

Planning and Zoning Commission  
January 23, 2018

The Waxahachie Planning & Zoning Commission (P&Z) held a regular meeting on Tuesday, January 23, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman  
Melissa Ballard, Vice Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
Erik Barnard  
David Hudgins

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 Planning and Zoning Commission meeting of January 9, 2018

**Action:**

*Mrs. Bonney Ramsey moved to approve item a. on the Consent Agenda. Vice Chairman Melissa Ballard seconded, All Ayes.*

4. **Consider request by Chris Stryker for a Replat of Lots 11 and 12, Spring Creek-REV, to create Lot 1, Rock Bottom Ranch, 3.7583 acres (Property ID 206166) – Owner: TAMARA L & CHRISTOPHER P STRYKER (RP-17-0162)**

Ms. Kelly Dent, Planner, reported the applicant seeks to replat two lots into one so he can eventually build a garage accessory dwelling that his mother-in-law will live in. She stated a garage accessory dwelling is allowed by right in the SF-1 zoning district. Ms. Dent recommended approval per the following staff comments: Add property owner's phone number; retitle subdivision to match property owner's wish; change date to 2018; spelling corrections; add the zoning for Ladd Vien's property to the South and verify with the property owner whether they did purchase southern land from Mr. Vien via metes and bounds

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Chris Stryker for a Replat of Lots 11 and 12, Spring Creek-REV, to create Lot 1, Rock Bottom Ranch, 3.7583 acres (Property ID 206166) – Owner: TAMARA L & CHRISTOPHER P STRYKER (RP-17-0162), subject to staff comments. Mr. David Hudgins seconded, All Ayes.*

5. **Continue 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 item was discussed in detail at the briefing noting the proposed Ordinance amends an existing Ordinance of areas of historical and cultural importance relating to the Historic Overlay District.

Those who spoke against TA-17-0164:

Ms. Melissa Olson, 202 Stampede Street, Waxahachie

Ms. Amy Hedke, 106 Vanderbilt, Waxahachie

There being no others to speak for or against TA-17-0164, Chairman Keeler closed the Public Hearing.

6. **Consider recommendation of Zoning Change No. TA-17-0164**

**Action:**

*After further discussion, Mrs. Bonney Ramsey moved to approve 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) as presented. Vice Chairman Melissa Ballard seconded, All Ayes.*

7. **Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a Planned Development-20-General Retail (PD-20-GR) zoning district, located at 503 N Highway 77, being LOT 2B BLK 1 NORTHGATE PLAZA 0.501 AC (Property ID 175006)– Owner: ROCKSTEADY LLC (SU-17-0167)**

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant seeks to modify an existing pole sign by installing an electronic message sign on the pole sign. She stated the existing pole sign is a legal nonconforming sign and explained it was lawfully installed in compliance with all City codes and ordinances that were applicable at the time of installation. Ms. Dent stated an electronic message sign is permitted at this location by Specific Use Permit and must be in the form of a monument sign and not a pole sign. She noted the applicant has the option of applying for a monument electronic message sign but the legal nonconforming pole sign would need to be removed from the site. Staff recommended denying SU-17-0167.

Mr. Chris Reeves, Quickway Signs, 306 West Main Street, Waxahachie, stated a monument sign will block visibility on the corner and traffic will be affected.

Mr. Brooks stated the location has sufficient parking if they lose one space for the monument sign.

There being no others to speak for or against SU-17-0167, Chairman Keeler closed the Public Hearing.

**8. Consider recommendation of Zoning Change No. SU-17-0167**

**Action:**

*After further discussion, Mr. Jim Phillips moved to deny a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a Planned Development-20-General Retail (PD-20-GR) zoning district, located at 503 N Highway 77, being LOT 2B BLK 1 NORTHGATE PLAZA 0.501 AC (Property ID 175006)– Owner: ROCKSTEADY LLC (SU-17-0167) subject to staff comments. Mr. Erik Barnard seconded, All Ayes.*

**9. Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a Commercial (C) zoning district, located at 1601 N Highway 77, being LOT 1B BLK D LAKERIDGE #1-REV 1.241 AC (Property ID 174568)– Owner: MC INVESTMENT FUND LLC (SU-17-0168)**

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant seeks to modify an existing pole sign by installing an electronic message sign on the pole sign. She stated the existing pole sign is a legal nonconforming sign and explained it was lawfully installed in compliance with all City codes and ordinances that were applicable at the time of installation.

Mr. Chris Reeves, Quickway Signs, 306 West Main Street, Waxahachie, stated a monument sign will not be seen due to the property sits lower than Highway 77. He requested an electronic message sign to be allowed on the pole sign.

There being no others to speak for or against SU-17-0168, Chairman Keeler closed the Public Hearing.

**10. Consider recommendation of Zoning Change No. SU-17-0168**

**Action:**

*After further discussion, Vice Chairman Melissa Ballard moved to deny a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an Electronic Message Sign use within a Commercial (C) zoning district, located at 1601 N Highway 77, being LOT 1B BLK D LAKERIDGE #1-REV 1.241 AC (Property ID 174568)– Owner: MC INVESTMENT FUND LLC (SU-17-0168) subject to staff comments. Mrs. Bonney Ramsey seconded. The vote was as follows:*

Ayes: Rick Keeler  
Melissa Ballard  
Bonney Ramsey  
Jim Phillips  
Erik Barnard  
David Hudgins

Noes: Betty Jefferson Coleman

*The motion carried.*

- 11. Consider request by Brandon O’Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171)**

Ms. Dent presented the preliminary plat noting the development of the acreage will be in three phases. She reviewed staff comments noting the applicant has submitted revisions and is working to address comments. Staff recommended approval per staff comments.

Mr. James Gaertner, City Engineer, stated the applicant has enough water to start Phase I and staff is working with them for the connection of water lines. He noted the applicant is looking to upsize the sewer lines.

**Action:**

*Mr. Jim Phillips moved to approve a request by Brandon O’Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171). Mrs. Betty Square Coleman seconded, All Ayes.*

- 12. Consider Landscape Plan for Dove Hollow as a companion to PP-17-0171 – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC**

Ms. Dent presented the landscape plan being a companion to item 11 and recommended approval.

**Action:**

*Mrs. Bonney Ramsey moved to approve a Landscape Plan for Dove Hollow as a companion to PP-17-0171 – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC. Mrs. Betty Square Coleman seconded, All Ayes.*

**13. Public Hearing on a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 (SF-3) zoning district to a Planned Development-Single Family-3 (PD-SF-3), with Concept Plan, located at 1304 Wyatt Street, being LOT 3 BLK 184 TOWN ADDN-REV 3.139 AC (Property ID 270088) - Owner: GRANTAVA HOLDINGS LLC (PD-17-0172)**

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant seeks to rezone the property to allow for smaller lot sizes, to reduce setbacks, and to reduce the development masonry standards. She discussed the concept plan provision requested by the applicant noting the applicant seeks to obtain zoning to allow for lots at roughly sixty (60) percent of size mandated for SF-3 zoning. The applicant seeks to ensure the front yard setbacks is twenty-five (25) feet, rather than the thirty (30) feet required by the current Ordinance. Ms. Dent reported there are homes in close vicinity of the proposed development, including on the same block, that do have masonry, and homes that are solely of siding construction would not match the surrounding neighborhood. Staff recommended a compromise of 50% masonry requirement.

Mrs. Betty Square Coleman expressed concern with the proposed plan noting it is not conducive for this area. She stated the applicant is proposing too many small houses on a corner lot. Mrs. Coleman stated years ago the property was a sink hole. She stated they need to build up in this area.

Mr. Robert Morgan, applicant, Grantava LLC, Italy Texas, stated the houses will be approximately 1,500 square feet.

There being no others to speak for or against PD-17-0172, Chairman Keeler closed the Public Hearing.

**14. Consider recommendation of Zoning Change No. PD-17-0172**

**Action:**

*After further discussion, Vice Chairman Melissa Ballard moved to deny a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 (SF-3) zoning district to a Planned Development-Single Family-3 (PD-SF-3), with Concept Plan, located at 1304 Wyatt Street, being LOT 3 BLK 184 TOWN ADDN-REV 3.139 AC (Property ID 270088) - Owner: GRANTAVA HOLDINGS LLC (PD-17-0172). Mrs. Betty Square Coleman seconded. The vote was as follows:*

Ayes: Rick Keeler  
Melissa Ballard  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips

Noes: Erik Barnard  
David Hudgins

*The motion carried.*

**15. Public Comments**

Ms. Amy Hedke, 106 Vanderbilt, Waxahachie, stated Public Hearings don't help people. We need Ordinances that protect the people.

Ms. Melissa Olson, 202 Stampede Street, Waxahachie, asked the Commission to reconsider the Heritage Preservation Commission Ordinance.

**16. Adjourn**

There being no further business, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary