

Planning and Zoning Commission
September 26, 2017

The Waxahachie Planning & Zoning Commission (P&Z) held a regular meeting on Tuesday, September 26, 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
Melissa Ballard
Jim Phillips

Members Absent: Erik Barnard

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. **Recognition of outgoing Chairman Jim Cooper**

Councilmember David Hill presented outgoing Chairman Jim Cooper with a Certificate of Appreciation for 29 years of service on the Planning and Zoning Commission. He thanked Mr. Cooper for his service and announced City Council will recognize him at their meeting of October 2, 2017.

4. **Consent Agenda**

- a. Minutes of the regular P&Z meeting of September 12, 2017
- b. Request by Ospicio Hernandez for a **Final Plat** of land situated in the Ellis County School Land Survey, Abstract 328 to create Lots 1 and 2, Block 1, West Road Subdivision, 5.0072 acres in the Extra Territorial Jurisdiction (Property ID 142314) – Owner: OSPICIO & MARIA HERNANDEZ (FP-17-0121)
- c. Request by Bruce Geer for a **Replat** of part of Block B, Park North, to create Lots 1RR and 2R, Block B, Park North, 2.570 acres (Property ID 175314 and 210329) – Owner: PRAXAIR INC (RP-17-0123)

Action:

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

5. Public Hearing on a request by Mary Graf, for a Zoning Change from a Single Family-1 (SF1) zoning district to a Planned Development-Neighborhood Service (PD-NS) 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 opened the Public Hearing.

Ms. Kelly Dent, Planner, reported the applicant would like to rezone the church property with usage restrictions of Church, Rectory or Temple, and Child Day Care Center. Per the applicant, a daycare had previously existed inside the church, without the proper Specific Use Permit.

Ms. Dent reported Staff recommends approval per the following comment:

- The banner sign attached to the wall that is currently used for the child day care center should only be used temporarily. It has been in place for several months now, and the applicant must remove the banner. The applicant has the option of erecting a more permanent sign, but a permit for that sign would be required from the Building Inspections Department.

There being no others to speak for or against PD-17-0107, Chairman Cooper closed the Public Hearing.

6. Consider recommendation of Zoning Change No. PD-17-0107

Action:

Ms. Melissa Ballard moved to approve a request by Mary Graf, for a Zoning Change from a Single Family-1 (SF1) zoning district to a Planned Development-Neighborhood Service (PD-NS) 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), subject to Staff Comments. Mr. Jim Phillips seconded, All Ayes.

7. Continue Public Hearing on a request by Christopher Holleman, Holleman Construction Co. Inc., for a Zoning Change from a Light Industrial-1 (LI-1) zoning district to a Planned Development-Light Industrial-1 (PD-LI-1), with Concept Plan, for a Contractor's Shop and Storage Yard located at 120 Lucas Street, being 827 A POLK 7.226 ACRES (Property ID 189014) - Owner: HOLLEMAN CONSTRUCTION COMPANY INC (PD-17-0112)

Chairman Cooper opened the Public Hearing.

Ms. Kelly Dent, Planner, presented a Site Plan noting the applicant seeks to open a contractor's shop that will serve as the home office for Holleman Construction. She reported Staff received a revised Site Plan depicting a decrease of outside storage. She presented images of screening and recommended approval.

There being no others to speak for or against PD-17-0112, Chairman Cooper closed the Public Hearing.

Mrs. Bonney Ramsey stated at the last Planning and Zoning Commission meeting discussion was held pertaining to paving of limestone versus rock and asked the status. Ms. Dent stated there is more paving and less rock noting the main visitor parking, entrance to property, employee parking, trash/dumpster area, the approaches to the overhead doors, and fire lane will be paved with concrete. She stated there is approximately 29,600 square feet of limestone base used for the outdoor storage.

Mr. Christopher Holleman, Holleman Construction Company, stated the outdoor storage yard will have limestone base and the rest will be native grass with screening on the railroad side.

Mr. Rick Keeler confirmed no storage to be on the grass and the applicant concurred noting all main traffic will be on the concrete road. Mr. Holleman stated a forklift will be the only movement on the limestone.

8. Consider recommendation of Zoning Change No. PD-17-0112

Action:

After further discussion, Mrs. Bonney Ramsey moved to approve a request by Christopher Holleman, Holleman Construction Co. Inc., for a Zoning Change from a Light Industrial-1 (LI-1) zoning district to a Planned Development-Light Industrial-1 (PD-LI-1), with Concept Plan, for a Contractor's Shop and Storage Yard located at 120 Lucas Street, being 827 A POLK 7.226 ACRES (Property ID 189014) - Owner: HOLLEMAN CONSTRUCTION COMPANY INC (PD-17-0112) subject to Staff Comments. Vice Chairman Betty Jefferson seconded. The vote was as follows:

*Ayes: Jim Cooper, Betty Jefferson, Rick Keeler, Bonney Ramsey, Melissa Ballard
Noes: Jim Phillips*

The motion carried.

9. Consider Landscape Plan for Holleman Addition as a companion to PP-17-0112 – Owner: HOLLEMAN CONSTRUCTION COMPANY

Ms. Kelly Dent, Planner, presented a landscape plan depicting detailed landscaping. She recommended approval as presented.

Action:

Ms. Melissa Ballard moved to approve a landscape plan for Holleman Addition as a companion to PP-17-0112 – Owner: HOLLEMAN CONSTRUCTION COMPANY as presented. Mrs. Bonney Ramsey seconded, All Ayes.

10. Public Hearing on a request by Joe McCrory, Children's Health, for a Specific Use Permit (SUP) to allow Medical Facility use within a Planned Development-42-Commercial (PD-42-C) zoning district, located at 1540 N Highway 77, Suite 10, being 7 A WAXAHACHIE TOWNE CENTER ADDN 8.636 ACRES (Property ID 233967) – Owner: WAXAHACHIE TOWNE CENTER (SU-17-0116)

Chairman Cooper opened the Public Hearing.

Ms. Kelly Dent, Planner, reported the applicant seeks to operate a medical clinic. She explained the site had previously been Our Children's House at Baylor. Ms. Dent stated the change in ownership triggers the need for a new Certificate of Occupancy (CO), however the CO requires a Specific Use Permit. She recommended approval as presented.

Mr. Joe McCrory, Applicant, 6748 Penn Triangle Drive, Plano, Texas, was present for questions.

There being no others to speak for or against SU-17-0116, Chairman Cooper closed the Public Hearing.

11. Consider recommendation of Zoning Change No. SU-17-0116

Action:

After further discussion, Mr. Jim Phillips moved to approve a request by Joe McCrory, Children's Health, for a Specific Use Permit (SUP) to allow Medical Facility use within a Planned Development-42-Commercial (PD-42-C) zoning district, located at 1540 N Highway 77, Suite 10, being 7 A WAXAHACHIE TOWNE CENTER ADDN 8.636 ACRES (Property ID 233967) – Owner: WAXAHACHIE TOWNE CENTER (SU-17-0116) as presented. Vice Chairman Betty Jefferson seconded, All Ayes.

12. Public Hearing on a request by John Zabojnik, Texas Cryoworks and Wellness, for a Specific Use Permit (SUP) to allow Medical Facility use within a Planned Development-General Retail (PD-GR) zoning district, located at 110 Park Place Court, Suite 101, being LOT 1 BLK A PARK PLACE PROFESSIONAL CENTER 1.807 AC (Property ID 247584) – Owner: GRANE LANE HOLDING LLC & ARDETH REAL ESTATE LLC (SU-17-0118)

Chairman Cooper opened the Public Hearing.

Ms. Kelly Dent, Planner, stated the applicant seeks to operate a medical clinic. She stated it is permitted within the Commercial zoning district with a Specific Use Permit. She recommended approval as presented.

There being no others to speak for or against SU-17-0118, Chairman Cooper closed the Public Hearing.

13. Consider recommendation of Zoning Change No. SU-17-0118

Action:

Mrs. Bonney Ramsey moved to approve a request by John Zabojnik, Texas Cryoworks and Wellness, for a Specific Use Permit (SUP) to allow Medical Facility use within a Planned Development-General Retail (PD-GR) zoning district, located at 110 Park Place Court, Suite 101, being LOT 1 BLK A PARK PLACE PROFESSIONAL CENTER 1.807 AC (Property ID 247584) – Owner: GRANE LANE HOLDING LLC & ARDETH REAL ESTATE LLC (SU-17-0118) as presented. Ms. Melissa Ballard seconded, All Ayes.

14. Public Hearing on a request by John Ed Justice, Brekenglenn Ltd, for a Specific Use Permit (SUP) to allow Contractor's Shop and Storage Yard use within a Light Industrial-2 (LI-2) zoning district, located at 500 Cantrell Street being 896 E W ROGERS 0.162 ACRES (Property ID 210303) – Owner: BREKENGLENN LTD (SU-17-0119)

Chairman Cooper opened the Public Hearing.

Ms. Kelly Dent, Planner, reported the applicant seeks a Specific Use Permit (SUP) to allow for a contractor's shop and storage yard to operate from the premises. Contractor's Shop and Storage Yards are permitted in the City's industrial zoning districts with only a SUP. Ms. Dent stated the site has gravel parking throughout, and as such, does not conform to the City's paving standards, therefore Staff cannot recommend an approval of the application. She stated the City's Zoning Ordinance depicts all required off-street parking, maneuvering, loading and storage areas shall be paved in accordance with the parking lot paving requirements is in the City's Code of Ordinances.

There being no others to speak for or against SU-17-0119, Chairman Cooper closed the Public Hearing.

15. Consider recommendation of Zoning Change No. SU-17-0119

Action:

Mr. Jim Phillips moved to deny a request by John Ed Justice, Brekenglenn Ltd, for a Specific Use Permit (SUP) to allow Contractor's Shop and Storage Yard use within a Light Industrial-2 (LI-2) zoning district, located at 500 Cantrell Street being 896 E W ROGERS 0.162 ACRES (Property ID 210303) – Owner: BREKENGLENN LTD (SU-17-0119) subject to Staff Comments. Mrs. Bonney Ramsey seconded.

Mr. John Ed Justice, Applicant, stated he disagrees with the proposed denial due to the age of the building. He stated he wants to use the building as a contractor office and repaving the area is not financially practical. He stated there is plenty of shared parking with the cabinet shop next door noting they share an entrance to their facilities.

Ms. Dent stated there are many other uses Mr. Justice can use the facility for, however, for a contractor office, he will need a Specific Use Permit.

The vote was as follows:

Ayes: Jim Cooper, Rick Keeler, Bonney Ramsey, Melissa Ballard, Jim Phillips

Noes: Betty Jefferson

The motion carried.

16. Public Hearing on a request by Joshua Millsap, Stantec, for a Zoning Change from a Planned Development-58-General Retail (PD-58-GR) zoning district to a Planned Development-General Retail (PD-GR) with Concept Plan for an expansion of existing HEB Grocery Store located at 800 N Highway 77, being 1 A H E BUTT ADDN 12.112 ACRES (Property ID 205522) - Owner: COLE MT WAXAHACHIE TX LLC (PD-17-0120)

Chairman Cooper opened the Public Hearing.

Ms. Kelly Dent, Planner, explained the additional building space being added to the existing building is for temporary/staging/storage space of groceries for customer curbside pickup. She stated the applicant submitted a revised landscape plan and after further review, Staff recommended approval.

Mr. Joshua Millsap and Mr. Bruce Galvan, representing HEB were present for questions.

Mr. Galvan stated the concept is a customer can send in a grocery order via phone call, email or app, the HEB partners shop for you and tell you which slot to drive in. HEB partners load your vehicle and you are on your way.

There being no others to speak for or against PD-17-0120, Chairman Cooper closed the Public Hearing.

17. Consider recommendation of Zoning Change No. PD-17-0120

Action:

After further discussion, Vice Chairman Betty Jefferson moved to approve a request by Joshua Millsap, Stantec, for a Zoning Change from a Planned Development-58-General Retail (PD-58-GR) zoning district to a Planned Development-General Retail (PD-GR) with Concept Plan for an expansion of existing HEB Grocery Store located at 800 N Highway 77, being 1 A H E BUTT ADDN 12.112 ACRES (Property ID 205522) - Owner: COLE MT WAXAHACHIE TX LLC (PD-17-0120) as presented. Mrs. Bonney Ramsey seconded, All Ayes.

18. Public Hearing on a request by Leslie Majors, LJJM, Inc., for a Zoning Change from a Planned Development-8-General Retail (PD-8-GR) zoning district to a Planned Development-Office (PD-O) with Concept Plan located at 301 Stadium Drive, being 4 THE VILLAGE AT WAXAHACHIE PH I 1.106 ACRES (Property ID 239253) - Owner: LJJMC INC (PD-17-0122)

Chairman Cooper opened the Public Hearing.

Ms. Kelly Dent, Planner, stated staff will need to re-notice this case as Planned Development-General Retail (PD-GR), with Concept Plan and requested this application be denied, without prejudice. Staff will re-introduce this case once the correct zoning district has been noticed to property owners.

There being no others to speak for or against PD-17-0122, Chairman Cooper closed the Public Hearing.

19. Consider recommendation of Zoning Change No. PD-17-0122

Action:

Mr. Jim Phillips moved to deny without prejudice a request by Leslie Majors, LJJM, Inc., for a Zoning Change from a Planned Development-8-General Retail (PD-8-GR) zoning district to a Planned Development-Office (PD-O) with Concept Plan located at 301 Stadium Drive, being 4

THE VILLAGE AT WAXAHACHIE PH I 1.106 ACRES (Property ID 239253) - Owner: LJJMC INC (PD-17-0122). Vice Chairman Betty Jefferson seconded, All Ayes.

20. Public Hearing on a request by Clyde Hargrove, Hargrove Real Estate, for a Zoning Change from a Freestanding Planned Development zoning district to a Freestanding Planned Development (PD), with Concept Plan for single-family development located east of existing Buffalo Ridge Addition, being Property ID 264869 - Owner: WP LEGACY LTD. (PD-17-0129)

Chairman Cooper opened the Public Hearing.

Ms. Kelly Dent, Planner, reported the applicant seeks to amend Ordinance No. 2937, to alter the maximum lot coverage percentages permitted. She reviewed the following development standards:

<u>Base Zone</u>	<u>Maximum Lot Coverage</u>	<u>Proposed Maximum Lot Coverage</u>
PD-SF-1	35%	47%
PD-SF-2	35%	49%
PD-SF-3	35%	52%

Ms. Dent recommended approval as presented.

Mr. Clyde Hargrove, 101 Valley Ridge Drive, Red Oak, Texas, stated the proposed maximum lot coverage gives the builders more flexibility to build larger homes.

There being no others to speak for or against PD-17-0129, Chairman Cooper closed the Public Hearing.

21. Consider recommendation of Zoning Change No. PD-17-0129

Action:

Mr. Jim Phillips moved to approve a request by Clyde Hargrove, Hargrove Real Estate, for a Zoning Change from a Freestanding Planned Development zoning district to a Freestanding Planned Development (PD), with Concept Plan for single-family development located east of existing Buffalo Ridge Addition, being Property ID 264869 - Owner: WP LEGACY LTD. (PD-17-0129) as presented. Ms. Melissa Ballard seconded, All Ayes.

22. Public Comments

The Commission, City Secretary and Councilmember David Hill thanked Chairman Cooper for his dedication serving the City for 29 years.

Mr. Cooper spoke and recapped his tenure with the City. He thanked the Commission, City Secretary, City Council, and his wife for their support during his time on the Planning and Zoning Commission.

23. Adjourn

There being no further business, the meeting adjourned at 8:04 p.m.

Respectfully submitted,

Lori Saunders
City Secretary