

Planning and Zoning Commission
January 9, 2018

The Waxahachie Planning & Zoning Commission (P&Z) held a regular meeting on Tuesday, January 9, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins

Members Absent: Melissa Ballard, Vice Chairman
Betty Square Coleman

Others Present: Shon Brooks, Director of Planning
Kelly Dent, Planner
James Gaertner, City Engineer
Lori Cartwright, City Secretary
David Hill, Council Representative

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

Chairman Rick Keeler called the meeting to order and gave the invocation.

3. **Consent Agenda**

- a. Minutes of the regular P&Z meeting of December 12, 2017
- b. **Consider** request by Jamie Isaguirre for a **Final Plat** of Isaguirre Addition for 2 lots, being 14.859 acres in the James A. Blakely Survey, Abstract No. 89 and the Theodore H. Sampley Survey, Abstract No. 1244 (Property ID 183251) in the Extra Territorial Jurisdiction – Owner: ALFONSO ISAGUIRRE (FP-17-0163)

Chairman Keeler removed item b. for separate discussion.

Action:

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

Ms. Kelly Dent, Planner, reviewed item b. noting an issue with fire protection. She explained the property is in the ETJ and Buena Vista-Bethel can furnish water but they cannot conform with the ISO fire flow requirements. Staff recommended denial because the proposed subdivision does not conform to the Subdivision Ordinance.

Action:

Mr. Jim Phillips moved to deny item b. on the Consent Agenda. Mrs. Bonney Ramsey seconded, All Ayes.

- 4. Consider request by Nathan Petty, Americas Storage, for a Preliminary Plat of Americas Storage for 1 lot, being a 7.304 acre addition in the T. Selby Survey, Abstract No. 1002 (Property ID 191086 and 191095) – Owner: GREG & PAULA DIMSDLE (PP-17-0149)**

Ms. Dent reported the property falls within the City CCN, however, the City does not yet have lines to this property. As a result, Rockett SUD will provide adequate water and fire protection to this property and when the City's lines extend to this property, this property will make the switch over to the City lines and cap off the line from Rockett. She stated the applicant will pay cash in lieu of park land dedication in an estimated amount of \$4,382.40. Staff recommended approval per staff comments.

Action:

Mr. Jim Phillips moved to approve a request by Nathan Petty, Americas Storage, for a Preliminary Plat of Americas Storage for 1 lot, being a 7.304 acre addition in the T. Selby Survey, Abstract No. 1002 (Property ID 191086 and 191095) – Owner: GREG & PAULA DIMSDLE (PP-17-0149) subject to staff comments. Mr. Erik Barnard seconded, All Ayes.

- 5. Consider Landscape Plan for Americas Storage as a companion to PP-17-0149 – Owner: GREG & PAULA DIMSDLE**

Ms. Dent presented the Landscape Plan for Americas Storage.

Mr. Nathan Petty, Americas Storage, 4300 Oakland, Dallas, Texas, stated the plant mix includes Cedar Elm, Crape Myrtle, and Red Oak trees.

Action:

Mrs. Bonney Ramsey moved to approve a Landscape Plan for Americas Storage as a companion to PP-17-0149 – Owner: GREG & PAULA DIMSDLE. Mr. Jim Phillips seconded, All Ayes.

- 6. Consider Landscape Plan for Sheppard's Place as a companion to PP-17-0157 – Owner: SHEPHERD PLACE HOMES INC**

Ms. Dent reported the Preliminary Plat was previously approved and presented the Landscape Plan for consideration.

Mr. Mark Shelton, JHW Development, reported the plant mix will include Cedar Elm, Live Oak and Red Oak.

Mrs. Bonney Ramsey requested to add Crape Myrtle trees. Mr. Shelton concurred.

Action:

Mr. David Hudgins moved to approve a Landscape Plan for Sheppard's Place as a companion to PP-17-0157 – Owner: SHEPHERD PLACE HOMES INC. Mrs. Bonney Ramsey seconded, All Ayes.

7. Public Hearing on a request by Luis Morales, Green Wolf Energy Inc., for a Specific Use Permit (SUP) to allow a Rooftop Solar Panel System use within a Rural Residential (RR) zoning district, located at 118 Lakeshore Drive, being 11 LINDMARK ESTS 2.0070 ACRES (Property ID 231007– Owner: BRENDA J & VICTOR MORGAN (SU-17-0155))

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant seeks to install solar panels along the roof of an existing single family residence. The proposed solar panels will face onto street frontage. She explained the City does not permit solar panels be facing the right of way and therefore the panels will need to be moved.

Mr. Luis Morales, Green Wolf Energy, Inc., 1018 Harrison Avenue, Arlington, Texas, stated the purpose for the panels facing the south is for production getting enough power and explained placing the panels on the north side will not be productive.

Those who spoke against SU-17-0155:

Mr. Wayne Powell, 116 Lakeshore Drive, Waxahachie

Ms. Amy Hedtke, 106 Vanderbilt, Waxahachie, stated when Ordinances are written people are spending more money on their property and it is hurting property owners. She charged the Commission to fix it.

Mr. David Hudgins recommended the company install ground mounts at the back of the house. Mr. Morales stated that would increase the cost but will revisit it with the owner.

There being no others to speak for or against SU-17-0155, Chairman Keeler closed the Public Hearing.

8. Consider recommendation of Zoning Change No. SU-17-0155

Action:

Mr. Jim Phillips moved to deny a request by Luis Morales, Green Wolf Energy Inc., for a Specific Use Permit (SUP) to allow a Rooftop Solar Panel System use within a Rural Residential (RR) zoning district, located at 118 Lakeshore Drive, being 11 LINDMARK ESTS 2.0070 ACRES (Property ID 231007– Owner: BRENDA J & VICTOR MORGAN (SU-17-0155)). Mr. David Hudgins seconded, All Ayes.

9. Public Hearing on a request by Michael Thomas, MJ Thomas Engineering, LLC, for a Zoning Change from a Planned Development-General Retail (PD-GR) zoning district to a Planned Development-Multi Family-2 (PD-MF-2), with Concept Plan, located at 411 Alliance Blvd., being 4R WAXAHACHIE CIVIC CENTER REV14.172 ACRES (Property ID 227433) - Owner: LOOKOUT PARTNERS LP (PD-17-0161)

Ms. Dent announced the applicant withdrew their application and therefore the case will not be heard.

10. Consider recommendation of Zoning Change No. PD-17-0161

Action:

No action taken – Applicant withdrew application

11. Public Hearing on a request by the City of Waxahachie to amend the City Zoning Ordinance, Ordinance No. 2287, as amended, to Sections 31.A.1 through 31.A.9, to update said sections of the Zoning Ordinance, relating to the Historic Overlay District, and establishing rules relating to historic structures (TA-17-0164)

Chairman Keeler opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the proposed Ordinance amends an existing ordinance of areas of historical and cultural importance relating to the Historic Overlay District.

Mrs. Bonney Ramsey stated it provides tax incentives and broadens the scope of how we protect the historic structures in the city. She explained it is an option for the homeowner to participate in the program.

12. Consider recommendation of Zoning Change No. TA-17-0164

Action:

After a lengthy discussion, Mrs. Bonney Ramsey moved to continue a request by the City of Waxahachie to amend the City Zoning Ordinance, Ordinance No. 2287, as amended, to Sections 31.A.1 through 31.A.9, to update said sections of the Zoning Ordinance, relating to the Historic Overlay District, and establishing rules relating to historic structures (TA-17-0164) to the Planning and Zoning Commission meeting of January 23, 2018. Mr. Jim Phillips seconded, All Ayes.

13. Public Hearing on a request by the City of Waxahachie to amend the City Zoning Ordinance, Ordinance No. 2288, as amended, to Sections 24.51 through 24.60 of the City's Code of Ordinances, and matters relating to the Heritage Preservation Commission, and the Historic Overlay Districts (TA-17-0165)

Mr. Brooks announced due to a clerical error, item 13 is being removed and not heard by the Commission. He explained the technical language indicated Code of Ordinances and not Zoning Ordinance, therefore, no action to be taken by the Commission.

14. Consider recommendation of Zoning Change No. TA-17-0165

Action:

No action taken

15. Public Hearing on a request by the City of Waxahachie for a textual change to Section 34.2(B)(3) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding roof materials for single family and duplex structures (TA-17-0166)

Chairman Keeler opened the Public Hearing.

Mr. Brooks reported the Ordinance shall apply to new building construction and existing structures for which new roofing materials are to be used for roof repair or replacement noting there are no exemptions from the roofing materials standards for existing single-family or duplex structures. He stated roof materials shall be comprised of laminated, three-dimensional appearance composition architectural shingles (30-year minimum).

There being no others to speak for or against TA-17-0166, Chairman Keeler closed the Public Hearing.

16. Consider recommendation of Zoning Change No. TA-17-0166

Action:

After further discussion, Mr. Jim Phillips moved to approve a request by the City of Waxahachie for a textual change to Section 34.2(B)(3) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding roof materials for single family and duplex structures (TA-17-0166). Mr. Erik Barnard seconded, All Ayes.

17. Public Comments

Mr. Jamie Isaguirre, 1613 N. Oak Branch Road, Waxahachie, asked for clarification on Consent item b. Staff noted they will meet with Mr. Isaguirre pertaining to his inquiry.

18. Adjourn

There being no further business, the meeting adjourned at 8:32 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary