

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, January 26, 2021 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of January 12, 2021
 - b. Minutes of the Planning and Zoning Commission briefing of January 12, 2021
5. ***Consider*** request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a **Plat** of Garcia Estates for one (1) residential lot being 5.000 acre situated in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: Julio Menchaca and Alma Rios (SUB-136-2020)
 6. ***Consider*** request by Lisa Martinkus for a Plat of Martinkus Addition for one (1) residential lot being 1.000 acre situated in the T.R. Follett Survey, Abstract 373 (Property ID 183567) in the Extra Territorial Jurisdiction – Owner: Anthony C. Martinkus and Lisa Martinkus (SUB-162-2020)
 7. ***Consider*** request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a **Plat** of Garcia Addition for one (1) residential lot being 6.221 acres situated in the B.B.B. & C.C.R. Survey, Abstract 175 and the S.S. Wilson Survey, Abstract 1141 (Property ID 275526) in the Extra Territorial Jurisdiction – Owner: Eduardo Garcia (SUB-141-2020)

8. **Public Hearing** on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for **Pole Sign** use within a Light Industrial-1 zoning district located at 7240 Interstate 35E (Property ID 186924) - Owner: 7240 I35 EAST LLC (ZDC-177-2020)
9. **Consider** recommendation of Zoning Change No. ZDC-177-2020
10. **Public Hearing** on a request by Kellen Robertson, RLG Consulting Engineers, for a **Zoning Change** from a Planned Development-Commercial zoning district to Planned Development-Commercial, located at 2460 Interstate 35E (Property ID 261917) - Owner: BAYLOR SCOTT & WHITE PROFESSIONAL PLAZA I (ZDC-181-2020)
11. **Consider** recommendation of Zoning Change No. ZDC-181-2020
12. **Public Hearing** on a request by Ben Talley, LJA Engineering, for an Amendment to Ordinance No. 2302 for Saddlebrook Estates to increase the Maximum Lot Coverage from 35% to 50% by main building and accessory structures in the remaining South Tract and Central Tract West (ZDC-180-2020)
13. **Consider** recommendation of Zoning Change No. ZDC-180-2020
14. **Public Hearing** on a request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)
15. **Consider** recommendation of Zoning Change No. ZDC-176-2020
16. **Public Hearing** on a request by Joshua Ward for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 SF**, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 125 Homestead Lane (Property ID 269684) - Owner: JOSHUA WARD & SABRINA HULL-WARD (ZDC-175-2020)
17. **Consider** recommendation of Zoning Change No. ZDC-175-2020
18. **Public Hearing** on a request by Joseph Ray, D&R Solutions LLC, for a **Zoning Change** from a Single-Family Residential-3 zoning district to Two-Family Residential-Duplex (2F), located at 200 Peters Street (Property ID 283063) - Owner: D & R SOLUTIONS LLC (ZDC-182-2020)
19. **Consider** recommendation of Zoning Change No. ZDC-182-2020
20. **Public Hearing** on a request by George Salvador, Lilian Custom Homes, for a **Zoning Change** from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020)
21. **Consider** recommendation of Zoning Change No. ZDC-179-2020

22. 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.

(4a)

Planning and Zoning Commission
January 12, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, January 12, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Member Absent: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Chris Webb, Planner
Macey Martinez, Graduate Engineer
Tommy Ludwig, Assistant City Manager
Lori Cartwright, City Secretary
Mary Lou Shipley, Council Representative

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

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

3. **Public Comments**

Mr. Chris Wright, 808 Marvin Avenue, Waxahachie, thanked Chairman Keeler, Mr. Jim Phillips at KBEC Radio and Mr. Richard Rozier for their support of the WISD boys basketball team.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of December 15, 2020
- b. Minutes of the Planning and Zoning Commission briefing of December 15, 2020

Action:

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

5. **Public Hearing on a request by Mathew Williamson, MBW Engineering, for a Zoning Change from a Multiple-Family Residential-1 zoning district to Planned Development-Multiple-Family Residential-1, located South of 865 Cantrell Street (Property ID 142414) - Owner: WM C BUSTER LAND DEVELOPMENT LLC (ZDC-171-2020)**

Chairman Keeler announced the applicant withdrew ZDC-171-2020.

(4a)

Planning and Zoning Commission
January 12, 2021
Page 2

6. Consider recommendation for Zoning Change No. ZDC-171-2020

Action:

None

7. Public Hearing on a request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a Replat of Lot A-17R and Lot A-15, Lakeshore Acres Addition, Unit II, to create Lot A-17R1, Lakeshore Acres Addition, Unit II, 0.922 acres (Property ID 174607) – Owner: BLEND A K & DYKE D HENDERSON (SUB-156-2020)

Chairman Keeler opened the Public Hearing.

Planner Chris Webb reported the applicant is requesting to replat two lots into one lot. Staff recommended approval.

There being no others to speak for or against SUB-156-2020, Chairman Keeler closed the Public Hearing.

8. Consider approval of SUB-156-2020

Action:

Mr. David Hudgins moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a Replat of Lot A-17R and Lot A-15, Lakeshore Acres Addition, Unit II, to create Lot A-17R1, Lakeshore Acres Addition, Unit II, 0.922 acres (Property ID 174607) – Owner: BLEND A K & DYKE D HENDERSON (SUB-156-2020). Ms. Betty Square Coleman seconded, All Ayes.

9. Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat of Loya Estates for two (2) residential lots being 2.724 acres situated in the E.C. School Land Survey, Abstract 328 (Property ID 283244) in the Extra Territorial Jurisdiction – Owner: JORGE LOYA AND HEIDY LOYA (SUB-157-2020)

Mr. Webb reported the applicant is requesting to plat the property from one lot into two 1+ acre lots. He stated the property has adequate public water flow and recommended approval.

Action:

Mrs. Bonney Ramsey moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat of Loya Estates for two (2) residential lots being 2.724 acres situated in the E.C. School Land Survey, Abstract 328 (Property ID 283244) in the Extra Territorial Jurisdiction – Owner: JORGE LOYA AND HEIDY LOYA (SUB-157-2020). Mr. Erik Test seconded, All Ayes.

10. Consider request by Chocka Smally for a Plat of Smally Estates for one (1) residential lot being 6.312 acres situated in the N.N. J.J. & B.L. Edwards Survey, Abstract 340 (Property ID 282091) in the Extra Territorial Jurisdiction – Owner: CHRISTOPHER SMALLY AND CHOCKA SMALLY (SUB-172-2020)

(4a)

Planning and Zoning Commission
January 12, 2021
Page 3

Mr. Webb reported the applicant is requesting a plat of the property for single-family residential use. The property is barely in the Waxahachie ETJ and mostly in the city of Midlothian. He noted the property has adequate public water flow and recommended approval.

Action:

Mr. Erik Test moved to approve a request by Chocka Smally for a Plat of Smally Estates for one (1) residential lot being 6.312 acres situated in the N.N. J.J. & B.L. Edwards Survey, Abstract 340 (Property ID 282091) in the Extra Territorial Jurisdiction – Owner: CHRISTOPHER SMALLY AND CHOCKA SMALLY (SUB-172-2020). Mr. David Hudgins seconded, All Ayes.

- 11. Public Hearing on a request by David Flores for a Specific Use Permit (SUP) for Garage Accessory Dwelling and Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 616 Dunn Street (Property ID 173378) - Owner: DAVID FLORES (ZDC-167-2020)**

Chairman Keeler opened the Public Hearing.

Senior Planner Colby Collins reported the applicant is requesting to construct a two story +700 square foot (984 square feet) detached garage accessory dwelling in the rear of a single-family property. The Commission expressed concern due to the proposed secondary structure being taller than the primary structure. Planning Director Shon Brooks stated he does not feel it will have a negative impact to the neighborhood.

Mr. David Flores, owner, stated he intends to use the structure to park additional vehicles for the home, as well as use the dwelling portion of the structure for family guest.

Those who spoke for ZDC-167-2020:

Mr. Chris Wright, 808 Marvin Avenue, Waxahachie

There being no others to speak for or against ZDC-167-2020, Chairman Keeler closed the Public Hearing.

- 12. Consider recommendation of Zoning Change No. ZDC-167-2020**

Action:

Mr. Jim Phillips moved to approve a request by David Flores for a Specific Use Permit (SUP) for Garage Accessory Dwelling and Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 616 Dunn Street (Property ID 173378) - Owner: DAVID FLORES (ZDC-167-2020) subject to staff comments: not to rent secondary structure and secondary structure not to exceed the primary structure by two feet. Mr. David Hudgins seconded.

The vote was as follows:

Ayes: Bonney Ramsey
 David Hudgins
 Jim Phillips

(4a)

Planning and Zoning Commission
January 12, 2021
Page 4

*Noes: Rick Keeler
Betty Square Coleman
Erik Test*

The action resulted in a tie vote.

Action:

Ms. Betty Square Coleman moved to reconsider the original vote. Mrs. Bonney Ramsey seconded. The vote was as follows:

*Ayes: Rick Keeler
Betty Square Coleman
Bonney Ramsey
David Hudgins
Erik Test*

Noes: Jim Phillips

Action:

Ms. Betty Square Coleman moved to approve a request by David Flores for a Specific Use Permit (SUP) for Garage Accessory Dwelling and Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 616 Dunn Street (Property ID173378) – Owner: DAVID FLORES (ZDC-167-2020) and allow the accessory structure to exceed the height of the primary structure by two feet. The vote was as follows:

*Ayes: Rick Keeler
Betty Square Coleman
Bonney Ramsey
David Hudgins
Erik Test*

Noes: Jim Phillips

The motion carried.

- 13. Public Hearing on a request by Jesse Miller for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 115 Country Drive (Property ID 173120) - Owner: JESSE LEE MILLER (ZDC-173-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is proposing to construct the structure out of metal, and intends to use the accessory structure for storage and hobby space. He stated the applicant shall provide a concrete drive that leads from the home to the accessory building and recommended approval.

(4a)

Planning and Zoning Commission
January 12, 2021
Page 5

There being no others to speak for or against ZDC-173-2020, Chairman Keeler closed the Public Hearing.

14. Consider recommendation of Zoning Change No. ZDC-173-2020

Action:

Mr. Erik Test moved to approve a request by Jesse Miller for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 115 Country Drive (Property ID 173120) - Owner: JESSE LEE MILLER (ZDC-173-2020) per staff comments. Ms. Betty Square Coleman seconded. The vote was as follows:

*Ayes: Rick Keeler
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Test*

Noes: David Hudgins

The motion carried.

15. Public Hearing on a request by Paul Nelson for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Planned Development-23-Single-Family Residential-1 zoning district located at 409 Lakewood Drive (Property ID 174631) - Owner: PAUL D & MELINDA A NELSON (ZDC-168-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported because the home is located near the rear of the property, the detached garage structure is intended to be located in front of the single-family home to park all of the vehicles for the home. Staff recommended approval based on a concrete driveway for the garage shall be provided by the applicant.

There being no others to speak for or against ZDC-168-2020, Chairman Keeler closed the Public Hearing.

16. Consider recommendation of Zoning Change No. ZDC-168-2020

Action:

Mr. David Hudgins moved to approve a request by Paul Nelson for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Planned Development-23-Single-Family Residential-1 zoning district located at 409 Lakewood Drive (Property ID 174631) - Owner: PAUL D & MELINDA A NELSON (ZDC-168-2020). Ms. Betty Square Coleman seconded, All Ayes.

(4a)

Planning and Zoning Commission
January 12, 2021
Page 6

17. **Public Hearing on a request by Nicholas Balsamo, Kalterra Capital Partners, for a Zoning Change from a Multiple-Family Residential-2 zoning district to Planned Development-Multiple-Family Residential-2, located near the SW corner of Park Place Blvd at Garden Valley Pkwy (Property ID 275563) - Owner: KALTERRA CAPITAL PARTNERS LLC (ZDC-159-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting approval of a Planned Development to allow for construction of 184 multi-family residential units on approximately 12.9 acres. The development will consist of four (4) apartment buildings with a maximum height of three stories. Mr. Collins reported this case was denied at the Planning and Zoning Commission meeting of December 15, 2020. At the December 21, 2020 City Council meeting, due to the applicant making significant changes to the Concept Plan from the Planning and Zoning Commission meeting, City Council voted to return the case to the Planning and Zoning Commission for review.

Representatives for the owner reviewed the revised Concept Plan and after further discussion staff recommended approval per staff comments.

Those who spoke against ZDC-159-2020:

Mr. Chris Wright, 808 Marvin Avenue, Waxahachie

There being no others to speak for or against ZDC-159-2020, Chairman Keeler closed the Public Hearing.

18. **Consider recommendation of Zoning Change No. ZDC-159-2020**

Action:

Mr. David Hudgins moved to approve a request by Nicholas Balsamo, Kalterra Capital Partners, for a Zoning Change from a Multiple-Family Residential-2 zoning district to Planned Development-Multiple-Family Residential-2, located near the SW corner of Park Place Blvd at Garden Valley Pkwy (Property ID 275563) - Owner: KALTERRA CAPITAL PARTNERS LLC (ZDC-159-2020) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.

19. **Public Hearing on a request by Phillip Fisher, Macatee Engineering LLC, for a Zoning Change from a Future Development and General Retail zoning district to Planned Development-Mixed-Use Residential, located west of 2374 W Highway 287 Bypass (Property IDs 185971, 185972, 185886, 185978) - Owner: CAROLYN J HAMAN (ZDC-72-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage styles homes, retail/office, and park/open space on 188.46 acres. At the December 21, 2020 City Council meeting, due to the applicant making

(4a)

Planning and Zoning Commission
January 12, 2021
Page 7

significant changes to the Concept Plan from the Planning and Zoning Commission meeting, City Council voted to return the case to the Planning and Zoning Commission for review.

Mr. Felix Wong, applicant, presented a revised Concept Plan and after a lengthy discussion with the Commission, both parties could not agree on the requirements of the Commission.

Those who spoke against ZDC-72-2020:

Mr. Richard Rozier, 4250 Black Champ Road, Midlothian
Mr. Phillip Blevens, 4290 Black Champ Road, Midlothian
Ms. Shelia Hood, 3841 Black Champ Road, Midlothian
Mr. Chris Wright, 808 Marvin Avenue, Waxahachie

There being no others to speak for or against ZDC-72-2020, Chairman Keeler closed the Public Hearing.

20. Consider recommendation of Zoning Change No. ZDC-72-2020

Action:

Mrs. Bonney Ramsey moved to deny a request by Phillip Fisher, Macatee Engineering LLC, for a Zoning Change from a Future Development and General Retail zoning district to Planned Development-Mixed-Use Residential, located west of 2374 W Highway 287 Bypass (Property IDs 185971, 185972, 185886, 185978) - Owner: CAROLYN J HAMAN (ZDC-72-2020). Mr. David Hudgins seconded, All Ayes.

21. Adjourn

There being no further business, the meeting adjourned at 9:17 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(4b)

Planning and Zoning Commission
January 12, 2021

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, January 12, 2021 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Member Absent: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Chris Webb, Planner
Macey Martinez, Graduate Engineer
Lori Cartwright, City Secretary
Mary Lou Shipley, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Planner Chris Webb reviewed the following cases:

- ZDC-171-2020 – Applicant withdrew this Zoning Case.
- SUB-156-2020 – The applicant is requesting to replat two lots into one lot. Staff recommended approval.
- SUB-157-2020 – The applicant is requesting to plat the property from one lot into two 1+ acre lots. The property has adequate public water flow. Staff recommended approval.
- SUB-172-2020 – The applicant is requesting a plat of the property for single-family residential use. The property is barely in the Waxahachie ETJ and mostly in the city of Midlothian. The property has adequate public water flow and staff will recommend approval.

Senior Planner Colby Collins presented the following cases:

- ZDC-167-2020 – The applicant is requesting to construct a two story +700 square foot (984 square feet) detached garage accessory dwelling in the rear of a single-family property. The Commission expressed concern due to the proposed secondary structure being taller than the primary structure. Planning Director Shon Brooks stated he does not feel it will have a negative impact to the neighborhood. Mr. Collins stated the applicant is proposing to construct the structure out of siding, and intends to use the structure to park additional vehicles for the home, as well as use the dwelling portion of the structure for family guest. Staff recommends approval based on the accessory dwelling cannot be used to rent to outside tenants and the applicant shall provide a concrete drive that leads from the home to the accessory structure.

(4b)

Planning and Zoning Commission
January 12, 2021
Page 2

- ZDC-173-2020 – The applicant is requesting to construct a +700 square foot accessory structure in the rear of a single-family property. The applicant is proposing to construct the structure out of metal, and intends to use the accessory structure for storage and hobby space. Mr. Collins stated the applicant shall provide a concrete drive that leads from the home to the accessory structure. Staff recommended approval.
- ZDC-168-2020 – The applicant is requesting to construct a +700 square foot accessory structure (detached garage) in the front of a single-family property. Because of the home being located near the rear of the property, the detached garage structure is intended to be located in front of the single-family home to park all of the vehicles for the home. Staff recommended approval based on a concrete driveway for the garage shall be provided by the applicant.
- ZDC-159-2020 – The applicant is requesting approval of a Planned Development to allow for construction of 184 multi-family residential units on approximately 12.9 acres. The development will consist of four (4) apartment buildings with a maximum height of 3 stories. Mr. Collins reported this case was denied at the Planning and Zoning Commission meeting of December 15, 2020. At the December 21, 2020 City Council meeting, due to the applicant making significant changes to the Concept Plan from the Planning and Zoning Commission meeting, City Council voted to return the case to the Planning and Zoning Commission for review.
- ZDC-72-2020 – The applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage styles homes, retail/office, and park/open space on 188.46 acres. At the December 21, 2020 City Council meeting, due to the applicant making significant changes to the Concept Plan from the Planning and Zoning Commission meeting, City Council voted to return the case to the Planning and Zoning Commission for review.

3. Adjourn

There being no further business, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(5)

Planning & Zoning Department

Plat Staff Report

Case: SUB-136-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

CAPTION

Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Garcia Estates for one (1) residential lot being 5.000 acre situated in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137 (Property ID: 192608) in the Extra Territorial Jurisdiction – Owner: Julio Menchaca and Alma Rios

APPLICANT REQUEST

The applicant is requesting to plat a 5-acre tract for residential use.

CASE INFORMATION

Applicant: Tim Jackson, Texas Reality Capture & Surveying, LLC

Property Owner(s): Julio Menchaca and Alma Rios

Site Acreage: 5.000 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: A water letter from Rockett SUD states that both adequate domestic and fire flow can be established at this location.

SUBJECT PROPERTY

General Location: The subject property is located adjacent to and northeast of 530 Gibson Rd.

Parcel ID Number(s): 192608

Current Zoning: N/A (ETJ)

Existing Use: Undeveloped

Platting History: Located in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137

(5)

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.

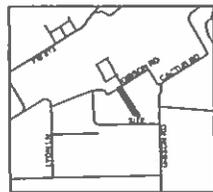
STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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



0' 50' 100'
SCALE: 1" = 100'



VICINITY MAP
KTS

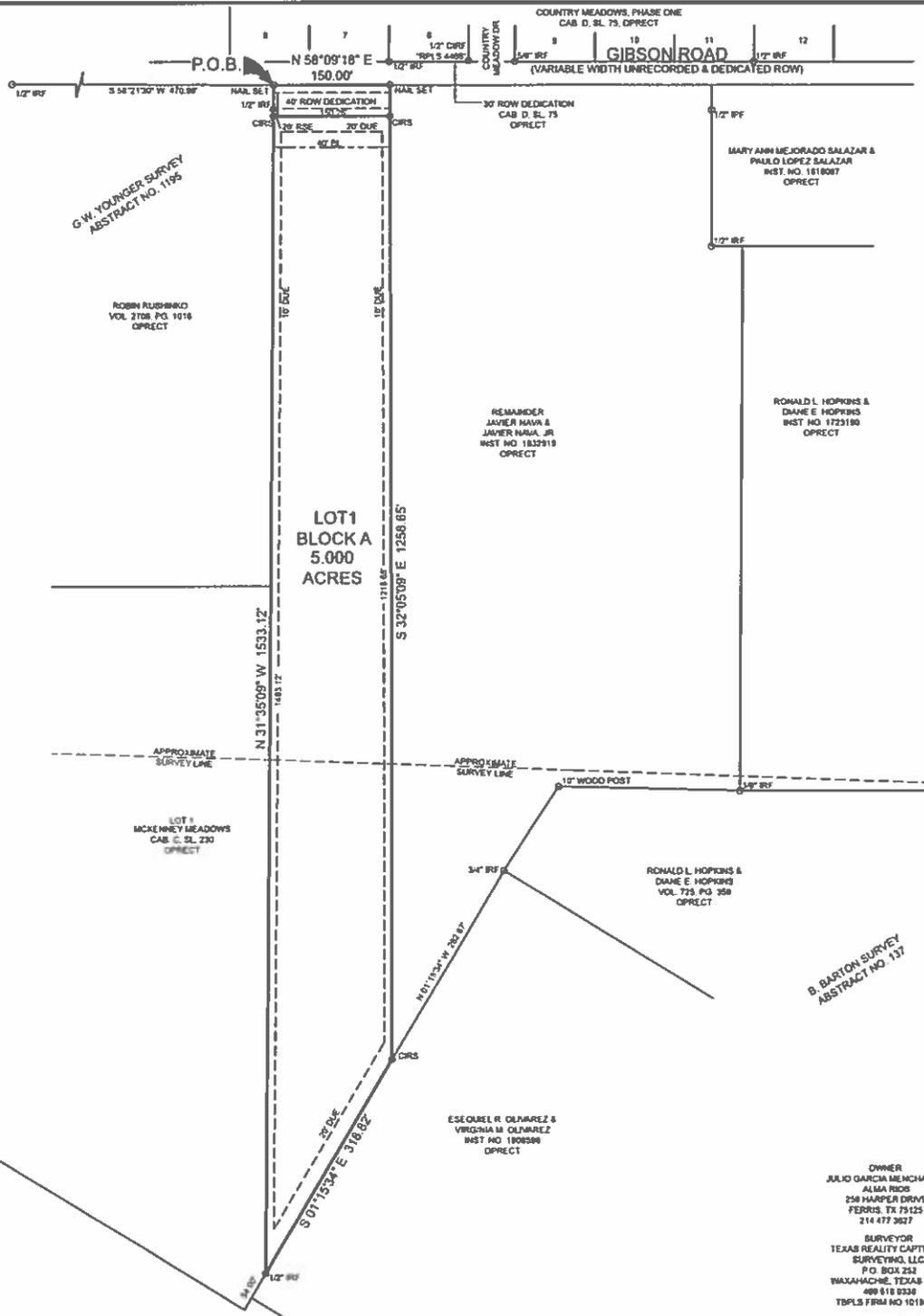
NOTES

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

THE SUBJECT PROPERTY LIES WITHIN ZONE "D" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48138C0200F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

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

20' RSE = 20' ROCKWELL SPECIAL UTILITY DISTRICT EASEMENT DEDICATED BY T188 PLAT. THE LOCATION IS CENTERED ON THE EXISTING PIPELINE AS INSTALLED. THE LOCATION SHOWN HEREON IS APPROXIMATE.



LEGEND

CRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "1XCRS" SET
RF = IRON ROD FOUND
FND = FOUND
OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
DUE = DRAINAGE UTILITY EASEMENT
B.L. = BUILDING LINE

OWNER
JULIO GARCIA BENCHACA &
ALMA RIOS
258 HARPER DRIVE
FERROS, TX 75125
214 477 9027
SURVEYOR
TEXAS REALTY CAPTURE &
SURVEYING, L.L.C.
P.O. BOX 252
WAXAHACHIE, TEXAS 75109
409 818 8228
TBPLS FRM NO 101M358

PLAT
GARCIA ESTATES
5.000 ACRES

BY THE SURVEYOR
G.W. YOUNGER SURVEY
ABSTRACT NO. 1195
&
B BARTON SURVEY
ABSTRACT NO. 137
ETJ CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
1 RESIDENTIAL LOT
CASE NO. SUB-136-2020
AUGUST 2020

(5)

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, JULIO GARCIA MENCHACA AND ALMA RIOS ARE THE OWNER OF A TRACT OF LAND SITUATED IN THE G W YOUNGER SURVEY, ABSTRACT NO. 1195 AND THE B BARTON SURVEY ABSTRACT NO. 137, ELLIS COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO JULIO GARCIA MENCHACA AND ALMA RIOS, RECORDED IN INSTRUMENT NO. 2020140, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL, SET FOR THE NORTHWEST CORNER OF SAID MENCHACA TRACT AND THE COMMON NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO ROWEN RUSHINKO, RECORDED IN VOLUME 2708, PAGE, 1516, OPRECT, IN THE SOUTH LINE OF COUNTY MEADOWS, PHASE ONE, RECORDED IN CABINET D, SLIDE 73, OPRECT AND IN THE APPROXIMATE CENTERLINE OF GIBSON ROAD (A VARIABLE WIDTH UNRECORDED AND DEDICATED RIGHT-OF-WAY), FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID RUSHINKO TRACT, BEARS S 84°21'30" W A DISTANCE OF 479.98 FEET.

THENCE N 88°09'18" E, ALONG THE NORTH LINE OF SAID MENCHACA TRACT, THE COMMON SOUTH LINE OF SAID COUNTY MEADOWS AND THE APPROXIMATE CENTERLINE OF SAID GIBSON ROAD, A DISTANCE OF 150.00 FEET TO A NAIL, SET FOR CORNER;

THENCE S 32°55'09" E, OVER AND ACROSS SAID MENCHACA TRACT, PASSING AT A DISTANCE OF 40.60 FEET A 5/16" IRON ROD WITH CAP STAMPED "TRXCS" SET FOR WITNESS. A TOTAL DISTANCE OF 1254.85 FEET TO A 5/16" IRON ROD WITH CAP STAMPED "TRXCS" SET FOR CORNER IN THE SOUTH LINE OF SAID MENCHACA TRACT AND THE COMMON WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO ESQUEL R. OLIVAREZ AND VERONICA M. OLIVAREZ, RECORDED IN INSTRUMENT NO. 190858, OPRECT, FROM WHICH A 3/4" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID OLIVAREZ TRACT, BEARS N 81°15'34" W A DISTANCE OF 242.87 FEET;

THENCE S 01°15'34" E, ALONG THE SOUTH LINE OF SAID MENCHACA TRACT AND THE COMMON WEST LINE OF SAID OLIVAREZ TRACT, A DISTANCE OF 318.82 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID MENCHACA TRACT AND THE COMMON SOUTHWEST CORNER OF LOT 1 MCKENNEY MEADOWS, RECORDED IN CABINET C, SLIDE 239, OPRECT.

THENCE N 31°35'09" W, ALONG THE WEST LINE OF SAID MENCHACA TRACT, THE COMMON EAST LINE OF SAID LOT 1 AND THE COMMON EAST LINE OF SAID RUSHINKO TRACT, PASSING AT A DISTANCE OF 1493.12 FEET A 1/2" IRON ROD FOUND FOR WITNESS, A TOTAL DISTANCE OF 1533.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.000 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT JULIO GARCIA MENCHACA AND ALMA RIOS, DO HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS GARCIA ESTATES, AN ADDITION TO ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. JULIO GARCIA MENCHACA AND ALMA RIOS DO HEREBY CERTIFY THE FOLLOWING:

- 1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES.
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN AND CREATED BY THIS PLAT, ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT.
4. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN.
5. ELLIS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN, UNDER, OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
6. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND ELLIS COUNTY'S USE THEREOF.
7. ELLIS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENHANCE OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS.
8. ELLIS COUNTY AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY.

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

WITNESS MY HAND, THIS THE ___ DAY OF ___, 2020

BY

JULIO GARCIA MENCHACA ALMA RIOS

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JULIO GARCIA MENCHACA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE ___ DAY OF ___, 2020

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ALMA RIOS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE ___ DAY OF ___, 2020

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

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

*PRELIMINARY. THIS INSTRUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE FILED OR VIEWED OR RELEASD UPON A FINAL SURVEY DOCUMENT.
TIMOTHY L. JACKSON
REGISTRATION NUMBER 5444

STATE OF TEXAS
COUNTY OF ELLIS

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS

APPROVED THIS, THE ___ DAY OF ___, 2020.

TODD LITTLE
COUNTY JUDGE

RANDY STINEGM LANE GRAYSON
COMMISSIONER PRECINCT 1 COMMISSIONER PRECINCT 2

PAUL PERRY RYLE BUTLER
COMMISSIONER PRECINCT 3 COMMISSIONER PRECINCT 4

ATTEST:

KRYSTAL VALDEZ
COUNTY CLERK

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PERFORMING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT.

DEPARTMENT OF DEVELOPMENT DIRECTOR DATE

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY CHAIRPERSON DATE

ATTEST DATE

PLAT
GARCIA ESTATES
5.000 ACRES

OWNER
JULIO GARCIA MENCHACA & ALMA RIOS
298 HARPER DRIVE
FERROS, TX 75125
314-477-3827
SURVEYOR
TEXAS REALTY CAPTURE 4
SURVEYING, L.L.C.
P.O. BOX 252
WAXAHACHE, TEXAS 75109
800-518-0338
TSPS FIRM NO 10194350

OWNER
JULIO GARCIA MENCHACA & ALMA RIOS
298 HARPER DRIVE
FERROS, TX 75125
314-477-3827
SURVEYOR
TEXAS REALTY CAPTURE 4
SURVEYING, L.L.C.
P.O. BOX 252
WAXAHACHE, TEXAS 75109
800-518-0338
TSPS FIRM NO 10194350

(5)

(5)



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: Alma Roos Parcel ID #: 192608
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. <u>500 gpm can be projected</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>6</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

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

[Signature]
Signature of General Manager of water provider or Designee Date 9/9/20

(6)

Planning & Zoning Department

Plat Staff Report

Case: SUB-162-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

CAPTION

Consider request by Lisa Martinkus for a Plat of Martinkus Addition for one (1) residential lot being 1.000 acre situated in the T.R. Follett Survey, Abstract 373 (Property ID: 183567) in the Extra Territorial Jurisdiction – Owner: Anthony C. Martinkus and Lisa Martinkus

APPLICANT REQUEST

The applicant is requesting to plat the subject lot for residential use.

CASE INFORMATION

Applicant: Lisa Martinkus

Property Owner(s): Anthony C. Martinkus and Lisa Martinkus

Site Acreage: 1 acre

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: A water letter from Rockett SUD states that an existing tap already exists at this location.

SUBJECT PROPERTY

General Location: This lot is directly adjacent to the west of 3307 W FM 813.

Parcel ID Number(s): 183567

Current Zoning: N/A (ETJ)

Existing Use: A metal accessory structure for vehicle parking is currently on the site.

Platting History: The subject property is part of the T.R. Follett Survey, Abstract 373.

(6)

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

(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: Anthony & Lisa Martinkus Parcel ID #: 183567

Subdivision Name: Martinkus Addition

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:

	Easement must be dedicated to the District. Yes No	
1. I have reviewed a copy of the proposed plat. <i>20' centerline</i>	<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. <i>has existing tap</i>	<input type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines. <i>no hydraulic study was ran</i>	<input type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <i>6</i> 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

[Signature]
Signature of General Manager of water provider or Designee

10-26-2020
Date

(7)

Planning & Zoning Department

Plat Staff Report

Case: SUB-141-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

CAPTION

Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Garcia Addition for one (1) residential lot being 6.221 acres situated in the B.B.B. & C.C.R. Survey, Abstract 175 and the S.S. Wilson Survey, Abstract 1141 (Property ID: 275526) in the Extra Territorial Jurisdiction – Owner: Eduardo Garcia

APPLICANT REQUEST

The applicant is requesting to plat the subject property into one lot for residential use.

CASE INFORMATION

Applicant: Tim Jackson, Texas Reality Capture & Surveying, LLC

Property Owner(s): Eduardo Garcia

Site Acreage: 6.221 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: A water letter from Rockett SUD states that adequate domestic water service is available to this site.

SUBJECT PROPERTY

General Location: This lot is located along and north of Youngblood Rd.

Parcel ID Number(s): 275526

Current Zoning: N/A (ETJ)

Existing Use: Undeveloped

Platting History: The subject property is situated in the B.B.B. & C.C.R. Survey, Abstract 175 and the S.S. Wilson Survey, Abstract 1141.

(7)

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

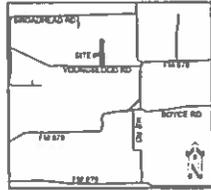
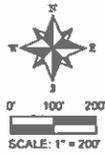
A plat shall not be filed with the Ellis County Clerk until:

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



VICINITY MAP
NOT TO SCALE

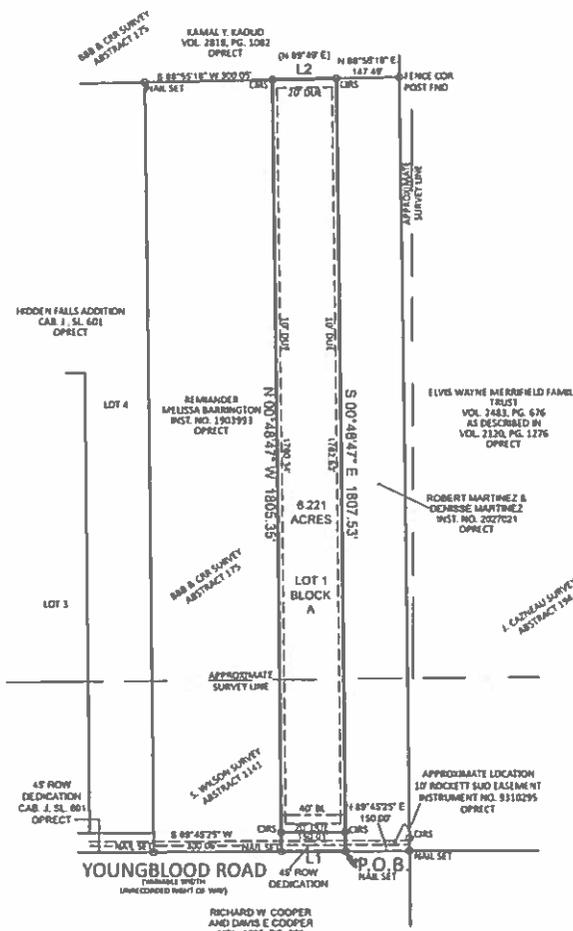
LINE TO ADJACENT DISTANCE
1 - S 89°45'25" W 1150.01'
2 - N 89°45'25" E 1150.02'

NOTES

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4262, NAD 83 PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE "X", DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48196C0200F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY

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



LEGEND

- CRS = 3/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "X" CRS SET
- RF = IRON ROD FOUND
- FND = FOUND
- OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
- U.E. = UTILITY EASEMENT
- B.L. = BUILDING LINE

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, EDUARDO GARCIA, IS THE OWNER OF A TRACT OF LAND SITUATED IN THE S.B.B. & C.R.R. SURVEY ABSTRACT NO. 175, THE S.S. WILSON SURVEY ABSTRACT NO. 1141 IN ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO EDUARDO GARCIA, RECORDED IN INSTRUMENT NO. 201138, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A NAIL SET FOR THE SOUTHEAST CORNER OF SAID GARCIA TRACT, THE COMMON SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO ROBERT MARTINEZ AND DENISE MARTINEZ, RECORDED IN INSTRUMENT NO. 200761, OPRECT AND IN THE APPROXIMATE CENTERLINE OF YOUNGBLOOD ROAD (A VARIABLE WIDTH UNRECORDED RIGHT-OF-WAY), FROM WHICH A NAIL SET FOR THE SOUTHEAST CORNER OF SAID MARTINEZ TRACT, BEARS N 89°45'25" E, A DISTANCE OF 150.00 FEET.

THENCE S 89°45'25" W ALONG THE SOUTH LINE OF SAID GARCIA TRACT AND THE APPROXIMATE CENTERLINE OF SAID YOUNGBLOOD ROAD A DISTANCE OF 150.01 FEET TO A NAIL SET FOR THE SOUTHWEST CORNER OF SAID GARCIA TRACT, FROM WHICH A NAIL SET FOR THE SOUTHEAST CORNER OF HIDDEN FALLS ADDITION, RECORDED IN CABINET J. SLIDE 801, OPRECT BEARS S 89°45'25" W, A DISTANCE OF 300.00 FEET.

THENCE N 09°48'47" W ALONG THE WEST LINE OF SAID GARCIA TRACT PASSING AT A DISTANCE OF 45.00 FEET TO A 3/8" IRON ROD WITH CAP STAMPED "X" CRS SET FOR WITNESS, A TOTAL DISTANCE OF 1895.96 FEET TO A 3/8" IRON ROD WITH CAP STAMPED "X" CRS SET FOR THE NORTHWEST CORNER OF SAID GARCIA TRACT, IN THE COMMON SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO KAMAL Y. KAOU, RECORDED IN VOLUME 2818, PAGE 1082, OPRECT, FROM WHICH A NAIL SET FOR THE NORTHEAST CORNER OF SAID HIDDEN FALLS ADDITION, BEARS S 89°56'18" W, A DISTANCE OF 300.00 FEET.

THENCE N 89°56'18" E ALONG THE NORTH LINE OF SAID GARCIA TRACT AND THE COMMON SOUTH LINE OF SAID KAOU TRACT, A DISTANCE OF 150.00 FEET TO A 3/8" IRON ROD WITH CAP STAMPED "X" CRS SET FOR THE NORTHEAST CORNER OF SAID GARCIA TRACT AND THE COMMON NORTHWEST CORNER OF SAID MARTINEZ TRACT, FROM WHICH A FENCE CORNER POST FOUND FOR THE NORTHEAST CORNER OF SAID MARTINEZ TRACT AND A COMMON ELL CORNER OF SAID KAOU TRACT, AND IN THE WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO ELYS WAYNE MERRIFIELD FAMILY TRUST, RECORDED IN VOLUME 2483, PAGE 678, BEARS N 89°56'18" E, A DISTANCE OF 147.49 FEET.

THENCE S 09°48'47" E ALONG THE EAST LINE OF SAID GARCIA TRACT AND THE COMMON WEST LINE OF SAID MARTINEZ TRACT, PASSING AT A DISTANCE OF 1782.93 FEET TO A 3/8" IRON ROD WITH CAP STAMPED "X" CRS SET FOR WITNESS, A TOTAL DISTANCE OF 1807.93 FEET TO THE POINT OF BEGINNING, AND CONTAINING 8.221 ACRES OF LAND, MORE OR LESS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT EDUARDO GARCIA, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREBY ABOVE DESCRIBED PROPERTY AS GARCIA ADDITION, AN ADDITION TO ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, EDUARDO GARCIA, DOES HEREBY CERTIFY THE FOLLOWING

- 1 THE STREETS AND ALLEYS ARE DEDICATED IN FREE EASEMENT FOR STREET AND ALLEY PURPOSES.
- 2 ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES.
- 3 THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN AND CREATED BY THIS PLAT, ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT.
- 4 NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN.
- 5 ELLIS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN UNDER, OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
- 6 UTILITY EASEMENTS MAY ALSO BE USED FOR THE BENEFIT USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND ELLIS COUNTY'S USE THEREOF.
- 7 ELLIS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS.
- 8 ELLIS COUNTY AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.
- 9 ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY.

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

WITNESS MY HAND, THIS THE _____ DAY OF _____, 2020

BY:

EDUARDO GARCIA
STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED EDUARDO GARCIA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE HAD EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

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

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

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

*PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR REPRODUCED AS A FINAL SURVEY DOCUMENT.
TIMOTHY L. JACKSON
REGISTRATION NUMBER 5444

STATE OF TEXAS
COUNTY OF ELLIS

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS:

APPROVED THIS, THE _____ DAY OF _____, 2020.

TODD LITTLE
COUNTY JUDGE

RANDY STINSON
COMMISSIONER PRECINCT 1

LAME GRAYSON
COMMISSIONER PRECINCT 2

PAUL PERRY
COMMISSIONER PRECINCT 3

KYLE BUTLER
COMMISSIONER PRECINCT 4

ATTEST:

KRISTAL VALDEZ
COUNTY CLERK

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PENDING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT

DEPARTMENT OF DEVELOPMENT DIRECTOR DATE

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: _____ DATE _____
CHAIRPERSON

ATTEST _____ DATE _____

PLAT

GARCIA ADDITION
8.221 ACRES

BBB & CRR SURVEY ABSTRACT NO. 175,
S.S. WILSON SURVEY, ABSTRACT NO. 1141,
ETJ CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS
1 RESIDENTIAL LOTS
CASE NO. SUB - 141 - 2020

OWNER
EDUARDO GARCIA
202 E 5TH ST
FERRIS, TX 75125
409 640 6360

SURVEYOR
TEXAS REALTY CAPTURE &
SURVEYING, LLC.
P.O. BOX 252
WAXAHACHE, TEXAS 75190
409 518 0330
TOLPS FORM NO. 10194350

(7)

(7)

109 South Jackson Street
Waxahachie, TX 75165
Main Phone:
972-825-5200



Department Website:
www.co.ellis.tx.us/dod
Department Email:
dod@co.ellis.tx.us

WATER UTILITY PROVIDER ENDORSEMENT

Ellis County requires new lots in subdivisions to have adequate water flow and pressure to comply with Texas Commission on Environmental Quality (TCEQ) and the latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers 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 plat application packet. If this letter is not submitted, it will be considered an incomplete application.

PROPERTY INFORMATION

Site Address/General Location: TBD Youngblood Rd City/State: Waxahachie TX ZIP: 75168
Legal Description: _____
Proposed Use of plat or development: Home Acres: 6.22 Lots: 1

APPLICANT/OWNER INFORMATION

Applicant/Agent Name: Eduardo Garcia Company Name: _____
Mailing Address: 202 F 5th St City/State: Ferris Tx ZIP: 75125
Main Phone: 972-974-2330 Email: Egarcia10395@yahoo.com

TO BE COMPLETED BY THE WATER UTILITY PROVIDER

	YES	NO
1. I have reviewed a copy of the proposed plat/development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The proposed plat/development falls 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 the latest adopted TCEQ regulations and requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and necessary minimum pressure for firefighting purposes, per established County regulations and ISO guidelines.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. The waterline size service the proposed plat/development is currently listed as <u>6"</u> inches and located along <u>Youngblood Rd</u> Rd/Dr/Ln/St/Blvd, etc.	<input type="checkbox"/>	<input type="checkbox"/>
6. Are there plans to upsize or increase the existing water line mention in Question No. 5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Robert Woodall
Print Name of General Manager of Water Provider or Designee

Rockett SUD
Name of Water Provider Company

[Signature]
Signature of General Manager of Water Provider or Designee

10/5/20
Date

CONTACT INFORMATION

Buena Vista-Bethel SUD 972-937-1212
Carroll Water Company 972-617-0817
Files Valley 254-689-2331
Hill Co. Coop. 800-338-6425

Mountain Peak SUD 972-775-3765
Nash Forrester WSC 972-483-3039
Rockett SUD 972-617-3524
Sardis Lone Elm WSC 972-775-8566
South Ellis County WSC 972-483-6885
South Garrett Water 972-875-5893

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-177-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

CAPTION

Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Pole Sign use within a Light Industrial-1 zoning district located at 7240 Interstate 35E (Property ID 186924) - Owner: 7240 I35 EAST LLC (ZDC-177-2020)

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit to allow for the construction of a pole sign for USA Trucks located at 7240 Interstate 35E.

CASE INFORMATION

Applicant: Chris Reeves, Quickway Signs

Property Owner(s): 7240 I35 East LLC

Site Acreage: 29.019 acres

Current Zoning: Light Industrial – 1 (LI-1)

Requested Zoning: Light Industrial -1 with a Specific Use Permit for a Pole Sign

SUBJECT PROPERTY

General Location: 7240 Interstate 35E

Parcel ID Number(s): 186924

Existing Use: Truck Yard

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-1	Undeveloped
East	FD	Undeveloped
South	LI-1	Undeveloped
West	LI-1	Undeveloped

Future Land Use Plan: Industrial

(8)

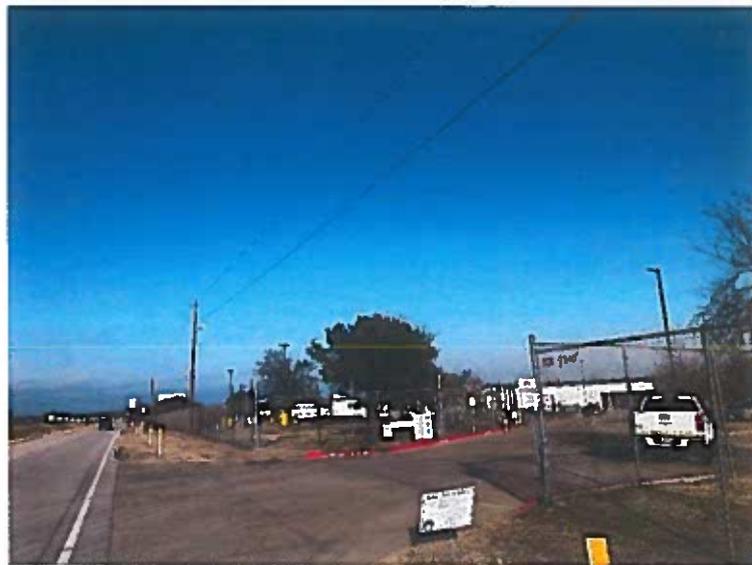
Comprehensive Plan:

Industrial applies to areas intended for a range of heavy commercial, assembly, warehousing, and manufacturing uses. Large tracts of land with easy access to major roadways and air transportation are becoming increasingly difficult to find for the industrial business community. However, these businesses can be advantageous for a municipality in terms of providing employment and an increased tax base. Therefore, several large areas have been identified as Industrial. Examples of desirable uses within these areas include company headquarters, computer technology businesses, and other types of large businesses.

Thoroughfare Plan:

This site is accessible via the I-35E access road.

Site Image:



PLANNING ANALYSIS

The applicant is requesting approval of a Specific Use Permit (SUP) to construct a new pole sign for USA Trucks located at 7240 N Interstate 35E. The proposed sign will have a height of twenty (20) feet. The proposed sign will have two (2) poles with underground concrete footing to provide support, and will be set thirty-five feet (35) back from the roadway.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 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.

(8)

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 applicant will need to obtain a sign permit from the Building and Community Services Department.

ATTACHED EXHIBITS

1. Proposed Sign
2. Sign Location
3. Engineer Review

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:
Chris Webb
Planner
cwebb@waxahachie.com

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

(8)

CUSTOMER INFO

JOB DESCRIPTION

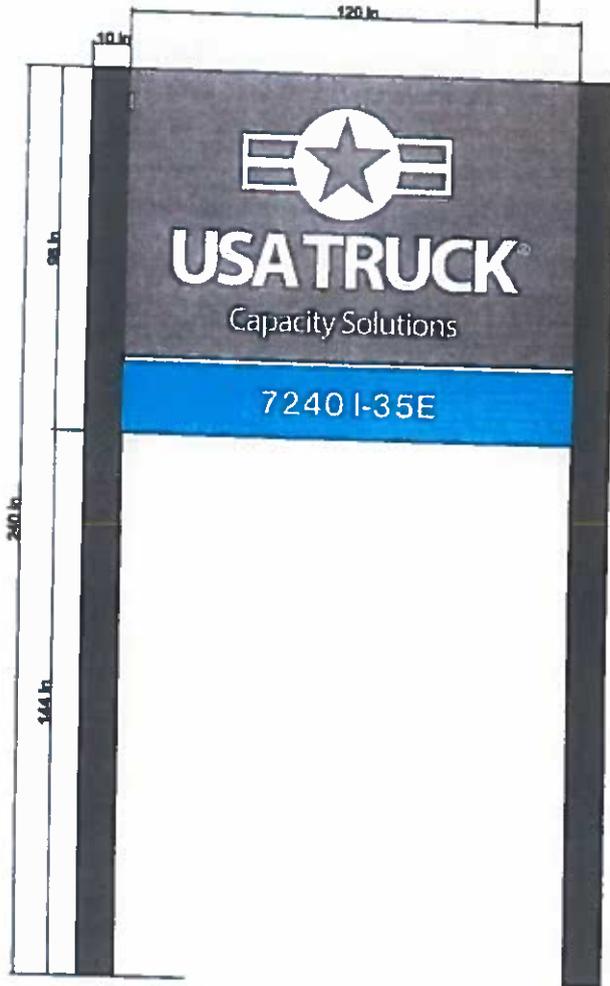
Contact: Tim Elmore
Company: USA Truck
Phone #: 479-430-1204
Email: Tim.Elmore@Usa-Truck.com



Date: September 16th, 2020

Due Date : NA

PRICE



PLEASE PROOF READ CAREFULLY. AFTER APPROVAL, QUICKWAY SIGNS WILL NOT BE FINANCIALLY RESPONSIBLE FOR ERRORS ON PROOF.

- I have verified the artwork.
 - I have verified the colors.
 - I have verified the text and spelling.
 - I have verified the layout.
 - I have read and agree to all disclaimers.
-
- Approved. No Changes Required
 - Please make the noted changes

E-MAILED
10/13
permit



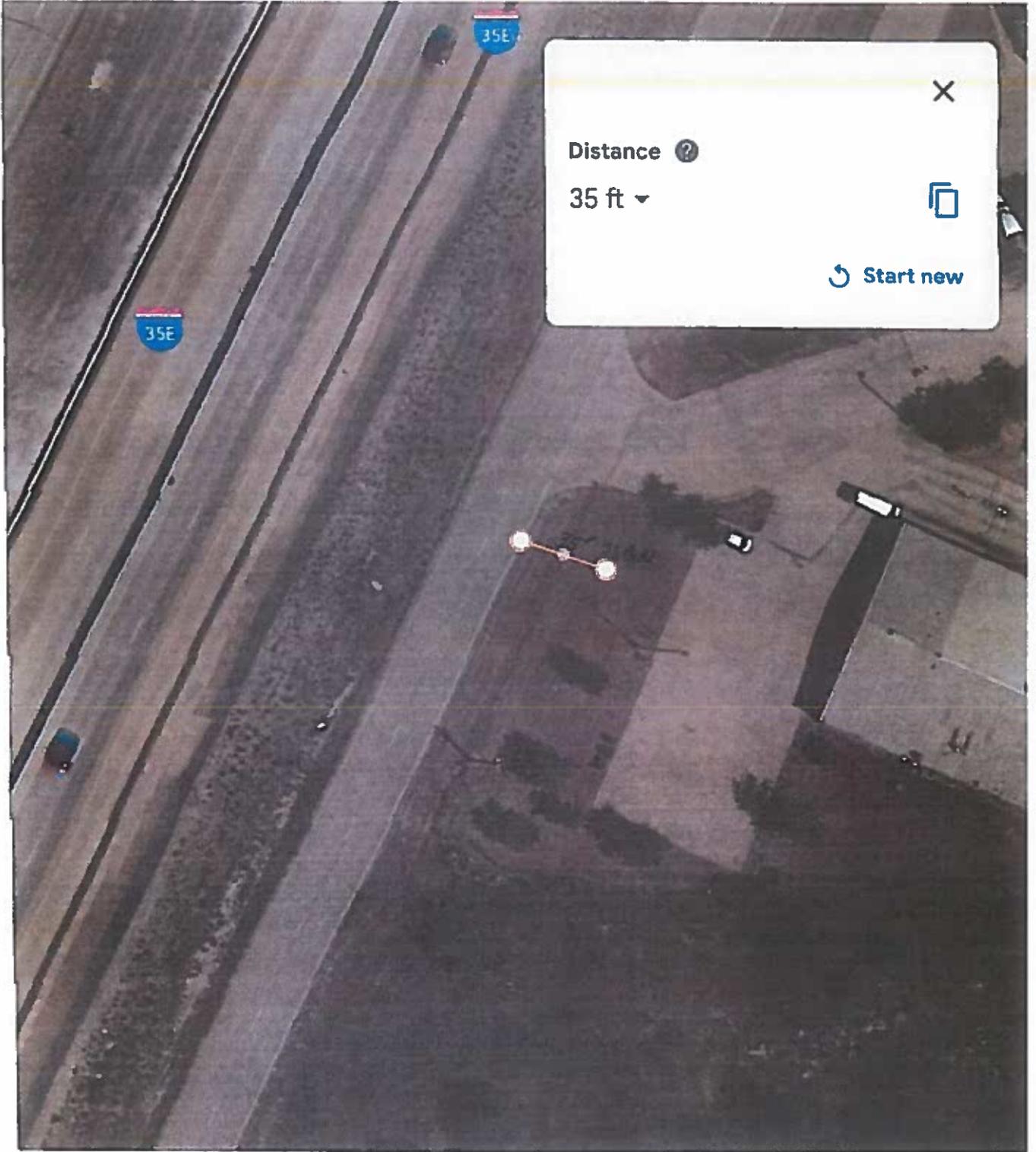
306 W. Main St.
Waxahachie, TX 75165
972-937-7446

quickway@quickway.com

Signature

Date

(8)



E

100%

Camera: 401 m 32°28'57"N 96°49'47"W 190 m

(8)

5 of 5

PHOTOS

MAP



Map

Google

Map data ©2020 Imagery ©2020

(8)

SULLAWAY ENGINEERING

10815 RANCHO BERNARDO ROAD
SUITE 280, SAN DIEGO, CA 92127
PROJECTMANAGER@SULLAWAYENG.COM
PHONE: 1-858-312-5150 FAX: 1-858-777-3534

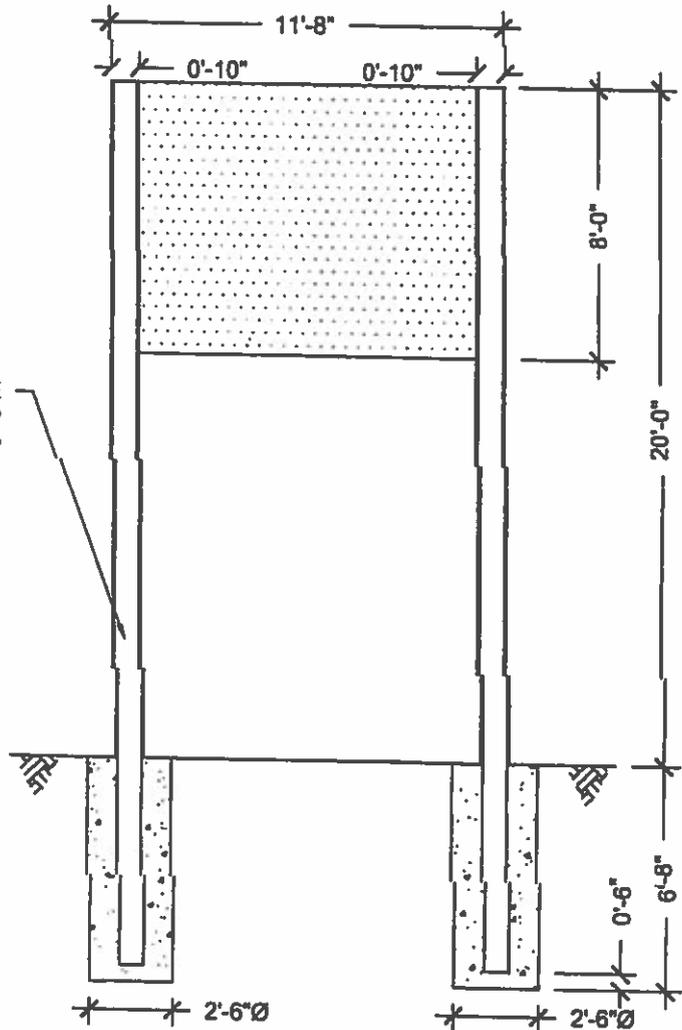
PROJECT: USA TRUCK-7240 I-35E WAXAHACHIE, TX 75185
PROJECT #: 27622
CLIENT: QUICKWAY SIGNS

DATE: 10/08/2020
ENGINEER: LR
LAST REVISED:



CERTIFICATE OF AUTHORITY
NO. F-14143
10/06/2020

8 STD. PIPE
OD: 8.625"
WALL: 0.322"



ELEVATION VIEW

GENERAL NOTES

1. DESIGN CODE: IBC 2018
2. DESIGN LOADS: ASCE 7-16
3. WIND VELOCITY: 110 MPH EXPOSURE C
4. CONCRETE 2500 PSI MIN.
5. PIPE STEEL ASTM A53, Fy= 35 KSI MIN.
6. PROVIDE PROTECTION AGAINST DISSIMILAR METALS USING ANTI-CORROSIVE PAINT OR NEOPRENE GASKETS.
7. LATERAL SOIL BEARING PER IBC CLASS 4 (150 PSF/FT)
8. ALL DIMENSIONS TO BE VERIFIED PRIOR TO FABRICATION.



10815 Rancho Bernardo RD., SD, CA 92127
projectmanager@sullawayeng.com
Phone: 858-312-5150 Fax: 858-777-3534

PROJECT: USA TRUCK-7240 I-35E WAXAHACHIE, TX 75165
PROJ. NO.: 27622
CLIENT: QUICKWAY SIGNS

DATE: 10/08/2020
ENGINEER: LR

vs.s
Applied Wind Loads; from ASCE 7-16 units: pounds, feet unless noted otherwise

$F = q_z \cdot G \cdot C_f \cdot A_f$ with $q_z = 0.00258 K_z K_d K_{dt} V^2$ (29.3.2 & 29.4)
 $C_f = 1.705$ (Fig. 29.3-1) 2 pole Cf factor= 0.97 max. height= 20.0
 $K_d = 1.0$ (28.8.2) (=1.0 unless unusual landscape) $s = 8.00$
 $K_z =$ from table 28.3-1 Exposure= c
 $K_d = 0.85$ for signs (table 26.6-1)
 $V = 110$ mph
 $G = 0.85$ (26.9) weight= 1.133 kips
 $s/h = 0.400$ $M_{DL} = 0.00$ k-ft
 $B/s = 1.46$

Pole Loads	structure component	height at section c.g.	K_z	q_z	pressure $q_z \cdot G \cdot C_f$	A_f	shear	Wind Moment M_w		
	1	8.0	0.850	22.4	32.43	20.0	649	3893		
	2	13.5	0.850	22.4	32.43	35.0	1135	15325		
	3	17.5	0.876	23.1	33.42	58.3	1950	34122		
two pole distribution factor *b*s (asce fig. 29.4-1):							sums: 113.3	3734	53.34	(M_w) k-ft arm= 14.3
							x 0.64	2385	34.21	
							$P_u = 1.36$ kip	$M = 34.21$ k-ft	$M = \sqrt{M_{DL}^2 + M_w^2}$	
							$M_u = \sqrt{1.2M_{DL}^2 + 1.0M_w^2} = 34.21$ k-ft			

Pole Design section: pipe

$M_u \leq \phi M_n$ with $M_n = f_y Z$

H	M_u (k-ft)	Z req'd. (in)	Size (in)	t (in)	Z	USE
at grade	34.2	13.03	8	0.322	20.8	8 STD. PIPE, $\phi M_n = 54.6$ k-ft

$f_y = 35$ ksi $\phi = 0.9$

Footing Design footprint: round

$\omega = 1.3$ IBC 1605.3.2 IBC Table 1806.2, sections 1806.3.4, 1807.3.2 $S = (1.3x2x)$
 $P = 1.87$ kip $S1 = S \times d / 3$ $A = 2.34 \times P / (S1 \times b)$ $S = 400$
 $S1 = 884$ $d = 0.5 \times A (1 + (1 + 4.36 \times h/A)^{.5})$ IBC 1807.3.2.1
 $A = 1.98$

footing: 2' - 6" dia. 6' - 8" deep

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-181-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

CAPTION

Public Hearing on a request by Kellen Robertson, RLG Consulting Engineers, for a **Zoning Change** from a Planned Development-Commercial zoning district to Planned Development-Commercial, located at 2460 Interstate 35E (Property ID 261917) - Owner: BAYLOR SCOTT & WHITE PROFESSIONAL PLAZA I (ZDC-181-2020)

APPLICANT REQUEST

Due to TxDOT widening Interstate 35E, the applicant is requesting to amend the existing Planned Development (Ord. 2649) in order to move the current billboard approximately eight (8) feet east of its present location.

CASE INFORMATION

Applicant: Kellen Robertson, RLG Consulting Engineers

Property Owner(s): Baylor Scott & White Professional Plaza I

Site Acreage: 5.261 acres

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

Requested Zoning: Amendment to PD-C to allow pole sign relocation

SUBJECT PROPERTY

General Location: 2460 N Interstate 35

Parcel ID Number(s): 261917

Existing Use: Medical Office

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	HI	Undeveloped
East	PD-C	Medical Office
South	PD-C	Medical Office
West	C	Auto Dealership

Future Land Use Plan: Medical District

(10)

Comprehensive Plan:

The Medical District area signifies an area that revolves solely around the medical industry. This area will provide all of the uses one would need when visiting or working at Baylor Scott & White and other medical offices, specialty healthcare facilities, or research and development locations that are anticipated to develop in the area. Therefore, appropriate businesses in the district include retail, dining, hotel, office buildings, multi-family housing, and gyms.

Thoroughfare Plan:

This site is accessible via the I-35E Access Rd.

Site Image:



PLANNING ANALYSIS

The purpose of this request is to move the existing billboard approximately eight (8) feet to the east of its present location. TxDOT will be widening the road in this area and the sign, in its current location, will encroach on TxDOT's Right-of-Way (ROW) easement. This move will ensure that the sign is outside of TxDOT's easement.

The amendment to the PD is necessary because the existing billboard location was approved as part of the site plan of the existing Planned Development (PD) Ordinance 2649. Therefore the PD will need to be amended to allow for the updated location of the billboard.

Sign Details

This new location will feature the same billboard that is currently in place. The existing sign face is 12' x 40'. The overall height of the sign will be approximately 50' above the finished grade.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 3 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.

(10)

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. A sign permit will need to be obtained from the Building and Community Services Department.

ATTACHED EXHIBITS

1. Detailed Site Plan

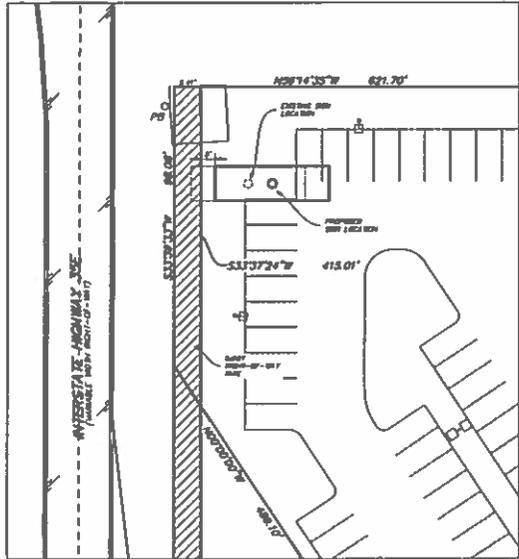
APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

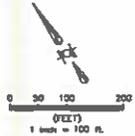
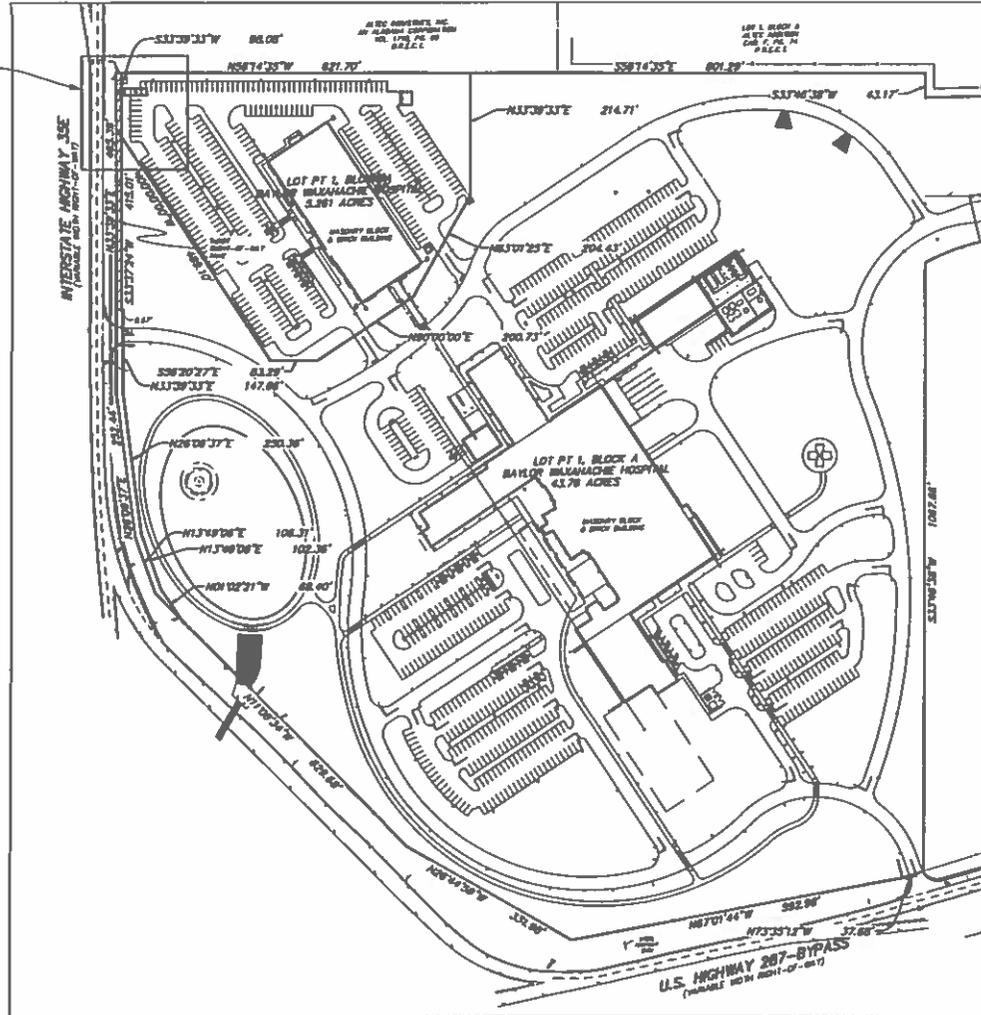
Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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



DETAIL A
1"=20'

SEE
"DETAIL A"



(10)

 RLG CONSULTING ENGINEERS 1201 N. CENTRAL EXPRESSWAY #1800 DALLAS, TX 75204 WWW.RLGENGINEERS.COM TEL: 972.968.7400					
EXHIBIT A					
SITE PLAN					
BAYLOR SCOTT & WHITE					
CITY OF WAXAHACHE					
ELLIS COUNTY, TEXAS					
REVIEW	DRAWN	DATE	FILE	NUMBER	SHEET
RLG	RLG	12/10/2013	2013	082	1 OF 1

(12)

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-180-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

CAPTION

Public Hearing on a request by Ben Talley, LJA Engineering, for an Amendment to Ordinance No. 2302 for Saddlebrook Estates to increase the Maximum Lot Coverage from 35% to 50% by main building and accessory structures in the remaining South Tract and Central Tract West (ZDC-180-2020)

APPLICANT REQUEST

The applicant intends to amend Ordinance 2302 to increase the maximum lot coverage from 35% to 50% in the Villages of Mustang Creek for Saddlebrook Estates.

CASE INFORMATION

Applicant: Kevin Kessler, LJA Engineering

Property Owner(s): 287 Waxahachie LP

Site Acreage: 472.56 acres

Current Zoning: Planned Development

Requested Zoning: Planned Development (Ordinance 2302 Amendment)

SUBJECT PROPERTY

General Location: Northwest & Southeast of the intersection of Pimlico Dr. and Highway 287

Existing Use: Villages of Mustang Creek

Development History: On April 18, 2005, City Council approved Ordinance 2302 for the Villages of Mustang Creek.

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-SF1	Single Family Residences
East	PD	Saddlebrook Estates
South	---	S. US Highway 287 Bypass
West	PD-SF1	Single Family Residences

(12)

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 S. US Highway 287 Bypass.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant intends to amend Ordinance 2302 to increase the maximum lot coverage from 35% to 50% in the Villages of Mustang Creek for Saddlebrook Estates.

Proposed Use:

The applicant is requesting to increase the maximum lot coverage from thirty-five (35) percent to fifty (50) percent in the Saddlebrook Estates remaining South Tract and Central Tract West, as shown on the Location Layout Exhibit. The builder would like to propose a larger footprint for the first floor of the houses, other than what the current thirty-five (35) percent maximum lot coverage will allow. By increasing the maximum allowed lot coverage, it will allow the ability to provide a plan lineup with larger square footage homes.

If City Council chooses to approve the increase in lot coverage, the revised Ordinance will still be in compliance with the Single Family-1, Single Family-2, and Single Family-3 zoning districts per the City of Waxahachie Zoning Ordinance.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **176** 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.

(12)

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Ordinance 2302
2. Location Layout 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

(12)

ORDINANCE NO. 2302

AN ORDINANCE CHANGING THE ZONING ON 1,965.303 ACRES IN THE S.M. DURRETT SURVEY, LOCATED EAST OF HIGHWAY 287 AND NORTH AND SOUTH OF PARKS SCHOOL HOUSE ROAD, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, FROM FUTURE DEVELOPMENT (FD) TO PLANNED DEVELOPMENT-COMMERCIAL (PD-C), PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR), PLANNED DEVELOPMENT-MULTI FAMILY-1 (PD-MF-1), PLANNED DEVELOPMENT-TWO FAMILY (PD-2F), PLANNED DEVELOPMENT-SINGLE FAMILY-1 (PD-SF-1), PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2), AND PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), AS A "FREE STANDING" PD DISTRICT, AND BEING FURTHER DESCRIBED ON EXHIBIT "A," AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, proper application for the change of zoning has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the rezoning thereto from Future Development (FD) to Planned Development -Commercial (PD-C), Planned Development-General Retail (PD-GR), Planned Development-Multi Family -1 (PD-MF-1), Planned Development-Two Family (PD-2F), Planned Development-Single Family-1 (PD-SF-1), Planned Development-Single Family-2 (PD-SF-2), and Planned Development-Single Family-3 (SF-3) under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinances; and,

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

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said rezoning from Future Development (FD) to Planned Development - Commercial (PD-C), Planned Development-General Retail (PD-GR), Planned Development-Multi Family -1 (PD-MF-1), Planned Development-Two Family (PD-2F), Planned Development-Single Family-1 (PD-SF-1), Planned Development-Single Family-2 (PD-SF-2), and Planned Development-Single Family-3 (SF-3) under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinances;

NOW, THEREFORE, the following described properties be, and the same hereby are, rezoned as follows:

This ordinance changing the zoning is effective only upon passage of a PID district.

The City of Waxahachie zoning ordinance will apply and control in any situation where the Planned Development provisions of this ordinance do not cover the subject matter fully.

This planned development district is passed under the "Free-Standing" PD provisions of Section 31 of the zoning ordinance.

The zoning districts are as provided in Exhibit A attached hereto of 35 pages, plus two cover pages, and are on the 1965.303 acre tract described in pages 6 through 11 of the exhibit.

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

(12)

PASSED, APPROVED AND ADOPTED on this 18th day of April, 2005.



Joe Lonbini
MAYOR

Nancy Ross
City Secretary

Villages
of
Mustang Creek

A 1,965 Acre
Planned Development
District

In the City of Waxahachie, Texas

January, 2005
Revised 1/10/05
Revised 1/31/05
Revised 3/15/05

Villages of Mustang Creek

Table of Contents

Owner Information

Development Concept

Zoning Concept

Project Location

Legal Description

Concept Plan

Subject Property

Land Uses

Development Regulations

Summary of Enhanced Regulations

Summary of Residential Zoning Regulations

Images

(12)

Villages of Mustang Creek

Owner Information

Mehrdad Moayed
Ellis County CTR Development
3901 Airport Freeway, Suite 200
Bedford, TX 76021
817-391-2500

Applicant Information

Ross Calhoun
Centurian American
3901 Airport Freeway, Suite 200
Bedford, TX 76021
817-391-2500

Engineers / Planners

Carter & Burgess, Inc.
7950 Elmbrook Drive, Suite 200
Dallas, TX 75247
214-638-0145

Villages of Mustang Creek

The Development Concept

Villages of Mustang Creek is a planned development on 1,965 acres in southeast Waxahachie that will become the premier new development in the area. On land that is now farm and ranch land, a new community will emerge to house the families that will make Waxahachie a great place to live now and into the future.

The master-planned development will feature highway oriented commercial development along Highway 287, a primary thoroughfare connecting Waxahachie to neighboring cities. At the heart of the development will be a community oriented shopping district located at the intersection of two proposed thoroughfares. Surrounding this active core, *Villages of Mustang Creek* will feature distinctive, walkable residential neighborhoods designed around schools, recreation facilities, parks and trail corridors. Each neighborhood will feature a variety of housing types, styles and price points.

The primary entrance to the proposed development will be from Highway 287 at the proposed east-west thoroughfare extending to and beyond Mustang Creek at the eastern edge of the development. This portal to *Villages of Mustang Creek* will feature an intensely developed node of activity and higher density residences that are necessary to achieve the balance and diversity of families that are required to complete a true community of interests.

Handsomely designed and crafted entries to each neighborhood will announce to residents that they are home ... home in a community that has all that is needed for an enhanced quality of neighborhood life – schools, parks, hike and bike trails, natural areas, convenient shopping and easy access to the core of old Waxahachie and the world beyond. Quality and craftsmanship will be reflected throughout the public realm – lushly landscaped thoroughfares, tree-lined streets, gem-like parks that are within easy walking distance from each and every home, quality neighborhood schools are anchor the community and natural areas along the creeks and around the ponds that are found throughout the property.

The proposed development will result in communities that are safe for children to navigate – tree-lined streets will calm traffic, schools and parks will be in close proximity and shopping will be conveniently located at the heart of the development. *Villages of Mustang Creek* will also be a place where a family can grow and find housing that meets the needs of each of its stages. From the rental apartment as a new couple, to the first ownership opportunity in a duplex, to a starter single-family house with the birth of their first child, to a bigger home on a bigger lot when the family expands, to a trophy home on Mustang Creek when the family's ship comes in, and back down to less maintenance when the family returns to just the nuclear couple, *Villages of Mustang Creek* will be a community where all types of housing are available for all types of families.

A Home Owner's Association will provide guidelines and review all development within the community, while maintaining the amenities and common areas that make up the fabric of community life.

***Villages of Mustang Creek* will set a new standard for development in Waxahachie!**

Villages of Mustang Creek

The Zoning Concept

The proposed zoning of *Villages of Mustang Creek* is within a framework of a Planned Development District. The Planned Development District is further divided into four sub-districts: south, central, north and east – primarily utilizing the City's proposed thoroughfare system as the internal boundaries of each sub-district.

Non-Residential Zone Districts

Highway-oriented zone districts, comprising 143 acres, are arranged along Highway 287, which represents the west and southwest boundaries of the Planned Development District. The Waxahachie Commercial (C) and General Retail (GR) zone districts are the base standard for use and building regulations, but a significant number of standard uses are struck from the list of Commercial allowed uses. In addition, a number of enhanced development regulations are provided.

At the heart of the District, are two community-oriented retail zone districts, comprising 35 acres, at the intersection of two proposed thoroughfares, utilizing the City's General Retail (GR) zone district criteria.

These non-residential areas represent 9 percent of the total proposed development, a factor that is consistent with city planning principles. These areas, when developed, will provide enhanced tax base for the City of Waxahachie.

Residential Zone Districts

Located near the primary entry to the *Villages of Mustang Creek* development at the intersection of Highway 287 and a proposed east-west thoroughfare are higher density residential districts: two multi-family residential zone districts, comprising 43 acres, and two duplex residential zone districts, comprising 30 acres. Collectively, these districts represent 4 percent of the total land area, a factor that is consistent with the sound planning principles and City of Waxahachie guidelines.

The balance of the property, 87 percent of all of the lands, will be developed as low density residential neighborhoods. A maximum number of 4,792 residences may be constructed on the 1,714 acres of the District that are zoned for single family residential uses. That is an overall density of 2.8 residences per acre.

Each of the four sub-districts also has a maximum number of residences that may be constructed, with overall densities varying from 1.9 to 3.2 residences per acre. Within each district at least two of three proposed residential zoning categories are provided. The three proposed single family residential zone districts correspond to the City's three primary residential zone districts, except that many individual zoning criteria have been enhanced.

For the District as a whole, the proposed distribution of single-family residences meets the guidelines of the City's Comprehensive plan:

- 15** percent large lots (greater than 12,500 square feet)
- 55** percent medium lots (between 8,000 square feet and 12,500 square feet)
- 30** percent smaller lots (between 6,600 square feet and 8,000 square feet)

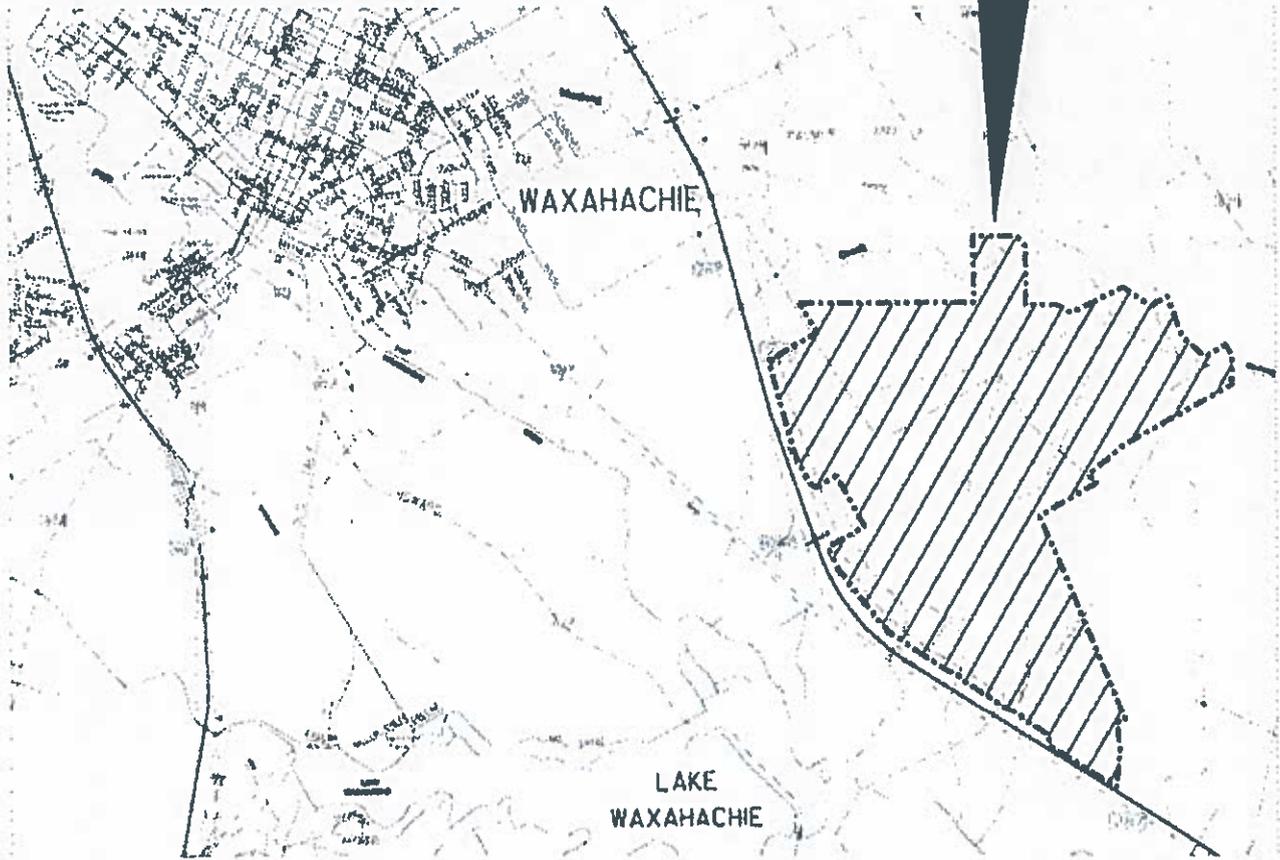
(12)

Villages of Mustang Creek

Vicinity Map

(12)

**PROJECT
LOCATION**



VICINITY MAP

Carter::Burgess

DECEMBER 15, 2004

VILLAGES OF MUSTANG CREEK

City of Waxahachie, Texas

(12)

Villages of Mustang Creek

ZONING DESCRIPTION 1965.303 ACRES

BEING A 1965.303 ACRE TRACT OF LAND SITUATED IN THE C. BEDWELL SURVEY, ABSTRACT NO. 94, R.M. BERRY SURVEY, ABSTRACT NO. 96, R.M. BERRY SURVEY, ABSTRACT NO. 97, G. CARPENTER SURVEY, ABSTRACT NO. 190, W.C. COLEMAN SURVEY, ABSTRACT NO. 204, B. COLLIER SURVEY, ABSTRACT NO. 216, S.M. DURRITT SURVEY, ABSTRACT NO. 272, G. GARCIA SURVEY, ABSTRACT NO. 418, T. HAVENS SURVEY, ABSTRACT NO. 492, J. JOHNSON SURVEY, ABSTRACT NO. 557, W.H. JAMES SURVEY, ABSTRACT NO. 562, McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 750 AND M. RAFFERTY SURVEY, ABSTRACT NO. 898, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 956.759 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1047, PAGE 533, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 166.081 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1047, PAGE 525, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 96.170 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1043, PAGE 371, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 87.450 ACRE TRACT OF LAND, CONVEYED TO GREG LOFTIS BY DEED RECORDED IN VOLUME 1061, PAGE 145, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING PART OF A TRACT OF LAND, CONVEYED TO ELLIS COUNTY LIVESTOCK, INC. BY DEED RECORDED IN VOLUME 758, PAGE 207, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 75.616 ACRE TRACT OF LAND, CONVEYED TO GREG LOFTIS BY DEED RECORDED IN VOLUME 1061, PAGE 145, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 120.358 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1047, PAGE 525, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 196.971 ACRE TRACT OF LAND, CONVEYED TO ELLIS COUNTY CTR DEVELOPMENT, LTD. BY DEED RECORDED IN VOLUME 1985, PAGE 1495, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING PART OF A CALLED 208.763 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1047, PAGE 525, DEED RECORDS, ELLIS COUNTY, TEXAS. SAID 1965.303 ACRE TRACT, HAVING A BEARING BASIS OF GRID NORTH, STATE PLANE COORDINATES, TEXAS NORTH CENTRAL ZONE, NAD 83 DATUM (CORS), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF AFORESAID 956.759 ACRE TRACT;

Villages of Mustang Creek

THENCE NORTH 88 DEGREES 56 MINUTES 16 SECONDS EAST, ALONG A NORTH LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 4630.85 FEET TO A POINT FOR CORNER;

THENCE NORTH 01 DEGREES 35 MINUTES 54 SECONDS WEST, ALONG A WEST LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 1762.77 FEET TO A POINT FOR CORNER;

THENCE NORTH 89 DEGREES 19 MINUTES 47 SECONDS EAST, ALONG A NORTH LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 1193.70 FEET TO A POINT FOR CORNER;

THENCE SOUTH 40 DEGREES 28 MINUTES 00 SECONDS EAST, ALONG A EAST LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 329.15 FEET TO A POINT FOR CORNER;

THENCE SOUTH 01 DEGREES 03 MINUTES 50 SECONDS EAST, ALONG A EAST LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 1561.46 FEET TO A POINT FOR CORNER;

THENCE ALONG A NORTH LINE OF AFORESAID 956.759 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

NORTH 88 DEGREES 52 MINUTES 47 SECONDS EAST, A DISTANCE OF 849.09 FEET TO A POINT FOR CORNER;

SOUTH 60 DEGREES 17 MINUTES 43 SECONDS EAST, A DISTANCE OF 435.54 FEET TO A POINT FOR CORNER;

NORTH 62 DEGREES 17 MINUTES 11 SECONDS EAST, A DISTANCE OF 1518.41 FEET TO A POINT FOR CORNER;

SOUTH 57 DEGREES 39 MINUTES 13 SECONDS EAST, A DISTANCE OF 894.53 FEET TO A POINT FOR CORNER;

NORTH 59 DEGREES 31 MINUTES 44 SECONDS EAST, A DISTANCE OF 525.22 FEET TO A POINT FOR CORNER;

THENCE ALONG A EAST LINE OF AFORESAID 956.759 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 20 DEGREES 32 MINUTES 39 SECONDS EAST, A DISTANCE OF 1124.36 FEET TO A POINT FOR CORNER;

SOUTH 49 DEGREES 42 MINUTES 53 SECONDS EAST, A DISTANCE OF 815.43 FEET TO A POINT FOR CORNER;

Villages of Mustang Creek

NORTH 59 DEGREES 01 MINUTES 39 SECONDS EAST, A DISTANCE OF 656.24 FEET TO A POINT FOR CORNER;

SOUTH 31 DEGREES 41 MINUTES 03 SECONDS EAST, A DISTANCE OF 330.87 FEET TO A POINT FOR CORNER;

SOUTH 01 DEGREES 17 MINUTES 41 SECONDS EAST, A DISTANCE OF 449.93 FEET TO A POINT FOR CORNER;

SOUTH 00 DEGREES 34 MINUTES 53 SECONDS EAST, A DISTANCE OF 329.11 FEET TO THE EAST CORNER OF AFORESAID 956.759 ACRE TRACT;

THENCE ALONG THE SOUTH LINE OF AFORESAID 956.759 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 60 DEGREES 05 MINUTES 45 SECONDS WEST, A DISTANCE OF 1996.26 FEET TO A POINT FOR CORNER;

SOUTH 59 DEGREES 59 MINUTES 15 SECONDS WEST, A DISTANCE OF 1287.20 FEET TO A POINT FOR CORNER;

SOUTH 49 DEGREES 31 MINUTES 18 SECONDS WEST, A DISTANCE OF 1288.90 FEET TO A POINT FOR CORNER;

SOUTH 47 DEGREES 40 MINUTES 43 SECONDS EAST, A DISTANCE OF 313.75 FEET TO A POINT FOR CORNER;

SOUTH 59 DEGREES 09 MINUTES 11 SECONDS WEST, A DISTANCE OF 46.40 FEET TO A POINT FOR CORNER;

SOUTH 58 DEGREES 58 MINUTES 21 SECONDS WEST, A DISTANCE OF 1721.09 FEET TO THE NORTH CORNER OF AFORESAID 96.170 ACRE TRACT;

THENCE SOUTH 24 DEGREES 19 MINUTES 22 SECONDS EAST, ALONG THE EAST LINE OF AFORESAID 96.170 ACRE TRACT, A DISTANCE OF 1752.77 FEET TO THE EAST CORNER OF SAID 96.170 ACRE TRACT AND THE NORTH CORNER OF AFORESAID 87.450 ACRE TRACT;

THENCE SOUTH 22 DEGREES 39 MINUTES 36 SECONDS EAST, ALONG THE EAST LINE OF AFORESAID 87.450 ACRE TRACT, A DISTANCE OF 1583.45 FEET TO THE EAST CORNER OF SAID 87.450 ACRE TRACT AND THE NORTH CORNER OF AFORESAID ELLIS COUNTY LIVESTOCK, INC. TRACT;

Villages of Mustang Creek

THENCE ALONG THE EAST LINE OF AFORESAID ELLIS COUNTY LIVESTOCK, INC. TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 22 DEGREES 43 MINUTES 40 SECONDS EAST, A DISTANCE OF 663.62 FEET TO A POINT FOR CORNER;

SOUTH 23 DEGREES 51 MINUTES 01 SECONDS EAST, A DISTANCE OF 1918.49 FEET TO A POINT FOR CORNER;

THENCE SOUTH 74 DEGREES 23 MINUTES 36 SECONDS WEST, OVER AND ACROSS AFORESAID ELLIS COUNTY LIVESTOCK, INC TRACT, A DISTANCE OF 247.58 FEET TO THE EAST CORNER OF AFORESAID 75.616 ACRE TRACT;

THENCE ALONG THE EAST LINE OF AFORESAID 75.616 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 08 DEGREES 01 MINUTES 17 SECONDS EAST, A DISTANCE OF 689.60 FEET TO A POINT FOR CORNER;

SOUTH 04 DEGREES 24 MINUTES 42 SECONDS WEST, A DISTANCE OF 1047.76 FEET TO THE SOUTHEAST CORNER OF AFORESAID 75.616 ACRE TRACT AND BEING ON THE NORTHEAST RIGHT-OF-WAY OF U.S. HIGHWAY 287 (A VARIABLE WIDTH RIGHT-OF-WAY;

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF AFORESAID U.S. HIGHWAY 287 AND THE COMMON SOUTHWEST LINES OF AFORESAID 75.616 ACRE TRACT, 87.450 ACRE TRACT, 120.358 ACRE TRACT, AND 196.971 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

NORTH 58 DEGREES 23 MINUTES 26 SECONDS WEST, A DISTANCE OF 15.24 FEET TO A POINT FOR CORNER;

NORTH 61 DEGREES 15 MINUTES 11 SECONDS WEST, A DISTANCE OF 400.50 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 23 MINUTES 26 SECONDS WEST, A DISTANCE OF 1698.10 FEET TO A POINT FOR CORNER;

NORTH 00 DEGREES 26 MINUTES 16 SECONDS WEST, A DISTANCE OF 279.09 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 25 MINUTES 41 SECONDS WEST, A DISTANCE OF 756.93 FEET TO A POINT FOR CORNER;

NORTH 44 DEGREES 19 MINUTES 42 SECONDS WEST, A DISTANCE OF 103.19 FEET TO A POINT FOR CORNER;

(12)

Villages of Mustang Creek

NORTH 58 DEGREES 23 MINUTES 09 SECONDS WEST, A DISTANCE OF 300.13 FEET TO A POINT FOR CORNER;

NORTH 72 DEGREES 35 MINUTES 27 SECONDS WEST, A DISTANCE OF 102.79 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 24 MINUTES 44 SECONDS WEST, A DISTANCE OF 1398.16 FEET TO A POINT FOR CORNER;

NORTH 39 DEGREES 48 MINUTES 54 SECONDS WEST, A DISTANCE OF 106.71 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 17 MINUTES 27 SECONDS WEST, A DISTANCE OF 299.32 FEET TO A POINT FOR CORNER;

NORTH 77 DEGREES 09 MINUTES 31 SECONDS WEST, A DISTANCE OF 106.27 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 29 MINUTES 18 SECONDS WEST, A DISTANCE OF 751.60 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 15 MINUTES 31 SECONDS WEST, A DISTANCE OF 548.42 FEET TO A POINT FOR CORNER;

NORTH 39 DEGREES 03 MINUTES 02 SECONDS WEST, A DISTANCE OF 105.15 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 31 MINUTES 08 SECONDS WEST, A DISTANCE OF 199.27 FEET TO A POINT FOR CORNER;

NORTH 77 DEGREES 21 MINUTES 47 SECONDS WEST, A DISTANCE OF 106.45 FEET TO A POINT FOR CORNER;

NORTH 48 DEGREES 44 MINUTES 14 SECONDS WEST, A DISTANCE OF 482.75 FEET TO A POINT FOR CORNER;

NORTH 38 DEGREES 38 MINUTES 24 SECONDS WEST, A DISTANCE OF 1846.63 FEET TO A POINT FOR CORNER;

NORTH 27 DEGREES 01 MINUTES 24 SECONDS WEST, A DISTANCE OF 551.72 FEET TO A POINT FOR CORNER;

NORTH 15 DEGREES 20 MINUTES 42 SECONDS WEST, A DISTANCE OF 146.48 FEET TO THE WEST CORNER OF AFORESAID 196.971 ACRE TRACT;

Villages of Mustang Creek

THENCE NORTH 58 DEGREES 50 MINUTES 18 SECONDS EAST, ALONG THE NORTHWEST LINE OF AFORESAID 196.971 ACRE TRACT, A DISTANCE OF 1110.80 FEET TO THE SOUTH CORNER OF AFORESAID 208.763 ACRE TRACT;

THENCE NORTH 30 DEGREES 04 MINUTES 07 SECONDS WEST, ALONG A SOUTHWEST LINE OF AFORESAID 208.763 ACRE TRACT, A DISTANCE OF 1529.85 FEET TO THE INSIDE ELL CORNER OF SAID 208.763 ACRE TRACT;

THENCE SOUTH 59 DEGREES 54 MINUTES 53 SECONDS WEST, A DISTANCE OF 640.88 FEET TO A WEST CORNER OF AFORESAID 208.763 ACRE TRACT AND ON THE EAST LINE OF AFORESAID U.S. HIGHWAY 287;

THENCE ALONG THE WEST LINE OF AFORESAID 208.763 ACRE TRACT AND THE COMMON EAST RIGHT-OF-WAY OF AFORESAID U.S. HIGHWAY 287 THE FOLLOWING COURSES AND DISTANCES:

NORTH 26 DEGREES 36 MINUTES 51 SECONDS WEST, A DISTANCE OF 71.48 FEET TO A POINT FOR CORNER;

NORTH 81 DEGREES 47 MINUTES 50 SECONDS WEST, A DISTANCE OF 69.97 FEET TO A POINT FOR CORNER;

NORTH 30 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 694.24 FEET TO A POINT FOR CORNER;

NORTH 23 DEGREES 12 MINUTES 25 SECONDS WEST, A DISTANCE OF 390.34 FEET TO A POINT FOR CORNER;

NORTH 15 DEGREES 50 MINUTES 53 SECONDS WEST, A DISTANCE OF 1000.41 FEET TO A POINT FOR CORNER;

NORTH 17 DEGREES 40 MINUTES 00 SECONDS WEST, A DISTANCE OF 499.95 FEET TO A POINT FOR CORNER;

NORTH 15 DEGREES 19 MINUTES 41 SECONDS WEST, A DISTANCE OF 929.05 FEET TO THE WEST CORNER OF AFORESAID 208.763 ACRE TRACT;

THENCE NORTH 59 DEGREES 24 MINUTES 03 SECONDS EAST, ALONG THE NORTHWEST LINE OF AFORESAID 208.763 ACRE TRACT A DISTANCE OF 1476.25 FEET TO THE NORTH CORNER OF SAID 208.763 ACRE TRACT AND BEING ON A SOUTHWEST LINE OF AFORESAID 956.759 ACRE TRACT;

(12)

Villages of Mustang Creek

THENCE NORTH 31 DEGREES 24 MINUTES 42 SECONDS WEST, ALONG A SOUTHWEST LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 902.95 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1965.303 ACRES OF LAND, MORE OR LESS.

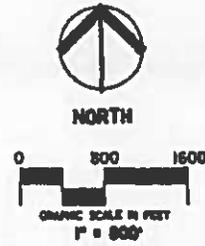
THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

Villages of Mustang Creek

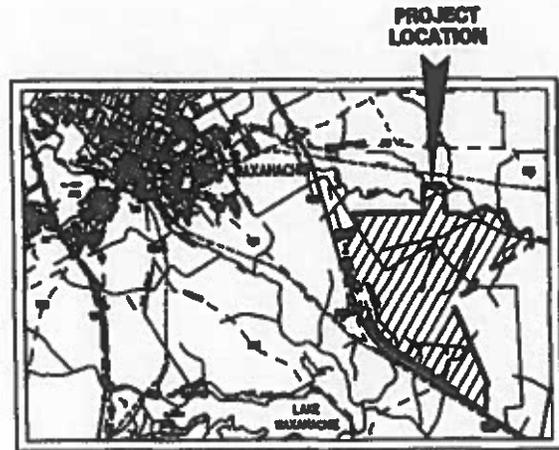
Concept
Plan

SUB-DISTRICT	APPROXIMATE AREA (ACRES)
SOUTH	902
CENTRAL	900
NORTH	907
EAST	300
TOTAL	1,909

LAND USE CLASSIFICATION	LAND AREA (ACRES)
COMMERCIAL (C & CR)	176
MULTI-FAMILY RESIDENTIAL (MF-1 & 2)	73
SINGLE FAMILY RESIDENTIAL (SF-1, 2 & 3)	1,734
TOTAL	1,983



LAND USE CLASSIFICATION	SOUTH (ACRES)	CENTRAL (ACRES)	NORTH (ACRES)	EAST (ACRES)
COMMERCIAL (C & CR)	97	41	38	0
MULTI-FAMILY RESIDENTIAL (MF-1 & 2)	0	34	39	0
SINGLE FAMILY RESIDENTIAL (SF-1, 2 & 3)	405	429	400	300
TOTAL	502	504	507	300



VICINITY MAP
N.T.S.

SUB-DISTRICT	MINIMUM NUMBER OF LOTS	GROSS AREA OF SINGLE FAMILY RESIDENTIAL USE (ACRES)	MINIMUM DENSITY PLATS PER ACRE
NORTH	1,431	400	2.80
CENTRAL	1,300	421	2.80
SOUTH	1,230	405	2.94
EAST	70	300	1.94
TOTAL	4,792	1,526	2.80

LEGEND	
	POCKET PARK (SMALL)
	PARK CENTER (LARGE)
	SCHOOL SITE
	OPEN SPACE IMPROVEMENTS
	POND IMPROVEMENTS
	TRAIL
	NORTH, SOUTH, EAST, CENTRAL DIVIDE LINE

RESIDENTIAL ZONE CLASSIFICATION (MINIMUM LOT AREA)	LOT COUNT THRESHOLDS	PERCENT OF LOTS
NORTH SUB-DISTRICT		
SF-1 (6,000 SQ. FT.)	MINIMUM OF 153	MINIMUM OF 1%
SF-2 (6,000 SQ. FT.)	MINIMUM OF 623	MINIMUM OF 5%
SF-3 (6,000 SQ. FT.)	MINIMUM OF 445	MINIMUM OF 3%
TOTAL	MINIMUM OF 1,421	
CENTRAL SUB-DISTRICT		
SF-1 (6,000 SQ. FT.)	MINIMUM OF 623	MINIMUM OF 5%
SF-2 (6,000 SQ. FT.)	MINIMUM OF 623	MINIMUM OF 5%
TOTAL	MINIMUM OF 1,246	
SOUTH SUB-DISTRICT		
SF-1 (6,000 SQ. FT.)	MINIMUM OF 153	MINIMUM OF 1%
SF-2 (6,000 SQ. FT.)	MINIMUM OF 623	MINIMUM OF 5%
SF-3 (6,000 SQ. FT.)	MINIMUM OF 426	MINIMUM OF 3%
TOTAL	MINIMUM OF 1,202	
EAST SUB-DISTRICT		
SF-1 (6,000 SQ. FT.)	MINIMUM OF 210	MINIMUM OF 5%
SF-2 (6,000 SQ. FT.)	MINIMUM OF 210	MINIMUM OF 5%
TOTAL	MINIMUM OF 420	
TOTAL - ALL SUB-DISTRICTS		
SF-1 (6,000 SQ. FT.)	MINIMUM OF 799	MINIMUM OF 1%
SF-2 (6,000 SQ. FT.)	MINIMUM OF 2,479	MINIMUM OF 5%
SF-3 (6,000 SQ. FT.)	MINIMUM OF 1,416	MINIMUM OF 3%
TOTAL	MINIMUM OF 4,694	

CONCEPT PLAN VILLAGES OF MUSTANG CREEK

CITY OF WAXAHACHIE

Carter & Burgess

Consultants in Planning, Engineering, Architecture,
Construction Management, and Related Services

CARTER & BURGESS, INC.
7908 EMBROCK DRIVE, SUITE 250
DALLAS, TX 75247-4151
PHONE (214) 638-0400
FAX (214) 638-0447

January 2005

Villages of Mustang Creek

Section 1. Subject Property.

1.1 Total Area.

The area within this Planned Development District is approximately 1,965.3 acres of land within the C. Bedwell Survey, Abstract No. 94, R.M. Berry Survey, Abstract No. 96, R.M. Berry Survey, Abstract No. 97, G. Carpenter Survey, Abstract No. 190, W.C. Coleman Survey, Abstract No. 204, B. Collier Survey, Abstract No. 216, S.M. Durritt Survey, Abstract No. 272, G. Garcia Survey, Abstract No. 418, T. Havens Survey, Abstract No. 492, J. Johnson Survey, Abstract No. 557, W.H. James Survey, Abstract No. 562, McKinney & Williams Survey, Abstract No. 750 and M. Rafferty Survey, Abstract No. 898, ELLIS COUNTY, TEXAS. The property is further described by metes and bounds in Exhibit "A" of this application.

1.2 Concept Plan.

The Planned Development Zone District is established with approval of this Concept Plan, establishing the boundaries of the district and four sub-districts, permitted uses and development regulations.

Table 1.1

Approximate Area By Sub-District	
Sub-District	Approximate Area (acres)
South	502
Central	508
North	567
East	388
Total	1,965

1.3 Development Site Plan.

- A. Approval of a preliminary plat for a Single Family residential portion of the planned development district shall serve as development site plan approval for the area included in the preliminary plat.
- B. Non Single Family residential development shall meet the requirements for development site plan approval of the City of Waxahachie Zoning Ordinance.

1.4 Master Homeowners Association.

A Master Home Owners Association shall be created to promote community interaction, maintain common areas, enforce deed restrictions, and establish an architectural review process. In residential areas, membership shall be mandatory. Sub-associations may be established to further govern use and standards in portions of the District in accordance with the City of Waxahachie Zoning Ordinance.

Villages of Mustang Creek

Section 2. Land Uses.

Permitted Land Uses.

Buildings, structures, and land within this Planned Development district shall be used in accordance with the following land use classification:

2.1 Commercial (C).

Land uses are permitted within the area described as Commercial (C) district in accordance with the Commercial (C), as shown in Table 2.3 herein. No outside storage shall be permitted in the Commercial District, regardless of land use.

2.2 General Retail (GR).

Land uses are permitted within the area described as General Retail (GR) district in accordance with the General Retail District (GR), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4. No outside storage shall be permitted within the General Retail District, regardless of land use.

2.3 Multi-Family Residential (MF-1).

Land uses are permitted within the area described as Multi-Family Residential (MF-1) district in accordance with the Multi-Family Residential District (MF-1), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.4 Two-Family Residential (2F).

Land uses are permitted within the area described as Two-Family Residential (2F) district in accordance with the Two-Family Dwelling District (2F), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.5 Single Family Residential –1 (SF-1).

Land uses are permitted within the area described as Single Family Residential – 1 (SF-1) district in accordance with the Single Family Residential District –1 (SF-1), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.6 Single Family Residential –2 (SF-2).

Land uses are permitted within the area described as Single Family Residential – 2 (SF-2) district in accordance with the Single Family Residential District – 2 (SF-2), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.7 Single Family Residential –3 (SF-3).

Land uses are permitted within the area described as Single Family Residential – 3 (SF-3) district in accordance with the Single Family Residential District – 3 (SF-3), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.8 Accessory Uses. Accessory uses shall be allowed in accordance with the respective City of Waxahachie Zone Districts.

Villages of Mustang Creek

Table 2.1

Approximate Area by Land Use Classification		
Land Use Classification	Land Area (acres)	Land Area (%)
Commercial (C & GR)	178	9
Multi-Family Residential (MF-1 & 2F)	73	4
Single Family Residential (SF-1, 2 & 3)	1,714	87
TOTAL	1,965	100

Table 2.2

Approximate Land Use Area By Sub-District				
Land Use Classification	South (acres)	Central (acres)	North (acres)	East (acres)
Commercial (C & GR)	97	43	38	-0-
Multi-Family Residential (MF-1 & 2F)	-0-	34	39	-0-
Single Family Residential (SF-1, 2 & 3)	405	431	490	388
Total	502	508	567	388

Villages of Mustang Creek

Table 2.3

Allowed Uses Commercial District

Residential Uses

Bed and Breakfast Inn	
Mobile Home as a Fixed Dwelling	SUP
Mobile Home Park or Trailer Camp	SUP
Modular Prefabricated Structure	SUP
Multiple Family Dwelling or Apartment	
Single Family Dwelling—Attached	
Single Family Dwelling—Detached	
Two Family Dwelling (Duplex)	

Education, Institutional and Special Uses

Art Gallery or Museum	
Cemetery or Mausoleum	SUP
Child Care Center	
Church, Rectory or Temple	
College or University	
Convent or Monastery	
Day Camp for Children	
Community Home	SUP
Fairgrounds or Exhibition Area	
Farm, Ranch, Garden, Crops or Orchard	
Fraternal Organization, Lodge, Union Hall or Civic Club	
Golf Course or Country Club	
Home of Aged Residence (Assisted Living)	SUP
Hospital, Acute Care	
Hospital, Chronic Care	
Institution for Alcoholic, Narcotic or Psychiatric Patients	
Institution of Religious, Charitable or Philanthropic Nature	
Juvenile Detention Center	SUP
Kindergarten or Nursery School, Private	
Park, Playground or Public Community Center	
Rehabilitation Care Facility	SUP
School, Business	
School, Driving or Defensive Driving	
School, Private Primary or Secondary	SUP
School, Public or Parochial	
School, Commercial Trade	
Skilled Nursing Facility	SUP
Tennis, Swim or Recreation Club (Private)	

Villages of Mustang Creek

Utility, Service and Other Uses

Animal Pound (Public)	SUP
Antenna, Non-Commercial (Amateur Radio, Television or CB Radio)	
Electric Generating Plant	SUP
Electric Substation	
Electric Transmission Line	
Franchised Private Utility	SUP
Gas Transmission Line	
Local Utility Distribution Lines	
Municipally Owned Facilities and Uses	
Off-Street Parking Incidental to Main Use	
Public Building, Shop or Yard of Local, State, or Federal Agency	
Public or Private Utility Shop or Storage	SUP
Railroad Track and Right-Of-Way	
Sewage Pumping of Lift Station	
Telephone Business Office	
Telephone Line and Exchange	
Water Reservoir, Water Pumping Station and Well	
Water Stand Pipe or Elevated Storage Tank	
Water Treatment Plant (Public)	

Accessory and Incidental Uses

Accessory Building (Business or Industry)	
Caretaker's or Guard's Residence	
Field or Construction Office (Subject to Approval and Control by Building Inspection)	
Garage or Estate Sale	
Home Occupation	
Portable Building	SUP
Stables, Private	
Swimming Pool (Private)	
Tennis Court (Private, Lighted)	
Tennis Court (Private, No Lights)	

Sign and Identification Uses

Advertising Sign	
Agricultural Sign	
Apartment Name Sign	
Construction Sign	
Development Sign	
General Business Sign	
Institutional Sign	
Name Plate	
Portable Sign	
Real Estate Sign	
Special-Height Sign	

03/15/05

Villages of Mustang Creek

Retail and Service Type Uses

Animal Humane Society
 Antique Shop, Sale Indoors
 Appliance Rental
 Art Supply Store
 Bakery or Confectionary Shop (Retail)
 Banking, Automatic Teller Only
 Book or Stationary Shop or Newsstand
 Building Materials, Hardware or Home Improvement Center (Indoor)
~~Building Materials, Hardware or Home Improvement Center (Outdoor)~~
 Cleaning Shop or Laundry Pick-Up and Self Service (Small Shop)
 Clinic, Medical or Dental (Doctor's Office)
 Computer Sales
 Copy Shop
 Custom Personal Service Shop
 Discount or Department Store
 Donut Shop
 Drapery, Needlework or Weaving Shop
 Drug Store or Pharmacy
 Florist or Garden Shop
 Food and Beverage Sales Store with Gasoline Service (Convenience Store)
 Food and Beverage Sales Store without Gasoline Service (Convenience Store)
 Funeral Home or Mortuary
 Furniture, Home Furnishings and Appliance Store
 Greenhouse or Plant Nursery with Outside Display of Plants (Retail Sales)
 Grocery Store
 Handicraft Shop and Art Objects Sales
 Hardware Store, Hobby Shop or Building Materials (Inside)
 Household Appliance Service or Repair
 Ice Cream / Yogurt Sales
 Incidental or Accessory Retail or Service Uses
 Key Shop
 Kiosk SUP
 Laboratory, Medical or Dental SUP
 Laundromat (or Self-Service Washateria)
 Massage Establishment (Medical) SUP
 Medical Appliances, Fitting, Sales or Retail
~~Metal Recycling Center~~ SUP
 Mini-Warehouse
 Mortuary or Funeral Parlor
 Office, Professional and Administrative
~~Palm Reading / Fortune Telling~~
~~Pawn Shop~~
 Pet Shop and Grooming
 Radio, Stereo and Cellular Phone Sales and Installation
 Restaurant or Cafeteria (Not Drive-In Service)

03/15/05

Villages of Mustang Creek

Restaurant or Cafeteria (Drive-In Service)
 Retail Shop, Apparel, gift, Accessory and Similar Items
 Retail Stores and Shops other than listed
~~Secondhand Store, Used Furniture or Rummage Sale~~
 Security Systems Installation Company
 Silk Screening Studio or Tee Shirt Shop
 Studio for Decorator, Artist, or Photographer
 Studio, Health, Exercise Club or Similar Service
 Studio, Music, Dance or Drama
 Tanning Salon or Studio
 Temporary Outdoor Retail Sales / Commercial Promotion
 Theater (Indoor)
~~Tool and Light Equipment Rental~~
 Travel Bureau or Travel Consultant
 Trophy and Award Sales and Engraving
~~Used Clothing Store~~
 Vacuum Cleaner Sales and Service
 Variety Store or Similar Retail Outlet
~~Veterinarian Hospital with Outside Animal Pens~~
 Veterinarian Office Only (No Outside Pens)
 Wallpaper, Flooring and Carpet Store

Recreation and Entertainment Uses

Amusement Arcade
 Amusement, Commercial (indoor)
~~Amusement, Commercial (outdoor)~~
 Ballroom Dancing
 Carnival, Circus or Tent Service (temporary) Subject to Temporary Permit
~~Country Club (private)~~
~~Day Camp for Children~~
~~Golf Course (Commercial)~~
 Health Club or Studio
 Park or Playground (private) Non-Commercial SUP
 Playfield or Stadium (public)
 Private Club SUP
~~Rodeo Grounds~~ SUP
 Roller or Ice Rink
~~Stable (public or commercial)~~ SUP
 Swimming Pool (commercial)
 Swim, Tennis, or Handball Club
~~Theater (open drive-in)~~
 Theater or Playhouse in Building
~~Zoo (public)~~ SUP

Villages of Mustang Creek

Auto and Related Uses

Airport or Landing Field	SUP
Auto Accessory Installation, Minor	
Auto Glass, Seat Cover/Upholstery and Muffler Shop	
Auto Laundry or Car Wash	
Auto Leasing and Rental	
Automotive Gasoline Service Station or Car Care Center	
Auto Painting or Body Rebuilding Shop	SUP
Auto Parts and Accessory Sales, New (indoor)	
Auto Repair (major)	SUP
Auto Repair (minor)	
Boat Sales	SUP
Bus Substation or Terminal	
Commercial Auto Parking Lot	
Hauling or Storage Company with Outside Storage	SUP
Helipert	SUP
Helistop	SUP
Motorcycle Sales and Repair	SUP
Motor Freight Terminal	SUP
New and Used Auto Sales	
Parking Lot or Structure, Commercial (auto)	
Parking Lot, Trucks and Trailers	SUP
RV Camper Sales	SUP
Tire Installation and Repair (inside storage only)	
Tire Installation and Repair with Outside Storage	
Tire Retreading or Capping	
Tractor Sales (new or used)	SUP
Trailer, Truck or Mobile Home Sales or Rental	SUP
Trailer and Heavy Load Vehicle Repair	SUP
Truck Stop	
Used Auto Sales, Outdoor Lot	SUP

Commercial Type Uses

Ambulance Services	
Bakery or Confectionary (Wholesale or Commercial)	
Book Binding	
Bottling Works (Wholesale)	
Building Material Sales	
Cabinet and Upholstery Shop	
Cleaning and Dyeing Plant (Commercial)	
Cleaning Plant (Commercial, Special Equipment)	
Clothing Manufacture or Light Compounding or Fabrication	
Contractor's Yard and Storage Shop	
Drapery or Furniture Upholstery Shop	
Dyeing or Laundry Dry Cleaning Plant (Commercial)	SUP
Feed and Grain Store	

03/15/05

Villages of Mustang Creek

Commercial Type Uses (Continued)

Flea Market	SUP
Food Processing Plant	SUP
Furniture Manufacture and Refinishing Shop	
Glass Cutting	
Heating and Air Conditioning Sales	
Job Printing or Newspaper Printing	
Kennel (Outdoor or Indoor Pens)	SUP
Laboratory Equipment Manufacturing	SUP
Laboratory, Scientific or Research	
Landscape Service Installation	
Light Manufacturing and Assembly Processes	
Lithographic or Print Shop	
Maintenance and Repair Services for Buildings	
Metal Buildings	SUP
Milk Depot, Dairy or Ice Cream Plant	
Motel or Hotel (less than 75 rooms)	
Motel or Hotel (over 75 rooms)	
Office Showroom / Warehouse	
Open Storage, Display, or Work Areas for Merchandise or Machinery	SUP
Outside Display for Sale of Portable Buildings or Satellite Dish Antennae	
Paint Shop	SUP
Plumbing Shop	
Portable Building Sales	SUP
Railroad Team Track Freight Depot or Decks	SUP
Storage or Wholesale Warehouse	
Wholesale Office and Sample Room	

General Manufacturing and Industrial Uses

~~Concrete or Asphalt Batching Plant (Temporary)~~ ~~By Council Resolution Only~~

Note: Uses shown with a ~~strikethrough~~ are not allowed within the PD District.

Villages of Mustang Creek

Table 2.4

Prohibited Land Uses

Boarding or Rooming House – MF1
 Fraternity or Sorority House – SF1, SF2, SF3, 2F, MF1
 Multiple Family Dwelling or Apartment – GR
 Single Family Dwelling, Attached – GR
 Single Family Dwelling, Detached – 2F, MF1, GR
 Two Family Dwelling – MF1, GR
 Art Gallery or Museum - SF1, SF2, SF3, 2F, MF1
 Cemetery or Mausoleum - SF1, SF2, SF3, 2F, MF1, GR
 Convent or Monastery - SF1, SF2, SF3, 2F, MF1
 Day Camp for Children - SF1, SF2, SF3
 Fairgrounds or Exhibition Area – GR
 Farm, Ranch Garden, Crops or Orchard - SF1, SF2, SF3, 2F, MF1, GR
 Group Day Care Home - SF1, SF2, SF3, 2F
 Home for Aged, Residence - SF1, SF2, SF3, 2F
 Hospital, Acute Care – SF3, 2F
 Institution for Alcoholic, Narcotic, or psychiatric patients – GR
 Juvenile Detention Center – GR
 Kindergarten or Nursery School, Private - SF1, SF2, SF3, 2F
 Skilled Nursing Facility – GR
 School, Commercial Trade – GR
 Home Occupation – GR
 Stables (Private) – SF1
 Swimming Instruction as Home Occupation – SF1, SF2, SF3, 2F, GR
 Searchlights – GR
 Building Materials, Hardware or Home Improvement Center (Outdoor) – GR
 Funeral Home or Mortuary – GR
 Greenhouse or Plant Nursery w/ Outside Display of Plants (retail Sales) – GR
 Metal Recycling Center – GR
 Mini-Warehouse – GR
 Mortuary or Funeral Parlor – GR
 Pawn Shop – GR
 Secondhand Store, Used Furniture or Rummage Sales – GR
 Theater (indoor) – GR
 Used Clothing Store – GR
 Veterinarian Hospital with Outside Animal Pens – GR
 Wallpaper, Flooring and Carpet Store – GR
 Amusement Arcade – GR
 Amusement, Commercial (Outdoor) – GR
 Ballroom Dancing – GR
 Airport or Landing Field – GR
 Auto Accessory Installation, Minor – GR
 Auto Laundry or Car Wash – GR

Villages of Mustang Creek

Auto Leasing and Rental – GR
Auto Repair (Minor) – GR
Bus Substation or Terminal – GR
Commercial Auto Parking Lot – GR
Heliport – GR
Helistop – GR
New and Used Auto Sales – GR
Parking Lot or Structure, Commercial – GR
Tire Installation and Repair – GR
Tire Installation and Repair w/ Outside Storage – GR
Used Auto Sales, Outdoor Lot – GR
Lithographic or Print Shop – GR
Motel or Hotel (less than 75 rooms) – GR
Motel or Hotel (Over 75 rooms) – GR
Open or Outside Storage, Display, or Work Area for Merchandise or Machinery – GR
Outside Display for Sale of Portable Buildings or Satellite Dish Antennas – GR

Villages of Mustang Creek

Section 3. Development Regulations

3.1.1 Overall Residential Density.

The total number of residential dwelling units within the District shall not exceed 4,792, or 2.80 units per acre of land within the sum total of all single-family residential districts (1,714 acres) as shown on the Concept Plan; and within each sub-district as follows:

Table 3.1.1

Maximum Number of Single Family Residential Lots By Sub-District			
Sub-District	Maximum Number of SF Lots	Gross Area of Single Family Residential Use (acres)	Gross Density (Lots per Acre)
North	1,431	490	2.92
Central	1,380	431	3.20
South	1,230	405	3.04
East	751	388	1.94
Total	4,792	1,714	2.80

Table 3.1.2

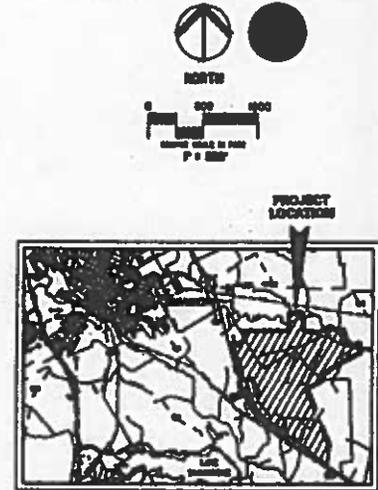
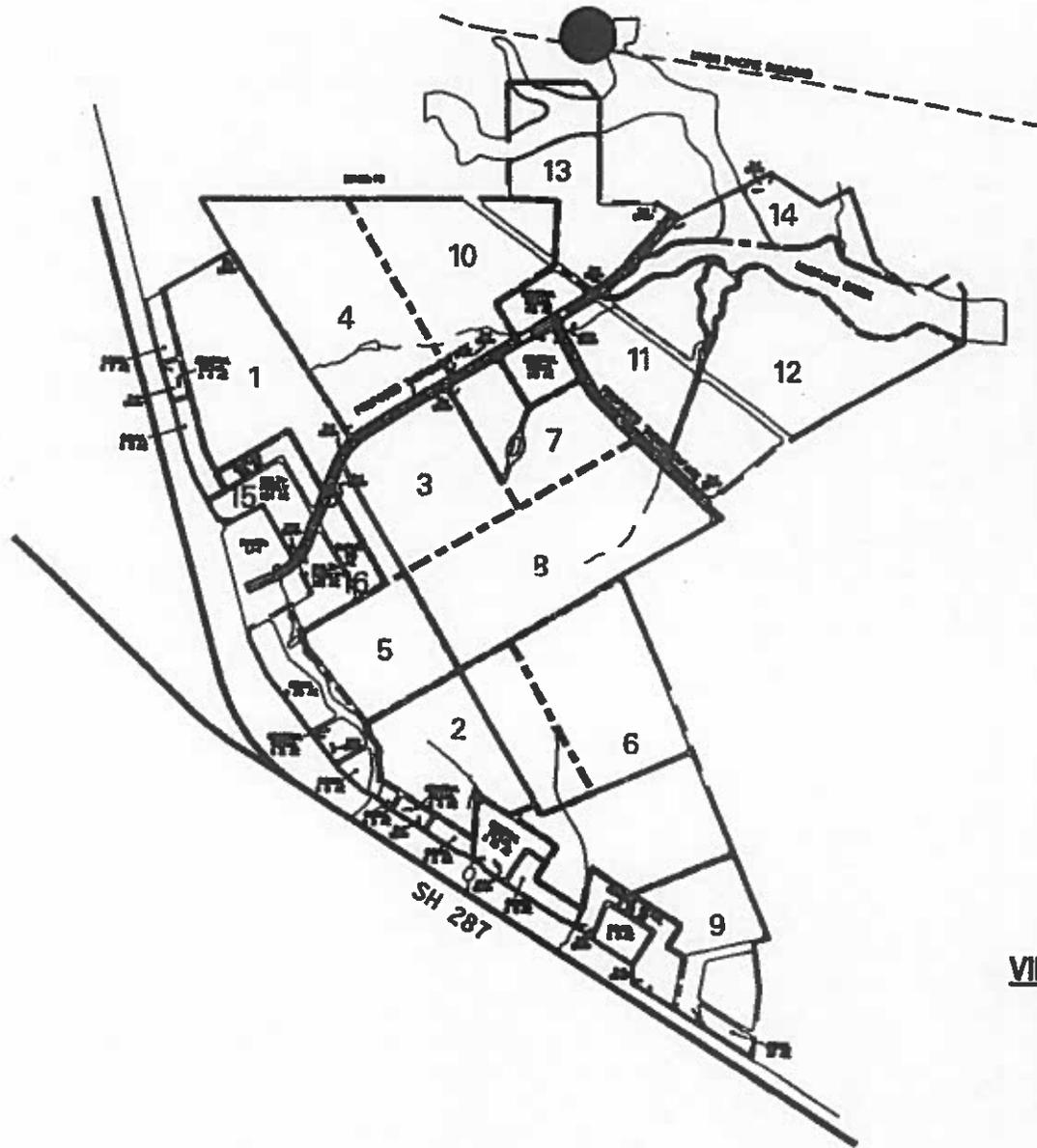
Maximum Number of All Dwellings Within Planned Development District			
Sub-Area	Gross Area (acres)	Maximum Density (units per acre)	Maximum Number of Dwelling Units
Single-Family	1,714	2.80	4,792
Two-Family	30	6.67	200
Multi-Family	43	18.0	774
TOTAL	1,787	3.23	5,766

Each Preliminary Plat submitted shall comply with the residential mix ratios for the district as depicted in Table 3.2.

Villages of Mustang Creek

3.1.2 Project Phasing.

Development within the District is dependent upon the availability and location of water and wastewater utility service from the City of Waxahachie. Generally, the first phases will be near Highway 287 in the western portion of the District and subsequent development will proceed from west to east, with utilities and thoroughfares extended as development occurs as referenced and depicted in the phasing plan included as Exhibit 1.



**PHASING PLAN
VILLAGES OF MUSTANG CREEK**

CITY OF WAXAHACHE

Carter-Burgess
Consulting Engineers, Architects,
and Planners, Inc.

CARTER & BURGESS, INC.
1000 PARKWAY, SUITE 200
DALLAS, TEXAS 75241
PHONE: 972-241-1100
FAX: 972-241-1101

January 2003

CMS FILE NO. 03- PROJECT NO. 03-030-000

EXHIBIT 1

(12)

Villages of Mustang Creek

Table 3.2

Single Family Lot Distribution By Sub-District & Zone Classification		
Residential Zone Classification (Minimum Lot Area)	Lot Count Thresholds	Percent Of Lots
North Sub-District		
SF-1 (12,500 sq. ft.)	Minimum of 163	Minimum of 11 %
SF-2 (8,000 sq. ft.)	Minimum of 823	Minimum of 58 %
SF-3 (6,600 sq. ft.)	Maximum of 445	Maximum of 31 %
Total	Maximum of 1,431	
Central Sub-District		
SF-2 (8,000 sq. ft.)	Minimum of 825	Minimum of 60 %
SF-3 (6,600 sq. ft.)	Maximum of 555	Maximum of 40 %
Total	Maximum of 1,380	
South Sub-District		
SF-1 (12,500 sq. ft.)	Minimum of 180	Minimum of 15 %
SF-2 (8,000 sq. ft.)	Minimum of 615	Minimum of 50 %
SF-3 (6,600 sq. ft.)	Maximum of 435	Maximum of 35 %
Total	Maximum of 1,230	
East Sub-District		
SF-1 (12,500 sq. ft.)	Minimum of 376	Minimum of 50 %
SF-2 (8,000 sq. ft.)	Minimum of 375	Maximum of 50 %
Total	Maximum of 751	
TOTAL - ALL SUB-DISTRICTS		
SF-1 (12,500 sq. ft.)	Minimum of 719	Minimum of 15 %
SF-2 (8,000 sq. ft.)	Minimum of 2,638	Minimum of 55 %
SF-3 (6,600 sq. ft.)	Maximum of 1,435	Maximum of 30 %
Total	Maximum of 4,792	100 %

Villages of Mustang Creek

3.2 Lot Regulations

Lot dimensions, setbacks, and lot coverage are established as follows:

3.2.1 Commercial District.

Lot dimensions within the Commercial District shall be in accordance with Section 27 (Commercial District) of the City of Waxahachie Zoning Ordinance, except as follows:

- A. Front Yard. The minimum front yard shall be 60 feet.
- B. Rear Yard. The minimum rear yard shall be 40 feet.

3.2.2 General Retail District.

Lot dimensions within the General Retail District shall be in accordance with Section 25 (General Retail District) of the City of Waxahachie Zoning Ordinance, except as follows:

- A. Front Yard. The minimum front yard shall be 60 feet.
- B. Rear Yard. The minimum rear yard shall be 40 feet.

3.2.3 Multi-Family Residential District.

Lot dimensions within the Multi-Family Residential District shall be in accordance with Section 18 (Multi-Family Residential - 1 District) of the City of Waxahachie Zoning Ordinance.

3.2.4 Two Family Residential District.

Lot dimensions within the Two Family Dwelling District shall be in accordance with Section 17 (Two-Family Residential District) of the City of Waxahachie Zoning Ordinance.

3.2.5 Single Family Residential -1 District.

Lot dimensions within the Single Family Residential - 1 District shall be in accordance with Section 14 (Single Family Residential - 1 District) of the City of Waxahachie Zoning Ordinance, except as follows:

- A. Lot Depth. The minimum lot depth shall be 120 feet, except on cul-de-sac bulbs and elbows, where the minimum lot depth shall be 110 feet.

3.2.6 Single Family Residential -2 District.

Lot dimensions within the Single Family Residential - 2 District shall be in accordance with Section 15 (Single Family Residential - 2 District) of the City of Waxahachie Zoning Ordinance, except as follows:

- A. Lot Depth. The minimum lot depth shall be 115 feet, except on cul-de-sac bulbs and elbows, where the minimum lot depth shall be 100 feet.

3.2.7 Single Family Residential -3 District.

Lot dimensions within the Single Family Residential - 3 District shall be in accordance with Section 16 (Single Family Residential - 3 District) of the City of Waxahachie Zoning Ordinance, except as follows:

Villages of Mustang Creek

A. Lot Area. The minimum lot area shall be 6,600 square feet.

B. Lot Depth. The minimum lot depth shall be 110 feet, except on cul-de-sac bulbs and elbows, where the minimum lot depth shall be 100 feet.

3.3 Building Regulations.

Building regulations within the Planned Development District for all uses shall be in accordance with the respective Sections of the City of Waxahachie Zoning Ordinance, as follows:

3.3.1 Commercial	Section 27
3.3.2 General Retail	Section 25
3.3.3 Multi-Family Residential – 1	Section 18
3.3.4 Two-Family Residential	Section 17
3.3.5 Single Family Residential –1	Section 14
3.3.6 Single Family Residential –2	Section 15
3.3.7 Single Family Residential –3	Section 16

3.3.8 Other Building Regulations

All buildings shall meet or exceed the minimum requirements of the City of Waxahachie Zoning Ordinance, including exterior construction requirements, lot coverage, setbacks, and minimum dwelling area. In addition, an Architectural Control Committee shall be established for the purposes of architectural review for repeating elevations, brick type, roof pitch, etc.

3.4 Parking Regulations

For all land uses, off-street parking shall be in accordance with Section 35 of the City of Waxahachie Zoning Ordinance.

3.5 Landscape Requirements

Landscaping shall be required in accordance with Section 36 of the City of Waxahachie Zoning Ordinance, except as follows:

3.5.1 Landscape Buffer on Thoroughfare Frontage.

On non-residential lots, a minimum 20-foot landscape buffer (interior parkway) adjacent to any arterial thoroughfare right-of-way shall be provided.

3.5.2 Trees on Residential Lots.

Two 3-inch caliper trees, in accordance with an approved City of Waxahachie tree list, shall be planted on each residential lot.

Villages of Mustang Creek

3.5.3 Trees in Public Spaces.

Within lots dedicated for public or common use, no fewer than 800 3-inch caliper trees, in accordance with an approved City of Waxahachie tree list, shall be planted.

3.5.4 Entries to Development.

No fewer than four (4) entries to residential development within the District shall be provided with no less than 90 feet of right-of-way width and landscaped medians of no less than 14 feet in width. Irrigation shall be required for all primary and entrances, and all medians that feature landscaping.

3.6 Screening and Buffering Requirements

3.6.1 Screening Between Uses.

Screening to provide a buffer between uses shall be required in accordance with Section 38 of the City of Waxahachie Zoning Ordinance and Subdivision Ordinance #2084, except as follows:

A. Any required screening wall or fence shall be placed within a landscape buffer area no less than 10 feet in width and 1 tree in accordance with an approved City of Waxahachie tree list shall be planted per 40 lineal feet of screening wall.

3.6.2 Screening Adjacent to Collector Streets.

Screening shall be provided along residential lots with side or rear lot lines adjacent to collector streets. A 10 foot landscape lot shall be provided within which a meandering sidewalk (with 5 foot minimum width) shall be constructed and 3-inch caliper trees, in accordance with an approved City of Waxahachie tree list, shall be planted at a rate of 1 tree per 50 feet of collector street. A masonry wall shall be constructed on the property line adjacent to any residential rear or side yard.

3.7 Park and Open Space Requirements

Park land shall be provided for public or private recreation. Park land may include public or private pocket parks, neighborhood parks, playgrounds, and community recreation facilities that are accessible to residents of the PD district. Park land shall be maintained by a Home Owner's Association unless dedicated to the City of Waxahachie.

3.7.1 Public Park Land/Neighborhood Parks

A minimum of four (4) "neighborhood parks" shall be provided, one in each of four sub-districts. Each park shall be a minimum of seven (7) acres in size, exclusive of any floodplain area. The location of each neighborhood park shall be reasonably central within each respective sub-district. The specific location of each park shall be determined at the time of preliminary plat approval, and shall be subject to a favorable determination by the City that the land that is proposed for each park area is suitable for such purposes. Each neighborhood park shall be dedicated to the City upon platting twenty-five percent (25%) of the total number of lots within each respective sub-district.

Villages of Mustang Creek

Each neighborhood park shall be dedicated to the City (in fee simple) at the time of final plat approval, unless the City decides that the neighborhood park can be, and should be, owned and maintained by the private homeowners' association (HOA) that is duly approved by the City for the subdivision.

Each neighborhood park shall contain and include the following facilities at a minimum (all construction materials, structures, location and placement shall be as approved by the City):

- a. One (1) modular playground apparatus, installed on a safe "fall zone" surface (such as pea gravel or other surface as determined appropriate and acceptable by the City);
- b. Concrete paved parking area for on-site (i.e., not on-street) parking of at least ten (10) vehicles;
- c. Drinking fountain, connected to the City's potable water supply line;
- d. Picnic shelter (covered, on concrete paved slab) with at least five (5) picnic tables;
- e. Six (6) park benches; and
- f. One (1) standard swing set with at least four (4) swings,
- g. One (1) bike rack
- i. Two (2) trash receptacles.

The above facilities shall be installed by the developer, based upon a site plan, specifications and construction details that are approved by City staff.

3.7.2. Private Open Space

In addition to the neighborhood parks described above, private park land shall be provided at a rate of one (1) acre per one hundred (100) dwelling units at the time of preliminary plat approval. All private park areas shall be owned and maintained by the HOA. Each private park area shall be depicted on the plat as a separate tract, and shall be shown as "to be conveyed to and maintained by the HOA" on the final plat.

3.7.3 Private Amenity Centers

One community recreation facility shall be provided within each of the four sub-districts. These facilities must be no less than 2 acres in area and shall provide the following elements:

- 1 swimming facility
- 1 covered cabana, with restroom facilities
- 1 covered picnic area
- 2 park benches
- 3 trash receptacles

Villages of Mustang Creek

- 1 bike rack
- 1 playground system containing at least 5 activity stations

One amenity center with each sub-district shall be constructed when the sub-district's development exceeds 250 platted lots and completed prior to the issuance of the 250th residential certificate of occupancy within the sub-district.

3.7.4 Park and Open Space Requirements.

- A. All residences shall be within 1,500 lineal feet of a park, playground, school site or accessible open space.**
- B. Any open space greater than 4 acres or linear open space greater than 250 feet in length shall contain a trail that connects to other trails or to sidewalks within public street right-of-way. All trails shall be a minimum of six feet (6') in width, and shall be constructed of a surface material mutually acceptable to the Developer and the City of Waxahachie. The trail connectivity shall be completed prior to the issuance of the first certificate of occupancy within the related phase of development.**
- C. One of the previously described parks within Sections 3.7.1, 3.7.2 or 3.7.3 shall be completed prior to the issuance of the 1st residential certificate of occupancy within the 1st phase of residential development within each sub-district.**

3.8 Signs.

Signs shall be installed in accordance with Section 43 of the City of Waxahachie Zoning Ordinance.

Villages of Mustang Creek

<i>Villages of Mustang Creek</i> <u>Proposed Enhancements</u>		
Type of Requirement	Current City Requirement	Proposed Planned Development Requirement
RESIDENTIAL LOT AREA & DIMENSIONS		
Lot Area (SF-3)	6,000 sq. ft.	6,600 sq. ft.
Lot Depth (SF-1)	100 ft.	120 ft.
Lot Depth (SF-2)	100 ft.	115 ft.
Lot Depth (SF-3)	100 ft.	110 ft.
COMMERCIAL LOT DIMENSIONS		
Minimum Front Yard (Commercial)	25 ft.	60 ft.
Minimum Rear Yard (Commercial)	25 ft. (Adjacent to Residential)	40 ft.
Minimum Front Yard (Retail)	40 ft.	60 ft.
Minimum Rear Yard (Retail)	25 ft. (Adjacent to Residential)	40 ft.
RESIDENTIAL BUILDING REGULATIONS		
Residential Architectural Control	No Requirement	A residential architectural control committee has been established for review of architectural features.
LANDSCAPE REQUIREMENTS		
Commercial Landscape Buffer Adjacent to Street ROW	10 ft.	20 ft.
Residential Trees on Lot	None Required	2 per lot
Trees on Public or Common Areas	None Required	800 required
Residential Entrance Requirements	None Required	90 ft. of width with landscaped median and parkways
SCREENING AND BUFFERING REQUIREMENTS		
Landscape Buffer Area at Screening Walls	Subdivision Ordinance Section 5.7	10 ft. in width 1 tree per 40 lineal feet
Landscape Buffer Area adjacent to Residential Collector Street with adjacent rear or side lot lines.	Subdivision Ordinance Section 5.7	10 ft. in width 5 ft. meandering sidewalk 1 tree per 50 lineal feet

Villages of Mustang Creek

<i>Villages of Mustang Creek</i> <u>Proposed Enhancements</u>		
Type of Requirement	Current City Requirement	Proposed Planned Development Requirement
PARK AND OPEN SPACE REQUIREMENTS		
Minimum Park Land Required	None Required	1 acre per 100 lots
Park Locations	None Required	All residences within 1,500 lineal feet of park
Minimum Number of Parks	None Required	At least 2 parks in each sub-district; 40,000 sq. ft. minimum; playground required
Minimum Number of Amenity Centers	None Required	At least 1 in each sub-district; 2 acre minimum; swimming pool required
Trail System	None Required	Trail shall connect significant open spaces

Villages of Mustang Creek

<i>Villages of Mustang Creek</i>			
Summary of PD Zoning Regulations			
Zoning Criteria	SF-1	SF-2	SF-3
LOT DIMENSIONS			
Minimum Lot Area (Sq. Ft.)	12,500	8,000	6,600
Minimum Lot Width (Ft.)	80	70	60 ¹
Minimum Lot Depth (Ft.)	120	115	110
SETBACKS			
Minimum Front Setback (Ft.)	25	25	25
Minimum Rear Setback (Ft.)	15	15	15
Minimum Side Setback – Interior (Ft.)	10	8	7
Minimum Side Setback – Corner (Ft.)	20	15	15
Minimum Setback – Garage Opening (Ft.) ²	20	20	20
OTHER REGULATIONS			
Maximum Height (Stories)	2	2	2
Maximum Lot Coverage (%)	35	35	35
Minimum Dwelling Area (Sq. Ft.)	2,200	1,600	1,200
Minimum Enclosed Parking Spaces	2	2	2
Minimum Masonry (%) ³	75	75	75
Trees (3 inch caliper) ⁴	2	2	2
Masonry Fence at side or rear yards adjacent to Arterial and Collector Streets	Yes	Yes	Yes
Landscape Buffer with 5 foot sidewalk and street trees adjacent to side and rear yards adjacent to Arterial and Collector Streets (Ft.)	10	10	10

¹ Lot width may be 55 feet, as measured at the front building line, on a cul-de-sac bulb. Section 40.2.D.

² Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage to the side property line for maneuvering.

³ Total exterior walls above grade level roof overhang, excluding doors and windows, constructed of brick, stone, or material of equal characteristics. Section 34.2.A.1.a.

⁴ Yellow highlight shows requirement exceeding minimum standards of City Zoning Ordinance.

APPROXIMATE AREA OF SUB-DISTRICT	
SUB-DISTRICT	APPROXIMATE AREA ACRES
COMM	567
CENTR	508
SOUTH	507
EAST	388
TOTAL	1,968

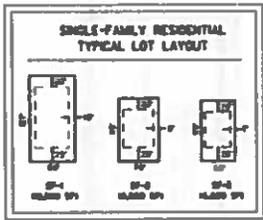
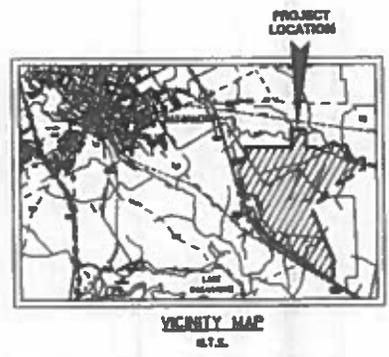
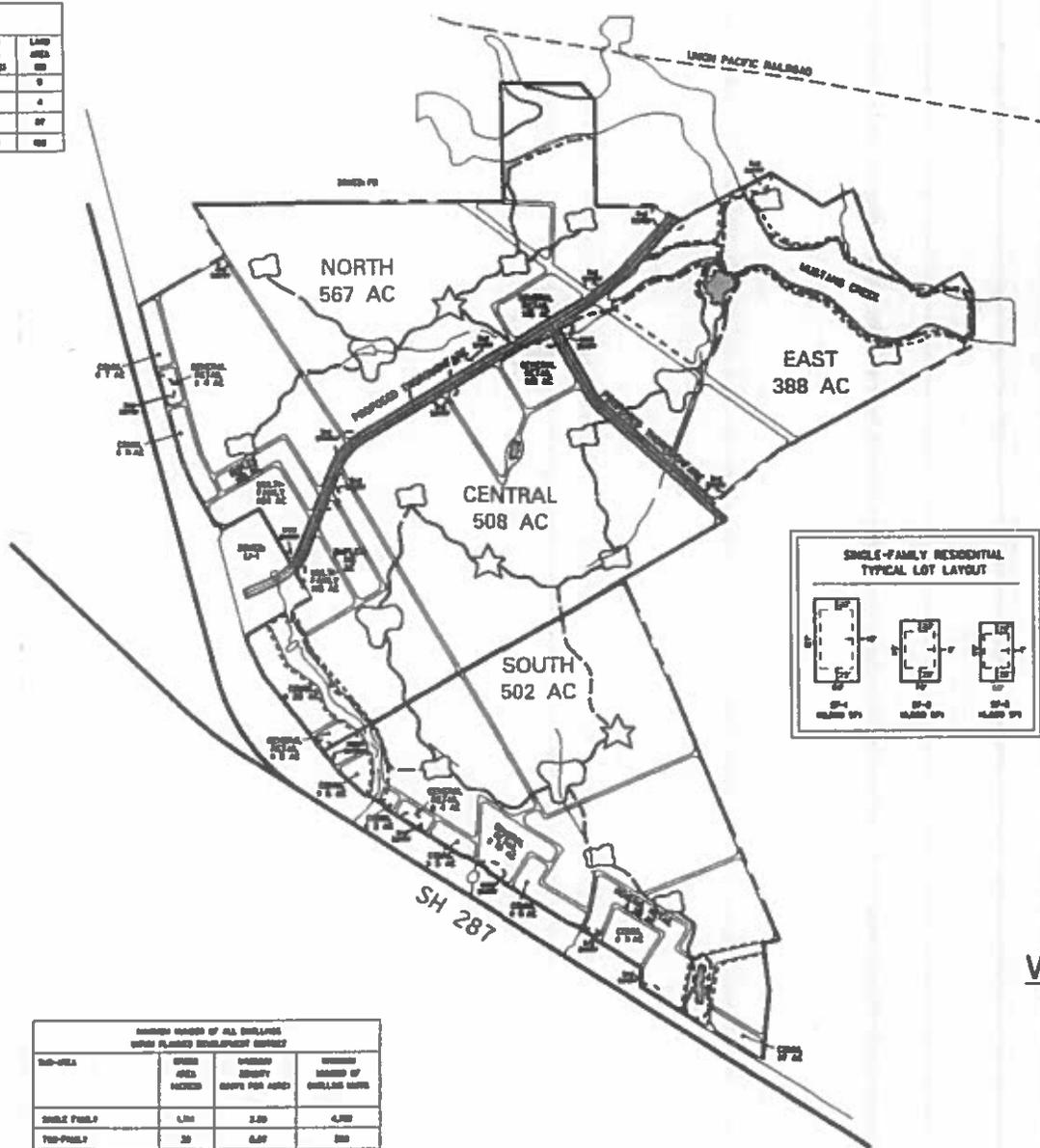
APPROXIMATE AREA OF LAND USE CLASSIFICATION			
LAND USE CLASSIFICATION	LAND AREA ACRES	LAND AREA SQ	LAND AREA SQ
COMMERCIAL C & D	170	0	
SINGLE-FAMILY RESIDENTIAL (SP-1 & 2)	73	4	
SINGLE-FAMILY RESIDENTIAL (SP-1, 2 & 3)	1,911	97	
TOTAL	1,954	101	

APPROXIMATE LAND USE AREA OF SUB-DISTRICT				
LAND USE CLASSIFICATION	SOUTH ACRES	CENTRAL ACRES	EAST ACRES	TOTAL ACRES
COMMERCIAL C & D	0	40	20	0
SINGLE-FAMILY RESIDENTIAL (SP-1 & 2)	0	24	20	0
SINGLE-FAMILY RESIDENTIAL (SP-1, 2 & 3)	400	430	400	1,230
TOTAL	400	494	440	1,334

SUMMARY TABLE OF SINGLE-FAMILY RESIDENTIAL LOTS BY SUB-DISTRICT			
SUB-DISTRICT	NUMBER OF LOTS	GROSS AREA OF SINGLE-FAMILY RESIDENTIAL LOTS ACRES	SPREAD RATIO LOTS PER ACRE
COMM	1,400	400	0.60
CENTR	1,200	400	2.00
SOUTH	1,000	400	2.00
EAST	700	200	1.00
TOTAL	4,300	1,400	0.60

SUMMARY TABLE OF LOT DISTRIBUTION BY SUB-DISTRICT & LAND CLASSIFICATION		
RESIDENTIAL AND CLASSIFICATION	LOT AREA THRESHOLD	PERCENT OF LOTS
COMMERCIAL SUB-DISTRICT		
SP-1 (CLASS. SP-1)	MINIMUM OF 400	MINIMUM OF 0%
SP-2 (CLASS. SP-2)	MINIMUM OF 400	MINIMUM OF 0%
SP-3 (CLASS. SP-3)	MINIMUM OF 400	MINIMUM OF 0%
TOTAL	MINIMUM OF 1,200	
CENTRAL SUB-DISTRICT		
SP-1 (CLASS. SP-1)	MINIMUM OF 200	MINIMUM OF 0%
SP-2 (CLASS. SP-2)	MINIMUM OF 200	MINIMUM OF 0%
SP-3 (CLASS. SP-3)	MINIMUM OF 400	MINIMUM OF 0%
TOTAL	MINIMUM OF 1,000	
SOUTH SUB-DISTRICT		
SP-1 (CLASS. SP-1)	MINIMUM OF 200	MINIMUM OF 0%
SP-2 (CLASS. SP-2)	MINIMUM OF 200	MINIMUM OF 0%
SP-3 (CLASS. SP-3)	MINIMUM OF 400	MINIMUM OF 0%
TOTAL	MINIMUM OF 1,000	
EAST SUB-DISTRICT		
SP-1 (CLASS. SP-1)	MINIMUM OF 700	MINIMUM OF 0%
SP-2 (CLASS. SP-2)	MINIMUM OF 200	MINIMUM OF 0%
TOTAL	MINIMUM OF 900	
TOTAL - ALL SUB-DISTRICTS		
SP-1 (CLASS. SP-1)	MINIMUM OF 200	MINIMUM OF 0%
SP-2 (CLASS. SP-2)	MINIMUM OF 2,000	MINIMUM OF 70%
SP-3 (CLASS. SP-3)	MINIMUM OF 1,000	MINIMUM OF 30%
TOTAL	MINIMUM OF 4,200	100%

SUMMARY TABLE OF ALL LOTS WITH PLANNED DEVELOPMENT DENSITY			
SUB-DISTRICT	SPREAD RATIO	SPREAD RATIO	NUMBER OF LOTS PER ACRE
SINGLE-FAMILY	1.00	2.00	4.00
TWO-FAMILY	20	0.07	200
MULTI-FAMILY	40	0.03	100
TOTAL	1.07	2.07	6.00



LEGEND

- POCKET PARK (SMALL)
- PARK CENTER (LARGE)
- SCHOOL SITE
- OPEN SPACE IMPROVEMENTS
- POND IMPROVEMENTS
- TRAIL
- NORTH, SOUTH, EAST, CENTRAL DIVIDE LINE

CONCEPT PLAN VILLAGES OF MUSTANG CREEK

CITY OF WAXAHACHE

Carter-Burgess
Consultants in Planning, Engineering, Architecture,
Construction Management, and Related Services

CARTER & BURGESS, INC.
7000 BROADVIEW DRIVE, SUITE 100
DALLAS, TX 75240-4000
PHONE: (972) 510-0400
FAX: (972) 510-0400

January 2005

(12)



SADDLEBROOK ESTATES
PD AMENDMENT
LOT COVERAGE - EXHIBIT A
LJA Engineering, Inc.
0000 South Coast of Espinosa Phone: 409.213.9711
Suite 405
Dallas, Texas 75206 Fax: 409.213.1364

04/27/2011 11:21:12 AM LJA Engineering, Inc. John P. Jones
2000 South Coast of Espinosa, Suite 405, Dallas, Texas 75206
Phone: 409.213.9711 Fax: 409.213.1364

121

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-176-2020

MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

CAPTION

Public Hearing on a request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

APPLICANT REQUEST

The applicant is requesting to construct a +700 sq. ft. (6,000 sq. ft.) multi-purpose accessory building for the SAGU (Southwestern Assemblies of God University) baseball team.

CASE INFORMATION

Applicant: Cliff Bartosh
Property Owner(s): Southwestern Bible Institute
Site Acreage: 71.818 acres
Current Zoning: Planned Development-General Retail
Requested Zoning: Planned Development-General Retail with SUP

SUBJECT PROPERTY

General Location: 1200 Sycamore St.
Parcel ID Number(s): 193782
Existing Use: Southwestern Assemblies of God University
Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	SF2	Single Family Residences
East	SF2	Single Family Residences
South	PD-GR	SAGU
West	PD-GR	SAGU

Future Land Use Plan: Public/Semi-Public

Comprehensive Plan:

This land use category includes uses that are educational, governmental or institutional in nature. This type of land use is generally permitted within any area, therefore, only the current Public/Semi-Public uses are shown on the map.

Thoroughfare Plan:

The subject property is accessible via Brummett Dr.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to construct a +700 sq. ft. (6,000 sq. ft.) accessory building at the SAGU baseball field located at 1200 Sycamore St. Per the City of Waxahachie Zoning Ordinance, an accessory building that is equal to or greater than 700 square feet requires a SUP to be approved by City Council.

Proposed Use:

The applicant is requesting approval to construct a 60 ft. x 100 ft. x 14 ft. tall (6,000 sq. ft.) accessory building. The applicant is proposing to construct the structure out of metal, and intends to use the accessory building as a multi-purpose area for workout space as well as indoor batting cages. At the time of this report (1/15/2021), staff has received one letter of opposition for the proposed accessory building.

Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, the Building Inspections department will ensure construction complies with all regulations.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 146 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

Staff received twenty-two (22) letters of support, and one (1) letter of opposition for the proposed development.

Note: 21 of the 22 letters of support are from one property owner.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Site Layout (Aerial View)

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

Case ZDC-178-2020
 Responses Received Inside Required 2007 Notification Area
 Support 22 Oppose 1

Property ID	Owner's Address	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
172780	ROBERTS SHERA A	0	LOT 14 BLK 1 COLLEGE HILLS 1	109 VASSAR CT	WAXAHACHIE	TX	75165	109 VASSAR CT WAXAHACHIE TX 75165
172781	PATMAN DONALD LEWIS	0	15 1 COLLEGE HILLS 1	124 VANDERBILT LN	WAXAHACHIE	TX	75165	107 VASSAR CT WAXAHACHIE TX 75165
172787	BOOGS JAMES & KAREN	0	11 1 COLLEGE HILLS 1	108 VASSAR CT	WAXAHACHIE	TX	75165	106 VASSAR CT WAXAHACHIE TX 75165
172788	GARCIA CYNTHIA	0	LOT 12 BLK 1 COLLEGE HILLS 1	108 VASSAR CT	WAXAHACHIE	TX	75165	110 VASSAR CT WAXAHACHIE TX 75165
172789	FRANKLIN ROBERT A JR & ADRIENNE E HEDGES	0.2805	LOT 13 BLK 1 COLLEGE HILLS 1 0.2805 AC	110 VASSAR CT	WAXAHACHIE	TX	75165	110 VASSAR CT WAXAHACHIE TX 75165
172825	PRUETT WIKI SUE	0.22	5 3 COLLEGE HILLS 2 0.22 ACRES	108 VANDERBILT LN	WAXAHACHIE	TX	75165	108 VANDERBILT LN WAXAHACHIE TX 75165
172830	FARMER ROBERT W & LINDA J	0.248	20 2 COLLEGE HILLS 2 0.248 ACRES	139 VANDERBILT LN	WAXAHACHIE	TX	75165	139 VANDERBILT LN WAXAHACHIE TX 75165
172835	STARKS HEATHER R	0.237	LOT 15 BLK 2 COLLEGE HILLS 2 .237 AC	129 VANDERBILT LN	WAXAHACHIE	TX	75165	129 VANDERBILT LN WAXAHACHIE TX 75165
172836	PEREZ JOSE L & MARIA Y	0.239	LOT 16 BLK 2 COLLEGE HILLS 2 .239 AC	116 MEADOW LN	RED OAK	TX	75154	131 VANDERBILT LN WAXAHACHIE TX 75165
172837	PHIPPS TERRY L & IRMA R	0.239	17 2 COLLEGE HILLS 2 0.239 ACRES	355 BO2 RD	WAXAHACHIE	TX	75167	133 VANDERBILT LN WAXAHACHIE TX 75165
172838	FUNK KURTIS A JR & KRISTIN E FUNK	0.239	LOT 18 BLK 2 COLLEGE HILLS 2 .239 AC	135 VANDERBILT LN	WAXAHACHIE	TX	75165	135 VANDERBILT LN WAXAHACHIE TX 75165
172839	STRALEY KALEB	0.239	LOT 18 BLK 2 COLLEGE HILLS 2 .239 AC	137 VANDERBILT LN	WAXAHACHIE	TX	75165	137 VANDERBILT LN WAXAHACHIE TX 75165
172840	ROGERS WALTER E	0.22	LOT 9 BLK 2 COLLEGE HILLS 2 .22 AC	117 VANDERBILT LN	WAXAHACHIE	TX	75165	117 VANDERBILT LN WAXAHACHIE TX 75165
172841	ALVARADO ELIZABETH & CHRISTOPHER ANTHONY DELEON	0.22	LOT 10 BLK 2 COLLEGE HILLS 2 .22 AC	119 VANDERBILT LN	WAXAHACHIE	TX	75165	119 VANDERBILT LN WAXAHACHIE TX 75165
172842	MILLER CHRISTY J L/E BOBBY JOE MILLER REVOCABLE TRUST	0	LOT 11 BLK 2 COLLEGE HILLS 2	121 VANDERBILT LN	WAXAHACHIE	TX	75165	121 VANDERBILT LN WAXAHACHIE TX 75165
172843	LOPEZ CHRISTINA D	0.3628	LOT 12 BLK 2 COLLEGE HILLS 2 3628 AC	123 VANDERBILT LN	WAXAHACHIE	TX	75165	123 VANDERBILT LN WAXAHACHIE TX 75165
172844	CRAWFORD WILLIAM A JR	0	13 2 COLLEGE HILLS 2	125 VANDERBILT LN	WAXAHACHIE	TX	75165	125 VANDERBILT LN WAXAHACHIE TX 75165
172845	COLEMAN JAMES C & DEBORAH K	0	14 2 COLLEGE HILLS 2	127 VANDERBILT LN	WAXAHACHIE	TX	75165	127 VANDERBILT LN WAXAHACHIE TX 75165
172846	NEUHOUSE ERNEST E & EDITH L	0.22	4 2 COLLEGE HILLS 2 0.22 ACRES	127 VANDERBILT LN	WAXAHACHIE	TX	75165	127 VANDERBILT LN WAXAHACHIE TX 75165
172847	CASTLEBERRY BERNICE	0.22	LOT 5 BLK 2 COLLEGE HILLS 2 .22 AC	107 VANDERBILT LN	WAXAHACHIE	TX	75165	107 VANDERBILT LN WAXAHACHIE TX 75165
172848	TOLE BOBBIE J	0.22	6 2 COLLEGE HILLS 2 0.22 ACRES	109 VANDERBILT LN	WAXAHACHIE	TX	75165	109 VANDERBILT LN WAXAHACHIE TX 75165
172849	SMITH DARYL P & ELLEN N	0.22	LOT 7 BLK 2 COLLEGE HILLS 2 0.22 AC	111 VANDERBILT LN	WAXAHACHIE	TX	75165	111 VANDERBILT LN WAXAHACHIE TX 75165
172850	SMITH DOYLE L JR & TREHA K	0.22	8 2 COLLEGE HILLS 2 0.22 ACRES	113 VANDERBILT LN	WAXAHACHIE	TX	75165	113 VANDERBILT LN WAXAHACHIE TX 75165
172855	DOUGHERTY BRYAN & ROBIN	0.22	LOT 3 BLK 2 COLLEGE HILLS 2 .22 AC	510 SYCAMORE ST	WAXAHACHIE	TX	75165	105 VANDERBILT LN WAXAHACHIE TX 75165
172856	THOMPSON MARILYN	0	LOT 34 BLK 1 COLLEGE HILLS 1	108 VILLANOVA ST	WAXAHACHIE	TX	75165	108 VILLANOVA CT WAXAHACHIE TX 75165
172857	WILSON DAVID Z & STEPHANIE A	0	35 1 COLLEGE HILLS 1	110 VILLANOVA CT	WAXAHACHIE	TX	75165	110 VILLANOVA CT WAXAHACHIE TX 75165
172859	DOUGHERTY KARINDA & JACKIE	0	37 1 COLLEGE HILLS 1	107 VILLANOVA ST	WAXAHACHIE	TX	75165	107 VILLANOVA CT WAXAHACHIE TX 75165
172865	HONRUD JASON D & LISA M	0	LOT 33 BLK 1 COLLEGE HILLS 1	106 VILLANOVA CT	WAXAHACHIE	TX	75165	106 VILLANOVA CT WAXAHACHIE TX 75165
172866	DOLLAR L W & VERNA CO-TRUSTEE DOLLAR REVOCABLE TRUST	0	LOT 23 BLK 1 COLLEGE HILLS 1	108 CLEMSON CT	WAXAHACHIE	TX	75165	108 CLEMSON CT WAXAHACHIE TX 75165
172867	JETER DONALD H & CYNTHIA ANN	0.259	LOT 24 BLK 1 COLLEGE HILLS 1 259 AC	119 CLEMSON CT	WAXAHACHIE	TX	75165	119 CLEMSON CT WAXAHACHIE TX 75165
172868	NAVARRO MARY E	0	LOT 25 BLK 1 COLLEGE HILLS 1	109 CLEMSON CT	WAXAHACHIE	TX	75165	109 CLEMSON CT WAXAHACHIE TX 75165
172869	MARTIN ROLAND D L/E	0	LOT 26 BLK 1 COLLEGE HILLS 1	107 CLEMSON CT	WAXAHACHIE	TX	75165	107 CLEMSON CT WAXAHACHIE TX 75165
172876	DOLLAR CAROL A	0.44	LOT 22 BLK 1 COLLEGE HILLS 1 0.44 AC	1241 N CREEK CIR	WAXAHACHIE	TX	75165	108 CLEMSON CT WAXAHACHIE TX 75165
172877	PACE STELLA E L/E JAMES PACE	0.281	LOT 12 BLK 6 COLLEGE HILLS 4 .281 AC	200 VANDERBILT LN	WAXAHACHIE	TX	75165	200 VANDERBILT LN WAXAHACHIE TX 75165
172878	MILLIGAN RILEY & KYMBERLEE	0.207	LOT 13 BLK 6 COLLEGE HILLS 4 .207 AC	202 VANDERBILT LN	WAXAHACHIE	TX	75165	202 VANDERBILT LN WAXAHACHIE TX 75165
172879	RUTENBAR DAVID S & BECKY S	0.207	14 6 COLLEGE HILLS 4 0.207 ACRES	204 VANDERBILT LN	WAXAHACHIE	TX	75165	204 VANDERBILT LN WAXAHACHIE TX 75165
172880	TERRY AMY & JERAMIAH	0.207	15 6 COLLEGE HILLS 4 0.207 ACRES	206 VANDERBILT LN	WAXAHACHIE	TX	75165	206 VANDERBILT LN WAXAHACHIE TX 75165
172881	HORTON DAVID & BRENDA	0.207	16 6 COLLEGE HILLS 4 0.207 ACRES	208 VANDERBILT LN	WAXAHACHIE	TX	75165	208 VANDERBILT LN WAXAHACHIE TX 75165
172912	PATMAN DONALD	0.22	13 3 COLLEGE HILLS 2 0.22 ACRES	124 VANDERBILT LN	WAXAHACHIE	TX	75165	124 VANDERBILT LN WAXAHACHIE TX 75165
172913	HARRIS FRANCIS	0.22	LOT 14 BLK 3 COLLEGE HILLS 2 0.22 AC	126 VANDERBILT LN	WAXAHACHIE	TX	75165	126 VANDERBILT LN WAXAHACHIE TX 75165
172914	RAMOS JAVIER & JACQUELINE OCHOA	0.22	LOT 15 BLK 3 COLLEGE HILLS 2 .22 AC	128 VANDERBILT LN	WAXAHACHIE	TX	75165	128 VANDERBILT LN WAXAHACHIE TX 75165
172915	YEE STACEY D	0.259	LOT 16 BLK 3 COLLEGE HILLS 2 0.259 AC	130 VANDERBILT LN	WAXAHACHIE	TX	75165	130 VANDERBILT LN WAXAHACHIE TX 75165
172918	DUMAIS CATHEEN & LARRY B	0.22	LOT 8 BLK 3 COLLEGE HILLS 2 .22 AC	114 VANDERBILT LN	WAXAHACHIE	TX	75165	114 VANDERBILT LN WAXAHACHIE TX 75165
172919	FISHER LINDA J	2.296	LOT 9 BLK 3 COLLEGE HILLS 2 2.296 AC	116 VANDERBILT LN	WAXAHACHIE	TX	75165	116 VANDERBILT LN WAXAHACHIE TX 75165
172920	HARRIMAN WYMAN	0	10 3 COLLEGE HILLS 2	118 VANDERBILT LN	WAXAHACHIE	TX	75165	118 VANDERBILT LN WAXAHACHIE TX 75165
172921	MARTIN TEXAS PROPERTIES LLC	0.2828	LOT 11 BLK 3 COLLEGE HILLS 2 .2828 AC	352 ROBINETT RD	WAXAHACHIE	TX	75165	208 VANDERBILT LN WAXAHACHIE TX 75165
172922	MAREK JAMES & LINDA	0.287	LOT 12 BLK 3 COLLEGE HILLS 2 0.287 AC	122 VANDERBILT LN	WAXAHACHIE	TX	75154	122 VANDERBILT LN WAXAHACHIE TX 75165
172926	ANDERSON JOSHUA & ERIKA	0.22	6 3 COLLEGE HILLS 2 0.22 ACRES	110 VANDERBILT LN	WAXAHACHIE	TX	75165	110 VANDERBILT LN WAXAHACHIE TX 75165
172927	LA FAMILLE INVESTMENTS 3 LP	0.22	LOT 7 BLK 3 COLLEGE HILLS 2 .22 AC	138 MUSTANG CREEK DR	WAXAHACHIE	TX	75165	112 VANDERBILT LN WAXAHACHIE TX 75165
172964	STROOP DARLEEN S	0.207	LOT 3 BLK 7 COLLEGE HILLS 4 .207 AC	205 VANDERBILT LN	WAXAHACHIE	TX	75165	205 VANDERBILT LN WAXAHACHIE TX 75165
172965	LORD TERRY	0.207	4 7 COLLEGE HILLS 4 0.207 ACRES	207 VANDERBILT LN	WAXAHACHIE	TX	75165	207 VANDERBILT LN WAXAHACHIE TX 75165
172966	JOHNSON SHERRY	0.207	LOT 5 BLK 7 COLLEGE HILLS 4 .207 AC	900 WINDING CREEK DR	OAK LEAF	TX	75154	209 VANDERBILT LN WAXAHACHIE TX 75165
172967	HELMES KEVIN D & KATHY J REED	0.207	6 7 COLLEGE HILLS 4 0.207 ACRES	211 VANDERBILT LN	WAXAHACHIE	TX	75165	211 VANDERBILT LN WAXAHACHIE TX 75165
172968	BELCH JAMES L LIVING TRUST JAMES LEE BELCH TRUSTEE	0.2968	LOT PT 7 BLK 7 COLLEGE HILLS 4 0.2968 AC	213 VANDERBILT LN	WAXAHACHIE	TX	75165	213 VANDERBILT LN WAXAHACHIE TX 75165
172970	SMITH PENNY R	0.207	17 6 COLLEGE HILLS 4 0.207 ACRES	210 VANDERBILT LN	WAXAHACHIE	TX	75165	210 VANDERBILT LN WAXAHACHIE TX 75165
172971	DIXON M MAX & CAROLYN A	0.27	PT 18 6 COLLEGE HILLS 4 0.27 ACRES	212 VANDERBILT LN	WAXAHACHIE	TX	75165	212 VANDERBILT LN WAXAHACHIE TX 75165
172972	ELAM STEVEN	0.275	LOT 1 BLK 7 COLLEGE HILLS 4 .275 AC	P O BOX 2022	WAXAHACHIE	TX	75165	201 VANDERBILT LN WAXAHACHIE TX 75165
172973	SLOVAK STEVEN M	0.207	LOT 2 BLK 7 COLLEGE HILLS 4 .207 AC	203 VANDERBILT LN	WAXAHACHIE	TX	75165	203 VANDERBILT LN WAXAHACHIE TX 75165
176093	MC CUTCHAN SAMUEL	0.3441	LOT 11AR BLK 3 UNIVERSITY-REV .3441 AC	406 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	406 E UNIVERSITY AVE WAXAHACHIE TX 75165
176095	MC CUTCHAN SAMUEL B	0.207	14 15A 3 UNIVERSITY 0.207 ACRES	406 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	406 E UNIVERSITY AVE WAXAHACHIE TX 75165
176096	MC CUTCHAN SAMUEL B	0.138	15B 3 UNIVERSITY 0.138 ACRES	406 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	404 E UNIVERSITY AVE WAXAHACHIE TX 75165
176097	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.172	LOT 16A & 17A BLK 3 UNIVERSITY-REV 0.172 AC	1200 BYCAMORE ST	WAXAHACHIE	TX	75165	1014 BYCAMORE ST WAXAHACHIE TX 75165
176098	RICHARD BONNIE S	0.172	LOT 6 BLK 3 UNIVERSITY-REV .172 AC	422 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	422 E UNIVERSITY AVE WAXAHACHIE TX 75165
176099	SARVER MARIA	0.172	7 3 UNIVERSITY 0.172 ACRES	420 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	420 E UNIVERSITY AVE WAXAHACHIE TX 75165
176100	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.172	LOT 8 BLK 3 UNIVERSITY-REV 0.172 AC	1200 BYCAMORE ST	WAXAHACHIE	TX	75165	418 E UNIVERSITY AVE WAXAHACHIE TX 75165
176101	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.62	LOT 9AR BLK 3 UNIVERSITY-REV .52 AC	1200 BYCAMORE ST	WAXAHACHIE	TX	75165	412 E UNIVERSITY AVE WAXAHACHIE TX 75165
176109	BAGUI FINANCIAL SERVICES INC	0.172	LOT 1 BLK 3 UNIVERSITY-REV 0.172 AC	1200 BYCAMORE ST	WAXAHACHIE	TX	75165	432 E UNIVERSITY AVE WAXAHACHIE TX 75165
176104	CASTILLO ROBERT	0.172	2 3 UNIVERSITY 0.172 ACRES	430 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	430 E UNIVERSITY AVE WAXAHACHIE TX 75165
176105	PARTIN HAROLD & OWANDA PARTIN REVOC TRUST	0.172	3 3 UNIVERSITY 0.172 ACRES	7617 PALO DURO AVE NE	ALBUQUERQUE	NM	87110	428 E UNIVERSITY AVE WAXAHACHIE TX 75165
176106	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.172	LOT 4 BLK 3 UNIVERSITY-REV 0.172 AC	1200 BYCAMORE ST	WAXAHACHIE	TX	75165	426 E UNIVERSITY AVE WAXAHACHIE TX 75165
176107	MARTINEZ MANUEL ER	0.172	5 3 UNIVERSITY 0.172 ACRES	424 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	424 E UNIVERSITY AVE WAXAHACHIE TX 75165
176138	JARAMILLO AMANDO JR & BARBARA	0.344	3 4 5 UNIVERSITY 0.344 ACRES	3011 S HIGHWAY 77	WAXAHACHIE	TX	75165	324 UNIVERSITY AVE WAXAHACHIE TX 75165
176146	MULTIPLE OWNERS	0.344	LOT 1-2 BLK 5 UNIVERSITY-REV 0.344 AC	1120 BYCAMORE ST	WAXAHACHIE	TX	75165	1120 BYCAMORE ST WAXAHACHIE TX 75165
176171	HUMBERT JENIFER R	0.172	LOT 34 BLK 3 UNIVERSITY-REV .172 AC	431 CYNISCA ST	WAXAHACHIE	TX	75165	431 CYNISCA ST WAXAHACHIE TX 75165
176172	VIRGINIA HOLDINGS JEFF CALVERY OWNER	0.344	LOT 1,2 BLK 4 UNIVERSITY-REV .344 AC	3146 SPRINGFIELD AVE	LANCASTER	TX	75134	330 E UNIVERSITY AVE WAXAHACHIE TX 75165
176173	G & K HOLDINGS LLC SERIES 3	0.172	LOT 3 BLK 4 UNIVERSITY-REV .172 AC	209 E MAIN ST	WAXAHACHIE	TX	75165	328 E UNIVERSITY AVE WAXAHACHIE TX 75165
176184	BURKS KATY ANN	0.172	16B 17B 3 UNIVERSITY 0.172 ACRES	208 KINGS CT	WAXAHACHIE	TX	75165	1012 BYCAMORE ST WAXAHACHIE TX 75165

(17)

Case ZDC-176-2020
 Responses Received Inside Required 200' Notification Area
 Support 22 Opposa 1

176184	SAGU FINANCIAL SERVICES INC	0.172	LOT 1A & 2A BLK 7 UNIVERSITY-REV 0.172 AC	1303 SYCAMORE ST	WAXAHACHIE	TX	75165	1303 SYCAMORE ST WAXAHACHIE TX 75165
176195	RYAN FRANK W & HALEY	0.172	LOT 1B & 2B BLK 7 UNIVERSITY-REV 0.172 AC	1301 SYCAMORE ST	WAXAHACHIE	TX	75165	1301 SYCAMORE ST WAXAHACHIE TX 75165
176196	DAVENPORT ROBERT W	0.172	LOT 3 BLK 7 UNIVERSITY-REV 0.172 AC	9679 VENTRIS RD	GARFIELD	AR	72732	325 W UNIVERSITY AVE WAXAHACHIE TX 75165
176197	BADILLO CIRA M	0.172	LOT 4 BLK 7 UNIVERSITY-REV 0.172 AC	1608 FERRIS AVE	WAXAHACHIE	TX	75165	323 W UNIVERSITY AVE WAXAHACHIE TX 75165
176202	MELICK CHRISANNA L & HARVEY CLYDE III	0.172	29 B UNIVERSITY 0.172 ACRES	405 WILLIAMS ST	WAXAHACHIE	TX	75165	328 W UNIVERSITY AVE WAXAHACHIE TX 75165
176203	VIEN LADD	0.172	LOT 30 BLK 6 UNIVERSITY-REV 172 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	328 W UNIVERSITY AVE WAXAHACHIE TX 75165
176214	HAYES GREGORY W & PENNY A	0.344	3.4 8 UNIVERSITY 0.344 ACRES	325 UNIVERSITY AVE	WAXAHACHIE	TX	75165	325 UNIVERSITY AVE WAXAHACHIE TX 75165
176220	EDWARDS JAMES & DEBORAH	0.172	30 5 UNIVERSITY 0.172 ACRES	327 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	327 E UNIVERSITY AVE WAXAHACHIE TX 75165
176221	PITTMAN MATTHEW & TRACIE	0.344	LOT 31 & 32 BLK 5 UNIVERSITY-REV .344 AC	331 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	331 E UNIVERSITY AVE WAXAHACHIE TX 75165
176223	FOX ROBERTA K & JAMES A	0.344	1.2 6 UNIVERSITY 0.344 ACRES	327 UNIVERSITY	WAXAHACHIE	TX	75165	327 UNIVERSITY AVE WAXAHACHIE TX 75165
176264	PARTIN HAROLD & OWANDA PARTIN REVOC TRUST	0.172	31A 32A 7 UNIVERSITY 0.172 ACRES	7817 PALO DURO AVE NE	ALBUQUERQUE	NM	87110	1309 SYCAMORE ST WAXAHACHIE TX 75165
176265	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.172	LOT 31B & 32B BLK 7 UNIVERSITY-REV 0.172 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	1307 SYCAMORE ST WAXAHACHIE TX 75165
176273	LYNCH TOMMY & BOBBIE	0.344	LOT 29A30 BLK 7 UNIVERSITY-REV .344 AC	P O BOX 654	WAXAHACHIE	TX	75168	624 HIGHLAND AVE WAXAHACHIE TX 75165
176381	COLLINS RUTH A	0.186	LOT 5 BLK 11 UNIV ANNEX-REV 186 AC	138 MUSTANG CRK	WAXAHACHIE	TX	75165	512 E UNIVERSITY AVE WAXAHACHIE TX 75165
176382	POYNTER CAROLE CONNER TRUSTEE, CAROLE CONNER POYNTER TRUST	0.186	LOT 5A BLK 11 UNIV ANNEX-REV 186 AC	3605 HIGHPOINT DR	ROCKWALL	TX	75087	513 CYNISCA ST WAXAHACHIE TX 75165
176383	BRUSCO RANCH LLC	0.227	LOT 6 BLK 11 UNIV ANNEX-REV .227 AC	514 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	514 E UNIVERSITY AVE WAXAHACHIE TX 75165
176384	COLLINS WILLIAM D & RUTH	0.223	LOT 7 BLK 11 UNIV ANNEX-REV .223 AC	602 FLOYD ST	WAXAHACHIE	TX	75165	601 FLOYD ST WAXAHACHIE TX 75165
176386	VIEN LADD	0.217	LOT 2A BLK 11 UNIV ANNEX-REV .217 AC	1915 FERRIS AVE	WAXAHACHIE	TX	75165	501 CYNISCA ST WAXAHACHIE TX 75165
176387	LA FAMILIE INVESTMENTS 3 LP	0.207	3 11 UNIV ANNEX 0.207 ACRES	138 MUSTANG CREEK DR	WAXAHACHIE	TX	75165	506 E UNIVERSITY AVE WAXAHACHIE TX 75165
176389	VIEN LADD	0.21	LOT 3A BLK 11 UNIV ANNEX-REV .21 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	505 CYNISCA ST WAXAHACHIE TX 75165
176390	COLLINS RUTH A	0.184	LOT 4 BLK 11 UNIV ANNEX-REV 184 AC	138 MUSTANG CRK	WAXAHACHIE	TX	75165	510 E UNIVERSITY AVE WAXAHACHIE TX 75165
176394	POYNTER CAROLE CONNER TRUSTEE, CAROLE CONNER POYNTER TRUST	0.197	LOT 4A BLK 11 UNIV ANNEX-REV 197 AC	138 MUSTANG CREEK DR	WAXAHACHIE	TX	75165	506 CYNISCA ST WAXAHACHIE TX 75165
176395	MORGAN PHINIS	0.582	1B 11 UNIV ANNEX 0.582 ACRES	3605 HIGHPOINT DR	ROCKWALL	TX	75087	502 E UNIVERSITY AVE WAXAHACHIE TX 75165
176428	LA FAMILIE INVESTMENTS 3 LP	0.215	2 11 UNIV ANNEX 0.215 ACRES	323 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	504 E UNIVERSITY AVE WAXAHACHIE TX 75165
176429	FRYE MICHAEL L	0.154	3 7A UNIV ANNEX 0.154 ACRES	138 MUSTANG CREEK DR	WAXAHACHIE	TX	75165	604 FLOYD ST WAXAHACHIE TX 75165
176427	FRYE MICHAEL L	0.158	4 7A UNIV ANNEX 0.158 ACRES	600 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	600 E UNIVERSITY AVE WAXAHACHIE TX 75165
176435	COLLINS WILLIAM D & RUTH	0.148	LOT 2 BLK 7A UNIV ANNEX-REV 148 AC	602 FLOYD ST	WAXAHACHIE	TX	75165	602 FLOYD ST WAXAHACHIE TX 75165
176481	SAGU FINANCIAL SERVICES INC	0	LOT 8 VILLAGE	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	208 VILLAGE CIR WAXAHACHIE TX 75165
176492	SAGU FINANCIAL SERVICES INC	0.0890	LOT 10 VILLAGE 0.0890 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	284 VILLAGE CIR WAXAHACHIE TX 75165
176493	SAGU FINANCIAL SERVICES INC	0.0884	LOT 11 VILLAGE 0.0884 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	202 VILLAGE CIR WAXAHACHIE TX 75165
176494	SAGU FINANCIAL SERVICES INC	0.0889	LOT 12 VILLAGE 0.0889 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	200 VILLAGE CIR WAXAHACHIE TX 75165
176496	SAGU FINANCIAL SERVICES INC	0.0878	LOT 4 VILLAGE 0.0878 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	207 VILLAGE CIR WAXAHACHIE TX 75165
176503	SAGU FINANCIAL SERVICES INC	0.0863	LOT 1 VILLAGE 0.0863 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	201 VILLAGE CIR WAXAHACHIE TX 75165
176504	SAGU FINANCIAL SERVICES INC	0.0868	LOT 2 VILLAGE 0.0868 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	203 VILLAGE CIR WAXAHACHIE TX 75165
176505	SAGU FINANCIAL SERVICES INC	0.0873	LOT 3 VILLAGE 0.0873 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	205 VILLAGE CIR WAXAHACHIE TX 75165
176512	BAKER REVOCABLE TRUST, BAKER THOMAS F & MELISSA K CO TRUSTEES	0.265	LOT 10A 11B 8A BLK A UNIV ANNEX-REV .265 AC	3630 BLACK CHAMP RD	MIDLOTHIAN	TX	76025	805 E UNIVERSITY AVE WAXAHACHIE TX 75165
176513	MANCUNO JOHN JR	0.379	LOT 11A, 12 BLK 8A UNIV ANNEX-REV 0.379 AC	603 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	603 E UNIVERSITY AVE WAXAHACHIE TX 75165
176522	JACKSON DARRH	0.268	5 & 6 SW/4 & 7A UNIV ANNEX 0.268 ACRES	602 E UNIVERSITY AVE	WAXAHACHIE	TX	75165	602 E UNIVERSITY AVE WAXAHACHIE TX 75165
176523	LA FAMILIE INVESTMENTS 3 LP	0.157	6 7A UNIV ANNEX 0.157 ACRES	138 MUSTANG CREEK DR	WAXAHACHIE	TX	75165	604 E UNIVERSITY AVE WAXAHACHIE TX 75165
176583	BAKER MELBA R	0.172	LOT 27 BLK B WAXAHACHIE PLACE 0.172 AC	1740 PRITO LN	LANCASTER	TX	75134	115 SOLOH RD WAXAHACHIE TX 75165
176584	SWENDSON M & J TRUST, MIKE D & JODIE A SWENDSON TRUSTEES	0.172	LOT 28 BLK B WAXAHACHIE PLACE 172 AC	506 IOWA AVE	HOLTON	KS	66430	117 SOLOH RD WAXAHACHIE TX 75165
176585	WILSON JUSTIN	0.167	LOT 29 BLK B WAXAHACHIE PLACE 167 AC	180 BROOKBEND DR	WAXAHACHIE	TX	75165	119 SOLOH RD WAXAHACHIE TX 75165
176586	RANTON JOY L	0.167	LOT 30 BLK B WAXAHACHIE PLACE 167 AC	121 SOLOH RD	WAXAHACHIE	TX	75165	121 SOLOH RD WAXAHACHIE TX 75165
176587	ESCH GARY L	0.167	LOT 31 BLK B WAXAHACHIE PLACE 167 AC	425 CURRY RD	WAXAHACHIE	TX	75167	123 SOLOH RD WAXAHACHIE TX 75165
176589	WOLBERS RANDALL W & SUSAN M	0.172	LOT 22 BLK B WAXAHACHIE PLACE 172 AC	105 SOLOH RD	WAXAHACHIE	TX	75165	105 SOLOH RD WAXAHACHIE TX 75165
176590	VIEN LADD	0.172	LOT 23 BLK B WAXAHACHIE PLACE 0.172 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	107 SOLOH RD WAXAHACHIE TX 75165
176591	PORTER MARY C	0.172	LOT 24 BLK B WAXAHACHIE PLACE 172 AC	2081 BLACK CHAMP RD	WAXAHACHIE	TX	75165	109 SOLOH RD WAXAHACHIE TX 75165
176592	CORDERO JUAN A & PATRICIA G	0.172	LOT 25 BLK B WAXAHACHIE PLACE 172 AC	111 SOLOH RD	WAXAHACHIE	TX	75165	111 SOLOH RD WAXAHACHIE TX 75165
176593	SHACKELFORD MATTHEW S & ASHLEY R	0.172	LOT 26 BLK B WAXAHACHIE PLACE 172 AC	7770 LITHPOLIS RD	CARROLL	OH	43112	113 SOLOH RD WAXAHACHIE TX 75165
176600	ALLISON MICHAEL D	0.172	LOT 12 BLK B WAXAHACHIE PLACE 172 AC	108 LAWNDALE DR	WAXAHACHIE	TX	75165	108 LAWNDALE DR WAXAHACHIE TX 75165
176601	ELLIOTT JOHN H & JUDY A	0.172	LOT 13 BLK B WAXAHACHIE PLACE 0.172 AC	106 LAWNDALE DR	WAXAHACHIE	TX	75165	106 LAWNDALE DR WAXAHACHIE TX 75165
176602	VIEN LADD	0.172	LOT 14 BLK B WAXAHACHIE PLACE 172 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	104 LAWNDALE DR WAXAHACHIE TX 75165
176603	BUTLER BRENDA & JOHN	0.196	LOT 15 BLK B WAXAHACHIE PLACE 196 AC	102 LAWNDALE DR	WAXAHACHIE	TX	75165	102 LAWNDALE DR WAXAHACHIE TX 75165
176815	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	1.036	LOTS 28 & 2C & 2D & 2E & 2F BLK 29 WEST END 1.036 ACRES	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	713 HIGHLAND AVE WAXAHACHIE TX 75165
176820	SAGU FINANCIAL SERVICES INC	0.135	LOT 10 BLK 29 WEST END-REV 0.135 AC	1400 SYCAMORE ST	WAXAHACHIE	TX	75165	703 HIGHLAND AVE WAXAHACHIE TX 75165
176821	RAMIREZ JOSE LUIS & MARIA CONSEULO	0.203	1E 29 WEST END 0.203 ACRES	117 HOWLAND LN	WAXAHACHIE	TX	75167	1402 SYCAMORE ST WAXAHACHIE TX 75165
176822	RODRIGUEZ ELIO	0.203	1F 29 WEST END 0.203 ACRES	1400 SYCAMORE ST	WAXAHACHIE	TX	75165	1400 SYCAMORE ST WAXAHACHIE TX 75165
176829	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.271	LOT 1C BLK 29 WEST END-REV .271 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	1404 SYCAMORE ST WAXAHACHIE TX 75165
176846	GAROUTTE ALICIA	0.241	LOT 4C BLK 25 WEST END-REV .241 AC	1405 SYCAMORE	WAXAHACHIE	TX	75165	1405 SYCAMORE ST WAXAHACHIE TX 75165
176847	EQUITY TRUST CO, FBO DURANT RODRIGUE IRA	0.2459	4D 25 WEST END 0.2459 ACRES	1 EQUITY WAY	WESTLAKE	OH	44145	1401 SYCAMORE ST WAXAHACHIE TX 75165
176848	BAGGETT WINDELL CLARK	0.205	LOT 4E BLK 25 WEST END-REV .205 AC	113 DRIFTWOOD LN	WAXAHACHIE	TX	75165	623 HIGHLAND AVE WAXAHACHIE TX 75165
183782	SOUTHWESTERN BIBLE INSTITUTE	71.818	148 WM BARKINS & BLS 1-10 & 18A & 19A & 20A OF BLK 2 UNIVERSITY ADDN 71,818 ACRES	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	GRAND AVE WAXAHACHIE TX 75165
193838	TEXAS NATIONAL GUARD ARMORY	4.091	4A.5 6 29 WEST END 4.091 ACRES	2200 W 35TH ST	AUSTIN	TX	78703	814 N GRAND AVE WAXAHACHIE TX 75165
193839	TEXAS NATIONAL GUARD ARMORY	3.077	LOT 4 & 5 BLK 29 WEST END-REV 3.077 AC	2200 W 35TH ST	AUSTIN	TX	78703	HIGHLAND AVE WAXAHACHIE TX 75165
187700	SAGU FINANCIAL SERVICES INC	0.229	LOT 27 31 & 32 BLK 9 UNIVERSITY-REV .229 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	1408 SYCAMORE ST WAXAHACHIE TX 75165
200778	POYNTER CAROLE CONNER TRUSTEE, CAROLE CONNER POYNTER TRUST	0.1876	LOT 1A BLK 11 UNIV ANNEX-REV 0.1876 AC	3605 HIGHPOINT DR	ROCKWALL	TX	75087	100 CONNER ST WAXAHACHIE TX 75165
200779	LA FAMILIE INVESTMENTS 3 LP	0.1754	LOT 1C BLK 11 UNIV ANNEX-REV 0.1754 AC	138 MUSTANG CREEK DR	WAXAHACHIE	TX	75165	104 CONNER ST WAXAHACHIE TX 75165
201512	WAXAHACHIE BIBLE CHURCH	10.653	8A 27 WEST END REV 10.653 ACRES	PO BOX 826	WAXAHACHIE	TX	75168	621 N GRAND AVE WAXAHACHIE TX 75165
207380	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.115	PT 31 & 32 B UNIVERSITY 0.115 ACRES	1200 SYCAMORE ST	WAXAHACHIE	TX	75165	1207 SYCAMORE ST WAXAHACHIE TX 75165

(17)

Case Number: ZDC-176-2020

City Reference: 172840

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SUPPORT

OPPOSE

RECEIVED JAN 14 2021

Comments:

Fay Rogers
Signature

1-11-21
Date

Fay ROGERS - OWNER
Printed Name and Title

117 Vanderbilt
Address

(11)

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.

(14)



City of Waxahachie, Texas RECEIVED JAN 14 2021
Notice of Public Hearing
Case Number: ZDC-176-2020

JETER DONALD H & CYNTHIA ANN
110 CLEMSON CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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 Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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-176-2020

City Reference: 172867

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SUPPORT

OPPOSE

Comments:

I oppose the construction of said Accessory Building as there is no indication of the specific location to build.

Signature

Rev. Donald H. Jeter
Printed Name and Title

Date

1/14/2021

110 Clemson Ct.

Address

Waxahachie

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RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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-176-2020

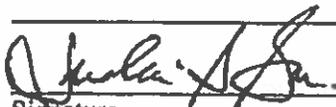
City Reference: 176494

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SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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(14)



RECEIVED JAN 12 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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-176-2020

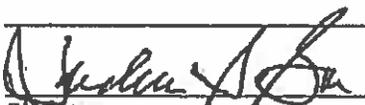
City Reference: 176493

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SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021

Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

RECEIVED JAN 12 2021

**SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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-176-2020

City Reference: 176496

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SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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(14)

RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

**SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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-176-2020

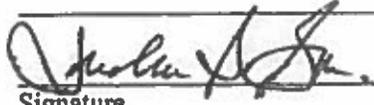
City Reference: 176503

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SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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(14)

RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

**SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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 Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: **SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)**

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Case Number: ZDC-176-2020

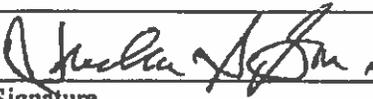
City Reference: 176504

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SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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Notice of Public Hearing
Case Number: ZDC-176-2020

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

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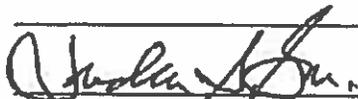
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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

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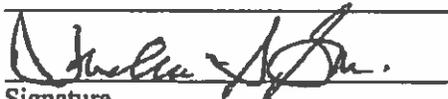
City Reference: 176820

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

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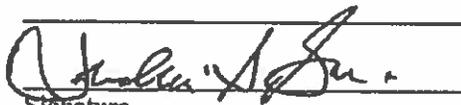
City Reference: 176815

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City of Waxahachie, Texas
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Case Number: ZDC-176-2020

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1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

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Case Number: ZDC-176-2020

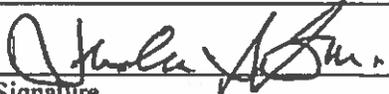
City Reference: 193782

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

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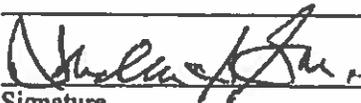
City Reference: 176829

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SUPPORT

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Signature

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Date

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Printed Name and Title

1200 Sycamore St.
Address
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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

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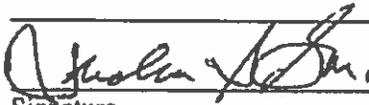
City Reference: 197700

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SUPPORT

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Comments:


Signature

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

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1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

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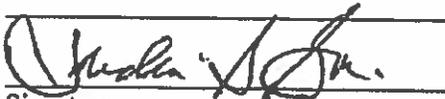
City Reference: 207380

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1200 Sycamore St.

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Notice of Public Hearing
Case Number: ZDC-176-2020

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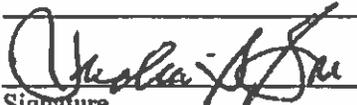
City Reference: 176148

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Notice of Public Hearing
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Case Number: ZDC-176-2020

City Reference: 176492

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Notice of Public Hearing
Case Number: ZDC-176-2020

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City Reference: 176491

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Notice of Public Hearing
Case Number: ZDC-176-2020

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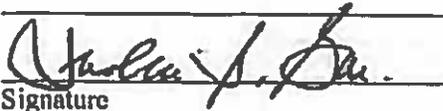
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City of Waxahachie, Texas
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Case Number: ZDC-176-2020

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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-176-2020

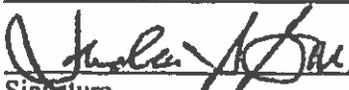
City Reference: 176106

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore 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.

(14)

RECEIVED JAN 14 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020



SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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 Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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-176-2020

City Reference: 176103

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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:

Frederic S. Gore
Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

RECEIVED JAN 14 2021

**SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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 Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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-176-2020

City Reference: 176101

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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:

Frederic S. Gore
Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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(14)



RECEIVED JAN 14 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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 Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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-176-2020

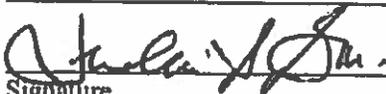
City Reference: 176100

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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(14)

RECEIVED JAN 14 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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 Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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-176-2020

City Reference: 176097

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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:

Frederic S. Gore
Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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Planning & Zoning Department

Zoning Staff Report

Case: ZDC-175-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

CAPTION

Public Hearing on a request by Joshua Ward for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 SF**, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 125 Homestead Lane (Property ID 269684) - Owner: JOSHUA WARD & SABRINA HULL-WARD (ZDC-175-2020)

APPLICANT REQUEST

The applicant is requesting to construct a +700 sq. ft. (3,600 sq. ft.) accessory structure in the rear of a single family property.

CASE INFORMATION

Applicant: Joshua Ward

Property Owner(s): Joshua Ward and Sabrina Hull-Ward

Site Acreage: 1.118 acres

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

Requested Zoning: Planned Development-23-Single Family-1 with SUP

SUBJECT PROPERTY

General Location: 125 Homestead Ln.

Parcel ID Number(s): 269684

Existing Use: Single Family Residence

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-23-SF1	Homestead Estates
East	PD-23-SF1	Homestead Estates
South	PD-23-SF1	Homestead Estates
West	PD-23-SF1	Homestead Estates

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 Homestead Ln.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to construct a +700 sq. ft. (3,600 sq. ft.) accessory structure in the rear of a single family property located at 125 Homestead Ln. Ellis County Appraisal District states that the primary structure on the property is 3,019 sq. ft. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a SUP to be approved by City Council.

Proposed Use:

The applicant is requesting approval to construct a 3,600 sq. ft. (17 ft. tall) accessory structure. Of the 3,600 sq. ft. total structure, 1,600 sq. ft. will be used as covered patio space. The applicant is proposing to construct the structure out of metal, and intends to use the accessory structure for storage of supplies and vehicles, and workshop space. During site visits, staff noticed there are other accessory structures within the surrounding neighborhood area, yet none existing of comparable size. However, it should be noted that the Planning and Zoning Commission voted 7-0 to approve a 2,400 sq. ft. accessory structure at 101 Homestead Ln. at the December 15, 2020 Planning and Zoning meeting. At the time of this report (1/19/2021), staff has yet to receive any correspondence from the surrounding neighbors.

Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, the Building Inspections department will ensure construction complies with all regulations.

STAFF CONCERNS

Size

Though the applicant is below the fifty percent maximum lot coverage requirement, staff has concerns with the total size of the accessory structure (3,600 sq. ft.) exceeding the size of the primary structure (3,019 sq. ft.). Staff suggest that the applicant reduce the size of the accessory structure.

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.

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. Due to the total size of the accessory structure (3,600 sq. ft.) exceeding the size of the primary structure (3,019 sq. ft.), staff suggest that the applicant reduce the size of the accessory structure.
 2. A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.

ATTACHED EXHIBITS

1. Site Plan
2. Elevation/Façade Plan

APPLICANT REQUIREMENTS

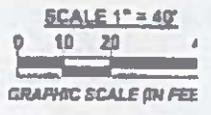
1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

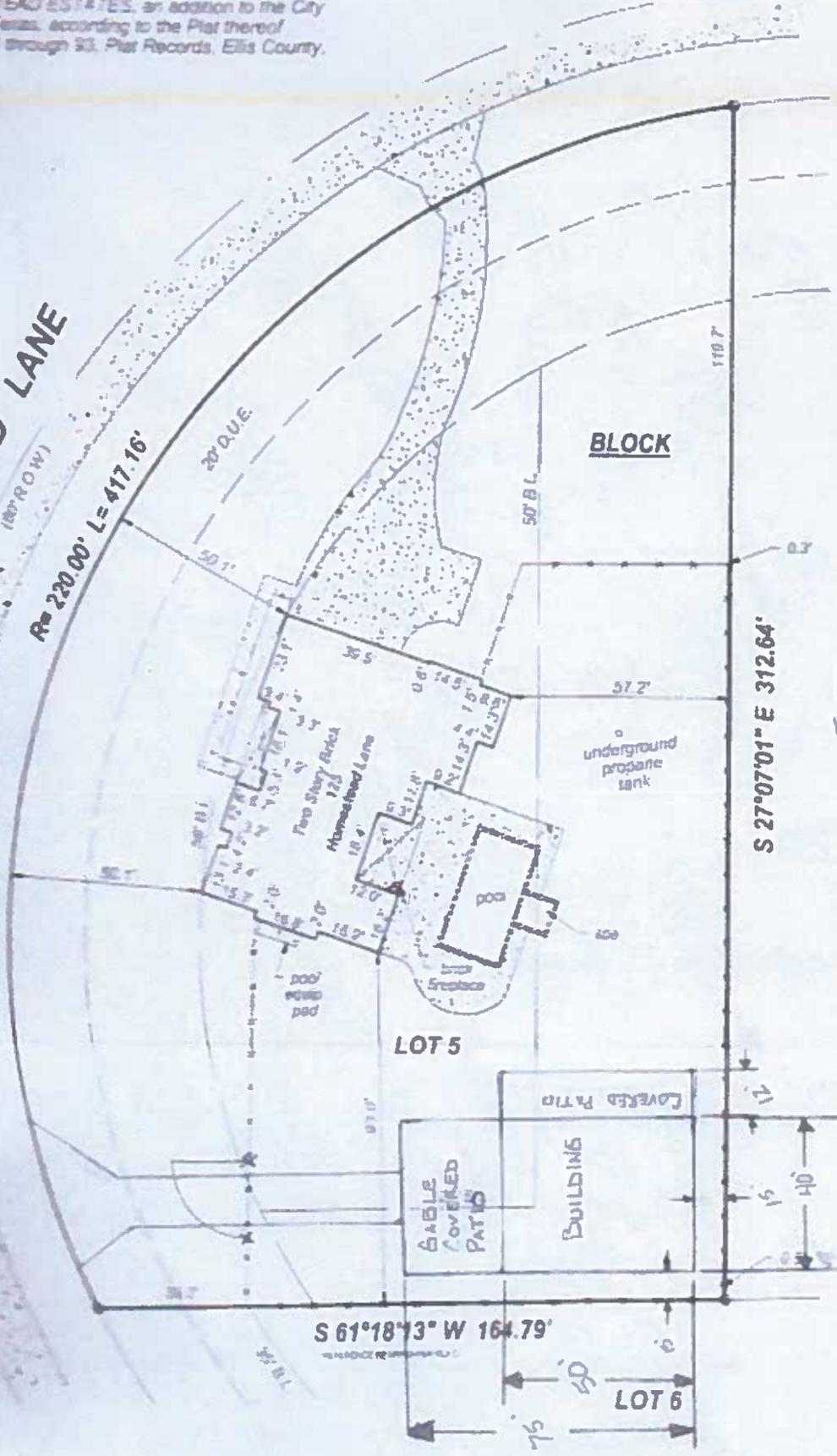
Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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

125 HOMESTEAD ESTATES, an addition to the City of Ellis County, Texas, according to the Plat thereof as J. Sides 21 through 23, Plat Records, Ellis County.



HOMESTEAD LANE
(20' ROW)
R= 220.00' L= 417.16'



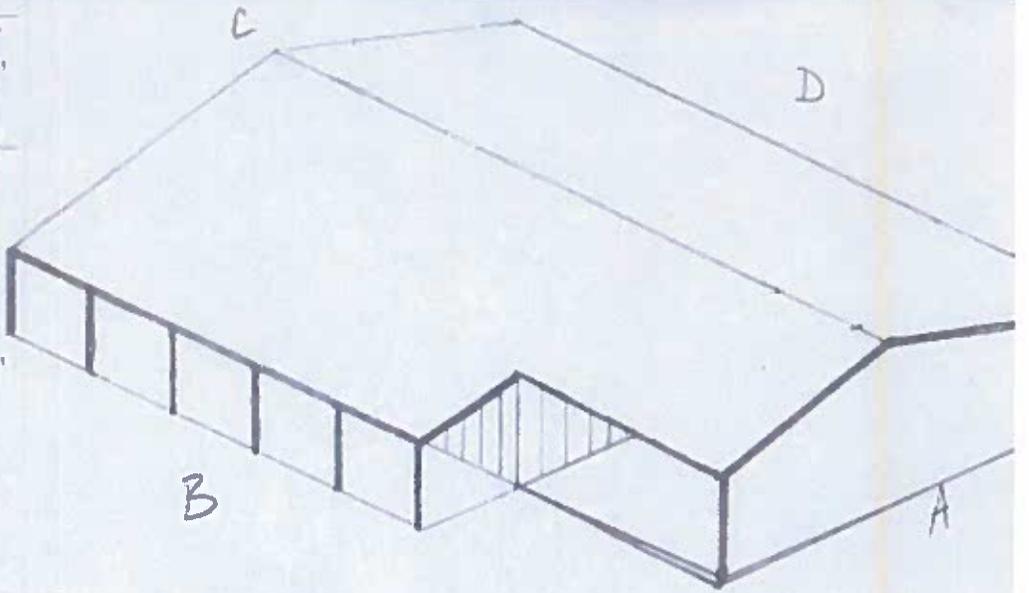
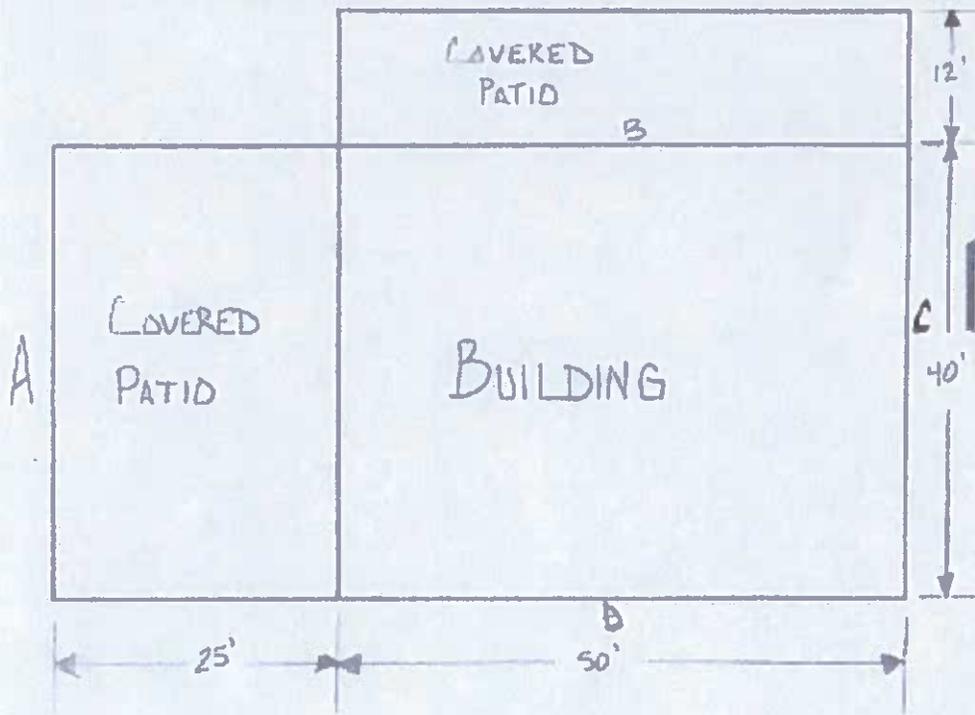
125 HOMESTEAD LN
WALAHACHE, TX 75165

LOT 4

LOT 5

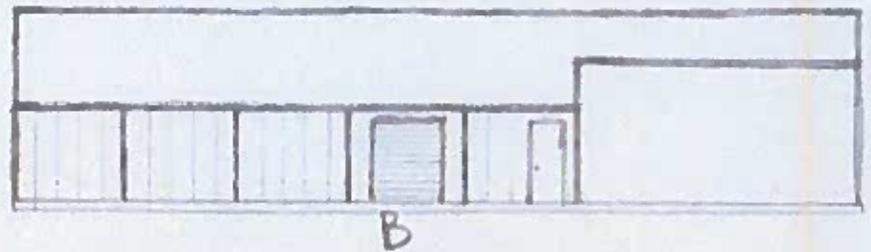
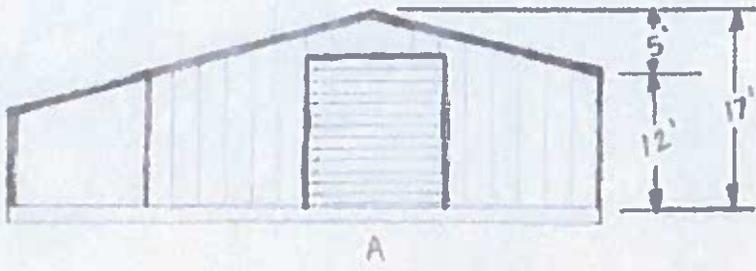
LOT 6

- & Light Company recorded DIRECT.



125 HOMESTEAD LN
WAXAHACHIE TX 75165

(16)



Planning & Zoning Department
Zoning Staff Report

Case: ZDC-182-2020

**MEETING DATE(S)**

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

CAPTION

Public Hearing on a request by Joseph Ray, D&R Solutions LLC, for a **Zoning Change** from a Single-Family Residential-3 zoning district to Two-Family Residential-Duplex (2F), located at 200 Peters Street (Property ID 283063) - Owner: D & R SOLUTIONS LLC (ZDC-182-2020)

APPLICANT REQUEST

The applicant is requesting a zoning change from Single Family-3 (SF3) to Two-Family Residential (2F) to allow a duplex.

CASE INFORMATION

Applicant: Joseph Ray, D&R Solutions, LLC

Property Owner(s): D&R Solutions, LLC

Site Acreage: 0.292 acres

Current Zoning: Single Family-3 (SF3)

Requested Zoning: Two-Family Residential (2F)

SUBJECT PROPERTY

General Location: 200 Peters St.

Parcel ID Number(s): 283063

Existing Use: Single Family Home

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	SF3	Single Family Residences
East	SF3	Single Family Residences
South	SF3	Single Family Residences
West	SF3	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 Peters St. and Wyatt St.

Site Image:**PLANNING ANALYSIS****Proposed Use:**

The applicant is applying for a zoning change to rezone 200 Peters St. from Single Family-3 to Two Family zoning to allow the use of a duplex. Currently, the applicant has renovated nearly 75% of the property to help enhance the subject property. If a zoning change is granted by City Council, the applicant intends to rent the property to future tenants and remain the owner of the property.

Analysis:

On December 11, 2020, the applicant (D&R Solutions) met with planning staff to inform them that they purchased a property located at 200 Peters St. on November 30, 2020. The applicant further explained to staff that the property was purchased through the MLS (Multiple Listing Service) system for the intended use of a duplex (as advertised in the MLS system). Once staff informed the applicant that the current zoning for the property (Single Family-3) does not allow the use for a duplex, the applicant chose to apply for a zoning change on December 16, 2020.

Prior to applying for a zoning change, the applicant informed staff that construction on the property had already begun. Per the City of Waxahachie Building Inspections Department, the applicant applied for various permits such as an Alteration/Remodel permit and Fence/Wall permit on December 7, 2020. The applicant also applied for another Alteration/Remodel permit on January 4, 2021. At the time of this report (1/20/2021), no permits have been released to the applicant for construction approval. However, it should be noted that the applicant has currently made nearly \$60,000 worth of changes to help rehab the property.

Due to the structure originally being constructed in the 1950's, and predating the Building Inspections permitting system, staff does not have any original information or building permits for the property. In addition, the existing detached garage facing Wyatt St. does not meet the 5ft. setback requirement for the Single Family-3 zoning district.

STAFF CONCERNS

Due to the duplex being inconsistent with the surrounding neighborhood area, staff suggests that the applicant use the property as a single family residence to be in character with the current zoning district.

PUBLIC NOTIFICATIONS

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

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments

ATTACHED EXHIBITS

1. Site Layout
2. Before/After (Current) Photos

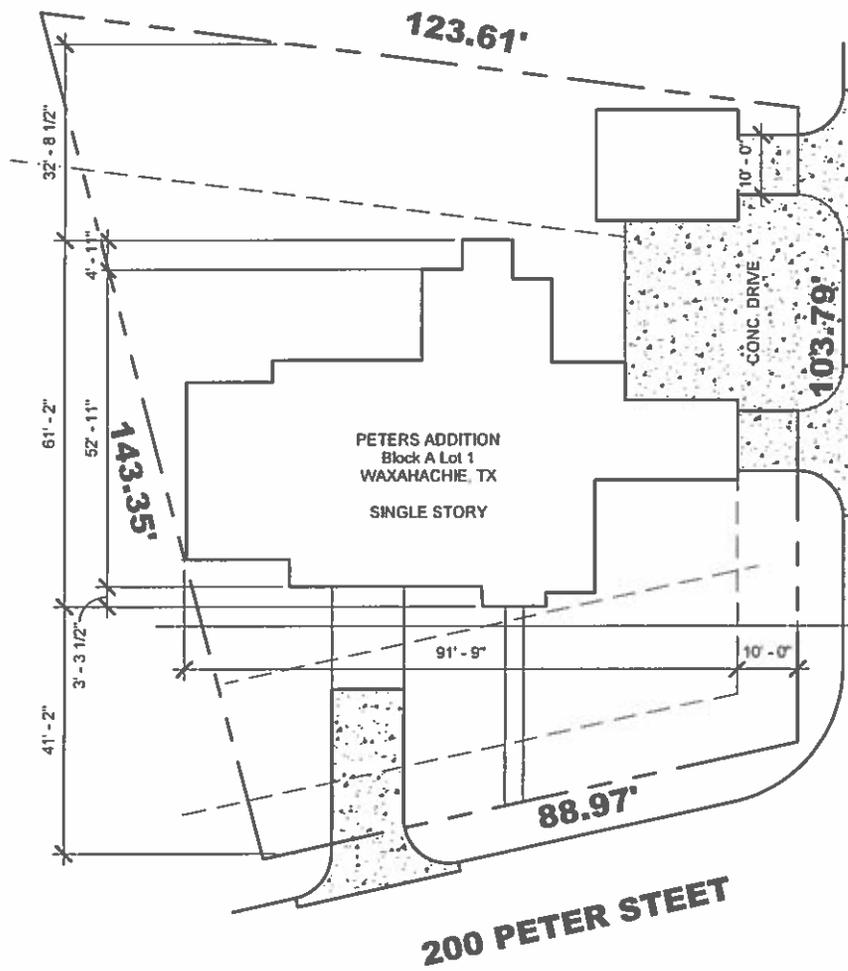
APPLICANT REQUIREMENTS

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)

BEFORE PHOTOS



(18)



(18)

CURRENT (AFTER) PHOTOS



(18)



(18)



Planning & Zoning Department

Zoning Staff Report

Case: ZDC-179-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

CAPTION

Public Hearing on a request by George Salvador, Lilian Custom Homes, for a **Zoning Change** from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020)

APPLICANT REQUEST

The applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 221 single family detached homes.

CASE INFORMATION

Applicant: George Salvador, Waxahachie One Development

Property Owner(s): George Salvador, Waxahachie One Development

Site Acreage: 78.22 acres

Current Zoning: Single Family-1

Requested Zoning: Planned Development-Single Family-3

SUBJECT PROPERTY

General Location: 401 Ovilla Rd.

Parcel ID Number(s): 180391

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-SF2	Sheppard's Place Development
East	C & GR	Single Family Residences
South	SF1	Currently Undeveloped
West	SF1	Currently Undeveloped

Future Land Use Plan:

Low Density Residential with a portion on the Northern boundary being Mixed Use Non-Residential

Comprehensive Plan:

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

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 Ovilla Rd.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 221 single family detached homes. Per the City of Waxahachie Zoning Ordinance, a Planned Development requires approval from City Council.

Proposed Use:

The applicant is proposing a zoning change request from a Single Family-1 (SF1) zoning district to Planned Development-Single Family-3, with Concept Plan, located at 401 Ovilla Rd. The proposed development will consist of two hundred twenty-one (221) single family lots on 78.22 acres. Of the 78.22 acres for the development, 21.23 acres is intended to be used as park space/open space. The park area is proposed to include a kid’s soccer play area and multi-purpose sports court.

Staff has concerns with the proposed lot sizes by the applicant. Per the City of Waxahachie Zoning Ordinance, the minimum lot size for Single Family-3 (SF3) zoning is 10,000 sq. ft. Per the Concept Plan, the applicant is proposing a minimum lot size of 7,200 sq. ft. Also, the applicant is requesting to construct nearly 85% of lots within the development below the 80ft. lot width requirement (see Table 2 and Table 3 below). If approved, over 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 second column depicts the standards for the current zoning (Single Family-1) of the property. Items reflected in the second column are not represented in the “Meets” column.*

***The third column depicts the Single Family-3 zoning standards (what applicant is requesting)*

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

Standard	City of Waxahachie (Existing SF1 Standards)	City of Waxahachie SF3 Standards	Dominion Park	Meets
Min. Lot Area	16,000 sq. ft.	10,000 sq. ft.	7,200 sq. ft.	No
Min. Lot Width	90 ft.	80 ft.	60 ft.	No
Min. Lot Depth	140 ft.	100 ft.	120 ft.	Yes
Min. Front Setback	40 ft.	30 ft.	20 ft.	No
Min. Interior Setback	15 ft.; 20 ft. (ROW)	10 ft.; 15 ft. (ROW)	10% of Lot Width or 10' Interior Maximum. 15' on Corner Lots	No
Min. Rear Setback	25 ft.	25 ft.	20 ft.	No
Min. Dwelling Size	2,200 sq. ft.	1,200 sq. ft.	1,800 sq. ft.	Yes
Max. Lot Coverage	50%	50%	50%	Yes

Table 3: Single Family Lot Notes (221 Total Lots)

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

146 Lots	60 ft. wide minimum
41 Lots	70 ft. wide minimum
34 Lots	80 ft. wide minimum

Additional Single Family Lot Notes:

Minimum Lot Size: 7,200 sq. ft.

Maximum Lot Size: 22,745 sq. ft.

Min. Masonry Percentage (Single Family): 75% total

SPECIAL EXCEPTION/VARIANCE REQUEST:

Lot Area

The minimum lot area requirement is 10,000 sq. ft.

- The applicant is proposing a minimum lot size of 7,200 sq. ft.

Front Yard Setback

The minimum front yard setback requirement is 30ft.

- The applicant is proposing a front yard setback of 20ft.

Side Setback

The minimum side yard setback requirement is 10 ft. (interior) and 15 ft. (adjacent to ROW)

- The applicant is proposing a side yard setback of 10% of lot width or 10 ft. interior maximum and 15 ft. on corner lots

Rear Setback

The minimum rear yard setback requirement is 25ft.

- The applicant is proposing a rear yard setback of 20ft.

Lot Width

The minimum lot width requirement is 80ft.

- The applicant is proposing a minimum lot width of 60ft.

Screening

Single Family residential developments require masonry material for fencing/screening.

- The applicant is proposing a 6ft. wood fence at the North and South boundaries of the development.

STAFF CONCERNS

Lot Area

Staff has concerns with the proposed lot sizes for the development. As shown above in "Table 2", the applicant is asking for a deviation request from the existing Single Family-1 zoning lot size requirement (16,000 sq. ft.), as well as not meeting the requested Single Family-3 zoning lot size requirement (10,000 sq. ft.).

Lot Width

The minimum lot width requirement is 80ft. The applicant is proposing a minimum lot width of 60ft. Staff suggests that the applicant meet the minimum lot width requirement.

Residential Screening

Per the City of Waxahachie Zoning Ordinance, for screening of single family residential developments, the approved materials requirement is 100% masonry (limited to brick and/or stone). The applicant is proposing a 6ft. wood fence at the North and South boundaries of the development. Staff suggests that the applicant meet the screening requirement.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns and intends to state their reasoning at the January 26, 2021 Planning and Zoning meeting.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 14 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Inside 200ft. Notification Area: Staff received one (1) letter of support for the proposed development.

Outside 200ft. Notification Area: Staff received one (1) letter of opposition for the proposed development.

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**
Though staff is not opposed to the proposed residential development, due to staff concerns, staff is recommending denial.
- Approval, as presented.
- Approval, per the following comments:

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Development Agreement/Ordinance
3. Planned Development Provisions
4. Concept Plan
5. Lot Layout Plan
6. Preliminary Water and Sanitary Sewer Plan
7. Elevation/Façade Renderings
8. Landscape Plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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

Case ZDC-179-2020
 Responses Received Inside Required 200' Notification Area
 Support: 1 Oppose: 0

PropertyID	Owner's Address	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
138566	BROOME REX A & CONSTANCE M	70.6875	101 E BELLOW 70.6875 ACRES	308 TUMBLEWEED TR	WAXAHACHIE	TX	75165	HIGHWAY 287 WAXAHACHIE TX 75165
179594	SEVEN-FIVE WAXAHACHIE % WILLIAM G MAJOR	7.5	41 J BARKER 7.5 ACRES	113 WILLOWCREST	WAXAHACHIE	TX	75165	INTERSTATE 35 WAXAHACHIE TX 75165
179591	FRISBEE MICHAEL	1	41 J BARKER 1 ACRES	308 W MADISON ST	WAXAHACHIE	TX	75165	FM 664 WAXAHACHIE TX 75167
180316	OTTS KARON E & JOEL P	1	99 J B BOUNDS 1 ACRES	410 OVILLA RD	WAXAHACHIE	TX	75167	410 OVILLA RD WAXAHACHIE TX 75167
180321	MARLIN ODENA	0.964	99 J B BOUNDS 0.964 ACRES	400 OVILLA RD	WAXAHACHIE	TX	75167	400 OVILLA RD WAXAHACHIE TX 75167
180383	MARTINEK & ASSOC. LP	31.107	101 E BELLOW 31.107 ACRES	2256 BELLS CHAPEL RD	WAXAHACHIE	TX	75165	HIGHWAY 287 WAXAHACHIE TX 75165
180391	WAXAHACHIE ONE DEVELOPMENT	78.22	101 E BELLOW & 466 E HORTON 78.22 ACRES	509 FERRIES AVE	WAXAHACHIE	TX	75165	401 OVILLA RD WAXAHACHIE TX 75167
180503	WAXAHACHIE ISD	117.2	108 J BOYD: 109 W J BOYD, 466 E HORTON, 1080 WM C TUNNELL 117.20 ACRES	411 N GIBSON ST	WAXAHACHIE	TX	75165	W HIGHWAY 287 BYPASS WAXAHACHIE TX 75165
185243	SHEPPARD'S PLACE DEVELOPMENT CO LLC	24.735	466 E HORTON 24.735 ACRES	5137 DAVIS BLVD	FT WORTH	TX	76180	FM 664 WAXAHACHIE TX 75167
199964	JBS PARTNERS LLC	2.851	101 E BELLOW 2.851 ACRES	P.O. BOX 837	WAXAHACHIE	TX	75168	301 OVILLA RD WAXAHACHIE TX 75167
205402	WILLIAMS MICHAEL W & KELLY J	3.388	99 J B BOUNDS 3.388 ACRES	312 OVILLA RD	WAXAHACHIE	TX	75167	312 FM 664 WAXAHACHIE TX 75167
221795	PETERS SCOTT S	1.209	LOT 1 NAIL ESTS-REV 1.209 AC	408 OVILLA RD	WAXAHACHIE	TX	75167	408 OVILLA RD WAXAHACHIE TX 75167
261920	BOZE D WAYNE & MARIA M	20	101 E BELLOW 20 ACRES	2322 WHWY 287 BUSINESS	WAXAHACHIE	TX	75165	2322 HIGHWAY 287 WAXAHACHIE TX 75165
277458	SHEPPARD'S PLACE DEVELOPMENT CO LLC	54.929	466 E HORTON 54.929 ACRES	5137 DAVIS BLVD	FT WORTH	TX	76180	FM 664 WAXAHACHIE TX 75167

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Case ZDC-178-2020
Responses Received OUTSIDE Required 200' Notification Area
Support: 0 Oppose: 1

PropertyID	Owner's Name	Physical Address
221798	GARY R & LISA A WYATT	414 OVILLA ROAD



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-179-2020

SEVEN-FIVE WAXAHACHIE % WILLIAM C MAJOR
113 WILLOWCREST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 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 George Salvador, Lillian Custon: Homes, for a Zoning Change from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020)

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-179-2020

City Reference: 179584

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Wednesday, January 20, 2021 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: owner of adjacent property

Wc Major
Signature

1/13/21
Date

Wc Major MD
Printed Name and Title

113 Willowcrest
Address Waxahachie, TX
75165

It is a crime to knowingly submit a false zoning application. (Texas Penal Code 37.10)
If you are not the addresser on the top of this form, you would like to submit a response, please contact the City for a third form.

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Outside Notification Area

PID: 221796

Wright, Destiny

From: Gary Wyatt <luv_my_job@yahoo.com>
Sent: Sunday, January 17, 2021 11:47 AM
To: Brooks, Shon; Planning@waxahachie.com
Subject: January 26th Zoning Meeting ZDC-000179-2020, SUB 000174-2020
Attachments: Property 180322.pdf; Prperty 191627.pdf; Wyatt parcel.pdf

Dear Sir,

The Wyatt family has lived at 414 Ovilla Road, Property ID # 221796, since 7/1/2004, over 16.5 years. Our home is directly across from Sheppard's Place Phase One.

Three years ago TXDOT improved the approximate 2 mile section of Ovilla Road bounded by US 287 Bypass to the North and Business 287 to the South. The improvements included widening the road by about 18 inches, raising the grade level and resurfacing the roadway. Both of the properties subject to the zoning meeting are located on the West side of this section of Ovilla road.

The speed limit on Ovilla road is 55 mph. Rarely does the City of Waxahachie police department or DPS monitor/enforce the speed limit. Truck traffic has substantially increased on this section of Ovilla Road over the past 5 years due to the intermodal trucking terminal of TIMCO located on the South end of this section of roadway.

The existing two entrances to Sheppard's Place do not have any deceleration lanes at present allowing for the safe movement of traffic from Ovilla Road to the subdivision. Traffic has substantially increased on Ovilla Road

In 2018 the City of Waxahachie approved a zoning change on Parcel 191627 to single family - 3 zoning for this 119 acre parcel. The developer has not begun to develop the parcel however it is approved for 265 lots at this time. This parcel is located North of the subject properties also on the West side of Ovilla Road. When developed additional traffic will be using Ovilla Road.

Several weeks age the City Of Waxahachie also approved Ordinance 3224, which rezones the 124 acre parcel just East of Ovilla Road bounded by I 35 and just east of existing properties on Ovilla Road. The approved plan calls for a city funded collector road which connects Ovilla Road to property East of I 35 via a new bridge. New zoning approves apartment buildings, retail commercial and warehousing. Again the development will substantially increase the traffic on Ovilla Road.

The city should require TXDOT to perform a new traffic study monitoring traffic count as well as average speed at two locations, North of Sheppard's Place phase One and South of the proposed Dominion Park.

The speed limit should be lowered on Ovilla Road to more appropriately represent that of residential neighborhoods, ie. 30 mph.

Deceleration lanes should be required at the entrances of all the residential development including the existing Sheppard's Place Phase One.

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The City of Waxahachie and the developers should be concerned with the potential financial liability possibly incurred should fatal and/or property damage accidents occur on the roadway near the entrances of each of these new and proposed development's due to unsafe roadway design without appropriate deceleration lanes.

Specific to our property, when exiting our driveway in a passenger car the higher grade level of the road surface at the top a the hill or rise in the road, coupled with the high speed of traffic makes it dangerous to pull on to the roadway safely.

Further, the South end of Ovilla Road connect to US287 Business without any traffic control device other than a stop sign only for Ovilla Road traffic. Frequent long back ups already occur at the intersection without a traffic signal.

Due to a recent illness and hospitalization can not attend this zoning meeting in person, however I would be happy to participate virtually via WebEx or Zoom if available.

I do not support approval of the zoning changes.

Regards,

Gary R. Wyatt

Attachments

STATE OF TEXAS	§	DEVELOPMENT AGREEMENT
	§	FOR DOMINION PARK
COUNTY OF ELLIS	§	

This Development Agreement for Dominion Park ("Agreement") is entered into between Waxahachie One Development ("WOD") and the City of Waxahachie, Texas ("City"). WOD and the City are sometimes referred herein together as the "Parties" and individually as a "Party."

Recitals:

1. WOD is the owner of approximately 78.22 acres of real property generally located at 401 Ovilla Rd., parcel number 180391, in the City of Waxahachie, Texas (the "Property"), for which he has requested a change in the Property's Single Family-1 zoning to a Planned Development ("PD") Single Family-3 zoning, revising specific development standards. The Property is currently zoned Single Family-1 by the City, and is anticipated to have the zoning changed to a new PD zoning on January 26, 2021.

2. The planned use of the Property is to create a Planned Development to allow for the development of 221 single family residential homes. The PD zoning process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards, as well as providing WOD with agreed-upon and negotiated standards consistent with their business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between representatives of WOD and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the PD zoning amendment Ordinance No. (TBD) (the "Dominion Park PD Ordinance"), a copy of which is attached hereto as *Exhibit A* and which contains the negotiated zoning and development standards for Dominion Park.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in the Dominion Park PD Ordinance as contractually-binding obligations between the City of Waxahachie and WOD, and to recognize WOD's reasonable investment-backed expectations in the Dominion Park PD Ordinance and the planned development of Dominion Park.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("**Effective Date**"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("**Term**").

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations: The negotiated and agreed upon zoning and development standards contained in the Dominion Park PD Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the developer.

The Developer agrees to:

- (A) The minimum lot area shall be 7,200 sq. ft.
- (B) The minimum lot width shall be 60ft.
- (C) The minimum lot depth shall be 120ft.
- (D) The minimum front yard setback shall be 20ft.
- (E) The minimum interior setback shall be 10% of the lot width or 10ft. interior and 15ft. on corner lots.
- (F) The minimum rear yard setback shall be 20ft.
- (G) The minimum dwelling unit size shall be 1,800 sq. ft.
- (H) The maximum lot coverage shall be 50%
- (I) Screening for the North and South boundaries of the property shall be constructed of a 6ft. wood fence. Masonry screening shall be required along the front entrance of the property.
- (J) The Site Plan shall conform as approved by the City Council under case number ZDC-179-2020.
- (K) A detailed Site Plan packet shall be administratively reviewed and approved in accordance with the Site/Concept Plan.
- (L) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

In consideration of WOD's agreement in this regard, the City of Waxahachie agrees that WOD has reasonable investment-backed expectations in the Dominion Park PD Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in Dominion Park PD Ordinance without impacting WOD's reasonable investment-backed expectations.

Section 4. Miscellaneous

- A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.
- B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.
- C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.
- E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.
- F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.
- G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon WOD and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

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{Signature Pages Follow}

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EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

**: George Salvador, Waxahachie One
Development (Applicant)**

By: _____

Date: _____

**: George Salvador, Waxahachie One
Development (Owner)**

By: _____

Date: _____

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, 2021, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, 2021, personally appeared _____, representative of Waxahachie One Development, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

EXHIBIT A

Dominion Park PD Ordinance

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-1 (SF1) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF3), LOCATED AT 401 OVILLA ROAD, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 78.22 ACRES, KNOWN AS PROPERTY ID 180391 OF ABSTRACT 101 OF E BELLOW SURVEY AND ABSTRACT 466 OF E HORTON SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-179-2020. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF1 to PD-SF3, with Concept Plan; and

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

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

NOW, THEREFORE, this property is rezoned from SF1 to PD-SF3, with Concept Plan in order to facilitate development of the subject property in a manner that allows 221 single family residential lots on the following property: Property ID 180391 of Abstract 101 of E Bellow Survey and Abstract 466 of E Horton Survey, which is shown on Exhibit A, Concept Plan shown as Exhibit B, Lot Layout Plan shown as Exhibit C, Preliminary Water and Sanitary Sewer Plan shown as Exhibit D, Elevation/Façade Rendering shown as Exhibit E, and Landscape Plan shown as Exhibit F.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development to create a single family residential development, and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Planned Development Regulations, Concept Plan (Exhibit B), Lot Layout Plan (Exhibit C), Preliminary Water and Sanitary Sewer Plan (Exhibit D), Elevation/Façade Rendering (Exhibit E), and Landscape Plan (Exhibit F).

Development Regulations

1. A mutually agreed upon Development Agreement will be required for the property.
2. The minimum lot area shall be 7,200 sq. ft.
3. The minimum lot width shall be 60ft.
4. The minimum lot depth shall be 120ft.
5. The minimum front yard setback shall be 20ft.
6. The minimum interior setback shall be 10% of the lot width or 10ft. interior and 15ft. on corner lots.
7. The minimum rear yard setback shall be 20ft.
8. The minimum dwelling unit size shall be 1,800 sq. ft.
9. The maximum lot coverage shall be 50%.
10. Screening for the North and South boundaries of the property shall be constructed of a 6ft. wood fence. Masonry screening shall be required along the front entrance of the property.
11. The Site Plan shall conform as approved by the City Council under case number ZDC-179-2020.
12. Any zoning, land use requirement, or restriction not contained within this zoning ordinance, Development Agreement, or Planned Development Regulations shall conform to those requirements and/or standards prescribed in Exhibits B – Concept Plan, Exhibit C – Lot Layout Plan, Exhibit D – Preliminary Water and Sanitary Sewer Plan, Exhibit E – Elevation/Façade Rendering, and Exhibit F – Landscape Plan. Where regulations are not specified in Exhibits B, C, D, E, F, in this ordinance, Development Agreement, or Planned Development Regulations, the regulations of Single Family-3 zoning of the City of Waxahachie Zoning Ordinance shall apply to this development.
13. A detailed Site Plan packet shall be administratively reviewed and approved in accordance with the Site/Concept Plan.
14. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

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

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

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PASSED, APPROVED, AND ADOPTED on this 26th day of January, 2021.

MAYOR

ATTEST:

City Secretary

Planned Development Provisions

Purpose and intent of this Planned Development (PD) known as Dominion Park is to allow for the development of 221 single family detached homes as shown in the enclosed PD site plan. Any standards not written herein should default to the Base Zoning District (SF-3) as described in the City of Waxahachie's Code of Ordinances.

Compliance with City's Comprehensive Plan:

Single Family – 3 (SF-3) zoning district is the intended base zoning classification underlying this PD. The proposed PD zoning district is intended to be similar to the SF-3 with principal permitted uses include single family detached dwellings.

Description of the request:

- We intend to modify the existing Single Family I (SF-1) requirements under a planned
- development which will allow for the development of 221 single family detached homes.

Proposed use of the property:

- Dominion Park consists of a mix of residential dwellings with majority of the dwellings being rear entry. Lots vary from 7200 SF up to 22,745 SF that uniformly blends with the adjacent development. The development will provide a high-quality residential neighborhood that will serve as a model for future developments in this area. The development will feature an elegant entrance monument, water feature, wider roadways, and a masonry fence at the front. Parks, jogging trails, multipurpose sports courts, community gathering areas, 6' sidewalks and lush landscaping are proposed for amenities. Common areas will be maintained by the HOA.

General development requirements

- The development site plan is attached in Exhibit "C"
- Elevations are attached in Exhibit "C"
- Density of the proposed development is 3.5 units per acre (outside the floodplain).
- Entrance monument sign, Landscaping and Screening plans are attached in Exhibit "C"
- Main access to Dominion Park will be provided by connecting the proposed entrance to the existing Ovilla Rd and additional access will be provided by connecting to the existing Shephard's Place PD to the north.
- Internal streets: proposed 50' right of way with 30' back to back curb and gutter streets with 6' sidewalks.
- 140' right of way is proposed near the entrance with divided roadway.
- Multiple park areas with amenities are proposed in the development.
- Homeowners association (HOA) will be established.
- All common areas landscaping, playground equipment will be maintained by the HOA.
- Park Benches, Pergolas, Playground, Trash receptacles throughout the open space and park areas.
- All park areas are within walkable distance to the residences.
- Sidewalk connectivity throughout the development and to the adjacent developments.
- SF lot coverage @50% maximum.

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- Proposed masonry percentage for SF residential lots @75%. All materials should be in accordance with the City of Waxahachie requirements.
- Accessory buildings for SF Residential lots limited to 1 per lot with
- Size of SF Residential lots
 - Minimum lot area – 7200 Square Ft.
 - Minimum lot width – Sixty (60’), Seventy (70’) and Eighty (80’) □
 - Minimum lot depth – 120’ - Sizes of SF Residential yards:
 - Minimum Front Yard – 20’
 - Minimum Side Yard – 10% of the lot width or 10’ maximum. 15’ on corner lots.
 - Minimum Rear Yard – 20’ - SF lot coverage @50% maximum.
- SF Maximum height at Two (2) stories for the main building. One story for accessory building buildings.
- At a minimum, each lot should follow the landscaping requirements shown in exhibit C. A minimum of one (1) canopy tree with a minimum caliper of two (2) inches per tree shall be required for each dwelling unit.
- A minimum of 2 enclosed parking spaces per dwelling unit in front of rear building line on the same lot as main structure for rear entry houses and rear of front building line on the same lot as main structure for front entry homes.

Single Family Residential (SF1)

Height Regulations	
	2 Stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	16,000 SF
Minimum Lot Width	90'
Minimum Lot Depth	140'
Minimum Front Yard	40'
Minimum Side Yard	15' Required; 20' from a street ROW
Minimum Rear Yard	25'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum 2 enclosed parking spaces behind the front building line on the same
	lot as the main structure
Minimum DUA	2,200 SF

Proposed Planned Development (PD-SF)

Height Regulations	
	2 Stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	7,200 SF
Minimum Lot Width	60'
Minimum Lot Depth	120'
Minimum Front Yard	20'
Minimum Side Yard	10% of Lot Width; 10' Maximum. 15' on Corner Lots
Minimum Rear Yard	20'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum 2 enclosed parking spaces in front of rear building line on the same lot as the main structure
Minimum DUA	1,800 SF

Exhibit C - Lot Layout Plan



SCALE: 1" = 120'



60 Feet Lots = 146
 70 Feet Lots = 41
 80 Feet Lots = 34

COLORED LOTS

EXHIBIT C

DESIGNER

Turnkey Tract, LLC
 2770 Main St. #171
 Frisco, TX 75033
 rk.c@turnkeytract.com

OWNER/DEVELOPER

WAXAHACHE ONE DEVELOPMENT
 GEORGE SALVADOR
 8350 N F-28E, SERVICE ROAD
 WAXAHACHE, TX 75165
 info@thancustomerhomes.com



(20)

ZDC-178-2020	
PLANNED DEVELOPMENT DOMINION PARK 78.3 ACRES 221 LOTS WAXAHACHE, TEXAS, USA	
Project number	202002007
Date	01-08-2021
Drawn by	rk
Checked by	rk
Scale	

