

The Waxahachie Planning & Zoning Commission (P&Z) held a regular meeting on Tuesday, August 22, 2017 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Jim Cooper, Chairman  
Betty Jefferson, Vice Chairman  
Rick Keeler  
Bonney Ramsey  
Jim Phillips  
Erik Barnard

Members Absent: Melissa Ballard

Others Present: Shon Brooks, 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 Jim Cooper called the meeting to order and gave the invocation.

### 3. **Consent Agenda**

- a. Minutes of the regular P&Z meeting of August 8, 2017
- b. Request by Brad Yates, Colonial Restoration, for a **Replat** of all of Block 76A and Lots 3A and 3B in Block 75 of the Original Town Addition to create Lot 3R-1, Part of Block 75 and all of Block 76A of the Town Addition, 0.5224 acres – Owner: GWC-TX Investments (RP-17-0101)
- c. Request by Jeff Crannell, Crannell Engineering, for a **Final Plat** of Camden Park, Phase 1 Addition for 98 residential lots, being 47.58 acres in the Silas M. Duritt Survey, Abstract Number 272 – Owner: DFW 70-36 LLC (FP-17-0102)
- d. Request by Ron Barson, Ledbetter Real Estate, for a **Replat** of Block B of the North Waxahachie Industrial Park to create Lot 5R, Block B of the North Waxahachie Industrial Park, 2.496 acres – Owner: LEDBETTER REAL ESTATE LTD (RP-17-0104)

Chairman Cooper announced item b. and item c. would be removed from the consent agenda to be heard separately and item d. was withdrawn by the applicant.

#### **Consent Agenda Item b:**

Planner Kelly Dent presented RP-17-0101. She noted the Planning & Zoning Department recommended approval per the following comments:

1. ROW dedication per Thoroughfare Plan Type B (110-foot ROW). 55' from the centerline of the street. Though the City's Thoroughfare Plan indicates that there should be adequate ROW dedication along Main Street, staff recognizes that such a dedication is

not practical in this case, and, as such, is comfortable with the plat as shown in your materials.

Mr. Chris Parvin, applicant and owner of White Rhino, noted the coffee shop will go in the house and the other lot will be used as the parking lot.

**Action:**

*Mr. Jim Phillips moved to approve line item b. on the Consent Agenda: A request by Brad Yates, Colonial Restoration, for a Replat of all of Block 76A and Lots 3A and 3B in Block 75 of the Original Town Addition to create Lot 3R-1, Part of Block 75 and all of Block 76A of the Town Addition, 0.5224 acres – Owner: GWC-TX Investments (RP-17-0101). Ms. Bonney Ramsey seconded, All Ayes.*

**Consent Agenda Item c:**

Planner Kelly Dent presented FP-17-0102. She noted staff recommended approval per the following comments:

1. Per a conversation with the Public Works Department, the provision of adequate public facilities and infrastructure remains outstanding. Applicant is aware of what is required before acceptance of infrastructure. Applicant and the Public Works Department have agreed that applicant will make the required corrections before the Planning & Zoning Commission's meeting date.

**Action:**

*Ms. Bonney Ramsey moved to approve line item c. on the Consent Agenda: A request by Jeff Crannell, Crannell Engineering, for a Final Plat of Camden Park, Phase 1 Addition for 98 residential lots, being 47.58 acres in the Silas M. Duritt Survey, Abstract Number 272 – Owner: DFW 70-36 LLC (FP-17-0102). Vice Chairman Betty Jefferson seconded, All Ayes.*

**Consent Agenda Item a:**

**Action:**

*Vice Chairman Betty Jefferson moved to approve line item a. on the Consent Agenda: Minutes of the regular P&Z meeting of August 8, 2017. Mr. Erik Barnard seconded, the vote was as follows:*

*Ayes: Jim Cooper, Betty Jefferson, Rick Keeler, Bonney Ramsey, Erik Barnard*

*Noes: None*

*Abstain: Jim Phillips*

*The motion carried.*

4. **Public Hearing on a request by Harlen Roberts for a Zoning Change from a Single Family-2 (SF2) zoning district to Planned Development-Single Family-2 (PD-SF2), with Concept Plan for a Detached Single-Family Dwelling located at 203 Lynn Street, being LOT 85A FERRIS 2ND-REV .1204 AC- Owner: ROBERTS HARLEN & CINDY (PD-17-0063)**

Chairman Cooper opened the Public Hearing.

Planner Kelly Dent presented PD-17-0063. The applicant replatted this lot out of the adjoining lot in 2015. When the replat was approved in 2015, staff set down several conditions regarding the design of any single family residence to be constructed on the lot. The applicant's initial submittal did not account for those conditions, so applicant has resubmitted drawings and his written exhibit. She noted staff recommended approval as presented.

Those who spoke in opposition:

Vernon Phillips, neighbor across the street

Mr. Rick Keeler stated the applicant does not comply with the zoning requirements and Ms. Dent concurred. She noted the lot cannot be classified as infill since the property was replatted in 2015.

Mr. Harlan Roberts, 1036 Woodridge Road, Waxahachie, reported a surveyor set the building and the back corner was put at 4 foot which was too close to the line. He requested to put a house on the lot as originally designed.

There being no others to speak for or against PD-17-0063, Chairman Cooper closed the Public Hearing.

**5. Consider recommendation of Zoning Change No. PD-17-0063**

**Action:**

*Mr. Rick Keeler moved to approve a request by Harlen Roberts for a Zoning Change from a Single Family-2 (SF2) zoning district to Planned Development-Single Family-2 (PD-SF2), with Concept Plan for a Detached Single-Family Dwelling located at 203 Lynn Street, being LOT 85A FERRIS 2ND-REV .1204 AC- Owner: ROBERTS HARLEN & CINDY (PD-17-0063). Mr. Jim Phillips seconded, All Ayes.*

**6. Continue 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 announced ZC-17-0070 was denied without prejudice by City Council.*

**7. Consider recommendation of Zoning Change No. ZC-17-0070**

*Chairman Cooper announced ZC-17-0070 was denied without prejudice by City Council.*

**8. Continue 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 announced SU-17-0071 was denied without prejudice by City Council.*

**9. Consider recommendation of Zoning Change No. SU-17-0071**

*Chairman Cooper announced SU-17-0071 was denied without prejudice by City Council.*

- 10. Public Hearing on a request by Hani Al-Wahban Texas Tires, for a Specific Use Permit (SUP) to allow Tire Installation and Repair with Outside Storage use within a General Retail (GR) zoning district, located at 110 N Highway 77, being 50A FERRIS 2ND 0.332 ACRES – Owner: JANNAHS REAL ESTATE LLC, MUSTAFA AL-WAHBAN, AND OMAR AL-WAHBAN (SU-17-0097)**

*Chairman Cooper announced the applicant requested to continue the Public Hearing to the September 12, 2017 Planning and Zoning Commission meeting.*

- 11. Consider recommendation of Zoning Change No. SU-17-0097**

**Action:**

*Ms. Bonney Ramsey moved to continue the Public Hearing on a request by Hani Al-Wahban Texas Tires, for a Specific Use Permit (SUP) to allow Tire Installation and Repair with Outside Storage use within a General Retail (GR) zoning district, located at 110 N Highway 77, being 50A FERRIS 2ND 0.332 ACRES – Owner: JANNAHS REAL ESTATE LLC, MUSTAFA AL-WAHBAN, AND OMAR AL-WAHBAN (SU-17-0097) to the September 12, 2017 Planning and Zoning Commission meeting. Vice Chairman Betty Jefferson seconded, All Ayes.*

- 12. Public Hearing on a request by Mary Graf for a Zoning Change from a Single Family-1 (SF1) zoning district to Planned Development-Single Family-1 (PD-SF1), with Concept Plan, located at 111 Farley Street, being LOT 6-7 & 8A & 8B & 9-10 GETZENDANER-REV - Owner: FOUNDATION OF LIFE CHURCH (PD-17-0107)**

*Chairman Cooper announced the legal notice published and mailed to property owners had the incorrect proposed zoning; therefore, the Public Hearing needed to be continued to the September 26, 2017 Planning and Zoning Commission meeting.*

- 13. Consider recommendation of Zoning Change No. PD-17-0107**

**Action:**

*Vice Chairman Betty Jefferson moved to continue the Public Hearing on a request by Mary Graf for a Zoning Change from a Single Family-1 (SF1) zoning district to Planned Development-Single Family-1 (PD-SF1), with Concept Plan, located at 111 Farley Street, being LOT 6-7 & 8A & 8B & 9-10 GETZENDANER-REV - Owner: FOUNDATION OF LIFE CHURCH (PD-17-0107) to the September 26, 2017 Planning and Zoning Commission Meeting. Mr. Jim Phillips seconded, All Ayes.*

- 14. Public Comments**

Mr. Charles Stidham, 400 Victorian, Waxahachie, CEO of Imagination Learning Centers, expressed concern for outside storage at the tire company at 110 N. Hwy. 77. He presented pictures of the business showing code violations and explained the music coming from the business disrupts the childcare center across the street.

Chairman Cooper suggested Mr. Stidham make a formal complaint to the City's Code Enforcement.

Ms. Dent reported the city has been working with the business for a period of time and they currently have a conditional permit. The city is working with them regarding their Certificate of Occupancy and screening. She explained that without a formal complaint the city's hands are tied. The case will be presented to the Planning and Zoning Commission in the near future.

**15. Adjourn**

There being no further business, the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Lori Saunders  
City Secretary