

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, January 11, 2022 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.
4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

 - a. Minutes of the regular Planning & Zoning Commission meeting of December 28, 2021
 - b. Minutes of the Planning and Zoning Commission briefing of December 28, 2021
5. ***Continue Public Hearing*** on a request by Terrance Jobe, Alluvium Development, Inc., for a **Zoning Change** from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)
6. ***Consider*** recommendation of Zoning Change No. ZDC-188-2021
7. ***Continue Public Hearing*** on a request by Yomi and Siyanade Fayiga for a **Zoning Change** from a Future Development Zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)

8. **Consider** recommendation of Zoning Change No. ZDC-146-2021

9. Adjourn

The P&Z reserves the right to go into Executive Session on any posted item.

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4005 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

Planning and Zoning Commission
December 28, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, December 28, 2021 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
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Member Absent: Betty Square Coleman

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Director of Planning
Colby Collins, Planning Manager
Zack King, Planner
James Gaertner, Director of Public Works & Engineering
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

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

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

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of December 14, 2021
- b. Minutes of the Planning and Zoning Commission briefing of December 14, 2021

Action:

Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Vice Chairman Melissa Ballard seconded, All Ayes.

5. **Public Hearing on a request by Charles Lintakoon, Triten Real Estate Partners, for a Specific Use Permit (SUP) for Auto Parking Lot, Trucks and Trailers & Outdoor Storage use within a Light Industrial-1 (LI-1) zoning district located at 7240 N Interstate 35 (Property ID 186924) - Owner: AG-TREP WAXA PROPERTY OWNER LP (ZDC-203-2021)**

Chairman Keeler announced the applicant requested to withdraw ZDC-203-2021.

6. **Consider recommendation of Zoning Change No. ZDC-203-2021**

(4a)

No action taken.

7. **Public Hearing on a request by Peyton McGee, Kimley-Horn, for a Zoning Change from a Single Family-1 (SF1) zoning district to Planned Development Multi-Family-2 (PD-MF-2) located south of FM 813 and east of Brown Street (Property ID 175878, 175877, 175869) - Owner: LADD VIEN, (ZDC-204-2021)**

Chairman Keeler announced the applicant requested to withdraw ZDC-204-2021.

8. **Consider recommendation of Zoning Change No. ZDC-204-2021**

No action taken.

9. **Continue Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-146-2021 to the January 11, 2022 Planning and Zoning Commission meeting.

10. **Consider recommendation of Zoning Change No. ZDC-146-2021**

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021) to the January 11, 2022 Planning and Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.

11. **Consider request by Todd Wintters, Engineering Concepts & Design, LP, for a Plat of Cunningham Estates, Phase One, nine (9) Residential lots, being 44.592 acres, located South of the intersection of Old Maypearl Road & Cunningham Meadows Road, situated in the W. Lockwood Survey, Abstract 647 and the A. Ferguson Survey, Abstract 350, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 183334 & 187067) – Owner: REED EDWARD C EST ETAL (SUB-195-2021)**

Planner Zack King presented the case noting the applicant is requesting to plat the property into nine (9) lots for single-family residential use. Staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Todd Wintters, Engineering Concepts & Design, LP, for a Plat of Cunningham Estates, Phase One, nine (9) Residential lots, being 44.592 acres, located South of the intersection of Old Maypearl Road & Cunningham Meadows Road, situated in the W. Lockwood Survey, Abstract 647 and the A. Ferguson Survey, Abstract 350, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property

ID 183334 & 187067) – Owner: REED EDWARD C EST ETAL (SUB-195-2021) as presented. Mr. David Hudgins seconded, All Ayes.

12. **Consider request by Drew Donosky, Claymoore Engineering, for a Development Plat of Waxahachie CDJR Addition, Lot 1, Block 1, being 5.033 acres, located at 2405 Interstate 35, situated in the William Payne Survey, Abstract 835 and the John B. Bounds Survey, Abstract 99, an addition to the City of Waxahachie (Property ID 220557) – Owner: WAXAHACHIE REALTY, LLC (SUB-198-2021)**

Mr. King presented the case noting the applicant is requesting to plat the property into one (1) lot for continued commercial use. Staff recommended approval as presented.

Action:

Mr. David Hudgins moved to approve a request by Drew Donosky, Claymoore Engineering, for a Development Plat of Waxahachie CDJR Addition, Lot 1, Block 1, being 5.033 acres, located at 2405 Interstate 35, situated in the William Payne Survey, Abstract 835 and the John B. Bounds Survey, Abstract 99, an addition to the City of Waxahachie (Property ID 220557) – Owner: WAXAHACHIE REALTY, LLC (SUB-198-2021). Vice Chairman Melissa Ballard seconded, All Ayes.

13. **Consider request by Andra Jones, for a Plat of 2636 Patrick Road Subdivision, lot 1, Block 1, being 1.700 acres, located at 2636 Patrick Road, situated in the Carter H. Hurst Survey, Abstract 456, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 197804) – Owner: CLAUDIA J GAUGHAN (SUB-202-2021)**

Mr. King presented the case noting the applicant is requesting to plat the property into one (1) lot for single-family residential use. Mr. King explained Ellis County requested a name change for the plat and the owner changed it to Jones Estate. Staff recommended approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Andra Jones, for a Plat of 2636 Patrick Road Subdivision, lot 1, Block 1, being 1.700 acres, located at 2636 Patrick Road, situated in the Carter H. Hurst Survey, Abstract 456, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 197804) – Owner: CLAUDIA J GAUGHAN (SUB-202-2021) as presented. Mr. Erik Test seconded, All Ayes.

14. **Consider request by Islam Diab, ADTM Engineering & Construction Corp., for a Plat of KSAM Highway 287, lots 1-2, Block A, being 4.022 acres, located at 1440 Farley Street, situated in the W. Calder Survey, Abstract 235 and the B. Davis Survey, Abstract 290, an addition to the City of Waxahachie (Property ID 181802) – Owner: KSAM LLC (SUB-206-2021)**

Mr. King presented the case noting the applicant is requesting to plat the property into two (2) lots for commercial use. Staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Islam Diab, ADTM Engineering & Construction Corp., for a Plat of KSAM Highway 287, lots 1-2, Block A, being 4.022 acres, located at 1440 Farley Street, situated in the W. Calder Survey, Abstract 235 and the B. Davis Survey, Abstract 290, an addition to the City of Waxahachie (Property ID 181802) – Owner: KSAM LLC (SUB-206-2021) as presented. Mr. David Hudgins seconded, All Ayes.

15. **Consider request by Cody Nix for a Plat of Buena Vista Estates, Phase II, lots 1-3, Block A, being 16.699 acres, located directly west of 2349 FM 1446, situated in the Benjamin Wiltshire Survey, Abstract 1132, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 197828) – Owner: VICTOR BALLAS (SUB-207-2021)**

Mr. King presented the case noting the applicant is requesting to plat the property into three (3) lots for single-family residential use. Staff recommended approval as presented.

Action:

Mr. David Hudgins moved to approve a request by Cody Nix for a Plat of Buena Vista Estates, Phase II, lots 1-3, Block A, being 16.699 acres, located directly west of 2349 FM 1446, situated in the Benjamin Wiltshire Survey, Abstract 1132, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 197828) – Owner: VICTOR BALLAS (SUB-207-2021). Mr. Erik Test seconded, All Ayes.

16. **Consider request by Shawne Walker, Walker Land Surveying Company, for a Plat of Szymezak Addition, lot 1, Block A, being 6.631 acres, located at 2911 FM 878, situated in the Thomas Jackson Survey, Abstract 574, and the Samuel S. Wilson Survey, Abstract 1141, an addition to the City of Waxahachie (Property ID 275542) – Owner: GAIL SZYMCZAK (SUB-208-2021)**

Mr. King presented the case noting the applicant is requesting to plat the property into one (1) lot for single-family residential use. Staff recommended approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Shawne Walker, Walker Land Surveying Company, for a Plat of Szymezak Addition, lot 1, Block A, being 6.631 acres, located at 2911 FM 878, situated in the Thomas Jackson Survey, Abstract 574, and the Samuel S. Wilson Survey, Abstract 1141, an addition to the City of Waxahachie (Property ID 275542) – Owner: GAIL SZYMCZAK (SUB-208-2021) as presented. Vice Chairman Melissa Ballard seconded, All Ayes.

17. **Consider request by Claudio Segovia, J. Volk Consulting, Inc., for a Plat of Oasis at North Grove, Phase I, lots 1-8, 9X, 10-27, Block 1; Lots 1X, 2-16, Block 2; Lots 1X, 2-6, Block 3; Lots 1-26, Block 4; Lots 1-13, Block 5; Lot 14, Block 10; Lots 1 & 14, Block 11, being 27.098 acres, located east of Highway 77 and North of E North Grove Blvd, situated in the Henry Sange Survey, Abstract 1009, an addition to the City of Waxahachie (Property ID 262134) – Owner: JHD THE OASIS DEVELOPMENT, LLC (SUB-205-2021)**

Mr. King presented the case noting the applicant is requesting to plat the property into 88 single-family residential lots and 3 open space lots as part of the Oasis at North Grove Phase 1 subdivision. Staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve a request by Claudio Segovia, J. Volk Consulting, Inc., for a Plat of Oasis at North Grove, Phase I, lots 1-8, 9X, 10-27, Block 1; Lots 1X, 2-16, Block 2; Lots 1X, 2-6, Block 3; Lots 1-26, Block 4; Lots 1-13, Block 5; Lot 14, Block 10; Lots 1 & 14, Block 11, being 27.098 acres, located east of Highway 77 and North of E North Grove Blvd, situated in the Henry Sange Survey, Abstract 1009, an addition to the City of Waxahachie (Property ID 262134) – Owner: JHD THE OASIS DEVELOPMENT, LLC (SUB-205-2021). Mr. David Hudgins seconded, All Ayes.

- 18. Continue Public Hearing on a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 (PD-SF-3) zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021)**

Chairman Keeler continued the Public Hearing.

Planning Manager Colby Collins presented the case noting the applicant is requesting approval of a Planned Development to allow the development of single-family homes, townhomes, and park/open space on 153.7 acres. Staff reviewed the following changes from the December 14th meeting: total lot count reduced from 464 to 458 lots, revised single-family minimum dwelling unit square footage from 2,200 sq. ft. to 1,800 sq. ft., revised concept plan to show no front entry lots, added and defined 5 architectural influences, provided pocket parks to western portion of development, provided a mix of lot size types, added full masonry on lots backing thoroughfare, revised concept plan to show access easement for neighbors within Homeowner's Association open space lots, reduced maximum building height from 2.5 stories to 2 stories, and provided a sidewalk along FM 664. Mr. Collins also reviewed various lot size details and special exceptions/variance requests from the applicant regarding setbacks, lot coverage, park dedication, TxDOT land donation, and proposed thoroughfare/roadway impact fees. Staff recommended approval per the following comments:

1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.
2. The property shall be platted prior to any construction development.
3. The townhomes shall meet the articulation standards of section 5.09 of the City of Waxahachie Zoning Ordinance.
4. The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-178-2021).

Chip Boyd, 421 Century Way, Red Oak, Texas, explained the Commission was provided detailed architectural styles for homes in the development. He reviewed the various architectural styles explaining each home will have 3 of 5 architectural elements. The access easement is shown fully in the Homeowner's Association open space lot and noted there will be a sidewalk on FM 664.

He explained timing is an issue, and, therefore, respectfully requests a recommendation of approval or denial by the Commission.

The Commission expressed concerns with the architectural style renderings provided by the applicant and requested additional detail. Mr. Boyd explained they are unable to provide custom homes for all 458 lots but will provide higher quality product and amenities.

Commissioner David Hudgins inquired about the construction of the thoroughfare extension and Mr. Boyd explained construction would begin with development.

Commissioner Jim Phillips asked if the developer is open to limiting percentages of architectural styles and Mr. Boyd noted he is.

Ron Bunch, 707 Ovilla Road, Waxahachie, Texas, requested a buffer between the existing homes and the proposed development. He also requested the removal of the extended access road abutting the private access easement of the existing homes.

James Gaertner, Director of Public Works & Engineering, explained the city requested the road for future connectivity and explained detailed roadways would be addressed during the platting phase.

Clay Cox, 750 Mallory Drive, Waxahachie, Texas, concurred with Mr. Bunch on removing the proposed road from crossing his private access easement.

There being no others to speak for or against ZDC-162-2021, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. ZDC-162-2021

Action:

Mr. Erik Test moved to deny a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 (PD-SF-3) zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021). Vice Chairman Melissa Ballard seconded, All Ayes.

- 20. Continue Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)**

Chairman Keeler continued the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. He reviewed the following changes from the December 14th

meeting: architectural diversity with 5 styles, 360-degree architecture, garage door orientation, lot type details, screening and buffer requirements, commercial development standards, amenities or improvements within parks and open space, maintenance of private improvements and common areas, and traffic patterns/congestion. Mr. Collins also reviewed special exceptions/variance requests for the development in regards to lot size, width, side yard setback, lot coverage, garage width, and garage door orientation.

Staff recommended approval per the following comments:

1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.

Todd Wintters, 201 Windco Circle, Wylie, Texas, explained architectural styles were updated with 12% allowed for each style. He addressed traffic concerns and noted the developer will fully fund and coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at the southern entrance to Montclair Heights. He explained the development has been updated to include mixed lot sizes, different elevations, and alleys.

Chairman Keeler noted he is not supportive of the elevations presented.

Terrence Jobe, 2415 Somerfield Drive, Midlothian, Texas, explained he can provide additional detailed elevations if that is the request of the Commission.

Those who spoke in opposition:

Richard Rozier, 4250 Black Champ Road, Waxahachie, Texas

Daniel Rozier, 4010 Black Champ Road, Waxahachie, Texas

Linda Romanenko, 2951 Longbranch Road, Waxahachie, Texas

It was the consensus of the Commission to allow additional time for the developer to provide distinctive elevation photos and add the following to the development agreement:

- No single building elevation shall be duplicated within six (6) lots or tracts either direction on the same blockface.
- Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
- A minimum of seven (7) floor plans shall be used for each architectural style.

There being no others to speak for or against ZDC-188-2021, Chairman Keeler closed the Public Hearing.

21. Consider recommendation of Zoning Change No. ZDC-188-2021

Action:

Mr. Erik Test moved to continue the Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) -

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Owner: CAROLYN J HAMAN L/E (ZDC-188-2021) to the January 11, 2022 Planning and Zoning Commission meeting. Vice Chairman Melissa Ballard seconded, All Ayes.

22. Adjourn

The Planning & Zoning Commission wished Mr. Colby Collins the best of luck in his future endeavors and wished everyone a Happy New Year.

There being no further business, the meeting adjourned at 8:48 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning and Zoning Commission
December 28, 2021

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, December 28, 2021 at 6:00 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Member Absent: Betty Square Coleman

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Director of Planning
Colby Collins, Planning Manager
Zack King, Planner
James Gaertner, Director of Public Works & Engineering
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

Planner Zack King reviewed the following cases:

- SUB-195-2021, the applicant is requesting approval to plat the property into nine (9) lots for single-family residential use. Staff recommends approval as presented.
- SUB-198-2021, the applicant is requesting approval to plat the property into one (1) lot for continued commercial use. Staff recommends approval as presented.
- SUB-202-2021, the applicant is requesting approval to plat the property into one (1) lot for single-family residential use. Mr. King explained Ellis County requested a name change for the plat and the owner changed it to Jones Estate Staff recommends approval as presented.
- SUB-206-2021, the applicant is requesting to plat the property into two (2) lots for commercial use. Staff recommends approval as presented.
- SUB-207-2021, the applicant is requesting to plat the property into three (3) lots for single-family residential use. Staff recommends approval as presented.
- SUB-208-2021, the applicant is requesting to plat the property into one (1) lot for single-family residential use. Staff recommends approval as presented.
- Sub-205-2021, the applicant is requesting to plat the property into 88 single-family residential lots and 3 open space lots as part of the Oasis at North Grove Phase 1 subdivision. Staff recommends approval as presented.

Planning Manager Colby Collins reviewed the following cases:

- ZDC-203-2021, the applicant requested to withdraw the case.
- ZDC-204-2021, the applicant requested to withdraw the case.
- ZDC-146-2021, the applicant requested to continue the Public Hearing to the January 11, 2022 Planning and Zoning Commission meeting.
- ZDC-162-2021, applicant is requesting approval of a Planned Development to allow development of single-family homes, townhomes, and park/open space on 153.7 acres. Mr. Collins reviewed the applicant's special exception/variance requests. Staff recommends approval per staff comments. The Commission discussed additional detailed drawings depicting actual architectural styles, density calculations, and amenities.
- ZDC-188-2021, the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. He noted the proposed zoning change is contingent upon City Council approval of the annexation request for this property. The Commission discussed elevation/façade, architectural style, and removal of front-facing garages. Staff recommends approval per staff comments. The Commission discussed additional detailed drawings depicting actual architectural styles, walkability, and connectivity.

3. Adjourn

There being no further business, the meeting adjourned at 6:54 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-188-2021

(5)



MEETING DATE(S)

Planning & Zoning Commission: January 11, 2022 (continued from December 28, 2021)

City Council: January 18, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held December 14, 2021, the Commission voted 7-0 to continue case number ZDC-188-2021 to the December 28, 2021 Planning and Zoning meeting.

At the Planning & Zoning Commission meeting, held December 28, 2021, the Commission voted 6-0 to continue case number ZDC-188-2021 to the January 11, 2022 Planning and Zoning meeting.

CAPTION

Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a **Zoning Change** from a General Retail (GR) and Future Development (FD) zoning districts to **Planned Development Mixed-Use Residential (PD-MUR)** zoning district, located at the located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)

APPLICANT REQUEST

The applicant is requesting approval of a Planned Development to allow development of single family homes, cottage style homes, retail/office, and park/open space on 188.46 acres.

**The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-200-2021) for this property. City Council is scheduled to take action on the item on January 18, 2022.*

CASE INFORMATION

Applicant: Terrance Jobe, Alluvium Development

Property Owner(s): Carolyn Haman

Site Acreage: 188.46 acres

Current Zoning: Future Development & General Retail

Requested Zoning: Planned Development-Mixed Use Residential

(5)

SUBJECT PROPERTY

General Location: West of 2374 W Highway 287 Bypass

Parcel ID Number(s): 185971, 185978, 185972, 185886

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	N/A (Ellis County)	Single Family Residences
East	SF1 & PD-C	Undeveloped Land & Cowboy Church of Ellis County
South	---	US Highway 287
West	N/A (Ellis County)	Single Family Residences

Future Land Use Plan: Low Density Residential and Highway Commercial

Comprehensive Plan: Low Density Residential: This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Highway Commercial: Highway Commercial areas are intended to allow for traditional commercial land uses, but such uses should be developed to a higher standard. For example, outside storage may be permitted, but would have to be screened and not visible from the road. In addition, a more limited array of commercial uses would be permitted. Hotels, motels, and car dealerships would be permitted, for example, but manufactured home sales and self-storage buildings would not. The idea is for these areas to show a positive image of Waxahachie and make visitors want to travel into the main part of the City.

Thoroughfare Plan: The subject property is accessible via US Highway 287 Service Road. **If approved, an internal connection is proposed with the adjacent property to the east.*

Site Image:

(5)



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting approval of a Planned Development to allow development of single family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. Per the City of Waxahachie Zoning Ordinance, the Planned Development requires approval from City Council.

Case History:

At the January 19, 2021, City Council meeting, City Council voted 5-0 to deny case number ZDC-72-2020 (original case number for Montclair Heights). At the meeting, the developer proposed a Planned Development district consisting of 394 total lots (including cottage lots and general retail tracts). Due to traffic concerns for the development, City Council voted to deny the development proposal.

Proposed Use:

The purpose of this Planned Development district is to create zoning that will allow the development of 384 total lots. Of which, 297 lots will fall within the categories A, B, C, D, and E (as identified on the attached PD Concept Plan and listed in the "Proposed Planned Development Regulations" section of the staff report below), and 87 lots will be developed as 40' wide "Cottage Style" lots. Four general retail tracts are also proposed adjacent to Highway 287 and the proposed thoroughfares.

The applicant intends to create a walkable, interactive and high-end development by creating several open spaces, including pocket parks, an amenity park, and a dog park.

Staff Note: The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-200-2021) for this property. City Council is scheduled to take action on the item on January 18, 2022.

At the December 28, 2021, Planning and Zoning meeting, the Planning and Zoning Commission requested that the applicant revise the submitted plan(s) for the proposed development to further address the Commission's concerns, as well as be more conducive to the surrounding area. Per the Commission's request, listed below are changes made by the applicant.

CHANGES FROM THE 12/28/21 PZ MEETING

- Revised the PD Regulations to include 5 district Architectural design styles to add diversity:

Architectural Style	Minimum Percentage	Minimum # of Homes
Contemporary	12%	46
Modern Farm	12%	46
Tudor	12%	46
Mediterranean	12%	46
Craftsman	12%	46

*The Architectural Style for the remaining lots shall be determined by the market.

**Concept Renderings for the Architectural Styles have been provided by the applicant.

- Require a mix of exterior finish materials:
 - Brick
 - Stone
 - Cementitious fiber board
 - Stucco
 - Wood (as accent only)
- 360 degree architecture
- To promote floor plan variation and prevent elevation duplication in close proximity, the following requirements shall apply:
 - Minimum Number of Elevations - No single building elevation shall be duplicated within 6 lots either direction on the same block face.
 - Elevation Duplication – Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
 - Floor Plan Variation – A minimum of seven (7) floor plans shall be used for each Architectural Style.

Proposed Planned Development Regulations

Items highlighted in **bold indicates a variation request from the Single Family-3 (SF3) requirements.*

Type 'A' Lots

- Minimum Lot Area - 13,500 SF
- Minimum Dwelling Unit Area – 2,400 SF
- Minimum Lot Width - 90' interior lot; 95' corner lot; **65' for lots with predominate frontage on a curve radius measuring along front building line (minimum 80' requirement per SF3 standards)**
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'B' Lots

- Minimum Lot Area - 11,000 SF
- Minimum Dwelling Unit Area – 2,200 SF
- Minimum Lot Width - 80' interior lot; 85' corner lot; **55' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'C' Lots

- Minimum Lot Area - **9,800 SF** (*minimum 10,000 SF requirement per SF3 standards*)
- Minimum Dwelling Unit Area – 2,200 SF
- Minimum Lot Width - 70' interior lot; 75' corner lot; **55' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'D' Lots

- Minimum Lot Area - **9,000 SF** (*minimum 10,000 SF requirement per SF3 standards*)
- Minimum Dwelling Unit Area – 1,850 SF
- Minimum Lot Width - 65' interior lot; 70' corner lot; **55' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - **7.5'** (*minimum 10' requirement per SF3 standards*)
- Minimum Side Yard (exterior on corner lots) - **10'** (*minimum 15' requirement per SF3 standards*)
- Maximum Lot Coverage – **60%** (*maximum 50% requirement per SF3 standards*)

Type 'E' Lots

- Minimum Lot Area - **7,000 SF** (*minimum 10,000 SF requirement per SF3 standards*)
- Minimum Dwelling Unit Area – 1,750 SF
- Minimum Lot Width - 50' interior lot; 55' corner lot; **40' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - **5'** (*minimum 10' requirement per SF3 standards*)

- **Minimum Side Yard (exterior on corner lots) - 10'** (*minimum 15' requirement per SF3 standards*)
- **Maximum Lot Coverage – 65%** (*maximum 50% requirement per SF3 standards*)
- **Garage Door Orientation or Placement – front-entry**

For all Type 'A' 'B' 'C' 'D' and 'E' Lots

- **Maximum Height** - 2 stories for the main building; 1 story for accessory buildings without garages
- **Minimum Parking** - 2 enclosed spaces per lot
- **Garage Door Orientation or Placement** - no less than 65% of the dwellings that are not alley-loaded (rear entry) or Type E Lots, shall have garage doors served by side-entry or j-swing drives. All front-entry garages shall be 5' behind the front building façade.
- **Garage Door Appearance** - shall be carriage style and constructed of wood or metal/composite material made to have the appearance of wood.
- **Maximum Garage Width** - Garages for 85% of total dwellings shall not exceed 50% of the total width of the house; 15% of dwellings may have garages that constitute up to 60% of the total width of the house, to allow for 3-car garages.
- **Minimum Roof Pitch** - 8:12 with laminated 3-dimensional architectural shingles with a 30 year minimum
- **Minimum Number of Elevations** - No single building elevation shall be duplicated within 6 lots either direction on the same blockface
- **Minimum Number of Design Elements** - Shall comply with the requirements applicable to SF3 zoning in Section 5.01, Exterior Construction Requirements of the City's Zoning Ordinance
- **Sidewalks** – Shall comply with the requirements applicable to Section 3.5, Sidewalks, of the City's Zoning Ordinance
- **Landscaping Requirements** - Shall comply with the requirements applicable to SF3 zoning as provided in Section 5.04 of the City's Zoning Ordinance.
- **Accessory Structures and Uses** - Shall comply with the requirements applicable to accessory structures and uses in SF3 zoning
- **Masonry Exterior Construction** - Shall comply with the requirements applicable to single-family residential use as provided in Section 5.01 of the City's Zoning Ordinance.

Type 'F' Lots - Detached Residential (Cottage) Development Standards

**It should be noted that the City of Waxahachie Zoning Ordinance does not contain regulations regarding cottage lots.*

- **Minimum Lot Area** - 4,400 SF
- **Minimum Lot Width** - 40' interior lot; 45' corner lot
- **Minimum Lot Depth** - 110'
- **Minimum Front Yard** - 10'; 20' for lots without alleys
- **Minimum Rear Yard** - 20'; 10' for lots without alleys
- **Minimum Side Yard (interior)** - 5'
- **Minimum Side Yard (exterior on corner lots)** - 10'
- **Maximum Lot Coverage** - 70% by main and accessory buildings not including drives and walks
- **Maximum Height** - Two (2) stories; 1 story for accessory buildings
- **Minimum Parking** - 2 enclosed spaces per dwelling units, plus 0.45 space per dwelling unit for guests
- **Minimum Dwelling Unit Area** - 1,450 SF

- Garage Door Orientation or Placement - On lots without alleys, no j-swing drives shall be required, and garages shall not be required to be 3 feet behind the front building face.
- Garage Door Appearance - shall be carriage style and constructed of wood or metal/composite material made to have the appearance of wood.
- Maximum Garage Width – On lots without alleys, garages shall not exceed $\frac{3}{4}$ of the total width of the house. No width restriction on lots with alleys.
- Minimum Roof Pitch - 8:12 with laminated 3-dimensional architectural shingles with a 30 year minimum
- Minimum Number of Elevations - No single building elevation shall be duplicated within 6 lots either direction on the same blockface
- Minimum Number of Design Elements - Shall comply with the requirements applicable to SF3 zoning in Section 5.01, Exterior Construction Requirements of the City's Zoning Ordinance
- Sidewalks – Shall comply with the requirements applicable to Section 3.5, Sidewalks, of the City's Zoning Ordinance
- Landscaping Requirements - Shall comply with the requirements applicable to SF3 zoning as provided in Section 5.04 of the City's Zoning Ordinance.
- Accessory Structures and Uses - Shall comply with the requirements applicable to accessory structures and uses in SF3 zoning
- Masonry Exterior Construction - Shall comply with the requirements applicable to single-family residential use as provided in Section 5.01 of the City's Zoning Ordinance.

Screening and Buffer Requirements

- Along the 80' thoroughfare - shall be a 6' high masonry wall and a 10' wide landscape buffer with one 3" caliper tree every 40'
- Between the General Retail and residential uses - shall comply with the requirements applicable to GR zoning in Section 5.03 of the City's Zoning Ordinance

Commercial Development Standards

- The future retail, office or commercial development shall comply with the regulations applicable to General Retail (GR) District and also shall allow Dry Cleaning Establishment, Off-Site.
- Parking shall be provided as required by Section 4.03 of the City's Zoning Ordinance
- Access to the retail area along the highway frontage road will comply with TxDOT guidelines and will require drive approach permits from TxDOT
- To enhance cross access, a common access easement will be provided along most of the commercial lot frontage, where it is appropriate, parallel to the highway frontage road.
- Loading docks shall be screened from public right-of-way
- Dumpsters shall be located and screened in compliance with the City's Zoning Ordinance requirements
- Mechanical and electrical equipment shall be screened from public right-of-way
- Masonry Exterior Construction - Shall comply with the requirements applicable to commercial uses as provided in Section 5.01 of the City's Zoning Ordinance.

Amenities or Improvements within Parks and Open Space:

- Pockets parks / open space among the single family residential lots -
 - a. Shade trees, playground equipment and benches

- b. Trees and seasonal colors in the two open space areas that form the gateway from the 80' thoroughfare into the single-family residential lots
- Amenities Park - shall have at least one (1) swimming pool and one (1) playground, plus a minimum of four (4) of the following amenities: trees, pool cabana, volleyball court, shade structures, picnic benches, grills.
- Detention Areas - Trees planted in clusters around the ponds

Maintenance of Private Improvements and Common Areas

The developer will establish the mandatory Homeowner's Association (HOA) to be responsible for the maintenance of the private parks, amenities, landscaping and common areas.

Traffic Patterns/Congestion

To alleviate vehicular congestion on U.S. Highway 287, developer will coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at southern entrance to Montclair Heights as well as fully funding the same. Further, to enhance ingress/egress, developer will cooperate fully with the adjacent property owner, as needed, to the east to connect the proposed thoroughfare and provide enhanced access to F.M. 664/Ovilla Road.

The Concept Plan depicts a development that includes amenities such as:

- Parks/Open Space
- Walking/Jogging Trail

Conformance with the Comprehensive Plan:

The proposed development is consistent with the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- Growth Strategies – Goal 1: Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- Growth Strategies – Goal 2: Encourage a balance of land uses to serve the needs of citizens and to ensure a diverse economic base
- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.
- Growth Strategies – Goal 15: Identify areas for strategic annexations to occur.

Development Standards:

Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance with additional changes listed below.

Permitted Uses:

- Single family
- Cottage style homes
- Retail/Office
- Park/Open Space

SPECIAL EXCEPTION/VARIANCE REQUEST:**Lot Size**

The minimum lot size requirement per SF3 zoning is 10,000 sq. ft.

- Type C Lots: The applicant is proposing a minimum lot size of 9,800 sq. ft.
- Type D Lots: The applicant is proposing a minimum lot size of 9,000 sq. ft.
- Type E Lots: The applicant is proposing a minimum lot size of 7,000 sq. ft.

Lot Width

The minimum lot width requirement per SF3 zoning is 80ft.

- Type A Lots: The applicant is proposing a minimum lot width of 65' for lots with predominate frontage on a curve radius measuring along front building line
- Type B Lots: The applicant is proposing a minimum lot width of 55' for lots with predominate frontage on a curve radius measuring along front building line
- Type C Lots: The applicant is proposing a minimum lot width of 70' interior lot; 75' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line
- Type D Lots: The applicant is proposing a minimum lot width of 65' interior lot; 70' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line
- Type E Lots: The applicant is proposing a minimum lot width of 50' interior lot; 55' corner lot; 40' for lots with predominate frontage on a curve radius measuring along front building line

Side Yard Setback

The minimum side yard setback requirement per SF3 zoning is 10ft. (15ft. adjacent to ROW)

- Type D Lots: The applicant is proposing a minimum side yard setback of 7.5ft. and 10ft. on corner lots.
- Type E Lots: The applicant is proposing a minimum side yard setback of 5ft. and 10ft. on corner lots.

Lot Coverage

The maximum lot coverage percentage per SF3 zoning is 50%

- Type D Lots: The applicant is proposing a maximum lot coverage of 60%
- Type E Lots: The applicant is proposing a maximum lot coverage of 65%

Garage Width

The garage width for single family residential shall not be more than 50% of the total width of the house

- For Type 'A' thru 'E' Lots, max. width will apply to 85% of the dwellings; 15% may have garages up to 60% of the total width of the house to allow for 3-car garages
- For Cottage Lots without alleys, garage shall not exceed $\frac{1}{3}$ of the total width of the house

Garage Door Orientation

If the width of the lot allows, 50% of all dwellings shall have garages with at least one of the following: rear entry; j-swing drive or garage 3' behind the front building face

- Due to the 40' lot width, Cottage Lots without alleys will not be able to comply with these requirements

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 19 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received one (1) letter of support and four (4) letters of opposition for the proposed development.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ **Approval, per the following comments:**
 1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Planned Development Regulations
3. Concept Plan
4. Concept Elevations

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Director of Planning

jennifer.pruitt@waxahachie.com



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-188-2021**

(5)

DAVIES CYNTHIA
4430 BLACK CHAMP RD
MIDLOTHIAN, TX 76065

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 20, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Terrance Jobe, Alluvium Development, Inc., for a **Zoning Change** from a General Retail (GR) and Future Development (FD) zoning districts to **Planned Development Mixed-Use Residential (PD-MUR)** zoning district, located at the located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: **ZDC-188-2021**

City Reference: 199017

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Friday, December 10, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Signature

Printed Name and Title

Date

Address

11/29/21

4430 Black Champ R
Midlothian
76065

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(5)

Case Number: ZDC-188-2021

City Reference: 199031

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Friday, December 10, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Mark Brown
Signature

11-29-21
Date

Mark Brown Representative
Printed Name and Title
Black Champ Homeowners
Assoc

Common Area of Assoc
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(5)

Case Number: **ZDC-188-2021**

City Reference: 199022

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Friday, December 10, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐

SUPPORT

☒

OPPOSE

Comments:

Mark Brown

Signature

11-29-21

Date

OWNER Mark Brown

Printed Name and Title

4070 Black Champ Rd

Address

Midlothian, TX
76065

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.



(5)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-188-2021**

ROZIER RICHARD
4250 BLACK CHAMP RD
MIDLOTHIAN, TX 76065

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 20, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Terrance Jobe, Alluvium Development, Inc., for a **Zoning Change** from a General Retail (GR) and Future Development (FD) zoning districts to **Planned Development Mixed-Use Residential (PD-MUR)** zoning district, located at the located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: **ZDC-188-2021**

City Reference: 199014

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Friday, December 10, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

This plan is worse than the plan the Council + P+2 turned down previously. Please deny this development.

Richard Rozier
Signature

Richard Rozier
Printed Name and Title

12/10/2021
Date

4250 Black Champ
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.



(5)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-188-2021

◇◇◇◇◇

CALVERT SUSAN M
PO BOX 856
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 20, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Terrance Jobe, Alluvium Development, Inc., for a **Zoning Change** from a General Retail (GR) and Future Development (FD) zoning districts to **Planned Development Mixed-Use Residential (PD-MUR)** zoning district, located at the located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-188-2021

City Reference: 185893

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Friday, December 10, 2021 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Susan M Calvert
Signature

12-9-2021
Date

SUSAN M CALVERT OWNER
Printed Name and Title

PO BOX 856 WAXAHACHIE TX 75168
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)
If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

PLANNED DEVELOPMENT REGULATIONS FOR ZDC-188-2021

General Description

Montclair Heights is a master planned community comprising of residential, retail and office uses. It will provide housing diversity in the form of single family detached homes and cottages. There will be extensive parks and open space, including a central amenity park, several pocket parks and a dog park throughout the community. The shops, restaurants and offices that are part of this development will provide employment opportunities and sustain the community with neighborhood services.

As represented in the attached Concept Plan (Exhibit A) lot types are arranged in a manner which encourage varying lot/home sizes to be dispersed throughout the neighborhood promoting variety and diversity in close proximity.

Based Zoning - Single-Family Residential-3 (SF3)

Permitted Uses - Single family detached dwellings and uses permitted in the GR, General Retail District.

Development Acreage and Density - Refer to Site Summary in Concept Plan.

Single Family Residential Development Standards

So as to promote architectural diversity throughout, the residential development shall consist of a minimum of five (5) of the following homes style types. The home style types, and breakdown shall be as follows:

Architectural Style	Minimum Percentage	Minimum # of Homes
Contemporary	12%	46
Modern Farm	12%	46
Tudor	12%	46
Craftsman	12%	46
Mediterranean	12%	46

The Architectural Styles of the remaining lots shall be determined by the market.

To further promote architectural diversity throughout all lot types, the exterior finish material on all building elevations, except for openings for doors and windows, shall be limited to any combination of brick, stone, cementitious fiber board, and stucco. Wood may only be used as an accent exterior finish material and shall not exceed 10 percent of the total building wall area, with each elevation being calculated independently. Configurations for stone, stucco, and wood shall be as provided below:

1. All stone shall be detailed and laid to resemble structural stone walls (i.e., stone shall be chopped or saw cut).

2. All stucco shall be cement plaster made of cement sand and lime and shall be applied to elevations using a three-step process with a smooth or sand-finish. Exterior insulated finishing systems (E.I.F.S.) or other synthetic stucco as defined by the International Building Code shall be prohibited on all elevations.
3. All wood shall be painted or stained.

For those rear-entry lots adjacent to the primary collector, the front, rear and side elevations will have similar exterior finish materials.

To promote floor plan variation and prevent elevation duplication in close proximity, the following requirements shall apply:

1. Minimum Number of Elevations - No single building elevation shall be duplicated within 6 lots either direction on the same blockface. Exhibit B depicts building elevations which are representative of the style and design of the homes to be constructed.
2. Elevation Duplication – Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
3. Floor Plan Variation – A minimum of seven (7) floor plans shall be used for each Architectural Style.

Type 'A' Lots

- Minimum Lot Area - 13,500 SF
- Minimum Dwelling Unit Area – 2,400 SF
- Minimum Lot Width - 90' interior lot; 95' corner lot; 65' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curveradius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'B' Lots

- Minimum Lot Area - 11,000 SF
- Minimum Dwelling Unit Area – 2,200 SF
- Minimum Lot Width - 80' interior lot; 85' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'C' Lots

- Minimum Lot Area - 9,800 SF
- Minimum Dwelling Unit Area – 2,000 SF
- Minimum Lot Width - 70' interior lot; 75' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'D' Lots

- Minimum Lot Area - 9,000 SF
- Minimum Dwelling Unit Area – 1,850 SF
- Minimum Lot Width - 65' interior lot; 70' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 7.5'
- Minimum Side Yard (exterior on corner lots) - 10'
- Maximum Lot Coverage – 60%

Type 'E' Lots

- Minimum Lot Area - 7,000 SF
- Minimum Dwelling Unit Area – 1,750 SF
- Minimum Lot Width - 50' interior lot; 55' corner lot; 40' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 5'
- Minimum Side Yard (exterior on corner lots) - 10'
- Maximum Lot Coverage – 65%
- Garage Door Orientation or Placement – front-entry

For all Type 'A' 'B' 'C' 'D' and 'E' Lots

- Maximum Height - 2 stories for the main building; 1 story for accessory buildings without garages.
- Minimum Parking - 2 enclosed spaces per lot.

- Garage Door Orientation or Placement - no less than 65% of the dwellings that are not alley-loaded (rear entry) or Type E Lots, shall have garage doors served by side-entry or j-swing drives. All front-entry garages shall be 5' behind the front building façade.
- Garage Door Appearance - shall be carriage style and constructed of wood or metal/composite material made to have the appearance of wood.
- Maximum Garage Width - Garages for 85% of total dwellings shall not exceed 50% of the total width of the house; 15% of dwellings may have garages that constitute up to 60% of the total width of the house, to allow for 3-car garages.
- Minimum Roof Pitch - 8:12 with laminated 3-dimensional architectural shingles with a 30-year minimum.
- Minimum Number of Design Elements - Shall comply with the requirements applicable to SF3 zoning in Section 5.01, Exterior Construction Requirements of the City's Zoning Ordinance.
- Sidewalks – Shall comply with the requirements applicable to Section 3.5, Sidewalks, of the City's Zoning Ordinance as depicted in Exhibit C. As further depicted in Exhibit C, connectivity between the residential and commercial uses shall be in place along the collector and the primary entrance.
- Landscaping Requirements - Shall comply with the requirements applicable to SF3 zoning as provided in Section 5.04 of the City's Zoning Ordinance.
- Accessory Structures and Uses - Shall comply with the requirements applicable to accessory structures and uses in SF3 zoning.
- Masonry Exterior Construction - Shall comply with the requirements applicable to single-family residential use as provided in Section 5.01 of the City's Zoning Ordinance, specifically including but not limited to, a minimum of 75% masonry construction.

Type 'F' Lots - Detached Residential (Cottage) Development Standards

- Minimum Lot Area - 4,400 SF
- Minimum Lot Width - 40' interior lot; 45' corner lot
- Minimum Lot Depth - 110'
- Minimum Front Yard - 10'; 20' for lots without alleys
- Minimum Rear Yard - 20'; 10' for lots without alleys
- Minimum Side Yard (interior) - 5'
- Minimum Side Yard (exterior on corner lots) - 10'
- Maximum Lot Coverage - 70% by main and accessory buildings not including drives and walks.
- Maximum Height - Two (2) stories; 1 story for accessory buildings.
- Minimum Parking - 2 enclosed spaces per dwelling units, plus 0.45 space per dwelling unit for guests.
- Minimum Dwelling Unit Area - 1,450 SF
- Garage Door Orientation or Placement - On lots without alleys, no j-swing drives shall be required, and garages shall not be required to be 3 feet behind the front building face.
- Garage Door Appearance - shall be carriage style and constructed of wood or

metal/composite material made to have the appearance of wood.

- Maximum Garage Width – On lots without alleys, garages shall not exceed $\frac{2}{3}$ of the total width of the house. No width restriction on lots with alleys.
- Minimum Roof Pitch - 8:12 with laminated 3-dimensional architectural shingles with a 30-year minimum.
- Minimum Number of Elevations - No single building elevation shall be duplicated within 6 lots either direction on the same block face. Exhibit B depicts building elevations which are representative of the style and design of the homes to be constructed.
- Minimum Number of Design Elements - Shall comply with the requirements applicable to SF3 zoning in Section 5.01, Exterior Construction Requirements, of the City's Zoning Ordinance, specifically including but not limited to, a minimum of 75% masonry construction.
- Sidewalks – Shall comply with the requirements applicable to Section 3.5, Sidewalks, of the City's Zoning Ordinance as depicted in Exhibit C.
- Landscaping Requirements - Shall comply with the requirements applicable to SF3 zoning as provided in Section 5.04 of the City's Zoning Ordinance.
- Accessory Structures and Uses - Shall comply with the requirements applicable to accessory structures and uses in SF3 zoning.
- Masonry Exterior Construction - Shall comply with the requirements applicable to single-family residential use as provided in Section 5.01 of the City's Zoning Ordinance, specifically including but not limited to, a minimum of 75% masonry construction.

Screening and Buffer Requirements

- Along the 80' thoroughfare - shall be a 6' high masonry wall and a 10' wide landscape buffer with one 3" caliper tree every 40'.
- Between the General Retail and residential uses - shall comply with the requirements applicable to GR zoning in Section 5.03 of the City's Zoning Ordinance.

Commercial Development Standards

- The future retail, office or commercial development shall comply with the regulations applicable to General Retail (GR) District and also shall allow Dry Cleaning Establishment, Off-Site.
- Parking shall be provided as required by Section 4.03 of the City's Zoning Ordinance.
- Access to the retail area along the highway frontage road will comply with TxDOT guidelines and will require drive approach permits from TxDOT.
- To enhance cross access, a common access easement will be provided along most of the commercial lot frontage, where it is appropriate, parallel to the highway frontage road.
- Loading docks shall be screened from public right-of-way.
- Dumpsters shall be located and screened in compliance with the City's Zoning Ordinance requirements.
- Mechanical and electrical equipment shall be screened from public right-of-way.

- **Masonry Exterior Construction** - Shall comply with the requirements applicable to commercial uses as provided in Section 5.01 of the City's Zoning Ordinance, specifically including but not limited to, a minimum of 80% masonry construction.

Amenities or Improvements within Parks and Open Space:

- **Pockets parks / open space among the single-family residential lots -**
 - a. Shade trees, playground equipment and benches.
 - b. Trees and seasonal colors in the two open space areas that form the gateway from the 80' thoroughfare into the single-family residential lots.
- **Amenities Park** - shall have at least one (1) swimming pool and one (1) playground, plus a minimum of four (4) of the following amenities: trees, pool cabana, volleyball court, shade structures, picnic benches, grills.
- **Detention Areas** - Trees planted in clusters around the pond.

Signage - The proposed signage for the residential subdivision and non-residential uses shall comply with the Sign Regulations in Section 5.08 of the City's Zoning Ordinance.

Lighting - All proposed lighting shall comply with the Lighting and Glare Standards in Section 6.03 of the City's Zoning Ordinance.

Maintenance of Private Improvements and Common Areas

The developer will establish a mandatory Homeowner's Association (HOA) to be responsible for the maintenance of the private parks, amenities, landscaping, and common areas.

Traffic Patterns/Congestion

To alleviate vehicular congestion on U.S. Highway 287, developer will coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at southern entrance to Montclair Heights as well as fully funding the same. Further, to enhance ingress/egress, developer will cooperate fully with the adjacent property owner to the east to connect the proposed thoroughfare and provide enhanced access to F.M. 664/Ovilla Road.

PROPERTY DESCRIPTION:

BEING a tract of land situated in the William Irwin Survey, Abstract No. 545, and the William Irwin Survey, Abstract No. 546, and the D.S. Gentry Survey, Abstract No. 409, in Ellis County, Texas, being a portion of that same tract of land as conveyed to Carolyn J. Haman Family Limited Partnership, by deed recorded in Volume 1320, Page 58 of the Deed Records of Ellis County, Texas (D.R.E.C.T.), and being all together more particularly described by metes and bounds as follows (Bearings and distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD 83)(US Foot) with a combined scale factor of 1.000072449):

COMMENCING at a 1/2-inch rebar found for the Southwest corner of Lot 9 of Black Champ Estates, Phase 2, an addition to Ellis County, Texas, according to the Plat thereof recorded in Cabinet C, Page 169, of the Plat Records of Ellis County, Texas (P.R.E.C.T.), same being the Northwest Corner of Lot 10 of said Black Champ Estates, Phase 2, and lying on the East right-of-way line of Black Champ Road;

THENCE North 89 Degrees 16 Minutes 14 Seconds East, departing the East right-of-way line of said Black Champ Road, with the South line of said Lot 9, a distance of 824.46 feet to a point for the Southeast corner of said Lot 9, same being the Northeast corner of said Lot 10, same being the Northernmost Northwest corner of a Common Area of said Black Champ Estates, also being the Southwest corner of a tract of land conveyed to Jimmie W. and Erin S. Hallbauer, by deed recorded in Volume 2281, Page 2078 (D.R.E.C.T.);

THENCE North 88 Degrees 54 Minutes 14 Seconds East, with the North line of said Common Area, a distance of 342.26 feet to a 1/2-inch rebar with a cap stamped "ASC" set for the Northwest corner of the herein described tract, same being the Northeast corner of said Common Area, and the **POINT OF BEGINNING**;

THENCE North 89 Degrees 09 Minutes 00 Seconds East, with the North line of said Carolyn J. Haman Family Limited Partnership tract, a distance of 942.96 feet to a 1/2-inch rebar found for corner;

THENCE North 89 Degrees 38 Minutes 30 Seconds East, continuing with the North line of said Carolyn J. Haman Family Limited Partnership tract, a distance of 1337.47 feet to a point for the Southwest corner of Lot 2 of Marshall Road Estates, an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof recorded in Cabinet C, Page 647 (P.R.E.C.T.), same being the Southeast corner of a tract of land conveyed to Leo James, and Cynthia J. Hughes, by deed recorded in Instrument No. 1728155 (D.R.E.C.T.), from which a 1/2-inch rebar found for reference bears South 89 Degrees 17 Minutes 31 Seconds West, a distance of 2.72 feet;

THENCE North 88 Degrees 46 Minutes 39 Seconds East, with the South line of said Lot 2, a distance of 619.61 feet to a 1/2-inch rebar with a cap stamped "ASC" set for the Northeast corner of said Carolyn J. Haman Family Limited Partnership tract, same being the Northwest corner of a tract of land conveyed to Susan Morton Calvert, by deed recorded in Volume 1431, Page 829 (D.R.E.C.T.);

THENCE South 00 Degrees 29 Minutes 27 Seconds East, with the West line of said Calvert tract, also with the West line of Lot 2R, of Ellis County Youth Expo, an addition to the City of Waxahachie, according to the Plat thereof recorded in Cabinet G, Page 359 (P.R.E.C.T.), a total distance of 2560.93 feet to a wood right-of-way monument found for the Southeast corner of the herein described tract, and lying on the North right-of-way line of U.S. Highway No. 287 (variable width right-of-way.)

THENCE South 88 Degrees 55 Minutes 18 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, passing at a distance of 611.65 feet, a wood R.O.W. monument found, and continuing for a total distance of 1053.29 feet to a point for corner from which a wood R.O.W. monument found for corner bears North 79 Degrees 05 Minutes 01

(5)

Seconds West, a distance of 0.71 feet;

THENCE North 86 Degrees 30 Minutes 42 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, a distance of 501.60 feet to a wood R.O.W. monument found for corner;

THENCE South 88 Degrees 55 Minutes 18 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, a distance of 425.00 feet to a 1/2-inch rebar with a cap stamped "ASC" set for corner;

THENCE North 80 Degrees 34 Minutes 42 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, a distance of 1161.41 feet to point for corner from which a wood R.O.W. monument found bears North 71 Degrees 37 Minutes 16 Seconds East, a distance of 0.70 feet;

THENCE North 73 Degrees 06 Minutes 12 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, a distance of 354.46 feet to a 1/2-inch rebar with a cap stamped "ASC" set for the Southeast corner of Lot 18 of said Black Champ Estates, Phase 2;

THENCE departing the North right-of-way line of said U.S. Highway 287, with the East line of said Black Champ Estates, Phase 2, the following courses and distances to 1/2-inch rebar's with cap's stamped "ASC" set for corner:

North 19 Degrees 53 Minutes 42 Seconds West, a distance of 550.08 feet;

North 28 Degrees 43 Minutes 18 Seconds East, a distance of 377.39 feet;

North 21 Degrees 09 Minutes 18 Seconds East, a distance of 229.42 feet;

North 57 Degrees 37 Minutes 18 Seconds East, a distance of 173.26 feet;

North 57 Degrees 05 Minutes 18 Seconds East, a distance of 205.18 feet;

North 70 Degrees 03 Minutes 29 Seconds East, a distance of 137.90 feet;

North 45 Degrees 54 Minutes 16 Seconds East, a distance of 91.79 feet;

North 26 Degrees 18 Minutes 01 Seconds East, a distance of 45.92 feet;

North 66 Degrees 37 Minutes 36 Seconds West, a distance of 450.33 feet;

North 42 Degrees 43 Minutes 46 Seconds West, a distance of 203.87 feet;

North 89 Degrees 16 Minutes 14 Seconds East, a distance of 333.49 feet;

THENCE North 17 Degrees 16 Minutes 14 Seconds East, with the East line of said Common Area, a distance of 500.83 feet to the **POINT OF BEGINNING** and containing a total of 8,209,099 square feet, or 188.455 acres of land, more or less.

(5)

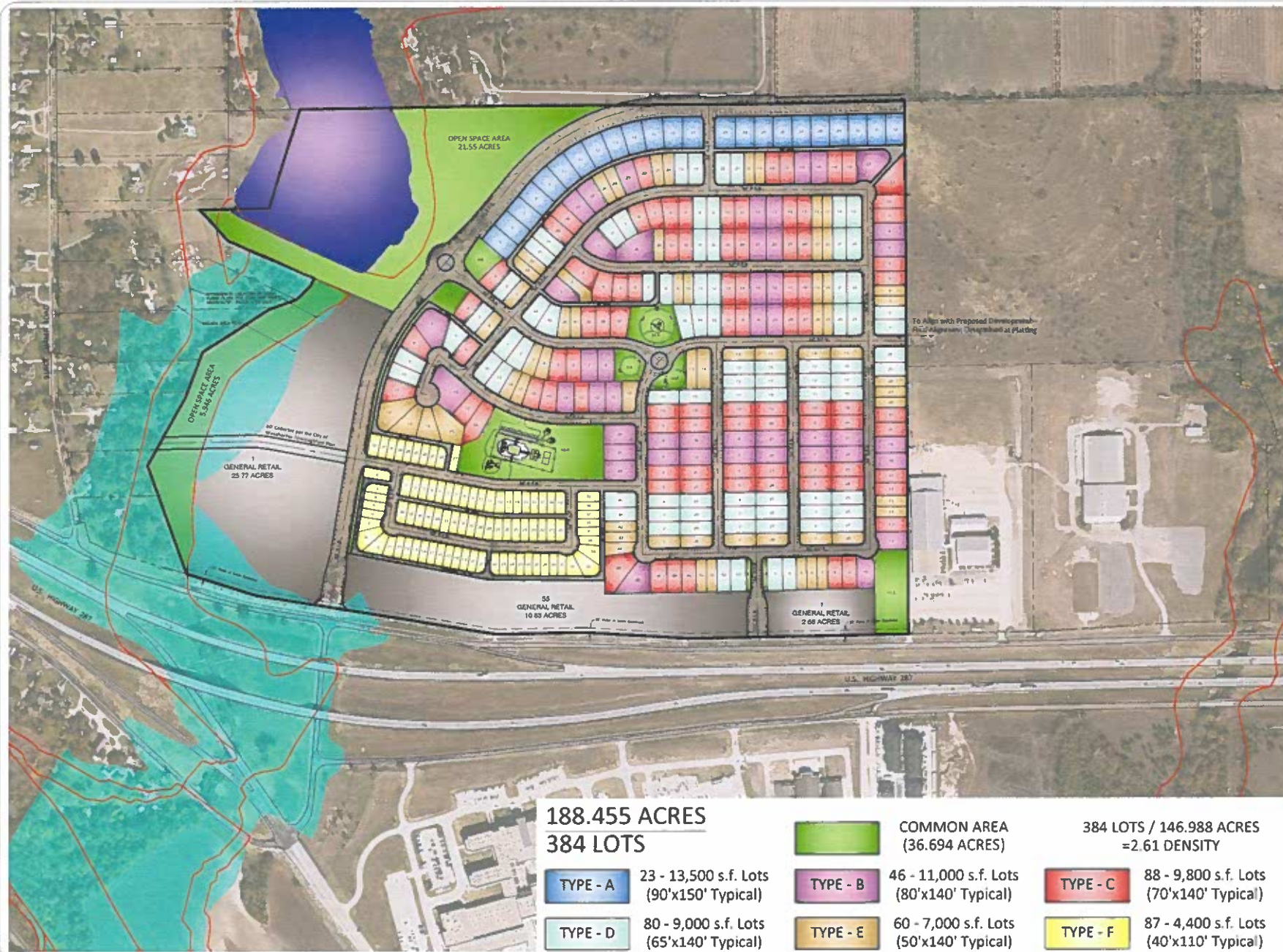
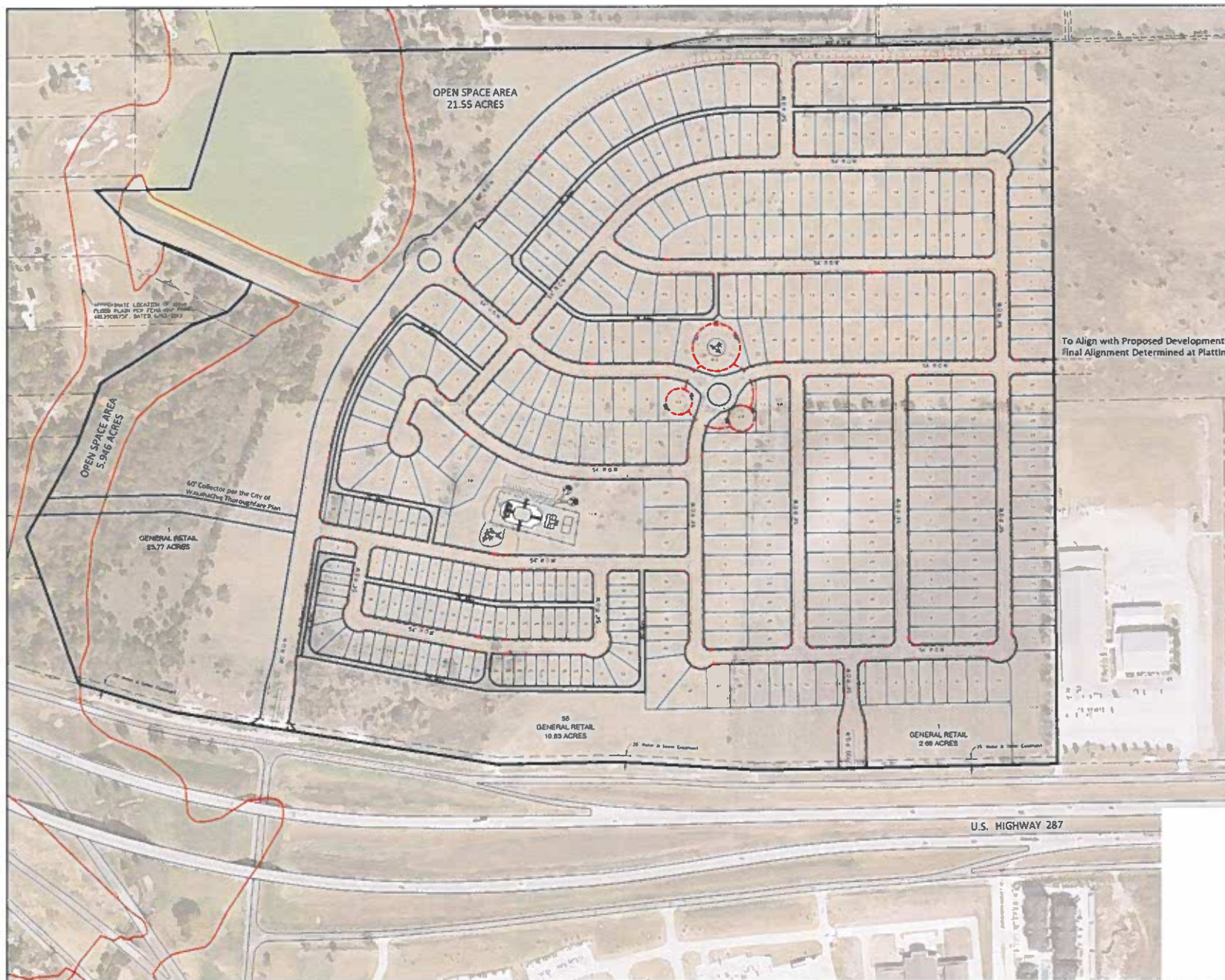


EXHIBIT - 'A'
ZDC-188-2021
MONTCLAIR HEIGHTS
CITY OF WAXAHACHIE, TEXAS



(5)



Denotes Pedestrian Sidewalks



EXHIBIT C
ZDC-188-2021
PEDESTRIAN SIDEWALK PLAN
MONTCLAIR HEIGHTS
188.455 ACRES SITUATED IN THE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
ENGINEERING CONCEPTS & DESIGN L.P.
ENGINEERING / SURVEYING / PROJECT MANAGEMENT
204 WOODCIRCLE DRIVE SUITE 100 WAXAHACHIE, TX 76096
(817) 841-8400

NOVEMBER 20, 2023

SHEET 1 OF 1

(5)

Mediterranean

Montclair Building Style Elevations

(5)

Mediterranean



(5)

Modern Farm



Craftsman

(5)



(5)

Contemporary



(5)

Tudor



Planning & Zoning Department

Zoning Staff Report

Case: ZDC-146-2021

(7)



MEETING DATE(S)

Planning & Zoning Commission: January 11, 2022 (continued from December 28, 2021)

City Council: January 18, 2022

CAPTION

Public Hearing on a request by Yomi and Siyanade Fayiga for a **Zoning Change** from a Future Development Zoning to **Planned Development-General Retail** zoning district, located along Broadhead Road, East of Robbie E. Howard Junior High School (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)

APPLICANT REQUEST

The applicant is requesting to rezone the subject property from Future Development to Planned Development-General Retail to allow for a Planned Development consisting of retail (front of property) and townhomes (rear of property).

CASE INFORMATION

Applicant: Yomi and Siyanade Fayiga

Property Owner(s): Equity Trust Company Custodian FBO

Site Acreage: 4.649 acres

Current Zoning: Future Development

Requested Zoning: Planned Development - General Retail

SUBJECT PROPERTY

General Location: Located along Broadhead Road, East of Robbie E. Howard Junior High School

Parcel ID Number(s): 178923

Existing Use: Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	SF1	Waxahachie Sports Complex
East	PD-GR	Knights of Columbus
South	PD-SF2	Buffalo Ridge Addition Ph. III
West	SF1	Robbie E. Howard Jr. High School

Future Land Use Plan: Public/Semi-Public

Comprehensive Plan: This land use category includes uses that are educational, governmental or institutional in nature. This type of land use is generally permitted within any area, therefore, only the current Public/Semi-Public uses are shown on the map.

Thoroughfare Plan: The subject property is accessible via Broadhead Rd.

Site Image:



PLANNING ANALYSIS

Applicant Request

The applicant is requesting to rezone the subject property from Future Development to Planned Development-General Retail to allow for a Planned Development consisting of retail (front of property) and townhomes (rear of property).

Proposed Use

The applicant is requesting approval for a Planned Development to accommodate development of a retail pad site (front of the property) and townhome lots (rear of the property) on 4.649 total acres located along Broadhead Road, east of Robbie E. Howard Junior High School. The townhomes within the development will consist of 21 townhome lots, with one main access being provided from Broadhead Rd. The townhomes will be individually owned, and 12 of the units (along east and west boundaries of the property) will be 3-story rear entry townhomes; while the remaining 9 units (2-story) along the rear of the property will be front entry. The development will also provide a connection to an existing hike/bike trail (adjacent to Robbie E. Howard Junior High School) in the rear of the development.

Changes since the November 23, 2021 Planning and Zoning MeetingTownhomes

- Reduced townhome lot count from 22 to 21
- Proposing 3-story townhomes along western (6 units) and eastern (6 units) boundaries of the property (*applicant originally proposed 2-story*)
- Rear entry lot sizes will be 2,500 sq. ft. (Front entry lots will remain 3,680 sq. ft.)
- Building Setbacks for the development shall be:
 - o Front Setback (Front Entry): 20 ft. (originally 15 ft.)
 - o Front Setback (Rear Entry): 10 ft. (originally no rear entry proposed)
 - o Side Setback: 10 ft.
 - o Rear Setback (Front Entry): 10 ft.
 - o Rear Setback (Rear Entry): 5 ft. (originally no rear entry proposed)

Landscaping

The applicant intends to meet the landscape requirements per the City of Waxahachie Zoning Ordinance. The applicant intends to include species such as Crepe Myrtle, Redbud trees, Yaupon holly, and Lantana and Irises within the development.

Building Design/Facade

The townhomes within the development is proposed to be primarily constructed of brick, stucco, and fiber cement cladding.

Conformance with the Comprehensive Plan:

The proposed development is consistent with the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- Growth Strategies – Goal 1: Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

STAFF CONCERNS/APPLICANT RESPONSES

At the November 23, 2021, Planning and Zoning meeting, staff discussed several concerns for the proposed development. Below is a list of the aforementioned staff concerns, as well as statements explaining how the applicant addressed the concerns.

Rear Alley Access

The applicant is proposing 12 of the 21 units to have rear alley access along the eastern and western boundaries of the property.

Open Space

The applicant has incorporated three (3) open spaces lots within the development.

Parking

There will be two (2) attached garages per unit. The applicant will also provide spaces for guests along the curb of the main drive.

Architectural Features/Development Transition

The applicant is providing an 8-foot-tall masonry screening wall and landscape buffer to help separate the townhomes from the retail portion within the development. Per the Elevation Concept Plan, the applicant has also incorporated windows and façade features along the side of the townhome structures that will face Broadhead Rd.

Turn Radius

Due to the applicant revising the layout of the lot, staff has no further concerns regarding the turn radius for the development.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **16** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff has received one (1) letter of support for the proposed development.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ **Approval, per the following comments:**
 1. A mutually agreed upon Development Agreement must be signed by staff and the applicant.
 2. A detailed site plan for the development be reviewed by City Council as well.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Planned Development Regulations
3. Concept Plan
4. Concept Elevation Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Director of Planning

jennifer.pruitt@waxahachie.com



(7)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-146-2021

◇◇◇◇◇

KALTERRA CAPITAL PARTNERS LLC
3710 RAWLINS ST STE 1390
DALLAS, TX 75219

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 12, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 18, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Yomi and Siyanade Fayiga for a **Zoning Change** from a Future Development Zoning to **Planned Development-General Retail** zoning district, located along Broadhead Road, East of Robbie E. Howard Junior High School (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: **ZDC-146-2021**


City Reference: 275562

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, October 5, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:



Signature

CLINT V. NOLEN

Printed Name and Title

9/30/21

Date
1701 N MARKET ST, STE 325
DALLAS, TX 75202

Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

WRITTEN EXHIBIT 1/3/2022**BROADHEAD ROAD DEVELOPMENT 4.649 ACRES.**

The Purpose and Intent of this Planned Development (PD) known as Broadhead Village is to allow for the development of a small residential community consisting of 21 individually owned townhomes fronted by a retail pad site. There is a shortage of affordable housing in North Texas and it is our intent to offer a unique elegant small neighborhood. The residential portion complies with the City of Waxahachie Townhome Standard.

- a. The planned development comprises two distinct uses:
 - 1. A commercial / retail tract about 1.0 acre with various optional uses compatible with a shared boundary with a school.
 - 2. A residential property comprising 21 upscale townhomes in 7 blocks of at least 3 units each. The townhomes will be individually owned and will not be rental properties. Some of the 12 rear-entry units may be 3 stories. The remaining 9 along the rear of the property will be front entry.

This development will involve the construction of a 50' ROW that meets all City of Waxahachie design and construction specifications. This includes sidewalks on both sides of the street. The rear entry units are served by 21' ROW alleys on either side of the development. The 50' ROW and the alleys will be adopted by the City of Waxahachie.

- b. Maximum Density 10 DU/Acre
- c. Lot size Front Entry 3680 SF; Rear Entry 2500 SF
- d. Lot Dimensions: Front Entry 32 x 115'; Rear Entry 25x100 48.8% coverage
- e. 2 Story buildings: 35' high; 3 Story buildings: 45' high
- f. Each townhome has attached 2 car garages; the Commercial pad site has been demonstrated to have adequate parking capacity for a variety of uses.
- g. Parking 2 attached garages per unit. Several parking spaces are available for guests on the curb of the main drive.
- h. Entrance and exit from Broadhead Road; The road is a 50' ROW including 5' sidewalks on both sides.
- i. Fence along the front-facing perimeter of lots 15 and 16 will be 8' masonry; the rest of the exterior fence will be 6' masonry. There will also be ornamental fencing along walkways and open spaces. Townhomes will have individually fenced backyards unless they are rear entry.

- j. N/A
- k. The development will have an elegant monument sign at the entry.
- l. Lighting as per Waxahachie ordinance
- m. Phasing and Scheduling: No Phasing. Once approved we plan to proceed with engineering design and construction; marketing and sale of retail pad site; Construction of townhomes.
- n. HOA will be established to manage common privately owned areas such as the fence, landscaping, open spaces, entrance monument sign, etc.

DESIGN CONSIDERATIONS:

1. FRONT ENTRY DESIGN

- a. This project was inspired by The Chase at Stonebriar – an upscale residential development consisting of front entry townhomes and single-family dwellings. (Sample photographs are available from the applicant.). The townhomes at The Chase are aesthetically pleasing and we intend to replicate that quality.

2. REAR ENTRY DESIGN

- a. Rear entry units have been added where possible to accommodate Staff and P and Z commissioners' concerns.

3. ELEVATION

- a. The exterior of the townhomes takes inspiration from French country design with brick /stone/ fiber cement cladding
- b. Proposed masonry % for the townhomes is a minimum of 75%
- c. The retail pad site development will complement the Townhome architectural design.

4. LANDSCAPE

- a. An arborist will be engaged to survey the lot which is full of trees and determine which of the existing trees can be salvaged to enhance the development.
- b. Landscape design will meet City of Waxahachie standards.
- c. Indigenous species such as Crepe Myrtle, Redbud trees; Yaupon holly; Lantana and Irises, will be incorporated into the landscape design.

5. AMENITIES

- a. There are 3 open space areas incorporated into the site layout.
- b. Broadhead Village shares a boundary with Waxahachie Sports Complex affording the residents access to a walking / jogging trail, recreational and sports facilities
- c. 5' sidewalks on either side of the roadway and lush landscaping.



CONCEPT PLAN



THIS PLAN IS PROVIDED SUBJECT TO CHANGES AND DISBURSE IN THE INFORMATION AND IS MODIFICATION WITHOUT NOTICE THE INFORMATION, SPECIFICATIONS, CONDITIONS AND/OR CELLULAR INFORMATION IN THIS PLAN MAY BE OBTAINED FROM DISBURSEMENTS BELONG TO BE AVAILABLE. HOWEVER, THIS PLAN MAY BE INCOMPLETE AND/OR INACCURATE AND NO REPRESENTATION OR WARRANTY, EXPRESSED OR IMPLIED, AS TO THE ACCURACY OR RELIABILITY REGARDING SUCH INFORMATION IS MADE BY THE OWNER OF THE PROJECT, PROPERTY MANAGER, OR ANY OF THEIR RESPECTIVE AFFILIATES, OFFICERS, OFFICIALS, EMPLOYEES OR AGENTS.

Broadhead Road WAXAHACHIE, TEXAS



architecture planning
1362 Camp Drive, Tempe, AZ 85284-4844
phone: 480 257-1000 fax: 480 257-1125
www.architecturalplanning.com

SCHEME
SP-14

(7)



elevation study 2 level unit



elevation study 3 level unit

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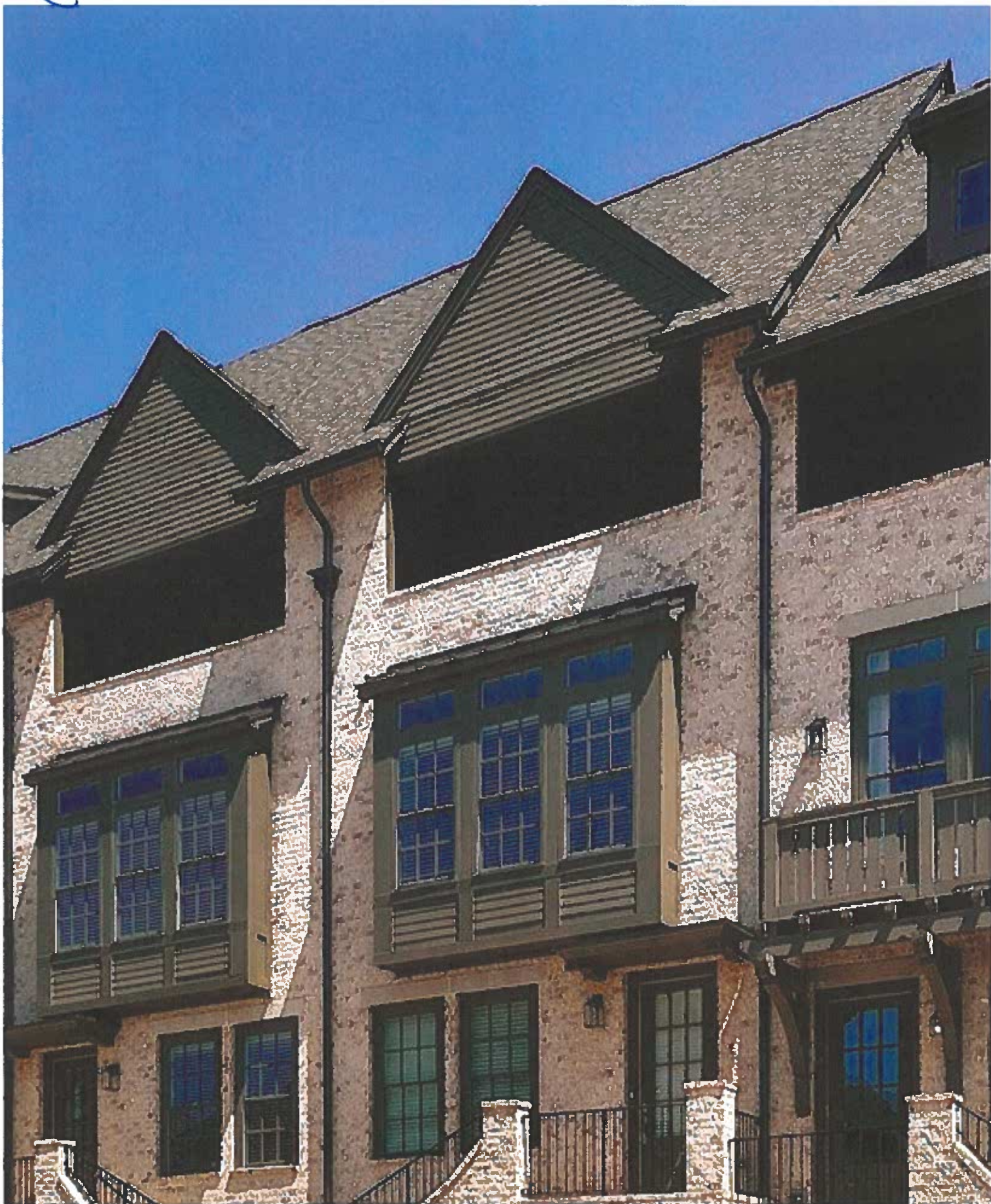
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