1R in Block 214 of Town Addition - Owner: SOUTHFORK CAPITAL LLC (RP-17-0079). Vice Chairman Betty Jefferson seconded, All Ayes.

- 7. Public Hearing on a request by Helen F. Reed, Helen's House, for a Zoning Change from a General Retail (GR) zoning district to Single Family-2 (SF2), located at 320 Lynn Street (Property ID 173399), being 2E PT PT RD 1 FERRIS 2ND 0.341 ACRES – Owner: REED HELEN F (ZC-17-0070)**

Chairman Cooper opened the Public Hearing.

M. Dent reported the applicant requested to continue the Public Hearing to the Planning and Zoning Commission meeting of August 8, 2017 to allow time to comply with staff comments.

- 8. Consider proposed Ordinance approving ZC-17-0070**

Action:

Vice Chairman Betty Jefferson moved to continue the Public Hearing on a request by Helen F. Reed, Helen's House, for a Zoning Change from a General Retail (GR) zoning district to Single Family-2 (SF2), located at 320 Lynn Street (Property ID 173399), being 2E PT PT RD 1 FERRIS 2ND 0.341 ACRES – Owner: REED HELEN F (ZC-17-0070) to the Planning and Zoning Commission meeting of August 8, 2017. Mrs. Bonney Ramsey seconded, All Ayes.

- 9. Public Hearing on a request by Helen F. Reed, Helen's House, for a Specific Use Permit (SUP) to allow a Family Home (child care in place of residence) use within a Single Family-2 (SF2) zoning district, located at 320 Lynn Street (Property ID 173399), being 2E PT PT RD 1 FERRIS 2ND 0.341 ACRES – Owner: REED HELEN F (SU-17-0071)**

Chairman Cooper opened the Public Hearing.

M. Dent reported the applicant requested to continue the Public Hearing to the Planning and Zoning Commission meeting of August 8, 2017.

- 10. Consider proposed Ordinance approving SU-17-0071**

Action:

Mr. Jim Phillips moved to continue the Public Hearing on a request by Helen F. Reed, Helen's House, for a Specific Use Permit (SUP) to allow a Family Home (child care in place of residence) use within a Single Family-2 (SF2) zoning district, located at 320 Lynn Street (Property ID 173399), being 2E PT PT RD 1 FERRIS 2ND 0.341 ACRES – Owner: REED HELEN F (SU-17-0071) to the Planning and Zoning Commission meeting of August 8, 2017. Vice Chairman Betty Jefferson seconded, All Ayes.

- 11. Public Hearing on a request by Brad Yates, Colonial Restoration, for a Zoning Change from a Single-Family-2 (SF2) zoning district to Planned Development-Single Family-2 (PD-SF2), with Concept Plan, located at 500 Royal Street, being LOT 24A;25 26;32; 33 FERRIS REV 2.008 AC – Owner: LOREN GRAY INVESTMENTS LLC. (PD-17-0076)**

Chairman Cooper opened the Public Hearing.

Ms. Dent presented a site image, reviewed the planning analysis, and made the following recommendations:

- Limit building height of residence to 28 feet
- Minimum lot size be increased from the requested 3,800 square feet to 6,000 square feet
- Keep the proposed minimum lot dimensions
- Keep minimum dwelling size of 1,200 square feet for all dwellings, which meets the City's SF-3 zoning standard

Ms. Dent reviewed staff comments noting the lot area, width, depth, and coverage are missing as well as landscaping and screening; preliminary lot or residential street layout arrangements; parks; and open space and proposed amenities. She recommended approval per staff recommendations and staff comments.

Mr. Robert Robertson, 409 West Parks Avenue, Waxahachie, expressed concern with the applicant's proposed building height of 45 feet and expressed concern with parking.

Mr. Casey Brown, 500 Royal, Waxahachie, asked if streets will run through the development. Mr. Brad Yates, applicant, 108 Farley, Waxahachie, stated the houses will face the streets and have alley access. Lots and houses will be larger. He stated the City will be rebuilding the streets in that area.

Ms. Linda Darnell, 600 Royal Street, Waxahachie, asked if the yards will back each other. Mr. Yates stated alleys will separate the yards.

Mr. Phillip Spicer, 412 Royal Street, Waxahachie, asked if streets and utilities will be done during construction of the development.

Mr. James Gaertner, City Engineer, explained the streets in that area are on the City's Capital Improvement Plan and when development occurs on Hawkins, water will have to be installed.

Mr. Darren Groth, Director of Planning, stated when development occurs and new streets are needed the City will meet with the builder to coordinate a timeline to construct the street(s).

There being no others to speak for or against PD-17-0076, Chairman Cooper closed the Public Hearing.

12. Consider proposed Ordinance approving PD-17-0076

Action:

After further discussion, Melissa Ballard moved to approve a request by Brad Yates, Colonial Restoration, for a Zoning Change from a Single-Family-2 (SF2) zoning district to Planned Development-Single Family-2 (PD-SF2), with Concept Plan, located at 500 Royal Street, being LOT 24A;25 26;32; 33 FERRIS REV 2.008 AC – Owner: LOREN GRAY INVESTMENTS LLC. (PD-17-0076) subject to staff comments, excluding staff recommendations. Mr. Rick Keeler seconded, All Ayes.

13. Public Hearing on a request by Hugo Monsanto, Hugo Monsanto Architect, for a Zoning Change from a General Retail (GR) zoning district to Planned Development -General Retail (PD-GR), with Concept Plan, located between 2167 N Highway 77 And 1795 N Town Blvd, being Property ID 262424, 262426, and 262430 – Owner: TVR MANAGEMENT LLC (PD-17-0078)

Chairman Cooper opened the Public Hearing.

Ms. Dent, Planner presented location map depicting three (3) tracts noting the applicant's request is to have a pole sign for each tract noting pole signs are not permitted along Highway 77. She stated staff's recommendation is to not permit the erection of the pole signs, but if, permitted, to limit the number of pole signs to two (2), rather than three (3).

Ms. Melissa Ballard asked if the request is against the Ordinance and Mr. Groth stated it does not comply. He stated the request for signage is premature since there is no development.

Ms. Bonney Ramsey asked the urgency of signage before development.

Mr. Hugo Monsanto, Applicant, stated the pole signs will be constructed upon each building phase.

There being no others to speak for or against PD-17-0078, Chairman Cooper closed the Public Hearing.

14. Consider proposed Ordinance approving PD-17-0078

Action:

After further discussion, Mr. Rick Keeler moved to deny a request by Hugo Monsanto, Hugo Monsanto Architect, for a Zoning Change from a General Retail (GR) zoning district to Planned Development-General Retail (PD-GR), with Concept Plan, located between 2167 N Highway 77 And 1795 N Town Blvd, being Property ID 262424, 262426, and 262430 – Owner: TVR MANAGEMENT LLC (PD-17-0078). Mrs. Bonney Ramsey seconded, All Ayes.

{Mr. Erik Barnard left}

15. Public Hearing on a request by Clyde Melick, Waxahachie ISD, for a Specific Use Permit (SUP) to allow a Portable Temporary Building use within a Single Family-2 (SF2) zoning district, located at 411 N Gibson, being 44-49 FERRIS ADMIN BLDG 5.365 ACRES – Owner: WAXAHACHIE ISD (SU-17-0080)

Chairman Cooper opened the Public Hearing.

Ms. Dent, Planner, reported the portable building is proposed to be located behind the Administration office. She recommended approving per staff comments.

There being no others to speak for or against PD-17-0080, Chairman Cooper closed the Public Hearing.

16. Consider proposed Ordinance approving SU-17-0080

Action:

Mrs. Bonney Ramsey moved to approve a request by Clyde Melick, Waxahachie ISD, for a Specific Use Permit (SUP) to allow a Portable Temporary Building use within a Single Family-2 (SF2) zoning district, located at 411 N Gibson, being 44-49 FERRIS ADMIN BLDG 5.365 ACRES – Owner: WAXAHACHIE ISD (SU-17-0080), subject to staff comments. Vice Chairman Betty Jefferson seconded, All Ayes.

17. Public Hearing on a request by Clyde Melick, Waxahachie ISD, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within Planned Development-105-General Retail and General Retail (PD-105-GR and GR) zoning districts, located at 1000 N Highway 77, being 393 J GOOCH HIGH SCHOOL 12.397 ACRES – Owner: WAXAHACHIE ISD (SU-17-0081)

Chairman Cooper opened the Public Hearing.

Ms. Dent, Planner, reported the proposed electronic message sign will be located at the current Waxahachie High School located at 1000 N. Highway 77. She recommended approval per staff comments.

There being no others to speak for or against PD-17-0081, Chairman Cooper closed the Public Hearing.

18. Consider proposed Ordinance approving SU-17-0081

Action:

Ms. Melissa Ballard moved to approve a request by Clyde Melick, Waxahachie ISD, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within Planned Development-105-General Retail and General Retail (PD-105-GR and GR) zoning districts, located at 1000 N Highway 77, being 393 J GOOCH HIGH SCHOOL 12.397ACRES – Owner: WAXAHACHIE ISD (SU-17-0081), subject to staff comments. Mr. Jim Phillips seconded, All Ayes.

- 19. Public Hearing on a request by Clyde Melick, Waxahachie ISD, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a Single Family-3 SF3 zoning district, located at 614 N Getzendaner, being 1& PT 3 BLK 1 & 3-4A-5 BLK 2 HI NOWLIN 48.226 AC TURNER LEARNING CENTER – Owner: WAXAHACHIE ISD (SU-17-0082)**

Chairman Cooper opened the Public Hearing.

Ms. Dent, Planner, reported the proposed electronic message sign will be located at the AC Turner Learning Center. She recommended approval per staff comments.

There being no others to speak for or against PD-17-0082, Chairman Cooper closed the Public Hearing.

- 20. Consider proposed Ordinance approving SU-17-0082**

Action:

Vice Chairman Betty Jefferson moved to approve a request by Clyde Melick, Waxahachie ISD, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a Single Family-3 (SF3) zoning district, located at 614 N Getzendaner, being 1& PT 3 BLK 1 & 3-4A-5 BLK 2 HI NOWLIN 48.226 AC TURNER LEARNING CENTER – Owner: WAXAHACHIE ISD (SU-17-0082), subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

- 21. Public Hearing on a request by Clyde Melick, Waxahachie ISD, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a General Retail (GR) zoning district, located at 2401 Brown Street, being 911 R RUSSELL JR HIGH 35 ACRES – Owner: WAXAHACHIE ISD (SU-17-0083)**

Chairman Cooper opened the Public Hearing.

Ms. Dent, Planner, reported the proposed electronic message sign will be located at Finley Jr. High School. She recommended approval per staff comments.

There being no others to speak for or against PD-17-0083, Chairman Cooper closed the Public Hearing.

- 22. Consider proposed Ordinance approving SU-17-0083**

Action:

Mr. Jim Phillips moved to approve a request by Clyde Melick, Waxahachie ISD, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a General Retail (GR) zoning district, located at 2401 Brown Street, being 911 R RUSSELL JR HIGH 35 ACRES – Owner: WAXAHACHIE ISD (SU-17-0083), subject to staff comments. Ms. Melissa Ballard seconded, All Ayes.

- 23. Citizens' Petitions and Requests**

None

There being no further business, the meeting adjourned at 8:08 p.m.

Respectfully submitted,

Lori Saunders
City Secretary