A GENDA

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday*, *July* 11, 2023 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 David Hudgins

Erik Test Ron Ansell

- 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. *Consider* minutes of the regular Planning & Zoning Commission meeting of June 27, 2023
- 5. **Public Hearing** on a request by Steve Meier, Turcotte Development, for a Specific Use Permit (SUP) for a Heavy Equipment Rental and Sales use within a Commercial (C) zoning district located at 2021 Corporate Parkway (Property ID 273978) Owner: LEDBETTER REAL ESTATE, LTD (ZDC-24-2023) Staff: Eleana Tuley
- 6. *Consider* recommendation of Zoning Change No. ZDC-24-2023
- 7. *Consider* a request by Stephen Dial, STV Inc, for a Plat of Ellis County JP2, Lot 1, Block 1, being 4.245 acres, located approximately 2,000 feet northwest of 2541 W US Highway 287 Business, situated in the William J. Boyd Survey, Abstract 109, an addition to the City of Waxahachie and in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 290705) Owner: ELLIS COUNTY, TEXAS (SUB-45-2023) Staff: Zack King
- 8. **Public Hearing** on a request by Mahendra Kandepu, Lillian Custom Homes, for an Amendment to Ordinance No. 3105, to allow for a revised site plan and development standards within an approved Planned Development located at the intersection of Vermont Street and Parks School House Road (Property ID: 226116) Owner: FALCON'S LANDING A SERIES OF EIS DEVELOPMENT II LLC (ZDC-153-2022) Staff: Zack King
- 9. *Consider* recommendation of Zoning Change No. ZDC-153-2022

- 10. *Consider* a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat of Moody 2, Lot 1, Block A, being 1.139 acres, located at 630 Boyce Road, situated in the S. Peters Survey, Abstract No. 831, an addition in the Extraterritorial Jurisdiction of the City of Waxahachie (Property ID 189308) Owner: TONY & DEBRA MOODY (SUB-12-2023) Staff: Eleana Tuley
- 11. *Consider* a request by Serena Moir, for a Replat of Lots 1R and 1A-R, Cockerham Estates and a 20.33 acre tract of land in the Charles Green Survey, Abstract No. 922 and the M.V.B Rhodes Survey, Abstract No. 950, to create Lot 1R2, 1R3, and 3, Cockerham Estates, 3 Residential Lots, being 42.770 acres, located at 4110 FM 66, in the Extraterritorial Jurisdiction (Property ID 209024, 239265, and 239266) Owner: SERENA & JAMES MOIR AND MICHELLE RIDER (SUB-49-2023) Staff: Eleana Tuley
- 12. *Consider* a request by Claudio Segovia, Johnson Volk Consulting, Inc., for a Replat of Lot 2, Block A, Commons at North Grove, 3 lots, being 3.001 acres, located across from 507 Country Meadows Blvd., (Property ID 290825) Owner: KOTHA HOLDINGS GROUP, LLC (SUB-68-2023) Staff: Eleana Tuley
- 13. **Public Hearing** on a request by Jake Fears, JHF Engineering, for a Specific Use Permit (SUP) for a restaurant with a drive-through use within a General Retail (GR) and Light Industrial-1 (LI-1) zoning district located at 1995 North Highway 77 (Property ID 262424) Owner: C&C WAXAHACHIE, LLC (ZDC-4-2023) Staff: Eleana Tuley
- 14. *Consider* recommendation of Zoning Change No. ZDC-4-2023
- 15. **Public Hearing** on a request by James Dixon, Dixon & Associates, for a Specific Use Permit (SUP) for an Accessory Building (Residential), Greater than or Equal to 700 Square Feet use within the Single-Family Dwelling-2 (SF2) zoning district located at 149 Country Drive (Property ID: 203065) Owners: NICHOLAS AND MARIA SIERRA (ZDC-48-2023) Staff: Oanh Vu
- 16. *Consider* recommendation of Zoning Change No. ZDC-48-2023
- 17. Adjourn

The Planning and Zoning Commission reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. 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 June 27, 2023

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, June 27, 2023 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Melissa Ballard, Vice Chairman

Bonney Ramsey
David Hudgins
Erik Test
Ron Ansell

Members Absent: Rick Keeler, Chairman

Betty Square Coleman

Others Present: Jennifer Pruitt, Senior Director of Planning

Oanh Vu, Planner

Amber Villarreal, City Secretary Chris Wright, Council Representative

1. Call to Order

2. Invocation

Vice Chairman Melissa Ballard called the meeting to order. Ron Ansell gave the invocation.

3. Public Comments

Michael McCorkle, 171 Willow Run, Waxahachie, Texas, requested an ordinance regulating short term rentals due to issues at 159 Willow Run. He noted a new owner recently purchased the home and issues began when the owner started renting out the residential home for short-term rental use. Mr. McCorkle cited numerous issues at the property and requested an ordinance prohibiting short-term rentals in residential neighborhoods.

4. Consider minutes of the regular Planning & Zoning Commission meeting of June 13, 2023 and the City Council and Planning and Zoning Commission Joint Work Session of June 13, 2023

Action:

Bonney Ramsey moved to approve the minutes of the regular Planning & Zoning Commission meeting of June 13, 2023 and the City Council and Planning and Zoning Commission Joint Work Session of June 13, 2023. Erik Test seconded, All Ayes.

5. Consider a request by Ellis County Coalition for Health Options, Inc. DBA Hope Clinic, for a Replat of Lot 3, Block A of the City of Waxahachie Public Safety Campus addition, 4 commercial lots, being 27.445 acres, located adjacent to 632 Farley Street, (Property ID: 273695, 297103, 297104, & 297105) Owner: CITY OF WAXAHACHIE & ELLIS COUNTY COALITION FOR HEALTH OPTIONS, INC. DBA HOPE CLINIC (SUB-66-2023) Staff: Zack King

Jennifer Pruitt, Senior Director of Planning, presented the case noting the applicant proposes to Replat the subject property into four (4) lots. The proposed lots adhere to the minimum lot size



Planning and Zoning Commission June 27, 2023 Page 2

and dimension standards required by the zoning for the property. As part of the Replat, the applicant proposes to provide right-of-way (ROW) dedication for Farley Street per the Waxahachie Thoroughfare Plan. Based on the details provided in the Staff Report and the present status of the documents subject to the request, staff recommends approval of the Replat.

Action:

David Hudgins moved to approve SUB-66-2023, a Replat of Lot 3, Block A of the City of Waxahachie Public Safety Campus, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Ron Ansell seconded, All Ayes.

6. Adjourn

Bonney Ramsey announced the Crape Myrtle Festival will be held July 3-4, 2023 and encouraged everyone to attend.

Chris Wright announced short-term rentals will be discussed at the June 29, 2023 City Council Work Session.

There being no further business, the meeting adjourned at 7:08 p.m.

Respectfully submitted,

Amber Villarreal City Secretary

(5+6)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Albert Lawrence, Deputy City Manager

Date: July 4, 2023

Re: ZDC-24-2023 – Turcotte Heavy Equipment Rental and Sales

On June 29, 2023, the applicant requested to withdraw this application from the July 11, 2023, Planning and Zoning and the July 17, 2023, City Council meeting.

Planning & Zoning Department Plat Staff Report

Case: SUB-45-2023



Planning & Zoning Commission:

July 11, 2023

CAPTION

Consider request by Stephen Dial, STV Inc, for a Plat of Ellis County JP2, Lot 1, Block 1, being 4.245 acres, located approximately 2,000 feet northwest of 2541 W US Highway 287 Business, situated in the William J. Boyd Survey, Abstract 109, an addition to the City of Waxahachie and in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 290705) – Owner: Ellis County, Texas (SUB-45-2023) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-45-2023, a Plat of Ellis County JP2, Lot 1, Block 1, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to plat the subject property into one (1) commercial lot.

CASE INFORMATION

Applicant:

Stephen Dial, STV Inc.

Property Owner(s):

Ellis County, Texas

Site Acreage:

4.245 acres

Number of Lots:

1 lot

Number of Dwelling Units:

0 units

Park Land Dedication:

In lieu of parkland, the applicant has proposed to dedicate an additional 15' regional trail easement to extend the regional

Waxahachie-Midlothian trail.

Adequate Public Facilities:

Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:

Approximately 2,000 feet northwest of 2541 W US Highway 287

Business

Parcel ID Number(s):

290705

Current Zoning:

General Retail (GR)

Existing Use:

The subject property is currently undeveloped.

Platting History:

The subject property is a portion of the William J. Boyd Survey,

Abstract 109.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to plat the subject property into one (1) commercial lot. The proposed plat includes a 10' right-way-way (ROW) dedication along US 287 Business, in conformance with the City of Waxahachie Thoroughfare Plan. A portion of the subject property is located outside of the Waxahachie city limits. However, Ellis County has elected to waive their platting authority for this property. Thus, only the regulations City of Waxahachie Subdivision Ordinance apply to this plat. The proposed plat adheres to all requirements of the Waxahachie Subdivision Ordinance.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat request.

ATTACHED EXHIBITS

1. Plat

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

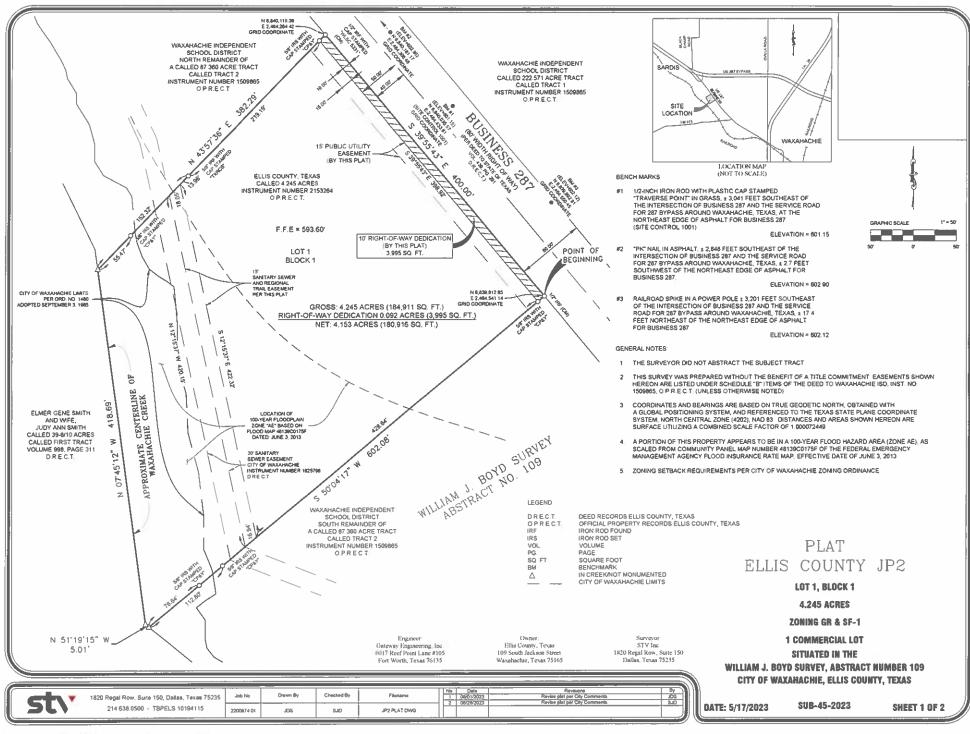
- 1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
- 2. A drainage study has been conducted and/or a traffic impact analysis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

STAFF CONTACT INFORMATION

Prepared by:
Zack King
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com





OWNER'S CERTIFICATE
STATE OF TEXAS 4
COUNTY OF STATE 8

WHEREAS, Ellis County, Texas is the sole owner of a 4.245 acre (184,911 square foot) tract of fand situated in the William J. Boyd Survey, Abstract 109, in the City of Waxahache, Ellis County, Texas and being all of a called 4.245 acre tract of fand described in a Texas General Warranty Deed to Ellis County, Texas as recorded in Instrument Number 2153284 of the Official Public of Records Ellis County, Texas (O.P.R. E.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-noth non rod found (controlling morument) at the east corner of said 4 245 scre tract and the north corner of the south remander of a called 87,360 acre tract of land |Tract 2| described in a Special Warranty Deed to Waxahache Independent School District, as recorded in Instrument Number 1509985, DP R.E.C.T., and being in this southwest Right-Or-Way (R.O.W.) has of Business 287 (80-fotor width R.O.W.), as described in Right-Or-Way deed to the State of Texas, as recorded in Volume 439, Page 281 of the Deed Records of Ellis County, Texas (D.R.E.C.T.).

THENCE South 50 degrees 04 minutes 17 seconds West, departing the southwest R.O.W. Inne of said Business 287, along the southeest line of said 4.245 acre tract and the northwest line of the south remainder of a said 87.360 acre tract, pessing at a distance of 490.00 feet a 5/8-inch into not with pleastic cap starting of "CPA" or external reformations of the south remainder of the south remainder said 87.360 acre tract and the west corner of the south remainder said 87.360 acre tract, being in the east line of a called 39-8/10 acre tract of tand (First Tract) described in a Warranty Deed with Vendor's Lien to Elimer Gene Smith and wrife. Judy Ann Smith, as recorded in Volume 998, Pege 311, D.R.E.C.T., also being in the approximation centrelline of VAIXanhache Creek:

THENCE North 51 degrees 19 minutes 15 seconds West, along the west lane of said 4 245 acre tract, the east lane of said 39-8/10 acre tract, and along the meanders of said Waxahachie Creek, a distance of 5.01 feet to an angle point,

THENCE North 07 degrees 45 minutes 12 seconds West, continuing along said common lines, a distance of 418 69 feet to the west corner of said 4 245 acre tract and the south corner of the north remainder of said 87 350 acre tract of land (Tract 2) described in the afformentioned Special Watershot Poet Independent School District, as recorded in Independent School District, as recorded in Index 1500 855, 0 PR. E.C. T.;

THENCE North 43 degrees 57 minutes 36 seconds East, departing the east line of auxil 39-8/10 acre tract and the approximate centerine of sed Waxahachie Creek, along the northwest line of the day and the southeast line of the north remainder of said 87-360 acre tract, passing at a distance of 152-33 feet a 5/6-inch iron rod with cap stamped "TXRCS" found for a triference corner, continuing for a total distance of 362-28 feet to a 1/2-inch iron rod with plastic cap stamped "VMLSC 5331" found (contribing manument) at the north corner of said 42-45 scre tract, and the east corner of the north remainder of said 87-360 acre tract, being in the southwest R.O. W. line of said 81-380-82-8287.

THENCE South 39 degrees 55 minutes 43 seconds East, along the northeast line of said 4 245 acre tract and the southwest R O W. kine of said 8 susmess 267, a distance of 400 00 feet to the POINT OF BEGINNING, containing within the meters recited 4 245 acres (184,911 square feet) of land, of extra 0.092 acres (3,995 square feet) lies within a proposed 10-foot wide Right-Of-Way dedication, leaving a Net of 4 153 acres (180,905 square feet) and more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Elia County, Texas acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described properly as ELLIS COUNTY JP2, an addition to the City of Waxahachie, Elis County, Texas, and does hereby deducate, in fee simple, to the public use forever, the streets and alleys shown hereon. The streets and alleys are deducated for street purposes. The ensements and public use series, as shown are deducated, for the pulpic use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growth 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 Waxahache. In addition, Dithiy 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, as add use by public utilities being subsectinate 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, shaths or other improvements or growths which may it 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 all it times have the full right of Ingress and Eigenst to or from their respective easements for the purpose of constructing, resoursucing, inspecting, partolling, insuntaining, reading meters, and adding to or removing all or parts of their respective switems without the necessary at any time precuring permission from any insignor for any precision.

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

WITNESS, my hand, thus the day of 2023	
ву	
Authorized Signature of Owner	
Todd Little, County Judge	
STATE OF TEXAS § COUNTY OF ELLIS §	
	is the State of Texas, on this day personally appeared Todd Little, County Judge, Owner and to the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be that he/she executed the same for the foregoing instrument and acknowledged to be the foregoing instrument.
Given under my hand and seal of office, thus day of	. 2023
Notary Public in and for the State of Texas	
My Commission Expires On	

SURVEYORS CERTIFICATE STATE OF TEXAS § COUNTY OF ELLIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Stephen Joel Dial, do hereby certify that I prepared this plat from an actual and accurate survey of the fand and that the corner monuments shown thereon as set were properly placed under my personal Supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

*PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURINSE AND SHALL, NOT JE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT STEPREN FOR DELICAL DELIC

Registered Professional Land Surveyor Texas Registration No. 6697

STATE OF TEXAS §
COUNTY OF ELLIS §

My Commission Expires On

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Stephen Joel Dual R P L S 6697. Surveyor, known to be the person whose name is absorbed to the foregoing instrument and inclinoveleged to be that he evectued the same for the purpose and considerations herein expression.

Given under my hand and seal of office, the	day of	202.1
Notary Public in and for the State of Texas		

COUNTY	

Owner

Ellis County, Texas

100 South Jackson Street

Waxahaclue Texas 75165

APPROVED BY Planning and Zoning Commission City of Wavahachie

By	
Charperson	Date
Attest	Date

Surveyor

STV Inc

1920 Reval Row, Suite 150

Dallas, Texas 75215

PLAT ELLIS COUNTY JP2

LOT 1, BLOCK 1

4.245 ACRES

ZONING GR & SF-1

1 COMMERCIAL LOT

SITUATED IN THE

WILLIAM J. BOYD SURVEY, ABSTRACT NUMBER 109 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

1820 Regal Row, Suite 150, U 214 638 0500 + TBPE

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820 Regal Row, Suite 150, Dallas, Texas 75235	Job No	Drawn By	Checked By	Floneme	ΙŒ	1	05/01/2023	Revise plat per City Comments	
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Engineer Geteway Engineering, Inc.

6017 Reef Point Lane #105

Fort Worth, Texas 76135

DATE: 5/17/2023

SUB-45-2023

SHEET 2 OF 2

Planning & Zoning Department Zoning Staff Report

Case: ZDC-153-2022



Planning & Zoning Commission:

July 11, 2023

City Council:

July 17, 2023

CAPTION

Public Hearing on a request by Mahendra Kandepu, Lillian Custom Homes, for an **Amendment to Ordinance No. 3105**, to allow for a revised site plan and development standards within an approved Planned Development located at the intersection of Vermont Street and Parks School House Road (Property ID: 226116) — Owner: Falcon's Landing A Series of EIS Development II LLC (ZDC-153-2022) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-153-2022, an Amendment to Ordinance 3105, subject to the conditions the staff report.

APPLICANT REQUEST

The applicant requests to amend Ordinance 3105 to include a detailed Elevation/Façade Plan, a Detailed Site Plan, and a Landscape Plan, and allow for front entry townhomes on Block A.

CASE INFORMATION

Applicant:

Mahendra Kandepu, Lillian Custom Homes

Property Owner(s):

Falcon's Landing A Series of EIS Development II LLC

Site Acreage:

2.662 acres

Current Zoning:

Planned Development (PD)

Requested Zoning:

Planned Development (PD) – (Ordinance 3105 Amendment)

SUBJECT PROPERTY

General Location:

The intersection of Vermont Street & Parks School House Road

Parcel ID Number(s):

226116

Existing Use:

Currently undeveloped

Development History:

The existing Planned Development was approved on April 1st, 2019, with Ordinance 3105. The developer has received Civil Construction Plan approval; but the City has not yet accepted

infrastructure for the development.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Single Family-3 (SF-3)	Lexington Arms – Single-Family Homes
East	Planned Development- Single Family-3 (PD-SF-3)	Camden Park – Single-Family Homes
South	Planned Development-Multi Family-2 (PD-MF-2)	Gala at Waxahachie – 55+ Apartments
West	Single Family-3 (SF-3)	Single Family Residence

Future Land Use Plan:

Mixed-Use Neighborhood

Comprehensive Plan:

A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this place type, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan:

The subject property is accessible via Parks School House Road, Peters Street, and Vermont Street.

Site Image:



PLANNING ANALYSIS

Purpose of Request

The applicant proposes to amend Ordinance 3105 in order to include a detailed Elevation/Façade Plan, a Detailed Site Plan, and a Landscape Plan, and allow for front entry townhomes on Block A.

Development History

The existing Planned Development was originally approved in 2019 under the name Peter's Point. The development included a total of four (4) buildings, each with up to six (6) townhomes. Each townhome was proposed to be on a fee simple, individually platted lot. At that time no detailed site plan was provided; but all twenty-four (24) proposed lots were required to be alley-served, rear-entry products.

The subject property came under new ownership in 2021 and the new ownership began preparing civil construction plan shortly after purchasing the property. During these preparations, the new ownership team identified a grading issue on the western portion of the property that would make the development of an alley and the extension of sewer infrastructure to the rear of the property more difficult than initially expected. To work around this issue, the owner proposed an alternative design that eliminated the alley on Block A and moved sewer infrastructure to the front of the lots. The Waxahachie Utilities Department confirmed that this alternative was feasible from a construction standpoint; but notified the applicant that the change would still need to be approved through an amendment to the existing PD. The owner proceeded to install street and utility infrastructure for the development and completed this work in the fall of 2022.

The owner subsequently submitted a formal PD Amendment Application in November of 2022, seeking to amend the PD to eliminate the requirement for the townhomes on Block A to be alley-served, rear entry products. As part of the application, the owner has also worked with staff to prepare a detailed site plan, landscape plan, and elevation/façade plan for inclusion in the PD Amendment. These documents were absent in the original PD. The site plan, landscape plan, and elevation/façade plan comply with the revised PD development regulations and the applicable regulations of the Waxahachie Zoning Ordinance.

Elevation/Façade

The original PD includes a requirement for using at least 70% masonry exterior construction materials for the townhomes, with cementous fiberboard included as a masonry material. With this PD Amendment, the owner is not seeking to deviate from this requirement; but is providing additional detail on the proposed exterior construction material for each building. Each building is now proposed to be 100% masonry, comprised of brick veneer, stone veneer, and cementous siding as per the table below. The material breakdown can be referenced further in attached exhibit number 4.

Building	Brick Veneer	Stone Veneer	Cementous Siding
Α	60.15%	4.20%	35.66%
В	59.00%	4.06%	36.95%
С	78.11%	3.13%	18.76%
D	76.84%	3.47%	19.69%

Due to the additional site detail, landscape detail, and architectural regulations proposed with the PD Amendment, staff supports the request.

DEVELOPMENT REGULATIONS

The following table identifies the development regulations of the existing PD (Ord. 3105) in comparison to the specific development regulation changes that are proposed with the PD Amendment.



Existing PD Regulations	Proposed Development Regulations
All units are required to have a rear entry	All units are required to have two (2) car garages.
one (1) car garage.	Townhomes on Block A shall be front entry.
No fencing standards.	Townhomes on Block A shall have backyards with 6'
	fencing per the fencing exhibit.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 34 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.

PUBLIC NOTIFICATION RESPONSES

Staff has received two (2) letters of opposition to the proposed PD Amendment.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the PD Amendment request, subject to the conditions noted below.

Conditions:

- A mutually agreed upon Development Agreement will be required to be executed prior to the issuance of building permits. The Development Agreement shall include the type and percentage of the proposed exterior construction materials for each building.
- 2. The property shall be platted prior to the issuance of a building permits for the development.
- 3. The applicant shall obtain building permits from the City of Waxahachie Building & Community Services Department prior to construction of the townhomes.

ATTACHED EXHIBITS

- 1. PON Responses
- 2. Ordinance 3105
- 3. Revised Development Regulations
- 4. Site Plan
- 5. Elevation/Façade and Floor Plan
- 6. Landscape Plan
- 7. Fencing & Signage Details
- 8. Elevation Renderings

APPLICANT REQUIREMENTS

- 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 the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant will be issued a formal Approval Letter.

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com



City of Waxahachie, Texas Notice of Public Hearing Case Number: ZDC-153-2022

case Mulliber: ZDC

RECEIVED JUN 2 3 2023

LOREN GRAY INVESTMENTS LLC PO BOX 2868 WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 11, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Mahendra Kandepu, Lillian Custom Homes, for an Amendment to Ordinance No. 3105, to allow for a revised site plan and development standards within an approved Planned Development located at the intersection of Vermont Street and Parks School House Road (Property ID: 226116) – Owner: FALCON'S LANDING A SERIES OF EIS DEVELOPMENT II LLC (ZDC-153-2022) Staff: Zack King

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-153-2022 City Reference: 173742

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 5, 2023 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 Depose

Comments:

Would like to see Stander ds Lold high

Signature

Date

Printed Name and Title

SUPPORT

Date

POBOX 2868

Address

Washachie, 76.75/6

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



City of Waxahachie, Texas Notice of Public Hearing

Case Number: <u>ZDC-153-2022</u>

 $\Diamond\Diamond\Diamond$

RECEIVED JUN 2 3 2023

LOREN GRAY INVESTMENTS LLC PO BOX 2868 WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 11, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Mahendra Kandepu, Lillian Custom Homes, for an Amendment to Ordinance No. 3105, to allow for a revised site plan and development standards within an approved Planned Development located at the intersection of Vermont Street and Parks School House Road (Property ID: 226116) – Owner: FALCON'S LANDING A SERIES OF EIS DEVELOPMENT II LLC (ZDC-153-2022) Staff: Zack King

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-153-2022 City Reference: 173751

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 5, 2023 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 ,
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(JKO)	6/28/23
Signature	Date /
Bead gates owner	RO BOX 2868
Printed Name and Title	Washachie To. 75/6
	Washachie, To. 75/6

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

(8)

ORDINANCE NO. 3105

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT WITH SINGLE FAMILY-ATTACHED (SF-A) DEVELOPMENT STANDARDS, WITH CONCEPT PLAN LOCATED AT THE NORTHWEST CORNER OF PETERS STREET AT PARKS SCHOOL HOUSE ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 2.662 ACRES KNOWN AS A PORTION OF PROPERTY ID 226116 OF THE SM DURRETT ABSTRACT, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0023. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF-3 to PD with SF-A development standards, with Concept Plan; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said zoning amendment;

NOW, THEREFORE, this property is rezoned from SF-3 to PD with SF-A development standards, with Concept Plan in order to facilitate development of the subject property in a manner that allows single family/townhome structures on the following property: a portion of Property ID 226116 of the SM Durrett Abstract, which is shown on Exhibit A, in accordance with the Concept Plan provisions attached as Exhibit B, and the conceptual elevation plan attached as Exhibit C.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

M. Cen Skupt

PASSED, APPROVED, AND ADOPTED on this 1st day of April, 2019.

ATTEST:

Assistant City Secretary





PD-19-0023 Peter's Pointe Location Exhibit

Legend



PD-19-0023

This product is for informational purposes and may not have been repared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of properly boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of regarding specific accuracy of completeness...



Peters Pointe Case: PD-19-0023

Exhibit B Planned Development Regulations

Zoning District RESIDENTIAL SINGLE FAMILY ATTACHED (SFA) is the intended base zoning classification underlying this PD. Any variation to the base zoning district regulations and comprehensive plan are as detailed in these PD regulations along with a site plan and concept plan.

PD DISTRICT DEVELOPMENT STANDARDS

Description of Request

The intent is to modify the existing zoning requirements from single family to a Planned
Development which will allow for the development of multiple attached Town Home/Row
House Buildings or single family attached. Any conditions found within the Single-Family
Attached (SF-A) zoning district or Zoning Ordinance that are not written herein, shall default to
the City of Waxahachie Code of Ordinances, as amended.

Proposed Use of Property

The purpose and intent of this Planned Development (PD) is to allow for the development of
four attached town home buildings containing 5 to 6 attached single family homes per building
using similar architectural style as the attached elevation and similar family developments of
Cliff Estates and Camden Gardens, both located on Park School House Rd and in view of the
subject property and creating a common look and style of the area.

General Development Guidelines

- The site plan is attached as exhibit "C".
- An elevation is attached as exhibit "D".
- Vermont Street shall be extended to Park School House Road matching the same existing concrete widths and ROW dimensions as it currently exists.
- The attached homes will have common vertical walls.
- Lots 1-5 Block A, Park School House Road, shall contain 3 buildings of 5 to 6 attached homes per building, minimum of 25 ft wide lots with 15 ft side setbacks and 15 ft minimum space between buildings. The front set back form the street shall be a minimum of 20 ft.
- Minimum SF of each attached home to be 1,000 ft. and contain a rear entry and minimum of a
 one car garage.
- Height to be a maximum of two-story units.
- All lots shall be fee simple.
- The entire development shall be managed by an HOA. The HOA will maintain all landscaping in a professional manor. The HOA will own and manage common areas.



Additional Requirements on PD - Single Family Attached

- Masonry requirements of 70% with roof eaves, recessed balcony's and porch areas of Cementous fiberboard or similar materials.
- Each unit shall have a privacy fenced back yard of 6ft in height.
- Back driveways shall be minimum of 20 ft of depth.
- No parking will be allowed on Park School House Road.
- All roofing materials shall be of 30-year architectural shingles, flat roofs will have Thermoplastic Polyolefin roofing (TPO).
- All HVAC systems shall be screened and out of view from public right of ways.
- Cluster mailbox receptacles shall be used and located in an area to be determined.
- City of Waxahachie is the owner of record of an unused dedicated alley way at the rear of the homes on Lexington Drive. This dedicated alley way to be associated to the transfer, the responsibility of the developer.
- A monument sign identifying the property and following city standards may be placed on the property, outside of any utility easements, at the discretion of the developer.

City Requirements VS PD Minimum Requirements Table (See attached table)

	Single-Family Attached (SF-A)	PD Proposal (25 ft Wide Single Family
Standards	Requirement	Attached)
Minimum Lot Area	3,630 SF per dwelling unit, not to exceed 12 dwelling units per acre (calculated on gross acreage). The minimum lot size shall be 10, 890 SF.	2,125 SF (Does not include alley)
Height Requirements (Not to Exceed)	3 stories in DN, MF1, or MF2, 4 stories in CA for main building. Accessory building 1 story.	Two Story Maximum Height
Lot Density (Number Of units Per Acre)	12 units per acre	9.2 Units Per Acre
Minimum Dwelling Unit (Square Feet)	N/A	1,000 Minimum SF A/C space per unit
Minimum Lot Width	N/A	25 ft wide
Minimum Lot Depth	N/A	85 ft deep
Front Yard Setback	15ft	20 ft
Rear Yard Setback	Adjacent to Residential 25 ft. otherwise 10 ft	20 ft (does not include alley)
Maximum Lot Coverage	50% by main buildings and accessory buildings	1036 SF Includes garage (50% Maximum Lot Coverage)
Parking Requirements	2 behind front building plan, at least 1 enclosed	I interior with garage and two exterior
Minimum Size Dwelling Units Allowed	1,000 sf	1000 SF minimum per unit

ORDINANCE 3105



Revised Development Regulations

Revised Planned Development Regulations

Zoning District RESIDENTIAL SINGLE FAMILY ATTACHED (SFA) is the intended base zoning classification underlying this PD. Any variation to the base zoning district regulations and comprehensive plan are as detailed in these PD regulations along with a site plan and concept plan.

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- The site plan is attached as exhibit "C".
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- Vermont Street shall be extended to Park School House Road matching the same existing concrete widths and ROW dimensions as it currently exists.
- The attached homes will have common vertical walls.
- Lots 1-5 Block A, Park School House Road, shall contain 3 buildings of 5 to 6 attached homes per building, minimum of 25 ft wide lots with 15 ft side setbacks and 15 ft minimum space between buildings. The front set back form the street shall be a minimum of 20 ft.
- Height to be a maximum of two-story units.
- All lots shall be fee simple.
- The entire development shall be managed by an HOA. The HOA will maintain all landscaping in a professional manor. The HOA will own and manage common areas.
- Minimum SF of each Block A attached home to be 1,000 sq. ft. and contain a front entry and minimum of two car garage.
- Minimum SF of each Block B attached home to be 1,000 sq. ft. and contain a rear entry and minimum of two car garage.

Revised Development Regulations

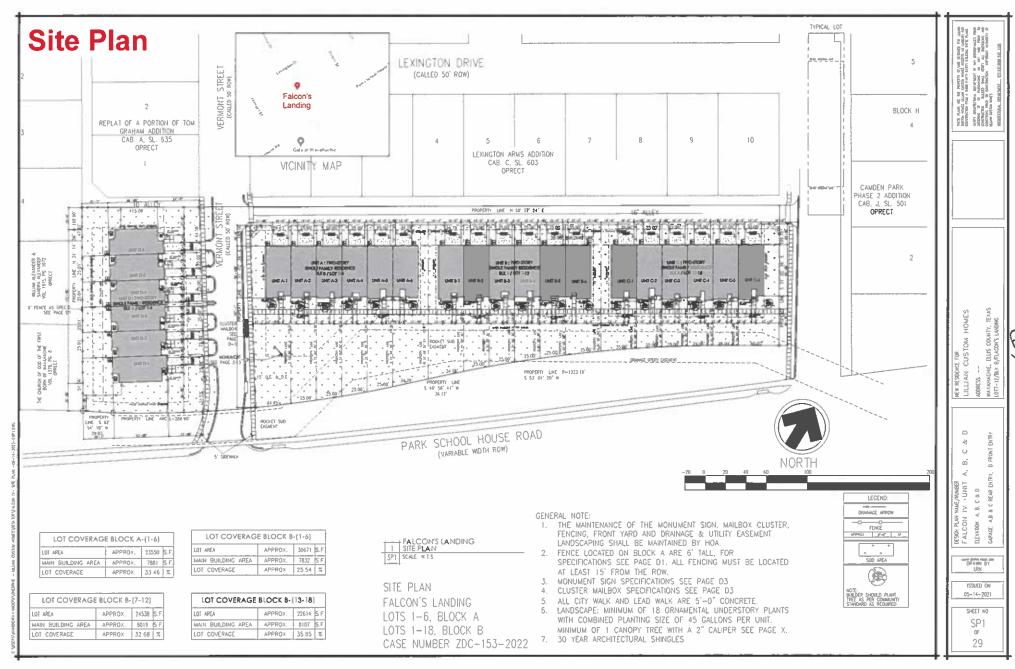
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- A monument sign identifying the property and following city standards may be placed on the property, outside of any utility easements, at the discretion of the developer.
- Each unit on Block A shall have a fenced backyard of 6' in height.

City Requirements VS PD Minimum Requirements Table (See attached table)

Standards	Single-Family Attached (SF-A) Requirement	PD Proposal (25 ft Wide Single Family Attached)
Minimum Lot Area	3,630 SF per dwelling unit, not to exceed 12 dwelling units per acre (calculated on gross acreage). The minimum lot size shall be 10, 890 SF.	2,125 SF (Does not include alley)
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Minimum Size Dwelling Units Allowed	1,000 sf	1000 SF minimum per unit





M. Verwill in Engineering Committee Committee

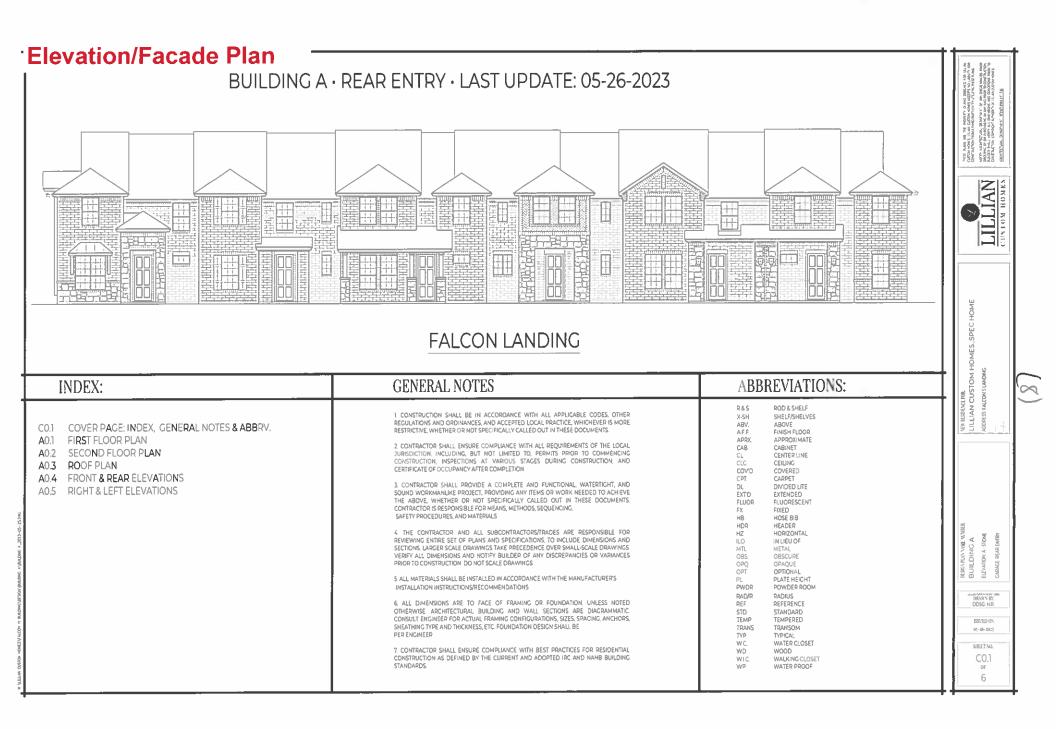
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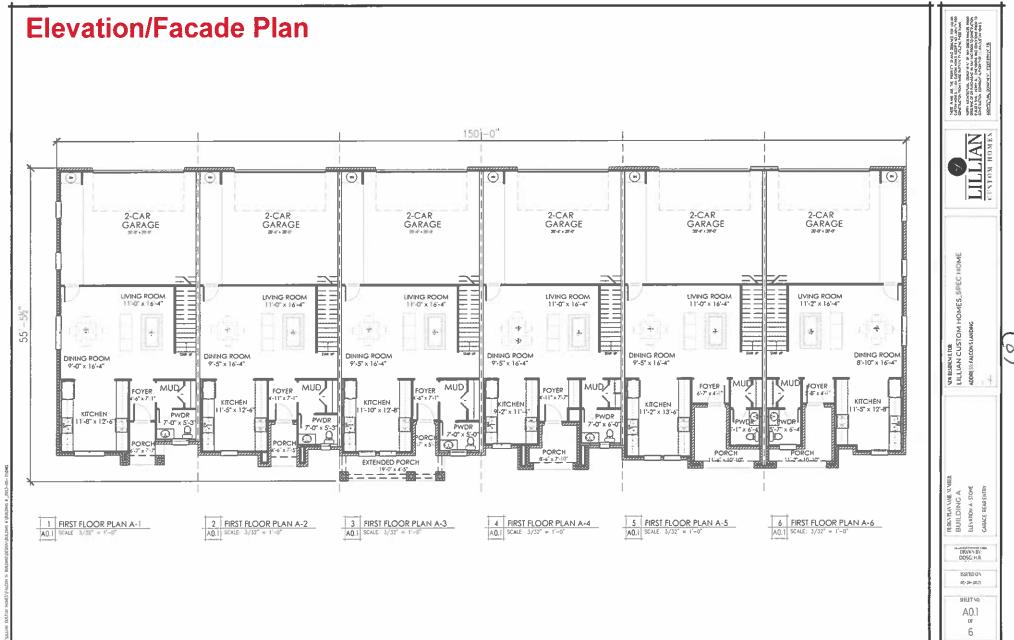
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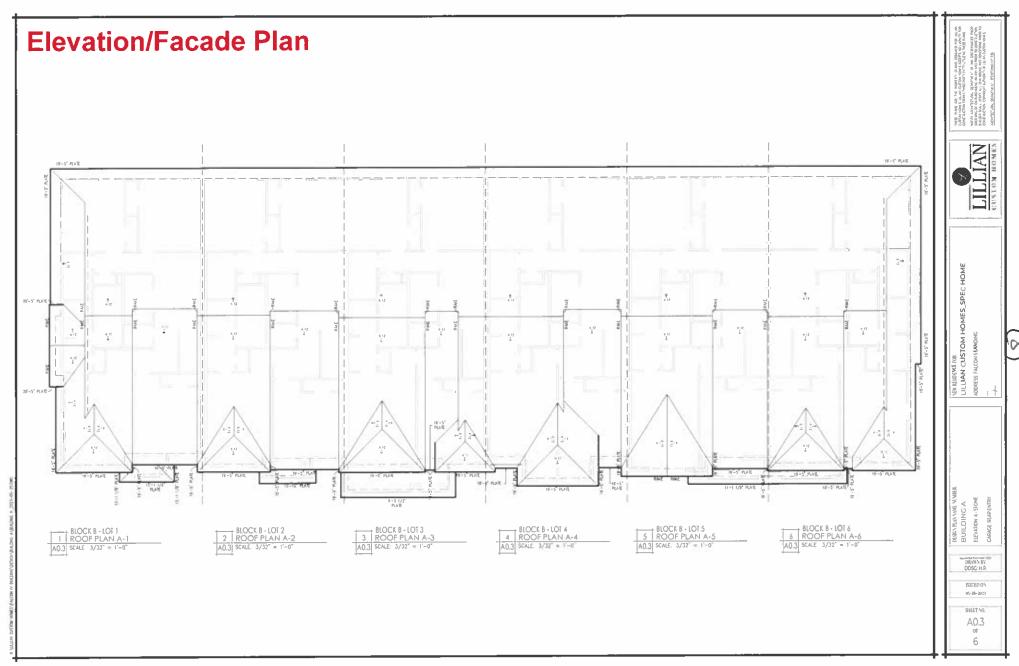
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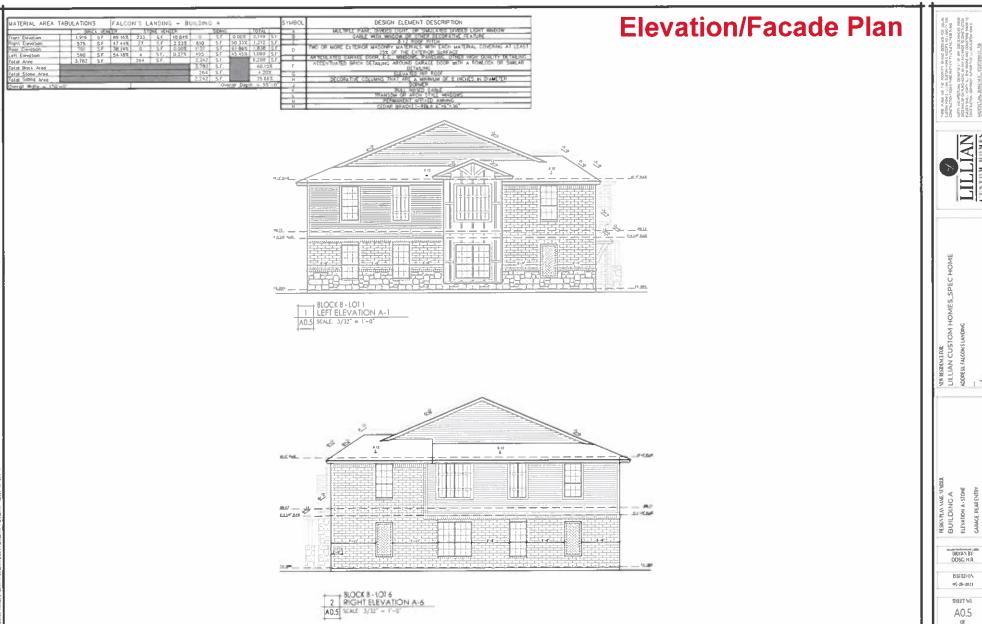
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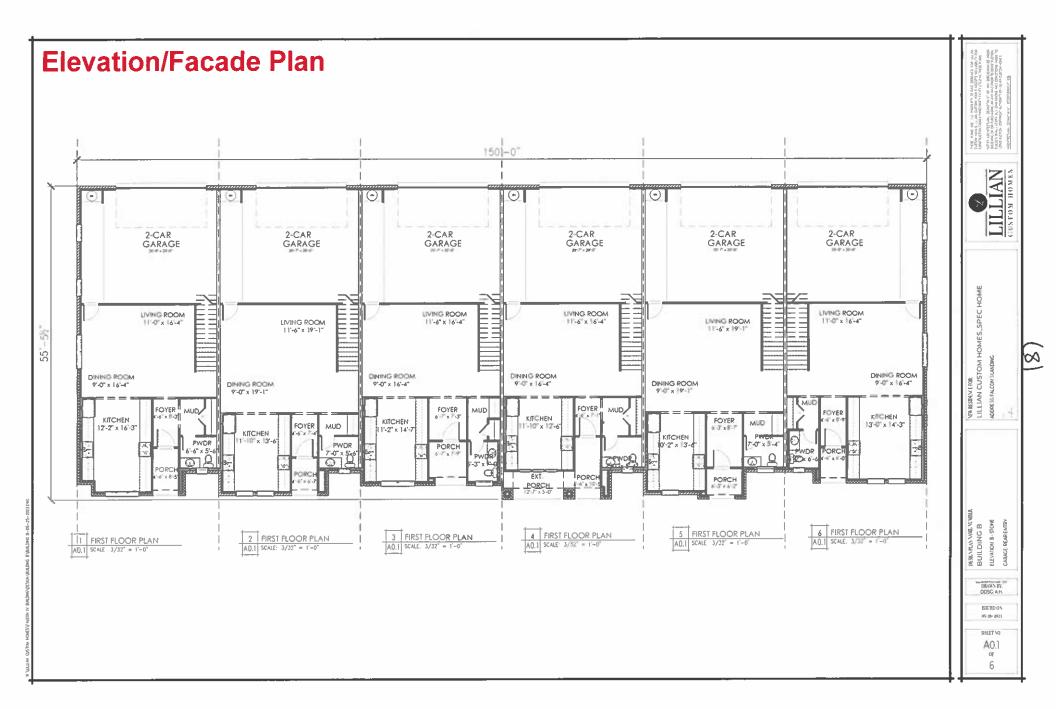
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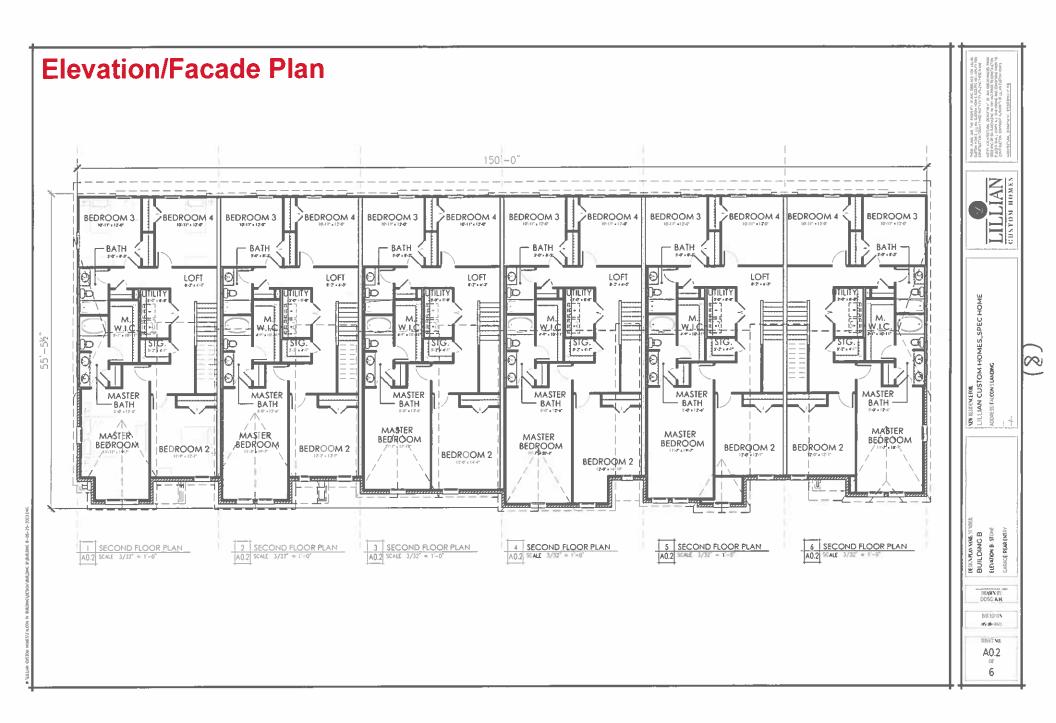
¡Elevation/Facade Plan



FALCON LANDING

INDEX:	GENERAL NOTES	ABBREVIATIONS:	
CO.1 COVER PAGE: INDEX, GENERAL NOTES & ABBRV. AO.3 FIRST FLOOR PLAN AO.2 SECOND FLOOR PLAN AO.3 ROOF PLAN AO.4 FRONT & REAR ELEVATIONS AO.5 LEFT & RIGHT ELEVATIONS	1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES, OTHER RECULATIONS AND DODINANCES, AND ACCEPTED LOCAL PRACTICE, WHICHEVER IS MORE RESTRICTIVE, WHETHER OR NOT SPECIFICALLY CALLED OUT IN THESE DOCUMENTS. 2. CONTRACTOR SHALL ENSURE COMPLIANCE WITH ALL REQUIREMENTS OF THE LOCAL JURISDICTION, INCLUDING, BUT NOT LIMITED TO, PERMITS PRICH TO COMMENCING CONSTRUCTION, INCLUDING, BUT NOT LIMITED TO, PERMITS PRICH TO COMMENCING CONSTRUCTION, INCLUDING, BUT NOT LIMITED TO, PERMITS PRICH TO COMMENCING, AND CERTIFICATE OF OCCUPANCY AFTER COMPLETION 3. CONTRACTOR SHALL PROVIDE A COMPLETE AND FUNCTIONAL WATERTIGHT, AND SOUND WORKANANLIKE PROVIDE. PROVIDING ANY TIEMS OR WORK NEEDED TO ACHIEVE THE ABOVE, WHETHER OR NOT SPECIFICALLY CALLED OUT IN THESE DOCUMENTS CONTRACTOR IS RESPONSIBLE FOR MEANS, METHODS, SEQUENCING. SAFETY PROCEDURES, AND MATERIALS 4. THE CONTRACTOR AND ALL SUBCONTRACTORS/TRADES ARE RESPONSIBLE FOR REVIEWING ENTIRE SET OF PLANS AND SPECIFICATIONS, TO INCLUDE DIMENSIONS AND SECTIONS LARGER SCALE DRAWINGS TAKE PRECEDENCE OVER SMALL-SCALE DRAWINGS. VERIFY ALL DIMENSIONS AND NOTIFY BUILDER OF ANY DISCREPANCIES OR VARIANCES PRIOR TO CONSTRUCTION DO NOT SCALE DRAWINGS. 5. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTION SPECOMMENDATIONS 6. ALL DIMENSIONS ARE TO FACE OF FRAMING OR FOUNDATION, UNLESS NOTED OTHERWISES. ARCHITECTURAL BUILDING AND WALL SECTIONS ARE DIAGRAMMATIC CONSULT ENCINEER FOR ACTUAL FRAMING CONFIGURATIONS, SIZES, SPACING, ANCHORS, SHEATHING TYPE AND THICKNESS, ETC. FOUNDATION DESIGN SHALL BE PER ENGINEER. 7. CONTRACTOR SHALL ENSURE COMPLIANCE WITH BEST PRACTICES FOR RESIDENTIAL CONSTRUCTION AS DEFINED BY THE CURRENT AND ADOPTED IRC AND NAHB BUILDING STANDARDS.	R & S ROD & SHELF X-SH SMELF/SHELVES ABV ABOVE A.F.F. FINISH FLOOR AAPRX, APPROXIMATE C.B. CABINET CL CENTER LINE CLG. CELLING CCOVD COVERED CPT CARPET DL DIVIDED LITE EXTO EXTENDED FLUOR FLUORESCENT FX FIXED HB HOSE BIB HOR HEADER HZ HORIZONTAL ILO IN LIEU OF MTL METAL OBS. OBSCURE OPQ. OPAQUE OPT. OPTIONAL PL PLATE HEIGHT PWDR ADJUS BEF REFERENCE STD. STANDADD TEMP TEMPERED TRANSOM TYP. TYPICAL WC. WATER CLOSET WD WOODO OODO WIC WALKING CLOSET WATER CLOSET	TO STATE AND VIEW A VIEW AND V

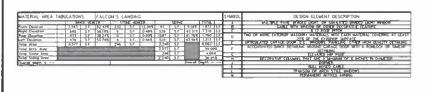




Elevation/Facade Plan 19"-5" PLATE CUNTON HOMEN HESCHLAN WAS MYSER BUILDING B ELEVATION 8 STONE CAMINE REAR ENTEY 3 ROOF PLAN B-3 A0.3 SCALE: 5/32" = 1'-0" 6 ROOF PLAN B-6 A0.3 SCALE. 3/32" = 1'-0" ## BLOCK B - LOT 10 ## ROOF PLAN B-4 ## A0.3 SCALE, 3/32" = 1'-0' BLOCK B - LOT 7 I ROOF PLAN B-1 2 ROOF PLAN B-2 BLOCK B - LOT 11 5 ROOF PLAN B-5 A0.3 SCALE. 3/32" = 1'-0" A0.3 SCALE 3/32" = 1'-0" A0.3 SCALE: 3/32" = 1'-0" DRAWN BY: DDSG: AH SHEET VO A0.3 6

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Elevation/Facade Plan



BLOCK B - LOT7
I LEFT ELEVATION B-1
A0.5 SCALE 3/32" = V-0"



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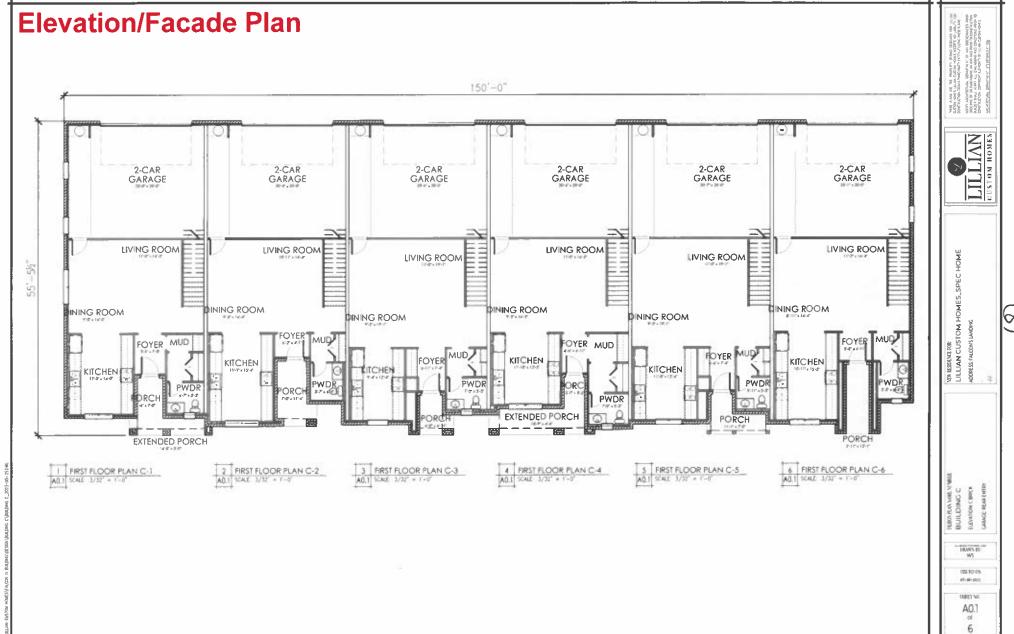


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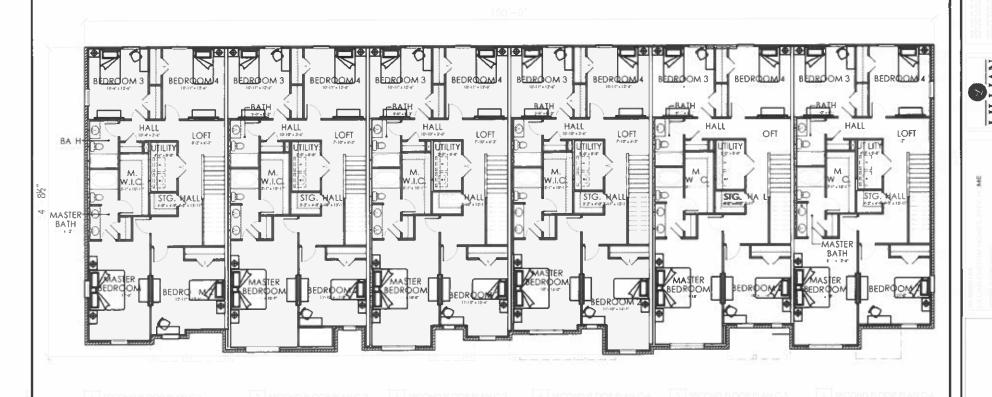
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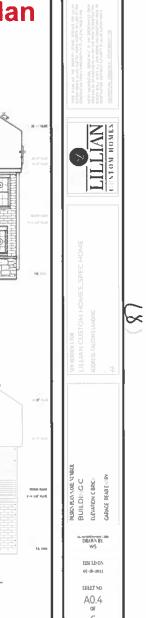
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Elevation/Facade Plan









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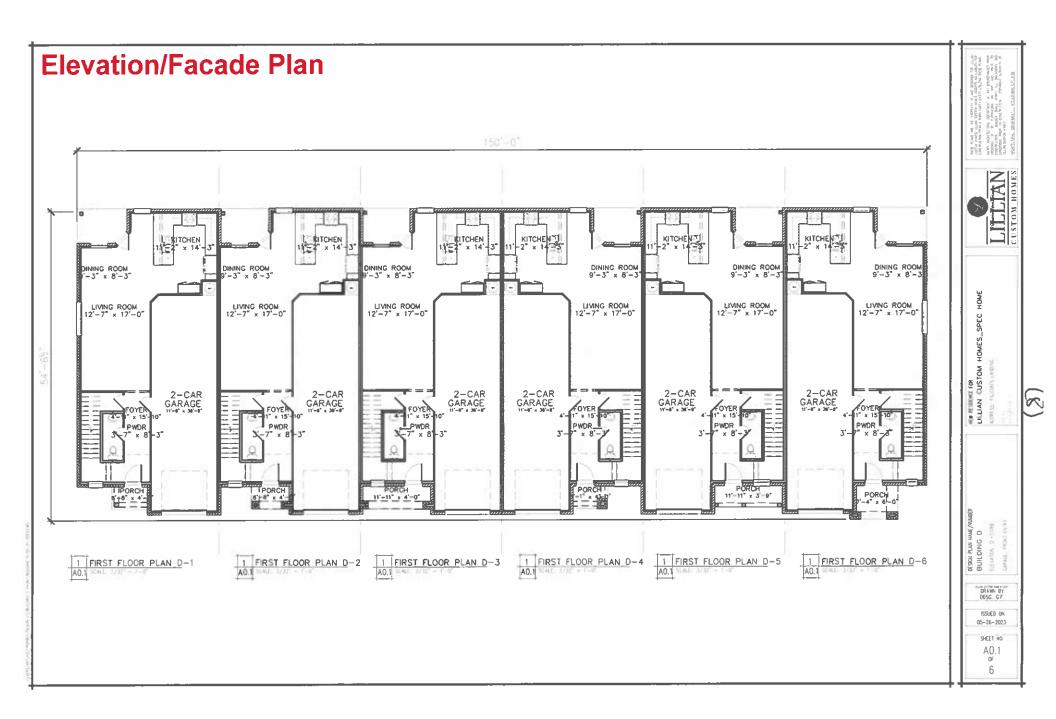


FALCON LANDING

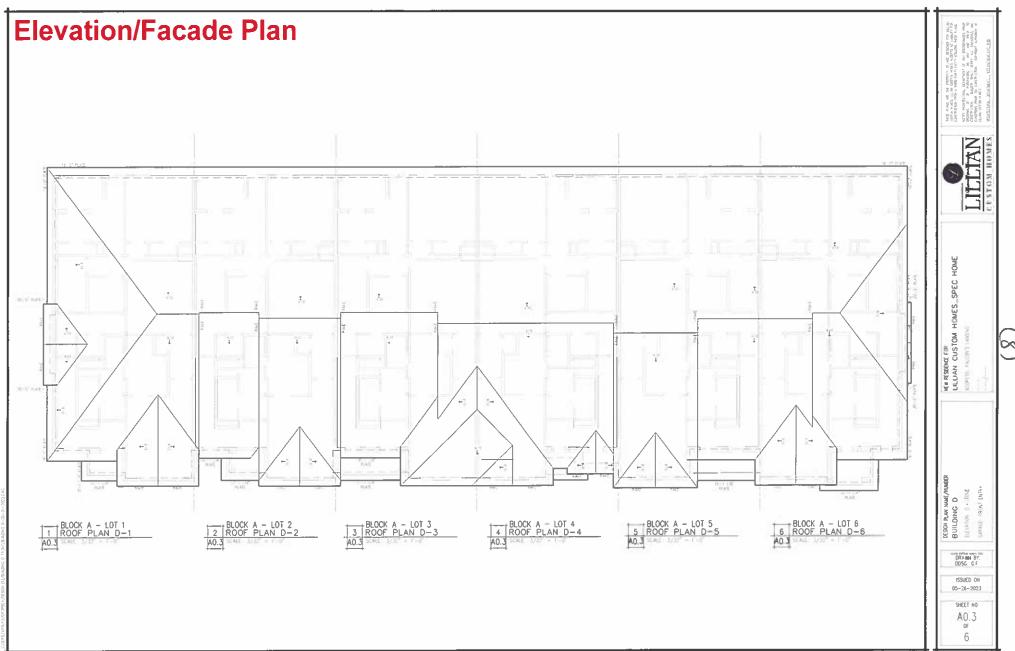
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Elevation/Facade Plan



BLOCK A - LOT 1 1 LEFT ELEVATION D-1 AO.5 STATE 1/37



AGRESS FACEN'S (AGOLG

DESCH PLAN HANE/MANGER
BUILDING D
ILEVATOR D-STONE
GARAGE FROM FUHR

ISSUED ON 05-26-2023

AO.5

Elevation/Facade Plan

EXTERIOR PAINT, ROOF SHINGLES

BRICK, FRONT DOOR, STONE OPTION



MATERIALS

EXTERIOR PAINT: STONE LION ROOF SHINGLES: WEATHERED WOOD SHINGLE

BRICK: MADRONO FRONT DOOR: WALNUT STAIN STONE
OPTION: AUSTIN CHALK SAW CUT

NOTE:

ALL ROOF SHINGLES ARE MINIMUM 30 YEAR ARCHITECTURAL SHINGLES.

EXTERIOR PAINT, ROOF SHINGLES

BRICK, FRONT DOOR, STONE OPTION



MATERIALS

EXTERIOR PAINT: STONE LION ROOF SHINGLES: WEATHERED WOOD SHINGLE

BRICK: RIVERBEND FRONT DOOR: COFFEE GEL STAIN STONE OPTION: MILLSAP CHOPPED

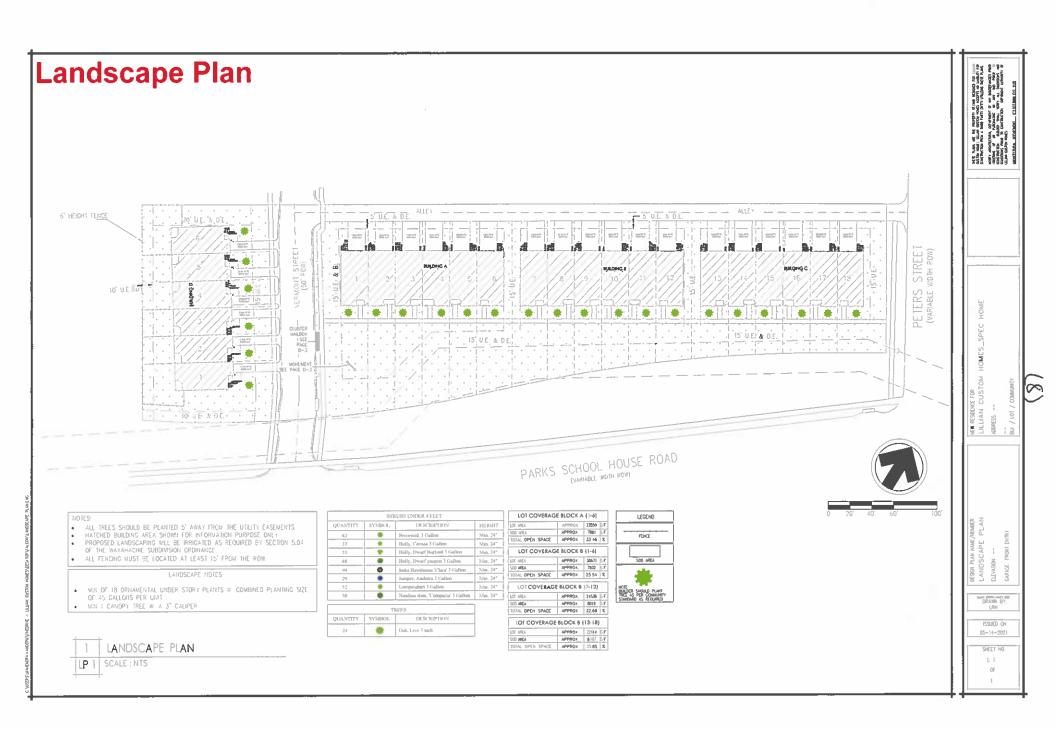
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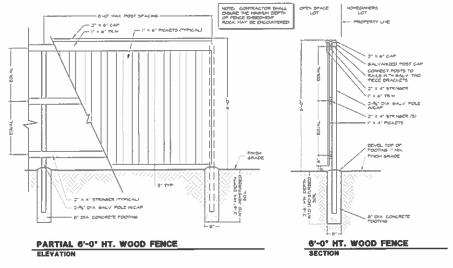
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SHEET NO.



Fencing & Signage Details





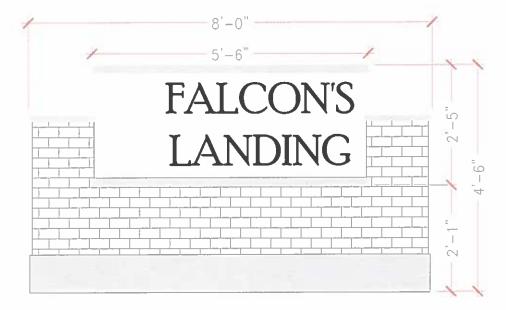
DOC FOR HOMES_SPEC HOME

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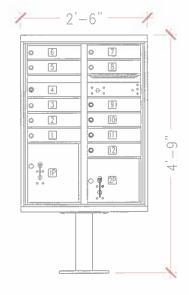
DESIGN PLW MARE ANNIBER
LANDSCAPE PLAN
ELEVATOR --

ISSUED ON 05-14-2021

SHEET NO. D 1 OF



MONUMENT SIGN
SCALE INTS



CLUSTER MAILBOX

THE CONTRACT CANADA CONTRACTOR CANADA CONTRACTOR

TOM HOMES_SPEC HOME

MERCSDEWS FOR
LILLIAN CUSTOM HOM
ADDRESS --

DESIGN PLAN HAVE/NUMBER
LANDSCAPE PLAN
ELEVARON -CARAGE FRONT ENTRY

ISSUEB ON 05-14-2021

SHEET NO. D. 3 OF



FRONT ELEVATION BUILDING A

LILLIAN

FALCONS LANDING TOWN HOMES

8















DESIGN AND DRAFT SERVICES GROUP WWW.DDSG.US SERVICES DDSG.US PH: 469-999-0800 PH:214-966-0550 123 W. MAIN ST. SUITE 120 GRAND PRAIRE, TX 75050





FRONT ELEVATION BUILDING B



Renderings **REAR ELEVATION BUILDING B**









LEFT ELEVATION BUILDING B



RIGHT ELEVATION BUILDING B









FRONT ELEVATION BUILDING C







DESIGN AND DRAFT SERVICES GROUP WWW.DD9QUS SERVICES+DD9QUS PH 469-999-0600 PH214-966-0550 123 W. MAIN ST., SUITE 120 **GRAND PRAIRE, TX 75050**



FALCON VILLAS TOWNHOMES













FRONT ELEVATION BUILDING D



DESIGN AND DRAFT SERVICES GROUP WWW.DDSGLIS SERVICES-DDSGLIS PH: 469-399-0800 PH:214-966-0550 123 W. MAIN ST., SUITE 120 GRAND PRAIRE. TX 75050













LEFT ELEVATION BUILDING D



RIGHT ELEVATION BUILDING D









Planning & Zoning Department Plat Staff Report

Case: SUB-12-2023



MEETING DATE(S)

Planning & Zoning Commission:

July 11, 2023

CAPTION

Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a **Plat** of Moody 2, Lot 1, Block A, being 1.139 acres, located at 630 Boyce Road, situated in the S. Peters Survey, Abstract No. 831, an addition in the Extraterritorial Jurisdiction of the City of Waxahachie (Property ID 189308) – Owner: Tony and Debra Moody (SUB-12-2023)

RECOMMENDED MOTION

"I move to approve SUB-12-2023 for a **Plat** of Moody 2, Lot 1, Block A, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The Applicant requests to plat a 1-acre tract into one lot for residential use at 630 Boyce Road in the City of Waxahachie extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant:

Tim Jackson, Texas Reality Capture & Surveying, LLC

Property Owner(s):

Tony and Debra Moody

Site Acreage:

1.0 acres

Number of Lots:

1 lot

Number of Dwelling Units:

1 unit

Park Land Dedication:

Not Applicable

Adequate Public Facilities:

The property owner will be responsible for installing a water meter per Rocket Special Utility District (SUD) standards before recording the plat. Additionally, the property owner shall apply for an On-Site Sewage Facility (OSSF) permit with Ellis County when the property owner is ready to construct a single family

residence on the subject property.

SUBJECT PROPERTY

General Location:

630 Boyce Road

Parcel ID Number(s):

189308

Current Zoning:

ETJ

Existing Use:

Undeveloped Land

Platting History:

The subject property was not previously platted.

Site Aerial:



PLANNING ANALYSIS

The Applicant requests to plat a 1-acre tract into one lot for residential use located at 630 Boyce Road in the City of Waxahachie extraterritorial jurisdiction (ETJ). The subject property is part of a 40-acre tract. The owner is platting one acre of the overall property to sell the subject property. Per the Texas Local Government Code (Section 232.0015), the property owner is not required to plat the remainder of the tract if greater than ten acres.

Adequate public facilities are available to serve the subject property, however the property owner shall install a water meter per Rocket Special SUD standards before recording the plat. Additionally, the property owner shall apply for an OSSF permit with Ellis County when the property owner is ready to construct a single-family residence on the subject property.

RECOMMENDATION

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

ATTACHED EXHIBITS

- 1. Plat
- 2. Water Provider's Endorsement Form

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

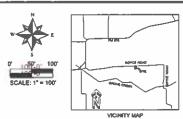
A plat shall not be filed with the Ellis County Clerk until:

1. The property owner shall install a water meter per Rocket SUD standards before recording the plat with the County's Clerk's office.

STAFF CONTACT INFORMATION

Prepared by:
Eleana Tuley, AICP
Senior Planner
eleana.tuley@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com



IRF + IRON ROD FOUND

DE - DRAMAGE EASEMENT

UE . ORANAGE AND UTILITY EASEMENT

OPRECT • OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS

RISE - ROCKETT SPECIAL WITHITY DISTRICT EASEMENT

NOT TO SCALE

HOTES:

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, MAD 83, PER GPS DISSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONG "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE S.X AMRIAL CHANGE FLOODPLANF, ACCORDING TO THE THE FLOOD REJURNED STATE JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALL LOTS SHALL BE SERVICED BY AN OH-SITE SEVAGE FACILITY SYSTEM FOR READENTIAL USE, AN ONSITE ENALIATION SHALL SE PERFORMED BY A REGISTERED ENGINEER MONOR A REGISTERED SANTARIAN.

AT THE TIME OF PLAT APPROVAL, THIS DEVELOPMENT DOES NOT HAVE ADEQUATE WATER FLOW TO ALLOW FOR FIRE FIGHTING AND FIRE SUPRESSION SERVICES TO ANY IMPROVED PROPERTIES

PROPERTY IS SUBJECT TO A ROCKET SPECIAL UTILITY DISTRICT WATERLINE SASSIMENT - LIMITED TO 20 CENTERED ON THE PIPE AS INSTALLED - RECORDED IN INSTRUMENT NO. 1801321, OPRECT.

DARY DAVIS A

OWNERS CERTIFICATE

STATE OF TEXAS: COUNTY OF ELLIS

**HAMERAS, DEBRIA K. MODOY AND TRIVY A MODOY AND THE OWNERS OF A TRACT OF LAVID SITUATED IN THE SI-PETURE BURNEY, ABSTRACT NO SITE, ILLES COUNTY, TEXAS AND BEING A PORTON OF THAT TRACT OF LAVID DESCRIBED IN DEED TO DEBRIA K. MODOY AND TON'TA, MODOY RECORDED IN VOLUME 2759, PAGE 1951, OF THE OFFICIAL PRISE RECORDS OF ELLES COUNTY, TEXAS (OPPRECT) AND SEED MODE PROTECULARLY DESCRIBED AS

BEGINNING AT THE HORTHEAST CORNER OF BAID MODOY TRACT AND THE COMMON MORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO RESIDENCE HAD THAN LYINGE WASHER, RECORDED IN SETTIMENT HAD THAN LYINGE WASHER, RECORDED IN SETTIMENT HAD LIST OF LAND TRACT OF LAND DESCRIBED IN DEED TO ANY LYING DAMAS, RECORDED IN INSTRUMENT HO. 171984, OPRIECT AND IN THE APPROXIMANTE CENTERLINE OF BOYCE ROAD, LANDAUGH WORTH LYING MORE THAN LYINGE WASHINGTON THE CONTINUE OF BOYCE ROAD, LANDAUGH WORTH LYING MORE THAN LYINGE WASHINGTON THAN LYINGE WASHING WASHINGTON THAN LYINGE WASHINGTON T

THEFICE 8 02" FOR E. ALONG THE EAST LINE OF SAID MODBY TRACT AND THE COMBINEWEST LINE OF SAID WARM TOTAL DESTINACE OF 36:00 FEET A 60" MIGH NOD WITH CAP STAMPED TRACE'S SET FOR WITHESS, A TOTAL DISTANCE OF 32:40 FEET TO A 169" MIGH NOD WITH CAP STAMPED TRACE'S SET FOR COMBINED.

THENCE 8 80"30"1" W, OVER AND ACROSS SAID MODDY TRACT, A DISTANCE OF 154 08 FEET TO A 56" IRON ROD WITH CAP STAMPED "TURCE" SET FOR CORNER.

THERE IN 1918 AND ADDRESS AND ACROSS AND SHOOTS TRACT, PASSING AT A DISTANCE OF THE 58 FETTA AST HIGH FOR WITH CAST SAMEDET TRACES FOR WITH SIZES A TOTAL, DISTANCE OF THE STEEL STEEL AST HIGH THE MORTH LINE OF BAOM BOODY TRACT AND THE COMMON BOUTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEBOTTO GAMP ORMS AND EAST EARLY, RECORDED IN COLUMNE 13A. HOUSE 91.0. PRINCET AND IN THE APPROXIMANT,

THENCE IN 8979F11" E, ALONG THE NORTH LINE OF SAID MODDY TRACT AND THE COMBION SOUTH LINE OF SAID FAVE DAYS TRACT AND THE COBBION SOUTH LINE OF SAID FAVE DAYS TRACT AND THE COBBION SOUTH LINE OF SAID FAVE DAYS TRACT AND THE APPROXIMATE CENTERLINE AS DISCOVER ORDER, A DISTANCE OF THE SET THE POINT OF BECOMMING, AND CONTRAINING 1198 ACRES OF LAND

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT DEBBA K, MODOY AND TONY A, MODOY, DO HEREISY CERTIFY AND ADOPT THIS PLAT DESCRIADING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 1, BLOCK A, MODOY 2, AN ADDITION TO ELLIS COUNTY, AND GODS HEREISY DESCRIET TO THE PUBBLIC USE FOREYER, THE STREETS AND ALLEYS SHOWN THEREON, DEBBA K, MODOY AND TONY A. MODOY DO HEREIN CERTIFY THE FOLLOWING.

- THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.
- 1. THE STRETTS AND ALLEY SARE OCCUCATIO IN FEE SHAPL, FOR STREET AND ALLEY PAPPOSES.
 2. ALL PUBLIC MEMORYCHILDTS AND COLICIOLOGIOS SHALL BE FREE AND ELAND OF ALL DETE LIEUS, AND/OR ENCLMBRANCES.
 3. THE LESSIMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAZ, AND DEDUCATED FOR THE PUBLIC USE CONCYR FOR THE PUBLIC USE CONCYR FOR THE PUBLIC USE.
 4. NO BULDINGS, FEDICES, REES, SHOULSE OR OTHER HAMOUTEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED PUBLIC USE COUNTY OF SHOT RESPONSIBLE FOR REPLACIONS ANY HAMPIOVEMENTS IN. UNDER UNIT ON TO VIEW ANY EASTERNIST COUNTY OF HOT PUBLIC USE.
 5. ELLIS COUNTY OR NOT RESPONSIBLE FOR REPLACIONS ANY HAMPIOVEMENTS IN. UNDER UNIT ANY EASTERNIST COUNTY OF THE PUBLIC PUB

- NOT THE STREET WAS ALSO AS USED FOR THE BUSTLESS AND ACCOMMODATION OF ALL PUBLIC LITERATURES DESIRED.

- B. LITTLITY GASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AMO ACCOMMODISTION OF ALL PUBLIC UTILITIES DESIRING TO USE ON USING IT SAME UNLESS. THE AGENETIC HUSTS THE USE TO TRANSCAULAR HUTLITIES, SAME DANG ITS THE MEDICAL THAT IS AND USE OF PUBLIC UTILITIES BOND SAME DANG THE PUBLIC SAME DESIRING THE RESET TO MEDICAL THAT IS AND USE OF PUBLIC OF THE RESET TO MEDICAL THAT IS AND USE OF THE RESET OF THE RESET OF THE PUBLIC SAME OF THE PUBLIC OF THE RESET OF THE RESET OF THE RESET OF THE PUBLIC OF THE PUBLIC OF THE RESET OF ANY TRAF PROCURING PERSONSION FROM ANYONE
- 9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY

THIS PLAT IS APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE ELLIS COUNTY,

	WITNESS, MY HAND, THIS THE	DAY OF	, 2023.
1	IIVs		

STATE OF TEXAS

DEBRAIK, MODORY

RESOURCE AND THE UNIVERSIGNED AUTHORITY A METANY PURIL IC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED DEBRAIK, MODDLY, ENGINE TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNIDER MY HAND AND SEAL THIS, THE ______ DAY OF _____

NOTARY PUBLIC, IN AND FOR THE

COUNTY OF ELLIS:

BEFORE HIS THE UNDERSIGNED AUTHORITY, A NOTAIN PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED TOWN A. MODOV, KNOWN TO HET DIE THE PERSON WHOSE AMARIES SUBSCRIBED TO THE FOREOGING HISTENDRIFY AND ACKNOWLEDGE TO HIS THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HERE IN EXPRESSED AND WITHIN

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF ______, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, TIMOTHY L. JACISON, RPIS, HEREBY CERTIFY THAT THIS PLAY WAS MADE ON THE GROUND, UNDER ANY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND ON SET AS SHOWN.

Probability, the decement shall not be

ecorded for any purpose and shall no be used or verwed or relead street as a figal survey decument

> TIMOTHY L. JACKSON REGISTRATION NUMBER I NURSER SEAL

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXANACHIE

BY: CHAIRPERSON	DATE
ATTEST	
STATE OF TEXAS: COUNTY OF ELLIS	
CERTIFICATE OF APPROVAL BY THE CO	MAKESIONERS COURT OF ELLIS COUNTY TEXAS:
APPROVED THIS, THE BAY OF	, 2023.
TODO LITTLE COUNTY JUDGE	
RANDY STINSON COMMISSIONER PRECINCT 1	LANE GRAYSON COMMISSIONER PRECINCT 2
PAUL PERRY COMMISSIONER PRECINCT 3 ATTEST	KYLÉ BUFLER COMMISSIONETR PRECINCT 4
KRYSTAL VALDEZ COUNTY CLERK	
	e department of development for an on-bite ny and all information as may be required by Evelopment.

PLAT LOT 1, BLOCK A MOODY 2 1,139 ACRES

OWNER: DEBRAIK MODDY & TONY A MODDY \$30 BOYCE ROAD WAXAHACHIE, TX 76185 817,915,0785

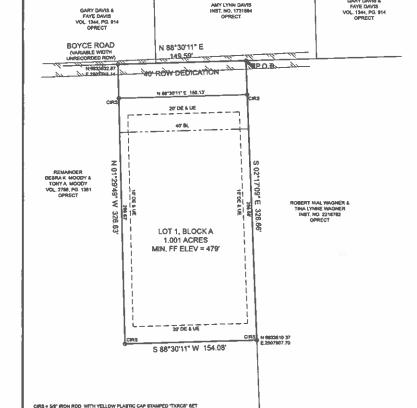
SURVEYOR: TEXAS REALITY CAPTURE & SURVEYING, LLC, P.O. BOX 252 WAXAHACHIE, TEXAS 75100 489.618.0338 TIMPLS FIRM NO 10194369

DEPARTMENT OF DEVELOPMENT DIRECTOR DATE

S. PETERS SURVEY, ABSTRACT NO. 831 ETJ, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS 1 RESIDENTIAL LOT CASE NO. 8US-12-2023

JOB NO 15668

FEBRUARY 2023 PAGE 1 0F 1





PLANNING & ZONING DEPARTMENT
401 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/PlanningandZening





Applicant Name: Moody 2 Parcel ID #: 1893 Subdivision Name: Moody 2	08	
The Circuit Manufacture in the Circuit At Part 1		g statutustas antanagam-gapanaga stat
The City of Waxahachie requires new lots in subdivisions have adequate wat comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subd providers outside of the City of Waxahachie will need to ensure they can provider TCEQ and fire flow per the latest ISO guidelines.	ivisions served	by water
Applicants, please submit this form to your water provider for completion. This turned in at the time you submit your application packet to the Planning Depart		m must be
Buena Vista-Bethel SUD (972) 937-1212 Carroll Water Company (972) 617-0817 Mountain Peak SUD (972) 775-3765 Rockett SUD (972) 617-3524 Sardis-Lone Elm WSC (972) 775-8566 Nash Foreston WSC (972) 483-3039 **Rockett SUD Notes** Connection Not Existing= Connection Not Existing Connection Not Existence Not Connection Not Connection Not Connection Not Connection Not Connection Not Conn	eter per hydrau	lic study res
	Vac I	
	163	No
1. I have reviewed a copy of the proposed plat.		No
 I have reviewed a copy of the proposed plat. The platted lots fall within our CCN area. 	Q'	
		0
The platted lots fall within our CCN area. Our water system can provide water flow and pressure for domestic.		0

(11)

Planning & Zoning Department Plat Staff Report

Case: SUB-49-2023



MEETING DATE(S)

Planning & Zoning Commission:

July 11, 2023

CAPTION

Consider a request by Serena Moir, for a Replat of Lots 1R and 1A-R, Cockerham Estates, and a 20.33-acre tract of land in the Charles Green Survey, Abstract No. 922, and the M.V.B Rhodes Survey, Abstract No. 950, to create Lot 1R2, 1R3, and 3, Cockerham Estates, 3 Residential Lots, being 42.770 acres, located at 4110 FM 66, in the Extraterritorial Jurisdiction (Property ID 209024, 239265, and 239266) — Owner: Serena & James Moir and Michelle Rider (SUB-49-2023)

RECOMMENDED MOTION

"I move to approve SUB-49-2023 for a **Replat** of Lots 1R and 1A-R, Cockerham Estates, and a 20.33-acre tract of land in the Charles Green Survey, Abstract No. 922 and the M.V.B Rhodes Survey, Abstract No. 950, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The Applicant requests to replat a 42.77-acre tract of land into three lots for residential use at 4110 FM 66 in the City of Waxahachie extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant:

Serena Moir, Property Owner

Property Owner(s):

Serena and James Moir & Michelle Rider

Site Acreage:

42.77 acres

Number of Lots:

3 lots

Number of Dwelling Units:

3 units

Park Land Dedication:

Not Applicable

Adequate Public Facilities:

Adequate facilities are available to serve the subject property.

SUBJECT PROPERTY

General Location:

4110 FM 66

Parcel ID Number(s):

209024, 239265, and 239266

Current Zoning:

ETJ

Existing Use:

A single-family residence exists on each lot.

Platting History:

A portion of the subject property was previously platted as Lots 1R and 1A-R, Cockerham Estates, recorded in Cabinet M, Slide 362.

Site Aerial:



PLANNING ANALYSIS

The Applicant requests to replat a 42.770-acre tract of land into three lots for residential use at 4110 FM 66 in the City of Waxahachie extraterritorial jurisdiction (ETJ). Lots 1R2, 1R3, and a portion of lot 3 (approximately 8 acres) were previously platted lots as part of the Cockerham Estates plat recorded in Cabinet M, Slide 362. The purpose of this plat is to incorporate an unplatted 20-acre tract of land into lot 3 and shift the property lines among lots 1R2 and 1R3.

There is an existing single-family residence in each lot and all existing structures are fully contained within the new limits of the proposed property lines. Furthermore, all lots are served by adequate water sewer facilities and no further infrastructure improvements are necessary. Staff recommends approval of the proposed plat since it complies with both the City's and County's subdivision regulations.

RECOMMENDATION

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

ATTACHED EXHIBITS

1. Replat

STAFF CONTACT INFORMATION

Prepared by:
Eleana Tuley, AICP
Senior Planner
eleana.tuley@waxahachie.com

Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com

LOCATION MAP SCALE : 1" = 2000"

STATE OF TEXAS COUNTY OF FILIS: IONOW ALL MEN BY THESE PRESENTS: NOTE: THE SUBJECT PROPERTY IS PARTIALLY IN THE CITY FOR WARANCHE, ELJ, AND PARTIALLY IN THE CITY OF MATPHARL ELJ AND ELLIS COUNTY TEXAS JURISDICTION, AND IS SUBJECT TO THE CITY OF WAVAHACHE AND ELLIS COUNTY PLATTING RULES AND REGULATIONS.

THAT WE JAMES W. MOIR & SERENA N. MOIR, and MICHELLE RIDER, being the owners of that certain tract of

BEING all that certain tot, tract or parcel of land situated in the M.V.B. Rhodes Survey, Abstract Number 950, and in the C.N. Green Survey, Abstract Number 422. Ellis County, Texas, and being the 20.33 and increase the survey of the 20.33 and series the 20.34 and the survey of the 20.34 and the survey of the in Volume 2802, Page 2185, Official Public Records, Ellis County, Texas (OPRECT), and including all of Lot 1R. and Let IA-R. Block A. Cockerham Estates, a subdivision in Ellis County, Texas, according to the plot 1N, and Lot 1A-N, BROCK A, Cockernam Estates, a subdivision in Ellis Louiny, Lexas, occording to the pot thereof recorded in Cobinet H, Side 362, Plat Records, Ellis County, Texas (PRECT), Lot 1R, Block A, described in deed from Joson J. and spouse, Jessica Cram to Serena N. and spouse, James W. Mor recorded in Instrument Number 1810448, OPRECT, Lot 1A-R, Block A, described in deed from Michelle R. Tyron and Morgie K. Tyrone to Michelle Rider, recorded in Instrument Number 2200578, OPRECT, and being more particularly described as follows:

BEGINNING at a point on the northwest right of way line of Farm to Market Road 66 (formerly Farm to Market Highway 68), o Tevas Department of Transportation roadway, 120 feet wide, at the southwest corner of said of said Mair 20,33 ocre tract and the southeast corner of the 20,33 ocres tract and the southeast corner of the 20,33 ocres tract described in deed from the Tevas General Land Office to Dovid G. Boswell & Potrica L. Boswell recorded in Volume 1423, Page 451, OPRECT, a railroad spike found, having surface coordinate values of North = 6810185.08 feet and East = 2450350.26 feet, based on the Texas Coordinate System, North Central Zone (Zone 4202) North American Datum of 1983 and are obtained from observations of Global Positioning System satellites;

THENCE N 30" 38" 30" W, with the southwest line of soid Moir 20.33 acre tract and with the northeast line of soid Boswell tract, 1787.10 feet (Moir Deed - N 30" 38" 30" W, 1787.10 feet) to the northeast corner of soid Moir 20.33 acre tract and the northeast corner of soid Boswell tract, and being in the southeast line of the 86.7 acres tract described in deed from Teresa Lauise Hulfman to Jamie Paul Hulfman recorded in Valume 1703, Page 722, OPRECT, a 1/2 inch steel rod with plastic cap stamped " DAVIS & McDILL" set;

THENCE N 58" 38" 21" E, with the northwest line of said Moir tract and the southeast line of said Huffman tract, passing at 271 feet, the northeast line of said Rhades Survey and the southwest line of said Green Survey, continuing in all, 498.56 feet (Moir Deed – N 59" 37" 40" W, 498.57 feet) to a ½ inch steel rad found for the northwest corner of the Moir 20.33 ocre tract, and the northwest corner of LoI IR;

THENCE N 59" 40" 34" E, with the northwest line of Lot 1R and continuing with the southeast line of said Hullman (ract, 600.54 feet (Plat - N 60" 26" 21" E, 600.54 feet) to the northeest corner of Lot IR and the northwest corner of Lot J. Cockerham Estates. a subdivision in Elia County, Texas, according to the plat thereof recorded in Cobinet B, Sider 109, PRECT, a 2.5 finch steel pipe post found.

THENCE S 30' 20' 50" E (Plat-S 29' 33' 02" E), with the northeast line of Lat 1R and the southwest line of said Lot 3, passing at 742.16 feet, a 2.5 inch steel pipe post found, and continuing, in all, 1217.78 feet on east corner of Lot 1R and being the north corner of Lot 2R of said Cockerham Estates, a ½ inch steel rod found a % inch steel rod found;

THENCE S 65' 39' 12" W, with a southeast line of said Lot 1R and with a northwest line of said Lot 2R, 178.27 feet (Plat S 66' 27' W, 178.27 feet) to the southeast line of Lot 1R and west corner of Lot 2R, and being the northwest corner of Lot 1A-R, Cockerham Estates, a ½ inch steel rad found.

THENCE S 30" 24" 10" E, with said northeast line of Lot IA-R and the southwest line of said Lot 2R, 607.83 feet (Piat-5 29° 33' 02" E, 621.62 feet) to said northwest right of way line of Farm to Market Road 66 and of the common south corner of said Lots 1A-R and 2R, a ½ inch steel rod found;

THENCE with said northwest right of way line of Farm to Market Road 66 and the southeast line of said Lot 1A-R, \$ 60" 38" 20" W, 176.70 feet (Plat- \$ 61" 42" 00" W, 179.07 feet) to the common south corner of said Lots 1A-R and Lot 1R, a ½ inch steel rod set with a plastic cap stamped "DAVIS & MCDILL"; and S 61" 00' 38" W, continuing with said right of way line and the southeast line of said Lot 1R, at 2.2 feet passing a 1/2" steel rod found for the original common corner of Lats IA-R and IR, in all 247.27 feet (Plat- 5 61' 42' 00" W, 244.31 feet) to the southwest corner of Lot IR and the southeast corner of said Moir 20.33 acre tract, a 5/8 inch steel rad found; and 5 60" 57" 18" W with said right of way line and the southeast line of said Moir 20.33 acre tract, 489.47 feet (Deed-S 60" 56" 34" W, 489.54 feet) to the point of beginning and containing approximately 42.770 Acres of land.

SURVEYOR'S CERTIFICATE

This is to certify that I, Stuart C. Hamilton, a Registered Public Land Surveyor of the State of Texas, have platted the subdivision hereon from an actual survey on the ground and that all lat corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

PRELIMINARY, THIS DOCUMENT NOT TO BE RECORDED FOR ANY PURPOSES

Stuart G. Hamilton Registered Professional Land Surveyor Number 4480

REPLAT

COCKERHAM ESTATES LOTS 1R2, 1R3, and 3 42.770 Acres

Being a called 20.33 Acres tract of land in the Charles Green Survey, Abstract No. 922 and the M.V.B. Rhodes Survey, Abstract No. 950

and being a Replat of Lots 1R and 1A-R of the Cockerham Estates recorded in Cabinet M. Slide 362 PRECT in the City of Waxahachie ETJ and the City of Maypearl ETJ, in Ellis County, Texas

Zoning: ETJ / 3 Residential Lots Case No. SUB-49-2023

Revisions

V MANAGEMENT 75168 en. O

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WING - FLOODPLAIN I AXAHACHIE, TEXAS 7: 972-938-1185

10194661

Date: 6-14-2023

Scale: 1"= 150'

Drawn: DWH/sgh Job: 223-0047

Sheet _ 1 of 2 sheets.

	AUGUST OFFICER
	OWNER'S CERTIFICATE NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
	THAT WE, JAMES W. MORR & SERENA N. MORR, and MICHELLE RIDER, owners, do hereby certify and adopt this plat designating the herein above described property as BLOCK A, LOT IR3, LOT IR3, AND LOT 3 — COCKERNAM ESTATES, an addition to Ellis County, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. The owner does herein certify the following:
	 The streats and alleys are dedicated in fee simple for street and alley purposes. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances. The agreements and public use areas, as shown, and created by this plot, are dedicated for the public use forever for the purposes indicated.
-	on this plot. 4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements of
	shown. 5. Eliis County is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair, 6. 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, said use by public utilities being subordinate to the public's and Eliis County's use thereof. 7. Eliis County and/or public utilities 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 may endanger or interfere with the construction, maintenance, or efficiency of their respective
	systems in the easements. 8. Elis County and public utilities 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 melers, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone. 9. All modifications to this document shall be by means of plot and approved by Ellis County.
	This plat is approved subject to all platting ordinances, rules, regulations and resolutions of Ellis County, Texas.
	WITNESS, my hand, this the day of 20
1	BY:
	JAMES W. MOIR, owner
	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 JAMES W. MOIR, known to me to be the person whose name is subscribed to the foregoing instrument and ocknowledged to me that he executed the same for the purpose and considerations therein expressed.
	Given under my hand and seat of office, this day of
	######################################
	Notary Public My Commission Expires On:
	Witness my hand on this day of
	an:
	SERENA N. MOIR, owner
	STATE OF TEXAS \$ COUNTY OF ELUS \$
	Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared SERENA N. MOIR, known 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 seat of office, this day of20
	Notary Public My Commission Expires On:
	Witness my hand on this day of
	BY:
	MICHELLE RIDER, owner
	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 MICHELLE RIDER, 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 seat of office, this day of
	Notary Public My Commission Expires On:
	Wilness my hand on this day of
	-
	ON-SITE SEWAGE FACILITY STATEMENT
	This plot has been approved by the Department of Development for
	an on—site sewage facility system pending any and all information as
ļ	may be required by the Ellis County Department of Development.
- 1	Department of Development Director Date

Todd Little, County Judge	Lone Groyson Commissioner Precinct # 2
Randy Stinson Commissioner Precinct # 1	Kyle Butler Commissioner Precinct # 4
Poul Perry Commissioner Precinct # 3	ATTEST:
	Krystal Valdez, County Clerk
APPROVED BY, Planning and Zoning Comm	ission City of Waxahachie
By:Chairperson	Date
Chairperson	Date Date
Chairperson ATTEST:	
Chairperson ATTEST: SURVEYOR'S CERTIFICATE This is to certify that I, Stuart G. Hamilton, a Re- the subdivision hereon from on actual survey on i	
Chairperson ATTEST: SURVEYOR'S CERTIFICATE This is to certify that I, Stuart G. Hamilton, a Rethe subdivision hareon from an actual survey on increase on the ground, and the ground, and the ground of the ground.	

DRAINAGE NOTES:

- (1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
- (2) THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
- (3) ELLIS COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
- (4) ELLIS COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

REPLAT COCKERHAM ESTATES LOTS 1R2, 1R3, and 3 42.770 Acres

Being a called 20.33 Acres tract of land in the Charles Green Survey, Abstract No. 922 and the M.V.B. Rhodes Survey, Abstract No. 950 and being a Replat of Lots 1R and 1A-R of the Cockerham Estates recorded in Cabinet M, Slide 362 PRECT in the City of Waxahachie ETJ and the City of Maypearl ETJ, in Ellis County, Texas

Zoning: ETJ / 3 Residential Lots Case No. SUB-49-2023

Revisions

S

Date: 6-2-2023 Scale: N/A

Drown DWH/sgh Job 223-0047

Sheet 2

of 2 sheets.

(12)

Planning & Zoning Department Plat Staff Report

Case: SUB-68-2023



MEETING DATE(S)

Planning & Zoning Commission:

July 11, 2023

CAPTION

Consider a request by Claudio Segovia, Johnson Volk Consulting, Inc., for a **Replat** of Lot 2, Block A, Commons at North Grove, 3 lots, being 3.001 acres, located across from 507 Country Meadows Blvd., (Property ID 290825) – Owner: Kotha Holdings Group, LLC (SUB-68-2023)

RECOMMENDED MOTION

"I move to approve SUB-68-2023 for a **Replat** of Lot 2, Block A, Commons at North Grove, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The Applicant requests to replat one lot (approximately 3 acres) into three lots for nonresidential use across from 507 Country Meadows Boulevard.

CASE INFORMATION

Applicant:

Claudio Segovia, Johnson Volk Consulting, Inc.

Property Owner(s):

Kotha Holdings Group, LLC

Site Acreage:

3.00 acres

Number of Lots:

3 lots

Number of Dwelling Units:

0 units

Park Land Dedication:

Parkland dedication fees are waived based on the North Grove

PD.

Adequate Public Facilities:

Adequate public facilities are available to serve the subject

property.

SUBJECT PROPERTY

General Location:

Across from 507 Country Meadows Boulevard

Parcel ID Number(s):

290825

Current Zoning:

PD Ord. No. 2733, 2841, 2870, and 3002

Existing Use:

Undeveloped Land

Platting History:

The subject property was previously platted as Lot 2, Block A of

the Commons at North Grove recorded in instrument no.

2153957.

Page 1 of 2

Site Aerial:



PLANNING ANALYSIS

The Applicant requests to replat one lot (approximately 3 acres) into three lots for nonresidential use across from 507 Country Meadows Boulevard. Although the Applicant has yet to submit a formal site plan application to the Planning Department for either of the three lots, the Applicant has expressed a keen interest in constructing a daycare, a restaurant (without a drive-through), and an office building. The Applicant shall be required to obtain site plan approval and all necessary City permits to develop the property in question for said uses in the future. As proposed, the plat complies with the zoning provisions in the North Grove Planned Development (PD) ordinance, and the City's subdivision regulations, and as such, staff is recommending approval of the proposed replat.

RECOMMENDATION

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

ATTACHED EXHIBITS

1. Replat

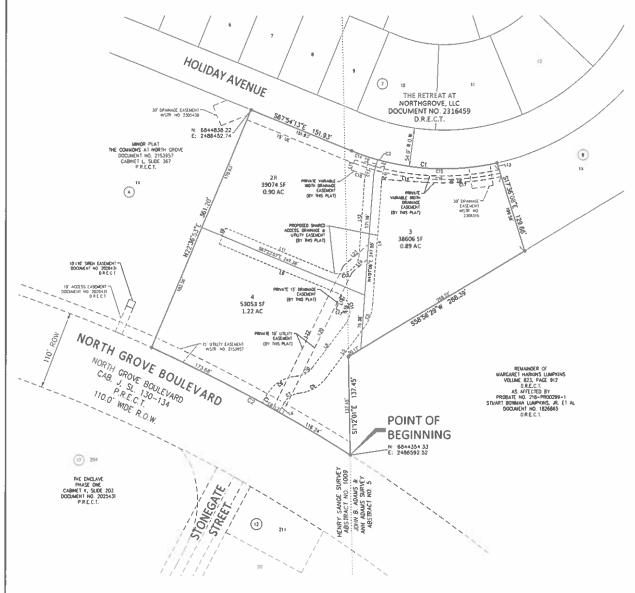
CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

 The Applicant has received a letter of acceptance from the Public Works Department confirming all utilities, infrastructure, and other required improvements have been installed, inspected, and accepted by the City.

STAFF CONTACT INFORMATION

Prepared by: Eleana Tuley, AICP Senior Planner eleana.tuley@waxahachie.com Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com



	Line	Toble
Line	Length	Direction
Lf	20.37	N15" 38" 15"E
L2	10.49	N15" 38" 15"E
L3	10.49	N15" 38" 15"E
L4	173.84	N4" D7" O6"E
۵.	67.29	N37" 00" 16"E
L6	14.45	N29" 07" 05"E
L7	12.42	N29" 07" 05"E
L8	77.43	N37" 00" 16"E
L9	129.74	N67" 23" 07"W
LIÓ	24.00	N22" 36" 53"E
LII	160.32	567" 23" 07"E
LI2	105.52	N4" 07" 06"E

٦	$\overline{}$	Lina	Table
_		Lene	Idbie
	Line	Length	Direction
]	L13	10.04	S17' 36' 08"E
]	1,14	60.71	\$85' 52' 54°E
1	L15	15.00	\$19" 56" 20"W
	L16	11.32	\$22' 36' 53"W
	L17	15.00	M67" 23" 07"W
	118	20.87	N22" 36" 53"E
	L19	27.73	N49" 25" 10"E
1	L20	221.79	H26" 12" 10"E
]	L21	15.02	580° 36° 47°€
1	L22	224.03	N26" 12" 10"E
1	t,23	45.66	N49' 25' 10"E
1			

	Curve Table				
Curve	Length	Rodius	Delto	Chord Length	Chard Bearing
¢ı	207 83	344 00	034'36'58"	204 69	\$85" 12" 40"E
C2	317.03	2250.00	008'04'23"	316.77	N61" 36" 43"W
C3	24.00	344.00	003'59'53"	24.00	574" 21" 45"E
C4	17.69	88.00	011'31'09"	17.66	S09" 52" 40"W
C5	35.59	62.00	032'53'10"	35.10	N20" 33" 41"E
C6	44.16	54.00	046"51"29"	42.94	N60" 26" 01"E
C7	26.75	28.00	054'44'40"	25.75	556' 29' 25"W
CB	27.00	2250.00	000'41'15"	27.00	N60" 52" 55"W
C9	51.98	52.00	05776'22	49.84	\$57" 45" 16"W
CIO	25.86	30.00	049"23"11"	25.07	N61" 41" 52"E
C11	51.01	28.00	104'23'22"	44.25	N151 111 24"W
C12	53.02	28.00	108'29'44"	45.45	N58" 21" 59"E
¢13	22.52	112.00	011"31"09"	22.48	S09" 52" 40"W
C14	26.78	344 00	004"27"36"	26.77	570" 08" 01"E
C15	157.05	344.00	026'09'27"	155.69	S89' 26' 26"E
C16	162.85	354.00	026721'29"	161.42	589" 29" 03"E
C17	107.48	364.00	016'55'03"	107.09	N85" 39" 34"E
C18	21.12	369.00	00376'46"	21.12	\$71" 00" 25"E

LEGÉND

- Point of Curvature or Tangency on Center Line
- 1/2" Iron rod set with a yellow plastic cap stamped
 "NC" (unless atherwise noted)
- w 1/2" IRF
- <CM> Control Manume
- AC Acre
 BL Building Line
- C1 Curve No.
- L1 Line No.
- DE Drainage Easement
- Esmt Easement SF Square Feet
- UE Utility Easement
- D.R.E.C.T.= Deed Records of Ellis County, Texas
- P.R.E.C.T.= Plat Records of Ellis County, Texas

ENGINEER/SURVEYOR: JOHNSON VOLK CONSULTING, INC. 704 CENTRAL PARKWAY EAST, SUITE 1200 PLANO, TX 75074 972-201-3100

OWNER:

KOTHA HOLDINGS GROUP, LLC (196752)

8911 FOREST HILLS DRIVE

IRVING, TX 75063

Phone: 856-371-8287

Contact: Terry Weaver

RYAN REYNOLDS@JVOLKCONSULTING.COM TBPELS FIRM NO. 10194033







REPLAT

COMMONS AT NORTH GROVE LOTS 2R, 3 AND 4, BLOCK A 3.001 ACRES

BEING A REPLAT OF LOT 2, BLOCK A OF THE COMMONS AT NORTH GROVE, AN ADDITION TO THE CITY OF WAXAHACHIE RECORDED IN INSTRUMENT NO. 2153957, PLAT RECORDS, ELLIS COUNTRY, TEXAS ZONING: PD ORD. NO. 2733, 2841, 2870,

> AND 3002 3 NONRESIDENTIAL LOTS CASE. NO. SUB-68-2023

> > 14 June 2023 SHEET 1 OF 2



TBPELS: Engineering Firm No. 1 1962 / Land Surveying Firm No. 10194033 704 Central Parkway East | Suite 1200 | Plano, TX. 75074 | 972-201,3100

GENERAL NOTES:

- All lot corners monumented with a 1/2" iron rod with a yellow plastic cap stamped "IVC" unless otherwise noted.
- 2. All Utility easements and Drainage easements within this platted property are created by this plat, unless otherwise noted.
 3. Basis of Bearing and Coordinates shown hereon refer to "Texas State Plane Coordinate System, North Central Zone (4202). North
- American Datum of 1983 on Grid Coordinate values.

 4. The subject tract lies within Zone "X" {Unshaded} Flood Plain as determined by the Flood Insurance Rate Maps for Ellis County. Texas and incorporated areas, Community Panel Number

4813900190F, effective date June 3, 2013.

STATE	OF	TEXAS	§
COUNT	Y 0	F ELLIS	§

OWNER'S CERTIFICATE:

BEING a tract of land situated in the JOHN B. ADAMS & ANN ADAMS SURVEY. ABSTRACT NO. 5 and the HENRY SANGE SURVEY, ABSTRACT NO. 1009, City of Waxanachie, Ellis County, Texas and being all of Lot 2, Black A, The Commons at North Grave an addition to the City of Waxohachie occording to the plot filed of record in Instrument Number 2153957, Plot Records Ellis County, Texos and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rad with a yellow plastic cap stamped VVC found in the north line of North Grave Boulevard, a 110 feet right-of-way, for the most southerly southeast corner of said Lat 2, said point being at the beginning of a curve to the left having a central angle of 8 degrees 04 minutes 23 seconds, a radius of 2,250.00 feet and a chard bearing and distance of North 61 degrees 36 minutes 43 seconds West, 316,77 feet;

THENCE Westerly with said north line and curve to the left, on ore distance of 317.03 feet to a 1/2 inch iron rad with a yellow plastic cap stamped 'JVC' found for the southwest corner of said Lot 2 and common southeast corner of Lot 1 of said

THENCE North 22 degrees 36 minutes 53 seconds East, leaving said north line and curve, with the common line of said Lots 1 and 2, a distance of 361.20 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" found for the northeast corner of said Lot 1 and common northwest corner of said Lot 2

THENCE South 67 degrees 54 minutes 13 seconds East, leaving said common corner, with the north line of said Lot 2, a distance of 151,93 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" found for corner at the beginning of a curve to the left having a central angle of 34 degrees 36 minutes 58 seconds, a radius of 344.00 feet and a chord bearing and distance of South 85 degrees 12 minutes 40 seconds East, 204,69 feet:

THENCE Easterly, with said north line and curve to the left, on arc distance of 207.83 feet to a 1/2 inch iron rad with a yellow plastic cap stamped "JVC" found for the northeast corner of said Lot 2:

THENCE South 17 degrees 36 minutes 08 seconds East, a distance of 129.65 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" found for the most easterly corner of said Lot 2:

THENCE South 58 degrees 56 minutes 29 seconds West, a distance of 288.39 feet to a 1/2 inch iron rad with a yellow plastic cap stamped "WC" found for an interior "ell" corner of said Lat 2:

THENCE South 01 degrees 12 minutes 01 seconds East, a distance of 137.45 feet to the POINT OF BEGINNING and containing 3,001 acres of land.

OWNER'S DEDICATION:

BY

CHAIRPERSON

ATTEST

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Kethe Holdings Group, LLC acting by and through its duly authorized agent, does hereby adopt this plot, designating the herein described property as Commons at North Grave, Lots 2R, 3, 4, Block A, being a replat of Lot 2, Block A of the Commons at North Grave as recorded in instrument no. 2153957, Plat Records, Ellis County, Texas., and do hereby dedidate in fee simple the streets, alleys, and common areas shown thereon. The streets, alleys are dedicated for street purposes. The Easements and public use greas, 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 Eosements, 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 eosement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility intities shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance efficiency of its respective system in said Easements. The City of Waxohachie 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 ar parts of its respective systems without the necessity at any time of procuring the

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

WITNESS, OUR HANDS this _____ doy of ______, 20___

Эу	
Cotho Holdings Group, LLC	
Rama Kotha, Manager	
STATE OF TEXAS	§
COUNTY OF ELLIS	9
date personally appeared is subscribed to the foregoing or the purpose and considera	puthority, a Natary Public in and for said County and State on the Owner's Agent, known to me to be the person whose nar gristrument and ocknowledged to me that he executed the san tions therein expressed. SEAL OF OFFICE, this day of
lotary Public in and for the S	State of Texas
Ay Commission Expires:	
APPROVED BY PLANNING AN	UD ZONING COMMISSION CITY OF WAYAHACHIE

OWNER: KOTHA HOLDINGS GROUP, LLC (196752) 8911 FOREST HILLS DRIVE IRVING. TX 75063 Phone: 856-371-8287 Contact: Terry Weaver

DATE

DATE

ENGINEER/SURVEYOR: JOHNSON VOLK CONSULTING, INC. 704 CENTRAL PARKWAY EAST, SUITE 1200 PLANO, TX 75074 972-201-3100 RYAN.REYNOLDS@JVOLKCONSULTING.COM TBPELS FIRM NO. 10194033

SURVEYORS CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS: That I, Rvan S, Revnolds, do hereby certify that I prepared this plat from an actual and occurate survey of the land and that the corner manuments shown thereon as set were properly placed under my personal supervision in accordance with the platting rules and regulations of City of Waxahachie, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of

RYAN S. REYNOLDS, R.P.L.S. Registered Professional Land Surveyor No. 6385

STATE OF TEXAS

BEFORE ME, the undersigned outhority, a Natary Public in and for said County and State on this date personally appeared RYAN S. REYNOLOS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the some for the purpose and considerations therein

CIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of

Notgry	Public	in	and	for	the	State	of	Texas

My Commission Expires:



REPLAT COMMONS AT NORTH GROVE

LOTS 2R, 3 AND 4, BLOCK A 3.001 ACRES

BEING A REPLAT OF LOT 2, BLOCK A OF THE COMMONS AT NORTH GROVE. AN ADDITION TO THE CITY OF WAXAHACHIE RECORDED IN INSTRUMENT NO. 2153957, PLAT RECORDS, ELLIS COUNTRY, TEXAS ZONING: PD ORD. NO. 2733, 2841, 2870, AND 3002 **3 NONRESIDENTIAL LOTS** CASE. NO. SUB-68-2023

> 14 June 2023 SHEET 2 OF 2





Planning & Zoning Department Zoning Staff Report

Case: ZDC-04-2023



MEETING DATE(S)

Planning & Zoning Commission:

July 11, 2023

City Council:

July 17, 2023

CAPTION

Public Hearing on a request by Jake Fears, JHF Engineering for a **Specific Use Permit (SUP)** for a restaurant with a drive-through use within a General Retail (GR) and Light Industrial-1 (LI-1) zoning district located at 1995 North Highway 77 (Property ID 262424) - Owner: C&C Waxahachie, LLC (ZDC-04-2023)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-04-2023, a Specific Use Permit (SUP) for a restaurant with a drivethrough use, subject to the conditions the staff report with elevation option _____, authorizing the City Manager and or Mayor to execute all documents accordingly."

APPLICANT REQUEST

The Applicant is requesting a specific use permit for a restaurant with a drive-through use at 1995 North Highway 77. The restaurant is part of a multi-tenant retail building (10,354 square feet) with four suites: a sit-down restaurant, a drive-through restaurant, a nail salon, and a dental clinic. The property owner has yet to finalize contracts with the prospective tenants. Therefore, the Applicant cannot disclose the businesses occupying each suite.

CASE INFORMATION

Applicant:

Jake Fears, JHF Engineering

Property Owner(s):

C&C Waxahachie, LLC

Site Acreage:

1.305 acres

Current Zoning:

General Retail (GR) & Light Industrial-1 District (LI-1)

Requested Zoning:

GR and LI-1 with a specific use permit (SUP) for a restaurant with

a drive-through

SUBJECT PROPERTY

General Location:

1995 North Highway 77

Parcel ID Number(s):

262424

Existing Use:

Undeveloped Land

Development History:

Adjoining Zoning & Uses:

A plat (SUB-43-2023) for the subject property was approved at the Planning and Zoning Commission meeting on June 13, 2023.

Direction	Zoning	Current Use
North	LI-1	Undeveloped Land
East	PD-GR	Undeveloped Land (Future Tom Thumb and multi-pad shopping center)
South	GR	Community National Bank & Trust of Texas
West	LI-1	Undeveloped Land

Future Land Use Plan:

Local Commercial

Comprehensive Plan:

The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Thoroughfare Plan:

The primary access to the subject property is from Victory Drive (60' right-of-way) and North Town Boulevard (60' right-of-way). The Applicant is extending North Town Boulevard up to the northern property line with the proposed development of the subject property.

Site Image:



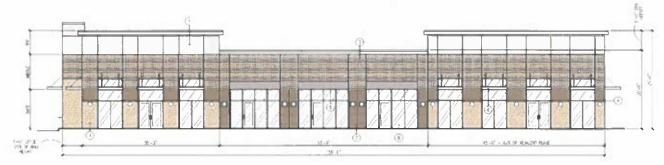
PLANNING ANALYSIS

The Applicant is requesting a specific use permit for a restaurant with a drive-through use at 1995 North Highway 77. The restaurant is part of a multi-tenant retail building (10,354 square feet) with four suites: a sit-down restaurant, a drive-through restaurant, a nail salon, and a dental clinic. The property owner has yet to finalize contracts with the prospective tenants. Therefore, the Applicant cannot disclose the businesses occupying each suite. However, the proposed development has satisfied all the requirements of the zoning ordinance, including but not limited to parking, stacking, and landscaping requirements. As such, staff recommends approval of the specific use permit, since the development complies with the City's development standards.

Proposed Elevations

The Applicant has provided two sets of architectural elevations. Both sets of elevations have the same building design and exterior finishing materials, except the color scheme for each set is different.

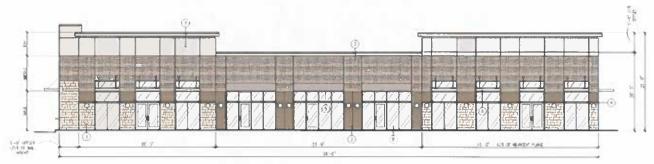
Option 1 – The building is mostly made of brick, with two different shades of brown (dark and light) with gray undertones, as depicted in the material sample board below. Additionally, natural stone materials are used in the lower portion of the building, and features a stucco parapet roof.



EAST ELEVATION (US HIGHWAY 77)



Option 1 — The building is mostly made of brick, with two different shades of brown (dark and light) with red undertones, as depicted in the material sample board below. Additionally, natural stone materials are used in the lower portion of the building, and features a stucco parapet roof.



EAST ELEVATION (US HIGHWAY 77)



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 associated with the request, the Planning Department recommends approval of the SUP request with the conditions listed below.

- 1. The Applicant execute a mutually agreed upon Development Agreement.
- 2. The Applicant obtain the necessary building permits from the City of Waxahachie Building and Community Services Department.

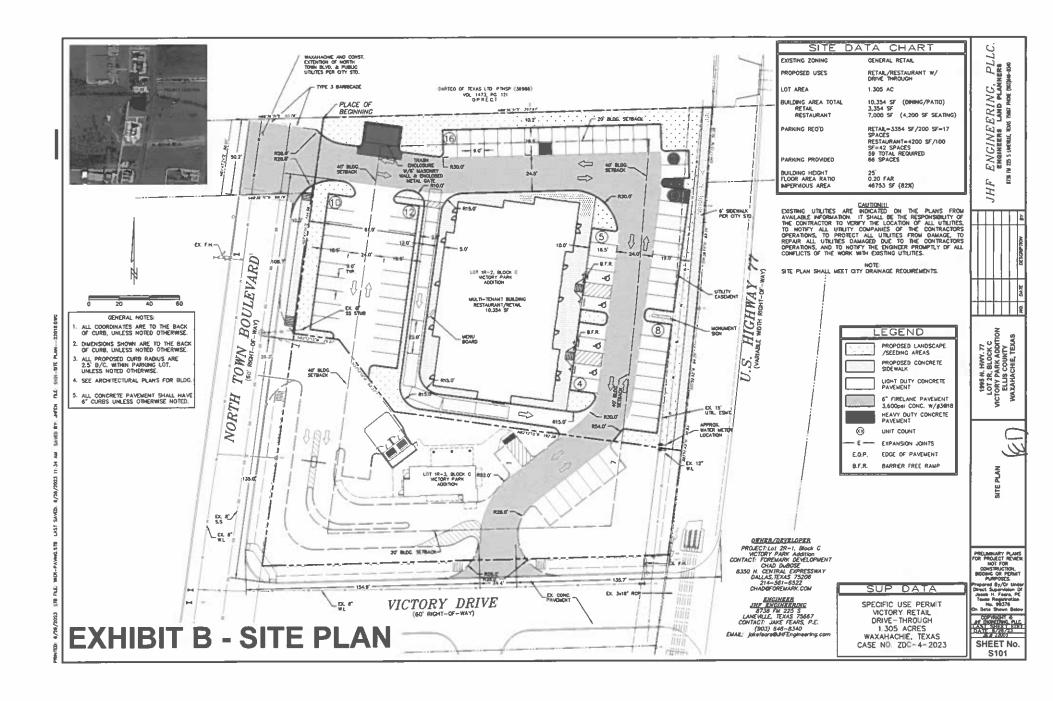
ATTACHED EXHIBITS

- 1. Location Map (Exhibit A)
- 2. Site Plan (Exhibit B)
- 3. Landscape Plan (Exhibit C)
- 4. Architectural Elevations (Exhibit D) Option 1
- 5. Architectural Elevations (Exhibit D) Option 2
- 6. Operational Plan

STAFF CONTACT INFORMATION

Prepared by: Eleana Tuley, AICP Senior Planner eleana.tuley@waxahachie.com Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com





TYPE QTY COMMON NAME



STUDIO GREEN BPOT, INC.
1784 W INDEPRINCIT DR
SUITE 110
AULEN TEXAS 75013
(1983 388-1446
CHRISGSTUDIOGREENSPOT COM

VICINITY MAP

SOLID SOD MOTES

PRE ORNOR AND TO ACHIEVE PARK CONTROVES HONCARES (EVALUATION TO RECEIVE FOREIGN, 2" INLOW PRINC CONTROL OF THE CONTROL OF A METER AND A 1" BILL DISTRING, CONDIT IN TURF AREAS!

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MAZER SCD THOROLOH VAN SCD GRANATION PROOFE SIES.

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GENERAL LAWN NOTES Find divide Arting TO ACHIEVE FINAL CONTOURS INDICATED ON CHA.

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MULTI-TENANT BUILDING DEVELOPMENT
1993-NORTH-MWT 77
107 2R, BLOCK C
VICTORY PARK ADDRINON
ELLIS COUNTY
CITY OF WAXAMACHE, TEXAS

OATE: 06 06 2023

SHEET NAME: LANDSCAPE PLA

SMEET INMINER

EXHIBIT C - LANDSCAPE PLAN

REQUIRED 4 TREES

LANDSCAPE TABULATIONS INTERIOR LANDECAPE AREA
INTO LANDECAPE AREA
POOTAGE BHALL SE LANDECAPE AREA BUILDING AREA 113138 F REQUIRED 3 057 8 F (30%)

PLANTING REQUIREMENTS
CHICPY THASE 1 TREE PEN 500 8 F OF REQUIRED INTERIOR LANGUAGE AREA.

UNDERSTORY TREES I TREE PER 200 6 F

SHOURCONER 10% OF REQUIRED AREA

BEARDHA GOLDY 2'N OF REQUIRED AREA

PARTITUDE LANGUAGE PRO REQUIRED LANGUAGE AND THE REPORT OF THE REPORT

NORTH HICKORY 77 (3) DIS SESTREET VARIOUS NORTH TOWN BLVD IN 306 SF STREET YARDS

LANDSCAPE SUFFER TREES
RECLIMENTATE 1 TREE PER NO.L.F. OF STREET

STREET TREES
RECLIMENTALS I THEE PER SULF OF STREET
FRONTAGE NORTH HIGHWAY 77 (238 L.F.) REQUIRED 8 TREES NORTH TOWN BLVD | HIS L F

SHOUSE I SHOUSE PER 70 6 F

TREE LEGENO

SIZE REMARKS

- OUFFER VARD TREE INTERIOR LANDSCAPE TREE PARKING LCT TREE STREET TREE

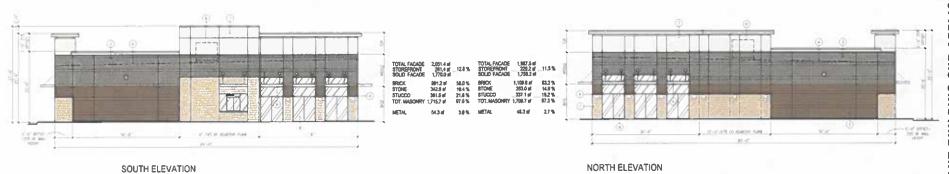








EAST ELEVATION (US HIGHWAY 77)

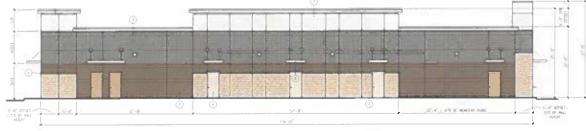


KEYED NOTES:

- A LINE OF ROOF DECK BEYOND
- B HVAC UNIT BEYOND

MATERIAL LEGEND

- 1 COURSED STONE
- 2 BRICK A WARM BROWN
- 3 BRICK B WARM TAN
- 4 CAST STONE BAND
- S FABRIC AWNING
- 6 METAL CANOPY
- 7 STUCCO 8 STOREFRONT GLASS
- 9 HOLLOW METAL DOORS



WEST ELEVATION (NORTH TOWN BOULEVARD) **EXHIBIT D - ELEVATIONS**



TOTAL FACADE 3,142.21 of 148.02 of 50.00 FACADE 2,983.28 of 50.00 FACADE 465.00 of 510.00 of 510

89.58 af

METAL

4.3%

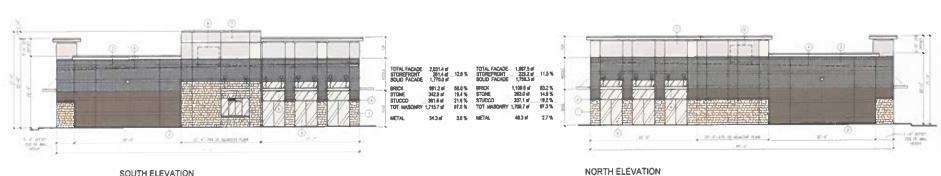
05.8 % 10.3 % 15.8 % 07.9 %

2.1%



SUP





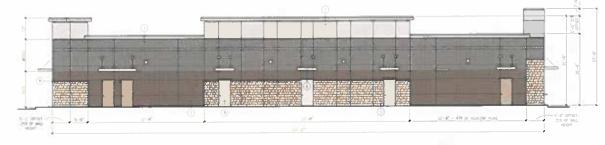
SOUTH ELEVATION

KEYED NOTES:

- A LINE OF ROOF DECK BEYOND
- B HVAC UNIT BEYOND

MATERIAL LEGEND:

- 1 COURSED STONE
- 2 BRICK A MEDIUM WARM GRAY
- 3 BRICK B LIGHT WARM GRAY
- 4 CAST STONE BAND
- 5 FABRIC AWNING
- 6 METAL CANOPY 7 STUCCO
- 8 STOREFRONT GLASS
- 9 HOLLOW METAL DOORS



TOTAL FACAD DOORS SOLID FACAD	148.92 10	43%_
BRICK	1,000.9 of	85.8 %
STONE	485.00 st	18.3 %
STUCCO	471,95 ul	158%
TOT MASONR	Y 2,829.93 sf	97.9 %
METAL	89.50 sf	2.1 %



WEST ELEVATION (NORTH TOWN BOULEVARD)

EXHIBIT D - ELEVATIONS







(13)

1995 Hwy 77, Waxahachie, TX

Special Use Permit

Operational Plan

Summary:

The proposed development will include a multiple-tenant building for a dine-in restaurant, dental clinic, nail salon and drive-through restaurant. All proposed uses are by right in a General Retail Zoning, however the drive-through service requires a SUP. Currently not all tenants have finalized a lease agreement and cannot be disclosed.

Hours of operation:

The dine-in restaurant between 11am – 10pm, 7 days a week
Dental clinic 9am and 6pm, 5 days a week
Nail salon 9am and 7pm 6 days a week
Restaurants with a drive-through window between 6am-11pm, 7 days week

Number of Employees:

Each business falls within the typical range of employees and adequate parking has been provided for both employees and patrons.

Dine-in restaurant 6-8 full-time and 20 part-time employees.

Dental Clinic 8-10 full-time employees

Nail Salon 6-8 full-time employees

Restaurant with drive-through 8-10 full-time and 25 part-time employees

Compatibility with adjoining uses:

All proposed uses are consistent with the existing zoning.

Company's Business Plan:

The developer of the multi-tenant property is seeking new to market and/or well-established tenants for long-term use within the development.

Planning & Zoning Department Zoning Staff Report

Case: ZDC-48-2023



MEETING DATE(S)

Planning & Zoning Commission:

July 11, 2023

City Council:

July 17, 2023

CAPTION

Public Hearing on a request by James Dixon, Dixon & Associates, for a **Specific Use Permit (SUP)** for an Accessory Structure over 700 Square Feet use within a Single-Family Dwelling-2 (SF-2) zoning district located at 149 Country Drive (Property ID 203065) - Owner: Nicolas & Maria Sierra (ZDC-48-2023).

RECOMMENDED MOTION

"I move to recommend approval of ZDC-48-2023, a Specific Use Permit (SUP) for an Accessory Structure over 700 Square Feet use within a Single-Family 2 (SF-2), subject to the conditions the staff report."

APPLICANT REQUEST

The Applicant requests approval of a Specific Use Permit (SUP) to allow for an Accessory Structure over 700 Square Feet use for Nicolas and Maria Sierra at 149 Country Drive.

CASE INFORMATION

Applicant:

James Dixon, Dixon & Associates

Property Owner(s):

Nicolas & Maria Sierra

Site Acreage:

1.03 acres

Current Zoning:

Single-Family 2 (SF-2)

Requested Zoning:

SF-2 with a specific use permit (SUP) for an Accessory Structure

over 700 square feet

SUBJECT PROPERTY

General Location:

Generally located at 149 Country Drive

Parcel ID Number(s):

203065

Existing Use:

Residential use

Development History:

The subject property was platted as Lot 25, Block 4 of Country

Place Addition Phase Five.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF2	Residential use
East	SF2	Residential use
South	PD (Ord. 2914)	Residential use
West	SF2	Residential use

Future Land Use Plan:

Residential Neighborhood

Comprehensive Plan:

This placetype serves to create neighborhoods built with a traditional walkable block/street grid network that allows some variation in housing typologies. Although this placetype will predominantly consist of traditional single family detached housing, denser housing types are encouraged such as duplex, cottage courts, and townhomes. Both residential and commercial uses need to be context-sensitive. Commercial uses in this placetype may be a small pop-up facility or a home converted to a small store front. Walkability is key for neighborhood commercial uses so that they are accessible from surrounding neighborhoods.

Thoroughfare Plan:

The primary access to the subject property is through Grove Creek Road.

Site Image:



PLANNING ANALYSIS

The applicant is requesting a specific use permit to construct an accessory structure greater over 700 square feet on the rear side of single-family residential lot at 149 Country Drive. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council.

Proposed Use:

According to the Ellis County Appraisal District, the single-family dwelling has an approximate size of 2,913 square feet, and the proposed accessory structure has an area of 725 square feet and have an exterior masonry construction to match the primary building. The owner plans to utilize the accessory structure for storing household items, tools, lawn equipment, and vehicles. The structure will be situated at the back of the property, towards the southern part of the lot.

The applicant has confirmed to staff that the structure will not be used as a dwelling and will not be metered, sold, or leased separately from the existing home.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements 14 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. At the time of publishing this report, Staff received 2 letters of support.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP request with the conditions listed below.

- 1. The accessory structure shall not be used as a dwelling without a Specific Use Permit that has been approved by City Council.
- 2. The accessory structure shall not be used for commercial purposes.
- The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
- 4. The accessory structure shall obtain a permit from the City of Waxahachie Building Department before constructing the accessory structure.

ATTACHED EXHIBITS

- 1. Location map
- 2. Site layout exhibit
- 3. Site plan
- 4. Floorplan/Exterior elevations
- 5. PON Responses

APPLICANT REQUIREMENTS

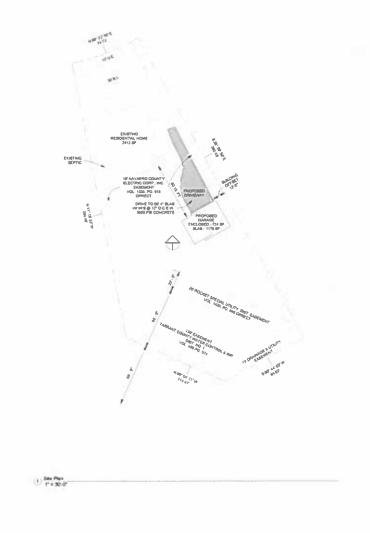
1. If approved by City Council, the Applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Oanh Vu
Planner
oanh.vu@waxahachie.com

Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com

EXHIBIT C - SITE PLAN





Garage Project 149 Country Drive Waxahachie, Texas

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Sierra Family

Site Plan

Project number	23916-01
Date	5/16/2023
Organ by	Author
Checked by	Overlan

11-30-4





Sierra Family

First Floor Framino Plan

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Project number	23016-01
Crete	5/10/2023
Cirpun by	J00
Checked by	.00

S2

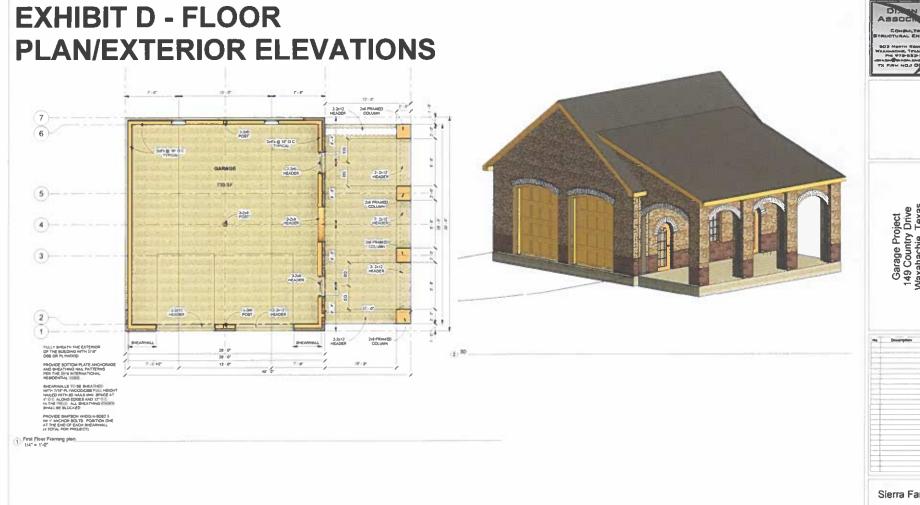




EXHIBIT F - PON RESPONSES



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-48-2023

(15)

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ASHDOWN MARCUS 151 COUNTRY DR WAXAHACHIE, TX 75165

Printed Name and Title

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 11, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by James Dixon, Dixon & Associates, for a Specific Use Permit (SUP) for an Accessory Building (Residential), Greater than or Equal to 700 Square Feet use within the Single-Family Dwelling-2 (SF2) zoning district located at 149 Country Drive (Property ID: 203065) – Owners: NICHOLAS AND MARIA SIERRA (ZDC-48-2023) Staff: Oanh Vu

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-48-2023

City Reference: 203055

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 5, 2023 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:

You received this notice because your property is within the area of notification as required by

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

Date
151 Country Dr. Waxahachie

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EXHIBIT F - PON RESPONSES



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-48-2023

<><><

HOWELL JOHN S PO BOX 558 WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 11, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Request by James Dixon, Dixon & Associates, for a Specific Use Permit (SUP) for an Accessory Building (Residential), Greater than or Equal to 700 Square Feet use within the Single-Family Dwelling-2 (SF2) zoning district located at 149 Country Drive (Property ID: 203065) – Owners: NICHOLAS AND MARIA SIERRA (ZDC-48-2023) Staff: Oanh Vu

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

Case Number: <u>ZDC-48-2023</u>	City Reference: 205064
Your response to this notification is optional. If you choose to respond, please return this 5:00 P.M. on July 5, 2023 to ensure inclusion in the Agenda Packet. Forms can be e-Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, A Planning, 401 South Rogers Street, Waxahachie, TX 75165.	
SUPPORT Comments:	OPPOSE RECEIVED 0 5 2023
Signature Signature	6/27/2023 Date
Printed Name and Title	147 COUNTRY Daive

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.

EXHIBIT F - PON RESPONSES