

Planning and Zoning Commission
July 10, 2018

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, July 10, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Barnard

Members Absent: Melissa Ballard, Vice Chairman
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
Mary Lou Shipley, 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 June 26, 2018
- b. Minutes of the Planning and Zoning Commission briefing of June 26, 2018

Action:

Mrs. Bonney Ramsey moved to approve item a. and b. on the Consent Agenda. Ms. Betty Square Coleman seconded, All Ayes.

4. **Consider request by Hannah Kirkman for a Replat of Lots 58, 59 and part of 60, Ferris Second Addition - Revised, to create Lots 58A and 59A, Ferris Second Addition - Revised, 0.657 acres (Property ID 173378 and 173369) – Owner: KYLE & HANNAH KIRKMAN and THERESA A GASE (RP-18-0099)**

Ms. Kelly Dent, Planner, reported the Replat pertains to two lots with two separate owners. She explained staff discovered a lot of the properties along Dunn Street had been divided by meets and bounds which means they have been sold off by deed rather than platting. It was discovered when one of the property owners came in and attempted to expand their residence and it was discovered that their potential expansion crossed their lot line. Ms. Dent stated the Replat will clean up both lots allowing both owners to expand their residences as desired. She reported staff received two (2) property owner notifications in support of RP-18-0099. Staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve a request by Hannah Kirkman for a Replat of Lots 58, 59 and part of 60, Ferris Second Addition - Revised, to create Lots 58A and 59A, Ferris Second Addition - Revised, 0.657 acres (Property ID 173378 and 173369) – Owner: KYLE & HANNAH KIRKMAN and THERESA A GASE (RP-18-0099) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

- 5. Consider request by Bryan Connally, CBG Surveying, LLC, for a Preliminary Plat of Rodriguez-King Addition for 2 lots, being 2.00 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 182038) – Owner: CFLP INVESTMENTS LLC (PP-18-0102)**

Ms. Dent reported the property is located along Martin Luther King Boulevard noting the development fronts onto a TxDOT right-of-way. She explained to build a residence on Lot 1, a driveway permit from TxDOT is needed and because of the spacing, a variance from TxDOT is needed as well. Ms. Dent stated this is not an issue at platting, but staff wants to ensure everyone is aware of this.

Action:

Mr. Jim Phillips moved to approve a request by Bryan Connally, CBG Surveying, LLC, for a Preliminary Plat of Rodriguez-King Addition for 2 lots, being 2.00 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 182038) – Owner: CFLP INVESTMENTS LLC (PP-18-0102) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

- 6. Public Hearing on a request by John Blacker, Hart, Gaugler, & Associates for a Specific Use Permit (SUP) for Private School use within a Light Industrial-1 zoning district, located at 3209 N Highway 77 and 150 W. Butcher Road, being LOT 1 BLK A LIFE SCHOOL WAXAHACHIE ADDN & LOT 2 BLK A BOYKIN BUSINESS PARK PH 2 43.554 AC and LOT 1R BLK A BOYKIN BUSINESS PARK PH 2 2.311 AC (Property ID 191082 and 233735) - Owner: LIFESCHOOL OF DALLAS (SU-18-0104)**

Chairman Keeler stated the application submitted was for a private school and staff was informed today the school is a charter school therefore the stipulations of a specific use permit is not required.

Mr. Shon Brooks, Director of Planning, asked the representative if he would formally withdraw the application for record.

Mr. Shawn Thomas, Lifeschool of Dallas Director of Operations, 606 Hanover Drive, Waxahachie, requested to withdraw application SU-18-0104 because it is not necessary for this location.

- 7. Consider recommendation of Zoning Change No. SU-18-0104**

Action:

No action taken.

- 8. Consider request by John Blacker, Hart, Gaugler, & Associates for a Replat of Lot 1, Block A, Lifeschool Waxahachie Addition and Lot 1R, Block A, Boykin Business Park Phase 2, to create Lot 1R, Block A, Life School Waxahachie Addition, 45.142 acres (Property ID 191082 and 233735) – Owner: LIFESCHOOL OF DALLAS (RP-18-0103)**

Ms. Dent reported the final plat for The Life School was approved on March 2, 2015 and the replat for Boykin Business Park was approved on March 2, 2015. She reported the applicant's submittals have addressed all platting concerns however fees remain outstanding therefore the plat cannot be filed until all fees are cleared. Staff recommended approval per comments.

Action:

Mrs. Bonney Ramsey moved to approve a request by John Blacker, Hart, Gaugler, & Associates for a Replat of Lot 1, Block A, Lifeschool Waxahachie Addition and Lot 1R, Block A, Boykin Business Park Phase 2, to create Lot 1R, Block A, Life School Waxahachie Addition, 45.142 acres (Property ID 191082 and 233735) – Owner: LIFESCHOOL OF DALLAS (RP-18-0103) subject to staff comments. Mr. Erik Barnard seconded, All Ayes.

- 9. Continue Public Hearing on a request by Josh Spoerl, Arrive Architecture Group, for a Zoning Change from a General Retail zoning district to General Retail and Planned Development-Mixed Use Residential, with Concept Plan, located at NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES and 911 R RUSSELL 10.6200 ACRES (Property ID 227073 and 138302) - Owner: LYONS AMERICAN SECURITIES INC (PD-18-0074)**

Chairman Keeler continued the Public Hearing.

Ms. Dent reported the applicant seeks to develop the property in four (4) tracts that will accommodate hotel, mixed-use residential, office, and retail use. She reported the mixed-use residential will be on tract 1 with a Planned-Development-Mixed Use Residential zoning. It will consist of 220 apartment dwellings in a four (4) story building. This will have fifty-one (51) tuck-under single car garages, a reduction from the requirement of having 110 garages. The trash-compactor is approximately 290 feet from the furthest apartment unit, though City standards set a maximum distance of 250 feet. The building will be greater than the City's 200-foot maximum. Tract 2 will house the hotel, with a food or café option. Tract 3 will house nine (9) potential restaurants, while tract 4 will have the office/retail component. All buildings on the various tracts will share a compatible color palette. Ms. Dent noted staff would like to see the ground floor of the multi-use-residential have more retail on the ground floor. She stated, at this time staff is not comfortable with the concept plan and recommended denial.

Mr. Richard Rozer, 4250 Black Champ Road, Midlothian, representing owner, gave the history of the property and the idea came to provide a project that is not yet in Waxahachie. He stated after a lot of thought and planning they arrived at the proposed Concept Plan. He gave a broad overview of the concept noting they are looking at approximately 30,000 square feet of retail. They will tie roads together tying into Dean Box. He stated the Planned Development process is a conceptual process noting there is no desire to completely develop the property.

Mr. Mark Olson, Principal of Arrive Architecture Group, Bedford, Texas, reviewed renderings of the multi-use residential buildings noting it will be very high end. He stated his firm has done many projects of this type.

Mr. Tim Lyons, owner, 450 North Oak Branch Road, Waxahachie, stated he owns the property from the corner down to the Holiday Inn and behind Target and since 2006 he has been working to develop this property and shared his vision with a hotel, multi-use residential, general retail and premier restaurants. Mr. Lyons stated he would like to build to the back of the property and work his way to the front with development. He stated he is a life-long resident of Waxahachie and he will put in a premier development.

After a lengthy discussion and there being no others to speak for or against PD-18-0074, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. PD-18-0074

Action:

Mr. Jim Phillips moved to approve a request by Josh Spoerl, Arrive Architecture Group, for a Zoning Change from a General Retail zoning district to General Retail and Planned Development-Mixed Use Residential, with Concept Plan, located at NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES and 911 R RUSSELL 10.6200 ACRES (Property ID 227073 and 138302) - Owner: LYONS AMERICAN SECURITIES INC (PD-18-0074) subject to the following stipulations:

- *Tract 2 – only structure to be built is a four story hotel*
- *Tract 3 - to have only restaurants without drive through facility*
- *Tract 4 - to have office General Retail usage with no drive through*
- *Village Parkway will be built all at once to include landscaping except for the northwest corner near Brown Street*
- *Detail Site Plan must be provided to Planning and Zoning Commission with Architectural Standards*

Ms. Betty Square Coleman seconded, All Ayes.

11. Public Hearing on a request by Majd Chweki, Q Mart, for a Specific Use Permit (SUP) for Convenience Store use within a General Retail zoning district, located at 104 N Highway 77, Suite 106, being 50C 100A FERRIS 2ND 0.301 ACRES (Property ID 173382) - Owner: STEPHEN D SMITH (SU-18-0107)

Chairman Keeler announced the applicant withdrew his application.

12. Consider recommendation of Zoning Change No. SU-18-0107

Action:

No action to be taken

13. Public Comments

None

14. Adjourn

There being no further business, the meeting adjourned at 8:44 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary