

**NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION  
NOVEMBER 13, 2018  
CITY COUNCIL CONFERENCE ROOM  
401 S. ROGERS  
WAXAHACHIE TEXAS  
6:00 P.M.**

**Agenda**

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

1. Call to Order
2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting
3. Adjourn

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

***Notice of Potential Quorum***  
***One or more members of the Waxahachie City Council may be present at this meeting.***  
***No action will be taken by the City Council at this meeting.***

# **A G E N D A**

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, November 13, 2018 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

1. Call to Order
2. Invocation
3. ***Consent Agenda***

All matters listed under Item 3, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of October 23, 2018
  - b. Minutes of the Planning and Zoning Commission briefing of October 23, 2018
4. ***Continue Public Hearing*** on a request by Jon Garrett, Lone Star Events, for a Specific Use Permit (SUP) for **Private Club** use within a Commercial zoning district, located at 1300 W Main Street, Suite 101, being 1 & 2B 12 WEST END 0.589 ACRES (Property ID 176701) - Owner: HARDEN ROBERT N & ELIZABETH K (SU-18-0155)
5. ***Consider*** recommendation of Zoning Change No. SU-18-0155
6. ***Consider*** request by Anthony Lohden for a **Replat** of Lot 4, Block 4, College Addition to create Lots 4A & 4B, Block 4, College Addition, 0.366 acres (Property ID 172822) – Owners: ANTHONY COLE AND ANNA MICHELLE LOHDEN (RP-18-0165)
7. ***Consider*** request by Ivan Brigman, Tree Hill Homes., for a **Replat** of Lots 11 and 12, Block D, Taylor Ridge Addition, Phase 4 to create Lots 11R and 12R, Block D, Taylor Ridge Addition, Phase 4, 12.431 acres (Property ID 270124 and 270125) in the Extra Territorial Jurisdiction – Owner: TREE HILL HOMES LP (RP-18-0138)
8. ***Public Hearing*** on a request by Jeremiah Mikel, Ruffin & Mikel Investments, Inc., for a Zoning Change from a Planned Development-25-General Retail zoning district to **Planned Development-General Retail, with Concept Plan**, located at 2100 Brown Street (Property ID 204843) - Owner: HAYOUNG & LEE SANG HUH (PD-18-0162)

9. **Consider** recommendation of Zoning Change No. PD-18-0162
10. **Public Hearing** on a request by William Stern, TAC Services LLC, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family-2 zoning district, located at 228 Hackney (Property ID 267574) – Owner: KEITH A & DEANNA KERR (SU-18-0163)
11. **Consider** recommendation of Zoning Change No. SU-18-0163
12. **Consider** request by Mark Thedford, Akamai Designs, for a **Replat** of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Retail Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-18-0166)
13. **Continue Public Hearing** on a request by Terry Weaver, TJVC Inc. dba Sterling Development Co., for a Zoning Change from a Single Family-1 zoning district to **Planned Development-Single Family-3, with Concept Plan**, located West of Ovilla Road and North of Highway 287 Business, being 101 E BELLOW & 466 E HORTON 79.91 ACRES (Property ID 180391) - Owner: WALKER DON GORDON (PD-18-0156)
14. **Consider** recommendation of Zoning Change No. PD-18-0156
15. **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.
16. Adjourn

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

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

***Notice of Potential Quorum***

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

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

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, October 23, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Erik Test

Others Present: Shon Brooks, Director of Planning  
Kelly Dent, Planner  
James Gaertner, City Engineer  
Tommy Ludwig, Executive Director of Development Services  
Amber Villarreal, Assistant City Secretary  
Mary Lou Shipley, Council Representative

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

Chairman Rick Keeler called the meeting to order at 7:00 p.m. and gave the invocation.

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of October 9, 2018
- b. Minutes of the Planning and Zoning Commission briefing of October 9, 2018

**Action:**

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

4. **Public Hearing on a request by Dianne Moriarty, Global Signs, Inc., for a Specific Use Permit (SUP) for Electronic Message Sign use within a Planned Development-General Retail zoning district, located at 2831 N Highway 77, being LOT 2 BLK A NORTH GROVE BUSINESS PARK PH 1 & 3 1.148 AC (Property ID 272778) - Owner: KEITH MOORE LLC (SU-18-0159)**

Chairman Keeler announced the applicant withdrew the request.

5. **Consider recommendation of Zoning Change No. SU-18-0159**

**Action:**

*No action taken.*

6. **Public Hearing on a request by Terence Young, Winkelmann & Associates, Inc., for a Zoning Change from a Planned Development-36-Commercial zoning district to**

**Planned Development-Commercial, with Detailed Site Plan, located at 1441 N Highway 77, being LOT PT 1 BLK A WAXAHACHIE CROSSING SUBDIVISION UNIT 2 6.731 AC (Property ID 239940) - Owner: JC PENNEY PROPERTIES INC (PD-18-0158)**

Chairman Keeler announced the applicant withdrew the request.

**7. Consider recommendation of Zoning Change No. PD-18-0158**

**Action:**

*No action taken.*

**8. Consider request by Jewel Chadd, JPH Land Surveying Inc., for a Replat of Lot 3, Block A, RVG Plaza to create Lot 3R, Block A, RVG Plaza for 11.478 acres (Property ID 238264) – Owner: HUNTERS COVE LAKESIDE APARTMENTS I LLC & HUNTERS COVE LAKESIDE APARTMENTS II LLC (RP-18-0157)**

Planner Kelly Dent presented RP-18-0157 noting the replat is to relocate a drainage and utility easement in the northwestern corner of the lot, due to the fact that a building was constructed over the easement. Staff recommended approval per the following staff comments:

1. Submit a clear copy of the first page of the Atmos, AT&T, and Charter releases. The first pages are blurred.
2. Filing fees of \$100.00 remain outstanding.

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Jewel Chadd, JPH Land Surveying Inc., for a Replat of Lot 3, Block A, RVG Plaza to create Lot 3R, Block A, RVG Plaza for 11.478 acres (Property ID 238264) – Owner: HUNTERS COVE LAKESIDE APARTMENTS I LLC & HUNTERS COVE LAKESIDE APARTMENTS II LLC (RP-18-0157) subject to Staff Comments. Mr. David Hudgins seconded, All Ayes.*

**9. Continue Public Hearing on a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 zoning district to Planned Development-Single Family-3, with Concept Plan, located at 1308 Wyatt Street, being LOT 3A BLK 184 TOWN ADDN-REV 2.512 AC (Property ID 270088) - Owner: GRANTAVA INC (PD-18-0152)**

Chairman Keeler continued the Public Hearing.

Ms. Dent presented PD-18-0152 noting the applicant seeks to establish a planned development district that encompasses nine lots along Wyatt Street. These lots will range in size from 6,472 SF to 17,432 SF. She explained the applicant committed to have the nine homes be constructed exclusively of brick and/or stone, have two enclosed attached parking spaces, no elevation will be duplicated on any lot in this addition, the homes will be of craftsman style with raised front porches, a five foot wide sidewalk will be installed from the corner of Wyatt at Peters to the eastern

most point of this addition, and all HVAC units will be concealed from public ROW via landscaping and/or fencing.

Executive Director of Development Services Tommy Ludwig reported he and the Public Works Director Jeff Chambers observed traffic in the area. He explained city staff cannot recommend restricting street parking in a residential neighborhood. The city will provide striping on Wyatt Street and move the stop sign back to allow for better maneuverability.

Ms. Betty Square Coleman inquired about restricting semi-truck traffic on residential roads. Mr. Chambers explained truck traffic is allowed on any Right-of-Way as long as their destination is on that route.

There being no others to speak for or against PD-18-0152, Chairman Keeler closed the Public Hearing.

**10. Consider recommendation of Zoning Change No. PD-18-0152**

**Action:**

*Mr. David Hudgins moved to approve a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 zoning district to Planned Development-Single Family-3, with Concept Plan, located at 1308 Wyatt Street, being LOT 3A BLK 184 TOWN ADDN-REV 2.512 AC (Property ID 270088) - Owner: GRANTAVA INC (PD-18-0152) subject to Staff Comments. Ms. Betty Square Coleman seconded, All Ayes.*

**11. Public Hearing on a request by Terry Weaver, TJVC Inc. dba Sterling Development Co., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and North of Highway 287 Business, being 101 E BELLOW & 466 E HORTON 79.91 ACRES (Property ID 180391) - Owner: WALKER DON GORDON (PD-18-0156)**

Chairman Keeler opened the Public Hearing.

Ms. Dent presented PD-18-0156 explaining the proposed development will increase traffic onto Ovilla Rd., perhaps spurring TxDOT's widening of Ovilla to account for the number of households that will be dependent on Ovilla to get into and out of their neighborhoods. One letter of opposition was received. She reviewed the following staff concerns:

1. The City's minimum lot size for SF3 is 10,000 SF.
2. The City would like to see a minimum DUA of 2,200 SF.

Ms. Dent explained the applicant seeks to reduce lot sizes from the SF3 standard size of 10,000 SF to a minimum lot size of 7,400 SF, with 9,000 SF lots included along the boundaries of the site. Staff recommended denial.

Mr. Terry Weaver, 815 W. Main, Midlothian, Texas, explained this is a transitional tract noting house size is more important than lot size when considering the tax base for Waxahachie. He noted he is willing to work with staff to increase lot and house sizes that is economically feasible and requested a continuance.

The Commission expressed concern with not staying in alliance with the City's Comprehensive Plan and keeping this development close to the current zoning of Single Family-1.

**12. Consider recommendation of Zoning Change No. PD-18-0156**

**Action:**

*Ms. Melissa Ballard moved to continue a request by Terry Weaver, TJVC Inc. dba Sterling Development Co., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and North of Highway 287 Business, being 101 E BELLOW & 466 E HORTON 79.91 ACRES (Property ID 180391) - Owner: WALKER DON GORDON (PD-18-0156) to the November 13, 2018 Planning and Zoning Commission meeting. Ms. Bonney Ramsey seconded. The vote was as follows: Ayes: Melissa Ballard, Betty Square Coleman, Bonney Ramsey, Jim Phillips, David Hudgins. Noes: Rick Keeler. The motion carried 5-1*

**13. Public Hearing on a request by Jon Garrett, Lone Star Events, for a Specific Use Permit (SUP) for Private Club use within a Commercial zoning district, located at 1300 W Main Street, Suite 101, being 1 & 2B 12 WEST END 0.589 ACRES (Property ID 176701) - Owner: HARDEN ROBERT N & ELIZABETH K (SU-18-0155)**

Chairman Keeler opened the Public Hearing.

Ms. Dent presented SU-18-0155 noting the applicant seeks to establish an event center business on this property. She explained a site visit on September 24, 2018 confirmed there are a number of site concerns including parking, dumpster screening, and overall maintenance of the site. Staff recommended additional consideration:

1. Other than two parking spaces striped and signed as belonging to Suite 101, City staff can find no evidence of further parking reserved for this applicant. Because this is not a use type that can share parking with another use type, enough parking for this use type must be reserved for this tenant. Therefore, it appears this site is significantly under-parked.
2. The site must come into compliance regarding screening of the refuse storage container.

The Commission expressed parking concerns.

Mr. Robert Harden, 313 Lakewood Drive, Waxahachie, Texas, explained there is enough parking for about twenty-five vehicles on and around the property.

Ms. Alyssa Garrett, 403 Gingerbread Lane, Waxahachie, Texas, explained the venue will only seat fifty people and stand seventy-five. She also noted no food or alcohol will be made or sold on site.

After a lengthy discussion, Ms. Garrett requested to continue the public hearing to allow additional time to work with staff on their concerns.

Those who spoke in opposition:

Mr. Tom Opalach, 1307 W. Main, Waxahachie, Texas

**14. Consider recommendation of Zoning Change No. SU-18-0155**

**Action:**

*Ms. Betty Square Coleman moved to continue a request by Jon Garrett, Lone Star Events, for a Specific Use Permit (SUP) for Private Club use within a Commercial zoning district, located at 1300 W Main Street, Suite 101, being 1 & 2B 12 WEST END 0.589 ACRES (Property ID 176701) - Owner: HARDEN ROBERT N & ELIZABETH K (SU-18-0155) to the November 13, 2018 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.*

**15. Public Comments**

None

**16. Adjourn**

There being no further business, the meeting adjourned at 8:09 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary



The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, October 23, 2018 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Erik Test

Others Present: Shon Brooks, Director of Planning  
Kelly Dent, Planner  
James Gaertner, City Engineer  
Tommy Ludwig, Executive Director of Development Services  
Amber Villarreal, Assistant City Secretary  
Mary Lou Shipley, Council Representative

## **1. Call to Order**

Chairman Rick Keeler called the meeting to order at 6:15 p.m.

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

Planner Kelly Dent explained SU-18-0159 and PD-18-0158 withdrew their cases. She also reviewed the following cases:

- RP-18-0157 required a replat to relocate a drainage and utility easement in the northwestern corner of the lot, due to the fact that a building was constructed over the easement.
- PD-18-0152 was continued at the last meeting to allow staff to review traffic concerns. Executive Director of Development Services Tommy Ludwig reported he and the Public Works Director Jeff Chambers observed the traffic multiple times in that area. He also met with concerned neighbor Mr. Tim Burleson and explained city staff cannot recommend restricting street parking in a residential neighborhood. The city will provide striping on Wyatt Street and move the stop sign back to allow for better maneuverability.
- PD-18-0156 is a request to go from Single Family-1 zoning to modified Single-Family-3. The Commission expressed concern with not following the City's Comprehensive Plan. City staff expressed concern with lot size and house size.

{Ms. Betty Square Coleman arrived at 6:26 p.m.}

- SU-18-0155 requests an SUP for a private club. Ms. Dent explained the term "private club" is used because the location plans to be an event venue that can be rented. Ms. Dent also noted during the site visit only two marked parking spaces were available. She

explained one spot is required for every 100 sq. ft. and staff has not received a scaled dimension floor plan to accurately account for the required number of parking spaces.

**3. Adjourn**

There being no further business, the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary



## Memorandum

To: Planning and Zoning Commission  
From: Shon Brooks, Director of Planning  
Thru: Michael Scott, City Manager

Date: November 2, 2018

Re: SU-18-0155 – 1300 W Main, Suite 101 – Private Club

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The applicant has withdrawn this case from consideration.



## Memorandum

To: Planning and Zoning Commission  
From: Shon Brooks, Director of Planning  
Thru: Michael Scott, City Manager  
Date: November 2, 2018  
Re: RP-18-0165 College Addition

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The applicant has withdrawn this case from consideration to allow himself further time to research the feasibility of his proposal to subdivide the lot in question.

# Planning & Zoning Department

## Plat Staff Report

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**Case: RP-18-0138**

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### MEETING DATE(S)

*Planning & Zoning Commission:* November 13, 2018

*City Council:* November 19, 2018

### CAPTION

Consider request by Ivan Brigman, Tree Hill Homes., for a **Replat** of Lots 11 and 12, Block D, Taylor Ridge Addition, Phase 4 to create Lots 11R and 12R, Block D, Taylor Ridge Addition, Phase 4, 12.431 acres (Property ID 270124 and 270125) in the Extra Territorial Jurisdiction – Owner: TREE HILL HOMES LP (RP-18-0138)

### CASE INFORMATION

*Applicant:* Ivan Brigman, Tree Hill Homes

*Property Owner(s):* Tree Hill Homes LP

*Site Acreage:* 12.4308 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 2 units

*Park Land Dedication:* N/A ETJ

*Adequate Public Facilities:* Buena Vista-Bethel Special Utility District has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements.

### SUBJECT PROPERTY

*General Location:* 144 and 149 Taylor Ridge Drive

*Parcel ID Number(s):* 270124 and 270125

*Current Zoning:* N/A (ETJ)

*Existing Use:* Currently undeveloped

*Platting History:* The Final Plat for Taylor Ridge, Phase 4 was approved by City Council on August 21, 2017.

Site Aerial:



**STAFF CONCERNS**

1. None

**APPLICANT RESPONSE TO CONCERNS**

1. No comments to respond to.

**RECOMMENDATION**

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

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:

**ATTACHED EXHIBITS**

1. Plat drawing

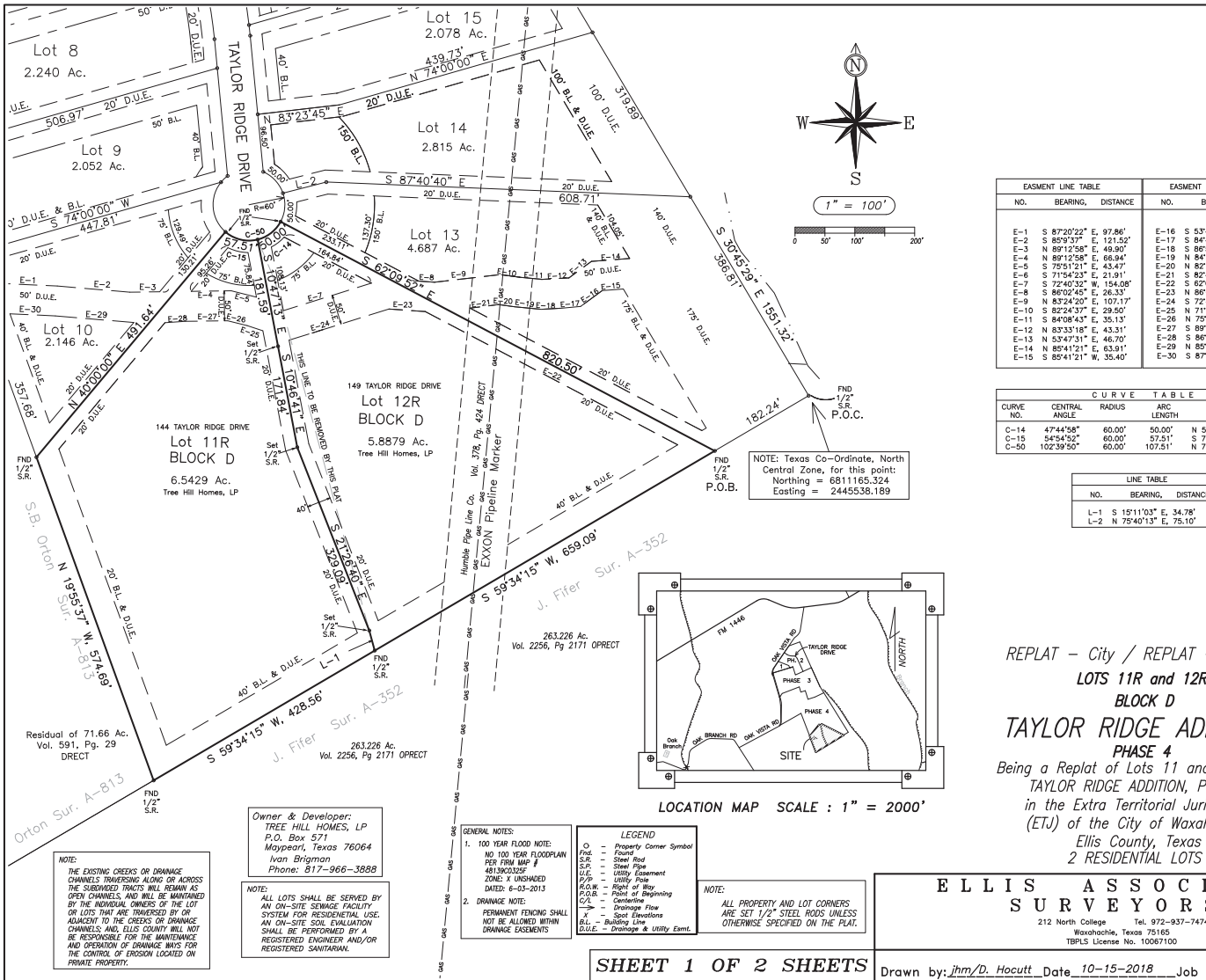
**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Kelly Dent, MPA  
Planner  
[kdent@waxahachie.com](mailto:kdent@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)



EASEMENT LINE TABLE			EASEMENT LINE TABLE		
NO.	BEARING	DISTANCE	NO.	BEARING	DISTANCE
E-1	S 87°20'22" E	97.86'	E-16	S 53°47'31" W	44.93'
E-2	S 89°3'37" E	121.53'	E-17	S 84°42'01" W	33.21'
E-3	N 89°12'58" E	49.90'	E-18	S 86°55'10" W	32.53'
E-4	N 89°12'58" E	66.94'	E-19	N 84°33'59" W	41.82'
E-5	S 79°51'21" E	43.47'	E-20	N 82°26'37" W	29.85'
E-6	S 71°54'23" E	21.91'	E-21	S 82°43'25" W	47.63'
E-7	S 72°40'32" W	154.08'	E-22	S 82°09'52" E	477.28'
E-8	S 86°02'45" E	26.33'	E-23	N 86°02'45" W	60.76'
E-9	N 83°24'20" E	107.17'	E-24	S 72°40'32" W	174.84'
E-10	S 82°24'37" E	29.50'	E-25	N 71°54'23" W	27.79'
E-11	S 84°08'43" E	35.13'	E-26	N 75°51'21" W	33.33'
E-12	N 83°33'18" E	43.31'	E-27	S 89°12'58" E	70.47'
E-13	N 83°47'31" E	46.70'	E-28	S 86°21'09" W	34.59'
E-14	N 85°41'21" E	63.91'	E-29	N 85°09'37" E	131.57'
E-15	S 85°41'21" W	35.40'	E-30	S 87°20'22" E	82.31'

CURVE TABLE				
CURVE NO.	CENTRAL ANGLE	RADIUS	ARC LENGTH	LONG CHORD
C-14	47°44'58"	60.00'	50.00'	N 52°02'16" E, 48.57'
C-15	54°54'30"	60.00'	57.51'	S 78°37'49" E, 55.33'
C-50	102°39'50"	60.00'	107.51'	N 79°29'42" E, 93.69'

LINE TABLE		
NO.	BEARING	DISTANCE
L-1	S 18°11'03" E	34.78'
L-2	N 75°40'13" E	75.10'

REPLAT - City / REPLAT - County  
LOTS 11R and 12R  
BLOCK D  
TAYLOR RIDGE ADDITION  
PHASE 4  
Being a Replat of Lots 11 and 12, Block D  
TAYLOR RIDGE ADDITION, PHASE 4  
in the Extra Territorial Jurisdiction  
(ETJ) of the City of Waxahachie  
Ellis County, Texas  
2 RESIDENTIAL LOTS

ELLIS ASSOCIATES  
SURVEYORS

212 North College Tel. 972-937-7474  
Waxahachie, Texas 75165  
TBLIS License No. 100671001

Drawn by: jhm/D. Hocutt Date 10-15-2018 Job no. 18179

SHEET 1 OF 2 SHEETS

STATE OF TEXAS:  
COUNTY OF ELLIS: KNOW ALL MEN BY THESE PRESENTS:

That We, Tree Hill Homes, LP, being the owners of that certain tract of land hereinafter described as follows:

Field Notes  
12.431 Acres

BEING all that certain lot, tract, or parcel of land situated in TAYLOR RIDGE, PHASE 4 as described by plat filed in Cabinet J, Slides 155 - 158, Plat Records, Ellis County, Texas (Instrument No. 1727883, Official Public Record, Ellis County, Texas), in the Extra Territorial Jurisdiction (ETJ) of the City of Waxahachie, Ellis County, Texas, and being all of Lots 11 and 12 of Block D, Volume 2482, Page 1591 of the said subdivision, and being more particularly described as follows:

COMMENCING at a 1/2" steel rod found for the east corner of said subdivision tract and same for Lot 13, Block D, being in the occupied northwest line of the J. Fifer Survey, Abstract 352, and is also an interior corner of a called 263.226 acre tract of land as described in Volume 2256, Page 2171, OPRECT, with the bearing basis for this description from GPS observation, Texas Co-ordinate System, North Central Zone 4202, NAD83 datum, with the beginning point having co-ordinates of Northing = 6811165.324, Easting = 2445538.189;

THENCE S 59°34'15" W, 182.24 feet along a southeast line of Lot 13 and same for said subdivision and along a northwest line of the said 263.226 acre tract and also along the occupied Fifer survey line to a 1/2" steel rod found for the southwest corner of said Lot 13, and being the east corner of this tract and south corner for said Lot 12, and being the POINT OF BEGINNING of this tract;

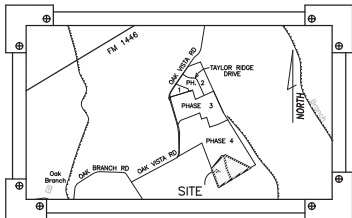
THENCE S 59°34'15" W, 182.24 feet along the southeast line of this tract and same for said Lot 12 passing a 1/2" rod found for the southerly common corner of Lots 12 and 11 of said subdivision, in all 1087.65 feet to a 1/2" steel rod found for the south corner of this tract, same for said Taylor Ridge, Phase 4, and same for said Lot 11, and being the east corner of a called 71.66 acres as described in deed by Volume 591, Page 29, Deed Records, Ellis County, Texas (DRECT);

THENCE N 19°55'37" W, 574.69 feet along the southwest line of this tract and same for said subdivision and Lot 11, and along the northeast line of the said 71.66 acres tract to a 1/2" steel rod found for the west corner of this tract and same for said Lot 11, and being the south corner of Lot 10, Block D;

THENCE N 40°00'00" E, 491.64 feet along the northwest line of this tract, being the common line for Lots 10 and 11, Block D to a 1/2" steel rod found in a counterclockwise curve on the southwesterly right of way of Taylor Ridge Drive (60 feet Public R.O.W.), being the northwest corner of this tract and same for said Lot 11;

THENCE along said curve to the left, at 57.51 feet along the arc passing a 1/2" steel rod found for the common corner in all 107.51 feet, said curve having a radius of 60 feet, a long chord of N 79°29'42" E, 93.69 feet, and a central angle of 102°39'50" to a 1/2" steel rod found for the northeast corner of this tract, and being the common corner of Lots 12 and 13, Block D;

THENCE S 62°09'52" E, 820.50 feet along the northeast line of this tract and along the southwest line of said Lot 13 to the POINT OF BEGINNING and containing approximately 12.431 acres of land.



LOCATION MAP SCALE : 1" = 2000'

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That We, Tree Hill Homes, LP, do hereby adopt this plat designating the hereinabove described property as a Replat-City / Replat-County of TAYLOR RIDGE, PHASE 4, and do hereby dedicated to Ellis County, for public use, the streets and alleys shown hereon; and do hereby reserve the easement strips shown on this plat for the accommodation of all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with the construction or maintenance of its respective system on any of these easement strips; and any public utility shall, at all times, have the right of ingress and egress to and from and upon said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

IN TESTIMONY WHEREOF, WITNESS MY HAND THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

Ivan Brigman  
Tree Hill Homes, LP

STATE OF TEXAS:

Before me the undersigned authority, a notary public in and for said state on this day personally appeared Ivan Brigman, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

Notary Public

SURVEYOR'S DECLARATION

THIS is to declare that I, Stuart G. Hamilton, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey made on the ground, and that all lot 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.

Stuart G. Hamilton  
Registered Professional  
Land Surveyor  
Number 4480

Date

STATE OF TEXAS:

Before me the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Stuart G. Hamilton, 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 purposes herein expressed and in the capacity stated.

Give under my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Notary Public in and for the  
State of Texas

PLATTING NOTE:  
Property lies in the E.T.J. of the  
City of Waxahachie, and is subject  
to the platting rules and  
regulations of said city.

NOTE: No 100 year floodplain  
per FEMA FIRM Map #  
48138C0325F, dated  
June 3, 2013.

SHEET 2 OF 2 SHEETS

CITY OF WAXAHACHIE, TEXAS FINAL PLAT APPROVAL

APPROVED BY: Planning and Zoning Commission  
City of Waxahachie

By: \_\_\_\_\_ Date \_\_\_\_\_  
Chairperson

APPROVED BY: City Council  
City of Waxahachie

By: \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

Attest \_\_\_\_\_ Date \_\_\_\_\_

NOTE:  
ALL LOTS SHALL BE SERVED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR  
RESIDENTIAL USE. AN ON-SITE SOIL EVALUATION SHALL BE PERFORMED BY  
A REGISTERED ENGINEER AND/OR REGISTERED SANITARIAN.

STATE OF TEXAS:  
COUNTY OF ELLIS:

Certificate of approval by the Commissioners Court of Ellis County, Texas:  
Approved this date, the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

County Judge, Carol Bush

Randy Stinson  
Commissioner Precinct # 1

Lane Grayson  
Commissioner Precinct # 2

Paul Perry  
Commissioner Precinct # 3

Kyle Butler  
Commissioner Precinct # 4

NOTE:  
ALL LOTS SHALL BE SERVED BY ON-SITE  
SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE.  
AN ON-SITE SOIL EVALUATION SHALL BE PERFORMED  
BY A REGISTERED ENGINEER AND/OR  
REGISTERED SANITARIAN.

This plat has been Preliminary/Final approved by the Department of Development for  
an on-site sewage facility system pending any and all information as may be required  
by the Ellis County Department of Development.

Department of Development Director

Date

REPLAT - City / REPLAT - County  
LOTS 11R and 12R  
BLOCK D

TAYLOR RIDGE ADDITION  
PHASE 4

Being a Replat of Lots 11 and 12, Block D  
TAYLOR RIDGE ADDITION, PHASE 4  
in the Extra Territorial Jurisdiction  
(ETJ) of the City of Waxahachie  
Ellis County, Texas  
2 RESIDENTIAL LOTS

ELLIS ASSOCIATES  
SURVEYORS

212 North College Tel. 972-937-7474  
Waxahachie, Texas 75165  
TBPLS License No. 10067100

Drawn by: jhm/ D. Hocutt Date: 10-15-2018 Job no.: 18179



# Planning & Zoning Department

## Zoning Staff Report

Case: PD-18-0162



### MEETING DATE(S)

*Planning & Zoning Commission:* November 13, 2018

*City Council:* November 19, 2018

### CAPTION

**Public Hearing** on a request by Jeremiah Mikel, Ruffin & Mikel Investments, Inc., for a Zoning Change from a Planned Development-25-General Retail zoning district to **Planned Development-General Retail, with Concept Plan plus an Offsite Dry Cleaning Establishment** located at 2100 Brown Street (Property ID 204843) - Owner: HAYOUNG & LEE SANG HUH (PD-18-0162)

### CASE INFORMATION

*Applicant:* Jeremiah Mikel, Ruffin & Mikel Investments, Inc.

*Property Owner(s):* Hayoung & Lee Sang Huh

*Site Acreage:* 0.557 acres

*Current Zoning:* Planned Development-General Retail

*Requested Zoning:* Planned Development-General Retail, plus Offsite Dry Cleaning Establishment

### SUBJECT PROPERTY

*General Location:* 2100 Brown Street

*Parcel ID Number(s):* 204843

*Existing Use:* Multi-tenant retail structure

*Development History:* The final plat for Lot 1, Block A of Indian Plaza was approved by City Council on September 14, 1987.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	PD-GR-MUR	Currently undeveloped
East	PD-25-C	Gas station
South	PD-26-MF1	Bridgepoint Apartments
West	N/A	TxDOT ROW for US HWY 287

*Future Land Use Plan:* Retail

*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The site is accessed via Brown Street (FM 813) a Major Thoroughfare B (110' ROW).



*Site Image:*

**PLANNING ANALYSIS**

The applicant seeks to open a Dry-Cleaning Establishment, where the actual process of dry-cleaning is conducted off-site. Such as use type is not permitted by right or via a Specific Use Permit in the General Retail (GR) zoning district. The applicant proposes a Planned Development where a Dry-Cleaning Establishment, with off-site cleaning, is permitted. This PD would restrict this use type to Suite 100, the suite occupied by the applicant.

**PD DEVELOPMENT STANDARDS**

The following table identifies the development standard requirements in the base zoning district in comparison to the proposed development standards for this PD.

Base Zoning Requirement	Proposed Development Standard
Dry-Cleaning Establishment, Off-Site, not permitted	Dry-Cleaning Establishment, Off-Site, permitted

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 5 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 10/24/2018.

**STAFF CONCERNS**

1. None.

**APPLICANT RESPONSE TO CONCERNS**

1. No comments to respond to.

**RECOMMENDATION**

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

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:

**ATTACHED EXHIBITS**

1. Site plan

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Kelly Dent, MPA  
Planner  
[kdent@waxahachie.com](mailto:kdent@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)



## **CASE PD-18-0162**

***SUPPORT 1***

***OPPOSE 0***

Request by Jeremiah Mikel, Ruffin & Mikel Investments, Inc., for a Zoning Change from a Planned Development-25-General Retail zoning district to **Planned Development-General Retail, with Concept Plan**, located at 2100 Brown Street (Property ID 204843) - Owner: HAYOUNG & LEE SANG HUH (PD-18-0162)

### **SUPPORT**

1. Hayoung Huh, 2605 Sandstone Lane, Midlothian, TX 76065

-----



RECEIVED  
10/29/18



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: PD-18-0162



HUH HAYOUNG & LEE SANG HUH  
2605 SANDSTONE LN  
MIDLOTHIAN, TX 76065

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 13, 2018 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 19, 2018 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 Jeremiah Mikel, Ruffin & Mikel Investments, Inc., for a Zoning Change from a Planned Development-25-General Retail zoning district to **Planned Development-General Retail, with Concept Plan**, located at 2100 Brown Street (Property ID 204843) - Owner: HAYOUNG & LEE SANG HUH (PD-18-0162)*

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: [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com) for additional information on this request.

Case Number: PD-18-0162



SUPPORT

OPPOSE

Comments: \_\_\_\_\_

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on WEDNESDAY, NOVEMBER 7, 2018 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

Hayoung Huh / owner  
Printed Name and Title

10/26/18

Date

2605 Sandstone Ln  
Address  
Midlothian TX 76065

# Planning & Zoning Department

## Zoning Staff Report

**Case: SU-18-0163**



### MEETING DATE(S)

*Planning & Zoning Commission:* November 13, 2018

*City Council:* November 19, 2018

### CAPTION

**Public Hearing** on a request by William Stern, TAC Services LLC, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family-2 zoning district, located at 228 Hackney (Property ID 267574) – Owner: KEITH A & DEANNA KERR (SU-18-0163)

### CASE INFORMATION

*Applicant:* William Stern, TAC Services LLC

*Property Owner(s):* Keith A & Deanna Kerr

*Site Acreage:* 0.212 acres

*Current Zoning:* Single Family-2

*Requested Zoning:* SF2 with Specific Use Permit

### SUBJECT PROPERTY

*General Location:* 228 Hackney

*Parcel ID Number(s):* 267574

*Existing Use:* Single family residence

*Development History:* The Final Plat for Mustang Creek, Phase Four was approved by City Council on August 15, 2016.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	SF2	Single family residence
East	SF2	Single family residence
South	SF2	Single family residence
West	SF2	Single family residence

*Future Land Use Plan:* Low Density Residential

*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The site is accessed via Hackney Street, a local street (50' ROW).



*Site Image:*

**PLANNING ANALYSIS**

The applicant seeks to install solar panels on the roof of this single family residence. Solar panels are permitted, with a Specific Use Permit, and must be installed so that they do not front onto the right-of-way.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 10/24/18.

**STAFF CONCERNS**

1. Modify the vicinity map to call out the house.

**APPLICANT RESPONSE TO CONCERNS**

1. Awaiting applicant response.

**RECOMMENDATION**

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

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:



**ATTACHED EXHIBITS**

1. Site plan packet

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Kelly Dent, MPA

Planner

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

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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

SCOPE OF WORK

TO INSTALL A SOLAR PHOTOVOLTAIC (PV) SYSTEM AT THE KEITH KERR RESIDENCE.  
LOCATED AT 228 HACKNEY STREET IN WAXAHACHIE, 75165.  
THE POWER GENERATED BY THE PV SYSTEM WILL BE INTERCONNECTED WITH THE UTILITY GRID THROUGH THE EXISTING ELECTRICAL SERVICE EQUIPMENT.  
THE PV SYSTEM DOES NOT INCLUDE STORAGE BATTERIES.

SYSTEM RATING

12.80	KW DC STC
11.84	KW DC PTC
11.40	KW CEC-AC

PROJECT LOCATION

EQUIPMENT SUMMARY

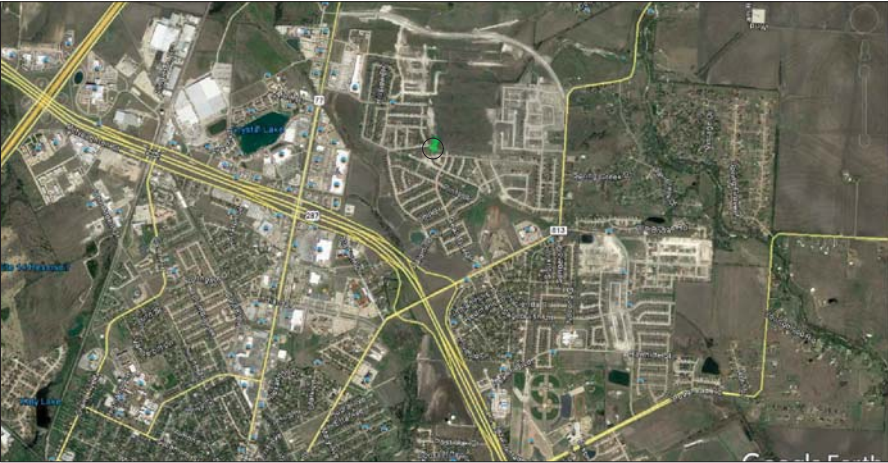
40	HANWHA Q.PEAK DUO-G5 320 PV MODULES
1	SOLAREDGE SET1400H-US PV INVERTER(S)

SHEET INDEX

PV-1	COVER
PV-2	SITE MAP & PV LAYOUT
PV-2.1	ROOF 1 LAYOUT
PV-2.2	ROOF 2 LAYOUT
PV-5.1	ELECTRICAL 1-LINE DIAGRAM
PV-5.2	ELECTRICAL WIRE CALCULATIONS
PV-7	SYSTEM LABELING DETAIL
PV-8	EQUIPMENT SPECIFICATION SHEETS
PV-8.1	EQUIPMENT SPECIFICATION SHEETS
PV-8.2	EQUIPMENT SPECIFICATION SHEETS
PV-8.3	EQUIPMENT SPECIFICATION SHEETS

GOVERNING CODES

2014 NATIONAL ELECTRICAL CODE  
2015 INTERNATIONAL BUILDING CODE / INTERNATIONAL RESIDENTIAL CODE  
UNDERWRITERS LABORATORIES (UL) STANDARDS  
OSHA 29 CFR 1910.269



DESIGN & DRAFTING BY:  
REILLY HOFF

REVISIONS		
DESCRIPTION	DATE	REV
ORIGINAL	8/31/2016	A

CONTRACTOR

**TAC**

WWW.TAC-SOLAR-AND-AC.COM  
1800 S. LOOP 288, STE 356 #105  
DENTON, TX 76205  
NABCEP - PV-102216-015022  
TECL # 31393

PROJECT NAME

KERR - 228 HACKNEY ST  
228 HACKNEY STREET  
WAXAHACHIE, TX, 75165  
ESI ID: 0317604

SHEET NAME

COVER  
PAGE

SHEET SIZE

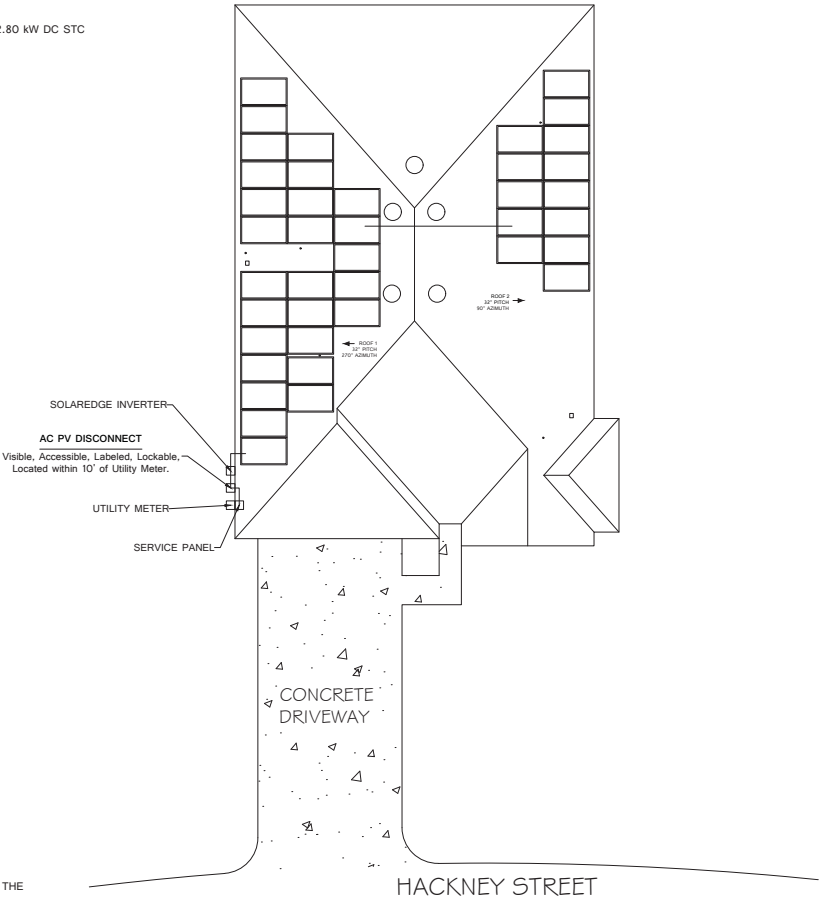
ANSI B  
11"x17"

SHEET NUMBER

PV-1

CONSTRUCTION SUMMARY

(40) (HANWHA Q,PEAK DUO-G5 320) SOLAR MODULES TOTAL, 12.80 kW DC STC  
(1) (SOLAREGE SE11400H-US) INVERTER TOTAL, 11.40 kW AC.  
(68) ATTACHMENT POINTS @ 72" O.C. MAX.  
Roof Type = Comp Shingle, Age Unknown, 1 Layer(s)  
Roof Structure = 2x4 Truss @ 24" O.C., 1/2" Plywood Decking  
Roof/Array #1 - 32° Pitch, 270° Azimuth  
Roof/Array #2 - 32° Pitch, 90° Azimuth



CONSTRUCTION NOTES

- 1.) ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
- 2.) ALL OUTDOOR EQUIPMENT SHALL BE RAINIGHT WITH MINIMUM NEMA 3R RATING.
- 3.) ALL LOCATIONS ARE APPROXIMATE AND REQUIRE FIELD VERIFICATION.

DESIGN & DRAFTING BY:  
REILLY HOFF  
--

REVISIONS

DESCRIPTION	DATE	REV
ORIGINAL	8/31/2016	A

CONTRACTOR

**TAC**  
WWW.TAC-SOLAR-AND-AC.COM  
1800 S. LOOP 288, STE 356 #105  
DENTON, TX 76205  
NABCEP - PV-102216-015022  
TECL# 31393

PROJECT NAME

KERR - 228 HACKNEY ST  
228 HACKNEY STREET  
WAXAHACHIE, TX, 75165  
ESI ID: 0317604

SHEET NAME

**PV  
LAYOUT**

SHEET SIZE

**ANSI B  
11"x17"**

SHEET NUMBER

**PV-2**

# Planning & Zoning Department

## Plat Staff Report

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**Case: RP-18-0166**

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### MEETING DATE(S)

*Planning & Zoning Commission:* November 13, 2018

*City Council:* November 19, 2018

### CAPTION

Request by Mark Thedford, Akamai Designs, for a **Replat** of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Retail Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNGMEE (RP-18-0166)

### CASE INFORMATION

*Applicant:* Mark Thedford, Akamai Designs

*Property Owner(s):* Kay Bunmungmee

*Site Acreage:* 1.162 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* N/A

*Adequate Public Facilities:* Applicant can either extend the connections that currently serve the existing bakery, or can abandon those connections and install connections that include the new development and the existing building.

### SUBJECT PROPERTY

*General Location:* 512 Ferris Avenue

*Parcel ID Number(s):* 170749

*Current Zoning:* General Retail

*Existing Use:* Creations Bakery

*Platting History:* These lots currently exist as shown on the Hawkins Map, which was filed May 1, 1946.

*Site Aerial:*



**STAFF CONCERNS**

None

**RECOMMENDATION**

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
  1. Applicant seeks to dedicate 18.5 feet rather than the 23 feet required to reach full Right Of Way width due to the existing building extending into the would be dedication area.
  2. Utility Easement must be located along Ferris Avenue.

**ATTACHED EXHIBITS**

1. Plat drawing

**APPLICANT REQUIREMENTS**

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

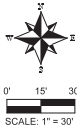
**STAFF CONTACT INFORMATION**

*Prepared by:*  
Kelly Dent, MPA  
Planner  
[kdent@waxahachie.com](mailto:kdent@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)



VICINITY MAP  
1" = 3000'



HR WAXAHACHIE LAND, LP  
VOL. 2830 PG. 1375  
OPRECT  
ZONED GR

KARL GOSS & ANNETTE GOSS  
VOL. 996 PG. 604  
OPRECT  
ZONED SF-1

CAROLYN MAE JENKINS  
VOL. 1544 PG. 2114  
OPRECT  
ZONED SF-1

JOSE R CASTENEDA  
VOL. 2467 PG. 287  
OPRECT  
ZONED GR

OWNERS:  
KAY BLUMMUNG MEE  
1015 FERRIS AVENUE  
WAXAHACHIE, TX 75165  
972.938.7733

SURVEYOR:  
TEXAS REALITY CAPTURE &  
SURVEYING, LLC.  
P.O. BOX 252  
WAXAHACHIE, TEXAS 75168  
469.518.0338  
TBPLS FIRM NO 10194359

## FERRIS RETAIL CENTER LOT 1, BLOCK A

BEING A REPLAT OF  
BLOCK 28 AND A PORTION OF BLOCK 30  
OFFICIAL MAP OF WAXAHACHIE,  
CABINET A, SLIDE 181,  
PLAT RECORDS, ELLIS COUNTY TEXAS  
OF CITY OF WAXAHACHIE, TEXAS  
ELLIS COUNTY, TEXAS  
1.162 ACRES  
1 COMMERCIAL LOT  
ZONED GR

LEGEND  
CIRS = 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET  
FND = FOUND  
IRF = IRON ROD FOUND  
OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS  
PRECT = PLAT RECORDS ELLIS COUNTY TEXAS

NOTES:  
BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL  
ZONE 4202, NAD 83 PER GPS OBSERVATIONS.  
A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS  
DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" - ACCORDING TO  
THE FLOOD INSURANCE RATE MAP NO. 48139C0190F, DATED JUNE 3, 2013, AS  
PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

JOB NO. 1198

OCTOBER 2018

PAGE 1 OF 2

PL STATE OF TEXAS :  
COUNTY OF ELLIS :      KNOW ALL MEN BY THESE PRESENTS:

WHEREAS KAY BUNNMUNGMEE IS THE SOLE OWNER OF A TRACT OF LAND DESCRIBED IN DEED KAY BUNNMUNGMEE, RECORDED IN INSTRUMENT NO. 1620072, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), ALSO BEING ALL OF BLOCK 29 AND A PORTION OF BLOCK 30, OFFICIAL MAP OF WAXAHACHIE, RECORDED IN CABINET A, SLIDE 181, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (PRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND (IRF) FOR THE NORTHWEST CORNER OF SAID BUNNMUNGMEE TRACT, SAID BLOCK 29 AND THE INTERSECTION OF THE EAST RIGHT-OF-WAY (ROW) LINE OF FERRIS AVENUE (E. S. HIGHWAY 17) AND THE SOUTH ROW LINE OF W. PARKS AVENUE.

THENCE S 94°43'15" E. ALONG THE NORTH LINE OF SAID BUNNMUNGMEE TRACT, SAID BLOCK 29 AND THE COMMON SOUTH ROW LINE OF SAID W. PARKS AVENUE, A DISTANCE OF 290.44 FEET TO A 1/2" IRF FOR THE NORTHEAST CORNER OF SAID BUNNMUNGMEE TRACT, SAID BLOCK 29 AND THE INTERSECTION OF THE SOUTH ROW LINE OF SAID W. PARKS AVENUE AND THE WEST ROW LINE OF MONROE STREET.

THENCE S 23°46'09" W. ALONG THE EAST LINE OF SAID BUNNMUNGMEE TRACT, THE EAST LINES OF SAID BLOCK 29, SAID BLOCK 30 AND THE COMMON WEST ROW LINE OF SAID MONROE STREET, A DISTANCE OF 175.87 FEET TO A 1/2" IRON PIPE FOUND (IPF) FOR THE SOUTHEAST CORNER OF SAID BUNNMUNGMEE TRACT AND THE COMMON NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO ERWIN BROTHERS PARTNERSHIP, RECORDED IN VOLUME 2189, PAGE 1675, OPRECT, FROM WHICH A 1/2" IRF MARKING THE SOUTHEAST CORNER OF SAID ERWIN BROTHERS TRACT AND THE INTERSECTION OF THE NORTH ROW LINE OF ROYAL STREET AND THE WEST ROW LINE OF SAID MONROE STREET BEARS S 22°29'21" W, A DISTANCE OF 38.21 FEET.

THENCE ALONG THE SOUTH LINES OF SAID BUNNMUNGMEE TRACT AND THE COMMON NORTH LINES OF SAID ERWIN BROTHERS TRACT, AS FOLLOWS:

N 86°59'07" W, A DISTANCE OF 142.98 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 22°00'10" E, A DISTANCE OF 12.14 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 87°57'30" W, A DISTANCE OF 141.09 FEET A 1/2" IRF FOR THE SOUTHWEST CORNER OF SAID BUNNMUNGMEE TRACT AND THE COMMON NORTHWEST CORNER OF SAID ERWIN BROTHERS TRACT, AND BEING IN THE EAST ROW LINE OF SAID FERRIS AVENUE, FROM WHICH THE SOUTHWEST CORNER OF SAID ERWIN BROTHERS TRACT AND THE INTERSECTION OF THE WEST ROW LINE OF SAID FERRIS AVENUE AND THE NORTH ROW LINE OF SAID ROYAL STREET BEARS S 22°00'10" W, A DISTANCE OF 325.64 FEET.

THENCE N 21°50'28" E, ALONG THE WEST LINE OF SAID BUNNMUNGMEE TRACT, THE WEST LINES OF SAID BLOCK 30, SAID BLOCK 29 AND THE COMMON EAST ROW LINE OF SAID FERRIS AVENUE, A DISTANCE OF 177.64 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.162 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT KAY BUNNMUNGMEE, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS FERRIS RETAIL CENTER, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FREE SIMPLE, TO THE CITY OF WAXAHACHIE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVERS OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE, TO PARTICULAR UTILITIES, 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 ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS, THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS.

WITNESS, MY HAND, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

KAY BUNNMUNGMEE

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 TOMAS REYES, KNOWN 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 UNDER MY HAND AND SEAL THIS, \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"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"

TIMOTHY L JACKSON  
REGISTRATION NUMBER 5644

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
CHAIRPERSON

APPROVED BY: CITY COUNCIL,  
CITY OF WAXAHACHIE

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
MAYOR

ATTEST \_\_\_\_\_ DATE \_\_\_\_\_

FERRIS RETAIL CENTER  
LOT 1, BLOCK A

BEING A REPLAT OF  
BLOCK 29 AND A PORTION OF BLOCK 30  
OFFICIAL MAP OF WAXAHACHIE,  
CABINET A, SLIDE 181,  
PLAT RECORDS, ELLIS COUNTY TEXAS  
OF CITY OF WAXAHACHIE, TEXAS  
ELLIS COUNTY, TEXAS  
1.162 ACRES  
1 COMMERCIAL LOT  
ZONED GR

OWNERS:  
KAY BUNNMUNGMEE  
1015 FERRIS AVENUE  
WAXAHACHIE, TX 75165  
972.938.7733

SURVEYOR:  
TEXAS REALITY CAPTURE &  
SURVEYING, LLC.  
P.O. BOX 252  
WAXAHACHIE, TEXAS 75168  
469.518.0338  
TBPLS FIRM NO 101194359

## **CASE RP-18-0166**

***SUPPORT 1***

***OPPOSE 0***

Request by Mark Thedford, Akamai Designs, for a **Replat** of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Retail Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-18-0166)

### **SUPPORT**

1. Carolyn Jenkins, 432 N. Monroe, Waxahachie, TX 75165

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RECEIVED  
11/5/18

hearings. If you cannot attend the hearing, please return the bottom portion of this notice. Please contact the Planning Department at (702) 309-4290 or via email: [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com) for additional information on this request.

Case Number: RP-18-0166

☒ SUPPORT

☐ OPPOSE

Comments: \_\_\_\_\_

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, NOVEMBER 7, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

Carolyn Jenkins  
CAROLYN JENKINS  
Printed Name and Title OWNER

Date

Address

11-2-2018  
432 N. MONROE  
75165

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

# Planning & Zoning Department

## Zoning Staff Report

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**Case: PD-18-0156**

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### MEETING DATE(S)

*Planning & Zoning Commission:* October 23, 2018

*City Council:* November 5, 2018

### CAPTION

**Public Hearing** on a request by Terry Weaver, TJVC Inc., for a Zoning Change from a Single Family-1 zoning district to **Planned Development-Single Family-1, with Concept Plan**, located West of Ovilla Road and North of Highway 287 Business, being 101 E BELLOW & 466 E HORTON 79.91 ACRES (Property ID 180391) - Owner: WALKER DON GORDON (PD-18-0156)

### CASE INFORMATION

*Applicant:* Terry Weaver, TJVC, Inc.

*Property Owner(s):* Don Gordon Walker

*Site Acreage:* 79.91 acres

*Current Zoning:* Single Family-1

*Requested Zoning:* Planned Development-Single Family-1, with Concept Plan

### SUBJECT PROPERTY

*General Location:* West of Ovilla Road, North of Highway 287 Business

*Parcel ID Number(s):* 180391

*Existing Use:* Currently undeveloped

*Development History:* The site is located in the E Bellow Survey, Abstract No. 101, and E Horton Survey, Abstract No. 466.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	PD-SF2	Sheppard's Place subdivision
East	PD-41-C	Single family residence
South	SF1 w SUP	Office
West	PD-C	Waxahachie ISD

*Future Land Use Plan:* Low Density Residential with a portion Mixed Use Residential

*Comprehensive Plan:*

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

Areas with a mixture of residential and nonresidential uses, with a larger percentage of residential. Approximately 80 percent of the acreage or square footage of any proposed development should be residential, with the remaining 20 percent of the acreage or square footage nonresidential. Acreage would apply in a horizontal mixed use development, while square footage would apply in a vertical development. Both vertical and horizontal mixed use could be provided together.

*Thoroughfare Plan:*

The site is accessed via Ovilla Rd., a Proposed Major Thoroughfare B (110' ROW).



*Site Image:*

**PLANNING ANALYSIS**

The applicant seeks to rezone the subject property to account for the development of a single family residential neighborhood. This property is located in an area close to the new high school, in a section of town that the City anticipates will largely convert to residential neighborhoods.

The proposed development of this property will increase traffic onto Ovilla Rd., perhaps spurring TxDOT's widening of Ovilla to account for the number of households that will be dependent on Ovilla to get into and out of their neighborhoods. There are additional neighborhoods being developed north of this property, all of which front onto Ovilla Rd. The neighborhoods along Ovilla have sought Planned Developments to decrease lot sizes from City standards, and the City must determine whether it is comfortable moving away from these to increase density. Additionally, consideration is needed as a residential development will generate traffic on a street that is not currently designed to handle such traffic loads.

The existing zoning for this site is Single Family-1 zoning. This zoning district requires minimum lot sizes of 16,000 square feet and minimum home sizes of 2,200 square feet. The applicant's request to SF1 zoning with significant deviations is of concern.

This development proposes to reduce the SF1 requirements to a minimum lot size of 8,400 SF for the majority of these lots, with 10,000 SF lots being located primarily along the borders of the property. This proposal calls for a minimum DUA of 2,000 SF on 8,400 SF and 10,000 SF lots and 2,200 SF on 16,000 SF lots. While smaller lots have been permitted in the past, the City is making an effort to enforce lot size standards and to obtain larger homes.

#### **PD DEVELOPMENT STANDARDS**

The applicant seeks to reduce lot sizes from the SF1 standard size of 16,000 SF to a minimum lot size of 8,400 SF, with 10,000 SF lots and 16,000 SF lots included along the boundaries of the site. The following table offers a brief summary of City standards as compared to proposed standards.

<b>Requirement</b>	<b>SF1</b>	<b>Lot Type A</b>	<b>Lot Type B</b>	<b>Lot Type C</b>
Minimum lot size	16,000 SF	8,400 SF	10,000 SF	16,000 SF
Minimum DUA	2,200 SF	2,000 SF	2,000 SF	2,200 SF
Minimum lot width	Ninety (90) ft	Seventy (70) ft at building line; cul-de-sac, elbow, eyebrow lots: fifty-five (55) ft	Eighty (80) ft at building line; cul-de-sac, elbow, eyebrow lots: sixty-five (65) feet	Ninety (90) ft
Minimum lot depth	140 ft	120 ft; cul-de-sac, elbow, eyebrow lots: ninety (90) ft; measured at mid-point of front & rear lot lines	120 ft; cul-de-sac, elbow, eyebrow lots: ninety (90) ft; measured at mid-point of front & rear lot lines	140 ft
Front yard setback	Forty(40)feet	Twenty-five (25) ft including front entry garages; if J swing garage, setback of twenty (20) ft; unenclosed front porches, roof eaves, chimneys and other similar architectural elements may extend maximum of four (4) ft into front yard, except no portion of any structure may encroach into utility easements	Twenty-five (25) ft including front entry garages; if J swing garage, setback of twenty (20) ft; unenclosed front porches, roof eaves, chimneys and other similar architectural elements may extend maximum of four (4) ft into front yard, except no portion of any structure may encroach into utility easements	Forty (40) ft
Side yard setback	Fifteen (15) ft; fifteen (20) ft to ROW	Five (5) ft; no portion of any structure may encroach into utility easements	Seven (7) ft; no portion of any structure may encroach into utility easements	Ten (10) ft
Rear yard setback	Twenty-five (25) ft	Fifteen (15) ft; no portion of any structure may encroach into utility easements	Fifteen (15) ft; no portion of any structure may encroach into utility easements	Twenty-five (25) ft
Garage orientation	N/A	100 percent front-entry garage allowed	Fifty (50) percent of all lots shall be side or rear-entry	Side-entry

See the included Concept Plan Provision that describes, in full, the development standard requirements in this PD.

### **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 Daily Light and a sign was visibly posted at the property on 10/03/2018.

### **STAFF CONCERNS**

1. The City's minimum lot size for SF1 is 16,000 SF.
2. The City would like to see a minimum DUA of 2,200 SF.
3. The City is concerned about the type and quality of amenities proposed to be provided to residents.
4. The landscaping along Ovilla remains concerning.

### **APPLICANT RESPONSE TO CONCERNS**

1. Applicant met with City staff and submitted revisions. There remain concerns about proposed lot sizes and minimum DUA.

### **RECOMMENDATION**

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

- ☐ Denial
- ☐ Approval, as presented.
- ☐ Approval, per staff comments.
- ☒ Additional considerations may be required:
  1. The City's minimum lot size for SF1 is 16,000 SF.
  2. The City would like to see a minimum DUA of 2,200 SF.
  3. The City is concerned about the type and quality of amenities proposed to be provided to residents.
  4. The landscaping along Ovilla remains concerning.

### **ATTACHED EXHIBITS**

1. Concept plan provisions
2. Conceptual narrative
3. Site plan
4. Conceptual landscape plan
5. Open space amenities photos packet

### **APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Kelly Dent, MPA

Planner

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

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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



## **Sundance Ridge Planned Development**

Sundance Ridge will be a quality neighborhood based on SF1 made up of three lot types and various size custom homes. The minimum home size will be 2,000 and 2200 square feet depending on lot size with 40% of the driveways being side entry. All front entry garages will have wood or wood look facing or windows and enhanced architectural features related to the garage. Thirty-Six of the lots will be 16,000 square feet or larger matching the minimum size in SF1. The goal is these lots will support larger homes in the \$400,000 plus price range. The smaller lots with 70 and 80 front foot will be dispersed amongst the larger lots. These lots should support homes with a retail price range of \$270,000 to \$350,000. Many homeowners today are seeking larger homes on smaller lots with less landscape maintenance and these lot types meet their needs.

Sundance Ridge will be improved with several amenities that will be maintained by its HOA. These include a landscape entry on FM 664 which we have provided the city with our design. We also have planned to have a neighborhood play ground are on one of our three open space areas. In addition, we plan to have a linear natural trail and picnic areas as well as landscape open space. There is potential connection of one of our open space lots on the west end of our property to the future city regional park. The concept plan for Sundance Ridge shows total open space area of over 5 acres. We will be meeting with the Parks Department with our plan in regards to required park fees.

The density of Sundance Ridge is planned to be 157 buildable lots on about 60 acres which yields 2.6 lots per acre. The TIA we will have done for TxDot will address the density as it relates to traffic and required improvements to FM 664. In addition, we will work with the city engineering department on design of the connecting street to FM 664 at time of preliminary platting.

## EXHIBIT B

### CONCEPT PLAN PROVISIONS

The purpose and intent of this Planned Development (PD) is to develop a single-family neighborhood. Any conditions found within the BASE ZONING DISTRICT (SF1) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

#### Compliance with the City's Comprehensive Plan

Zoning District (SF1) is the intended base zoning classification underlying the PD. The Single-Family Residential-1(SF1) Residential Zoning District is intended provide for development of primarily single-family detached dwelling units on lots not less than 16,000 square feet.

#### PD District Development Standards

##### ***Description of Request***

SF-1 to PD # 18-0156

##### ***Proposed Use of Property***

Single-Family Residential

##### **General Development Requirements**

##### **1.10 R-8, 400, R-10,000 and R-16,000 Single Family Residential**

**1.11 General Description:** The Residential uses are intended to accommodate a variety of single family residential uses. The residential units will be comprised of Single Family Type I and Single Family Type II products. Development standards for each of the aforementioned housing types are outlined as follows.

**1.12 Permitted Uses:** Land uses permitted within the residential tract and further described on the Zoning Exhibit Development Plan shall be as follows:



Residential units as described herein.  
Private or public recreation facilities.  
Churches/rectories.  
Schools – public, private, or state accredited.  
Parks, playgrounds and neighborhood recreation facilities and tennis courts.  
Fire stations and public safety facilities  
Real estate sales offices during the development and marketing of the Planned Development  
Public streets and private streets  
Electronic security facilities including gatehouse and control counter  
Accessory buildings and uses customarily incidental to the permitted uses  
Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon completion

## **SECTION 2**

### **Lot Development Regulations**

The following regulations apply to each tract as specified below:

#### **2.00 R-8,400, R-10,000 and R-16,000 Single Family Residential**

**2.01 Minimum Dwelling Size:** The minimum floor area, exclusive of garages, breezeways and porticos, for single family residential units shall be:

R-8,400 – 2,000 square feet (TYPE 1)

R-10,000 – 2,000 Square feet (TYPE 1)

R-16,000-2,200 Square feet (TYPE 2)

**2.02 Single-Family Type R-8, 400:** Single-family Type R-8,400 units are a form of single family, detached housing. This residential type will consist of building units and lots described in section 2.01 and below having access and frontage on a public or private street with front entry garages. Should

private streets be desired, the ownership and maintenance responsibility shall be the Homeowners Association. Building and area requirements are as follows:

**2.02.1 Lot Area:** The minimum area of any lot shall be seven thousand four hundred (8,400) square feet.

**2.02.2 Lot Coverage:** In no case shall more than fifty (50%) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings, Swimming pools, spas, deck, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.

**2.02.3 Lot Width:** The minimum width of any lot shall not be less than seventy (70) feet at the building line, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of fifty-five (55) feet at the building line: provided all other requirements of this section are fulfilled.

**2.02.4 Lot Depth:** The minimum depth of any lot shall be one hundred ten (120) feet, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-point on front and rear lot lines, of ninety (90) feet; provided all other requirements of this section are fulfilled.

**2.02.5 Front Yard:** The minimum depths of the front yard shall be twenty-five (25) feet, including front entry garages, "J" swing garages will be allowed. The minimum depth of the front yard shall be twenty (20) feet to the garage face of a "J" swing garage. Unenclosed front porches, roof eaves, chimneys and other similar architectural elements may extend a maximum of four (4) feet into the front yard except that no portion of a structure including roof eaves may encroach into any utility easement.



**2.02.6 Side Yard:** The minimum side yard on each side of a lot shall be five (5) feet. No portion of a structure including roof eaves may encroach into any utility easement.

**2.02.7 Rear Yard:** The minimum depth of the rear yard shall be fifteen (15) feet. No portion of a structure including roof eaves may encroach into any utility easement.

**2.03 Single-Family Type R-10,000:** Single-Family Type R-10,000 units are a form of single family, detached, housing. The residential type will consist of smaller units and lots, having access and frontage on a public or private street, should private streets be desired, the ownership and maintenance responsibility shall be the Homeowners Association. Building and area requirements are as follows.

**2.03.1 Lot Area:** The minimum area of any lot shall be ten thousand (10,000) square feet

**2.03.2 Lot Coverage:** In no case shall more than fifty (50%) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings, Swimming pools, spas, deck, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage

**2.03.3 Lot Width:** The minimum width of any lot shall not be less than seventy-five (80) feet at the building line, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of sixty-five (65) feet at the building line: provided all other requirements of this section are fulfilled.

**2.03.4 Lot Depth:** The minimum depth of any lot shall be one hundred twenty (120) feet, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-point on front and rear lot lines, of ninety (90) feet; provided all other requirements of this section are fulfilled.

**2.03.5 Front Yard:** The minimum depths of the front yard shall be twenty-five (25) feet, including front entry garages, “J” swing garages will be allowed. The minimum depth of the front yard shall be twenty (20) feet to the garage face of a “J” swing garage. Unenclosed front porches, roof eaves, chimneys and other similar architectural elements may extend a maximum of four (4) feet into the front yard except that no portion of a structure including roof eaves may encroach into any utility easement.

**2.03.6 Side Yard:** The minimum side yard on each side lot a lot shall be seven (7) feet. No portion of a structure including roof eaves may encroach into any utility easement.

**2.03.7 Rear Yard:** The minimum depth of the rear yard shall be fifteen (15) feet. No portion of a structure including roof eaves may encroach into any utility easement.

**2.03.8 Building Height:** Buildings shall be a maximum of two and one-half (2 ½) stories.

**2.03.9 Garage Orientation:** Fifty (50) percent of all R-10,000 lots shall be side or rear entry with the balance of R-10,000 lots being front entry. Front entry garages will have the same requirements as R-8,400 lots. Split garage doors will not be required on two car side entry garages.

Single-Family Type **R-16,000** will consist of dwelling units of 2,200 square feet as currently stated in SF1 Zoning District. The minimum front yard shall be changed to 30 feet from 40 feet. The minimum side yard shall be changed to 10 feet from 15 feet. All of the garage fronts shall be side entry for these lots. Split garage doors are not required for two car garages.



### SECTION 3

#### Landscape Regulations

All Planned Development districts shall be subject to the requirements of the Landscape Ordinances of the City of Waxahachie Code or Ordinances along with additional regulations listed below:

**Street Trees:** A minimum of one (1) street tree shall be required on all residential lots within the street parkway. Street Trees shall measure 3 inches in caliper at the time of planting. Suitable Street Trees shall be from the following list:

Bald Cypress	Cedar Elm
Pecan	Chinese Pistachio
Bradford Pear	Bur Oak
Texas Sophora	Shumard's Oak
Sweet Gum	Deciduous Holly
Live Oak	Red Oak

Street Trees shall not be located in any on the following areas:

- a. Within an area that the mature canopy of the tree will interfere with overhead utility lines.
- b. Within an area that the mature root zone of the tree will interfere with underground public utility lines (including water lines, sewer lines, transmission lines or other utilities).
- c. Within ten (10) feet of a fire hydrant; or
- d. Closer than thirty-five (35) feet to any street corner, measure from the point of nearest intersection curbs or curb lines.

A twenty (20) foot wide strip of property devoted to landscaping shall be located adjacent to the west right-of-way line of FM 664. These areas shall be landscaped with trees identified on the preferred tree list.

- a. Detailed planting plans shall be submitted at the time of site plan and preliminary plat review and subject to approval by the City of Waxahachie.
- b. Landscape areas shall be equipped with permanent irrigation systems.
- c. Public sidewalks shall be permitted within landscape areas
- d. Visibility triangles, as required by the Waxahachie Zoning Ordinance shall be maintained at all driveway and street intersections
- e. Landscape areas shall be considered common areas. As such, installation, and perpetual maintenance shall be the responsibility of the property owners' association, the commercial property owner, or the multi-family property installation, watering, or other maintenance of the landscape areas established by this section

## **SECTION 4**

### **Parking Regulations**

All Planned Development districts shall be subject to the requirements of Appendix B Zoning Ordinances for Vehicle Parking Regulations of the City of Waxahachie Code or Ordinances along with regulations listed below:

- (1) Parking and driveway shall be permitted within all required yard areas and must be paved with concrete.
- (2) Handicapped parking shall be as set forth in the State of Texas Architectural Barriers Act.

#### **R-8,400, R—10,000 and R-16,000 Single Family Residential**

Additional parking requirements for single family residential tracts developed for single family use shall be as follows:

- a. Boat and RV parking are prohibited in front yard areas
- b. Minimum 2 car garage required



- c. Driveway access shall be from streets and/or alleys
- d. Parking is only permitted on paved surfaces of concrete

## **SECTION 5**

### **Architectural Development Standards**

All buildings within all Planned Development Districts shall have an exterior finish of glass, stone, stucco, brick, tile, concrete, exterior wood and cementitious fiberboard products, or similar materials of any combination thereof. The use of wood as a primary, exterior building materials shall be limited to a maximum of twenty-five (25) percent of the total exterior wall surfaces. Construction of buildings shall be subject to the requirements of Building Regulations concerning Masonry Construction Standards of the City of Waxahachie Code of Ordinances along with additional regulations listed below:

#### **R-8,400, R—10,000 and R-16,000 Single Family Residential**

- (1) Design Elevations:** No house plan elevations may be repeated for a distance of four lots. Either on the same side or opposite side of the street
- (2) Roofs:** Residential structures shall have a minimum of 8/12 pitch roof on the primary front facing roof.
- (3) Chimneys:** All exterior chimneys shall be of either, stucco, stone or brick. NO siding of chimneys will be permitted
- (4) R-8,400 Residential Structures:** Shall have 2 different height plate limits and 3 offsets in the front elevation
- (5) R-10,000 Residential Structures:** Shall have 2 different height plate limits and 3 offsets in the front elevation
- (6) R-16,000 Residential Structures:** Shall have 2 different height plate limits and 3 offsets in the front elevations.
- (7) R-8400 Garage Orientation:** Shall have front entry garages approved for all lots. The garage door may be a single door as long as it is wood surfaced or wood like door. In addition, single metal garage doors with

windows and hardware will be allowed. Split garage doors are not required if either of the elements described above are used.



