

# **AGENDA**

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, March 29, 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 March 15, 2022
  - b. Minutes of the Planning and Zoning Commission briefing of March 15, 2022
5. ***Public Hearing*** on a request by Marshall Wallis, for a Replat of Lot 7BR, Roe Estates, Phase Two, to create Lots 7BR1 & 7BR2, Roe Estates, Phase Two, 2 Residential Lots, being 3.46 acres, located at 3221 Blackchamp Road, (Property ID 264902) – Owner: CHRISTIE M & MARSHALL WALLIS (SUB-21-2022)
6. ***Consider*** approval of SUB-21-2022
7. ***Public Hearing*** on a request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-42-Commercial (PD-42-C) zoning district located East of Highway 77 and North of Country Meadows Blvd (Property ID 224192) - Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (ZDC-22-2022)
8. ***Consider*** recommendation of Zoning Change No. ZDC-22-2022

9. **Consider** request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a Plat of 7 Brews Addition, lots 1 & 2, Block A, 7 Brews Addition, being 0.597 acres, located East of Highway 77 and North of Country Meadows Blvd, situated in the Henry Levy Survey, Abstract 629, an addition to the City of Waxahachie (Property ID 224192) – Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (SUB-24-2022)
10. 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) 309-4006 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  
March 15, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, March 15, 2022 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  
David Hudgins  
Erik Test

Members Absent: Melissa Ballard, Vice Chairman  
Jim Phillips

Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Director of Planning  
Eleana Tuley, Senior Planner  
Ashlie Jones, Senior Planner  
Jami Bonner, Assistant City Secretary

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

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

3. **Public Comments**

Ira Tenpenny, 109 Rosa Street, Waxahachie, expressed concern in regards to accessory dwellings having a separate address from the main structure on a property. He requested staff to verify addresses exist according to ECAD prior to installing meters on accessory dwellings.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of March 1, 2022
- b. Minutes of the Planning and Zoning Commission briefing of March 1, 2022

**Action:**

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

5. **Public Hearing on a request by Natasha Harris, Heritage of Love Academy, for a Specific Use Permit (SUP) for a Child Daycare Center use within an Office (O) zoning district located at 3084 W Hwy 287 (Property ID 202589) - Owner: ELLIS COUNTY BAPTIST ASSOCIATION (ZDC-10-2022)**

Chairman Keeler announced the applicant requested to withdraw case number ZDC-10-2022.

6. **Consider recommendation of Zoning Change No. ZDC-10-2022**

No action taken.

7. **Consider request by Andrew Tweedie for a Plat of The Shire, lots 1 & 2, Block A, being 4.278 acres, located at 430 Angus Road, situated in the R.M. Wyatt Survey, Abstract 1318, and R.M. Wyatt Survey, Abstract 1323, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 209052) – Owner: ANDREW & ROBIN K TWEEDIE (SUB-8-2022)**

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to plat the subject property into two (2) lots for single family residential use. She noted adequate water flow for domestic services can be provided to the site; however, water flow and pressure for firefighting and fire suppression is not available per Buena Vista-Bethal SUD. Staff recommends approval per the following comment:

1. A revised version of the plat shall be provided to staff that includes a note stating the following: “NOTE: AT THE TIME OF PLAT APPROVAL, THIS DEVELOPMENT DOES NOT HAVE ADEQUATE WATER FLOW TO ALLOW FOR FIRE FIGHTING AND FIRE SUPPRESSION SERVICES TO ANY IMPROVED PROPERTIES.”

**Action:**

*Mr. David Hudgins moved to approve a request by Andrew Tweedie for a Plat of The Shire, lots 1 & 2, Block A, being 4.278 acres, located at 430 Angus Road, situated in the R.M. Wyatt Survey, Abstract 1318, and R.M. Wyatt Survey, Abstract 1323, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 209052) – Owner: ANDREW & ROBIN K TWEEDIE (SUB-8-2022) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.*

8. **Public Hearing on a request by Robert Fillingim for a Specific Use Permit (SUP) for an Accessory Structure equal to or greater than 700SF use within a Planned Development-23-Single Family-1 (PD-23-SF-1) zoning district located at 112 Homestead Ln (Property ID 269663) - Owner: ROBERT & VANESSA FILLINGIM (ZDC-19-2022)**

Chairman Keeler opened the Public Hearing.

Ms. Tuley presented the case noting the applicant is requesting to construct a +700 square foot accessory structure to the side and rear of a single family residential lot to be used as a personal workshop. Staff recommends approval per the following comments:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

There being no others to speak for or against ZDC-19-2022, Chairman Keeler closed the Public Hearing.

**9. Consider recommendation of Zoning Change No. ZDC-19-2022****Action:**

*Mr. Erik Test moved to approve a request by Robert Fillingim for a Specific Use Permit (SUP) for an Accessory Structure equal to or greater than 700SF use within a Planned Development-23-Single Family-1 (PD-23-SF-1) zoning district located at 112 Homestead Ln (Property ID 269663) - Owner: ROBERT & VANESSA FILLINGIM (ZDC-19-2022) per staff comments. Ms. Bonney Ramsey seconded, All Ayes.*

**10. Public Hearing on a request by Angela Glass for a Specific Use Permit (SUP) for an Accessory Structure equal to or greater than 700SF use within a Single Family-1 (SF1) zoning district located at 808 W Main St (Property ID 171906) - Owner: ROBERT V & ANGELA GLASS (ZDC-17-2022)**

Chairman Keeler opened the Public Hearing.

Ms. Tuley presented the case noting the applicant is requesting a specific use permit to construct a 952 square foot accessory structure on the rear portion of the single-family lot. She noted the subject property is a double frontage lot with the front façade of the primary structure facing West Main Street and the rear oriented towards Water Street. Staff recommends approval per the following comments:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

There being no others to speak for or against ZDC-17-2022, Chairman Keeler closed the Public Hearing.

**11. Consider recommendation of Zoning Change No. ZDC-17-2022****Action:**

*Mr. David Hudgins moved to approve a request by Angela Glass for a Specific Use Permit (SUP) for an Accessory Structure equal to or greater than 700SF use within a Single Family-1 (SF1) zoning district located at 808 W Main St (Property ID 171906) - Owner: ROBERT V & ANGELA GLASS (ZDC-17-2022) per staff comments. Ms. Bonney Ramsey seconded, All Ayes.*

**12. Adjourn**

Chairman Keeler welcomed new staff member Ashlie Jones, Senior Planner.

Mr. Hudgins shared his prayers and support for the people of Ukraine.

There being no further business, the meeting adjourned at 7:13 p.m.

(4a)

Planning and Zoning Commission  
March 15, 2022  
Page 4

Respectfully submitted,

Jami Bonner  
Assistant City Secretary

Planning and Zoning Commission  
March 15, 2022

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, March 15, 2022 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman  
Betty Square Coleman  
Bonney Ramsey  
David Hudgins

Members Absent: Melissa Ballard, Vice Chairman  
Jim Phillips  
Erik Test

Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Director of Planning  
Eleana Tuley, Senior Planner  
Ashlie Jones, Senior Planner  
Jami Bonner, Assistant City Secretary

**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**

Senior Planner Eleana Tuley reviewed the following cases:

- ZDC-10-2022, the applicant requested to withdraw the case.
- SUB-8-2022, the applicant is requesting to plat the subject property into two (2) lots for single family residential use. Staff recommends approval per staff comment requesting a revised version of the plat that includes a note stating the development does not have adequate water flow to allow for fire fighting and fire suppression services to any improved properties at the time of plat approval.
- ZDC-19-2022, the applicant is requesting to construct a +700 square foot (1,840 sq. ft.) accessory structure to the side and rear of a single family residential lot. Staff recommends approval per staff comments.
- ZDC-17-2022, the applicant is requesting a specific use permit to construct a 952 square foot accessory structure on the rear portion of the single-family lot. She noted the property is a double frontage lot with the front façade of the primary structure facing West Main St. and the rear oriented towards Water St. Staff recommends approval per staff comments.

**3. Adjourn**

There being no further business, the meeting adjourned at 6:36 p.m.

Respectfully submitted,

Jami Bonner  
Assistant City Secretary

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-21-2022



### MEETING DATE(S)

Planning & Zoning Commission: March 29, 2022

### CAPTION

**Public Hearing** on a request by Marshall Wallis, for a **Replat** of Lot 7BR, Roe Estates, Phase Two, to create Lots 7BR1 & 7BR2, Roe Estates, Phase Two, 2 Residential Lots, being 3.46 acres, located at 3221 Blackchamp Road, (Property ID 264902) – Owner: CHRISTIE M & MARSHALL WALLIS (SUB-21-2022)

### APPLICANT REQUEST

The applicant is requesting to replat an existing lot into two lots for single family uses.

### CASE INFORMATION

*Applicant:* Marshall Wallis

*Property Owner(s):* Marshall and Christie Wallis

*Site Acreage:* 3.463 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 1 unit

*Park Land Dedication:* The cash-in-lieu for park land dedication is \$400.00 (1 additional residential lot at \$400.00 per lot)

*Adequate Public Facilities:* Adequate Public Facilities are available to the subject property.

### SUBJECT PROPERTY

*General Location:* 3221 Black Champ Road Midlothian, TX 76065

*Parcel ID Number(s):* 264902

*Current Zoning:* SF-1

*Existing Use:* A single family home exists on the lot identified as Lot 7BR2.

*Platting History:* The subject property was platted in 2015 as Lot 7BR, Roe Estates, Phase II in 2015.



Site Aerial:



### **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:

### **ATTACHED EXHIBITS**

1. Replat

### **APPLICANT REQUIREMENTS**

1. If approved by the Planning and Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

### **CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

A plat shall not be filed with the Ellis County Clerk until:

1. The Applicant has paid the cash-in-lieu for park land dedication (\$400.00).

### **STAFF CONTACT INFORMATION**

*Prepared by:*

Eleana Tuley, AICP

Senior Planner

[eleana.tuley@waxahachie.com](mailto:eleana.tuley@waxahachie.com)

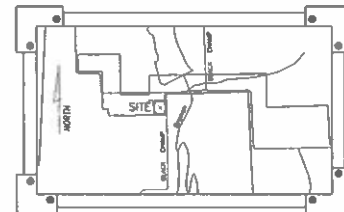
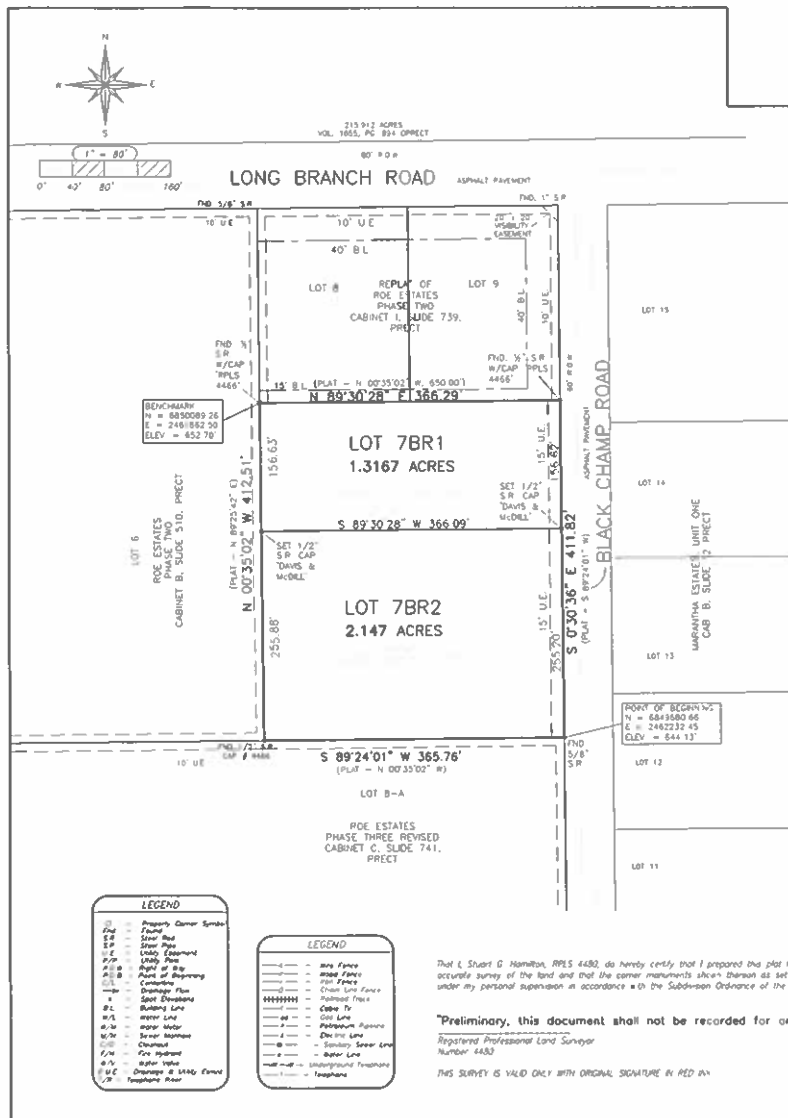
*Reviewed by:*

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

Senior Director of Planning

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

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LOCATION MAP SCALE : 1" = 2000'

NOTE:  
ALL PROPERTY AND LOT CORNERS ARE  
SET 1/4" STEEL RODS WITH PLASTIC CAP  
STAMPED "DWS & M-011" UNLESS  
OTHERWISE SPECIFIED ON THE PLAN

NOTE  
No 100 year Floodplain  
per FEMA FIRM Map #  
48139C0175F  
Zone E Unshaded

PROPERTY OWNERS.  
MARSHALL L & CHRISTIE W WALLIS  
3221 BLACK CHAMP ROAD  
MILOTHIAN TX US 76065-5752  
TELEPHONE NUMBER (972) 978-4464

REPLAT  
ROE ESTATES  
LOTS 7BR1 & 7BR2

3.463 Acres  
Being a Replat of LOT 7BR  
ROE ESTATES, PHASE II  
(Cabinet I, Slide 578 PRECT)  
An Addition in the City of Waxahachie, Ellis  
County, Texas  
[City Case No. SUB-21-2022]  
SF-2 ZONING  
2 Residential Lots

**Davis & McDill LLC**



Date 3/8/22  
Scale 1"=80'  
Drawn SH/DAM  
Job: 221-0185  
Sheet 1  
of 1 sheets

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STATE OF TEXAS §  
COUNTY OF ELLIS §

WHEREAS Mr. Marshall L. Walls and Christie M. Walls, are the owners of a tract of land being approximately 15086.3 square feet or 3.463 acres situated in the Wilborn N. Brown, Survey, Abstract Number 176, Ellis County, Texas and being Lot 7BR, Roe Estates Phase Two, according to the plat thereof recorded in Cabinet I, Slide 578, Plat Records, Ellis County, Texas, and being a part of the tract described in deed from Clark and Prefill Development Company to Marshall L. Walls and Christie M. Walls, recorded in Volume 1183, Page 65, Official Public Records, Ellis County, Texas;

FIELD NOTES  
LOT 7BR1 and LOT 7BR2, ROE ESTATES, CITY OF WAXAHACHIE, TEXAS

BEING Lot 7 BR, Roe Estates Phase Two, according to the plat thereof recorded in Cabinet I, Slide 578, Plat Records, Ellis County, Texas (PRECI), and being a part of the tract described in deed from Clark and Prefill Development Company to Marshall L. Walls and Christie M. Walls, recorded in Volume 1183, Page 65, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch steel rod, having coordinate values N = 6,849,680.66 feet and E = 2,462,232.45 feet as based on the Texas Coordinate System of 1983, (NAD 83) North Central Zone, found on the west right of way line of Black Champ Road, at the southwest corner of said Lot 7 BR and the northeast corner of Lot B-A, Roe Estates Phase Three, Revised, according to the plat thereof recorded in Cabinet C, Slide 741, PRECI.

THENCE S 89°24'01" W, with the common line of said Lot 7 BR and said Lot B-A, 365.76 feet to the southwest corner of said Lot 7 BR and the southeast corner of Lot 6, Roe Estates Phase Two, according to the plat thereof recorded in Cabinet B, Slide 510, PRECI;

THENCE N 00°30'02" W, with the common line of said Lot 6 and said Lot 7 BR, 412.51 feet to the northeast corner of said Lot 7 BR and the southwest corner of Lot 8 of Lot 8 & Lot 9, Roe Estates Phase Two, according to the plat thereof recorded in Cabinet I, Slide 739, PRECI, and continuing in all 368.29 feet to the northeast corner of said Lot 7 BR and the southeast corner of said Lot 9 on said Black Champ Road right of way line, a 1/2 inch steel rod, with plastic cap stamped "RPLS 4466" found.

THENCE S 89°30'26" W, with the common line of said Lot 8 and Lot 7 BR, passing the common south corner of said Lot 8 and Lot 9 of Roe Estates Phase Two, recorded in Cabinet I, Slide 739, PRECI, and continuing in all 368.29 feet to the northeast corner of said Lot 7 BR and the southeast corner of said Lot 9 on said Black Champ Road right of way line, a 1/2 inch steel rod, with plastic cap stamped "RPLS 4466" found.

THENCE S 00°30'36" E, with the common line of said Lot 7 BR and said Black Champ Road, 649.82 feet to the point of beginning and containing approximately 3.463 acres of land

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Marshall L. Walls and Christie M. Walls do hereby adopt this plat designating the herein above described property as LOT 7BR1 and LOT 7BR2, ROE ESTATES, CITY OF WAXAHACHIE, TEXAS, an addition to the City of Waxahachie, Texas, and does hereby dedicate in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, and use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By:

Marshall L. Walls

STATE OF TEXAS §  
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day, personally appeared Marshall L. Walls, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Texas

My Commission Expires On: \_\_\_\_\_

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By:

Christie M. Walls

STATE OF TEXAS §  
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day, personally appeared Christie M. Walls, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Texas

My Commission Expires On: \_\_\_\_\_

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By \_\_\_\_\_, 20\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_, 20\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS

That I, Stuart C. Hamilton, RPLS 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinances of the City of Waxahachie.

"Preliminary, this document shall not be recorded for any purpose."

Registered Professional Land Surveyor  
Number 4480

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK

REPLAT  
ROE ESTATES  
LOTS 7BR1 & 7BR2

3.463 Acres

Being a Replat of LOT 7BR  
ROE ESTATES, PHASE II

(Cabinet I, Slide 578 PRECI)

An Addition in the City of Waxahachie, Ellis County, Texas  
(City Case No. SUB-21-2022)

SF-2 ZONING  
2 Residential Lots

Davis & McDill LLC



Date 3/8/22  
Scale N/A  
Drawn SH/DAM  
Job 221-0185  
Sheet 2  
of 2 sheets

SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT  
P.O. BOX 420, WAXAHACHIE, TEXAS 75110  
PHONE 817-938-1415  
FAX 817-938-1416  
A Texas Licensed Surveying Firm # 10184881

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# Planning & Zoning Department

## Zoning Staff Report

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**Case: ZDC-22-2022**

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### **MEETING DATE(S)**

*Planning & Zoning Commission:* March 29, 2022

*City Council:* April 4, 2022

### **CAPTION**

**Public Hearing** on a request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-42-Commercial (PD-42-C) zoning district located East of Highway 77 and North of Country Meadows Blvd (Property ID 224192) - Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (ZDC-22-2022)

### **APPLICANT REQUEST**

The applicant is requesting approval of a Specific Use Permit (SUP) to allow a Drive-Through Establishment (7 Brew Coffee) on 0.597 acres.

### **CASE INFORMATION**

*Applicant:* Brandon Layman

*Property Owner(s):* Risser Estes & Kris Estes (Estes William C & Sally R Living Trust)

*Site Acreage:* 0.597 acres

*Current Zoning:* Planned Development-42-Commercial (PD-42-C)

*Requested Zoning:* PD-42-C with a Specific Use Permit for a Drive-Through Establishment

### **SUBJECT PROPERTY**

*General Location:* North of 1760 N US Highway 77, at the intersection of Country Meadows Blvd. and N US Highway 77.

*Parcel ID Number(s):* 224192

*Existing Use:* The subject property is currently undeveloped

*Development History:* N/A

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**Table 1: Adjoining Zoning and Uses**

Direction	Zoning	Current Use
North	PD-42-C	Undeveloped land
East	PD-42-C & PD	Legend Oaks Healthcare
South	PD-42-C	Tacos 4 Life Restaurant
West	C with SUP for Electronic Message Sign	Altus Emergency Room

*Future Land Use Plan:*

Retail

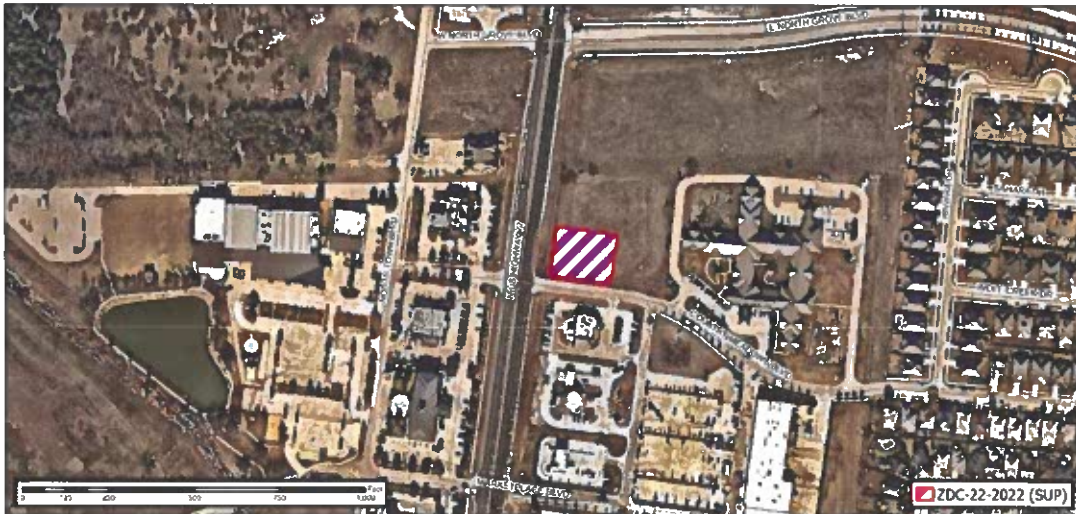
*Comprehensive Plan:*

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than do other types of nonresidential land use (e.g., office, commercial).

*Thoroughfare Plan:*

The subject property will front on N US Highway 77; but will be accessible via a private drive on Country Meadows Blvd.

*Site Image:*



## **PLANNING ANALYSIS**

### **Purpose of Request:**

The applicant is requesting approval of a Specific Use Permit (SUP) to allow a Drive-Through Establishment (7 Brew Coffee) on 0.597 acres. Per the City of Waxahachie Zoning Ordinance, the use of a Drive-Through Establishment within a Commercial zoning district requires a Specific Use Permit to be reviewed by City Council.

### **Proposed Use:**

#### **Operation**

Per the operational plan provided to staff, 7 Brew plans to operate a drive-through coffee shop located north of the intersection of Country Meadows Boulevard and Highway 77 (Parcel ID: 224192). 7 Brew intends to serve coffees, teas and frozen drinks. This store will have typical operational hours of 5:30am-10:00 Sundays through Thursdays and 5:30am-11:00pm on Fridays and Saturdays. 7 Brew anticipates having between 12 and 20 total employees for this location; with approximately 6 employees being present during any given shift.

Operation (continued)

The proposed 7 Brew Coffee location will include two (2) parallel drive through lines for beverage ordering and pickup. Seven Brew is proposing a strictly drive-through service with no indoor dining. Due to the lack of dining space, the building will have a footprint of 510 square feet. A single entrance is proposed for the site in the form of a private drive connecting to Country Meadows Boulevard. The private driveway location is proposed to align with the Tacos-4-Life driveway directly south of the subject property. Additionally, sidewalks are proposed along Highway 77 and Country Meadows Boulevard.

**Table 2: Proposed Development Standards (General Retail)**

Standard	City of Waxahachie	7 Brew Coffee	Meets Y/N
Min. Lot Area (Sq. Feet)	5,000	26,026	Yes
Min. Lot Width (Feet)	50	145.04	Yes
Min. Lot Depth (Feet)	100	179.42	Yes
Min. Front Yard (Feet)	25	25	Yes
Min. Side Yard (Feet)	15; 20 (ROW), 0 (Retail)	20	Yes
Min. Rear Yard (Feet)	20	20	Yes
Max. Height	3 stories	1 story	Yes
Max. Lot Coverage (%)	40%	~2.53%	Yes
Parking: Restaurant 1 space per 100 sq. feet	6 spaces	19 spaces	Yes

Landscaping

This property is subject to the landscaping requirements of Section 5.04 of the Waxahachie Zoning Ordinance. The applicant is proposing to meet or exceed all landscaping requirements for the site. Table 3 provides a summary of the landscaping for the development below. For further reference, please see the Landscape Plan exhibit attached to the end of this report.

**Table 3: Landscape Requirements**

Standard	City of Waxahachie	Starbucks	Meets Y/N
Area (Sq. Feet)	526	1,804	Yes
Trees	10	10	Yes
Street Trees	4	4	Yes

Building Design/Facade

The building is currently proposed to be constructed of primarily of brick, with metal accents and a metal roof. The applicant has also provided two alternative façade styles that incorporate stone and/or metal panel materials into the design. The proposed building elevations can be referenced in the exhibits below. Additionally, please note that light strips are proposed to be used on the edge of the awnings and roof of the "tower" on the building.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 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.

**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 will be required for the development.
  2. All necessary Building Permits will need to be issued by the City of Waxahachie Building and Community Services Department prior to construction on the site.

**ATTACHED EXHIBITS**

1. Site Plan
2. Landscape Plan
3. Elevation/Façade Plan Exhibits

**APPLICANT REQUIREMENTS**

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department following plat filing.

**STAFF CONTACT INFORMATION**

*Prepared by:*

Zack King

Planner

[zking@waxahachie.com](mailto:zking@waxahachie.com)

*Reviewed by:*

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Senior Director of Planning

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)




[illegible]

REVISION	BY

**HIGH TIDE  
CONSULTANTS LLC**  
434 N. COLUMBIA ST., SUITE 200A  
COVINGTON, LA 70423  
[www.hightidela.com](http://www.hightidela.com)




 Richard C. Gilmer  
 Governor  
 TEXAS FROM 1900 TO 2000  
 MARCH 22, 2002  
 STATE OF TEXAS  
 Duff Coates

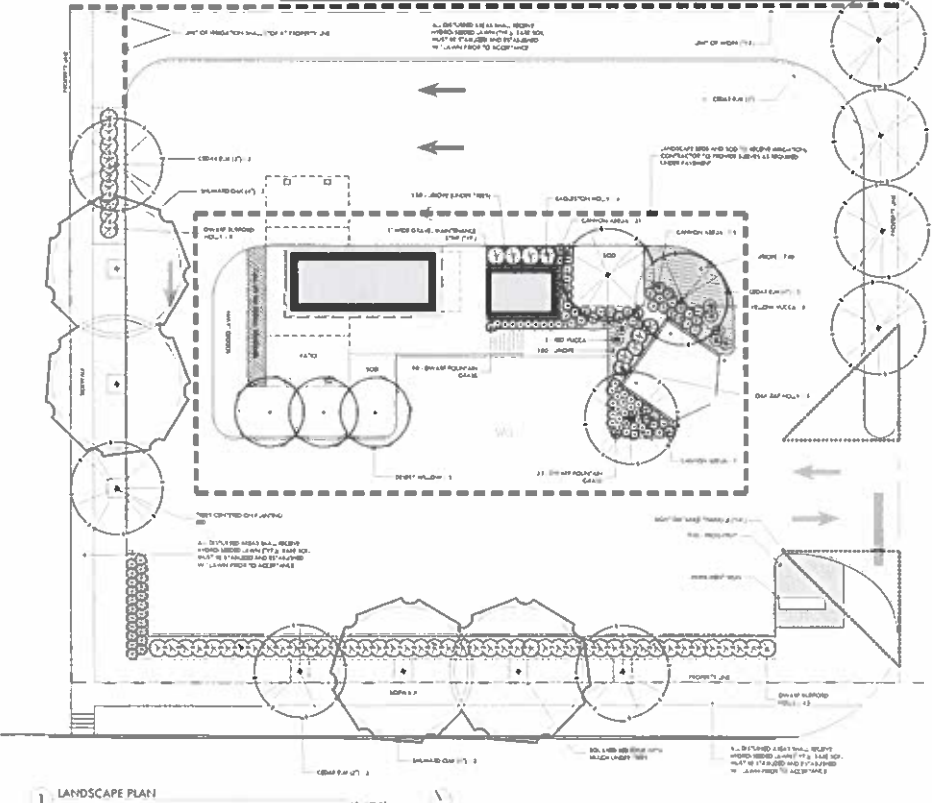
PROPOSED 7 BREW COFFEE  
WAXAHACHIE, TEXAS

C-1



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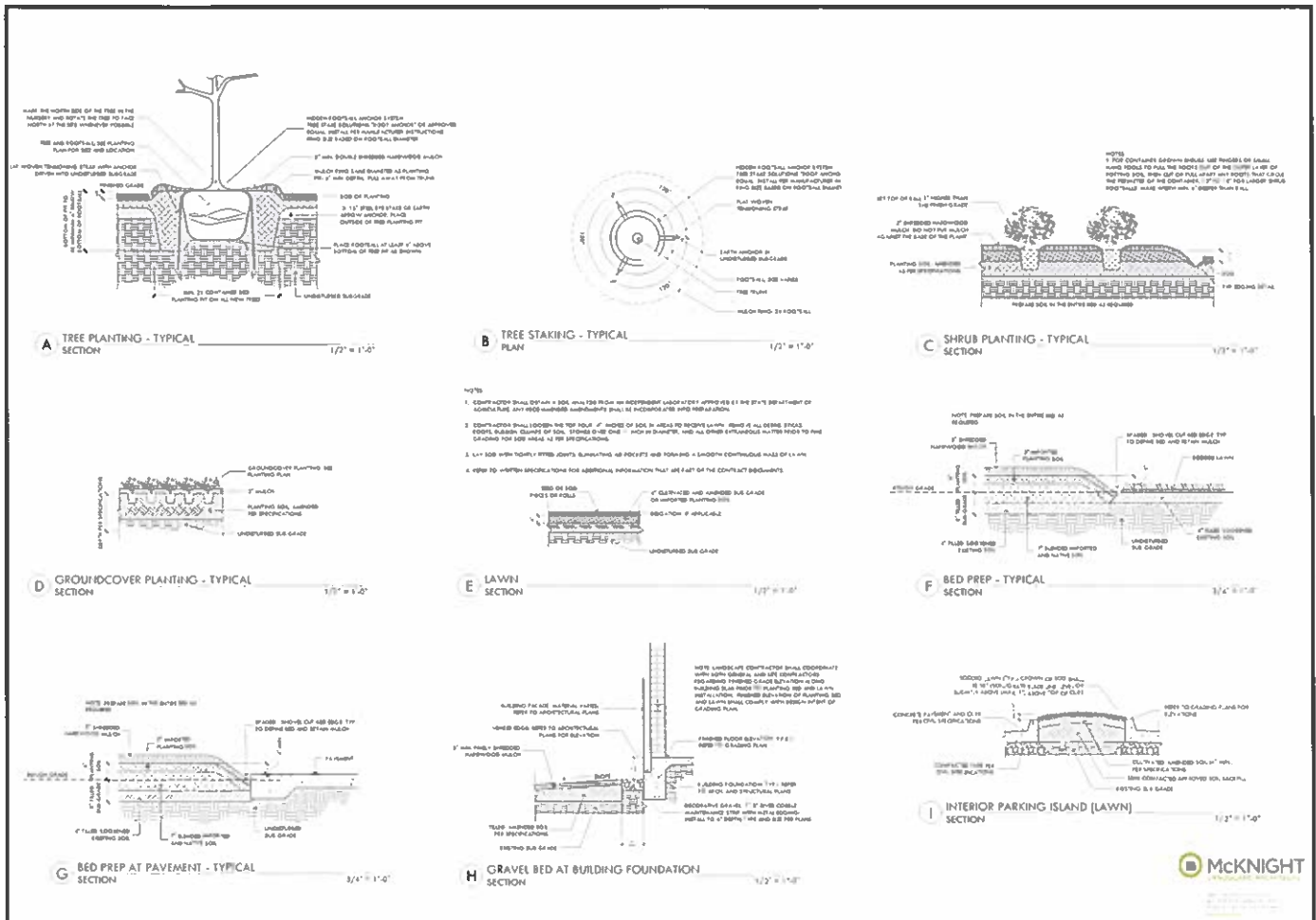
- NOTES:**
1. AUTOMATIC IRRIGATION SYSTEM (IF REQUIRED) SHALL BE PROVIDED BY CONTRACTOR ON A DESIGN-BUILD BASIS BY LICENSED TEXAS IRRIGATION DESIGNER, DESIGNED TO MEET STANDARDS OF LOCAL FLOOD DEPTHS FOR PRE-COVERAGE AND SYSTEM WATERIZATION. PLAN SHALL BE SUBMITTED AS A SHOP DRAWING FOR REVIEW BY LANDSCAPE ARCHITECT FOR GENERAL COVERAGE LIMITS.
  2. THE PROPERTY OWNER, TENANT, OR AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPING IN A HEALTHY, TREAT, ORDERLY, AND LIVE-GROWING CONDITION AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, IRRIGATION, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPING AREAS SHALL BE FREE OF TRASH, LITTER, WEEDS, AND OTHER SUCH MATERIALS NOT A PART OF THE LANDSCAPING. PLANT MATERIALS THAT DIE SHALL BE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND SIZE.



**LANDSCAPE ORDINANCE CALCULATIONS**

MANUFACTURED HOME OR DETACHED SINGLE-FAMILY RESIDENCE  
LOT 151115, 151116, 151117, 151118, 151119, 151120, 151121, 151122, 151123, 151124, 151125, 151126, 151127, 151128, 151129, 151130, 151131, 151132, 151133, 151134, 151135, 151136, 151137, 151138, 151139, 151140, 151141, 151142, 151143, 151144, 151145, 151146, 151147, 151148, 151149, 151150, 151151, 151152, 151153, 151154, 151155, 151156, 151157, 151158, 151159, 151160, 151161, 151162, 151163, 151164, 151165, 151166, 151167, 151168, 151169, 151170, 151171, 151172, 151173, 151174, 151175, 151176, 151177, 151178, 151179, 151180, 151181, 151182, 151183, 151184, 151185, 151186, 151187, 151188, 151189, 151190, 151191, 151192, 151193, 151194, 151195, 151196, 151197, 151198, 151199, 151200, 151201, 151202, 151203, 151204, 151205, 151206, 151207, 151208, 151209, 151210, 151211, 151212, 151213, 151214, 151215, 151216, 151217, 151218, 151219, 151220, 151221, 151222, 151223, 151224, 151225, 151226, 151227, 151228, 151229, 151230, 151231, 151232, 151233, 151234, 151235, 151236, 151237, 151238, 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(17)



REVISION	BY

**HIGH TIDE CONSULTANTS LLC**  
705 CANAL BOULEVARD  
THIBODAUX, LA 70301  
www.hightide.com

**PROPOSED / BREN COFFEE**  
WYANDHORE TEXAS

**McKNIGHT CONSULTANTS LLC**  
8300 DALLAS AVE. SUITE 300  
DALLAS, TX 75250

**L1.1**

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## Façade Option 1



7 BREW | CONCEPT RENDERINGS | OPTION 1 | WAXAHACHIE, TX | 03.03.22



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## Façade Option 1



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**Façade Option 1**



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Façade Option 1





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Façade Option 1



(7)

Façade Option 1





(7)

Façade Option 1



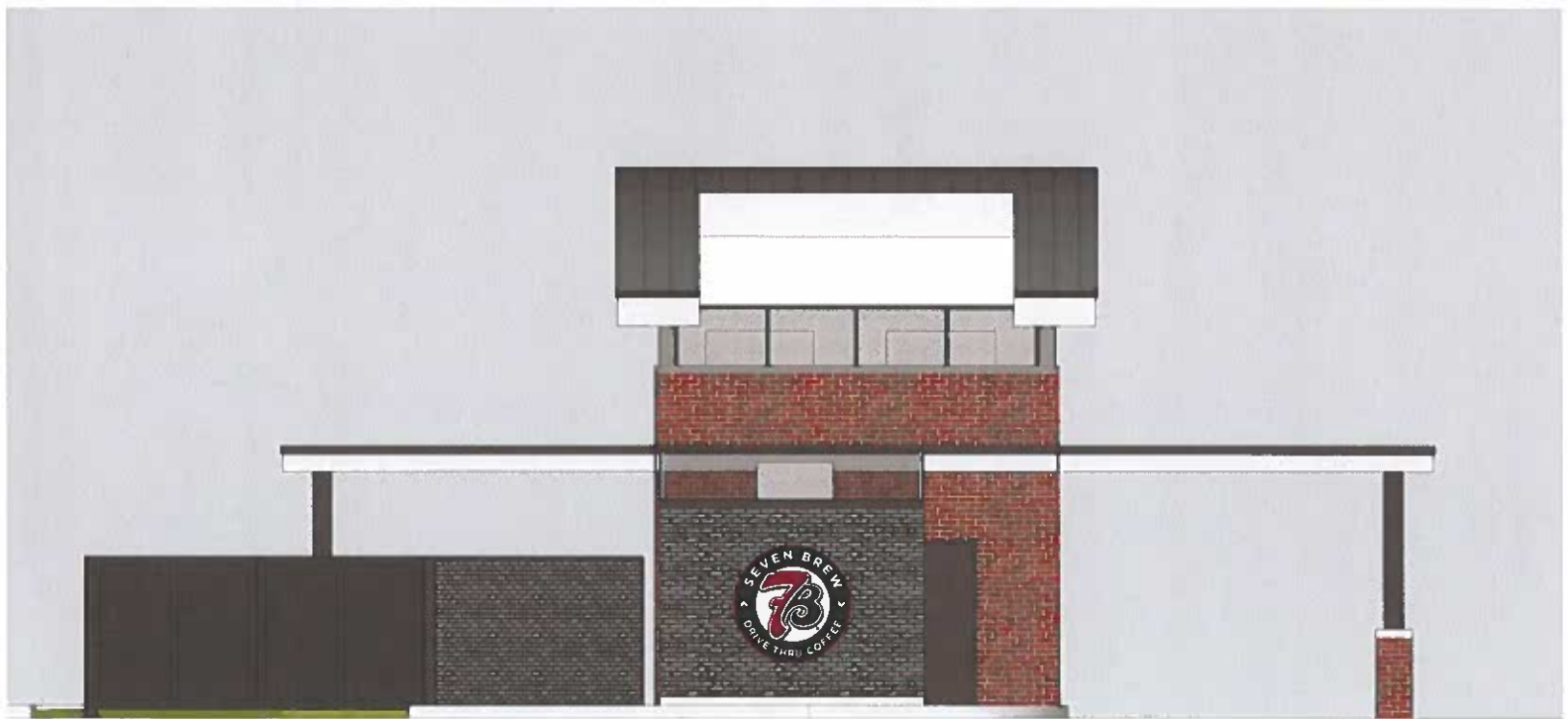
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## Façade Option 1



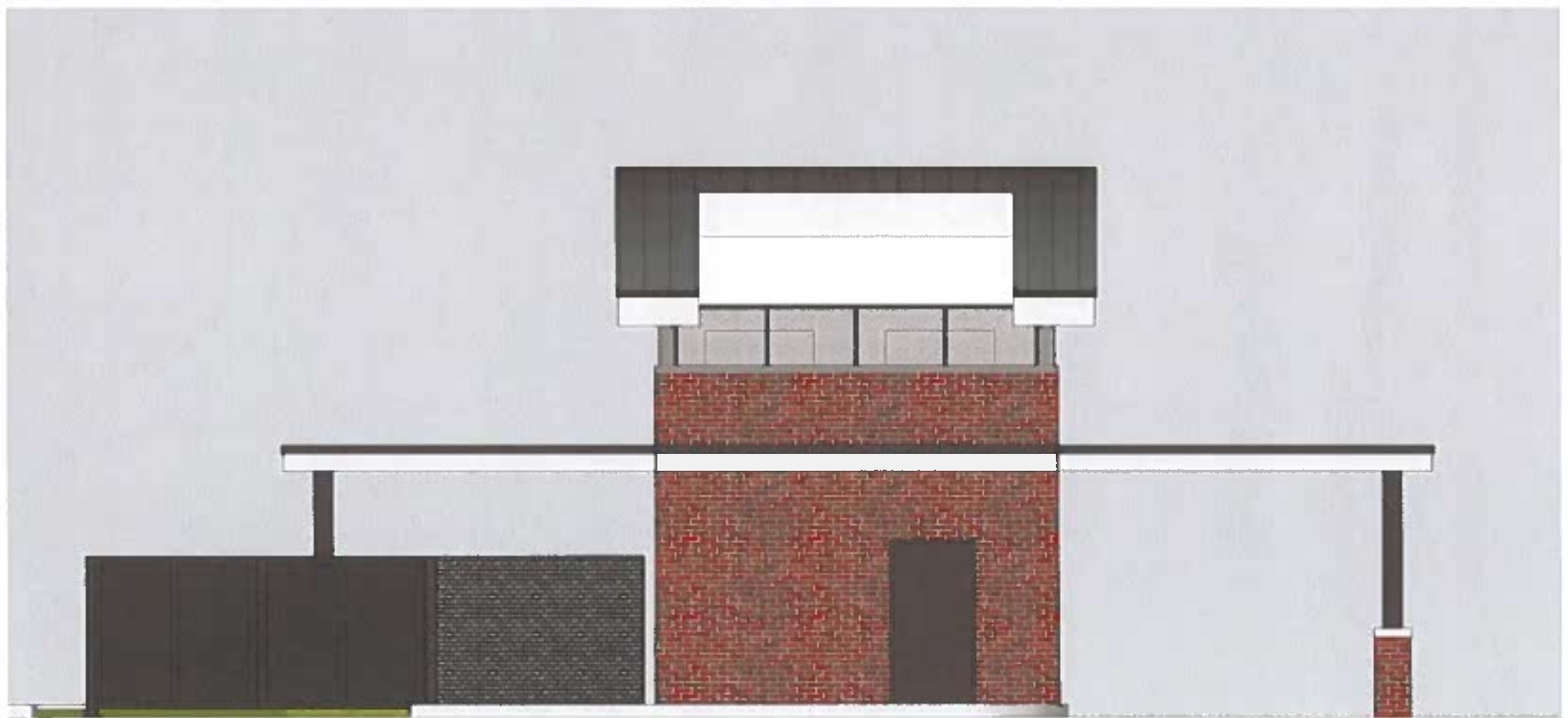
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## Façade Option 1



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**Façade Option 1**



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### Façade Option 1



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## Façade Option 2



7 BREW | CONCEPT RENDERINGS | OPTION 2 | WAXAHACHIE, TX | 03.03.22



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## Façade Option 2





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Façade Option 2





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Façade Option 2



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Façade Option 2



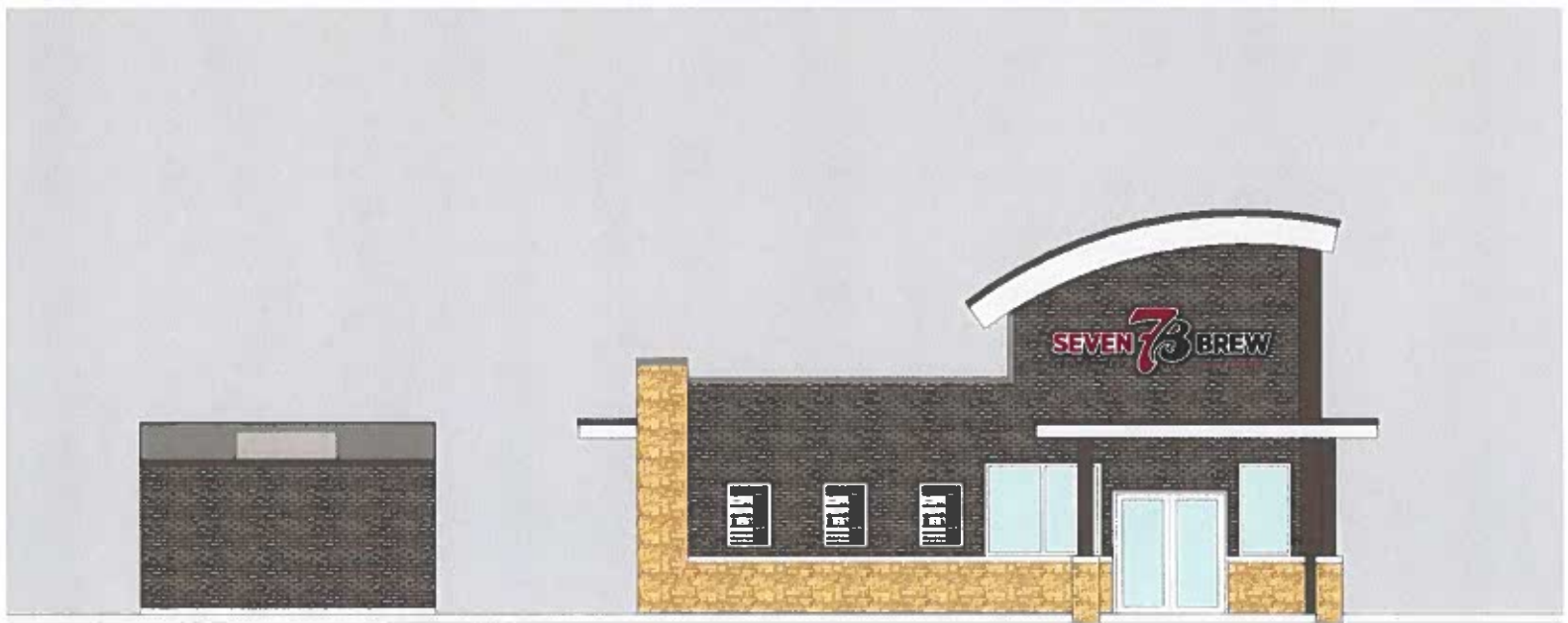
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Façade Option 2



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## Façade Option 2



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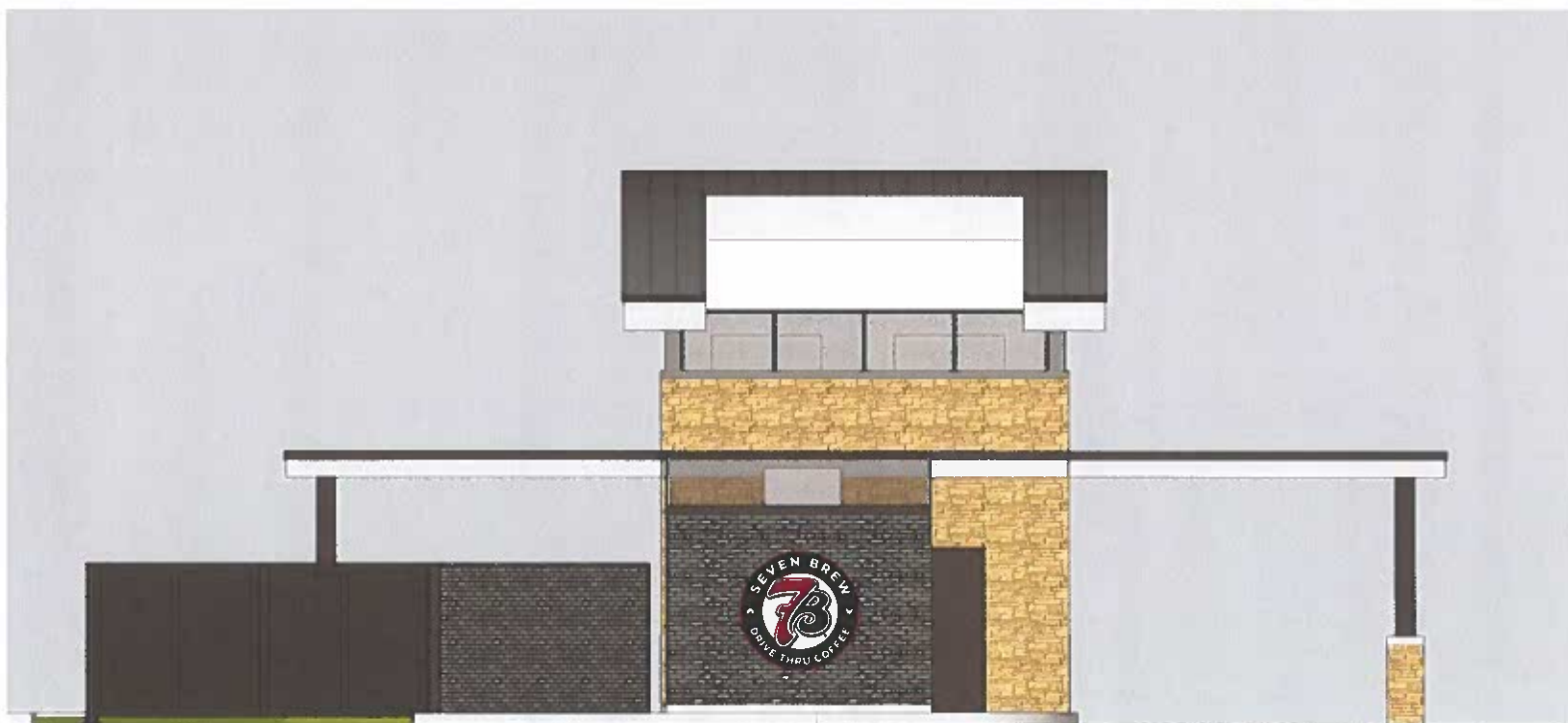
## Façade Option 2





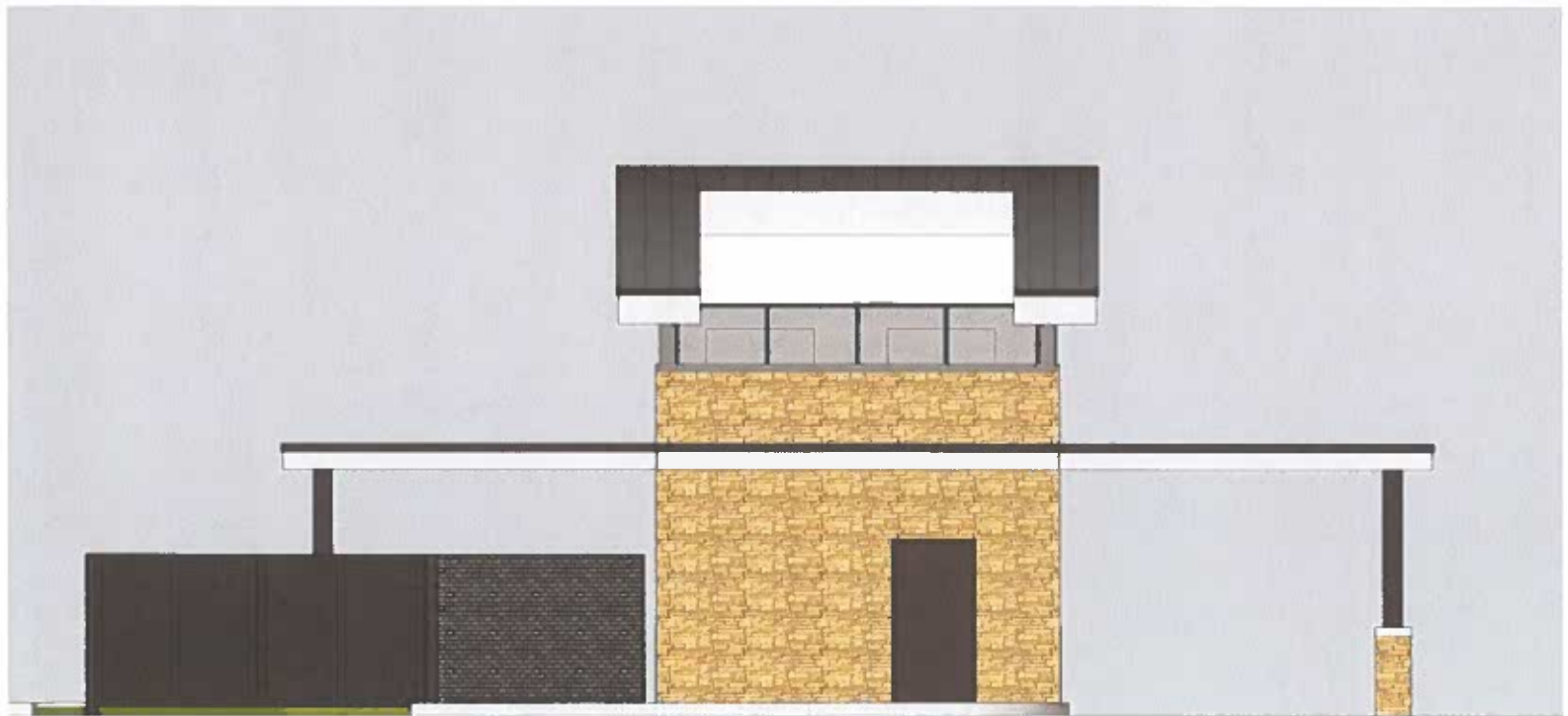
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## Façade Option 2



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## Façade Option 2



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## Façade Option 2





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### Façade Option 3



7 BREW | CONCEPT RENDERINGS | OPTION 3 | WAXAHACHIE, TX | 03.03.22



### Façade Option 3



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**Façade Option 3**



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Façade Option 3



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Façade Option 3





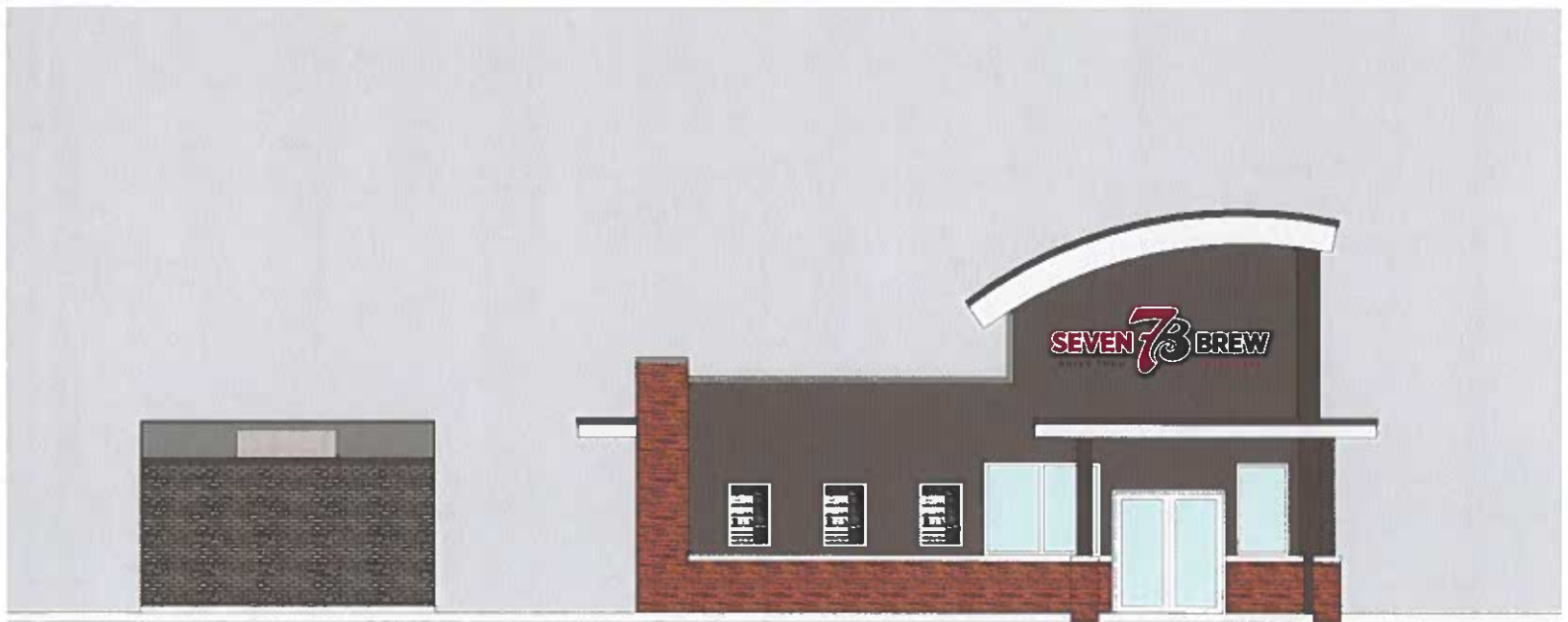
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Façade Option 3



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### Façade Option 3





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### Façade Option 3

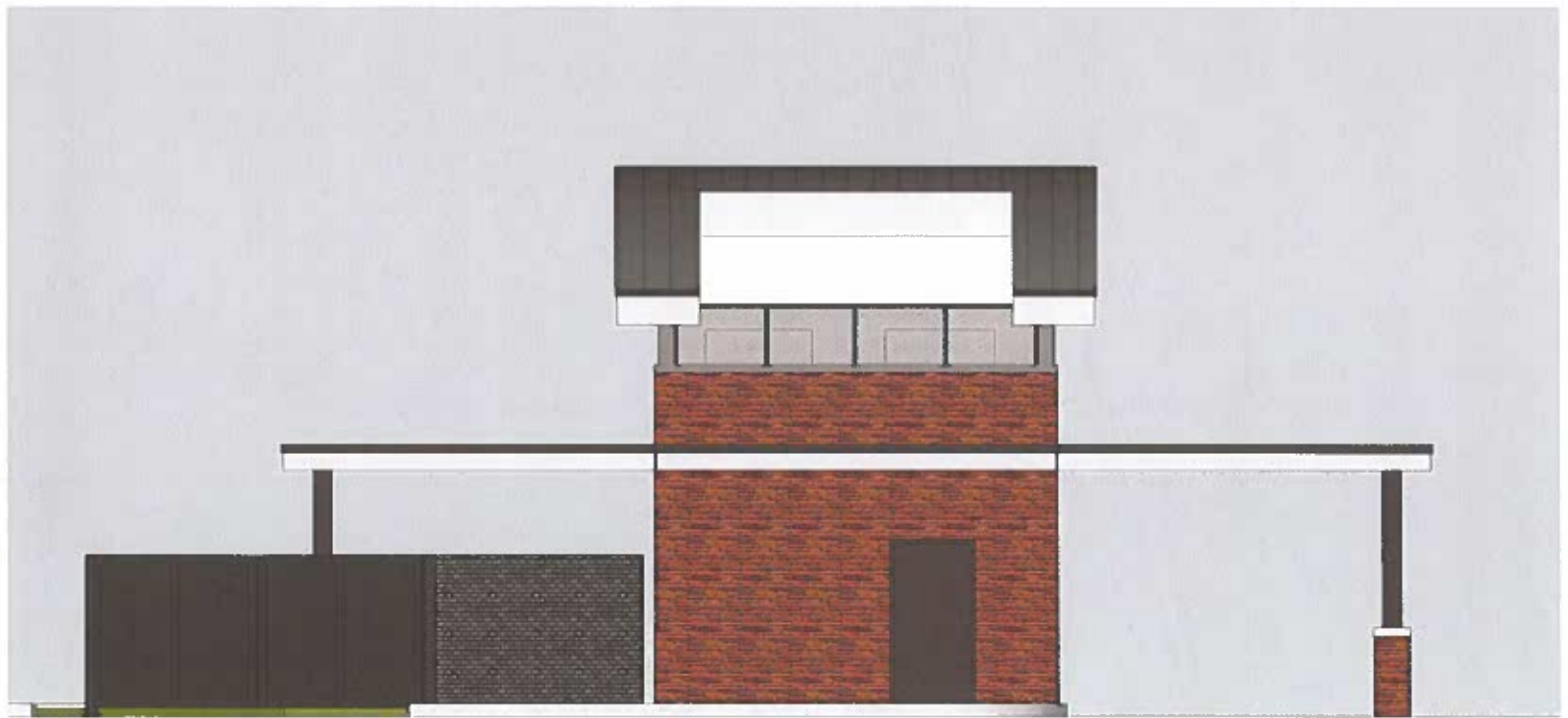


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### Façade Option 3



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# Planning & Zoning Department

## Plat Staff Report

Case: SUB-24-2022



### MEETING DATE(S)

Planning & Zoning Commission: March 29, 2022

### CAPTION

**Consider** request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a **Plat** of 7 Brews Addition, lots 1 & 2, Block A, 7 Brews Addition, being 0.597 acres, located East of Highway 77 and North of Country Meadows Blvd, situated in the Henry Levy Survey, Abstract 629, an addition to the City of Waxahachie (Property ID 224192) – Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (SUB-24-2022)

### APPLICANT REQUEST

The applicant is requesting to plat the subject property into one (1) lot for commercial use (Drive-through Coffee Shop)

### CASE INFORMATION

**Applicant:** Brandon Layman

**Property Owner(s):** Risser Estes & Kris Estes (Estes William C & Sally R Living Trust)

**Site Acreage:** 0.597 acres

**Number of Lots:** 2 lots

**Number of Dwelling Units:** 0 units

**Park Land Dedication:** The cash in lieu of park land dedication is \$1,467.60 (2.446 acres at \$600.00 per acre.)

**Adequate Public Facilities:** Adequate public facilities are available to the site.

### SUBJECT PROPERTY

**General Location:** North of 1760 N US Highway 77, at the intersection of Country Meadows Blvd. and N US Highway 77.

**Parcel ID Number(s):** 224192

**Current Zoning:** Planned Development-42-Commercial (PD-42-C)

**Existing Use:** The subject property is currently undeveloped.

**Platting History:** The subject property is currently part of the H. Levy Survey, Abstract 629.

Site Aerial:



### **PLATTING ANALYSIS**

The applicant is proposing to plat the subject property into two (2) lot for commercial use. Lot 1 is proposed to be used for a drive-through coffee shop (7 Brew Coffee). There are no specific developments currently under consideration for Lot 2. The applicant is proposing to create a mutual access easement with this plat to allow for the construction and use of a private drive connecting to Country Meadows Boulevard. Portions of this mutual access easement are located on each proposed lot.

Additionally, the applicant is proposing to create a 10' drainage easement with this plat to facilitate excess water flow from Lot 1 to existing drainage infrastructure on Lot 2. In order to ensure effective drainage is maintained on Lot 1, the City of Waxahachie Public Works Department has asked for a letter of intent from the property owner stating that appropriate drainage facilities for Lot 1 will be maintained or reconfigured as necessary when Lot 2 is developed. The applicant has stated their intent to provide this letter; however, only a draft has been provided to staff at the time of this report.

The proposed lot layout meets or exceeds all base Commercial Zoning Standards as well as all standards set forth by the Planned Development regulations for the property. Adequate sewer and water facilities are available to the site along Country Meadows Blvd. and N US Highway 77.

### **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, per the following comments:
  1. Due to uncertainty regarding future development of Lot 2, the City of Waxahachie Public Works Department has asked for a letter of intent from the property owner stating that appropriate drainage facilities for Lot 1 will be maintained or reconfigured as necessary when Lot 2 is developed. The applicant shall provide this letter to staff prior to plat filing.

### **ATTACHED EXHIBITS**

1. Plat

**APPLICANT REQUIREMENTS**

1. If approved by Planning & Zoning Commission, 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 the applicant will be notified to make corrections.
  - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

**STAFF CONTACT INFORMATION**

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