

# **A G E N D A**

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, March 12, 2024 at 7:00 p.m.***

Commission Members: Rick Keeler, Chairman  
Erik Test, Vice Chairman  
Bonney Ramsey  
David Hudgins  
Ron Ansell  
Adrian Cooper  
Marlene Norcross

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. ***Speakers are requested to observe five (5) minute time limit.***
4. ***Consider*** approval of minutes of the regular Planning & Zoning Commission meeting of February 27, 2024
5. ***Present*** a request by Rob Myers, Kimley-Horn, for a Plat of Templeton Substation Addition, being 6.421 acres, located north of 120 Old Reagor Springs Road, situated in the George Carpenter Survey, Abstract 190, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 180947) – Owner: Oncor Electric Delivery Company LLC (SUB-36-2024) Staff: Zack King
6. ***Consider*** approval of SUB-36-2024
7. ***Public Hearing*** on a request by Gary Davis, for a Specific Use Permit (SUP) for an Accessory Structure over 700 Square Feet use within a Planned Development Single-Family Dwelling-1 (PD-SF-1) zoning district located at 109 Sanders Drive (Property ID 269676) - Owner: Gary Davis (ZDC-9-2024) Staff: Oanh Vu
8. ***Consider*** recommendation of Zoning Change No. ZDC-9-2024
9. 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  
February 27, 2024

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Tuesday, February 27, 2024 at 7:00 p.m.

Members Present: Rick Keeler, Chairman  
Bonney Ramsey  
Ron Ansell  
Marlene Norcross

Members Absent: Erik Test, Vice Chairman  
David Hudgins  
Adrian Cooper

Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Senior Director of Planning  
Zack King, Senior Planner  
Oanh Vu, Senior Planner  
Macey Martinez, City Engineer  
Jami Bonner, Assistant City Secretary  
Chris Wright, Council Representative

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

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

3. **Public Comments**

None.

4. **Consider approval of minutes of the regular Planning & Zoning Commission meeting of February 13, 2024**

**Action:**

*Bonney Ramsey moved to approve the minutes of the regular Planning & Zoning Commission Meeting of February 13, 2024 as presented. Motion was seconded by Ron Ansell and carried unanimously (4-0).*

5. **Present a request by Douglas Cooper, MMA Inc., for a Plat of Ridge Crossing Phase II, being 68.823 acres, located approximately 1,900 feet West of 528 Ovilla Road, situated in the William C. Tunnell Survey, Abstract 1080, an addition to the City of Waxahachie (Property ID: 191627) – Owner: JDS Ovilla Road LLC (SUB-20-2024) Staff: Zack King**

The Item was presented by Senior Planner Zack King.

6. **Consider recommendation of SUB-20-2024**

**Action:**

*Ron Ansell moved to recommend approval of SUB-20-2024, a Plat of Ridge Crossing Phase II and the associated Petition for Relief Waiver, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (4-0).*

- 7. Present a request by Justin Todd for a Replat of Lot 8, of the Rolling Acres Addition, to create Lot 8R1 and 8R2 of the Rolling Acres Addition, 2 residential lots, being 2.450 acres, located at 206 Youngblood Road in the Extraterritorial Jurisdiction (Property ID 154276) – Owner: Oakbridge REI 13 Partnership, LLC (SUB-33-2023) Staff: Oanh Vu**

The Item was presented by Senior Planner Oanh Vu.

- 8. Consider approval of SUB-33-2023**

**Action:**

*Marlene Norcross moved to approve SUB-33-2023 a Replat of Lot 8 of the Rolling Acres Addition, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (4-0).*

- 9. Public Hearing on a request by Stephen Mott, WISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a General Retail (GR) zoning district located at 2999 W US Highway 287 Business, (Property ID: 180484) – Owner: Waxahachie ISD (ZDC-11-2024) Staff: Zack King**

The Item was presented by Mr. King and applicant Stephen Mott requested approval of the Specific Use Permit.

The Commission discussed the height of the sign and the proximity of the sign to Business 287.

Chairman Keeler opened the Public Hearing at approximately 7:18 p.m.

There being no others to speak for or against ZDC-11-2024, Chairman Keeler closed the Public Hearing at approximately 7:18 p.m.

- 10. Consider recommendation of Zoning Change No. ZDC-11-2024**

**Action:**

*Bonney Ramsey moved to recommend approval of ZDC-11-2024, a Specific Use Permit (SUP) request for an Electronic Message Sign, subject to the conditions of the staff report. Motion was seconded by Marlene Norcross and carried 3-1 with Ron Ansell voting in opposition.*

- 11. Public Hearing on a request by Stephen Mott, WISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development (PD) zoning district located at 250 Saratoga Drive, (Property ID: 189842) – Owner: Waxahachie ISD (ZDC-12-2024) Staff: Zack King**

The Item was presented by Mr. King.

Chairman Keeler opened the Public Hearing at approximately 7:21 p.m.

There being no others to speak for or against ZDC-12-2024, Chairman Keeler closed the Public Hearing at approximately 7:21 p.m.

**12. Consider recommendation of Zoning Change No. ZDC-12-2024**

**Action:**

*Ron Ansell moved to recommend approval of ZDC-12-2024, a Specific Use Permit (SUP) request for an Electronic Message Sign, subject to the conditions of the staff report. Motion was seconded by Bonney Ramsey and carried unanimously (4-0).*

**13. Continue Public Hearing on a request by Ido Pistiner, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu**

The Item was presented by Ms. Vu and applicant Ido Pistiner requested approval of the Specific Use Permit.

The Commission discussed the dates of operation, occupancy, and parking requirements. Ms. Vu noted ten letters of opposition were received prior to agenda posting and one additional letter of opposition was received prior to the meeting.

Chairman Keeler continued the Public Hearing at approximately 7:39 p.m.

There being no others to speak for or against ZDC-190-2023, Chairman Keeler closed the Public Hearing at approximately 7:39 p.m.

**14. Consider recommendation of Zoning Change No. ZDC-190-2023**

**Action:**

*Marlene Norcross moved to recommend denial of ZDC-190-2023, a Specific Use Permit (SUP) for a Short-Term Rental use. Motion was seconded by Bonney Ramsey and failed 2-2 with Rick Keeler and Ron Ansell voting in opposition.*

**15. Adjourn**

Mayor Pro Tem Chris Wright congratulated P&Z Commissioner Adrian Cooper on his appointment to the Waxahachie Independent School District Board of Trustees.

There being no further business, the meeting adjourned at 7:42 p.m.

Respectfully submitted,  
Jami Bonner, Assistant City Secretary

# Planning & Zoning Department

## Plat Staff Report

**Case: SUB-36-2024**



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

*Planning & Zoning Commission:* March 12, 2024

### **CAPTION**

**Present** a request by Rob Myers, Kimley-Horn, for a **Plat** of Templeton Substation Addition, being 6.421 acres, located north of 120 Old Reagor Springs Road, situated in the George Carpenter Survey, Abstract 190, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 180947) – Owner: Oncor Electric Delivery Company LLC (SUB-36-2024) Staff: Zack King

### **RECOMMENDED MOTION**

*"I move to approve SUB-36-2024, a Plat of the Templeton Substation Addition, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

### **APPLICANT REQUEST**

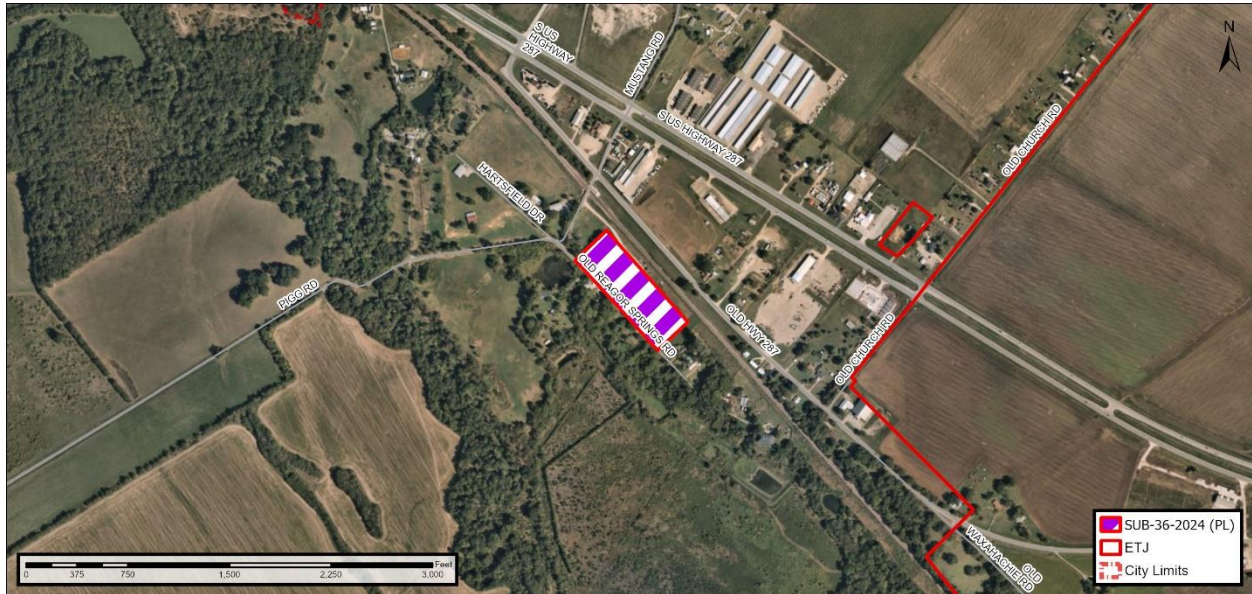
The applicant requests to plat the subject property into one (1) non-residential lot for Oncor Electric Delivery Company.

### **CASE INFORMATION**

<i>Applicant:</i>	Rob Myers, Kimley-Horn
<i>Property Owner(s):</i>	Oncor Electric Delivery Company LLC
<i>Site Acreage:</i>	6.421 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	0 units
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Public water facilities will be provided to the subject property by Rockett Special Utility District.

### **SUBJECT PROPERTY**

<i>General Location:</i>	North of 120 Old Reagor Springs Road
<i>Parcel ID Number(s):</i>	180947
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	The subject property is currently a storage yard for Oncor.
<i>Platting History:</i>	The subject property is not currently platted.

*Site Aerial:*

### **PLANNING ANALYSIS**

The applicant proposes to plat the subject property into one (1) non-residential lot for Oncor Electric Delivery Company. The property is located fully within the Waxahachie Extraterritorial Jurisdiction (ETJ). It is subject to approval by the Ellis County Commissioner's Court in addition to the Waxahachie Planning & Zoning Commission. The proposed plat meets all Ellis County lot size and dimension requirements. As part of the plat, the applicant will be required to dedicate approximately 30' of right-of-way (ROW) for Old Reagor Springs Road.

During the review of the plat application, staff identified multiple technical errors that conflict with the requirements of the Waxahachie Subdivision Ordinance and the Ellis County Subdivision and Development Standards. These errors are required to be corrected prior to filing the plat. The correction of each error has been identified as a condition of approval in the recommendation section below. The applicant has not informed staff of an intent to seek a Petition of Relief or Hardship Waiver (variance) with the application.

### **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 with the conditions noted below.

#### **Conditions:**

1. Per Section 33-706 of the Waxahachie Code of Ordinances, stormwater detention will be required. If adjacent to a creek, you can look at the option for a downstream assessment.
2. Per Section 1.3 of the Waxahachie Subdivision Ordinance, a hard copy of the embossed Tax Certificate for the subject property must be provided with your plat when filing with Ellis County.
3. Per Section 2.3 of the Waxahachie Subdivision Ordinance, label the easement width. Ensure it meets the County's easement requirements. Perform a title search to locate all easements on the property. There appears to be overhead electric on this property.

Conditions (continued):

4. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, if an access easement is already present here, it is required to be shown and labeled on the Plat. (It appears there is an existing drive that crosses the adjacent property and connects to Pigg Road. A mutual access easement is needed for this cross access.)
5. Per Section 2.4.c.20 of the Waxahachie Subdivision Ordinance, label the existing ROW width.
6. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Revise the title block to note the property is located "within the Extraterritorial Jurisdiction of the City of Waxahachie, Ellis County, Texas".
7. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is "SUB-36-2024", revise accordingly.
8. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, the signatories name is required to be printed under this signature block, in addition to their title.
9. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, a Signature Block for the Waxahachie Planning & Zoning Commission is also required to be provided on the Plat.
10. Per Section 3.1 of the Waxahachie Subdivision Ordinance, label ROW width. This is considered a rural residential county road and should have a right of way of 60ft. Dedicate 30 feet from the center line of the road.
11. Per Section 3.8.b of the Waxahachie Subdivision Ordinance, a Water Utility Provider Endorsement Letter from Rockett SUD is required to be provided with your application to verify water for domestic and fire suppression service is available to the property. Per Section 5.8.f of the Waxahachie Subdivision Ordinance, if insufficient pressure is present to furnish fire suppression services, the following note is required to be added to the plat "NOTE: AT THE TIME OF PLAT APPROVAL, THIS DEVELOPMENT DOES NOT HAVE ADEQUATE WATER FLOW TO ALLOW FOR FIRE FIGHTING AND FIRE SUPPRESSION SERVICES TO ANY IMPROVED PROPERTIES."
12. Per Section 6.6 of the Waxahachie Subdivision Ordinance, dedication of drainage easements or detention areas shall not constitute or imply acceptance of the easements by the City for maintenance. Revise Note 3 to clarify that neither Ellis County or the City of Waxahachie will be responsible for maintenance of drainage easements or detention areas.
13. Per Section 7.1 of the Waxahachie Subdivision Ordinance, the Filing fees (\$99.00) for the plat are required to be paid prior to the filing of this plat. Per Section II.B.1.3 of the Ellis County Subdivision and Development Standards, the Ellis County Plat Application Fee (\$550.00) is required to be provided with your application. These fees (\$649.00) can be paid via check to the City of Waxahachie or via the invoice on our Citizen Self Service (CSS) Portal.
14. Per Section II.B.1 of the Ellis County Subdivision and Development Standards, approval by the Commissioner's Court is required for this plat. Update the Commissioner's Court Signature Block to correctly account for current commissioner's per the attached Sample Plat.
15. Per Section IV.A of the Ellis County Subdivision and Development Standards, an OSSF statement and Department of Development Director Signature Block matching the formatting in the attached "Sample Plat" is required to be added to the Plat.
16. Per Section IV.B.1 of the Ellis County Subdivision and Development Standards, the minimum front build line is 25' and the minimum front drainage/utility easement is 20'. Additionally, the minimum side/rear setback and drainage/utility easement is 10'. Add these easements/setbacks accordingly. See the Ellis County Sample Plat for reference.

**ATTACHED EXHIBITS**

1. Plat

**APPLICANT REQUIREMENTS**

1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied, then the applicant will be notified to make corrections.
  - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

1. All utilities, infrastructure, and other required improvements have been installed and accepted by Ellis County;
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, AICP

Senior Planner

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

*Reviewed by:*

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

Senior Director of Planning

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



**SURVEYOR:**

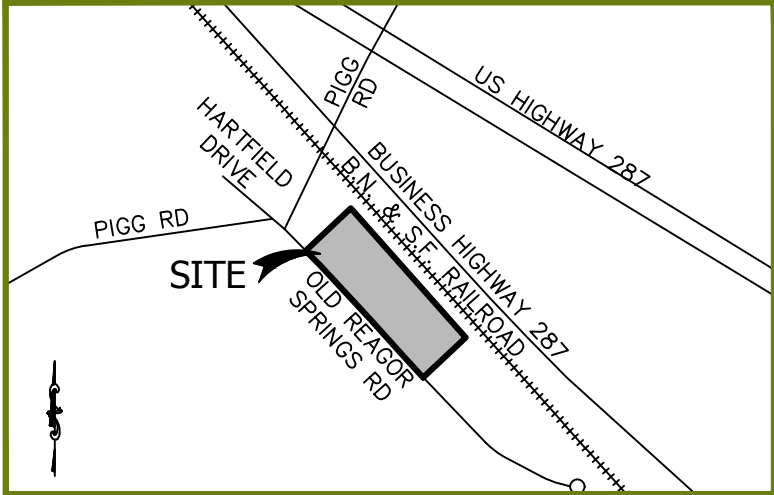
DUNAWAY ASSOCIATES, L.L.C.  
550 BAILEY AVENUE  
SUITE 400  
FORT WORTH, TX 76107  
(817)-632-4712 OFFICE  
CONTACT: KEVIN JUNG

**OWNER:**

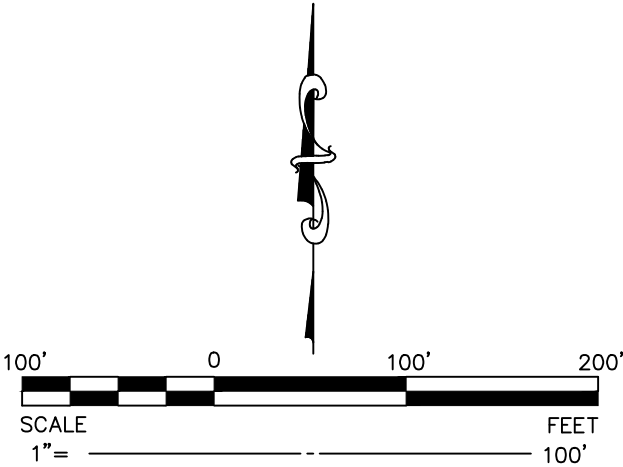
ONCOR ELECTRIC DELIVERY COMPANY, LLC  
777 MAIN STREET, SUITE #707  
FORT WORTH, TX 76102  
817-215-6262 OFFICE  
CONTACT: DEANNA WRIGHT

**ENGINEER:**

KIMLEY-HORN  
6160 WARREN PARKWAY - SUITE 210  
FRISCO, TEXAS 75034  
(972) 731-3800 OFFICE  
CONTACT: ROB MYERS



VICINITY MAP  
NOT TO SCALE



STATE OF TEXAS  
COUNTY OF ELLIS  
  
Certificate of approval by the Commissioner's Court of Ellis County,  
Texas:  
Approved this date, the \_\_\_\_ day of \_\_\_\_\_, 2024.

Todd Little, County Judge

Randy Stinson  
Commissioner, Precinct No. 1

Lane Grayson  
Commissioner, Precinct No. 2

Paul Perry  
Commissioner, Precinct No. 3

Kyle Butler  
Commissioner, Precinct No. 4

ATTEST:

Krystal Valdez, County Clerk

**LEGEND**

- = Property line or right-of-way
- = Subject tract
- D.R.E.C.T. = Deed Records of Ellis County, Texas
- O.P.R.E.C.T. = Official Public Records of Ellis County, Texas
- = mag nail with shiner stamped "DUNAWAY ASSOC" found unless otherwise noted

**FLOODPLAIN STATEMENT:**

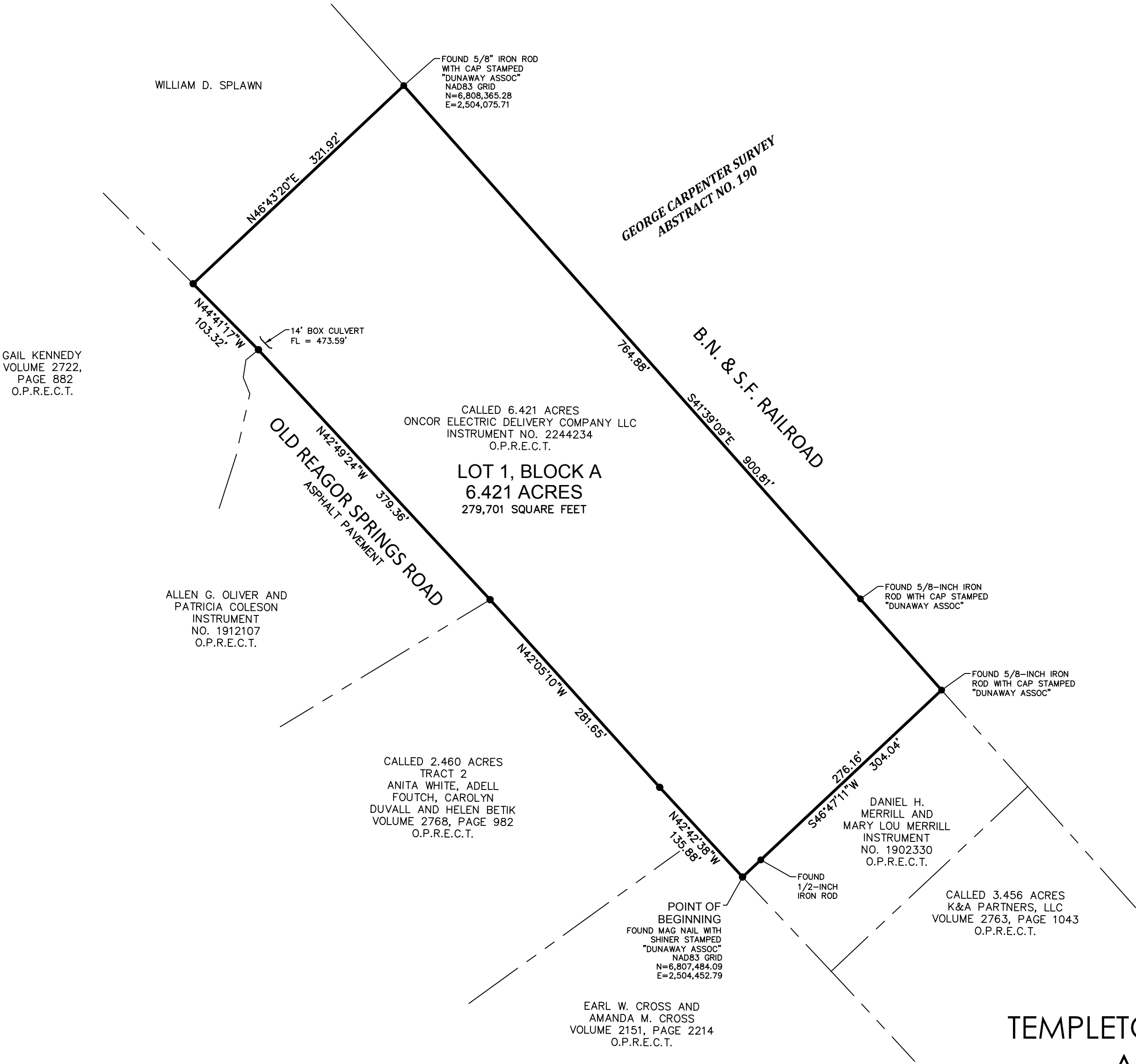
No portion of this plat is within FEMA's 100-year floodplain as determined by the Flood Insurance Rate Map Number for Ellis County, Texas, Incorporated Areas, Panel 350 of 600, Map Numbers 48139C0350 F, Map Revised Date: June 3, 2013, the subject property is located in Zone "X (unshaded)", defined as "Areas determined to be outside the 0.2% annual chance floodplain". This statement does not reflect any type of flood study by this firm.

**GENERAL NOTES:**

- The basis of bearings for this survey is the Texas State Coordinate System, North Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.99993161 was used for this project.
- A drainage / utility easement (DUE) is only required, as necessary, to show any existing / future easements or drainage easements to help with the flow of water or placement of easements.
- Ellis County will not be responsible for maintenance of drainage easements or detention areas.



550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107  
Tel: 817.335.1121  
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

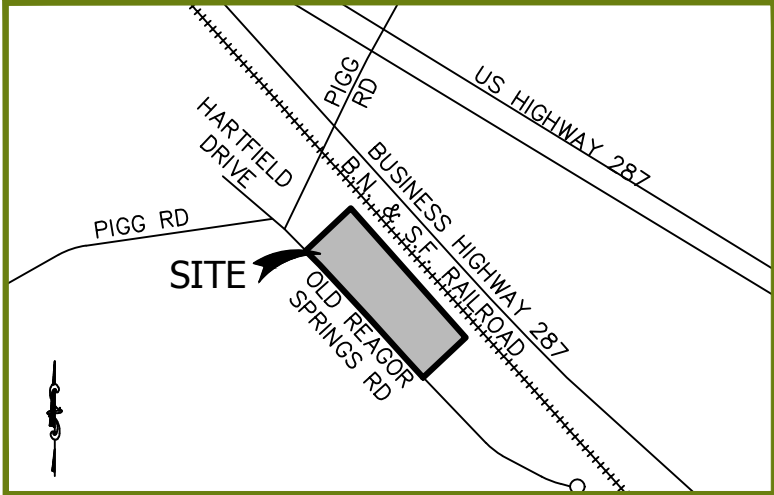


PLAT  
TEMPLETON SUBSTATION  
ADDITION  
LOT 1, BLOCK A

6.421 Acres out of the  
George Carpenter Survey, Abstract No. 190  
Ellis County, Texas

1 Non-Residential Lot

Case No.  
Prepared Date: February 2, 2024



VICINITY MAP  
NOT TO SCALE

**SURVEYOR:**

DUNAWAY ASSOCIATES, L.L.C.  
550 BAILEY AVENUE  
SUITE 400  
FORT WORTH, TX 76107  
(817)-632-4712 OFFICE  
CONTACT: KEVIN JUNGE

**OWNER:**

ONCOR ELECTRIC DELIVERY COMPANY, LLC  
777 MAIN STREET, SUITE #707  
FORT WORTH, TX 76102  
817-215-6262 OFFICE  
CONTACT: DEANNA WRIGHT

**ENGINEER:**

KIMLEY-HORN  
6160 WARREN PARKWAY - SUITE 210  
FRISCO, TEXAS 75034  
(972) 731-3800 OFFICE  
CONTACT: ROB MYERS

STATE OF TEXAS §  
COUNTY OF ELLIS §

WHEREAS, Oncor Electric Delivery Company, LLC are the Owners of a tract of land situated in the George Carpenter Survey, Abstract No. 190, Ellis County, Texas and being out of a called 5.468 acre tract conveyed to them by Anita White, Adell Foutch, Carolyn Duvall and Helen Betik and a called 0.9523 acre tract conveyed to them by Anita White, Adell Foutch, Carolyn Duvall and Helen Betik and being more particularly described as follows:

**Metes & Bounds Description**

BEING a 6.421 acre tract of land situated in the George Carpenter Survey, Abstract No. 190, Ellis County, Texas, and being all of a called 6.421 acre tract of land described in deed to Oncor Electric Delivery Company LLC, as recorded in Instrument No. 2244234, Official Public Records, Ellis County, Texas (O.P.R.E.C.T.), said 6.421 acre parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a found mag nail with a shiner stamped "DUNAWAY ASSOC" for the southwest corner of said Oncor Electric tract and the northwest corner of a tract land described in deed to Daniel H. Merrill and Mary Lou Merrill, as recorded in Instrument No. 1902330, O.P.R.E.C.T., said corner being in asphalt pavement known as Old Reagor Springs Road, said beginning point being locatable by NAD83 Grid Coordinate: N= 6,807,484.09, E=2,504,452.79;

THENCE North 42 degrees 42 minutes 38 seconds West, along the westerly line of said Oncor Electric tract, a distance of 135.88 feet to a found mag nail with a shiner stamped "DUNAWAY ASSOC" for corner;

THENCE North 42 degrees 05 minutes 10 seconds West, continuing along the westerly line of Oncor Electric tract, a distance of 281.65 feet to a found mag nail with a shiner stamped "DUNAWAY ASSOC" for corner;

THENCE North 42 degrees 49 minutes 24 seconds West, continuing along the westerly line of said Oncor Electric tract, a distance of 379.36 feet to a found mag nail with a shiner stamped "DUNAWAY ASSOC" for corner;

THENCE North 44 degrees 41 minutes 17 seconds West, continuing along the westerly line of said Oncor Electric tract, a distance of 103.32 feet to a found mag nail with a shiner stamped "DUNAWAY ASSOC" for the northwest corner of said Oncor Electric tract;

THENCE North 46 degrees 43 minutes 20 seconds East, along the northerly line of said Oncor Electric tract, a distance of 321.92 feet to a found 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC" for the northeast corner of said Oncor Electric tract, said corner being on the westerly right-of-way line of the B.N. & S.F. Railroad;

THENCE South 41 degrees 39 minutes 09 seconds East, along the easterly line of said Oncor Electric tract and the westerly right-of-way line of said B.N. & S.F. Railroad, passing at a distance of 764.88 feet a found 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC", continuing for a total distance of 900.81 feet to a found 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC" for the southeast corner of said Oncor Electric tract and the northeast corner of the aforementioned Merrill tract;

THENCE South 46 degrees 47 minutes 11 seconds West, departing said westerly right-of-way line of said B.N. & S.F. Railroad, along the southerly line of said Oncor Electric tract and the northerly line of said Merrill tract, passing at a distance of 276.16 feet a found 1/2-inch iron rod for reference, continuing a total distance of 304.04 feet to the POINT OF BEGINNING and containing 279,701 square feet or 6.421 acres of land, more or less.

**OWNERS CERTIFICATE**

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That Oncor Electric Delivery Company, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as TEMPLETON SUBSTATION ADDITION, an addition to Ellis County, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. Oncor Electric Delivery Company LLC does herein certify the following:

- The streets 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 easements and public use areas, as shown, and created by this plat, 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.
- Ellis County is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
- 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 Ellis County's use thereof.
- Ellis 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 way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
- Ellis 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 meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
- 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, Texas

**WITNESS, BY MY HAND, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

BY:

Senior Right of Way Representative

**NOTARY STATEMENT**

STATE OF TEXAS §  
COUNTY OF §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

Notary Public in and for the State of Texas

My Commission Expires On:

**KNOW ALL MEN BY THESE PRESENTS:**

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

Alan Moore  
Registered Professional Land Surveyor  
Texas Registration No. 5537

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

PLAT  
TEMPLETON SUBSTATION  
ADDITION  
LOT 1, BLOCK A

6.421 Acres out of the  
George Carpenter Survey, Abstract No. 190  
Ellis County, Texas

1 Non-Residential Lot

Case No.  
Prepared Date: February 2, 2024



550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107  
Tel: 817.335.1121  
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-9-2024



### MEETING DATE(S)

Planning & Zoning Commission: March 12, 2024  
City Council: March 18, 2024

### CAPTION

**Public Hearing** on a request by Gary Davis, for a **Specific Use Permit (SUP)** for an Accessory Structure over 700 square feet within a Single-Family Dwelling-1 (SF-1) zoning district located at 109 Sanders Drive (Property ID 269676) - Owner: Gary Davis (ZDC-9-2024)

### RECOMMENDED MOTION

"I move to recommend approval of ZDC-9-2024, a Specific Use Permit (SUP) for an Accessory Structure over 700 square feet use, authorizing the City Manager and or Mayor to execute all documents accordingly."

### APPLICANT REQUEST

The Applicant is requesting an approval of a Specific Use Permit to allow for an Accessory Structure over 700 square feet at 109 Sanders Drive.

### CASE INFORMATION

**Applicant:** Gary Davis  
**Property Owner(s):** Gary Davis  
**Site Acreage:** 1.00 acres  
**Current Zoning:** Planned Development Single-Family Dwelling-1 (PD-SF-1)  
**Requested Zoning:** PD-SF-1 with a specific use permit (SUP) for an Accessory Structure over 700 square feet use

### SUBJECT PROPERTY

**General Location:** Generally located at 109 Sanders Drive  
**Parcel ID Number(s):** 269676  
**Existing Use:** Residential use  
**Development History:** A plat for the subject property was recorded on July 20, 2017.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-1	Residential use
East	PD-SF-1	Residential use
South	PD-SF-1 & SF-1	Residential use
West	PD-SF-1	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 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 from Old Italy road, a Major Collector (80' right-of-way) on the Thoroughfare Plan.

*Site Image:*



**PLANNING ANALYSIS**

The applicant is requesting a Specific Use Permit (SUP) to construct an accessory structure greater than 700 square feet on the rear side of single-family residential lot at 109 Sanders Drive. The property currently has no accessory structures on site. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is greater than 700 square feet requires a SUP to be approved by City Council.

**Proposed Use:**

According to the Ellis County Appraisal District, the single-family dwelling is approximately 2,774 square feet, and the proposed accessory structure has an area of 748 square feet. The accessory structure is proposed to utilize treated wood for the exterior façade, painted with an earthy tone brown to compliment the primary structure. The owner plans to utilize the accessory structure as a workshop for their hobbies with electrical work added. The structure will be situated at the rear of the property, towards the southern part of the lot. A few of larger accessory structures have been approved in the past within this neighborhood. Specifically, a 2,400 square foot accessory structure was approved in 2020 at 101

Homestead Lane; a 1,840 square-foot accessory structure was approved in 2022 at 112 Homestead Lane; a 3,100 square-foot accessory structure (with an enclosed area of 1,500 square feet and covered patio of 1,600 square feet) was approved in 2020 at 125 Homestead Lane; a 1,710 square foot accessory structure was approved in 2023 at 144 Homestead Lane; 2,400 square foot accessory structure was approved in 2021 at 156 Homestead Lane; and a 2,520 square foot accessory structure (with an enclosed area of 1,820 square feet and a partially enclosed patio of 700 square feet) approved in 2023 at 157 Homestead Lane.

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

### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 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 this staff report being published, the City has received four (4) letters in support of the proposed accessory structure.

### **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 an accessory dwelling without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
3. The accessory structure shall not be used for commercial purposes.
4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
5. The accessory structure shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

### **ATTACHED EXHIBITS**

1. Property Owner Notification Responses
2. Location map (Exhibit A)
3. Survey (Exhibit B)
4. Elevations (Exhibit C)
5. Operational plan (Exhibit D)

### **STAFF CONTACT INFORMATION**

*Prepared by:*

Oanh Vu

Senior Planner

[oanh.vu@waxahachie.com](mailto:oanh.vu@waxahachie.com)

*Reviewed by:*

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

Senior Director of Planning

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



**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number: ZDC-9-2024**

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**GENO OSBERTO JR & CHRISTINE M**  
**157 Homestead Ln**  
**Waxahachie, TX 75165-4008**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 12, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, March 18, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Gary Davis, for a **Specific Use Permit (SUP)** for an Accessory Structure over 700 Square Feet use within a Planned Development Single-Family Dwelling-1 (PD-SF-1) zoning district located at 109 Sanders Drive (Property ID 269676) - Owner: Gary Davis (ZDC-9-2024) Staff: Oanh Vu

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-9-2024

City Reference: 269673

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 6, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.



SUPPORT



OPPOSE

Comments:

Christine M Geno  
Signature

2/24/2024  
Date

Christine M Geno,  
Printed Name and Title  
Homeowner

157 Homestead Lane  
Address

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

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



bottom portion of this notice. Please contact (Item 7 & 8) department at (469) 309-4290 or via email: [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-9-2024

City Reference: 269686

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SUPPORT



OPPOSE

Comments:

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Signature

Date

DONALD M. DUNCAN / Home owner  
Printed Name and Title

108 Sanders Dr

108 Sanders Dr  
Address

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(Item 7 & 8)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-9-2024

LUDS CORPORATION  
14006 WEEPING CHERRY DR  
ROCKVILLE, MD 20850

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Case Number: ZDC-9-2024

City Reference: 269676

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☒ SUPPORT

☐ OPPOSE

Comments:

Signature

MARILISSA TAN  
SIGNATORY

Printed Name and Title

Date

Address

113 Sanders Dr.

Rockville, MD  
20850

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

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





City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-9-2024



**SANCHEZ ROBERTO & JOVIE K CORPUZ-SANCHEZ**  
**153 Homestead Ln**  
**Waxahachie, TX 75165-4008**

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Case Number: ZDC-9-2024

City Reference: 269674

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☒ SUPPORT

☐ OPPOSE

Comments:

WE SUPPORT AS LONG AS THE ACCESSORY STRUCTURE IS NOT GOING TO BE USED AS A  
RESIDENTIAL DWELLING / RENTAL.

  
Signature

03/04/2024  
Date

JOVIE SANCHEZ, HOME OWNER.  
Printed Name and Title

153 HOMESTEAD LANE  
Address

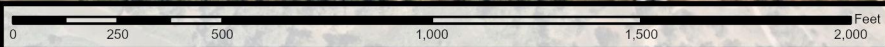
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(Item 7 & 8)



## EXHIBIT A - LOCATION MAP





(Item 7 & 8)

Site Plan 1/29/2024 109 Sanders Dr Waxahachie, TX 75165 (Building Drawing is NOT to Scale) Provided Measurements on Drawing are ACTUAL.

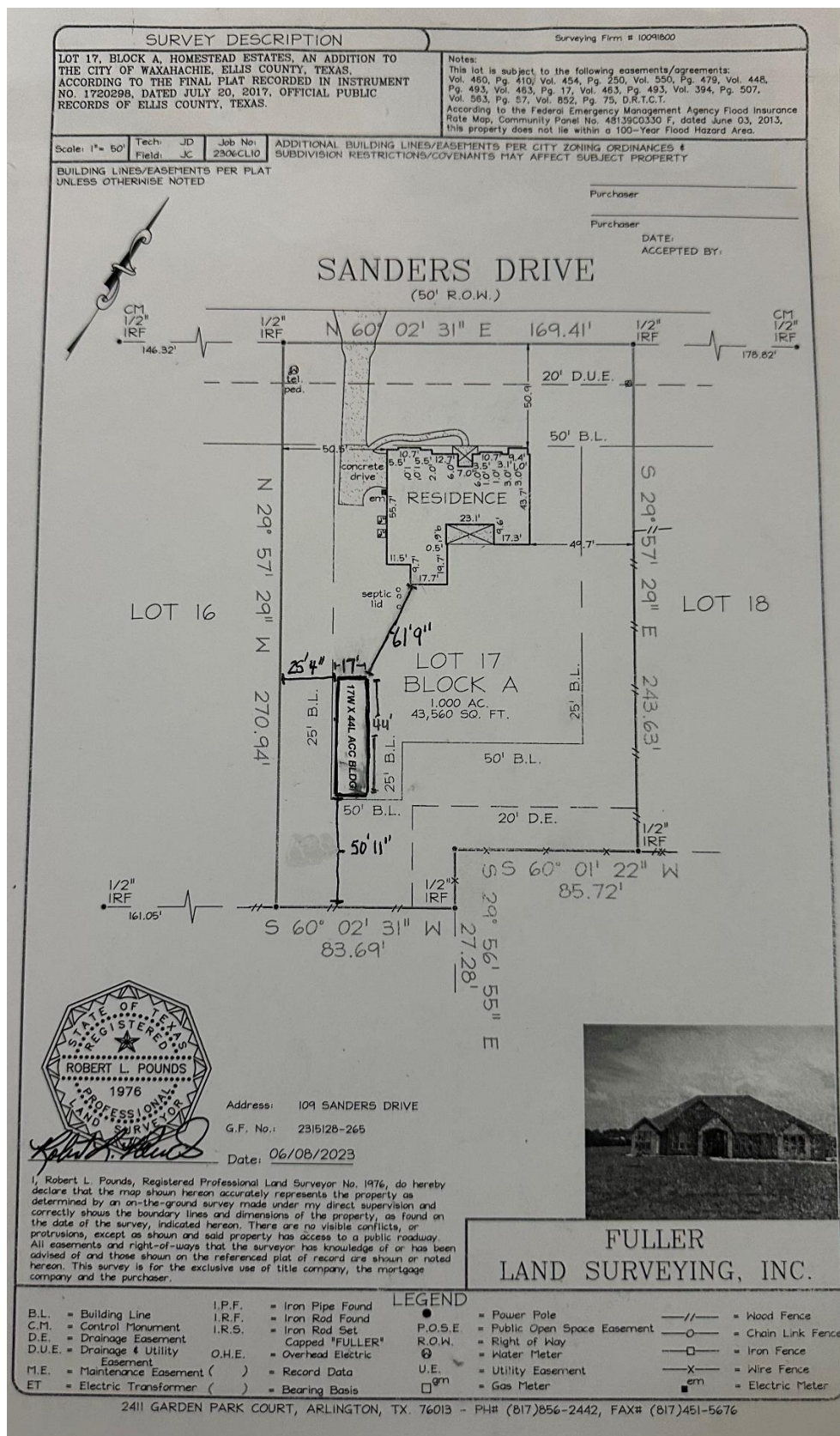
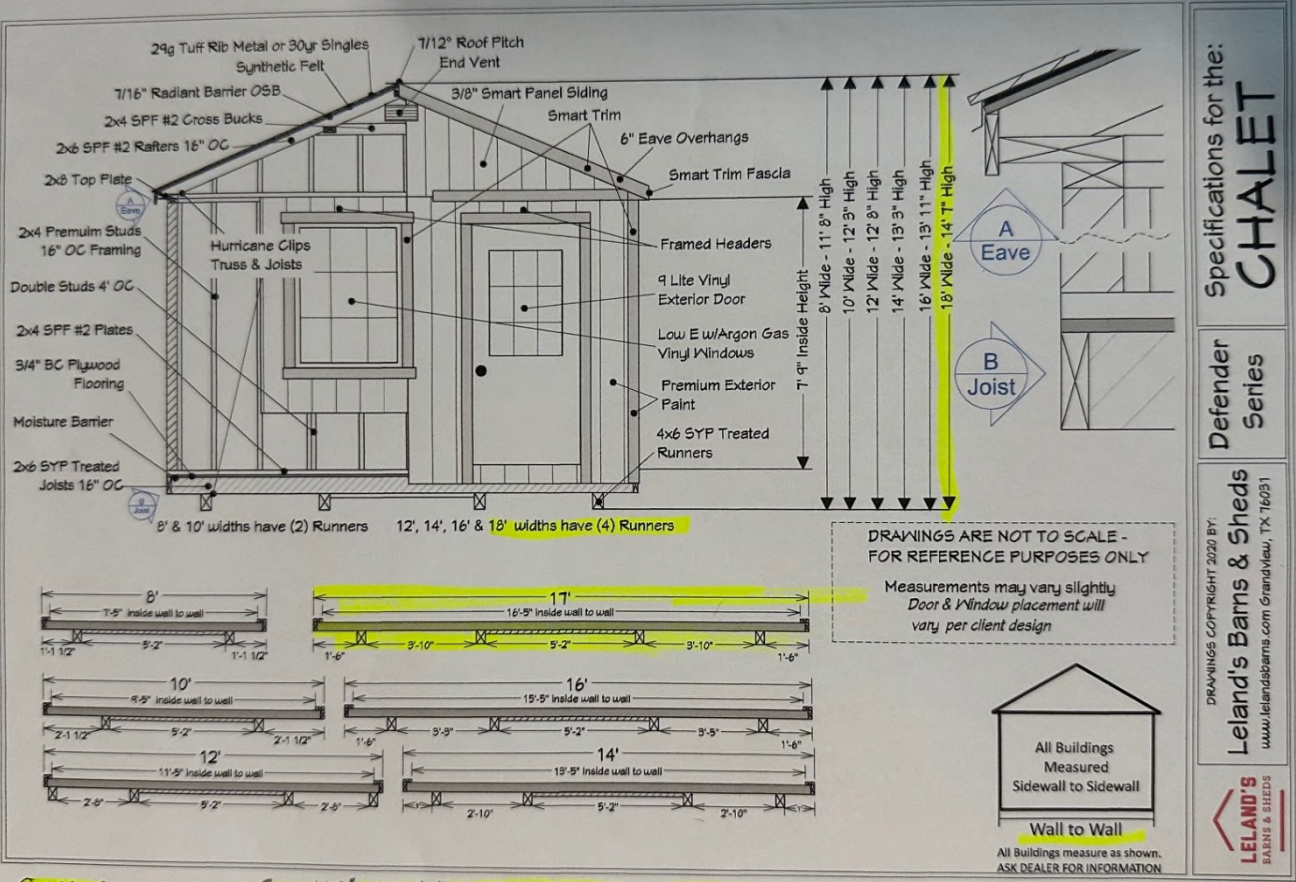


EXHIBIT C - ELEVATIONS

(Item 7 & 8)

Accessory Building Elevations, Drawings, & Photos as Constructed at Factory



SHED DIMENSIONS: 17'x44' = 748 SQ FEET AS BUILT (EXTERNAL)



**EXHIBIT C - ELEVATIONS** (Item 7 & 8)

Front Elevation



Right Side Elevation





# EXHIBIT C - ELEVATIONS (Item 7 & 8)

Left Side Elevation



Rear Elevation



# EXHIBIT C - ELEVATIONS (Item 7 & 8)

Inside - Front to Rear



Inside - Rear to Front





# EXHIBIT D - OPERATIONAL PLAN (Item 7 & 8)

**Operational Plan** for 17' x 44' Accessory Structure – 109 Sanders Dr Waxahachie, TX 75165 -SUP

To whom it may concern,

**What this Accessory Structure is:**

The proposed Accessory Structure will be used for general storage, tool storage, and a hobby workshop. Our current storage, (Currently located in our primary home's garage) is not adequate. Our current hobby area, (Currently located in our primary home's garage) is not adequate. We need the extra space that an accessory structure will provide.

**What this accessory structure is not:**

This accessory structure will **NOT** be used as storage for vehicles, or motorized vehicles.

This accessory structure will **NOT** be used as a residence, secondary residence, or rental property.

We appreciate your assistance in getting this permit approved.

Respectfully,

Gary L. Davis

(Cell) 281-414-4039

[garyldavis94@gmail.com](mailto:garyldavis94@gmail.com)

109 Sanders Dr

Waxahachie, TX 75165

Parcel ID: 269676

Homestead Estates Lot 17 Block A