

Planning and Zoning Commission
January 13, 2010

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held on Wednesday, January 13, 2010 at 4:30 p.m. in the Council Chamber at 401 S. Rogers, Waxahachie, Texas.

Members Present: Jim Cooper, Chairman
Rick Keeler
Bonney Ramsey
Mary Lou Shipley
Anthony Mottla
Melissa Ballard

Member Absent: Betty Jefferson, Vice Chairman

Others Present: Clyde Melick, Director of Planning
Steve Chapman, Assistant City Attorney
Lori Saunders, City Secretary
N.B. "Buck" Jordan, Council Representative

Chairman Jim Cooper called the meeting to order and Mrs. Bonney Ramsey gave the invocation.

Chairman Jim Cooper noted the minutes of the Planning and Zoning Commission meeting of November 11, 2009 need to be amended to add Ms. Melissa Ballard to the attendees list.

Mrs. Bonney Ramsey moved approval of the minutes of the regular Planning & Zoning Commission meeting of November 11, 2009, as amended. Ms. Mary Lou Shipley seconded, **All Ayes.**

Chairman Jim Cooper opened the Public Hearing on Zoning Amendment Request No. 2009-37: Request by Jose Padron, for a Site Plan approval within a Planned Development – General Retail Zoning District for a tortilleria (homemade tortillas) and a bakery to be located at 112 West Marvin Avenue, being Lot 4, Block 113, Original Town Addition– Owner: Agnes L. Eubank Trust #1.

Mr. Jose Padron, 1406 Rye Glen, Midlothian, Texas requested site plan approval for a tortilleria and a bakery.

There being no others to speak for or against Zoning Amendment Request No. 2009-37, Chairman Cooper closed the Public Hearing.

Planning Director Clyde Melick reported the previous business was a dry cleaning service and stated the existing drive-thru door will not be allowed as a drive-thru for the above Zoning Amendment Request (ZAR 2009-37).

Mr. Melick presented the following Staff Comments:

- 1) Owner proposes approval of a site plan for the Certificate of Occupancy for a Tortilleria
- 2) This is an existing building, a new use requires site plan approval
- 3) All items not detailed on site plan must adhere to city standards
- 4) Within 30 days of approval by City Council, applicant to provide City Building and Development Department with five complete corrected copies of Site Plan

Mrs. Bonney Ramsey moved to approve Zoning Amendment Request No. 2009-37: Request by Jose Padron, for a Site Plan approval within a Planned Development – General Retail Zoning District for a tortilleria (homemade tortillas) and a bakery to be located at 112 West Marvin Avenue, being Lot 4, Block 113, Original Town Addition– Owner: Agnes L. Eubank Trust #1, subject to Staff Comments and notation from Planning Director Clyde Melick that a drive-thru will not be allowed. Ms. Melissa Ballard seconded, **All Ayes.**

Chairman Jim Cooper opened the Public Hearing on Zoning Amendment Request No. 2009-38: Request by Jonathan Hake for a Site Plan approval within a Planned Development-Commercial (PD-C) Zoning District for light automotive repair to be located on the north side of US 287 West of US 77, being 1.45 acres, Lot 4, Block A, RVG Plaza- Owner: Starplex Park, L.P.

Mr. Robert Vann, Main & Main Development Group, 1212 Corporate Drive, Irving, Texas, presented an architectural rendering of Christian Brothers Automotive noting the technician area is a “state of the art” work area. He explained the work area can house eighteen (18) vehicles at one time and there will be no underground storage tanks at the center. Mr. Vann reported the center hours will be from 7:00 a.m. to 6:00 p.m. six (6) days a week, and then reduced to five (5) days a week after the business has been established.

There being no others to speak for or against Zoning Amendment Request No. 2009-38, Chairman Cooper closed the Public Hearing.

Planning Director Clyde Melick presented the following Staff Comments:

- 1) Applicant requests approval of site plan to construct a Christian Brothers Automotive
- 2) This use is considered Minor Automotive Repair and is allowed in Commercial zoning
- 3) Minor auto repair is defined as minor replacement of parts, tires, tubes, and batteries; diagnostic services, minor motor services such as grease, oil, spark plug and filter changing, tune-ups, emergency road service, replacement of starters, alternators, hoses, brake parts, automobile washing and polishing, performing state inspections and minor repairs necessary to pass said inspection, normal servicing of air-conditioning service.
- 4) Requested Wall signage is in excess of Zoning ordinance, requested signage is 170 square feet Zoning ordinance is one foot of signage for one foot of building frontage, building frontage is 150 feet along private drive,
- 5) Staff recommends requested pole sign for Christian Brothers Auto shall be more compatible to Hunters Cove entrance signage, possibly a large monument sign

- 6) Pole sign is one (1') foot setback from side property line, zoning ordinance requires ten (10') foot setback
- 7) All signs not detailed on site plan must adhere to city standards
- 8) Roadway Impact fees will be \$7,079.00
- 9) Within 30 days of approval by City Council, applicant to provide City Building and Development Department with five complete corrected copies of Site Plan

Mr. Melick expressed concern with item 5 of Staff Comments noting Hunter's Cove went to a lot of trouble to put in their monument sign and noted he has discussed with the Applicant to put in a monument sign that would not detract from the Hunter's Cove monument sign.

Mr. Robert Vann noted, due to visibility, he will recommend to Christian Brothers not to install a pole sign and reported sign studies are currently being reviewed by Christian Brothers.

After further discussion, Mr. Anthony Mottla moved to approve Zoning Amendment Request No. 2009-38: Request by Jonathan Hake for a Site Plan approval within a Planned Development-Commercial (PD-C) Zoning District for light automotive repair to be located on the north side of US 287 West of US 77, being 1.45 acres, Lot 4, Block A, RVG Plaza- Owner: Starplex Park, L.P., allowing currently depicted wall signage; remove pylon sign in lieu of monument sign per city standards and per Staff Comments. Mr. Rick Keeler seconded, **All Ayes.**

Chairman Jim Cooper opened the Public Hearing on a request from Jonathan Hake, Cross Engineering for a Replat of Lots 4R-A and 4R-B, Block A, RVG Plaza being a Replat of Lot 4, Block A, RVG Plaza situated in the Robert Parks Survey, Abstract No. 851, located north on US Hwy. 287 Bypass between Hwy. 77 North and I-35E- Owner: Starplex Park, L.P. (RP2009-25).

Mr. Jonathan Hake, Cross Engineering, 106 W. Louisiana, McKinney, Texas, requested to replat one (1) lot into two (2) due to a large size lot.

There being no others to speak for or against Replat 2009-25, Chairman Cooper closed the Public Hearing.

Planning Director Clyde Melick presented the following Staff Comments:

1. The applicant wishes replat one lot into two to provide for due to large size
2. The developer will have to provide new water and sanitary sewer tap and services for lot 4R-B, Block A. The existing services for lot 4 are on the 4R-A side and this plat must provide public services for all lots.
3. Sanitary sewer line on the west side of Lot 4R-A shall be private and not located in a public easement. This shall be located on private property.
4. Water taps, services and meter fees shall be paid
5. Park dedication fees of \$870.00 must be paid at \$600.00 per acre
6. Applicant to submit twelve (12) additional copies and Mylar all with original signatures of property owners within thirty (30) days of City Council approval

Mrs. Bonney Ramsey moved to approve a request from Jonathan Hake, Cross Engineering for a Replat of Lots 4R-A and 4R-B, Block A, RVG Plaza being a Replat of Lot 4, Block A, RVG Plaza situated in the Robert Parks Survey, Abstract No. 851, located north on US Hwy. 287 Bypass between Hwy. 77 North and I-35E- Owner: Starplex Park, L.P. (RP2009-25), subject to Staff Comments. Ms. Mary Lou Shipley seconded, **All Ayes.**

There being no further business the meeting adjourned at 5:03 p.m.

Respectfully submitted,

Lori Saunders
City Secretary