

Notice Regarding Public Participation and Planning & Zoning Commission/City Staff Attendance

Due to the COVID-19 (coronavirus) public health emergency, and in an effort to reduce in-person meetings that assemble large groups of people, Governor Greg Abbott has granted a temporary suspension of certain rules to allow for (1) Planning & Zoning Commission members and city employees to participate in a Planning & Zoning Commission meeting via videoconference call or other remote electronic means without a physical quorum of commission members being present at the site of the meeting; and (2) the use of videoconferencing and other remote means to allow the public to observe the meeting and, when required, to participate in the ***Public Hearing***.

In an effort to reduce the spread of the virus, for the April 14, 2020 Planning & Zoning Commission meeting, ***individuals will not be allowed to physically attend the meeting***. Individuals will be able to address the Commission via telephone conference call on ***Public Hearing*** items only.

To participate in the telephone conference call, dial any of the following phone numbers:

1 (346) 248-7799

1 (253) 215-8782

1 (888) 475-4499

Enter Meeting ID: 405 695 954

Enter Meeting Password: 017354

To request to speak at one of the public hearings on the agenda, wait for that item to be announced and enter ***9**. The meeting moderator will acknowledge your request in turn and allow you to speak.

If you encounter any problems joining or participating in the meeting, please call our help line at (469) 309-4290 for assistance.

If you wish to watch the meeting but not participate in the meeting, the Planning & Zoning Commission meeting will be live streamed on the city's website at:

http://www.waxahachie.com/government/city_council/city_council_meeting_live_stream.php

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning & Zoning Commission for items listed as ***Public Hearings*** will be recognized when the public hearing is opened.

A physical quorum of the Planning & Zoning Commission may not be present during the meeting as some Commission Members may choose to participate in the meeting remotely as permitted by Governor Abbott's suspension of various statutes that may be interpreted to require face-to-face interaction between members of the public and public officials.

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, April 14, 2020 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 March 24, 2020
4. ***Public Hearing*** on a request by the City of Waxahachie to consider revoking a Specific Use Permit (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed. (ZDC-000007-2020)
5. ***Consider*** recommendation of Zoning Change No. ZDC-000007-2020
6. ***Consider*** request by Norma Villegas for a **Replat** of Billings Subdivision for 2 residential lots being 10.442 acres situated in the James Chapman Survey, Abstract 214 and the Robert Chapman Survey, Abstract 215 (Property IDs 200172, 270572) in the Extra Territorial Jurisdiction – Owners: Jose Gonzalez, Christina Gonzalez, Norma Villegas (SUB-37-2020)
7. ***Consider*** request by Leslie Porterfield for a **Replat** of Tract 3, Allen Family Estates, to create Tracts 3A and 3B, Allen Family Estates, 4.833 acres (Property ID 147329) in the Extra Territorial Jurisdiction – Owner: LESLIE PORTERFIELD (SUB-000038-2020)
8. ***Consider*** request by Will Sisco, Turley Associates, Inc. for a **Replat** of Villas at Country Lane Phase II for 8 multi-family lots and 1 vacant lot being 8.0376 acres situated in the John Harris survey, Abstract 430 (Property ID 241958) – Owner: Kenneth H. Mitchell (SUB-20-2020)

9. **Public Hearing** on a request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)
10. **Consider** recommendation of Zoning Change No. ZDC-000022-2020
11. **Public Hearing** on a request by Robert G. Scruggs for a Zoning Change from a Future Development zoning district to Single Family Residential-1, located at 3273 Howard Road (being a portion of Property ID 182107) - Owner: ROBERT G AND SUSAN C SCRUGGS (ZDC-000031-2020)
12. **Consider** recommendation of Zoning Change No. ZDC-000031-2020
13. **Public Hearing** on a request by Randy Eardley, Wier and Associates, for a Specific Use Permit (SUP) for a **Medical Facility** use within a Planned Development-1-Commercial zoning district located at the corner of RVG Parkway at 287 (Property ID 238268) – Owner: CRUX INVESTMENTS (ZDC-000042-2020)
14. **Consider** recommendation of Zoning Change No. ZDC-000042-2020
15. **Consider** request by Randy Eardley, Wier and Associates, for a **Replat** of Lot 1 and a portion of Lot 2, Block B, RVG Plaza, to create Lot 1R, Block B, RVG Plaza, 2.693 acres (Property ID 238268) – Owner: CRUX INVESTMENTS (SUB-000043-2020)
16. **Public Hearing** on a request by Alan Lauhoff, P.E., Atlas Associates Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 and 2 (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (ZDC-000030-2020)
17. **Consider** recommendation of Zoning Change No. ZDC-000030-2020
18. **Public Hearing** on a request by Clyde Hargrove, WP Legacy LTD, for a Zoning Change from Planned Development-23-Single Family Residential-1 to Single Family Residential-1 situated generally on FM 877 just Southeast of Lake Waxahachie (Property ID 183566) - Owner: CLYDE HARGROVE (ZDC-000040-2020)
19. **Consider** recommendation of Zoning Change No. ZDC-000040-2020
20. **Consider** request Clyde Hargrove, WP Legacy LTD, for a **Plat** of Lakeway Estates for 86 residential lots and 1 common area lot, being 110.484 acres situated in the WC Coleman Survey, Abstract 204, the AB Fleury Survey, Abstract 374, and the M Rafferty Survey, Abstract 898 (Property ID 183566) – Owner: CLYDE HARGROVE (SUB-000041-2020)
21. **Public Hearing** on a request by Michael Westfall, Westfall Engineering, for a Zoning Change from Future Development to Planned Development-Single Family Residential-3, with Concept Plan, located on the West side of Broadhead Road at Youngblood Road (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)
22. **Consider** recommendation of Zoning Change No. ZDC-000024-2020

23. Adjourn

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

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

Notice of Potential Quorum

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

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

Planning and Zoning Commission
March 24, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, March 24, 2020 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

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

Members Absent: Betty Square Coleman
Erik Test

Others Present: Shon Brooks, Director of Planning
Macey Martinez, Graduate Engineer (by phone)
Tommy Ludwig, Assistant City Manager
Amber Villarreal, Assistant City Secretary

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

Chairman Rick Keeler called the meeting to order and gave the invocation. Chairman Keeler did a roll call for Commission members in physical attendance: Rick Keeler, Melissa Ballard, Bonney Ramsey, Jim Phillips, and David Hudgins. There were no members in attendance by phone.

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of March 10, 2020
- b. Minutes of the Planning and Zoning Commission briefing of March 10, 2020

Action:

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

5. **Public Hearing on a request by Jimmie L. Hutton for a Specific Use Permit (SUP) for a Used Auto Sales use within a Planned Development-35-Commercial zoning district located at 2004 Howard Road, Suite C (Property ID 175299) – Owner: Waxahachie Flea Market (ZDC-000025-2020)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-000025-2020 to the April 14, 2020 Planning and Zoning Commission meeting.

6. **Consider recommendation of Zoning Change No. ZDC-000025-2020**

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Jimmie L. Hutton for a Specific Use Permit (SUP) for a Used Auto Sales use within a Planned Development-35-Commercial zoning district located at 2004 Howard Road, Suite C (Property ID 175299) – Owner: Waxahachie Flea Market (ZDC-000025-2020) to the April 14, 2020 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.

7. **Consider request by Bobby Samuel, GRBK Edgewood LLC, for a petition to extend approval for 2 years of PP-17-0171 Dove Hollow for 653 residential lots and 17 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SUB-000026-2020)**

Chairman Keeler announced the applicant requested to withdraw SUB-000026-2020.

8. **Public Hearing on a request by Juan Quiroz, J Homes Enterprise LLC, for a Replat of Lot 3, Block 63, Town Addition to create Lots 1-2, Block A, Quiroz Addition, 0.670 acres (Property ID 170916) – Owner: J Homes Enterprise LLC Series F (SUB-000003-2020)**

Chairman Keeler opened the Public Hearing.

Planning Director Shon Brooks presented the case noting the applicant is requesting a replat that would separate the existing lot into 2 separate lots for residential use per the infill overlay district regulations and staff recommended approval as presented.

There being no others to speak for or against SUB-000003-2020, Chairman Keeler closed the Public Hearing.

9. **Consider approval of SUB-000003-2020**

Action:

Mr. Jim Phillips moved to approve a request by Juan Quiroz, J Homes Enterprise LLC, for a Replat of Lot 3, Block 63, Town Addition to create Lots 1-2, Block A, Quiroz Addition, 0.670 acres (Property ID 170916) – Owner: J Homes Enterprise LLC Series F (SUB-000003-2020) subject to staff comments. Ms. Bonney Ramsey seconded, All Ayes.

10. **Public Hearing on a request by Herman R. Smith for a Replat of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Brooks presented the case noting the applicant is combining Lots 2 and 3 of Block 7 of the Dewberry Addition to create one lot in order to construct a single family residence and staff recommended approval as presented.

There being no others to speak for or against SUB-000019-2020, Chairman Keeler closed the Public Hearing.

11. Consider approval of SUB-000019-2020

Action:

Ms. Bonney Ramsey moved to approve a request by Herman R. Smith for a Replat of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020). Vice Chairman Melissa Ballard seconded, All Ayes.

12. Public Hearing on a request by Reginald Coulsell for a Specific Use Permit (SUP) for a Private Stables use within a Planned Development-23-Single Family-1 zoning district located at 3910 Howard Road (Property ID 278236) – Owner: Crystal Taylor and Reginald Coulsell II (ZDC-000027-2020)

Chairman Keeler opened the Public Hearing.

Mr. Brooks presented the case noting the applicant is requesting to amend Ordinance 3010 originally approved by City Council on April 2, 2018 to include the language “As long as the current owner(s) of the property maintain ownership, the SUP is not transferable to a new owner if no private stable is constructed before the property is sold.” He noted staff recommended approval.

There being no others to speak for or against ZDC-000027-2020, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. ZDC-000027-2020

Action:

Vice Chairman Melissa Ballard moved to approve a request by Reginald Coulsell for a Specific Use Permit (SUP) for a Private Stables use within a Planned Development-23-Single Family-1 zoning district located at 3910 Howard Road (Property ID 278236) – Owner: Crystal Taylor and Reginald Coulsell II (ZDC-000027-2020) subject to staff comments. Mr. Jim Phillips seconded, All Ayes.

14. Public Hearing on a request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for a Portable Storage Structure or Temporary Building use within a Single Family-2 zoning district located at 411 N Gibson (Property ID 193942) – Owner: Waxahachie ISD (ZDC-000029-2020)

Chairman Keeler opened the Public Hearing.

Mr. Brooks presented the case noting the applicant is requesting to construct a portable temporary building to serve as office space for personnel similar to the temporary portable building that was approved in May 2019. Staff recommended approval per the following staff comments:

1. Planning Department staff has informed the applicant that if the Specific Use Permit is approved, the SUP shall expire and the temporary structures shall be removed, once WISD leaves the property. Also, if the applicant is still occupying the building after two years, staff recommends that the applicant come back to City Council to renew the Specific Use Permit.

Chairman Keeler asked the applicant if additional portable buildings will be needed. Mr. Jacob Perry (phone), 208 Rock Springs Court, explained the district is looking at all options due to the increased growth and noted 32 additional parking spots were added at the Admin Complex.

Tim Avery, 617 W. Parks, expressed concern with adding additional temporary buildings causing the site to look like a mobile home park.

Ernest Barker, 615 W. Parks, expressed concern with the additional temporary building on the site as well noting he doesn't want more than 3 on site.

There being no others to speak for or against ZDC-000029-2020, Chairman Keeler closed the Public Hearing.

15. Consider recommendation of Zoning Change No. ZDC-000029-2020

Action:

Ms. Bonney Ramsey moved to approve a request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for a Portable Storage Structure or Temporary Building use within a Single Family-2 zoning district located at 411 N Gibson (Property ID 193942) – Owner: Waxahachie ISD (ZDC-000029-2020) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

16. **Public Hearing on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Two Family Residential Duplex, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (ZDC-000017-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Brooks presented the case noting the applicant is requesting to create a residential development that allows for 120 townhome lots that includes open space, walking trail, and a Homeowner's Association. He noted the applicant met with surrounding neighborhood residents on February 20, 2020 at Friendship Missionary Baptist Church to discuss the two proposed development ideas. At the conclusion of the meeting, it was determined that the consensus supported the original development of single family homes and townhomes that was presented to the Commission on November 12, 2019. Mr. Brooks noted staff received five letters of opposition for the proposed development. Staff recommended approval per the following staff comments:

1. Per the applicant's request, a Development Agreement will be required for the development.

The Commission discussed density, affordability, and if the development is the best use for the area.

Chairman Keeler noted aesthetically the project looks like single-family homes that they are putting together.

Jeff Crannel, CCM Engineering, explained multiple options were reviewed for this site and after further discussion the townhomes were the best option.

Mr. Phillips asked if the applicant would be willing to add rod iron fencing with masonry columns to the properties that are adjacent to the existing park and the applicant agreed.

Those who spoke in opposition:

Tim Burleson, 301 Peters Street, Waxahachie

Mr. Brooks explained the engineering and drainage issues would be addressed by the development and civil plans would be required.

Mr. David Hudgins expressed concern with additional overflow parking for the development and the applicant noted they would look at additional options.

There being no others to speak for or against ZDC-000017-2020, Chairman Keeler closed the Public Hearing.

17. Consider recommendation of Zoning Change No. ZDC-000017-2020

Action:

Vice Chairman Melissa Ballard moved to approve a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Two Family Residential Duplex, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (ZDC-000017-2020).

Mr. David Hudgins amended the motion to include the applicant work with city staff to add 20 or less additional parking spots for overflow parking. Vice Chairman Melissa Ballard accepted the amendment.

Mr. Jim Phillips amended the motion to include adding ornamental iron fence with masonry columns to the lots adjacent to the existing park. Vice Chairman Melissa Ballard accepted the amendment.

Ms. Bonney Ramsey seconded, the vote was as follows: Ayes: Melissa Ballard, Bonney Ramsey, Jim Phillips, and David Hudgins. Noes: Rick Keeler.

The motion carried.

- 18. Public Hearing on a request by Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Brooks presented the case noting the applicant is requesting a zoning change from Future Development (FD) to Single Family-3 (SF3) to create a single-family residential development. He explained the proposed zoning change is contingent upon City Council approving the proposed annexation case at their April 6, 2020 meeting. He noted the development would consist of 245 dwelling unit lots and 8 open space/common area lots located at the west side of Broadhead Road at Youngblood Road. The lots will be a minimum of 10,000 sq. ft. and homes will be a minimum of 2,200 sq. ft. Mr. Brooks reviewed the following Special Exception/Variance Requests:

Lot Width

Per the City of Waxahachie Zoning Ordinance, SF3 zoning requires a minimum of 80 ft. lot width. The applicant is proposing a minimum lot width of 67 ft.

Setbacks

Per the City of Waxahachie Zoning Ordinance, SF3 zoning requires minimum setbacks of:

Front: 30 ft.

Rear: 25 ft.

Side: 10 ft.; 15 ft. (ROW)

The applicant is proposing setbacks of:

Front: 25 ft.

Rear: 10 ft.

Side: 5 ft.

Staff recommended approval per the following staff comments:

1. The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-000011) for this property.
2. Per the applicant's request, a Development Agreement will be required for the proposed development.
3. Staff suggests that a 6ft. ornamental fence with masonry columns be constructed along Broadhead Rd.
4. Staff suggests that a variation of garages, specifically J-swing and 3-car garages, be incorporated within the residential development.

The Commission expressed concern with the setbacks, cookie-cutter lots, large homes on small lots, and variances from single-family 3 requirements.

Mr. Michael Westfall, Westfall Engineering, noted the minimum home size will be 2,200 sq. ft. but most will be closer to 3,000 sq. ft. He noted the rear setbacks can be changed.

Chairman Keeler asked if all the homes could have side entry garages and Mr. Westfall noted that would be difficult.

Those who spoke in opposition:

Brett Robert, 5089 April Lane, Waxahachie

Tommy Jones, 326 Youngblood, Waxahachie

Scott Diermann, 5100 April Lane, Waxahachie

Brett Daughtrey, 110 Peyton Place, Waxahachie

Tim Burleson, 233 Spring Grove Drive, Waxahachie

April Johnson, 5090 April Lane, Waxahachie

Sharon Dyess, 110 Magnolia Drive, Waxahachie

Bret Massey, 104 Peyton Place, Waxahachie

Karlotta Hannibal, 556 Hay Meadow Drive, Waxahachie

Chairman Keeler asked if the applicant is willing to continue the public hearing until the next meeting in order to address commission and citizen concerns and the applicant concurred.

There being no others to speak for or against ZDC-000024-2020, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. ZDC-000024-2020

Action:

Mr. Jim Phillips moved to continue a request by Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020) to the April 14, 2020 Planning and Zoning Commission meeting. Vice Chairman Melissa Ballard seconded, All Ayes.

20. Public Hearing on a request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)

Chairman Keeler opened the Public Hearing.

Due to technical difficulties, staff recommended continuing the Public Hearing to the next meeting.

21. Consider recommendation of Zoning Change No. ZDC-000022-2020

Action:

Vice Chairman Melissa Ballard moved to continue a request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020) to the April 14, 2020 Planning and Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.

22. **Public Hearing on a request by David Hargrove, Legacy Grove Development LLC, for a Replat of Lot 9X, Block A, Lot 20X, Block J, Lot 7X, Block K, Lot 12X, Block L, Lot 9, Block A, Lots 1-8, 10, 11, and 20, Block J, Lots 7 and 8, Block K, and Lots 11 and 12, Block L, Buffalo Ridge Phase IV, to eliminate the HOA open space lots and incorporate into the adjacent single family lots along Garden Valley Parkway and to establish a 5 foot Wall Maintenance Easement, being 26.033 acres (Property ID 276333, 276354, 276371, 274374, 276332, 276334, 276335, 276336, 276337, 276338, 276339, 276340, 276341, 276343, 276344, 276353, 276362, 276363, 276373, and 276372) – Owners: J Houston Homes, Bloomfield Homes LP, and Matthew P and Charity F Kennedy (SUB-000016-2020)**

Chairman Keeler opened the Public Hearing. Due to technical difficulties, staff recommended no action by the Planning and Zoning Commission. He explained the request will be continued to City Council for approval due to the law requiring action within a certain time after plat submittal.

23. **Consider approval of SUB-000016-2020**

Action:

No action taken.

24. **Adjourn**

There being no further business, the meeting adjourned at 9:22 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary

(4+5)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager *for [Signature]*

Date: April 7, 2020

Re: ZDC-000007-2020 - Oak Cliff Metals SUP Revocation

At the April 6, 2020 City Council meeting, City Council voted 5-0 to continue case number ZDC-000007-2020 to the May 12, 2020 Planning and Zoning Commission meeting agenda, and the May 18, 2020 City Council meeting agenda.

Planning & Zoning Department

Plat Staff Report

Case: SUB-37-2020



MEETING DATE(S)

Planning & Zoning Commission:

April 14, 2020

CAPTION

Consider request by Norma Villegas for a Replat of Billings Subdivision for 2 residential lots being 10.442 acres situated in the James Chapman Survey, Abstract 214 and the Robert Chapman Survey, Abstract 215 (Property IDs 200172, 270572) in the Extra Territorial Jurisdiction – Owners: Jose Gonzalez, Christina Gonzalez, Norma Villegas (SUB-37-2020)

APPLICANT REQUEST

The applicant is requesting that this property be replatted to allow for the construction of a single family residence.

CASE INFORMATION

Applicant:

Norma Villegas

Property Owner(s):

Jose Gonzalez, Christina Gonzalez, Norma Villegas

Site Acreage:

10.442 acres

Number of Lots:

2 lots lots

Number of Dwelling Units:

2 units

Park Land Dedication:

N/A (ETJ)

Adequate Public Facilities:

Adequate public facilities are available to this property. Rockett SUD has confirmed that adequate fire flow is available at this residence.

SUBJECT PROPERTY

General Location:

1600 E Highland Rd.

Parcel ID Number(s):

200172, 270572

Current Zoning:

ETJ

Existing Use:

Two single family residences are currently on the property.

Platting History:

This property has been platted but staff was unable to find the existing plat for the site.

Site Aerial:**RECOMMENDATION**

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

- ☐ Disapproval
- ☒ Approval, as presented.
- ☐ Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat Drawing
2. Water Letter

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

[illegible]

(6)



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Norma Villegas Parcel ID #: 270572
Subdivision Name: _____

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

Buena Vista-Bethel SUD	(972) 937-1212
Carroll Water Company	(972) 617-0817
Mountain Peak SUD	(972) 775-3765
Rockett SUD	(972) 617-3524
Sardis-Lone Elm WSC	(972) 775-8566
Nash Foreston WSC	(972) 483-3039

To be completed by the water utility provider:

Comment: easement reference is V301, P85, Ellis County Deed Records

1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines. <i>4,000 gpm can be projected</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>16</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Robert Woodall

Print Name of General Manager of water provider or Designee

[Signature]

Signature of General Manager of water provider or Designee

Rockett SUD

Name of water provider company

3/11/20

Date

(6)



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Jose Cristina Gonzalez ID #: 200172
Subdivision Name: _____

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

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Nash Foreston WSC	(972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat. <u>IR</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations. <u>has existing meter</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines. <u>4,000 gpm</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>16</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Margun Massey, Development Coordinator
Print Name of General Manager of water provider or Designee

Rockett SUD
Name of water provider company

Margun Massey
Signature of General Manager of water provider or Designee

03-17-2030
Date

Planning & Zoning Department

Plat Staff Report

Case: SUB-38-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020

City Council: April 20, 2020

PREVIOUS ACTION BY CITY COUNCIL

A replat of Allen Family Estates was previously shown to City Council as case RP-19-0168 on February 17, 2020. City Council voted to deny the plat request by a vote of 3-2 due to a lack of Right-of-Way dedication.

CAPTION

Consider request by Leslie Porterfield for a **Replat** of Tract 3, Allen Family Estates, to create Tracts 3A and 3B, Allen Family Estates, 4.833 acres (Property ID 147329) in the Extra Territorial Jurisdiction – Owner: Leslie Porterfield (SUB-38-2020)

APPLICANT REQUEST

The applicant is requesting a replat that would separate Lot 3, Block 1 of the Allen Family tract into 2 different lots and allow for the construction of one (1) single family dwelling on the new lot in addition to an already existing dwelling unit on the property. The applicant is requesting a petition of relief for Right-of-Way dedication.

CASE INFORMATION

<i>Applicant:</i>	Leslie Porterfield
<i>Property Owner(s):</i>	Leslie Porterfield
<i>Site Acreage:</i>	4.833 acres
<i>Number of Lots:</i>	1 lots
<i>Number of Dwelling Units:</i>	1 units
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Adequate public facilities are available for this property.

SUBJECT PROPERTY

<i>General Location:</i>	2431 Patrick Rd.
<i>Parcel ID Number(s):</i>	147329

Current Zoning: N/A (ETJ)

Existing Use: A residence is being constructed on this property.

Platting History: Lot 3, Block 1 Allen Family Estates has been platted but staff was unable to find the existing plat for the site.

Site Aerial:



STAFF CONCERNS

1. Staff has requested a 40' Right-of-Way dedication from the center of Patrick Rd due to Patrick Rd being listed as an 80' ROW per the City's Thoroughfare plan.

APPLICANT RESPONSE TO CONCERNS

1. The applicant wishes to request a petition of relief for ROW dedication. The applicant has made it known that any ROW dedication would be an issue for this replat and that the neighboring lots have not given up any ROW.

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:

- ☒ Disapproval
1. Staff is recommending disapproval for this replat because of a failure to dedicate the necessary ROW for Patrick Rd per *Sec. 3.1.c.6(a) Dedication of Right-of-Way and Road Improvements* of the Waxahachie Subdivision Ordinance.
- ☐ Approval, as presented.
- ☐ Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat Drawing
2. Water Letter

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

(7)



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Leslie Porterfield Parcel ID #: _____
 Subdivision Name: _____

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

Buena Vista-Bethel SUD	(972) 937-1212
Carroll Water Company	(972) 617-0817
Mountain Peak SUD	(972) 775-3765
Rockett SUD	(972) 617-3524
Sardis-Lone Elm WSC	(972) 775-8566
Nash Foreston WSC	(972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>500 gpm</u> <u>6</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Morgan Massey, Development Coordinator
 Print Name of General Manager of water provider or Designee

Rockett SUD
 Name of water provider company

Morgan Massey
 Signature of General Manager of water provider or Designee

11/14/2019
 Date

Planning & Zoning Department

Plat Staff Report

Case: SUB-20-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020

CAPTION

Consider request by Will Sisco, Turley Associates, Inc. for a **Replat** of Villas at Country Lane Phase II for 8 multi-family lots and 1 vacant lot being 8.0376 acres situated in the John Harris survey, Abstract 430 (Property ID 241958) – Owner: Kenneth H. Mitchell (SUB-20-2020)

APPLICANT REQUEST

The applicant is requesting this replat in an effort to construct multi-family duplexes for senior living.

CASE INFORMATION

Applicant: Will Sisco, Turley Associates, Inc.

Property Owner(s): Kenneth H. Mitchell

Site Acreage: 8.0376 acres (1.755 acres for development)

Number of Lots: 9 lots

Number of Dwelling Units: 8 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$3,200.00 (8 residential dwellings at \$400.00 per dwelling).

Adequate Public Facilities: Adequate public facilities are available for this property

SUBJECT PROPERTY

General Location: The property is located off of Park Hills Dr.

Parcel ID Number(s): 241958

Current Zoning: PD-90, PD-2F

Existing Use: Undeveloped

Platting History: A Final Plat for the Villages was approved by City Council on July 16, 2007.

Site Aerial:**RECOMMENDATION**

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

- ☐ Disapproval
- ☒ Approval, as presented.
- ☐ Approval, per the following conditions:

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Planner

cwebb@waxahachie.com

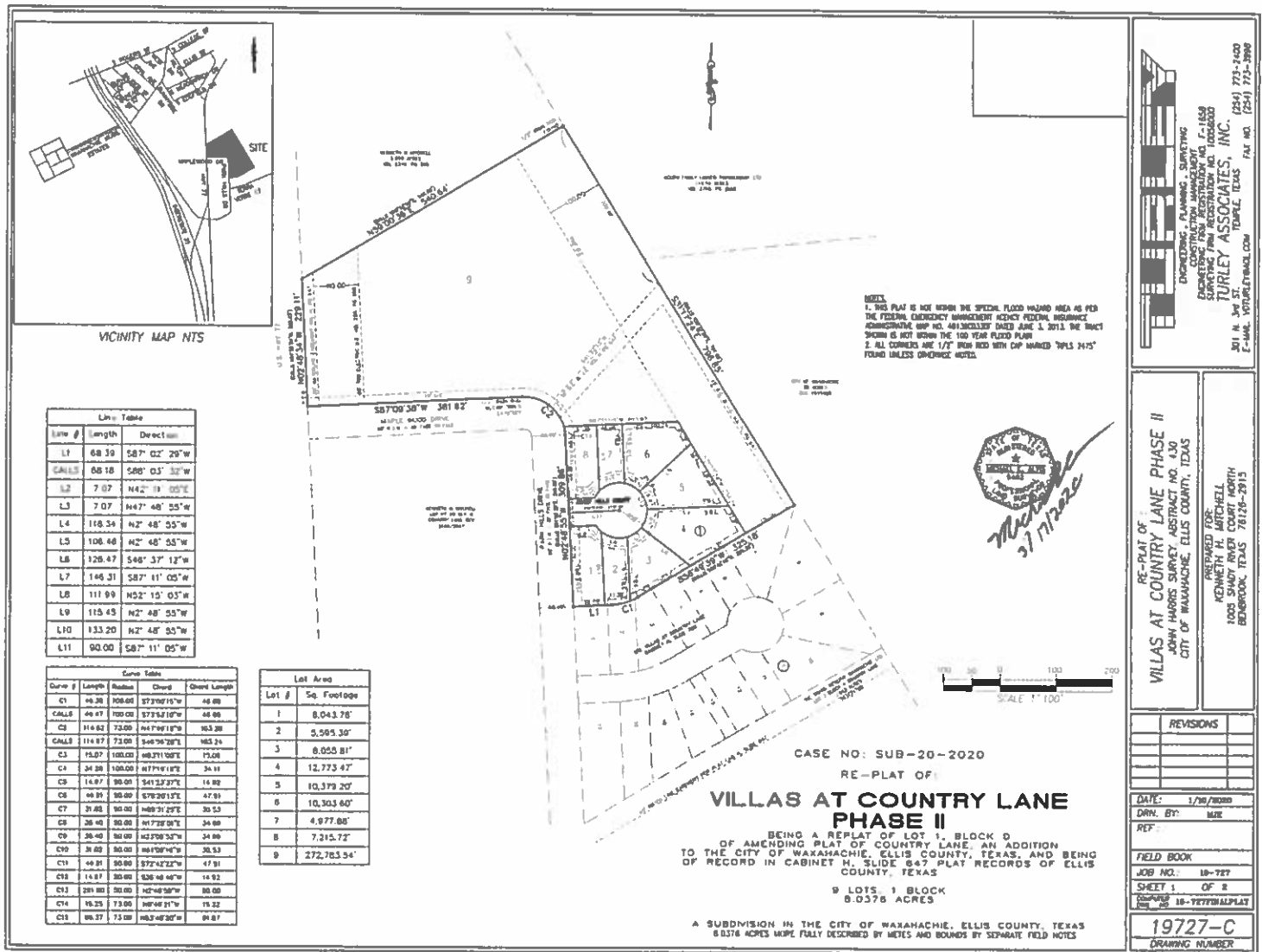
Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

(8)



(9)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-000022-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020 (continued from March 24, 2020 PZ meeting)

City Council: April 20, 2020

ACTION SINCE INITIAL STAFF REPORT

On March 24, 2020, the Planning and Zoning Commission voted 5-0 to continue case no. ZDC-000022-2020 to the April 14, 2020 Planning and Zoning meeting and the April 20, 2020 City Council meeting agenda.

CAPTION

Public Hearing on a request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)

APPLICANT REQUEST

The purpose of this request is to construct a 26,000 sq. ft. clinic on 7.5 acres.

CASE INFORMATION

Applicant: Barbara Clark, Hope Clinic

Property Owner(s): City of Waxahachie

Site Acreage: 7.5 acres

Current Zoning: Single Family-2

Requested Zoning: Planned Development-Commercial

SUBJECT PROPERTY

General Location: SE corner of Farley Street at Coleman Street

Parcel ID Number(s): 273695

Existing Use: Currently Undeveloped

Development History: The Final Plat for the City of Waxahachie Public Safety Campus was approved by City Council on May 21, 2018.

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	SF2	Texas Baptist Home
East	SF2	Currently Undeveloped
South	SF2	Lake Park Subdivision
West	SF2	Waxahachie Public Safety Campus

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 subject property is accessible via Coleman St.

Site Image:



PLANNING ANALYSIS

Case History

On May 20, 2019, City Council approved a Planned Development (PD) to provide additional administrative offices for Hope Clinic at 428 E Jefferson Street. The approved PD allowed Hope Clinic to move its Call Center, originally located at 411 E. Jefferson St., to 428 E. Jefferson St. immediately after obtaining the appropriate Certificate of Occupancy from City of Waxahachie. While searching for new property sites, Hope Clinic intended to occupy the leased property until new facilities are built or otherwise obtained in a to-be-determined location in the City of Waxahachie.

Purpose of Request:

The purpose of this request is to create a Planned Development district to construct a health clinic on 7.5 acres.

Proposed Use:

Due to the Hope Clinic outgrowing its current facility, the applicant is requesting approval for a zoning change to accommodate development of a 26,000 sq. ft. clinic on 7.5 acres located at the Southeast corner of Farley Street at Coleman Street. Hope Clinic's new facility will offer Adult, Women's, Pediatric, Behavioral and Dental Health services. In addition to the proposed medical services, the new facility will centralize Hope Clinic's administrative offices as well. The project is proposed to be constructed in two phases. If approved, construction of Phase I is projected to commence by the fourth quarter of 2020.

Likely, a construction schedule of twelve months will allow for opening and occupancy of Hope Clinic by the fourth quarter of 2021. Any Phase II development for the property may be several years away, and likely will be driven by the clinic within Phase I exceeding its design capacity to serve the patients.

Note: Once Hope Clinic leaves the existing property (located at Jefferson St.), the zoning shall continue to allow for Office and Single Family-3 uses.

Development Standards:

The applicant is proposing a base zoning district of Commercial (C). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for Commercial with additional changes listed below.

Permitted Uses:

- Health Clinic

Table 2: Proposed Planned Development Standards (Commercial)

**Items highlighted in bold do not meet the City of Waxahachie requirements*

Standard	City of Waxahachie	Hope Clinic	Meets Y/N
Min. Lot Area (Sq. Ft.)	5,000	329,668	Yes
Min. Lot Width (Ft.)	50	290	Yes
Min. Lot Depth (Ft.)	100	1,140 (636 Phase 1)	Yes
Min. Front Yard (Ft.)	25	340	Yes
Min. Side Yard (Ft.)	15; 20 (ROW)	60	Yes
Min. Rear Yard (Ft.)	20; 25 (adjacent to residential)	813	Yes
Max. Height	3 stories	1 story	Yes
Max. Lot Coverage (%)	40	7.8	Yes
Parking 1 space per 200 sq. ft.	130	147	Yes

**Additional Note: The building is proposed to be constructed of 100% masonry exterior with a mixture of brick and/or stone.*

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Inside 200 ft. Notification Area: Staff has received four (4) letters of support and seven (7) letters of opposition.

Outside 200 ft. Notification Area: Staff has received four (4) letters of opposition.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

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. Per staff recommendation, a Development Agreement will be required for the property.

ATTACHED EXHIBITS

1. Written Exhibit
2. Site Plan
3. Elevations
4. Property Owner Notification Responses

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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

HOPE CLINIC PD APPLICATION NARRATIVE

5. Statement of Purpose: Hope Clinic, currently located on east Jefferson Street near downtown, has outgrown its present facility. Consequently, in order to continue to serve the needs of the growing population of Ellis County, Hope Clinic is planning to construct a new and expanded 26,000 SF facility on property that will be donated by the city and which is central component of this PD request.

8a. Proposed Use: Hope Clinic's new facility will offer *Adult, Women's, Pediatric, Behavioral and Dental Health* services. In addition to these medical services offered to the community, the new facility will centralize Hope Clinic's administrative offices as well.

8b. Density Per IBC-2018 Table 1004: Actual Building Density will be calculated at the accepted Occupant Load Factor of 100 SF/ person- which is stipulated for both outpatient and business occupancies.

8c. Lot Area, Width, Depth and Coverage: Total Lot area is shown as 7.568 Acres (329,668 SF) The width of the lot is 290' with a total depth from the proposed front to rear property lines is 1140.02'; with Phase I (*shown on Site Plan*) requiring 636' of this total depth. The 26,000 SF facility on this 7.568 Acre site represents approximately a 7.8% lot coverage.

8d. Yard Depths and Widths: For Phase I, Front Landscaping Buffer is shown as 15'. Side yard Landscape Buffers are shown as 10'. A rear setback has not presently been established since there will be a future connection to the future second Phase of this facility.

8e. Building Height: Current maximum building height is shown on the Exterior Elevations as 22'-6" - excluding a roof-top equipment screen, with a height still-to-be determined.

8f. Building Elevations: Included in this submittal packet along with a 3-D render of the principal front view of the facility. The building will be of 100% masonry exterior with a still-to-be determined mixture of brick, block and cast stone. Any openings in building envelop shall be of insulating glass in aluminum storefront systems.

8g. Parking: Hope Clinic is designed to be compliant with City of Waxahachie Off-Street Parking Requirements at the ratio of (1) space per (200SF) of building for this type of occupancy. Based on the building size and this required ratio, (130) spaces are required at a minimum. In total, (147) spaces are shown as provided.

8h. Access: Access to this facility is provided by (2) two-way entrance & drive aisles from Coleman Street. The distance between the center-lines of these two-way entrances is

(9)

approximately 230'. On the interior of the site, these two entrances are the ingress/ egress points of a continuous fire lane that encircles the facility.

8i. Landscaping: Phase I of the project will meet and exceed minimum Landscaping Requirements for this type of facility as stipulated in the City's Landscape Ordinance. *(See Site Plan for general intent)*

8j. Accessory Buildings: No accessory buildings are envisioned to be either a part of Phase I or any future phase that Hope Clinic might undertake. There will be no outside storage.

8k. Signs: A main monument sign, flanked by flagpoles will be located within the 15' Landscape Buffer along Coleman Street. Additionally, entrance/ exit signage along with possible wayfinding on-site signage is envisioned. All signage will be appropriately-sized and consistent in theme and materials.

8l. Lighting: LED downlight parking lighting on approximately 15' poles will be located throughout the parking areas- along with landscape and signage accent lighting as needed.

8m. Project Phasing: Construction of Phase I is anticipated to begin by 4Q/2020. A likely construction schedule of twelve months will allow for opening and occupancy of Hope Clinic by 4Q/2021. Any Phase II will likely be years in the future and will be driven by the present clinic exceeding its design capacity to serve the patients of this community.

-END

VICINITY MAP

HOPE CLINIC
7,568 ACRES OR
329,648 SQUARE FEET

PORTION OF LOT 3, BLOCK A
CITY OF WAXAHACHE
PUBLIC SAFETY CAMPUS
INSTANT NUMBER
1818569
O.P.A.E.C.T.

FURNISHED FLOOR
ELEVATION = 580.00'

PARKING DATA
REQUIRED SPACES: 130
75 SPACES ON FRONT
12 SPACES ON SPT SIDE
14 SPACES ON RIGHT SIDE
45 SPACES IN BACK

PROVIDED SPACES: 167

Hope Clinic - Planned Development-Commercial
ZDC-000027-2020
7,568 AC - Portion of Lot 3 Block A
City of Waxahatche-Public Safety Campus
Waxahatche, Texas, Ellis County

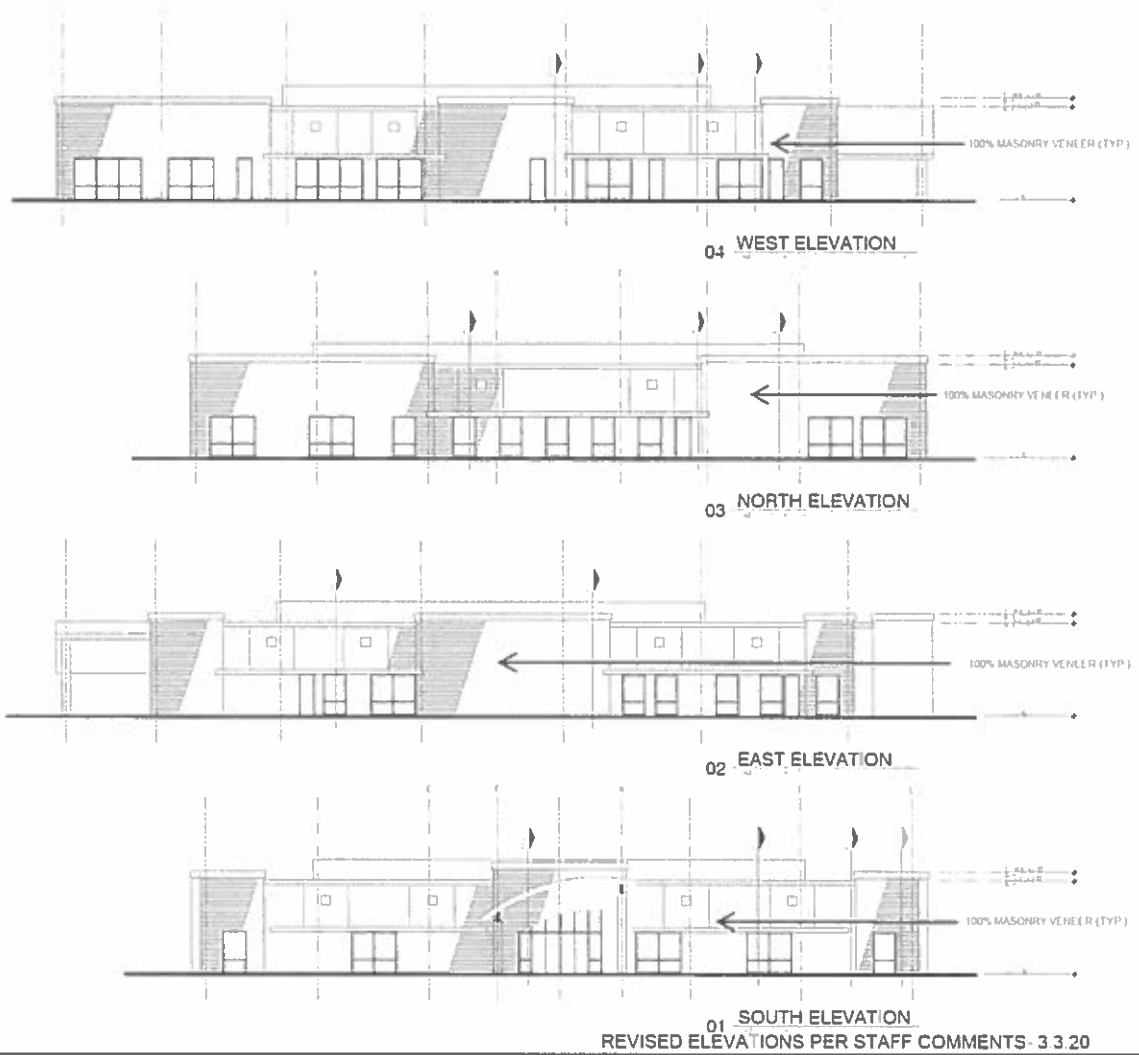
H P E
C L I N I C

M

Hope Clinic
201 Farley Ave.
Suite 2
Waxahatche, Texas 75105
972.923.2440

Hope Clinic - Planned Development-Commercial
ZDC-000027-2020
7,568 AC - Portion of Lot 3 Block A
City of Waxahatche-Public Safety Campus
Waxahatche, Texas, Ellis County

(9)



(9)

Case ZDC 000027 2020
 Responses Received Inside Required 2007 Modification Area
 Support 4 Oppose 7

PropertyID	Owner's Name	Acreage	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
171502	FM 1440 LLC SERIES 17	11.2414	LOT 1 2 BLK 245 & 246 TOWN & 200 B B DAVIS 11.2414 AC	200A N ROGERS ST	WAXAHACHIE	TX	75105	525 LAKE PARK AVE WAXAHACHIE TX 75105
172032	BAPTIST MISSIONARY ASSN OF TEXAS	0.937	LOT 1 BLK 1 BAPTIST HOME 0.937 AC	PO BOX 73	WAXAHACHIE	TX	75108	632 FARLEY ST WAXAHACHIE TX 75105
174511	ZAYALA ADOLFO & MARTHA	0.23	9.2 LAKE PARK	117 MARVIN GDS	WAXAHACHIE	TX	75105	117 MARVIN GARDENS WAXAHACHIE TX 75105
174512	STRANGE PAUL R & JACKIE A	0.24	10.2 LAKE PARK	119 MARVIN GDS	WAXAHACHIE	TX	75105	119 MARVIN GARDENS WAXAHACHIE TX 75105
174513	MARTINEZ EDYARD & REBECCA L REVOCABLE LIVING TRUST	0.27	LOT 11 BLK 2 LAKE PARK 27 AC	1010 YUKON BLVD	WAXAHACHIE	TX	75107	112 MARVIN GARDENS WAXAHACHIE TX 75105
174514	MARTEL JAMES GILBERT & LINDA PEÑA MARTEL	0.19	12.2 LAKE PARK	110 MARVIN GDS	WAXAHACHIE	TX	75105	110 MARVIN GARDENS WAXAHACHIE TX 75105
174515	JACKSON CRYSTAL	0.16	LOT 13 BLK 2 LAKE PARK 0.16 AC	108 MARVIN GARDENS	WAXAHACHIE	TX	75105	108 MARVIN GARDENS WAXAHACHIE TX 75105
174516	JUST SETTLE INVESTMENTS LLC	0.17	LOT 14 BLK 2 LAKE PARK 0.17 AC	111 BRICKSTONE DR	WAXAHACHIE	TX	75105	109 MARVIN GARDENS WAXAHACHIE TX 75105
174517	STEPHER DANIEL & KAREN	0.12	LOT 4 BLK 2 LAKE PARK 0.12 AC	107 MARVIN GARDENS	WAXAHACHIE	TX	75105	107 MARVIN GARDENS WAXAHACHIE TX 75105
174518	MAYFIELD BRANDY K	0.13	LOT 5 BLK 2 LAKE PARK 0.13 AC	109 MARVIN GARDENS	WAXAHACHIE	TX	75105	109 MARVIN GARDENS WAXAHACHIE TX 75105
174519	SPEELMAN NANCY A & JAMES F	0.14	0.2 LAKE PARK	111 MARVIN GDS	WAXAHACHIE	TX	75105	111 MARVIN GARDENS WAXAHACHIE TX 75105
174520	WHITAKER ERIC & NATALIE	0.119	LOT 7 BLK 2 LAKE PARK 0.119 AC	322 COVINGTON LN	OVILLA	TX	75154	113 MARVIN GARDENS WAXAHACHIE TX 75105
174521	TAMAYO DIEGO G	0.14	LOT 8 BLK 2 LAKE PARK 14 AC	2855 FM 070	WAXAHACHIE	TX	75105	115 MARVIN GARDENS WAXAHACHIE TX 75105
174524	GOMEZ MIGUEL O & BELENDA	0.31	1.2 LAKE PARK	101 MARVIN GARDENS	WAXAHACHIE	TX	75105	101 MARVIN GARDENS WAXAHACHIE TX 75105
174525	COSGROVE LINDA J	0.12	LOT 2 BLK 2 LAKE PARK 0.12 AC	200 SPRING CREEK DR	WAXAHACHIE	TX	75105	103 MARVIN GARDENS WAXAHACHIE TX 75105
174526	MORRIS TAMMIE A	0.14	LOT 3 BLK 2 LAKE PARK 14 AC	105 MARVIN GARDENS	WAXAHACHIE	TX	75105	105 MARVIN GARDENS WAXAHACHIE TX 75105
174527	SMITH RONDA R & VERNELL RAY	0.14	3.1 LAKE PARK	104 MARVIN GARDENS	WAXAHACHIE	TX	75105	104 MARVIN GARDENS WAXAHACHIE TX 75105
174528	DOKE TADLEY TANE	2.18	4.1 LAKE PARK	144 BRICKSTONE DR	WAXAHACHIE	TX	75105	115 JULY WAY WAXAHACHIE TX 75105
174536	DOWNS NICHOLAS E	0.18	1.1 LAKE PARK	100 MARVIN GDS	WAXAHACHIE	TX	75105	100 MARVIN GARDENS WAXAHACHIE TX 75105
174537	FURLOW PRESTON	0.16	2.1 LAKE PARK	100 MARVIN GDS	WAXAHACHIE	TX	75105	102 MARVIN GARDENS WAXAHACHIE TX 75105
175256	GOMEZ MIGUEL O & BELENDA	0.31	LOT 1 PARK HILL RE V 31 AC	101 MARVIN GARDENS	WAXAHACHIE	TX	75105	425 COLEMAN ST WAXAHACHIE TX 75105
175264	GOMEZ MIGUEL O & BELENDA	0.31	LOT 13 BLK 7 PARK HILL RE V 31 AC	101 MARVIN GARDENS	WAXAHACHIE	TX	75105	429 COLEMAN ST WAXAHACHIE TX 75105
175265	GOMEZ MIGUEL O & BELENDA	0.31	LOT 14 BLK 7 PARK HILL RE V 31 AC	101 MARVIN GARDENS	WAXAHACHIE	TX	75105	427 COLEMAN ST WAXAHACHIE TX 75105
193847	TEXAS BAPTIST HOME	0	ALL 247 TOWN	629 FARLEY ST	WAXAHACHIE	TX	75105	629 FARLEY ST WAXAHACHIE TX 75105
193848	TEXAS BAPTIST HOME	0	ALL 248 TOWN	629 FARLEY ST	WAXAHACHIE	TX	75105	BROADHEAD RD WAXAHACHIE TX 75105
275510	BLUE BONNET TRAILS HOMEOWNERS ASSOCIATION	17.143	290 TR 1 B B DAVIS 17.143 ACRES	101 VINTAGE DR STE 100	RED OAK	TX	75154	BROADHEAD RD WAXAHACHIE TX 75105

PropertyID	Owner's Name	Owner's Address
174537	PRESTON AND DALTON FURLOW	102 MARVIN GARDENS
174529	CHARLIE SMITH	113 JOLLY WAY
174531	KELCIE FULLER	109 JOLLY WAY
236274	ANTONIO CARRILLO	227 PALOMINO



(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

RECEIVED
3-9-20
3-9-20

TEXAS BAPTIST HOME
629 FARLEY ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)

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

Case Number: ZDC-000022-2020

City Reference: 193847

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

EXCELLENT ADDITION TO OUR AREA

Signature

RANDY ODOM, EXECUTIVE VICE PRESIDENT
Printed Name and Title

Date

03-09-2020
629 FARLEY ST.
Address
WAXAHACHIE TX 75165

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.

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

RECEIVED
3-10-20

BAPTIST MISSIONARY ASSN OF TEXAS
PO BOX 73
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)

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Case Number: ZDC-000022-2020

City Reference: 172032

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☒ SUPPORT

☐ OPPOSE

Comments:

We welcome the neighbor and are glad for the good they do

Heidi Mitchell

Signature

3-10-20
Date

Heidi Mitchell Executive Director
Printed Name and Title *of Mission*

637 Farley St.
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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

RECEIVED
3/11/2020

GOMEZ MIGUEL O & BRENDA
101 MARVIN GARDENS
WAXAHACHIE, TX 75165

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Case Number: ZDC-000022-2020

City Reference: 174524

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☐ SUPPORT

☒ OPPOSE

Comments:

Not a commercial area, it's a neighborhood area!
We have enough traffic coming thru.

Miguel O. Gomez / Brenda Gomez
Signature

3/10/20
Date

Miguel Gomez / Brenda Gomez
Printed Name and Title
owners

101 Marvin Gdns.
Address
Waxahachie, TX 75165

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

RECEIVED
3/11/2020

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Case Number: ZDC-000022-2020

City Reference: 175256

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☐ SUPPORT

☒ OPPOSE

Comments:

Disagree with Commercializing the land behind our neighborhood!
Enough traffic comes through.

Miguel O. Gomez / Brenda Gomez

Signature

Date

3/10/20

Miguel O. Gomez / Brenda Gomez

Printed Name and Title

Address

101 Marvin Gardens

Waxahachie, TX 75165

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(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

RECEIVED
3/11/2020

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101 MARVIN GARDENS
WAXAHACHIE, TX 75165

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Case Number: ZDC-000022-2020

City Reference: 175264

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☐ SUPPORT

☒ OPPOSE

Comments:

We disagree with the land behind our neighborhood should be commercialized. We have enough traffic coming thru. ^{to}

Miguel O Gomez / Brenda Gomez

Signature

Date

3/10/20

Miguel O. Gomez / Brenda Gomez

Printed Name and Title

Address

101 Marvin Gdns.

Waxahachie, Tx 75165

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(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

RECEIVED
3/11/2020

GOMEZ MIGUEL O & BRENDA
101 MARVIN GARDENS
WAXAHACHIE, TX 75165

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Case Number: ZDC-000022-2020

City Reference: 175265

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☐ SUPPORT

☒ OPPOSE

Comments:

Not a commercial area, it's a neighborhood area!
Too much traffic as is.

Miguel O. Gomez / Brenda Gomez

Signature

Miguel O. Gomez / Brenda Gomez

Printed Name and Title

Date

3/10/20

Address

101 Marvin Gardens

Waxahachie, TX 75165

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(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

RECEIVED
3/17/2020

COSGROVE LINDA J
206 SPRING CREEK DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: ZDC-000022-2020

City Reference: 174525

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☒ SUPPORT

☐ OPPOSE

Comments:

I have no problem with that whatsoever. I think it
would be great for the community.

Linda Cosgrove
Signature

3-10-2020
Date

Linda Cosgrove, owner
Printed Name and Title

103 Marvin Gardens.
Address
Mailin Address:
1000 NW 10th St
Mineral Wells TX 76067

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.



(9)
Hope Clinic does much

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

good
work!

STRANGE PAUL R & JACKIE A
119 MARVIN GDNS
WAXAHACHIE, TX 75165

RECEIVED
3/13/2020

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Case Number: ZDC-000022-2020

City Reference: 174512

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☒ SUPPORT

☐ OPPOSE

Comments:

Paul Strange Sr
Signature

PAUL STRANGE SR.
Printed Name and Title

3-9-2020
Date

119 MARVIN GDNS
Address
WAXAHACHIE TX 75165

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.

(9)

Case Number: ZDC-000022-2020

City Reference: 275510

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☐ SUPPORT

☒ OPPOSE

RECEIVED
3/18/2020

Comments:

Absolutely not. Our neighborhood is quiet, our kids play in the streets, this will cause too much chaos.

V. Baugus

Signature

Date

3-11-20

Virginia Baugus

Printed Name and Title

106 Martin Gardens

Address

Waxahachie, TX 75165

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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.

(9)

Case Number: ZDC-000022-2020

City Reference: 275510

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Comments:

☐ SUPPORT

☒ OPPOSE

RECEIVED
3/18/2020

Mary Bidgway
Signature
Mary Bidgway
Printed Name and Title

03-11-2020
Date
115 Jolly Way
Address
Waxahachie, TX
75165

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

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(9)

Case Number: **ZDC-000022-2020**

City Reference: 174511

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☐ SUPPORT

☒ OPPOSE

RECEIVED
3/18/2020

Comments:

No infrastructure. no more privacy
too much traffic

Martha Zavala
Signature

Martha Zavala
Printed Name and Title

11 March 2020
Date

117 Marvin Gdns.
Address
Waxahachie, Tx.
75165

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

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(9)

Case Number: ZDC-000022-2020

City Reference: 275510

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☐ SUPPORT

☒ OPPOSE

RECEIVED
3/18/2020

Comments:

This is a Residential Area not commercial. There is too much traffic as it is.

Preston T. Fur Low
Signature

3-11-2020
Date

Preston T. Fur Low
Printed Name and Title

102 Marvin Gardens
Address

Outside Notification Area
PID: 174537

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.



(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000022-2020

RECEIVED
3/18/2020

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City Reference: 275510

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☐ SUPPORT

☒ OPPOSE

Comments:

Too much traffic, would also make
surrounding neighborhoods unsafe.

Signature

3-11-2020
Date

Mr. Dalton Furlow
Printed Name and Title

102 Marvin Gardens
Address

Outside Notification Area
PID: 174537

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(9)

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City Reference: 275510

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☐ SUPPORT

☒ OPPOSE

RECEIVED
3/18/2020

Comments:

I do not want any commercial bld on this side of
town the clinic need to stay as is

Charles L. Smith

Signature

11 Mar 2020

Date

Charles L. Smith

Printed Name and Title

113 Selby

Address

Outside Notification Area:

PID: 174529

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(9)

Case Number: ZDC-000022-2020

City Reference: 275510

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☐ SUPPORT

☒ OPPOSE

RECEIVED
3/18/2020

Comments:

No infrastructure to support this type of facility -
Roads are not big enough.

[Signature]
Signature

3/11/20
Date

Belore Fuller, MS
Printed Name and Title

169 Jolly way Waxahachie
Address

Outside Notification Area
PID: 174531

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(9)

City of Waxahachie, Texas
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☐ SUPPORT

☒ OPPOSE

Comments:

Antonio Carrillo
Signature

3/12/2020
Date

Antonio Carrillo
Printed Name and Title

227 Palomino Dr. Waxahachie, Texas
Address
75165

Outside Notification Area

PID: 226274

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

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-000031-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020

City Council: April 20, 2020

CAPTION

Public Hearing on a request by Robert G. Scruggs for a Zoning Change from a Future Development zoning district to Single Family Residential-1, located at 3273 Howard Road (being a portion of Property ID 182107) - Owner: ROBERT G AND SUSAN C SCRUGGS (ZDC-000031-2020)

APPLICANT REQUEST

The applicant is requesting a zoning change from Future Development (FD) to Single Family-1 (SF1) to construct three (3) single family residences.

CASE INFORMATION

Applicant: Robert G. Scruggs

Property Owner(s): Robert G. Scruggs

Site Acreage: 8.4 acres

Current Zoning: Future Development

Requested Zoning: Single Family-1

SUBJECT PROPERTY

General Location: 3273 Howard Rd.

Parcel ID Number(s): 182107

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Single Family Residences
East	FD	Single Family Residences
South	RR	Undeveloped Land
West	FD	Single Family Residences

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 subject property is accessible via Howard Rd.

Site Image:**PLANNING ANALYSIS****Purpose of Request:**

The applicant is requesting a zoning change from Future Development (FD) to Single Family-1 (SF1) to construct three (3) single family residences.

Proposed Use:

The applicant is requesting approval for a zoning change to accommodate development of three (3) single family residences. Each single family residential lot is proposed to meet all Single Family-1 zoning district requirements.

Table 2: Proposed Single Family Residential (per SF1 standards)

*****Items highlighted in bold do not meet the City of Waxahachie SF1 requirements*****

Standard	City of Waxahachie	Sanctuary	Meets
Min. Lot Area	16,000 sq. ft.	43,560 sq. ft.	Yes
Min. Lot Width	90 ft.	90 ft.	Yes
Min. Lot Depth	140 ft.	140 ft.	Yes
Min. Front Setback	40 ft.	40 ft.	Yes
Min. Interior Setback	15 ft; 20 ft (ROW)	15 ft.; 20 ft. (ROW)	Yes
Min. Rear Setback	25 ft.	25 ft.	Yes
Min. Dwelling Size	2,200 sq. ft.	2,200 sq. ft.	Yes
Max. Height	2 stories (main structure); 1 story (accessory structure)	2 stories (main structure); 1 story (accessory structure)	Yes

Max. Lot Coverage	50%	50%	Yes
Parking	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Yes

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.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed staff concerns.

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. Per staff's recommendation, a Development Agreement will be required for the proposed development.

ATTACHED EXHIBITS

1. Plat Exhibit

APPLICANT REQUIREMENTS

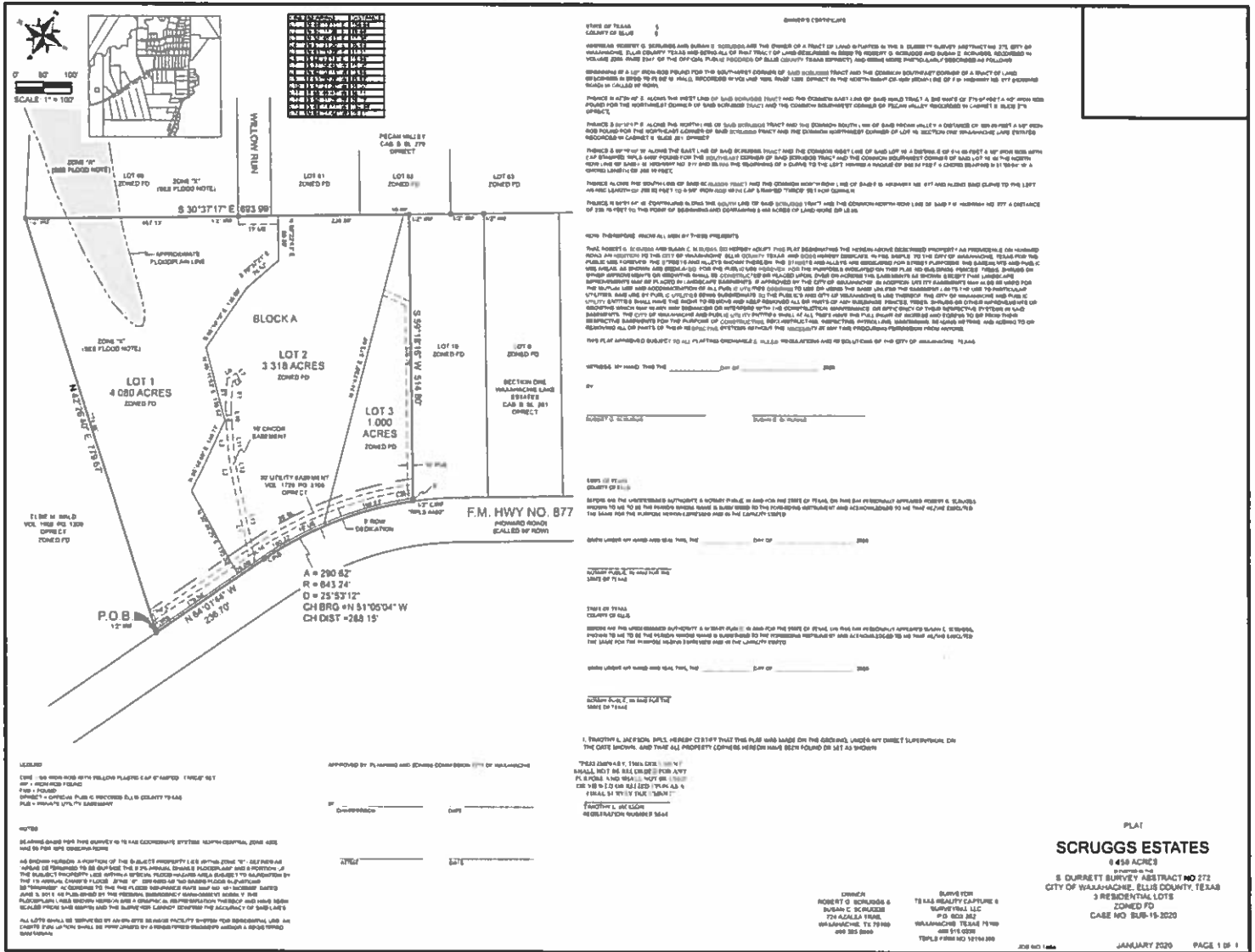
1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then 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:
 Colby Collins
 Senior Planner
ccollins@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Director of Planning
sbrooks@waxahachie.com

(11)



Planning & Zoning Department

Zoning Staff Report

Case: ZDC-000042-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020

City Council: April 20, 2020

CAPTION

Public Hearing on a request by Randy Eardley, Wier and Associates, for a Specific Use Permit (SUP) for a Medical Facility use within a Planned Development-1-Commercial zoning district located at the corner of RVG Parkway at 287 (Property ID 238268) – Owner: CRUX INVESTMENTS (ZDC-000042-2020)

APPLICANT REQUEST

The applicant is requesting to construct a Surgery Outpatient Facility and Medical Office (Medical Facility) on 2.69 acres.

CASE INFORMATION

Applicant: Randy Eardley, P.E., Wier & Associates, Inc.

Property Owner(s): Crux Investments

Site Acreage: 2.693 acres

Current Zoning: Commercial

Requested Zoning: Commercial w/ SUP

SUBJECT PROPERTY

General Location: Northeast corner of US Highway 287 and RVG Plaza

Parcel ID Number(s): 238268

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	LI1	Dart Container Corporation
East	PD-1-C	Currently Undeveloped
South	N/A	US Highway 287
West	GR	Currently Undeveloped

Future Land Use Plan:**Mixed Use Non Residential*****Comprehensive Plan:***

Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

Thoroughfare Plan:

The subject property is accessible via Chenault Rd.

Site Image:**PLANNING ANALYSIS****Purpose of Request:**

The applicant is requesting to construct a Surgery Outpatient Facility and Medical Office (Medical Facility) on 2.69 acres.

Proposed Use:

The applicant is requesting approval for a Specific Use Permit to accommodate development of a 25,341 sq. ft. clinic on 2.693 acres located at the Northeast corner of US Highway 287 and RVG Plaza. Per the Operational Plan, THSC (Texas Health Surgery Center) Waxahachie will be constructed as a single-story, multi-specialty surgery center. The surgery center will consist of seven physicians, as well as eighteen teammates (assistants), that will perform various procedures at the facility. Once the procedures are completed, patients will be discharged home the same day as surgery. Proposed hours of operation for the facility will be Monday through Friday, 7:00 am to 5 pm.

Surgery Specialties that will be utilized in the facility include:

- Orthopedic
- Ophthalmology (cataracts)
- General Surgery
- Urology
- GI – Endoscopy Procedures

Development Standards:

The applicant is proposing a base zoning district of Commercial (C). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for Commercial with additional changes listed below.

Permitted Uses:

- Health Clinic

Table 2: Proposed Planned Development Standards (Commercial)

****Items highlighted in bold do not meet the City of Waxahachie requirements***

Standard	City of Waxahachie	RVG Plaza	Meets Y/N
Min. Lot Area (Sq. Ft.)	5,000	117,300	Yes
Min. Lot Width (Ft.)	50	540	Yes
Min. Lot Depth (Ft.)	100	250	Yes
Min. Front Yard (Ft.)	25	25	Yes
Min. Side Yard (Ft.)	15; 20 (ROW)	15 (ROW)	No
Min. Rear Yard (Ft.)	20; 25 (adjacent to residential)	20	Yes
Max. Height	3 stories	1 story	Yes
Max. Lot Coverage (%)	40	22	Yes
Parking 1 space per 200 sq. ft.	127	128	Yes

****Additional Note: The building is proposed to be constructed of a masonry exterior with a mixture of brick and stone.***

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 Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATIONS

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

SPECIAL EXCEPTION/VARIANCE REQUEST

Setback:

Per the City of Waxahachie Zoning Ordinance: The side yard setback requirement, adjacent to public ROW, for the Commercial zoning district is 20 ft.

- The applicant is proposing a 15 ft. minimum side yard setback along Chenault Rd.

Sidewalk:

Staff suggests that the applicant provide sidewalks surrounding the medical facility.

- No sidewalk will be provided along Chenault Rd. along the north property boundary. The applicant is proposing to use the space between the existing private pavement of Chenault Rd., and the proposed parking pavement will be utilized for landscaping and required street trees.
- No sidewalk will be provided along Solon Rd. along west property boundary. The applicant is proposing that space between the existing street pavement and the street ROW line will be utilized for conveyance of storm drainage, and, the space between the ROW line and the proposed parking pavement will be utilized for landscaping and required street trees.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

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. Per staff's recommendation, a Development Agreement will be required for the proposed development.

ATTACHED EXHIBITS

1. Operational Plan
2. Site Plan
3. Landscape Plan
4. Elevation/Façade Plan
5. Property Owner Notification Responses

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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



February 25, 2020

OPERATIONAL USE PLAN FOR TEXAS HEALTH SURGERY CENTER WAXAHACHIE

THSC Waxahachie will be a single-story multi-specialty surgery center. Seven physicians will perform procedures at the facility. Patients will be discharged home same day as surgery.

Surgery Specialties utilizing the facility:

- Orthopedic
- Ophthalmology (cataracts)
- General Surgery
- Urology
- GI – Endoscopy Procedures

The facility will be open Monday through Friday, 7:00 am to 5 pm.

The facility will employ 18 teammates.

Thank you,

Karen Payne
Vice President Operations
Surgical Care Affiliates
5215 N. O'Connor Blvd
Suite 1775
Irving, TX 75039

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5. ආගම (Religion)	ආගම (Religion)	Religion
බුදුදහම (Buddhism)	බුදුදහම (Buddhism)	Buddhism
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වෙනත් (Others)	වෙනත් (Others)	Others

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Prep. # Number	XXXX
Issue Date	03.26.2009
Branch To	SWFT
Created By	6.6.09

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3	1998	20
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120		

1999

Keywords: *Self-esteem, self-esteem threat, self-esteem threat sensitivity, self-esteem threat sensitivity scale, self-esteem threat sensitivity scale-2*

LANDSCAPE
PLAN

Case Number

L1.01

(13)

SECTION 02100 - LANDSCAPE

PART 1 - SUMMARY

1.1. SECTION INCLUDES

- 1.1.1. Planting and maintenance of trees, shrubs, and groundcover.

1.2. RELATED SECTIONS

- 1.2.1. Planting and maintenance of trees, shrubs, and groundcover.

1.3. REFERENCES

- 1.3.1. American Society of Landscape Architects (ASLA) Standard Specifications for Landscaping.

1.4. NOTES

- 1.4.1. The contractor shall be responsible for obtaining all necessary permits and licenses for the work.

1.5. MATERIALS

- 1.5.1. All materials shall be of the highest quality and shall conform to the specifications of the ASLA Standard Specifications for Landscaping.

1.6. EXECUTION

- 1.6.1. The contractor shall be responsible for the proper installation and maintenance of the landscape.

1.7. MAINTENANCE

- 1.7.1. The contractor shall be responsible for the maintenance of the landscape for a period of one year after completion.

1.8. TESTING

- 1.8.1. The contractor shall be responsible for the testing of the materials used in the work.

1.9. PROTECTION

- 1.9.1. The contractor shall be responsible for the protection of the existing landscape during the work.

1.10. CLEANUP

- 1.10.1. The contractor shall be responsible for the cleanup of the work area after completion.

1.11. SCHEDULE

- 1.11.1. The contractor shall be responsible for the scheduling of the work.

1.12. PAYMENT

- 1.12.1. The contractor shall be responsible for the payment of the work.

1.13. WARRANTY

- 1.13.1. The contractor shall be responsible for the warranty of the work.

1.14. OTHER

- 1.14.1. The contractor shall be responsible for the other work.

1.15. APPENDIX

- 1.15.1. The contractor shall be responsible for the appendix of the work.

1.16. INDEX

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1.17. GLOSSARY

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1.19. REFERENCES

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1.20. NOTES

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1.68. NOTES

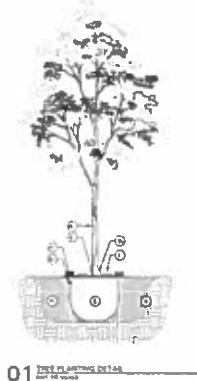
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1.69. APPENDIX

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1.70. INDEX

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01 TREE PLANTING DETAIL

1. The contractor shall be responsible for the planting of the tree.

2. The contractor shall be responsible for the maintenance of the tree.

3. The contractor shall be responsible for the removal of the tree.

4. The contractor shall be responsible for the replacement of the tree.

5. The contractor shall be responsible for the protection of the tree.

6. The contractor shall be responsible for the scheduling of the tree.

7. The contractor shall be responsible for the payment of the tree.

8. The contractor shall be responsible for the warranty of the tree.

9. The contractor shall be responsible for the other work.

10. The contractor shall be responsible for the appendix of the tree.

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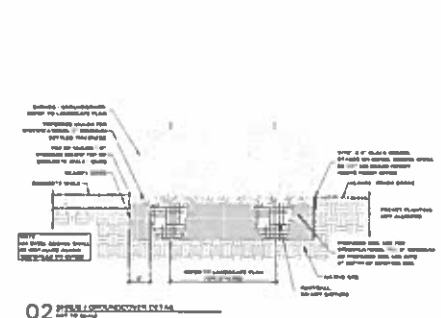
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42. The contractor shall be responsible for the glossary of the tree.



02 SHRUB PLANTING DETAIL

1. The contractor shall be responsible for the planting of the shrub.

2. The contractor shall be responsible for the maintenance of the shrub.

3. The contractor shall be responsible for the removal of the shrub.

4. The contractor shall be responsible for the replacement of the shrub.

5. The contractor shall be responsible for the protection of the shrub.

6. The contractor shall be responsible for the scheduling of the shrub.

7. The contractor shall be responsible for the payment of the shrub.

8. The contractor shall be responsible for the warranty of the shrub.

9. The contractor shall be responsible for the other work.

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4248 North Central Expressway
Suite 501
Dallas, Texas 75206
214.868.7192



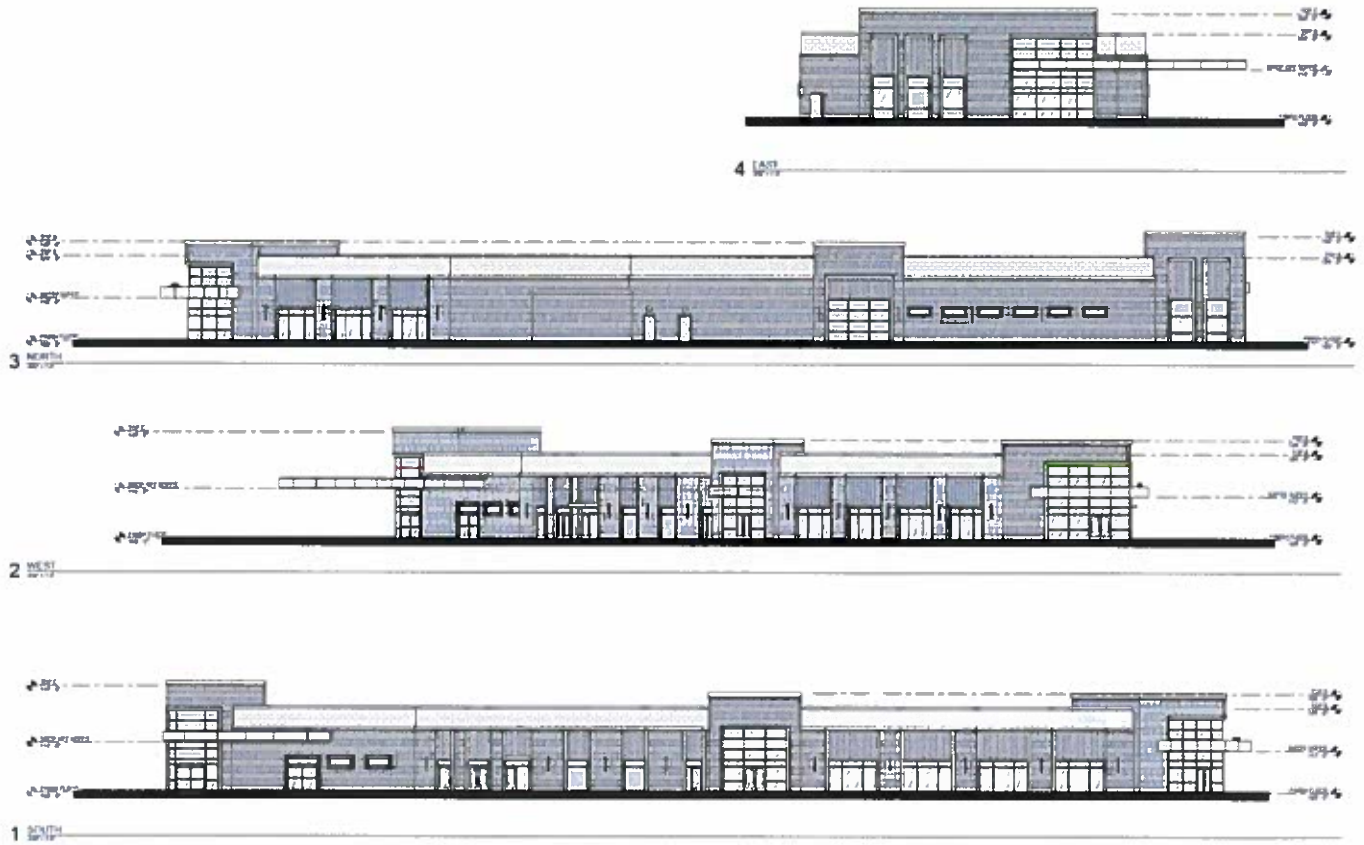
Medical
Office Building
Lot 1R, Block B
RVG Plaza
Wrentham, Texas

Project Number: 20206
Drawn By: E.J. 3/20/20
Checked By: E.J. 3/20/20

Sheet Title: LANDSCAPE SPECIFICATIONS AND DETAILS

Sheet Number: L1.02

(13)



EXTERIOR MATERIAL SELECTION BY ELEVATION									
Elevation	Material	Area (sq ft)	Material	Area (sq ft)	Material	Area (sq ft)	Material	Area (sq ft)	Material
1 SOUTH	Brick	1000	Brick	1000	Brick	1000	Brick	1000	Brick
2 WEST	Brick	1000	Brick	1000	Brick	1000	Brick	1000	Brick
3 NORTH	Brick	1000	Brick	1000	Brick	1000	Brick	1000	Brick
4 EAST	Brick	1000	Brick	1000	Brick	1000	Brick	1000	Brick
TOTAL MATERIAL SELECTION									
Brick	4000								
Brick	4000								
Brick	4000								
Brick	4000								
Brick	4000								

(13)



(13)

1

PropertyID	Owner's Name
238270	ADB INVESTMENTS LLC DBA ADB COMFORT SUITES LLC
238267	BARBELL REAL ESTATE LLC & JAMES BELLER
238268	CRUX INVESTMENTS LP
238264	HUNTERS COVE LAKESIDE APARTMENTS LLC
173204	DARTCO OF TEXAS LTD PTNSP

(13)

Case Number: ZDC-000042-2020

City Reference: 238268

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, April 8, 2020** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Siyanade Fayiga
Signature

3/30/20
Date

SIYANADE FAYIGA
Printed Name and Title
MANAGING PARTNER
CRUX MANAGEMENT

14850 Roselawn Ln
Address Frisco Tx 75035

RECEIVED
4/7/20

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.

Planning & Zoning Department

Plat Staff Report

Case: SUB-43-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020

CAPTION

Consider request by Randy Eardley, P.E., Wier & Associates for a Replat of RVG Plaza for 1 non-residential lot being 2.693 acres situated in the Robert Parks Survey, Abstract 851 and in the N.P. Neal Survey. Abstract 1320 (Property ID 238268) Owner: Crux Investments (SUB-43-2020)

APPLICANT REQUEST

The applicant is requesting the replat to allow the construction of a medical facility on the property.

CASE INFORMATION

Applicant: Randy Eardley, P.E., Wier & Associates

Property Owner(s): Crux Investments

Site Acreage: 2.693 acres

Number of Lots: 1lots

Number of Dwelling Units: 0 units

Park Land Dedication: N/A (non-residential)

Adequate Public Facilities: Adequate public facilities are available to this site.

SUBJECT PROPERTY

General Location: Intersection of Solon Rd., Chenault Rd., and Hwy 287 Bypass

Parcel ID Number(s): 238268

Current Zoning: PD-1-C

Existing Use: Undeveloped

Platting History: A final plat for RVG Plaza was approved by City Council on 9-18-2006.

Site Aerial:**RECOMMENDATION**

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

- ☐ Disapproval
- ☒ Approval, as presented.
- ☐ Approval, per the following conditions:

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



(15)

FIELD NOTES

BEING A TRACT OF LAND LOCATED IN THE ROBERT PARKS SURVEY, ABSTRACT NO. 651, AND THE H.P. NEAL SURVEY, ABSTRACT NO. 1320, ELLIS COUNTY, TEXAS, BEING ALL OF LOT 1 AND A PORTION OF LOT 2, BLOCK B, RVG PLAZA, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET H, SLIDE 328, PLAT RECORDS, ELLIS COUNTY, TEXAS (P.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN "X" CUT FOUND, BEING THE NORTHEAST CORNER OF SAID LOT 1 AND BEING THE SOUTHEAST CORNER OF LOT 3, BLOCK B, OF SAID RVG PLAZA, AND BEING IN THE NORTHWEST RIGHT-OF-WAY LINE OF RVG PARKWAY (A 60' RIGHT-OF-WAY):

THENCE S 19°15'36" E, ALONG THE SOUTHWEST LINE OF SAID LOT 1 AND THE NORTHWEST RIGHT-OF-WAY LINE OF SAID RVG PARKWAY, 250.00 FEET TO A POINT, BEING THE SOUTHEAST CORNER OF SAID LOT 1 AND THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE U.S. HIGHWAY 287 BYPASS (A VARIABLE WIDTH RIGHT-OF-WAY) WITH THE NORTHWEST RIGHT-OF-WAY LINE OF SAID RVG PARKWAY, AND FROM WHENCE A 1/2" IRON FOUND BEARS S 56°30'11" E, 0.21 FEET;

THENCE N 70°44'22" E, ALONG THE SOUTHWEST LINE OF SAID LOTS 1 AND 2 AND THE NORTHEAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 287 BYPASS, AT 205.00 FEET, PASSING THE SOUTHWEST CORNER OF SAID LOT 1 AND THE SOUTHEAST CORNER OF SAID LOT 2, AND CONTINUING IN ALL A TOTAL DISTANCE OF 343.75 FEET TO A 1/2" IRON FOUND WITH AN ELLEIDLE CAP;

THENCE N 56°33'32" E, CONTINUING ALONG THE SOUTHWEST LINE OF LOT 2 AND THE NORTHEAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 287 BYPASS, 75.45 FEET TO A 1/2" IRON FOUND WITH AN ELLEIDLE CAP, BEING THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 287 BYPASS WITH THE NORTHEAST RIGHT-OF-WAY LINE OF SOLON ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE N 28°58'30" E, 182.22 FEET TO A POINT, BEING THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF SAID SOLON ROAD WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF CHENAULT ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE ALONG THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID CHENAULT ROAD AS FOLLOWS:

- 1) N 60°33'43" E, 36.48 FEET TO A POINT, BEING THE BEGINNING OF A CURVE TO THE RIGHT;
- 2) NORTHEASTERLY, AN ARC LENGTH OF 49.45 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 185.00 FEET, A DELTA ANGLE OF 14°31'48", AND A CHORD BEARING OF N 87°49'40" E, 49.32 FEET TO A POINT;
- 3) N 89°20'18" E, 17.15 FEET TO A POINT;
- 4) N 59°16'02" E, 9.53 FEET TO A POINT AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;
- 5) EASTERLY, AN ARC LENGTH OF 31.77 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 185.00 FEET, A DELTA ANGLE OF 09°20'03", AND A CHORD BEARING OF N 87°29'37" E, 31.73 FEET TO A POINT AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE NORTHEASTERLY, AN ARC LENGTH OF 38.01 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 44°41'58", AND A CHORD BEARING OF N 36°01'16" E, 38.03 FEET TO A POINT;

THENCE N 59°16'02" E, 3.33 FEET TO A POINT, BEING THE NORTHWEST CORNER OF SAID LOT 2 AND THE WEST CORNER OF SAID LOT 3;

THENCE S 70°44'22" E, ALONG THE NORTHEAST LINE OF SAID LOTS 1 AND 2 AND THE SOUTHWEST LINE OF SAID LOT 3, AT 208.15 FEET, PASSING AN "X" CUT FOUND, BEING THE NORTHEAST CORNER OF SAID LOT 3 AND THE NORTHWEST CORNER OF SAID LOT 1, AND CONTINUING IN ALL A TOTAL DISTANCE OF 414.15 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.683 ACRES (117,300 SQUARE FEET) OF LAND, MORE OR LESS.

PRELIMINARY FOR REVIEW PURPOSES ONLY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY
PURPOSE AND SHALL NOT BE USED OR VIEWED OR
RELIED UPON AS A FINAL SURVEY DOCUMENT.

DEVELOPER
CRUX INVESTMENTS, LP
14850 ROSELAWN LANE
PRISCO, TX 75035
CONTACT: SYANADE FIYAGA
PH: (214) 435-8043

DEVELOPER
WAX MOB REALTY, LLC
228 HOLMES AVE NE #7004
HUNTSVILLE, AL 35801
CONTACT: MARK SAMPLES
PH: (256) 428-0060

ENGINEER / SURVEYOR
MER & ASSOCIATES, INC.
2201 E. LAMAR BLVD., SUITE 200E
ARLINGTON, TEXAS 76006
CONTACT: RANDY EARDLEY, P.E.
AARON L. STRIMFELLOW, R.P.L.S.
PH: (817) 467-7700
FAX: (817) 467-7713

WMA
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2301 E. LAMAR BLVD., SUITE 200E (HUNTSVILLE, TEXAS 76006) TEL: (817) 467-7700
FAX: (817) 467-7713
www.wma-inc.com

PREPARED: FEBRUARY 2020

SHEET 2 OF 2

DATE: 3/20/2020
W.A. No. 19146

HOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT CRUX INVESTMENTS, LP, ACTING BY AND THROUGH THEIR DULY AUTHORIZED AGENT, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 1R, BLOCK B, RVG PLAZA, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS AND ALLEYS SHOWN THEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE SAME. ALL, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AN ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF ACCESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OF SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY).

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

WITNESS, MY HAND AT _____ TEXAS, THIS THE _____ DAY OF _____, 2020.

TITLE _____

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE ENJOYED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2020.

NOTARY PUBLIC, _____ COUNTY, TEXAS

MY COMMISSION EXPIRES _____

SURVEYOR'S STATEMENT

I, AARON L. STRIMFELLOW, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND AND THAT THE INSTRUMENTS SHOWN HEREON WERE FOUND OR PLACED UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS.

DATE OF PLAT OR MAP _____

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF AARON L. STRIMFELLOW, R.P.L.S. NO. 6373 ON MARCH 10, 2020. IT IS NOT TO BE USED FOR RECORDING, CONSTRUCTION, RECORDING, OR PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHALL NOT BE RECORDED.

AARON L. STRIMFELLOW, R.P.L.S.
STATE OF TEXAS No. 6373
E-MAIL: AStrimfellow@wma-inc.com

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED AARON L. STRIMFELLOW, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE ENJOYED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2020.

NOTARY PUBLIC, _____ COUNTY, TEXAS

MY COMMISSION EXPIRES _____

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: _____ CHAIRPERSON _____ DATE _____

BY: _____ ATTEST _____ DATE _____

REPLAT LOT 1R, BLOCK B RVG PLAZA

BEING A REPLAT OF BLOCK B, LOT 1 AND A PORTION OF LOT 2, OF RVG PLAZA, AN ADDITION TO THE CITY OF WAXAHACHE, TEXAS, RECORDED IN CABINET H, SLIDE 328, PLAT RECORDS, ELLIS COUNTY, TEXAS, BEING 2.693 ACRES OF LAND LOCATED IN THE ROBERT PARKS SURVEY, ABSTRACT NO. 651 AND THE H.P. NEAL SURVEY, ABSTRACT NO. 1320, ELLIS COUNTY, TEXAS

1 NON-RESIDENTIAL LOT

CASE No. SUB-43-2020

PREPARED BY:

WMA
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2301 E. LAMAR BLVD., SUITE 200E (HUNTSVILLE, TEXAS 76006) TEL: (817) 467-7700
FAX: (817) 467-7713
www.wma-inc.com

PREPARED: FEBRUARY 2020

SHEET 2 OF 2

DATE: 3/20/2020
W.A. No. 19146

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-000030-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020

City Council: April 20, 2020

CAPTION

Public Hearing on a request by Alan Lauhoff, P.E., Atlas Associates Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 and 2 (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (ZDC-000030-2020)

APPLICANT REQUEST

The applicant intends to continue development for a third residential phase of Blue Bonnet Trails. The proposed development will consist of townhomes and single family residential lots.

CASE HISTORY

- On January 29, 2019, the applicant asked staff to withdraw case no. PD-18-0119, the original Blue Bonnet Trail Phase 3 submittal, from the February 12, 2019 Planning and Zoning Commission agenda, as well as the February 18, 2019 City Council meeting agenda. This proposal included minimum lot sizes of 6,600 square feet.
- At the September 10, 2019 Planning and Zoning meeting, the Planning and Zoning Commission voted 4-0 to deny Case Number PD-19-0106. On October 22, 2019, the applicant requested to withdraw case no. PD-19-0106 from the November 4, 2019 City Council meeting agenda. This proposal included minimum lot sizes of 8,400 square feet.

CASE INFORMATION

Applicant: Alan Lauhoff, P.E., Atlas Associates, Inc.

Property Owner(s): Blue Bonnet Trails LLC

Site Acreage: 35.993 acres

Current Zoning: Single Family-2

Requested Zoning: Planned Development-Single Family-3

SUBJECT PROPERTY

General Location: South of Blue Bonnet Trails Phases 1 and 2

Parcel ID Number(s): 264992 and 182275

Existing Use: Undeveloped Land

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	GR	Undeveloped Land
East	GR	Undeveloped Land
South	SF2	Single Family Residences
West	PD-SF-3	Blue Bonnet Trails Ph. 1 & 2

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 accessible via US Highway 287 frontage road, and River Oaks Blvd (proposed ROW).

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant intends to continue development for a third residential phase of Blue Bonnet Trails. The site is accessible via US Highway 287 frontage road, and River Oaks Blvd (proposed ROW). The Future Land Use Plan (FLUP) designates this area as Low Density Residential. The proposed use is consistent with the FLUP.

Proposed Use:

The applicant is proposing a zoning change request from a Single Family-2 (SF2) zoning district to Planned Development-Single Family-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 & 2. The proposed development will consist of eighty-seven (87) single family lots, twenty-five (25) townhome lots, and two (2) (H)ome (O)wner (A)ssociation tracts on 35.993 acres. If approved, the project is intended to be constructed in one phase, and will provide a connection to US 287 frontage road.

The total acreage for each land use is as follows:

- HOA tracts: 3.43 acres
- Single Family: 22.79 acres
- Townhome: 2.25 acres
- Right-of-way dedication: 7.52 acres
- Total Acreage: 35.99 acres

As mentioned at the September 10, 2019 Planning and Zoning meeting, staff has concerns with the proposed lot sizes by the applicant. The minimum lot area for the proposed Single Family-3 (SF3) base zoning within the City of Waxahachie is 10,000 sq. ft. The applicant is proposing to construct forty-two (42) single family lots below 10,000 sq. ft. (see Table 2 below). If approved, half of the residential development will be constructed under the SF3 minimum lot size requirement.

Conformance with the Comprehensive Plan:

Residential developments can include low density residential, medium density residential, and high density residential. The proposed development is consistent with the FLUP and the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- **Growth Strategies – Goal 12:** Promote growth of the community where infrastructure exists.

Table 2: Proposed Single Family Residential (per SF3 standards)

**The third column depicts the dimensions that were presented at the September 10, 2019 PZ meeting*

****Items highlighted in bold do not meet the City of Waxahachie SF3 requirements****

Standard	City of Waxahachie	*Blue Bonnet Trails Ph. 3 (per 9/10/19 PZ) <i>Not reflected in "Meets" column</i>	Blue Bonnet Trails Ph. 3 (for 4/14/20 PZ)	Meets
Min. Lot Area	10,000 sq. ft.	8,400 sq. ft.	8,400 sq. ft.	No
Min. Lot Width	80 ft.	70 ft.	70 ft.	No
Min. Lot Depth	100 ft.	120 ft.	120 ft.	Yes
Min. Front Setback	30 ft.	25 ft.	30 ft.	Yes
Min. Interior Setback	10 ft; 15 ft (ROW)	10 ft; 15 ft. (ROW)	10 ft; 15 ft. (ROW)	Yes
Min. Rear Setback	25 ft.	20 ft.	20 ft.	No
Min. Dwelling Size	1,200 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	Yes
Max. Height	2 stories (main structure); 1 story (accessory structure)	2 stories (main structure); 1 story (accessory structure)	2 stories (main structure); 1 story (accessory structure)	Yes
Max. Lot Coverage	50%	35%	35%	Yes

Table 3: Single Family Lot Notes (87 Total Lots)

Items highlighted in bold do not meet the City of Waxahachie SF3 requirements

18 Lots	8,400-8,999 sq. ft.
24 Lots	9,000-9,999 sq. ft.
9 Lots	10,000-10,999 sq. ft.
13 Lots	11,000-12,499 sq. ft.
8 Lots	12,500-14,999 sq. ft.
11 Lots	15,000-17,999 sq. ft.
4 Lots	18,000-22,100 sq. ft.

Additional Single Family Lot Notes:

Minimum Lot Size: 8,400 sq. ft. (8,400 sq. ft. per 9/10/19 PZ)

Maximum Lot Size: 22,024 sq. ft. (22,100 sq. ft. per 9/10/19 PZ)

Average Lot Size: 11,408 sq. ft. (11,084 sq. ft. per 9/10/19 PZ)

Min. Masonry Percentage (Single Family): 75% total (100% facing public ROW)

Table 4: Proposed Townhome Residential

****Per 5.09 Single Family Attached (Townhome)***

Items highlighted in bold do not meet the City of Waxahachie requirements

Standard	City of Waxahachie	Blue Bonnet Trails Ph. 3	Meets
Min. Lot Area	3,630 sq. ft.	3,450 sq. ft.	Yes
Min. Front Setback	15 ft.	25 ft.	Yes
Min. Interior Setback	0 ft; 25 ft. (adjacent to SF detached)	0	Yes
Min. Rear Setback	10 ft.; 25 ft. (adjacent to SF detached)	20 ft.	Yes
Min. Dwelling Size	1,000 sq. ft.	1,400 sq. ft.	Yes
Max. Height	3 stories (main structure); 1 story (accessory structure)	2 stories (main structure); 1 story (accessory structure)	Yes
Max. Lot Coverage	50%	50%	Yes
Parking	2 behind front building plane, at least 1 enclosed	2 behind front building plane; 2 enclosed	Yes

Additional Townhome Lot Notes:

Min. Masonry Percentage (Townhome): 50%

No accessory buildings allowed on townhome lots

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 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.

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

Per the City of Waxahachie Zoning Ordinance: The min. lot area requirement for the Single Family-3 zoning district is 10,000 sq. ft.

- The applicant is proposing a minimum lot area of 8,400 sq. ft. *Forty-two (42) of the eighty-seven (87) proposed single family residential lots will be constructed below the 10,000 sq. ft. minimum lot size requirement (as reflected in Table 2 and Table 3).*

Lot Width:

Per the City of Waxahachie Zoning Ordinance: The min. lot width requirement for the Single Family-3 zoning district is 80 ft.

- The applicant is proposing a minimum lot width of 70 ft. for single family homes.

Rear Setback:

Per the City of Waxahachie Zoning Ordinance: The rear setback requirement for the Single Family-3 zoning district is 25 ft.

- The applicant is proposing a minimum rear setback of 20 ft. for single family homes

STAFF CONCERNS

1. *Per the City of Waxahachie Zoning Ordinance:* The min. lot area (sq. ft.) requirement for the Single Family-3 zoning district is 10,000 sq. ft. The applicant is proposing a minimum lot area of 8,400 sq. ft. *Forty-nine (49) of the one hundred (100) proposed residential lots will be constructed below the 10,000 sq. ft. minimum lot size requirement (as reflected in Table 2 and Table 3).*
2. Due to the base zoning for the Planned Development being SF-3, staff suggests that the applicant construct the proposed townhomes with a minimum of 75% masonry. The applicant is currently proposing 50% masonry.
3. Staff suggests that a masonry screening wall be provided within the development. The applicant is currently proposing an 8 ft. tall cedar wood fence, with masonry columns at each property corner, proposed along River Oaks Blvd.
4. Staff suggests that the applicant meet the lot width requirement of 80 ft.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns regarding the proposed lot sizes. The applicant intends to state their reasoning at the April 14, 2020 Planning and Zoning meeting.

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
Note: If approved, per staff's recommendation, a Development Agreement will be required for the proposed development.
- ☐ Approval, as presented.
- ☐ Approval, per the following conditions:

ATTACHED EXHIBITS

1. Written Exhibit
2. Site Plan
3. Elevation/Façade 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 conditions.
2. Once the revised plans are provided, staff will verify all outstanding conditions were satisfied.
 - a. If conditions were not satisfied, then applicant will be notified to make corrections.
 - b. If all conditions satisfied, applicant shall provide a set of drawings that incorporate all conditions.

STAFF CONTACT INFORMATION

Prepared by:

Colby Collins

Senior Planner

ccollins@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

EXHIBIT B**PROPOSED BLUE BONNET PHASE 3 - CONCEPT PLAN PROVISIONS****Purpose and Intent**

The purpose and intent of this Planned Development (PD) is to allow for single family & town homes lots as shown on attached/enclosed PD site plan. Any conditions found within the BASE ZONING DISTRICT (SF-3) 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 (SF-3) is the intended base zoning classification underlying this PD. The proposed PD zoning district is intended to be similar to the SF-3 except composed of detached, single-family residences & 25 alley served town home lots.

PD District Development Standards**Description of Request**

• **Explain what you intend to do here:**

- To allow for a transitional town home & single-family zoning between the existing zoned General Retail (GR) along US 287 Frontage Road and the floodplain adjacent to subject property.

Proposed Use of Property

• **Explain how you intend to use the property:**

- To provide 25 Town Homes (TH) lots along the proposed road connection out to the southbound US 287 Bypass Frontage Road & adjacent to the existing 100' drainage easement constructed in Blue Bonnet Trails Phase 1 & 2.
- To allow for a blend of smaller single-family lots in sizes from 8,400 sq.ft. up to 22,024 sq.ft., that would provide a blend from the existing Blue Bonnet Trails Ph 1 & 2 Planned Development Districts directly to the northwest & the flood plain to the south.

General Development Requirements

• **List each of the conditions from the zoning district you are requesting here:**

- Proposed zoning use: Planned Development Single Family (PD-SF) & Planned Development Town Homes (PD-TH).
- Proposed lot density (87 SF lots + 25 TH lots / 35.993 acres) @ 3.11 lots per acre
- Project will be completed in a single phase.
- Access will be provided by connecting to existing River Oaks Blvd. dead-end (constructed in Blue Bonnet Phases 1 & 2).
- Access will be provided along a proposed 60' wide fire lane access & utility easement connection over to the US 287 frontage road via an easement across the tract shown as "Remainder of Mamie L. Taylor, Mamie Taylor and Ozelle Taylor. Vol 413, Pg 529 OPRECT" on the boundary survey exhibit.
- Internal streets: proposed 50' right-of-way with 30' back-to-back curb & gutter streets with 2.0' sidewalk easement outside of 50' right-of-way
- River Oaks Blvd: proposed 80' right-of-way with 40' back-to-back curb & gutter.
- Connect to existing city water and sanitary sewer systems and extend city water and sanitary sewer connections to through subject tract and over to adjacent property.
- A homeowner's association (HOA) will be established for all residential lots & HOA parcels shown on Site Plan.
- Park fees will be paid in lieu of Park Land Dedication.
- A proposed 8.0' cedar fence, with masonry columns set at each property corner, along both sides of River Oaks Blvd. right-of-way

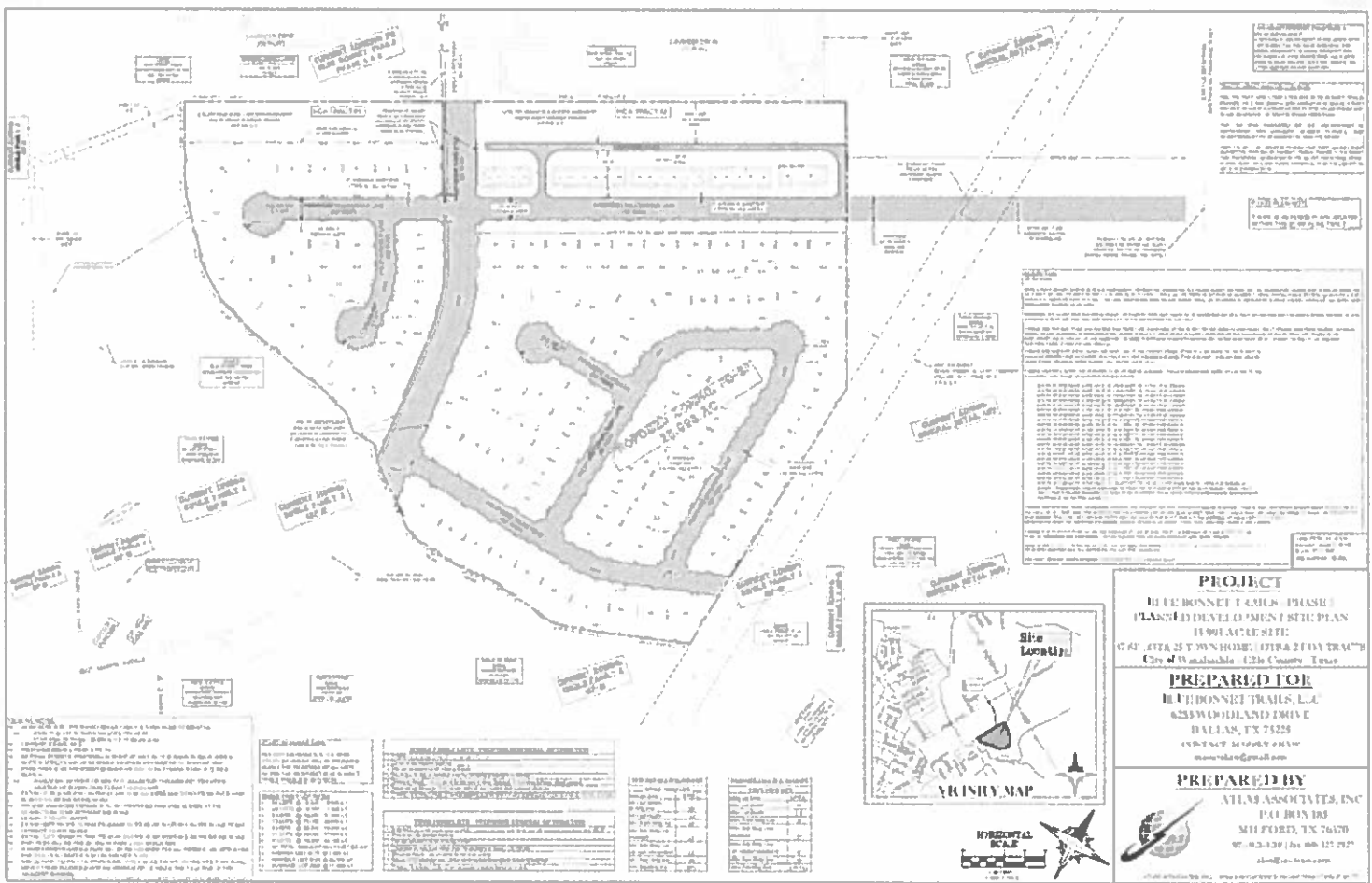
(16)

- As shown on the Site Plan the two HOA Tracts consist of the existing drainage ditch constructed during Phases 1&2, and will be owned by the HOA.
- Size of SF Residential Lots:
 - Minimum Lot Area – 8,400 square feet.
 - Minimum Lot Width - Seventy (70) feet and eighty (80) feet on lots facing Yellowstar Lane
 - Minimum Lot Depth - One hundred & twenty (120) feet.
- Size of SF Residential Yards:
 - Minimum Front Yard – Thirty (30) feet.
 - Minimum Side Yard - Ten (10) feet; fifteen (15) feet on corner lot adjacent to a street.
 - Minimum Rear Yard - Twenty (20) feet.
- SF Lot Coverage @ 40% maximum
- Proposed masonry percentage for SF Residential Lots @ 100% facing street (75% total for entire home structure)
- Accessory buildings for SF Residential Lots limited to one per lot and shall be single story and 160 square feet maximum.
- SF Maximum Height @ Two (2) stories for the main building. One story for accessory buildings without garages.
- SF parking requirements @ a minimum of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure.
- Size of Town Home (TH) Lots:
 - Minimum Lot Area – 3,450 square feet.
 - Minimum Lot Width - Thirty (30) feet.
 - Minimum Lot Depth - One hundred fifteen (115) feet.
- Size of Town Home (TH) Yards:
 - Minimum Front Yard – Twenty-five (25) feet.
 - Minimum Side Yard - The minimum side yard shall be in accordance with TH standards or alternatively ten feet (10') on one side and zero feet (0') on the opposite side of the lots. A ten foot (10') maintenance and drainage & utility easement shall be provided in the ten foot (10') side yard and dedicated on the final plat.
 - Minimum Side Yard at street intersection - twelve (12') feet on corner lot adjacent to a street.
 - Minimum Rear Yard – Twenty (20) feet & Alley (single loaded) served.
- TH Maximum Height - two (2) stories for the main building
- TH Maximum Lot Coverage - fifty percent (50%) by main building and accessory structures.
- TH Parking – A minimum of two (2) enclosed parking spaces served by an alley.
- Proposed masonry percentage for TH Lots @ 50%
- No accessory buildings allowed on proposed TH Lots.

(16)

COMPARISON CHART: SF-3 vs PD-SF		
	CURRENT SF-3	PROPOSED PD-SF
HEIGHT REGULATIONS		
Max. Bldg Height	2 stories main bldg 1 story for accessory bldg w/o garage	2 stories main bldg 1 story for accessory bldg w/o garage
AREA REGULATIONS		
Min. Lot Area	10,000 sq. ft.	8,400 sq. ft.
Min. Lot Width	80'	70' (80' facing Yellowstar Lane)
Min. Lot Depth	100'	120'
Min. Front Yard	30'	30'
Min. Side Yard	10' (15' on corner lots adj. to street)	10' (15' on corner lots adj. to street)
Min. Rear Yard	25'	20'
Max. Lot Coverage	50% by main & accessory bldgs	40% by main & accessory bldgs
Parking Regulations	Min. 2 enclosed parking spaces	Min. 2 enclosed parking spaces
Min. DUA	1,200 sq. ft.	1,800 sq. ft.

COMPARISON CHART: SF-TH (Sec. 5.09) vs PD-TH		
	CURRENT SF-TH	PROPOSED PD-TH
HEIGHT REGULATIONS		
Max. Bldg Height	3 stories main bldg 1 story for accessory bldg	2 stories main bldg 1 story for accessory bldg
AREA REGULATIONS		
Min. Lot Area	3,630 sq. ft.	3,450 sq. ft.
Min. Lot Width	n/a	30'
Min. Lot Depth	n/a	115'
Min. Front Yard	15'	25'
Min. Side Yard	0' (25' if adj. to SF detached)	0'
Min. Rear Yard	10' (25' if adj. to SF detached)	20'
Max. Lot Coverage	50% by main & accessory bldgs	50% by main & accessory bldgs
Parking Regulations	Min. 2 parking spaces (1 enclosed)	Min. 2 parking spaces (2 enclosed)
Min. DUA	1,000 sq. ft.	1,400 sq. ft.



LILLIAN
CUSTOM HOMES

THE AZTECA
3615



LILLIAN
CUSTOM HOMES

The Ivy
2048



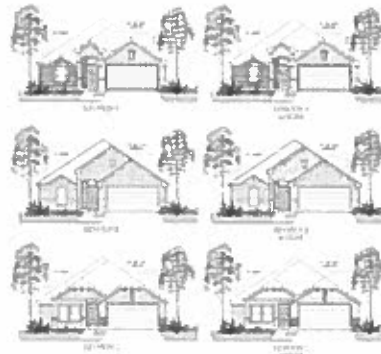
LILLIAN
CUSTOM HOMES

The Pinto
2209



LILLIAN
CUSTOM HOMES

The Rose
1800

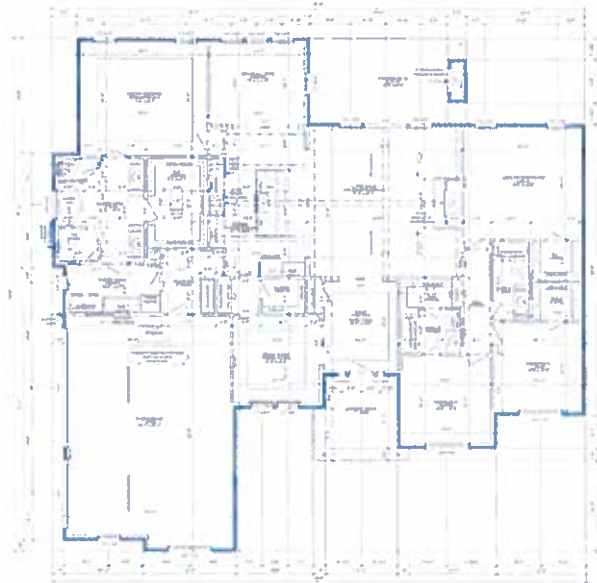
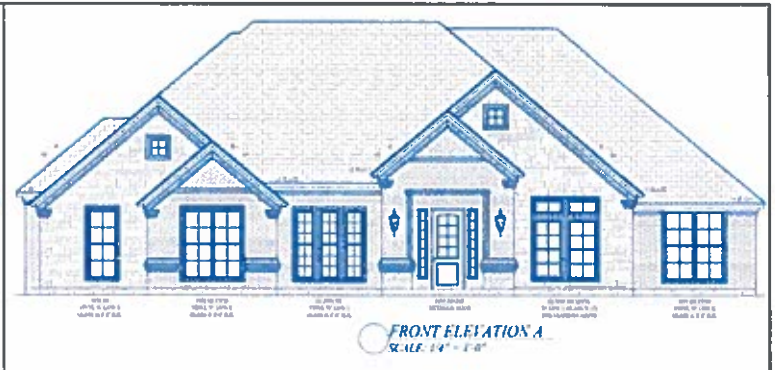
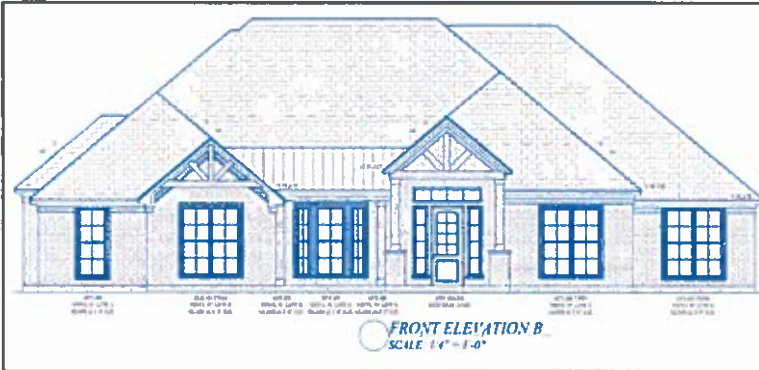


FRONT ENTRY SAMPLE ELEVATIONS

PROJECT

BLUE BONNET TRAILS - PHASE 3
SINGLE FAMILY ELEVATIONS
35.993 ACRE TRACT
City of Waco, Texas - Ellis County, Texas

(16)



AREA TOTALS
LIVING AREA 2907
3 CAR GARAGE 762
COVERED PORCH 137
COVERED PATIO 225
TOTAL FOUNDATION 4131

FLOOR PLAN
SCALE 1/4" = 1'-0"

NOTES

BUILDING ELEVATION AND FLOOR PLAN SKETCHES PROVIDED BY BLUE LINE DESIGN, LLC ARE SHOWN FOR SAMPLES OF SIDE ENTRY GARAGES ONLY. THESE SKETCHES DO NOT CONSTITUTE A BUILDING PLAN SUBMITTAL.

SIDE ENTRY SAMPLE ELEVATIONS

PROJECT

BLUE DONNET TRAILS - PHASE 3
SINGLE FAMILY ELEVATIONS
35.993 ACRE TRACT
City of Willsbachle - Ellis County, Texas

(16)



Consulting Address
John E. Breen, P.E. &
Associates, Inc.
1001 E. 1st Street
Urbana, Illinois 61802
Urbana, Illinois 61802

November 18th, 2012
PLAN I.D.
Galante Townhomes
MASSEY SHAW



Blue Box Design Co.
111 COMET AVE.
SUITE 100
WILMINGTON, DE 19804
TEL: 302.436.1234
FAX: 302.436.1234

(16)



AREA OF LEFT ELEVATION : 648 S.F. (24' x 27' x 11' 6\"/>



AREA OF RIGHT ELEVATION : 648 S.F. (24' x 27' x 11' 6\"/>



Commissioner of the
State of Tennessee
1000 North 1st Street
Nashville, Tennessee 37203
Phone: (615) 741-2000
Fax: (615) 741-2001

November 14th, 2012
PLAN I.D.
Galante Townhomes
MASSEY SHAW



Blair [Signature] Co.
11100 E. 1st Ave.
Suite 100
Nashville, Tennessee 37203
Phone: (615) 741-2000
Fax: (615) 741-2001

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-000040-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020

City Council: April 20, 2020

CAPTION

Public Hearing on a request by Clyde Hargrove, WP Legacy LTD, for a Zoning Change from Planned Development-23-Single Family Residential-1 to Single Family Residential-1 situated generally on FM 877 just Southeast of Lake Waxahachie (Property ID 183566) - Owner: CLYDE HARGROVE (ZDC-000040-2020)

APPLICANT REQUEST

The applicant is requesting a zoning change from Planned Development-23-Single Family-1 (PD-23-SF1) to Single Family-1 (SF1) to create a single family residential development.

**The annexation case (ANX-DNX-000039-2020) for this property is scheduled to be reviewed by City Council as a Public Hearing item on April 20, 2020.*

CASE INFORMATION

Applicant: Clyde L. Hargrove, WP Legacy, LTD.

Property Owner(s): WP Legacy, LTD.

Site Acreage: 110.5 acres

Current Zoning: Planned Development-23-Single Family-1

Requested Zoning: Single Family-1

SUBJECT PROPERTY

General Location: East of the intersection of Hunter Pass and FM 877

Parcel ID Number(s): 183566

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-23-SF1 & FD	Currently Undeveloped
East	ETJ	Currently Undeveloped
South	ETJ	Single Family Residential
West	FD	Currently Undeveloped

Future Land Use Plan:

Estate Residential

Comprehensive Plan:

This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan:

The subject property is accessible via Howard Rd.

Site Image:**PLANNING ANALYSIS****Purpose of Request:**

The applicant is requesting a zoning change from Planned Development-23-Single Family-1 (PD-23-SF1) to Single Family-1 (SF1) to create a single family residential development.

Proposed Use:

The applicant is requesting approval for a zoning change to accommodate development of a single family residential development consisting of eighty-seven lots (86 dwelling unit lots; 1 open space/common area lot) on 110.5 acres located East of the intersection of Hunter Pass and FM 877.

Each lot within the development will be one acre minimum lots, and the applicant intends to meet all Single Family-1 zoning district requirements.

Staff Note: The annexation case (ANX-DNX-000039-2020) for this property is scheduled to be reviewed by City Council as a Public Hearing item on April 20, 2020.

The Concept Plan depicts a residential development that includes elements such as:

- Open Space/Common Area
- Community Pond (Detention/Amenity Pond)

Conformance with the Comprehensive Plan:

Residential developments can include low density residential, medium density residential, and high density residential. The proposed development is consistent with the FLUP and the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- **Growth Strategies – Goal 1:** Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- **Growth Strategies – Goal 3:** Ensure that land use recommendations for development and redevelopment respect critical physical features and support innovative development.
- **Growth Strategies – Goal 12:** Promote growth of the community where infrastructure exists.

Table 2: Proposed Single Family Residential (per SF1 standards)

*****Items highlighted in bold do not meet the City of Waxahachie SF1 requirements*****

Standard	City of Waxahachie	Lakeway Estates	Meets
Min. Lot Area	16,000 sq. ft.	43,560 sq. ft.	Yes
Min. Lot Width	90 ft.	150 ft.	Yes
Min. Lot Depth	140 ft.	290 ft.	Yes
Min. Front Setback	40 ft.	40 ft.	Yes
Min. Interior Setback	15 ft; 20 ft (ROW)	15 ft.; 20 ft. (ROW)	Yes
Min. Rear Setback	25 ft.	25 ft.	Yes
Min. Dwelling Size	2,200 sq. ft.	2,200 sq. ft.	Yes
Max. Height	2 stories (main structure); 1 story (accessory structure)	2 stories (main structure); 1 story (accessory structure)	Yes
Max. Lot Coverage	50%	50%	Yes
Parking	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Yes

PUBLIC NOTIFICATIONS

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

SPECIAL EXCEPTION/VARIANCE REQUEST**Street Length:**

The applicant is requesting a variance to allow the proposed dead-end street, Paradise Cove, to exceed the maximum dead-end street requirement of 600 ft. Paradise Cove is currently planned to be an approximate length of 700 ft. and terminates with a cul-de-sac.

Reduced Fee Request:

As seen in the chart below, the applicant is requesting fee waivers for Roadway Impact Fees, Water Impact Fees, and Park Dedication Fees.

**Items highlighted in bold are deviation request*

Item	Fee Per Lot	With Annexation 86 Lots/110.48 Ac.	Without Annexation 24 Lots/24.01 Ac.	Fee Waiver Amount
Roadway Impact Fee	\$3,167	\$272,362	\$76,008	\$196,354
Water Impact Fee	\$2,100	\$180,600	\$50,400	\$130,200
Sewer Impact Fee*	\$3,082	\$0	\$0	\$0
Park Dedication	\$400	\$34,400	\$9,600	24,800
Total		\$487,362	\$136,008	\$351,354

**Lots to be served by individual septic systems*

STAFF CONCERNS

1. Staff suggests that the applicant pay the required amount for impact fees, opposed to granting a fee waiver.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns and intends to state their reasoning at the April 14, 2020 Planning and Zoning meeting.

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. Per the staff's recommendation, a Development Agreement will be required for the proposed development.
 2. Staff suggests that the applicant pay the required total amount of impact fees, opposed to granting a fee waiver.

ATTACHED EXHIBITS

1. Concept Plan
2. Survey
3. Fee Waiver Request Letter

APPLICANT REQUIREMENTS

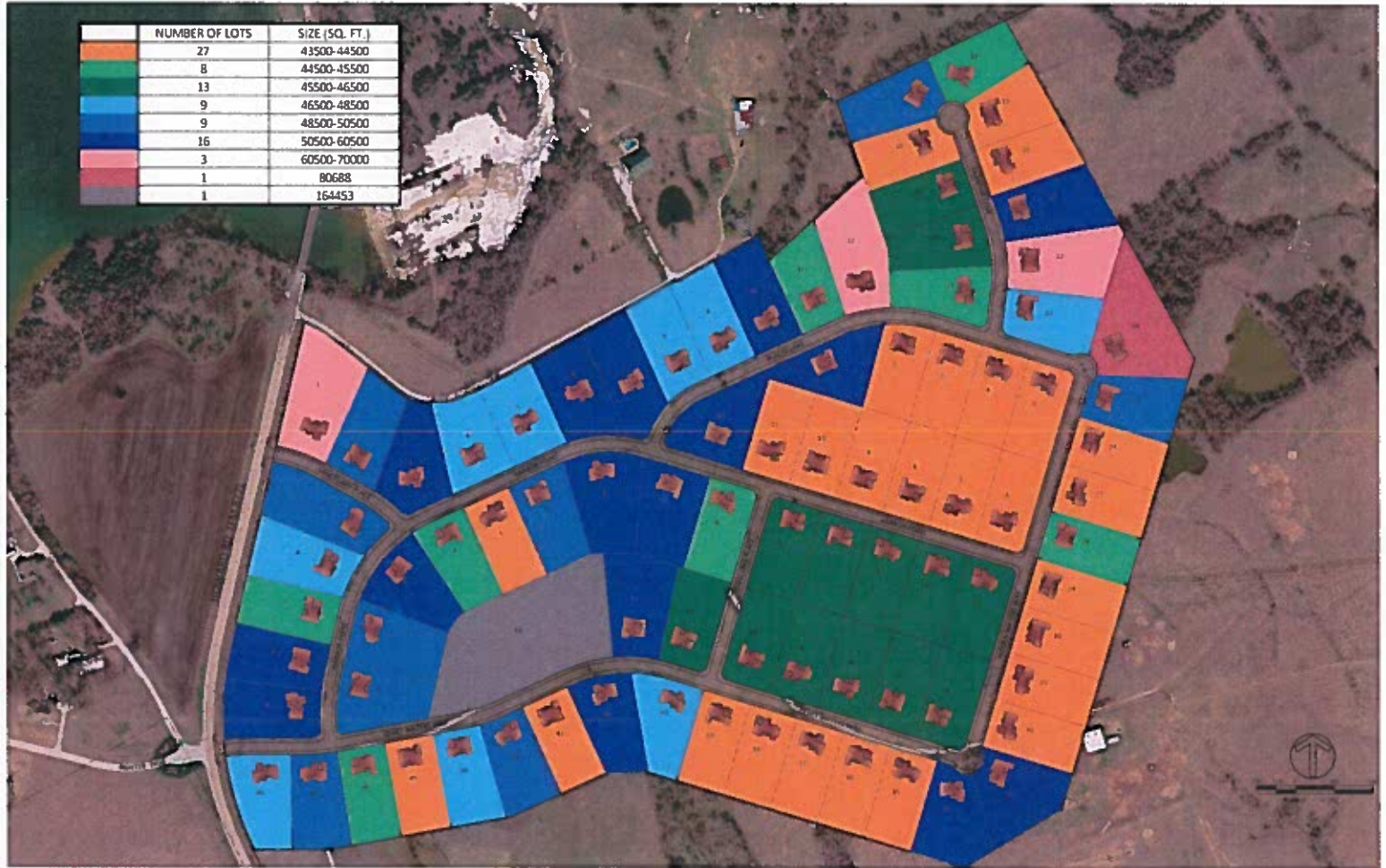
1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then 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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(18)



(18)

**W P LEGACY, LTD
101 Valley Ridge Drive
Red Oak, TX 75154
972-227-4718**

March 2, 2020

Shon Brooks, AICP
Director of Planning
City of Waxahachie
401 S Rogers Street
Waxahachie, TX 75165

RE: Lakeway Estates Single-Family Development-Impact Fee Waiver and Park Dedication

Dear Shon,

As part of our zoning and annexation application, we wish to formally request a waiver of certain development fees. Currently, approximately 24.01 acres of the subject property falls within the city limits. A total of 24 lots of the proposed 86 lots are fully or partially within the city limits.

62 lots, if not annexed, would fall outside the city limits and into the County. We are estimating that the average home price would be \$450,000. If we annex, this would mean an additional \$27,900,000 subject to city taxes or a total of \$189,730 per year (\$3,060 per home). "No city taxes" as a marketing tool would be significant for these buyers. I am accustomed to developing in the County, however, it would be much smoother and more enjoyable to develop all the land as a City of Waxahachie subdivision.

As the table below illustrates, the impact and park dedication fees to be paid to the city would be substantially less if the balance of the property were not annexed.

ITEM	FEE PER LOT	WITH ANNEXATION 86 LOTS / 110.48 AC	WITHOUT ANNEXATION 24 LOTS / 24.01 AC	FEE WAIVER AMOUNT
ROADWAY IMPACT FEE	\$3,167	\$272,362	\$76,008	\$196,354
WATER IMPACT FEE	\$2,100	\$180,600	\$50,400	\$130,200
SEWER IMPACT FEE*	\$3,082	\$0	\$0	\$0
PARK DEDICATION	\$400	\$34,400	\$9,600	\$24,800
TOTAL		\$487,362	\$136,008	\$351,354

**LOTS TO BE SERVED BY INDIVIDUAL SEPTIC SYSTEMS*

(18)

Regarding impact fees, it should be noted that the property outside of the city limits would not have been considered in the most recent impact fee studies. **As such, a waiver of these fees would not be forfeiting previously anticipated revenues.**

The City's park land ordinance requires the dedication of two acres per 100 dwelling units, which for 86 lots would be 1.72 acres, or \$400/lot, as fees in lieu. Our development plan includes a 3.8-acre neighborhood open space area, which we would be happy to dedicate as a public park. If the City does not desire to have this park dedicated, we would dedicate it to the neighborhood HOA and have the HOA maintain it, as a private open space. We, therefore, request that any park dedication fees be waived for the entire project, if the City Parks Department chooses not to accept the proposed park dedication.

We feel like our request to waive the fees would be a win-win situation with the City and the prospective homebuilders.

We thank you for your consideration of these items.

Sincerely,

W P Legacy, LTD.

Clyde L. Hargrove
President of W P Legacy, LTD

Planning & Zoning Department

Plat Staff Report

Case: SUB-41-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020

City Council: April 20, 2020

CAPTION

Consider request by Clyde L. Hargrove, WP Legacy, LTD. for a **Plat** of Lakeway Estates for 86 residential lots being 110.484 acres situated in the W.C. Coleman Survey, Abstract 204, the A.B. Fleury Survey, Abstract 374, and the M. Rafferty Survey, Abstract 898 (Property ID 183566) Owner: WP Legacy, LTD. (SUB-41-2020)

APPLICANT REQUEST

The applicant is requesting to plat 86 1-acre lots in an effort to create a new subdivision on the south side of Waxahachie. The applicant is requesting a petition of relief for Right-of-Way Length for Paradise Cove, which currently exceeds what is allowed for a dead end street (P&Z can grant this variance) and requesting a fee waiver for roadway, water, sewer impact fees, and Park Land Dedication Fees.

CASE INFORMATION

Applicant: Clyde L. Hargrove, WP Legacy, LTD.

Property Owner(s): WP Legacy, LTD.

Site Acreage: 110.484 acres

Number of Lots: Currently 1 lot (86 proposed)

Number of Dwelling Units: Currently 1 unit (86 units proposed)

Park Land Dedication: Cash-in-lieu of Park Dedication Fee is **\$34,400** (86 residential lots at \$400.00 per lot)

Adequate Public Facilities: Adequate public facilities are available for this subdivision.

SUBJECT PROPERTY

General Location: 4101 Howard Rd.

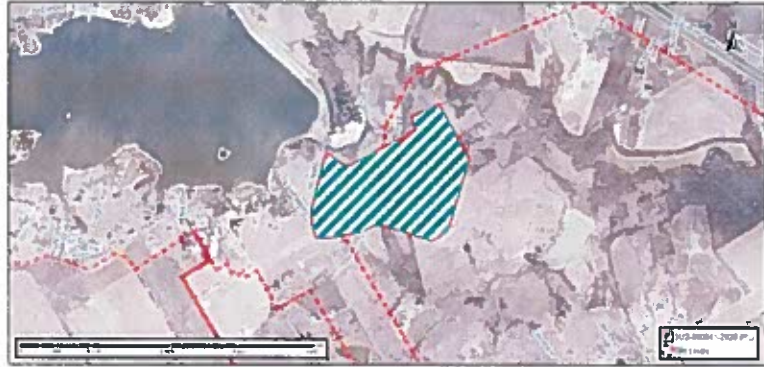
Parcel ID Number(s): 183566

Current Zoning: PD-SF-1, FD, ETJ

Existing Use: Farmland

Platting History:

W.C. Coleman Survey, Abstract 204, A.B. Fleury Survey, Abstract 374, M. Rafferty Survey, Abstract 898

Site Aerial:**RECOMMENDATION**

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

- ☐ Disapproval
- ☒ Approval, as presented.
- ☐ Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat Drawing
2. Fee Waiver Request

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com





**W P LEGACY, LTD
101 Valley Ridge Drive
Red Oak, TX 75154
972-227-4718**

March 2, 2020

Shon Brooks, AICP
Director of Planning
City of Waxahachie
401 S Rogers Street
Waxahachie, TX 75165

RE: Lakeway Estates Single-Family Development-Impact Fee Waiver and Park Dedication

Dear Shon,

As part of our zoning and annexation application, we wish to formally request a waiver of certain development fees. Currently, approximately 24.01 acres of the subject property falls within the city limits. A total of 24 lots of the proposed 86 lots are fully or partially within the city limits.

62 lots, if not annexed, would fall outside the city limits and into the County. We are estimating that the average home price would be \$450,000. If we annex, this would mean an additional \$27,900,000 subject to city taxes or a total of \$189,730 per year (\$3,060 per home). "No city taxes" as a marketing tool would be significant for these buyers. I am accustomed to developing in the County, however, it would be much smoother and more enjoyable to develop all the land as a City of Waxahachie subdivision.

As the table below illustrates, the impact and park dedication fees to be paid to the city would be substantially less if the balance of the property were not annexed.

ITEM	FEE PER LOT	WITH ANNEXATION 86 LOTS / 110.48 AC	WITHOUT ANNEXATION 24 LOTS / 24.01 AC	FEE WAIVER AMOUNT
ROADWAY IMPACT FEE	\$3,167	\$272,362	\$76,008	\$196,354
WATER IMPACT FEE	\$2,100	\$180,600	\$50,400	\$130,200
SEWER IMPACT FEE*	\$3,082	\$0	\$0	\$0
PARK DEDICATION	\$400	\$34,400	\$9,600	\$24,800
TOTAL		\$487,362	\$136,008	\$351,354

*LOTS TO BE SERVED BY INDIVIDUAL SEPTIC SYSTEMS

(20)

Regarding impact fees, it should be noted that the property outside of the city limits would not have been considered in the most recent impact fee studies. **As such, a waiver of these fees would not be forfeiting previously anticipated revenues.**

The City's park land ordinance requires the dedication of two acres per 100 dwelling units, which for 86 lots would be 1.72 acres, or \$400/lot, as fees in lieu. Our development plan includes a 3.8-acre neighborhood open space area, which we would be happy to dedicate as a public park. If the City does not desire to have this park dedicated, we would dedicate it to the neighborhood HOA and have the HOA maintain it, as a private open space. We, therefore, request that any park dedication fees be waived for the entire project, if the City Parks Department chooses not to accept the proposed park dedication.

We feel like our request to waive the fees would be a win-win situation with the City and the prospective homebuilders.

We thank you for your consideration of these items.

Sincerely,

W P Legacy, LTD.

Clyde L. Hargrove
President of W P Legacy, LTD

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-000024-2020



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2020 (continued from March 24, 2020 PZ meeting)

City Council: April 20, 2020

ACTION SINCE INITIAL STAFF REPORT

On March 24, 2020, the Planning and Zoning Commission voted 5-0 to continue case no. ZDC-000024-2020 to the April 14, 2020 Planning and Zoning meeting and the April 20, 2020 City Council meeting agenda. Due to this decision, the applicant requested to continue the annexation case (ANX-DNX-000011-2020), originally scheduled to be reviewed by City Council April 6, 2020, to the April 20, 2020 City Council meeting agenda.

CAPTION

Public Hearing on a request by Michael Westfall, Westfall Engineering, for a Zoning Change from Future Development to Planned Development-Single Family Residential-3, with Concept Plan, located on the West side of Broadhead Road at Youngblood Road (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

APPLICANT REQUEST

The applicant is requesting a zoning change from Future Development (FD) to Single Family-3 (SF3) to create a single family residential development.

**The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-000011) for this property. City Council is scheduled to take action on the item on April 20, 2020.*

CASE INFORMATION

Applicant: Michael Westfall, Westfall Engineering

Property Owner(s): Dirk Nowitzki

Site Acreage: 98.7

Current Zoning: Future Development

Requested Zoning: Planned Development-Single Family-3

SUBJECT PROPERTY

General Location: West side of Broadhead Road at Youngblood Road

Parcel ID Number(s): 178972

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	N/A - ETJ	Undeveloped Land
East	N/A - ETJ	Single Family Residences
South	SF1 & PD-SF2	Single Family Residences
West	PD-SF2	Single Family Residences

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 subject property is accessible via Broadhead Rd.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting a zoning change from Future Development (FD) to Planned Development-Single Family-3 (SF3) to create a single family residential development.

Proposed Use:

The applicant is requesting approval for a zoning change to accommodate development of a single family residential development consisting of two hundred thirty-six lots (236 dwelling unit lots; 8 open

space/common area lots) on 98.7 acres located at the West side of Broadhead Road at Youngblood Road. Per the Written Exhibit, if approved, the project is intended to be completed over two phases. Also, a (H)ome (O)wner's (A)ssociation will be created for the development. The HOA will be required to maintain all common open spaces and provide other necessary functions.

Staff Note: The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-000011) for this property. City Council is scheduled to take action on the item on April 20, 2020.

At the March 24, 2020 Planning and Zoning meeting, the Planning and Zoning Commission requested that the applicant revise the submitted plan(s) for the proposed development to further address neighbor concerns, as well as be more conducive to the surrounding area. Per the Commission's request, listed below are changes made by the applicant.

CHANGES FROM THE 3/24/20 PZ MEETING

- Decreased the number of lots from 245 to 236
- Increased average lot size from 11,096 to 11,664
- Increased rear setback from 10' to 25'
- Increased lots adjacent to Mustang Meadows on south east corner to min 16,000sf. Rear lot lines greater than 100' wide
- Increased lots adjacent to Willow Springs on south west corner to min 11,600sf. Lot widths min 80'
- Adjusted "Street E" on far west side to be double fronted
- Separated lots throughout the development, specifically on Block G, to have large variety of lot sizes. (67-108' wide)

The Concept Plan depicts a residential development that includes elements such as:

- 8 Open Space/Common Areas
- Walking Trails
- Community Playground

Conformance with the Comprehensive Plan:

Residential developments can include low density residential, medium density residential, and high density residential. The proposed development is consistent with the FLUP and the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- Growth Strategies – Goal 1: Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- Growth Strategies – Goal 3: Ensure that land use recommendations for development and redevelopment respect critical physical features and support innovative development.
- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

Table 2: Proposed Single Family Residential (per SF3 standards)

**The third column depicts the dimensions that were presented at the March 24, 2020 PZ meeting*

****Items highlighted in bold do not meet the City of Waxahachie SF3 requirements****

Standard	City of Waxahachie	Sunrise at Garden Valley (per 3/24/20 PZ) <i>Not reflected in "Meets" column</i>	Sunrise at Garden Valley (per 4/16/2020 PZ)	Meets
Min. Lot Area	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	Yes
Min. Lot Width	80 ft.	67 ft.	65 ft.	No
Min. Lot Depth	100 ft.	121 ft.	100 ft.	Yes
Min. Front Setback	30 ft.	25 ft.	25 ft.	No
Min. Interior Setback	10 ft.; 15 ft (ROW)	5 ft.; 15 ft. (ROW)	5 ft.; 15 ft. (ROW)	No
Min. Rear Setback	25 ft.	10 ft.	25 ft.	Yes
Min. Dwelling Size	1,200 sq. ft.	2,200 sq. ft.	2,200 sq. ft.	Yes
Max. Height	2 stories (main structure); 1 story (accessory structure)	2 stories (main structure); 1 story (accessory structure)	2 stories (main structure); 1 story (accessory structure)	Yes
Max. Lot Coverage	50%	50%	50%	Yes
Parking	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Yes

Table 3: Single Family Lot Notes (236 Total Lots)

10,000-10,500 SF Lots	117 (originally 157)
10,500-11,000 SF Lots	40 (originally 38)
11,000-12,000 SF Lots	45 (originally 21)
13,000-29,000 SF Lots	34 (originally 12)
Total	236

Additional Single Family Lot Notes:

Minimum Lot Size: 10,000 sq. ft.

Maximum Lot Size: 28,320 sq. ft.

Average Lot Size: 11,664 sq. ft.

Minimum Masonry: 80%

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 81 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Inside 200 ft. Notification Area: Staff has received three (3) letters of support and seven (7) letters of opposition for the proposed development.

Outside 200 ft. Notification Area: Staff has received four (4) letters of opposition for the proposed development.

SPECIAL EXCEPTION/VARIANCE REQUEST**Lot Width**

Per the City of Waxahachie Zoning Ordinance, SF3 zoning requires a minimum 80 ft. lot width. The applicant is proposing a minimum lot width of 65 ft.

Setbacks

Per the City of Waxahachie Zoning Ordinance, SF3 zoning requires a minimum setbacks of:

Front: 30 ft.

Side: 10 ft.; 15 ft. (ROW)

The applicant is proposing setbacks of:

Front: 25 ft.

Side: 5 ft.; 15 ft.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

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. The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-000011) for this property.
 2. Per staff's recommendation, a Development Agreement will be required for the proposed development.
 3. Staff suggests that a 6ft. ornamental fence with masonry columns be constructed along Broadhead Rd.
 4. Staff suggests that a variation of garages, specifically J-swing and 3-car garages, be incorporated within the residential development.

ATTACHED EXHIBITS

1. Written Exhibit
2. Site Plan
3. Landscape Plan
4. Property Owner Notification Responses

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:*

Colby Collins

Senior Planner

ccollins@waxahachie.com*Reviewed by:*

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

(21)

Standards:	The Sunrise At Garden Valley - Zoning Request Details
Property Use:	Single-Family Residential
Residential Density:	2.39 Lots/AC
Average Home Size	> 3,000
Minimum Lot Area	10,000 SF - (>11,664 SF Avg.)
Average Lot Area	11,664 SF
Maximum Lot Area	28,320 SF
Minimum Lot Width	65'
Minimum Lot Depth	100'
Yards:	↓
Front	25'
Side	5' interior; 15' adjacent to streets
Rear	25'
Building Height	2-Story Max height.
Building Elevations	Provided by builder at time of home construction. 80% min masonry
Access	Access provided per site plan submitted with this zoning request.
Landscaping & Screening	Landscape to be provided in open spaces. All other landscaping standards shall follow City of Waxahachie Zoning Ordinance Sec. 5.04 C
Accessory Buildings	Accessory Buildings to follow City of Waxahachie Ordinance for Single Family Residential Development.
Signs	Street name signage and traffic signage will be provided as typical in residential subdivisions. To be determined based on final construction plans. See landscape drawing for monument sign.
Lighting	Residential Street lighting to be provided and shown at time of construction plans.
Project Phasing	Proposed 2 phases. Sizes of phases are to be determined.
Management Associations	HOA to be created. HOA will maintain all common open spaces and provide other necessary functions.

[illegible]



THE SUNRISE AT GARDEN VALLEY - OVERALL CONCEPTUAL LAND PLAN

City of Waukegan, Elgin County, Texas

LEGEND

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GENERAL NOTES

- 1. THE SITE IS LOCATED IN THE CITY OF WAUKEGAN, ELGIN COUNTY, TEXAS.
- 2. THE SITE IS A 100-ACRE PARCEL.
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PropertyID	Owner's Name	Owner's Address
215984	JILL WADSWORTH	111 MAGNOLIA
268400	BRET MASSEY	104 PEYTON PLACE
268403	BRET DAUGHTRY	110 PEYTON PLACE
228773	TIMOTHY BURLESON	233 SPRING GROVE DR



(21)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

RECEIVED
3-10-20

WP LEGACY LTD
101 VALLEY RIDGE DR
RED OAK, TX 75154

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Michael Westfall, Westfall Engineering, to establish a Planned Development- Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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

Case Number: ZDC-000024-2020

City Reference: 268879

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Signature

Date

Printed Name and Title

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.



(21)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

RECEIVED
3-10-20

WILLIAMS RONALD & JOYCE
535 HAY MEADOW DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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

Case Number: ZDC-000024-2020

City Reference: 268962

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

City lacks proper planning and development of facilities and infrastructure for increased population growth.

Ronald Williams
Signature

3/10/20
Date

Ronald Williams
Printed Name and Title

535 Hay Meadow Dr.
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.

(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

RECEIVED
3/17/2020

BURLESON NAN E
216 MAGNOLIA DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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

Case Number: ZDC-000024-2020

City Reference: 224012

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, March 18, 2020** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Nan Burleson
Signature

Date

NAN BURLESON, property owner
Printed Name and Title

216 Magnolia Dr.
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.



(21)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

RECEIVED
3/16/2020

TOWERY TRAVIS J
532 HAY MEADOW DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey. Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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

Case Number: ZDC-000024-2020

City Reference: 268988

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Signature

Travis Towery
Printed Name and Title

3/14/2020
Date

532 Hay Meadow Dr. Waxahachie
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.

(21)

RECEIVED
4/17/2020

...and the Waxahachie City Council will hold a Public Hearing on Tuesday, March 10, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Michael Westfall, Westfall Engineering, to establish a Planned Development Single Family zoning district on approximately 98.695 acres situated in the J11 and Ada Adams Survey, Abstract No. 5 (Property ID 178972) - Owner, Dick Sawitzki (ZDC 000024-2020)

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

Case Number: ZDC 000024-2020

City Reference: 201703

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Wednesday, March 11, 2020 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments:

☐ SUPPORT

☒ OPPOSE

I will continue to cause too much traffic
with small roads. Will make property go down in value.

Signature

Jeanelle Burton
Printed Name and Title

Date

Address

3/15/2020
1010 Broadview
Wax. H. 75165

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.

(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

RECEIVED
3/18/2020

PATTERSON JOHN JR & PATRICIA
1112 COTTON SEED CIR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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

Case Number: ZDC-000024-2020

City Reference: 273020

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:


Signature

JOHN PATTERSON JR.
Printed Name and Title

3/16/20
Date

1112 COTTON SEED CIR
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.

RECEIVED
3/18/2020

City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: ZDC-000024-2020

EASLEY KEVIN R & SARAH F
 162 HORSESHOE BEND
 WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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

Case Number: ZDC-000024-2020

City Reference: 248445

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☐ SUPPORT

☒ OPPOSE

Comments:

KEVIN R. Easley
 Signature

Kevin R. Easley
 Printed Name and Title

3/18/20
 Date

162 Horseshoe BND
 Address

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

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(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

RECEIVED
3/19/2020

MONSIVAIS AMANDA M & VICTOR M
1116 COTTON SEED CIR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: ZDC-000024-2020

City Reference: 273022

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☐ SUPPORT

☒ OPPOSE *as presented*

Comments:

Please see comments attached.

Amanda Monsivais
Signature

3/18/2020
Date

Amanda Monsivais
Printed Name and Title

1116 Cotton Seed Cir.
Address

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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.

Waxahachie Planning & Zoning Commission:

I received the notification regarding the Planned Development of The Sunrise at Garden Valley and this is my response to the proposed request.

I live at 1116 Cotton Seed Cir, Waxahachie, TX 75165. My property will back up to the new development. My request is that the proposed lots line up to the back of my yard evenly instead of having two different backyards/neighbors directly behind my home. I would also prefer the roadway that leads into the new development to be narrow so that there will not allow a huge increase of traffic down Cotton Seed and Hay Meadow. We love the fact that it is quietly tucked away in the back of Garden Valley Farms which is why we purchased the furthest lot in the back of the neighborhood. We would also like to ensure that access to the park that is proposed to be open and available to everyone, not just to those in the immediate neighborhood. I believe that it is definitely needed for the Waxahachie community. Mathews Park is always packed with lots of families so an additional park is very much needed for the Citizens of Waxahachie.

Thank you allowing my family the opportunity to express our thoughts on the planned new development.

Amanda & Victor Monsivais

(21)

Brooks, Shon

From: karlotta hannibal <karlottamhannibal@hotmail.com>
Sent: Tuesday, March 24, 2020 4:16 PM
To: Planning@waxahachie.com
Subject: Sunrise Garden Valley

Hello Shon,

It was nice to speak to you today. I wanted to add that I oppose the new development. Are neighborhood would be overcrowded, too much traffic and we love having open land behind our home. The homes in the cul-de-sac area where we are is a safe area for our children to play. While we love having the land manicured and the beautiful landscaping it would disrupt what we love about our neighborhood.

Serenity & Joy,
Karlotta Hannibal



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(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

ROSE KATHLEEN J & STEVEN L
336 TUMBLEWEED TRL
WAXAHACHIE, TX 75165

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Case Number: ZDC-000024-2020

City Reference: 263306

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☐ SUPPORT

☒ OPPOSE

Comments:

The reason for purchasing the house was that we were told the land was a flood plain and couldn't be built on. The view was rising ponds.
S. Rose

Signature

Date

Steven Rose
Printed Name and Title

3/14/2020
336 Tumbleweed Trail
Address Waxahachie, Texas
75165

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(21)

RECEIVED
3/19/2020



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

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☐ SUPPORT

☒ OPPOSE

Comments:

There are already too many neighborhoods in our area with small lots causing high density. We bought our home in Spring Creek Grove last year because of the rural location. Please save some of the countryside!

Signature

Date

Jill Wadsworth, Home owner
Printed Name and Title

111 Magnolia Dr.,
Address
Waxahachie, Tx 75165

Outside Notification Area
PID: 215984

(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

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☐ SUPPORT

☒ OPPOSE

Comments:

I live in Willow Springs. I oppose this sub division connecting to our small neighborhood. I bought here specifically to have a small neighborhood. If I wanted to be part of Garden Valley I would have bought in garden valley. Our streets are too small to have extra traffic. This will also bring more crime. AS YOU KNOW IT WILL.

Bret Massey
Signature

03-23-2020
Date

Bret Massey
Printed Name and Title

104 Peyton Place
Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-000024-2020

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☐ SUPPORT ☒ OPPOSE

Comments: I oppose the current plan to be tried in
to allow 5 lots subdivision. we are not part of gar-
valley addition. Traffic and crime will increase in our neighborhood

Bret Daugherty
Signature

3/23/2020
Date

Bret Daugherty
Printed Name and Title

110 Peyton Place, Waxahachie
Address
TX 75165

(21)

Tim Burleson
233 Spring Grove Drive
Waxahachie, TX 75165

City of Waxahachie P&Z Commission
C/O Mr. Shon Brooks
Director of Planning
401 S Rogers St.
Waxahachie, TX 75165

RE: Case # ZDC-000024-2020/ Property ID 178972

Dear Planning and Zoning:

We respectfully **Oppose** the request for zoning change under case ZDC-00024-2020/Property ID 178972 based on the following points:

1. 245 homes are too many homes for the 98.7-acre subject area given the existing infrastructure and county owned road/bridge that is adjacent to the property.
2. 245 homes will create too much water runoff for Mustang Creek. The county maintains both the roadway (Broadhead) and the bridge crossing Mustang Creek into the East side of Spring Creek Grove neighborhood.
3. The plan does not conform with Growth Strategy #12 as outlined in the 2016 Comprehensive Plan Addendum, which indicates, "Promoting growth of the community where infrastructure exists". There is not enough infrastructure that currently "exists" to promote the proposed growth.
4. We oppose on the basis too many and to large of special requests to variances on SF3 zoning requirements.
 - a. A 16% reduction in minimum lot widths to 67ft.
 - b. A 17% reduction in the setback to 25ft
 - c. A 50% reduction in both the rear and side setback
5. 245 homes along with street lighting will create an intense amount of light pollution. Low Impact or low light pollution street lighting has not been adequately addressed.

Respectfully,



Tim Burleson