

Planning and Zoning Commission
March 27, 2018

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, March 27, 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

Members Absent: David Hudgins

Others Present: Shon Brooks, Director of Planning
Kelly Dent, Planner
James Gaertner, City Engineer
Tommy Ludwig, Executive Director of Community Development
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 & Zoning Commission meeting of February 27, 2018
- b. Minutes of the Planning & Zoning Commission Briefing of February 27, 2018
- c. Minutes of the Planning & Zoning Commission Joint Work Session of March 1, 2018
- d. Request by Ron Barson, Ledbetter Real Estate, LLC, for a **Final Plat** of North Grove Business Park Phases 2 & 4 for 7 lots, being 36.878 acres out of A.S. Pruett Survey, Abstract 848, John Shaver Survey, Abstract 1000, and E.C. Newton Survey, Abstract 791 (Property ID 189293 and 189294) – Owner: LEDBETTER REAL ESTATE LTD (FP-18-0019)

Action:

Vice Chairman Melissa Ballard moved to approve item a. through d. on the Consent Agenda. Mr. Erik Barnard seconded, All Ayes.

4. **Consider request by Michael Westfall, Westfall Engineering, for a Preliminary Plat of Shaw Burgess Addition for 2 lots, being 14.252 acres in the F.M. Woodard Survey, Abstract 1120 (Property ID 192151) in the Extra Territorial Jurisdiction – Owner: HACHIE PROPERTIES LLC & A GARRETT REAL ESTATE VENTURES LLC (PP-18-0020)**

Ms. Kelly Dent, Planner, reported after the Commissioners received their packets, staff received word that Rockett Special Utility District will supply the water. They defaulted to Ellis County for fire protection. Staff recommended approval as presented.

{Mrs. Betty Square Coleman arrived}

Action:

Mrs. Bonney Ramsey moved to approve a request by Michael Westfall, Westfall Engineering, for a Preliminary Plat of Shaw Burgess Addition for 2 lots, being 14.252 acres in the F.M. Woodard Survey, Abstract 1120 (Property ID 192151) in the Extra Territorial Jurisdiction – Owner: HACHIE PROPERTIES LLC & A GARRETT REAL ESTATE VENTURES LLC (PP-18-0020) as presented. Vice Chairman Melissa Ballard seconded, All Ayes.

- 5. Consider request by Michael Westfall, Westfall Engineering, for a Final Plat of Shaw Burgess Addition for 2 lots, being 14.252 acres in the F.M. Woodard Survey, Abstract 1120 (Property ID 192151) in the Extra Territorial Jurisdiction – Owner: HACHIE PROPERTIES LLC & A GARRETT REAL ESTATE VENTURES LLC (FP-18-0021)**

Ms. Dent stated this is a companion to Item 4 noting Rockett Special Utility District can provide water. She explained per City Ordinance, fire flow is required. However, City Council can waive that requirement. She recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Michael Westfall, Westfall Engineering, for a Final Plat of Shaw Burgess Addition for 2 lots, being 14.252 acres in the F.M. Woodard Survey, Abstract 1120 (Property ID 192151) in the Extra Territorial Jurisdiction – Owner: HACHIE PROPERTIES LLC & A GARRETT REAL ESTATE VENTURES LLC (FP-18-0021) as presented. Mr. Erik Barnard seconded, All Ayes.

- 6. Consider request by R. Deann Wells for a Replat of Lots 1A and 1B, Lindmark Estates - Revised to create Block A, Lot 1, Whiskey Creek Addition, 7.548 acres (Property ID 228819) – Owner: ERIC P & RONDA D WELLS (RP-18-0017)**

Ms. Dent stated the location is undeveloped land north of Lake Waxahachie and explained the applicant is requesting to replat the split lot back in to one. She stated water service is needed prior to plat recording. Mrs. Ronda Wells, applicant, stated they are working to get the meter installed.

Action:

Mr. Jim Phillips moved to approve a request by R. Deann Wells for a Replat of Lots 1A and 1B, Lindmark Estates - Revised to create Block A, Lot 1, Whiskey Creek Addition, 7.548 acres (Property ID 228819) – Owner: ERIC P & RONDA D WELLS (RP-18-0017) subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

7. **Consider request by Michael Yarborough for a Replat of Lot 15 and 16 to create Lot 15R and Lot 16R, Brookbend Grove Phase 2, 2.124 acres (Property ID 208078 and 208079) – Owner: MICHAEL W & LOIS JANE YARBOROUGH and JOYCE S BRIDGES REVOCABLE LIVING TRUST (RP-18-0018)**

Ms. Dent reported the applicant seeks to relocate a property line. Staff received corrections and recommended approval as presented.

Action:

Mrs. Bonney Ramsey moved to approve a request by Michael Yarborough for a Replat of Lot 15 and 16 to create Lot 15R and Lot 16R, Brookbend Grove Phase 2, 2.124 acres (Property ID 208078 and 208079) – Owner: MICHAEL W & LOIS JANE YARBOROUGH and JOYCE S BRIDGES REVOCABLE LIVING TRUST (RP-18-0018) as presented. Mr. Erik Barnard seconded, All Ayes.

8. **Consider request by Danny Scroggins for a Replat of Lot 9 to create Lot 9A and Lot 9B, Buena Vista Heights, 9.98 acres (Property ID 207864) – Owner: DANNY E & JUDY A SCROGGINS (RP-18-0024)**

Ms. Dent stated the applicant seeks to divide land located in the ETJ. She stated the property has water and fire flow. Staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve a request by Danny Scroggins for a Replat of Lot 9 to create Lot 9A and Lot 9B, Buena Vista Heights, 9.98 acres (Property ID 207864) – Owner: DANNY E & JUDY A SCROGGINS (RP-18-0024) as presented. Vice Chairman Melissa Ballard seconded, All Ayes.

9. **Public Hearing on a request by Todd Wintters, Engineering Concepts Design LP, for a Zoning Change from a Planned Development-75-General Retail and General Retail (PD-75-GR and GR) zoning district to Planned Development-General Retail (PD-GR) with Concept Plan, located at US Highway 287 at Meagan Street, being 235 W C CALDER 5.793 ACRES and 13 6 KARSEN HEIGHTS ADDN PH II 1.349 ACRES (Property ID 181707 and 230390) - Owner: KARSEN HEIGHTS LLC (PD-18-0022)**

Chairman Keeler opened the Public Hearing.

Ms. Dent stated a representative of the applicant called and wished to resend the application. She explained at the time of the meeting, staff has not received written notification. She reported the applicant is seeking to situate duplexes in a General Retail Zoning District and wanting to modify the setbacks. Ms. Dent noted staff's intention is for the proposed area to remain retail. She announced the applicant is not present and stated staff recommends denial.

Ms. Kelly, 730 Broadhead, Waxahachie, spoke in opposition of the Duplex proposal.

There being no others to speak for or against PD-18-0022, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. PD-18-0022

Action:

Mr. Jim Phillips moved to deny a request by Todd Wintters, Engineering Concepts Design LP, for a Zoning Change from a Planned Development-75-General Retail and General Retail (PD-75-GR and GR) zoning district to Planned Development-General Retail (PD-GR) with Concept Plan, located at US Highway 287 at Meagan Street, being 235 W C CALDER 5.793 ACRES and 13 6 KARSEN HEIGHTS ADDN PH II 1.349 ACRES (Property ID 181707 and 230390) - Owner: KARSEN HEIGHTS LLC (PD-18-0022). Mr. Erik Barnard seconded, All Ayes.

11. Consider request by Todd Wintters, Engineering Concepts Design LP, for a Preliminary Plat of Karsen Heights Addition Phase 4 for 24 residential lots, being 7.219 acres out of the W.C. Calder Survey, Abstract No. 235 (Property ID 181707 and 230390) – Owner: KARSEN HEIGHTS LLC (PP-18-0004)

Ms. Dent stated PP-18-0004 is the preliminary plat that goes with Item 9. She recommended denying the case due to the zoning denied in Item 10.

Action:

Vice Chairman Melissa Ballard moved to deny a request by Todd Wintters, Engineering Concepts Design LP, for a Preliminary Plat of Karsen Heights Addition Phase 4 for 24 residential lots, being 7.219 acres out of the W.C. Calder Survey, Abstract No. 235 (Property ID 181707 and 230390) – Owner: KARSEN HEIGHTS LLC (PP-18-0004). Mrs. Bonney Ramsey seconded, All Ayes.

12. Consider Landscape Plan for Karsen Heights Addition Phase 4 as a companion to PP-18-0004 – Owner: KARSEN HEIGHTS LLC

Ms. Dent stated this is a companion to Item 11 noting all preliminary plat comes with a landscape plan. She recommended denying due to Item 11 was denied.

Action:

Mrs. Bonney Ramsey moved to deny a Landscape Plan for Karsen Heights Addition Phase 4 as a companion to PP-18-0004 – Owner: KARSEN HEIGHTS LLC. Mr. Jim Phillips seconded, All Ayes.

13. Public Hearing on a request by Reginald CouSELL for a Specific Use Permit (SUP) to allow a Private Stables use within a Planned Development-23-Single Family-1 (PD-23-SF-1) zoning district, located North of Hunter Pass on FM 877, being 374 A B FLUERY 17.329 ACRES (Property ID 183557) - Owner: CRYSTAL & REGINALD COULSELL II TAYLOR (SU-18-0023)

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the private stables require a Specific Use Permit due to it is over 700 square feet. She presented pictures of stables the applicant is looking to build. Ms. Dent stated the only concern staff has is the erection of an accessory building without a primary structure on the property. A method of addressing this could be the withholding of a building permit for the proposed structure until the primary structure (being residence) is constructed. If approved, staff recommended giving the applicant an extension of the SUP for two (2) years and pulling the permit to begin construction of the main residence.

Chairman Keeler confirmed with the applicant the stables is for private and personal use only. The applicants concurred. Chairman Keeler referenced the pictures of the stables and asked if the applicant's stable will resemble the pictures and the applicants concurred. Ms. Taylor stated there will be a small arena inside the stables.

There being no others to speak for or against SU-18-0023, Chairman Keeler closed the Public Hearing.

14. Consider recommendation of Zoning Change No. SU-18-0023

Action:

Vice Chairman Melissa Ballard moved to approve a request by Reginald Coulsell for a Specific Use Permit (SUP) to allow a Private Stables use within a Planned Development-23-Single Family-1 (PD-23-SF-1) zoning district, located North of Hunter Pass on FM 877, being 374 A B FLUERY 17.329 ACRES (Property ID 183557) - Owner: CRYSTAL & REGINALD COULSELL II TAYLOR (SU-18-0023) subject to staff comments, and extending the SUP for 2 years to allow applicant to build the residence first. Mrs. Bonney Ramsey seconded, All Ayes.

15. Public Comments

Ms. Amy Hedtke, 106 Vanderbilt Lane, Waxahachie, encouraged everyone to make sure they are aware of the Ellis County Annexation procedures. It enables cities to annex without going to a vote. She stated a petition is circulating allowing Ellis County residents to vote on annexation reform noting if enough signatures are collected, it will go on the November ballot.

Mr. Chris Wright, 800 West Marvin, Waxahachie, announced Troop 234 is in the audience earning their Citizenship for merit badge.

16. Adjourn

There being no further business, the meeting adjourned at 7:34 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary